UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 91st CONGRESS
FIRST SESSION

VOLUME 115—PART 4

FEBRUARY 24, 1969, TO MARCH 6, 1969
(PAGES 4179 TO 5498)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1969

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 91st CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—*Monday, February 24, 1969*

The House met at 12 o'clock noon.

The Reverend Rudolf Troost, Estonian Lutheran Church, Silver Spring, Md., offered the following prayer:

Dear Heavenly Father, on this 51st Estonian Independence Day we pray for the return of freedom and independence to long suffering Estonia. Save us and other countries from the evil teachings and doings of communism.

Make us thankful nations, knowing that "if the Son shall make you free, ye shall be free indeed" (John 8: 36) and let the wicked know "that his day is coming" (Psalm 37: 13).

Show us light to fight the forces of darkness, teach us to speak softly, but make strong our hand.

Help us to share our blessings with other countries, who are starving for food—or for freedom.

Bless our President, our Speaker, and Members of this House and help them to protect us from our enemies, who conspire day and night to bury us. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, February 20, 1969, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

THE PRAYER OF THE REVEREND RUDOLF TROOST

(Mr. GUDE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUDE. Mr. Speaker, it is a great honor for me to have one of my constituents deliver the opening prayer today. The Reverend Rudolf Troost of the Estonian Lutheran Church of Silver Spring, Md., has honored us with his prayer in commemoration of the 51st anniversary of Estonian independence, which he and his people celebrate this day.

The Estonian struggle stands as a stirring example of efforts to secure and retain peace against Soviet oppression. After the outbreak of the Second World War, Estonia and the other Baltic States, Latvia and Lithuania, became victims of the conspiracy of the totalitarian powers of Soviet Russia and Nazi Germany. The final outcome of this conspiracy was the forcible incorporation of these countries into the U.S.S.R. The Soviet assault in 1940 against its Baltic neighbors marked the first step westward in the ruthless march against Europe.

Mr. Troost, whose presence here today we acknowledge, has not himself been a stranger to this Soviet and Nazi aggression. He was captive in a Nazi prison camp for some 40 days at which time he was able to make his escape. That he is here today espousing the cause of the Estonian people attests to the irrepressibility of the longing for peace where there is no peace. Americans view with sad regret the fact that people anywhere must still endure such a longing.

Thus, in response to the celebration of the 51st anniversary of the independence of the Republic of Estonia, we honor the work of such churches as the Estonian Lutheran Church and her minister for their endless efforts in the cause of peace, we gravely acknowledge those absences of independence and peace in too many countries in the world, and we resolutely renew our pledge as a nation and the Congress of continued efforts toward the universal goal of peace for all men.

VOICE OF DEMOCRACY CONTEST

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the Record and to include a speech.)

Mr. PERKINS. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conducts a Voice of Democracy contest. This year, over 400,000 school students participated in the contest.

I feel that the area of eastern Kentucky, which it is my privilege to represent in the Congress, has been greatly honored and distinguished by the outstanding ability of a young man from Ashland, Ky., who delivered the winning speech from our State.

The young man, Mr. Thomas M. Hall, resides at 2409 Central Parkway, Ashland, Ky.

At this point in the Record, I include his winning speech.

FREEDOM'S CHALLENGE

The nation in which we live is founded on freedom. The privileges of the democracy we enjoy are unknown to most of the world's people. How dearly those people must love freedom! How they must wish that there were something they could do to promote freedom for themselves and their children.

Yet, there is a time when even a free nation imposes certain responsibilities upon its citizens. I speak not of obeying the laws and paying taxes. The duties I would call to your attention are not to be found in any lawbook or in any moral code.

The challenge of freedom is in the safeguarding of that freedom. Thousands of young soldiers have met that challenge with their death. All the great legislation handed down to us by Congress in the nearly two hundred years of our nation's existence, was formulated by men who wanted to do a little more than was required of them to promote freedom.

But anyone can tell you that soldiers and statesmen alone have not made America great. But rather it is the great number of individual, responsible citizens who find it their duty to do all they can to promote freedom. They confess, though not in the literal sense, that there is no greater honor than to work for the same cause as Washington, Jefferson, Lincoln, MacArthur and Kennedy. They serve in a more, basic, more fundamental way, but their deeds are no less important.

They take it upon themselves to get the best possible education and to keep themselves well informed. With this knowledge as a basis for action, they then vote in every election, they participate in civic functions, and they try to instill in their sons and daughters the same high ideals. They are the ones who truly guide our nation's destiny. For they are the ones who petition, who write to their congressmen, and who stand firm for their beliefs.

Freedom's challenge, then, is one of participation. All of us, you and I, hold the hope for the freedom of our posterity; our very sons and daughters.

Now, rioting, sit-ins, and flag-burning have all been called protest, have all been called participation. But the thinking person realizes that democracy has left other doors open to him. He knows that far more has been accomplished by men sitting down together to honestly discuss their differences than has been accomplished in any riot.

We must also be aware that apathy and a lack of desire to meet the challenge of freedom is also dangerous. "Home of the free" does not mean "Home of the carefree". Where would we be today? What freedoms, if any, would we enjoy had it not been for those great men, famous and unknown, who in the past have met freedom's challenge?

Constantly striving for a better nation. Educating and informing oneself. Working overtime through responsible words and deeds to preserve freedom for ourselves and our children. This, indeed, is freedom's challenge.

THOMAS M. HALL.

PROGRESS UNDER THE ELEMENTARY AND SECONDARY EDUCATION ACT

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker—

I think the difference in my community

> between riot and disruption has been Title I money. I think it has saved us from this.

This is one of the ways, Mr. Speaker, in which the superintendent of schools for St. Louis, Mo., Dr. William Kottmeyer, evaluated the Elementary and Secondary Education Act in his testimony before the Committee on Education and Labor. Superintendent Kottmeyer further stated that full funding of the Elementary and Secondary Education Act "might well make the difference between conflagration in my community and not."

When asked if ESEA were fully funded could the St. Louis school system spend additional money effectively and efficiently Dr. Kottmeyer responded:

> I could think of no more effective way to spend money.

Dr. Edward Palmason, a member of the school board for Seattle, Wash., evaluated ESEA, particularly title I, in much the same way as Dr. Kottmeyer. He said:

> I can tell you this: the crisis in our cities is much less than it would have been if you had not given us Title I funds. I don't know what we would have done without them.

Mr. Speaker, the Committee on Education and Labor has conducted 13 days of hearings on H.R. 514, a bill to extend the Elementary and Secondary Education Act for 5 years. Last week I had an opportunity to review and study the testimony presented during the first 9 days of hearings. I would like to share with my colleagues today certain observations which are overwhelmingly supported by the testimony we received in this 9-day period. The hearing record establishes without doubt that programs carried on under the Elementary and Secondary Education Act have been most effective in improving the quality of elementary and secondary education. Testimony reviewed is in unanimous support of H.R. 514 which proposes a 5-year extension of the Elementary and Secondary Education Act. Further the testimony checked supports what I reported to be the view of school superintendents across the Nation—that the Elementary and Secondary Education Act is grossly underfunded—not only in terms of the disparity between appropriations and authorizations but more importantly in terms of the disparity between the amount of money available and the enormity of the job to be accomplished. It is abundantly clear from the testimony presented to the committee during the first days that local school officials—those implementing programs in the community—are enthusiastic about the progress which has been made; that they are in support of a continuation of the Elementary and Secondary Education Act but that they are deeply concerned about the inadequacy of the level of financing for these programs.

Mr. Speaker, I should like to share with my colleagues some of the statements presented in our hearings which have led me to these conclusions. With respect to the effectiveness of the Elementary and Secondary Education Act, the superintendent of Boston public schools, Dr. William H. Ohrenberger, states:

> Title I has enabled Boston to establish a comprehensive enrichment program that provides vitally needed educational services a day school, after school, and summer school basis for some 20,000 disadvantaged pupils. It has also enabled Boston to pioneer a model demonstration sub-system program of innovative education for some 900 pre-kindergarten—Grade 12 pupils in the heart of the inner city. Finally, Title I is funding a work-study program which provides a combination of schooling and work experience for some 320 boys and girls who are potential dropouts.
>
> Although these programs are still in their infancy, improvement in reading achievement and academic performance has been noted. In addition, individual case studies and questionnaires to parents reveal increased enthusiasm for school activities on the part of both pupil and parent.
>
> That federally sponsored programs under the Elementary and Secondary Education Act have been of great benefit to our schools cannot be denied. Without such assistance we would have been unable to extend and expand our enrichment program for disadvantaged children, or to initiate many experimental programs. I feel that these programs will have a far-reaching effect on the entire school system and will improve greatly the quality of education in Boston. However, the continuation of these educational programs hinges directly on sustained federal support.

Dr. Joseph Manch, superintendent of the Buffalo, N.Y., public schools commented:

> I can now state that in Buffalo, and in New York State as a whole, ESEA Title I is effective. The evidence is far from complete, but it indicates that disadvantaged children are erasing that disadvantage. Here I would like to include in the record our Title I Evaluations and the New York State Title I Evaluation report for 1966–67.
>
> In our largest single project, utilizing nearly $2.5 million of the $4.9 million Title I funds, 27,000 children, an average of over 1½ years retarded in reading and mathematics, were provided remedial assistance during or after the school day. It has been our experience that a 6 or 7 month gain over 10 months in such programs can be expected. These children averaged a gain at the rate of a full year.
>
> In another program—a pre-kindergarten program cited as one of the State's ten best ESEA projects and cited further by the Office of Education in Profiles in Quality Education—I think you may have seen this report and this program is cited on page 1. Preschool boys and girls in the target area were exposed to a wide range of educationally and culturally stimulating experiences. A pre- and post-test measurement showed a gain of 8 and 9 points in intelligence quotient.

With respect to the effectiveness of ESEA in Philadelphia Dr. Mark R. Shedd, superintendent of schools, added:

> Other impacts of course do occur systemwide. At the Sayre Junior High School in Philadelphia, for instance, the principal and staff, urged on by a community weary of watching its children progress from grade school to high school without learning how to read, established a basic skills center last year, using Title I funds. In one year the center served some 200 youngsters with severely retarded reading levels, and in one semester the average pupil enrolled in this program improved almost three levels in reading as measured by standard achievement tests. . . .
>
> In North Philadelphia, to cite another illustration, the combination of a dynamic principal and modest increment of Title I funds for curriculum and staff development has completely turned around Simon Gratz High School. Only three years ago Gratz was widely regarded, and justifiably so I believe, as the worst school in the city. Three years ago only 13 students from a graduating class of 600 went from Gratz to college. The dropout rate at the school was in excess of 40 percent. Rate of attendance was the lowest in the whole city.
>
> Last year, 168 Gratz graduates went to college—an improvement of 1300 percent. The dropout rate has been halved. Teachers are vying for transfer assignments in rather than out, and virtually all 4,000 students are wearing large "Gratz is Great" buttons in their lapel.

Dr. E. C. Stimbert, superintendent of schools in Memphis, evaluated the Elementary and Secondary Education Act as follows:

> We are rather proud of the fact that we can handle a dollar as well as anyone else can. I am referring to the staff. I am referring to the kind of accountability we have on all tax moneys. I would say without fear of successful contradiction, as the saying goes, that these funds are the kind of funds that we are getting tremendous returns from. As far as accountability for the dollars is concerned, yes; but in terms of what is happening to the boys and girls because of these programs, I think this is kind of a new age in education . . .

Speaking of specific projects in his evaluation, Dr. Paul W. Briggs, superintendent of the Cleveland public schools system said:

> There has been a significant consistent gain in reading skill among pupils in our reading improvement projects: boys particularly have shown strong improvement. One good example here is that during the past two years the number of books taken home by children from our libraries has increased, in our target area schools, by over 60 percent. In fact, last year the children in the inner city of Cleveland took home over 1,300,000 volumes out of our library. This is great.
>
> Children who have participated in our pre-kindergarten project have performed in kindergarten and first grade well beyond the rates comparable of children without such services. Head Start is working.
>
> In a special project for seriously intellectually underdeveloped though not mentally retarded children between 5 and 8, there was an increase in IQ of from 5 to 19 points for one-third of the children participating.
>
> Children in remedial mathematics groups have shown significant gain as compared to similar children not receiving such special attention. We now have a group of 30-odd mathematicians, specialists in the elementary schools, that move in the areas where we have our greatest problems and work especially with those children.
>
> At the senior high school level, schools receiving Title I services experienced at 10 percent decrease in the dropout rate last school year, as compared to the preceding year.
>
> One of our most impressive results has been achieved in our job development project where nine out of every ten participants secured full-time employment in Cleveland business and industry. We have over 100 businesses who have opened their doors to the Cleveland inner city high school graduates. We followed this group one year after their placement to see what had happened to them. In 90 percent of those placed, one year later they were still on the job and half of those placed on jobs had received promotions.

With regard to long range benefits, Dr. Briggs added:

> Another significant long-range benefit that Title I has brought to the schools of Cleveland is an emerging new staffing pattern

> through which the competencies of more people at various levels of training are being utilized. This includes teacher aides, assistant teachers, tutors, parent educators. By the way, we have 3,500 volunteers working in the Cleveland schools without pay: home-school liaison aides, technicians and other expanding classifications. In other words, a true community team to try to improve the quality of education for our children. In these roles, many inner-city residents, including parents, are entering a new relationship and involvement in education. This is good for children and good for their parents.

Mr. John Wagner, a member of the school board for South Bend, Ind., commented:

> I think probably the highlights of the prepared statement might be of interest to other people in attendance. To give you a rough idea of the size of our school corporation, we have something over 37,000 students. There are 41 elementary and eight high schools in the public school system, and there are eight elementary schools and two secondary schools in private education in our community.
>
> Under Title I of the Act, we have involved 13 public schools and eight private schools in the Title I program. Our evaluation of the program, has been that it probably should be classified as one of the most important and inspiring programs that has been added to our educational system in many years.

Mr. G. Warren Phillips, superintendent of schools for Valparaiso, Ind., and chairman of the Federal Policy and Legislation Committee of the American Association of School Administrators indicated their title I program has been evaluated in a number of ways:

> We have evidence shown by tests, by student behavior and by the judgment of teachers that we are making significant progress. This is a good program. As we have acquired staff that is skillful, the program has become stronger.

Mrs. G. Theodore Mitau, vice chairman of the board of education for the independent School District No. 625, St. Paul, Minn., in her evaluation, said:

> Never in the history of American education have programs been introduced that have had a more dramatic impact upon the quality of educational offerings in the cities of the United States than those introduced under ESEA. The professional staff judgments, community reactions, and pupils' performances all testify to their effectiveness.
>
> In St. Paul, the ESEA and kindred laws have made possible a broad range of new and exemplary educational programs. Of particular significance today are those programs that provide direct benefits under Title I of ESEA to children suffering from poverty and other forms of educational disadvantage. For children whose worlds are only a few blocks wide, we can offer extensive field trip programs, enriched elementary library services, and an educational horizon that puts fewer limits on what children may dream of becoming.
>
> There is not time to tell of the 400 children from the very poor who, because of Title I money, had their first dental examinations. (We bought a Hi-Speed dental unit for Jackson School. We need ten more like it.) Nor to tell of the work of our Parent Consultant, who serves as a special kind of person to parents having handicapped children so that benefits carry over and build home-school relationships into the family unit. Nor to tell of our consultant in the area of inter-racial activity, who works to establish community rapport with the disadvantaged or minority groups resulting in a climate of mutual trust and improved channels for two-way communication."

Another school board member, Mrs. Margaret Nielsen of West Bend, Wis., said:

> Federal funds allocated to our local district have been an extremely important stimulant in the overall updating of our program. The funds from ESEA enable us to accelerate and improve our program to the point where we are years ahead of where we would be if we were to rely on only local tax monies. The total money supplied has provided a stimulant for growth and focused our attention on the need to solve programs which had been present for many years.

Mrs. Nielsen's high evaluation of title I can perhaps best be understood in the context of her response to the question:

> Suppose the Congress, through some miracle, should decide to double the amount of money in education so that you would receive twice as much, or another $28,000, do you think that ought to come in Title I or be spread amongst some of the other Titles as well. Or should we give it to you in something akin to general aid?

She answered:

> I personally feel that it should come in Title I. I think it has provided a tremendous impetus in our school district in solving some problems which we are solving very nicely.

During these first 9 days of testimony there has been discussion about the validity of those few reports which have been critical of title I, such as the Tempo report. Speaking specifically about that report, Mrs. Frances Carnochan, chairman of the Legislative Commission of the NEA, an organization representing some 2 million teachers, said:

> We are aware of the so-called Tempo report which the public press has, perhaps unwittingly, blown out of all proportion to its "findings." This report is based on evaluation of programs in eleven school districts out of 16,000 school districts with Title I programs, and 35,000 children in 132 schools in these districts, out of some nine million eligible Title I pupils. It is in our opinion virtually worthless.

Speaking of his title I programs in Cleveland, Superintendent Briggs also disagreed with the critics. He said:

> I am in total disagreement with the critics, particularly as it applies to Cleveland. When I see our schools open in the summer, when I see swimming pools, neighborhood swimming pools that we put into the inner city, 22 of them last year and thousands of children lined up every day using them, when I see children in 40 preschool centers now operated under Title I, 40 preschool centers in Cleveland with their mothers in there nearly every day, or at least every week their mothers are in, when teachers tell me that children are coming into kindergarten and first grade better prepared, when I see the dropout rate in the five inner city high schools drop ten percent, I cannot help but feel that the critics are wrong. I know very well they are wrong. It does not make as much news though.

Much of the discussion in the hearings in this period has centered on title I. Too frequently I am concerned that we fail to recognize the significances of and the contributions being made by title II of the act which provides support for library materials and textbooks. The following statements confirm my impression that this title also has made a valuable contribution in improving elementary and secondary education.

Miss Cora Bomar, director, division of educational media, North Carolina State Department of Public Instruction, in Raleigh, commented as follows:

> Some comments from the teachers at the Morehead Elementary School in Durham, North Carolina concerning their demonstration school library project indicate the impact of a demonstration school library project. One teacher said "indispensable." Another teacher said "It has provided me with varied materials so that I might reach all children in at least some aspect of learning." Another teacher said "it allows more individual and group work because head sets, tape recorders and film strip projectors are available. NDEA Title III funds provided the hardware for this project, whereas ESEA Title II provided the software."
>
> Another quotation from a teacher: "The increased materials provided information and ideas that strengthened all of our classroom activities." And the final quotation—and the one that I think is very important—one teacher said "The students have been stimulated to investigate more subjects."
>
> * * * * *
>
> I could go on at length sharing with you the impact of ESEA Title II programs in North Carolina and in other States. I have many examples here on the table before me. However, at this time, I will simply state that Title II is a program essential to the improvement of educational opportunities of all of our children. The full potential of the program has not been attained because of the limitation of actual appropriations. We therefore recommend that appropriations be up to the level of current authorization. Because of drastic reductions in appropriations this fiscal year and the recommended appropriations in the 1970 budget, many Title II programs initiated the first three years of the Act will be drastically curtailed. The second recommendation: Advanced funding be implemented as soon as possible. Congress is to be commended for authorizing this advanced funding last session.
>
> New York City has been a leader in the school library field. We have a great number of very fine librarians and many teachers and principals who are dedicated to the concept of enriched learning through a variety of resources. Title II has helped to provide these resources. I strongly urge its continuance, its full funding and its expansion.

Miss Frances Hatfield, supervisor of instructional materials, board of public instruction, Broward County, Fla., said:

> I am grateful for the opportunity to discuss some of the phases of Title II which I see from my vantage point as a supervisor of the library program in a large school system which serves 110,000 children in 103 schools . . .
>
> On behalf of the American Library Association and especially of the over 12,000 members of the American Association of School Librarians, I wish to thank this committee and the Congress for its interest in providing legislation which has such beneficial effects.
>
> I strongly urge passage of the Elementary and Secondary Education Amendments of 1969, and full appropriations in order to assure a continuing effort to achieve quality education for all boys and girls in the schools of the United States.

That the Elementary and Secondary Education Act has been effective in improving and expanding the availability and quality of instruction for migrant children was attested to by Austin H. Armitstead, chairman, National Committee on the Education of Migrant Children:

> Today we would like to confine our remarks largely to the effect of the Migrant Amendment to Title I of the Elementary and Secondary Education Act (PL 89-10). Before making these comments we would like to say that they are based on staff observation of dozens of classrooms in a number of states, staff participation in teacher training programs, the reading of state education agency program reports and consultation with numerous program staff at the local and state levels.
>
> There is no doubt that the funds which have been available under the ESEA Migrant Amendment—up to $45 million in the current fiscal year—have made a difference in the status of migrant children's education. Although it might have been presumed that Title I funds, which were intended to provide for all disadvantaged children including migrants, would indeed, without a special program for migrants, provide increased educational opportunity, they did not make any substantial change in its first year of operation. We found in a survey of 1966 programs that only 11 states could report any use whatsoever of Title I funds for migrant children. And even in most of these 11 instances, aid was not of any substantial or special form. This is a sharp contrast to the 44 states who participated in the Migrant Amendment program in 1967 and 1968. This would seem to indicate very strongly that states had little interest in educating migrant children until earmarked funds were made possible for that purpose alone.

Mr. Speaker, do local school officials support a 5-year extension of ESEA? The answer to this is a resounding "Yes."

The deputy superintendent of schools for Los Angeles, Graham Sullivan, said:

> First, may I say to you that we support fully the extension of ESEA for a period of five years.
>
> Without question, ESEA as well conceived, was carefully planned, provided broad coverage through its various titles. Its authorization is flexible enough to permit states and local districts to use funds provided by the legislation to attack most of the major problems. I think one of the interesting things about ESEA and the real important things about ESEA is the fact that the various titles each make their own contribution to programs that will improve and strengthen education, and yet there is a linkage from one program to another.

Superintendent Shedd, of Philadelphia, added:

> My message is really quite simple. To fail to extend H.R. 514 at this time will be calamitous. To fail to provide a substantially increased level of funding soon will be unfortunate. ESEA funds have become an essential part of our program in the school district of Philadelphia, and for two basic reasons.
>
> The first lies simply in the nature of the programs we have been able to mount and will be able to continue only with Federal funds. They are essential programs.
>
> The second is that ESEA funds constitute for us, and I believe for most of the big cities, the critical increment—the change dollars necessary to overcome institutional inertia and produce institutional change.
>
> I believe we are at a critical juncture in Federal involvement in the funding of public education precisely because we are at a point where the clear gains realized through ESEA will either be consolidated and expanded, or they will wither away. It is the simple facts of life that the extension of ESEA at the mere level of appropriation recommended for the fiscal year 1970 will simply permit the withering to begin. High expectations in the community, as well as among educators, will turn to frustration—and that is a most volatile kind of alchemy.

Dr. Gary N. Pottorff, vice president, board of education, Wichita, Kans., added:

> I think probably in our case the original plan drawn up for the benefit of the local citizens, community action programs, parochial and public schools, to determine where the need was the greatest. I don't think the need has changed from the five years of the present bill. I think perhaps the extension of the title I funds would be of the greatest importance to us.

Superintendent Ohrenberger of Boston, like Dr. Shedd and virtually everyone, recommended not only extension but also full funding of ESEA, particularly title I.

Dr. Ohrenberger stated:

> I earnestly request that Congress not only extend the Elementary and Secondary Education Act for five years, but also that it increase substantially the funding thereof. At present, federal funding under Title I is not adequate to meet the needs of all children for whom the legislation was designed. The present programs serve approximately one-half of the disadvantaged children in Boston.

Superintendent Donovan, of New York City, spoke of title I as follows:

> On Title I, I might tell you that this Title in our city has served a particularly important purpose. I hope that Title I continues to be funded fully in the future and I hope that Title I remains categorized because I do believe that only through that way can we devote it to this particular purpose.

He added:

> I think unless you continue to fund this and fund it with even greater funds than you have up to now, the big cities of this country—and my city in particular—are going to be in a terrible situation in their public schools. Our city and our State are finding difficulty in funding, the city because of constitutional limitations and the State for other reasons in its funding. This has come to us as a particular help in the most critical area we have, which is the growing number of disadvantaged children in the cities. I would like it to continue to be categorical aid until such time in the future as perhaps the Federal Government can so fund education that we wouldn't have to worry about categories. I don't see that time right now. I want it devoted to the critical areas of our city where it is going now. If you cut it off, sir—and I do not mean you but if this Congress should cut this off, I really don't know where we would turn.

Mr. John Wagner, South Bend Community School Corp., South Bend, Ind., said:

> I think it is very important that the Title I program be expanded because at least in our own situation the results that have been obtained with the limited funds indicate a much greater potential if adequate moneys were provided, because we have been limited by some of the reductions and the increase in costs are forcing us to cut the programs. We have had to drop several people from the staff that we would like to continue. As these people are dropped the program cannot help but become less effective. I think it is a worthwhile program and should be financed to the maximum.

Mr. Speaker, I am sure that there is not one Member of this body who is not aware of the problems brought about by our failure to adequately finance our education programs. In the face of increasing costs, it is clearly not enough even if we keep the programs at a constant level.

Mrs. G. Theodore Mitau, vice chairman of the board of education for the Independent School Dictrict No. 625, St. Paul, Minn., advised us of what happened in St. Paul because of inadequate financing. She stated:

> We desperately need the Title I funds to continue and expand this most important endeavor. One of our most successful Title I programs was a tuition-free summer school serving 3,500 students. Our school funding does not allow for summer school expenses. Therefore, we have to charge tuition fees to make the program self-supporting. This fact serves to eliminate those very students that need the most help. Title I funds for a time served this program. Our 1966 summer school for deprived students was immensely successful. These students didn't become street roamers. Many have returned to our regular classes by making up deficiencies. Certainly the presence in summer school of large numbers of Negro youths helps to defuse difficult summer confrontations. These young students, disillusioned, alienated, frustrated, comprise the social dynamite which has been so well described by Dr. Conant. This summer school program was eliminated because of the cuts in the Title I allotments during the past year. It needs to be restored. We also had to eliminate a fine program known as the Remediation Center, the Curriculum Centers and in-service training for teachers because of the cuts made in fiscal year 1969.

In Trenton, N.J., the problem was similar. Mr. David Tankel, director, ESEA title I, Trenton public schools, said:

> For example, in the next school year we must release one-half of our teacher aides because of a smaller 1969-70 allocation. I repeat, it is unrealistic to expect local boards of education to pick up the programs that are dropped. They just do not have the wherewithal to consider this step.

Mr. Speaker, I should like to clarify one very important point—the testimony before the committee is not without a sense of priority. All of us realize that much has to be done—and that at this point in time, there are limited resources. Local officials appearing before the committee are very well aware of this. Let me share with you some of their notions of priority.

Deputy Superintendent Sullivan, of Los Angeles, said:

> As far as I am concerned, our most critical task right now is strengthening the education program in the disadvantaged areas before anything else.

He was asked:

> Is that your No. 1 priority?

He responded:

> That is my No. 1 priority?

Our panel of school board members indicated that indeed full funding of title I has the highest priority.

Mr. Hazen Schumacher, board member and past president, board of education, Ann Arbor public schools, said:

> I think all of us have stated in one way or another that we feel this is probably the highest priority; yes, sir. That is the way I feel.

Mrs. Nielson, of West Bend said:

> I would agree that the highest priority would be to fully fund Title I.

Mr. R. Winfield Smith, president, National School Boards Association, and director, upper Perkiomen board of school directors, added:

> Surely we all agree with that.

Dr. Kottmeyer of St. Louis was asked:

> If Congress would fully fund the authorization for Title I, so that you could obtain your full entitlement of $8 million, are you presently in a position to wisely expend $8 million?

Dr. Kottmeyer responded:

> Sir, as we are spending 70 percent of that money at the point that I indicated to you before, we would simply continue to expand this program again and again and again, and I think would be the wisest way and would be a salutary lift to the school program in our city.

He was asked:

> Would you place the priority on programs for disadvantaged youngsters before we go to general aid?

Dr. Kottmeyer answered: "Yes."

He was asked "Why?"

And he responded:

> Because we all at least give lip service to equality of educational opportunity and equality of educational opportunity obviously does not exist.
>
> I think we should strive to do that and achieve that first.

In our discussion of priorities I should mention that quite clearly the testimony during the first 9 days of hearings places a higher priority on extension and full funding of ESEA than on general aid to education. Asked whether they were advocating general Federal aid to education before full funding of title I the members of our school board panel responded:

> Mr. Smith. I think what we are looking for is that on top of Title I.
>
> Mrs. Nielsen. I would agree.
>
> Mrs. Spicer. Me, too.
>
> Mr. Wagner. I concur.
>
> Mr. Schumacher. Yes, I agree.

In a similar vein Dr. John Lumley, executive secretary, NEA Legislative Commission, and NEA assistant executive secretary for legislation and Federal relations, said:

> As you know, our position is that general federal aid is needed in this country, but it is needed on top of these programs.

Mrs. Carnochan of the NEA, commented:

> Mr. Chairman, the Commission has tossed this around many, many times at the legislative commission, and we concur that these programs must be continued because we are not just talking about the tangible things, we are talking about the many intangible things which are going through the mind of these youngsters and developing, and if this were dropped now it would be just one disaster on top of another disaster. The small challenge of the greater challenge which these youngsters have had would disappear and they would be disappointed once more. We cannot afford this as a nation and the Commission does concur wholeheartedly that we need this and then, on top of it, general aid to education.

Other associates on the NEA panel agreed with the statement that general aid is needed but must come on top of, not in lieu of, existing programs—and only after these are fully funded.

Mr. Tankel, of Trenton, said:

> If we begin cutting out Title I programs, we have people back home in the rural areas, in the cities, who are going to be disappointed once again. We are just going to be building up a constant series of frustration with all of the inevitable problems that follow these frustrations. You are absolutely right.

Mr. William Raymond, director, ESEA title II, Tempe Elementary School District, Tempe, Ariz., added:

> I agree exactly. As I stated before, I think you create a lot of dissatisfaction, frustration and psychological damage in a community where you have initiated programs and then you cut back. Parents see their children in these programs and they see progress being made, and then when they are stopped they wonder why. So I wholeheartedly agree I feel, that general aid should be on top of these programs.

The following statement made by Dr. Joseph Manch, of Buffalo, N.Y., is a further illustration of this point of view:

> The first point refers to the issue of general aid versus categorical aid, and I notice there some members of the committee very much interested in that. While public education continues to be fundamentally a local problem, it is a national concern. It is in the national interest that we do at least two things: upgrade the whole level of education and at the same time, narrow the wide range of educational opportunity which now exists in the schools of this nation. But in attempting to work in behalf of this nation's general interest, we must allocate our financial resources in the most efficient, effective manner possible. Categorical aid, as reflected in Title I projects, meets this test.
>
> The point is—as I said to the Senate counterpart of this committee 18 months ago—if we have limited Federal funds available for equalizing educational opportunity, the greatest attention should be paid to the most glaring deficiency—the problem of educational deprivation which works to disequalize educational opportunity, particularly in the large cities. This is where we must develop a sharper focus.

In a series of responses Dr. Edward Palmson, of Seattle, made the following observations:

> The only other objection I would have is that militant teacher groups would try to negotiate grants for higher salaries.

* * * * *

> If you gave us a grant of $100 per child, for example, for a school year, the teachers would want the whole hundred dollars. With the negotiation law that we have in the State of Washington, if we didn't grant them the increase that they asked for, they would impose sanction or go on strike.

* * * * *

> We would spend in on basic programs, buying books and planning curricula and things we need.

* * * * *

> This is just manna from heaven, if it is categorized that they cannot get their hands on it.

* * * * *

> The big advantage of the Title I funds is that we can use them for food, hungry children, or their health needs, use for some of the bare educational factors. This is the point I am making. The money can be used for disadvantaged poverty-stricken children.
>
> True, we have to have teachers to teach these children, but at least we can funnel some of the funds into these other areas.

Dr. Bernard Donovan, of New York City, adds:

> What I am concerned about is that when we get block grants that go into general funding, that general funding then becomes approachable by all. For example, in my city I wouldn't want that fund to disappear in collective bargaining instead of going to disadvantaged pupils—and it very well could.

As Dr. Donovan's response indicates there is again confusion about the meaning of the proposed "block grant" approach to providing aid to elementary and secondary education.

Mr. Speaker, as I am sure my colleagues expected there has been considerable discussion about the so-called block grant approach in the initial days of our hearings. Yes, there has been not only considerable discussion about but also considerable opposition to such an approach.

The following will illustrate my point:

Mr. William Raymond, Tempe Elementary School District, Tempe, Ariz.:

> Regarding block funding, I at this point in time believe I would be opposed to it.

Dr. Graham Sullivan, deputy superintendent of instruction, Los Angeles City Schools:

> Well, as I indicated in my prepared testimony, we have great concern about a block grant approach that does not provide and assure adequate funds going to the big cities. I would say, as far as we are concerned in Los Angeles now, we certainly would prefer it as it is rather than moving in the other direction.

Mr. David Tankel, Trenton Public Schools:

> I believe I understand the point, Mr. Chairman, I personally, and I am not speaking for NEA, would be against block funding. If I dare in these august halls to mention the word, I am afraid we would be opening up a keg of worms in the political situation what would be very, very hard to control.
>
> I think that vested interests within the states would very often tend to push the money to needs that they see rather than to using them in the manner that they are not being used. I would be opposed to block grants.

Dr. Mark Shedd, of Philadelphia, commented:

> At the time when you get the categorical aid program funded at full level of authorization and beyond, if it were up to me, then I would be willing to take a look at block grants, but under the present circumstances, I think it would be a calamity to go to the block grant concept.

Dr. Ohrenberger, of Boston, added:

> I prefer the present program, Mr. Chairman. I perhaps could illustrate that by indicating that if a block grant approach were made to my particular state, I am afraid that the real problem of the urban community is not felt statewide.
>
> Under categorical aid specific amounts are allocated to me to perform functions and programs that I have dreamed of for many years in the area of the disadvantaged, which is Title I. We have inaugurated a program on our own in one district. There were still 12 districts without this service. This is what categorical aid did for us.
>
> If this were a block-grant type, I am afraid that perhaps other priorities would have gobbled these funds up, particularly with reference to teachers' salaries. I favor the categorical aid and I would also hesitate or I

would be inaccurate by say if block grant came to us I would take it over and above.

* * * * *

In other words, we have to attach priorities on it. The block-grant system, in my opinion, perhaps might be dissipated in areas other than those spelled out so completely in Titles I, II and III. I do lean very, very heavily and favorably on the categorical aid.

Dr. Donovan, of New York City, said:

Well, sir, I have testified on this many times. I am still of the same belief. I happen to be a city superintendent in what I consider to be a friendly State. By that I mean the State Commissioner of Education, the State Education Department are as aware of the city's needs as that department in any other State. However, despite that friendliness, I would prefer to see the funds be categorical and be specified for the large cities. There are too many pressures upon a State Education Department to divide large sums of money among all kinds of groups seeking it, all legitimately, too, but I think that the cities have a particular problem and while we get along very well with the State, I would not like to see any system come into effect which would deny the cities a direct fair share of the funds for their problems.

Dr. Paul Briggs of Cleveland stated:

I am fearful that much of it, a large portion of it will never get to the child of the city, the child of the ghetto, the child who is disadvantaged. You see, we have in most of our states a philosophy of distribution of money for schools based on the concept that the tax calculation of a school district determines its ability to provide services. We do not take into account the problems of the people of the school district. This is why in the City of Cleveland, with only 70 percent the total school population of the state when we have 30 percent of the relief children of the state, we have a problem that is way out of proportion to other school districts.

With the heaviest youth unemployment in the State of Ohio being in the inner city of Cleveland, we have a need for a kind of program there that is not found anyplace else in the State.

I think that under Title I the Federal Government found a kind of magic formula of going right to the heart of the thing and saying those who are poor are the ones that are going to be helped. We have been successful to a certain extent in the last legislature in our foundation program by getting the members of the legislature to put into our foundation formula what we call an ADC factor, which is based on this Title I principal, because we knew we could get a straight categorical grant from the legislature of so many dollars per ADC child. This has helped us tremendously.

The legislature seems to be pleased too, but the complicated method of distributing state funds is such that you may be pretty sure, unless some guidelines are set up on your block grants, the money is not going to get to the children of the inner city.

Mr. Phillips, of Valparaiso, said:

This act was designed for a specific need confronting this nation. Goals have been established at the national, state and local level. The program is in being basically three years. Know-how is being developed. I think it is imperative that we follow through on this. I think it would be a tragedy if we were to start off in another direction and leave this, if I am in touch with your question.

Mr. Phillips was asked:

Do you feel that a block grant would take us completely off the path we are on?

He responded:

I have some difficulty in defining a block grant. If I knew specifically the meaning intended for block grants, I could make a better answer.

Frequently, when I raise questions I find that there are certain limitations or directions written into the intent of a block grant which brings it somewhat into the direction of what we call categorical aid.

I think the plea I would make is not to abandon this program. Basically, we would favor general aid, but not by the elimination of a program that is in being and which promises much. If you mean on top of this, my answer would be quite different than in place of it.

Members of the NEA panel commented:

Mr. Chairman, the NEA Legislative Commission again feels this would be wrong for the same reasons which I stated previously. We would ruin what we had done so far and we have no opportunity really to evaluate these programs when they had been under way for a sufficient length of time. So we would be against the block grant.

Mrs. Carnochan is chairman of the Legislative Commission of NEA.

Mrs. Carol Belt, art coordination, Trenton Public Schools, Trenton, N.J., made the following statement:

I concur with the statements of the other members and my director here. I approach him for our funding and I would go along with his statement. It would be a shame, I would say yes, it would be terrible so see our programs fall, the things we have started thus far. They should proceed and grow as they are doing or as we hope they will do. I would be against block funding.

NEA panelist Dr. John Lumley added:

As you know, Mr. Chairman, the NEA believes fundamentally in a general aid program to the states which they could use for public education, not only public but nonpublic children. But we believe that this has to be in addition to the Elementary-Secondary Education Act, and we certainly would not want any block grants in the ESEA.

Dr. E. C. Stimbert, of Memphis, said:

I felt this question would be asked again. I am not sure I have a firm answer about it for the reason as we define general, categorical, and block. I think perhaps we are doing what sometimes schoolmen have done by trying to improve education by changing the organization a little. I think if the dollars are available and if you take the remark I made a little while ago, that we have different regulations in different states, what might be an undesirable technique or procedure in one area might not be in another. I think, frankly, in the matter of ESEA, I would like to see it handled as it is right now without any change in the procedure. I do not know whether that is an answer to your question or not, but I am a little on the fence.

Mr. Speaker, during the course of these hearings I stated that it was my firm conviction that we must take care of first things first—that we should not go to block grants until we take care of our first priority—properly educating the disadvantaged by providing adequate funds.

Dr. Palmason of Seattle commented:

I agree.

Dr. Richard Ando, of Honolulu, added:

Hawaii agrees.

Mr. Speaker, I am convinced that American education agrees, and to the accomplishment of this basic goal shall we direct our efforts.

A FARM LEADER SPEAKS OUT AGAINST HIGH INTEREST RATES

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the rural people of this Nation are always hit hardest in a period of high interest and tight credit. The major rural and farm organizations fully recognize this fact and they are among the most vehement opponents to the present Federal Reserve policies.

Mr. Fred Heinkel, of Columbia, Mo., president of the Midcontinent Farmers Association, and one of the Nation's best known and most respected farm leaders, spoke out against high interest rates in the February issue of Today's Farmer.

Mr. Speaker, this article calls attention to the fact that high interest rates add to the cost of every item in the economy and thereby fuel the fires of inflation.

I quote from Mr. Heinkel's article:

The irony of it is that this boost in the cost of borrowing money was presented as a move to control rising prices. It is supposed to slow inflation. *In my opinion it will do nothing of the kind.*

Interest is a cost. It is a direct one for many, an indirect one for all. There is no question that higher interest adds to costs.

Mr. Speaker, I place a copy of the text of Mr. Heinkel's article in the RECORD:

HIGH INTEREST RATES FEED THE FIRES OF INFLATION

(By F. V. Heinkel)

Costs are going up, up and up. Now one of the agencies which could do something about it has poured more fuel on the fires of inflation.

I'm talking about the Federal Reserve System. It has a responsibility toward national monetary policy Last month it raised the discount rate another quarter of a percent. This rate is reflected in the interest banks charge and has pushed the prime interest rate to seven percent.

The irony of it is that this boost in the cost of borrowing money was presented as a move to control rising prices. It is supposed to slow inflation. *In my opinion it will do nothing of the kind.*

Interest is a cost. It is a direct one for many, an indirect one for all. There is no question that higher interest adds to costs.

One clear example: Utility companies all over the country now are lined up before state regulatory agencies asking for rate increases. (There are 15 or more applications right now in Missouri.) For what reasons are the utilities seeking higher prices for their services? At the top of their list are two, both tied to increased interest. One, they maintain they're entitled to higher gas, power and telephone rates because interest is adding to their costs. Two, they feel they must have higher profits in order to attract new capital in the face of rising interest on other securities.

If higher interest raises prices then how is this supposed to control inflation?

The theory is that as interest rates are boosted then the demand for credit will subside, this will lessen the money supply and thus curtail demand and prices for goods and services.

Well, let's look closer at that.

Who will back off from credit because interest costs are up?

Will consumers desire less financing for autos, tv's and the like? Ridiculous! Interest charges on these loans already are much higher than seven per cent; they run three and four times that amount—as high as the law will allow. That is what is tying up credit now. Small loan companies and banks are scrambling to write all of that kind of credit they can get hold of.

How about big businesses? Will they cut borrowing for expansion and inventories because the interest rate is up? Some may. But many large industries so control their selling prices they can pass on costs. Higher prices will be their reaction. Look at the example of the utilities.

What about farmers. They can't pass on the cost. But will they borrow less for fertilizer and seed? Will they feed their livestock less? Not if they want to remain in business. A farmer has no real choice. He can't afford to use less capital for these inputs essential to maximum efficiency.

Who, then, is going to use less credit bebecause interest rates are up? The answer is, nobody.

There is an approach the Federal Reserve governors could use which would effectively aid control of inflation. They have the authority to buy and sell government securities. By exercising it they can immediately and directly reduce the amount of money in circulation. This would ease pressure on prices.

This wouldn't help interest costs. To maintain them would require other, simultaneous, action to cause a corresponding reduced demand for credit.

A few years ago credit regulations were loosened. Where payment for consumer products had formerly been scheduled over a 24 month period, new provisions permitted repayment of consumer notes over 36 months. This has sucked up available credit like a blotter takes up ink.

This easy money policy has gotten us into trouble. It has redirected buying and selling techniques. Buyers used to ask how long will a product last? Will it perform? Is it worth the price? Such questions have more and more given way to the one: Can you finance it for me?

The result: Inflated prices and a shortage of credit at higher cost for business expansion and farm production.

Tightening of consumer credit should accompany a reduction in money supplies. Such a two-pronged attack—reducing the amount of money available and the demand for credit—would cool inflation.

The cost of living index, the best measure of inflation available, has gone up more than 10 per cent in the last three years. This price spiral is particularly hard on those in rural areas—on farmers, small businesses, workers in local industry and service employees.

I don't presume to be a financial expert. Nor do I want to leave the impression that inflation is simple. It isn't. But I do know that inflation is serious and that *a direct approach such as I have suggested is needed* if we really want to put the brakes on these runaway prices.

TRUTH IN LENDING MADE SIMPLE

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, in a few months the truth-in-lending provisions of the Consumer Credit Protection Act of 1968 will be in effect. One of the reasons for postponing the effective date until July 1, 1969, was to give the Federal Reserve Board time to draft and promulgate the implementing truth-in-lending regulations. Last week the Board completed its work and the regulations were published.

Those of us who have been following the progress of the regulations have for the most part been satisfied that the Board has carried out the congressional intent. The reservations will surely be worked out. In any event, the gentlewoman from Missouri who contributed more than anyone else to the strength of this law has indicated that her Subcommittee on Consumer Affairs will hold hearings at which the responsible officials of the Board will discuss the regulations.

Shortly after the publication of its regulations, the Board prepared a question-and-answer summary designed to explain the regulations in simplified terms to creditors as well as consumers.

The document is a good job. It translates the most complicated provisions of the statute into terms that all can readily understand. Complaints to Congressmen over the incomprehensibility of bureaucratic regulation go with our jobs. One only wishes that all Government agencies would interpret their regulations for the general public in this simplified manner.

The question-and-answer summary prepared by the Federal Reserve Board follows:

FEDERAL RESERVE,
February 13, 1969.

What is Truth in Lending?

When Truth in Lending goes into effect on July 1, 1969, how will it affect department stores? Automobile dealers? Mortgage lenders? Banks?

Could retailers be sued for failing to disclose the cost, terms and conditions of the credit they offer?

These and other questions are answered in a series of explanatory questions and answers developed by the Board of Governors of the Federal Reserve System to foster better understanding of the Truth in Lending law and the Federal Reserve regulation implementing it. Both go into effect on July 1, 1969.

Truth in Lending will require the disclosure of credit terms on virtually all types of consumer credit beginning July 1. Regulation Z, which was published by the Federal Reserve Board on February 11, spells out the rules to be followed by the nation's creditors in carrying out the provisions of Truth in Lending.

The special question-and-answer summary attached outlines Regulation Z in broad terms. Creditors who must comply with the law should refer to the regulation itself for specific provisions.

TRUTH IN LENDING: SOME QUESTIONS AND ANSWERS

(NOTE.—These questions and answers are published by the Federal Reserve Board to foster better understanding of truth in lending. They are no substitute for the truth in lending regulation Z which should be consulted by persons who must comply with the truth-in-lending law.)

1. What is Truth in Lending?

It is a major part of the Consumer Credit Protection Act signed into law on May 29, 1968, following its adoption by the 90th Congress. It will require creditors to inform their customers of all the direct and indirect costs, terms and conditions of a credit arrangement.

2. What is the purpose of Truth in Lending?

Its purpose is to foster the informed use of credit by consumers. It is designed to make consumers aware of the cost of credit and enable them more readily to compare the terms available from various credit sources.

3. Will Truth in Lending fix a maximum charge for credit?

No. Truth in Lending will fix no maximum or minimum charges for credit. It will merely insure that a customer is advised of all the costs and conditions of the credit he is seeking.

4. Is there a government regulation spelling out how a creditor should comply with the law?

Yes. Congress assigned the task of writing the Truth in Lending regulation to the Federal Reserve Board. The basic regulation—designated Regulation Z by the Board—was published on February 11, 1969. Enforcement of the law and the regulation, however, is divided among nine different Federal departments and agencies according to classes of creditors.

5. What's the effective date for Truth in Lending?

July 1, 1969. Beginning on that date, all creditors covered by the law must comply with the disclosure and other provisions of Truth in Lending.

6. What types of credit are covered by Truth in Lending?

Generally speaking, only credit to individuals for personal, family, household or agricultural purposes which does not exceed $25,000. All real estate credit made to individuals for such purposes is covered, however, no matter what the amount.

7. Are any types of credit exempt from Truth in Lending?

Yes. Business and commercial credit are exempt as is credit to governmental units at the Federal, State or local levels. A governmental unit which extends credit to an individual for personal, family, household, agricultural purposes must abide by the law, however. Also exempt are transactions in securities or commodity accounts with a broker-dealer registered with the Securities and Exchange Commission and some types of transactions under regulated public utility tariffs. As mentioned earlier, credit exceeding $25,000 is also exempt except for real estate credit.

8. Can a State law substitute for the required Federal disclosures?

Under the law the Federal Reserve Board shall exempt from Federal disclosure requirements classes of transactions within a State if it determines that State law imposes substantially similar requirements and adequate enforcement is provided. Guidelines for States seeking this exemption are being drafted by the Board.

9. Who must comply with Truth in Lending?

Any person or business which regularly extends or arranges for credit to individuals for personal, family, household or agricultural purposes. This includes banks, savings and loan associations, department and other retail stores, credit card companies, automobile dealers, credit unions, consumer finance companies, mortgage bankers and even hospitals, doctors, dentists, plumbers and electricians if they regularly extend or arrange for credit.

10. In what way must the credit terms and conditions be disclosed?

The information must be in the terminology specified in Regulation Z and must be clear and conspicuous and in writing. The creditor may include additional information beyond that required by law and regulation, but must not confuse the required disclosure.

11. In general, what information must be provided?

The charges a customer must pay to obtain credit including, in most cases, the finance charge and the annual percentage rate.

THE FINANCE CHARGE AND ANNUAL PERCENTAGE RATE

12. What are the finance charge and the annual percentage rate?

They are the two must important concepts evolving from Truth in Lending. They will tell the customer at a glance just how much he is paying for credit both in dollar terms and as a percentage.

13. What must be included in the finance charge?

In general, all charges imposed by the creditor and payable by the customer—or by another party for the customer's account—either directly or indirectly to obtain credit. The finance charge includes not only interest but also such charges as loan fees, finder's fees, time price differentials, investigation fees, premiums for credit life insurance required by the creditor, points and other similar charges.

14. Are all charges and fees part of the finance charge?

No. Some costs—specified in Regulation Z—may be excluded if they are itemized and disclosed to the customer. Examples are taxes, license fees, registration fees, a fee for a certificate of title and fees fixed by law which are paid to public officials. Some types of real estate closing costs such as title examination fees, notary fees, appraisal fees and fees for the preparation of a deed may also be excluded from the finance charge.

15. In what form must the finance charge be expressed to the customer?

It must be stated both as a dollar and cents total—except in the case of the sale of a dwelling where the total dollar finance charge need not be stated at all—and as an annual percentage rate.

16. What is the annual percentage rate?

Simply stated, it is the relative cost of credit in annual percentage terms.

17. Is a creditor required to state the annual percentage rate along with the finance charge?

Yes. It must also be stated in the case of the sale of a dwelling, although the total finance charge need not be listed on this type transaction. Until January 1, 1971, the creditor at his option may state the annual percentage rate in dollar terms, such as $11 finance charge per year per $100 of unpaid balance. After this transitional period, however, the rate must be stated as a percentage.

18. How accurate must the annual percentage rate be?

It must be disclosed to the nearest one-quarter of one per cent.

19. How is the annual percentage rate computed?

That depends on whether the credit is open end or other credit such as instalment credit.

OPEN-END CREDIT

20. What is open end credit?

It is an arrangement under which credit may be extended from time to time with finance charges levied against any unpaid balances each month. Many revolving charge accounts offered by department stores and credit card accounts are of this type.

21. How is the annual percentage rate computed on open end credit?

The finance charge is divided by the unpaid balance to obtain the rate for one month or whatever other time period is used; this result is multiplied by 12 or the number of time periods used by the creditor during the year. In the case of a typical charge of 1½ per cent of the unpaid balance with bills presented monthly, the annual percentage rate would be 18 per cent.

INSTALMENT CREDIT

22. How is the annual percentage rate computed on credit other than open end?

It must be computed by either the actuarial method or the "United States rule." Under both methods the annual percentage rate is the same where payments are equal and are made at equal intervals of time.

23. Is there a convenient way to determine the annual percentage rate?

Yes. Tables have been prepared by the Federal Reserve Board to determine the annual percentage rate based on the finance charge and the number of weekly or monthly payments to be made. These tables may be obtained at nominal cost from the Federal Reserve Board in Washington, or from any of the 12 Federal Reserve Banks.

24. Can you give some examples of the actuarial method?

Yes. Using a bank loan of $100 repayable in monthly installments over one year at a 6 per cent add-on finance charge, the annual percentage rate would be 11 per cent. In this case the borrower would repay $106 over one year but would have use of the $100 loan only until he made his first payment. At that point he is repaying part of the principal and has less money at his disposal.

Using the same set of circumstances but this time with a 6 per cent finance charge discounted in advance, the annual percentare rate would be 11½ per cent. Thats' because the customer in this case would receive $94, must repay $100 and again would have full use of the loan only until he made his first payment.

SPECIFIC DISCLOSURES—OPEN END CREDIT

25. What specific information must be disclosed at an open end credit customer?

That depends on whether the customer is opening a new account or already has an account, for example, with a department store.

26. What information must be disclosed before a person opens a new open end account?

The customer must be advised in writing of the following provisions:

The conditions under which a finance charge may be imposed and the period within which payment may be made without incurring a finance charge.

The method of determining the balance upon which a finance charge may be imposed.

The method of determining the finance charge.

The periodic rate or rates used, the range of balances to which they apply and the corresponding annual percentage rate or rates.

The conditions under which additional charges may be imposed and the method for determining them.

A description of any lien the creditor may acquire on the customer's property.

The minimum periodic payment required.

27. Must similar information be sent to persons who already have open end accounts on July 1, 1969?

Yes. The same information must be sent to the customer by July 31 if the account has an unpaid balance. For accounts on which no balance is owed, the same set of disclosures must be made by the first billing which follows use of the account.

28. Is a periodic statement required on open end accounts?

Yes, if there is an unpaid balance exceeding $1 or if a finance charge is made.

29. What information must be disclosed in the monthly statement?

These provisions to the extent they apply:

The unpaid balance at the beginning of the billing period.

The amount and date of each purchase or credit extension and a brief description of each unless this was furnished previously.

Any payments made by the customer; returns, rebates and adjustments.

The finance charge expressed in dollars and cents.

The periodic rate or rates used to compute finance charges on the account and the range of balances applicable.

The annual percentage rate.

The unpaid balance on which the finance charge was computed.

The closing date of the billing cycle and the unpaid balance as of that date.

30. Where must these disclosures be made?

Some must be made on the face of the statement; others may be made on the face of the statement, on its reverse side or on both the periodic statement and a separate form enclosed in the same envelope.

SPECIFIC DISCLOSURES—CREDIT OTHER THAN OPEN END

31. Is a different set of disclosures required for credit other than open end?

Yes. The disclosures are spelled out in the Truth in Lending regulation.

32. What are some examples of this type credit?

A loan from a bank to buy an automobile is a good example. Another is credit by a store to buy a big ticket item such as a washing machine or television set. In all cases, the loan or credit sale is for a fixed period of time and the amount and number of payments is specified as well as the due date of each payment.

33. Are the finance charge and annual percentage rate disclosed in this type transaction also?

Yes, except in some specified first mortgage real estate transactions where the total dollar amount of the finance charge need not be stated.

34. What other disclosures must be made?

The customer must also be told:

The date of the transaction or, if different, the date which the finance charge begins to accrue.

The number, amount and due dates of the payments.

The sum of these payments except in the case of a first mortgage to finance purchase of a dwelling.

The amount or method of computing any default, delinquency or similar late payment charges.

A description of any security interest to be acquired by the creditor.

The method of computing any penalty charge for early repayment of the credit plus a statement outlining the charges which may be deducted from any rebate or refund.

35. Must the creditor always disclose the annual percentage rate?

On credit other than open end credit the annual percentage rate need not be stated if the finance charge is $5 or less and applies to credit of $75 or less; or if the finance charge is $7.50 or less and applies to credit exceeding $75.

36. What other disclosures must be made?

That depends on whether the transaction is a loan or a credit sale.

LOANS

37. What must be disclosed in a loan transaction?

In addition to the basic disclosures listed under questions 33 and 34 above, the customer must also be told:

The amount of credit which will be paid to the customer or for his account including all charges, itemized individually, which are included in the amount of credit but are not part of the finance charge.

Any amounts deducted as prepaid finance charges and required deposit balances.

The total amount to be financed.

CREDIT SALE

38. What else must be disclosed in a credit sale?

In addition to the basic disclosures listed under questions 33 and 34 above, the credit sale customer must also be told:

The cash price.

The downpayment.

The difference between the cash price and downpayment.

All other charges, itemized individually, which are included in the amount financed but which are not part of the finance charge.

The unpaid balance.

Any amounts deducted as prepaid finance charges or required deposit balances.

The total amount financed.

The sum of the cash price, the finance charge and all other charges. This item need not be disclosed in the case of a first mortgage.

39. When must all this information be furnished?

Generally before the credit is actually extended.

40. Where should the disclosures be made?

They may be made on the face of one of the loan or credit papers, or on a separate statement.

41. Are monthly statements required in the case of credit other than open end?

No. But if the creditor does send statements he must list the annual percentage rate and the period in which payment must be made to avoid late payment charges.

REAL ESTATE CREDIT

42. Is real estate credit covered by Truth in Lending?

Yes. Real estate credit to individuals in any amount is subject to Truth in Lending disclosures.

43. What special provisions apply to real estate credit?

There is no need to disclose the total dollar amount of the finance charge on first mortgages to purchase dwellings. The customer in some cases has the right to cancel a credit arrangement within three business days if his residence is offered as collateral for credit.

44. Does a first mortgage on a residence carry this right of cancellation?

A first mortgage to finance purchase of the customer's residence carries no such right to cancel. A second mortgage on the same residence, however, is subject to the cancellation provision, as is a first mortgage which is not used to finance the purchase of the customer's residence.

45. Is a mechanic's lien—an interest retained in a residence by a plumber or other craftsman who does work on credit—subject to the right of cancellation?

Yes, if the craftsman imposes a finance charge or allows payment in more than four instalments. And this will probably prompt the plumber to wait three business days after an agreement is signed to begin work.

46. May this right of cancellation be waived if the customer needs emergency repairs and can't wait three days?

Yes. A customer may waive his right to cancel a credit arrangement if his safety, property or welfare would be endangered by any failure to make repairs immediately.

47. Must the creditor or craftsman disclose to the customer his right to cancel the contract within three business days?

Yes. It must be disclosed in writing and in specified language before the three day period begins.

CREDIT ADVERTISING

48. Is the advertising of credit covered by Truth in Lending?

Yes. In general, no advertisement may state that a specific down payment, instalment plan or amount of credit can be arranged unless the creditor usually arranges terms of that type.

49. What other general advertising provisions are provided?

No advertisement may spell out a specific credit term unless all other terms are stated clearly and conspicuously.

50. Does this apply only to newspapers, radio and television advertising?

No. It applies to all forms of advertising including magazines, leaflets, flyers, catalogs, public address system announcements, direct mail literature, window displays, billboards or any other media.

ADMINISTRATION AND ENFORCEMENT

51. What Federal departments and agencies enforce Truth in Lending?

Although the Federal Reserve Board issued the regulation to carry out Truth in Lending, enforcement is spread among these nine departments and agencies:

The Federal Reserve Board for State banks which are members of the Federal Reserve System.

The Federal Deposit Insurance Corporation for other insured State banks which are not members of the Federal Reserve System.

The Comptroller of the Currency for National banks.

The Bureau of Federal Credit Unions in the Department of Health, Education and Welfare for Federal credit unions.

The Federal Home Loan Bank Board for savings and loan associations.

The Interstate Commerce Commission for carriers—trucks, buses and trains—which it supervises.

The Civil Aeronautics Board for air carriers it supervises.

The Agriculture Department for certain creditors under the Packers and Stockyards Act.

The Federal Trade Commission for all other creditors, such as retail stores, small loan companies, service establishments, professional people, etc.

52. What are the penalties for violating Truth in Lending?

Willful violations are punishable by a fine of up to $5,000, up to a year in jail, or both. Furthermore, if a creditor violates the law, the customer may sue him for twice the amount of the finance charge (and if successful, the customer could collect not less than $100 or more than $1,000), for court costs and reasonable attorney's fees.

53. How long must a creditor save his papers to prove compliance with the law?

Evidence of compliance should be preserved by the creditor for at least two years from the date of the transaction.

54. Is inspection of creditor records possible?

Yes. Under the law each creditor must make his records and evidence of compliance available for inspection by the appropriate enforcement agency.

TAX RELIEF FOR THE AMERICAN FAMILY

(Mr. PATMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PATMAN. Mr. Speaker, today I am introducing legislation to provide a $2,000 personal exemption for all taxpayers.

Mr. Speaker, this legislation will give the low and moderate income families long-overdue relief from high taxes. The Ways and Means Committee is now studying tax reform and is considering the closing of the massive tax loopholes for the rich.

Now the Congress must move on the other front—by removing the inequities from the average American family.

Mr. Speaker, I place in the RECORD a copy of a news release which I issued today on the this bill:

WASHINGTON, D.C., February 24.—Representative Wright Patman (D., Tex.) today introduced legislation to raise the personal income tax exemption from $600 to $2,000 "as a means to wipe out the inequities in our tax system."

Mr. Patman described his bill as "a prime antidote for the taxpayers revolt."

Mr. Patman's bill would exempt the first $2,000 of income for the individual taxpayer and would provide a similar $2,000 exemption for the taxpayer's wife and for each of his dependent children. Mr. Patman said his bill was designed primarily to give tax relief to families.

"It has been the low and moderate income families who have been carrying the great burden of income taxes and it is time that the Congress wiped out these inequities," Mr. Patman said. "The family is the basic strength of America and this bill is full recognition of that fact."

Mr. Patman said he anticipated that there would be charges that the $2,000 exemption would reduce Treasury revenues too drastically.

"This is the kind of charge that will come forward from those who do not want to close the tax loopholes on the wealthy," he charged. "If these loopholes are closed, there will be more than enough new revenue to the Treasury to offset this $2,000 exemption."

"I feel strongly that tax reform—the closing of loopholes—should be accompanied by an immediate removal of the heavy burdens of taxation on the low and moderate income families." Mr. Patman said. "Such a two-pronged attack—the closing of loopholes and tax relief for the average American family—will stop the taxpayers revolt before it gets started."

SPEAKER McCORMACK RECEIVES COVETED MINUTEMAN AWARD

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MONTGOMERY. Mr. Speaker, I had the honor and pleasure of attending the Reserve Officers Association's midwinter conference banquet held last Friday evening here in Washington.

Our own Speaker, JOHN McCORMACK, was honored that evening when he was presented the coveted Minuteman Award, the Reserve Officers Association's annual citation to the American who has contributed most to our national security in these times, 1969.

The Minuteman Award was presented to the Speaker by the very capable Secretary of Defense, Mel Laird.

In accepting this award, the Speaker made a forceful, hard-hitting speech, relating to those present some of the historic debates and decisions he has been a party to, decisions which have shaped the destiny of this country.

The Reserve Officers Association is a great patriotic group dedicated to keeping America strong. Our Speaker has the same dedication.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. MONTGOMERY. I am happy to yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I thank the gentleman for yielding.

I am happy, Mr. Speaker, that the gentleman from Mississippi has brought to the attention of the House of Representatives this honor which our great Speaker has received. If there ever was a "minuteman" from the great city of Boston, that "minuteman" is the Honorable JOHN W. McCORMACK, and I am delighted to join the gentleman from Mississippi in saluting our distinguished Speaker.

Mr. MONTGOMERY. I thank the gentleman.

BILINGUAL EDUCATION: MORE IS NEEDED

(Mr. BROWN of California asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BROWN of California. Mr.

Speaker, future development of this Nation depends greatly upon the quality of education given its citizens. Certainly, better education ranks among the highest priorities for those Americans trapped in poverty and hopelessness.

Improved housing, increased job openings, a cleaner environment, these all are vital factors; but, without the chance of growth realized through broadened education, dramatic breakthroughs envisioned in many plans for advancement will not come about.

One area in which educational demands are pressing concerns citizens who come from a non-English-speaking background. They live within two cultures, and, many times, interaction between cultures is poor.

As examples of those educational problems, and the ways they are now being solved, I would like to insert two papers by leading Mexican-Americans presented last year to the Teacher Corps rural migrant-preservice programs at the University of Southern California in Los Angeles:

The Most Important Advantage

(By Armando Rodriquez, Chief, Mexican-American Affairs unit, U.S. Office of Education)

There are no such things as disadvantaged kids. This has been the bag of the Mexican-American. He is tabbed as disadvantaged. It is the opposite that is true. It is the schools that are disadvantaged. American education has failed to communicate with Mexican-American kids. It has created barriers to learning based on differences in language. We don't have kids who are dumb, disadvantaged, poor learners. We just have a school system that has failed to teach them. We have an educational system that hasn't trained teachers to understand other cultures; it hasn't given them the equipment or the training necessary to communicate with the Mexican-American.

You represent the first generation of teachers who will have the tools to be the real catalysts between the school and the Mexican-American community. You will have that most important advantage to bring to the Mexican-American kid . . . communication and understanding.

I'm not asking you to act like missionaries. I don't want you to love these kids. I want you to teach them! Don't try to substitute your failure to teach with love. If you fail to teach, find out why.

As members of Teacher Corps and pioneers in HILT (High Intensity Language Training) you have been given a chance to become leaders in bilingual education, to effectively demonstrate the Teacher Corps goal of bringing innovation and change to the classroom. The success of this program will open the door to future bilingual education programs. Teacher Corps has provided the impetus. But we are a long way from accomplishment.

In order to comply with even the minimum processes necessary to educate Mexican-American children, we must train 100,000 bilingual teachers. We need these teachers to eliminate our monolingual and monocultural society; we need to promote cultural pluralism in our schools.

Bilingual education is not just a project for learning a foreign language (in this case, Spanish). It is the first step toward gaining experience and knowledge that make it possible for you to bridge the gap between languages and cultures, to facilitate successful entry into the school environment for the Mexican-American child. Bilingual education is another tool for being a better teacher, a better citizen, a better American.

We must use the Mexican-American cultural heritage to rich advantage in our educational system. This country has assumed the monocultural and monolingual role for generations. We have always stripped our immigrants of their language and culture and expected them to conform to our customs and traditions . . . to the American way of life. We must recognize the contributions of other cultures to the American heritage and must stop trying to blot out differences. We must stop trying to maintain a monolingual, monocultural society.

There are 5½ million Mexican-Americans, 1½ million Puerto Ricans, half a million Cubans and other Spanish-speaking citizens . . . a total of 7 million citizens . . . who, for the most part, bring bilingualism as an asset to our culture. This is an asset that we Americans need to recognize and adopt.

The Bilingual Education Act was a national moral and legal commitment for bilingualism. Bilingualism must become as common as tacos and frijoles, apple pie and french fries. It must become as common in our schools as reading and arithmetic, as common in government as law and order, as common in business as the use of computer data. Bilingual education in every school in the country is the vehicle for fulfilling this national commitment.

What is your role? With bilingual education and cultural understanding, you are equipped to do the job. You will be leaders in the field of bilingual education, the forerunners. But you are going into a field of disbelievers. They will be doubters. They will be threatened because you speak two languages. They will suspect you. But, if you have commitment, you will provide leadership. It is going to be a tough hard fight. You have a massive selling job to do. You will have to be persuasive salesmen.

Your classroom successes may hopefully bring about many changes in teacher preparation programs. The training institutions may finally prepare teachers to teach real kids instead of distributing credentials to people to function in mythical classrooms. You in Teacher Corps can do more to bring change rapidly and forcefully than any new text books used by monolingual, monocultural teachers. You are the pioneers who are going to show that the job can be done—that with cultural understanding it is possible to teach and to teach all kids with cultural understanding—through bilingual education.

The Mexican-American Heritage

(By Dr. Julian Nava, member, board of education, Los Angeles, city schools; professor of history, Valley State College, Los Angeles)

Five to ten years ago it would have been inconceivable for me to talk to a group such as this one concerning the problems of Mexican-American education. The longer we look at the problems, the more complex they become. The problems have always been there, but now people have raised their voices. You are not alone in looking at these problems. There are thousands who are now realizing how difficult it is to make an impact on the problems of the Mexican-Americans.

As I look at the books that appear in print every year that are relative to my own field of Latin history, I cannot help but realize that there are virtually no books appearing on the Mexican-American. There are scores of good ones on other racial and ethnic groups. And so I am now working on a general adult history of the Mexican-American and on an eighth grade text book. My point in mentioning this is that I have progressed painfully slowly in my writing, but, as slow as I am moving, I still think mine will be the first book published on the subject. In short, we are dealing with a scarcity of material that applies to this group. This group is less identifiable than the American Negro. It is the dearth of published materials concerning who and what the Mexican-American is that is the handicap.

The Negro is 100% American. Culturally he is 100% American and he has made profound and widespread inroads into American history. The Mexican-American is not less American, but rather he is something else besides. He is bi-cultural and bi-lingual. This bi-cultural, bi-lingual hang up is as important to the Mexican-American as color has been to the Negro.

Two men who have studied the adjustment of minorities in the United States are John Higham and Oscar Handlin. Higham, dealing with ideas, has done a study of the American Character. Handlin writes of the ordinary man in the ghetto. His book, "The Uprooted," concerning the southern European immigrant who moved to the United States has an impact that will be with us indefinitely.

Higham discusses the development by the 1840's of the quirks, traits, and characteristics of American society which he calls "nativism."* He says that this developed during the 1790's and early decades of the 1800's and was an attempt to preserve the characteristics that led to the American Revolution and independence. The Americans imposed their attitudes and values on the earliest immigrants to this country. These attitudes were Anglo-Saxon in origin—what we would call WASP (White Anglo Saxon Protestant) today—and these people became the dominant group. The founders of this country were highly socially stratified. They were the first "Establishment." The early immigrant groups were small enough in number that the attitudes and values of the "Establishment" could be imposed upon them. By the time the Europeans flooded the United States after the Civil War, we had a society structured and formed and the immigrants conformed to it. Cocky, self-assured, belligerent, and sublimely confident—these are the traits of nativism. To the American mind the American culture assumed superiority over all the other cultures in the world.

What this all means in regard to the Mexican-American now as well as 100 years ago is that when the two cultures met, i.e., nativism and the Spanish Catholic culture, you had more than simply a clash of cultures. You had an irreparable conflict. The attitudes formed by the American pioneers about the Spanish were derogatory, and the Spanish felt the same way toward the American. The Americans had no feeling either of responsibility or guilt as far as treaties or other agreements made with "inferior" groups. When the pioneers moved west, it was not unusual that there was animosity resulting from these cultural conflicts. There was assimilation, one into the other group. But you had the built-in hostility that manifested itself in so many ways towards the end of the 19th century.

We have never lost a war and history is usually written by the victor. Thus the entire history of the Southwest is described in terms of the conqueror and the conquered at every level: the Protestant over the Catholic, freedom of thought over authoritarianism, democracy over monarchy, Causacian over the darker skinned people. In general, it describes a people who were aggressive, revolutionary, and innovating as against the traditionalist, authoritarian society.

The Mexican-American society is one that places more emphasis on adaptiveness and acceptance than on change. There is more concern with life after death than with the here and now. This is what established caste and class and role. When the Mexican-American has resisted the assigned role, he has had to have cunning or luck, money or

---

*John Higham, *Strangers in the Land; Patterns of American Nativism 1800–1925,* Rutgers U. Press, New Brunswick.

political power. Most did not have this and so they fell into the categories assigned to them.

At the time of the Mexican-American War the Mexican government was attempting to break up the large missions' titles and give homestead rights to the people. The government gave the Indians on the missions freedom and gave them a share of the land. When the Americans took over the Southwest, they superimposed a county land system which provided English land measurements and titles. The Mexican-Americans owned vast areas of land and lost this land in the transfer to American authority because they did not understand the English language, laws or ways.

So you have in the Mexican-American, from the start, a mixed breed of Spanish and Indian—dispossessed of land, conquered in war, yet indispensable for many years as a worker on the land. He withdrew into himself as slaves turn into themselves. He learned to say "Si, señor," and to swallow his pride, and to accept the attitude of the Americans.

This is the history and the heritage of the Mexican-American. For years he was the mainstay of handicraft and farm labor. In some counties he was forbidden to vote or faced insurmountable opposition. Alienated, cynical, discouraged—exhibiting before long the stereotype of the Mexican-American as developed by the Anglo-American.

There were the refugee Mexican-Americans vs. the resident Mexican-Americans. For many, residence in the United States was transitory. My own family came here fleeing from the violence of revolution. When conditions of revolution in Mexico became impossible, parents insisted that their young sons and daughters go north. My mother came to Texas in this way and met my father. Father always expected to go back to Mexico. He went to Fresno to pick fruit. He went up and down California picking fruit. Forty-two years later my parents still lived in California although my father was a Mexican resident until the day he died. Mexico was his country. My mother finally became a citizen. I became an American in school as did my brothers and sisters.

The Mexican-American is difficult to understand because he is many things. From personal testimony I know that the schools are used to melt everyone together and that has been a mixed blessing. Imposing the Anglo-Saxon values on all creates problems. In a sense, it is a good idea, but it could be done in a different way. The school could deal separately with factors that affect only the Mexican-American, the Irish, . the Jew, the Negro.

Now we have a new ball game that started after World War II. Although Mexico still sends in more immigrants than any other country, immigration from Mexico has levelled off. In a few years there will be a quota system for Latin American states, but if you have family here you will be quota exempt. According to the U.S. Labor Department there are practically no braceros, but there are hundreds of thousands of "green carders" (aliens who enter the United States on work permits at the discretion of the Secretary of Labor). These workers are being transported further and further from the borders.

Where do these workers come from? The cities? Anyone from Mexico City who is well adjusted there would be an idiot to come to the United States. Most come from the farm lands and country side where regional differences of dialects and skills survive and so we are looking at many varieties of Mexicans. Simply by proximity there is a constant supply of these new Americans.

When we look at the progress that has been made and become depressed, it is because we are always looking at different Mexican-Americans. The average residency in the barrios averages perhaps ten years. The people become assimilated and move out. Then others move into the barrios.

You are working with the migrants—a changing breed. Groups like you fasten your safety belts. You have a long ride and a rough ride. As long as Mexico is next door we are going to get brand new Mexican-Americans. You will never be out of a job. Unlike some of the problems with other immigrant groups, this is an on-going situation. The renaissance and rise of Mexican culture will steadily wipe away the historical image of the Mexican. The Mexicans in Mexico are proud of their heritage and anxious to spread their new pride. They are more outspoken and more effective. Their education is beginning to catch up to their sensivity.

Mr. Speaker, Congress has played a major role in the area of bilingual education. Two years ago, a massive program was approved and initial plans begun to aid the 3 million students who would benefit from expanded bilingual teaching.

But, while Congress gave its approval to a broad bilingual program approach, the Johnson administration only asked for a fraction of the authorized funds. Once again, a tragic tradeoff was made between the needs of financing a useless war effort in Southeast Asia and the crucial domestic problems which confront us every day.

To date, less than 500,000 children are benefiting from bilingual education programs authorized by Congress. That is not enough. As the following editorial from the Los Angeles Times notes:

> The cost of additional funds is minor in comparison to the high price society pays for every dropout.

The editorial follows:

> BREAKING THE LANGUAGE BARRIER
>
> Issue: Will Congress this year again fail to provide sufficient financial support for bilingual teaching programs in U.S. schools?
>
> Congress in 1967 finally decided to help break down the language barrier that so limits the educational opportunities for non-English speaking students.
>
> To date, however, appropriations have fallen far short of the $30 million authorized for bilingual education programs. The $7.5 million thus far allocated has not made much of a dent in the barrier.
>
> Millions of Mexican-American youngsters have dropped out of school simply because they couldn't understand their teachers. Half of all Mexican-American students in California schools get no farther than the eighth grade, according to Sen. George Murphy (R–Calif.), one of the sponsors of the bilingual teaching bill.
>
> The Times urges Congress not only to appropriate the full amount authorized but also to consider voting additional funds to assist those educationally deprived children.
>
> Lack of instruction in their native tongue is a major factor in the average grade level of 7.1 for Mexican-Americans, as compared to 9.0 for Negroes and 12.1 for Anglo-Americans.
>
> Los Angeles schools have been making an increasing effort at bilingual teaching, with almost all the money coming out of local and state funds. Instruction in Spanish is now given to more than 5,000 students in city schools, mostly at the secondary level.
>
> But money is not the only problem.
>
> The number of Spanish-speaking teachers is far less than the demand, a problem that the Ford Foundation will try to solve with a $325,000 grant for language training program in education schools.
>
> Resistance to bilingual teaching also has been noted among some principals and administrators, although such programs have been officially endorsed by school districts.
>
> The answer is more and better bilingual teaching. Although additional funds will be required, the cost will be minor in comparison to the high price society pays for every dropout.

For East Los Angeles, which I represent in Congress, the bilingual teaching program will have a significant impact. The importance of the entire program to Los Angeles was reflected by passage of the following motion by the Los Angeles County Board of Supervisors a year ago this week:

> On a motion by Supervisor Ernest E. Debs, Los Angeles County Supervisors today urged Congress to authorize a $5 million appropriation to implement a proposed Federal bilingual education program to aid school children with language handicaps.
>
> Debs pointed out that the program would be especially beneficial to the East Los Angeles community, where many children from Spanish-speaking families are at a disadvantage in classrooms where only English is spoken.
>
> "Experience has shown that the high incidence of dropouts by Mexican-American youngsters is largely due to the language barrier," Debs said. "Teaching of elementary subjects in Spanish as well as English will give these children a fair chance to keep up with the class and to get the primary education they need in order to go on to college or to compete in the job market."
>
> By today's action, the Board of Supervisors requested the House Committee on Education and Labor, and the California congressional delegation, to implement the bilingual education legislation.

As one of the earliest supporters of the Bilingual Education Act, I have been disappointed by the low funding priority given these programs. I urge Congress to bring the programs up to their maximum funding levels. Therefore, today I am introducing two bills which increase appropriations for bilingual education to the originally authorized amounts for both fiscal 1969 and fiscal 1970.

F–111, BEST FLIGHT SAFETY RECORD OF ANY CENTURY SERIES AIRCRAFT

(Mr. WRIGHT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WRIGHT. Mr. Speaker, during the 1-minute rule last Thursday, the distinguished gentleman from New York (Mr. PODELL), under leave to extend his remarks, inserted in the RECORD an extremely harsh and factually inaccurate commentary upon the safety record of the F–111 and those who build it.

I feel sure that the rather extravagant comments of our colleague were based upon misinformation or perhaps partial information and not upon any deliberate intent to distort or misstate the record.

Under leave to extend my own remarks today, I include a copy of a friendly and kindly letter I have written to our colleague in this connection, as well as a chart comparing the number of accidents suffered by each of our military aircraft of the Century series, beginning with the F–100.

This chart demonstrates that, at 5,000

hours, 10,000 hours, and 20,000 hours of actual flying time, the F-111 has suffered fewer accidents than any of the others. At 20,000 hours, for example, the F-100 had suffered 29 major accidents; the F-101, 18; the F-102, 22; the F-104, 28; and the F-111, 10.

I invite the attention of our colleagues to this factual comparison.

The material referred to follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 24, 1969.

Hon. BERTRAM PODELL,
U.S. House of Representatives,
Washington, D.C.

DEAR BERT: I was interested to note your remarks inserted in last Thursday's Congressional Record concerning the F-111 aircraft. Having known something of this plane and having had the privilege of flying it, I was quite surprised at the extravagance of your comments, Bert, and particularly your language employed to describe its accident record.

You cite the figure of eleven accidents, and on this basis conclude that the F-111 is a "flying deathtrap", a "complete disaster", an "utter disaster", an "airborne coffin", "a fraud", "a grisly monument to all that is evil", "a shocking failure", a "gargantuan cropper", "a piece of trash", "a colossal abuse," and "a blood tinged stain upon our country". Three times you refer to the manufacturer as "criminally liable" and pronounce the judgment that it is being built with "money almost stolen from the public."

Whew! Remind me never to match hyperboles with you.

In view of these comments, Bert, I'm sure it will come as quite a surprise to you that the F-111 actually has one of the best flight safety records—if not the very best—of any military aircraft of the Century Series.

As of February 20, the F-111 has been flown a total of 24,228 hours in 10,894 separate flights. Here is the comparation record, in number of accidents, based in each case upon 5,000 hours, 10,000 hours, and 20,000 hours of actual flying.

NUMBER OF ACCIDENTS—ALL CENTURY SERIES AIRCRAFT

Aircraft	5,000 hrs.	10,000 hrs.	20,000 hrs.
F-100	7	14	29
F-101	9	16	18
F-102	9	12	22
F-104	14	17	28
F-105	8	12	14
F-106	7	8	11
F-111	[1] 3	[1] 6	[1] 10
F-4	6	8	11

[1] F-111 in each case has produced fewer accidents per hours flown.

It is not really surprising to me, Bert, that you apparently were unaware of these facts. You can hardly be blamed for not knowing of this record. Few people do. These other aircraft apparently were not considered "controversial" and therefore their accidents never made headlines. The tendency of news media to magnify and sensationalize every negative comment or occurrence in connection with the R-111 and to minimize or ignore the many positive facts of record is perhaps without parallel in modern journalism. Nor can we blame the press entirely. This tendency has been fed, unfortunately, by a few headline-hungry politicians who've observed that one can always get more attention by placing extravagant blame than by reciting facts in their right perspective or by telling the good news of engineering accomplishment.

It is significant, though, that at least five members of Congress have taken the trouble to inspect the plane personally, to talk directly with the Air Force pilots who fly it, and to take actual flights in it to observe its really remarkable capabilities. These include Senators Cannon, Muskie and Goldwater, and Congressmen Robert Price as well as myself. All of us have been enormously impressed by the genuine enthusiasm which the pilots themselves hold for the F-111! I think it is a fair summation to say that Senator Goldwater, one of the early and outspoken critics of the initial contract award, now believes firmly in the efficacy of the product. In fact he was man enough to make a public statement to this effect quite recently.

Certainly, Bert, any accident is a great misfortune, and every aircraft manufacturer—just as every automobile manufacturer—has the prime duty of designing and building as safe a vehicle as is possible. In this connection the following facts are extremely pertinent.

1. The escape module in the F-111, designed to throw the pilots free in event of a crash, is probably the best and most effective yet built. In several of the highly celebrated F-111 accidents, the pilots actually escaped injury. Unlike many escape systems, the F-111's is effective even at low altitudes.

2. The short takeoff and landing characteristic of the F-111 is in one sense a safety factor for emergency operations of various sorts. This aircraft will take off and land on shorter airstrips than any other Air Force model capable of such advanced speeds.

3. No other aircraft has such a complete redundancy of systems—in other words, a series of spare electric and mechanical systems designed to actuate and take over automatically if the primary systems should fail. So far as possible, these have been designed to protect even against pilot errors.

4. Undoubtedly the most significant—and most revolutionary—safety development of the F-111 is its Terrain Avoidance system which operates by radar. Bert, I've tested this system personally at very, very low levels over extremely mountainous country. It works! With this system actuated, it is just almost impossible for a pilot to fly the plane into a mountain or building even on the darkest night and in the worst of weather.

The significance of this particular innovation for pilot survivability should be immediately apparent. It was given an extremely thorough testing in most adverse conditions in Southeast Asia, where the Air Force flew 584 missions including training missions. Fifty-five of them were actual combat strike missions. The planes flew in at such low low altitudes that the enemy radar could not pick them up and enemy anticraft weapons that could not focus on them. They came back without a single hole, and Lt. Col. Dean Salmeier, who flew some of these missions, has said:

"There is no question in my mind that on most missions the enemy did not even know we were there until we were gone. . . . The aircraft is definitely capable of making strikes at night, in all weather, and with extreme accuracy."

The F-111, Bert, is the only aircraft in the arsenal which will do these particular things.

Frankly, I do not know what happened to the two which were listed as "missing in action" in Southeast Asia. I don't think the Air Force knows. But I very well recall that, on one of the first B-29 strikes in World War II, 88 planes went out and fewer than 20 of them returned. It is believed that few if any of the others were felled by enemy action. Nobody knows, nor ever will know, what happened to most of them. Interestingly, no member of Congress arose to denounce the B-29 as a "deathtrap" or its manufacturers as "criminally liable."

The loss of men and machines is the heartbreaking handmaiden of the grisly monster of war. May God in His mercy teach man the wisdom to rid this planet of its hideous curse! I applaud you, Bert, for your obvious concern over the welfare and safety of our young American men who volunteer to fly our warplanes. It is in every sense a laudable concern. But, as you can clearly see from all of the foregoing, your very harsh blame is in this case misplaced.

Certainly, Bert, I began with the clear assumption that you did not purposely distort the facts, nor set out intentionally to defame our Air Force or the engineers who designed this plane, nor to malign the fine and decent craftsmen and workers—among them some of my very closest friends and constituents—who build this aircraft. To have intentionally misstated and exaggerated a matter of this kind would have been demagoguery of the very cheapest and rankest form. In my mind your stand absolved you of any such intent.

I have gone to this rather considerable effort to provide you with these particular facts from my own personal knowledge, Bert, because you expressed an interest in having such facts and seemed to have been frustrated in your efforts to get at them.

In light of the foregoing, I am sure that you as a fair-minded man will recognize that the language you employed to characterize the F-111 and its builders was extravagantly unwarranted to say the least, and the harsh judgments you pronounced upon it and them most inappropriate. I observe with interest your invitation to be shown factually in error and your offer, upon such demonstration, to "retract this statement on the floor of the House". To do so is the mark of a big man, my friend, and you'll prove yourself to be one in faithfully keeping that pledge.

Call on me whenever I may be helpful in any way. Very best personal regards.

Sincerely,

JIM WRIGHT.

FATHER HESBURGH HITS THE BULLSEYE ON CAMPUS DISORDERS

(Mr. MONAGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONAGAN. Mr. Speaker, the Reverend Theodore M. Hesburgh, president of Notre Dame, has placed in proper context the issues involved in student campus demonstrations.

He has said:

> Anyone or any group that substitutes force for rational persuasion, be it violent or nonviolent, will be given 15 minutes of meditation to cease and desist.

Thereafter, if the disruption goes on, students will be suspended on the spot and nonstudents will be subject to arrest as trespassers. After another 5 minutes of further meditation, students continuing to disrupt things will be expelled.

Incidentally, this is exactly the same policy toward illegal demonstrations that I have been urging since the riots in Washington in April of 1968.

If we are to have a functioning society, we cannot allow those dedicated to its overthrow to disrupt it. Certainly we do not wish to stifle disagreement, but this does not mean that we will consent to the frustration of the law abiding by the lawless. Constructive change does not mean disintegration.

It is significant that Father Hesburgh's statement should have been followed by a statement by President Nathan M. Pusey of Harvard which agreed in substance with the policies of Father Hesburgh. President Pusey's declaration was made in response to a policy consensus signed by 100 members of the Harvard Faculty of Arts and Sciences who averred that:

> A university community dedicated to free inquiry and discussion cannot tolerate any interference with, or disruption of, its academic exercises.

This realization of the necessity for a firm hand on the part of our college administrators is long overdue, but it is nonetheless welcome. Perhaps if the reliance upon peaceful discussion and the immediate suppression of violence are firmly supported on our campuses, this necessary philosophy will spread to our law enforcement officials and the proper distinction will be made between informed and rational discussion and the violence which at best is mindless and at worst is subversive of our national interest.

CHAIRMANSHIP OF INTER-AMERICAN AFFAIRS SUBCOMMITTEE

(Mr. FASCELL asked and was given permission to address the House for 1 minute.)

Mr. FASCELL. Mr. Speaker, it is with a great deal of pleasure and a deep sense of responsibility that I assume the chairmanship of the Inter-American Affairs Subcommittee.

For the past 12 years I have served as member of this important subcommittee of the Foreign Affairs Committee; my new responsibilities will provide me with an even more exciting challenge and opportunity for constructive action.

I view the work of the Inter-American Affairs Subcommittee as particularly important for three basic reasons:

First, because there is no area of the world which is more important to our country than our own Western Hemisphere. The future of the United States and of our sister republics of Latin America is closely intertwined. Our security, our economic progress, and our ability to play a decisive role in world affairs, are decided largely by what happens right here on our own two continents.

Second, because the challenge effectuating the modernization of Central and South America is bigger than many have realized. For many years, most recently in the concerted effort of the Alliance for Progress, we have sought to cooperate with our Latin American neighbors in reaching that goal. In 8 years of consistent, fairly energetic effort, however, we have barely begun to probe the challenge of reconstituting and updating the economic, social and political structures of Latin America and of solving the problem of underproduction and of rapidly growing populations.

And, third, because the potential for realizing our mutual objectives is also much greater than many people think. The bountiful resources of Latin America—its population, its vast land area and its mineral and other natural resources—augur well for the future of the South American Continent.

What we need, however, is a better, more effective approach to the task of developing the full potential of the Western Hemisphere and of bringing all of its constituent states into the modern environment of the late 20th century: an approach which will produce more, and faster, than the methods which have been employed during the past decade.

I feel that our subcommittee can play an important role of exploring these crucial aspects of inter-American relations by assessing past performance and suggesting new approaches, and by acting as a sounding board for relevant and diverse views about the tasks and the opportunities of the decade before us.

I would be less than frank if I would not admit that the initial record of the Alliance for Progress inspires more gloom than satisfaction.

One basic goal of the Alliance was a 2.5 percent per capita annual increase in the gross national product of the member countries, but only 1.5 percent has been achieved and I have serious doubts that this increase has had any significant impact on the masses of the people.

At this rate of progress, Latin Americans who live at the edge of subsistence—whose annual income is estimated at about $200 a year—will have to wait half a century to double the level of their standard of living.

Furthermore, Latin America may have actually lost ground in such fields as education, housing, and food production when the growth in its population is taken into account.

This is not to say that the Alliance has failed in its undertakings; rather, that the undertakings of the Alliance have been too narrow and too timid in scope to contend with the pressure of a rapidly increasing population and tied too tightly to the conventional wisdom of the 1930's and 1940's.

For example, I feel that the programs of the past several years have relied too heavily—almost exclusively—on the existing governmental machinery which in itself has been in need of considerable updating.

We have paid too little attention to the role of private initiative and enterprise—profit as well as nonprofit—in bringing the benefits of modernization, industrialization, and economic development to the masses of the people of Latin America.

We have also stressed government-to-government aid in cases in which a change, or an accommodation, in the field of trade would have been much more productive.

And we have largely ignored the need to involve the masses of the people in the tasks of development, both in the planning and the execution of development plans, and in the sharing of their benefits.

Some of us here in the Congress have tried to remedy the latter situation by writing title IX into the Foreign Assistance Act—the title which proposes, as a basic premise of U.S. foreign aid policy, the encouragement of wide, even total, participation of the people in shaping their own Nation's future.

I hope that the Inter-American Affairs Subcommittee will be able to hold hearings on these subjects—the shortcomings and the successes of our past policy—before the full Committee on Foreign Affairs turns its attention to the foreign aid program.

I would like to add one more thought:

The United States stands ready to cooperate with Latin America in meeting the challenges posed by its expanding population and the growing needs of its people but we do not seek to impose our will in achieving these objectives. I, for one, feel that the people of Latin America are fully capable of developing their own approaches to economic, social, and political progress, within the framework of our mutual goals.

They have to "do their own thing."

HOUSE COMMITTEE ON INTERNAL SECURITY

(Mr. ICHORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ICHORD. Mr. Speaker, you will recollect that in the course of debate last Tuesday on the resolution establishing the new House Committee on Internal Security, I then advised the distinguished gentleman from Ohio (Mr. LATTA), that I would lay before the committee a proposal to make a study in depth of revolutionary violence within this Nation. At the committee's initial meeting on Thursday last, I did so. A copy of my statement to the committee on this subject is appended.

I am pleased to note that a resolution approving my proposal was unanimously adopted by members of the committee present. Pursuant to the committee's direction, I have forthwith directed staff studies and preliminary inquiries to be made on this subject, and will from time to time report the results of these studies to the full committee, together with my recommendations, with a view toward determining whether the committee may deem it desirable and necessary to conduct full-scale investigations and public hearings.

For the information of the House, I also note that the new committee has adopted rules of procedures which I believe are the most comprehensive and the fairest rules ever adopted by a committee of this Congress. I likewise append a copy of the new Rules of Procedure of the Committee on Internal Security. I think you will agree that the rules go as far as possible in protecting the rights of persons appearing before the committee, while still constituting a workable set of rules for the purposes of a legislative body.

The material mentioned above follows:

FEBRUARY 20, 1969.

To: Members of the Committee on Internal Security.

From: Richard H. Ichord, Chairman.

Subject: Proposal for Study of Revolutionary Violence Within the United States.

I desire hereby to lay before the Committee a proposal for study and investigation in depth of revolutionary violence within this Nation.

It is becoming increasingly evident that one of the gravest threats to our internal security and to the free functioning of our democratic institutions is posed by the activities of certain organizations which would effect changes in our government or its administration by other than constitutional processes. Recent investigations of this Committee, the statements of responsible officials, Federal and State, and daily press reports, appear to me to sustain this conclusion.

In this respect, moreover, we are faced with ever-mounting demands from the Members of the House and the public for legislative action, both for additional legislation and with respect to the examination and appraisal of the administration and enforcement of existing law, including proposals for constitutional amendment as well.

I need not state that the legislative problems we face on the subject of subversion are of the utmost complexity and difficulty, not solely from the constitutional standpoint, but equally so from the standpoint of developing practical and effective legislation. We must find the answers to certain basic questions, among which are the following: Is additional Federal legislation necessary? What form should such legislation take? Should these statutes be essentially regulatory or penal? Can we profitably amend existing statutes in this area? What is the Federal role, as contrasted with the State role, in the exercise of the police power on this subject?

In addition, a number of bills have already been referred to the Committee. Undoubtedly additional legislation will also be referred to it from time to time. Such legislation involves a number of subjects vital to the protection and maintenance of our internal security, including such subjects as the protection of defense facilities, the security of classified information released to industry, Federal employment security, vessel, ports, and harbor security, the protection of our armed forces during periods of undeclared war, passport security, proposals with respect to the Emergency Detention Act of 1950, etc.

The answer to the foregoing questions, and the disposition of such legislation, will obviously require the most painstaking and thorough inquiry and understanding of the extent, character and objectives, the organizational forms, financing, and other facts, with respect to those organizations and individuals engaged in revolutionary violence, sedition, and breach of peace and law, as are proper subjects of investigation as mandated by the House. Obviously, we cannot legislate in a vacuum.

I therefore submit for your approval my proposal that, under my direction, the staff be authorized to undertake preliminary studies and inquiries, the results of which I shall, from time to time, report to the full Committee with a view toward the subsequent authorization of such full scale investigations and public hearings as to the Committee may seem desirable and necessary.

Following discussion on this proposal, I will entertain the following motion:

"*Resolved*, That the Chairman be directed to cause staff studies and preliminary inquiries to be made with respect to the organizations and subjects herein proposed, and to report on same from time to time, with his recommendations, with a view toward determining whether full-scale investigations and public hearings shall be authorized and conducted by the Committee with respect to any such organization or subject."

COMMITTEE RULES OF PROCEDURE

I—INITIATION OF INVESTIGATIONS

No investigation shall be undertaken by the Committee unless authorized by a majority of the members thereof. Committee investigations shall be limited to those legislative purposes committed to it by the mandate of the House. The subjects of inquiry of any investigation shall be set forth in the Committee resolution authorizing such investigation.

II—COMMITTEE AND SUBCOMMITTEE MEETINGS—QUORUM—APPOINTMENT OF SUBCOMMITTEES

A—Committee or subcommittee meetings to make authorizations or decisions with respect to investigations shall be called only upon a minimum of 24 hours' written or verbal notice to the office of each member while the Congress is in session, and 3 days' written notice when not in session. Any objection to the sufficiency of notice of any meeting shall be deemed waived, unless written objection is filed with the Chairman of the Committee or subcommittee.

B—The Chairman of the Committee is authorized and empowered from time to time to appoint subcommittees, and to reconstitute the membership thereof, composed of three or more members of the Committee, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of conducting any investigation initiated by the Committee or performing any and all acts which the Committee as a whole is authorized to perform for the purpose of any such investigation. No subcommittee shall have the authority to release executive testimony, or to report any measure or recommendation to the House.

III—DELEGATION OF AUTHORITY TO SUBCOMMITTEES

In addition to the general authority delegated to subcommittees under the preceding section, each subcommittee is delegated authority:

A—Subject to the provisions of section X hereof, to determine by majority vote thereof whether the hearings conducted by it shall be open to the public or shall be in executive session; and

B—To admit to the hearing room whatever public information media it deems advisable or necessary, provided that the decision of the subcommittee shall not be in conflict with the rulings of the Speaker of the House of Representatives.

IV—SUBPENAING OF WITNESSES

A—Subpenas may be issued under the signature of the Chairman of the Committee or of any subcommittee, or by any member designated by such chairman, when authorized by a majority of the members of such Committee or subcommittee, and may be served by any person designated by any such Chairman or member.

B—Each subpena shall contain a statement of the Committee resolution authorizing the particular investigation with respect to which the witness is summoned to testify or to produce papers, and shall contain a statement notifying the witness that if he desires a conference with a representative of the Committee prior to the date of the hearing, he may call or write to counsel of the Committee.

C—Witnesses shall be subpenaed at a reasonably sufficient time in advance of any hearing, said time to be determined by the Committee or subcommittee, in order to give the witness an opportunity to prepare for the hearing and to employ counsel, should he so desire.

V—PUBLICATION OF NAMES OF SUBPENAED WITNESSES

No member of the Committee or staff shall make public the name of any witness subpenaed before the Committee or subcommittee prior to the date and time set for his appearance.

VI—DISTRIBUTION OF RULES

All witnesses appearing before the Committee or subcommittee shall be furnished a printed copy of the Rules of Procedure of the Committee and clause 27 of Rule XI of the House of Representatives.

VII—WITNESS FEES AND TRAVEL ALLOWANCE

Each witness who has been subpenaed, upon the completion of his testimony before the Committee or subcommittee, may report to the office of counsel of the Committee, Cannon House Office Building, Washington, D.C., and there sign appropriate vouchers for travel allowances and attendance fees. If hearings are held in cities other than Washington, D.C., the witness may contact the counsel of the Committee, or his representative, prior to leaving the hearing room.

VIII—SUBJECTS OF INVESTIGATION

The subjects of any investigation in connection with which witnesses are summoned or shall otherwise appear, shall be publicly announced in an opening statement before administration of oath or affirmation or receipt of testimony at any hearing and a copy thereof shall be made available to each witness. The information sought to be elicited at the hearings shall be germane to the subject as so stated.

IX—TESTIMONY UNDER OATH

A—All witnesses at public or executive investigative hearings who testify as to matters of fact shall give all testimony under oath or affirmation which shall be administered by the Chairman or a member of the Committee or subcommittee.

B—No witness shall be compelled to testify under oath or affirmation at any Committee or subcommittee hearing unless a quorum of the Committee or subcommittee is present to receive such testimony.

X—EXECUTIVE HEARINGS

A—The Committee or subcommittee shall receive evidence or testimony in executive session—

(1) When the Committee or subcommittee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person in proceedings pursuant to House Rule XI, 27 (m);

(2) When the Committee or subcommittee determines that the interrogation of a witness in a public hearing might compromise classified information, or might endanger the national security; or

(3) When the Committee or subcommittee determines that the interrogation of a witness in a public hearing might tend adversely to affect the national interest.

B—Testimony or evidence given in executive session and the identity of witnesses called to testify in such session shall not be disclosed by any member or employee of the Committee without the Committee's approval.

C—No person shall be allowed to be present during a hearing of a Committee or subcommittee held in executive session, except members and employees of the Committee, the witness and his counsel, officials, stenographers, or interpreters of the Committee, and any other person whose presence the Committee or subcommittee deems indispensable for the conduct of the hearing.

XI—RELEASE OF TESTIMONY TAKEN IN EXECUTIVE SESSION

A—No testimony taken or material presented in an executive session, or any summary or excerpt thereof, shall be made public or presented at a public hearing, either in whole or in part, unless authorized by a majority of the Committee.

B—No evidence or testimony, or any summary or excerpt thereof, given in executive session which the Committee determines may tend to defame, degrade, or incriminate any person shall be released, or presented at a public hearing, unless such person shall have been afforded the opportunities provided by House Rule XI, 27(m), and any pertinent evidence or testimony given by such person, or on his behalf, is made a part of the transcript, summary, or excerpt to be released.

C—Persons afforded opportunities under House Rule XI, 27(m), shall be advised that testimony, or an extract or summary thereof, received pursuant to such rule may subsequently be publicly released or offered at a public hearing.

XII—TRANSCRIPTS OF TESTIMONY

A—A complete and accurate record shall be made of all testimony and proceedings at Committee and subcommittee hearings.

B—A witness examined under oath or affirmation in a hearing shall, upon request, be given a reasonable opportunity before any transcript is made public to inspect the transcript of his testimony to determine whether it was correctly transcribed and may, if he so desires, be accompanied by his counsel during such inspection.

C—A witness or his counsel may copy at the office of the Committee, or obtain for his own use at his own expense, a transcript of any testimony of the witness which has been given publicly or made public, and with the approval of a majority of the Committee may obtain for his own use and at his own expense a copy of the transcript of any executive testimony of the witness which has not been made public. The witness or his counsel shall be permitted to examine the transcript of his testimony taken in executive session.

D—Any corrections in the transcript of the testimony of the witness which the witness desires to make shall be submitted in writing to the counsel of the Committee within five (5) days of the taking of his testimony, and the request shall be acted upon by the Committee or subcommittee receiving such testimony.

XIII—COMMITTEE REPORTS OR PUBLICATIONS

A—No Committee report or document shall be made or released to the public without the approval of a majority of the Committee, and no statement of the contents of such report, or document, shall be released by any member of the Committee or its staff prior to its official issuance. Drafts of such reports or documents shall be submitted to the office of each Committee member at least 3 days in advance of the meeting at which it is to be considered for release.

B—Whenever a minority of the Committee dissents from a report or document approved by a majority thereof, the minority shall be given a reasonable time in which to prepare a minority report, which shall be filed at the same time as the majority report, and published in the same volume or document.

C—A report or document made public by the Committee concerning any investigation in which sworn testimony was taken shall include pertinent testimony received in rebuttal taken during such investigation, unless the same has been previously made public, or is made public concurrently with the report or publication.

XIV—ADDITIONAL RIGHTS OF PERSONS AFFECTED BY A HEARING OR COMMITTEE PUBLICATION

Any person who believes that his character or reputation has been adversely affected by evidence or testimony adduced in a public hearing, or in the released testimony of an executive hearing, or in the published reports or documents of the Committee, within a reasonable time shall:

(1) Communicate with the counsel of the Committee; and/or

(2) Request in writing an opportunity to appear, at his own expense, in person before the Committee or any subcommittee thereof to testify as a witness in public or executive session.

The Committee or subcommittee shall make such determination with respect to such communication or request, and shall take such other action, as to reason and justice shall pertain, including an allowance of witness fees and travel.

XV—RIGHTS OF WITNESSES WHILE TESTIFYING[1]

A person testifying under oath or affirmation before the Committee or subcommittee shall have the following rights:

(a) To be accompanied by counsel of his own choosing. The Committee seeks factual testimony within the personal knowledge of the witness, and such testimony must be given by the witness himself.

(b) to make complete and concise answers to questions and, when necessary, to make concise explanations of such answers. The witness shall be limited to giving information relevant and germane to the subject under investigation.

(c) Rulings upon legal objections interposed by the witness or his counsel to procedures or to the admissibility of testimony and evidence shall be made by the presiding member of the Committee, or subcommittee, and such rulings shall be the rulings of the Committee or subcommittee, unless a disagreement thereon is expressed by a majority of the said Committee or subcommittee.

(d) Communications claimed to be privileged, as between husband and wife, attorney and client, physician and patient, clergyman or priest and penitent, and between a State or Federal law enforcement officer and informant, shall be respected, and one spouse shall not be questioned concerning the activities of the other, but the Committee or subcommittee shall not be bound to make its rulings with regard thereto or on the reception of evidence or the examination of witnesses except as required by the Rules of the House of Representatives.[2]

(e) Any witness desiring to make a prepared or written statement for the record of the proceedings shall file a copy of such statement with the counsel of the Committee not less than 48 hours in advance of the hearing at which the statement is to be presented. All such statements or portions thereof so received which are relevant and germane to the subject of investigation may, at the conclusion of the testimony of the witness and with the approval of a majority of the Committee or subcommittee members, be inserted in the official transcrcipt of the proceedings. In addition, the witness may make a statement, which shall be brief and relevant to the subject matter of his examination, at the conclusion of his testimony. However, statements which take the form of personal attacks by the witness upon the motives of the Committee or subcommittee, the personal characters of any Members of the Congress or of the Committee staff, and intemperate statements or statements clearly in the nature of accusation, are not deemed to be relevant or germane, shall not be made, and may be stricken from the record of the proceedings.

(f) If the witness so requests, he shall not be photographed while he is testifying nor shall his testimony be broadcast or recorded for broadcast by radio or television.

XVI—PARTICIPATION AND CONDUCT OF COUNSEL IN HEARING

A—The participation of counsel on behalf of his client during the course of any hearing, and while the witness is testifying shall be limited to advising his client as to his legal rights.

B—Prior to the administration of the oath or affirmation to his client, counsel shall be permitted to state his objections to the jurisdiction of the Committee or subcommittee, or to procedures claimed to violate his client's legal rights. Counsel shall state such objections briefly and temperately, and shall comply with the rulings and limitations thereon by the presiding member of the Committee or subcommittee.

C—At the conclusion of the interrogation of his client, counsel shall be permitted to make such reasonable and pertinent requests upon the Committee or subcommittee as he shall deem necessary to protect his client's rights. These requests shall all be ruled upon by the Committee or subcommittee conducting the hearing.

D—Counsel for witnesses shall conduct himself in a professional, ethical, and proper manner. His failure to do so shall, upon a finding to that effect by a majority of the Committee or subcommittee before which the witness is appearing, subject such counsel to disciplinary action which may include warning, censure, removal of counsel from the hearing room, or a recommendation of contempt proceedings. In case of such removal of counsel, the witness shall have a reasonable time to obtain other counsel, said time to be determined by the Committee or subcommittee. Should the witness deliberately or capriciously fail or refuse to obtain the services of other counsel within such reasonable time, the hearing shall continue and the testimony of such witness shall be heard without benefit of counsel.

XVII—CONTEMPT OF CONGRESS

No recommendation that a witness be cited for contempt of Congress shall be forwarded to the House of Representatives unless and until the Committee has, upon notice to all its members, met and considered the alleged contempt and, by a majority of the Committee, voted that such recommendation be made.

EDUCATIONAL CRISIS

(Mr. **RARICK** asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. **RARICK**. Mr. Speaker, as our American youth are encouraged to perform disobedient acts and are educated against discipline, it is interesting to compare our moral and educational breakdown with their counterparts behind the Iron Curtain—the youth of Communist Russia. Some youth on our campuses have sought to make a mockery of the right to academic freedom by acting out against patriotism. On the other hand, the Russian youth are given compulsory training starting at the age of 10—and by age 18, when drafted for military service in the Red army, have already 2 years of military training.

There is a breakdown in our country with the result that we are raising a generation without the understanding of the need for respect and discipline in the will to survive.

The strength of our country is in our homes, churches, and schools, and if there is a crisis in education we must find the root cause for corrective action.

Mr. Speaker, I include several news articles which follow my remarks:

---

[1] All witnesses are invited at any time to confer with Committee counsel prior to hearings.

[2] The rules of legislative bodies and their committees differ from those of courts. The procedures of any body must be geared to its purpose. Courts have one purpose, Congressional Committees another. Courts conduct trials to determine guilt or innocence, or to adjudicate rights. Court proceedings are adversary in nature; committee proceedings are not. Committees hold hearings to develop information that will assist in the enactment of legislation. Courtroom procedures are not followed in Congressional hearings or vice vérsa, because any attempt to apply the rules of one to the other would tend to frustrate the attainment of the different purposes for which they were created. Court procedures governing the reception of evidence and the examination of witnesses are not binding on the Committees of the Congress.

[From the Phoenix (Ariz.) Gazette, Nov. 28, 1968]

MILITARY TRAINING STARTS AT AGE 10 FOR RUSSIAN BOYS

(By John Weyland)

MOSCOW.—Military training in the Soviet Union now starts at the age of 10.

Schoolboys throughout the country are organized into squads, detachments and battalions. Under adults commanders they practice drill, firing, the use of gas masks, other military skills and rendering medical aid.

The program introduced by the Kremlin leadership is being widened this year. Marshal Ivan Bagramyan, the World War II hero who has charge, this month ordered Pioneer units which had not taken part before to do so in 1968–69.

Soviet children from 10 to 15 belong to the Pioneer organization, which provides group activities and Communist indoctrination.

Older boys get more sophisticated military training the last two years before being drafted at 18. The Kremlin decreed this in 1967, also reducing the draft age one year.

The defense minister, Marshal Andrei Grechko, explained that the Soviet Union was "taking all steps necessary to strengthen its defenses."

The Soviet Union dropped schoolboy soldier programs after World War II.

The boys' training units, even for the youngest, have their political commissars alongside the millitary commanders, just as in the Soviet armed forces. They also have their military newspapers and political information classes.

From the start boys are told how they should think and instilled with patriotic feelings.

One of their tasks as "young armymen," the term used here, is to visit sights associated with the heroes of communism in the Revolution and World War II. They are also introduced to servicemen and veterans, who tell them about great deeds done for the motherland.

On military holidays, of which there are many, the boys' units are inspected as they drill and march. Each has its own bugler and drummer. The "young armymen" wear their red Pioneer scarfs in lieu of a uniform, and the officers have insignia of stars like those of the regular branches of the service.

Competitions are held on the regional, provincial and republic levels to pick out the detachments which excel in military-like exercises. A final in June produces the winner for the country. This unit receives a big medal proclaiming "victor" to attach to its banner.

[From the Communist Daily World, Feb. 6, 1969]

TWO-FRONT ATTACK PUSHED AGAINST ROTC PROGRAMS

(By Michael Jay)

The Reserve Officers Training Corps ROTC, is in trouble on campuses throughout the country. Long a target of anti-war activists, the military training programs are now under attack from at least two fronts.

Members of Students for a Democratic Society have decided to push the fight for the abolition of ROTC programs on the nation's campuses this spring. In so doing, they believe they can develop student understanding of imperialism and its relation to the campus.

This was agreed to at the National Council meeting of SDS last December at Ann Arbor and was further elaborated at an east coast regional meeting of the radical student group last weekend at Princeton. Some 300 students attended.

BREAK WITH TRADITION

This approach marks a departure from the traditional forms of opposition to ROTC and military recruiting on campus which have centered on the "moral issue," rather than the political question of imperialism.

The other attack on the program is coming from faculty policy making bodies at various schools, the most recent of which is Harvard. The Harvard faculty voted Monday to remove academic status from the program. The Yale faculty did the same thing last week. Other faculty groups are considering similar measures.

At these schools, ROTC will become a "legitimate" extra-curricular activity with students receiving no credit for their training.

While this will invariably decrease student enrollment in the program, it fails to meet the radical demand for its abolition.

According to an Army spokesman, 88 percent of the Army's officers come out of ROTC and officer training schools.

COMPULSORY COURSES DECLINE

The same spokesman revealed that the number of colleges and universities with compulsory ROTC courses has dropped from 132 to 95 in the last five years. This had led to a drop in enrollment in that period from 159,849 to 150,982.

At the same time, the Army says that no school has dropped the program in the last five years. The total number of ROTC schools stands at 268.

The Army has issued a list of 30 schools which, it says, have either added or intend to add ROTC programs. Most of these are small schools, located in the south, with a handful of all, midwestern and northern schools included.

Opposition to recruiting and ROTC has resulted in recent demonstrations at Columbia, CCNY, Rutgers, Michigan State, Tulane, Illinois, Howard, Stanford, Boston and Yale, to name a few.

[From the Richmond (Va.) Times-Dispatch, Feb. 23, 1969]

STUDENTS PLAN DRIVE ON RACISM

WASHINGTON.—The U.S. National Student Association, a predominantly white organization noted in recent years for its preoccupation with foreign affairs—"with a lot of hot air and bombast on things like the free student movement in the Ukraine," according to its current president—is turning its formidable energies to what its members regard as the sorry state of affairs here at home.

One new plan is to help the country's Negro college students organize their own "network," linking the already militant movements on Northern and Western campuses with Negro colleges in the South.

The NSA has only limited funds for this antiracism project. It received a $7,260 grant from the Ford Foundation last year to finance a study of the problems of Negro college students but activities from now on will be supported by its own money—about $50,000 a year in dues and income from the sale of books, records, life insurance and travel services.

The NSA broke its controversial financial ties with the Central Intelligence Agency two years ago this month.

President Robert Powell, 24, a graduate student on leave from the Woodrow Wilson School at Princeton University, said the association has hired three experienced Negro organizers from the Student Nonviolent Coordinating Committee as consultants and on-campus representatives at Southern Negro colleges.

He said NSA believes that these colleges are run, for the most part, by "white trustees" and "white Negroes," but that recent violent campus demonstrations involving race issues have disclosed that "occupying the administration building does not always get results."

A large NSA effort, backed by a three-year, $105,000-a-year Ford Foundation grant and a smaller one from the Stern Family Fund, is going into new kinds of student protest that Powell called "guerrilla in style, in the sense that they co-op the university, but basically non violent and non confrontationist."

He said the organization of Southern Negro campuses probably would adopt the same tactics.

"By not being overtly threatening," Powell said, stressing "overtly," we think we can build coalitions of young faculty and students, of liberals and radicals, which can bring changes, not by occupying administration buildings, but by showing the doubters."

NSA, with dues-paying membership of 387 schools, obviously would like to have a broader base, and its young leaders believe they can get it by "being relevant to student needs."

Under a $315,000 Ford Foundation grant, they are setting up a national information center here on "experimental education" at the college level—a term that translates roughly as student-controlled "free university" education, without academic credit.

Powell is optimistic about their chances of changing the educational system.

"Experimental education is an issue around which you can build some incredible coalitions and get things done," he said. "Almost everyone—students and faculty—really thinks the educational system we have is rotten. My own view is that it is not good for anything but job accreditation because it really has nothing to do with education or with the issues that the country must face—racism, technology, wealth and leisure."

[From the Baton Rouge (La.) Morning Advocate, Feb. 20, 1969]

LAKE CHARLES SURVEY REVEALS MANY AGREE WITH COMMUNIST POINT

LAKE CHARLES.—All junior high and high school students, faculty members and administrators in the Calcasieu Parish School System were asked just one question:

"Do you agree that the fairest economic system takes from each according to his ability and gives to each according to his needs?"

Thirty-four per cent said yes and 21 per cent had no opinion.

Less than half said no.

The question was a direct excerpt from the Communist Manifesto, which outlines the economic philosophy of communism.

In May of last year, the Greater Lake Charles Chamber of Commerce and the Calcasieu School Board decided to survey all 15,235 junior high and high school students in the parish, and their leaders. The survey was to find out the understanding of students and teachers of American business and the free enterprise system.

The survey concluded that the greater majority of those completing the survey did not have any understanding whatsoever of the free enterprise system.

And state education officials say the results could lead to a crash program to teach all Louisiana students how the free capitalistic system works.

Asst. State Education Supt. Mack Avants said the survey had done a great service for the parish and the state.

The National Chamber of Commerce recommended such surveys last year, but the one released here Wednesday was the first to encompass an entire school system.

The Communist Manifesto question was the last on the survey.

VALID ANSWER

Another one asked: "The best way to raise living standards of most people is to?" Only 20 per cent chose "produce more goods and services per man hour." Thirty-one per cent said increase the legal minimum wage and 41 per cent said lower prices and 8 per cent said limit profits.

To "keep prices of most things at a reasonable level," only 23 per cent said competition in a free market place, 44 per cent said some kind of government price control; and 22 per cent said limit profits. Eleven per cent had no opinion.

On other questions those surveyed indicated either a misunderstanding or complete lack of knowledge about such aspects of free enterprise as business must operate at a profit, that economy flourishes with more goods and services per man hour of work, and that government spends only what business produces and within itself government generates no dollars, the chamber said.

WELCOME TO VIRGINIA, MR. FINCH

(Mr. RARICK asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. RARICK. Mr. Speaker many Americans were convinced that Mr. Finch, of Health, Education, and Welfare, was just another "South baiter"—picking on the South to conceal race problems in his own State.

One would expect that—like his deputy, James Farmer—he would live in Washington, D.C., where his children might benefit from the broad spectrum of this more socially enlightened area, having a proper ratio of race mixture.

Disappointingly, Mr. Finch moved his family into northern Virginia.

What excuse can Mr. Finch offer Senator THURMOND? That he is "just another political hypocrite." That he "can see the mote in the eye of the South, but not the beam in his own—or California's?"

If Mr. Finch ever accompanies his children to school in "occupied" Virginia, he will have to admit that he has exercised his freedom to choose rampant "noncompliance" for his children.

TAKE IT EASY, MR. FINCH

1. Your threat to close more schools in the South because of their failure to mix the Blacks and the Whites in a proportion satisfactory to your predecessors comes as a shock to the millions of people who voted for Mr. Nixon. It is to be hoped that you are not planning to persecute the White people of America, including the Southern Whites as vote bait for 1972.

2. Why did you issue your first ruling for Southern schools instead of schools in your home state of California where Fremont High School in Los Angeles has been given the legal privilege of operating since Black mobs demanded a black principal and got one by causing the White principal to be fired merely because he was White and got Black management of the school system without any suggestion that the Federal government might close the school for being reorganized strictly on a racist basis and on an anti-white basis? How do you propose to handle the Los Angeles school district? Are you going to cut off all Federal appropriations to Los Angeles because they have officially approved a segregated high school, organized in response to flag-burning mob violence in favor of Black control?

3. What about Brooklyn, New York where a program of segregation and local control designed by the Ford Foundation has been approved by the educational authorities of New York on a racist basis? Not only have White authorities been removed because they were White and replaced by Black authorities, glorified by mob violence and physical threats but scores of White teachers have been fired because they were White. Do you proposed now to cut off all Federal support to the school district of New York? Just what is your policy?

Every decent American citizen wants every family, regardless of race, creed or color, to enjoy Constitutional privileges. But the reaction expressed at the polls last November was a reaction against the outright persecution of a whole segment of our society involving not only the Whites of the South but the Whites everywhere.

CITIZENS CONGRESSIONAL COMMITTEE.
LOS ANGELES, CALIF.

TRUTH IN TRADING STAMPS BILL

(Mr. WOLFF asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. WOLFF. Mr. Speaker, I am today introducing legislation to correct one of the most serious inequities in the American marketplace—the situation under which housewives are forced to purchase trading stamps as a tie-in sale when fulfilling their families' most basic food needs.

The truth in trading stamps bill has several major provisions but the most important is the one that will create an option for the housewife who now is required to pay the 2 percent that trading stamps contribute to food costs. Under the terms of the bill a true cash value would be placed on each trading stamp and the housewife would have option of redeeming her stamps for cash or for a premium.

The problem of trading stamps is older and more serious than a somewhat similar problem—the use of games of chance as a promotional device by retail food stores and gasoline stations. This morning I testified before the Federal Trade Commission on proposed FTC rules governing the use of games of chance as a retail promotional device. I also brought into my testimony the problem of trading stamps as a contributing factor to the rising cost of living.

Because of the relevance of my testimony before the FTC to the introduction of the Wolff truth in trading stamps bill, and under leave to extend my remarks, I wish to include my testimony in the RECORD at this point:

STATEMENT OF REPRESENTATIVE LESTER L. WOLFF FOR A FEDERAL TRADE COMMISSION HEARING ON PROPOSED RULES GOVERNING THE USES OF GAMES OF CHANCE IN RETAIL FOOD STORES AND GAS STATIONS, FEBRUARY 24, 1969

Mr. Chairman and Members of the Commission: I appreciate sincerely the opportunity to appear before you today on the matter of proposed regulations governing promotional games. Prior to my election to Congress I spent 25 years in the private sector as a marketing executive as well as having taught marketing at the college level. I mention this because it should be relevant to the testimony I am offering today.

At the outset I want to say that I favor both of the proposed regulations in principle. The games of chance that have grown so rapidly in the retail field are an appropriate area for federal regulations. I therefore welcome the Federal Trade Commission's involvement in this area.

Whatever action is undertaken by the FTC must be pursued with the knowledge that games of chance are a permanent aspect of retail promotion. We cannot, nor should we, attempt to eliminate such promotions as they are basic to retail operations and justified by the historical precedent.

But there are problems in the operation of these games. Congressmen Dingell and Conte held illuminating hearings and their testimony here today, combined with their report to the House Select Committee on Small Business, provides substantial evidence of the problems created by the use of games of chance especially in the gasoline station business by unscrupulous operators.

But the problem with promotional games of chance seems not with the large companies in the field. Rather it is with the parasitic growths that, sensing a quick if unscrupulous profit, attach themselves to an otherwise legitimate promotion.

That the leaders in the field are not the source of the problem is demonstrated by the existence of the Industry Guidelines for Retail Food Store Promotional Games promulgated prior to FTC action in this area. These industry guidelines, which correspond to the Commission's proposed Rule One, are actually stronger than the FTC proposal. I would respectfully suggest that the Commission consider adoption of the tougher industry guidelines in lieu of proposed Rule One.

But no amount of rule-making within the prescribed FTC jurisdiction will be adequate in dealing with the unscrupulous fly-by-night promoters who jump in and out of this business and generally operate on a local basis to escape the purview of the FTC. When these less reputable firms operate on an intrastate basis it is imperative that state governments move to enforce regulations similar to those put into force by the FTC.

But beyond this it is entirely possible for the FTC to bring into the scope of its authority those operators who adhere to intrastate promotions in an effort to circumvent the law. I urge the Commission to establish a broader interpretation of FTC authority which will make it possible for the Commission to involve itself in intrastate promotions undertaken by retailers who, in the normal course of their business, deal in interstate commerce. Clearly all retailers purchase merchandise from out-of-state sources and consequently could be brought into FTC purview. By plugging this unnecessary loophole the Commission can eliminate problems caused by nefarious schemes that attack the basic concepts of good marketing.

To sum up on this first point, gentlemen, I earnestly believe there is a need for regulations such as your proposed Rule One that would establish "Truth in Retail Games." However, I do not believe you have gone far enough in the commendable effort to control deceptive practices and believe the already existing industry guidelines provide a stronger control on games. I further believe that only an extension of FTC authority in this area will enable you to deal effectively with the smaller, more localized promoter who is more likely to engage in deceit than the more reputable, larger and generally legitimate promoters.

Now, on the matter of your proposed Rule Two. I heartily endorse your proposal to eliminate the coercion that has forced many gas station owners to participate in games. Conclusive evidence of coercion was brought out at the hearings held by my able colleagues, Congressmen Dingell and Conte. And the National Federation of Independent Business has provided me with further evidence that coercion by gasoline suppliers, on the matter of game participation, has repeatedly forced small gas station owners into bankruptcy.

While I do not take the position that games of chance should be eliminated from retailing, I strongly believe that participation should be at the option of the individual retailer.

Now as I applaud the Commission's efforts in attacking the widespread problems of games of chance—which definitely contribute to the rising cost of living as tie-in

sales—I am amazed and deeply troubled by the non-feasance or, perhaps, malfeasance and misfeasance of the Federal Trade Commission in failing to set guidelines for a much greater influence upon the cost of living . . . the widespread, almost pervading, use and misuse of trading stamps as a tie-in sale. The failure of the FTC to act decisively in this area is a great disappointment to me.

Hunting expeditions in this area have been undertaken by the FTC, but to date the greatly needed frontal attack on the problem that confronts every housewife who is forced to buy trading stamps as an accompaniment to her most basic household needs has been lacking. Commissioner McIntyre no doubt can recall from his days on Capitol Hill the constant barrage of letters that come to the Select Committee on Small Business from retailers and housewives in protest over the practices of trading stamp companies.

My own hearings on trading stamps turned up substantial evidence of coercion by oil companies on the matter of trading stamps, similar to that experienced regarding games of chance. Yet the older and more serious problem of coercion on the use of trading stamps remains neglected while the less serious, although quite real, problem of games of chance is considered by the Commission.

Some illuminating facts demonstrate the relative gravity of the impact games and trading stamps have on retail operations. The FTC's own report of December, 1968 "On the Use of Games of Chance in Food and Gasoline Retailing" indicated that measured as a percent of sales that trading stamps cost the consumer almost five times as much as games.

In fact, it has been clearly demonstrated that trading stamps add two percent to the cost of food for the average family. Since the annual cost of food is $50 billion this means the annual cost of trading stamps is one billion dollars. Without the cost of trading stamps every American family could have the equivalent of one week's groceries free every year.

Recognizing that the hearing today is addressed to the matter of games, I shall not belabor the issue of stamps. However I did want to mention it because of the parallel that exists between stamps and games and the unexplained failure of the FTC to attack the problem of stamps.

I, therefore, respectfully take this opportunity to call upon the FTC to take action immediately to establish a long overdue set of guidelines for the use of trading stamps in retailing.

While I do not want to eliminate trading stamps there should be an option for the housewife to exchange her stamps for either cash or the premium. There is no reason why a tie-in sale should be forced on a housewife; a tie-up sale that requires her to purchase a piece of a toaster with every loaf of bread or a screw for a washing machine with every package of soap.

How long shall the public be damned?

While I am here I shall be happy to add whatever information I can on the matter of games of chance and/or trading stamps in retailing if the Commissioners have any questions.

CHILD PROTECTION ACT OF 1969

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, I am today introducing legislation which would amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards.

This legislation would amend the section of the act relating to "banned hazardous substances" to permit the Secretary of Health, Education, and Welfare by regulation to keep out of interstate commerce channels any toys or products intended for use by children which have electrical, mechanical, or thermal hazards.

Under present law, toys or other articles intended for use by children may be banned if the category of hazard involved is essentially of a chemical nature—toxic, corrosive, irritating, sensitizing—or is otherwise hazardous because flammable, pressurized, or radiational.

In effect, the categories of toy hazards against which the present Hazardous Substances Act provides possible protection are limited to two: pressurized and flammable.

I think this protection to our children should be expanded, and that is the intention in this legislation that I am introducing today. The three additional categories would be: electrical, thermal, and mechanical.

By adding these three categories, we can attack a number of hazards, including, but not limited to, sharp or protruding edges, fragmentation, explosion, strangulation, suffocation, asphyxiation, electrical shock and electrocution, heated surfaces and unextinguishable flames.

Mr. Speaker, the need for these additional categories to apply to toys and other articles intended for use by children is great. The facts speak for themselves:

Of the nearly 56 million children under 15 years of age in the United States, more than 15,000 of them die each year from accidents at a rate of 28 per 100,000 population. This figure is higher than the deaths from cancer, contagious diseases, heart diseases, and gastroenteritis combined.

More than half of the children who died as a result of accidents in 1966 were preschool children—birth to 4 to 5 years.

Another 17 million children annually are injured severely enough to restrict normal activity or require medical attention—a rate of 300 per 1,000 population.

The National Commission on Product Safety, created by Public Law 90-146, just released an interim report and in that report recommended legislation essentially along the lines of that which I am introducing. The Commission has held public hearings in New York City and in Boston in 1968, and more are scheduled for this year. I am pleased with the work that the Commission has done, and I look forward to the final report of the Commission at the end of the year.

In the course of these hearings, the Commission was appraised of incidents involving toys and other products designed for use by children and of resulting injury and death which shock the conscience and should cause the Congress to act quickly to prevent further unnecessary disasters.

The Commission learned of the use of jequirity beans in necklaces, jewelry, rosaries, and dolls' eyes. A single bead, chewed and swallowed, to a child might be fatal; chemistry sets were found with inadequate or nonexistent caution labels; a child is even capable of producing temperatures 200° F. and higher; a metal casting set with temperatures of up to 800° F.; a dart gun which could cause a dart to be inhaled into a child's lung if the muzzle end is placed in the mouth.

In addition, the Commission focused much of its attention to the problems of the improper or defective design of infant's cribs. Testimony during the Commission's hearings estimated that some 200 infants a year strangle in their cribs. Most of these deaths were attributable to a faulty design of the top of one type of crib, and in other instances to slats along the side which are too widely spaced thus permitting the body of the infant to slide through, but not the head. At the present time, there are no governmental or industry guidelines relating to these construction factors.

I might add, Mr. Speaker, that the manufacturers of these cribs were invited to testify before the Commission, but declined to do so which I think is unfortunate.

Moreover, the toy industry in this Nation has an annual sales range of from $2.5 to $3 billion. While the Safety Standards Committee of the Toy Manufacturers of America does make efforts to correct hazards, most of the safety work is concentrated on making playthings that are safe when used as intended.

I think it necessary to point out that most toys are bought for the user, not by the user. Also, the user is frequently not able or is not likely to read instructions and cautions. Industry incentive to bring about safe design and be aware of potential use of a product can be improved.

Perhaps too, the National Safety Council should do more in this area. At the present time the National Safety Council does not act as a clearinghouse for toys, nor is there a systematic review by the Council of toys that come into the marketplace, nor is there a review of instructions for use of a toy.

I am hopeful that the Congress will give early consideration to this legislation, and by strengthening the law, we can prevent much of this tragedy which strikes so many families unnecessarily.

THE EUROPEAN ECONOMIC COMMUNITY AND ITS UNWISE TAX PROPOSAL

(Mr. BURLISON of Missouri asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURLISON of Missouri. Mr. Speaker, action has been proposed by some of the six countries comprising the European Economic Community or Common Market which would have profound and deleterious effects upon agriculture in southeast Missouri and the entire Nation as well. If implemented this proposal would impose a consumption tax of $60 per metric ton on vegetable oil and $30 per ton on cake and meal sold in the Common Market countries. No crystal ball is necessary to predict that this would have a disastrous effect on U.S. agricultural exports and ultimately upset our precarious balance of payments. Forty percent of the more than 1.3 billion bushels of soybeans, or the equivalent thereof in oil, meal, or their products, grown annually in the United States is sold abroad and 50 percent of the export sales are to European Common Market countries. Soybeans and soybean products account for more than one-third of all U.S. agricultural exports to the Common Market. The value of these is approximately $500 million.

While the action proposed by some of the Common Market ministers may be technically within the law, it obviously violates the "spirit" embodied in the Kennedy and Dillon rounds of trade negotiations. In a sharply worded, unanimously endorsed resolution deploring the tax, the House Committee on Agriculture, on which I serve, predicted that if enacted, the tax would result in a reduction by about one-third of U.S. sales of soybeans and their products in the Common Market countries. This represents the equivalent of 60 million bushels or the product of 2 million acres.

In terms of Missouri this means that if the tax had been in effect in 1968, only 13 million bushels of soybeans produced in Missouri would have been sold rather than the 20 plus million normally purchased by the Common Market countries. In effect the market for thousands of acres of Missouri soybeans would be lost.

We are not without recourse, however. Prominently mentioned as possible means of retaliation are higher import duties on European automobiles, office equipment, typewriters, and wines.

U.S. negotiators have voiced strong objections to the proposed tax and have relayed the warning that such a move would result in the erection of barriers to the entry of Common Market products in this country. Their warning was given currency by the introduction of House Concurrent Resolution 91 by the chairman of the Committee on Ways and Means. The resolution describes the proposal as a major blow to American agricultural producers, processors, and exporters tending to provoke retaliation by the United States.

Commenting on the matter, former Secretary of Agriculture, Orville Freeman stated:

> I feel that this matter of continued open access to the European Community markets for our soybeans and soybean products is one of the most important trade problems to confront the American farmers since I became Secretary of Agriculture. If the proposed action by the Community should take place, I can think of nothing that would do more to turn back the clock on the effort we have made to improve access to foreign markets for our farm products.

Fortunately, there is no unanimity between member countries of the Common Market. In a conversation with another Congressman, German Finance Minister, Franz Joseph Strauss pledged opposition to the tax. Minister Strauss recognizes that the best interests of Europe lie in the lowering of barriers to trade, not their erection. With this I agree and I hereby urge President Nixon to place this issue in a priority position on the list of topics to be discussed on his forthcoming European trip. We must make it abundantly clear that the United States will not stand idly by while action is taken which is so injurious to our economy. They must be convinced that the potentially disastrous consequences of the tax far outweigh the minimal benefits of the short term.

A POSITION ON THE SENTINEL

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, I am getting an increasing amount of mail from constituents on the Sentinel anti-ballistic-missile defense system.

I received one letter, for example, last week, objecting to my suggestion to President Nixon that he halt the program. I had urged the President to defer it at least until after we have had some nuclear disarmament discussions with the Soviet Union.

This constituent said he wanted a Sentinel site located in Seattle to protect him in the event of a missile attack on the United States. Apparently he did not know that the missile defense is not that simple; that a missile defense as presently developed probably would not protect him. I am sure this individual did not know that there are many ways for an enemy to confuse or decoy the defense missile into exploding before the offensive nuclear warheads reach their target. Many leading scientists think the program is a waste of money and would not work.

My own thinking is that our present offensive capacity is sufficient to deter any missile attack by Red China because, as former Secretary of Defense McNamara stated last year, it would be insane and suicidal for her to launch a missile attack when in retaliation we could completely destroy her.

In other words, a light deployment of U.S. AMB's would not deter Communist China, but our overwhelming offensive power would, or at least it seems reasonable to so conclude. It seems to me a halt in this anti-ballistic-missile defense system would hardly change that picture.

And, as for the second step, if we took it, to develop a so-called heavy ABM shield for defense against a Soviet attack with her more sophisticated capacity, I see no reason not to delay. To continue now probably would only induce the Soviets to vastly increase their offensive forces so as to overcome any added defensive capacity of ours. In addition, Mr. Speaker, there is no assurance, regardless of cost, that a defense against Soviet attack would be possible.

The Nation wants an end to the nuclear arms race with the Communists, but it seems to me the better course in achieving arms limitation would be to delay the Sentinel program at least for the time being.

If I thought this meant a risk or would allow the Russians to outdistance us, I would think differently. But as long as the United States or the U.S.S.R. do not attain first-strike capability, I do not see that either country would ever decide to initiate an attack on the other.

Again I say, Mr. Speaker, let us delay spending billions of dollars on a nuclear anti-ballistic-missile system until we have talked nuclear disarmament with the Soviets.

THE INDIAN SITUATION ON THE PINE RIDGE RESERVATION OF SOUTH DAKOTA

(Mr. BERRY asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. BERRY. Mr. Speaker, I have asked for this time to insert in the RECORD an article appearing in the Sunday, February 23, 1969, issue of the Washington Post, under the byline of William Greider, who has written an excellent article on the Indian situation on the Pine Ridge Reservation of South Dakota. I ask unanimous consent to insert it in the RECORD.

I would particularly point out some of the latter paragraphs. He says:

> Somehow, something goes terribly wrong. Six out of every ten Pine Ridge high school kids quit school without graduating. Many never start. Suicide attempts—including a lot of young people—are twice as high as the national rate. Juvenile crime is nine times greater than in other rural areas. Alcoholism starts early.

Mr. Speaker, if anyone is interested in knowing why this is true, all they need do is make a quick study of human nature. "Where there is no hope the people perish." These reservations offers no hope to anyone—young or old. There is nothing for the young people on these reservations—no jobs, no industry, no income, no hope, and no future.

As the writer quotes:

> "We want to be with our people," said Louis, "but if there's no jobs, what's the use?"
>
> That is the push-pull which the sociologists think is tearing them apart. They have one eye on the outside world, which means opportunity and fears; the other eye on the reservation, which means security and hopelessness.

This is exactly what I have been telling this Congress for 18 years, but no one wants to listen. They prefer to remain in the old rut. The solution, Mr. Speaker, is jobs, income and opportunity. The way to obtain this is by giving a tax exemption to any industry that will come onto these reservation areas and hire these people. This gives the young people something to look forward to. This gives them some incentive to remain in school—some incentive on the reservation where their people and their relatives live. They want a future the same as anyone else, but the reservation offers nothing, and can offer nothing without jobs, and industry cannot go out in these remote areas without a substantial subsidy.

For 10 years I have had legislation pending in the Congress which would provide a subsidy similar to what other emerging nations, and other emerging countries, have offered, and are offering. We do not need an expanding Bureau of Indian Affairs. Let the Bureau take care of the land holdings of the tribes and the allottees, but let the Indians have some future through jobs, which can only be produced by locating industries on the reservations. Instead of spending 150 years of guardianship making these people feel they are unwanted wards, let us give them 15 years in industry, with opportunity, instead of 150 years of regulation, and then let us see what happens.

The article follows:

Wounded Knee Still Festers

(By William Greider)

Pine Ridge, S. Dak.—The Oglala band of the Sioux Indians, encamped on the great prairies of the Pine Ridge Reservation, have learned to celebrate small favors. So, a few weeks ago, the men got their ceremonial costumes out of hock, the feathered bonnets and beaded breastplates which they pawn in surrounding white communities between powwows.

Over at Custer State Park, the buffalo herd maintained as a tourist attraction was being thinned. The park management slaughtered and quartered the animals and sent some of the meat over to the reservation. At churches and community centers, the Oglala gathered for feasts and dancing. Tribal politicians collected unearned thanks for the happy occasion.

It has all become civilized, this business of white men and Indians. In the old days, when the Sioux were freshly defeated and newly dependent on Army rations for their survival, the soldiers would turn loose a cow then watch as the Indians chased it across the meadow and killed it, re-enacting their lost status as Great Plains hunters.

Now, most of it is reduced to paperwork, application forms and eligibility lists, committees formed to see who will get a job and who won't, who gets a new house or pump so he won't have to haul water from the creek. Give them free buffalo meat and their hearts and minds will surely follow.

A GALVANIC NAME

The shooting between the races ended on this reservation in 1890 at a creek called Wounded Knee. Some history books mention it briefly as a battle, but the Sioux remember it as a massacre.

In December, 1890, several hundred Sioux were intercepted by cavalry, disarmed and slaughtered. The frozen bodies of men, women and children were stacked in a long trench and, like deer hunters, the soldiers posed for pictures around the grave.

Wounded Knee. The name is like an electric impulse to the sleeping mind. It jogs the older ones out of their self-consciousness with a white stranger; it pierces the reserve which white men take for apathy.

"There's one little boy who lost his little moccasin," said Jessie Little Finger. "He had two hard-tack crackers in his hand, frozen, when they found him. There's another woman, she was already dead and she had a little baby nursing at her breast.

Mrs. Little Finger's grandparents died there. Her father and her uncle were small boys who ran from the Hotchkiss guns and lived to describe it.

"The soldiers told them to sit all in the ring and they took their weapons," Mrs. Little Finger explained. Her fingers drummed rapidly on the tabletop, her voice hushed. "Pretty soon, the people looked around and they saw the guns on the hill and they started to run, but they were all shot. My Dad's brother was shot in the back; my husband's father, his heel was shot off. They were little boys then, and they lived with those things."

A REMUNERATIVE SHRINE

Recently, a group of white men decided to absolve their fellow Americans of any lingering guilt. They formed the Wounded Knee Memorial Association Inc. to raise several million dollars to erect a monument at the site of the massacre.

"This monument," they announced, "will be built by the American people to, in part, fulfill an unpaid debt in the cause of human rights and as witness to one of the darkest pages in the history of American progress." The monument will have a butane eternal flame.

The white men also formed the Sioux Corp., which bought a 30-acre tract next to the gravesite, a tract that includes the ravine where many of the Indians died. There they intend to build a motel, a trading post and other moneymaking tourist attractions. "What we hope to have here is something like a miniature Gettysburg," said one of them.

The Indians did not understand, or else they understood too well. The survivors of Wounded Knee long ago erected their own modest monument beside the mass grave.

"It's not beautiful," said Mrs. Little Finger, "but we're poor Indians. They say they will give jobs to Indians, but I don't think we should sell our grandfathers' and grandmothers' bones."

With some detachment, Toby Eagle Bull, executive vice president of the Pine Ridge tribal council, laughed at the neatness of the proposal, serving white guilt and making a little money at the same time. "They ought to have a monument of a cavalryman on a horse with his sword raised to chop off the head of an Indian woman carrying her baby," Eagle Bull said, dropping his guard. "That's the way it was."

Still, some of the Indians are signing petitions in favor of the monument. "You'll find," said Eagle Bull, "no matter what it is, you can always get some Indians to go along."

The shooting stopped a long time ago, but hardly anyone at Pine Ridge would say that the war is over. "To be truthful," a Jesuit missionary said, "if we had a million Indians here instead of 10,000, I think we'd have troops stationed here, too."

A CABIN ON A RIDGE

Each man seeks his own answers, if he is strong enough. Still lean at 56, Pete Catches broke off from his family and from the tribal politics which had supported him.

"The people now are accustomed to this way of life, this welfare," he explained. "Just a very few want to be left alone. The Bureau (the Bureau of Indian Affairs, which supervises the reservation) is hard to live by. A lot of times they made us say yes when we want to say no."

With a young woman, Pete Catches went up the side of a ridge, just below the line of ponderosa pine, to live in a tent. When fall came on, he built a small log cabin; the carpentry is snug. The watertight roof is covered with sod and the dirt floor is pounded as smooth as linoleum. A cup, a broom, a kerosene lantern hang along the wall, which are lined with muslin. The wood stove requires a thick pine log in the morning and another at nightfall.

"I really like to live the rest of my life as realistically as I can," he said. "That's why I grew my hair, the way God made me. I want to pray to God with this pipe and heal people. Let God judge my way."

The silken black hair is braided over his shoulders like a rich shawl. He is a full-blood Sioux and a wichasha wakan, a healing man, a man who calls the spirits. The corners and rafters of his home are adorned with the religious paraphernalia of chanunpa—the sacred pipe. A prayer flag hangs outside on a long, slender pole. With his prayers and guidance, others fast in quest of holy visions.

"A real Indian," he said, "never begs. We never try to go into the poverty program. Our young people—they walk the highway and try to thumb a ride. I will walk the highway all day long and never ask for a ride."

Most of the Indians are Christianized, but three generations of missionaries have not extinguished the Indian religion. The spiritual men, still numerous on the reservation, are regarded by their own people with mixtures of derision and awe. The people frequently consult both the wichasha wakan and the Public Health Service hospital.

Pete Catches, as much as he can, has reduced life to the elemental—foraging the canyon for wood, hauling water up the hill, praying to the spirits. He does not pretend that others will follow.

"Now we have two Indians," he noted sadly. "One is educated and has no pride. One is leaning and clinging to his Indian way and has pride. That is the way it is."

CORPORAL CULTURE

"Acting white" is still a stinging expression used by the older, the more conservative. But a pretty teen-age girl, Iris Between Lodge, describes how Lakota, the native language, is dying among her generation: "If you do try to speak Indian, the kids make fun of you. Big Indian, they call you."

"I remember," said Toby Eagle Bull, whose hair is prematurely white, "when I started school, I couldn't speak a word of English. I was living with my grandmother, and she didn't believe in sending kids to school or having anything to do with white people. When the police came out and took me to school, the only thing we kids could talk on the playground was Indian. Every Saturday afternoon, they had a spanking session for all of us."

Now, the cultural conversion takes a new turn. The "black robes," the Jesuits who founded the Holy Rosary Mission in 1888, are teaching Lakota at their school, as well as Indian culture and history. The BIA has started a course in Sioux civics at the Bureau boarding school. The priests are thinking of setting up some sort of oratorical prize for Lakota.

"With the kids, the language is associated with poverty and drunkenness and ignorance," said Father Glen Wellshons, the guidance counselor at Holy Rosary. "There's no status in it for them. These are attempts to show respect for what is Indian in them. They should be grounded and somehow made whole."

That is the heart of the problem at Pine Ridge. The 70 years of occupation have debased and beaten down what is Indian, but the people have not been converted into white men.

THE FUNDAMENTAL FAMILY

For centuries, the Sioux functioned harmoniously without money. As the anthropologists describe it, their survival depended on constantly contriving sophisticated uses of what the land would yield. Before Wounded Knee, it was buffalo. Out of this survival economics, a web of values was impressed on the Indian mind, values which, one Government psychiatrist observed, "make white middle-class America look culturally deprived."

As a unit of survival, the Sioux family meant something much larger and stronger than two parents and their children. The Indian kids still confuse their white teachers occasionally by referring to their mother's sister as "mother" or their first cousins as "brothers and sisters." The system of personal relationships—which protected individuals from the ultimate threats of death, illness and starvation—was more complex than any Social Security law enacted by a white legislature.

People—getting along with other people—came before personal possessions. It was both physically awkward and unnecessary to lay aside great stores. Abundance was shared. The natural rhythm of the land and the strength of the family provided the security for the future. The Indian sense of time has always struck white men as hopelessly impractical.

Remnants still survive. When a teenage boy died recently in an auto accident, his grandmother, despite the family's poverty, gave away cherished possessions to the mourners—his portable radio, his clothes, her handmade quilts. Funeral sharing is less civilized than Probate Court; still, it persists among the very poor.

"The Indian is not one bit like the white man, who thinks about nothing but his money," a high school senior said in a classroom essay. "The whites also never help anybody. They must always get paid for it."

But the essayist conceded that things are changing: "They will keep changing for the Sioux until they live like white people. When that happens, this reservation will be a living hell."

A PRICE TAG ON SHARING

The money economy has already obliterated the basis of the old values and the cultural fabric is torn beyond repair. An Oglala family is still likely to take in a brother's or sister's family that is homeless, further crowding the cabin. But a son-in-law with a car may charge Grandma $5 to drive her into town so she can consult the free Government clinic.

When a missionary introduced the simple institution of a rummage sale, his parishioners were unsettled. "They were happy to donate their old clothes to the church," he recalled, "but they were shocked when we put them up for sale." In time, they accepted it.

When telephone service was extended to the more affluent Indian families, many of them found it necessary to get unlisted numbers. Other, less fortunate Indians were using their numbers to make long-distance calls. Sharing has its limitations in the modern scheme.

The landscape of Pine Ridge, raw but beautiful, is littered with evidence of the cultural conflict. Trails of cow dung and beer cans line the main-traveled roads across the prairies. Along the canyon creeks, where cottonwoods have grown twisted by the wind, the tiny shacks and log cabins are surrounded by junked cars, an incredible number of junked cars.

Each fall, most families receive their lease checks, usually several hundred dollars, money collected and distributed by the Bureau of Indian Affairs, which leases the Indian-owned lands for cattle grazing and farming. During this brief false prosperity, the used car lots in the surrounding white towns do a rush business: if a family lives in an isolated cove, owning a car can be a matter of survival. As the cars break down, parts are swapped or tires are sold. The hulks accumulate.

TENTS STILL PERSIST

With the introduction of trailers and the construction of several public housing projects, reservation housing has improved considerably in recent years. But a third of the Indian families still live in log cabins and a few still live in tents. Because their homes are so small, the yard is used as an attic. When the spring snows are done, families move outdoors to tents and makeshift beds in the abandoned cars.

Some prefab buildings are scattered across the reservation, left over from an Army ordnance depot which closed. They are warmer than a tent, bigger than a log cabin, but some families regard them as mixed favors. In a blizzard, the people cannot find the bottled gas to run the stove or the money to pay an electric bill by searching the creek bottom, where they once found wood.

Survival now depends almost exclusively on the Government. The 10,000 Indians are scattered over acreage twice the size of Delaware, but the economic center is Pine Ridge, a community of nearly 3000 with the Spartan appearance of a temporary Army post.

The BIA, the police, the municipal center are in brick buildings. There is a row of identical white houses where the Government officials live. The rest consists of flotsam housing surrounding several schools and churches, a hospital, two gas stations, a grocery store and a lunch counter cafeteria. For the rest of life's necessities or luxuries, the people drive off the reservation (even for their alcohol, since the tribe enforces prohibition).

Aside from the modest welfare checks and all of the social services it provides, the Government is the only stable employer. Unemployment runs close to 40 per cent on the reservation. Of the Indians who do receive paychecks, more than half work for the Government—as school bus drivers or accountants, policemen or highway crewmen, as bureaucrats for the tribe's elected council or as subjects of an antipoverty program.

Inevitably, the better educated, the mixed breeds who look and act more like white men, get most of the jobs, which sows resentment. "If anything comes along," said an old full blood, "the ieska (mixed breeds) get it first. Whatever it is, the housing or the cattle loans, it will reach the Indian last."

EVEN FISHHOOKS FAIL

For one reason or another, the long succession of attempts to make the Indians into self-sufficient white men have failed. So the Sioux are developing a peculiar reservation culture.

Cattle ranching has increased over the last decade, but it has a limited future because of the huge amount of land required. The Bureau tried relocating the people in cities, but many of them came back. The outlook for economic development is not especially promising.

A fishhook factory opened at Pine Ridge in 1961 and employed 200 to 300 Indians. The wages were low and the jobs had no future, but the workers, it is said, were adjusting to a time clock-and-paycheck mentality. Last summer, the fishhook factory closed. Its managers explained that competition from imported fishhooks made the reservation production impractical.

Over the years, the failures and frustrations, the shifts of Government policy have created such divisions among the people that it is hard to get them to agree among themselves on solutions. A promising proposal for an Indian-controlled demonstration school ran afoul of tribal politics and was defeated in a referendum.

Full bloods resent blond, blue-eyed Indians who are making it as cattle ranchers on Indian land leased at preferential rates. The mixed breeds say that the "old Indians" would rather perish than face realities. They all resent the Bureau and its red tape, yet live with the fear that the Government will someday walk away and leave mass suffering in the vacuum.

These pressures seem to be cracking the tribe's strongest institution—the family. All of the statistics on divorce, separations, unwed mothers suggest that the family is losing some of its durability. Foster children, once unheard of among the Indians, are becoming commonplace.

Against this history, the Oglala Sioux do not talk about dramatic breakthroughs. A few young men who have been away to college are trying to organize business co-ops, but their ideas are still vague and untested. They already face opposition within the tribe.

As one missionary suggested, most of the Sioux have tried to invoke their ancient adaptability to conform with the welfare colonialism. "They see these programs coming from Washington, and they've seen so many of them," he said, "they view them in terms of survival.

"We had a committee to decide who would get jobs in one of the poverty programs. The whites on the committee would look at an applicant's work record and experience. The Indians were looking at who had the most children."

THE HISTORIC FUTURE

William Good Voice Elk, whose name evokes beauty and harmony to the Sioux, stood amid his squalor and six children and tried to talk about the future. Ask him about tomorrow, and he begins by discussing today and yesterday.

"We wanted to get one of those new houses," he offered, pointing to Army-surplus homes across the road. "We filled out an application." His family lives in a small tent heated by a wood stove, and has been living there for five years.

"We were going to get a pump so we wouldn't haul water," his wife Rose put in. "I asked the Public Health for a pump, but I never did get it."

A basket filled with rotting garbage stood outside the tent. A small boy with a runny nose and puffy face, with a ring of dirt on his belly just above the trousers, stood by his father.

Mrs. Good Voice Elk complained about the welfare checks. They work summers on the farms in Nebraska and every year their lease check is $375, but mainly they are living by the hands of others.

The father and mother are 36 years old but their faces seem past 50, an age which the percentages say they will never reach. "I went down to the Pine Ridge last month to see about a job," he said. "There's no jobs around here at all."

Good Voice Elk looked off down the road, then glanced over at the visitor. For an instant, when their eyes met, a flicker of embarrassment crossed his face. He had not answered the question.

THE PERISHABLE YOUNG

"These Indians," said Hobart Keith, an Indian, too, "better learn to swim or they're going to drown."

As tribal judge, Keith presides over the weekly procession of drunks, disorderly conducts, petty larcenies and truants who constitute Pine Ridge's juvenile crime problem.

In line with the other constrictions of reservation life, the kids face arrest for violating a 10 p.m. curfew on weekends. To get drunk, they drive over the line to Nebraska saloons, and occasionally the ride back ends in death. Many of the younger ones get high at home sniffing glue or gasoline.

"It seems like we bury more of our young people than the old ones who are through with life," a parish priest observed.

The young people of Pine Ridge are the most perplexing because they seem so promising. Clothes-conscious and pretty, the girls wear miniskirts and bell-bottom slacks and green eye shadow. The boys carry transistor radios tuned to KMOA, the rock voice of the middle border.

"Everything should be geared to the children," said Toby Eagle Bull, the tribal leader. "We can't do that much for the older group; we can't stay on the reservation forever. We have to educate these kids so they can get along with the whites."

Most whites would buy that, probably. Essentially, that has been the policy of the Government from the start. Assimilate. Let them jump into the melting pot with everyone else.

Somehow, something goes terribly wrong. Six out of every ten Pine Ridge high school kids quit school without graduating. Many never start. Suicide attempts—including a lot of young people—are twice as high as the national rate. Juvenile crime is nine times greater than in other rural areas. Alcoholism starts early.

A Public Health Service study of mental patients at Pine Ridge reported that "55 per cent of the dreams and early memories dealt with problems around dependence-independence, that 40 per cent dealt with the problems of aggression . . . Of the dreams and early memories related to aggression, 68 per cent dealt with themes of being hurt, either by others or by oneself."

THE BREAKING POINT

Studies of school performance suggest the personal agony. The Indian kids start out below average on the national tests, then they seem to catch on and actually score above average for several years. At adolescence, their performance falls apart—at the point when they grasp what it means to be an Indian in a world made for white men.

A group of teen-agers kicking it around found different words. At an age when most kids feel like conquering the world, they talked of the future realistically, without inspiration.

"They're just fed up and trying to get out," said Louis Moves Camp, a 16-year-old full blood. "The reason a lot of teen-agers drink is because the parents drink. A lot of kids want to go, but they don't want to leave their families.

"I've been in big cities," said Iris Between Lodge, "and I felt like I was that low—like I was dirt because I was an Indian."

Yet she and her friends want to go, too.

"We want to be with our people, said Louis, "but if there's no jobs, what's the use?"

That is the push-pull which the sociologists think is tearing them apart. They have one eye on the outside world, which means opportunity and fears; the other eye on the reservation, which means security and hopelessness.

Gerald One Feather, a 30-year-old college graduate who returned to Pine Ridge in the hope that he could aid its development, described the dilemma:

"The people have been trying, but you reach a point where you give up. You don't have the power to do anything. The kids are forced to make a decision—either be an Indian or be an American. The kids say, 'Well, I'll try to be an American'."

Some of them make it. But many drown, the modern casualties of the Indian wars. Since Wounded Knee, the pacification has been going rather badly.

DENVER & RIO GRANDE WESTERN RAILROAD TAKEOVER

(Mr. BROTZMAN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BROTZMAN. Mr. Speaker, the Denver & Rio Grande Western Railroad, which is domiciled in Colorado, recently found itself involved in an apparent takeover maneuver by an organization which describes itself as an "investment banking-holding company."

This firm, the Carter Group, Inc., has only been in existence since September 1968. This is an unusual organization in several respects.

For one thing, it was formed without a single member of its executive committee having a substantial background in railroad management—the individual resumes in the firm's prospectus bears this out—and yet the first acquisition which the Carter Group has its sights on is the very successful Denver & Rio Grande Western Railroad.

For another thing, I find it remarkable that two-thirds of the stock in this company—which appears to be the principal trading commodity in the threatened tender offer—would be owned by a group of men who have put up only 8 to 9 percent of the tangible assets.

I believe this matter should be the concern, primarily, of the Securities and Exchange Commission, and I understand that a thoroughgoing SEC investigation has been requested.

However, it occurs to me that the ICC also should look into this situation, which promises to be repeated if the Carter Group should be successful in their Rio Grande venture. The railroad industry, after all, is one of the most heavily regulated in the Nation, and surely the Commission would look with alarm at the demise of an expert management by a group which—to quote the prospectus again—is trying to profit by "the creative interplay of the acquisition technology."

DRAMATIC INCREASE IN THE PRICE OF LUMBER

(Mr. MARTIN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. MARTIN. Mr. Speaker, I would like to call your attention to the dramatic increase which has occurred in the last 15 to 18 months in the price of lumber and plywood in our country. As a retail lumber merchant, I am thoroughly familiar with this situation.

I would like to call your attention, Mr. Speaker, to statistics put out by the Bureau of Labor showing that between December 1967, and December 1968, the average mill price of softwood lumber rose 30 percent, and the price of plywood rose 77 percent.

Since December of 1968, however, we have had further dramatic increases in the price of both softwood lumber and plywood, both items of which are fundamental and basic to the construction of new homes.

Dimension lumber which consists of 2 by 4; 2 by 6; 2 by 8; et cetera, in green fir sold late in 1967 at approximately $70 per thousand. The price on January 16 was $112 per thousand; on February 12, $128 per thousand; and last week $140 per thousand. One-quarter-inch AD plywood—the price on this item indicates general prices on various grades of plywood—was approximately $60 per thousand late in 1967; by January 16, the price was $125 per thousand; and last week it was $144 per thousand.

The lumber manufacturers on the west coast today do not seem to have any established price list, but it is simply handled on the basis of an auction with the sale going to the highest bidder.

We had an instance which occurred in one of my retail yards 2 weeks ago where we had a quotation from a mill on a carload of plywood that a contractor needed. We quoted the contractor a price, called the mill back on the telephone 2 hours after the quotation was received, were advised that they were sorry but the price had gone up $8 per thousand.

I urge, Mr. Speaker, that the Committee on Banking and Currency and also the Judiciary Committee investigate this tremendous increase in the price of lumber and building materials, which is going to seriously hamper new construction and President Johnson's program of construction of thousands of lower-income housing units in this country.

DEPARTMENT OF AGRICULTURE TAKES FIRM STAND AGAINST EEC'S PROPOSED INTERNAL TAX ON SOYBEAN OIL AND MEAL

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD and to include a letter from the Deputy Under Secretary of Agriculture.)

Mr. MIZE. Mr. Speaker, every Member of Congress is aware of the crucial importance of a favorable balance of trade. That fragile balance, smaller this past year than anticipated, is truly one major foundation upon which our currency must depend for support.

In the past few weeks, many knowledgeable Americans have become increasingly concerned over reports from the European Economic Community indicating that those nations are seriously considering imposition of an "internal tax" on oilseed products. The proposed tax is so high that it would, if imposed, effectively deny U.S. access to an annual market of nearly $500 million in oilseed products. Its impact on American agriculture would be serious; its impact on the U.S. balance of trade would be catastrophic.

Mr. Speaker, because of the widespread interest Members have shown in this delicate trade problem, I insert a recent letter I received from the Honorable George V. Hansen, Deputy Under Secretary of the Department of Agriculture, in the RECORD at this point. I am pleased that the administration has chosen to take a firm stand on this issue.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 20, 1969.

Hon. CHESTER L. MIZE,
House of Representatives.

DEAR MR. MIZE: This is with respect to the concern which you have expressed over the European Community's proposal to place a consumption tax on oilseeds and oilseed products.

As you may know, on December 19, 1968, the Commission of the European Community submitted to the Council of Ministers (the Community's Executive Body) its long awaited policy program to reform the agricutural sector, including specific provisions relating to fats and oils. The Commission proposes to introduce a tax of $60 per metric ton on vegetable and marine oils and $30 per ton on meals and to take the initiative in launching negotiations for an international arrangement for fats and oils. Such measures ostensibly designed to stabilize the edible fats and oils market, particularly butter, are in fact designed to plug the hole in the otherwise highly protective wall of their Common Agricultural Policy through which oilseeds and high-protein meals enter duty free without restriction.

We consider this to be most important trade problem that has arisen in agriculture between the United States and the European Community because of the magnitude of our trade in oilseeds and oilseed products—nearly $500 million in 1967/68 and expanding. Impairment of our access to the important European market would have a serious impact on farm incomes and on the U.S. balance of payments. In addition, it is another example of the Community's policy of shifting most of the burden of supply adjustment to third countries through intensification of import restrictions and export aids. We have, therefore, taken an extremely strong position in opposition to the tax.

The U.S. Government has continuously and forcefully warned the European Community that their proposed tax would sharply reduce the Community's imports of oilseeds and oilseed products and would result in a massive impairment of the present access available to American exporters. We made it clear that we could not agree to any action or subscribe to any arrangement which would limit our export opportunities, or deny to us the benefit of concessions negotiated under GATT. We also made it clear that such action would leave us no choice but to retaliate promptly to restore the balance of concessions. You may have seen in newspaper stories the thought that our retaliation might include such important exports as European automobiles, typewriters, office equipment, wines, and similar items that Americans buy from them in large amounts.

What we, in fact, are saying to the European Community is that the enactment of a consumption tax on oilseed products could lead to the most serious trade policy confrontation between the Community and the United States with commercial and political implications extending beyond agriculture.

We will continue to make representations to the Community through all available channels to keep unimpaired our access to Community markets for our oilseeds and oilseed products.

Our latest information is that the Council of Ministers is not likely to act on the proposal in its present form. Final action, if any, is not expected to be taken in the immediate future.

Please let me know if I may be of further assistance to you.

Sincerely,

George V. Hansen,
Deputy Under Secretary.

TAX REVISION AND TAX REFORM

(Mr. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BLACKBURN. Mr. Speaker, this morning I had the privilege of appearing before the House Ways and Means Committee relative to tax-exempt organizations. For the information of my colleagues, I would like to insert a copy of my' statement and other material into the Record.

Statement of Hon. Benjamin B. Blackburn, of Georgia

Mr. Chairman: I would like to begin by complimenting you and your committee upon instituting this series of hearings. The pressures for tax revision and tax reform are building at a rapid pace. The taxpaying public is making its desires known and it is incumbent upon us as legislators to be responsive to their demands.

I had originally requested time to appear before your committee last week. When I learned that our colleagues, the Honorable Wright Patman and the Honorable John J. Rooney were each planning to appear and discuss possible abuses of tax-exempt privileges, I decided to request a change in the date of my appearance so as to avoid as much as possible a repetition of the matters called to your attention by these two gentlemen.

I would like to comment, in passing, that the testimony provided by these two gentlemen deserves, and I am sure it will receive, full and serious consideration by the members of this committee. Their testimony has served to point up the degree to which the so-called "charitable" organization operates under privileges not accorded the average taxpayer, whether he be laborer or businessman, and the degree to which these privileges are being abused for partisan political activity.

Certainly, all of us would agree that charitable and humanitarian purposes rightly receive support and encouragement from the Federal government in the form of special tax privileges. In equal degree, however, I am sure we would also agree that combatants in the political arena should all labor under the same set of rules and the same handicaps. From our mutual experiences in the realm of politics, I am sure we will all likewise agree that money is the mother's milk of a political campaign. To the degree that one combatant in a political campaign receives direct or indirect financial or material support to his campaign from a source enjoying a financial subsidy through special tax privileges, to that degree the equality of rules between two political opponents is upset.

I noted with considerable amusement news accounts of the appearance of Mr. McGeorge Bundy, the Chairman of the Board of the Ford Foundation when he explained a disbursement of in excess of $131,000 to individuals who had been closely associated with the late Senator Kennedy in his campaign for the presidency. It is my understanding that the purpose of the Ford Foundation is to encourage research into fields which would otherwise go begging for research. I would assume that any organization having this purpose, before embarking upon a new venture involving considerable expenditure of funds would first ask itself "What results are expected from this expenditure?" Indeed, any business organization or government organization which did not ground all of its activities upon this fundamental question could not long survive.

Mr. Bundy, however, is a man of great imagination and is not limited to such simple business or government fundamentals. It appears that his primary motive in making disbursements is to display his personal concern and desire to do charity for individuals with whom he holds a personal sympathy. He stated in his testimony that his principal motivation was to display his degree of concern for the Kennedy family (which so far as we can generally determine has small need for financial assistance) and when asked as to what results were expected from his display of grief, replied "It may be several years before any results, if any, appear".

I would never question the right of Mr. Bundy, acting for himself or acting as a head of an organization to use his personal funds for whatever purpose he sees fit. What I do question, and what is the legitimate area for inquiry by this committee, is the degree to which the taxpayers of this country should subsidize the peculiar whims of others. In my own opinion, any tax subsidy is a privilege and any use of funds acquired through the enjoyment of tax privileges should be absolutely barred from use in political campaigns or for political purposes.

The purpose of my appearance today is to invite to the attention of the members of this committee a bill which I have prepared and which will be introduced today in the Congress. The purpose of this proposed legislation is to provide a legal framework to prevent groups or organizations having tax privileges from diverting the funds entrusted to them into the political arena.

My legislation first recognizes that any organization has a right to defend its own existence. When tax-free foundations are under attack, in general, or if any particular tax-exempt organization or its activities are under attack, then it is only proper that such organization have the right to make appearances and in effect "lobby" on behalf of its own survival and the continuation of its privileges. The American Bar Association, a non-profit, non-partisan organization supported for the purpose of conducting research in the field of law and the administration of law, has prepared a model law which would govern the activity of tax-exempt organizations. The Committee on Tax-Exempt Organizations of the American Bar Association concluded that a distinction should be made between supporting a political candidate and a political issue as exemplified by proposed legislation.

The very purpose of many trade associations is to promote legislation of interest to that trade association. The proposal of the Subcommittee of the American Bar Association did not prohibit such activities.

In my own opinion, it is a legitimate exercise of the right of freedom of speech for a group of invididuals, whether they be businessmen, laborers, or churchgoers, to establish an organization to present their views to legislative bodies and individual legislators for consideration.

The activity which is prohibited in the recommended code of the American Bar Association is direct intervention in a political campaign on behalf of or in opposition to a particular political candidate.

I have incorporated in my proposed legislation the language of the model law drawn by the Committee on Tax Exempt Organizations. This language would permit organizations to "lobby" on behalf of the causes and purposes of the organization and permit organizations enjoying tax benefits to seek public support for the causes which it espouses.

The language of this proposed code, however, presents an absolute prohibition against the use of funds by a tax exempt organization on behalf of a political party or a political candidate.

The penalty for violation of the prohibition would be the loss of tax-exempt status (that is the deductability of donations or gifts by supporters of the organization and the treatment of all revenues from any source as income for tax purposes) for the year in which a violation has occurred and for the three years following. The reason for extending the period of loss of tax privileges beyond the year of violation is to prevent flagrant abuses by an organization during an election year and then grant that organization the privilege of building its war chest during the next three years in preparation for the next political campaign.

A second purpose of my proposed legislation is to prevent the use of dues collected by labor unions and other similar organizations for the purpose of supporting a political candidate. As I have commented earlier, I regard the right of individuals or groups of individuals to band together for promoting a particular purpose as being a legitimate extension of the right of freedom of speech. I draw a sharp distinction, however, between promotion through the use of tax privileges of purposes espoused by a group and the promotion of particular political candidates or political parties.

The labor unions of this country are perhaps the most notorious violators of the Corrupt Practices Act which prevents direct corporate involvement and, in its language, prevents direct political activity on the part of labor organizations.

The courts have numerous times reported cases in which labor leaders readily acknowledge the use of union funds for direct intervention in political campaigns. For example, United States v. Anchorage Federal Labor Council 193 F. Supp. 504 (1961); United States v. Planters Local #481 et al 172 F. 2d 854 (1949); United States v. International Union United Automobile, Aircraft and Agricultural Implement Workers of America 352 U.S. 567 (1957); and United States v. CIO 335 U.S. 106 (1947). Union leaders do not deny the direct participation of their organizations in political campaigns. For example, see article in the September 19, 1968 *Wall Street Journal*.

The cases which I have cited above all relate to prosecutions under the Corrupt Practices Act which specifically prohibits the use by labor organizations of their general funds for political purposes.

There is a grievous inconsistency between the language of the Corrupt Practices Act, the Internal Revenue code and the practices of the Internal Revenue Service. The inconsistency in the law arises because the statutory prohibition contained in the Corrupt Practices Act is not carried over into the Internal Revenue code. In short, activity which is subject to criminal prosecution in one section of the law is not prohibited under the Internal Revenue code which authorizes tax privileges for labor organizations.

Indeed, the Internal Revenue Service does not recognize the Corrupt Practices Act as being a part of the U.S. code. When one group, the National Right to Work Committee, was under investigation by the Internal Revenue Service for the avowed purpose of finding justification for stripping them of their tax privileges, an inquiry was made to the Internal Revenue Service as to whether a like investigation would be proper with regard to labor organizations. We all recognize that the National Right to Work Committee and labor have purposes that are exact opposites to each other. I am attaching hereto copies of the correspondence for the benefit of the committee. The correspondence speaks for itself and reveals a callous disregard for the principle that all groups similarly situated are entitled to equal protection and equal treatment under the law. The position taken by the writer of the letter from the Internal Revenue Service appears wholly without legal foundation and is obviously contrary to the criminal activities prohibited in the Corrupt Practices Act.

I think it's appropriate to call to the attention of the members of this committee the method whereby labor organizations finance the activities of the official propaganda agency of labor unions, that is, the Committee on Political Education (generally referred to as COPE).

COPE is without serious debate one of the most militant political organs in the country. Its publications, ostensibly mailed for "educational" purposes, represent one of the finest examples of pure propaganda to grace the American literary scene.

I repeat again, that COPE or any organization has a right to promote causes which its leadership determines to be in their own best interest. What I do object to is the method whereby funds collected by a tax-exempt organization are used to support political parties and political candidates.

It is the manner of financial support and tax privileges enjoyed by COPE that I consider subject to question.

Each union member supports his local union and national union through dues. Any organization, if it is to function, must have revenue, and union dues are a perfectly legitimate method of financing union activities. Inasmuch as such dues must be paid by union members as a condition precedent to their either gaining or holding employment under union shop contracts, such dues are properly deducted from the union member's gross receipts as a necessary expense to his holding employment.

Each union is assessed each month for its share of support to COPE. This assessment is based on the number of union members belonging to that particular local. The amount assessed against each local is taken from the dues which have been collected from the members of that local.

Any argument that the deduction from the member's dues for uses by COPE is a voluntary contribution is a ludicrous sham. I enjoy the support of the majority of union members in my district because they feel that I am representing their views in Washington. Yet, the union leadership of some unions (but fortunately for me, not all) have opposed my candidacy in direct opposition to the views of the members themselves.

The article referred to above in the Wall Street Journal reveals that union dues were used for the express purpose of propagandizing the union membership on behalf of political candidates for whom a heavy percentage of the membership had no sympathy. Thus the membership was being compelled to pay for the political propaganda designed to change their minds.

What I am seeking to illustrate is this—union leadership can and does use union funds for political campaigns at their own whim in callous disregard for the rights of the members. The Federal government has no right to subsidize through tax privileges such activities. The purpose of my legislation is to prevent the use of union dues for political purposes.

It is essential that we write such prohibitions into the law if such prohibitions are to be meaningful. Efforts by individual union members to prevent such abuses of their union dues have proven to be time-consuming, expensive and ofttimes rendered moot by reason of the delay of court proceedings. For example, see the Streeter-Looper Case 367 U.S. 740 (1961).

The Congress owes a duty to the members of labor organizations to give them protection from the abuses of their earnings which they, as individuals, are powerless to prevent. A recent case which received great national publicity (-- F. Supp. -- U.S. District Court, Eastern District of Missouri, Eastern Division, September 19, 1968) reveals the stark reality of the degree to which union members can be compelled to contribute their wages for purposes of which they have neither control, knowledge nor sympathy.

In conclusion, the testimony of the previous week, and I assume during the coming days, will continue to reveal instances in which the taxpayers are subsidizing activities which should not be subsidized if our political system is to remain free and operate in the best interests of a democracy. To permit any person or group of persons, whether they be capitalist, philanthropist, or labor leader to have uninhibited use of funds augmented by the indirect subsidy of special tax privileges, presents a hazard to our political system.

I am proposing legislation which will permit groups and organizations to function with tax privileges to promote purposes which they espouse. My legislation, in like measure but in opposite direction, will prevent the real danger of our people finding themselves with legislators who are beholden to sources of great wealth.

I am compelled to observe that under existing law, organizations with similar labels but opposing political views are ofttimes treated differently. For example, we have the National Council of Churches which regularly appears before congressional committees to present the views which they have adopted. On the other hand, we have the Billy James Hargis Foundation which, in equal degree, presents itself as a religious organization but, having opposite political conclusions from the National Council of Churches, finds itself denied equal tax treatment under the law. I think most Americans will say that the fundamental principle of equal treatment under the law is essential to fair play in a democratic society. I say we should permit such groups to adopt "causes" and positions on the issues of our time and present such facts and opinions as they deem necessary in promotion of their interest. But let us draw a firm line of distinction between political and moral causes and political candidates and political parties.

SEPTEMBER 2, 1966.

Hon. SHELDON COHEN,
Commissioner, Internal Revenue Service,
Washington, D.C.

DEAR MR. COHEN: As you know, for the past ten months the National Right To Work Committee has been the subject of an intensive investigation by the Internal Revenue Service for the purpose of determining whether the Committee is entitled to retain its tax exemption status under section 501 (c)(4) of the Internal Revenue Code.

During the course of this investigation your representatives have made an intensive effort to find some evidence of political activity on the part of the National Right To Work Committee. They have quite frankly advised us that this is what they are looking for, and in this connection they have scrutinized all of our expenditures for printed material, staff travel, legal services, and membership promotion, have asked us for a breakdown of the activities of staff personnel particularly during the period preceding the 1964 national elections and even subpoened the books of those printers who have done business with us. We have been expressly told by your representatives that if they turned up any evidence of political expenditures or political activities by our staff on paid time our exemption could be cancelled.

We are, of course, well aware that as an exempt organization we cannot engage in any political action, and we have scrupulously avoided any involvement in politics or political activities. The only purpose of the National Right To Work Committee is to promote the principle of voluntary unionism. By reason of this we have incurred the enmity of union officials who have publicly expressed their intent to bury us by one means or another.

This brings us to the point of this letter. Are not labor unions, as tax exempt organizations under section 501(c)(5), subject to the same restrictions on political activities as the National Right To Work Committee and other exempt organizations? And, if this is so, why is it that labor unions can openly and flagrantly use the monies collected from membership dues to make contributions to political candidates, and assign their staff personnel to electioneering activities on behalf of union-endorsed candidates? That they do all of these things on a large scale is, of course, well known and well documented. Just by way of example, in *International Association of Machinists* v. *Street*, 367 U.S. 740 (1961), the defendant unions stipulated that the dues monies collected from their members under compulsory union shop agreements were "used in substantial amounts to support the political campaigns of candidates for the offices of President and Vice President of the United States, and for the Senate and House of Representatives of the United States . . . and candidates for state and local offices." 367 U.S. 740, 745, footnote 2. In May of this year the newspapers in Washington reported a public announcement by Charles Della, president of the Maryland-District of Columbia AFL–CIO, that that organization would contribute the sum of $200,000 to support the campaign of Carlton Sickles for Governor of Maryland. Enclosed is an article written for the May 1966 issue of *Commonweal* magazine by Sidney Lens, a long-time union staff official, which points out, among other things, that the United Auto Workers Union recently donated $30,000 to the campaign of Senator Paul Douglas of Illinois. The article goes on to point out:

"Equally important is manpower. Around election time labor mobilized thousands of workers from the shops as well as many full-time organizers. The offices of the auto union, perhaps the most active of all politically, become depopulated by as much as one-half of the regular staff, all working the hustings for union-endorsed candidates. These are men, it should be noted, with considerable organizational talent, usually far above the caliber of ordinary Democrats. . . . Union-leased autos, painted over with the names of union-endorsed aspirants, plastered with signs, participate in parades and make tours with loudspeakers blaring their message. In small towns especially, such as Peoria, Illinois or Muncie, Indiana, big unions like steel or auto can mobilize thousands of members to fill a meeting hall or listen to an open-air speech. On the first Tuesday in November innumerable union men, paid from the union treasury, can be seen driving voters to and from the polling booths, acting as watchers to assure an honest count, and calling on 'sure' voters who have not yet cast a ballot. Thus by concentrating on marginal areas, by doling out $1,000 to $5,000 for Congressional hopefuls who need just a little push to put them over, labor can make an important contribution."

Also enclosed is a recent article by one of the well known labor columnists, Victor Riesel, who points out that the AFL–CIO has assessed its 13.7 million members at a nickel a head for a special election fund of $850,000 to be spent for campaign activities in this year's national elections.

Since the Internal Revenue Service insists that the National Right To Work Committee must strictly observe the rule against political activity, and since the flagrant political activities of labor unions are largely ignored, it would seem that a double standard is applied under the Internal Revenue Code. As the public becomes more and more aware of this selective enforcement of the law the effect can only be to break down respect for the law, a trend which seems to be rapidly undermining the foundations of orderly society.

We feel that you can quickly restore public confidence in the integrity of the Internal Revenue Service by issuing directives to your agents and offices throughout the country to undertake a sweeping investigation of the political activities of organized labor in this year's state and national elections, and revoke the tax exemption status of any union that engages in such political activities.

Very truly yours,

REED E. LARSON,
Executive Vice President.

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., September 28, 1966.

Mr. REED E. LARSON,
NATIONAL RIGHT TO WORK COMMITTEE,
Washington, D.C.

DEAR MR. LARSON: Thank you for your letter of September 2, 1966, with attachment, concerning the political activity of labor unions.

You asked whether labor unions, as tax-exempt organizations under section 501(c)(5), are subject to the same restrictions on political activities as other exempt organizations. Although certain sections of 501(c) of the Internal Revenue Code and their implementing regulations contain various definitions, limitations, and prohibitions relative to political and legislative activities, there is no such proscription with respect to a labor organization otherwise qualifying for exemption from Federal income tax under section 501(c)(5).

The qualifying character of a labor organization, as the term is used in section 501(c)(5), is that it has as its principal purpose the representation of employees in such matters as wages, hours of labor, working conditions and economic benefits, and the general fostering of matters affecting the working conditions of its members. *As a matter of law, a labor organization does not lose its right to exemption under section 501 because it engages in political activities*, unless by reason of the organization's improper activities it can be established that the organization is not sufficiently engaged in the union or labor activity to be characterized as a labor organization in the sense that that term is used in section 501(c)(5).

As you may know, contributors to labor organizations are not entitled to a charitable deduction; however, under certain conditions payments may qualify as a business expense under section 162. With respect to the deductibility of dues paid to a labor union or trade association as a business expense, the Revenue Act of 1962 amended section 162 by adding a new subsection (e) which provides for the deduction of ordinary and necessary expenses paid or incurred in taxable years beginning after December 31, 1962, for certain activities directly connected with legislation or proposed legislation of direct interest to the taxpayer. In no event shall a deduction be allowed for that portion of a special assessment or similar payment (including an increase in dues) made to any organization for any activity which does not constitute an appearance or communication with respect to legislation or proposed legislation of direct interest to the organization.

We appreciate your concern in this matter and want to further assure you that the Service is primarily interested in applying the internal revenue laws fairly and uniformly in all cases. We do everything we can to administer the applicable law and regulations without regard to the political leanings of any taxpayer or organization.

We trust this information will be helpful for your purposes.

Sincerely yours,

S. B. WOLFE,
Director, Audit Division.

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., October 10, 1966.

Mr. F. R. DICKERSON,
President, Roper Industries, Inc., Commerce, Ga.

DEAR MR. DICKERSON: Thank you for your letter of September 6, 1966, concerning the political activities of organized labor and the tax-exempt status of the National Right to Work Committee and the Sierra Club.

The records of the National Office disclose that the National Right to Work Committee has qualified for tax-exempt status under section 501(c)(4) of the Internal Revenue Code, while the Sierra Club is exempt under section 501(c)(3), and labor unions frequently qualify under section 501(c)(5).

The Internal Revenue Service maintains a program of periodic audit and review of the operations of tax-exempt organizations. If it is determined as a result of the audit program that any tax-exempt organization is engaged in activities to an extent proscribed by that section of the Code under which it has been held exempt, we will take appropriate action to revoke or modify our prior ruling. This is a factual question in each case, and the Service must examine all of the operations for the years involved.

You expressed concern regarding the possible nonuniform application of restrictions on political activities for various tax-exempt organizations. It should be noted that although certain sections of 501(c) of the Code and their implementing regulations contain various limitations and prohibitions relative to political and legislative activities, there is no such proscription with respect to a labor organization otherwise qualifying for exemption from Federal income tax under section 501(c)(5).

The qualifying character of a labor organization, as the term is used in section 501(c)(5), is that it has as its principal purpose the representation of employees in such matters as wages, hours of labor, economic benefits, and the general fostering of matters affecting the working conditions of its members. As a matter of law, a labor organization does not lose its rights to exemption under section 501 because it engages in political activities, unless by reason of the organization's improper activities it can be established that the organization is not sufficiently engaged in the union or labor activity to be characterized as a labor organization in the sense the term is used in section 501(c)(5).

As you may know, it is the responsibility of the Service to administer the Federal income tax laws enacted by Congress as efficiently and impartially as possible. We have no power to amend the laws or to act contrary to their provisions. Your concern in this matter is appreciated and we want to further assure you that the Service is interested in applying the internal revenue laws fairly and uniformly in all cases. We do everything we can to administer the applicable regulations without regard to the political leanings of any taxpayer or organization.

We trust this information will be helpful in explaining the varying limitations or organizations qualifying for tax-exempt status under different sections in the Code.

Sincerely yours,

FORREST P. NEAL,
Chief, Technical Coordination Branch.

H.R. 7432

A bill to amend the Internal Revenue Code of 1954 to deny tax exemption to organizations which endorse political candidates, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 501 of the Internal Revenue Code of 1954 is amended by redesignating subsection (e) as subsection (f) and inserting after subsection (d) the following new subsection:

"(e) APPEARANCES, ETC. WITH RESPECT TO LEGISLATION.—

"(1) None of the following activities by an organization described in subsection (c)(3) shall be deemed 'carry on propaganda, or otherwise attempting, to influence legislation':

"(A) Appearances before, submission of statements to, or sending communications to, the committees, or individual members, of Congress or of any legislative body of a State, a possession of the United States, or a political subdivision of any of the foregoing with respect to legislation or proposed legislation of direct interest to the organization.

"(B) Communication of information between the organization and its members of contributors with respect to legislation or proposed legislation of direct interest to the organization.

"(2) For purposes of this paragraph, matters of direct interest to the organization include—

"(A) those directly affecting its exemption under this section

"(B) those directly affecting the deduction of contributions to such organizations under sections 170, 642, 2055, 2106, 2522;

"(C) those directly affecting any exempt purpose or function for which the organization was organized and is operating, in the case of an organization which normally receives a substantial part of its support (exclusive of income received in the exercise or performance by such organization of its charitable, educational, or other purpose or function constituting the basis for its exemption under this section) from the United States or any State or possession or political subdivision thereof, or from direct or indirect contributions from the general public.

"(3) Activities described in paragraph (1) shall not include any attempt to influence the general public, or segments thereof, with respect to legislative matters, elections or referendums."

SEC. 2. Section 170(c) is amended by adding the following new sentence at the end thereof: "For purposes of this subsection, the phrase 'carrying on propaganda, or otherwise attempting, to influence legislation' in paragraph (2)(D) shall be subject to the qualifications set forth in section 501(e)."

Sec. 3. Section 2055(a) is amended by adding the following new sentence at the end thereof: "For purposes of this subsection, the phrase 'carrying on propaganda, or otherwise attempting, to influence legislation' in paragraphs (2) and (3) shall be subject to the qualifications set forth in section 501 (e)."

Sec. 4. Section 2106(a)(2)(A) is amended by adding the following new sentence at the end thereof: "For purposes of this subparagraph, the phrase 'carrying on propaganda, or otherwise attempting to influence legislation' in clauses (ii) and (iii) shall be subject to the qualifications set forth in Section 501(e)."

Sec. 5. Section 2522 is amended by redesignating subsections (c) and (d) as subsections (d) and (e) and by inserting after subsection (b) the following new subsection:

"(c) Carrying on Propaganda, of Otherwise Attempting, To Influence Legislation.—For purposes of this section the phrase 'carrying on propaganda, or otherwise attempting, to influence legislation' in paragraph (2) of subsection (a) and in paragraphs (2) and (3) of subsection (b) shall be subject to the qualifications set forth in section 501(e)."

Sec. 6. The amendments made by the preceding sections of this Act shall be applicable to taxable years beginning after the date of enactment thereof and to estates of decedents dying after the date of enactment thereof.

Sec. 7(a) part 1 of Subchapter F of Chapter 1 of the Internal Revenue Code of 1954 (relating to exempt organizations) is amended by adding at the end thereof the following new section:

"Sec. 505. Exemption Denied to Organizations Engaged in Political Activities.—

"(a) Promotion of Political Candidacies.—Any organization described in section 501(c) which—

"(1) endorses or opposes directly or indirectly, any political candidate, or

"(2) expends directly or indirectly any of its funds to promote the candidacy of any political candidate, or

"(3) provides goods, services or anything of value to any political party or political organization, shall not be exempt from tax under section 501 for the taxable year in which it so endorses or so expends funds, and for the three succeeding taxable years; provided further, that activities prohibited by this section shall not be exempted from these prohibitions by being termed 'educational'.

"(b) Certain Political Activities.—Any organization described in section 501(c)(3) which—

"(1) makes any contributions of goods, services or anything of value to any person or organization when there is reason to believe that part or all of such contribution will be used—

"(A) to promote or oppose the candidacy of any political candidate, or

"(B) to support, directly or indirectly, any political party or political organization whose purpose is to provide candidates for political office or to promote the candidacy of persons for political office.

"(2) has any officer or employee who is actively engaged in a political campaign (within the meaning of section 7324 of title 5 of the United States Code) during his hours of employment by the organization.

shall not be exempt from tax under section 501 for the taxable year ending after the date on which it so endorses, makes such a contribution, or has such an officer or employee and for the three succeeding taxable years.

"(c) Political Candidate.—For purposes of this section, the term 'political candidate' means any individual whose name is presented for nomination for or election to public office.

"(b) The table of sections for such part I is amended by adding at the end thereof the following:

"Sec. 505. Exemption denied to organizations engaged in political activities."

Sec. 8. The amendments made by section 7 of this Act shall apply to acts occurring after the date of the enactment of this Act.

A FLAG FOR ALL TO SEE AND HONOR

(Mr. SAYLOR asked and was given permission to address the House for 1 minute.)

Mr. SAYLOR. Mr. Speaker, through the kindness of adviser Sara Davis of the Marie Ostrum Theta Rho No. 33, Independent Order of Odd Fellows, I have received a small but brilliantly colorful American flag and car window seal for display on my automobile.

Like Astronaut John Glenn, I get a funny feeling—of pride, bursting patriotism, devotion to country, and reverential admiration—whenever I see the flag. By displaying Old Glory on my car, I hope to bring this spirit to an evergrowing number of my fellow citizens who may need to be reminded of the significance of this beautiful and inspiring banner.

I salute the sponsors of this campaign to bring greater appreciation to the flag of the United States. I shall display mine with a sense of esteem and responsibility, and I recommend the practice to all who want everyone to know of their devotion to the flag and the principles for which it stands.

LANCASHIRE MINE, CAMBRIA COUNTY, PA.

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, for the 22d Congressional District, which is attaining fame as the energy center of the East through its mine mouth generating plants, last week was another monumental occasion.

Two miles north of Barnesboro along the Indiana-Cambria County line, a work force of 12 men began operations to open a drift mine whose demand for skilled personnel will rise to a total of 700 within the next 5 or 6 years.

Unlike a number of the other modern mines that are being opened to feed the spectacularly large electric plants on adjacent property, Lancashire No. 26 mine of the Greenwich Colleries Co. will serve an electric generating station a hundred miles away in Montour County. When Lancashire reaches its capacity of 5 million tons per year, it will supply the Pennsylvania Power & Light Co. Montour plant by unit train moving back and forth over Penn-Central lines.

A subsidiary of Barnes and Tucker Co., for many years a member of the vanguard of Pennsylvania coal producers dedicated to efficient mining and to community responsibility, Greenwich Colleries' new facility will spur development of an immense housing project in the Barnesboro area. Lancashire will need an expanding number of men to operate the versatile machines that extract coal, transport it to the surface, and load railroad cars at the rate of 3,250 tons an hour. Because miners' wages are among the highest in manufacturing and processing industries, employees of Greenwich will have an opportunity to invest in the homes already being planned by farsighted and confident business leaders in the area.

To Barnes and Tucker President Richard T. Todhunter, Jr., Vice President John S. Todhunter, and other officials of the company, Lancashire mine is an investment in America's future. They visualize an ever-developing economy based on an insatiable need for more energy. Their optimism is matched only by the dreams of other community leaders who are determined to be ready to handle the immigration of mine personnel and others who will take advantage of the new career opportunities.

The constituencies of my colleagues in Pennsylvania and neighboring States looking to Montour as a dependable long-range source of heat and power can take comfort in the thought that Lancashire has a wealth of vital energy that will supply domestic needs and defense requirements for far into the future.

WHY NOT PRESERVE A FREE SOCIETY?

(Mr. HALEY asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HALEY. Mr. Speaker, one of the subjects most frequently spoken of these days is the limitation that is being placed upon freedom of choice by our Federal courts, by the administration, and by the Congress. In writing his editorial for the Thursday, February 20 issue of the Palmetto Press, Palmetto, Fla., one of Florida's outstanding weekly newspapers, Editor Jim Gallery makes an excellent presentation on this subject. I hope that everyone who reads the Congressional Record will heed Mr. Gallery's warnings. The editorial, "Why Not Preserve a Free Society?" follows:

Why Not Preserve a Free Society?

What will it take to convince the social theorists and experimentalists that people are different, always were, always will be, and if there's anything you can count on, it's the perversity, diversity, adversity, and indefinable nature of mankind?

Thing two you can count on is that no amount of legislation, encouragement, education, coercion, bribery, or what have you, will effect a permanent transformation of individual human beings into one great glob of homogenized humanity.

Now, this is not by way of introducing either a pro or con treatise concerning racial problems, although the subject may fit into the picture as well.

Among established facts concerning the nature of the human beast is that he is a gregarian, which is a two-bit way of saying people apparently need and seek out the association, friendship, respect, etc. of other people.

So do all of the beasts in the animal kingdom, but what separates man from beast is the fact that his is a selective process. He does not necessarily associate with other men just because they are men, but through exercising free will options based on a variety of motives.

We do not accept dogmatic approaches designating, quite simply, common political, social, economic, or cultural interests. This is not to say these factors do not play any part whatsoever in the voluntary association of people. Rather, in themselves, separately, they are only part of the picture.

Now, if you mixed up 100 bankers and a like number of retail clerks in a sack and dumped them out on a table, chances are that in the first 30 minutes or so, the vast majority, maybe 90 per cent would congregate according to profession, with a minority mixture remaining somewhere in between. It does not follow that if the situation remained a permanent one, the proportions would remain the same.

Nor does it necessarily follow that if you legislated all bankers, clerks, physicians, contractors, etc., into individual residential areas based on professions that they would indeed form ideal neighborhoods or, for that matter, get along famously with their next door neighbors.

Most, we submit, would leave their reservations to team up with a fishing, hunting, golfing, or cultural buff with whom a specific common interest is shared, regardless of the latter's economic, social, or political standing or level.

Nor would this be a constant, completely predictable relationship, either, for each of us enjoys a variety of interests which we share with a variety of people who might be completely incompatible in a group.

That is to say, that just because we enjoy playing chess with Friend A, cards with Friends B and C, and general coffee conversation with Friend D, all or each of whom may come from varying backgrounds, that there would be any degree of camaraderie among the foursome.

The causes of human affinities are hardly beyond the test tube stage, according to leading psychologists. In a given, totally controlled situation, behaviour patterns can indeed be predicted with some degree of accuracy. But people don't live in totally controlled laboratory situations, and the decisions they make frequently confound logic and the experts.

Whatever else it may be, democracy is a freedom of choice society in which individuals are permitted, within a growing set of restrictions, to effect their own association by whatever standards and for whatever reasons they may choose.

Among major lessons that scream from annals of history is the fact that any attempt to force involuntary relationships by whatever means, and by a variety of forms of government, is immediately and vigorously contested, ultimately contributing to the downfall of the particular regime and, perhaps, total disaster for the particular society or nation.

We happened to have been born and raised in a northern industrial city of some 200,000 souls. Within that city, and by exercising their own option, separate and distinct neighborhoods of Poles, Italians, Greeks, Irish, Chinese, and non-whites had become established. Within each, of course, were assorted economic, political, and social levels, and it should not be assumed that each was enthralled with his own neighbor per se.

A percentage of second, third, and fourth generations have managed to break down artificial barriers erected by the people themselves, and move more easily and readily into the mainstream of Americana which, in that city, was truly a composite of all elements involved. However, at no time did it then, or now, approach an homogenized status.

And, we will submit that the vast majority, upon moving to another community, or acting in an emergency situation, would deliberately seek out those of similar origin, without giving a thought to things social, politic, economic, or racial, as such.

Should it be thus? Obviously, assorted theorists and government advisors think not, although they are frequently not in agreement concerning the ultimate resultant. Therefore, in recent years, we have endured a variety of laws, directives, recommendations, and admitted "experiments" that, on the one hand would further restrict or limit the basic tenets upon which a democratic society is founded; and, on the other, run absolutely counter to historical evidence and what is positively known concerning the aftermentioned perversity, diversity, adversity, and indefinable nature of mankind.

Peace, brotherhood, and good will among men? Certainly, but it must come as a voluntary, individual expression, else it will fall into the mountainous scrap heap of association by government fiat rejects.

Just as certain social experts have theorized that it may take several generations of concerted effort to raise standards among lower levels of society—notwithstanding the fact that in any free and therefore dynamic society, there will always be levels, high and low and in between, and not always comprised of the same types of people—it may take a like amount of time for many of us to alter personal insights and to act, voluntarily, upon individually arrived at concepts of total civic responsibilities.

Therefore, Mr. Nixon and all Capitol Hill administrators, advisors, and legislators, give us a breathing spell. **We are not ALL bad and** have made some progress voluntarily with a degree of enthusiasm, while vigorously protesting attempts to inflict unknown and untried social and economic experiments apparently based on "wouldn't it be nice . . ." theories.

We make no claim to this country's having attained a Utopian status, are well aware of discrepancies, deficiencies, and inequities, most certainly those that may tend to restrict any group or individual's opportunity to exercise a true freedom of choice option, be it of social, economic, ethnic, or other origin.

But, we maintain, the only effective solutions, carrying any degree of permanence, must emanate from within the ranks of a democratic society, and not handed down via arbitrary legislation, court orders, agency directives and the like.

As a nation, we are still pioneers of (and coveted around the world for) the concept of individual freedom and its application to the fullest possible extent. This tradition has produced the most powerful and prosperous society in history; and it is almost inconceivable that we have arrived at a point where admittedly minority groups of all kinds, descriptions, and objectives have apparently managed to exert influence beyond all proportion—in many cases, sheer common sense as well—upon governing bodies, that would obviously and deliberately inflict unwarranted restrictions upon the rights of the majority.

This, then, is written from what some might term a naive hope that Mr. Nixon, his new administration, the Congress, and judicial branches will indeed pause, and take the longer, in-depth view with regard to preservation of individual freedom of choice, in whatever area it may fall.

To do less is to forfeit a cherished heritage that has called for the ultimate in individual sacrifice on more than a few occasions in our 200-year history on the one hand; and, on the other, to contribute to the nourishment of internal, cancerous growths that will inevitably lead to terminal stages.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The **SPEAKER** laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK, U.S. HOUSE
OF REPRESENTATIVES,
Washington, D.C., February 20, 1969.

The Honorable, the SPEAKER,
U.S. House of Representatives.

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 5:25 p.m. on Thursday, February 20, 1969, and said to contain a Message from the President concerning Electoral College Reforms.

Sincerely,

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

ELECTORAL COLLEGE REFORMS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–78)

The Speaker laid before the House the following message from the President of the United States; which was read and referred to the Committee on the Judiciary and ordered to be printed:

To the Congress of the United States:

One hundred and sixty-five years ago, Congress and the several states adopted the Twelfth Amendment to the United States Constitution in order to cure certain defects—underscored by the election of 1800—in the electoral college method of choosing a President. Today, our presidential selection mechanism once again requires overhaul to repair defects spotlighted by the circumstances of 1968.

The reforms that I propose are basic in need and desirability. They are changes which I believe should be given the earliest attention by the Congress.

I have not abandoned my personal feeling, stated in October and November 1968, that the candidate who wins the most popular votes should become President. However, practicality demands recognition that the electoral system is deeply rooted in American history and federalism. Many citizens, especially in our smaller states and their legislatures, share the belief stated by President Johnson in 1965 that "our present system of computing and awarding electoral votes by States is an essential counterpart of our Federal system and the provisions of our Constitution which recognize and maintain our nation as a union of states." I doubt very much that any constitutional amendment proposing abolition or substantial modification of the electoral vote system could win the required approval of three-quarters of our fifty states by 1972.

For this reason, and because of the compelling specific weaknesses focused in 1968, I am urging Congress to concentrate its attention on formulating a system that can receive the requisite Congressional and State approval.

I realize that experts on constitutional law do not think alike on the subject of electoral reform. Different plans for reform have been responsibly advanced by Members of Congress and distinguished private groups and individuals. These plans have my respect and they merit serious consideration by the Congress.

I have in the past supported the proportional plan of electoral reform. Under this plan the electoral vote of a State would be distributed among the candidates for President in proportion to the popular vote cast. But I am not wedded to the details of this plan or any other specific plan. I will support any plan that moves toward the following objectives: first, the abolition of individual electors; second, allocation to Presidential candidates of the electoral vote of each State and the District of Columbia in a manner that may more closely approximate the popular vote than does the present system; third, making a 40% electoral vote plurality sufficient to choose a President.

The adoption of these reforms would correct the principal defects in the present system. I believe the events of 1968 constitute the clearest proof that priority must be accorded to electoral college reform.

Next, I consider it necessary to make specific provisions for the eventuality that no presidential slate receives 40% or more of the electoral vote in the regular election. Such a situation, I believe, is best met by providing that a run-off election between the top two candidates shall be held within a specified time after the general election, victory going to the candidate who receives the largest popular vote.

We must also resolve some other uncertainties: First, by specifying that if a presidential candidate who has received a clear electoral vote plurality dies before the electoral votes are counted, the Vice-President-elect should be chosen President. Second, by providing that in the event of the death of the Vice-President-elect, the President-elect should, upon taking office, be required to follow the procedures otherwise provided in the Twenty-Fifth Amendment for filling the unexpired term of the Vice-President. Third, by giving Congress responsibility, should both the President-elect and Vice-President-elect die or become unable to serve during this interim, to provide for the selection—by a new election or some other means—of persons to serve as President and Vice-President. And finally, we must clarify the situation presented by the death of a candidate for President or Vice-President prior to the November general election.

Many of these reforms are noncontroversial. All are necessary. Favorable action by Congress will constitute a vital step in modernizing our electoral process and reaffirming the flexible strength of our constitutional system.

RICHARD NIXON.

THE WHITE HOUSE, *February 20, 1969.*

PUBLIC DEBT LIMIT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-79)

The Speaker laid before the House the following message from the President of the United States; which was read and referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

When I took office as President of the United States, the public debt subject to limit was $364.2 billion—only $800 million below the statutory ceiling of $365 billion. Available projections indicated that borrowings needed to provide the Government with minimum cash balances essential for its operations would place the debt subject to limit at or above the legal ceiling by mid-April.

These projections have now been reviewed and updated on the basis of the latest revenue and expenditure flows. They continue to show inadequate leeway under the debt limit to meet all anticipated cash requirements through the middle of April. These facts permit me only one prudent course of action. I must ask the Congress to revise the debt limit before mid-April. The new limit should provide a reasonable margin for contingencies.

President Johnson foresaw the possible need for such action when he stated in his fiscal year 1970 Budget that "It may be necessary . . . within the next few months to raise the present debt limit."

Continuing high interest rates may add several hundred million dollars to the 1969 expenditures estimated by President Johnson. Other possible increases in outlays, including farm price support payments and a wide variety of past commitments in other programs—such as highways—may be greater than was estimated by the outgoing Administration.

All department and agency heads are now reviewing their programs in a determined effort to reduce costs. But we should not let our hopes for success in this effort deter us from the necessary action on the debt limit. Such cost reductions can have only a minor effect on expenditures in the next month or two, and it is in early March and again in early April that the Treasury will be faced with the heaviest drain on its resources.

Moreover, even if the Budget surpluses for fiscal years 1969 and 1970 were to prove somewhat larger than estimated in the January Budget, the present debt limit would be inadequate for fiscal year 1970. Thus even if an immediate increase in the debt limit could be avoided, an increase cannot be postponed very far into the next fiscal year. My predecessor also noted this fact when he presented his Budget for fiscal year 1970.

The apparent paradox of a need for a higher debt limit in years of anticipated budget surplus is explained mainly by the fact that the fiscal year 1969 and 1970 surpluses reflect substantial surpluses in Government trust funds—projected at $9.4 billion in fiscal year 1969 and $10.3 billion in fiscal year 1970. These surpluses in the trust funds provide cash to the Treasury, but only through the medium of investment in special Treasury issues. The consequent increase in such special issues is subject to the debt limit, under present definitions. Hence, *the debt subject to limit will rise even though borrowing from the public will decline.*

In addition, we must acknowledge the seasonal pattern in Treasury receipts. Net cash requirements prior to the mid-April tax date are regularly very substantial, while after that date the Treasury will be repaying a large amount of debt on a net basis.

While a small, temporary increase in the debt limit might prevent the undue restrictiveness of the present limit in the months immediately ahead, I urge that we now direct our attention to the future, and at least through fiscal year 1970.

I believe that the Congress should now enact a debt limit which will serve the needs of our Nation both for the balance of this fiscal year and for the foreseeable future.

In doing so, I also believe that the Congress should take this occasion to redefine the debt subject to limit to bring it into accord with the new unified Budget concept developed by a distinguished Commission that was headed by the present Secretary of the Treasury and included leaders from both Houses of Congress, officials of the previous Administration, and distinguished private citizens. The recommendations of this Commission largely have been adopted in the last two Budget presentations and in the new form of Congressional budget scorekeeping. These have been major forward steps toward better public understanding of the budget. The concept of the debt limit should also be redefined as suggested in the Commission's report.

Under the unified Budget concept, attention is focused on the total receipts and expenditures of the Federal Government, including the trust funds. The surplus or deficit thus reflects the net of revenue and expenditure transactions between the Federal Government and the public, and the net debt transactions between the Government and the public are thus the relevant basis for a proper understanding of the Federal borrowing requirements. To conform fully with this Budget presentation, only those Federal obligations which are held by the public—all debt except that held by Federally-owned agencies and by the trust funds—should be subject to the statutory limit on the public debt. Debt of Federally-owned agencies held by the public would be included as well as direct Treasury debt.

This change would in no way affect the integrity of the trust funds. This Administration recognizes, as the Commission on Budget Concepts emphasized, the firm obligation of the Government to maintain proper, separate accounting for the trust funds. This can and will be done without including obligations held by the trust funds in the total debt subject to the debt limit.

I therefore propose that the Congress establish a new debt limit defined to accord with the unified Budget concept. On this basis, a limit of $300 billion should be adequate to permit efficient and responsible handling of the Government's financing for the foreseeable future. This compares with an outstanding debt on the unified Budget concept of $293.7 billion on January 21, 1969.

On the present public debt limit concept, the debt outstanding on January 21, 1969 was $364.2 billion as compared with the current debt limit of $365 billion. An increase in that limit to approximately $382 billion would correspond in the next fiscal year to the $300 billion limit I am proposing on the unified budget basis.

RICHARD NIXON.

THE WHITE HOUSE, *February 24, 1969.*

PUBLIC DEBT LIMIT

(Mr. BOW asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BOW. Mr. Speaker, today President Nixon has recommended that Congress increase the public debt limit by $17 billion to a level of $382 billion, as computed under the existing concept of debt subject to statutory limit.

Back on October 10, 1967, in an effort to eliminate confusion here in Congress and among the public, the President's Commission on Budget Concepts, of which I was a member, suggested a series of changes in Federal budget compilation and terminology. Former President Johnson endorsed that Commission's recommendations and for the fiscal years of 1969 and 1970, the Federal budget has been submitted to Congress as a single document known as the unified budget.

Most of the recommendations made by the President's Commission on Budget Concepts have been implemented and when budget items are discussed everyone talks the same language. One very important recommendation contained in the Commission's report has not been implemented to date and that is the reporting of the Federal debt which is subject to statutory limitation.

When the Commission reported on October 10, 1967, it recommended that the public debt subject to statutory limit include only the debt held by the public and thereby exclude the debt securities held by Federal agencies and Federal trust funds.

The Commission had the following to say with respect to the debt concept:

> The Commission recommends, in the presentation of figures on Federal borrowing, a debt concept that is consistent with the definitions of budget receipts and expenditures spelled out elsewhere in the Report. Basically, added to the present concept of public debt would be securities issued by those Federal agencies whose receipts and expenditures are part of the recommended new budget—producing a concept of "gross debt outstanding." From this total Treasury and agency securities held by those same Federal agencies and by Federal trust funds would be deducted. The new net concept may be referred to as "Federal securities held by the public," with changes referred to as "net Federal borrowing from the public." Figures on both these new concepts should appear in the budget summary.

In his debt message today President Nixon has recommended that Congress adopt as a measure of the debt subject to statutory limit, the recommendations made thereon by the President's Commission on Budget Concepts. In other words, he is recommending that the present debt limit on debt held by the public be increased from $293.7 to $300 billion, and that hereafter the statutory debt limit apply only to Federal securities held by the public.

As I understand the situation, the Treasury and the Budget Bureau would continue to report the gross debt, which is the combined debt held by the public and Federal agency funds such as the OASDI trust fund. Thus, there would be no attempt on the part of the administration or Congress to disavow the debt obligations held by Federal agencies. It would simply mean that the concept of a unified budget would be more fully implemented. Simply put, Mr. Speaker, this change is nothing more than one of definition which should be enacted if we are to operate completely under the unified budget recommended by President Johnson's Budget Commission.

MANY MEMBERS FAVOR A MORE ACTIVE PROGRAM IN POPULATION AND FAMILY PLANNING

The SPEAKER. Under a previous order of the House the gentleman from Texas (Mr. BUSH) is recognized for 60 minutes.

(Mr. BUSH asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. BUSH. Mr. Speaker, there are many Members of the House of Representatives who are strongly in favor of a more active program in population and family planning. Today, along with 14 of my colleagues from both sides of the aisle, I have introduced a bill to establish a Select Joint Committee on Population and Family Planning that will seek to focus national attention on the domestic and foreign need for family planning. In the Senate tomorrow Senator TYDINGS will introduce a similar bill.

We need to make population and family planning household words. We need to take the sensationalism out of this topic so that it can no longer be used by militants who have no real knowledge of the voluntary nature of the program but, rather are using it as a political steppingstone. If family planning is anything, it is a public health matter. Birth control, often misunderstood, is an answer to our increasingly important hunger problem.

With the pill and other devices, we have made great strides in this field. But even with all the Government programs in the field, all of which to my knowledge are voluntary, I get the feeling we are still tiptoeing cautiously around the edge of the problem.

We are all too aware of the existence of hunger in this country and abroad. It seems to me that at a time when we, as a Nation, are concentrating on the immediate hunger, we should also be looking at the long-term problem. The population of the United States may total between 280 and 360 million by year 2000. A gain of 80 to 160 million in 33 years. A thorough investigation into birth control and a collection of data which would give the Congress the criteria to determine the effectiveness of its programs must come swiftly to stave off the number of future mouths which will feed on an ever-decreasing proportion of food.

For several years now Senator Gruening's Subcommittee on Foreign Aid Expenditures of the Senate Government Operations Committee has held extremely beneficial hearings that have done so much to increase the public awareness of the population explosion abroad. The word that he began should be continued and the scope of the investigation should be enlarged to include the United States.

I can think of no better vehicle by which to accomplish these objectives than by the establishment of this Select Joint Committee. The purpose of this committee is to conduct a full and complete investigation and study into the problems of population growth and the need for family planning in the United States and the world in order to provide the Congress with a comprehensive basis for future scrutiny in this field. The committee should report to the Congress within 2 years after the date of the adoption of this resolution the results of its investigation and study, together with such recommendations as it deems advisable.

The committee will be composed of 10 members—five from each of the two Houses of Congress—with no more than three from each body coming from the same party. Membership to the committee would be appointed by the Speaker of the House and the President of the Senate.

We need an emphasis on this critical problem. And we need to have data that will enable the Congress to at the least determine if the funds we have spent have been spent wisely. I have a rather uneasy feeling that they have not been getting optimum results.

In my opinion we need a massive program in the Congress with hearings to emphasize the problem, and earmarked appropriations to do something about it. We need massive cooperation from the White House like we have never had before and we need a determination by the executive branch that these funds will be spent as earmarked. I am extremely encouraged by the recent directive of President Nixon in which he asked Daniel P. Moynihan, Special Assistant to the President, to consult with the Secretaries of State and Health, Education, and Welfare in order to come up with recommendations concerning population growth and family planning.

I do not claim that this proposal will be the absolute answer to the problems of increased population, either in the United States or anywhere else. But I earnestly hope that they will receive the attention of a nation which is as concerned as I am about the spread of poverty, hunger, disease, and human conflict.

Mr. BLACKBURN. Mr. Speaker, will the gentleman yield?

Mr. BUSH. I am happy to yield to the gentleman from Georgia.

Mr. BLACKBURN. Mr. Speaker, I thank the gentleman for yielding.

I want to congratulate the gentleman from Texas on bringing this matter to the attention of the House. I personally have felt an increasing concern over the question of the quality of the life that we are going to offer future generations if we continue to expand in numbers. The availability of space for growing purposes, for brooks, trees, and shrubbery, is rapidly disappearing under the crunch of our increasing population.

I believe the gentleman from Texas has done the House of Representatives and the Nation a service through his presentation today.

Mr. BUSH. Mr. Speaker, I thank my distinguished colleague from Georgia.

The statistics and figures on this matter are available, and are simply amazing. In Latin America the population of every country will double in 23 years, and some of them sooner than that. The population in India will be 1 billion people by the year 2000. Voluntary family planning in conjunction with new methods of agriculture represent the answers to these problems.

So, Mr. Speaker, again I say that I appreciate the interest of the gentleman from Georgia, and the kind remarks he has made about this important subject.

Mr. Speaker, I yield back the balance of my time.

GENERAL LEAVE

Mr. BUSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject matter of my special order.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MINSHALL (at the request of Mr. ARENDS), for today and tomorrow, on account of the death of his sister, Mrs. Harry L. Jackson.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. MADDEN and to include a letter and extraneous matter.

Mr. MONAGAN.

Mr. HECHLER of West Virginia and to include extraneous matter.

Mr. GROSS and to include a newspaper article.

(The following Members (at the request of Mr. BLACKBURN) to extend their remarks and include extraneous matter in the Extensions of Remarks of the RECORD:)

Mr. BERRY.
Mr. MIZE.
Mr. QUILLEN in four instances.
Mr. STEIGER of Wisconsin.
Mr. ASHBROOK in two instances.
Mr. BROYHILL of Virginia.
Mr. MORSE in two instances.
Mr. BYRNES of Wisconsin.
Mr. BOB WILSON in two instances.
Mr. MARTIN.
Mr. BRAY in four instances.
Mr. SANDMAN in two instances.
Mr. CONTE.
Mr. MESKILL.
Mr. MCCLURE.
Mr. GUDE.
Mr. WYMAN in three instances.
Mr. SCOTT in two instances.
Mr. CUNNINGHAM in five instances.

(The following Members (at the request of Mr. MIKVA) and to include extraneous matter:)

Mr. ABBITT in two instances.
Mr. SHIPLEY.
Mr. HOWARD.
Mr. MAHON, and to include charts and tables.
Mr. STUCKEY in two instances.
Mr. PATMAN.
Mr. MCFALL in two instances.
Mr. COLMER.
Mr. FOLEY.
Mr. DINGELL.
Mr. PODELL in three instances.
Mr. BURTON of California in two instances.
Mr. JOHNSON of California in two instances.
Mr. HATHAWAY in two instances.
Mr. GONZALEZ in three instances.
Mr. BARING.
Mr. RYAN in three instances.
Mr. MEEDS.
Mr. HICKS.
Mr. O'HARA.
Mr. OTTINGER.
Mr. PATTEN.
Mr. PICKLE.
Mr. HAGAN in four instances.
Mr. ST. ONGE in three instances.
Mr. OLSEN.

ADJOURNMENT

Mr. MIKVA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 43 minutes p.m.) the House adjourned until tomorrow, Tuesday, February 25, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

530. A letter from the Chairman, National Advisory Council on Education Professions Development, transmitting the 1968–69 annual report of the Council, pursuant to the provisions of section 502 of Public Law 90–35; to the Committee on Education and Labor.

531. A letter from the Comptroller General of the United States, transmitting a report on the analysis of estimated and actual costs of certain major research facilities of the Atomic Energy Commission; to the Committee on Government Operations.

532. A letter from the Clerk, U.S. House of Representatives, transmitting a detailed statement of House of Representatives disbursements for the period July 1 to December 31, 1968, pursuant to the provisions of section 105 of Public Law 454 of the 88th Congress; to the Committee on House Administration.

533. A letter from the Chairman, Indian Claims Commission, transmitting a report that proceedings have been concluded with respect to docket No. 65, *The Peoria Tribe of Oklahoma, et al., Petitioners.* v. *The United States of America, Defendant,* an order substituting finding of fact, vacating final award of August 4, 1965, and final award, pursuant to the provisions of 60 Stat. 1055 (25 U.S.C. 70t); to the Committee on Interior and Insular Affairs.

534. A letter from the Executive Director, National Commission on Product Safety, transmitting an interim report of the Commission recommending enactment of the Child Protection Act of 1969; to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT (for himself and Mr. DANIEL of Virginia):

H.R. 7425. A bill relating to the use in good faith by State and local authorities of freedom-of-choice systems for the assignment of students to public elementary and secondary schools; to the Committee on Education and Labor.

H.R. 7426. A bill to amend title VI of the Civil Rights Act of 1964 with respect to the use in good faith by State and local authorities of freedom-of-choice systems for the assignment of students to public elementary and secondary schools; to the Committee on the Judiciary.

By Mr. ADAIR:

H.R. 7427. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 7428. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the insurance benefits payable thereunder; to the Committee on Ways and Means.

By Mr. ADAMS:

H.R. 7429. A bill to enable citizens of the United States who change their residences to vote in presidential elections, and for other purposes; to the Committee on House Administration.

By Mr. BENNETT:

H.R. 7430. A bill providing an exception to the Revenue and Expenditure Control Act of 1968; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 7431. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

By Mr. BLACKBURN:

H.R. 7432. A bill to amend the Internal Revenue Code of 1954 to deny tax exemption to organizations which endorse political candidates, and for other purposes; to the Committee on Ways and Means.

By Mr. BROTZMAN:

H.R. 7433. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROWN of California:

H.R. 7434. A bill making a supplemental appropriation to the Office of Education to carry out the Bilingual Education Act for the fiscal year ending June 30, 1969; to the Committee on Appropriations.

H.R. 7435. A bill making an appropriation to the Office of Education to carry out the Bilingual Education Act for the fiscal year ending June 30, 1970; to the Committee on Appropriations.

H.R. 7436. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

H.R. 7437. A bill to amend the Railroad Retirement Act of 1937 to provide that an individual's entitlement to retirement benefits under the act or the Social Security Act while he or she is entitled to dependent's or survivor's benefits under the other such act shall not operate to prevent any increases in his or her benefits under the 1937 act which would otherwise result under the so-called social security minimum guaranty provision; to the Committee on Interstate and Foreign Commerce.

H.R. 7438. A bill to amend section 212(e) of the Immigration and Nationality Act to provide additional grounds for waiver of the 2-year foreign residence requirement applicable to certain exchange aliens, and for other purposes; to the Committee on the Judiciary.

H.R. 7439. A bill to incorporate the Paralyzed Veterans of America; to the Committee on the Judiciary.

H.R. 7440. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7441. A bill to amend section 3402 of title 38, United States Code, to provide for the recognition by the Administrator of Veterans' Affairs of the Paralyzed Veterans of America, Inc., for the prosecution of veterans' claims; to the Committee on Veterans' Affairs.

H.R. 7442. A bill to amend title II of the Social Security Act to provide that a divorced wife may qualify for benefits on her former husband's wage record, even in the absence of continuing support (or any right to such support) from him, if she received a substantial property settlement upon their divorce; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 7443. A bill to amend the Internal Revenue Code of 1954 to provide for a liberalized child-care deduction as a trade or business expense; to the Committee on Ways and Means.

By Mr. BURTON of Utah:

H.R. 7444. A bill to repeal the Naval Stores Act; to the Committee on Agriculture.

By Mr. CARTER:

H.R. 7445. A bill to authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965, as amended, and title V of the Public Works and Economic Development Act of 1965, as amended; to the Committee on Public Works.

By Mr. CELLER:

H.R. 7446. A bill to amend title 1 of the United States Code, relating to the structure and amendment of the code; to the Committee on the Judiciary.

By Mr. CLAY:

H.R. 7447. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CORMAN:

H.R. 7448. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

H.R. 7449. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national veterans' cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Veterans' Affairs.

H.R. 7450. A bill to amend title 38 of the United States Code to make the children of certain veterans having a service-connected disability rated at not less than 50 percent eligible for benefits under the war orphans' educational assistance program; to the Committee on Veterans' Affairs.

H.R. 7451. A bill to liberalize certain eligibility requirements for payment of benefits to widows aged 60 or more of veterans under title 38, United States Code; to the Committee on Veterans' Affairs.

H.R. 7452. A bill to amend section 620 of title 38, United States Code, to extend the length of time community nursing home care may be provided at the expense of the United States; to the Committee on Veterans' Affairs.

H.R. 7453. A bill to amend title 38 of the United States Code to increase to $30,000 the maximum servicemen's group life insurance which may be provided members of the uniformed services on active duty, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 7454. A bill to amend chapter 39 of title 38, United States Code, to increase the amount allowed for the purchase of specially equipped automobiles for disabled veterans, and to extend benefits under such chapter to certain persons on active duty; to the Committee on Veterans' Affairs.

H.R. 7455. A bill to amend title 38 of the United States Code to provide that veterans who are 70 years of age or older shall be deemed to be unable to defray the expenses of necessary hospital or domiciliary care, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 7456. A bill to amend title 38 of the United States Code so as to make certain widows of veterans of periods of war and certain children of such veterans who are deceased eligible for care in Veterans' Administration hospitals; to the Committee on Veterans' Affairs.

H.R. 7457. A bill to amend title 38 of the United States Code in order to provide for the payment of an additional amount of up to $100 for the acquisition of a burial plot for the burial of certain veterans; to the Committee on Veterans' Affairs.

H.R. 7458. A bill to amend section 620 of title 38, United States Code, to authorize direct admission to community nursing homes of those veterans needing such care for a service-connected condition; to the Committee on Veterans' Affairs.

H.R. 7459. A bill to amend title 38 of the United States Code to provide a paraplegia rehabilitation allowance of $100 per month for veterans of World War I, World War II, or the Korean conflict; to the Committee on Veterans' Affairs.

H.R. 7460. A bill to provide special encouragement to veterans to pursue a public service career in deprived areas; to the Committee on Veterans' Affairs.

H.R. 7461. A bill to amend title 38 of the United States Code to increase the base on which dependency and indemnity compensation for widows is computed; to the Committee on Veterans' Affairs.

H.R. 7462. A bill to amend section 411 of title 38, United States Code, to provide additional dependency and indemnity compensation payments to widows with one or more children; to the Committee on Veterans' Affairs.

H.R. 7463. A bill to provide for the granting of national service life insurance to Vietnam conflict veterans; to the Committee on Veterans' Affairs.

By Mr. CRAMER:

H.R. 7464. A bill to amend title 38, United States Code, to provide increased disability compensation rates; to liberalize income limitations; to exclude certain payments in the computation of income for determining eligibility for pension; to increase amount of spouse's income which may be excluded; to restore entitlement to benefits on termination of a widow's remarriage; to authorize the furnishing of outpatient medical services to World War I veterans; to relieve certain persons from filing the annual income questionnaire; to provide for automatic cost-of-living increases; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DONOHUE:

H.R. 7465. A bill to establish a commission to study the organization, operation, and management of the executive branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy; to the Committee on Government Operations.

H.R. 7466. A bill to amend title IV of the Social Security Act to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 7467. A bill to extend from 2 to 5 years the period of salary protection and pay saving for postal field service and classified employees who are reduced in salary standing or grade, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FULTON of Pennsylvania:

H.R. 7468. A bill to amend section 837, title 18, United States Code, to prohibit certain acts involving the use of incendiary devices, and for other purposes; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 7469. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. HAMILTON:

H.R. 7470. A bill to amend the Uniform Time Act to allow an option in the adoption of advanced time in certain cases; to the Committee on Interstate and Foreign Commerce.

H.R. 7471. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. HAMILTON (for himself, Mr. Adams, Mr. Ashley, Mr. Brown of California, Mr. Donohue, Mr. Jacobs, Mr. Pike, Mr. Rees, Mr. Schneebeli, and Mr. Steiger of Wisconsin):

H.R. 7472. A bill to create a Postal Service Corporation, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HATHAWAY:

H.R. 7473. A bill to increase educational opportunities throughout the Nation by providing grants for the construction of elementary and secondary schools and supplemental educational centers, and for other purposes; to the Committee on Education and Labor.

By Mr. HAWKINS:

H.R. 7474. A bill to provide Federal assistance for special projects to demonstrate the effectiveness of programs to provide emergency care for heart attack victims by trained persons in specially equipped ambulances; to the Committee on Interstate and Foreign Commerce.

H.R. 7475. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. HICKS:

H.R. 7476. A bill to amend title 10, United States Code, with respect to crediting certain service of females sworn in as members of telephone operating units, Signal Corps; to the Committee on Armed Services.

H.R. 7477. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

H.R. 7478. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 7479. A bill to amend the Military Selective Service Act of 1967 to defer law enforcement officers and firemen from training and service under such act; to the Committee on Armed Services.

H.R. 7480. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of California:

H.R. 7481. A bill to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McCLURE:

H.R. 7482. A bill to extend the life of the Lewis and Clark Trail Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7483. A bill to expedite the interstate planning and coordination of a continuous Lewis and Clark Trail Highway; to the Committee on Public Works.

By Mr. McKNEALLY:

H.R. 7484. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. McMILLAN (for himself and Mr. Gettys):

H.R. 7485. A bill to extend public health protection with respect to cigarette smoking and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MATSUNAGA:

H.R. 7486. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy; to the Committee on Post Office and Civil Service.

H.R. 7487. A bill to amend title IV of the Social Security Act to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

By Mr. MILLER of California:

H.R. 7488. A bill to amend section 255 of the Immigration and Nationality Act so as to eliminate epilepsy as an affliction prohibiting employment of aliens on board vessels arriving in the United States; to the Committee on the Judiciary.

By Mr. MILLS:

H.R. 7489. A bill relating to the tax treatment of certain indebtedness incurred by corporations in acquiring stock of other corporations; to the Committee on Ways and Means.

By Mrs. MINK:

H.R. 7490. A bill to amend the Internal Revenue Code of 1954 to permit limited retail dealers of alcoholic beverages to sell distilled spirits; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 7491. A bill to clarify the liability of national banks for certain taxes; to the Committee on Banking and Currency.

H.R. 7492. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $2,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 7493. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 7494. A bill to amend title 39, United States Code, to provide a new system of overtime compensation for postal field service employees, to eliminate compensatory time in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7495. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7496. A bill to equalize civil service retirement annuities and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7497. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PERKINS:

H.R. 7498. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. PERKINS (by request):

H.R. 7499. A bill to amend title 38 of the United States Code to liberalize certain pension payable under chapter 15, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 7500. A bill to amend title 38 of the United States Code to provide that monthly social security benefits payments shall not be considered to be income for the purpose of determining eligibility for a pension under that title; to the Committee on Veterans' Affairs.

By Mr. PERKINS (for himself and Mr. Stubblefield):

H.R. 7501. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. PODELL:

H.R. 7502. A bill to establish an international health, education, and labor program to provide open support for private nongovernmental activities in the fields of health, education, and labor, and other welfare fields; to the Committee on Foreign Affairs.

H.R. 7503. A bill to provide appropriations for sharing of Federal revenues with States and certain cities and urban counties; to the Committee on Ways and Means.

By Mr. POLLOCK:

H.R. 7504. A bill to authorize the State of Alaska to operate a foreign-registered ferry vessel between ports of Alaska and between ports in Alaska and ports in the State of Washington; to the Committee on Merchant Marine and Fisheries.

By Mr. RAILSBACK (for himself, Mr. Anderson of Illinois, Mr. Biester, Mr. Carter, Mr. Collier, Mr. Derwinski, Mr. Erlenborn, Mr. Fisher, Mr. Hastings, Mr. Hosmer, Mr. Mize, Mr. Pirnie, Mr. Pollock, Mrs. Reid of Illinois, Mr. Sandman, Mr. Schwengel, Mr. Sebelius, Mr. Sikes, and Mr. Utt):

H.R. 7505. A bill to amend section 2312 of title 18, United States Code, to permit a person enforcing that section to stop a motor vehicle to inspect the serial number of its body and motor if he has reason to suspect that the motor vehicle has been stolen; to the Committee on the Judiciary.

By Mr. RAILSBACK (for himself, Mr. Anderson of Illinois, Mr. Biester, Mr. Carter, Mr. Collier, Mr. Fisher, Mr. Hastings, Mr. Hosmer, Mr. McClory, Mr Mize, Mr. Pirnie, Mr. Pollock, Mrs. Reid of Illinois, Mr. Sandman, Mr. Schwengel, Mr. Sebelius, Mr. Sikes, Mr. Thompson of Georgia and Mr. Utt):

H.R. 7506. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

By Mr. RAILSBACK (for himself, Mr. Anderson of Illinois, Mr. Biester, Mr. Carter, Mr. Fisher, Mr. Hastings, Mr. Hosmer, Mr. Mize, Mr. Pirnie, Mr. Sebelius, Mr. Schwengel, Mr. Sikes, and Mr. Utt):

H.R. 7507. A bill to amend title 28 of the United States Code to provide that any judge or justice of the United States appointed to hold office during good behavior shall retire from regular active service upon attaining the age of 70 years; to the Committee on the Judiciary.

By Mr. ROBISON:

H.R. 7508. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 7509. A bill to amend the Federal Hazardous Substances Act to protect children from toys or other articles intended for use by children which present any electrical, mechanical, or thermal hazard; to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN:

H.R. 7510. A bill to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests and devices; to the Committee on the Judiciary.

By Mr. SANDMAN:

H.R. 7511. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

H.R. 7512. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

By Mr. STEIGER of Arizona:

H.R. 7513. A bill to provide for the economic development of Indians, Indian tribes, and other Indian organizations, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7514. A bill to provide for the establishment of Indian corporate entities for the economic development of Indian tribes and other organizations of Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7515. A bill to permit Indian tribes to have greater management over their property, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7516. A bill to temporarily suspend the recent increases in fees for grazing of livestock on public lands; to the Committee on Interior and Insular Affairs.

By Mrs. SULLIVAN:

H.R. 7517. A bill to amend the Canal Zone Code to provide cost-of-living adjustments in cash relief payments to certain former employees of the Canal Zone Government, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. THOMPSON of Georgia:

H.R. 7518. A bill to amend chapter 89 of title 5, United States Code, relating to enrollment charges for health insurance; to the Committee on Post Office and Civil Service.

By Mr. WOLD:

H.R. 7519. A bill to authorize the sale of certain lands under the jurisdiction of the Department of Agriculture; to the Committee on Agriculture.

H.R. 7520. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Polecat Bench area of the Shoshone extensions unit, Missouri River Basin project, Wyoming, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7521. A bill to reauthorize the Riverton extension unit, Missouri River Basin project, to include therein the entire Riverton Federal reclamation project, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7522. A bill to amend section 35 of the Mineral Leasing Act of 1920 with respect to the disposition of the proceeds of sales, bonuses, royalties, and rentals under such act; to the Committee on Interior and Insular Affairs.

By Mr. WOLFF:

H.R. 7523. A bill to establish a Commission on Trading Stamp Practices to provide for the regulation of trading stamp companies, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BERRY:

H.J. Res. 479. Joint resolution proposing an amendment to the Constitution of the United States pertaining to the offering of prayers in public schools and other public places in the United States; to the Committee on the Judiciary.

By Mr. BUSH (for himself, Mr. Schneebeli, Mr. Montgomery, Mr. Scheuer, Mr. Hawkins, Mr. Esch, Mr. Pike, Mr. McCloskey, Mr. Mikva, Mr. Anderson of Illinois, Mr. Coughlin, Mr. Brown of California, Mr. Edwards of California, Mr. Reid of New York, and Mr. Buchanan):

H.J. Res. 480. Joint resolution creating a Select Joint Committee on Population and Family Planning; to the Committee on Rules.

By Mr. BOB WILSON:

H.J. Res. 481. Joint resolution designating February of each year as "American History Month"; to the Committee on the Judiciary.

By Mr. WATTS (for himself and Mr. PERKINS):

H. Res. 275. Resolution relating to the per annum gross rate of compensation of the Postmaster of the House of Representatives; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

23. By Mr. BRASCO: Concurrent resolution of the New York Legislature memorializing Congress to act expeditiously on proposed legislation to transfer title to the property known as the New York Naval Shipyard, in the Borough of Brooklyn, to the city of New York for redevelopment as an industrial park; to the Committee on Armed Services.

24. By the SPEAKER: Memorial of the Legislature of the State of South Dakota, relative to restrictions on payments made by the Agricultural Stabilization and Conservation Service and by the Commodity Credit Corporation; to the Committee on Agriculture.

25. Also, Memorial of the Legislature of the State of Nevada, relative to completion of the Dixie project in Nevada and Utah; to the Committee on Interior and Insular Affairs.

26. Also, Memorial of the Legislature of the State of Nevada, relative to the Tahoe regional planning compact; to the Committee on the Judiciary.

27. Also, Memorial of the House of Representatives of the State of Montana, relative to meat imports; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 7524. A bill for the relief of Adelaida G. Tutaan; to the Committee on the Judiciary.

By Mr. ANDERSON of Illinois:

H.R. 7525. A bill for the relief of Antonio Saladino; to the Committee on the Judiciary.

H.R. 7526. A bill for the relief of Mrs. Antonio Saladino and children; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 7527. A bill for the relief of Filippo Di Leonardo; to the Committee on the Judiciary.

H.R. 7528. A bill for the relief of Giuseppe Lombardo; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 7529. A bill for the relief of Lizette Bhak; to the Committee on the Judiciary.

H.R. 7530. A bill for the relief of Fredi Robert Dreilich; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 7531. A bill for the relief of Edita Agbayani; to the Committee on the Judiciary.

H.R. 7532. A bill for the relief of Mario Scotto De Marco; to the Committee on the Judiciary.

H.R. 7533. A bill for the relief of Natividad Miravite Paraiso; to the Committee on the Judiciary.

H.R. 7534. A bill for the relief of Mercedes Zingapan; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 7535. A bill for the relief of Winston Phillips; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 7536. A bill for the relief of Augusto Buonapane; to the Committee on the Judiciary.

H.R. 7537. A bill for the relief of Pirjo Laine; to the Committee on the Judiciary.

H.R. 7538. A bill for the relief of Faro Purpura; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 7539. A bill for the relief of Mercedes Rojas-Hernandez; to the Committee on the Judiciary.

H.R. 7540. A bill for the relief of Mrs. Esther Sevilla de Soto and her children, Manuel Ricardo Sevilla and Silvia Esther Sevilla; to the Committee on the Judiciary.

H.R. 7541. A bill for the relief of William H. Tripp; to the Committee on the Judiciary.

By Mr. CORMAN (by request):

H.R. 7542. A bill for the relief of Jacques Urbach; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 7543. A bill for the relief of Eugenia La Grutta; to the Committee on the Judiciary.

By Mr. HAGAN:

H.R. 7544. A bill for the relief of Bak Hon Woo; to the Committee on the Judiciary.

By Mr. HAMILTON:

H.R. 7545. A bill for the relief of Maj. Warren D. Volmer, USAF; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 7546. A bill for the relief of Salvatore Pernice; to the Committee on the Judiciary.

By Mr. KARTH:

H.R. 7547. A bill for the relief of Alexander Gerhard Ackermann; to the Committee on the Judiciary.

By Mr. McKNEALLY:

H.R. 7548. A bill for the relief of Joseph Edouard; to the Committee on the Judiciary.

H.R. 7549. A bill for the relief of Renauld Florival; to the Committee on the Judiciary.

H.R. 7550. A bill for the relief of Julian Castano Garcia; to the Committee on the Judiciary.

H.R. 7551. A bill for the relief of Maurisio Millan; to the Committee on the Judiciary.

H.R. 7552. A bill for the relief of Simon Rodas; to the Committee on the Judiciary.

H.R. 7553. A bill for the relief of Charles Thompson; to the Committee on the Judiciary.

By Mr. MADDEN:

H.R. 7554. A bill for the relief of Danica Timotijevic; to the Committee on the Judiciary.

By Mr. MIKVA:

H.R. 7555. A bill for the relief of Michael Gregory Grammatopoulos; to the Committee on the Judiciary.

H.R. 7556. A bill for the relief of Mercedes Manuel; to the Committee on the Judiciary.

H.R. 7557. A bill for the relief of Diego Zanfei; to the Committee on the Judiciary.

By Mr. MIZE:

H.R. 7558. A bill for the relief of Van Chang; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 7559. A bill for the relief of Mr. Leonardo Spatero; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 7560. A bill for the relief of Olive Erminia Bancroft; to the Committee on the Judiciary.

By Mr. ROBISON:

H.R. 7561. A bill for the relief of Umberto Verdicchio; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 7562. A bill for the relief of Giovanni Orecchia; to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.R. 7563. A bill for the relief of Mrs. Ivanka Micic; to the Committee on the Judiciary.

By Mr. SYMINGTON:

H.R. 7564. A bill for the relief of Patrick J. Gilligan; to the Committee on the Judiciary.

H.R. 7565. A bill for the relief of David D. Melegrito and his wife, Elma S. Melegrito; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 7566. A bill for the relief of Tse Chi Fong, also known as Chez Chu Fong; to the Committee on the Judiciary.

By Mr. UDALL:

H.R. 7567. A bill for the relief of Bert N. Adams and Emma Adams; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

62. By the SPEAKER: Petition of the City Council of the City of Lawndale, Calif., relative to assistance in abating pollution from offshore oil well leakage; to the Committee on Interior and Insular Affairs.

63. Also, petition of Charles Francis Vincent Rogers, Pecos, Tex., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

AMERICAN MEDICAL ASSOCIATION REPORT ON FEDERAL MEDICAL-HEALTH APPROPRIATIONS FOR FISCAL 1969

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. HALL. Mr. Speaker, the Washington office of the American Medical Association has published annually since 1952 a detailed report how Federal moneys are used for medical-health activities. The following table demonstrates the substantial growth in Federal appropriations in the medical-health field:

Fiscal year:	
1953–54	$1, 775, 882, 197
1955–56	2, 268, 800, 000
1957–58	2, 541, 483, 506
1959–60	3, 161, 151, 325
1961–62	4, 437, 746, 072
1963–64	5, 508, 951, 287
1965–66	6, 581, 372, 121
1967–68	15, 507, 885, 089
1969	16, 771, 182, 095

In addition to the $16,771,182,095 appropriation in fiscal 1969, the Federal Government will make payments of $9,388,897,000 to individuals because of disability through programs in which it participates. This makes a total of over $26 billion that the Federal Government contributes to medical-health activities for the current fiscal year.

This objective report has been and is available for Members of Congress upon request. It serves as a valuable reference tool in locating various Federal health programs.

Mr. Speaker, under unanimous consent, I insert "Federal Medical-Health Appropriations" into the RECORD, as follows:

FEDERAL MEDICAL-HEALTH APPROPRIATIONS FOR FISCAL 1969 (JULY 1, 1968 TO JUNE 30, 1969)

COMPARISON OF FISCAL 1969 AND 1968 MEDICAL-HEALTH BUDGETS OF FEDERAL DEPARTMENTS, AGENCIES, AND COMMISSIONS

	Fiscal 1969	Fiscal 1968
Department of Health, Education, and Welfare	$11,836,405,460	$10,890,271,880
Department of Defense	1,744,026,000	1,646,069,000
Veterans' Administration	1,542,962,000	1,479,342,000
Department of the Interior	315,504,000	307,940,000
Department of State	242,712,744	268,999,545
Federal employees health insurance	242,220,000	233,647,500
Department of Agriculture	183,793,000	159,173,000
Office of Economic Opportunity	175,200,000	108,500,000
Department of Commerce	125,028,100	105,166,500
National Aeronautics and Space Administration	114,200,000	109,900,000
Department of Transportation	97,680,000	52,644,631
Atomic Energy Commission	92,495,000	90,801,000
Department of Labor	17,034,000	17,577,000
Peace Corps	$15,220,000	$14,225,000
District of Columbia	11,239,411	8,324,582
Canal Zone Government	6,279,000	7,350,000
Department of Justice	4,705,000	3,830,000
Post Office Department	2,678,600	2,335,600
Federal Trade Commission	1,020,000	916,860
Civil Service Commission	648,000	676,900
Attending physician of Congress	71,780	145,100
Selective Service Advisory Committee	60,000	49,000
National Science Foundation	Unknown	43,810,000
Total	16,771,182,095	15,507,885,098

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE*

(This year: $11,836,405,460; last year: $10,890,271,880.)

Social Security Health Insurance Program: $6,395,474,000.

Last year: $5,381,149,000.

Public Law 89–97, the Social Security Amendments of 1965, established a health insurance program for the aged, consisting of a hospital insurance plan and a voluntary medical insurance plan.

The hospital insurance plan affords basic protection to persons age 65 and over against the costs of inpatient hospital services, post-hospital home health services, and post-hospital extended-care services. Bills for services rendered under the hospital insurance program are submitted by hospitals, extended-care facilities, and home health agencies. In most instances, these bills are processed by the Blue Cross Association and private insurance companies acting as intermediaries for the Social Security Administration. The individual beneficiary records of utilization of hospital services are maintained in the central office of the Social Security Administration. Payments under the hospital insurance plan are made from the Federal Hospital Insurance Trust Fund which is financed by tax contributions collected from employees, employers, and the self-employed. The scheduled combined rate of contributions from each employer and employee in calendar year 1969 is 0.6 percent applied to a maximum of $7,800 in earnings. For those aged who are not insured under Social Security or railroad retirement, but who are entitled to hospital insurance benefits, the cost of hospital insurance payments is borne by the general funds of the Treasury. Benefit payments under the hospital insurance plan in fiscal year 1969 are estimated to be $4,445,000,000.

Almost all persons age 65 and over are eligible to enroll in the supplementary medical insurance plan. The plan covers 80 percent of the cost of physician services and other medical services after the beneficiary meets an annual $50 deductible. In fiscal year 1969, it is expected that approximately 18.8 million persons will be covered under part B. Enrollees in the plan pay a monthly premium of $4 and the aggregate of these premiums is matched by the Federal Government by appropriations from the general fund. Bills for services under the medical insurance plan are submitted by either the provider of service or the beneficiary to Blue Shield associations and insurance companies who have been designated to act as intermediaries for the Social Security Administration in specific geographical areas. Benefit payments under the medical insurance plan in fiscal year 1969 are estimated to be $1,669,000,000.

Administrative costs for fiscal year 1969 (including those of the Department of HEW and the Treasury) are estimated to be $281,474,000.

Public Health Service: $2,842,892,500.

Last year: $2,913,499,000.

The 1969 appropriation structure reflects the changes made as a result of the reorganization of the Public Health Service in April, 1968. In order to provide comparability, the 1968 amounts have been shown on the new basis also.

National Institutes of Health: $1,395,902,500.

Last year: $1,507,696,000.

National Cancer Institute: $185,149,500.

Last year: $183,356,000.

About 52% of this appropriation is earmarked for grants to nonfederal individual investigators and private institutions for research and training. Approximately 29% will be used to support contracts with pharmaceutical and chemical concerns, universities, and other nonprofit organizations in research on the treatment and prevention of cancer. The balance is for direct research operations, including salaries, supplies, and this Institute's share in the cost of operating NIH Clinical Center of Bethesda and related auxiliary services.

Health Manpower Education & Utilization: $172,086,000.

Last year: $155,242,395.

Of this appropriation $93,446,000 is for institutional support through grant programs directed toward enhancing the educational experience of students entering the health professions, resulting ultimately in better health service to the nation. Schools use these funds to support and enlarge faculty staffs, expand library holdings, modify existing and add new curriculums, modernize teaching laboratories, and purchase educational aids and equipment. $62,249,000 is for student assistance which is of two kinds: (1) graduate and specialized training in dental health, nursing, public health and the allied health professions; and (2) undergraduate training for students of medicine, dentistry, nursing and other health related professions. The remaining funds are for research grants in the areas of physician methods and techniques, continuing physician education, effective use of health manpower, and nursing care; for research training in nursing specialties and for direct operations to evaluate current programs, study and demonstrate new programs, and provide a national focus for health manpower activities.

National Heart Institute: $166,927,500.

Last year: $167,954,000.

Grants to non-federal individual investigators and public and private institutions for research and training take about 77% of the appropriation. The balance is for direct research operations, including salaries, supplies, and this Institute's share in the cost of operating the NIH Clinical Center and related auxiliary services.

Institute of General Medical Sciences: $163,513,500.

Last year: $160,284,000.

Grants to public and private investigators for research and training total 95% of this appropriation. Research includes trauma, anesthesiology, diagnostic radiology, pharmacology and toxicology, automation of clinical laboratories, molecular biology, cell biology, genetics, biophysics, biochemistry, biomedical engineering and biomathematics. The balance is for collaborative studies in pharmacology and toxicology, engineering in biology and medicine, including automated laboratory medicine, genetic chemistry and for salaries and other expenses.

Institute of Arthritis & Metabolic Diseases: $143,888,000.

Last year: $143,954,000.

Grants to public and private investigators for research and training in topics included in the mission of the Institute total 82% of this appropriation. The balance is for direct clinical and basic research programs in such diseases as arthritis, cystic fibrosis, diabetes, gout, rheumatism and gastrointestinal disorders, and for contract programs on the artificial kidney and the distribution of endocrine and diabetes hormones for investigational purposes.

Institute of Neurological Diseases & Blindness: $128,934,500.

Last year: $126,674,000.

Grants to public and private investigators and institutions for research and training total 79% of this appropriation. Studies include cerebral palsy, muscular dystrophy, multiple sclerosis, viruses as a cause of chronic neurological diseases, Parkinson's disease, epilepsy, head injuries resulting from accidents, and conditions causing blindness and deafness. The remainder is for direct research operations and collaborative studies, including salaries, supplies and this Institute's share in the cost of operating the Clinic Center and related auxiliary services.

Institute of Allergy and Infectious Diseases: $96,840,500.

Last year: $94,242,000.

Grant support for research and training, in the health and health-related sciences, to public, private, and nonprofit organizations amounts to 64% of this appropriation. The research programs supported by this Institute are divided among three major problem areas: infectious diseases, allergic and immune disorders, and other disease-related problems. The Gorgas Memorial Institute will receive $500,000 to be used for operations and maintenance of the Gorgas Memorial Laboratory. The remaining balances are for direct research operations, including a contract program for vaccine development and research in tissue transplantation, salaries, supplies, and this Institute's share in the cost of operating the Clinical Center and related auxiliary services.

---

*The 1969 appropriation for DHEW does not reflect the organizational changes in April, 1968. However, this report shows the accounts within the new administrations, but they must be considered simply estimates and do not reflect the many minor organizational transfers that have taken place. Most of the transfers have occurred among programs that make up the Health Services and Mental Health Administration and the Consumer Protection and Environmental Health Services Administration. The new organizational relationships do not change the dollar amounts for the total health appropriations for the Department.

General Research and Services: $84,809,500.

Last year: $81,141,000.

These funds support the Division of Computer Research and Technology, the Division of Research Facilities and Resources, and Engineering Development, with practically all funds being expended for research grants and fellowships.

Construction of Health Educational Facilities: $84,800,000.

Last year: $203,000,000.

These funds provide for construction grants to increase opportunities for the training of health personnel as follows: $60,000,000 for the construction and modernization of teaching facilities for the training of physicians, pharmacists, optometrists, podiatrists, veterinarians, or professional public health personnel; $15,000,000 for the construction and modernization of teaching facilities for the training of dentists; $8,000,000 for the construction of teaching facilities for nurses; and $1,800,000 for the construction and modernization of teaching facilities for the allied health professions.

Institute of Child Health & Human Development: $73,126,500.

Last year: $68,621,000.

Approximately 76% of the funds will be used for grants to public and private investigators for research and training. Increasing amounts of direct operations funds are being directed into family planning and population research activities, and anticipated total of $10.8 million this year, primarily by contract mechanisms. Among the intramural operations supported by the remaining funds are the Gerontology Research Center in Baltimore, research activities of the mental retardation program, perinatal biology and infant mortality program, reproduction and growth and development research. Other collaborative and epidemiological contract programs, review and approval of grants, and administrative expenses absorb the remainder of appropriated funds.

Institute of Dental Research: $29,983,500.

Last year: $30,307,000.

Grants to public and private investigators for research and training total about 76% of this appropriation. The remainder is for direct research at Bethesda, review and approval of grants, administrative expenses, and support of the Clinical Center.

National Library of Medicine: $18,160,500.

Last year: $19,912,000.

The National Library of Medicine provides bibliographic, reference, and interlibrary loan services and supports a national network of regional medical libraries. The Library itself serves as the regional medical library for the mid-Atlantic region, providing backup support to small hospital libraries and direct services to area users. Under the Medical Library Assistance Act of 1965, the Library administers a comprehensive grants program which includes funds for construction of library facilities, training, special scientific projects, research, library resources, regional medical libraries, and publications support. The National Medical Audiovisual Center became a component of the National Library of Medicine last year. This Center is the central facility of the Public Health Service for producing and distributing motion pictures, videotapes, and other audiovisuals on health and health-related subjects. The Library is also engaged in developing a biomedical communications network based on advanced information communication and processing technology. The toxicology information component of the network will provide computerized reference and referral services on toxic effects of chemicals through a Toxicology Information Exchange.

Development will also continue on an exchange network linking a large number of major medical libraries. Specialized educational networks tailored to the needs of undergraduate and graduate medical and health science programs, the continuing education of health professionals, and the delivery of basic health information to the general public are also being developed. The 1969 budget contains funds to support all of these programs of the Library. Funds are also included to develop and install an expanded MEDLARS, the computerized Medical Literature Analysis and Retrieval System. This will allow the Library to meet increasing demands for bibliographic services.

Environmental Health Sciences: $17,820,000.

Last year, $17,289,000.

The Division of Environmental Health Sciences was established as part of the National Institutes of Health on November 1, 1966. The mission of the Division in both intramural and extramural components is to provide a scientific base for those units of the PHS charged with the responsibility for establishing standards and enforcing regulations in the general area of environmental health. The encompassing goal is the development of a cohesive framework within which the various scientific disciplines and categorical needs concerned with environmental health can operate in a collaborative and interrelated manner to facilitate the achievement of maximum information for use in limiting deleterious effects of environmental hazards. The appropriation includes $8,406,000 for research grants; $4,092,000 for fellowships and research training grants; and $5,322,000 for direct research.

Dental Health Activities: $10,185,000.

Last year: $9,420,605.

Of this appropriation $3,200,000 is for grants to dental schools for programs to train students to use dental auxiliaries. Other programs include research grants to support studies in the prevention and control of oral diseases, more efficient methods for delivering dental services and the effective use of dental manpower; research fellowships which support candidates for advanced degrees to prepare them to conduct research; a dental continuing education grant program which provides for up-grading the skills of dentists and auxiliaries. Funds for direct operations provide programs to study the supply, utilization and distribution of dental manpower, to increase the productivity of dental practitioners and to assist dentists to keep abreast of the latest concepts and techniques in dentistry. 1968 funds were appropriated under "Health Manpower Education and Utilization".

Biologics Standards: $8,499,000.

Last year: $8,649,000.

Activities include administration of the Biologics Control Act, establishment of standards for the preparation of biologics; testing of vaccines and their preparation; and research related to the development, manufacture, testing, and use of vaccines and analogous products.

Grants for Construction of Health Research Facilities: $8,400,000.

Last year: $35,000,000.

These funds are available for planning and construction of research facilities. To be eligible for grants, the applicant must be a public or nonprofit institution determined by the Director, National Institutes of Health, after consultation with the National Advisory Council on Health Research Facilities, to be competent to engage in the type of research for which the facility is to be constructed.

Reimbursements—Health Manpower Education and Utilization: $1,415,000.

Last year: $1,403,000.

John E. Fogarty International Center for Advanced Study in the Health Sciences: $600,000.

Last year: $500,000.

The amount for fiscal 1969 provides for the initiation of new programs of the Center such as the Fogarty Scholars-in-Residence and Conference and Seminars Programs.

Reimbursements—Dental Health: $564,000.

Last year: $497,000.

Payment of Sales Insufficiencies: $200,000.

Last year: $250,000.

This provision assures lenders and the public that funds from the Treasury will be available to make payments when due to holders of Federal National Mortgage Association notes which are secured in turn by notes from health professions and nursing schools in the event that payments to holders of notes exceed the amounts received in repayments from schools.

Health Services and Mental Health Administration: $1,203,743,000.

Last year: $1,189,089,000.

National Institute of Mental Health: $361,516,000.

Last year: $358,895,000.

Mental Health: $350,439,000.

Last year: $346,909,000.

The basic mission of the National Institute of Mental Health is to improve the mental health of the people of the United States through the development of knowledge, manpower, and services to treat and rehabilitate the mentally ill, to prevent mental illness, and to promote and sustain mental health. This mission is carried out through (1) grants to individuals and public and private institutions to support research on the entiology, diagnosis, treatment, prevention, and control of mental illness, and to gain new knowledge of those factors which produce and sustain mental health ($81,159,000); (2) support of basic and clinical research performed directly by Institute personnel ($17,659,000) and through the research contract mechanism; (3) grants to individuals and public and private institutions to increase the number and improve the quality of personnel working in the areas of mental health and mental illness ($119,687,000); (4) support of state and community programs designed to assure that the highest possible quality of modern treatment and care will be available and accessible to all people in the nation. This is accomplished through grants for the construction and staffing of community mental health centers which offer a comprehensive range of services to the community ($79,300,000) and construction and initial staffing of facilities for the treatment of narcotic addiction ($8,000,000); (5) support for the treatment and rehabilitation of narcotic addicts under programs authorized by the Narcotic Addict Rehabilitation Act of 1966 ($14,026,000). Initial treatment is provided first in a clinical environment such as the Lexington Clinical Research Center and aftercare is provided in the addict's own community on an outpatient basis.

In addition to the above, funds are utilized to support regional staff personnel providing consultative and technical assistance to state and community agencies, scientific and public information services including operation of the National Clearinghouse for Mental Health Information, and the program direction and management of Institute programs.

Saint Elizabeths Hospital: $11,077,000.

Last year: $11,986,000.

Saint Elizabeths Hospital provides treatment for several classes of mentally ill persons, including those residing in the District of Columbia, beneficiaries of the Veterans' Administration; beneficiaries of the PHS; mentally ill persons charged with or convicted of crimes in the U.S. courts (including the courts of the District of Columbia); certain American citizens and nationals found mentally ill in foreign countries, the Panama Canal Zone, and the Virgin Islands; members of the military services admitted to the hospital prior to July 16, 1946; and certain other categories of Federal beneficiaries. Total operational expenses in fiscal 1969 are estimated at $39,143,000, of which approximately $26,786,000 will be obtained as reimbursements from other agencies (mainly the District of Columbia), $11,077,000 from an indefinite Federal appropriation, and $1,280,000 in transfers from other accounts. This hospital has an average daily patient load of 5,262.

Hospital and Medical Facilities Construction: $271,168,000.

Last year: $270,822,000.

This appropriation finances the Federal participation in the extended and expanded Hill-Burton program under Public Law 88–443.

Hill-Burton Program: $267,200,000.

Last year: $267,200,000.

Of these funds, $171,770,000 is used to help finance the construction and modernization of hospitals and related health facilities. Through June 30, 1968, Federal funds had partially financed, for this phase of the program, 6,725 projects, which provide 333,776 inpatient beds and 2,737 other health units. The remaining $95,430,000 provides $66,800,000 for long-term care facilities; $19,085,000 for diagnostic or treatment centers; and $9,545,000 for rehabilitation facilities. As of June 30, 1968, a total of 2,824 projects had been approved—1,443 long-term care projects providing 80,021 beds; 927 diagnostic or treatment centers, and 454 rehabilitation facility projects. Under these programs, the funds are allocated among the states on the basis of population and per capita income. The Federal participation ranges from one-third to two-thirds of the total cost of the project.

Administrative Expenses: $3,968,000.

Last year: $3,622,000.

This appropriation is used for administration of the Hospital and Medical Facilities Construction Program. Salaries and expenses for headquarters and the nine regional offices are involved.

Comprehensive Health Planning and Services: $167,104,000.

Last year: $140,676,000.

This appropriation is made up of 98% grants and 2% direct operations. The grant programs consist of $7,375,000 for grants to states for comprehensive state health planning; $7,000,000 for areawide health planning grants; $4,125,000 for project grants for training, studies, and demonstrations for comprehensive health planning; $66,032,000 for formula grants to states for comprehensive public health services; and $79,000,000 for project grants for health services development. The remainder, $3,572,000 is for direct operations to provide for grant-in-aid review and approval activities, program direction, technical assistance, and evaluation activities.

Indian Health Activities and Facilities: $109,866,000.

Last year: $101,710,000.

The HSMHA is responsible for the health of American Indians and Alaskan natives (Eskimos, etc.). The total is broken down as follows: hospital care in Indian hospitals, $49,557,000; contract medical care, $17,764,000; field health service, $22,244,000; program direction, $1,795,000; $350,000 for grants to assist the Menominee Indian people in the cost of joint school districts, public welfare benefits, and health and modern sanitation srevices as authorized by P.L. 90–425; and modernization of hospitals and construction of facilities, $18,156,000. In addition, the Indian health activities of HSMHA will receive approximately $1,598,000 as reimbursements from other government agencies and non-Federal sources.

Patient Care and Special Health Services: $70,443,000.

Last year: $65,074,000.

These funds are used for operational costs of the HSMHA's hospitals and clinics, including the provision of health services in caring for American seamen, Coast Guardsmen, members of the Environmental Science Services Administration, PHS commissioned officers and their dependents, Federal employees injured at work, leprosy patients, and for training, health services research, clinical research, and the maintenance of hospitals and clinics. The appropriation also includes $1,200,000 for payments to Hawaii for the care of patients suffering from leprosy. Not shown in the appropriation is approximately $14,731,000 additional income, principally from other Federal agencies for reimbursable services.

Communicable Diseases: $62,144,000.

Last year: $72,109,000.

About 94% of this appropriation is used for direct activities of the HSMHA's National Communicable Disease Center, Atlanta, Georgia. The NCDC carries on studies in epidemiology, furnishes laboratory diagnostic services and sponsors special projects to assist states, $17,959,000. There are also programs for: (1) tuberculosis research in areas of risk infections and preventive measures and for making technical asistance and training available to states and local health departments, $3,616,000; (2) venereal disease detections, technical asistance to states, especially in high prevalence areas, and for research and evaluation activities, $4,952,000; (3) epidemiological and ecological research on levels of pesticides in human population and the environment, reviewing all applications for registration of pesticides to determine potential health hazards and monitoring pesticide levels in general populations, $7,087,000; (4) foreign quarantine activities, $8,245,000 for medical inspection services at over 400 ports of entry into the U.S., operation of 35 stations on foreign soil for the examination of aliens seeking visas to enter the U.S. It is estimated that the foreign quarantine program will inspect approximately 159,000,000 persons entering this country and medically examine 309,000 visa applicants abroad during fiscal 1969; and (5) the eradication of the Aedes aegypti mosquito in 10 states, Puerto Rico, and the Virgin Islands, $16,494,000.

In addition there are research grant programs totalling $3,791,000.

Reimbursements anticipated from other divisions or agencies are estimated at $9,300,000.

Regional Medical Programs: $61,907,000.

Last year: $58,814,000.

The 1969 appropriation provides funds for grants for planning and feasibility studies and for the operation of pilot projects to implement regional medical programs for combatting heart disease, cancer, and stroke. The program will emphasize regional planning and coordination of medical resources, continuing education for physicians and other medical personnel, and the rapid distribution of new knowledge and techniques.

Community Health Services: $54,251,000.

Last year: $58,309,000.

This appropriation encompasses programs directed at improving the organization and delivery of health services. The program is the focal point between the HSMHA, the Social Security Administration, and the Social and Rehabilitation Service for the professional health aspects of the Health Insurance for the Aged Program (title XVIII) and the Medical Assistance Program (title XIX).

The appropriation includes $6,760,000 for research grants; $7,200,000 for migrant health grants; $1,100,000 for research training and fellowships; and $21,241,000 for grants and contracts for reesarch, development, demonstrations, and related training in the organization and delivery of health services. These grants will be administered by the newly established National Center for Health Services Research and Development. It also provides $17,950,000 for direct operations to conduct specialized programs in medical care adminstration, community health, and research and development.

Scientific Activities Overseas: $15,000,000.

Last year, $15,000,000.

This appropriations provides for the purchase of U.S.-owned local currencies in foreign countries for the conduct of medical research activities in those countries under the provisions of the Agricultural Trade Development and Assistance Act of 1954, as amended, and of the International Health Research Act of 1960.

Retired Pay for PHS Commissioned Officers: $13,041,000.

Last year: $11,290,000.

As of June 30, 1968, there were 824 retired commissioned officers of the PHS receiving benefits under this program. By June 30, 1969, it is estimated that there will be 974 on the rolls. Included in the activity are funds for dependents' medical care in non-PHS facilities.

Office of the Surgeon General: $9,073,000.

Last year, $8,358,000.

These funds are used for administrative expenses of this office, including international health activities and evaluation of public health needs.

National Health Statistics: $8,230,000.

Last year: $8,317,000.

The program of the National Center for Health Statistics comprises the major activities of HSMHA in the measurement of the health status of the nation and in developing and applying optimum technical methods for the collection, processing and analysis of health statistics. Its program includes: (a) the collection, compilation, analysis, and dissemination of statistics on births, deaths, fetal deaths, marriages and divorces, and other health data related to these basic vital events; (b) continuing surveys and special health statistics studies on the amount, distribution, and effects of illness and disability in the U.S. and the services received for or because of such conditions; (c) studies of health survey methods with a view to their continued improvement; and (d) technical advice and assistance on the application of statistical methods in the health and medical fields.

PHS Buildings and Facilities: 0.

Last year: $10,715,000.

Congress appropriated no funds for planning or construction but indicated in the reports that unobligated balances in the Buildings and Facilities account could be reprogrammed to provide for projects included in the 1969 budget request. The proposed reprogramming includes the following projects: $5,310,000 for constructing and equipping the Appalachian Health Field Station at Morgantown, W. Va.; $236,000 to purchase land for the National Communicable Disease Center animal facility; $210,000 and $170,000 for equipping the Northeast and Northwest Marine Health Sciences Laboratories; $72,000 for planning an Outpatient Clinic in Cincinnati; $484,000 for planning an NIH Virus Facility; and $4,603,000 for various major repairs and improvements to PHS facilities.

Emergency Health Activities: 0.

Last year: $9,000,000.

The emergency health activities conducted by HSMHA included the stockpiling and management of medical supplies and equipment in affiliation with community hospitals and the preparation and development of emergency health preparedness programs for states and communities to assure the continuity of essential health services in the event of disaster.

Consumer Protection and Environmental Health Services: $243,247,000.

Last year: $216,714,000.

Air Pollution: $88,733,000.

Last year: $64,185,000.

This appropriation provides $7,431,000 for research grants; $3,159,000 for fellowships and training grants; $22,755,000 for control program grants; and $1,000,000 for survey and demonstration grants. An additional $17,270,000 is budgeted for research contracts related to fuels and motor vehicles. The balance of $37,118,000 is devoted to the conduct of research related to the effects, control, abatement, and prevention of air pollution; to consultative services to state and local health and air pollution control agencies; and to training courses for state, local and industry personnel.

Reimbursements of $40,000 are anticipated for services to other agencies for conducting air pollution studies.

Food & Drug Administration, Salaries & Expenses: $67,296,000.

Last year: $66,000,000.

The above amounts have been appropriated to enforce the Federal Food, Drug, and Cosmetic Act and related laws. Combined, these statutes provide FDA, through the Secretary of HEW, with authority to help insure that (1) foods are safe, pure, and wholesome; (2) drugs are safe and effective; (3) cosmetics are harmless; (4) therapeutic devices are safe and effective; (5) certain hazardous products carry adequate warning; and (6) all of the foregoing are honestly and informatively labeled and packaged. To implement these laws, FDA inspects factories, warehouses, and distributors; samples and examines shipments moving in interstate commerce; and investigates illegal activities. FDA also clears all new drugs for safety and effectiveness before they are marketed; checks to see that prescription drugs are sold only upon the authorization of qualified physicians; sets safe levels or amounts (tolerances) for all food additives, pesticides, and artificial colors; combats medical, nutritional and therapeutic device quackery; works with industry to promote voluntary compliance with the law; and works with consumers to help them obtain maximum protection through the law. Also in fiscal year 1969, $3,523,000 (obtained from fees for services paid by industry and not included in the above total) will be used to (1) certify the strength, purity and other requisites of antibiotic drugs and of insulin and its derivatives; (2) establish tolerances for residues of pesticide chemicals on raw agricultural products; and (3) establish tolerances for, and certify batches of, all colors used in or on foods, drugs, and cosmetics.

Urban and Industrial Health: $42,995,000.

Last year: $41,750,000.

This appropriation supports a national program for the prevention and control of environmental hazards and health problems associated with urban living, including those related to an industrialized society. The programs supported by this appropriation are: (1) solid wastes disposal, $16,926,000; (2) occupational health, $8,295,000; (3) injury control, $5,106,000; (4) water supply and shellfish sanitation, $3,694,000; (5) Arctic Health Research Laboratory, $1,565,000; and (6) special health protection (urban health planning, environmental health and food protection) $7,409,000. Methods used to accomplish these objectives are research, consultation, application of research findings, demonstrations, technical assistance, training, inspection, and grants. Approximately 50% of the appropriation is used to support grants.

Reimbursements anticipated from other divisions or agencies are estimated at $1,406,000 in fiscal 1969.

Chronic Diseases: $28,942,000.

Last year: $27,942,000.

Of this appropriation, $300,000 is supporting a research training grant program now in its fifth year. A research grant program of $3,744,000 is included to study and develop new and improved methods for the prevention and control of the chronic diseases. The balance of $24,898,000 is for direct programs of research, development, training and technical assistance. The programs financed are smoking and health, nutrition, diabetes and arthritis, kidney, heart, cancer, respiratory, and neurological and sensory diseases.

Reimbursements anticipated from other divisions or agencies are estimated at $2,000,000 in fiscal 1969.

Radiological Health: $15,281,000.

Last year: $15,687,000.

Of this appropriation $2,296,000 is used for research grants and $2,042,000 for research contracts. The balance of $10,943,000 finances direct PHS research to determine the levels of radiation exposure of man from various sources and the precise biological effects, and the laboratory and surveillance activities to provide basic data. Technical assistance and training courses are also provided. In addition to the foregoing, the National Center for Radiological Health provides services to the Atomic Energy Commission and other governmental agencies to the extent of $2,800,000 annually on a reimbursable basis.

FDA Buildings and Facilities: 0.

Last year: $1,150,000.

The Buildings and Facilities appropriation for fiscal year 1969 includes no new budget authority.

Social and Rehabilitation Service Activities: $3,579,465,500.

Last year: $2,084,992,000.

Effective August 15, 1967, a new agency, the Social and Rehabilitation Service, was established to carry out the functions formerly assigned to (a) Welfare Administration (which included the Children's Bureau, Bureau of Family Services, Cuban Refugee Program, and other units); (b) the Vocational Rehabilitation Administration; (c) the Administration on Aging; and (d) the Mental Retardation Division of the Bureau af Health Services, PHS. Therefore, the group of activities which follows relates to all of the activities of the units now comprising the new Social and Rehabilitation Service. The data below are presented for the several appropriation items in which expenditures for health related activities are significant.

Grants to States for Public Assistance (Payments to Medical Vendors): $2,118,300,000.

Last year: $1,686,900,000.

Public Law 89-97, the Social Security Amendments of 1965, permits states to continue to make payments to medical vendors under the present categories of public assistance or under title XIX for all recipients of money payments and for the medically indigent. The law also permits federal financial participation in payments for aged persons in institutions for mental illness or tuberculosis. The estimate of expenditures from federal, state, and local funds for fiscal 1969 is $5,081,500,000 for medical assistance programs under title XIX, and $241,500,000 under the other programs. The estimated federal share, including administrative costs, of these programs amounts to $2,118,300,000.

Children's Bureau: $265,400,000.

Last year: $235,600,000.

The Children's Bureau, Social and Rehabilitation Service, administers grants for maternal and child health and child welfare to states and to public and private nonprofit institutions and organizations. In 1969, $265,400,000 is appropriated for this purpose, $209,200,000 of which is for support of maternal and child health services authorized under the Child Health Act of 1967. The programs involved include formula grants for maternal and child health services and crippled children's services; special project grants for maternity and infant care, family planning, and comprehensive health care of children and youth; research in maternal and child health and crippled children's services; and training for health care of mothers and children. The elements of the increase over 1968 provide for initiation of a new program of family planning services, and for expansion of early casefinding, diagnosis and treatment of crippled children. The federal costs of administering these programs and for providing consultation and advice to state and local agencies is included as part of the total Social and Rehabilitation Service operating expenses appropriation and is not separately identified.

Rehabilitation Services Administration: $152,937,000.

Last year: $125,838,000.

Rehabilitation Activities: $108,697,000.

Last year: $82,476,000.

Grants to states are provided for: (a) support of basic rehabilitation services, including medical examinations, surgical and therapeutic treatment, hospitalization, prostheses, occupational tools and aids, vending stands, rehabilitation facilities, vocational training, and funds for maintenance, $345,900,000; (b) the innovation of rehabilitation services, $3,200,000; (c) the expansion of vocational rehabilitation services, $8,000,000; (d) project development, construction and initial staffing, $1,890,000; and (e) facility improvement, $10,000,000. Of the funds available under (a) above, approximately $103,770,000 will be used for medical rehabilitation; about $960,000 of the funds appropriated under (b) above will provide for innovating new methods or techniques for medical rehabilitation services; about $2,400,000 of funds authorized under (c) above will be available for the expansion of medical and health related rehabilitation services. In addition, about $567,000 of the funds available under (d) above will be used for project development, construction and initial staffing of rehabilitation facilities which incorporate medical and health related activities; and $1,000,000 of the funds appropriated under (e) above will provide for improving the health related activities of rehabilitation facilities.

Rehabilitation Research, Demonstrations and Training: $35,640,000.

Last year: $34,800,000.

The appropriation for Rehabilitation Research and Training includes (a) support of research and demonstration projects which hold promise of making a contribution to the solutions of vocational problems common to all or several states, $21,325,000; (b) for special centers for research and training in rehabilitation at universities for clinical research and teaching in the several disciplines of rehabilitation, $10,275,000; (c) for domestic support for the International Rehabilitation Research and Training program, $100,000; and (d) for the support of a national center to provide services needed to rehabilitate handicapped individuals who are both deaf and blind, to provide training of needed professional and allied personnel, and to conduct research in the problems of rehabilitating the deaf-blind, $600,000. Nearly all the funds in (a) and (c) are authorized for medical-health related activities. Approximately $8,150,000 of the funds under (b) provide support for the medical activities of the Special Centers Program; and about one-half of the funds under (d) will be used for medical-health related activities. The balance of funds under this appropriation are for the training of professional personnel in the field of rehabilitation of the physically or mentally handicapped. This latter activity is covered in the comments of the Rehabilitation Service Administration which administers the training program.

Training Activities: $8,600,000.

Last year: $8,562,000.

The training activities under the rehabilitation research and training appropriation provide for training of rehabilitation personnel, including physicians, therapists, psychologists, counselors, and medical and psychiatric social workers, $31,700,000. About $8,600,000 of the funds available are used for teaching grants and traineeships in medicine and related health fields.

Mental Retardation Activities: $32,556,000.

Last year: $27,098,000.

This appropriation provides $126,000 in research grants to support appropriate research activities designed to discover new techniques and develop new knowledge, and to gather information which will increase the efficiency of services for the mentally retarded. Grants are also awarded to states' residential institutions for in-service training and innovation projects which provide opportunities for improving the quality of care for the mentally retarded. These funds are used to assist states' residential institutions in improving service and treatment for the mentally retarded. The amount available in 1969 for this purpose is $8,972,000.

The appropriation also provides $6,000,000 in formula grants to states for supporting construction, acquisition, expansion, remodeling, replacement, and initial equipping of facilities receiving federal aid under this program. These facilities furnish a full range of inpatient and outpatient services for the diagnosis, training, treatment and care of the mentally retarded. $8,358,000 is available in 1969 for the initial staffing of community service facilities. These funds are available to assist in the initial staffing of new community mental retardation facilities and new services in existing facilities.

The appropriation also provides $9,100,000 for construction of university-affiliated facilities. This program provides assistance in the planning and construction of public or other non-profit clinical facilities for the mentally retarded which are associated with a college, university or an affiliated hospital. These facilities will provide physicians and other nonprofessional personnel with specialized training and will utilize a full range of inpatient and outpatient clinical services to demonstrate the advantages of specialized services for diagnosis and treatment, education, and care for the mentally retarded and those with associated handicaps, and to support related research activities.

Social & Rehabilitation Activities Overseas: $5,000,000.

Last year: $5,000,000.

This appropriation provides for the purchase from the Treasury, of U.S.-owned local currencies of foreign countries for the conduct of research and training in rehabilitation, aging, and other SRS activities in those countries under the provisions of the Agricultural Trade Development and Assistance Act of 1954 (P.L. 480), as amended, and the International Health Research Act of 1960 (P.L. 86–610). This program is administered by the Office of Research, Demonstrations and Training of the SRS.

Assistance to Refugees in the United States: $4,853,000.

Last year: $4,175,000.

Under authority contained in P.L. 87–510, medical care and hospital care for acute illnesses are provided needy Cuban refugees registered in the Refugee Emergency Center in Miami, Florida.

Assistance for Repatriated U.S. Nationals: $419,500.

Last year: $381,000.

The Secretary of HEW is authorized to provide temporary care, including hospitalization at St. Elizabeths Hospital, Washington, D.C., or at any other appropriate Federal or nonfederal hospital, for American nationals adjudged insane or otherwise found mentally ill in foreign countries. The amounts included above for this purpose are $342,300 for 1968 and $372,500 for 1969.

The Social Security Act authorizes temporary assistance to U.S. citizens and their dependents who return to this country because of destitution, illness, or international crises and who are without available resources. Estimated Federal funds expended for medical costs for this group, included in the above estimates, are $38,700 for 1968 and $47,000 for 1969.

Freedmen's Hospital: $8,739,000.

Last year: $6,700,000.

This institution, with an average patient load of 352 plus 33 newborns in 1968, is a medical teaching facility and a general hospital operated under the supervision of Howard University. Its patients are chiefly from the District of Columbia and the adjoining areas. The hospital is utilized for training of medical students, interns and residents, many of whom are graduates of Howard University, and it has a nurses' training school. Total operation expenses in fiscal year 1969 are estimated at $12,630,000, of which approximately $4,000,000 will be obtained as reimbursements from payments received from patients, the District of Columbia, and counties surrounding Washington which utilize these facilities for welfare patients.

U.S. Office of Education: $5,000,000.

Last year: $5,000,000.

The Office of Education administers a program of federal aid to state Boards of Vocational Education for the purpose of expanding, improving, and operating both practical nurse education and training for other similar health occupations. During the current fiscal year, $5,000,000 in federal money was allocated to the states for use on a matching basis. Expenditure of these funds is limited to costs of instruction, equipment and supplies, guidance services, supervision, studies, teacher education, program promotion, and selected administrative costs. In addition to the above amounts, unspecified amounts of money are available under other appropriations for vocational education (the George-Barden Act and P.L. 88–210, the Vocational Education Act of 1963). The latter are authorized for use in the broad range of vocational education porgrams and may be used for practical nurse education as well as training for other health occupations that are supportive to the medical, dental, and nursing professions.

Howard University: $4,704,000.

Last year: $4,331,000.

This University is jointly supported by Congressional appropriations and private funds and offers instruction in ten schools and colleges, including the colleges of medicine, dentistry, and pharmacy. The Federal contribution for direct current operations in these colleges is estimated to be $4,704,000 for 1969. This represents approximately 26% of the University's appropriation for salaries and general expenses.

Th entire student body of the University for 1968–1969 is expected to exceed 11,000. There are 410 students in the College of Medicine, 357 in the College of Dentistry, and 215 in the College of Pharmacy, for fall semester of 1968.

Federal Surplus Property Donation Program: $130,460.

Last year: $127,380.

The Department of HEW administers a program of disposal of federal surplus real and personal property for public health purposes, including research. Surplus personal property is donated through state agencies to tax-supported and private nonprofit medical institutions, hospitals, clinics, and health centers. Surplus personal property is donated at no cost to the recipient other than the handling costs involved. Surplus real property is conveyed at market value against which a public benefit allowance discount is applied, based on the benefits accrued or to be accrued to the nation from the use of the property. The amounts of such allowances range from 50% to 100% of fair market value, and are earned over the normal 30-year period of deed restrictions. Last year, personal property costing approximately $24,703,000 at the time of acquisition, and real property costing approximately $11,244,000 were transferred for health purposes. It is expected that the level of donations and transfers for fiscal 1969 will be approximately the same as for 1968.

Federal funds for the Federal surplus property program are only appropriated to defray the direct Federal administrative expenses of operations of the surplus property program. It is estimated that of the $1,186,000 authorized for this use in 1969, approximately $130,460 will be utilized for the distribution of surplus property for health-related purposes.

DEPARTMENT OF DEFENSE

(This year: $1,744,026,000; last year: $1,646,069,000.)

Figures for the Department of Defense are estimates. Appropriations are not broken down into detailed categories of activities.

The reader is cautioned against using the reported appropriation figures as a yardstick for comparing the activities of the three services. Differing assigned missions, organization, and bookkeeping systems make it impossible to obtain total figures for all medical services. For example, the amounts contained in this report for the Navy Medical Service cover only services and facilities under the direct control of the Bureau of Medicine and Surgery. The operational expenses of station hospitals and shipboard facilities are carried on the budget of the individual naval station or ship.

It must also be understood that funds appropriated for construction may not be totally obligated during the fiscal year.

Army Medical Department: $821,200,000.

Last year: $751,100,000.

The Army expects to operate 104 hospital and other medical facilities throughout the world, with an expected daily patient load of 24,651. To operate these hospitals, the Army had, as of June 30, 1968, 6,365 physicians, of whom approximately 125 were civilians; and 7,214 nurses, 2,343 of whom were civilians. To meet the expenses of its medical activities, the Army expects to expend in fiscal year 1969, $938,500,000.

According to the Office of the Surgeon General, the following amounts, including reimbursements, rounded to the nearest 100 thousand dollars will be expended:

Hospitalization in Army hospitals	$319,700,000
Dependents' medical care	168,000,000
Outpatient care in Army facilities	174,900,000
Training and other miscellaneous activities	107,400,000
Dental care in Army facilities	66,100,000
Research	63,400,000
Construction	39,000,000

Approximately $117,300,000 of reimbursable activities are included in the figures listed above. For example, although $168,000,000 is shown for the care of military dependents in civilian hospitals under the Civilian Health and Medical Care Program for the Uniformed Services, only $77,100,000 is for the medical care of Army dependents. The remainder of $90,400,000 is for civilian services provided to dependents of the other military services on a reimbursable basis. This reimbursable amount is included since the Department of the Army is the Executive Agent for the Champus Program.

Air Force Medical Service: $522,397,000.

Last year: $506,060,000.

The Department of the Air Force estimates that in fiscal year 1969 it will spend $522,397,000 for the medical services it will provide on a worldwide basis to all tactical, strategic, air defense and other commands and separate activities. Service will include hospitalization, outpatient care, dental care, military public health, and occupational medicine, bio-environmental engineering, aerospace medicine, veterinary medicine, physiological training (including altitude chamber operations and pressure suit fittings), the operation of epidemiological flights, and aeromedical evacuation (including necessary casualty staging units) for all the services.

The Air Force will operate 193 hospitals and dispensaries with a total capacity of 10,717 operating beds. Anticipated workload during the fiscal period is 8,727 average daily occupied beds and a total of 18,399,000 outpatient clinic visits.

Approximately 12,284 officers and 29,869 enlisted personnel will be used to perform the total medical mission. Included in the officer strength will be 3,667 physicians and 4,050 registered nurses. The remaining officers include dentists, veterinarians, administrators, optometrists, pharmacists, etc.

The costs outlined below represent the estimated total cost of operating the Air Force medical service during fiscal year 1969, including military salaries and payments to other agencies for care provided to active duty and retired personnel of the Air Force.

Operation of hospitals, dispensaries, dental clinics, and other miscellaneous activities	$461, 820, 000
Dependent medical care in civilian hospitals	38, 649, 000
Construction	11, 302, 000
Medical care in non-Air Force hospitals	3, 954, 000
Medical education and training	4, 130, 000
Medical administration	2, 442, 000
Medical research	100, 000
Total	522, 397, 000

Navy Medical Service: $400,195,000.

Last year: $387,111,000.

In 1969, the Navy will operate the following facilities:

Medical centers [1]	3
Dental centers [1]	1
U.S. Naval hospitals [1]—continental	30
U.S. Naval hospitals [1]—extra continental	7
Medical research activities [1]	11
Preventive medicine units [1]	4
Disease vector control centers [1]	2
U.S. Naval dispensaries [1]	4
U.S. Naval dental clinics [1]	11
Hospital ships	2
Selected dispensaries (with beds)	76
Selected dispensaries (without beds)	117
Shipboard facilities	932

[1] Under command of the Surgeon General.

During fiscal 1969, the Navy estimates that it will operate, on a daily average, 19,259 beds. The daily average occupied beds at naval hospitals and medical centers is expected to be 14,298. The daily average of patients in other medical facilities is estimated as follows: other military or federal, 2,095; civilian hospitals, 2,074.

To carry out its operations, not including the costs applicable to the operation of medical facilities not under the command of the Surgeon General, the Navy estimates that its expenditures in 1969 will be $400,195,000 broken down as follows:

Military pay	[1] $142, 027, 000
Operation of BuMed activities	[1] 118, 124, 000
Medical care—non-Naval facilities	9, 740, 000
Medicare	63, 867, 000
Care of the dead	8, 761, 000
New construction	[2] 23, 099, 000
Alterations or renovations	1, 148, 000
Research	18, 850, 000
Other costs	14, 579, 000

[1] Variance in funds from previous year results from organization and funding realignments within the Navy.

[2] Includes funds for two naval hospitals and five other medical and/or support facilities.

Office of Civil Defense: $412,000.

Last year: $1,695,000.

In fiscal 1969, the Office of Civil Defense plans to utilize Federal funds in the approximate amounts of $102,000 for its Medical Self-Help Training Program, under which training is designed to enable a person to meet emergency health needs if professional medical care is unavailable for prolonged periods; and $310,000 for Emergency Medical Research, which involves research in the fields of emergency health problems and postattack medical, health, and welfare operations.

Office of Deputy Assistant Secretary of Defense (Health & Medical): $132,000.

Last year: $103,000.

This office is responsible for the broad planning and coordination of the medical and health programs of the Defense Department, the integration of the activities of the three military medical services, and the development of the medical policies for the Defense Department. The office also operates certain aspects of the service recruitment programs for professional personnel, including the Berry Plan.

The above sum does not include salaries for the eight medical service officers and one enlisted man who are assigned to the office, whose pay is budgeted for by their respective military departments.

VETERANS' ADMINISTRATION

(This year: $1,542,962,000; last year: $1,479,342,000.)

Medical Care: $1,466,453,000.

Last year: $1,361,592,000.

This appropriation funds the operating costs of all medical care programs conducted by the VA other than agency level administration costs and research activities. It includes the costs of operating 166 hospitals, 63 nursing home units, 16 domiciliaries, 18 restoration centers, outpatient clinics located in each hospital, plus 39 clinics or subclinics not located in a hospital setting. It also includes the costs related to the inpatient care of veterans in non-VA hospitals and nursing care beds, domiciliary care provided eligible veterans in state veterans homes, and fees to physicians and dentists who are not VA employees for care and treatment provided under a home-town care program. It is estimated that a total of 855,200 beneficiaries will be provided inpatient care in fiscal year 1969. In addition, funds are provided for training of medical residents and other professional, paramedical and administrative personnel in health-science fields.

The appropriation does not limit the distribution of funds among the major activities financed thereunder. The costs reflected under the funded activities represent estimates of how the appropriation will be distributed in fiscal 1969.

Inpatient Care in VA Hospitals: $1,178,952,000.

Last year: $1,093,212,000.

VA's largest medical care expenditure covers inpatient care provided in 166 VA hospitals. In fiscal year 1969, it is estimated that a daily average of 107,305 hospital beds will be operated to care for an average daily patient load of 93,700—an occupancy rate of 87%—providing treatment for 767,000 beneficiaries. Costs include the salaries of physicians, dentists, and other personnel needed to operate the hospitals. Also included are the costs of operating 4,000 nursing care beds providing care for an average daily load of 3,815 in VA facilities with 6,700 beneficiaries treated.

Outpatient Care: $188,321,000.

Last year: $182,195,000.

The bulk of these costs is for care and treatment provided on an outpatient basis to eligible veterans by clinics located within and outside of a VA hospital setting. $13,833,000 is planned for fees to physicians and dentists who are not VA employees for services provided under the home-town care program. Total outpatient medical visits are estimated to be 6,743,000 in 1969.

Domiciliary Care: $49,600,000.

Last year: $42,677,000.

Domiciliary and restoration care is provided in VA facilities for about 13,444 veterans who, while incapacitated for employment, are not in need of full-time hospital or nursing care. VA also makes payment to 34 state veterans' homes for both domiciliary and nursing care with an estimated daily load of 9,660. These payments are expected to amount to approximately $13,773,000 in fiscal year 1969.

Contract Hospitalization and Nursing Home Care: $33,120,000.

Last year: $28,320,000.

These costs cover inpatient care provided eligible veterans in non-VA hospitals. It is estimated that an average of 1,750 patients will be cared for daily in non-VA hospitals, and an average of 3,300 patients will be provided nursing home care in community facilities, on a contractual basis in fiscal 1969. The patient load in other federal hospitals is estimated at 452 and in non-federal hospitals, at 1,298.

Miscellaneous Benefits and Services: $16,460,000.

Last year: $15,188,000.

Included in this heading are expenses not directly connected with medical care and treatment of patients, such as travel costs of beneficiaries, operation of personnel quarters, services provided other governmental units on a non-reimbursable basis, and maintenance and operation of cemeteries.

Construction of Hospitals and Domiciliaries: $7,926,000.

Last year: $52,600,000.

These funds are for the construction, replacement and relocation of hospitals and modernization, alterations, or additions for existing VA hospitals, domiciliaries, and other facilities.

Medical Research: $48,018,000.

Last year: $45,850,000.

These funds are for research, mostly in VA hospitals. The appropriation may be broken down as follows: general medical and surgical research, $29,018,000; neuropsychiatric, $6,000,000; atomic medical research, $5,000,000; basic science, $4,600,000; prosthetics testing, $1,400,000; and other, $2,000,000.

Medical Administration: $11,667,000.

Last year: $10,946,000.

This appropriation covers the expense of over-all administration and direction of medical care and research programs by Washington Central Office staff.

Construction of State Nursing Homes: $4,000,000.

Last year: $4,000,000.

The fourth appropriation of matching funds for the construction of state nursing homes for war veterans under P.L. 88–450, enacted on August 19, 1964. P.L. 90–432, dated July 26, 1968, extended the authority from 5 to 10 years.

Post Graduate and Inservice Training: $2,148,000.

Last year: $2,091,000.

These funds cover the costs, other than salaries, related to educational assignments for physicians, including residents, and other employees in VA hospitals and clinics. These activities are conducted both in and outside VA facilities. Included as costs are tuition charges, travel, lecturers' fees, and training materials and devices.

Medical Care—Philippine Veterans: $1,776,000.

Last year: $1,325,000.

This sum is used to reimburse the Philippine Government for the cost of hospitalization for eligible veterans of the Commonwealth Army and new Philippine Scouts. The program was expanded and extended for another five years through June 1973 by P.L. 89–612, approved on September 30, 1966.

Exchange of Medical Information: $974,000.

Last year: $938,000.

The second appropriation, authorized by P.L. 89–785, approved on November 7, 1966, provides for programs for exchange of the most advanced medical and other scientific information and techniques between the VA, medical schools, research centers, and other appropriate members of the medical-scientific community, with particular emphasis at the non-affiliated VA hospitals.

DEPARTMENT OF THE INTERIOR

(This year: $315,504,000, last year: $307,940,000.)

Federal Water Pollution Control Administration: $302,838,000.

Last year: $295,800,000.

This group of activities includes those previously carried under the Department of Health, Education, and Welfare appropriations. Reorganization Plan No. 2 (February 28, 1966) transferred the Federal Water Pollution Control Administration to the Department of the Interior.

Construction Grants for Waste Treatment Works: $214,000,000.

Last year: $203,000,000.

The Federal Government makes grants for the construction of waste treatment plants. The annual authorization was increased by the Water Quality Act of 1965 (P.L. 89-234) and again by the Clean Water Restoration Act of 1966 (P.L. 89-753).

Water Supply and Water Pollution Control: $88,838,000.

Last year: $92,800,000.

Grants and contracts account for 56.2% of this appropriation request. These include: $6,500,000 for research grants; $4,000,000 for fellowships and training grants; $6,000,000 for storm and combined sewers; $5,200,000 for advanced waste treatment; $10,000,000 for industrial waste treatment; $1,250,000 for comprehensive basin planning; $2,500,000 for demonstration grants; $10,000,000 for control program grants to state and interstate agencies; and $4,504,000 for research contracts. The balance of funds finances development of comprehensive river basin water pollution control programs; basic and applied research; establishment of water quality standards, including review of state-proposed standards and provision of consultation and guidelines to the states; enforcement of water pollution control legislation; collection and dissemination of basic data; field studies of water quality problems; and technical assistance to other agencies.

Bureau of Mines: $11,028,000.

Last year: $10,580,000.

With respect to health and safety, the Bureau has the responsibility of inspecting all coal mines, as well as metal and nonmetallic mines, and of reporting on observed hazards with appropriate corrective recommendations. It also conducts investigations of all serious accidents, and makes recommendations to reduce working hazards, to safeguard the health of workers, and to promote efficiency in the mineral industries. The Bureau encourages accident prevention education through safety organizations, exhibits, safety film production, demonstrations, instructions in accident prevention, and first aid and mine rescue methods. These activities account for $8,820,000 of the Bureau's appropriation.

The Bureau will also spend $2,208,000 in health and safety research into improving electrical and diesel equipment to counteract health hazards of the mineral industries; establishing a more scientific basis for roof control, including prevention of "bumps" or rock bursts; studying high volume mine transportation systems to prevent hazardous practices; improving mine ventilation generally and aiding the mining industry in solving difficult ventilation problems; and preventing dust explosions and mine fires by applying new concepts on dust binding, rock dusting, and controlling float-dust transport.

Geoolgical Survey: $1,070,000.

Last year: $992,000.

The primary objective of the Geological Survey is the assessment of the nation's mineral resources, including water. Research projects are in support of this objective and any relation to medical or health research is incidental. However, the Survey does conduct some projects in the physical and biological sciences that are health related. Water resources research projects include determination of the occurrence and distribution in water of minor elements and radioactive materials and studies of the behavior of detergents, pesticides, and other pollutants, including radioactive wastes, where released into the soil-moisture environment of natural water systems. The Survey's geological research projects in health-related programs are chiefly for study of the geology and geochemistry of selected areas and substances (such as humates), and in connection with geobotanical exploration (study of trace elements in plants) techniques to study the geochemical variations in plants and soils to (1) correlate with areas of incidence of certain human diseases or with other health problems, and (2) determine the effects of the nutrition of plants and animals.

Bureau of Commercial Fisheries: $568,000.

Last year: $568,000.

This Bureau conducts research projects to determine the possible medical- and health-related implications of fish oils, botulism and processing techniques as applied to fishery products and nutritional studies. Included are the following studies: (1) oxidative deterioration of fish and fishery products, including related nutritional aspects; (2) fractional distillation of extracted fish oil for medical research purposes: (3) nutritional value of fish protein concentrate; (4) engineering studies to improve the processing methods of fish protein concentrates; (5) pesticide residues in fish and shellfish; (6) botulism studies; and (7) new processing techniques.

DEPARTMENT OF STATE

(This year $242,712,744; last year: $268,999,545.)

Agency for International Development: $204,900,000.

Last year: $223,232,000.

Priority bilateral technical activities of AID are to assist in expanding food production and in lowering birth rates in the developing nations. The Agency, through cooperatively financed programs, is helping more than forty countries at their request to develop voluntary family planning programs, to reduce nutritional deficiencies, to control and eradicate diseases, and to provide other activities that will improve health and living conditions. Other programs in health care are carried out by the State Department itself or through multilateral organizations such as the United Nations. The above figures, estimated for fiscal 1969, will be allocated as follows:

Population and Family Planning: $48,500,000.

Last year: $35,100,000.

Assistance is provided to develop voluntary family planning programs involving a range of activities from the demographic to clinical aspects.

U.S. Operations Mission, Vietnam: $31,900,000.

Last year: $45,500,000.

These funds represent costs of civilian medical care programs in hospitals and health centers and clinics in Vietnam. The AMA is assisting in the recruitment of private physicians and surgeons and the Armed Services are supplying well-qualified surgeons and medical supplies and the continual improvement of the hospitals and facilities. Medical and surgical teams from other countries are being given logistical support.

Malaria Eradication: $20,386,000.

Last year: $31,016,000.

This long-term program, which AID helps to support, has protected 870 million people worldwide.

Other Cooperative Health Programs: $104,114,000.

Last year: $111,616,000.

These funds support a wide range of continuing health and medical-related activities, including food fortification and additives programs aimed at reaching the pre-school child; the provision of adequate and safe drinking water and sewage disposal systems; campaigns to control measles and eradicate smallpox; the development of health manpower through training programs both locally, in the U.S., and third countries; the strengthening of health institutions and assistance to Ministries of Health in planning health programs. In addition, funds are used in carrying out applied research in health.

World Health Organization (WHO): $18,075,620.

Last year: $16,771,345.

The amounts shown above represent U.S. contributions (31.2%) to the WHO regular budgets for calendar years 1968 and 1967, respectively. WHO acts as a coordinating authority on international public health work; helps to build national health services; stimulates and works with governments on programs to eradicate epidemic and other widespread diseases; promotes activities in the improvement of nutrition, environmental sanitation, maternal and child care, and mental health; promotes and encourages research in the field of health; assists governments in setting up or reorganizing the structures of their health services; works for the standardization of diagnostic procedures; promotes the adoption of international standards with respect to food, biological and pharmaceutical products; furnishes advice and direct aid to governments in emergencies; and provides fellowships and training services for public health work.

United Nations Children's Fund (UNICEF): $8,000,000.

Last year: $7,700,000.

UNICEF assists governments in underdeveloped areas of the world in establishing and carrying out long-range health, nutrition and welfare programs for children and mothers. Assistance which UNICEF, with the technical guidance of the specialized agencies of the United Nations, makes available to governments includes six main categories: health services, family and child welfare services, disease control, nutrition, emergency aid, and vocational training. Shown above is the proportionate part of the U.S. contribution which is estimated will be used by UNICEF for program activities in the fields of health and nutrition, plus an appropriate share of UNICEF's expenditures for administration and freight.

Pan American Health Organization (PAHO): $6,550,124.

Last year: $5,887,700.

The amounts shown above represent U.S. contributions (66.0%) to the PAHO regular budgets for calendar years 1968 and 1967, respectively. PAHO's functions and objectives include a continuing attack on disease at its sources in order to reduce or eliminate danger of transmission of disease and disease vectors in the Americas; reduction or elimination of the necessity of costly quarantines; stimulation and support of national health authorities in their efforts to control disease, including assistance in connection with planning and operation of special health projects; and participation in and promotion of prompt reporting of existence of quarantinable disease.

United Nations Development Program (UNDP): Figures not available.

Last year: $5,200,000.

UNDP assists in the economic development of the less developed countries, including health projects for which WHO and PAHO act as implementing agencies. Shown above is the proportionate part of the U.S. contribution from fiscal 1968 funds which is estimated will be used by UNDP for health activities.

U.N. Relief and Works Agency for Palestine Refugees: Figures not available.

Last year: $3,700,000.

UNRWA provides relief services for Palestine refugees, including food, health and welfare services. It also provides education and training for refugee children, to assist them in becoming self-sustaining and part of the regular economic life of the region. Shown above is the proportionate share of the U.S. contribution from fiscal year 1968 funds which is estimated will be used by UNRWA for health activities.

U.N. Technical & Operational Assistance to the Congo: Figures not available.

Last year: $1,100,000.

The United Nations administers a special program of assistance to the Government of the Congo (Kinshasa) for the maintenance of essential public services such as health, education, communications and banking through the provision of technical advisors and operational personnel. Shown above is the proportionate part of the U.S. contribution from fiscal 1968 funds which is estimated will be used by the U.N. for health activities.

Special Contribution for U.N. Assistance to Vietnam: Figures not available.

Last year: $1,000,000.

The amount shown above represents the U.S. contribution from fiscal 1968 funds to the World Health Organization for assistance in the establishment of a National Public Health Institute in Vietnam.

United Nations Population Program: Figures not available.

Last year: $500,000.

The amount shown above represents the U.S. contribution to the United Nations Secretary General's Trust Fund for Population. The contribution will help finance costs of (1 population advisors to be stationed at regional offices to assist countries in identifying and preparing action project requests in the population and family planning field, and (2) a training program for U.N. field advisors in population and family planning to be administered by the Secretary General's staff in cooperation with the U.N. Institute for Training and Research (UNITAR).

International Agency for Research on Cancer: Figures not available.

Last year: $150,000.

The amount shown above represents the U.S. contribution (11.1%) to the Agency for calendar year 1968. In 1965, the World Health Assembly established the International Agency for Research on Cancer to accelerate efforts to control cancer through International cooperation in cancer research. The Agency is located at Lyons, France.

Health Program for Overseas Employees: $4,700,000.

Last year: $1,900,800.

In fiscal year 1969, the Department of State will expend an estimated $4,700,000 for its over-all health program for its employees. Included in this sum is the direct cost of providing examination and inoculation services and certain medical travel and hosptalization for the Department's 6,209 employees and their 9,313 dependents.

This sum also includes the over-all cost of administering a centralized program which serves 11,045 overseas employees and 19,116 dependents of forty other government agencies which also participate in the medical program, e.g.: The Agency for International Development, United States Information Agency, the Arms Control Disarmament Agency, and others. Each of these agencies pay directly the cost of medical travel and hospitalization for their respective overseas staff members and their dependents.

The above estimate does not include the direct salary and overseas allowance costs of doctors, nurses, technicians, and administrative support staff since these costs are paid from the general salary rather than the medical program allotment.

U.S. Refugee Programs: $487,000.

Last year: $558,500.

Under the provisions of the Migration and Refugee Assistance Act of 1962 (P.L. 87–510) the U.S. makes contracts with private agencies for various types of care for escapees or refugees. The program operates in Europe, the Middle East, South Asia, and the Far East, with medical care being provided through American voluntary welfare agencies. During the calendar year 1968, expenditures for medical care in Europe amounted to approximately $23,000. These funds were used for medical care as part of the care and maintenance of refugees from the U.S.S.R. and Eastern Europe, and for medical examinations required for aliens to obtain visas for permanent settlement in other countries. For Chinese refugees in Hong Kong and Macao, the amount is approximately $464,000. These funds include payment for the services of physicians and nurses, provision of medical supplies, rehabilitation of handicapped children and the blind, purchase of ambulances, and participation in the construction of hospitals and clinics in refugee communities. Assistance has also been given for the rehabilitation of TB convalescents.

FEDERAL EMPLOYEES HEALTH INSURANCE PROGRAMS

(This year: $242,220,000; last year: $233,647,500.)

Health Insurance for Federal Employees: $231,743,000.

Last year: $222,878,500.

Under the terms of Public Laws 86–382 and 89–504, the Federal agencies, as employers, are authorized to provide health insurance benefits for their employees who are active or who retired on or after the effective date of the laws, and for their dependents. The employee has the right to select one of the following types of insurance plans: service benefits such as offered by Blue Cross-Blue Shield; an indemnity program offered by commercial insurance companies; programs offered by employee organizations; or comprehensive health plans like HIP. Under the law, the Federal Government will contribute a specific amount, depending on the employee's marital status. 2,526,500 employees have elected to participate in the program. Over 5,290,500 of their dependents will also be covered.

For fiscal year 1969, total subscription charges under the program are expected to approximate $780,389,000, with the Federal Government contributing approximately $231,743,000. While the law authorized a high and low option under both the service and indemnity plans, it anticipated that there would be at least one low option to which the Government would contribute 50% of the cost. If the employee selected one of the other higher priced options, he would still receive the same dollar contribution but would have to pay the difference. 85% of the employees selected the high option. Approximately 57.8% are enrolled in the service benefit plan, 21.4% in the indemnity benefit benefit plan, 14.4% in the employee organization plans, 4.8% in the group practice plans, and 1.6% in the individual practice plans.

Health Insurance for Retired Federal Employees: $10,477,000.

Last year: $10,769,000.

Under the terms of Public Law 86–724, Federal agencies, as employers, are authorized to provide health insurance benefits for certain qualified retired employees and their dependents or survivors who are not covered under the program authorized by Public Law 86–382 above. Under the law, the retired employee has the right to choose to participate in a single Government-wide plan which is underwritten by commercial insurance under a contract with the Government, or to receive protection under a qualified private plan of his own selection. Under the Government-wide plan, the retired employee may elect to subscribe for basic coverage only; for major medical coverage only, or for both. The Government's monthly contribution ($3.50 for a single annuitant, $7.00 for an annuitant with a dependent) for any participant—in the Government-wide plan or in any private plan—is equivalent to approximately 70% of the premium (as a result of a reduction in premiums made possible by the Medicare coverage) for basic coverage or for major medical coverage in the Government-wide plan. Those selecting the Government plan have their contribution deducted from their annuity. Those choosing a private plan have their annuity increased by amount of the Federal contribution.

Retired employees numbering 182,000 (of which 71,565 had dependents) were covered under the program as of June 30, 1968. Of the employees covered, 83,500 chose the Government plan; 98,500 purchased their own programs (Blue Cross-Blue Shield enrolled 62,475; employee organizations, 25,025; insurance companies, 7,350; and others, 3,650). The cost of the Federal Government's contributions is estimated at $10,477,000. It is not possible to estimate the total cost of the program because there is no way of ascertaining the cost of the insurance programs carried by annuitants who are purchasing their own insurance.

Since Public Law 86–724 provides coverage only for Federal employees who were retired at the time of its enactment, this program can be expected to become smaller with the passing of time.

DEPARTMENT OF AGRICULTURE

(This year: $183,793,000; last year: $159,173,000.)

Agricultural Research Service: $82,838,000.

Last year: $81,667,000.

The activities of this Service having medical and health-related significance are aimed towards learning how infectious diseases and harmful parasites of livestock and poultry are transmitted to man, the role of insects as vectors, and developing methods for their diagnosis, prevention, eradication, and control. Approximately 90 diseases of animals are transmissible to man, including brucellosis, leptospirosis, mycotic diseases, vesicular diseases, tuberculosis, swine erysipelas, worms and protozoa, leukosis, Newcastle, ornithosis, and salmonellosis.

Research is conducted to devise protective measures for decontamination and utilization of crops, animals, and soils affected by direct radiation or radioactive fallout to minimize their effects on the nation's supply of meat and other food products.

Research is also conducted on the use of pesticides to avoid the side hazards of pesticide residues in insects, crops, and livestock and on the effects of chemicals on crops, livestock and water. This research includes the following: toxicological and pathological effects of pesticides, feed additives, etc., on livestock as found in their feed and on crops; physical and chemical nature of plant viruses; effects of pesticides on the composition and nutritive value of the current food supply; biological and other methods of controlling stored-products insects, and development of nontoxic mothproofing treatments. Research is also conducted on new and improved growth promotants, as well as on farmstead water supply, waste disposal, health-related problems of tobacco, improving plant sources of protein, and deleterious molds and their control.

Human nutrition research is directed toward nutritive requirements of man; availability of nutrients in foods; metabolic response of man to various combinations of dietary proteins and fats; and discovering relationships between soils, plants, and animals to improve nutrition. Consumer and food economics research includes investigations of food consumption practices and the nutritive value of customary diets. Microbiological studies on textiles are also conducted.

Utilization research activities include development of methods for prevention of Salmonella contamination in milk; development of launderable shearlings for medical use; investigation of allergens in edible proteins; development of methods of estimating thermal history of meat products; studies on the removal or inactivation of aflatoxin in food products; maintenance of a culture collection for identification of cultures from medical sources and for screening microorganisms for production of antibiotics and vitamins; development of improved emulsion for intravenous feeding; and development of specialized methodology for obtaining characteristics and composition of fats from various tissues. This work also has included screening plant extracts for biological activity, such as for treatment of heart disease and cancer. The commercial development of penicillin came from Department research in the microorganism field.

Marketing research is directed towards minimizing deterioration and spoilage of farm commodities in marketing channels in order to provide the consumer with a more wholesome product. Research is conducted on the effects of various disease organisms on poultry and the effects of light on the identification of poultry diseases in connection with poultry inspection activities.

To carry out the above programs, $43,658,000 will be expended ($39,928,000 for the conduct of research and $3,730,000 for research facilities).

The Service also conducts preventive and community services, which include eradication of animal diseases, such as brucellosis and tuberculosis which are transmissible to man; prevention of the introduction of animal diseases from foreign countries which may affect man; the regulation of pesticides, which may be toxic to man; evaluation of pest control programs with special reference to environmental impact associated with control and eradication procedures; and monitoring pesticides in agriculture.

For the above program, $39,180,000 will be expended in fiscal 1969.

Consumer and Marketing Service: $92,908,000.

Last year: $69,730,000.

The programs financed from these funds for 1968 consisted of meat inspection ($48,423,000) and poultry inspection ($2,307,000). For fiscal 1969, $68,102,000 will be obligated for meat inspection; and $24,806,000 for poultry inspection. These services are performed as a protection to the health of consumers. They assure a clean and wholesome supply of meat and poultry through minute inspection in slaughter and processing plants of meat animals and their products, and poultry and its products. Any such products found to be diseased or otherwise unfit from human consumption are removed from channels of trade and destroyed.

In addition to the appropriated funds shown above, fees paid by plants for overtime work and by other users of the service are estimated for 1969 at $12,097,000 for meat inspection and $2,643,000 for poultry inspection.

Cooperative State Research Service: $8,047,000.

Last year: $7,776,000.

The Cooperative State Research Service administers a Federal grant program in support of agricultural research at the State Agricultural Experiment Stations. A number of activities in this program have a direct effect upon or are related to human health. Estimated expenditures for this work are $7,776,000 in 1968 and $8,047,000 in 1969.

These research activities include (1) veterinary research to learn how infectious diseases and parasites are transmitted and to develop methods of diagnosis, prevention and control of diseases, (2) dietary requirements of humans and human nutrition problems, (3) preservation of foods, (4) studies on plant diseases, particularly viruses, that help to provide a better understanding of the biology of human pathologens, (5) studies on nutritional physiological processes in animals that may be related to human health problems, (6) toxicology effects of agricultural chemicals, (7) pesticide residue research, (8) farm waste disposal and rural sanitation, (9) assaying microorganisms for production of antibiotics and vitamins, (10) fallout studies on forages and vegetables, and (11) air and water pollution.

OFFICE OF ECONOMIC OPPORTUNITY

(This year: $175,200,000; last year: $108.500,000.)

Community Action Programs: $162,200,000.

Last year: $95,100,000.

Community Action Programs include a variety of approaches for advancing the health of the poor through the broadscale participation of residents of poverty neighborhoods, concerned professionals and other community groups. These activities include Comprehensive Health Services Programs, family planning programs, Head Start health activities, narcotics programs, research and demonstration projects and other locally initiated health services.

Comprehensive Health Services: $90,000,000.

Last year: $33,200,000.

Neighborhood Health Centers and similar comprehensive services programs provide personal, high-quality, family-centered health care to residents of poverty neighborhoods. As of October 30, 1968, 47 centers had been funded; 38 were in partial or full operation. These programs are administered by such agencies as medical societies, medical schools, hospitals, nonprofit health organizations, and health departments. Neighborhood residents participate on the advisory boards and staffs of the centers.

Head Start Health Activities: $35,000,000.

Last year: $34,400,000.

Head Start provides medical and dental examinations, preventive services, treatment and follow-up for approximately 90% of the economically deprived children in the preschool age group it serves. About 700,000 children were served in 1968.

Emergency Food and Medical Services Programs: $16,900,000.

Last year: $10,400,000.

Initiated as a "National Emphasis" program in 1968 at the direction of Congress, this program provides on a temporary basis basic foodstuffs and medical services to counteract conditions of starvation or malnutrition among the poor. Projects in about 200 communiites were initiated in the first six months of operation.

Family Planning Programs: $13,000,000.

Last year: $10,000,000.

The OEO legislation in 1967 gave family planning a higher priority by making it a new "National Emphasis" program. By the middle of 1968. OEO was assisting over 160 family planning projects, designed to serve over 200,000 women. Sponsored by such health-related bodies as planned parenthood groups, medical associations, and health departments, these projects provide family planning information and services to the poor, in cooperation with other local agencies and resources. The program also supports the training and employment of indigenous workers in these projects.

The special conditions governing this program insure that participation is completely voluntary, that a comprehensive choice of family planning methods is offered, that the highest medical standards are maintained, that the program conforms with state and local laws, and that project funds are exclusively used to serve low-income persons who are residents of the area served by the Community Action Agency.

Other Community Health Programs: $5,600,000.

Last year: $5,400,000.

Many local Community Action Agencies allocate some of the "versatile" funds to other health projects. These activities include screening and diagnostic activities, medical and dental care, health education and environmental health services.

Research and Demonstration Programs: $1,700,000.

Last year: $1,700,000.

Research and demonstration projects have been primarily concerned with developing new approaches to health services and new health careers for the poor. A major demonstration project was conducted to train the older poor as home health aides. Other projects are concerned with such problems as the treatment and rehabilitation of alcoholics, new methods of increasing the acceptability of family planning services, and the improvements of training techniques and career mobility of new workers in the health field.

Narcotics Program: 0.

Last year: 0.

OEO in fiscal year 1967 provided $9,400,000 for development of eight new community-based programs for the rehabilitation of hard-core heroin addicts among the poor. When these funds, now extending into fiscal 1969, have been expended, it is anticipated that funding for these programs will be maintained by other Federal, state and local resources.

Job Corps Health Activities: $11,900,000.

Last year: $12,400,000.

Job Corpsmen and women receive diagnostic and treatment services. In addition, some have received training to work in hospitals and community health projects.

VISTA Health Activities: $1,100,000.

Last year: $1,000,000.

VISTA volunteers are given complete medical examinations and subsequently receive maintenance health care. A limited number of VISTA workers are assigned to health institutions.

DEPARTMENT OF COMMERCE

(This year: $125,028,100; last year, $105,166,500.)

(The actual total approved for EDA is $50,337,000.)

Economic Development Administration: $122,681,000.

Last year: $102,919,000.

The Economic Development Administration is authorized to participate through loans and grants in the construction of hospitals and other medical facilities, water and sewer systems and waste treatment plants. Such facilities are eligible for assistance only if they directly contribute to the economic development of a distressed area. It is not possible to estimate the total amount which EDA will approve in fiscal 1969 for health-related projects. As of November 30, 1968, the following amounts had been approved: $2,405,000 for hospitals and facilities; $4,636,000 for water and sewer systems; and $43,296,000 for waste treatment plants.

Also included in the total above are pending requests for the three categories. These requests have not been approved yet, and there will be more in fiscal 1969. The pending requests amount to: $8,948,000 for hospitals and facilities; $4,206,000 for water and sewer systems; and $59,190,000 for waste treatment plants.

National Bureau of Standards: $2,347,100.

Last year: $2,247,500.

The National Bureau of Standards will spend a total of $2,347,100 in fiscal year 1969 in performing tests and in development research on its own initiative and at the request of others. The Bureau will expend $727,100 of its own money this year as follows: Air pollution research, $273,000; audiometric calibrations research and instrument studies, $33,000; radiation research, $329,200; refrigeration studies, $10,000; special building features studies, $34,000; and visual environment studies, $47,900. In addition, the Bureau will receive $1,620,000 from other agencies, divided as follows: air pollution research, $324,700; audiometric calibrations research and instrument studies, $60,000; cancer research, $18,200; dental materials research, $289,000; neuropathology research,

$70,700; pharmacological research, $25,000; radiation research, $326,200; radio biology, $59,700; refrigeration studies, $133,000; and water pollution research, $313,500.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

(This year: $114,200,000; last year: $109,900,000.)

The National Aeronautics and Space Administration provides civilian control of aeronautic and space activities other than the development of weapons systems. NASA carries on its medical- and health-related activities through an "in-house" program and through research grants and contracts. The above sum will be expended in the following activities:

Bioscience (space biology): $38,400,000.

Last year: $46,700,000.

Bioscience is concerned with the search for extraterrestrial life and the effects of the space environment on terrestrial organisms. Of the above sum, $32,300,000 will be distributed through grants and contracts.

Aerospace Medicine: $48,700,000.

Last year: $37,200,000.

This field is concerned primarily with the training, safety, and health of crews before, during and following flight missions. Of the above sum, $43,600,000 will be distributed through grants and contracts.

Human Factor Systems: $26,600,000.

Last year: $25,400,000.

This field is concerned with providing the research and technology to qualify and support man for advanced aeronautical and space missions, and determining optional procedures for man's utilization in space as an observer, as a mechanic, and as a decision maker. Of the above sum, $17,800,000 will be distributed through grants and contracts.

Sustaining University Program—Research Grants: $500,000.

Last year: $600,000.

This program is concerned with improving the capabilities of the Nation's universities to conduct multidisciplinary research in space-related fields.

DEPARTMENT OF TRANSPORTATION

(This year: $97,680,000; last year: $52,644,631.)

National Highway Safety Bureau: $91,500,000.

Last year: $47,000,000.

With its mission of reducing accident deaths and injuries, the National Highway Safety Bureau has a major role in the Nation's health and medical program.

In addition to operating expenses, the Bureau allocates funds, grants-in-aid to state and local community highway safety programs, and contract research programs. For fiscal year 1969, the Bureau received appropriations totaling approximately $91,000,000, of which $65,000,000 was allocated to grants-in-aid to states, and $17,000,000 for research and development (including contract projects). The program structure of the Bureau is as follows: (1) the improvement of the safety performance of motor vehicles and motor vehicle equipment. Activities include issuance and enforcement of motor vehicle performance standards. Research relating to medical disciplines conducted in support of this program area is devoted to crashworthiness of vehicle structures, occupant protection in vehicle interiors, restraint systems, exterior configuration and pedestrian injury avoidance, driver vision and alertness factors and driver and passenger anthropometrics including human tolerance factors and anthropometric measurements; (2) assistance to state and local governments in expanding and improving their highway safety programs. This part of the program includes Federal grants-in-aid and technical assistance to the states, coupled with research, development, demonstrations, and other activities. Pertinent medical-health research and demonstrations in this program are primarily concerned with alcohol in relation to safety and emergency medical services; (3) used vehicle safety. In preparation for used vehicle safety standards yet to be issued, various research projects are underway, none of which are related to health or medicine; and (4) improvement of the process of highway accident investigation, vehicle damage and injury assessment, and information analysis. Health-medical research projects in this program area are medical-engineering field investigations, including accident pathology training.

Federal Aviation Administration: $6,180,000.

Last year: $5,644,631.

Funds included in the FAA appropriation this fiscal year for the aviation medical program are divided as follows: $2,168,000 for salaries and administrative expenses at Washington, D.C. and Oklahoma City to cover operation of a medical certification program for civil airmen, development of airmen medical standards, direction and operation of the agency medical research and education program, occupational health services and investigation of aircraft accidents; $1,675,000 for salaries and administrative expenses in regional offices; and $2,337,000 for the Civil Aeromedical Research Institute at Oklahoma City.

There are seventeen full-time medical officers in the field who conduct and supervise the examinations required of commercial and private airmen. In addition, there are approximately 6,250 private physicians who have been certified by the FAA as aviation medical examiners in the U.S. and overseas. A total of 445,000 examinations were performed last year and it is expected that this number will increase to 477,500 this year. Commercial and private airmen pay examining physicians directly for this service.

ATOMIC ENERGY COMMISSION

(This year: $92,495,000; last year: $90,801,000.)

The above sum will be spent by the Atomic Energy Commission's biology and research program in the following manner:

Somatic effects of radiation	$26,415,000
Radiation effects—general	16,275,000
Toxicity of radioelements	10,140,000
Environmental radiation studies	18,460,000
Atmospheric radioactivity and fallout	8,700,000
Terrestrial and fresh-water ecology	5,860,000
Marine sciences	3,900,000
Molecular and cellular level studies	16,400,000
Radiation genetics	7,400,000
Radiological and health physics and instrumentation	7,330,000
Radiological and health physics	4,250,000
Radiation instruments	3,080,000
Cancer research	5,900,000
Selected beneficial applications	3,500,000
Reactor Development Program	2,132,000
Civilian power, general research and development	605,000
Environmental research and development	587,000
Terrestrial electric power development	580,000
Gaseous effluent studies	305,000
Engineering safety features	55,000
Combating detrimental effects of radiation	$1,900,000
Nuclear energy civil effects	1,150,000
Isotopes development program	883,000
Circulatory support system	600,000
Atmospheric sulfur pollutants analysis	180,000
Measurement of sulfur dioxide in stack gases	103,000
Chemical toxicity	605,000
Radiation preservation of foods	420,000

DEPARTMENT OF LABOR

(This year: $17,034,000; last year: $17,577,000.)

Bureau of Employees' Compensation: $14,086,000.

Last year: $14,989,000.

It is estimated that more than 3,000,000 Federal workers are eligible under the Federal Employees' Compensation Act for medical and hospital care, rehabilitation services, disability and death payments, and funeral and burial expenses. For treatment of employees by private physicians and hospitalization in private facilities, the Department has set aside $13,167,000 this fiscal year, and for similar services in Federal hospitals and clinics, $919,000.

Bureau of Labor Standards: $2,948,000.

Last year: $2,588,000.

For promotion of industrial safety, the Bureau plans to obligate $2,948,000. The Bureau develops standards for hazardous occupations, assists the states in accident prevention programs, and gives safety training to state and union personnel. In addition, it carries out a program of promoting and enforcing safety in the maritime industry under the Longshoremen's and Harbor Worker's Compensation Act.

PEACE CORPS

(This year: $15,220,000; last year: $14,255,000.)

The above sum will be obligated for two major medical activities: support of Peace Corps trainees and volunteers ($5,975,000); and overseas medical and health programs carried out by Peace Corps volunteers ($9,245,000). The figure for support of Peace Corps volunteers can be broken down into the following elements: cost of medical care for volunteers and trainees, $2,861,000; salaries and all related costs of Peace Corps physicians who care for volunteers overseas, $2,457,000; and costs of Office of Medical Programs in Washington, $657,000.

DISTRICT OF COLUMBIA

(This year: $11,239,411; last year: $8,324,582.)

For fiscal 1969, the Congress has voted a budget for the District of Columbia's Department of Public Health in the amount of $73,943,491. These funds will be used for the operation of seven major activities of the Department as follows: preventive services; mental health and retardation (which include over $26,139,657 for Saint Elizabeths Hospital, only a portion of which is reflected in this part of the report); medical care; hospitals; environmental health; administration; and program planning and research. Since the Congress contributes 15.2% of the District's budget, $11,239,411 can be considered as the Federal contribution for health and medical activities in the District of Columbia.

CANAL ZONE GOVERNMENT

(This year: $6,279,000; last year, $7,350,000.)

Estimated expenditures for fiscal year 1969 for operation of Canal Zone Government hospitals, clinics, and public health activities are $12,929,000. Expenditures for the operation of hospitals and clinics are estimated to be $11,007,000, and revenue is estimated at $6,505,000. Four hospitals are operated by the Health Bureau of the Canal Zone Government with 888 beds available daily, as follows: Gorgas Hospital (365); Coco Solo Hospital (150); Corozal Hospital (253); and Palo Seco Hospital (120). In addition, there are two dental clinics, one district medical clinic, and six community health centers. Expenditures for public health activities, which include the Division of Veterinary Medicine and the Division of Preventive Medicine and Quarantine, and general governmental expenses applicable to the Health Bureau, are estimated at $1,922,000, with revenue estimated at $145,000. All reimbursements are returned to the U.S. Treasury, together with payments by the Panama Canal Company for the remaining cost of the Canal Zone Government.

DEPARTMENT OF JUSTICE

(This year: $4,705,000; last year: $3,830,000.)

The Bureau of Prisons estimates that it will spend the above sum for comprehensive health services for approximately 20,000 inmates in 26 Federal penal and correctional institutions. The bulk (about $4,000,000) is salaries for commissioned officers and civil service personnel of the PHS assigned to the Bureau of Prisons. Approximately $350,000 is earmarked for fees to 350 consultants in various medical specialties. The above amount also represents $1,000,000 for implementation of the recently enacted Narcotic Addict Rehabilitation Act.

POST OFFICE DEPARTMENT

(This year: $2,678,600; last year $2,335,600).

Health Units in Post Offices: $2,525,600.

Last year: $2,192,600.

These 65 units are operated only in the large post offices and are used for treating on-the-job illnesses and injuries requiring emergency attention; pre-employment and other examinations; referral of employees to private physicians and dentists; and preventive programs relating to health. The appropriation also includes funds for eight additional units.

Medical Fraud Investigations: $153,000.

Last year: $143,000.

The postal fraud statutes impose on the Postmaster General the duty of preventing the use of the mails in the perpetration of schemes to defraud the public. Treatments are offered by mail for every conceivable disease, including cancer, diabetes, heart disease, and arthritis. Medical fraud investigations are conducted primarily by a special group of postal inspectors who work directly from Post Office Department headquarters in Washington.

FEDERAL TRADE COMMISSION

(This year: $1,020,000; last year: $916,860).

The Federal Trade Commission is charged by Congress with preventing the use of deceptive practices, including false advertising in the sale of foods, drugs, cosmetics, devices, and other products. Approximately 6% of the Commission's total budget ($17,000,000) will be used for enforcement, including research and testing in the field of foods, drugs, cosmetics, and devices.

CIVIL SERVICE COMMISSION

(This year: $648,700; last year: $676,900).

The Commission's total budget for fiscal year 1969 is $43,460,000, out of which about 1.5% goes to the medical function for salaries of six medical officers in Washington and nine medical officers in the regional offices. The Medical Division's duties include establishing and reviewing physical standards for positions in the competitive Federal civil service; arranging and evaluating physical examinations for the disability claims under the Civil Service Retirement Act; helping to formulate educational and experience requirements for physician and paramedical positions in the competitive Federal service; and conducting the health program for Commission employees.

OFFICE OF THE ATTENDING PHYSICIAN OF CONGRESS

(This year: $71,780; last year: $145,100.)

The Attending Physician of Congress provides outpatient care for members of the House and Senate and their staffs. Funds voted by Congress are for medical supplies, equipment, and contingent expenses ($56,000) and for a technical assistant to the Attending Physician ($15,780).

NATIONAL ADVISORY COMMITTEE TO THE SELECTIVE SERVICE SYSTEM

(This year: $60,000 (this appropriation is only for the National Advisory Committee's use; it does not include any monies for the Health Resources Advisory Committee); last year: $49,000).

On June 24, 1968, the President combined the membership of the Health Resources Advisory Committee to the Office of Emergency Planning, Executive Office of the President, and the membership of the National Advisory Committee to the Selective Service System. This merger took place on December 15, 1968, with James C. Cain, M.D. as Chairman.

Under the Selective Service Act, the Committee has the responsibility of advising the Selective Service System on the deferment of physicians in such essential capacities as residents, teachers, laboratory and clinical researchers, as well as those in the civilian practice of medicine who are essential to their communities. In fiscal 1969, Congress provided an appropriation of $60,000 to maintain a skeleton staff and for expenses for the Committee's operations, plus minimal expenses of state committees.

The state and territorial committees request deferment of physicians and allied personnel whom they consider to be essential. In appeal cases the Committee always seeks the state committee's opinion. On the other hand, the state committees may request and obtain deferments on their own.

The National Committee has continued in its efforts to have as many cases as possible settled at the local level. On March 14, 1967, the National Committee revised the January, 1966 guidelines to assist the state committees in adjudicating these cases.

As of August 31, 1968, 56 osteopaths and 1,070 physicians were called for induction.

NATIONAL SCIENCE FOUNDATION

(This year: Unknown; last year: $43,810,000.)

The Foundation's over-all appropriation for fiscal year 1969 is $400,000,000, but at this writing it had not been allocated. In past years, approximately 10% of the over-all appropriation has been earmarked for grants for research in the biological and medical sciences. In addition, approximately $1,000,000 is made available for construction and renovation of graduate-level biological research laboratories, and slightly over $1,000,000 is used to support specialized biological facilities, including biological equipment. The Foundation provides support for basic scientific research, for scientific training and education through fellowships and programs to improve science teaching and for programs to improve the exchange of scientific information.

PAYMENTS TO INDIVIDUALS BECAUSE OF DISABILITY THROUGH PROGRAMS IN WHICH THE U.S. GOVERNMENT PARTICIPATES (FISCAL YEAR ENDING JUNE 30, 1969)

[Figures below represent only payments to the beneficiaries; no administrative costs are included. Further, there are some Federal retiree plans which are not listed in this report. No adjustment is made for payments to 1 individual through more than 1 program]

Program	Estimated beneficiaries	Approximate annual payments
Veterans' benefits (average number):[1]		
A. Service-connected disability	[2] 2,020,055	[2] $2,090,633,000
B. Non-service-connected disability	[3] 1,145,712	[3] 1,287,814,000
Military retirement (average number):[1]		
A. Permanent disabiity	111,629	364,900,000
B. Temporary disability	14,411	40,200,000
Federal employees compensation[1]	25,000	[4] 47,551,000
Public assistance:[5] [6]		
A. Needy permanently and totally disabled	719,200	[7] 1,136,200,000
B. Dependent children aid (incapacitated father segment)	[8] 982,000	[8] 924,924,000
C. Blind	82,950	[9] 113,675,000
Disability annuity payments to civil service retirees[10]	$187,000	$435,000,000
Social security—OASDI disability:[11]		
A. Disabled workers	1,358,000	1,979,000,000
B. Childhood disability benefits	269,000	194,000,000
C. Dependents of disabled workers[12]	1,091,000	534,000,000
Railroad retirement:[13]		
A. Permanent disability for regular job	[14] 44,000	80,000,000
B. Permanent disability for all employment	[14] 64,000	110,000,000
C. Temporary disability[15]	[16] 86,000	44,000,000
D. Childhood disability benefits[17]	7,700	7,000,000
Total	8,182,657	9,388,897,000

[1] These programs are fully financed by the United States.

[2] Includes 413,054 service-connected veterans rated not less than 50 percent disabled and entitled to receive additional compensation for approximately 831,890 dependents. Does not include $2,011,000 annual payment for 740 retired officers.

[3] Includes 535,000 non-service-connected veterans entitled to additional pension for approximately 611,000 dependents.

[4] This figure excludes death cases reported prior to 1963.

[5] Federal contributions to assistance under these programs in 1969 are estimated as: Disability, 59.1 percent; dependent children, 54.3 percent; and blind, 57.2 percent.

[6] Average monthly number of recipients, excluding those on whose behalf only a vendor medical payment was made during a month.

[7] $672,600,000 of this total is provided from Federal funds. In addition, the administrative cost and the cost of social services (excluding that related solely to vendor medical payments) is about $128,400,000, of which $72,800,000 is Federal.

[8] Provides payments to children and other recipients in an estimated 175,000 families with incapacitated fathers. $924,900,000 of the payments to recipients and medical vendors is Federal. In addition, the cost of social services and of State and local administration (excluding that related solely to vendor medical payments) is about $85,800,000, of which $55,800,000 is Federal.

[9] The Federal contribution to this program is $65,100,000. In addition, the cost of social services and of State and local administration (excluding that related sole ly to vendor medical payments is about $14,600,000, of which the Federal share is $8,000,000.

[10] This program is financed 50 percent by the United States and 50 percent by employees.

[11] These programs financed by the social security tax.

[12] Excludes 13,000 disabled children and $8,000,000 in benefits which are included under "Social security childhood disability benefits."

[13] A, B, and D financed 50 percent by employer and 50 percent by employee; C financed entirely by employers.

[14] During fiscal 1969, an estimated 44,000 persons will receive disability payments originally awarded for conditions preventing their participation in regular employment, and 64,000 will receive benefits for disabilities preventing their participation in any employment. On June 30, 1969, the numbers will be 40,000 and 58,000 respectively.

[15] Provided under the Railroad Unemployment Insurance Act.

[16] This figure represents the estimated total number of individuals who will receive temporary disability benefits during the entire fiscal year 1969. It is estimated that those receiving benefits in June 1969 will total 20,000.

[17] Eligibility based on disability incurred before age 18. Paid to or on behalf of children age 18 and older of deceased employees only.

LITHUANIAN INDEPENDENCE

HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. SANDMAN. Mr. Speaker, on February 16, Americans of all nationalities joined with the American Lithuanians in celebrating the 51st anniversary of their proclamation of independence. However, in Lithuania itself, the celebration is not so joyous. Although February 16, 1918, marks the date of the Lithuanian proclamation of independence, these courageous people are again living under the suppression of the Russians.

The free world must not rest until the Soviets withdraw their army, police, and ruling apparatus from Lithuania, so the people of Lithuania may freely elect a government of their own choosing.

On this historic occasion, the most fitting commemoration we can offer to the brave citizens of Lithuania, the heroes who have died in the quest of Lithuanian liberty, and the countless relatives and friends of Lithuania in the United States, is the reaffirmation that the cause of Lithuanian freedom has not been forgotten and the struggle for it will continue until won.

It is my privilege to share with my distinguished colleagues the resolution unanimously adopted at a meeting of American Lithuanians and their friends living in New Jersey, sponsored by the Lithuanian Council of New Jersey, held on Sunday, February 16, 1969, at St. George's Lithuanian Hall, Newark, N.J., in commemoration of the 51st anniversary of the establishment of the Republic of Lithuania on February 16, 1918:

RESOLUTION

Whereas the Soviet Union took over Lithuania by force in June of 1940; and

Whereas the Lithuanian people are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty which they rightly and deservedly enjoyed for more than seven centuries in the past; and

Whereas the Soviets have deported or killed over twenty-five per cent of the Lithuanian population since June 15, 1940; and

Whereas the House of Representatives and the United States Senate (of the 89th Congress) unanimously passed *House Concurrent Resolution 416* urging the President of the United States to direct the attention of the world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples; now, therefore, be it

Resolved, That we, Americans of Lithuanian origin or descent, reaffirm our adherence to American democratic principles of government and pledge our support to our President and our Congress to achieve lasting peace and justice in the world; and be it further

Resolved, That the President of the United States carries out the expression of the U.S. Congress contained in *H. Con. Res. 416* by bringing up the Baltic States question in the United Nations and demanding the Soviets to withdraw from Estonia, Latvia, and Lithuania and be it further.

Resolved, That the pauperization of the Lithuanian people, conversion of once free farmers into serfs on kolkhozes and sovkhozes, as well as exploitation of workers, persecution of the faithful, restriction of religious practices, and closing of houses of worship, and be it finally

Resolved, That copies of this resolution be forwarded this day to the President of the United States, Secretary of State William Rogers, United States Ambassador to the United Nations Charles Yost, United States Senators from New Jersey, Members of U.S. Congress from New Jersey, and the Press.

ANARCHY BY DESIGN

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. WYMAN. Mr. Speaker, a letter appearing recently in Foster's Daily Democrat of Dover, N.H., from Edward Lewis, of Durham, is interesting in light of recent disturbing developments within this country. At some point in each individual case, conduct contributing to violence and anarchy ceases to be excusable from any point of view and becomes subversive of government itself. Those dealing with such actors owe it to society as well as to their own responsibilities to recognize this point and to act accordingly.

The letter follows:

ANARCHY BY DESIGN

TO THE EDITOR:

Appearing in a recent issue of The Fact Finder, are the Communist "Rules for Revolution." They are reported to have been found among documents seized by the Allied Forces in Dusseldorf, Germany, in May, 1919.

A copy of these rules was secured by the office of the Florida State's Attorney from a known member of the Communist Party who acknowledged these objectives to be "still a part of the Communist program for overthrowing our Government." The document reads as follows:

RULES FOR REVOLUTION

"A. Corrupt the young, get them away from religion. Get them interested in sex. Make them superficial; destroy their ruggedness.

"B. Get control of all means of publicity and thereby:

1) Get people's minds off their government by focusing their attention on athletics, sexy books and plays and other trivialities.

2) Divide the people into hostile groups by constantly harping on controversial matters of no importance.

3) Destroy the people's faith in their natural leaders by holding the latter up to contempt, ridicule and obloquy.

4) Always preach true democracy but seize power as fast and as ruthlessly as possible.

5) By encouraging government extravagance, destroy its credit, produce fear of inflation with rising prices and general discontent.

6) Foment unnecessary strikes in vital industries, encourage civil disorders and foster a lenient and soft attitude on the part of government toward such disorders.

7) By specious argument, cause the breakdown of the old moral virtues: honesty, sobriety, continence, faith in the pledged word, ruggedness.

"C. Cause the registration of all firearms on some pretext, with a view to confiscating them and leaving the population helpless."

Let the reader judge for himself whether or not these "rules for Revolution" set forth the objectives which have been, and are being, pursued by communists and other subversive elements in the United States.

EDWARD A. LEWIS.

FEDERAL JUDGES

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. SCOTT. Mr. Speaker, I have introduced a proposed amendment to the Constitution, House Joint Resolution 471, requiring that Justices of the Supreme Court and judges of other Federal courts be renominated and reconfirmed every 10 years.

This proposal differs from earlier resolutions limiting the tenure of Supreme Court Justices. The amendment expressly provides that the President must renominate an incumbent if he wants to keep him in office. The other body will then carry out its traditional duty of confirmation. It is essential that we maintain our constitutional system of checks and balances and the Senate should not be placed in the position of reconfirming a Federal judge contrary to the President's desire.

This resolution also goes beyond other proposals in extending the tenure limitation to all judges of constitutional courts. In recent years, attention has been focused upon the removal of judges who have become senile or are simply incompetent. A mandatory retirement age coupled with various administrative procedures has often been mentioned.

It would seem that a review of these appointments every 10 years by the President and the other body would be the most direct means of eliminating this concern. While age may well be a factor in the fitness of a judge to continue to serve, in my opinion it should not be used arbitrarily to terminate the career of a capable and dedicated judge.

Many Americans, including numerous lawyers, have expressed concern over the complete lack of control over both the Supreme Court and inferior courts by the people of the country or their elected representatives. I share this concern and believe the Court has contributed significantly to the atmosphere of permissiveness so widespread today. I also believe that the Court's actions have hindered law enforcement unnecessarily and failed to show regard for the rights of the innocent victims of crime and society in general. The Court has lost its perspective and has failed our society. Regardless of how we individually view the Court, it should be responsive to the will of the people and concerned with their general welfare. No one in public office should be sacred. The only purpose of a government should be to serve the people and they should be able to change any segment of it if it fails to serve them. If the courts and the judges are doing their duties as public servants, they have nothing to fear in having their stewardship reviewed ever 10 years.

It may be argued that life tenure is essential to an impartial and independent judiciary and that a limitation on tenure will subject the bench to partisan political influence. Yet, who can say that our Supreme Court is not influenced by political considerations I do not believe this body needs to be reminded of instances of Justices entering the political realm. Not only can a man retain his prejudices and political philosophy when he has received a lifetime appointment, but he can arbitrarily use them to the detriment of society without any fear of reprisal.

A reasonable limitation on the tenure of judges who have been carefully chosen and who are honest men regardless of political philosophy will not reduce their effectiveness on the bench. Ten-year tenures renewable at the will of the President with the advise and consent of the Senate, in my opinion, will allow the courts to be independent without being arbitrary. I urge my colleagues, especially those on the judiciary committee, to consider this bill and determine whether it will benefit the people of this court.

Since the bill is a short one, I insert it in full at this point in the RECORD:

H.J. RES. 471

Joint Resolution proposing an amendment to the Constitution relating to the continuance in office of judges of the Supreme Court and of inferior courts

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, to be valid only if ratified by the legislatures of three-fourths of the several States within seven years after the date of final passage of this joint resolution:

"ARTICLE —

"SECTION 1. Notwithstanding section 1 of article III of this Constitution, unless the President nominates and the Senate consents to the continuance in office of a judge of the Supreme Court or of an inferior court ordained and established by Congress, that judge may not hold office for more than ten years after—

"(1) he took office,

"(2) the Senate last consented to his continuance in office, or

"(3) the ratification of this article, whichever last occurs.

"SEC. 2. Section 1 of this article shall not apply to a judge who has retired from active judicial service."

THE DUTIES OF STUDENTS

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BRAY. Mr. Speaker, disruptive tactics on college campuses all across the country seem to have become the rule rather than the exception. Rev. Theodore M. Hesburgh, president of the University of Notre Dame, recently addressed a letter to all Notre Dame faculty members, students, and parents in which he denounced such tactics for what they are and announced in no uncertain terms just what Notre Dame will do in the future to handle force. The following lead editorial from the Chicago Tribune of Wednesday, February 19, 1969, was devoted solely to excerpts from his letter:

THE DUTIES OF STUDENTS

Anyone or any group that substitutes force for rational persuasion, be it violent or nonviolent, will be given 15 minutes of meditation to cease and desist. They will be told that they are, by their actions, going counter to the overwhelming conviction of this community as to what is proper here. If they do not within that time period cease and desist, they will be asked for their identity cards. Those who produce these will be suspended from this community. Those who do not have or will not produce identity cards will be assumed not to be members of the community and will be charged with trespassing and disturbing the peace on private property and treated accordingly by the law.

After notification of suspension, or trespass in the case of noncommunity members, if there is not then within five minutes a movement to cease and desist, students will be notified of expulsion from this community and the law will deal with them as nonstudents.

There seems to be a current myth that university members are not responsible to the law, and that somehow the law is the enemy, particularly those who society has constituted to uphold and enforce the law. I would like to insist here that all of us are responsible to the duly constituted laws of this university community and to all of the laws of the land. There is no other guarantee of civilization versus the jungle or mob rule, here or elsewhere.

If someone invades your home, do you dialog with him or call the law? Without the law, the university is a sitting duck for any small group from outside or inside that wishes to destroy it, to incapacitate it, to terrorize it at whim. The argument goes—or has gone—invoke the law and you lose the university community. My only response is that without the law you may well lose the university—and beyond that—the larger society that supports it and that is most deeply wounded when law is no longer respected, bringing an end of everyone's most cherished rights.

I have studied at some length the new politics of confrontation. The rhythm is simple: 1] find a cause, any cause, silly or not; 2] in the name of the cause, get a few determined people to abuse the rights and privileges of the community so as to force a confrontation at any cost of boorishness or incivility; 3] once this has occurred, justified or not, orderly or not, yell police brutality—if it does not happen, provoke it by foul language, physical abuse, whatever, and then count on a larger measure of sympathy from the up-to-now apathetic or passive members of the community. Then call for amnesty, the head of the president on a platter, the complete submission to any and all demands. One beleaguered president has said that these people want to be martyrs thrown to toothless lions. He added, "Who wants to dialog when they are going for the jugular vein?"

So it has gone, and it is generally well orchestrated. Again, my only question: Must it be so? Must universities be subjected, willy-nilly, to such intimidation and victimization whatever their good will in the matter? Somewhere a stand must be made.

I only ask that when the stand is made necessary by those who would destroy the community and all its basic yearning for great and calm educational opportunity, let them carry the blame and the penalty. No one wants the forces of law on this or any other campus, but if some necessitate it, as a last and dismal alternative to anarchy and mob tyranny, let them shoulder the blame instead of receiving the sympathy of a community they would hold at bay. The only alternative I can imagine is turning the majority of the community loose on them, and then you have two mobs. I know of no one who would opt for this alternative—always lurking in the wings.

We can have a thousand resolutions as to what kind of a society we want, but when lawlessness is afoot, and all authority is flouted, faculty, administration, and student, then we invoke the normal societal forces of law or we allow the university to die beneath our hapless and hopeless gaze. I have no intention of presiding over such a spectacle: Too many people have given too much of themselves and their lives to this university to let this happen here. Without being melodramatic, if this conviction makes this my last will and testament, so be it.

May I now say in all sincerity that I never want to see any student expelled from this community because, in many ways, this is always an educative failure. Even so, I must likewise be committed to the survival of the university community as one of man's best hopes in these troubled times.

We cannot allow a small minority to impose their will on the majority who have spoken regarding the university's style of life; we cannot allow a few to substitute force of any kind for persuasion to accept their personal idea of what is right or proper. We only insist on the rights of all, minority and majority, the climate of civility and rationality, and a preponderant moral abhorrence of violence or inhuman forms of persuasion that violate our style of life and the nature of the university.

A TRIBUTE TO THE LATE JUDGE DESMOND GRAHAM

HON. WILLIAM M. COLMER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. COLMER. Mr. Speaker, on October 17 last, a noble man, a great jurist, an able member of the legal bar, a warm personal friend and constituent, Judge Desmond M. Graham, died at his home in Gulfport, Miss.

Judge Graham lived a long and fruitful life. When he left this mortal scene, he had lived to the ripe age of 95 years, a much longer span than the average mortal is permitted to live. During that period his activities included teaching school, a private practitioner, and a circuit judge.

Shortly after his graduation from Millsaps College in Jackson and admittance to the bar, he moved to Gulfport where he formed a law partnership with the Honorable J. L. Taylor, also at one time a Mississippi judge. Later he was associated with the late George P. Money, a son of a former U.S. Senator, Hon. H. D. Money, and the Honorable Lee Guice, a most able attorney who is presently still practicing law at Biloxi, Miss.

Likewise, Judge Graham served as district attorney of the Second Judicial District and was elected circuit judge of the same district in 1917, a position which he held with dignity and ability. In 1925 he resigned from the bench and for several years practiced law as a private practitioner with one of the outstanding law firms on the Mississippi gulf coast, Ford, White, Graham & Gautier.

Thereafter, Judge Graham was appointed by the late Judge Sidney Mize as U.S. Commissioner for a period of 12 years. Ever mindful of his civic responsibilities and dedicated to our system, he served for 6 years as president of the Gulfport city school system. In his capacity as an activist in the matter of civil affairs and out of a love for his fellow man, he was active in sponsoring and promoting the King's Daughters Hospital in Gulfport. In the interest of his State, he published an article on the early State constitutions which was delivered before the Mississippi State Bar Association, and subsequently, placed in the CONGRESSIONAL RECORD where it received wider distribution.

Judge Graham was truly one of God's noblemen. He lived by the side of the road and was a friend of man. He was one of the most genteel men whom it has ever been my privilege to know. He was as gentle and refined in his dealings with the members of the bar and his fellow man as a refined and cultured lady. His life enriched those with whom he came in contact.

This truly great man is survived by Desmond M., Jr., with whom he practiced law the later years of his active life, Mrs. Zaidee Graham Bellion, and Glen E. Graham, his sons and daughter, not to mention thousands of people who had the privilege of knowing and honoring him.

VOICE OF DEMOCRACY CONTEST WINNER

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. MARTIN. Mr. Speaker, I deem it an honor to be able to put in the RECORD the winning speech in the Voice of Democracy Contest sponsored by the VFW and its ladies auxiliary from the State of Nebraska.

The young man who was awarded first place in this competition is Mr. Richard K. Books, who lives at 405 West First Street, North Platte, Nebr. I commend his speech to the Members for their serious reading.

This is a great tribute to our young people who have the insight to realize the fortune which all of us in this country have in living in a great Republic.

I submit Mr. Books' speech, as follows:

(By Richard Books)

"Democracy is based upon the conviction that there are extraordinary possibilities in ordinary people." Those words, by Harry Emerson Fosdick, a contemporary American writer, outline the basic concept of any free society, but especially America.

In no other society than the American Republic does the citizen have the ultimate choice as well as the ultimate responsibility. For instance, the American people are given the right to vote, but at the same time, they must accept the responsibilities that go along with self-government.

Hand in hand with this principle is another one—that along with each liberty there goes an obligation, with each right a responsibility, and with each freedom a challenge to uphold that freedom so that it will not die. Recently in one of our larger cities, Vice-President Humphrey was harrassed by some opponents to the point that he was unable to continue. Addressing them he said, "You say you believe in free speech. To truly believe in the freedom of speech, you must believe in it not only for yourself, but for others." In other words, we must protect the freedoms of America, not only for the politician, but the demonstrator, not only for the official, but the common citizen as well.

The American democracy is based upon the ideal that the ordinary citizen is intelligent enough, alert enough, and ambitious enough to govern himself.

The first challenge of freedom is that of educating ourselves. Because our form of government is based upon the acceptance of responsibility by its citizens, we must educate ourselves in order that we can make a coherent decision instead of blindly following the pathway of others and going along with the crowd.

The second challenge of a free society is that its citizens be constantly alert to the policies and operations of their government. We, as American citizens, must make sure that the principles of a representative democracy are not distorted, and that America stands for Americans. Without this vigilance, our free government will collapse. In the words of James Madison, "Apathy is the pathway to oblivion."

The third, and final, challenge of freedom is that we be ambitious in taking part in our government. Quite often we have a tendency to let someone else take on our burden since "one vote won't make a difference anyway." But one vote *does* make a difference. John Qincy Adams, our sixth President, was elected by Henry Clay's tie-breaking one vote, and Andrew Johnson, our seventeenth President, was saved from impeachment by a single vote cast in his favor. Since the beginning of time, the role of one person has made the difference.

We have seen that if we wish to retain and build upon the American democracy, we must bring out extraordinary possibilities in ordinary people. We must bring out the qualities of, first, intelligence, second alertness, and third, ambition. If we bring out intelligence, alertness, and ambition in the ordinary American citizen, we will have attained our highest goal; we will have met freedom's challenge.

CLEVELAND'S RAPID TRANSIT AIRPORT RAIL LINE BEGINS FULL OPERATIONS

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. PICKLE. Mr. Speaker, in other parts of the country there have been many tests and experiments concerning improved methods of ground transportation to major airports.

One such program led to the sweeping and successful new system in Cleveland, connecting the downtown area with Hopkins International Airport, 11 miles away.

I have often said that a similar project should be given serious consideration in connection with Washington's Dulles International Airport, and I am hopeful that the developing success of the Cleveland project might lead to this.

At this point, Mr. Speaker, I would like to insert in the RECORD an article which appeared in the February 1969, edition of the Airport Services Management magazine:

PEOPLE MOVING: CLEVELAND'S RAPID TRANSIT AIRPORT RAIL LINE BEGINS FULL OPERATIONS

Early reports on operations of the much heralded Cleveland Airport Rapid Transit line indicate that the new system is drawing enough passengers to worry taxi drivers. Especially popular with businessmen, who find they can leave their offices with hand luggage and be at the terminal counter in 30 minutes, the new system is being watched for continued patronage by many large city airport men.

Although airlines will not comment on the number of their passengers who are using the system, it is known that there are frequent complaints because there are more passengers than baggage handlers available. Some patronage is also being enjoyed from airport employees who find the rail line a convenient way to get to their jobs on the airport.

TRAVELS 11 MILES IN 20 MINUTES

Using special new stainless steel cars called "Airporters," the run from Hopkins International Airport to Union Terminal in downtown Cleveland has a scheduled time of 20 minutes for the eleven miles. This includes stops at eight intermediate stations.

The first cars in the nation designed specifically for an airport-to-downtown route, the new Airporters were built by Pullman-Standard for the Cleveland Transit System (CTS). They incorporate several unique features: For example, the 70-foot-long Airporters are 21'6'' longer than the existing 48'6'' CTS cars. Consequently, twenty cars are able to do the work of thirty older cars and do it without any reduction in seating capacity. Conventional CTS cars seat 52 passengers while the new cars accommodate 80 passengers each. The reduction in cars per train will also reduce maintenance below that normally expected with new equipment.

MAINTENANCE SAVINGS

CTS anticipates long-term savings in maintenance because the cars are sheathed in stainless steel. Supplied by Cleveland-based Republic Steel Corporation, stainless was selected for the roof and sides of the cars, interior trim, seat back and hand rails, subflooring underframes and cross-members because of its corrosion resistance, ease of maintenance, and high strength-to-weight ratio that permits lighter-weight cars which cost less to operate.

Other benefits provided by the new cars include faster acceleration and high top speed that reduce running time, with attendant savings in crew cost. The new jumbo Airporters are powered by four G.E. 100-horsepower motors as compared with 55-horsepower motors on the older cars. Top speed is 60 mph and average speed is 34 mph.

Cleveland is the first U.S. city to request and qualify for Federal funds for an airport-to-downtown rapid-rail system, and it has now joined two other cities—Brussels and Tokyo—as the only cities in the world having such facilities. An added advantage to Clevelands's airport extension project, financed by a ⅔ Department of Housing and Urban Development grant matched by a ⅓ City-County funds, is that it connects with other CTS city-county rail commuter stations.

THE 51ST ANNIVERSARY OF ESTONIAN INDEPENDENCE

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. PATTEN. Mr. Speaker, February 24, 1969, should be one of pride in Estonia for it marks the 51st anniversary of independence for that nation. This celebration has been marred since 1940, however, when troops of the Soviet Union began their occupation of Estonia. They have yet to leave.

As a nation founded on the struggle for independence, America, perhaps more than any other nation, knows full well the importance of this fight. To speak out on issues, to worship as you please, to better yourself economically and educationally, to travel where you want, to shop with a choice of goods and prices—these are the rewards of independence.

As a nation founded on the struggle for independence, America has taken in those who have been denied their freedom. After the occupation of Estonia and her neighbors, many of her citizens came to America to find the freedom they had lost. We have been the beneficiary of their exodus. The gain of these industrious, skilled, and enthusiastic freedom fighters has not only added to the material wealth of our Nation, but it has made us aware once again of our heritage—a heritage of freedom we had begun to take for granted.

As a nation founded on the struggle for independence, America cannot remain content while others still must fight to reach this goal. It is right that our fellow Americans of Estonian descent should want to see their homeland free of aggression. On the occasion of this 51st anniversary let us once again pledge ourselves to aid all who likewise would be free.

FREEDOM'S CHALLENGE

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BARING. Mr. Speaker, some 400,000 school students in the United States have just completed writing speeches on the theme, "Freedom's Challenge." This nationwide effort of free thought was prompted by the annual Veterans of Foreign Wars of the United States and the Ladies Auxiliary "Voice of Democracy Contest." The winner in each State will come to Washington for the final judging of the best speech and I will be honored to have Mr. Frank Patten, of Reno, here in March as the winning contestant from Nevada.

Mr. Patten's speech in Nevada was the one chosen that best explained what is "Freedom's Challenge"; those rights which must be earned and used.

With your permission, Mr. Speaker, I include Frank Patten's speech in the RECORD:

FREEDOM'S CHALLENGE

If we are fortunate enough to be born in a democracy such as ours, we receive the wonderful gift of freedom. A gift that allows us to think what we want to think; to say what we want to say; and do what we want to do. But these rights must be earned and used—this is freedom's challenge.

We are given the right to say what we want, but freedom challenges us to think. In a country where freedom does not exist, the people do not receive the opportunity to think. Freedom encourages thought. We are challenged to expand the scope of thought and the mind; to think of new ideas; and to improve the world of literature, music, art, and other humanities.

We are given the right to dissent, but freedom challenges us to improve democracy. The greatest aspect of freedom is that it lends itself to change. Freedom depends on self-correction and expansion.

We are given the right to travel and learn, but freedom challenges us to explore new worlds. Freedom allows us to learn anything, but it challenges us to put this knowledge to practical use. Freedom allows us to travel anywhere, but it challenges us to use these experiences to improve relations between peoples and countries.

We are given the right to live as we want, but freedom challenges us to improve the lives of our people. In the communist countries, the emphasis is not placed on comfort but on cold efficiency. People who still live in bombed-out apartments in East Berlin can testify to this. Freedom challenges us to improve our lives and make them more comfortable and fulfilling.

We are given the right to vote for our leaders, but freedom challenges us to take part in government. One of the greatest problems facing our freedom today is public apathy. Americans are given a chance to take part in government, but most Americans could care less. Freedom and self-government depend on citizens who are willing to take an active part. Freedom challenges us to work within our democracy.

We receive the right to be equal, but freedom challenges us to make all men equal. Freedom is color-blind, multi-lingual, ageless and a mixture of many races. It is easy to say we are all equal, but its better to add as George Orwell did "Some are more equal than others". Freedom challenges us to remove the boundaries of race, creed, and color.

We receive the right to live freely, but freedom challenges us to preserve and fight for our freedom. The basic concept of communism is world revolution and the death of freedom. Some people say its all right to turn our back on the slaughter of freedom in some far-off country. Some people think that the preachers of bigotry, racism, and prejudice are nothing to worry about. Some people think freedom is dead. But we are challenged to fight for our freedom and the freedom of other people. Freedom challenges us to dispose of extremism. Freedom challenges every single one of us to take it into our hearts to love, protect, and support our country. Too bad our flag doesn't "turn-on" as many people as drugs do. Too bad so many people think that if we leave the communists alone they'll leave our freedom alone; they should talk to the man-on-the-street in Prague, East Berlin, Warsaw, Guatemala City, Luang Prabang, Seoul, or Saigon. Too bad so many people think extremism can be tolerated; Martin Luther King didn't. Too bad so many people think we can let crime and guns run rampant; ask Ethel Kennedy about that.

Our freedom is a God-given gift. It allows us to live our lives as we please. But if we do not meet and accept freedom's challenge, we may lose our precious gift of freedom.

THE 51ST ANNIVERSARY OF ESTONIAN INDEPENDENCE DAY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. DERWINSKI. Mr. Speaker, today, February 24, marks the 51st Anniversary of Estonian Independence Day. Unfortunately, the brave people of Estonia are now among the captive peoples of communism and this great day in their history cannot be celebrated in their homeland because of the tyranny of their Red rulers.

The Estonians proclaimed their independence in 1918 after the tsarist government fell and enjoyed a period of freedom and progress until 1940, when their country fell to the Russian Communist forces.

We must not only commemorate historic national days such as Estonian Independence Day, Mr. Speaker, but we must also take practical steps to indicate our interest in the restoration of freedom to the captive peoples of communism. One such practical move would be the establishment of a Special House Committee on Captive Nations, an action which I have repeatedly urged the House to take.

Mr. Speaker, we must rededicate ourselves on this great historic day for the Estonians to continue efforts to see that freedom is restored to these proud people and all the other captives of communism.

BEEKEEPING AND AGRICULTURE

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. JOHNSON of California. Mr. Speaker, Mr. Ward Stranger, extension apiarist, University of California, has recently issued a release covering important points for beekeeping and agriculture. I would like to share this interesting and important information with you at this time:

BEEKEEPING AND AGRICULTURE

Honey bees are necessary for the commercial production of $300 million worth of food crops for man and animals. More than 400,000 colonies of bees (hives) are required annually for pollination of crops such as: fruit and nuts, forage seed crops, vegetable crops, and vegetable seed crops.

Honey bees are exposed to a great variety of pesticides more frequently than any other agricultural plant or animal. They are unique in that their foraging area cannot be controlled by man. Bees forage freely, and they are exposed to pesticides up to three miles from the hive.

Approximately 19% (76,000 colonies) of California's bees used for pollination were killed by pesticides in 1967. This is more than twice the kill reported in 1963. In addition, hives of bees are damaged to such an extent that they are no longer productive or effective pollinators; this type of economic loss probably greatly exceeds the loss from colonies that are killed outright.

The Departments of Entomology and the Agricultural Extension Service propose an emergency research and Extension program related to the effects of pesticides on the survival of honey bees and their effectiveness as pollinators. The proposed research includes programs in pollination ecology, bee biology and activities, genetics of resistance of bees to pesticides, nutrition, and "feedlots", bee sanctuaries, pesticide residue analyses, and economics of the beekeeping industry.

THE PROBLEM: PESTICIDE EFFECTS ON THE CALIFORNIA BEEKEEPING INDUSTRY

The single most important factor in the loss of bees for pollination is the loss caused by pesticides. The supply of bees is becoming critically limited for pollination. In recent years, the growers have not been able to obtain sufficient bees to pollinate almonds. This crop is especially vulnerable when honey bees are lost or damaged by pesticides the previous season. It is difficult to impossible for the beekeeper to buildup colony populations by almond blossom time when they have been excessively reduced in the late summer and fall months of the previous season. It is estimated that the damage to surviving colonies probably far exceeds the economic value of colonies that are killed. Therefore, the shortage produced by pesticide damage is felt most in almonds. Projected acreage for almonds in California indicates that there will be a need for 300,000 to 400,000 hives for almonds alone by 1970.

Losses to pesticide damage have resulted in movement of bee hives to other parts of the state, as well as out of the state. This has reduced the supply of bees for pollination.

New beekeepers are discouraged from entering a business with a high rate of loss of the producing unit, the honey bee colony.

While it is clear that these pesticide problems are serious and new ones are being created by changing agricultural conditions in California, it is equally apparent that no single approach or procedure for protecting honey bees is sufficient. An intense research effort should be made. The problem is beyond the present financial capacities of the University of California Departments of Entomology and the Agricultural Extension Service. Additional staff and facilities are needed to do this work.

The research committee offers to submit an annual progress report to the industry and at the end of the three-year period, the research accomplished will be reviewed.

MAJOR AREAS OF RESEARCH

I. Pollination ecology

Because of their food foraging activities, honey bees are exposed to pesticides applied to many crops in addition to those crops which require bees for pollination. How can we reduce this type of exposure when it is not feasible to fence bees into a crop. We can attempt to manipulate the ecology (foraging activities and food preferences) of the pollinators so that they will behave as if they are "fenced in", that is, force them to specialize on the crops we wish to pollinate.

The most promising ways to accomplish this specialization are: 1) obtain new knowledge of the function of odors in foraging and use this knowledge to direct the activities of bees; 2) select genetic strains of honey bees exhibiting food preferences; 3) use specialized pollinating insects other than honey bees for specific crops.

The foraging population of a colony is a composite of committed foragers who have learned the location of particular crops and of uncommitted recruits. Committed foragers stimulate recruits to search for specific crops. The odor of the crop plays an important part in the message received and utilized by the bees being recruited. Research is needed to determine the possibilities of utilizing odors to direct bees to desired crops or repel them from areas or during periods of high pesticide hazard. The development of these or other possible means of manipulating foraging activities would provide extremely valuable tools for reducing potential detrimental effects of pesticides on honey bees.

The United States Department of Agriculture has recently established the feasibility of selecting and breeding for a food preference in honey bees. Further research needs to be conducted on the nature of food preferences in the honey bee. As a by-product of this study, certain strains exhibiting food preferences would be selected for a breeding program, and the resulting inbred and hybrid strains would be evaluated.

There are many pollinating insects other than the honey bee which are highly specialized for food gathering and pollination of specific plants. These usually exhibit structural and ecological specializations to their food plants; therefore, although they must be protected from pesticides, these specialized pollinators usually are not exposed to pesticides applied to other crops. Some of these also have characteristics which will allow them to be managed and manipulated on a commercial scale (e.g. alfalfa leaf-cutting bees, alkali bees, and bumble bees). Research is needed to determine which pollinators exhibit preferences for certain crops, to evaluate their pollination efficiency, and to develop techniques for their commercial management.

An alternative to the protection of honey bees from pesticides would be to consider the pollinating unit as expendable. This would involve studies on the development and management of expendable units and comparisons on the pollination efficiency of such units with standard hives of bees. The ultimate feasibility of this practice would depend on the ability of beekeepers to produce large quantities of package bees and queens in sanctuaries or feedlots.

II. Effect of pesticides on the biology and activity of honey bees

Applied research on the relative toxicity of pesticides has been conducted at the University of California, Riverside, for 15 years. Applied field research on protection of honey bees from pesticides should be expanded and accelerated to test the backlog of pesticides and pesticide combinations currently used commercially, The new ultra low volume (ULV) and low volume (LV) spray techniques developed in recent years have not been field tested sufficiently for their possible different effects on bees. Research on these spray techniques should be increased since they have been shown to cause higher and longer residual kills of bees than conventional sprays.

Research is needed to develop techniques for rapid evaluation of colonies.

Studies of normal bee foraging patterns on various crops will be accelerated to provide a basis for assessing the abnormal activity patterns of bee foragers following a pesticide application. By determining the temporal patterns of visitation, pesticide applications can be applied at the time that would be least hazardous to bees.

Research is proposed on the effects of pesticides on the foraging activities of colonies. The reduction in foraging activity could be caused by repellant action of the pesticide and/or changes in the physiology of the nectar or pollen-producing plants, thus reducing the attraction of the plants. Repeated applications of pesticides within the foraging range of hives may lead to chronic physiological injury to bees in which bee mortality may not be significant. For example, extremely subtle effects, such as 20% reduction in the longevity of foraging bees, will be serious to pollination potential and honey production, yet pesticides may be overlooked as the cause. The objective of the proposed research is to develop techniques whereby the quantities of toxicant introduced into field colonies can be accurately determined and the effects on foraging activity evaluated.

In addition the effect of pesticide residues in honey comb in bee colonies should be investigated. Many organic pesticides are soluble to various degrees in beeswax. There is a possibility that pesticides gradually accumulate in honey comb primarily as a result of absorption from stored pollen and from contamination by drift of pesticides under field conditions. Small doses may cause chronic poisoning of bees. Under stress conditions—during winter months, under prolonged periods of bad weather, etc.—sublethal pesticide poisoning may be a significant factor. The objective of this research would be to determine possible effects of pesticides as a contaminant in honey comb colonies.

Feeding behavior of bees on pesticide contaminated foods is suggested as another line of research. Pesticide contamination in nectar can reach a concentration which causes bees to cease feeding. The sensitivity of different lines of bees probably varies considerably and may be subject to regulation by controlled breeding. The acceptance or rejection of contaminated food also is a fundamental aspect of any pesticide study in which bees may be feeding on regulated doses of pesticides. The objective of this research would be to determine the levels of acceptance or rejection of bees under various conditions for pesticides that are administered in a variety of food media.

III. Genetics of resistance of bees to pesticides

It has been demonstrated that honey bees vary greatly in characters of economic importance, including the relative amounts of pollen gathered and stored in the hive and in resistance to poisons. Current experiments by the United States Department of Agriculture strongly indicate that bees can be selected and bred to prefer pollen from a particular kind of plant, thus increasing their utility for pollinating specific crops.

It is believed bees can also be bred for increased resistance to insecticides. Drones are genetically gametes of their mother and can be reared in large numbers. By treating drones with the insecticides most commonly used (perhaps by classes of insecticides) and using the surviving drones as sires, intensive selection can be accomplished. Virgin queens can be similarly treated. By repeated mating of surviving drones to surviving queens, insecticide resistance should be increased.

IV. Nutrition and feed lots

Despite intensive research efforts to develop measures to prevent bee poisoning, it seems certain that very substantial losses will continue to occur in the future. The pesticide problem could be minimized considerably by the development of an economical, dependable, food source, containing all necessary bee nutrients, that could be fed to bees in a feed lot management system. More continuity of food supply would give the bee industry the kind of stability now present in the livestock and poultry industries.

A feed lot management system for the large scale production of bees would (a) help compensate for bees that are killed by insecticides, (b) provide bees to start "expendable hives" to be used where pesticide risks are high, and (c) provide greater bee populations in each hive to enhance the ability of colonies to tolerate pesticide losses.

V. Bee sanctuaries

Using areas where good native honey and pollen plants are found as places where bees can be pastured when pesticide hazards are greatest in agricultural areas has been done in states north of California.

The hazards of pesticides extend over a short period of the season. Providing sanctuaries would establish a location to move the bees away from pesticide hazards. These areas could be used to buildup colonies damaged by pesticides.

An ecological study needs to be conducted preparatory to setting aside areas as sanctuaries. The ecological study would include surveying the areas for honey plants already present and preparing maps to show the distribution of these plants in each area. Based on this information, the advisability of planting honey plants could be determined, as well as the number of colonies of bees which could be supported in specific areas.

It is our suggestion that the development of such areas be investigated in California in cooperation with forestry and wildlife authorities.

VI. Pesticide residue analyses

There is little or no information on the metabolic and nonmetabolic fate of pesticides once they reach the hive. It is in the hive where the bees convert or manufacture their collected products from the environment and produce honey, bee bread, and beeswax. These products are then stored. In this factory or manufacturing process, there exists many different types of biological and chemical activity capable of degrading such chemicals as pesticides to even more toxic substances. It is a well-known fact that many of the organophosphorus pesticides can be converted to chemicals many times more toxic than the parent pesticide once they are subjected to metabolic and nonmetabolic processes. In honey alone, there exists an oxidizing agent in great abundance which because of its antibacterial principle is commonly called "inhibine." The antibacterial activity of this material is directly associated to the hydrogen peroxide accumulation in the honey which is brought about by the action of glucose oxide. The amount of hydrogen peroxide present in honey will depend not only on the rate of production of peroxide, which is a function of enzyme activity, but in addition will be affected by the rate of destruction of peroxide by components present. In some honey over 300 micrograms hydrogen peroxide accumulates per gram of honey in one hour under assay conditions.

It is oxidizing agents such as this which could possibly convert some of the phosphorothioate and phosphorodithioate pesticides to their respective phosphate derivatives which in turn are more toxic than their parent compounds.

Because of this factor, as well as many others, present in bees and bee products which contribute to metabolic and nonmetabolic degradation of organophosphate pesticides, it is the primary aims of this project to 1) try to discover if organophosphate pesticides are degraded, to what they are degraded, and to what extent they are degraded in bee products, 2) to see where these pesticides and their respective metabolic and nonmetabolic products accumulate in the bee colony and to study their persistence in their respective medium, 3) to see if the main cause of degradation is attributed to metabolic or nonmetabolic action in the bee colony, and 4) correlate presence of pesticide or pesticide product with toxicity and hive mortality.

VII. Economics of beekeeping

During the last two years, some beekeepers have begun to feed bees supplemental foods to overcome pesticide damage. Such feeding has resulted in increased populations in colonies of bees damaged by pesticides in the late summer or fall thus the bees go into the winter cluster with higher populations and in better condition. We expect that these colonies will prove to be stronger and more efficient pollinator units. The preliminary work has been done in the last two years by University of California research and Agricultural Extension personnel. More work needs to be done to determine more precisely the amounts to be fed, times to feed, and the eocnomic feasibility.

Some crops are extremely productive for bee food, yet involve serious pesticide risk. The economic feasibility of beekeepers moving in and out of such an area needs to be studied. For example, cotton is considered one of the ten leading sources of honey. On the other hand, cotton is an area of high pesticide hazard.

To accurately appraise the extent of loss to the beekeeping industry in California through pesticide damage, an extensive economic study should be conducted. From such an economic study, we would expect to obtain indications of changes in management practices that would protect the honey bees and also reduce costs to the beekeeper. This, in turn, would reduce costs for pollination services to the grower. It is estimated that the damage to surviving colonies probably far exceeds the economic value of colonies that are killed. There are no concrete figures or economic facts to judge the extent of the replacement and the repair costs due to damaged colonies nor the extent of the loss to the agricultural industry served by the bees.

Honey bees aid in production.—To emphasize the importance of honey bees to agricultural production, the following three pages are reproduced from One Sheet Answer 188 entitled "Honey Bees—Agricultural's Tool" by Ward Stanger.

HONEY BEES AID IN PRODUCTION

Honey bees are used to pollinate crops in California worth $300 million. California ranks first in the United States in the production of 44 crops. Honey bees are the agricultural tool needed to produce 10 of these crops:

Crop:	*California's share of U.S. production* [1] *Percent*
Almonds	99.9
Ladino clover seed	100.0
Plums	93.1
Prunes	99.0
Honeydew melons	72.8
Cantaloupes	50.4
Alfalfa seed	41.2
Cherries, sweet	34.6
Beeswax	[2] 9.4
Honey	[2] 8.6

[1] From State Department of Agriculture Crop and Livestock Reporting Service.

[2] Honey Market News, USDA.

California produces 50 to 100 percent of the vegetable seed crops of the nation. These crops need honey bees for pollination.

Vegetable seed crop:	*California's share of U.S. production* *Percent*
Chinese cabbage	100
Cauliflower	100
Celery	100
Pepper	100
Cucumber	90
Muskmelon	90
Carrot	66
Onion	50
Watermelon	50

California produces most of the *flower* seeds of the nation, and 65.1% of America's *boysenberry and youngberry crop* (usually these crops are larger when honey bees are used).

THE BEEKEEPING INDUSTRY IN CALIFORNIA

California leads all other states in the three enterprises of the beekeeping industry: queen and packaged bee production, pollination service, and honey and beeswax production.

Queens and packaged bees are produced primarily in the Sacramento River Valley. Each year about 400,000 queens are shipped to beekeepers in Canada and the northern U.S. west of the Mississippi River. It is estimated that 300 tons of packaged honey bees are shipped each year. Queens and packaged bees are a million dollar industry.

Half the colonies of honey bees in California are rented for pollination of crops. These 300,000 colonies are a critical agricultural tool in pollination. Table at bottom of page lists crops that depend on honey bees. None of these will produce a profitable crop without honey bees. Approximately $3,000,000 are paid for rental of colonies for pollination.

In 1966, 21,242,000 pounds of honey were produced in California—8.6% of the nation's crop. California leads the nation in beeswax production—9.4% of the national crop.[3]

California's beekeeping industry produced an estimated income of $9,000,000 in 1966. Approximately $15,000,000 are invested in beekeeping in California.

Crops pollinated by honey bees

CROPS DEPENDENT [1]

Fruit and nut crops: Almond, apples—some varieties, apricots—Riland and Perfection, avocados—all varieties, cherries, sweet and sour, chestnut, lychee fruit, peaches—J. H. Hale, Tal-berta, June Elberta, Candoka, and Alamar, pears—most varieties (Bartletts in unfavorable weather years), plums—European and Japanese, prune, tangelo, tangerine—Clementine.

CROPS INCREASED [2]

Apples—all varieties, bushberries, macadamia nut, olives—some varieties, pear, persimmon.

CROPS DEPENDENT [1]

Forage seed crops: Alfalfa, alsike, berseem, birdsfoot trefoil, sanfoin, ladino clover, crown vetch, vetch (purple, common, hairy).

CROPS INCREASED [2]

Crimson clover.

CROPS DEPENDENT [1]

Vegetable seed crops: Asparagus, broccoli, brussels sprouts, cabbage, carrot, cauliflower, celery, Chinese cabbage, cucumber, kohlrabi, leek, melons, onion, parsely, parsnip, pumpkin radish, rutabaga, squash, turnip, watermelon.

CROPS INCREASED [2]

Eggplant, pepper.

CROPS DEPENDENT [1]

Vegetable crops: Melons—Cantaloupe, honeydey, persian, watermelon, pumpkin, squash, cucumber.

CROPS INCREASED [2]

Oil seed crops: safflower, rape.

THE CHALLENGE OF FREEDOM

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. HATHAWAY. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conducts a Voice of Democracy contest.

The winner this year from the State of Maine is Miss Evelyn Miller, of Lewiston. Miss Miller will compete next week with the winners from the other States.

I am proud to present Miss Miller's winning speech to my colleagues.

The speech follows:

THE CHALLENGE OF FREEDOM

(By Evelyn Miller)

I am as old as ancient Greece, yet, I am not withered, but stately, like a graceful ship. I came to this land with the very first boatload of settlers, but was kept hidden in garrets and cellars, taken out only weekly to watch the men train on the village green. Since 1775, however, I have been allowed to roam this country, giving my gifts of free speech, free press, free religion, and civil liberty to all those I meet, and I meet all.

What do I look like? I am big and all embracing. My eyes are shrewd, they see all, yet they are kind. My voice is deep, like the tolling of an old iron bell.

I am a difficult woman, sometimes a burden, for it is up to you, the people of America, to care for me, and to protect me, for if you neglect me, I may leave.

---

[3] Honey Market News, USDA.

[1] These are unable to produce a commercial crop without cross-pollination.

[2] These generally produce a larger crop when honey bee pollinated.

You have kept me well in the past, but there have been times when I considered going. In the years after the founding of our country, my heart cried out for my black brothers and sisters who were bent under the lash of oppression and slavery. But I am patient, so I stayed and saw one of my greatest champions free these tortured souls.

Yes, I stayed to whisper to soldiers dressed in blue—to whisper words that made them fight more bravely and harder. They fought for me, and they won that war for me.

Again I was wounded, by the sight of small children working in sweat shops and mothers struggling to find some food with which to feed those children; but as I hoped, prayed, and expected, those children were put back in school and bread was given them and their mothers. Again I was not betrayed.

Even in these recent times, I have thrown my hands up in despair and cried out in anguish—

At the sight of lynched bodies lying in a ditch, the sight of bombed churches, the sight of rats running over small children sleeping in unheated slums.

And when I smell the odour of the newly turned earth of the graves of some of our greatest men, shot down without mercy, blood drips from my heart.

Tears have flowed from my eyes from the tear gas and mace sprayed into them.

Yes, you have misused me, you have wounded me and pushed me out, ignoring my cries for compassion. But you have done this in the past and always, just in time, you have rushed to me and bound up my wounds and nourished me until I am healthy, healthy enough to again distribute my precious gifts.

In light of this, I shall give you one more chance.

People of America—look around you and see the swords that pierce me and draw them out; see the fire that consumes my soul and extinguish it—soothe my pain, I implore you—before I seek help elsewhere, or die.

People of America—I challenge you.

KANSAS STATE TO STUDY PETRO-PROTEINS

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. MIZE. Mr. Speaker, those who have committed themselves to the goal of eliminating hunger and malnutrition in the world community have two areas of primary concern: adequate food production and efficient food distribution. Failure to accomplish one or the other of these objectives has resulted in widely scattered pockets of extreme want since time immemorial.

Today, man has the opportunity to successfully eradicate hunger, for his technology in this area is limited only by his commitment to the cause. With dedicated effort, scientists and managers can meet the demands of perhaps 7 billion persons by the turn of the century—only 31 years hence.

Now we know that hunger is not confined to the developing nations. Studies conducted within the past 2 years have convinced even the most skeptical that nutritional deficiencies seriously deplete human resources in our own country.

The administration is committed to an attack on this problem, and I am confident the Congress will cooperate fully with the President in this effort.

Mr. Speaker, behind the official concern, behind the success of food for peace abroad, behind America's unparalleled agricultural potential works an unexcelled team of scientists and research personnel.

Their base of operations lies within the academic community, to a large extent. Our hopes for victory over hunger rest largely upon their continued high level performance.

An imaginative study of petro-protein is being considered by Kansas State University, long a leader in food technology. The February 11 issue of the Southwestern Miller highlighted this project, and because of widespread congressional interest, I include the article in the RECORD at this point:

PETRO-PROTEINS IN KANSAS

From Kansas State University has come an announcement that provides further dramatic evidence of the need for recognition by wheat and wheat products executives of rapid changes in technology that could exert a lasting effect on their industry. The university, long considered the premier academic center in instruction and research in the entire breadstuffs field, has disclosed that it hopes to initiate a research project to find ways of producing food and feed proteins from petroleum. The study will concentrate on developing a method by which the state's crude oil and natural gas resources, which are comparable with the wheat and wheat processing industries as economic contributors, could be utilized to help solve world food problems. One researcher is quoted as stating that the microbial production of single cell proteins from hydrocarbons of oil and natural gas affords Kansas the chance to create a new industry.

The initiation at Kansas State University of such a project reflects welcome awareness by the university staff of advances being made around the world in production of so-called petro-proteins. At the same time, the project must stand as a startling reminder that wheat protein is not sacrosanct as a source of food protein.

As matters now stand, the project is largely in the conceptual stage, awaiting approval and funding by the state legislature. Initiation of the project arose from a resolution that was introduced, but not passed, in the Kansas House of Representatives last year. If approved, the project will be carried out by the university's Department of Chemical Engineering, but the Food and Feed Grains Institute will be called upon for collaboration in determining acceptability of petro-protein as food or feed supplement.

Certainly, particular significance should be attributed to the proposed project's location on the campus of Kansas State. Imposing credentials for potential accomplishment are readily apparent. With a century of agricultural research experience, with vast food and feed expertise developed in connection with serving the nation's wheat growing heartland for many decades, with the excellent record of experience in foreign technical assistance programs and with the unique institute of Food and Feed Grains resident on campus, resources of considerable authority are available. Brought to bear on petro-protein, particularly as regards marketing and practical application, these resources should readily contribute to the characterization of Kansas State as world headquarters for food and feed knowledge. Corroboration of the idea was inherent in comments made by the university president, Dr. James A. McCain, at the Senator Frank Carlson Symposium on World Population and Food Supply held at the university in December. He said, "The spectre of famine on a global scale is man's most serious problem today. Perhaps no other university is more deeply committed to helping solve the world food problem than Kansas State."

Beyond the proposed project itself, the main inference that may be drawn is that, once again, affirmation is provided of the highly competitive arena in which wheat must be viewed. Coincidentally, Dr. John A. Shellenberger, distinguished professor in the Department of Grain Science and Industry at the university, recently commented on the possible substitution of other foods or synthetics for wheat. "Changes are inevitable and are occurring constantly," Dr. Shellenberger wrote, adding that "I do hope that the entire wheat industry will start looking ahead."

The urgency for the wheat industry to "look ahead," as expressed by Dr. Shellenberger, this publication on numerous occasions and by others, is heightened by the announcement from Kansas State University. In this context, "looking ahead" means an acceleration of research designed not only to strengthen the position of wheat foods as the most economical source of protein but also to search out new utilization horizons.

WILLIAM PASSMORE, OF EAST CHICAGO, IND., HANDICAPPED AMERICAN FOR THE YEAR 1968

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. MADDEN. Mr. Speaker, the Calumet region of Indiana is indeed proud of the recognition our Nation is extending to Mr. William Passmore, of East Chicago, who has been selected as the "Handicapped American of the Year for 1968."

Mr. Passmore lost both his legs in an unfortunate accident during his high school days and has been confined to a wheelchair during his adult life. When he was 16 years old he was hospitalized for 11 months. Three years later he returned to have his legs amputated. Mayor John Nicosia, of East Chicago, recognizing his constant work for other handicapped citizens, appointed him as coordinator for the East Chicago Social and Economic Opportunities Committee. He has aided, and placed more than 100 handicapped and disadvantaged youth in suitable jobs in private industry and other areas.

Mr. Speaker, with my remarks I include a letter which I have received from Mr. Harold Russell, Chairman of the President's Committee on Employment of the Handicapped, wherein he states that Mr. William Passmore, of East Chicago, will be presented the President's Trophy at a ceremony in Washington on May 1. I include further a news release of Sunday, February 23, announcing his recognition as a recipient of the President's Trophy.

THE PRESIDENT'S COMMITTEE ON
EMPLOYMENT OF THE HANDICAPPED,
Washington, D.C., February 20, 1969.

Hon. RAY J. MADDEN,
House of Representatives,
Washington, D.C.

DEAR MR. MADDEN: It is with great pleasure that the President's Committee salutes Indiana, the home State of Mr. William Passmore, of East Chicago, who has been selected as the Handicapped American of the Year for 1968.

Mr. Passmore is a double amputee. Though confined to a wheelchair, he has fought back against seemingly impossible odds to make a record for himself as a community leader and an inspiration to the handicapped.

Through his position as Work Coordinator for the East Chicago Mayor's Committee on Social and Economic Opportunity, Mr. Passmore has opened many doors to employment for the handicapped and the disadvantaged so that these people may achieve economic independence and roles in community life.

All of Indiana may take great pride in Mr. Passmore's achievements because he is living proof that handicapped persons can earn their way and contribute to community life.

The President's Trophy, awarded annually by the President's Committee to the individual chosen the Handicapped American of the Year, will be presented to Mr. Passmore at the Committee's Annual Meeting, Thursday morning, May 1 in the Washington Hilton Hotel in Washington, D.C.

Sincerely,

HAROLD RUSSELL,
Chairman.

INDIANA AMPUTEE TO RECEIVE PRESIDENT'S TROPHY

A double amputee who has led the fight for jobs and equality for the disabled and disadvantaged of East Chicago, Indiana for the past 18 years, has been named "Handicapped American of 1968" by the President's Committee on Employment of the Handicapped.

William Passmore, 39, chosen from among nominations from all parts of the country will receive the award—known as the President's Trophy—at the Annual Meeting of the President's Committee at the Washington Hilton Hotel on May 1.

President Nixon is expected to present the award—the Nation's highest tribute to the courage and determination of the physically and mentally handicapped.

For the past two years, Passmore has been Work Coordinator for the East Chicago Mayor's Committee on Social and Economic Opportunity. He counsels, trains and places disadvantaged youth in the Neighborhood Youth Corps, and has recently helped over 100 of these young men and women to find permanent jobs in private industry.

A football accident in 1945 cost Passmore his legs and left him confined to a wheelchair. Knowing the loneliness of a hospital, he began, shortly after his own release, to visit patients at the East Chicago community hospital every Sunday afternoon. He continues this practice and in 1967 received the hospital's "Visitor of the Year" tribute.

He finished high school with the aid of tutors in 1951 and started work as a night dispatcher for the Red Top Cab Company. For 11 years, he worked the midnight shift and spent his days in volunteer work with the handicapped and disadvantaged.

His knowledge of the community encouraged him to start a weekly column for the Chicago Defender newspaper. For 18 years, his column "East Chicago on the Go" has been the voice of that community.

In addition to his full-time job and volunteer activities, Passmore is a part-time student at the local campus of the Indiana University where he is majoring in sociology and criminology.

His interest in criminology stems from his experiences in the rehabilitation and job programs at Indiana State Prison in Michigan City. He helped to set up "Convicts Anonymous," a group therapy organization within the prison, and is active in helping ex-convicts find jobs through "Convicts Unlimited."

In recognition of his strong ties with the community, the police last year sought his advice on how to handle what could have been a serious disturbance among East Chicago youth.

Some of Passmore's activities are: The National Association for the Advancement of Colored People; the Northern Indiana Political Action Group; St. Mark's AME Zion Church; the East Chicago Junior Chamber of Commerce; and the Anselm Forum—an interracial, interreligious, and multiethnic group working towards better human relations in the community.

Last year's President's Trophy winner was Max Rheinberger, Jr., a businessman from Duluth, Minnesota.

The President's Trophy is a sterling silver plaque mounted on a mahogany base. Made and donated by the students at the Institute for the Crippled and Disabled in New York City, it bears the facsimile signature of the President of the United States.

THE CATESBY ETCHINGS

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, the Virginia Museum in Richmond, Va., was the scene of a special program on Friday, February 21, featuring a film presentation of an excellent Colonial Williamsburg film, "The Colonial Naturalist," the life of Mark Catesby, and introducing a private collection of 50 original, hand-colored etchings by the 18th-century naturalist, which will be exhibited at the museum through March 9.

The Catesby etchings are owned by Dr. and Mrs. George B. Green, of Arlington, in my congressional district. They have been Virginia residents since 1954 when they returned to the United States following 3 years in Paris, where Dr. Green was attached to the American Embassy. Dr. Green, a retired Air Force medical officer, is employed by the Food and Drug Administration, and Mrs. Green is active in a number of civic and cultural organizations in northern Virginia.

Mr. Speaker, Dr. and Mrs. Green, by making available for public display such a remarkable collection, are contributing to better understanding of the important work begun by Mark Catesby in Virginia over 250 years ago. I would like to take this opportunity to congratulate them and to commend the exhibit to all who may have the opportunity to view it during its all-too-brief display in Richmond.

I insert at this point in the RECORD the full text of an article from the February 9 Richmond Times-Dispatch describing the Catesby collection, as well as a notation in the Virginia Museum members' bulletin for February 1969, about the display of the collection and the special program and reception on February 21, 1969:

[From the Richmond (Va.) Times-Dispatch, Feb. 9, 1969]

CATESBY ETCHINGS TO BE SHOWN HERE

A private collection of original, hand-colored etchings by the 18th century naturalist, Mark Catesby, will be exhibited at the Virginia Museum beginning Friday, and running through March 9.

The 50 etchings are from the collection of Mr. and Mrs. George B. Green of Arlington, who over the years have become experts on Catesby's life and his art.

The exhibition, entitled "Mark Catesby: Colonial Naturalist," will be on view in the Museum's Theater Gallery.

The prints are from the three editions of Catesby's "The Natural History of Carolina, Florida and the Bahama Islands: Containing Figures of Birds, Beasts, Fishes, Serpents, Insects and Plants . . ."

The first edition, when it appeared in 1731, represented the first comprehensive works on the natural history of North America. Names that Catesby placed on 75 different previously unknown species of both flora and fauna remain to the present day.

A self-taught artist, the English horticulturist made his first trip to North America in 1712, when he visited his sister in Williamsburg. During his stay in colonial America, he was encouraged in his studies of nature by two far-sighted Virginians, Col. William Byrd and John Custis.

When he returned to England, his drawings, writings and specimens atracted sponsors for the future publication of his work. With the support of these sponsors, he returned to Carolina, Florida and the Bahama Islands in 1724 to complete his studies and drawings from nature.

"Catesby," according to the Greens, "learned to draw what he could not adequately describe with words. He found that bird 'feathering' was more accurately portrayed with the etcher's tool . . . Prohibitive costs dictated that he etch his own plates, rather than hire engravers.

"Over 55 years of painstaking labor went into Catesby's great life's work. He strived to depict the true colors of nature in all the seasonal changes . . . When he discovered that fish changed color if removed from water, he painted them swimming.

"He personally etched the 220 copper plates bound in the two-volume, folio size work, and either hand-colored or personally supervised the coloring of each of the nearly 34,000 separate impressions that . . . were used in the 1731 edition."

After Catesby died in 1749, his good friend George Edwards took over and completed the second edition, in 1754, and a third edition appeared in 1771. Coloring in the later editions, Mr. and Mrs. Green have noted, often was executed by colorists, including children, who were unfamiliar with the actual subjects.

"In the opinions of the collectors," the Greens have written, "Catesby's work has never been sufficiently or properly recognized for its great artistic contribution, as well as scientific and literary importance in Americana.

"This, and the known scarcity of Catesby's work, has deepened (our) determination to honor Catesby by making his work known, and to preserve the limited number of examples that remain, through our own collecting and through encouraging museums and libraries to collect, preserve and, where possible, exhibit these fascinating examples of a remarkable self-taught artist."

[From the Virginia Museum Members' Bulletin, February 1969]

FLORA AND FAUNA

Not until the eighteenth century was a comprehensive and serious study made of the flora and fauna of North America. The self-taught English artist who documented the birds, bees, insects, flowers, animals, reptiles and fishes of the colonies was Mark Catesby, who first came to Virginia in 1714. Encouraged by Colonel William Byrd, this pioneering naturalist gathered specimens (assigning names still in use today), taught himself to draw, learned to etch and personally hand colored 34,000 plates. The first edition of his book was limited to about 150 sets, each containing 220 etchings, and is thought to be the earliest hand-colored plate book on this subject. Two later editions were published after Catesby's death in 1749.

The amount of hand work involved in such an undertaking necessarily limited the number of copies at the outset, and the ravages of time have, of course, increased the rarity of the plates, making them a fascinating object of search for the serious collector. Dr. and Mrs. George Benjamin Green of Arlington have, over the years, managed to assemble an impressive number of Catesby's plates.

Fifty plates from the Greens' collection, including *The Purple Martin* and *The Land Crab;* will be on view in the Theatre Gallery from February 14 through March 9 in an exhibition entitled *Mark Catesby: Colonial Naturalist*.

SPECIAL RECEPTION

Sustaining, Supporting and Contributing Members of the Museum (as designated on page 6) will be invited to attend a reception on February 21 from 5 to 7 P.M. honoring Dr. and Mrs. George Benjamin Green. The Greens are the owners of the prints in *Mark Catesby: Colonial Naturalist*.

After a showing in the Museum Theatre of *The Colonial Naturalist*, a 55-minute color film on Catesby's life produced by Colonial Williamsburg, guests will adjourn to the Members' Suite to meet Dr. and Mrs. Green and to enjoy refreshments.

FREEDOM'S CHALLENGE

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. McCLURE. Mr. Speaker, the winner of the Idaho Voice of Democracy contest, sponsored by the Veterans of Foreign Wars, is Mr. Vernon Anderson, of Weiser, Idaho. Because I found his address to be thought provoking, I herewith submit the address for inclusion in the CONGRESSIONAL RECORD, as follows:

FREEDOM'S CHALLENGE

(By Vernon Anderson)

According to Webster's dictionary, freedom is—"not being subject to another power or authority." The true spirit of American freedom is this and more. It is doing unto others as you would have others do unto you. It is placing God and country before self. Freedom is more than just fancy words. It is fighting for the right against impossible odds, as our forefathers did on the fields of Lexington and Concord. Every generation must meet freedom's challenge in order to preserve our heritage. Freedom's challenge was met at Gettysburg, and again during the dark hours of World War I, World War II, and the Korean War. Our forefathers have sacrificed their all in order to preserve our heritage. A heritage that allows every man the opportunity to progress to his utmost, to gain a personal fulfillment and happiness out of life. We likewise have a moral obligation to preserve, protect, and honor our heritage. And by *we*, I mean every patriotic American, no matter what his race, color, or creed may be. Not every American will be called on to serve in the armed forces; however, there are many other ways in which we can meet freedom's challenge. The best place to start is with ourselves. Gain an education and then apply it to the advancement of humanity. Use your education constructively to become a useful member of society and to take an active role in our democratic government.

When we see the "Stars and Stripes," and hear the "Star Spangled Banner" being played we cannot help feeling a deep reverence and pride of America. Hold your head high and share your patriotism with your family, friends, and neighbors. There are countless ways in which to display your patriotism, to meet freedom's challenge. It is the duty of every American to recognize, accept and meet freedom's challenge at every opportunity. By strengthening the individuals we will have united the families, and by uniting the families, the nation will continue to be united.

As Thomas Jefferson stated, "The God who gave us life, gave us liberty at the same time." It is our obligation to protect that liberty. Freedom's challenge is a personal challenge—one which we must all meet separately as individual citizens and unitedly as Americans.

REQUIREMENTS FOR ADVANCEMENT IN THE VIENNA POLICE DEPARTMENT

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. SCOTT. Mr. Speaker, while we may disagree as to the best way to control crime, I believe the entire membership recognizes that criminal activity is one of the foremost problems confronting the country. Therefore, I thought you might be interested in the action taken by the town of Vienna, Va. This town, located near Washington, is upgrading the standards of its police force by providing incentives for officers to attend college in the evenings. In fact, the town requires that each officer attend college in his off-duty hours in order to be considered for promotions. I commend the town officers for their foresight in upgrading the professional standards of their police force and insert at this point in the RECORD a copy of a memorandum from Chief of Police Vernon L. Jones showing requirements to advance within the department:

TOWN OF VIENNA, VA.,
March 4, 1968.

To: Town Manager.
From: Chief of Police.
Re: Educational requirements.

For the past several years there has been been an upsurge in police salaries throughout the Metropolitan Area. Police departments have been demanding recognition as professionals. The majority of these demands have been voiced through salary increases with little emphasis on professional qualifications. Our department like all others, would like to be recognized as a professional unit.

The Town has been very generous in increasing the pay scale which has enabled us to compete favorably with other jurisdictions. However, until now I do not feel our standards for promotion within our department have been high enough to qualify us as professionals. We have a very fair tuition reimbursement policy within our Town and I feel that with the opportunities available for self improvement through college courses all of our men should take advantage of these opportunities.

It is recommended that as of this date the following requirements for promotion be adopted.

1. Sergeant—To be eligible for promotion to Sergeant or other specialized grades, a Patrolman must have:

1. Three (3) years continuous service with the department.

2. A minimum of 30 semester hours credit.

2. Lieutenant—To be eligible for promotion to Lieutenant, a Sergeant or other qualified specialist must have:

1. At least three (3) years continuous service as a Sergeant.

2. A minimum of 45 semester hours.

3. Captain—To be eligible for promotion to Captain a Lieutenant must have:

1. At least three (3) years service as a Lieutenant.

2. A minimum of 60 semester hours.

It is further recommended that our present supervisors be granted time to meet the above requirements. *For example, in order to retain their present rank, our Sergeants and Lieutenants must meet the above educational qualifications on or before July 1, 1972.*

I feel that by adopting the above policy our men will be further encouraged to take advantage of existing opportunities and as a result will improve the professional image of our department.

It is further recommended that applicants with a minimum of two (2) years college be appointed as patrolman, Grade 17 Step C. Applicants with degrees in police science or related fields would be appointed as patrolman, Grade 17 Step D. Our present men upon completion of 48 semester hours be awarded a meritorious increase of one step. Upon completion of 96 hours a two step increase will be awarded.

By initiating these requirements at this time, Vienna will be taking a big step toward professionalization. If we are going to annually request professional salary increases we should at least attempt to qualify as professionals.

VERNON L. JONES.

ROBINSON, ILL.

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. SHIPLEY. Mr. Speaker, I am very proud that Robinson, Ill., has been selected as one of the 10 most beautiful cities of its size in the Nation.

Mrs. Maxine Zwermann, chairman of the Chamber of Commerce Beautification Committee of Robinson, as well as the Robinson High School dance band are presently in town to attend the award ceremonies.

Under leave to extend my remarks, I would like to submit for inclusion in the CONGRESSIONAL RECORD an article which appeared in the Robinson Argus on this award:

[From the Robinson (Ill.) Argus, February 6, 1969]

ROBINSON, ILL.

Robinson has been selected as one of the ten cleanest and most beautiful cities of its size in the United States.

Chamber of Commerce Beautification Chairman Maxine Zwermann has received notification of the honor from the Director of the National Clean Up-Paint Up-Fix Up Bureau in Washington, R. H. Hackendahl.

Robinson's clean up and beautification program is among the ten best in the nation of under 25,000 population. Only 30 awards are given annually, with 20 of them going to larger city categories.

Robinson will be honored at the National Congress of Beautification, to be held in Washington, D.C., February 23–25. An engraved trophy will be presented to representatives of the city on February 25.

As a trophy winner, Robinson, will be in competition for the National Award of Excellence, the Trigg Trophy, which is the highest honor any city can receive for clean up beautification and civic improvement.

Mrs. Zwermann's committee this year presented two sections covering the beautification work here, one containing 99 typewritten pages, and one containing two books, weighing 92 pounds.

Covered in the program here for the past four years have been community-wide beautification, property improvements, youth activities, and miscellaneous activities.

Robinson previously has won three Distinguished Achievement Awards, under the chairmanship of Mrs. Zwermann and her predecessor, Jim Woodworth.

RAY MARTIN ON COAL MINE SAFETY

HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. HECHLER of West Virginia. Mr. Speaker, in the CONGRESSIONAL RECORD of February 5, 1969, pages 2887 through 2913, was printed an excellent series of articles on coal mine health and safety written by Ray Martin, city editor of the Morgantown, W. Va., Dominion-News. Since the reprinting of these articles, Mr. Martin has written a number of subsequent articles which deserve the attention of all those interested in improving conditions in the coal mines.

These articles cover the period from February 6 through February 22, 1969:

[From the Morgantown (W. Va.) Dominion-News, Feb. 6, 1969]

UMWA RAPS HECHLER, NADER—PRAISES RANDOLPH

(By Ray Martin)

The United Mine Workers of America has launched a sweeping attack against critics of the union in the field of miners' health and safety. Named specifically in the latest issue of the UMW Journal were Rep. Ken Hechler, D-W. Va. and Ralph Nader.

The Feb. 1 issue of the UMW Journal had praise for both Gov. Arch A. Moore Jr. and Sen. Jennings Randolph, D-W. Va. in regard to their actions on mine safety and health legislation.

In a message addressed to UMWA members, Justin McCarthy, Journal editor, says, "There are some arrogant troublemakers scurrying about—or sending messages to the coal fields these days trying, for devious motives of their own, to convince the members of the United Mine Workers of America that your union is not doing its job in behalf of safety and health for coal miners.

"The French have a name for such persons. They are called agents provocateurs. Agents provocateurs are secret agents hired to incite others to actions that will make them liable to punishment.

"The American labor movement has a shorter and more concise term for such troublemakers. We call them finks. A fink is a spy, a strikebreaker, an informer and a stool pigeon among other things.

"In our book persons who accuse the United Mine Workers of America and its dedicated International President W. A. Boyle of not doing their jobs in behalf of the health and safety of coal miners are finks.

"Don't listen to them! Don't support them!

"This greater union of coal miners under the inspired leadership of President Boyle is now engaged in an all-out fight in the Congress of the United States and in the legislatures of the several coal mining states to win better health and safety conditions for all coal miners in the United States.

"This issue of the Journal is full, from this page on back, of information for our members about what your union is doing and has done on such matters as coal mine safety, 'black lung'—coal workers' pneumoconiosis, workmen's compensation legislation, dust control and other matters of vital concern to all of us.

"Read it carefully. Save it. Tuck it in your pocket and use it for reference.

"Don't ever forget that this union is your union and it is the only organization in America that always has fought down through the years since our establishment on Jan. 25, 1890, 79 years ago, for the best interests of American coal miners.

"Don't allow cheap politicians and other 'instant' experts to try to split you away from the leadership of the United Mine Workers of America. The coal operators have tried this in the past to their regret.

"President Boyle and his associate officers need your support in this renewed but never-ending fight to bring better health and safety to all coal miners. So rally to the cause of your union and tell the finks to go peddle their anti-union propaganda elsewhere," the Journal editor concluded in the Page One article.

The 24-page issue of the Journal now in the process of distribution by mail carries the texts of the UMWA's "dust bill" introduced in the U.S. Senate by Sen. Jennings Randolph and a "black lung" bill filed in the West Virginia State Senate by the Senate president.

It quotes Senator Randolph as saying on the floor of the Senate: "It has always been my experience in working with UMWA officials in this legislative area to know that they, like all of us, must keep in mind the coal miners' payrolls as well as their health and safety."

The UMWA Journal reports the presence of a delegation of union leaders at the inauguration of Governor Moore and cites Vice President George J. Titler as "a man who played a large part in Moore's election."

An editorial written by Rex Lauck, assistant editor, takes Representative Hechler and Mr. Nader to task and describes them as "instant experts."

Mr. Lauck's editorial compares Mr. Nader with the late Sen. Joseph R. McCarthy of Wisconsin.

The editorial discusses the number of lines Congressman Hechler's biography consumes in the Congressional Directory—41. It notes that the late Sen. Robert Kennedy used 28 lines and Rep. Harley O. Staggers of West Virginia uses 13 lines.

"We did not take time to check the complete Congressional Directory, but we do believe Hechler's biography is among the longest in it, probably exceeded only by a lengthy recital of the record of Rep. Joel T. Broyhill (R., Va.)," the editorial states.

Representative Hechler read Mr. Nader's message to the miners' rally.

[From the Morgantown (W. Va.) Dominion-News, Feb. 7, 1969]

BLACK LUNG DISEASE BILL FATED TO LONG LIST OF DELAYS

(By Ray Martin)

CHARLESTON.—There are occupational hazards and occupational diseases. Usually they affect only the individual worker subjected to them. As in the case with all laws, or rules of thumb, there are exceptions which cross lines and affect others.

Former State Sen. Paul Kaufman was retained by the West Virginia Black Lung Association to prepare legislation on the subject for submission to the State Legislature and act as the group's lobbyist in shepherding it through the channels of legislators.

During the course of the miners mass rally in the Charleston Civic Center on Jan. 26, Kaufman announced that the bill would be introduced during the week by Sen. William T. Brotherton, Jr., Charleston Democrat, chairman of the Senate Judiciary Committee. Sen. Robert K. Holiday, D-Oak Hill, was to be the bill's co-sponsor.

A companion measure was to be introduced in the House of Delegates by Del. Robert Nelson, D-Cabell.

At the time Kaufman made his announcement at the Charleston rally, the legislators had had the 30-page bill for a week.

Daily during the week of Jan. 26, miners eagerly awaited the introduction of their bill. It didn't happen.

Woodrow Mullins of Gallagher, spokesman for the Black Lung Association, said members of his group met with Senator Brotherton on Friday, Jan. 31, and were assured that the bill would be introduced Monday, Feb. 3.

Is wan't.

Rumors started to fly around Capitol corridors that Senator Holliday was withdrawing as a sponsor of the bill.

No trace of the bill could be found at the Capitol on Monday.

Dr. I. E. Buff, Charleston heart specialist and head of the Physicians Committee for Miners' Health and Safety, expressed fear that "the bill might be lost or delayed until Feb. 14."

Hearings on black lung bills already introduced are scheduled Feb. 11 before the Judiciary Committees of House and Senate meeting in joint session.

There were persistent reports that the Senate Judiciary Committee chairman wasn't responding to inquiries about the status of the black lung proposals from his former Senate colleague.

Dr. Buff called for the prompt introduction of the Black Lung Association's proposal and requested the Judiciary Committee's vote on the bill be made public.

"It is unfair to penalize the entire membership of the State Legislature if the committee delays action until Feb. 13, which means that the measure must go through the Rules Committee." Dr. Buff said.

He said killing of the bill on Feb. 14 would be "a St. Valentine's Day massacre as far as the coal miners of West Virginia are concerned."

The Charleston doctor said Senator Brotherton gave him no "satisfaction" when he was asked about the delay in introduction of the black lung compensation measure.

Early Tuesday morning the bill suddenly had a number—Senate Bill 216.

Word started to spread through the corridors of the Capitol and around Charleston law offices that the Senate measure and Delegate Nelson's bill would be introduced at Tuesday's sessions.

The clerks of both House and Senate said the measure wasn't on the list to be read at the session and referred to committee.

Some members of the Senate expressed the belief that an age-old legislative trick was being brought into play. The bill is numbered and then gets mislaid or lost between the clerk's office and the floor of the Senate.

A half-hour before the Senate convened on Tuesday, senators inquiring about the bill were told that it would be brought out on Wednesday.

Members of the Capitol press corps joined the hunt for the "missing bill" and it was found in time for introduction at the Tuesday session of the Senate.

The Nelson bill was introduced in the House Thursday. It is HB 814.

Senator Brotherton was not available for comment concerning delay in the introduction of the Black Lung Association bill.

Senator Holiday, however, said the delay was caused by the length of the bill and the time required for clerks to type it on the line-numbered forms used in the legislature.

He expressed the belief that the draft copy of the bill probably "contained certain minor errors" and he thought that the explanation of the bill's purpose had to be "rewritten."

The Black Lung Association bill is the sixth one aimed at providing Workmen's Compensation Act benefits for coal miners afflicted with pneumoconiosis (Black lung) introduced in the current session of the legislature.

[From the Morgantown (W. Va.) Dominion-News, Feb. 7, 1969]

Coal Miners Head List of Injured Workers

Ninety per cent of West Virginia's workmen who are injured and who are awarded compensation payments under the state's Workmen's Compensation Act are coal miners.

This was the contention of Dr. Murray Hunter, of the United Mine Workers Clinic at Fairmont, last night as he participated in a dialogue with two doctors at the College of Law at West Virginia University. Other participants were Dr. H. A. Wells of Johnstown, Pa., a member of the Physicians' Committee for Miners' Health and Safety, and Dr. Leroy Lapp, instructor in WVU's Department of Medicine and a member of the cardio-pulmonary section of Project ALFORD, a U.S. Public Health Service project headquartered at WVU.

The position of Dr. Charles E. Andrews, WVU provost for health services, was stated in a paper read by William Tantlinger, a law student. Dr. Andrews had been scheduled to appear at the program arranged by a group of students headed by Davitt McAteer.

"When you talk about compensation in West Virginia," Dr. Hunter said, "for all practical purposes you are talking about coal miners."

The UMW doctor estimated that bills now pending in the State Legislature relative to "black lung" would increase compensation costs by $48 million annually. This, he said, includes only the amount of money needed to bring existing payment schedules in line with the current cost of living.

Dr. Hunter would not hazard a guess as to the cost of including "black lung" as a compensable disease.

He warned against the use of terms in legislation which are not generally acceptable to the medical profession. He said that lawyers could challenge the law if the terms were not found in some referrable medical source. He did not, however, suggest a term for pneumoconiosis or black lung which would meet the legal test.

Dr. Hunter praised Dr. Wells for helping to popularize the term "black lung" and said this has helped the general public understand the coal miners' problem.

The UMW physician said the nation now recognizes air pollution is "bad" and "it can't be seen anywhere except in Los Angeles. Why do they question the pollution of coal mines with coal dust—which can be seen?"

Dr. Wells told the students assembled to discuss the pending black lung bills "unfortunately most big medical problems have only political solutions."

He said there were 52,000 disabled coal miners in West Virginia and asserted the figures used by Dr. Andrews in his presentation didn't agree with the several sources he had cited.

Dr. Wells said he wasn't interested in compensation as such but his emphasis was on early detection of black lung and its prevention.

Dr. Hunter disagreed on the compensation phase of Dr. Wells' position. Dr. Hunter said this was vital to the worker and was the only palpable way available to help clean up the mines.

"We are still a cash society," Dr. Hunter declared.

Dr. Lapp described three different types of respiratory ailments and the problems which face physicians in their diagnosis. He noted that British records of investigation of black lung do, however, serve as basis on which to make judgments in the U.S. The British began their research in 1942.

There was general agreement among the discussants that cigarette smoking would be raised as an issue in Tuesday's hearing at the State Legislature on the pending bills.

Dr. Wells asserted that release of a federal study on the relationship of smoking to coal miners' diseases would shed light on the problem. Dr. Wells disagrees that smoking is a major factor in black lung.

George Fleming, a miner at Pursglove told the audience that masks issued to miners "are worthless after just a few minutes."

"There are quite a few things down there (in the mine) besides cigarettes," Mr. Fleming said emphatically.

Dr. Wells then read a letter from another miner showing that it was impossible for a miner to smoke the number of cigarettes in a 24-hour period that some researchers claim.

Students read abstract accounts of the various bills now before the legislature and then asked the three doctors specific questions about the bills.

The students will review their abstracts and then adopt a group view on the legislation and send it to the legislators.

[From the Morgantown (W. Va.) Dominion-News, Feb. 8, 1969]

Congressional Record Cites Editor's Work

Reports on mine safety and health written by Ray Martin, Dominion-News city editor, have been cited in the Congressional Record.

Rep. Ken Hechler, Huntington Democrat, referring to Mr. Martin's reports said, "National attention is focused on coal mine health and safety whenever there is a disaster in the coal mines. Since the Nov. 20 disaster at Farmington, W. Va., which resulted in the deaths of 78 miners, many questions have been raised as to what can and should be done to protect the lives and safety of the men who work in these dangerous conditions.

"Ray Martin of the Morgantown Dominion-News, a member of the National Conference of Editorial Writers, has examined this subject in depth in a series of articles which should be carefully read by all those interested in taking constructive action to clean up the mines and make them safer for those who work in them. These articles should provide a sound basis for action in this vital and complex area."

The Fourth District congressman's office said that the Washington Journalism Center has started to use Mr. Martin's articles as a major research source for one of its current projects.

Representative Hechler included a synopsis of Mr. Martin's professional background in his remarks and referred to a Dec. 6 Dominion-News editorial which commented on the series of articles authored by the newspaper's city editor.

The congressman followed this with publication of Mr. Martin's articles between Dec. 4, 1968, and Jan. 31. The articles consumed 26 pages in the Congressional Record.

The Record clerk's office reported that publication of Mr. Martin's work in the daily newspaper of Congress is among the longest single entries in recent years. The record for the longest single insertion is held by former Sen. Wayne Morse, R–Ore., who inserted over 100 pages of material in 1958 relative to the Taft-Hartley Act.

The clerk's office said insertion of Mr. Martin's work may possibly set a record for the longest entry of one individual's writing.

[From the Morgantown (W. Va.) Dominion-News, Feb. 9, 1969]

Black Lung Meet To Begin Tuesday

(By Ray Martin)

The stage is set and the actors have rehearsed well the lines and gestures they will use in Charleston Tuesday when the House and Senate Judiciary Committees hold a joint hearing on proposed legislation to make "black lung" a compensable disease under the Workmen's Compensation Act.

Of 30 bills introduced in the current session of the state Legislature dealing with the Department of Mines, mine safety and health, nine are relative to the compensation question.

Although compensation awards for coal miners' pneumoconiosis have been made in four instances over a four-year period, the state of West Virginia does not specifically recognize the lung disease as compensable.

A great deal of furor has been raised, accompanied by character assassination and vilification, since the campaign was launched to get the legislators to include black lung in the compensable disease category.

It is ironic that such tumult should ensue when one considers there is nothing compulsory about the state's basic compensation law and hence no penalties for industrial and business entities which do not choose to participate in the state's system of workmen's compensation.

Participation in the state plan merely provides certain immunities for the employer in the courts in case an injured worker brings suit. One of the principal immunities is that dealing with "deliberate intent" to injure or kill an employe.

Many lawyers in West Virginia believe the deliberate intention clause and its restrictive interpretation by the courts has worked a great injustice on injured workers and placed employers in a highly favored position.

Regardless of the nature and extent of accidents in coal mines it is practically impossible to hold the mine operators legally accountable, if they carry workmen's compensation, many lawyers assert. It is impossible, they say, to prove in a court of law that the mine operator previously picked out a specific individual out of perhaps hundreds to injure or kill.

These lawyers advocate changing the laws to provide that an employer can be held accountable if there is evidence of willful or wanton misconduct or negligence. They would include violation of state or federal safety laws and rules, where applicable, as evidence of such conduct.

All nine black lung compensation proposals contain a provision that blocks aware of payments to employes of employers who are delinquent in the payment of their premiums to the compensation fund.

The October, 1968, contract between the United Mine Workers of America and various coal mine operators contains this clause relative to workmen's compensation and occupational diseases: "Each operator who is party to this agreement will provide the protection and coverage of the benefits under Workmen's Compensation and Occupational Disease Laws, whether compulsory or elective, existing in the states in which the respective employes are employed. Refusal of any operator to carry out this direction shall be deemed a violation of this agreement. Notice of compliance with this section shall be posted at the mine."

The Tuesday hearings will be conducted in the House of Delegates chamber at the state Capitol starting at 1:30 p.m. Everyone except the registered speakers, legislators and the press will be barred from the floor of the chamber during hearings. Spectators will be seated in the galleries.

Area members of the Senate Judiciary Committee headed by Sen. William T.

Brotherton Jr., D-Charleston, include O. G. Hedrick, D-Fairmont and William Moreland, D-Morgantown.

Del. J. E. Watson, Fairmont Democrat, chairs the House Judiciary Committee. Other area members of the committee include Robert W. Dinsmore, D-Morgantown; Harry U. Howell, D-Morgantown and Robert C. Halbritter, R-Kingwood.

Before the joint committee will be the following House bills dealing with black lung: H.B. 570 (Dels. Goodwin, Seth and Jones of Charleston), H.B. 605 (Del. Simpkins), H.B. 606 (Dels. Stacy and Withrow), H.B. 648 (Del. McGraw), H.B. 720 (Del. Boiarsky), and J.B. 814 (Del. Nelson).

There are three Senate bills. Their numbers and sponsors are: S.B. 96 (Sens. Kinsolving and Moreland), S.B. 167 (Sen. Jackson), and S.B. 216 (Sens. Brotherton and Holliday).

All of the bills amend the present Workmen's Compensation Act by inserting various versions of coal miners' lung disease, pneumoconiosis, black lung or occupational pneumoconiosis, thus making the ailment compensable.

The two major bills which add new sections to the existing law are S.B. 167 and S.B. 216 and their companion bills in the House. The former is sponsored by the AFL–CIO and UMWA and the latter was prepared under the aegis of the West Virginia Black Lung Association.

All of the bills, with the exception of the Black Lung Association measure, contain provisions for denying payments to a widow or widower who is found living under common law marriage circumstances. A widow living a life of prostitution is also prohibited from getting benefits. Provision is made in the proposed laws for investigation of reports concerning the two situations cited.

The AFL–CIO–UMWA proposal contains a presumption clause specifying that an employe exposed to the hazards of occupational pneumoconiosis for a period of two years during the 10 years immediately preceding the date of his last exposure shall be regarded as getting the ailment as the result of his employment. The presumption, however, is not considered conclusive and may be rebutted by the employer.

The union proposal pegs payments under the compensation system to varying percentages of the average weekly wage paid in West Virginia, which is determined after taking all state workers' salaries into account.

Both major bills, as do the others, provide for disqualification of workers if they fail to follow posted safety rules or fail to use safety equipment supplied by the employer. As an example, a miner who failed to wear a mask could be disqualified for benefits.

The Black Lung Association bill pegs benefits to the average wage earned by miners rather than all of the state's workers and the figure is calculated on the individual's earnings.

The Association's presumption clause is predicated on the applicant being under 70 years of age and exposure to the dust hazard over a period of five years in a 15-year period preceding the date of the claim.

Both major bills would set up a new board to consider black lung claims as distinguished from others. Other measures combine silicosis and black lung into a single board.

The Association bill calls for the establishment of a laboratory center at Charleston to determine whether employes have black lung or not. The AFL–CIO–UMWA proposal makes no such suggestion.

The union-sponsored bill provides for a schedule of payments to attorneys who assist applicants for compensation. The Association bill makes no mention of this procedure.

All of the bills contain provisions for making adjustments in the amount of compensation now paid by the state commission. This has been estimated to cost about $48 million.

No estimates have been given regarding the cost of making black lung a compensable disease.

Some state lawyers contend that the state's compensation law could be simplified, thus reducing a great deal of confusion for workers and employers alike. They advocate the simple statement that any medical condition resulting from or through the cause of employment is compensable.

[From the Morgantown (W. Va.) Dominion-News, Feb. 11, 1969]

Miners' Black Lung—What Is It? Legislators To Hear Arguments Today

(By Ray Martin)

Charleston.—"Black lung." What is it? What's behind the heated discussion involving coal miners, doctors and coal mine operators?

At 1:30 p.m. today the proponents and opponents of legislation designed to make "black lung" or coal workers' pneumoconiosis a compensable disease in West Virginia will parade their separate panels of "experts" before the Judiciary Committees of the House and Senate.

The coal mine operators and their doctors will stress that no new legislation is needed on the subject.

The miners and a small group of doctors will endeavor to make the fountain State the fourth state in the Union to recognize the coal miners' lung ailment as an industry-related impairment.

The position of the coal operators is best illustrated by the stand taken by the West Virginia Coal Association.

After noting current miners' pay scales and the amount of taxes, direct and indirect, which the coal industry pays in West Virginia and some of its past economic problems, the Coal Association states:

"From a shivering sparrow which poorly wintered the years when it lost almost all of its steam locomotive market and almost all of its home heating market, the coal industry is now developing into the productive, proverbial goose.

"There are those who, greedy for their immediate desires, would open up this goose for a single golden egg.

"However, the coal industry is presently standing up well under new challenges. A nuclear power competitor subsidized by federal tax dollars, Iron Curtain coal dumped at a loss for American dollars, markets lost because of unreasonable air pollution standards and additional expenses occasioned by environmental pollution control standards, are among these challenges.

"New Canadian and Australian coal fields, increased coal production in other states and advantages of market proximity enjoyed by these states are other challenges to the continued strength of West Virginia's coal industry.

"As if these were not problems enough," the Coal Association states, "the industry is now faced with an unrealistic attack in the form of a highly emotional thrust to rewrite the state's workmen's compensation laws without regard to the welfare of the coal miners and the industry itself.

"In view of proposed legislation concerning coal workers' pneumoconiosis or black lung, coal, the cornerstone of West Virginia's economy, is being seriously threatened because of a lack of understanding and misrepresentation of fact.

"This legislation may severely hamper the coal industry and do great injustice to the coal worker.

"Briefly, the proposed legislation assumes that after working only two years in the mines, a coal worker with a respiratory ailment has automatically contracted black lung, and is entitled to an award under the state's workmen's compensation laws.

"This presumption is without precedent anywhere in the world. In fact, respiratory disease is the largest single public health problem of non-coal workers.

"What is pneumoconiosis? Dust in the lungs. Coal workers' pneumoconiosis (Black lung) means coal dust in the lungs. Silicosis is a pneumoconiosis caused by rock or sand dust in the lungs. Miners often breathe both coal and silica dust.

"Cigarette smoke also is dust. According to Dr. Wolfgang T. Ulmer, a West German lung physiologist of international renown, one single cigarette exposes the smoker to a greater amount of dust than a miner exposed to in three 8-hour shifts in the mines.

"Because it is frequently impossible to determine whether a disabled living miner has silicosis or coal workers' pneumoconiosis, thousands of claims have been paid by West Virginia's Silicosis Medical Board without regard to the distinction.

"What is important to this board of doctors is that if the disabled man is a miner with dust in his lungs, then he is compensated for any resulting disability.

"Anyone who says that Workmen's Compensation benefits are not being paid in West Virginia for the disease called 'black lung' is not stating the truth."

A workmen's compensation law similar to that of Pennsylvania has been suggested for West Virginia's miners. This type law is bad for both the miner and the state. Unlike West Virginia's law, a Pennsylvania miner must be totally and permanently disabled before he is entitled to a single penny. His claim is heard by a referee with no medical training and may be appealed to a board of three lawyers.

"On the other hand," the Coal Association states, "upon discovering dust in the lungs, West Virginia's three-doctor silicosis board may award the miner $1,000 even without a showing of disability. If the miner is disabled, an award is made according to the per cent of disability up to $188 per month for life. Compare this to Pennsylvania's maximum life award of $75 a month . . .

"With over 56 billion tons of recoverable coal reserves, there is gold in the West Virginia hills. At the present rate of production, the industry could keep producing its golden eggs for almost 400 more years—so long as coal remains competitive in the marketplace," the Coal Association position statement concludes.

With respect to the state's present law, Cletus B. Hanley, former West Virginia Compensation Commissioner, has stated: "There is a principle in law that you list specific things, enumerate them, then anything not listed is not covered.

"Our law follows this principle: We don't list specific conditions, except for silicosis. Therefore, any occupational disease is covered if it meets the tests set up by law."

According to available statistics, West Virginia has recognized only four cases of black lung as compensable in a four-year period.

The Coal Association statement appears to err on several points. It fails to note, for example, when a West Virginia coal miner accepts the $1,000 award for silicosis or pneumoconiosis he automatically waives his right to further claims for compensation for that cause either against the state commission or his employer.

The reference to the Pennsylvania law is also misconstrued. The maximum amount of award is $12,750 and that state's law provides for the payment of $75 monthly for each month subsequent to the one in which the compensation was awarded. A bill to raise the latter sum to $100 a month was vetoed by the governor of that state.

Pennsylvania's payments are made from the general fund rather than the workmen's compensation fund.

In West Virginia compensation payments are made from a state fund to which employers contribute. Some large firms are allowed to self-insure themselves and make payments directly to injured workers under the general supervision of the Workmen's Compensation Commission.

The West Virginia Black Lung Association, which has spearheaded the campaign for appropriate state legislation, announced that it plans to record statements made by legislators at today's meeting. The Association will transcribe the statements and distribute them to United Mine Workers of America locals in each district represented by members of the joint Judiciary Committee.

The UMW, which has sponsored legislation of its own, is committed to support a strong black lung bill. Many UMW locals have sent delegations to Charleston for today's hearing.

Among the many union representatives are Basil Callen and Wayne Lee of Local 1058. The local is comprised of miners who work at Humphrey No. 7 mine at Mt. Morris, Pa.

The Black Lung Association and the three doctors—Drs. I. E. Buff, H. A. Wells and Donald Rasmussen—who have appeared at miners' rallies around the state came under new attack Monday in anonymous statements mailed to state newspapers from Parkersburg.

The second such mailing from Parkersburg states the West Virginia Coal Association has attacked the "sideshow antics" of advocates of black lung legislation. The anonymous mailing also criticized Rep. Ken Hechler, congressman for the Fourth District.

C. E. Brooks, Black Lung Association president, said a U.S. Public Health Service survey has established that only one out of 10, active soft coal miners and one out of five former miners have X-ray evidence of black lung. The study also reveals, he said, that death rates for U.S. coal miners were about twice that of the general working population while death rates for diseases of the respiratory system are about five times that for the general working male population.

"Silicon dioxide is the only coal mine hazard that the present laws now state explicity may cause lung disease," Brooks haid.

"In every case, other than silicosis, the miner must prove that his lung disease came from the mines. Less than six miners have been successful in establishing this proof."

Brooks noted that Britain has recognized coal dust as the cause of pneumoconiosis for more than 30 years and has compensated for it. Pennsylvania has compensated for it since 1965 on the basis of presumption, he said.

"Coal pneumoconiosis is not mentioned in the present law. Article 4, Section 2 places such a heavy burden of proof on the black lung claimant that he has a very slim chance of receiving compensation," Brooks said.

The Association president said the law should not contain a release from liability for employers if the employe accepts a first stage silicosis award, and the law should provide for additional benefits if the respiratory disease is aggravated by the occupation.

Brooks also suggested that compensation payments should be adjusted to the cost of living and all those receiving compensation should receive it according to the latest payment schedule passed.

The West Virginia Black Lung Association has been conducting a drive for funds to help it wage the battle for passage of appropiate legislation. Funds are being received by the Association's treasurer, Ernest Riddle, at Cannelton. Each contributor receives a buff-colored card certifying that he has made a donation to the group.

[From the Morgantown (W. Va.) Dominion-News, Feb. 12, 1969]

BLACK LUNG STEP TAKEN: WITNESSES AGREE DISEASE EXISTS—BOYLE DISAPPOINTS

(By Ray Martin)

CHARLESTON.—Achievement of a new milestone in the current debate over pneumoconiosis and a bitter disappointment to the members of the United Mine Workers of America in West Virginia came Tuesday during the course of a hearing which lasted more than six hours before the joint judiciary committee of the state legislature.

The milestone was achieved when the majority of the 23 witnesses appearing before the committee, including physicians, agreed that there was something called pneumoconiosis, or black lung which affects soft coal miners. Some of the physicians, however, disagreed with their counterparts on the extent of disability caused by black lung.

The disappointment came when W. A. (Tony) Boyle, international president of UMWA, failed to appear at the meeting. He had been invited by miners attending a rally at Charleston Civic Center on Jan. 26.

UMW's Washington headquarters had announced that Vice President George Titler and other union officials would attend the hearing and support the miners' effort to secure black lung compensation legislation.

Titler was present in the House of Delegates chamber where the hearings were held.

Copies of his prepared remarks were distributed to members of the press corps and others. Some newspapers in the country with early deadlines will undoubtedly record that Titler spoke before the legislative committee.

He didn't.

After taking UMWA credit for the establishment of the Pennsylvania program for black lung compensation, Titler noted that "West Virginia is the largest coal producing state in the nation, last year producing a 151,000,000 tons of coal.

"In spite of this", Titler continued. "it does not recognize that the dust the employes of the coal industry breathe every day causes all of the ravages of coal workers pneumoconiosis and all of the other disease common among coal miners.

"Many doctors here today will demonstrate that pneumoconiosis or black lung is a disease caused by bituminous coal dust. Its victims obviously should be compensated for this work-caused disease. We are proposing that it be added to the list of compensable industrial diseases in the state of West Virginia.

"I am accompanied here today by more than a dozen of the leaders of the four UMWA districts in West Virginia and by three members of our staff in Washington, D.C. We plan to continue this fight until this legislation is passed," Titler said.

Titler's distributed but unspoken views were rebutted by Charleston attorney George Burnett, who said he was the spokesman for UMWA Districts 6, 17, 29, and 31.

He recalled that he had appeared before legislative sessions since 1961 in the interest of law compensation law improvements.

Then in obvious reference to the three doctors—Drs. H. A. Wells, Donald Rasmussen and I. E. Buff—who had been in the forefront of the campaign for black lung legislation, Burnett said, "Never in history have so many been confused by so few."

He then asserted that black lung has been covered under West Virginia's compensation law since July 1, 1949. He said no claims have been paid, however.

Burnett explained the reason no miner had received compensation for black lung was the inability to provide X-ray evidence of the disease.

Burnett urged passage of the bill drafted by the UMWA and AFL–CIO. Miles Stanley, state AFL–CIO president, took a similar position.

David Johnson, speaking for the West Virginia Coal Association, opposed the basic purpose of the legislation but said he agreed with some of the approaches taken by Burnett and the UMW bill.

Many UMWA locals in West Virginia received letters from their district presidents implying possible expulsion from the union of members who supported the Black Lung Association and its efforts to secure legislation.

Many of the witnesses testifying at Tuesday's hearing said the Black Lung Association proposal would do more for the miners of the state than the other bills.

Ben Tissue of the West Virginia Manufacturer's Association took exception to the UMWA proposal on the grounds that it would open up the respiratory disease presumptive clause to all workers in the state.

Tissue said the problem was that of the coal industry and that industry should face it.

Some observers expressed the opinion that the UMWA inserted the broad provision in its bill to help assure its unacceptability to legislators.

Several witnesses told the legislators that it would be "useless" for them to have "another study" made. All agreed that sufficient scientific data is available for the legislators' guidance in drafting and enacting appropriate laws on the subject.

Dr. Jethro Gough of the Welch National School of Medicine was invited to the hearing by the Monongahela Valley Association of Health Centers. He is credited with being the discoverer and identifier of black lung disease in coal miners.

Dr. Gough suggested that one of the difficulties in West Virginia and indeed much of the United States might lie in the failure to read X-rays properly and to adhere to standards set for the detection of the disease by the International Labor Organizaion, an arm of the United Nations.

The health center group also sponsored the appearance of Dr. Eugene Pendergrass of the University of Pennsylvania and Dr. Leon Cander of the University of Texas Medical School at San Antonio.

The West Virginia Coal Association relied on the director of Spindletop Research Inc. of Lexington, Ky. and Dr. William Anderson and Robert W. Penman to carry the main burden of its opposition to the pending bills.

Under questioning, it was brought out that Spindletop sent out a list of six questions to 24 doctors it and some of the respondents regarded as "experts." Eighteen doctors replied and each was paid $50 for his answers.

Dr. Anderson asserted that the union has been attacked and warned UMWA members to regard the union as the most valuable thing in their lives next to their families.

He went on to say that it was neither the UMWA nor the coal operators' responsibility to control coal dust in the mines. It is the U.S. Bureau of Mines responsibility "and it has been silent".

Dr. Charles Andrews, provost for health services at West Virginia University, was invited to appear before the committee by Sen. William Brotherton Jr.

Dr. Andrews said he disagreed with some of Dr. Gough's findings, but admitted that the Welch doctor had good reasoning to support his opinions.

The WVU provost said black lung should be made a compensable disease but said difficulty arises in the determination of the degree of disability. He expressed opposition to proposals to make all respiratory impairment subject to compensation.

Dr. Andrews said he favored a 10-year period of exposure to dust before presuming the miner contracted black lung as the result of employment.

Dr. Keith Morgan, chief of the United States Public Health Service Project AL-FORD, headquartered at WVU, was also invited by the legislative committee.

Dr. Morgan scored present legislation as inadequate and stressed that black lung is not accepted as compensable in West Virginia.

It is important to distinguish between silicosis and black lung, Dr. Morgan said. The legislators were told that 10 per cent of the miners in Appalachia had black lung according to a 1962–63 study conducted by the U.S. Public Health Service.

He said while the Public Health Service has no jurisdiction over mines it has recommended a dust standard of 3 milligrams of respirable dust per cubic meter of air.

Dr. Morgan cited British results with the dust standard that country imposed and the marked decrease in black lung cases in a 10 to 15 year period.

Commenting on the Black Lung Association proposal for the establishment of a laboratory in Charleston, Dr. Morgan said the Public Health Service is already sponsoring such a facility in Morgantown.

"It is not subject to pressures from any side, at least I would like to think so," Dr. Morgan declared.

Dr. Rasmussen was questioned about black lung's effect on the miners' sex status. Both Dr. Rasmussen and other doctors said the effect was one of the more tangible evidences of black lung's presence.

Hearings will be held later on the monetary aspects of black lung compensation as well as general increases in state payments to injured workers.

[From the Morgantown (W. Va.) Dominion-News, Feb. 13, 1969]

Black Lung Multiplied With Mine Machines

(By Ray Martin)

Fairmont.—Dr. Jethro Gough of Cardiff, Wales, father of the whole lung section technique which led to the isolation of coal workers' pneumoconiosis (black lung) as a separate disease, Wednesday said black lung ailments increased sharply after mechanization added to dust in mines.

Dr. Gough conducted a three-hour symposium at Fairmont Clinic to which doctors from West Virginia University Medical Center as well as other area physicians were invited. Purpose was to bring them abreast of current and new knowledge in this sphere of medicine.

Dr. Gough earlier described the current move to make coal workers' pneumoconiosis compensable in West Virginia is "40 years late."

"The death rate of miners wasn't high during the first 20 years of the century." said Dr. Gough, founder of the British College of Pathology and consultant to the World Health Organization.

"A change occurred in 1925," he added. "From this time on there was a steep rise in the death rate due to mechanization of mines. Men died of respiratory diseases."

Coal dust, resulting from mechanization, causes black lung disease and "a special kind of emphysema" as well, said Dr. Gough who is also the chief consultant on pneumoconiosis for the British Ministry of Social and Occupational Research.

"It is called focal dust emphysema," Dr. Gough explained. "When you talk of the total amount of emphysema, you get a far greater incidence among the coal mining population."

Cigaret smoking is a contributing factor, but studies show that "there is some other factor producing emphysema," Dr. Gough said.

"If the disease among miners was due to cigaret smoking, you would expect to get a high degree of cancer," the Welsh physician explained. "We get a less degree of cancer among miners."

Dr. Gough said chronic bronchitis usually precedes cancer, "but we don't get the sequence of cancer as often in miners as we do in the rest of the population. We can see that this is related to the disposition of coal dust."

The Welsh pathologist explained that there may be various explanations; for the difference. He believes that coal dust causes blockage in the lungs so that development of cancer is thwarted.

"Coal dust destroys a lot of the tissue from which cancer can develop," Dr. Gough said. "Miners develop immunity to cancer of the lung."

He said coal dust may cause massive fibrosis that leads to heart failure.

He has conducted research in many parts of the world, including the United States, and is credited with having autopsied more coal miners than anyone else over a period of nearly 40 years.

He explained that in Britain, for example, the autopsy is performed automatically whenever death is attributed to an occupational disease.

The British Government made black lung subject to workmen's compensation in 1943. Silicosis laws were enacted in 1929.

Dr. Gough said various agencies in the U.S. had concentrated on coal dust as a contributing factor to coal mine explosions in conjunction with methane gas. He pointed out that other countries had performed research and have practical experience to show that coal dust itself can trigger explosions without methane and that dust itself is a health hazard.

The British mines he said, have operated under strict dust control procedures since the 1950s. In that period there has been a marked decline in the number of cases of coal miners' pneumoconiosis, he noted.

Two different medical control systems operate in England, Dr. Gough pointed out. Under one system specific groups of miners are examined for black lung or other disability under a schedule which assures examination once every five years.

The second system involves specific geographic areas of the nation where miners are examined annually.

The visiting physician also pointed out that in England mines are closed and ordered to make necessary improvements when they fail to meet the published dust standard. Individuals are given assignments away from the face of the mine when pneumoconiosis is first detected.

No dust standards are enforced by West Virginia or the U.S. Government.

Dr. Gough has taught pathology at Welsh National School of Medicine since 1948. He appeared at Tuesday's hearing on black lung legislation before the House and Senate Judiciary Committees in Charleston.

His appearance there along with that of Drs. Eugene Pendergrass and Leon Cander was sponsored by the Monongahela Valley Association of Health Centers. The Association operates Fairmont Clinic.

The Association is a chartered non-profit corporation with scientific, educational and charitable objective founded in 1958. Its board of directors consists of community leaders and serves without remuneration.

It operates Fairmont Clinic, general practice community offices in Marion and Harrison Counties and is the largest home health service in West Virginia. Its facilities are open to the public. There were almost 100,000 outpatient visits in 1968.

The Association sponsors six teaching affiliations with leading universities and colleges in nursing and medical education, medical care administration, public health and business management.

It has offered support fellowships for rural general practice. Its educational program has included sponsorship of scientific and public forums and publications. Members of its medical, nursing and ancillary staff and administrative personnel serve as faculty members in the professional field and contribute to professional journals and conferences.

Relative to the sponsorship of the three doctors' appearance at Tuesday's legislative hearing, the Rev. Richard Bowyer of Fairmont, member of the Association's executive committee, said:

"Our health care association is interested in guaranteeing that public and legislative opinion in the state has the benefit of the finest possible scientific experts in the nation and world. We therefore have sponsored the visit to West Virginia of three internationally recognized speicalists in coal miners' lung diseases.

"Any appeal to reason requires the best minds with experience and medical knowledge of the subject. The superb credentials of Dr. Gough in pathology, Dr. Pendergrass in radiology and Dr. Cander in chest diseases assured a high level discourse.

"This action was taken as part of the preventive medicine and public health program of our Association," the Rev. Mr. Bowyer said.

"The Association neither supports nor opposes any legislation. It does not engage in lobbying.

"It is most important that those with the largest contribution to the medical literature, reputations of the highest order in the profession and wide-ranging experience with coal workers' lung diseases be heard. These experts are without connection either with the coal companies, the union or the black lung movement. They are the top figures in this field of medicine and in their appearance before the State Legislature, the sole function was to "tell it like it is."

"Our first interest is in the coal miners who comprise a large part of the people in our area receiving health services," Mrs. Brown said.

Both Drs. Pendergrass and Cander served as members of Gov. William Scranton's compensation study commission in Pennsylvania in 1964.

Dr. Cander is chairman of medicine and physiology at the University of Texas Medical School at San Antonio. Dr. Pendergrass is chairman of the radiology department of the University of Pennsylvania.

[From the Morgantown (W. Va.) Dominion-News, Feb. 16, 1969]

Hechler Deplores Dust Rule Delay

(By Ray Martin)

Washington.—Rep. Ken Hechler, D-W. Va., Saturday described Labor Secretary George P. Shultz's delay of the first federal dust standards for coal mines as "an outrage."

Before leaving office former Labor Secretary Willard Wirtz issued revised health safety standards under the Walsh-Healey Public Contracts Act. The standards which apply to all employers with government contracts of $10,000 or more were to have taken effect today, 30 days after they were published in the Federal Register on Jan. 17.

The Wirtz regulations would have affected between five and 10 per cent of the nation's coal operators, who do $200 million worth of business annually with the government.

Hechler, a Huntington Democrat, said:

"This is an outrage. Here are clear and simple rules which will protect the health and safety of the coal miner but the profit-making producers scream that these simple protections cannot be carried out, and the Administration immediately says they should be 'studied.'

"I think it's high time that we should consider above all the health and safety of the men who work in the coal mines and die in the coal mines, and let the question of profits take second place," the West Virginian said.

The standards were postponed for at least 90 days Thursday when Shultz ordered a delay in the original effective date. The Republican labor secretary said he wanted more time to study the effect of the new regulations before he decided whether to put them into effect. He said his action did not reflect on the merits of any of the standards.

Shultz's statement did not mention that two days of public hearings had been held last November on the new proposals, and that industry objections had been aired in detail then.

Neither did it disclose that the same industry groups that had raised objections then—the National Association of Manufacturers and the U.S. Chamber of Commerce foremost among them—had sent telegrams to the new secretary since inauguration day demanding that he postpone or cancel the regulations.

The revision, which updates the standards in effect since December 1960, protects the worker by strengthening the standards pertaining to fire, safety, noise, and air contaminants.

The standards delayed include the requirements limiting dust to three milligrams of dust per cubic meter of air. This standard, the first to be imposed in the U.S., is compared to the standard used in England since the 1940s.

It is aimed at reducing the number of workers injured in fire and industrial accidents, and the alarming number of cases of impaired hearing and pneumoconiosis caused by exposure to excessive noise and air contaminants.

Highlights of the revision delay by Shultz are:

Adoption by reference of nationally recognized consensus standards, such as the national fire codes established by the National Fire Prevention Association and the American Safety Standards set up by the United States of America Standards Institute.

Adoption by reference of other federal agency regulations, such as the Ordnance standards of the Department of Defense and the Hazardous Materials standards of the Department of Transportation.

Adoption of an occupational noise-standard designed to reduce the threat of loss of hearing from job noise which now hangs over an estimated six to 16 million workers. This standard sets a maximum acceptable level of 85 decibels.

However, in those cases where a firm is unable to meet this requirement immediately, an interim level of 92 decibels is acceptable if an effective hearing conservation program is established to protect the hearing of employes and to reduce the noise level to 85 decibels by Jan. 1, 1971. While the noise levels exceed 85 decibels, annual audiometric examinations shall be performed on exposed employes.

Adoption of stricter standards to control air contaminants, including the adoption of the Threshold Limit Values set forth by the American Conference of Governmental Industrial Hygienists with certain exceptions.

The exceptions include the current standards issued by the American Standards Institute in the field of air contaminants and, in the area of dusts, the new standard of the U.S. Public Health Service for coal dust. The three milligrams of respirable dust per cubic meter of air standard set by the Public Health Service is designed to prevent coal miners' pneumoconiosis, which has resulted in serious illness among miners and an alarming number of deaths.

Many of the Witrz standards for health and safety are contained in legislation introduced last year by Rep. James O'Hara, Michigan Democrat, and which were defeated in committee. The Michigan congressman has submitted his bill again this year.

Under the O'Hara bill, the labor secretary could issue standards already adopted by other federal agencies, which would give him exclusive jurisdiction over the affected industries.

He also could issue temporary standards adopted by private groups by other than the consensus method. While providing opportunities for judicial review, there would be no court challenges in cases where standards are finally adopted and where state plans to enforce their own programs are rejected.

[From the Morgantown (W. Va.) Dominion-Post, Feb. 16, 1969]

UMW Should Fight for Strongest Laws

The Feb. 1 edition of the United Mine Workers Journal proclaims on its first page: "In our book persons who accuse the United Mine Workers of America and its dedicated International President W. A. Boyle of not doing their jobs in behalf of the health and safety of coal miners are finks.

"Don't listen to them! Don't support them!

"This great Union of coal miners under the inspired leadership of President Boyle is now engaged in an all-out fight in the Congress of the United States and in the legislatures of the several coal mining states to win better health and safety conditions for all coal miners in the United States."

Elsewhere in the issue of the UMW Journal appears an account of the union's sponsorship of legislation to make coal workers' pneumoconiosis compensable under West Virginia's workmen's compensation law. With specific reference to the Feb. 11 hearing held in Charleston, the Journal said that Vice President George J. Titler, former president of UMW District 29 in West Virginia, would recommend to Tony Boyle that the union's position be stated by Lewis E. Evans, the sole full-time person the UMW has engaged in the pursuit of safety causes.

Mr. Evans didn't address the legislators. Neither did Mr. Titler, although copies of his remarks were distributed at the hearing. Ironically, his words were rebutted by the testimony of a Charleston lawyer who spoke as the representative for the four UMW districts in the state.

UMW members in our state were warned, under penalty of union punitive action not to support any other bill than that endorsed and authored by the UMW.

It is hard to see how anyone, coal miners least of all, can benefit when there is a rift existant between those who seek reform in the mine laws of the several states as well as federal statutes. On the contrary, the cause of mine safety and miner health seems certain to suffer from the discord among the various groups and lawmakers seeking new laws on both levels of government. If these groups are seriously interested in helping the miner, they could best prove it by ceasing their screams and accusations and trying to find the best route to new mine safety and health laws.

This includes the United Mine Workers, whose officials seem to spend more time defending themselves against critics than in promoting passage of decent mine laws.

Arguments over how strict new legislation should be actually tend to reduce chances for passage of any mine laws. Some reform workers have suggested that such divisive action is typical of the UMW, adding that the union has always been more concerned with collecting royalties and winning pay raises than in protecting miners on the job. It was such statements that sent the UMW leadership scrambling from the trenches, screaming the organization's indignation and condemning its critics as "fink."

Maybe the accusers went too far in their charges, but no one can successfully deny that the UMW stand is hurting chances for effective mine health and safety laws. Not even the staunchest friend of the mine union can argue sucessfully that the UMW has an unblemished record in regard to the health needs of its members.

In 1963 the UMW's Welfare and Retirement Fund unceremoniously dumped the coal field hospital chain on which its miners depended for health care because the hospitals proved costly to operate. A few months earlier the Fund cancelled all welfare benefits of miners employed by operators who had failed to pay the union's 40-cents a ton royalty, thus punishing its own members rather than the offending operators.

In view of what has gone before, the present conduct of the UMW in Charleston and Washington is not reassuring. It may be unfair to say that the union wants no new health or safety laws. But if it does it would do well to stop screaming "fink" at its critics, come down from the self-built pedestal and do something substantial in the quest for long overdue health and safety legislation.

The miners of West Virginia as well as the non-miners will have an opportunity within the next few days to see the real posture of the UMW leadership as it concerns the health and safety of its members. The House Judiciary Committee, under the chairmanship of Del. J. Ned Watson of neighboring Fairmont, is to report out a bill concerning black lung.

The strength and fate of that legislation will be the real test of sincere interest in the miners' life by those sworn to preserve it. The action in Charleston will also be a harbinger of what we can possibly anticipate in Washington.

The UMW has a splendid opportunity to cleanse itself of past sins, real and imagined. We would hope that the union takes full advantage of this opportunity. Also, we would hope that West Virginia's legislators will avail themselves of the opportunity to do something for coal miners for a change rather than continued enchantment with the now booming black gold they harvest.

[From the Morgantown (W. Va.) Dominion-News, Feb. 8, 1969]

UMW Restricts Its Members

(By Ray Martin)

Article III of West Virginia's Constitution proclaims:

"All men are, by nature, equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot by any compact, deprive or divest their posterity, namely: the enjoyment of life and liberty, with the means of acquiring and possessing property, and of pursuing and obtaining happiness and safety."

Another section of that same Article declares: "The right of the people to assemble in a peaceable manner, to consult for the common good, to instruct their representatives, or to apply for redress of grievances, shall be held inviolate."

The authors of the United Mine Workers of American Constitution appear to ignore these constitutional mandates as well as similar protection embodied in the United States Constitution.

The UMW Constitution, including the one adopted in Denver, on Sept. 9, 1968, leads to the conclusion that some of the rights of citizenship in a democratic society are expressly forbidden if they are exercised to the detriment of the union's hierarchy.

The position of the UMW leadership in Washington toward persons outside the union who have expressed views on miners' health and safety needs is well known. Persons who espouse such views are regarded as "finks," which, according to the UMW Journal, is used interchangeably with "spy, strikebreaker, informer and stool pigeon among other things."

The chief targets of this kind of invective on the part of the mine workers' union leaders have been individuals such as Ken Hechler, U.S. Representative from West Virginia's Fourth District, and Ralph Nader, the Washington-based consumer protection crusader. And in West Virginia the Black Lung Association came under UMW fire for leading the drive for tougher legislation than that UMW advocated.

But what about the miners themselves?—particularly those who have chosen to exercise their civil rights?

Do they face retribution from the UMW hierarchy?

Yes, if the provisions of the UMW Constitution and letters of District officials were to be implemented.

The UMW Constitution provides the black gold spike with which the miner is deprived of fundamental rights under the U.S. and

West Virginia constitutions as well as provisions of the National Labor Relations Act.

This spike is not limited to coal mining matters. It could be used to silence a miner on any question which the heirarchy decides is against the union's interest.

The fact that the NLRB regards as illegal threats to employes that they will lose their jobs unless they support the union's activities hasn't deterred the UMW's position at all.

A miner can't work in a UMW-organized mine unless he holds a membership in the union.

Late last month the presidents of the several UMW Districts in West Virginia sent letters to their respective locals regarding black lung legislation which was to be introduced in the State Legislature.

After calling for support of the UMW-AFL-CIO bills introduced by the Senate president and the Speaker of the House, the letters said:

"No doubt you are aware of the self-appointed group which is now sending letters to all local unions, not only in West Virginia, but in Kentucky and Virginia, soliciting funds to pay an attorney $10,000 they are alleged to have hired to prepare a compensation bill. As working members of District (the number), you are now paying an attorney to handle your legal affairs, under the compensation law, and some of the best legal minds in West Virginia had a part in preparing the UMWA Bill, as stated above. Therefore, your local union has no authority to donate money from the treasury, to some unknown group which, in my opinion, is dual to the UMWA, to be used for any purpose they see fit."

The UMW Constitution provides for the imposition of penalties on its members for support of or aid to "dual" organizations. These penalties include suspension and expulsion from the union.

In the case of West Virginia's effort to obtain legislation to make coal workers' pneumoconiosis a compensable disease, it apparently mattered not that the effort was launched by coal miners themselves. Miners who had in the main been frustrated by the UMW hierarchy which now, in effect, threatens them with loss of their jobs.

The UMW leadership also sent out directives limiting the number of miners who could attend the Feb. 11 hearing in Charleston to two from each local union.

Many unions, particularly in the southern part of the state, chose to ignore the directives from the respective District presidents.

Article XX, Section 3 of the UMW Constitution states:

"Any member guilty of slandering or circulating, or causing to be circulated, false statements about any member or any members circulating or causing to be circulated any statement wrongfully condemning any decision rendered by any officer of the Organization, shall, upon conviction, be suspended from membership for a period of six months and shall not be eligible to hold office in any branch of the Organization for two years thereafter. The above shall be construed as applying to any local officer or member reading such circulars to the members of a Local Union, or who in any way gives publicity to such. This also includes the circulating of any statements from or giving any aid to any organization set forth in Section 2 of Article XIV."

Section 2 of Article XIV states:

". . . Any member accepting membership in the Industrial Workers of the World, the Working Class Union, the One Big Union, or any other dual organization, or membership in the National Chamber of Commerce, National Association of Manufacturers, or the Ku Klux Klan, or the Communist Party, or Facist, Nazi or Bund organizations, shall be expelled from the United Mine Workers of America, and is permanently debarred from holding office in the United Mine Workers of America, and no members of any such organizations shall be permitted to have membership in our Union unless they forfeit their membership in the dual organization immediately upon securing membership in the United Mine Workers of America. Any member of the United Mine workers of America who accepts office in any dual organization shall be permanently expelled from the United Mine Workers of America, unless reinstated by the International Executive Board."

Another clause in the UMW Constitution has the practical effect of continuing the national union's hierarchy in office indefinitely. A recent change requires that the national president, vice president and secretary-treasurer be nominated by 50 or more locals. In the past nominations could be made by five locals.

In addition, the current contract between the UMW and coal mine operators says relative to the enforcement of coal mine inspectors' reports, that "whenever either party to the contract feels that compliance with the recommendations of the federal mine inspectors as provided above would cause irreparable damage or great injustice, they may appeal such recommendation to the Joint Industry Safety Committee as hereinafter provided."

The joint management-union committee can issue a ruling which supersedes the inspectors' findings and recommendation for correction of safety violations.

[From the Morgantown (W. Va.) Dominion-News, Feb. 18, 1969]

Shafer Aide Is Offered Bureau of Mines Post

(By Ray Martin)

HARRISBURG, PA.—Dr. H. Beecher Charmbury, Secretary of Mines and Mineral Industries in Gov. Raymond P. Shafer's cabinet, confirmed Monday that he had been offered the post as director, U.S. Bureau of Mines.

Charmbury, who assumed the Pennsylvania post on Jan. 30, 1963, as an appointee of former Gov. William Scranton, said he had made no decision on the possible acceptance of the federal post under Secretary of the Interior Walter Hickel.

"There are a lot of things to be considered," Charmbury said.

He declined to give any indication of when he might make a decision on the federal job offer.

Charmbury would succeed John F. O'Leary, a Democrat, who has held the Bureau of Mines post for the past four months.

O'Leary, 42, was an economist at the Federal Power Commission until he was named to the Bureau of Mines directorate by President Johnson.

Robert Bloom, Governor Shafer's secretary, said the 54-year-old mine secretary talked with the Governor Friday following a visit to Washington.

"The decision on acceptance of the federal post is up to Dr. Charmbury," Bloom said, adding that as of late Monday afternoon he (Charmbury) had not indicated he would resign from the state post.

Delbert Klaus, personnel official at the Interior Department in Washington, takes a different view of Charmbury's job status, however.

"I don't think it was a definite offer of a job," Klaus said. "He was interviewed. He is deserving and is getting consideration."

Klaus said Dr. Karl McMurray conducted the departmental interview with the Pennsylvanian.

The directorship of the Bureau of Mines is a presidential appointment and, generally, the recommendation of the secretary is accepted by the White House.

Neither Secretary Hickel nor McMurray were available for comment on the Charmbury appointment.

Reports of the impending appointment of Charmbury to succeed O'Leary sparked comments from two West Virginians who have been in the forefront of the effort to obtain better health and safety conditions in coal mines.

Rep. Ken Hechler, a Huntington, W. Va., Democrat, Monday urged coal miners and their families to write to President Nixon, asking him to retain O'Leary as director of the U.S. Bureau of Mines.

Hechler made his appeal at a Washington news conference after the appearance of a published report that O'Leary would be replaced by Charmbury.

"I urge every coal miner, every miner's widow and every coal miner's youngster whose father was killed or disabled in the mines to write to President Nixon and urge that O'Leary stay on the job," Hechler said.

The Fourth District congressman, who has been fighting with the coal industry and the United Mine Workers because he feels they are lax in providing safety and health standards for miners, also criticized an announcement by Labor Secretary George P. Schultz.

Shultz announced he would postpone for 90 days the limits on the amount of coal dust in coal mines at some 300-400 mines which receive federal contracts.

"These limits of three milligrams of coal dust per cubic meter of air were to go into effect at midnight last night, but now they have been postponed for 90 days because of the National Association of Manufacturers and some coal producers have objected," Hechler said.

The labor secretary said last Thursday he wanted time to study the requirements before putting them into effect.

The Department of Health, Education and Welfare announced on Dec. 9, 1968, that three milligrams of respirable dust per cubic meter of air was a recommended standard of coal dust to protect the coal miner against pneumoconiosis, or black lung.

Hechler added that O'Leary should be retained because "his dismissal would be a victory for the special interests who oppose vigorous enforcement of the law."

Hechler said he was hopeful that congressional hearings on health and safety legislation would begin in mid-March. The Nixon administration has not submitted its recommendations on coal bills yet.

Dr. I. E. Buff, Charleston, W. Va., heart specialist and chairman of the Physicians, Committee for Miners' Health and Safety, said the departure of O'Leary would cause the miners "to lose hope that the mines will be made safe."

Dr. Buff described the replacement of O'Leary as a "death knell" for the cause of "mine safety and health."

The Charlestonian said that O'Leary had accomplished more in four months than all of his predecessors.

"For the first time in history, many laws were being enforced and inspectors were not informing mine owners of the visits in advance," Dr. Buff said.

Dr. Buff also voiced his criticism of Labor Secretary Schultz's action in postponing Secretary Wirtz's order concerning the level of coal dust in mines.

Referring to Shultz's statement that he had received telegrams from what Dr. Buff termed "the vested interests" who complained that the new rules would be "too expensive," Dr. Buff said: "Is it really too expensive to save lives or is this just a means of making more money?"

O'Leary ordered a vigorous enforcement of federal mine safety regulations and advocated stricter new safety rules.

After the underground explosion and fire that took the lives of 78 miners at Farmington, W. Va., last Nov. 20, O'Leary stated publicly that the Bureau of Mines had not been doing a satisfactory job of promoting safety in mines.

In his short time on the job, O'Leary startled the old-line staff at the U.S. Bureau of Mines—an agency that former Secretary of the Interior Stewart L. Udall called "timorous and almost apologetic" in its regulation of the mining industry—by insisting that the Bureau "represent the public interest rather than the industry alone."

O'Leary has been reminding top aides at the Bureau's Washington headquarters that, despite the Bureau's new safety campaign, 42 miners have died in accidents in the 63 working days since the Farmington disaster.

O'Leary has come under pressure since his order last month to the Bureau's inspectors to make unannounced spot checks of coal mine compliance with federal safety rules. This step involved an element of surprise that the Bureau rarely tried before although it is directed to do so by existing laws.

The O'Leary directive was one of several issued after the West Virginia mine explosion.

He also set up provisions for miners to petition his office directly when they suspected that federal laws and regulations were being violated at their places of work. The identity of the complainants was kept secret and inspectors were sent from Washington rather than the field office which normally inspected the mines in question.

Over 600 spot checks were made in December alone, compared with 137 in all of 1967. With the power to close mines only with evidence of "immiment disaster" or "unwarrantable disregard" or previously reported safety violations, the inspection staff under O'Leary's directives since November has ordered workers temporarily out of more than 200 coal mines considered unsafe. During the entire previous 10 months, only 129 such closure orders were issued:

Charmbury, a graduate of Gettysburg State College received his master's degree at the University of Pennsylvania and his doctorate at Pennsylvania State University.

Between 1937 and the time of his state appointment in 1963, Charmbury taught and conducted research at Penn State. He was head of the Mineral Preparations Department.

While associated with the university, Charmbury served as a consultant to several coal companies and municipalities. He explained that he also served metallic and non-metallic mining companies.

In 1958 he was elected as a member of the Centre County Republican Executive Committee and became its chairman two years later.

[From the Morgantown (W. Va.) Dominion-News, Feb. 19, 1969]

MINERS BACK O'LEARY

The three-member safety committee of Local 1058, United Mine Workers of America, last night appealed to President Nixon to retain John O'Leary as director of the U.S. Bureau of Mines.

The committee, representing miners who work at Humphrey No. 7 mine at Mt. Morris, Pa., made its views known in a telegram which was sent to the President.

Text of the telegram was as follows:

"John O'Leary may be new to the job as Bureau of Mines director, but in four months he has discovered what his many predecessors should have known and did nothing about—the lack of safety and healthful working conditions in the mines of this nation. He had identified the problem and diligently sought the answers without fear or favor and this is the kind of guardian life in the mines demands.

"Like changing horses in midstream, to deprive the miners of America an equal chance to live and breathe at this time through failure to retain Mr. O'Leary will be to confine them to another three decades of eternal fear and needless death and misery suffered through injury.

"Politics has no place in law enforcement and the ability to get the job done is what counts. Mr. O'Leary has that ability.

"Mr. President, you have a golden opportunity to restore the American miners' faith in justice and equality before the law and God. Failure to keep Mr. O'Leary as the Bureau of Mines director will result in as bleak and black a picture of life as the black gold which we mine day in and day out.

"Please, Mr. President, keep the faith and remember those who have died because there wasn't a Mr. O'Leary around to protect them."

[From the Morgantown (W. Va.) Dominion-News, Feb. 19, 1969]

MINE WORKERS' JOURNAL LEVELS NEW ATTACK AT OPPONENTS

(By Ray Martin)

WASHINGTON.—The United Mine Workers of America, through its official publication, the United Mine Workers Journal, has levelled a new attack against some of the individuals and groups seeking to improve coal mine health and safety through more stringent measures than those recommended by the UMW.

While dropping the label "fink," which appeared in the Feb. 1 issue of the Journal, the mine workers' publication released Tuesday continued to stress that the UMW and its president, W. A. (Tony) Boyle, are the key and virtually sole tacticians in the cause of miners' health and safety.

After reporting that 309 American coal miners died last year in coal mine accidents, the Journal in a Page One message to UMWA members states:

"This is a sorry record and no one—least of all the above mentioned safety directors (the safety director of the International Union, United Mine Workers of America, the director of the U.S. Bureau of Mines and the safety director of the Bituminous Coal Operators Association) who are experts on the field—tries to minimize the record.

"So, what do we do about it?

"Well this organization most urgently seeks the support of all parties now concerned with coal mine health and safety. We find some of the 'support' a little hard to take. There are a lot of 'instant experts' who, finding that the November disaster in Mannington, W. Va., was 'hot' news and could get them time on television and headlines in newspapers, jumped at the opportunity to sound off.

"This Union, as we have said so many times before and repeat here, has been at the business of trying to get more safety and better health in American coal mines since its establishment in 1890. The labor organizations that preceded the establishment of the United Mine Workers of American on Jan. 25, 1890, in Columbus, Ohio, also were primarily concerned with coal mine safety.

More than with the question of wages, the men who founded the United Mine Workers of America and the leaders of our Union ever since then have been basically concerned with safety. UMWA President W. A. Boyle carries on this vital work in the great tradition of his predecessors.

"Those who publicly attack this Union and its president, for whatever reason, on the question of coal mine health and safety are being dishonest. We charge that their real motive, in many cases, is to prevent any constructive action at either the federal or state levels.

"We took the occasion to check back through some of our microfilm of old Journals the other day. The record of death and injury in American coal mines in the past was shocking. But it was not as shocking last year as it used to be.

"We have made some progress because of the never-ending battle by this Union, and to a great extent this Union alone, in the fight to save lives. This is not for one minute to argue that more cannot and should not be done.

"As previously reported, this Union has once again, initiated legislation at the federal and state levels to try to solve the problems and to bring greater health and safety to coal miners. Many details were contained in the Feb. 1 issue of this publication. More are in this issue.

"The nit-pickers are now at work, of course. You will hear and read that our proposals, based on nearly 80 years of experience as THE representative organization of American coal miners are 'inadequate,' or is 'too extreme,' or 'won't work,' or can't be enacted into law, or are not based on true facts.

"Such charges are, of course, outright lies. The legislation being supported by the United Mine Workers of America in the 91st Congress and at the state level is, in the considered judgment of the leaders of this Union the best legislation that can be proposed. It is practical, realistic, humanitarian legislation designed to accomplish the objectives sought by the men who work in the coal mines of America, the men whose lives are at stake.

"At this writing we do not know what the outcome will be in our battle for new safety and health legislation. We do know that all coal miners are going to have to help. And that includes every man who works in a coal mine in the United States and every leader of every Local Union and every District organization of the United Mine Workers of America.

"The opposition will try to divide you, as usual. The opposition, aided by some segments of press and television who are not interested in saving lives but are interested in stirring up a name-calling fight for the amusement of the public, this opposition will engage in dirty strategy and tactics as it always has.

"But this Union does not intend and will not be diverted from its objective because of such tactics.

"Our advice to the members of the United Mine Workers of America is to 'keep your cool'—as the saying goes. Support President Boyle and this Union in this fight as you always have done. It's your lives and your lungs that are at stake.

"With your support, this Union will win the fight to make the nation's coal mines safer and to solve the problem of coal workers' pneumoconiosis, or 'black lung.'"

The Journal message was written by Justin McCarthy, editor of the twice-a-month publication.

[From the Morgantown (W. Va.) Dominion-News, Feb. 20, 1969]

BLACK LUNG BILLS LANGUISH IN LEGISLATURE

(By Ray Martin)

CHARLESTON.—Nine days have passed since the public hearing was held by the Senate and House Judiciary Committees on the so-called "black lung" bills. The West Virginia Legislature will conclude its 1969 session on March 8, 17 days from today.

What is the status of these legislative proposals? What kind of bill, if any, will be enacted into law?

Will the placards in evidence at the State Capitol on Feb. 11, date of the six-hour hearing, which read: "No law, no coal", be implemented to the full meaning of their words?

Sen. William T. Brotherton Jr., D-Charleston, chairman of the Senate Judiciary Committee said his committee plans to take no action on the amendments to the Workmen's

Compensation Act until the Senate gets the bill from the House of Delegates.

Brotherton along with Sen. Robert K. Holiday, D-Oak Hill, is a sponsor of Senate Bill 216, which was drafted by the West Virginia Black Lung Association.

House Speaker Ivor F. Boiarsky, D-Charleston, said he thought that the House Judiciary Committee might report out a black lung bill tomorrow. Whether this happens or not, Boiarsky said, dependent on Del. J. E. Ned Watson, D-Fairmont, chairman of the committee.

Watson had hopes that his committee might report the bill out. But, he wasn't really sure it would and he didn't know what kind of a measure it would be.

The Fairmont Democrat was positive about only one thing; the bill which comes out of his committee won't be any of those which were referred to it.

Del. T. E. Myles, D-Fayetteville, is chairman of the Judiciary subcommittee which has been given responsibility by Watson for the shape that the Workmen's Compensation Act amendments take.

The Myles subcommittee will prepare a committee substitute bill, Watson said, noting "that none of the bills do what the committee desires."

The substitute measure had not been written as of Wednesday, Watson told The Dominion-News.

The House Judiciary Committee chairman said that he was not aware of any opposition to the basic black lung proposal. The principle behind pending legislation is the recognition of pneumoconiosis, or black lung, as a compensable disease under state laws.

Watson said he didn't foresee any difficulty in getting the bill to the floor of the House for a vote after it is reported out by his committee. Since Friday, Feb. 14, all bills must be approved by the House Rules Committee before they are placed on the special calendar for action of the House.

The Senate has been operating under the special calendar rules since Monday, Feb. 10.

Advocates of the more liberal black lung proposals, which encompass increased compensation for all injured workers and a presumption clause pertaining to pneumoconiosis, have expressed concern over the legislative timetable.

Dr. I. E. Buff, Charleston heart specialist and chairman of the Physicians' Committee for Miners' Health and Safety, speculated that the timetable may doom the measure.

Dr. Buff, recalling difficulties surrounding the actual introduction of the bill sponsored by the Black Lung Association, said the hearing on the measure was first set for Feb. 5. It was then postponed until Feb. 11, a day after the Senate's special calendar rule became operative.

The hearing on the monetary phase of the Workmen's Compensation Act amendment was then continued until Monday, Feb. 17, a date after the House special calendar rule went into effect.

The Charlestonian, who is a member of the state Air Pollution Control Commission, expressed dual fears concerning the pending legislation. He suggested the possibility that House action would be delayed until the last day of the session, thus precluding any vote on the measure in the Senate.

He said that it was also conceivable that the Senate Rules Committee might delay the bill, assuming it did get to the Senate before the final day of the 1969 session.

Dr. Buff said opponents of the black lung measure are trying to confuse the public and the legislators about the intent of the presumption clause.

"They would have you believe," Dr. Buff said, "that we want the law to say that just because a man worked in the coal mines for a specified number of years he contracted pneumoconiosis and therefore is entitled to compensation for life.

"This is simply not so," Dr. Buff declared.

"The presumption clause means that if a miner shows the tangible signs of pneumoconiosis after working in the mines for a prescribed period of time he is presumed to have contracted the ailment as the result of his employment.

"Even that isn't final, because the employer is provided the opportunity to prove, if he can, that the disease was not related to the worker's occupational activity. In short, it shifts the burden of proof from the worker to the employer," Dr. Buff said.

David D. Johnson, a Charleston lawyer representing the West Virginia Coal Association, told the Senate Judiciary Committee this week that "if a substantial part of the proposed increases in workmen's compensation are enacted, the end result will be a lot of now active coal miners being unemployed."

At the Feb. 11 hearing Johnson publicly praised the approaches taken by George Burnette, an attorney for United Mine Workers Districts 6, 17, 29 and 31, who voiced opposition to the Black Lung Association's more liberalized proposal.

"I find it difficult to believe that proponents of these measures believe that the coal industry could withstand a substantial part of this increase," Johnson told the senators this week. "It appears that the proponents have given little thought to, or paid less attention to, how the cost of these proposals would affect the coal industry.

"Contrary to the apparent assumption being made by these proponents," the profit margin in the coal industry today is very narrow. Many operators employing a large number of miners are in serious economic trouble. In fact, a considerable number of other operators are skating on thin ice financially," said Johnson.

He focused attention on recently published reports which he said showed a drastic decline in the net income and earnings per share in some of the more prominent coal companies in West Virginia.

Johnson referred to a group of 10 coal companies operating 28 mines in the state who disclosed their margin of realization on their 1968 production, in excess of 18 million tons. (West Virginia's annual production is about 700 million tons.)

The report, Johnson said, showed that of these 10 companies, three actually lost money in 1968 and of the remaining seven companies, three had a margin of realization (the difference between cost of production and the selling price of coal) of 10 cents a ton or less.

"Under West Virginia's present compensation law, minimum weekly benefits are already higher than 35 states and the present maximum benefits are equal to or higher than 18 states," the Coal Association spokesman told the Senators.

"Furthermore," said Johnson, "A comparison of the minimum and maximum benefits in West Virginia and other states doesn't tell the whole story. Unlike many other states, West Virginia has no limit to the amount of benefits which can be paid out to a totally disabled workman or to widows in the event of fatalities."

Earlier this month, Robert E. Lee Hall, senior vice present of the National Coal Association, told officials of the Joy Manufacturing Co. at Franklin, Pa., that mechanization of the coal industry during the past two decades increased the average daily output of a miner from six tons a day to 19.17 tons per day. It also helped to lower cost, he said. The average f.o.b. mine price of coal per ton in 1967 was $4.62—37 cents a ton cheaper than it was in 1948.

Because the prospects of increased coal production are so good, many coal companies are now subsidiaries of major oil companies, he said. In fact, Hall said, "there is hardly a major oil company that is not looking seriously at some coal company."

[From the Morgantown (W. Va.) Dominion-News, Feb. 20, 1969]

ENORMOUS STEP BACKWARD IN MINE SAFETY—EXPERTS DISCUSS NEED FOR ACTION

(By Ray Martin)

The current issue of the United Mine Workers Journal, contains statements concerning health and safety.

Following an annual custom instituted in 1955, the Journal includes statements by the UMWA safety director, the director of the U.S. Bureau of Mines, and the safety director of the Bituminous Coal Operators Association.

By Lewis E. Evans, UMWA Safety Director. In 1968 coal mine safety took an enormous step backward, both in reality and in the eyes of the public.

The tragic reality was that there were 309 fatalities during the year, a horrible contrast with 1967, when 200 were killed.

The impact on the public was made by a Nov. 20 coal mine explosion and fire at the Consol No. 9 mine near Farmington, W. Va., where 78 men were killed. The bodies were sealed in the mines after a dramatic, but futile rescue effort. No one yet knows what caused this horrible disaster but in my mind it would seem almost a sure thing that it was caused by haste and the pressure for production.

This one tragedy focused the eyes of network TV cameras on the nation's coal mines and brought out the sharpest and most critical reporting in history on the coal industry in the nation's newspapers and magazines. Not only were the news media attracted to telling the story of the tragedy itself, but inevitably to probe into the general subject of coal mine health and safety in our nation.

It is sad but true that every advance made in coal mine safety legislation has come after a horrible disaster. This time we must again press for improvements in legislation that would protect the coal miner not only from explosion and fire but from the every-day hazards which their deadly but unpublicized toll.

Roof falls kill more coal miners by far than any other type of accident. The UMWA will insist that present roof-control procedures be immediately improved by management under existing laws, and will also insist that the federal law be made mandatory instead of permissive insofar as proper roof-control procedures are concerned.

The fact that 99 men died under roof falls in coal mines is as much of a disgrace to the industry as the fact that 78 men died in an explosion Nov. 20. If coal mine operators are ingenious enough to bring productivity to the fantastic heights of today they should be ingenious and humane enough to put money and effort into solving the problem of how to stop the slaughter and maiming of men under roof falls in the mines they own and operate. . . .

I would like to point out that deaths in coal mines are completely unnecessary. I believe that each and every one of the 309 men who died last year should be alive today.

It is primarily the duty of management of the coal industry to operate its mines safely. It is also the duty of federal and state government enforcement agencies to enforce laws now on the books. It is up to our Safety Committees to protect the men in the mines who elect them to their positions.

UMWA President W. A. Boyle has ordered every member of the staff of the International Union to fight for improved safety and health legislation. This we are doing and will continue to do as long as our union exists.

The 1968-death record in the coal mines . . . probably was merely the same old, sad story of inadequate laws, timid or operator-dominated enforcement of those laws, and the continuation of the made production race where human lives are sacrificed to make money.

By **John O'Leary**, Director, U.S. Bureau of Mines: For everyone who has an interest in the future of coal, and especially for those of us who share responsibility for the lives and health of coal miners, 1968 was a bitter year.

Even before the tragic events of Farmington, W. Va., shocked the entire nation late in November, the industry's health and safety record had become a matter of concern. The fatality-frequency rate for the first nine months of 1968 already had exceeded substantially the rate recorded for all of 1967, a year that ironically had seen the lowest fatality rate ever achieved in the history of American coal mining. Not for a quarter of a century has the fatality rate soared as high as it did last year.

The Farmington disaster, with the fate of its 78 victims in doubt for nine agonizing days, generated light and heat that spread to every segment of the industry and to the governmental institutions, state and federal, that have authority and responsibility for coal mine health and safety. Through television, radio, and the daily press, the eyes of the nation were focused on us all.

To the Bureau of Mines, a basic truth became quickly apparent. We recognized that, regardless of our good intentions and our dedication to the cause of health and safety, we had not fully utilized the limited authority given us under the law. Whatever the reasons, we had failed to discharge all of the responsibility entrusted to us. In the months that have passed since Farmington, we have done everything in our power to rectify that failure.

In following our present course, we realized that the law we now have cannot guarantee safe and healthful working conditions for every coal miner. No law, by itself can provide such a guarantee; though a law more realistic than the existing one most certainly is needed, and we can look for its passage during 1969. . . .

In the last analysis, however, neither law nor research can be expected to free coal mine management and coal mine workers from their ultimate responsibility for the industry's safety record. By accepting that responsibility by dedicating themselves to their own best interests, they can help assure that the deplorable record of 1968 is not repeated in 1969 or in any of the years to come.

By **Robert L. Vines**, Safety Director, Bituminous Coal Operators Association: In keeping with its 79-year history of leadership in the movement to improve safety in the coal mines, it is fitting that the United Mine Workers start the new year with a review in the Journal of coal mine safety and with a forecast for the future.

A review of the record of fatal and nonfatal mine accidents since the U.S. Bureau of Mines started keeping those records in 1930 shows a reduction of 86 per cent in total number of coal mine accidents. This reduction in accidents would not have been accomplished without the joint effort of the miners, under the leadership of the International Union, the coal operators guided by their industry leaders, and the federal and state mine safety agencies.

The tragic Mannington disaster in November, 1968, has caused some individuals to lose sight of the great improvement in coal mine safety that has been made in the past and has caused them to forget those who have been responsible for making this marked improvement. It has provided an opportunity for these individuals to use this tragic loss of life to advance their own personal ambitions by criticizing those who lose the most when such a disaster occurs—the mine workers and the mine operators.

The greatest asset of any coal mine is not its huge reserve of the raw material which is so essential to the strength and progress of our nation, nor is it the equipment and investment needed to mine the coal. Our greatest asset is the men who do the work of mining the coal. This is evidenced by the fact that a new man entering the mine today can expect to be paid more than half a million dollars for his services.

We, intend to protect these men, our greatest assets, through continued and ever-increasing efforts to improve safety in coal mines. Many of the member companies of Bituminous Coal Operators' Association, through cooperative efforts of the mine workers, supervisors and managers, have achieved better accident frequency records than the average for all industries. It is our aim that by giving our support to constructive and meaningful legislation designed to improve mine safety that the safety record for our entire industry will reach this level.

As employers, we are equally concerned with the health of our employes and their families. In the few short years since the Welfare and Retirement Fund was created by the Union contract, to be financed by payment made by the mine operators, the life expectancy of coal miners has risen, from a level considerably below the national average, to a point where the coal miner can now expect to live years longer than the average American male.

We cannot rest on these laurels. Recent government studies have shown that about 10 coal miners in 100 have coal workers' pneumoconiosis, which is an X-ray showing of dust in the lungs, and that this condition can sometimes lead to disability. The coal industry can and will solve this problem by finding the means of providing the coal miner with a working environment which will control pneumoconiosis.

Through constructive legislation for the improvement of mine safety and health and through the continued efforts of the mine workers and operators, we can look forward to 1969 and future years to continue the impressive trend toward fewer injuries, better health, and still further increase in life expectancy of the men who mine the nation's coal.

[From the Morgantown (W. Va.) Dominion-News, Feb. 22, 1969]

JOHN O'LEARY GETS RANDOLPH ENDORSEMENT

(By Ray Martin)

WASHINGTON.—U.S. Bureau of Mines Director John J. O'Leary received a strong endorsement Friday from U.S. Sen. Jennings Randolph, D. W.Va.

The endorsement was contained in a message the West Virginian sent to Secretary of the Interior Walter J. Hickel.

The senator requested Hickel to make O'Leary available as an official witness before the Senate Labor Subcommittee when it begins hearings on coal mine safety and health bills. Those hearings are scheduled to start next Thursday.

Randolph, the ranking majority member of the subcommittee, introduced a coal mine health and safety bill based on proposals prepared under O'Leary's direction and sent to Congress by former Interior Secretary Stewart L. Udall.

West Virginia's senior senator sent the following message to Hickel:

"The incumbent director of the U.S. Bureau of Mines, John J. O'Leary, is competent, capable; and diligent in the performance of the duties of that office. Under his direction, legislative proposals for recodification and modernization of coal mine safety and health laws have been prepared and presented to the Congress.

"I have confidence in Mr. O'Leary and his proposals. Hence, I introduced Senate Bill 355, and request that you make Mr. O'Leary available as an official witness when hearings on the substantive language of Senate Bill 355 and other measures are held.

"This would be subsequent to the opening hearing by the Senate Subcommittee on Labor on Feb. 27, when these measures will be brought formally to the attention of the subcommittee. Your cooperation and understanding will be appreciated," Randolph concluded.

On the other side of Capitol Hill, Rep. Ken Hechler, a Huntington Democrat, expressed his concern about the current wave of miners' strikes in West Virginia.

"I can understand very well why the West Virginia coal miners are striking to dramatize their grievances, and to call attention to the desperate need for state legislation on black lung and safety," Hechler said.

"But I don't feel that endless, bitter and disorganized strikes and walk-outs will either solve the problem or necessarily result in good legislation. Rather, it would be better for the miners to select spokesmen for a meeting which has been scheduled for next Wednesday at 2 p.m. at the Charleston Municipal Auditorium.

"I am informed that at next Wednesday's meeting there will be an excellent opportunity for the coal miners and their representatives to voice a direct and clear-cut course of action for the legislature. In this way, a series of minimum legislative standards can be presented to those in a position to act in order to produce effective legislation," the Fourth District congressman said.

Representative Hechler indicated that he had written to a number of coal miners interested in state legislation, urging them to attend next Wednesday's meeting and to insist on certain minimum standards necessary to be included in any action by the State Legislature.

March 4 has been set as the date for the start of hearings on mine safety and health legislation before a House Subcommittee on Labor. The hearings will continue until March 26.

Among the measures to be considered are bills introduced by Rep. John Dent, D-Pa., chairman of the general labor subcommittee; Rep. Carl Perkins, D-Ky., chairman of the House Education and Labor Committee; Rep. James O'Hara, D-Mich., and Representative Hechler.

The Senate Subcommittee on Labor, under the chairmanship of Sen. Harrison A. Williams Jr., D-N.J., will begin its hearings next Thursday. At that time the committee will hear from members of the Senate relative to the pending legislation. In addition one representative from the coal industry and one representative of the coal miners will be heard.

Senator Williams is the sponsor of the Senate version of the bill introduced in the House by Representative Hechler.

Senator Randolph has introduced two bills. One is the Bureau of Mines proposal sent up to Capitol Hill while Secretary Udall was in charge of the Interior Department. The other is one drafted by the United Mine Workers of America.

The West Virginia senator said he expects that the UMW bill on mine safety as well as measures proposed by the Nixon Administration will be submitted before the committee starts its hearings.

Senator Randolph acknowledged that new laws are needed to improve the safety and health conditions under which the nation's coal miners work. He stressed that he was keeping an open mind on the subject until all the legislative proposals had been studied by the committee.

"If we legislate provisions technically unobtainable or if obtainable only by closing the mines and wiping out the jobs of miners, we have failed in our mission," the West Virginian said.

FREEDOM'S CHALLENGE—VIEWS OF A YOUNG AMERICAN

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BYRNES of Wisconsin. Mr. Speaker, I am pleased to announce that the winner of the Voice of Democracy contest in Wisconsin is a resident of my district, Mr. Leslie Fuszard, of Little Chute, Wis.

The contest is sponsored by the Veterans of Foreign Wars and its ladies auxiliary. The theme of this year's national competition is "Freedom's Challenge."

I commend Mr. Fuszard on his winning speech. This young American expresses a deep pride in this country's ideals while showing a mature awareness of current threats to freedom's continued existence in American society. Moreover, he readily accepts the responsibilities which the preservation of that freedom demands.

The speech follows:

FREEDOM'S CHALLENGE

(By Leslie Fuszard)

The most dangerous gift we have ever received is freedom. I do not deny that it is the most precious and should be jealously guarded. This gift, however, will soon destroy us unless we learn how to use it wisely. Take a look at this country today for an example. Everywhere there seems to be a sharp decline in morals: cheating where once there was honesty, crime where once there was respect for the law. Everywhere there seems to be a growing laxness, an indifference, a softness that terrifies people when they think about it.

Perhaps we have a blind and misguided concept of liberty. Maybe we are using our freedom of choice, gained for us by the bloodshed of our forefathers, to choose the wrong things. This is where the confusion lies—in the choices a man makes as to the course of his life, and in the awareness that a wrong choice or none at all can turn his life into emptiness and futility.

"Give us more freedom!" has been man's incessant cry. This plea was valid when it was directed against tyranny or oppression, but we have pushed far beyond freedom from this. The freedom we now desire has come to mean freedom from all unpleasantness: from hardship, from discipline, and from the pains of self-sacrifice. Man wishes for fewer and more elastic rules, but this will weaken our courts and shake our government's foundations. Man longs for more leisure and less work, but this will weaken him physically and mentally.

As a nation then, we have clamored for complete freedom. Now we just about have it and also face a bleak and horrifying truth: we have flung off one restraint after another, but in the process we have not learned how to control ourselves.

There is a fear that if we do not learn to preserve our best values, some form of tyranny will surely take them from us. We should not be thinking so much about the freedom from tyranny our ancestors won as the chaos that freedom can bring to those who do not use it wisely. We must consider the truth of the old saying, "A man's worst difficulty begins when he is able to do whatever he likes," and we must be able to control ourselves.

The time has come in our lives when we need to look straight into some of the ugly areas of our society—the crime, the weakening of family ties, the racial hatred, the death rate on our highways—and ask ourselves to what extent these things stem from a distorted concept of freedom which leaves man free to be lazy, to be selfish, and to be weak.

Our generation is looking for ideas in which we can believe and for which we can fight. We want peace, but not at the price of freedom. We would rather be challenged by hard work and self-sacrifice than sheltered by society. Ours is a generation on the move, ready to be disciplined, ready to dare. We are an inspiration to our country and to the world! This enthusiasm and patriotism can be seen in the words of a young dying serviceman in his last letter to his parents:

"Believe me, I didn't want to die, but I know that it wás part of my job. I want my country to live for billions and billions of years to come. I want it to stand as a light to all people oppressed and guide them to the same freedom we know. If we can stand and fight for freedom, then I think we have done the job God has set down for us."

Therefore, if we can learn to choose the right things, not always the easy things; to keep from abusing our freedoms, not cringing from hardships or discipline, then our freedom has been used wisely and constructively—has met its challenge, and has triumphed.

ESTONIAN INDEPENDENCE DAY

HON. THOMAS J. MESKILL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. MESKILL. Mr. Speaker, today as we observe Estonian Independence Day, we are reminded that Estonians form one of the smallest nationality groups in Europe, numbering just over 1 million in their homeland in northeastern Europe. Their modern history is full of misfortune and misery. These sturdy and stouthearted peasants endured the oppressive yoke of Russian czars for more than 200 years before they attained their freedom and independence early in 1918.

The Estonians took advantage of the Russian revolution of 1917, broke away from the Russian state and proclaimed their national political independence on February 24, 1918. From that day on for about two decades they lived happily under the democratic institutions of their rebuilt country and were quite content with their lot. That seemed to be their national desire, but their more powerful neighbor in the east seemed determined to eliminate democratic Estonia. The Communists of the Soviet Union had their chance to do this early in the last war. In mid-1940 Estonia was overrun and then occupied by the Red army, and became part of the Soviet Union. Since then, for nearly three decades, unhappy Estonians have been living under tyranny in their once-free homeland. They still suffer under the ruthless agents of the Kremlin, and their lot is in many respects worse than it was under the callous agents of the czars. They have not, however, given up their national ideals, their desire to attain freedom and independence. Today on the 51st anniversary observance of Estonian independence day let us all pray for the deliverance of these peoples from Communist totalitarian tyranny.

NIXON URGED TO PURSUE STRONG LIBERAL TRADE POLICY

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BURTON of California. Mr. Speaker, the New York Times on Sunday, February 23, 1969, had an article entitled "Nixon Urged To Pursue Strong Liberal Trade Policy."

When that urging comes from a man of the stature and experience of William M. Roth, it is a view which I should like to share with my colleagues.

Mr. Roth, a native San Franciscan, was first appointed special representative for trade negotiations in July 1963 by President John F. Kennedy. He served with distinction under President Johnson as U.S. representative with the Kennedy round.

William Roth is a public servant of the highest caliber and I enter the article from the New York Times by him, at this point in the RECORD:

NIXON URGED TO PURSUE STRONG LIBERAL TRADE POLICY

(By William M. Roth)

President Nixon has lost no time in making his position on trade policy clear. In his Inaugural Address he called for "a world . . . open to the exchange of goods" and at his second press conference he said:

"I believe that the interests of the United States and the interests of the whole world will best be served by moving toward freer trade rather than toward protection."

My own views on future trade policy are set forth in detail in a report submitted to President Johnson last month. This report is the first comprehensive review of United States trade policy in more than a decade. It was based on the work of a number of task forces within the Government, as well as intensive discussions with a distinguished public advisory committee appointed by President Johnson.

The report concludes that our policy of trade liberalization and expansion has contributed importantly to the achievement of such major national goals as economic growth, full employment and higher real incomes, and that it should be continued and strengthened.

There have, of course, been changes in world trade in recent years. Because of the dramatic postwar economic growth of Western Europe and Japan, competition is keener than ever before. The patterns of trade have also been profoundly affected by the creation of regional trading blocs, notably the European Common Market and EFTA, and by the spectacular growth of great multinational corporations.

There are some who, citing these changes, maintain that our liberal trade policy has outlived its usefulness. They would have us take refuge in a commercial "Fortress America." The typical form that this economic neo-isolationism has taken is the advocacy of restrictive import quotas. The professed objective is "orderly marketing—a euphemism for restraining competition through market sharing. This is in fact the goal of the old-style cartels, which Americans have traditionally rejected as the antithesis of our system of free competition and individual enterprises.

For consumers, import quotas would mean higher prices and less freedom of choice. For producers, they would mean higher costs and impairment of their ability to meet foreign competition at home and abroad. For the economy as a whole, they would mean a further push toward inflation.

Therefore, I welcome the President's statement that he takes "a dim view" of quotas, though I wish he had expressed the same opinion of voluntary quotas which in most cases are as unjustifiable as mandatory quotas. This is certainly true of those currently being suggested for woolen and synthetic textiles.

Trade expansion, with all its benefits, does result in occasional hardships. Our means of alleviating them can and must be significantly improved. My report recommends the liberalization of the present unduly strict criteria for obtaining "escape-clause" relief in the form of quotas or higher tariffs. It would be advisable, of course, for us to be in a position to provide compensation to those of our trading partners whose interests may be adversely affected—and for this purpose the President should be given authority by the Congress to make limited tariff adjustments.

Similarly, the report recommends the liberalization of the criteria for adjustment assistance to individual firms and groups of workers—and for individual establishments within a firm, even when the firm itself may not be eligible for assistance.

The criteria suggested for the granting of "escape-clause relief to industry's are stricter than those for adjustment assistance. It is frequently the case that the weaker firms in an industry—those already falling behind their domestic competitors—are the ones that are most affected by imports. In such cases, across-the-board relief amounts, for the stronger firms, to a needless and unjustifiable windfall.

Our over-all objective must be to help industries and firms adjust to competition—not to shelter them from it indefinitely. It is therefore essential that "escape-clause" tariffs or quotas be regularly reviewed and that the firms concerned be required to report periodically on their progress toward meeting import competition.

Internationally, the United States must continue to insist upon the principle of reciprocity. We can offer others access to our market only to the extent that they offer us access to theirs. We should continue to uphold the rules of international trade embodied in the General Agreement on Tariffs and Trades (GATT), particularly the rule of non-discrimination in trade policy, but we must insist that others abide by them as well.

The United States must take full advantage of the remedies available to it under the GATT whenever its interests are jeopardized by the actions of others. Indeed, we should put ourselves in an even stronger position to do so. We should amend our trade legislation to enable us to retaliate against illegal restrictions on our industrial exports as forcefully as we are already able to do in the case of agricultural products.

There are many nontariff barriers that are not illegal. Together with its trading partners, the United States must work within GATT and bilaterally to reduce and eventually eliminate them. We should begin by abolishing the American selling price system of customs valuation, an obsolete form of protection—which will enable us to realize the significant tariff and nontariff benefits embodied in a special agreement negotiated concurrently with the Kennedy Round.

Action against nontariff barriers is particularly important for our farm exports. They are increasingly threatened by agricultural protectionism abroad, especially in the Common Market. High price supports are protected by high and variable duties against efficient outside suppliers, including the United States. The excess production they generate is being marketed on a subsidized basis in third countries, undercutting our own sales. Surpluses of dairy products in the Common Market have recently inspired a proposal to levy a heavy tax on oilseed products, menacing our very substantial soybean exports.

SPECIFIC TALKS URGED

The current preparations for another general round of trade negotiations should be pressed vigorously. Meanwhile, the United States should seek negotiations on specific nontariff barriers wherever progress is possible, as well as negotiations aimed at the elimination of tariff and nontariff barriers in particular industrial sectors. It is especially urgent that the nations take agricultural protectionism in hand before it provokes a major confrontation—and to do so they must be prepared to place their own domestic agricultural system on the bargaining table.

One important respect in which the present GATT rules should be changed is in the field of border tax adjustments. They now permit export rebates and levies on imports to compensate in full for domestic taxes on products, such as business sales taxes, based on the very dubious assumption that all such indirect taxes are passed on fully to the consumer. To the extent that such taxes are not passed on, these border adjustments are protective and hurt our trade. We are seeking a satisfactory revision of the GATT rules and should continue to press hard for it in 1969.

The United States must take account, in its trade policy, of the interests of the less-developed countries and give serious consideration to generalized preferences for them. We must consider means of extending selective most-favored-nation treatment to the Communist countries of Eastern Europe, in return for equivalent commercial benefits.

ACTIONS EXPLAINED

During the last year and a half, balance-of-payments difficulties have repeatedly induced nations to take or contemplate restrictive trade measures. It is clear that the maintenance of an open trading world requires the strengthening of the world monetary system. Trade measures should be taken only under international supervision and as a temporary and supplementary means of easing balance-of-payments strains while more basic remedies are put into effect. And countries in surplus have an obligation to help in the adjustment process as well as the country that is in deficit.

Finally, trade policy must be developed in full recognization of its close relationship with other economic policies, domestic and international. I believe that the Office of the Special Representative for Trade Negotations in the Executive Office of the President is well situated to fulfill this responsibility. During its six years of existence it has gained the confidence and cooperation of important sectors of American business, agriculture, labor and consumers. It seems to me urgent that the President appoint as special representative a businessman of stature and that the status, budget and staff of his office be strengthened to measure up to its mission.

As the world becomes more complex and interdependent, so do the problems of domestic and international economic policy. We must remember, however, how successful the basic thrust of American trade policy has been over the years. We must not risk all the gains we have made—rather, we should build upon them for the future.

APOLLO 8, NAVY SATELLITE GET ENGINEERING HONORS

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. GUDE. Mr. Speaker, the Applied Physics Laboratory—APL—which has for more than a quarter of a century been a leader in Navy weapons research, today remains at the forefront of this research area. Guided missile technology is one area of their major achievement, but they face as well a broad spectrum of national needs in fields that included the peaceful uses of outer space, advanced air breathing engines, biomedical engineering, laser research, and urban transportation.

The Applied Physics Laboratory was founded in Silver Spring, Md., in 1942 to pursue development of the radio proximity—VT—fuse which halted the threat of the buzz bomb over London and contributed materially to ending World War II.

This success was followed by the invention of the supersonic ramjet—the flying stovepipe, as it was nicknamed—flown for the first time in 1945. This new defense for naval ships against high speed air attacks, guided bombs, and suicide planes opened the way for guided-missile defense of the fleet. By 1956, the guided-missile defense was installed and operative in the U.S.S. *Boston*, and 2 years later a similar defense system, the "Talos," existed on the U.S.S. *Galveston*. In succeeding years, numerous foreign countries have installed the "Talos," or a smaller version of it, on their ships.

Pioneering missile technology put APL in a position to accept other important challenges as they arose. When the Russians launched their sputnik in 1957, APL scientists tracked it in orbit and from their calculations were able to provide the basis of a worldwide system of navigation.

From this beginning, the laboratory's space research and development efforts have evolved to include satellite navigation, geodesy, and techniques for spacecraft stabilization. More than 30 satellites designed by APL have performed successfully in orbit.

With this auspicious background, it is not surprising that the Applied Physics Laboratory was recently honored for two of its projects. The Apollo 8 translunar flight and the Navy navigation satellite system have been named by the National Society of Professional Engineers as two of the top four engineering achievements of 1968. I am entering in the RECORD the following news article from the February 2, 1969, issue of the Evening Star newspaper, of Washington, D.C., with the thought that my colleagues and the Nation would want to make proper notice of this distinction most recently received by the Applied Physics Laboratory:

APOLLO 8, NAVY SATELLITE GET ENGINEERING HONORS

The Apollo 8 translunar flight and the Navy navigation satellite system developed by the

Applied Physics Laboratory of Johns Hopkins University in Silver Spring have been named two of the top four engineering achievements of 1968 by the National Society of Professional Engineers.

The Washington-based national association also listed as major achievements the Meramec Power Plant in south St. Louis County, Mo., for its air pollution control system and the Palacio de Rio Hotel in San Antonio, Tex., for its unique crane-hoisted module construction.

The Apollo moon voyage, under program direction of the National Aeronautics and Space Agency in Washington, was termed "an unparalleled feat, attributable to the joint efforts of engineering and science."

Program director for Apollo Samuel C. Phillips and mission director William C. Schneider are both of NASA headquarters here, as is George E. Mueller, assistant administrator for manned space flight.

The Navy navigation satellite system developed by the Applied Physics Laboratory in Silver Spring provides highly accurate worldwide, all-weather position information for surface vessels and submarines.

It is used by the Navy in the Polaris submarine force and in major surface combatant ships. An adapted model for commercial shipping has been installed in Great Britain's newest luxury liner, Queen Elizabeth II, the laboratory reported.

The navigation system involves measuring the "Doppler shift" of frequencies transmitted from a satellite, to an accuracy of one part in a billion.

The Glomar Challenger, oceanographic research vessel, the Navy's ocean research ship Mizar, and other oceanographic vessels are equipped with the satellite navigation system.

ESTONIAN INDEPENDENCE DAY

HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. SANDMAN. Mr. Speaker, on February 24, all of the Estonians who are living in the free countries throughout the world will celebrate the 51st Independence Day anniversary of the once free Republic of Estonia. Presently, Estonia is occupied by Soviet Russia.

With the outbreak of World War II, Estonia was one of the first countries to experience the aggression of both Hitler and the Soviet Union. Russia's assault against its Baltic neighbors was the initial step westward in a ruthless march against Europe. The beginning of today's international tensions and threats to world peace may be found in the Soviet aggression against the Baltic States in 1940.

Estonia, together with other nations behind the Iron Curtain, is waging a great struggle against world Communist expansion. Their fight for freedom is not only for their own liberation; it is also a fight for freedom in the world.

We must not, for a minute, forget the fate of this and other nations who have contributed so much to civilization and whose right to self-government has so brutally been taken from them. All who cherish freedom in the world have a common interest, and likewise we share a common threat. Estonian Independence Day, therefore, should be for Americans, a day of prayerful reflection and renewed dedication.

FREEDOM'S CHALLENGE

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. QUILLEN. Mr. Speaker, Miss Marcella Elliott, a sophomore at Unaka High School, which is located in my district, has won first place in Carter County, Tenn., for her speech in the "Voice of Democracy" contest entitled "Freedom's Challenge."

Miss Elliott is an outstanding student and I know the future holds many wonderful things in store for her.

It is indeed an honor for me to share such an outstanding achievement of one of my constituents with the readers of the RECORD:

FREEDOM'S CHALLENGE

What does democracy mean to the American people? This is a question that few of us ever think about. We enjoy its privileges, such as freedom of speech, freedom of worship, and the right to vote without really thinking of how precious they are to us.

Democracy is a wonderful form of government, and almost every American would agree that the privileges it affords are indeed precious when we stop to consider them. But as we look around at all the violences, hatred, and turmoil within our country, many ask, "If democracy is so wonderful, why does our country have more problems than many other countries that are governed in different ways? Has democracy failed us?"

Before we answer that question, let us consider how democracy got its start. Who is responsible for our nation's being democratic? We, the people, choose our own government. We formed and fought for democracy. Secondly, who has made it work for 200 years? Leaders selected by the people drew up our Constitution, and leaders selected by the people have put its laws in force. True, it has never been easy. Our country has always had its problems, but, through it all, it has been successful. And we, the people, are responsible for its success. But if the people can take credit for its past success, must we not also take the blame for its problems of today? Has democracy failed us—or have we failed democracy?

We Americans seem to have forgotten that to everything there is challenge. Freedom is no exception. Even though the challenge of acquiring freedom was met in 1781, the challenge of keeping our freedom and making democracy work is still very real today.

Where did we fail? Perhaps one of the main areas of failure has been in taking our freedom for granted. In the past few years patriotism has become more and more a thing practiced only by children in grade school. Today, people who show flagrant disrespect for their country get more attention than patriotic citizens. They are even admired for their so-called courage. But the American who is not ashamed to stand up for his country is the person who has real courage. Even though most Americans are not flag burners, how many of us are flag saluters in the true sense of the word? When we salute the flag, do we think of what it means or do we do it mechanically? When we salute the flag, we are pledging our loyalty to our country. How can we fulfill this pledge in our everyday lives?

For one thing, when we hear others criticizing democracy, we can point out its many advantages. This is a good way to prove our loyalty to those around us, and we might also influence their attitudes by taking this stand. Also, since so many young people are being deceived into admiring those who would tear our country apart, we should convince our friends that peaceful change is the only change that can benefit us.

We must not misuse our privileges. Instead of using freedom of speech to condemn our country and its form of government, let us use this privilege to praise them.

When we speak of freedom's challenge, we are speaking of a challenge that has existed since the beginning of our country and is going to continue. Are we equal to it? We have been in the past, and there is no reason we cannot be now. The rewards will be well worth what we can do for our country.

ABM DISCUSSION, FEBRUARY 26, 1969

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. COHELAN. Mr. Speaker, I have joined with several other Members of the House in scheduling a special order for Wednesday, February 26, 1969, to discuss the question of ABM deployment.

We recognize that a discussion of this type will not resolve all the outstanding questions. However, we hope that it will sharpen our understanding and focus the areas in which we are in doubt.

I believe that it is important that every Member of the House have the opportunity to study closely the arguments for and against the deployment of a limited ABM. Accordingly, I would like at the conclusion of my remarks to include several pertinent items which may be of assistance to Members and their staffs in the course of deliberations on this most important matter.

First, I will include the additional views from the report on the military construction appropriation for 1969. In these views, the gentleman from Illinois (Mr. YATES), the gentleman from Connecticut (Mr. GIAIMO), and myself have laid out the major facts which influenced our conclusions that the Sentinel ABM should not be deployed.

Second, I will include former Defense Secretary McNamara's speech of September 18, 1967, in which he announced the decision to proceed with a limited Chinese-oriented ABM, but warned strongly against the deployment of an anti-Soviet ABM.

Third, I will include an article from International Affairs by Mason Willrich again dealing with the ABM question.

Fourth, I will include an article by Jeremy Stone, formerly of the Hudson Institute, in which he makes the case against ABM deployment in a paper published by the Institute for Strategic Studies. Finally, I will include an article by Robert L. Rothstein appearing in Foreign Affairs, April 1968.

The material follows:

Additional Views of Robert N. Giaimo, Jeffery Cohelan, Sidney R. Yates

There is doubt amongst military and civilian defense experts about the desirability of deployment of an anti-ballistic missile system at this time. Similarly there is doubt in the academic and scientific communities over the desirability of ABM deployment. We want to take this occasion to express our doubt in the Congress over the wisdom of ABM deployment now.

After a considerable study we find ourselves unconvinced that it is in the best interests of the United States to proceed with the deployment of a limited anti-ballistic missile defense at this time. We believe that ABM deployment now could well be unnecessary, unwise and a misuse of precious fiscal and manpower resources.

These are conclusions not idly arrived at. They are drawn largely from five simple facts.

Limited ABM deployment will probably not save American lives in case of a Soviet attack.

ABM deployment this year is not necessary to our security against China.

ABM deployment threatens to escalate the arms race.

ABM is enormously costly, especially at this time.

ABM may be obsolete or ineffective even before it is operational.

These are striking facts. But they are all ones which we believe can be supported with expert testimony.

We would like to proceed with a brief review of each of these points.

1. The limited Sentinel ABM will probably not save American lives in case of a Soviet attack. This may seem startling—but it is the fact.

It results simply because the Soviets, like ourselves, cannot refuse to respond to developments by the other side which threaten their assured destruction capability. Accordingly, to overcome our ABM the Soviets would most likely deploy more and better equipped offensive missiles, and perhaps continue with or expand the deployment of their own light ABM. Because the Soviets, like ourselves, must prepare for the worst plausible case, they must prepare for an ABM which will be nearly perfect until it is overwhelmed. They will thus build far more offensive capability than they need, and in the event of an exchange, more damage will be done to the United States than if they had not been forced to respond to our ABM deployment.

Simply put, this means ABM may cost American lives, not save them.

2. ABM deployment this year is not necessary to our security against China. Again, this fact may seem striking in view of the common response to the statement of Secretary of Defense McNamara in September, 1967 that we had to act then to have our ABM in time for the supposed Chinese threat. Yet, statements made only a few weeks and months ago to the Congress by high officials of the Defense Department indicate that the Chinese are perhaps as much as a year behind the time table we estimated they would have to follow to have an ICBM in the mid 1970's. The turmoil in China continues. It would appear that with the Chinese a year behind or more, we could afford to postpone this decision for at least a year while developments in technology and in arms control have an opportunity to work their will.

In addition, we still find it remarkable that we do not believe that the offensive deterrent we possess against the Soviets will also be an adequate deterrent against the weaker Chinese. Further still we do not even know if the Chinese will deploy intercontinental missiles against which an ABM would be a defense, or if they do whether they will not also build cheaper and less vulnerable submarine launched missiles, against which the Sentinel ABM will not be very effective.

The Herbert Hoover Institution on War, Revolution and Peace at Stanford University recently published a contingency study "Communist China and Arms Control." In it they state—

The recent U.S. decision to deploy a thin ABM system mounted against Communist China compounds Peking's problems in developing a credible nuclear force. Obviously, China is now aware that she must find means to penetrate or circumvent these defenses * * * Since any type of leadership (of China) would necessarily be committed to pursuit of the nuclear program, we can expect each of them to bend every effort to overcome the strategic obstacles imposed by the (U.S.) ABM system.

We believe that while the Chinese will rely primarily on a ground launched deterrent system, they may well seek to augment this with a submarine launched ballistic missile system (SLBM). Thus we anticipate that the major thrust in naval construction during the forthcoming decade will be toward acquiring a fleet of transoceanic diesel-powered submarines, each equipped to launch three to four short or medium range ballistic missile (range spread: 400–1,000 miles) from a deck-awash position. A fleet of fifty such boats, which—given priority—could be constructed within ten years, would enable the Chinese to keep approximately twelve to fifteen on station southeast of Hawaii and off lower California for limited periods. This would provide insurance to their ICBM system.

3. ABM deployment threatens to escalate the arms race. This is a fact which must be clear to us all. In the past several months we have heard of the development of fantastic new destructive weapons—multiple independently guided reentry vehicles, orbiting bombs—these are not deployed weapons, but weapons which could be deployed in response to the need to protect the strategic capability of either ourselves or the Soviet Union. A threat to this capability, like the ABM will likely set off a new round of increased numbers and sophistication of offensive weapons—an escalation of the arms race. The Soviet deployment of an ABM around Moscow has already threatened to launch us down this path. In the end we will both have to remain capable of making the other side believe that it will be destroyed if it engages in nuclear war. Quite simply, effective parity (i.e., mutual ability to inflict unacceptable nuclear destruction) is the basis of our defense. Every improvement we make will be reflected by the Soviets, as we have seen from past experience, thus neither we nor they can hope to get more defense simply by deploying more systems.

This is the logic of the mutual interest of the USSR and ourselves in arms limitation discussions.

In recent weeks the ABM debate has been greatly influenced by the agreement of the Soviet Union to hold discussions on the limitations of strategic armaments. It has been argued that we must provide the funds for ABM to fortify our bargaining position in these negotiations. We submit that this is not necessarily the case. Our experts have testified that the best American response at this time to a Soviet ABM is to deploy a stronger offensive force, and not to reply with an ABM of our own. Thus the Soviets should be as interested as we are in assuring that neither side deploys an ABM if for no other reason than to preclude an increase in offensive weapons. An agreement which would remove the threat—however remote—of ABM deployment would be meaningful to them.

If we spend money on ABM deployment now, and then we agree to halt ABM deployment, we may waste billions of dollars.

Sound management as well as sound bargaining calls for us to hold ABM deployment in abeyance until the outcome of the arms limitation discussions is clear.

4. ABM is enormously costly, especially at this time. $5 billion is an immense amount of money. It is the annual wages of 500,000 families earning $10,000 a year. We face a difficult fiscal situation. We have a mandate to cut expenditures. We can no longer treat the Defense budget as a sacred cow. It must undergo the same form of searching inquiry as any other program.

In view of the former Secretary of Defense there are only "marginal grounds" to support a Chinese oriented ABM, and no grounds to support a Soviet oriented ABM. If cuts must be made, and surely they must, let us cut out the marginal items and preserve the vital ones.

5. ABM may be obsolete or ineffective even before it is operational. The NIKE-ZEUS ABM which we were previously urged to deploy would have been by common consent obsolete and ineffective by the time it would have been deployed. The same fate is probably built into the SENTINEL. By the admission of our experts it will have no capability against incoming weapons with any penetration aids. Yet any enemy building ICBM's today must certainly be encouraged to include penetration aids, if we have an ABM. Accordingly, our unsophisticated system may already be passed by. Certainly it would constantly have to be up-dated and remodeled at enormous costs.

The effectiveness of any ABM is much in doubt. Defensive systems against nuclear warheads must be extremely reliable since any warheads which do get through will cause enormous damage. Viewed in this light the limited SENTINEL ABM is open to question. The reliability of the system is still further strained by the fact that when the ABM is called upon to function, it must perform exceedingly well the very first time.

CONCLUSION

We share with the proponents of the SENTINEL, ABM the belief that the security of the United States is a consideration which is second to none. Some proponents contend that while the ABM may not be technically perfect or strategically sound, it is better to deploy it and err of the side of safety. But that is the basic question: which is the side of safety? Is it to build an ABM system knowing that such action must inevitably provoke a Soviet response, or is it to hold back, temporarily at least, the initiative until it is known where the current discussions on the reduction of nuclear weapons are going? There is only a very fine line between deterrence and provocation. It is not clear at this point on which side of that line the current ABM deployment would fall. Certainly the possibility exists that meeting a commitment to expand funds for a program the merits of which are at best questionable, could injure the security of the United States. Thus we could, in effect, be misdirecting our efforts to the overall detriment of our defense posture.

In view of these facts, we believe the SENTINEL ABM should not be deployed at this time.

We urge support for amendments to delete the $263.3 million in this bill for SENTINEL ABM deployment.

ROBERT N. GIAIMO.
JEFFERY COHELAN.
SIDNEY R. YATES.

Remarks by Secretary of Defense Robert S. McNamara Before United Press International Editors and Publishers, San Francisco, Calif., September 18, 1967

Ladies and Gentlemen, I want to discuss with you this afternoon the gravest problem that an American Secretary of Defense must face: the planning, preparation, and policy governing the possibility of thermonuclear war.

It is a prospect most of mankind would prefer not to contemplate.

That is understandable. For technology has now circumscribed us all with a conceivable horizon of horror that could dwarf any catastrophe that has befallen man in his more than a million years on earth.

Man has lived now for more than twenty years in what we have come to call the Atomic Age.

What we sometimes overlook is that every future age of man will be an atomic age.

If, then, man is to have a future at all, it will have to be a future overshadowed with the permanent possibility of thermonuclear holocaust.

About that fact, we are no longer free.

Our freedom in this question consists rather in facing the matter rationally and realistically and discussing actions to minimize the danger.

No sane citizen; no sane political leader; no sane nation wants thermonuclear war.

But merely not wanting it is not enough.

We must understand the difference between actions which increase its risk, those which reduce it, and those which, while costly have little influence one way or another.

Now this whole subject matter tends to be psychologically unpleasant. But there is an even greater difficulty standing in the way of constructive and profitable debate over the issues.

And that is that nuclear strategy is exceptionally complex in its technical aspects. Unless these complexities are well understood, rational discussion and decision making are simply not possible.

What I want to do this afternoon is deal with these complexities and clarify them with as much precision and detail as time and security permit.

One must begin with precise definitions.

The cornerstone of our strategic policy continues to be to deter deliberate nuclear attack upon the United States, or its allies, by maintaining a highly reliable ability to inflict an unacceptable degree of damage upon any single aggressor, or combination of aggressors, at any time during the course of a strategic nuclear exchange—even after our absorbing a surprise first strike.

This can be defined as our "assured destruction capability."

Now it is imperative to understand that assured destruction is the very essence of the whole deterrence concept.

We must possess an actual assured detruction capability. And that actual assured destruction capability must be credible. Conceivably, our assured destruction capability could be actual, without being credible—in which case, it might fail to deter an aggressor.

The point is that a potential aggressor must himself believe that our assured, destruction capability is in fact actual, and that our will to use it in retaliation to an attack is in fact unwaivering.

The conclusion, then, is clear: if the United States is to deter a nuclear attack on itself or on our allies, it must possess an actual, and a credible assured destruction capability.

When calculating the force we require, we must be "conservative" in all our estimates of both a potential aggressor's capabilities, and his intentions. Security depends upon taking a "worst plausible case"—and having the ability to cope with that eventuality.

In that eventuality, we must be able to absorb the total weight of nuclear attack and rely on our strike back forces; on our command and control apparatus; on our industrial capacity; on our cities; and on our population—and still, be fully capable of destroying the aggressor to the point that his society is simply no longer viable in any meaningful twentieth-century sense.

That is what deterrence to nuclear aggression means. It means the certainty of suicide to the aggressor—not merely to his military forces, but to his society as a whole.

Now let us consider another term: "first-strike capability." This, in itself, is an ambiguous term, since it could mean simply the ability of one nation to attack another nation with nuclear forces first. But as it is normally used, it connotes much more: the substantial elimination of the attacked nation's retaliatory second-strike forces.

This is the sense in which "first-strike capability" should be understood.

Now, clearly, such a first strike capability is an important strategic concept. The United States cannot—and will not—ever permit itself to get into the position in which another nation, or combination of nations, would possess such a first-strike capability, which could be effectively used against it.

To get into such a position vis-a-vis any other nation or nations would not only constitute an intolerable threat to our security, but it would obviously remove our ability to deter nuclear aggression—both against ourselves and against our allies.

Now, we are not in that position today—and there is no foreseeable danger of our ever getting into that position.

Our strategic offensive forces are immense: 1000 Minutemen missile launchers, carefully protected below ground; 41 Polaris submarines, carrying 656 missile launchers with the majority of these hidden beneath the seas at all times; and about 600 long-range bombers, approximately forty percent of which are kept always in a high state of alert.

Our alert forces alone carry more than 2200 weapons, averaging more than one megaton each. A mere 400 one-megaton weapons, if delivered on the Soviet Union, would be sufficient to destroy over one-third of her population, and one-half of her industry.

And all of these flexible and highly reliable forces are equipped with devices that insure their penetration of Soviet defenses.

Now what about the Soviet Union?

Does it today possess a powerful nuclear arsenal?

The answer is that it does.

Does it possess a first-strike capability against the United States?

The answer is that it does not.

Can the Soviet Union, in the foreseeable future, acquire such a first-strike capability against the United States?

The answer is that it cannot.

It cannot because we are determined to remain fully alert, and we will never permit our own assured destruction capability to be at a point where a Soviet first-strike capability is even remotely feasible.

Is the Soviet Union seriously attempting to acquire a first-strike capability against the United States?

Although this is a question we cannot answer with absolute certainty, we believe the answer is no. In any event, the question itself is—in a sense—irrelevant. It is irrelevant since the United States will so continue to maintain—and where necessary strengthen—our retaliatory forces, that whatever the Soviet Union's intentions or actions, we will continue to have an assured destruction capability vis-a-vis their society in which we are completely confident.

But there is another question that is most relevant.

And that is, do we—the United States—possess a first-strike capability against the Soviet Union?

The answer is that we do not.

And we do not, not because we have neglected our nuclear strength. On the contrary, we have increased it to the point that we possess a clear superiority over the Soviet Union.

We do not possess first-strike capability against the Soviet Union for precisely the same reason that they do not possess it against us.

And that is that we have both built up our "second-strike capability"[1] to the point that a first-strike capability on either side has become unattainable.

There is, of course, no way in which the United States could have prevented the Soviet Union from acquiring its present second-strike capability—short of a massive preemptive first strike on the Soviet Union in the 1950s.

The blunt fact is, then, that neither the Soviet Union nor the United States can attack the other without being destroyed in retaliation; nor can either of us attain a first-strike capability in the foreseeable future.

The further fact is that both the Soviet Union and the United States presently possess an actual and credible second-strike capability against one another—and it is precisely this mutual capability that provides us both with the strongest possible motive to avoid a nuclear war.

The more frequent question that arises in this connection is whether or not the United States possesses nuclear superiority over the Soviet Union.

The answer is that we do.

But the answer is—like everything else in this matter—technically complex.

The complexity arises in part out of what measurement of superiority is most meaningful and realistic.

Many commentators on the matter tend to define nuclear superiority in terms of gross megatonnage, or in terms of the number of missile launchers available.

Now, by both these two standards of measurement, the United States does have a substantial superiority over the Soviet Union in the weapons targeted against each other.

But it is precisely these two standards of measurement that are themselves misleading.

For the most meaningful and realistic measurement of nuclear capability is neither gross megatonnage, nor the number of available missile launchers; but rather the number of separate warheads that are capable of being *delivered* with accuracy on individual high-priority targets with sufficient power to destroy them.

Gross megatonnage in itself is an inadequate indicator of assured destruction capability, since it is unrelated to survivability, accuracy, or penetrability, and poorly related to effective elimination of multiple high-priority targets. There is manifestly no advantage in over-destroying one target, at the expense of leaving undamaged other targets of equal importance.

Further, the number of missile launchers available is also an inadequate indicator of assured destruction capability, since the fact is that many of our launchers will carry multiple warheads.

But by using the realistic measurement of the number of warheads available, capable of being reliably delivered with accuracy and effectiveness on the appropriate targets in the United States or Soviet Union, I can tell you that the United States currently possesses a superiority over the Soviet Union of at least three or four to one.

Furthermore, we will maintain a superiority—by these same realistic criteria—over the Soviet Union for as far ahead in the future as we can realistically plan.

I want, however, to make one point patently clear: our current numerical superiority over the Soviet Union in reliable, accurate, and effective warheads is both greater than we had originally planned, and is in fact more than we require.

Moreover, in the larger equation of security, our "superiority" is of limited significance—since even with our current superiority, or indeed with any numerical superiority realistically attainable, the blunt, inescapable fact remains that the Soviet Union could still—with its present forces—effectively destroy the United States, even after absorbing the full weight of an American first strike.

I have noted that our present superiority is greater than we had planned. Let me explain to you how this came about, for I think it is a significant illustration of the intrinsic dynamics of the nuclear arms race.

---

[1] A "second-strike capability" is the capability to absorb a surprise nuclear attack, and survive with sufficient power to inflict unacceptable damage on the aggressor.

In 1961, when I became Secretary of Defense, the Soviet Union possessed a very small operational arsenal of intercontinental missiles. However, they did possess the technological and industrial capacity to enlarge that arsenal very substantially over the succeeding several years.

Now, we had no evidence that the Soviets did in fact plan to fully use that capability.

But as I have pointed out, a strategic planner must be "conservative" in his calculations; that is, he must prepare for the worst plausible case and not be content to hope and prepare merely for the most probable.

Since we could not be certain of Soviet intentions—since we could not be sure that they would not undertake a massive build-up—we had to insure against such an eventuality by undertaking ourselves a major build-up of the Minuteman and Polaris forces.

Thus, in the course of hedging against what was then only a theoretically possible Soviet build-up, we took decisions which have resulted in our current superiority in numbers of warheads and deliverable megatons.

But the blunt fact remains that if we had had more accurate information about planned Soviet strategic forces, we simply would not have needed to build as large a nuclear arsenal as we have today.

Now let me be absolutely clear. I am not saying that our decision in 1961 was unjustified. I am simply saying that it was necessitated by a lack of accurate information.

Furthermore, that decision in itself—as justified as it was—in the end, could not possibly have left unaffected the Soviet Union's future nuclear plans.

What is essential to understand here is that the Soviet Union and the United States mutually influence one another's strategic plans.

Whatever be their intentions, whatever be our intentions, actions—or even realistically potential actions—on either said relating to the build-up of nuclear forces, be they either offensive or defensive weapons, necessarily trigger reactions on the other side.

It is precisely this action-reaction phenomenon that fuels an arms race.

Now, in strategic nuclear weaponry, the arms race involved a particular irony. Unlike any other era in military history, today a substantial numerical superiority of weapons does not effectively translate into political control, or diplomatic leverage.

While thermonuclear power is almost inconceivably awesome, and represents virtually unlimited potential destructiveness, it has proven to be a limited diplomatic instrument. Its uniqueness lies in the fact that it is at one and the same time an all-powerful weapon—and a very inadequate weapon.

The fact that the Soviet Union and the United States can mutually destroy one another—regardless of who strikes first—narrows the range on Soviet aggression which our nuclear forces can effectively deter.

Even with our nuclear monopoly in the early postwar period, we were unable to deter the Soviet pressures against Berlin, or their support of aggression in Korea.

Today, our nuclear superiority does not deter all forms of Soviet support of communist insurgency in Southeast Asia.

What all of this has meant is that we, and our allies as well, require substantial nonnuclear forces in order to cope with levels of aggression that massive strategic forces do not in fact deter.

This has been a difficult lesson both for us and for our allies to accept, since there is a strong psychological tendency to regard superior nuclear forces as a simple and unfailing solution to security, and an assurance of victory under any set of circumstances.

What is important to understand is that our nuclear strategic forces play a vital and absolutely necessary role in our security and that of our allies, but it is an instrinsically limited role.

Thus, we and our allies must maintain substantial conventional forces, fully capable of dealing with a wide spectrum of lesser forms of political and military aggression—a level of aggression against which the use of strategic nuclear forces would not be to our advantage, and thus a level of aggression which these strategic nuclear forces by themselves cannot effectively deter. One cannot fashion a credible deterrent out of an incredible action. Therefore security for the United States and its allies can only arise from the possession of a whole range of graduated deterrents, each of them fully credible in its own context.

Now I have pointed out that in strategic nuclear matters, the Soviet Union and the United States mutually influence one another's plans.

In recent years the Soviets have substantially increased their offensive forces. We have, of course, been watching and evaluating this very carefully.

Clearly, the Soviet build-up is in part a reaction to our own build-up since the beginning of this decade.

Soviet strategic planners undoubtedly reasoned that if our build-up were to continue at its accelerated pace, we might conceivably reach, in time, a credible first-strike capability against the Soviet Union.

That was not in fact our intention. Our intention was to assure that they—with their theoretical capacity to reach such a first-strike capability—would not in fact outdistance us.

But they could not read our intentions with any greater accuracy than we could read theirs. And thus the result has been that we have both built up our forces to a point that far exceeds a credible second-strike capability against the forces we each started with.

In doing so, neither of us has reached a first-strike capability. And the realities of the situation being what they are—whatever we believe their intentions to be, and whatever they believe our intentions to be—each of us can deny the other a first-strike capability in the foreseeable future.

Now, how can we be so confident that this is the case?

How can we be so certain that the Soviets cannot gradually outdistance us—either by some dramatic technological break-through, or simply through our imperceptively lagging behind, for whatever reason: reluctance to spend the requisite funds; distraction with military problems elsewhere; faulty intelligence; or simple negligence and naivete?

All of these reasons—and others—have been suggested by some commentators in this country, who fear that we are in fact falling behind to a dangerous degree.

The answer to all of this is simple and straightforward.

We are not going to permit the Soviets to outdistance us, because to do so would be to jeopardize our very viability as a nation.

No President, no Secretary of Defense, no Congress of the United States—of whatever political party, and of whatever political persuasion—is going to permit this nation to take that risk.

We do not want a nuclear arms race with the Soviet Union—primarily because the action-reaction phenomenon makes it foolish and futile. But if the only way to prevent the Soviet Union from obtaining first-strike capability over us is to engage in such a race, the United States possesses in ample abundance the resources, the technology, and the will to run faster in that race for whatever distance is required.

But what we would much prefer to do is to come to a realistic and reasonably riskless agreement with the Soviet Union, which would effectively prevent such an arms race. We both have strategic nuclear arsenals greatly in excess of a credible assured destruction capability. These arsenals have reached that point of excess in each case for precisely the same reason: we each have reacted to the other's build-up with very conservative calculations. We have, that is, each built a greater arsenal than either of us needed for a second-strike capability, simply because we each wanted to be able to cope with the "worst plausible case."

But since we now each possess a deterrent in excess of our individuals needs, both of our nations would benefit from a properly safeguarded agreement first to limit, and later to reduce, both our offensive and defensive strategic nuclear forces.

We may, or we may not, be able to achieve such an agreement. We hope we can. And we believe such an agreement is fully feasible, since it is clearly in both our nations' interests.

But reach the formal agreement or not, we can be sure that neither the Soviets nor we are going to risk the other obtaining a first-strike capability.

On the contrary, we can be sure that we are both going to maintain a maximum effort to preserve an assured destruction capability.

It would not be sensible for either side to launch a maximum effort to achieve a first-strike capability. It would be serious because the intelligence-gathering capability of each side being what it is, and the realities of lead-time from technological break-through to operational readiness being what they are, neither of us would be able to acquire a first-strike capability in secret.

Now, let me take a specific case in point.

The Soviets are now deploying an anti-ballistic missile system. If we react to this deployment intelligently, we have no reason for alarm.

The system does not impose any threat to our ability to penetrate and inflict massive and unacceptable damage on the Soviet Union. In other words, it does not presently affect in any significant manner our assured destruction capability.

It does not impose such a threat because we have already taken the steps necessary to assure that our land-based Minuteman missiles, our nuclear submarine-launched new Poseidon missiles, and our strategic bomber forces have the requisite penetration aids—and in the sum, constitute a force of such magnitude, that they guarantee us a force strong enough to survive a Soviet attack and penetrate the Soviet ABM deployment.

Now let me come to the issue that has received so much attention recently: the question of whether or not we should deploy an ABM system against the Soviet nuclear threat.

To begin with, this is not in any sense a new issue. We have had both the technical possibility and the strategic desirability of an American ABM deployment under constant review since the late 1950s.

While we have substantially improved our technology in the field, it is important to understand that none of the systems at the present or foreseeable state of the art would provide an impenetrable shield over the United States. Were such a shield possible, we would certainly want it—and we would certainly build it.

And at this point, let me dispose of an objection that is totally irrelevant to this issue.

It has been alleged that we are opposed to deploying a large-scale ABM system because it would carry the heavy price tag of $40 billion.

Let me make it very clear that the $40 billion is not the issue.

If we could build and deploy a genuinely impenetrable shield over the United States, we would be willing to spend not $40 billion, but any reasonable multiple of that amount that was necessary.

The money in itself is not the problem: the penetrability of the proposed shield is the problem.

There is clearly no point, however, in spending $40 billion if it is not going to buy us a significant improvement in our security. If it is not, then we should use the substantial resources it represents on something that will.

Every ABM system that is now feasible involves firing defensive missiles at incoming offensive warheads in an effort to destroy them.

But what many commentators on this issue overlook is that any such system can rather obviously be defeated by an enemy simply sending more offensive warheads, or dummy warheads, than there are defensive missiles capable of disposing of them.

And this is the whole crux of the nuclear action-reaction phenomenon.

Were we to deploy a heavy ABM system throughout the United States, the Soviets would clearly be strongly motivated to so increase their offensive capability as to cancel out our defensive advantage.

It is futile for each of us to spend $4 billion, $40 billion, or $400 billion—and at the end of all the spending, and at the end of all the deployment, and at the end of all the effort, to be relatively at the same point of balance on the security scale that we are now.

In point of fact, we have already inititated offensive weapons programs costing several billions in order to offset the small present Soviet ABM deployment, and the possibly more extensive future Soviet ABM deployments.

That is money well spent; and it is necessary.

But we should bear in mind that it is money spent because of the action-reaction phenomenon.

If we in turn opt for heavy ABM deployment—at whatever price—we can be certain that the Soviets will react to offset the advantage we would hope to gain.

It is precisely because of this certainty of a corresponding Soviet reaction that the four prominent scientists—men who have served with distinction as the Science Advisers to Presidents Eisenhower, Kennedy, and Johnson, and the three outstanding men who have served as Directors of Research and Engineering to three Secretaries of Defense—have unanimously recommended against the deployment of an ABM system designed to protect our population against a Soviet attack.

These men are Doctors Killian, Kistiakowsky, Wiesner, Hornig, York, Brown, and Foster.

The plain fact of the matter is that we are now facing a situation analogous to the one we faced in 1961; we are uncertain of the Soviets' intentions.

At that time we were concerned about their potential offensive capabilities; now we are concerned about their potential defensive capabilities.

But the dynamics of the concern are the same.

We must continue to be cautious and conservative in our estimates—leaving no room in our calculations for unnecessary risk. And at the same time, we must measure our own response in such a manner that it does not trigger a senseless spiral upward of nuclear arms.

Now, as I have emphasized, we have already taken the necessary steps to guarantee that our offensive strategic weapons will be able to penetrate future, more advanced Soviet defenses.

Keeping in mind the careful clockwork of lead-time, we will be forced to continue that effort over the next few years if the evidence is that the Soviets intend to turn what is now a light and modest ABM deployment into a massive one.

Should they elect to do so, we have both the lead-time and the technology available to so increase both the quality and quantity of our offensive strategic forces—with particular attention to highly reliable penetration aids—that their expensive defensive efforts will give them no edge in the nuclear balance whatever.

But we would prefer not to have to do that. For it is a profitless waste of resources, provided we and the Soviets can come to a realistic strategic arms-limitation agreement.

As you know, we have proposed U.S.-Soviet talks on this matter. Should these talks fail, we are fully prepared to take the appropriate measures that such a failure would make necessary.

The point for us to keep in mind is that should the talks fail—and the Soviets decide to expand their present modest ABM deployment into a massive one—our response must be realistic. There is no point whatever in our responding by going to a massive ABM deployment to protect our population, when such a system would be ineffective against a sophisticated Soviet offense.

Instead, realism dictates that if the Soviets elect to deploy a heavy ABM system, we must further expand our sophisticated offensive forces, and thus preserve our overwhelming assured destruction capability.

But the intractable fact is that should the talks fail, both the Soviets and ourselves would be forced to continue on a foolish and feckless course.

It would be foolish and feckless because—in the end—it would provide neither the Soviets nor us with any greater relative nuclear capability.

The time has come for us both to realize that, and to act reasonably. It is clearly in our own mutual interest to do so.

Having said that, it is important to distinguish between an ABM system designed to protect against a Soviet attack on our cities, and ABM systems which have other objectives.

One of the other uses of an ABM system which we should seriously consider is the greater protection of our strategic offensive forces.

Another is in relation to the emerging nuclear capability of Communist China.

There is evidence that the Chinese are devoting very substantial resources to the development of both nuclear warheads, and missile delivery systems. As I stated last January, indications are that they will have medium-range ballistic missiles within a year or so, an initial intercontinental ballistic missile capability in the early 1970s, and a modest force in the mid-70s.

Up to now, the lead-time factor has allowed us to postpone a decision on whether or not a light ABM deployment might be advantageous as a countermeasure to Communist China's nuclear development.

But the time will shortly be right for us to initiate production if we desire such a system.

China at the moment is caught up in internal strife, but it seems likely that her basic motivation in developing a strategic nuclear capability is an attempt to provide a basis for threatening her neighbors, and to clothe herself with the dubious prestige that the world pays to nuclear weaponry.

We deplore her development of these weapons, just as we deplore it in other countries. We oppose nuclear proliferation because we believe that in the end it only increases the risk of a common and cataclysmic holocaust.

President Johnson has made it clear that the United States will oppose any efforts of China to employ nuclear blackmail against her neighbors.

We possess now, and will continue to possess for as far ahead as we can foresee, an overwhelming first-strike capability with respect to China. And despite the shrill and raucous propaganda directed at her own people that "the atomic bomb is a paper tiger," there is ample evidence that China well appreciates the destructive power of nuclear weapons.

China has been cautious to avoid any action that might end in a nuclear clash with the United States—however wild her words—and understandably so. We have the power not only to destroy completely her entire nuclear offensive forces, but to devastate her society as well.

Is there any possibility, then, that by the mid-1970s China might become so incautious as to attempt a nuclear attack on the United States or our allies.

It would be insane and suicidal for her to do so, but one can conceive conditions under which China might miscalculate. We wish to reduce such possibilities to a minimum.

And since, as I have noted, our strategic planning must always be conservative, and take into consideration even the possible irrational behavior of potential adversaries, there are marginal grounds for concluding that a light deployment of U.S. ABMs against this possibility is prudent.

The system would be relatively inexpensive—preliminary estimates place the cost at about $5 billion—and would have a much higher degree of reliability against a Chinese attack, than the much more massive and complicated system that some have recommended against a possible Soviet attack.

Moreover, such an ABM deployment designed against a possible Chinese attack would have a number of other advantages. It would provide an additional indication to Asians that we intend to deter China from nuclear blackmail, and thus would contribute toward our goal of discouraging nuclear weapon proliferation among the present nonnuclear countries.

Further, the Chinese-oriented ABM deployment would enable us to add—as a concurrent benefits—a further defense of our Minuteman sites against Soviet attack, which means that at modest cost we would in fact be adding even greater effectiveness to our offensive missile force and avoiding a much more costly expansion of that force.

Finally, such a reasonably reliable ABM system would add protection of our population against the improbable but possible accidental launch of an intercontinental missile by any one of the nuclear powers.

After a detailed review of all these considerations, we have decided to go forward with this Chinese-oriented ABM deployment, and we will begin actual production of such a system at the end of this year.

In reaching this decision, I want to emphasize that it contains two possible dangers—and we should guard carefully against each.

The first danger is that we may psychologically lapse into the old over-simplification about the adequacy of nuclear power. The simple truth is that nuclear weapons can serve to deter only a narrow range of threats. This ABM deployment will strengthen our defensive posture—and will enhance the effectiveness of our land-based ICBM offensive forces. But the independent nations of Asia must realize that these benefits are no substitute for their maintaining, and where necessary strengthening, their own conventional forces in order to deal with the more likely threats to the security of the region.

The second danger is also psychological. There is a kind of mad momentum intrinsic to the development of all new nuclear weaponry. If a weapon system works—and works well—there is strong pressure from many directions to procure and deploy the weapon out of all proportion to the prudent level required.

The danger in deploying this relatively

light and reliable Chinese-oriented ABM system is going to be that pressures will develop to expand it into a heavy Soviet-oriented ABM system.

We must resist that temptation firmly—not because we can for a moment afford to relax our vigilance against a possible Soviet first-strike—but precisely because our greatest deterrent against such a strike is not a massive, costly, but highly penetrable ABM shield, but rather a fully credible offensive assured destruction capability.

The so-called heavy ABM shield—at the present state of technology—would in effect be no adequate shield at all against a Soviet attack, but rather a strong inducement for the Soviets to vastly increase their own offensive forces. That, as I have pointed out, would make it necessary for us to respond in turn—and so the arms race would rush hopelessly on to no sensible purpose on either side.

Let me emphasize—and I cannot do so too strongly—that our decision to go ahead with a *limited* ABM deployment in no way indicates that we feel an agreement with the Soviet Union on the limitation of strategic nuclear offensive and defensive forces is any the less urgent or desirable.

The road leading from the stone axe to the ICBM—though it may have been more than a million years in the building—seems to have run in a single direction.

If one is inclined to be cynical, one might conclude that man's history seems to be characterized not so much by consistent periods of peace, occasionally punctuated by warfare; but rather by persistent outbreaks of warfare, wearily put aside from time to time by periods of exhaustion and recovery—that parade under the name of peace.

I do not view man's history with that degree of cynicism, but I do believe that man's wisdom in avoiding war is often surpassed by his folly in promoting it.

However foolish unlimited war may have been in the past, it is now no longer merely foolish, but suicidal as well.

It is said that nothing can prevent a man from suicide, if he is sufficiently determined to commit it.

The question is what is our determination in an era when unlimited war will mean the death of hundreds of millions—and the possible genetic impairment of a million generations to follow?

Man is clearly a compound of folly and wisdom—and history is clearly a consequence of the admixture of those two contradictory traits.

History has placed our particular lives in an era when the consequences of human folly are waxing more and more catastrophic in the matters of war and peace.

In the end, the root of man's security does not lie in his weaponry.

In the end, the root of man's security lies in his mind.

What the world requires in its 22nd Year of the Atomic Age is not a new race towards armament.

What the world requires in its 22nd Year of the Atomic Age is a new race towards reasonableness.

We had better all run that race.

Not merely we the administrators. But we the people.

Thank you, and good afternoon.

ABM AND ARMS CONTROL

(By Mason Willrich)

The Johnson Administration's decision to produce and deploy in the United States a "light" or "thin" anti-ballistic missile defence system (or ABM) marks a significant, perhaps decisive, turning point in the nuclear arms race and efforts to bring that race under control. How long will prevention of the further spread of nuclear weapons continue to be a viable policy objective? Will the possibility of stability in the nuclear weapons balance between the United States and the Soviet Union be swept away? What is the future role of China in the nuclear club? These are the major questions which have been brought sharply into focus.

Of major importance in the context of these issues is the fact that the ABM system the Johnson Administration has decided to deploy is, for the time being at least, limited. The United States ABM system will be limited in cost to an estimated five thousand million dollars, and limited in effectiveness to interception of a comparatively few nuclear warheads. The system being deployed will consist of two kinds of missiles and associated radar and computer systems: the longer-range *Spartan* to provide limited area defence of population centres; and the short-range *Sprint* to provide "hard point" or terminal defence for ABM radars and Minuteman silos.

The basic purpose of the ABM deployment is to provide protection to the United States against the kind of intercontinental nuclear capability which China will possess in the mid-1970s. The deployment will not protect the United States population or industry against the quality and quantity of nuclear attack which the Soviet Union is now, or will in the future be capable of launching. It will, however, provide a measure of terminal defence of United States *Minuteman* silos, and also some capability to deal with an accidental launch of a nuclear weapon delivery system.

In analysing the United States ABM deployment decision, we will first consider the salient features of the strategic nuclear context in which the decision is imbedded. Thereafter, we will turn toward an assessment of the future, focusing on three sets of complex nuclear interactions: first, the nuclear Powers and the non-nuclear Powers; second, the two nuclear super-Powers, the United States and the Soviet Union; and, third, the United States and China.

Throughout a continuing process of research, development and innovation in nuclear weapons and delivery systems since World War II, the technology of the offence has maintained a commanding lead over the defence. This gap has not persisted because there has been no chance of intercepting an offensive nuclear warhead. Rather, the large numbers of warheads available, and the great destructive capability of each, require a degree of effectiveness for a defence that, until recently, was clearly unattainable.

From the technological imbalance of offence over defence the basic strategic principle has been derived—deterrence. In the absence of a sufficiently effective defence, it has become accepted doctrine that the largest measure of protection against nuclear attack can be found in the threat of retaliation in kind. From a strategy of deterrence the requirements for the present United States strategic posture have been developed. These requirements are summed up in former Secretary of Defense McNamara's phrase, "assured destruction capability," which he defined as the maintenance of "a highly reliable ability to inflict an unacceptable degree of damage upon any single aggressor, or combination of aggressors, at any time during the course of a strategic nuclear exchange—even after our absorbing a surprise first strike."

The requirements of such an "assured destruction capability" are survivability, reliability and penetration capability. United States nuclear forces must, first of all, be capable of surviving a Soviet first strike. Survival insurance costing thousands of millions of dollars has been purchased for bomber aircraft by airborne and strip alert procedures, and for missiles by installation underground in silos or under the sea in submarines. The benefits of survivability are twofold: the United States is placed in a strategic posture from which it will never be essential to pre-empt with a nuclear first strike rather than deter with the threat of a second strike in retaliation; and the time for decision in a crisis will be lengthened. Thereafter, we must be assured that a sufficient number of delivery systems, if launched after surviving a nuclear attack, will arrive over their assigned targets with their nuclear warheads operational. Reliability can be acquired through technological excellence, systems redundancy and large quantities.

Finally, an assured destruction capability requires the ability of United States nuclear forces to penetrate any defensive systems transversed between the place of launch and impact on target. Here the ABM problem enters the picture. The problem should be viewed from the standpoint of an offence-defence interaction. Modifications in technology and tactics on the offensive side affect, and are affected by, defensive modifications in a dynamic relationship.

There are a variety of aids for an offence in penetrating a defence. A warhead/re-entry vehicle can carry with it large numbers of decoys and chaff which will overload the defensive radar tracking system with incoming signals. Early detonation of an offensive nuclear warhead can be used to create radar blackout through which following warheads can pass undetected. An offensive nuclear warhead can be shielded so that it will be destroyed only if a defensive warhead is detonated at close range. Finally, as an alternative to penetrating an ABM system deployed around a city, offensive warheads can be detonated upwind and outside the defensive envelope in a way which will maximise fallout on the target.

On the defensive side, a variety of counter-measures are also possible. Defensive missiles can be developed with extremely rapid rates of acceleration. This will permit interception of incoming nuclear warheads at relatively low altitudes after atmopsheric drag has filtered out the lighter decoys and chaff. Radar tracking systems can be deployed in configurations which will minimise potential black-out problems from detonation of either offensive or defensive warheads. Furthermore, defensive missiles can be developed with longer ranges so that avoidance of the ABM envelope will be ruled out.

Beyond these primarily qualitative aspects of the offence-defence interaction lie important quantitative dimensions. Of particular relevance is the possibility of saturation. If there are more offensive than defensive warheads associated with a particular target, then a destruction capability of that target is assured—even if the defensive system functions perfectly. Weighing the possibilities for penetrating, avoiding and overwhelming the defence against the possibilities for technical improvements in defensive systems has led most analysts to pessimistic conclusions about the cost-effectiveness of a large-scale ABM deployment against a sophisticated nuclear attack.

A basic premise which underlies the present Soviet-American nuclear balance is that deterrence consists essentially of a strategic posture—a nuclear capability in being and credible to any potential adversary. If deterrence fails, nuclear war must be fought with existing forces. Unlike mobilisation for conventional war, mobilisation for nuclear war is a continuous process which occurs, if at all, before hostilities break out. Nuclear power politics, then, may be viewed as the evolution and interaction of a series of postures by the various participants.

Given the high stakes and large uncertainties involved, strategic nuclear planning tends to be conservative. Planning factors for developing a nuclear posture are an adversary's capabilities and the 'worst plausible case'. A potential adversary's intentions are largely ignored. When such conservative planning is applied on both sides of a conflict relationship it is easy to see how an arms race is unavoidable.

The net result to date in the evolution of the Soviet-American nuclear relationship is that each has achieved an assured destruction capability against the other. Deterrence is mutual and the level of strategic armament on both sides is very high. It is estimated that the United States could place about 4,000 nuclear warheads on Soviet targets, while the Soviet Union could hit the United States with 1,000 nuclear warheads of somewhat larger average yield. One might assume that in such a posture the two sides might declare that enough is enough. Granting the desirability of some measure of 'overkill', each side now has it.

However, the fundamental processes of science and technology are inherently dynamic. As diminishing returns set in on the offensive side, increased attention has been devoted to the possibilities of defense. The Soviet Union has already deployed a limited ABM system around Moscow. For several years the United States has conducted an ABM research and development programme costing approximately five hundred million dollars annually.

Before proceeding further with its own ABM programme, the United States made several attempts to start discussions with the Soviet Union on limitations on further deployment of the both offensive and defensive nuclear systems. In view of the failure of these attempts and the growing nuclear capability of Communist China, the United States then decided to produce and deploy a light ABM system of its own.

With this background in mind, let us turn towards the future, focusing first on the prospects for preventive the further spread of nuclear weapons in light of limited ABM deployment.

Recently, substantial progress has been achieved in non-proliferation negotiations between the United States and the Soviet Union. At the Eighteen-Nation Disarmament Conference in Geneva the two super-Powers reached agreement on January 18, 1968 on a complete draft treaty. This will be the subject of discussion at a resumed session of the United Nations General Assembly which will convene in April after this article has been published.

Non-proliferation is an inherently discriminatory concept It seeks to perpetuate the *status quo* of a world with five nations possessing nuclear weapons and the rest without. Certain non-nuclear nations may be reluctant to relinquish their nuclear options, especially if they believe they may require nuclear weapons in the future to offset a nuclear threat from one of the five, as with India and Japan.

What options other than nuclear weapons exist, or can be provided, for Asian nations such as India or Japan in the face of China's growing 'modest' intercontinental nuclear force China will have by the mid-1970's with an initial five thousand million dollar ABM system, how should India or Japan respond to the medium range ballistic missile capability China will have within a year or so?

Following China's nuclear test explosions, assurances have been reiterated by high United States officials that nations without nuclear weapons can be sure that 'if they need our strong support against some threat of nuclear blackmail, then they will have it'. Will these assurances be enough in the future?

The idea that the nuclear super-Powers could guarantee the security of non-nuclear nations against nuclear attack has been suggested as a possible *quid pro quo* for signature of a non-proliferation treaty. However, such commitments by either the United States or the Soviet Union alone would largely compromise the position of any nonaligned nation, while a joint United States-Soviet guarantee would require a degree of East-West co-operation that is below the horizon of political reality today. While some form of nuclear assurance may emanate from the United Nations, it would seem doubtful that such a dilution of responsibility on the guarantor side would be satisfying in the long run. Finally, as a practical matter, it is doubtful whether at this time the U.S. Senate would give its consent to United States ratification of a non-proliferation treaty if it included provisions which could result in a sweeping and yet uncertain extension of United States security commitments.

In view of these considerations it is not surprising that the nonproliferation treaty draft, as it emerged from super-Power negotiations, was silent on the subject of nuclear guarantees to non-nuclear nations. Yet the problem remains, and it will have to be dealt with on a continuing basis.[1]

Will, in fact, United States ABM deployment provide, as Mr. McNamara has argued, "an additional indication to Asians that we intend to deter China from nuclear blackmail, and thus contribute towards our goal of discouraging nuclear weapon proliferation . . ."? Or, might the construction of such a nuclear shield be interpreted in Asia as the beginning of an American shelter under which we will withdraw—a "Fortress America" for the nuclear age?

Another suggestion for alleviating the continuing security problems of non-nuclear nations in general would be to provide them with ABM defenses of their own. This suggestion does not appear to be either wise or feasible in the near future, for several reasons. The cost of even a limited ABM defense is too high—too high either for the United States to give away, or for whatever countries might be involved to be willing, and in some cases able, to pay for themselves. While cost sharing might be considered, past experience in NATO would indicate that discussion along these lines would probably produce more dissension than co-operation. In Western Europe especially, where the Chinese nuclear threat does not appear relevant in the near future, the magnitude of the Soviet offensive nuclear capability seems to foreclose any possibility of a limited ABM from achieving even marginal effectiveness.

Moreover, deploying a United States ABM system in other countries would raise a number of intractable problems of operational control and ownership. These problems would be intrinsically difficult to resolve. But also the most probable solutions would appear to be irreconcilable with existing United States legislation, as well as a nonproliferation treaty. While, therefore, the possibility of transfer of ABM systems to foreign countries should not be dismissed forever, consideration of this alternative should be postponed at least until the nonproliferation issue is resolved one way or the other.

Having examined the prospects for containment of the horizontal dimension of the nuclear arms race in light of the United States ABM decision, let us now turn to the vertical dimension and consider the future course of the nuclear relationship between the two super-Powers.

In the wake of United States deployment of a limited ABM defence the Soviets have four basic options: first, they can do nothing, second, they can offset the thin United States defence by increases in their offence; third, they can thicken their own existing defence; and, fourth, they can increase both defence and offence. We may hope that the Soviets will do nothing. However, is such a response in Moscow likely? Have the Soviet leaders already made allowance in their plans for the possibility of a limited United States ABM deployment so that no further offensive or defensive increase on their side will be necessary? Such foresight would be rare indeed.

Which of the remaining three options the Soviets exercise would depend on the extent to which they share with us the assumption that an assured destruction capability is the cornerstone of national security, and whether they agree with the McNamara calculus of cost-effectiveness of increments of offence versus increments of defence. The Soviets have a tradition backed by strong emotion, if not pure logic, which emphasises defence of the homeland. Therefore, further thickening of Soviet ABM defences, either alone or in conjunction with offensive production, may not be ruled out.

Looking one step further in the interaction process, while the United States may be able to tolerate marginal extension of Soviet offensive procurement without further response, Mr. McNamara has stated that the United States would respond to Soviet thickening of its present defences with offensive increases of its own. This plan for an asymetric response may prevent a vicious upward spiral from developing on the defensive side, if it holds. Over time, such a plan is, however, likely to yield to other pressures. The overall process to research, development and innovation in the context of competing societies seems to acquire an internal dynamism and logic of its own which lead toward full exploitation of technical possibilities. New developments achieve a momentum of their own which are difficult to resist, particularly in the national security area.

With respect to offensive nuclear delivery systems, a plateau in United States procurement had been reached before the ABM decision. Present Soviet production may be viewed largely as a reaction to the large missile production runs of the United States during the mid-1960s. Therefore, ABM aside, it is possible that missile levels on both sides would have levelled off.

The deployment of limited ABM systems on both sides will exert substantial pressure to turn this flattened curve upwards again. The number of warheads which the United States can place on Soviet targets is being increased within existing levels of missiles and launchers through replacement of single with multiple warheads—the so-called Multiple Independent Re-entry Vehicles or "MIRV's". Therefore, some Soviet ABM deployment can be offset by the United States without resuming large scale production of delivery systems. However, if the Soviet ABM defence is thickened the outer limit of this kind of offset capability will soon be reached. Penetration will come to depend on saturation, and saturation will require resumed production of offensive delivery systems. The 'worst plausible case' here would be a gradual spiral upwards into all-out production of both offensive and defensive systems on both sides of the balance of terror. The fact that the United States could, at tremendous cost and no gain in its security, lead such a production race should counsel restraint to the Soviet Union.

However, the Soviet Fractional Orbital Bombardment System, or "FOBS", is indicative of an increased tempo in the interactions occurring among the technological variables in the Soviet-American nuclear equation. To intercept an income FOBS, which will probably approach the United States from the South rather than the North, would require adjustments in ABM system deployment. The lower trajectory of the FOBS will place a premium of "over the horizon" radar detection systems. However, the Soviet FOBS will probably be less accurate and carry less nuclear payload due to the de-boosting requirement. Therefore, it may well be a less efficient system for delivering nuclear destruction than an equivalent number of ICBM's. In any event, if the Soviet Union does proceed to deploy Fractional Orbital Bombardment vehicles in substantial numbers it will not be the first time that the Kremlin will have violated the Pentagon's rules of cost-effectiveness.

---

[1] The author discussed this problem more fully in "Guarantees to Non-Nuclear Nations", *Foreign Affairs*, Vol. 44, No. 4, p. 683 (July, 1966).

While, therefore, the Soviet FOBS should not be traced to the United States ABM deployment, it is clear that ABM systems in general will exert strong pressures in the direction of a resumption of the Soviet-American nuclear arms race in all its aspects. If pressed further than limited deployments, ABM systems could also erase much of what little progress has been achieved in the direction of nuclear arms control. Under the Nuclear Test Ban Treaty, which prohibits nuclear test explosions in the atmosphere, outer space and underwater, it will be impossible to conduct an operational test of an ABM system. The live interception and nuclear destruction of an incoming offensive warhead with a defensive warhead is prohibited by the Treaty.

Many of the uncertainties involving nuclear aspects of the interception problem can be narrowed by simulation techniques and static nuclear tests underground. Moreover, the major uncertainties in an ABM defence are not nuclear, but rather pertain to radar and fire control systems. The margins of uncertainty in the electronic aspects of an ABM defence can be measured, and either reduced or engineered around, without nuclear testing. Nevertheless, as the scale of ABM defence increases, pressure will also increase to test the system as nearly as possible in an operational nuclear environment. While the United States will spend five thousand million dollars, would it spend 40 thousand million dollars on an ABM defense without an operational system tests?

In addition to de-stabilising the balance between Soviet and American strategic postures, the deployment of ABM systems may well reverse a major trend in nuclear strategy itself. The doctrine of "massive retaliation", enunciated by Secretary of State Dulles, in 1954, to a large extent governed our strategic thinking until the Kennedy Administration in 1961. Then it was supplanted by the doctrine of "controlled and flexible response" developed by the new breed of Pentagon strategist under Secretary McNamara's tutelage. Implementation of this strategy mainly required substantial increases in conventional non-nuclear forces. But the new strategic concept also served as a basis for "thinking about the unthinkable", for war gaming and planning a variety of possible ways of using nuclear forces short of an all-out exchange, and for terminating a "controlled" nuclear war with something less than total destruction on both sides. The ability to implement such refinements in the practical tangle and emotional confusion of a global crisis may be questioned. Nevertheless, the doctrine of controlled and flexible response has had the virtue of inducing more rationality in thinking about strategy, and, more importantly, in planning strategic nuclear force structure.

Does the technology of ABM systems lead us inevitably back to massive retaliation at the nuclear end of the weapons spectrum? If an ABM system is credited with effectiveness, any launch of offensive nuclear missiles against defended targets will have to be sufficient in numbers to saturate the defence. Can anything short of a massive attack, whether a first or second strike, provide the required amount of certainty that the adversary's defenses will be saturated? The more effective ABM systems become, the more both sides would seem to be placed in an all-or-nothing strategic deterrence posture.

It is widely recognised that the mutuality of nuclear destructive capability on both sides of the Soviet-American equation "narrows the range of Soviet aggression which our nuclear forces can effectively deter". Deployment of ABM systems will reinforce this trend. Nuclear forces will, in the context of the Soviet-American relationship, become increasingly blunt and unwieldy instruments.

We complete our appraisal of the United States ABM deployment decision by specifically relating it to the future course of the United States nuclear relationship with China.

Mr. McNamara has stated that "we possess now, and will continue to possess for as far ahead as we can foresee, an overwhelming first-strike capability against China". Without a United States ABM defence, China would also soon be capable of inflicting grave damage on the United States if its nuclear forces were launched first. As previously indicated, it is estimated that China will have medium-range ballistic missiles within a year or so, an initial intercontinental missile capability in the early 1970s, and a "moderate" intercontinental force in the mid-1970s.

Our decision to deploy a light ABM defence has been justified primarily on the grounds of precluding the possibility of China inflicting damage on the United States in a first strike. It is difficult to imagine a rational ground for a Chinese nuclear attack on the United States in view of the immense retaliatory capability of the United States. Thus, the light ABM defence in the United States is intended mainly to constitute a shield against Chinese irrationality.

However, another and equally important argument exists in favour of deployment of a China-oriented system. Should a direct and major confrontation occur with China in the future and the United States possessed no effective defence against a Chinese first strike, the incentives operating in the United States to use its nuclear forces in a pre-emptive first strike would be greatly increased. The deployment of a light ABM defence may, therefore, insure not only against irrational conduct in Peking, but also that rationality will continue to govern in time of crisis in Washington.

We must, however, recognise that Peking will probably view the United States ABM defence as insurance, not against irrationality in a crisis, but against whatever Chinese nuclear forces might survive a United States first strike. Moreover, the extent to which an ABM defence would actually reduce first strike incentives for the United States against China would largely depend on the degree of confidence American decision-makers had in the effectiveness of their defence system.

In addition to direct pressure on the United States, China's expanding nuclear capability will generate increasing pressure in two other directions, First, as we have seen, China's nuclear posture and intentions are key factors conditioning the future course of nuclear proliferation in Asia. Second, China possesses substantial influence over the future course of the Soviet-American nuclear relationship. In this respect the dynamics of a technological race are working against both the Soviet Union and the United States. Improvement in relative position will be less difficult for China to achieve than for the nuclear super-Powers which are both already pressing against existing technological boundaries. Therefore, China's growing nuclear capability could be the catalyst for a major new round in the Soviet-American nuclear arms race. This would be especially true if continuing technological pressure from China's strategic nuclear posture induces the United States to thicken its own ABM defense.

What can we conclude from this appraisal of the United States limited ABM decision and of its impact on the future prospects for arms control?

First, China is moving into a position of pivotal importance. This trend is not new. But China's nuclear capability provides both the political cutting edge and an important strategic underpinning for her future role in world power politics. The United States ABM deployment will not cancel out the political power China derives from its nuclear capability. The United States ABM decision in fact recognises China as a major nuclear Power.

Second, China's nuclear power creates a range of difficult and delicate security problems for its own leadership as well as for world leaders elsewhere. Until China itself achieves a secure second-strike capability the incentives for a first strike against China in a crisis cannot be ignored in Peking, whether or not her adversaries possess an ABM defense. However, if China sets as a primary objective the achievement of an assured destruction capability against the United States, this could trigger a renewal of the nuclear arms race between the United States and the Soviet Union which would leave China even further behind. Moreover, if China does not pursue a policy of restraint in the build-up of its own nuclear forces it seems inevitable that either or both Japan and India will eventually have to respond with the acquisition of nuclear forces of their own. Such a response in Asia would, in turn, effect a net reduction in China's own security. Therefore, it will be difficult for China to use her long-term advantage the political leverage resulting from her nuclear weapons programme.

Third, the United States may well be in the most difficult position of all. Recognising China's technological power of position, how best can the United States hope to deal with it? China's leverage will be maximum if the United States continues to base its response to China on her nuclear capabilities coupled to the worst plausible case.

China will eventually achieve an assured destruction capability against the United States. Will China be more 'rational' then than at present? It is time now for the United States to face squarely the issue of an accommodation with China based not upon a first-strike capability on one side, but upon nuclear deterrence on both sides.

Article VI of the non-proliferation treaty would place an obligation on all parties, including the two super-Powers, "to pursue negotiations in good faith on effective measures regarding cessation of the nuclear arms race . . .". Present trends in the reality of nuclear weapons capabilities fly in the face of these words on paper. China will not adhere to the non-proliferation treaty. But is it too much to expect the United States and the Soviet Union to review and agree to reverse or freeze their ABM deployment decisions in light of their prospective obligations? Otherwise, how can we expect nations without nuclear weapons which adhere to the treaty to take seriously the pledge of abstinence?

The path of arms control is difficult. Yet it is the only path which leads toward what must be a paramount goal in the nuclear age—avoidance of nuclear war in a world where diverse value systems co-exist.

[From the Adelphi Papers, No. 47, April 1968]

THE CASE AGAINST MISSILE DEFENCES

(By Jeremy J. Stone)

(NOTE.—Dr. Stone is currently on the faculty of Pomona College, California: during 1968–69, he will be engaged in post-doctoral work in economics at Stanford University. He was a member of the *Hudson Institute* from 1962 to 1964, and a Research Associate at Harvard Center for International Affairs from 1964 to 1966. He has written widely on problems of national security and arms control, and is the author of *Containing the Arms Race: Some Specific Proposals* (MIT Press, 1966) and *Strategic Persuasion: Arms Limitation Through Dialogue* (Columbia University Press, 1967).

(Additional copies of this paper may be ordered from the Institute at the cost of 5s (75 cents), post free.)

THE BACKGROUND

On 18 September 1967, Mr. Robert S. McNamara, then US Secretary of Defense, announced plans to deploy a limited ballistic missile defence system (called *Sentinel*) against the possibility of an attack by Chinese ballistic missiles. He acted under considerable political pressure, and called the case for the weapon system "marginal". This political pressure was generated very largely by the belief—now thought to be mistaken—that the Soviet Union was deploying ballistic missile defences around far more than Moscow. The Soviet Government had expressed willingness in principle to discuss limits on the arms race, but had delayed in setting a date for talks to begin. Many drew the conclusion that the Russians were 'stealing a march' on the United States. Because this pressure combined with the problem of missile defence against China, and because China became the rationale for the decision taken, it is a decision almost impossible to reverse on the grounds of faulty American estimates of Soviet intentions. Indeed, the new US Secretary of Defense, Mr. Clark Clifford, has advised the Senate Armed Services Committee that he is for maintaining a 'clear-cut nuclear supremacy' over the Soviet Union; this approach, distinctly more favourable to missile defence procurement than that of Mr. McNamara, suggests an increase in the likelihood that the United States will press on to build a larger system.

Nevertheless, this paper rejects the argument that at least some missile defences should be accepted as inevitable. Since these defences have a tendency to rapid obsolescence, conceding their desirability would concede the correctness of continuing expenditures. The case against additional expenditures for missile defences is, for the most part, a case against building any—thus a case for letting whatever has been done become obsolete as soon as possible. In any event, this paper attacks the idea that the existing thin defence against Chinese missiles should be used as a "building block" for a larger defence designed to neutralize Soviet offensive weapons.

For eight years preceding the September 1967 decision to deploy a "thin" ballistic missile defence, United States Administrations considered and rejected suggestions that ongoing development programmes for missile defence be followed by procurement of one system or another. At first it was a primitive *Nike-Zeus* missile—considered successful if it could make an 'intercept" for a single incoming warhead. Such a system could have been built by 1963–64 but would, according to estimates made by the Defense Department in 1962, have been obsolete by the time it became operational. A more advanced system, *Nike-X*, could have been ordered in 1963 and built by 1968, but—relative to projected Soviet improvements—would have been obsolete by 1966.

These systems depended upon tracking incoming objects despite clouds of "chaff", then distinguishing between decoys and weapons, and then launching anti-missiles at located warheads. Since observations of atmospheric drag on incoming objects were critical to distinguishing them, the defence was required to wait until the attacking warhead had entered well into the atmosphere and to intercept perhaps 5,000 to 100,000 feet off the ground; hence it had to rely upon interceptors that could climb thousands of feet in a few seconds. For this reason also, it had to anticipate low-level detonation of adversary warheads, and thence it had to complement the system with fallout shelters. Finally, the defence was local in character covering ranges of only 15 to 25 miles, and all but the largest 25 or 50 urban areas would have been undefended.

Although the systems under development were quite obviously improving throughout the 1959–65 period, they seemed, paradoxically, ever less likely to be built. The problem of civil defence, the partial coverage provided by the defence, the rising cost of building an ever more complicated system, a growing willingness to rely upon the balance of terror, the prospect of suitable Soviet penetration devices, a widespread desire not to stir up the arms race, and Mr. McNamara's emphasis on cost-effectiveness—all combined to limit the prospects for missile defence procurement.

In 1964, Communist China exploded her first bomb, and American strategists saw a threat that might be neutralized with greater confidence than could that of the Soviet Union. Not long thereafter, the range of the American interceptor missiles was greatly expanded. At the same time, new techniques were developed to permit the destruction of incoming missiles with X-rays while they were still outside the atmosphere. (Earlier systems had relied on blast effects in the atmosphere, and hence such systems were ineffective at air-less altitudes.) The increased range of the interceptor, in conjunction with the new X-ray method of "kill", enormously improved paper-and-pencil calculations of effectiveness. Incoming missiles could be attacked several hundred miles up. Each interceptor battery could cover a ground radius of about 400 miles.[4] When these results were considered with respect to the new (and weaker) prospective Chinese threat, some began to talk of the possibility of preventing any Chinese missiles from penetrating until the 1980s—even of discouraging China from building long-range missiles at all.

In this supersaturated situation, in 1966, some evidence was uncovered that the Soviet Union had begun to build a ballistic missile defence. Earlier sporadic Soviet efforts to build a single battery around Leningrad in 1962 had created only a stir. Now it seemed certain that a defensive system had been installed around Moscow. Elsewhere, unquestionably, something was being built rapidly. This more comprehensive installation (called the "Tallinn" system, after the Estonian City that housed part of it) was thought by some to be a defence against missiles. General Earle G. Wheeler testified that it would violate "military logic" if it were not. But despite an earlier news conference, in which Mr. McNamara announced "considerable evidence" that the Soviet Union was deploying an antimissile system, he testified in 1967 that existing evidence could be explained by the hypothesis of an extensive new air defence system. Presumably such a system would have been started in anticipation of a high-flying B–70 aircraft or the flights of some U–3 spy plane. More generally, it might have reflected compulsive vested interest in air defence. By 1968, a "majority" of Department of Defense analysts subscribed to Mr. McNamara's "air defence" view, and the situation was seen as follows in the fiscal 1969 defence budget:

> Now, I can tell you that the majority of our intelligence community no longer believes that this so-called "Tallinn" system (which is being deployed across the northwestern approaches to the Soviet Union and in several other places) has any significant ABM capability. This system is apparently designed for use within the atmosphere, most likely against an aero-dynamic rather than a ballistic missile threat.
>
> Although construction of the *Galosh* ABM system around Moscow is proceeding at a moderate pace, no effort has been made during the last year to expand that system or extend it to other cities. It is the consensus of the intelligence community that this system could provide a limited defence of the Moscow area but that it could be seriously degraded by sophisticated penetration aids.[5]

Notwithstanding this new appraisal of Soviet plans, the Defense Department has not changed its own plans, asserting: "Nevertheless, knowing what we do about past Soviet predilections for defensive systems, we must, for the time being, plan our forces on the assumption that they will have deployed some sort of an ABM system around their major cities by the early 1970s".[6] The phrase "for the time being" presumably refers to the possibility of American-Soviet discussions and may suggest American willingness to compromise in the presence of talks.

THE CENTRAL ISSUES

Will Soviet missiles be launched against us?

A large-scale Soviet attack against American cities is plainly and simply not rational, since the American response is primed to destroy the Soviet Union in return. The Soviet leadership is aware of this. That nuclear war is mutual suicide has attained the status of a cliché with both super-powers. Wide-scale nuclear attacks on American forces are so unlikely to succeed, and so dangerous in any case, that it is very hard to imagine a Soviet leader, or Soviet committee, attempting them.

One can talk of war occurring through escalation. But it still requires, at some stage, that one major power launch nuclear weapons against the other. This will be, and can be expected to be perceived as, a self-destructive act. For the foreseeable future, war calculations will not seem promising; moreover, leaders are unlikely to believe them if they do seem so. And there is ample evidence in the three decades since World War II of great-power caution in treating events that might risk general nuclear war.

For these reasons, among others, nuclear war between the United States and the Soviet Union has become a low-probability event—possible and well worth worrying about because of its enormous consequences, but still unlikely. Because it has this character, concern with "getting through the next few years" has gradually been transmuted into concern with maintaining nuclear peace and national security over the next decades. In short, the world situation now warrants paying attention to the medium- and long-term problems attendant upon proposed policies relating to nuclear war.

Would missile defences work against a major power?

There are four questions. First, will missile defences work more or less as planned in the absence of adversary counter-measures? Second, would the defences be vulnerable to American or Soviet counter-measures? Third, would these counter-measures be taken? And, fourth, would the defences simply become obsolete as a result of unrelated developments in offensive weaponry?

Because most observers take their cue from the official estimates of the effectiveness of missile defence, little attention is normally paid to the possibility that these estimates might themselves be only "best guesses". The US Defense Department asserted in 1967, for example, that a massive American missile defence, costing $20 to $40 billion, would hold immediate fatalities down to 20 or 30 million if the Soviets did not take corresponding offensive adjustments in their strategic forces. These and related figures, admitted by the Defense Department to be illustrative and "highly sensitive" to small changes in targeting, are in fact still more questionable. They are technological speculations derived by systematically excluding all that does not lend itself to quantitative analysis, and by estimating with unreal precision parameters little understood and with wide variance.

These estimates are associated with historically unprecedented maintenance, electronic reliability, and computer programming standards. They then assume that the defence will work as planned in a nuclear environment that is, to put it mildly, unprecedented. Highly complicated computer programmes, sensitive radars and missiles filled with electronic equipment are supposed

---

Footnotes at end of article.

to be regularly shooting down hundreds of incoming missiles in an environment with radar-blinding fire-balls, electronic-disrupting blast and X-ray effects, and earth-shaking detonations. Moreover, these figures assume that no unexpected Achilles heel will present itself during, or soon after, the few to several years required to build the system. It is worth remembering the American air defence system which was built at a total cost of perhaps $30 billion during the late 1950s. This was a system of which its builders admitted no realistic test could ever be given. In *On Thermonuclear War*, Herman Kahn remarked that a strategic analyst could not make his reputation by finding holes in the air defence system—it was known to have so many.

It is no accident that many of the scientists who were intimately involved in building the SAGE air defence system in the United States are persuaded that a comparable effort now to defend against ballistic missiles is a boondoggle. Thus Dr. Jerome B. Weisner, former science adviser to Presidents Kennedy and Johnson, asserted in a recent article in *Look Magazine* that "few competent people expect the extremely complex ABM system to work the first time; yet it must to have any effect". And he noted that it must work perfectly, since a single warhead can destroy a city. It should also be mentioned that the construction of ballistic missile defences in the United States is the single most complicated engineering feat ever attempted in the world.

Even assuring that the defence would work, would it work against counter-measures? Is it useful here to examine American counter-measures to the prospect of a Soviet ballistic missile defence, since these could presumably be adopted by the Soviet Union. The most important recent change in American offensive capability is the incorporation in each missile launcher of Multiple Independently Targetable Re-entry Vehicles (MIRVs): in short, the placing of several separately aimed warheads in a single "missile". Thus one possible American missile could carry ten separately aimed 50-kiloton warheads instead of, for example, one 10-megaton warhead, and the trend is for each launcher to have several.[7] This requires the defence to use ten times as many interceptors. American land- and sea-based missile "launchers" have stabilized at about 1,700. If each came to have "several" warheads capable of reaching the Soviet Union, there would be approximately 10,000. Soviet ICBMs are now approaching 750, and their generally larger payloads can presumably reproduce the American multiple warhead capability if the Soviet Union should choose to try.

Multiple warheads are the penetration aid that lends itself best to computations. But the United States is also preparing, and presumably the Soviet Union could prepare, electronic counter-measures: knock out or confuse a radar, and all warheads might get through to a target; send one warhead through the trajectory of another, and the radar may be blinded by the blast of its own interceptor; try to have your missiles arrive simultaneously so that the defence is overloaded; seek out vulnerable parts of the system to attack, and then attack the city.[8] Obviously there is room here for ingenuity and surprise (factors which are hardly susceptible to calculation).

Would the Soviet Union attempt to nullify an American system, and how strongly would the United States react to a Soviet defence? Those in favour of ballistic missile defences have sometimes put stress on the possibility that the Soviet Government would not make those corresponding adjustments in its offensive weapons that prevent the United States from holding immediate fatalities down to 20 or 30 million. Perhaps out of lack of interest, ineptitude, or scarcity of resources, the Soviet Union might not respond effectively; but that she would in fact make corresponding adjustments in her offensive weapons seems—as has been put by Mr. McNamara—to be "virtually certain". She has already built an enormous strategic force that is growing more, not less, rapidly than it did in the past. She becomes, as does the United States, more skilled in making these arms race projections with each passing year. (She has only to follow the American lead in any case.) And she grows richer.

In both the United States and the Soviet Union, internal political considerations join with legitimate security concerns to make the credibility of the deterrent the single most important military consideration. In the United States, the opposition political party is not alone in being the guardian of the certainty with which the United States can invoke her deterrent. Inside the Pentagon, as Secretary McNamara put it in March 1967, "I do not think there is a senior civilian or military official in the Defense Department that does not believe that (1) we should react to the [Soviet] ABM deployment by expanding our offensive force, and (2) we have the technical capability to react in such a way as to assure our continued capability to penetrate that ABM defence. None of us are in any doubt about that".[9] It is a measure of the height of feeling on this issue in the United States that it was not considered ridiculous when Mr. McNamara asserted that he would spend "$50 billion, the entire military budget", on maintaining the ability of American missiles to penetrate if necessary.

When the Secretary of Defense announced that the Soviet Union had built a ballistic missile defence around a single city (Moscow) and suggested that another system (the Tallinn system) *might* be designed against missiles, the US Defense Department acted as follows. It chose to produce and deploy the *Poseidon* submarine-launched missile, which it said would make the effectiveness of the *Polaris* submarine "several times greater". It produced and deployed "improved missile penetration aids". It initiated the "development of new re-entry vehicles specifically designed for use against targets heavy defended with ABM's." And it decided to "increase the proportion of *Minuteman III* in the planned force and provided it with an improved third stage". This would give it greater payload and, at a cost of $400 million, would require of the Soviet Union "many times more in ABM defences if they try to offset it".[10]

Thus, in the face of an equivocal and still building Soviet defence, the United States ordered the capability to defeat any plausible Soviet defence of the mid-1970s. We cannot so easily connect the rapid *Soviet* build-up in missiles with the *American* debate over missile defences—a debate that the Soviet analysts must have expected would eventually lead to deployment. But we should at least observe that the very long lead-time involved from ordering a system to having it operational—at least a few years—causes each power to overreact to still potential threats.

The Soviet Union, which less than a generation ago suffered from the most devastating destruction in modern warfare, is no less keyed to the importance of deterring the enemy from attack. And in her internal politics, as in the United States, the defence issue can presumably be used by one faction against another. As likely as not, for a Soviet leadership to permit the United States to build, if not later to boast about, an unanswered defence against missiles is to make itself vulnerable to potential rivals.

Even if neither super-power were interested in counter-measures to ballistic missile defences, but assuming that the arms race continued, it is entirely possible that the defences would be outmoded by unrelated advances in weaponry. For example, as soon as the first inter-continental missiles were deployed—which was about the same year the American air defence system was completed—it became obvious that missiles could attack and "roll back" the air defence to make corridors through which planes could then fly without opposition. Who is to say that a nonballistic missile, orbiting bomb, or new radar-disrupting weapons effect will not do the same thing to an even more expensive missile defence? The missile was not developed to defeat the air defence system, but it certainly outflanked it.

Virtually any new strategic weapon, or major modification of existing strategic weapons, will raise a host of new problems for missile defences. As with the air defence system, the designers of the missile defence system expect that system to defend itself while it defends the country. Weapons against which it cannot defend itself will be weapons against which it cannot defend the country. Not many of such weapons will be necessary, therefore, to re-establish the credibility of the large Soviet investment in missiles.

For reasons like these, Dr. John S. Foster, who as Director of Defence Research and Engineering is the chief engineer in the U.S. Defense Department, asserted that: "Because of the enormous quantities of equipment involved, and the near rapid rate at which the technology changes, to maintain an effective system one would essentially have to turn over the whole system, the whole $20 billion system, every few years."[11]

In summary, missile defences are too complicated, and inevitably too untested, to generate much confidence that they will work as planned. Worse, both major powers can be expected to take appropriate counter-measures to neutralize them—even to overreact in the measures taken. Even in the absence of counter-measures, the arms race and advancing technology are likely to defeat the effectiveness of the system.

One may ask why advancing technology will not produce an even better defense. And this can only be answered by saying that a single bomb can destroy a city, and no imaginable defense will be perfect. It is an axiom of life, as one strategic analyst put it, that it is easier to destroy than protect. The offense can try any one of many methods; the defense must protect against each. The offence can lose many times and still succeed in its goal of destruction; the defense must be 100 per cent perfect. Each major power is reaching a stage at which it has literally thousands of warheads to launch in any one of several ways that technology can or will provide.

An attempt to defend a country against the effects of nuclear war, an attempt destined to cost several tens of billions of dollars and take years to construct, is not something to be done on the basis of short-range expectations. Nor, as was noted, do the immediate risks of war in the early 1970s warrant it. It seems that one must attempt to estimate the chances that the defence will be able to have any significant attritional effect on the offense over time, despite a continuing arms race and a determined attempt to neutralize the defence. These chances seem slim. At best, there is no permanent victory for the defence, but only continued and expensive struggle. More likely, most of the time, the defences will not serve to protect significant fractions of the population against super-power offence.

Effect of missile defences on the arms race

It is clear that missile defences tend to encourage expenditures on systems aimed at penetrating missile defences. Since these can involve the retrofitting of entire missile forces with improved missiles, and the multiplication of missiles or warheads, this fact is a major economic and political argument against the deployment of defences.

Footnotes at end of article.

Still worse, however, the MIRV method of ensuring penetration, in conjunction with missile defences, creates certain strategic fears. From the Soviet point of view, for example, the United States may come to have several thousand separately deliverable warheads. The Soviet Government controls about 750 ICBMs and about 800 IRBMs and MRBMs. What if each of these could be successfully attacked by American missiles? In response to a newspaper report suggesting that the accuracy of the MIRVs might be insufficient to threaten hardened weapons, the US Defense Department issued a denial saying: "Each new MIRV warhead will be aimed individually and will be far more accurate than any previous or existing warhead. They will be far better suited for destruction of hardened enemy missile sites than any existing missile warheads."[12] Indeed, no other assumption than steadily improving accuracy could be made with even medium probability by a cautious Soviet strategic analyst. A measure of the improvement to date was provided by the Deputy Secretary of Defense, Mr. Nitze, in a table which showed that a missile carrying ten 50-kiloton warheads could destroy ten separate airfields, from 1.2 to 1.7 hard missile silos, or 3.5 cities of 100,000 population. (In these respects it was anywhere from 1.2 to ten times more efficient than a single 10-megaton warhead.)[13]

Although the United States is far ahead of the Soviet Union in the development of multiple warheads, has numerical superiority in missiles, and has a far more secure submarine force, she is nevertheless already worried about Soviet attacks on her land-based missiles. According to the U.S. Defense Department, "A large Soviet ICBM force with a substantial hard-target kill capability might be able to destroy a large number of our *Minuteman* missiles in their silos. An extensive effective Soviet ABM defence might then be able to intercept and destroy a large part of our residual missile warheads, including those carried by submarine-launched missiles."[14] Admitting that such a threat is "quantitatively far greater than those projected in the latest intelligence estimates", Mr. McNamara asserted that "prudence" dictated that the United States put herself in a position to strengthen her offensive capability.

Of course, the Russians have far more reason to feel concerned. Defense Department testimony revealed what the Soviet must do to neutralize various American defensive postures. In illustrative computations about the mid-1970s against a hypothetical American defensive system now estimated at $22 to $40 billion, the Soviet retaliatory force of the mid-1970s would hold only 10 million Americans hostage to a surprise attack unless counter-measures were adopted. Soviet adoption of penetration aids, and of Multiple Independently Targetable Reentry Vehicles (MIRVs), would raise this figure to 40 million. But to get it back to 90 million, where it would stand if the United States built only *Sentinel,* would require 550 mobile ICBMs. The fact that the Defense Department refers to mobile ICBMs reveals the anticipated capacity of MIRVs to attack locatable ICBMs. In short MIRVs plus ABM spell trouble, at least on paper, if the centre of gravity of Soviet decision-making is still worrying about surprise attack from the United States.[15] As Mr. McNamara's current statement put it. "We have come to the conclusion that both sides would be far better off if we can reach an agreement on the limitation of all strategic nuclear forces, including ABMs".[16]

Missile defences are likely to encourage not only offensive weapons that may neutralize them but more defences as well. Although Mr. McNamara may have argued, as he did in his announcement, that the case for a "Chinese defense" is only "marginal", and the case against a more massive defence clear, time tends to turn whatever exists into a military necessity in the logic and psychology of defence bureaucracies. We have seen this happen before. The case for 1,000 land-based American *Minutemen* was questionable, and Mr. McNamara's 18 September speech announcing his recent decision admitted that they were excessive, blaming the decision on Soviet secrecy. Had the United States followed a different logic, it is possible that she might have contented herself with *Polaris* submarines and few if any land-based missiles. She might have relied on the threat to attack a few cities and disavowed any intention to strike Soviet missiles (the policy called finite deterrence). But having made the choice she has, American policymakers are led seriously to consider attempts to extend or protect what they have built.

Something should be said, in passing, of the arms-race implications of the different solutions proposed to the projected vulnerability of *Minuteman*. First of all, almost all of the arms-race problems could be resolved at one swoop if the Defense Department would dismantle the land-based missiles when they become vulnerable, and rely instead on existing or increased numbers of *Polaris* submarines. This massive reduction of American offensive power would undercut fears on the part of the Soviet Union of attack on her forces. The invulnerability of *Polaris* would prevent attack upon the sea-based missiles, and whatever was necessary to penetrate future Soviet defenses could be installed in the submarine-launched missiles.

Instead, the Defense Department is considering: (*a*) converting the entire force to *Minuteman III,* i.e., completing its modernization, and hence improving its offensive capability, so that whatever missiles survive will be more powerful; (*b*) increasing the number of warheads each *Minuteman* missile could carry, i.e. doing more of the same as in (*a*); (*c*) emplacing the entire *Minuteman III* force in super-hard silos, i.e. protecting it against attack by requiring of the Soviet Union more accuracy, more missiles, or larger ones for the same amount of destruction; or (*d*) protecting the *Minuteman* force with an ABM defense, i.e. employing what is called hard-point defense.

Solutions (*a*) and (*b*) would further threaten the Soviet force, pushing the spiral still further. Solution (*c*) buys time, but resolves the problem in no definitive way if the Russians seek protection in numbers—numbers that will eventually seem to threaten the new silos. Solution (*d*) will tend to enlarge the *Sentinel* missile defense, representing a step forward politically, psychologically, and perhaps even technically, to a full-fledged city defense. This will have an unfortunate effect on Soviet planners. And if Dr. Wiesner is right when he says he is "certain that the system we are now planning will be regarded as ineffective before it is installed," it is equally plausible that the hard-point defense will be considered inadequate protection by the time it is built.

The only possible basis for stability is to switch the main part of strategic offensive capability to submarines and to do it in both super-powers. Unfortunately, the trend in relative offensive power seems quite in the opposite direction, and strong political and bureaucratic pressures seem likely to keep it that way.

In any case, these difficulties reveal the problems that are associated with a single bad decision—to many Minutemen. Similarly, if it should become accepted that attempts to protect the country are in order, a variety of other expenditures will follow in time. These will include expenditures on bomber defenses and anti-submarine warfare, as well as expenditures to prevent existing missile defenses from becoming obsolete. There is, of course, the further possibility that defenses against new weaopns, cruise missiles or something else might be encouraged as well.

The possible future costs in arms procurement of accepting the legitimacy, feasibility, and desirability of defence against nuclear weapons are quite unlimited. Systems of mid-course intercept, or boost-phase intercept, are now officially considered outlandishly expensive, involving, as they may, large number of satellites. But present missile defence considerations were, when begun in the late 1940s and early 1950s, even more outrageous, anticipating, as they had to, the parallel future development of the missiles themselves. And the logic and potential efficiency of attempts to intercept missiles early in their course will keep such defences under serious study. By the same token the strategic fears aroused by these possibilities could easily grow over time since, conceptually, they could conceivably promise higher reliability of attrition.

In general, over a period of decades, the possibility that the defence might throw a substantial scare into the offense is an important argument against the deployment of defences. It is not, as some would argue, a good reason for encouraging defences because, in the face of the strenuous pressures for their neutralization, we can hardly expect the "effective" defence to be more than a transitory phenomenon in a dynamic contest. (If at some future time some really super and more permanent defence emerged, it would be time enough then to take its particular characteristics of cost and permanency into consideration, along with the nature of the political climate.)

While these long-run dangers seem speculative, they may be related to this first decision to build a limited missile defense much as the present commitment of 500,000 troops in Vietnam is related to the national decision to commit 15,000 combat troops. Inspired by Soviet efforts, by occasional new ideas in missile defence, by improvements in Chinese weapons, by competition among the political parties, by pressures from American industry and the defence establishment, by changes in Defense Department leadership, and, conceivably, by stresses and strains in American-Soviet relationships, missile defence is not going to be easy to stop.

All this costs money, but it has other unfortunate effects as well. The preoccupation with arms gaps or the implications of new weapons takes the time of government and preempts the focus of public debates. It forces negotiations to concentrate on a series of new problems (like bombs in orbit), creates alarms that undermine better American-Soviet relations, and tends to produce ever more destructive weapons.

Does China warrant a missile defense?

Virtually all China experts deny the image of a Communist China that seeks nuclear war. They suggested instead the likelihood that Peking will seek low-risk strategies of political intervention, assistance to insurgents, propaganda, and so on. More generally, the Chinese leadership can hardly remain oblivious to the stark nuclear realities that have persuaded everyone else. A Chinese attack upon the United States is Chinese national suicide, and Chinese leaders, or committees of them, can be expected to see it this way. Attack from China is very well deterred.

Many American supporters of a defense against Chinese missiles quite openly want to retain the ability to attack China preemptively or the threat to do so. Thus one American analyst asserted: "American leaders probably would develop different attitudes towards the Chinese according as the United States did or did not have BMD." However, American Presidents are not likely to put as much confidence in these very involved computations of the Defense Department as all that, and even these computations always leave open the possibility of losing a city or two. Presidents know that Defense Departments—indeed government agencies generally—are capable of making mistakes. This particular estimate concerns a system that is especially complicated and untestable—as we noted. In short, the President is likely to be deterred from pre-emptive attack of China.

But would the Chinese know it? Might they not be sobered by an American defense? Again, their most likely strategies are ones to which nuclear conflict and the threat of it are irrelevant. In any case, can they be expected to believe in the defence? Whoever heard of a defence that was airtight? Chinese planners will not have to be optimistic to be skeptical of the optimism of American planners; they need only share the attitudes of almost everyone but strategic analysts.

In addition, this posture of seeming to threaten pre-emptive attack is not desirable. The temptation to carry on the threat gives rise to risks of general nuclear war. To the extent that the threat of attack is successful, it might only induce in the Chinese a policy of holding Asians hostage. It would also induce them to develop weapons less desirable than missiles. In any case, the very effort to defend against Chinese missiles is likely to enhance China's status in Asia. And if Chinese missiles are worth such an effort on the part of the United States, it may be that Asians will be pressed by parties in opposition to take the Chinese threat more seriously than they might have otherwise. The pre-emption possibility itself might be considered very undesirable by friendly Asians and very dangerous. War with China, like war with North Vietnam, will be much more destructive in the theatre of conflict than it is to the United States, and this possibility will not be be lost upon Asians.

In general, to base Western steadfastness in Asia upon the ability of the United States to reduce American casualties is to make the same mistake just made in Europe. There the United States has recently avoided basing her commitment on her ability to cut her own losses in a nuclear exchange—that posture has totally lost credibility. An analogous policy would lose that same credibility in Asia fast enough. The United States should therefore develop a rationale for Asian guarantees with greater staying power. As in Europe, she should avoid playing into the hands of those who doubt her commitment by basing it on ever more dubious calculations of casualties.

Notwithstanding all this, would the system work against China? No one really knows because the type and sophistication of future Chinese missiles cannot be known. The most effective counter-measures of the 1970s are not known either (nor whether they will be expensive or cheap). Whatever they are, they will be openly discussed in the American press, and the Chinese will learn them. The Defense Department estimates that attacks which might otherwise kill 7 million people could be held to 1 million or less. And it believes that as the Chinese ICBM force grows, "for relatively modest outlays" *Sentinel* could be improved to limit Chinese damage into the 1980's. But 1985 is as far in advance as 1950 is behind, and since the first Soviet atom and hydrogen bombs were detonated in 1949 and 1952, it has become clear that an awful lot of technical advance is possible in time spans of this order.

Can the Chinese-oriented system be dissociated from a larger Soviet-oriented one? The Chinese force is likely to require improvement in *Sentinel* earlier than the United States expects, and these improvements may blur the difference. More immediately, many in the United States see *Sentinel* as a suitable beginning for an attempt to maintain or increase American nuclear "superiority"; Secretary Clifford might be in that category. Certainly *Sentinel* could be a building-block to a larger system. (It is also what the Defense Department calls a "foundation" for a future defence of *Minuteman* forces.)

Most relevant, the Soviet leaders are likely to see this system as a first step to a defence against their missiles, because that is the problem *they* worry about and because they need lead-time to take the appropriate preventive measures. Certainly, *Sentinel* is far more effective in neutralizing overall Soviet capabilities than the primitive Soviet efforts around Moscow are in reducing those of the United States. And consider how much the latter overreacted to the Soviet efforts.

Mr. McNamara called the American decision to build *Sentinel* "marginal". But in terms of the American-Soviet arms race, the balance seems quite in the other direction. *Sentinel* seems likely to cost the United States a great deal in time.

MISSILE DEFENCES AND ARMS CONTROL

For some time the dominant American view has been that missile defences would have the exacerbating effect on the arms race just described, and that the pressures they would generate could not be contained in a comprehensive formal agreement. For this reason, for example, the American proposal to the Eighteen-Nation Disarmament Conference that it explore a freeze on offensive and defensive strategic nuclear delivery vehicles included as an essential part limitations on anti-ballistic missiles.[17]

In the recent past there have been isolated defections from this view, encouraged by the seeming inevitability of Soviet missile defence deployment—an inevitability now largely based on *American* actions, if indeed missile defences are inevitable at all. One advocate of missile defences has suggested that ballistic missile defences could reduce potential casualties (an arms-control goal) and then be controlled by a comprehensive American-Soviet agreement. Such a possibility cannot be ruled out entirely, since for example, the missile defences might be as ineffective and irrelevant as existing air defences. But, assuming that the deployment contest between missiles and anti-missiles was reasonably balanced—so that the defensive missiles were, or were thought to be, competitive with the offensive ones—then the competition between offence and defence becomes very complicated and hard to freeze. Indeed, in practice, it is probably only necessary that the defense seem to be *improvable to effectiveness in coming years* for it to cast a pall over the prospects of the treaty. And this is for strategic analysts! Politicians may find it sufficient to know that the treaty and the problem are complicated, that technology changes fast, and that deterrence is important. Note that even with an enormous political, strategic, and economic consensus favouring ending the arms race on the basis of overkill and nuclear plenty, not more than a handful of American senators argued for an agreement with the Russians. If deterrence seemed erodable, under the treaty, even this handful would be further reduced.

As for the technical complications induced by missile defences, they are enormous. Each side is committed to ongoing research and development in every faintly plausible direction out of which an effective defence might come. It is quite impossible to design a treaty that would cope with ideas not yet formulated—such ideas would, of course, have to be covered by a right of withdrawal. But there are also those ideas which, while not sufficiently novel to spark a withdrawal from the treaty, may nevertheless arouse the most serious concern. What if a treaty had been negotiated in the early 1960s that limited the number of defensive missiles and froze only the externally observable characteristics—a common assumption. The American improvements in range of interception and kill mechanism of warhead could have turned the point-defense, "frozen" by the treaty, into a defence of large areas. Similarly, the recent shift from individual warheads to smaller independently guided re-entry vehicles very substantially changes the efficiency of each offensive missile. In effect each missile is turned into several. Yet, with regard to external characteristics, the missiles can be designed to look the same. It is possible to hope that defensive improvements like these mentioned might be exactly nullified by offensive improvements like these also mentioned. But surely there is no certainty about it.

At least one analyst has argued that the problem would be solved if the United States did not put such emphasis on overwhelming deterrence, and has proposed that this emphasis be changed. But in view of the political obstacles, the lead-time uncertainties, and the tremendous sensitivity of all concerned, it seems unrealistic to think that important changes might be effected. It is relatively easy to persuade a Congress or an American Administration to do something like buy a ballistic missile defence. But to persuade it that it ought not respond to Soviet defences is to strike at the fundamental premise of post-war strategic weapon policy—overwhelming deterrence.

More often, it has been argued that the Russians will never agree to holding down expenditures on missile defences, and hence that agreements must be designed to permit them. (Again, it should be pointed out that, on available evidence, the Soviet Union is not planning to spend very much.) But in considering what the Russians will accept, one must also keep in mind what they cannot refuse. The idea that the Russians should not build a missile defence effective against the United States is not just part of a proposal which the United States would like the Soviet Union to *accept;* it is an integral part of American policy with which the United States would like to have the Russians *cooperate.* The United States can, and unquestionably will, 'negotiate' the ineffectiveness of a Soviet defence unilaterally. That is what Mr. McNamara meant when he testified in the spring of 1967: "I do not think they have a defence, Mr. Sikes, that is exactly my point. We will get more weapons through to the Soviet Union as a result of their deploying an ABM than we would if they had not. We presented to you a programme that with a high degree of probability will more than offset their ABM. . . ." Therefore, I say they do not have a defence'.[18] In this light, any expenditures by the Russians on a missile defence designed against the United States would be errors in cost-effectiveness, ones which they would eventually correct. Remember, the Soviet Union is not standing still; a Kosygin or his successor may veto expenditures that a Khrushchev might not know how to oppose, or a Stalin want to.

It has been suggested that the United States should match Soviet expenditures on missile defence, on the assumption that similar forces on both sides will make arms-control agreements easier. Why this should be so is unclear; in any case the argument puts too much stress on the relatively more formal—and less likely—methods of ending the arms race. It is noteworthy that no one seems to think that the United States need match the Russians in numbers of submarines or they match us in kinds of naval forces—as a precondition of plausible agreements. In any event, the argument was made on the now questionable assumption that the Soviet Union was buying more missile defence than the United States.

In some cases, analysts who emphasize the importance of symmetry in matching the Russians' (supposed) missile defence purchases—either to deter them or to secure an agreement with them—will insist that the agreement also preserve "historical asymmetries" between the capabilities of American and Soviet strategic forces. In short, some will argue for symmetry when it comes

---

Footnotes at end of article.

to matching the Russians, and against it when it comes to their matching us. Indeed, the notion of "historical asymmetries" is altogether quetsionable, in that the post-war periods have seen very different ratios of megatons deliverable (ranging from many-to-zero at one extreme to one-to-one at another, depending upon the period and type of measurement).

EUROPE

The single most important consideration in the attitude of Europeans to American missile defence decisions concerns the confidence of European central bankers in American fiscal responsibility. Faced with rising unrest at home, an expensive war abroad, inflation, and a balance-of-payments deficit, the United States is finding it ever harder to persuade European bankers and European institutions to hold US dollars rather than gold. The issue will turn on European confidence in the ability of the United States to set her house in order—to stop inflation and stem the balance-of-payments deficit. But more immediately, the issue is the credibility of the government's determination, as measured by its willingness to take unpalatable measures. In this connection, a decision to spend resources on missile defences is likely to be the worst possible step. It will seem to reflect the Administration's unwillingness to make hard decisions: a government unwilling to disengage from a war abroad, obligated to right urban wrongs at home, and financially pressed abroad is willing to open an open-ended new front in the arms race. While some European national security analysts may see merit in the missile defence, European financial circles are likely to see only inflation and equivocation. These attitudes will be enforced by the general unpopularity of the Vietnam war, which precludes a certain amount of sympathy for the American predicament, and for her requests for special consideration in the name of common defence against Communism or aggression. This issue is of enormous consequence.[19]

To return to more standard strategic considerations, in view of the thousands of tactical nuclear weapons in Europe, and the general low level of apprehension in Western Europe over the Soviet threat, Europeans do not seem to feel the need for enhanced American strategic superiority that one might have predicted some years ago. In short, there is no direct European doctrinal requirement for an American missile defence. Nor are Europeans unduly concerned about Soviet defences, assuming, as they can, that the United States will be making energetic efforts to neutralize them.

In the long run, it is possible that Europeans will come to regard missile defences as desirable for themselves. This does not seem very plausible at present, in view of British cuts in defence expenditure and French strains in producing even strategic offensive weapons. But a growing European armaments industry might become interested in missile defence for export to countries that might feel threatened by Chinese missiles—Australia, Japan, India, Formosa—as well as to West European countries that might be involved in some future European war. And both these impulses might be strengthened by advances in missile defence effectiveness. Existing experience in missile defence development teaches us to anticipate periods in which missile defences may look especially promising; during one such period, it is possible that Europeans might try to buy whatever the major powers had already bought.

It ought to be mentioned also that missile defences lend themselves conceptually to the different rationales used by supporters of the multilateral force; indeed, missile defences fit these arguments better than the multilateral force itself.[20] At some point, efforts may be made to use this fact to introduce co-operative missile defences in Europe.

PROLIFERATION

It has been argued that American and Soviet missile defences will increase the technological gap between the major powers and other powers and, in this way, somehow reduce the risk of proliferation. However, one is hard put to find a potential nuclear power which is likely to forgo nuclear weapons simply because, a decade or so hence when it has missiles to mount them on, these missiles might be unable to penetrate the defences of the United States or the Soviet Union. Many potential nuclear powers, among them the most plausible (e.g. Egypt, Israel, India, Pakistan, and Japan), are not directly interested in their ability to penetrate American or Soviet defences. In many potential nuclear powers, *all* strategic questions are secondary to other motivations.

No one is going to believe, in any case, that a nuclear bomb in hand cannot in time be made credible enough in one fashion or another. It is a revealing *reductio ad absurdum* that gaps in this argument have sometimes been filed in the following bizarre fashion: if America has a missile defence, the Egyptians, though not interested directly in threatening the United States, will have to anticipate an American guarantee of Israel, backed by an American missile defence. If they anticipate being unable to penetrate the American defence, they would anticipate finding nuclear weapons useless for threatening Israel and hence would be significantly less likely to buy them in the first place. This obviously, requires single-minded Egyptian attention to a single long-run scenario. It requires unprecedented confidence in American defences of the future—more confidence than most American analysts have. And it requires an absence of other motivations for having the bomb.

Evidently proliferation provides no motive for still greater missile defence expenditures. And by way of contrast it is worth mentioning that the political councils of at least some potential nuclear powers may be influenced adversely if the United States and the Soviet Union find themselves unable to prevent a new round of the arms race. Certainly the Indians have made this point repeatedly.

Speaking generally, missile defences will add to the world-wide fixation on nuclear weapons and make it more difficult to dispel the desire for them. It may lead the Japanese to review the development of a regional ABM system for them, and to stimulate discussions of the distinction between offensive and defensive weapons.[21] All of this can be harmful to the non-proliferation effort.

CRISIS BARGAINING

It has been suggested that one-sided Soviet development of ballistic missile defences would lead Soviet generals to believe that the United States could be pushed around. One spokesman—again under the impression that the Soviet Union was doing more than the United States—even went so far as to call this the single most important reason for American procurement. Perhaps this fear has been allayed by the recent decision of the Secretary of Defense to build at least some ballistic missile defence. But it is symptomatic of the character of the debate over missile defence that an argument of this kind should be put forward. To maintain it one is forced to assume that the Russians' interest in defences stemmed from the high valuation they put on them, which, in turn, would suggest their contempt for anyone who did not have them. The argument overlooks the possibility that defences might have been purchased for reasons of vested interests—reason unrelated to strategy. Or that they might have been bought because of compulsions to buy defensive weapons arising from the psychology of Soviet suffering in World War II—again reasons unrelated to strategy. Or simply that they were bought in anticipation of an American purchase, or because the Soviet bureaucratic system still thinks Russia might be attacked.

Some argue for an American ballistic missile defence on grounds that it will improve the strategic balance. A few years ago, it would have been argued that such a defence would persuade the Soviet Union that the United States might be willing, under extreme provocation, to strike first and suffer the consequences of retaliation. This same point of view now claims only that the United States would gain escalation assurance—a willingness to bargain harder in crises. The difference between these positions is largely semantic and certainly is not one that can be communicated with assurance to the Russians. A variety of news reports have already suggested that the Russians regard the American decision to build a 'Chinese' ballistic missile defence as threatening.

Some writers have quoted the figures provided by the Secretary of Defense in support of the idea that only "escalation assurance", and not greater strategic advantage, will be secured. These figures show immediate American fatalities being reduced only from 30 million to 20 million. But, as has been pointed out, the figures are illustrative. If any president is ever induced by some enormous provocation or mental imbalance to launch his strategic force, it will be because he is persuaded that some highly sensitive trick or tactic will destroy virtually all Soviet weapons locatable, and that an improved missile defence, in conjunction with anti-submarine warfare, will be highly effective in destroying a disjointed and sporadic attack. With a vast missile defence, but not without it, one can perhaps imagine a president imagining a successful nuclear attack on Russia. This is one way of describing the difference a missile defence makes, and it gives one pause.

It has also been argued that ballistic missile defences would make an American president and a Soviet premier less willing to use demonstration missile attacks as shows of force, thus making the actual initiation of a central war much more difficult. But the plausibility of demonstration missile attacks is itself controversial, at best. The argument's underlying premise, that these attacks constitute a sizable fraction of the only avenues by which a war can be started, is a further very questionable speculation. And even the idea that the ballistic missile defences will make demonstrations much less likely—rather than, for example, only adding something new to demonstrate, namely penetration capability—superimposes a third order of uncertainty.

CONCLUSION

A decision has been taken to build a small missile defence against the possibility of Chinese attack—what 'small' will mean relative to a growing Chinese force is hard to say. Indeed, it is possible that the Chinese will not build intercontinental ballistic missiles at all.

At the moment, the most appropriate question seems to be: should the United States press on and build a still bigger missile defence at a cost of tens rather than several billions? Many of the arguments given for doing so by strategic analysts were set forth under the impression that the Russians were building a wide-scale missile defence over and above that around Moscow. These arguments, e.g. that the Russians will feel contempt for us if we don't have what they do, or that an agreement with them will become more feasible if we do have what they do, were always speculative, marginal, and controversial. Now their very premise seems doubtful. "Matching the Russians" does not seem to be at issue—according to the majority of the intelligence community quoted earlier by Mr. McNamara.

In any case, the only important reasons for a heavy missile defence have always been sufficient expectation of nuclear war, and sufficient expectation that the defence would work, to override the obvious economic and political arguments against it. Ever greater effectiveness is required of the defensive systems, and men of experience in these matters, have learned to be skeptical of the possibility of achieving it. Just as estimates of cost for big systems are always uncertain (virtually always too low, estimates of effectiveness can be no more reliable. Indeed, with respect to cost, the factors are relatively well determined; but effectiveness involves an intelligent adversary who will be seeking counter-measures.

Expectations that the defences will work can hardly be very high. The 'offence' is not being left behind, and if the Soviet Government wants to make the necessary expenditures, it can defeat the Western system even on paper. (Because defence is a harder and more unreliable game than offence, the Russian offence is still more likely to defeat the defence in an actual war.) Depending upon how the war started and many other factors, a massive defence might or might not protect when and if war came. No one will ever be sure. And very possibly the system will be considered obsolete—like its two predecessors—before its date of completion.

Nevertheless, the United States seems likely to press on with missile defences in the absence of talks with the Soviet Union simply because she is unable to restrain herself from doing so. Mr. McNamara's appeals to the Russians to talk were really appeals for help—help in ending the arms race. Combined with fears on both sides of increasingly vulnerable land-based missiles, missile defences have the potential to project the United States and the Soviet Union very firmly into a next round—in which the United States and possibly the Soviet Union build missile defences and both try to build offensive weapons in response to future defence.

In my view, the important question for the West is whether the national interest of the United States demands that she try to protect against the low-probability threat of nuclear war, even if the chance of effective protection is itself small over the long run. Perhaps any amount of money and any encouragement to the arms race are worth a small chance of protecting American society, and perhaps nothing in the resultant arms race can make the United States much more vulnerable than she is now. This point of view, which also discounts the political implications of a continuing arms race, must be answered on a still different plane. It raises the question of how long, and at what cost, America will continue to bemuse herself with low-probability threats to her "national security" in a world where others uniformly have less security and, almost uniformly, look to her for some kind of moral and financial leadership. The United States must learn, just as people must learn, to distinguish between a legitimate interest in insurance and an obsessive, neurotic concern for an unachievable nuclear security.

FOOTNOTES

[1] US Congress, House Subcommittee of the Committee on Appropriations, *Department of Defense Appropriations for 1964*, Part 1, pp. 434–35.

[2] US Congress, Senate Committee on Armed Services, *Military Procurement Authorization Fiscal Year 1964* (88th Congress, 1st Session, 1963).

[3] *Statement of Secretary of Defense McNamara Before the Senate Armed Services Committee on the Fiscal Year 1969–73 Defense Program and 1969 Defense Budget*, p. 75 (hereafter cited as *Statement 1969*).

[4] The area protected is egg-shaped, about 500,000 square miles in extent, with the sharper part of the egg pointed south. Considering overlaps, about 14 batteries cover the continental United States. See Hearings Before the Subcommittee on Military Applications of the Joint Committee on Atomic Energy, US Congress, 90th Congress, 1st Session, *Scope, Magnitude and Implications of the US Antiballistic Missile Program*, 6 and 7 November 1967 (hereafter cited as *Scope*).

[5] *Statement 1969*, p. 55.

[6] *Ibid*., p. 55.

[7] Joint Committee on Atomic Energy, *Scope*, pp. 48–49.

[8] Thus the American *Sentinel* system must have terminal defense interceptors to protect the Perimeter Acquisition Radars, which are called the "eyes of the system". (*Ibid*., p. 14.)

[9] *Department of Defense Appropriations for 1968*, Hearings Before a Subcommittee of the Committee on Appropriations, House of Representatives.

[10] *Statement of the Secretary of Defense Before the House Armed Services Committee on the Fiscal Year 1968–72 Defense Program and 1968 Defense Budget*, pp. 57, 44, 56.

[11] *US Armament and Disarmament Problems*, Hearings Before the Subcommittee on Disarmament of the Committee on Foreign Relations, US Senate, 3 February to 3 March 1967, p. 15.

[12] *The New York Times*, 17 January 1968.

[13] Joint Atomic Energy Committee, *Scope*, pp. 48, 49.

[14] *Statement 1969*, p. 59.

[15] By combining the estimate provided earlier by Mr. Nitze with standard probability tables, one can estimate the order of magnitude of Soviet problems. Thus if ten 50-kiloton warheads will destroy 1.7 hard missile silos, and if this computation assumes that missiles are assigned to target so that no more than 2 per cent to 5 per cent of targets are undestroyed (a natural assumption), then the single-shot kill probability of each warhead must be 0.45 to 0.5 (see, for example, the table provided in Herman Kahn's *On Thermonuclear War*, p. 468, entitled "Missile Required to Attack a 50-Point Target System"). Assuming that the Soviet target system of hard missile silos grows to, say, 1,000 by the mid-1970s period under discussion, then 7,000 to 8,000 warheads with this single-shot kill probably could attack them in such a way that only about ten would remain. (See *On Thermonuclear War*, p. 481, for this estimate.) If each of the 1,000 American land-based missiles came to have the "several" warheads referred to earlier, this might be feasible on paper.

Incidentally, if the range from 1.2 to 1.7 provided earlier refers to ranges of "hardness" from, say, 100 psi to something higher ("hard" means at least 100 psi in common parlance), then the CEP under consideration can be read from the table on page 469 of *On Thermonuclear War* (using the well-known fact that the efficiency of missiles varies as

$$\frac{\text{yield}^{2/3}}{\text{CEP}^{2}}$$

or from the standard Nuclear Bomb Effects Computer Slide Rule. It would be about 0.25 miles, which explains the enthusiasm in the denial quoted earlier than MIRVs were inaccurate President Eisenhower boasted of CEPs of one or two miles.

[16] *Statement 1909*, p. 65.

[17] Speech on "ABM and the SNDV Freeze", delivered by Adrian S. Fisher to the ENDC, 16 August 1966.

[18] Department of Defense Appropriations for 1968.

[19] The recent wave of speculation and the American decision to cease selling gold to private parties have highlighted the danger. The fundamental problem seems now to be one of persuading others to join with the United States in the final establishment of a new monetary system—rather than only to hold American dollars. But this is at least as difficult, and militates against missile defenses on the same economic and psychological grounds.

[20] For this argument, see my article "ABM—The Next, MLF?" *Bulletin of the Atomic Scientists*, September 1966.

[21] These points have been made by Mrs. Alice Hsieh in testimony before the Joint Atomic Energy Commission, *Scope*, p. 86.

[From Foreign Affairs, April 1968]

THE ABM, PROLIFERATION AND INTERNATIONAL STABILITY

(By Robert L. Rothstein)

The contemporary strategic era, dominated by ballistic missiles, has appeared to possess a curious kind of stability. Despite its uncertainties and dangers, two factors were apparently beyond dispute. On the one hand, neither the Soviet Union nor the United States could eliminate the other's missile forces in a first strike or effectively defend against a retaliatory missile strike. The offense seemed to have made a quantum jump against the defense: the old pattern of oscillation between defensive and offensive superiority had apparently been superseded by a period in which, for the foreseeable future, defense would be definitely inferior and incapable of matching offensive gains. On the other hand, missiles were so expensive and required so much technical sophistication that very few countries could either afford them or build them. The vexing problem of nuclear proliferation thus appeared in a new light. Even if a state could develop a nuclear bomb, it was assumed that it could not be a truly "effective" member of the nuclear club unless it also developed a missile to deliver it somewhere. The double task of building a bomb and a sophisticated delivery system inevitably seemed so difficult that the problem of preventing a thoroughly destabilizing nuclear proliferation appeared relatively simple. At worst, the process could be "managed."

We may, however, be entering a strategic era in which neither factor holds true. Whether ballistic missile defense ever achieves the level of effectiveness (near perfect) some of its proponents foresee in the next decade, and whether the costs and difficulties of developing rocket vehicles are as sharply reduced as others contend (so that the ability to deliver the bomb in high style spreads rapidly) are obviously uncertain. But to the degree that these prophecies are accurate, or believed, the stability of the missile era may prove to have been very transitory.

At any rate, one point deserves emphasis. Deployment of an ABM system and the beginning of a process of nuclear diffusion (which may be directly related to the ABM decision), irrespective of whether they occur because of political or technological reasons, may thrust us into a new strategic environment in which even the tenuous stability of the present will evoke nostalgia. In the circumstances, policies which would have appeared dangerous or unnecessarily provocative yesterday may perhaps begin to appear more prudential and realistic today or tomorrow.

II

The recent announcement of the decision to begin installing a "thin" ABM system elicited a great deal of negative comment in the American and European press. This is hardly surprising for, on the basis of publicly available information, the arguments against the ABM seemed much more persuasive than those for it. In fact, anyone who troubled to read Mr. McNamara's statement on the budget in January 1967 would come away quite convinced that the arguments justifying early installation of an ABM system were at best premature and at worst spurious. Yet within the year Mr. McNamara had apparently changed his mind and committed the United States to early deployment of a partial ABM system. The San Francisco speech in which he announced the decision may, perhaps, be read as an ambiguous and even anguished justification for the ABM; but it still may have committed us decisively.

It is possible, of course, that there were objective military and political reasons for Mr. McNamara's about-face. A new technological breakthrough might have occurred or intelligence might have yielded firmer and more dangerous information about Soviet or Chinese capabilities or intentions. To a certain extent this indeed appears to have happened. Soviet development of a "fractional orbital bombardment system" (FOBS), reports of heavy Soviet investment in *both* offensive and defensive missile systems, new predictions about Chinese capabilities and significant advances in our own ballistic missile defense research (especially with X-ray warheads) all tended to point in the same direction; prompt deployment of a "thin" ABM system.

Now, it is a mistake to argue as if the installation of an ABM system would have only negative consequences and that a delay would have only positive consequences. Decisions such as these are a wager about the future and they are made—or ought to be made—"on balance," and with full realization that the possibility of unanticipated consequences or mistaken consequences is very high. In the circumstances, there is great temptation to buy insurance by developing everything that can be developed, and to do everything possible to reestablish or maintain a situation which seems to be advantageous. The virtues which the Joint Chiefs of Staff have seen in immediate deployment of the ABM system may be regarded in this light. Their arguments, in isolation, seem persuasive: more effective deterrance, a reduction in the number of lives lost should deterrence fail at reduction in the possibility of accidental or "catalytic" wars, a halt to nuclear proliferation and, above all, a stabilization of the *existing* strategic balance (*i.e.* one in which the United States possesses "dominance"). ABM deployment, according to the Chiefs, would "continue the Cuba power environment in the world. . . . At the time of Cuba, the strategic nuclear balance was such that the Soviets did not have an exploitable capability because of our vastly superior nuclear strength."

None of these arguments is as clear and uncontroversial as the Joint Chiefs of Staff appear to assume. Mr. McNamara himself apparently found them unconvincing as recently as a year ago. Under some circumstances, and in certain future contexts, an ABM system promised several limited advantages; on balance, however, they were apparently outweighed by the disadvantages. Under the best of circumstances, the ABM seemed prone to obsolescence (as new offensive missiles appeared), uncertainly effective,[1] enormously expensive and politically inexpedient. The obvious question is whether various technological developments in the past year, as well as new uncertainties about Soviet and Chinese behavior, justified a reshuffling of priorities and a definite decision to plunge into a new strategic environment. Even for thase with access to all the available information it must have been an agonizing choice: the stakes are frightening high.

It ought to be said, however, that there are a number of very knowledgeable people in Washington who maintain that the foregoing considerations were irrelevant. They contend that the decision was almost completely a response to domestic political pressures.

While the argument is not very subtle, it is also not entirely implausible. With the political costs of the Vietnamese war accelerating, the Johnson Administration may well have felt that it could not risk providing the right wing (both Democratic and Republican) with another security issue in the forthcoming elections. It may be, as some have said, that the Administration overestimated the degree of Congressional pressure for an ABM system. However, it was quality not quantity which was probably decisive: the Congressmen who were most vociferous on this issue were also among those who could harm Mr. Johnson most in the next year. In addition, the Joint Chiefs, whose discontent is frequently noted, had to be pacified; their leverage on the President and the Secretary of Defense went up as their threats to resign became increasingly dangerous in political terms.

That the decision to begin deployment of a "thin" ABM system was not the result of a considered evaluation of all the military and political evidence may perhaps be inferred from the confused manner in which it was publicly justified. While it was said to be aimed solely at the emerging dangers of a Chinese nuclear strike against the United States, and not at the Soviet Union, against which it was patently ineffective, both Mr. McNarama and various military officers indicated that it would indeed have an indirect effect on the Soviet-American strategic balance. By providing point defense for our Minutemen it clearly would cut down the effectiveness of a Soviet strike against them. However, since the Administration was in the throes of a public and private effort to convince the Soviets that the ABM deployment was not aimed at them, and that discussions to curtail ABM deployment were necessary and possible, "clarification" was needed.

A public speech by Assistant Secretary of Defense Paul C. Warnke attempted to provide it. Mr. Warnke argued "that our Chinese-oriented ABM deployment should make it easier, and not harder, for countries in Asia to sign the NPT [nonproliferation treaty]." The ABM, he maintained, would make the American commitment to defend Asia credible, since henceforth Detroit or Los Angeles, etc., would be safe from Chinese retaliation. He also maintained that it would emphasize the "unique disparity" between the United States and China, and thus make it "even clearer" to the Asians that they could safely sign the nonproliferation treaty. He concluded by declaring that the Soviets "knew" that the system was not designed for use against them, and therefore need not respond to it—surely one of the more naive imputations of faith in recent years, especially given the contradictory testimony from other officials of his own Department.

Mr. Warnke's analysis of the possible effects of the ABM is peculiar in that he apparently presumes that it can be deployed while everything else in the strategic and political environment remains static. The Russians will not respond, or will respond by agreeing to arms-control measures, because they believe in our good intentions. The Asians will agree to forego nuclear weapons because their faith in our good intentions will rise. The Chinese, who have no faith in our good intentions, will "finally" realize that we can destroy them and will behave more rationally. And our European allies will, of course, realize that, as we have from time to time maintained, our efforts to improve our own defense have nothing to do with our commitment to come to their aid; and it is merely a nasty impertinence to insinuate in Gaullist style that we are leaving them exposed and ignored.

Many of our strategic analysts have tended to view strategic problems from a systemic point of view, almost to the exclusion of other vantage points. As a result, particular events or developments have been assessed primarily from the global perspective of the superpowers. Since the strategic configuration which has existed over the last twenty years has, for the most part, reflected conditions of American dominance and relative stability, new developments have inevitably been foreseen as destabilizing unless they were controlled by, or symmetrically limited to, the superpowers.

The response to the problem of proliferation is a case in point. Granted it is potentially very destabilizing, how does one prevent it? The usual answer has been by persuading potential nuclear powers that their efforts will be extremely costly and that, anyway, they will be useless if not counterproductive against the United States or the Soviet Union. That is, the systemic perspective has been maintained: the behavior of small and middle powers has been evaluated almost wholly in terms of its possible impact on the whole system. Since we have favored the status quo, our efforts have been limited to trying to convince others not to rock the boat. The whole syndrome can be perceived in the arguments designed to convince France not to join the nuclear club; they were perfectly logical but also irrelevant. To Paris, and perhaps to many potential nuclear powers, the problem appeared in a wholly different perspective when evaluated in terms of national (*i.e.* sub-systemic) interests.

Mr. Warnke's speech may be read in this light. Again, it is assumed that other states will perceive the situation in the same way as we do and will be as concerned with international stability as we are. There is no attempt to examine the problem from other points of view. If we do attempt to interpret the impact of the ABM decision from local perspectives, the picture which emerges is not nearly as optimistic as the one drawn by Mr. Warnke.

III

We can begin by discussing China's possible reactions. It is doubtful that anyone seriously believes that the ABM, as currently described, is aimed at China. However, since public justifications have insisted that the essential aim of the ABM system is deterrence or defense against Chinese threats, the argument must be examined.

It should be clear that the political and psychological advantages of China's nuclear weapons are not directly related to American defensive capabilities. There is thus no sense in the simplistic argument that an ABM system will actually induce the Chinese to forego missile development. In addition, the assumption that the Chinese will react to an increase in our defensive capabilities by decreasing their offensive capabilities is not psychologically convincing: the opposite reaction may be more likely.

The usual contention, however, is not that the Chinese will give up their missile program but that a "thin" ABM system will substantially lessen the impact of a Chinese nuclear attack. What is the probability of such an attack? To some, the likelihood is high; the Chinese are more aggressive and less rational than the Soviets and will strike rather than accept humiliation. In effect, a Cuban missile crisis with the Chinese is destined to have a different scenario. To others, the behavior of the Chinese has been as cautious and nonprovocative as that of the Soviets and the probability that they would strike the United States seems very low. Acceptance of the latter point of view has to be tempered by several considerations. The first, obviously, is the current internal instability of China, which might lead to extreme or irrational behavior in a crisis. Another point is that China has not yet reached the stage where war—as the fashionable argument goes—becomes increasingly unpalatable and unlikely as energies are concentrated on the accomplishment of domestic tasks. Finally, the Chinese tradition is different from our own, we have miscalculated their response before, their standards of rationality may diverge as much from ours as Japan's did in 1941—and so on. In short, it is not altogether unreasonable to worry about aggressive and irrational behavior by the Chinese. The critical question concerns the relationship between that assumption and the installation of an ABM system.

---

[1] As one Department of Defense expert has noted: "Any defensive system can really do no more than to raise the entrance price which an attacker must pay in order to destroy a target." Charles M. Herzfeld, "BMD and National Security," *Annals of the New York Academy of Sciences*, 1965, reprinted in *Survival*, March, 1966, p. 74. The best analysis of the ABM problem which I have found is J. I. Coffey, "The ABM Debate," *Foreign Affairs*, April 1967.

Reports on Chinese missile capabilities suggest that they might have a small but operational ICBM force in the early 1970s. What damage that force could inflict upon the United States depends on a range of factors which defy simple summation. The "thin" ABM system promises area coverage of the whole mass of this country against a light attack. Thus even if the Chinese were willing to trade payload for range (and reach cities considerably east of the Mississippi), it would do them little good since those cities would be as protected by the ABM as our west-coast cities. They could, in theory, saturate one or a few areas with all their missile strength, but the effectiveness of that tactic would depend on the capability of our ABM system and the actual number of ICBMs the Chinese could launch.

It is difficult to take these calculations very seriously. It is hard to imagine a set of circumstances in which the Chinese would actually strike first with their small ICBM force, and one is inevitably obliged to create scenarios of ever increasing degrees of improbability. They *could*, in some *Götterdämmerung* fashion, launch all of their force against San Francisco; or they could spread it out in belief that our ballistic missile defense was a "paper wall;" or they could gamble on odd forms of delivery (the proverbial bomb in the cargo hold, or nuclear torpedoes against coastal cities, or small planes launched from ships and carrying small bombs, etc.). But the probability of their doing so is surely very low. And since we cannot prepare for *all* potential dangers, regardless of plausibility, and since even reasonably prudential calculations suggest that a Chinese ICBM attack on the United States is highly improbable, an ABM system justified by reference to Chinese threats to ourselves does not make much sense. This is the more true because lead times are such that we could still meet the threat if it became less improbable at a later date.

The case seems even stronger if we try to foresee the response Peking might make to our ABM system. It is very unclear at the moment, especially to anyone not privy to whatever information we are collecting about the mainland, just what the Chinese are attempting to develop. They will probably produce some ICBMs, if only to prove that they can do so. However, they are most likely to concentrate on medium-range missiles in order to threaten neighboring states in Asia. This would allow them to delay investing heavily in an ICBM until they are capable of producing an improved second-generation weapon. The Chinese could, in a sense, hope to duplicate the efforts of the Soviets in the late 1940s and 1950s, when, being clearly inferior to the United States in strategic power, they deployed their ground forces and short-range missiles to threaten Western Europe. The message was clear. If we attacked Moscow, confident that we would not be hurt badly, we were warned that Europe would be devastated in the process. An asymmetric balance seemed to exist, and the weaker side appeared to deter the stronger by threatening an area which the stronger valued but could not easily protect.

Though the analogy is obviously imprecise, the odds definitely favor a Chinese strategy designed to threaten us only indirectly, at least until that day, probably in the late 1970s or 1980s, when the Chinese are able to produce a force capable of achieving nuclear parity or stalemate with ours (and the Soviets'). In the meantime, the ABM system we are committed to install will rapidly become obsolescent. In sum, against the Chinese, our ABM system promises advantages only if the Chinese are foolish enough to launch an attack on us with their first generation ICBMs.

Presumably, then, the ABM system must serve other purposes. The one most frequently cited is the possibility that it will enhance the credibility of any commitment we offer to a nonnuclear country (*e.g.*, India or Japan) threatened by a nuclear power. The idea has a certain plausibility in that, in a world in which all calculations were rational, the possibility of limiting destruction to ourselves ought to convince our friends that we are more likely to live up to our commitments to them. If true, they will not need to develop their own nuclear weapons and can then sign the nonproliferation treaty, for they will be assured that we will counter mortal threats to their existence.

It is difficult to speculate on this point, for the evidence is both slight and ambiguous. The Suez episode of 1956 provides one illustration of a nuclear threat against a nonnuclear state (France), but it is probably not a reliable analogy. At any rate, it did nothing to convince the French that they were better off without nuclear weapons of their own. India's reaction to the Chinese bomb is also ambiguous: at the least, India has begun to consider seriously the possibility of becoming a nuclear power.

Unfortunately, one is left with the impression that the contention that our ABM system will facilitate nonproliferation reflects profound hopes and desires, but not a very realistic judgment about how other states will view their own interests. Improvement in our defenses is likely to be of only marginal significance in affecting Asian calculations. Given the inherently low credibility of our nuclear guarantees outside Western Europe (and it has not been spectacularly high there either), the critical question is not *our* "damage limiting" capability, but that of the Asians. Japan or India, threatened by a Chinese nuclear attack, will undoubtedly prefer an American guarantee to nothing at all. But it is possible (even probable?) that they will view it as only a temporary umbrella while launching a crash program to develop their own nuclear weapons.

The only way to short-circuit the process may be to provide threatened states with an effective ABM-defense of their own. If we really want them to forgo developing nuclear weapons, we must provide a direct defense of their territories. This could be accomplished in several ways, but some combination of an explicit American guarantee, the provision of a reasonably effective area ABM system (preferably at least initially under our control), and perhaps even the promise of a small, offensive nuclear force if a threat of a specified nature arises—all these may be necessary to make our guarantee credible and thus inhibit the process of proliferation.[2] It is an extreme policy, and can be justified only in terms of the kind of environment it may be forced to contend with. The costs would be very high, not least in the sense that promising or providing a nation with an ABM system may be the first step toward its acquiring offensive nuclear weapons—on the uncertain but not implausible presumption that an ABM system without a complementary offensive capability is as unsatisfactory as entering a battle with a shield but without a sword. Moreover, the problem of defending against an MRBM is almost insuperable, given their limited flight time, and especially if they are delivered in number. Hence, the pressure for offensive weapons as a deterrent will be heavy.

This suggests that the possibility of signing an effective nonproliferation treaty is bound to decline rather sharply in the near future; that many states will be seeking their own nuclear defenses; and that we shall have to consider new nuclear arrangements if we want to do more than wring our hands piously as the environment becomes more and more dangerous.

IV

What effect may our ABM system have on our relations with the Soviet Union and our European allies? The argument that an ABM system would "continue the Cuba power environment in the world," and thus reinforce our ability to deter the Soviet Union, is superficially plausible until it is placed in context. The assumption that the installation of an ABM system will enhance our ability to deter the Soviets depends on what kind of system we build and how the Soviets respond to it. Some systems and the responses they evoke would decrease our ability and increase the chance of an even more destructive war.

All the denials notwithstanding, our ABM system is primarily designed to counter an apparently growing Soviet threat. In the past, we have tended to assume that the way in which we developed or deployed our weapons systems signaled something to our enemies about our military intentions. It has never been very clear that the Soviets actually read these signals in the desired fashion. They may simply have been following their own technological genie wherever it led them: that is, they may have developed and deployed weapons not in response to what we did but simply as a response to their own technological capabilities.

At any rate, it is difficult to resist some such reasoning in the light of the Soviet decision to begin installing their own ABM system. After all, if they were "reading" us accurately, they should have known that we would respond by building our own ABM system and by increasing our offensive missile capability to penetrate their defenses. They would then be in an even more inferior strategic position and would have expended scarce rubles for very little return in security. Our rearmament in 1950–53 and our reaction to the "missile gap" are only the most obvious illustrations of our unwillingness to remain behind.

Yet the Soviets have apparently rebuffed all efforts to reach an agreement prohibiting ABM deployment—almost as if our response left them indifferent. The normal explanation offered by Western analysts is the extreme defense-mindedness of the Soviet Government and people. Marxist theory, a history of invasions and fears of encirclement apparently justify what seems to be an excessive concentration on defense—a phenomenon the Anglo-Saxon powers have always found, for obvious reasons, difficult to comprehend. Nevertheless, defense-mindedness alone does not seem a sufficient explanation for Soviet behavior.

Another rationale is that, as a relatively weaker power, the Soviets may feel considerably more threatened by the proliferation of small nuclear forces than we do. The French and Chinese nuclear forces, and the possibility of a West German force, not only have the potential of inflicting considerable damage on the Soviet Union but also—given Soviet history and predilections—might appear more likely to be actually used than we presume. To a weaker state, weaker nuclear forces appear more dangerous: the attacking smaller state could no doubt be destroyed in retaliation, but in the meanwhile it might have hurt the Soviets grievously and exposed them to American retaliation. If one presumes that they have reordered their hierarchy of threats and have upgraded the dangers of living in a "world of nuclear powers," the installation of a primitive ABM system does not look quite so "irrational." That it simultaneously worsens relations with the United States could be accepted as a reasonable price to pay.

---

[2] The worst danger of a guarantee policy is that it might commit us to involvements we would prefer to avoid; the decisive question, which cannot be discussed here, is the extent to which we really have a viable option of noninvolvement open to us. The idea of a seaborne ABM force under our control may be worth investigating and might even be reasonably effective against a relatively small and unsophisticated Chinese missile force.

Still, this argument could be completely wrong. The Soviets may still see us as the prime threat, and the ABM system may be designed to deter us and to limit damage in the event of a major war. The geographical placement of their ABM sites would seem to confirm this. In that case, the rationale for the Soviet decision remains very unclear, and the disagreements on this issue among Soviet leadership groups very understandable. To many Western observers, however, the Soviet decision seems to be a manifestation of a kind of intellectual lag in strategic thinking which has persisted for two decades. The Soviets have seemed to be several years behind us not only in weaponry but also in drawing the political, psychological and military implications of various technological developments. Current ABM systems thus seem more effective when compared with the capabilities of an earlier generation of missiles. The Soviets may in fact have much greater faith in the technological capacities of their ABM than we tend to credit them with—a circumstance which could be dangerous.

What effect will the mutual emplacement of ABM systems have on the strategic balance between the United States and the Soviet Union? There is no clear and unambiguous answer. It will obviously depend on the kind and extent of the systems installed, and, perhaps even more, on each side's subjective estimates of the likelihood of war or probable behavior of its antagonist in major crises.

It can be said, though, that ABM defense—at least a less than perfect defense—is of more relative utility to the aggressor than to the defender, whose retaliatory force must strike back in a weakened condition against a fully alterted defensive force. And since there is no situation in which striking first is not of *some* relative advantage, defensive forces can have a very destabilizing impact on any strategic balance to the degree that they make it appear as if striking first is becoming a more and more "attractive" possibility to either or both sides. This is especially true if one side is aware that it holds the weaker cards in any strategic exchange and is less than firmly convinced of the peaceful intentions of its adversary. Its propensity to gamble on striking first in a crisis may then be fairly high. This is a familiar syndrome and it suggests why many analysts argue that installation of an ABM system will force a return to the dangerous and unstable years in which we were troubled by the "consequences of expecting surprise attack."

The way in which each side deploys its ABM system is thus of great significance. But as long as the Soviets remain the weaker side, their decisions are somewhat less important than ours. That is, we possess a larger margin of error and therefore can be more flexible. If our system is designed only or primarily to protect our retaliatory missiles, the decision may not be too destabilzing; the Soviets will still retain the capability to destroy our cities in retaliation, just as we would theirs. However, the area system we are on the point of installing is, for the moment anyway, designed to protect cities from weak missile attacks. It is not intended to protect our Minutemen. It *looks* as if it is designed to handle a Chinese attack or some sort of accidental firing by virtually anyone. But it may not be read that way by Soviet leaders.

Unfortunately, many hints and suggestions are already appearing that the system ought to be expanded. We cannot have it both ways: if it is to deter the Chinese, extension of the system is unnecessary, for they do not have a technological capabilty to endanger our missile sites. If it is against the Soviet Union, official spokesmen are not only lying about our true intentions but also have begun installation from the wrong direction: obviously protection of missile sites is the first task.

These circumstances suggest that it is a fair presumption that our "thin" system will shortly begin to put on weight. Whether it is in reaction to Soviet offensive or defensive moves, or whether it is done in response to other considerations (*e.g.*, domestic political pressures), is not especially important. In either case we will have begun a major new phase of arms competition with the Soviet Union. Whatever else one can say about the resulting situation, it is unlikely that it will be very stable or that it will actually reduce damages in a war. In effect, an ABM system guarantees decreased casualties *only* if both sides refrain from simultaneously increasing their offensive capabilities, or if the system achieves virtual perfection. Both are unlikely. Moreover, by another familiar dynamic—the "self-fulfilling prophecy"—we may actually increase the likelihood of war by acting as if it is more and more possible. Our ability to deter the Soviets may decline as we begin to threaten them in a more dangerous fashion, and our ability to defend more successfully (to lower casualties) may also decline as offensive force levels increase.

The decision to expand the "thin" ABM system may not be inevitable. The burden of the foregoing argument is that it ought to be resisted as long as this remains feasible. The point is not that installation of a larger ABM system is wrong in all circumstances; rather, that, on balance, it seems wrong in the set of circumstances determining strategic calculations at the moment and for the next few years. Compared to us, the Soviet Union is clearly the weaker power. The choices before it on the ABM issue are not only fewer but also starker. They have to respond to our actions, whatever the cost, unless they willingly accept an acknowledged state of conspicuous inferiority. We are not so narrowly constrained (except domestically); as the stronger power we need not meet every Soviet increase in strength with a symmetrical increase in our own force structure.

The underlying rationale for restraint on our part is twofold. On the one hand, given our current superiority and given our lead-time advantages, we do have some time in which we can safely delay expansion of the ABM sytsem—at least until we believe that the Soviet ABM system represents a significant threat to our retaliatory force. On the other hand, restraint now represents what may be our last significant opportunity to delay the emergence of an environment in which stability is increasingly tenuous. Insofar as possible, we should not only refrain from expanding our ABM system but should also limit the expansion of our offensive forces to whatever minimum seems safe. A too extensive expansion of our offensive force, so that it appeared capable of a credible first-strike attack, could be as destabilizing as the installation of the wrong kind of defensive system.[3]

It is still much easier to increase the striking power of offensive forces than the damage-limiting capabilities of defensive forces. It is possible, therefore, to limit our response to increasing our offensive capability to penetrate the Soviet ABM system; our cities would still be hostage to a Soviet strike and the Russians would not necessarily have to increase their own retaliatory force substantially. We could still penetrate their defenses and they could still penetrate ours, defense expenditures would not be extravagant, and some element of stability—albeit the uncertain stability of a nuclear balance—might still persist.

V

Something ought to be said about the presumed impact of our ABM system on our European allies. Official spokesmen have been very quiet in this aspect of the decision. When pressed, they have contented themselves with platitudes about common interests and the like: anything we do to improve our defenses must, by definition, improve Europe's defensive situation also.

The Europeans do not see it this way. Many of them, and not only Gaullists, see the ABM as increasing their vulnerability. They stand wholly exposed between our missiles and Soviet missiles. Moreover, the British and French nuclear forces are inevitably downgraded as deterrents, for the ABM systems have a much higher probability of success against small strikes. Some of our commentators have seen this as a virtue, since it presumably would inhibit potential nuclear powers from joining the club and perhaps even induce the French to bring their force under our umbrella.[4] Unfortunately, this is likely to be true only if the French and other potential nuclear states have developed or will develop their nuclear forces to garner *military* advantages vis-a-vis the superpowers. That is not the case: their nuclear forces have been, and will be, designed to extract political and psychological advantages from the superpowers and to serve a military purpose only on the local level.

Great Britain and France are not going to dispense with their nuclear forces, or turn them over to our control, solely because of developments in ABM technology. On the contrary, our defensive efforts will probably succeed only in exacerbating present disagreements. Our minimal effort to consult our allies before making decisions is not conducive to good relations. Worse yet, they may respond by seeking their own ABM systems. This would probably signal the end of the nonproliferation treaty, for signing it would preclude independent development of the necessary technology. While the Europeans may not rate the probability of Soviet military action very high, they will not be able wholly to ignore the military significance of a new arms race between Washington and Moscow. Moreover, the task may be so difficult (since the direct threat against Europe consists of a large number of medium and short-range missiles against which the defensive problem is fantastically difficult and expensive) that they will prefer to decrease their ties with the United States. It may appear that this is the only way in which they can reduce their chances of being an exposed pawn in a resurgent cold war.

---

[3] After this article was written, Secretary McNamara, in his farewell report, announced that the Soviets are apparently not installing a full-scale ABM system (though they have substantially increased the size of their ICBM force). He said that the Galosh system around Moscow had not been expanded or extended to other cities and that the Tallinn system across the Soviets' northwestern approaches is no longer believed to have "any significant ABM capability." It is difficult to take a charitable view of why a different impression had been given earlier, for serious doubts about the reliability of the evidence concerning Soviet ABM installations have been justified from the beginning. At any rate the arguments in this article are reinforced by the Secretary's admission; there is even stronger reason to slow down (if not halt) our own installation of an ABM system; thus far no move has been made to do so.

[4] Thus one writer argues that "possession of ABM systems by the great powers could deter non-nuclear countries from obtaining nuclear weapons while at the same time increasing the deterrent value of the great powers' nuclear forces." (Lewis A. Frank, "ABM and Nonproliferation: Related Issues," *Orbis*, Spring 1967.) This piece seems to me a classic example of the tendency to overemphasize the degree to which decisions by the United States and the Soviet Union about their forces will affect the decisions of non-nuclear states.

This article has suggested that the deployment of ABM systems may have a number of unfortunate consequences, none of which have been sufficiently stressed—and, perhaps, understood—by official spokesmen. There are undoubtedly ways in which these developments can be avoided or at least mitigated. If they do come about, it will not be because we are prisoners of some inexorable technological process or because the demands of security can be met only by policies which are ultimately self-defeating, but because of very human errors of will and foresight.

Finally, if this writer has not been misguided, two propositions must be emphasized: first, in our own security interests we should under-respond to Soviet ABM deployments, at least in the immediate future; and second, our friends and allies have every right, not to say obligation, to place what we (and they) can do for their security—not what we can do to limit damage to ourselves—in the center of their calculations.

ESCALATING RENTS IN THE CITIES

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. RYAN. Mr. Speaker, I have often spoken on the floor of the House on the need to provide more and improved housing in our cities. These problems were discussed in an article by David K. Shipler, which appeared in the New York Times on February 23.

The exodus of middle-class families from the cities that characterizes present "solutions" to the housing shortage is resulting in further strains on city revenue bases which are already badly depleted. The situation for the poor is even more critical. Rental expenses now account for an average 35 percent of the income of those earning between $2,000 and $3,000 per year. This has prevented many low-income families from providing many of the other needs which their families require and deserve.

Until we reexamine our current budgetary priorities—which allot billions to arms and whatever remains for domestic needs—the shortage in housing will continue to grow. I urge my colleagues to keep these needs in mind as we establish the priorities of the fiscal year 1970 budget over the next few months.

The above-mentioned article follows:

FOR MIDDLE CLASS: NO VACANCY—MANY FAMILIES FIND THEY MUST LEAVE CITY FOR HOUSING

(By David K. Shipler)

A young man sits comfortably in his living room in New Jersey and looks through his picture window at one of the most spectacular views in the world: the skyline of Manhattan, across the Hudson River.

But he would rather forgo the view and live in Manhattan, because "that's where it's happening."

The young man, his wife and their new baby are a family that is typical of many that have been driven out of New York City by the shortage of housing.

Six months ago the couple lived in a $135-a-month studio apartment at 85th Street and Lexington Avenue, on Manhattan's fashionable East Side.

With a baby on the way, they began looking for a larger place in the city, renting up to $230.

ROOMS WEST OF THE HUDSON

"We looked for about two months," the young man said, "in Brooklyn, Queens, the Bronx, Yonkers and Manhattan. We couldn't find anything."

Now they pay $268 for a spacious, one-bedroom apartment in one of the modern towers on the west bank of the Hudson. They have a terrace, wall-to-wall carpeting in the halls, a doorman, central air-conditioning and a swimming pool.

And with quick bus service through the Lincoln Tunnel it takes them five minutes less to get to Times Square than it did when they lived on the East Side.

The apartment squeeze produces much cocktail-party conversation among New Yorkers these days. It causes long lines of people to wait by newsstands throughout the city for newspapers with classified listings of precious apartments.

And it has permitted landlords to raise rents in uncontrolled apartments, producing one of the major political issues in this mayoral election year.

ONLY 1.23 PERCENT RENTAL VACANCIES

The Census Bureau expressed the problem statistically when it found, as of last spring, that only 1.23 per cent of rental apartments were vacant, the lowest figure since the years following World War II. The vacancy rate of new apartments never under rent control had dropped from 4.37 per cent in 1965 to 0.73 per cent in 1968.

In the face of rising demand, rents have risen sharply in many of the 600,000 apartments not under rent control. A study ordered by Mayor Lindsay in response to tenant complaints showed the median increase to be 26.5 per cent with each new lease. The Mayor then ordered the real-estate industry to regulate itself or face regulation by law.

Rising rents, however, do not appear to be the only force that is driving the middle class from the city. The question of value received also plays a part. Many families refusing to pay city rent increases in the city are willing to pay them in the suburbs, because there they get larger apartments, lawns, trees and good schools and they are less fearful of crime.

One man, for example, paid the same rent in Yonkers that he had refused to pay in the Bronx. When his $211 apartment overlooking the Hudson in Riverdale was raised to $240 a month, he searched the city for something less expensive. He ended up two months ago in a $240 apartment in Yonkers, with no view of the river.

There is no statistical evidence that the city, on balance, is losing more of the middle class than it is gaining. The city's Economic Development Administration, which keeps track of such things, says it just does not know.

Realty men report that middle-income families are buying brownstones in some city neighborhoods, renovating them and moving in. Some agents who rent to middle-class people estimate that 15 to 20 percent of their leases are signed by those who once lived in the city and are coming back.

One theory about this return is that expenses in the suburbs are rising so quickly that the exodus is tapering off, and perhaps even being reversed. Another is that many of those returning are couples whose children have grown up and moved away, making the suburban house feel empty, and enhancing the attraction of a city apartment.

In any event, for the sizable middle class in New York, rents are rising faster than wages, but most families earning $10,000 to $15,000 a year still pay less than 15 per cent of their income for rent, and 93.8 per cent pay less than one-fourth their income, customarily regarded as a reasonable level.

These are figures from studies by the Census Bureau, based on a sample of 36,000 families (one-third of whom refused to report income). They indicate that, because of rent control, middle-income families can afford the rents almost anywhere in the city, except in some parts of Manhattan—but very few apartments are vacant.

Consequently, the strongholds of the city's middle-income families are not in Manhattan, but in the outlying semisuburbs of Queens and Brooklyn.

The number of families earning $10,000 to $15,000 a year, according to census figures, has shrunk slightly in Manhattan—from 41,000 in 1965 to 39,500 in 1968—while it has risen substantially in Brooklyn and Queens.

The number grew from 39,000 to 49,000 in Brooklyn and from 41,000 to 47,000 in Queens between 1965 and 1968. It also rose slightly in the Bronx.

Some New Yorkers feel that Manhattan is just a place to work—that Brooklyn or Queens or the Bronx is the place to live. Others try to get as close to the heart of things as they can, and that, they feel, is Manhattan.

"If I'm going to move to Queens, I might as well move to Westchester," one young husband said.

"Outer Brooklyn has the disadvantages of both the suburbs and the city," said a man who prefers the city. He has bought a brownstone in downtown Brooklyn and has moved his family in. "Living in Scarsdale does not attract me," he said.

Manhattan is an expensive place for people with children. Rents have been rising more quickly in Manhattan and the Bronx than in the other boroughs and it is probably as a result of this that three-fourths of the households in Manhattan consist of only one or two people. In Staten Island, by contrast, just under half of the families are that small, census figures show.

PRESSURE ON THE POOR

Those who are gouged by rents, according to the census statistics, are the poor. Two-thirds of the families earning $2,000 to $3,000 a year pay more than 35 per cent of their incomes for rent.

The term "middle class" is difficult to define by income, because it connotes not just earning power, but also a style of life, a set by values and tastes, a level of education and a class of occupation.

For the purposes of eligibility in publicly assisted housing, middle income is usually considered to be between $5,000 and $10,000. But the city's housing administration broadened its definition for a study last summer, and called families earning between $6,000 and $25,000 "middle income."

The key bracket seems to be the $10,000-to-$15,000 range, since families at that level are usually not able to afford luxury apartments in the city, but can afford a move to the suburbs.

Many in that bracket are going into cooperatives here, and a large number of rental buildings in Manhattan have been converted recently to cooperatives.

Unfortunately for the middle class, almost all new construction, especially in Manhattan, costs so much that it rents for about $100 or more a room a month, and is classified as "luxury."

This means that new middle-class housing must have public assistance—usually low-interest, long-term mortgage loans, tax abatement—as provided, for example, by the Mitchell-Lama state law—and some discount on the cost of land. Even with such support, the housing now being planned will rent for about $50 a room a month, beyond the reach of some middle-income families with several children.

Despite what Mayor Lindsay has called a "record-breaking year" in starting construction of Mitchell-Lama middle-income housing in 1968, the number of new apartments—6,206—seems small to critics of the Lindsay administration when they compare it with the total of 2,096,058 rented apartments in the city.

About one-fifth of the 6,206 will be set aside for low-income families, leaving 4,966 middle-income units. Other programs began construction of 2,346 middle-income apartments, making a total of 7,312.

The Mayor, confronted with disgruntled and sometimes hostile middle-class voters this election year, has interpreted the numbers as signifying a major breakthrough. But more than half the Mitchell-Lama units were planned during the administration of his predecessor, Mayor Robert F. Wagner, and have taken more than four years to build.

Many of them are going up in urban renewal areas next to low-income housing in a move to integrate and stabilize neighborhoods that the middle class is now fleeing. Housing officials do not believe that housing alone can keep the middle class here, but they feel it is a necessary start.

What will really keep the middle class in the city, they believe, is the kind of thing that influenced the young man who bought the brownstone in Brooklyn. "I'm much more alive as a human being here," he said.

SUPERINTENDENT FOLEY RETIRES

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. MONAGAN. Mr. Speaker, all who know the school superintendent of Naugatuck, Conn., realize how much the proper functioning of the schools there has owed to the determination and leadership of Superintendent Raymond K. Foley. It is, therefore, with the deepest regret that friends of this system have learned of Mr. Foley's plans to retire in June.

Through the years Ray Foley has contributed lavishly of his abilities and talents not only to the Naugatuck school system, but to the community in general. In so doing he has carried on in the tradition of his noted father, the famous Pete Foley. In these times when the demands upon our public administrators are so great and the threat to the continuation of our system is so serious, the departure of Superintendent Foley from active administration is a substantial loss. However, it cannot be denied that he is entitled to rest and repose and although we see him leave with regret, we must wish him well and hope that he will have satisfaction and peace of mind in the years which lie ahead.

CARNAGE AT THE WORKPLACE

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. O'HARA. Mr. Speaker, in a recent edition of the United Steelworkers of America publication, Steel Labor, there appeared an excellent article on the problem of occupational safety and health. Emphasizing the continuing "Carnage at the Workplace," as the article was entitled.

I insert this hard-hitting article at this point in the RECORD:

CARNAGE AT THE WORKPLACE

"While we sit here talking this morning, from now until noon, 17 people in this country are going to be killed while they are working on their jobs."

The words were those of Labor Secretary W. Willard Wirtz; the time, shortly after 9:30 a.m. on Thursday, Feb. 15, 1968. In room 4232 of the Senate Office Building in Washington, the Senate's Subcommittee on Labor was holding hearings on the proposed Occupational Safety and Health Act of 1968.

The on-the-job carnage in the United States—55 workers killed every working day, 8,500 others permanently disabled, 27,200 more being less seriously injured—continues for only one reason, according to the Secretary of Labor. "That is," said Wirtz, "because the people in this country don't realize what is involved. They can't see the blood on the food that they eat, on the things that they buy, and on the services they get."

In reporting the grim statistics prepared by the Labor Department and quoting from sample letters referred to his office from accident victims, Sec. Wirtz noted with regret that he found himself testifying before only two members of a subcommittee that presumably included those Senators with the strongest beliefs on the subject at hand.

The apprehension then expressed by the Labor Secretary was well founded. In the year that has passed since his testimony, Congress has failed to act. During that time, calculated from the average daily on-the-job fatalities and injuries cited in Wirtz' testimony, 14,000 to 15,000 American workers well may have died from occupational injury alone. In that year's time, over two million probably have been disabled and another seven million hurt—a great many needlessly.

The Occupational Safety and Health Act died last year in the Senate Committee on Labor and Public Welfare. While a watered down version of the bill was reported out by the House Committee, it was never acted upon on the House floor.

Sen. Ralph Yarborough (D-Texas), one of the Senators in attendance during last year's hearings on the measure, has vowed, as the new chairman of the Committee on Labor and Public Welfare, to give the bill top priority on the committee's agenda for 1968. Yet, the proposal's chances in the 91st Congress are highly uncertain. Originated by the Johnson Administration, the bill, even if adopted, also requires the approval of President Nixon. A Presidential veto would certainly kill the measure.

The prospects for success, nevertheless, as several witnesses noted in the 1968 hearings, can be materially improved if the real facts of today's on-the-job slaughter can be impressed upon the American people. Special interest opponents of the measure, at the same time, can again be expected to mount a concerted propaganda campaign designed to confuse the true picture of on-the-job injury and death.

While cold statistics cannot convey the depth of the personal suffering stemming from inadequate safety on the job, they can point up the vast and not generally realized magnitude of the problem. Consider the following figures and facts:

Accidents in 1966 cost 255 million man-days of productivity, more than 10 times the 25.4 million days off the job because of strikes that year.

More persons are injured each year in the workplace than on the nation's highways.

During the past decade, the injury frequency rate for manufacturing in the U.S. (number of disabling work injuries per million employe-hours of exposure) has been increasing rather than showing improvement.

Safety breakdowns on the job cost American workers some $1.5 billion in lost wages each year and cost the national economy $6.8 billion a year in lost production.

In addition to the annual accident toll, more than half a million workers are disabled yearly by occupational diseases from the effects of asbestos, beryllium, carbon monoxide, coal dust, cotton dust, cancer-producing chemicals, dyes, pesticides, radiation, and other occupational hazards such as heat, noise, and vibration.

The rate of death and injuries among workers on the job is 50 per cent higher than the rate away from work—and "away from work" includes the hazards of commuting to and from the place of employment.

Almost 85 per cent of the total labor force is currently exposed to the risks of incurring one or more disabling injuries during a working lifetime; three to five per cent will actually experience some form of seriously disabling work injury, including the loss of limb or life.

Over the years, Congress has enacted legislation, often inadequate, designed to meet specific hazards in certain industries, such as those encountered in coal and nonferrous metals mining and in longshoring. Not until last year, however, has any President asked the Congress to consider legislation to provide a comprehensive nationwide system of occupational safety and health standards covering all industries.

Because of the typical objections to safety measures—the alleged inconveniences to employers, the alleged costs involved—such proposals are never easily enacted. A public clamor for federal action and broad national publicity has generally been required to get Congress to move.

Such publicity attended the Nov. 20 Farmington, W. Va., coal mine disaster that entombed 78 men, giving much-needed impetus to proposals for strengthening the mine safety law that Interior Secretary Stewart L. Udall had submitted to Congress early in September. Despite Udall's contention then that the U.S. Bureau of Mines had abundant evidence that many of the nation's coal mines were unsafe, Congress adjourned without acting on his suggestions. Said one department source, "It takes a major mine disaster to get things moving on coal safety."

While airplane crashes and spectacular auto accidents, too, make the headlines in newspapers across the country, occupational accidents and diseases all too often are buried in the company files. Only because the magnitude of on-the-job death and disability is so little realized did Congressmen last year escape massive public pressure for action on the broad safety standards bill.

Heavy special interest pressure, on the other hand, was mounted in 1968 against passage of the Administration's Occupational Safety and Health Act. "The spokesmen for American business, the U.S. Chamber of Commerce and the National Association of Manufacturers," declared Esther Peterson, then Assistant Secretary of Labor, in a hard-hitting address before the Labor Section of the National Safety Council, "marshaled their forces for one of the biggest battles against legislation in behalf of the people since Medicare was proposed."

Moreover, she charged that big business "dominates the National Safety Council," which failed to appear to testify on the bill, as scheduled, during hearings before the House Education and Labor Select Subcommittee last year.

Calling upon the labor representatives in attendance to "speak out loud and clear on your own," Mrs. Peterson said that the NSC Executive Committee overruled the conclusions of a special labor-management committee which were highly favorable to the Administration's safety proposals and adopted instead "a compendium of weak and qualified phrases," skirting the issue of the need for immediate federal action in the establishment of standards.

The original Administration safety bill, in addition to establishing government programs for safety research, training, and education, would have allowed the Secretary of Labor to promulgate safety standards, enforceable through federal inspection and penalties, to cover businesses involved in interstate commerce, which employ about two-thirds of America's 75 million workers. The proposal also called for federal grants to the states for research and development in the field of safety and health hazards. Much of the debate during the Congressional hearings on the measure centered on the standard-setting procedure and the issue of federal-vs.-state jurisdiction in the safety field.

The bill that emerged from the House Committee was a greatly rewritten version that would establish safety standards "under a consensus method by a nationally recognized standards producing organization" or through advisory bodies composed of representatives from business, labor, state health and safety agencies, professional organizations of technicians, and standards producing organizations. Additionally, states would have the opportunity to retain occupational safety responsibility by developing plans of their own with standards "relating to one or more safety or health issues" that "are or will be substantially as effective in providing safe and healthful employment" as the federal standards.

Ralph Nader, who blew the whistle on the auto industry's disregard for safety and has represented the interest of the American consumer on a variety of other matters, commented on the weakening of the original safety bill when he testified before the Senate Subcommittee on June 28 and July 2. "I am quite aware," he said, "of the misuse of states rights assertions to cover up special interests, to cover up neglect and to cover up callousness." Pointing out that an average of only 40 cents per worker per year is spent for industrial safety and health by the states (Texas and Oklahoma spend about two cents per worker annually), he maintained that state "standards are most often written by the people that are supposed to observe them; namely, industry."

"I am concerned," Nader continued, "about the prospect of legislation being enacted with the standards-setting mechanism largely taken over by industry groups such as the U.S. Standards Institute of America." Strongly backing the provision of the original bill which would give the Secretary of Labor authority to establish safety standards on his own, without first obtaining "consensus" on those standards, he stated that such independence in standard-setting was needed "so that all viewpoints can be considered not on the degree of political power behind them, but on the degree of scientific and humane merit."

While urging organized labor to become a stronger and more forceful sentinel for worker safety, Nader centered most of his fire on American industry, which he accused of consciously underreporting occupational accidents. Noting the opposition to the proposed federal legislation from such groups as the American Iron & Steel Institute, which testified at both the House and Senate hearings, he declared, "I think it would be very interesting to look into the opposition here, and see before how many state legislatures those same groups have proposed state safety laws."

The AI&SI, the trade association of the steel industry, in fact, was one of the major opponents of the proposed bill, despite its own contention of high safety consciousness. Praising the safety record of the industry, Leo Teplow, vice president of industrial relations for the institute, argued that such legislation was unnecessary and would be abused.

"In connection with a wide variety of grievances stemming from a change in job, change in temperature, or change in crew size," he stated, "safety or health issues are frequently alleged merely to build up a case." Passage of the proposed legislation, he continued, "would tempt many an employe representative to boost his stock by calling on the federal government, since the very presence of a federal inspector could be used to demonstrate his importance and influence."

Teplow also tried to relate the bill to strike situations in "many industries in this country," noting that management personnel after "are called upon to continue the plant in operation, at least until materials in the pipe line have been processed. . . . Such emergency operations might very well be prevented," he went on, "on the plea that a reduced crew makes the operation unsafe."

Legislative Representative Clinton M. Fair, who testified before the Senate Subcommittee on June 28 in support of the original safety bill on behalf of the AFL–CIO, pointed to the recent death of four construction workers in an accident in Virginia, just across the Potomac from the nation's Capital. Noting that Virginia, like 39 other states, had no safety standard at all with respect to concrete construction, he declared, "I submit the record is clear that to continue to leave to the states sole jurisdiction over the occupational health and safety of 75 million workers would perpetuate an intolerable injustice."

The fact that certain states show better safety records than others strengthens rather than detracts from such a statement, points up testimony presented by Sec. Wirtz. "In those states which spend substantial amounts of money in regulatory and promotional programs in the field of occupational safety and health," he said, "the injury rate is about one-fifth of what it is in those other states in which there has been no substantial attention given to the problem." The comparison "shows what can be done if we just care enough about it to live up to our own humanity," stressed the Labor Secretary.

The Congress, in 1968, apparently did not care enough. It certainly did not live up to its responsibility to deal with this problem of vast importance to 75 million American workers. With the 91st Congress now in session, however, Sen. Yarborough and others have pledged to renew the fight. Congressman James G. O'Hara (D-Mich.), joined by 33 co-sponsors, already has introduced a safety bill, H.R. 3809, tougher than that which last year emerged from the House Education and Labor Committee.

In 1968, the Legislative Department of the United Steelworkers sent a letter to every USWA local union in the country urging communication with its Congressman and Senators on the safety measure—one of the few issues about which such a request was made. The department, which can be helped immeasurably by a rising tide of public pressure on the subject of occupational safety, again this year will put forth every effort in lobbying for the strongest possible bill.

At the same time, a four-man committee, recently appointed by USWA President I. W. Abel, will soon report on a study concerning the possible revision of the union's structure in the related fields of safety and workmen's compensation. Chaired by District Director Charles Younglove and including District Directors Harry O. Dougherty, Bertram McNamara, and Lawrence F. Sefton, the group will submit to the International Executive Board its recommendations for strengthening the union's capacity to meet the current challenges in these crucial areas.

THE MEDICAL DEVICE SAFETY ACT OF 1969

HON. THOMAS S. FOLEY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. FOLEY. Mr. Speaker, the gentleman from Washington (Mr. ADAMS) and I last Thursday introduced legislation—H.R. 7315—entitled "The Medical Device Safety Act of 1969," which would require premarketing clearance of certain medical devices which are not generally recognized as safe and effective by qualified experts, such as organ substitutes and certain contact lenses, and the establishment of standards to insure the safety and performance of certain classes of devices—such as bone pins, catheters, and diathermy machines.

For those devices requiring premarketing clearance, manufacturers would be required to submit data to establish safety and reliability. This evidence would be evaluated by a team of experts within the Department of Health, Education, and Welfare, with necessary advice from nongovernmental consultants.

For those devices requiring conformity to standards, the standards would be adopted by the Department of Health, Education, and Welfare after consultation with nongovernmental experts and existing standardmaking organizations. It is expected that such standards would be modified periodically with advances in scientific and clinical knowledge.

Administrative review, including the right of a hearing, would be available to anyone adversely affected by such a ruling.

The proposed premarketing clearance procedures would not generally apply to devices which are ordinary and simple patient care items; which have withstood the test of time on the market and are generally recognized as safe and reliable; which are made to the specifications of a physician's prescription; which are custom made for use by an individual specialist, or which are in the process of scientific development.

The law would be administered by the Department of Health, Education, and

Welfare, with the advice and guidance of other governmental agencies and of qualified nongovernmental groups and individuals.

The need for this legislation derives from the revolutionary advances in the development of medical devices, which have taken place since the original enactment of regulatory legislation in this field over 30 years ago. These achievements in medical technology have introduced a broad array of devices that are new, not only in purpose and usefulness, but often in the very materials used in the manufacture. Surgical implants, contact lenses, artificial kidneys, and synthetic arteries are examples of the significant advances that have been taken place in recent years. The current progress in the development of artificial hearts is still another momentous forward step.

This research and innovation must be encouraged to insure the further development of livesaving devices. At the same time, the consuming public as well as the physician is entitled to the assurance that a particular device has been adequately tested and proved safe and reliable. In the case of devices, such assurance cannot be given under existing law. Presently, Federal law permits the Government to take action only after the device has reached the market, and frequently only after injury has occurred. Appropriate legislation, with sufficient safeguards to protect research, innovation, and development, should be approved now to close this gap.

Mr. Speaker, I include the full text of a letter—exhibit 1—I received from the Food and Drug Administration on June 11 last year at this point in the RECORD. This letter illustrates some examples of injuries caused by improper design, malfunctions, and poor or inadequately made medical devices.

Mr. Speaker, I also include articles entitled "Designers of Medical Instruments Face Serious Questions on Safety," from the February 17, 1969, issue of Electronics, exhibit 2; "Accidental Electrocutions Claim 1,200 Patients a Year," from the January 27, 1969, issue of Electronic News, exhibit 3, and "Electrical Risk in Hospitals Is Held Rising," from the February 17, 1969, issue of The Washington Evening Star, exhibit 4, at the conclusion of my remarks along with a brief section-by-section analysis of our proposal—exhibit 5.

We are particularly concerned to add diagnostic devices to the subject matter of our proposal because a large number of hospital patients are accidentally electrocuted every year while receiving routine diagnostic tests, as Mr. Ralph Nader disclosed last Wednesday before the National Commission on Product Safety. In this regard, I also include an excerpt from an article entitled "1,200 Patients Get Electrocuted Yearly, Hearing Told," from the Washington Post of February 20, 1969—exhibit 6—at this point in the RECORD.

Mr. Speaker, the President's consumer message of 1967 recommended legislation of this general nature. I surely hope that the Committee on Interstate and Foreign Commerce will examine this matter in public hearings at their earliest opportunity.

EXHIBIT 1

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, FOOD AND DRUG ADMINISTRATION,
Washington, D.C., June 11, 1968.

Hon. THOMAS S. FOLEY,
House of Representatives,
Washington, D.C.

DEAR MR. FOLEY: Both Dr. Lewis of our Bureau of Medicine and I were pleased to receive your letter of April 8, 1968.

For approximately two years, representatives of FDA's Bureau of Medicine have been investigating and interviewing physicians who have knowledge of injuries associated with devices. We have gathered many examples of injuries which have resulted from improper designs, malfunctions, and poor or inadequate tested devices. Some of the more serious occurrences are as follows:

In one report from a Midwest hospital three patients died during electrocardiographic tracings. Afterwards, the technician, when questioned, recalled receiving a shock when plugging in the machine. Examination of the machine indicated that the wiring was faulty resulting in the direct application of the line current to the patients. This may have been responsible for electrocution. As a result, some physicians have their own electronics technicians or engineers check all wiring before these machines are used.

One particular make of anesthesia machine has caused deaths because of poor design. This type machine utilizes a liquid anesthetic which is vaporized prior to inhalation by the patient. The model in question was so designed that it was possible for the container to be overfilled. This resulted in the patient breathing in a lethal concentration of the liquid anesthetic. This happened several times, and the machine has since been modified.

We have received reports that artificial heart valves have been manufactured with surface defects. These defects resulted in excessive clot production and propagation, and in some instances the outcomes were fatal. As a result, the manufacturer improved quality control, but unfortunately for some, too late.

Another report involves a hemodialysis, or artificial kidney machine. If the pump on this machine did not function properly it triggered an alarm. This alarm mechanism automatically threw the particular pump out of the circuitry. However, the technician in charge pressed an override switch which he had seen demonstrated previously by the installer of the machine. This resulted in the pump going back into action. Three out of four patients on the machine died after receiving distilled water intravenously. This could be construed as an indication of inadequate instruction, poor labeling, or perhaps poor engineering.

Other examples include certain types of hip prostheses which sustained severe mechanical disruption and caused tissue reaction. This necessitated correction by additional surgery. There are also numerous instances of metal implants of various types which broke or became corroded.

I hope that these examples are of the type in which you express interest. Please let me know if I can be of further assistance.

Sincerely yours,
MORTON M. SCHNEIDER,
Office of Legislative and Governmental Services.

EXHIBIT 2

[From Electronics, Feb. 17, 1969]

DESIGNERS OF MEDICAL INSTRUMENTS FACE SERIOUS QUESTIONS ON SAFETY

(By Owen Doyle)

(NOTE.—Many engineers and physicians say hospital electrocutions are increasing; the Government may step in if action isn't taken soon to improve control of leakage currents and other sources of danger.

Hospital electrocutions are on the rise, according to many engineers, doctors, and others. Statistics aren't available, but the safety of electronic medical instrumentation is being questioned more and more. And instrument designers are getting part of the blame. The out-and-out dangerous instrument is rare, though not extinct. But some devices rely too much on operator skill. Others lack fail-safe protection or aren't designed to work safely with other instruments.

The problem has already reached Congress. The Medical Device Safety Act, which died in committee last session, will be introduced again this year. And if Congressmen don't see results from the efforts of instrument companies and hospitals to reduce the risks, one headline-making tragedy may be enough to get a safety act passed and bring the Food and Drug Administration into the act.

Of course, the danger of electrical shock has always been present in hospitals. But the chance of electrocution has gone up rapidly in the past decade. Ironically, the risks have risen for the same reason that the quality of some types of medical care has improved: the insertion into the body of catheters that transmit data on physiological parameters is becoming routine. And the heart, the organ most sensitive to small electrical currents, has been the organ most probed. The catheters bring vital information from the body, but they can also bring current into the body.

Before the appearance of the cardiac catheter, dangerous currents were measured in milliamps. But when there's an open road to the heart, as little as 20 microamps can be lethal. The problem facing physicians and engineers is to close the road to leakage but keep it open to data.

Inserting a catheter into a heart chamber is simple and painless. Usually, the physician inserts a long hollow needle into an artery or vein in the arm or leg, then feeds the catheter through the needle until the tip reaches the section of the heart where measurements are to be made. The most common parameter measured is total pressure of the blood at a specific heart site, but other types of catheters are becoming available for measurements of parameters other than pressure, such as blood pH, concentration of oxygen or carbon dioxide in the blood, and metabolic rate.

After the thin plastic tube is inserted, it's filled with a saline solution and connected to the chamber of a pressure transducer. A strain gage lies at the bottom of the chamber, so the fluid directly transmits the body pressure to the strain gage. The salt, required to make the fluid compatible with blood, also makes it an excellent conductor. A few stray millivolts between the fluid and ground can send lethal currents flowing into the heart wall.

The lack of statistics can be attributed mainly to two factors: hospitals, naturally enough, are reluctant to talk about the subject, and in many cases the evidence that death is due to shock from leakage currents is circumstantial. Patients with catheters in or probes on their bodies are often very ill. Unless the current is high enough to burn or produce sudden rigidity there is no way to prove electrocution. A small current flowing in the body does nothing that shows up in an autopsy. Dr. John Bruner, a Massachusetts General Hospital anesthesiologist, points out that death from fibrillation induced by current from a catheter is indistinguishable from death by "natural causes."

Based on how currents get into the body, electrical shock can be broken down into gross and microamp types.

Gross shock occurs when the current passes through the skin. Skin resistance can run as high as 1 megohm, depending on the amount of dirt, sweat, body oil, and other substances. A patient's body is clean, however, and when electrodes are to be attached to a patient the physician usually scrapes away the layer of dead cells on the skin's surface. As a result, skin resistance under an electrode, such as the type used with electrocardiographs, is typically less than 1,000 ohms. A current of around 20 milliamps flowing through this resistance can cause fibrillation.

In a common type of ECG setup, two electrodes are placed on the patient's chest and a third, attached to the ECG's ground terminal, is placed on his leg. If a patient with electrodes attached were to touch something above ground potential, a dangerous level of current could flow through him.

Although it usually causes fibrillation, gross shock can be lethal in two other ways. If the current comes in through the skull, it may attack the brain's respiratory control center. Elsewhere, it can paralyze the muscles used in breathing.

The lethal current that gets into a catheter is usually leakage, generated because of poor grounding. But currents can also be produced if electronic instruments are poorly designed or wrongly used, or if a component in an instrument fails. Also, some instruments, perfectly safe when operated by themselves, generate dangerous currents when used with other equipment.

In some hospitals the power ground is used as the instrument ground, says Paul Stanley, a physicist at Purdue University and an instrumentation-safety activist. Stanley points out that a power ground is often just a thin-walled conduit whose resistance may be as high as 0.006 ohm per foot. If, for example, 100 milliamps were to flow through this ground, the instrument end of the ground could easily be 100 millivolts above the other end.

Another reason it's dangerous to use a power ground as an instrument ground is that when there's a break in the cable's ground lead or when the ground pin snaps off the plug, the instrument continues to work, even though it can now be a source of leakage. And says Dr. Bruner: "The plugs and cords we get on instruments now are totally inadequate."

J. A. Hopps, a senior research officer in Canada's National Research Council, explains the problem this way: "Accidental current is normally controlled by grounding the equipment chassis. . . . In many hospitals the existence of any sort of ground system is suspect. Older hospitals may have no ground wires at all."

The voltage that drives the leakage current can come from various sources. The electrical appliances found in hospital rooms—television sets, radios, lights, motorized beds—could be faulty. The beds seems to be the worst offenders. Many investigators have spot-checked beds in their hospitals and reported that 70% to 90% of them were poorly grounded. Says Dr. Harold Laufman, director of the Institute for Surgical Studies at New York's Montefiore Medical Center: "We don't have a good hospital bed. They can make them in French provincial, they can make them in colonial, but they don't seem to be able to make them safe."

TRANSIENT TROUBLE

Joseph Neuland, manager of Beckman Instrument Inc.'s clinical instruments operations, points to another danger spot: the shock hazard due to component failures in an instrument's power-supply circuit. Just about every medical instrument has either dual supplies or a single supply with a positive and negative output potential. If there is a failure, says Neuland, a large transient current can flow through the input leads and into the patient. And simply turning some instruments on or off can cause large transients. Neuland's solution is to build failure sensors into power supplies; this is being done by some manufacturers.

Neuland points out two other situations that could be hazardous. There is too much 60-hertz leakage from the power lines to some instruments in their normal operating state. This, he says, could be solved by properly shielding transformers.

And, according to Neuland, many of the amplifiers connected between a probe and an instrument have capacitors to cancel out the effect of large electrode-offset potentials. These potentials can go as high as 500 millivolts, says Neuland, so there's often a lot of energy stored by the capacitors. Under certain conditions, he says, this energy can be discharged through the patient to ground. So anyone designing blocking capacitors into an instrument, says Neuland, must make sure that the discharge current is carefully controlled.

The blame for these hazardous conditions, however, can't be placed entirely on one group. Says Hopps: "The responsibility must be shared by the equipment manufacturer, the hospital designer, and the medical user. The manufacturer's culpability generally derives from an inadequate comprehension of medical procedures and physiological factors. . . . In his desire to achieve versatility, he may unwittingly sacrifice protective features. He may assume that the user has technical competence to operate the instrument safely, and this is the most erroneous assumption . . . and a manufacturer usually considers his product a discrete unit rather than part of a patient treatment system."

Others are not so understanding about the manufacturers' efforts. Says Dr. Laufman: "There's been a lot of gimmickry and misrepresentation in this instrumentation business." Harve Hanish, president of Biocom Inc., a medical instrumentation house, is no more sympathetic. He feels that there hasn't been nearly enough improvement in medical instrumentation, and not just in the safety area, over the past few years. He charges that the instrument industry is suffering from the "Detroit syndrome." Manufacturers appear compelled to bring out new models every year, not changing the electronics, just making the cases fancier," he says.

David Lubin, administrative engineer at Baltimore's Sinai hospital, also finds fault with the instrument makers: "Most electrical equipment purchased today is factory-equipped with grounding facilities in the power cord and attachment plug. The catch lies in the fact that too often the devices furnished with electrical equipment to provide grounding for safety are weak, easily broken, and poorly designed for rough handling. They aren't proper because they're not foolproof, not fail-safe, not reliable."

But others also come in for criticism from Lubin: "The blame cannot be placed entirely on the manufacturer or entirely on any one condition. The situation as it exists today is the result of a combination of factors that involve the newness and subtlety of the hazard, the complacency and apathy of hospitals, an almost total lack of standards relating to specific devices for specific hospital applications, confusion in some codes, and the unfortunate fact that connection devices that will work on light-duty, generally nonhazardous items such as electric clocks will also work on critical medical instrumentation."

Richard Lloyd, assistant to the president of Underwriters Laboratories Inc., proposes some immediate changes in the design of instrumentation systems. Lloyd would:

Require a ground-fault detector.

Require that isolating transformers serve one patient area only and be provided with a grounding shield between primary and secondary windings.

Restrict the size of the isolating transformer, the length of the circuit, and the type of insulation used on the conductor to keep leaking down.

Require surge or overvoltage protection on all circuits entering or leaving the patient area.

Require the use of double-insulated equipment where grounding doesn't provide the necessary protection.

Consider the use of ground-fault circuit interrupters on medically nonessential circuits.

A LONG LOOK

Stanley, while naturally urging immediate changes where they can be made, feels that now is the time for a sweeping attack on the problem of shock in hospitals. Says Stanley: "Committees formed by Federal agencies, professional societies, safety organizations, and industry are scrambling to establish standards aimed at making cardiac monitors, pacemakers, defibrillators, and all kinds of still-uninvented devices safe for use in the hospital and clinic. The effort is commendable, but the word scrambling is used advisedly. Decisions reached and rules codified without careful analysis could stifle the development of new concepts if the decisions and the rules are too strict; if standards are too liberal, they provide little of the safety they are intended to ensure. And whether too strict or too lenient, codes once printed are difficult to change."

The program Stanley proposes would first involve defining the problem. "There should," he says, "be careful study to determine how real the dangers are. Are electrical fatalities caused by medical instrumentation on the increase? Is the rate of increase as large as some fear?" Once these questions are answered, says Stanley, it would be possible to make sure that safety is designed into systems, to establish adequate controls over existing problems, and to begin review programs so equipment design could be continuously brought up to date.

He also suggests re-evaluation of the body's sensitivity to electric shock, particularly in regard to maximum safe currents, and studies to determine whether the pathological heart is more susceptible to electric shock than the healthy heart and how various medications affect fibrillation thresholds.

A CONGRESSMAN'S WIFE

Stanley isn't specific about who should undertake or pay for such a program, but there's a good chance the Government will enter the area of medical-instrumentation safety.

The Medical Device Safety Act would authorize the FDA to pass on the safety and efficacy of medical instrumentation and to set standards for devices that are implanted in body cavities, placed in contact with mucous membranes, or delivering energy to the body. Exempted would be devices that have been around long enough to have proved themselves, such as fluoroscopes; instruments under clinical investigation, and those custom-made for a licensed practitioner.

Whatever the chances of the bill this year, it seems likely that some kind of legislation will be adopted in the next few years. "I don't like to see the Government get involved in this," says one physician, "but I'm afraid it's going to have to happen. Hospitals and manufacturers have had their chance and just don't seem to be able or willing to do anything about the safety problem. Congress isn't under that much pressure now to pass any kind of bill. But let one congressman's wife get burnt while she's in the hospital, and we'll have our standards the next day."

EXHIBIT 3

[From Electronic News, Jan. 27, 1969]

ACCIDENTAL ELECTROCUTIONS CLAIM 1,200 PATIENTS A YEAR

At least three patients in United States hospitals are accidentally electrocuted each day.

The total number of electrocutions annually is about 1200.

According to Dr. Carl W. Walter, a surgeon at Peter Bent Brigham Hospital, Boston, who supplied the figures, most of the patients killed were not in terminal condition but were undergoing "routine diagnostic tests," or "routine treatment."

Dr. Walter's figure of 1200 accidental electrocutions annually was quoted last week at the Reliability Symposium held in Chicago. Speaking at a session on "Reliability of Medical Instrumentation," John A. Hopps, Radio & Electrical Engineering Division, National Research Council, Canada, said:

"Internal electric shock is a subtle hazard that has often escaped recognition. As a result, many patient deaths were attributed to other causes. Even with an increasing awareness of the problem, it is not surprising that many of the accidents which lead to fatalities are not reported. It has been estimated that about 1200 patients a year are electrocuted during hospital treatment in the U.S.A."

In a telephone interview last week, Dr. Walter said he received the figures from an actuary for a national United States insurance company which made a computer study of the situation.

"It raised quite a stink when the firm realized I had the figures," Dr. Walter said.

Dr. Walter said many hospitals are unaware of the cause of death in the electrocution cases. He said it was this fact that prompted the insurance company to do the study.

There are a variety of reasons for the deaths, according to Dr. Walter and Harold Greenberg, operating manager, Orion Research, Inc., Cambridge, Mass., who chaired the session at the Chicago symposium.

Mr. Greenberg said most of the deaths can be attributed to hospitals linking incompatible types of equipment together.

Dr. Walter added that was only one of the causes. He said another cause was the high leakage current from equipment and poor circuit design.

"There are two prominent United States manufacturing firms that are presently selling machines that are highly dangerous," Dr. Walter said.

Another cause of accidental electrocution, according to Dr. Walker, is hooking the patient to medical instrumentation for long periods of time, such as in an intensive care unit.

"The patient frequently is in the ground loop," Dr. Walter said. "All he has to do is touch a metal faucet or another piece of equipment and that's it," he added.

Dr. Walter said another cause of electrocution is errors by hospital personnel who, as a rule, have no training in electronics. Dr. Walter added the average hospital has absolutely nobody qualified to operate electronic equipment.

"Sometimes the firms who supply the equipment are careful about training personnel to operate the gear and follow the maintenance of the equipment very closely. However, most firms are not that careful," he added.

There are very few hospitals throughout the United States that maintain experts in electronics to operate complicated instrumentation, Dr. Walter said.

Mr. Greenberg said there might be three or four who maintain experts but as a whole hospitals don't hire experts. He said most hospitals will look for a doctor with some experience in electronics and assign him the task of looking after electronic equipment.

INCREASING PROBLEM

Leon Pordy, M.D., assistant clinical professor of medicine, Mount Sinai School of Medicine, said the problem of accidents occurring through the use of electronic equipment is "an increasing one." Reason: "We're using more and more electronic equipment. In the past this equipment wasn't available, but now patients in an operating room are wired up for 16 different things." He noted, however, that as the problem increased, so did everyone's awareness. "Every precaution is now taken to avoid accidents. In our own work, the first consideration is that the patient is not grounded."

Dr. Pordy said that "suppliers of electronic equipment have the first responsibility to make sure their equipment is safe. And doctors have the second responsibility to make sure the equipment is used properly.

Dr. George Myers, professor of electrical engineering, New York University, agreed the use of electronic equipment presented problems but said he had "no personal knowledge of the extent of the problem." He did note however, that one potential cause of accidents is poor wiring in some of the older hospitals.

There is no common ground for the various electrical outlets in these hospital rooms, which could cause leakage currents to flow through the patient's heart. This can cause fibrillation, uncoordinated beating of the heart, which leads to death in a matter of minutes. The heart feels like "a handful of worms, just squirmy."

Dr. Bertram Spector, vice-president of research, New York Institute of Technology, noted that slipups and accidents can always occur in the use of electronic equipment. What is needed, he added, is a "commitment by hospital administrations to educating their staffs on the proper use of the equipment."

CONFIRMED DEATHS

A faculty member of Columbia University's College of Physicians and Surgeons, who declined to be identified, confirmed that deaths have been caused by electronic equipment. But the extent to which electronic equipment is directly responsible is difficult to assess. He said that he had heard the figure of 1200 accidental electrocutions a year, but has not seen the medical data on which the figure is based.

Electronic equipment, he stressed, must be designed to prevent injury to patients—and to doctors. There have been cases, he added, where doctors received shocks from equipment and were hospitalized. Manufacturers are improving their equipment to some degree. In addition, hospitals need to test equipment on arrival and then maintain it regularly. And hospitals must also design the building's wiring to prevent accidental grounding of patients. Some hospitals are already doing this, he noted.

The National Fire Protection Association and the Underwriters Laboratory, among other organizations in the United States, have committees which are drawing up a list of requirements to make medical equipment safer, he said.

"We have documented that 40 per cent of incoming equipment is defective." So said Seymour Ben-Zvi, director of scientific and medical instrumentation at Downstate Medical Center, State University of New York.

Mr. Ben-Zvi said Downstate has an elaborate testing program and has found "many instances" where problems of electronical safety has been overlooked.

He described a defibrillator which through a vacuum relay problem was capable of discharging high voltage into a heart patient before the physician had signaled for it.

SCARCE STATISTICS

Martin Friedlander, an engineer at Columbia Presbyterian Medical Center, said he didn't like "scare statistics. I'd much rather approach things calmly and try to do something about it."

"You have to compare any kind of shock hazard with the incidence of the same sort of thing in the home. I understand that most of the people in this country who die in accidents, die in the home," said Mr. Friedlander.

"I don't think it's a major hazard to the American hospital patient; I wouldn't say that at all."

He went on to describe equipment techniques being developed at the hospital to increase patient safety.

Richard Merris, sales manager for Dallons Instrument, a division of International Rectifier Corp., El Segundo, Calif., said the 1200 figure sounded "about right" but pointed out that these cases are caused by ac current leakage from "all types of electrical equipment," not just medical electronic instrumentation.

The ac current reacts more on some patients than others and causes fibrillation of the heart muscles.

Mr. Merris said the problem has become a factor in selling instrumentation to hospitals and Dallons has solved the problem by having its monitoring equipment which is directly connected to the patient all approved by Underwriters Laboratory.

"Unfortunately, there is no requirement at present for UL approval on such equipment and many smaller companies are not going to the trouble or expense of seeking approval," he said. He added that a uniform requirement for approval would be one method of fighting the problem.

Mr. Merris said deaths from ac current leakage rarely happen in intensive care units, where electronic monitoring equipment is most frequently used. If fibrillation were to occur in a patient under intensive care, an alarm would immediately be sounded telling the hospital staff that his heart action was abnormal.

The problem, he said, is more with "the poor guy in a room with a stomach pump" or other standard electrical equipment. If accidental electrocution occurs in such cases, "he may lay there for an hour before anyone notices."

Richard Cramer, president of Ivac Corp., manufacturers of electronic mointors for intravenous feeding control, said one of the most acute dangers is the use of separate instruments for diagnostic procedure on the same patient at the same time. He said that in such cases, where physiological diagnosis is being made by introduction of an electric current into the patient's body, the addition of another current from another instrument could create a lethal electrical loop.

With most instruments, especially monitors, the only danger is that common to any appliance, he said. That is the possibility that patient or nurse may touch the machine at a time when there is some leakage of power. Precautions used by Ivac are the use of isolation transformers and of self-destruct fusing devices which cannot be replaced except at the factory.

Hewlett-Packard Co. says many accidents are due to poor isolation between the instrument and the patient's body. The company recognized the problem several years ago, and built isolation into its heart pacemaker in 1965. The first measuring instrument to be isolated was the 1500 Series electrocardiograph in 1967.

The company is now in the process of isolating its entire medical instrumentation line, but conversion has not been completed.

An H-P spokesman pointed out the extreme necessity of good grounding, with all equipment returning to the same ground point. All H-P instruments use 3-wire power cables, with separate grounds.

The spokesman also pointed out that the most dangerous voltage to human life is in the 700–800V range. This is the voltage which sets the heart into uncontrolled difibrillation, while higher voltages cause tensing only, with the heart frequently returning quickly to its normal rate after voltage is removed.

A spokesman for the American Hospital Association in Chicago, which represents about 96 per cent of all United States hospitals, said the group had no independent data of its own on such deaths. He said the group could not comment on Dr. Walter's figure.

Throughout the survey, no one denied the figure of 1200 deaths or offered a lower estimate.

EXHIBIT 4

[From the Washington (D.C.) Evening Star, Feb. 17, 1969]

ELECTRICAL RISK IN HOSPITALS IS HELD RISING

(By Judith Randal)

NEW YORK.—Electrical hazards are exceeded only by the misadministration of drugs and falling out of bed as the leading cause of hospital accidents, according to three experts who say the risk continues rising with the increasing use of sophisticated devices by hospitals.

Speaking here at a weekend conference on medical electronics, the three—Dr. Carl Walters, a surgeon at Peter Bent Brigham Hospital in Boston; David Lubin, administrative engineer of Sinai Hospital in Baltimore, and Paul E. Stanley of Purdue University School of Engineering—said hospitals tend to be apathetic about the problem and equipment manufacturers indifferent.

They called for stiff quality standards and the machinery for enforcement.

Stanley, who is a professor of aeronautics and astronautics as well as an expert on hospitals, said part of the trouble is that medical instrument manufacturers believe their responsibility ends when someone plugs a device into the wall.

Among the dangers, the experts said, are cheap molded plastic plugs for even the most delicate and expensive machines, crudely put together wall outlets, shoddy cables and equipment of all kinds that is not properly grounded.

Even low voltages can be dangerous—it's the amperes that kill. For this reason, they said, hospital electrocutions are on the rise. If a very sick patient is linked by electrodes to a monitoring system, it's often difficult if not impossible, to tell whether he died of his disease or of a shock from the equipment.

The dangers are particularly acute in surgical recovery rooms and coronary care units, the panel told reporters at a news briefing. In the Boston area alone, said Walters, there were three recovery room fires traceable to electrical accidents last year. In one, 12 unconscious patients had to be hurriedly evacuated.

The experts also agreed that many physician specialists know how to use equipment, but are not familiar with its workings should something go wrong.

"A salesman comes in and the specialist trusts the salesman," Lubin said. "But no circuit diagram or manual comes with the machine."

Lubin also said physicians and hospitals are often poorly informed about when electrical equipment should be cleaned because manufacturers are reluctant to admit that poor design permits it to become dangerously dirty in the first place.

Walters agreed. He had, he said, just been asked to look at some devices at New York Hospital and culture the bacteria he might find in them. What they needed, he said, was "not a culture, but a shovel."

Another danger, he said, is the protruding dials and knobs on electronic devices. These fall off all too easily, he explained, and in a crisis, when everyone's attention is focused on the patient mistakes are easily made.

EXHIBIT 5

BRIEF SECTION-BY-SECTION ANALYSIS

TITLE I—AUTHORITY TO ESTABLISH STANDARDS

Section 101 amends Chapter V of the Federal Food, Drug, and Cosmetic Act by adding a new section relating to the standards for medical devices.

Section 513(a) authorizes the Secretary of Health, Education, and Welfare to establish standards for devices when such action will protect public health and safety.

Section 513(b) requires that the Secretary, in developing standards, shall consult with and give appropriate weight to standards published by other Federal agencies and National or international standard-setting agencies, and shall invite participation of others representative of scientific, professional, industry, and consumer organizations.

Section 513(c) establishes the procedure for issuance, amendment, or repeal of standards related to those now incorporated in the Federal food and drug law (announcement and hearings on proposed rule making), but authorizes also the use of a referral to an independent advisory committee, outlined in Section 513(d) below.

Section 513(d) authorizes those who would be affected by a standard to request a review of a proposed standard, or any matter involved in such a proposal, to an independent advisory committee for consideration.

Section 102 makes conforming amendments in section 501 of the present food and drug law by amending the section defining "adulterated drugs and devices" to include devices which do not meet a standard set forth in accordance with Section 513 above, where such a standard exists.

TITLE II—PREMARKET CLEARANCE OF CERTAIN THERAPEUTIC DEVICES

Section 201(a) amends section 501 of the present food and drug law by deeming a device "adulterated" if it is unsafe, unreliable, or ineffective with respect to its use or intended use.

Section 201(b) amends the present food and drug law by adding a new Section 514, "Premarket Clearance for Certain Therapeutic Devices."

Section 514(a) sets forth conditions for when a premarketing clearance is required. States that a device is to be deemed unsafe, unreliable, or ineffective for purposes of applying section 501(f) above when—

(1) The device is not generally recognized by experts, qualified by scientific training or experience, to be safe, reliable, or effective for use under the conditions prescribed, suggested or recommended; and,

(2) The device is intended for or is used within the human body, intended to be used for subjecting the human body to some process, or after investigation is found to be ineffective, unsafe, or unreliable.

Unless (1) a new device application has been filed, or an approved application exists; (2) is exempted as outlined in 514 (j), (k), or (l) below, or (3) is used solely in animals other than man.

This section also requires that the Secretary shall maintain and publish a list of devices which are generally recognized as safe and effective for their uses.

Section 514(b) describes the contents and procedure for new device applications to comply with the clearance procedure set forth in 514(a) above. These applications must contain—

(1) Information and data to show the safety, reliability, and effectiveness of the device,

(2) Composition, properties, and principles of operation,

(3) Methods and controls used in manufacture,

(4) Identification of the applicable standard and information to show that the device meets the standard,

(5) Samples of the device,

(6) Specimens of labeling, and

(7) Other requirements the Secretary may require.

Section 514(c) requires the Secretary to act on application within 180 days after filing by approving, denying and affording an opportunity for hearing, or suspending the time limit pending the report of an advisory committee.

Section 514(d) establishes the bases for approval or disapproval. Disapproval would be made where—

(1) The device is not safe or reliable under conditions prescribed,

(2) Manufacturing or processing controls do not meet good manufacturing practices,

(3) Lack of substantial evidence that the device has the effect it purports,

(4) Has false or misleading labeling.

Also defines substantial evidence to mean evidence from adequate and well-controlled investigations, including clinical investigations.

Section 514(e) authorizes the Secretary to withdraw approval of an application where—

(1) Other data, or later evidence, indicates that the device is unsafe or unreliable,

(2) New information shows the device to be ineffective,

(3) The application contains untrue statements of material fact,

(4) There is a failure to maintain records, as required elsewhere in the bill (see new section 515).

(5) Good manufacturing practices are not employed as required elsewhere in the bill (see new section 501(g)).

(6) On the basis of new information, the labeling is false or misleading.

Where an imminent health or safety hazard is involved, the Secretary is authorized to suspend approval immediately and to provide for an expedited hearing into the matter.

Section 514(f) provides the Secretary with authority to revoke adverse orders when the facts so require.

Section 514(g) requires that the Secretary's order be served in person or by registered or certified mail.

Section 514(h) authorizes the use of a referral committee for an opportunity for a hearing on an application or the Secretary's action to obtain the committee's report and recommendations. This procedure may be employed when filing an application or at any time prior to the expiration of the time for the Secretary to make a determination on an application. The committee would be appointed by the Secretary. This procedure also applies to Section 513(d) relating to standards as outlined above.

Section 514(i) provides applicants with the right of appeal and to obtain judicial review.

Section 514(j) establishes exemption for devices used solely for investigational purposes by persons qualified to conduct such investigation. The exemption would be conditioned upon—

(1) The existence of an adequate plan of investigation

(2) A written agreement that the use of the device will be under the supervision of the investigator in cases where the device is for human use

(3) That records and data obtained from the investigation are kept and available

(4) Other conditions determined by the Secretary to assure public health and safety.

The exemption is conditioned also upon notification to those who use such a device that its use is for investigational purposes, and that consent be obtained.

Section 514(k) also exempts from the application procedure under section 514 any device which fully conforms to an applicable standard established under section 512, or meets standards about to be announced or implemented, devices made upon order by a practitioner, where such a device is not generally available in finished form or in existing commercial channels, or where the device is for the use of a named patient, or for the sole use of a practitioner in the course of his professional practice.

Section 514(l) provides exemptions for devices licensed by the Atomic Energy Commission, or for devices where the application of the procedure in this section is not necessary for the protection of the public health.

Section 202 makes conforming changes in existing law to include under the section on "prohibited acts" certain aspects of the new section 514.

TITLE III—REQUIREMENT OF GOOD MANUFACTURING PRACTICE

Section 301 amends present law to provide that a device is "adulterated" if the methods and controls used to manufacture the device do not conform with good manufacturing practice to assure that such a device is safe and reliable and that it has the characteristics it purports to have.

TITLE IV—RECORDS AND REPORTS: INSPECTION AND REGISTRATION OF ESTABLISHMENTS

Section 401 amends present law by adding a new section 515 requiring that manufacturers, processors, and distributors of devices subject to standards keep records and make reports to the Secretary relating clinical experience and other data which bears on the safety, reliability, and effectiveness of such devices. The Secretary is also authorized to have access to such records.

Section 515(a) sets forth the above requirements.

Section 515(b) exempts from these requirements the following:

(1) Pharmacies operating in conformance with applicable local laws,

(2) Practitioners, licensed by law, who manufacture devices solely for use in the course of their professional practice,

(3) Persons who manufacture devices solely for use in research or teaching, and not for sale,

(4) Persons, with respect to any device, no part of which has been in interstate commerce and which is not intended for interstate commerce,

(5) Other classes, as determined by the Secretary.

Section 402 amends varied parts of existing law to provide the inspection provisions now relating to drugs to devices covered under the act.

Section 403 amends various sections of existing law relating to the registration of drug manufacturers to include the manufacturers, processors, and distributors of devices covered under the act.

TITLE V—GENERAL PROVISIONS

Section 501 establishes a new section 707 which provides for the creation of an Advisory Council on Devices within the Department of Health, Education, and Welfare to advise the Secretary on policy matters in carrying out the provisions of the bill. The members would be selected with a view toward their special knowledge of the problems involved in regulating various kinds of devices.

Section 502 makes the provisions of the bill effective upon the date of enactment with the exception as shown in 502(b), (c), and (d):

Section 502(b) makes the effective date (except as provided in 502(c) below) of the definition of an "adulterated device" on the 1st day of the 13th month following enactment (one year from enactment), or sooner if, upon application, the Secretary issues an order with respect to such application. The effective date in latter case would be the date of the order. This effective date is the date on which the "safety, reliability, and effectiveness" requirement is imposed.

Section 502(c) relates to devices already in existence. The safety, reliability, and effectiveness requirements shall become effective on a "closing date," the 1st day of the 31st month after enactment (2½ years after enactment), unless an application is filed sooner. If an application is filed sooner, the effective date is the date of an order with respect to such application. Under certain conditions, this date may be extended by the Secretary to the end of the 60th month following enactment (5 years after enactment), or to any date between the 31st and end of the 60th month.

Section 502(d) requires registration of manufacturers, processors, and distributors prior to the 1st day of the 7th month (6 months after enactment).

EXHIBIT 6

[From the Washington (D.C.) Post, Feb. 20, 1969]

ABOUT 1,200 PATIENTS GET ELECTROCUTED YEARLY, HEARING TOLD

(By Morton Mintz and Nate Haseltine)

About 1200 hospital patients are accidentally electrocuted annually while receiving "routine diagnostic tests" or treatment because of faulty equipment, safety investigators were told yesterday.

The source of the information was Dr. Carl W. Walter, clinical professor of surgery at Harvard Medical School and a surgeon at Peter Bent Brigham Hospital, Boston. The disclosures were made by consumer advocate Ralph Nader in testimony before the National Commission on Product Safety.

Dr Walter said in a telephone interview that many of the electrocutions happen during diagnostic procedures in which the patient is hooked up to electronic systems. Almost invariably, he said, the deaths are listed as cardiac arrests—and "who's to prove electricity did not cause the heart stoppages?"

For that reason, he said, there have been few law suits over the deaths, and the hazards have been little publicized.

The Boston doctor said that most hospital electrocutions happen when untrained hospital employees link together incompatible electronic units. But other such deaths, he said, are caused by surges of high voltage leaking from equipment, poor circuit design and connecting patients to electronic equipment for long periods of time—as in intensive care units.

Dr. Walter said he obtained the figure on electrocutions from an actuary for a national insurance company who he would not name. The number, he said, is close to his own estimates.

But Nader said that Dr. Seymour Ben-Zvi, director of scientific and medical instrumentation at Downstate Medical Center in New York City, has documented evidence of defects in 40 per cent of the equipment coming into the Center.

Nader criticized the insurance firm whose actuary supplied Dr. Walter with the information. "Unfortunately," he said, "this company has followed the ghoulish practice of the insurance industry in not publicly releasing this data so as to promote remedial measures."

THE GRAPE BOYCOTT: PAST, PRESENT, FUTURE

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BOB WILSON. Mr. Speaker, with all the emotional furor that has been raised over the condition of California farmworkers, and California grape pickers in particular, the following balanced article from the January 18 issue of California Farmer helps put the California grape dispute into sharper, clearer focus:

THE GRAPE BOYCOTT: PAST, PRESENT, FUTURE

On October 30, 1968, the California State Chamber of Commerce office received a phone call from a Chicago food firm. The firm wanted facts and figures to fight the grape boycott.

This was not an unusual call. The food firm reported boycott sympathizers had indicated overt action because the store would not agree to remove California grapes. What was unusual was that the boycott sympathizers wanted the no-sale agreement for 1969.

This call emphasizes an important point, according to an editorial report in the Chamber's magazine, *Pacific*. The nationwide boycott of California table grapes is not going to fade away.

The Chamber's report brings out some other points of interest. A UFWOC leaflet claims "tens of thousands of grape workers have gone out on strike." But the Division of Labor Service, California Department of Employment, reports there were no new bona fide labor disputes in 1968 on California's 70,000 farms. In fact, there were only two bona fide disputes in 1967, involving not tens of thousands, but 275 workers. There were eight disputes in 1966 involving 427 workers. This was for all agriculture, and not just grapes.

While UFWOC makes wild claims of tens of thousands of members out on strike, their own reports filed with the U.S. Department of Labor indicate dues income of $84,424 in 1967. With dues of members at $3.50 per month, a membership of about 2000 is indicated. This is less than 2 per cent of farm workers in the State.

California farms averaged 170,000 workers in 1967 with a peak in September of 246,000. There are 3 million farm workers in the U.S., so the potential at $3.50 per month is $10½ million or $126 million per year, an amount worth the effort.

UFWOC leaflets distributed in the East depict a starving child and charge that farm laborers "suffer want and deprivation." State Senator John Harmer said he would resign from the State Senate if the UFWOC would produce "starving children" as pictured in union fliers.

The Chamber notes it is the retailer who is caught in the middle. This is not new to the grocer. Ten years ago there were efforts to get grocers to stop handling apples from Sebastopol and there were demands to discontinue the S&W product line.

One Sacramento grocer this year had three unions at one time demanding product removal. The farm workers' union wanted grapes removed, the cannery workers wanted Campbell soups removed and the confectionery union wanted one supplier's bag candy removed.

The position taken by the California Grocers Association is: "The decision of buying or not buying merchandise for sale must be left to the consumer and markets will continue to handle all products until such time as customers no longer buy the item."

Turning to another source of boycott material, the South Central Farmers Committee reports that 90 per cent of the 5,000 workers who have regularly picked the entire grape crop in the Delano area are residents of the area and not homeless migrants as often pictured.

A check of the records will show that 70 per cent of the growers' employees in 1967 lived in Delano, 13 per cent in McFarland, 6 per cent in Bakersfield, 1 per cent in Richgrove and 10 per cent had addresses outside the immediate community. The harvest season lasts September through December and many of the workers are housewives, students and casual workers who only work part time to supplement income and are not solely responsible for family support.

Between harvests Delano growers employ 2,500 workers to prune, irrigate, cultivate, fertilize, strip, tie vines, erect or replace trellises, weed, spray, girdle or thin. For many, mostly family heads, Delano vineyards provide almost year-round employment.

Time magazine (March 22, 1968) reports that UFWOC is receiving $10,000 per month from the AFL-CIO and $7500 per month from the United Auto Workers. With contributions from other locals, church groups and student organizations the UFWOC spends about $500,000 a year on its efforts. This heavily financed propaganda would have the Nation believe the Delano grape picker is the lowest paid; that they are poor, forgotten, homeless migrants. Growers feel Delano was selected for precisely opposite reasons.

Delano grape pickers are among the highest paid farm workers in the United States. Therefore it appeared to organizers that they would best be able to pay dues.

The so-called "union," which is actually only an organizing committee with the task of determining if there is enough interest to form a farm workers' union, needed a well settled, non-migrant work force. Migrants do not stay in one place long enough for convenient recruiting or dues collection. Delano fitted the union requirement because 90 per cent of the harvest crews come from the area and 50 per cent of these find year-round employment.

Growers find themselves in a tight financial spot. Their costs have doubled while prices stay the same. The Federal-State Market News Service records reveal that table grapes averaged $60 per ton 10 years ago. Last year the average price was $61.90 and the 10-year average was $56 per ton.

Over this same period a tractor, most commonly used in the vineyard, has jumped in price from $10,000 to $17,000. Property taxes which averaged $16 per acre 10 years ago now average $30. Shipping cartons which cost 35 cents 10 years ago now cost 45 cents. The story is the same with all other costs involved.

Growers will continue to oppose unionization as long as they are threatened with strikes, a weapon which makes collective bargaining over a perishable commodity a one-way street for unions. Is this a false fear? Check with the pineapple growers in Hawaii who lost $7 million as their crop rotted in the field during a 61-day strike.

While UFWOC claims workers are on strike, the 70 table grape growers in the Delano area had no difficulty recruiting the 5000 workers who have regularly picked the crop over the years.

Picketing activities have been conducted primarily by paid professionals and volunteers from student groups, campus militants, social reform organizations and cooperating clergymen, many of whom were recruited by the Migrant Ministry.

Having failed repeatedly to "sell" grape pickers on the value of union membership, leaders of UFWOC, now in desperation, are threatening naked force to accomplish their ends. UFWOC is telling growers their grapes will be boycotted unless they sign contracts on behalf of their workers, whether the workers want to join or not. Having failed to recruit workers on the merits of the union effort, UFWOC is seeking to compel workers to join through coercion.

Who is behind Cesar Chavez? He makes no secret that he received most of his organizational training under Saul Alinsky, the activist.

The California State Senate Fact Finding Subcommittee on Un-American Activities in 1967 did not say that the strike was directed by Communists. But it did say it was turned into a civil rights movement and operated as a cause and not a labor dispute.

The report notes this view is amply supported by the activities of known members of the Communist Party who were on the scene and siding with the strike almost from its inception; by favorable accounts that consistently appeared in the Communist press; by participation in strike demonstrations by such organizations as the DuBois Clubs of America, Students for a Democratic Society, Progressive Labor Party, Vietnam Day Committee, Trotskyite groups and other organizations moved by similar objectives and by the reports of all law enforcement agencies connected with the project.

D.R.

DO NOT FORGET THE OLD LEFT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. ASHBROOK. Mr. Speaker, the February issue of Nation's Business put forth in its editorial some observations on the New Left and Old Left which are worth remembering. The editorial begins by stating that

> We're so preoccupied with the threats of the New Left these days, some people have forgotten there's an Old Left—the USSR.

When we remember that it was the Old Left or the U.S.S.R. and not the New Left which invaded Czechoslovakia last August, the editorial's advice should be well taken.

When we consider that it is the Old Left which has been supplying vast amounts of armaments to Ho Chi Minh to be used against American servicemen and the South Vietnamese, we would forget the Old Left at our peril.

The point would seem to be self evident, yet there are those who would accuse the United States of every excess in Vietnam but conveniently forget the 50-year record of the U.S.S.R.'s inhumanity to man. For this reason I think the Nation's Business editorial provides what should be a basic tenet of foreign policy considerations—the totalitarian nature of the Soviet regime—and I include the editorial in the RECORD at this point:

DON'T FORGET THE OLD LEFT

We're so preoccupied with the threats of the New Left these days, some people have forgotten there's an Old Left—the USSR.

Just because we've coexisted with the Soviet for years and we're seeking treaties and peace negotiations with them now doesn't mean they've become our kind.

If you think the Soviet communist system is getting pretty much like ours, consider some comparable rights:

We have free speech, free press, freedom of worship. Not so in Russia.

We have the right of assembly. Not the Russians.

We have trial by jury and are innocent until proved guilty. In Russia, it's trial by judge, and presumption of innocence does not exist

We can own private property. The Soviets have no real property rights.

We can bargain for goods and services in our free markets. Not so in Russia.

We can get into business and compete for a profit. It's denied to Soviets.

We have free elections. In Russia only one name per office is listed.

In America you can not only worry about the New Left, you can even be one of the New Left if you want.

The Old Left doesn't even allow a New Left.

SOMEWHERE A STAND MUST BE MADE AGAINST DISRUPTERS ON THE CAMPUS

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the 15-Minute Report for College and University Trustees, Feb. 21, 1969]

DISRUPTERS ON THE CAMPUS: NEW RULES AT NOTRE DAME

"Must universities be subjected, willy-nilly, to intimidation and victimization, whatever their goodwill . . .? Somewhere a stand must be made," declares the president of Notre Dame.

"Anyone or any group that substitutes force for rational persuasion" at the U of Notre Dame will henceforth be subject to suspension, expulsion, court action, or a combination thereof. That was the message last week from the Rev. Theodore M. Hesburgh, president of the university.

In a letter to faculty members, students, and parents, Father Hesburgh reiterated his belief in the right of legitimate protest. But he added that "the last thing a shaken society needs is more shaking. The last thing a noisy, turbulent, and disintegrating community needs is more noise, turbulence, and disintegration. . . . Complicated social mechanisms, out of joint, are not adjusted with sledge hammers."

Father Hesburgh said he had consulted with all segments of the university community and concluded that he had a "clear mandate" to see:

That "our lines of communication between all segments of the community are kept as open as possible, with all legitimate means of communicating dissent assured, expanded, and protected";

That "civility and rationality are maintained as the most reasonable means of dissent within the academic community"; and

That "violation of others' rights or obstruction of the life of the university are outlawed as illegitimate means of dissent in this kind of open society."

He then outlined what will happen if those principles are violated:

Disrupters will be given "15 minutes of meditation to cease and desist their activities. If they do not comply, those with university identity cards will be suspended, and those who fail to produce them will be charged with illegal trespass."

Those who refuse to cease their disruptions will then be given another five minutes, after which students will be expelled and "the law will deal with them as non-students."

"I truly believe," said Father Hesburgh, "that we are about to witness a revulsion on the part of legislatures, state and national, benefactors, parents, alumni, and the general public for much that is happening in higher education today.

"If I read the signs of the times correctly, this may well lead to a suppression of the liberty and autonomy that are the lifeblood of a university community. It may well lead to a rebirth of facism, unless we ourselves are ready to take a stand for what is right for us. History is not consoling in this regard. We rule ourselves or others rule us, in a way that destroys the university as we have known and loved it."

[From the Washington (D.C.) Post, Feb. 24, 1969]

FIFTEEN MINUTES OF MEDITATION

The other day, after outlining the policy of Notre Dame University on student disorders, the Rev. Theodore M. Hesburgh told an interviewer, "All I tried to say is that we welcome and protect orderly dissent, but we're not going to let anybody destroy the place." His message to the students at the University over which he presides and his announced tactics for handling any disruptions of University functions ought to be considered carefully by the rest of the Nation's universities and drummed into the heads of those students who seem more intent upon disruption than on orderly change.

The policy Father Hesburgh spelled out is quite simple. "Anyone or any group that substitutes force for rational persuasion, be it violent or nonviolent," he said, "will be given 15 minutes of meditation to cease and desist." If, after 15 minutes, the disruption goes on, students will be suspended on the spot and nonstudents will be subject to arrest as trespassers. After another five minutes of further meditation, students continuing to disrupt things will be expelled.

The Notre Dame policy is tough, no question about it. But it is a time to get tough. Nothing is more inimical to the traditions on which academic freedom is based or, indeed, to the principles of a free society than the use of illegal force to impose some individual's or some group's views on others. And that is precisely what the latest round of student disorders is all about, whether they have occurred at Harvard, Wisconsin, Duke, San Francisco State, or the Howard University Law School. It may be that a university which adopts a tough policy will find itself with fewer students but, if it does, they will be students who want to learn as well as reform.

There is, of course, much to be said on behalf of many of the complaints that students are trying to air. Some universities have been notoriously slow to change their operating procedures or their policies to keep up with the just needs and wants of a new generation of students. The dramatic overhaul of many of the policies of Columbia University in the last year underlines the validity of many of the questions that students are raising.

But the fact that there are policies that need changing, personnel who need awakening, and issues that need dramatizing does not justify the forcible disruption of a university's functions. There is nothing wrong and there is much right with students protests that take the form of public meetings, picket lines, handbill distributions, conferences with university or government officials, and a whole host of other nonforceable tactics. But the use of force to break up a class, to seize a building, or to bar access to offices cannot be tolerated. These acts, whether participated in by a minority or by a majority of students, not only impinge on fundamental principles of conduct but frustrate the right of other students to pursue peacefully, if they want to, the education they went to the university to obtain.

Speaking of those among his students and faculty who have participated in or tolerated the disruption of classes, Harvard's President Pusey said the other day, "Each time we thoughtlessly or emotionally allow ourselves to chip away at the painfully erected structure of academic freedom for which time and time again in our role as leaders we have had to man the barricades we not only do ourselves but also our country an irreparable disservice . . . I shall do everything in my power to see that the freedom of this university continues unabated, proof against attacks however well-intentioned or from whatever quarter they may come."

THE BUSINESS OF DEALING WITH POVERTY

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. OTTINGER. Mr. Speaker, a year ago, Mr. Hershel Sarbin, senior vice president of the Ziff-Davis Publishing Co., and publishing director of Popular Photography magazine, was invited by Vice President Humphrey to serve as national coordinator on the President's Council on Youth Opportunity.

Mr. Sarbin worked in liaison with all national task forces of the President's Council, communicating through the photographic medium the efforts and results of the varied programs that were being carried on in deprived neighborhoods.

Last fall, Mr. Sarbin reported on the progress of this program in an address before the race relations section of Town Hall of California. He illustrated his talk, "The Business of Dealing With Poverty," with an NBC documentary film entitled "Child's Eye View," which demonstrated the use of photography in aiding ghetto youngsters. The children, aged 7 to 12, were participants in the New York City Bank Street College Early Childhood Center program.

I believe that Mr. Sarbin's report will be of interest to my colleagues:

THE BUSINESS OF DEALING WITH POVERTY

(An address by Hershel Sarbin, October 31, 1968)

The film you have just seen is merely one illustration of how photography has been used by one creative, resourceful teacher to open an avenue of communication with ghetto youngsters who had literally not been able to express themselves and their feelings about their lives and their environment.

This past summer 5,000 youngsters in more than 40 cities throughout this country were involved in photographic projects as a part of a national Youth Opportunity Program. Many of these young people were school dropouts, with 4th or 5th grade reading capabilities. Most were inarticulate. Some had never wandered outside the ghettos in which they lived.

We learned this summer that film and the camera could make unique contributions in the effort to help the youngsters of the Inner City. The camera itself has capabilities far beyond the recording of an image, and in some strange and wonderful way it creates a climate for observation and communication which did not previously exist for many young people.

For the older youngsters, the teenagers and the school dropouts, the summer's achievements were very significant. The camera helped to show these highly inarticulate youngsters, with low levels of reading capability, that they could control a complicated mechanism as they could control no other part of their lives. They dominated the camera. It recorded what they saw, did what they wanted it to do. What was seemingly the end product, the recorded image which they produced themselves in the darkroom, was not the end product at all. The end product was a sense of pride and accomplishment, and knowing they could learn even when they couldn't read. Many of the young men we worked with this summer are going back to school. Several are seriously considering college, and many are prepared to step into a new world as responsible, employable citizens.

Ghetto children traditionally have a poor self-image. In and out of their environment they have been stigmatized, and there has been little in their lives to give them cause to hold their heads high, to feel a justifiable sense of pride in themselves. Participation in our photography programs gave some of these children this opportunity. They acquired skills which set them apart from their peers, both *in* their environment and *without* their environment.

The young people in this summer's photography programs are products of a world in which they have no voice—no control—no motivation. We are finding that photography is providing them with that voice; helping them to cope with their situations; giving them the initiative to want to do something—to be something, to become a constructive part of society.

What was most significant about this summer's photography instruction programs was not what we taught but what we learned. And the chief thing we learned was that the American businessman has much to learn about the business of dealing with poverty. It is an area in which the business community at large lacks the skill, the discipline, and the education necessary to deal with the realities of the problem. In my own work with disadvantaged youngsters, I have heard the words "motivation and education" used time and again to describe the needs of these young people. *Yet it often seems to me that our first and most important task might well be the motivation and education of the business community itself.*

Most businessmen and most volunteers from the private sector are simply not prepared for the frustrations, the disappointments, the realities of working with the disadvantaged. There are some fairly basic rules which recognize the realities of working with the disadvantaged, and which must be observed if we are to succeed:

First, if you extend a helping hand, do not ask for thanks. What we do—we do for ourselves and the survival of our society. Remember that the Negro does not want a handout for which he must express his gratitude. He simply wants a piece of the action.

Second, anticipate and adjust to attitudes of suspicion, distrust and hostility from those you seek to help. Most of the black community still thinks what we are doing is only "whitey's game." The burden of proof is on us to show that this is not the case.

Third, contribute in any way you can. Don't look for prestige or recognition in poverty. And be prepared for frustrations that you have never experienced before. The most significant contributions are those made on a one-to-one, man-to-man basis.

Beyond all this must be an overriding, ever-present awareness that to climb out of the ghetto takes a super-human effort. Inexhaustible patience, perseverance and dedication are qualities we must have, but *we* may not expect these qualities from people whose lives have been filled with despair.

Let's turn for a few moments to motivation—*our* motivation—as well as the motivation of the ghetto youngster. It should be motivation enough to recognize that what we have in our urban communities is a vast disaster area, inhabited by people whose condition is so desperate that the nation itself will not survive if we do not supply the resources and energy necessary to change it.

But the kind of motivation I'm talking about comes from seeing something good and decent happen to hundreds of young people in just one small part of one program originally designed to provide one summer of enjoyment and enrichment.

I do not think that any of us who worked with these young people will ever get over the discovery that so many of them had untapped abilities and talents, and that inside them was strength, a resourcefulness and a kind of creativity that needed only encouragement and direction.

I do not know of a single businessman or professional volunteer who was not deeply and permanently affected by what happened. Not one of us could ever again turn his back on these young people, for we have been there and have watched it work. It worked in spite of hostility, in spite of distrust, in spite of suspicion, and in spite of many failures.

This is our motivation. It comes from participation, from being there, from working hand in hand and experiencing even a single success with a single youngster.

That is the kind of motivation America needs, and it can only result from a much broader involvement of the business community, and the community at large, than we have today.

The success achieved in many cities, and specifically here in Los Angeles, was attributable to the talents and the tireless efforts of such people as Bill Frederickson, Martha Cushnie, Clarence Inman, William Elkins, David Saunders, Joe Maldanado and Mike Beltramo—to Max Ponder and John Best of Ponder and Best—to Freestyle Camera, Eastman-Kodak, Bell & Howell and Polaroid and Minolta and other companies who contributed generously of time and photo equipment. Many of these people were in the arena long before us, and we were able to build on what they had developed.

We learned, among other things, that if photography was to have real meaning for ghetto youngsters, it could not be treated merely as a diversion during the summer months. Fortunately, the entire photographic industry recognized that to place cameras in the hands of deprived youngsters during the summer, provide them with a stimulating experience, and then to withdraw the opportunity would lead only to disillusionment for the very people we were trying to help.

Accordingly, right here in Los Angeles, in Chicago, Detroit, Seattle, New York and Miami and in a number of other cities, what was begun so promisingly this summer is being continued with the support of the photographic industry and with the assistance of city administrators. The National Association of Photographic Manufacturers, the Master Photo Dealers & Finishers Association, and the importers of cameras from Germany, Japan and many other countries have responded in the most positive terms.

As I said before, we have barely begun, and it is premature to say exactly where we are going. We know only that an entire industry has been stimulated by what the camera has managed to do to create self-expression, self-awareness, self-pride and even to train many disadvantaged for useful employment in our industry.

Photography is a small corner of the world. But our experience cannot be different than the experience of others.

Everything we do in meeting the problems of the ghetto—educating the inner city youngsters in a more enlightened matter, training hard-core unemployed to assume more responsible roles in our society, providing educational and cultural opportunities—all these things create an awareness of the ugliness of the ghetto environment and make the informed Negro ever more determined to change it. The hope and rising expectations we generate serve to intensify the problem and make the solution more urgent.

We are still novices—real beginners—engaged in the greatest experiment in history. To reverse an ugly phrase I have often heard applied to the black community, we must learn to crawl before we walk. The Negro is ready to walk, but we have barely begun to learn how to deal effectively with the environment into which he, and all our urban disadvantaged, have been cast.

Not long ago Newsweek described an experiment in which white men assumed the role of blacks by donning masks and acting out parts. Well, if it helps white man to put on black masks in order to simulate conditions under which they must deal with the underprivileged, then let us put on the masks. Let us try anything—everything that will generate understanding and a capability which we do not yet have for dealing with the business of poverty as we deal with the business of making money. Probably no pat formula will ever evolve. The material and spiritual poverty which pervades the ghettos of our urban areas will not respond to standard prescriptions.

What is required is full commitment and intense personal dedication—a dedication not yet discernible on the American business scene. By and large, American business merely pays lip service to full commitment in this area. It is a simple fact of corporate life that while the chairman of the board, or the president and some corporate officers may be in the arena, the message has not been passed down the corporate line, not even as far as middle management; certainly not to the junior executive. I have yet to hear of a corporate recruiter who has said to the promising college graduate, "If you come with our company you will be obliged, as part of company policy, to devote some part of your time on and off the job to helping the less fortunate." Our commitment in meeting the great economic and social problems of the disadvantaged is not so great that we include personal involvement—on some level—in the dialogue which precedes or follows the employment contract.

The few guidelines I have suggested are in no sense complete, or even well-defined. They are merely a product of my own experience. We must feel our way, probing, learning as we go along.

But these guidelines do move in the right direction—away from lip service, away from tokenism, and toward the kind of understanding which is necessary if we are to reach across the gulf of fear and anger and despair—to build a better future for black and white alike.

FRANK J. MYERS TO RETIRE AS INDIANA AMERICAN LEGION ADJUTANT

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BRAY. Mr. Speaker, on May 1, 1969, Frank J. Myers, adjutant of the Indiana department of the American Legion, will retire and end 18 years of service in that post.

Born in Worthington, Ind., Frank Myers served in the Army during World War I and was Indiana eighth district commander of the Legion before he came to Indiana State headquarters 22 years ago.

His long and faithful service to his State and his country will be forever remembered by all of us who have had the pleasure of knowing him and calling him "friend." We wish him a happy and pleasant retirement, and we salute him as he closes his truly distinguished and outstanding career.

PERSIP BROTHERS HONORED

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. CONTE. Mr. Speaker, I would like to pay tribute today to three outstanding Americans from Pittsfield, Mass., John, Charles, and Alfred Persip. In doing so, I am joining with the 350 friends and neighbors who held a testimonial dinner honoring the Persip brothers on February 15.

The Persips are lifelong residents of western Massachusetts who have given freely of their time and efforts on behalf of a multitude of civic organizations, including the NAACP and the American Legion.

The testimonial, organized by a group of grateful private citizens, recognized the many years of dedicated public service by John, Charles, and Alfred Persip.

Under the leave to extend my remarks, I would like to include the February 17 article from the Berkshire Eagle on the Persip testimonial:

THREE PERSIP BROTHERS HONORED BY CROWD OF 350

A crowd of 350 jammed Breezy Knoll-Itam Lodge Saturday night for a Brotherhood Week testimonial dinner honoring John, Charles A. and Alfred K. Persip.

They heard a roster of well-wishers literally as well as figuratively sing the praises of the three brothers during a program encompassing speeches, skits, songs and comic turns. The evening ended with dancing.

Mayor Donald Butler told the assemblage he grew up across the street from the Persips, and second to his own mother, used to think of "Grandma Persip" as the maternal authority of the neighborhood. "I hope the day will come when I'm held in a fraction of the respect that the Persip brothers and Grandma Persip have been held in," he said.

Individualized tributes were paid the three brothers by David Gunn, physical education director of Cornwall Academy, who noted, among other things, that each had been active in NAACP. He concluded with the aphorism, "It's not whether you win or lose, but how you play the game," adding, "and you've played the game fairly and squarely."

CREDIT TO HUMAN RACE

Lawrence K. Miller, editor of the Eagle, observed that almost everyone in the area has some kind of relationship with the Persips, "an almost legendary family." He said that while the customary comment is that a Negro is a credit to his race, the Persips are "a credit to the human race, and the human race needs all the credit it can get."

More family background was supplied by Atty. Rudolph A. Sacco, toastmaster, who said that the Persips had lived in the Berkshires since around 1820, settling first in Lanesboro, then moving to Hinsdale and finally, to Pittsfield. They have been members of the Baptist church here since 1851.

Toastmaster Sacco gave brief biographical sketches of the brothers: John, 81, who went to work at 14 and established the reputation of the Persips as "the best caterers in Berkshire County"; Charles, an American Legion leader who has not missed a parade in 47 years; and Alfred, the "baby" at 73 years of age, also a Legionnaire and a well-known gardener.

EARLY DAYS RECALLED

Frank T. Walker, president of the Berkshire County NAACP, presented a purse to the guests of honor and paid tribute to the committee in charge of the dinner: Mrs. Frances Duval, Mrs. Helen Hamilton, Mrs. Grace Hunt, Clifford H. Potter, Stokes Hall and Lafayette Walker.

Mrs. Duval, eldest daughter of John Persip, presented flowers to her father and two uncles. Her brother, Elliott, reminisced about early days and with his father performed an old skit entitled "Sweet William and Bad Bill." Noting that the locale of today's Bousquet Ski Center used to be known as Persipville, Elliott said John "was born down that way because he wanted to be near his mother."

To the tune of "Hello Dolly," Mrs. John W. Talbot sang personalized lyrics for the guests of honor. Mrs. Mabel Hamilton sang "People." The Rev. George L. Middleton of the First Baptist Church gave the invocation; and Carlton Edmonds, the benediction.

ESTONIAN INDEPENDENCE DAY

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. HOWARD. Mr. Speaker, today we are once again reminded of the bravery and hope of the people of Estonia as we celebrate the 51st anniversary of Estonian independence. This small nation, which covers an area of about 18,000 square miles, and has approximately 1 million people, should be a monument to all of us who cherish our right to freedom and independence.

Since the 15th century Estonians have suffered under foreign domination almost continuously. During all that time, however, these brave people held their heads high and continued to hope for the day when they would be a free and independent nation, directing their own course in world history. The fact that their conquerors were much larger and more powerful than they has never daunted the Estonians. Frequently they were persecuted for their hopes and beliefs, but their spirit of nationalism has persisted, their language and customs are still their own.

Finally, in 1918, when the end of the First World War and the Russian revolution appeared to make their chances better, the Estonians declared their independence. Thereafter, for a brief period of two decades, these people were permitted the freedoms we feel are the basic rights of every man and nation. This was a time of great social, economic, and cultural progress in Estonia. They formed a democratic government, duly elected by the people, and the spirit of freedom was to be found at every level of life in the country.

This freedom was destined to be temporary, however, and in 1939, when war once again engulfed Europe, the Estonian people were forced into a mutual assistance pact with the Soviet Union. This was the beginning of the Soviet reconquest of this small, freedom-loving nation. In 1940, the country was occupied by the Red army forces and became a Soviet Socialist Republic. During the war, they were occupied by both Russian and German troops alternately—suffering equally under both. Toward the end of the war, the Soviets returned to control with more force and fury than ever, and there they remain to this day.

Since that time, the Estonians have lived a rather isolated life, without contact from the free world. More recently, some tourists have been allowed to visit the country, thus permitting them a glimpse of the freedom they so wish to enjoy themselves.

I think it appropriate on this day that we who enjoy that freedom pay tribute to those who are still fighting to regain the independence they felt so briefly, and which cannot even be celebrated in their home country. We salute them and rededicate ourselves to the achievement of peace on earth and freedom of all such nations, and of all men.

ESTONIAN INDEPENDENCE DAY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. DINGELL. Mr. Speaker, the year 1918 witnessed the end of the bloodiest and costliest war known to man until then. Belligerents and neutrals alike were glad to see the human carnage stop, and they all welcomed the return of peace. To many peoples the peace ushered in a new era; it brought them a prize for which they had been struggling for generations and centuries. In that year they regained their independence, and the Estonians were among these people.

These rugged peasants had settled in their historic homeland on the northeastern shore of the Baltic Sea before the beginning of our era. There they led a strenuous and hardy life. They were one of the smallest ethnic groups in Europe, and they succeeded in maintaining their national identity and freedom. Early in the 18th century their country became part of the Russian empire, and they were subjected to the regime of Russia's oppressive czars. For more than two centuries they endured that detested regime. Then toward the end of the First World War they regained their freedom and proclaimed their national independence on February 24, 1918.

That was 51 years ago, but independent Estonia was again crushed by a Russian regime in 1940. After the happy and joyful two decades of inter-war years, the country became one of the early casualties of the last war. Since then the Estonian people have been suffering under alien regimes imposed upon them by their detested foes, the Communists. They work, live, pray, and struggle for the attainment of their supreme goal, their freedom. In observing their independence day we join them in their prayer, hoping that soon they will be rewarded with their cherished national goal, national freedom.

THE SEC AND SOME CURRENT REGULATORY PROBLEMS

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. STUCKEY. Mr. Speaker, the Honorable Hugh F. Owens, Commissioner of the Securities and Exchange Commission, delivered an address on current regulatory problems concerning the SEC before the Connecticut Investment Bankers Association on December 10, 1968. There was a number of bills before the 90th Congress related to the SEC and several have already been introduced in the 91st Congress, thus this subject is very timely. The address is enlightening and worthy to be included in the CONGRESSIONAL RECORD and I would like for my colleagues to have the benefit of his comments:

THE SEC AND SOME CURRENT REGULATORY PROBLEMS

(Address by Hugh F. Owens, Commissioner, Securities and Exchange Commission, Washington, D.C., before Connecticut Investment Bankers Association, Hartford, Conn., December 10, 1968)

I am honored to be included in this evening's function, commemorating as it does in the State of Connecticut the 65th anniversary of the signing of the first laws pertaining to the supervision of the securities industry. This is an auspicious occasion indeed.

Tonight I would like to discuss several regulatory problems in which the SEC, as well as the various self-regulatory organizations, is vitally concerned. As you are all aware, our securities markets are currently expanding and changing at an unprecedented rate. More than 24 million stockholders now directly own shares in American industry, with another estimated 100 million shareholders indirectly investing in the securities markets through various financial institutions such as mutual funds, insurance companies, bank trusts, pension funds and others. The average daily dollar value of securities traded on all markets now is $825 million, accounting for an average of 22 million shares exchanging hands every day. This volume has created a strain on the securities markets and has raised important policy questions which require resolution.

One of the major problem areas is how to handle effectively the undesirable aspects of the super-heated speculative fever now existing in our markets without diluting the vitality so necessary to the continued growth and progress of our economy. As a matter of policy, the Commission does not, absent fraud and manipulative practices, view speculation *per se* as either illegal, unethical or opprobrious. The Congress, however, when enacting the Securities Exchange Act of 1934, recognized that excessive speculation was detrimental to the national interest, and provided, therefore, various regulatory controls such as margin restrictions, prohibition and limitations on short sales, and other devices to contain such speculation. I believe that the Federal regulatory agencies responsible for the enforcement of such controls have attempted to use them judiciously to maintain public confidence in the securities markets, and without reservation I can state that it has been the SEC's position to exercise the minimum amount of regulation of the securities markets consistent with the public interest, and the interest of investors and the securities industry alike. While my talk is entitled "The SEC and Some Current Regulatory Problems," I wish to give recognition to the valuable services performed by the self-regulatory organizations, and to say that while our cooperative efforts have accomplished many of their objectives, nevertheless, much needs yet to be done, particularly in the area of the back office problem, which I will discuss more fully later in my talk.

Although speculation in the securities markets has long attracted the attention of the Commission, until more recently our activities in this respect have primarily been directed toward uncovering situations in which fraud and manipulation are present or, due generally to the absence of adequate information, situations where serious market problems involving a particular stock have occurred. Currently, however, we also view with considerable concern certain new developments which are progressing to a point of "institutionalizing" our securities markets. In our Report of Public Policy Implications of Investment Company Growth we called attention to certain facts which, when now supplemented with information obtained from more recent surveys conducted by the New York Stock Exchange, are even more significant than when the Report was first published in late 1966. Illustratively, some of these facts show that:

1. the percentage of all outstanding stock held in institutional portfolios is rising at a rapid rate (25% in 1957, 30% in 1965 and 33% in 1967);

2. the increases in the stockholdings of all institutions have been striking (from a total of $66½ billion in 1957, to $200 billion in 1965, and finally to $230 billion in 1967, an increase of about three and a half times over 1957);

3. institutions and institutional intermediaries account for a much larger proportion of trading volume in securities than the above holdings indicate (a recent survey indicates as much as 50% of all non-members' volume on the New York Stock Exchange in 1968 was due to trading activity by such group as compared to 35% in 1967);

4. the combined value of common stock transactions in 1967 for four principal classes of financial institutions—non-insured pension funds, mutual funds, life insurance companies, and property and casualty insurance companies—exceeded $47 billion, an increase of 46% over 1966; by comparison, the dollar volume of all stock transactions on the New York Stock Exchange in 1967 showed only a 26% increase over 1966;

5. mutual funds have, by far, the highest portfolio turnover rates of all institutional investors. The latest data available indicates that mutual funds as a group were turning over their portfolios at an annual rate of almost 40% in 1967 as compared to less than 35% in 1966 and an estimated 14% in 1957; also, compare this 40% figure to the fact that the average turnover rate for all equity securities traded on the New York Stock Exchange was only about 20% in 1967. Mutual funds, moreover, tend to engage in larger size transactions than other institutional investors, and account for a large portion of negotiated crosses and block distributions of securities.

Our Report noted further that, despite the fact that the assets of mutual funds have grown at a rapid rate in recent years, many of the large funds have reduced the number of different stocks in their portfolios. This concentration of power has led to the increased probability that a few fund managers by their investment decisions will affect dramatically the stability of the market in particular securities in which they trade, regardless of any intent to do so. Further, as the irregular and relatively infrequent transactions of individual institutions in sizable blocks of securities become relatively more significant and the comparative importance of round lot orders by small investors decreases, the auction markets may find it increasingly difficult to maintain the liquidity, depth and continuity which they traditionally have sought to achieve.

The figures and facts which I have just mentioned still primarily reflect the market activities of the more numerous traditional capital appreciation and income funds. Nevertheless, recent emphasis on short-term movements by funds and other more conservative institutions has had, and will increasingly have, an important impact on the markets.

It is not yet known to what extent the original purpose of providing safety through diversification has now been "rephilosophized" or how much of the additional institutional activity is a result of the emergence of the "cult of performance," with its emphasis on new market techniques to develop short-term profits. Although there are restrictions on their use, these techniques include use of leverage, short-selling, purchase of puts and calls, option contracts and warrants, and investing in "special situations" and restricted unregistered stock.

As you know, in July of this year, Congress authorized an economic study to explore the effect of financial institutions on the overall securities markets, the securities industry, issuers of securities and the general public. This will, of course, not only be a very important undertaking, but a complex one as well, and we will need the cooperation and assistance of the entire industry.

Most of us connected in one way or another with the securities industry are optimists, which I believe is a desirable and even necessary trait. On the other hand, we surely cannot afford to ignore the fact that just six years ago Wall Street was, as it is now, almost at a point of being overcome with the enthusiastic embrace shown it by the investing public. After the 1962 market break, however, not only the investor suffered from severe withdrawal pains, but the industry saw the expiration of a number of its members, both large and small, and consolidations among others.

May 1962 also brings to mind a practice, existing then and now, in which much of the general investing public (at least for a time) happily participated—gambling on "hot issues." For comparative purposes, I find it not dissimilar to the "pyramid club" crazes which stem from the oldest of man's aspirations—something for nothing.

Many of you may be familiar with a survey given some publicity a short while back, summarizing the financial fate of a number of offerings made during the previous so-called "hot issue" period. In any event, I believe the figures merit repeating, as has been done by some brokerage firms who I understand distributed copies of the survey results to their customers. The survey, encompassing some 504 companies going public for the first time during the period 1952 to 1962, indicated that:

1. almost 12% of such companies had vanished without a trace;

2. another 43% were known to have liquidated, dissolved or gone into receivership;

3. 26%, while still in business, had reported a loss on their most recent income statement; and

4. if my mathematics are correct, only approximately 19%, or about one out of every five, of such new issues could be measured in terms of some success. Recognizing, however, the importance of assuring the unhindered passage of venture capital into new enterprises, while at the same time attempting to contain excessive speculation, not only the SEC, but the self-regulatory bodies, associations and state authorities are faced with a dilemma for which there seems to be no easy or ready solution.

It is with this in mind that I am appealing to you as individuals with an obvious interest in the outcome of this matter to assist your regulatory organizations in determining and implementing meaningful steps which can appropriately be taken to avoid another serious market break. Your comments and suggestions in this area are not only welcome at the Commission, but I assure you that we earnestly solicit them.

Closely aligned, and quite likely as a direct result of today's excessive speculation boom, is the current back office problem. A collateral aspect of that situation which I want to touch upon first is the failure of a great number of firms to carry out properly their supervisory functions regarding the handling of customer accounts. The Commission, in its opinions, has repeatedly emphasized the importance of a broker-dealer's duty to carry out its responsibility to supervise adequately and has taken appropriate action against both the member and its supervisory personnel for the neglect of such responsibility. In a recent release (Securities Exchange Act Release No. 8404, dated September 11, 1968), the Commission cautioned that effective regulatory action will be continued against firms and individuals who fail to comply with proper supervisory procedures. Sadly enough, the Commission has found in a great number of instances that, if procedures established by brokerage firms designed to deal with this problem had been properly implemented, there would not have been an opportunity for the violations found to have occurred. As you know, the minimum requirements of adequate supervision are set forth in rules of the New York Stock Exchange, the American Stock Exchange and the National Association of Securities Dealers, Inc. The New York Stock Exchange and the NASD have also published guidelines describing procedures widely accepted as representing sound supervisory practices.

Passing now to the subject of back office problems, I must begin by saying that it is, indeed, difficult to find words which will adequately convey my concern. Warnings are received at the Commission almost daily from knowledgeable people in the industry expressing their concern and the need to take immediate and appropriate steps. Many see the "fails" situation crippling market liquidity and, coupled with some political or economic event, precipitating a run on brokerage firms by customers for cash or certificates. If, as a result, any major firm is then forced to suspend or liquidate, they fear a general chain reaction among other firms will follow, which could seriously threaten our whole economy.

An analysis of the situation discloses that the current back office problem, resulting primarily from the unpreparedness of firms to handle the sales volume long sought, stems from one or more of the following contributory factors:

1. inefficient or inadequate back office procedures;

2. insufficient number of back office personnel;

3. failures of delivery from other broker-dealers;

4. delays in transfers by the issuer, registrar or transfer agent; and/or

5. obsolete or inadequate central clearing facilities.

The foregoing not only exposes a brokerage firm to possible substantial losses in the event of a sharp break in market prices, but, among other things, hampers the prompt determination of net capital compliance and, in the absence of accurate and current books and records, may result in improper extensions of credit.

Part of the difficulty in attempting to deal with the back office problem has been the mental attitude of some managements and "front office personnel." In many instances the back office operation is merely considered a non-profit-making appendage which must somehow be tolerated. Far too often brokerage firms attempt to economize on capital items and/or personnel for this aspect of their business, while increasing expenditures in those areas which directly relate to sales promotion, thereby aggravating what may already be a serious problem.

The irony is that, while the securities industry today is experiencing a prosperity it has seldom before enjoyed, some sizable brokerage firms have found it necessary to curtail business and even suspend or liquidate operations simply because of their unpreparedness to handle this prosperity. This is, indeed, a unique situation.

Assuming that the regulatory organizations have been able to pinpoint the major problem areas, it then becomes a question as to whether appropriate solutions can be developed. At the expense of other important enforcement activities, the Commission, in conjunction with the exchanges and the NASD, has directed its staff to conduct special inspections of brokerage firms in order to ascertain the extent to which such firms are carrying out their responsibilities in the area of back office compliance. In connection therewith, the Commission has stated that it would continue to take prompt enforcement action against individual firms and persons where there had not been full compliance with our applicable rules and regulations. Cooperative enforcement in areas of concern, such as examinations for possible violations of net capital rules or delinquencies in properly maintaining books and records, has been improved. Information-gathering has been stepped up to cope with present problems, as well as to assist in future planning.

Recent self-regulatory measures which have been implemented by the major exchanges include:

1. amendment of the mandatory buy-in rule to provide for the closing out of contracts which are still open 30 days after settlement date;
2. adoption of mandatory monthly "fail" reports for the purpose of taking corrective action;
3. shortening of weekly trading hours by Wesdnesday closings;
4. revision of handling procedures with respect to questioned trades to expedite their resolution; and
5. prohibition from making long sales for a customer unless assurance can be obtained that the securities being sold will be delivered promptly.

In addition, automation programs in the area of exchange clearance and delivery systems are apparently beginning to show results. The Central Certificate Service, inaugurated in late June, is currently providing computerized delivery for 362 stocks. Recently, member firms doing an over-the-counter business in the New York City area have been directed to join the National Over-the-Counter Clearing Corporation, or to clear their over-the-counter transactions with an NOTC member. It is expected that further automation of procedures will lead to additional efficiencies in both internal transactions within firms and among the exchanges and such entities.

Other regulatory measures which have either been put into effect or have at one time or another been discussed by the exchanges, the NASD and other self-regulatory organizations are:

1. cutbacks or a freeze on the number of daily customer orders that restricted firms can accept, or similar restrictions on new salesmen or branch offices, until their back office problem subsides;
2. cutbacks or a freeze on advertising or sales promotion by firms, which tend to increase sales volume while their back office problems multiply;
3. restriction of trading for firm accounts, with appropriate exceptions;
4. further curtailment of trading hours in addition to Wednesday closings; and/or
5. the hiring of additional personnel by the self-regulatory bodies to assist firms with unusually serious back office problems.

In some isolated instances, when restrictions have been placed on firms as a temporary measure until their back office problem has been alleviated, registered representatives have resigned to work for other firms. Such restricted firms simply refuse to realize that it is less expensive to establish adequate and appropriate back office procedures, and hire necessary personnel to carry them out, than it is to suffer the loss of sales personnel, loss of customers' confidence and invite problems with the regulatory bodies.

The Commission has also recently affirmed its position that it is a violation of the applicable anti-fraud rules for a broker-dealer to sell a security as principal for his own account, or to purchase it as broker for any other person, if he (1) knows, or has reason to believe, that there will be difficulties in obtaining deliveries with respect to a particular security because of delays in transfer or (2) because, in order to obtain the security either for his own account or for a customer, it will be necessary to purchase the security from another broker-dealer whose deliveries to him have not been prompt in accordance with traditional customs and usage of the trade.

The Commission at the same time warned that it is a violation of the anti-fraud provisions for a broker-dealer to accept or execute any order for the purchase or sale of a security, or to induce or attempt to induce such purchase or sale if he does not have the personnel and facilities to enable him to execute promptly and consummate all of his securities transactions.

To handle the other side of these problems, the Commission has now received comments with respect to proposed Exchange Act Rule 10b–14, which would make it unlawful for any issuer publicly offering any security, or which has any class of security outstanding, to offer or sell such security without providing for adequate registrar and transfer facilities.

Notwithstanding the importance of the above measures, the rule as adopted by the major exchanges and as proposed by the Commission, which hopefully promises to be the most effective for minimizing the back office problem, is the modification of the "fails to deliver rule." This amended rule now provides for deductions from a firm's net worth of from 10% to 30% on contract prices of "fails to deliver," and combined with strict enforcement of the net capital rule and books and records requirements, it is anticipated that such action will have a highly salutary and significant effect on the present discouraging fails situation.

Corresponding to the fails situation, complaints involving investor grievances communicated to the Commission indicate a continuing substantial increase of problems experienced by investors with respect to delays in receiving stock certificates, dividend checks, payments due from sale of securities, and others. Such complaints received during the year 1967 numbered between 720 and 786 per quarter. In 1968, however, complaint letters increased from 789 in the first quarter to 1,147 during the second quarter, and reached a record high of 1,401 during the third quarter of 1968. Gentlemen, that is more than 100 investor grievances a week. This does not, of course, represent those complaints never reported to the Commission. A very important element in all this, not even hinted at by the statistics, is the consumption of man hours at the Commission and in the industry by the mere processing of the complaints.

In closing, I would like to say that I think we can all agree that it takes years to build investor confidence in our securities markets, and only months, or even days, to destroy it. Unquestionably, the securities business is one of the great and vital industries of our country, and is respected throughout the entire world. It would most certainly, therefore, be one of the bitterest ironies if that industry strangled on the effects of its own affluence. You gentlemen and your colleagues must see to it that this catastrophe does not occur.

MRS. MARGARET MOORE, MISS MYRTIE BARKER, AND MR. WAYNE GUTHRIE, OF INDIANAPOLIS NEWS, RECEIVE FREEDOMS FOUNDATION AWARDS

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BRAY. Mr. Speaker, three members of the staff of the Indianapolis News were honored along with other Indianapolis citizens and organizations by the Freedoms Foundation, Valley Forge, Pa., in ceremonies held at Valley Forge on Washington's Birthday.

The following story from the February 18, 1969, Indianapolis News lists the winners and their outstanding accomplishments that have gained them this well-deserved recognition:

Margaret Moore To Receive Award

Mrs. Margaret Moore of The News women's department is one of 10 recipients of the national recognition awards to be presented Saturday at Freedoms Foundation, Valley Forge, Pa.

Two other columnists for The News, Wayne, Guthrie and Miss Myrtie Barker, also were named winners of awards.

Dr. Kenneth D. Wells, Foundation president, will make the formal announcement at presentation ceremonies held annually on Washington's birthday at historic Valley Forge.

Mrs. Moore, who is to be cited nationally for her work in combating crime and encouraging individual responsibility, will be joined at the Freedoms Foundation events by her daughters, Mrs. David E. Long, wife of the vice-president of Skidmore College, Saratoga Springs, N.Y., and Mrs. M. Stanton Evans, wife of the editor of The News.

ON U.S. CRIME CONTROL PANEL

Mrs. Moore, who began work in 1962 as coordinator of the Indianapolis Anticrime Crusade of more than 50,000 volunteer women, is now law enforcement chairman of the General Federation of Women's Clubs of 11 million women, and on the crime control panel of the United States Chamber of Commerce.

The events Saturday will be concluded with the Patriots Ball at the Marriott Hotel in Bala Cynwyd, Pa. Honorary chairman of events is Mrs. Dwight D. Eisenhower.

The National American Legion, Indianapolis, will receive an encased George Washington honor medal for "inspirational patriotic projects developed by the American Legion National public relations commission on the theme, 'Freedom Is Not Free.' "

Other Indianapolis winners include:

Tech High School, $100 and distinguished service award for school editorial, and distinguished service award in school category.

Diana Bailey, Citizens Forum, George Washington Medal Award for public address.

2nd Lt. Robert D. Beard, Fort Harrison, honor certificate for a letter.

Broad Ripple High School, George Washington Honor Medal award for school editorial and honor certificate award in school category.

School 88, distinguished service award in school category.

School 54, distinguished service award in school category.

Paul Coble Post 26, American Legion, George Washington honor medal in community programs category.

Alfred DeCoito, Jr., 60 N. Ritter, Valley Forge teachers medal award.

Heidi Eikenberry, 5903 Gladden Drive, George Washington honor medal for public address.

Manuel High School, $100 and George Washington honor medal for school editorial.

School 61, principal school award.

Sgt. Richard E. Farrow, U.S. Air Force, 10327, Lawnhaven Drive, honor medal for armed forces letter.

Marie Felton, 6629 E. Michigan, Valley Forge teachers medal.

Mrs. Guy E. Gross, Indiana Farm Bureau, honor certificate award for public address.

School 101, George Washington honor medal award in school category.

Indianapolis Public Schools, principal School Award.

School 62, George Washington honor medal award in school category.

Marshall High School, George Washington honor medal award in school category and honor certificate award for school editorial.

Rosa C. McNamara, 231 Wisconsin, Valley Forge teachers medal award.

Mothers of World War II, Inc., honor certificate for publication of The Mother's Voice. Identical award to Agnes Storer, editor.

School 12, George Washington honor medal in school category.

Ruth O. Rankin, 2803 Allen, Valley Forge teachers medal award.

School 59, George Washington honor medal award in school category.

School 83, principal school award.

School 107, George Washington honor medal award in school category.

WFBM Television, George Washington honor medal award for motion picture, "Independence Day 1968."

School 79, George Washington honor medal award in school category.

OTHER AWARDS TO HOOSIERS

Other Hoosier awards include:

Brownsburg—Don J. Richter, the Guide, George Washington honor medal award for editorial.

Greenfield—William L. McCartin, U.S. Navy, honor certificate for armed forces letter.

Lafayette—George W. Lamb, Journal-Courier, $100 and George Washington Honor Medal Award for editorial.

West Lafayette—Clergy Economic Education Foundation, George Washington Honor Medal Award in economic education programs category.

Anderson—Exchange clubs of Anderson.

Fort Wayne—General Telephone Co. of Indiana, William S. Sandeson.

Fulton—Caston Educational Center.

Gary—Louis M. Lesse, U.S. Navy.

Grissom Air Force Base—Sgt. Robert A. Mossing.

Highland—Calumet Unit Marine Corps League Auxiliary.

Huntington—John Zierten.

Michigantown—Timmy Unger.

Munster—Indiana Council for the Encouragement of Patriotism.

South Bend—Marine Sgt. Howard D. Peirce.

Terre Haute—Navy Lt. Merle C. Drew and T. Sgt. Thomas L. Isbell.

Winamac—Pulaski County Federated Clubs.

Others who will receive top awards include:

Stan Musial, former National League star and recently named to the baseball Hall of Fame.

George Foreman, Olympic heavyweight boxing gold medalist.

The Rev. Leon H. Sullivan, founder and chairman of the Opportunities Industrialization Center, Philadelphia.

J. Howard Wood, publisher of the Chicago Tribune.

Orchestra leader Lawrence Welk.

Luke Greene, Atlanta television personality.

Mrs. Chester H. Leyman, Pittsburgh philanthropist.

George Putnam, Los Angeles news commentator.

Mrs. Alice Widener, syndicated columnist.

Retired U.S. Army Gen. Harold K. Johnson, who survived the Bataan march and three years of imprisonment by Japanese forces during World War II, will receive the George Washington Award.

More than 1,800 awards will be presented later at regional and local ceremonies to individuals, schools and organizations for "outstanding achievement in bringing about a better understanding of the American way of life."

Miss Barker is to be awarded a George Washington honor medal for her story, "Patriotism Must Be Taught."

Guthrie, The News columnist, will win an honor certificate award for his article, "What Would The Dead Say Today?"

A TRIBUTE TO MICHAEL MUNKÁCSY

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 20, 1969

Mr. PUCINSKI. Mr. Speaker, on this occasion when we are celebrating the 125th anniversary of the birth of Michael Munkácsy, 1844–1900, Hungary's most prominent painter in the 19th century, whose personal contacts with numerous art collectors, cultural and civic leaders in this country made him, at that time, the most respected and most popular foreign artist known to the American public, we are glad to recall these memories of the past and to revive our dedication to those values which were served by Munkácsy all of his life. Because he was not only a great master of his artistic craft, but also a man of high principles and warm humanitarian feelings toward the poor, the humble, and the underprivileged. This example of Michael Munkácsy who in the course of three decades managed to establish himself not only as one of the most outstanding representatives of the arts in the last century, but also as one of the most inspiring talents of his period whose company and friendship were treasured by many of the leading personalities in all walks of life in Europe, should give for many among us a yardstick in our own times when we try so hard to find the proper balance between power and compassion, wealth and social responsibility, religious faith and the realities of a modern world order.

Before he reached the shores of the New World for a visit in November 1886, where, by that time already scores of his wonderful works adorned the public and private collections, Munkácsy's career included his phenomenal rise from the lowly status of a carpenter's apprentice to the celebrated artist of Paris where he won two gold medals at the Salon in Paris—in 1870 and 1878. His greatest achievements were reached, however, through the tremendous success of his Biblical canvases, "Christ Before Pilate," 1881, and "Christ on Calvary," 1884. These works about which thousands of essays and articles were published in the European press before they became the property of John Wanamaker, of Philadelphia, were viewed by millions of Americans while on tour in the United States and ever since. The message of these unique works of art is still the same as in those times—compassion toward the human being in his own misery.

It appears to be fitting to recall the impressions of the foremost art critics and correspondents of those times who convey to us the reception of Munkácsy's works in Europe.

The London Times wrote on January 24, 1884, concerning "Christ on Calvary":

> This picture is certainly one of the most perfect which have been produced for many a year, combining all the majesty of the classic schools with the modern and personal stamp that marks it of the 19th century. When one gazes on this picture and hears Munkácsy speak, one realizes the feelings which the contemporaries of Rubens, Murillo or Veronese must have experienced when they conversed with those great masters who were destined to be handed down to the admiration of posterity.

This "unbelievable" attitude of the contemporary English—and general European—society toward Munkácsy's powerful art was tellingly commented upon in our own New York Times on March 16, 1885:

> The "Calvary" of today over which not only the world of art but the world of fashion, of thought, and of religion is at present wondering, is indeed a marvelous picture. Taking all things into consideration, it is a strange subject to offer in this century of unbelief, of skepticism, and of scoffing. Who has time now to think of the Man of Sorrows? What artist living in Christian England ever dares to offer such scenes to the critical public, and who could imagine such a subject coming from a Paris studio, where even the last rags and shreds of religion are cast scornfully to the winds?

This high degree of personal integrity and "daring" made Munkácsy one of the guiding stars in the artists' world of the 19th century, aiding also the man of our own times to decipher the true message of those complex and meaningful periods of human history.

It is a source of satisfaction for the citizens of Chicago that three valuable works by Michael Munkácsy were added to the collections of P. C. Hanford and Potter Palmer, two art collectors of lasting memory, underlining the validity of the statement about the great Hungarian painter, according to which "Munkácsy was born and raised in Hungary, became famous in France, and his works found their first homeland in the United States."

NEW BUILDING HONORS "MR. KAISER EMPLOYEE"

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. MILLER of California. Mr. Speaker, a half century ago, Alonzo Benton Ordway and Henry J. Kaiser were just a couple of "construction stiffs" running around the West looking for projects.

I have personally known A. B. Ordway for many years. He was the first employee hired by Henry J. Kaiser and today, 57 years later, he is still active as vice president of Kaiser Industries Corp. He is 81 years old.

Early in February, Edgar F. Kaiser announced that a new 28-story office building, now under construction at the Oakland, Calif., headquarters of the worldwide Kaiser family of industries, will be known as the Ordway Building. The present high-rise headquarters building becomes Kaiser Building, and the name Kaiser Center will be applied to the whole Kaiser complex.

In remarks made at a banquet honoring Ordway, Edgar Kaiser pointed out that "Ord" is a living monument to the exciting history of the Kaiser organization. The late Mr. Henry J. Kaiser once paid a rather endearing though unusual tribute to "Ord" when he said of him—

He never agrees with me on anything. He's invaluable.

Let each of us—

Mr. Kaiser said in his address to some 300 Kaiser executives and their wives—

dedicate ourselves to being the kind of organization that will attract and hold the Ordways of the future. Let us remember that if we do not attract vigorous, sometimes controversial, youth into our offices and plants then everything that A. B. Ordway stands for is in jeopardy.

"Ord" typifies the pioneering characteristics that helped build this country, but equally important, as with Kaiser employees, he possesses that rare quality of human understanding and deep interest in helping people.

This tribute to a Kaiser employee who helped build the modern West was reported in the Oakland Tribune. I feel it altogether fitting and proper that this man and his work be recognized by the Congress.

Under unanimous consent I submit this article for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Oakland Tribune, Feb. 16, 1969]

(By Gene Ayres)

One day about 40 years ago, the late Henry J. Kaiser and A. B. Ordway were fighting each other in the back seat of a car speeding across Cuba.

Saturday night, Ordway stood amid a host of friends and well-wishers at a Kaiser Center banquet, an event officially observing the naming of a new Kaiser project, a 28-story building.

It will be called the Ordway building and—along with the present towering structure—will house the world headquarters of the far-flung Kaiser industrial empire.

Due to a slight swell in the ground the Ordway building will be 13 feet taller than the 390-foot height of the present Kaiser building.

This is no cause for joy to Ordway because the old building is his baby. He was project manager on it at an age when many men spend their time huddled under a shawl.

"Mr. Kaiser Employee" is the way Ordway is described by Edgar, present chief of Kaiserdom and son of the late patriarch.

It was Edgar who was driving the car that day in Cuba, while his father and Ordway wrestled. That fight began, Ordway recalled the other day because "H.J. had said something that reflected on my loyalty."

Kaiser made short work of him, Ordway remembers. But their teamwork apparently was unimpaired and Kaiser's firm finished a $20 million, 200-mile Cuba paving project with typical dispatch.

Ordway, having settled any doubts about his loyalty, went on in subsequent years to head 8 or 10 of "H.J.'s" burgeoning companies and serve as a director of that many more.

However, since he now is only the vice president of the parent Kaiser Industries Corp. and a director of the Kaiser Foundation Health Plan and hospitals, it is apparent that he considers himself practically retired although he won't admit it.

Asked when he intends to formally retire, he snaps back, "Never!" When the mammoth Kaiser complex filed its written policy of compulsory retirement at 65 with the U.S. Treasury Department a few years ago, it specifically exempted Henry J. Kaiser and A. B. Ordway.

Ordway will be 82 in August and is the senior Kaiser employe, rounding out his 57th year.

On a sunny day, he has the blue, ceiling-length drapes of his 28th floor office close out the sun—and the stunning Lake Merritt view—because he has eye trouble.

Impeccably dressed, white hair thinning, Ordway is an institution within an institution. His conversation is to the point, sometimes blunt with some of those short words learned when he and H.J. were "construction stiffs" years ago.

He uses the initials A.B., because "Alonzo Benton Ordway is too long if you write a check and I must have written a million of 'em."

He still cares about appearance and shoos photographers away from his profile "Jimmy Durante and I are having a contest," he explains.

In the officially sanctioned Kaiser lore, he is known as "Ord." But nine-tenths of the people he meets on his jaunty tours of the building call him "Mr. Ordway."

A native Iowan, Ordway joined Kaiser as foreman of a road-paving project in British Columbia in 1912, shortly after he graduated with a degree in civil engineering from the University of Wisconsin.

What was once just Kaiser and Ordway has grown into a colossus with $2 billion in assets.

In those early days, "We traveled together, slept in the same room and our arguments knocked down the walls," Ordway recalls.

Shortly before Kaiser's death on Aug. 25, 1967, in Hawaii, Ordway had a premonition and flew over for three days of hashing over old times with the boss.

"I told him, 'I won't talk one word of business.' I got a few belly laughs out of him."

"Mr. Kaiser Employee" admits it was not only fun to work for Kaiser but also was profitable. He once bought Kaiser stock for 6 cents a share.

Kaiser bigwigs a few years back gave Ordway a gold key to Kaiser Center "which is supposed to open every door in the place." As he goes through the building, he can show a visitor the different colors of ceilings and recall how the architect tried to convince the elder Kaiser that they all should be eggshell white.

Ordway likes to point to Kaiser products used in the construction of Kaiser Center, wherever possible. This was done at the insistence of the elder Kaiser.

Once, in planning the 393-seat auditorium, the architect noted a tricky reverse twist in the handrailing and strongly argued that wood should be used.

Only one outfit makes wood, as the poet Joyce Kilmer pointed out, and it isn't Kaiser.

The handrails, reverse twist and all, are of Kaiser aluminum.

Edgar Kaiser observed Saturday night: "We are blessed to have an Ord for whom we can name our new building. It would have been pretty cold to name it Kaiser Center No. 2, or Kaiser Center Annex."

There may even be another gold key that will open "every door" in the new Ordway Building.

With that enticing hole in the ground just across 21st Street, and all that concrete to be poured and steel to be hung, would you retire, if you were A. B. Ordway?

Neither will he.

THE LATE SENATOR E. L. BARTLETT MADE HONORARY CITIZEN OF WASHINGTON STATE

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. PELLY. Mr. Speaker, last December I received a great shock when I read that Senator Bob Bartlett had passed away after a heart operation. This sad item of news was a matter of personal regret and sorrow after my 16 years of association with Bob here in the Congress. I admired and appreciated his lovable character. And, too, I respected his unusual legislative ability. Indeed, I have never known any Member of the House or Senate who was more able in this respect.

Based on my own experience and close observation it was his tenacity, teamwork, and persuasive talent that overcame the substantial reservations in Congress to Alaska statehood. Likewise, after statehood, it was Bob's work which, in a large measure, justified the arguments he had used in favor or statehood. He played a major role in assuring the success of the infant, struggling State he had helped create.

Mr. Speaker, Bob Bartlett will be remembered as the guiding genius in passage of the enabling act under which Alaska became a State. On the other hand his interests and accomplishments were never limited to his own State. We in my home State of Washington and in Seattle recognized him as a friend and he was nationally recognized especially for his legislative contributions—especially, of course, to the maritime and fishing industries which came under the jurisdiction of his congressional committees. The Nation as a whole benefited from his efforts and he will be sorely missed for in many ways he was a unique figure in the political life of his country.

Mr. Speaker, in tribute to the life and service of Bob Bartlett and because of the widespread respect and admiration in which he was held in Alaska's sister State of Washington at my suggestion posthumously he has been named an honorary citizen of my State.

Mr. Speaker, I join with my colleagues in paying tribute to the life and service of Bob Bartlett—a great American, and now posthumously an honorary citizen of Washington State.

LITHUANIAN INDEPENDENCE DAY

HON. WILLIAM T. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. MURPHY of Illinois. Mr. Speaker, toward the end of World War I and soon after the overthrow of the czarist regime in Russia, Lithuanians were among the first of innumerable nationality groups to proclaim their national independence. That historic event of 51 years ago marked the culmination of their long-cherished dream, the regaining of their freedom, ushering in a new era for them.

The Lithuanian people had lost their independence in the 18th century and were brought under Russia's autocratic czarist regime, but their real suffering under that regime dates late in that century when Lithuania became part of Russia's vast empire. Under such foreign domination they suffered much both materially and physically, but all their misery and misfortunes left them spiritually unscathed.

The unwieldly and callous government of the czars could not stamp out Lithuanian national feelings; foreign autocrats could not eliminate the Lithuanian spirit of freedom and independence. Courageously and stoutly these few million people held their own against the overwhelming power of the czars, and repeatedly defied Russian authorities whenever attempts were made to Russianize them.

The people were ready to sacrifice their all wordly possessions and, if necessary, submit to exile and imprisonment, but they were unwilling to give up their beliefs and their national ideals. They clung to these tenaciously and steadfastly, and when the time came in 1918 to assert their freedom, they seized upon the occasion and proclaimed the birth of the Lithuanian Republic on February 24 of that year.

Thenceforth for several anxious years the people went through great difficulties. The war-ravaged country had to be rebuilt, the hungry had to be fed, the needy had to be cared for, and the governmental machinery just instituted had to be put into efficient working order. Perhaps the most important and crucial of all was the organization of the country's defense forces for the maintenance of its newly won independence. In time, however, these difficulties were overcome, many problems were solved, and Lithuania's independence safeguarded. In due time Lithuania become a member of the League of Nations, and played her part admirably well in that world organization. In the course of two decades, during the interwar years, Lithuania was regarded a prosperous and progressive state. Unfortunately this happy situation did not last long; Lithuania's powerful, greedy, and aggressive neighbors did not want it to last. Then Lithuania's deadliest foe, the Soviet Government, saw to it that democratic Lithuania did not remain free and independent. Catastrophic events that led to the last war foreshadowed Lithuania's doom. Early in 1940, under an outrageously flimsy pretext, Stalin's forces invaded and occupied the country, and in July of that year it was annexed to the Soviet Union.

During the war the Lithuanian people suffered under both the Soviet regime and under the Nazis. When the Soviets were in occupation of the country hundreds of thousands of Lithuanians were uprooted from their homes and exiled to distant parts of the Soviet Union, while those allowed to remain home were forced to work as slaves for their Communist overlords. Then the country was taken over by the Nazis, but this change of masters did not change the lot of the Lithuanian people. Finally, toward the end of war the Communists returned once more, this time with more fury and ferocity. Since then the fate of Lithuania has been in the hands of the men in the Kremlin.

Today's Lithuania is one of the Soviet Union's constituent republics where some 3,000,000 live and work under their Communist taskmasters. All their worldly possessions are owned and operated by the state. There they are deprived of nearly all forms of freedom, and since they are practically sealed off from the free world, we hear little of their unenviable lot. However, even under such unbearable conditions the Luthuanian people have not given up their traditional and national ideals for freedom; they cherish the hope that someday they will cast off the Communist tyranny and regain their freedom. On the occasion of observance of their independence day I join them and fervently hope that they attain their national goal and be allowed to live in peace in their historic homeland.

AMERICANS OF ESTONIAN DESCENT MARK ANNIVERSARY OF INDEPENDENCE

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. CUNNINGHAM. Mr. Speaker, Americans of Estonian descent are today marking the 51st anniversary of independence of the Republic of Estonia.

Estonia and the other Baltic States, Latvia and Lithuania, lost their independence after the outbreak of World War II.

The Baltic States became victims of the conspiracy of the totalitarian imperialistic powers, Soviet Russia and Nazi Germany.

Estonia and the other nations were forcibly incorporated into the U.S.S.R. The Soviet Union's assault against its Baltic neighbors was the first step westward in a ruthless march against Europe.

The beginning of today's international tensions and threats to peace may thus be found in the Soviet aggression against Estonia, Latvia, and Lithuania in 1940.

Mr. Speaker, we cannot rest well until Estonia and all other nations which have been dominated by the Communist conspiracy, are again free.

FOR CONSOLIDATION OF LOCAL GOVERNMENT

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. PODELL. Mr. Speaker, on Saturday, December 14, 1968, the President's National Commission on Urban Problems made public a report in which the Commission urged a program of Federal fiscal action to encourage consolidation of local governments. I want to commend this report to the special attention of our colleagues because its recommendations present an effective and constructive approach that is necessary to revitalize our forms of local government.

Public interest in local government consolidation has become more intense in recent years. Before I was elected to the House in February 1968, I served as chairman of the New York State Assembly Committee on Local Finance. In that capacity I initiated a series of studies into the operations of local government in the State of New York. Based on those studies, I reached a conclusion similar to that advanced by the President's National Commission on Urban Problems—that consolidation of local governments was imperative in order to provide our people with decent, effective, and efficient public services.

Parallel studies have been going forward in other States. At the Federal level the National Committee on Intergovernmental Relations has done a monumental job in exploring and in pointing to areas for constructive intergovernmental cooperation at the local level. In many instances local governments themselves have initiated avenues for joint and cooperative activities to provide improved services at lower costs to their residents and to their commercial and industrial enterprises.

Across the border in Canada a metro form of government has been established in the Toronto area to coordinate the planning and administrative activities of a region, where the multiplicity of local government units had heretofore made impossible the performance of such functions in a constructive and efficient manner.

In 1966 the Committee on Economic Development completed a study of local governments and reported that spending by local governments exceeded the total Federal budget except for national defense expenditures. This committee concluded that the costs, operations, and performance of local governments have become the most significant national domestic problem. The archaic structure of local governments amply justifies this conclusion of the committee.

The President's National Commission on Urban Problems found—

> The problems of local government are greatly magnified because each political subdivision within the fragmented metropolis relying primarily on the local property tax tends to lean inordinately on this splintered zoning power to boost its tax base.

As a result, the Commission concluded that the present indiscriminate distribution of zoning authority leads to incompatible uses along municipal borders, duplication of public facilities and attempted exclusion of regional facilities.

The findings of the Commission with respect to zoning, housing, and land use apply with equal force to other local services. For example, within a single county, police protection is frequently proceeded by a welter of police forces, lacking crime laboratories, modern communications systems and other equipment and facilities essential to modern, scientific crime detection. Seepage of sewage, detergents, and other contaminants from cesspools and septic tanks jeopardize the water resources of an adjoining area. Garbage disposal districts compete with each for dumping areas in an era of shrinking land availability.

The most obvious thing about the pattern of local government is simply that it doesn't make sense. In New York State, for example, we have approximately 9,000 units of local government: counties, towns, villages, and specials districts for water, garbage disposal, fire protection, and for a host of other local public services.

Concern with the forms of local government in our State is not of recent origin. In 1930, Gov. Franklin D. Roosevelt asserted the local governments in New York State were blessed with more tax collectors than warriors engaged in the Battle of Marathon.

Since then a number of legislative committees and State commissions conducted studies and surveys of local government functions and performance and have uniformly concluded that the need for overhauling, modernizing, and streamlining local governments was indeed a pressing one.

Despite these persuasive appeals for restructuring our forms of local government, relatively little has been accomplished. County, city, town, and village boundaries and organizations remain substantially unchanged from the manner in which they were originally laid out more than 150 years ago.

Resistance to change is inevitable. Understandably, many fear that the curse of bigness may prove worse than the price of smallness. Many regard small units of government with nostalgic affection and look upon the right to elect a highway supervisor as a continuation of the democratic spirit of town government as it existed during the colonial period. Others see in the small government units a bulwark against the evils of a big-city political machine.

Nonetheless, there is change in the wind. The stimulus for change was generated principally by the historic and unending population movement since World War II from our cities into our villages and towns, a movement which upset the balance wheels of local government. Competition developed for tapping limited water resources to meet the needs not only of the increased population but also of commerce and industry which necessarily followed the people.

Subdivision and construction of split-level ranch homes on acreage previously used as a garbage dump sent local officials scurrying for new acreage for garbage disposal purposes and, as land disappeared, they inevitably turned to the public incinerator with concomitant problems of a bond issue for construction of the incinerator, and taxes for interest and principal on the bonds and for maintenance and operation of a facility.

To meet the emerging needs, special-use districts were created—water districts, sewer districts, fire districts and fire protection districts, street lighting districts, park districts, and in Nassau County an elevator district. As a result, New York State has today almost 9,000 units of local government, selling bonds, levying taxes, hiring personnel, purchasing supplies, and performing various governmental functions.

Under the circumstances it was inevitable that the cost of local government should mount, as it has, to astronomical figures, and a search for improved methods of performing the local government function was stimulated.

The recommendation of the President's National Commission on Urban Affairs for Federal fiscal aid to encourage consolidation of local government is a step in the right direction. I trust that the reports of the Commission will serve a function more useful than gathering dust on library shelves. There is an urgent need to meet the challenge of creating rational forms of local government—a challenge that we dare not long forget.

ALLISON DIVISION OF GENERAL MOTORS, HOOSIER-BASED INDUSTRY, MAKES MAJOR, SIGNIFICANT CONTRIBUTIONS TO APOLLO 8 FLIGHT

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BRAY. Mr. Speaker, Allison Division of General Motors is making a significant contribution to the Apollo moon mission program. High-strength titanium tanks made by Hoosiers contain the propellant for the service module that carries astronauts into moon orbit, and for the lunar module that later this year will take two astronauts from lunar orbit down to the surface of the moon. Allison tanks were aboard the recent successful Apollo 8 flight to the moon. They carried the propellant that kept the spacecraft on course to the moon, put it into lunar orbit and boosted it free of orbit for return to earth. Similar tanks were aboard the earlier and equally successful Apollo 7 earth-orbiting flight. Allison tanks will be aboard the Apollo 9 service module when it is launched February 28 on an earth-orbiting flight to test the functioning of the lunar landing module that will descend to the moon surface on a later flight.

ELEMENTARY LESSON ON THE ARMED FORCES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. ROSENTHAL. Mr. Speaker, Edward P. Morgan's article "Elementary Lesson on the Armed Forces" vividly documents the ever-escalating demands of the military for increased outlays—and its incredible capability to devour funds.

The Defense Establishment regards itself as omniscient, and is constantly trying to make itself omnipresent. The demands of the military for new funding can never be met, for after one program is funded, two more appear declared by its sponsors to be equally urgent.

Mr. Morgan is asking the right questions—do we need a military "presence" in 68 foreign countries? Do we need 30,000 military men in Latin America? Can we afford half our national budget devoted to military items while children starve and cities burn at home?

His article follows:

[From the Washington (D.C.) Post, Feb. 15, 1969]

ELEMENTARY LESSON ON THE ARMED FORCES

(By Edward P. Morgan)

While Senator Symington tools up his new ad hoc subcommittee to examine what influence our international military commitments may have on U.S. foreign policy, there is time for the rest of us to do some cramming on the subject.

Attention class!

Q. How big are the U.S. armed forces?

A. 3,407,557 men (and some women) by official mid-January Pentagon figures.

Q. Where are they?

A. Nearly half, or 1½ million, are serving abroad.

Q. Mainly involved, one way or another, in Vietnam?

A. Heavens no! Less than half. We've only 532,500 troops in Vietnam, plus, of course, support from 35,700 Seventh Fleet personnel offshore; 45,000 on Thailand bases; 40,000 on Okinawa.

Q. Does that about do it for Asia?

A. By no means. We still have 55,000 GIs patrolling the truce in Korea. And 40,000 in Japan proper. And 30,000 in the Philippines. Part of the latter two totals, of course, reflects a rear-guard involvement in Vietnam.

Q. Could we possibly be overmanned somewhere?

A. You took the words right out of some influential legislators' mouths. We still maintain in Japan, by official count, 48 "major military installations,"—30 for Army, 11 for Navy, 7 for Air Force. One important House member argues we can safely reduce U.S. personnel there by one-third, maybe even two-thirds.

Q. What about the Philippines?

A. One survey, never released, reportedly recommends a cutback to one island base. We now operate a dozen installations there, including Clark Field, a huge base.

Q. But World War II is a quarter of a century behind us. Don't tell me the fickle winds of the Cold War still have us scattered from hell to breakfast over the rest of the globe.

A. The U.S. today maintains a "military presence" in at least 68 foreign countries. These range from MAAGS—military assistance advisory groups (four men in Tunisia, 116 in Brazil)—to fullblown bases.

Q. Speaking of bases, how many do we have abroad?

A. In Pentagonese, "major military installations or activities outside the U.S." total 400. One Senator, who should know, says the exact figure is 432.

Q. Great Scott! What have we missed?

A. Fasten your seatbelt for just a sample globe-girdling rollcall: Ethiopia (1); Libya (1); Greece (2); Spain (8); Iceland (1); British West Indies, Bermuda and the Bahamas (7); Cuba (5) all embraced by Guantanamo naval base; Panama Canal Zone (13); Taiwan (3); Pakistan (1); Turkey (3); Berlin and West Germany (146); United Kingdom (12).

Q. Wow!

A. Some official figures are deceptive or classified. We have 320,000 men in western Europe and Britain, some 21,000 aboard the Sixth Fleet in the Mediterranean. But many of the land-based military have wives and children with them, on a three-year hitch. One Capitol source, for example, reckons that dependents bring the total American presence in Japan to 83,000.

For "the Middle East and Africa" the Pentagon's force list is 10,000. Actually we may have at least 30,000 men in and out of uniform in Ethiopia, Turkey and Iran, some on what might be called dainty assignments. The latest official count of U.S. military in Latin America is 30,000, though that includes nearly a score of MAAGS. And about 15,000 Army men in Panama.

Q. Still, all that manpower must be a

bargain; it's the fancy weapons that really cost, right?

A. Not so fast. Depending on how you figure, the care and feeding of nearly 3½ million men (not to mention certain allowances for dependents on foreign station) may eat up nearly half the $81.5 billion national defense budget estimate for fiscal 1970. Actually for a truer cost of national defense, throw in nearly $6 billion as the estimated Veterans' Administration 1970 outlay for insurance, pensions, hospitalization, etc. And don't forget the CIA, whose budget is secret but which at last reports was above half a billion and presumably climbing. Then if you've a sliderule handy figure the appropriate share of all these items in the interest on the national debt.

Q. But isn't protecting our national security cheap at any price?

A. How much of a bargain did the Pueblo incident buy us? Is paying higher prices for poorer weapons, as *The Washington Post* revealed the other day, a sound investment? Are we getting our military money's worth in Japan and Okinawa where recent anti-American demonstrations signal flashpoints of possibly worse trouble to come? "Yank Go Home" is rising with nationalism in Turkey and the Philippines too.

Q. Gee, the Symington committee has its work cut out for it, right?

A. Right. Our next assignment will be to evaluate the ABM, if any. Class dismissed.

MORE AID FOR THE HUNGRY IS NEEDED

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. RYAN. Mr. Speaker, in an editorial of February 24, the New York Times calls for an agricultural policy that is responsive to the needs of the poor. That the present policy has failed in aiding the poor has been established in the testimony before Senator McGovern's Select Senate Committee on Nutritional and Human Needs. It is encouraging that this testimony has led the Secretary of Agriculture to provide free food stamps for those near starvation in South Carolina. But efforts cannot end there.

The central problem is our entire agricultural policy. Eight times more money goes to subsidizing large farm operations than to improving the diets of the poor. Furthermore, the refusal of the Agricultural Department to spend the money available for commodity distribution program lacks potential help for the poor. Such policies cannot be continued. The Agriculture Department must join other departments in their attempts to eliminate poverty. The new Secretary of Agriculture must recognize the true dimensions of hunger in the United States and use his power to see that adequate responses are formulated. The editorial follows:

[From the New York Times, Feb. 24, 1969]

THE HUNGRY ARE HEARD

It is proving a bitter harvest. The effects of this nation's wrong-way agricultural policies on millions of poor continue to be etched in testimony before Senator George McGovern's Select Committee on Nutritional and Human Needs. Medical experts report that nutritional diseases long thought abolished have reappeared. They have linked irreversible mental retardation dietary deficiencies in the very young.

The impact of this testimony has produced a few encouraging changes, but not nearly enough.

The Senate has overridden its own Rules Committee to assure the investigating committee adequate funding. The Secretary of Agriculture, Clifford M. Hardin, has worked out plans to provide free food stamps for those near starvation in Beaufort and Jasper Counties, S.C.

Distressing aspects of the problem, however, almost overshadow these positive developments. The Agriculture Department remains virtually in contempt of court for not providing food or food stamps to the hungry in California. An examination of its departmental budget for the current fiscal year reveals the cruel extent of the nation's twisted policies.

The total outlay for farm income stabilization programs comes to about $4.5 billion, while the total for surplus commodities and food stamps, the programs aiding the poor, comes to only $564 million. Thus the nation spends about eight times as much propping up farm prices as it does helping the poor to receive adequate diets. Additional funds go into the school lunch program, but surveys show this program often excludes the very poor, who need it most.

Large farm operations receive fantastic subsidies, particularly in California. The J. G. Boswell Company in Kings County, Calif., for example, received more than $4 million in diversion payments in 1967. The Rancho San Antonio in Fresco County, Calif., received nearly $3 million. Senator James Eastland's plantation in Mississippi received well over $100,000.

The Agriculture Department, while lavishing subsidies on large operators, refuses to spend the money made available for commodity distribution programs. It turned $227 million back to the Treasury last year. It even refuses, despite a court injunction, to provide food or food stamps to the poor in several California counties. With assistance from the Office of Economic Opportunity, the poor in these counties have had to sue to win the benefits of programs designed for them. Similar suits have been brought in other states.

Secretary Hardin, new to office, is hardly to blame for these wrong-way policies or for the widespread hunger in America. Nonetheless the responsibility is on him to move vigorously to meet a problem that has now been so clearly exposed. The conscience of the country, having heard the voice of the hungry, demands action to answer that cry.

AIRLINE YOUTH FARES

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. OLSEN. Mr. Speaker, I was pleased to have more than 30 of our colleagues join last week in the introduction of a resolution expressing the sense of the Congress that current child, youth, and military reduced air fares are consistent with the Federal Aviation Act of 1958.

I am hopeful many more will join in support of this resolution, House Concurrent Resolution 144.

Several editors across the Nation have spoken out in support of continuing the youth fare on our airlines. As I continue to receive editorial statements in this regard, I will insert them in the RECORD.

Today I place the resolution and the following editorials and articles in the RECORD:

Kent State, Ohio: "Grounded."

Kent State, Ohio: "Standby Air Fares May Be 'Up, Up and Away.'"

Villanova University: "You Gonna Get Shot Down, Baby."

Cornell University: "Call a CAB."

St. Paul Pioneer Press: "Keep Student Fares."

H. CON. RES. 144

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the current regulations of the Civil Aeronautics Board under which air carriers are permitted to grant reduced air fares to children, youth, and members of the armed forces of the United States are consistent with the intent and purposes of the Federal Aviation Act of 1958 and tends to promote adequate, economical, and efficient service by air carriers at reasonable charges, without unjust discriminations, undue preferences or advantages, or unfair or destructive competitive practices.

[From the Kent Stater, Feb. 20, 1969]

GROUNDED?

All half-fare stand-by airline tickets were scheduled to become null and void today. All special youth fare I.D. cards were to become worthless today. None of this has happened—YET.

If Transcontinental Bus Systems, Inc., operators of Trailways, has its way, the skies may be just as friendly as before, except that they will be twice as expensive for the college student.

Several students at Princeton University have banded together to fight the threatened discontinuance of youth fares. They spoke with Arthur Present, examiner for the Civil Aeronautics Board (C.A.B.), who told them that he had ruled against the fares earlier this year because they violate section 404 of the Federal Aviation Act of 1958. The act prohibits "unreasonable" discrimination in fares.

He said that for discrimination in fares to exist, air passengers must get "substantially similar" service, yet be charged different fares.

The Stater disagrees with the examiner. We believe that students flying on half-fare tickets get "substantially different" service, and in most cases that treatment is far below that received by full-fare coach passengers.

Frequently, a student is "bumped" off a flight at one of the stops on a multi-stop flight. He is faced with hours of waiting for a flight during peak travel times, and sometimes he never gets a flight. Once up in the air, the half-fare passenger is told by the stewardess, "I'm sorry, we don't have any extra meals on board for you, but you can have a Coke if you would like one."

So the student sits closest to the roaring jet engine sipping his Coke. At least he is flying. That is what he paid for.

The youth fare passenger can not fly during holiday periods. He is definitely regarded as a "lower caste" passenger by the airlines. If this is not substantially different service, The Stater does not know what is.

The Princeton committee has written, "It is obvious to us that the charges of discrimination have been trumped up by the bus companies in an attempt to discourage young people from flying and to force them to travel by bus. This blatantly profit-motivated act which totally disregards the general welfare of millions of young people cannot be permitted."

The Stater agrees.

If the bus companies really think half-fare, stand-by tickets attract students to the airlines, why don't they institute a similar program on the long-haul city-to-city bus routes?

The ultimate statement criticizing the discrimination ruling was made by U.S. Representative, Arnold Olsen (D. Mont.) recently. He said, "I fail to see how permitting a young person to fly half-fare on a seat that would otherwise go empty discriminates against regular passengers."

The C.A.B. will again be discussing the youth fares on Wednesday, Feb. 26. The board must be convinced that youth fares should be continued. They must be made aware that youth fare passengers do not receive the same service as full fare passengers. They must be shown that students across the nation are upset.

[From the Kent Stater, Feb. 13, 1969]

Standby Air Fares May Be "Up, Up and Away"

(By Saul Daniels)

Stand-by half-fare and reserved seat two-third fare airline tickets for the 12 to 21 age bracket may soon go the way of the Ford Trimotor aircraft if the Civil Aeronautics Board upholds its own decision banning them.

Thomas V. Sheehan, representative of the Civil Aeronautics Board (CAB) told The Stater that the original decision to cancel the fares, used extensively by college students, was made by the Board on January 21.

"The Board, six days later, on its own motion, which was rather unusual, decided that it would grant review," he said and ordered the Board examiners' previous decision suspended indefinitely.

The major long distance bus company maintained that the special youth fares were "unjustly discriminatory." The Board examiner ruled in favor of Trailways but later the CAB decided to reconsider. The date of the new hearing has not yet been set.

According to Sheehan, the entire situation began two years ago when Trailways filed its first complaint. The CAB sustained the youth fares and rejected the complaints. However, Trailways appealed the decision to the Fifth Federal Circuit Court of Appeals which reversed the Board's decision.

The Court "remanded the question of youth fares to the Board for further proceedings," Sheehan told The Stater. "At that time Trailways also challenged the military furlough fares, but the Court found that the furlough fares were properly handled by the Board," he continued.

Upon re-examination the Board hearing examiner found the youth fares unjustly discriminatory, Sheehan said. The decision for review came six days later, and execution of the Boards' cancellation ruling, which was to go into effect within 30 days, was upheld indefinitely.

Rep. Arnold Olsen (D. Mont.) said that if the Board should uphold the cancellation order, it would "encourage thousands of young people to resume the illegal and dangerous practice of hitch hiking or to attempt long, exhausting automobile trips, frequently in unsafe vehicles."

The congressman, in a letter to CAB Chairman John H. Crooker said, "I fail to see how permitting a young person to fly half fare on a seat that would otherwise go empty discriminates against regular passengers." He continued to say, "The revenue loss resulting from elimination of the existing regulations could mean increased fare for all passengers, and that present youth fares contribute substantially to the cause of education.

Continuing on subject of education Olsen said that the youth fare was "an important factor in easing the travel burden of thousands of college students. Travel alone is a form of education. Thousands of young Americans—students and non-students—have been enabled by the youth fare to see much of their country. They have benefited from the current youth fare arrangement, and it has not been at the expense of full-fare passengers because space available seats are empty."

CAB spokesman Sheehan said that it is too late for students to present evidence to the Board or to appear before it, but if they wished, they could write letters to the Civil Aeronautics Board, 125 Connecticut Avenue, N.W., Washington, D.C., 2009. However, he warned, the Board has been so swamped with letters that it is virtually impossible to answer them.

[From the Villanovan, Feb. 19, 1969]

You Gonna Get Shot Down, Baby

Another "crumb" from capitalism's cornucopia will be yanked from students' mouths without even a small hassle.

Airline officials are being pressured to change the special student rates policy on the grounds that it discriminates against adults and non-students. Those who are applying the pressure (we wouldn't be surprised if they liked to play with buses) are charging the airlines with unequal practices.

We feel that the word "equal" is semantically problematic in this case. Equality must be also viewed from the student's position. A student's yearly income is not equal to that of a full time employee. The airlines' standby requirement for student discounts obviously does not display equal treatment among customers.

The student discount helps both airline and student. Its desuetude will result in empty seats and loss of profit for the airlines. For the student this will not only mean an unnecessary hardship, but a real example of discriminatory treatment.

[From the Cornell Daily Sun, Feb. 17, 1969]

Call a CAB

We'll all be paying full fares for our airplane trips if a decision by a Civil Aeronautics Board examiner is not overturned by the full board. The examiner has ruled that airline youth fares constitute discrimination against adult, full-fare passengers and ought therefore to be abolished.

As veterans of interminable airport vigils and last-second runway dashes, we value our mobility and object to the implication that an empty seat is somehow fairer to other passengers than is a college student.

Others who feel the same way should contact the CAB or Rep. Arnold Olsen (D., Mont.), who is fighting the measure, or be prepared to cancel that impending spring vacation jaunt.

[From the St. Paul (Minn.) Pioneer Press, Feb. 13, 1969]

Keep Student Fares

Many American families will receive an unwarranted jolt in the pocketbook if the Civil Aeronautics Board upholds a finding by one of its examiners.

CAB examiner Arthur Present has found that youth and family airline fares are "unjustly discriminatory and should be cancelled." Public hearings on the question will be held within the next two months.

Since 1966, children aged 12 through 21 have been able to travel anywhere in the U.S. by plane, on a stand-by basis, at a 50 per cent reduction of fares, except at peak traffic times and seasons. Other special rates allow family reductions for husbands and wives or children traveling together. The program has been a great boon to American youth and families and has resulted in increased business for the airlines, thus creating a mutually happy situation.

Youth fare traffic increased from 2,100,100 passengers in 1966 to 5,760,000 in 1968. College students and vacationing families have been the chief users of the special rate plans.

The damper has come from a complaint filed with the CAB by a major group of bus companies. Instead of attempting to meet the airlines' competition, they demanded that such fare reductions be discontinued and alleged that the rates were "unjustly discriminatory, unjust, unreasonable, unfair competitive practices and otherwise unlawful."

The CAB refused to consider the complaint in 1966 but the bus companies went to court and their appeal finally reached the Supreme Court, which declined to hear the case. Renewal legal actions in the lower courts forced the CAB to review youth and family fares early this year and Present announced his findings after nine days of hearings.

It would be most unseemly of the CAB to rule in the bus companies' favor and stifle legitimate competition. If the bargain rates are no longer allowed, a lot of American families will be robbed of the special work, study and travel privileges now granted by the airlines.

DRAFT DEFERMENTS FOR POLICE

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. HORTON. Mr. Speaker, police agencies and fire companies across the Nation, particularly those in the major metropolitan areas, are faced with a critical shortage of prospective manpower.

In dealing with the law-enforcement personnel shortage problem, the National Advisory Commission on Civil Disorders made the following recommendation in its report:

> Because a basic problem in furnishing protection to the ghetto is the shortage of manpower, police departments should review existing deployment of field personnel to ensure the most efficient use of manpower . . . communities may have to pay more for the entire community, as well as for the ghetto.

There is no question that communities will have to face this problem realistically. But we in Congress must face the need to help where we can.

I am offering legislation today which would amend the Selective Service Act of 1967 to give full-time policemen, firemen, and men in training for such jobs deferments from the military draft.

Almost every major metropolitan police and fire department in our land suffers from a shortage of trained personnel.

A study of municipal police departments conducted by the National League of Cities in the summer of 1965 indicated that 65.5 percent of the 284 responding departments were operating below authorized strength. Of the 98 departments operating at authorized strength, 79 indicated they really needed more men.

If we continue to draft men away from police departments that are already understaffed we are undermining the ability of communities to afford protection to their citizens at a time when this is most crucial.

In the 90th Congress we acted to provide substantial Federal funds for State and local law-enforcement assistance. This long overdue measure must be supplemented by legislation guaranteeing that the Federal Government will not dip into the already inadequate manpower pool available to law enforcement and fire protection.

Police agencies and fire departments are finding recruiting increasingly difficult. Both are thankless jobs, involving great danger and little compensation.

To further complicate matters, a large number of police and firemen who joined immediately after World War II are now reaching retirement age.

It has been estimated that large cities will soon experience a loss of one-third of their experienced police personnel through retirement. This experienced leadership must be replaced.

Mr. Speaker, the cities most understaffed are those which need police and fire protection most. I urge your help in furthering the fight for greater safety in our cities by adopting the national policy that law enforcement and fire fighting careers are critical skills which should be exempt from the draft.

The war against crime, as the protection of human life and property, is vital to our national interests. We cannot continue to draft men who are so essential to maintaining the public safety.

EDITORIAL BOOSTS SEAT BELTS FOR SCHOOL BUSES

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. CUNNINGHAM. Mr. Speaker, on March 7, 1968, 19 of 30 passengers aboard an interstate bus died when the bus collided with an automobile near Baker, Calif.

One of the conclusions presented by the National Transportation Board in its report of December 18, 1968, is as follows:

> The absence of restraining devices for the driver and bus passengers made possible the increase in severity of injuries and resulted in confusion and disorientation (i.e., to the passengers on the right side of the bus). Had restraining devices such as lap-type safety belts been available and in use by occupants, it is probable that a great number of persons would have been able to escape from the bus before the fire.

Under the heading "Probable Cause," this report also states:

> The *injuries* to the bus occupants were caused by the forces of impact and subsequent bus overturn in the absence of crash injury prevention facilities such as occupant safety belts.

I have learned today that the Federal Highway Administration does intend, under the authority of the Interstate Commerce Act, to require the installation and use of lap belts for drivers of buses operated in interstate commerce to any extent beyond the limits of commercial zones. Such operation includes the bulk of high-speed, intercity bus operations. The purpose is to insure that the driver will be retained in his seat in extremely evasive maneuvers as well as in crashes that do occur.

On the first day of the 91st Congress, I introduced H.R. 162 which would require that motorbuses involved in interstate commerce be equipped with seat belts.

This bill provides that any vehicle used on the highways for the interstate transportation of 10 or more passengers be equipped with seat belts. It would become effective 1 year after enactment.

Mr. Speaker, I call to your attention an editorial, "Belts for Buses?" which appeared in the Saturday, February 15 issue of the Washington Daily News.

The editorial reads as follows:

BELTS FOR BUSES?

> Traditionally, few occurrences—short of a declaration of war—are so designed to galvanize a newspaper's city room as a report that a school bus has been in a major accident. In an age when custom begins to harden us to disasters, we remain completely vulnerable to those in which children are involved.
>
> The collision last week of a car and a bus bound for Earl B. Wood Junior High in Rockville, which sent both vehicles into a drainage ditch at Sunflower Drive and Bitterroot Way in Montgomery County's Flower Valley subdivision, was a lucky one. Thirty-one children were reported shaken up and slightly injured. No one seriously. But the accident raised the question: Why don't school buses have seat belts?
>
> In fact, why don't all buses have them?
>
> A bus is a large container in which to rattle small children about. According to the American Automobile Association, tests were done by the University of California using school buses in crack-ups in which dummies were substituted for children without seat belts "and the kids flew over the place like bullets."
>
> The National Education Association says the matter of seat belts is a controversial one, but it is "under study" (some jurisdictions may already be using them). The NEA points out that, statistically, the school bus "is the safest mode of transportation in the world." Well, okay, but from our personal observation of these buses over the years, we've yet to be convinced. With the ever increasing hazards of traveling the roads hereabouts, we would feel a lot safer knowing that junior was snugly belted in.

A DAY WITH ALEXANDER STEPHENS

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. HAGAN. Mr. Speaker, I recently came across a story in the Atlanta Journal and Constitution magazine section which relates some highlights in the life of Alexander Stephens—Congressman, Vice President of the Confederacy, and Governor of Georgia—who died in 1883. Alexander H. Stephens is a great-great-uncle of my good friend and colleague, the Honorable ROBERT G. STEPHENS, JR., of Athens, Ga. The story tells of Stephens' association with Abraham Lincoln in Congress and during the Civil War. Because I found the article of historic interest with some little-known facts about Lincoln and that historic era, I am bringing it to the attention of my colleagues:

A DAY WITH ALEXANDER STEPHENS: TWO NEPHEWS WHO CALL HIM UNCLE ALEX REMEMBER DELIGHTFUL STORIES ABOUT ALEXANDER STEPHENS

(By Andrew Sparks)

> Alexander Stephens—congressman, vice president of the Confederacy, governor of Georgia—died in 1883.
>
> Yet when you walk through his old home at Crawfordville, Ga.—white-painted Liberty Hall in the Alexander H. Stephens State Park—you almost imagine he may be waiting in the next room. His books lie on the tables his pictures hang on the walls, and much of his own furniture stands where it did during his lifetime.
>
> But "Little Alex" seems even more real if you're lucky enough to spend a day in the country talking to men who call this great Georgian Uncle Alex.
>
> "If I had a dollar for every time I've been to Crawfordville, I wouldn't ever have to work again," says Judge Frank A. Holden of Atlanta, Stephens' great-great nephew, who is almost 75 and vows he is working harder than he ever did before. As United States Commissioner in Georgia's Northern District, his job is to hold preliminary hearings on U.S. government cases, and he is also a practicing attorney. Judge Holden invited us to go with him to two places where Alexander Stephens is best remembered today, Crawfordville and Washington-Wilkes.
>
> Stephens, who was a friend of Lincoln and a foe of secession but a supporter of his state after the fateful decision to secede was made, has a birthday this week. He was born Feb. 11, 1812. Abraham Lincoln's birthday is the next day, Feb. 12, which, by an odd historic coincidence, happens to be Georgia Day, birthday of the state, founded Feb. 12, 1733, when Oglethorpe and his English settlers landed on a Savannah River bluff. It's a great week for history.
>
> But history heard firsthand does not seem like history in a book.
>
> "Uncle Alex called my grandmother Little Honey," Judge Holden said, chewing on an unlighted cigar as we rode down I–20 east through a dun-colored winter landscape and back into memory. "After grandmother's husband died, Stephens took grandmother, who was his niece, and her four little children, including my mother, over to live at Liberty Hall."
>
> Stephens knew what it meant to help those in need. His own mother died when he was a month old, leaving such a frail child people said it was a miracle he lived. Stephens grew to average height but never weighed more than a hundred pounds, hence his nickname "Little Alex," which has been spelled Alex, Alec, Aleck and Ellick. When he was only 14 his father and his stepmother died within a week of each other and the children went to live with relatives. Alex, like Abraham Lincoln, studied by the light of pine knots and read everything he could find. He had had only about two years of formal school, in "old field schools," when he and his brother Aaron were sent to live with their mother's brother, Gen. Aaron Grier, near Raytown. Alex studied there at Locust Grove Academy and later in Washington before going to the University of Georgia, where he said he spent his happiest days. After a year of teaching, which he didn't like, he went to Crawfordville to study law and boarded with his stepmother's brother-in-law, the Rev. William Bird, in the house that is now Liberty Hall. Stephens bought the house in 1845 at Mr. Bird's death. He gave more than 100 boys financial help to get an education.
>
> "As a boy Stephens' family was so poor they didn't have money to buy kerosene," Judge Holden said. "That's why he read by light'ard knots. He was the first-honor grad-

uate at the University of Georgia but didn't have money to pay $1.50 for his diploma. Long afterwards, the year my sister Queen Elizabeth Holden graduated at the university, the Board of Regents awarded Alexander Stephens' diploma, and she received it for him.

"When Gutzon Borglum's statue of Stephens was unveiled in Statuary Hall at the National Capitol, my mother placed a wreath on it for the Georgia UDC. Years before, as a young bride, she had unveiled the marble statue of him at Liberty Hall in 1893.

"When I was a boy, Will Sanford was playing baseball in the yard and knocked a ball that broke a finger off the statue. It's still off I think. Will's mother taught school at Crawfordville and they were living at Liberty Hall. A lot of families have lived there. I never did myself, but I hunted Easter eggs there many a time and ran from the old witch, dressed up to protect the golden egg."

Judge Holden kept pulling memories out of his head, as well as photographs and clippings from a brown leather briefcase in his lap.

"Here's a picture of a sofa that belonged to Uncle Alex," he said. "It was at our house in Athens when I was growing up and my sisters hated it. It was so uncomfortable they said boys who came to see them and sat on it wouldn't ask for a second date. I gave it to Liberty Hall and the parks department had it done over."

Years earlier Judge Holden's mother, Mrs. Horace Holden, unable to part with the family antique, had a copy of the sofa made and presented that to Liberty Hall. The replica, upholstered in black horsehair, stands now in the parlor beneath Louis Gregg's portrait of Mrs. Holden. She was largely responsible for the restoration of Liberty Hall in the 1930s and rode hundred and hundreds of miles to see people and ask them to sell or donate original furniture back to the house.

"My mother talked about Uncle Alex all the time, ever since I was born," Judge Holden said. "I feel guilty now I didn't pay more attention. I'm ashamed of myself because I didn't listen.

"One story about Stephens is so old it has whiskers, but it has been misquoted about where it came from. Mother knew exactly where it happened—in Greensboro, Ga.

"Bob Toombs and Alex Stephens were great friends, although they differed on great issues and had many debates. One hot summer day they were going to debate at the courthouse in Greensboro. Just before the speaking, Stephens was lying on a couch on the verandah of the courthouse when Bob Toombs came in. He pointed to Stephens and said, 'Look at that little fellow. If you'd grease him and pin his ears back, you could swallow him whole.' Stephens jumped up and said, 'Yes, and you'd have more brains in your stomach than you'd have in your head.'

"Mother said the next week when Stephens and Toombs were going to debate in Washington, Ga., they were both walking down the street and met. Toombs mumbled to the man he was with, just as they were about to pass Stephens, 'We do not get out of the way for no d. fool.' Stephens jumped off the sidewalk and replied, 'But we do!'

STEPHENS' ORATORY ONCE MADE LINCOLN CRY

"Stephens was one of the greatest orators this country ever produced. In Congress Abe Lincoln was so impressed he wrote his law partner about him. That letter is right here in a book, 'Recollections of Alexander H. Stephens,' that my mother found in Boston when she went up to see where Stephens was put in prison after the war.

"Here's what Lincoln wrote: 'I take up my pen to tell you that Mr. Stephens, of Georgia, a little slim pale-faced consumptive man, has just concluded the very best speech of an hour's length I ever heard. My old withered dry eyes are full of tears yet.'

"My mother knew more about Stephens than any other living person. She could talk about him for 10 hours. Now, Dr. Robb Stephens knows more about him than anyone else. Without him, all the kinfolks would be lost—anything we want to know we write and ask Cousin Robb. He's just a walking encyclopedia.

"There's a man at Emory—and I resent this very much—who said Stephens' not cooperating with Jefferson Davis lost the war for the South. I think he's wrong. If they had listened to Stephens, they would have saved hundreds of thousands of the cream of the South. Stephens worried Jefferson Davis so about a compromise that Davis finally appointed him and a commission to meet with Lincoln and see if the war could be ended. He just appointed it to appease Stephens.

"Stephens had a nephew he wanted to get released from prison. Cousin Robb can tell you about that—that nephew was his daddy—and about his daddy going to the White House, scared to death. Cousin Robb has the letter from Lincoln, in his own handwriting, giving his daddy permission to come through the lines."

Dr. Robert G. Stephens, who will be 88 in June, is still a busy practicing physician, seeing patients every day and even making house calls. He moved to Washington-Wilkes from Atlanta in 1939 after inheriting a house which has now been home for members of his family 97 years. He lives there now with his daughter, Mrs. Emma Wilson. His son Robert G. Stephens Jr., of Athens, is Georgia's 10th District congressman.

Lincoln's letter, framed in walnut and gold leaf, hangs in the library. The ink, which has now turned brown, was blotted when the President folded the letter and gave it to the 24-year-old Georgia lieutenant, John Alexander Stephens. John's photograph is at the bottom of the frame facing a picture of Lincoln which the President autographed and gave him.

"My father had the letter framed and it's hung in our home as long as I can remember," said Dr. Stephens, who has a phenomenal memory and talks about Lincoln and Stephens almost as if he knew them.

"In Congress they were both Whigs and both 'Young Indians'—members of a club gotten together for the purpose of electing Taylor President of the United States," he continued. "Lincoln didn't run for a second term and went back to Springfield, Ill. He and Stephens corresponded some, but they hadn't met again when the war came on. When they did meet, at Hampton Roads, they met as friends.

"Lincoln wrote on a piece of paper that the men could write their own terms if they'd come into the Union. The others wouldn't sign. When they got through with the meeting, Lincoln called Stephens and said he wanted to talk to him alone. He wanted to ask about old friends they had known in Congress. Finally Lincoln said, 'Well, Stephens, we haven't been able to do anything in behalf of our country'—he didn't say countries; he never accepted that the South had been out of the Union, but after the war ended they put the South under Reconstruction and said the states had been out of the Union—'is there anything I can do for you of a personal nature?'

" 'Well,' Stephens said, 'I have a nephew and the last we heard of him he was imprisoned at Johnson Island in Sandusky Bay. If you could find out something about him, we'd appreciate it.' Lincoln took out a notebook and wrote down the name, John A. Stephens. Then he and Stephens separated, never to meet again.

"John Stephens, my father, was in an officers' prison on Johnson Island in Lake Erie, about four miles from Sandusky, Ohio. He was standing in the bunkroom by a stove trying to get warm—he had no overcoat and the temperature was 20 degrees below zero and he had been bringing in wood for the fire—when an orderly came to the door and called for Lt. John A. Stephens. 'You are wanted at the commander's office,' he said.

"The commanding officer showed him a telegram: 'Parole Lt. John A. Stephens, prisoner of war, to report to me here in person, and send him to me. It is in pursuance of an arrangement I made yesterday with his uncle, Hon. A. H. Stephens. Acknowledge receipt. A. Lincoln.'

"They told him to get his things together. Other prisoners—among them were Gov. McDaniel and Capt. Wright, comptroller general of Georgia—gathered about to hear what had happened. My father said he didn't know what had happened. He thought maybe because he was the nephew of the vice president of the Confederacy they were going to shoot him. The other men cried when he told them goodby.

"Ice on Sandusky Bay was 10 feet thick. They hitched two mules to a sled to take him away, wrapped up in buffalo robes. He caught a train bound for Washington City and rode all that night and all the next day. About dark, when he got there, he went at once to the White House and to Lincoln's office. His reception was very friendly when he showed the telegram. The man at the desk said, 'Give me your card.' My father didn't have one. He wrote his name out on a piece of newspaper, John Alexander Stephens.

"In two minutes, the man came back and beckoned. When my father went in, he saw a man lying on a long office table, talking to a second man who sat in a chair, Secretary of State Seward. My father said when the man on the table got up, he looked like a corkscrew unwinding, the tallest man he ever saw. Lincoln came toward him with both hands out. 'I met your uncle on Feb. 3,' he said. 'He said your mother and everyone else at home are all right and well. I told him I was going to send you to them. You can have the freedom of Washington City as long as you want to, under my protection.'

"My father stayed a week. He had gone to the University of Virginia and he used to go to Washington often to see his uncle. Then he went back to see Lincoln, who this time was by himself. They sat down and Lincoln told him how much he thought of his uncle and talked about the association they had had together. He told him how much he regretted the war and wished it would end.

"Lincoln turned to his desk, took out a photograph of himself and wrote A. Lincoln across the bottom of it. 'Put this in your pocket,' he said; 'it will prove a curiosity down South.' While he was in Washington, my father went to the Army of the Potomac and had his own picture taken by the Yankee photographer."

The two photographs, of A. Lincoln and John A. Stephens, are still together in the frame along with this letter Lincoln wrote there at his desk:

EXECUTIVE MANSION,
Washington, February 10, 1865.

HON. A. H. STEPHENS: According to our agreement your nephew, Lieut. Stephens goes to you bearing this note. Please in return, to select and send to me that officer of the same rank imprisoned at Richmond whose physical condition most urgently requires his release.

Respectfully,

A. LINCOLN.

Dr. Stephens quoted the letter from memory, never hesitating for a word as he sat there in an upholstered Victorian chair with dog heads carved on the arms. In the bright spotlight from an iron bridge lamp, his hair looked very white, his skin smooth and pale, his figure lean and thin—almost, one imagined, Little Alex's size.

"My father went to City Point and they sent him across the river," Dr. Stephens said. "He was a free man who could do what he wanted to. He joined the Army again and got on Gen. John Echols' staff and became a major. He was in West Virginia when he heard of the surrender of Gen. Lee on April 9. He was at Christianburg, Va., when he heard about Lincoln's assassination. Gen. Breckinridge told him he was at liberty to go and gave him a horse—he named it Breckinridge and rode it all the way from Virginia to Taliaferro County, Ga.

"On May 5 the family gathered at the old plantation and that was the first chance my father had to give Uncle Alex the letter from Lincoln. Father said Uncle Alex cried. 'The worst thing that ever happened,' Alexander Stephens said, 'was the assassination of Lincoln.'

"I don't know so much about Alexander Stephens. I was born in 1881 and he died in 1883. I don't remember him. But I lived with him at the governor's mansion after he was inaugurated in November, 1882.

"When he was mentioned for governor, he said he wanted my father to go with him to Atlanta. Uncle Alex asked my mother if she'd live at the mansion, but she didn't want to go. 'Well,' he said, 'if you won't come, I won't run for governor.' They didn't want to deprive him of being governor of Georgia, and decided they'd move with him.

"I had measles in the mansion, which stood where the Henry Grady Hotel is now. I remember once going to the end of the walk where a policeman spoke to me. I grabbed his billy away from him and ran to the house.

"Our family dog, Prince, bit the Atlanta chief of police and Uncle Alex said they'd have to give the dog away. Then Uncle Alex began worrying about him and said, 'Bring him back and put a muzzle on him.' They drew a newspaper cartoon of Prince in a muzzle. He's buried behind Allen's, at the corner of Cain and Ivy.

"I have one other memory. I remember seeing a dead face in a coffin. They held me up to see it. I'm sure that was Alexander Stephens."

Among his family treasures is a letter Stephens wrote to Dr. Stephens' father, when John was a boy of 13. John was in LaGrange, working for a doctor who had just increased his wages. Stephens, hearing of the raise, wrote from Washington: ". . . you must feel that it is incumbent for you to increase your sense of responsibility, industry and energy. Be always at your place and always attend to your business. Remember now is the time to apply yourself and now is the time to form correct habits for life. You will soon be a man and you must learn to act as a man and to perform your part as a man among men. The first great rule to observe in all your acts is to do right. Admire virtue and scorn vice. Associate with the good and have as little to do as you can with those in whom you discover anything low or mean. Take care of your money—never spend a cent for a useless object. Always be respectful to your superiors and never rude to those below you either in age or in condition of life."

"Uncle Alex always gave advice when he wrote a letter," Dr. Stephens said. No congressman today could give a young man better rules for a good life.

At Crawfordville, Little Alex's house and its family of outbuildings are all newly painted and everything is neat and trim. Inside, the floor of the wide center hall upstairs and down is boldly painted with black and orange diamonds. Rooms opening off either side have bright floral carpets, woven to reproduce the old original patterns. The furniture, in ante-bellum plantation style, is Empire and Victorian, with enough earlier pieces to give the rooms a sense of continuity and enough homemade things of Georgia pine to show that 19th Century Georgians couldn't buy everything they needed at a store. Mrs. Mabel Bird, the state park hostess for Liberty Hall, says about 4,000 people a year come to see the house—school children, tourists from as far away as Los Angeles, Chicago and New York City, tent campers from the 1,200-acre park behind the house.

At Liberty Hall—so named by its owner because he wanted guests to do as they pleased there—Alexander Hamilton Stephens lives on in memory.

OUTLOOK BAD EVEN IF INFLATION IS RESTRAINED

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. STANTON. Mr. Speaker, I would like to call the attenion of my colleagues to this article which appeared in the February 11, 1969, American Banker. This is a particularly timely subject and worthy of every Member's consideration:

OUTLOOK BAD EVEN IF INFLATION IS RESTRAINED, AND WORSE IF IT IS NOT, REIERSON DECLARES

(By William Zimmerman)

NEW YORK.—The economic outlook "is truly disturbing" if efforts to restrain inflation fail, Dr. Roy L. Reierson, senior vice-president and advisory committee chairman, Bankers Trust Co., warned Monday.

Unless inflation is brought under control, he said in prepared remarks, "Not only must interest rates be expected to continue upward, but the functioning of the bond and mortgage markets may be undermined, and the supply of capital needed to finance the large and growing demands for goods and services in prospect for the 1970s may be seriously compromised."

His remarks were prepared for the American Bankers Association's 50th Midwinter Trust Conference that opened here Monday. Arthur Brickner, vice-president and economist for Bankers Trust, read the speech for Mr. Reierson, who was unable to appear at the meeting in the morning because of the city's snow problems.

Even if inflation is brought under control, portfolio investment managers are not likely to turn their backs on common stocks and flock to the bond market in greater volume, his text noted. Their preference for equities, Mr. Reierson stated, "is another reason against expecting bond yields for the years ahead to return to the levels that prevailed in the first half of the 1960s, before inflationary pressures became pronounced."

If inflation can be controlled, "the present will in retrospect appear as an exceptional opportunity to acquire bonds at historically low prices and secure an above-average return for years to come," he noted.

He stated that as long as investors believe consumer prices are destined to rise at rates close to the recent 4.75% or more, "they will hardly be attracted even by the yields of 7%–7.5% presently available on high-quality bonds or by the even higher yields offered on mortgages."

"Considering the strong influence of such expectations upon bond yields today, it might not require much in the way of good news—an easing in capital spending programs, a convincing drop in new orders, confirmed softness in retail trade, or substantive progress toward peace in Vietnam—to set the stage for a market rally."

In Mr. Reierson's opinion, "it is difficult to visualize interest rates as a whole declining to materially lower levels and remaining there for an extended period. Rather, if investors do not see inflation being curbed, interest rates could rise to even greater heights."

He also said there are reasons to expect the rate of personal savings to average substantially lower in the years ahead. "There is evidence that the expectations of chronic inflation, which in recent years have affected institutional investors and business managements, have spread to the general public. Thus, the consumer may remain disposed to spend more, borrow more, and save less."

Mr. Reierson's text said that meaningful progress in the fight against inflation probably is not attainable without "generating some slack in the economy, and this specifically includes the elimination of hyperemployment."

The "most reasonable assumption is that both fiscal and credit policies will be employed to moderate demands in the economy and to bring about some lessening of the inflationary momentum, but not its complete removal from the economic picture." This would result in the expectation, he added, that costs and prices in the yields ahead would maintain their general uptrend, but at a pace materially slower than that of last year.

Mr. Reierson said that the nation's fiscal policy since the step-up of military operations in Vietnam in 1965 merits the "label of mismanagement." The surpluses shown in the budget for this fiscal year and next are not adequate, he said, and larger surpluses will be required if credit market conditions are to ease appreciably.

In his opinion, the surtax should not be permitted to expire, and the key to an appropriate fiscal policy lies in the Government's ability to control expenditures. "Restraint over Government spending will not be achieved unless a system of priorities is adopted against which to evaluate competing claims for Government money, and unless this is coupled with an effective system of controlling appropriations as well as expenditures."

He also suggested two changes in the Federal Reserve's approach to curbing inflation. "The first objective should be to hold the increase in commercial bank credit to a pace more closely attuned to the rate of real growth in the American economy. This calls for the Fed, he said, "to concentrate more heavily on the behavior of financial aggregates—such as the monetary base, the money supply, and the rate of bank credit expansion—and less on such market factors as the level of net borrowed reserves, the volume of member bank borrowings from the Federal Reserve banks, and the rates on Federal funds and on Treasury bills."

He added: "Unless the Federal Reserve can resist the temptation to shift to an aggressively expansionary credit policy at the first sign of a slowing down in economic growth, credit policy will, on balance, inevitably strengthen, rather than moderate, inflationary forces."

Another speaker at the conference, Charles D. Buek, president, United States Trust Co., New York, warned that statements made in a report issued last year by Rep. Wright Patman, D., Tex., chairman of the House Banking and Currency Committee, on bank trust fund business "do not bode well for the future confidentiality of our customers' personal affairs."

Mr. Buek, who is president of the ABA's trust division, referred to a statement in the report that commented: "Much information on the many relationships between bank trust departments and others has been hidden from the public for many years through the device of confidentiality "of trust information." "It is now clear," the report said, "that this has been used at least partly as a veil behind which banking institutions have gained great influence, if not control, of many of the largest corporations in the United States."

Bankers need to explain "the real and practical reasons for nominee registrations," a device used to simplify the delivery of securities and the collection of dividends and representing heterogeneous groups of smaller holdings, he said.

A Congressional group that in 1962 made a study of bank stock ownership "encountered over and over again . . . the mysterious names of bank nominees," he said. "The trouble with such studies is that they sweep up the innocent with the guilty and expose the personal affairs of little people along with the rate instances of concentrated control."

From the point of view of legislators, Mr. Buek said, "these mysterious nominees must seem like the Stateside equivalent of numbered accounts in Switzerland."

"We must try to understand people who have never heard of nominee registrations, and who accordingly have no ideas of the practical reasons for their use." From the legislators' view, he added, "Why shouldn't this little known practice among major banks seem to be an effort to hide concentrations of wealth and to cloak the economic power of the banking industry in a veil of secrecy?"

Mr. Buek said it is important for banks to explain what nominee registrations are—"for nominees are apparently baffling and suspect in the absence of such understanding"—and "we must again insist that publicity be given only to holdings requiring such exposure in the public interest."

At the same time, Mr. Buek said, "We must be very careful to demonstrate that holdings of unquestioned interest to the government are not concealed in this manner.

"In our effort to protect the confidentiality of innocent holders, we must not make the mistake of appearing to protect from view the few concentrations which should unquestionably be subject to scrutiny." He further warned that "if any Congressional committee directs its campaign for exposure of such affairs persistently and peculiarly against banks, such a situation may tend to drive business away from banks to other institutions free of the glare of unnecessary publicity."

TRIBUTE TO MICHAEL MUNKÁCSY

REMARKS
OF

HON. FRANK HORTON

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 20, 1969

Mr. HORTON. Mr. Speaker, on the 125th anniversary of the birth of Michael de Munkácsy, Hungary's greatest artist-painter, I am pleased to join in commemorating the life and achievements of a man who was dedicated to expressing the beautiful and noble in man in paint on canvas.

Michael de Munkácsy gave up the tools of an apprentice carpenter to become a painter. As a youth he showed so much promise that he won a scholarship to further develop his artistic abilities in Budapest. It was not long before Munkácsy's outstanding talent as a painter was discovered by the people of Budapest, who snapped up his portraits at higher and higher prices.

Moving to Munich to paint and study, the young Munkácsy began what was later described by critics as a meteoric rise to fame. While still studying in Munich, he won fame in Budapest for winning first prize for his painting "The Deluge."

By the time that Munkácsy moved to Düsseldorf to study under Knaus, contemporary biographers have described him as more of a master than a pupil.

When the work of this young genius came to the attention of a small group of Americans who were inspired by his talent, the financial patronage of J. Wilstach of Philadelphia enabled him to concentrate on his first great panel, "The Last Day of a Man Condemned to Death," for which he received the prize of the picture of the year at the Paris Salon in 1870.

From that moment on, Munkácsy's European reputation was established. Returning to Hungary after being welcomed into the inner circles of the finest painters in France, Munkácsy began to tap the rich source of Hungarian folklore that was later to become the theme of many of his paintings.

Although rich in the tradition of Hungary, Munkácsy was international in his message and style. He was at home depicting Christ, or the simple life of Hungarian peasants. Realism and grand simplicity were his trademarks.

In 1872 Munkácsy again won two prizes from the Salon in Paris for his "Pawnbroker Shop" and "Night Strollers."

Leaping into opulence and fame, this modern realist won the Grand Medal of Honor at the 1878 World Exhibition at Paris for his painting "Blind Milton Dictating 'Paradise Lost' to His Daughters." This famous picture now hangs in the Public Library of New York City, lending a special glow and insight to the author of one of our most famous works in English literature.

In 1881 and 1884 Munkácsy completed his two best known works, "Christ Before Pilate" and "Christ on Calvary." Both paintings toured Europe and, in 1886, the east coast of the United States.

Contemporary critic notices praised the paintings as worthy successors of canvases of the great masters of the past, and as the paintings of the century:

> New York Herald, November 18, 1886: It is an impressive and a dramatic scene, and one which grows on the beholder . . . The "Christ Before Pilate" is a work . . . which will be ranked as one of the most remarkable of the century.
>
> New York World, November 18, 1886: The work is a grandly conceived one; is majestic in its simplicity and tells its story through no tricks of art, but simply by the genius guiding the hand which created it. It satisfies and moves the spectator . . . The painting should be visited by everyone. It will attract widespread and deserved notice and attention, and America viewing it will add her tribute and meed of praise to the great artist whose genius has produced it. Munkácsy, te sal ut amus!

Today there are more than five Munkácsy paintings in public and private collections in New York alone. About 60 canvases are to be found in the United States, including "Christ Before Pilate" and "Christ on Calvary" which are in the possession of the John Wanamaker family in Philadelphia. They are regularly exhibited every year during Holy Week at the Grand Court of the Wanamaker store.

This year the American Hungarian Federation is holding a commemorative program in Philadelphia on April 12, 1969, by honoring this great Hungarian painter. The message of Munkácsy is timeless. It transcends national boundaries by representing the best in man and his discernment of beauty. Munkácsy properly belong to all mankind.

THE FINANCIAL INSTITUTION: VITAL FORCE IN THE EQUITY MARKETS

HON. W. S. (BILL) STUCKEY

OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 24, 1969

Mr. STUCKEY. Mr. Speaker, Mr. John C. Bogle, president of the Wellington Management Co., delivered an address on the financial institution before the Investment Company Institute on October 31, 1968. Mr. Bogle discusses many aspects of the complex investment problem that involves many of the people in our country. There were a number of bills before the Securities and Exchange Commission which regulates the investment business and several have already been introduced in the 91st Congress, thus this subject is very timely. The address is enlightening and worthy to be included in the CONGRESSIONAL RECORD and I would like for my colleagues to have the benefit of his comments:

THE FINANCIAL INSTITUTION: VITAL FORCE IN THE EQUITY MARKETS

(By John C. Bogle, president Wellington Management Co.)

A Rip Van Winkle type investor fell into deep sleep, so the story goes, and awoke 100 years from now. He could scarcely wait to telephone an investment broker and check the "long-term performance" of the investments he owned. With the help of an instantaneous computer, he learned that his original shares of American Telephone were worth $5,684,360, his 100 shares of General Motors were worth $8,271,320, and his 100 shares of Xerox were worth $34,981,480. With each higher valuation, his delight became more ecstatic, and when the Xerox value came over the wire, he shouted: "I'm rich!" Suddenly, the telephone operator cut into the conversation with these sobering words: "Your three minutes are up, sir; please deposit $10,000,000."

This story, however exaggerated, helps us to focus on a central fact of American financial life today: there is no absolute safety in dollars. As a corollary, investors are turning increasingly to equities in an effort to maximize total investment return and (hopefully to a greater degree than the story above would indicate) to offset the ravages of inflation.

This trend is reflected in one of the major forces in the equity markets today: "institutionalization"—the growing share of equity ownership by financial institutions—mutual funds, corporate pension funds, insurance companies, and endowment funds—institution whose primary function is to invest the monies entrusted to them by others.

The trend toward institutionalization, indeed, has become a political issue. The Congress has enacted into law a Bill calling for an exhaustive Securities and Exchange

Commission study of the impact of institutional investing upon the securities markets and the economy. More recently, Presidential Candidate Richard M. Nixon called for "an independent, comprehensive, economic study of the role of financial institutions in our economy, the relationship of financial institutions to our nation's growth, the requirements for investor protection, and the interrelationship of all financial institutions." In his controversial statement, he appeared to challenge the SEC proposals for a new New York Stock Exchange commission rate schedule and a ban on commission sharing, made in advance of such an economic study.

It is not my purpose today, however, to tackle the political and regulatory issues involved in institutionalization, nor the issue of corporate influence and control—vital as they are in our industry and in our economy. Rather, I would like to examine with you the economic side of these institutional trends, to appraise them with respect to the character and liquidity of the equity markets, and to look to their future effects on our own mutual fund industry—both as an investor in securities as well as a marketer of securities.

INSTITUTIONAL OWNERSHIP TODAY

Today, institutions own a larger share of equity securities than ever before: their ownership of some $230 billion represents one-third of the $708 billion total (see Chart 1). In 1954, institutional ownership was $66 billion, and accounted for one-fourth of the total. The absolute figures are impressive, to be sure, but the relative increase in market share is clearly a major factor in our financial economy today.

The growth of institutional ownership of equities has been, in large measure, a post-World War II phenomenon, with the responsibility vested in two major groups:

1. The 50-fold increase in total mutual fund assets, from $1 billion in 1945 to some $50 billion today.

2. The extraordinary growth of corporate pension funds—now $100 billion—and the increasingly equity-oriented investment philosophy of these funds. Some 50% of their investments are now in equities versus 25% in 1955.

These two institutions are the fastest growing in terms of their equity participation, and, along with life insurance companies, are the only institutions whose equity ownership was grown faster than equity securities in total. However, they are by no means the largest owners of equity securities. Their equity holdings $51 billion for the pension funds, and $43 billion for the mutual funds—rank well below the $87 billion of equities held by bank-administered personal trust funds; although the bank total actually represents a smaller share of the total equity market than in 1954. (Since banks manage not only these personal trusts, but also an overwhelming majority of the corporate pension plans, their economic power as equity owners is clearly preeminent, as we shall later see.)

The sharp rise in the value of total equities—from $268 billion to $708 billion—is accounted for almost entirely by rising equity markets during this period. Indeed, of the $440 billion increase in equity values since 1954, only about $21 billion arose from net new issues of common stocks. On the other hand, corporate retained earnings were $235 billion for this period, adding substantial underlying book value to corporate equity securities.

In short, the rise in the dollar value of institutional equity holdings has come largely from rising stock prices. But the rise in market share has come about from the net purchases of an enormous volume of equity securities—some $48 billion in the past decade alone—in a sharply rising trend: $2.9 billion in 1958; $10.5 billion in 1967 (Chart 2).

Implicit in the rise of *institutional* ownership of equities is the relative decline in *individual* equity holdings. While individuals have, of course, participated broadly in the equity markets we have enjoyed, their relative participation has gradually decreased. As shown in Chart 2, it has decreased steadily and surely, year after year, and is accelerating. Individuals have sold $34 billion of securities on balance during the past ten years, with net sales rising from $0.4 billion in 1958 to $8.8 billion in 1967. In nine of these years the dollar value of securities sold has increased over the preceding year. These figures reflect only individual common and preferred stocks, and do not include mutual fund net purchases. These mutual fund figures would modify, but not alter, the trend shown in Chart 2. For example, individual purchases of mutual fund shares, totaling $4.6 billion net in 1967, would have brought the "true" liquidation figure for all equity-type investments down to $4.2 billion last year.

Why are individuals selling stocks on balance? Little is known about the reasons. However, we do know that each year huge blocks of stock are sold by wealthy individuals and estates for tax or diversification purposes—Ford and Gulf Oil stock being two good examples. New investors of modest means—the number of individual shareholders has risen from 9 million in 1956 to 24 million currently—could hardly be sufficient to offset the sales of these blocks. And, at the same time, many individual investors have turned from common stocks to mutual funds. In particular, the exceptional record of investment performance developed by the mutual fund industry has surely drawn investment dollars from people who have owned some of the widely held "blue-chip" companies which have lagged behind the general advance of securities prices in recent years. During the five years 1963–67 inclusive, for example, such earlier market bellwethers as American Telephone & Telegraph, General Motors, Standard Oil of New Jersey, and United States Steel, as a group, rose only 8%, compared to a 39% gain for the Dow-Jones Industrial Average. By way of comparison, a representative group of ten large growth-income mutual funds (excluding "performance funds") rose by 66% (all figures exclude investment income).

To be sure, it is difficult to make fair comparisons in this area, but there is general agreement that the desire for better investment performance—not only by the dissatisfied "do-it-yourself" individual investor who wanted a better return, but also by what we like to think of as the more sophisticated institution which wanted to remain competitive—has furthered the trend toward institutionalization. At the same time, this emphasis—or, as some believe, over-emphasis—on performance has had an important side-effect: rapidly increasing portfolio turnover.

INSTITUTIONAL TRADING TODAY

If institutional *ownership* of equities is a major force in our financial system, institutional *participation* in the equity marketplace is an even more important force. For, while institutions own one-third of all equities, they account for an even higher proportion of market activity. Recent estimates place institutional trading at more than 50% of public share volume on the New York Stock Exchange. This figure compares with 43% in 1966 and some 33% in the 1961–1963 period.

This development comes about for a reason that is simple enough to understand: the rate of institutional portfolio activity is, in general, higher than individal portfolio activity. Portfolio turnover of the major institutions (there are some gaps in these statistics—i.e., no figures on personal trust funds) has risen sharply in response to the demand for improved investment performance.

Chart 3 (not printed in Record) shows the growth in turnover—on the New York Stock Exchange and by major institutions—since 1963. The figures for 1963–1964 were relatively steady, and quite representative of the general stability of these figures during the 1954–1963 decade. And then the push for performance by large pools of capital began in earnest. From 1964 to 1968 (first quarter), mutual fund turnover rose from 19% to 39%, pension funds from 11% to 16%, life insurance companies from 12% to 19%, and the NYSE from 13% to 21%. (The NYSE turnover is materially overstated as it relates to public and institutional turnover, as it includes transactions by NYSE members—traditionally about one-fourth of total share volume. Reduced by members' transactions, NYSE turnover might run in the area of 16% currently.)

Thus, most major institutions have higher turnover rates than individuals. And turnover is rising sharply, and doubtless will continue to rise, although, for perspective, we should realize the NYSE turnover was in the 100% area during the 1920's and 1930's. To be sure, it is unlikely we will return to these extraordinarily high turnover levels, in part because the tax impact of successful investment transactions is so much greater today. On the other hand, present turnover levels could easily move higher—perhaps to the 30%-plus level for the NYSE—since so many institutions have the luxury of favored tax treatment. (The pension funds, as you know, have the freedom of complete tax-exemption. While mutual fund shareholders must, of course, bear the tax impact of a mutual fund's transactions, the fund can act without excessive restraint in its portfolio transactions, since even substantial capital gains, if distributed, involve no "performance penalty.")

MUTUAL FUNDS IN THE INSTITUTIONAL SPECTRUM

With these broad views of the institutional scene today, let us now turn to our own industry. Despite our extraordinary record of growth and our high trading volume, the mutual fund industry still accounts for the ownership of only about 6% of all stocks—this figure has not changed materially since 1964—and about 10% of NYSE trading volume. We are growing, but our influence is still quite limited relative to other institutions.

Let's look at the trust companies as one example. The recent Patman report notes that the major banks and trust companies control $253 billion of trust assets (excluding, of course, some $350 billion of bank financial assets). These trust assets alone, then, are some six times the assets of our entire ICI membership (Chart 4). In fact, if one wishes to look for concentration of economic power, it is interesting to note that the five largest trust institutions exceed the ICI total in terms of both assets ($61 billion versus $42 billion) and common stock holdings ($40 billion versus $36 billion). (See Chart 5.) It is incredible that our National economic policy—as conceived by the proposed SEC Mutual Fund legislation—might allow these and other similar institutions to form mutual funds to further concentrate their extraordinary economic power.

If the banks—thanks to the foresight of the Glass-Steagall Act, the vigorous Investment Company Institute litigation in the First National City Bank case, and the unwillingness of the House of Representatives to act on the SEC Bill—are precluded from entering the mutual fund industry, no similar restraint influences the life insurance industry. The life insurance companies are competitors today. They have colossal resources, and they are patiently and persistently developing the management and marketing expertise to be far tougher competitors.

The point is not that life insurance company common stockholdings—now $8 billion—should grow materially. (Though a 4½% of resources, they are much lower than, for example, the English life insurance companies, which invest to 30% of assets in equities.) Rather, the growth is likely to come from the fact that life insurance companies are forming, developing and acquiring mutual funds of their own, and indeed are becoming an integral part of "our" industry.

The reasons for this development are not hard to find. The division of the Mutual Fund/Insurance dollar (Chart 6) tells the story as well as anything. In 1955, net additions to insurance assets (including both life insurance reserves and insured pension reserves) totaled $5.5 billion, compared to $0.8 billion of net sales of investment company shares; by 1967, the insurance figure had risen to $7.6 billion (+38%), while investment companies had risen to $4.6 billion (+475%). As a result, the insurance industry, which in 1955 was taking in $7 for each dollar in mutual funds, in 1968 realized only about $1.60 per mutual fund dollar.

Confronted by this trend, the life insurance industry has moved vigorously into the equity field—through both mutual funds and variable annuities. According to *Fortune Magazine*, "this represents a violent break with tradition for the old-line life-insurance companies, which have long been dedicated, with an almost religious fervor, to the sale of a single prescription for fiancial security: a contract of guaranteed, fixed-dollar benefits supported, in turn, by investments in fixed-dollar securities. Now, in belated recognition of the eroding effects of inflation on simple savings and fixed incomes, the companies have decided to work both sides of the street and offer their customers, as a supplement to life insurance, an equity product that will serve as a hedge. For the faithful purveyors of life insurance, this is a momentous decision."

Thus, it is the desire to compete—the desire to maintain their share of the savings/investment dollar—that is moving banks and life inusrance companies into the mutual fund field—a process that should speed even more the trend toward institutionalization. This trend, clearly, will be furthered by the growth of another major institutional holder of equities—potentially the largest of all—the corporate pension fund. The response of the corporate pension fund, however, is not a *competitive* one but an *economic* one—the desire of corporate management both to increase employee benefits and to reduce corporate costs by earning a higher return on its investment dollars.

Corporate pension funds are, in total, huge—the value of non-insured funds is some $86 billion currently (see Chart 7). Their growth has been extraordinary—the more than fourfold increase from $20 billion in 1956 represents a 14% compound annual rate. Their investment policy has become increasingly aggressive—the total equity ratio has risen from 25% of assets in 1956 to 59% currently. And few are willing to look ahead toward anything but further growth and continued equity orientation.

As mentioned earlier, most of the non-insured pension funds are bank-managed. The Patman report estimates that banks manage $73 billion of the corporate pension fund total. The remainder of the $253 billion bank-managed total includes $126 billion in personal trust funds and $54 billion in agency accounts. In total, corporate pension fund resources (including the insured plans) are estimated at $100 billion currently, and are expected to reach $285 billion in 1980.

In any event, as competitive ardor and economic necessity continue to give institutional investors compelling reasons for increasing equity holdings, the appetite for equities should continue—from the trust companies, the insurance companies, the corporate pension funds, and several other important potential (if not past) sources of institutional demand, including, most importantly, state and local retirement plans. Even the most down-to-earth estimates of the future equity purchasing power of these institutions project their total purchases to some $12 billion annually by 1972 (they were $8 billion last year). This total might consist of $1 billion for the fire and casualty companies, $1.5 billion for the state and local retirement plans, $2 billion for the life insurance companies, and $7.5 billion for the corporate pension funds.

FUTURE GROWTH OF THE MUTUAL FUND INDUSTRY

A question of particular interest to us today, of course, is: what addition will the mutual fund industry make to this total demand? It is obviously far more difficult to project our industry's growth trend than the trends of those institutions noted above, for two important reasons: (1) the net cash flow of our industry fluctuates much more widely than the others, and (2) our industry's relatively high equity position—some 88% of resources—is unlikely to grow by any significant extent in the future. However, it seems obligatory to look at past trends and make a few guesses.

First, we must all face the fact that the growth of our industry has slowed appreciably. If we eliminate the action of the securities markets from our calculations, our net new money (including reinvestment of dividends) is currently running at a rate of only about 5% of assets, compared with nearly 20% fifteen years ago and 13% as recently as a decade ago. How can this be, with the extraordinary rise we have seen in investors' purchases of mutual fund shares? The answer is the steady rise in share liquidations. The 5½% redemption rate (redemptions as a percentage of net assets) typical of the 1950's is presently running at about 8% and, in my judgment, may well move toward the 10% level in the next few years.

So, as we look to the future, we might assume a 5% "real" (i.e., new money) growth rate. This would mean that the earlier-projected institutional appetite for $12 billion in common stocks in 1972 would be swelled by an additional $3 billion from mutual funds. This could clearly be an important factor in the equity markets at that time, especially if individual liquidation of equities does not accelerate, and if new issues of common stocks remain near the present level of $2 billion per year.

Appraising our industry's growth even further ahead, let's look to 1980: assume we (along with the other industries that will then be in the mutual fund business) can maintain a 5% new-money growth rate, and a 5% growth through stock market appreciation. These figures, if realized, would increase the assets of the mutual fund industry to an approximate total of $150 billion. Translating this to your own management company, and assuming—which is most unlikely—that your share of the market remains unchanged, you would enjoy a threefold increase in the assets you manage today. For example, if you manage $1 billion currently, your assets in 1980 would be $3 billion. Before you accept that figure and relax, however, you might note that—assuming a 10% redemption rate—you would open your doors for business in 1981 knowing that, just to match your redemptions, your new sales would have to total $300 million. On this sobering note, let us turn from our role as *marketers* of equity securities to *investors* in equity securities.

THE INVESTMENT MARKETS OF THE 1970'S

As investors, we must carefully consider what the current move toward institutionalization may have on the investment markets of tomorrow. The conclusions, admittedly speculative, may hopefully be at least controversial enough to spark your own futuristic thinking. Basically, I believe, we must look for continued institutionalization of our equity markets. By the mid-1970's, today's 33% institutional ownership could well be 40%, and today's 50%-plus share of public trading volume could surge toward the 60% level. If realized, these developments should have pronounced effects in six principal areas:

1. The Supply/Demand Equation: There should be increasing institutional demand for a limited supply of equities, as more and more savings dollars seek an inflation hedge. The effects on the equity markets should, therefore, be positive, as equities continue to produce a higher long-term return (income plus growth) than fixed-income securities. We can, however, look for a sharply increasing supply of "equity-type" securities—convertibles and warrants—as the fixed-dollar institution looks for "a piece of the action."

2. Market Stability: The sharp swings in the broad market averages should tend to be smaller, assuming institutions can afford to take the long-term view of investing. Hopefully, a little bull-market conservatism can prevent us, and the investors we serve, from getting carried away with the craze for superperformance; at the same time, a little faith in the long-run should moderate the inevitable declines. Caution: this projection assumes that the institution can act in a manner that is more rational, less emotional than the individual; as an industry, we have room to improve in this area.

3. Source of the Markets: The third market is likely to continue to grow. While it still represents only about 4% of total NYSE dollar volume, it runs close to 10% for most of the major issues. Both figures are likely to grow, and might double by the mid-1970's. In addition, computer services (such as AutEex) will play an increasing role in the markets, and I would not discount the likelihood of a thriving "fourth market" by 1975.

4. Size of Blocks: Though financial institutions will grow substantially, the size of typical large blocks may well not only fail to rise, but even decline from today's levels. Why? Because of the marked trend—begun, like most of the important recent investment trends, in the mutual fund industry—toward both (a) smaller-sized, limited offering pools of capital and (b) fragmentation of large-sized capital pools into smaller units with separate and highly autonomous portfolio managers. In short, institutional money management may be expected to become increasingly decentralized.

5. Turnover: A generally higher rate of turnover is most likely. Other institutions will follow the mutual fund trend again, as in the past. The NYSE trading record for a given day, having recently crossed 20,000,000 shares for the first time, will doubtless top 30,000,000 shares relatively soon. (Most investors will fail to recognize that the 16,000,000 share total of 1929, unchallenged until 1968, represented a turnover of 1⅓% of listed shares in a single day; a 30,000,000 share day currently would represent only ¼ of 1% of listed shares.)

6. Performance: The search for improved relative investment results will continue apace, and will help to foster the trends toward management decentralization and portfolio turnover noted a moment ago. A highly-institutionalized market will make it more difficult for the professionals to outpace "the averages," which should surprise no one who recognizes that, in any period, one-half of all equity dollars are destined to have a below-average performance. Performance measurement should become more rational, however, as we learn how to measure investment risk (many investors will learn this the hard way), and as investors develop a healthy skepticism—frequently based upon costly experience—about the ability to project past performance into the future.

My own ability to look to the future, too, should be viewed by you with a healthy skepticism. I am confident that few will wholly endorse the views presented above, but all should be aware that the greatest danger is the failure to consider the various possibilities for change that lie ahead.

The mutual fund industry can thrive and grow in the competitive atmosphere that confronts us. We have been, in general, responsible for much of the constructive change that the institutional investor has brought to the equity markets. Our industry's past is illustrious, and our future is bright. But only if we avoid the pitfalls our success may create; only if we continue to move forward with vitality; and only if we can retain those qualities that John W. Gardner tells us are too often transitory. He is warning us, as well as all institutions of every type, when he says: "What is all too transitory is that fine moment when an institution is responding with vigor and relevance to the needs of its day, when its morale and vitality are high, when it holds itself to unsparing standards of performance."

CHART 1.—INSTITUTIONAL OWNERSHIP OF EQUITIES

[Dollar amounts in billions]

	1954	1968	Percent change
Personal trust funds	$37.0	$87.0	+140
Corporate pension funds	3.5	51.3	+1360
Mutual funds	5.5	42.8	+680
Charitable trust funds	7.0	15.0	+110
Fire and casualty insurance companies	6.1	13.3	+120
Life insurance companies	3.0	10.7	+260
Closed end investment companies	3.6	8.2	+130
Banks	0.8	1.9	+140
Total, institutional	66.5	230.2	+250
All equities	268.0	707.6	+160
Institutional share (percent)	25	33	

CHART 2.—*Net equity transactions, institutions against individuals, 1958–67*

[In billions]

Institutional purchases:	
1958	$2.9
1959	3.3
1960	3.6
1961	5.2
1962	4.0
1963	3.9
1964	4.1
1965	4.8
1966	6.1
1967	10.5
Individual sales:	
1958	.4
1959	1.0
1960	2.0
1961	3.6
1962	3.4
1963	4.4
1964	2.5
1965	4.4
1966	4.9
1967	8.8

CHART 4.—*Bank trust assets versus mutual fund assets, April 1968*

[In billions]

Trusts:	
Total assets	$253
Stocks	163
Mutual funds (ICI):	
Total assets	42
Stocks	36

CHART 5.—*Assets of 5 largest trust companies versus mutual fund industry, April 1968*

[In billions]

Trusts:	
Total assets	$61
Stocks	40
Mutual funds (ICI):	
Total assets	42
Stocks	36

CHART 6.—*Savings in insurance reserves versus investment companies, 1955–67*

[In billions]

Insurance reserves:	
1955	$5.5
1960	4.9
1965	7.6
1967	7.6
Investment companies:	
1955	.8
1960	1.8
1965	2.2
1967	4.6

CHART 7.—*Private noninsured pension funds, estimated at market value, 1956–67*

[In billions]

1956:	
Total assets	$20
Stocks	5
1967:	
Total assets	86
Stocks	51

Equity ratio: 1956, 25 percent; 1967, 59 percent.

ROBBING THE POOR—PART 3—CHICAGO

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. ASHBROOK. Mr. Speaker, on January 28 I inserted in the CONGRESSIONAL RECORD the second part of a New York Times article on the abuses of the antipoverty program in New York City. The scene now switches to Chicago where an investigation by the Chicago Tribune has unearthed further examples of how the disadvantaged are swindled out of benefits allocated on their behalf.

The Tribune article by William Jones appears in the Sunday edition of the Tribune of February 23 and states in part:

> Acting in cooperation with the Better Government association, the Tribune obtained statements from federal officials confirming reports that thousands of taxpayers' dollars remain unaccounted for even after three months of investigation by federal auditors.

The Tribune quotes the acting executive director of the Better Government Association, George Bliss, as describing the job training program as "an insult to both those who seek employment training and the taxpayers who are footing the bill." As Mr. Bliss points out, the losers in the case of this program are the intended beneficiaries in addition to the taxpayers who funded the program.

As the filing deadline for our income taxes are not too far away, now is the appropriate time to consider how our tax dollars are being used, and cases such as the Chicago affair, as outlined in the Tribune, should make us determined to see that the end to such abuses is effected.

A number of items have appeared in the press during the last few weeks concerning the discontent of taxpayers at the seemingly endless upswing in taxes. Just how their tax dollars have been misused, as in the case of Chicago, certainly is not going to make U.S. citizens happy. It is to be hoped that a goodly number of citizens will think about the recent abuses in the use of Federal funds as they send in their income tax statements and checks and demand corrective action from Federal officials.

I insert in the RECORD at this point the article, "Job Training Fiasco Told—Theft, Bad Management Disclosed," written by William Jones and appearing in the Chicago Tribune of February 23, 1969:

JOB TRAINING FIASCO TOLD—THEFT, BAD MANAGEMENT DISCLOSED—CLASSES TEACH BLACK POWER

(By William Jones)

A $387,000 federally-funded program to train Chicago's hard core unemployed has ended in a fiasco of theft, mismanagement, and forged checks, a Chicago Tribune investigation has disclosed.

The disclosures have triggered investigations by state and federal agencies into the program which earmarked hundreds of thousands of dollars for new trucks, autos, and administrative salaries of up to $18,000 a year, but "graduated" only nine persons.

"It was a fiasco," said one program official. "Everybody thought everybody else was watching it [the program]."

BLACK POWER SEMINARS

Another said teaching sessions frequently became black power seminars which encouraged students to strike and threatened officials with beatings.

Others conceded that total losses may never be known and estimated that more than $300,000 was funneled into the program before it ended abruptly in November.

Acting in cooperation with the Better Government association. The Tribune obtained statements from federal officials confirming reports that thousands of taxpayers' dollars remain unaccounted for even after three months of investigation by federal auditors.

INSULT TO BOTH

George Bliss, acting executive director of the B.G.A., who personally handled his agency's role in the investigation, termed the program "an insult to both those who seek employment training and the taxpayers who are footing the bill."

The organization that received the funds is Renewal Enterprises Inc., 4700 Washington blvd., a combination private aluminum siding installation firm and vocational school subsidized with federal funds. The firm was formed last February under a $387,000 contract from the manpower administration office of the labor department.

Another agreement was reached with the small business administration to guarantee 90 per cent of all loans up to $250,000 thru a credit line with a Harwood Heights bank.

PROVIDE VOCATIONAL TRAINING

Under the terms of the contract, Renewal Enterprises was to set up and administer a 23-week program that would provide vocational training and basic literacy and math courses for at least 200 persons. Students were to receive salaries of from $1.60 to $2.59 an hour during the training period. At the end of the course, the firm would be expected to employ all graduates as aluminum siding applicators.

The short-lived program was funded Feb. 26, 1968, and closed its doors Nov. 15. Tho the three-month audit has thus far failed to explain how all the funds were used, this much has emerged:

1. Thousands of dollars worth of tools and aluminum siding installation equipment was left on job sites when the program closed or was stolen during its operation. A federal employe in charge of recovering the equipment said he has collected more than $6,000 worth of government purchased equipment in recent weeks scattered thruout the Chicago area. The employe said the equipment was recovered thru "anonymous phone calls."

2. Enoch G. Matthews, 39, of 2941 Michigan av., president of Renewal Enterprises, said classroom sessions frequently reached "riot proportions" when instructors, whose salaries were paid by the government, emphasized black power and urged the students to walk out of the program.

"We had some near riots down there a few times," Matthews said. "They backed us up against the wall a couple of times and at the suggestion of the classroom teachers they [the students] went out on strike for more money."

3. Chicago manpower administration officials said they had been asked to fund a combination private aluminum siding and training school, but were not convinced it would succeed. Following what one official described as "some verbal discussion with Washington," the Chicago office was told the program had been funded directly by the office of Stanley Ruttenburg, former assistant secretary and manpower administrator in the labor department in the Johnson administration.

MAKE ONLY ONE INQUIRY

4. Chicago manpower administration officials subsequently made only one inquiry into the program, five months after it began, according to Frank Thomas, regional director of manpower's job training office.

"Things looked pretty good then," said Thomas. "It was news to us Nov. 12, when we received a call that the program had closed."

5. Based on statements from program officials that nine persons "graduated" and at least $300,000 was spent in the program, the government paid more than $33,000 to teach each man how to apply aluminum siding.

6. At the same time, the program was paying $100 a month leasing fees for each of 33 trucks and two cars with only 5 or 6 crews on the job. One official said it was his understanding that some trucks were used by employes to get to and from work.

INVESTS IN PROGRAM

7. Manpower Inc., a nationwide temporary employment service with headquarters in Milwaukee, invested $5,000 in the program and had a minority representation on Renewal's board of directors. The firm received a contract in excess of $70,000 to provide teachers for the classroom training, but it claims it collected only $20,000.

Michael Freeman, Manpower general counsel, said the company decided to pull out in November after learning that annual salaries for program administrators exceeded $92,000 and Renewal's expenses were running double the firm's income.

Lewis F. Nicolini, director of the federal regional manpower administration, which includes the Chicago area, gave this response to inquiries about the program:

GUESS IT'S A BUST

"I have more things to do than talk to the Chicago Tribune. This contract was let out of Washington, and they gave us the responsibility of supervising it. I guess it's a bust. On paper the program looked pretty good, but we're in an auditing situation now. It's a defunct organization with no records.

"I, nor anyone else, can say at this point whether there has been any speculation embezzling of funds. I do know that when the audit is completed we will be calling a spade a spade.

Nicolini said he had "never heard of" Kenneth Romasko of New Berlin, Wis., a $12,000-a-year vice president in Renewal Enterprises who acted as a technical coordinator of the training program. Romasko is a building contractor engaged in the sale of aluminum siding who invested in the firm and became an officer.

AUDIT IS COMPLICATED

Nicolini said the audit and investigation by the labor department and regional solicitor's office has been complicated by missing records and efforts to document reported purchases of all typewriters, tools, office equipment, and salaries.

Paul Langa, a Manpower, Inc., executive who represented his firm as treasurer on Renewal's board of directors, said he believes such an audit will only frustrate investigators.

"I'll bet every trainee that went thru that program has the finest workshop in the city of Chicago," said Langa. "It was a fiasco. Everybody thought everybody else was watching it [the program]. Several times we asked for information and didn't get it. We could tell them what to do, but we couldn't make them do it."

SENDS EMPLOYE HERE

Langa said Manpower's $70,000 contract was to teach math and reading to the students. He said the firm sent one employe to Chicago who recruited teachers from among residents of the area.

"Our primary interest in screening for teachers is compassion and empathy," said Langa. "The educational background and teaching experience of the person is not as important."

PART OF THEORY

In connection with charges that black power seminars frequently disrupted the program, Langa said:

"It's very conceivable that based on our approach to teaching, our teachers would use such a technique on specific persons who had expressed an interest in the black power movement. It's part of our theory that a student will respond better to something in which he is interested."

Matthews, president of Renewal and a retired air force officer receiving disability pay, said he was recruited for the post of president by Manpower, Inc., representatives. He said he had no background in vocational training but was told a "black man" with an administrative background was needed. Matthews is a Negro.

"We had the scum of the west side in that program," said Matthews. "You'd lay a pencil down, and it would be gone. I took my problems to the labor department, but all I got was sympathy and a warning that I couldn't spend more than the $387,000 called for in the contract."

TWO CHECKS STOLEN

Matthews said he also had determined that at least two checks had been stolen from his desk during the program. He said they were cashed in the names of payees in the program.

Matthews criticized the lack of qualified personnel to teach students and described some of the teachers as "ex-housewives and high school dropouts themselves, almost as hard core as some of the students."

"It's very obvious that it fell apart because they were in desperate need of some help that we were unable to give them," said Daniel P. Harley, regional director of the bureau of work training in the manpower administration office.

Harley said his office covers a seven-state area and finds it impossible to properly monitor such programs and provide counseling.

REBIRTH OF MERCHANT MARINE VITAL IN MODERN GOLD RUSH

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. BOB WILSON. Mr. Speaker, our national decline in maritime power becomes increasingly critical. We must begin to plug the gap in our oceanic endeavors and to reassert our maritime prominence. The following editorial from the San Diego Evening Tribune and speech by Charles F. Duchein, national president of the Navy League of the United States, gives ample testimony to our present plight in maritime affairs and the need for forward-looking leadership and action in this vital field:

[From the San Diego (Calif.) Tribune, Jan. 27, 1969]

REBIRTH OF MERCHANT MARINE VITAL IN MODERN GOLD RUSH

The United States of America may miss the boat in the modern gold rush, challenging the world's last frontier—the oceans—according to the president of the Navy League of the United States.

Charles F. Duchein told a San Francisco meeting of the Commonwealth Club of California, "We are tampering with the long-term prosperity of this nation through our vacillation and neglect of what can be the chief stimulator of the national economy—the foundation of our future prosperity—and this is to rebuild our maritime posture to a position of world preeminence."

Duchein's concern is warranted.

Statistics revealed in NATO's Fifteen Nations publication paint a picture of dwindling U.S. maritime strength that cannot be ignored. The situation is made particularly urgent by the fact that the United States depends more and more on foreign trade for survival.

At the close of World War II, the United States had about 5,000 ships, totaling more than 50 million tons, on the high seas. The fleet now stands at under 1,000 active ships—80 per cent more than 20 years old—totaling about 14 million tons.

The Russian merchant fleet, on the other hand, has grown since 1950 from 432 ships to an impressive 1,400 ships of some 11 million tons. It is estimated that within three years, Russia will have outstripped the U.S. Already the Soviet has begun a world trade offensive.

To Russia, however, a powerful merchant fleet means more than economic power. It is also a major tool to promote Communist ideology and action.

Soviet ships sustain Castro in Cuba. They carry Red policy as well as goods to the new nations of Africa. They keep North Vietnam in the war.

Our national leaders are well aware of changing pattern of naval balance. The merchant fleet was considered in a recent report of the House Armed Services Committee chaired by Mendel Rivers, D-S.C.

The report, prepared by a 22-man special subcommittee of the National Security Council, dealt with the "Changing Strategic Naval Balance, U.S.S.R. vs. U.S.A."

The Soviet Merchant Marine, according to the committee study, has risen from 21st rank in 1950 to fifth in 1968.

"The free world countries grew strong and stayed free through control of the seas, including leadership in global conference," the report points out. "The Soviet Union, however, is being allowed to take the position of maritime supremacy that hitherto has belonged to the seavoyaging free nations of the West."

The conclusion of the study was that a major build-up of U.S. sea power is called for, both military and merchant fleet. The Navy League has also adopted that position.

According to the naval balance report, "If the United States proceeds at full speed to augment its naval forces, the Soviet Union will not be able to wrest the trident from America's grasp."

The Navy League has proposed a five-point program to restore our merchant fleet to a preeminent position:

The United States must form a maritime policy providing incentive to gain a competitive maritime position on the oceans of the world. The failure of our government to formulate basic policy is the most critical element in cleaning up "the mess in the merchant marine."

Our nation must orient its national strategy to the oceans of the world, just as the Kremlin has done in recent years.

America must go after the merchant marine market by building at least 100 ships a year for the next 10 years.

Oceanic education must be fostered in our schools to give our youth as good a subject grounding in the seas as they now receive on the land environment. A Sea Grant College program must be pursued to mobilize scientists, scholars and students in the search for oceanic solutions to the problems of state.

A Maritime Manhattan Project must be created to stimulate maritime technological advances.

The critical nature of the decline in American seapower demands that the U.S. maintain and increase its supremacy on the oceans by building a larger and more modern fleet. The freedom of the United States and its allies is anchored in control of the oceans.

That is why we need a rebirth of the U.S. Merchant Marine.

[From the Navy Magazine, February 1969]

THE PRESIDENT'S MESSAGE: NAVAL LEADERSHIP AND THE NATIONAL OCEANIC DESTINY

"There is a tide in the affairs of men, which taken at the flood, leads on to fortune—" (Shakespeare).

Special significance attends the selection of the Governor of the maritime state of Rhode Island to the civilian leadership of the naval establishment. A brilliant oceanic mosaic is unfolding as John H. Chafee, a Marine, ascends the gangway, steps aboard and breaks his personal flag. The exciting American renaissance developing at sea augers well for the future security and economic prosperity of the nation. Maritime opportunities are at an historic high.

Vision, enlightenment and determination are called for to meet the mounting menace of burgeoning Soviet maritime strength. Admittedly, regaining a preeminent American oceanic posture, to a marked degree, will depend on the leadership provided. But the key to capitalize upon this current trend of events is conviction. The crux of meeting this national challenge is maritime program. Certainly, an understanding of the oceans is the fundamental building block for the national naval leadership to foster the magnitude of the program that is now needed. Though the educational aspects are paramount, the formulation of basic maritime doctrine for the guidance of our government is imperative in seeking seabased strategic "sufficiency."

NAVY SPARKS SCIENTIFIC PROGRESS

Traditionally, the Navy has provided the oceanic motivation, the initiative and intellectual incentives needed by the Nation. Understandably, both the Commander-in-Chief and the Congress have looked to the naval service and its civilian head for professional guidance and the scientific spark to foster national maritime progress.

Interestingly, it was at Rhode Island University, under Governor Chafee's stewardship, that the Sea Grant College program was launched by Dr. Athelstan Spilhaus, assisted by Dean Knauss. With the university sparking an educational and oceanic research program of revolutionary implication, Senator Claiborne Pell of Rhode Island spearheaded the Sea Grant College legislation through Congress to create a counterpart to the rewarding Land Grant College program.

Although in its infancy, the Sea Grant program has created an appreciable surge in ocean study. Unprecedented interest in ocean related disciplines and studies has been stimulated on college campuses throughout the country. Already the response of American scientists, scholars and students has been electrifying. But the incentives provided by enlightened leadership for the entire maritime program require reinforcement. Oceanic purpose must flow from national maritime policy. The reorientation of the American endeavor to the basic pursuit of the full range of oceanic activity and world trade, from a truly competitive, modern structure, will require public understanding as well as intellectual development in depth. Consequently, at the instigation of the Chief of Naval Operations, the League has broadly encouraged this ocean-oriented intellectual endeavor.

The Naval War College at Newport, R. I., the nation's center of intellectual leadership for the study and development of new concepts of naval and maritime power, is ideally suited to foster this understanding. At its global strategy seminar each year, leaders in all walks of life glean an insight into oceanic strategy and the import of the oceans relative to the national welfare. Highlighted at each seminar are the options afforded by the oceans toward solving the pressing problems of state.

SERVICE CHAMPION

As civilian spokesman for the naval services, the Secretary of the Navy endeavors to interject the maritime view convincingly into the process of our government. With the professional support of the Chief of Naval Operations and the Commandant of the Marine Corps, the Secretary of the Navy is respected as the most knowledgeable civilian leader on maritime matters within the government. Unfortunately with the passage of the National Security Act of 1947, the Secretary of the Navy was removed from the President's Cabinet. Since the Cabinet now is deprived of a spokesman capable of the direct interjection of the maritime viewpoint into its deliberations, the crucially significant role of the civilian head of the naval services is accentuated.

The pledges of the President to provide a Navy "second to none" and to revitalize the Merchant Marine, as a "first priority economic task", with emphasis on resolute oceanic research, are given marked credibility by his selection of the new Secretary. We are confident that Governor Chaffee brings to the Navy and the Marine Corps the civilian leadership and the service championship discouraged in recent years in the defense decision making process.

In welcoming the new Secretary aboard, the Navy League commends for his consideration the substance of our Declaration of Objectives and Resolutions. With broad public support, this projected maritime program provides potential for the President to build the modern mobile posture required to meet his worldwide responsibilities.

Welcome aboard, Mr. Secretary! We look to you for positive leadership and a strong civilian championship of the Service. In turn, we pledge the fullest measure of our purposes to assist you in the challenging responsibilities you have assumed on behalf of this great maritime nation.

CHARLES F. DUCHEIN,
National President, Navy League of the United States.

SENTINEL POSES THREAT TO NONPROLIFERATION PARTY

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 24, 1969

Mr. RYAN. Mr. Speaker, the basic inconsistency of the proposed Sentinel anti-ballistic missile system was pointed out in a February 24 editorial which appeared in the New York Times. As that editorial points out, the Nuclear Non-Proliferation Treaty, which hopefully represents a first tentative step toward reducing the threat of nuclear war, could be seriously undermined if the administration proceeds with plans to deploy a new antiballistic missile system. Non-nuclear powers, which have approved the treaty, might question whether the United States indeed has a "good faith" interest in nuclear disarmament and possibly reassess their own decision not to develop nuclear arms. This, in turn, could only result in an increase in the insecurity which is posed by existent nuclear stockpiles. Instead of proceeding with the Sentinel system, the administration should enter into negotiations with the Soviet Union to limit—not enlarge—reliance upon offensive and defensive missile systems. The editorial follows:

THE SENTINEL AND THE TREATY

In his questioning of Secretary of State Rogers on the nuclear nonproliferation treaty Senator Albert Gore has exposed a fundamental inconsistency in the Administration's apparent resolve to push ahead with some sort of Sentinel antiballistic missile system—a resolve made more explicit last week by Secretary of Defense Laird. Mr. Gore noted that under Article VI of the treaty the nuclear powers undertake "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament."

The Sentinel program provides a critical test of how seriously the United States views its obligations under that article. If there is a "good faith" interest in nuclear disarmament, then the logical step would be to postpone deployment of the Sentinel system while the United States enters into negotiations with the Soviet Union to limit offensive and defensive strategic missiles. If, instead, the Administration decides to proceed with Sentinel deployment on the distorted logic that accelerating the atomic arms race somehow leads to nuclear disarmament, then it will be apparent that the United States regards Article VI as little more than a pious statement imposing no obligations upon the nuclear powers.

Something far more important is at stake, however, than just this country's interpretation of Article VI. At issue is the whole future of the treaty, a matter that is likely to come up in President Nixon's European discussions this week.

So far as the non-nuclear states are concerned, the article was one of the more important concessions made by the two major nuclear powers in drafting the treaty. If the United States and the Soviet Union now indicate that they do not feel bound in any way by the article, then some of the more important non-nuclear states, such as Japan, Israel and India, can ask with good reason why they should take the treaty now of complete nuclear abstinence.

By proceeding with the Sentinel system, therefore, the United States can jeopardize the nuclear nonproliferation treaty. Even if the military utility of the system were much less dubious than it is, this would be a bad risk to run. In the long run, the spread of nuclear weapons undoubtedly presents a far greater danger than the still non-existent nuclear missiles in Communist China or the unproved usefulness of Sentinel as a bargaining counter in arms talks with Moscow.

SENATE—*Tuesday, February 25, 1969*

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Lord God, eternal Father, deliberately and solemnly we dedicate ourselves to Thee. Take our minds, our wills, our speech, and our strength and make us wholly Thine. As we present ourselves to Thee so also we dedicate this Nation to a purer life, a more unselfish patriotism, and a more fervent devotion to freedom, until with all the nations of the earth we come under Thy sovereignty in Thy kingdom of justice, love, and truth, through Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, February 21, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States received on February 21, 1969, under authority of the order of the Senate of February 19, 1969, submitting sundry nominations and withdrawing the nomination of Eugene M. Becker, of Illinois, to be an Assistant Secretary of the Army, which nominating messages were referred to the appropriate committees.

(For nominations received on February 21, see the end of Senate proceedings of today.)

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States, received on February 24, 1969, under authority of the order of the Senate of February 19, 1969, submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received on February 24, see the end of Senate proceedings of today.)

REVISION OF DEBT LIMIT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91–79)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, received on February 24, 1969, under authority of the order of the Senate of February 19, 1969, which was referred to the Committee on Finance:

To the Congress of the United States:

When I took office as President of the United States, the public debt subject to limit was $364.2 billion—only $800 million below the statutory ceiling of $365 billion. Available projections indicated that borrowings needed to provide the Government with minimum cash balances essential for its operations would place the debt subject to limit at or above the legal ceiling by mid-April.

These projections have now been reviewed and updated on the basis of the latest revenue and expenditure flows. They continue to show inadequate leeway under the debt limit to meet all anticipated cash requirements through the middle of April. These facts permit me only one prudent course of action. I must ask the Congress to revise the debt limit before mid-April. The new limit should provide a reasonable margin for contingencies.

President Johnson foresaw the possible need for such action when he stated in his fiscal year 1970 budget that "It may be necessary . . . within the next few months to raise the present debt limit."

Continuing high interest rates may add several hundred million dollars to the 1969 expenditures estimated by President Johnson. Other possible increases in outlays, including farm price support payments and a wide variety of past commitments in other programs—such as highways—may be greater than was estimated by the outgoing administration.

All department and agency heads are now reviewing their programs in a determined effort to reduce costs. But we should not let our hopes for success in this effort deter us from the necessary action on the debt limit. Such cost reductions can have only a minor effect on expenditures in the next month or two, and it is in early March and again in early April that the Treasury will be faced with the heaviest drain on its resources.

Moreover, even if the Budget surpluses for fiscal years 1969 and 1970 were to prove somewhat larger than estimated in the January Budget, the present debt limit would be inadequate for fiscal year 1970. Thus even if an immediate increase in the debt limit could be avoided, an increase cannot be postponed very far into the next fiscal year. My predecessor also noted this fact when he presented his Budget for fiscal year 1970.

The apparent paradox of a need for a higher debt limit in years of anticipated budget surplus is explained mainly by the fact that the fiscal year 1969 and 1970 surpluses reflect substantial surpluses in Government trust funds—projected at $9.4 billion in fiscal year 1969 and $10.3 billion in fiscal year 1970. These surpluses in the trust funds provide cash to the Treasury, but only through the medium of investment in special Treasury issues. The consequent increase in such special issues is subject to the debt limit, under present definitions. Hence, *the debt subject to limit will rise even though borrowing from the public will decline.*

In addition, we must acknowledge the seasonal pattern in Treasury receipts. Net cash requirements prior to the mid-April tax date are regularly very substantial, while after that date the Treasury will be repaying a large amount of debt on a net basis.

While a small, temporary increase in the debt limit might prevent the undue restrictiveness of the present limit in the months immediately ahead, I urge that we now direct our attention to the future, and at least through fiscal year 1970.

I believe that the Congress should now enact a debt limit which will serve the needs of our Nation both for the balance of this fiscal year and for the foreseeable future.

In doing so, I also believe that the Congress should take this occasion to redefine the debt subject to limit to bring it into accord with the new unified Budget concept developed by a distinguished Commission that was headed by the present Secretary of the Treasury and included leaders from both Houses of Congress, officials of the previous Administration, and distinguished private citizens. The recommendations of this Commission largely have been adopted in the last two Budget presentations and in the new form of Congressional budget scorekeeping. These have been major forward steps toward better public understanding of the budget. The concept of the debt limit should also be redefined as suggested in the Commission's report.

Under the unified Budget concept, attention is focused on the total receipts and expenditures of the Federal Government, including the trust funds. The surplus or deficit thus reflects the net of revenue and expenditure transactions between the Federal Government and the public, and the net debt transactions between the Government and the public are thus the relevant basis for a proper understanding of the Federal borrowing requirements. To conform fully with this Budget presentation, only those Federal obligations which are held by the public—all debt except that held by Federally-owned agencies and by the trust funds—should be subject to the statutory limit on the public debt. Debt of Federally-owned agencies held by the public would be included as well as direct Treasury debt.

This change would in no way affect the integrity of the trust funds. This Administration recognizes, as the Commission on Budget Concepts emphasized, the firm obligation of the Government to maintain proper, separate accounting for the trust funds. This can and will be done without including obligations held by the trust funds in the total debt subject to the debt limit.

I therefore propose that the Congress establish a new debt limit defined to accord with the unified Budget concept. On this basis, a limit of $300 billion should be adequate to permit efficient and responsible handling of the Government's financing for the foreseeable future. This compares with an outstanding debt on the unified Budget concept of $293.7 billion on January 21, 1969.

On the present public debt limit concept, the debt outstanding on January 21, 1969 was $364.2 billion as compared with the current debt limit of $365 billion. An increase in that limit to approximately $382 billion would correspond in the next fiscal year to the $300 billion limit I am proposing on the unified budget basis.

RICHARD NIXON.

THE WHITE HOUSE, *February 24, 1969.*

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States, received on today, February 25, 1969, submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received today, see the end of Senate proceedings of today.)

REFORM OF THE POSTAL SYSTEM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-81)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

Reform of the postal system is long overdue.

The postal service touches the lives of all Americans. Many of our citizens feel that today's service does not meet today's needs, much less the needs of tomorrow. I share this view.

In the months ahead, I expect to propose comprehensive legislation for postal reform.

If this long-range program is to succeed, I consider it essential, as a first step, that the Congress remove the last vestiges of political patronage in the Post Office Department.

Accordingly, I urge the Congress promptly to enact legislation that would:

—eliminate the present statutory requirement for Presidential appointment and Senatorial confirmation of postmasters of first, second, and third-class post offices;

—provide for appointment of all postmasters by the Postmaster General in the competitive civil service; and

—prohibit political considerations in the selection or promotion of postal employees.

Such legislation would make it possible for future postmasters to be chosen in the same way that career employees have long been chosen in the other executive departments. It would not, however, affect the status of postmasters now in office.

Adoption of this proposal by the Congress would assure all of the American people—and particularly the more than 750,000 dedicated men and women who work in the postal service—that future appointments and promotions in this important department are going to be made on the basis of merit and fitness for the job, and not on the basis of political affiliations or political influence.

The tradition of political patronage in the Post Office Department extends back to the earliest days of the Republic. In a sparsely populated country, where postal officials faced few of the management problems so familiar to modern postmasters, the patronage system may have been a defensible method of selecting jobholders. As the operation of the postal service has become more complex, however, the patronage system has become an increasingly costly luxury. It is a luxury that the nation can no longer afford.

In the past two decades, there has been increasing agreement that postmaster appointments should be made on a nonpolitical basis. Both the first and second Hoover Commissions emphasized the need for such action. So did the recent President's Commission on Postal Organization, headed by Frederick R. Kappel. President Harry S. Truman and many members of Congress from both political parties have proposed legislation designed to take politics out of postal appointments. In the 90th Congress, the Senate, by a vote of 75 to 9, passed a bill containing a provision that would have placed postal appointments on a merit basis. Forty-two such bills were introduced in the House of Representatives during the 90th Congress.

The overwhelmingly favorable public comment that followed my recent announcement of our intention to disregard political consideration in selecting postmasters and rural carriers suggests that the American people are more than ready for legislative action on this matter. The time for such action is now at hand.

The benefits to be derived from such legislation are, I believe, twofold.

First, the change would expand opportunities for advancement on the part of our present postal employees. These are hard-working and loyal men and women. In the past, many of them have not received adequate recognition or well-deserved promotions for reasons which have had nothing to do with their fitness for higher position or the quality of their work. For reasons of both efficiency and morale, this situation must be changed.

Secondly, I believe that over a period of time the use of improved professional selection methods will improve the level of competence of those who take on these important postal responsibilities.

I would not request this legislation without also presenting a plan which insures that the new selection process will be affectively and impartially administered. The Postmaster General has such a plan.

He is creating a high level, impartial national board to assist him in the future selection of postmasters for the 400 largest post offices in the country. Regional boards, also made up of exceptionally well-qualified citizens, will perform a similar task in connection with the selection of other postmasters. First consideration will be given to the promotion, on a competitive basis, of present postal employees.

The Postmaster General has also initiated action to improve the criteria by which postmasters are selected. The revised criteria will emphasize managerial competence, human relations sensitivity, responsiveness to customer concerns, an understanding of labor relations, and other important qualities.

Proposals for additional legislation dealing with the selection process will be included in the broad program for postal reform that the Postmaster General is now preparing.

Some of the needs of the Post Office clearly require extensive study before detailed solutions can be proposed. Other problems can and should be dealt with now. One objective which can be met promptly is that of taking politics out of the Post Office and I strongly recommend the swift enactment of legislation that will allow us to achieve that goal. Such legislation will be an important first step "towards postal excellence."

RICHARD NIXON.

THE WHITE HOUSE, *February 25, 1969.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that pursuant to House Resolution 263 the Speaker had appointed Mr. FRIEDEL, of Maryland; Mr. DENT, of Pennsylvania; and Mr. LIPSCOMB, of California, as members of the Joint Committee on Printing, on the part of the House.

The message also informed the Senate that pursuant to House Resolution 263, the Speaker had appointed Mr. FRIEDEL, of Maryland, Mr. THOMPSON of New Jersey, Mr. PODELL, of New York, Mr. CORBETT, of Pennsylvania, and Mr. HARVEY, of Michigan, as members of the Joint Committee of Congress on the Library, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of section 3(b), Public Law 88-630, the Speaker had appointed Mr. HUNGATE, Mr. REUSS, Mr. BERRY, and Mr. CUNNINGHAM as members of the Lewis and Clark Trail Commission, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 1, Public Resolution 32, 73d Congress, the Speaker had appointed Mr. HAYS, Mrs. SULLIVAN, and Mr. CAMP as members of the U.S. Territorial Expansion Memorial Commission, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 4(b), Public Law 90-301, the Speaker had appointed Mrs. SULLIVAN and Mr. BROCK as members of the Commission To Study Mortgage Interest Rates and the Availability of Mortgage Credit at a Reasonable Cost to the Consumer, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of 44 U.S.C. 3305, the Speaker had appointed Mr. NEDZI, and Mr. PETTIS, of California, as members of the Committee on the Disposition of Executive Papers, on the part of the House.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

James F. Battin, of Montana, to be U.S. district judge for the district of Montana.

By Mrs. SMITH, from the Committee on Armed Services:

John S. Foster, of Virginia, to be Director of Defense Research and Engineering.

By Mr. TOWER, from the Committee on Armed Services:

Robert C. Moot, of Virginia, to be an Assistant Secretary of Defense.

By Mr. YOUNG of Ohio, from the Committee on Armed Services:

Charles A. Bowsher, of Illinois, to be an Assistant Secretary of the Navy.

By Mr. BROOKE, from the Committee on Armed Services:

Robert Alan Frosch, of Maryland, to be an Assistant Secretary of the Navy.

By Mr. THURMOND, from the Committee on Armed Services:

Roger T. Kelley, of Illinois, to be an Assistant Secretary of Defense.

By Mr. BYRD of Virginia, from the Committee on Armed Services:

James D. Hittle, of Virginia, to be an Assistant Secretary of the Navy.

Mr. INOUYE. Mr. President, from the Committee on Armed Services, I report favorably 1,313 appointments in the Regular Army in grades of captain and below. Since these names have already been printed in the Congressional Record, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Gerald F. Feeney, and sundry other persons, for appointment in the Regular Army.

Mr. FULBRIGHT. Mr. President, from the Committee on Foreign Relations, I report favorably sundry nominations in the diplomatic and foreign service. Since these names have previously appeared in the Congressional Record, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Robert J. McCloskey of Maryland, and sundry other persons, for appointment and promotion in the diplomatic and foreign service.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination which was reported earlier today.

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nomination will be stated.

U.S. DISTRICT COURT

The bill clerk read the nomination of James F. Battin, of Montana, to be U.S. district judge for the district of Montana.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, I rejoice in the approval of the nomination of Representative Battin, of Montana, who is one of the ablest lawyers in Congress and a man who has distinguished himself in the fields of law and legislation. I am most happy that this nomination has been confirmed.

Mr. MANSFIELD. May I say that my distinguished colleague, the junior Senator from Montana (Mr. Metcalf), and I appeared before the Committee on the Judiciary this morning in behalf of the nomination of our colleague, Representative Battin, and we are delighted that the nomination has been recommended by the committee and now confirmed by the Senate.

Mr. SCOTT. I should like to add that I am a member of the Committee on the Judiciary; and while I voted for the nomination, I regret that I was not present at the subcommittee hearing, because I was present at a broadcast to Tokyo with some Russian and Japanese colleagues.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

U.S. COMMITMENTS TO SPAIN

Mr. SYMINGTON. Mr. President, if the article by Miss Flora Lewis in the Washington Post this morning, "State, Pentagon Split on Commitments to Spain," is accurate, it should be clear why the chairman of the Senate Committee on Foreign Relations and its members decided to create a subcommittee to "make a detailed review of the international military commitments of the United States and their relationship to foreign policy." The Spanish situation is but one of many that are of interest.

Several years ago, the senior Senator from North Carolina (Mr. Ervin) as a member of the Judiciary Committee, held hearings on the separation of powers. The Senator from Mississippi (Mr. Stennis), as chairman of the Preparedness Subcommittee, held hearings on U.S. military commitments abroad. Two years ago, the distinguished chairman of the Committee on Foreign Relations, the Senator from Arkansas (Mr. Fulbright), introduced the so-called commitment resolution. This resolution was amended and favorably reported to the Senate more than a year ago.

I cite these facts to show that over a substantial period of time there has been growing concern in the Senate, not only about the gradual growth of our commitments abroad, but also with respect to our capacity to meet them.

I would hope that those few who have been critical of the decision of the Committee on Foreign Relations to examine our security agreements and commitments abroad would read the article in question.

I do not know whether the account of Miss Lewis is accurate, but let me assure Members of the Senate that it is this type of activity which will come under surveillance by this subcommittee. The bundle of agreements with Spain are executive agreements which are not sent to the Senate for its advice and consent.

Our Nation is far too powerful, and our weapons of destruction far too great, to have them committed without careful recognition of the importance of those constitutional processes which make it possible for this Nation today to assert that it is the oldest constitutional democracy living under a written Constitution.

The organizational meeting of the subcommittee is scheduled for tomorrow afternoon—Wednesday, February 26—at 2:30 p.m. At that time, I will present to subcommittee members the preliminary steps that have been taken to get our work underway.

Mr. President, I ask unanimous consent that the article by Flora Lewis and an article by Warren Unna on the same subject be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington Post, Feb. 25, 1969]

STATE, PENTAGON SPLIT ON COMMITMENTS TO SPAIN

(By Flora Lewis)

A secret dispute has developed between the State Department and the Joint Chiefs of Staff over American commitments to Franco Spain. At one point, the military almost made a U.S. pledge to fight for Spain as though it were a NATO country.

The Senate Foreign Relations Committee, which is starting to study how the U.S. gets into military obligations abroad, got wind of the blow-up between the State Department and the Pentagon at its peak. A committee staff member inquired and was told by both sides that there was no disagreement, no trouble. The executive departments are not inviting the Senators into their quarrel.

But the trouble has been brewing for months. The issue is now on its way to the National Security Council and will have to be decided by President Nixon. The story is a new case history of how the U.S. can stumble into a foreign war.

The immediate issue is the two air bases and the submarine base which the U.S. has in Spain. Although American officials disagree on their precise value, there is general agreement that none is essential to national security though all are useful.

The base agreement runs out this year. It provides that unless Madrid and Washington agree on renewal terms by March 26, the U.S. must evacuate within one year.

Talks on renewal went on during much of 1968. But last September, the Spaniards broke off negotiations, saying the gap between their price of $700 million in new weapons for another five years' use of the bases and the U.S. offer of $140 million in weapons and services was too big. If it was a bluff, it didn't work.

So in October, Spanish Foreign Minister Fernando Maria Castiella called on then Secretary of State Dean Rusk to launch a new approach. In place of the diplomatic talks, an American military mission was assigned to a three-stage discussion with the Spanish military, who dominate Spain. They were to assess the actual threat facing Spain, the "tasks and missions" the Spaniards must undertake to face it, and then the equipment needed to do the job.

Rusk's idea was that by tackling the subject in terms of needs rather than supplies, Madrid could be brought way down from its exorbitant demands for its three armed services.

Rusk also asked, twice, for a six-month extension of the March 26 deadline to give the new Administration time for this important policy decision. The Spaniards flatly refused.

On Nov. 18–20, Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, visited Madrid and opened the talks. He made a general speech about Western strategy and mentioned in passing "the potential problem of political instability in North Africa." And to head the mission he named Maj. Gen. David A. Burchinal, a tall, dapper man who as deputy to NATO supreme commander Gen. Lyman Lemnitzer has the dual role of second in command over all NATO forces in Europe and over all American forces in Europe.

Burchinal started work on Dec. 7. Two days later he signed a joint minute with the Spaniards on the threat they face. It included as a serious element the threat of limited war in North Africa, mentioning such possibilities as Algerian aggression, a "proxy" war in the Spanish colonies backed by the Russians, and other highly unlikely developments. His signature to this vast expansion of Wheeler's remark implied that Spain was justified in seeking far more weapons than the U.S. wants to give.

While he worked, he kept his papers locked in a safe at the U.S. air base at Torrejon, which is under his command. Neither the U.S. Embassy in Madrid nor the regular U.S. military mission there was given any word on conduct of the talks, nor could they possibly get access to the papers that were taken each night from Madrid to Torrejon.

Burchinal sent his copy of the signed minute back to Wheeler. It was not shown to the State Department nor to Pentagon civilians. After two weeks, with the intervention of top Pentagon civilians, the paper was finally produced.

The civilians, at the Pentagon and especially at State, were distressed with it. The extended reference to a threat from North Africa could be used to involve the U.S. in a Spanish colonial war. They wanted the text changed. Burchinal refused on the grounds that it was already signed and that trying to get a redraft would ruin his negotiations.

So State and the Pentagon compromised. They agreed on the text of a "prefatory note" which was sent to Burchinal to be inserted in the next joint minute on "tasks and missions." The note said the talks were a useful exchange of views but that nothing in the first or future minutes could be considered a binding Spanish-American understanding or commitment.

They also agreed on a proposed minute for the second stage and sent it to Burchinal to negotiate. It eliminated the whole passage about North Africa. There was no report from Burchinal for over a month. Then, in early February, he returned the jointly signed minute with a deadline of 48 hours for approval.

The Joint Chiefs demanded State's endorsement.

The State Department people exploded. Burchinal had made three crucial changes:

1. The "threat from North Africa" idea was reinserted.

2. A statement was inserted saying the U.S. was obligated to defend Western Europe "of which Spain is an integral part." State Department lawyers pointed out that this could extend the NATO guarantee to include Spain, a vast and probably illegal commitment without Senate ratification.

3. The "prefatory note" was changed. It said that the minutes were "agreed views" of the two military sides and "must constitute" the basis for further talks on arms for Spain, though it still contained the phrase that this was not a commitment.

Furthermore, State was incensed at the impertinence of the 48-hour deadline and refused approval. Secretary of Defense Melvin R. Laird intervened on the request of Pentagon staff. He got Secretary of State William P. Rogers, who was in Florida, to insist on speedy clearance of the paper.

An inter-departmental meeting was called. It was stormy. Reluctantly, State agreed to endorse Burchinal's minute provided two changes were made. The fateful "integral part of Europe" phrase was removed and a sentence was added to the "prefatory note" saying the talks "do not necessarily reflect the views of the two governments."

The whole issue was then sent, as case No. 1, to the new Inter-Departmental Group for Europe set up under the Nixon Administration's machinery for funneling policy decisions to the National Security Council. Assistant Secretary of State John Leddy is chairman of the group. Its report went into the broad dangers of any security commitment to troubled Spain, whether the U.S. really needs the bases and how high a price it should pay for them in terms of both money and future policy risks.

The Spaniards have repeatedly made vague threats that they might turn neutral if there is no new base agreement. Some American officers argue that Madrid might settle for fewer weapons if it could get a mutual security treaty with the U.S. American diplomats are convinced this would be an outrageously false economy.

At the least it would open the U.S. to serious charges from anti-Franco Spaniards that it deliberately supported his dictatorship, as Cuban moderates who initially supported Castro charged about Batista. At the worst, it could impel the U.S. into an unwanted war.

[From the Washington Post, Feb. 25, 1969]

Military's Role in U.S. Diplomacy Curbed To Avoid Commitments

(By Warren Unna)

The new Nixon Administration, in one of its first moves on a ticklish political-military crisis has put the brakes on the way the U.S. military has been conducting U.S. diplomacy.

Deputy Defense Secretary David Packard, it was learned, last week summoned Gen. David A. Burchinal, deputy chief of both NATO and U.S. European forces under NATO, and carefully reviewed Burchinal's role in renegotiating the lease for the four U.S. Navy and Air Force bases in Spain.

According to a story by Newsday columnist Flora Lewis, published in today's editions of The Washington Post on Page A17, Burchinal, backed by high Pentagon brass, ignored the advice of civilian officials in both the State Department and the Pentagon in his negotiations with Spanish officials on the U.S. bases.

The account said Burchinal committed the United States to acknowledging that the Spaniards had a "threat from North Africa," both through possible Algerian aggression and a possible Soviet-backed separation of Spain's African colonies.

The account also said that the General obliged the United States to defend Spain under the NATO agreement by referring to her as "an integral part" of Western Europe.

Moreover, the General reportedly insisted that his "minute" with the Spaniards were "agreed views" that "must constitute" the basis of further U.S. arms talks with Spain.

Secretary Packard, in calling in Burchinal for a review, has now made clear how he should proceed when he returns to Spain next week.

A high Pentagon official said last night that "Gen. Burchinal came back on an entirely unrelated matter. There have been no documents signed, irretrievably or otherwise, that constitute commitments of any sort. The discussions have been on a military level on military matters. He has not been dropped. He will continue to meet with the Spanish."

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. MANSFIELD. Mr. President, I am very happy that the distinguished senior Senator from Missouri has seen fit to bring this matter to the floor of the Senate today. I hope that before too long it will be before the subcommittee of which he is chairman, and perhaps the full Committee on Foreign Relations as well.

It is my understanding that the general in question who was named to head the mission, Maj. Gen. David A. Burchinal, is in the city of Washington at this time; and I would hope that before he returns to his assignment, it would be possible to get from him the facts as they may be.

I make no accusation against the general, because I am sure that he was carrying out his orders, as a good soldier should; but the article by Miss Lewis does raise questions about the relationship between the State Department and the Department of Defense. It does raise questions about executive agreements. It does raise questions about the possibility of an involvement this time in Africa if this agreement is as stated and if it is put into effect as it has been enunciated.

It would appear to me that if we are to do anything of this nature for just a 5-year extension of a lease on bases which may well have outlived their usefulness—some of them I think have been discontinued in recent months—we will be going a long way in the formulation of a policy contrary to constitutional practice. It raises a most serious question relative to who shall conduct the foreign policy of this country. Should it be the representatives of the Pentagon in the Defense Department or, as has been the practice under the Constitution, shall it continue to be the representatives of the Department of State, under the command, control, and responsibility of the President of the United States?

As I interpret the available information, the Nixon administration has seen fit to face up to this issue. It has called for a reassessment of the charges which have been made and the proposals which have been submitted—not once, but evidently twice; and has been able, at least up to this time, to bring about some changes.

This matter should be gone into. It is a most serious question. I am delighted that the distinguished Senator from

Missouri has seen fit to raise it on the floor of the Senate today.

Mr. SYMINGTON. I am very grateful for the remarks made by the distinguished majority leader. I am honored by the fact that he was willing to serve on the subcommittee in question. I wish to say to the Senate this morning that it is our desire to get all the facts with respect to this particular commitment and any other commitments of this character.

PRESIDENT NIXON'S EUROPEAN VISIT

Mr. SCOTT. Mr. President, I am delighted to observe that the visit of President Nixon to Europe has been met with such acclaim, accord, and good will by the people and the statesmen of Europe. This is a good beginning for the foreign policy of the President.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Proposed Legislation To Authorize a Dislocation Allowance Under Certain Circumstances, Certain Reimbursements, Transportation for Dependents, and Travel and Transportation Allowances

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 37, United States Code, to authorize a dislocation allowance under certain circumstances, certain reimbursements, transportation for dependents, and travel and transportation allowances under certain circumstances, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

Proposed Legislation on Travel and Transportation Allowances

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 37, United States Code, to provide entitlement to round-trip transportation to the homeport for a member of the naval service on permanent duty aboard a ship overhauling away from homeport whose dependents are residing at the homeport (with an accompanying paper); to the Committee on Armed Services.

Proposed Legislation To Authorize the Command of the U.S.S. "Constitution" by Retired Officers of the U.S. Navy

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to authorized command of the U.S.S. *Constitution* (IX–21) by retired officers of the U.S. Navy (with an accompanying paper); to the Committee on Armed Services.

Report on Department of Army Research and Development Contracts

A letter from the Acting Assistant Secretary of the Army (R. & D.), transmitting, pursuant to law, a report on Department of the Army research and development contracts, for the period July 1, 1968, through December 31, 1968 (with an accompanying report): to the Committee on Armed Services.

Report on Reserve Forces by Department of Defense

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, the annual report on Reserve Forces for fiscal year 1968 (with an accompanying report); to the Committee on Armed Services.

Report on Department of Defense Procurement From Small and Other Business Firms

A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms for the period July–November 1968 (with an accompanying report); to the Committee on Banking and Currency.

Report of National Commission on Product Safety

A letter from the Executive Director, National Commission on Product Safety, transmitting, pursuant to law, a report of the Commission which recommends legislation to further protect American children (with an accompanying report); to the Committee on Commerce.

Report of Interstate Commerce Commission

A letter from the Chairman, Interstate Commerce Commission, transmitting, pursuant to law, the 82d Annual Report of the Commission, for the fiscal year 1968 (with an accompanying report); to the Committee on Commerce.

Report of the Secretary of the Senate

A letter from the Secretary of the Senate, transmitting, pursuant to law, his statement of the receipts and expenditures of the Senate from July 1, 1968 to December 31, 1968 (with an accompanying report); ordered to lie on the table.

Report of the Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on an analysis of estimated and actual costs of certain major research facilities of the Atomic Energy Commission, dated February 20, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on an audit of the financial statements of the low-rent public housing program fund, for the fiscal year 1968, Department of Housing and Urban Development, dated February 20, 1969 (with an accompanying report); to the Committee on Government Operations.

A report of the Comptroller General of the United States, transmitting, pursuant to law, a report on the need to resolve questions of safety involving certain registered uses of lindane pesticide pellets, Agriculture Research Service, Department of Agriculture, dated February 20, 1969 (with an accompanying report); to the Committee on Government Operations.

Report on the Anthracite Mine Water Control and Mine Sealing and Filling Program

A letter from the Under Secretary of the Interior, transmitting, pursuant to law, a report on the anthracite mine water control and mine sealing and filling program, for the fiscal year ending June 30, 1968 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Report of Department of the Interior on the Geological Survey

A letter from the Under Secretary of the Interior, reporting, pursuant to law, on activities carried on by the Geological Survey during the period July 1 through December 31, 1968; to the Committee on Interior and Insular Affairs.

Third Preference and Sixth Preference Classifications for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Report of the National Mediation Board

A letter from the Chairman, National Mediation Board, transmitting, pursuant to law, a report of the Board, including the report of the National Railroad Adjustment Board, for the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on Labor and Public Welfare.

Report of National Advisory Council on Education Professions Development

A letter from the Chairman, National Advisory Council on Education Professions Development, transmitting, pursuant to law, a report of the Council, dated 1968–69 (with an accompanying report); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

Resolutions of the House of Representatives, Commonwealth of Massachusetts; to the Committee on Armed Services:

"Resolutions Memorializing Congress To Assist Mrs. Maureen Dunn in Determining Whether or Not Her Husband Is a Prisoner of the Red Chinese or Was Killed in Action

"Whereas in February, 1968, Lt. Joseph P. Dunn of the United States Naval Air Force was shot down off the coast of Red China; and

"Whereas Lt. Dunn was seen parachuting from his plane and his radio signals were picked up later; and

"Whereas since this date, Mrs. Maureen Dunn, wife of Lt. Dunn, has been unable to get any word of confirmation or denial of his death or capture by the Red Chinese; and

"Whereas this silence has caused Mrs. Dunn grave anxiety and worry; Therefore, be it

"Resolved that the Massachusetts House of Representatives request the members of the Congress of the United States to use their good offices in assisting Mrs. Maureen Dunn in securing the necessary information in order that she may determine if her husband is dead or a prisoner of the Red Chinese; and be it further

"Resolved that copies of these resolutions be sent forthwith by the Secretary of the Commonwealth to the President of the United States, the presiding officer of each branch of Congress and to each member thereof from this Commonwealth.

"House of Representatives, adopted, February 12, 1969.

"Wallace C. Mills,
"Clerk.

"Attest:

"John F. X. Davoren,
"Secretary of the Commonwealth."

A resolution of the Legislature of the State of New York; to the Committee on Armed Services:

"Concurrent Resolution 37

"Concurrent resolution of the New York State Legislature memorializing Congress to act expeditiously on proposed legislation to transfer title to the property known as The New York Naval Shipyard, in the Borough of Brooklyn, to the City of New York for redevelopment as an industrial park

"Whereas the New York Naval Shipyard, in the Borough of Brooklyn, was closed in June, nineteen hundred sixty-six, and such closing resulted in the loss of ten thousand skilled and well-paying jobs, in the impairment of employment opportunities for others, and adversely affected the economy of the Borough of Brooklyn and of the City and State of New York, and

"Whereas the Legislature of this state has already demonstrated its approval of the redevelopment program by enacting chapters five hundred eighty-two and seven hundred fifty-seven of the laws of nineteen hundred sixty-seven and by enacting chapter ten hundred sixty-one of the laws of nineteen hundred sixty-eight, such laws authorizing and empowering the City of New York to undertake such redevelopment program; and

"Whereas the Mayor of the City of New York, the members of the Board of Estimate, the Governor and concerned departments of the State and City of New York, and the Commerce, Labor and Industry Corporation of Kings (CLICK), a non-profit corporation representing commercial, industrial, labor, community and civic leaders of the Borough of Brooklyn, have jointly developed plans for the redevelopment of the New York Naval Shipyard as an industrial park; and

"Whereas the successful completion of such redevelopment will result in the creation of twenty thousand on-site jobs and an equal number of off-site jobs among vendors supplying materials, goods, and services to industries located on the site; and

"Whereas the creation of such jobs will create employment opportunities for the unemployed, reduce the burdens of welfare costs, and promote the economy of the Borough of Brooklyn, the City and State of New York and of the Nation; and

"Whereas it is essential for the development of the industrial park that the federal government transfer the property as expeditiously as possible to the City of New York at below fair market value: Now, therefore, be it

"*Resolved* (*if the Senate concur*), That the Congress be, and hereby is, memorialized to approve as expeditiously as possible proposed legislation to permit the transfer of title to the New York Naval Shipyard to the City of New York, without cost, for the governmental purpose of redevelopment of such property as an industrial park; and be it further

"*Resolved* (*if the Senate concur*), That copies of this resolution be transmitted to the Congress of the United States by forwarding one copy thereof to the Secretary of the Senate, one copy to the Clerk of the House of Representatives and one copy to each member of the Congress from the State of New York.

"By order of the Assembly,

"Donald A. Campbell,
"*Clerk.*

"In senate January 28, 1969, concurred in, without amendment.

"By order of the Senate,

"Albert J. Abrams,
"*Secretary.*"

A resolution adopted by the Hampton Roads Retired Officers Association, of Virginia Beach, Va., praying for the enactment of legislation relating to retired members of the uniformed services; to the Committee on Armed Services.

A letter, in the nature of a petition, from the League of Women Voters of East Providence, R.I., praying for the ratification of the nonproliferation treaty; to the Committee on Foreign Relations.

A resolution adopted by the City Council, Lawndale, Calif., praying for the enactment of legislation to strengthen the requirements and standards for off-shore drilling; to the Committee on Interior and Insular Affairs.

A petition, signed by T. M. Cody, and sundry other members of the Galilee Baptist Church, of Knoxville, Tenn., remonstrating against the prohibition of prayer and bible reading in schools; to the Committee on the Judiciary.

A petition, signed by Charles W. Ezeb, and sundry other members of the basic adult education class, St. Augustine School, New Orleans, La., remonstrating against the closing of the school; to the Committee on Labor and Public Welfare.

A concurrent resolution of the Legislature of the State of New York; to the Committee on Post Office and Civil Service:

"Concurrent Resolution 72

"Concurrent resolution memoralizing the Congress of the United States of America to create a division within the post office department to eliminate the dissemination of pornography through the United States mails

"Whereas there has been widespread public concern and indignation relative to the type of unsolicited obscene, scatological materials disseminated through the United States mails; and

"Whereas evidence is available that certain of the materials produced by unscrupulous individuals and racketeers and disseminated through the mails falls into the hands of our young people and tend to provoke acts of juvenile delinquency or crime and are inherently objectionable; and

"Whereas much of this objectionable material is in violation of the laws of the State of New York; and

"Whereas it is particularly difficult for law enforcement officials of the State of New York to expose and prosecute perpetrators of obscene and objectionable materials because of the federal and constitutional protections against abridgement of the right of freedom of the press; and because this is primarily a matter of Federal jurisdiction, whereas the present Inspection Division of the Post Office Department is overextended in meeting the problems created by the peddlers of smut and filth through our mails: Now, therefore, be it

"*Resolved* (*if the Assembly concur*), That the Congress of the United States be memorialized to create a division within the United States Post Office Department whose sole purpose and undivided energies shall be directed to elimination of the problems created by dissemination of pornographic, obscene and objectionable materials through the United States mails; and be it further

"*Resolved* (*if the Assembly concur*), That such a division be authorized to work in conjunction with the law enforcement officials of the various states in order to prosecute and enforce the Federal and state laws prohibiting the dissemination of these materials so dangerous to the well being of our nation's youth and which are directed to the destruction of the moral standards of our community; be it further

"*Resolved* (*if the Assembly concur*), That the Secretary of the Senate be and he hereby is directed to send a duly certified copy of this resolution to the Senate of the United States and to the House of Representatives in the Congress of the United States, and that a copy of this resolution be forwarded to each member of the Congress, from the state of New York.

"By order of the Senate,

"Albert J. Abrams,
"*Secretary.*"

A resolution adopted by the City Council of Upland, Calif., praying for the enactment of legislation for the installation of an effective flood control dam and diversionary channel north of the city of Upland; to the Committee on Public Works.

RESOLUTIONS OF NEW HAMPSHIRE LEGISLATURE

Mr. COTTON. Mr. President, on February 19th, the New Hampshire Senate and the New Hampshire House of Representatives adopted separate resolutions supporting the establishment of a free trade zone at Machiasport, Maine. These resolutions reflect the official support of the people of New Hampshire, and their interest in seeing our consumers benefit from lower fuel oil prices. I ask unanimous consent that these resolutions be printed in the Record.

There being no objection, the resolutions were ordered to be printed in the Record and referred to the Committee on Finance, as follows:

Resolution Relative to a Free Trade Zone at Machiasport, Maine

Whereas application has been made to the United States Government to establish a Free Trade Zone at Machiasport, Maine and

Whereas establishment of a Free Trade Zone in Maine would provide new opportunities for New Hampshire businesses and

Whereas interest has been expressed by Occidental Petroleum Corporation in establishing an oil refinery in a Free Trade Zone at Machiasport for the refining of imported oil and

Whereas establishment of an oil refinery in a Free Trade Zone at this location could result in lower oil prices and bring about substantial savings to New Hampshire citizens and users of oil products,

Be it resolved, That the New Hampshire Senate endorse the establishment of a Free Trade Zone at Machiasport, Maine and urge the federal departments and agencies responsible for passing on this application to give prompt approval.

Be it further resolved, That copies of this resolution be forwarded to United States Senators and Members of Congress from New Hampshire and copies also be forwarded to the departments of the federal government having jurisdiction in this area.

George Gilman,
Member of the Senate.
Wilmont S. White,
Clerk of the Senate.

Concord, N.H.,
February 19, 1969.

Hon. Norris Cotton,
Senate Office Building,
Washington, D.C.:

The New Hampshire House of Representatives adopted today the following resolution introduced by Representative Daniel J. Hussey, of Rochester:

"Resolved by the House of Representatives in General Court Convened:

"Whereas we in the State of New Hampshire as do the other States of New England find ourselves subjected to the inconsistencies of a controlled noncompetitive petroleum market. Whereas we cannot bring in crude oil and we are far from domestic crude oil sources we in New England have no refineries and we are unlikely to ever have any under present restrictive Federal policies;

"Whereas the economies of the New England States including that of New Hampshire need and would benefit from the establishment of an oil refinery and free trade zone such as one proposed for the Machiasport, Maine, area: Now therefore be it

"*Resolved,* (1) that we of the House of Representatives of the State of New Hampshire place ourselves in support of the intentions and aims of the New England congressional delegation that would bring about regulations that would make the above establishments possible; (2) that we urge the Department of the Interior to institute regulations that would permit oil refineries to be established in foreign trade zones. Be it further specified that we support the institution of regulations such as that exist in 'proposal A' as pointed out in the New England congressional delegation's letter of January 9, 1969 to Mr. Elmer L. Hoehn, Oil Import Administrator of the U.S. Department of the Interior."

J. Milton Street,
Acting Clerk.

TWO RESOLUTIONS OF NAVAJO TRIBAL COUNCIL

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the Record two resolutions of the Navajo Tribal Council pertaining to education for the Navajo Indians.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Resolution of the Navajo Tribal Council Petitioning the Congress of the United States for Funds for Navajo Education

Whereas:

1. The Navajo Tribe and the Bureau of Indian Affairs are united in their efforts to provide educational opportunities for all Navajo students, and

2. The Navajo Tribe is participating in and fully approves the present planned goals and operation of the Navajo educational program presently administered by the Bureau of Indian Affairs, and

3. Over the last few years the educational needs of the Navajo people have grown tremendously and at the same time the ways and means of meeting these educational needs have been perfected through the united efforts of the Bureau of Indian Affairs education system and the Navajo people, and

4. The funds to build necessary plants and physical facilities for the education of Navajo people have been generously tended to by appropriated funds from Congress, and

5. The increased interest in education, the increased numbers of students, the increased know-how in education, and the increased costs of all operating expenses have created a demand and necessity for funds above that provided for Navajo education in the last two years, and

6. The present funds available for Navajo education are not adequate to buy books, pencils, paper, and other school supplies essential for an educational program, and

7. The present funds available do not provide for adequate staffing of the schools including dormitory coverage to help assure the development of the students.

Now therefore be it resolved that:

1. The Navajo Tribal Council does hereby call attention to the shortage of appropriations for Navajo education and petition the Congress of the United States to adequately fund Navajo education so as to give the Navajo children the opportunity to compete with and take their place in the outside world.

2. The Navajo Tribal Council further directs the Chairman of the Navajo Tribal Council or his authorized representative to do any and all things necessary and appropriate to implement the intent of this resolution.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Tribal Council at a duly called meeting at Window Rock, Arizona, at which a quorum was present and that same was passed by a vote of 49 in favor and 0 opposed, this 5th day of February, 1969.

Nelson Damon,
Vice Chairman, Navajo Tribal Council.

Resolution of the Navajo Tribal Council Requesting the U.S. Congress for a Direct Appropriation to the Navaho Community College

Whereas:

1. The Navajo Tribal Council Resolution CJY–87–68 authorized the establishment of the Navaho Community College, and Resolution CJY–87–68 approved the permanent Board of Regents for the College, and

2. The Board of Regents, as an official governing body of the College, is authorized to solicit, receive and disburse funds on behalf of the Navaho Community College, and

3. The Board of Regents has made contact with various governmental agencies and private industry, soliciting funds for the capital investment and operating expenses for the College, and

4. The College will require continuing, substantial support from sources other than the Navajo Tribe and other present funding sources.

Now therefore be it resolved that:

The Navajo Tribal Council authorizes and directs the Navaho Community College to seek Federal legislation providing regular direct appropriations to support the College.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Tribal Council at a duly called meeting at Window Rock, Arizona, at which a quorum was present and that same was passed by a vote of 60 in favor and 0 opposed, this 28th day of January, 1969.

Nelson Damon,
Vice Chairman, Navajo Tribal Council.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN (by request):

S. 1095. A bill for the relief of Lt. Comdr. Ruth E. Hall, U.S. Navy; to the Committee on the Judiciary.

By Mr. DIRKSEN:

S. 1096. A bill to incorporate the Paralyzed Veterans of America; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 1097. A bill to enforce the principle of separation of powers by amending title 28, United States Code, to prohibit the exercise or discharge by justices and judges of the United States of nonjudicial governmental powers and duties; to the Committee on the Judiciary.

(See the remarks of Mr. Ervin when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 1098. A bill to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents; to the Committee on Finance.

S. 1099. A bill for the relief of Lia (Lya) Novelli; to the Committee on the Judiciary.

(See the remarks of Mr. Scott when he introduced the first above bill, which appear under a separate heading.)

By Mr. MUNDT (for himself, Mr. Allott, Mr. Curtis, Mr. Dole, Mr. Dominick, Mr. Hansen, Mr. Hruska, Mr. McCarthy, Mr. McGovern, Mr. Metcalf, Mr. Miller, Mr. Symington, and Mr. Young of North Dakota):

S. 1100. A bill to designate the comprehensive Missouri River Basin development program as the Pick-Sloan Missouri Basin program; to the Committee on Public Works.

(See the remarks of Mr. Mundt when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota:

S. 1101. A bill to amend the Watershed Protection and Flood Prevention Act, as amended, so as to permit Federal cost sharing for certain uses of water stored in reservoir structures constructed or modified under such act; to the Committee on Agriculture and Forestry.

By Mr. PROUTY (for himself, Mr. Javits, Mr. Murphy, Mr. Pell, Mr. Randolph, and Mr. Yarborough):

S. 1102. A bill to amend the National Defense Education Act of 1958 and the Public Health Service Act in order to provide for cancellation of loans pursuant to such acts for service in the Armed Forces, and to amend the Higher Education Act of 1965 in order to provide for payments for such service on loans insured or made pursuant to agreements under such act; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE:

S. 1103. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Finance.

S. 1104. A bill for the relief of Thi Huong Nguyen and her minor child Minh Linh Nguyen; to the Committee on the Judiciary.

(See the remarks of Mr. Case when he introduced the first above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia:

S. 1105. A bill to amend the Internal Revenue Code of 1954 to increase the standard deduction and the minimum standard deduction allowable to individuals; to the Committee on Finance.

By Mr. JAVITS (for himself, Mr. Yarborough, Mr. Randolph, and Mr. Byrd of West Virginia):

S. 1106. A bill to establish a National Commission on State Workmen's Compensation Laws to undertake a comprehensive study and evaluation of State workmen's compensation laws, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. GOLDWATER (for himself and Mr. Fannin):

S. 1107. A bill to further promote the economic advancement and general welfare of the Hopi Indian Tribe of the State of Arizona by granting to the Hopi Tribal Council certain powers necessary for the development of the Hopi Industrial Park, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BIBLE (for himself and Mr. Cannon):

S. 1108. A bill to waive the acreage limitations of section 1(b) of the act of June 14, 1926, as amended, with respect to conveyance of lands to the State of Nevada for inclusion in the Valley of Fire State Park; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bible when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE (for himself and Mr. Randolph):

S. 1109. A bill relating to the construction, modification, alteration, repair, painting, or decoration of buildings leased for public purposes; to the Committee on Labor and Public Welfare.

By Mr. ANDERSON:

S. 1110. A bill for the relief of Nickolas George Polizos; to the Committee on the Judiciary.

By Mr. HARRIS:

S. 1111. A bill to amend the Public Health Service Act to establish a National Institute of Biomedical Engineering; and

S. 1112. A bill to amend the Public Health Service Act so as to require that an annual report be made to the Congress concerning the policies and goals of the National Institutes of Health; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Harris when he introduced the above bills, which appear under a separate heading.)

By Mr. MUSKIE:

S. 1113. A bill for the relief of Dorothy G. Moore; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 1114. A bill for the relief of Jerald D. Stephenson;

S. 1115. A bill for the relief of the B. J. Carney & Co.;

S. 1116. A bill for the relief of Grace E. Hillier;

S. 1117. A bill for the relief of Mrs. Charlotte V. Williams;

S. 1118. A bill for the relief of Cho Johnny;

S. 1119. A bill for the relief of Daisy M. Tharp;

S. 1120. A bill for the relief of Wong Wah Sin;

S. 1121. A bill for the relief of Bark Poon Chang;

S. 1122. A bill for the relief of Asif M. Zahir;

S. 1123. A bill for the relief of Ah Mee Locke;

S. 1124. A bill for the relief of Dr. Alberto Caburian DeVera;

S. 1125. A bill for the relief of Yip Goon Hop (also known as Tommy H. Yep);

S. 1126. A bill for the relief of Wu Mei Yuk Tang;

S. 1127. A bill for the relief of Wook Hea Lee (Joseph Lee);

S. 1128. A bill for the relief of Chong Suk Stroisch; and

S. 1129. A bill for the relief of Duk Hwa Kim and his wife, Kyi Bok Han Kim; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself and Mr. Jackson):

S. 1130. A bill to provide for the striking of medals in commemoration of the one hundredth anniversary of the founding of the American Fisheries Society; to the Committee on Banking and Currency.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH:

S. 1131. A bill for the relief of Pedro Felipe Lo; to the Committee on the Judiciary.

By Mr. METCALF (for himself, Mr. Bayh, Mr. Bible, Mr. Brooke, Mr. Burdick, Mr. Byrd of West Virginia, Mr. Cannon, Mr. Case, Mr. Church, Mr. Eagleton, Mr. Goodell, Mr. Gravel, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hughes, Mr. Inouye, Mr. Javits, Mr. Kennedy, Mr. Magnuson, Mr. Mansfield, Mr. McCarthy, Mr. McGee, Mr. McGovern, Mr. Mondale, Mr. Montoya, Mr. Moss, Mr. Muskie, Mr. Nelson, Mr. Pell, Mr. Prouty, Mr. Randolph, Mr. Ribicoff, Mr. Scott, Mr. Sparkman, Mr. Stevens, Mr. Tydings, Mr. Williams of New Jersey, Mr. Yarborough, and Mr. Young of Ohio):

S. 1132. A bill to amend title II of the Social Security Act so as to provide that the definition of the term "disability," as employed therein, shall be the same as that in effect prior to the enactment of the Social Security Amendments of 1967; to the Committee on Finance.

(See the remarks of Mr. Metcalf when he introduced the above bill, which appear under a separate heading.)

By Mr. METCALF:

S. 1133. A bill for the relief of Chung Wong;

S. 1134. A bill for the relief of Chong Yew Ling;

S. 1135. A bill for the relief of Pik Lau;

S. 1136. A bill for the relief of Yuen Au-Yueng;

S. 1137. A bill for the relief of Han Kwong Lam;

S. 1138. A bill for the relief of Yuen Lam;

S. 1139. A bill for the relief of Chi Sheng Hung; and

S. 1140. A bill for the relief of Kwai Fai Cheng; to the Committee on the Judiciary.

By Mr. METCALF (for himself and Mr. Mansfield):

S. 1141. A bill to amend the Act of February 13, 1891, so as to remove the restriction on use with respect to certain lands conveyed to the State of Montana under the provisions of such act; to the Committee on Interior and Insular Affairs.

By Mr. HATFIELD:

S. 1142. A bill to authorize and direct the Secretary of Agriculture to classify as a wilderness area the national forest lands adjacent to the Eagle Cap Wilderness Area, known as the Minam River Canyon and adjoining area, in Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1143. A bill for the relief of Maria (Mary) Malatesta; to the Committee on the Judiciary.

By Mr. KENNEDY:

S. 1144. A bill to amend section 576 of title 5, United States Code, pertaining to the Administrative Conference of the United States, to remove the statutory ceiling on appropriations; to the Committee on the Judiciary.

(See the remarks of Mr. Kennedy when he introduced the above bill, which appear under a separate heading.

By Mr. KENNEDY (for himself, Mr. Eagleton, Mr. Hart, Mr. Hughes, Mr. Mondale, Mr. Nelson, Mr. Tydings, Mr. Yarborough, and Mr. Young of Ohio):

S. 1145. A bill to amend the Military Selective Service Act of 1967 to provide for a fair and random system of selecting persons for induction into military service, to provide for the uniform application of Selective Service policies, to raise the incidence of volunteers in military service, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Kennedy when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 1146. A bill to establish a National Commission on Libraries and Informative Science; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 1147. A bill to authorize the Secretary of Health, Education, and Welfare to provide basic wearing apparel, adequate footwear and other articles of clothing for needy, distressed, and low-income families through a cooperative Federal-State clothing stamp program, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS (for himself, Mr. Anderson, Mr. Burdick, Mr. Church, Mr. Jackson, Mr. Metcalf, Mr. Nelson, and Mr. Stevens):

S. 1148. A bill to amend the Revised Organic Act of the Virgin Islands; and

S. 1149. A bill to amend the Organic Act of Guam; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above bills, which appear under a separate heading.)

By Mr. MOSS:

S. 1150. A bill for the relief of Kawal Manghasings Advani; to the Committee on the Judiciary.

By Mr. MOSS (for himself, Mr. Brooke Mr. Ervin, Mr. Gravel, Mr. Hart, Mr. McGee, Mr. Metcalf, Mr. Muskie, Mr. Nelson, and Mr. Yarborough):

S. 1151. A bill to provide protection for the fish resources of the United States including the fresh water and marine fish cultural industries against the introduction and dissemination of diseases of fish and shellfish, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. MILLER:

S. 1152. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income amounts received under insurance contracts for increased living expenses necessitated by damage to or destruction of an individual's residence; to the Committee on Finance.

(See the remarks of Mr. Miller when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 1153. A bill for the relief of Him Pang;

S. 1154. A bill for the relief of Shui Feng Chen;

S. 1155. A bill for the relief of Leung Chiu Hui;

S. 1156. A bill for the relief of Kan Bun Chau;

S. 1157. A bill for the relief of Sangvian Boonbangkeng; and

S. 1158. A bill for the relief of Hing Yuen Lee; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 1159. A bill for the relief of Po Chan;

S. 1160. A bill for the relief of Fuk Lee Lam;

S. 1161. A bill for the relief of Kam Muk Lam;

S. 1162. A bill for the relief of Wai Man Lam; and

S. 1163. A bill for the relief of Yan Wo Tsang; to the Committee on the Judiciary.

By Mr. HARTKE (for himself, Mr. Dirksen, Mr. Allen, Mr. Allott, Mr. Bayh, Mr. Bellmon, Mr. Bennett, Mr. Bible, Mr. Boggs, Mr. Byrd of West Virginia, Mr. Cook, Mr. Cotton, Mr. Curtis, Mr. Dole, Mr. Dominick, Mr. Fannin, Mr. Hansen, Mr. Hruska, Mr. Metcalf, Mr. Miller, Mr. Montoya, Mr. Moss, Mr. Mundt, Mr. Murphy, Mr. Prouty, Mr. Randolph, Mr. Saxbe, Mr. Schweiker, Mr. Scott, Mr. Sparkman, Mr. Thurmond, Mr. Tower, and Mr. Young of North Dakota):

S. 1164. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Finance.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

By Mr. COOK:

S. 1165. A bill to amend section 320 of title 23 of the United States Code to increase the authorization for that section, and to earmark such increase for a bridge across Markland Dam on the Ohio River; to the Committee on Public Works.

By Mr. EAGLETON:

S. 1166. A bill for the relief of Dr. V. Padmanabha Rao; to the Committee on the Judiciary.

By Mr. PROUTY:

S. 1167. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Finance.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. FANNIN (for himself and Mr. Goldwater):

S. 1168. A bill authorizing the Secretary of the Interior to take certain action with respect to grazing permits involving the Organ Pipe Cactus National Monument; to the Committee on the Judiciary.

By Mr. BENNETT:

S. 1169. A bill to authorize the Secretary of the Interior to proceed with a loan to the Haights Creek Irrigation Co., Utah; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON (by request):

S. 1170. A bill to authorize the Department of Commerce to make special studies, to provide services, and to engage in joint projects, and for other purposes;

S. 1171. A bill to permit tacking of citizen ownership of vessels for trade-in purposes;

S. 1172. A bill to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers;

S. 1173. A bill to authorize the Secretary of Commerce to employ aliens in a scientific or technical capacity;

S. 1174. A bill to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings;

S. 1175. A bill to amend the Act of April 29, 1941, to authorize the waiving of the requirement of performance and payment bonds in connection with certain contracts entered into by the Secretary of Commerce; and

S. 1176. A bill to authorize appropriations to carry out the Standard Reference Data Act; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under separate headings.)

By Mr. MAGNUSON:

S. 1177. A bill to authorize the documentation of the vessel *West Wind* as a vessel of the United States with coastwise privileges; to the Committee on Commerce.

By Mr. WILLIAMS of New Jersey:

S. 1178. A bill to improve the safety conditions of persons working in the coal mining industry of the United States; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. MATHIAS (for himself and Mr. Bayh):

S.J. Res. 52. A joint resolution proposing an amendment to the Constitution of the United States granting representation in the Congress to the District of Columbia; to the Committee on the Judiciary.

(See the remarks of Mr. Mathias when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. Goodell, Mr. Case, Mr. Williams of New Jersey, Mr. Dodd, and Mr. Ribicoff):

S.J. Res. 53. A joint resolution to consent to and enter into the Mid-Atlantic States Air Pollution Control Compact, creating the Mid-Atlantic States Air Pollution Control Commission as an intergovernmental, Federal-State agency; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. ANDERSON:

S.J. Res. 54. A joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON (for himself and Mr. Montoya):

S.J. Res. 55. A joint resolution authorizing the Secretary of the Interior to establish a memorial museum at Las Vegas, New Mexico, to commemorate the Rough Riders and related history of the Southwest; to the Committee on Interior and Insular Affairs.

By Mr. BAYH (for himself, Mr. Bible, Mr. Brooke, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hatfield, Mr. Hughes, Mr. Inouye, Mr. Kennedy, Mr. McGee, Mr. Mathias, Mr. Mondale, Mr. Montoya, Mr. Muskie, Mr. Nelson, Mr. Pell, Mr. Proxmire, Mr. Randolph, Mr. Ribicoff, and Mr. Tydings):

S.J. Res. 56. A joint resolution proposing an amendment to the Constitution of the United States granting representation in the Congress to the District of Columbia; to the Committee on the Judiciary.

(See the remarks of Mr. Bayh when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. TOWER:

S.J. Res. 57. A joint resolution designating February 24 of each year as Admiral Nimitz Day; to the Committee on the Judiciary.

(See the remarks of Mr. Tower when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. BENNETT:

S.J. Res. 58. A joint resolution to authorize the President to issue annually proclamations designating the Sunday of each year which occurs immediately preceding February 22 as Freedom Sunday and the calendar week of each year during which February 22 occurs as Freedom Week; to the Committee on the Judiciary.

(See the remarks of Mr. Bennett when he introduced the above bill, which appear under a separate heading.)

S. 1097—INTRODUCTION OF BILL RELATING TO NONJUDICIAL DUTIES OF FEDERAL JUDGES

Mr. ERVIN. Mr. President, I introduce for appropriate reference a bill to enforce the principle of separation of powers by prohibiting the exercise or discharge by justices and judges of the United States of nonjudicial governmental power and duties.

The question of what nonjudicial activities a judge of the U.S. courts may properly perform without infringing upon the dignity and responsibilities of his office is one which has confronted holders of judicial office since the creation of the Federal judiciary. History abounds with examples of lower Federal judges and Supreme Court Justices who have been asked or have volunteered to perform official duties which were thought by many to be incompatible with their judicial office.

The precedents begin with John Jay, who for a period of time held the offices of Secretary of State and Ambassador to Great Britain as well as that of Chief Justice. The Chief Justice negotiated the controversial treaty with Great Britain. He campaigned for the governorship of New York while on the Court, and did not resign until his election. Other Justices of the Federalist period performed a variety of extrajudicial duties. Some, like Marshall and Ellsworth, also held high Government posts while on the Court. Others, like Bushrod Washington and William Cushing, engaged in open political activities. As one historian of the Court said:

> The politicians—or statesmen—of that day bivouacked in the Chief Justiceship on their march from one political position to another.

The example of extrajudicial activity in more recent times are just as varied. Five Justices served on the Electoral Commission in 1876 to decide who would be President. Charles Evans Hughes, among many Justices, entertained presidential ambition while an Associate Justice, and did not resign until he obtained his party's nomination. Taft later played an active role in the legislative process leading up to the Judiciary Act of 1925. As Chief Justice he might well have delivered his views on legislation affecting the Court and the judiciary. But it was quite another thing for a committee of Justices to have drafted the legislation in secret and to have lobbied privately throughout the Congress for it.

The practice of enlisting the assistance of judges and Justices in nonjudicial governmental affairs reached a new peak during the administrations of Franklin D. Roosevelt. Justice Stone was approached to undertake a number of positions, including an investigation of alternative sources of rubber for use during the war. President Roosevelt's letter requesting Stone to head the inquiry concluded that "it is wholly ethical work for the Chief Justice." Stone turned President Roosevelt down, as he did consistently throughout the period. Other Justices were not quite so steadfast. James Byrnes continued to spend much of his time as a personal adviser to the President, even after he was placed on the Court. After a while he resigned to assist the President more directly. Justice Roberts headed the commission to study the attack on Pearl Harbor. Justices Douglas and Frankfurter were also known to have been advising the President on various political matters throughout the period. Probably all the Justices were involved on one side or another in the Court crisis of 1937, lobbying and otherwise aiding their political allies. A good account of activities of the Justices during the Roosevelt period appears in the article by Alpheus T. Mason, "Extra-Judiciary Work for Judges: The Views of Chief Justice Stone," in 67 Harvard Law Review 193—1953. President Roosevelt, according to Mason, "found it difficult to believe he had cut himself off irrevocably from close advisers merely by assigning them to the Supreme Court." Many of the Justices apparently felt the same way.

The practice of assigning judges to other duties grew so prevalent in those years that it became a subject of great concern to the general public as well as to the bar. Criticism reached its highest point, perhaps, when Justice Jackson took a leave of absence from the Court to fill the role of chief U.S. prosecutor during the war-crimes trials in Nuremburg. Thereafter, the Senate Judiciary Committee submitted a report in which it severely criticized such appointments. It concluded:

> The Committee on the Judiciary of the United States Senate declares that the practice of using federal judges for non-judicial activities is undesirable. The practice holds great danger of working a diminution of the prestige of the judiciary. It is a deterrent to the proper function of the judicial branch of the government. The committee is not now disposed to recommend legislative action. It believes the remedy lies in the first instance in the good sense and discretion of the Chief Executive. His is the prime initiative in the matter of these appointments, and that is the point where the independence of the judges and the prestige of the judiciary may best be preserved.

Perhaps as a result, the practice seems to have gone out of style for a time. Recently, however, the trend has shifted toward increased outside activity by the Justices. In 1963, Chief Justice Warren was asked and accepted the post of

Chairman of the Commission to Investigate the Assassination of President Kennedy. At the time, few questioned his decision. But in retrospect one may debate the wisdom of the Chief Justice's becoming involved in such a controversial investigation, especially when it was very likely that the Court might be involved officially at some future time. In recent years also, judges of the lower Federal courts have been called upon to serve as members on special presidential groups, studying a variety of problems. Some commissions have examined the administration of justice, but others have dealt with issues of great national concern and considerable political sensitivity. Just as the practice seems to be reviving, so also has public interest and criticism of it increased.

While Justices have accepted opportunities to perform extrajudicial functions since the first days of the Constitution, criticism of the practice dates back just as far. Madison and Jefferson strongly opposed the political and governmental activities of the Federalist judges. An amendment to the Constitution was proposed at one time forever barring judges from appointment or election to any other post, and bills of a similar nature have also been introduced. As examples of the reaction to Jay's appointment as Ambassador, Charles Warren quotes a number of contemporary statements in his "The Supreme Court in United States History." For instance, one Senator observed:

> It is unnecessary to remark on the objections arising from the Constitution to an appointment which blends the functions of the Judiciary and Executive, or which renders the Judiciary dependent upon and subservient to the views of the Executive, and which unites in one person offices incompatible with each other.

Some time later, in debate in Congress, an anti-Federalist Congressman recalled:

> There was opposition to the appointment echoed from one end of the continent to the other. . . . The example was dangerous, it put the Judges under the influence of the Executive, and although the prospect of an honorary appointment within the gift of the President was remote, yet it might influence and lessen their independence.

Joseph Hamilton Daviess, a close friend of Chief Justice Marshall, wrote:

> This was breaking in on a fundamental principle, that is, that you ought to insulate and cut off a Judge from all extraneous inducements and expectations; never present him the jora of promotion; for no influence is more powerful in the human mind than hope—it will, in time, cause some Judges to lay themselves out for presidential favor, and when questions of State occur, this will greatly affect the public confidence in them.

Involvement in party or governmental affairs outside the ambit of their judicial duties is no doubt very attractive to many judges, and tempting as well to the Presidents who from time to time appoint them to such duties. But the dangers of the practice are real. The problem has concerned judges and others each time the matter has come to a head. The appointment of learned and respected judges to public positions no doubt contributes to the quality of the work they are called upon to perform. There is no question but that their participation lends an air of dignity and tone to the finished product and may serve to temper political reactions to it. But one may seriously question the advisability of judges' borrowing on the prestige of their office for such purposes. There is also the question of the loss of judicial manpower which results when judges leave their primary responsibilities to perform other duties. Then, too, judges and the court system as a whole are affected, sometimes quite adversely, by the involvement of a judge in political disputes. Judges are expected to be aloof and impartial, and to dispense justice according to law. Their reputation, and the reputation of the judiciary suffers when they become identified with a certain position in current public issues, when they run for other offices, elective or appointed, when they become involved in matters which may eventually be presented to the Court, and when they otherwise step over the line between proper and questionable outside activities. Lately a new trend seems to have appeared as the Justices have devoted more and more time to outside appearances and writings in which they discuss legal and political matters. It sometimes happens that one can get a better idea of the course of the Court's position on some constitutional issues by reading Justices' letters to the press, law review articles, public speeches, and press interviews than by reading the opinions reported in the U.S. Reports.

The problem created by extrajudicial activity of this nature by the Justices is particularly acute at this stage in the Court's history. More and more, the Court has been involving itself in social and political problems. Many people have criticized the Justices—I among them—for imposing their personal political views upon the Nation in the form of constitutional decisions. It is essential for the Court to maintain a position of public neutrality no less than it is basic to its function that it actually be neutral in these issues. It is especially undesirable for the Justices to discuss their views in these issues in popular forums. There are enough doubts about the Justices' neutrality without adding to them in this manner.

The Separation of Powers Subcommittee has been studying this difficult subject for a number of months. It was one of the many topics discussed at hearings held last June on the Supreme Court. The hearings demonstrated that the problem of extrajudicial activities goes far beyond the duties the Justices may be asked to perform in individual capacities. Courts as a body have also been used for a number of administrative, executive, and legislative functions. For instance, until recently the members of the District of Columbia School Board were selected by law by the U.S. district court in Washington. This was unfortunate as a general matter. But when the Hobson case was filed, it meant that an appellate court judge was forced to sit as trial judge because all the local trial judges were disqualified. To take another example, the Justices of the Supreme Court are charged by law with drafting rules of criminal and civil procedure which become effective after a delay of notice to the Congress. Many persons, judges as well as others, have criticized this delegation of legislative power to the judicial branch as unwise if not as a clear violation of the separation of powers principle.

The bill I propose may not be the answer to the many difficult problems involved in the question of extrajudicial activities. Indeed, I am not entirely convinced that this is a problem which is susceptible to resolution by enactment of a law. I introduce the bill as a means of focusing attention on the problem. I hope that the opinions the Separation of Powers Subcommittee will gather in hearings later this year will serve at least as a means of formulating guidelines for the future behavior of Federal judges. These hearings should also serve to guide Congress and the President. I invite comments on the bill and on the problem in general from Members of Congress and other interested persons.

Mr. President, I ask unanimous consent that a copy of the bill be printed at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1097) to enforce the principle of separation of powers by amending title 28, United States Code, to prohibit the exercise or discharge by justices and judges of the United States of nonjudicial governmental powers and duties introduced by Mr. ERVIN, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 1097

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(a) Chapter 21, title 28, United States Code, is amended by:

(1) inserting therein, immediately after section 459, the following new section 460:

"460. Nonjudicial duties.

"Except as otherwise expressly authorized by law, no justice of the United States or judge of the United States while in regular active service may engage in or participate directly or indirectly in the exercise of any power, or the discharge of any duty, which is conferred or imposed upon any officer or employee of the executive branch or the legislative branch of the Government.";

(2) redesignating existing section 460 thereof as section 461 thereof;

(3) striking out in the caption of section 461, as redesignated, "Alaska,"; and

(4) striking out in section 461, as redesignated, the words "Sections 452–459", and inserting in lieu thereof the words "Sections 452–460";

(b) The chapter analysis of chapter 21, title 28, United States Code, is amended by striking out the item relating to section 460 thereof, and inserting in lieu thereof the following:

"460. Nonjudicial duties.
"461. Application to Canal Zone, Guam, and Virgin Islands.".

S. 1098—INTRODUCTION OF BILL TO PERMIT A PERSONAL INCOME TAX DEDUCTION FOR COSTS OF HIGHER EDUCATION

Mr. SCOTT. Mr. President, I introduce for appropriate reference a bill to permit a personal Federal income tax deduction of up to $1,000 annually for the cost of higher education. This deduction, covering the most basic costs—tuition and fees—would be granted to parents for each child they are putting through college. Equally important, it would also be granted to students who, through their own initiative, are working to finance their own education.

Parents and their college-age children are confronted today with two realities—the necessity for a college education properly to prepare young people for a career and the skyrocketing costs of that education. Perhaps more than earlier generations, today's parents are making great financial sacrifices to see that their children have a better education that is a prerequisite for the good life. The mounting costs of higher education are placing a very heavy burden on those who are making these sacrifices.

I believe that these parents and their children deserve some tax relief. The tax incentive proposed in my bill would give them that break without adding to the education bureaucracy in Washington.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1098) to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Finance.

S. 1100—INTRODUCTION OF BILL TO DESIGNATE THE COMPREHENSIVE MISSOURI RIVER BASIN DEVELOPMENT PROGRAM AS THE PICK-SLOAN MISSOURI BASIN PROGRAM

Mr. MUNDT. Mr. President, I introduce today legislation to designate the comprehensive Missouri River Basin development program as the Pick-Sloan Missouri Basin program. I am proud to say that I introduce this on behalf of Senators ALLOTT and DOMINICK of Colorado, MILLER of Iowa, DOLE of Kansas, MCCARTHY of Minnesota, SYMINGTON of Missouri, CURTIS and HRUSKA of Nebraska, YOUNG of North Dakota, MCGOVERN of South Dakota, HANSEN of Wyoming, and METCALF of Montana.

This cosponsorship includes Senators from every one of the 10 States representing the so-called Missouri River Basin. This is the area covered by the main stem of the Missouri River and the various tributaries in the 10 States of the Missouri River Basin. With this 100-percent endorsement from the States affected I hope we will see speedy action by both the Public Works Committee and the Senate in making this desirous name change.

Mr. President, I believe we all are familiar with the background of the Missouri River development from a practical standpoint, but, unfortunately, over the years the contributions of two men, Lewis A. Pick and W. Glen Sloan, have been neglected. And yet, without the genius and cooperative spirit of these two individuals, the tremendous network of dams and reservoirs might never have been brought to fruition and certainly not as early.

In addition, the Missouri River Basin development program is something which in its magnitude was unique in American history because it brought together in happy harmony on a major project for virtually the first time, two great agencies of the Government, the U.S. Army Corps of Engineers and the Bureau of Reclamation.

During the summer of 1943, based primarily upon the disastrous consequence of the 1943 Missouri River flood, there was a tremendous upsurge of interest among Missouri Basin citizens to develop some method of preventing for all time a recurrence of floods.

I can remember flying over the flood damaged areas that cost the basin so much in wealth and in life. It was clear to me that some plan of action was necessary.

Col. Lewis A. Pick was at the time the Missouri River division engineer of the Corps of Engineers. He developed a program which consisted of a series of reservoirs on the Upper Missouri coupled with bank stabilization and other channel control features on the river from a point below Yankton, S. Dak., to the mouth.

The report of the Corps of Engineers on flood control was sent to Congress in February 1944. In April 1944 the Secretary of the Interior submitted a plan which the Bureau of Reclamation, under W. Glen Sloan, then Assistant Regional Director of the Bureau, had been developing at the same time the Corps was working on its program.

The Bureau plan, however, was based primarily upon requirements of reclamation and power development. Because of the differences between the plans, and because neither satisfied both upstream and downstream interests, legislation to authorize the projects was stalled at dead center. It became increasingly obvious that the two plans would have to be coordinated if there was to be any hope of congressional approval.

Senate Commerce Committee hearings in May 1944, marked the beginning of references in Congress to the Bureau's plan as the "Sloan plan." This came as a result of Sloan's appearance before the committee and his explanation of the engineering details.

The Commerce Committee also discussed the Corps of Engineers program during this time and as had happened with the Sloan plan, the Corps project soon was termed the "Pick plan."

Col. Miles Reber, Deputy Chief, Legislative and Liaison Division, Office of the Chief of Staff of the War Department, perhaps is the one who pinned the two together with his statement later in the hearings when he referred to "an overall plan for the Missouri River today, the Pick plan and the Sloan plan."

In October 1944, representatives of the Interior Department and the Corps of Engineers formally agreed on the combined program and legislation implementing the basic agreement between the Bureau and Corps was contained in H.R. 4485, which became the Flood Control Act of 1944, or Public Law 534, 78th Congress, second session, and H.R. 3961, which did not become law in 1944, but which ultimately became the Rivers and Harbors Act of 1945, Public Law 14, 79th Congress, first session.

By this time, the combined program was being called the Pick-Sloan Missouri Basin program by citizens throughout the Missouri Basin. A reference to newspaper clippings of that day shows that the press used this term as the generic phraseology with which to describe the program.

Over the years, the term "Pick-Sloan" slipped out of common usage. I believe, Mr. President, the time has come to restore it to its proper place and in so doing, honor these two men who not only conceived this monumental project, but were responsible for much of the construction of this comprehensive program.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1100) to designate the comprehensive Missouri River Basin development program as the Pick-Sloan Missouri Basin program, introduced by Mr. MUNDT, for himself and other Senators, was received, read twice by its title, and referred to the Committee on Public Works.

S. 1102—INTRODUCTION OF HOT WAR GI BILL

Mr. PROUTY. Mr. President, today I submit for appropriate reference a bill which amends title II of the National Defense Education Act, the insured loan program of title IV of the Higher Education Act, and the health professions student loan program of the Public Health Service Act to allow loan cancellation based on service in the Armed Forces of the United States.

If enacted, this legislation would permit forgiveness of loans of college students who leave school in order to fight for their country. The necessity for such legislation is very great.

GI benefits have recently been increased and liberalized to the extent that a veteran returning from service to school is now eligible for more than one type of grant, fellowship, or loan. This provision, incorporated in the Higher Education Amendments of 1968 will undoubtedly make it possible for many veterans with families to return to school.

What, however, of the veterans who incurred debts in order to partially or completely finish their education and then went into the service? Many thousands of young men return from Vietnam saddled with large debts. Some of them will wish to return to school, but feel impelled to work instead to pay off existing obligations. My bill, Mr. President, would remedy this situation.

Veterans under the provisions of my bill would be allowed to cancel 25 percent of the total amount of the money borrowed under the acts amended for each year of service in the Armed Forces. A full 100 percent of the loans could be forgiven for 4 consecutive years of service.

For example, a young man might go to school for several years, financing his education through NDEA loans, then leave to serve in the Army for 4 years. When he returns, he might wish to return to school, but he would be canceled due to his 4 years of service, and he could reconvene his education with a clean slate.

In addition, veterans who later become teachers would have an additional opportunity under the provisions of my bill to cancel 50 percent of their loan debts. For example, a veteran with 2 years of service who became a teacher could have 50 percent of his loan canceled immediately, and from 10 to 15 percent up to 50 percent canceled for each year he taught.

Mr. President, this bill, which I have entitled the "Hot War GI Bill" is neither new to this body nor without ample precedent.

During the last session of Congress, former Senator Wayne Morse and I introduced a measure identical to this one. The substance of the bill, S. 2334 was incorporated into the Higher Education Amendments of 1968, and approved by this body. Unfortunately, however, the provisions were deleted in the conference committee.

Senator Morse in introducing S. 2334 noted that under the many imperfections of the Selective Service System some men are drafted while others are not. Those who went into debt to commence a college education and are drafted before being able to finish are unduly penalized. They may secure assistance in completing their education, but not aid in repaying previous debts. As the draft calls for Vietnam continue to escalate, more and more students may find themselves in this predicament. The need for this bill has increased rather than diminished during the past year.

Mr. President, we have made provision in the past for teachers, nurses, and others to receive loan forgiveness as a result of service to the Nation.

There is a 50 percent "forgiveness" clause in the NDEA student loan program for those who become the teachers of our children. It provides that college graduates who become teachers in public or private nonprofit elementary or secondary schools or in institutions of higher learning may cancel up to half the amount of their loan at the rate of 10 percent for every year that they teach. Those who teach in poverty areas or in schools for the handicapped may cancel out their entire NDEA loan at the rate of 15 percent per year.

The Nurse Training Act of 1964 contains a clause providing for the cancellation of one-half of the total obligation for graduate nurses at the rate of 10 percent for each year of service in any public or nonprofit institution.

Finally, under the health professions student loan program, students of medicine, dentistry, osteopathy, optometry, pharmacy, and podiatry may earn up to 50-percent cancellation of the amounts of their loans at a 10-percent rate for each year the graduate practices in an area in which there is a shortage of such professions.

These forgiveness clauses, Mr. President, have become incentives for young college graduates to teach or practice in areas of vital need.

Should we not also provide the veteran who will risk his life in service to this country with an incentive to return home and recommence his education or begin employment without having to worry about repayment of his education debt incurred previously? Enactment of this bill will give deserved recognition of the services being rendered by young men and women serving our Nation in the armed services. I hope, Mr. President, that this proposal, cosponsored by my colleagues, Mr. JAVITS, of New York; Mr. MURPHY, of California; Mr. YARBOROUGH, of Texas; Mr. RANDOLPH, of West Virginia; and Mr. PELL, of Rhode Island, will be quickly endorsed and enacted by the Senate.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1102) to amend the National Defense Education Act of 1958 and the Public Health Service Act in order to provide for cancellation of loans pursuant to such acts for service in the Armed Forces, and to amend the Higher Education Act of 1965 in order to provide for payments for such service on loans insured or made pursuant to agreements under such act, introduced by Mr. PROUTY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

S. 1103—INTRODUCTION OF BILL TO REPEAL THE FREEZE ON FEDERAL PARTICIPATION IN THE AFDE PROGRAM

Mr. CASE. Mr. President, I introduce for appropriate reference a bill to eliminate the provisions of the 1967 Social Security Amendments limiting Federal financial participation in the aid to families with dependent children—AFDC—program.

The limitation, or "freeze," on Federal participation in the AFDC program was incorporated, at the insistence of the House of Representatives, in the social security amendments approved by the Congress in 1967. Under the "freeze" provision, the number of children under age 18 who are eligible for AFDC because of a parent's "absence from home" in any State could not exceed for Federal matching purposes the proportion of AFDC children to all children in the State as of January 1968.

In 1967 and again last year the Senate voted to eliminate this provision. I was glad to cosponsor legislation last year to repeal the freeze and am happy to note that both Governor Hughes, of New Jersey, and Governor Rockefeller, of New York, have joined in a cooperative effort to urge the Congress to remove this provision.

Originally scheduled to become effective July 1, 1968, the freeze was postponed during the last session of Congress for 1 year to July 1, 1969. Unless the Congress acts again to postpone the effective date of the amendment, or to repeal it outright, as I believe should be done, many States will be forced to assume an even greater share of welfare costs next July than they do now.

While I appreciate the concern of the House over the rapidly increasing welfare rolls, surely we cannot leave the States in their present situation. Should the Congress fail to act, a State which has experienced a disproportionate increase in the number of needy children compared to the total number of children will face two alternatives.

It may reduce payments to all recipients so that State spending would remain approximately the same, or it may assume the total costs for all needy children who, under the freeze, no longer will be eligible for Federal assistance. The first alternative is unthinkable; the second is unfair to the States.

Since, under the law, States must provide assistance to all eligible recipients, limiting the Federal Government's participation in the AFDC program at this time will not help reduce welfare rolls. It simply shifts to already overburdened State and local governments the responsibility for assuming a larger share of the costs of caring for the Nation's poor.

Welfare is a national problem whose causes and effects are not confined to State and local boundaries. Certainly, much needs to be done, both in the immediate future and for the long range, to improve the whole welfare system.

A number of thoughtful proposals have been offered and some experimental studies are underway. The results of these studies should be helpful in arriving at effective and efficient long-range solutions.

In the meantime, it is essential that the AFDC freeze be removed.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1103) to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children, introduced by Mr. CASE, was received, read twice by its title, and refered to the Committee on Finance.

S. 1108—INTRODUCTION OF BILL TO PERMIT THE STATE OF NEVADA TO PURCHASE CERTAIN PUBLIC DOMAIN LANDS

Mr. BIBLE. Mr. President, on behalf of myself and my colleague, Senator CANNON, I introduce for appropriate reference a bill to waive the acreage limitations of the Recreation and Public Purposes Act of 1926 to permit the State of Nevada to purchase the public domain lands necessary to round out the State's plans for the development of the Valley of Fire State Park in Clark County, Nev.

The Federal Government owns and controls over 87 percent of the land area of our State—some 60 million acres. The lands needed for the Valley of Fire State Park—a very attractive recreational resource—amounts to some 30,000 acres lying in southern Nevada. This relatively small tract is desert land, and has no value for agricultural or industrial purposes. As part of the Valley of Fire, it would serve the thousands of annual visitors who desire to view the southwestern desert area as it has existed since the beginning of time.

Through it chairman, Col. Thomas W. Miller, the Nevada State Park Advisory Commission has indicated its desire to acquire and pay for these lands, as required by the Recreation and Public Purposes Act.

A transfer of these lands will relieve the Federal Government of the cost of managing the area and will, at the same time, allow the State of Nevada to move ahead with a comprehensive State recreational facility that will be a credit to its entire system of parks.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1108) to waive the acreage limitations of section 1(b) of the act of June 14, 1926, as amended, with respect to conveyance of lands to the State of Nevada for inclusion in the Valley of Fire State Park, introduced by Mr. Bible (for himself and Mr. Cannon), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 1130—INTRODUCTION OF BILL TO PROVIDE MEDALS COMMEMORATING THE 100TH ANNIVERSARY OF THE FOUNDING OF THE AMERICAN FISHERIES SOCIETY

Mr. MAGNUSON. Mr. President, I introduce today a bill to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society. The primary purpose of the bill is to honor the founding of America's oldest natural resources conservation organization, established December 20, 1870, in New York City, and to authorize the Secretary of the Treasury to strike medals to commemorate this occasion.

When founded, the society was named "American Fish Culturist Association." Its primary objectives were to promote the cause of fish culture, to gather and disseminate information bearing upon its practical success, and the uniting and encouraging of the individual interests of fish culturists. In 1878 the name was changed to "American Fish Cultural Association," and later in 1884 the name was changed to "The American Fisheries Society."

The society was incorporated on December 16, 1910, in the District of Columbia.

The American Fisheries Society has long filled the role of leading public thought in the field of fisheries since the day it first urged the Congress of the United States to establish the first Federal fish hatchery. The society, under the leadership of one of the founders of the organization, Spencer F. Baird, first U.S. Fish Commissioner, petitioned the Congress to build two Federal fish hatcheries, one for salmon on the west coast, one for shad on the east coast.

The present-day objectives of the society, which have been modified from time to time, are as follows:

First. To promote the educational, scientific, and technological development and advancement of all branches of fishery science and practice, including aquatic biology, engineering, economics, fish culture, limnology, oceanography, and technology.

Second. To gather and disseminate technical and other information on fishes, fishing, fisheries, and all phases of fishery science and practice.

Third. To hold meetings for the presentation, exchange, and discussion of information, findings, and experiences on all subjects and techniques related to fishes, fishing, fisheries, and all phases of fishery science and practice.

Fourth. To encourage teaching of all phases of fishery sciences and the training of fishery workers in accredited colleges and universities; and

Fifth. To promote conservation, development, and wise utilization of fisheries.

The American Fisheries Society has expanded into an international association which draws its more than 5,000 memberships mainly from the United States and Canada, and to a lesser degree from more than 60 other countries throughout the world. Although membership is not limited to professional biologists and the allied fields associated with the field of fisheries, approximately 80 percent of the membership is of professional level. Lay conservationists interested in maintaining an adequate knowledge of the field also hold membership.

The society meets once a year usually in September in conjunction with the International Association of Game, Fish, and Conservation Commissioners. Annual meetings usually include a keynote address coupled with a plenary session and a series of technical sessions. Frequently, a technical session involves a symposium on some subject in the field of fisheries.

The official scientific journal, the Transactions of the American Fisheries Society, has been published since 1870 and now is in the form of a quarterly. It is now in the 97th volume and is a principal reference source for scientific reports on various subjects on fisheries and aquatic resources of North America and other global regions.

The society maintains a national office in Washington, D.C.

The society will celebrate its centennial September 13–16, 1970, at the Waldorf Astoria Hotel, New York City.

A number of noted scientists have served society over the years, as Spencer F. Baird, George C. Embody, H. S. Davis, E. A. Birge, James A. Henshall, Barton W. Evermann, Jacob Reighard, R. W. Eschmeyer, Thaddeus Surber, J. G. Needham, Raymond C. Osborn, A. G. Huntsman, Percy Viosca, and E. C. Fearnow.

In recent years a number of leading conservation leaders have served as presidents, as Clarence Pautzke, Seth Gordon, John S. Gottschalk, W. Mason Lawrence, Edward Schneberger, H. S. Swingle, George J. Eicher, Ralph Hile, F. E. J. Fry, Albert S. Hazzard, and Elwood A. Seaman, the current president.

Mr. President, I ask unanimous consent that the text of this bill be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1130) to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society, introduced by Mr. Magnuson (for himself and Mr. Jackson), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 1130

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That, in commemoration of the one hundredth anniversary of the founding of the American Fisheries Society on December 20, 1870, the Secretary of the Treasury is authorized and directed to strike and furnish to the American Fisheries Society not more than one hundred thousand medals with suitable emblems, devices, and inscriptions to be determined by the American Fisheries Society subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the American Fisheries Society in quantities of not less than two thousand, but no medals shall be made after December 31, 1970. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

Sec. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such costs.

Sec. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes and of such various metals as shall be determined by the Secretary of the Treasury in consultation with the American Fisheries Society.

S. 1132—INTRODUCTION OF BILL TO AMEND TITLE II OF SOCIAL SECURITY ACT

Mr. METCALF. Mr. President, I reintroduce for appropriate reference, a bill amending title II of the Social Security Act so as to provide that the definition of the term "disability" shall be the same as that in effect prior to enactment of the Social Security Amendments of 1967. A bipartisan group of 40 other Senators have joined with me in sponsoring this bill. These cosponsors are Senators Bayh, Bible, Brooke, Burdick, Byrd of West Virginia, Cannon, Case, Church, Eagleton, Goodell, Gravel, Harris, Hart, Hartke, Hughes, Inouye, Jackson, Javits, Kennedy, Magnuson, Mansfield, McCarthy, McGee, McGovern, Mondale, Montoya, Moss, Muskie, Nelson, Pell, Prouty, Randolph, Ribicoff, Scott, Sparkman, Stevens, Tydings, Williams of New Jersey, Yarborough, and Young of Ohio.

Prior to the 1967 amendments to the Social Security Act disability—except for certain cases of blindness—was defined as the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which could be expected to result in death or which had lasted or could be expected to last for a continuous period of not less than 12 months.

In the first session of the 90th Congress, the House referred to the Finance Committee, H.R. 12080, the Social Security Amendments of 1967. Section 156 of that bill redefined the definition of disability contained in section 223 of the Social Security Act so that in applying the basic definition—except for the special definition for the blind, and except for purposes of widow's or widower's insurance benefits on the basis of disability—an individual could be determined to be under a disability only if his impairment or impairments were so severe that he is not only unable to do his previous work but could not, considering his age, education and work experience, engage in any other kind of substantial gainful work which exists in the national economy, regardless of whether such work exists in the general area in which he lives, or whether a specific job vacancy exists for him, or whether he would be hired if he applied for work.

On November 17, 1967, I offered a floor amendment to the House bill. It was simply a request to return to existing law by removing the restrictive definition of disability contained in H.R. 12080. I offered that amendment because of the evidence compiled in opposition to this provision during the course of the Finance Committee hearings on the House-passed bill. Those who opposed the 1967 definition included George Meany, president of the AFL-CIO, John F. Edelman, president of the National Council of Senior Citizens, Robert M. Gettings, assistant for governmental affairs, National Association of Retarded Children, Dr. Malcolm L. Peterson, chairman of the Physicians Forum, Irvin P. Schloss, national president of the Blinded Veterans Association, the Governor of Vermont, the Honorable Philip H. Hoff, the American Foundation for the Blind, Inc., and the president of the Georgia Federation of the Blind, Ned Freeman.

On November 17, 1967, the restrictive definition of disability contained in the House bill was put to a rollcall vote on the floor of the Senate and by a substantial margin my colleagues voted in favor of my amendment to delete the House definition of disability. However, in conference, with one minor change the Senate conferees receded on this amendment as they did on just about everything else that the Senate passed both in committee and on the floor. That minor change was to define "work which exists in the national economy" as "work which exists in significant numbers either in the region where such individual lives or in several regions of the country."

On February 6, 1968, I reintroduced my amendment in bill form, S. 2935, in which I was joined by many of my colleagues as cosponsors. The bill which I reintroduce today again seeks to return to the definition that was in the law until the 1967 amendments. All I ask is to protect all those people who need to be protected simply because they are, in fact, disabled.

Under title II of the Social Security Act, even if a man's physical or mental impairment is such that nobody would hire him if he applied for work, even if there is no specific job vacancy available to him anywhere, the Secretary of Health, Education, and Welfare can say to him, under the law you are not disabled. I see no justification for the oppressive definition that is now law and hope that early hearings will be held and action taken on this legislation in this session of the 91st Congress.

Mr. President, I ask unanimous consent that the bill be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1132) to amend title II of the Social Security Act so as to provide that the definition of the term "disability," as employed therein, shall be the same as that in effect prior to the enactment of the Social Security Amendments of 1967, introduced by Mr. Metcalf (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 1132

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 223(d) of the Social Security Act is amended (1) by striking out paragraphs (2) through (4) thereof and (2) by redesignating paragraph (5) thereof as paragraph (2).

(b) The third sentence of section 216(i)(1) of such Act is amended by striking out "paragraphs (2)(A), (3), (4), and (5)" and inserting in lieu thereof "paragraph (2)".

Sec. 2. The amendments made by this Act shall be effective with respect to applications for disability insurance benefits under section 223 of the Social Security Act, and for disability determinations under section 216(i) of such Act, filed—

(a) in or after the month in which this Act is enacted, or

(b) before the month in which this Act is enacted if the applicant has not died before such month and if—

(1) notice of the final decision of the Secretary of Health, Education, and Welfare has not been given to the applicant before such month, or

(2) the notice referred to in paragraph (1) has been so given before such month but a civil action with respect to such final decision is commenced under section 205(g) of the Social Security Act (whether before, in, or after such month) and the decision in such civil action has not become final before such month.

S. 1144—INTRODUCTION OF BILL TO AMEND THE ADMINISTRATIVE CONFERENCE ACT BY REMOVING THEREFROM THE STATUTORY CEILING ON APPROPRIATIONS

Mr. KENNEDY. Mr. President, I introduce a bill to amend the 1964 legislation which established the Administrative Conference of the United States. Its purpose is to remove from that act the unduly restrictive and by now outdated ceiling of $250,000 on annual appropriations for that agency.

The Administrative Conference is a unique resource of the Government. Its sole function is to develop recommendations for improvements in the procedures by which Federal departments and agencies determine and enforce the rights of private persons and business interests through administrative investigation, adjudication, licensing, rulemaking, ratemaking, claims determinations, and other proceedings.

Under the terms of the 1964 act, we have succeeded in bringing together 45 top level Government officials and 37 of the most outstanding administrative law practitioners and scholars in the country. Of the full membership of 82, only the Chairman is on the payroll of the Conference; all others are contributing their time and talents.

Two temporary, experimental Conferences, the first in 1953, the second in 1961, established beyond question that an organization of this kind can develop recommendations resulting in substantial improvements in the machinery of government. Based on this experience, Congress established the Administrative Conference on a permanent basis.

The $250,000 appropriation limitation is based in cost factors which are now out of date. In my opinion that sum is clearly insufficient to make possible the full utilization of the talents of this extraordinary resource of government.

This, of course, is not an appropriation bill. All that it does is make it possible for the Administrative Conference to propose additional funds necessary for effective operation. Like any other agency, it will be required to justify its budget through the normal appropriation process.

In his opening remarks at the first plenary session of the Administrative Conference in May 1968, Judge E. Barrett Prettyman, who is often referred to as the father of the Administrative Conference because he chaired the temporary Conferences, had this to say:

> It is all very well to have theories, but I am devoted to the thesis that government is supposed to work. Our administrative system works pretty well, but in lots of cases it has substantial flaws: it costs too much; it takes too long; and the process is too cumbersome.
>
> This conference has the opportunity to make the administrative part of a democratic system of government work. You could not have a greater opportunity.

I have every confidence that the 91st Congress will give this new agency its full support. As chairman of the Subcommittee on Administrative Practice and Procedure of the Senate Judiciary Committee, I expect to hold early hearings on the bill. The Conference should be in a position to seek the additional appropriations this year that are necessary for it to carry out its important congressional mandate.

Mr. President, in a letter to the Chairman of the Conference, the administration has expressed its support for this bill, and I ask consent that a copy of this letter be placed in the Record, as well as the text of the bill and an explanation of its background and effect.

The VICE PRESIDENT. The bill will be received and appropriately referred; and without objection, the bill, letter, and explanation will be printed in the Record.

The bill (S. 1144) to amend section 576 of title 5, United States Code, pertaining to the Administrative Conference of the United States, to remove the statutory ceiling on appropriations, introduced by

Mr. KENNEDY, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 1144

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 576 of Title 5, United States Code, pertaining to the Administrative Conference of the United States is amended by deleting therefrom the following language:

"There are authorized to be appropriated sums necessary, not in excess of $250,000, to carry out the purpose of this subchapter."

and substitute in lieu thereof:

"There are authorized to be appropriated such sums as may be necessary to accomplish the purpose of this subchapter."

The letter and explanation, presented by Mr. KENNEDY, are as follows:

THE WHITE HOUSE,
Washington, February 19, 1969.

Hon. JERRE WILLIAMS,
Chairman, Administrative Conference of the United States, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your letter of January 8, 1969, to President Nixon.

This Administration supports the efforts of the Conference to develop recommendations to improve the administrative practices of the various agencies of the Executive Branch in order to make them as efficient and burdenless as possible. We also support legislation to remove the limitation on appropriations for the Conference which, I understand, has been recently introduced in the House of Representatives and will shortly be introduced in the Senate.

I appreciate your letter, and I want to be kept informed of your progress.

Yours sincerely,
JOHN D. EHRLICHMAN,
Counsel to the President.

EXPLANATION OF PROPOSED AMENDMENT TO THE ADMINISTRATIVE CONFERENCE ACT (5 U.S.C. 576) TO REMOVE THE STATUTORY CEILING ON APPROPRIATIONS

Section 576, Title 5, United States Code, provides that the appropriations for carrying out the purposes of the Administrative Conference of the United States may not exceed $250,000. It is the view of the Administrative Conference that this limitation is so restrictive as to prevent it from carrying out in any meaningful way the important studies and programs Congress contemplated in creating the agency.

As initially introduced as S. 1664, 88th Congress, 1st Session, the bill which ultimately became the Administrative Conference Act, Section 7 pertaining to appropriations contained the language now being sought by this amendment. The bill passed the Senate without any statutory limitation on appropriations.

When the bill came up for hearing before Subcommittee No. 3 of the Committee on the Judiciary, 88th Congress, 2nd Session, March 5, 1964, the question was raised as to approximately how much it would cost to finance the operations of the Conference. The only experience then available upon which to predicate an estimate were the expenses of the temporary Administrative Conference of 1961–62. During its 18-month life the temporary Conference spent $223,517.20. That figure however did not include any funds for the salary of the Chairman, Judge E. Barrett Prettyman, the salary of the Director of the Office of Administrative Procedure, Department of Justice, or the full-time professional and clerical staff of that office which served the Conference. In addition, it did not include the costs of the services of a number of young lawyers in other government agencies who were assigned to work with the Conference and paid by their agencies. Thus as appear at page 50 of the House hearings the $223,000 was used almost entirely for the employment of intermittent consultants, travel, per diem, printing and duplicating.

Based on this 1961–62 experience and with salaries of a small professional staff in mind, (House Committee hearings (pp. 50–54)) Judge Prettyman advised that approximately $256,500 would be the estimated cost of the proposed Conference at that time. The bill was subsequently amendment to include the statutory limit of $250,000.

In this connection, however, it should be emphasized that the salary of the Chairman at that time was estimated at $20,500 whereas the comparable salary today is $30,000. This kind of substantial increase across the board in salaries and other expenses between 1962 and 1968 form the basis for our request to seek this amendment to our statute.

Of the $250,000 appropriated to the Conference for fiscal 1969, approximately $200,000 will be required for fixed charges; salaries for a staff of 9, including the Chairman, communications, stenographic reporting, duplicating and office supplies and equipment. Every effort has been made to keep all expenditures in this area to a bare minimum in order to make available as large amount as possible for general Conference purposes.

The result is that only about $50,000 will be available in fiscal 1969 for the employment of consultants to assist Committees, to pay travel and per diem of members and consultants for Committees and to cover costs of plenary sessions of the Conference. The Conference is composed of the Chairman (the only full-time paid member), 10 Presidential appointees who comprise the Council, 45 high-level government officials representing 34 Executive departments and agencies, and 32 prominent lawyers, law school professors, and others highly knowledgeable in administrative law.

In the event Congress removes the statutory limitation on expenditures, the Conference will show the need for and justification of a modest increase in its appropriation to the appropriate Committees of Congress. We wish to emphasize that we would not seek to increase the size of the full-time permanent staff of the Conference. Rather, we wish to be able to retain intermittent consultants and experts to make substantial studies of problems in administrative law and to develop recommendations therefrom for procedural reforms. We wish to be able to pay travel and per diem for committee meetings and plenary sessions of the Conference. In other words, we wish to be in a position to take the fullest advantage of the prominent group of persons who are donating their time and talent to the Conference in order to carry out our statutory mandate to improve the procedures by which government agencies deal with the public.

REPORT OF THE ADMINISTRATIVE CONFERENCE

Mr. KENNEDY. Mr. President, the Administrative Conference of the United States, under the able chairmanship of Jerre S. Williams, recently issued an interim report covering its activities from the time when this independent agency was created in January 1968, through December 31, 1968.

Included in this report are the texts of the recommendations approved at the second plenary session of the Conference on December 10–11, 1968. The Administrative Practice and Procedure Subcommittee, of which I am chairman, will carefully study each and every one of the eight recommendations, with a view toward improving the Federal administrative process. Of special interest are recommendations No. 4—urging that a consumer bulletin be established—and No. 5—recommending the creation of a "People's Counsel."

I ask unanimous consent to insert, at this point in the RECORD, the report and recommendations of the Administrative Conference of the United States.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

INTERIM REPORT OF THE ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

FOREWORD

This Interim Report of the Administrative Conference of the United States covers the period from the time when the organization of this new independent agency was begun in January 1968 through December 31, 1968.

It briefly explains the background and describes the organization, membership and activities of the Conference.

The texts of the recommendations approved at the Second Plenary Session of the Conference on December 10–11, 1968, are set forth in full. The recommendations and full texts of the supporting committee reports will be published in the Annual Report of the Administrative Conference for fiscal year 1969.

THE ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

On August 30, 1964, President Lyndon B. Johnson signed Public Law 88–499, 5 U.S.C. 571–576, which authorized the establishment of the Administrative Conference of the United States as a new independent Federal agency. The agency is comprised of a sizable deliberative body of top-level Government officials and persons of national reputation in law and government drawn from the private sector. Its mission is to work on a continuing basis toward the development of improvements in the Federal administrative process—that vast complex of legal procedures which the Federal Departments and agencies use to determine the rights, privileges, and obligations of individual citizens and private businesses.

There are some thirty departments and agencies which conduct the bulk of administrative proceedings affecting private rights. These proceedings are of infinite variety. They range from the grant of a television license worth millions of dollars to the processing of applications for amateur or citizen band licenses; from the processing of an application to merge railroads of the magnitude of the New York Central and the Pennsylvania to authorizing truck transportation of a particular commodity over a particular route; or from the approval of a prospectus for a major new corporation to permitting cattle to graze on Federal lands. Because of this steady flow of Federal agency determinations affecting our natural resources, transportation, power, finance, communications, commerce, securities, taxation, labor, credit, advertising, housing, veterans benefits, the supply, quality, and price of food and fibers, public health, immigration, social welfare programs, drug control, and countless other areas of activity, the administrative process, in one way or another, continuously exerts its influence upon every citizen in his personal and business affairs.

For a number of years the adequacy of the governmental processes through which these programs are administered has been a matter of increasing concern, both public and private. The rising volume of proceedings has resulted in some paralyzing backlogs, and in many areas excessive delays in official action have severely prejudiced private undertakings and perhaps slowed the national economy generally. Frequently, attempts at across-the-board solutions have not adequately taken into account the variety of private interests affected, with resulting unfairness to many. At times, limitations on the access to public information have brought into question the integrity of particular actions. And the expense of official processes, to the Government and to the private interests involved, has been staggering.

Development of the idea of an Administrative Conference as the best means to improve agency procedures spans almost 20 years. During this period two temporary, experimental Administrative Conferences were held, the first on the call of President Eisenhower in 1953, the second in 1961 by President Kennedy. Both Conferences were chaired by Judge E. Barrett Prettyman of the United States Court of Appeals for the District of Columbia Circuit. Both Conferences recommended that a permanent Administrative Conference authorized by statute be created. Legislation for this purpose was introduced in the 88th Congress, and was duly enacted.

Organization and membership

On October 14, 1967, President Johnson nominated Jerre S. Williams of the faculty of the University of Texas Law School to be the first Chairman of the Administrative Conference, an appointment that was confirmed by the Senate on October 19, 1967. The organization of the new agency began on January 8, 1968, when the Chairman arrived in Washington to establish offices, although his formal swearing-in took place on January 25, 1968.

On February 7, 1968, the President announced his appointment of the other ten members of the Council, the executive board of the Conference. Five of these appointees were from Government and five from outside of Government.

The Act provides that the Administrative Conference shall consist of not more than 91 nor less than 75 members. Excluding the Council, 60% to two-thirds of the members must be Government representatives from the departments and agencies. The remaining members are private citizens who contribute their time and effort to working with the departments and agencies to improve their procedures.

On April 24, 1968, the White House designated the Executive Departments and agencies to have membership in the Assembly of the Conference. The twelve Cabinet Departments were so designated, plus ten agencies, which together with the agencies participating under the terms of the Administrative Conference Act and those represented in the Council membership, brought the total number of agencies participating to thirty-four. At the same time, the White House announced the names of the 32 persons who were to be members from the private sector, appointed by the Chairman of the Conference with the approval of the Council. Shortly thereafter each of the departments and agencies which had been designated to participate announced the names of the officials who would serve as members.

The membership of the Conference as now constituted appears as Appendix A.

ACTIVITIES OF CONFERENCE

The Conference held its first plenary session on May 27, 1968, It was addressed by the Attorney General of the United States, Ramsey Clark, and by Judge E. Barrett Prettyman. The session was largely of an organizational nature. Bylaws were adopted. Ten Standing Committees to study particular areas of the administrative process were established and a Chairman was appointed to each. Each committee was provided the services of a law professor to work with it toward the development of recommendations for Conference consideration.

By late fall enough proposed recommendations had been developed to justify a second plenary session which was held on December 10–11, 1968. The Assembly was addressed by Associate Justice Tom C. Clark, Director of the Federal Judicial Center.

The Assembly adopted eight recommendations, the texts of which appear as Appendix B.

At this second meeting of the Assembly, the Chairman of each of the ten Standing Committees made a report on pending and proposed projects. Among the more significant studies to be undertaken in the future are the evaluation of the important role of hearing examiners; elimination of delay through enlarged delegation of final decision-making authority; greater use of rulemaking as a substitute for adjudication on the record; development of new techniques to speed licensing procedures; use of discovery in adjudicatory proceedings; publication of a manual on the trial of protracted cases; and greater uniformity and simplicity in judicial review procedure.

The Third Plenary Session of the Administrative Conference is tentatively scheduled for the late spring of 1969.

In his opening remarks at the first plenary session of the Administrative Conference, May 27, 1968, Judge E. Barrett Prettyman said:

"It is all very well to have theories, but I am devoted to the thesis that government is supposed to work. Our administrative system works pretty well, but in lots of cases it has substantial flaws: it costs too much; it takes too long; and the process is too cumbersome.

"This conference has the opportunity to make the administrative part of a democratic system of government work. You could not have a greater opportunity."

The opportunity to make the administrative machinery work is a challenge which the Administrative Conference accepts and will endeavor to fulfill.

Appendix A

Members of the Conference

Jerre S. Williams, Chairman.

COUNCIL

Frank M. Wozencraft, Vice Chairman, Assistant Attorney General, Office of Legal Counsel, Department of Justice.

Manuel F. Cohen, Chairman, Securities and Exchange Commission.

Willard Deason, Commissioner, Interstate Commerce Commission.

Walter Gellhorn, Professor, Columbia Law School.

William W. Golub, McGoldrick, Dannett, Horowitz & Golub, New York, New York.

Rosel H. Hyde, Chairman, Federal Communications Commission.

Joe M. Kilgore, McGinnis, Lochridge, Kilgore, Byfield, Hunter & Wilson, Austin, Texas.

Leonard H. Marks, Director, United States Information Agency.

Harold L. Russell, Gambrell, Russell, Moye & Killorin, Atlanta, Georgia.

Whitney North Seymour, Sr., Simpson, Thacher & Bartlett, New York, New York.

Carolyn E. Agger (Miss), Arnold & Porter, Washington, D.C.

C. Paul Barker, Dodd, Hirsch, Barker & Meunier, New Orleans, Louisiana.

St. John Barrett, Deputy General Counsel, Department of Health, Education, and Welfare.

Frank A. Bartimo, Assistant General Counsel (M&RA), Department of Defense.

Charles F. Brannan, General Counsel, National Farmers Union, Denver, Colorado.

Charles W. Bucy, Assistant General Counsel, Department of Agriculture.

J. W. Bullion, Thompson, Knight, Simmons & Knight, Dallas, Texas.

Clark Byse, Professor, Harvard Law School, Cambridge, Massachusetts.

John T. Chadwell, Chadwell, Keck, Kayser, Ruggles & McLaren, Chicago, Illinois.

Harold J. Cohen, General Attorney, American Telephone & Telegraph Company, New York, New York.

Donald C. Cook, President, American Electric Power Company, Inc., New York, New York.

Arthur H. Courshon, Chairman of the Board, Washington Federal Savings and Loan Association of Miami Beach, Miami Beach, Florida.

John H. Crooker, Jr., Chairman, Civil Aeronautics Board.

William J. Curtin, Morgan, Lewis & Bockius, Washington, D.C.

Kenneth Culp Davis, Professor, University of Chicago Law School, Chicago, Illinois.

Paul Rand Dixon, Chairman, Federal Trade Commission.

Charles Donahue, Solicitor of Labor, Department of Labor.

David C. Eberhart, Director of the Federal Register, General Services Administration.

Norman A. Flaningam, Attorney at Law, Washington, D.C.

Thomas J. Flavin, Judicial Officer, Department of Agriculture.

Jefferson B. Fordham, Dean, University of Pennsylvania Law School, Philadelphia, Pennsylvania.

Robert P. Forrestal, Assistant Secretary, Federal Reserve System.

Warner W. Gardner, Shea & Gardner, Washington, D.C.

William T. Gennetti, Acting General Counsel, Small Business Administration.

Howard A. Glickstein, Acting Staff Director, U.S. Commission on Civil Rights.

George A. Graham, Executive Director, National Academy of Public Administration, Washington, D.C.

Robert W. Graham, Bogle, Gates, Dobrin, Wakefield & Long, Seattle, Washington.

Dale W. Hardin, Commissioner, Interstate Commerce Commission.

John Harllee (Admiral), Chairman, Federal Maritime Commission.

Patricia Harris (Mrs.), Professor, Howard University Law School, Washington, D.C.

Ferrel Heady, President, University of New Mexico, Albuquerque, New Mexico.

Lewis B. Hershey (General), Director, Selective Service System.

Arthur E. Hess, Deputy Commissioner of Social Security, Department of Health, Education, and Welfare.

S. Neil Hosenball, Deputy General Counsel, National Aeronautics and Space Administration.

Richard H. Keatinge, Keatinge & Sterling, Los Angeles, California.

John T. Koehler, Butler, Koehler & Tausig, Washington, D.C.

John W. Kopecky, Deputy Associate General Counsel, Department of Housing and Urban Development.

Jim C. Langdon, Chairman, Texas Railroad Commission, Austin, Texas.

Sol Lindenbaum, Executive Assistant to the Attorney General, Department of Justice.

Charlotte Tuttle Lloyd (Mrs.), Assistant General Counsel, Department of the Treasury.

Philip A. Loomis, Jr., General Counsel, Securities & Exchange Commission.

J. Edward Lyerly, Deputy Legal Adviser for Administration, Department of State.

Frank W. McCulloch, Chairman, National Labor Relations Board.

Ross L. Malone, Vice President and General Counsel, General Motors Corporation, New York, New York.

Malcolm Mason, Associate General Counsel, Office of Economic Opportunity.

Wilson Matthews, Director, Hearing Examiners Office, U.S. Civil Service Commission.

Timothy J. May, General Counsel, Post Office Department.

James B. Minor, Assistant General Counsel for Regulation, Department of Transportation.

Alan J. Moscov, General Counsel, Federal Home Loan Bank Board.

Nathaniel L. Nathanson, Professor, Northwestern University School of Law Chicago, Illinois.

C. Roger Nelson, Purcell & Nelson, Washington, D.C.

Leonard Niederlehner, Acting General Counsel, Department of Defense.

Nathan Ostroff, Chairman, Appeals Board, Department of Commerce.

Max D. Paglin, Executive Director, Federal Communications Commission.

Samuel R. Pierce, Jr., Battle, Fowler, Stokes & Kheel, New York, New York.

James T. Ramey, Commissioner, U.S. Atomic Energy Commission.

Emmette S. Redford, Professor of Government, University of Texas, Austin, Texas.

George Robinson, Deputy Assistant Secretary for Administration, Department of the Interior.

William P. Rogers, Royall, Koegel, Rogers & Wells, Washington, D.C.

Merritt Ruhlen, Hearing Examiner, Civil Aeronautics Board.

Howard Schnoor, Director, Government Organization Staff, Bureau of the Budget.

Bernard G. Segal, Schnader, Harrison, Segal & Lewis, Philadelphia, Pennsylvania.

Ashley Sellers, Sellers, Conner & Cuneo, Washington, D.C.

Fred B. Smith, General Counsel for the Treasury, Department of the Treasury.

Daniel Steiner, General Counsel, Equal Employment Opportunity Commission.

A. W. Stratton, Deputy Administrator of Veterans Affairs, Veterans Administration.

Starr Thomas, Vice-President, Law, Santa Fe Railway, Chicago, Illinois.

Thomas H. Wall, Dow, Lohnes & Albertson, Washington, D.C.

Edward Weinberg, Solicitor, Department of the Interior.

Howard C. Westwood, Covington & Burling, Washington, D.C.

Lee C. White, Chairman, Federal Power Commission.

MEMBERS OF PROFESSIONAL STAFF

John F. Cushman, Executive Director.
Webster P. Maxson, Executive Secretary.
David E. Kartalia, Staff Attorney.
Margie W. Barnes, Executive Assistant.
Ruth M. Hartman, Confidential Secretary.
William L. Banks, Clerk.
Marilyn L. Cleek, Clerk-Typist.

APPENDIX B

RECOMMENDATIONS OF SECOND PLENARY SESSION, DECEMBER 10–11, 1968, WASHINGTON, D.C.

RECOMMENDATION NO. 1—ADEQUATE HEARING FACILITIES

Administrative hearings of the Federal government should be conducted in dignified, efficient hearing rooms, appropriate as to size, arrangement, and furnishings. At the present time no central body is responsible for providing or planning the needed facilities. As a particular consequence, administrative hearings often have been conducted in surroundings unsuitable to the seriousness of these governmental proceedings. The General Services Administration could advantageously arrange for the service and the space needed by departments and agencies in which administrative hearings occur.

Recommendation

1. The General Services Administration should develop a set of four hearing room classifications explicitly identifying the features required with standards meeting at least the following minimum requirements. Such classifications should be developed in conjunction with representatives of the agencies, the bar, and examiners. The minimum requirements should be:

Type A: A formal conference room with table space for as many as 16 principals and additional seating for up to 20 other persons.

Type B: A small hearing room with a raised dais, a witness box, a reporter's table, table space for as many as 6 counsel, and additional seating for up to 30 others. The design and furnishings should be appropriate to a hearing which is judicial in nature and should include wherever possible an auxiliary room in which counsel may confer with their clients, witnesses may be sequestered, etc.

Type C: A large hearing room accommodating as many as 30 counsel at tables and up to 70 witnesses and spectators. This room should have the design and furnishings which are appropriate to formal hearings of a judicial nature.

Type D: An auditorium suitable for hearings of general public interest which might attract over 100 principals and spectators.

An essential requirement of each of the four types of hearing rooms should be a small, near-by room available to the examiner as his office and for such other uses as he designates.

2. The General Services Administration should prepare and maintain on a current basis an inventory which (a) identifies available hearing facilities throughout the country, classified under the system recommended in 1 above, including hearing rooms permanently assigned to particular agencies as well as courtrooms (local, state, and Federal), (b) identifies the GSA regional offices, local building managers, and others through whom such space can be obtained, and (c) provides information concerning the procedures to be followed to obtain space through the GSA for the conduct of hearings.

3. The General Services Administration should establish procedures for determining the frequency and location of administrative hearings which require facilities of each type within the system of classification recommended above in order to determine, by city, whether a permanent hearing room for multiagency use can be justified. A permanent hearing room should be considered justified wherever there is a continuing need of approximately one-fourth of the available working days.

4. The General Services Administration should provide for the administration and scheduling of permanent multi-agency hearing facilities under the direction of GSA's Washington headquarters, but subject to such decentralization as the functions of inventorying, procuring, and planning may require.

5. The General Services Administration should establish a procedure for the systematic reporting, to the respective agency and to GSA, of deficiencies in assigned facilities discovered by presiding officers, and for the investigation and correction of such deficiencies.

6. The General Services Administration should establish an advisory committee of members of the bar and other interested professional associations, agency representatives, and members of the public to facilitate the evaluation of present and future needs and to report annually to the Administrative Conference on its activities.

7. Permanent multi-agency hearing rooms and hearing rooms permanently assigned to individual Federal agencies should be identified as "Federal Administrative Hearing Rooms."

8. The Chairman of the Administrative Conference should encourage the cooperation of state and local judges in the procurement of courtroom space for Federal administrative hearings.

9. The Judicial Conference of the United States should encourage the cooperation of Federal judges in the procurement of courtroom space for Federal administrative hearings.

10. Federal agencies should budget funds to provide for the payment of charges for the use of appropriate space when such space is not available on a free basis.

11. Federal agencies which conduct administrative hearings should designate an official to work with the General Services Administration in the procurement and planning of hearing facilities.

RECOMMENDATION NO. 2—U.S. GOVERNMENT ORGANIZATION MANUAL

The Manual at present falls short of its goal because the narrative text submitted by some of the agencies is outdated, unrevealing, cumbersome, or otherwise deficient. The text should be rewritten at a high level of competence.

Recommendation

1. Each agency covered by 5 U.S.C. 552 should assign the writing of material for the *United States Government Organization Manual* to an office having the competence to achieve the brevity, clarity, and general excellence of presentation required to serve the purpose of this handbook and to reflect credit on our government.

2. Included in the description of each agency should be information concerning the means by which more detailed knowledge of the agency's organization and functions may be obtained.

RECOMMENDATION NO. 3—PARALLEL TABLE OF STATUTORY AUTHORITIES AND RULES (2 CFR CH. I)

The Parallel Table of Statutory Authorities and Rules (2 CFR Ch. I) should be an accurate and complete listing of United States Code provisions cited as rulemaking authority in executive agency documents which prescribe general and permanent rules. The present Parallel Table is deficient. Agencies have not given sufficient time and attention to citing proper authorities and to keeping them current. Moreover, the Table's present method of preparation leads to omission of relevant references.

Recommendation

1. Each agency covered by 5 U.S.C. 552 should review all of its rules published in the Code of Federal Regulations to determine if the cited rulemaking authorities are complete, accurate, and current. The Conference requests that formal documents correcting deficient citations be submitted to the Office of the Federal Register for publication in the daily *Federal Register*.

2. The Office of the Federal Register should take the steps necessary to broaden the coverage of the Table to include pertinent citations in preambles and in codified text as well as those in the formal statements of authority.

RECOMMENDATION NO. 4—CONSUMER BULLETIN

Most Americans are probably unaware of the multitude of day-to-day Federal activities reflected in proposed, revised, and recently promulgated rules, regulations, or determinations which substantially affect the price, quantity, quality, labeling, safety, and other aspects of products and services available to the public. A bulletin of general distribution containing an easily understood summary of current information about administrative activities in areas of consumer interest could serve a widespread public need which is not now met by the *Federal Register* or by agency and private publications of a more specialized nature.

Recommendation

1. A consumer bulletin should be established on an experimental basis. It should extract and paraphrase in popular terms the substance of Federal agency actions of significant interest to consumers. Initially, the bulletin should concentrate on items published in the *Federal Register*, but as it gains public acceptance, it should be broadened to include materials secured from other sources. It should indicate expressly that the bulletin does not constitute official notice of government action.

2. The Office of the Consumer Counsel in the Department of Justice appears at this

time to be the agency best prepared to publish such a bulletin. If the bulletin were undertaken by that Office, it could not only disseminate information, but also stimulate public response, thus aiding the effective discharge of the duties of the Consumer Counsel.

3. Initial circulation should include the press, consumer organizations, public and scholastic libraries, and individuals who request to be put on the mailing list. Format, subscription costs, frequency of publication, and related matters should be the subject of study during the experiment.

4. After a reasonable period of time, the effectiveness of and interest in the bulletin should be evaluated to determine whether it should be continued and, if so, in what form.

RECOMMENDATION NO. 5—REPRESENTATION OF THE POOR IN AGENCY RULEMAKING OF DIRECT CONSEQUENCE TO THEM.

Recommendation

A. Agency efforts

1. Federal agencies should engage more extensively in affirmative, self-initiated efforts to ascertain directly from the poor their views with respect to rulemaking that may affect them substantially. For this purpose, agencies should make strong efforts, by use of existing as well as newly devised procedures, to obtain information and opinion from those whose circumstances may not permit conventional participation in rulemaking proceedings. The "rulemaking" referred to is that defined by the Administrative Procedure Act, § 2(c), 5 U.S.C. 551 (4) and (5).

2. Agencies should employ as many of the following procedures as are feasible, practicable, and necessary to assure their being fully informed concerning the relevant interests of the poor:

(a) Agencies should seek to inform the poor of all rulemaking proposals that may affect them substantially and should provide opportunities for the poor to submit their views concerning these and related proposals.

(b) Agencies should hold formal public hearings or informal conferences in close geographic proximity to the poor substantially affected by contemplated rulemaking.

(c) Agencies should take care to invite individuals constituting a representative cross-section of the poor to submit their views orally or in writing as to proposed rules substantially affecting the poor.

(d) Agencies should conduct field surveys among the poor to discover their attitudes concerning particular government policy-making substantially affecting them.

(e) Agencies should use advisory committees made up of representatives of the poor as continuing consultants for all programs having a substantial effect on such persons.

(f) When necessary to assure adequate representation for the poor, agencies should pay the personal expenses and wage losses incurred by individuals incident to their participation in rulemaking hearings. Congress should support agency requests for funds and for authority, where none exists, to make discretionary payments for this purpose. Agencies already authorized to make such payments in whole or in part should use their existing authority and should allocate funds accordingly.

In deciding whether the use of any one or more of the above devices is feasible, practicable, or necessary in a given situation, agencies should resolve doubts in favor of utilizing them; but their enumeration should not exclude or discourage the development and use of other devices to achieve the same result.

In carrying out paragraphs 1 and 2 of this Recommendation, agencies should consult with and coordinate their efforts with other Federal agencies having responsibilities in this area and should make maximum feasible use of the facilities of such other agencies for communicating with and obtaining expressions of the views of the poor.

3. Agencies should be encouraged in appropriate circumstances to determine that the exemptions in 5 U.S.C. 553(a) (2) should not be applied with respect to rulemaking which may have a substantial impact on the poor.

B. People's Counsel

4. (a) An organization should be authorized by statute to employ a staff to act as "People's Counsel." The People's Counsel should represent the interests of the poor in all Federal administrative rulemaking substantially affecting the poor.

(b) The People's Counsel should be charged with assuring that the views of significant separable minority interests among the poor are represented in such Federal administrative rulemaking.

(c) The People's Counsel should be required to disseminate to all interested poor people's organizations pertinent information concerning rulemaking substantially affecting the poor.

(d) The People's Counsel should be authorized to participate suitably in its own name to represent the interests of the poor in any Federal agency proceedings in which the poor have a substantial interest.

(e) The People's Counsel should be authorized to provide representation for organizations and groups of the poor who seek judicial review of administrative action substantially affecting their interests. This recommendation is not to alter the kinds of agency action amenable to judicial review, the requirements of standing to seek review, or the scope of that review.

(f) As an incident to its main responsibilities the People's Counsel should be empowered to recommend to Congress or the President or to both such legislation or other action as it deems appropriate to correct deficiencies in or otherwise improve Federal programs having a substantial impact on the poor.

5. (a) Congress should provide for an appropriate body to perform the functions outlined in Section 4. Deserving of consideration as such body would be a new single-purpose corporation, to be created by Congress, modeled on the Corporation for Public Broadcasting, Pub. Law 90–129, 81 Stat. 368 (1967), 47 U.S.C. (Supp. III) 396, and to be known as the People's Counsel Corporation. In the event this form of organization is adopted, the following considerations should apply:

(1) The People's Counsel Corporation should be made tax exempt and authorized to accept grants of private funds. Gifts to the Corporation should be made deductible as charitable contributions for Federal income tax purposes.

(2) Federal financing of the Corporation should be made available to the extent necessary to assure its effective operation.

(3) The governing board of the People's Counsel Corporation should be constituted to give the poor meaningful representation thereon. Such body should be constituted to ensure close communication with the poor and effective representation of the viewpoints of the poor.

6. All Federal agencies should be required by Executive order to notify the People's Counsel of all proposed rules which would have a substantial impact on the poor. Agencies also should be required by that Executive order to give the People's Counsel an opportunity to present the views of the poor with respect to such proposed rules. Exceptions to these obligations should be permitted only "when the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that [such] notice and . . . [an opportunity for the People's Counsel to represent its views] are impracticable, unnecessary, or contrary to the public interest." (See 5 U.S.C. 553(b) (B).) In these exceptional cases, agencies should be required to notify the People's Counsel as soon as practicable of any consummated rulemaking substantially affecting the poor, and should be required to give the Counsel as soon as practicable an opportunity to communicate to the agency its views concerning the desirability of further action with respect to such rulemaking.

Without prejudice to creating or empowering any other appropriate body to perform the general functions outlined in paragraphs 4, 5, and 6, any special provision therefor should be so structured as to take maximum advantage of the capabilities in this field of non-government organizations, and of other public bodies, including notably the Office of Economic Opportunity.

SEPARATE STATEMENTS CONCERNING RECOMMENDATION NO. 5—REPRESENTATIVE OF THE POOR IN AGENCY RULEMAKING

John H. Crooker, Jr. The majority position with respect to Recommendation No. 5 is that "Federal agencies" *should* make strong efforts to ascertain from the poor their views regarding rulemaking "that may affect them substantially." I believe that (a) the major independent agencies are seldom involved in rulemaking affecting the poor except insofar as the poor are members of the public generally; and (b) it was the intent of the Congress, in establishing the Administrative Conference, to have studies conducted and information collected and interchanged, so that administrative agencies might improve and expedite their general procedures.

Therefore, I doubt that the Congress, in enacting section 5 of the Administrative Conference Act, 5 U.S.C. 574, intended that the Conference should address itself to the matters treated in Recommendation No. 5. My dissent is not, in any way, directed to the wording of the recommendation.

Paul Rand Dixon. I disagree with the adoption of paragraphs 4, 5, and 6 of Recommendation No. 5 developed by the Committee on Rulemaking respecting the creation of a People's Counsel to represent the poor generally before Federal administrative bodies. I am fully aware of and sympathetic with the plight of the poor in our society. I recognize it as one of the primary problems that must be solved if our democratic way is to survive. However, I am fully of the opinion that this is a problem that should be debated and resolved by Congress. I find nowhere in the legislative history leading to the creation of the Administrative Conference of the United States any thought that the Administrative Conference would delve into this social problem. Even if I could bring myself to the thought that it was rightfully within the purview of the duties of the Administrative Conference to deal with the plight of the poor, I still would question the wisdom of creating a Poor People's Counsel as the sole, if not principal, protector of the rights of the poor. The plight of the poor needs everyone's protection, not just the protection of a People's Counsel.

So that my position will not be misunderstood, I want it clearly known that I stand in the forefront of those who deem it necessary to do more to protect those low-income people in our society who are generally classified as poor.

Joe M. Kilgore (joined by Richard H. Keatinge, Jim C. Langdon, Norman A. Flaningam,[1] Ross L. Malone, Starr Thomas, Harold L. Russell). We did not support paragraphs 4, 5, and 6 of Recommendation No. 5. We do support encouraging the formation of and recognition of a People's Counsel, as a private entity, to represent the public interest in the area of rulemaking in Federal agencies; with such Counsel being oriented to represent most fully those of the public whose interests would otherwise be un-represented or under-represented; and with such People's Counsel being eligible to receive Federal grants as required to permit its function.

---

[1] Mr. Flaningam joins in this statement noting that the term "rulemaking" as used therein refers to Federal agency processes for formulation, amendment, or repeal of rules of general applicability.

This dissent from the majority view is dictated by:

1. The concern that this proposed function should be restricted, at least until experience might dictate otherwise, to the rulemaking function.

2. The belief that the proposed representation should not be limited to any segment of the public, even though its principal thrust would be so directed.

Malcolm S. Mason. I support the purposes of this recommendation. When a People's Council is constituted, however, it is important to make a distinction between two kinds of advocacy, so different that they cannot be directly conducted by the same organization. There is first of all adversary advocacy, owing an attorney's complete loyalty to a specific client. In this sense, there cannot be a People's Counsel for *the* poor, because the poor are many and different and must be able to speak with many voices. This kind of advocacy is needed. It must be aggressive and hard-hitting. If it is conducted directly by a Government or Government-controlled agency, its independence may be impaired. For this kind of advocacy an appropriate model is suggested by the Legal Services Program conducted by many separate private local organizations: funded by OEO, but free, and indeed encouraged, to act fully on behalf of an actual client without limiting its vigor by reason of relationship to OEO. This, I believe, will also be the pattern of the new HEW Legal Services Program.

There is also cooperative advocacy: unaggressive, quiet, nonadversary, seeking to foster an awareness, a concern and a more lively recognition that poor people are affected by proposed administrative action. This kind of advocacy can be conducted by a Government or quasi-Government organization without inconsistency and with benefit to the effectiveness of its work. An appropriate model is suggested by such accomplishments as new rules on loans to demonstration cooperatives of poor farmers (achieved by mutual agreement of the Department of Agriculture and OEO); new clarification of Government security regulations, removing barriers to the employment of hard-core unemployed with a criminal record (achieved by joint action of the Department of Defense, Department of Labor and OEO); a new consensus on the wider use of policy advisory boards in programs affecting the poor (resulting in part from encouragement of this kind of action by OEO).

I urge that the Conference Recommendation be implemented. In its implementation, contributions already made in this field should be recognized and used as a basis for expanded activity. The distinction between the two different types of advocacy should also be reflected in the choice of appropriate structure. Both are needed.

Nathaniel L. Nathanson. I would like to explain why I voted in favor of the recommendation for a People's Counsel, as amended during the debate, because I believe that my interpretation of the final action taken may have been shared by others who also voted in favor of the proposal and is therefore entitled to some consideration in efforts to secure its implementation.

While I was deeply troubled by some of the arguments advanced against the proposal, particularly by the misgivings expressed concerning the arrogance of a government agency or public corporation undertaking to determine the interests of the poor in particular agency action, I felt that this concern could be met by emphasis upon the representative character of the People's Counsel and a requirement that specific, identifiable interests be represented, rather than hypothetical interests which might be imagined by the People's Counsel. This requirement could appropriately be implemented by the further requirement that those interests be identified in the form of particular groups or associations who could determine their own interests and make their own wishes or basic positions known to the People's Counsel. This view was certainly made explicit in the amendment, proposed by the Judicial Review Committee and accepted by the Rulemaking Committee, to paragraph 4(e) and it is also consistent with the final language of paragraph 4(d) as amended in the course of the debate so as to substitute "participate suitably" for the original word "intervene." This left a large measure of discretion to each agency in allowing participation by the People's Counsel in a particular proceeding, including the requirement of a showing that the concern or position which the People's Counsel undertook to present was in fact shared by an identifiable group of people who were at least informed of the position which the People's Counsel was taking. I also doubt that the leaders of the Poor People's movement who were quoted by Professor Bonfield as favorable to the proposal envisaged a People's Counsel who would not be in any way answerable to the people he undertook to represent.

I appreciate that this interpretation, emphasizing as it does the representation of identifiable groups who may exercise some control over the People's Counsel, may not be entirely acceptable to the original proponents of the proposal, particularly those who accepted the amendments with some reluctance. Nevertheless, they did accept the amendments, presumably for the purposes of mollifying the opposition and with some appreciation of the fact that the reasons for the amendments were more than technical. Particularly in view of the closeness of the vote on the final approval of paragraphs 4, 5, and 6, the original proponents are hardly now in a position to insist upon the rejection of a reasonable interpretation which may have been decisive in the approval of the recommendation. They may also take some comfort in the fact that the current requirements for standing to participate in both administrative and judicial proceedings by groups indirectly affected by governmental action will scarcely inhibit the activities of a People's Counsel anxious and resourceful enough to find out what the people he purports to represent really want.

Robert W. Graham. May I respectfully record my dissent from the recommendations of the Conference embodied in paragraphs 4, 5, and 6 of Recommendation No. 5. No one can disagree with the stated objectives of these recommendations, and I do not. However, I do not conceive that these recommendations are appropriate within the mission of the Administrative Conference in its efforts to seek improvement of administrative procedures. Furthermore, I consider unsound attempts to fractionate the public interest which is properly the concern of our Federal administrative agencies.

RECOMMENDATION NO. 6—DELEGATION OF FINAL DECISIONAL AUTHORITY SUBJECT TO DISCRETIONARY REVIEW BY THE AGENCY

Recommendation

1. In order to make more efficient use of the time and energies of agency members and their staffs, to improve the quality of decision without sacrificing procedural fairness, and to help eliminate delay in the administrative process, every agency having a substantial caseload of formal adjudications should consider the establishment of one or more intermediate appellate boards or the adoption of procedures for according administrative finality to presiding officers' decisions, with discretionary authority in the agency to affirm summarily or to review, in whole or in part, the decisions of such boards or officers.

2. Section 8 of the Administrative Procedure Act, 5 U.S.C. 557, should be amended as necessary to clarify the authority of agencies to restructure their decisional processes along either of the following lines:

(a) Intermediate appellate boards

(1) Whenever an agency deems it appropriate for the efficient and orderly conduct of its business, it may, by rule or order:

(A) establish one or more intermediate appellate boards consisting of agency employees qualified by training, experience, and competence to perform review functions.

(B) authorize these boards to perform functions in connection with the disposition of cases of the same character as those which may be performed by the agency.

(C) prescribe procedures for review of subordinate decisions by such boards or by the agency, and

(D) restrict the scope of inquiry by such boards and by the agency in any review, without impairing the authority of the agency in any case to decide on its own motion any question of procedure, fact, law, policy, or discretion as fully as if it were making the initial decision.

(2) Any order or decision of an intermediate appellate board, unless reviewed by the agency, shall have the same force and effect and shall be made, evidenced, and enforced in the same manner as orders and decisions of the agency.

(3) A party aggrieved by an order of such board may file an application for review by the agency within such time and in such manner as the agency shall prescribe, and every such application shall be passed upon by the agency.

(4) In passing upon such applications for review, an agency may grant, in whole or in part, or deny the application without specifying any reasons therefor. No such application shall rely upon questions of fact or law upon which the intermediate appellate board has been afforded no opportunity to pass.

(5) An agency, on its own initiative, may review in whole or in part, at such time and in such manner as it shall determine, any order, decision, report, or other action made or taken by an intermediate appellate board.

(6) If an agency grants an application for review or undertakes review on its own motion, it may affirm, modify, reverse, or set aside the order, decision, report or other action of the intermediate appellate board, or may remand the proceeding for reconsideration.

(7) The filing of an application for agency review shall be a condition precedent to judicial review of any order of an intermediate appellate board.

(8) Agency employees performing review functions shall not be responsible to or subject to the supervision or direction of any employee or agent engaged in the performance of investigative or prosecuting functions for any agency.

(b) Discretionary review of decisions of presiding officers

(1) When a party to a proceeding seeks administrative review of an initial decision rendered by the presiding officer (or other officer authorized by law to make such decision), the agency may accord administrative finality to the initial decision by denying the petition for its review, or by summarily affirming the initial decision, unless the party seeking review makes a reasonable showing that:

(A) a prejudicial procedural error was committed in the conduct of the proceeding, or

(B) the initial decision embodies (i) a

finding or conclusion of material fact which is erroneous or clearly erroneous, as the agency may by rule provide, (ii) a legal conclusion which is erroneous, or (iii) an exercise of discretion or decision of law or policy which is important and which the agency should review.

(2) The agency's decision to accord or not to accord administrative finality to an initial decision shall not be subject to judicial review. If the initial decision becomes the decision of the agency, however, because it is summarily affirmed by the agency or because the petition for its review is denied, such decision of the agency will be subject to judicial review in accordance with established law.

RECOMMENDATION NO. 7—ELIMINATION OF JURISDICTIONAL AMOUNT REQUIREMENT IN JUDICIAL REVIEW

Recommendation

Title 28 of the United States Code should be amended to eliminate any requirement of a minimum jurisdictional amount before United States district courts may exercise original jurisdiction over any action in which the plaintiff alleges that he has been injured or threatened with injury by an officer or employee of the United States or any agency thereof, acting under color of Federal law. This amendment is not to affect other limitations on the availability or scope of judicial review of Federal administrative action.

RECOMMENDATION NO. 8—JUDICIAL REVIEW OF INTERSTATE COMMERCE COMMISSION ORDERS

Recommendation

Judicial review of orders of the Interstate Commerce Commission in cases where at present a special three-judge District court is used under 28 U.S.C. 2325 should be by petition to review in the United States Courts of Appeals in the same general manner as review of agency orders under the Judicial Review Act of 1950, 28 U.S.C. (Supp. II, 1967) 2341–2352.

S. 1146—INTRODUCTION OF BILL TO ESTABLISH A NATIONAL COMMISSION ON LIBRARIES AND INFORMATIVE SCIENCE

Mr. NELSON. Mr. President, today I am introducing legislation to help the Nation's libraries keep pace with the rapid changes in communication and education needs.

We must establish the means for a comprehensive examination of the Nation's library needs from the smallest rural school to the largest municipality.

This bill will create a National Commission on Libraries and Informative Science to assess the adequacies and deficiencies of all libraries, stimulate research and development in informative sciences, and encourage the maximum utilization of library resources to serve economically and culturally deprived citizens.

The resources of existing public libraries should be made available to people in all neighborhoods through storefront library substations and bookmobiles. The increasing demands of today's job market require a good reading ability based on good instruction in the schools and an opportunity for continued reading away from school.

Not only must we strengthen the community library system but there is even a more severe problem in our elementary and secondary schools where more than 36,000 schools serving millions of children have no libraries.

In addition, many existing school libraries are far below the recognized standards for libraries. These standards include a minimum number of books per pupil and recommended annual expenditures for books, periodicals, and audiovisual materials.

This is a period of history when libraries should be able to offer recording facilities, microfilms, slides, magnetic, and video tapes along with the usual selection of books, maps, and charts.

We should determine what role Federal, State, and local governments can play in maintaining and strengthening community library systems across the country.

In October 1968, the National Advisory Commission made five basic recommendations as a result of its 2-year special study. These recommendations included:

First. The establishment of a National Commission on Libraries as a continuing Federal planning agency.

Second. The recognition and strengthening of the role of the Library of Congress as the National Library of the United States.

Third. The establishment of a Federal Institute of Library Information Services as the principal center for basic and applied research.

Fourth. The recognition and full acceptance of the critically important role that the U.S. Office of Education currently plays in meeting needs for library services.

Fifth. The strengthening of State library agencies to overcome deficiencies in fulfilling their current functions.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1146) to establish a National Commission on Libraries and Informative Science, introduced by Mr. Nelson, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

S. 1147—INTRODUCTION OF A BILL TO CREATE A CLOTHING STAMP PROGRAM

Mr. WILLIAMS of New Jersey. Mr. President, in recent days we have heard much about the chronic hunger and malnutrition existing in the United States. There can be no question that food is the most basic of all human needs. I was glad to support the budget of the Select Committee on Nutrition and Human Needs chaired by the able Senator from South Dakota (Mr. McGovern) in order that a complete inquiry can be made into this area.

One wonders, however, what happens to the other human needs. Surely they, too, must be met if one is to have any hope of leading a healthy and productive life. What do the poverty-stricken families do about clothing, for example—a need which has to be among the basic three?

Mr. President, these families have so many expenses pressing upon them that clothing purchases are made only when money can be snatched away from some other use. A man's shirt, a cotton dress, a child's shoes do not have money earmarked for them in poverty families. Instead, they are pushed aside until they cannot be stalled any longer.

We are already committed to the war on poverty and, indeed, we have made great strides toward the amelioration of poverty. We have a Food Stamp Act, and in the last Congress, a comprehensive housing bill which will greatly benefit low-income families was enacted. But this is not enough. If our efforts are to be successful, we must simultaneously wage the war on all fronts. It is not enough to feed the poor so that they can go to school to learn and leave them without clothes to wear to school. Realizing that the attack must be a multipronged one, I am introducing legislation today to authorize the Secretary of Health, Education, and Welfare to establish a clothing stamp program.

Under my bill, the Secretary of Health, Education, and Welfare would be authorized to establish a clothing stamp program which would operate similarly to the food stamp program. The program would be administered in close concert with the several States but where a State for some reason refuses to participate in the program, the Secretary could establish and operate the program himself, or through a nonprofit organization or agency.

The basic thrust of the bill is to provide low-income families with an opportunity to buy basic items of clothing through the issuance of a coupon allotment. The coupon allotment would cost approximately what these families normally spend for clothing, but would have a value which would permit these families to dress decently, if modestly, for the first time.

The families could use their additional purchasing power to buy such basic items as pants, shirts, dresses, winter coats, rainwear, and socks and shoes for young children to wear to school. Blankets, sheets, pillow cases, and other basic items made of cloth which are necessary around the home would also be included.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the Record at the close of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1).

Mr. WILLIAMS of New Jersey. Mr. President, the poverty epidemic has not discriminated in the selection of its victims. White and black alike have fallen to its disabling and often fatal blows. In the city of Newark, N.J., for example, 38 percent of the population in 1966 had family incomes of less than $5,000. When confined to just the hard-core ghetto area, this figure increases to more than 50 percent. Roughly 17 percent of Newark's households reported incomes of less than $3,000 per year, while this figure was almost 25 percent for the hard-core area. When you combine this with the fact that 83 percent of the children in the elementary school grades are Negro, then the problem becomes obvious. But this is not unique with New

Jersey. Every State, both urban and rural, has been affected.

The dilemma of rural poverty, while not as obvious and which does not receive as much public attention, is also very pressing despite the fact that the convulsive conditions of the cities can be traced, at least in part, to the quieter, but more deep-seated crises in our rural areas. One-fifth of a Southern State's 5 million people, for example, live in poverty; one-half of these live in rural areas; and two of every three rural families in the State are white.

I believe that my bill will add a significant link in the war against poverty. I am particularly concerned about the large number of children who are ill clothed. I have no doubt that a great number of them do not go to school primarily because they do not have clothes to wear. I suppose, also, that a large number of schoolchildren miss days in school to work so that they might have money with which to buy clothes.

Mr. President, there is no doubt that a need for this type of legislation exists. I believe that my bill is a reasonable approach toward the satisfaction of the need, and I ask all Members of Congress to support it.

The bill (S. 1147) to authorize the Secretary of Health, Education, and Welfare to provide basic wearing apparel, adequate footwear and other articles of clothing for needy, distressed, and low-income families through a cooperative Federal-State clothing stamp program, and for other purposes, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

EXHIBIT 1

S. 1147

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Clothing Stamp Act of 1969."

DECLARATION OF POLICY

SEC. 2. It is hereby declared to be the policy of the Congress to promote the general welfare of this nation by employing its wealth, as provided in this Act, to assist the several states in their political subdivisions to insure that the needy, distressed, and low-income families of this country have adequate footwear, wearing apparel and other articles of clothing, and household items made of cloth. To effectuate the policy of Congress and the purposes of this Act, a clothing stamp program, which will permit those households with low incomes to obtain basic and adequate clothing, is herein authorized.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(b) The term "clothing" means wearing apparel, footwear, and rainwear.

(c) The term "household items made of cloth" includes bedclothes such as sheets, pillow cases, blankets, bedspreads and other articles of cloth used in the household, but does not include window dressings.

(d) The term "retail dry-goods stores" means an authorized establishment, including a recognized department thereof, which sells clothing and household items made of cloth, directly to consumers.

(e) The term "wholesale clothing concern" means an establishment which sells clothing and household items made of cloth, to retail dry-goods stores for resale to consumers.

(f) The term "coupon" means any coupon, stamp, or type of certificate issued pursuant to the provisions of this Act.

(g) The term "coupon allotment" means the total value of coupons to be issued to a household during each month or other time period.

(h) The term "household" means a group of related or non-related individuals, who are not residents of an institution or boarding house, but are living as one economic unit and whose clothing is purchased with resources from a common fund. The term "household" shall also include a single individual living alone.

(i) The term "State Agency" means the agency of the State government which has responsibility for the administration of the federally aided public assistance programs.

(j) The term "bank" means member or non-member banks of the Federal Reserve System.

(k) The term "State" includes the fifty States, the District of Columbia, Puerto Rico, Guam, American Samoa, the trust territory of the Pacific Islands and the Virgin Islands.

(l) The term "Clothing Stamp Program" means any program promulgated pursuant to the provisions of this Act.

ESTABLISHMENT OF PROGRAM

SEC. 4. (a) The Secretary is authorized to formulate and administer a clothing stamp program under which, at the request of an appropriate State agency, eligible households within the State shall be provided with an opportunity to obtain basic clothing and household items which are made of cloth, through the issuance to them of a coupon allotment which shall have a greater monetary value than their normal expenditures for clothing. The coupons so received by such households shall be used only to purchase clothing or household items made of cloth from retail dry goods stores which have been approved for participation in the clothing stamp program. Coupons issued and used as provided for in this Act shall be redeemable at face value by the Secretary through the facilities of the Treasury of the United States.

(b) The Secretary shall issue such regulations, not inconsistent with this Act, as he deems necessary or appropriate for the effective and efficient administration of the clothing stamp program.

ELIGIBLE HOUSEHOLDS

SEC. 5 (a) Participation in the clothing stamp program shall be limited to those households whose income is determined to be a substantial limiting factor in obtaining adequate clothing and necessary household items made of cloth.

(b) In complying with the limitation on participation set forth in subsection (a) of this section, each State agency shall establish standards to determine the eligibility of applicant households. Such standards shall include maximum income limitations consistent with the income standards used by the State agency in administering its federally aided public assistance programs. Such standards also shall place a limitation on the resources to be allowed eligible households. The standards of eligibility to be used by each State for the clothing stamp program shall be subject to the approval of the Secretary.

COUPONS

SEC. 6 (a) Coupons shall be printed in such denominations as may be determined to be necessary, and shall be issued only to households which have been duly certified as eligible to participate in the clothing stamp program.

(b) Coupons issued to eligible households shall be used by them only to purchase clothing and household items made of cloth in retail dry goods stores which have been approved for participation in the clothing stamp program at prices prevailing in such stores: *Provided*, that nothing in this Act shall be construed as authorizing the Secretary to specify the prices at which clothing and household items made of cloth may be sold by wholesale clothing concerns or retail dry goods stores.

(c) Coupons issued to eligible households shall be simple in design and shall include only such words or illustrations as are required to explain their purpose and define their denominations. The name of any public official shall not appear on such coupons.

VALUE OF COUPONS AND CHARGES TO BE MADE

SEC. 7. (a) The face value of the coupon allotment which State agencies shall be authorized to issue to households certified as eligible to participate in the clothing stamp program shall be in such amount as will assist such households with an opportunity to obtain at prices they can reasonably afford to pay, adequate clothing and necessary household items made of cloth to protect their health and welfare: *Provided*, That nothing in this Act shall be interpreted as precluding the issuance of stamps free of charge.

(b) Eligible households shall be charged such portion of the face value of the coupon allotment issued to them as may be determined by the Secretary to be equivalent to, but in no case shall this amount be greater than, their normal expenditures for clothing and household items made of cloth.

(c) The value of the coupon allotment provided to any eligible household which is in excess of the amount charged such households for such allotment shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs.

(d) Funds derived from the charges made for the coupon allotment shall be promptly deposited in a manner prescribed in the regulations issued pursuant to this Act, in a separate account maintained in the Treasury of the United States for such purpose. Such deposits shall be available, without limitation to fiscal years, for the redemption of coupons.

APPROVAL OF RETAIL DRYGOODS AND WHOLESALE CLOTHING CONCERNS

SEC. 8. (a) Regulations issued pursuant to this Act shall provide for the submission of applications, for approval, by retail dry-goods stores and wholesale clothing concerns which desire to be authorized to accept and redeem coupons under the clothing stamp program and for the approval of those applicants whose participation will effectuate the purposes of the clothing stamp program. In determining the qualifications of retail dry-goods stores and wholesale clothing concerns there shall be considered among such other factors as may be appropriate, the following: (1) the nature and extent of the retail or wholesale business conducted by the applicant; (2) the volume of coupon business which may reasonably be expected to be conducted by the applicant retail dry-goods store or wholesale clothing concern; and (3) the business integrity and reputation of the applicant. Approval of any applicant shall be evidenced by the issuance to such applicant of a nontransferable certificate of approval.

(b) Regulations issued pursuant to this Act shall require an applicant retail dry-goods store or wholesale clothing concern to submit information which will permit a determination to be made as to whether such applicant qualifies, or continues to qualify, for approval under the provisions of this Act or the regulations issued pursuant to this Act. Regulations issued pursuant to this Act shall provide safeguards which restrict the use or disclosure of information obtained under the authority granted by this subsection to purposes directly connected with administration and enforcement of the provisions of this Act or the regulations issued pursuant to this Act.

(c) Any retail dry-goods store or wholesale concern which has failed upon application to receive approval to participate in the clothing stamp program may obtain a hearing on such refusal as provided in section 12 of this Act.

REDEMPTION OF COUPONS

SEC. 9. Regulations issued pursuant to this Act shall provide for the redemption of coupons accepted by retail dry-goods stores through approved wholesale concerns or through banks, with the cooperation of the Treasury Department.

ADMINISTRATION OF CLOTHING STAMP PROGRAM

SEC. 10. (a) All practicable efforts shall be made in the administration of the clothing stamp program to insure that participants use their increased clothing purchasing power to obtain those basic clothes and household items made of cloth most needed to protect their health and welfare. In addition to such steps as may be taken administratively, the voluntary cooperation of existing Federal, State, local, or private agencies which carry out informational and educational programs for consumers shall be enlisted.

(b) The State agency of each participating State shall assume responsibility for the certification of applicant households and for the issuance of coupons: *Provided*, That the State agency may, subject to State law, delegate its responsibility in connection with the issuance of coupons to another agency of the State government. There shall be kept such records as may be necessary to ascertain whether the program is being conducted in compliance with the provisions of this Act. Such records shall be available for inspection and audit at any reasonable time, not in excess of three years, as may be specified in the regulations.

(c) In the certification of applicant households for the clothing stamp program there shall be no discrimination against any household by reason of race, religious creed, national origin or political beliefs.

(d) Participating States or participating political subdivisions thereof shall not decrease welfare grants or other similar aid extended to any person or persons as a consequence of such person's or persons' participation in benefits made available under the provisions of this Act, or the regulations issued pursuant to this Act.

(e) The State agency of each State desiring to participate in the clothing stamp program shall submit for approval a plan of operation specifying the manner in which such programs will be conducted within the State, the political subdivisions in the State in which the State desires to conduct the program, and the effective dates of participation by each such political subdivision. In addition, such plan of operation shall provide, among such other provisions, as may by regulation be required, the following: (1) the specific standards to be used in determining the eligibility of applicant households; (2) that the State agency shall undertake the certification of applicant households in accordance with the general procedures and personnel standards used by them in the certification of applicants for benefits under the federally aided public assistance programs; (3) safeguards which restrict the use or disclosure of information obtained from applicant households to persons directly connected with the administration or enforcement of the provisions of this Act or the regulations issued pursuant to this Act; (4) for the submission of such reports and other information as may from time to time be required. In approving the participation of the subdivisions requested by each State in its plan of operation, the Secretary shall provide for an equitable and orderly expansion among the several States in accordance with their relative need and readiness to meet their requested effective dates of participation: *Provided*, That if a State does not desire to participate in the clothing stamp program or if a State agency is disqualified from participating under subsection (f) of this section, the Secretary may after determining that a definite need for the program exists in the State or subdivision served by the disqualified State agency, establish and operate the program himself or through a public or private nonprofit agency or organization, which agency shall be subject to the same rights and regulations, where possible and reasonable, as if it were a State agency.

(f) If the Secretary determines that in the administration of the program there is a failure by a State agency to comply substantially with the provisions of this Act, or with the regulations issued pursuant to this Act, or with the State plan of operation, he shall inform such State agency of such failure and shall allow the State agency a reasonable period of time for the correction of such failure. Upon the expiration of such period, the Secretary shall direct that there be no further issuance of coupons in the political subdivisions where such failure has occurred until such time as satisfactory corrective action has been taken.

(g) If the Secretary determines that there has been gross negligence or fraud on the part of the State agency in the certification of applicant households, the State shall, upon request of the Secretary, deposit into the separate account authorized by section 6 of this Act, a sum equal to the amount by which the value of any coupons issued as a result of such coupons under section 6(b) of this Act.

DISQUALIFICATION OF RETAIL DRYGOODS STORES AND WHOLESALE CLOTHING CONCERNS

SEC. 11. Any retail drygoods store or wholesale concern may be disqualified from further participation in the clothing stamp program on a finding, made as specified in the regulations, that such store or concern has violated any of the provisions of this Act, or the regulations issued pursuant to this Act. The action of disqualification shall be subject to review as provided in section 12 of this Act.

DETERMINATION AND DISPOSITION OF CLAIMS

SEC. 12. The Secretary shall have the power to determine the amount of and settle and adjust any claim and to compromise or deny all or part of any such claim or claims arising under the provisions of this Act or the regulations issued pursuant to this Act.

ADMINISTRATIVE AND JUDICIAL REVIEW

SEC. 13. Whenever—

(a) an application of a retail drygoods store or wholesale clothing concern to participate in the clothing stamp program is denied, or

(b) a retail dry-goods store or a wholesale clothing concern is disqualified under the provisions of Section 10 of this Act, or

(c) all or part of any claim of a retail clothing store or wholesale concern is denied under the provisions of Section 11 of this Act, notice of such administrative action shall be issued to the retail dry-goods store or wholesale concern involved. Such notice shall be delivered by certified mail or made by personal service. If such store or concern is aggrieved by such action, it may, in accordance with regulations promulgated under this Act, within ten days of the date of delivery or service of such notice, file a written request for an opportunity to submit information in support of its position to such person or persons as the regulations may designate. If such a request is not made or if such store or concern fails to submit information in support of its position after filing a request, the administrative determination shall be final. If such a request is made by such store or concern, such information as may be submitted by the store or concern, as well as such other information as may be available, shall be reviewed by the person or persons designated, who shall, subject to the right of judicial review hereinafter provided, make a determination which shall be final and which shall take effect fifteen days after the date of the delivery or service of such final notice of determination. If the store or concern feels aggrieved by such final determination it may obtain judicial review thereof by filing a complaint against the United States in the United States District Court for the district in which it is located or is engaged in business, within thirty days after delivery or service upon it of the final notice of determination, requesting the court to set aside such determination. The copy of the summons and complaint required to be delivered to the official or agency whose order is being attacked shall be sent to the Secretary or such person or persons as he may designate to receive service of process. The suit in the United States District Court shall be without regard to jurisdictional amount and shall be a trial *de novo* by the court in which the court shall determine the validity of the questioned administrative action in issue. If the court determines that such administrative action is invalid it shall enter such judgment or order as it determines is in accordance with the law and evidence. During the pendency of such judicial review, or any appeal therefrom, the Administrative action under review shall be and remain in full force and effect, unless an application to the court on not less than ten day's notice, and after hearing thereon and a showing of irreparable injury, the court temporarily stays such administrative action pending disposition of such trial or appeal.

VIOLATIONS AND REINFORCEMENTS

SEC. 14. (a) Notwithstanding any other provision of this Act the Secretary may provide for the issuance or presentment for redemption of coupons to such person or persons, and at such times and in such manner, as he deems necessary or appropriate to protect the interests of the United States to ensure enforcement of the provisions of this Act or the regulations issued pursuant to this Act.

(b) Whoever knowingly uses, transfers, acquires, or possesses coupons in any manner not authorized by this Act or the regulations issued pursuant to this Act shall, if such coupons are of the value of $100 or more, be guilty of a felony and shall, upon conviction thereof be fined not more than $10,000 or imprisoned for not more than five years, or both, or, if such coupons are of a value of less than $100, shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not more than $5,000 or imprisoned for not more than one year, or both.

(c) Whoever presents, or causes to be presented, coupons for payment or redemption of the value of $100 or more, knowing the same to have been received, transferred, or used in any manner in violation of the provisions of this Act shall be guilty of a felony and shall, upon conviction thereof, be fined not more than $10,000 or imprisoned for not more than five years, or both, or, if such coupons are of a value of less than $100, shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not more than $5,000 or imprisoned for not more than one year, or both.

(d) Coupons issued pursuant to this Act shall be deemed to be obligations of the United States within the meaning of Section 8 of Title 18 of the United States Code.

COOPERATION WITH STATE AGENCIES

SEC. 15. (a) Each State shall be responsible for financing, from funds available to the State or political subdivisions thereof, the costs of carrying out the administrative responsibilities assigned to it under the provisions of this Act. Except as provided for in subsection (b) of this section, such costs shall include, but shall not be limited to, the certification of households; the acceptance, storage, and protection of coupons after their delivery to receiving points within the States; and the issuance of such coupons to eligible households and the control and accounting therefor.

(b) The Secretary is authorized to cooperate with State agencies in the certification of households which are not receiving any type of public assistance so as to insure the effective certification of such households in accordance with the eligibility standards approved under the provisions of Section 4 of this Act. Such cooperation shall include payments to State agencies for part of the cost they incur in the certification of such households. The amount of such payment to any one State agency shall be 50 per centum of the sum of: (1) the direct salary costs (including the cost of such fringe benefits as are normally paid to its personnel by the State agency) of the personnel used to make such interviews and such post-interview field investigations are as necessary to certify the eligibility of such households, and of the immediate supervisor of such personnel, for such periods of time as they are employed in certifying the eligibility of such households; (2) travel and related costs incurred by such personnel in post-interview field investigations of such households; and (3) an amount not to exceed 25 per centum of the costs computed under (1) and (2) above.

APPROPRIATIONS

SEC. 16. (a) To carry out the provisions of this Act, there is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. Such portion of any such appropriation as may be required to pay for the value of the coupon allotments issued to eligible households which is in excess of the charges paid by such household for such alotments shall be transferred to and made a part of the separate account created under Section 6(d) of this Act.

(b) In any fiscal year, the Secretary shall limit the value of those coupons issued which is in excess of the value of coupons for which households are charged, to an amount which is not in excess of the portion of the appropriation for such fiscal year which is transferred to the separate account under the provisions of subsection (a) of this section. If in any fiscal year the Secretary finds that the requirements of participating States will exceed the limitation set forth herein, the Secretary shall direct State agencies to reduce the amount of such coupons to be issued to participating households to the extent necessary to comply with the provisions of this subsection.

(c) If the Secretary determines that any of the funds in the separate account created under Section 6(d) of this Act are no longer required to carry out the provisions of this Act, such portion of such funds shall be paid into the miscellaneous receipts of the Treasury.

S. 1152—INTRODUCTION OF BILL TO AMEND THE INTERNAL REVENUE CODE OF 1954

Mr. MILLER. Mr. President, I introduce for printing and appropriate reference a bill to amend the Internal Revenue Code of 1954 to exclude from gross income amounts received under insurance contracts for increased living expenses necessitated by damage to or destruction of an individual's residence. I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MILLER. Mr. President, the legislation I am introducing today is designed to correct a serious inequity in the Internal Revenue Code. Under present law, as interpreted by the Internal Revenue Service and by the courts, a person who has the misfortune of having his home damaged or destroyed by fire, tornado, hurricane, or other casualty-type incident, and who must temporarily find another residence while his home is being repaired, must declare any insurance payments covering the additional living expenses caused by this situation as taxable income.

It seems to me that these insurance payments should not be required to be included in gross income. The situation giving rise to such payments is completely beyond the control of the taxpayer—just as much as illness and accident. Benefits received under health and accident insurance policies and workmen's compensation payments are excludable from gross income. Insurance payments for additional living expenses ought to be excludable also, at least to the extent they are actually expended for additional living expenses. The bill I am introducing would do just that. My bill would allow the exclusion only to the extent the insurance received and actually paid out exceeds the normal living expenses which would have been incurred by the taxpayer and members of his household during the period for which the amounts are received. Thus, the traditional prohibition of the code against the deduction of personal expenses is maintained except in the case where expenses higher than normal are necessitated by a casualty.

Mr. President, much of my State of Iowa is subject to tornadoes. Last May one of the most devastating tornadoes in Iowa history struck the north central and northeastern parts of my State. Total damage was in the millions of dollars. Many homes in the area were either totally destroyed or damaged so extensively that they were uninhabitable until repaired. These homeowners were burdened not only with the loss of their homes but with the additional expenses of living somewhere else. For those who received additional living expense insurance payments, the fact that they had to pay income taxes on those payments only compounded their tragedy.

I urge the early consideration of this bill.

The bill (S. 1152) to amend the Internal Revenue Code of 1954 to exclude from gross income amounts received under insurance contracts for increased living expenses necessitated by damage to or destruction of an individual's residence, introduced by Mr. MILLER, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD.

EXHIBIT 1

S. 1152

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part III of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically excluded from gross income) is amended by renumbering section 123 as 124, and by inserting after section 122 the following new section:

"Sec. 123. Amounts received under insurance contracts for certain living expenses

"(a) GENERAL RULE.—In the case of an individual whose residence is damaged or destroyed by fire, storm, or other casualty, gross income does not include amounts received by such individual under an insurance contract which are paid to compensate or reimburse such individual for living expenses incurred for himself and members of his household resulting from the loss of use or occupancy of such residence.

"(b) LIMITATION.—Subsection (a) shall apply only to the extent such amounts do not exceed

"(1) the actual living expenses incurred during such period for himself and members of his household resulting from the loss of use or occupancy of their residence, over and above

"(2) the normal living expenses which would have been incurred for himself and members of his household during such period."

(b) The table of sections for such part III is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 123. Amounts received under insurance contracts for certain living expenses

"Sec. 124. Cross references to other Acts"

(c) The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act, and notwithstanding any other law or rule of law, to amounts received in any prior taxable year with respect to which, at the time claim for credit or refund is made, the period of limitations for making such claim has not run.

S. 1167—INTRODUCTION OF HUMAN INVESTMENT ACT

Mr. PROUTY. Mr. President, I introduce, for appropriate reference, the Human Investment Act of 1969, a bill providing an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills and upgrading of the job skills of and providing new job opportunities for workers presently employed.

My distinguished colleagues are familiar with the provisions of this legislation and are aware of the constant revisions made to this legislation in the past. The bill I introduce today does not revise the Human Investment Act

I introduced February 17, 1969. Rather, the bill I submit today merely corrects certain inadvertent errors made in preparing S. 998.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1167) to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs, introduced by Mr. Prouty, was received, read twice by its title, and referred to the Committee on Finance.

S. 1170—INTRODUCTION OF BILL TO AUTHORIZE THE DEPARTMENT OF COMMERCE TO MAKE SPECIAL STUDIES

Mr. MAGNUSON. Mr. President, at the request of the Department of Commerce, I am introducing a bill to authorize the Department of Commerce to make special studies, to provide services, and to engage in joint projects, and for other purposes.

I ask unanimous consent that the letter of transmittal, the statement of purpose and need, and the bill be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, letter, and statement will be printed in the Record.

The bill (S. 1170) to authorize the Department of Commerce to make special studies, to provide services, and to engage in joint projects, and for other purposes, introduced by Mr. Magnuson, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 1170

Be it enacted by the Senate and House of Representatives of the United States of America assembled, That the Secretary of Commerce is authorized, upon the request of any person, firm, organization, or others, public or private, to make special studies on matters within the authority of the Department of Commerce; to prepare from its records special compilations, lists, bulletins, or reports; to perform the functions authorized by section 2 of the Act of September 9, 1950 (64 Stat. 823; 15 U.S.C. 1152); and to furnish transcripts or copies of its studies, compilations, and other records; upon the payment of the actual or estimated cost of such special work.

In the case of nonprofit organizations, research organizations, or public organizations or agencies, the Secretary may engage in joint projects, or perform services, on matters of mutual interest, the cost of which shall be apportioned equitably, as determined by the Secretary, who may, however, waive payment of any portion of such costs by others, when authorized to do so under regulations approved by the Bureau of the Budget.

Sec. 2. All payments for work or services performed or to be performed under this Act shall be deposited in a separate account or accounts which may be used to pay directly the costs of such work or services, to repay or make advances to appropriations or funds which do or will initially bear all or part of such costs, or to refund excess sums when necessary: *Provided,* That said receipts may be credited to a working capital fund otherwise established by law, and used under the law governing said funds, if the fund is available for use by the agency of the Department of Commerce which is responsible for performing the work or services for which payment is received. Acts appropriating funds to the Department of Commerce may include provisions limiting annual expenditure from said account or accounts.

Sec. 3. The following laws, or parts of laws, are hereby repealed: (a) That proviso in the Act of March 1, 1919 (ch. 86, sec. 1, at 40 Stat. 1256), which reads as follows: "*Provided further,* That all moneys hereafter received by the Bureau of Foreign and Domestic Commerce in payment of photographic and other mechanical reproduction of special statistical compilations from its records shall be covered into the Treasury as a miscellaneous receipt."

(b) The Act of May 27, 1935 (ch. 148, 49 Stat. 292; 15 U.S.C. 189a, 192, 192a).

(c) The proviso in the Act of May 15, 1936 (ch. 405, sec. 1, at 49 Stat. 1335 (15 U.S.C. 189), which reads as follows: "*Provided,* That the Secretary of Commerce may make such charges as he deems reasonable for lists of foreign buyers, special statistical services, special commodity news bulletins, and World Trade Directory Reports, and the amounts collected therefrom shall be deposited in the Treasury as miscellaneous receipts."

(d) The Act of December 19, 1942 (ch. 780, 56 Stat. 1067; 15 U.S.C. 1520).

(e) The proviso in section 3 of the Act of September 9, 1950 (64 Stat. 823; 15 U.S.C. 1153), which reads as follows: "*Provided,* That all moneys hereafter received by the Secretary in payment for publications under this Act shall be deposited in a special account in the Treasury, such account to be available, subject to authorization in any appropriation Act, for reimbursing any appropriation then current and chargeable for the cost of furnishing copies of reproductions as herein authorized, and for making refunds to organizations and individuals when entitled thereto: *And provided further,* That an appropriation reimbursed by this special account shall, notwithstanding any other provision of law, be available for the purposes of the original appropriation."

(f) The proviso in title III of the Act of Otcober 22, 1951 (ch. 533, title III, section 301 at 65 Stat. 586, 15 U.S.C. 1153a) which reads as follows: "*Provided,* That moneys hereafter received by the Secretary pursuant to section 3 of said Act of September 9, 1950, for publications provided thereunder, shall be available for reimbursing any appropriation as provided by said section."

Sec. 4. Except as to those laws expressly repealed herein, nothing in this Act shall alter, amend, modify, or repeal any existing law prescribing fees or charges or authorizing the prescribing of fees or charges for services performed or for any publication furnished by the Department of Commerce, or any of its several bureaus or offices.

The letter and statement, presented by Mr. Magnuson, are as follows:

The Secretary of Commerce,
Washington, D.C., January 9, 1969.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed are four copies of a draft bill "To authorize the Department of Commerce to make special studies, to provide services, and to engage in joint projects, and for other purposes," together with a statement of purpose and need in support thereof.

The Department of Commerce recommends enactment by the Congress of this bill which is included in the legislative program of the Department for the 91st Congress.

We were advised by the Bureau of the Budget on December 31, 1968 that from the standpoint of the Administration's program there would be no objection to the submission to the Congress of this legislation.

Sincerely yours,

C. R. Smith,
Secretary of Commerce.

Statement of Purpose and Need for Legislation To Authorize the Department of Commerce To Make Special Studies, To Provide Services and To Engage in Joint Projects, and for Other Purposes

This legislation would provide more uniform authority for the Secretary of Commerce to undertake upon request special studies of matters falling within the province of the Department of Commerce, to prepare from records of the Department special tabulation and reports, and to furnish transcripts or copies of Department records, upon payment of the cost of such work. Funds received would be deposited in a special acount and used to pay the costs of performing the requested work. A proviso in Section 2 preserves present legal authority to deposit such funds directly into existing working capital funds. In the case of non-profit organizations, research organizations, or government agencies, the Secretary would be authorized to perform services or undertake joint projects with costs shared as determined by the Secretary, or waived under criteria approved by the Bureau of the Budget.

The bill is similar to S. 3370 introduced in the 89th Congress and S. 2656 and H.R. 17501 in the 90th Congress. Several modifications included in S. 2656 and H.R. 17501 were made as a result of comments made on S. 3370 by the Comptroller General of the United States in his letter of August 11, 1966, B–134944, to the Honorable Warren G. Magnuson, Chairman, Committee on Commerce, United States Senate. Section 1 of the bill was amended to eliminate the phrase "falling within the province of the Department of Commerce," which the Comptroller General objected to, and substituting the phrase "within the authority of the Department of Commerce."

The Comptroller General also objected to the provision in S. 3370 giving the Secretary very general authority to waive payment of costs in connection with joint projects or services furnished selected non-profit and governmental organizations. Regulations of the Bureau of the Budget now provide for waiver of costs when the furnishing of the service without charge is an appropriate courtesy to a foreign country or international organization; when the recipient is engaged in a non-profit activity designed for the public safety, health or welfare; or when payment by a State, local government, or non-profit group would not be in the interest of the program. We propose to follow these Bureau of the Budget guidelines and the last sentence of Section 1 was modified to so provide.

As suggested by the Comptroller General, Section 2 of S. 3370 was deleted since P.L. 89–473 now makes available to all agencies the provisions proposed by this section. A sentence was also added at the end of the new Section 2, authorizing the Congress to limit annual expenditures under this Act whenever they feel it is desirable to do so, to meet the objections expressed by the Comptroller General to Section 3 of S. 3370.

These changes are also included in the present draft which is identical to S. 2656 and H.R. 17501.

The Department of Commerce now has authority under a number of different statutes to perform such services with respect to certain areas of the Department's work. These statutes are conflicting or overlapping and vary as to the extent to which payment may be required for the services and the use of the funds received in payment for such services. The proposed legislation would repeal a number of these statutes and substitute for them the general uniform authority described above.

The first paragraph of Section 1 of the proposed legislation combines the language of several existing statutory authorities and also includes a reference to the statute authorizing the activities of the Clearinghouse for Federal Scientific and Technical Information. Thus, the first paragraph authorizes the continuance of existing activities with the assistance of reimbursement authority. Joint projects and performance of services under the second paragraph of Section 1 will be limited in availability to non-profit or research organizations or government agencies, and in applicability to matters of material interest to the Department and the cooperating group.

The services and projects which would be performed under this proposed legislation with the assistance of reimbursement authority cover a wide range of Department activities. Among the more significant are:

1. Making available to the public a large amount of unpublished data of the Office of Business Economics. Special compilations of this data could be made in the form most usable by the requesting agency. At present such data in special forms can be compiled only with difficulty because of the restraint imposed by limitations upon the use of appropriated funds. In addition, joint analytical studies of the raw data undertaken in cooperation with non-profit research organizations would greatly enhance the knowledge available on the workings of our economy.

2. Promotion of tourism. The authority to engage in joint projects with non-profit organizations would be most helpful to our efforts in this field since it would facilitate joint preparation with non-profit organizations and State and local governments of travel promotion materials and films and in conducting cooperative research programs.

3. Making available copies of records, charts and other services of the Environmental Science Services Administration on a reimbursable basis. The authority to conduct joint operations and research with government agencies would be particularly valuable in the development of improved geodetic and meteorological information systems.

4. Provision of direct service to friendly countries and their institutions with respect to standard reference materials, samples of highly characterized materials sold by the National Bureau of Standards for such scientific uses as checking chemical analyses, temperature, color, viscosity, heat of combustion and various basic properties of materials. Special measurement services could be provided to other nations to assist in the correlation of our national measurements system with that of other nations.

The following laws or portions of laws would be repealed by the proposed legislation:

The proviso in the appropriation act of 1919 which refers to moneys received by the Bureau of Foreign and Domestic Commerce and provides for coverage of charges into the Treasury as miscellaneous receipts (40 Stat. 1256). Although the law appears to have been impliedly repealed by the Act of May 27, 1935, it should be removed from the books.

The Act of May 27, 1935 (49 Stat. 292; 15 U.S.C. 189a, 192, 192a) which authorizes the Department to make special studies and prepare statistical compilations and to deposit the moneys received in a special account. However, the provisions relating to use of funds to employ persons who are neither officers nor employees of the United States are no longer pertinent under Civil Service laws and regulations.

The proviso in the appropriation act of May 15, 1936 (49 Stat. 1335; 15 U.S.C. 189) which authorizes the Secretary of Commerce to charge for lists of foreign buyers and other services and to deposit the moneys collected into miscellaneous receipts.

The act of December 19, 1942 (56 Stat. 1067; 15 U.S.C. 1520) which authorizes the Secretary to establish schedules of reasonable fees or charges for services or publications, except services performed for or publications furnished to the Federal Government, State Governments and the District of Columbia. The Act further provides that moneys collected shall be deposited into miscellaneous receipts.

Those provisions of the Act establishing a clearinghouse for technical information (64 Stat. 823; 15 U.S.C. 1153) which authorize the Secretary to establish fees or charges for services performed or for documents or publications furnished under the Act, and the proviso in the Act of October 22, 1951 (65 Stat. 586; 15 U.S.C. 1153a) authorizing use of such funds to reimburse the applicable appropriation. Replacing the above provisions with the reimbursement provisions of this legislation will enable the Department to recover more of the costs of clearinghouse services. Present authority to recover costs has been interpreted restrictively by the Comptroller General (34 Comp. Gen. 58).

In the drafting of this proposal consideration was given to the repeal of other provisions relating to the collection of fees (13 U.S.C. 8(b), 13 U.S.C. 8(d), 15 U.S.C. 273, and 15 U.SC 275(a)), which concern the Bureau of the Census and the National Bureau of Standards, but it was decided not to recommend repeal since those provisions are part of their organic acts.

In the case of Bureau of the Census, although the draft legislation is nearly identical to the authority available to the Bureau of the Census under 13 U.S.C. 8(b) and 13 U.S.C. 8(d), these sections are interwoven with the confidentiality provisions of the basic Census data and the Census studies and surveys conducted under their organic act. Since the provisions are so nearly identical, it is believed that no purpose would be achieved in repealing the Census law. Modifications of the Census organic act would have to be very carefully worded to protect the confidentiality of Census information.

In the case of the National Bureau of Standards, the sections 15 U.S.C. 273 and 275(a) are cross-referenced through the Bureau's organic act to other special provisions of law therein. These provisions have fund implications involving the use of the NBS Working Capital Fund, the requiring of advance payments for services, and the special authority regarding equipment and property utilized by the Bureau of Standards in the conduct of its work. Accordingly it would be undesirable to repeal these provisions.

The draft legislation would permit the Department to make more widely available the valuable data, statistics and other material collected by it without additional appropriations. Similarly the authority to conduct joint projects on a cost-sharing basis would enable us to expand our basic knowledge in important fields with less appropriations than would otherwise be required.

The Department of Commerce therefore urges early enactment of the proposed draft legislation.

S. 1171—INTRODUCTION OF BILL TO PERMIT TACKING OF CITIZEN OWNERSHIP OF VESSELS FOR TRADE-IN PURPOSES

Mr. MAGNUSON. Mr. President, at the request of the Department of Commerce, I am introducing a bill to permit tacking of citizen ownership of vessels for trade-in purposes.

I ask unanimous consent that the letter of transmittal, the statement of purpose and provisions, and the bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, letter, and statement will be printed in the RECORD.

The bill (S. 1171) to permit tacking of citizen ownership of vessels for trade-in purposes, introduced by Mr. MAGNUSON, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1171

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 510(a)(1) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1160(a)(1)), is amended as follows:

(a) By striking out of subdivision (C) the words "is owned" and inserting in lieu thereof the words "has been owned".

(b) By striking out of subdivision (C) the words "and has been owned by such citizen or citizens".

(c) By changing the colon after the word "hereunder" where it first appears to a period and striking out all thereafter.

The letter and statement, presented by Mr. MAGNUSON, are as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., December 18, 1968.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed are four copies of a draft bill "to permit tacking of citizen ownership of vessels for trade-in purposes," together with a statement of purpose and need in support thereof and a comparative print showing changes the bill would make in existing law.

The Department of Commerce recommends enactment by the Congress of this bill which is included in the legislative program of the Department for the 91st Congress.

We were advised by the Bureau of the Budget on December 6, 1968 that from the standpoint of the Administration's program there would be no objection to the submission to the Congress of this legislation.

Sincerely yours,

C. R. SMITH,
Secretary of Commerce.

STATEMENT OF THE PURPOSES AND PROVISIONS OF THE DRAFT BILL TO PERMIT TACKING OF CITIZEN OWNERSHIP OF VESSELS FOR TRADE-IN PURPOSES

To be eligible for trade in under the provisions of section 510, a vessel must meet the requirements of the definition of an "obsolete vessel" contained in that section.

One of the requirements of that definition is that the vessel must be owned by a citizen or citizens of the United States and must have been owned by such citizen or citizens for at least three years before the date the vessel is traded in. This requires that the vessel must be owned by the same citizen owner for the three years prior to trade in.

Because of this requirement, if an operator sells his vessel to a citizen instead of trading it in to the United States but must repossess the vessel for non-payment of the purchase price the vessel is ineligible for trade in until three years after the repossession.

The draft bill would remedy this situation by permitting the tacking of citizen ownership to meet the three year requirement. This will encourage operators to sell their vessels in the commercial market instead of trading them in to the United States.

The draft bill also deletes a proviso in the section which by its terms expired on June 30, 1964.

Comparative text showing the changes in the Merchant Marine Act, 1936, that would be made by the draft bill to permit tacking of citizen ownership of vessels for trade-in purposes (deletions are enclosed in black brackets; new material is shown in italic):

"Sec. 510. (a) When used in this section—

"(1) The term 'obsolete vessel' means a vessel or vessels, each of which (A) is of not less than one thousand three hundred and fifty gross tons, (B) is not less than seventeen years old and, in the judgment of the Commission, is obsolete or inadequate for successful operation in the domestic or foreign trade of the United States, and (C) [is owned] *has been owned* by a citizen or citizens of the United States [and has been owned by such citizen or citizens] for at least three years immediately prior to the date of acquisition hereunder. [:*Provided*, That until June 30, 1964, the term 'obsolete vessel' shall mean a vesesl or vessels, each of which (A) is of not less than one thousand three hundred and fifty gross tons, (B) is not less than twelve years old, and (C) is owned by a citizen or citizens of the United States and has been owned by such citizen or citizens for at least three years immediately prior to the date of acquisition hereunder.]"

S. 1172—INTRODUCTION OF BILL TO AMEND THE FEDERAL AVIATION ACT OF 1958

Mr. MAGNUSON. Mr. President, at the request of the Civil Aeronautics Board, I am introducing a bill to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers.

I ask unanimous consent that the letter of transmittal, the statement of purpose and need, and the bill be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, letter, and statement will be printed in the Record.

The bill (S. 1172) to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers, introduced by Mr. Magnuson, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 1172

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 407 of the Federal Aviation Act of 1958 (49 U.S.C. 1380) is amended by redesignating subsection (e) thereof as subsection (f), and by inserting therein a new subsection (e) reading as follows:

"DEPRECIATION ACCOUNTING

"(e) The Board may prescribe for air carriers the classes of property for which depreciation charges may properly be included under operating expenses, the method of depreciation accounting, the rate or rates of depreciation which shall be charged, the depreciation period and the residual value, with respect to each of such classes of property, classifying the air carriers as it may deem proper for this purpose. The Board may, when it deems necessary, modify the classes and rates so prescribed. To the extent that the Board shall have exercised its authority under the foregoing provisions of this subsection, air carriers shall not charge to, or in any form include under, operating expenses any depreciation charges other than those prescribed by the Board, or employ a method of depreciation, depreciation period, or residual value other than those prescribed by the Board."

The letter and statement, presented by Mr. Magnuson, are as follows:

Civil Aeronautics Board,
Washington, D.C., January 16, 1969.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: The Civil Aeronautics Board recommends to the Congress for its consideration the enclosed draft of a proposed bill "To amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers."

The Board has been advised by letter from the Bureau of the Budget dated January 13, 1969, that there is no objection to the transmission of the draft bill to the Congress from the standpoint of the Administration's program.

Sincerely,

John H. Crooker, Jr.,
Chairman.

Statement of Purpose and Need for a Draft Bill To Amend the Federal Aviation Act of 1958 so as To Authorize the Civil Aeronautics Board To Regulate the Depreciation Accounting of Air Carriers

In common with other regulatory acts, section 407(d) of the Federal Aviation Act directs that the Board shall prescribe a system of accounts to be kept by air carriers. However, it has been held that the Board lacks the authority (possessed by the other regulatory agencies with respect to the persons subject to their jurisdiction) to regulate the depreciation accounting of air carriers. Consequently, the legislation vests this ancillary power in the Board.

Under the authority of section 407(d) to "prescribe the forms of any and all accounts," the Board has proceeded, since its establishment, to prescribe the uniform system of accounts required to be kept by all certificated air carriers. The controlling purpose of such a uniform system of accounts is to provide the Board with financial statements which fairly reflect the financial condition of the air carrier on the one hand, and the operating results of the carrier for a given period of time on the other. The purpose of the system of accounts is to prescribe uniform practices which will provide, in general substance, comparable information in respect to each of the various carriers subject to the accounting regulations. Financial statements would, of course, be useless to the Board unless they fairly reflected the actual condition of the carriers and the actual operating results of the services performed for the period reported.

Since the enactment of the Civil Aeronautics Act in 1938, the Board has, in general, prescribed rates of depreciation as a part of its subsidy rate-making process. While air carriers continued to be dependent upon subsidy, their books were conformed with the depreciation rates prescribed by the Board. The depreciation rates thus established were used both for accounting and rate-making purposes and few problems involving the lack of uniformity of depreciation accounting practices developed. However, with the emergence of a large part of the industry from dependence upon subsidy, the determinations by the Board of depreciation for rate-making purposes were less frequently adopted by the carriers for accounting purposes. This tended to undermine the value of the Uniform System of Accounts and reports filed with the Board thereunder because they no longer reflected the depreciation determinations by the Board. The lack of conformance with the Board's determinations of depreciation rates and the lack of uniformity of depreciation practices for accounting purposes among different carriers seriously undermined the value of the reports filed by the carriers for regulatory purposes.

In recognition of this need, and in connection with the establishment of an adequate uniform system of accounts, the Board undertook to prescribe the depreciation accounting practices of air carriers by the issuance of appropriate regulations (E.R. 224, adopted November 18, 1957). The courts held that the Board lacked authority to prescribe depreciation accounting practices. *Alaska Airlines, et al.* v. *C.A.B.*, 257 F. 2d 229 (C.A.D.C., 1958), *cert. denied*, 358 U.S. 881. Consequently, in order that the Board may effectively carry out its functions with respect to the depreciation accounting practices of air carriers, legislation is essential. Reliable and comparable financial data from which to appraise the true financial condition and operating results of the various air carriers are necessary to effective regulation. This cannot be readily obtained under the Court's interpretation of the Act which permits the carriers full liberty to account for depreciation in accordance with any method they elect.

The bill would bring the powers of the Board in the area of depreciation accounting in line with powers expressly given to the Interstate Commerce Commission, the Federal Power Commission, and the Federal Communications Commission (see 49 U.S.C. sec. 20(4), sec. 220(c) and sec. 913(d); 15 U.S.C. 171h(a); 16 U.S.C. 825a(a); and 47 U.S.C. 220(b)).

S. 1173—INTRODUCTION OF BILL TO AUTHORIZE THE SECRETARY OF COMMERCE TO EMPLOY CERTAIN ALIENS

Mr. MAGNUSON. Mr. President, at the request of the Department of Commerce, I am introducing a bill to authorize the Department of Commerce to employ aliens in a scientific or technical capacity where qualified citizens are not available.

I ask unanimous consent that the letter of transmittal, the statement of purpose and need, and the bill be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, letter and statement will be printed in the Record.

The bill (S. 1173) to authorize the Secretary of Commerce to employ aliens in a scientific or technical capacity, introduced by Mr. Magnuson, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 1173

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce to the extent he determines to be necessary, and subject to adequate security investigations and such other investigations as he may determine to be appropriate, and subject further to a prior determination by him that no qualified United States citizen is available for the particular position involved, is authorized to employ and compensate aliens in a scientific or technical capacity at authorized rates of compensation without regard to statutory provisions prohibiting payment of compensation to aliens.

The letter and statement, presented by Mr. MAGNUSON, are as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., January 2, 1969.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: Enclosed are four copies of a draft bill "To authorize the Secretary of Commerce to employ aliens in a scientific or technical capacity," together with a statement of purpose and need in support thereof.

The Department of Commerce recommends enactment by the Congress of this bill which is included in the legislative program of the Department for the 91st Congress.

We were advised by the Bureau of the Budget on December 23, 1968, that from the standpoint of the Administration's program there would be no objection to the submission to the Congress of this legislation.

Sincerely yours,
JOSEPH W. BARTLETT,
Acting Secretary of Commerce.

STATEMENT OF PURPOSE AND NEED

The proposed legislation would authorize the Secretary of Commerce to employ aliens in a scientific or technical capacity without regard to statutory provisions prohibiting the payment of compensation to aliens. Such employment would be subject to adequate security investigations and to a prior determination that no qualified U.S. citizen is available for the particular position involved.

On various occasions, agencies of the Department of Commerce engaged in scientific or technical work have found that the only persons qualified and available for certain highly specialized positions are not citizens of the United States. However, in many cases these individuals cannot be employed by the Department due to provisions in appropriation legislation which prohibit, with certain stated exceptions, the compensation of aliens from appropriated funds. The current prohibition is contained in section 502 of the Public Works for Water and Power Resources Development and Atomic Energy Commission Appropriation Act, 1969, approved August 12, 1968 (P.L. 90–479) and applies to all appropriations for the current fiscal year.

The need to utilize the services of these talented foreigners is due in part to the general shortage of scientists and engineers in this country. More significant, however, is the fact that some of the Department's technical programs are outside the popular or currently fashionable areas of modern science, and, therefore, are not particularly attractive to American students and scientists. In many such fields, the supply of talent is much more plentiful abroad.

For example, the National Bureau of Standards (NBS) has experienced great difficulty in recent years in recruiting physicists trained in atomic spectroscopy. At the same time, the demands upon NBS for precise data on atomic properties, obtainable through spectroscopic studies, have increased sharply. Such information is essential in interpreting astrophysical data associated with the space program, in measuring and understanding plasmas such as those involved in thermonuclear fusion research, and in understanding the physical processes involved in rocket propulsion.

Though American universities have been producing few trained personnel in this field, spectroscopy has continued to be an active field of study and research abroad. Among the major producers of atomic spectroscopists is Sweden; however, Swedish nationals may not be employed by NBS under the present statute.

A similar situation exists with respect to applied mathematics, where the general shortage of trained mathematicians is aggravated by the lack of individuals interested and qualified in certain specialized branches of mathematics. The Bureau of the Census, for example, recently was denied the services of an exceptionally well qualified statistical consultant with extensive experience in censuses and surveys because the individual was a citizen of Sweden. NBS has been unable to recruit persons skilled in numerical analysis. This is a relatively new mathematical field in the United States, but is increasingly important because of the applicability of these techniques to the analysis of extremely complex problems in science and technology. One of the most valuable sources of trained personnel in this field is Switzerland, but NBS is precluded from the employment of Swiss nationals.

The varied programs of the Weather Bureau of this Department's Environmental Science Services Administration frequently require unique combinations of talent that are extremely rare. For example, the Weather Bureau recently needed physicist-meteorologists with specialized experience in the measurement and analysis of atmospheric ozone. Two well qualified candidates were found to be available—one from Switzerland and one from India. Neither could be employed under the present statute. Sweden, which has produced world renowned meteorologists and has an International Institute of Meteorology, also is "out of bounds" for recruitment to fill the highly specialized needs of the Weather Bureau.

Numerous other cases might be cited, ranging from a Swedish specialist on the rheological properties of paper, who would have been ideally suited to a position at NBS, to an Egyptian oceanographer, who had exceptional qualifications for general circulation research with the Weather Bureau. The proposed legislation would enable the Department to take full advantage of such unique and long-sought combinations of talent and experience from abroad whenever suitably qualified U.S. citizens are not available.

Authority similar to that here sought was granted by the 88th Congress to the Smithsonian Institution. In earlier action, the Congress exempted the National Aeronautics and Space Administration and the Department of Defense from the prohibitions against employment of noncitizens. The Department of Agriculture, the Immigration and Naturalization Service, and the Public Health Service also are among the various agencies authorized by the Congress to employ aliens for certain necessary purposes.

S. 1174—INTRODUCTION OF BILL TO CLARIFY POWERS OF THE CIVIL AERONAUTICS BOARD

Mr. MAGNUSON. Mr. President, at the request of the Civil Aeronautics Board, I am introducing a bill to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings.

I ask unanimous consent that the letter of transmittal, the statement of purpose and need, and the bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, letter, and statement will be printed in the RECORD.

The bill (S. 1174) to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1174

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 401(c) of the Federal Aviation Act of 1958 (49 U.S.C. 1371) is amended by:

(1) Amending the heading of such section to read as follows: "Notice of Application; Contemporaneous Consideration"; and

(2) Inserting "(1)" immediately after "(c)" and by adding at the end thereof the following new paragraph:

"(2) Contemporaneous consideration of applications may, in the Board's discretion, be afforded by assigning applications for consolidated hearings and decisions or by assigning such applications for separate hearings followed by simultaneous decision: *Provided,* That applicants excluded from a particular hearing are allowed to participate therein as intervenors, adduce evidence, and cross-examine adverse witnesses: *Provided further,* That contemporaneous consideration is not required in a proceeding for the consideration of applications for a particular type of service within a defined area or over a described route segment where applications (or portions of applications) not proposing service of such type within such area or over such segment are excluded by the Board and new authorizations granted in such proceeding provide for a mandatory stop at any point marking the boundary of the defined area or common to any application (or portion thereof) which is excluded. Direction or refusal by the Board to consolidate any application for hearing with any other application, or otherwise to provide contemporaneous consideration thereof, shall not be subject to review prior to the issuance of an order granting such other application in whole or in part. The Board shall not be required to hold, prior to a hearing on any application, a preliminary hearing on the question of whether any other application filed pursuant to this section should be heard together with the application noticed for hearing, or whether such other application should otherwise be afforded contemporaneous consideration. The burden of establishing that applications should be consolidated for hearing or given contemporaneous consideration shall be on the person making request therefor. As used in this subsection, the term 'application' shall include an investigation instituted by the Board upon petition or complaint or upon its own initiative to alter, amend, modify or suspend a certificate pursuant to section 401(g)."

SEC. 2. Section 1006(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1486) is amended by adding at the end thereof a sentence reading as follows: "Orders of the Board directing or refusing consolidation or contemporaneous consideration of applications filed under section 401 of this Act shall be subject to review only at the time prescribed in section 401(c)(2) of this Act."

SEC. 3. That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the heading "Sec. 401. Certificate of public convenience and necessity." is amended by striking out "(c) Notice of application." and inserting in lieu thereof "(c) Notice of application; contemporaneous consideration."

The letter and statement, presented by Mr. MAGNUSON, are as follows:

CIVIL AERONAUTICS BOARD,
Washington, D.C., Dec. 31, 1968.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate
Washington, D.C.

DEAR MR. PRESIDENT: The Civil Aeronautics Board recommends to the Congress for its consideration the enclosed draft of a proposed bill "To amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings."

The Board has been advised by letter from the Bureau of the Budget dated December 23, 1968, that there is no objection to the transmission of the draft bill to the Congress from the standpoint of the Administration's program provided the draft legislation is submitted prior to January 20, 1969.

Sincerely,
JOHN H. CROOKER, Jr.,
Chairman.

STATEMENT OF PURPOSE AND NEED FOR A DRAFT BILL TO AMEND THE FEDERAL AVIATION ACT OF 1958 SO AS TO CLARIFY THE POWERS OF THE CIVIL AERONAUTICS BOARD IN RESPECT OF CONSOLIDATION OF CERTAIN PROCEEDINGS

One of the most persistent problems the Board has encountered, particularly in large area route proceedings, has been the contention of applicants at the consolidation stage, based on the doctrine of *Ashbacker Radio Corp.* v. *F.C.C.*, 326 U.S. 327 (1945), that they are entitled as a matter of legal right to consolidation of particular applications. Such an applicant usually asserts that the grant of an application which the Board proposes to hear will preclude a subsequent grant of its own application, and that the Board therefore must also hear its application in the proceeding and accord it comparative consideration. In many instances in the past, a refusal by the Board to consolidate has resulted in an appeal to the courts from the consolidation order, with a request that the court stay further procedural steps in the Board proceeding pending disposition of the petition for review. The bill is designed, *inter alia*, to resolve these problems.

This matter has been the subject of consideration and recommendation by the Administrative and Judicial Conferences of the United States. The Administrative Conference recommended (Recommendation No. 20) in its final report in 1962 that the Federal Aviation Act be amended so as to provide that (1) contemporaneous consideration of applications, when required, may be accomplished by assigning various of the applications for separate evidentiary hearings and then consolidating them for simultaneous decision by the Board, provided that applicants excluded from a particular hearing are allowed to participate therein as intervenors, adduce evidence, and cross-examine adverse witnesses, (2) contemporaneous consideration of applications is not required when the Board conducts a proceeding to consider applications for a particular type of service within a defined area or over a described route segment and excludes applications (or portions of applications) not proposing service of the particular type within the area or over the segment so described, provided that new authorizations granted in any such proceedings are subject to a mandatory stop at any point common to any application (or portion of an application) excluded from the proceeding, and (3) the Board is not required to hold a preliminary hearing on the issue of consolidating applications. Subsequently, the Judicial Conference of the United States also endorsed the recommendation of the Administrative Conference (see Report of the Proceedings of the Judicial Conference of the United States, September 22–23, 1965 (H. Doc. No. 356, 89th Cong., 2d Sess., p. 68)).

The legislation amends section 401(c) of the Federal Aviation Act of 1958, relating to certificate proceedings, so as to reflect in substance these recommendations of the Administrative and Judicial Conferences, and makes a technical amendment to section 1006(a) of the Act, relating to judicial review of Board orders.

S. 1175—INTRODUCTION OF BILL TO WAIVE BONDS RELATED TO CERTAIN CONTRACTS ENTERED INTO BY THE SECRETARY OF COMMERCE

Mr. MAGNUSON. Mr. President, at the request of the Department of Commerce, I am introducing a bill to amend the act of April 29, 1941, to authorize the waiving of the requirement of performance and payment bonds in connection with certain contracts entered into by the Secretary of Commerce.

I ask unanimous consent that the letter of transmittal, the statement of purpose and provisions, and the bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, letter, and statement will be printed in the RECORD.

The bill (S. 1175) to amend the act of April 29, 1941, to authorize the waiving of the requirement of performance and payment bonds in connection with certain contracts entered into by the Secretary of Commerce; introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1175

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April 29, 1941 (55 Stat. 147) as amended (40 U.S.C. 270e), is hereby further amended by adding a new section 2 to read as follows:

"SEC. 2. The Secretary of Commerce may waive the Act of August 24, 1935 (49 Stat. 793–4), with respect to contracts for the construction, alteration, or repair, of vessels of any kind or nature, entered into pursuant to the Act of June 30, 1932 (47 Stat. 382, 417–8), as amended, the Merchant Marine Act, 1936, or the Merchant Ship Sales Act of 1946, regardless of the terms of such contracts as to payment or title."

The letter and statement, presented by Mr. MAGNUSON, are as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., December 18, 1968.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: Enclosed are four copies of a draft bill "To amend the Act of April 29, 1941, to authorize the waiving of the requirement of performance and payment bonds in connection with certain contracts entered into by the Secretary of Commerce," together with a statement of purpose and need in support thereof.

The Department of Commerce recommends enactment by the Congress of this bill which is included in the legislative program of the Department for the 91st Congress.

We were advised by the Bureau of the Budget on December 6, 1968 that from the standpoint of the Administration's program there would be no objection to the submission to the Congress of this legislation.

Sincerely yours,
C. R. SMITH,
Secretary of Commerce.

STATEMENT OF THE PURPOSES AND PROVISIONS OF THE DRAFT BILL TO AMEND THE ACT OF APRIL 29, 1941, TO AUTHORIZE THE WAIVING OF THE REQUIREMENT OF PERFORMANCE AND PAYMENT BONDS IN CONNECTION WITH CERTAIN CONTRACTS ENTERED INTO BY THE SECRETARY OF COMMERCE

The Miller Act, 49 Stat. 793–4 (P.L. 74–321, 1st Sess.), 40 U.S.C. 270a, provides that any contractor constructing a "public work" in excess of $2,000 for the United States shall furnish a performance bond for the protection of the United States and a payment bond for the protection of persons furnishing materials and labor.

The Maritime Administration presently is required to obtain such bonds from the contractor in the following instances:

(1) when it constructs ships under the Economy Act, 47 Stat. 382, 417–8 (P.L. 72–212, 1st Sess.), as amended, 31 U.S.C. 686, for other Government agencies;

(2) when it constructs a vessel pursuant to section 502, Merchant Marine Act, 1936, whereby it concurrently contracts with the applicant for the purchase by the applicant of the vessel upon its completion;

(3) when it repairs a vessel, such as in the process of "breaking it out" from the national defense reserve fleet for operation under a general agency agreement, or in the process of making it available to any State maintaining a marine school, as is authorized by section 11 of the Merchant Ship Sales Act of 1946, or in the process of making a vessel available for charter under section 6 of that Act; and

(4) when it constructs, reconditions or remodels vessels under Title VII, Merchant Marine Act, 1936, in those cases where it has determined, and the determination is approved by the President, that the national policy and objectives set forth in the Act cannot be fully realized within a reasonable time under the provisions of Title V.

The Army, Navy, Air Force, and Coast Guard have been given the statutory authority in 69 Stat. 83 (P.L. 84–60, 1st Sess.), 40 U.S.C. 270e, to waive the bond provisions of the Miller Act.

The purpose of this bill is to obtain similar authority with respect to vessels constructed, altered, or repaired, by the Maritime Administration in the above-enumerated instances.

Requiring these bonds increases the cost of constructing the ships. When the risk involved does not require such bonds, the presently mandatory provisions of the Miller Act result in an unnecessary expense.

S. 1176—INTRODUCTION OF BILL TO AUTHORIZE APPROPRIATIONS TO CARRY OUT THE STANDARD REFERENCE DATA ACT

Mr. MAGNUSON. Mr. President, at the request of the Department of Commerce, I am introducing a bill to authorize appropriations to carry out the Standard Reference Data Act.

I ask unanimous consent that the letter of transmittal, the statement of purpose and need, and the bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, letter, and statement will be printed in the RECORD.

The bill (S. 1176) to authorize appropriations to carry out the Standard Reference Data Act, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1176

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby authorized to be appropriated to the Department of Commerce such sums as may be necessary for the fiscal years 1970 and 1971, but not to exceed a total of $6 million, and such sums as may be necessary for succeeding fiscal years, to carry out the purposes of the Standard Reference Data Act (P.L. 90–396; 82 Stat. 339).

The letter and statement, presented by Mr. MAGNUSON, are as follows:

JANUARY 17, 1969.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: Enclosed are four copies of a draft bill "To authorize appropriations to carry out the Standard Reference Data Act," together with a statement of purpose and need in support thereof.

The Department of Commerce recommends enactment by the Congress of this bill which is included in the legislative program of the Department for the 91st Congress.

We were advised by the Bureau of the Budget on January 13, 1969 that from the standpoint of the Administration's program there would be no objection to the submission to the Congress of this legislation and further that enactment of this legislation would be consistent with the Administration's objectives.

Sincerely yours,

C. R. SMITH,
Secretary of Commerce.

STATEMENT OF PURPOSE AND NEED

On July 11, 1968, the Standard Reference Data Act, which authorized and directed the Secretary of Commerce to provide or arrange for the collection, compilation, critical evaluation, publication and dissemination of standard reference data, was signed into law (P.L. 90–396; 82 Stat. 339). Section 7 of that Act authorized $1.86 million to be appropriated for fiscal year 1969 to carry out the Act. However, the same section also precluded appropriations for any fiscal year after fiscal year 1969 unless previously authorized by legislation. This bill, therefore, seeks an authorization for appropriations in the amount of $6 million to carry out the Standard Reference Data Act in fiscal years 1970 and 1971 and an authorization for such amounts as may be needed for the purpose of the Act in subsequent fiscal years.

The Standard Reference Data Act declared the policy of the Congress to make critically evaluated reference data readily available to scientists, engineers, and the general public. To carry out this policy, the Secretary of Commerce is directed to provide or arrange for the collection, compilation, critical evaluation, publication and dissemination of standard reference data. The Act also authorizes the Secretary to sell standard reference data and to allow the proceeds to be used by the National Bureau of Standards to offset part of the cost of the program. He may also obtain copyright on behalf of the United States as author or proprietor in standard reference data prepared or made available under that Act.

The requested authorization of $6 million includes a figure of $2.5 million for fiscal year 1970 and $3.5 million for fiscal year 1971. The $2.5 million figure constitutes an increase of $640,000 over fiscal year 1969 and the $3.5 million figure would constitute an increase of $1 million over the fiscal year 1970 amount. The specific amount sought by this bill for fiscal years 1970 and 1971 as well as those that may be needed in fiscal years beyond 1971 would permit continued support for ongoing efforts of the National Standard Reference Data System and orderly expansion of the program to meet national needs. The proposed expansion would include increases in existing data projects and initiation of new ones to fill gaps in important areas. In addition, effort would be initiated on generation of computerized standard reference data files, including facilities for remotely accessed computers and the development of an accounting system for such files. Finally, the funds would be used for activating the data file and inquiry service and for the initiation of studies on various problem areas associated with NSRDS information services.

The major portion of the increase in the authorization sought by this bill for fiscal years 1970 and 1971 would be used to expand the level of effort on several existing projects and to obtain, by contract or other arrangement, additional services of qualified scientists in academic institutions and other national laboratories. These people would perform the work of compiling and evaluating data, of writing critical reviews, and of setting up and operating specialized data centers.

The principal benefit expected from the increased effort in compiling and evaluating existing data will be an improved ability to supply reliable reference data to this country's scientists and engineers. By better meeting the user's needs for this information, the operation of the National Standard Reference Data System can contribute directly to the economy, efficiency and effectiveness of our national technological effort. In the past four years, representatives of science and industry have endorsed the concept of such a System, and have asked for more complete services than can now be supplied.

The greatest present need of the National Standard Reference Data System is to produce critical reviews and data compilations at a faster rate, and with coverage of more specific areas of science and technology than has been possible at the current level of effort. At the authorization level requested for fiscal years 1970 and 1971, the primary emphasis will continue to be placed on the broad fields of thermodynamics and transport properties and atomic and molecular properties. These fields have been emphasized since the beginning of the program, but have not yet developed sufficiently to warrant a shift of emphasis to other categories. Experiments are planned in remote access to data files using both academic and commercial computer systems. Studies of problem areas and activation of data services are planned to make the NSRDS information services more responsive and efficient, and to permit a more detailed appraisal of how the entire National Standard Reference Data System can market its products most effectively and best reach its intended user audience.

S. 1178—INTRODUCTION OF BILL TO IMPROVE SAFETY CONDITIONS OF PERSONS WORKING IN THE COAL MINING INDUSTRY

Mr. WILLIAMS of New Jersey. Mr. President, on February 19, 1969, on introduction of S. 1094, a bill relating to safety in the coal mining industry, I stated my belief that all legislative approaches to the grave questions of coal mine safety should be examined and analyzed in the hearing process by the Subcommittee on Labor. In further accord with that procedure, I now introduce a bill which has been submitted by the Legislative Department of the United Mine Workers.

Entitled "A Bill To Improve the Safety Conditions of Persons Working in the Coal Mining Industry of the United States," this bill will be made a part of the public hearing opening Thursday, February 27, 1969.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1178) to improve the safety conditions of persons working in the coal mining industry of the United States, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

SENATE JOINT RESOLUTION 52—INTRODUCTION OF JOINT RESOLUTION—PROPOSED AMENDMENT TO THE CONSTITUTION GRANTING REPRESENTATION IN THE CONGRESS TO THE DISTRICT OF COLUMBIA

Mr. MATHIAS. Mr. President, I introduce, for appropriate reference, a joint resolution proposing an amendment to the Constitution of the United States to grant representation in the Congress to the people of the District of Columbia.

I submit this joint resolution on behalf of myself, the Senator from Indiana (Mr. BAYH), the chairman of the Subcommittee on Constitutional Amendments, and the distinguished Senator from New York (Mr. JAVITS).

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 52) proposing an amendment to the Constitution of the United States granting representation in the Congress to the District of Columbia, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. MATHIAS. Mr. President, at the same time I wish to join Mr. BAYH as a cosponsor of the joint resolution which he is introducing with the same objective, the objective of securing for the people of our National Capital the representation in Congress which is so long overdue.

The prime purpose of establishing the District of Columbia was to insure that no State sovereignty would be interposed between the Federal City and the Federal Government. That purpose was attained when Maryland and Virginia ceded an approximate 10-mile square area to the Nation for its Capital. Since that constitutional plan has been fully executed, there is no reason, and no justification, for further allowing or continuing a different civil status of the people of the District of Columbia from that of the States.

The amendment which I have submitted is intended to end that difference and that exclusion from full citizenship.

It was not the intention of the Founding Fathers to deny the District's residents such rights as national representation and a full electoral vote. Yet such denial, the product of omission or oversight, has been perpetuated. The residents of the District of Columbia have and fulfill all of the obligations of citizenship. They pay Federal taxes. They are subject to the draft, and to all of the laws of the United States. Yet they have no voice at all in the levying of those taxes or the making of those laws.

Almost 200 years ago, the injustice of taxation without representation was one of the elements which drove Americans to revolt. It is highly ironic that the only place in America in which that injustice persists today is our National Capital.

Some progress has been made in this decade toward securing a vote and a voice in the political arena for Washington's residents. Since 1961 they have been able to vote for President and Vice President. The first elected School Board, chosen under the act which the last Congress approved, is now in office. But District of Columbia citizens have had no elected spokesman on Capitol Hill since 1873–75, when a Delegate served for 2 years under the short-lived territorial form of government. And they have never had a vote in either the Senate or the House of Representatives.

Let me emphasize that congressional representation for the District of Columbia should not be confused with home rule, or substituted for it. But representation in Congress is even more important for Washington in the absence of home rule, since the Congress serves both as the National Legislature and as the District's local legislature. A Senator or Representative from the District of Columbia would thus serve a dual role until a full measure of home rule can be obtained.

Mr. President, I believe that the people of the District of Columbia should have full representation in both Houses of Congress: two Senators, and as many Representatives as would be apportioned to the District, in the decennial apportionment, if it were a State. This is just in principle and fair in practice. Accordingly, the resolution which I am introducing today proposes to amend the Constitution to provide that full elected representation directly and immediately, with no intermediate steps or halfway stops.

The resolution introduced by the Senator from Indiana, which I am cosponsoring, is based on the same principle of full representation. However, that measure would establish a constitutional minimum of one Representative in the House, and permit the establishment of additional seats in either the Senate or House, or both, by subsequent act of Congress until full and equal representation is achieved.

It is vital to note that the Bayh resolution contains no barriers to full representation at all, but rather proposes a more gradual path to that goal. Some observers have suggested that this step-by-step approach is more practical and more capable of achievement than attempting to reach full representation in a single bound. Certainly I would not want tactical debates to stand in the way of any progress at all.

The District of Columbia is both our National Capital and a great American city, the home of over 800,000 Americans. It is time—and past time—for us to let those citizens exercise the right which all other Americans take for granted, the right to choose Senators and Representatives to speak and vote and work for them in the Congress. I trust that this year we can finally make progress toward that goal.

SENATE JOINT RESOLUTION 57—INTRODUCTION OF JOINT RESOLUTION DESIGNATING ADMIRAL NIMITZ DAY

Mr. TOWER. Mr. President, February 24, 1969, marked the 84th anniversary of the birth of the late Fleet Adm. Chester William Nimitz, one of our Nation's greatest military heroes. Admiral Nimitz died on February 20, 1966, just 4 days short of his 81st birthday.

Admiral Nimitz' service to his country spanned two of the most crucial periods in our Nation's history. He assumed command of an ex-Spanish gunboat, the *Panay*, in 1906, his first command. The brilliant career that followed, including command of the U.S. Pacific Fleet after the attack on Pearl Harbor, is history.

In order that my colleagues may have the opportunity to review some of this history, I shall ask that a short biography of Admiral Nimitz be printed in the RECORD immediately following my remarks.

First, however, I introduce a joint resolution designating February 24 of each year as Admiral Nimitz Day in memory of the courage and ability of this great man who engineered victory from discouragement and chaos. So great was his contribution to the Allies, his feats will be remembered as long as representative government is revered, and whenever men are called upon to defend it.

I ask that the text of the joint resolution be printed, followed by Mr. E. B. Potter's short biography from the July 1966 issue of the Proceedings of the U.S. Naval Institute.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and letter will be printed in the RECORD.

The joint resolution (S.J. Res. 57) designating February 24 of each year as Admiral Nimitz Day, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 57

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That, in honor of Fleet Admiral Chester William Nimitz, who was born on February 24, 1885, February 24 of each year is hereby designated as Admiral Nimitz Day. The President is authorized and requested to issue a proclamation each year calling upon the people of the United States to observe Admiral Nimitz Day with appropriate ceremonies and activities.

The biography, presented by Mr. TOWER, is as follows:

CHESTER WILLIAM NIMITZ: 1885–1966

(By E. B. Potter)

Christmas morning, 1941. A steady rain pelted down from clouds hanging low over Pearl Harbor. To the northeast, a four-engine flying boat appeared bringing the newly appointed Commander-in-Chief of the U.S. Pacific Fleet, Admiral Chester W. Nimitz.

Through the haze, Nimitz could make out alongside Ford Island the sides, hulls, and crazily jutting tops of American battleships and other vessels sunk by Japanese carrier aircraft less than three weeks before. Hardly had his plane touched down in East Loch and come to a stop when an admiral's barge drew up alongside. Nimitz, in civilian clothes, stepped down into the barge and shook hands with Captains William W. Smith and Harold C. Train, chiefs of staff respectively to Admiral Husband E. Kimmel, who had been commander-in-chief at the time of the Pearl Harbor attack, and to Vice Admiral William S. Pye, Kimmel's temporary relief.

Admiral Nimitz, who had been out of touch with events since leaving Washington, at once inquired about the relief force that had been sent out to rescue the Marines under attack on Wake Island. When Smith told him that the force had been recalled Nimitz remained silent for some time.

"When you get back to your office," he said at length to Smith, "call Washington and report my arrival." After a few moments he spoke again: "This is a terrible sight, seeing all these ships down."

At the submarine base wharf, which the barge presently came alongside, Captain Train escorted Nimitz to the official car in which Admiral Pye was waiting to conduct him to his quarters on Makalapa Hill.

In conferences during the next few days, Nimitz was relieved to find no defeatism among the officers at Pearl Harbor. Their mood was rather one of chagrin, defiance, and cold anger.

Since the attack on the Fleet, Guam had fallen, and Thailand had been overrun. In Malaya, the Japanese were threatening Singapore. In the Gulf of Siam, Japanese aircraft had sunk HM battleship *Prince of Wales* and HM battle cruiser *Repulse*. On Luzon, enemy planes had wiped out American air power and smashed the Cavite Naval Base. Even now Japanese invading forces were advancing on Manila. From the Marshalls the Japanese had penetrated into the Gilberts. Whence they menaced the Ellices and Samoa.

At Wake Island, the Marines had held out for two weeks, thrusting a Japanese assault back into the sea. On 14 December, in one of his last acts as commander in chief, Admiral Kimmel had sent out the Wake relief force, including the carrier *Saratoga* (CV–3). Heavy seas had so delayed refueling of the force that it was still 600 miles from Wake when the Japanese resumed the assault, this time supported by planes from carriers returning to Japan from the Pearl Harbor strike. Admiral Pye, commander-in-chief *pro tem*, had thereupon recalled the relief force rather than risk further losses. After a gallant but hopeless defense, Wake had surrendered two days before Nimitz' arrival at Pearl.

Still, though the Japanese had sunk or damaged all the battleships at Pearl Harbor and killed 2,400 men, they had hit no carriers, for none had been in the harbor at the time of the attack. They had not, moreover, hit the tank farms, which contained fuel that could not have been replaced for months, nor had they severely damaged the repair facilities—facilities that would have most of the battered ships back in operation when they were most needed.

In some respects no less important, the attack had settled for the U.S. Navy the question of whether the carrier was a capital ship or a mere auxiliary. With the sinking of the battleships at Pearl Harbor, the big carriers—*Saratoga* (CV–3), *Lexington* (C–2), *Enterprise* (CV–6), *Yorktown* (CV–5), *Wasp* (CV–7), and *Hornet* (CV–8)—perforce became the queens of the Fleet. They were too swift in any event to have operated efficiently with the old, slow battleships that the Japanese had sunk. When the new fast battleships, *North Carolina* (BB–55), *Washington* (BB–56), *South Dakota* (BB–57) and the rest, arrived in the Pacific, they would at once be integrated into the carrier screens.

The sinking of the old battleships, though costly in lives, had freed many trained men as cadres around which new fighting teams should be formed for service in carrier and amphibious forces.

On the last day of 1941, Nimitz assumed command of the Pacific Fleet. Standing on the wharf at the submarine base, he spoke a few preliminary words. Then, as he opened his orders, he stepped across the wharf and read them from the deck of the submarine *Grayling* (SS–209), partly, no doubt, because the new commander-in-chief was an old submariner but also because few other decks were then available at Pearl Harbor.

Shortly afterward, Admiral Nimitz called together the officers of Admiral Kimmel's staff. As they filed into the room, they found the Admiral seated at a desk. His shoulders, they noted, were broad, his grey eyes penetrating; his light blond hair was just turning white. Except for his air of authority, there was nothing unusual about him. He had no salient features, no peculiarity of manner.

The Admiral's speech was quiet and courteous. He was apparently a man not easily ruffled. He had about him an air of serenity. Obviously confident, he inspired increased confidence in the men before him. He needed the benefit of their experience, he told them. "There will be no changes," he said. "I have complete confidence in you men. We've taken a terrific wallop, but I have no doubts as to the ultimate outcome."

The officers who left that meeting had a renewed spring in their step. Under the new leadership, they were ready and eager to tackle the job, to take the first steps on the long road back.

In the 13th century, the Germans expanded into the Duchy of Prussia on the Baltic Sea. Here in the valley of the River Niemen they encounted Slavs, who called the Germans *Niemiez*—their name for the river. Germanicized into *Nimitz*, the name was adopted by a fighting clan descended from the Teutonic knights.

A noble Nimitz served under the Swedish monarch Gustavus Adolphus and fell with him in the Battle of Lutzen, 1632. His son and grandson, both Ernst Freiherr von Nimitz, also served in the Swedish army, the former attaining the rank of major general. Karl Gustav, eldest son of the younger Ernst, was a tax collector in Hanover. Unable to meet the social demands of his inherited rank, he dropped the title *freiherr* and with it the *von* before his family name. Karl Gustav's grandson, Karl Heinrich Nimitz, by profession a supercargo in the German merchant marine, in 1843 emigrated to South Carolina to escape the harsh economic and political situation in Germany.

Karl Heinrich's youngest son and namesake, who anglicized his name to Charles Henry, was an adventuresome young man who had served in a merchantman at 14 and never lost his love of the sea. Desiring to strike out on his own, Charles Henry left South Carolina at the age of 20, joining a German group planning to establish a colony in Texas, which had recently been annexed to the United States. Here on the Pedernales River they founded the town of Fredricksburg, named in honor of Prince Frederick of Prussia.

After being employed in several capacities, including service with the Texas Rangers, Charles Henry, known generally as "Captain Nimitz," built the steamboat-shaped Nimitz Hotel, which became a Texas landmark. One of his 12 children, Chester Bernard, in March 1884 married Anna Henke, a local beauty; he died five months later. The following February, Anna gave birth to Chester Bernard's son, Chester Williams, the future fleet admiral.

For six years Anna and her little son lived at the Nimitz Hotel. Chester then and later was close to Captain Nimitz. The boy listened wide-eyed while the old gentleman recounted stories of his youthful experiences in the merchant marine. "The sea—like life itself—is a stern taskmaster," Captain Nimitz once said. "The best way to get along with either is to learn all you can, then do your best and don't worry—especially about things over which you have no control."

In 1890, Anna married William Nimitz, younger brother of her first husband. To Chester, William was truly his father, and he always thought of the offspring of his mother's second marriage, Otto and Dora, as his own brother and sister.

Chester's stepfather was assistant manager of the small St. Charles Hotel in Kerrville, not far from Fredericksburg. Here Anna took charge of the kitchen, and Chester and his half-brother did odd jobs. At school, where because of his extreme blondness he was nicknamed "Cottonhead," Chester received good grades. But, in view of his family's poverty, he had no prospect of pursuing his studies past high school. In 1900, when he was 15 years old, he made vague plans to seek employment as a surveyor's helper as a means of learning a trade.

That summer, however, occured an event that changed the whole direction of Chester's life. Battery K, Third Field Artillery, from Fort Sam Houston, came to camp in the brown hills close to Kerrville for training and gunnery practice. On their way to join Battery K, Second Lieutenants William M. Cruikshank and William I. Westervelt, both West Point graduates, stopped at the St. Charles Hotel. Chester was fascinated by their military bearing and their dashing new Army uniforms.

Fired with a sudden ambition to become an army officer, Chester applied to Congressman James L. Slayden to take the West Point examination. He was informed that all the congressman's appointments for the Military Academy were filled. "But," said Slayden, "I have an opening for the U.S. Naval Academy. Are you interested?"

Chester had never heard of the Naval Academy, but he swallowed his disappointment and determined to seize this opportunity to get an education. With the help of his mother, his stepfather, his high school principal, and a devoted teacher, Miss Susan Moore, he applied himself to algebra, geometry, history, geography, and grammar.

This was a rough period for Chester. He regularly arose at 3:00 a.m. and studied until 5:30. Then began his first stint as janitor and general handyman for the hotel—lighting fires, attending stoves, and calling early risers. After breakfast he went to school and remained until 4:00 p.m., when he resumed his janitorial duties, attending the lawn, raking leaves, splitting kindling, filling wood boxes, and tending a dozen stoves and fireplaces. After supper, he took his turn as desk clerk until 10:00 p.m., when he retired to his lodging, a cot set up in the ladies' parlor of the St. Charles Hotel.

At the local Naval Academy examination, held in April 1901, Chester won out over all competitors. Congressman Slayden accompanied him to Annapolis in July. Here Chester entered the Werntz Preparatory School for two months of further preparations for the late August national examinations, which he easily passed. On 7 September 1901, he was sworn in at the Naval Academy as a Naval Cadet, as the young student-officers were then called.

The years Chester Nimitz spent at the Naval Academy were happy and successful. He participated in crew and became a stroke. In his first class year he wore three stripes as Commander, 8th Company. In late 1904, the *Holland*, then the Navy's only commissioned submarine, based at the Naval Academy, and Nimitz was among the midshipmen who made their first submergence in it.

Cadet Nimitz was a fun-loving, gregarious young man who relished nothing so much as a roughhouse or a party with lots of good talk. In his first class year he moved into the first completed wing of Bancroft Hall, and he and his roommate had the happiness to discover that they could reach the roof of the unfinished building. Here, concealed from below, they and their friends held some fine beer parties, taking particular delight in heaving empty bottles over the side onto a heap of building stones and then watching the guards dash madly about endeavoring to discover the source of the falling glass.

The cadet who wrote up Cadet Nimitz for the *Lucky Bag*, the Naval Academy yearbook, was perceptive beyond his years in selecting a line from Wordsworth to characterize him: "A man he seems of cheerful yesterdays and confident tomorrows," and adding further: "Possesses that calm and steady-going Dutch way that gets to the bottom of things."

That Cadet Nimitz was not all fun and laughter is demonstrated by his embarrassed reaction to the notorious Sampson-Schley controversy, in which two leading naval officers of the Spanish-American War publicly questioned each other's military records, each claiming to be the victor in the naval Battle of Santiago. "I decided then," Nimitz said long afterward," that if ever I reached a position of high command, I would do my best to stifle any such family controversies before they reached the attention of the public." This resolve may be the root of Nimitz' later almost obscessive discretion. It doubtless played a significant part in his refusal to write his biography or to permit it to be written during his lifetime.

Because of the pressing need of junior officers in an expanding Fleet, Nimitz' class at the Naval Academy was graduated ahead of schedule, on 30 January 1905, with Nimitz standing seventh from the top in a class of 114. After graduation, Midshipman Nimitz headed for San Francisco for a cruise to the Orient in the USS *Ohio*, designated to serve as flagship on joining the Asiatic Fleet.

The following summer, when the *Ohio* was in Japanese waters (Nimitz was one of six midshipmen detailed to attend a garden party given by the Emperor to honor the Japanese Army and Navy for their victories in the recently concluded Russo-Japanese War. Toward the end of the party, the midshipmen, seated at a table near the exit, observed Admiral Heihachiro Togo, nemesis of the Russian Fleet, about to depart. They hurriedly elected Nimitz to intercept the Admiral and invite him to their table. Togo smilingly accepted came over and shook hands all around, sipped the captured Russian champagne being served, and chatted briefly in English. The victorious old sea dog made a deep impression on Nimitz. In 1934, while again serving in the Far East, Nimitz would attend Togo's public and also his family funeral.

In 1906, Nimitz, having completed the two years at sea then required, was commissioned ensign. He also received his first command, an ex-Spanish gunboat, the *Panay*—not to be confused with the gunboat of the same name later sunk by the Japanese. He simultaneously served as commander of a tiny naval base at Polloc, Mindanao, in the Philippines, to which the *Panay* was attached. There were 31 men on board the gunboat and 22 Marines at the base. An isolated command, it provided Ensign Nimitz with a feeling of high adventure. There was no radio or mail, and no supplies reached them. The Marines and sailors maintained themselves by hunting and fishing. One seaman at length remarked that he "couldn't look a duck in the beak again."

This idyl came to a sudden end when President Theodore Roosevelt called the Japanese ambassador to the White House and said, "If your country wants war, we'll give it to you." The war scare shook the Asiatic Fleet into frantic activity that reached all the way to Polloc. The *Panay* was summoned to the big naval base at Cavite, where the commandant ordered Ensign Nimitz immediately, without time to change his white uniform or pick up his gear, to assume command of the USS *Decatur* (DD–5), an old rustbucket of a destroyer, long out of commission. He was to get her into drydock at Olongapo, 60 miles away, in 48 hours.

Nimitz, still superb in whites and sword, boarded the *Decatur*, which was swinging at a buoy, to be greeted by a couple of Filipino watchmen. There were no provisions aboard and no water or fuel. The engines and boilers were cluttered with junk.

A crew began to arrive, but no means for fitting out the ship. In his extremity, Nimitz cannily turned to some warrant officers at Cavite with whom he had played poker when the *Panay* was being readied for service. They promised to do what they could. Soon, bargeloads of equipment, coal, and water began to arrive at the *Decatur*. By laboring night and day, Nimitz and his scratch crew finally got steam in one boiler but had no time to test the engines.

Nimitz had planned to back away from the buoy, but when he rang up quarter speed astern, the destroyer moved forward. When he ordered full speed astern, she darted forward like a frightened jackrabbit. The engine telegraphs had been hooked up in reverse.

In due course, Nimitz got the *Decatur* safely to Olongapo, but his troubles with the old destroyer were not over. One dark night some time later in poorly chartered Batangas harbor, while she was proceeding at dead slow, the leadsman suddenly shouted: "We're not moving, sir!" It was soon apparent that the *Decatur* was aground on a mudbank. Attempts to back her down were fruitless. Here was a situation that could easily wreck a young officer's career.

Nimitz now displayed that quality of imperturbability for which he later became noted. "On that black night somewhere in the Philippines," he later said, "the advice of my grandfather, returned to me: 'Don't worry about things over which you have no control.' So I set up a cot on deck and went to sleep."

Not long after daylight a small steamer appeared, heaved a line to the *Decatur*, and pulled her off. There followed an investigation and Nimitz stood court-martial and was convicted, but he got off with a letter of reprimand for "hazarding a ship of the U.S. Navy."

Returning to the United States, Nimitz requested battleship duty, then considered the glamour of assignment of the Fleet. Instead, he was ordered to submarines, which were in those days, as he said. "a cross between a Jules Verne fantasy and a humpbacked whale." Nimitz was disappointed, but characteristically he threw himself wholeheartedly into his new assignment, commanding successively the USS *Plunger*, *Snapper*, *Narwhale*, and *Skipjack*, and making himself an expert in undersea warfare and diesel engines. In 1912, while commanding the *Skipjack*, Nimitz leapt overboard to rescue a seaman who had fallen in and could not swim. For this, he was awarded a Red Cross Life Saving Medal, which he thereafter always wore when in uniform.

"I also had the good sense and good fortune about this time," he afterward wrote, "to marry Catherine Vance Freeman, daughter of Mr. and Mrs. Richard R. Freeman of Wollaston, Massachusetts." It proved a thoroughly congenial union. Catherine, besides beauty and charm, possessed the stamina and the intellect to keep up with her fast-moving husband, and shared with him also his love of sports and classical music; whenever his duties permitted, they were to be seen at baseball and football games or at concerts.

Over the years she bore him four children: Catherine Vance, who married James T. Lay of the Naval Academy class of 1931; Chester, Jr., who graduated from the Academy in 1936 and during World War II made his name in submarines, particularly as skipper of the *Haddo* (SS–255); Anne Elizabeth (Nancy), a Russian expert with the RAND Corporation; and Mary Manson, who, sent to a convent school during the busy days of World War II, adopted the Catholic faith and became Sister M. Aquinas, who is now teaching biology at the Dominican Convent at San Rafael, California.

In the summer of 1913, the Navy sent Nimitz to Europe to complete his education in diesels. He visited plants in Germany and Belgium, storing quantities of data in his capacious memory. On his return, he supervised the building of the diesel engines for the Navy tanker *Maumee* (AO–2), later serving as her executive officer and engineer.

With the entry of the United States into World War I, Nimitz was ordered to the staff—and later became chief of staff—of Admiral Samuel S. Robison, Commander Submarine Force U.S. Atlantic Fleet. In his new capacity he found relations between British and American officers breaking down under the stiff weight of protocol. This, he decided, was an outdated way of doing things. He believed that the British would respond to simple friendliness and good performance and drilled this point of view into his junior officers and men. The idea worked, and Nimitz quickly established amicable teamwork between the allied commands in his area of operations.

Following World War I, Nimitz served a tour of duty in the Navy Department, with additional duty as Senior Member, Board of Submarine Design, then went to sea as executive officer of the USS *South Carolina*. He next commanded the USS *Chicago*, after which he received a year of instruction at the Naval War College, then returned to the staff of Admiral Robison, now Commander Battle Fleet and later Commander-in-Chief, United States Fleet. For Nimitz, Robison, was an ideal commander, whose performance he consciously imitated.

Commander Nimitz seems to have been a bit startled in 1926 to be ordered to the University of California as that school's first Professor of Naval Science. Here he was to test a new idea: making naval officers out of college students. Some of Nimitz' friends predicted that this "school-teaching duty" would be the end of the line for his career, but Nimitz cheerfully accepted the assignment and gave it all his energy. In his three years at Berkeley, he implemented the Naval Reserve Officers' Training Corps program that was to provide many outstanding officers for the Navy, a program that has been duplicated in 52 colleges and universities across the nation. Nimitz also developed in himself a deep interest in education and an abiding loyalty for the University of California.

In 1930, when Nimitz was commanding Submarine Division 20, he wrote in his Naval Academy class book:

"In looking backward at various phases of my life, I find it difficult to pick out any one activity as having been more attractive to me than any other. I have enjoyed every one of my assignments and believe that it has been so because of my making it a point to become as deeply immersed and as interested in each activity as it was possible for me to become. My life in the Navy has been very happy and I know of no profession for which I would forsake my present one. . . . My wife, my children, my profession as a naval officer, and good health combine to make me a happy man."

Nimitz next commanded the USS *Augusta* (CA–31), flagship of the Asiatic Fleet, and then served three years as Assistant Chief of the Bureau of Navigation—as the Bureau of Naval Personnel was then called. The latter duty suited Nimitz well, for his acquaintance was wide and discriminating. Ever alert to the needs of the Navy, he had filed away in his memory the special competences of each officer he had come to know.

It was during these years that Nimitz improved his skill at judging character and his ability to communicate clearly, simply, and directly to every sort of person with whom he had business or social intercourse. He further developed the decisiveness and the poise and serenity for which he was already noted. His manner was ever courteous except in the case of a sloppy performance. Then he could fix the culprit with steely grey eyes and make even the strongest of men wince with his measured words.

By no means all business, Nimitz was a genuinely friendly man, capable of deep affection. Except where official requirements or press of duties forbade, he liked to write letters in longhand in his clear, flowing script, never forgetting to add a message to his correspondent's family and, where applicable, including a warm greeting from Mrs. Nimitz.

Following his duty in the Bureau of Navigation, Captain Nimitz served as Commander Cruiser Division Two and then as Commander Battleship Division One, Battle Force. As always, he gave his duties everything he had, developing a reputation for efficiency that marked him for the highest levels of naval command.

In June 1939, Nimitz, now rear admiral, was appointed Chief of the Bureau of Navigation. He chafed a little at the confinement of desk and office, but worked off his excess energy by frequently walking home several miles after work with his good friend Captain Willis A. Lee. Each was alert for amusing stories with which to top the other during their long walks.

On the afternoon of Sunday, 7 December 1941, Nimitz was at home settling down to listen to a radio concert by Arthur Rodzinski and the New York Philharmonic Orchestra, when the program was interrupted by an announcement that the Japanese had bombed Pearl Harbor. He leaped from his chair and telephoned his assistant, Captain John F. Shafroth, who soon arrived, and the two officers immediately proceeded to the Navy Building.

At the Bureau, Nimitz found that the War Plans he needed to consult were in a safe with a time lock that would not open until Monday morning. He therefore went to the office of the Chief of Naval Operations to consult the War Plans there. From here he was called into the first of a series of conferences with Navy Secretary Frank Knox, Undersecretary James Forrestal, Assistant Secretary Ralph Bard, Chief of Naval Operations Harold Stark, and others. Among these men, Nimitz was a rather junior admiral, but his knowledge of the Navy's officers and their capabilities proved invaluable at the conferences

Moreover, from the first meeting, the members had come to respect Nimitz' suggestions and to trust his judgment.

Shortly after the attack, Knox made a quick trip out to Pearl Harbor to size up the situation for himself. On his return, he reassembled the council and stated his conviction that a new commander must be sent there. Then, turning to Nimitz, he asked, "How soon can you get ready to travel? You're going to take command of the Pacific Fleet."

Nimitz was startled. Nothing of the sort had occurred to him. After all, there were 28 flag officers senior to him. He did not relish relieving his old friend Admiral Kimmel. Besides, he had been hoping for a seagoing command.

Nimitz requested that, if Kimmel must be relieved, the Pacific Fleet be turned over to Admiral Pye instead of him. When that request was refused he asked for his orders. In line with the habits of a lifetime, he prepared to accept his new assignment and give it his best.

There were several more days of discussions and arrangements, with Admiral Ernest J. King of the Atlantic Fleet participating. Nimitz attended these conferences and also carried on the burgeoning duties of his own Bureau. He was sleeping little and eating almost nothing.

As a safety measure, Admiral Nimitz was sent to San Francisco by train and, to avoid speculation, he wore civilian clothes and traveled as "Mr. Wainwright." He was to be accompanied only by Lieutenant La Marr, whose assignment was to look after the Admiral, seeing that he got enough sleep and plenty to eat and, if possible, diverting his mind briefly from the stern duties ahead.

As it turned out, it was the Admiral who diverted the Lieutenant, for as soon as Nimitz boarded the train, he shucked his responsibilities, bounced back, enjoyed himself, told jokes, made bad puns, and tried unsuccessfully to teach La Marr cribbage. But La Marr could not forget that he had in his briefcase the first full report of the Pearl Harbor damage, which he had been instructed to keep from the Admiral for a couple of days.

Once the train had left Chicago, La Marr finally turned the report over to Nimitz, who at once became grave and devoted a large part of his time to studying and analyzing it. "It could have happened to anyone," he muttered once or twice. At San Francisco, he shook hands with La Marr, who returned to his duties at the Bureau of Navigation, while the Admiral set out by plane for Pearl Harbor and the greatest challenge of his career.

On assuming command of the Pacific Fleet, Admiral Nimitz had four immediate objectives: to restore morale; to divert Japanese strength away from the East Indies; to safeguard U.S. communications to Hawaii, Midway, and Australia; and to hold the line against further Japanese expansion in the Pacific. As Nimitz saw it, all these objectives might be obtained through offensive operations. In the circumstances, that could only mean carrier raids on Japanese bases.

When, in early January 1942, Nimitz put the matter before his force commanders and other officers at Pearl Harbor, several of whom until recently had been his seniors, many opposed the raids as too risky, a sure way to lose what was left of the Pacific Fleet. However, Vice Admiral William F. Halsey not only endorsed the idea but volunteered to carry out a strike against the Marshall Islands, the Japanese stronghold in the Central Pacific—a courageous reaction that permanently endeared him to his commander-in-chief.

On 1 February, Harley's *Enterprise* force bombed the Marshalls while Rear Admiral Frank Jack Fletcher's *Yorktown* force raided the nearby Gilberts. Halsey next struck Wake and then Marcus, the latter only a thousand miles from Japan, while Fletcher's *Yorktown* force joined the *Lexington* force, under Vice Admiral Wilson Brown, for an air attack on Japan's newly seized bases at Lae and Salamaua on the north coast of New Guinea. In mid-April, the *Hornet*, with 16 long-range Army B–25's lashed to her flight deck, joined the *Enterprise* under Halsey's command and, approaching Japan, launched the bombers for attacks on Tokyo and other Japanese cities.

The raids, though not extremely destructive, electrified the American public and armed forces, superbly achieving Nimitz' aim of raising morale. His seniors in Washington now awarded him an additional title, Commander in Chief Pacific Ocean Areas (CinCPOA), which gave him authority over all U.S. and allied military and naval forces in the Pacific theater, except those in General Douglas MacArthur's Southwest Pacific Area.

The Japanese, undeterred, proceeded with their conquests—the East Indies, Singapore, Burma, the north coast of New Guinea, the Bismarcks, the upper Solomons. Bataan had fallen, followed by the infamous Death March to prison camp of the Filipino and American defenders. Corregidor must soon surrender and, with it, the rest of the Philippines. Japan had thus attained access to ample East Indian oil for its war machine and set up a defense perimeter of air bases around its newly won empire.

These rapid, relatively cheap conquests emboldened the Japanese to plan further advances—into the Aleutians and Midway to complete their perimeter, and southeastward into New Caledonia, Fiji, and Samoa to establish bases for interception of shipping from the United States to Australia. To clear their flank for the southeastward advance, they prepared to make a seaborne assault on Port Moresby, the Australian base on the New Guinea south coast whence Allied bombers could reach the key Japanese base at Rabaul in the Bismarcks.

Now for the first time Nimitz was able to make use of his ultra-secret weapon, American possession through cryptanalysis of the main Japanese code. Decrypted radio intercepts having made him aware of the impending assault on Port Moresby, he alerted Fletcher's *Yorktown* force in the South Pacific and sent the *Lexington* force, now under Rear Admiral Aubrey Fitch, to join it in the Coral Sea. As soon as the *Enterprise* and *Hornet* forces returned from their raid on Japan, he dispatched these southward also, but they were not to arrive in time to see action.

In the Battle of the Coral Sea (4–8 May 1942), aircraft from the *Yorktown* and the *Lexington* searched out the Port Moresby occupation group in the Solomon Sea and sank the light carrier *Shoho*, obliging the rest of the group to turn back for lack of air cover. Meanwhile, two Japanese fleet carriers, the *Shokaku* and *Zuikaku*, detached from the force that had raided Pearl Harbor, had swung around eastward of the Solomons to entrap the American carriers. On the morning of the 8th, the opposing carrier forces located each other and launched simultaneous attacks in which the *Shokaku*, the *Yorktown*, and the *Lexington* were heavily damaged and many planes were shot down. On board the *Lexington*, ruptured fuel lines released gasoline vapors which at length exploded, setting off such uncontrollable fires that the carrier had to be abandoned and then sunk by her accompanying destroyers.

The Japanese could proclaim themselves the tactical victors, for their lossses were somewhat lighter than the American. But the Americans were clearly the strategic victors. For the first time the Japanese advance had been stopped and turned back. More important, damage to the *Shokaku* and heavy loss of aviators from the *Zuikaku* would keep these big carriers out of action for some time. Thus, at a critical moment, the six-carrier Japanese striking force lost a third of its air power.

Nimitz had little time to congratulate himself on the results of the Coral Sea battle, for evidence was piling up that the whole Japanese fleet was about to attack Midway and the Aleutians. This was an appalling situation, for the Japanese navy was immensely more powerful than American naval forces in the Pacific.

Nimitz could find no use for six slow old battleships at San Francisco, two of which had been at Pearl Harbor. He would have to depend on carrier forces, submarines, and land-based air. The *Wasp* was still in the Atlantic. The *Saratoga*, torpedoed in January, was now repaired but a screen had not yet been assembled for her. That left only the *Enterprise*, the *Hornet*, and the damaged *Yorktown*. These Nimitz ordered up from the South Pacific at top speed.

Decrypted intercepts of Japanese radio communications revealed a strange deconcentration of Japanese naval power. In fact, Admiral Isoroku Yamamoto, Commander-in-Chief, Japanese Combined Fleet, had his forces divided all over the western Pacific. His main objective in assaulting Midway was to draw out the U.S. Pacific Fleet for destruction, completing the job of his carrier raid on Pearl Harbor six months earlier. Knowing that the available American carriers were all in the South Pacific, he counted on surprise to enable him to mass his fleet before these or any other American ships could reach the Midway area. Nimitz, with the advantage of information based on the broken Japanese code, was determined to turn the Japanese deconcentration to American advantage.

Halsey's *Enterprise-Hornet* force arrived at Pearl Harbor from the south on 26 May, but Halsey himself was ill with a nervous rash from months of tension and had to be hospitalized. Now Nimitz' knowledge of American naval officers and their capabilities stood him in good stead. Without hesitation he turned the command over to Rear Admiral Raymond A. Spruance, Halsey's cruiser commander. Spruance had had no experience in commanding carriers, but Nimitz relied on his reputation for intelligence, decisiveness, and good judgment. He carefully briefed Spruance and his staff and set the *Enterprise-Hornet* force to cruise northeast of Midway, on the flank of the approach he expected the Japanese carrier striking force would make through a region of murky weather.

The battered *Yorktown* had arrived at Pearl Harbor on the 27th. In a round-the-clock effort, she was sufficiently repaired to sortie on the 30th. The following day, Japanese submarines took station west of Pearl Harbor to report and attack the forces that had already passed through those waters.

In the afternoon of 2 June, the *Yorktown* force made rendezvous with the *Enterprise-Hornet* force 350 miles northeast of Midway, and Admiral Fletcher, as senior officer present, assumed the tactical fleet command. Since the impending battle would also involve sub-surface forces and Midway-based aircraft, Admiral Nimitz retained the over-all tactical command in his own hands.

Though the American carrier forces were under radio silence, Nimitz and his staff were kept well informed of all operations and fleet movements by aircraft, especially scout planes from Midway, and by submarine contacts. Nevertheless, the following days were among the most trying of the war for Nimitz. He knew that he had sent a David out to do battle with a Goliath, and that defeat of his carrier forces would leave Pearl Harbor and all other Allied bases in the Pacific open to attack by the Japanese fleet.

On the morning of 3 June, reports came in to Pearl Harbor that carrier aircraft had raided Dutch Harbor in the Aleutians, and that scout planes had sighted a large enemy force approaching Midway from the southwest. Nimitz, concluding that the first was a diversion and that the second was merely an occupation force, was gratified that the American carriers, adhering to his instructions, had not been drawn out of position by either of the reports.

Early on the 4th, Nimitz had his judgment confirmed by scouting PBYs. The Japanese carrier force was coming from under the cloud cover northwest of Midway and had launched an air attack against the island. The Japanese battleship force had not been seen and indeed was not at any time to be sighted by the Americans because, as Nimitz had reason to believe, it was several hundred miles away to the west.

For the next few hours only bad news came into Pearl Harbor. The air attack on Midway caused widespread damage and destroyed most of the fighter planes based there. Counterattacking bombers and torpedo planes from Midway were mostly shot down without achieving any apparent damage to the Japanese carrier force. Torpedo planes from the American carriers attacked with similar results.

Then at 1020 came the attack that changed the whole course of the war.

Dive bombers from the *Hornet* and the *Enterprise* had missed the Japanese carrier *Kaga*, which had turned northeast to attack the American carriers. The *Hornet* bombers turned toward Midway and so missed the battle, while the *Enterprise* bombers flew a square and approached the Japanese force from the southwest. At the same time the *Yorktown* bombers, launched later, had headed directly for the Japanese carriers and were approaching from the opposite direction. By an amazing coincidence, the two American air groups dived simultaneously without either being aware of the other's presence.

The American dive bombers caught the Japanese carriers in the most vulnerable condition possible. Their planes were being refueled for an attack on the American carriers, sighted shortly before. The planes had discarded bombs for torpedoes, and the bombs had not yet been returned to the magazines. The disastrous American torpedo-plane attack, just concluded, had drawn Zeke fighters and the attention of Japanese anti-aircraft gunners down to the surface. Nobody was looking up when the American bombers went into their dive.

Bombs ripped the decks of the carriers *Kaga, Akagi*, and *Soryu*, starting lethal fires and explosions in all three. The fourth Japanese carrier, the *Hiryu*, made a temporary escape to the north, but that afternoon bombers from the *Enterprise* found her also and with four direct hits set her fatally ablaze.

During the *Hiryu's* brief reprieve, her bombers and torpedo planes had followed the American planes back to their carriers, and the torpedo planes so damaged Fletcher's flagship, the *Yorktown*, that she took a dangerous list and was abandoned, whereupon Fletcher, shifting to a cruiser, turned the tactical command of the carriers over to Spruance on the *Enterprise*.

That night Spruance pulled back to the east, a move sharply criticized by some of Nimitz' staff. But, by his move, Spruance had frustrated an attempt by Yamamoto to retrieve the situation by a night attack with surface forces. At 0255, these forces having made no contact, Yamamoto with a heavy heart ordered a general retreat.

Through 5 June, Spruance unsuccessfully pursued the fleeing Japanese. On the 6th, his aviators succeeded in overtaking two collision-damaged Japanese cruisers, sinking one and heavily damaging the other. Then Spruance turned back east, again barely avoiding a night battle.

Once more Spruance had left himself open to criticism as being overcautious, but Nimitz, noting how precisely he had carried out his specific instructions regarding calculated risk, marked him for future important responsibilities. He would call Spruance to Pearl Harbor to serve as his chief of staff and to prepare him to assume command of a greater Pacific fleet, not yet off the ways in American shipyards.

The Japanese got in the last blow in the Battle of Midway. On 6 June, while the heavily listing *Yorktown* was under tow, a submarine fired a spread of torpedoes that sank a destroyer alongside and so further damaged the carrier that she sank the next morning.

To Chester Nimitz the victory of Midway was the high point of his career. Though its full significance would not be apparent for months, it was obvious that the tide had turned. The Japanese preponderance of power had been cut down; something like equality had been attained. No longer would the United States and its allies in the Pacific theater be forced into continuous retreat. For them a shift to the offensive had now become possible.

Outside his office, Admiral Nimitz had a pistol range set up, and adjacent to his living quarters a half mile away he laid out a horseshoe court. These he frequently visited to work off tension, especially at critical periods of the war. But the range and the horseshoe court also had a psychological purpose. He often invited journalists and other officers to join him at both places. "If the Old Man can give his attention to this sort of thing," they would say, "matters can't be too bad."

Most mornings Nimitz met with his staff, often opening the meeting or relaxing a tense discussion with a humorous story, of which he had a great store.

Over his desk he had three questions tacked up which he expected his subordinates to be prepared to answer about any problem:

1. Is the proposed operation likely to succeed?

2. What might be the consequences of failure?

3. Is it in the realm of practicability of material and supplies?

When major operations were being planned, the senior officers involved sat with Nimitz and his staff, together with any other officers in the area whose opinions Nimitz wanted to hear. In all such meetings he acted like a chairman of the board, guiding and being guided by others in reaching a meeting of minds. This does not mean that the war was being run like a town meeting. At his conferences Nimitz made the final decisions, sometimes despite plenty of contrary advice, but first he heard the advice and weighed it carefully. He knew that World War II was far too complex for any one man in any theater to do all the high-level thinking, keeping his council to himself and at last handing down Napoleonic decisions.

Plans made at Pearl Harbor were submitted to the Joint Chiefs of Staff at Washington, who would subject them to scrutiny and, if in agreement, issue a general directive which left Nimitz and his subordinates ample leeway for carrying out details. As the war wore on, the Joint Chiefs tended less and less to intervene in decisions made in the Pacific theater.

From time to time Admiral Nimitz met with Admiral King, now Commander-in-Chief, U.S. Fleet, and Chief of Naval Operations. Both chiefs and members of their staffs flew to these Cominch-CinCPac meetings, usually held on the West Coast. They were often exhausting experiences for Nimitz. Flying, which he disliked, tired him, and the conferences were long and wearing, with King demanding more and still more facts and figures. Yet, the meetings were vital for maintaining co-ordination between Washington and Pearl Harbor, and at them originated some of the most pregnant ideas of the war in the Pacific.

Nimitz was in fact the link and buffer between the imperious, often caustic King and his own strong-minded subordinates in the Pacific theater. These were men of firm convictions which they seldom hesitated to express in emphatic terms. Not for nothing did the press rechristen three of them "Bull" Halsey, "Terrible" Turner, and "Howling Mad" Smith. Nimitz molded these men into one of the finest fighting teams in history, all the while remaining patient and unruffled, like the calm at the eye of the storm.

Eleven o'clock most mornings was visiting hour at Nimitz' headquarters. Commanders of ships or forces reaching Pearl Harbor were expected to make a call. "Glad to have you with us," Nimitz would say, then motion the visitor a chair and begin asking penetrating questions. In fact, almost anyone with something to say could gain admittance to the Admiral. "Some of the best help and advice I've had," said he, "comes from junior officers and enlisted men."

Many evenings Nimitz had guests in for dinner at his living quarters, which he shared with Spruance, once he had joined his staff, and the fleet medical officer, Captain Elphege Alfred M. Gendreau. Included frequently were officers newly arrived from the United States or from forward operations, or civilians at Pearl Harbor on official business.

At the table, serious talk, with Nimitz contributing and also listening carefully, was mingled with laughter. After dinner Captain Gendreau usually suggested a walk. When the party returned to Nimitz' quarters, there were handshakes and good nights at the door, and the visitors departed.

Before going to bed, Nimitz relaxed by reading or listening to his fine collection of records. A rapid reader, he usually finished a book at one sitting. He read everything that could help him better understand the Japanese character. Among other books he particularly valued Douglas Southall Freeman's biography of Robert E. Lee. Like Lee, Nimitz picked good men and sent them to do a job with as little interference as possible. Nimitz was never present at a battle or an amphibious assault. His presence, he knew, would have an inhibiting effect upon his subordinates. They would feel that he was looking over their shoulders and might hesitate to act without first receiving assent.

As a result of their victory at Midway, the Americans prepared, with the help of New Zealand and Australian forces, to seize the initiative. Their objective was the Japanese base at Rabaul, which was within bombing range of the Australian base at Port Moresby. Forces under General MacArthur would advance on Rabaul via New Guinea and New Britain; those under Admiral Nimitz, via the Solomon Islands. To facilitate conduct of the Solomons campaign, Admiral King established in the South Pacific Area a separate command subordinate to Nimitz' Pacific Ocean Areas. As Commander South Pacific Area and South Pacific Forces, he named Vice Admiral Robert L. Ghormley, an officer of respected intellect and solid achievements.

The Solomons campaign began at dawn, 7 August 1942, when an expeditionary force commanded by Vice Admiral Fletcher landed the 1st Marine Division on Guadalcanal and nearby islets. The Japanese, taken by surprise, counterattacked with planes out of

Rabaul but achieved little destruction. They then pulled a surprise of their own in the Battle of Savo Island. An hour after midnight on 9 August, a Japanese force of seven cruisers from Rabaul entered the sound north of Guadalcanal undetected and ran through the Allied amphibious support forces, firing guns and torpedoes. Suffering only minor damage, the Japanese retired, leaving behind one Australian and three American heavy cruisers in a sinking condition.

The Navy was stunned. The loss of three scarce heavy cruisers, with another damaged, and a thousand men boded ill for the campaign. Admiral Nimitz was shocked at the bad news, but he is reported only to have said, "Well, that's not so good. Now we must get busy and revise our plans." There was some talk of a court-martial for Rear Admiral Richmond Kelly Turner, commander of the amphibious forces, and possibly others, but Nimitz concurred with an investigating commission appointed by the Secretary of the Navy that the blame for the Allied defeat was too evenly distributed for any particular officers to be held responsible.

Toward the end of August, in the carrier Battle of the Eastern Solomons, the *Enterprise* was heavily damaged, but the Americans forced the Japanese fleet to retire by sinking a light carrier and shooting down 90 planes. In the next few weeks in the southern approaches to Guadalcanal, submarines damaged the *Wasp*, the *Saratoga*, and the battleship *North Carolina*. The *Wasp*, afire, had to be sunk by a destroyer. The other two ships were out of action for months.

By October, there were nearly as many Japanese troops on Guadalcanal as there were American soldiers and Marines. Japanese aerial bombs and battleship and cruiser fire had destroyed most of the planes on the island and were making the airfield unusable. Capture of the field appeared imminent. Allied morale in the area plunged, and confidence was further undermanned by inter-command bickering that Ghormley seemed unable to check. There was even talk of abandoning Guadalcanal to the Japanese.

By this time Admiral Halsey, cured of his dermatitis, had returned to Pearl Harbor. Alerted by Nimitz to be ready to assume command of the carrier forces in the South Pacific, he left by seaplane to look over his new area of operations and meet the men he would work with. In his absence, Nimitz held a staff meeting to discuss what to do about the worsening situation in the South Pacific. As Halsey's plane came to a stop in Noumea Harbor, a whaleboat came alongside, and Admiral Ghormley's flag lieutenant handed Halsey a dispatch from Nimitz: "You will take command of the South Pacific area and South Pacific forces immediately."

Ghormley, understandably distressed at what amounted to public humiliation, on arrival at Pearl Harbor called on Admiral Nimitz for an explanation.

"Bob," said Nimitz, "I had to pick from the whole Navy the man best fitted to handle that situation. Were you that man?"

"No," said Ghormley. "If you put it that way, I guess I wasn't."

Not long afterward Nimitz secured Ghormley's appointment as Commandant 14th Naval District, in part at least to have him close at hand for consultation.

Halsey, exuding confidence and aggressiveness, tough as the situation required, quickly succeeded in restoring morale and good command relations in the South Pacific Area, although perhaps he was a little too daring in sending his two carrier groups north of the Solomon chain to tackle the most powerful battleship-carrier force the Japanese had assembled since the Battle of Midway. In the ensuing Battle of the Santa Cruz Islands, the *Hornet* was sunk and the *Enterprise* was again seriously damaged, leaving not a single serviceable American carrier in the whole Pacific.

The struggle for Guadalcanal reached a climax in November with a series of air and sea actions, including night surface slugging matches, which together are known as the Battle of Guadalcanal. When it was over, the Americans had lost two cruisers and five destroyers; the Japanese, two battleships, a cruiser, a destroyer, and nearly a dozen transports. The Japanese now wrote off Guadalcanal, merely holding on until they had built airfields in the Central Solomons. In January 1943, they evacuated the remnant of their half-starved Guadalcanal garrison.

When Halsey's South Pacific forces began advancing up the Solomons chain, they entered General MacArthur's Southwest Pacific Area and so came under the General's strategic control, though Nimitz continued to provide Halsey with ships, aircraft, and men. During the advance on Rabaul, the Americans, in several hot night battles involving cruisers and destroyers, with the aid of their newly developed CIC, gradually gained the ascendancy. By early 1944, Halsey and MacArthur had surrounded Rabaul and, with the help of carrier groups loaned by Nimitz, bombed the base into impotence. The Japanese, in their desperate defense, had expended their land-based aircraft and even stripped their Truk-based carriers of planes. Thus at another critical moment in the war the Japanese Combined Fleet was paralyzed for want of air power.

While by means of limited offensives, American, New Zealand, and Australian forces were clearing the Japanese out of the Solomons-eastern New Guinea area, and American and Canadian forces were ousting them from footholds in the Aleutians, Admiral Nimitz was assembling forces for an all-out offensive in the Central Pacific. His objective was to punch a hole straight across the center through Japan's island empire. MacArthur would continue his advance via New Guinea and the Philippines, but this roundabout route would be too long to bring the war against Japan itself. Over such a distance not enough shipping would be available to keep the attacking forces supplied.

In the spring of 1943, new fast carriers had begun arriving at Pearl Harbor together with newly completed support vessels of every type. These Nimitz organized into task forces and sent them out to raid enemy bases—Marcus, Tarawa, Wake, Rabaul. The carriers would spearhead a great new Fifth Fleet, which Nimitz appointed Spruance to command. "The Admiral thinks it's all right to send Raymond out now," remarked an officer at Cincpac headquarters. "He's got him to the point where they think and talk just alike." Rear Admiral Charles H. McMorris now became Nimitz' chief of staff.

The Central Pacific drive was originally to open with an invasion of the Marshalls, but Nimitz convinced the Joint Chiefs that the Gilberts should first be seized. Once the Gilberts were captured with support from aircraft based on the Ellices and other nearby islands, land-based air from the Gilberts could support the invasion of the Marshalls. Nimitz was not yet sure that the carriers alone could provide adequate air support for amphibious assault on a major enemy base.

In the Gilberts assault, which began 20 November 1943, speed was deemed essential, for the Americans, unaware that the Japanese fleet had been rendered helpless by the loss of carrier planes and pilots, expected it to sortie and give battle. The four days it took the 2nd Marine Division to conquer Tarawa, Japanese headquarters and strong point in the Gilberts, cost 3,000 casualties, including more than a thousand killed. The armed services and the American public were shocked at such heavy losses in so brief a period, but Nimitz and his commanders knew that the conquest of the Gilberts provided as valuable a jumping off place as the conquest of Guadalcanal, which had taken six months and cost far more American lives.

Original plans for the invasion of the Marshalls called for simultaneous landings on Maloelap and Wotje, the atolls nearest Pearl Harbor, and Kwajalein, the Japanese headquarters at the center of the archipelago. After the shock of Tarawa, Marine Major General Holland M. Smith, expeditionary troop commander, urged that the Marshalls be captured in two steps, Wotje and Maloelap to be captured first and developed into bases to support a later assault on Kwajalein. Spruance and Turner, commander of the amphibious force, were in hearty agreement with this suggestion. Nimitz startled them all by proposing instead that they bypass the outer islands altogether and attack Kwajalein alone. Spruance, supported by Smith and Turner, protested that this would leave strong enemy positions athwart their line of communications and that the Japanese could launch air attacks from the outer islands against the Americans on Kwajalein.

Plans were still unsettled when in the second week of December Admiral Nimitz called a conference of all the major commanders of the forthcoming expedition. They once more threshed over the question of whether they should go directly to Kwajalein or first seize the outer islands. At length Nimitz asked each commander his opinion.

To Spruance: "Raymond, what do you think now?"

"Outer islands."

"Kelly?"

"Outer islands."

"Holland?"

"Outer islands."

And so on around the room. The commanders unanimously recommended an initial assault on the outer islands. When the poll was completed, there were a few moments of silence. Then Admiral Nimitz said quietly, "Well, gentlemen, our next target will be Kwajalein."

As it turned out, the Japanese commander in the Marshalls had estimated that the Americans would do what Nimitz' subordinates wanted to do. Hence, he had strengthened the outer islands at the expense of Kwajalein. When the American assault came, Kwajalein was no pushover, but because Spruance was not obligated to commit his reserves, he pushed on with them and promptly captured Eniwetok also. The outer islands proved no menace after all, for American air power, at first from the carriers and then from the Gilberts and Kwajalein, easily kept them pounded down.

Convinced now that the carriers could support major assaults without the assistance of land-based air, Admiral Nimitz next planned a 1,000-mile leap to Saipan in the Marianas. The Saipan operation, which would see soldiers fighting shoulder-to-shoulders with Marines, required many meetings with Army and Navy commanders in close and sometimes heated conferences. At one such meeting, in which agreement seemed impossible to achieve, Nimitz cleared the atmosphere with a little story.

"This all reminds me," said he, "of the first amphibious operation—conducted by Noah. When they were unloading from the Ark, he saw a pair of cats come out followed by six kittens. "What's this? he asked. 'Ha, ha,' said the tabby cat, 'and all the time you thought we were fighting'."

The invasion of Saipan in June, 1944, at last brought out the Japanese carrier fleet, with new planes but inadequately trained pilots. On 19–20 June, it fought the Battle of the Philippine Sea with Spruance's carrier force, Task Force 58, which was covering the Saipan beachhead. Spruance refused to permit TF 58 to leave its covering position until the enemy was put to flight, for which he was again widely criticized as being too cautious. Nimitz, however, gave Spruance his complete support, and most military analysts have since agreed with them.

Had TF 58 advanced and attacked, a segment of the enemy fleet, at least theoretically, might have maneuvered between it and the beachhead. The American planes, moreover, would have had to pass through the heavy anti-aircraft fire of an advance Japanese force and then fly a hundred miles farther before reaching the enemy fleet carriers. As it was, the Japanese planes attacked TF 58 and were mostly shot down in the "Marianas Turkey Shoot." Meanwhile American submarines sank two of the big enemy carriers, after penetrating their screen, which had been weakened to provide the advance force. The next day, TF 58 planes overtook the Japanese fleet, which had taken to flight, and sank a third aircraft carrier.

Two innovations of the war in the Pacific proved vital to maintaining the strategic momentum of the Central Pacific drive. One was the mobile serivce squadrons that moved with the Fleet—ammunitions ships, tenders, repair ships, floating dry docks. These could enter the relatively calm lagoon of any atoll and convert it into a naval base. The other was the system of alternating fleet commands. After Saipan and nearby Tinian and Guam had been taken by the Americans, Spruance, Turner, and Smith returned to Pearl Harbor to rest and plan further operations, while Admiral Halsey and his subordinate commanders replaced them in the Fifth Fleet, which thereupon changed its name to Third Fleet.

Shortly after assuming the fleet command Halsey raided the central Philippines with carrier planes and discovered the defenses there to be so weak that he advocated invading at Leyte instead of Mindanao to the south. When Nimitz and MacArthur concurred, the Joint Chiefs ordered the change of plan. As soon as feasible, Nimitz turned over his available invasion troops to MacArthur and carried his amphibious and support forces to the small Seventh Fleet, "MacArthur's Navy," thereby stripping the Third Fleet virtually down to Task Force 38, the new title for Task Force 58.

On 20 October 1944, the much enlarged Seventh Fleet, under Vice Admiral Thomas C. Kinkaid, MacArthur's admiral, began putting troops ashore in Leyte Gulf, while Halsey's Third Fleet maneuvered to the east in distant support. Here for the first time the two fleets, with no over-all commander closer than the Joint Chiefs in Washington, operated in close co-operation against a major objective. Halsey had seen to it that a release clause was inserted into his own orders: "In case opportunity for destruction of major portion of the enemy fleet offer or can be created, such destruction becomes the primary task."

The Leyte invasion started the Japanese fleet in motion, thereby setting the stage for the great Battle for Leyte Gulf. By 24 October, two Japanese surface forces were threading their way through the Philippines—a Southern Force heading for Surigao Strait south of Leyte Gulf, and a more powerful Center Force heading for San Bernardino Strait, north of the Gulf. Through the day Halsey's carrier planes hammered at the Center Force, temporarily forcing it into retreat.

In mid-afternoon, Halsey radioed to his fleet a battle plan whereby four battleships and other surface vessels would withdraw from TF 38 "when directed by me" and form TF 34 to cover San Bernardino Strait. Later Halsey learned from scout planes that to the north was a third Japanese force, the Northern Force, including carriers. There were in the Northern Force altogether only 17 vessels, but of this fact Halsey was unaware. On learning that there were enemy carriers nearby, he cancelled all other objectives and headed his entire available fleet, 65 ships, north in hot pursuit.

Kinkaid, having intercepted Halsey's battle plan, thought that TF 34 had been formed and was off San Bernardino Strait. He therefore felt free to send all his gunnery vessels down into Surigao Strait, where that night they repulsed the Japanese Southern Force, inflicting heavy losses. To Halsey he reported the battle by radio, adding: "Is TF 34 guarding San Bernardino Strait?" At dawn he was dumfounded to receive in reply: "Negative. TF 34 is with carrier groups now engaging enemy carrier force."

Halsey was in fact in TF 34 himself, far to the north, forging out ahead of his carrier groups to finish off ships crippled by his carrier planes. He was thus doing exactly what the Japanese wanted him to do. The enemy carriers he was chasing were harmless. They had been stripped of planes in the Battle of the Philippine Sea and had not yet trained aviators to replace those lost. They had in fact been sent down from Japan as decoys to lure Halsey away so that the Southern and Center forces could converge without impediment on Leyte Gulf and smash the amphibious shipping there. The decoy force was not expected to survive.

During the night the Center Force had passed unchallenged through San Bernardino Strait. A little after sunrise, northeast of the entrance to Leyte Gulf it encountered and attacked a tiny Seventh Fleet escort carrier unit. There now flashed a whole series of radio message between Kinkaid and Halsey, the former demanding help, once in plain English, explaining that his gunnery vessels after their night battle were too low in ammunition to take on the Center Force. Halsey's Third Fleet, TF 34 and all, forged on to the north.

At Pearl Harbor all the Halsey-Kinkaid messages were being intercepted. Admiral Nimitz, watching the progress of the battle on the operations chart, was, as he later said, "on pins and needles." It was not clear to him whether Halsey had sent TF 34 back south or was retaining it with the carriers. CinCPac Assistant Chief of Staff Commodore B. L. Austin suggested that he inquire of Halsey by radio. At first Nimitz declined, not wishing to interfere with the commander on the scene. At length he authorized a message merely asking the location of TF 34, whereupon Austin dictated to a yeoman: "Where is (*repeat* where is) Task Force Thirty-four?", addressing the message to Admiral Halsey for action and, routinely, to Admiral King and Kinkaid for information. At the communications center an ensign communicator added padding, phrases at both ends of the message, from which it was separated by double letters—a precaution to increase the difficulty of cryptanalysis.

The message was received on board the *New Jersey,* Halsey's flagship, at about 1000. When it had been deciphered on the electric ciphering machine, a communicator examined the strip. He easily recognized the opening padding, "Turkey trots to water," for what it was and tore it off, but the closing padding, "The world wonders," looked so much like part of the message that he left it on and sent the strip by pneumatic tube to flag country. The message placed in Halsey's hands read as follows: "From Cincpac [Nimitz] action com third fleet [Halsey] info cominch [King] CTF seventy seven [Kinkaid] x where is rpt is task force thirty four RR the world wonders."

Halsey was enraged. To him the message, with its seemingly taunting ending, appeared to be an insult—which King and Kinkaid were called on to witness. At 1115 he ordered TF 34 to change course from due north to due south, attaching a carrier group from TF 38 as he passed it on the opposite course. When he arrived off San Bernardino Strait a little after midnight, the Center Force had already passed back through it. Almost miraculously, from the American point of view, it had broken off action with the little escort carrier unit that morning and had presently retired the way it had come.

Despite Halsey's 300-mile run to the north and then back to the south at the height of the Battle for Leyte Gulf, the battle was a great American victory. The Japanese fleet had been reduced to impotence. There would be no more stand-up naval battles in World War II.

Captain Ralph Parker, head of Nimitz' Analytical Section, in writing up the CinCPac report of the battle for submission to the Commander in Chief U.S. Fleet, criticized Halsey's maneuvers. Before signing the report, Nimitz sent it back with a note written on it. "What are you trying to do, Parker, start another Sampson-Schley controversy? Tone this down. I'll leave it to you."

The Third Fleet continued to support MacArthur's operations in the Philippines—the conquest of Leyte, the capture of Mindoro, the invasion of Luzon. During these operations, the Pacific Fleet amphibious forces came under increasingly heavy attack by kamikazes, which inflicted severe damage with heavy loss of life.

After the invasion of Luzon, Admiral Nimitz requested the return of his Pacific Fleet units for use in forthcoming operations against Iwo Jima, Okinawa, and Japan. Admiral Kinkaid was understandably loath, in view of his commitments, to see his Seventh Fleet reduced to its former starveling proportions. The situation might have led to acrimony, but in an exchange of restrained and courteous dispatches, Admiral Nimitz and General MacArthur reached an agreement that was workable, if not entirely satisfactory for either.

On 25 January 1945, the Third Fleet steamed into Ulithi lagoon, where Admiral Halsey was relieved by Admiral Spruance, and Third Fleet again became Fifth Fleet. For the Iwo Jima operation, Nimitz, recently promoted to fleet admiral, shifted from Pearl Harbor to new headquarters on Guam.

Preceding the assault on Iwo Jima in mid-February, Spruance led TF 58 to the shores of Japan and gave the Tokyo area the first naval bombing since the miniature raid from Halsey's carriers in early 1942. The Iwo assault, carried out by three Marine Corps divisions, proved far more costly in casualties than Admiral Nimitz and his subordinates had anticipated. No amount of aerial photography could have revealed all the concealed gun positions or the intricate tunneling by means of which the defenders were prepared to sell their island dearly. The conquest of Iwo, however, was worth almost any cost, for it provided airfields where Marianas-based B–29s could refuel and whence fighters could take off to accompany the long-range bombers over Japan.

When Winston Churchill proposed sending the British carrier fleet to the Pacific to participate in the final defeat of Japan. Nimitz was dismayed. With American ships reaching the Pacific from European waters, where they were no longer needed, and new construction coming off the ways, the CinCPac command had its hands full supplying and servicing its own ships. Nimitz, nevertheless, found a way to handle the problem, and integrated the British fleet into the Okinawa operation.

The landing on Okinawa on 1 April proved unexpectedly swift and easy. The Americans did not know that this was because the Japanese had decided that defending the beaches under naval gunfire was futile and prohibitively costly. On Okinawa the defenders holed up in the hills and let the invaders come to them. Meanwhile, Japan-based kamikazes struck viciously and in large numbers, doing fearful damage in TF 58, which was obliged to remain nearby in order to protect communications to the island, and among the small vessels maneuvering on early-warning picket stations around the island.

When military operations on Okinawa appeared bogging down, Nimitz arrived for a personal inspection. Lieutenant General Simon Bolivar Buckner, U.S. Army, received Nimitz politely but pointed out that this was ground, implying that military operations on Okinawa were strictly Army business. "Yes," said Nimitz, "but ground though it may be, I'm losing a ship and a half a day. So if this line isn't moving within five days, we'll get someone here to move it so we can all get out from under these stupid air attacks."

The line got moving, and on 21 June, Okinawa was declared secured. By that time, B-29s from the Marianas were burning out the hearts of Japanese cities. Not long afterward, Halsey, leading the combined British and American fleets, began parading up and down Japan's east coast, bombing almost at will. In the first days of August 1945, the Soviet Union declared war on Japan and invaded Korea, and B-29s dropped atomic bombs on Hiroshima and Nagasaki. Nimitz had been informed of the plan to use atomic bombs, but otherwise had no connection with it, for the Marianas-based B-29s comprised the one command in the Pacific Ocean Areas over which he had no authority. On 14 August, the Japanese Cabinet accepted the Potsdam Proclamation. The next day Nimitz ordered Halsey to "cease fire."

On 2 September 1945, in Tokyo Bay, a few minutes after 0800, Fleet Admiral Nimitz came aboard the battleship *Missouri* (BB-63), and his personal flag was broken at the mainmast. Half an hour later General of the Army MacArthur came aboard, whereupon his personal flag was broken alongside that of Nimitz. In the presence of military and naval leaders of all the Allied powers, the Japanese Foreign Minister and the Chief of Staff of the Japanese Army signed the instrument of surrender. General MacArthur then signed for the Allied powers. At 0912, Admiral Nimitz signed for the United States.

Shortly afterward, Admiral Nimitz visited the United States. In Washington, D.C., 5 October 1945 was officially designated "Nimitz Day." Admiral and Mrs. Nimitz rode in parade, and President Truman presented Nimitz with a gold star in lieu of the third Distinguished Service Medal. Such ceremonies the Admiral found rather trying. He made it plain that he accepted the honors only as the representative of the men and women who had served with him in the Pacific.

While in Washington, Nimitz called on Secretary of the Navy James V. Forrestal to pay his respects. The conversation came around to Nimitz' future. Forrestal offered to put the Admiral at the head of the General Board or release him into an "advisory," semi-retired status. Nimitz startled the Secretary by refusing both offers, saying that he preferred a tour as Chief of Naval Operations.

"But," protested Forrestal, "you should now step out of the limelight, while your fame is great. As CNO you risk your laurels."

Secretary Forrestal was in fact reluctant to have Nimitz as CNO because they had disagreed concerning the merits of certain officers. Moreover, Nimitz, while wholeheartedly supporting the idea of civilian control of the military, had stated his opinion that Forrestal had given authority to civilians, "his Wall Street friends," that should be wielded only by officers. When Nimitz insisted on a tour as CNO, however, Forrestal could not very well refuse him.

"All right," said the Secretary grudgingly, "but it can only be for two years, no more."

"That suits me exactly," replied Nimitz. "I think the CNO's terms should be limited to two years."

On 24 November 1945 at Pearl Harbor on the deck of the submarine *Menhaden* (SS-377), Fleet Admiral Nimitz relinquished his duties as CinCPac and CinPOA to Admiral Spruance. Of Admiral Nimitz, Admiral Spruance long afterward wrote: "Nimitz is a very great man, and I consider myself most fortunate to have had the privilege to know him as well as I do, and to have served under his command. His personality, character, and ability are those that any young man could emulate and make no mistake."

Nimitz' success in war and in dealing with men was the product of his extraordinary balance. He wielded authority with a sure hand but without austerity or arrogance. His perfect integrity was untinged with harshness. He demanded the best from those who served under him but never failed to give credit where credit was due. He was courteous and considerate without leaving any doubt who was running the show. He was serene and unruffled and at the same time vigorous and hardworking. He took his responsibilities with deadly seriousness, yet never lost his sense of humor. He grew with his responsibilities, but even when he commanded 2,500,000 men, he retained his simplicity and common touch.

He surrounded himself with the ablest men he could find and sought their advice, but he made his own decisions. He was a keen strategist who never forgot that he was dealing with human beings, on both sides of the conflict. He was aggressive in war without hate, audicious while never failing to weigh the risks.

On 15 December 1945, Fleet Admiral Nimitz relieved Fleet Admiral King as Chief of Naval Operations. As it turned out, Nimitz and Forrestal proved a most effective team in solving the problems of swift demobilization and of keeping the unification of the services within bounds. Nimitz did not oppose the concept of a single Department of Defense. After all, he had seen the advantages, indeed the necessity, of unified command in his own Pacific Ocean areas. What he did oppose was the appointment of a single chief of staff for all the services, with the Air Force controlling all aircraft, the Army controlling all troops, and the Navy controlling nothing but ships and sailors. In the end what was achieved was separate services under a National Military Establishment with each service so balanced in capability as to coordinate effectively with the others. Under this concept, the Department of the Navy retained its carrier aviation, its shore-based reconnaissance wing, and a Marine Corps of limited size.

During Nimitz' tenure as CNO occurred the court-martial of Captain Charles B. McVay, the commanding officer of the USS *Indianapolis*, (CA-35), sunk by a Japanese submarine in the last days of World War II with the loss of 880 men. McVay was found guilty, but in recognition of his good record, his sentence was remitted.

Concerned over the conviction, Secretary Forrestal called Nimitz to his office and asked what it would do to the captain's career? "Has there ever been a court-martialed officer in the history of the U.S. Navy who was later promoted to flag rank?"

Nimitz chuckled. "You're looking at one right here," he replied.

On being relieved as CNO in December 1947, Nimitz might have retired and gone into business. His name, his reputation, his demonstrated capacity for large-scale administration would have made him welcome on the board of almost any corporation in the United States. He eschewed the opportunity to earn a fortune, however, choosing instead to exercise his fleet admiral's privilege of remaining in the Navy for life. He took up residence in San Francisco, near the Pacific Ocean where he had spent much of his career, serving in an advisory capacity as Special Assistant to the Secretary of the Navy in the Western Sea Frontier.

In 1948, the inter-service debate, which had been quiescent since the conclusion of the unification battle, broke out again. Air Force leaders charged that the Navy, in requesting appropriations for new, larger carriers and for carrier planes big enough to carry atomic bombs, was attempting to move into their own field of strategic bombing. Navy leaders countered with charges that the Air Forces' B-36 bomber was incapable of pressing home an attack. Louis Johnson, who had succeeded Forrestal as Secretary of Defense, sided with the Air Force and cancelled the 60,000-ton carried *United States* (CVA-58), then under construction. Tempers flared, even within the Navy Department, where officers considered that the new Secretary of the Navy, Francis P. Matthews, was not acting in their interests. To Admiral Nimitz the controversy and the resulting publicity were deeply distressing. But when Congress launched an investigation into the matter and his opinion was asked, he submitted a paper, specifying that it first be shown to Secretary Matthews.

In 1949, India and Pakistan agreed to a plebiscite in Kashmir. In March, the Secretary General of the United Nations, Trygve Lie, nominated Fleet Admiral Nimitz to administer it. When it appeared that the plebiscite would be postponed indefinitely, Nimitz asked to be relieved, stating that if India and Pakistan would come to terms, he would resume his duties. As alternative duty he accepted an assignment as roving "goodwill ambassador" for the United Nations, explaining from scores of speakers' platforms the main issues with which the world organization was confronted.

The additional salary Admiral Nimitz received while serving the United Nations enabled him to buy a home in Berkeley, California. By no means a mansion, it was comfortable, with plenty of room for his books and a small study where he surrounded himself with mementos of the Pacific War. The house was on a high hill, and from picture windows in the living and dining room he could look out across San Francisco Bay and through the Golden Gate. Outside his breakfast room window Nimitz rigged a feeding tray for birds so that during breakfast there was much cheerful fluttering on the far side of the sill.

Not far away was the Berkeley campus of the University of California, which Nimitz served for eight years as regent. Frequently the Admiral and Mrs. Nimitz would stroll over and have a meal with the students in the cafeteria.

The Nimitzes enjoyed walking in a park in the hills back of Berkeley. Along one favorite path, they sometimes scattered seeds of their favorite flowers. Eventually the city authorities marked the trail with a small arch bearing the words: THE NIMITZ WAY. Admiral and Mrs. Nimitz involved themselves in community affairs, among other projects helping raise funds for the San Francisco Symphony Orchestra.

The Nimitz home became a mecca for Navy men and friends of the Navy. The Admiral had so many visitors, official and unofficial, that he was obliged to schedule his time. But he enjoyed the visits. Nothing gave him more pleasure than to talk Navy and reminisce about his career. He occasionally wrote an article or made a speech, but generally avoided public utterances on the subject of World War II lest he inadvertently stir up controversy.

In 1956, Admiral Nimitz found a means of expressing some of his opinions about naval warfare and even about the conduct of World War II without specifically writing a memoir. Some of the U.S. Naval Academy faculty, this writer included, were preparing to write *Sea Power: A Naval History*, to be used as a textbook at the Academy and in the NROTC. At the suggestion of Rear Admiral E. M. Eller, Director of Naval History. Admiral Nimitz was asked to supervise our project. To our surprise, he readily consented. In our first conference, in California, the Admiral laid down certain guidelines.

"Officers understandably resent having their operations publicly criticized by civilians," said Nimitz. "My suggestion to you is this: give all the facts, as accurately, objectively, and fairly as you can, but don't draw conclusions. Let the reader do that. Let the facts speak for themselves." Never once during the writing of the book did Admiral Nimitz suggest suppressing a single fact.

Sea Power: A Naval History appeared in the summer of 1960, in time for use in classes that fall. It has since been translated as a whole or in part, into six languages.

To Admiral Nimitz' astonishment, the Pacific War section appeared in Japanese with the tile of *Nimitz' Great Sea War*. When the Japanese version was about to be published, the publisher asked Nimitz to write a special foreword for it. Nimitz did so, specifying that any pay due him for the work be donated to the fund for restoring the "Togo Shrine," Admiral Togo's war-damaged home in Tokyo.

Nimitz' Great Sea War received highly favorable reviews, which tended mostly to be eulogies of Nimitz. One in the *Asahi Shinbun* of 7 January 1963 contains these rather astonishing words:

"It appears that [Nimitz'] excellent ability of command and leadership played an even more important role in the issue of the war than the ever-widening gap in the numerical and material strength between Japan and the United States. . . . The Japanese Navy had two major weak points from the very beginning. One of them was lack of efficient command. . . . [The other] was the easy-to-decipher code used by the Japanese Navy. . . ."

At length, with passing years, the upkeep of their home in Berkeley became something of a burden for Admiral and Mrs. Nimitz, for they had only part-time help. Accordingly, when cancellation of the Western Sea Frontier command left Quarters One vacant at the naval station on Treasure Island in San Francisco Bay, it was offered to them for a residence, and they gladly accepted. Here, with the comfort of an elevator and servants, the Admiral continued to have visitors, to give official council when called upon, and to take a stand on all issues. He steadfastly refused, however, to write his memoirs or to have his biography written.

In October 1963, Admiral Nimitz had a bad fall and spent five weeks in the hospital. Though he regained his good spirits, he never fully recovered, and he aged rapidly.

In January 1966, the Admiral suffered a stroke and was taken to the hospital on Treasure Island. Complications, including pneumonia, followed, and he died on 20 February 1966, a few days before his 81st birthday. At his request he was buried without the pomp of a state funeral at Golden Gate National Cemetery beside the Pacific, among thousands of men who had served with him.

(NOTE.—A graduate of the University of Richmond, Professor Potter attained the rank of Commander, U.S. Naval Reserve, during World War II. Coauthor of *American Sea Power Since 1775*, he is co-author and editor of *The United States and World Sea Power* and (with Fleet Admiral Nimitz) *Sea Power: A Naval History*. He also edited *The Great Sea War* and *Triumph in the Pacific*. He is now Chairman of Naval History, U.S. Naval Academy.)

SENATE JOINT RESOLUTION 58—INTRODUCTION OF JOINT RESOLUTION DESIGNATING FREEDOM SUNDAY AND FREEDOM WEEK

Mr. BENNETT. Mr. President, I introduce, for appropriate reference, a joint resolution to authorize the President to issue annually proclamations designating the Sunday of each year which occurs immediately preceding February 22 as Freedom Sunday and the calendar week of each year during which February 22 occurs as Freedom Week.

Mr. President. I also ask unanimous consent to insert at this point in the RECORD a proclamation issued by the Governor of Utah proclaiming Freedom Week and Sunday, February 23, as Freedom Sunday.

The VICE PRESIDENT. The joint resoluton will be received and appropriately referred and, without objection, the proclamation will be printed in the RECORD.

The joint resolution (S.J. Res. 58) to authorize the President to issue annually proclamations designating the Sunday of each year which occurs immediately preceding February 22 as Freedom Sunday and the calendar week of each year during which February 22 occurs as Freedom Week, introduced by Mr. BENNETT, was received, read twice by its title, and referred to the Committee on the Judiciary.

The proclamation, presented by Mr. BENNETT, is as follows:

PROCLAMATION OF THE STATE OF UTAH

Whereas, since the founding of the United States of America, human events brought men of all races and creeds from many nations together to form thirteen colonies, and a new race of men. They built a nation dedicated to the proposition that all men are created equal and endowed by their creator with certain unalienable rights; and

Whereas, the United States of America needs men of vision, understanding and compassion to bring us together as a unified people; and

Whereas, all Americans must be motivated to honor their heritage as citizens of this great country, to work together in fellowship to the end that each may earn a decent living, contribute to the general welfare and be responsible partners in this great government; and

Whereas, let us collectively enlarge our intellects and understanding and face the great tasks before us as a unified people:

Now, therefore, I, Calvin L. Rampton, Governor of the State of Utah, do hereby proclaim the week of February 16 to 22, 1969, as Freedom Week to the end that we may better appreciate the great heritage of the American way of life, and proclaim February 16, 1969, as Freedom Sunday and urge all citizens of Utah to attend the church of their choice and to be responsible citizens, and do hereby proclaim February 22, 1969, as Patriot's Day in honor and memory of George Washington, the father of our country, and urge all citizens to use the life of George Washington and all great Americans as examples of responsible citizenship.

In testimony whereof, I have set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 11th day of February, 1969.

By the Governor:

CALVIN L. RAMPTON,
Governor.
CLYDE L. MILLER,
Secretary of State.

ADDITIONAL COSPONSORS OF BILLS

Mr. ERVIN. Mr. President, I ask unanimous consent that, at its next printing, the senior Senator from Indiana (Mr. HARTKE) be added as a cosponsor of the bill (S. 782). This is the measure which I introduced on January 31, 1969, to "protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy." The bill now has 54 other cosponsors, and in view of the nationwide support for it, I feel some confidence in predicting its early enactment into law.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that my name be added as a cosponsor of S. 942, a bill introduced on February 7, 1969, by the Senator from New Jersey (Mr. CASE). This bill would prohibit nonmilitary aircrafts from creating sonic booms while over the United States until a 2-year study on the detrimental effects of the exposure to the sonic boom could be completed and reported to Congress.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JAVITS. In addition, Mr. President, I ask unanimous consent that an article published on February 15, 1969 in the Christian Science Monitor, by Richard L. Strout be printed in the RECORD. This news article succinctly describes the current status of the SST and the potential destruction unregulated sonic booms can cause.

As I continually stress, we must coordinate our economic and technological growth with the protection of a healthy and "livable" environment, and this bill is an attempt to do just that.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STUDY OF SUPERSONIC BOOMS ASKED

(By Richard L. Strout)

WASHINGTON.—Sen. Clifford P. Case (R) of New Jersey asks a two-year study of the supersonic boom during which all overland nonmilitary SST flights would be banned.

His proposal, introduced as a bill in Congress, is the formal beginning of a new fight against so-called noise pollution.

The sonic boom is produced by a plane when it passes the sound barrier, i.e., flies faster than sound. Depending on temperature this is between 650 and 760 m.p.h.

Boeing's new jumbo jet 747 being test flown at Everett, Wash., the largest commercial airliner in the world, is believed capable of flying up to 750 m.p.h., but is not normally expected to go faster than sound.

The Russians are testing a supersonic plane, the TU–144 SST; the French and British are scheduled to test their Concorde SST this year and may put it into commercial service in two to three years. And, says Senator Case, "the bigger, faster, and probably noisier U.S. SST is presently undergoing redesign" and may be only five or six years away from commercial duty.

When the SST starts flying, hold your ears.

According to critics here, a sonic boom causes a bone-shaking jolt—like an explosion a block away—and the bang zone occurs everywhere along the whole supersonic flight path, about 50 miles wide, hitting everything along the way.

Thus the bang zone of a supersonic plane crossing the U.S. would be 50 miles wide and 2,000 or 3,000 miles long.

"The danger to the environment from sonic booms," Mr. Case says, is "not just theoretical. The commercial SST age is near." It is urgent, he declares, to write safeguards into law before the bombardment starts.

He charges that effective safeguards do not exist, including what he calls "the wholly inadequate supersonic boom-control legislation approved by Congress last year."

An Interior Department study forecasts 5 to 50 booms a day if overland flight is permitted. Nobody knows the effect of this bombardment on the individual.

OKLAHOMA TEST

Mr. Case notes that in Oklahoma City in 1964 about 27 percent of those who underwent daily sonic bombardment as part of a limited test found the experience intolerable, even though the time of the booms was announced in advance.

Fifteen thousand people complained to authorities, and 4,000 filed damage charges. Critics assert that persons used to city noises don't get accustomed to the SST principally because it is unexpected, startling, and disrupting. It can be more annoying indoors than out because of reverberation effects as it shakes a house.

In 1967 Bo Lundberg, director general of the Aeronautical Research Institute of Sweden, warned that using the SST planes only at sea may not be the solution if there are ships about. Measured in pounds of pressure per square foot, he says, a "nominal" SST boom may be 2.5 pounds, and owing to focusing effects over water this may rise to 5 or 6 pounds. By reflection close to cabin walls "the intensity could exceed 10 or even 15 pounds." He calls such booms "exceedingly frightening" and, in some cases, "potentially dangerous."

FAA PROMOTES PROJECT

Senator Case is trying to hold back the supersonic age by requiring a two-year scientific study of all aspects of sonic boom by the Federal Aviation Administration in conjunction with six federal depts and agencies and the National Academy of Sciences. During the study SST flights would be banned subject to decision of Congress.

Mr. Case says that the FAA now has power to impose a ban but that it is also chief developer of the U.S. SST project "and its most enthusiastic promoter."

He praises John A. Volpe, new Secretary of Transportation, for recognizing the noise problem and for instituting a crash study of the entire project.

"We have a chance to assess a technological consequence before it engulfs us," Senator Case adds.

Stronger language is used by a group calling itself Citizens League Against the Sonic Boom:

"The SST would create a new kind of pollution—a worldwide sonic pollution," it says. "Hour after hour, day and night, weekdays and holidays, it would inflict its startling bang on literally hundreds of millions of defenseless persons, with no place of refuge."

. Advocates of the SST point out that it would shorten distances and make the world smaller; it might also result in cheaper travel.

Mr. SCOTT. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Alaska (Mr. Stevens) be added as a cosponsor of the bill (S. 364) to equalize retirement pay of members of the uniformed services and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. COOK. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor of the bill (S. 845) to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code.

On February 20, on the floor of the Senate, I explained my reason for supporting this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Maine (Mr. Muskie) and the Senator from Maryland (Mr. Mathias) be added as cosponsors of the bill (S. 1026) to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAYH. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Washington (Mr. Jackson), the Senator from New Mexico (Mr. Montoya), the Senator from Wisconsin (Mr. Nelson), the Senator from Rhode Island (Mr. Pastore), the Senator from Pennsylvania (Mr. Schweiker), and the Senator from Texas (Mr. Yarborough), be added as cosponsors of the bill (S. 472) to liberalize the earnings limitation for social security recipients.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MILLER. Mr. President, on February 4, I, along with 11 cosponsors, introduced two bills, S. 847 and S. 848, to provide automatic increases of benefits, based upon the rise in the cost of living, under the Social Security Act and the Railroad Retirement Act, respectively. I ask unanimous consent that at their next printing, the names of the distinguished junior Senator from Florida (Mr. Gurney) and the distinguished junior Senator from Kentucky (Mr. Cook) be added as cosponsors of S. 847 and S. 848.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, on January 17, 1969, I introduced the bill (S. 404) to provide for the construction and improvement of a certain road on the Navajo Indian Reservation in New Mexico.

I ask unanimous consent that, at its next printing, the names of the Senator from New Mexico (Mr. Montoya) and the Senator from Arizona (Mr. Fannin) be added as cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that the name of the Senator from Connecticut (Mr. Dodd) be added as a cosponsor of S. 1025, to prohibit certain acts involving the use of incendiary devices and for other purposes, relating to arson in religious institutions.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from North Dakota (Mr. Burdick) be added as a cosponsor of the bill (S. 305) to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans to certain cooperatives serving farmers and rural residents, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

SENATE RESOLUTION 98—RESOLUTION AUTHORIZING THE PRINTING OF REPORT ENTITLED "MINERAL AND WATER RESOURCES OF UTAH" AS A SENATE DOCUMENT

Mr. MOSS submitted the following resolution (S. Res. 98); which was referred to the Committee on Rules and Administration:

S. Res. 98

Resolved, That the report entitled "Mineral and Water Resources of Utah" be printed as a Senate Document and that there be printed 2,600 additional copies of such document for the use of the Committee on Interior and Insular Affairs.

SENATE RESOLUTION 99—RESOLUTION AMENDING SENATE RESOLUTION 26

Mr. McCLELLAN submitted a resolution (S. Res. 99) amending Senate Resolution 26, approved February 17, 1969, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. McClellan, which appears under a separate heading.)

ESTABLISHMENT OF COMMISSION TO BE KNOWN AS THE COMMISSION ON AIR TRAFFIC CONTROL—AMENDMENTS

AMENDMENT NO. 91–5

Mr. GOLDWATER (for himself and Mr. Fannin) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 1070) to establish a commission to be known as the Commission on Air Traffic Control, which were referred to the Committee on Commerce and ordered to be printed.

NOTICE OF HEARING ON S. 980

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's

Subcommittee on Improvements in Judicial Machinery, I announce a hearing on S. 980, a bill to grant the courts of the United States jurisdiction over contract claims against nonappropriated fund activities of the United States. The hearing will be held at 10 a.m. on March 4, 1969, in room 6226, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the hearing record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

CONTRADICTORY GOVERNMENT PROGRAMS RELATING TO TOBACCO PRODUCTS

Mr. WILLIAMS of Delaware. Mr. President, today I call the attention of the Senate to another contradictory program of the U.S. Government. Our Government today is spending an average of around $50 million per year to subsidize the production and sale of tobacco products, both here and abroad, while at the same time other agencies of the Government are spending millions to point out to the American public the danger of using such products.

In the past few years the Surgeon General of the United States has been calling our attention to the harmful use of tobacco, and more recently the Federal Communications Commission, another agency of the Government, in recognition of this harmful use of tobacco has suggested a ban on all advertising of this product over the radio and television.

Why spend millions emphasizing the danger of tobacco while at the same time spending more millions to subsidize its production?

In the past 3 years the Government through the Commodity Credit Corporation has spent or lost $71.2 million, $61.5 million of which was to subsidize the export of this product and its sales in foreign countries and $9.7 million of which represented a direct loss in its price support operations.

Another $69.3 million worth of tobacco was disposed of as foreign aid under Public Law 480. Under this program the tobacco is sold for local—soft—currencies which cannot be converted into dollars. Such sales for soft currencies ultimately represent a near 100-percent loss for the taxpayers.

This does not include the $14.1 million representing sales under Public Law 480 for dollars on lenient credit terms. This item may eventually be recovered. When the sales of tobacco for soft currencies are added to the direct losses under the export subsidy and price support program it represents a cost to the taxpayers of over $140 million in the past 3 years.

In addition, the Government has approximately $750 million invested in inventories of tobacco now being held in warehouses, and the interest charges on this alone would represent an additional sizable item.

For years I have been pointing out the inconsistencies of the Federal Government's subsidizing the production of a product which its own agencies keep insisting is harmful to the American people. I strongly recommend that one of the first orders of business of the new administration be to correct this absurdity.

I ask unanimous consent that an itemized breakdown of the cost of this program over the past 3 years as furnished by Mr. Lionel C. Holm, of the Department of Agriculture, be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COMMODITY CREDIT CORPORATION TOBACCO PROGRAMS

[In millions of dollars]

	Fiscal year		
	1966	1967	1968
A. Price support and related:			
1. Loan operations:			
Loans outstanding beginning of year, July 1	826.3	761.2	678.8
Loans made	96.9	111.2	246.1
Loans liquidated	162.0	193.6	168.9
Loans outstanding end of year, June 30	761.2	678.8	756.0
2. Realized costs and recoveries:			
(a) Price support costs:			
Loan chargeoffs	1.3	7.6	1.8
Miscellaneous recoveries	1.0		
Net price support costs	.3	7.6	1.8
(b) Export payments		33.1	28.4
Total costs (net)	.3	40.7	30.2
B. Public Law 480:			
Sales for local currencies	30.1	16.7	22.5
Sales for dollars on credit terms	1.0	4.5	8.6
Total Public Law 480	31.1	21.2	31.1

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The **VICE PRESIDENT.** Without objection, it is so ordered.

ELECTION OF THE BOARD OF THE COMMUNICATIONS SATELLITE CORP.

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 17; and I move that the Senate concur in the amendments of the House. This action has been recommended unanimously.

The **VICE PRESIDENT** laid before the Senate the amendment of the House of Representatives to the bill (S. 17) to amend the Communications Satellite Act of 1962 with respect to the election of the Board of the Communications Satellite Corp. which was to strike out all after the enacting clause and insert:

That subsection (a) of section 303 of the Communications Satellite Act of 1962 (47 U.S.C. 733(a)) is amended to read as follows:

"SEC. 303. (a) The corporation shall have a board of directors consisting of fifteen individuals who are citizens of the United States, of whom one shall be elected annually by the board to serve as chairman. Three members of the board shall be appointed by the President of the United States, by and with the advice and consent of the Senate, effective the date on which the other members are elected, and for terms of three years or until their successors have been appointed and qualified, and any member so appointed to fill a vacancy shall be appointed only for the unexpired term of the director whom he succeeds. The remaining twelve members of the board shall be elected annually by the stockholders. Six of such members shall be elected by those stockholders who are not communications common carriers, and the remaining six such members shall be elected by the stockholders who are communications common carriers, except that if the number of shares of the voting capital stock of the corporation issued and outstanding and owned either directly or indirectly by communications common carriers as of the record date for the annual meeting of stockholders is less than 45 per centum of the total number of shares of the voting capital stock of the corporation issued and outstanding, the number of members to be elected at such meeting by each group of stockholders shall be determined in accordance with the following table:

When the number of shares of the voting capital stock of the corporation issued and outstanding and owned either directly or indirectly by communications common carriers is less than—	But not less than—	The number of members which stockholders who are communications common carriers are entitled to elect shall be—	And the number of members which other stockholders are entitled to elect shall be—
45 per centum	40 per centum	5	7
40 per centum	35 per centum	4	8
35 per centum	25 per centum	3	9
25 per centum	15 per centum	2	10
15 per centum	8 per centum	1	11
8 per centum		0	12

No stockholder who is a communications common carrier and no trustee for such a stockholder shall vote, either directly or indirectly, through the votes of subsidiaries or affiliated companies, nominees, or any persons subject to his direction or control, for more than three candidates for membership on the board, except that in the event the number of shares of the voting capital stock of the corporation issued and outstanding and owned either directly or indirectly by communications common carriers as of the record date for the annual meeting is less than 8 per centum of the total number of shares of the voting capital stock of the corporation issued and outstanding, any stockholder who is a communications common carrier shall be entitled to vote at such meeting for candidates for membership on the board in the same manner as all other stockholders. Subject to the foregoing limitations, the articles of incorporation of the corporation shall provide for cumulative voting under section 27(d) of the District of Columbia Business Corporation Act (D.C. Code, sec. 29-911(d)). The articles of incorporation of the corporation may be amended, altered, changed, or repealed by a vote of not less than 66⅔ per centum of the outstanding shares of the voting capital stock of the corporation owned by stockholders who are communications common carriers and by stockholders who are not communications common carriers, voting together, if such vote complies with all other requirements of this Act and of the articles of incorporation of the corporation with respect to the amendment, alteration, change, or repeal of such articles. The corporation may adopt such bylaws as shall, notwithstanding the provisions of section 36 of the District of Columbia Business Corporation Act (D.C. Code, sec. 29-916d), provide for the continued ability of the board to transact business under such circumstances of national emergency as the President of the United States, or the officer designated by him, may determine, after February 18, 1969, would not permit a prompt meeting of a majority of the board to transact business."

Sec. 2. As promptly as the board of directors of the Communications Satellite Corporation shall determine to be practical after the date of the amendment of this Act, a meeting of the stockholders of the corporation shall be called for the purpose of electing twelve members of the board in accordance with subsection (a) of section 303 of the Communications Satellite Act of 1962 as amended by the first section of this Act. The members of the board elected at such meeting shall serve until the next annual meeting of stockholders or until their successors have been elected and qualified.

Sec. 3. The status and authority of the members of the board of directors of the Communications Satellite Corporation who were elected to the board before the date of the enactment of this Act and who are serving as members of the board on such date shall not be in any way impaired or affected until their successors have been elected and qualified in accordance with section 2 of this Act.

And, to amend the title so as to read: "An act to amend the Communications Satellite Act of 1962 with respect to the election of the board of directors of the Communications Satellite Corporation."

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana that the Senate concur in the amendment of the House to S. 17.

The motion was agreed to.

LAW AND ORDER MUST BE RESTORED ON OUR CAMPUSES

Mr. TALMADGE. Mr. President, in recent months this Nation has been plagued by riots, revolts, obscene, and disorderly conduct of virtually every type on the campuses of colleges and universities throughout the land.

We have seen entire colleges laid under siege. College administrators have been verbally and physically abused and held hostage. Buildings have been burned, bombed, and wrecked. Important scholastic records have been destroyed. Policemen called to the scenes of such collegiate carnage have been spat upon and vilified in every shameful way possible.

This havoc under any circumstances is bad enough. But the situation is even more deplorable in that education and the processes of higher learning have been disrupted partially in some instances and totally in others. Thousands upon thousands of conscientious law-abiding students have been denied their right to an education. They have lost their right to safety on the campus. Tax dollars at public institutions have gone down the drain.

An abject minority of students and nonstudents—whipped into a riotous frenzy by professional agitators and revolutionaries—are threatening to tear down the very foundations of higher education.

And while all this has been going on, placid erstwhile do-gooders, including some college administrators themselves, have been standing along the sidelines thinking lofty thoughts and saying nice things about "the right to dissent" and "academic freedom." They remind me of Nero playing the fiddle while Rome was burning to the ground all around him.

Mr. President, I submit that the time has come for the appropriate authorities, both State and college officials and local law enforcement agencies, to take hold of this problem.

There is no place in the American society for anarchists of any kind, whether they be of the student, still-wet-behind-the-ears variety, or the adult, full-grown, career type.

In short, I say that the time has come for law and order on our campuses to be restored. Thus falls the duty of those people to whom the States and the people entrust our educational institutions. It further is the responsibility of local police. And it still further is within the realm of judges to deal severely with students and demonstrators who would wantonly flout the law and make a shambles of our colleges and universities.

This is about the sum of it. Either so-called student demonstrators are going to be denounced and dealt with as the lawbreakers and troublemakers they are, or else we may as well prepare to see higher education reduced to a chaotic condition. To my mind, it is as simple as that. The time has come to draw the line.

These people want a confrontation with authority. Let them have it then. And, in the name of all that we hold civilized, let order prevail over anarchy, let law rule over the lawless.

And above all let it be known that ours is not a strong-arm banana republic wherein hoodlums can take over the campuses, the streets, and the cities like a bunch of bomb-throwing rebels.

There appeared in the Sunday, February 23 edition of the Washington Star a hard-hitting editorial column by the well-known columnist James J. Kilpatrick, regarding the so-called campus revolts, which I believe reflects the thinking of an overwhelming majority of the American people.

There was also an editorial yesterday in the Washington Post commending a hard-line policy adopted by the Reverend Theodore M. Hesburgh of Notre Dame regarding rebellious students on his campus.

I wish to bring these editorials to the attention of the Senate, and ask unanimous consent that they be printed in the Congressional Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Washington Star, Feb. 23, 1969]

Crackdown Time for Young Fascists

(By James J. Kilpatrick)

This much, at least, can be said of the disorders that plague our college campuses: The time for temporizing with young Fascists has passed. The time for mounting a counter-offensive is at hand.

Too many months already have been wasted in trying to reason with unreason. Nothing more can be gained by excesses of "understanding" and of "tolerance." The line is clear—everyone comprehends it—between peaceable protest and lawless anarchy. Not one more word needs to be said on that point.

Consider the incredible situation that has developed from attempts at appeasement: Mere handfuls of militant students, backed by some unhinged professors, have been permitted absolutely to disrupt the education of thousands of law-abiding students whose rights have been wholly ignored. These militants have seized buildings, destroyed public and private property and committed repeated acts of criminal violence.

The militants do not lack for leadership. At most campuses, the revolutionaries are led by SDS—Students for a Democratic Society. What a travesty upon semantics is here! A "democratic" society is the last ambition of these totalitarian gangs. They cannot be distinguished from the booted student Nazis of Adolf Hitler's day.

The problem lies rather in the absence of leadership among the law-abiding students, professors, administrators, alumni, and public officials. What in the world is wrong with them? Are they gutless? Afraid? Apathetic? It is absurd to suppose that the 99 percent of the students who want a peaceful education are incapable of dealing with the one percent whose purpose is deliberate disruption.

But it ought not to be the responsibility of the non-violent students to protect their rights with fists and clubs. Such protection is the duty—the primary duty—of the presidents, trustees, and the established agencies of law enforcement.

When do they stop playing pat-a-cake? It ought not to be a matter of great difficulty to obtain TV tapes and motion picture film of the terrorist groups. Such evidence, one assumes, would establish actions and indentities beyond a reasonable doubt.

If the violent demonstrators turn out to be students, the course ought to be clear: Expel them. If they are non-students, the course is equally clear: Arrest them; take them to court; prosecute to the limit of the law. This same clear-headed policy should be applied to those professors who aid and abet the violence: Fire them. Fire them out of hand, and turn a deaf ear to blubberings of "tenure" and "academic freedom."

Timid voices may be heard to say that such an approach would "destroy a university." Nonsense! It is only in this fashion that a true academic community may be preserved. Let the motto be carved in stone: The essence of freedom is order. Discipline is the foundation of learning. Without order, without discipline, the educative process falls to the level of children's games.

A number of university administrators understand these elementary truths. At Notre Dame, the Rev. Theodore M. Hesburgh has issued a notice that rings of his determination to act decisively against violent disturbance. Any student or professor who seizes a building at Notre Dame will be given 15 minutes "of meditation to cease and desist." Those who pursue their criminal course will then be suspended, expelled, or arrested. Thereafter, "the law will deal with them."

This is the only approach to be taken now. There is, of course, a companion effort that has to be exerted also—to anticipate trouble, to remedy valid grievances, to maintain clear channels for the effective handling of requests and complaints. It is merely common sense to pursue policies of fire prevention. But the greater need at the moment is simply for the restoration of order; and this cannot be accomplished by "negotiating" with young extortionists.

[From the Washington Post, Feb. 24, 1969]

Fifteen Minutes of Meditation

The other day, after outlining the policy of Notre Dame University on student disorders, the Rev. Theodore M. Hesburgh told an interviewer, "All I tried to say is that we welcome and protect orderly dissent, but we're not going to let anybody destroy the place." His message to the students at the University over which he presides and his announced tactics for handling any disruptions of, University functions ought to be considered carefully by the rest of the Nation's universities and drummed into the heads of those students who seem more intent upon disruption than on orderly change.

The policy Father Hesburgh spelled out is quite simple. "Anyone or any group that substitutes force for rational persuasion, be it violent or non-violent," he said, "will be given 15 minutes of meditation to cease and desist." If, after 15 minutes, the disruption goes on, students will be suspended on the spot and nonstudents will be subject to arrest as trespassers. After another five minutes of further meditation, students continuing to disrupt things will be expelled.

The Notre Dame policy is tough, no question about it. But it is a time to get tough. Nothing is more inimical to the traditions on which academic freedom is based or, indeed, to the principles of a free society than the use of illegal force to impose some individual's or some group's views on others. And that is precisely what the latest round of student disorders is all about, whether they have occurred at Harvard, Wisconsin, Duke, San Francisco State, or the Howard University Law School. It may be that a university which adopts a tough policy will find itself with fewer students but, if it does, they will be students who want to learn as well as reform.

There is, of course, much to be said on behalf of many of the complaints that students are trying to air. Some universities have been notoriously slow to change their operating procedures or their policies to keep up with the just needs and wants of a new generation of students. The dramatic overhaul of many of the policies of Columbia University in the last year underlines the validity of many of the questions that students are raising.

But the fact that there are policies that need changing, personnel who need awakening, and issues that need dramatizing does not justify the forcible disruption of a university's functions. There is nothing wrong and there is much right with student protests that take the form of public meetings, picket lines, handbill distributions, conferences with university or government officials, and a whole host of other nonforceful tactics. But the use of force to break up a class, to seize a building, or to bar access to offices cannot be tolerated. These acts, whether participated in by a minority or by a majority of students, not only impinge on fundamental principles of conduct but frustrate the right of other students to pursue peacefully, if they want to, the education they went to the university to obtain.

Speaking of those among his students and faculty who have participated in or tolerated the disruption of classes, Harvard's President Pusey said the other day, "Each time we thoughtlessly or emotionally allow ourselves to chip away at the painfully erected structure of academic freedom for which time and time again in our role as leaders we have had to man the barricades we not only do ourselves but also our country an irreparable disservice . . . I shall do everything in my power to see that the freedom of this university continues unabated, proof against attacks however well-intentioned or from whatever quarter they may come."

S. 1106—INTRODUCTION OF BILL TO STUDY WORKMEN'S COMPENSATION LAWS

Mr. JAVITS. Mr. President, on behalf of myself and the Senator from Texas (Mr. Yarborough) and the Senator from West Virginia (Mr. Randolph), I introduce a bill to establish a Federal Commission to study State workmen's compensation laws and ask that it be appropriately referred.

The VICE PRESIDENT. Without objection, the bill will be received and appropriately referred.

The bill (S. 1106) to establish a National Commission on State Workmen's Compensation Laws to undertake a comprehensive study and evaluation of State workmen's compensation laws, and for other purposes, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. JAVITS. Mr. President, the Commission I propose would be composed of 15 members, to be appointed by the President from a broad spectrum of interests, including State workmen's compensation boards, representatives of insurance carriers, business, labor, the members of the medical profession experienced in industrial medicine or workmen's compensation, and educators having special expertise in the field of workmen's compensation, as well as representatives of the general public. The Secretaries of Labor, Commerce, and Health, Education, and Welfare would be ex officio members. The Commission would have 1 year to file its report.

Mr. BYRD of West Virginia. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. BYRD of West Virginia. Would the Senator from New York allow me to become a cosponsor of his bill?

Mr. JAVITS. I shall be greatly honored to do so. Mr. President, I ask unanimous consent that the name of the Senator from West Virginia (Mr. Byrd) be added as a cosponsor to the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, the Commission would be charged with the duty of undertaking a comprehensive study and evaluation of State workmen's compensation laws in order to determine if they provide an adequate, prompt, and equitable system of compensation. Its attention would be specifically directed to a number of subjects among the more important of which would be the amount and duration of medical and disability benefits, provisions insuring adequate medical care and free choice of physicians, coverage, standards for determining compensability rehabilitation, the advisability of a uniform reporting system, extraterritoriality problems, and the relationship between workmen's compensation and OASDI or other public or private insurance. Finally, the Commission would be directed to consider the possible methods of implementing its own recommendations.

The need for the type of comprehensive review and evaluation which the Commission would undertake should be apparent to anyone with even a cursory knowledge of workmen's compensation today. The fact is that although a few States, like my own State of New York, do have adequate workmen's compensation laws, in most States workmen's compensation is, in at least some respects, shockingly inadequate.

Workmen's compensation laws were devised to assure that benefits would be paid to workers injured on the job and that they would be paid promptly, with a minimum of legal formality, and without the necessity of fixing the blame for the injury. The fundamental premise of workmen's compensation laws is that the cost of work-related injuries is to be considered part of the cost of production. Workmen's compensation laws were and are a modern industrial democracy's answer to the obstacles, such as the fellow servant and assumption of risk rules, erected by the common law to bar recovery by injured workers from their employers. In return for the elimination of the doubtful, but potentially unlimited liability of an employer under the common law, workmen's compensation laws substituted the limited, but sure, remedy of compensation in the form of medical and disability benefits.

The original intent of workmen's compensation laws was to strike a fair balance between the legitimate claims of injured employees, and the potential liability of employers. Indeed the constitutionality of workmen's compensation laws probably depends upon their striking such a fair balance. Thus, in considering the constitutionality of New York State's workmen's compensation law the Supreme Court in *New York Central Railroad Co.* v. *White*, 243 U.S. 188 specifically noted:

It perhaps may be doubted whether the State could abolish all rights of action on the one hand, or all defenses on the other, without setting up something adequate in their stead.

It is apparent from some of the figures which I will cite below that in a number of States the payments available to an injured employee are simply not reasonable by any standard. Thus, there is grave doubt that this balance is being struck fairly today in most States. Workmen's compensation laws simply have not kept pace with the development of the economy. The system, as it is operating today, does not meet contemporary needs and it is high time that a careful review and analysis be made of the way the current system is operating and of possible methods of improving it.

I recognize that the charge that I have made today is a most serious one. However, my doubts as to the adequacy of the present workmen's compensation system are based on objective yardsticks. Those are available in the form of the standards for workmen's compensation laws which have been developed in recent years by the Department of Labor, the Council of State Governments, and the International Association of Industrial Accident Boards and Commissions. The minimum standards developed by these highly respected agencies are in many respects quite similar.

An analysis of Bulletin No. 212 issued by the Department of Labor as revised up to 1967, which compares the major provisions of State workmen's compensation with the standards recommended by the Federal Bureau of Labor Standards shows a compliance ratio of only about 45 percent. I ask unanimous consent that a table showing the precise extent of compliance with the Labor Department's recommended standards be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

EXTENT OF PROTECTION UNDER WORKMEN'S COMPENSATION LAWS

[A—Law does not meet standard; X—Law meets the recommended standard]

	Compulsory law	No numerical exemption	Farm employment covered	Full coverage of occupational diseases	Rehabilitation division within workmen's compensation agency	Maintenance benefits during rehabilitation	Full medical care for accidental injuries	Full medical care for occupational diseases	Workmen's compensation agency has authority to supervise medical aid	Initial choice of physician by the injured worker	Broad subsequent injury fund	Adequate time for filing occupational disease claims	Waiting period for not more than 3 days with retroactive benefits after 2 weeks	Death benefits to widow until her death or remarriage	Compensation for permanent total disability for life or period of disability	Compensation for temporary total disability not less than 66⅔ percent of average wages	Total standards met
Alabama	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	0
Alaska	X	X	X	X	X	X	X	X	X	X	X	X	A	X	X	A	13
Arizona	X	A	A	A	A	X	X	A	X	X	X	A	A	X	X	X	9
Arkansas	X	A	A	X	A	X	X	A	A	A	A	A	A	A	A	A	4
California	X	X	X	X	X	A	X	X	X	A	X	X	A	A	X	A	11
Colorado	A	A	A	A	A	A	A	A	A	A	A	A	A	A	X	A	1
Connecticut	X	X	X	X	X	X	X	X	X	X[1]	X	A	X	X	X	X	15
Delaware	X	A	A	X	A	A	X	X	A	X	X	A	X	A	X	A	8
District of Columbia	X	X	A	X	X	X	X	X	A	X[1]	X	A	A	X	X	A	11
Florida	A	A	A	X	X	A	X	X	X	A	X	A	A	A	X	A	7
Georgia	A	A	A	A	A	A	A	A	X	A	A	A	A	A	A	A	1
Hawaii	X	X	X	X	X	X	X	X	X	X	X	X	X	A	X	X	15
Idaho	X	X	A	A	A	A	X	X	X	A	A	A	A	A	X	A	6
Illinois	X	X	A	X	A	A	X	A	A	A	A	A	A	A	X	A	5
Indiana	A	X	A	X	A	A	X	X	A	A	A	X	A	A	X	A	6
Iowa	A	X	A	A	A	A	X	X	A	A	A	A	A	A	A	A	3
Kansas	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	0
Kentucky	A	A	A	X	A	A	X	X	A	A	A	A	A	A	A	A	3
Louisiana	A	X	A	A	A	A	A	A	A	A	A	A	A	A	A	A	1
Maine	A	A	A	X	X	X	X	X	A	X[1]	A	A	A	X	X	X	9
Maryland	X	X	A	X	X	A	X	X	X	X	X	X	A	A	A	A	10
Massachusetts	X	A	X	X	X	X	X	X	A	X	A	A	A	A	X	X	10
Michigan	X	X	X	X	X	X	X	X	X	A	A	X	A	A	X	A	11
Minnesota	X	X	A	X	A	X	X	X	X	X	X	A	A	A	X	A	10
Mississippi	X	A	A	A	A	X	X	X	A	A	A	A	A	A	A	A	4
Missouri	A	A	A	X	X	X	X	X	A	A	X	X	A	A	X	A	8
Montana	A	X	A	A	A	X	A	A	A	X	A	X	A	A	A	A	4
Nebraska	A	X	A	X	A	A	X	X	A	A	A	X	A	A	X	A	6
Nevada	X	A	A	X	A	A	X	A	X	X	A	A	A	X	X	A	7
New Hampshire	X	X	X	X	A	A	X	X	A	X	A	X	A	A	A	A	8
New Jersey	A	X	X	X	X	A	X	X	A	A	A	A	A	X	X	X	9
New Mexico	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	0
New York	X	X	X	X	X	X	X	X	X	X[1]	X	X	A	X	X	A	14
North Carolina	A	A	A	A	A	A	X	A	X	A	A	A	A	A	A	A	2
North Dakota	X	X	A	X	X	X	X	X	X	X	A	A	A	X	X	A	11
Ohio	X	A	X	X	X	X	X	X	X	X	A	A	A	A	X	A	10
Oklahoma	X	A	A	A	A	A	X	X	X	A	A	X	A	A	A	A	5
Oregon	X	X	X	X	X	X	X	X	X	X	X	A	X	X	X	A	14
Pennsylvania	A	X	A	X	A	A	A	A	A	A	A	A	A	A	X	A	3
Puerto Rico	X	X	X	X	X	A	X	X	X	A	X	X	X	X	X	A	13
Rhode Island	X	A	A	X	X	A	X	X	A	X	A	X	X	A	X	A	9
South Carolina	A	A	A	X	A	A	X	X	X	A	A	X	A	A	A	A	5
South Dakota	A	X	A	A	A	A	A	A	A	A	A	A	A	A	A	A	1
Tennessee	A	A	A	A	A	A	A	A	A	X	A	X	A	A	A	A	2
Texas	A	A	A	A	X	A	X	A	X	A	A	X	A	A	A	A	4
Utah	X	X	A	X	A	X	X	A	X	A	X	X	A	A	X	A	9
Vermont	A	A	X	A	A	A	X	A	A	A	A	A	A	X	A	A	3
Virginia	X	A	A	X	A	A	A	A	X	A	A	X	A	A	A	A	4
Washington	X	X	A	X	X	A	X	X	X	X	X	X	A	X	X	A	12
West Virginia	A	X	A	X	X	X	X	A	X	X	X	A	A	X	X	A	10
Wisconsin	X	A	X	X	A	X	X	X	X	X	X	X	X	A	X	A	13
Wyoming	X	X	A	A	A	A	X	X	A	X	A	X	X	A	A	A	7
Number of States meeting standards	29	28	14	34	21	20	41	32	26	23	18	22	8	13	31	6	----------

[1] Choice from panel.

Mr. JAVITS. Mr. President, a compliance ratio as low as 45 percent is indeed shocking, but it is even more shocking to realize that if the comparison were made with the model workmen's compensation law recently published by the Council of State Governments, the percentage would be much lower.

A brief analysis of the subjects which the Commission would be directed to study under my proposal, many of which are keyed to the minimum standards developed by the Department of Labor, the Council of State Governments and the IAIABC will indicate the critical nature of the problem, as it exists today.

First. The amount and duration of permanent and temporary disability benefits. Together with medical benefits, the disability benefits payable under workman's compensation are, of course, the heart of the system. Yet, in all but a few States the disability benefits payable to an injured worker are grossly inadequate. Furthermore, here in contrast to other areas in which slow, but more or less steady progress toward recommended standards has been made, we have actually been losing ground. To take just one example, the shocking fact is that although the absolute amount of disability benefits has increased between 1940 and 1966 the ratio of maximum weekly temporary total disability benefits to average weekly wages has, by and large, fallen drastically in that period. That ratio has actually decreased in no less than 44 States. If the comparison is made between 1958 and 1966 the results are likewise unsatisfactory. In that period in only half the States did this percentage increase; in the other half it continued to decrease. The sorry tale is told completely in a table, which I ask be included in my remarks at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

RATIO OF MAXIMUM WEEKLY BENEFIT FOR TEMPORARY TOTAL DISABILITY TO AVERAGE WEEKLY WAGES, BY STATE (1940, 1958, AND 1966)

[In percent]

State	Ratio of maximum temporary total disability benefit for worker, wife, and 2 dependent children to average weekly wage[1]		
	1940	1958	1966
Alabama	94.9	43.7	39.1
Alaska		75.2	56.7
Arizona		182.6	137.2
Arkansas	122.2	58.8	47.3
California	80.2	51.3	54.1
Colorado	54.7	42.3	45.0
Connecticut	85.9	49.5	53.5
Delaware	50.6	36.6	40.2
District of Columbia	93.7	63.4	60.3
Florida	89.5	47.0	41.9
Georgia	112.0	44.5	38.5
Hawaii	116.2	108.4	106.8
Idaho	79.4	52.8	46.4
Illinois	67.5	43.6	54.8
Indiana	60.1	39.8	37.7
Iowa	63.2	40.3	45.5
Kansas	78.0	41.8	40.4
Kentucky	68.2	41.9	43.8
Louisiana	94.3	44.8	32.9
Maine	85.8	49.8	64.2
Maryland	81.0	50.2	52.1
Massachusetts	68.2	58.2	69.3
Michigan	55.1	43.9	58.2
Minnesota	77.4	53.9	40.8
Mississippi		57.1	41.0
Missouri	78.4	44.8	46.0
Montana	79.8	47.0	46.2
Nebraska	63.1	45.1	42.8
Nevada	84.7	55.9	59.2
New Hampshire	83.8	51.8	51.4
New Jersey	67.9	42.9	36.3
New Mexico	86.5	36.9	40.4
New York	80.9	47.7	47.7
North Carolina	100.1	55.4	42.3
North Dakota	89.6	50.5	59.4
Ohio	63.8	42.9	44.7
Oklahoma	71.2	43.6	38.9
Oregon	87.5	56.1	51.5
Pennsylvania	69.0	44.8	47.0
Puerto Rico		86.4	58.0
Rhode Island	83.7	43.1	56.0
South Carolina	153.4	57.3	57.0
South Dakota	66.4	41.9	47.3
Tennessee	78.2	45.0	40.3
Texas	84.0	43.7	33.6
Utah	72.0	49.8	52.1
Vermont	62.3	47.4	46.0
Virginia	74.9	46.9	47.0
Washington	51.1	53.4	53.0
West Virginia	62.1	39.0	37.4
Wisconsin	73.5	55.8	53.9
Wyoming	88.4	53.6	57.6

[1] The percentages in these columns are found by dividing the maximum weekly benefit for a worker, his wife, and 2 dependent children by the average weekly wage as reported under the State unemployment insurance acts.

Mr. JAVITS. Mr. President, in the area of permanent disability the figures tell an equally disquieting story. In four States the maximum permanent disability benefit is less than $40 a week. In 13 States the maximum permanent disability benefit is between $40 and $50 per week. Furthermore absolute limitations on the amount of permanent disability benefits—almost a contradiction in terms—are still common; 19 States have such limitations, with most of them below $20,000 and some as low as $12,500. Only six States meet the Department of Labor's recommendation of an actual, rather than merely theoretical maximum of 66⅔ percent of average wages for temporary total disability. A chart prepared by the Chamber of Commerce and included in its most recent analysis of workmen's compensation laws reveals the picture at a glance, and I ask that it be included in my remarks at this point.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

INCOME BENEFITS FOR PERMANENT AND TEMPORARY TOTAL DISABILITIES, JAN. 1, 1968

Jurisdiction	Limitations on permanent total					Limitations on temporary total					Notations
	Maximum percent of wages	Maximum weekly payment	Minimum weekly payment	Time limit	Amount limit	Maximum percent of wages*	Maximum weekly payment	Minimum weekly payment	Time limit	Amount limit	
Alabama	[1] 65	$44.00	$15.00	550 weeks	$17,600	65	$44.00	[2] $15.00	300 weeks	$13,200	
Alaska	65	65.00	25.00	Life		65	100.00	[2] 25.00	Disability		Disfigurement maximum, $3,500.
Arizona	65	[3] 150.00	32.50	do		65	[3] 150.00	32.50	433 weeks	65,000	
Arkansas	65	38.50	10.00	450 weeks	14,500	65	38.50	10.00	450 weeks	14,500	
California	65	52.50	20.00	Life*		61¾	70.00	25.00	240 weeks [4]		60 percent maximum after 400 weeks.
Colorado [5]	66⅔	[6] 54.25	13.00	do*	16,926	66⅔	54.25	13.00	Disability	16,926	50 percent increase in compensation where employer has failed to comply with insurance provisions. 50 percent decrease in compensation where injury results from failure to obey safety regulations or from intoxication.
Connecticut	66⅔	[7] 74.00	20.00	do	([8])	66⅔	[7] 74.00	20.00	do		
Delaware	66⅔	50.00	[2] 25.00	do		66⅔	50.00	[2] 25.00	do		
District of Columbia	66⅔	70.00	[2] 18.00	do		66⅔	70.00	[2] 18.00	do	[9] 24,000	
Florida	60	49.00	[2] 8.00	do		60	49.00	[2] 8.00	350 weeks		
Georgia	60	37.00	12.00	400 weeks	12,500	60	37.00	12.00	400 weeks	12,500	
Guam	66⅔	35.00	[2] 12.00	Life	10,000	66⅔	35.00	[2] 12.00	Disability	10,000	
Hawaii	66⅔	* 112.50	*18.00	do	[10] 35,100	66⅔	112.50	[2] 18.00	do	[11] 35,100	Director may order payment of $150 per month for attendant, paid from special fund.
Idaho	60	*43.00	*15.00	do		60	*43.00	*15.00	do		Maximum $43 with dependent spouse. Add $5 each child. Maximum $63.
Illinois	(*)	68.00	31.50	do	(*)	(*)	76.00	31.50	8 years		Limited to amount if death had resulted. Pension thereafter.
Indiana	60	51.00	[2] 21.00	500 weeks*	25,000	60	51.00	[2] 21.00	500 weeks	25,000	Additional benefits from 2d injury fund.
Iowa	66⅔	47.50	[2] 18.00	500 weeks	23,750	66⅔	56.00	[2] 18.00	300 weeks		Weekly compensation for temporary total disability is $40, $4 additional for each dependent child.
Kansas	60	49.00	7.00	416 weeks	20,384	60	49.00	7.00	415 weeks	20,335	
Kentucky [13]	66⅔	47.00	21.00	425 weeks	19,975	66⅔	47.00	21.00	425 weeks	19,975	Disfigurement benefits.
Louisiana	65	35.00	[2] 10.00	400 weeks	14,000	65	35.00	10.00	300 weeks	10,500	
Maine [14]	66⅔	62.14				66⅔	62.14				Disfigurement benefits, $1,500 maximum.
Maryland	66⅔	55.00	[2] 18.00		30,000	66⅔	55.00	[2] 18.00	208 weeks		If permanent disability exceeds 50 percent of the body as a whole, employee is entitled to additional compensation for the full disability from the "subsequent injury fund" after completion of payments by the employer.

Footnotes at end of table.

INCOME BENEFITS FOR PERMANENT AND TEMPORARY TOTAL DISABILITIES, JAN. 1, 1968—Continued

Jurisdiction	Limitations on permanent total					Limitations on temporary total					Notations
	Maximum percent of wages	Maximum weekly payment	Minimum weekly payment	Time limit	Amount limit	Maximum percent of wages*	Maximum weekly payment	Minimum weekly payment	Time limit	Amount limit	
Massachusetts [15]	66⅔	*$62.00	[16]$20.00	Life		66⅔	*$62.00	[16]$20.00	Disability	$16,000	$6 additional each wholly dependent but not to exceed weekly wage. Combined total compensation for total and partial disability not to exceed $18,000.
Michigan [17]	66⅔	*64.00	27.00	Disability [18]	(18)	66⅔	*64.00	27.00	do		$6 additional for each dependent up to 5, maximum $93.
Minnesota	66⅔	60.00	17.50	Life	(10)	66⅔	60.00	17.50	350 weeks	15,750	Additional $5,000 allowable in certain cases. Disfigurement benefits.
Mississippi	66⅔	35.00	*10.00	450 weeks [19]	[19]$14,500	66⅔	35,00	*10.00	450 weeks [19]	[19] 14,500	Less in partially dependent cases. $2,000 disfigurement maximum.
Missouri	66⅔	52.00	16.00	300 weeks [20]		66⅔	57.00	[20] 16.00	400 weeks	22,800	$2,000 disfigurement maximum.
Montana	66⅔	*60.00	34.50	500 weeks	30,000	*66⅔	*60.00	34.50	300 weeks	18,000	Reducing schedule if less than 5 children.
Nebraska	*66⅔	*45.00	[2] 30.00	Life [21]		*66⅔	45.00	[2] 30.00	300 weeks [21]	13,500	45 percent after 300 weeks, maximum $36, minimum $26 (or actual wages if less.)
Nevada	90	[22] 56.00		Life		[22] 90	67.50		100 months	29,250	Additional allowance for constant attendant if necessary. $50 a month.
New Hampshire	66⅔	58.00	[2] 15.00	(*)		66⅔	58.00	[2] 15.00	(*)		After 6 successive years of payment additional payments may be made only on order of the commissioner upon application by the employee and to the employer. If employer objects medical panel provided for.
New Jersey	(23)	*83.00	10.00	450 weeks*		(23)	83.00	10.00	300 weeks		After 450 weeks at reduced rate, if employed; at full rate if not rehabilitable.
New Mexico*	60	45.00	[2] 24.00	500 weeks	22,500	60	45.00	[2] 24.00	500 weeks	22,500	10 percent additional compensation payable by employer for failure to provide safety devices.
New York	66⅔	60.00	[2] 20.00	Life		66⅔	60.00	[2] 20.00	Disability		Additional compensation for vocational rehabilitation.
North Carolina	60	42.00	10.00	400 weeks*	*15,000	60	42.00	10.00	400 weeks	15,000	In cases of paralysis from a brain or spinal injury, payments may be extended for the life of the claimant and the total may exceed $15,000.
North Dakota	80	$75.00	15.00	Life		80	*75.00	15.00	Disability		$50 plus $5 for each child under 18. Maximum $75 per week.[2]
Ohio	66⅔	56.00	[2] [19] 45.50	do		66⅔	56.00	[2] 25.00	do	10,750	During first 12 weeks of temporary total disability, maximum compensation is $63.
Oklahoma	66⅔	40.00	[2] 15.00	500 weeks	20,000	66⅔	40.00	[2] 15.00	300 weeks	12,000	
Oregon	90	70.38	35.75	Life		90	*73.85	39.23	Disability		Reducing schedule if less than 6 children.
Pennsylvania	66⅔	60.00	[24] 35.00			66⅔	60.00	35.00			
Puerto Rico	66⅔	20.76	9.23	Life		66⅔	35.00	8.00	312 weeks		Additional benefits in specific cases such as for vocational rehabilitation or constant companion at not more than $30 a month.
Rhode Island [26]	66⅔	50.00	25.00	1,000 weeks	16,000	60	45.00	25.00	1,000 weeks	16,000	Additional benefits from second injury fund. Compensation includes $3 per week each dependent child in addition to that for total incapacity, maximum $12.
South Carolina	60	50.00	5.00	500 weeks	12,500	60	50.00	5.00	500 weeks	12,500	
South Dakota	55	42.00	[2] 22.00	Life*	16,000	55	42.00	[2] 22.00	312 weeks	13,108	After 300 weeks, maximum $15 per week. Minimum $12.
Tennessee	65	42.00	[27] 15.00	550 weeks	16,000	65	42.00	[27] 15.00		16,000	After 400 weeks $15 per week, or actual wage if less but not less than $12. Disfigurement benefits.
Texas	60	35.00	9.00	401 weeks	14,035	60	35.00	9.00	401 weeks	14,035	Special provisions for occupational disease.
Utah	*60	[28] 44.00	[2] 25.00	Life*	[29] 19,344	60	[28] 44.00	[2] 25.00	312 weeks	19,344	After 260 weeks 45 percent plus $3.60 for a dependent wife and $3.60 for each dependent minor under 18 up to 4 such children. Disfigurement benefits.
Vermont [30]	66⅔	[31] 52.00	[2] 26.00	330 weeks	17,160	66⅔	[31] 52.00	[2] 26.00	330 weeks	17,160	
Virginia	60	45.00	14.00	500 weeks	18,000	60	45.00	14.00	500 weeks	18,000	Disfigurement benefits.
Washington		*81.23	42.69	Life			*81.23	42.69	Disability		Additional allowance for constant attendant, if necessary $115 per month. Reducing schedule if less than 5 children.
West Virginia	66⅔	47.00	24.00	do		66⅔	47.00	24.00	208 weeks	9,976	
Wisconsin	70	68.00	14.00	do		70	68.00	8.75	Disability		Additional compensation for vocational rehabilitation.[32]
Wyoming		*34.61	28.80	do	27,500	66⅔	63.46	33.46	do	12,000	Permanent—$34.61 plus $6.92 for each child (no limits).[40] Aggregate sum for children $10,000.
Federal Employees' Compensation Act.	[33] 75	*345.00	[2] 59.00	do		75	*345.00	[2] 59.00	do		Additional allowance of $300.00 per month for constant attendant if necessary.
Longshoremen and Harbor Workers' Act.	66⅔	70.00	[2] 18.00	do		66⅔	70.00	[2] 18.00	do	[34] 24,000	
Alberta	75	80.77	[2] 35.00	do		75	80.77	[2] 35.00	do		75 percent of maximum earnings of $5,600 per year.
British Columbia	75	95.20	[2] 34.72	do		75	95.20	[2] 30.00	do		75 percent of maximum earnings of $6,600 per year.[35]
Manitoba	75	86.54	[36] 35.00	do		75	86.54	[2] 35.00	do		75 percent of maximum earnings of $6,600 per year.
New Brunswick	75	72.11	[2] 25.00	do		75	72.11	[2] 25.00	do		75 percent of maximum earnings of $5,000 per year.
Newfoundland	75	72.11	[2] 28.84	do		75	72.11	[2] 25.00	do		75 percent of maximum earnings of $5,000 per year.
Nova Scotia	75	72.11	[2] 28.00	do		75	60.58	[2] 30.00	do		75 percent of maximum earnings of $5,000 per year.
Ontario	75	86.54	32.50	do		75	86.54	30.00	do		75 percent of maximum earnings of $6,000 per year.
Prince Edward Island	75	72.11	[2] 20.00	do		75	72.11	20.00	do		75 percent of maximum earnings of $5,000 per year.
Quebec [37]	75	72.11	25.00	do		75	72.11	35.00	do		75 percent of maximum earnings of $6,000 per year.
Saskatchewan	75	86.54	[38] 32.50	do		75	86.54	[2] 32.50	do		75 percent of maximum earnings of $6.000 per year.[39]
Canadian Merchant Seamen Compensation Act.	75	64.90	12.50	do		75	64.90	12.50	do		75 percent of maximum earnings of $4.500 per year.

---

[1] Percentage increased 5 percent each for dependent wife and children. Maximum 65 percent, wife and children.

[2] Actual wage if less.

[3] No actual limit in computing average monthly wage. All wages in excess of $1,000 per month excluded.

[4] Within period of 5 years from date of injury.

[5] Disfigurement maximum $1,000.

[6] If employee is receiving social security benefits for disability, compensation may be reduced by 50 percent of such payments.

Footnotes on following page.

[7] 60 percent of average production wage. To be determined annually by labor commissioner. Determined to be $74 as of Oct. 1, 1967.

[8] Additional allowance of $5 per dependent child but not to exceed 50 percent of benefit or 75 percent of average weekly wage but may exceed 60 percent of annual average production wage. Retroactive benefit increases provided for cases prior to 1953 and 1967, and prospectively for cases after 1967.

[9] Does not include rehabilitation allowance.

[10] Old age and survivors insurance benefits credited on compensation after $25,000 has been paid.

[11] Same rate of compensation thereafter from special fund. Disfigurement maximum $10,000.

[12] 400 weeks at maximum disability, reduced thereafter to $25 per week.

[13] Maximum shall not exceed 55 percent of 85 percent of average weekly State wage; minimum shall be 25 percent of 85 percent of same, promulgated annually by Workmen's Compensation Board as of Jan. 1, 1968.

[14] Maximum not to exceed 66⅔ percent of State average weekly wage fixed by Maine Employment Security Commission, as of June 1, 1967.

[15] Maximum weekly benefit $62 effective Nov. 12, 1967; will increase to $65 effective Oct. 13, 1968.

[16] Actual wage if less, but not under $10 for work week of 15 hours or over.

[17] Add $3 for each dependent up to 5 to weekly minimum. All benefits increased according to a scale annually until 1967, thereafter will be adjusted to average State wage.

[18] Persons receiving less than benefits provided after 1955 receive difference in amounts from second injury fund.

[19] Plus rehabilitation allowance, maximum $160 for 104 weeks.

[20] 40 percent thereafter but not less than $18 or more than $30 for life.

[21] Reduced amounts after 300 weeks.

[22] 65 percent of average monthly wage not in excess of $325 per month plus an additional 15 percent for each dependent not to exceed 90 percent.

[23] Maximum not to exceed 66⅔ percent of average industrial wage determined annually (as of Jan. 1, 1968).

[24] Actual wage if less but in no case less than $22.00.

[25] Compensation doubled if disability due to employer's violation of safety or health law or regulation.

[26] Disability extending beyond period compensated from second injury fund.

[27] Actual wage if less but with a minimum of $12.00.

[28] $3.60 additional for dependent wife and $3.60 for each dependent child under 18, up to 4 such children.

[29] Employees tentatively found permanently and totally disabled referred to rehabilitation program. If employee has cooperated, cannot be rehabilitated and has exhausted benefits, then maximum of $44.00 per week is paid by special fund upon termination of payments by employer and carrier.

[30] Maximum benefit shall equal 50% of annual State average weekly wage. On July 1, 1968, benefits increased to $54 maximum weekly and $27 minimum-maximum total $17,820.

[31] Additional amount of $3.50 per week for each dependent child under 21.

[32] Compensation reduced 15% for employee's failure to use safety devices.

[33] Maximum is based upon grade 15 of General Schedule Classification Act ($23,921), minimum upon grade 2 ($4,108). Benefits to be increased annually by 3% increase in Consumer Price Index after 1967.

[34] Plus rehabilitation allowance.

[35] Applicable to all cases prior to January 1, 1965. Benefits to be increased annually by 2% increase in Consumer Price Index. Maximum wage rate to be adjusted according to annual gross earnings of workmen. Increased benefits payable prospectively.

[36] Minimum benefits of $150 per month increased retroactively to August 5, 1959.

[37] Beginning September 30, 1965, benefit increases varying from 1.1–40% for awards made from September 1, 1931, and January 1, 1965, will be paid existing cases.

[38] Minimum benefits increased retroactively as of July 1, 1965.

[39] Board has discretion to choose the 12 months in the preceding 3-year period most advantageous to workmen for computation of his earnings.

[40] Court will supervise disbursement of fund for children.

*See notations column.

Mr. JAVITS. Mr. President, one of the important tasks of the Commission in this area would be to develop adequate criteria for determining the maximum amount and duration of permanent and total disability benefits. In my opinion, this whole topic requires a completely fresh look. Over the years something like a consensus seems to have developed around a figure expressed as a percentage, usually 66⅔ percent of average weekly wages, in the State. Even though, by and large, the States are not meeting even that limited criteria, the Commission should squarely face the question whether even that low standard discriminates unfairly against workers whose incomes exceed the average in the State.

Second, the amount and duration of medical benefits and provisions insuring adequate medical care and free choice of physician. Though the quality of medical care and workmen's compensation has improved over the years, many workers still have to bear a part of the medical cost of their injury or disease. A number of States still restrict full medical care by setting limits on the monetary amounts or time limitations on the number of weeks a worker may receive medical benefits. This problem has, needless to say, been considerably aggravated by the rising cost of medical care in recent years, and the fact that private medical and hospitalization insurance generally exclude workmen's compensation cases from coverage.

Satisfactory medical care is, of course, as important as adequate benefits. One way in which this problem has been dealt with is to provide that the workmen's compensation agency may supervise medical care. In most States, however, the workmen's compensation agency does not have this authority.

Another aspect of this problem is that almost three-quarters of all workers covered under workmen's compensation have their doctors chosen for them by their employer or by the insurance company on behalf of the employer. While this practice does not necessarily imply that injured workers will receive unsatisfactory medical care, it obviously raises serious questions as to the impartiality of the physicians involved, upon whose testimony and diagnosis the amount of a compensation award may depend. One way in which this difficulty can be overcome is to allow any insured worker at least some real freedom of choice in the selection of a physician. Only 23 States, however, meet the Department of Labor's recommended standards in this regard.

Third, coverage of workers, including exemptions based on numbers and type of employment. The effectiveness of workmen's compensation laws is limited in many States by numerical exemptions under which small employers are not covered by the law. The numerical exemptions range from two to 15 employees. Other types of exemptions are based on the type of employment, rather than the number of employees. One of the most glaring defects in many State compensation laws is the failure to cover agricultural employees to the same extent as other types of employees. The exclusion of agricultural workers is particularly difficult to understand in the face of the fact that agriculture has become one of the Nation's most dangerous occupations.

Other types of employees frequently exempted from the law are casual and domestic employees and employees of charitable or religious institutions. All of these exemptions taken together serve to exclude approximately 20 percent of the entire labor force from the benefits of workmen's compensation. Despite a few improvements in some laws toward fuller coverage, this percentage has not changed perceptibly in recent years.

Fourth, standards for determining which injuries or diseases should be deemed compensable. One of the areas in which the development of workmen's compensation law in the United States has been most marked, but at the same time most uneven, is in the determination of which injuries or diseases are deemed compensable. In many States the law, or the court's interpretation of it is moved far away from the initial "accident" theory of compensable injury to include almost any injury or disease which is work related. In other States, however, there has been little or no movement at all. Some States specifically exclude from coverage most occupational diseases, and at least 16 States fail to provide full protection for occupational disease. In one particular area, that of radiation disease, the problem has already occasioned a congressional inquiry by the Joint Committee on Atomic Energy. Pending before the Senate now are proposals to provide compensation for workers who have had the misfortune to suffer lung cancer as a result of their exposure to radiation and uranium mines. Such bills, of course, would be unnecessary had these unfortunate workers been entitled to collect workmen's compensation under existing State laws.

Fifth, rehabilitation. In the years since the original Workmen's Compensation Acts were passed, the science of rehabilitation has made great strides. At the present time there exists a considerable store of knowledge and technique in medical and vocational restoration of an injured workman. Yet only a handful of States have adjusted either their substantive provisions or their administrative mechanisms under the workmen's compensation laws to take advantage of this opportunity. Clearly this is a subject which deserves the most careful study by the Commission.

Sixth, coverage under second or subsequent injury funds. These funds are designed to facilitate reemployment of disabled workers. Their purpose is to assure full benefits to an employee who suffers a second disabling injury while at the same time allowing his subsequent employer to pay only that share of the benefits specifically attributable to the subsequent injury. Most States have established these funds but their operation and financing vary widely. Some second injury funds are supported by employer contributions under certain circumstances, other funds are supported entirely by governmental appropriations. Moreover, most States limit the coverage of second injury funds to loss or loss of use of a member of the body. In only a minority of the States do the second injury funds provide for coverage of any type of disability.

Seventh, time limits on filing claims. The time limits on filing claims under most State laws appear to have been drawn to take into account only the "accidental" type of injury. These time limitations have serious drawbacks when they must be applied to occupational disease cases. For even though a law may provide coverage for occupational diseases its effectiveness will be seriously curtailed if there is an inadequate period of time for the worker to file for benefits. A worker may not know that he has contracted an occupational disease until a substantial period of time has passed after the date of his last exposure or a substantial period of time has passed before the condition is diagnosed as a disease that has occurred as a result of his employment. Both of these conditions exist, for example, in the case of uranium mine workers who have contracted lung cancer. Clearly the need for flexible time limit provisions is a subject which will merit serious consideration by the Commission.

Eighth, waiting periods. Waiting periods or arbitrary periods of time during which employees may not receive compensation unless they are disabled for a fairly long period of time, specified in the law. The Department of Labor has recommended that the maximum waiting period should be 3 days and that benefits should be retroactive after 2 weeks. However, only about eight States currently meet this standard.

Ninth, compulsory or elective coverage. Compulsory workmen's compensation laws require covered employers to comply with the law. An elective law permits the employer the option of whether to accept coverage of the workmen's compensation law; if he rejects coverage, he loses the common law defenses of assumption of risk, fellow servant negligence and contributory negligence, in a suit filed by the worker. About one-half the State workmen's compensation laws are compulsory, while the remainder are elective. Elective laws were at one time the rule rather than the exception. The trend has, however, definitely been toward compulsory coverage and although compulsory coverage has been recommended by the Department of Labor, the Council of State Governments and the IAIABC almost half the States still have elective laws.

Tenth, administration. Improved administration is one area in which tremendous strides have been made by some States but little if any progress has been made in others. Clearly, with the advent of new data processing techniques and the work which has been done by the Department of Labor, the Council of State Governments, and the IAIABC there is much that can and should be done to improve the administration of workmen's compensation laws in many States.

Eleventh, legal expenses. Who should bear the burden of an injured workmen's legal expenses has been a troublesome question for students of workmen's compensation. Most States require the claimant, whether or not he prevails in the proceeding, to bear his own legal expenses, contenting themselves with regulating the amount of the fees and preventing unethical practices by lawyers handling compensation cases. Some States take a different view, requiring employers to pay the legal expenses of the successful claimant.

The question is indeed difficult to resolve. On the one hand, there is the fact that under our system of jurisprudence, litigants are generally required to bear their own legal expenses. On the other hand, as the Council of State Governments has pointed out, in explaining its model code provision allowing the claimant to recover his legal fees under carefully limited circumstances:

> When the original workmen's compensation acts were passed there was a widespread notion among the backers of the legislation that workmen's compensation payments would be virtually automatic. * * *
>
> When it turned out in practice that the employment of lawyers was frequently necessary if the claimant was to vindicate his statutory rights, the traditional Anglo-American legal practice of having each party pay his own attorney's fees naturally took over. The net result was that the claimant simply did not get the minimum benefit which the statute said he should have. It never seemed to occur to anyone that the analogy between common law damage recoveries and workmen's compensation statutory payments was not a valid one. The assessing of common law damages is, at best, an approximate process, leaving plenty of room within which allowance for attorneys' fees may at least indirectly be made, particularly in personal injury cases. But in workmen's compensation, the size of the payment to the claimant has been methodically reduced to a hard-core number of dollars per week, calculated to be just enough to spare the claimant from outright dependency. It is a reasonable presumption that any cutting into this hard-core amount is, to that extent, defeating the purpose of the statute."

The issue has thus been drawn clearly, and well merits the attention of the Commission.

Twelfth, the feasibility and desirability of a uniform system of reporting information concerning job-related injuries and diseases and the operation of workmen's compensation laws. One of the perennial difficulties which has served to plague students of workmen's compensation has been the lack of information concerning the system as a whole. The Commission could make use of its greatest contributions by analyzing the feasibility of some sort of uniform reporting system, designed to obtain the meaningful information concerning the operation of workmen's compensation laws necessary to permit continuing critical evaluation of the system.

Thirteenth, resolution of conflict laws extraterritoriality and similar problems arising from claims with multistate aspects. Here is another area where the new Commission could make a tremendous contribution. The Council of State Governments, has commented that no portion of its model act is more urgently in need of coordinated State action than the extraterritoriality provision. The Council referred to the present law in this area as in "a state of chaos." Dr. Larson, one of the foremost authorities on workmen's compensation in the United States, has been even less charitable, characterizing the conflict of laws in this area as "a madhouse of confusion."

Fourteenth, the extent to which private insurance carriers are excluded from supplying workmen's compensation coverage and the desirability of such exclusionary practices, to the extent they exist. In most States employers may provide compensation coverage through private insurance carriers. Some States, however, have established what are known as "exclusive State funds" with which all employers must deal. Various arguments can be made for and against these monopolistic State funds. Under exclusive State funds, it is claimed, compensation insurance can usually be obtained more cheaply than from private carriers. Others argue, with equal force, that that is hardly a reason for prohibiting private carriers from competing for the employer's dollar. Another argument which the Commission will undoubtedly have to consider carefully is the tremendous contribution private insurance carriers have made toward improving occupational safety.

Fifteenth, the relationship between workmen's compensation, on the one hand, and old age, disability and survivors insurance and other types of insurance, public and private, on the other hand. With the advent of different types of insurance, both public and private, covering disability or death, the problem of overlap arises. There are two aspects of the problem: first, to guard against an injured worker receiving double compensation; second, the decision as to which type of insurance should bear the burden when an overlap exists. The problem is particularly acute in total disability cases where both workmen's compensation and social security are applicable to the same worker and in partial disability cases where unemployment compensation is also sought. Consideration of this problem by the Commission would be especially desirable because of its Federal overtones.

Sixteenth, possible methods of implementing the recommendations of the Commission, including methods of encouraging or requiring compliance with the minimum standards for workmen's compensation developed by the Commission. The best method of implementing its own recommendations will probably be the most controversial topic for the Commission to consider. It will also be the most important.

Mr. President, I recognize that workmen's compensation has historically been treated as a function of State government, and that the States themselves initiated the whole system. There is, however, ample justification for the Federal Government to solicit the views and recommendations of interested and informed parties as to what should be done to achieve necessary workmen's compensation reform. This should not mean or imply any effort to federalize workmen's compensation or to begin such a process. There is a wide range of alternatives available which the Commission could consider, and after the Commission has made its recommendations it will still be up to Congress to act or not, as it sees fit. The point of my proposal is that it is only through the informed consideration of the issues by a broadly based Commission that the Congress will have before it the information necessary to enable it to make an intelligent judgment on this issue, which affects all American working men and women.

Last year, the proposal embodied in this bill was endorsed by the administration. I note that in this year's Economic Report President Johnson has proposed that the Federal Government go much further. His Economic Report states, in relevant part, that:

> Workmen's compensation should ensure that no victim of a job-related accident lacks the funds to pay his medical bills and support his family. Currently, one employee in five has no workmen's compensation protection. Benefit levels are too often tragically low. The Federal Government should act now to ensure that the States provide adequate workmen's coverage and benefits.

In accordance with this Economic Report of the former administration, former Secretary of Labor Willard Wirtz, as one of his last acts, sent to the Congress a draft of a bill which, essentially, would require all State laws to come up to the standard of the Federal Longshoremen's and Harbor Workers' Compensation Act, as well as extend their coverage to many types of workers presently not covered under many State laws. The bill would also provide Federal grants to pay up to 75 percent of any additional cost incurred by the States in strengthening their workmen's compensation programs. In addition, the Department of Labor would be authorized to conduct research and studies on State workmen's compensation programs, and to train or provide for training personnel in workmen's compensation administrative procedures.

Mr. President, I stated on the floor last year that my purpose in calling for the establishment of a Federal Commission to study workmen's compensation laws is not to federalize the State workmen's compensation system. I still hold to that view and for that reason am not prepared to embrace the proposal transmitted to us by former Secretary Wirtz. At the very least, it seems to me, serious consideration of any such proposal should await the completion of the comprehensive study called for by my bill.

This is the same proposal which I introduced during the last Congress, first as an amendment to S. 2864, the occupational health and safety bill, and later, with the cosponsorship of the distinguished chairman of the Committee on Labor and Public Welfare, who was then chairman of its Labor Subcommittee, Senator YARBOROUGH, as a separate bill, S. 3951. I ask unanimous consent that the bill be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The text of the bill introduced by Mr. JAVITS is as follows:

S. 1106

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) Congress hereby finds and declares that the vast majority of American workers, and their families, are dependent on workmen's compensation for their basic economic security in the event they suffer disabling injury or death in the course of their employment; and that the full protection of American workers from job-related injury or death requires an adequate, prompt, and equitable system of workmen's compensation as well as an effective program of occupational health and safety regulation.

(b) In recent years serious questions have been raised concerning the fairness and adequacy of present workmen's compensation laws in the light of the growth of the economy, the changing nature of the labor force, increases in medical knowledge, changes in the hazards associated with various types of employment, new technology creating new risks to health and safety, and increases in the general level of wages and the cost of living.

(c) The purpose of this Act is to authorize an effective study and objective evaluation of State workmen's compensation laws in order to determine if such laws provide an adequate, prompt, and equitable system of compensation for injury or death arising out of or in the course of employment.

ESTABLISHMENT OF COMMISSION

SEC. 2. There is hereby established a National Commission on State Workmen's Compensation Laws (hereinafter referred to as the "Commission").

MEMBERSHIP

SEC. 3. (a) The Commission shall be composed of fifteen members to be appointed by the President from among members of State workmen's compensation boards, representatives of insurance carriers, business, labor, members of the medical profession having experience in industrial medicine or in workmen's compensation cases, educators having special expertise in the field of workmen's compensation, and representatives of the general public. The Secretary of Labor, the Secretary of Commerce, and the Secretary of Health, Education, and Welfare shall be ex officio members of the Commission.

(b) Any vacancy in the Commission shall not affect its powers.

(c) The President shall designate one of the members to serve as Chairman and one to serve as Vice Chairman of the Commission.

(d) Eight members of the Commission shall constitute a quorum.

DUTIES OF THE COMMISSION

SEC. 4 (a) The Commission shall undertake a comprehensive study and evaluation of State workmen's compensation laws in order to determine if such laws provide an adequate, prompt, and equitable system of compensation. Such study and evaluation shall include, without being limited to, the following subjects: (1) the amount and duration of permanent and temporary disability benefits and the criteria for determining the maximum limitations thereon, (2) the amount and duration of medical benefits and provisions insuring adequate medical care and free choice of physician, (3) the extent of coverage of workers, including exemptions based on numbers or type of employment, (4) standards for determining which injuries or diseases should be deemed compensable, (5) rehabilitation, (6) coverage under second or subsequent injury funds, (7) time limits on filing claims, (8) waiting periods, (9) compulsory or elective coverage, (10) administration, (11) legal expenses, (12) the feasibility and desirability of a uniform system of reporting information concerning job-related injuries and diseases and the operation of workman's compensation laws, (13) the resolution of conflict of laws, extraterritoriality and similar problems arising from claims with multistate aspects, (14) the extent to which private insurance carriers are excluded from supplying workmen's compensation coverage and the desirability of such exclusionary practices, to the extent they are found to exist, (15) the relationship between workmen's compensation on the one hand, and old-age, disability, and survivors insurance and other types of insurance, public or private, on the other hand, (16) methods of implementing the recommendations of the Commission.

(b) The Commission shall transmit to the President and to the Congress not later than one year after the first meeting of the Commission a final report containing a detailed statement of the findings and conclusions of the Commission, together with such recommendations as it deems advisable.

POWERS OF THE COMMISSION

SEC. 5. (a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this title, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member authorized by the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any subcommittee or members thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this title.

(c) Subject to such rules and regulations as may be adopted by the Commission, the Chairman shall have the power to—

(1) appoint and fix the compensation of an executive director, and such additional staff personnel as he deems necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at rates not in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of such title, and

(2) procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $50 a day for individuals.

(d) The Commission is authorized to enter into contracts with Federal or State agencies, private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

COMPENSATION OF MEMBERS

SEC. 6. Members of the Commission shall receive compensation at the rate of $ per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

APPROPRIATIONS AUTHORIZED

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary, not to exceed a total of $ to carry out the provisions of this title.

TERMINATION

SEC. 8. On the ninetieth day after the date of submission of its final report to the President, the Commission shall cease to exist.

SENATE JOINT RESOLUTION 53—INTRODUCTION OF JOINT RESOLUTION—MID-ATLANTIC STATES AIR POLLUTION CONTROL COMPACT

Mr. JAVITS. Mr. President, I send to the desk on behalf of myself and my colleague from New York (Mr. GOODELL), as well as the Senators from New Jersey (Mr. CASE and Mr. WILLIAMS), and the Senators from Connecticut (Mr. RIBICOFF and Mr. DODD), a joint resolution regarding an air pollution control compact. This compact would create a Mid-Atlantic States Air Pollution Control Commission as an intergovernmental Federal-State agency.

Similar legislation is being introduced today in the other body by Representative CELLER, the dean of the New York congressional delegation.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 53) to consent to and enter into the Mid-Atlantic States air pollution control compact, creating the Mid-Atlantic States Air Pollution Control Commission as an intergovernmental, Federal-State agency, introduced by Mr. JAVITS, for himself and other Senators, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. JAVITS. Mr. President, under this compact the Federal Government and the States of New York and New Jersey, which will be joined by Delaware, Connecticut, and Pennsylvania, as they may desire, will come together to form an interstate air pollution control commission. It will investigate the causes of air pollution and will devise the means of attacking this omnipresent problem. Most important, it will be empowered to establish air quality and emission standards and to actually administer and enforce those standards. The compact is patterned after the highly successful example of the Delaware River Basin Commission in the areas of water supply and water pollution control, from which my own State has so greatly benefited.

Mr. President, air pollution is a contagion, which, if left unchecked, threatens to mushroom into a modern-day urban plague. It kills slowly and generally the toll goes unnoticed because the victims cannot be counted at one time. For example, we now know that an estimated 80 persons died in New York City's envelope of smog resulting from the 3-day temperature inversion of 1966. The dollar cost is equally serious and equally insidious. According to Government estimates, the annual cost of air pollution in property damage alone is $11 billion.

Air pollution is a dilemma requiring the best talents of every sector of American life—Federal, State, and local government as well as private business, the universities, and individual citizens. Typically, we in America lack neither the commitment nor the basic knowledge to solve social problems; rather, when we fall down, it is in trying to organize and implement the solutions. We have the substantive programs, but lack the administrative and coordinating mechanisms.

That is, in part, the challenge of creative federalism: to devise the proper mechanisms. An interstate compact, in which the Federal Government joins, is just such an innovative mechanism placing under one command the powers and talents of several political jurisdictions. It is creative federalism at its best.

This compact recognizes three fundamental truths:

First, air pollution is, by its very nature, an interstate problem—as anyone like myself who lives in New York City realizes all too well—and requires an interstate mechanism to deal with it.

Second, the enforcement of pollution controls must be primarily the responsibility of State and local agencies. This compact, therefore, does not preempt either intrastate air pollution standards or sanctions, where consistent with the compact. The compact does, however, provide for regional standards and for its own penalties where no State penalty exists.

Third, the compact recognizes that the Federal Government can provide an important supportive role in the form of research and technical assistance—a role which is especially appropriate where interstate pollution problems are involved.

We in Congress have recognized the necessity of certain regions to establish particularly stringent standards where there is a clear need. That is why the Air Quality Act of 1967 states:

> Nothing . . . shall prevent a State, political subdivision, intermunicipal or interstate agency from adopting standards and plans to implement an Air Quality program which will achieve a higher level of ambient air quality than approved by the Secretary (of HEW) (Sec. 109).

This is the intent of this compact. Let it be clear that this compact will be compatible with the authority of the Secretary of Health, Education, and Welfare should he wish to choose air quality control regions, pursuant to the Air Quality Act of 1967, smaller in geographic size or in other ways different from the State grouping which is encompassed within the compact. The freedom of action of the United States would not be restrained by consenting to this compact.

Indeed, this compact is designed to complement the efforts of the Federal Government, for air pollution should be attacked from all directions.

On behalf of my own State of New York, I think it only fair to say that we are doing our utmost to combat air pollution, but we need the additional resource on an interstate level to fight this problem.

Mr. President, I deeply believe that the States should have the opportunity to do what needs to be done. The well-being of generations to come should impel the Congress to enter and consent to this compact and to give it the force of Federal law. I introduced this resolution in 1967, cosponsored by Senator Robert Kennedy and Senators CASE and WILLIAMS of New Jersey. The Subcommittee on Air and Water Pollution generally approved of the compact but the parent Judiciary Committee, due to a lack of time at the end of the session, did not report it out.

Mr. President, we have long spoken of the urgent need to fight air pollution but not until the last few years have we seen any significant legislation in that direction. With the Clean Air Act and the Air Quality Act of 1967 we have made tremendous strides in that fight. The enormous size of the problem demands continued legislative action though and the legislative oversight of those agencies which control this hazard.

Certainly, we cannot treat air pollution as an isolated problem. We must recognize the interrelationship of the environmental problems and treat them accordingly. The laws that we promulgate and the regulations by which the agencies abide must ensure a coordinated development of the structure in which we live.

Federal, State, and local governments must provide positive incentives and the necessary direction to achieve our unified environmental objectives.

The planning and development of our cities is so multifaceted that coordination of all facets is essential. Air, water, and noise pollution, for example, must be considered when developing a transportation network or a complex of housing projects. I am particularly concerned about the interrelationship of public housing and the problems of air pollution. With this in mind, I wrote, on December 10, 1968, to the then Secretary of Housing and Urban Development, Robert C. Weaver, expressing my concern and requesting a report on the issue of federally aided housing projects in areas of high pollution. Secretary George Romney, responding to that letter, has informed me that—

> All programs within the Department of Housing and Urban Development must comply with any appropriate local codes and ordinances. These local regulations frequently include standards designed to deal with conditions of air pollution.

With particular regard to low-rent public housing, when local requirements permit lower standards than those required by the Low Rent Housing Manual, the manual's criteria are applied.

I am pleased that such efforts are being made to provide constructive coordination of our overall environmental goals. I ask unanimous consent that this letter from Secretary George Romney, which clearly indicates this coordination, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF HOUSING AND
URBAN DEVELOPMENT,
Washington, D.C., February 6, 1969.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: This is in further reply to your letter requesting information on the participation of the Department of Housing and Urban Development in air pollution control activities, and more specifically in response to your question cncerning federally aided housing projects in areas of high pollution.

The internal regulations governing all of the housing programs of this Department, including public housing and the Federal Housing Administration (FHA) mortgage insurance programs, require that any projects, public or private, which are constructed, rehabilitated, or substantially aided by the program must comply with any appropriate local codes and ordinances. Such local regulations frequently include standards designed to deal with conditions of air pollution.

For example, a direction to this effect is contained in the issued procedures which establish the planning and design criteria in low-rent public housing. These procedures provide that where local requirements permit lower standards than those required by the Low-Rent Housing Manual, the Manual's criteria should apply. One of these criteria is that no public housing project is to be located where it would be subjected to serious and chronic nuisances such as noise, smoke, fumes, odors or open sewage.

Similarly, the Federal Housing Administration has developed its own set of minimum property standards, both in regard to mortgage insurance on existing housing and in regard to new construction. The FHA Underwriting Manual, which sets forth the criteria to be taken into account in considering an application for mortgage insurance, explains the importance of location in any such determination. The Manual states that certain physical conditions may be found in some neighborhoods that diminish location desirability or even become a hazard to the personal health and safety of the occupants. The Manual goes on further to explain that "smoke, fog, chemical fumes, noxious odors, stagnant ponds or marshes, poor surface drainage and excessive dampness may exist to a degree that is hazardous to the health of neighborhood occupants." These factors are all taken into account in determining value and marketability when a piece of property is being evaluated for FHA mortgage insurance.

Even where normal underwriting requirements are relaxed or waived in order to encourage improved housing for low and moderate income families in older, declining urban areas, insurance will still be rejected where the property is subject to such hazards, noxious odors, grossly offensive sights or excessive noises that the physical improvements are endangered or the livability of the property or the health and safety of its occupants are seriously affected.

An example of the ordinary operation of FHA underwriting standards occurred in Lackawanna, New York. In part due to the fact that several large manufacturing plants operate in Lackawanna, there is a very serious air pollution problem in the First Ward of that City. By and large, homes situated in that particular area, because of the serious concentration of noxious odors, dust, and dirt particles in the air, do not meet the FHA minimum property standards. Therefore, the FHA will not engage in any insurance activity in that area until, as a practical matter, the air pollution problem is satisfactorily modified.

Therefore, while the FHA operating procedure is that it will follow the standards of the locality where they are good and reasonable even though they may not comport fully with the minimum property standards which the FHA has set for itself, there are some situations which are so intolerable, regardless of local law, that underwriting practice itself would preclude acceptance of an application because it is simply not an acceptable risk.

The administrators and program staff in our field offices, both the local FHA Insuring Offices and the HUD Regional Offices, are extremely alert to particular situations within their own jurisdiction, and pollution problem reviews are made on a case-by-case basis. For example on August 15, 1968, a new chapter dealing with pollution from incinerators was added to the New Jersey Air Pollution Control Code by the Clean Air Council of the State Department of health. These regulations called for the implementation of a number of specific measures designed to help alleviate the air pollution situation in that State. The HUD Philadelphia Regional Office, whose jurisdiction includes the New Jersey area, has issued circulars to all the local housing authorities within the Region, informing them of their respective local laws in this regard, charging them with the knowledge of these laws, and offering its assistance should any problems arise in attempts to comply with these laws.

One such problem has arisen in Harrison, New Jersey, where the estimated cost of the repairs required in order to bring the two public housing projects of Harrison into compliance with the State order far exceed the present or anticipated reserves of the Local Housing Authority of Harrison. Unless such repairs are made, the Housing Authority will be cited for violation of the order. The Philadelphia Regional Office is working with the Authority in establishing the precise scope of the problem and in examining ways to go about solving that problem, both financially and technically.

Cooperation between this Department and the Department of Health, Education, and Welfare has taken place in regard to the initial implementation of the Air Quality Act of 1967, which provides for grants for the establishment of air pollution planning agencies. We are hopeful that existing metropolitan planning agencies, already established under this Department's Comprehensive Planning Assistance Program, may be used, where profitable, as a framework within which areawide air pollution control planning can occur. We are therefore continuing to pursue the possibility of joint funding. Such joint funding of the areawide planning process has already taken place in St. Louis where an air pollution component of the St. Louis Planning Agency was funded by HEW's National Air Pollution Control Administration (NAPCA). A similar arrangement was provided in the Chicago area where NAPCA funded the Northeastern Illinois Planning Commission's air polution component.

In the same regard, there has been a formal exchange of letters between the Secretaries of HUD and HEW establishing liaison officers to represent their respective Departments in matters requiring their participation under the Air Quality Act of 1967 and for other matters related to this subject. Such an arrangement has increased the cooperation and exchange of data information between the two Departments and has facilitated a series of meetings which have been going on since June. Perhaps these are the meetings to which you refer in your letter.

Most recently, there was a meeting held on January 23, 1969, between NAPCA and HUD representatives, on the issue of close cooperation. Agreement was reached on several matters.

HUD agreed to provide NAPCA with a compendium of departmental issuances, program guides, and other materials that have, or could have, an air pollution control component. Representatives were designated to work on the development of a pilot project of studies in several metropolitan areas designed to identify appropriate methods and procedures for coordination of HUD's Comprehensive Planning Assistance and NAPCA programs. The anticipated result would be a base of information on which model procedures would be developed for national program guidance. Further, work is scheduled to be done on the proposed local-regional workshops which are designed to explain the areas of interrelation and coordination of NAPCA and HUD programs. Lastly, it was agreed at this most recent meeting to prepare a joint memorandum specifying a formal workable procedure for carrying on the coordination of programs of the two agencies.

I hope this provides you with the information which you requested. If we may be of any further assistance, please do not hesitate to call upon us.

Sincerely,

George Romney.

Mr. **WILLIAMS** of New Jersey. Mr. President, I am grateful for the opportunity to join in the sponsorship of the Senate joint resolution which provides for Federal consent to join the Atlantic States air pollution control compact, which would bring together the States of New Jersey and New York to form an interstate air pollution control commission.

In 61 A.D., the Roman writer Seneca, talking about the then capital city of the Western World wrote:

> As soon as I had gotten out of the heavy air of Rome, away from the stink of the smokey chimneys, thereof, which, being stirred, poured forth whatever pestilent vapors and soot they held enclosed in there, I felt an alteration of my disposition.

Air pollution is still one of the most critical areas of environmental decay. We are all familiar with the smog alerts and health warnings of recent years, and it has been confirmed, by scientists from Government and industry, that even visibly "clean" air can threaten health when it is loaded with noxious gases. Air pollution is also costly to each American. He spends an estimated $550 annually to have soot and dirt washed out of his clothes, to have his house repainted, to wash his car, and to maintain public buildings—to name just a few of the costs.

Nationwide, our air is fouled by 165 million tons of aerial garbage annually. Only about 10 percent of this total is the conspicuous "city smoke" of particular matter. The rest of the mess in the air is made up of carbon monoxide and sulphurous gases from motor vehicles and powerplants.

By whatever standard we measure the air pollution crisis—health emergencies, cleaning bills, soiled cities, and towns—it is evident that we have got to take firm and decisive action immediately if we are going to stave off disaster.

For a number of reasons, chiefly the incredible growth of major urban areas, we have steadily been losing the battle against pollution. It appears clear now that air pollution control is more than a "city problem," and shifting blame back and forth across city lines does not abate pollution. New Jersey and New York have wasted far too much time debating which portion of the pollution comes from where. There must now be a more meaningful emphasis toward a responsible and sincere joint effort to curb pollution.

The answer now seems to rest with controlling air pollution on a regional basis. Regional standards offer a realistic mechanism for establishing pollution control limits. Regionalism also offers the practical advantage of broadening the scope of investigation and resolution of air pollution complaints.

The Interstate Air Pollution Conference, held in 1967 under the sponsorship of the Department of Health, Education, and Welfare, paved the way with its first recommendations which stated in part:

> Interstate Air Pollution Control Agency . . . in order to deal with the bi-state air pollution problem on a regional basis, an appropriate interstate agency must be vested with adequate legal authority.

This conference further pointed out that various air pollutants may be carried indiscriminately throughout the area, subject to the vagaries of wind and weather. Therefore, it is a meaningless endeavor to determine which area is truly responsible for the original discharge of a pollutant.

The outcome of this recognition was the formation of the Mid-Atlantic Air Pollution Control compact. A central feature of the Compact is the establishment of the Mid-Atlantic States Air Pollution Control Commission, which would have the power to investigate the causes and sources of pollution, hand out fines for violations, set regional emission standards, and declare regional air pollution alerts.

This was the first such regional pollution control compact in the Nation. For a number of reasons, the Mid-Atlantic compact promises effective action against the area's serious pollution problems. First, the compact defines a manageable pollution control region, which cuts across State lines, and treats the more comprehensive "air shed." Second, the States which are a party to the compact are not restricted in their own pollution control programs, but are given incentive to enact uniformly exacting control standards. Third, the Commission will bring together the States and the Federal Government in the kind of working partnership we have constantly sought in air pollution control programs. Since its conception has been announced, editorial approval has been almost unanimous.

Now these States must look to the Federal Government for ratification of the compact. If it is true that States were occasionally guilty of delay and inaction in the past, then it is emphatically true that New York and New Jersey intend to change all that. They have set a precedence for strong, creative action through their participation in this compact. The States were once the laggards, but now it is the Federal Government which seems to be dragging its feet.

Let us not commit the same bureaucratic blunders of so many past programs. Let us not hold the program up because of some objections from the bureaucratic morass. The time has come for Congress to add its enthusiastic endorsement, and its willing membership, to the Mid-Atlantic air pollution control compact. With the establishment of the Air Pollution Commission, we can look to the day when the skies over the metropolitan area will be free of choking smoke and ugly yellow fumes. We can look to the day when the air we breathe will be clear and clean once again.

ESTONIAN INDEPENDENCE DAY

Mr. JAVITS. Mr. President, February 24 marked the 51st anniversary of Estonian Independence Day. Like the other Baltic States, Estonia's enjoyment of self-government was brief, for in 1940 the armies of Soviet Russia ruthlessly took over the country.

In spite of the years of oppression by the Soviet Union, the people of Estonia have kept alive their hopes for freedom and eventual independence. The United States cannot accept forever the enslavement of these once free peoples. The Soviet action has no basis in international law and is in violation of understandings given by the Soviet Union to the Allied Powers of World War II. The right of self-determination is a principle of international justice and the United States has emphasized over and over again that it will never become reconciled to permanent Communist domination of the Estonian and other non-Russian captive people.

As we commemorate the anniversary of Estonia's Independence Day, we must reaffirm the hopes of the people of Estonia for the return of self-determination—their zeal for independence must be kept alive by our support. We must use all the resources of diplomacy, morality, and world public opinion in a continued effort to free these captive peoples.

INTRODUCTION OF JOINT RESOLUTION—PROPOSED CONSTITUTIONAL AMENDMENT TO PROVIDE CONGRESSIONAL REPRESENTATION FOR THE DISTRICT OF COLUMBIA

Mr. BAYH. Mr. President, I introduce for appropriate reference, a joint resolution proposing a constitutional amendment to provide congressional representation for the District of Columbia.

Let me note that several distinguished Members present on the floor are cosponsors, and would like to ask unanimous consent that their names—20 in number—be added to the joint resolution.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the names of the additional cosponsors will be added.

Mr. BAYH. Mr. President, I point out further, inasmuch as the distinguished Senator from Maryland (Mr. MATHIAS) has just introduced a somewhat similar measure, that he and I have discussed this matter and we both have joint purposes in mind; namely, to give to the District of Columbia a voice in their National Government.

Today 800,000 residents of the District of Columbia are living in a political limbo. They are asked to assume the responsibility of citizens, but they are not given the full privilege of citizenship. They can pay Federal taxes, fight for their country, and fulfill every other obligation and responsibility of citizenship but they are not allowed to vote for or to have a representative in Congress.

It is ironic to view the representation situation in the District. Washington, D.C., is the seat of the greatest representative democracy the world has ever known, yet it was not until 1964 that the residents of this city were permitted to cast their votes for President of the United States.

I digress here to say that it was my good fortune, when I was a member of the Indiana General Assembly, to introduce into the Indiana House of Representatives a ratification petition for our State.

Here it is, 1969, and District of Columbia citizens still cannot vote for their representatives in Congress. Yet we in Washington, D.C., are telling the world about representative democracy, which is all well and good. We should. But it is time that the citizens who live in Washington, D.C., have their own representation in Congress.

There is nothing in my proposed constitutional amendment that in any way implies that the District of Columbia should be given the powers of a sovereign State, nor does the amendment relate to home rule. It simply provides that the citizens of the District of Columbia shall enjoy the same rights to participate, merely to participate, in the ultimate action under this law as American citizens.

There are 11 States, each having a smaller population than the District, which have congressional representation.

I do not believe we have seen a clearer example of taxation without representation since James Otis directed the Nation's attention to America's case some 200 years ago when he said:

> Taxation without representation is tyranny.

It is a matter of elementary fairness that those who pay Federal taxes should have some say about the federal system. I should like to read from the testimony of a private Washington, D.C. citizen who appeared before the subcommittee on Constitutional Amendments in 1967 when this same question was under consideration. She said the following:

> I do not object to being taxed for all the Federal highway programs although I neither own nor drive a car.
>
> I do not object to being taxed for defense expenditures for the wonderful communications and transportation system, for space exploration or for the 78 new Government programs begun in the past 7 years.
>
> But I do object to being taxed in order to establish democracies thousands of miles away when I am not permitted to cast a ballot a few feet away from the U.S. Capitol. Taxation without representation is an unfit penalty and an insult, not only for a veteran and an educator but for every citizen and resident of this city whose Federal taxes make all of these programs possible.

The people of the District are particularly in need of representation, for Congress is the guardian of the District's local government. Thus, from two standpoints, Federal and local, the decisions of Congress affect the District.

The need for immediate action cannot be stressed enough.

Mr. President, our Subcommittee on Constitutional Amendments hopes to hold hearings on this particular proposal, as well as others which are attempting to accomplish a similar goal.

I am hopeful that we will be reminded of what President Kennedy said:

> Justice cannot wait for too many meetings.

Justice has already waited for too many meetings so far as granting the District representation in Congress. We talked about it and considered it in 1967. Now it is time that we do it in 1969.

I hope that this joint resolution will receive every consideration and ask unanimous consent that it be printed in full at the conclusion of my remarks.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, will be printed in the RECORD.

The joint resolution (S.J. Res. 56) proposing an amendment to the Constitution of the United States granting representation in the Congress to the District of Columbia, introduced by Mr. BAYH (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. Res. 56

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes of part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. The people of the District constituting the seat of government of the United States shall elect at least one Representative in Congress and, as may be provided by law, one or more additional Representatives or Senators, or both, up to the number to which the District would be entitled if it were a State.

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

"SEC. 3. This article shall have no effect on the provision made in the twenty-third article of amendment to the Constitution for determining the number of electors for President and Vice President to be appointed for the District."

PROPOSED AMENDMENT OF THE FEDERAL AVIATION ACT OF 1958 TO AUTHORIZE REDUCED RATE TRANSPORTATION FOR CERTAIN ADDITIONAL PERSONS ON A SPACE-AVAILABLE BASIS

Mr. PERCY. Mr. President, I rise today to indicate my intention to introduce on next Friday, February 28, proposed legislation, to be cosponsored by Senators MANSFIELD, SCOTT, and HARRIS, to enable young people, elderly people, military personnel and the handicapped to travel at reduced fares on the Nation's airlines. This bill for the first time would give specific legislative authorization to the CAB to extend half-price airfares to these groups on a standby basis during offpeak travel hours.

This proposed legislation is in response to a January 21, 1969, decision by a CAB examiner to do away with the half-price youth fare for young people 12 tó 21 while leaving the half-price fare for military personnel. Prompt remedial legislative action is necessary to retain the lower fares for young people, but also to extend them to certain other groups within our society.

To extend such fares to these groups makes both economic and social sense. Economically, airline revenues would benefit. Such a proposal would not reduce airline revenues, but would increase it by permitting airlines to fill otherwise empty seats with paying passengers on a standby basis.

It should be emphasized that this is enabling legislation. The airlines are not required to put these reduced rate fares into effect, but will have a legislative basis to do so, thus providing the kind of flexibility that is inherent in our competitive society.

Young people away at school on low budgets often find it difficult with higher air fares to return to their families. Older people face a special problem of loneliness caused, in part, by being cut off from their family and friends by the high cost of transportation. Moreover, the handicapped also live often on reduced incomes with limited mobility and they too have special needs to be reunited more frequently with family and friends. Students, older people and the handicapped would be able to travel at offpeak travel hours.

Such legislation would not be discriminatory to others not qualifying for such reduced fares as services provided are not similar. Those obtaining such fares do not have the right to have reserved seats; they face the possibility of being bumped off at intermediate stopover points by regular-fare passengers; and such fares would not be available at peak periods of air traffic.

Mr. President, I have sent a letter to my colleagues inviting them to become cosponsors of the legislation. A similar measure has been introduced in the House.

I ask unanimous consent that the text of the bill which I intend to introduce be printed in the RECORD at this point.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1179

A bill to amend the Federal Aviation Act of 1958 to authorize reduced rate transportation for certain additional persons on a space-available basis

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the last sentence of section 403(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1373 (b)) is amended by inserting ", youths, elderly people, handicapped persons, and military personnel" immediately after "ministers of religion".

(b) Such section 403(b) is amended by adding at the end thereof the following new sentence: "As used in the preceding sentence, (1) the term 'youths' means individuals over the age of twelve and under the age of twenty-two, (2) the term 'elderly people' means individuals aged sixty-five and older, (3) the term 'handicapped persons' means the physically and mentally handicapped as defined by regulations to be set forth by the Civil Aeronautics Board, and (4) the term 'military personnel' means members of the United States armed services traveling at their own expense, in uniform of those services, while on official leave, furlough, or pass."

NIGERIA-BIAFRA RELIEF COORDINATOR

Mr. PEARSON. Mr. President, on January 22, I introduced a resolution (S. Con. Res. 3) calling upon President Nixon to do more to help the starvation victims of the Nigeria-Biafra civil war. In this effort I was joined by the able junior Senator from Massachusetts (Mr. BROOKE) and 59 of our colleagues. In the other body, approximately 106 Members have added their endorsement. Such a degree of support for expanded relief efforts is encouraging, but as yet it has not been translated into meaningful action on the scale required.

One positive first step toward the implementation of this program has been taken, however, and deserves our support. I refer, of course, to the action of President Nixon this past weekend in appointing a special coordinator for relief to Nigeria-Biafra. Such an office could be quite useful if the level of our support for the international relief agencies is indeed to be expanded. And I hope, as I am sure do the other sponsors of the relief resolution, that such an expansion is in the offing.

The role will be an exceedingly delicate one, however, for the risks of incautious action are great. If Prof. Clarence Clyde Ferguson, Jr., the new aid coordinator, becomes enmeshed in political conversations, as a representative of the President, he cannot help but involve our Government as well. I have no objection to the United States offering its good offices to mediate differences. But I would object to linking our relief program to any such political initiatives. For should they fail, our relief efforts would probably fail also and with them the hopes of thousands of starvation victims would be dashed. And let us never forget that it is the saving of these lives that is our sole object of concern. The political issues at stake in the conflict are for the parties themselves to resolve. We must do more, of course, but we must be careful to do it in such a way as to maximize the effectiveness of the international relief programs already underway. To do otherwise, regardless of the motive, is to risk losing everything we are trying so hard to save.

In this regard, let me say that I fully realize the need for accurate, timely information about the character of the relief programs now being mounted by the voluntary agencies. Without such data, it is extremely difficult to determine the scope and method of any projected expansion of U.S. humanitarian aid. I also realize the close relationship between the problems of organizing a massive relief operation and the beneficient effect a cease-fire or any other halt to hostilities could have on such problems. These and other considerations make it extremely attractive to contemplate sending Dr. Ferguson into the war zone as soon as possible. This inclination is also no doubt reinforced by his reputation as a competent administrator and negotiator.

But to thrust Dr. Ferguson into the considerable physical and diplomatic hazards of operations in the war zone, particularly in the Biafran-held territory, is a step which must be carefully evaluated before it is taken. I do not suggest that this move is in preparation by the administration, but it is a logical one to consider and I only hope every effort is made to insure the acceptance of any such maneuver by both disputants before it is undertaken. For after all, under the current policy, we recognize only Nigeria, and given the history of friendly relations which we have had with that Government, an official U.S. presence in secessionist territory is a matter of great delicacy, to say the least.

Thus, while Dr. Ferguson's appointment is extremely encouraging to all of us who have been urging more U.S. support for relief programs, a cautionary note is indeed in order lest we find ourselves enmeshed in the political questions of this unfortunate conflict, and lest we assume direction of relief efforts which I for one wish to see remain international in scope and operation.

I commend the President for this first step and take encouragement from his statement that—

> U.S. policy will draw a sharp distinction between carrying out our moral obligation to respond effectively to humanitarian needs and involving ourselves in the political affairs of others.

ORDER OF BUSINESS

Mr. HARRIS. Mr. President, I ask unanimous consent that I may proceed for 15 minutes.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

S. 1111 AND S. 1112—INTRODUCTION OF A BILL TO ESTABLISH A NATIONAL INSTITUTE OF BIOMEDICAL ENGINEERING AND A BILL TO REQUIRE THE NATIONAL INSTITUTES OF HEALTH TO ISSUE AN ANNUAL REPORT

Mr. HARRIS. Mr. President, I introduce, for appropriate reference, two legislative proposals. The first is a bill to create a National Institute of Biomedical Engineering that would become a part of the National Institutes of Health. The second is an amendment to the Public Health Service Act to require the Secretary of the Department of Health, Education, and Welfare to prepare—with the advice, assistance, and active participation of the Administrator—an annual report on the National Institutes of Health.

These bills derive their need and urgency for passage from the extensive hearings which the Senate Subcommittee on Government Research, of which I am chairman, has held in biomedical affairs since its establishment in 1966.

In each of the last 3 years the subcommittee has held inquiries devoted to assessing our Federal programs in biomedical research and development. We have tried to determine, first, how the fruits of research might be brought to the public more quickly without diminishing efforts underway to acquire new knowledge. Secondly, we have sought to improve our health goals and priority-setting capability, with the crucial caveat that there be no reliance on a rigid master plan that affords little or no room for change in light of new and unexpected developments.

Today, the health of the Nation is a major concern. The quality of our physical and mental well-being is dependent on the rapid delivery of health services as advances in science make such progress possible. The growing national attitude that medical care is a right and no longer a privilege is a major force that has given this urgent matter national importance.

Our attitudes on the rights of individuals are changing on another front. Modern science and technology has given man more and more power to control his destiny. In a popular phrase of the day man has a greater capacity to "invent the future."

Inevitably, with power comes responsibility. New situations fraught with legal and ethical complications have arisen, as in the case of human heart transplantations. The need to make biomedical advances more readily available on a wide-scale basis is complemented by the necessity for a closer scrutiny of our biomedical goals, priorities and policies to ensure that they continue to be responsive to social needs.

Let me cite a few statistics which will illustrate the tremendous progress being made in the delivery of health services and some of the challenges still before us. In some cases these challenges are not those which arise from man being pitted against nature but man against man or, more precisely, man against the artificial world which he has created either by design or inadvertence.

Great strides have been made in combating disease, illness, and other afflictions during the 20th century. The average life expectancy at birth has increased from 49 years in 1900 to 70 years in 1965. The infant mortality rate, which decreased by more than 50 percent during the last 30 years, is the primary reason for longer life expectancy. Diseases such as polio and diphtheria have nearly vanished, while the incidence of tuberculosis and measles has decreased substantially. Progress such as this, which has improved the quality of health and increased life expectancy, owes much to the leadership of the National Institutes of Health.

This is not to say that progress in improving health and extending life expectancy is unqualified. Although the infant mortality rate has been reduced, our standing with respect to other nations has slipped. According to the Department of Health, Education, and Welfare, in 1950 we were fifth in the world; in 1955 we were eighth; we dropped to 12th by 1960; and in 1964 we had reached 14th place.

Statistics on white and nonwhite infant mortality bring out an even more distressing situation. In 1935 the infant mortality rate for whites was 51.9 per 1,000 births; for nonwhites it was 83.2. By 1965 the rates had declined to 21.5 and 40.3 respectively. The gap, however, between whites and nonwhites had not decreased, but actually increased, a sign that health services have not been equally accessible to all ethnic groups.

In contrast to the conquest or near disappearance of many diseases, others have been on the rise. The rate of deaths due to cancer has doubled since the turn of the century. Heart disease, cancer and stroke now account for two-thirds of all deaths, as compared to 20 percent in 1920. Cirrhosis of the liver and chronic lung diseases, such as emphysema and chronic bronchitis, have risen sharply and can be considered major threats to the Nation's health.

Statistics on medical disabilities and illness also reveal the extent of the health challenge. An astounding 25 percent of all draftees in 1966 were disqualified for medical reasons alone. While medical care has improved tremendously, the average person can still expect to spend about the same number of days in a hospital as did someone a decade or so ago. Ill health accounted for the astronomical figure of 425 million man-days lost from work in the year ending in June 1966. The recent battle with the Hong Kong flu, reaching epidemic proportions at times, will probably account for a doubling of the average winter rate of absenteeism and result in a predicted loss of about 282 million man-hours at a cost to the Nation's economy of $850 million.

One can not justifiably conclude, however, that our efforts have been amiss in confronting the medical challenges before us. Repeatedly, the subcommittee has heard ringing testimony to the fact that the National Institutes of Health has performed in an outstanding manner. I wholeheartedly endorse that view.

Because of NIH's diligence and consistently high quality efforts, society has been the beneficiary of countless biomedical developments. I would not for one moment want to imply that NIH should reorder its priorities, shift emphasis to only targeted research, or drastically change its decisionmaking process.

I call instead for an expansion of its activities by the creation of a National Institute of Biomedical Engineering designed to foster the more rapid use of biomedical and related engineering knowledge and by the preparation of an annual report which would describe advances made during the previous year within the framework of highly articulated goals, priorities, and policies which the NIH had set.

The purpose of a newly created National Institute of Biomedical Engineering would be to stimulate and promote the application of the methods and technologies of the physical and social sciences and engineering in order to enhance the public health and welfare. Greater encouragement to use such techniques and methods would significantly benefit the Nation. An infusion of funds at the Federal level, an expansion of research and educational programs in our academic institutions and the provision of incentives to private industry would, if orchestrated properly, provide the momentum and direction required in order to reduce some of the inequalities in the delivery of health services which prevail in our land today.

In addition, an advisory council would be created and given a congressional mandate to establish goals, set priorities and consider broad policy issues related to the affairs of the Institute.

The time is propitious for the submission of this legislative proposal. First, the Federal research and development budget, having tapered off in the mid-sixties, has begun to decrease in terms of actual research buying power. As we approach the end of this decade, new legislative mandates that would strengthen the position of science are, therefore, imperative.

Second, science and technology are increasing man's ability to control his destiny and, therefore, increasing the need to exercise the resulting power effectively and judiciously. Because of the intensifying demand for more and better medical services we must narrow the interval between the acquisition and the application of biomedical knowledge in a rational way and not rely on the helter-skelter process of the past.

Third, the key word in research circles today is interdisciplinary. We have reached a stage where interdisciplinary research is necessary if we are to solve the complex medical problems which lie ahead. Research in engineering and pure science and medicine, when blended together in our universities through the encouragement of a new national institute, will help to expand this rapidly developing body of knowledge and produce the new hybrid types of professionals required.

I have arrived at the decision to propose the creation of this new Institute as a result of a series of extensive inquiries conducted over the last 3 years that were based on the theme, "Research in the Service of Man." The subcommittee held a conference in Oklahoma in October 1966, cosponsored by the Frontiers of Science Foundation of Oklahoma. Thirty panelists, nationally known for their knowledge of biomedical affairs, submitted papers at the conference, which was described by Science magazine as a "summit conference on biomedical research policies."

Apprehensions were raised in the biomedical community by the President's statement the previous year when he signed the Medicare Act of 1965. While praising our research efforts of the past, he questioned exactly how successful they had been in eliminating disease and alleviating suffering. Some were concerned that primary emphasis at NIH would shift from the support of basic research to applied or targeted research.

This uneasiness, I believe, was inappropriate. As I said in my opening statement at the conference:

> Expectations are high that this conference may add new dimensions and bring new perceptions to bear on the problem which has been erroneously termed, in some quarters, "basic versus applied research". Without continued emphasis on basic research, there would be little new knowledge to be applied. But so, too, is there an abiding necessity for attention to the application of research results. It is accurate to say that no one who looks at American science with objective eyes can deny the great "payoff" from the public investment in science over the last 20 years. It has been, for both science and society, a most fulfilling experience and money well spent.

This conference was most productive and at least three salient features were identified. First, more attention to the application of biomedical knowledge—but not at the expense of support of basic research—would product significant results. Secondly, private industry may be induced through proper measures to play a more vital role. Thirdly, the existing Federal organization may not be adequate to realize the potentials of biomedical engineering.

A followup set of hearings were held in February and March 1967 to sharpen the focus on how to step up the pace of activity in the field of biomedical engineering. During 5 days of hearings many of the 21 witnesses testified that, without distorting the present pattern of support for biomedical research, a congressional mandate could provide the impetus for expanding our efforts in this area. The hearings, in addition to strengthening the case for a new Federal mechanism, included the beginnings of a catalog of biomedical engineering projects which deserve urgent attention.

Last year, during the 90th Congress, second session, the subcommittee held a second set of hearings on the broader implications of biomedical research. Twenty-three witnesses including distinguished physicians, surgeons, scientists, attorneys, clergymen, philosophers, educators, and Government officials testified on the social, political, legal, economic, and ethical consequences of actual and impending biomedical advances.

I have spoken about these hearings last week in a speech supporting a bill introduced by the distinguished junior Senator from Minnesota (Mr. MONDALE), and will refer to them again when discussing the second legislative proposal, the annual report on health goals, priorities, and policies. Repeatedly, however, the point was made that a flexible strategy should be developed to ensure that research goals are in harmony with the goals of society.

The public record compiled in the past 3 years amounts to a compelling case for the creation of a National Institute of Biomedical Engineering. The establishment of such an Institute will enhance the status, prestige and visibility of biomedical engineering and in turn accelerate the development of this field. The Federal role in biomedical engineering cannot expand without drawing on resources formerly designated for basic research unless a legislative mandate is given that will pave the way for an infusion of additional funds.

With status and visibility, the Institute can serve as a focal point for biomedical engineering. It could speed the development of the in-house projects of NIH, bringing them to advanced development stages more quickly. Simultaneously, it could induce the private sector to take the lead in producing new devices, products and systems on a scale commensurate with the demands of the Nation.

In addition, the Institute could play a catalytic role by encouraging private industry, through various incentives, to venture further into development themselves. Universities, with additional funds, could design new curricula and develop new patterns of interdisciplinary research and engineering.

The proposed Institute would spur widescale innovation in the practice of medicine and increase the quality of present methods of treatment and care. Engineering and social and physical science skills and techniques, if applied more systematically and on a larger scale could dramatically alter and improve many facets associated with medical practice. Measuring and diagnostic instruments, emergency life support methods, protective environment precautions, surgical supportive techniques, biomechanics, prosthetics, mass medical screening and mass medical treatment are but examples of such possible developments.

The nature of health care can be tailored more closely to the needs and desires of the individual with the use of the systems approach and social and human engineering methods. Hospitals are inadequately designed for handling the new techniques and technologies when they are available and become highly inefficient in caring for patients. The result is frequent deprivation of optimum treatment and the unfortunate waste of time and energy of the already short supply of trained professionals.

Human engineering, pioneered by the armed services, when blended with the broader considerations of hospital design, can help to alleviate the crowded, unsatisfactory and sometimes unhealthy conditions in hospitals and clinics and make the patient psychologically more comfortable while he is being treated.

I am not talking about what can be done by the year 2000 but what we are capable of doing at the present time. The scientific know-how with which to improve medical technology already exists in many cases. Health-related research grants as well as space and defense programs to which we are committed have provided the wherewithal to move ahead rapidly and boldly. Therefore, the relatively small additional expenditure required to realize the maximum advantage of this technology in areas of public and private health care is logically justifiable.

The knowledge explosion, triggered by the fantastic expansion of our national research effort since the Second World War, makes it imperative that we rationalize more thoroughly the process of discovery of knowledge and its application. The historic example of the discovery of penicillin is one that we cannot afford to allow to become symptomatic of biomedical innovation, although I realize that serendipity, chance and revelation will always play a major role in the processes of science.

Penicillin was first identified and described in the 1880's and for decades had been a nuisance because it contaminated Petri dishes and interfered with the growth of bacteria being cultivated. In 1928 Fleming had the brilliant idea that this nuisance might have clinical application. A decade was to elapse before human testing occurred. The practical use of penicillin did not commence until 1942. How many hundreds of thousands of lives were lost because these findings were not communicated? How many hundreds of thousands more died prematurely before the utility of the drug became widely known? To what extent can we afford repetition of this theme?

What role should private industry play in biomedical affairs? A new institute would encourage greater involvement by the private sector. Many roadblocks stand in the way of progress in the private sector. Uncertainty over patent policies is a major problem. A lack of trained manpower militates against dramatic advances in bioengineering. The frequent tendency of the medical community to resist technological innovation retards improving the quality of medical care. Insufficient standardization, a prerequisite to mass production, is a roadblock, as is inadequate distribution and poor servicing of new devices. High maintenance costs and, in many cases, a limited market round out a list of major barriers that the private sector will have to hurdle with the assistance of the Federal Government if industry is to play a leading, and vital role in biomedical engineering.

A National Institute of Biomedical Engineering is no panacea but it can work to alleviate some of the bothersome constraints that are placed on the private sector. Seed money, risk capital, tax incentives, clarification of patent policies, and other efforts can be undertaken and underwritten by the Institute or the Institute can help to generate action from other segments of the Government when necessary.

Finally, new and expanded educational and training programs in our universities should emerge with the creation of a new Institute. The Institute, when funding university programs, can create an environment that will encourage a greater interplay of ideas and individuals in the science, medical, and engineering schools. New institutional arrangements, both intramural and extramural, will help to fulfill the manpower needs in this growing hybrid field of knowledge.

In summary, the creation of such an institute would give greater status, prestige and visibility to biomedical engineering. This, together with an infusion of funds, will allow the Institute to play a leading role in stimulating innovation and thereby improving the health and public welfare of our Nation. The time interval between discovery of knowledge and its application on a widespread basis will be reduced; the constraints on private industry will be alleviated; and an environment conducive to training new types of professionals and developing the body of bioengineering knowledge will be created in our institutions of higher learning. These are the objectives of the proposed National Institute of Biomedical Engineering and I believe they can be met if the Congress acts expeditiously on this proposed legislation.

The advisory council of the Institute would be required to devote as much of its time as practicable to the broader policy issues that arise. Too often in the past, the advisory councils of the individual Institutes of NIH have had to devote too much valuable time and energy to minutiae and have not had the opportunity to assess the social implications of trends in research. I believe that the time is ripe for the National Institutes of Health to report periodically to the public on their goals, priorities, and policies.

That is the reason why I am also introducing today a bill that would require the Secretary of Health, Education, and Welfare to prepare, with the assistance and active participation of the Administrator of NIH, an annual report for submission to the President who would then transmit it to the Congress. The report would make it necessary for these officials to articulate the goals, priorities, and policies of NIH as they relate to improving the health of the Nation through the Institute's biomedical research and development activities.

The report would present the framework of NIH decisionmaking, report on advances made during the prior year, illuminate policy issues that affect more than one Institute and indicate what efforts were taken to resolve these issues. What is not intended is a simple listing, by categories, of accomplishments of the past year. The report should embody the overall strategy of NIH in combating disease and illness. This strategy should reflect the operating doctrine that NIH has developed since its inception and should resemble a plan of health research, but only to the point that a systematic approach is employed.

I do not intend that it become an annual planning, programing, and budgeting system document that tends to rely exclusively on an input-output format. While it should reflect some of the PPBS techniques, the admonition should be clear that science activities, particularly basic research, do not conform to exact qualification or abstractly conceived theories of management and administration.

Complexity of programs and difficulty in predicting outcomes do not, however, relieve an agency from the burden of making a deliberate attempt to plan its activities on, say, a 5-year basis, once it has an established set of operating procedures.

In the long run, goal and priority setting, once brought out into the open, will engender increased support for expanding present efforts. The public and the Congress, by greater involvement, will better understand the problems facing NIH. If goals are not achieved, it often would be because the resources were not available for their achievement. The public, acting through the Congress, can respond more effectively to eliminate such deficiencies with more predictable support for biomedical research as a result. Improved education of the public will, in addition, not inflate expectations beyond the potential capabilities of biomedical research to meet them.

Attitudes toward planning, and priority and goal setting, must be kept in tune with the realities of the time. As Dr. Everett Mendelsohn, Harvard University, testified before the subcommittee:

> The process that science goes through in adjusting to scientific advance—the socialization of science—has traditionally been a rather slow and rather leisurely process, indeed more often than not, an accidental process . . . I would contend that no society can any longer afford this leisurely process of adapting to scientific and technology advance, but that society must anticipate and plan for the social integration of new discoveries. Many areas of biomedical research . . . currently call attention to the need for continued reexamination of the social implications of new discoveries.

If the process of the social translation of biomedical knowledge has and will continue to change dramatically, then we must take a new look at our present patterns of support of research and development and see if they are responsive to the tempo of the times.

In addition, the increasing competition for research and development funds provides a sound reason for tightening up the decisionmaking process. Mr. Michael Gorman, executive director, National Committee Against Mental Illness, succinctly summarized the situation when he testified:

> In recent years, there has been a growing realization that successful attacks upon disease in the present climate of multiple investigative teams and costly equipment mandate a careful selection of priorities and national goals.

But in spite of the obvious need for the scientific community to make these decisions consciously, after serious consideration, there persist a laissez faire attitude which allows these decisions to be made unconsciously or inadvertently. Somehow the concept of the invisible hand that guided the economic theory of Adam Smith and the doctrine of Social Darwinism is accepted in science policy circles.

The initial reaction of many to the passage of the Full Employment Act is a good example of a hands-off attitude toward social reform. There was much opposition to the idea that you could get goals concerning employment. The argument was that one should not tinker with the natural order of things and say what to do about economic cycles and employment.

I think that we all now recognize the value of economic planning, the setting of realistic goals and the outlining of steps by which you might reach them. Yet, in the science community, one often hears in effect, "If you cannot do it well, do not do it at all."

The declining research and development budget makes such an argument tenuous at best. A higher order of communicating the needs and the potentials of science and technology must be employed by the scientific and medical communities and the Federal science agencies to the public and to the Congress. I see the proposed annual report as a giant step forward toward presenting a more realistic appraisal of the strengths and the limitations of science, which in the long run should strengthen support for biomedical research.

There are many crucial questions concerning health priorities about which the public should be educated. For example, how vital is health research as contrasted to other activities such as national defense or education? How do we strike a balance between support for health research and delivery of medical care? Should we spend more of our research money on developments which promise less dramatic but more widespread application to the population? Or should they be aimed at dramatic breakthroughs with applications to smaller numbers of citizens, as, for example, in the case of human heart transplantations?

In the final analysis I would not want the annual report to cause NIH to lose any of the valuable flexibility it must have in order to respond quickly and effectively to changing situations. I hopefully foresee the annual report as reflecting the recognition that planning in the field of biomedical research and development is necessary, difficult though it may be. At all times it must be kept in mind that such planning is transitory and will have to be revised on year-to-year basis. As the Secretary of the Department of Health, Education, and Welfare with the active assistance of the Administrator of NIH produces such a document, then the national interest will have been served.

In conclusion, a better system of setting health goals and priorities and faster, more efficient methods of the delivery of health care are urgent matters. Planning, for a long time a pejorative word especially in the science lexicon, can and should become more respectable, and therefore more fashionable, if a high degree of flexibility and circumspection is maintained. To expand our efforts in biomedical engineering is vital, but to do so at the expense of biomedical research programs would be detrimental if not catastrophic to the health of the Nation. The proposed annual report should point out where compromises such as this should or should not be made.

Mr. President, these are the cases for an annual report by the National Institutes of Health and for the creation of a new National Institute of Biomedical Engineering, as developed before the Subcommittee on Government Research, of which I am chairman. I ask unanimous consent that the texts of these two bills be printed in the RECORD at this point.

The VICE PRESIDENT. The bills will be received and appropriately referred, and, without objection, the bills will be printed in the RECORD.

The bill (S. 1111) to amend the Public Health Service Act to establish a National Institute of Biomedical Engineering, and the bill (S. 1112) to amend the Public Health Service Act so as to require that an annual report be made to the Congress concerning the policies and goals of the National Institutes of Health, introduced by Mr. HARRIS, were received, read twice by their titles, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 1111

A bill to amend the Public Health Service Act to establish a National Institute of Biomedical Engineering

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

SECTION 1. The Congress hereby finds and declares that—

(a) it is in the national interest to provide, more immediately and on a widespread basis, the best medical care potentially available to the public;

(b) significant additional benefits to the health of the Nation would follow from more attention to the application of the methods and technologies of the physical and social sciences and engineering to the development of biomedical knowledge;

(c) under proper conditions, private industry could play a more vital role in achieving a maximum improvement in the health of the public;

(d) biomedical engineering has reached the state where organizational reform and an infusion of funds would facilitate the social translation of biomedical knowledge, and

(e) the creation of a National Institute of Biomedical Engineering would be the organizational structure which could provide the proper leadership and the stimulation to mount a national effort to bring to the public the health benefits potentially available through the proper utilization and advancement of biomedical knowledge.

SEC. 2. In order to carry out the policy **set forth in section 1, title IV of the Public Health Service Act is amended by adding at the end thereof the following new part:**

"PART G—NATIONAL INSTITUTE OF BIOMEDICAL ENGINEERING

"ESTABLISHMENT AND FUNCTIONS

"SEC. 461. (a) The Secretary is authorized and directed to establish in the Public Health Service a National Institute of Biomedical Engineering (hereinafter in this section referred to as the 'Institute').

"(b) The Secretary shall, through the Institute—

"(1) conduct, assist, and support projects and programs designed to apply the methods and technologies of the physical and social sciences and engineering to the development and prompt nation-wide use of more effective methods of prevention, diagnosis, and treatment of medical disorders;

"(2) provide training and instruction and establish and maintain traineeships and fellowships in the Institute in the field of biomedical engineering with such stipends and allowances for trainees and fellows as is deemed necessary and, in addition, provide for such training, instruction, and traineeships, and for such fellowships through grants to public or other nonprofit institutions;

"(3) stimulate greater collaborative efforts between medical, scientific, and engineering schools for the purpose of maximizing effective manpower training programs;

"(4) foster in the private sector of the national economy, through the use of various incentives and forms of assistance, the development and production of new biomedical techniques, methods, devices, products, and systems;

"(5) establish an information center on the state of the art of biomedical engineering, and collect and disseminate data and other information through publications and other appropriate means; and

"(6) cooperate with local, State, and regional health agencies to the extent necessary and desirable to foster the application of the methods and technologies of the physical and social sciences and engineering to biomedical knowledge.

"ADVISORY COUNCIL

"SEC. 462. (a) The Secretary is authorized to establish an advisory council to advise, consult with, and make recommendations to him on matters relating to the activities of the National Institute of Biomedical Engineering. Such council shall devote particular attention to advising the Secretary with respect to the broad policy issues by which such Institute will be guided, the establishment of goals for such Institute and the setting of priorities for the attainment of such goals.

"(b) The provisions relating to the composition, terms of office of members, and reappointment of members of advisory councils under section 432(a) shall be applicable to the council established by this section, except that, in lieu of the requirement in such section that six of the members be outstanding in the study, diagnosis, or treatment of a disease or diseases, six of such members shall be selected from leading authorities who are outstanding in the field of research or training with respect to which the council is established.

"(c) Upon appointment of such council, it shall assume all or such part as the Secretary may specify of the duties, functions, and powers of the National Advisory Health Council relating to the research or training projects with which such council established under this part is concerned and such portion as the Secretary may specify of the duties, functions, and powers of any other advisory council established under this Act relating to such projects."

S. 1112

A bill to amend the Public Health Service Act so as to require that an annual report be made to the Congress concerning the policies and goals of the National Institutes of Health

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title V of the Public Health Service Act is amended by adding at the end thereof the following new section:

"ANNUAL REPORT TO CONGRESS BY THE SECRETARY

"SEC. 512. The Secretary shall, with the advice, assistance, and active participation, of the Administrator of the National Institutes of Health and the operative head of each of the Institutes established by or pursuant to this Act, submit to the Congress not later than March 1 of each year (commencing in 1970) an annual report concerning the National Institutes established by or pursuant to this Act. Such report shall contain (1) a systematic listing of the health goals and priorities toward which each such Institute is operating, (2) a discussion of the progress made by each such Institute in the last year to achieve such goals, (3) a description and assessment of policy planning efforts underway, with emphasis on particular policy matters that apply to more than one such Institute, (4) a discussion of efforts undertaken to insure that biomedical research and development plans of such National Institutes are responsive to social and human needs, and (5) a review of the progress made during the previous year on the delivery of the benefits of biomedical research and development to the practicing physician and the patient."

S. 1145—A BILL TO REVISE THE SELECTIVE SERVICE LAWS

Mr. KENNEDY. Mr. President, on behalf of myself, the Senator from Missouri (Mr. EAGLETON), the Senator from Michigan (Mr. HART), the Senator from Iowa (Mr. HUGHES), the Senator from Minnesota (Mr. MONDALE), the Senator from Wisconsin (Mr. NELSON), the Senator from Maryland (Mr. TYDINGS), the Senator from Texas (Mr. YARBOROUGH), and the Senator from Ohio (Mr. YOUNG), I introduce a bill to revise the selective service laws.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1145) to amend the Military Selective Service Act of 1967 to provide for a fair and random system of selecting persons for induction into military service, to provide for the uniform application of Selective Service policies, to raise the incidence of volunteers in military service, and for other purposes, introduced by Mr. KENNEDY, for himself and other Senators, was received, read twice by its title, and referred to the Committee on Armed Services.

Mr. KENNEDY. I ask unanimous consent that I be permitted to speak for approximately 20 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, the purpose of the proposed legislation I have sent to the desk today is to make the Selective Service Act of our country fair, certain, and flexible, so that every young person is treated equally; to insure that the administration of the Selective Service System will be uniform and predictable, so that every young man may know to the extent that it is possible, when he will be called upon to serve in the Armed Forces; and to provide a system sufficiently flexible to meet the manpower needs of our Nation.

When we rely upon a system of compulsion to provide manpower for our Armed Forces, we must be scrupulous to guarantee that the system operates fairly and equitably. If the system does not, then we are abridging personal freedoms unnecessarily—which directly contravenes one of the founding principles of our democratic society.

The military draft does rely upon compulsion to provide manpower to the Armed Forces. This year alone, some quarter of a million young men will be involuntarily drafted into the military services. But they will be drafted under the terms of an unsatisfactory law. Today's draft law produces gross inequities, creating unfairness for some of our young men and uncertainty in the lives of others. It was a law designed in other times for other situations and it is an outdated patchwork. It should be changed; not in 1 or 2 years, but changed now. These are some of the reasons I consider our present draft law inadequate:

We draft the eligible oldest men first, instead of the youngest first—a practice unanimously condemned by all those who have studied draft reform, including both Houses of Congress, President Johnson, and our military leaders. So long as we draft the oldest men first, we force young men to plan their lives and families in an atmosphere of uncertainty and unpredictability, just when they are beginning their careers and their families. To illustrate, before the Vietnam buildup in 1963, the average age of draftees was 23.7 years. By 1968, this average age had dropped to 20.5 years, because of the high draft calls Vietnam required. But when peace returns, the average age will rapidly rise once again, and it could reach as high as 25 years. Because the recommendation for turning to the youngest first is unanimous, and because it would bring order and certainty into the lives of virtually all our young men, we should see it enacted without delay. There is also another powerful reason for drafting the youngest first. A year ago, graduate student deferments were ended, which made nearly 700,000 previously deferred individuals eligible for the draft. Naturally, these men are at the upper age of eligibility, and will be the first called.

A patchwork pattern of deferments, which thousands of young men each year manage to turn into virtual exemptions from military service, still plagues our draft system. When the draft law was last amended in 1967, it was widely claimed that this loophole was plugged—that deferments could no longer become exemptions. But, that simply is not the case: each of the 4,084 local draft boards in the Selective Service System can grant occupational deferments at its own discretion, without any uniform guidelines. The National Security Council found that the needs of neither the civilian economy nor the Armed Forces merited continuing occupational deferments, and recommended their elimination. Yet the Selective Service System still grants them. Thus, a garage mechanic may be deferred in Des Moines, but not in Albany; a farmer in Oklahoma, but not Illinois; or a teacher in Boston, but not Los Angeles. Accidents of geography thus determine who is drafted and who is not; this is hardly a rational procedure, or one of which we should be particularly proud.

Draftees comprise about 15.7 percent of total military strength, but about 35 percent of Army strength in Vietnam. They account for about 36 percent of Army fatalities in Vietnam. Draftees, then, account for less than 16 percent of total military strength; yet they account for over 35 percent of Army Vietnam casualties. Since draftees bear an unequal share of the risk, and since only a small percentage of the eligible young men must be drafted, we must find a way of selecting them which is as equitable as possible.

The lack of uniform national standards for classification means that each of the more than 4,000 local boards makes its own set of rules and regulations. Peace Corps volunteers are treated differently by different local boards; two men with the same ailment or the same occupation get totally different treatment from different local boards; and so on. In one documented case, three civilian airline pilots doing the same jobs for the same airline were called for induction; one local board deferred two of them, while another local board classified the third as 1–A. Interestingly enough, 46 percent of local board members themselves felt the need for more specific guidelines in classification matters in a recent survey. Much of the confusion and cynicism surrounding the irrationality of this haphazard approach could be easily avoided by the adoption of uniform national standards.

The archaic organization of the Selective Service System itself must be changed. We have abided by the fiction that local boards are "little groups of neighbors" for far too long. Each of the 68 local boards in New York City, for example, handles an average of 20,000 registrants; the North Hollywood, Calif., local board has nearly 55,000 registrants. It is true that many rural boards have less than 100 registrants, and that the members of those boards do know each registrant. But in the great majority of cases, the registrants are strangers to the board, and the board members strangers to the registrants. Furthermore, the procedures of the Selective Service System produce interminable delays, which could and should be speeded up with automatic data processing equipment and other modern management techniques. We could do much to improve confidence in the Selective Service System by modernizing it, and we should.

These are just a few of the defects our present draft law reveals. Some could be corrected immediately by Presidential order—such as moving to the youngest first—while others require congressional action—such as instituting a random selection system. It is important to note that most of the defects were corrected by a draft extension bill which passed the Senate 2 years ago, on May 11, 1967. Unfortunately, however, 2 weeks later the House passed a markedly different version, which was restrictive and punitive. It was this House version which ultimately prevailed in conference, and was signed by President Johnson on June 30, 1967. The result is that we now have a worse draft law than we did before the most recent congressional action on it.

But because the Senate did in fact vote to eliminate most of the inequities 2 years ago, I believe that were the Congress given an opportunity to vote on draft reform this year, the sentiment in the Senate for draft reform would prevail and the Congress would accept the necessary changes.

By way of background, let me review briefly the recent efforts at draft reform. The Universal Military Training and Service Act, the successor to 1940's Selective Training and Service Act, was due to expire on June 30, 1967. Consequently, the Congress was called upon to make either a simple extension, or an extension and revision before that date. The House Armed Services Committee held preliminary hearings in June 1966, at which I and others urged a complete reform of the law, to include a random selection system, uniform standards, and restricted deferments. In July 1966, President Johnson appointed a National Advisory Commission on Selective Service, chaired by former U.S. Assistant Attorney General Burke Marshall, to make a thorough public study of draft reform. The chairman of the House Armed Services Committee, **Mendel Rivers**, appointed a Civilian Advisory Panel on Military Manpower Procurement, chaired by retired Army Gen. Mark Clark, for a similar purpose.

After these two groups had made their reports, the President on March 6, 1967, sent to the Congress his message on selective service. This message recommended adoption, either legislatively or by Executive action, of the major reforms proposed by the Marshall Commission, with but a few exceptions. I had earlier introduced in the Senate a concurrent resolution—on February 23, 1967—which would have declared it to be the sense of the Congress that these reforms were necessary and that the President should institute them by Executive action.

During March, April, and May 1967, three congressional committees held hearings on draft reform: the Senate Subcommittee on Employment, Manpower, and Poverty, the Senate Armed Services Committee, and the House Armed Services Committee. The hearing in the Subcommittee on Employment, Manpower, and Poverty, which it was my privilege to chair, concerned themselves with the manpower implications of selective service; the other hearings were concerned more directly with the military implications.

On May 4, 1967, the Senate Armed Services Committee reported out an extension and revision of the draft law. This bill would have left wide discretionary authority with the President to institute the reforms recommended both by the Marshall Commission and the President himself, and it explicitly endorsed many of them. The Senate passed this bill on May 11, 1967.

The House Armed Services Committee, however, greatly changed the Senate-passed bill, adopting many punitive and restrictive provisions not in the Senate bill. The House adopted its committee's bill with little change, on May 25, 1967. Virtually all of these provisions were adopted in the Senate-House conference, and this conference bill was accepted by the Senate on June 14 by a vote of 72 to 23. I was strongly opposed to accepting the conference bill, just as I was opposed to limiting debate on it to 2 hours despite the difficult procedural situation facing the Senate. In light of the suggestion by some individuals that it would be unpatriotic to vote against the draft, while fighting was going on in Vietnam, I think it was some measure of Senate feeling that 23 Senators voted against the conference report. The House accepted the conference bill on June 20, 1967, and it was signed by the President in this form on June 30, 1967, the day it was due to expire.

But precisely because this bill did not make any of the badly needed reforms, and in fact made the draft law more restrictive and punitive, there have been subsequent efforts to change it. On February 28 of last year, I introduced S. 3052, which would have completely revised the draft law, instituting a random selection system, drafting the youngest first, and accepting the other basic reforms recommended by the Marshall Commission. Also last year, the Senate Subcommittee on Administrative Practices and Procedures held hearings on a bill to afford draft registrants the right to be present at proceedings affecting them, and to have counsel present. Neither my bill nor the right to counsel bill was enacted.

In sum: there have been a number of determined efforts at draft reform. None has yet succeeded. But there is every reason to think that a renewed and determined effort would succeed. This is one of the reasons I am today introducing legislation similar to the bill I introduced last year, but which makes a number of improvements in it. It is not a piecework amendment; instead, it is a thorough rewrite of the entire law.

Before I outline the major provisions of my bill, let me explain its basic and underlying concepts.

I agree with the conclusion of the single most thorough public study of the draft, that of the Marshall Commission, that:

> The Nation must now, and in the foreseeable future, have a system which includes the draft.

This is simply because our first concern must be for guaranteeing a continuing supply of manpower for national defense purposes, and past experience has amply demonstrated that the draft provides just such a guarantee.

But while we preserve the draft in force and effort, we must correct its present defects and work toward these three goals in the draft laws: flexibility: the potential to adjust to high or low manpower needs; certainty: a concern for uniformity and for predictability, so that every young man will know to as great an extent as possible at any time if and when he might be called to duty; and fairness: an ever-present regard for equal treatment for every young man in every population group. To reach these goals, the reforms must focus on two elements: first, drafting the youngest first, at age 19; and second, drastically curtailing deferments, with the choice for service made by a random selection system.

But we should do more than correct the defects in our present law. We should—now—prepare for the days when we are no longer at war, when our military force might number 2.5 million men or less, instead of the 3.5 million men it does today; and when the number of volunteers for military service might match the number of men needed.

Many individuals have pointed out that more than 60 percent of our military manpower requirement is met through voluntary enlistments. If we raised the pay of the military, and provided postservice incentives, they argue that we might be able to persuade additional young men to join the military voluntarily, and thus eliminate the need for compulsory service. This proposal deserves serious consideration. If we could meet our manpower needs voluntarily, at reasonable cost, it seems unjustifiable to continue the draft, with the uncertainties and the hardships it causes.

But until we have a clearer idea of the cost, and what the likely consequences are, ending the draft is simply not realistic policy for the immediate future. Cost estimates are highly uncertain; they range from $4,000,000,000 to $17,000,000,000 a year. That latter figure should give us pause, considering other pressing national needs such as rehabilitating slums, opening better job and educational opportunities, and ending pollution of our air and water.

Moreover, the conversations I have had with high school and college students gives me concern over the character of any volunteer army. Those students who advocate a volunteer army, instead of a draft, almost always admit that they personally would not volunteer. This suggests the strong possibility that an all-volunteer army might magnify the present economic inequality in the draft—that our soldiers would come from the lower economic classes, and might well form a largely black army. This would serve only to increase the separatism between the military and civilian sectors of our society.

Consequently, while I think we should prepare for the peacetime situation in which our military manpower needs might be met through voluntary enlistments, I do also think we must answer the objections the volunteer army critics have raised. That is why I have urged in my bill the creation of a blue-ribbon, multidisciplinary group to study these wider questions of a volunteer army. The Marshall Commission was chaired by a former U.S. Assistant Attorney General, Burke Marshall, and he was joined on the Commission by a number of other distinguished Americans, including former Defense Secretary Thomas Gates, Yale President Kingman Brewster, Marine Gen. David Shoup, labor leaders like James Suffridge, and many more. I would hope that such a blue-ribbon panel studying the implications of a volunteer army would mirror these qualifications.

But while we can make the changes necessary to make the draft fair, and be prepared for the time when our manpower needs might be met through voluntary enlistments, we must also face another serious question. A modern military system must meet a grave objection, raised by many of today's young people: Their refusal to violate their individual consciences by participating in the draft. Many students are turning in their deferments, rejecting easy avoidance, and challenging the draft on grounds of conscience. To understand this, I think we must look at the difficult question of conscientious objection.

Our lawmakers have always understood that for some men, participation in war violates their deepest moral convictions. Congress extended the right to claim conscientious objection status to all men who, "by religious training and belief," are conscientiously opposed to all forms of war. Even those belonging to no orthodox church had their beliefs honored. In 1965, the Supreme Court reinforced this doctrine, holding in the Seeger case that a man could be a conscientious objector even if he did not believe in God, so long as his pacifism was backed by deeply felt beliefs parallel to those held by orthodox believers.

This interpretation was reversed in the 1967 draft law. In my view, this act was not only unwise, but probably unconstitutional as well. An individual whose life pattern indicates his moral opposition to all war should not be forced to violate his conscience because he does not believe in an orthodox God. This may be a violation of the first amendment's prohibition against religious discrimination.

We must also face the complex problem of moral opposition to a particular war. Many students, I am convinced, base their opposition to a particular war on moral grounds. They are hardly cowards; many have served in the Peace Corps, or worked in the civil rights movement, or lived as VISTA volunteers in our worst slums. Many are willing to face jail terms for their beliefs.

I do not expect my position on this matter of conscientious objection to a particular war to be settled. I have talked with a great many individuals about this most difficult matter, and have been interested to hear their suggestions. Some have suggested that we by statute create a central body to determine which young men have bona fide objections to particular wars, arguing that this sophisticated decision really should not be made by local boards. Others have suggested that those who object to a particular war be permitted to serve in noncombat positions, but with similar risk. Thus, they might be stretcher bearers in Vietnam.

But none of these many suggestions have appeared to me to be workable in practice. Consequently, my bill does not treat specifically with this problem, despite my desire to do so. I shall continue to examine it over the next months.

It would be extremely difficult to sort out moral from political objectors—or from those who simply do not wish to go into combat. It requires a detailed and personal analysis of the life of the young man, and a complex job of distinguishing and determining motives. To test sincerity for each objector to each war might well raise havoc in the administration of the draft laws. Selective conscientious objection might in addition prove unfair to those who have not had the education to articulate their opposition to military service. And it probably would have to be made retroactive, to those presently in the service, with obvious and severe practical difficulties.

In non-Vietnam times, when world tensions were high and we still had the draft, we might well greatly expand alternative service. Many vitally needed jobs are now unfilled: hospitals are short of orderlies; police and firemen are desperately needed. If we developed a broad program of voluntary national service, and if we made this service longer than military service, with lower benefits, then we could accommodate those dedicated, capable, and talented young Americans anxious to serve their country in nonmilitary service.

In sum, we should work toward a military manpower procurement system which is fair, flexible, and certain.

There are a number of steps the President could take by administrative action, without congressional authorization, to reduce inequities: he could require that the youngest be drafted first; he could eliminate occupational deferments; he could make standards more uniform; and he could modernize many selective service procedures.

There are a number of other steps which need specific congressional authorization, and they are the subject of my bill.

Together, the administrative and legislative actions can give us a military manpower procurement system which in times of war—such as Vietnam—is fair, through use of random selection, is flexible enough to meet fluctuating demands because it continues the draft, and is certain because it drafts the youngest first; in times of high world tension, but without an actual war, might satisfy our manpower needs through voluntary enlistments, but retains the draft for flexibility, and also permits expanded use of national service alternatives to military service; and in times of peace, when world tensions are low, gives us the base of information we will need to assure our Armed Forces readiness, to possibly initiate a major National Service Corps, and to avoid compulsion in military manpower recruitment.

Let me now summarize my bill's principal provisions:

First. It requires that the youngest—the 19-year-olds—be drafted first;

Second. It requires use of random selection to select those young men to be drafted;

Third. It provides for a 3-year transitional period in establishing the random selection system from among 19-year-olds;

Fourth. It eliminates occupational deferments except where ordered by the President;

Fifth. It permits students to postpone their exposure to the draft during the course of bona fide study, but does not permit this postponement to become an exemption;

Sixth. It discontinues this postponement feature whenever casualties in a shooting war reach 10 percent of those drafted in a given month;

Seventh. It grants conscientious objector status to atheists and agnostics, so long as they are genuine pacifists, as well as to those whose objection is based on conventional religious training and belief;

Eighth. It requires the adoption of national standards and criteria in the administration of the draft law, and requires their uniform application;

Ninth. It prohibits use of the draft as a punishment for protest activities, by limiting draft delinquency to acts relating to a registrant's own individual status;

Tenth. It permits judicial review of questions of law regarding classification proceedings, and permits use of habeas corpus proceedings by those who comply with induction orders;

Eleventh. It restores the role of the Justice Department in reviewing conscientious objector cases;

Twelfth. It gives registrants the right to appear in draft board proceedings affecting them, and to be represented by counsel;

Thirteenth. It conforms our draft treatment of aliens to our treaty requirements, as recommended by the State Department;

Fourteenth. It limits the term of the Director of the Selective Service System to 6 years;

Fifteenth. It prohibits discrimination of any kind in the makeup of any selective service panels which determine an individual's draft status;

Sixteenth. It calls for a thorough public study of a National Service Corps, in which individuals seeking nonmilitary service might fulfill their obligation of service to the Nation;

Seventeenth. It calls for a thorough public study of all aspects of a volunteer army;

Eighteenth. It calls for a thorough public study of military youth opportunity schools, which would offer special educational and physical assistance to those falling below induction standards who desired to volunteer for military duty;

Nineteenth. It calls for a thorough public study of the ramifications of granting amnesty to those young men who fled the country rather than face the draft;

Twentieth. It encourages use of civilians to replace military personnel in nonmilitary jobs; and

Twenty-first. It closes a number of loopholes in the present law.

Since my bill is a complete rewrite, it makes many other changes as well; the ones I have listed, however, are the major ones.

Because certain of the reforms are broad and far-reaching, I would like to explain them in detail.

YOUNGEST FIRST

Today, young men between 19 and 25 years of age are called for the draft in reverse order of their age, the oldest man first. When draft calls are low, this policy drives the average age of the involuntary inductee, at induction, to nearly 24 years. When draft calls are high, as they now are, the average age drops to about 20 years; but when the draft calls are reduced, the average of induction will inevitably rise once again toward 25.

In 1966, the Defense Department completed a thorough study of the effects of this oldest-first procedure, and reported to the Congress that the study "clearly revealed that this policy was not desirable from any standpoint."

The Defense Department pointed out the complications generated in the personal lives of the draft-age men, who lived "under the gun" of the draft for 3 or so years. In fact, 39 percent of draftees in the 22-to-25 age bracket were told at least once by a prospective employer that they could not be hired because of their draft liability. The comparable figure for those entering service in the 19-to-21 age bracket was 27 percent, and for those entering in the 17-to-18 age bracket was 11 percent.

Another factor arguing for moving to the youngest first is that the incidence of deferment rises sharply with age. At age 19, only 3 percent of classified registrants had dependency deferments, and only two-tenths of 1 percent had any form of occupational deferments. But at age 24, nearly 30 percent of all registrants were in just these two deferred categories. Consequently, a rising average age of induction multiplies the number of deferment decisions each local registrant faces.

Combat commanders have consistently preferred 19- or 20-year-old recruits. These younger men are considerably more adaptable to combat training routines. Further, problems associated with costs of dependents' care are lower for the younger men.

This Defense Department recommendation has had unanimous support in the last 2 years. The Marshall Commission, the Clark Panel, President Johnson's special message to the Congress on the draft, the Senate and House Armed Services Committee's reports—all these have urged that the youngest be drafted first.

Those who might be deferred for one reason or another during all or part of their 19th year would be draft-eligible upon expiration of the deferment, as "constructive 19-year-olds." Drafting the youngest first would not be left to the discretion of the President, as it now is, but would be mandatory.

RANDOM SELECTION

The Marshall Commission, in its January 1967 report, phrased the central question of the draft reform in these terms: "Who serves, when not all serve?" The answer to this question—a few from among the many eligible—led the Commission to recommend adoption of a system of random selection to determine the order of call for induction. I was of a similar conviction when I urged adoption of a random selection system in testimony before the House Armed Services Committee in June 1966. And President Johnson, in his March 1967, message on the draft, indicated that he had instructed the Selective Service System and the Defense Department to develop such a system by January 1, 1969, because he was in agreement with the Marshall Commission's recommendation.

The bill which passed the Senate in June 1967, would have permitted the President to institute a random selection system. But the House-passed bill, and the bill finally adopted, prohibited the President from putting random selection into effect without specific authorization from the Congress. Consequently, my bill gives such authorization, and sets up a specific procedure.

There are two basic reasons for adopting a random selection system. One relates to basic equities; the second to the imperatives of numbers.

There is an inherent element of unfairness in any system which must choose a few from among many, particularly when the few face the possibility of death or serious injury in combat. Presently, we use a subjective system, which varies from local board to local board, for determining the sequence of induction. I believe that this subjective system is best replaced with an objective system, one based on the principle of random selection. This random selection would be inherently evenhanded and equitable, and not exposed to the criticism our present system is of subjective factors controlling classification, deferments, and other elements of draft procedure. Thus, the equity of the draft would be enhanced by adoption of a random selection system.

The second reason for adopting a random selection system involves the imperative of numbers. About 2,000,000 young men will reach age 19 each year over the next decade. Thirty percent of these—or 600,000—will each year be disqualified because they fail to meet the physical, educational, or moral standards of the Department of Defense. About 30,000 will receive hardship deferments or legal exemptions, leaving 1,370,000 eligibles each year. The Defense Department estimates that 550,000 young men will voluntarily enlist each year, leaving 820,000 eligibles, from among the 260,000 whom the Defense Department says must be drafted will have to be chosen. Thus, even when the Vietnam war demands high draft calls, as it does this year, we still must choose only one man from among four eligible. It is estimated that during peacetime, when our Armed Forces revert to 2.65 million from the present 3.5 million level, we will have to choose only one man from among seven or eight eligible.

I believe that random selection is the most equitable way to determine which of the eligible young men would be drafted, and which would not.

Written into my bill is one type of random selection system. There may well be other ways to structure such a system, but the one I have spelled out is simple, fair, and predictable. It would work this way:

Young men would be eligible for induction only so long as they were in the "prime selection group," and they could be in this group for no longer than a total of 12 months. Basically, the young men in this prime selection group would be 19-year-olds who met the mental, physical, and moral standards for induction. Also in this group would be "constructive 19-year-olds"—those who were deferred for all or part of their 19th year, but who would be placed in the prime selection group upon the termination of their deferment. Thus, only those individuals actually in the prime selection group would be subject to induction.

The order of actual induction from among this prime selection group would be determined by random selection. The Director of Selective Service would publish each month a list of numbers corresponding to the days in that month. Thus, there would appear on the list the numbers 1 to 31 for January, 1 to 28—or 29—for February, and so on. But these numbers would be arranged in a random sequence determined by a computer or some other means. The numbers for January, in this example, might read 11, 22, 7, 18, and so on until all the numbers 1 to 31 were listed.

These lists would be made available to the various components of the Selective Service System, and the quota of inductees as determined by the Defense Department would be met from month to month as I will shortly describe. My bill gives the President the discretion to determine whether the monthly prime selection group should be a national, regional, area, or some other group. For the sake of illustration, I have used regional pools.

If a regional office under this proposal had a quota of 1,000 men for January, it might have 7,000 men eligible for induction. To choose the 1,000 it would refer to the list published by the Selective Service Director for January. Under this example, the first number was 11, the second 22, the third seven, and so forth. The regional office would select first the man or men born on the 11th of January, next the man or men born on the 22d of January, next the man or men born on the seventh, and so forth until the quota of 1,000 men had been reached. These 1,000 would then be inducted. The remaining 6,000 men would not be called, but would, of course, continue to remain liable in the event of a national emergency. But they would not be called until the pool of men in the following month had been exhausted. Thus, once the selection for a given month had been made, those not selected could be reasonably certain of their status and make their plans accordingly.

A regional office might face the difficulty of choosing between different men born on the same day. This choice would be made by arranging the letters of the alphabet in a random sequence for each month, and then choosing on the basis of the first letter of the last name. This list would also be published by the Selective Service System.

The plan I have just outlined is only an illustration of the feasibility of a random selection system. I am not personally wedded to this specific plan, but it does indicate that random selection is workable.

To reveal that sentiment in the Congress is not hostile to random selection, let me quote from a colloquy the distinguished former chairman of the Senate Armed Services Committee, Senator RUSSELL, and I had on June 14, 1967, during a debate on the draft. During that colloquy, Senator RUSSELL said:

> The President has stated that the random system should be started before the first day of January 1969; and if he will propose, or the Senator from Massachusetts, or any of the other advocates of the random selection system, will introduce a bill that is reasonable and provides for a fair and workable random selection, we can get a law long before the first day of January 1969. . . . We had a firm agreement with the conferees of the other body that if the President would proposed something definite that deals specifically with the subject of random selection, when and how it shall be applied, we would give it immediate consideration. I am not opposed to random selection; I have said that all the way through.

That statement is, I think, plain on its face, and it lends credence to the judgments of those who believe that Congress will accept reforms this year.

To effect the change from the present oldest-first, subjective selection procedure to my proposed youngest-first random selection procedure, my bill adopts the 3-year transition feature recommended by a number of experts. Under its terms, those men 20 years and older and still eligible for induction would be phased into the prime selection group as follows: in the first year, those over 24; in the second year, those between 22 and 24; and in the third year, those between 20 and 22. Thus, after the end of this 3-year transition, the system would be fully operative, and the impact upon those older than 19—primarily graduate students—would be largely minimized.

OCCUPATIONAL DEFERMENTS

Occupational deferments were conceived in recognition of the need for working men to produce the goods and the arms needed to sustain our fighting forces. As far back as the Civil War, farmers, manufacturers and others were exempted from active military sevice because they produced the vital goods essential to the cause of war.

Today, modern industrial and agricultural technology, coupled with the abundant supply of manpower, makes it unnecessary to grant such deferments. We cannot continue to justify deferments on the grounds that essential activities or critical occupations will be jeopardized unless deferments are granted. Former Secretary of Labor Willard Wirtz said, when he testified on the Manpower Implications of Selective Service, that:

> There is little basis in the present or prospective manpower situation for any occupational deferments from military service—especially if the draft call is concentrated on the 19-year-old group.

This statement should not be taken to mean that we can ignore the need to continue monitoring the Nation's manpower needs. On the contrary the Congress has directed the National Security Council to do just that, and to recommend policies on occupational deferments to the Director of the Selective Service System.

Pursuant to this directive, the National Security Council recommended on February 16, 1968, that occupational deferments be discontinued. It said in part:

> The National Security Council advises that the Secretaries of Defense, Labor and Commerce should maintain a continuing surveillance over the nation's manpower needs and identify any particular occupation or skill that may warrant qualifying for deferment on a uniform national basis. When any such occupation or skill is so identified, the Council will be notified so that it may consider the need and advise the Director of the Selective Service System accordingly.
>
> This recommendation is based on these considerations:
>
> The needs of the Armed Forces do not now require such occupational deferments.
>
> The needs of the civilian economy do not now require such occupational deferments.
>
> The inherent inequity, at a time when men are called upon to risk their lives for the nation, in any such occupational deferments from military service which may in practice turn into permanent exemptions.

That unequivocal statement was, in large part, ignored by the Selective Service System. In a telegram to the State selective service directors, General Hershey interpreted the National Security Council recommendation in part as follows:

> Each local board [is left] with discretion to grant, in individual cases, occupational deferments based on a showing of essential community need.

This is clear evidence that occupational deferments are not ended at all—rather, they are continued, and left to the discretion of the 4,084 local boards. There will, consequently, be 4,084 different sets of rules governing occupational deferments. This may well be a step backward: in the past, only half of those with occupational deferments received them based on the unguided judgment of local boards; the other half were in jobs listed as essential or critical. Now, however, there is no national guidance, in direct opposition to the National Security Council recommendation.

When considering occupational deferments, the position of racial and ethnic minorities in the total military manpower picture is a matter deserving attention. The participation of the Negro, the Puerto Rican, the Mexican-American, and the American Indian is in several ways inequitable. Members of these racial groups have traditionally failed to enjoy equitable treatment in occupational opportunities. Evidence from many sources shows that they are the last to be considered for those jobs that local boards qualify as occupationally deferrable.

Until these conditions are improved, we cannot have a fair draft system based upon deferments for those who are fortunate enough to be hired into selectively favored occupations.

The President has the authority today to bring a halt to occupational deferments, and I hope that he will do so. My bill would discontinue all occupational deferments, unless the President were to determine that the efficacy of our national defense required that certain occupations were critical and that those holding those occupations should be deferred. If he so determined, he would be required to identify the particular occupation and require deferments on a uniform national basis.

STUDENT DEFERMENTS

The Marshall Commission was divided over the issue of deferments for undergraduate students. A majority recommended that no new student deferments be granted in the future, with certain exceptions. A minority felt strongly that student deferments in no case became exemptions. The Clark Panel recommended, in effect, that undergraduate deferments be continued.

In the 1967 bill, the Congress compromised by guaranteeing undergraduate deferments for students in good standing, but only until their graduation or age 24, whichever came first.

Unfortunately, one of the gravest inequities in our draft was not corrected by this compromise, despite assurances to the contrary. What begins as a temporary student deferment can be easily extended into a de facto exemption, through placing an occupational or some other deferment on top of a student deferment. Time, and advancing age, make this "temporary" deferment in fact an exemption from service.

As a result, my bill makes a number of changes in provisions governing student deferments.

Under its provisions, high school students would be deferred until they finish high school, as the law now provides. The draft law should in no way contribute to the already severe high school dropout problem. If, however, a student did not finish high school until after his 20th birthday, he would upon graduation—or dropping out—be placed in the prime selection group.

Under my bill, high school graduates need not immediately face the draft. They could choose to go on to college instead, thus postponing their entry into the prime selection group. They would keep their postponements until they finished college or dropped out, as the particular case might be. Under no conditions could this postponement extend beyond the 26-year-old cutoff date for determining draft eligibility.

Thus, all those who did not voluntarily enlist would at some point in their 19-to-26-year span be in the prime selection group equally with their contemporaries.

Further, it offers each individual a high degree of flexibility in making his education and career plans. It offers the military a broad mix of inductees—most would go in after high school, and some after college. Thus the wide-ranging skills the military needs would continue to be made available to it.

This system assures the military of a continuing supply of officers. Nearly 80 percent of each year's new officers enter military service from college sources. About half are ROTC students, and the other half enroll in a wide variety of other officer-training programs, either during college or upon graduation. There is some concern that ending undergraduate student deferments would greatly reduce this flow of new officers into the military services.

Some experts have criticized this plan, by pointing out that it offers those who can afford college the choice of postponing military service during times of a shooting war, like Vietnam. Most individuals would today certainly choose to go to college for 4 years, if they could, rather than be drafted and sent to Vietnam. To meet this valid criticism, while retaining the high degree of flexibility, my bill provides that this optional student deferment feature be discontinued when casualties reach a certain point. I will describe how it is discontinued in a moment.

My bill would also broaden the definition of "student" to make clear that all bona fide students receive equal treatment under its optional postponement feature.

Unfortunately, today students in junior and business colleges, and students in apprentice and vocational courses, are given a different draft classification than students in colleges, in plain contravention of congressional intent. This 2–A classification makes them more liable to the draft than the 2–S college deferment. Quite rightly, these junior college and other students claim that the draft treats them as second-class students.

The Senate Armed Services Committee made its feelings plain on the subject of apprentices in its report on the 1967 draft bill:

> If student deferments are to be continued, the Committee believes that apprentices should be permitted to qualify for deferments under conditions no more restrictive than those applicable to undergraduate college deferments. . . . If an apprentice is full-time, satisfactory, and making normal progress, he should be eligible for deferment as an apprentice in the same manner as a college student.

Once again, though the legislative history is very plain, the operation of the draft system is at odds with it.

My bill would give each bona fide student the same option; he could enter the draft pool after high school, or after his college or occupational training was completed. The GI bill, liberalized only recently, should spur many individuals to enlist or enter the draft pool right after high school, so that costs of their educations could be met in part by it. But some proportion would undoubtedly prefer to wait until after college, and my bill gives them this flexibility while enhancing the overall equity of the system.

STUDENT DEFERMENT DISCONTINUANCE

I have already mentioned that offering students an option on when to enter the prime selection group requires some mechanism to prevent discrimination against those who do not have the option of going to college or graduate school, for economic or other reasons. This mechanism is a discontinuance of the option, whenever Armed Forces casualties reach a certain percentage of the monthly draft call.

Under my bill, during any period when our Armed Forces are sustaining combat casualties, the President would be required to determine the total number of combat casualties each month. He would then put this figure beside the total number of registrants drafted that month. If the number of casualties reached 10 percent of the number of draftees, then the optional student postponement would be discontinued. But the discontinuance would take place only when the 10-percent figure was exceeded for 3 consecutive months. And when the discontinuance did take place, it would stay in effect for the following 12 months.

This discontinuance insures that when draftees face an appreciable risk of being sent to a combat zone, all young men must stand as equals at that particular time before the draft process. To permit some to elect to enter college, thus postponing exposure to the draft for 4 years, while denying this election to others, would be to continue one of our present system's worst features.

It is important to note that the discontinuance would not apply to students already in college or occupational training when the 10-percent figure was reached. These students made their choice to enter college or training not out of a desire to avoid being drafted into a shooting war, because the shooting had not reached an appreciable extent when their decisions were made. Thus, it would apply only to those whose decisions on whether to take up the option was made in the light of combat casualties.

It is also important to note that even when the 10-percent limit has been reached and the option discontinued, those not actually selected for induction would be free to go on to college, school, or jobs, just as before the discontinuance was put into effect.

Vietnam casualties are today running at a high enough rate to put this discontinuance in effect. In 1968, draftees totaled 296,000, and casualties 108,000—or about 35 percent. Thus, the discontinuance would presently be in effect, as it would have been last year when draftees totaled 230,000 and casualties 73,000, or about 30 percent.

CONSCIENTIOUS OBJECTORS

I have already discussed the problem of conscientious objectors, so let me at this point summarize how my bill treats it.

Until 1967, the law on conscientious objectors was quite settled and clear. The Supreme Court, in the 1965 case of United States against Seeger, interpreted the law and laid down guiding principles. But the 1967 law overruled the Seeger case, in effect, by eliminating the language on which the decision rested.

The old law granted conscientious objector status to an individual who "by reason of religious training and belief is conscientiously opposed to participation in war in any form. Religious training and belief in this connection means an individual's belief in a Supreme Being involving duties superior to those arising from any human relation."

In the Seeger case, the Supreme Court interpreted this language to mean "a given belief that is sincere and meaningful and occupies a place in the life of its possessor parallel to that filled by the orthodox belief in God of one who clearly qualified for the exemption." This had the effect of granting the statutory conscientious objector relief to agnostics and atheists, so long as their moral objection was genuinely held.

The 1967 law eliminated the Supreme Being clause, thus implying that only an orthodox belief in God would qualify an individual for conscientious objector status. This apparently overrules the Seeger case. The Selective Service System has told its State and local boards that the change means a narrower definition of conscientious objection. This accords with the views of a majority of local board members in one State who, according to the Marshall Commission's report, feel that conscientious objectors should not be deferred at all. On the other hand, a number of lawyers experienced in this field believe the courts will still uphold Seeger, on other grounds. But this important subject will be unclear until eventually resolved by the courts.

My bill would restore the language of the statute as in effect before the 1967 amendments. This would have the effect of reinstating the Seeger case as the controlling precedent.

UNIFORM NATIONAL STANDARDS

I have also discussed the need for uniform national standards. Here again, we find almost unanimous recommendations in favor of such standards, but the actual operation of the system at variance with the recommendations. President Johnson proposed "that firm rules be formulated to be applied uniformly throughout the country." The Marshall Commission has similarly recommended. Nearly half of local board members themselves believe such standards would be an improvement.

These national standards would not be utterly inflexible. They deal not with mathematical measurements, but with human beings. The point is simply to be as sure as we can that a young man in one part of the country faces the same exposure to the draft as does the young man in another part of the country.

DRAFT AS PUNISHMENT

I am opposed to using the draft as punishment for those who engage in activities protesting either the Vietnam war or the draft itself.

Instead, a protester should be prosecuted under the law's criminal provisions, if he has in fact taken part in illegal activity. If found guilty, he should be punished accordingly. Under no circumstances do I see justification for local draft boards reclassifying protestors and subjecting them to immediate induction because of their protest.

My bill would prohibit the use of the draft as punishment. It makes clear the responsibility of the courts to enforce the provisions of the law governing illegal activities, and the responsibility of the individual to share properly the burden of national defense.

JUDICIAL REVIEW AND RIGHT TO COUNSEL

A number of my bill's provisions are intended either to restore procedural safeguards struck out of the draft laws by the 1967 law, or to add safeguards where they are needed. My intent in writing these provisions in the bill is to point out my belief that due process standards be as high as we can make them in selective service matters. There is absolutely no reason to make selective service the last and final word in such an important area, and I fully believe that the protections afforded by the courts and the legal process should be available in the selective service process.

These are among the procedural safeguard provisions:

First. Registrants would be permitted counsel to represent them at draft board proceedings, and indigent registrants would be provided with counsel. This matter was thoroughly aired in hearings last year before the Senate Subcommittee on Administrative Practices and Procedure, and the hearings convinced me of the need for these provisions.

Second. Judicial review of classification proceedings would be available as to questions of law. The 1967 law foreclosed judicial review of classification decisions except as a defense in a criminal proceeding—and this is surely a unique provision. To object to a Selective Service decision, an individual is forced to submit to criminal proceedings against him. This is an entirely unnecessary and gratuitous provision, and should be removed from the law.

Third. In the Oestereich case, the Supreme Court held that habeas corpus relief was available to an individual who accepted induction rather than face criminal charges for refusing them. My bill puts this interpretation into the statute.

Fourth. My bill requires the Selective Service System to provide registrants with full and clear information about his rights under the law and regulations. Too often, registrants are simply uninformed as to their options, and I believe it is the duty of the Government to inform each individual of his rights.

These procedural safeguards can do much to restore confidence in the Selective Service System, and more importantly, to insure the equity of the draft law's procedures.

ALIENS

Under our draft law, aliens are subject to confining, confusing, and discriminatory treatment. For example, when the law was written, the NATO countries required 18 months' service. The law consequently provides that an alien in this country who has served 18 months in the military service of a nation with whom we are allied, is not subject to draft in the United States. But since this provision was written into the draft law, the NATO countries have lowered their service requirement to 16 months. Thus aliens who have fulfilled their military service in their own country, and are now in this country, find themselves subject to our draft. This is in direct contravention to a number of treaties in force between this country and our allies.

Numerous other examples of the need to revise our draft policies toward aliens were made by the Department of State to the Marshall Commission.

My bill adopts the recommendations of the Department of State with regard to aliens and the draft. These are:

That all nonimmigrant aliens should be exempt from military service.

That resident aliens should not be subject to military service until 1 year after their entry into the United States as immigrants.

That 1 year after entry, all resident aliens should be subject to military draft equally with U.S. citizens unless they elect to abandon permanently the status of permanent alien and the prospect of U.S. citizenship; and

That aliens who have served 12 months or more in the Armed Forces of a country with which the United States is allied in mutual defense activities should be exempted from U.S. military service, and credit toward the U.S. military service obligations should be given for any such service of a shorter period.

These changes can assure that our draft policy toward aliens is coherent, and rational, and that it conforms with our international treaty obligations.

SELECTIVE SERVICE DIRECTOR TERM

Most Presidential appointments carry a fixed term of service, and are not open-ended. My bill would conform the Selective Service law to this practice. It would provide for appointment as Director of the Selective Service for a 6-year term, and that at the end of the 6-year term the President must make a new nomination and the nomination must be confirmed by the Senate. There is no prohibition against renomination of the same individual as many times over as the President requires. This new provision would not apply to the current Director, General Hershey.

VOLUNTEER ARMY STUDY

I have already discussed certain aspects of the volunteer army concept. Because I believe that at present we do not have enough specific information to decide whether the problems I raised in that discussion are more apparent than real, my bill requires the President to conduct a 6-month public study of the costs, feasibility and desirability of replacing our present combination of voluntary and involuntary inductions with an entirely voluntary system of enlistments. The President would report to the Congress on his findings and recommendations.

NATIONAL SERVICE CORPS STUDY

In discussing the possibility of a national service alternative to military service, when world tensions lessened, I mentioned the difficulty of equating the two, in length of service, wage levels, and so forth. For this reason, I believe we should have a public study of this also. My bill would require it, and the President would have to submit his report to the Congress in 1 year.

MILITARY YOUTH OPPORTUNITY SCHOOLS

Consistent with the desire to increase the incidence of voluntarism, I believe we must take a closer look at ways to make the best use of all our Nation's manpower resources.

Despite the fact that some 2 million men reach draft age each year, our military manpower needs call for only about 260,000 as draftees. But another 600,000 are found to be unqualified for service, because of their failure to meet the minimum physical, mental, or moral standards for active duty. It is estimated that there are more than 5 million men between the ages of 18 and 34 who are unqualified for military service.

The Marshall Commission studied the implications of what it called these "alarming statistics," and concluded that they directly affect the national security and also reveal weaknesses in our society.

It has been conclusively demonstrated that many of these men can be prepared for military service with increased educational training, or with the benefit of medical treatment for easily correctable physical deficiencies. The Department of Defense has made successful efforts to reduce the number of rejectees with Project One Hundred Thousand. Describing this program's background, the Assistant Secretary of Defense for Manpower and Reserves reports that:

> In October 1966, DOD initiated Project One Hundred Thousand to accept men who were being disqualified for military service under previous mental standards and those with easily correctable physical defects. The program is resulting in a more equitable sharing of the opportunities and obligations of military service among the nation's youth and is preparing these men for more productive lives when they return to civilian life.
>
> We have not lowered performance standards for retention in the service. Project One Hundred Thousand men are not stigmatized; they are trained along with all other men in our regular training centers and schools and are given extra help only when required to assist them meet our performance standards.

Between October 1966 and December 1968, 162,600 men were accepted in this program.

Nearly 96 percent successfully completed basic training, and only 13 percent required extra help. Men with severe reading limitations were given full remedial education before or during basic training to help them graduate and to prepare them for occupational training.

In formal skill courses, more than 87 percent graduated.

Sixty percent are now assigned to technical specialties in the area of maintenance, supply, equipment operations, food service, administrative, medical craftsmen, and communications.

Forty percent are assigned to combat specialties.

Field commanders in Vietnam and in the United States report that these men are well motivated and performing creditably.

These results bear out the conviction of former Secretary of Defense McNamara, who said that these men can contribute just as much to the defense of their country as men from the more advantaged segments of our society.

Moreover, the Department of Defense has long been cited for the operation of one of the Nation's most effective systems for training and educating. The military training facilities enjoy a reputation of remarkable success in meeting the service's needs to produce qualified technicians.

I think we should seek opportunities to capitalize on this vastly successful training facility, to improve the skill levels of many men who lack adequate training, and to produce citizens who after completing military service can return to civilian life with useful and marketable skills.

My bill would require the Secretary of Defense to study and investigate the feasibility of Military Youth Opportunity Schools. Volunteers who do not meet the minimum physical and educational achievement standards would be encouraged to enter military service because they would be able to serve their country's national defense as well as acquire useful training, which would insure their attractiveness as potential employees in civilian life.

My bill would require the Secretary of Defense to work in cooperation with the Secretaries of Labor and Health, Education, and Welfare, to conduct a comprehensive study of the feasibility of establishing military youth opportunity schools.

These schools could enlarge upon the successful experience of Project One Hundred Thousand to increase the number of volunteers actually accepted into service, thus reducing the need for draftees.

AMNESTY STUDY

By all accounts, one of the most difficult public policy questions facing us involves the thousands of young Americans who fled the country rather than face the draft. Students across the country are concerned with this issue—as they have been concerned about Vietnam, about civil rights, about the draft itself, and about the quality of American life.

No one knows precisely how many of our young men are now living overseas; safe from the draft, to be sure, but facing a criminal prosecution with a sentence up to 5 years and a fine up to $10,000 should they ever return home to this country. Many times in our history we have, as a nation, been magnanimous enough to grant amnesty. President Andrew Johnson did so in 1868 to the southerners; President George Washington did so in the 18th Century to those in the Whisky Rebellion.

The questions we must ask are: shall we have a permanent band of exiles, who can return home only to face criminal prosecutions for acts long past? Can we really grant these young men amnesty while the war is still going on, and thousands of young Americans who did not leave the country are fighting and dying in Vietnam? Could we forego the criminal prosecutions, should the young men return and accept induction?

These are large questions, not easily answered. It would be vastly helpful if we had the thinking and careful consideration of a group of distinguished Americans on this issue, I think, and consequently my bill requires a study of it, with a report to Congress.

CIVILIAN EMPLOYMENT

There are numerous opportunities for reducing the armed services' needs for draftees, and my bill would encourage the Defense Department to take full advantage of these opportunities:

First. Civilians can be substituted for military personnel in hundreds of noncombat jobs, without reducing the effectiveness of the Armed Forces at all. Every actual substitution of military personnel with civilian personnel reduces correspondingly the need for draftees.

Second. Each year, many more women volunteer for military duty that can be accepted. But I have long believed that with a determined effort the military could employ many more women in uniform in jobs currently filled by men.

Some Armed Forces jobs require military discipline for their effectiveness, and are not suitable for civilians. Yet women in uniform could fill them just as well as men in uniform. Once again, every time a woman filled a job previously held by a man, the draft needs would be reduced.

These are two simple steps my bill would urge upon the Defense Department as yet further steps to reduce the need for draftees.

LOCAL BOARD DISCRIMINATION

Before the current draft law was enacted in 1967, local board members were all men. The old law prohibited membership for women. The present law prohibits discrimination on the basis of sex, but it says nothing about discrimination according to race.

Consequently, it is not surprising to see that 97 percent of all local board members in 1966 were white, while only 3 percent of the 16,632 board members were Negro, Spanish, Puerto Rican, Oriental, or Indian.

In the following year, however, 16 percent of all inductees were taken from these ethnic minorities.

My bill requires the membership of all local boards to represent all elements of the public it serves. My bill also prohibits discrimination based on sex, race, creed, or color.

SELECTIVE SERVICE SYSTEM REORGANIZATION

My bill adopts the recommendations of the Marshall Commission regarding reorganization of the Selective Service System, as follows:

A national office, similar to that now existing;

A series of regional offices, perhaps eight in number, corresponding for national security reasons to the eight regions of the Office of Emergency Planning;

A series of area offices, numbering 300 to 500, corresponding to the 231 standard metropolitan statistical areas, the 149 cities over 25,000 outside these SMSA's, with at least one area office in every State;

Appeals boards operating contiguous to these three types of offices.

Under this plan, registration and classification would be handled at the area offices. Local boards would be retained, but their function would be changed. The local boards would become the registrant's court of first appeal, and they would have the authority to sustain or overturn classifications made in the area offices. This insures that the great strength of the local boards—a group of citizens divorced from the Federal system—would be applied where it is most critical.

This new structure will increase the likelihood that the draft law will be administered not by rules of discretion, but by rules of law.

CONCLUSION

We need draft reform today, just as we did last year and the year before. The report of the Marshall Commission is the soundest base for these reforms, and there is absolutely no reason whatever for delaying any longer. Many reforms do not need congressional action; many others do. President Nixon has indicated his desire to reform the draft, and I believe the Congress will respond.

There is, I think, a climate conducive to reform. And there should be: our draft law today is patchwork and outdated; it provides neither flexibility, nor fairness, nor certainty. I think we have an obligation to our young people to change it.

Mr. JAVITS. Mr. President, when the Senator feels that he can stop at a suitable point, I should like to ask him a few questions.

Mr. KENNEDY. I should like to make one further point or so, and then I shall yield to my good friend from New York.

It is our hope that we shall be able to see a reduction of world tensions in a meaningful and significant way, with an attendant reduction in the numbers in the Armed Forces of our country. I believe the Defense Department study indicated that we would have to move to a 2-million-man armed force in order for a volunteer army to be realistic, which is significantly lower than we have had in the recent past.

But if we have a reduction in the tensions which exist in the world, I believe we might actually have a volunteer army; and, in preparation for that possibility, included in the proposed legislation is a comprehensive study of a number of the questions raised with regard to the possibility of instituting a volunteer army.

For example, we have the question of the relationship between the unemployment rolls and the amount of pay necessary to encourage young people to go into the Armed Forces of our country. What would be the social implications of instituting a volunteer army? What would be its effect on what has been a long-standing tradition of the citizen's responsibility to be in the Armed Forces of our country? Also, important military questions would be raised with respect to what would happen to the Reserves and the National Guard.

These are just a few of the many questions which should be carefully studied; and included in my proposed legislation is the opportunity for that type of study.

I yield to the Senator from New York.

Mr. JAVITS. Mr. President, as the Senator knows, I find myself in very great sympathy with the entire position he has taken on the draft, in which, I believe, he has shown real leadership.

The Senator undoubtedly has read very carefully the bill I introduced a few days ago, S. 992, which, in many ways, expresses parallel ideas.

I should like to state to the Senator that I would hope that inasmuch as we are so much thinking together—and I believe that is true of many other Members of the Senate—we may work together. I know that he will use his very best efforts to bring about the earliest hearings and reform.

As the Senator knows and as I know, I do not think there is a more agitating subject for the youth of our country than this one—exacerbated by the feeling of many of them with respect to the invalidity, as they see it, of the Vietnamese war. We both understand all this, and I should like to ask the Senator a rather specific question.

Does the Senator feel that all this has to wait until amendment to the law? With respect to the selection of those in the youngest age category—that is, the 19-year-old age category, the limited exposure, which is the essence of the Senator's ideas, for 1 year; the possibility of feeding back into the System the older groups who have so far had deferments—does not the Senator feel that all of us can do something with the Defense Department to try to bring about some of these reforms, even before we actually pass a bill?

Mr. KENNEDY. I would certainly agree with the Senator from New York, who I know shares my very strong feeling for reform. A number of things can be done, as I mentioned earlier, before the Senator arrived in the Chamber. A number of things can be done administratively, and they can be done today.

The point suggested by the Senator from New York, of taking the youngest first, has been accepted by all the panels which have studied this program—from the Defense Department study to the Marshall Commission and to the Mark Clark panel. And it was endorsed by both Houses of the Congress in 1967.

Also, uniform national standards could be established by Presidential order.

Mr. JAVITS. Exactly.

Mr. KENNEDY. Then there would not be the great diversity that exists today. And there could be a complete review of occupational deferments. There is a large question about continuing occupational deferments. As a matter of fact, the National Security Council says one thing and selective service does another.

Mr. JAVITS. The Senator will use his very great influence and I shall try to use whatever influence I have to see if we can move the Department of Defense and the Selective Service System in this area, even as we await action on our bills. Does the Senator agree with that statement?

Mr. KENNEDY. Yes.

Mr. JAVITS. I thank the Senator.

Mr. KENNEDY. There is one point on which the Department of Defense deserves considerable credit, and it is a matter in which I know the Senator is interested. I refer to Project One Hundred Thousand. In the last 2 years, under the leadership of the former distinguished Secretary of Defense, Robert McNamara, 162,600 young people were taken into the services through Project One Hundred Thousand. These were young men, many of them from disadvantaged backgrounds. About 80 percent were volunteers who were not quite making the entrance requirements for the Armed Forces, but nonetheless had a strong interest in the service.

The figures from that study reveal that 96 percent of that group completed basic training, and 40 percent were assigned to combat specialties. One of the more interesting statistics is that hundreds of thousands of young people were in this shadow area who fell just short of the necessary requirements to go into the Armed Forces of the country, but who volunteered to do so. Hopefully the Department of Defense will continue this project, which has meant a great opportunity for young people who otherwise would not have had the opportunity. Furthermore, it has strengthened the armed services.

The 162,000 young men selected have a faster rate of promotion than a comparable group of inductees. As the Senator knows, the figure is small compared to the training programs with which the Senator is familiar and with which I am familiar.

Mr. JAVITS. Mr. President, will the Senator yield further?

Mr. KENNEDY. I yield.

Mr. JAVITS. Mr. President, I agree thoroughly with the Senator. I take great pride in what has been done and I certainly will join with the Senator in every effort to get it continued and expanded.

One small problem is coming up, and I do not know whether the Senator dealt with this matter in his address or not, but I would welcome his views.

Apparently there is an enormous proliferation of lawsuits with respect to men who receive partial deferments who are in the second year of graduate study. They receive deferments only for this semester rather than the whole year. The law is unclear. There is an enormous proliferation of lawsuits, and thousands more of lawsuits, because so far the Department of Justice has not allowed one generic case to settle on.

First, has the Senator had his attention called to that matter? Second, would the Senator agree with me that it would be extremely desirable to save the enormous cost and the burden on the courts, that we do the best we can to get one case decided, and then act for everyone? They are all in the same boat.

Mr. KENNEDY. I think that would be helpful, and my bill would deal with it as would the Senator from New York. But I have some real problems with continuation of deferments.

Mr. JAVITS. So do I.

Mr. KENNEDY. This is particularly so when despite the Paris negotiations, we have a war situation in which some 200 young Americans lost their lives last week. I think the Senator's suggestion would be very helpful, and I think it would be of service because it would eliminate the uncertainty to which these young people are subjected.

Mr. JAVITS. I agree with the Senator about deferments and I think his bill, like mine, would end those deferments in case of combat.

I thank the Senator and I congratulate him on the outstanding study he has made and the devotion he has given to this matter. This is a great problem to me, and I know it is to the Senator, because it involves a generation which is so very close to his own generation.

The PRESIDING OFFICER (Mr. ALLEN in the chair). The Senator's 20 minutes have expired.

Mr. KENNEDY. Mr. President, I ask unanimous consent that I may proceed for 7 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is recognized for 7 additional minutes.

Mr. KENNEDY. Thus, Mr. President, I think that a case has been made, time and time again, to show that our present legislation is a patchwork, is outdated, and works unfairness upon our young people.

I believe that Congress, the President, and the Defense Establishment have an obligation to provide legislation which will treat our young people as fairly and as equitably as possible.

As President Kennedy said, "life is unfair in many instances," but I think that our obligation and responsibility are to reduce, to the extent possible by statute, the unfairness and the inequities which exist on our statute books today.

Mr. President, I ask unanimous consent that the bill I am introducing today be printed at this point in the RECORD.

There being no objection, the bill (S. 1145) was ordered to be printed in the RECORD, as follows:

S. 1145

A bill to amend the Military Selective Service Act of 1967 to provide for a fair and random system of selecting persons for induction into military service, to provide for the uniform application of Selective Service policies, to raise the incidence of volunteers in military service, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Selective Service Act of 1969."

TITLE I—PURPOSE AND DEFINITIONS

Sec.
101. Short title
102. Findings and declaration of purpose
103. Definitions
104. Saving provision
105. Effective date

TITLE II—SELECTIVE SERVICE SYSTEM

Sec.
201. Organization
202. Emergency medical care
203. Penalties
204. Nonapplicability of certain laws
205. Selection
206. Authority to order Reserve components to active Federal Service

TITLE III—THE INDIVIDUAL AND THE SELECTIVE SERVICE SYSTEM

Sec.
301. Registration
302. Classification, training, and service
303. Right to counsel; right to appearance
304. Induction
305. Length of service
306. Enlistment
307. Pay and allowances
308. Decrease in period of service
309. Medical and dental officers
310. Exemptions from registration, training, and service
311. Veterans' exemptions
312. Reserve components exemptions
313. Officers' training; officials; ministers of religion
314. Student and apprentice deferments; casualty ratio
315. Conscientious objectors
316. Duration of exemption or deferment
317. Minority discharges
318. Moral standards
319. Sole surviving son
320. Bounties; substitutes; purchases of release
321. Reemployment
322. Right to vote; poll tax
323. Civil relief
324. Notice of title, voluntary enlistments
325. Repeal of conflicting laws; appropriations; termination of induction
326. Aliens

TITLE IV—MISCELLANEOUS

Sec.
401. Military youth opportunity schools
402. Volunteer army study
403. National Service Corps study
404. Amnesty study

Short title

SEC. 101. This Act may be cited as the "Selective Service Act."

Findings and declaration of purpose

SEC. 102. (a) The Congress finds that the maintenance of an adequate armed force is essential to the security of the United States.

(b) The Congress further finds that so long as all eligible persons are not required to serve in the Armed Forces, those who are required to serve should be selected under a system which is fair, just, and adequate to meet the needs of the national defense and at the same time consistent with the enhancement of an effective national economy.

(c) The Congress further finds that the military manpower needs of the Nation should be met to as high a degree as practicable by reliance upon voluntary accessions to military duty.

(d) The Congress further finds that civilian personnel shall be used wherever practical in noncombat positions within the Military Establishment, and that women should be encouraged to serve both in the Armed Forces and in civilian positions in support of such forces.

(e) It is, therefore, the purpose of this Act to establish procedures for the fair and equitable selection of qualified young men to meet the continuing military manpower needs of the Nation.

Definitions

SEC. 103. When used in this title—

(a) The term "between the ages of eighteen and twenty-six" shall refer to men who have attained the eighteenth anniversary of the day of their birth and who have not attained the twenty-sixth anniversary of the day of their birth; and other terms designating different age groups shall be construed in a similar manner.

(b) The term "United States," when used in a geographical sense, means the several States, the District of Columbia, Puerto Rico, the Virgin Islands, and Guam.

(c) The term "Armed Forces" includes the Army, the Navy, the Marine Corps, the Air Force, and the Coast Guard.

(d) The term "district court of the United States" includes the courts of the United States for the territories and possessions of the United States.

(e) The term "Director" means the Director of the Selective Service System.

(f) (1) The term "duly ordained minister of religion" means a person who has been ordained, in accordance with the ceremonial ritual, or discipline of a church, religious sect, or organization established on the basis of a community of faith and belief, doctrines and practices of a religious character, to preach and to teach the doctrines of such church, sect, or organization and to administer the rites and and ceremonies thereof in public worship, and who as his regular and customary vocation preaches and teaches the principles of religion and administers the ordinances of public worship as embodied in the creed or principles of such church, sect, or organization.

(2) The term "regular minister of religion" means one who as his customary vocation preaches and teaches the principles of religion of a church, a religious sect, or organization of which he is a member, without having been formally ordained as a minister of religion, and who is recognized by such church, sect, or organization as a regular minister.

(3) The term "regular or duly-ordained minister of religion" does not include a person who irregularly or incidentally preaches and teaches the principles of religion of a church, religious sect, or organization and does not include any person who may have been duly ordained a minister in accordance with the ceremonial, rite, or discipline of a church, religious sect, or organization, but who does not regularly, as a vocation, teach and preach the principles of religion and administer the ordinances of public worship, as embodied in the creed of principles of his church, sect, or organization.

(g) The term "organized unit", when used with respect to a reserve component, means a unit in which the members thereof are required satisfactorily to participate in scheduled drills and training periods as prescribed by the Secretary of Defense.

(h) The term "Reserve component of the Armed Forces" includes, unless the context otherwise requires, the federally recognized National Guard of the United States, the federally recognized Air National Guard of the United States, the Officers' Reserve Corps, the Regular Army Reserve, the Air Force Reserve, the Enlisted Reserve Corps, the Naval Reserve, the Marine Corps Reserve, and the Coast Guard Reserve, and shall include, in addition to the foregoing, the Public Health Service Reserve when serving with the Armed Forces.

Saving provision

Sec. 104. Nothing in this title shall be deemed to amend any provision of the National Security Act of 1947 (61 Stat. 495).

Effective date

Sec. 105. This title shall become effective immediately; except that unless the President, or the Congress by concurrent resolution, declares a national emergency after the date of enactment of this Act, no person shall be inducted or ordered into active service without his consent under this title within ninety days after the date of its enactment.

TITLE II—SELECTIVE SERVICE SYSTEM

Organization

Sec. 201. (a)(1) There is hereby established in the executive branch of the Government an agency to be known as the Selective Service System, and a Director of Selective Service who shall be the head thereof.

(2) The Selective Service System shall be composed of (A) the National Selective Service System Office, to be located in Washington, D.C.; (B) eight regional headquarters distributed throughout the United States; (C) such area offices, appeal boards, and other agencies as are hereafter provided.

(3) The Director shall be appointed by the President for a term of six years, with the advice and consent of the Senate.

(4) The Selective Service System shall, to the maximum extent practicable, utilize automatic data processing equipment in carrying out the provisions of this title.

(5) The functions of the Office of Selective Service Records (established by the Act of March 31, 1947) and of the Director of the Office of Selective Service Records are hereby transferred to the Selective Service System and the Director of Selective Service, respectively. The personnel, property, records, and unexpected balances (available or to be made available) of appropriations, allocations, and other funds of the Office of Selective Service Records are hereby transferred to the Selective Service System. The Office of Selective Service Records shall cease to exist upon the taking of effect of the provisions of this title: *Provided*, That, effective upon the termination of this title and notwithstanding such termination in other respects, (A) the said Office of Selective Service Records is hereby reestablished on the same basis and with the same functions as obtained prior to the effective date of this title, (B) said reestablished Office shall be responsible for liquidating any other outstanding affairs of the Selective Service System, and (C) the personnel, property, records, and unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the Selective Service System shall be transferred to such reestablished Office of Selective Service Records.

(b) The President is authorized—

(1) to prescribe the necessary rules and regulations to carry out the provisions of this title;

(2) to appoint a Regional Director for the Selective Service System for each regional headquarters, who shall be in immediate charge of the regional headquarters; to employ such number of civilians, and upon declaration by the President of a state of national emergency to order to active duty with their consent and to assign to the Selective Service System such officials of the selective service section of the various State headquarters and headquarters detachments and such other officials of the federally recognized National Guard of the United States and other Armed Forces personnel (including personnel of the Reserve components thereof), as may be necessary for the administration of the national and of the several regional headquarters and area offices of the Selective Service System;

(3) to create and establish one or more area offices in each State with an area of jurisdiction to be established by the Director of the Selective Service on a population basis. Each area office shall consist of a civilian area director, assisted by appropriate civilian staff. Each area director shall have the power within the respective jurisdiction of such an area office to hear and determine, in strict conformity with the rules and regulations prescribed by the President, and subject to a right of appeal to the local board and from the local board to the appeal boards herein authorized, all questions or claims with respect to inclusion for, or exemption or deferment from training and service under this title, of all individuals within the jurisdiction of such area offices, together with such other duties as may be assigned under this title; and

(4) to create and establish within the Selective Service System civilian local boards as well as such other civilian agencies of appeal, as may be necessary to carry out its functions. Each local board shall function in conjunction with an area office as provided in section 24(b)(3) of this title and shall consist of three or more members. The local board shall, under rules and regulations prescribed by the President, and under appropriate precedents have the power within the jurisdiction of such area office to hear and determine appeals from the decisions of an area director subject to the right of further appeal to the appeal boards herein authorized and all other questions relating to inclusion for, or exemption or deferment from, training and service arising under this title. There shall be not less than one appeal board, together with such additional separate panels thereof as may be prescribed by the President, located within the area of each regional headquarters of the Selective Service System. Appeal boards within the Selective Service System shall be composed of civilians who are are citizens of the United States and who are not members of the Armed Forces. The decision of such appeal boards shall be final in cases before them on appeal unless modified or changed by the President.

(c) No citizen shall be denied membership in any component of the Selective Service System established pursuant to this section on account of race, color, creed, or sex. Composition of the membership on local and appeal boards shall represent, as far as practicable, all elements of the public which the board serves. No citizen shall serve on any such component for more than twenty-five years, or after he has attained the age of sixty-five years.

(d) No person who is a civilian officer, member, agent, or employee of the Office of Selective Service Records, or the Selective Service System, or of any local board or appeal board or other agency of such Office or System, shall be excepted from registration or deferred or exempted from training and service, as provided for in this title, by reason of his status as such civilian officer, member, agent, or employee.

(e) The President is authorized—

(1) to appoint pursuant to the provisions of title 5, United States Code, and to classify and pay pursuant to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, such officers, agents, and employees as he may deem necessary to carry out the provisions of this title: *Provided*, That their compensation may be fixed without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title: *Provided further*, That any officer on the active or retired list of the Armed Forces, or any reserve component thereof with his consent, or any officer or employee of any department or agency of the United States who may be assigned or detailed to any office or position to carry out the provisions of this title may serve in and perform the functions of such office or position without loss of or prejudice to his status as such officer in the Armed Forces or reserve component thereof, or as such officer or employee in any department or agency of the United States;

(2) to utilize the services of any or all departments and any and all officers or agents of the United States, and to accept the services of all officers and agents of the several States, territories, and possessions, and subdivisions thereof, and the District of Columbia, and of private welfare organizations, in the execution of this title;

(3) to purchase such printing binding, and blankbook work from public, commercial, or private printing establishments or binderies upon orders placed by the Public Printer or upon waivers issued in accordance with section 12 of the Printing Act approved January 12, 1895, as amended, and to obtain by purchase, loan, or gift such equipment and supplies for the Selective Service System, as he may deem necessary to carry out the provisions of this title, with or without advertising or formal contract;

(4) to prescribe eligibility, rules, and regulations governing the parole for service in the Armed Forces, or for any other special service established pursuant to this title, or any person convicted of a violation of any of the provisions of this title;

(5) subject to the availability of funds appropriated for such purpose, to procure such space as he may deem necessary to carry out the provisions of this title and Public Law 26, Eightieth Congress, approved March 31, 1947, by lease pursuant to existing statutes, except that the provisions of the Act of June 30, 1932 (47 Stat. 412), as amended by section 15 of the Act of March 3, 1933 (47 Stat. 1517; 40 U.S.C. 278a), shall not apply to any lease entered into under the authority of this title;

(6) subject to the availability of funds appropriated for such purposes, to determine the location of such additional temporary installations as he may deem essential; to utilize and enlarge such existing installations; to construct, install, and equip, and to complete the construction, installation, and equipment of such buildings, structures, utilities, and appurtenances (including the necessary grading and removal, repair or remodeling of existing structures and installations), as may be necessary to carry out the provisions of this title; and, in order to accomplish the purpose of this title, to acquire lands, and rights pertaining thereto, or other interests therein, for temporary use thereof, by donation or lease, and to prosecute construction thereon prior to the approval of the title by the Attorney General as required by section 355, Revised Statutes, as amended;

(7) subject to the availability of funds appropriated for such purposes, to utilize, in order to provide and furnish such services as may be deemed necessary or expedient to accomplish the purposes of this title, such personnel of the Armed Forces and of Reserve components thereof with their consent, and such civilian personnel, as may be necessary. For the purposes of this title, the provisions of section 14 of the Federal Employees' Pay Act of 1946 (Public Law 390, Seventy-ninth Congress) with respect to the maximum lim-

itations as to the number of civilian employees shall not be applicable to the Department of the Army, the Department of the Navy, or the Department of the Air Force.

(8) to delegate any authority vested in him under this title, and to provide for the subdelegation of any such authority.

(f) In the administration of this title, gifts of supplies, equipment, and voluntary services may be accepted.

(g) The Chief of Finance, United States Army, is authorized to act as the fiscal, disbursing, and accounting agent of the Director in carrying out the provisions of this title.

(h) The Director is authorized to make final settlement of individual claims, for amounts not exceeding $50, for travel and other expenses of uncompensated personnel of the Office of Selective Service Records, or the Selective Service System, incurred while in the performance of official duties, without regard to other provisions of law governing the travel of civilian employees of the Federal Government.

(i) The Director of Selective Service shall submit to the Congress semiannually a written report covering the operation of the Selective Service System and such report shall include, by States, information as to the number of persons registered under this Act; the number of persons inducted into the military service under this Act; the number of deferments granted under this Act and the basis for such deferments; and such other specific kinds of information as the Congress may from time to time request.

Emergency medical care

SEC. 202. Under such rules and regulations as may be prescribed by the President, funds available to carry out the provisions of this title shall also be available for the payment of actual and reasonable expenses of emergency medical care, including hospitalization, of registrants who suffer illness or injury, and the transportation, and burial, of the remains of registrants who suffer death, while acting under orders issued under the provisions of this title, but such burial expenses shall not exceed an amount to be determined by the President.

Penalties

SEC. 203. (a) Any member of the Selective Service System or any other person charged as herein provided with the duty of carrying out any of the provisions of this title, or the rules or regulations made or directions given thereunder, who shall knowingly fail or neglect to perform such duty, and any person charged with such duty, or having and exercising any authority under said title, rules, regulations, or directions who shall knowingly make, or be a party to the making, of any false, improper, or incorrect registration, classification, physical or mental examination, deferment, induction, enrollment, or muster, and any person who shall knowingly make, or be a party to the making of, any false statement or certificate regarding or bearing upon a classification or in support of any request for a particular classification, for service under the provisions of this title, or rules, regulations, or directions made pursuant thereto, or who otherwise evades or refuses registration or service in the Armed Forces or any of the requirements of this title, or who knowingly counsels, aids, or abets another to refuse or evade registration or service in the Armed Forces or any of the requirements of this title, or of said rules, regulations, or directions, or who in any manner shall knowingly fail or neglect or refuse to perform any duty required of him under or in the execution of this title, or rules, regulations, or directions made pursuant to this title, or any person or persons who shall knowingly hinder or interfere or attempt to do so in any way, by force or violence or otherwise, with the administration of this title or the rules or regulations made pursuant thereto, or who conspires to commit any one or more of such offenses, shall, upon conviction in any district court of the United States of competent jurisdiction, be punished by imprisonment for not more than five years or a fine of not more than $10,000, or by both such fine and imprisonment, or if subject to military or naval law may be tried by court martial, and, on conviction, shall suffer such punishment as a court martial may direct. No person shall be tried by court martial in any case arising under this title unless such person has been actually inducted for the training and service prescribed under this title or unless he is subject to trial by court martial under laws in force prior to the enactment of this title. Precedence shall be given by courts to the trial of cases arising under this title, and such cases shall, upon request of the Attorney General, be advanced on the docket for hearing at the earliest practicable date.

(b) Any person (1) who knowingly transfers or delivers to another, for the purpose of aiding or abetting the making of any false identification or representation, any registration certificate, alien's certificate of nonresidence, or any other certificate issued pursuant to or prescribed by the provisions of this title, or rules or regulations promulgated hereunder; or (2) who, with intent that it be used for any purpose of false identification or representation, has in his possession any such certificate not duly issued to him; or (3) who forges, alters, knowingly destroys, knowingly mutilates, or in any manner changes any such certificate or any notation duly and validly inscribed thereon; or (4) who, with intent that it be used for any purpose of false identification or representation, photographs, prints, or in any manner makes or executes any engraving, photograph, print, or impression in the likeness of any such certificate, or any colorable imitation thereof; or (5) who has in his possession any certificate purporting to be a certificate issued pursuant to this title, or rules and regulations promulgated hereunder, which he knows to be falsely made, reproduced, forged, counterfeited, or altered; or (6) who knowingly violates or evades any of the provisions of this title or rules and regulations promulgated pursuant thereto relating to the issuance, transfer, or possession of such certificate, shall, upon conviction, be fined not to exceed $10,000 or be imprisoned for not more than five years, or both. Whenever on trial for a violation of this subsection the defendant is shown to have or to have had possession of any certificate not duly issued to him, such possession shall be deemed sufficient evidence to establish an intent to use such certificate for purposes of false identification or representation, unless the defendant explains such possession to the satisfaction of the jury.

Nonapplicability of certain laws

SEC. 204. (a) Nothing in section 203, 205, or 207 of title 18 of the United States Code, or in the second sentence of subsection (a) of section 9 of the Act of August 2, 1939 (53 Stat. 1148), entitled "An Act to prevent pernicious political activities", as amended, shall be deemed to apply to any person because of his appointment under authority of this title or the regulations made pursuant thereto as an uncompensated official of the Selective Service System, or as an individual to conduct hearings on appeals of persons claiming exemption from combatant or noncombatant training because of conscientious objections, or as a member of the National Selective Service Appeal Board.

(b) All functions performed under this title shall be excluded from the operation of the Administrative Procedure Act (60 Stat. 237) except as to the requirements of section 3 of such Act.

(c) In computing the lump-sum payments made to Air Force Reserve officers under the provisions of section 2 of the Act of June 16, 1936, as amended (U.S.C., title 10, sec. 300a), and to Reserve officers of the Navy or to their beneficiaries under section 12 of the Act of August 4, 1942, as amended (U.S.C., title 34, sec. 850k), no credit shall be allowed for any period of active service performed from the effective date of this title to the date on which this title shall cease to be effective. Each such lump-sum payment shall be prorated for a fractional part of a year of active service in the case of any Reserve officer subject to the provisions of either such section, if such Reserve officer performs continuous active service for one or more years (inclusive of such service performed during the period in which this title is effective) and such active service includes a fractional part of a year immediately prior to the effective date of this title, or immediately following the date on which this title shall cease to be effective, or both.

Selection

SEC. 205. (a) The selection of persons for training and service shall be made in a fair and impartial manner from the persons who are liable for such training and service and who at the time of selection are registered and classified, but not deferred or exempted.

(b) The order of induction of registrants found qualified for induction shall be determined as follows:

(1) Selection of persons for induction to meet the military manpower needs shall be made from persons in the prime selection group, after the selection of delinquents and volunteers.

(2) The term "prime selection group" means persons who are liable for training and service under this title, and who at the time of selection are registered and classified and are—

(A) Nineteen years of age and not deferred or exempted;

(B) between nineteen and thirty-five years of age and, on or after the effective date of the Selective Service Act of 1969, were in a deferred status but are no longer in such status; or

(C) between twenty and twenty-six years of age on the effective date of the Selective Service Act of 1969 and are not deferred or exempted.

(3) A person shall remain in the prime selection group for a period of twelve months unless inducted into the Armed Forces during such period. Any person in a deferred status upon reaching the age of nineteen shall, upon the termination of such deferred status, and if qualified, be liable for twelve months for induction as a registrant within the prime selection group irrespective of his actual age, unless he is otherwise deferred. Any person removed from the prime selection group because of a deferment shall again be placed in the prime selection group, if he otherwise qualifies, whenever such deferment is terminated. But no person shall remain in the prime selection group for any period or periods totalling more than twelve months.

(4) On the effective date of the Selective Service Act of 1969, any person who comes within the provisions of clause (B) or (C) of paragraph (3) of this subsection shall be placed in the prime selection group as follows:

(A) A person who has attained the twenty-fourth anniversary of the date of his birth prior to such effective date shall be placed in the prime selection group during the first twelve-month period following such effective date.

(B) A person between twenty-two and twenty-four years of age on such effective date shall be placed in the prime selection group during the second twelve-month period following such effective date.

(C) A person between twenty and twenty-two years of age on such effective date shall be placed in the prime selection group during the third twelve-month period following such effective date.

(5) The order of call for induction from among those persons in the prime selection group shall be determined as follows:

Under such rules and regulations as the President shall prescribe—

(A) The Selective Service System shall from time to time publish, for each month in the year, a list of numbers randomly arranged, corresponding to the number of days in such month.

(B) Those persons first called from the prime selection group for the particular month will be those whose day of birth is the same as the first number on the list; those next called will be those whose day of birth is the second number on the list; and this procedure shall be followed until the particular month's quota is met.

(C) The Selective Service System shall also from time to time publish a list of the letters of the alphabet randomly arranged. In the event that the procedure described in clause (B) just above does not serve to distinguish clearly an order of call as between two or more persons, then reference shall be made to the list of letters and the first letter of the last names of such persons to determine such an order of call.

(D) The determination of order of call may be made upon a national, regional, local or other basis, as the President shall determine.

(c) Nothing herein shall be construed to prohibit the President, under such rules and regulations as he may prescribe, from establishing a separate and distinct selection system for persons found by him to have special skills essential to the national defense.

(d) There shall be no discrimination against any person on account of race, color, or creed in the selection of persons for training and service under this title or in the interpretation and execution of any provision of this title.

(e) No order for induction shall be issued under this title to any person who has not attained the age of nineteen years unless the President finds that such action is in the national interest.

(f) Notwithstanding any other provision of law, except section 314 of the Immigration and Nationality Act (8 U.S.C. 1425), no person who is qualified in a needed medical, dental, or allied specialist category, and who is liable for induction under section 4 of this title, shall be held to be ineligible for appointment as a commissioned officer of an armed force of the United States on the sole ground that he is not a citizen of the United States or has not made a declaration of intent to become a citizen thereof, and any such person who is not a citizen of the United States and who is appointed as a commissioned officer may, in lieu of the oath prescribed by section 1331 of title 5, United States Code, take such oath of service and obedience as the Secretary of Defense may prescribe.

(g) For the purposes of regulations issued under this Act, a delinquent is a person who is required to be registered under this Act and who fails to perform or who violates any duty, with respect to his own status, required of him under the provisions of this Act and the regulations issued thereunder.

Authority to order Reserve components to active Federal service

SEC. 206. Until July 1, 1953, and subject to the limitations imposed by section 2 of the Selective Service Act of 1948, as amended, the President shall be authorized to order into the active military or naval service of the United States for a period of not to exceed twenty-four consecutive months, with or without their consent, any or all members and units of any or all Reserve components of the Armed Forces of the United States and retired personnel of the Regular Armed Forces. Unless he is sooner released under regulations prescribed by the Secretary of the military department concerned, any member of the Inactive or Volunteer Reserve who served on active duty for a period of twelve months or more in any branch of the Armed Forces between the period December 7, 1941, and September 2, 1945, inclusive, who is now or may hereafter be ordered to active duty pursuant to this section, shall upon completion of seventeen or more months of active duty since June 25, 1950, if he makes application therefor to the Secretary of the branch of service in which he is serving, be released from active duty and shall not thereafter be ordered to active duty for periods in excess of thirty days without his consent except in time of war or national emergency hereafter declared by the Congress: *Provided*, That the foregoing shall not apply to any member of the Inactive or Volunteer Reserve ordered to active duty whose rating or specialty is found by the Secretary of the military department concerned to be critical and whose release to inactive duty prior to the period for which he was ordered to active duty would impair the efficiency of the military department concerned.

The President may retain the unit organizations and the equipment thereof, exclusive of the individual members thereof, in the active Federal service for a total period of five consecutive years, and upon being relieved by the appropriate Secretary from active Federal service, National Guard, or Air National Guard units, shall, insofar as practicable, be returned to their National Guard or Air National Guard status in their respective States, territories, the District of Columbia, and Puerto Rico, with pertinent records, colors, histories, trophies, and other historical impedimenta.

TITLE III—THE INDIVIDUAL AND THE SELECTIVE SERVICE SYSTEM

Registration

SEC. 301. (a) It shall be the duty of every male citizen of the United States, and of every male alien in the United States in the status of an alien admitted for permanent residence, upon attaining the eighteenth anniversary of his date of birth to register with the Selective Service System in accordance with such rules and regulations as may be prescribed by the President. Any male alien in the United States in the status of an alien admitted for permanent residence who has not heretofore registered with the Selective Service System shall be required to do so within six months after the date of enactment of the Selective Service Act of 1969.

(b) It shall be the duty of every registrant to keep the Selective Service System informed as to his current address and changes in status according to the terms of such rules and regulations as the President may prescribe.

Classification, training, and service

SEC. 302. (a) Except as otherwise provided in this title, every person registered under the provisions of section 3 of this title who is between the ages of eighteen years and six months and twenty-six years shall be liable for training and service in the Armed Forces of the United States.

(b) Each registrant shall be liable immediately for classification and examination, and shall, as soon as practicable following his registration, be examined physically and mentally in order to determine his suitability for induction for training and service in the Armed Forces. Each registrant shall be classified on the basis of such examination to indicate his availability for induction for training and service in the Armed Forces.

(c) Notwithstanding any other provision of law, any registrant who has failed or refused to report for a physical and mental examination in order to determine his suitability for induction for training and service in the Armed Forces, shall continue to remain liable for such examination and induction until relieved of this liability under such conditions as the President shall prescribe.

(d) Any lien admitted for permanent residence shall not be liable for training and service until he has resided in the United States for a total period of one year: *Provided*, That any alien relieved from liability for training and service under an existing treaty shall be permanently ineligible to become a citizen of the United States: *Provided further*, That any alien shall be relieved from liability for training and service under this title if, prior to his induction, his status is adjusted to that of a nonimmigrant, but any alien who obtains such an adjustment pursuant to section 247(c) of the Immigration and Nationality Act, as amended, shall be permanently ineligible to become a citizen of the United States: *And provided further*, That any alien who has been in the United States as a nonimmigrant and whose status is adjusted to that of a permanent resident, or who is readmitted to the United States as a permanent resident within one year of his departure shall have his liability for training and service extended as if he had been deferred and his liability had been extended under the provisions of this title.

(e) Nothing in this section shall be construed as superseding the provisions of any existing treaties of the United States.

Right to counsel; right of appearance

SEC. 303. Each registrant shall be afforded the opportunity to appear in person before the area office, regional office, local board, or any other agency of the Selective Service System to present testimony or other evidence regarding his status. Each registrant shall further have the right to be represented before such office, board or other agency by private counsel. If any registrant is financially unable to provide his own counsel, upon his request such counsel shall be made available without charge, under such rules and regulations as the President may prescribe.

Induction

SEC. 304. (a) The President is authorized to select and induct for training and service in the Armed Forces such number of persons as may be required to provide and maintain the strength of the Armed Forces. This authority shall obtain whether or not a state of war exists, and shall be exercised in the manner provided in this title.

(b) Persons inducted into the Armed Forces for training and service under this title shall be assigned to stations or units of such forces. Persons inducted into the land forces of the United States pursuant to this title shall be deemed to be members of the Army of the United States; persons inducted into the naval forces of the United States pursuant to this title shall be deemed to be members of the United States Navy or the United States Marine Corps or the United States Coast Guard, as appropriate; and persons inducted into the air forces of the United States pursuant to this title shall be deemed to be members of the Air Force of the United States.

(c) Every person inducted into the Armed Forces pursuant to the authority of this section shall, following his induction, be given full and adequate military training for a period of not less than four months, and no such person shall, during this four months period, be assigned for duty at any installation located on land outside the United States, its territories and possessions (including the Canal Zone).

(d) No person in the medical, dental, and allied specialist categories shall be inducted under the provisions of this section if he applies or has applied for an appointment as a Reserve officer in one of the Armed Forces in any of such categories and is or has been rejected for such appointment on the sole ground of a physical disqualification.

(e) No person, without his consent, shall be inducted for training and service in the Armed Forces, except as otherwise provided in this title, after he has attained the twenty-sixth anniversary of the day of his birth.

(f) No person shall be inducted into the Armed Forces for training and service under this title until his acceptability in all respects, including his physical and mental fitness, has been satisfactorily determined under standards prescribed by the Secretary of Defense. The physical and mental standards which a person must meet in order to qualify for induction shall be no lower than those prescribed for persons who voluntarily enlist for service in the Army of the United States.

(g) No person shall be inducted for such training and service until adequate provision shall have been made for such shelter, sanitary facilities, water supplies, heating and lighting arrangements, medical care, and hospital accommodations for such persons as may be determined by the Secretary of Defense (or the Secretary of Transportation with respect to the United States Coast Guard) to be essential to public and personal health.

(h) Notwithstanding any other provision of law, any registrant who has failed or refused to report for induction shall continue to remain liable for induction until relieved of this liability under such conditions as the President shall prescribe.

Length of service

SEC. 305. (a) Each person inducted into the Armed Forces under the provisions of this title shall serve on active training and service for a period of twenty-four consecutive months, unless sooner released, transferred, or discharged in accordance with procedures prescribed by the Secretary of Defense (or the Secretary of Transportation with respect to the United States Coast Guard) or as otherwise prescribed by this title. The Secretaries of the Army, Navy, and Air Force, with the approval of the Secretary of Defense (and the Secretary of Transportation with respect to the United States Coast Guard), may provide, by regulations which shall be as nearly uniform as practicable, for the release from training and service in the Armed Forces prior to serving the periods required by this section of individuals who have volunteered for and are accepted into organized units of the Army National Guard, the Air National Guard, and other reserve components of the Armed Forces.

(b) Each person who hereafter and prior to the enactment of the 1951 Amendments to the Universal Military Training and Service Act is inducted, enlisted, or appointed and serves for a period of less than three years in one of the Armed Forces and meets the qualifications for enlistment or appointment in a reserve component of the armed force in which he serves, shall be transferred to a reserve component of such armed force, and until the expiration of a period of five years after such transfer, or until he is discharged from such reserve component, whichever occurs first, shall be deemed to be a member of such reserve component and shall be subject to such additional training and service as may now or hereafter be prescribed by law for such reserve component: *Provided*, That any such person who completes at least twenty-one months of service in the Armed Forces and who thereafter serves satisfactorily (1) on active duty in the Armed Forces under a voluntary extension for a period of at least one year, which extension is hereby authorized, or (2) in an organized unit of any reserve component of any of the Armed Forces for a period of at least thirty-six consecutive months, shall, except in time of war or national emergency declared by the Congress, be relieved from any further liability under this subsection to serve in any reserve component of the Armed Forces of the United States, but nothing in this subsection shall be construed to prevent any such person, while in a reserve component of such forces, from being ordered or called to active duty in such forces.

Enlistment

SEC. 306. (a) Any person between the ages of eighteen years and six months and twenty-six years shall be offered an opportunity to enlist in the Regular Army for a period of service equal to that prescribed in this title: *Provided*, That, notwithstanding the provisions of this or any other Act, any person so enlisting shall not have his enlistment extended without his consent until after a declaration of war or national emergency by the Congress after the date of enactment of the Selective Service Act of 1969.

(b) Any enlisted member of any reserve component of the Armed Forces may, during the effective period of this title, apply for a period of service equal to that prescribed in section 6 of this title, and his application shall be accepted if his services can be effectively utilized and his physical and mental fitness for such service meet the standards prescribed by the head of the department concerned. Active service performed pursuant to this section shall not prejudice the status of any such as a member of a reserve component. Any person who was a member of a reserve component on June 25, 1950, and who thereafter continued to serve satisfactorily in such reserve component, shall, if his application for active duty made pursuant to this paragraph is denied, be deferred from induction under this title until such time as he is ordered to active duty or ceases to serve satisfactorily in such reserve component.

(c) Any persons between the ages of eighteen years and six months and twenty-six years shall be afforded an opportunity to volunteer for induction into the Armed Forces of the United States for the training and service prescribed in section 5, but any person who so volunteers shall be inducted for such training and service, so long as he is deferred after classification, only as prescribed by the President.

(d) Any person after attaining the age of seventeen shall, with the written consent of his parents or guardian, be afforded an opportunity to volunteer for induction into the Armed Forces of the United States for the training and service prescribed in section 5.

Pay and allowances

SEC. 307. (a) With respect to the persons inducted for training and service under this title, there shall be paid, allowed, and extended the same pay, allowances, pensions, disability and death compensation, and other benefits as are provided by law in the case of other enlisted men of like grades and length of service of that component of the Armed Forces to which they are assigned. Section 3 of the Act of July 25, 1947 (Public Law 239, Eightieth Congress), is hereby amended by deleting therefrom the following: "Act of March 7, 1942 (56 Stat. 143–148, ch. 166), as amended". The Act of March 7, 1942 (56 Stat. 143–148), as amended, as hereby made applicable to persons inducted into the Armed Forces pursuant to this title.

(b) Notwithstanding any other provision of law, any person who is inducted into the Armed Forces under this Act and who before being inducted, was receiving compensation from any person may, while serving under that induction, receive compensation from that person.

Decrease in period of service

SEC. 308. (a) Upon a finding by him that such action is justified by the strength of the Armed Forces in the light of national and international conditions, the President, upon recommendation of the Secretary of Defense, is authorized by Executive order, which shall be uniform in its application to all persons inducted under this title but which may vary as to age groups, to provide for (1) decreasing periods of service under this title but in no case to a lesser period of time than can be economically utilized, or (2) eliminating periods of service required under this title.

Medical and dental officers

SEC. 309. (a) The President may order to active duty (other than for training), as defined in section 101(22) of title 10, United States Code, for a period of not more than twenty-four consecutive months, with or without his consent, any member of a reserve component of the Armed Forces of the United States who is in a medical, dental, or allied specialist category, who has not attained the thirty-fifth anniversary of the date of his birth, and has not performed at least one year of active duty (other than for training). This subsection does not affect or limit the authority to order members of the reserve components to active duty contained in setcion 672 of title 10 United States Code.

(b) For the purposes of computation of the periods of active duty (other than for training) referred to in subsection (1), credit shall be given to all periods of one day or more performed under competent orders, except that no credit shall be allowed for periods spent in student programs prior to receipt of the appropriate professional degree or in intern training.

(c) Any person who is called or ordered to active duty (other than for training) from a reserve component of the Armed Forces of the United States after September 5, 1950, and thereafter serves on active duty (other than for training), as a medical, dental, or allied specialist for a period of twelve months or more shall, upon release from active duty or within six months thereafter, be afforded an opportunity to resign his commission from the reserve component of which he is a member unless he is otherwise obligated to serve on active military training and service in the Armed Forces or in training in a reserve component by law or contract.

(d) Any physician or dentist who meets the qualifications for a Reserve commission in the respective military department shall, so long as there is a need for the services of such a physician or dentist, be afforded an opportunity to volunteer for a period of active duty (other than for training) of not less than twenty-four months. Any physician or dentist who so volunteers his service, and meets the qualifications for a Reserve commission shall be ordered to active duty (other than for training) for not less than twenty-four months, notwithstanding the grade or rank to which such physician or dentist is entitled.

(e) Notwithstanding any other provision of law, any qualified person who—

(1) is liable for induction; or

(2) as a member of a reserve component is ordered to active duty,

as a physician, or dentist, or in an allied specialist category in the Armed Forces of the United States, shall, under regulations prescribed by the President, be appointed, reappointed, or promoted to such grade or rank as may be commensurate with his professional education, experience, or ability: *Provided*, That any person in a needed medical, dental, or allied specialist category who fails to qualify for, or who does not accept, a commission, or whose commission has been terminated, may be used in his professional capacity in an enlisted grade.

Exemptions from registration, training, and service

SEC. 310. (a) Foreign diplomatic representatives, technical attachés of foreign embassies and legations, consuls general, consuls, vice consuls, and other consular agents of foreign countries who are not citizens of the United States, and members of their families, shall not be required to be registered under section 3 and shall be relieved from liability for training and service under section 4.

(b) Any person who subsequent to June 24, 1948, serves on active duty for a period of not less than twelve months in the armed forces of a nation with which the United States is associated in mutual defense activities as defined by the President, may be exempted from training and service, but not from registration, in accordance with regulations prescribed by the President, except that no such exemption shall be granted to any person who is a national of a country which does not grant reciprocal privileges to citizens of the United States: *Provided*, That any active duty performed prior to June 24, 1948, by a person in the armed forces of a country allied with the United States during World War II and with which the United States is associated in such mutual defense activities, shall be credited in the computation of such twelve-month period: *Provided further*, That any person who is in a medical, dental, or allied specialist category not otherwise deferred or exempted under this subsection shall be liable for registration and training and service until the thirty-fifth anniversary of the date of his birth.

(c) Commissioned officers of the Public Health Service and members of the reserve of the Public Health Service while on active duty and assigned to staff the various offices and bureaus of the Public Health Service including the National Institutes of Health, or assigned to any endeavor which the President determines is necessary to the maintenance of the national health, safety, or interest shall be exempted from training and service, but not from registration.

Veterans' exemptions

SEC. 311. (a) No person who served honorably on active duty between September 16, 1940, and the date of enactment of this title for a period of twelve months or more, or between December 7, 1941, and September 2, 1945, for a period in excess of ninety days, in the Army, the Air Force, the Navy, the Marine Corps, the Coast Guard, the Public Health Service, or the armed forces of any country allied with the United States in World War II prior to September 2, 1945, shall be liable for induction for training and service under this title, except after a declaration of war or national emergency made by the Congress subsequent to the date of enactment of this title.

(b) No person who served honorably on active duty between September 16, 1940, and the date of enactment of this title for a period of ninety days or more but less than twelve months in the Army, the Air Force, the Navy, the Marine Corps, the Coast Guard, the Public Health Service, or the armed forces of any country allied with the United States in World War II prior to September 2, 1945, shall be liable for induction for training and service under this title, except after a declaration of war or national emergency made by the Congress subsequent to the date of enactment of this title, if—

(1) the local board determines that he is regularly enlisted or commissioned in any organized unit of a reserve component of the armed force in which he served, provided such unit is reasonably accessible to such person without unduly interrupting his normal pursuits and activities (including attendance at a college or university in which he is regularly enrolled), or in a reserve component (other than in an organized unit) of such armed force in any case in which enlistment or commission in an organized unit of a reserve component of such armed force is not available to him; or

(2) the local board determines that enlistment or commission in a reserve component of such armed force is not available to him or that he has voluntarily enlisted or accepted appointment in an organized unit of a reserve component of an armed force other than the armed force in which he served.

Nothing in this paragraph shall be deemed to be applicable to any person to whom subsection (a) of this section is applicable.

(c) Notwithstanding any other provision of this Act, no person who (1) has served honorably on active duty after September 16, 1940, for a period of not less than one year in the Army, the Air Force, the Navy, the Marine Corps, or the Coast Guard, or (2) subsequent to September 16, 1940, was discharged for the convenience of the Government after having served honorably on active duty for a period of not less than six months in the Army, the Air Force, the Navy, the Marine Corps, or the Coast Guard, or (3) has served for a period of not less than twenty-four months (A) as a commissioned officer in the Public Health Service or (B) as a commissioned officer in the Environmental Science Services Administration (previously the Coast and Geodetic Survey), shall be liable for induction for training and service under this Act, except after a declaration of war, or national emergency made by the Congress subsequent to the date of enactment of this Act.

(d) No person who is honorably discharged upon the completion of an enlistment pursuant to section 7 shall be liable for induction for training and service under this title, except after a declaration of war or national emergency made by the Congress subsequent to the date of enactment of this Act.

(e) For the purposes of computation of the periods of active duty referred to in paragraphs (a), (b), or (c) of this subsection, no credit shall be allowed for—

(1) periods of active duty training performed as a member of a reserve component pursuant to an order or call to active duty solely for training purposes;

(2) periods of active duty in which the service consisted solely of training under the Army specialized training program, the Army Air Force college training program, or any similar program under the jurisdiction of the Navy, Marine Corps, or Coast Guard;

(3) periods of active duty as a cadet at the United States Military Academy or United States Coast Guard Academy, or as a midshipman at the United States Naval Academy, or in a preparatory school after nomination as a principal, alternate, or candidate for admission to any of such academies;

(4) periods of active duty in any of the Armed Forces while being processed for entry into or separation from any educational program or institution referred to in paragraphs (2) or (3); or

(5) periods of active duty performed by medical, dental, or allied specialists in student programs prior to receipt of the appropriate professional degree or in intern training.

Reserve component's exemptions

SEC. 312. (a) Persons who, on February 1, 1951, were members of organized units of the federally recognized National Guard, the federally recognized Air National Guard, the Officers' Reserve Corps, the Regular Army Reserve, the Air Force Reserve, the Enlisted Reserve Corps, the Naval Reserve, the Marine Corps Reserve, the Coast Guard Reserve, or the Public Health Service Reserve, shall, so long as they continue to be such members and satisfactorily participate in scheduled drills and training periods as prescribed by the Secretary of Defense, be exempt from training and service by induction under the provisions of this title, but shall not be exempt from registration.

(b) (1) Any person, other than a person referred to in subsection (d) of this section, who—

(A) prior to the issuance of orders for him to report for induction; or

(B) prior to the date scheduled for his induction and pursuant to a proclamation by the Governor of a State to the effect that the authorized strength of any organized unit of the National Guard of that State cannot be maintained by the enlistment or appointment of persons who have not been issued orders to report for induction under this title; or

(C) prior to the date scheduled for his induction and pursuant to a determination by the President that the strength of the Ready Reserve of the Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, or Coast Guard Reserve cannot be maintained by the enlistment or appointment of persons who have not been issued orders to report for induction, under this title;

enlists or accepts appointment, before attaining the age of twenty-six years, in the Ready Reserve of any reserve component of the Armed Forces, the Army National Guard, or the Air National Guard, shall be deferred from training and service under this title so long as he serves satisfactorily as a member of an organized unit of such Reserve or National Guard in accordance with section 270 of title 10 or section 502 of title 32, United States Code, as the case may be, or satisfactorily performs such other Ready Reserve service as may be prescribed by the Secretary of Defense. Notwithstanding the provisions of section 16, no person deferrred under this paragraph who has completed six years of such satisfactory service as a member of the Ready Reserve or National Guard, and who during such service has performed active duty for training with an armed force for not less than four consecutive months, shall be liable for induction for training and service under this Act, except after a declaration of war or national emergency made by the Congress after August 9, 1955. In no event shall the number of enlistments or appointments made under authority of this paragraph in any fiscal year in any reserve component of the Armed Forces or in the Army National Guard or the Air National Guard cause the personnel strength of such reserve component or the Army National Guard or the Air National Guard, as the case may be, to exceed the personnel strength for which funds have been made available by the Congress for such fiscal year.

(2) A person who, under the provision of law, is exempt or deferred from training and service under this Act by reason of membership in a reserve component, the Army National Guard, or the Air National Guard, as the case may be, shall, if he becomes a member of another reserve component, the Army National Guard, or the Air National Guard, as the case may be, continue to be exempt or deferred to the same extent as if he had not become a member of another reserve component, the Army National Guard, or the Air National Guard, as the case may be, so long as he continues to serve satisfactorily.

(3) Except as provided in section 13 and the provisions of this section, no person who becomes a member of a reserve component after February 1, 1951, shall thereby be exempt from registration or training and service by induction under the provisions of this Act.

(4) Notwithstanding any other provision of this Act, the President, under such rules and regulations as he may prescribe, may provide that any person enlisted or appointed after October 4, 1961, in the Ready Reserve of any reserve component of the Armed Forces (other than under section 511 (b) of title 10, United States Code), the Army National Guard, or the Air National Guard, prior to attaining the age of twenty-six years, or any person enlisted or appointed

in the Army National Guard of the Air National Guard or enlisted in the Ready Reserve of any reserve component prior to attaining the age of eighteen years and six months and deferred under the prior provisions of this paragraph as amended by the Act of October 4, 1961, Public Law 87–378 (75 Stat. 807), or under section 262 of the Armed Forces Reserve Act of 1952, as amended, who fails to serve satisfactorily during his obligated period of service as a member of such Ready Reserve or National Guard or the Ready Reserve of another reserve component or the National Guard of which he becomes a member, may be selected for training and service and inducted into the armed force of which such reserve component is a part, prior to the selection and induction of other persons liable therefor.

Officers' training; officials; ministers of religion

SEC. 313. (a) (1) Within such numbers as may be prescribed by the Secretary of Defense, any person who (A) has been or may hereafter be selected for enrollment or continuance in the senior division, Reserve Officers' Training Corps, or the Air Reserve Officers' Training Corps, or the Naval Reserve Officers' Training Corps, or the naval and Marine Corps officer candidate training program established by the Act of August 13, 1946 (60 Stat. 1057), as amended, or the Reserve officers' candidate program of the Navy, or the platoon leaders' class of the Marine Corps, or the officer procurement programs of the Coast Guard and the Coast Guard Reserve, or appointed an ensign, United States Naval Reserve, while undergoing professional training; (B) agrees, in writing, to accept a commission, if tendered, and to serve, subject to order of the Secretary of the military department having jurisdiction over him (or the Secretary of Transportation with respect to the United States Coast Guard), not less than two years on active duty after receipt of a commission; and (C) agrees to remain a member of a regular or reserve component until the eighth anniversary of the receipt of a commission in accordance with his obligation under the first sentence of section 4(d)(3) of this Act, or until the sixth anniversary of the receipt of a commission in accordance with his obligation under the second sentence of section 4(d)(3) of this Act, shall be deferred from induction under this title until after completion or termination of the course of instruction and so long as he continues in a regular or reserve status upon being commissioned, but shall not be exempt from registration. Such persons, except those persons who have previously completed an initial period of military training or an equivalent period of active military training and service, shall be required while enrolled in such program to complete a period of training equal (as determined under regulations approved by the Secretary of Defense or the Secretary of Transportation with respect to the United States Coast Guard) in duration and type of training to an initial period of military training. There shall be added to the obligated active commissioned service of any person who has agreed to perform such obligatory service in return for financial assistance while attending a civilian college under any such training program a period of not to exceed one year. Except as provided in paragraph (5), upon the successful completion by any person of the required course of instruction under any program listed in clause (A) of the first sentence of this paragraph, such person shall be tendered a commission in the appropriate reserve component of the Armed Forces if he is otherwise qualified for such appointment. If, at the time of, or subsequent to, such appointment, the armed force in which such person is commissioned does not require his service on active duty in fulfillment of the obligation undertaken by him in compliance with clause (B) of the first sentence of this paragraph, such person shall be ordered to active duty for training with such armed force in the grade in which he was commissioned for a period of active duty for training of not less than three months or more than six months (not including duty performed under section 270(a) of title 10, United States Code), as determined by the Secretary of the military department concerned to be necessary to qualify such person for a mobilization assignment. Upon being commissioned and assigned to a reserve component, such person shall be required to serve therein, or in a reserve component of any other armed force in which he is later appointed, until the eighth anniversary of the receipt of such commission pursuant to the provisions of this section. So long as such person performs satisfactory service, as determined under regulations prescribed by the Secretary of Defense, he shall be deferred from training and service under the provisions of this Act. If such person fails to perform satisfactory service, and such failure is not excused under regulations prescribed by the Secretary of Defense, his commission may be revoked by the Secretary of the military department concerned.

(2) In addition to the training programs enumerated in paragraph (1) of this subsection, and under such regulations as the Secretary of Defense (or the Secretary of Transportation with respect to the United States Coast Guard) may approve, the Secretaries of the military departments and the Secretary of Transportation are authorized to establish officer candidate programs leading to the commissioning of persons on active duty. Any person heretofore or hereafter enlisted in the Army Reserve, the Naval Reserve, the Marine Corps Reserve, the Air Force Reserve, or the Coast Guard Reserve who thereafter has been or may be commissioned therein upon graduation from an officers' candidate school of such armed force shall, if not ordered to active duty as a commissioned officer, be deferred from training and service under the provisions of this Act so long as he performs satisfactory service as a commissioned officer in an appropriate unit of the Ready Reserve, as determined under regulations prescribed by the Secretary of the department concerned. If such person fails to perform satisfactory service in such unit, and such failure is not excused under such regulations, his commission may be revoked by such Secretary.

(3) Nothing in this subsection shall be deemed to preclude the President from providing, by regulations prescribed under section 16, for the deferment from training and service of any category or categories of students for such periods of time as he may deem appropriate.

(4) It is the sense of the Congress that the President shall provide for the annual deferment from training and service under this title of the numbers of optometry students and premedical, preosteopathic, preveterinary, preoptometry, and predental students at least equal to the numbers of male optometry, premedical, preosteopathic, preveterinary, preoptometry, and predental students at colleges and universities in the United States at the present levels as determined by the Director herein.

(5) Notwithstanding paragraph (1), upon the successful completion by any person of the required course of instruction under any Reserve Officers' Training Corps program listed in clause (A) of the first sentence of paragraph (1) and subject to the approval of the Secretary of the military department having jurisdiction over him, such person may, without being relieved of his obligation under that sentence, be tendered, and accept, a commission in the Environmental Science Services Administration instead of a commission in the appropriate reserve component of the Armed Forces. If he does not serve on active duty as a commissioned officer of the Environmental Science Services Administration for at least six years, he shall, upon discharge therefrom, be tendered a commission in the appropriate reserve component of the Armed Forces, if he is otherwise qualified for such appointment, and, in fulfillment of his obligation under the first sentence of paragraph (1), remain a member of a reserve component until the sixth anniversary of the receipt of his commission in the Environmental Science Services Administration. While a member of a reserve component he may, in addition to as otherwise provided by law, be ordered to active duty for such period that, when added to the period he served on active duty as a commissioned officer of the Environmental Science Services Administration, equals two years.

(6) Fully qualified and accepted aviation cadet applicants of the Army, Navy, or Air Force who have signed an agreement of service shall, in such numbers as may be designated by the Secretary of Defense, be deferred, during the period covered by the agreement but not to exceed four months from induction for training and service under this title but shall not be exempt from registration.

(c) The Vice President of the United States; the Governors of the several States, territories, and possessions, and all other officials chosen by the voters of the entire State, territory, or possession; members of the legislative bodies of the United States and of the several States, territories, and possessions; judges of the courts of record of the United States and of the several States, territories, possessions, and the District of Columbia shall, while holding such offices, be deferred from training and service under this title in the Armed Forces of the United States.

(d) Regular or duly ordained ministers of religion, as defined in this title, the students preparing for the ministry under the direction of recognized churches or religious organizations, who are satisfactorily pursuing full-time courses of instruction in recognized theological or divinity schools, or who are satisfactorily pursuing full-time courses of instruction leading to their entrance into recognized theological or divinity schools in which they have been preenrolled, shall be exempt from training and service (but not from registration) under this title.

Student and apprentice deferments; casualty ratio

SEC. 314. (a) Except as otherwise provided in this subsection, the President is authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service in the Armed Forces of persons requesting such deferment who are satisfactorily pursuing a course of instruction at a bona fide college, junior college, community college, university, or similar institution of learning, or at a vocational school, or who are enrolled in and satisfactorily pursuing an apprentice training program or similar occupational instruction program. A deferment granted to any person under authority of this subsection shall continue until such person completes the requirements for his baccalaureate degree, completes the training program, fails to pursue satisfactorily his course of instruction, or attains the twenty-fifth anniversary of the date of his birth, whichever first occurs. Deferments provided for under this paragraph shall be restricted or terminated by the President (1) whenever he finds, with respect to persons who have been inducted into the Armed Forces under this title, that the number of such persons killed, wounded, or missing in action as the result of armed conflict during the three-month period immediately preceding his finding exceeds a number equal to 10 per centum of the total number of persons so inducted during such three-month period; or (2) whenever he determines that the needs of

the Armed Forces and of national security require such action. Such restrictions or terminations shall be in effect for the twelve calendar months next following the month in which the conditions set out in the preceding sentence are met. Whenever members of the Armed Forces of the United States are engaged in armed conflict in any area of the world, the President shall, for the purposes of clause (1) of the preceding sentence, make a finding not later than the tenth day of each calendar month respecting the number of persons killed, wounded, or missing in action in the three immediately preceding months. No person who has received a deferment under the provisions of this paragraph shall thereafter be granted a further deferment except for extreme hardship to dependents (under regulations governing hardship deferments).

(b) The President is authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service in the Armed Forces (1) of any or all categories of persons in a status with respect to persons (other than wives alone, except in cases of extreme hardship) dependent upon them for support which renders their deferment advisable, and (2) of any or all categories of those persons found to be physically, mentally, or morally deficient or defective. For the purpose of determining whether or not the deferment of any person is advisable because of his status with respect to persons dependent upon him for support, any payments of allowances which are payable by the United States to the dependents of persons serving in the Armed Forces of the United States shall be taken into consideration, but the fact that such payments of allowances are payable shall not be deemed conclusively to remove the grounds for deferment when the dependency is based upon financial considerations and shall not be deemed to remove the ground for deferment when the dependency is based upon other than financial considerations and cannot be eliminated by financial assistance to the dependents. Except as otherwise provided in this subsection, the President is also authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service in the Armed Forces of any or all categories of persons who have children, or wives and children, with whom they maintain a bona fide family relationship in their homes. No deferment from such training and service in the Armed Forces shall be made in the case of any individual except upon the basis of the status of such individual. There shall be posted in a conspicuous place in each area office a list setting forth the names and classifications of those persons who have been classified by such area office. Notwithstanding any other provision of this title the President shall establish national standards and criteria for the classification and deferment of persons registered under this title. Such standards and criteria shall be administered uniformly and impartially throughout all levels of the Selective Service System.

(c)(1) Any person who is satisfactorily pursuing a course of instruction at a high school or similar institution of learning shall, upon the facts being presented to the area office, be deferred (A) until the time of his graduation therefrom, or (B) until he attains the twentieth anniversary of his birth, or (C) until he ceases satisfactorily to pursue such course of instruction, whichever is the earliest.

(2) Any person who while satisfactorily pursuing a full-time course of instruction at a college, university, or similar institution is ordered to report for induction under this title, shall, upon the facts being presented to the local board, be deferred (A) until the end of such academic year, or (B) until he ceases satisfactorily to pursue such course of instruction, whichever is the earlier: *Provided*, That any person who has heretofore had his induction postponed under the provisions of section 6(i)(2) of the Selective Service Act of 1948; or any person who has heretofore been deferred as a student under section 6(h) of such Act, or any person who hereafter is deferred under the provision of this subsection, shall not be further deferred by reason of pursuit of a course of instruction at a college, university, or similar institution of learning except as may be provided by regulations prescribed by the President pursuant to the provisions of this section. Nothing in this paragraph shall be deemed to preclude the President from providing, by regulations prescribed in this section, for the deferment from training and service in the Armed Forces of any category or categories of students for such periods of time as he may deem appropriate.

Conscientious objectors

Sec. 315. (a) Nothing contained in this title shall be construed to require any person to be subject to combatant training and service in the Armed Forces of the United States who, by reason of religious training and belief, is conscientiously opposed to participation in war in any form. As used in this section, the term "religious training and belief" does not include essentially political, sociological, or philosophical views, or a merely personal moral code, but it does include a sincere and meaningful belief, which occupies a place in the life of its possessor parallel to that filled by an orthodox belief in God.

(b) Any person claiming exemption from combatant training and service because of such conscientious objections whose claim is sustained by the Selective Service System shall, if he is inducted into the Armed Forces under this title, be assigned to noncombatant service as defined by the President, or shall, if he is found to be conscientiously opposed to participation in such noncombatant service, in lieu of such induction, be ordered by the Selective Service System, subject to such regulations as the President may prescribe, to perform for a period equal to the period prescribed in section 305 such civilian work contributing to the maintenance of the national health, safety, or interest as the Selective Service System pursuant to Presidential regulations may deem appropriate. Any such person who knowingly fails or neglects to obey any such order from the Selective Service System shall be deemed, for the purposes of section 203 of this title, to have knowingly failed or neglected to perform a duty required of him under this title.

(c) Any person claiming exemption from combatant training and service because of such conscientious objections shall, if such claim is not sustained by the area office or local board, be entitled to an appeal to the regional appeal board. Upon the filing of such appeal, the appeal board shall refer any such claim to the Department of Justice for inquiry and hearings. The Department of Justice, after appropriate inquiry, shall hold a hearing with respect to the character and good faith of the objections of the person concerned, and such person shall be notified of the time and place of such hearing. If after such hearings the Department of Justice finds—

(1) That the objections are sustained, it shall make recommendations to the appeal board in accordance with the procedures of subsection (b) of this section; or

(2) That the objections are not sustained, it shall so recommend to the appeal board. The appeal board shall, in making its decision, give consideration to but not be bound to follow the recommendation of the Department of Justice, together with the record on appeal from the local board.

DURATION OF EXEMPTION OR DEFERMENT

Sec. 316. No exception from registration or exemption or deferment from training and service, under this title, shall continue after the cause therefor ceases to exist.

MINORITY DISCHARGES

Sec. 317. Notwithstanding any other provisions of law, no person between the ages of eighteen and twenty-one shall be discharged from service in the Armed Forces of the United States while this title is in effect because such person entered such service without the consent of his parent or guardian.

MORAL STANDARDS

No person shall be relieved from training and service under this title by reason of conviction of a criminal offense, except where the offense of which he has been convicted may be punished by death, or by imprisonment for a term exceeding one year.

SOLE SURVIVING SON

Sec. 319. Except during a period of a war or a national emergency declared by the Congress, if the father or one or more sons or daughters of a family were killed in action or died in the line of duty while serving in the Armed Forces of the United States, or subsequently died as a result of injuries received or disease incurred during such service, the sole surviving son of such family shall not be inducted for service under the terms of this title unless he volunteers for induction.

Bounties; substitutes; purchases of release

Sec. 320. No bounty may be paid to induce any person to be inducted into an armed force. A clothing allowance authorized by law is not a bounty for the purposes of this section. No person liable for training and service under this Act may furnish a substitute for that training or service. No person may be enlisted, inducted, or appointed in an armed force as a substitute for another. No person liable for training and service under section 4 may escape that training and service or be discharged before the end of his period of training and service by paying money or any other valuable thing as consideration for his release from that training and service or liability therefor.

Reemployment

Sec. 321. (a) Any person inducted into the Armed Forces under this title for training and service, who, in the judgment of those in authority over him, satisfactorily completes his period of training and service under section 6 shall be entitled to a certificate to that effect upon the completion of such period of training and service. Such certificate shall include a record of any special proficiency or merit attained. Upon the completion of each such person's period of training and service under this title, each such person shall be given another physical examination and, upon his written request, shall be given a statement of physical condition by the Secretary concerned: *Provided*, That such statement shall not contain any reference to mental or other conditions which in the judgment of the Secretary concerned would prove injurious to the physical or mental health of the person to whom it pertains: *Provided further*, That, if upon completion of training and service under this title, such person continues on active duty without an interruption of more than seventy-two hours as a member of the Armed Forces of the United States, a physical examination upon completion of such training and service shall not be required unless it is requested by such person, or the medical authorities of the armed force concerned determine that the physical examination is warranted.

(b) In the case of any such person who, in order to perform such training and service, has left or leaves a position (other than a temporary position) in the employ of any employer and who (1) receives such certificate, and (2) makes application for reemployment within ninety days after he is relieved from such training and service or from hospitalization continuing after discharge for a period of not more than one year—

(A) if such position was in the employ of the United States Government, its territories, or possessions, or political subdivisions thereof, or the District of Columbia, such person shall—

(i) if still qualified to perform the duties of such position, be restored to such position or to a position of like seniority, status, and pay; or

(ii) if not qualified to perform the duties of such position by reason of disability sustained during such service but qualified to perform the duties of any other position in the employ of the employer, be restored to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case;

(B) if such position was in the employ of a private employer, such person shall—

(i) if still qualified to perform the duties of such position, be restored by such employer or his successor in interest to such position or to a position of like seniority, status, and pay; or

(ii) if not qualified to perform the duties of such position by reason of disability sustained during such service but qualified to perform the duties of any other position in the employ of such employer or his successor in interest, be restored by such employer or his successor in interest to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case,

unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so;

(C) if such position was in the employ of any State or political subdivision thereof, it is hereby declared to be the sense of the Congress that such person should—

(i) if still qualified to perform the duties of such position, be restored to such position or to a position of like seniority, status, and pay; or

(ii) if not qualified to perform the duties of such position by reason of disability sustained during such service but qualified to perform the duties of any other position in the employ of the employer, be restored to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case.

(c)(1) Any person who is restored to a position in accordance with the provisions of paragraph (A) or (B) of subsection (b) shall be considered as having been on furlough or leave of absence during his period of training and service in the Armed Forces, shall be so restored without loss of seniority, shall be entitled to participate in insurance or other benefits offered by the employer pursuant to established rules and practices relating to employees on furlough or leave of absence in effect with the employer at the time such person was inducted into such forces, and shall not be discharged from such position without cause within one year after such restoration.

(2) It is hereby declared to be the sense of the Congress that any person who is restored to a position in accordance with the provisions of paragraph (A) or (B) of subsection (b) should be so restored in such manner as to give him such status in his employment as he would have enjoyed if he had continued in such employment continuously from the time of his entering the Armed Forces until the time of his restoration to such employment.

(d) In case any private employer fails or refuses to comply with the provisions of subsection (b), subsection (c)(1) or subsection (g) the district court of the United States for the district in which such private employer maintains a place of business shall have power, upon the filing of a motion, petition, or other appropriate pleading by the person entitled to the benefits of such provisions, specifically to require such employer to comply with such provisions and to compensate such person for any loss of wages or benefits suffered by reason of such employer's unlawful action: *Provided*, That any such compensation shall be in addition to and shall not be deemed to diminish any of the benefits of such provisions. The court shall order speedy hearing in any such case and shall advance it on the calendar. Upon application to the United States attorney or comparable official for the district in which such private employer maintains a place of business, by any person claiming to be entitled to the benefits of such provisions, such United States attorney or official, if reasonably satisfied that the person so applying is entitled to such benefits, shall appear and act as attorney for such person in the amicable adjustment of the claim or in the filing of any motion, petition, or other appropriate pleading and the prosecution thereof specifically to require such employer to comply with such provisions: *Provided*, That no fees or court costs shall be taxed against any person who may apply for such benefits: *Provided further*, That only the employer shall be deemed a necessary party respondent to any such action.

(e)(1) Any person who is entitled to be restored to a position in accordance with the provisions of paragraph (A) of subsection (b) and who was employed, immediately before entering the Armed Forces, by any agency in the executive branch of the Government or by any territory or possession, or political subdivision thereof, or by the District of Columbia, shall be so restored by such agency or the successor to its functions, or by such territory, possession, political subdivision, or the District of Columbia. In any case in which, upon appeal of any person who was employed immediately before entering the Armed Forces by any agency in the executive branch of the Government or by the District of Columbia, the United States Civil Service Commission finds that—

(A) such agency is no longer in existence and its functions have not been transferred to any other agency; or

(B) for any reason it is not feasible for such person to be restored to employment by such agency or by the District of Columbia,

the Commission shall determine whether or not there is a position in any other agency in the executive branch of the Government or in the government of the District of Columbia for which such person is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be restored to such position by the agency in which such position exists or by the government of the District of Columbia, as the case may be. The Commission is authorized and directed to issue regulations giving full force and effect to the provisions of this section insofar as they relate to persons entitled to be restored to positions in the executive branch of the Government or in the government of the District of Columbia, including persons entitled to be restored under the last sentence of paragraph (2) of this subsection. The agencies in the executive branch of the Government and the government of the District of Columbia shall comply with such rules and regulations and orders issued by the Commission pursuant to this subsection. The Commission is authorized and directed whenever it finds, upon appeal of the person concerned, that any agency in the executive branch of the Government or the government of the District of Columbia has failed or refuses to comply with the provisions of this section, to issue an order specifically requiring such agency or the government of the District of Columbia to comply with such provisions and to compensate such person for any loss of salary or wages suffered by reason of failure to comply with such provisions, less any amounts received by him through other employment, unemployment compensation, or readjustment allowances: *Provided*, That any such compensation ordered to be paid by the Commission shall be in addition to and shall not be deemed to diminish any of the benefits of such provisions, and shall be paid by the head of the agency concerned or by the government of the District of Columbia out of appropriations currently available for salary and expenses of such agency or government, and such appropriations shall be available for such purpose. As used in this paragraph, the term "agency in the executive branch of the Government" means any department, independent establishment, agency, or corporation in the executive branch of the United States Government.

(2) Any person who is entitled to be restored to a position in accordance with the provisions of paragraph (A) of subsection (b), and who was employed, immediately before entering the Armed Forces, in the legislative branch of the Government, shall be so restored by the officer who appointed him to the position which he held immediately before entering the Armed Forces. In any case in which it is not possible for any such person to be restored to a position in the legislative branch of the Government and he is otherwise eligible to acquire a status for transfer to a position in the classified (competitive) civil service in accordance with section 2(b) of the Act of November 26, 1940 (54 Stat. 1212), the United States Civil Service Commission shall, upon appeal of such person, determine whether or not there is a position in the executive branch of the Government for which he is qualified and which is either vacant or held by a person having a temporary appointment thereto. In any case in which the Commission determines that there is such a position, such person shall be restored to such position by the agency in which such position exists.

(3) Any person who is entitled to be restored to a position in accordance with the provisions of paragraph (A) of subsection (b) and who was employed, immediately before entering the Armed Forces, in the judicial branch of the Government, shall be so restored by the officer who appointed him to the position which he held immediately before entering the Armed Forces.

(f) In any case which two or more persons who are entitled to be restored to a position under the provisions of this section or any other law relating to similar reemployment benefits left the same position in order to enter the Armed Forces, the person who left such position first shall have the prior right to be restored thereto, without prejudice to the reemployment rights of the other person or persons to be restored.

(g)(1) Any person who after entering the employment to which he claims restoration, enlists in the Armed Forces of the United States (other than a reserve component) shall be entitled upon release from service under honorable conditions to all the reemployment rights and other benefits provided for by this section in the case of persons inducted under the provisions of this title, if the total of his service performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any service, additional or otherwise, performed by him after August 1, 1961, does not exceed four years (plus in each case any period of additional service imposed pursuant to law).

(2) Any person who, after entering the employment to which he claims restoration,

enters upon active duty (other than for the purpose of determining his physical fitness and other than for training), whether or not voluntarily, in the Armed Forces of the United States or the Public Health Service in response to an order or call to active duty shall, upon his relief from active duty under honorable conditions, be entitled to all of the reemployment rights and benefits provided by this section in the case of persons inducted under the provisions of this title, if the total of such activity duty performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any such active duty, additional or otherwise, performed after August 1, 1961, does not exceed four years (plus in each case any additional period in which he was unable to obtain orders relieving him from active duty).

(3) Any member of a reserve component of the Armed Forces of the United States who is ordered to an initial period of active duty for training of not less than three consecutive months shall, upon application for reemployment within thirty-one days after (A) his release from that active duty for training after satisfactory service, or (B) his discharge from hospitalization incident to that active duty for training, or one year after his scheduled release from that training, whichever is earlier, be entitled to all reemployment rights and benefits provided by this section for persons inducted under the provisions of this title, except that (A) any person restored to a position in accordance with the provisions of this paragraph shall not be discharged from such position without cause within six months after that restoration, and (B) no reemployment rights granted by this paragraph shall entitle any person to retention, preference, or displacement rights over any veteran with a superior claim under the provisions of title 5, United States Code, relating to veterans and other preference eligibles.

(4) Any employee not covered by paragraph (3) of this subsection who holds a position described in paragraph (A) or (B) of subsection (b) of this section shall upon request be granted a leave of absence by his employer for the period required to perform active duty for training or inactive duty training in the Armed Forces of the United States. Upon his release from a period of such active duty for training or inactive duty training, or upon his discharge from hospitalization incident to that training, such employee shall be permitted to return to his position with such seniority, status pay, and vacation as he would have had if he had not been absent for such purposes. He shall report for work at the beginning of his next regularly scheduled working period after expiration of the last calendar day necessary to travel from the place of training to the place of employment following his release, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control. Failure to report for work at such next regularly scheduled working period shall make the employee subject to the conduct rules of the employer pertaining to explanations and discipline with respect to absence from scheduled work. If that employee is hospitalized incident to active duty for training or inactive duty training, he shall be required to report for work at the beginning of his next regularly scheduled work period after expiration of the time necessary to travel from the place of discharge from hospitalization to the place of employment, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control, or within one year after his release from active duty for training or inactive duty training, whichever is earlier. If an employee covered by this paragraph is not qualified to perform the duties of his position by reason of disability sustained during active duty for training or inactive duty training, but is qualified to perform the duties of any other position in the employ of the employer or his successor in interest, he shall be restored by that employer or his successor in interest to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay, or the nearest approximation thereof consistent with the circumstances in his case.

(5) Any employee not covered by paragraph (3) of this subsection who holds a position described in paragraph (A) or (B) of subsection (b) of this section shall be considered as having been on leave of absence during the period required to report for the purpose of being inducted into, entering or determining by a preinduction or other examination his physical fitness to enter the Armed Forces of the United States. Upon his rejection, upon completion of his preinduction or other examination, or upon his discharge from hospitalization incident to that rejection or examination, such employee shall be permitted to return to his position in accordance with the provisions of paragraph (4) of this subsection.

(6) For the purposes of paragraphs (3) and (4), full-time training or other full-time duty performed by a member of the National Guard under section 316, 503, 504, or 505, of title 32, United States Code, is considered active duty for training; and for the purpose of paragraph (4), inactive duty training performed by that member under section 502 of title 32, or sections 206(a), (b), and (d), 301(f), 309(c), 402(f), and 1002(a)–(d) of title 37, United States Code, is considered inactive duty training.

(h) The Secretary of Labor, through the Bureau of Veterans' Reemployment Rights, shall render aid in the replacement in their former positions of persons who have satisfactorily completed any period of active duty in the Armed Forces of the United States or the Public Health Service. In rendering such aid, the Secretary shall use the then existing Federal and State agencies engaged in similar or related activities and shall utilize the assistance of volunteers.

(i) The Secretaries of Army, Navy, Air Force, or Treasury shall furnish to the Selective Service System hereafter established a report of separation for each person separated from active duty.

Right to vote; poll tax

Sec. 322. Any person inducted into the Armed Forces for training and service under this title shall, during the period of such service, be permitted to vote in person or by absentee ballot in any general, special, or primary election occurring in the State of which he is a resident, whether he is within or outside such State at the time of such election, if under the laws of such State he is otherwise entitled to vote in such election; but nothing in this subsection shall be construed to require granting to any such person a leave of absence or furlough for longer than one day in order to permit him to vote in person in any such election. No person inducted into, or enlisted in, the Armed Forces for training and service under this title shall, during the period of such service, as a condition of voting in any election for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives, be required to pay any poll tax or other tax or make any other payment to any State or political subdivision thereof.

Civil relief

Sec. 323. Notwithstanding the provisions of section 604 of the Act of October 17, 1940 (54 Stat. 1191), and the provisions of section 4 of the Act of July 25, 1947 (Public Law 239, Eightieth Congress), all of the provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, including specifically article IV thereof, shall be applicable to all persons in the Armed Forces of the United States, including all persons inducted into the Armed Forces pursuant to this title or the Public Health Service, until such time as the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, is repealed or otherwise terminated by subsequent Act of the Congress: *Provided,* That with respect to persons inducted into the Armed Forces while this title is in effect, wherever under any section or provision of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, a proceeding, remedy, privilege, stay, limitation, accounting, or other transaction has been authorized or provided with respect to military service performed while such Act is in force, such section or provision shall be deemed to continue in full force and effect so long as may be necessary to the exercise or enjoyment of such proceeding, remedy, privilege, stay, limitation, accounting, or other transaction.

Notice of title; voluntary enlistments

Sec. 324. (a) Every person shall be deemed to have notice of the requirements of this title upon publication by the President of a proclamation or other public notice fixing a time for any registration under section 3.

(b) If any provision of this title, or the application thereof to any person or circumstance, is held invalid, the remainder of the title, and the application of such provision to other persons or circumstances, shall not be affected thereby.

(c) Except as provided in this Act, nothing contained in this title shall be construed to repeal, amend, or suspend the laws now in force authorizing voluntary enlistment or reenlistment in the Armed Forces of the United States, including the reserve components thereof, except that no person shall be accepted for enlistment after he has received orders to report for induction and except that, whenever the Congress or the President has declared that the national interest is imperiled, voluntary enlistment or reenlistment in such forces, and their reserve components, may be suspended by the President to such extent as he may deem necessary in the interest of national defense.

(d) It shall be the duty of the Director to inform every registrant of all rights and procedures available to him under this title regarding classification, deferment, and exemption. Such information shall be in writing and shall be given to every person who registers under this title at the time of his registration, and shall in addition be available subsequent upon request of such registrant.

Repeal of conflicting laws; appropriations; termination of induction

Sec. 325. (a) Except as provided in this title all laws or any parts of laws in conflict with the provisions of this title are hereby repealed to the extent of such conflict.

(b) There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this title.

(c) Notwithstanding any other provisions of this title, no person shall be inducted for training and service in the Armed Forces after July 1, 1971, except persons now or hereafter deferred under this title after the basis for such deferment ceases to exist.

Aliens

Sec. 326. (a) Section 101(a)(15) of the Immigration and Nationality Act, as amended (8 U.S.C. 1101(a)(15)), is amended by changing the period at the end thereof to a semicolon and adding thereafter the following:

"(K) an alien who has requested and received an adjustment of status under section 247(c) and who is not a nonimmigrant within any of the classes (A) through (J) thereof: *Provided,* That any alien whose status has been adjusted to this class (K) shall depart from the United States within one year from such adjustment: *And provided further,* That any alien who is in this class (K) shall not

be eligible for any further adjustment of status whatsoever."

(b) The Immigration and Nationality Act, as amended (8 U.S.C. 1101 et seq.), is amended by adding at the end of section 247 thereof the following new subsection:

"(e) The status of an alien lawfully admitted for permanent residence may be adjusted by the Attorney General, under such regulations as he may prescribe, to that of a nonimmigrant in class (K) under section 101(a)(15) of this Act, or in any other class under section 101(a)(15) for which he may be eligible, if such alien requests an adjustment of status in order to be exempted from the requirements of the Universal Military Training and Service Act, as amended."

(c) Section 248 of the Immigration and Nationality Act, as amended (8 U.S.C. 1258), is amended by inserting immediately after the words "paragraph (15)(D)" the words "or paragraph (15)(K)".

(d) Subsection (a) of section 315 of the Immigration and Nationality Act, as amended (8 U.S.C. 1426), is amended to read as follows:

"(a) Notwithstanding the provisions of section 405(b), any alien who is granted exemption under an existing treaty or any alien who requests and obtains an adjustment of status under section 247(c) or who applies or has applied for exemption or discharge from training or service in the Armed Forces of the United States on the ground that he is an alien, and is or was relieved or discharged from such training or service on such basis, shall be permanently ineligible to become a citizen of the United States."

TITLE IV—MISCELLANEOUS

Military youth opportunity schools

Sec. 401. (a) The Secretary of Defense, with the cooperation and assistance of the Secretary of Labor and the Secretary of Health, Education, and Welfare, and other appropriate Federal agencies, shall conduct a comprehensive study and investigation to determine the feasibility and desirability of establishing and operating military youth opportunity schools which would provide special educational and physical training, for a period not exceeding one year, to volunteers who fail to meet the minimum physical and mental requirements for military service in order to enable such volunteers to qualify for service in the Armed Forces.

(b) The Secretary of Defense shall submit a written report to the Congress of the results of such study and investigation, together with such recommendations as he deems appropriate, not later than one year after the date of enactment of this section. The Secretary of Defense shall include in such report, findings with respect to—

(1) the average annual number of volunteers for military service who fail to meet the educational and physical standards for such service, but who, with a maximum of one year's training in opportunity schools of the kind referred to in subsection (a) of this section, could qualify for military service;

(2) an estimate of the costs and benefits to the Department of Defense of establishing and operating such opportunity schools;

(3) the administrative capacity of the Department of Defense to carry out such a program;

(4) an estimate of the reenlistment rate which could be expected from volunteers trained in such opportunity schools;

(5) the advisability of requiring longer enlistment periods for volunteers receiving training in such opportunity schools; and

(6) the most effective means and measures for implementing a program of the kind described in subsection (a) of this section.

Volunteer army study

Sec. 402. The President shall conduct a study to determine the cost, feasibility, and desirability of replacing the present system of involuntary induction of persons into the Armed Forces with an entirely voluntary system of enlistments. The President shall submit the results of such study to the Congress, together with such recommendations as he deems appropriate, within six months after the date of enactment of this section.

National service corps study

Sec. 403 (a) The President shall conduct a study and investigation to determine the feasibility and desirability of establishing a national service corps in which citizens of the United States who are mentally and physically able and who desire to perform nonmilitary services designed to combat disease, ignorance, and poverty at home and abroad may serve.

(b) The President shall submit a written report to the Congress of the results of such study and investigation, together with such recommendations as he deems appropriate, not later than one year after the date of enactment of this section. The President shall include in such report such information as he deems appropriate, and in the event it is determined that the establishment of a national service corps as described in subsection (a) of this section is feasible and desirable, he shall specifically include in such report—

(1) a review of existing voluntary Federal service programs (nonmilitary) in which hardships are endured by the participants or extraordinary service is required of the participants, such as the Peace Corps and the Volunteers in Service to America, in order to determine the feasibility of establishing an expanded national service program with the broadest possible participation;

(2) a consideration of what the nature and scope of a national service program should be;

(3) the number of service opportunities which would be generated by such a program;

(4) the relationship of such a service system with the Selective Service System and the feasibility of authorizing service in such a national service corps program as an alternative to military service;

(5) the most effective means by which such a service program might be coordinated with appropriate private, local, and State programs of a public service nature;

(6) the impact of such a service program upon the labor force and the economy of the United States;

(7) the effect of such a service program upon secondary education and higher education;

(8) the role of women in such a service program;

(9) the cost of establishing and operating such a service program; and

(10) the mental and physical standards for participation, if any, and the duration of service in such a service program.

Amnesty study

Sec. 404. The President shall conduct a study to determine the appropriateness of granting amnesty in the near future to those registrants presently outside the United States who are liable for prosecution under section 203 of this title. In conducting this study, the President shall consider the number of such registrants, the implications for the morale of the Armed Forces granting such amnesty would raise, the historical precedent for granting such amnesty, and such other factors as he deems appropriate. The President shall report the results of this study to the Congress, together with appropriate recommendations, within six months of the enactment of this section.

ORDER FOR ADJOURNMENT TO FRIDAY

Mr. KENNEDY. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until noon on Friday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION TO RECEIVE MESSAGES AND SIGN BILLS

Mr. KENNEDY. Mr. President, I ask unanimous consent that during the adjournment of the Senate following today's session until noon on Friday next, the Secretary of the Senate be authorized to receive messages from the President of the United States and from the House of Representatives; that the Vice President be authorized to sign duly enrolled bills; and that committees be permitted to file reports, including any minority, individual, or supplemental views.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TALMADGE. Mr. President, I ask unanimous consent that I may be permitted to proceed for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ESTABLISHMENT OF SUBCOMMITTEE ON VETERANS' LEGISLATION OF THE COMMITTEE ON FINANCE

Mr. TALMADGE. Mr. President, this morning the distinguished chairman of the Finance Committee (Mr. Long) held a press conference announcing the formation of a subcommittee to deal with veterans' legislation. This is the first time in some 23 years that the Finance Committee has had a subcommittee to deal with veterans' legislation, and I have been honored by the distinguished chairman to be named as the chairman of that subcommittee.

Mr. President, I ask unanimous consent that the chairman's remarks at the press conference be inserted in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Russell B. Long, Democrat, of Louisiana, Chairman of the Senate Finance Committee

Today the Committee on Finance is taking a significant step forward in upgrading the stature of veterans' legislation in the Senate of the United States. In keeping with the commitment made to the Senate in October of last year we are today creating a 7-man Subcommittee on Veterans Legislation in the Committee on Finance.

This new Subcommittee will have original jurisdiction, within the Committee, over matters relating to the veterans' pension and compensation programs—programs involving $5 billion of the $7 billion budget of the Veterans Administration in the last fiscal year—and the GI insurance program with $39 billion of policies in force. It will hold hearings and make recommendations on which the full Committee can act, and thereby expedite the flow of veterans' legislation to the Senate.

The Senators who will serve on this important new Subcommittee are all highly regarded members of the Senate. Each of them has been honored by the voters of their State by being elected to at least two terms in the Senate. These are men of whom the veterans of this nation's wars can be proud and to whose judgment they can entrust their legislative programs.

I am particularly pleased to announce that Senator Herman Talmadge of Georgia, who has just been re-elected to his third term in the Senate, will serve as Chairman of this Subcommittee. Senator Talmadge is a distinguished war veteran in his own right. His many years' service as a member of the Committee on Finance has been highlighted by a special awareness of and interest in the problems of the veteran. Without his demonstrated leadership some 3½ million servicemen who today are enrolled in the Servicemen's Group Life Insurance program would not have that benefit.

I am pleased also to announce that Senator Wallace F. Bennett of Utah will serve as ranking member of the Subcommittee. Senator Bennett, a veteran of World War I, has just been re-elected to a fourth term in the Senate. Long a member of the Committee on Finance, his dedication to, and interest in, the work of the Committee is a matter of great pride to us all. He has made valuable contributions to the consideration of veterans' measures before the Committee and has aided greatly in securing Senate passage of key veterans bills of the 89th and 90th Congresses.

Together, these two men bring thirty years of Senate service and experience to their new responsibility. The high honor with which they have served has earned for them the esteem of their colleagues. Their great prestige in the Senate will bring new significance to veterans' measures reported by the Committee on Finance.

Serving with them on the Subcommitee on Veterans' Legislation will be:

Senator Vance Hartke of Indiana
Senator Abraham Ribicoff of Connecticut
Senator Jack Miller of Iowa
Senator Len B. Jordan of Idaho.

These men are all outstanding members of the Senate. As Chairman of the full Committee, I know that Senator Talmadge would keep me fully aware of the Subcommittee's work. However, in view of my own keen personal interest in veterans legislation, I have named myself the junior member of the Subcommittee.

Six of the seven Subcommittee members are veterans. They represent every geographic region in the nation. Their average seniority rank is 27th. Their average service in the Senate is 12 years.

They are men who can penetrate the maze of technical detail that often surround the knottiest problems, isolate and define the true issues, and decide them in the best interest of the nation. They will make this new subcommittee a powerful forum for airing the problems of the veteran.

The creation of this subcommittee is a bold new departure from the path followed by the Committee on Finance for the past 23 years. Since enactment of the Legislative Reorganization Act of 1946 all our legislative work has been handled by the full Committee. It is an interesting comment on history that the last subcommittee of the Committee on Finance, 23 years ago, was a Subcommittee on Veterans' Legislation.

That Subcommittee had been headed during the World War II period by the late Senator Walter F. George of Georgia who later served with distinction as Chairman of the full Committee.

As another commentary on history, let me recall that two of the most popular veterans programs of all time originated in the Committee on Finance—the servicemen's insurance program developed during World War I, and the GI Bill of Rights enacted near the end of World War II. More recently, this Committee initiated another far-reaching measure of great significance to servicemen of the Viet Nam war when it extended war-time benefits to these men.

These landmark measures serve as a constant reminder of the great importance the Committee on Finance attaches to its veterans' jurisdiction. They demonstrate more eloquently than words how successfully the Committee on Finance has met the challenges of the past. The establishment of this Subcommittee on Veterans Legislation will strengthen the Committee and through it the Senate and the Congress in meeting the challenge of the future.

That concludes my statement.

I see present here one of the most distinguished career men in the government, a man whom all veterans have come to know and respect, Bill Driver, the Administrator of Veterans' Affairs. Sitting with him I see the Deputy Administrator, A. W. Stratton.

I am also happy to see the representatives of the veterans' organizations present. As I call off the name of your organization, please stand and be recognized by the Subcommittee: American Legion, American Veterans Committee, Amvets (American Veterans of World War II), Blinded Veterans Association, Catholic War Veterans, Disabled Officers Association, Disabled American Veterans, Fleet Reserve Association, Jewish War Veterans of the United States of America, Marine Corps League, Military Order of the Purple Heart of the U.S.A., United Spanish War Veterans, Veterans of Foreign Wars of the United States and Veterans of World War I of the U.S.A.

We certainly appreciate you gentlemen coming here today.

Mr. TALMADGE. Mr. President, this Nation, as it rightfully should, has always recognized the debt it owes to its citizens who risk their lives, who in some cases lose their lives or suffer disabling wounds, in its defense.

I do not say that we have always discharged this debt. Great as this Nation is, it does not have it in its power to adequately compensate those who have shed their blood for it. Moreover, it would be less than honest to stand here and maintain that this Nation has always done for its veterans all that it does have the power to do.

But even if we must admit that we are not now meeting the fullness of our obligations toward veterans of the U.S. Armed Forces, we can say—and say with justifiable pride—that we have made that commitment. We have come a long way toward meeting that commitment, and—to the extent that it is within our power to do so—we are going to keep trying to meet it fully.

I am, therefore, both pleased and proud to have been selected as chairman of the new Subcommittee on Veterans' Legislation of the Committee on Finance.

The Committee on Finance has always given its most devoted attention to those aspects of veterans' legislation which fall within its jurisdiction. But a brief glance at the other areas the Committee on Finance must deal with makes quite clear the probability that the 91st Congress will be a very busy time for the committee.

It is charged with all the vast programs covered in the Social Security Act, including the mounting problems of welfare, of rising costs under medicare and medicaid, and of keeping the social security program both financially sound and socially adequate. Also, there is the matter of major reforms in our income tax system and of the use of tax credits as a tool for involving private industry more in the efforts to relieve the problems of our cities.

All of these topics and more fall within the jurisdiction of the Committee on Finance, and all of them appear likely to require searching examination.

The establishment of a Subcommittee on Veterans Legislation will assure that these other, admittedly important, issues do not deprive legislation on behalf of our veterans of the attention it deserves.

Veterans legislation in one form or another is as old—or nearly as old—as the Nation itself. The Continental Congress provided for lifetime compensation to those disabled in battle in an act passed less than 2 months after John Hancock put his signature to the Declaration of Independence on July 4, 1776.

This early form of veterans' benefit—compensation to the disabled—is, of course, the expression of the most basic of obligations which a country bears toward its fighting men. So, too, the Nation has since its earliest days recognized the obligation to provide not only for its disabled veterans but also for the survivors of those who die in its service.

Compensation for service-connected disability and death has been provided in every instance in which this Nation has been at war. And, despite the many other programs that have been established for veterans, it is this service-connected compensation which still is the biggest item in the budget of the Veterans' Administration.

There are presently about 2 million disabled veterans and about 370,000 survivors of veterans who receive a yearly total of some $2.6 billion in compensation payments arising out of service-connected disability or death.

For the most part, these payments are based on service in the two World Wars, Korea, and Vietnam. But some payments are still being made as a result of deaths or disabilities arising out of the Spanish-American War.

In addition to the payments made as compensation for service-connected disability or death, pensions are also payable to aged and disabled veterans and to the survivors of veterans even though the veteran's death or disability was in no way connected with his military service.

Except in the case of living veterans of the Spanish-American War, these non-service-connected payments are made only to those who are in need. The income limitation reflects the different type of obligation which non-service-connected pensions fulfill.

The service-connected compensation payment is very definitely and clearly in the nature of a certain monthly payment for a certain loss suffered. The non-service-connected pension arises in a more indirect manner from the special relationship which the Nation enters into with those citizens whom it calls to military service in times of war.

The Nation asks these citizens to temporarily forgo many of their civilian rights and opportunities and to risk the permanent loss of health and perhaps of life.

Whether or not these risks materialize, the Nation incurs a lasting obligation toward its citizen-soldiers and toward their families—an obligation to serve them in their time of need, as they served the Nation in its time of need.

Payments under the provisions for non-service-connected pensions are now being made at the rate of about $2.1 billion a year to about 2.2 million veterans and survivors of veterans. Well over half of these payments are based on World War I service, and around 50,000 are based on service in or before the Spanish-American War.

In addition to the money payments made under the compensation and pension provisions of our veterans laws, this country observes a long tradition of providing hospital and medical care for veterans. As with the cash payments, the primary and most direct obligation is to those who need hospital or medical care as a result of some condition incurred or aggravated during their active service.

Veterans' Administration hospitals also, to the extent that space is available, take care of disabled veterans needing hospitalization for reasons not service connected and of nondisabled veterans who are unable to afford needed hospitalization elsewhere.

We are presently spending about $1½ billion to provide hospital and medical care for an average of more than 120,000 veterans a day.

In 1944, while this country was still engaged in the Second World War, a new tradition in assistance to veterans was established with the passage of the Servicemen's Readjustment Assistance Act of 1944, popularly known as the GI bill.

This act provided special benefits to help those returning from military service to take their proper place in civilian life. Specifically, it provided for a program of loan guarantees to enable returning veterans to buy their own homes or businesses. It also provided for education and training benefits, which I regard as extremely important.

This act was reported to the Senate by the Committee on Finance in March of 1944, and was signed into law in June of the same year. It has since been revised and extended to cover the veterans of the Korean and the post-Korean periods. Since the Legislative Reorganization Act of 1946, however, jurisdiction over GI bill programs has been vested in the Committee on Labor and Public Welfare.

The objective of the loan guarantee program is to make it possible for young veterans to buy their own homes or businesses even though their military service has prevented them from establishing the credit or saving the sizable downpayment which would ordinarily be required.

In the first 20 years that this program was in operation, private lenders made over 6½ million loans which were guaranteed by the Veterans' Administration. Ninety-five percent of these were made to enable veterans to purchase homes.

According to the projections in the 1970 budget, more than a quarter of a million guaranteed loans to veterans are expected to be made in that year.

The results of the education and training provisions of the GI bills have been especially impressive.

The World War II provisions were in effect for 12 years: 1944 to 1956. During that time nearly 8 million veterans received training. Over 2 million of them went to college, and 3½ million went to school below the college level. Another 2 million-plus took on-the-job training or institutional on-farm training.

Under the Korean war GI bill, yet another 2.3 million veterans received education and training, and, under the 1966 act covering veterans of the post-Korean period, nearly half a million veterans are expected to further their education or receive job training in fiscal 1970 alone.

In 1943, when President Franklin Delano Roosevelt recommended an education and training program for World War II veterans, he predicted:

> The money invested in this training and schooling program will reap rich dividends in higher productivity, more intelligent leadership, and greater human happiness.

It is, of course, impossible to measure exactly the extent to which that prediction has been fulfilled.

I suspect, however, that it would not be too unreasonable to attribute a good portion of the growth and prosperity which this country has seen in the past quarter century to the wise investment in human resources which the original GI bill and its successors have made.

Through the programs I have mentioned together with other veterans programs—smaller but also important—this country has come a long way toward fulfilling the obligation it owes those who take up arms in its defense.

But, as time passes, needs and opportunities change.

We must ever be alert for new and better ways to be sure first of all that this Nation never shows itself ungrateful to those who have served it, and secondly, that no chance is lost to develop to its fullest potential that precious human resource, that easily identifiable cross section of our citizenry who bear with rightful pride the title of veterans.

Today our veteran population numbers more than 26 million and an additional 800,000 are returning from service each year.

It shall be the objective of the new Subcommittee on Veterans' Legislation of the Committee on Finance to assure that their interests and this Nation's interests are not ignored. I am honored to have been chosen chairman of this subcommittee.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. TALMADGE. I am delighted to yield to my distinguished friend and colleague on the committee, the Senator from Indiana.

Mr. HARTKE. I associate myself with the remarks of the Senator from Georgia. I congratulate him on his appointment as chairman of the Veterans' Affairs Subcommittee of the Committee on Finance. I know of his deep concern for the problems of veterans which I share. I know of his conscientious and diligent work on the Committee on Finance, and I know that he will use the same type of inspirational approach toward the problems of the veterans of the United States.

We have in the State of Indiana the national headquarters of the American Legion. Therefore we feel special pride in the matters with which veterans are concerned. In Indiana, we also have, of course, many other veterans' organizations which have strong local chapters, and frequently we have a chance to work with them, as do other Senators.

One of the reasons why Congress has always given attention to veterans affairs is because these men and women have taken time out of their lives to devote to the general welfare of the Nation as a whole. Therefore, it is only fitting and proper that they should be given some recognition of the contribution they have made to their country.

I have benefited from the veterans legislation which was enacted in other Congresses. Under the GI bill of rights, I had a chance to finish my college education, and I am appreciative of that fact. At the same time, I think those of us serving on this committee must constantly be alert to the fact that, in coming generations, the problems of the veterans will be greater and more severe than those in our generation.

I congratulate the Senator from Georgia upon his appointment as chairman, and I congratulate the Senator from Louisiana (Mr. LONG) for taking the initiative in establishing this subcommittee. I look forward to working with my distinguished colleagues of this subcommittee in providing and insuring as is only fitting, legislation that will enhance and better the lives of these men and women to whom this Nation is so deeply indebted.

Mr. TALMADGE. Mr. President, I am extremely grateful to my friend and colleague, the distinguished Senator from Indiana, for his remarks. Having served with him on the Committee on Finance for a period of a number of years, I know of his diligence and devotion to the cause of protecting the interests of disabled veterans and veterans generally, their widows, and the orphans of deceased veterans. I know he will make a great contribution to the work of the subcommittee as well as the full committee, in carrying out the charge that has been entrusted to us.

I pledge to him and to the veterans of this country that this subcommittee will do its utmost to see that the debt of gratitude we all owe to every veteran in America shall continue to be recognized, and that we shall continue to review, from time to time, that debt of gratitude, to see that the laws of this country are kept abreast of the measure of that debt.

Mr. President, I thank my distinguished colleague from Utah, who has been very generous in permitting me to proceed for this period of time.

Mr. MOSS. Mr. President, I congratulate my friend from Georgia on his appointment as chairman of the Subcommittee on Veterans' Affairs. May I say that I, too, would like to cooperate and work in every way I can in this most important field.

S. 1148 AND 1149—INTRODUCTION OF BILLS TO AMEND THE ORGANIC ACTS OF GUAM AND THE VIRGIN ISLANDS

Mr. MOSS. Mr. President, I introduce for myself, the Senator from New Mexico (Mr. Anderson), the Senator from North Dakota (Mr. Burdick), the Senator from Idaho (Mr. Church), the Senator from Washington (Mr. Jackson), the Senator from Montana (Mr. Metcalf), the Senator from Wisconsin (Mr. Nelson), and the Senator from Alaska (Mr. Stevens), two bills to amend the Organic Acts of the territories of Guam and the Virgin Islands to make the colleges there land-grant colleges eligible for the grants and services that such institutions receive.

This would mean that both the College of the Virgin Islands and the College of Guam would provide agricultural and mechanical arts education, and agricultural extension services.

In lieu of the donations of public land or land script provided to other land-grant colleges, both the colleges at Guam and the Virgin Islands would receive an appropriation of $3 million. Beyond that they would receive only the same annual proportionate share of funds and services that other land-grant colleges receive.

Mr. President, I send the two bills to the desk and ask that they be appropriately referred.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. Moss (for himself and other Senators), were received, read twice by their titles, and referred to the Committee on Interior and Insular Affairs, as follows:

S. 1148. A bill to amend the Revised Organic Act of the Virgin Islands; and

S. 1149. A bill to amend the Organic Act of Guam.

S. 1151—INTRODUCTION OF A BILL TO CONTROL FISH DISEASES

Mr. MOSS. Mr. President, our fresh water and marine fish cultural industries are threatened by serious communicable diseases similar to those which have endangered the livestock and poultry industries in the past, but which we have long since brought under control.

These fresh water and marine fisheries resources are the key to a bountiful supply of food for the hungry mouths of the world—we cannot stand idle and allow them to be destroyed.

We are beginning to hear a strong nationwide cry for assistance from conservation workers and commercial fish producers. We cannot afford to ignore them. Time is an important factor, and we should enact effective disease control legislation before the problem gets out of hand—not afterwards.

A number of red flags are already flying. We should heed the danger signals now. For example, whirling disease, which cripples and kills trout and salmon, has moved from Pennsylvania, where it was introduced in the 1950's, into Connecticut, Virginia, Ohio, and Michigan. The fight is on to keep this incurable parasitic disease from infecting the coho salmon of Lake Michigan, where its impact on that new and booming salmon fishery could be devastating.

Should the cross-country march of this disease continue and lead to the infection of the valuable trout hatcheries of the West, it would be both an economic and recreational catastrophe. In northern Utah and southern Idaho, some 10 million pounds of trout are produced annually for market and for the sport recreation of vacationers. Think what the impact of this disease would be on the salmon and steelhead fisheries of Washington, Oregon, and California.

We are also facing some particularly difficult problems due to viral infections. They have taken, I am sorry to report, a heavy toll of fish in hatcheries across the United States and around the world. Viral diseases can be shipped into uninfected hatcheries with fish eggs spawned from infected broodstocks. The rapid air shipment of these eggs makes it a simple matter to transport infections half way around the world in less than a day. Trout hatcheries in France are now suffering outbreaks of one of our North American viruses shipped over via air freight. On the other hand, the trout and salmon of the United States could become hopelessly infected with the exotic virus, not yet found in this country, that is running rampant through the trout hatcheries of Western Europe.

Researchers have very recently discovered that several epidemics in channel catfish hatcheries of the South-Central States were also caused by an incurable virus infection. This is a potentially serious problem for this rapidly growing industry which is currently producing some 36 million pounds of channel catfish each year. If this developing fishery is to be saved from destruction every possible effort must be made to prevent the spread of this and other serious diseases.

Recognition of the sea as a source of food for the future has led to a recent surge of activity in marine aquaculture. This expansion has caused an increase in the importation or transfer of many exotic species of shellfish into waters already producing native shellfish for market. The foreign diseases and predators of these imports, once established, kill high numbers of the native shellfish in the area. As an example, consider what has happened to the oysters in Delaware Bay and lower Chesapeake Bay. In these waters a parasitic disease, transferred from oyster bed to oyster bed since the mid-1950's, has claimed as much as 95 percent of some oyster populations. Indiscriminate shipping of oysters has also been responsible for the transfer of oyster drills from the east coast to the west coast and the exportation of this enemy to Europe. These diseases and these predators of shellfish have caused substantial, but possibly preventable, losses to our marine fisheries.

These problems of fish disease control have not escaped the attention of American and international fisheries experts. I am sure that the apparent lack of control over the spread of serious fish diseases is not due to apathy on the part of these workers. The problem lies with the development of effective control programs. Many countries are now establishing agencies to control fish diseases as a result of resolutions advanced at two meetings of the International Conference on Fish Disease. American fishery experts have taken part in these international conferences and some limited progress has been made in this country as a result. In 1964 the American Fisheries Society, the oldest and largest scientific fisheries organization in the United States, established a special fish disease committee. This group has been instrumental in warning Federal, State, and commercial fisheries leaders of the dangers confronting us today; however, little real action has taken place.

Now that Whirling Disease threatens our trout and salmon fisheries with disaster, now the viral diseases endanger millions of fish in our trout and catfish hatcheries, and now that we have seen imported pests wipe out commercial oyster beds, I feel that concern for the future of these valuable resources has gained sufficient momentum for action.

I am therefore introducing a bill today, for myself and Mr. Brooke, Mr. Ervin, Mr. Gravel, Mr. Hart, Mr. McGee, Mr. Metcalf, Mr. Muskie, Mr. Nelson and Mr. Yarborough, to grant sufficient authority to the Secretary of the Interior to develop, together with the States, regulations and programs that will effectively control and eradicate these diseases that constitute a threat to the fish resources of the Nation.

I ask unanimous consent that a copy of the bill be included in the Congressional Record at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MOSS. Mr. President, I foresee effective regulations developed under this authority that would establish, for the first time, well coordinated fish disease control efforts. Since the principles of fish disease control and animal disease control are essentially the same, many of the provisions of this bill are closely patterned after the laws that have enabled us to successfully protect our livestock and poultry industries. This bill is not designed to take the initiative from existing or future State fish disease control programs but is intended instead to provide national unity and direction of the combined efforts of our Federal and State fisheries experts.

This proposal has several very important features that will do much to protect the fish resources of the Nation. Working closely together, our Federal and State fisheries workers would, whenever the nature of a serious outbreak warrants, be able to seize, quarantine, or dispose of any fish that pose a disease threat to our fisheries. The term "fish," as used in this context, includes fresh water and marine fish and shellfish in the broadest sense. This quarantine and disposal authority applies to fish imported from foreign countries as well as fish transported in interstate commerce.

With regard to the impact of effective disease control regulations on the commercial producer, the Secretary of the

Interior should be authorized to compensate growers for losses encountered in the course of fish disease control programs. This compensation should be, when combined with compensation received from States or other sources, based on the fair market value of the product involved. The most effective cooperation could be expected from commercial fish producers when there is a guarantee of proper indemnification for those losses that are caused by the execution of disease control regulations.

Another essential element of this proposal is the call for the development of State-Federal cooperative programs for the control of fish diseases. Both funds and personnel would be shared in order to solve common problems. State involvement in the total program is an important aspect. I hope it stimulates many States to draft fish disease regulations that are sufficiently well coordinated and enforced as to minimize the need for extensive Federal efforts.

The spread of serious fish and shellfish diseases must be prevented, as I outlined earlier, if their control is to be achieved. This bill would prohibit the interstate transportation of diseased fish or shellfish by common carrier or by personal means. This requires the development of inspection procedures, techniques and capabilities somewhat similar to those used in agriculture but on a much smaller scale. Finally the bill spells out penalties for the violation of fish disease control laws and regulations and provides for the protection of employees carrying out their assigned duties.

The single most important factor in the protection of our fish resources is not recognized in the provisions of this bill. This factor is timeliness. Time is no longer in our favor. We cannot afford to ignore the warnings that are being voiced by fisheries workers and producers. The spread of serious fish diseases via modern transportation is sufficient evidence to tell us that time has run out and that protective legislation must be provided. If we continue to wait the dangers to our fish resources will rapidly increase, the cost of control measures will multiply, and some diseases may indeed get out of control altogether.

In conclusion, I should like to point to three resolutions passed at meetings of trout growers and representatives of allied industries indicating their deep concern about the spread of fish diseases in the United States, and asking that something be done about them.

The first is a resolution passed at the 16th annual convention of the U.S. Trout Farmers Association, held at Twin Falls, Idaho, October 9–11, 1968, which asked Federal assistance in controlling whirling disease of trout and other salmonoids.

The resolution states that:

> The U.S. Trout Farmers Association strongly urges the Government of the United States of America to appropriate funds and utilize its agencies and resources to research and help solve the national problem of Myxosoma Cerebralis (whirling disease) which has infected many salmonoids of the hatcheries, streams and lakes of various parts of our Nation, and which threatens to infect many additional hatcheries, streams and lakes to the extent that it poses a threat to the Federal fish program, the various state fish programs, and the commercial fish industry.

The other two resolutions were passed at the ninth annual meeting of the American Fisheries Society in Portland, Oreg., September 22–24, 1965, and ask first for a national Reporting Service on Fish Diseases, and second for help in preventing the importation of viral hemmorhagic septicemia.

I ask unanimous consent that these resolutions be printed in the Record at this point.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Establishment of a National Reporting Service on Fish Diseases

Whereas it is recognized that certain fish diseases constitute a threat to fisheries resources of North America and commercial hatcheries raising trout and salmon; and

Whereas these diseases such as infectious pancreatic necrosis (IPN), viral hemorrhagic septicemia (Egtved), and whirling disease caused by Myxosoma cerebralis, once established cannot be effectively treated; and

Whereas it is important to limit the further spread and effect of these diseases: Therefore be it

Resolved, That the following actions be taken:

(1) That the committee should meet at least once during the coming year to review the status of fish diseases, review and recommend standard methods for detection and identification of fish diseases, and make recommendations for effective disease control to appropriate officials and agencies in North America.

(2) That this committee contact the various agencies to determine an effective way to establish a permanent program for the control of diseases of trout and salmon.

(3) That the Fish and Wildlife Service be empowered to utilize their existing facilities and personnel and to expand, if necessary, their facilities and staff to provide examination and diagnostic services to control fish diseases, especially on an interstate basis, and to provide assistance where the requirements exceed technical capabilities of state and commercial fish interests; and

Be it further resolved: That a National Reporting Service be estabilshed to obtain pertinent data on fish diseases.

Prevention of the Importation of Viral Hemorrhagic Septicemia

Whereas it is recognized that viral hemorrhagic septicemia commonly known as Egtved is a serious problem to trout fisheries in various European countries; and

Whereas this virus disease of trout is readily transmitted to trout of all ages by live fish and may be transmitted by fish eggs; and

Whereas this disease is not yet recorded in trout of North America; and

Whereas the importation of this disease unquestionably would lead to catastrophic damage to trout fisheries in North America: Therefore be it

Resolved, That official recognition be taken of the seriousness of this threat to the fishery and that the following actions be taken:

(1) Voluntary action to be taken by all concerned to prevent the importation of this disease by refraining from importing live fish or fish eggs from areas where this disease occurs.

(2) That legislation be enacted to prevent the importation of live fish or fish eggs unless the products are certified by a competent authority to be free of the disease.

The bill (S. 1151) to provide protection for the fish resources of the United States including the freshwater and marine fish cultural industries against the introduction and dissemination of diseases of fish and shellfish, and for other purposes introduced by Mr. Moss, for himself and other Senators, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record.

Exhibit 1

S. 1151

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act, unless the context indicates otherwise, the term—

(1) "Secretary" means the Secretary of the Interior;

(2) "Department" means the Department of the Interior;

(3) "fish" includes all species of freshwater and marine fish, mollusks, and crustaceans, including their eggs or young, whether wild or reared in captivity, whether live or dead;

(4) "United States" means the States thereof and Puerto Rico, Guam, the Virgin Islands, and the District of Columbia;

(5) "interstate commerce" means commerce from a State or other area included in the definition of "United States" to or through any other such State or area; and

(6) "foreign commerce" includes commerce with a foreign country.

Sec. 2. (a) The Secretary, whenever he deems it necessary in order to guard against the introduction into, or dissemination within, the United States of a communicable disease of fish, may, subject to the provisions of subsection (d) of this section, seize, quarantine, or dispose of, in a reasonable manner after taking into consideration the nature of the disease and the necessity of such action to protect the fish of the United States, (1) any fish which he finds are moving or are being handled or have moved or have been handled in interstate or foreign commerce contrary to any law or regulation administered by him relating to the prevention of the introduction or dissemination of any communicable disease of fish; (2) any fish which he finds are moving in interstate or foreign commerce, and which are infected with or have been exposed to any communicable disease dangerous to fish; and (3) any fish which he finds have moved in interstate or foreign commerce, and at the time of such movement were so infected or exposed.

(b) By reason of the fact that the existence of any dangerous, communicable exotic disease of fish, such as viral hemorrhagic septicemia of Rainbow Trout, on any premises in the United States would constitute a threat to the fish resources of the United States and would burden interstate and foreign commerce, the Secretary, if he determines that an emergency exists because of the existence of such a disease within the United States, may, subject to the provisions of subsection (d) of this section, seize, quarantine, or dispose of, in such a manner as he deems necessary or appropriate, any fish in the United States which he finds are or have been infected with or exposed to any such disease, or any fish product or article which he finds were so related to such fish as to be likely to be a means of disseminating any such disease: *Provided,* That action shall be taken under this subsection only if the Secretary finds that adequate measures are not being taken by the appropriate State or other governmental entity. The Secretary shall notify the appropriate official of the State or other governmental entity before any action is taken pursuant to this subsection.

(c) The Secretary, if he determines that such action is necessary to protect the fish of the United States, is authorized to promulgate regulations prohibiting or regulating the movement in interstate or foreign commerce of any fish which are or have been infected with or exposed to any communicable fish disease, or which have been treated for any such disease, or which he finds would otherwise be likely to introduce into, or disseminate within, the United States any such disease.

(d) The Secretary may order, in writing, the owner of any fish, fish product, or article referred to in subsection (a) or (b) of this section, or the agent of such owner, to maintain in quarantine or to dispose of such fish, fish product, or article in such a manner as the Secretary may direct pursuant to authority vested in him by this Act. If such owner or agent fails to do so after receipt of such notice, the Secretary may take action as authorized by such subsections (a) and (b), and recover from such owner or agent the reasonable costs of any care, handling, and disposal incurred by the Secretary in connection therewith. Such costs shall not constitute a lien against the fish, fish product, or article involved. Costs collected under this Act shall be credited to the current appropriation for carrying out fish disease control activities of the Department.

(e) Except as provided in subsection (f) of this section, the Secretary shall compensate the owner of any fish, fish product, or article destroyed pursuant to the provisions of this Act and reimburse any such owner for costs, as determined by the Secretary to be reasonable, that have been incurred in connection with seizure, quarantine, or destruction. Such compensation shall not exceed the fair market value of any such fish, fish product, or article as determined by the Secretary at the time of its seizure, quarantine, or destruction. Compensation paid any owner under this Act shall not exceed the difference between any compensation received by such owner from a State or other source and such fair market value of the fish, fish product or article. Funds heretofore or hereafter available for carrying out fish disease control activities of the Department shall be available for use in carrying out this subsection.

(f) No such compensation or reimbursement shall be paid by the Secretary for any fish, fish product, or article which has been moved or handled by the owner thereof or his agent knowingly in violation of a law or regulation administered by the Secretary for the prevention of the dissemination of the communicable disease, for which the fish, fish product, or article was seized, quarantined, or destroyed, or a law or regulation for the enforcement of which the Secretary enters or has entered into a cooperative agreement for the control and eradication of such diseases, or for any fish which have moved into the United States contrary to such law or regulation administered by the Secretary for the prevention of the introduction of a communicable disease of fish.

SEC. 3. (a) It shall be the duty of the Secretary to prepare such rules and regulations as he may deem necessary for the prompt and effectual suppression and extirpation of dangerous communicable diseases of fish and to certify such rules and regulations to the executive authority of each State or other governmental entity covered by this Act, and invite such authorities to cooperate in the execution and enforcement of the provisions of this Act. Whenever the rules and regulations of the Secretary shall be accepted by any such State or entity in which a communicable disease is declared to exist, or such State or entity shall have adopted plans and methods for the suppression and extirpation of such diseases, which plans and methods are acceptable to the Secretary, and the governor of a State or other properly constituted authority signifies his readiness to cooperate for the extinction of any such communicable disease in conformity with the provisions of this Act, the Secretary is authorized to expend so much money appropriated for carrying out the provisions of such disinfection and quarantine measures as may be necessary to prevent the spread of the disease anywhere within the United States.

(b) The Secretary, either independently or in cooperation with States or any other governmental entity covered by this Act, fish farmers' associations and similar organizations, and individuals, is authorized, in accordance with such regulations as the Secretary may prescribe, to control and eradicate any communicable diseases of fish, including incipient or potentially serious outbreaks of diseases of fish, and contagious or infectious exotic diesases of fish which, in the opinion of the Secretary, constitute an emergency and threaten the fish resources of the United States, including payment of claims growing out of destruction of fish, fish products, or articles, infected by or exposed to any such disease.

SEC. 4. No airline company, railroad, or common carrier shall knowingly receive for transportation or transport in interstate or foreign commerce any fish with any communicable disease; nor shall any person, company, or corporation deliver for such transportation to any airline, railroad, or other common carrier, any fish knowing them to be infected with any communicable disease; nor shall any person, company, or corporation transport in private conveyance in interstate or foreign commerce any fish, knowing them to be infected with any communicable disease: *Provided*, That such fish may be so delivered and received for such transportation and so transported and moved if the Secretary determines that such action will not endanger the fish resources of the United States and authorizes such action, and such delivery, receipt, transportation, and movement are made in strict compliance with such rules and regulations as the Secretary may prescribe to protect the fish of the United States.

SEC. 5. Any officer or employee of the Department designated by the Secretary for the purpose, when properly identified, shall have authority (1) to stop and inspect, without a warrant, any person or means of conveyance, moving into the United States from a foreign country to determine whether such person or means of conveyance is carrying any fish, fish product, or article regulated or subject to disposal under any law or regulation administered by the Secretary for the prevention of the introduction or dissemination of any communicable fish disease; (2) to stop and inspect, without a warrant, any means of conveyance moving interstate upon probable cause to believe that such means of conveyance is carrying any fish, fish product, or article regulated or subject to disposal under any law or regulation administered by the Secretary for the prevention of the introduction or dissemination of any communicable fish disease; and (3) to enter upon, with a warrant, any premises for the purpose of making inspections and seizures necessary under such laws and regulations. Any Federal judge, or any judge of a court of record in the United States if authorized by State law, or any United States commissioner, may, within his jurisdiction, upon proper oath or affirmation indicating probable cause to believe that there is on certain premises any fish, fish product, or article regulated or subject to disposal under any law or regulation administered by the Secretary for the prevention of the introduction or dissemination of any communicable fish disease, issue warrants for entry upon such premises and for inspections and seizures under such laws and regulations. Such warrants may be executed by any employee of the Department authorized by the Secretary.

SEC. 6. It shall be the duty of the several United States attorneys to prosecute all violations of sections 2, 3, and 4 of this Act which shall be brought to their notice or knowledge by any person making the complaint under oath; and the same shall be heard before any district court of the United States having jurisdiction over the district in which such violation has allegedly occurred.

SEC. 7. (a) Whoever knowingly violates any provision of sections 2, 3, and 4 of this Act, or any regulation promulgated pursuant thereto, shall be punished by a fine not exceeding $1,000 or by imprisonment not exceeding one year or both.

(b) The Secretary may bring an action to enjoin the violation of, or to compel compliance with, any provision of sections 2, 3, or 4 of this Act or any regulation promulgated or order issued under said section, or to enjoin any interference by any person with an employee of the Department in carrying out any duties under said sections, whenever the Secretary has reason to believe that such person has violated, or is about to violate, any such regulation or order, or has interfered, or is about to interfere, with any such employee. Such action shall be brought in the United States district court for the judicial district in which such person resides or transacts business or in which the violation, omission, or interference has occurred or is about to occur. Process in such cases may be served in any judicial district wherein the defendant resides or transacts business or wherever the defendant may be found, and subpenas for witnesses who are required to attend the court in any judicial district in any such cases may run into any other judicial district.

SEC. 8. The authority conferred upon the Secretary by this Act shall be in addition to any other authority conferred upon him by other laws of the United States.

SEC. 9. If any provision of this Act or application thereof to any person or circumstances is held invalid, the remainder of this Act and the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 10. There is authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

THE 174TH IOWA NATIONAL GUARD TACTICAL FIGHTER SQUADRON

Mr. MILLER. Mr. President, our men in Vietnam are the finest in the world. They are over there trying to do a job which, while certainly not to their liking, must be done—and they realize it.

They deserve the support of all Americans, not the condemnation which some are so quick to give. They deserve our thanks and our prayers, not the anti-American demonstrations in our streets.

Even while they are fighting a war, their thoughts go to the needs and welfare of those for whom they are fighting.

Among such men are those in the 174th Iowa National Guard Tactical Fighter Squadron. They have "adopted" an orphanage located 10 miles from Phu Cat, and, through their friends in Iowa, have furnished the children with toys, gifts, and medical supplies; in fact, so many parcels have been sent from Iowa that part were given to a leprosarium and a refugee center.

Those who are so quick to criticize should think of these humanitarian activities.

I ask unanimous consent that an article published in the Sioux City Journal of January 19, telling of these efforts, and an accompanying article profiling the men of the 174th, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE 174TH HELPS VIET ORPHANS—NORTHWEST IOWA FIGHTER-BOMBERS EARNING RESPECT

(By A1C T. P. Sullivan)

PHU CAT, VIETNAM (7th AF).—For months now, persons from the Sioux City, Iowa, area have been answering a call for help put out by members of the 174th Tactical Fighter Squadron at Phu Cat Air Base.

The men, all activated Air National Guardsmen from Iowa, asked their friends back home to send clothing, food, medicine and other items for the Kim Chou orphanage which is situated about 10 miles from Phu Cat.

The response the men received has been overwhelming. At Christmas time alone more than 300 boxes of gifts for the orphans were received: Many of the packages came from individuals or small organizations.

The local newspaper was instrumental in sponsoring a drive which resulted in some 30 boxes of toys, dolls and Christmas presents for the orphans at Kim Chou.

Sioux City doctors also took an interest in the project and sent many boxes of medical supplies to Maj. Gerald McGowan, one of their associates who is now serving in the combat zone.

Gifts have come from everywhere, and nearly everything imaginable was received. So much, in fact, that part of the packages were taken to the Qui Hoa leprosarium near Qui Nhon and the refugee center in Phu Cat village. Too much was received for the orphans to handle at one time, but all the gifts were put to good use at the other two institutions.

PHU CAT, VIETNAM (7th AF).—Twenty-three years ago a unit of the Iowa Air National Guard was founded at the Sioux City Airport. It's title—the 174th Fighter Bomber Squadron. The unit is perhaps one of the most colorful in the entire Air National Guard.

A few men are still around who can tell its story, from the time of it's founding, through a war in Korea, crises in Berlin and Cuba, and up to the present day, serving with the combat Air Force in the Republic of Vietnam.

CHARTER MEMBERS

Sr. M. Sgt. Robert D. Petrik, 42, Sioux City, was one of the original members of the raggity ann militia that grouped forces back in 1946. Petrik has seen the outfit grow from a handful of civilians with a yearning to fly, to a highly trained team of men and supersonic machines.

When Petrik and his friends began the 174th, they were flying P–51 "Mustangs" and their mission was that of a fighter-bomber squadron. There was a young pilot who joined the outfit not long after it was formed. He was Lt. Gordon L. Young. Today, Lt. Col. Young commands the 174th Tactical Fighter Squadron serving at Phu Cat Air Base, Republic of Vietnam.

Petrik also has seen a pair of enlisted men rise in the ranks. Today they are both chief master sergeants. With a total of 53 years of service between them, James W. Thompson and Monte F. Colbert, each 52, have served with the unit since shortly after it's conception, through the lifetimes of four different aircraft. At Phu Cat the two chiefs are serving with the 37th Tactical Fighter Wing, Thompson as the maintenance scheduling superintendent and Colbert as maintenance superintendent of the 174th.

Capt. Richard E. Dickson, 40, Sioux City is another long-time member of the 174th. He began his military career as an enlisted troop with the outfit and three years ago was given a direct commission.

MUCH AIR FORCE DUTY

Dickson is the officer in charge of avionics, airborne electrical equipment, and is assigned to the 37th Armament and Electronics Maintenance Squadron at Phu Cat. Dickson was a member of the unit when the war in Korea reached a turning point and the 174th was called to active duty. During that period the men were stationed stateside to replace regular Air Force units that were deployed to Korea.

Sr. M. Sgt. John D. Smosky, 45, Sioux City, is another man whom Petrik has been working with for a long time. Today, Smosky is the weapons superintendent for the 174th, but he was part of the Guard which flew F–80 and F–84 aircraft with their fighter-bomber mission.

A veteran of World War II, before joining the 174th, M. Sgt. Norman J. Moon, 48, Sioux City, is the phase dock inspection chief for the 174th. Two more veterans of World War II are flying members of the 174th. Lt. Col. Benton B. Boyer, 45, Hawarden, Iowa, and Maj. Eugene T. Atkinson, 41, Papillion, Neb., were far from rookies when they were deployed to Vietnam. Both of them have hundreds of combat hours flying several different military aircraft.

The list of men Petrik has worked many years with goes on. M. Sgts. George Prescott, Wilbur J. Toel, Donald D. McCabe, Richard R. Mercural and Gordon Wilson, have all been around for the last 20 years, building the unit into what it is today.

Twice these men have left the Guard and become members of the regular Air Force. On two other occasions, the Cuban missile crisis and the Berlin contingency, the unit was put on alert and was ready to answer a call within a matter of hours.

FIGHTER-BOMBERS

These NCOs and officers have built their outfit from just a handful of men, who didn't even have matching uniforms, to a squadron and then later to a full group. They have had one major mission for most of their 23 years—fighter bomber. The 174th also had a photo reconnaissance mission for a period of about two years.

In 1960 the 174th was enlarged to a group, becoming the 185th Tactical Fighter Group. Among the several squadrons in the group was the 174th Tactical Fighter Squadron.

It was the 174th, along with support personnel from the remaining support squadrons who were deployed to Phu Cat in May. When they arrived, many men in regular branches of the service were skeptical as to what the Guardsmen could do. But within a few hours after the 174th Tactical Fighter Squadron and their F–100 Supersabre jet aircraft arrived at Phu Cat the planes were flying combat missions in support of the Free World cause.

A week after they began, doubts were erased and replaced with confidence. As the months went by the confidence was replaced with respect for a group of men with a very fine record.

WITH DISTINCTION

The 174th is made up of a majority of young men with one, two and three years in the service. They could hardly be called "experienced troops." But Petrik and his friends had trained and molded these young men into capable airmen. With one weekend a month and two weeks each summer, the full-time air technician had produced an outfit of part-time "weekend warriors" that could go anywhere and perform with pride and distinction.

There are several other men, who, along with Petrik, were in the first group of men of the 174th, but they were reassigned to different places in the world when the unit was deployed to Southeast Asia. Col. Donald Forney, commander of the 185th, is now serving in Korea; Lt. Col. James Konopisos is the group's detachment holding commander, and Maj. Richard Marx is serving on Guam. They too were part of the founders, and along with Petrik and many more longtime Guardsmen, they have contributed to the success demonstrated by the 174th throughout the years, and at the present time.

REPORT OF THE BIAFRA STUDY COMMISSION

Mr. GOODELL. Mr. President, Biafra increasingly occupies the thoughts of Americans and, indeed, of people around the world. The Biafran people have been beset by famine while fighting a civil war. Only in recent weeks has their plight received significant attention in the world community. More and more, it is clear that Biafra is one of the great nutritional disasters of modern times.

Recognizing that a full factual study of the Biafran famine and all its consequences had not been made, I sponsored and led a "study mission to Biafra." The men who went with me on the mission were: Prof. Jean Mayer, Harvard University; Dr. Roy Brown, Tufts University; Prof. George Axinn, Michigan State University; Mr. George Orick, former consultant to UNICEF; and Dr. Charles Dunn, my administrative assistant. These men were exposed to bombing every day, taking cover when necessary in trench, bunker or ditch. They performed their voluntary commitment to this factual mission with cool professional skill.

Prior to the blockade of Biafra, imposed some 3 months before secession was declared, severe malnourishment was virtually unknown in this area. Calorie needs were met by local production of yams, maize, cassava, bananas, rice, and other products. Eighty percent of the protein needs of the people were met by imports, primarily meat and stock fish.

During 1968, Biafra faced a protein crisis. That protein crisis will continue through 1969, but will be many times compounded in the months ahead by a major calorie crisis. A calorie crisis presents far greater problems of transportation and relief than does a protein crisis. For example, our team estimates that if present airlift capacity is maintained throughout 1969, approximately 50,000 tons of food can be delivered into Biafra. This will be 35,000 tons short of the animal protein needs required to prevent substantial starvation. The calorie deficit in 1969 will be approximately 800,000 tons. Our experts estimate that a portion of the calorie deficit can be made up by substitution of foods not usually consumed.

Even the most optimistic projections, however, starkly reveal that Biafra will face a calorie deficit in the range of 500,000 to 600,000 tons this year. This amounts to a calorie deficit of 271 calories per person per day. Even more critical will be a shortage of 730 calories per person per day for the 4-month period from April through July. Obviously, the combined protein and calorie crisis, imminent in Biafra, cannot be met by the meager deliveries of even an unhampered airlift and planes and the airfield being utilized today.

A protein deficiency produces kwashiorkor and attendant diseases to which the population is particularly vulnerable in the weakened condition of malnourishment. A calorie deficit will produce marasmus and far greater vulnerability to disease. If the children, the pregnant women and the elderly do not die directly of starvation, many will die from anemia, measles, smallpox, tuberculosis, and other diseases. The dangers—in fact the probability—of epidemic are self-evident. Only 11 of the 48 hospitals originally in Biafra remain under Biafran control. These hospitals are severely overtaxed as are the medical and paramedical personnel. There greatest shortage, however, is medical supplies.

Unless something dramatic is changed almost immediately, a minimum of 1 million and probably 2 to 2.5 million Biafrans will die in the next 12 months. The study mission which I took to Biafra has made specific and technical recommendations in their fields of professional expertise. I make further recommendations in the political arena. There can be no acceptable solution to this massive human tragedy without a political solution.

First, there must be an immediate cease-fire, or if a cease-fire is impossible, a temporary truce for a limited period.

Second, there must be an immediate end to all arms shipments into Nigeria and Biafra. This means, among others, that the British and Russians must stop shipping arms to Nigeria and the French must stop shipping arms to Biafra. In the absence of such action, there is grave danger that Nigeria and Biafra will become suffering pawns in a calamitous great power confrontation.

Third, the United Nations should face its urgent responsibilities in this humanitarian crisis. If the United Nations cannot meet this kind of humanitarian crisis with effective compassion, it is even more debilitated than its worst critics contend.

Fourth, I am assured that the U.S. Government will make available to relief agencies on a feasible and emergency basis such cargo planes, ships, maintenance personnel, and parts as are found to be necessary to perform the humanitarian mission of getting food and medical supplies to the starving people in Biafra and in Nigeria.

Fifth, in any event, the United States unilaterally should make available more than obsolete C–97 cargo planes that are plagued with shortages of replacement parts and with numerous maintenance problems.

Sixth, the United States, the United Nations, the Organization of African Unity and all great powers should offer their good offices to bring about direct negotiations between the leadership of Nigeria and the leadership of Biafra.

Whether by design or not, a form of physical and intellectual genocide is taking place today in Biafra. Perhaps the most poignant summation of the Biafran crisis is the agonizing fact that today one of their greatest shortages is the shortage of coffins. So many young children have died so fast that they are buried in mass graves. Is this human tragedy really necessary?

Cannot the brothers and sisters of the human race prevent the even greater calamity that liest just ahead? In the words of the Ibo proverb:

> The right hand washes the left
> The left hand washes the right
> That both may be clean
> It is natural and right
> To help one another.

I ask unanimous consent to have printed at this point in the Record the text of the full report of the study mission to Biafra, which I sponsored.

There being no objection, the report was ordered to be printed in the Record, as follows:

Report of the Biafra Study Mission

FOREWORD BY SENATOR CHARLES E. GOODELL

There are those who assert that there are only 3.5 million people in Biafra today. We now know that there are over 8 million.

There are those who assert that only a few thousand Biafrans died of starvation in the past six months. We now know that an absolute minimum of 1 million Biafrans died in that period.

There are those who assert that Nigeria is not interferring with shipments of food and medicine into Biafra. We now know that a lone Nigerian bomber (The Intruder) drops 6 to 9 bombs every night on Uli Airport, thereby cutting mercy flights to one-third their potential and bringing great hazard to the crews.

There are those who assert that maintenance of present relief efforts will hold future starvation deaths to far fewer than in the past six months. We now know that present hobbled efforts are so inadequate that, without dramatically increased relief, more Biafrans will die of starvation in the next 6 months than in the past 6 months.

These are the kind of facts that the world needs to know. Such was the purpose of the Study Mission to Biafra sponsored by me. The qualifications of the professional team are unassailable. Their findings are irrefutable.

I pay tribute to the personal courage and commitment of these men. They were exposed to bombing every day, taking cover when necessary in trench, bunker or ditch. They performed their voluntary commitment to this factual mission with cool professional skill. We are concerned about starvation wherever it occurs.

It occurs in Nigeria as well as in Biafra. The United States has provided 32 thousand tons of food for relief to Nigeria and is now pledged to a total of 73 thousand tons. Medical teams and other skilled volunteers are needed. Our embassy team in Lagos has full access to the needy population in Nigeria. They do not have access to blockaded Biafra. It was our purpose to fill this factual void.

May the findings of this Study Mission to Biafra bestir the world's leaders. Incisive action is necessary to prevent an indirect form of genocide that will wipe out more than 1 million Biafran women and children in the immediate months ahead.

A. INTRODUCTION

A technical mission made up of United States citizens and traveling with and under the sponsorship of a member of the United States Senate, with the full knowledge and encouragement of the United States Secretary of State, arrived in Biafra on the 7th of February 1969 (under a bombing attack) and left on the night of the 11th—12th (also under a bombing attack). The group, selected by Dr. Mayer at Senator Goodell's invitation, was made up of the following persons:

Dr. George H. Axinn, Professor of Agriculture, Assistant Dean of International Programs, and Associate of the African Studies Center at Michigan State University, who had been in Eastern Nigeria most of the time from the beginning of 1961 to July 1967, and served at the University of Nigeria, Nsukka, in various capacities, including Acting Vice-Chancellor and Visiting Professor of Rural Sociology.

Roy Brown, M.D., Associate Professor of Preventative Medicine and Pediatrics at Tufts University, who had spent three years at the Makarere Medical School in Kampala in pediatrics, and six months in Ethiopia.

Mr. George Orick, until last December consultant to UNICEF, who had lived and worked in Nigeria for six years, had traveled extensively in Eastern Nigeria during that period, had last visited Biafra in September–October 1968, and who was the group's consultant on logistics and transport.

Dr. Jean Mayer, Professor of Nutrition, Lecturer on the History of Public Health and member of the Center for Population Studies at Harvard University, who had participated in a number of missions to West Africa for FAO, WHO, and UNICEF, including repeated missions to Ghana as nutrition advisor, acted as informal Chairman of the expert group.

The Honorable Charles E. Goodell, United States Senator from the State of New York, who sponsored the group, was accompanied by his Administrative Assistant, Dr. Charles W. Dunn.

Drs. Axinn and Brown and Mr. Orick flew into Biafra in a Joint Church Airlift plane from Sao Tome, where they had inspected the airlift facilities. Dr. Mayer arrived with Senator Goodell and Dr. Dunn in an International Committee of the Red Cross plane from Cotonu, Dahomey. The second group had spent several days in Lagos, Nigeria, in conference with high Nigerian government and professional personnel, including General Jakabu Gowon, the Head of the Federal Military Government. The total mission met for the first time in Umuahia, the current capital of Biafra.

The stay of the team was short. But all of its members were familiar with Black African problems; two of its members had intensive knowledge of government and technical personnel; one of them had been in Biafra recently. The cooperation, openness, and trust of all departments of government were complete; they gave us free access to their data, were most generous with their time, and insured that our own time was spent to best advantage. We were able to traverse the length of the country and thus were able to see a great deal.

We saw hospitals, refugee camps, feeding stations, kwashiorkor centers, government departments, laboratories, farms, yam barns, factories, schools, and research organizations; had two interviews with the head of government, and saw the constituent assembly in session. Especially useful for the purpose of this report was the fact that Biafran physicians, agriculturalists, economists, scientists, and administrators made available to us their own files of recent reports and statistics which we checked against one another and verified with our own independent observations. These have enabled us, we feel, to get as good a picture as could be obtained in a country under siege, of which half of the more than eight million inhabitants are refugees; where more than a million persons have died of starvation in the past eight months; and where hospitals, schools, refugee camps, and market places are being systematically strafed and bombed daily.

We feel we should make a point of terminology clear. When we speak of Biafra in this report, we mean to designate the area now under the administration of the Government of the Republic of Biafra, not the original Biafran area which declared its independence on 30 May 1967. For the Nigerian Government, of course, there is no Biafra, only a "rebel" government and "liberated" or "reconquered" territories. Suffering does not acknowledge such borders. The wants are enormous on both sides. We have concentrated our efforts of fact finding on the Biafra side because our government has no official link with Biafra.

In Nigeria, by contrast, we have a large embassy and an AID mission with access to all but the military areas. That our fact finding efforts (including medical team) have been greater in Biafra does not mean that we have forgotten the million victims of famine and the two million displaced persons on the Nigerian side. Senator Goodell and Dr. Mayer, in their conversations with Nigerian officials, have emphasized that Americans are as concerned for the victims of the war on the Nigerian side as they are for those victims of the war on the Biafran side. Our government has made large amounts of supplies available to the Nigerians and those members of the mission who have been in Nigeria recommend increased medical and food aid in the Nigeria-held areas as well.

Our report was a collaborative undertaking. It was begun as soon as the team reached San Tome (our first stop on the long voyage home). It was continued on planes, at the Luanda (Angola) Airport, and in hotel rooms in Lisbon, where the team stopped for a few hours before the final leg of the journey. Members of the mission typed all the way to-Kennedy Airport. While each one of us wrote primarily in his areas of competence, all chapters were seen and relevant suggestions made by all members. Dr. Mayer assumed responsibility for final editing. The philosophy which inspired the writing and editing was that the urgency of the situation made it imperative to report immediately the facts gathered by the team, even though it meant that prewar data and other pertinent background information of obvious interest could not be included and numerical data could not be collated. Inasmuch as many conditions described in the report are likely to evolve considerably in the next few weeks, it is important to note it describes the situation as we saw it on or around February 10, 1969.

Finally, we would like to conclude this introduction by saying that while this document is our best effort to produce a factual, technical report, we want it to stand as a small memorial to the millions of victims of Man's inhumanity to Man and to the unflinching dignity of the victims as we witnessed it in Biafra. The unfailing courtesy of our hosts from the head of the government to the humblest villagers, their grace under the most difficult circumstances, the resilience and continued inventiveness of people who had endured horrors and continued disappointments, the depth of their commitment, their determined hope, which the whole population shared, that the world was bound to see the justice of their case—these things will stay with us as long as we live.

B. DEMOGRAPHY

Unlike many other parts of the developing world, Biafra has a long background of sound public health policies, many well-trained physicians and nurses, many hospitals and clinics and generally a good water supply. Before the Nigerian blockade, food was plentiful, with most of the staples and vegetables produced within the area of Biafra and large supplements of food of animal origin imported. There was no major population problem and severe malnutrition among the children was infrequent, as were such conditions as severe anemia, tuberculosis and dysentery.

Imports were stopped by the blockade of land, sea and air routes into Biafra imposed by the Nigerian government early in 1967 (several months *before* the secession of the Biafran state). This act abruptly interrupted the import of protein foods representing nearly 80% of the normal protein supply. Following the slaughter of 30,000 to 40,000 Ibos and other Southerners during the programs of May, July and September-October 1966, a large number of persons left their positions throughout Nigeria and they and their families, totaling about 2,000,000 people, returned to Biafra. Additional numbers of refugees—Ibos and minority groups—have kept on pouring into the shrinking area of Biafra to avoid capture by the advancing Federal Nigerian troops whose reputation for slaughtering entire villages developed during the early weeks of war. As a result, within the much diminished land area encompassed by the present borders of Biafra can be found at present the original population of that area, the entire Biafran government personnel and their families, the Biafran Army, and large numbers of displaced persons henceforth referred to as refugees. The latter live either in the villages with relatives or within refugee camps.

The original land area of Biafra was 29,000 square miles. Present boundaries enclose only 7,250 square miles of "free" Biafra, one fourth of the original area. This remaining land is not the best for crop raising and is completely land-locked.

There have been a number of estimates, based on different methods, to determine the population currently within the Biafran borders. These estimates have been made by the Biafran government and by the major relief agencies (such as the International Committee of the Red Cross) with responsibilities extending over the whole of the Biafran territory. Our own estimate, which agrees well with those of others in Biafra, is based on the following considerations.

Both Biafran statisticians and a well-known U.S. economist, Dr. Victor E. Smith of Michigan State University, have estimated the original population living in Biafra as being between 12 and 13 million people. This population range was based on the figures of the 1963 Population Census of Eastern Nigeria and assumed the very conservative rate of 2 per cent per annum for the national annual rate of population increase, chosen by the Biafran government officials over the figure of 2.3 per cent per annum chosen by Dr. Smith. (Both figures are lower than the usual 2.4 to 2.5 per cent compound growth rates found in any African countries.)

On the basis of our consultations and of our observations, we are assuming that 65 per cent of the population living in Biafra before the war is now squeezed inside the present boundaries of Biafra, leaving 35 per cent outside the heartland either living or dead behind Federal lines. (This represents, in addition to the original inhabitants of the present enclave, the great majority of the Ibos and about 40 percent of the minority groups in the Federally occupied areas of the initial Biafra.) Correcting for the refugees from other areas of Nigeria (2 million) and for deaths from famine (1.5 million) we arrive at an estimated 8 to 9 million people living inside Biafra now. The refugee population within the Biafran enclave amounts to about 3 million people, of whom 1 million are in refugee camps and registered and at least 2 million are people from the occupied areas and the fighting zone, unregistered and living with their original families and with friends in villages. The original population of 4.5 million people who lived within the present boundaries of Biafra has thus been almost doubled. The average population density is calculated as 1,100 persons per square mile. Incidentally, it may be of interest to note that the USAID Measles-Smallpox Immunization teams operating on the Nigerian side have arrived, for the areas under Federal control, at figures of 800,000 refugees in camps, 200,000 people floating in and out of camps and 1,000,000 refugees not in camps. Adding up these figures and those for Biafra will give an idea of the magnitude of the displacement of people and of the relief problems posed by the Nigeria-Biafra conflict.

Although we advance a range of 8 to 9 million as the best estimate which can be made of the Biafran population, we recognize that even this range may not encompass the actual figure. There are many reasons why it is particularly difficult to accurately count local populations under present conditions. There are frequent mass movements out of a zone near a suddenly active front, many settlements of migrating populations are located deep in the bush, as far away as possible from paved roads in order to avoid involvement in military clashes; the extended family system of Biafra makes it customary for any returning members of the family to be incorporated within the village family units and the villages have also been very hospitable to fellow Biafrans in need. Relief systems have not been able to cope with the frequent situations in which village populations, already hard pressed, have been further taxed by a doubling and sometimes a tripling of their number by the influx of refugees. A typical parish, far from the main road, which we visited, had had a prewar population of 12,000 living in several villages. It has now swollen to 23,500. (Since the feeding programs do not reach villages, it is not surprising that people who live deep in the bush, particularly near the front line, appear to be in much worse nutritional state than the inhabitants of refugee camps.)

There appears to be general agreement that the birthrate of Biafrans is markedly decreased. What figures are available confirm this. Probable factors are the enlistment of young men into the Army, the dislocation of families, the assignment of personnel to posts away from their wives and the lack of privacy in overcrowded families. Considerable intentional limitation of family size because of fear for the future safety of the family is taking place in spite of the extreme shortage of contraceptive equipment.

In arriving at a figure of approximately 8.5 million for the population we have also taken into consideration the enormous mortality rates, particularly those for young children and for the elderly. The rock bottom minimum estimate of mortality due to famine during the months of August, September and October, 1968 is 500,000.

We estimate that an additional 500,000 died of starvation in the six months preceding that period and in the three months since, for a minimum total of 1,000,000. Informed foreign relief personnel working in Biafra in 1968–69 have made estimates on the basis of their samplings which go up to twice that figure. Our own estimate, based on all figures currently available and on checks for Catholic parishes, is that mortality from famine and associated causes of death in the past twelve months was greater than 1,000,000 persons but well below 2,000,000. We have taken the figure of 1,500,000 for our calculations.

To summarize, our estimate is based on the following figures:

[In millions]

Original inhabitants	4.5
Refugees from Western and Northern Nigeria	2.0
80 percent of Ibos in Nigerian-occupied areas (originally 2.5 million)	2.0
40 percent of minority groups in Nigerian-occupied areas (originally over 5 million)	2.0
Total	10.5
Minus extraordinary mortality due to 1968 famine	1.5
Difference	9.0

Because an extraordinarily high mortality has been in existence for at least two years and because of the inaccuracies attached to several of these figures, we consider that giving a range of 8 to 9 million is indicated.

C. FOOD SITUATION

Before the war, the main calorie sources were cassava, yams, plantains, rice and palm oil. Biafra was not only self-sufficient in the production of these foods but was able to export some items to the rest of Nigeria. By contrast, only about 20 percent of the protein needs was produced locally, mainly as goats, poultry and fish. The remaining 80 percent of the protein supply came mostly from Northern Nigeria (beef, beans, dried fish) and from Europe (stock fish, milk).

At present, the prevailing shortage of foods is serious; and is likely to reach famine proportions during the next few months (March, April and May). The present high cost of yams, garri and other foodstuffs is the result of both general inflation and high prices and a general shortage in the supply of these commodities.

Prices of all basic foodstuffs have risen sharply over the past two years. Yams are selling in local markets for approximately 10 times their former price; garri is up 14 times; and rice 18 times. Plantain is averaging 20 times its preblockade price, and chicken and goats, which are difficult to find, run 15 times their former price.

Price alone does not provide an adequate reflection of supply of such commodities, since the pressure of population and the scarcity of consumer goods have reduced the effective purchasing power of the Biafran pound. It is difficult to correct for this since only gross estimates are available. Staff of the Biafran Ministry of Economic Planning have unofficially estimated a purchasing power of three-quarters, which would put the yam price up only 7.5 times its preblockade figure, and rice, garri, and plantain prices up 13.5, 10.5 and 15.0 times respectively. Even if the less conservative estimate of purchasing power at 50 percent were made, prices would be up as follows: rice—9 times; garri—7 times; plantain—10 times; and yams—5 times. Chickens and goats would be up 8 times.

Another approach is to compare these crops in short supply with the typical major export crop of Biafra, which is not in short supply, palm oil. Dislocations brought on by transportation difficulties and an increased (per capita) demand as a result of use for light, fuel, and (increasing) human consumption, plus the stoppage of production in many palm oil pressing plants, confuse this picture. However, this comparison produces a very conservative estimate of the shortage in supply, which comes out as about one-third of normal for yams; one-sixth for rice; one-fifth for garri; one-seventh for plantain, and one-fifth for chickens and goats. It is our judgment that food supplies are at least this much below normal. See tables I and II for details.

There are several reasons for the food shortage. The land, sea, and air blockade imposed on this area by the Nigerian Federal Government early in 1967, before Biafran independence was declared, cut off normal supplies of beef, beans and other legumes, wheat flour, fish, milk and other foodstuffs. This has been particularly critical since a large proportion of the protein, particularly animal protein, consumed in Biafra was formerly imported from other parts of the Federation of Nigeria, and from abroad.

In addition, the Nigerian occupation of approximately 21,750 square miles of the original 29,000 square miles which declared Biafran independence, including some of the best farm land, has cut into agricultural productivity. Diversion of many able-bodied young men to the defense effort has reduced drastically the number of farmers. Both the early influx of refugees from disturbed parts of Nigeria and the later flood of Biafrans from the land they normally cultivated to the present 7,250 square miles contributed to the food shortage, especially since much of the foodstuffs produced last year was not evacuated with farmers as they made their hasty retreat.

TABLE I.—AGRICULTURAL COMMODITIES RETAIL PRICE PER HUNDREDWEIGHT FROM JANUARY TO DECEMBER 1968, AS PROVIDED BY AGRICULTURAL ECONOMICS UNIT, UMODIKE AGRICULTURAL RESEARCH CENTER, BIAFRA FEBRUARY 1969

Commodities	January	February	March	April	May	June	July	August	September	October	November	December
Rice	30/8	35/6	58/-	61/10	90/10	72/3	92/11	142/7	220/11	231/11	239/9	280/3
Yams	64/4	70/3	107/1	193/4	190/4	188/8	216/11	203/3	212/8	222/5	232/1	274/11
Rice	94/3	115/8	154/2	194/2	293/4	326/9	478/-	483/9	598/10	796/2	939/10	1108/4
Maize	84/8	111/4	153/4	185/9	171/10	250/11	149/4	220/-	271/2	284/10	339/5	352/10
Cassava	12/6	12/6	15/4	24/6	21/1	21/9	24/10	52/7	73/5	59/10	69/2	87/4
Cocoyam	38/-					101/6	126/2	156/-	146/2	129/9	73/4	101/1
Plantain	48/8					130/7	139/1	154/7	166/2	162/7	125/1	159/5

TABLE II. PRICE RISE OF BIAFRAN FOODS, PREBLOCKADE TO FEBRUARY 1969

[Number of times increase]

	Raw price[1]	Biafran pound at ¾[2]	Biafran pound at ½[3]	Corrected for palm oil at 3 times[4]
Rice	18	13.5	9.0	6.0
Cassava/garri	14	10.5	7.0	4.6
Plantain	20	15.0	10.0	6.6
Yams	10	7.5	5.0	3.3
Chicken	15	11.3	7.5	5.0
Goats	16	12.0	8.0	5.3

[1] Based on interviews conducted in Biafra February 8–11, 1969, and data made available by Biafran Ministry of Economic Planning and Biafran Agricultural Research Center at Umodike and verified in visits to markets throughout Biafra.

[2] Estimating that the purchasing power of the current Biafran currency is approximately ¾ of that of the currency in use prior to the blockade.

[3] Estimating that the purchasing power of the current Biafran currency is approximately ½ of that of the currency in use prior to the blockade.

[4] Estimating that the price rise currently observed in Biafra of palm oil, at 3 times its preblockade price, and estimating that supply is not substantially reduced within Biafra, the purchasing power of the Biafran pound is assumed here to be ⅓ of its preblockade value.

Disruption of communications and transportation by the war has intensified the problem by cutting off certain routes to areas of severe food shortage from those of greater abundance. There has also been a lack of facilities for storage of food during the time of harvest, so that stockpiles of food could not be built up.

In addition to the crops mentioned above, many other foods are in short supply. Beans and cowpeas are produced in Biafra, although the bulk of the supply formerly came from outside. Whereas women formerly paid a shilling for six cups of beans in local markets, the current price runs around ten shillings for one cup. Bananas which sold at four for three pence are now four for five shillings, and paw paw has gone from one to three pence to five shillings.

Oranges are now four for a shilling, instead of two for a penny. Then small tomatoes, which formerly would have brought three pence, sold while we were in Biafra for two pounds (160 times the former price). Okra, which sold for five shillings before, is now bringing three pounds. And a large onion, which would have sold on the Umuahia market for about two pennies in the past, even though shipped down from the north, went for one pound ten shillings (or 360 pennies)! Official Ministry of Agriculture price reports show one pound of onions at 7.7 pence in January of 1967 and at 480 pence in January of 1969.

The current food shortage involves almost all foodstuffs, but more especially meat, fish, beans and legumes, rice, onions, maize, groundnuts, sugar, melons, and some other vegetables.

Some price data are missing from the above analysis because the car carrying the official of the Biafran Government bringing it to the study team was strafed during one of the daily bombing attacks and the official was wounded and hospitalized. Other data reported above were collected from a variety of different government offices, all of which were opened to the team, and from the staff of the University of Biafra. These data, in turn, were verified by members of this study team in personal interviews conducted at various points from Uhafia, in eastern Biafra, to Uli, on the west side.

Using as a base FAO figures published in 1966 and adjusting for recent changes, it is possible to project estimates of human requirements and potential deficits for major foodstuffs produced in Biafra. Striking among these are estimated deficits for 1969, for human consumption, of 44,200 tons of maize; 1,217,000 tons of yams; 642,100 tons of cassava; and 90,800 tons of vegetables.

With respect to high protein foods, the deficit for meat (including beef, mutton, goat, and pork) is anticipated at 22,000 tons. Poultry meat is anticipated to be 4,100 tons short, fish 61,600 tons short; and eggs 500 tons in deficit. Details are provided in table III.

In an effort to overcome these deficits, Biafra has established an Emergency Food Production Programme, aimed at the total mobilization of all available resources for increased food production. This includes farming and gardening by individuals and family units; farming by communities and cooperative societies; farming by the Land Army, which is a new concept being tried out to help boost production; farming by governmental and quasi-governmental food producing agencies; and special projects supported by such organizations as the World Council of Churches and Caritas International.

TABLE III.—ESTIMATE OF FOOD PRODUCTION DEFICIT WITHIN BIAFRA FOR 1969[1]

[In thousands of tons]

	Production estimate for 1969	Net requirement for 8,000,000 people	Anticipated deficit
Maize	27.5	71.7	44.2
Rice	10.4	27.1	16.7
Yams	760.0	1,977.0	1,217.0
Cassava	401.3	1,043.4	642.1
Cocoyam	103.0	267.8	164.8
Beans	2.6	6.8	4.2
Groundnut	2.6	6.9	4.3
Mellon	5.5	14.2	8.7
Vegetables	55.0	145.8	90.8
Fruit	17.0	68.0	51.0
Meat	13.0	35.0	22.0
Poultry	2.6	6.7	4.1
Fish	2.9	64.5	61.6
Eggs	2.6	3.1	.5

[1] Based on Agricultural Development in Nigeria, 1965–80. FAO: Rome, 1966, p. 393.

The first phase of the programme is taking place from January through May of this year, and involves the period when none of the staple starchy energy foods, such as yams, maize, sweet potators, cocoyams, and cassava (planted in 1969) is mature enough or available for harvesting. Crops being planted in hopes of harvesting, and consumption during this period include African spinach or greens, Indian spinach, eli-emionu, Arira or krenkre, afufa, tomatoes, egg plant, Telfairia or ugu, waterleaf, chillies and peppers, pumpkins, melons, early okra, akidi and bitterleaf. During this phase, crops which take longer to mature will also be planted. These include yams, cassava, some maize, sweet potatoes, bananas and plantains, cocoyams, pigeon peas, yambeans, cowpeas, late okra, and pineapple.

Although near-famine conditions may prevail during this first phase, certain foods from perennial crops and annuals planted at various times during previous years are usually available in reasonable quantities. These include cassava, bananas and plantains which can be eaten while they are still green and high in starch, bread fruit, pineapple, other fruits, sweet potatoes, coconuts, oil beans, castor beans, etc. It is also expected that leaves and fruits of plants which grow in wild or semiwild conditions will be used.

The following eight point programme for increasing food production is being furthered by Biafran officials:

1. Bringing more land into production
2. Producing higher yields per unit area by use of better cultural and management practices, use of fertilizers, use of improved crop varieties, etc.
3. The effective control of pests, insects, and diseases
4. The use of machinery or mechanization
5. The reclamation of land that would have otherwise been unsuitable for farming
6. Better processing, storage, and conservation of what is already produced
7. Using new and novel sources of food
8. Better use of the sea and forest resources.

As in many other periods of food scarcity since cassava was introduced to West Africa in the early 1700's, it may be this crop which proves the margin against starvation in the current crisis. Much cassava is still in the ground, where it is safely stored until consumed. Although there is little growth during the present dry season, when the rains return that which remains will continue to grow. The Biafran Ministry of Agriculture is recommending that during the first ⅓ of this year, ¼ of the available acreage be planted in cassava. This will include as much newly cleared land as possible. Then, during the second ⅓ of the year, ½ of the available acreage will be planted, with the final quarter of the land area planted in the last ⅓ of the year. It usually takes from 9 to 18 months to harvest cassava.

On the negative side, the total acreage of cassava within the undisturbed portions of Biafra has declined as a result of war conditions. Also it is currently being harvested before coming to full maturity . . . as early as 6 months after planting, rather than 12 or 18 months. More marginal land is being used now than normal. Thus cassava continues to supply the foundation of starch in the Biafran diet, but in itself it does not appear to be adequate.

In addition to cassava, bread fruit, plantain, and banana will supply starch until after June when maize will be ripe. Much maize will be planted with the earliest rains. Then, after July, yams will again be harvested early.

Supply of seed yams in yam barns is reduced in most parts of Biafra, but plentiful in the Bende division. Further, people are being urged to save the seed tops from other yams before consumption. Military action on the road between Awka and Onitgha has interferred with movement of seed yam from the Awkuzu and Aguleri areas where the supply is also plentiful. Seed supplies of cocoyam are reduced and although this crop will contribute to the food supply, volume will be less than normal.

The smuggling of food from Nigerian-held territory into Biafran territory is being discouraged by both armies. Only a small volume of food (mostly salt) is moving via this route. In addition to the danger of being caught by the Nigerians, some of the food which has entered Biafra this way has been found to contain poisonous ingredients.

Deliberate poisoning of food supplies was first suspected in 1967 when several deaths were thought to have resulted from the ingestion of toxic foods. A Biafran committee was established which includes a chemist, a microbiologist, a pharmacist, a miro-chemical analyst, and a specialist in forensic medicine. The committee developed routine techniques for checking common foods and cigarettes with a laboratory originally set up in Port Harcourt and later moved to Owerri, and eventually to Umuahia.

The most tangible evidence of poisoning seems to be in salt, which is also the principal item being smuggled in. Of 1,487 samples tested during the last part of 1968, 20 samples contained toxic quantities of arsenic 50 samples contained cyanide; and all others were non-toxic and non-infectious.

Cigarettes (107 samples) and assorted tins (300 samples) tested during the same period were all found to be non-toxic. Of 71 tins of powdered milk tested, 10 contained arsenic. Only 12 of the 2,522 tins of evaporated milk tested were found to be contaminated with arsenic.

Solving the food shortage

Several approaches will contribute to overcoming the anticipated food deficits. The Biafrans are attempting to expand production, which may increase supplies of certain foods as much as 25% for the year. Expanded use of palm oil will also help. And a continued and expanded airlift of food from outside will be necessary.

To expand agricultural production; the Land Army is organizing to clear 100 acres for each village. Men between the ages of 12 and 35 who are not in military service are being given special Land Army training. In addition, persons up to 50 will assist with the land clearing. The Land Army will plant as much seed yam as it can get; then plant early maize on the remaining available land. It is hoped that a rapid broiler (poultry) production can be developed as soon as the maize is ready. Research at Umodike in the past few months has demonstrated that up to 40% of the poultry ration can be cassava meal, but maize will also be necessary, along with palm kernel meal and groundnut meal. (Members of this team have serious doubts about the feasibility of large scale poultry production in Biafra at this time.)

Agriculturists are now multiplying sweet potato seed; so that the early maize crop may be followed by sweet potatoes, along with ground nuts, cow peas, other legumes, and late maize. The limitation here will not be land, but seed. It is to be hoped that some seed will be flown in, but the Biafran government is concerned with plant disease infection, and there will be rigid plant quarantine control.

Other needed imports associated with agricultural production include insecticides, which can save approximately 50% of certain crops; ground nut seed, which should be imported unshelled, and then shelled and treated within Biafra; some other seeds and farm tools.

Part of the deficit in calories can be made up through increased consumption of palm oil, which appears to be in relatively ample supply in Biafra. The former Eastern region of Nigeria produced approximately 300,000 tons of palm oil annually. Of this, 160,000 tons was exported (140,000 overseas, 10,000 to Northern Nigeria, and 10,000 to the Cameroons) and 140,000 tons was consumed within the region. F.A.O. estimates are that about 25 pounds of this was consumed per person per year, making up 274 calories per day of an estimated 1774 calory per person per day diet.

Assuming that approximately one-half of the palm oil producing land remains within Biafra, and that more intensive harvesting can increase production by 25%, 187,500 tons of palm oil could be available to serve as a calory supplement within Biafra. This could supply 567 calories per person per day, which is more than twice the normal consumption level, but quite feasible if the addition to the diet is made gradually.

Particularly for those in refugee camps and feeding centers, some food commodities are being flown in each night. (See section on transportation for details). A sample of flight manifests taken at the airport at Sao Tome, and representing the latter half of December, 1968 and January, 1969 indicates an average of 10.9 flights per night (no daylight flights operating at this time). These planes, on the average, carried 37.2 tons of such fortified starchy foods as CSM Formula II, corn meal, oat meal; 41.0 tons of such protein foods as stockfish, tinned meat, and Hi-Pro baby foods; and 15.4 tons of fortified milk powder and condensed milk each night. In addition, they averaged 6.2 tons of salt per night. (See Table IV).

TABLE IV.—AIRLIFT FOOD SUPPLIES TO BIAFRA, 1969

[Based on sample taken from flight manifests in São Tomé representing December 1968 and January 1969, projected to other sources and the total year]

	Average kilograms per night, São Tomé	Tons per night, São Tomé	Estimate ½ volume from other locations	Total daily average in tons	For 365 nights (in thousands of tons)
Cereals formula II, etc	33,700	37.2	18.6	55.8	20.4
Tinned meat, stockfish, etc	37,240	41.0	28.2	84.6	30.9
Milk powder, Stardit, etc	13,993	15.4			
Total		56.4			
Salt	5,650	6.2			

If we assume that airlift food from other locations supplies at least one half as much as that from Sao Tome (an estimate which seems to represent the situation in the past month) and that night flights from there remain at levels reported above, then around 20.4 thousand tons of fortified cereals and 30.9 thousand tons of animal protein would come in during 1969. This provides approximately 58.3 calories per person per day and 6.4 grams of protein per day.

The deficit from Biafran production of carbohydrate foods (including maize, rice, yams, cassava, cocoyam, beans, and groundnut) is anticipated to be 27 calories per person per day for the year, based on the pre-war consumption of 1774 calories per person per day. At 1503 calories per person per day if distribution through the year and geographically were perfect, it would barely meet a minimum nutritional standard of 1500 calories per person per day.

However, the deficit in protein foods is estimated at 17.1 grams per person per day when measured against a minimal standard of 30 grams per person per day. Even if the airlift continues at the present rate, there will be a shortage for the year of 10.7 grams of protein per person per day. (See Table V for details).

TABLE V.—PRODUCTION WITHIN BIAFRA 1969

Item	(In thousand tons)		Production converted to calories and protein per capita/day (8,000,000)	
	Net estimated production based on ¼ land area	Adjusted production	Calories	Protein (in grams)
Maize	27.5	34.4	41.9	1.1
Rice	10.4	10.4	12.8	2.4
Yams	760.0	760.0	351.0	6.0
Cassava	401.3	[1]501.6	187.2	1.5
Cocoyam	103.0	103.0	317.4	.7
Beans (cowpea)	2.6	2.6	3.0	.2
Groundnuts	2.6	2.6	5.1	.2
Melon	5.5	[1]6.9	6.9	.3
Palm Oil	[2]150.0	[1]187.5	567.0	
Vegetables	55.0	[1]68.0	5.5	.3
Meat	13.6	4.0	1.5	.2
Poultry	2.6	1.3	.6	
Fish	2.9	1.4		
Eggs	2.6	1.3	.7	
Fruit	17.0	17.0	2.6	
Total			1,503.2	12.9

[1] Increased total by 25 percent.

[2] ⅕ of land area of oil palm production.

More critical than the situation for the year as a whole is the anticipated deficit for the months of April, May, June, and July of 1969. This is the period in which stores from the previous growing season are largely depleted, and new crops of maize, yams, and cocoyams are not yet ready for harvest. Table VI estimates that local production during this period is likely to be of the order of 770.6 calories per person per day and 2.3 grams of protein per person per day. Thus outside sources would have to supply 730 additional calories per person per day during this period to meet the minimum standard (1500 cal.) for eight million persons, this amounts to 5,840,000,000 calories per day. If this were supplied in the form of corn, it would require 1,460,000 kilograms of corn per day.

Further, the 770 calories referred to above includes 567 calories from palm oil. This can only be utilized if other calories are supplied, since the maximum tolerance for such food is approximately 50% of the calory intake.

On the protein side, the airlift at its present rate plus anticipated Biafran production will supply 8.7 grams per person per day during this famine period, leaving a deficit of 21.3 grams of protein per person per day.

BIAFRAN FOOD PRODUCTION, APRIL THROUGH JULY 1969

[Estimated per capita food production per day]

Item	Calories	Protein (grams)
Cassava	187.2	1.5
Palm oil	[1]567.0	
Vegetables	11.0	.6
Meat	1.5	.2
Poultry	.6	
Eggs	.7	
Fruit	2.6	
Total	770.6	2.3

[1] Utilizable only if supplemented with equal amount or more of calories from other sources.

In part, the calorie deficit will be made up by substitution of foods not usually consumed in the magnitude now required. These include breadfruit, unripe bananas, unripe plantain, coconut, sweet potato, and oil beans. But massive external supply will also be necessary.

The additional food supply required during the critical April through July period (671.7 calories per person per day and 21.3 grams per day per person of protein) could be provided by 1,353.6 tons per day of C.S.M., the cereal formulation which is now being airlifted in in smaller quantities. This would add 676.7 calories per person per day and 30 grams of protein. If the average aircraft carried ten tons per flight, this would necessitate 135 flights per day. Thus, while the deficit in protein could be overcome by expansion of the present airlift, the calorie deficit is clearly of a different order of magnitude.

D. STATE OF NUTRITION

The extent of caloric and protein malnutrition, and the scope of outright famine have been so overwhelming as to make the Nigeria-Biafra conflict one of the great nutritional disasters of modern times. To understand fully the situation, we must remember that before the war, Biafra, though a fertile producer of such foods as yams, cocoyams, cassava and palm oil, had to import nearly 80 percent of her protein needs. (This included all the milk, much of the meat and a considerable tonnage of fish, as well as large amounts of beans and groundnuts [peanuts].) Because of the industriousness of the Biafrans, their tendency at a given income to spend a somewhat higher proportion of this income on food than did neighboring populations, and the primary attention they paid to the nutrition of their children, the prevalence of Kwashiorkor was much less than the local agricultural pattern would have suggested. Some data on the diet and the prevalence of nutritional diseases in Biafra before the war are an indispensable background to full understanding of the present catastrophe.

A number of competent surveys were conducted in Biafra and Eastern Nigeria before the war and the reader should consult those for specific information. FAO, ICNND and a number of excellent investigators such as Nichol, Dema, Collis and others have contributed to our knowledge of dietary intakes in that area. In general, it can be said that the main source of fat in the diet was palm oil, providing a very good source not only of polyunsaturated fatty acids, but also of carotene (provitamin A) throughout the year. The main sources of calories were high carbohydrate foods—mostly low protein tubers, cassava, yams and cocoyams. There were also smaller quantities of cereals available, i.e., corn (maize) and rice. Yams, cocoyams, and corn are seasonal plants but cassava grows and is available throughout the year.

The protein supply of Biafra, as indicated above, was largely imported. Beef came from Northern Nigeria and constituted the main source of meat. To lessen this dependence on imported meat, Biafra had made great efforts to develop a poultry industry. Unfortunately, the poultry industry, like animal husbandry generally, was dependent upon imported animal feed and hence vulnerable to the blockade as well as to the elimination of the stock and competition with human needs. The vegetable proteins—beans, groundnuts and soya—came from Northern Nigeria.

Vitamins and most minerals were usually adequate in the Biafran diet during the rainy season when leafy vegetables were available. During the dry season, vegetables have always been in short supply and the supply of vitamins (other than vitamin A) and iron correspondingly very low.

The nutritional disaster as it developed has gone through several phases. From the beginning of the blockade which antedated the war by several months, till the spring of 1968, there was a steady deterioration of the general nutritional level. From that time on the situation already serious, worsened precipitously.

KWASHIORKOR DATA FROM THE QUEEN ELIZABETH HOSPITAL AT UMUAHIA

	Outpatients		Admissions		Deaths	
	1965	1968	1965	1968	1965	1968
January	2	115	2	28		3
February		61		12		5
March		106		24		6
April	3	124	1	32		7
May	3	360	2	13	1	6
June	3	443		4		10
July	3	873	1	21		26
August	8	1,108	2	95		12
September	2	286	2	50	1	24
October	2	81	2	43	1	10
November		109		32		10
December	4	41	1	8		7
Total	30	3,704	13	369	3	35

It was characterized by outright starvation among the refugees, particularly those still on the move, and Kwashiorkor (acute protein deficiency in a situation where calories are less deficient or adequate) among the regular inhabitants. It is difficult to give figures but we have already seen that a minimum estimate, which we checked through a series of different approaches, was one of 500,000 deaths in August-September-October and as many for the rest of 1968. (The minimum estimate of 1,500,000 deaths due to malnutrition and starvation on the Biafran side has been supported by quantitative data given in Section B. It has already been said that several responsible observers on the spot, in particular the head of an International Agency operating in Biafra, thought that the estimate of 1,000,000 deaths due to famine in 1968 was an underestimate. His own figures was closer to 2,000,000 deaths.) Since the end of October, the nutritional situation has improved in the refugee camps due to the activities of the relief agencies. In particular, the prevalence of overt Kwashiorkor has decreased among the children within the past 3 months, though we must emphasize that in the camps we observed we did not see one single child whom we would describe as being in a satisfactory state of nutrition. Kwashiorkor and Marasmus were still rampant; Kwashiorkor affected not only the 1 to 4 year old age group in which it is usually confined, but also a great many children up to age twelve, many adolescents and even a number of adults. As an illustration, we saw large groups of children among whom not one had normal hair color or texture. While signs of caloric and protein deficiencies were everywhere in evidence, and while we saw many smooth tongues and anemias, we saw no clear cut examples of specific vitamin deficiencies even though we heard the term mentioned and pills were requested by almost every physician and nurse we saw. It is of course possible that should the diet become more exclusively dependent on certain staples, overt vitamin deficiencies may appear.

The situation has improved much more slowly, if at all, in the villages, many of which are not reached by any relief distribution and the population of which has doubled or tripled or in some cases quadrupled as a result of the accumulation of returning relatives and other refugees. Those areas which are the beneficiaries of feeding stations and Kwashiorkor stations fare somewhat better, but it must be realized that the aid given by these stations is limited. Not only are supplies so short that only small amounts of high protein foods can be distributed (e.g. 3–5 oz. of CSM formula—a corn-soybean-dry skim milk prepack—1 oz. of powdered milk, 1 ooz. of stock fish in one area—theoretically times a week but in fact once every 10 days) but also the distribution has to be made under conditions of extreme difficulty: distribution centers and refugee camps are bombed and strafed if any concentration of people is manifest in the daytime so that all mass feeding activities have to be conducted in darkness.

The nutritional problems are aggravated by the difficulties in the distribution of foods. Movement of supplies and medical personnel is most difficult even when or particularly when they are clearly labelled with red crosses. It must be noted that the Red Cross in general gives no protection in Biafra. One by one, as hospitals, Kwashiorkor centers and other health areas marked with the Red Cross were bombed and strafed, the emblems were removed or camouflaged on the ground. It is clear the Red Cross visibly increased risks. We personally can testify to the bombing of a number of these installations. The Red Cross representatives have a more extensive list. The assembling of large numbers (up to 8,000 persons), many of them sick, all of them weak, most of them children, women, and elderly people, in long lines in utter darkness presents obvious difficulties. These difficulties are magnified in the areas near the front. There distribution by truck is often impossible. On both sides of the line the civilian populations are starving. The estimate of a million dead in the area of Biafra occupied by the Nigerians (an estimate given by U.S. medical personnel who are members of USAID measles-smallpox vaccination teams on the Nigerian side) shows that the Kwashiorkor and starvation band extends beyond Biafra in many directions. Relief expeditions into the front area under Biafran control and incursions to help Biafrans on the other side are dangerous forays and remain at best irregular. We saw a European engaged in such activities who had brought back in his trucks 117 dying children to various hospitals the night before. In such areas there appears to be no improvement.

In general, even though the nutritional situation is better now than it was last fall, we must emphasize its precariousness. The improvement is almost entirely due to the airlift. It means that, inasmuch as it is funnelled into an airport which is being bombed every night, its very existence is threatened and the amount of food it can deliver is dependent on the length of the bombing. In addition, the proximity of a period when food supplies are normally short, the intensification of air attacks, operations designed at cutting roads which carry an important part of the food supply mean that the life of every Biafran child is hanging by a slender thread.

E. HEALTH

To gather reliable facts in a relatively short period of time, a variety of resources were utilized including government officials and missionaries, physicians representing the various specialties and nurses, tabulations by the Biafra Rehabilitation Commission and personal observations in various hospitals, clinics, field stations, refugee camps and feeding centers. Among our many informants, the following: Dr. A. Ifekwunigwe, Professor of Pediatrics and Head of Pediatrics at Umuahia, Dr. C. Nwokolo, Professor of Medicine and Head of the Department of Medicine at the Medical School, Medical Coordinator of the Refugee Medical Service (internist), Dr. Voorhoeve (generalist), Dr. Macartan (Generalist), Mr. Moses Iloh, Director of Biafran Red Cross, Miss Cecilia Obiamiwe, Chief Nursing Officer and Father Doheny, Caritas representative made their records available to us and discussed them at length.

A striking consistency was found in the reports and observations relating to the increasing morbidity patterns within the country which appear to precede the mortality rates. There was clear evidence of generalized malnutrition, particularly among children from early infancy through puberty, extending into the adult population with women more severely affected than men. Superimposed on the under-nutrition base of marasmus and kwashiorkor, were found very severe anemias; respiratory conditions including advanced tuberculosis; gastroenteritis and dehydration; malaria; infectious diseases, especially measles; skin conditions including septic sores and scabies; and helminthiases; especially hook-worm infestation.

Severe malnutrition which now is widespread in the Biafran population has served to reduce the individual's resistance and make him much more susceptible to certain diseases, such as measles and tuberculosis. The anemia found in Biafra is generally due to a combination of factors including severe iron deficiency, poor protein intake, malaria, hookworms, and various infectious processes. Anemia is quite severe in some instances. For example, we saw a child of 12 years recovering from kwashiorkor who had less than 4 grams of hemoglobin even after receiving a pint of transfused blood. Besides this he was grossly underweight for his age.

The accurate incidence of diseases such as tuberculosis could not be determined, but widespread medical opinion, which appeared to be justified, was that respiratory conditions, and particularly tuberculosis, were very extensive. The young children demonstrated advanced adult forms of tuberculosis, with cavitation and positive sputum tests, rather than the usual primary type of tuberculosis found in better-nourished children. The cause of diarrheal disease was somewhat more difficult to establish, especially when lactase deficiency and milk intolerance are prevalent among youngsters with protein-calorie malnutrition.

In a situation in which large segments of the entire population are receiving inadequate dietary intake, the most likely to succumb are the very young and the very old. Breast feeding, which under normal circumstances in Biafra could be expected to continue until the age of 18–24 months, has for many women become impossible after the child is several months old due to insufficient milk production by the starving mother. Whereas various forms of protein-calorie malnutrition can be considered endemic in other areas of both West and East Africa, the region of Biafra prior to this war did not have any significant incidence of severe malnutrition. In addition, in those parts of the world where severe clinical malnutrition has been reported, the affected population segment has invariably been the very young, generally under the age of 2–3 years; however, in Biafra we observed many individuals in the pre- and post-pubertal age groups along with cases of adult women suffering from severe clinical manifestations of malnutrition. The evidence of this condition was clear-cut.

In support of this is the fact that for a land with virtually no previous experience with severe malnutrition, Biafra has established 92 government and 30 missionary Kwashirokor Centers specially designed to treat and feed children and adults with severe malnutrition, with an average census of 500 each.

Although there is no firm means of gathering mortality figures, several sources independently confirm that the total deaths during the most severe famine months of 1968, August, September, and October, reached more than 500,000 persons, mainly young children and the elderly. Individuals moving from one place to another without food often died and were not recorded. More specifically, one physician reported that in his village, with a population of 3,000, there was an average of 4 deaths per day from malnutrition and related problems at the peak in August, 1968, a rate which fell to 2 deaths daily in October, falling to 1 death daily in December. This was equivalent to an increase of approximately ten-fold in mortality rates at the peak, falling to a level of about 4 times normal in January and February 1969, according to several informants.

During a measles epidemic in one parish, there were 100 children dying daily at the peak in November and December, 1968. Fall off in the duration of lactation was noted by a number of people. With infants crying from hunger and bombs falling on market places, these mothers often are unable to sleep at night and are placed under extreme strain, which interferes with their traditionally good child care practices.

War has had a serious effect on medical resources in Biafra. Of the total of 48 hospitals of what originally was Biafra, only 11 remain in the hands of the Biafrans. Thus, fewer than one quarter of these facilities are available to serve about two thirds of Biafra's pre-war population. Those hospitals which remain are severely overtaxed as regards both in-patient and out-patient censuses. Comparisons between pre- and post-war conditions for Queen Elizabeth Hospital in Umuahia show a two-fold overall increase in occupancy, and the pediatric pavillion expanded to between 4 and 5 times normal pre-war census levels (see list). Obviously, the addition of large numbers of surplus patients who are more severely ill than under ordinary circumstances, will add to the mortality rates and put the medical and nursing staffs under the strain of overwork.

While visiting several hospitals we saw children on the floor between beds, along the outside corridors, and often two or more to each bed. There was not one well nourished child among the 80 seen in one twenty-bed ward. Particularly disturbing to witness was one small girl with her arm in a cast, the victim of a bombing attack, who refused to come out from beneath the bed assigned to her, fearing the bombs. A visit to the Joint Hospital at Aboh Mbaise revealed several wards filled with women and children injured in an attack on the market place at Obiangwu a few days earlier in which several hundred women and children were killed and twice as many wounded. The usual pre-war census of that hospital had been 60. On the day of our visit there were over 200 in beds, on the floors, and along the corridors.

In the Holy Rosary Hospital at Emekuku, which has been since taken by Federal Nigerian troops, figures demonstrate a ten-fold increase in 1968 in the pediatric in-patient census from January to September, a rise in children with severe malnutrition from one per month to 100% of the patients, and an increase in out-patient visits from 50 per day to over 2000 per day.

While additional medical personnel obviously could be usefully employed were adequate supplies and equipment available, there appear to be relatively sufficient numbers of medical and nursing staff personnel, for the limited equipment on hand. There are 122 Government Nursing sisters, 95 Junior Nursing sisters, 7 Matrons, 1,145 Staff Nurses, 85 Midwives, and 60 Health sisters; with three nursing training schools still remaining within Biafra. There are in addition nine Catholic Sisters and two physicians working in mission hospitals and in the field stations. A total of over 50 medical students, who had been 2nd to 4th year students at the medical schools in Ibadan or Lagos, have returned to Biafra and are working either in refugee medical services or with army units, with several final year students working under supervision in the hospitals.

The Biafran Red Cross has been conducting six-week training courses for young men and women to serve as "kwashiorkor scouts," identifying children suffering from severe malnutrition in the villages and bringing these children under medical care. First-aid courses are being conducted so that there will be knowledgeable people to assist during air raids and with military operations.

One striking point which bears re-emphasis is the constant awareness of air raids, both bombing and strafing attacks. Schools and hospitals have been particular targets and so significant is their fear that hospitals have covered up their red crosses which have served to identify, but not protect them. It is particularly significant that children as young as 16 months of age were observed by us running into the bunkers when they hear the first warning shots (substitutes for air raid sirens which the Biafrans do not have) and the bombs fall. Market places, where large numbers of women and children ordinarily gather, have been starting early in the morning, breaking during the day, and then resuming in the late evenings so as to avoid the Nigerian bomb attacks. Even the hundreds of feeding centers where 200 to 8,000 women and children gather to receive relief food are now operated daily before sunrise, so as to finish early and avoid being defenseless against air attacks. An estimated total of over two and a half million people are provided with daily relief food through these centers.

Hospitals bombed[1]

Marked Red Cross

January 1968, Itu Presbyterian Hospital.[2]

October 1968, Aboh Joint Hospital.[2]

December 1968, Awo-Omamma Community Hospital.[2]

January 1969, Awo-Omamma Community Hospital.[2]

Not Marked

February 1968, Arochukwu General Hospital.

February 1968, Itigidi Hospital.

February 1968, Awgu Joint Hospital.

September 1968, Ihiala Cath. Mission Hospital.

January 1969, Amaigbo Joint Hospital.

All above establishments are not within a township or near a military object. They are standing isolated. The first three were/are clearly marked with Red Cross.

Raids generally consist of bombs/rockets/machine gunning, usually one of the three categories.

Under these difficult conditions there are many problems associated with conducting preventive medical campaigns. Despite the current situation, a measles and smallpox campaign has been successfully under way with the assistance of Oxfam, International Committee of the Red Cross, UNICEF, World Council of Churches, and other relief agencies aiming at a 50% to 60% coverage of children under five years of age for measles (750,000 total) and the entire population for smallpox. A total of 235,242 doses of measles vaccine and 261,755 smallpox vaccinations were administered within the first several weeks of the campaigns, a remarkable record considering the difficulties of refrigeration and transportation.

A number of statements must be made relating to public health and sanitation. The water supplies, some of which previously had been chlorinated and pumped through piped systems, have been interfered with by the absence of hydroelectric power, the shortage of diesel fuel for the generators driving the pumps, and the lack of testing equipment for water purification. The dry season which continues into April has limited water supplies as wells are becoming dry, forcing people to walk long distances to springs and streams to fetch water. Because of the danger of daylight bombing, long lines of people are noted in the pre-dawn darkness walking to the streams for water.

Certain common diseases are very closely linked to the community's sanitation. Where refuse disposal is inefficient of where surrounding bushes are used instead of latrines, there is a high incidence of diarrheal diseases. Breeding of flies and contamination of food are predictably higher than under normal circumstances. The great risk of contamination of the water supplies, both of streams and wells, due to fecal matter and unhygienic conditions, is particularly serious at the present time during the closing months of the dry season. Dysentery was reported to be very high, especially in refugee camps. During the first half of 1968, the situation in Biafran refugee camps improved somewhat with the introduction of basic measures of community hygiene.

The crowded state of the camps and of the villages, both swollen by displaced adults and children, has encouraged the spread of all infectious diseases, and particularly of childhood infections—including measles, chicken pox, and whooping cough. When these diseases, as well as tuberculosis, are superimposed on basic and severe undernutrition, there is a very markedly increased mortality rate among the young and the elderly.

Under the relatively ideal circumstances of a developed country like the United States, it has been estimated that more than ten percent of the population are suffering from mental health problems of various degrees of severity. In present-day Biafra, it can easily be estimated that this figure could conservatively be doubled, since all segments of the population are affected by the war, the civilian bombings, the lack of privacy and the severe shortages, particularly of food and drugs, but also such articles as clothing, gasoline, spare machine parts, soap, electricity, and contact with the outside world through newspapers and magazines.

In addition to the direct effects of the daily civilian bombings and strafings of market places, schools and hospitals, the fear of these bombings has made radical changes in the patterns of daily life. Schooling has been interrupted for children and adults because of the war; refugees returning to families in their original villages or to camps are existing under crowded, makeshift, and severely difficult conditions; food distribution centers and widespread evidence of starving children, women, and old people continuously serve to remind all of the hardships being wrought on the entire country, blockaded and surrounded by soldiers avowed to slaughter them.

One needs no medical degree or training to fully appreciate the major psychological injury such surroundings can have. Children who are hungry tend to be irritable and cry, causing adults to be nervous and upset and unable to sleep at night; adults who are concerned with the plight of their children and displaced family units and who are fully aware of the serious threat to their survival, cannot avoid having severe psychological disturbances.

It is a well known phenomenon that individuals, who, like many Biafrans, are more sophisticated, who have received higher training and who have been used to a higher standard of living, tend to adapt less well to situations of wartime deprivation. These difficult adjustments increase the individual's tensions and apprehensions, making mental illness much more common. With all of the attention of medical teams naturally directed toward relieving those persons with physical ailments, it is natural to overlook widespread and significant segments of the population of Biafra currently suffering from subtle and less overt signs and symptoms of predictable mental illness.

In an African society with very close bonds among members of the extended family system, individuals and the whole family structure are placed under particular stress by constant movement and relocation and by the break-up of the group. The problem of children separated from their parents or orphaned is especially grave, of course.

Atrocities witnessed leave their mark, but more widespread is the well-established effects on the young and growing central nervous systems of children under the age of 2–3 years deprived of an adequate protein intake. This can be interpreted as deliberate and calculated psychological genocide through interference with normal physical and mental growth and development of a future generation. The most vulnerable period for the human brain, dependent on the duration and severity of protein deprivational trauma is during the last trimester of fetal life and the first year or two of life after birth. These factors should not receive less attention than the overt signs of severe protein-calorie malnutrition. The young Biafran children are being "maimed in frame and brain."

The fact that schooling has been interrupted for thousands of children leaves them with little to do for prolonged periods of time when they ordinarily would be in school. There have been evacuated over 2,000 Biafran young children, taken to nearby places of refuge where they have an opportunity for nutritional rehabilitation.

Sao Tome	158
Libreville	1,585
Abidjan	350
Total	2,093

Even with this there is a forced separation of young children from their homes and parents, with calculable psychological effects. A program has been developed for orphans to be adopted by families within Biafra, a system which more closely approaches normalcy than evacuation to outside centers.

In general, the effects of the war, disrupted families, atrocities and the threat of death, blockage and shortages, food restrictions all create the great potential of major psychological problems for the Biafran population. Despite these factors, we were very impressed with the pride and determination of those people with whom we spoke within Biafra. The only thing which was being requested was to be left alone and given the opportunity to live their own lives.

Due to the lack of facilities, there has been extremely poor attendance at antenatal clinics, resulting in part from the movement of population, refugee camps and shortage of trained personnel. This, together with poor maternal nutrition may be the cause of the increased proportion of low-birth-weight infants, the majority of whom are delivered at home attended by a relative. It has already been noted in Section B that the birth rate has been observed to be definitely lower than usual; but accurate figures could not be obtained. There are several explanations for this, the major reasons including a population in movement, living under crowded and unsatisfactory conditions without privacy, and the separation of men in the military services. It has been observed that a larger proportion of male infants are being delivered, a phenomenon often observed during times of hunger and hardship. Family planning clinics do exist, but a shortage of intrauterine devices impedes the function of these services, probably used for the most part by the more sophisticated women.

---

[1] Mr. Jaggi, chief representative of the International Red Cross in Biafra, provided this list, which covers only a few of the hospitals attacked. The list was given to Dr. Mayer on February 11, 1969, at Umuahia.

[2] Personally inspected shortly after raid.

Mobile teams composed of a supervising physician or nurse, 2–5 nurses, 2 aides and an administrator are trained in 2 weeks to provide health services and health education to outlying villages on a weekly or bi-weekly basis.

There are specific shortages of medical supplies as indicated by various informants. In addition to the basic and striking needs for protein and calories, in short supply are: antibiotics, anti-tuberculosis drugs, blood and plasma, anti-malarials, iron products; various vitamins, particularly folic acid; vaccines; electrolytes and other intravenous fluids. Nurses have to make do with only a single uniform and the "nursing sisters" (supervisory nurses) cannot be distinguished from the mothers on the wards. One pre-war academic physician mentioned that he had not seen or read a medical journal for the past 2 years or more of the "academic blockade."

Looking to the future, it would appear that with the groundwork laid by the measles-smallpox campaign, a B.C.G. and tetanus vaccination program could be introduced were the vaccines available, using the same notification and administrative techniques. If pregnant women were given tetanus toxoid immunization, there would be an eradication of tetanus neonatorum.

Malnourished individuals living under crowded conditions are particularly susceptible to tuberculosis and a massive B.C.G. campaign without preliminary skin testing would appear to be indicated at this time. Along with the continuation of present feeding programs and their extension into the back country, particularly in the vicinity of the battle lines, the need for iron products, especially of the parental sort, is of the highest priority. Not only are young children suffering from malnutrition severely anemic, but pregnant and lactating women have evidenced significant anemia as well. (A campaign for iron cooking vessels would be indicated if they could be made available to the population.)

Teams of health workers under the supervision of either a physician or a nursing sister, travel out into the field as mobile units, visit different locations on a weekly or bi-weekly basis, and provide care for those persons unable to travel to the centers. There are large segments of the Biafran population who are grouped together in uncommon aggregates in refugee camps, villages swollen with refugees, feeding centers, sick bays and so forth. The concentration of people makes health education, food, vaccine and drug administration less difficult, and identification of particular problems more direct.

When one recommends distribution of relief of any sort under the conditions existing in a blockaded, war-torn, famine-stricken country with unusually high population densities, it is not enough to describe the specific food or medicament. One must be concerned as well with the specific problems of distribution, with the need for fuel, spare parts for vehicles, equipment for administration of the drugs or vaccines, refrigeration under conditions where electricity may be unreliable, and the need for outside advisors in certain fields. If it is assumed that there is sufficient health talent to minister to the bare requirements of the Biafran population, there remains the organization of the training programs. Teams of para-medical personnel, operating under supervision, could reasonably be trained in blocks of 2–6 weeks to have each participant successfully manage a specific skill within the team. Methods and drugs could be adapted for administration by such a team, selecting those approaches to therapy most suitable to less trained personnel. For example, basic schedules of drug dosages could be set up by the physician, drugs with a high therapeutic index employed, and the therapeutics simplified for mass-administration by the team. In some sectors, all of the population could be given such items as iron, antihelminthics, and skin treatment, if the specific conditions were found to be extremely prevalent. Using this approach, large numbers of individuals could be seen and treated at the various feeding centers, with each team member carrying out a single task.

Despite the present bleak picture, it would be most unfortunate to maintain too pessimistic an attitude since certain results are obtainable within a short period of time. There is no doubt that fundamental to all of the medical considerations is that of malnutrition and associated conditions. It must be emphasized that the innocent children and women as well as the elderly are taking the brunt of the war and of the blockade and civilian bombings. It is impossible to condone these conditions, unjustly affecting the present and future generations.

Health—Summary and conclusions

The overall summary of morbidity for all age groups under the present circumstances found in Biafra is as follows:

Severe malnutrition underlying all other diseases.

Severe anemia—especially among children, lactating and pregnant women.

Infectious diseases—particularly measles, whooping cough, smallpox, chicken pox and tetanus.

Tuberculosis.

Malaria.

Diarrhea and dysenteries.

The health recommendations which can be made on the basis of obtained facts and observations would of necessity begin with massive food relief, concentrating on protein foods and calories. Water supplies should be made more sanitary, along with provisions for a broad scale public health approach to the problems of sewerage and refuse disposal which could be incorporated within the scope of the Red Cross teams of young Kwashiorkor scouts.

The measures which could be introduced on a mass-scale by junior paramedical teams under supervision include immunization campaigns along the lines of already organized measles-smallpox campaign. The same teams and methods of contact and recording easily could be adapted for large scale B.C.G. and tetanus campaigns and for widespread administration of anti-malarials and of iron to counteract the malaria and severe anemia which is so prevalent among the Biafran population.

It is important to recognize that massive measures for large groups of people who are already assembled for various reasons including food distribution could be rather simply organized and would bring immediate results. The use of paramedical personnel with proper medical-nursing supervision, utilizing the present body of educated young people already present in Biafra, make the above recommendations entirely feasible within a very short period of time. Given the supplies of vaccines and medicine, such teams could be started within two weeks or less, and since large numbers of people can be assembled within camps and feeding stations, the wartime situation except for the bombing lends itself even more easily than under normal circumstances for massive public health measures.

F. EDUCATION

Biafrans, and particularly the Ibos, were previously dispersed all over Nigeria. They stood out among inhabitants of West Africa in literacy, percentage of youngsters admitted in institutions of higher education and devotion to learning. Indeed many foreign observers have felt that envy was generated among Nigerians as a result of the high degree of education of Ibos. Their occupation of a high proportion of the professional and managerial positions as a result of their education level was one of the psychological factors responsible for the civil outbreaks in Northern Nigeria in May-September 1966.

In view of this history, it is all the more tragic to have to report that for the time being, all educational efforts at the secondary and higher level have come to a complete stop, that the University of Biafra exists on paper and in administrative offices only, and that the overwhelming majority of younger children in the cities, the villages and the refugee camps receive no primary education whatever.

While there are a number of factors contributing to this situation—dislocation of the population, shortage of teachers (many of whom are dead or missing and many of whom are engaged in other essential occupations), almost complete absence of papers, pens, pencils and books, and use of schools for other needs—the main reason is fear for the safety of the children. Schools and colleges have been systematically bombed and strafed by the Nigerian planes. We ourselves have visited a number of colleges and schools which had been partly destroyed by bombs and have seen evidence of strafing. Inasmuch as concentration of people (as in markets) and buildings larger than ordinary houses (essentially schools and hospitals) are being systematically attacked, it seems reasonable on the part of the Biafran Government not to reopen secondary schools and higher colleges in spite of the intellectual cost to the nation of such a decision.

A number of primary schools have been opened. They are held in the forest under conditions where it is hoped the children will not be seen because of the leaf cover.

G. TRANSPORT AND AIRLIFT

When the war began, the Eastern Region of Nigeria was crisscrossed with relatively good roads, kept in good repair. Internal transportation was extremely well developed; market goods, food, and people moved easily and freely throughout the region. This was in contrast to the other regions of Nigeria where road networks were not nearly so well developed.

Biafra today is still accessible in nearly all of its area by the same road system of tarred highways and laterite and sand roads running through the bush and rain forest. By American standards the roads are narrow and not expertly designed, but by the standards of West Africa they are superior. Maintenance is still relatively good.

Biafra entered the war with a surplus of motor vehicles, both cars and trucks. The mass killings of Easterners in the Northern Region in the autumn of 1966 and the subsequent systematic purge of Ibos from the army and harassment and sporadic killing of Easterners in towns in Western Nigeria and in Lagos impelled close to 2 million Easterners to migrate back to their heartland. Most took their vehicles with them. Of particular importance were the truckers who hauled the Northern Region's immense peanut crop from buying stations to railheads and to highway transfer points to be moved south to the seaports. When the killings occurred in the North, these truckers moved their vehicles to the East, creating a plethora of trucks of varying capacity in Biafra at the time of secession. This surplus of motor transport has been as important as any other factor in enabling the Biafrans to keep the Nigerian army from overrunning them.

There is no accurate census of motor vehicles in Biafra, for many records have been lost in the war. Biafra now licenses its motor vehicles, but information required for a precise report is not complete, we feel. The data in this report come from direct observation, knowledge of the past, and information made available through the Directorate of Transport.

Attrition and war have taken their toll of Biafra's vehicular capacity. Spare parts are in short supply and thousands of cars and trucks are idle, or nearly so. Acute fuel shortage has restricted movement. Service stations are closed. Shortage of lubricants accelerates deterioration, and even though there is a surplus of experienced Biafran mechanics, their ingenuity cannot compensate for the lack of spares and of appropriate maintenance equipment. The great numbers of vehicles seen lying idle all over Biafra creates an illusion of vast transport capability that has led many relief workers to minimize the need for importing trucks for expanded programs and for construction after the war. There are quite probably enough cars and trucks in operating condition to enable Biafra to continue fighting for quite some time, but relief agencies, we feel, should regard surplus vehicles still in private hands as potentially in demand by the army.

Critical shortage of batteries and tires immobilizes many civilian vehicles; a primary consideration for expanded relief work should be the airlifting of these items, as well as of standard spares and tools.

The most reliable vehicles for future relief work are those that have survived in running order. Mercedes, Bedford and Leyland trucks, and Peugeot and Volkswagen cars and pickups appear to operate long after most other makes have stopped. Spares should be selected to keep them running.

Data provided by the Director of Transport show that the Biafran government has commandeered 28,000 vehicles since the war began. Since the government pays private owners for the use of their vehicles on a time basis, 10 percent to 20 percent of the commandeerings must be considered repeat business.

Of the vehicles commandeered, many have been lost through war action or accident, and many others must be considered to be in nearly irreparable condition. There are still thousands of cars and trucks in private hands. Many of them are in poor condition but can be repaired.

Of peripheral interest are bicycles. At the beginning of the blockade and the war that followed it, Biafra was well equipped with bicycles. Women as well as men had bicycles, a situation atypical of Nigeria. Now attrition and shortages of tires and spares have removed most of the bicycles from the road.

Nigeria's railroad was designed, not for the convenience of passengers and for the internal movement of goods East-West, but to move peanuts, cocoa and other produce southward to the seaports. Consequently, there is no real rail network in American terms, and in Biafra today there is only the section of North-South track that passed through that part of the Eastern Region from the North to Port Harcourt. Nevertheless, the Biafrans run a train, sometimes as often as once a day, along this short route, carrying passengers and crops. In immediate relief terms, this rail movement is not significant, but it might be of importance in later reconstruction work.

Any relief involving river transport should be planned in recognition of a shortage of civilian-held river craft. Barges are in use by the military, as are many of the big work canoes, powered by outboard motors, that used to ply the River Niger. Should a river channel to Biafra ever be opened for relief goods, barges, small towboats and shallow-draft self-propelled river craft must be brought to the area in numbers sufficient to move all of the anticipated tonnage.

Superimposed on the normal transport system of Biafra is the food import and distribution systems of the foreign relief agencies. Relief food and medicine brought in by the airlift are offloaded from the aircraft directly into trucks chartered from Biafrans by the relief agencies. The food is driven directly to distribution depots and to the storerooms of the larger feeding stations, and drugs are moved to the larger hospitals for redistribution to clinics and sickbays. Until recently, diesel fuel for these trucks was brought in on the airlift planes, and gasoline to operate the cars of relief workers was also carried as cargo. Now, it is understood from some relief workers that the Biafran Government is making available several hundred gallons of Biafran-refined gasoline daily. Much of the diesel fuel is still brought in on relief planes, because the locally-refined fuel is not yet fully suitable for the relatively high-speed, small diesel engines of relief trucks.

The relief airlift operated by church groups in Europe and America and by the International Committee of the Red Cross, however dramatic, is only just beginning to approach its potential capability.

Begun by the churches and the ICRC as a haphazard operation about a year ago, the airlift has grown from occasional flights to spaced weeks apart to a scheduled nightly operation capable of moving fairly predictable tonnage into Biafra. Regular operation, accomplished despite formidable organizational, financial and weather difficulties during August, September, October, and November of last year is credited with having reversed starvation of children in Biafra and probably has saved more than a million lives. But, with critical calorie shortage developing in Biafra, the airlift will have to be increased several times over to meet the anticipated calorie deficit. More aircraft, more take-off airports and either further expansion of the Uli airstrip in Biafra or creation of new airstrips will be needed unless road and river corridors can be opened.

The church airlift from the Portugese island of Sao Tome has operated rather regularly and consistently, and churchmen who began the demanding task of logistical planning and implementation as amateurs have become quite experienced. Charter aircraft operators have come and gone, and the church organizations have grouped and regrouped into an intricate syndicate that could not be described in comprehensible detail in this brief report. But somehow this ecumenical consortium works.

Errors, bad luck, and human contrived obstacles have a way of striking in combination at the worst times. Last month, the ICRC airlift struggled to exist. Ordered off its Equatorial Guinea island base shortly after the visitation to that newly-independent nation of a Russian trade mission, the ICRC found a limited base of operations at Cotonu in Dahomey, far enough away from Biafra so that fuel load materially diminished food load. Now that the ICRC has succeeded in reopening Equatorial Guinea the church airlift from Sao Tome finds itself in trouble. In anticipation of the much-publicized availability of four United States Air Force C–97 cargo planes, the church airlift operators phased out a number of charter craft and crews who had perfected their operations and had increased their tonnage by 50 percent during December and January. The four C–97s are on Sao Tome, and while their crews attempt to overcome initial operational difficulties, there has been a net reduction in flights.

Worse, both church and ICRC airlifts face a more serious obstacle: a Nigerian mercenary pilot who openly identified himself as "Genocide" flies nightly into the holding pattern over the ULI airstrip and harasses the airlift pilots. When a relief plane is cleared for final approach by the Uli ground control (operated by Biafrans), and the runway lights are turned on briefly, Genocide moves in and bombs the field. The confusion and delay caused by this technique exhaust the holding fuel of some 50 percent of the food-lift planes, forcing them to return to base and reducing tonnage moved to Biafra accordingly. Having experienced Genocide's harassment in the air and having been on the field when his bombs were falling, we know whereof we speak, and we speak in flat contradiction of General Gowon and Mr. U Thant who say that Nigeria is not impeding movement of relief food and medicine to Biafra. The children of Biafra are in delicate balance between improvement and drastic deterioration of their health. Both airlifts are correcting their operational difficulties, and now, when a steady inflow of high-protein food must be maintained, hundreds of thousands of children are placed in unmistakable jeopardy by Nigeria's pilot who aptly calls himself Genocide.

H. THE ECONOMY, GOVERNMENT ORGANIZATION, AND MORALE

The near-total seige and blockage of Biafra has affected not only the health of the populace, but also has caused severe dislocations of the Biafran infrastructure, commerce and production capacity.

Market places are open in the early morning and again toward dusk to reduce exposure to Nigerian bombers whose pilots have identified crowded markets as prime targets. Continuous preoccupation with the necessity to obtain food has retsricted the use of trade channels to traffic mostly in foodstuffs, both within Biafra and across the battle lines. Local manufacture and importation of market goods have been reduced to minimal levels, with the result that Biafra is critically short of nearly everything which moved freely in the open trade before the war.

Traditional care in the wearing and washing of clothing has enabled most Biafrans to extend the life of their modest wardrobes. But undergarments for both men and women are becoming extremely scarce. Clothing is critically scarce among refugees who abandoned possessions in hasty flight before advancing Nigerian troops. In many of the refugees camps we saw people who were either nude or virtually so. Of incidental interest is the ragged and faded condition of the uniforms of nurses and others who require special clothing for visual identification and authority.

Footwear is obtainable in markets and from inspection of merchandise it may be hypothesized that much of the footwear was manufactured outside Biafra and was brought in across the battle lines by enterprising traders. We have no data on this point.

Most other usual market items are either nonexistent or in critically short supply. There is virtually no trade in cosmetics, proprietary drugs, sanitary napkins, and similar items of one-time use. Toilet soap, made in Biafra from palm oil and ash, scarcely meets the needs of these normally clean people. Laundry soap powders are not available. Bolt cloth and sewing thread are scarce.

Constant use and consequent wear have created a shortage of containers such as pails, basins, and cooking containers. The people of Biafra like most other West Africans, have always been extremely careful with breakable items; bottles, ceramic dishes, tumblers and window glass have survived reasonably well.

Building materials are critically short. There does not seem to be any cement in Biafra, and sheet metal roofing is not obtainable. Timber and lumber are plentiful, but attrition of handtools and depletion of fasteners restricts wood construction. Disproportionately high demand for coffins has effected informal rationing of fasteners such as nails and wood screws in carpenter shops; even so, coffins are usually made now only for adults and youths. Production cannot cope with the death of young children.

Wood-frame construction is rare; when it occurs, it is accomplished with sparing use of nails, and often with substitution of machine bolts for wood bolts.

At the outbreak of the war, construction in Biafran villages was moving more and more toward concrete houses with sheet metal roofs. One of the consequences of the blockade has been a reversion to mud-and-thatch construction, accomplished with raffia fastening of roof and wall structural members.

The shortage of sheet metal and the diversion of cast and forged metals to the production of war material has idled most of the blacksmiths and tinkers, who were numerous and busy before the war. An exception is the employment of some metal workers involved in village production of oil lamps, called Biafra lamps, which burn palm oil to provide a weak light in huts that once were lighted with kerosene or candles. The design is similar to that of old whale-oil lamps, and permits the surface of the shallow pool of palm oil to be heated nearly to the flash point before being fed by a broad wick to the flame.

Paper, writing materials and office supplies are scarce. This inhibits record-keeping, communication and the operation of governmental units to be a marked but not yet dangerous degree. Before its secession, the Eastern Region, with about 25 percent of Nigeria's population, consumed far more than its proportionate share of the hardcover and paperback books brought into Nigeria. Some trade reports have put the Eastern Region consumption as high as 60 percent of imports. The nearly total lack of books now among the literate people of Biafra causes considerable anguish. This feeling was expressed to us several times.

The severe shortage of conventional items of market trade probably makes little difference to many wage earners whose near-total allocation of personal and family income to the purchase of foods would leave very little money available for purchase of hardgoods and softgoods even if they were plentiful. Among farm families, the situation is different. Farmers and food marketers are accumulating excess money in this period of high food prices and, finding little to buy, are keeping their cash money. Traditionally suspicious of banks and possibly influenced by the continual relocation of bank facilities in threatened areas, farmers hoard rather than save.

A congenital flaw in the Biafran currency system has been inability of the Biafran government to issue coins until February 1969. Nigerian coins remained in circulation, and they eventually became the standard against which Biafran paper money was measured.

During the past six months, market trade has become increasingly a competition for coin, driving down the comparative value of paper. The situation has been aggravated by the steady loss of coin to the food producing areas under Nigerian control.

At the time of our survey of Biafra, we were informed by a governmental officer that one paper Biafran pound could be bought for three shillings sixpence in Nigerian coin, on the average. Extremes were one pound for sixpence near the perimeter of Biafra, and one pound for five shillings in the quieter urban areas.

The greatest inflation is in the price of salt. Before the blockade, salt sold in the Eastern Region for 2.3 pence per cubic centimeter; last month one cc of salt sold for two pounds five shillings in Biafran money. This enormous difference is attributable partly to scarcity and to exaggerated stories of the dangers of getting salt through the battle lines. Salt imported via the relief airlift is not available on the market. It is available only in refugee camps. Nutritionally speaking, Biafra is not dangerously short of salt, but the fact that salt prices may be driving all food prices up suggests that it may be useful to airlift salt for the general population.

On the day of our departure from Biafra, a full range of new currency, ranging from ten-pound notes to threepence coins, was issued. We cannot speculate on the long term effect of the new currency. Biafran fiscal authorities were hoping that the new issue would bring money from hiding in the act of exchanging old for new and would bring down food prices by minimizing and eventually replacing Nigerian coin as the popular measure for the Biafran pound.

Finally, we may mention that short term treasury bills, bearing three and one half percent interest, have been offered from time to time by the Biafran treasury. We have no direct information of the success of such issues. During our survey trip an offering of one million pounds worth of treasury bills was announced in the Biafra Sun, (a daily tabloid printed on poor paper with diluted ink with four to five different type faces per word because of attrition of normal body type). A government official told us that treasury bills were readily accepted by banks, wealthy traders and the proprietors of dormant industries, and that the Biafran government had not failed to discount its past issues.

We attended the opening session of the Consultative Assembly and heard Colonel Ojukwu's speech to that group, a sort of state-of-the-union address. The assembly and its role in Biafran government are described later in this report. What is significant to report here is that at four places in Colonel Ojukwu's speech there was extraordinary and sustained applause: when he referred to the favorable attitude of France toward Biafra, when he announced Biafran capture that morning of a road junction on the way to Port Harcourt, when he described the modest resumption of primary school education, and when he announced issuance of the new currency. We must assume the foregoing to have been of extreme importance to Biafran village and provincial leaders. All Biafran tribes were represented in the assembly, including a number whose lands have been captured by Nigerian troops.

What we observed was affirmation of a spirit of nationhood, and we heard many similar expressions of determination and confidence, and of group hope, during our survey trip. We have little information with which to assess the military situation, but there is no doubt that Biafrans find security in their view of themselves as a nation.

Nigerian bombing of the Biafran civilian population is not breaking the will of the populace. There is fear, and considerable apprehension about the future, but we observed that the daily bombing and strafing have hardened Biafran determination and have created widespread bitterness toward the Nigerians, the British and the Russians. Particularly abhorrent to the Biafrans are the discriminate air attacks on hospitals, refugee camps, feeding stations and crowded market places, resulting in death and terrible injury to non-combatant women and children, and to the very old.

Peace negotiations, if any are planned, can only be made more difficult if the bombing of civilians continues, for the air attacks, while not claiming great numbers of lives in comparative military terms, have been added to the Biafrans' long litany of acts by Nigeria which nurture the conviction that they are faced with a genocidal plot, concurred in overtly by England and Russia and by default the United States. It is not our purpose to charge genocide, or to refute such charges. We are, however, profoundly disturbed by the pattern of siege, bombing of civilians and by the persistent Nigerian harassment and deterrence of relief flights attempting to reach Biafra.

"The unborn child will never go to Nigeria." So says the current folk wisdom of Biafra. The Biafrans believe at present that the future generations will not migrate to Northern or Western Nigeria, no matter what form of political accommodation is finally reached between Biafra and Nigeria. The fear of massacre is general: farmers and others low on the social scale expressed to us this fear of being slaughtered. Civil servants and professional persons told us that they would be singled out for slaughter by Nigerian troops should their areas be penetrated and occupied. They see the war as an effort by the Nigerian tribes to remove competent, educated Biafrans as a competitive force in the quest for jobs and power.

What is remarkable, and frankly surprising, about the Biafrans is their sense of organization and their commitment to orderly procedures, both governmental and private, in their current situation.

The administrative, or executive, branch of Biafran government is departmentalized and functionally organized from top to bottom. The central capital has been moved twice—from Enugu and from Aba—as Nigerian gains reduced Biafran-controlled areas. Many records were lost, office equipment abandoned, and capital equipment of statutory corporations—electrical generating equipment, telephone exchanges and the like—captured by Nigerian forces. But enough of the apparatus of government was brought to current Biafra to enable the government to function. There is red tape, and bureaucrats act out of familiar reflex, but a functioning civil service exists; acceptance of its action by the populace appears complete, and it is available for relief operations.

The central government relates more or less well to the provincial government offices, and the various departments of the central government co-operate with—or sometimes oppose—each other in the manner familiar to those who knew the Nigerian governmental procedures before the war, or for that matter, in the manner of most governments.

Communications are difficult: telephones work sporadically, and government vehicles are wearing out. The courts function: quite accidentally we observed a magistrate's court in session, with judge and attorneys in the robes and wigs of borrowed English justice.

The Consultative Assembly referred to earlier is a group of provincial and village leaders, selected by their people and answerable to them for their decisions and recommendations. This assembly has met several times during the course of the war, having approved the independence from Nigeria initially, and has on each occasion endorsed Colonel Ojukwu's conduct and continuance of the war. Approval is not unanimous, but there is little question in our mind after our visit to the Assembly that the war for independence is continued with the approval, amounting perhaps to mandate, of the representative body.

Much of the governmental effort in Biafra, outside of that directly concerned with fighting the war, is concerned with keeping the Biafran people fed. There is a Food Directorate, which purchases locally grown crops and supervises their sale and free distribution to feeding stations and refugee camps. But the Directorate does not have absolute authority, or anything like it, and most local food still appears to move in private trade at high prices. The Refugee Commission struggles to meet the staggering needs of 2.5 million homeless refugees, with the assistance of the Food Directorate and the foreign relief agencies, but the effort is at best a holding action, for the refugees show little measurable inclination to return to their land in Nigerian controlled areas, even though they could infiltrate the battle lines and could quite probably find crops still in the ground.

The Biafran Red Cross appears quite efficiently organized and works in close cooperation with the ICRC teams and with the other foreign relief agencies. Several foreign relief workers have said that their job would have been all but impossible without the existence of the Biafran Red Cross.

The role of the church relief workers in Biafra is dual. Food distribution and medical treatment have become a major preoccupation of the churchmen in Biafra and of their parent organizations in Europe and America. But it should be remarked that the basic motivation of both Catholic and Protestant organizations in Biafra has been historically missionary, and the Catholic orders, particularly, view the current relief work as an extension of their parish responsibilities. Identification with the needs of their parishioners is very great and personal, regardless of any individual's missionary's feelings about the political aspects of the war. Their commitment is to their flock and not to the Biafran government. Most of the missionaries and the doctors attached to missions have been in the former Eastern Region for a long time, and they are sometimes at odds with Biafran government officials in matters where they feel that the personal welfare of their parishioners may be forgotten by Biafran officials.

Two members of our team visited a modest Biafran industrial installation. It was equipped with machines and machine tools which engineers told us were taken from factories in Port Harcourt before that area was captured by the Nigerian army. The unit seen by our members was self-contained. Electricity to operate the machines was being generated on the site by well-maintained diesel generators that had been converted with a filter system to run on a high grade of crude oil being brought from oil fields captured by the Biafrans.

Operations included casting, rough machining, finished machining, forging, pressure forming of steel components, arc welding and assembly. Most significant of all, crude oil was being refined into gasoline, kerosine and diesel fuel at improvised refining units nearby. We understand that there are several refinery units dispersed throughout Biafra, and that the 60-octane gasoline and low-grade diesel fuel and kerosine produced in increasing volume are beginning to relieve much of the transport and lighting difficulties of Biafra. We do not know whether refinery output is sufficient to enable Biafrans to put fuel in storage.

The very existence and operation of these indigenously designed and constructed refineries is a manifestation of determination and ingenuity that we regard as remarkable. Most of the Biafran engineers who have contrived the refineries and similar installations were trained in America. As far as we know, no foreign personnel are involved in this work or in the maintenance of generating and production machinery.

I. RECOMMENDATIONS

1. General considerations

(a) The fundamental action needed to alleviate suffering in the Nigeria/Biafra catastrophe is an immediate cessation of hostilities. An immediate truce is the only way that food and medical relief can be adequately provided. During our stay in Biafra we heard repeated again and again the questions: What lasting good is relief without peace? Why fatten us for the slaughter? Of what nutritive value is a belly-full of relief food when a daily strafing attack results in a nervous stomach?

(b) There is an urgent need to end the atrocities being carried out against the civilian population of Biafra. The systematic bombing and strafing of hospitals, even when they are clearly identified with a Red Cross; the air attacks on children in their schools; the bombing of women and children in market places and feeding centers; the poisoning of smuggled foodstuffs; and interference with relief flights must be halted immediately.

(c) It is absolutely essential that a greatly expanded tonnage of relief supplies, food in particular, be made available to the Biafran population. As you saw in the section on agricultural production and food supply, the needs for calories may well become very large by April 1969. A land corridor or a sea-land corridor, one or two additional airports solely devoted to relief flights and open night and day with international control of cargoes would considerably increase the possible tonnage delivered. Only the land corridor or the sea-land corridor, operating from a harbor base would be able to furnish the Biafran population with the 6,000 to 8,000 tons of relief supplies needed each week. Again, the implementation of this recommendation was not considered in this report.

2. Relief

(a) Food and Nutrition

(i) The principal nutritional need is for protein food to provide basic dietary requirements for sectors of the population most severely at risk in a famine situation, particularly, young children, pregnant and lactating females, and the elderly.

(ii) Additional means should be found to increase the air shipments of protein foodstuffs.

(iii) For additional calories, even an increase in the volume supplied by the air-lift will be insufficient. A sea/land corridor should be opened during the next several weeks, with adequate neutralizing supervision to provide the needed calories.

(iv) If there is no cease-fire, and air fields are not increased, then air-drops of stock fish and other foods should be considered.

(v) Critical food suppplies not only should be provided to refugee camps and feeding stations, but also should be distributed through the normal marketing channels, particularly stock-fish, canned meat, milk and salt.

(vi) Health education should stress the preparation of traditional Biafran foods with the incorporation of such protein-rich relief supplies as dry skim milk, formula 2, and other fortified cereals.

(b) Health

(i) The already operating campaign for prophylaxis against measles and smallpox should be extended to the mass immunization of 50–75% of the over-all population for the prophylaxis against tuberculosis (B.C.G.), tetanus and possibly diphtheria-whooping cough-tetanus (D.P.T.) for children under two years of age.

(ii) The widespread and severe anemia should be counteracted with iron products (oral and/or intramuscular) along with blood and plasma.

(iii) Mass anti-malarial prophylaxis campaigns should be organized.

(iv) Specific health education campaigns should be instituted, utilizing existing cadres of health personnel, doctors, nurses of all grades, Red Cross and other relief agency workers aimed primarily at the protein requirements of various groups in the population at highest risk and the need for water purification and sanitation for masses of population living under unnaturally crowded conditions.

(v) The already existing Biafran mobile health teams which include a supervisory physician or nurse, two to four assistant nurses, two aides and one administrator should be extended. These teams can be trained within a two week period to provide services for the more remote centers such as health education, food distribution, immunization, and medical therapy on a mass scale (anti-malarials, anti-helminthics, and iron therapy).

(c) Agricultural Production

(i) Relief supplies should be made available on request for the Land Army, particularly insecticides, treated seed of appropriate varieties, baby chicks, tools, etc.

(d) Education

(i) Bombing of schools should be stopped so that children can use school buildings, and to avert the commission of intellectual genocide against the next generation.

(e) Transportation

(i) In order to insure adequate distribution of relief supplies, tires and spare parts for cars and trucks should be supplied when required along with vehicle lubricants, gas, welding equipment and other vehicle repair tools.

(ii) A review of alternate types of aircraft for the relief flights should be made with a view towards increasing the volume of tonnage.

(iii) Strong appeal should be made to stop the harassment of food relief flights by "intruder" aircraft.

(iv) Construction of additional airfields within Biafra (under international control) for the specific use of relief flights should be considered immediately.

(f) General

(i) The shortage of materials is more critical than the shortage of high level trained manpower in Biafra. Assistance should be concentrated on non-human resources, such as medical supplies and equipment (drugs and vaccines, blood and rehydrating intravenous fluids; syringes and needles; surgical equipment; etc.); animal protein foods; agricultural supplies and tools; sheet roofing and nails; and other manufactured items as needed.

3. The United Nations and the United States

We recommend that the United Nations take a much more active role in the negotiations leading to a cease fire and to expanded relief. A conflict which, when the civilian dead on both sides of the fighting line are counted, is already responsible for well over 2,000,000 dead cannot be shrugged off as an internal matter lacking an international concern. We would like to address ourselves particularly in this report to those specialized agencies of the United Nations, especially FAO, WHO, and UNESCO, who have done essentially nothing so far. Only UNICEF, of the specialized agencies which should be directly concerned, has shown commendable initiative, providing supplies and as much help as its means permitted. We shall not presume to give advice to those voluntary agencies, the Joint Church Aid, Caritas Internationalis, Nord Church Aid, the International Committee of the Red Cross, Diakonishe Werk, the Catholic Relief Services (USA), the Church World Service (USA), the American Jewish Committee, the American Friends Service Committee, OXFAM, the Swedish, French and Swiss Red Cross Societies and many other societies which have labored so hard to redeem the honor of mankind in Biafra.

(a) FAO—The role of FAO in the Biafran famine should be of first importance. It should be monitoring the Biafran food requirements, advising on the foods best suited to fill the needs and coordinating the procurement of the various agencies. In addition, there is a crucial need for research in home economics. It is imperative, for example, to devise recipes permitting the use of greater amounts of palm oil in the diet.

FAO can also help in the essential job of nutrition education, e.g., explaining the greater need for protein in growing children, explaining the proper use of dry skim milk or CSM in soup or garri. It can advise the Agriculture Ministry on varieties of seeds and animal stock which should be imported. For instance, Biafran agriculture officials want to expand the culture of beans as a source of vegetable protein and to introduce the raising of rabbits on a large scale as a source of animal proteins which does not compete for calories with man. They need help on these and similar projects.

(b) WHO—There is very little that can be said in the defense of WHO's inaction in the face of one of the great medical disasters of modern times except that so far, more through luck than through foresight or the exercise of proper medical procedures, there has not yet been any large-scale infectious disease epidemic other than a deadly epidemic of measles. The personnel of WHO should remember that they are doctors and should not let political considerations stand between them and their patients. We recommend to WHO that they immediately endeavor to procure the drugs, vaccines and basic equipment described in the preceding section. We cannot emphasize too strongly that with a population weakened by famine, with millions of refugees many of whom are on the march, only the closest epidemiologic surveillance and control and prompt medical action can prevent the spread of one or several large-scale epidemics. So far the Biafran government has been able to exercise border control and territorial surveillance. They may be unable to act effectively in the absence of international medical help.

(c) UNESCO—Millions of bright children with a tradition of desire for education are out of school. They are being starved, bombed and strafed and yet everywhere we talked to boys and girls who were starving for school. They have no books, no pencils, no paper. UNESCO could well give its priority to action designed to save these children from intellectual neglect and from despair by making available to Biafra the equipment needed to resume classes, particularly if available tonnage can be increased.

(d) The Government of the United States:

(i) In view of the paucity of information of the state of the population for relief purposes, it is desirable to station in Biafra some medical and nutritional personnel whose role it will be to report the solution of the situation to the President.

(ii) In view of the multiplicity of U.S. voluntary agencies already involved in Biafra, it would be helpful to station in Biafra a relief coordinator to work with these agencies and with qualified Biafran health and nutrition personnel. Such a person could relay needs as perceived by Biafran physicians and nutritionists.

(iii) For this and similar situations which could arise in the future, the President should be asked to designate a Relief Advisor to work in a voluntary capacity as his consultant on problems of international relief.

Jean Mayer,
Chairman.
George H. Axinn.
Roy E. Brown.
George T. Orick.

J. SUMMARY

A. An "expert" team, composed of Professors Mayer (Chairman) and Axinn, Dr. Brown, and Mr. Orick traveled to Biafra with Senator Goodell. This report, prepared by the group, covers various aspects of life in Biafra which are relevant to the planning of expanded relief operations.

B. The population of "free" Biafra was estimated at between 8 and 9 million as of 10 February 1969. Deaths from famine appear to have been on the order of 1,500,000 with a minimum of one million in 1968 alone.

C. The food supply is extremely deficient in protein. The calorie supply is precarious and a large deficit looms very close.

D. The population shows extreme signs of caloric and protein deficiencies. Relief operations are impeded by the bombing and strafing of feeding lines and of Kwashiorkor centers. All refugee feeding must be done under cover of darkness.

E. The population is in a poor state of health: both mortality and morbidity (from famine and infectious diseases) are extremely high. Health operations are made more difficult by the systematic bombing and strafing of hospitals, even when these are isolated from other potential targets and are clearly marked with the Red Cross.

F. All educational facilities had been closed because schools were systematically bombed and the children strafed. Some primary schools have now been opened in thick forests. The lack of paper, pencils, and books is almost universal.

G. Transportation of relief and vital materials is precarious but operational. The operation of the Red Cross and Church Aid airlift has been drastically curtailed by the nightly harassment of an enemy bomber designating itself by the code name "Genocide."

H. The economy is obviously weak but new currency and coinage have been introduced, some industrial facilities are operating, and the government appears to be in full command of the internal situation. The morale of the nation appears extremely high in spite of difficult circumstances.

I. The committee urges strong action to bring about a cease fire, an end to the systematic bombing and strafing of hospitals, schools, refugee camps, and feeding stations, and of interference with the relief airlift. It urges an increase in tonnage of relief supplies. A number of specific recommendations are made concerning food and nutrition, agricultural production, education, and transportation. It calls on FAO, UNESCO, and WHO to start participating in the gigantic work of relief and suggests ways in which the United States can be helpful.

We reiterate the urgency of the situation. The Biafrans are an educated, ingenious, and highly organized community, capable of making efficient use of aid if it comes before they succumb to famine, disease, and despair.

K. PARTIAL LISTING OF MEETINGS AND INTERVIEWS

In Nigeria

Major-General Yakubu Gowon, Head of Nigerian Federal Military Government and Commander-in-Chief since August 1, 1966 (met with him for 2 hours).

Dr. Okoi Arikpo, Commissioner for External Affairs.

Chief Anthony Enahoro, Commissioner for Information and Labor.

Dr. T. O. Elias, Attorney General.

U.S. Ambassador Elbert G. Mathews and members of U.S. Embassy Staff.

Dr. Thomas, Provost of University of Lagos and a noted plastic surgeon.

Members of Dept. of Pediatrics at University of Lagos.

Dr. Ademola, Director of Public Health for Nigeria.

In Biafra

His Excellency, Col. Odumegwu Ojukwu, Biafran Head of State (two meetings: 1 hour and 3½ hours, respectively).

Major-General Philip Effiong, Chief of General Staff of the Biafran Armed Forces.

Sir Louis Mbanefo, Chief Justice of Biafra.

Professor Eni Njoku, Vice-Chancellor of the University of Biafra.

Mr. N. U. Akpan, Chief Secretary to the Biafran Government.

Mr. G. A. Onyegbula, Permanent Secretary in the Biafran Ministry of Foreign Affairs.

Dr. Aaron Ifekwunigwe, Head of the Dept. of Pediatrics at the University of Biafra.

Dr. Ifegwu Eke, Commissioner for Information.

Professor Bede Okigbo, Director of the Food Production Directorate and National Coordinator of the Emergency Food Production Program.

Professor Njoku-Obi, Head of the Dept. of Pathology at the University of Biafra Teaching Hospital.

Mr. Ben Okagbue, Permanent Secretary in the Ministry of Information.

Mr. Nnonyelu, Assistant to Vice Chancellor, University of Biafra.

Hyacinth O. Anozia, Director of Transport, and several of his assistants (seen in Umuahia.)

Timothy Enelli, Director of Finance (seen in Umuahia).

Mr. Nwakoby, Director of Housing (seen in Umuahia).

Various engineers (seen at an industrial production unit).

Various market women, carpenters, and minor civil servants.

Paddy Hargreane, British builder, now operating refugee Center at Orlu (seen in Morningstar Girls' Secondary School).

Rev. Fred Peters, British Protestant Missionary, supervising offloading and dispatch of airlifted food (seen in Uli).

Major George Akabugu, Uli Airport Commandant (seen in Uli).

Barry Bianci, UNICEF volunteer, involved in warehouse control at Sao Tome and in aircraft offloading at Uli.

Heinrich Jaggi, Director of International Committee of Red Cross operations in Biafra (seen in Umuahia).

Alida de Jaeger, Dutch nutritionist (seen in Umuahia).

Dr. Okie Ogan, Gynecologist and close friend (seen in Umuahia).

Sir Louis Mhanefa, Chief of Justice of Biafra (seen in Umuahia).

Various farmers, petty traders (seen throughout Biafra).

In Geneva

Mrs. Gertrude Lutz, UNICEF liaison officer.

Mr. Louis Gendron, UNICEF.

Mr. Zimmermann, Assistant Director of the ICRC.

Mr. Zendter, ICRC.

Mr. King, American Mission.

Mr. de Mayer, WHO.

Ambassador Lindt, Director of the ICRC and several other individuals.

In New York City

Mr. Leslie Tepley, Nutritionist with UNICEF.

Mr. E. J. R. Heyward, Deputy Director of UNICEF.

Dr. Francois Remy, Deputy Program Director for Africa, UNICEF.

Mr. Richman and Mr. Marr, Procurement Division of UNICEF.

In Sao Tome

Fr. Anthony Byrne, Caritas representative on Sao Tome and Chairman of Church Airlift Operating Group.

Axel Duch, Operations Chief, Church Airlift.

Various pilots and crewmen of Church Airlift (seen in flight in Sao Tome, and in Uli).

Eric Obi, former Biafran industrialist, now Biafran representative on Sao Tome.

IMPORTATION OF TOMATOES FROM MEXICO

Mr. HOLLAND. Mr. President, on February 4, 1969, the distinguished Senator from Arizona (Mr. Goldwater) made a speech on the floor of the Senate which is shown at pages 2725–2726 of the Record of that date. The Senator from Arizona discussed in his speech an order issued January 2 to be effective January 8 by former Secretary of Agriculture Freeman, which order prohibits the importation from Mexico of certain tomatoes which are likewise prohibited from movement in commerce from the State of Florida under the terms of a Federal marketing agreement and order covering the movement of fresh tomatoes produced in the State of Florida. Section 608e–1 of the Agricultural Marketing Agreement Act of 1937, as amended, requires that imports of specified fruits and vegetables, including fresh tomatoes, must meet the same grade, size, quality, and maturity regulations as are in effect for domestic shipments under a Federal marketing order.

This provision is known as the golden rule amendment to the Agricultural Marketing Agreement Act of 1937 and was adopted in 1954, covering a list of fresh fruits and vegetables. I was personally responsible for the placing of tomatoes within the list of perishable commodities covered by said amendment, and therefore I have considerable interest in the situation and some knowledge of the facts lying behind this golden rule amendment. The producers of many fresh fruits and vegetables in this country think that if they regulate themselves—by a marketing agreement supplemented by a Federal marketing order—in such a way as to confine their shipment to the fresh fruit and vegetable trade of their products of certain quality, maturity, grades and sizes, certainly it is not asking too much that suppliers of the same products from outside of our Nation should live up to the same standards.

I note that later my distinguished friend, the Senator from Arizona, discussed this same subject again on February 19, as shown on pages 3943–3947 of the Record of that date.

Early in January, the commission merchants of Nogales, Ariz., brought suit in the U.S. District Court of Arizona to prevent the enforcement of the import order and such district court had ruled against them. Later, the same complainants filed notice of appeal to the circuit court of appeals for that circuit and asked the district court to enjoin the enforcement of the import order until the appeal could be heard. The district court denied that request, so that the matter now stands upon the notice of appeal filed by the complainants, the commission merchants of Nogales, Ariz. I am not advised as to the stage of the appeal or even as to whether the appeal has been perfected, though there is yet time for the appeal to be perfected.

I have felt and now feel that in a matter now pending in the court, already decided by a highly regarded district court and now pending on appeal to the higher court, such subject should not be debated on its merits on the Senate floor, and I shall not do so now.

However, after gaining informally such information as I could from Florida, from the press, and from the U.S. Department of Agriculture, I requested on February 13 that the USDA furnish me with a full statement of information concerning the Florida marketing order on tomatoes and the companion import order affecting Mexican tomatoes which is required by the golden rule amendment to the Agricultural Marketing Agreement Act of 1937. I received on February 18 a detailed letter stating the facts relating to the Florida marketing order regulation on tomatoes and the companion import regulation affecting Mexican tomatoes, and I had planned to place this letter in the Record on last Friday, February 21. Unfortunately, without my knowledge, the order previously entered and the information previously given by the leadership to the effect that Washington's birthday would be celebrated on Saturday, February 22, was changed to set the celebration of his birthday and the reading of his Farewell Address on Friday, February 21. Another order was also entered without notice to the effect that immediately upon the conclusion of the reading of the Farewell Address of President Washington on Friday, the Senate should adjourn until noon on Tuesday, February 25—that is, until today. I was forced, therefore, to suspend my own action in this matter until this date.

The letter furnished me by the U.S. Department of Agriculture was dated February 17 and was signed by Mr. Charles W. Bucy, Assistant General Counsel of the Department of Agriculture. Since I think it contains accurate information on the subject, I ask unanimous consent that such letter be printed in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Department of Agriculture,
Office of the General Counsel,
Washington, D.C., February 17, 1969.
Hon. Spessard L. Holland,
U.S. Senate,
Washington, D.C.

Dear Senator Holland: This is in response to your telephone call of February 13 in which you requested that I furnish you with information concerning the Florida marketing order regulation on tomatoes and the companion import regulation affecting Mexican tomatoes.

There are two Federal Marketing Orders in effect for fresh tomatoes. Florida tomatoes have been regulated under a Federal Marketing Order from December 5, 1955, to June 1, 1959, and again this season since November 15, 1968. Texas tomatoes have been regulated under a Federal Marketing Order from May 4, 1959, to July 15, 1966.

Section 608e–1 of the Agricultural Marketing Agreement Act of 1937, as amended, requires that imports of specified fruits and vegetables, including fresh tomatoes, meet the same grade, size, quality, and maturity regulations as are in effect for domestic shipments under a Federal Marketing Order. The statutory objective of the Agricultural Marketing Agreement Act is to establish and maintain such orderly marketing conditions for agricultural commodities in interstate commerce as will establish, as the prices to farmers, parity prices.

Imports of fresh tomatoes have been regulated under this authority from January 2, 1956, to July 15, 1966, and again this season since November 18, 1968. Therefore, Mexican growers and distributors of Mexican tomatoes have been well aware of the import requirements under the Act for many years.

Notice of the first regulation for Florida tomatoes was issued this season on October 10, 1968, and the regulation was issued November 4, 1968, to become effective November 15, 1968. It limited shipments to tomatoes larger than 2⅛ inches in diameter.

Similarly, notice of the first import regulation was issued on October 14, 1968, and this regulation was issued November 5, 1968, and became effective November 18, 1968. The publication of the regulations in the Federal Register contained a statement of the fact that these regulations would be subject to change from time to time whenever domestic regulations were changed.

These regulations have been amended three times. The latest amendment was issued December 31, 1968, to become effective January 8, 1969, for both the domestic and the import regulations. This amendment required both the domestic and imported tomatoes to be of a grade U.S. No. 3 or better and as to size the mature green tomatoes were required to be larger than 2 9/32 inches in diameter while the vine ripes were required to be larger than 2 17/32 inches in diameter. The effect of the regulation is to limit shipments of mature green tomatoes to size 6 x 7 and larger and the vine ripes to size 6 x 6 and larger.

Arizona importers of Mexican tomatoes challenged the regulations by instituting a suit in the district court of Phoenix, Arizona, in which they petitioned the court to enjoin the Secretary of Agriculture from enforcing the regulations under section 8e–1 of the Agricultural Marketing Agreement Act which imposed on importers from Mexico the same size restrictions as were effective under the marketing order applicable to the movement of Florida tomatoes from the State of Florida. The plaintiffs obtained a temporary restraining order from the court on January 6, 1969, without notice to the Government. The Department of Agriculture immediately upon being informed of the court order took steps to have it vacated and at the Department's request a hearing was set by the court on January 9 to consider the Department's motion to vacate the temporary restraining order. The temporary restraining order was vacated effective at noon on January 10 and the regulations, therefore, became operative at that time. The matter was then set down for hearing on January 13 on the Department's motion to dismiss the action. The court subsequently granted the motion to dismiss the plaintiff's complaint. Thereafter, the plaintiff filed a notice of appeal and also filed motions with the same district court to restrain the Secretary from enforcing the regulations pending appeal. This motion of the plaintiffs was denied by the District judge. To date we have received no information indicating that the plaintiffs have perfected their appeal although the time for such action on behalf of the plaintiff has not expired.

Florida growers recommended this regulation for themselves because prices of 7 x 7 mature green tomatoes declined sharply from mid-December levels of about $3.50 per 40-pound carton to mostly $2.00 on December 27 and to a low of mostly $1.75 on January 2 and 3; in the same period 6 x 7 mature greens declined from $6.00 to $3.50. The prices between early in January when the current regulations became effective to February 5 show the price being stabilized at approximately $6.00. Similarly, vine ripe tomatoes of 6 x 7 size in 20-pound, 2-layer cartons declined from about $5.00 in mid-December to a low of $2.50 to $3.00 on January 2; during the same period 6 x 6 vine ripes declined from $6.00 to $3.50. The prices between early in January when the current regulations became effective to February 5 show the price being stabilized at approximately $4.00. The early January prices, the Florida Tomato Committee reported, resulted in essentially no returns to the Florida tomato growers. Larger sized tomatoes which were permitted to be shipped under the regulation were bringing somewhat better prices although substantially lower than the mid-December levels.

Prices for the Mexican tomatoes followed essentially the same pattern as the Florida tomatoes. For example, lugs of 6 x 7 tomatoes (30 pounds) declined from $6.00 to $6.50 in mid-December to a low of $2.50 to $3.00 on January 2. Prices for the 6 x 6 lugs, which were permitted to be shipped under the regulation, declined from $6.50 to $7.00 in mid-December to a low of $3.00 to $3.25 on January 2 and 3. The prices between early in January when the current regulations became effective to February 5 show the price being stabilized between $4.50 and $5.00.

Imports of tomatoes from Mexico have increased sharply. In the 1956–57 season imports of Mexican tomatoes totalled 103.8 million pounds. The volume has increased almost every year so that by the 1966–67 season the quantity of Mexican tomatoes imported to the United States reached 386.1 million pounds. The volume imported in the 1967–68 season declined slightly to 359 million pounds because of heavy rains and a disease problem following the rains. Official figures for the current season are not yet available from the Bureau of Customs but carlot crossings into the United States indicate that the volume will be substantially higher than in any previous year. For example, crossings through February 1, 1969, total 4,314 carloads of Mexican tomatoes compared with 2,493 carloads during the same period last season through February 3, 1968. Also the volume of shipments since the current regulation became effective have been increasing each week and have been substantially higher than in comparable weeks a year ago.

The figures on fresh tomato movements, both rail and truck, into the United States markets from Florida and Mexico converted to carlot equivalents for the 1967–68 season and the current 1968–69 season for the months of December and January are as follows:

	Florida	Mexico	Combined Florida and Mexico	Florida percentage	Mexico percentage
December 1967	2,824	553	3,377	83+	16+
December 1968	2,116	1,260	3,376	62+	37+
January 1968	1,988	1,671	3,659	54+	45+
January 1969	1,523	2,554	4,077	37+	62+

These figures clearly indicate that while the total movement of tomatoes in December 1968 and December 1967 remain the same Florida shipped around 700 cars less in 1968 while Mexico was shipping approximately 700 cars more in 1968. The comparison of shipments in January shows a continuation of the same pattern with the substantial increase in total shipments being exceeded by the increase in Mexican shipments. This pattern is particularly pertinent in view of the fact that in the 1967–68 season no restrictions were in effect whereas in the 1968–69 season the restrictions on domestic and imports were in effect. This is particularly true with respect to the month of January when the present regulations which have been the subject matter of litigation became effective. This is emphasized by the percentages of the total represented by shipments between Florida and Mexico. In January of 1968 the Florida shipments represented 54+ while the Mexican shipments represented 45+. In January of 1969 the Mexican shipments represented 62+ while the Florida shipments represented only 37+. There is attached for your information a table showing the day-by-day movement of tomatoes from Florida and Mexico during December and January of the 1967–68 and 1968–69 seasons.

The current regulation has been disputed quite strongly by representatives of the Mexican growers, representatives of the Nogales, Arizona, distributors of Mexican tomatoes, and by officials of the Mexican Government. They agree that because of the market situation some kind of regulation is needed to provide market stability. They also agree that the regulations have contributed to a substantial price improvement for both Florida and Mexican tomatoes. However, they argue that the regulation discriminates against Mexico.

In this connection they say the larger minimum size requirements for vine ripes discriminates against Mexican tomatoes because more than 90 percent of the Mexican tomatoes are shipped as vine ripes while only about 20 percent of the Florida tomatoes are vine ripes. Also, they argue that this is causing Mexican growers to withhold a substantially larger part of their crop from market than is the case with the Florida growers.

The Florida growers take the position that a 6 x 7 mature green tomato if left on the vine until it becomes a vine ripe tomato (breakers or turning) will increase in size to about a 6 x 6 size. While there is little if any directly related research to substantiate this position, tomato horticultural experts all seem to agree that the tomato will under normal conditions continue to increase in size and indicate the probability of the Florida growers' judgment. Even so, the domestic regulations and the import regulations are identical.

We have no reliable information concerning the relative proportion of their representative crops withheld from market because of the regulations. Data from the Florida Tomato Committee indicate that Florida is withholding week by week between 14 and 22 percent of their production with the distribution between mature greens and vine ripes approximately equal.

Mexican growers typically market about 45 percent of their production in their own country with 55 percent exported to the United States and Canada. The Canadian market is small and in 1967 Canada imported 75 million pounds from Mexico.

One representative of the Mexican tomato industry who participated in a meeting with representatives of this Department and the Department of State on January 23 stated that the sizes grown in Mexico were the same as those grown in Florida. However, they could not ship as high a proportion of their production as Florida because they, on their own initiative, restrict imports to U.S. No. 1's or a high percentage of U.S. 1's. It was for this reason that Mexico is not shipping as high a percentage as the Florida growers. Thus, it is not by reason of the import regulation that Mexico may be withholding a higher percentage of their crop from the U.S. market.

This representative explained that this long-standing practice on the part of the Mexican industry has been followed because (a) they are seeking to build a strong reputation in the United States markets for quality and (b) the U.S. import duty is on a pound basis, regardless of grade, and therefore it is more economical to import the higher value, higher quality tomatoes. But this again is a decision on the part of the Mexican industry separate and apart from the import regulation.

In some ways these regulations bear more heavily on the Florida industry than the Mexican industry. Florida can't ship their restricted sizes to either U.S. markets (other than those within the State of Florida), Canadian markets or Mexican markets. But the Mexican industry can and does market their restricted sizes in Mexico and Canada. Admittedly, however, the prime market for both Florida and Mexican tomatoes is the United States.

Mexico uses the same varieties as Florida uses. They are varieties developed in Florida. They follow essentially the same cultural practices except that more of the Mexican tomatoes are grown on stakes to be marketed as vine ripes. Therefore, the Mexican industry should have little difficulty in meeting the same regulations.

Efforts are continuing to work out the problem with the Mexican industry. The Florida Fruit and Vegetable Association invited Mexican industry representatives to its annual association meeting last September. At this time they discussed with them the expectation that Florida would regulate shipments under the Federal Marketing Order this season. The Mexicans are reported to have said that they could and would live with any regulation Florida could live with.

A delegation of Florida tomato growers met with Nogales importers of Mexican tomatoes in Mid-January. Subsequently, they journeyed to Culiacan, Mexico, and met with the Mexican tomato growers. More recently representatives of the Mexican tomato industry met with the Florida Tomato Committee at Homestead, Florida. Representatives of this Department and the Department of State have met with representatives of the Mexican tomato industry and their Government on two or three occasions.

It was understood that you wanted a rather comprehensive background of the situation in question and it is hoped that the foregoing provides you with all the information you need for your purpose. If we can be of any further help in this regard, please feel free to call upon us.

Sincerely,

CHARLES W. BUCY,
Assistant General Counsel.

TOMATOES, FRESH MARKET: RAIL AND TRUCK SHIPMENTS FOR FLORIDA AND MEXICO, 1967, 1968, AND 1969 BY DAYS; PLUS FLORIDA AND MEXICO COMBINED

[Carlot equivalents]

	Florida rail and truck		Mexico rail and truck		Florida and Mexico rail and truck combined	
	1968	1967	1968	1967	1965	1967
December 1	41	151	12	3	53	154
2	51	149	16	5	67	154
3	95	80	12	3	107	83
4	86	73	14	5	100	78
5	80	147	13	4	93	151
6	77	151	18	14	95	165
7	60	103	15	10	75	113
8	44	116	13	12	57	128
9	51	88	16	16	67	104
10	95	53	24	16	119	69
11	114	51	50	17	164	68
12	84	114	40	11	124	125
13	87	80	45	19	132	99
14	109	75	43	16	152	91
15	49	97	32	15	81	112
16	50	146	34	7	84	153
17	45	79	47	4	92	83
18	41	74	55	17	96	91
19	54	101	44	20	98	121
20	72	136	54	7	126	143
21	79	104	51	23	130	127
22	53	110	41	31	94	141
23	43	86	35	42	78	128
24	78	37	63	31	141	68
25	26	15			26	15
26	40	27	113	34	153	61
27	71	98	53	34	124	132
28	121	80	73	36	194	116
29	51	83	66	30	117	113
30	60	60	82	34	142	94
31	109	60	87	37	196	97
Total	2,116	2,824	1,260	553	3,376	3,377

TOMATOES, FRESH MARKET: RAIL AND TRUCK SHIPMENTS FOR FLORIDA AND MEXICO, 1967, 1968, AND 1969 BY DAYS; PLUS FLORIDA AND MEXICO COMBINED—Continued

[Carlot equivalents]

		Florida rail and truck		Mexico rail and truck		Florida and Mexico rail and truck combined	
		1969	1968	1969	1968	1969	1968
January	1	58	20	2	----------	60	20
	2	54	21	127	38	181	59
	3	74	94	82	46	156	140
	4	100	92	87	52	187	144
	5	45	103	68	42	113	145
	6	22	112	51	48	73	160
	7	45	66	75	46	120	112
	8	34	46	71	31	105	77
	9	34	114	83	44	117	158
	10	60	113	86	60	146	173
	11	51	75	67	53	118	128
	12	38	89	73	54	111	143
	13	20	82	68	55	88	137
	14	49	46	72	62	121	108
	15	63	23	77	47	140	70
	16	46	74	84	65	130	139
	17	67	80	85	84	152	164
	18	79	73	94	79	173	152
	19	39	58	82	76	121	134
	20	27	70	74	77	101	147
	21	50	31	74	61	124	92
	22	40	23	102	46	142	69
	23	35	57	90	49	125	106
	24	35	61	100	62	135	123
	25	64	34	94	48	158	82
	26	27	40	87	44	114	84
	27	21	61	79	52	100	113
	28	60	33	84	33	144	66
	29	71	28	119	41	190	69
	30	66	97	103	89	169	186
	31	49	72	114	87	163	159
Total		1,523	1,988	2,554	1,671	4,077	3,659

Note: Data subject to revision.

Mr. HOLLAND. At this time I make no comment or argument upon this subject matter except to note that it is clearly shown by the contents of Mr. Bucy's letter to me that ample notice was given by the Department of Agriculture, both to the Florida growers and to the Mexican growers and distributors, of the action proposed to be taken by the Department of Agriculture under the golden rule amendment to the law above mentioned. It is also clearly shown by said letter that imports of Mexican tomatoes, notwithstanding said import restrictions and regulations, are rapidly rising, whereas the shipments of Florida tomatoes are being reduced. It is also shown by said letter that the total shipments to the fresh vegetable markets of our Nation from both sources are increasing instead of decreasing and it is further shown that, to quote from the letter, "Mexican growers typically market about 45 percent of their production in their own country with 55 percent exported to the United States and Canada." Of course, the Florida growers have no such large consumption within Florida as 45 percent of their total production.

I hope that the facts reported by the Department of Agriculture and contained in Mr. Bucy's letter will help to clarify the problem discussed by the Senator from Arizona and to place it in proper perspective.

S. 1164—INTRODUCTION OF THE IRON AND STEEL ORDERLY TRADE ACT OF 1969

Mr. HARTKE. Mr. President, today I introduce a bill which will provide for orderly trade in iron and steel mill products by establishing quota limitations on steel imports into this country. I ask that the bill be received and appropriately referred.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The bill will be received and appropriately referred.

The bill (S. 1164) to provide for orderly trade in iron and steel mill products, introduced by Mr. HARTKE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. HARTKE. Mr. President, a year and a half ago, on October 16, 1967, I introduced, on behalf of myself and the distinguished minority leader of the Senate, the Senator from Illinois (Mr. DIRKSEN), and other Democratic and Republican senatorial cosponsors, an identical bipartisan measure. Today's measure again enjoys as its principal cosponsor, my distinguished colleague from Illinois (Mr. DIRKSEN) and cosponsorship from 31 of my senatorial colleagues from both sides of the aisle.

We come to the introduction of this measure in this Congress, as in the last, because of the clear and demonstrable danger that the dramatic and continual rise in steel imports has had upon our domestic steel industry and its more than half million steelworkers.

By the 89th Congress it had become clear that legislative inquiry into the problem of steel imports and their impact upon our economy and our balance of trade was necessary. At that time I offered a Senate resolution which would have directed the Commerce Department to make a detailed and definitive study of the steel import problem. However, at hearings held in the Senate Finance Committee in June 1966, the then Assistant Secretary of Commerce, Alexander Trowbridge, indicated that the Commerce Department was not prepared to undertake such a study. Accordingly, I amended my resolution to call for the study to be done by the staff of the Finance Committee. Following authorization by the Finance Committee, its staff undertook and completed a comprehensive and authoritative study of the steel import problem which was made available to the committee in May of 1967, and which established the basis for my import quota bill, which I introduced in October of that year. The Senate Finance Committee staff study was subsequently printed as a public document by the Senate Finance Committee in December 1967, and stands today as the authoritative study in the area of steel imports.

Only a few short years ago, the United States was a net exporter of steel products, but in 1967 the situation had been so far reversed that imports exceeded exports by a margin of $877 million. And in 1968 our exports of steel products were only 2,170,000 net tons—most of it Government financed—while our imports had risen to nearly 18 million net tons, leaving us a net trade deficit in steel mill products of 15,830,000 tons or $1,532,000,000. Consider, the steel trade deficit alone in 1968 was over $1½ billion. Assuming the 1968 average delivered import price before U.S. duties of $125 per ton—including freight and insurance—and an average growth in imports of 25.2 percent, the 23 million tons that would enter in 1971 would be reflected in a deficit in our steel trade alone of nearly $3 billion.

Moreover, every million tons of domestic steel mill products lost to foreign producers represents potential employment for 7,700 persons. This means that the 18 million tons imported into this country in 1968 in effect constituted an export of some 140,000 potential jobs. If the growth of steel product imports should continue only at its average annual rate of 25.2 percent, based on the 10 years from 1956 through 1966—far less than last year's increase of 56 percent—the 23 million tons which would enter our shores in 1971 would cost American workers approximately 177,000 jobs. Accordingly, it is I am sure no surprise that the bill that I introduce today has the support of both the domestic steel industry and the more than half million members of the United Steel Workers of America.

As bad as the situation was when I introduced S. 2537 in the last Congress, the events of 1967 and 1968 disclose that the steel import situation has in fact grown markedly worse. Not only did imports increase during 1968 at the rate of 56 percent over 1967, but the share of total steel consumption in the United States accounted for by imports jumped from 12.2 percent in 1967 to 16.7 percent in 1968.

I am not unmindful in introducing this legislation today that, as a result of my bill in the last Congress and the strong measure of congressional support that it engendered, the steel producers in the European Economic Community and Japan, who collectively account for more than 80 percent of our steel imports, have voluntarily committed themselves to curtail somewhat their spiraling share of the U.S. market.

By letters of intent submitted to our State Department, each of these two groups has agreed to limit shipments of steel mill products to 5.75 million net tons during 1969 and has further agreed to confine shipments within limits which would represent no more than a 5-percent increase for each of the next 2 years. In addition, both these groups of producers have undertaken to avoid changing significantly the product mix and pattern of distribution represented in their present share of U.S. imports. The State Department anticipates that under these voluntary restraints total U.S. imports will be 14 million net tons in 1969, going up to 14.7 million net tons in 1970 and about 15.5 million net tons in 1971.

I wish that it were possible for me to say that these voluntary restraints on imports make it unnecessary for Congress to enact this bill. I say this because I have always held to the view that, as I said in my statement on the Senate floor on January 14 when I commented on these voluntary restraints and expressed my reservations concerning them:

> Restraint can either be voluntary or mandatory. Of the two, the former is preferable to the latter if it can achieve the necessary degree of restraint required.

And I further noted:

> While I view the voluntary commitments of the major steel producers in Japan and the European Coal and Steel Community as a salutary step toward a meaningful resolution of the overcapacity in world steel production, there are several problems with the commitments which cause me to have reservation.

Moreover, I am in accord with the statement of President Nixon at his press conference of February 6 that the interest of the Nation and the world is best served "in moving toward freer trade rather than protectionism," and that where special problems exist, it would be better to have voluntary restraints.

Having said all this, however, the simple fact is that the restraints to which the Japanese and the European Economic Community steel producers have voluntarily committed themselves are not as satisfactory as this bill to resolve the problem of steel imports and their adverse impact upon our domestic steel industry and the steelworkers of this country. The voluntary restraint commitments are a useful step toward a meaningful resolution of the overcapacity in world steel production, but the quantum of restraint offered is not as adequate as that contained in the bill, when weighed in the full context of the situation. These voluntary commitments will not provide the degree of restraint that is required.

If the current voluntary arrangement was developed through a governmental process, then the Senate would be able to exercise its will and judgment on the particulars of the restraint through advice and consent. However, since such an opportunity is not possible when a purely voluntary offer is made unilaterally by overseas producers, the introduction of this bill represents, at least, what many Senators including myself believe should have been the proper levels of a voluntary arrangement.

There are some, again including myself, who support a voluntary approach to our trade problems as mentioned above. It is for this reason that some Senators are most desirous that the present voluntary arrangement in steel succeed. However, just as the introduction of the bill in the 90th Congress initiated the development of the voluntary arrangement, so also will the introduction of the bill in the 91st Congress help to insure effective and honest administration of the arrangement, despite the reservations we have about the levels of restraint.

Our serious congressional concern as expressed by this legislation can only serve to insure compliance with the voluntary restraint commitments which of their own accord are not subject to any mandatory enforcement.

A look at the record should make abundantly clear what I mean when I say that the quantum of restraint under the voluntary commitments are not as sufficient as will be under this bill. First, the overall level of restraint anticipated under the voluntary commitments will be 14 million tons in 1969, 14.7 million tons in 1970, and 15.5 million in 1971. For 1969 this represents 13 percent of domestic shipments. This is not very much restraint at all. Only last year, when imports reached a record level of 18 million tons, did the domestic steel industry experience a higher level of import penetration than they will feel under the voluntary quota commitments.

Second, the voluntary commitments call for a growth in steel imports of 5 percent a year. This 5 percent growth factor is substantially higher than the expected average annual growth in domestic shipments of 2.5 percent. Therefore, under these voluntary commitments not only would imports account for 13 percent of domestic shipments in 1969—greater than any year except 1968—but an increasing share of the market in 1970 and 1971, the last 2 years for which the commitments are effective. On the record then it should be clear that the Japanese and European Economic Community steel producers have offered very little in the nature of meaningful curtailment of U.S. steel imports.

The bill I introduce today—identical to the one I introduced in the last Congress—will limit steel imports in any year to 9.6 percent of recent consumption and the limitation would be carried out through agreements negotiated by the President with supplying nations. Nations not entering an agreement will be limited to a percentage of recent consumption equal to the percentage of consumption supplied by that nation during a base period of 1959 through 1966. I feel today, as I felt in 1967, that imports which would account for approximately 10 percent of our consumption, allowing a share in the growth of the American market, would be acceptable, and would still permit our American steel industry to receive its equitable share of our U.S. market and to retain viability necessary to meet the needs of our economy and national security. Ten percent of the domestic market fairly reflects the portion of the market achieved by foreign producers up to the time when customer stockpiling in anticipation of a possible strike enabled imports to rise far beyond what would have otherwise occurred.

There are other significant factors, though less crucial, which lessen the acceptability of the voluntary restraint commitments of the Japanese and European Economic Community Steel producers as now constituted. I mentioned these in my statement on January 14.

For example, the voluntary restraints imposed by Japan and the European Economic Community do not cover important steel producers in other countries of Europe or in Canada and elsewhere in the world. If these other countries who are not parties to the voluntary restraints should take advantage of that fact by increasing their share of the U.S. market, the whole system of restraint would be undermined.

There also exists the possibility that foreign producers will ship more sophisticated steel into this market, while still staying within the overall restraint limits by reducing their shipments of lower priced, more basic, steel. Although the letters of intent by the foreign producers indicate they will try not to change the product mix—a term, incidentally, which few editorial writers have seen fit to pick up, in their avid discussion of this subject—there are indications, even at this early juncture, of pressures to change the product mix of U.S. steel imports. For example, an item in The Japan Metal Daily, an authoritative Tokyo publication dealing with Japanese metal industries, of January 28, 1969—14 days after the announcement and publication of the letters of intent in America—commented that "it would be unreasonable to reduce the export volume of high-priced and low-priced products by the same percentage."

Finally, foreign producers have placed certain conditions for their restraint. In the letter from the Japanese steel mills, they stated that the voluntary restraints were premised on the assumption that the "United States will take no action, including increase of import duties, to restrict Japanese steel mill product exports to the United States." Similarly, the European producers' statement is based on the assumption "that the United States will take no action to restrict ECSC steel mill products to the United States of America like first, quota systems; second, increase in import duties; and, third, other restrictions on the import of steel mill products to the United States of America."

These provisions impose conditions which are unrelated to the need for overall restraint by foreign steel exporters. The steel industry has filed complaints under the existing countervailing duty statute and, while these complaints have nothing to do with quotas but would only involve action to neutralize foreign export subsidies, a countervailing duty might be construed as releasing the foreign steel producers from their voluntary restraints. The same might also be true if escape clause actions were taken under the trade agreements program. Even in the event that a special duty or quota were placed on the importation of a product which contained a substantial amount of steel, such as automobiles, the foreign producers might seek to terminate their voluntary restraints. The vague language of these letters of voluntary commitment in this regard also raises the question of whether the foreign producers would end their restraint if the United States, for balance-of-payments reasons, established an import surcharge or a border tax. Would the terms of the restraint commitments forestall actions by our Government which we deem advisable and necessary to improve our balance of payments?

Finally, the clear import and intent of the bill is to eliminate the cause of the major problem in world steel trade—namely, excess capacity. Most of the excess capacity which is utilized in world trade is directed at the U.S. market. If this bill were enacted, then foreign investment in continued expansion of excess capacity would be diminished. Concurrently investment by domestic steel producers to better serve their own markets would be encouraged. In the long run this means more viability to the domestic industry and more job opportunities for American workers.

Mr. President, I ask unanimous consent that excerpts from a speech recently delivered by Mr. I. W. Abel, president of the United Steelworkers of America, to the legislative delegates of that union at a conference in Pittsburgh on January 31, 1969, and a letter from John P. Roche, president of the American Iron and Steel Institute, forwarded on January 15, 1969, to the chairmen of the Senate Finance Committee and the House Ways and Means Committee, both relative to the steel import problem and the voluntary restraint commitments be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The items ordered to be printed in the Record are as follows:

Excerpts From a Speech Recently Delivered by Mr. I. W. Abel, President of the United Steelworkers of America, to Legislative Delegates of the Union at a Conference in Pittsburgh on January 31, 1969

We can also feel a sense of satisfaction about the results legislative efforts have produced. As you know, your officers and our members in Basic Steel have been calling for action to stop the flood of steel imports which threaten the jobs of Steelworkers. We have testified before Congressional Committees on behalf of steel import quotas. We have held meetings on imports with Congressional delegations and we have been urging Congress to pass legislation to stop the import flood and erase the fears of our members in Basic Steel.

As a result of our efforts along this line, more and more people are becoming aware of the import threat and are becoming more concerned. Senators and Representatives are aware and concerned; the industry is aware and concerned; and in the recent Presidential campaign, both major party candidates—you recall—promised action on steel imports. Mr. Nixon said, as President, he would take "prompt action to deal with this dangerous trend." Mr. Humphrey said, as President, he would sponsor specific legislation or call for an international conference on the question.

More specifically, on imports, just a few weeks ago, the State Department announced that Japanese and European steel producers have agreed to restrain their exports to the U.S. for three years, through 1971. The countries involved are Japan, France, Italy, Belgium, Luxembourg, The Netherlands and West Germany.

Under the agreement, these countries will hold their exports to the United States to 11.5 million tons this year but the total will be allowed to increase 5% in 1970 and again in 1971. This means that when you include the imports of nations not party to the agreement, imports this year will total about 14 million tons. This is 3½ million tons less than were imported last year. Under the 5% growth formula, the 14 million figure will go to 14.7 million tons in 1970 and to 15.4 million in 1971.

While this voluntary agreement is a step in the right direction and represents progress on the import problem, it does not do what we think must be done to fully protect the jobs of Steelworkers.

We believe that steel imports should be restricted to a total of 12 million tons per year—not 14 million or 15.4 million—and that they should be allowed to increase only 2% a year, not 5%.

I want to reassure you here today that we are going to continue to work for a more permanent solution to the steel import problem so that a fair trade relationship can be established and the jobs of our members can be protected more effectively.

I want to make two points about steel imports and the voluntary agreement announced by our State Department:

First, you can be sure that there would have been no such voluntary agreement if it had not been for our efforts in making the Congress aware of the seriousness of this problem. Through our efforts of generating support within the Congress, these steel exporting countries have acted voluntarily in the hope of heading off legislation requiring stiffer quotas. In this fight to persuade Congress Senator Hartke in the Senate and Congresman Vanik in the House worked relentlessly to forward our position. Senator Hartke made an official trip to Europe during which time he contacted European steel producers for the purpose of urging upon them modification in their trade in steel.

Secondly, and this is especially important to our Basic Steel members. We are hopeful, of course, that Congress will pass the kind of legislation we seek to limit steel imports more effectively. But should Congress fail to do so, at least this voluntary agreement will still be in effect when we negotiate our next Basic Steel settlement in 1971. This means that at least there will be a limit on steel imports during 1971, that imports will not flood the country as they usually do during our negotiations and that there will not be as much of a slowdown when stockpiles are worked off after a settlement.

A few figures will illustrate the importance of the voluntary agreement during our next Basic Steel negotiations. Last year, 1968, when we negotiated a new Basic Steel agreement, steel imports totaled close to 18 million tons.

In 1971, when we negotiate again, steel imports will be limited to 15.5 million tons. However, without the voluntary limit, and if imports increased each year at their usual rate, it is estimated that imports in 1971 would be around 23 million tons. So, the voluntary agreement means there will be 7½ million less tons of steel imported during our next Basic Steel talks in 1971 and this will definitely work to the advantage of our membership.

Letter Forwarded on January 15, 1969, by John P. Roche, President of the American Iron and Steel Institute to Chairman Long of the Senate Finance Committee, and to Chairman Mills, of the House Ways and Means Committee

Dear Mr. Chairman: We have taken note of the communication addressed to you by the Secretary of State concerning the decision by the steel producers of the European Economic Community and Japan to adopt voluntary limitations on their steel exports to the United States during the period 1969–1971.

This decision, following discussions with our government, indicates their realization that their continued unrestrained penetration of the United States market constitutes a serious problem for themselves as well as to this country and its steel producers and steel workers. In that respect, it is a step in the right direction.

We emphasize, however, the difficulties of attempting to solve these problems by the route of a program of voluntary limitations. Certainly the base tonnage is uncomfortably above an approximate 10% of the domestic market, which would have fairly reflected the portion of the market achieved by foreign producers up until the time when customer stockpiling in anticipation of a possible strike enabled imports to rise far beyond what would have otherwise occurred. Moreover, based on historical growth trends the proposal's annual rate of increase for 1970 and 1971 will, unless adjusted for actual experience, exceed the actual rate of growth of the United States market. As delineated in the Senate Finance Committee staff study, unless the domestic industry can share fully in an expected growth of the domestic market on the order of 2.5 million tons (about 2.5 percent) per year, the domestic industry can be expected to experience serious difficulties. These limitations are both temporary and voluntary and they do not apply to other important industrialized countries which export significant amounts of steel to the United States.

The provisions relating to maintenance of product mix and geographic distribution patterns are ambiguous and can lead to distortions which would be seriously damaging to many domestic producers, particularly small companies.

Consequently, the limitations will not in our judgment adequately remove the threat that large and rapidly growing imports of steel pose for our national security, our balance of payments, the ability of the domestic steel industry to continue its heavy investments in steel producing facilities, and the jobs of thousands of our employees.

For the above reasons, we doubt that the announced limitations will prove to be of significant long-term assistance in resolving the crisis facing the American steel industry and the people who depend upon it for their livelihood. The steel industry must therefore urge that the Congress continue to consider a definitive legislative solution of this critical problem in the light of all the circumstances.

Sincerely yours,

John P. Roche.

Mr. HARTKE. Mr. President, I also ask unanimous consent to have the bill printed at this point in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1164

A bill to provide for orderly trade in iron and steel mill products

Be it enacted by the Senate and House of Representatives of the United States of may be cited as the "Iron and Steel Orderly Trade Act of 1969."

Sec. 2. The Congress finds that increased imports of pig iron and steel mill products have adversely affected the United States balance of payments, contributed substantially to reduced employment opportunities for for United States workers in the domestic iron and steel industry, and captured such an increasing share of the market for pig iron and steel mill products in the United States as to threaten the soundness of the domestic iron and steel industry and therefore the national security.

It is, therefore, declared to be the policy of the Congress that access to the United States market for foreign-produced pig iron and steel mill products should be on an equitable basis to insure orderly trade in pig iron and steel mill products, alleviate United States balance-of-payments problems, provide an opportunity for a strong and expanding United States iron and steel industry, and prevent further disruption of United

States markets and unemployment of United States iron and steel workers.

Sec. 3. As used in this Act—

(1) The term "category" means a seven digit item number which appears in the Tariff Schedules of the United States Annotated (1965) published by the United States Tariff Commission as in effect on the date of enactment of this Act and which is—

(A) Within the range beginning with item 608.1500 and ending with item 610.5260 (except that an item within such range which is specified in section 7 shall be included in the term "category" only as provided in such section); or

(B) One of the following item numbers:

607. 1500
607. 1800
642. 0200
642. 3500
642. 9000
642. 9100
642. 9600
642. 9700
646. 2500
646. 2620
646. 2640
690. 2500
690. 3000

(2) The term "imports" refers to United States imports in any category or categories within the meaning of paragraph (1).

(3) The term "consumption" means, with respect to any category or with respect to all categories, the sum of United States mill shipments plus imports minus United States exports.

(4) The term "year" means calendar year.

Sec. 4. The President may, after consultation with all nations having an interest in supplying pig iron and steel mill products to the United States, negotiate multilateral or bilateral agreements establishing for periods beginning on or after the date of the enactment of this Act, annual quantitative limitations on United States imports of such products subject to the following provisions:

(1) Total imports for each year shall not exceed an amount determined by applying to the average annual consumption during the three years immediately preceding the year in which the limitation is to be effective a percentage equal to the percentage of average annual consumption represented by imports during the years 1964 through 1966, inclusive.

(2) The percentage of total imports in any year represented by imports in a particular category shall not exceed the percentage of total imports during the years 1964 through 1966, inclusive, represented by imports in that category.

(3) The percentage of total imports in any year represented by imports from a particular nation shall not exceed the percentage of total imports during the years 1964 through 1966, inclusive, represented by imports from that nation.

Sec. 5. For periods after the one hundred and eightieth day after the date of the enactment of this Act, the President shall, within the overall limits set forth in paragraph (2) of section 4, by proclamation restrict annual imports from each nation which is at any time on or after such one hundred and eightieth day not a party to an agreement then limiting current imports negotiated pursuant to section 4 to an amount determined by applying the percentage of consumption represented by imports from that nation during the years 1959 through 1966, inclusive, to the average annual consumption during the three years immediately preceding the year in which the restriction is to apply.

Sec. 6. Within the overall limitations imposed under section 4, the President may adjust the share of United States imports in any category which may be supplied by any nation. In making this adjustment the President shall be guided principally by historical import patterns, but may modify such patterns to accommodate interests of developing nations or other changing conditions of international trade.

Sec. 7. If imports in any year in any of the following item numbers appearing in the Tariff Schedules of the United States Annotated (1965) published by the United States Tariff Commission as in effect on the date of the enactment of this Act reach 120 per centum of imports in that item number during the year immediately prior to the year in which this Act is enacted, then such item number shall be considered a category under paragraph (1) of section 3, and this Act shall take effect with respect to such category on the first day of January following the year in which the 120 per centum level was reached:

608. 1000
608. 2500
608. 2700
609. 1200
609. 1200
609. 1500
609. 8400
609. 8600
609. 8800
609. 9000
610. 8020
610. 8040
642. 0800
642. 1020
642. 1020
642. 1200
642. 1400
642. 1620
642. 1800
642. 8000
642. 9300
646. 2000
646. 2700
646. 2800
646. 2800
646. 4000
646. 5400
646. 5600
652. 9000
652. 9200
652. 9400
652. 9500
652. 9600
653. 0200
653. 0200
680. 4000
688. 3000
688. 3500
688. 4000

Sec. 8. (1) The amount of imports in any category in either half of any year shall not exceed 60 per centum of the total permissible amount of imports in that category for that year.

(2) Should any limitation imposed under this Act take effect on any day other than January 1 of a year, such limitation shall apply pro rata during the remaining portion of such year.

Sec. 9. (1) Import limitations established under this Act shall be administered by the Secretary of Commerce. The Secretary may issue such regulations as may be necessary or appropriate to carry out the purposes of this Act.

(2) Whenever the Secretary of Commerce determines it to be necessary to avoid disruption of regional markets, he shall provide by regulation that the proportionate share of total imports and imports in any category from any nation entering through any port of entry in or near such regional markets shall not exceed the proportionate share of such imports entering through such port during the applicable base period. The Secretary shall conduct the review required to make such a determination at least annually.

(3) Upon the expiration of five years after the date of the enactment of this Act, the Secretary of Commerce shall submit a report to the Congress as to the effects of the import limitations established under this Act on (1) the economic soundness of the iron and steel industry and employment opportunities in such industry, (2) the general economy, (3) the United States balance of payments, and (4) the national security, together with his recommendations as to whether such import limitations should be continued, modified, or revoked. Before making such report, the Secretary shall conduct a hearing at which all interested parties shall have an opportunity to be heard.

Mr. HARTKE. Mr. President, the bill is introduced on behalf of myself and the Senator from Illinois (Mr. Dirksen), as principal sponsors, and also by Mr. Allen, Mr. Allott, Mr. Bayh, Mr. Bellmon, Mr. Bennett, Mr. Bible, Mr. Boggs, Mr. Byrd of West Virginia, Mr. Cook, Mr. Cotton Mr. Curtis, Mr. Dole, Mr. Dominick, Mr. Fannin, Mr. Hansen, Mr. Hruska, Mr. Metcalf, Mr. Miller, Mr. Montoya, Mr. Moss, Mr. Mundt, Mr. Murphy, Mr. Prouty, Mr. Randolph, Mr. Saxbe, Mr. Schweiker, Mr. Scott, Mr. Sparkman, Mr. Thurmond, Mr. Tower, and Mr. Young of North Dakota.

Mr. SCOTT. Mr. President, I am pleased to be joining today with the Senator from Indiana (Mr. Hartke) as a cosponsor of the Iron and Steel Orderly Trade Act of 1969. I believe it is worth noting that we have with us in this bipartisan effort some 30 other Senators, including the distinguished minority leader, the Senator from Illinois (Mr. Dirksen).

This legislation, which is identical to the bill which I cosponsored in the 90th Congress, has as its important purpose that of guaranteeing that the American steel industry retains the strength and viability necessary to meet the demanding needs of our economy and the national security. This bill would accomplish this by directing the President to enter into bilateral and multilateral agreements with foreign countries to insure, through a system of quotas, that steel imports total no more than 9.6 percent of domestic consumption in any one year. Nations not willing to enter into agreements voluntarily would be assigned quotas equal to the average percentage of domestic consumption supplied by them during a base period of 1959 through 1966.

A total restriction approximating 10 percent has been selected because of general agreement that this figure fairly reflects the portion of the domestic market achieved by foreign producers up to the time when customer stockpiling in anticipation of a possible strike enabled imports to rise far beyond what would have otherwise occurred. Moreover, this figure would not shut out foreign producers; instead, it would permit them continued access to our U.S. market, but on an equitable basis.

Unfortunately, we are confronted at the moment with a dramatic increase in steel imports that has led to a clear and demonstrable danger to our domestic industry. Steel imports into this country in 1968 totaled nearly 18 million tons, resulting in a net trade deficit in steel mill products of 15,830,000 tons or $1,532,000,000—a marked reversal of the situation that found the United States a net exporter of steel only a few short years ago. Not only did imports increase during 1968 at the rate of 56 percent over 1967, but the share of total steel consumption in the United States accounted for by imports jumped from 12.2 percent in 1967 to 16.7 percent in 1968. An increase in steel imports to 23 million tons by 1971 is not unlikely, if current trends continue unchecked.

For me, this prediction is of special concern. My Commonwealth of Pennsylvania ranks first among the States as a steel producer and stands near the top of the list as a consumer of steel. About 218,000 Pennsylvanians get their paychecks directly from the steel industry. Measured in terms of wages and salaries flowing into the Commonwealth, this represents $1.8 million yearly.

Another tremendous boost comes from the wages and salaries paid by related industries, such as coal mining, rail and water transportation, utilities, quarrying, and machinery. Pennsylvania, more than most States, feels the effect in lost markets and lost employment opportunities when unfair foreign competition, predatory pricing and the outright dumping of foreign steel prevail. Also threatened are the domestic industry's plans for future expansion, which will add several hundred more million dollars to the economy.

It has been estimated that every new million tons of steel imports consumed in this country represents an export of almost 8,000 job opportunities. Viewed in this context, the nearly 18 million tons of steel imported last year represents more than 140,000 lost jobs.

This problem is one which we can no longer afford to regard only as a trend; it is real, and it exists now. The best interests of the Nation and my Commonwealth demand that we provide the relief which will be made possible by passage of the Iron and Steel Orderly Trade Act of 1969. I urge speedy and favorable consideration.

Mr. ALLOTT. Mr. President, I congratulate the distinguished senior Senator from Indiana (Mr. HARTKE) and the distinguished senior Senator from Illinois (Mr. DIRKSEN) for once again being at the forefront of our continuing struggle to provide some semblance of stability for our domestic steel industry in their effort to deal with this question of establishing orderly trade in our iron and steel products. Their willingness to assume the leadership in this continuing battle has given all of us a sense of encouragement and direction.

Those of us who have been identified with trying to stop the accelerated rise of steel imports have known for a long time now that this is simply not an issue which is going to be remedied without immediate and active congressional interest. We are vitally concerned to note that steel imports for 1968 totaled over 18 million tons—a 56-percent increase over 1967. Our sense of urgency with regard to this issue is, of course, heightened by the knowledge that this increase in steel imports is having a demonstrably adverse impact upon this Nation's economy. The fact that these imports substantially contribute to the loss of thousands of job opportunities for our steelworkers in this country, threaten our national security, and make a substantial contribution to the American balance-of-payments deficit continues to provide an element of anxiety for all of us who have continued to study this matter with increased frustration.

Mr. President, let me provide for the RECORD an indication of what a dramatic impact these steel imports are having upon our balance-of-payments deficit.

At first glance, the U.S. balance of trade in 1968 appears to be slightly in surplus. But if we adjust by eliminating U.S. Government-financed exports and shift from an f.o.b. to c.i.f. basis, then it is obvious we are several billion dollars in the red on our trade account. At this point, Mr. President, I ask unanimous consent to have printed in the RECORD a table in connection with the balance of trade from 1958 to 1968 as provided by the Survey of Current Business.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

BALANCE OF TRADE, 1958-68

[In billions of dollars]

	Total exports (1)	Less Government-financed exports (2)	Commercial exports (3)-(1)-(2)	Total imports f.o.b. (4)	Estimated imports c.i.f. [1] (5)	Overall balance (6)-(1)-(4)	Commercial balance (7)-(3)-(5)
1968 [2]	33.0	2.9	30.1	32.0	34.7	+1.0	−4.6
1967	30.9	2.8	28.1	26.8	29.0	+4.1	−.9
1966	29.4	2.7	26.7	25.6	27.7	+3.8	−1.0
1965	26.7	2.6	24.1	21.4	23.2	+5.3	+.9
1964	25.7	2.8	22.9	18.7	20.3	+7.0	+2.6
1963	22.4	2.6	19.8	17.1	18.5	+5.3	+1.3
1962	21.0	2.1	18.9	16.4	17.7	+4.6	+1.2
1961	20.2	1.7	18.5	14.5	15.5	+5.7	+3.0
1960	19.6	1.6	18.0	14.7	15.7	+4.9	+2.3
1959	16.3	(3)	(3)	15.3	16.6	+1.0	(1)
1958	16.3	(3)	(3)	13.0	14.1	+3.3	(1)

[1] Imports including the cost of insurance and freight; derived by adding factor of 8.3 percent to f.o.b. (freight-on-board) figures.
[2] Estimate based on data for first 3 quarters.
[3] Not available.

Source: Survey of Current Business.

Mr. ALLOTT. Mr. President, the overall U.S. trade balance in total steel products for 1968 in tons and in dollars shaped up as follows:

	Tons	Value
Imports	18,461,515	$2,112,040,000
Exports	2,499,146	670,431,000
Balance	15,962,369	1,441,609,000

This deficit was one of the most significant negative items on the U.S. trade balance for the year. This has a negative impact on our balance of payments and its effect on the steel industry and the country is obvious.

Mr. President, because there is no such thing as a true free trade in the world steel market today, the ultimate solution to this problem will only come about by responsible self-restraint on the part of all the parties concerned with this issue. In this regard, a glimmer of hope was noted when the major steel producers in Japan and the European Economic Community announced a proposed arrangement to unilaterally limit their exports of steel products on a voluntary basis through 1971.

The measure which is being introduced today seems to me to be a most necessary and reasonable impetus if this proposed arrangement fails to materialize into a satisfactory agreement. This legislation balances the need for self-restraint in the area of regulating imports with a recognition of the severity of the problem in this unique area of steel imports. The approach taken today will assure orderly marketing of steel mill products imported into the United States, while at the same time insure that the foreign supplying nations will have the opportunity to enjoy a fair share of the growth of the U.S. market.

In my State, where we benefit from the energies of one of the most energetic and efficient steel industries, Colorado Fuel & Iron, increased steel imports have had a tremendous effect. Since 1957, practically 96 percent of all U.S. imports were C.F. & I. type products. A great many of C.F. & I.'s products were hit harder and earlier than those which are now subject of concern. In the intervening years, the percentage of imports into the United States which were the subject of C.F. & I. type effort has come down to around 50 percent, but this provides a small measure of comfort when we recognize that the total tonnage had increased nearly six times by 1967.

The measure being introduced today deserves the thoughtful attention of every Member of Congress if we are to assure our domestic producers, as well as the importing countries, an equitable share of the market here in the United States. Hopefully, the proposed voluntary arrangement between the Japanese, EEC and other steel producing countries will provide our domestic producers with a fair share of our domestic market. Such a voluntary arrangement, evidencing good faith and self-restraint, is a much more desirable way of meeting this problem than the institution of legislative quotas. If such an arrangement is not satisfactory, however, then reasonable legislation such as that provided by the bill introduced today, will be the only solution.

SENATOR RANDOLPH STRONGLY SUPPORTS EFFORTS TO CREATE FAIR TRADE STEEL POLICIES

Mr. RANDOLPH. Mr. President, it is a privilege to cosponsor the Iron and Steel Orderly Trade Act of 1969. This is an imperative measure. I believe my continuing advocacy of this legislation is entirely compatible with my support in general of free trade. But it seems to me that the only free trade in the world steel markets today is free trade into the United States.

The protection of the home markets of those countries which export steel to the United States so heavily—and there are import licenses, currency controls, transfer and value-added taxes—make it a commercial impossibility to export steel to them. These are only a few of the nontariff barriers which confine and constrict free trade in all world steel markets except the United States. We do not do justice to our own steel industry and to its employees.

I believe that even the most dedicated free trader must agree that free competition also means fair competition. When the latter does not exist, it is no denial of free trade to seek, as this act does, to establish orderly trade.

Another reason I can sponsor this legislation is that it recognizes the position of foreign competitors.

The fact is that this bill authorizes for foreign producers a share of the American steel market greater than the share imports have averaged over the past decade.

Further, this measure builds in an annual growth share for foreign producers. They will be able to march in step with our domestic steel industry, neither disrupting it nor being excluded from it. Frankly, this is distinctly a more generous posture than these nations accord American-made steel mill products in their own home markets.

More importantly, however, our steel industry, its employees, and our economy demand relief from unrestrained steel imports.

In 1968, the United States showed a deficit balance of trade in steel imports and exports amounting to more than $1½ billion. This was a major contributor to the fact that all U.S. foreign trade in 1968 showed a surplus of only $726 million—less than 18 percent as great as its trade surplus in 1967. It is time for orderly trade in steel mill products not simply to sustain our steel industry, but also to stabilize our currency.

In our State of West Virginia, steelmaking has a long and valuable history as an employer and as a contributor to the State's economic well-being and growth. Two substantial companies in West Virginia—one of them among the State's largest employers—recently completed enormous capital investment programs to make their operations among the most efficient of steel producers anywhere.

Almost 90 percent of their shipments are in the product categories most heavily affected by imports. Imports of these products in 1968 were more than double the shipments of the products by these two West Virginia producers. Indeed, the increase alone in imports of these products last year almost equaled the total shipments of both companies.

When such a situation exists, I think it is urgent that we act to assure orderly trade in steel.

Mr. RIBICOFF. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

"IMPROPER PRACTICES IN THE COMMODITY IMPORT PROGRAM OF U.S. FOREIGN AID FOR VIETNAM"—REPORT OF PERMANENT SUBCOMMITTEE ON INVESTIGATIONS, COMMITTEE ON GOVERNMENT OPERATIONS

Mr. McCLELLAN. Mr. President, on behalf of the Senate Committee on Government Operations, I submit a report of its Permanent Subcommittee on Investigations, entitled "Improper Practices in the Commodity Import Program of U.S. Foreign Aid for Vietnam."

This report covers hearings conducted in 1967 and 1968 on widespread corruption and other abuses relating to the financing of South Vietnamese imports by the U.S. Government.

Mr. President, I call attention to the excellent service of my distinguished colleague, Senator ABRAHAM RIBICOFF, during this investigation. I appointed him acting chairman to conduct a number of the hearings and to supervise staff inquiries relating to South Vietnamese import trade. In December of 1967, Senator RIBICOFF conducted a field investigation in South Vietnam and in other countries which are recipients of U.S. funds in the foreign aid program. Much of the credit for the beneficial and salutary results of the investigation is due to Senator RIBICOFF.

Testimony in our hearings disclosed a number of significant improprieties and weaknesses in the commodity import program, which is administered by the Agency for International Development, including:

First, dishonesty involving "kickbacks," ineligible commissions, overpricing, and other violations of American and South Vietnamese laws and regulations;

Second, inadequacies in AID regulations and procedures designed to prevent abuses;

Third, AID financing of commodities which were neither necessary nor useful to the Vietnamese economy and were sometimes worthless; and

Fourth, diversion of American dollars to bank accounts in Switzerland and elsewhere, a practice which undermines the AID program and adversely affects our balance-of-payments position.

For example, this report details the rise to affluence of a penniless manufacturer of worthless products whose South Vietnamese trade venture exploited every weakness and employed every type of abuse disclosed in the subcommittee's hearings. This man, Thomas Edison Higgins, kicked back to the Swiss bank account of his Vietnamese sales agent 56 percent of all AID money he received. He was paid approximately a quarter of a million dollars for a useless "battery additive." Furthermore, before Higgins was barred from participation in AID programs, he was engaged in a grandiose scheme to pay his agent as much as $800,000 from all AID funds he might receive. This kickback was disguised as "business expenses" which were invented by the sales agent to circumvent AID regulations and South Vietnamese laws prohibiting ineligible commissions.

The report discloses that AID officials were made aware of Higgins' dubious transactions as early as April 1966, before he or his agent had realized a single dollar from the venture. The subcommittee finds that responsible officials were indifferent to the disclosure, and that their failure to act resulted in the waste of a quarter of a million dollars. I am pleased to report, however, that, after the hearing record was sent to the Department of Justice, a civil suit was brought which seeks to recover damages from Higgins totaling $387,770.

Although the South Vietnamese sales agent has been barred by his Government and by AID from participation in AID-financed trade and has been fined moderate sums, the Government of South Vietnam has not acted swiftly and firmly on the numerous charges of fraud, kickbacks, bribery, and other violations of law involving him and his associates which were disclosed in the subcommittee's hearings.

We are told repeatedly that corruption is part of the way of life in the countries of Southeast Asia. That may be true, but I believe that, when the American people are financing and fighting a costly and arduous war on behalf of one of those countries, the government of that nation should exert its utmost efforts to prevent the siphoning of our funds into dishonest hands. The criminals should be brought to justice. If the Government of South Vietnam will not act to eliminate dishonesty in this field, then the Congress of the United States must exercise its power to limit the AID program for South Vietnam until appropriate measures to prevent corruption have been taken by both American and South Vietnamese officials.

The subcommittee's hearings in this field dealt with a number of cases which were similar in many aspects to the Higgins venture, and in several of them the same Vietnamese sales agent was engaged in or was attempting to initiate corrupt practices. These matters involved a wide range of products, including paints, chemicals, essential oils, and railway bridges.

We also heard considerable testimony about flagrant abuses relating to the importing of AID-financed pharmaceuticals into South Vietnam. Another South Vietnamese businessman was involved in many of these cases, and his corrupt activities included kickbacks, ineligible commissions, and illegal transfers of American dollars to foreign bank accounts. The report summarizes a number of other principal areas of abuse in the pharmaceutical trade—the prevalence of overpricing; shipments of one antibiotic in quantities so far beyond the needs of South Vietnam that the subcommittee concluded that this valuable drug was being transshipped to Communist areas; fraudulent practices in labeling drugs as to source and origin, and shipments of worthless products. In one instance, we heard testimony that ordinary sea water was packed as medicine and shipped to South Vietnam. AID funds paid for it at a price of $1.10 for a box of 16 small bottles.

Mr. President, the work of congressional investigating committees is always arduous and is rarely pleasant, particularly when we examine the operations of Government agencies. Our report is critical of the failure of the Agency for International Development to act swiftly and decisively upon certain disclosures of corruption. We comment adversely about some inefficient and uneconomical practices and procedures in the South Vietnamese program. We also condemn a number of American companies which chose to act collusively with Vietnamese citizens in dubious or illegal business transactions.

I am pleased to state, however, that the subcommittee has had free access to information and the full cooperation of the Department of State and the Agency for International Development throughout our investigation. Furthermore, when abuses were disclosed during the hearings and subcommittee members recommended corrective measures, AID officials were prompt in taking action. The administrative and regulatory remedies which have been put into effect by the Agency are described in the report.

I wish especially to commend and thank the Inspector General's office of the Department of State. The Deputy Inspector General of Foreign Assistance, the Honorable Howard E. Haugerud, rendered invaluable assistance to the subcommittee. Without his help, our task would have been far more difficult and no doubt less successful.

Another result of the investigation is highly gratifying. Evidence developed by the subcommittee during this inquiry has enabled the U.S. Government to make a number of claims against American corporations which made improper payments of AID funds, and thus far a total of $263,629.47 has been recovered. Additionally, I am informed that pending claims and civil suits brought by the Department of Justice ultimately may recoup as much as $2 million more.

The shocking disclosures of widespread corruption involving many aspects of the import program for South Vietnam have led the subcommittee to decide that we should undertake, as soon as practicable, an intensive investigation of the AID program on a worldwide basis.

Again, Mr. President, I shall seek the assistance and cooperation of the distinguished Senator from Connecticut (Mr. Ribicoff) in serving as chairman of some of the hearings of this investigation, when it reaches that stage, and especially in making preparation for the hearings and conducting the preliminary investigations which are necessary before public hearings start.

We believe that further inquiry is warranted and will be helpful in indicating and emphasizing the need to eliminate and prevent the uneconomic, illegal and corrupt practices by which taxpayers' dollars have been siphoned from Federal funds.

Mr. President, our economic situation in this country and our fiscal problems are not such as to permit this kind of waste. In any event, it would be scandalous for these abuses to continue. Further investigation into their extent in other areas of the world is a service that I think this committee can perform. We shall undertake to do it, with the view of giving further protection to the integrity of our Government and to sustaining its economical expenditures of public funds.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am happy to yield to the distinguished Senator from Connecticut.

Mr. RIBICOFF. I am most grateful to our distinguished chairman for his kind words. The accomplishments of the Permanent Subcommittee on Investigation are legion, and they are due to the excellent leadership of our distinguished chairman. Appreciation for this report must also be given to the Senator from South Dakota (Mr. Mundt), the ranking minority member, for his always keen insights and participation in the investigation.

Special tribute is due to the staff of the subcommittee—Jerome Adlerman, chief counsel; Philip Morgan, minority counsel; LaVerne Duffy, John Brick, and John Walsh—who worked long hours on the investigations and in preparation of the report filed today. Mr. Daniel Cohen of AID also provided invaluable assistance.

We also received excellent cooperation from the General Accounting Office and, as the chairman has indicated, the Inspector General's Office of the State Department, under the leadership of J. Kenneth Mansfield.

Mr. President, at a time when our Nation's resources are stretched so thin, it is most important that all the funds that the taxpayers pay are spent wisely, without waste, without dishonesty, and without corruption. The investigation indicated, as we went along, that more was involved than dishonesty and corruption. The AID program has attracted to it a great number of barnacles, and has itself become quite a bureaucracy.

What the AID program, in my opinion, needs more than anything else is what I would call "Close-down Czar." AID has gotten into the habit, once a program has generated and started, of never stopping it. Programs continue even though they have outlived their functions and original purpose.

In talking with AID officials about the various programs throughout the countries within their jurisdiction, they admit that in some countries up to half of the AID programs could be terminated and eliminated. If this Nation believes, as a matter of policy, that it wants to spend additional sums of money, the money should be spent on purposes and functions that would benefit the foreign country and also be of benefit to the United States. We should not continue a program that has outlived its purposes, and which the host Nation itself, for its own objectives and with its own resources, could carry on without American aid. It would seem to me that millions of dollars could thus be saved for this country.

Another thing that we found out, that I think is a matter of great concern, is that the number of American personnel in practically every country where we have an AID missions is much larger than it should be. This generates great antagonism against the United States.

In many countries, the AID mission had more people attached to it than the total number of diplomatic personnel accredited to that particular nation from all nations of the world. These situations generate a feeling of a deep, pervading American presence—which, in turn, generates antagonism against the Americans, so that, instead of getting credit for what we are doing, we are making more and more enemies.

We found also that many of these AID programs were not being pinpointed to the areas where relief was actually needed. We found that a great number of the AID personnel in Saigon were working on programs devoted to the welfare of the richest part of South Vietnam, where aid was not necessary or needed.

The subcommittee's decision to mount a worldwide investigation of AID is a wise one. It is more than a question of saving American dollars, more than a question of eliminating waste and corruption and inefficiency. I do believe that, for the dollars we spend in our AID program, there is much more to be achieved for the United States of America and for the recipient countries by a wise review of our AID programs throughout the entire world.

Mr. McCLELLAN. Mr. President, I thank my distinguished colleague and fellow member of the committee, who has taken the lead, in large measure, in this particular area of inquiry.

I believe that when we have continued this investigation, and are in a position to make a further report to the Senate, we shall be able to bring to the Senate's attention information that will, together with what we have given in this report, be very valuable to Senators in giving consideration to proper legislation for the future of the foreign aid program which can be initiated and employed to make our aid to foreign countries more economical and more efficient, to give greater benefit for the money expended to our country and to the recipients.

Mr. RIBICOFF. Mr. President, I think the Senator is absolutely correct when he points out that once programs containing inefficiency, corruption, or inutility were called to the attention of AID, the agency was most cooperative in trying to correct the situation existing. It is too bad that various agencies of government do not make their own corrections. I believe, however, that it is the duty and responsibility of the Senate when a program that it has passed or when a budget expenditure that it has authorized indicates a weakness to correct the programs it is responsible for.

Mr. McCLELLAN. We can often recover the funds. In this instance more than $260,000 has already been recovered, and suits have been filed to recover another possible $2 million. That is tangible. When such recoveries actually occur, we can point to them and they are concrete evidence of the value of the committeee's work.

There are many instances in which we start investigations, as the distinguished Senator has pointed out, which afford the agencies the opportunity to learn about these things and to take administrative actions to correct them.

There is no way to establish actuarially the great value in savings and efficiency that is brought about in the executive branch of the Government by the subcommittee's investigations and recommendations.

Mr. RIBICOFF. The Senator is absolutely correct. As I review the work of the distinguished chairman throughout the years, I find many governmental agencies welcome, even though reluctantly, the work the subcommittee does. The subcommittee's work acts as a goad for them and gives them the impetus required to make the corrections that should have been made before. They are reluctant, however, to make the corrections because of the bureaucracy that overlies many of these programs.

Mr. McCLELLAN. The subcommittee's work gives the agencies the support that they welcome so often.

The PRESIDING OFFICER. The report will be received and printed.

Mr. MUNDT. Mr. President, as ranking Republican member of the Senate Permanent Subcommittee on Investigations, I wish to associate myself with the remarks of our distinguished chairman, Senator JOHN L. McCLELLAN, relating to the report on improper practices in the commodity import program of U.S. foreign aid for South Vietnam.

The extensive hearings held by the subcommittee were of great interest and deep concern to me, and I heartily concur in the findings of the subcommittee. The report submitted by Senator McCLELLAN is comprehensive and factual, but I have some additional comments on certain matters which it covers.

THE OPERATIONS OF DINH XUAN THAO

The hearings disclosed that a South Vietnamese sales agent named Thao operated several companies under different names from a single post office box number in Saigon. He was devious and crafty and displayed remarkable ingenuity in soliciting business from American manufacturers and inducing them to pay commissions in contravention of the regulations of the Agency for International Development and the laws of South Vietnam, to his account No. 690265 in the Swiss Credit Bank in Geneva, Switzerland.

The Baird Chemical Corp. of New York paid $97,000 in commissions to Thao's Swiss bank account between July 20, 1962 and January 9, 1967. When AID changed its regulations in 1966 to eliminate this practice, Thao proposed that he and Baird Chemical Corp. engage in a scheme to circumvent the new rulings. He wrote a letter to Baird on July 28, 1966, which stated, in part:

> Wages, house rent, etc. . . . are dispensed from being listed in AID Form 280 and exempted from any taxes applicable in your country. Besides, the payment of expenses for your agency is your own private affair and scarce would be the curious people telling it . . .
>
> This arrangement should be held strictly confidential between both of us and the best way is that you should not put this letter in the file to be kept in your office.

In effect, the Saigon sales agent proposed that Baird pay him fraudulent "business expenses" instead of legitimate commissions by setting up a dummy corporation in Saigon. Baird did not join Thao in collusion, but the subcommittee's investigation showed that dummy corporations through which kickbacks could be paid were repeatedly suggested by Thao to his American suppliers.

Another American firm he approached was Magnus, Mabee & Reynard, Inc., a New York firm dealing in essential oils and aromatic chemicals. The company paid $10,000 in commissions to Thao's Swiss bank account, but they did not accept his suggestion that they set up a dummy corporation in Saigon. However, their refusal to cooperate did not deter Thao from attempting the circumvention of another regulation. He proposed to Magnus, Mabee & Reynard that they join him in bypassing the AID regulation which required that offers to purchase commodities that totaled $10,000 or more be published in the Agency's Small Business Circular so that interested and qualified suppliers might bid. He wrote to Magnus, Mabee & Reynard:

> In order to avoid OSB procedure, we are dealing with the clients in order to introduce a first license request of $9,800 followed by another license request, then a third request.

One of the American firms which agreed to set up a dummy corporation in Saigon was Schueler & Co., of New York, a supplier of surgical and hospital equipment. By affidavit, the Schueler firm told the subcommittee that it had made only three sales under the scheme, with total commissions of $750, and that only $52.80 had been sent to Thao's Swiss bank account. There was an additional twist suggested by the Saigon sales agent, in a letter from him to Schueler on October 13, 1965:

> A reasonable commission 30% may be officially declared while 70% is granted to us separately for advertisement purpose or for the office expense in Saigon (not declared in AID Form 280).
>
> We can realize with you business totalling one million of U.S. dollars per year *if you can double your price for paying us 100% of commission and advertisement expense.*
>
> As we are the buyers acting for our own account, there is absolutely no problem from our side and you may increase your price as you like.

The Schueler affidavit indicated that no business had been generated under the suggestion, but evidence uncovered by the subcommittee shows at least two transactions in which this scheme was used.

The report details a number of Thao's other activities. In one instance he contacted a steel firm in Norfolk, Va., about 6 months before the procurement of 12 railway bridges for South Vietnam was announced. He told the American company that it could be awarded the bid by cooperating with him, since he would split his commission on the contract with an "interested party" in Saigon. He obtained bridge specifications and certain AID documents far in advance and forwarded them to the Globe Iron Construction Co., in Norfolk. He told Globe to bid $708,000 for building the 12 bridges; in Saigon, $709,000 had already been set aside for the contract.

Eventually, Globe bid $879,000 and the United States Steel Corp. bid $622,000. Thao then wrote Globe that he was working to get the United States Steel bid rejected. On April 19, 1965, AID told Vietnamese Government officials that Globe should get the contract because the United States Steel bid was "not responsive." The subcommittee discovered that the United States Steel bid was turned down because it did not provide for full shop assembly of the bridges in upright positions. However, the testimony showed that Globe did not undertake 100-percent assembly in its shop, and that such assembly is never required by the standards of the American Railroad Engineering Association.

Nonetheless, Globe received the contract, and in July of 1965, the Norfolk firm received a letter from Thao relating to the commission of $50,000:

> We are pointing out that this payment at the account 690265 is very important as the interested party requires it as a primordial condition of their close and fruitful cooperation between you and these engineers in the future too and we are inviting you to pay your attention on this very important recommendation.

Globe Iron Construction Co. paid $32,500 into Thao's Swiss bank account; the remaining $17,500 commission was blocked by AID and is now the subject of negotiation.

One of Thao's most successful ventures in corruption was his collaboration with Thomas Edison Higgins, of Tampa, Fla., who manufactured a worthless "battery additive" in his home and in his garage.

Higgins entered a business alliance with Thao with enthusiasm. He shipped large quantities of his battery additive to Vietnam, collected $230,000 from AID-financed letters of credit, and started sending money to Thao's Swiss bank account 690265. According to agreement, 56 percent of all the cash received by Higgins went to the Geneva bank. When AID banned the financing of battery additive in June of 1966, Higgins then started shipping another product, a rust inhibitor for automobile radiators, which the National Bureau of Standards found had little or no merit. All the transactions of the Higgins venture totalled $356,186.19 of American taxpayers' money. Higgins sent abroad a total of $140,050, of which $125,050 was deposited in Thao's Swiss bank account and $15,000 was sent to Japan allegedly to pay for advertising expenses.

The subcommittee finds in its report that AID officials in the United States had information indicating the dubious nature of the Higgins transactions before he managed to cash the first of the 37 letters of credit he eventually received. The agency took no action until the Higgins-Thao combine had cashed 24 letters of credit, totaling $230,000, and then Higgins was permitted to receive and cash 13 additional letters of credit for approximately $120,000 more, obtained by Thao's scheme of having Vietnamese importers amend import licenses to reflect orders for rust inhibitor instead of battery additive.

Ultimately, of course, Higgins was barred from participation in AID-financed business and now the Justice Department is seeking in a civil suit to recover $387,770 from Higgins under the False Claims Act. The suit would never have been necessary if AID officials had acted swiftly when they were first informed that the Higgins-Thao combine was engaged in obviously questionable transactions.

Significantly, in the Higgins venture, all of the 37 letters of credit represented import licenses of slightly less than $10,000 value and thus they did not have to be published in the AID Small Business circular for the benefit of other interested and qualified suppliers—in the unlikely event that any manufacturer had a battery additive of some value.

At the time that AID brought Higgins' operations to a halt, he had willingly complied with Thao's standard request for the establishment of a dummy company in Saigon. This was Higgins Enterprises International, which Thao had billed for $800,000 in fictitious and fraudulent "business expenses" to circumvent AID regulations and Vietnamese laws against kickbacks and ineligible commissions. If Higgins and Thao had not been stopped, American dollars paid for worthless products would have continued to flow in a golden stream into Swiss bank account No. 690265.

What has become of the Vietnamese sales agent Thao? We asked AID that question early this year. Thao and his companies and his confederates were suspended in November of 1967 from participating in AID-financed transactions for 3 years. On April 5, 1967, the Government of South Vietnam suspended Thao's firm in Saigon, but not the individuals associated with it, "until further notice."

There have been a few other steps taken against him by his government. He was given a 15-day suspended sentence and was fined 222,000 piasters—$1,881.36 at the official exchange rate—for possessing $800 in U.S. Federal Reserve notes, an illegal act in South Vietnam. He also has been assessed an administrative fine of 2,000,000 piasters—$16,949.16—of which he has paid 200,000 piasters—$1,694.90. The Bureau of Customs of South Vietnam has "frozen" his deposit of 1,000,000 piasters—$8,474.58—for his business license, and has also placed a lien on his bank account and that of his wife, totaling 2,500,000 piasters—$21,186.45.

Thao spent some time in prison in pretrial custody. However, he was a "civil prisoner" who could transact business affairs and take periodic leaves from jail.

The subcommittee is aware that at least $300,000 was deposited in Thao's Swiss bank account. Of this amount, he has repatriated only $7,000 by order of the South Vietnamese Government. He claims his nephew withdrew the rest of the money.

IMPROPRIETIES IN THE PHARMACEUTICAL FIELD

Another Vietnamese entrepreneur was a primary figure in the subcommittee's disclosures of corruption and dishonesty in the importing of pharmaceuticals into South Vietnam under AID financing. This was a businessman named La Thanh Nghe, who had arrangements with several drug suppliers through which kickbacks and ineligible commissions were sent to banks abroad, usually to his account No. 391702 in the Union of Swiss Banks in Geneva. Additional payments were made to a New York bank account in his wife's maiden name. He started arranging kickbacks in 1961, and by the time of the subcommittee's hearings he had been credited with more than $800,000 in deposits.

South Vietnamese laws prohibit deposits in foreign banks, whether South Vietnamese citizens handle the deposits themselves or have American businessmen do it for them.

In one instance, La Thanh had an arrangement with the R. P. Scherer Co. of West Germany and its affiliated company in Detroit, Mich., whereby Scherer was to kick back 27.5 percent of all moneys to La Thanh Nghe—10 percent to him directly and 17.5 percent to the Vietnam Pharmaceutical Promotional Office in which he had an interest. On one occasion, La Thanh Nghe's Saigon office write to Scherer as follows:

> We will be thankful if you would kindly pay to Mr. La Thanh Nghe the sum of U.S. (dollars) 1,055.55 on his personal account number 391702 with the Union of Swiss Banks, in Geneva.

Testimony in the hearings disclosed that the Agency for International Development had sufficient notice, as in the Higgins case, to stop the improprieties before they reached the point where large amounts of American dollars were drained away from legitimate purchases into private bank accounts. An investigator for AID examined La Thanh's operations in 1961 and checked through them again for 7 months in 1963. However, AID did nothing about the matter until 3 years later. Then the Washington headquarters of the agency asked the investigator to reconstruct his inquiry at a time when Olin-Mathieson Corp. and certain officers and associates were convicted for paying kickbacks to La Thanh Nghe.

One example of the collusion between Olin-Mathieson and La Thanh Nghe was a transaction involving a fraudulent bill for $25,000 worth of one Squibb medical product; Olin-Mathieson was billed for the medicine by its Far East agent, the Phillip Bauer Co., even though the product was shipped free of charge. Bauer then turned the $25,000 over to La Thanh Nghe's wife and one of his affiliated companies.

In another instance, La Thanh Nghe was advised that the Vietnamese Government was aware that he had received large sums of money from the American Cyanamid Co. Since he had not declared the receipt of the funds, he immediately told his government that he had been credited in New York by American Cyanamid with $191,000 due to him on previous transactions. He said that the funds had not been declared because of a misunderstanding of the regulations. He also said that $71,000 had been brought into Vietnam and the remaining $120,000 was still credited to him on the books of American Cyanamid.

When La Thanh Nghe learned that he would be questioned about the transactions, he asked for help from American Cyanamid—suggesting for example that they write to him telling him that they were holding $120,000 for him while an AID claim was being settled. If the AID claim had to be settled in cash, he further suggested, then the company could write him to state that his $120,000 was being used for that purpose.

An American Cyanamid official in the Far East wrote to the parent company about the matter, indicating the collusion which existed:

> La Thanh Nghe does, however, require some urgent information as to how we are going to proceed, and as such information cannot be put openly in a cable, he asks that in cabling you merely refer to the paragraphs of my report by number. For example, re. his statement that the $120,000 balance still remains in our hands, you might cable "Paragraph 3 agreed." If you have to settle the AID claim, but can do it in goods as his suggestion, you could cable, "Proceeding as Paragraph 6." As La Thanh Nghe has a rough copy of my report, he will know what you mean.

The subcommittee found that La Thanh Nghe was involved with a number of other American and foreign corporations supplying pharmaceuticals under AID financing to the Vietnamese market, and the patterns of corruption and dishonesty in these transactions are detailed in the subcommittee's report.

What has become of the pharmaceutical importer La Thanh Nghe? What steps have been taken by the South Vietnamese Government to prevent and eliminate his dishonest operations?

According to the subcommittee's latest information, La Thanh Nghe has not spent any time in jail. In 1962, he was suspended personally for 10 months from importing pharmaceuticals, but his firms were allowed to operate. He has repatriated $491,397 from his foreign bank accounts. In 1964, he was fined 17,000,000 piasters. By the end of that year he had paid 7,640,000 piasters, and early in 1965, the remainder of the fine was canceled.

AID'S CORRECTIVE ACTIONS

Mr. President, I wish to emphasize the subcommittee's finding in this report on the long-standing prevalence of corruption in the commodity import program which is financed by AID for South Vietnam:

> The Subcommittee finds that the testimony of AID officials to the effect that the Commodity Import Program for South Vietnam was in relatively good shape prior to the buildup of American troops in 1965 is not borne out by the record of the hearings. A substantial proportion of the abuses and improprieties disclosed in the hearings were committed long before the military escalation started, particularly in the period 1961–64. The evidence shows that corruption, fraud, bribery and deliberate circumvention of laws all were prevalent long before the military buildup.

During the hearings, I questioned the wisdom of supplying so many different types of items to South Vietnam through the commodity import program. These were my comments:

> I have learned from the Senate Foreign Relations Committee, on which I also serve, from the report of our Subcommittee staff members who were in Vietnam late last year, and from talking to several persons who were in Vietnam and have returned to this country, that there is a serious question as to the actual need for the many commodities which have gone into a country of 16 million persons since we started our expanded AID program in 1955.

Testimony in the record discloses that 540 types of products, under 17 general categories, have been financed by AID funds in the commodity import program. There was no need for Higgins' battery additive, nor for the sea water that was shipped as medicine, and it is certain that close examination of the list of products and their end uses would show that some were worthless, many were unnecessary to the Vietnamese economy, and others were luxury items not appropriate for a war-torn nation which ought to be appyling all of its energies and resources to winning the conflict. I wish to point out that the U.S. funds disbursed in the commodity import program for South Vietnam cumulatively reached the $1 billion mark by the end of fiscal year 1967–June 30, 1968.

I wish to commend AID for making constructive changes in its administration of the Vietnamese import program. Most of them are discussed in the subcommittee's report.

An important new regulation provides that all import licenses for sums under $5,000—instead of the $10,000 figure that formerly applied—must be published for the benefit of prospective bidders in the Small Business Circular of the Agency for International Development. It should be noted that this matter was discussed extensively during our hearings on April 25–27, 1967, and both the chairman and I were critical of a procedure which allowed 37 import licenses for Thomas Edison Higgins' battery additive to be approved when each of them obviously was drawn to avoid the $10,000 figure which would have required publication in the small business circular. However, the new system was not announced by AID until our hearings on August 1–3, 1967. Moreover, the new regulation putting the new ceiling into effect was dated May 3, 1968.

Another corrective action by AID was to order suppliers dealing with corrupt Vietnamese agencies to withhold further payments to depositories abroad because the Vietnamese agencies were under "intensive investigation for suspected gross irregularities." Telegrams containing this directive went out on August 26, 1967—1 day before some of the suppliers appeared as witnesses before the subcommittee.

AID took action in the pharmaceutical field. The widespread corruption in this area was disclosed in our hearings in April 1967. Effective July 15, 1967, AID discontinued financing of pharmaceuticals under the commodity import program. However, the decision was not announced until the outset of the subcommittee's hearings in August of 1967. An aspect of the program of which the chairman and I were severely critical during the April 1967 hearings was the complete lack of any system to fix responsibility in Saigon upon AID officials who approved import licenses. AID established an agreement with the South Vietnamese Government on July 21, 1967, to obtain specific approval of AID officials before licenses are issued.

I am particularly pleased with a new procedure established by AID on May 13, 1968, which tends to determine the eligibility of suppliers for AID financing before payment is made by American banks for letters of credit. AID was reluctant to go beyond the normal post-audit procedures for transactions, even though the subcommittee was critical of the lack of control by the agency over the payment of funds once the transaction was in the letter of credit stage. However, I discussed the matter at length with AID Administrator William S. Gaud during hearings before the Foreign Relations Committee, and I am happy to say that my persistence resulted in the new procedure.

On the other hand, I am concerned to discover that to date AID has not followed my repeated suggestions to solicit the services of an experienced businessman with topnotch qualifications to head the commodity import program in Saigon. Although I understand that a capable career individual is presently in that office and is doing a conscientious job, I believe that an operation of such enormous size, probably $200 million for fiscal year 1969, which is based upon the practices of the commercial market, would be in better hands if it were entrusted to an extremely capable businessman. Such an individual, in my view, might have saved American taxpayers startling sums of hard-earned dollars if he had been in charge from the beginning.

RECOMMENDATIONS

I agree with the basic recommendation of the report which states that the subcommittee should undertake an extensive investigation of the AID program everywhere it operates.

I believe that the distinguished Senator from Connecticut, ABRAHAM RIBICOFF, who so capably chaired some of the hearings upon which the report is based and who has indicated his interest in assisting the chairman in this field in the future, has similarly expressed his concern that we undertake more work on the AID program. I refer to his written report to the chairman in May of 1968:

> I believe the Subcommittee has the duty and responsibility of continuing its investigation in this field with the maximum effort possible. . . . It is obvious that a thorough investigation in depth would swiftly bring about corrective measures which would save many millions of dollars in Federal funds which are now being squandered because of inefficiency, dishonesty, corruption and foolishness.
>
> I strongly recommend that the Subcommittee undertake expanded inquiries in this field as soon as possible and that our efforts encompass the entire AID program wherever it operates around the globe.

I made a similar statement, Mr. President, at the close of the hearings in April of 1967:

> I believe, Mr. Chairman, that we should keep our staff active in conjunction with seeing what is going on with AID in other countries. I am more concerned right now with countries other than Vietnam, countries where we are not involved in a cold war, countries where I am just afraid this kind of system—which to me was a shocking thing to learn—that this same system in CIP is being used under similar circumstances in other countries as well.

Such an investigation by the subcommittee, Mr. President, would be in keeping with the new administration's intentions to streamline and make more efficient our foreign aid programs, would prove to be of sound financial interest to our taxpayers, and would serve the Nation admirably.

CORRECTION OF SENATE RESOLUTION 26

Mr. McCLELLAN. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The legislative clerk read as follows:

S. Res. 99

Resolved, That Senate Resolution 26, agreed to February 17, 1969, be amended on page 6, line 18, by striking out the words "January 1, 1970," and inserting in lieu thereof the words "January 31, 1970,".

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas?

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCLELLAN. Mr. President, I have cleared the matter with the leadership on both sides of the aisle.

Somewhere along the line during the consideration of Senate Resolution 26, the date was inadvertently changed from January 31, 1970, to January 1, 1970.

It has always been the precedent for the resolutions to expire on January 31.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT NIXON'S NEW IDEAS AND INITIATIVES FOR ENDING THE VIETNAM WAR

Mr. WILLIAMS of New Jersey. Mr. President, the current escalation of the war by North Vietnam places a fresh and sharp urgency on the importance of President Nixon's pending visit to Paris. The Paris peace discussions are the obvious and only focal point for the test of Mr. Nixon's new ideas and new initiatives for ending the Vietnam war.

President Nixon's publicly announced meeting with President de Gaulle provides an excellent diplomatic justification for his being in Paris to place himself in direct contact with the Paris peace talks. And presumably Mr. Nixon has wisely chosen the Paris setting as the most promising site and method for inaugurating his new initiatives. For only at the Paris scene—not from Washington—can he obtain a firsthand view of the various issues and assess the atmosphere surrounding the talks and their peripheral private discussions.

Certainly Mr. Nixon's campaign promise of increased emphasis on our diplomatic resources, and less reliance on military options, can be fulfilled by his making a direct personal assessment of the Paris negotiations. Paris, too, offers the ideal forum for the testing of Mr. Nixon's other ideas for peace which were alluded to in his campaign statements but which he felt should not be discussed in detail during a political campaign. It is quite possible that the not yet revealed thinking of Mr. Nixon offers the highest promise for an early settlement in Vietnam.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PHILIP N. BROWNSTEIN

Mr. SPARKMAN. Mr. President, since January 20, many faithful, loyal, and dedicated civil servants have been leaving Government service to seek their livelihoods elsewhere. This exodus is occurring because of the changeover in the administration in the executive branch of the Government.

Let me make it clear, Mr. President. I am not criticizing the new administration because it wishes to fill positions with its own people. To the contrary, under our way of democratic government, this is a part of the system and certainly the new administration has all the rights and prerogatives to select the people it wants to place in sensitive and top echelon positions. This is as it should be.

At the same time, I think the point must be made, since it is a fact of our democratic way, that it is no reflection upon the character, loyalty, or efficiency of those civil servants who now find they must leave whether by their own choice, or whether they have been asked to leave. Many have done outstanding jobs in their respective fields; many have been dedicated, and they have made this Nation a far better place in which to live, work, and play because of their service to this country and to its people.

It would be impossible to name all of those who have and are now leaving Government because of the changeover in the executive branch. However, Mr. President, I should like to mention one name in particular—a man who I believe exemplifies and portrays the rare type of dedication and loyalty we find in many public servants. This man is Philip N. Brownstein, the former Assistant Secretary for Mortgage Credit and the Commissioner of the Federal Housing Administration of the Department of Housing and Urban Development.

Mr. Brownstein leaves the Government after a 34-year span of service. He commenced his career as a truck driver's assistant in the FHA in 1935, and he leaves after working himself up to the very top rung of the ladder in the agency in which he started. Certainly, this fact above all attests to his capabilities and the regard that his superiors and fellowmen had for his ability, integrity, and leadership.

The FHA is not the only Government agency Phil Brownstein knows. He served for 17 years in progressively important positions in the Veterans' Administration, working himself up to the position of Chief Benefits Director before leaving the VA in March 1961 to return in the top position at the FHA. He also served with distinction in the Marine Corps during World War II.

Phil has served his Government with dedication. I know personally that during his tenure in the executive branch he turned down several positions in private business that offered more monetary return than he received from his Government position. Knowing his dedication to his job and to his Government, one would expect this of Phil.

I have long been interested in housing and every adjunct of it. Certainly Phil Brownstein has also. Brownstein believes in the housing goals set forth in the Housing Act of 1949 and as they have been restated from time to time in subsequent laws. Because of him, a great many more of our people are now enjoying a decent home and suitable living environment than at any other time in our history.

In my opinion, Phil Brownstein has been one of the outstanding Commissioners of the FHA. He has been an outstanding public servant. It is my understanding the new administration requested Phil to stay on. I regret his decision to leave Government for he will truly be missed.

To Phil Brownstein—and all other civil servants like him now departing Government—I commend him for an outstanding job well done, and I wish the very best for his future.

Mr. INOUYE. Mr. President, we in Hawaii are extremely sorry to see Mr. Philip Brownstein leave the Department of Housing and Urban Development. His 33 years of government service have been marked with outstanding achievements in the critical area of urban housing for low-income dwellers. Throughout his tenure, he has risen to meet demanding problems with creativity and innovation.

In recent years, Hawaii has experienced a great housing shortage. Mr. Brownstein has been most helpful to all of us in our efforts to solve this problem. For his assistance, we will always remain entirely grateful.

Mr. ALLOTT. Mr. President, I want to add my voice to those who today are paying recognition to Philip Brownstein, who has just resigned as Assistant Secretary of Housing and Urban Development.

Phil Brownstein, throughout his years of service in the Government, was not only an able and qualified administrator, but he was a fairminded friend who served his Nation well.

He served during an era when partisanship was in order, yet he was not partisan. He handled matters assigned to his jurisdiction in as impartial a manner as any man I know of in Government.

He is a rare man, and I am sorry our Government is losing his service. He was frank, honest, precise and accurate in the execution of his duties and I know these qualities will bode well for him in his new job, for which I extend to him my congratulations and best wishes for well-deserved success.

Mr. McINTYRE. Mr. President, I would like to associate myself with the remarks which have been made about Philip N. Brownstein, who has just left office as the Commissioner of the Federal Housing Administration.

During my service as a member of the Subcommittee on Housing and Urban Development, and its predecessor Subcommittee on Housing, I have had the opportunity to observe Commissioner Brownstein at close range under a number of trying circumstances. His experience and ability led his administration into new areas in housing, and his devotion to the public service, well demonstrated by his sticking with his agency through 33 years of challenge and change, led to new Federal activities in the areas of lower and middle income housing.

I wish Mr. Brownstein the best of success in his future private life.

TV STATEMENTS BY SENATOR BYRD OF WEST VIRGINIA ON CAMPUS VIOLENCE, AIRLINER HIJACKINGS, AND PRESIDENT NIXON'S EUROPEAN TRIP

Mr. BYRD of West Virginia. Mr. President, on February 19, I made statements for television regarding the problem of violence on college campuses, airliner hijackings, and President Nixon's trip to Europe.

I ask unanimous consent that the transcript of those statements be printed in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

Byrd Hits Campus Violence

When university administrations surrender to the demands of student and faculty revolutionaries it can only serve to incite other militants on other campuses to further disrupt our higher educational system. Now, students have a right to ask for administration and faculty consideration of their ideas, but they have no right to foment rebellion and disrupt campus life for serious students who still think of college as a place where one goes to get an education. The disrupters constitute only a small minority of the student body, and the university administrations should expel them from the campuses instead of capitulating to their arrogant demands. And students and outside agitators who destroy property and incite violence should be promptly arrested and prosecuted.

Castro Should Return Hijackers

I am pleased that we have reached at least a partial agreement with the Cuban government for the prompt return of hijacked airline passengers. There is an urgent need for our government to work out an argeement with the Castro government to return hijackers promptly to the United States to face prosecution. Each hijacking cost the airlines an estimated $18,000. But this is not the worst part. There is always the possibility that the next hijacking will result in a disaster. Now, there have been some very interesting suggestions on how to handle the hijackers, such as dropping them through a trap door into the plane's baggage compartment, or flying them into a phony replica of Havana airport. I do not believe that we will see an end to the problem until Castro sends hijackers home to face trial.

Nixon Trip Important, Byrd Says

President Nixon's trip to Europe will serve the good purpose of showing the nations in the NATO Alliance that the United States is still concerned about what happens in Europe as well as Asia. It comes at an opportune time, I think, because of recent events in Czechoslovakia, new tensions between East and West Germany, and the prospects for Soviet-American talks on cooling the nuclear arms race. Mr. Nixon will have his work cut out for him in dealing with the presumptuous arrogance of Charles de Gaulle, who has been trying to get the United States to recognize France as a full-fledged nuclear power. I don't believe that we should kowtow to Mr. De Gaulle, but I would favor improving relations with the French people, however. I wish Mr. Nixon well on his trip. I hope that it will be a safe trip, and I think that it is an important move for him as the leader of our country.

RECENT ADDRESS BY SENATOR CASE BEFORE THE NEW JERSEY CHAMBER OF COMMERCE

Mr. COOPER. Mr. President, a few days ago the senior Senator from New Jersey addressed the Annual Legislative Conference of the New Jersey Chamber of Commerce here in Washington, D.C.

His remarks deal with three pressing problems of concern throughout the Nation: protection of the environment, improvement of our welfare system, and strengthening our system of criminal justice.

In each case he urged application of "the rule of reason" and indicated the kind of approach the rule suggests.

I have found his address informative and timely and I commend it to my colleagues. I ask that the text of his speech be printed at this point in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks by Senator Clifford P. Case, at the Annual Congressional Dinner, New Jersey Chamber of Commerce, February 6, 1969

For most of us, and that definitely includes me, there is no regret as 1968 recedes into history. It was, from many points of view, a ghastly year, the like of which few would wish to see again. A proud confident America was seemingly on its way to becoming a shambles, rent with strife and torn by ugly violence, the President virtually a prisoner of his office as passions rose and fear and hate spread from community to community.

"The medium is the message"—it is said. And so it seemed as thousands screamed and shouted, uninterested in persuading others to their view, indeed themselves heedless of what they were saying.

Thus one could feel an almost palpable sense of relief throughout the country when Mr. Nixon in his inaugural address suggested that "we speak quietly enough so that our words can be heard as well as our voices."

Rightly, the advent of the new administration has been hailed as an opportunity for renewed dedication to the "rule of reason"—and at a time when the rule was never more needed. And this was, it seems to me, what the President was saying to the country on January 20.

What is meant by the rule of reason? A pull-back in foreign and domestic policies, a disengagement of government such as that signified by the "Return to Normalcy" slogan of the 20s?

Not at all. Quite the contrary, adherence to the rule of reason demands a greater effort, a more thoughtful effort, so that we not only try to do the right things but that we do them the right way.

It means, first of all, recognition of the tremendous problems and their interrelationships that the country faces. It means also the marshalling of our intelligence to find effective approaches with due regard for their possible side-effects and consequences. In other words, the rule of reason requires not only that we know what we are now doing, and what we want to do, but also that we face squarely the question whether we are willing to pay for what we want.

The problems come readily to mind. They have been getting lip service for years.

One that is just beginning to get some measure of the attention it warrants is that of man's destruction of his environment. Human assault upon nature is an old story. But now we are finally realizing that a round earth, no less than the once popular concept of a flat earth, has finite limits. We are running out of new land to use for today and the devil take tomorrow. With the aid of technological and scientific developments we have accelerated the pollution of the soil, the air, and the waters to a point where the threat to the health and liveability of our surroundings is no longer theoretical but a real and present danger.

The problem is no longer merely one of conservation—and in too many places there is already very little left to conserve—but of restoration as well.

I have been happy to work for passage of legislation to curb pollution of the air and our streams and to preserve some part of our natural heritage. But even as the Federal government proffers far too modest assistance to states and communities to eliminate or at least mitigate pollution, the Federal establishment sounds an uncertain trumpet.

For there is a built-in conflict of interest within the bureaucracy, not only as between certain executive departments but between agencies within them. The diffusion of responsibility and authority on occasion results in administrative stalemate and the frustration of effective enforcement. In some cases, the Federal government itself contributes directly to pollution.

Nowhere is there any one top official or department charged with responsibility for restoring the quality of the environment as a whole. To save a park is a fine thing but, by itself, it is not enough when there is a good chance that any stream that runs through it will become so polluted that health hazard signs have to be posted.

It seems like a bad dream, but unfortunately it isn't, that the U.S. Forest Service, charged with the protection of our forests, has decided to turn over Mineral King Valley in California to private developers for a monstrous, and probably very profitable, recreational complex. There are other examples closer to home—the sale of the Worthington Tract in the Kittatinny range by the very state agency which is responsible for our New Jersey Green Acres program.

Surely this is an idea whose time has come: that man's environment, from the central core of the earth to his farthest reach in space, shall have the constant protection of an agency of our government whose sole and specific care it is to give that protection and not be left at the mercy of those who would defile it with only incidental and sporadic attention given to its protection by anyone.

Accordingly, I am going to introduce a bill to establish a Department of Conservation and the Environment with primary responsibility for protecting the quality of our surroundings as a whole, whatever the source of pollution—chemicals, industrial use, waste disposal, noise—wherever it occurs—in the soil, in our waters, or in the air.

I am confident the new administration will embrace this concept of environmental conservation and will support the necessary reorganization of governmental functions and realignment of responsibilities among the variety of agencies now involved in this field.

There is much, too, that needs to be done to improve our social environment. Take the matter of "welfare."

I know of no one who thinks the present public welfare programs are accomplishing their real objectives—that of helping people to help themselves. Rather, all too often, they are self-defeating, discouraging initiative, damaging to individual self-respect and increasingly a source of distress and of resentment among the general public.

Perhaps most shocking of all is the fact that, under our present system of so-called categorical aid—to oldsters, to the blind, to the disabled and to families with dependent children—it is estimated that ⅔rds of the nation's poor get no help at all because they do not fall in one of these categories or do not meet varying state and local eligibility requirements.

In monetary terms, existing programs are both very costly and very unfair, penalizing states like New Jersey who want to maintain at least minimum standards of human decency. For example, in Louisiana where the average monthly payment for aid to families with dependent children is $103.00 the Federal government pays 78% of the bill. In contrast, in New Jersey where the average monthly family payment is $237.00, the Federal government pays only 37% of the cost.

Is it any wonder there has been a massive migration to the cities of the north and that these cities are crying out for help?

In the last ten years the number of families on welfare in New Jersey has grown by a phenomenal 336%, the most rapid caseload increase in the country. This compares to a national rate of 98% and a rate of 49% in Louisiana.

The need for Federal welfare standards is obvious and they should be adopted at the earliest possible moment. The rule of reason requires nothing less.

Longer range answers have been proposed—a family allowance, a system of income maintenance, the negative income tax, among others. There are advantges and disadvantages to each—and, as yet, very little proven data.

Some experiments along these lines are underway with a pioneer effort taking place in New Jersey. Their results should be helpful in arriving at more effective long range solutions. And while we wait for those results there are things that we can do. One is to meld a welfare and the "war against poverty," moving away from the fragmented approach that hinders rather than helps realization of the common objectives of both.

We can also do away with the anomaly of having the direction and operation of a food stamp program, ostensibly designed to provide food for the poor in the interests of better nutrition, handled by a department primarily concerned with the maintenance of farm income and the disposal of farm surpluses. The extent of malnutrition and even hunger in the nation has come as a shock to most Americans. The expert testimony in current Senate hearings on the damaging effects of malnutrition in the fetal period and early years of life on the brain and learning capacity of children makes very grim reading.

We can also put more effort into providing greater employment opportunities and in recruiting and training those heretofore considered unemployable or nearly so. Fortunately there are many "small splendid efforts," as Mr. Nixon put it, being made and they can and will have an impact in time. But we still need to work at a greater meshing of public and private energies if the impact is to be equal to the challenge.

For the average American there is probably no sharper issue than crime control. Rightly the public is concerned for the safety of our streets, our business establishments and our homes. Unfortunately too often the issue is posed in terms of laws and order versus social progress—whether law and order are conditions precedent to progress or vice versa. This is somewhat like arguing the proper order of love and marriage. "Both go together," as a song a few years back had it, "like a horse and carriage."

I have already indicated some of the things clearly we ought to do to assure a wider sharing of the economic and social benefits of our society. Equally clearly, much needs to be done to improve our system of criminal justice in the interests of law and order.

Consider this fact:

In only one out of 33 crimes committed in the District of Columbia does the offender go to jail.

These are appalling odds against society and in favor of the criminal in our nation's capital.

The glaring deficiencies in our present system of criminal justice show up at every stage in the process.

The median time from filing to disposition of a case in the U.S. District Court in the District of Columbia in 1968 was 9.5 months. This is an all-time high, double what it was in 1966 and more than six times what it was in 1960.

The 10,800 arrests made in 1968 represent less than one-quarter of the 49,272 crimes reported to police.

Only 60% of those arrested were convicted of any charge; and only 66% of those convicted were sentenced to prison, so that in less than nine per cent of the crimes reported did the offender go to jail.

And since surveys indicate there are three times as many crimes committed as are reported to police, a potential criminal knows that he has better than a 33 to 1 chance of escaping jail.

In 'these circumstances our system provides scarcely any deterrent to anyone contemplating a criminal act in the District of Columbia.

I have quoted figures for the District of Columbia, in part because figures are available, in part because there is only one court system without the complicating factors of state and local courts with criminal jurisdiction and also because organized crime is not a material factor in crime in the District of Columbia. There are some indications the situation may be even worse elsewhere. For example, it was recently reported that the average trial delay in the Federal Court in Brooklyn has increased to almost two years, despite efforts to add judges and reduce delays.

There are many reasons for this.

Too few judges for too large caseloads, inadequate facilities and insufficient personnel to process cases and provide judges the information and assistance they need in making their judgments, slack judicial habits and dilatory practices of the criminal bar that encourage interminable delay both before and after trial—all these operate to the detriment not only of the individual defendant but of the community as a whole.

Is it really surprising that the morale of the police is low when hours and days are wasted, waiting in court for a case to come to trial; where there is no effective deterrent to repeated criminal acts in the form of swift and sure justice? Is it any wonder that citizens refuse to cooperate by reporting crimes when to do so may involve not just inconvenience but exposure to reprisal in a useless cause?

The rule of reason tells us that we can have law and order. But it also tells us that we cannot get it unless we are willing to pay the cost. And no one has yet calculated what that cost will be.

I have mentioned some, but certainly not all, of the urgent domestic challenges we face. Among others are race relations, education, health and medical care, housing. In most cases, resolution of the problem will not be easily come by. But, in the long run, each will yield to the rule of reason—if only we will apply it. And only so, I believe, can we dispel the bitterness of the have-nots in our society, allay the fears of those who feel their hard-won gains threatened, and demonstrate that progress for one group need not come at the expense of another.

If we will be guided by the rule of reason in the months ahead, 1969 will mark a real turning point for the nation. Then, unlike 1968, 1969 will be a year to remember (a year we will want to remember!).

AN AGENDA FOR RURAL AMERICA

Mr. SPARKMAN. Mr. President, I respectfully solicit the attention of my colleagues in the Senate to read, study, and examine in detail a pamphlet published by the National Rural Electric Cooperative Association entitled "An Agenda for Rural America."

Senators from rural and urban areas alike need to familiarize themselves with the objectives of the NRECA as set out in this publication.

I have long felt and often stated, publicly and privately, that no solution to our urban crisis is possible unless we simultaneously resolve the equally urgent, though vastly different, problems faced throughout rural America.

As chairman of the Small Business Subcommittee on Financing and Investment, I held a series of hearings entitled "Small Business and Rural America" during the second session of the 90th Congress. We discovered that the only way to achieve national economic stability and an overall lasting reduction in unemployment is through a balanced national policy addressed to overcoming rural and urban ills concurrently.

Mr. President, this publication confirms our findings. I ask unanimous consent to have printed at this point in the Record the National Rural Electric Cooperative Association's publication entitled "An Agenda for Rural America."

There being no objection, the pamphlet was ordered to be printed in the Record, as follows:

An Agenda for Rural America

(By the National Rural Electric Cooperative Association)

The nation must assign high priority to reversing the socio-economic deterioration of rural areas and the continuing migration of displaced rural people to urban centers.

Unless we can solve this grave domestic problem, the pressures on urban areas will intensify to unmanageable proportions. The dire economic and social consequences of the outmigration of 25-million farm and rural people since World War II are readily visible throughout rural America. And in more recent years have become dramatically visible in the cities. This trend threatens to undermine the foundations of our country's society.

We urge the Ninety-First Congress and the new Administration to put the solution of this problem at the top of their agenda.

The rural electric cooperatives, which serve in 2,600 of the nation's 3,100 counties, are prepared to devote manpower, knowhow, and local leadership to such a program. The member-owners of these cooperatives make up nearly half of the people remaining in the rural areas. They have a personal and patriotic interest in the revival of rural America.

It is imperative, in our opinion, that the Nixon Administration spell out a national policy for the renewal of rural America. And, also, that Federal efforts be restructured to insure the most effective implementation possible of such a policy.

We strongly recommend a highly-coordinated, comprehensive rural redevelopment program, including, but not limited to:

ECONOMIC DEVELOPMENT

Programs to attract industries and commercial enterprises to rural areas to provide jobs for the rural unemployed and underemployed and for youth who are entering the labor market.

Programs to expand existing industries and to launch new ones, especially those which will develop natural resources indigenous to rural areas, and industries to produce defense materials and products required by the government.

Programs to make available to rural areas the same type of employment services now provided urban centers, including surveys to accurately indentify the unemployed and underemployed, and to identify the trainable manpower, and to provide counseling, testing, and training services aimed at giving rural people new marketable skills.

Programs to assist farmers and other landowners in the development of income-producing resources.

COMMUNITY FACILITIES

Approximately 30,000 rural communities are without adequate water systems, and about 45,000 are without sewer systems. There are also tremendous needs for other kinds of essential community facilities, such as, health, educational, recreational, and telephone.

(Fortunately, electric facilities are available nearly everywhere, thanks largely to REA financing and rural electric cooperatives. However, to maintain these services on an adequate basis, it will be necessary for rural electric systems to have access to tremendous amounts of new capital. Hopefully, the rural electrics will be able to develop new, non-government sources of growth capital, but the need for low-interest REA loans will continue for many years, particularly in thinly-populated sections.)

Modern community facilities are vital to producing the kind of living environment so necessary for community socio-economic growth. While government assistance in the form of loans and grants has resulted in considerable progress in helping rural communities obtain needed facilities, much vaster credit assistance must be made available.

HOUSING

Nearly fifty percent of the nation's substandard homes are to be found in rural America, although it has less than one-third of the population. One house in every four is rated sub-standard; one in thirteen, unfit for human habitation. Many of the residents using this rural housing are older citizens and many are in extreme economic straits. This obvious and deplorable inequity of rural life calls for bold, imaginative, and large-scale corrective measures, including implementation of the provisions of the Housing and Urban Development Act of 1968, particularly in respect to home ownership interest payment subsidies, and rental housing subsidies, and the provisions of Title X relating to rural housing. We urge that every citizen, regardless how poor, have the opportunity for decent housing.

The National Rural Electric Cooperative Association is now preparing for consideration of its 1,000 member systems, a plan for a nationwide campaign to help identify more accurately the housing needs in their rural service areas; to inform rural residents of the various forms of credit and technical assistance which are available for new homes or for rehabilitating existing homes, and to enlist the support of private and public credit sources, builders, and community leaders in alleviating the serious housing situation in rural America.

TECHNICAL ASSISTANCE

Despite the multiplicity of Federal programs dealing with numerous aspects of community development, overall results have been far below expectations, and often, extremely disappointing. The main reason for this, in our opinion, is that rural areas do not have the kind of organization, full-time personnel, or expertise to make effective use of much of the assistance available from Federal and State programs.

Planning assistance, such as that provided under the section 701 program, is of little value unless assistance is also provided for follow-through and implementation of plans. Present funding of the 701 program is grossly inadequate in meeting the needs of either urban or rural areas.

While recognizing that a high degree of local citizenry involvement is vital to the success of rural development, it also must be recognized that means must be found to supply full-time professional experts to help local groups (usually composed mainly of volunteers) devise and carry out development efforts.

RESTRUCTURING THE FEDERAL MACHINERY

A vital missing ingredient in the Federal government's approach to rural development is high-level overall coordination. Presently, there are several agencies administering some 400 programs that touch on various aspects of rural development creating considerable confusion, overlapping, competition, and other serious handicaps.

If rural development assistance continues to be fragmented among so many agencies and continues to grow so complex, it is unlikely that the full impact of the Federal programs will ever be realized. We therefore urge the appointment by the President of a coordinator for rural community development on the White House staff. This individual should report directly to the President, and be responsible for insuring that maximum cooperation and coordination are maintained among all agencies and departments having programs bearing on rural development. No single agency or department is in a position to achieve this kind of coordination. We are convinced that it can be done only at the Executive Office level with the backing and support of the President.

In addition, there is need for a higher degree of coordination within departments themselves, particularly in the Department of Housing and Urban Development and in the Department of Agriculture. Also there is a need for some restructuring if increased emphasis is to be given to assisting rural areas, particularly in relation to basic development programs which these two departments administer.

Specifically, we would recommend that within the Department of Housing and Urban Development, the Small Town Services office be expanded and placed directly under an Assistant Secretary. And further that coordinating machinery be established in the office of the Secretary consisting of a high-level representative of each of HUD's "sub-departments" for the purpose of insuring that HUD's programs give high priority to rural development.

In regard to the Department of Agriculture, we believe that its two main concerns—commodity programs and rural development programs—should be separated through the establishment of two sub-departments, each to be headed by an Undersecretary. One to deal with agricultural and commodity programs; the other with community development. Further, we believe that the Department should be renamed to more appropriately reflect its changing role.

The 1,000 rural electric systems and the pattern of government-local people partnership they have established represents, we believe, an extremely valuable asset that the nation can utilize in revitalizing rural areas. These systems have considerable resources, including thousands of highly-skilled employees, a close working relationship with millions of rural people, long experience in dealing with government, and an impressive record of getting difficult jobs accomplished. The 9,000 men and women who serve as directors of these electric systems are among the most respected and able leaders in rural America.

During the past eight years, many of the rural electrics have demonstrated outstanding capabilities in rural development, having helped launch 3,400 business enterprises which have created more than 200,000 new jobs. In addition, they have assisted hundreds of communities in obtaining public facilities of all kinds.

The rural electric leadership is ready, willing, and able to assist in revitalizing rural areas with the objective of making rural America a full partner in the nation's life and prosperity.

SENATOR RANDOLPH STRESSES URGENCY FOR MORE EFFECTIVE SOLID WASTES DISPOSAL—CHICAGO PROGRAM PIONEERS INNOVATIVE COMPACTION PRESS

Mr. RANDOLPH. Mr. President, we are aware of our Nation's mounting waste disposal problems. The warning statistics have projected greater and greater depths of solid wastes. A recently published survey by the solid wastes program of the Environmental Control Administration of the U.S. Public Health Service reveals that some 360 million tons of household, commercial, and industrial solid wastes now are being generated annually and city officials observe that refuse generation is increasing at an annual rate of 5 percent. We are confronted with the nightmare vision of being buried in our own wastes. Photos of cities in the grip of sanitation workers' strikes graphically bear out the credibility of these drastic prophecies. Thus, I am pleased to report on one experiment which promises a dual attack on two of the Nation's most critical environmental degradation problems—solid waste disposal and land abuse.

Last November I participated in a dedication ceremony opening the test operation of an innovative refuse compaction press. The compaction press is being tested by the city of Chicago in conjunction with a study being conducted by the American Public Works Association on the potential benefits of hauling urban solid wastes by rail to reclaim substandard or mine disturbed land through sanitary landfill techniques. My State of West Virginia would benefit from such reclamation techniques.

For economic and esthetic reasons it is necessary to devise methods to reduce solid waste in bulk to make transport by rail feasible and to utilize efficiently the reclamation site. The Chicago compaction press test is a vital aspect of the APWA rail-haul study. Both the rail-haul study and the refuse compaction press test are being financed by a demonstration grant from the solid wastes program. In addition, a number of communities throughout the country have contributed funds through the cooperative research program of the American Public Works Association Research Foundation. Funds have also been contributed by the Penn-Central Railroad. The Logemann press being used in the Chicago test was donated by the Fisher Body Division of General Motors Corp.

Mayor Richard J. Daley participated in the dedication along with Chicago's acting commissioner of the department of streets and sanitation, James J. McDonough, and the chief of the Federal solid wastes program, Richard Vaughan. Communities throughout the country have expressed keen interest in the results of this demonstration in the hope that it can be applied to their waste disposal problems. I believe this research and demonstration project is an outstanding example of the progress than can be accomplished when government, industry, and public service organizations marshal forces to meet our Nation's critical environmental problems. I ask unanimous consent that the remarks of the participants in the dedication be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF JAMES J. MCDONOUGH, ACTING COMMISSIONER, CHICAGO DEPARTMENT OF STREETS AND SANITATION AT REFUSE COMPACTION PRESS DEDICATION, NOVEMBER 26, 1968

Reverend Clergy, Mayor Daley, Senator Randolph, Dick Vaughan, distinguished members of National, State and local government, civic, business and labor leaders, honored guests: As Project Director and Acting Commissioner of Streets and Sanitation, it gives me great pleasure to greet you this morning on behalf of the City of Chicago, the Department of Streets and Sanitation, other City Departments and representatives of private industry who played a role in constructing the facility that we have gathered to dedicate this morning.

This facility was made possible and constructed through a demonstration grant from the Solid Wastes Program, Environmental Control Administration of the United States Public Health Service.

The problem of solid wastes disposal is one of the most serious confronting modern man.

These problems have been expanded tremendously by the development in recent years of a highly affluent society. Statistics show, for instance, that while the population of our own City has remained fairly stable at approximately three and one-half million for the past several years, refuse generation for Chicago is now increasing at the rate of 5 percent per year.

The Logemann Press being used in this experimental study was donated by the Fisher Body Division of General Motors Corporation and is capable of compacting refuse bales of 20 inches by 16 inches by variable heights to a maximum of 42 inches. It is expected that Chicago refuse, during these forthcoming tests will be compacted into bales ranging from 60 to 80 pounds per cubic foot.

We want to emphasize that this press is an experimental testing facility and is not intended for production purposes whatsoever.

The initial phase of the project will also involve the facilities of Northwestern University and the services of Barton-Aschmann Associates.

Northwestern University will be concerned with the landfill aspects of the project, including the possible use of specially treated blocks as fill material in lake shore areas. Barton-Aschmann is studying economics of the location of transfer stations and optimum utilization of refuse truck routing.

Guided by the results of the initial phase of this project, we hope to obtain an additional grant to study the operational aspects of transporting compacted refuse by rail.

Dick Vaughan, who is Chief of the Solid Wastes Program, Environmental Controls Administration of the United States Public Health Service, later in the program will have additional comments on the nature and significance of this experimental program.

The project was initiated in May of this year and this accomplishment has been achieved through the efforts of many persons.

Foremost among those we wish to give special recognition this morning is former Commissioner James V. Fitzpatrick, who now heads a prominent Air Pollution Control manufacturing firm located in New York. Jim Fitzpatrick played a key role in the conception and carrying out of the initial phase of this vital demonstration project.

A special note of thanks and appreciation also to Ted Eppig, Deputy Commissioner of the Bureau of Sanitation, for his support and dedication to the project. Ted was recently elected as President of the Institute of Solid Wastes Research of the American Public Works Association.

We would like to give credit and recognition to the American Public Works Association Research Foundation, which is cooperating in this project. Robert Bugher, Director of the American Public Works Association, Dr. Karl Wolf and Dr. Christine Sosnovsky, Al Kuhn and other members of the American Public Works Association Research Team have all shown great dedication and enthusiasm.

At this time, I consider it an honor to have the privilege to present the one man who is most responsible for Chicago being able to dedicate another "First" day.

Because of his leadership, interest and confidence in supporting new ideas in the field of Solid Waste, we are dedicating here this morning the nation's first refuse compaction research facility.

May I present to you The Honorable Richard J. Daley, Mayor of the City of Chicago.

Remarks of Hon. Richard J. Daley, Mayor of Chicago, Ill., at Refuse Compaction Press Dedication, November 26, 1968

We are proud of fact that during our administration the City of Chicago has been a leader in research for finding new methods of solid wastes disposal.

This grant, which made possible the construction of the experimental refuse compaction press, is the first of its kind in any American city built for research purposes.

The grant is a great step forward by the government in assisting cities to find new and more economical methods of refuse disposal.

The cost of constructing new incinerators has increased greatly in the past few years and this problem has been compounded by the necessity of meeting higher air pollution control standards.

It is fitting that Chicago be chosen for such a significant project, because it was in Chicago that the first Conference on Solid Wastes was held. That landmark conference addressed itself to the problem of air and water pollution and solid wastes disposal.

It is also fitting to note that Chicago is the headquarters of The American Public Works Association, one of the leading agencies in the field of solid wastes research.

Chicago is justly proud of the efforts of the city, The American Public Works Association and other governmental and private agencies to find new methods of refuse disposal.

Chicago is anxious to share the knowledge gained in this project with cities throughout the United States.

We hope that many visitors will see fit to come to our fair city to see this research facility. We especially invite press manufacturers and manufacturers of ancillary equipment.

Remarks of Richard Vaughan, Chief of the Solid Wastes Program, Environmental Control Administration, U.S. Public Health Service, at Chicago Refuse Compaction Press Dedication, November 26, 1968

I suppose one of the most familiar descriptions of the Windy City was given by Carl Sandburg in his poem "Chicago." In a sense his colorful description—"Hog Butcher for the World, Tool Maker, Stacker of Wheat, and Player with Railroads"—has something to do with why we're here today in this one of the truly great cities of the world. For all of the benefits of our industrial creativity and patterns of urban living, there is a negative aspect: ugliness and pollution of the environment. A residue of solid waste results from all of the activities Sandburg writes about and more. And what to do with these wastes is an increasing problem, not only for Chicago but for nearly every city and town in the United States.

Under the Solid Waste Disposal Act, the Public Health Service's Solid Wastes Program is sponsoring demonstration projects, such as the one being conducted in this facility, to investigate new approaches to solid waste problems and to find solutions through innovative technology. Hopefully, the results of demonstrations can be applied by others with similar problems and requirements. I know the results of Chicago's efforts and the efforts of the American Public Works Association in the solid waste rail haul demonstration project are being watched with keen interest by other cities throughout the country.

In addition to funding demonstrations, the Solid Wastes Program performs research, both within its own laboratories and through contracts, to develop the solid waste management technology needed for the future.

Through Planning Grants, States are encouraged to accurately assess the extent of the solid waste problem and to systematically plan for handling and disposing of solid wastes on state-wide and regional bases.

The level of training for solid waste disposal technicians, operators and professionals is being advanced through short courses offered by the Program, and by grants and contracts to colleges, universities and other agencies to bolster curricula in this field.

Governmental agencies, industrial organizations and others having need for expert assistance in solving solid waste problems may request advisory services of the Solid Wastes Program. In addition, studies and investigations are conducted on especially complex waste problems, and a series of reports will be published on the particular problems of various industries and agricultural enterprises.

I do not have time to go into detail on all aspects of the Solid Wastes Program. But our end goal may be stated simply enough: To help preserve the quality of our environment—to protect it from ugliness and hazard to health by developing economically feasible and technological effective methods of managing solid waste. To accomplish this end we are taking many approaches, and through grants and contracts are enlisting the aid and talents of many outside the Federal service. The job is a big one and will require much effort and cooperation from all levels of government, private organizations and industry.

In his request for a one-year extension of the Solid Waste Disposal Act earlier this year, the President noted that "Technology is not something which happens once and then stands still. It grows and develops at an electric pace. And our efforts to keep it in harmony with human values must be intensified and accelerated." The work we are doing here in this facility will contribute in an important way to the cleaner, healthier America from which we all—ourselves and our children—will benefit.

Remarks of Hon. Jennings Randolph, U.S. Senator From West Virginia, Chairman, Committee on Public Works, at Refuse Compaction Press Dedication, November 26, 1968

In recent years, as the problems of environmental control have become matters of heightened public concern, we have been bombarded with a barrage of staggering statistics and prophecies—$10 billion to $100 billion as the cost of cleaning up Lake Erie—$20 billion merely to take up the backlog in municipal sewage treatment plant construction and an additional $20 billion, under present technology, for the separation of storm and sanitary sewers.

By 1980 we will be producing enough sewage and other waterborne wastes to consume, in dry weather, all the oxygen in all 22 river systems in the United States. We are generating 142 million tons of airborne wastes annually, and that is increasing. Mining and mineral processing industries produce almost one billion tons of solid waste annually. Agriculture and the food processing industries add almost 700 million tons of manure. Yes, almost one million tons of domestic solid wastes are produced daily. We are confronted with the nightmare vision of being buried or suffocated or drowned in our own wastes.

These are the warnings—the statistics. And some of the more Jeremiad-like prophecies acquire credibility as one views the City of New York in the grip of a sanitation workers' strike. Yet this focus on the dramatic and sensational aspects of environmental pollution obscures the fact that much is being done. Much more can be done with existing technology to abate and lessen pollution of our air, water and land resources.

The facility which we are today dedicating will demonstrate one way of meeting the solid waste problem under existing technology. It is appropriate that this effort be initiated in Chicago—a city which, under the leadership of Mayor Richard Daley, has been in the forefront of those municipalities that are developing effective programs to control and abate the pollution of our urban environment.

In the past three years the Congress has been deeply involved in providing Federal direction and assistance. In 1965 we enacted the Water Quality Act, which required the establishment of state water quality standards. This was followed in 1966 with the Clean Water Restoration Act, which authorized a massive increase in Federal support of municipal sewage treatment plant construction.

Also in 1965 we enacted the Clean Air Act and the Solid Waste Disposal Act, which authorized an expanded research program and planning grants to the states. These measures were followed in 1967 with the Air Quality Act, which requires the establishment of air quality control regions and ambient air quality criteria and the development of state air quality standards. Thus the broad foundations for air and water pollution control have been laid.

The next major item on our agenda for enhancing the quality of our environment is to develop a systematic program to assist states and municipalities in meeting the problems of solid waste disposal. The Subcommittee on Air and Water Pollution, under the able Chairmanship of Senator Edmund S. Muskie, will initiate hearings early next year with a view toward reporting a major program for Federal assistance in solid waste disposal. This is a Subcommittee of the Committee on Public Works, which it is my privilege to chair. I have worked closely with Senator Muskie in the development of pollution abatement legislation. Though it is too early to discuss the precise details of future legislation in this field, we may anticipate a greatly expanded research and development program. There will also be substantial Federal construction grants to local, state and regional authorities which have developed approved solid waste disposal plans.

CLOSING REMARKS OF JAMES J. MCDONOUGH, ACTING COMMISSIONER, CHICAGO DEPARTMENT OF STREETS AND SANITATION, AT REFUSE COMPACTION PRESS DEDICATION

As we go further into the first phase of our tests of the Refuse Compaction theory, we look forward with eagerness and enthusiasm toward our projected goals.

As has been stated, the ultimate aim of this experimental research project is to determine the requirements for the design of suitable production scale equipment to compress solid wastes into high-density, economical payloads for transport by rail and to test the operational aspects of such a system.

Testing of this new experimental refuse compaction process will begin immediately and will continue for several months under supervision of the American Public Works Association Research team.

If these tests are successful, and we are highly optimistic about them, the Chicago experiment could revolutionize solid wastes disposal methods throughout the nation.

Following completion of the tests, and thorough analysis, an evaluation will be made and we will hopefully move on to the next phase of the project, the study of operational aspects of rail haul in disposal of solid wastes. Through this unique demonstration project, we are cooperating in a great crusade to make environmental life better for future generations.

Our sincere thanks to each of you for joining us this morning.

CRIME

Mr. NELSON. Mr. President, I think there is no question in the minds of Members of Congress that crime today is a major domestic problem. We are faced daily with reports of crimes of violence, of threats against the lives of innocent people, and all too often reports of the deaths of the innocent by criminals.

I too, believe we should be concerned by the very real danger of "crime in the streets." It is very real and there is no question that it exists.

But there is another form of crime which is not on the minds of many citizens, despite the fact that it is serious crime and it is widespread. I am referring to "white collar crime" which I believe is just as extensive as the crimes of violence. The subtle crimes involving literally millions of dollars misused and sometimes stolen outright, it seems to me, are just as debilitating to this Nation as crime in the streets.

We all know that organized crime exists. We all know that the Mafia exists. But what we do not know is just how vast are the tentacles which embrace and control the lives of the innocent. But of greater importance is that without political corruption, organized crime cannot exist. And with political corruption, our civil liberties begin to ebb away.

Moreover, political corruption is not just the tool of organized crime. It is used by the major industrial corporations of the United States. The extent of this political corruption involving major corporations was revealed during a trial in U.S. district court in Newark, N.J., in which a corporation owned by nine major oil companies was convicted on all nine counts involving bribes totaling $110,000 to municipal officials to obtain a building permit and a right-of-way for the largest privately financed construction project in history.

The story is well told by Morton Mintz, a reporter for the Washington Post in the February 24, 1969, edition. I ask unanimous consent that the article be printed in the RECORD.

I also ask unanimous consent to print in the RECORD a review of the book, "Theft of the Nation," written by Donald R. Cressey, a dean at the University of California at Santa Barbara and an author of the report of the President's Task Force on Organized Crime. The review, printed in the February 23, 1969, edition of the Washington Post, points out—

> The activities of Cosa Nostra members are so interwoven with the activities of respectable businessmen and government officials that doing so directs our attention to the wrong places.

It is high time that when this Congress turns its full attention to the extent of crime in America, we should also include the vast problems that are being created today by the pervasiveness of organized crime and its companion—political corruption.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Feb. 24, 1969]

NEW JERSEY CASE: NAKED CORRUPTION OR PRACTICAL POLITICS?

(By Morton Mintz)

In Federal Court in Newark, N.J., today, an obscure local politician, two business executives and three corporations will seek a new trial in one of the most remarkable cases of "naked corruption" ever exposed.

That phrase—"naked corruption"—was used in court last month by Herbert J. Stern, a special Attorney for the Justice Department, to describe payments of $110,000 by the Colonial Pipeline Co. (and its agents) to Robert E. Jacks, president of the Municipal Council of Woodbridge, N.J.

Stern called the payments a "bribe" by Colonial to get a building permit and right-of-way for the largest privately financed construction project in history—a $400 million pipeline which carries 40 million gallons of petroleum products a day 1600 miles from Houston, Tex., to the New York harbor area.

Jacks' lawyer said the $110,000 was simply "political money and it takes an awful lot of political money to run a political organization in a community of a hundred thousand people."

Lawyers for Colonial had still another version of the transaction. The corporation and its officers, they insisted, had been the victim of an extortion plot by Jacks and Woodbridge Mayor Walter Zirpolo.

A jury on Jan. 23 returned guilty verdicts against six defendants:

Council President Jacks.

Colonial Pipeline, which is owned by nine oil companies with combined assets of $35 billion—American, Cities Service, Continental, Gulf, Phillips, Sinclair, Socony-Mobil, Texaco and Union.

Colonial's president in 1963 and 1964, when the payments were made, Ben D. Leuty.

Karl T. Feldman, who in the payment period was Colonial's executive vice president.

The Bechtel Corp., a San Francisco construction firm with 10,000 employes and annual sales of $750 million, one of the contractors on the pipeline.

The Rowland Tompkins Corp. of Hawthorne, N.Y., another contractor on the Colonial job.

"Rarely if ever," Prosecutor Stern told the jury before it returned the verdicts, "has the United States been able to pull back the curtain and to display before you or any jury the kind of naked corruption that we have displayed in this case, the intimate details of corrupt public officials met and joined, furthered and promoted by big businessmen who were equally corrupt for their own reasons . . ."

The curtain-pulling Stern described was the result of an accident. In the course of an investigation of union racketeering began by the Labor Department, FBI accountants stumbled across a mysterious $20,000 check for cash issued by the Bechtel Corp. in 1963. The name on the check was that of Basel C. Licklider, a Bechtel employe.

The Justice Department subpoenaed Licklider to testify before a special grand jury in May, 1966. A day before he was to appear, his lawyers revealed that Bechtel, acting for Colonial, had conveyed $60,000 in cash to Mayor Zirpolo and Council President Jacks.

With this startling new phase of the investigation opened up, the Justice lawyers learned a month later that another $50,000 had been paid to the Woodbridge officials in 1964 through the Rowland Tompkins Co.

As the investigation continued, two facts were established:

That the $50,000 paid to Jacks and Zirpolo in 1963–64 had obtained for Colonial a building permit for 22 big storage tanks in Woodbridge.

That the $60,000 paid in 1964 got for Colonial vital pipeline easements through five city-owned lots in Woodbridge.

The question then became a matter of definition. Was the money a "bribe," a "political contribution," or a payoff to extortionists?

The lawyers involved argued all three versions to the jury.

Stern, the 32-year-old prosecutor, said that "rarely if ever has the United States been able to prove such a deliberate, knowing, intentional and willful flouting of the laws . . .

"Let me suggest to you the reason that these cases are so rare is because the men don't often get caught . . . the reason they don't get caught is because generally they hide it too well, and if you doubt it . . . look how well it was hidden in this case," he said.

John E. Toolan, a former New Jersey State Senator representing Jacks, said the "story in capsule" is that "elections in this Nation are run with cash in every municipality, in every county, and everywhere along the line." He continued:

". . . their is nothing in the law that says that a man can't receive a contribution, a political party can't receive a contribution . . .

"How do you think political campaigns are run? Did you ever try to hire a poll worker or a car or get a babysitter for somebody to go out to vote, and think you can pay them with a check on Election Day?"

". . . political parties spent $35 million in the last election . . . Do you think all that money came in checks? Do you think they paid all their bills in checks?

"Every political party must have someone in it who has the capacity to raise money ... Bob Jacks was that person in the Woodbridge political organization ... Now, this is an oil company coming through. He has to raise money either by going around and sandbagging local people, or you get it on a one-shot deal with some big asset that is coming through, and you take advantage of it . . .

"You know, this pipeline business is a tough business . . . You have to buy or acquire by condemnation, by book or crook, rights of way ...

"These right-of-way men . . . have to get people to give them things that people don't want to give them . . . I don't want to do any injustice, but I don't think you can get a job as a right-of-way man for any oil company unless you had calluses on your conscience because you have to go in and get the job done."

Simon H. Rifkind, a former Federal Judge whose newest partner is Arthur J. Goldberg, the former United States Ambassador and Supreme Court Justice, represented the former Colonial president, Leuty.

Praising Leuty, who now is 66 and retired, as a man of "superlative" character, Rifkind tried to show that the executive had been the victim rather than the perpetrator of a crime:

". . . Leuty authorized the payments . . . because he honestly believed . . . that he and his company were threatened with massive injury, amounting to a national disaster. . . . He considered the consequences of having . . . this great project brought to a halt and decided that the consequences were unendurable, as indeed they were, and he capitulated. . . .

". . . all of the evidence showed conclusively that what Leuty and his people tried to do was to prevent the officials of Woodbridge from acting dishonestly and illegally. . . .

". . . because he did make an honest decision, he did not commit bribery. He did not intend to commit bribery . . .

"Supposing . . . your house was burglarized, do you think we ought to punish you? . . . is that the way we are going to stop crime in this country?"

Rifkind said that representatives of the nine oil companies had entrusted Leuty with the $400 million pipeline project "because his reputation was as stainless as the very reputation of this Colonial Pipeline is stainless." He identified the owners of the oil firms as "more than one million stockholders, men, women, children, widows, orphans."

Rifkind pleaded with the jury of eight men and four women to lift the heavy burden that events had, for five years, put on "this great, good and creative man" and "to let the sunshine of truth dispel the shadow of this unwarranted accusation."

And, he told the jury, "Yours will be the glory when you wipe the tear off his lovely wife's cheek.

The $110,000 came to Colonial in three installments—$20,000 and two of $15,000 each—for the building permit for the storage tanks, and three more—each of $20,000—for the easements for the pipeline.

The situation began in 1963 when Colonial was trying to meet a deadline of January, 1964, for completing the world's largest pipeline. (Largely because of resistance in Woodbridge, the deadline was not met and the job was not finished until 1965.)

On Aug. 16, 1963, Fred Stewart, Colonial's right-of-way manager for New Jersey, went to see Mayor Zirpolo.

Zirpolo cited intense public opposition to construction of any more storage tanks in Woodbridge and advised Colonial not to seek a building permit.

Stewart and Zirpolo agreed that, above all, what had to be avoided was a public hearing on the desired permit. Such a hearing was required by law.

Stewart testified that Zirpolo told him to go see Jacks, then a stranger to him, at Metro Motors, Jacks' used-car lot.

There, Stewart said, Jacks told him, "You have got to have friends on the Council—friends that will be able to pass this permit for you over the objections of the people."

Stewart left, phoned Atlanta and made a report to Jack Vickery, counsel and a vice president of Colonial.

Stewart told Vickery that Jacks wanted a $50,000 "campaign contribution" for the permit. But Vickery advised him, Stewart said, "You can't do it. It is illegal—you can't do it, it's illegal—under both Federal and state law."

At the trial, however, then construction manager and now vice president Glenn H. Giles testified that Colonial's subsequent decision was to pay the $50,000—and the later one for $60,000 for the easements—through contractors, "because we preferred not to get . . . Colonial Pipeline Co. involved in this" any more than was "absolutely needed."

The first payment for the permit was handed to Jacks on Nov. 7, 1963—two days after he and the Mayor were re-elected on a platform of "Tanks, No Tanks."

The second installment followed issuance of the building permit. The third was paid after Colonial got a certificate of occupancy. Colonial made all three installment payments through Rowland Tompkins Corp.

The three $20,000 payments for the easements—made in three successive months starting in October, 1964—were handled for Colonial, by the Bechtel Corp. and the Gates Construction and Gates Equipment Corps. of Little Ferry, N.J.

The Bechtel and Rowland Tompkins Corps. said that in acting as conduits for the payments they had assumed they were on innocent missions. But to give credence to this contention the jury had to believe testimony such as this from William L. J. Fallow, a Bechtel employe:

Following a conversation with Jacks at Metro Motors, Fallow phoned Bechtel vice president Harry F. Waste in Vancouver and Colonial's construction manager, Giles, in Atlanta. Then Fallows flew to San Francisco. He returned with 200 $100 bills obtained from Basil Licklider, the Bechtel employe whose name was on the $20,000 check which broke the case.

Fallow next went to a motel room to count out the cash. Then he drove to the Menlo Park Shopping Center in Edison Park, N.J., where the Mayor has a private office. There he met Jacks. Fallow gave him the money. Jacks put the $20,000 into a desk drawer. No receipt was requested or offered.

After taking Fallow through this step-by-step recital, prosecutor Stern asked if his testimony at that moment remained what it had been—"that it was your understanding that that $20,000 in cash was going into the Woodbridge city treasury?"

"Yes, sir," Fallow answered.

For the pipeline easement, Colonial executives Leuty and Feldman told the grand jury that Jacks and Mayor Zirpolo solicited $100,000. But Leuty arranged for negotiations in which this sum was reduced to $60,000.

The resulting transactions involve elaborate techniques of concealment, including fraudulent invoices, fake bonuses and the use of checks much larger than the three actual payments of $20,000 each.

Because the sums paid to the contractors for distribution among the Woodbridge officials were declared as income on their books, Colonial had to give the contractors more than $220,000 to cover taxes on the alleged income.

One of the $20,000 payments for the easement was handled by Robert L. Bowman, a Bechtel construction manager, and Robert S. Gates, president of the two firms bearing his name.

Gates testified that he wrapped the $20,000 in $10 and $20 bills, in a newspaper and met Bowman at an inn. Bowman counted the money out on a bed, put it in an envelope and gave Gates a check which, because, of the tax factor, was for $42,000. (The discrepancies between the actual cash payments and the check amounts added to the investigators' difficulties in building their case.)

The men lunched. At Bowman's request, Gates accompanied him to the Menlo Park Shopping Center. There Bowman introduced him to Jacks.

"He told me he was in the automobile business," Gates told the jury. "He gave me his card and told me if I was buying any automobiles or something like that to look him up, and then we gave the money to him, put the money on the table, to the best of my knowledge, and Bowman had his briefcase and handed me the envelope and instructed me to give it to Mr. Jacks. I put it on the table and Bowman left and I went out after him."

Explaining how Rowland Tompkins happened to have conveyed three payments for the building permit, lawyer Joseph E. Brill told the jury that president Howard Tompkins, vice president Ralph A. Bankes and the late Roy A. Murphy, merely had performed a check-cashing service to help Colonial get money to Jacks.

The jury deliberated three days before returning its verdicts.

Colonial Pipeline was convicted on all nine counts in the indictment. (Its counsel, Warren W. Wilentz, was the Democratic candidate for the U.S. Senate last year but was defeated by the incumbent, Clifford P. Case. Wilentz's father, David, who played a major defense role for Colonial early in the case, is the Democratic National Committeeman from New Jersey.)

Jacks and Colonial executives Leuty and Feldman were each convicted on the two conspiracy counts—one for use of interstate mails, phones and travel to get the building permit by bribery, the other to do the same to get the easements.

The Bechtel and Rowland Tompkins firms were convicted on one conspiracy count each.

The indictment contained seven substantive counts, each involving an interstate trip to deliver cash for the permit or the easements.

Jacks was convicted on one of these counts, Bechtel on one and Rowland Tompkins on four. In addition, each of the Gates firms pleaded guilty before the trial to one of the substantive counts.

Mayor Zirpolo, who became ill early in the trial, faces a separate prosecution. His counsel is Edward Bennett Williams.

Colonial's Giles, who was promoted from construction manager to vice president, was, like Zirpolo, indicted on all nine counts.

But before the trial started on Nov. 13, the Government severed him from the trial in hopes of eliciting testimony against the other defendants. However, he invoked the protection of the Fifth Amendment against self-incrimination and refused to testify. Attorney General Ramsey Clark then wrote a letter requesting that Giles be exempt from prosecution.

After the prosecution submitted the letter to the trial judge, Reynier J. Wortendyke Jr., Giles was compelled to testify for the prosecution.

The indictment named as conspirators but not as defendants seven officers and employes of the contractor firms involved in the payments—Banks, Bowman, Fallow, Gates, Murphy, Tompkins and Waste.

The motion for a new trial comes two years and one day after the indictment was returned.

Each defendant faces a maximum penalty on each count of a $10,000 fine. In addition, each individual defendant could be imprisoned up to five years per count.

The Criminal Establishment at Your Service

("Theft of the Nation: The Structure and Operations of Organized Crime in America." By Donald R. Cressey. Harper & Row, 367 pp. $6.95.)

(By Nicholas Pileggi)

Donald R. Cressey, a dean at the University of California at Santa Barbara and an author of the report of the President's Task Force on Organized Crime, has just completed one of the best-documented and most comprehensive studies of the structure and procedures of organized crime in America, entitled *Theft of the Nation*. Early in the book, and with no tentative apologies, Cressey makes it very plain that organized crime exists in America because millions upon millions of the nation's law-abiding citizens demand the illicit goods and services that crime supplies and because widespread municipal corruption fosters its growth. "The operation of organized crime," Cressey writes, "should never be referred to as the operations of the 'underworld.' The activities of Cosa Nostra members are so interwoven with the activities of respectable businessmen and government officials that doing so directs our attention to the wrong places. More than one Cosa Nostra lieutenant is only a telephone call away from a governor's office."

Sometimes they are just a table top away from the very Senators who are supposed to be investigating organized crime. As Peter Maas noted in *The Valachi Papers*, his fascinating and refreshing look at this national malaise, Valachi was requested by Senator John McClellan of Arkansas to "please skip any mention of Hot Springs" (then a notorious town in the Senator's home state) during his televised congressional testimony. Fears of offending voters and of losing constituencies are poor weapons for fighting organized crime, and yet the White House itself was pressured into ordering the Justice Department to rescind its approval of Valachi's book. Maas's stubbornness and Cressey's expertise, however, have led them into corners of a national embarrassment that are generally untouched. They both present a criminal establishment that is much more than a collection of bull-necked thugs in wide-brimmed hats, a facet of American life that is more characteristic than aberrant. The child of Prohibition, organized crime remains powerful simply because there are still many services only it can provide.

The national demand for gambling (estimated as high as $50 billion annually), the businessman's need for cash when the banks turn him down, the manufacturer in search of a labor "accommodation" and the union leader in search of a businessman to squeeze to insure his own position—these are not the manifestations of organized crime, but the everyday, knee-to-groin antics of America's free enterprise system at work. Yet, these are precisely the areas of connivance where organized crime and the business community hold hands.

Cressey, who obviously had access to extraordinary information as a member of the President's Commission, has filled his book with fascinating transcribed tapes of conversations between Mafiosi, police and legitimate businessmen. His detailed analysis of just how the Mafia's gambling and loan shark operations work, from the lowest street corner functionary to remote administrators, is as complete as has ever been published. The anecdotes he recounts give good insight into the byzantine working order of things on the street:

A hotel owner involved in some illegal operations not involving Cosa Nastra was being shaken down by men who were not Cosa Nostra citizens. His brother-in-law, who was not involved in any illegalities, happened to be acquainted with three Cosa Nostra soldiers. He asked the Cosa Nostra men to see that the extortion stopped. They did, apparently as a mere favor to their friend. But some time later the extortionist gave the hotel man another whirl. When the soldiers heard about it they killed him, perhaps to show that they were not to be defied. Neither the hotel owner nor his brother-in-law was consulted. A few years later the Cosa Nostra friends killed a man over a matter that was entirely unrelated to the hotel owner. They were indicted for murder. At the trial, the hotel man provided a false alibi for them by saying they were with him at the time of the murder. He had to perjure himself or be killed. He was one of them.

Seldom do citizens become involved with organized crime by accident. Police, who Cressey claims are the least effective of all Mafia enemies, are constantly wooed and won by organized crime. Cressey includes the testimony of a West Coast police official before the President's Commission describing a bookmaker's attempt to influence him.

"These people really work on you," the official said. "They make it seem too logical—like you are the one that is out of step. This bookie gave me this kind of line: 'It's legal at the tracks, isn't it? So why isn't it legal here? It's because of those crooks at the capital. They're getting plenty—all drivin' Cads. Look at my customers, some of the biggest guys in town—they don't want you to close me down. If you do they'll just transfer you. Like that last jerk. And even the judge, what did he do? Fined me a hundred and suspended fifty. He knows Joe Citizen wants me here, so get smart, be one of the boys, be part of the system. It's a way of life in this town and you're not going to change it. Tell you what I'll do. I won't give you a nickel: just call in a free bet in the first race every day and you can win or lose, how about it?' "

Cressey makes it clear that in almost any town of 75,000 or more a large number of the city's police and political figures have been corrupt almost continuously for a period of over thirty years.

The Chief Justice of the United States, Earl Warren, like everyone else who is knowledgeable about organized crime, "believes that the basic problem of organized crime is a problem of political corruption."

The problem of organized crime, according to Cressey, is far too important to be left to the police alone. "The ruler of an organized-crime unit," Cressey writes, "whether it be an entire Cosa Nostra family or a thirty-man lottery enterprise, has three classes of enemies—law enforcement officers, outsiders who want his profits and underlings. Of the three groups, the law-enforcement agencies seem to be the least threatening."

EULOGY TO THE LATE SENATOR BARTLETT

Mr. SPONG. Mr. President, I was out of the country on committee business last week when the Senate paid tribute to the life and service of our distinguished former colleague, Senator E. L. "Bob" Bartlett, and I want to associate myself with the remarks made at that time.

Senator Bartlett's contribution to the Senate and the Nation in merchant marine affairs will long be remembered, and I shall miss his counsel in that area of mutual interest. His kind and cooperative manner to newer members of the Senate typified his unfailing courtesy. The Senate was fortunate in having the benefit of his long and devoted service.

Mrs. Spong and I were saddened by his passing, and extend our deepest sympathy to Mrs. Bartlett and the family.

WHERE DO WE GO FROM HERE?

Mr. HATFIELD. Mr. President, some weeks ago the Hearst newspapers ran a series of articles entitled, "Where Do We Go From Here?" America's problems and potential were discussed by a distinguished group of citizens including Senators JOHN SHERMAN COOPER and EDWARD KENNEDY and the able Governor from Oregon's neighbor State, Daniel Evans.

I would like to call special attention to the views on foreign affairs expressed by Senator COOPER. Although his statement was necessarily brief, it is an important contribution to the growing consensus that U.S. foreign policy commitments must be reexamined. I agree most emphatically with the Senator's proposal that the executive and the Congress and the people be provided with "the opportunity to determine, in advance, under what conditions we should commit our military forces." As the Senator correctly points out:

> The deployment of large American forces on the territory of another country, even in peacetime, increases the danger of an American engagement, for if they are fired upon they must be defended and our national honor becomes an issue. This is the lesson of Vietnam. The manpower of the United States should not be committed to the territory of another country without the approval of the Congress.

I ask unanimous consent for the inclusion of this series of articles in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

Where Do We Go From Here?

We are passing through a strange, turbulent period in our history—riots in our cities, crime in our streets, revolt among our young and a tragic war far from our shores.

More Americans are concerned about the future of their country than at any time in this century. But I, for one, am not pessimistic about our future.

I do not share the view of some that this Republic, which has achieved so much in less than 200 years, is either doomed or damned.

The American people and their leaders always have been able to rise above adversity, to solve their problems, defeat their enemies and move on to greater accomplishments.

In my lifetime, we have conquered diseases that forced previous generations to live in fear and danger. We have made important—if long overdue—strides toward guaranteeing equality of opportunity and justice to all citizens, regardless of race, religion or ethnic background.

Four times in this century, we have sent American boys abroad to fight aggression and in the last 20 years we have channeled our resources of manpower and money into the rehabilitation of nations in Europe, Asia, Africa and Latin America.

We have led the world in the fight against poverty illiteracy, disease and hunger.

Yet, much remains to be done and I think we would be deluding ourselves if we sat back complacently and counted our achievements without recognizing our shortcomings and our problems.

It no longer is sufficient to report that we are the most powerful and affluent nation in the world, with a gross national product approaching the trillion dollar mark.

We must determine how better to utilize our affluence and productivity to correct the wrongs that exist within our society and to promote peace in the world.

We cannot be satisfied with a society from which the young, the black, the American Indian, the Spanish-speaking and the poor feel alienated. Nor can we be satisfied with a world in which war, hunger and poverty are constant threats to life.

Because this is such a time of searching, the Hearst Newspapers asked a group of outstanding citizens to explore the problems that confront us and project "where we go from here."

I am proud to offer this series of articles to Americans everywhere in the hope that the ideas propounded by the contributors will help us move toward tomorrow with greater enlightenment.

William Randolph Hearst, Jr.

Problems of the Cities

(By Joseph Alioto, Mayor of San Francisco)

The destiny of our nation is shaping in our cities.

Whether the United States continues to be a great and prospering democracy is being determined in the crowded streets of New York, Boston, Chicago, Dallas, Los Angeles, San Francisco and other major cities.

Right now, historic currents are on the move which will determine whether the nation divides irrevocably into hostile racial camps, whether the nation's young withdraw into the twilight world of drugs or into the bloody one of street rebellion.

Monumental decisions are taking form this very minute, and no American can avoid their implications to him personally.

The nation's cities burst with problems—and with hope—and the call is clear for action on many fronts.

Cities alone can't cope with the problems that, if unchecked, can burn them down, and with them the dreams and aspirations of the whole nation.

State and federal governments are removed from the firecracker string of exploding crises that daily rattle in city halls. Yet state and the federal government rake off more than 85 percent of the taxes raised in the cities, leaving cities in second class citizenship to deal with their needs. City revenues are inadequate for police and fire protection, garbage collection, street repair and other traditional services, let alone the urgent social programs for better housing, expanded education, and the rest.

The problems of the cities are not the exclusive concern of government. There must be total community mobilization. Business must recruit and train ghetto residents. Churches must crusade for social justice. Civic groups must champion constructive change in tax laws so that the weight of urban changes does not fall increasingly on homeowners.

Suburbia must be enlisted in the battle to save the cities—regional taxes or commuter payroll taxes will contribute toward vital big city services.

Above all, cities must involve all their residents in an adventurous coalition for achievement and excellence. This should have special appeal to youth.

The Peace Corps and other volunteer programs have demonstrated the constructive dynamism of the nation's young, and this force increasingly must be brought to bear on the problems that threaten our cities. The vote should be given to 18 year-olds.

Militants who seek change though nonviolence should be brought into the chain of decision-making, and not isolated and forced into alliance with the lawless and anarchic. The strutting militarism of the Black Panther and other movements has little appeal if genuine progress is being made toward social justice.

Always, city government as a central and unifying agency, should reach out and open lines of communication and participation to all possible groups. City Hall must never be the isolated citadel of a smug establishment, but should be one of many places where city officials can meet with concerned citizens. Neighborhood halls, churches and schools can be just as forceful a fulcrum for decision. The problems on which the fate of cities hang are many, but the following burn with incredible urgency:

Maintaining a social equilibrium of a city. Middle-income families are moving in increasing numbers to suburbia where housing is cheaper and more attractive. Cities are left to the poor and the rich. This tide must be stemmed by inventive housing programs, by equitable taxes that will relieve the homeowner, by providing the most in modern education.

Law and Order. Crime soars, symptomatic of the deep unrest in the cities. Law and order comes not from repression, but depends on three inseparable pillars—vigorous enforcement, enlightened community relations, and an unrelenting war on the social evils that breed crime.

Police are doing a heroic job in the face of enormous provocation. They must be given pay and training commensurate with their duties. They must receive modern computers and communication equipment so they can deploy more swiftly and effectively in high-crime areas. And, above all, they must receive the backing of all citizens.

There are two areas of law enforcement that require special attention:

1. Drug abuse. Too many young people are indulging themselves in the indolence of narcotics. A national commission should be set up—either by the President or the Surgeon General—to study why youth turn to drugs and how they are affected physically and psychologically. Furthermore, medical and community service organizations must be mobilized to treat persons who have plunged into the world of drugs.

2. Civil disorder. Dissent must be protected, but violence must be quickly controlled with whatever force is needed. Public officials must make clear the distinct line between forceful advocacy and raw force. The principle is impregnable: anyone can say what he wants, no matter how unpopular, when he wants. But no one has the right to block a street, seize a college administration building, or disrupt a meeting.

Freedom to Act. Cities must be free to enact legislation for their own well-being and protection. They should not be deterred from acting on their own problems—whether they relate to weapons control, taxes, civil disorder, pornography or other matters peculiar to cities—on the theory that state or federal legislation is preemptive.

Tax reform. The property tax no longer can continue to support the increased costs of local government. Distinction must be made between income property and non-income residential property, and taxes must be developed that are more equitably related to ability to pay.

Urban funds. Local taxes alone aren't sufficient to meet city needs, and will require massive federal, state and especially private assistance to accelerate needed programs particularly in low and moderate priced housing. Furthermore, the federal and state governments must share large portions of their revenues with cities. Revenue should be shared directly with cities based on a per capita formula adjusted to recognize the tax effort and revenue needs of individual cities.

Social action. Truly monumental programs, of the scope undertaken when the nation is in great peril, must be mounted against bad housing, inadequate employment and inferior education. These are evils that deny equality of opportunity.

Heritage of Beauty. Cities must preserve their beauty and that sophisticated climate of culture that attracts the artists, the creative man and the man with ideas. Historic buildings must be retained, and parks must be allowed to flower and should not be sacrificed to freeways. At least that's the attitude in San Francisco where the views and vistas are the inalienable birthright of all their residents.

The list of priorities may be endless, but no city will make progress against her problems unless she can count on two overriding and paramount factors—vital economic growth that opens jobs and opportunities and orderly government that allows all to speak and no one to obstruct.

The goals stand beyond narrow partisanship, and the pressure for their achievement builds forcefully in every city—and applies equally on whomever sits in the White House. President Nixon will have to confront them just as vigorously and as conscientiously as has President Johnson.

There is a dream in the cities as old as this nation. It is this—to give every American an equal opportunity to achieve the best of the human experience, in accordance with his or her capacity in an urban environment that is at once peaceful, harmonious, beautiful and healthful.

Foreign Affairs

(By John Sherman Cooper, Senate Foreign Relations Committee)

In suggesting the immediate tasks and future trends of American foreign policy, one must take into account the fact that President-elect Richard Nixon will make the decisions upon issues as they arise—at times in consultation with the Congress—and that he will set out long-term policies and goals for our country.

Nevertheless, it is important that private citizens and members of Congress give their views, for our foreign policy must express the will and have the support of the people. Although my views cannot be comprehensive, I would like to emphasize three urgent tasks:

First, and of critical importance, is the settlement of several dangerous situations in the world which continuously threaten war, with the possibility of an American confrontation with the Soviet Union, and nuclear catastrophe.

The second task is to examine means to avoid future military engagements throughout the world, unless it is determined by both branches of our government to be clearly in our national interest and within the scope of our national resources.

Third is the imperative task of reducing the arms race, and of fostering peaceful associations throughout the world, if we are to have any reasonable and positive hope of a stable and peaceful world.

Since World War II, the United States has grappled with situations of danger all around the world. They remain unsettled—the war in divided Vietnam, the potentially explosive situation in the Middle East, the problems of a divided Korea and China, and the security of Western Europe and the United States under the NATO shield. It may be argued that as the United States has maintained a constant and fairly successful policy toward these problems, no radical changes are required. But new developments have occurred in all of these situations in the past year. There are new necessities, and new opportunities to deal with them now in a more radical and effective way than in the past.

The war in Vietnam remains the most troubling issue. Great credit is due President Johnson for his unselfish initiative, in ceasing the bombing, as many of us advocated in order to bring about talks in Paris, and we hope that progress will be made during the remainder of his term. Advances have been made, and if North Vietnam and the National Liberation Front will discuss with the United States and South Vietnam matters of substance, and if the level of fighting is reduced by the North Vietnamese, true negotiations and a settlement may be reached.

If progress is not made in Paris and the heavy fighting continues, I would urge, as I have in the past, that the United States take the initiative in proposing that the Vietnam question be referred to a reconvened Geneva Conference.

Such an initiative would determine whether the Soviet Union is genuinely interested in a settlement, and whether Communist China's recent statement about coexistence has any substance. A reconvened conference should include all the Southeast Asian countries and the National Liberation Front, and would provide an opportunity for a settlement of the problems of the entire area as well as Vietnam. The participation of the United States, the Soviet Union, Communist China and, I would hope, France, would give authority for the establishment of an effective international body, backed by these powers, to supervise and to assist in implementing the terms of any settlement.

But whether from the Paris meetings, or a reconvened Geneva Conference, a final agreement emerges for free and adequately supervised elections in South Vietnam, I would consider that the United States had performed its full duty, that the securing for South Vietnam the right of self-determination of its form of government and institutions, and that our country could then honorably withdraw its forces.

We know that President-elect Nixon will support strongly negotiations for an honorable political settlement. As he is not committed to any particular formulation for a settlement, or to the support of any personality in South Vietnam, he enjoys the freedom to lead in the formulation of a settlement through which the processes of self-determination may be commenced.

The second obvious area of danger is in Europe. The deployment by the Soviet Union of ten divisions in Eastern Europe during and before its invasion of Czechoslovakia, increasing its forces to 32 divisions, upset any assumed balance of power between the NATO and Warsaw Pact forces.

Implications of the invasion were made more ominous by the statements of Soviet leaders and Pravda, claiming the right to intervene in the affairs of nations within the "socialist commonwealth" in the name of the "class struggle," whenever the Soviet Union determines to do so. It is a declaration of policy unknown in any concept of international law. It raises serious questions about the stability of Soviet leadership, and their intentions toward the areas protected by the North Atlantic Treaty Organization, and the nearby states of Rumania and Yugoslavia.

The purpose of NATO is essentially defensive. Its objectives are to maintain forces sufficient to deter military aggression by the Soviet bloc and to meet and restrain an attack if it comes. But its purpose also is to provide the security necessary to seek detente with the Soviet bloc and the eventual settlement of the issues left from World War II.

The immediate and urgent task of the United States and its NATO partners is to restore the credibility of the NATO mission.

I have obtained an estimate from our Defense Department and I believe it is the first made public of the cost of maintaining our forces in Europe, including the Sixth Fleet, and backup forces in the United States. It is in the neighborhood of $12 billion annually.

Despite this vast expenditure the United States must continue to improve the quality of its ground forces, but the test of NATO's future lies with our allies who have never met their military requirements. Mr. Nixon has indicated that he will insist strongly that our NATO allies, who for the most part are quite prosperous, take the required steps to increase their strength, manpower, training, equipment, and reserve forces. Unless our NATO allies take these steps, I foresee opposition in the United States to the continued presence of our forces in Europe.

To prevent future involvements such as Vietnam, the Executive and the Congress should examine critically the multi-lateral and bilateral security agreements to which the United States has become a party since World War II—the essential party, since its major allies, Great Britain and France, are disengaging themselves from many burdens of responsibility.

I do not propose that the U.S. abandon constitutional agreements essential to our security, but I do propose that we find out to what degree—whether by treaty of executive agreement—the United States has committed itself to provide assistance, and particularly troops, to the defense of other countries. We should know if these agreements are constitutional, are in the interest of our national security, and within the capabilities of our resources.

Generally, the agreements require that in the event of an armed attack upon a party to the treaty, the other signatories will assist in meeting the danger "in accordance with its constitutional processes." The term "constitutional processes" is not defined, but it should mean congressional approval.

The deployment of large American forces on the territory of another country, even in peacetime, increases the danger of an American engagement, for if they are fired upon they must be defended and our national honor becomes an issue. This is the lesson of Vietnam. The manpower of the United States should not be committed to the territory of another country without the approval of the Congress.

These suggestions do not restrict the constitutional powers of the President—his authority to dispatch forces to protect American lives and property, to defend our troops, and to defend our country. But my proposal would provide to the Executive and the Congress and the people the opportunity to determine, in advance, under what conditions we should commit our military forces.

I believe that my suggestions are in accord with the statements of the President-elect. For if one reads Mr. Nixon's statements closely and in connection with his plans to "review our commitments," he makes a distinction between the defense of the United States and the defense of a region, such as the NATO area and the western hemisphere, on one hand, and becoming involved militarily in other areas which are not in the scope of our security interests or within the capability of our resources.

A further step should be taken to reduce tensions and the chance of war between the divided countries. The time is near when we should support the admittance of North and South Korea, North and South Vietnam, and of Communist China to the United Nations, while continuing our support of the membership of Nationalist China.

The United States has discharged faithfully its obligations to South Korea on behalf of the United Nations, and its obligations to Nationalist China and to South Vietnam. It is time to transfer at least part of our vast responsibilities to the world community represented in the United Nations. The United Nations could bring to bear on these divided states a considerable influence toward the settlement of their problems, the protection of their integrity as states, and without prejudice to their ultimate reunification.

These immediate tasks and long-range policies which our country must examine and undertake do not suggest any return to isolationism. The United States will look more closely at its capabilities and the purpose of its foreign policy and this, I believe, will bring a larger involvement and appreciation of our people in the development of a more realistic and constructive foreign policy.

They include our commitment to assist our Latin American neighbors through the Alliance For Progress; the strengthening of our ties with Western Europe through support of the Common Market and the establishment of a workable international monetary system; the return of Okinawa to Japan and the strengthening of our naval and merchant marine fleets to deter hostile pressures in Asia as well as Europe.

OUTLOOK FOR THE STATES

(By Daniel J. Evans, Governor of Washington)

The year 1969 promises to be one of great challenge and great opportunity for a rebalancing of the federal system. Ever since the days of the Great Depression, the role of the states in the governmental process has been in a period of decline.

In most cases, this occurred not so much because of a deliberate design by the Federal Government to assume state functions as by the seeming unwillingness and in some instances the inability of the states to solve the problems within their own borders.

A feeling grew up, particularly in the big cities, that any help would be forthcoming not from the states but rather from the Federal Government. Thus, for many years, a close relationship has developed between Washington, D.C. and local governments to the exclusion of any participation by the states.

Although this federal-local relationship along with the vastly increased power exercised by the Federal Government, has been the most significant development in the federal system over the past 35 years, it is now apparent to even the most casual observer that to eliminate the role of the states is shortsighted and a grave error.

Even the current national Administration has come to realize that the states have an important role to play and that they provide a unit of government which is both large enough to do an effective job yet small enough to be close to the people it serves and responsive to their needs.

There has been an increasing willingness on the part of federal officials to listen to state officials and, of equal importance, state officials are taking the time to make their views known. As a consequence of this new approach, the most vital and active part of the federal system can be at the level of state government.

None of this means we should hoist the tired and tattered banner of "states' rights." Usually those who promote this phrase are more interested in inactivity on the part of state government than in asserting any rights of the states. It does mean, however, that if the federal system is to survive and if government is to serve the people, all governmental resources must be applied to the solution of the problems of our country.

Although there are many areas in which great opportunities exist for the states to play a more important role in the federal system, I believe the most significant are in the area of federal-state financing; urban problems and local government; and the unique opportunity we now have for states to become truly innovative and flexible so as to be capable of responding to the particular priorities of individual states.

The present system of federal revenue sharing with the states is through single-purpose categorical grants which go only to specific programs. These grants are generally hedged in by federal restrictions and regulations and many times are not responsive to a state's needs.

I believe it is essential that we develop a better way of sharing federal revenues and revenue sources. This can be accomplished both through the Federal Government giving up some of its tax sources so they can be assumed by the states and by returning a portion of the federal income tax to the states in the form of block grants rather than categorical grants.

Funds which would come to the states in block grants for broad, general purposes—such as health, education, public welfare—would allow the individual states to make the decisions as to how the money should best be spent.

By using block grants and by giving states the direct use of some federal tax sources, we not only allow a better use of resources by the states but also avoid the danger of federal rules which search for the lowest common denominator in their application, which often tend to stifle state initiative, and which do not allow state solutions that may be an improvement on the federal standards.

I believe states must exercise greater concern for urban problems and improve their relationship with local governments. For too long, the states have forced local governments to seek federal aid, primarily because of the default of states to help with local problems. As a consequence, many local governments have built up a distrust of the ability of states to function adequately in helping to solve their problems.

I believe with the sizable preponderance of Republican governors, that there will be an increasing drive on the part of states to work both directly with local communities in helping solve their problems and to see to it that both state financial aid and legislation to authorize local sources of financing is made available.

Their position between the Federal Government and local governments allows the states to perform a unique function. Because of their size, they are far better able to coordinate activities at the local level, yet at the same time they are large enough to work together and with the Federal Government to help manage national goals.

With specific reference to urban affairs, states can assume leadership so that together with the private sector and citizen volunteers it can work to solve the serious social problems which come with urban growth.

Perhaps as important as any specific action that can be taken by the states is the role they can play as 50 laboratories in the art of government. Although many of our problems are nationwide in scope, their solutions are in most instances more readily susceptible to a state and local rather than a federal solution.

Until the advent of the New Deal, the states had been consistently in the forefront of developing new ideas for the solution of social and governmental problems.

I believe this innovative tradition can be recaptured and that in the next four years we will see each of the states working as a full partner with the Federal Government in developing solutions responsive to state and local needs which will be far superior to static and inflexible federal programs and directives which do not take account of local conditions.

But none of this can be done easily nor can it be done without a price.

In my "State of the State" message to the Washington Legislature in 1967, I said:

"If we are not willing to pay the price, if we cannot change where change is required, if we cannot prepare and carry out the programs so necessary to the conduct of expanding state affairs—if these things are not possible then we have only one remaining recourse, and that is to prepare for an orderly transfer of our remaining responsibilities to the Federal Government."

This is the challenge to the states: To meet the demands of orderly change within a vital and growing society. With the new Nixon Administration, with an increased recognition both as to the need for action and an increased regard for its ability to perform, I believe state government will seize the opportunity to become a full partner with the Federal Government, with local government, with the private sector and with citizen volunteers to develop the solutions to the problems facing the people of this nation.

The next four years can show the rebirth of the federal system with the states leading the way.

INVOLVEMENT OF YOUTH

(By Edward M. Kennedy, Senator from Massachusetts)

On a mild spring evening in Indianapolis, during the primary election campaign this year, 22 young Americans sat down to talk.

After riding many hours in buses and sleeping on benches in campaign headquarters, they had spent a grueling Saturday on the sidewalks of the city taking the issues to the people. Now it was time to take stock.

They talked of Republicans who refused to hear them out, of Democrats who would not budge on Vietnam, of black children flocking to pass out campaign buttons, of whites in streets as grubby as any Negro ghetto showing quiet pleasure that an educated visitor wanted to hear what they thought.

The canvassers for Robert Kennedy that I met with that night were engaged in the kind of active political work by young people that characterized this year's primary elections. When they started that morning they had been novices. The next morning they would return to the sidewalks older by more than a day.

At about the same time last spring, another group of young people was pursuing a different course at Columbia University. The issues they held up to the university—construction of a college gymnasium in a Negro neighborhood, Columbia's affliation with a Defense Department research organization—reflected beneath their surface real questions about the right of students to a share in the governing of their school.

The Columbia protest added up to the occupation of five campus buildings, the ransacking of administrative offices, and a bloody confrontation with police with more than 100 seriously injured and nearly 700 arrests.

It would be comfortable to conclude that the young folks in Indiana were working responsibly within the established system while those at Columbia were working irresponsibly against it.

It is more important to realize that both were working for what they believed in. One group hoped positive efforts would be effective; the other had concluded that they wouldn't.

The distance between confidence and futility is growing small with American youth today. Some believe our society will always work, and some believe it will never work again. Most, I suspect, are in the middle.

Today's young people don't share the historic guideposts of their elders. They did not know the mobilization of resources and patriotism brought on by the two world wars. They did not feel the comradeship of disaster created by the Great Depression. They were too young to grasp the national fear of global communism in the early 1950s.

They are spared the emotions of the past. They come to us with fresh vision. And with all the right questions.

They want to know why the war to preserve the freedom of South Vietnam kills or injures more than 200,000 civilians of that country each year.

They want to know why, with the United Nations more than 23 years old, the world is stockpiling nuclear weapons, enough to destroy civilization several times over.

They want to know why Negroes can fight in America's wars but often can't live in America's suburban neighborhoods.

They want to know why, in the wealthiest and most highly educated society in history, the poor are expected to break out of the ghettoes with no money and no education.

The young are told, "It's much better than it used to be." And they reply, "But why is it still as bad as it is?"

They are not only asking disturbing questions. They are also suggesting to America that the legacy they will inherit is worth saving, but not by much.

To say that the younger generation is going to the dogs is not only foolish but futile. For one thing, whatever the young choose to be is a reflection of what their elders have taught them to be, by direction or by neglect. For another, writing off the young is like saying that our nation will come to a noble but sad end in 30 or 40 years.

The way to appeal to the young is not to deplore them, but to put faith in them. The Peace Corps put faith in them, and they responded. VISTA put faith in them and they responded. The Teacher Corps put faith in them, and they responded.

For there is no question that the young people of today are a remarkable generation.

They are independent and skeptical and confident. They look at the world with the characteristic honesty of the young, and what they find does not inspire them.

This year they put their remarkable abilities into politics. They worked for their candidates from New Hampshire to California. They took their civics lessons at face value, believing that a democracy could function only if everyone participated. And they brought to the political process far more energy and dedication than most of their elders ever had.

In Chicago, they felt, their hopes had turned to ashes. Outside the convention hall the young demonstrators were being battered and beaten. Inside, the mandate for change that they fought for and won in every primary election was being voted down in the platform committee and on the floor.

But although the young people in their urgency thought the battle had been lost, on measure it had largely been won.

Their conviction had helped bring the nation face to face with the tragic nature of the Vietnam war.

Their hard work had helped demonstrate that politics really can work at the grassroots level.

Their skills had helped convince the Democratic convention to institute reforms which will open party processes to the young in the future.

And their example had helped persuade the White House and both presidential candidates that the young have a definite and valuable role in government.

Americans who have always preached the virtues of democracy without practicing them should take note. Americans who have never rung a doorbell for a candidate or given an hour's time for an issue should think again. Their children evidently believe what they have learned about participation and individual responsibility and the ability of one person to influence society.

Early this year, before a college audience, Sen. Robert Kennedy characterized the spirit of youth:

"It does not accept the failures of today as a reason for the cruelties of tomorrow. It believes that one man can make a difference—and that men of good will, working together, can grasp the future and mold it to our will."

It is apparent that the young people of today believe they can grasp and mold the future.

So the question is not, "Where are our young people going?" But rather, "Can we keep up with them?"

THE NATIONAL ECONOMY

(By Prof. Paul McCracken, appointed to be Chairman of the Council of Economic Advisers)

The performance of the U.S. economy in the decade ahead must come close to matching the best of this century, if it is to be an era of reasonably full employment. That was decreed early in the postwar period when those now of the "middle generation" decided to have that large crop of postwar babies.

The figures are impressive. In the last decade (the 1950's) the labor force was increasing by 740,000 per year. In the 1970's, on whose threshold we are now standing, the nation's work force will be growing by close to 1.5 million each year. Clearly the job-creating capacity of the economy must perform far more vigorously than during most of the postwar period, or during our history going back for about a century.

If we succeed, the dividends will be substantial. By the end of the 1970's the average family's income, in terms of today's prices, will approach $1000 per month, and our gross national product will be in the $1,500 billion zone, compared with $860 billion for 1968.

There will be no lack of demand for this enlarged output. As levels of living rise, levels of aspiration also rise. With each rise in purchasing power, new things come within our horizons that we had never considered seriously before. To the newlyweds, their aspiration may be owning a home in the suburbs. Once the home is bought, other things come into view—a second car, a cottage at the lake, a trip abroad.

A few (usually quite affluent) social philosophers may worry about what will happen when people's wants are all satiated. This never worries the consumer whose list of things to buy next never seems to get much shorter.

Can we realize this promise in the years ahead; It will all depend on how we handle three major problems of economic policy.

First, we must cool down the recent inflation without producing a large and sustained rise in unemployment. Since 1964 the consumer price index has been rising at a rate which would cut the purchasing power of the dollar 50 percent every 18 years. And during the first half of this year the price level was rising at a 5.7 percent per year rate, a rate which would double the price level every 12½ years.

This cannot be allowed to continue. It is de-stabilizing because mounting inflation-mindedness distorts orderly business decisions. It also is inequitable because it shifts wealth and net worth from the people of moderate means to the wealthy.

Yet a policy of disinflation must be administered delicately to avoid a substantial and persistent rise in unemployment (whose victims are, of course, also those of modest means).

The 1958–64 period proved that we could have price-level stability, but the unemployment rate was unacceptably high. In recent years we have had lower unemployment, but inflation has been unacceptably rapid. Neither was sustainable. The task is to ease the economy over the path of a more stable price level and reasonably full employment.

Whether the technology of economic policy is up to this delicate task is as yet not demonstrated, but this is the problem we face. It is a problem made far more difficult because of over three years of large increases in our price-cost level.

Second, the 1970's could easily become an era of international economic and financial warfare. This must not be allowed to happen. At the end of World War II we set about to build a system that would facilitate the expansion of international trade. This made economic sense. As world incomes grew, products and services available to consumers could also include increasingly those produced abroad. And each nation could more nearly concentrate on what it could produce best. Production became thereby more efficient, and patterns of consumption became richer and more varied. The policy succeeded. During most of this period world trade expanded even more rapidly than world incomes.

In recent years things have not worked out so well. To preserve the formalities of the system, the U.S. has imposed direct controls limiting the outflow of capital to a capital-short world. It has worked out quotas to limit certain imports. It has threatened to curtail foreign travel—just when, to the great advantage of Americans, English was becoming a world language.

There have been recurring monetary crises that have already involved the pound, the dollar, the franc, and the Deutschemark (whose under-valuation has made a major contribution to international financial disorder).

Each nation, to defend its own position, has responded with internal deflation. Yet these must be managed carefully to avoid a round of international deflation, economic stagnation and unemployment.

The international financial disorder of the 1930's made its contribution to the world disarray that erupted into World War II. The nations of the world must not start down that road again.

Finally, we must give specific attention to policies that will assure an ever-widening diffusion of the fruits of progress to all people. There is an essential morality to an economy where the route to success is through performance. Yet we must realize that people begin the game unevenly positioned around the starting line. Some, through inherited wealth or simply from a favorable home environment, begin the race considerably ahead of the starting line. Others—through circumstances that they had no part in choosing—begin so far behind the line that it would be monstrous to talk about equal availability of opportunity. The 1970's must be a decade in which we make a major break-through toward giving all people full access to the social and economic mainstream of our national policy.

Thus the years ahead constitute an era of great economic promise. Whether we realize this potential depends on the ingenuity and candor that we can bring to bear on some formidable problems of national policy.

There is this reassurance. In our nation the optimists have been the realists.

RACE RELATIONS

(By Carl Stokes, mayor of Cleveland)

Toward more progress in eradicating poverty and meeting the challenge of the urban crisis—that is the direction America should go in race relations.

On the federal level, the necessary and desirable legislative steps have been taken in the civil rights area. The speeches have been made, the goals clearly set. But full citizenship is still denied a great many Americans because of the color of their skin.

In my own city of Cleveland, there are 50,000 substandard housing units, many of them occupied by Negroes. The unemployment rate in the Cleveland metropolitan area is less than three percent, but in ghetto areas—both black and white—the jobless rate is as high as 15.6 percent, and one recalls that President Kennedy called a "disaster area" any section of the country where unemployment reached six percent.

In my own city, there are children, many of them black, who go to bed hungry. School attendance rates in the inner-city are poor because families are poor and as a consequence, their children lack adequate clothing to venture from house to school.

What kind of race relations can we expect when there are large pockets of poverty and misery in Cleveland and other large cities? Compassion and understanding are important, but, like rhetoric, they will not serve themselves to elevate race relations.

In the words of the Kerner Commission Report we must turn to "the major unfinished business of this nation—making good the promises of American democracy to all citizens—urban and rural, white and black, Spanish-surname, American Indian, and every minority group."

Progress in race relations is inextricably interwoven with progress toward eradicating poverty. The dignity and pride that only a job with upward mobility and a decent house in which to live can provide are essential to improving race relations, although, for a time, the struggle for dignity and pride may seem to widen the gulf between black and white.

In the cities generally, black citizens are demanding the things they deem necessary to dignity and pride—representation on city councils, representation in Congress, representation on every level of government, economic power so that the Negro benefits directly from the growing Negro market, Negro history in the school curriculum, entrance into the building trades, opportunity in the professionals and in business management.

Thus, the confrontations, the bitterness, often open hostility between black and white. Integration has become a dirty word to some militant blacks, and the sociologists talk about the increased "polarization" of the black and white communities.

Sometimes I am accused of being an incurable optimist, but I do not believe the confrontations, no matter how angry and hostile they may be, mean that race relations are deteriorating and that we should desperately seek some magic formula for avoiding such encounters and for quieting the angry statements.

Instead, I view the encounters, the confrontations, as injecting a necessary note of honesty and realism into an area where heretofore there has been much lip service to brotherly love and knowing your neighbor but insufficient genuine attention to implementing the democratic principles of equal opportunity and equal protection of the law.

Implementing these principles—"making good the promises of American democracy"—will do more for constructive race relations in this country than a century of Brotherhood Weeks, sermons, conferences, and seminars.

We have to demonstrate that the American system—economic, political and social—is viable, flexible and strong, and this can be demonstrated only by substantive progress toward solution of the basic problems of the poor, the disenfranchised and the disadvantaged.

The poor black, like the poor white, wants the opportunity to earn the respect, dignity and pride that come with the opportunity to win the good things of life. And if, given the opportunity, he fails, the failure must be his, not society's.

That is why we in Cleveland, for instance, have established a Department of Human Resources and Economic Development. It will coordinate and assist more than 20 job-placement programs and work to expand and retain business and industry.

We are establishing a network of neighborhood-based day care centers where mothers can leave their children while they pursue gainful employment. In the absence of such facilities, these mothers really lack the opportunity to work and are involuntarily on welfare rolls. Four such centers have received "Cleveland Now!" funds; the goal is 10 and we will reach it.

The Cleveland community relations board checks firms bidding for city business to make sure they are equal opportunity employers, and the city is continuing to put its own house in order with respect to hiring and promotion practices so that we ask nothing of private firms that we are not doing ourselves.

A problem providing money and know-how to expand small business is well under way in Cleveland with unprecedented assistance from many sectors of our community. We have furnished the Greater Cleveland Growth Corporation with $500,000 of "Cleveland Now!" funds so that small businessmen, black and white, can obtain loans or loan guarantees that otherwise might be denied them.

"Cleveland Now!" perhaps it should be explained is a comprehensive program announced early in 1968, addressed to the city's immediate pressing needs in the areas of jobs, housing, neighborhood improvement, health care, economic revitalization and city planning. The first 18-month phase envisions the expenditure of $165 million in federal, state and local government funds and more than $11 million from the private sector. Individuals—from school children who contributed nickels and dimes to a wealthy couple who contributed $1 million—and corporations are ahead of schedule with subscriptions from the private sector.

Small businesses already assisted by the Greater Cleveland Growth Corporation include a soap company, aiming initially at a substantial share of the black market, a furniture store, an electronic parts and service enterprise, and a decal manufacturer.

Technical assistance is furnished by businessmen volunteers, including members of the Harvard Business School Club, and Cleveland banks and the Federal Small Business Administration are cooperating fully with the Growth Corporation.

The 40-member board of trustees is made up of representatives of city and county government, of bankers and businessmen, attorneys and accountants, black and white, so that the two races are working together in the vital task of expanding small business enterprise throughout Cleveland, thereby strengthening the city's economic base and providing additional employment opportunities.

In the housing field, at this writing, we are just about to announce a Community Housing Corporation with a board, also black and white, that will include representatives of the non-profit housing groups already formed with church, union, foundation and business sponsorship. The Community Housing Corporation is to receive a $1.2 million "Cleveland Now!" commitment for its first year and $1.4 million annually for three years thereafter. It will use the funds as seed money to accelerate housing development for low and middle income families.

Toward broadening of opportunities, toward programs assisting the disadvantaged to make use of opportunity, toward dignity and pride for our Negro citizens—this is the direction America should go, not only to improve race relations but also to preserve, strengthen and enrich the fabric of American life.

A TIME OF TRANSITION

(By Robert E. Thompson, national editor, Hearst Newspapers)

The tide of change that has swept across this land in the 1960's will continue to swell and heave into the 1970's—slashing at the old ways of life and destroying some of the orthodox patterns of the past.

When it finally ebbs, and that may not occur until well into the next decade, American society will be as drastically transformed as it was after the Civil War, after the Industrial Revolution, and after the flamboyant Prohibition era.

Those who voted for Richard M. Nixon with the expectation that he could—or would—stem this turbulent tide will not find their hopes fulfilled. Those who voted against Nixon because they feared he would seek to stifle change will not see their anxieties realized.

For President Nixon, even if he so desired, could not stop the dynamic forces of transition that have come into play in this nation in recent years.

The best option open to him—and it is indeed an illusive option—is to keep the momentum of this epic transition within the limits of orderly progress.

Mr. Nixon and the American people may be able to slow the movement of change. But they cannot stop it. Above all, they cannot turn the clock back.

To do so would require mass repression of young people; magical overnight transformation of our cities; return of the Negro to a condition of bondage; rejection of the economic lessons of the last decade, and a blotting of the Vietnamese War from the American conscience.

None of these is possible.

Therefore, the American people and their leaders must accept the fact that the transformations within our society in the recent past form but a prologue to further transformation in the future.

Millions of citizens will be aghast at the prospect that the old traditions and customs—some good, some bad—will suffer further erosion in the days ahead.

Yet, they must understand, first of all, that a sizeable bloc of intelligent, active young people deeply desire change. And, those young people have age and energy on their side.

They want an end to war and the draft. They want the fruits of American progress and productivity to be extended with equality to citizens of all races and ethnic backgrounds. They want to have a voice in the decisions made by their country.

One of the great challenges facing Mr. Nixon is to establish rapport with these young people, to make them feel that they are full-fledged participants in their society.

But whether or not Mr. Nixon is able to achieve this breakthrough, the young, with their own special values and modern concepts, eventually will prevail—simply because they are young and because the United States one day must be theirs.

Civil strife will continue and possibly even increase in urban areas unless drastic action is taken to improve the way of life for city dwellers.

President Johnson set in motion more important programs to benefit the cities than any of his predecessors. Yet, because of rising expectations in a period of unparalleled affluence, the Johnson programs could not keep pace with the demands for dramatic change.

Mr. Johnson sought to do more. And Mr. Nixon may seek to do more. But, despite their lofty objectives, presidents are captives of a Congress that continues to hold the purse strings.

Many members of Congress find it far more popular with their constituencies to support legislation to control the activities of troubled citizens than to support legislation that gets at the root causes of despair and deprivation.

If the transition within our cities is to be made more tranquil, it therefore is up to Congress and to the resources made available by the private sector—business, industry, labor, the foundations, churches.

Congress and the new President also are challenged to hold action on the economic front. They must reduce the inflationary trend within the nation. But, if they seek to return to economic policies practiced prior to the "new economics" of the Kennedy-Johnson era, they could find themselves enmeshed in a new recession—a recession that would further inflame tempers in the ghetto.

For, in this period of violent transition, the poor who dwell in the cities—and who suffer most in times of high unemployment—are not likely to accept a recession with old-fashioned equilibrium.

The problem confronting Mr. Nixon in dealing with young people, Negroes, and the underprivileged is to provide enough hope and incentive to prevent rabid militants from capturing the leadership of these groups.

Not many young Americans are now aligned with the radical elements nor are many Negroes affiliated with the Black Panthers. But if dreams and promises are not fulfilled, the militants will become more powerful.

Finally, there is the change involving America's position abroad. The Vietnam conflict has demonstrated that the people as a whole lack the patience to fight a small, limited war far from their shores.

Since there is a renewed birth of nationalism elsewhere in the world, it seems certain that nationalism—and its corollary, isolationism—will tighten its hold on the United States.

Although Mr. Nixon is an internationalist who will attempt to carry forward the basic foreign policy concepts of the Truman, Eisenhower, Kennedy and Johnson administrations, he will find Congress and the public drawing away from international commitments, both military and economic.

Liberals will argue that money designated for projects abroad can be spent better at home. Conservatives will argue that aid to other nations is a waste of taxpayers' dollars.

Many influential voices already are urging a retreat to protectionism in trade and further diminution of the foreign aid program. It will require both statesmanship and leadership for Mr. Nixon to attempt to reverse this tide, for there may be short-run political advantage to be gained if he were to swim with it rather than against it.

So, the next four years will not be easy—for Mr. Nixon or for the nation he seeks to guide. At all levels of American society, drastic changes are in progress. The great task is to keep those changes within manageable bounds.

ATTACK IN ZURICH EMPHASIZES NEED FOR HUMAN RIGHTS RATIFICATION—XXI

Mr. PROXMIRE. Mr. President, it is most fashionable among some to dismiss the failure of the Senate to act on the Human Rights Treaties as of little consequence. The critics of these treaties say they are only symbolic in nature—devoid of any true substance. The incident occurring last Tuesday in Zurich, Switzerland, the shooting up of an Israel plane, demonstrates just how important it is for all nations to adhere to the norms of international law. These norms can best be reemphasized and implemented through international documents such as the Human Rights Treaties promulgated by the United Nations.

By downgrading the importance of these treaties, the critics can add to an era of lawlessness that seems to be infecting international relations to a greater and greater degree in these perilous times. No individual Senator wants to assume responsibility for lawlessness but we all must look to ourselves. Everyone of us must be prepared to accept a share of the blame if the Senate fails to ratify principles which must be accepted by all nations if international law and order is to become anything but an empty slogan.

QUALITY EDUCATION IS EXPENSIVE

Mr. BAYH. Mr. President, perhaps no phrase has been more overworked than that of "quality education." What college president, school administrator, commencement speaker, or student campus leader has neglected to comment on the heights of performance already achieved or the goals of excellence toward which all must strive. There is unanimity of opinion, not only among the professional educator but also throughout the concerned public, that the quality of education at all levels—elementary, secondary, and higher, both undergraduate and graduate—must be continuously and meaningfully upgraded.

Despite basic agreement with this need for improvement, the fact is too often ignored that poor-quality education, though seemingly inexpensive at the time, may in the long run be extremely costly. In the never-closing drive to keep public expenditures down and to economize on what may appear to be unnecessary activities or facilities, many of us lose sight of the real, hidden costs which inevitably will result from an inadequate educational system.

Recently, I had the opportunity to read an excellent analysis of some of the great losses incurred by our economy and society because of shortsighted financial treatment of the schools. This article, entitled "Costs of 'Cheap Education' High," points out that the cumulative effect of inadequate education under modern conditions can be devastating. The authors, Dr. David L. Rice and Dr. Donald D. Bennett, both of the Indiana State University Campus at Evansville, describe many such results, including increased unemployment, crime, disease, dependency and poverty. They estimate that poor education accounts for approximately one-fourth of the persons now in the poverty group.

Mr. President, it is important that the Nation fully understand that the future costs of cheap education now will be great. I ask unanimous consent that the article, published in the winter issue of the Indiana Teacher, be printed in the CONGRESSIONAL RECORD. After reading the evidence presented so convincingly by the writers, I believe that most Americans will agree with them that, "The problem of financial need of our public schools is neither debatable nor postponable."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COSTS OF "CHEAP EDUCATION" HIGH

(By Dr. David L. Rice and Dr. Donald D. Bennett, Indiana State University, Evansville Campus)

An inadequate education in today's world for today's youth not only will set the stage for future turmoil and problems, but the hidden costs to our technological society loom monstrous, increasingly expensive to our working world.

The finances necessary for good school facilities and school programs; professional, well-qualified teachers, and effective education relevant to reality cannot be postponed. The costs of a cheap education are high—a double-cost burden to society.

Education has historically played a central role in the American Dream and the American Promise. Yet in our society, education is only part of the total environment.

SCHOOLS CENTER OF AMERICAN DREAM

Wouldn't it seem, therefore, unrealistic to expect education, no matter how good, or how equally available, to correct all the injustices inherent in any imperfect social organization of imperfect human beings? Despite these realizations, schools still remain the center of the American Dream. They're also the center of evaluative analysis as to whether they are fulfilling their responsibilities and expectations.

Some critics say that public schools can unwittingly become powerful forces in the consolidation and intensification of distinctions among social classes. They also note that the growing evidence of the high relationships between economic status and quality of schools in communities suggests that this tragic evolution has already occurred.

Others view the results of efforts by schools to retain the American Dream. They talk about renewed efforts and special educational programs which are focused upon an element of American society formerly forgotten, the culturally deprived.

SPECIAL PROGRAMS SUCCESSFUL

Professor Edward Gordan of Yeshiva University in New York City notes, for instance, that recent fund increases have financed between 285 and 500 of these special programs. He further summarizes results which show:

That the programs seem to be invariably successful

That all students can learn if efficiently taught

That cumulative evidence indicates that intellectual potential can be salvaged effectively at various levels

That early and sustained efforts are critically important.

Other summaries of such programs point out their effectiveness and stress the need for additional finances, both locally and nationally.

Others stress the necessity of more funds added now to already "good" school operations, which ultimately will result in saving money. A commitment to do things already known to bring substantial results is a necessary ingredient of a good school. Such a commitment requires economic resources for:

1. Highly capable, competent professional teachers and administrators.
2. Adequate facilities.
3. Effective programs.
4. Appropriate materials and learning resources.

Effective and relevant education is a must. It can be persuasively argued with available evidence that the "cycle of pathology," which afflicts and constricts the functioning of many, *begins with inferior, non-imaginative educational opportunities*. The cumulative effect of such inadequacies contributes substantially to the inherent costs to society, either hidden or exposed in:

Unemployment and underemployment

Low motivation, despair, defeatism, and personal deterioration

Chronic and acute eruptions of violence, excessive crime, and delinquency

More inmates in penal institutions

Chronic mental and physical diseases

Unsanitary, overcrowded, and deteriorated housing

The chronically dependent

The wastage of human resources through undeveloped potential for constructive contributions to society

The loss of productive power

The loss of consuming power

The need for compensatory and remedial education.

What is the relationship between inadequate education and poverty? This question has drawn the spotlight recently, including the relationship to unemployment and underemployment, and to unnecessary social and political unrest.

More than 30 factors, it is known, do affect income and contribute to poverty, but estimates are that almost 25 percent of the persons in the poverty group in our country are there primarily because of lack of proper schooling.

NO JOBS FOR THE UNDER-EDUCATED

These poverty-stricken persons are unprepared for jobs—and the many productive jobs that are now available on the labor market are *not* available to them.

The problems of poverty require greater educational investments. The President's Council of Economic Advisers report states:

"For the children of the poor, education is a handicap race; many are too ill-prepared and ill-motivated at home to learn at school, and many communities lengthen the handicap by providing the worst schooling for those who need the best."

Numerous studies note that economic status is a significant factor in lower achievement and that in general, average achievement scores vary directly according to income levels. A study of the urban public school systems in the North revealed that in those schools where the mean family income was above $7,000, students tended to achieve above grade level while in those schools with below $7,000 income, children achieved below grade level. (*An NEA 1968 report indicates that 31.2 percent of Hoosier households have incomes under $5,000 a year.*)

What conclusions can be drawn from these studies? Giving financial support to poor people, while making only feeble efforts to educate them, is not solving the problem, but only tends to perpetuate such conditions. Evidence has demonstrated beyond a doubt that it is possible to raise the academic performance of culturally deprived students by manipulating the educational process controlled by schools.

The Banneker Project in St. Louis under Dr. Samuel Shepard Jr. demonstrated this fact. So does data from the Junior High School 43 Project in New York. With this program:

39 percent more students finished high school

2½ times as many students completed an academic course

3½ times as many students went on to some type of post high school education upon completion of high school

Behavior problems practically disappeared.

This project later demonstrated how costly it was not to continue with a successful program. The impact came, when, rather than using the results and findings to upgrade the quality of their education program, they substituted a diluted, ineffectual "Higher Horizons Project."

Evidence indicates that the most direct answer to poverty is jobs. Education, however, linked with freedom of entry into the job market, and freedom for competitive opportunities for advancement are key features in the successful operation of a free market.

SALEABLE SKILLS ARE NEEDED

In a technological society, education increasingly determines personal productivity. If he's going to escape the poverty group, an individual is going to find it difficult (or impossible) if he can't read or write. He must possess basic skills; must possess saleable skills needed in the market place; must be able to work with different kinds of people; must be proficient and produce quality work; must be able to keep his skills and competencies up to date.

Data confirm the increasing need for education in today's world of work. Unemployment rates increase for those with 12 or fewer years education, while declining for those with 13 or more years of education.

Inferior and irrelevant education which does not help accomplish the above goals is expensive. We spend about a fourth of new tax dollars for the support of public schools. Business and industry also invest approximately $15 billion a year for training. Federal programs provide approximately $2 billion per year for job-oriented education and training programs.

To the extent that support is inadequate to provide capable teachers and administrators, adequate facilities and teaching resources, and effective programs, a double-cost burden is placed on society through:

1. Initial taxes
2. Compensatory and remedial instruction needed to make people ready for pre-job or on-the-job training or apprenticeships.

The consequence of persistently denying equality of opportunity in education and in employment has been estimated to be equivalent to *squandering more than 10 percent of our potential labor force and budding management personnel, researchers, and technicians.*

Perhaps even a more critical concern is the threat of founding a caste system of poverty founded on under-education and underproductive people. How much has inadequately financed and ineffective education contributed to unnecessary social and political unrest dominant in the United States in the last few years?

Public education in the United States was established on the premise that regardless of economic birth, every child should have equal opportunity for educational fulfillment. This concept placed education in the role of a great equalizer of opportunity, and education has become an indispensable instrument for self-advancement in our society, an American promise ever increasing in value.

POOR EDUCATION GENERATES UNREST

Social and political unrest has been generated by those who have found, or felt that they had found, the gates of educational opportunity restricted because of unqualified teachers, inadequate facilities, and obsolete educational programs.

Schools need competent teachers with positive, constructive, and unbiased attitudes toward the educability and motivations of students. Many students pay a heavy penalty because of tests—poorly administered with results misinterpreted—yielding data reinforcing misconceptions about performance norms and even non-educability. The cumulative impact of such experiences has even led to the deterioration of many a student's measured I.Q.

Students in overcrowded classrooms, in schools where specialists are not there to conduct tests, where unqualified and unprofessional teachers are assigned classes, will continue to pay a penalty.

No one can measure exactly the extent to which inadequate education contributed to the frustrations which erupted into violence in more than 50 incidents of civil disorder in which property damage alone was estimated to be approximately $750 million in 1967.

But this "shock treatment" gave American society a message it hasn't forgotten. Poverty, through this unrest and the disorders, was recognized. Funds became available for a growing number of developments and for the testing of new and successful approaches to educational problems. Educational programs are showing underprivileged citizens that their rising expectation can, with training, be fulfilled.

On the American horizon there's still disagreement in a concerted effort to give all American youth a better education and to eliminate poverty. What are the proper remedies? What can be postponed?

The costs of "cheap education" are high. The problem of financial need of our public schools is neither debatable nor postponable.

WALTER KENNEDY

Mr. SPARKMAN. Mr. President, a little more than a half a century ago, when I was a freshman in college, one of the subjects I took was ROTC. The captain of my company was a brilliant young senior by the name of Walter Kennedy.

Following his graduation and his service in World War I, he went into the banking business. He retired January 1 of this year from the position of chairman of the board of directors of the First National Bank of Montgomery, Ala.

Just recently, that bank officially adopted a resolution praising Walter Kennedy. I ask unanimous consent that the resolution, a biographical sketch of Walter Kennedy, and an article entitled, "Walter Kennedy—The Man and the Banker," published in the Southern Banker of January 1969, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CERTIFICATE OF ADOPTION OF CORPORATE RESOLUTION

At a regular meeting of the Board of Directors of The First National Bank of Montgomery held on December 10, 1968, the following resolution was unanimously adopted:

"Whereas Walter Wallace Kennedy, Chairman of the Board of The First National Bank of Montgomery, will retire from active service as an officer of the bank on January 1, 1969; and

"Mr. Kennedy joined the staff of The First National Bank of Montgomery on October 1, 1935, as Trust Officer, and thereafter held the official capacities of Vice President and Trust Officer, Executive Vice President, President, President and Chief Executive Officer, and Chairman of the Board, serving as a member of the Board of Directors since 1946, thus completing over thirty-three years of distinguished service to said bank; and

"The First National Bank of Montgomery made outstanding progress as a result of Mr. Kennedy's leadership and service, especially as President and Chief Executive Officer and Chairman of the Board; and

"During his illustrious banking career, Mr. Kennedy has distinguished himself on local, state, and national levels as a banker, author, educator, and lecturer; and

"Mr. Kennedy has been a singularly useful citizen in the business, social, religious, cultural, and civic life of his community and state and in the service of his country, and in positions of prominence to numerous to recite herein; and

"Mr. Kennedy's integrity and exemplary character and conduct have been inspirational to his associates and others; and

"By the foregoing and his many other accomplishments and outstanding career, he has reflected great credit and honor upon this institution and upon banking in general;

"Now, therefore, the Board of Directors of The First National Bank of Montgomery does hereby express its great pride that Walter Kennedy has been associated with this institution, does hereby extend its highest commendations and gratitude to him for his service, and does hereby extend its affectionate goodwill to him and Mrs. Kennedy, and its best wishes to them for a full enjoyment of his retirement, anticipating with pleasure a continued association with him as a member of this Board of Directors."

In witness whereof, I hereunto set my hand and affix the seal of this corporation on this 10th day of December, 1968.

J. ALLEN REYNOLDS,
Executive Vice President
and Acting Secretary.

WALTER WALLACE KENNEDY

Born in Birmingham, Alabama, on December 20, 1898.

Graduate of University of Alabama in 1921 with A.B. and L.L.B. Degrees.

Married Myra Belle Pope.

Three Children: Mrs. William (Anne) Burchenal, Mrs. Watkins C. (Carol) Johnston, and Mr. Walter W. Kennedy, Jr.

Engaged in the practice of law in Birmingham—1921–25.

Employed by First National Bank of Birmingham as Assistant Trust Officer—1929–35.

Employed by The First National Bank of Montgomery in 1935, serving as Trust Officer, Vice President and Trust Officer, Executive Vice President, President, President and Chief Executive Officer, and as Chairman of the Board and as a member of the Board of Directors.

Served in World War I as a Second Lieutenant in the U. S. Army, and in World War II as a Lieutenant Colonel in the U. S. Army Air Corps. Retired from active duty as a Lieutenant Colonel in the U. S. Army Air Corps. Retired as a Colonel in U. S. Air Force in 1958.

President of Alabama Bankers Association—1954–55.

President of Trust Division, American Bankers Association—1957–58.

Member for seven years and chairman for four years of Board of Regents of Stonier Graduate School of Banking at Rutgers—The State University, New Brunswick, New Jersey.

Member of Board of Directors of National Trust School, Northwestern University—1959–61.

Numerous committee posts with national and state banking associations.

Author of *Bank Management* and co-author of *The Management of a Trust Department*, both books published by Bankers Publishing Company, Boston, Massachusetts.

Contributor of articles to numerous leading national banking pubilcations.

Served on faculty of Stonier Graduate School of Banking (Rutgers—The State University, New Brunswick, New Jersey), The School of Banking of the South (Louisiana State University), The School of Consumer Banking (University of Virginia), and the Graduate School of Business (Columbia University).

WALTER KENNEDY, THE MAN AND THE BANKER

Imprinted on the annals of Southern banking are the marks of literally tens of thousands of men and women who have gone before, together with those still with us. They have trod a broad path of leadership and achievement, setting examples of excellence that those yet to come will do well to emulate.

Perhaps it is provincial prejudice to believe that the South has been especially blessed with a corps of banking leaders possessing outstanding resources of vision, imagination, determination and inspiration. We don't think so. As one goes down the roles, the reservoir of talent is truly awesome.

To attempt to single out any one individual for special accolades can be a potentially dangerous thing. But as we reach that time of the yearly cycle when retirements play a large part in the personal news of the profession, it seems fitting to symbolize Retirement Time—1969 by briefly focusing the spotlight on Walter Kennedy, an exceptional fellow of many parts.

We feel confident that the legion of friends of Walter Kennedy will agree unanimously that *The Southern Banker* is on firm editorial ground when it suggests that here, indeed, is a man who epitomizes "the Southern banker" of this dynamic era. During his 34 years of active service in banking, culminated by his years as chairman of the board of The First National Bank of Montgomery, Ala., Walter Kennedy has done a remarkable job in helping to shape the future of his institution, his city, his region and his chosen profession.

A man of his diverse interests and abilities will surely find retirement perhaps the busiest time of his life.

At the recent correspondent bank conference of The First of Montgomery, his colleagues paid a well-deserved and spectacularly-produced tribute to Walter Kennedy. It was delivered in the form of a bright, light musical salute, complete with chorus, actors portraying highlights of Mr. Kennedy's life and career, and skits that brought warmth and laughter to the assembled banking audience. In short, it was "a really big shew" for a really big man.

Various segments of the presentation pointed out Mr. Kennedy's accomplishments as student, soldier, artist, scholar and banker. Taken as a whole, it was a heart-felt production dedicated to Walter Kennedy—The Man.

Walter Kennedy was born in Birmingham and received his early education in the public schools of that city. He took his undergraduate collegiate work at the University of Alabama and after military service as a lieutenant in World War I, returned to the University and received his LLB degree in 1921.

Walter Kennedy was active in many phases of college life at the University. He was captain of the varsity basketball team, president of the "A" Club and the highest ranking cadet officer in the ROTC. He was also the president of his fraternity, Phi Gamma Delta.

After practicing law in Birmingham following graduation from the University, he began his banking career in the trust department of the First National Bank of Birmingham in 1929. In 1935 he became vice-president and trust officer of The First National Bank of Montgomery. After several years service as a colonel in the Air Force in World War II, he returned to First National as executive vice-president and in 1948 became its president.

In 1947 he graduated from the commercial banking course at the graduate School of Banking at Rutgers. Among the positions which Mr. Kennedy has held in banking associations are: president of Alabama Bankers Association, president of the trust division of The American Bankers Association, executive council of The American Bankers Association, banking education committee of The American Bankers Association. He served for seven years on the board of regents of the Graduate School of Banking at Rutgers and for four years was the chairman of the board of regents. He has also served on the faculty of the School of Banking of the South at Louisiana State University.

Mr. Kennedy is the author of a text book entitled "Bank Management" which has enjoyed wide popularity and is now in its fourth edition. He is also co-author of a recently published book entitled "The Management of a Trust Department."

In 1950 Walter Kennedy was national president of the University of Alabama Alumni Association. On September 1, 1964, he became chairman of the board of First National.

Whos' Who in America, after listing numerous positions and honors which Mr. Kennedy has held in civic, religious and professional organizations, notes that he has been a frequent contributor to legal and banking periodicals.

NEW YORK STATE BAR ASSOCIATION REVIEWS SELECTED ISSUES BEFORE 90TH AND 91ST CONGRESS

Mr. JAVITS. Mr. President, the Committee on Federal Legislation, of the New York State Bar Association, has just issued in its bulletin a review of selected issues before the 90th Congress expected to arise in the 91st Congress. The bulletin contains an analysis of such issues as law enforcement, equal opportunities in housing and education, and the process of political change, as well as the role of the bar in promoting citizen participation in lawmaking.

I ask unanimous consent that the bulletin be printed in the RECORD.

There being no objection, the bulletin was ordered to be printed in the RECORD, as follows:

NEW YORK STATE BAR ASSOCIATION: BULLETIN OF THE COMMITTEE ON FEDERAL LEGISLATION

INTRODUCTION

This Bulletin is designed to present to legislators, members of the Bar and concerned citizens reports of the Committee on Federal Legislation of the New York State Bar Association and related documents which may be relevant to consideration of federal legislation.

This issue reviews reports by certain Bar groups within the geographical jurisdiction of this Committee on issues which arose before the Ninetieth Congress and which are expected to arise before the Ninety-First. Except as indicated, we present these reports as information without taking any position at this time on the recommendations reported.

During the forthcoming session, this Committee will expand its efforts by calling upon experts in many fields to aid us in our deliberations. We hope that such an "interdisciplinary" approach will enhance the value of our recommendations.

We also intend to provide means for citizens to bring to our attention their experience with the workings of federal statutes under review by Congress.

During the 90th Congress, Bar Associations whose reports are covered by this bulletin urged steps going beyond those actually enacted in many fields. These include law enforcement, expanding opportunity in housing, education, consumer protection, processes of change, and strengthening the legal structure for our foreign relations. Taken together, these recommendations constitute a challenge to constructive thinking for the nation's future.

We wish also to invite those who receive this bulletin, including both legislators and citizens, to help us by sending us your recommendations for areas and alternatives which deserve study.

I. Citizens today regard dealing with crime and violence as a prime national need. It is equally clear that order cannot be obtained without justice, both in processes of enforcement of law and in the extension of wider opportunity.

A. To enforce the law means protection of all citizens from criminal conduct. It also includes protection from abuse in the law enforcement process. In a free society, neither effective law enforcement nor individual rights can exist without the other, any more than a human body can survive without both heart and brain. Great advances are possible in both respects.

1. ELECTRONIC SURVEILLANCE

In 1968, Congress passed the first comprehensive federal statute dealing with wiretapping, "bugging" and like methods of electronic surveillance.

For the first time, the statute restricted private bugging as well as wiretapping, and advertising and sale of private wiretapping and bugging equipment in interstate commerce or through the mails.

The law also prohibits official bugging and wiretapping except under defined procedural safeguards, and excludes from evidence in state as well as federal trials information obtained through illegal wiretapping.

State and federal officials are permitted to use electronic surveillance where a judge finds probable cause to believe that certain types of crimes may be detected and where other safeguards are observed.

The statute undoubtedly represents only the beginning of evolution of the prohibited and permitted categories of surveillance. Some of the areas of potential future development are set forth in a joint report of the Committees of Federal Legislation and on Civil Rights of the Association of the Bar of the City of New York under the chairmanship, respectively, of Eastman Birkett and Louis A. Craco. The recommendations of this joint report were subsequently also endorsed by the Committee on Federal Legislation of the New York County Lawyers Association (Vincent L. Broderick, Chairman).

The Bar reports would disallow some surveillance allowed by the statute, and would allow some surveillance which the statute does not authorize.

a. Bugging in homes and professional offices

Under the statute as enacted, bugs may be placed in any location once probable cause is established and the other procedures laid down are followed. Devices could be placed in private homes and also in lawyers' and doctors' offices or even confession booths. This may be done by surreptitious entry on the premises or by placing a parabolic microphone or other powerful sound detecting device outside. The Bar joint report states on this point:

"The [statute] draws no distinction between the home and other places, as far as wiretapping and bugging is concerned. We do not agree.

"It is of course a possibility that homes will be used for illegal activities, such as gambling activities, and it may be noted that the famous Appalachin meeting took place in a home. We are prepared to accept the idea of wiretaps on home telephones. *Bugs in homes go too far, however. There must be some sanctity required where one can think and speak without fear. We would ban all electronic bugging in homes.*"

The report draws a distinction between wiretaps on home telephones and bugs in homes. The reasons are obvious. One may decide not to use the telephone for discussing the most sensitive private matters. Further, the telephone as a modern means of communication can be abused for sinister purposes, including long-distance arrangements to murder witnesses, fraudulent sales pitches by telephone, running of gambling syndicates and the like.

On the other hand, before modern advances in technology, private conversations could be held in homes without electronic surveillance. Law enforcement was able to function without bugging homes to overhear conspiratorial conversations. The question raised by the Bar report is whether a new step using technology to *restrict previously existing privacy* in homes is justified. The Committees concluded that the price to be paid for any gain to law enforcement in this instance was too high.

b. Who can approve surveillance and for what crimes

Under the statute as enacted, orders for wiretapping or bugging can be obtained to investigate certain listed federal crimes and state crimes within very broad categories embracing any crime "dangerous to life, limb or property" as well as gambling and other listed offenses punishable under state law by imprisonment for one year or more. Any judge of "competent jurisdiction" can issue an order.

The Bar report recommends an entirely different approach. The impact of wiretapping and bugging is nationwide because of the nationwide character of an ever increasing number of our enterprises and activities. Congressional power stems from the fourth amendment which applies to the states through the fourteenth amendment and the federal commerce power which applies to all activities which affect interstate commerce. But the statute effectively turns over complete discretion as to what offenses justify tapping and bugging to each of the fifty states.

The effect of this is enhanced by the ability of the party seeking the order to select a particular judge thought most likely to grant the application. The judge most lenient in granting such orders may be most likely to be picked. There is no numerical limit on the number of wiretaps or bugs which can be obtained in this manner.

The Bar report seeks to limit wiretaps and bugs to cases which law enforcement authorities regard as truly serious. Listing types of crimes by name is one way to do this but every case of "gambling", "assaut", etc., is not equally serious. Very serious sets of facts may also come within statutes not listed. The name of the crime is less important than the facts of the actual case. Therefore, the Bar report suggests a limit on the *number* of wiretaps and bugs and would *leave it to law enforcement authorities to pick the truly serious cases in which they should be used.* An unlimited number of taps or bugs would be allowed for crimes which are in and of themselves serious enough to justify the use of these methods, such as murder, kidnapping and espionage.

To make the restriction of wholesale tapping and bugging effective, the report calls for federal judges to be the only ones to issue wiretapping and bugging orders. Judge-shopping would be avoided by requiring applications to be made to the judge assigned at the time to hear them. Where there is no federal court in the place where the tap or bug is sought, state authorities where the court is sitting might make an emergency application on the basis of sworn hearsay information obtained by telephone to be followed by further papers.

Under the Bar report, a national quota of taps and bugs for crimes other than murder, kidnapping, espionage, etc. would be fixed. A national authority—comparable in this respect to the Home Secretary in England—would be responsible for assigning these quotas. Perhaps the Attorney General would be given this responsibility. Some quotas might be assigned to state and local authorities and to United States Attorneys in various Districts on a permanent basis. Others might be held by the Attorney General to be used when particularly serious matters required additional quotas for special purposes in particular places. Under the report, the Attorney General would be responsible for keeping track of the numbers of taps and bugs authorized under the quota system and would be required to certify to the court at the time of each application that it was within the quota. When a tap or bug is discontinued, its quota number would become available for another investigation.

The drafters of the Bar Association report did not assert that any system was perfect, but that this approach would reconcile privacy and law enforcement better than blanket permission for state and local authorities in all fifty states to obtain unlimited numbers of wiretap and bugging orders from state judges.

The Bar report's approach would also permit electronic surveillance by law enforcement authorities in situations where it is not allowed, e.g. where a serious situation arises which is not on the list of federal crimes for which taps or bugs are authorized. For example, in a case tried a few years ago in the Southern District of New York, human plasma for injection into patients was manufactured without a license and a conviction was obtained for conspiracy to violate the Public Health Service Act. The statute involved made this a misdemeanor, yet many lives could have been at stake.

Similarly, for example, bribery of bank officials in connection with large transactions might in some instances pose severe dangers to depositors and the integrity of our banking system. The Honorable Edmund L. Palmieri has placed on public record his view that the present misdemeanor penalty for such bribery is insufficient. But Congress has not yet acted on this recommendation. Under the law as it stands, no electronic surveillance could be authorized in any such situation.

2. INTERROGATION OF SUSPECTS

Procedures for interrogation of suspects were one of the most intense issues debated and commented upon by the Bar in the 90th Congress.

For more than a decade, the courts have extended safeguards for interrogation of suspects in custody in order to protect them from coercion. In 1966, *Miranda* v. *Arizona* held that an arrested suspect could not be questioned without a detailed warning concerning his rights to silence and counsel and his understanding the effect of a waiver of those rights.

These rulings generated charges that the courts were unduly favoring criminals over the victims of crime, especially where some defendants who had admitted committing serious crimes could not be prosecuted. As one result, Congress enacted Title II of the "Safe Streets" Act in the spring of 1968, purporting to make admissible in evidence any confessions and admissions "voluntarily given."

The Committees on Civil Rights and Federal Legislation of The Association of the Bar of the City of New York opposed Title II.

Their joint report specifically questioned the constitutionality of provisions in the original bill which would have purported to deny federal court jurisdiction to review confession cases arising in state courts. These were deleted on the floor of the Senate.

The joint report also opposed the provisions retained in the final legislation seeking to make all voluntary confessions admissible in federal trials notwithstanding the *Miranda* decision.

As part of a comprehensive report on law enforcement, the Committee on Federal Legislation of the New York County Lawyers Association has proposed in lieu of the language of Title II, a series of safeguards designed to reconcile the purposes of the Fifth Amendment privilege with the need for effective law enforcement.

The New York County Lawyers Committee report does not seek to go back to the pre-*Miranda* situation or to allow all "voluntary" confessions to be received as evidence. Rather, the report would retain all of the present restrictions concerning questioning of suspects in custody, while seeking to develop new approaches to obtaining evidence under circumstances which will protect the legitimate rights of the suspect and the purposes of the Fifth Amendment. If this is done, according to the Bar group, the need for station-house interrogation can be lessened.

The report states in part:

"The validity of the new provisions if interpreted to overrule the constitutional decisions in such cases as *Miranda* is most doubtful.

"The dilemma is an acute one. On one hand, by permitting police interrogation of arrested suspects without counsel to become a major source of evidence, we encourage interrogation under what frequently may be coercive circumstances. On the other hand, under our present approach, by providing counsel and insisting on warnings, we may get no evidence at all in crucial cases.

"Neither result is satisfactory.

"Interrogation is important as a source of evidence in a number of types of situations where other techniques of investigations are not likely to be fruitful.

"The fundamental purposes of the Fifth Amendment, historically and as outlined by Justice Goldberg in *Murphy* v. *Waterfront Commission*, 378 U.S. 52, 55–57 (1964) include:

"1. Protection of the suspect from a 'trilemma' in which he must

"(a) admit his crime;

"(b) commit contempt of court in refusing to answer; or

"(c) face prosecution for perjury if he denies wrongdoing.

"2. Protection of the suspect from inquiry into the area of his conscience of religious or political beliefs.

"3. Protection of the suspect from extraction of false confessions obtained during questioning under coercive circumstances.

"4. Protection of the suspect from being placed in a position where he must expose himself to cross examination, bringing out prior convictions. This was one of the factors in *Griffin* v. *California*, 380 U.S. 609 (1965), holding invalid a California procedure permitting comment on failure of a defendant to take the stand at his trial.

"The possibility of developing a system of procedural safeguards which would warrant comment in the course of trial on a refusal to answer should therefore be considered.

"The literal language of the Fifth Amendment states that no person may be 'compelled' to be a witness against himself in any criminal case. The constitutional issue here concerns what constitutes compulsion. This question should be resolved in accordance with the underlying purposes of the constitutional provision.

"The following safeguards might be established where the person refuses to answer before a grand jury and the prosecution wishes to proceed further:

"(1) The right to have counsel present.

"(2) The right to a transcript of the proceedings.

"(3) The right to have objections to questions passed on by a judicial official.

"(4) Protection from contempt sanctions for failure to answer, the only consequence of such failure being that logical inferences may be drawn from it on the question of guilt, subject to any explanation the suspect or defendant might make.

"(5) Protection from prosecution for perjury for answers given under these circumstances, the only sanctions against false statements being that these also would be considered evidence on the question of guilt if their falsity could be proved.

"(6) The prohibition of questions dealing with the internal mental processes or religious or political beliefs of the witness, questioning being limited to what the witness did or observed.

"(7) Protection against any claims that answering questions under these circumstances would expose the witness to revelations of prior arrests or convictions.

"If safeguards such as these are given, comment on refusal to answer might be permitted.

"These safeguards would only come into play if (a) the witness refused to answer on the ground of the privilege against self-incrimination, and (b) the prosecution elected to grant the witness these safeguards in order to obtain the right to comment on any failure to answer.

"Revision of immunity statutes

"Another situation arises where the witness has information primarily important to a judgment as to whether others have committed crimes. Under present immunity statutes, a witness can only be compelled to answer with sanctions of contempt for failure to do so by giving him absolute immunity from prosecution for any acts or transactions covered by his testimony. This may result in an entirely unintended barrier to prosecution if the witness was involved in violations which could be proved by other evidence entirely apart from his compelled testimony.

"This danger is particularly acute under those statutes which confer immunity automatically where a witness is called in an investigation under certain laws, even if the witness does not refuse to answer, or does not claim his privilege against self-incrimination.

"Recently, however, the Supreme Court has indicated that it does not violate the privilege of self-incrimination to compel testimony if that testimony cannot be used against the witness in any criminal proceeding. *Murphy* v. *Waterfront Commission*, 378 U.S. 52 (1964).

"Provisions should be made to permit questioning of witnesses in investigations under statutes now having 'automatic' immunity provisions without conferring such immunity, if the Government expressly warns the witness that he may remain silent and that anything he says may be used against him.

"Provision should also be made for the Government to be permitted to compel testimony of a witness in any important criminal prosecution, if he is shielded from direct or indirect use of such testimony against him in any criminal case, but without giving him absolute immunity from prosecution based on independent evidence not flowing from his testimony. The prosecution should have the option of using such a procedure in lieu of any of the existing immunity statutes, but it should also extend to any crime, whether or not covered by the existing statutes."

The Supreme Court seemed to invite study of new alternatives in *Miranda* when it stated that it was imposing its requirements because of the absence of other safeguards. Much discussion has been had concerning alternative possibilities, including suggestions by eminent jurists and defense counsel that failure of a suspect to answer questions in a judicial forum under proper safeguards could be used against him. The County Lawyers' report agrees with Mr. Justice Goldberg (N.Y. Times, 12/6/68, § 1, p. 65) that the underlying purposes of the Fifth Amendment must guide us in any revision of our concepts in this area. Circumstances and the "steady pressure of facts and events" are bound to compel further evolution in which both the Bar and legislators must participate. As stated by Chief Justice Stone for the Court in 1941: "to decide [a question of constitutional interpretation] we turn to the words of the Constitution read in their historical setting as revealing the purpose of its framers, and search for admissible meanings of its words which, in the circumstances of their application, will effectuate those purposes."

3. FIREARMS CONTROL

Following the assassinations of Robert F. Kennedy and Martin Luther King and Supreme Court rulings that much of previous firearms legislation, which was based in large part on disclosure requirements under the Internal Revenue Code, violated the Fifth Amendment privilege, Congress enacted new firearms controls as Title IV of the "Safe Streets" Act, and further firearms control legislation has since been added.

On July 4, 1968 the Executive Committee of the New York State Bar Association adopted a resolution urging federal licensing and registration of firearms as well as a ban on mail order sales of long guns. Stronger federal firearms control laws have likewise been recommended by the Committees on Federal Legislation of The Association of the Bar of the City of New York and of the New York County Lawyers Association. We have no doubt of the extent of federal power in this field under the commerce clause, which permits federal legislation on any matters affecting interstate commerce.

This Committee embraces a wide range of views on this subject, our membership including both the Chairman of the New York Citizens Committee for Gun Control Laws, and counsel for the New York Sporting Arms Association. Taking advantage of this diversity of views, the Committee will explore possibilities for federal legislation which would provide at least limited uniformity of gun regulations to assist sportsmen and the industry, while imposing stronger controls than now exist.

4. SENTENCING

Several bills have been introduced concerning sentencing practices, including bills to abolish the death penalty. The Criminal Law Committee of the Federal Bar Association of New York, New Jersey and Connecticut has proposed a comprehensive review of sentencing procedures. The Federal Bar Committee believes that greater flexibility should be allowed sentencing judges by permitting more alternative types of treatment of offenders, including options for a defendant in particular cases, with the approval of the Court, to serve a portion of a sentence in a mental institution, "halfway house" or under other supervision. If sentencing judges were permitted to determine the most appropriate treatment for persons found to have committed anti-social acts on the basis of all the circumstances, including the mental condition of such persons, some of the reasons for the insanity defense might be lessened. This would not be so, of course, unless the death penalty, if not abolished as provided by certain bills, were at least inapplicable to the crime or permitted by law to be waived in advance.

Flexibility would also be enhanced according to the Federal Bar group if judges were permitted to place defendants on probation for apportion of the maximum allowable sentence, even where imprisonment for more than six months is imposed. This is not now permitted in federal cases under 18 U.S.C. § 3651. Likewise, consideration might be given to permitting injunctive relief to be granted as part of a judgment of conviction where justified, inasmuch as the defendant has been found guilty beyond a reasonable doubt, a higher standard of proof than required in a civil case. The possibility of preliminary injunctive relief might also be considered to deal with cases where unlawful conduct is continued even after the return of an indictment. Bail does not prevent this because it is designed solely to secure the presence of the defendant for trial.

The Federal Bar Committee has proposed another way to increase flexibility in sentencing, by authorizing fines related to the "magnitude of the transactions involved." This might take the form of authorizing a fine based on a multiple of the value of items obtained, used, or involved in a crime. The Federal Bar Committee stated that an extreme example of the miniscule fines authorized by present statutes was the mail fraud statute, 18 U.S.C. § 1341, which permits imposition of imprisonment for up to 5 years, but a fine of only up to $1,000.

The Federal Bar report further called for a review of factors considered by the courts in imposing sentence, a matter perhaps not suitable for legislation, but suitable for analysis and discussion by legislative bodies and the Bar. The Committee's report states on this point:

"In addition to widening the options available to a sentencing court, the factors considered in imposing sentence must be reevaluated. Traditionally, great weight is given to (a) presence or absence of a prior criminal record; (b) prospects for rehabilitation as indicated by the family background of the defendant, his employment history, his ties in the community and educational background; (c) indications of good moral character furnished by citizens of the community; (d) assurance of future employment; and (c) psychiatric or other explanations of the defendant's conduct furnished by persons professionally able to consider his condition.

"Each of these factors, entirely valid in and of itself, inevitably tends to favor the defendant having a responsible position in the community, financial resources and influence, high prestige, and community respectability. When these are the sole controlling factors in sentencing, the result is a denial of equal justice. Without denying the validity of these factors, it is submitted that other factors should also be considered, including (1) the extent to which the defendant has abused a position of responsibility entrusted to him by society, (2) the extent to which he sets an example for others because of his position, and (3) the large-scale influence which his conduct may have on others because of a pivotal relationship which he has voluntarily assumed in society and as a result of which his actions could have wide ramifications. These factors are simply an expression of the notion, rooted in our traditions, that power implies responsibility. Cf. Stone, *Public Influence of the Bar*, 48 Harv. L. Rev. 1 (1934); Mason, *Harlan Fiske Stone, Pillar of the Law*, 344–56, 369–84 (1956). Such factors must be considered if criminal justice is to be fair and effective; it is hard to expect small-time violators to obey the law when larger scale offenders receive lenient treatment. If a person chooses to seek to advance to a position of responsibility in a society, society has a right to expect from him a high standard of conduct. . . ."

5. SEARCHES AND SEIZURES

The "Safe Streets" Act contains two provisions dealing with searches and seizures. One permits the Government to appeal from pre-trial decisions suppressing evidence and the other allows search warrants to seize evidence of criminal offenses, in addition to instrumentalities of crime and contraband. These provisions represent part of the continuing evolution of our law of search and seizure under the twin pressures of the need to control crime and to protect individual rights. Here, as in the case of sentencing procedures, the Committee on Criminal Law of the Federal Bar Association of New York, New Jersey, and Connecticut has, this time through a subcommittee, urged a comprehensive view of our procedures, going beyond the changes made by the 90th Congress.

* * * * *

6. AID TO LOCAL LAW ENFORCEMENT

The 90th Congress established a procedure for aid to local law enforcement authorities. The question remains open, however, whether federal action should encourage specific kinds of innovation by local law enforcement authorities, and if so, how. The President's Commission on Law Enforcement and Administration of Justice has called for a number of steps including development of prejudicial procedures for dealing at the station house level with minor infractions without resort to the courts and without giving the offender a criminal record and expansion of community-police advisory panels and local councils.

A task force report also praised procedures for "work release" of appropriate prisoners so that they can accustom themselves to worthwhile and remunerative work while awaiting final release. Vincent L. Broderick, a member of this committee and former Police Commissioner of New York City, has further suggested wider use of police callboxes and motor scooters equipped with two-way radios to give the protection of visible police presence over a wider geographic area with limited manpower and with the ability to call for assistance when needed.

7. OTHER STEPS

The Committee on Federal Legislation of the New York County Lawyers Association has recommended a comprehensive review of law enforcement procedures and changes in several additional areas, including a right of the government to appeal from adverse rulings before or during trial as to important matters to match the defendant's right to review after a conviction, and extension of the obstruction of justice statute to prohibit intimidation of witnesses in all federal hearings.

B. Recognizing the indispensability of greater efforts to achieve justice for all citizens, the Bar dealt during the 90th Congress with issues concerning housing, education, consumer protection and equity for migratory workers.

1. HOUSING

The Housing and Urban Development Act of 1968 calls for a 10 year program for rebuilding the nation's cities. The Senate Report on the Act stated:

"The goal of a decent home and suitable environment for every American family can best be achieved through a definite plan . . . for the effective utilization of available resources and capabilities . . . in both the public and private sectors . . . over a . . . period of 10 years."

The Committee on Federal Legislation of the New York County Lawyers Association in reporting on this legislation stated:

"In order for such a plan to be effective it must be based on firm commitments and long-term financing. A plan which cannot be counted on by those engaged in carrying it out would be ineffective.

"Long-range commitments under federal programs are not new. Under the federal highway program, contracts running many years into the future must be entered into in order that large scale highway construction can proceed in an effective and economical manner. United States Code, Title 23, Section 118(b) provides for such contracts running far beyond one year.

"Under the Demonstration Cities and Metropolitan Development Act of 1966, funds appropriated are to remain available until expended.

"In the case of housing today, as President Eisenhower said at the outset of our present federal highway program in 1954: 'Large scale improvement is needed simply to remedy deficiencies not met in the past.'

"Effective rebuilding in the central cities will benefit every group in our society. Residents of the central city will obviously suffer until it is achieved.

"If, the central cities are not rebuilt, the suburbs will lose their suburban character. Increasing numbers will move to the suburbs merely to escape intolerable conditions in the inner cities unless the central cities are made attractive for those who wish to leave there. Blight, like rot on an apple in a barrel, is bound to spread . . .

"In the absence of long-range funding, there is little job security in the building trades. Each construction project is separate and there is no assurance of continued employment when it is completed.

"Unemployment is often high and jobs sporadic. Employees in the building industry therefore use every means that they can to protect their jobs. As a result, it is more difficult than it otherwise would have to be for newcomers to enter the industry.

"Likewise, employees concerned for their jobs are obviously going to be reluctant to accept new technologies which might reduce work necessary for construction of buildings. This is reflected in Union rules. It is also reflected in the great variety of local building codes.

"If long-range commitments were made for rebuilding entire parts of cities on a comprehensive basis, the following advantages could be achieved:

"1. On the basis of long-term contracts given to contractors, building contractors could be enabled or required to hire employees on a longer term basis.

"If this were done and the program were sufficiently extensive to assure jobs for the labor force in the industry, the reasons for resistance to technological advance and to the bringing in of newcomers to the industry would be largely obviated. As part of such a program, Congress or the agency administering the program could require or expect that restrictions on building methods or on what work particular employees are permitted to do—primarily designed to protect jobs—would be waived in return for the job benefits which the employees would receive.

"2. Transportation, education, shopping, entertainment and other facilities could be built into the housing as constructed, generated exciting diversity and replacing the draft and repetitious architecture of many existing projects.

"3. Based on continuation of present methods and the present way of doing things, prospects for advances in effective building technology are not bright. But if institutional barriers were overcome, the opposite would be the case.

"The reduction in cost achieved through long-range planning and use of the most efficient technologies would permit lower rentals or purchase price payments for lower-income persons, with less and perhaps in some cases no direct subsidy.

"Assistance for low-income residents could be provided by means of a sliding scale of payments for residents based on income of the residents and the quality of the accommodations.

"This would eliminate unfortunate features of old-style public housing where there has been a fixed income ceiling. Residents' incentive to improve their earning power is stifled by such a ceiling. It promotes a high turnover, low morale and high crime rates. As part of such a program, persons in ghetto areas should be enabled to own their own homes where this would not otherwise be possible."

The views of the County Lawyers Association were based, in part, on those of a group of civic leaders in the greater New York Metropolitan area, known as the Community-wide Panel which was organized to seek to bring together previously diverse views. The Panel backed long-range commitments for rebuilding as a means of obtaining job security, opening up use of the most modern technological advances, and developing job opportunities for citizens in the urban core.

This proposal likewise received the support of important segments of the building and construction industry and construction unions.

The views of the New York County Lawyers Committee were also commented upon favorably in an editorial in *America* magazine (8/17/68), p. 93.

A recommendation for a sliding scale of rents or purchase price payments in publicly-aided housing was also approved in an unanimous report of the Committee on Housing and Urban Development of the Community Service Society of New York. The Society urged the abolition of income limits for remaining in publicly-aided housing and urged instead that those whose incomes go up be asked to pay an additional amount to help build more housing or reduce costs for poor residents. CSS pointed out that fixed income ceilings promote high turn-over and low morale and a poor image for housing programs.

The possibilities of a breakthrough in housing technology are significant. For example, Seymour Melman of the Engineering Faculty of Columbia University believes that an "alphabet" of building components could be created which could be produced on a mass production basis which could be used to construct many different types of buildings that would not look alike. The cost per unit would be greatly reduced by wider use of prefabrication and other modern methods. At the same time, construction employment would be expanded rather than cut if a long-term commitment were made to a program sufficiently large to rebuild effectively.

2. EDUCATION

Numerous education bills were considered by the 90th Congress and the Committee on Federal Legislation of the New York County Lawyers Association likewise commented on legislation in this field. Its report stated in part:

"Special urgency has been given to concern about our schools by the role of education in the urban crisis. It is beyond dispute that for whatever reason ghetto schools are failing to equip children in many minority areas for the challenges of the last third of the twentieth century.

"Deepening concern about our entire educational system is growing. This is expressed in many forms, including vehement revolt by many of the students themselves.

"A vital function of the work-study program is to make possible education for students who could not otherwise afford further schooling. The importance of this to training for future needs of the nation is clear. It is equally important in working toward equality of opportunity for those whose parents are less affluent. There is also a further reason for extending it.

"Today, unprecedented numbers of young Americans are in school. They are required to remain in school for longer periods than ever before to be qualified for decent jobs. Academic training is largely separated from non-academic work. Young people who in past years would have been fully responsible adults are in a position of studying for long periods in order to work later. The difficulty here is that for those of age to assume adult responsibility, study alone is rarely fully satisfying:

"There is, in fact, an innate need of human nature requiring that men engaged in productive activity have an opportunity to assume responsibility and to perfect themselves by their efforts." [Pope John XXIII, Mater et Magistra, Part II, Para. 82]

"In large part our young people are restricted in such opportunities today.

"One of the main reasons for widespread student discontent and the susceptibility of large numbers of students to those who pursue extreme methods is the lack of constructive responsibilities and creative opportunities open to many American students.

"In order to deal with this situation, we recommend a future extension of the work-study program on an expanded scale on the basis of the success of the program to date. We further recommend that such work-study programs encompass constructive efforts dealing with national needs which will give the greatest creative opportunities for exciting work on the frontiers of knowledge and of the greatest importance to society. Such programs as the Peace Corps are steps in this direction. Such opportunities must also be made available for many who cannot interrupt their educational career for uninterrupted periods of full-time work of this kind. Perhaps arrangements can be made for academic credit in varying institutions for work-study efforts which have high educational value.

Advance funding

"H. Rep. No. 1319, 90th Cong., 2d Sess. (1968) points out that federal educational programs have been disrupted on an extremely large scale because of the uncertainty, often up to the last minute, as to whether funds will be available. This Committee has received the same information from many sources.

"As a consequence, many qualified persons today are reluctant to work on educational programs dependent upon federal funds.

Many feel as a result of past experiences, that there will be no assurance that promised funds for school programs will, in fact, be forthcoming.

"To remedy this, we endorse the proposal that funds be voted during the fiscal year preceding the year in which programs are to be carried out. We further urge that consideration be given to extending this important reform to cover other federal activities in the field of education.

"The procedure is not novel. Whenever it has become clear that long-range planning with knowledge that funds are available is indispensable to the effectiveness of a program, methods have been found to achieve this.

"Any other course is wasteful and amounts to throwing away a large part of the funds spent—because they cannot be effectively used without long-term planning.

Preschool programs, child care centers and school lunches

"The impact of the Head Start program made clear the value to students and parents of pre-school and child care programs.

"Without pre-school care of children, many mothers must remain on welfare and children must often remain in an unsatisfactory environment.

"Federal action on a permanent basis is justified as an investment in the future of the Nation. The cost of such programs should not be viewed as current expenses, but as part of investment in the future.

"The same is true of school lunch and school breakfast programs. No child can learn well on an empty stomach. Nutrition is as much a part of what he needs for his own future and the nation's as textbooks. No child in America should be in school hungry.

National educational policy

"The pending legislation and the suggestions we have made only begin to scratch the surface of national needs in the field of education. Comprehensive study and rethinking is necessary to bring our consideration of educational needs up to date to meet the challenges of the last third of this century.

"Much of our education has been devoted to 'cramming information into the heads' of students, who are viewed as passive receptacles like jars into which masses of information are to be poured, for the purpose of being checked on short-answer and multiple choice tests. This is surely outdated in today's rapidly changing environment.

"Our emphasis upon formal education also often deprives citizens who did not do well in school or who lack the appetite for conventional formal education of the opportunity to work in jobs for which they are actually qualified or could become qualified by on-the-job training.

"At the same time, many young Americans who would profit from additional schooling cannot get it because they cannot afford it.

"For these reasons, we approve the pending proposal that it be a national policy that every citizen be entitled to education limited only by the ability of the student to benefit. We likewise endorse the proposal for a National Educational Policy Commission to examine how to carry this goal into effect."

3. INSURANCE IN THE CENTRAL CITIES

Legislation enacted by the 90th Congress for re-insurance on policies of property insurance under State plans seeking insurance regardless of "environmental hazards" was approved by a unanimous report of a Committee on Civil Rights of The Association of the Bar of the City of New York. The Bar report also approved a bill introduced by Senator Smathers of Florida calling for a Federal corporation to offer direct property insurance against damage due to crime where insurance is otherwise entirely unobtainable. The report recommended that limitations of such "coverage of last resort" to small business be dropped since encouragement of larger firms to enter the core cities is also needed. The report likewise urged that evidence that a specific loss due to such an event as a fire, not require proof that the loss was due to crime if the loss was of a type likely to be so caused.

4. CONSUMER PROTECTION

The 90th Congress enacted the "Truth in Lending Act" containing numerous provisions dealing with consumer protection. Another consumer bill reported by the Senate Commerce Committee called for a "cooling-off period" during which consumers could cancel contracts obtained by door-to-door salesmen on credit. This bill was approved by this Committee, the Committee on Legal Assistance of The Association of the Bar of the City of New York (Harold Baer, Jr., Chairman) and the New York County Lawyers' Association Committee on Federal Legislation.

The Senate Commerce Committee modified the bill as originally drafted to incorporate recommendations made in the County Lawyers report that injunctive relief be authorized and that the "cooling-off period" be extended to more than one day.

The Committee on Trade Regulation of The Association of the Bar of the City of New York also supported legislation which would authorize preliminary injunctions in Federal Trade Commission proceedings subject to traditional equity safeguards.

5. MIGRATORY LABOR

Legislation to extend coverage of the National Labor Relations Act to migratory farm workers, considered in the 90th Congress, has been unanimously approved at different times by the Committee on Labor and Social Security Legislation of The Association of the Bar of the City of New York, the Committee on Labor Law of the Federal Bar Association of New York, New Jersey and Connecticut, and the Committee on Federal Legislation of the New York County Lawyers Association. The latter two committees have likewise urged that steps be taken to extend greater voting rights to migratory workers generally. The Committees contended that legal discrimination against migratory workers followed in large part from the fact that they could not vote because of residence requirements and were thus deprived of substantial political influence. For these reasons, it was felt that the Bar had a special duty to intervene on behalf of migratory workers. The Federal Bar Report went further and urged study of a Federal corporation which might act as an intermediary for migratory workers and grant them long-term employment contracts so as to assure the types of job security and fringe benefits generally available in other industries.

C. Because of the American political axiom that governments derive their "just powers from the consent of the governed" and because of the importance of processes of orderly change in securing respect for law, those processes have received particular attention by the Bar in recent years.

1. DIRECT ELECTION OF THE PRESIDENT

The proposal of the American Bar Association for direct election of the President received the endorsement of The Association of the Bar of the City of New York.

The Committee on Federal Legislation of The Association of the Bar has maintained its opposition to measures which would distribute electoral votes by congressional districts or divide them according to the votes within each state.

2. INCENTIVES FOR POLITICAL CONTRIBUTIONS

This Committee and the Committees on Federal Legislation of The Association of the Bar of the City of New York and of the New York County Lawyers Association likewise endorsed limited tax incentives for contributors to political campaigns as a means of broadening public participation in political processes and relieving candidates of part of the necessity to rely on large contributors who might otherwise have an undue influence on the candidate. The County Lawyers group in addition expressly opposed proposals to provide direct federal subsidies to candidates and prohibit citizens from expending monies not authorized by the candidates and included within his quota. The Committee felt this would result in undue restriction of freedom of expression and citizen initiative in politics on which our country was founded.

3. OPPOSITION TO "CONSTITUTIONAL CONVENTION ACT"

The Committees on Federal Legislation of The Association of the Bar of the City of New York and of the New York County Lawyers Association likewise disapproved a bill to encourage the calling of a new Federal Constitutional Convention and to turn over most decisions on the composition and procedures of such a convention to state legislatures.

4. RESIDENCE REQUIREMENTS

Committees of the Federal Bar Association of New York, New Jersey and Connecticut and of the New York County Lawyers Association have called for reduction or elimination of residence requirements for voting in presidential elections and reconsideration of such requirements for elections for other federal office.

Recognizing the events beyond our borders will necessarily have an accelerating impact under the influence of ever more rapidly advancing technology, transportation and communication, the Committee on Federal Legislation of the New York County Lawyers Association has approved two reports concerning the legal structure for our foreign relations, which read in part as follows:

A. *A United States delegation to discuss legal structure for closer unity of free nations.* [Cong. Rec., Vol. 114, pt. 21, pp. 28103–28104].

"The tragedy of August, 1968 in Czechoslovakia together with other international difficulties reminds us of our obligation as lawyers to examine the legal structure for our foreign relations and to deal with proposals which might strengthen that structure.

"H. Con. Res. 48 [90th Congress] would provide for a delegation of leading citizens of both parties to meet with representatives of other free nations to consider possibilities of closer union. The resolutions would not commit the United States in advance to any particular course of action.

"The House Foreign Affairs Committee has acted favorably and has reported out the House version of the proposal. H. Rep. No. 1656, 90th Cong. 1st Sess. (1968). In our view it merits favorable action.

"Steps toward closer unity among free nations are of vital importance in dealing with many problems, including currency crises, balance of payments difficulties, effective assistance to developing nations, and the creation of conditions which will prevent or deter acts of aggression against any nation.

"Our concern is with the legal structure which will permit appropriate steps in this respect. The proposal approved by the House Foreign Affairs Committee establishes firm congressional authority for the necessary consultations with the representatives of other nations, which would be of prime value in making those consultations meaningful and effective.

"A precedent may be found in Public Law 86–719, 74 Stat. 818, enacted September 7, 1960, which authorized participation of leading citizens in an international convention of citizens from North Atlantic Treaty countries.

"In the present instance, we do not believe that consultations need be necessarily limited to citizens from nations which are members of NATO, nor do we believe the language of the pending resolutions would close the door on participation by citizens of other free nations who might wish to take part . . .

"Likewise, we believe that the language of the present resolutions is broad enough to permit the representatives on behalf of the United States to consult with both governmental and non-governmental agencies and representatives from other free nations, as may be appropriate. If the pending resolutions are amended, this point could also be made clearer . . .

"The underlying purpose of the resolutions has been publicly endorsed by such diverse public figures as Richard M. Nixon, Nelson A. Rockefeller, Hubert H. Humphrey, Robert F. Kennedy and Eugene J. McCarthy among others.

B. *Long-Range Commitments in International Economic Programs.*

"In his second Inaugural Address on January 21, 1957, President Dwight D. Eisenhower stated:

" '. . . our world is where our full destiny lies—with men, of all people and all nations, who are or would be free . . .

" 'From the deserts of North Africa to the islands of the South Pacific one-third of all mankind has entered upon an historic struggle for a new freedom: Freedom from grinding poverty.

" 'To build . . . peace is a bold and solemn purpose. To proclaim it is easy. To serve it will be hard. And to attain it, we must be aware of its full meaning—and ready to pay its full price.'

"Our other Chief Executives both before and since have emphasized the same conclusion. However, public support has often been lacking because there is no specific interest group closely affected to guard the effectiveness and fate of our programs in this field.

"In our view, one reason for difficulties encountered by the program and one stumbling block in its effectiveness has been an inadequate long-term legal foundation for our efforts . . .

"Many projects require more than one year to complete. Uncertainty from year to year as to funds available and even authority for the existence of the program therefore tends to promote wasteful and inefficient administration . . .

"We believe that keeping a necessary part of our national policy on short leading-strings is self-defeating. Congress would still retain the authority to enact laws altering the program and improving it if the hand-to-mouth phase of its existence were transcended.

"There is ample precedent both for long-range authorization and long-range commitments of funds in federal programs. Under highway programs, commitments running far beyond any single year are authorized under 23 U.S.C. § 118(b).

"Furthermore, many statutes are open-ended and contain no expiration date; for example in the case of the Foreign Service, also a vital tool for our foreign relations, the Service is simply created with no expiration date (22 U.S.C. Chapter 14. And the law simply provides that:

" 'Appropriations to carry out the purposes of this Act are hereby authorized.' Act of August 13, 1946, sec. 1071, 60 Stat. 999, 22 U.S.C. § 801, note.

"There are no ceilings on appropriations. The amounts to be funded are determined by Congress when the monies are voted.

"The need to do whatever we can to help bring developing nation's economies into the twentieth century is a matter of national self-interest and will continue to be for some time. The legal foundations of our aid program should reflect this if they are to meet our needs in the last third of the twentieth century.

"We recommend that consideration be given to the following improvements in further legislation dealing with the aid program:

"1. The basic authorization should be open-ended with no specific expiration date, subject, of course, to further amendment by Congress at any time.

"2. The authorizing legislation should permit appropriations of such sums as may be necessary. The amount to be voted should be fixed when appropriations are enacted and no ceilings on monies to be voted should be contained in the authorization statute.

"3. Appropriations, at least for long-range projects, should be for the entire amount necessary for such projects and should remain available until expended. There is no constitutional difficulty in this procedure, since the only limitation in the Constitution on the duration of appropriations is for armies, where funds are limited to a term of two years. Article I, § 8, Clause 12."

The report also recognized that the type of aid we give requires improvement if it is to be effective.

C. *Statute of Limitations for Deportation.* In other action affecting our foreign relations, this Committee and the Committees on Federal Legislation of the County Lawyers Association and of The Association of the Bar of the City of New York have repeatedly urged legislation to fix a statute of limitations for deportation for long-past misconduct. The American Bar Association has likewise urged such action.

III. We believe the efforts of Bar groups covered in this bulletin show that new and better approaches to the most difficult problems can be found.

In the last third of this century, such efforts will require the united cooperation of citizens from all walks of life in meeting the challenges and crises which we must and will confront and overcome.

A. In order to bring expert opinion outside the law to bear upon proposed federal legislation, this Committee, in connection with other Bar groups which may wish to participate, will establish a series of citizens' advisory panels dealing with the major areas considered in this Bulletin and others. Participants will aid in reviewing draft reports in their areas of competence and in calling to the attention of the Bar emerging challenges requiring the attention of the national legislature.

B. This Bulletin seeks to make available information concerning proposed federal legislation of importance to citizens as well as recommendations to and by the Bar relevant to such legislation. We also intend to encourage publications of all kinds which will bring to the attention of the public long-range developments, constructive efforts by citizens to meet our challenges, and new alternatives. This is crucial today because of the tendency of some of the mass media to stress material having instantaneous shock value to the exclusion of information of long-range significance to citizens. Where appropriate we will also assist in such publications or documentaries to bring long-range trends and possibilities before the public.

C. Citizens in all walks of life have essential information concerning the practical impact of federal measures affecting them. Only through the widest consideration of the views of all citizens can the most effective legislation result. We intend to work with both citizens and official agencies, and to take steps, through seminars, hearings and other means, to assist in gathering and transmitting such information.

In these endeavors, we invite and solicit the aid of all citizens.

Committee on Federal Legislation, New York State Bar Association; Richard A. Givens, Chairman, New York City; Anthony P. Marshall, Secretary, New York City; Leslie H. Arps, New York City; Harold Baer, Jr., New York City; Mark E. Benenson, New York City; Edward S. Blackstone, New York City; Vincent L. Broderick, New York City; Mason O. Damon, Buffalo; David M. Dorsen, New York City; John T. Elfvin, Buffalo.

Robert B. Fiske, Jr., New York City; Lawrence W. Keepnews, New York City; Norman Kellar, Kingston; Herbert C. Miller, New York City; George W. Myers, Jr., Buffalo; Bernard Nussbaum, New York City; Robert Patterson, Jr., New York City; Arthur C. Stever, Jr., Watertown.

U.S. INTERNAL DEFENSE POLICY

Mr. FULBRIGHT. Mr. President, the January 1969, Foreign Service Journal contains an article entitled "Our Internal Defense Policy: A Reappraisal," written by Charles Maechling, Jr., "Internal defense policy" is the formal bureaucratic term for what is known as the counterinsurgency doctrine, a major element of our Nation's foreign policy since 1962.

Mr. Maechling's article is a thoughtful analysis of the inherent faults of this policy which, he wrote:

> Seems to presuppose that the United States has a global mission to support "free" societies throughout the Third World regardless of whether a political orientation in the countries concerned is essential to US interests.

On the matter of "leverage" we have heard so much about, Maechling wrote:

> The whole policy vastly overestimates US "leverage" once a commitment of assistance has been made. Governments of underdeveloped countries know to the last millimeter just how much we are "hooked" once we give even a qualified endorsement of a regime to Congress in the course of justifying an assistance program.

I hope that my colleagues will keep that in mind in considering foreign aid legislation. Point by point the article reveals the basic fallacies of the counterinsurgency doctrine which has caused so much grief to our country.

> By propounding the thesis—

The article concludes—

> that the United States should involve itself in the internal affairs of other countries, without having the authority to guide the domestic policies of these countries, the policy positively invites indecisive entanglements and inconclusive results. By not imposing strict limitations on its applicability to remote areas and ambiguous situations, the policy positively invites recurrent involvement in foreign land wars that would drain our resources, estrange us from our allies, and tie up our most precious military asset, strategic mobility.

Mr. Maechling has had a long exposure to U.S. counterinsurgency policy and is well qualified as a critic in this field. He served as Director of Internal Defense in the Office of the Secretary of State from 1961 to 1963; special assistant to the then Under Secretary for Political Affairs, and Ambassador-at-Large, Averell Harriman, 1963–66; and as staff director of the special group—counter insurgency. He is now deputy general counsel of the National Science Foundation, freed from the inhibitions of State Department employment.

I commend the article to the attention of Senators and other readers of the Record, and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

OUR INTERNAL DEFENSE POLICY: A REAPPRAISAL

(By Charles Maechling, Jr.)[1]

Since 1962, American military and civilian agencies operating in friendly countries of the Third World have been governed by a counter-insurgency doctrine which at its highest level is styled the United States overseas internal defense policy. The broad outlines of this policy were first expounded by then Deputy Under Secretary U. Alexis Johnson in the July, 1962 issue of the Foreign Service Journal, and may again be briefly summarized: In certain parts of the world it is Communist and extreme left-wing strategy to aggravate tensions wherever they are found, to exploit local grievances, to divert peaceful movements for social change into extremist channels, and generally to take advantage of the stresses and strains inherent in the development process to take over local governments by means of subversion, violence and insurgency. Since the aim of US foreign policy is to foster the development of a community of independent nations, each one free to pursue its destinies in its own way, it is in the interest of the United States to frustrate this strategy by coming to the aid of friendly governments so threatened. We do this chiefly by means of assistance programs designed to enable a threatened government to defend itself and its territories—but if necessary through direct military intervention.

In their collective application such assistance programs constitute "counter-insurgency"—a term defined in the Joint Dictionary as "those military, paramilitary, political, economic, psychological, and civic actions taken by a government to defeat subversive insurgency." As a strategy, counter-insurgency is intended to be preventive in character and temporary in application—a technique for tiding weak and unstable governments over periods of internal upheaval until the constructive forces of political and economic development are strong enough to control the situation without external assistance. Its immediate aim is to deny the environment of a friendly country to the insurgents by shoring up the weak sectors of the country's society, providing the local government with an internal security capability, and promoting internal reforms aimed at alleviating the social ills in which disaffection festers. An essential feature of the policy is the limited and selective character of military counter-measures: violence is to be kept at the lowest level possible and every effort made to spare and protect civilian life and property so as to detach the insurgents from the population and erode their base of support. Those familiar with counter-insurgency literature will observe how this part of the doctrine fits in with the Maoist aphorism that in a rural environment the peasants are the sea and those who would win their allegiance must behave like fish.

This policy, and the military counter-insurgency doctrines which stem from it, tacitly accept the Maoist assumption that internal conflicts falling within the category of "People's Revolutionary Warfare" are essentially struggles to obtain mastery over the environment. For the sake of convenience they accept the Maoist thesis of a three-step division of insurgency, wherein the lowest level (Phase I) comprises subversion, sabotage, underground political activity, and selective acts of violence; the middle level (Phase II) embraces terrorism and localized guerrilla action; while the third (Phase III) includes widespread guerrilla activity that may attain the level of mobile warfare when conducted by organized military units.

So much for theory, here stated in simplified form. As articulated in policy papers and manuals nothing could be more obvious and logical. Yet even under the best of conditions the policy has proved difficult to apply, while in situations of extreme violence or open internal warfare it breaks down completely. One weakness is that its prospects for success depend not on US efforts but on the will and capabilities of the society and government of the country concerned—in other words on proxies. Another is that in a deteriorating guerrilla situation or escalated insurgency it appears to be at cross-purposes with standard military doctrine and the somber imperatives of conventional warfare.

The internal contradictions and limitations of the policy are best illustrated by contrasting its theory with the circumstances under which it is likely to be applied—in other words with real life. The policy seems to presuppose a young, underdeveloped country, whose democratically oriented government is beset by a subversive insurgency movement that seeks to exploit discontents and grievances in order to overthrow the government and lead the country into the Communist camp. When this is a tropical country with an agricultural base, the insurgency struggle centers around the rural population or peasantry, which is assumed to be a malleable and essentially neutral force that has been "neglected" or "misunderstood" by the central government; otherwise, a discontented urban proletariat, led by left-wing students and intellectuals may be the focal point of the disturbance. In any event, when the local government calls on the United States for assistance we respond with a multi-faceted assistance program composed of a MAP element (mainly civic action, light weapons, vehicles, communications equipment, and counter-guerrilla training); a police element (vehicles, communications gear, counter-espionage training, etc.); a public information element (equipment and training to bring the local government into communication with the people); and a special program of economic aid targeted on disaffected areas. This diet is supposed to be washed down with heavy drafts of advice and counsel on social, economic and political matters from the US Ambassador. Throughout the policy there is an unspoken bias in favor of social and ethnic uniformity and centralized government control, as opposed to diversity, decentralization, and non-interference.

But what if the reality is more complex. Suppose that this is a typical backward country with a low standard of living, a high incidence of disease and infant mortality, an uncertain economy, and a grossly inequitable distribution of the national wealth, particularly arable land. Suppose the country has a heritage of misgovernment or, alternatively, has just emerged from colonial rule. Suppose that it is divided by deep-seated ethnic or religious differences. Suppose that the civil service is hopelessly underpaid and corrupt, and that the ruling oligarchy is numerically so small that it has to keep the political opposition, which is radical to the core, divided and neutralized in order to prevent being blown sky high. Suppose that the insurgents consist not merely of dedicated left-wing fanatics but also of alienated workers and students who are fed up with the state of things as they are and will espouse any creed that promises social justice and participation in the political process. Suppose that the ranks of these hard-core activists have been supplemented by large numbers of ignorant peasant youths or urban laborers who have been half-conscripted and half-lured into the insurgent movement by promises of a better life. Finally, suppose that the less the average peasant or worker sees of his government the better for him—no taxes, no forced labor, no conscription, no eviction for debt.

Confronted with this picture of reality a host of dilemmas appears. If the insurgency is still in an incipient stage, the strategy dictated by both doctrine and common sense is for the United States to move in with an integrated emergency assistance program of the type just outlined while at the same time putting pressure on the government to improve conditions and alleviate grievances, the theory being to buy time until economic and social reform cuts away the foundations of the insurgents' support.

However, for this program to achieve satisfactory results—or indeed, to take effect at all—the United States has to rely on the local government. Actual military and police operations can only be planned and carried out by local security forces. As to redress of grievances and social reform, these are absolutely contingent on the willingness of the ruling oligarchy to parcel out its property and surrender its political power—in the latter instance to the very factions that seek to destroy it.

These contradictions are brought into sharper focus when one studies the practical application of the doctrine to counter-guerrilla operations—the military side of the program. If the object is to obtain control of the environment, or at least to deny it to actual or potential insurgents, then winning the allegiance of the population is of paramount importance. That means befriending them, protecting them, preventing them from willingly or unwillingly giving support to the insurgents, and giving them the benefit of the doubt even at the risk of endangering one's own forces. It entails the highly selective application of military counter-measures—not burning down the barn to get rid of the rats. Above all, it means keeping disruption of the local economy and society—already in enough turmoil—to an absolute minimum, in order to sustain the local economy and political structure and prevent an uprooted population from becoming an unmanageable burden to the central government.

The difficulty is how to apply these principles to tropical countries where life is cheap and war and internecine strife are typically conducted with a brutality that stultifies the whole rationale of the doctrine. Indigenous military forces, in constant danger from raids and ambuscades, can hardly be expected to act with restraint and consideration to peasants suspected of collusion with the enemy when the whole history of civil strife in the country is one of treachery, murder, and savage reprisal. Standards of discipline and restraint are only enforceable when their upholders have the authority and determination to carry them out, as was the case with the British in Malaya. They can hardly be imposed on half-civilized tropical levies by a handful of foreign advisers who have no command responsibility and are normally kept away from operations in the field. A counter-insurgency doctrine that relies for implementation on local nationals, and requires them to conduct military operations in a style at variance with their own customs, is unrealistic to say the least.

Official doctrine suggests a solution for this dilemma. The United States is to employ advice and persuasion, perhaps even disguised threats, to assure that doctrine is complied with, that equipment is utilized effectively, and that reforms are carried out, or at least initiated. Again, there is an unspoken assumption that a weak, unstable regime will be either so well-motivated or so dependent on its benefactor for support that it will swallow the unpalatable medicine prescribed for it.

---

[1] Charles Maechling, Jr. is a lawyer and government official. He served as Director of Internal Defense in the office of the Secretary of State 1961–63; Special Assistant to the Under Secretary for Political Affairs and Ambassador-at-Large (Averell Harriman) 1963–66 and staff director of the Special Group (Counter Insurgency). Mr. Maechling is Deputy General Counsel of the National Science Foundation.

But this comfortable answer discounts the lethal consequences of political defeat in most of these countries. It underestimates the propensity of a ruling faction that maintains itself by intrigue, coercion, and legalized terror, to employ the age-old tactics of evasion, delay, and token performance to postpone indefinitely any measure that will diminish its income or dilute its power. Moreover, the whole policy vastly overestimates US "leverage" once a commitment of assistance has been made. Governments of underdeveloped countries know to the last millimeter just how much we are "hooked" once we give even a qualified endorsement of a regime to Congress in the course of justifying an assistance program. They also have an uncanny knack of gauging the extent to which the United States depends on their support in the United Nations and other international forums.

Hence, a series of anomalies. US internal defense policy purports to govern the conduct of internal warfare in friendly countries—but without transgressing the sovereignty of those countries. It propounds a doctrine to enable another government to maintain control over its environment—but it provides no means for assuring that the totality of the doctrine is effectively carried out. Finally, the policy prescribes general principles of internal reform without ever translating these principles into specifics. It is the old horror of responsibility without authority, elevated to the plane of high strategy.

Of course these anomalies are not necessarily fatal. In countries where insurgency is still incipient, and where a reasonably decent and progressive administration is doing all it can to alleviate economic hardship and social injustice, the preventive aspects of the policy may be valid and capable of effective implementation. In some areas, the military side of the policy has been quite successful—as in Latin America, where the MAP program has succeeded in transforming clumsy, garrison-bound military establishments into reasonably effective mobile warfare forces. But once local insurgency gets out of hand, the problem becomes vastly more complicated. If the situation turns critical, both US involvement and US responsibility are likely to expand enormously. Yet our inability to exercise direct control remains unchanged. We will still have no command over local military forces, even though they use our equipment and associate us with their conduct. We will still have no way of accelerating internal political and social reform except through the feeble medium of the US Ambassador.

But the major consequence of escalation is to render our counter-insurgency doctrine a virtual nullity. The first casualty is the concept of a friendly civilian population. Where counter-insurgency doctrine stipulates that civilians must be presumed friendly unless conclusively proven hostile, local security forces are likely to assume exactly the opposite. In the immediate theater of hostilities the civilian population becomes at best an encumbrance and at worst a cover for insurgent operations. Once the conflict heightens in intensity, military considerations become paramount and villages occupied by insurgents become "enemy" villages—legitimate targets for destruction. Selective, restrained use of firepower is deemed to imperil the safety of troops in the field. Disruption of community life, and dislocation of the population, are considered an acceptable price to pay for a temporary tactical "victory."

If the situation deteriorates further, the local government is likely to become desperate. Callous of human life to begin with, it now has little compunction about calling in air strikes and artillery bombardments on its own cities and villages. As to the wounded and refugees flowing in from the devastated areas, these have long exceeded the capacity of the government to care for them. Let the American aid program take the responsibility!

For the United States, the situation has now passed out of effective control. American prestige is now committed to a government victory. If we refuse to furnish ever-increasing quantities of military and economic aid to our tottering ally, we run the risk of seeing government forces defeated and the regime overthrown. On the other hand, if we intervene in strength with our own forces, we run the risk of taking over the military side of the conflict and being held responsible for the military consequences—but without any more voice in the management of the country's affairs than we had before.

The intervention of US military units also introduces US military doctrine—a fearsome prospect for any country, as Vietnam has found out to its cost. Again, the concept of an environment to be mastered, a population to be won over, give way to the stark imperatives of warfare, this time amplified and intensified by the full arsenal of modern technology and firepower. The term "enemy" is applied to any territory with a hostile coloration; towns are destroyed in order to "save" them; and the efficient conduct of military operations becomes the sole criterion for measuring success or failure, regardless of the havoc wrought on the hapless inhabitants.

Moreover, US military doctrine does not even purport to cover the all-important political aspects of internal warfare, especially eradication of the enemy's infra-structure. This infra-structure may be conceived of as a multi-purpose, decentralized base of operations, that is at once an intelligence web, a communications channel, a personnel recruitment system, a finance and taxation system, and a service of supply. In areas under government control terrorist and guerrilla movements depend on the infra-structure for support and cannot be sustained without it; conversely no insurgency can be permanently defeated as long as the underground base remains intact. The infra-structure can never be rooted out in an atmosphere of political chaos, economic disruption, and hostility to the central government. And it cannot even be detected by uniformed foreigners, unfamiliar with local language and customs, and leading a life apart from the population.

Thus, in any serious kind of insurgency situation, the enemy has both the local government and the United States in something of a box. To the extent that he can force escalation, and bring military doctrine to the fore, he can, by a sort of strategic judo, turn our strongest asset—modern firepower—against the society we are supposed to be defending. Whenever a desperate local government flattens and devastates every city and hamlet that has been infiltrated by insurgents, it really enters into a state of hostilities with the environment it is trying to master. The resentment of the local population will focus on the immediate perpetrators of the destruction and on the authorities responsible for civilian welfare, thereby stoking the fires of disaffection anew.

What are the implications of these contradictions? Is U.S. overseas internal defense policy inherently fallacious, or is it merely incomplete? Of what concern are these doctrinal inadequacies to the Foreign Service officer whose duties mainly relate to program and policy implementation overseas?

The first point to note is that while the policy purports to cover the full spectrum of counter-insurgency it in fact only fully addresses itself to the equipment and training aspects. All the requisite elements of a congruent, multi-pronged program are set forth, but little is said about how the programs are to be put into effect. In the military sector, the policy denies the United States any authority beyond an advisory role (except *in extremis*). In the crucial political, economic and social sectors the policy eschew any effective direction of the client's internal affairs and smugly assumes that pious exhortations and tactfully phrased admonition conveyed once or twice monthly by the U.S. Ambassador are the equivalent of detailed planning and administration.

Second, the doctrine overstates, or perhaps overassumes, both American influence and American ability to solve the internal difficulties of other countries. Our own social, economic, and political problems are sufficiently complex to defy easy solution; there is no reason to believe that those of unstable, economically backward countries are any simpler. Yet without a massive expenditure of funds and deep penetration of plans and programs into the political and social life of a country no outside influence can be expected to have much impact.

Third, the doctrine fails to take into account the serious consequencies of escalation, particularly if accompanied by active US military intervention. It blindly ignores the catastrophic effect of modern military operations on fragile societies.

Finally, the policy seems to presuppose that the United States has a global mission to support "free" societies throughout the Third World regardless of whether a favorable political orientation in the countries concerned is essential to U.S. interests. This poses the additional question of whether the policy is so unrelated to other premises of U.S. strategy that it threatens to entangle us in controversies and predicaments that are entirely marginal to our true national interests, and may actually conflict with them.

Moreover, like other hastily contrived theories, the policy assumes a unanimity of purpose and an availability of resources that is wholly non-existent. If there is one overwhelming fact of contemporary political life, it is that there is no national consensus in favor of supporting unpopular local regimes against local insurgencies throughout the underdeveloped world. On the contrary, there seems to be a widespread determination on the part of Congress and the public not to get involved in any more Vietnams.

At this point in history, our national resources are also under strain. Pressure for the solution of pressing internal problems is so great that unless large sums are diverted to welfare and renewal programs for the cities there will be such social turmoil that no foreign commitments can be honored. The United States economy is a delicate mechanism that can withstand prolonged fiscal or economic strain only up to a certain point without requiring stringent correctives. Unless we propose to live in a prolonged state of crisis and national mobilization we must husband our resources and apply them in the most effective way possible.

Fortunately the United States inhabits a continental island with a wide moat on either hand and as much distance from a potential enemy as any nation can reasonably expect on this crowded planet. In addition, to our vast nuclear arsenal, we possess an unrivaled naval, air and airlift capability that permits us to deploy our military power in virtually every quarter of the globe with great celerity and concentration of force. But this priceless gift of strategic mobility is not unlimited. We should be wary of impairing it in situations where it cannot be employed swiftly and decisively, as in the Dominican Republic. We cannot afford to get bogged down in profitless military stalemates that impose unacceptable limitations on our freedom of action, and impede our capacity for swift reaction elsewhere.

Yet, by a curious paradox, this is precisely what our internal defense policy threatens to do. By propounding the thesis that the United States should involve itself in the internal affairs of other countries, without having the authority to guide the domestic policies of these countries, the policy positively invites indecisive entanglements and inconclusive results. By not imposing strict limitations on its applicability to remote areas and ambiguous situations, the policy positively invites recurrent involvement in foreign land wars that would drain our resources, estrange us from our allies, and tie up our most precious military asset, strategic mobility. In short, our overseas internal defense policy treats counterinsurgency as an end in itself, instead of as a delicate instrument to be sparingly employed in the service of specific foreign policy goals.

REFORMING THE PRESIDENTIAL ELECTORAL SYSTEM

Mr. BAYH. Mr. President, there is widespread interest today in the subject of reforming the present method of electing the President and Vice President of the United States. The close results of the 1968 election, coupled with an unusual amount of publicity during the campaign and immediately thereafter on the fact that the will of the people could be thwarted through procedures which are now authorized by the Constitution, has aroused an unusual amount of public concern about the problem of how best this system could be improved.

Many public figures, newspaper columnists, editorialists, and other citizens have made worthwhile comments on the need for and prospects of change in the operation of the electoral college. Because of the national significance and timeliness of their message, I ask unanimous consent that the following items be printed in full in the RECORD at the conclusion of my remarks: An address to the Machinists Non-Partisan Political League by Hon. EDMUND S. MUSKIE, Senator from Maine, published in the Machinist for February 13, 1969; an article by Jerald F. terHorst entitled, "Do We Need an Electoral College?" published in the Autumn 1968, issue of Panhandle magazine; an article entitled "Electoral College is Dangerous, Undemocratic," printed in the IUE News for February 6, 1969; and a column written by David S. Broder on the "Faithless Elector," published in the Washington Post of January 28, 1969.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Machinist, Feb. 13, 1969]

U.S. ELECTION PROCEDURES: OUTMODED, HAPHAZARD, UNDEMOCRATIC

(NOTE.—U.S. Senator EDMUND S. MUSKIE of Maine, Democratic nominee for Vice President in last year's election, addressed the recent meeting of the Machinists Non-Partisan Political League at the Machinists Building in Washington, D.C. Here is an important excerpt.)

(By EDMUND S. MUSKIE, U. S. Senator from Maine)

I think it's clear that the American people consider that in many respects we have an outmoded, undemocratic, and haphazard election process. Especially with respect to the election of the President of the United States. I can't help but wonder, with all this ferment against the process, all this cry about the need for reform, whether or not we are likely to achieve the kind of reform we ought to have.

Earlier this month you may have noticed that Congressman Jim O'Hara of Michigan and I undertook to challenge the vote of a North Carolina elector by the name of Dr. Lloyd Bailey.

The fact that he was elected on the Republican ticket or the fact that he was chairman of a chapter of the John Birch Society, or the fact that he voted for George Wallace is immaterial.

The Congress refused to challenge the vote cast by Dr. Bailey. Bear in mind the facts: he was an elector on a Republican party slate, nominated by his district convention, endorsed by his party state convention to be a Presidential elector on the Nixon slate.

In North Carolina, as in 34 other states, the names of the electors do not appear on the ballot. Only the name of the slate's Presidential candidate appears on the ballot. So the electors are chosen only if their candidate for President receives the approval of the electorate of the state.

In North Carolina, Mr. Nixon received the plurality vote of the state and Dr. Bailey was elected an elector as a direct consequence. And yet on Electoral College day in December he declined to vote for Mr. Nixon and cast his vote for Mr. Wallace because in his personal individual judgment Mr. Wallace on that day was the better candidate.

We have the statute under which the Congress has the authority to refuse to count such a vote, and the Congress refused to exercise that authority.

What Congress has done by that action, is to liberate Presidential electors to the degree that they have never been free and independent for over 130 years. Between the years 1820 and 1948 electors always assumed that if they ran for office as a Presidential elector on a party slate, they were bound to honor their party's candidate for President.

PRECEDENT SHATTERED

In 1948, for the first time since 1820, an elector chose to ignore that mandate. Again in 1956 this happened. In 1960 it happened, and then in this election campaign you will recall all of the speculation of what was to happen if no candidate received a majority in the electoral college.

It was common knowledge that Governor Wallace had pledged his electors to cast their votes in whatever way they chose. It was his view and his objective to decide the election, not in the House of Representatives, where the Constitution provides that it shall be decided, failing a majority for any candidate in the electoral college. Wallace wanted to decide it in the Electoral College where he could exert maximum pressure and put together a maximum compromise and a maximum bargain along lines he would dictate.

Well, now, the Congress has liberated the Presidential elector. In future elections, as a result of that decision, electors are free on Electoral College day, to vote for the candidate of their personal choice whether or not they were elected on a party slate, whether or not their names are on the ballot which goes to the voters.

This is the situation in which we find ourselves today. And the interesting thing is that there are members of Congress who have said in the course of debate against Dr. Bailey, and since, that maybe it isn't too bad an idea to leave this discretion in the hands of the electors rather than in the hands of the Congress.

So the whole thing is loose, the whole thing has come apart. It was said up on the Hill, it was said in the Senate, we don't really need to be worried about this because it is inevitable that we'll have reform of the Electoral College in this Congress. Well, is it inevitable? And if it comes, what form will it take? And if the reform that's proposed by the Congress is inequitable or inappropriate, or if it runs counter to the wishes of the people, what will we do about t?

SEVEN YEARS MINIMUM

If we should adopt a Constitutional amendment dealing with electoral reform, that amendment will be alive for seven years so that the states can act on it. Suppose that it takes seven years before the states either finally approve or disapprove such an amendment.

Once we have put an amendment in motion, we are not really in a position to consider another one, or a better one, for seven years. And if such an amendment is rejected, so that we must consider another one, that will take another six or seven years before that one is finally adopted. So it is conceivable that as much as twelve years would pass before we finally resolve this problem.

Twelve years means three more Presidential elections, three more Presidential elections subject to the risk of faithless electors; three more Presidential elections subject to the danger of manipulation in the Electoral College; three more elections subject to the risk that the will of the people will be frustrated.

It's incumbent upon us then to consider electoral reform as an urgent piece of public business, and secondly, we should consider it as so important at this time that we put together the best possible kind of reform.

In my judgment there is one kind of reform that meets the test. The test ought to be this:

That we eliminate the possibility of free choice in the hands of electors;

That in any election campaign the appeal ought to be not to states, but to voters;

That every voter's vote is to be of equal value and of equal importance wherever it is cast.

Now there is only one reform that meets all three of those tests. And that is the direct popular election of the President of the United States.

There are those who say, well, we ought to preserve the electoral vote even though we don't preserve the Presidential electors in order to preserve the integrity of the state. To that, may I say that the election of the President is the election of the President of all the states of the country and not the President of any particular state.

As a matter of fact, under the present system, the small states have less influence than they would have under a direct election system.

Under the present system the Presidential electors in the larger states have more influence upon the choice of the President than the electors of the small states. The balance between large and small states seems important to you. The important thing is that under the present system, where the winner takes all in every state, those who voted for the minority candidate in a particular state are disenfranchised in the election of the President of the United States.

PROBLEM OF DIRECT ELECTION

There is only one problem with respect to the national election of a President by direct popular vote that ought to concern us, and that is the question of uniformity of election procedures, uniformity of requirements establishing eligibility to vote, because obviously these could be manipulated by states undertaking to increase their influence upon the national results.

In addition there is the problem of the close election. The method of resolving a close election is a test of any election process, whether it's under the present system involving the Electoral College or under a direct popular vote system. It is the close election which raises public doubts as to whether the final result will be their choice or the choice of a few men manipulating the process for their own benefit.

It is easy to accept the result of any election when one candidate has a clear majority. It is less easy to preserve the result in a close election.

But if we have the direct election of the President by the people and we have a close election, one that is decided by a few hundred thousand votes as in 1968:

How do we decide which ballots have been cast properly and which ballots have been cast improperly?

How do we decide who is eligible to challenge and who will supervise the challenging procedure?

When we deal with this subject, we are dealing with a subject that has been the traditional responsibility of the states. When we are dealing with the election of a President, it seems to me that we ought to make sure that at the same time we establish a direct popular vote system, that we also have in mind the method for dealing with the close election. Otherwise, we might find ourselves right back where we are with a close election and the danger of manipulation by the people who ought not to have that power.

[From the Panhandle magazine, autumn, 1968, published by Panhandle Eastern Pipeline Co.]

Do We Need an Electoral College?

(By Jerald F. terHorst) [1]

"So you see the Judas of the West has closed the contract and will receive the thirty pieces of silver. His end will be the same. Was there ever witnessed such a barefaced corruption in any country before?"

Those angry words were penned by Andrew Jackson, the popular winner of the 1824 Presidential election, following a Congressional deal that awarded the Presidency to John Quincy Adams, who finished second. The special object of Jackson's scorn was House Speaker Henry Clay, a formidable and powerful leader. The election of 1824 had failed to produce an Electoral College majority for any candidate. As provided in the Constitution, the choice had been tossed to the House of Representatives. Clay, using his influence, rounded up sufficient votes in the House to deny Jackson the Presidency and give it instead to Adams. In turn, Adams rewarded Clay by making him Secretary of State.

THE PRESIDENCY IS THE LAST MAJOR OFFICE IN THE LAND ON WHICH THE VOTERS DO NOT HAVE A DIRECT VOICE

A deal like that today, with its brazen nose-thumbing of the nation's voters, would touch off a popular outcry unmatched in American history. All recent protest marches would look pallid by comparison. Such a deal would seem to be unthinkable. It's been 144 years and 35 elections since the House has had to choose a President of the U.S. But statistics breed a false sense of security. We have had six narrow escapes since then, including the 1960 Kennedy-Nixon contest. And this year of 1968 could be another close brush with fate.

The nation's voters just could wake up the morning after the election to learn that it had all been for naught, that they had not chosen a new President; and that the choice of the next President would be made by Congressmen from 26 states.

The reason the 1968 Presidential election is so vulnerable is due both to the weakness of our system for electing Presidents and the special circumstances of this year's campaign. The weakness is that while American voters may think their ballots will elect the next occupant of the White House, the choice is actually made for them by the delegates to the Electoral College from each of the states and the District of Columbia, who are legally able to vote as they please.

The special circumstances of 1968 are that an extremely close race is in prospect between Republican Richard Nixon and Democrat Hubert Humphrey, the two major candidates, plus a kicker: a strong third-party challenge by Alabama's ex-Governor George Wallace, who apparently is basing his strategy on a plan to prevent either Nixon or Humphrey from getting a required majority of those Electoral votes. That would give him a chance to bargain with one or the other in the Electoral College or, failing that, force the election into the House of Representatives where another compromise could be attempted.

The Electoral College system is such a Rube Goldberg contraption that one wonders how it has managed to survive to the present day. At best, it means that no matter how the people vote, their decision must be ratified, as it were, by another body of government. At worst, it permits the will of the people to be tinkered with, warped or even rejected.

Of all the great and noble principles of government expressed in the U.S. Constitution, the provision for an Electoral College is not among them. It is, really, a political expedient that was adopted by the delegates to the Constitutional Convention of 1787 in Philadelphia as a way out of a dilemma.

Having agreed to create the office of President, with potentially great powers even then, they could not agree on how he should be chosen. Some wanted Congress to choose him, but others objected that it would make him subservient to the Legislative Branch and also open the door for "intrigue, or cabal or faction." Some suggested a direct vote of the people, a forward-looking and almost radical idea at the time. But others said the citizens of the land were still too "uninformed" and would be "misled by a few designing men."

So the Constitutional Convention finally compromised on an intermediate elector plan. Each state would appoint, "in such manner as the legislature thereof may direct," a number of (Presidential) electors equal to the number of its Senators and Representatives in Congress. The key words in quotation solved the problem. The electors could be appointed directly by a state's legislature, they could be elected to serve in the Electoral College by a direct vote of the people, or a legislature could give a Governor the right to name a state's electors. The Electoral College came into being simply because the original states, jealous of their own sovereignty, could not agree on any other plan that was acceptable to all of them.

If there is no majority for a Presidential candidate in the Electoral College, then under the Constitution the choice goes to the House of Representatives. Each state would have but one vote; a majority of the states (26 out of 50) would be required to elect the President. If a state's Congressional delegation was split evenly between the two parties, it could lose its vote completely.

BITTER AND FRANTIC POLITICAL INFIGHTING BROUGHT BURR DANGEROUSLY CLOSE TO THE PRESIDENCY

On its first try in 1789, the Electoral College seemed to be a success. But the appearance was deceptive. One major early weakness was to toss the election of 1800 into the House of Representatives, the first election so decided, as Thomas Jefferson found Aaron Burr, his Vice Presidential running mate, in fact, his major contender for the Presidency.

The problem was the system of "double balloting." The Constitution directed each elector to cast two separate votes for President, but he could not differentiate and specify one for President and the other for Vice President. As the fledgling parties solidified on a more national basis in 1796, the first bizarre effect of this "double ballot" resulted in the election of a President from one party and a Vice President from the other. Ironically, a similar result would appeal to a section of the popular vote in this election of 1968.

When the Electoral votes of the election of 1800 were tallied, Thomas Jefferson stood face to face with Aaron Burr, each having received 73 votes. As the House of Representatives retired to its chambers to elect a President, bitter and frantic political infighting brought the inferior Burr dangerously close to the Presidency. This unhappy example spurred passage of the 12th Amendment in 1804, requiring the electors to vote separately for President and Vice President.

To see the potential for national chaos in this antiquated system, one needs only to review the jet-age, nationally-televised Presidential campaign of 1960 between John F. Kennedy and Richard M. Nixon.

The official records show that Kennedy won 303 votes in the Electoral College to 219 for Nixon and thereby became President. But a shift of only 4,491 popular votes in Missouri from Kennedy to Nixon, and a shift of 4,480 in Illinois, where voting fraud charges seemed plausible, would have denied both men a majority in the Electoral College and would have tossed the outcome into the House of Representatives.

The tradition, of course, is that a state's electors will cast their votes in accord with the majority of the popular vote in that state. But they do not have to do so. Indeed, the 1960 "unpledged" electors from Alabama and Mississippi decided to go for neither man. They voted for noncandidate Harry Byrd Sr., the elderly Virginia conservative, as did one elector in Oklahoma.

Suppose the Kennedy-Nixon contest had been thrown into the House of Representatives. The odds would seem to favor Kennedy. But as the New York Times' Tom Wicker has observed: "The trouble with that assumption is that the House would have voted under an archaic provision giving each state delegation one vote, regardless of the size of the delegation, with a simple majority of 26 votes required for election. But at the time a Nixon-Kennedy decision would have been made, there were 23 delegations controlled by Democrats from northern and border states, six by Democrats from the Deep South, 17 by Republicans, and four split evenly between the parties. Obviously the Democratic but anti-Kennedy Deep South states and the four split states would have held the balance of power and it is impossible to say what would have happened after the bargaining, logrolling and vote buying had been completed . . .

"What would have happened had the whole mess been left to the House is too ghastly to think about."

That it didn't happen then, or in the previous close shaves of 1948, 1892, 1860, 1856 and 1836, has to be attributed to Providence which, as the saying goes, looks after fools, drunkards and the United States!

In each of those Presidential elections, a shift of less than one per cent of the popular vote would have robbed the Electoral College winner of his majority and would have sent the decision into the House of Representatives.

In the Kennedy-Nixon race, the shift would have had to be less than two hundredths of one per cent.

---

[1] Jerald F. terHorst, chief of the Washington bureau of the Detroit News, is considered to be one of the most knowledgeable reporters in the Capital on national politics and economics. Many of his stories are syndicated to other newspapers by the North American Newspaper Alliance. A graduate of Michigan State University, terHorst started his newspaper career on the Grand Rapids (Mich.) Press and has been on the Washington scene as a newspaper correspondent since 1957.

In the 1948 contest between Harry Truman and Thomas Dewey, Dixiecrat Strom Thurmond would have been in the driver's seat had a few popular votes shifted. If 23,000 voters in Ohio and California had gone for Dewey instead of Truman—less than three hundredths of one per cent of the total vote—Truman would have lost his Electoral College majority. The outcome would have gone into the House.

Thurmond had only 39 Electoral votes that year, and less than 2 per cent of the popular vote, but he could have bargained with either of the two major candidates before the Electoral vote was counted and, had he made a deal, he would have been able to provide an Electoral majority for either Truman or Dewey. Had the Electoral College failed, Thurmond could have bargained as leader of the Southern states in the House.

Is this what George Wallace has in mind for 1968?

There's no question that Wallace's third-party candidacy will have an impact on the Democratic and Republican races for the White House. The latest Gallup polls give him 19 per cent of the popular vote, possibly enough to deny either Humphrey or Nixon a majority of Electoral College votes.

Wallace, of course, hopes that he can win the Presidency outright. As he points out, if he can get more popular votes in any state than his rivals—34 per cent or better—he will, by tradition, be entitled to that state's full quota of Electoral votes. The more likely Wallace role, however, is that of the spoiler. His options are varied, but they all hinge on pressing for policy concessions from either Humphrey or Nixon if his own Electoral vote is large enough to deny them a majority of Electoral votes.

The historical odds, of course, are against Wallace. To beat the odds, he would have to carry five or more states (possibly Alabama, Georgia, Mississippi, Louisiana, South Carolina) at the same time that the other two candidates finish within 2 per cent of each other in the popular vote across the nation. The finding is based on a computer analysis by Dr. Charles Bischoff of Yale University. Unless he does better than the Bischoff minimum, Wallace will be out of the running on the day after the November election.

There have been suggestions that the two major parties take a pre-election pledge against bargaining with Wallace. The most interesting proposal, by Professor Gary Orfield of the University of Virginia, would require a promise by Democratic and Republican Congressmen that they would give the Presidency to whichever candidate received the highest popular vote in event neither has an Electoral majority.

Despite kind words by some officials of both parties, however, the pledge is not likely to be made. The reason is that a no-deal pledge in itself smacks of a deal. Wallace, for one, quickly labeled it as such.

But the basic point, the real question, is not whether Wallace can beat the system but why we still have it.

What's needed is the abolition of the Electoral College system through a Constitutional Amendment that would provide for the direct election of a President by the votes of the people.

If this sounds bold, it's only because the Presidency is the last major office in the land on which the voters do not have a direct voice.

The government of the United States, supposedly, is derived from the consent of the governed. Yet the procedure for picking a President has made it possible for a majority of the voters to be thwarted and, indeed, it has actually happened.

There have been literally hundreds of proposals for changing, modifying, or abolishing the Electoral College system, some plans dating back as far as 1800. American Presidents from Madison to Jefferson to Lyndon Johnson have been trying to devise something better.

The best plan, however, is at once the simplest; a direct vote by the people.

THE ELECTORAL COLLEGE SYSTEM IS SUCH A RUBE GOLDBERG CONTRAPTION THAT ONE WONDERS HOW IT HAS MANAGED TO SURVIVE

Of course, there is the problem of what happens if there are more than two candidates for the White House and no one has a majority.

The American Bar Association, which has conducted an exhaustive study of the Electoral problem, suggests that any candidate with 40 per cent of the national vote be declared the winner. If no candidate has 40 per cent, the ABA proposes a national runoff between the top two candidates. Senator Birch Bayh, of Indiana, and 19 other Senators have co-sponsored a Constitutional Amendment providing for this but it has not cleared Congress. Actually, a runoff would rarely be necessary unless there were many splinter party candidates. The 40 per cent figure would tend to discourage that. Additionally, a study of 170 governorship contests in 30 states over a 12-year period shows that the winning candidate polled more than 40 percent of the vote in all cases and more than 45 per cent in all but two.

A solution like this is certainly more in the American tradition than the involved and potentially devious Electoral College-House of Representatives system now required to pick a President. There have been too many elections in which the nation has come dangerously close to handing the world's most powerful office to a man who was not the first choice of his people.

To quote Neal R. Peirce, the respected political editor of Congressional Quarterly and author of the book, "The People's President":

"No one has been able to show how the preservation of a quaint 18th Century voting device, the Electoral College, with all its anomalies and potential 'wild cards,' can serve to protect the Republic. The choice of the Chief Executive must be the people's, and it should rest with none other than them."

The American people have been right more often than wrong. Why continue to play games with their votes?

[From the IUE News, Feb. 6, 1969]

Electoral College Is Dangerous, Undemocratic—Outmoded Winner-Take-All System Once Again Under Fire in Congress

We propose that the Electoral College be abolished and the President and Vice President be chosen by direct, popular election."

This statement, submitted by the AFL–CIO to the platform committees of the 1968 Democratic and Republican National Conventions, is forthright and clear. It addresses itself directly to one of the most serious political needs of the country—the need for electoral reform.

The present system is as old, in almost all its parts, as the Constitution itself. Under it, the citizen casts his ballot not for the presidential candidate of his choice, but for one of two or more slates of electors, each publicly committed to a particular party ticket.

Whichever slate of electors receives the most votes in each state may cast all of that state's electoral votes for the candidate it represents when the Electoral College convenes. If no candidate receives a majority in the Electoral College, the election is decided by Congress, with the House of Representatives choosing the President and the Senate choosing the Vice President.

The system was built into the Constitution largely as a result of two fears.

One was a fear of democracy. Real democracy was something new and almost untried, a revolutionary idea, when the Constitutional Convention met in 1787.

Conservatives such as Alexander Hamilton hoped that the Electoral College would serve as a buffer against democracy by placing the selection of the President in the hands of a small group of prominent citizens (the electors), who would exercise their own judgment, not the people, in making a choice.

The other was the fear among the small states that, in the new and tighter federal system, they would be at the mercy of the more populous states. As the price of their ratifying the Constitution, they insisted on various safeguards, including the provision that the Electoral College be weighted in their favor by making the number of electors in each state equal to the state's representation in the House, plus two extra for the state's two senators.

Both fears might have been understandable, if not excusable, in 18th-century America. But they, and the whole Electoral College system, are completely out of date in the 20th century.

CRITICISMS

Constitutional experts have pointed out any number of defects in the system. Here are just a few:

Although Hamilton's idea of a small body of independent electors hasn't worked out as he hoped, since electors usually vote their constituents' wishes, the system is still undemocratic. It insults the voter with the implication that he is unfit to choose his President directly.

On several occasions in American history, it has resulted in the election of minority Presidents. In 1876 and 1888, respectively, Democrats Samuel J. Tilden and Grover Cleveland each polled more popular votes, but won fewer electoral votes, than their Republican opponents. The Republicans went to the White House.

It weights votes unequally. On the one hand, small states have the advantage of two additional electors. On the other, there's the argument that the voters responsible for the winning margins in a few crucial large states actually hold the balance of power. Whatever the case, it's a long way from "one man one vote."

Then, by its winner-take-all character, the system wipes out all votes for unsuccessful candidates in each state.

For example, in 1968, 1,237,000 New Jersey voters cast their ballots for Hubert Humphrey. But since Nixon carried the state by 50,000 votes, all Jersey electors were Republicans. As far as they were concerned, the Democratic voters might just as well have stayed home.

Another difficulty is that there is no assurance that electors will vote as they've promised. In the last election, one North Carolinian pledged to Nixon defied the will of his constituents and cast his ballot for George Wallace.

THE LESSON OF 1968

In a very close electoral count, this kind of arrogance could change the course of history.

The 1968 campaign furnishes an example of the dangers inherent in the system. George Wallace's American Independent Party managed to get on the ballot in all 50 states. During the campaign, there was speculation that Wallace might carry enough states to deny an Electoral College victory to either of the two major party candidates.

This didn't happen. But suppose it had? Wallace's strategy would have been to seek to make a "covenant," or bargain, with one of the other Presidential candidates. The deal—Wallace's electoral votes in exchange for a promise not to enforce civil rights laws, or for a Wallace veto over administrative and judicial appointments, or for whatever else the former Alabama governor might have dreamed up.

If no deal had been made, there would have been no Electoral College majority, and the election would have been thrown into the House.

There, each state's delegation would have voted as a unit for one of the candidates. (That is, a state with 10 Congressmen, six Republicans and four Democrats, would have cast one vote for Nixon). The candidate who received the votes of the most state *delegations* (not necessarily of the most Congressmen) would have won.

It would have been possible, too, for the House to have deadlocked, by failing to give any candidate the nods of 26 of the 50 delegations. And it might have taken weeks, or even months, to resolve the deadlock—possibly through the Senate choosing a Vice President who then would have become acting President.

It could have wound up that the nation had no duly elected President by Inauguration Day. Considering the turbulence of the past year or so, it takes no great effort of the imagination to picture what might have happened then.

PROPOSALS FOR REFORM

Over the years, hundreds of proposals for changing the system have been introduced into Congress.

In the present Congress, Sen. Birch Bayh (D-Ind.) is holding hearings of the Constitutional Amendments Subcommittee on the merits of several alternative plans, one of which he himself has introduced.

The proportional plan, introduced by Sen. Sam Ervin (D-N.C.), would divide the electoral vote of each state among the various candidates in proportion to their shares of the popular vote. The candidate receiving the greatest number of electoral votes (above 40 percent) would be elected.

This would eliminate one of the worst features of the present system, the "winner-take-all" feature. But it would still give undue weight to smaller states, since it would make no change in the distribution of electoral votes among the states. And it would still, in cases where no candidate receives 40 percent, allow Congress to choose the President.

The District plan, advanced by Sen. Karl Mundt (R-S.D.), would provide that electors in each state be chosen individually, in single-member districts, rather than as a group. It would also make it impossible for electors to vote against the wishes of their constituents. But it, too, is obviously no more than a half measure.

Sen. Bayh himself has proposed a constitutional amendment practically identical with the AFL–CIO position. His proposal would junk the whole, obsolete Electoral College system, and substitute a system of direct election by the people. In the event that no candidate should receive 40 percent of the popular vote, a runoff election would be held between the two leading candidates.

The Bayh proposal attacks the problem at its root. It would ensure that the man elected President would be the choice of the greatest number of voters.

But the outlook for its passage is uncertain. Any one of these proposed constitutional amendments must be approved by two-thirds majorities in both houses of Congress, then ratified by three-fourths of the state legislatures.

With several other plans competing for approval, Sen. Bayh is pessimistic about the prospects for getting the resolution through the present Congress.

Even if he does, it will have a difficult time with the state legislatures, many of which can be expected to oppose it.

Still, something needs to be done, and done soon. As Sen. Bayh has said, "People just aren't willing to patch the roof when it isn't raining, and memories fade fast."

In other words, it won't be long before most people forget the fears, so prevalent during the 1968 campaign, that we would have a minority President, or a President who had got his office by making a corrupt bargain with George Wallace, or a period without any President at all.

If electoral reform is put off until the next Presidential election year, it might be too late. And what was only a frightening possibility in '68 might become a grim reality in '72.

[From the Washington Post, Jan. 28, 1969]

FAITHLESS ELECTOR PROVES NEED FOR ELECTORAL REFORM

(By David S. Broder)

The most intriguing aspect in the testimoney of Dr. Lloyd W. Bailey, the North Carolina Republican presidential elector who bolted to George Wallace, was his account of the process that made him one of the few Americans actually empowered to help choose the new President.

Sen. Birch Bayh (D-Ind.) invited the Rocky Mount ophthamalogist to appear before his Constitutional Amendments subcommittee last week in hopes the Bailey case would demonstrate the need for electoral reform.

The results were better than Bayh could have hoped. The good doctor proved to be a man so totally candid and so splendidly self-righteous that he showed the present system for what it is—not just awkward but dangerously absurd. His story is a case study in the casual irresponsibility of the electoral college system.

Dr. Bailey explained that he went to the 2d District GOP convention last February, "knowing that I would be proposed for nomination to the position of presidential elector. I did not seek this position, but I did not decline it. . . . We were in the position of having to find people to fill every office in the party structure. No one else was proposed for presidential elector, so I was nominated.

"This was a number of months before we even knew who the presidential nominees would be," he noted. "There was no discussion of party loyalty, there was no pledge, and there was no commitment made to any candidate."

Personally, Dr. Bailey said, he was disappointed when the Republican convention nominated Richard Nixon, rather than Strom Thurmond or Ronald Reagan. Therefore, he felt no twinge of conscience last fall in supporting and voting for George Wallace.

North Carolina is one of those States that neither pledges presidential electors to support Party nominees nor bothers to list their names on the ballot. In a system of symmetrical irresponsibility, the electors are as unknown to the voters who elect them as they are free of obligation to heed their wishes.

"As an example of how lightly the position of Republican elector was taken," Dr. Bailey told the subcommittee, "I had even forgotten that I was the elector until I was reminded of it by Dr. Stroud, the 2d District Republican chairman, shortly before the general election."

Those who wish may scoff, but Dr. Bailey is a busy man; it is a long time from February to November; and it is easy to see how that little extracurricular chore of choosing the President might have slipped his mind.

But the doctor is also a conscientious man, whose interest in public affairs had long since been evidenced by his membership in the John Birch Society. Once reminded of his duty as an elector, he began to pay close attention to Mr. Nixon's activities. His first instinct, he testified, was to give Mr. Nixon his electoral vote, even though the 2d District has supported his personal choice, Mr. Wallace.

But then Dr. Bailey noticed the President-elect had named a half-dozen staff members whom he recognized (from reading Dan Smoot's book, "Invisible Government," as members of the Council on Foreign Relations, a sinister group whose goals, he told the subcommittee, "appear to be uncomfortably close to those of the international Communist criminal conspiracy." When Mr. Nixon asked that other Birch Society nemesis, Chief Justice Earl Warren, to remain in office and to administer the presidential oath, the "forgetful elector" was moved by conscience and love of country to become "the faithless elector." Rejecting the suggestion that he resign his post as "cowardice under fire," Dr. Bailey, on the appointed day in December, calmly and deliberately cast one of the 12 electoral votes Mr. Nixon had won in North Carolina for Wallace. He was only the fifth elector in the last 150 years to vote his conscience, rather than his party, but his constitutional right to do so was solemnly affirmed by both houses of Congress when the electoral vote was officially canvassed early in January.

By their decision, the lawmakers served notice—in headline-size type—that any elector, however chosen, was free under our present system to do exactly what Dr. Bailey had done. The doctor himself told the subcommittee he hopes his example will be widely imitated.

The mass of voters, he said, have been so victimized by the distortions of the news media that it would be preferable to have the President chosen by "informed men" like himself, who (with the help of Dan Smoot and Robert Welch) "take the time to go into things."

SUPREME COURT OVERRIDES EXPRESSED VIEWS OF CONGRESS

Mr. BYRD of Virginia. Mr. President, one of the outstanding lawyers of Virginia is the attorney general of our State. I have received from him a letter which I think merits the attention of the Senate.

You will note that Attorney General Robert Y. Button documents a case for his assertion that the Supreme Court of the United States "is completely overriding the expressed views of the Congress."

I ask unanimous consent to have printed in the RECORD the letter to me from Attorney General Button.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMMONWEALTH OF VIRGINIA,
OFFICE OF THE ATTORNEY GENERAL,
Richmond, February 12, 1969.

Hon. HARRY F. BYRD, Jr.,
Member of the Senate, Congress of the United States, Washington, D.C.

DEAR HARRY: The Civil Rights Act of 1964, codified as 42 United States Code Annotated § 2000c, defined a public school as follows:

"(c) 'Public school' means any elementary or secondary educational institution, and 'public college' means any institution of higher education or any technical or vocational school above the secondary school level, provided that such public school or public college is operated by a State, subdivision of a State, or governmental agency within a State, or operated wholly or predominantly from or through the use of governmental funds or property, or funds or property derived from a governmental source."

The Virginia tuition scholarship or grant program was considered by a three-judge Federal court in the case of *Griffin, et al.* v. *State Board of Education,* which case was argued December 14, 1964, and decided on March 9, 1965, in an opinion by Judge Albert Bryan, Virginia school tuition grant laws were upheld. I quote from that opinion with respect to the Virginia statutes as follows:

". . . (1) that they are not unconstitutional on their face, as fostering forbidden race distinctions; (2) that the grants may lawfully be used in a private, segregated, non-sectarian school if they do not constitute the preponderant financial support of the schools; but (3) if the grants are paid by the governmental authorities knowing the funds will be used to provide the whole or the greater part of the cost of operation of a segregated school, as it is in each of the private schools described in the complaint, then such disbursement of public moneys is impermissible."

Subsequently, an attack was made on the tuition grant program of the State of Louisiana in the case of *Poindexter* v. *Louisiana Financial System Commission,* 275 Fed. Supp. 833, and the South Carolina Program in the case of *J. Arthur Brown* v. *The South Carolina State Board of Education*.

Both of these cases before the three-judge Federal courts invalidated the tuition grant program of Louisiana and South Carolina, and the United States Supreme Court affirmed these decisions without oral argument and by per curiam opinions.

The *Poindexter* case particularly held that the validity of a tuition grant program is to be determined by whether the arrangement in *any* measure, no matter how slight, contributes to or permits continuance of segregated public school education.

The Virginia tuition grant program was reargued before the same three-judge Federal court that had decided the matter in 1965, and by a decision entered on February 11, 1969, their prior holding was reversed, Judge Bryan saying that a more exact test was impliedly enunciated by the Supreme Court in 1968 and that the precedent was binding upon them.

The purpose of writing you this letter is to call your attention to the fact how the Supreme Court of the United States is "completely overriding the express views of Congress" in a matter that had been fully and carefully considered, in which legislation a test was definitely set up, which test has been completely changed by the rulings of the United States Supreme Court.

With kindest regards and best wishes.

Sincerely yours,

ROBERT Y. BUTTON,
Attorney General.

JUNEAU RESOLUTION IN MEMORY OF SENATOR BARTLETT

Mr. STEVENS. Mr. President, I ask unanimous consent that a moving and heartfelt resolution of the Juneau City Council in memory of the late Senator Bob Bartlett be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

A RESOLUTION COMMEMORATING THE LATE U.S. SENATOR BOB BARTLETT BY THE CITY OF JUNEAU, ALASKA

Whereas Bob Bartlett was taken from us in death on 11 December 1968; and

Whereas his official residence as a United States Senator was the City of Juneau; and

Whereas he served Alaska longer than any other representative in Congress, having been a delegate for the territory for the final fourteen years before statehood, and having served for the first decade of statehood as one of our Senators; and

Whereas Bob Bartlett, in conjunction with the Alaska-Tennessee Plan delegation and other interested Alaskans achieved for his home country the full sovereignty of statehood as the 49th State of the Union; and

Whereas both as delegate and as a Senator, Bob Bartlett was a tireless, selfless worker for Alaskan causes; and

Whereas during his twenty-four years in Congress he sponsored and guided to passage much of the Federal legislation of special benefit to Alaska; and

Whereas his contributions in the Senate went beyond the borders of his State—to his nation and to international affairs in which his country was involved; and

Whereas over his long years of service Bob Bartlett was responsible for much legislation and administrative action of direct benefit to the greater Juneau area; and

Whereas he was not only a great public servant, but a great human being as well whose friendship was highly valuable in itself, aside from any consideration of power or influence;

Now, therefore, be it resolved by the Council of the City of Juneau, Alaska:

The people of the City of Juneau deeply mourn the passing of Bob Bartlett, our friend, protector and guide. And we convey to his widow Vide, and to his daughters Doris Ann and Sue our heartfelt condolences.

Copies of this Resolution shall be sent to members of Senator Bartlett's immediate family and to the Alaska Congressional delegation at Washington.

Passed and approved this 16th day of January, 1969.

CITY OF JUNEAU, ALASKA,
By JOSEPH H. GEORGE, *Mayor.*

Attest:

IONA N. STONE,
Deputy City Clerk.

WYNNE MATHEMATICS LABORATORY PROJECT, WYNNE, ARK.

Mr. FULBRIGHT. Mr. President, in our educational system we have great need for imaginative innovations. We must have educational programs that are attuned to local needs and that will enable students to become contributing and effective members of society.

We have a very good example of this type of program in Wynne, Ark., with the Wynne Mathematics Laboratory project, under the direction of Mr. Gene Catterton. I am happy to say that this project is one of several in Arkansas which has benefited from Federal funds under title III of the Elementary and Secondary Education Act of 1965. The Arkansas State Department of Education says that title III provides "a chance to try a different approach, to be innovative, to work on the problem areas where no solutions have yet been found."

According to American Education, the magazine published by the Office of Education of the Department of Health, Education, and Welfare, this Arkansas teacher has found "a right answer" for his math students.

Along with other Arkansas teachers, Mr. Catterton developed new materials, called "drop-in mathematics," aimed at the lower third of the ninth grade. Because there is a high correlation between low income and low achievement, the project became one, in effect, for the low-income student who needed help in practical mathematics for everyday living.

The entire story of the development of this successful program is told in the American Education article, entitled, "Underachievers Measure Up," written by Mr. Bill Lewis of the Arkansas Gazette.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNDERACHIEVERS MEASURE UP: ARKANSAS TEACHER FINDS A RIGHT ANSWER FOR BORED MATH STUDENTS

(By Bill Lewis)

If low achievers can't be taught mathematics with a pencil and paper, can they be taught with a calculator? From a small eastern Arkansas farm community called Wynne comes a cautious "Yes." But even before a more definite answer can be given, awaiting a full evaluation, Wynne's Mathematics Laboratory Project, which takes a new tack in teaching math to the lower third of a ninth-grade class, has won the loyalty of its teachers and students.

Ed White of Hope, Ark., who formerly taught the course without calculators, says from now on he won't use any but the project approach. And Ruth Van Riper of Fort Smith, a veteran teacher of college preparatory math, requested reassignment at her school to a low achievers' class because no other teaching has given her more satisfaction.

Even more significant is the changed attitude of the students, who bring to class an awareness and interest they never had before. Gene Catterton, chairman of the mathematics department in Wynne school district and protagonist in getting the program started, says, "I am confident that the new approach has reduced the number of apathetic students."

Over a number of years as a math teacher in Arkansas, Catterton observed that the general math course simply wasn't getting across to a good many of the students, the low achievers who had been passed up the grade ladder mainly because they physically outgrew their grade levels. Ninth graders were coming to Wynne Junior High with math skills comparable to those of youngsters as low as the fourth grade. The course used examples that had no relevancy to students from farms or small towns. Consequently, attention spans were extremely short: The students were bored with math and freely admitted it. What's more, they had convinced themselves that they could not learn it. Most of the low achievers were further handicapped by below-average intelligence quotients.

Catterton also observed that the dropout rate began to climb at the ninth-grade level. Obviously, a lack of success in math contributed to the rising rate. Why not, he wondered, design a program specifically for potential dropouts?—one that would provide not only a new motivation for the slow student but a wholly new approach to the teaching of math.

Shortly thereafter, Catterton heard about just such an effort then under way in some Iowa schools. In 1964, he went to Iowa to see what it was all about. "Before I went," he said, "I wasn't very enthusiastic. But after I talked with teachers and students, looked at tests and records, and saw the plan in operation, I became completely sold on it."

The Iowans were experimenting with the use of calculators in the ninth-grade general math class, mainly as devices that would enable the nonachievers to get a few right answers for a change. Catterton returned to Arkansas, and, with the passage of the Elementary and Secondary Education Act of 1965 he applied for a grant under title III which was promptly approved. With it, Catterton invited seven other veteran math teachers from six widely scattered, diverse Arkansas school districts to join him for six weeks of summer study at the University of Arkansas to develop new materials and approaches.

Their new materials, dubbed "Drop-In Mathematics," were aimed at the lower third of the ninth grade. Because there is a high correlation between low income and low achievement, the project became one, in effect, for the low-income student who needed help in practical mathematics for everyday living. The text borrowed from grocery advertisements, bills of sale from a community tire and supply store, ads from the local newspaper, the price list of an athletic equipment store.

At the end of the six weeks, Catterton applied for an operational grant of $90,000 to start the program in five Arkansas schools. The math project was begun in September 1966 but did not become fully operational until the second semester of that school year. It was funded to continue through the 1967–68 school year and two more Arkansas schools joined in the project.

First, the teachers created a mathematics laboratory by converting physics-chemistry labs or conventional classrooms or by wiring and equipping portable classrooms. They bought 16 calculators—one for every two students—for each of the schools, along with elementary physics laboratory equipment, particularly measuring devices. Audiovisual equipment was obtained from the schools' regular stocks. The teachers were acutely aware of the inability of the students to read and comprehend math questions, so two of the schools provided reading machines to help with comprehension.

Initially, the teachers devoted two days a week to working with the calculator. To combat limited attention spans, the teachers would change techniques two or three times each class period, using audiovisuals in one segment, a demonstration or student participation in another, and usually closing with Chinese-checkers-type games that made the students count and use other simple mathematical processes.

Students were also encouraged to bring to their classes problems in math that they encountered away from school. They were required to raise money to purchase some items they particularly wanted. Classes also dealt with school financial matters such as the cost of athletic equipment and cheerleaders' wearing apparel.

Measurement was an important element in instruction. Students would be sent two at a time to measure the length of a building on the school grounds. If six pairs of students went out, the result would likely be six different answers—and a spirited discussion about who was right. They would settle the issue by taking an average, which Catterton explained as a "perfectly good math principle" that leads quite naturally to the subject of averages.

The teachers insisted that the students use a "flow chart"—a step-by-step written plan for doing any specific job. The class would be asked, for example, to make a flow chart for sharpening their pencils. Then they would be required to follow it exactly—sometimes to find that they had reached the pencil sharpener without having picked up their pencils first.

"Sharpening pencils has nothing to do with mathematics," Catterton explains, "but thinking ahead does. And that's what we're trying to teach them."

The teachers avoided prolonging any single topic. One or two weeks were devoted to measurement, one or two to fractions, one or two to something else. But each subject was referred to periodically all through the year. Homework, which the low achievers would not do anyway, was not given.

During the course, students were taken on field trips to local businesses—banks, manufacturing plants, utilities—for a firsthand look at how the skills they were trying to learn could be applied. Similarly, representatives of these businesses were invited to speak to the class, always with the object of motivating the students to learn math. On one trip a student asked a plant foreman, "What kind of a job do you have for someone who hasn't finished high school?"

"Well, we have a few jobs sweeping floors," was the reply, the very one Catterton hoped for.

Catterton surveyed 93 businesses in Wynne and found that 89 percent of them used calculators or adding machines of one kind or another. He reasoned that use of the calculators served as vocational education as well as an adjunct to learning math.

As the course progressed, it became apparent that students knew how to work math problems, but weren't capable of arriving at the right answer. This is where the calculators proved their value. After two weeks of learning how to add, subtract, multiply, and divide on the machines, the students had the pleasure of being able, at last, to arrive at correct answers. Success was a tonic.

Cecil McDermott, chairman of the mathematics department of Hendrix College at Conway, Ark., made a partial evaluation of the achievement of the first group of students in the summer of 1967. Comparing post-test with pretest scores, he found a gain in grade level of seven months. The average gain for students not taking the new math course was two months less. Last year, an evaluation of 700 students showed that those in the math lab had progressed about four months faster in mathematics achievement than control-group students.

This year, about 1,300 students in 13 schools are using the math laboratory approach. Some of these classes are using the special text but not the calculators. All the students involved have been pretested and will be tested at the end of the year to ascertain their progress.

Catterton is convinced that poor performance at the ninth-grade level does not reflect poor teaching in the lower grades, because all students, achievers or not, receive the same elementary instruction. And he concedes that the ninth graders who take the course probably have lower IQ's, which accounts for preliminary indications that making headway is a slow process.

"We do think, though, that we are making progress, especially if we can extend the program both downward and upward in the grades," Catterton said. "We feel the gap can be narrowed, if not closed. And if they weren't in school, where would they be? We're attempting to socialize them. And we hope they will pick up some educational benefits in the process. If we can just hold on to 99.44 percent of them through high school, I think we will have accomplished something."

A DIFFERENT KIND OF STUDENT ACTIVISM

Mr. SCOTT. Mr. President, because today's news is often filled with accounts of the antisocial behavior of students, I think we all tend to overlook the fact that the overwhelming majority of young people and students on our college campuses are working hard to prepare themselves for a positive role in modern society. A recent edition of the Bulletin of Thiel College, located in Greenville, Pa., contained a most interesting article entitled "A Different Kind of Student Activism." This excellent article points out the numerous ways in which Thiel students have taken constructive steps to better our society. I commend it highly to Members of Congress and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A DIFFERENT KIND OF STUDENT ACTIVISM

Thiel has its student activists and protestors. But they protest indifference to the needs of others—by deeds rather than words. And their activities are constructive.

By and large, the constructive acts of students fail to capture the headlines given to those who think the first step in rebuilding our society is to make higher education unavailable to themselves and others.

But not always, as shown in the publicity which resulted in this Letter to the Editor of the Pittsburgh Press, from Donald Smith, Jr., of New Castle:

"I enjoyed the Sunday Press coverage of the Thiel College fraternity men marching for Children's Hospital [Pittsburgh].

"It's nice to read about fine young men working so hard for someone else.

"So often we read about young people doing unpleasant things.

"By the way, lest you might ascribe this note to one of their relatives, let me say that I don't know any of the men who traveled from Greenville to Pittsburgh."

Mr. Smith is a Colgate alumnus.

The Phi Theta Phi Walkathon raised $1,630 for Children's Hospital, collected by the brothers December 6 and 7 as they walked through Mercer, Grove City, Slippery Rock, Butler, Freeport, Natrona Heights, Brackenridge, Tarentum, New Kensington, Arnold, Springdale, Cheswick, Oakmont, Verona, and Pittsburgh.

There is further evidence of Christianity in action at Thiel. As examples, other Thiel students:

Adopted a Twelve-Year Old Navajo Indian Girl in New Mexico. She is supported by the sisters of Chi Omega through Children, Inc. The sorority also sang carols for residents of the Saint Paul Home for the Aging, Greenville, at Christmastime.

Raise Funds For Other Charities. In the second annual Campus Chest Drive, held last month, students contributed to the Greater Greenville Community Chest, to college-related charities, and to the Student-Government-sponsored Scholarship Fund for students with limited resources. Almost a thousand dollars was raised for these causes, through entertainment, an auction, and other events.

Made Their New Downtown Coffeehouse Available for area residents who are students at other colleges, during Christmas recess.

Counsel Prospective Students In Their Hometowns. Eighty Thiel students have volunteered to make themselves available to talk with high school students interested in Thiel.

Donate Blood to the Greenville Hospital Blood Bank, including badly-needed rare blood types.

Help Disadvantaged Children. Each week, a group of Thiel students visits the Saint Paul Children's Home to tutor the children, spend time with them individually as "Thiel Friends," or organize group activities. A Christmas party was given for the Children's Home by Sigma Phi Epsilon at their fraternity house.

Teach Area Children. As volunteers, Thiel students tutor children every week at the Children's Home and two local elementary schools, and also teach in Sunday evening parish classes at Saint Michael's Church.

Help In Greenville's Public Recreation Program with such chores as cleaning the swimming pool, painting, and carpentry. Sometimes these labors are performed by fraternity pledges, as a constructive substitute for "hazing."

Contribute To The Cultural Life of Greenville and other communities through concerts by the music ensembles, art exhibits, and productions by the Thiel Players. Early this month the Student Government sponsored a free public lecture by Dr. Woodrow Wilson Sayre, mountaineer and philosopher. Several music groups perform in other cities as well as in Greenville.

LITHUANIAN INDEPENDENCE DAY

Mr. BAYH. Mr. President, as in former years, I am pleased to join with other Senators in calling attention to the annual observance of the day on which the

Lithuanian people declared their independence. Although it was only 51 years ago that this nation proclaimed its freedom from foreign control, it is well to remember that the history of the Lithuanian state actually dates back more than seven centuries to 1253 when the first king of a united Lithuania was crowned.

Long before the North American continent was settled by Europeans, the Lithuanians had established a strong, separate nation which continued to flourish for many generations. Just before the end of the 18th century, however, it was absorbed by Russia, and for more than 100 years its proud people were controlled and dominated by its former neighbor.

After long resistance to oppression, an independent Lithuanian state was proclaimed on February 16, 1918, and during the next few years its separate existence was officially recognized by many countries, including the United States. Unfortunately, during World War II it was overrun by the armed forces of the U.S.S.R. and of Germany, and it became attached to the latter as one of its dependent republics.

During the period of its freedom great progress was made by Lithuania. Educational facilities were expanded, progressive social and labor legislation was adopted, and marked achievements were made in literature and the arts. However, during the last quarter of a century the lack of accurate information and the flood of Soviet propaganda has tended to obscure the current status of the inhabitants of this Baltic nation. It is apparent that a sizable number of natives have fled their country or been deported from their homeland. Those who remained do not enjoy the full freedom they experienced during the two decades preceding World War II.

The United States has never recognized the annexation of Lithuania by the Soviet Union and still maintains diplomatic relations with those who represent the former independent government. Those of Lithuanian heritage now living in the United States are among the foremost leaders of the group intent on restoring once again this nation to its independent status. We have long affirmed our belief in the basic right of self-determination of all peoples and supported those who are committed to the achievement of this goal. Let us salute the courage and persistence of those who all these years have so valiantly struggled to reinstate the position of their mother country in the family of nations.

YOUTHFUL CRIME PREVENTION: "CRIME STOPPERS"

Mr. DODD. Mr. President, the problems of increasing delinquency and crime rates are largely the problems of the American city.

They are the problems of tension, frustration, and alienation, heightened by heroin, cheap wine, and guns.

Most tragically, they are the problems of our young people.

Gov. Richard B. Ogilvie recently declared Delinquency and Crime Prevention Week in the State of Illinois. In a fact sheet which accompanied this announcement, some appalling statistics appeared:

Crime and delinquency in that State have increased by four times the increase in population.

Fifteen-year-olds commit more criminal acts than any other age group, although this is the smallest age group under 18.

Approximately 50 percent of the juveniles arrested have records of previous arrest. It is estimated that 40 percent of the juvenile population will have arrest records in the next 10 years.

These are serious facts to be sure. But they are even more serious when one considers the fact that Illinois is hardly an unusual case. The statistics cited here reflect a general trend in many parts of the country.

On the national level, 16-year-olds commit more crimes against property than any other group. From 1960 to 1965, arrests of persons under 18 for serious crimes increased by 47 percent, while the size of this segment of our population increased by only 17 percent.

Testifying before the Juvenile Delinquency Subcommittee several years ago, Arthur J. Rogers, executive director of the New York City Youth Board, emphasized the far-reaching implications of such facts. Among the other social ills which usually accompany a high rate of delinquency, he cited high rates of mental illness, infant mortality, welfare, alcoholism, and drug addiction.

It is small wonder, then, that these conditions create a vicious circle which the youths of our cities seem able neither to combat nor to escape.

A young person in the inner city can scarcely avoid exposure to this decadent atmosphere. From earliest childhood, his is the life of the streets.

In "Manchild in the Promised Land," Claude Brown describes his upbringing in Harlem:

> I used to feel that I belonged on the Harlem streets and that, regardless of what I did, nobody had any business taking me off the streets . . .
>
> . . . To me, home was the streets. I suppose there were many people who felt that. If home was so miserable, the street was the place to be.

By the time he was 8, stealing, stabbing, gang fights, and the narcotics trade had become common occurrences in Brown's young eyes.

The Urban Affairs Subcommittee of the Joint Economic Committee of Congress issued a report in 1967, "Urban America: Goals and Problems," which touched upon some of the problems of urban youth:

> One of the reported advantages of living in a large city is that one is free to experiment with new social roles and to indulge oneself in behavior which might bring immediate reproval and punitive social sanctions from the community at large, in a small city.

The confusion resulting from this new-found freedom is often compounded by the decline of the family unit and frustrated needs for space, companionship, recreation and self-expression.

Noted sociologist Émile Durkheim referred, decades ago, to the phenomenon as "anomie," or "normlessness." It is a natural outcome of the urbanization process. Conflicting standards and resulting personal confusion are having a tragic effect on thousands of young people in our cities.

"Manchild in the Promised Land" tells the story. At the tender age of 8 or 9, large segments of our juvenile population are already trapped in the "street to court to reformatory to jail" syndrome. It is often too late for escape.

It is shocking, Mr. President, that it is not even our teenagers to whom I refer. It is our children.

What is to be done?

Admittedly, the prospects are dreary. But we do not have to look far for a sign of hope.

Here in the District of Columbia, a little-known program has been developed which seems directly aimed at the heart of the matters I have mentioned. I am speaking, Mr. President, of an organization called the Crime Stoppers Club, Inc.

The Crime Stoppers Club seeks the goal of educating very young children to respect the law. Its principle is that this lesson must be learned in the formative years.

Guest speakers, club mottoes, and rituals all stress the members' contributions to fighting crime "by not committing any." Members are imbued with the spirit of community responsibility.

Most importantly, the boys come to understand the severe consequences of beginning life with a police record. This, above all, is what the members are determined to avoid.

The founder and director of the Crime Stoppers Club is Margie Wilber, a former teacher now employed by the Department of State.

Having read of the role of juveniles in the rising crime rate, Mrs. Wilber was prompted to reach children before they could become habitual delinquents. She now sees Crime Stoppers as a step that may eventually bridge the gap in police-community relations.

In these days of mounting concern over law and order, it is refreshing to hear about an effort which is aimed at curbing criminal problems before they arise, rather than after the fact.

The necessity of this type of program was the clear message of the President's Advisory Commission of Civil Disorder. The Commission pointed out the wisdom of including young streetleaders in community improvement projects. Furthermore, good relations between police and young people were cited as a significant factor in preventing disorder.

This is not inconsequential, Mr. President, in view of the statistics given on civil disorder in recent years. For instance, in the Watts rioting of 1965, 45 percent of those arrested were under 25 years of age. In Detroit, it is estimated that 61 percent of the rioters were under 24.

I therefore conclude that the importance of this type of program and its role in the urban community can hardly be overemphasized.

I congratulate Mrs. Wilber and the Crime Stoppers for their timely and innovative efforts.

I commend these efforts to the attention of Senators, and strongly urge that further attempts of this nature be encouraged and supported.

Our greatest hope lies in America's youth.

THE DOOR PENINSULA

Mr. NELSON. Mr. President, it is with pleasure that I bring to the attention of Members of Congress a fine article in the March 1969 issue of National Geographic on Wisconsin's famous Door Peninsula.

The Door Peninsula is north of the city of Green Bay and lies in Lake Michigan. Its 250 miles of shoreline reminds visitors of images of New England. Indeed, Door Peninsula is sometimes called the Cape Cod on an inland sea.

The natural beauty of its shoreline as well as its Potawatomi and Peninsula State Parks attract visitors and summer tourists from across the Nation, representing a multimillion-dollar industry. Besides the tourist industry, the Door Peninsula is well-known for its cherries which in recent years have totalled 11 million pounds annually.

Of the 500 residents now on the Washington Island, about 100 are descendants of settlers who came from Iceland. The first Islanders to settle as a group in the United States came to the peninsula because of the abundance of fish in the area.

I ask unanimous consent that the article from the National Geographic be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WISCONSIN'S DOOR PENINSULA—"A KINGDOM SO DELICIOUS"

(By William S. Ellis)

Darkness came quickly as wind and rain gusted out of the sky to wreck the drowsy stillness of three o'clock on a warm summer afternoon. From atop a high limestone cliff, I watched the waters of the strait below bunch up into swells and then become driving beams of frothy fury. A skiff torn loose from its mooring slammed into the base of the cliff and backed off as kindling.

Churning, whirling, bloated with arrogance, this rip of water between a peninsula and the islands off its tip mirrored all the gray grimness of the name given it by French explorers many years ago. Porte des Morts, they called it—literally Door of the Dead, but colloquially translated Death's Door. On its floor rest the bones of hundreds of ships.

The Door of the Dead washes against the tip of Wisconsin's Door Peninsula (the name comes from that of the strait), a 70-mile-long shoot of land extending from the eastern reaches of the state and bounded by Lake Michigan on the east and Green Bay on the west.

The vista here is one of striking contrasts—of land and water locked together by glaciers that receded thousands of years ago; of an acidlike surf sculpting a cove in rock, while inland, less than 100 yards away, a placid lake nuzzles a beach of white sand; of deer browsing amid wild wood lilies, and gulls in screeching pursuit of a boat, hoping for a handout; of harbors throttled by ice, and countryside awash in the pinks and whites of flowering fruit trees.

As an alien thumb of land on the corn-knuckled fist of the Middle West, the Door Peninsula, with its 250 miles of shoreline, draws expressions of surprise from first-time visitors. More often than not, the reactions invoke references to New England, such as "Cape Cod on an inland sea."

Perhaps the most imaginative reaction of all belonged to Jean Nicolet, the French explorer who visited the peninsula in 1634, before any other white man, probably. Splendidly attired in a mandarin robe of fine damask silk, he stepped ashore, convinced he was in China. Later in that century, Pierre Espirt Radisson, the French trader who kept an extraordinary journal of his fur-seeking expeditions in the Great Lakes region, saw the peninsula and the surrounding islands as "kingdoms . . . so delicious." He made the observation 300 years ago, but the kingdoms, I found, remain as flavorful as ever.

TOWN AND COUNTRY LEARN TO GET ALONG

"The wonderful thing about Door County," said Irving Miller, dockmaster at the town of Fish Creek, on the Green Bay side, "is the perfect combination of wilderness and civilization. Each makes its presence known, but neither one crowds the other."

I talked with the 80-year-old dockmaster the morning after the storm, as Fish Creek stirred and shook off the night chill. In days gone by, when the waters all around held lake trout the size of piglets, and sturgeon three times as big, the town thrived as a major fishing center. The lake trout nearly vanished for a while, victims of the repulsive, snakelike sea lampreys, which attached themselves to the trout and sucked their life juices, but recent control of the predators finds the trout returning now. Not so the sturgeon, the "monster Mishe-Nahma" of Longfellow's *The Song of Hiawatha*; catching one today is a rare experience for peninsula fishermen.

New excitement for anglers is mounting, however. To prey on Lake Michigan's detested alewives, coho salmon from the Pacific have been introduced into area rivers, including the Ahnapee on the peninsula. Fish released in State of Michigan streams in 1966 have already returned upriver once for spawning, and will make another spawning run this fall, promising a bonanza to fishermen

PENINSULA WINS HIS VOTE HANDS DOWN

On the beach at Fish Creek I found a single dead alewife, rigid and goggle-eyed under an umbrella of flies. Overhead a show-off gull executed an arabesque. And then, as if to match the bird's agility, an elderly man with a tan the color of tea spread a towel on the sand and performed a commendable, if wobbly, handstand.

"Hey, that's pretty good," I said.

"Pretty good for a 68-year-old, anyway," he replied. He was a retired businessman from Highland Park, Illinois, he said, and in only two of the past 24 summers had he failed to spend at least a week on the peninsula.

"At home I don't have the energy to scratch an itch, but that changes when I get up here," he added. "Same way with my father. He vacationed on the peninsula for 35 years."

Tourism on the Door Peninsula represents a $100,000,000 industry. Nothing approaches it in dollar volume—not agriculture, including one of the largest harvests of tart cherries in the Nation, nor shipbuilding, the peninsula's leading industrial enterprise.

A million visitors, most of them from the Middle West and especially the Chicago area, converge on the Door Peninsula each summer. They come back year after year, lured by the scenery and the eminently breathable air.

Equally appealing to me is the endearing fustiness to which the peninsula clings. Dating from the era of spas and the partaking of wonderous mineral waters, this cobwebby link with the past finds hotel guests still summoned to meals by the ringing of a clapper bell. Many of the hotels themselves remain rambling clapboard structures, their verandas freighted with wicker furniture. Amid such surroundings, croquet balls are still smartly dispatched over well-tended lawns.

For the average long-time summer visitor to the peninsula, vacation time is given over to a lot of leisure, a little culture, and the renewing of summer friendships. At least one evening is set aside for attending Wisconsin's oldest professional summer theater, the Peninsula Players' "Theatre in a Garden" near Fish Creek. Another evening finds the summer people at one of the nine concerts that make up the annual Peninsula Music Festival, held in the town of Fish Creek itself.

Otherwise, dinner is followed by the dabbing of citronella on arms and neck and a walk along the nearest beach.

"Such vacations were once commonplace, but now you might say they're almost unique," observed the owner of one of the resort hotels.

In any case, the overriding presence of things maritime is the major element in the uniqueness of the peninsula. Walking along Fish Creek's municipal dock. I counted dozens of boats, all feeding squiggling Silly Putty reflections to the clear water. They ranged from a luxurious teakwood-decked cabin cruiser to an authentic Chinese junk. On the latter, a sign announced: "Built in 1959 by the Sau Kee Shipyard in Aplichau, Hong Kong. For further information call Hong Kong 90029.

"I suppose people bother you with a lot of questions about the junk,'' I remarked to the woman on deck.

"Well, now and then someone stops and asks whether his shirts are ready," Mrs. Jerry Vallez replied, smiling. "Also, people see the Chinese characters on the stern and want to know what the junk is called. We've been told that the best translation is *Little Sea Wind*, but we call her *Sea Breeze*." Mrs. Vallez and her artist husband, summer residents for 10 years, do not know how *Sea Breeze* got from Hong Kong to a marina in Illinois, where they first saw it wearing a for-sale sign nearly six years ago.

The peninsula's nautical character begins to exert itself at the city of Sturgeon Bay, where a canal cleaves through Door's midsection, leaving a dual-lane drawbridge as the only access to the northern half. Crossing the bridge, I saw a proud-masted schooner, riding at anchor like an elegant crest on the water-sheathed dagger of land. Later I met owner Fred J. Peterson, chairman of a Sturgeon Bay shipbuilding firm (page 362), and he invited me to join the crew when the 65-foot staysail schooner *Utopia* took part in a race to Green Island, 16 miles out in the bay.

SCHOONER HAS KNOWN FAR LANDFALLS

Flying most of her 2,500 square feet of sail, *Utopia* moved downwind through the open drawbridge. Smaller sailboats, flaunting their speed and maneuverability, skittered around us like children taunting the village oaf.

But when the breeze yeasted into a strong wind, many of the other boats fell behind while their crews worked to corral battered sails. "Class will tell now," one of our crewmen yelled as *Utopia* took the wind and ran.

Still, others crossed the finish line ahead of us. I suggested to Mr. Peterson that his steel-hulled schooner is better suited to the ocean.

"No question about it," he agreed, recalling a memorable voyage that began in 1956.

In that year, Fred Peterson, then 62 years old, hoisted anchor in Sturgeon Bay and sailed *Utopia* down the Mississippi River and across three oceans and 10 seas. With pickup crewmen ("it was the Tongan or the Marquesan who chewed kava root while hoisting sail?"), the vessel circled the globe, returning to Sturgeon Bay in 1959.

Moving *Utopia* back to her berth after the race, we passed docks crowded with the hulks of tankers and freighters gone to scrap after many journeys on distant seas. A Coast Guard cutter, somber and Spartan in coiled-line orderliness, backed away from its pier and hurried off toward the other side of the bay. A fleet of prams put out from a yacht basin, their colorful sails beating in the breeze like the wings of monarch butterflies; boys and girls no older than 15 handled the tillers.

Vessels under sail have plied Door Peninsula waters for almost three hundred years. Many went down there, taking their cargoes with them; as a result, scuba diving holds wide popularity as a vacation-time activity on the peninsula. Of course, the booty includes few, if any, ducats, doubloons, or princely gems, for the ships that sailed the Great Lakes in the 19th century carried mostly lumber and grain and iron ore.

"We want to encourage the preservation of wrecks and stop them from sometimes being used as firewood, literally burned up." As he talked, Gene Shastal of Lake Villa, Illinois, ran his fingers over a coffee table made from the rudder of a schooner that sank in Green Bay about a hundred years ago. Other pieces from other sunken ships filled the living room of his lodge atop a high bluff near the tip of the peninsula.

Shastal and a group of Midwest divers have begun assembling the histories of the more than 200 charted shipwrecks in the area. Whenever they can get away from their jobs, they hurry to the peninsula, pull on wetsuits, and disappear under a frenzy of bubbles. I went along as an observer on two of the dives, one of them in the dead of winter with the temperature at five degrees above zero.

Our station wagon moved slowly over the 18-inch-thick covering of ice on a small bay off the northwest corner of the peninsula. An advance man on foot inspected the ice for weak sections through which the vehicle might plunge to what our driver laughingly (nothing uproarious, understand) referred to as "the ultimate in fluid drive."

"This is the spot," said Jack Michel, a scuba-diving instructor from Lake Villa, Illinois, and we came to a stop a hundred yards from shore. "We'll need a chain saw to get a hole in this ice."

The chain bit into the ice with authority, but progress was slow. The cold grew more punishing, and soon joined the others in a spirited little dance to stomp the numbness from our feet. In an hour the opening was carved. Michel and the other divers slid into the ice water and trailed down about twenty feet to the remains of the schooner *Fleetwing*.

SIMPLE RELICS EVOKE AMERICA'S PAST

Driven hard ashore in 1888, *Fleetwing* broke up and sank. She carried a cargo of lumber, including hundreds of white elm barrel staves. Jack Michel brought up one of the marble-smooth staves, and before the dive ended, at least half a dozen others lay in a pile on the ice. Certainly divers often receive more generous rewards from exploring sunken ships, but the treasure seldom comes invested with the tenor of 19th-century America. More than just parts of a barrel, the staves framed for me a mind's-eye picture of a lumber industry thriving on the demands of a nation in a hurry to grow.

The bones of Robert de la Salle's famous bark, *Le Griffon*, may lie off the Door Peninsula. In 1679 the ship arrived in Green Bay waters, the first sailing vessel on the Great Lakes above Niagara. With a cargo of beaver skins and possibly some gold, *Le Griffon* disappeared on its return voyage. One tradition holds that it sank, another that Indians burned it. What actually happened remains a mystery.

Perhaps the ship went to the bottom of the Porte des Morts because of a navigational error, easily brought on in the strait by whip-like winds and currents running counter to each other. The currents, as I witnessed, are strong enough to undermine and wash away two feet of solid ice on the waters in just 14 hours. During a single autumn storm in 1880, the ships wrecked in the passage and along the peninsula numbered in the dozens.

Here too a large canoe party of Winnebago Indians fell victim to winds and currents on a fateful day in the early 1800's. According to one story, 500 perished en route to do battle in one of the many intertribal wars that flared on the Door Peninsula: Illinois tribesmen fought Winnebagos, Winnebagos fought Potawatomis, and the far-ranging Iroquois fought everyone. Even now the ground remains hummocked with the burial mounds of braves, and plowed fields continue to yield arrowheads and, now and then, a limestone war club.

CHIEF STILL DONS A WAR BONNET

And yet, no tacky commercialism centered on packaged Indian lore afflicts the peninsula. "Of course, we have Roy Oshkosh and his trading post," said one of the hundreds of college girls who work as waitresses in the hotels. "But he's authentic, a bona fide chief."

Roy Oshkosh, titular head of the Menominee tribe, often dons a war bonnet, but only for the benefit of the summer people who crowd into his amphitheater near Egg Harbor on summer evenings for a campfire-crackling, drum-thumping, peace-pipe-smoking, evil-spirits-chasing powwow. Indian dances performed by boys and young men, schooled in the art by the chief for years, highlight the show.

Those who speak Menominee know the 70-year-old chief as Tshekatchakemau—the Old King. He is a graduate of Carlisle in Pennsylvania, a school founded especially for the higher education of Indians, but even that had not quite equipped him to deal with the complexities of a Medicare form. When I called on him, he laid the troublesome paper aside and told me that he is the great-grandson of Oshkosh the Brave, the famous Menominee for whom the city in Wisconsin is named.

"As a boy," Chief Oshkosh continued, "my father took me to visit an aunt on the reservation. She told me about a place on the Door Peninsula where our people gathered long ago—a beautiful wooded site with a stream running through it. I looked all over the peninsula, and when I reached this spot, I knew I had found the place. I bought it."

Here the chief and his wife live the year round, although the Menominee reservation is about 60 miles to the west. "If something important comes up on the reservation, they send someone up here and we talk it over," he explained, "or I go there if necessary."

Because Roy Oshkosh has no sons, hereditary rule of the Menominee tribe ends with him. As we discussed this, he told me that the second son, rather than the eldest, always inherits the role of chief. When I asked him why, he replied, "You've got me." And then he crushed out his cigarette, picked up his peace pipe, and went outside to raise the curtain on another powwow.

ICELANDERS FIND A SHANGRI-LA

Indians of many tribes chose to live in the Door Peninsula region because of the great quantity and variety of food available. For the same reason, the first Icelanders to settle as a group in the United States came to Washington Island, the crown of the peninsula severed from the mainland by the Door of the Dead. As fishermen, they looked out their front doors on some of the richest waters in all the Great Lakes. Records of catches made about that time reveal that in 1862 a 14-year-old boy pulled in seven lake trout, of which the smallest weighed 40 pounds.

Little wonder then that Pierre Radisson, again writing in the journal that inspired others to explore the western wilderness, described Washington Island and nearby coasts as places where "whatever a man could desire was to be had in great plenty; viz. staggs, fishes in abundance, and all sorts of meat, corne enough."

Of the 500 permanent residents on Washington Island now, about 100 are descendants of settlers who came from Iceland in the latter half of the 19th century. Most of them retain only memories of the customs and language of the mother country of their parents and grandparents.

One of the few descendants of Icelanders who can converse in Icelandic is Magnus Magnusson. Born on Washington Island in 1888, the year the *Fleetwing* took its cargo of barrel staves to the bottom, Magnusson served as island postmaster for 34 years.

In addition to the Magnussons, there were the Gudmundsens, Gunnlaugssons, Bjarnarsons, and others. Norwegians and Danes and Swedes came too, but most of them took up homesteads on the mainland. The Icelanders, however, maintained their colony on Washington Island; there they farmed a little, fished a lot, and tried to understand the indifference of their American-born sons to preservation of Icelandic ways.

Magnus Magnusson now oversees a small museum near the northwestern tip of the island, where the waters of Lake Michigan explode against the base of a 150-foot-high bluff. The items on display there, such as a 100-year-old meat chopper brought over from Denmark, hold little value—except to a man seeking to tighten the ties with his European heritage.

Washington Island and much of the upper peninsula are turning to this heritage for reasons not completely divorced from commercial considerations. The Scandinavian Festival held on the island each August has the ferries tooting over from the mainland every hour, each time with a capacity load of tourists. Teen-agers in Scandinavian dress dance in the streets to folk music, acknowledging, for the duration of the celebration at least, that it's fun to be square. Restaurants feature smorgasbord—heapings of open-faced sandwiches, shrimps encased in shimmering jellied molds, and delicate little cakes, each packing a sugared richness that probably had something to do with the fearful girth of the old Viking warriors.

BABIES RECEIVE A RINGING WELCOME

Many of the island's permanent residents shun such festival fare. "The men on the island outlive the women because they keep active and follow a low-fat diet," said Dr. Paul Rutledge, the island's only physician.

Dr. Rutledge first came to Washington Island in 1935 as a summer visitor. He became a permanent resident in 1960. "I've delivered 42 babies on the island and have a picture of each one under the glass on my desk," he told me, his voice touched with pride. "Once I attended a very difficult delivery, and when it ended successfully I was so happy that I went next door to the Lutheran Church and rang the bell. That became a tradition; whenever I deliver a baby, I ring the church bell."

Just north of Washington Island sits a brooding 912-acre outcropping of untrampled wilderness that once served as the private domain of Chester H. Thordarson, an immigrant from Iceland who made a fortune by inventing electrical devices and appliances.

Rock Island reminded Thordarson of his native land. To match its wild grandeur, he had constructed on the beach a massive stone combination boathouse-great hall with noble arched windows and a fireplace large enough to play ping-pong in. Here he kept his extensive collection of Icelandic literature; below, cliff swallows nested on the cavernous walls of the boathouse.

Thordarson died in 1945, and the island eventually became a state park. Except for the great hall, now under the care of a park manager, and the few other markings of the man who missed his native Iceland, Rock Island remains a preserve of woods and silver beaches which, in truth, only the gulls and deer can inhabit with grace.

I went next to Chambers Island, in Green Bay waters, where George J. Baudhuin, a Sturgeon Bay businessman and the person most closely associated with the island, waited to show me around.

A financial giant from Chicago purchased property on the island, Baudhuin told me, and began developing it into a lavish private playground. But the work stopped during the depression of the 1930's.

"There, see that rise in the ground?" he exclaimed as we bounced over a rutted road in his four-wheel-drive vehicle. "That's part of the old golf course. And that level stretch of ground with the stunted grass growth—the remains of a private airstrip."

Nearly 20 years ago, George Baudhuin and his four brothers purchased a large cottage on the island and turned it over to the Roman Catholic Diocese of Green Bay for use as a retreat house. It fronts on a 380-acre lake within the island, and within the lake itself are two islands. A heavy silence pushes down on this kaleidoscope of wilderness and water except when the sisters go boating. When that happens, visitors to the island can sometimes hear, as I heard early one morning, a soft voice skipping over the cellophane-like surface of the lake, imploring divine assistance in getting a balky outboard motor to kick over.

WHERE MAN CAN GO TO CLEAR HIS MIND

Of all the men who found a setting for their dreams on the Door Peninsula, one met quiet but complete success. Jens Jensen, a renowned landscape architect from Illinois, sought not a private domain or playground but simply, a place "where man can go to breathe and to feel his kinship with the earth, to have a chance to clear his mind and to take soundings of where he is going."

He found it at the village of Ellison Bay, on the Green Bay side of the upper peninsula, where centuries-old cedars and withered pines stand rooted in limestone bluffs.

Establishing 128 acres of the heavily wooded site as a retreat for study and contemplation, and calling it The Clearing, Jensen invited everyone to share with him "the strength and understanding that is found close to the roots of living things."

Jens Jensen died in 1951, but The Clearing, now under the administration of the Wisconsin Farm Bureau, continues to function as he intended it to. Week-long seminars on art, music, literature, philosophy, and other subjects attract participants from many states during the summer. The presence of five dormitories, a library, and a main lodge fail to detract from the primeval flavor of the setting.

On another day I walked through a living showcase of plant life that spans a range of ecology all the way from that of the Ice Age to that of the present. The acid bogs of the subarctic, the vegetation of the tundra, the wintergreen sharpness and rubberlike resiliency of the Canadian carpet—I found them all at the Nation's largest corporately owned wild-flower reserve, an 800-acre sanctuary called The Ridges.

Located on the Lake Michigan side of the peninsula, near the town of Baileys Harbor, the ridges that give the park its name mark former shorelines built of glacial sands deposited more than 10,000 years ago. A succession of ridges interwoven with lacings of water and cedar swamps runs through the sanctuary. The forest is there, and so is the sand dune.

More than anything else, though The Ridges means wild flowers—rare, exquisite blushes of color on a canvas that stretches to the shore of the lake itself. The inventory includes more that 25 species of orchids.

The Door Peninsula of cliffs and coves and wild orchids and virgin forest lies north of Sturgeon Bay. A few miles south, the thumb becomes rolling farmland. And just about between the two, where both the moo of the cow and the mew of the gull can be heard, a group of 35 or 40 visitors gathers most every summer Sunday evening for a fish boil.

This outdoor culinary exercise, indigenous to the Door Peninsula, originated more than a hundred years ago when men in the lumber camps required great quantities of food in a hurry. The precise, carefully timed operation is more like a track meet than a cook-out.

"Time!" Jim Larsen shouted after consulting his stopwatch. Ted Anderson nodded and dumped 30 pounds of potatoes and seven pounds of salt into a pail of boiling water.

Anderson, a schoolteacher from Chicago, had invited me to one of the regular fish boils held at his summer place near Sturgeon Bay. Jim Larsen, the "boil master," was in charge.

At the end of 20 minutes, 30 pounds of filleted lake trout wrapped in cheesecloth went in. "The fish must stay in 17 minutes, no more, no less," Larsen said. "Otherwise, it will not be cooked properly."

Anderson threw fuel oil on the fire three times, causing the water to boil over and carry off the excess fish oil. What remained with the potatoes were mounds of sweet trout, brought to the peak of tenderness in exactly 17 minutes. No more, no less.

WINTER-SPORTS FANS FIND THE DOOR

After most of the guests departed, Mrs. Anderson stood by the water's edge and told me, "Our whole family looks forward to coming up here each summer. We manage to sneak away at Christmas and come up then too. I think I am as found of the peninsula in the winter as I am in the summer."

More and more winter-sports enthusiasts from the Middle West share the sentiment. After the snow comes, carloads of skiers crowd the one road leading to the seven slopes on the high hill near Fish Creek.

"The Door Peninsula is catching on as a winter vacation area," said Harold Larson, owner of the 120-acre skiing facility. "We get more people here every year." Harold and I sat in the warm glass-fronted lodge at the foot of the hill. A group of skiers, and some who only talk about skiing, gathered around the fireplace to autograph leg casts and recall past and memorable schussings.

At Potawatomi and Peninsula State Parks, both on the Green Bay shore, the buzz of snowmobiles racing through the woods smothers the screams of exhilaration trailing down the toboggan runs. And at the village of Ephraim, William Sohns raises the loudest noise of all with his homemade air iceboat.

"Stand back, now!" he yelled, snapping the propeller downward. The 65-horsepower airplane engine on the rear of the ski-fitted boat coughed into a rumble. I climbed into the cabin of the craft just in time to hear Sohns say, "I've had her up to 70 miles an hour, but I think I'll open her up today."

When he looked closer at the frozen expanse of Green Bay before us, he added: "The ice looks pretty rough. Tell you what, come back on a nicer day, and we'll give her a whirl." A nicer day never came during my visit, and I like to think my parting expressions of heartfelt disappointment sounded sincere.

HARDIEST FISHERMEN TAKE TO THE ICE

Of all the winter-sports activities on the peninsula, none demands more dedication than ice fishing. As soon as the ice thickens and toughens, the colorful fishing shacks, smoke curling up from their warm innards, appear on Green Bay; there the hardiest of all fishermen encamp for hours in quest of the bay's tasty perch. Some, like Clarence Chaudoir, a retired Coast Guardsman who lives in Sturgeon Bay, fish out in the open.

I slipped and slid for what seemed like 15 minutes before covering the 100 yards between the shore and parka-swathed Chaudoir. The temperature hung around zero. "I guess I've fished out here on the ice every winter for the past 20 years," he said. "Not much luck today; only caught nine all morning."

I glanced at my watch: shortly after one o'clock in the afternoon, and with the wind acting as if it had lunched on frosted steel. I marveled at Chaudoir's ability to tolerate the terrible cold. I marveled even more when he told me he intended to stay out another three or four hours because "sometimes they bite good in the late afternoon."

Winters on the Door Peninsula are not kind, although the surrounding waters act as a moderating influence on the temperature, raising it a few degrees above that in the city of Green Bay on many winter days. Not that the people of Green Bay concern themselves much with the freeze that grips their city each year, for they wrap themselves up in the fortunes of their beloved Packers, 11 times world champions in professional football.

TRUE PACKER FAN NEVER DESPAIRS

When the Packers do battle at home, Sunday in "Titletown" starts with a whoop and ends with a holler. Some churches schedule services early so that members of their congregations can get to Lambeau Field in time for the kickoff. Admission to the 50,861-seat stadium is by season pass only, and so highly prized is a pass that divorce actions sometimes bog down when neither party agrees to let the other have it—the car, yes; even the house and dog; but not the season ticket.

"I heard the story told—not that I believe it, mind you—that a fellow in Green Bay lost a $5 wager when Minnesota beat the Packers one year," a shipyard worker in Sturgeon Bay told me. "He refused to believe the outcome, so when they replayed the game on TV the next day, he backed the Packers again and lost another $30."

But home games with the Bears of Chicago, a city more than 40 times the size of Green Bay, bring out the ultimate in partisanship. Each Packer gain draws from the crowd a great roar, a collective rising to the feet, a shaking of fists in a gesture of belligerent bliss. When the Bears score, the moan is like a concerto for a thousand bassoons.

This lionhearted devotion spills over into the Door Peninsula, where in the town of Sister Bay, a man told me he will always remember December 7, 1941, because on that day the Packers beat the Bears, 16 to 14.

Football seasons end, but winters linger on in the area until one day, usually in mid-April, residents of the peninsula wake up to find a warming sun scraping the flour paste from the winter sky. Soon the cherry trees blossom, the wild flowers weave their carpets on the woodland floors, and hotel people start recruiting help for the coming season.

About this time too, the spray from the icefree surf of Lake Michigan hangs a necklace of small, pale rainbows over the shore as if to reaffirm the vows between this rocky land and the inland sea.

INEQUITIES IN FARM INCOME TAXATION

Mr. METCALF. Mr. President, on January 22 I reintroduced S. 500, a bill designed to remove the inequities between legitimate farm operators and taxpayers who are in the business of farming mainly because of the tax advantages that serve to put their nonfarm income in a lower tax bracket. A bipartisan group of 26 other Senators have joined with me in sponsoring this bill. These cosponsors are Senators BAYH, BIBLE, BROOKE, BURDICK, CANNON, CHURCH, EAGLETON, HARRIS, HART, HARTKE, HATFIELD, HUGHES, KENNEDY, MCCARTHY, MCGEE, MCGOVERN, MANSFIELD, MONDALE, MONTOYA, MOSS, MUSKIE, NELSON, PEARSON, SAXBE, YARBOROUGH, and YOUNG of Ohio. Since the introduction of S. 500, similar bipartisan support has been growing in the House in the form of companion legislation.

From time to time I have commented about interviews granted by the various officials of Oppenheimer Industries, a cattle management firm that handles at least 220,000 head of cattle on more than 100 ranches in 17 States. On January 14, the Senator from South Dakota (Mr. MCGOVERN) graciously placed in the RECORD a speech which I made in Des Moines, Iowa, on January 11, at a seminar on tax-loss farming sponsored by the National Farmers Union. The seminar was attended by more than 500 farmers, small businessmen, and labor and church leaders, as well as Representatives and Senators from 30 States. During the course of my speech in Des Moines, I pointed out that a major attraction dangled in front of prospective Oppenheimer clients is that present tax laws permit a nonfarmer to actually deduct more than he spends farming and then subtract excess farm deductions from nonfarm income which would otherwise be taxed at ordinary income rates.

Just the other day Tony Dechant, president of the National Farmers Union, sent me a copy of a speech made by Brig. Gen. H. L. Oppenheimer at the National Farm Institute in Des Moines on February 14. General Oppenheimer is the president of Oppenheimer Industries, which one writer has termed "the Macy's of the cattle-buying business, only fancier and more intricate." Last year Time magazine described General Oppenheimer as the "Bonaparte of Beef" and from all I have read about his operation, that description is most appropriate.

In sending me the Oppenheimer speech Mr. Dechant commented in his cover letter that if this speech was made throughout the country, it would go a long way toward getting S. 500 enacted. I found the speech particularly interesting because it establishes that Oppenheimer Industries is particularly adept at making a different type of argument to farmers than it does to prospective clients who are interested in becoming tax farmers.

Mr. President, so that other Senators may have the benefit of General Oppenheimer's remarks in Des Moines, I ask unanimous consent that the complete text of his speech be printed at this point in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Outside Risk Capital in Cattle Industry

(By Brig. Gen. H. L. Oppenheimer, president, Oppenheimer Industries, Inc.)

In the last six months the Farmers Union, about #4 among the agricultural trade associations, in conjunction with Senator Metcalf of Montana and under Secretary Surrey of the Treasury, has been sponsoring legislation to eliminate the tax subsidies introduced by Congress over the last thirty years to encourage the entrance of outside risk capital into farming and ranching.

In general the legislation attempts to parallel the unsuccessful attempt in 1962 to eliminate capital gains for anyone with over $15,000 in non-farm income. In this case the mission is accomplished by forcing any ranch or livestock owner with over $30,000 in non-farm income from the cash to the accrual method of accounting. Despite the many and complex provisions of the proposals the ultimate objective is simple—to keep the urban type of investor from putting money into agriculture.

Contrary to 1962, this legislation is now being opposed by the American National Cattlemen's Association, National Livestock Tax Committee, the American Hereford Association, the American Angus Association and many others with the National Farmers Union being in a minority. What are the objectives of the supporters of this legislation?

The Treasury is aware that the total amount of additional revenue recovery would be almost microscopic but is principally motivated by a "soak the rich" philosophy and the socialistic desire to bring all take home incomes down to the same level. Whether this is good, bad, or indifferent is a matter of debate and is not the subject of this article.

The so-called tax advantages put into the law by Congress over a 30-year period to attract outside capital were not "loopholes". This implies something left out of the law by mistake through which someone can wriggle and get a special tax advantage. Items such as capital gain on breeding stock, and exemption from the depreciation recapture clause were *put into* the laws after substantial debate and scrutiny by knowledgeable Congressmen. They had concluded first, that these were necessary to attract outside risk capital and second, that outside risk capital was desirable for agriculture.

On what basis have Senator Metcalf and the Farmers Union determined that this is no longer true? Their rallying cry has been "Get the city guy out of agriculture and prosperity will return to the farm!" Insofar as the average "city guy" isn't going to compete with them on the seat of a tractor, what they really mean is get the city guy's investment dollar out of the business.

Presumably vents like the following will occur:

1. Production of grain and livestock will go down and prices will go up.
2. Large "corporate type" farmers and ranchers with "outside money" won't be coming in with new improved breeding stock and large fancy equipment and the 200 head feeder and 100 acre corn farmer will move back onto the scene.
3. With the big guy out, the government will go back to spending $4,000,000,000 per year supporting and storing $2.00 per bushel wheat.
4. When a rancher dies, some outsider isn't going to come in and buy his property at $100 per acre, but it will go to local neighbors at $20 per acre so they can expand to "modern economic units".
5. Without all of these "outsiders" banks won't make these ridiculous loans to allow "young squirts" to compete with the local "established ranchers".

Let's examine the above premises one by one:

1. There is a given amount of agricultural land in the U.S. suitable for cultivation and grazing. With the exception of certain government actions such as the Soil Bank on ASC crop restrictions, it is *all* going to be utilized. Eliminating outsiders is not going to change the numbers of cattle being put out on the Kansas blue stem. It might lower the summer grazing rents to the blue stem landowners on contract cattle but the grass is going to be utilized by somebody and there will be the same number of feeders coming into the Kansas City market in October.

Without government restrictions on grain production, land suitable for corn and wheat is going to be put into corn and wheat. One thousand acres of corn can be farmed more economically than 10 tracts of 100 acres. Ten farmers on 100 acre farms cannot compete with one farmer on 1,000 acres. Whether he is a corporation, an employee of a New York landowner, or a farmers' cooperative, it is unlikely that the clock will be turned backward to the 19th Century and the farm split back up to the ten components from which it was formed.

Tax subsidized risk capital has produced the Hereford steer which, on the same amount of grass and feed, produces three times the amount of top quality meat of a Texas Longhorn of 60 years ago. The development of improved blood stock is a high risk, small profit game. In most countries it is not conducted by private enterprise but by the government and state supported institutions.

There is little evidence that our government could have accomplished these spectacular advances for as little cost as they might have lost in these minor tax subsidies to the cattle breeders. Is Senator Metcalf advocating that we go back to the Texas Longhorn? Does he believe that further improvement is unnecessary? Is he naive enough to think that a small farmer will put $500,000 into blood stock with the best expectation being about a 2% economic profit? Does he think the whole project ought to be taken out of the hands of private enterprise? The efforts of the purebred breeders have benefitted all farmers and ranchers as well as the entire meat eating population of the cities.

2. If all usable land is going to be utilized by somebody, even on a rent free basis, a way of cutting back production would be to advocate less efficient techniques. We could reverse the modern trends, break up the larger land holdings (as Castro did in Cuba), stop the use of chemical fertilizers, order International Harvester to go back to horse plows. These procedures would eliminate the need of outside risk capital and the local country bank loans would provide all the cash needed.

There might be some grumbling from the cities on higher food prices, and the small farmers net position might not be greatly improved, but it would certainly be effective in eliminating any need of outsiders coming in with investment dollars.

3. Ten years ago the biggest news and most controversial issue of the day was the $15 billion the government was spending annually in agricultural subsidies. Today this has sunk to almost nothing. The elimination of outside risk capital is not going to make prices go back to the days when the government was buying half the grain. There is no connection.

Elimination of meat imports, removal of land from production (Soil Bank), forced export subsidies, cooperative marketing like the citrus growers—all of these can make prices go up. Cutting off your neighbor's source of risk capital isn't going to make 40¢/lb. steer calves.

4. On one point Senator Metcalf is correct. By eliminating all "outside interest" in farm and ranch land he will undoubtedly be successful in driving land prices down around 50% making it more feasible for the "established farmers and ranchers" to "round out their holdings". Even better than this, the elimination of the absentee "floating buyer" will make the only market for the small uneconomic size unit, the wealthy landed gentry on the perimeter. Recognizing this, the average bank and insurance company will be reluctant to make any loan on such a property, which will mean that the price will be driven down even further to where the powerful neighbor, particularly in times of distress, can now buy it at a price where he can make "a reasonable economic return".

As a matter of interest, 80% of the widows and estates do sell out to neighboring ranchers whether absentee or resident. The advantages of economic expansion with increased landholdings are so great that they meet the exorbitant offers of the "tax motivated outsiders". However, it's the fact that this outside group of purchase capital exists, that keeps the neighbor honest and forces him to pay a market price.

5. As a banker considering the marketability after foreclosure (or a rancher thinking about his estate), what would be your thinking if the Farmers Union were successful in driving out all potential buyers but the "neighbors"?

Banks loan 90% on listed securities; 80% on slaughter steers, 60% on registered cows; 50% on land and 10% on oil paintings. Why the difference? The answer lies in flexibility and marketability of the collateral. Banks don't want their money tied up for 10 years in foreclosed farm land. The percentage they will loan depends on the speed they can get their money back if there's trouble.

The term "absentee speculator" has a bad ring in rural communities, but the bankers and widows like to know he's around with a ready checkbook, even if he never buys anything. Without this source of *potential* sale, the entire private farm loan credit system could collapse. When there is only one or two potential buyers around for the collateral, a banker will view a loan differently than if there were a broad general market.

What is "outside risk capital"? By what channels does it enter agriculture? Is it needed in industry? Is it needed in modern agriculture?

The small village cobbler in the 19th Century, if he were reasonably frugal, could accumulate enough capital to buy his tools, buy his shop, and keep enough leather inventory to handle the needs of his limited customers. Very few individuals could do this with a $10,000,000 modern shoe factory.

How do you expand a cobbler shop into a shoe factory?

1. Borrow money from banks and insurance companies.
2. Borrow money from institutions or individuals on bonds or debentures.
3. Take in partners for part of the equity.
4. Incorporate and issue stock taking in hundreds of "partners."
5. Get other investors to build you a factory or buy equipment. You then lease it from them and save a capital outlay.

What are some of the tax reasons that bring these "outsiders" into the shoe business?

1. They can get capital gains on the common stock you give them.
2. They can depreciate the buildings and equipment you rent from them.
3. They can deduct losses if your operation is slow getting started or if you default on your loans or debentures.
4. They get a 7% investment credit on the gross value of all the equipment they rent to you.

There is a parallel between the 19th Century cobbler shop becoming a modern shoe factory and what has happened to U.S. agriculture in the last 25 years. Whether moral or immoral, good or bad, these are the facts:

The minimum unit on which a U.S. family unit with two adult hired hands can make a $10,000 annual income plus a 4% return on land value plus a 6% return on invested capital in equipment, livestock, feed and supplies, is as follows:

1. Midwest: 1,000 acres of good crop land.
2. Great Plains: 1,000 cow breeding herd.
3. Grain—feeder operation: 2,000 head feedlot.

Each of the above operations requires a minimum $600,000 gross investment. Four percent on land, 6% on livestock feed and equipment, and a $10,000 salary is no bonanza for a high risk game in 1968 when you can get 5½% on government bonds.

If you don't get up into this volume, you may get no return on your land, no return on your livestock, and a less than subsistence level for your family. If you are paying 7½% interest on a mortgage, you are in trouble. If you've got 100 acres of corn, 100 head of cows, or 200 head of feeder steers, you are in the same boat as the 19th Century cobbler. You're in trouble. You've got to get an outside job if you want to make your mortgage payments and feed your family.

If you want to stay in full-time farming you've got to expand like the cobbler. Assuming the government isn't going to subsidize you, you have the same alternatives the rest of U.S. industry has had—take in partners.

Here are the alternatives:

1. You can take in the government as a partner with ASC, Soil Bank, Grazing Districts, CCC contracts, loans, handouts, and subsidies. Historically these have been great boondoggles but there is no permanency and any moment they can change the ground rules.
2. You can borrow up to 50% from the banks if you have other net worth, but they want 7½% interest and a compensating balance.
3. You can incorporate and sell stock but this is hard to do on the narrow profit margin of present day farming.
4. You can take in straight partners who may be in high tax brackets, who can get some benefits you can't. On the other hand, they might irritate you with arguments on management decisions.

However, as long as the Farmers Union doesn't cut off your water with their tax changes, you have two other alternatives to expand with people who are willing to accept a 2% economic return because of certain tax subsidies:

1. You can take in "tenant cattle" on maintenance or "share the gain" contracts with all the decision-making elements reserved to you.

The share you pay out will be less than the 7½% you have to pay your banker if you own them.

2. You can expand your landholdings by leasing at 4% net before depreciation from tax subsidized investors who are willing to break even operationally because of eventual capital gain on resale.

The point here is that if you need to put a $600,000 operation together to make a modern economic unit, the Congress has provided tax incentives to encourage high-bracket city people to provide you the cattle and the land to do it. They'll make up the difference between the 50% the banks will loan and what you have to come up with and they'll do it for less than 7½% interest.

For a hundred years, the aggressive young rancher starting out has made it by running some cattle on shares and leasing part of his grazing land. Only in this manner has he been able to compete with the millionaire land baron subsidized by his oil revenue. In the Kansas blue stem 70% of the stocking has been with "tenant cattle" since Civil War days. These have been owned by New Yorkers, Bostonians, and Englishmen. This has been a form of traditional outside capital that has always been welcome.

Looking at the whole controversy from another angle, has Senator Metcalf and the Farmers Union considered where these vast "deductible funds" are being poured. They are known to the economist as "high velocity dollars". They are going into feed purchases, local labor, local supplies, local school taxes, farm improvements put in by local labor, calves produced by local farmers, rents to widows and farmers' estates, bank deposits in rural areas, local equipment and gasoline dealers, fertilizer stores, and young local managerial talent that couldn't put operative capital together without outside help. People like Winthrop Rockefeller and Robert Lehman have singlehandedly salvaged entire destitute areas with outside capital.

It is questionable whether this would have occurred without the tax subsidies that Congress purposefully put into the law to encourage these types of activities.

In summary:

1. It is believed that existing crop and cattle production will fully utilize available land regardless of proposed tax changes. Consequently, volume of production and prices should in no way be affected by this legislation.
2. Elimination of outside risk capital might cause a decrease in land rents and land prices, but resident farmers' estates, widows, and land borrowing power might sustain catastrophic results.
3. Obtaining "tenant cattle" at reasonable maintenance or "share the gain" contracts or land at reasonable rents from outside owners is the only way a young, small rancher can expand to compete with the established millionaire oil ranchers of great inherited wealth.

Mr. METCALF. Mr. President, now that the opposition to the bill has been aired, I think it only fair that some of those who favor the passage of this legislation be granted an opportunity to express their views. First I call attention to the February 1969 issue of the magazine, Successful Farming, which contains a special report entitled "Let's Stop Tax-Dodge Farming," written by Richard Krumme, economics editor.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LET'S STOP TAX-DODGE FARMING

(By Richard Krumme)

The scene was a recent meeting in Montana.

The speaker was talking to a group of economists and a few ranchers.

He was in the midst of making a presentation showing how a city businessman in the 70% tax bracket could invest in a 100-cow beef herd and lose in 6 years, about $20,000—on paper.

He went on to show that after 6 years of deducting depreciation and losses from his off-farm income and treating most of his income as capital gains, the "hypothetical" city-investor winds up with an after-tax net gain of over $19,000!

AN ANGRY RANCHER

At the end of presentation, an understandably irritated rancher sitting next to me rose and acidly commented, "And why in the blankety-blank can't we ranchers make that much?" Good question.

Regretfully, the "hypothetical" investor described above is very real. He resides in Chicago, Dallas, Los Angeles, Kansas City. His anonymity remains. But his numbers come into focus when you read IRS figures showing that of 1,435 individuals grossing more than $200,000 from farming in 1966, only 251 reported a profit. In other words, 82.5% of these high-income citizens engaged in tax loss farming.

WE DON'T LIKE TAX-DODGE FARMING

Here's why: If tax-dodge farmers are ducking $20 million in income taxes as is reported, the rest of the tax-payers must make up the difference.

We figure if the city-investors are out to lose money farming it makes unfair competition for those interested in farming as a sole source of income. The off-farm investors are not so concerned about paying an extra $100 an acre for land. Or a few cents more for cattle. That just means a bigger loss.

Also, a tax-loss farmer contributes to downward price pressure as he adds his bit to farm output, which we certainly don't need.

IT'S EASY TO LOSE MONEY

The procedure outlined by the speaker in Montana is not particularly complicated for an angle-sharp businessman. Basically it involves, for example:

1. Investing in a 100-cow herd.
2. Breeding the cows.
3. Once a year, cull and sell steer calves.
4. Keep heifers for breeding purposes, so they'll qualify for capital gains later.
5. Deduct expenses and depreciation each year.
6. At the end of 6 years, sell all animals and take capital gains (taxed at maximum of 25%) on all animals held for breeding purposes the necessary length of time (12 months).

The real kicker is that Mr. Not-So-Hypothetical doesn't even have to leave his office to take advantage of this tax break.

Reason: Harold L. Oppenheimer, as just one example. will handle all the details .

Mr. Oppenheimer is head of Oppenheimer Industries, Kansas City, Mo. For a fee, Oppenheimer Industries will set up in business a would-be cattleman.

THE TAX PLAY IS IN BEEF CATTLE

Time magazine writes of Oppenheimer: "Safer and more strategically appealing are 'breeding' contracts. This, he says, is where the tax play is. Taking advantage of laws that encourage the building of bigger and better herds, an Oppenheimer client can buy a 100-herd breeding herd for at little as $12,000.

"Of that, $9,750 covers the first year's feed, financing and breedings costs, plus Oppenheimer's maximum 8½% commission—all of which is tax deductible. The remaining $2,250 represents the down payment on the herd, which, like factory machinery, is depreciable.

"Unlike machines, of course, cows reproduce. After perhaps 5 years of tax deductions and depreciation and breeding at an Oppenheimer-managed ranch, a herd can easily triple in size. When it is sold, most of the profit is taxed at the 25% maximum capital gains rate. Investing in cows, says Oppenheimer, beats investing in oil wells."

Tax-loss farming is closely tied to cash-basis accounting.

Under cash accounting, you deduct expenses the year they're paid, but don't have to report income until the year it's made. Makes tax-loss farming easier.

For instance, as you build up a breeding herd you have heavy expenses and little income—thus a deductible loss. Then when you sell out and have heavy income—most of it is taxed at the lower capital gains rate.

IMPORTANT TOOL

But, and note this cash-basis accounting is a vital tool for full-time farmers who are in the process of expanding their operations to remain competitive. So, ending cash-basis accounting would undoubtedly cause great harm to many bona fide farmers.

The other tax-accounting method is the *accrual*. Under this system, assets held at year's end take on an inventory value. This is counted as ordinary income, to the extent closing inventory exceeds opening inventory.

Ending cash-basis accounting would force farmers to the accrual method and to carry expenses of crop and livestock production without deduction until products are sold.

It might well force some good farmers (most likely younger ones in the process of expanding) to shut down their operations.

BILLS IN CONGRESS

At least two bills have been introduced into the Senate which would restrict tax-loss farming but would allow farmers to continue using cash-basis accounting. One by Senator Lee Metcalf (D-Montana); the other by Senator Jack Miller (R-Iowa).

Metcalf's revised bill would let you offset up to $15,000 off-farm income with farm losses. So an off-farm job could pay you up to $15,000 and you would be unaffected. But for every dollar above $15,000 made off the farm, the base drops by that amount.

Thus, a person making $25,000 off farm could deduct only $5,000 of farm losses from his off-farm income. And a person making over $30,000 would not be allowed any farm loss deductions from off-farm income unless he used accrual method of tax reporting.

We don't need to give you any sob stories about how the farmer is caught in the vicious cost-price squeeze.

The farmer can compete with any body if the rules are fair.

We do not think it is fair for tax laws to encourage city-farmers to compete with bona fide farmers.

We hope our readers and Congress will give serious consideration to the Metcalf and Miller bills. And decide once and for all to halt the questionable practice of tax-dodge farming.

Mr. METCALF. Mr. President, next is an editorial published in the February 1 issue of Labor, a weekly paper owned by 18 unions having membership in the railroads, airlines, and related transport fields. In its detailed editorial, this paper fully supports the efforts of those of us in Congress who are striving to close this particular tax loophole.

Mr. President, I ask unanimous consent that the Labor editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Check Corporate Invasion of American Agriculture

A campaign is gathering steam to curb the "invasion" of agriculture by rich individuals and corporations, many of whom seek loopholes to dodge taxes. The campaign received major momentum at a recent "seminar on tax loss and corporate farming" held in Des Moines, Ia., under sponsorship of the National Farmers Union.

That seminar brought together over 500 farmers, small businessmen, labor leaders, church representatives and members of Congress from 30 states. Unanimously those present adopted a declaration and program calling for action to deal with the problem.

The declaration pointed out that family farms have for years been a mainstay of agricultural production and of thousands of rural communities. They're menaced, however, by an "alarming trend"—namely, "the massive invasion of agriculture by corporate and nonfarm interests."

These interests set up conglomerate corporations for control of food production at all levels; they purchase "huge blocks of land for hedging and speculative purposes"; they "undermine farm markets by price manipulation" and they engage in other tactics which "bode ill for the consumer as well as the farmer."

"These devices are made possible and abetted," the declaration continued, "by the availability of virtually unlimited capital and credit in the hands of these corporate giants, and by the provisions of tax laws which make it possible for corporations or investors who are not primarily engaged as farm operators to take advantage of tax-loss deductions on their farm operations against income produced from non-farm enterprises."

Such activities have "resulted in commodity market price manipulation, unrealistically high prices for farm land, and the driving of farm families off the land." In turn, these families are often "forced to migrate to urban centers" and add to the "explosive problems" already existing there.

Finally, the declaration warned that if corporations and rich individual operators become predominant in agriculture, the consequences would be tragic for small town America, destroying "jobs and opportunities for merchants, bankers and professional men" and wreaking havoc on existing schools, churches and other institutions.

To meet this situation, the conference adopted a series of recommendations, among them these:

Enactment of a bill sponsored by a group of senators led by Lee Metcalf (Mont.) and George McGovern (S.D.) which would "limit the write-off of taxable non-farm income against farm losses."

Passage of legislation to bar corporations having main sources of income elsewhere from engaging in farm production.

Adoption of legislation to give farmers bargaining power on prices "as a countervailing force to the economic power of corporations."

Adption by state legislatures of laws which "would prohibit or sharply curtail the activity" of corporations in farming.

Senator McGovern called attention of the Senate to the significance of the action taken at the Des Moines conference. Also he cited the need for legislation to curb "wealthy urbanites" who move into agriculture as a device to cut taxes. He declared that they "acquire farms and livestock for the purpose of creating paper losses which can be used to offset large amounts of their non-farm income."

Sen. Metcalf pledged that he and at least a score of other senators will renew the fight they conducted in the last session for legislation to curb the gimmick of "tax loss" farming by the wealthy. This measure, he said, would "eliminate the possibility" of corporations and rich urbanites "getting federal tax rewards for engaging in loss operations in farming."

Metcalf introduced that bill the other day, with 23 other senators of both parties as cosponsors. He said the legislation now has the support in principle of nearly all major farm groups. Citing the need for the bill, Metcalf pointed out that "tax-loss farmers," in high income brackets, are "squeezing small farmers and other bona fide farmers out of farming operations by bidding up prices of land and other farm assets through their excessive financial resources." This must be stopped, he said.

Labor believes that the senators engaging in this battle, along with the Farmers Union, deserve all-out support from Congress. The legislation they're backing is urgently needed to prevent tax evasion; to preserve family farms; to halt the distintegration of small-town America, and to block corporate monopoly from obtaining in agriculture the kind of grip it now has over much of industry.

Mr. METCALF. Mr. President, I now turn to the February 17 issue of New York magazine which had on its cover a photograph of a business executive sitting in a swivel chair. In his hand is a leash and at the end of the leash is a Hereford steer. On the wall in back of this gentleman is an oil painting and covering the floor is an oriental rug. The caption on the cover reads:

> It's murder on the rug but it saves me $6,000 a year in taxes.

In this particular issue of New York magazine, Jeanne Webber has written both a delightful and in-depth account of this problem. Her information was gathered from interviews with accountants, lawyers, and, lo and behold, Oppenheimer Industries.

Mr. President, I ask unanimous consent that both the articles entitled "This Way to the Tax Shelter," which appears on pages 25 through 27, and Mrs. Webber's account of how she gathered her information, which appears on page 4, be printed at this point in the RECORD.

There being no objection, the article and description was ordered to be printed in the RECORD, as follows:

Between the Lines

To write our cover story Jeanne Webber entered that twilight world inhabited by tax lawyers and accountants and pried information from a number of smart young men who were at first understandably reluctant to discuss how they arranged for rich clients to pay less in taxes than their doormen. "Two or three big law firms are cooking up *really* fancy things, but they wouldn't talk," she says.

Nonetheless, Mrs. Webber came away from

her research with a fetching list of the exotic legal tax shelters being used these days . . . among which shelters are cattle feeding and breeding, buying jasmine groves, leasing airplanes, assorted oil deals and "commodity straddles."

"It's kind of fun for these guys to match their brains against the government," Mrs. Webber says. "The structure is fair game until they tighten up the laws. It's not as though they're off to Bermuda with sacks of gold. The more sophisticated men go in for cattle raising. Oppenheimer Industries is the Macy's of the cattle buying business, only fancier and more intricate. As far as commodities go, they are now talking commodities with two straddles, such as selling orange juice long against sugar short."

If words like "straddles" seem to slip from Mrs. Webber's tongue with the ease of a press agent dropping his roster of clients, this is because Mrs. Webber is very comfortable in the business world. The mother of three girls and caretaker of two cats, she spent eight years as a securities analyst on the Street and loved working there, where she could look out her window at Number Two Wall and contemplate the pastoral calm of Trinity Church She has also written financial articles for *Fortune* and the Business section of *Time*. Her piece on the Nixon stocks recently appeared in *New York*.

Mrs. Webber believes that President Nixon, with all the business types in his cabinet and the interests of the oilmen in view, will not do much to threaten the privileged structure of "tax preferences," so it appears that people will be hovering under shelters for some time to come.

This Way to the Tax Shelter

(By Jeanne Webber)

There was a very glum-looking man on the elevator the other night.

"I've just heard there's a terrible storm at sea," he moaned, "and my Devon cows are on their way over from England. My God, what'll I do if anything happens to them?"

"I hope they're all right," I said sympathetically. "I love animals myself."

"You don't understand," he snapped. "It's not love. They're my income-tax shelter. Breeding stock. A wonderful new deal, $75,000 deduction, I've been counting on it—I got in the 70 per cent bracket last year. Christ, I hope those cows come through all right."

"But if they're lost you can deduct them, can't you?" I asked as I got off.

"I don't want to deduct them," he howled after me. "I want to depreciate them! And they've got to eat all the feed I paid for to get my 1968 expense deduction!"

The next day I went up to see a tax man.

"I think I'm going to pay maybe a couple of hundred dollars more this year," I told him. "But I hear that if I can find some cows to depreciate, I might not have to pay. So where can I find some cows?"

The man handed my papers back with a Form 1040A on top and told me not to be silly.

"Oh, but I'm really going to make a lot more money this year," I assured him. "I need a tax shelter."

"You think you'll make two, three hundred thousand?"

"It's entirely possible. M-G-M is very interested in a term paper I did at the New School."

"There are lots of tax shelters besides cows," the tax man told me. "Airplane leasing, railroad cars, citrus groves, oil, gas, commodity straddles. It's a funny thing, the appeal cows have. Must be the city dweller's escape to playing cowboy. Wall Street brokers, bankers, big names in radio and TV like Jack Benny, Hugh Downs, Woody Allen, Chet Huntley, they're all in the cattle business. By the way, don't call these arrangements tax dodges. Or tax gimmicks. They're tax preferences."

"People prefer not to pay taxes, of course."

"I mean that certain people and certain activities have a preferred position in the tax laws. They're taxed at a lower rate, or exempt. Presumably Congress framed the law that way for a reason. To help farmers, for example. You get cow deals because the minute you buy cattle you become a farmer."

"I like to visit the wide open spaces. But I wouldn't want to live there."

"Naturally not." He shuddered. "But when you find yourself in the 60 per cent or 70 per cent tax bracket, where you're going to give the government 60 or 70 cents out of every dollar of income, and then a surtax on top of that, you look for some special part of the tax law that might help you. If you can find a way to lose money and deduct it from your high income this year, and then get your money back in the future in some way that's taxed at a lower rate, or exempt, you do it. A very natural reaction."

"Just as I thought. You not only have to have money to make money, you have to have money to lose money."

"Look at it as part of the same game everyone plays with the Internal Revenue Service at tax time," he said. "Only the chips are bigger."

"The Secretary of the Treasury says twenty-one millionaires didn't pay any tax at all in 1967 and the government is losing fifty billion a year from tax preferences, as you call them."

"Well, it's all legal," the tax man said firmly. "If the government wants to get taxes from those millionaires, they got to change the law. And dont think it's easy to beat Internal Revenue Service at this game. You got to be smart, or rather you got to hire smart people, to work out these fancy deals."

"But they can't find anything if the man hasn't put down all his big income, can they?" I asked.

The man was horrified. "You don't get the idea at all. There's one rule about getting into this game. You have to report taxable income. Otherwise you're not playing fair. You're yellow. The point is to report your income and then find the legal loopholes that IRS can't disallow."

"Well, send me to some of these smart boys you were talking about. I do want to be legal."

He handed me a list. "For cattle go around and see Oppenheimer Industries. They're the biggest. Airplane leasing, see Barry. Oil deals, there's Larry. Commodity straddles you'll never understand, but see Norman. Citrus, try Harry. And don't tell any of these guys I sent you."

I still had my heart set on cows, so I rushed over to Oppenheimer Industries' office, which is kind of plush for a cowboy business but it does have a picture of a cow on the wall.

"You should understand there's feeding and there's breeding," Richard Bright, the executive vice president, told me. "Feeding is raising steers for the market. You buy cattle in the fall, deduct feed cost and various expenses in advance. On 500 steers you could deduct nearly $50,000. The cattle get fattened up in a feedlot and you sell them next spring, maybe at a profit. Of course, the market might go down, but you're not likely to lose everything. This postpones the tax. You get income from the sale, but maybe you do the same thing again that year. In breeding, you're building up a superior herd of some particular breed, like Angus or Hereford."

He waved under my nose a picture of a motherly-looking cow nursing a calf. "Adorable," I murmured.

"Well, suppose I buy you 400 cows at $225 each, that's $90,000. You only have to put up 10 per cent and give a note for the rest, so you'll pay $9,000 plus interest for the first year, $6,000-something. Deductible a year in advance, although the IRS is a little touchy about it. Then you buy a year's supply of feed, that's $20,000. And you need somebody to manage the herd for you; I assume you don't want to ride the range yourself. We act as agents in buying the cows and making sure they're placed on a ranch and taken care of, so we charge a fee, about $8,900 the first year. Then the cows have to be bred, and you pay a year's breeding fees in advance, $8 a cow."

"The bull charges $8? I'm against the commercialization of sex."

"You have to build up your herd," Bright explained. "Every year you sell off some calves and keep some. That's the good thing about cows as assets. They reproduce. So that's a total of $47,100 you've put out. Now the tax situation. All expenses are deductible; that comes to $38,100. Besides that you get depreciation. The government allows depreciation on a breeding herd just like on machinery.

Let's say you depreciate $5,300 the first year. You get total deductions of $43,400 to offset this year's income. These are just average figures, of course. The way it works out, at the end of six years you have a herd about three times as large, and if you sell it, you only pay capital gains on the cows held over twelve months, though ordinary income tax on the calves. For the six years you have a recovery of about $2 for every $1 you put in."

I said I'd certainly be thinking about it.

A few blocks away I found Barry, the airplane-leasing expert, purring over a leasing scheme he'd just launched.

"If you buy a piece of equipment like an airplane and lease it to somebody you get an investment tax credit of 7 per cent," he explained. "That's a credit against your final tax, not a deduction against your income. The difference is important. As a rule of thumb, an investment tax credit of a certain dollar amount shelters three times that much in pre-tax income. Now, airplanes are expensive. New commercial jets you lease to airlines range from $3.8 million up. The smallest investment I take is $100,000, and most are higher. I like ten to fifteen people per deal."

"Do all the people in on one deal ever meet each other?" I asked wistfully.

"Most of them know each other already. Now say we buy a Falcon Jet, an executive plane, and lease it for eight years. It will cost around $1.4 million. We can borrow 80 per cent of the cost. Say you put in $100,000. The investment tax credit will reduce your investment by $30,000 right off the bat. Then you get depreciation and expense deductions offsetting the rental we charge for the plane. Over the first three years you can get a tax loss of $115,000. After four years or so you'll have to begin to pay some taxes, but you've had the use of your money in the meantime. Over the life of the lease you may get back tax-free cash of another $115,000. And you have an airplane worth 25 to 30 per cent of its original cost."

"What would I do with my airplane at the end of the lease?"

"You could sell it, but you'd have to pay ordinary income tax on what you got for it. Better to give your interest in it to your favorite charity and you deduct the gift."

"My, the New York Public Library will be surprised. Maybe they'd rather have a railroad car."

"Oh yes, you can buy railway cars and lease them. And big pieces of industrial equipment. I know of one deal that involves renovating an old plant—you buy modern machinery, put it in and lease it.

"But you'll have to excuse me. There's a little 89-year-old lady waiting to see me. There are estate advantages to airplane leasing, you know."

I hoped the oil man would be one of those happy Texans who carry a big wad of bills and take you to the Playboy Club. Apparently that model is going out of style. Larry was from Brooklyn, wore horn-rimmed glasses and ordered up sandwiches from the deli.

"I wouldn't say oil drilling is a tax shelter," he said stuffily. "The tax benefits simply encourage the search for oil, protect the security of the United States and assure the American way of life."

"Oh, is *that* why so many rich men go into oil?"

"Well, suppose you're in the 90 per cent tax bracket. You put $100,000 into exploratory drilling, or wildcatting, you're only risking $10,000 of your own; the rest, that would go into taxes, goes directly into the search for important natural resources, oil and gas. Nothing wrong with that, is there? Now in return for your risk you can deduct all of what are called intangible drilling expenses, like labor, fuel, machine rentals—about three-fourths of your initial outlay—immediately. You can use that $75,000 to offset other income, or even carry it forward to offset future income."

"What're the chances I'll strike oil?"

"The ratio is one producing well to nine dry holes, in wildcatting. It is risky, you see. But suppose you do strike oil. Of all gross income from the well's production, 27½ per cent is exempt from taxes—that's the depletion allowance, given you because your asset, oil, is getting used up. Matter of fact, you can get a depletion allowance for iron, coal, timber, sulphur, zinc, clay, sand and many other things."

"Funny, I never heard of so many zinc or clay millionaires, and only a couple in sand, who got rich on city contracts or something."

"Well, their depletion allowance isn't as much as for oil, of course. Besides, it's the write-off of intangible drilling expenses against ordinary income that makes oil so attractive."

"I'm not quite in the 90 per cent bracket yet. Maybe it's not for me."

"There are all kinds of oil groups, sort of like funds, that people can go into if they're as low as the 50 per cent bracket," Larry answered. You can even buy into some of them on the installment plan."

"That's people's capitalism, all right. Suppose I put in $5 this month, maybe $10?"

"You're talking about a Christmas Club, not an oil deal," Larry said coldly.

Down at Bear, Stearns I found vice-president Norman Turkish looking cool and contemplative amid the clamor of phones and machines.

"Commodity straddles for tax purposes are just coming into fashion," he told me. "Lots of accountants aren't aware of the possibilities yet. But there are great advantages—liquidity, for one. You can get out of the commodity market in a hurry if you need cash. Airplanes, cattle, you can be locked in for months or years."

"You can lose money fast in commodities," I said. "I'm kind of afraid of them."

"There's risk in anything that depends on nature, changing quotas, international disagreements and shipping strikes," he agreed. "But with a straddle you have a lot of flexibility. You know how the futures market works? I was afraid not. Read these little booklets. Let me just say that there are two prices for commodities like sugar, wheat, cotton, eggs and so on, the spot or cash price you'd pay today, and the futures price, which is what people think the price will be some time in the future. For example, you can make a contract now to accept or deliver sugar at a set price in July. You buy a future if you think the price is going up and you sell a future if you think the price is going down so you can fulfill your contract at a cheaper price. As the price changes month to month between now and July, your contract is worth more or less. These contracts are traded all the time. You can buy them on margin just like stocks."

"Where does the straddle come in?"

"A straddle is when you buy a futures contract for a commodity, say sugar, for one month and at the same time sell a sugar contract for a different month. Say in November you find you're going to make a lot of current income in 1969. You put on a straddle, as we say. By the end of December the price has moved, so you have a loss on one leg of the straddle and a gain on the other. You sell the one with the loss to get a short-term loss to offset against current income. You hold the other leg of the straddle. If you just want to postpone your tax until 1970 you could sell that leg at the same price, or close to it, right after January 1 and take your profit then. You'd have to figure out something else to do taxwise in that year or pay ordinary income tax. But if you want to convert to capital gains, you hold on for six months. There are ways of locking your profit in by other contracts—I won't go into all that. But it works."

"Can you do this with any commodity?"

"Well, you need one that trades more than six months in advance, of course. Also one that has a consistently high volume of trading all the time, so you can get in and out easily. You want a fairly volatile price; commodities that move only a few cents a year aren't good because you have to put so much money in to establish a sizable loss. I only take clients who want to lose $50,000. There are dozens of commodities traded in the futures market—grains, metals, rubber, hides, potatoes, cotton, citrus. For tax straddles sugar was good last year, and cocoa, and silver."

"I've read some wild, exaggerated stories of guys sent to Africa to look over the cocoa crop. You do anything like that?"

"Matter of fact, I'm just leaving for Florida to look at orange trees," Norman replied. "There's a difference of opinion between the growers and the U.S. Department of Agriculture about how much damage was done by a freeze they had in December."

"If I buy orange-juice futures, could I go to Florida and look at the trees as a business expense?"

"Don't think so. You'd have to own an orange grove, and that's real estate, not commodity trading. You want to know about citrus, go see Harry. He knows about Jasmin Groves. Only it's in California, not Florida."

"It's not just citrus," Harry told me. "Jasmin Groves intends to buy land in the San Joaquin Valley and grow other fruit too, and almonds and walnuts. Some of the trees are already producing, but the rest won't come into production for a few years. The tax angle is to deduct interest on the loan to buy the land, and the prepaid management fee for crews to tend the trees. Besides expenses you make certain improvements to the groves that may be eligible for investment tax credit, and you get depreciation. For every $10,000 unit you could deduct $8,700 the first year. You'd put up some $15,000 more later on, but get deductible losses for several years."

Harry had a whole set of young geniuses he wanted to send me on to, to hear about even more sophisticated tax shelters, but I happened to notice an ad in the *Wall Street Journal* that offered a perfect chance to combine the tax game with my favorite outdoor sport. The ad was headed "Buy a Race Horse" and went on: "If you operate your racing investment with an intent to make a profit, your expenses are deductible and depreciation is allowable." That's for me. See you at the big A.

Mr. METCALF. Mr. President, continuing with just some of the thoughtful and provocative discussion calling for legislation in this area, I turn next to a commentary published in the Washington Evening Star on February 21. The article was written by Carl T. Rowan, who needs no introduction. Mr. Rowan singles out tax farming as perhaps the most glaring loophole currently scheduled for hearings before the Ways and Means Committee.

Mr. President, I ask unanimous consent that Mr. Rowan's comments on the proposed legislation be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

REFORMERS BATTLE FARMING AS A TAX GIMMICK

(By Carl T. Rowan)

The curtain has risen on the first act of what is likely to be a long-running show that will culminate in some major income tax reforms in this country.

The House Ways and Means Committee has started an investigation of tax-exempt foundations, a variety of which have had a pretty free run for two decades.

Look for the hearings to reveal some pretty shabby abuses of the special privileges our tax laws have made possible for foundations. But don't expect drastic over-all restrictions, because the hearings are also going to show that some of the foundations have fostered and financed vital social developments that would not have occurred without foundation support.

But the part of this tax reform drama that will leave 'em weeping in the aisles (including a lot of actors) will be the move to close the door on Treasury raids by what are known as "hobby farmers," or "income tax farmers."

In the last few years a rash of high income Americans—movie stars, stockbrokers, lawyers, doctors—has turned to "citrus growing," "cattle raising," and other "farming" operations to avoid paying taxes on money earned in their real professions.

There has been a growing clamor in Congress and the Treasury Department that the laws must be changed to stop a practice that is not only unfair to other taxpayers but has caused dislocations and problems within the genuine farming community that are of great social significance.

Sen. Lee Metcalf tells of seeing an advertisement in the magazine, Air Pilot, that was entitled "Tax Shelter for 1968." It said: "Own a Citrus Grove Using Tax Dollars as Your Total Investment."

Metcalf told an Iowa audience that "I'm going to do all I can in the 91st Congress to prevent that ad from being run" in 1969.

Metcalf and at least 25 other senators are now pushing a bill that would halt the practice of wealthy people working up "paper losses" on contributed "farming" operations in order to avoid taxes on huge incomes earned in other professions.

These wealthy "city slickers" actually are exploiting liberal cash-basis accounting procedures that the Treasury lets farmers use so as to simplify bookkeeping.

There is a variety of exploitations, but a simple procedure runs like this: a movie star earns so much that he falls into a 70 percent income tax bracket. He invests $200,000 of "current expense" money in the building of a breeding herd. He deducts the $200,000 as a pure loss, thus reducing the taxes on his non-farm income by a cool $140,000.

Later on, the movie star sells the herd for just what he put into it: $200,000. He pays taxes on this, but only at the 25 percent capital gains rate. So he pays $50,000.

Our movie star thus has a net saving of $90,000 in what appears on paper to be a "break even" farming transaction. The shrewd operators save even more by not really putting their own money into the transaction. They borrow that and deduct the interest on it.

Thousands of wealthy people who wouldn't know a bull from a buffalo have latched onto these "tax farming" schemes in recent years.

Metcalf reports that "the Internal Revenue Service figures that 680,000 non-farmers (industrial firms as well as individuals) took over a million dollars in tax losses in a recent year."

The losses to the Treasury are exceedingly heavy simply because the more money our movie star makes on the flicker the more money he contrives to "lose" on his cattle farm.

Metcalf's bill is designed to protect the legitimate farmer, including one who earns several thousand dollars a year by working parttime in a nearby town. Under the new law, a taxpayer could use farming losses to offset a maximum of $15,000 in non-farm income. The allowable deduction would be cut, dollar for dollar, as non-farm income rises above $15,000.

Thus a stockbroker with $30,000 in non-farm income would not be able to deduct any "farming losses" except for deductions that are allowable to any taxpayer, such as interest, local taxes, casualty losses.

Rural Americans are likely to give especially strong support to this tax reform. For the "hobby farmers" and the corporations have driven up the price of land. They represent destructive competition for the family farmer who has to make a profit, because the "tax farmer" who is interested only in a "loss" will do many things that undercut the normal farmer and his markets.

Metcalf argues that if we save independent and family farmers we also save better communities, with more churches, better schools, more business opportunities. Whether tax reforms can root out the "hobby farmers" remains to be seen.

Mr. METCALF. Mr. President, on February 5 a 2-year study by the Treasury Department into areas which urgently need tax reform legislation was published as a joint print by the House Ways and Means and the Senate Finance Committees. In discussing the problem of tax-loss farming, the study pointed out that these "tax losses" arise from deductions taken because of capital costs or inventory costs, and thus represent an investment in farm assets rather than funds actually lost. When these so-called tax losses which are not true economic losses, are deducted from high-bracket nonfarm income, the result is a large tax savings on income that would otherwise be taxed at ordinary income tax rates. Treasury then goes on to propose legislation that is almost identical to S. 500. Such a proposal is not surprising, however, since the bill is based upon prior favorable reports from both the Treasury and Agriculture Departments on similar legislation which I first introduced in November of 1967.

I have been receiving mail from all over the country in support of this bill. Nor is this surprising since the principle of the bill has the full support of the National Farmers Union, the American Farm Bureau Federation, the National Grange, the National Farmers Organization, the Farmland Industries Cooperative, the National Association of Farmer Elected Committeemen, and the Mid-Continent Farmers Association—formerly known as the Missouri Farmers Association. This list is not all-inclusive, it is merely intended to evidence the support of all those who are sincerely interested in the working farmers of our Nation.

From the State of Montana numerous petitions have been sent to me, endorsing the bill. Just yesterday I received from Frank Murray, secretary of state, a copy of a resolution adopted on February 7 by the Montana Senate specifically endorsing S. 500. I cite this as an example of the type of support that has been pouring in from all over the country.

Mr. President, so that other Senators may have the benefit of the detailed resolution adopted by the Senate of the State of Montana, I ask unanimous consent that both Secretary Murray's cover letter and the complete text of the resolution be printed at this point in the RECORD.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

STATE OF MONTANA,
Helena, Mont., February 20, 1969.

Hon. LEE METCALF,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR METCALF: I enclose herewith copy of Senate Resolution No. 1 adopted by the Senate of the Forty-first Legislative Assembly of the State of Montana on the 7th day of February, 1969 in accordance with the mandate contained therein.

Sincerely yours,

FRANK MURRAY,
Secretary of State.

SENATE RESOLUTION 1

Resolution of the Senate of the State of Montana to the Montana congressional delegation endorsing S. 500 to amend the Internal Revenue Code to prohibit persons who are not bona fide farmers from using losses incurred in their farming operation as an offset to income from other sources and urging support of that bill by the Montana delegation

Whereas, Senate Bill No. 500 presently under consideration by the United States Senate has the objective of eliminating the provisions of the Internal Revenue Code which grant high bracket taxpayers substantial tax benefits from the operation of certain types of farms on a part-time basis; and

Whereas, these taxpayers, whose primary economic activity is other than farming, carry on limited farming activities such as citrus farming or cattle raising, and by electing the special farm accounting rules which were developed to ease the bookkeeping chores for ordinary farmers, show farm "tax losses" which are not true economic losses; and,

Whereas, these "tax losses" are then deducted from their other income resulting in large tax savings, and the "tax losses" frequently represent the cost of creating a farm asset which will ultimately be sold and the proceeds taxed only at lower capital gains rates; and,

Whereas, the purchase and operation of farms for tax purposes leads to a distortion of the farm economy in that it causes higher prices for farm lands compared to the prices which prevail in the normal farm economy, and with the ordinary farmer must compete in the market place with these wealthy farmers who may consider a farm profit, in the economic sense, unnecessary for their purposes; and,

Whereas, statistics show a clear predominance of farm losses over farm gains among high-bracket taxpayers with income from other sources: Now, therefore, be it

Resolved by the Senate of the State of Montana, That the Senate of the state of Montana realizes the importance of ordinary farmfng in the economy of the state of Montana and the desirability of protecting the farming industry from unfair competition and eventual elimination of family-type farms; and, be it further

Resolved, That the Senate of the state of Montana endorses Senate Bill No. 500 and urges support of said bill by the Montana congressional delegation; and, be it further

Resolved, That the secretary of state be instructed to send copies of this memorial to the Honorable Mike Mansfield and Lee Metcalf, Senators from the state of Montana, and the Honorable Arnold Olsen and James Battin, Congressmen from the state of Montana, and to Mr. Sheldon Cohen, Director of Internal Revenue Service, Washington, D.C.

Mr. METCALF. Mr. President, as a final example of the widespread support the bill has already generated, I invite attention to a letter which I recently received from a certified public accountant in Santa Monica, Calif. In his letter the gentleman reveals that he has serviced several "tax-shelter farmers" in his professional capacity and that as a result of what he has observed, he is in full support of legislation which would close the door on these people.

Mr. President, so that other Senators may have the benefit of this man's remarks, I ask unanimous consent that his letter be printed in the RECORD. For obvious reasons, I have deleted from the letter the writer's name.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FARM TAX REVISION BILL

SANTA MONICA, CALIF.,
February 15, 1969.

Senator LEE METCALF,
Washington, D.C.

DEAR SENATOR METCALF: I strongly endorse your proposal to limit the losses of "non-farmers" inasmuch as I believe that the present tax law only enlarges the farmers present economic plight by encouraging people to engage in the farming business who cannot possibly economically justify their role in agriculture except for the tax gimmicks.

I am a Certified Public Accountant by profession and I have had the opportunity to become personally involved with several of the "tax-shelter farmers" in connection with my employment with a national public accounting firm where I am a member of the tax department. It has been my experience that the individuals who enter the farm business on an absentee owner basis (other than mere ownership of land) cannot justify their involvement from an economic standpoint. Normally the multiple layers of management that are required make it a rather costly venture. For example, I personally analyzed the operations (cattle) of an individual who enjoyed a very high level of ordinary income. He lost approximately 50¢ for every dollar that he invested, before considering the tax benefit from converting ordinary tax dollars to long-term capital gain dollars. On an after-tax basis he enjoyed an annual return of approximately 25% because his net investment was very low when considered on an after-tax basis.

It is my intent to emphasize that I am not opposed to some of the special tax benefits allowed to farmers who are legitimately operating an agricultural operation. However I believed they should be limited to operating farmers.

As a final comment, I wish to take issue with the theory advanced by some of the professional farm managers whose livelihood depends upon the continuance of the farm tax loopholes—that the vitality of the agricultural economy depends upon the infusion of capital from nonfarm interests based upon the tax considerations. If American agriculture must depend upon this method to raise capital it is in sad shape. Maybe if agricultural operations had to maintain themselves on an economic basis the oversupply of farm products would be reduced and agriculture would develop more vitality. As a consumer of farm products, I would be happy to pay a few dollars more in my monthly food bill if it would result in a more stable farm economy which rests on its own economics.

Yours very truly,

——— ———.

Mr. METCALF. Mr. President, I hope that once hearings on this subject are completed next month, early action can be obtained to remedy this problem, since specific legislation is not only pending in both the House and the Senate, but has already received such widespread support as I have detailed, in part, today.

Mr. HARRIS. Mr. President, the Oklahoma Department of Agriculture Daily Market Report recently contained an article reproduced from the Daily Market Report of the State Department of Agriculture of Missouri concerning S. 500, a bill introduced by my distinguished colleague, Senator METCALF. I ask unanimous consent that this article, along with an editorial written by Mr. Harold Rector be included as a part of the RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

FARM TAX LEGISLATION

Legislation amending the internal revenue service code to prevent corporate farmers from offsetting farm losses at substantial benefits is again being introduced in the Congress. Senator Lee Metcalf (D-Montana) and Representative John C. Culver (D-Iowa) introduced identical bills which would allow farm losses to be offset in full against nonfarm income up to $15,000. For those persons with nonfarm incomes in excess of $15,000 the amount against which farm losses may be offset is reduced dollar-for-dollar for income above $15,000. Those with non-farm income of $30,000 or more could not generally offset farm losses against their non-farm income under the bill. The Senator introduced two similar bills in 1967 and in 1968 which died in committee. However, the bill received the support of the Treasury and the USDA and it has picked up endorsement of major farm organizations. Additionally three of this year's 23 co-sponsors are members of the Senate Finance Committee to which the bill is referred and they may push for hearings according to sources close to Senator Metcalf. Two areas in which corporate farming is widespread are citrus farming and cattle raising. Many of the major firms engaged in massive farm speculation and growth have publicly opposed such legislation. Sen. Metcalf says the bill is aimed at removing inequities between legitimate farm operators and taxpayers who are more interested in farming the internal revenue service code than the land. He also charges that the tax accounting rules designed for actual farmers are being abused by urbanites who want to convert high-note tax incomes into capital gains. He says large firms acquire farms and livestock for the purpose of creating paper losses which can be used to offset large amounts of their non-farm income.

The bill does not prevent deduction of farm losses to the extent they relate to taxes, interest, casualty losses, drought losses, or losses from the sale of farm property. The limitation on the deductions of farm losses does not apply either to the taxpayer who follows the general rules with respect to farm income, the Senator pointed out.

Supporters of the legislation hope finance committee hearings will be held to focus public attention on the bill and then gain passage into law.

The committee has not indicated what bills it will hold hearings on, however. Recent statistics show that corporation farming currently accounts for about 5%, or $2 billion, of the $40 billion worth of food and livestock raised on U.S. land. Opponents of the legislation claim it would increase the price level of farm commodities, cause a greater concentration of farming in corporations, and prohibit some farmer from entering into areas where it would take more than the five-year limit to develop a commercial crop income.

EDITORIAL

Corporate farming is not new: History has recorded vivid accounts of such enterprises. At the time when Joseph was sold into Egypt by his brothers, food production was the business of the Pharoahs. . . . The divine wisdom of Joseph divided the duties of such tasks among the populace and increased production to secure the Nation against famine.

The Turks and the Greeks, too, in their rise to world power fell, because among other things they placed the responsibility of producing food for their peoples in the hands of a few who sought to control such segments of the needs of the citizens. As a result, efficiency dropped.

Again, the Roman Empire, before its end, allowed concentrations of influence to determine the food needs of its people and suffered pestilence and famine which assisted greatly in bringing this mightiest of all Nations before it to its knees.

Let us skip a few centuries . . . right here in this part of the Great Plains that provides space for our Great State of Oklahoma, before the days of the Indian Territories, this great sea of grass was grazed by huge herds of cattle owned mostly by British financial interests. These great enterprises took from the land without giving in return. Then too, these operations vanished because of financial reverses which were the result of adverse conditions that could not be contended with from so far away as the British Isles. Successful farming is the reflection of love of the land. No nation has stood the test of time without this ingredient.

America grew to be the mightiest of all before it and this was accomplished by thousands of family operations which singly were integral parts of a system of producing more food than the world had ever known. Shall this system be weakened by concentration of a task force that history teaches has in every previous instance failed to produce enough foodstuff for an expanding population?

The great philosopher Santayana once said, "He who does not know and understand history shall be forced to relive it."

VIETCONG PROPAGANDA ABROAD

Mr. DODD. Mr. President, I believe that anyone who has followed the massive propaganda campaign directed against our Vietnam commitment, both in this country and abroad, recognizes the fact that the world Communist apparatus is anything but an innocent bystander. Indeed, while no bookkeeping figures are available, I believe that it would be a fair surmise that a very substantial proportion, perhaps as much as one half, of the hundreds of millions of dollars which the Communists are known to spend on propaganda annually, has been devoted to encouraging the anti-Vietnam protest movement throughout the free world.

The great majority of those involved in the protest movement are certainly not Communists. Many of them regard themselves as pacifists; many more as liberal humanitarians; and a certain percentage, while frankly radical or revolutionary, regard themselves as anti-Communists.

The various antiwar organizations produce their own statements and their own literature; and they would resent the suggestion that their literature is in any way influenced by the Communists. But the Communist propaganda apparatus is so subtle and pervasive that it would be nothing short of a miracle if it failed to influence any of those who had been demonstrating under the banner of pacificism or liberal humanitarianism.

Recently there came to my attention an article on "Vietcong Propaganda Abroad," written by Dr. Chester A. Bain, author of "Roots of Conflict," and one of this country's foremost Vietnam scholars.

In this article, Dr. Bain makes a detailed analysis of Hanoi's propaganda operations and of the major themes of its propaganda abroad. He makes the point that:

> The communists' world-wide propaganda effort on the Vietnam war is probably greater and better coordinated than any other propaganda campaign in history.

Specifically on the subject of Vietcong and Hanoi propaganda, Dr. Bain says:

> Viet Cong and Hanoi propaganda directives point to groups upon whom to concentrate—pacifists, families of servicemen with the allies in Vietnam, student groups, church organizations. And they suggest means of encouraging dissent with American policy—anti-war demonstrations, military desertions, and alienation of European countries from the United States. The echoes reverberate worldwide, produced and directed by an elaborate and sophisticated propaganda mechanism.

Dr. Bain quotes at length from a captured document entitled "Report on Propaganda and Foreign Affairs" prepared in June of 1966 by the propaganda and foreign affairs section of the Central Office for South Vietnam of the Vietcong movement. This report asserted that up until 1961 both the propaganda and foreign affairs of the National Liberation Front were under the guidance of the central committee of the Hanoi Communist Party.

The report explained, in a very candid manner, how the Vietnamese Communists, north and south, conduct propaganda designed to "motivate youths, intellectuals, religious sects, and families of the U.S. troops dispatched to Vietnam," to protest the war.

A careful reading of Vietcong and North Vietnamese propaganda not merely reveals the existence of a massive, planned, international propaganda campaign, but it also reveals the fraudulence of some of the claims and pretensions broadcast by their propaganda apparatus.

For example, Hanoi and the Vietcong have succeeded in persuading much of the free world that the Vietcong is not really Communist but nationalist, and that the Vietcong insurgency is essentially a nationalist uprising. However, in a Hanoi broadcast of November 4, 1967, Le Duan, first secretary of the Hanoi Communist Party, placed this remarkably frank interpretation on what the Communists mean when they talk about a "liberated" South Vietnam being "national" and "democratic." Said Le Duan:

> Though national and democratic in content, the national liberation revolution no longer remains in the framework of the bourgeois revolution; instead it has become an

integral part of the proletarian revolution and the dictatorship of the proletariat, on a worldwide scale.

Mr. President, in the hope that Senators will take the time to read this carefully researched article which appeared in the Foreign Service Journal for October 1968, I ask unanimous consent to have printed in the RECORD the complete text of Dr. Bain's article.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIETCONG PROPAGANDA ABROAD

(By Chester A. Bain)

On March 8–9, 1968, according to a Hanoi broadcast, 50 delegations (including one from the Liberation Front for South Vietnam) met in Budapest for an extraordinary session of the World Federation of Democratic Youth (WFDY). The purpose was to organize world strategy for supporting the Viet Cong. The session's "program of action" called for organizing "1000 demonstrations of force" and for supporting a "protest campaign" of American youth and students against the draft and the Vietnam war. A few days later, London saw thousands march in a bloody "demonstration of force" against the American Embassy. In subsequent weeks, similar demonstrations spread around the world and throughout the United States.

The WFDY organized by Moscow in 1945 is only one link in the network of national and international communist front groups cooperating in a massive anti-American campaign. While a "polycentric communism" has replaced the "monolithic" version, communist parties and nations worldwide are competing in their aid to the international propaganda efforts of Hanoi and the Viet Cong. Supporting and guiding this propaganda throughout the world is a virtual army of communist bloc diplomats, newsman, and secret agents and hundreds of thousands of local communists with their front groups, mass organizations, and sympathizers.

The Soviet Union and Communist China clash on numerous points, including Vietnam war strategy, but they still provide massive propaganda aid and most of the war materials used by the Vietnamese communists. Tito and Castro disagree with Moscow and Peking on many matters, yet both consistently' assist Hanoi's propaganda war. Mechanisms for coordinating this global psychological warfare were created at Havana in 1966 by the Tri-Continental Congress. The 80 participating communist parties now cooperate with Hanoi through the "Tri-Continental Committee to Aid Vietnam" as well as the 12 nation directorate established in Havana to coordinate liberation movements world-wide.

To supply this vast market for pro-Viet Cong materials requires large-scale production by Hanoi and its southern creation, the National Liberation Front. Published and captured documents and the radio broadcasts of Hanoi and the Front describe this effort. These communist sources prescribe the major themes for overseas stress—the "immorality" of the American intervention in a "civil" war; the "democratic," "nationalist," and "neutralist" aims of the Viet Cong; the inevitability of a communist victory; the corruption and unresponsiveness of the Saigon government. Viet Cong and Hanoi propaganda directives point to groups upon whom to concentrate—pacifists, families of servicemen with the allies in Vietnam, student groups, church organizations. And they suggest means of encouraging dissent with American policy—anti-war demonstrations, military desertion, and alienation of European countries from the United States. The echoes reverberate world-wide, produced and directed by an elaborate and sophisticated propaganda mechanism.

HANOI'S PROPAGANDA MACHINE

Before the launching of the Liberation Front in 1960, North Vietnam's propaganda structure carried the burden of overseas propaganda, and still it plays a predominant role. The main vehicle was, and is, the Vietnam News Agency (VNA), established in 1945. In addition to providing material for domestic newspapers and broadcasts, VNA is the official voice of the North Vietnamese government (the Democratic Republic of Vietnam or DRV) and of the communist Lao Dong (Workers) Party, headed by Ho Chi Minh. Over radio-teletype services to Europe, Peking, and Southeast Asia, VNA distributes news in Vietnamese, French, and English and provides Morse code services to DRV diplomatic missions. These facilities still transmit most of the overseas propaganda for the Viet Cong and Liberation Front.

Another major DRV propaganda medium is the Voice of Vietnam, known as Radio Hanoi. About half of its 140 hours of weekly broadcasts are in foreign languages, including English, French, Japanese, Korean, Lao, Cambodian, Thai, Mandarin, and Cantonese. Many are beamed at the U.S., Korea, and other foreign soldiers in South Vietnam. Long before the Liberation Front's creation, Radio Hanoi helped direct the insurgency in the South. It still fulfills this responsibility by broadcasting directives and news at dictation speed for the southern Party cadre.

North Vietnam's small motion picture industry provides newsreel and documentaries for overseas propaganda. These are placed with increasing frequency in commercial and college theaters and on television in Western and neutral countries.

Large quantities of pamphlets, posters, and magazines are exported by Hanoi, or are printed abroad for distribution through friendly channels or North Vietnamese embassies and agencies. The widest audiences are reached with the French and English editions of four periodicals: a quarterly, VIETNAMESE STUDIES (formerly VIETNAM ADVANCES); a pictorial monthly, VIETNAM; a youth-oriented monthly, VIETNAM YOUTH; and the semi-monthly official bulletin, VIETNAM COURIER.

For international meetings in Hanoi or abroad, exhibits support the Front and project anti-American themes. Supplementing her regular diplomatic representation, Hanoi sends a stream of delegations to international conferences. Many represent elements of the DRV Fatherland Front such as the trade unions, and professional, youth, or religious groups.

In 1963 alone, the North printed more than 400,000 books in foreign languages. Prominent among the frankly political publications of recent years were Ho Chi Minh's five-volume "Works," and DRV Defense Minister Vo Nguyen Giap's "People's War, Peoples' Army." But many ostensibly nonpolitical texts such as "The Catholics in the Democratic Republic of Vietnam" serve propaganda purposes. As the war in the South intensified, Hanoi increased production of literature supporting the front. Pro-Communist foreigners like Wilfred Burchett provide some of the foreign language materials.

Since October 1965, the DRV propaganda apparatus has been under a General Department of Information. Policy guidance, however, emanates from the Party Central Committee's Propaganda and Training Department.

THE VIETCONG ORGANIZE FOR PROPAGANDA

For some time after founding their propaganda facade, the Liberation Front, southern leaders were too busy fleshing out their paper organization to develop publishing capabilities. In 1961, a Liberation Press Agency (LPA) issued its first releases in the South, but its output reached world audiences mainly through the facilities of VNA and Radio Hanoi. When the Front began to send press and other representatives abroad, they traveled on DRV passports, as they still do. In February 1962, a station calling itself Liberation Radio initiated broadcasts from a location near or inside the Cambodian border. By 1965, this station was broadcasting about 60 hours weekly in Vietnamese, Khmer, English, Cantonese, and Mandarin.

The Front's propaganda organization gradually expanded until by 1965 it was publishing some 40 newspapers and 17 periodicals within South Vietnam. These ranged from irregular mimeographed handouts of a few hundred copies to publications with reported circulations to 10,000. There are also foreign publications, probably the most widely distributed being a French and English monthly, South Vietnam at War.

Viet Cong film production developed slowly. Short documentaries of the early 1960s were probably produced by DRV crews and processed in the North or in Cambodia. By 1965, however, the Viet Cong were producing newsreels and documentaries with fair regularity. In addition, the communists have made excellent propaganda use of Western newsreel and TV films containing incidents susceptible to such exploitation.

COORDINATED PROPAGANDA GOALS

The development of the Viet Cong's propaganda potential and their continued dependence upon the North is documented by the captured "Report on Propaganda and Foreign Affairs Section of the Central Office for South Vietnam (COSVN) for the equivalent DRV office. This report asserted that "up to 1961, the propaganda and foreign affairs of the Front . . . [were] under the guidance of the Central Committee [of the Lao Dong Party in Hanoi]." In 1962, the Central Committee ordered COSVN to form a foreign propaganda element "co-located with the Liberation Radio Broadcasting Station." Among its duties, this element maintained "contact with organizations and individuals in Cuba, the USA, France, Indonesia, Greece, etc. . ." and prepared anti-US propaganda and "documents used in reeducating US prisoners." As late as 1966, the report conceded, the immensity of the propaganda task required that Hanoi's Central Committee continue to fulfill important directive and supportive functions.

To exploit "the propaganda 'capabilities' of the world's organizations, newsmen, writers, and officials in foreign countries," the Viet Cong propagandists "arranged activity schedules and high level interviews for several visiting foreign newsmen and cameramen," who, the report added, "helped us a great deal in propaganda after they returned from their visits. . . ." The element also sent abroad (with DRV passports) delegations of trained propagandists representing front organizations for "good will visits and international conferences." By 1965, some 25 such southern delegations together with comparable DRV groups were annually projecting a favorable image of the Front.

Supplementing this effort was an unending flow of messages between the Viet Cong front associations, sympathetic foreign groups, and others protesting the war. These included the well-publicized messages to the head of the US National Coordinating Committee to End the War in Vietnam and a condolence letter to the widow of the Quaker who burned himself to death on the Pentagon steps.

In the United States and other capitalist countries, the report candidly explained, we "motivate youths, intellectuals . . . religious sects, . . . and families of the US troops dispatched to Vietnam" to protest the war. Though international conferences, organizations, and committees, "the world people's anti-US Front has taken shape, aimed at mobilizing mass movements for support to Vietnam . . . and at isolating the US imperalists. . . ." Future "heavy emphasis" should be placed on the role of the Front as "the only and genuine representative of the people of the South . . ." and its "strategic slogan for a neutralist peace in South Vietnam." Efforts were to be made, moreover, to "wisely arouse internal dissension among the imperialist countries—chiefly between France and the USA—to win the support of France and her supporters."

FIGHTING WHILE NEGOTIATING

Even before the 1966 COSVN report, Vietnamese communist broadcasts were stressing diplomatic struggle." This euphemism encompassed an omnibus propaganda offensive including intensive campaigns to arouse international opposition against bombing, defoliation, napalm, and tear gas. It also embraced the intermittent dangling of ambiguously worded suggestions of negotiation. In a letter to the Fourth Congress of COSVN in March-April, 1966, Lao Dong Party First Secretary Le Duan spelled out the official propaganda strategy. Central Committee policy, Le Duan wrote, called for "joint political and armed struggle" with "heavy emphasis . . . on political struggle which includes diplomatic struggle which is of prime importance. As a consequence, the strategy of war and negotiation must be used to efficiently serve the political and military aim of our strategy. . . ." Le Duan explained that the "problem of war and negotiation is not new" in Vietnam's history, for it was used in Ming Dynasty times. Moreover, the Chinese Communists "adopted the 'fight and negotiation policy'" in their war against Chiang Kai-shek, and "the same strategy . . . [was] used in the Korean War."

Further clues to the Party's intentions come from a speech at this COSVN Congress by General Nguyen Van Vinh, DRV Politburo member, head of the Lao Dong Party's Reunification Department, and Army Deputy Chief of Staff. According to captured notes on the speech, General Vinh stated the war might proceed through several stages: "The fighting—the stage of fighting while negotiating—negotiations and signing of agreement." However, he added, "Whether or not the war will resume after the conclusion of agreements depends upon the comparative balance of forces. If we are capable of dominating the adversary, the war will not break out again, and conversely." Many nations, "nationalist and communist," had urged the Vietnamese communists "to enter into negotiations, any form of negotiations—so that a big war does not break out and that the war can be ended." However, Vinh said, "China holds the view that conditions for negotiations are not yet ripe, not until a few years from now, and, even worse, seven years from now." Meanwhile, China had told the Vietnamese communists to continue fighting until "a number of socialist countries acquire adequate conditions to launch an all-out offensive, using all types of weapons and heeding no boundaries." Faced with these conflicting demands, Vinh concluded, the Lao Dong Party decided to open negotiations if necessary, but, "while negotiating" to "continue fighting the enemy more vigorously."

On April 28, 1968, after the U.S. limited the bombing of the DRV and again offered peace talks, COSVN issued a directive advising the cadre that the objectives of overthrowing the southern government and forcing a U.S. withdrawal were not being abandoned. The purpose of "diplomatic struggles," the directive explained, was "to confirm the enemy defeat. . . ." They were "primarily intended to obtain favorable world opinion . . ." and not 'to defeat the enemy by arguments."

THE NATURE OF THE PROPAGANDA OFFENSIVE

The international propaganda issued by and for the Vietnamese communists reveals some definable characteristics. As with most communist propaganda, issues and concepts tend to be presented in absolute terms. The US "imperialists and their puppets" are cruel, weak, cowardly, vicious, immoral, and corrupt, while the Front and its adherents are kindly, strong, brave, heroic, moral, and scrupulously honest. The victory of the Front and its "people" is inevitable, even if they must fight protracted war for "5, 10 or even 20 years." Conversely, the "schemes of the US imperialists" must always fail, for Marxist history foretells world communist victory. To build the impression the United States is isolated by world public opinion, protests and demonstrations are skillfully orchestrated in cities around the world. Contrariwise, to convey an image of overwhelming support for the communist cause and the solidarity of all "progressive peoples and movements," floods of letters and cables are sent to the Viet Cong and Hanoi on numerous special commemorative occasions from communist leaders, parties, and front groups world-wide.

Because of the close control over the Viet Cong and the Front by Ho Chi Minh's Lao Dong Party, the Front's publicized goals are understandable only in the light of party doctrine which repeatedly cites Lenin as the ultimate authority. Janus-like, the Viet Cong presents two opposing faces: the propaganda mask for the outer world and the real one for the Party.

The frequently used terms—*negotiations, "just" war, neutrality, peace, coalition governments, nationalism,* and *democracy*—have considerable propaganda impact in the democratically-oriented West. Yet, examined in accordance with Leninist ideology, these terms possess quite different meanings from those commonly accepted in the United States. Hanoi's tactic of negotiating while fighting and General Vinh's comments that even a negotiated agreement would not necessarily end the conflict conform to Leninist strategy. When Russia concluded a peace treaty with Germany in 1917, Lenin advised his Party colleagues: "In war, never tie your hands with considerations of formality. It is ridiculous not to know the history of war, not to know that a treaty is the means of gaining strength."[1]

Lenin would certainly have approved the communist manipulation of Western guilt complexes by the propaganda line distinguishing between just and unjust wars. The claim that the communists' war to conquer South Vietnam is "just" while the US efforts to help South Vietnam maintain independence are "unjust and immoral" fits well with Lenin's words of 1918: "If war is waged by the proletariat [Party] . . . with the objective of strengthening and extending socialism, such a war is legitimate and 'holy'"[2]

As for the propaganda claim that the Front's goal is a neutral South Vietnam, DRV spokesmen, including Foreign Minister Nguyen Van Trinh, have indicated the Party subscribes to Lenin's rejection of any neutral ground between the hostile camps of communism and "imperialism." A recently captured Viet Cong document elaborates, "We do not appreciate a neutral regime which is usually regarded as the third political solution by capitalists. Such neutral regimes will usually oppose imperialists less than cooperate with them. . . ."

The Hanoi and Viet Cong interpretation is also not that generally understood by the West. Writing in the April 1967 issue of *Hoc Tap,* DRV Foreign Minister Trinh cited Lenin's distinction between "imperialist peace" or "peace in general" as the sense of absence of war, and "true" or communist peace which requires predominance of the communist party. "We have not struggled for peace in general," wrote Trinh, "because, as Lenin said, peace in general has 'no content' and is 'meaningless.'" Trinh left no doubt that the only peace the Vietnamese communist party would accept as final was complete victory over all Vietnam.

While the Viet Cong concur with Lenin's statement that communists "are not pacifists," they also take seriously his advice to establish "contacts within those circles of the bourgeois which gravitate toward pacifism, even if it should be of the poorest quality." To this end, the Viet Cong in October 1967 launched a drive to organize American pacifists and war dissenters with a new organization called "the South Vietnam People's Committee for Solidarity with the American People." Through offices established in Prague, Algiers, Hanoi, and other links, this committee cooperated with front groups to appeal for increased American protests against the war.

The Viet Cong concept of coalition government is detailed in the notes of a party cadre captured in October 1967. These notes, taken at a party meeting, explain that any "coalition government may include a non-revolutionary element as President. But he basically must follow the line of the Front's political program. The Front will be the core element . . . to all appearances, it will be a coalition government, but the real power will be in our hands . . . In regard to the coalition, our Party will exercise all control over it. . . ."

To *nationalism* and *democracy,* the Vietnamese communists also attach an esoteric significance. Lao Dong publications refer to Western nationalism and democracy as contemptible bourgeois vices. In a Hanoi broadcast of November 4, 1967, Party First Secretary Le Duan interpreted the communist claim that a "liberated" South Vietnamese government would be national and democratic: "Though national and democratic in content, national liberation revolution no longer remains in the framework of the bourgeois revolution; instead it has become an integral part of the proletarian revolution and the dictatorship of the proletariat, on a world-wide scale . . ."A resolution of the 1966 COSVN Congress cited earlier emphasized the Viet Cong view that their "revolution is part of the world revolution . . . related to the movements of national liberation on the continents of Asia, Africa, and Latin America."

While international Viet Cong propaganda urges that South Vietnam be allowed to settle her own affairs without foreign interference, Le Duan in his speech for internal consumption and the COSVN resolution emphasized the relationship of the war in the South to the world communist movement. Also, while Hanoi publicly denied that North Vietnamese troops were aiding the Viet Cong, internal documents discussed that aid and Le Duan assured party members that "the revolutionary movements in both areas [North and South] have been closely coordinated." How close was that coordination was indicated in captured Viet Cong briefing notes citing orders from Ho Chi Minh to launch the general Tet offensive in the South:

"The Central Headquarters of the [Lao Dong] Party and Uncle [Ho Chi Minh] have ordered the Party Committee in SVN and the entire Army and people of SVN to implement a general offensive in order to achieve a decisive victory for the revolution within the winter and 1968 spring and summer."

The notes specified that the propaganda cadre "should not say that this order comes from the Party and Uncle [Ho] but to say that it comes from the Front."

One especially striking example of the two faces of the Viet Cong occurred on two consecutive days. A Liberation Front Radio broadcast in English on December 20, 1966 described the Front's foreign policy as "independent and neutral." On the previous day, however, NFLSV delegate to Peking, Tran Van Thanh, enunciated Front policy in far from neutral terms in a speech broadcast by Radio Peking:

---

[1] Lenin, "Reply to Debates on War and Peace," *Selected Works,* Vol. VIII (New York: 1943), p. 309.

[2] Lenin, "Left-Wing Childishness and Petty Bourgeois Mentality," *Selected Works,* Vol. VIII, p. 357.

"The liberation of our fatherland is a contribution to the national liberation movement of the whole world . . . The SVN people take the task of defeating U.S. imperialism in SVN as support for the people of Laos, Venezuela, the Dominican Republic, and Congo. . . . If the U.S. . . . can be defeated in SVN, it will be possible to defeat it anywhere in the world."

The communists' world-wide propaganda effort on the Vietnam war is probably greater and better coordinated than any other propaganda campaign in history. The propaganda din is well calculated to confuse. Contributing to public confusion is the dearth of news reporting from communist areas where few reporters are admitted, while some 500 foreign newsmen of at least 20 nations freely observe and report virtually all that transpires in South Vietnam. It becomes increasingly difficult to distinguish between the propaganda-induced arguments and the normal differences of opinion about national policy, strategy, and tactics. The individual citizen is saddled with an awesome task of differentiating between fact and propaganda fiction, a distinction necessary to the safeguarding of American democratic processes.

NUCLEAR NONPROLIFERATION TREATY

Mr. TOWER. Mr. President, I have offered for the Senate's consideration a reservation to the Nuclear Nonproliferation Treaty which will soon be before us. It is a reservation to preserve what is popularly known as the NATO option.

As a member of the Committee on Armed Services, I have devoted many months of study to this treaty. I feel that I must now speak very candidly about it. I frankly do not think it amounts to much. Its substantive provisions change virtually nothing about international nuclear control. Our European allies tell me it causes them serious problems. And, I find that the only possible value this Nonproliferation Treaty could have would be as a bilateral, political maneuver between the United States and the Soviet Union—a maneuver which both our old and new administrations think might be a small stepping stone toward further talks and negotiations between the two superpowers.

But, I still have grave doubts that the political value of this treaty outweighs its admitted shortcomings. I cannot give my approval to it unless a number of its provisions are clarified.

At the very least, I hope all Americans will realize that this Nonproliferation Treaty is most unlikely to change anything about the way nuclear weapons are handled. It provides no disarmament. I do not want any of us to expect miracles from this treaty even if it is eventually ratified by the Senate.

Let me explain briefly some of my concerns. The treaty's central provisions seek to forbid the five countries with nuclear weapons from giving them to nonnuclear nations. Domestic U.S. law already prevents us from doing that. Great Britain gives no nuclear weapons away. Neither does the Soviet Union—but treaties never have prevented the Soviets from doing whatever they wanted anyhow.

The other two nuclear powers—France and Red China—have said they would not sign the treaty at all; so it does not affect them.

Furthermore, the most important nations which have the technological capability to build nuclear weapons for themselves in the near future have not signed the treaty either. These include West Germany, Israel, Italy, and Japan—all of them our strong allies in international affairs.

Clearly the Nonproliferation Treaty does not affect the more than 100 nuclear "have not" nations which have no resources to become nuclear powers. They give up absolutely nothing by signing the treaty.

Finally, the treaty says that any nation can completely withdraw from it on 3-months notice if it feels a supreme need to do so.

Another important shortcoming of the treaty is inspection. You recall how important inspection was in the Limited Test Ban Treaty. Yet, the Nonproliferation Treaty provides for inspection by an agency of the United Nations that today has about 15 inspectors and virtually no funds. And, nothing in the treaty says where more inspectors will come from, what their standards will be, or who will pay for them. Russia already has refused to allow any inspectors on its territory.

Another difficulty with the treaty which troubles some Senators is the implied idea that free world nuclear powers will defend any nonnuclear nation against nuclear attack from the Communist world. Taken literally that would mean we were committed to start nuclear war on behalf of every tiny nation on earth. Clearly, we cannot agree to that, but this treaty raises and does not answer the question.

The major conflict of interest between the Soviet Union and the United States in examining the proposed nuclear nonproliferation treaty is this: Is it possible to reconcile U.S. interest in strengthening NATO and Moscow's objective in weakening it? Specifically applied to Germany the question is: Can the United States keep Germany from following the example of France—and China—in developing national nuclear weapons and at the same time keep her a satisfied member of the Western Alliance? In its present form the Nonproliferation Treaty will destroy the NATO option and encourage Germany and other states of western Europe to acquire nuclear weapons. A secondary aspect of this is the fact that the proposed treaty is the vehicle upon which recent German frustration has been centered. Although these frustrations result from other things they nevertheless have attached themselves to the treaty.

In the military area the proposed treaty does two things which genuinely alarm many west Europeans. First, it prevents a purely defensive ABM system under either NATO or national control. Second, it precludes other NATO nuclear defenses.

For these two reasons, I have offered a reservation which should be attached to the treaty preserving the option to establish Atlantic nuclear defenses. This retention of the NATO option in the NNPT was included in all proposals made by Presidents Eisenhower and Kennedy and, initially at least, by President Johnson.

Without such a reservation we will see a continuation of two trends which are now clearly evident in Europe. These two trends result from U.S. policy of unilaterally changing its posture regarding western defenses without consultation or taking into consideration the wishes and national interests of our allies. Both heighten the dangers of the United States becoming isolated in western Europe.

The first trend, that is to develop national nuclear defenses, is most clearly evident in France although there is a growing element in West Germany and Italy that advocates this position. The French believe the U.S. commitment to defend Europe cannot be taken seriously. They further believe the United States and the Soviet Union will try to reach an agreement, a sort of international condominium in which the final European settlement will be made over the heads of Europeans, East and West. Consequently, French strategy is to develop its own defenses and be independent of any integrated command structure. It obviously follows that once a nation is convinced that its alliance partner will not defend it, it will prepare its own defenses. The French have done this by becoming the fourth nuclear power. They pulled out of the integrated command of NATO because, first, they fear the United States will involve Europe in a war without consulting its allies as in the Cuban alert of 1962, and second, the integrated command under American control will make the defense of France dependent upon Washington.

It is a curious fact but nevertheless true that American arms negotiations with the Soviet Union and other secret negotiations have had the effect of proliferating nuclear weapons by encouraging the French to develop their own program and to pull out of NATO's command structure.

The second trend in Europe is the opposite of the first and is most noticeable among the smaller European countries although there is some support for it in Germany because of Germany's exposed position. This trend is one toward accommodation with the Soviet Union. Here it is entirely possible to envision a series of treaties which will effectively destroy NATO and render Western Europe a continent of Finlands. The ultimate effect of this will be to shift the balance of power to the Soviet state because all of Europe will be under its political suzerainty. Both of these trends should be alarming for the United States. I believe that if one or more NATO nations acquire nuclear weapons, most of the others will be forced to follow because an atmosphere of mutual fear and distrust will have been generated.

In less than 100 years, three major wars have started in Europe because of the jealousies, hates, and fears of the individual European states. Whatever the faults of NATO and the Warsaw Pact, they have at least had the effect of restraining the old European jealousies which ignited the sparks of war.

A group of European states each having individual nuclear weapons could be a dangerous development for the United States. Curiously however, this treaty will not prevent a nation from acting in its own national self-interest. Peace is not assured by treaties. A treaty and the political pressure which accompanies it to force a nation to renounce a capability of self-defense is inviting disaster. The basic irritant in German-American relations in the last 8 years has been the feeling on the part of many Germans that the United States forces them to do something against their best wishes but that Germany has no alternative but to do what the United States wants. There may come a time however when a resurgent Germany will decide that it is capable of defending itself if it had nuclear weapons and will move to acquire them. This can be prevented as long as Germany is convinced that her security is guaranteed, and what can be said about Germany can be said about each of the other NATO countries. A reservation should be attached to the treaty which reads as follows:

> Subject to the reservation that such treaty shall not be construed as precluding the provision of weapons or other materials for the establishment of nuclear defense to regional organizations established under Article 52 of the Charter of the United Nations.

This reservation which would retain the NATO option reflects the position of the United States on the Nonproliferation Treaty up until October 1966.

The curious thing to me about this draft treaty, the arguments for it, is that the proponents of the treaty in many cases are the very people who advocate troop withdrawal from western Europe. They favor the treaty because of a fear of nuclear war, and anything that can be sold to them, whether it be the doctrine of flexible response or the nuclear test ban treaty, is desirable. They feel that the United States should have every option open to defend itself or defend its allies without resorting to nuclear weapons. And yet the only thing that even in a remote way enables us to have some degree of flexible response in Europe is the presence of U.S. troops, which conceivably, though I doubt it, prevents a Soviet or east European military probe into western Europe. If we force our NATO allies to renounce ownership of nuclear weapons in an alliance system at the same time that we are seriously considering withdrawing troops, then we have left ourselves with no flexible response. In the event of a probe across the Elbe River we are left with either an ultimatum to the Soviet Union and the threat of nuclear war or we must acquiesce in Soviet occupation of western European territory. Temporarily at least those who favor troop withdrawal from Europe are not in a majority. But the pressures will surely grow to bring the boys home and that day may come when the U.S. troops in Europe may be even less than Belgium has in Germany. At that time the Soviets will no longer consider our guarantees credible. Since there is no automatic nuclear response by the United States to an attack on Europe and since at that time the French and British deterrents will probably still not be creditable, then the invitation for Soviet probes will be very inviting. But if the ownership of nuclear weapons by the alliance can be implemented, it will give each of our partners the feeling of security and the ability to influence their own destinies and defense, and at the same time prevent them from acquiring national control of nuclear weapons. It will also pave the way for the withdrawal of some U.S. troops because a credible nuclear deterrent will in my judgment negate the need for American troops of any sizable number.

Our European allies have special problems with this treaty. They all hope for the day when Europe can become more united. As a step toward eventual political unity they hope for unified defense agreements. Yet, this treaty would forbid a unified European defense command from having nuclear weapons with which to confront the existing Soviet threat.

The treaty provides for an agreement between the International Atomic Energy Agency in Vienna—IAEA—and the Common Market nuclear agency—Euratom—within 2 years. But it bans the delivery of nuclear material even for peaceful purposes, to any signatory of the treaty after those 2 years are up, whether or not a satisfactory agreement between Euratom and the Vienna Agency has been reached. Therefore, even if the West Germans sign the treaty they would be forced to delay ratification until such an agreement has been reached. The Italian Government has stated this same intention in signing the treaty.

Keeping Euratom as the controlling organ of inspection for Europe, if the treaty is signed is a vital issue for Germany, not only because they have confidence in the fairness of its methods of inspection, but because the preservation of Euratom's authority and influence is vital to European integration, of which it is one of the pillars.

The fervent German desire for further European integration also leads to bitter disappointment because the treaty closes the door to any collective European multilateral nuclear force as well as to any Atlantic or NATO nuclear force—such as General Norstad once proposed as NATO commander, or such as the United States later officially proposed in the MLF plan for an Atlantic nuclear naval force.

The U.S. Government has assured the Germans that a truly federated or United States of Europe, which included France and/or Britain, would be permitted under the treaty to have its own nuclear force on the grounds that such a European federation would be a "successor state" to one of the present nuclear powers. However, not only have the Russians refused to accept this American interpretation, but European critics believe that even the American interpretation to be broadened so as to recognize the right of European confederation to have its own nuclear force, is a step toward the ultimately hoped-for European federation.

The treaty, as it stands, would prevent any and all nonnuclear signatories of the treaty from ever developing even a purely defensive anti-ballistic-missile system, if such a system should be developed within the next 25 years, as some distinguished scientists predict. This objection is especially pertinent because of the concentration of Soviet missiles—IRBM's—on European targets.

The treaty pledges that the nuclear powers will urgently pursue nuclear disarmament in order to end the discrimination which it will establish between nuclear and nonnuclear powers. However, in the light of Soviet preponderance in conventional armaments and their immediate threat to West Germany, many Germans believe it essential that the disarmament pledge should be extended to conventional weapons also.

For all these reasons, Mr. President, I hope that my reservation will be adopted. I ask unanimous consent that there be printed at the conclusion of my remarks a summary of developments in the U.S. negotiating position on this treaty as it affects the NATO option question.

I also ask that there be printed in the RECORD an article by the former Italian Ambassador to the United States, the Honorable Sergio Fenoaltea. The article elaborates on the problems which the treaty causes our European allies.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

SUMMARY OF DEVELOPMENTS RELATING TO RETREAT OF U.S. NEGOTIATING POSITION REGARDING NATO OPTION IN NUCLEAR NONPROLIFERATION TREATY

On August 29, 1957, the U.S. in co-operation with three other powers (France, Canada, and the United Kingdom) proposed a scheme that would restrict nuclear proliferation but at the same time require nuclear nations to cease their production of fissionable material for weapon purposes. A caveat to the nonproliferation proposal was that nuclear weapons oould be transferred for individual or collective self-defense.

Initially U.S. position envisioned some nuclear sharing arrangement within the framework of multi-national alliances like NATO but it sought to reduce nuclear weapon production as well as proliferation. The Soviet Union on September 20, 1957, rejected these proposals, especially the collective sharing of nuclear weapons. In 1959, the United Nations adopted a general resolution urging efforts to be undertaken to prevent nuclear proliferation.

In 1961, the United States undertook its first significant change in its position. It abandoned the transfer of nuclear weapons for defense purposes to individual nations. But it still retained collective sharing under an alliance as a part of its policy.

From 1962 to August 17, 1965, the main issue at the Geneva Conference on nuclear proliferation was whether such an agreement would prevent nuclear sharing arrangements within a collective defense organization like NATO. The Soviet Union was anxious to make sure it did, whereas the U.S. did not want to close the door on possible arrangements within NATO.

On August 17, 1965, the U.S. made the second major change in its position. It retained the concept of nuclear sharing, but only if the total number of nuclear states did not increase. Ambassador Foster stated that this U.S. position would not preclude the establishment of nuclear arrangements within NATO so long as the arrangement did not constitute an additional entity having the power to use nuclear weapons independent of existing nuclear nations. In other words, if the U.S. independently surrendered its control over all its own nuclear weapons to a NATO arrangement then a sharing arrangement would be possible. This proposal, in light of the 1964 presidential campaign in which the President re-iterated that U.S. would never surrender control of nuclear weapons was a farce. Since the S.U. realized that the U.S. was not about to turn over voluntarily its entire stockpile of nuclear weapons to a new organization and renounce its right of veto over them, Moscow could see light at the end of the tunnel in their efforts to prohibit any sharing arrangement. On September 24, 1965, the Soviet Union insisted again that any sharing arrangement within a military alliance was out of the question.

Objective evidence indicates that the Soviet Union's patience was rewarded on October 10, 1966, when President Johnson and Secretary Rusk met Soviet Foreign Minister Gromyko at the White House. The New York Times reported on August 25, 1967:

> It has since become clear that in their talks that day President Johnson and Mr. Rusk gave Mr. Gromyko strong indication that the previous United States reservations, aimed at accommodating some nuclear sharing device in the North Atlantic Treaty Organization had been withdrawn.

After that time the Geneva Conference marked time waiting for the U.S. to finish "consultation" with its allies. Within less than a year, on August 24, 1967, the U.S. and the S.U. came to an agreement on all particulars except the inspection provision which was soon remedied by absurdly "agreeing to agree" at some later date.

In the ten year period from 1957 through 1967, the United States changed its position on three major points. It no longer suggested that the nuclear powers reduce their own stockpiles at the same time non-proliferation measures were taken. It no longer insisted upon some arrangement for individual self-defense. Most important, it dropped the requirement that nuclear sharing within NATO be protected.

NON-PROLIFERATION AND EUROPE

(By Sergio Fenoaltea)

Today in Europe there is anxiety among America's allies. The Russian invasion of Czechoslovakia has once again raised the specter of aggressive military power to the east, while American involvement in an Asian war gives little hope of an immediate resumption of American interest in European affairs, however much Europeans may desire such a revival. In part, too, European anxiety is due to American policy—the policy which has been enshrined in the non-proliferation treaty (NPT). What those committed to the establishment of European unity fear is that the aim they have pursued for years will no longer be practicable once the present treaty is in force.

It is my opinion that the present draft which, unlike previous American drafts, prevents the existing nuclear powers from surrendering their nuclear role to an international or multilateral body, would deal a hard, perhaps fatal, blow to European unification.

First, because by sanctioning a special position for Britain and France it would discourage them from merging into a united Europe lest, by so doing, they forfeit their privileged positions.

Second, because the treaty would introduce an element of perpetual inequality of status among European states.

Third (and this is the crucial point), because in forbidding any government to transfer control over nuclear weapons not only to other governments but "to any recipient whatsoever," the treaty would make it impossible for the existing European nuclear powers to surrender their nuclear role to an international or supranational European community. This means—and the gravity of it can hardly be overrated—that if Great Britain, or perhaps France one day, becomes so mature in her European conscience as to be willing to join in a European defense community and to surrender to it her nuclear role, she would be prevented from doing so by her NPT obligations. This also means giving the USSR a say in the process of European unification.

Fourth, the effects of the provisions of the NPT would, in Europe, go well beyond the nuclear field. Owing to the impossibility of merging the defense structures of nuclear and non-nuclear states, the formation of any kind of European defense community would, in fact, become impossible.

NPT, in its present form, condemns Europeans to nationalism, even against their will. This is, of course, a complete reversal of US policy which, beginning with the Marshall Plan, was aimed at prodding the Europeans to forego nationalism in favor of unification. In other words, the problem that NPT in its present form creates for Europe is not whether a unified Europe can or cannot "have the bomb," but whether Europe can or cannot unite.

One might ask why NPT presents a special problem for Europe. The answer is simple—all too simple.

The impulse to go beyond nationalism and create multinational or supranational organizations absorbing the functions of the existing national states is not confined to Europe: it can be seen in Latin America and Africa as well. It stems from the realization that everywhere—except in North America, Russia and China—the dimensions of the nation-state are too small to cope with the problems of our century. To hinder this movement would be folly; it would mean going against the tide of history and perpetuating conditions of anarchy, national rivalries and instability in the world. But in Africa and Latin America there is no national nuclear state, whereas there are two in Western Europe. Therefore, the NPT in its present form does not hinder the movement toward supranational or multinational unification in Africa or Latin America, because it creates no permanent disparity between national states within those areas; whereas it does create such a disparity between national states in Europe.

The requirements of European unification could be met in a non-proliferation treaty by a formula, couched in general terms, permitting any nuclear member of an international or regional association to surrender its nuclear role to the association. The former American draft of the treaty left open the possibility of such a transfer, as long as it would not have caused an increase in the total number of states and other organizations having independent power to use nuclear weapons. It is worth noting that such a formulation was perfectly adequate to prevent proliferation (*i.e.*, any increase in the number of nuclear subjects), to prevent the emergence of new national nuclear states (including the emergence of a German national nuclear armament), and to make sure that world areas where there is no nuclear power—Africa, Latin America, the Middle East—would remain that way.

It has been said by Secretary of State Dean Rusk (in his statement before the Foreign Relations Committee of the US Senate) that the NPT, in its present form, "would not bar succession by a new federated European state to the nuclear status of one of its former components"; in other words that it would not prevent a European Federation from having nuclear weapons. The underlying argument is that the treaty forbids any *transfer* of nuclear power, but if the existing European national states join in a federation this would not be a case of transfer but of *succession*, and the treaty is silent about succession. The argument is a remarkable piece of legalistic virtuosity. Unfortunately, it lacks any political substance, and to make use of it in order to prove that the NPT does not hinder European unification would be an equally remarkable piece, I am sorry to say, of self-deception. Let us analyze it at some length.

a) In the first place, a "federated European state" is a very remote and far-off eventuality, so that the argument is largely academic.

b) There is no provision in the treaty permitting any federation of states or federated state to acquire the nuclear power of its members. The argument is entirely based on interpretation, and negative interpretation at that, based not on what the treaty says but on what it does not say. There is as yet no certainty that all the signatories of the treaty, and particularly the USSR, will accept that interpretation and commit themselves to it.

c) The Secretary of State also said: "A new federated European state would have to control all of its external security functions, including defense and all foreign policy matters relating to external security, but would not have to be so centralized as to assume all governmental functions." As the treaty has no provision concerning the nuclear role of federated states, to define what the powers of a federated state should be seems beside the point. Actually, the key word in the interpretation under analysis is not the word "federation" but the word "succession." For the interpretation to become applicable, what is essential is not that the federated state shall be more or less centralized, but that the legal hypothesis of succession (as something distinct from transfer) shall be fulfilled. This, in turn, requires nothing less than the disappearance of France or England as international entities.

d) Even admitting, for the sake of discussion, that the NPT does not prevent a federated Europe from acquiring on a "succession" basis the nuclear role of France or Britain, the NPT in its present form would still hamper unification. In fact, unification is possible only if rigidity and dogmatism about European institutions are avoided, only if we remain elastic and pragmatic about institutions.

e) For Europe, the "federated state" will be the final and crowning stage of the process of unification; the integration of particular sectors—coal and steel, external tariff, perhaps, one day, money and credit, defense, etc.—is the way that leads to that ultimate stage. The process cannot be reversed; to reverse it would be to stop it. Integration of European defense is a stage, and a very important stage, in the road toward federation, not vice versa. To say that Europe as a "federation state" could have a nuclear role, at the same time making it impossible for Europeans to establish an integrated defense community, is like offering a man a prize if he reaches the tenth step of a ladder while putting barbed wire around the sixth step.

f) All past schemes for European federation failed, and proved to be only generous utopias, precisely because they assumed the disappearance of the existing national states. Europe started making progress toward unification only when a new method was adopted, through the establishment of the European Communities: not waiting for the national states to disappear as international entities but transferring more and more functions from the national states to multilateral, supranational institutions. But, as Secretary Rusk also said in his statement: "While not dealing with succession by . . . a federated state, the treaty would bar transfer of nuclear weapons (including ownership) or control over them to any recipient, including *a multilateral entity* (italics ours)." This candid and unambiguous statement confirms that the treaty, in its present form, forecloses the only road to unification of European defense that can be realistically foreseen.

The US may very well decide to jettison European unification for the sake of non-proliferation. But let nobody pretend that a legal quibble (the "succession" theory) eliminates the problem.

No one should underrate the global responsibilities of the US and the desirability, indeed necessity, for it to favor détente and keep dialogue with the USSR open.

However, détente should not be pursued at the price of European unification. The weakening of Europe, and the loss of sense of direction which would result from the shattering of hopes of unification, would not contribute to a lasting détente; indeed, they would introduce in the world situation an additional element of instability.

It is a feature of the world in which we live that the US and the USSR face each other both in Europe and in Southeast Asia; that all the historical and sociological factors (nationhood, to begin with) which communism is able to mobilize to its advantage in Southeast Asia militate against the USSR in Europe; that the USSR—to the extent to which Asian Communist movements are answerable to Moscow and not to Peking—can at any time curb Communist expansion in Asia if by doing so she can reap advantages in the areas more vital to it; that, conversely, the position of any Western power in Southeast Asia is so fraught with difficulties that the temptation of taking advantage of any service that the USSR might wish to offer to extricate it from those difficulties cannot fail to be strong.

Should anyone some day consider yielding to the temptation of buying some amount of Soviet goodwill in Asia with concessions in Europe, he should be reminded that any such policy would lead to disaster both in Europe and Asia, because concessions to the Soviets in Europe are final and irretrievable once made, while Soviet "concessions" in Asia are written on water. Recent history teaches a telling lesson, which is very much to the point. In 1954 the French Prime Minister-designate, M. Mendès-France, told the French National Assembly: "I ask you only a conditional vote of confidence. If within one month I am not able to come back to you with an acceptable truce in Indochina, I will resign." He went to Geneva, where the Soviets helped him to obtain a truce in Indochina, perhaps on better terms than those warranted by the then existing military situation. In doing this, the Soviets knew that they were saving the political life of M. Mendès-France. They also knew—whether there was, as many suspect, an explicit deal is irrelevant—that by saving the political life of M. Mendès-France as Prime Minister they were killing EDC. EDC remained dead. As for Indochina, we all know how long the truce lasted.

The impact on European morale of the NPT, if adopted in its present form, would be very severe.

The realization that the road to unification is blocked—even worse, the realization that the unification of Europe has ceased to be one of the goals of American policy—is bound to have lasting effects.

Nobody in France or Britain believes European unity to be around the corner. But unity is a goal, it provides a beacon, it gives a sense of purpose. In Germany and Italy, European unification is one of the two cornerstones on which the foreign policy of both countries has been based for the last 20 years; Atlantic partnership, which is contingent on European unification, is the other.

It would be difficult to exaggerate the importance that those two goals have had in Italy as a rallying point of her democratic forces, and the risk attached to their disappearance.

In Germany, there is the possibility that the NPT might bring the Federal Republic to the same fate as the Weimar Republic. It is essential for the political stability, indeed for the spiritual stability, of the Federal Republic to keep open, as an alternative to German reunification, the road toward an effective integration of Western Europe.

HOW TO RUN A RAILROAD

Mr. WILLIAMS of New Jersey. Mr. President, on February 14, the Evening News of Newark, N.J., published an editorial, "How to Run a Railroad." The editorial salutes the Erie-Lackawanna Railroad for maintaining service during a severe snowstorm that crippled the New Jersey metropolitan area.

Getting any place that day was extremely difficult, and for the men of the Erie-Lackawanna to get to their jobs, is indicative of a tremendous devotion to duty. As also is pointed out, maintaining service was equally a tribute to the management of the line.

I know from personal contacts that commuters on the line were not only deeply appreciative, but also almost amazed that the trains were running that day.

The editorial also emphasizes a point I long have stressed—that mass transportation is the lifeline of modern urban-suburban society. The urban mass transit legislation which I have introduced, not only would insure that the railroads always will be running, but would provide integrated networks of transportation.

I believe the Evening News editorial is an appropriate tribute to the employees and management of the Erie-Lackawanna Railroad.

I ask unanimous consent that it be reprinted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW TO RUN A RAILROAD

A sampling of letters from grateful riders printed in adjoining columns reflects the metropolitan community's appreciation for the superb performance of the Erie-Lackawanna Railroad during the weekend snowstorm that crippled other forms of transportation and most other commuter lines.

The Long Island Rail Road collapsed under a blanket of white. For all its new equipment, PATH was knocked out from Jersey City to Newark for 24 hours. The Penn Central managed to run about half of its trains, and these from three to four hours late.

Though jammed with riders who normally drive, the E-L burrowed through with 50-year-old rolling stock, canceling relatively few trains and holding fairly close to schedule.

How does this line consistently cope with adversity when others falter or fail completely? The main factor appears to be a remarkable devotion to service shared by supervisory personnel, engineers, trainmen and yard crews. Last Sunday, well before the storm reached its peak, E-L train crews reported hours before they were due to keep the tracks open and idle cars from getting snowbound.

Management clearly deserves credit for maintaining this spirit in the face of discrimination in the allotment of funds under the state subsidy and transportation bond issue.

While other railroads could emulate the Erie-Lackawanna to advantage, there is a larger lesson to be learned from civilization's latest losing bout with the elements. That is the absolute need for improved rapid transit in urbanized areas.

Before many more millions are spent on roads and highways that are choked with traffic as rapidly as they're built, New Jersey's transportation officials should concentrate on producing an integrated transit network using existing facilities and modernizing them as quickly as possible.

A TRIBUTE TO MICHAEL MUNKÁCSY

Mr. GOODELL. Mr. President, today is an occasion of great import to the world of the arts and to the heroic Hungarian people, known throughout the world for their democratic spirit. For this week is the 125th anniversary of the birth of Michael Munkácsy, the celebrated Hungarian artist and patriot.

Michael Munkácsy was one of the most popular painters of the 19th century. He had a brilliant career and at the age of 26 was awarded the Gold Medal of the Paris Salon. For a dozen years or so, his name was a byword in European art circles and it was generally assumed that he would be remembered among the greatest of all time. Among the talented Hungarians in Europe during his lifetime, he was one of the best known, second only to the brilliant composer and musician, Ferenc Liszt.

Munkácsy was a clear-cut traditionalist, and a brilliant one. His tonal treatment, his striving for plasticity and reality, and his search for textures conveying exactness of reproduction to the fullest possible extent, rendered him the idol of all who worshipped the styles of the past. His triumph was interrupted by the development of the impressionist school, to which both he and his public were opposed. When the impressionists became the major force in the art world, Munkácsy was for a time obscured. A reevaluation of his work took place in the 1920's, however, and he once again was hailed as a master. From that day forward, he has been known as the greatest of Hungarian painters.

Before Munkácsy, there had been attempts, founded on romanticism, to create a living Hungarian art, national in spirit. Munkácsy carried these attempts much further, by means of his dramatically powerful romantic realism, which became the dominant form of Hungarian painting in the 19th century. His style featured strong character portrayal and sought to emphasize dramatic moments in the life of those concerned. The best works of Munkácsy would seem to emanate from a deep, responsive feeling for humanity. Here was no innovator, perhaps. But here was certainly an artist imbued with intense sympathy, critical judgment, social consciousness, and, not least, the ability to express the characteristics of a people. He was one of those who, in the words of the Hungarian patriot, István Szechenyi, "gave a nation to the world."

In his own country and in the eyes of Hungarians in every land, Munkácsy stands today as something in the nature of a legendary hero. He was the first truly great artist to tell the story of Hungarian life to a world which theretofore was virtually oblivious to it. He was a true Hungarian nationalist, and the force of his work helped strengthen the determination of his people to strive for freedom, against all odds and under any condition whatsoever.

THE FUTURE OF THE POVERTY PROGRAM

Mr. NELSON. Mr. President, the new administration sent a message to Congress on the future of the poverty program on Wednesday of last week. The message had been eagerly awaited by Congress and by the many thousands of people involved in the administration of the poverty program at the Federal, State, and local level.

Personally, I consider the President's message a very constructive statement, indicating a sincere desire to work with the Congress to refine and perfect the poverty program in this session of Congress.

The New York Times commented on the President's message in an editorial on Thursday, February 20. The Times cites the President's strong commitment to the war against poverty and says that the President's message provides "solid ground for hope for the future of this essential national program."

In a related news story on Thursday, February 20, Tom Wicker, Washington correspondent for the New York Times, quotes Mr. Pat Moynihan, Urban Affairs Assistant to the President, as stating that the poverty program's goals are valid and this administration wishes to embrace them as its own goals.

As chairman of the Senate Subcommittee on Employment, Manpower, and Poverty, I am greatly impressed by the message from the President and these commentaries on it from the New York Times. I ask unanimous consent that the statement I issued here Wednesday in response to the President's message and the editorials and the news article from the New York Times be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GAYLORD NELSON, FEBRUARY 19, 1969

The President's decision to embrace the present Office of Economic Opportunity and its goals will make it possible to keep the war on poverty moving forward while long range improvements are studied.

I was particularly pleased at the decision to maintain the Job Corps program substantially as it has operated in the past, in sharp contrast to statements during the campaign to the effect that it would be abolished. The fact is, these residential training centers are needed for poorly trained young men who are unable to obtain schooling and job training elsewhere because of lack of facilities or racial discrimination. The Job Corps program certainly can be improved, but to abolish it with no substitute plan for these youths with special problems would be irresponsible.

Differences of opinion will always exist as to specific proposed changes, of course. I do not want to pre-judge the proposals relating to Head Start, the Job Corps, the community health center program, and the foster grandparent program. Certainly any supporter of the Head Start program would be reassured, however, by the President's expressed determination to protect the program from domination by any one group, and to make it an even better and more effective program for child development.

Congress must completely review the Poverty program this year, and it is inevitable that substantial changes will be made. We need much better coordination of all programs dealing in poverty, of which the OEO programs represent only about 10% of the total. We need better management all along the line. We want renewed emphasis on local community responsibility, and self help. We need to fill in some of the present gaps in the program. For one example, we need some kind of new job creation program, fitted into a comprehensive manpower policy. We need new devices to trigger economic development in poor neighborhoods. And we need new attention to *rural* poverty, where 40% of the poor live, largely unreached by present programs.

By requesting an extension of the present poverty program, and by avoiding any proposals to wreck or abolish the program, the Nixon Administration seems to have set the stage for a working partnership with the Congress to attain these common goals.

[From the New York Times, Feb. 20, 1969]

IN THE NATION: A LITTLE RIGHT OF LEFT

(By Tom Wicker)

WASHINGTON, February 19.—From the public actions and the private talk of President Nixon and his associates it is now possible to get a reasonably good impression of this Administration's direction in several important domestic areas. That direction might be described as "a little to the right of the left of center."

Mr. Nixon's anti-crime program for the District of Columbia, which the Administration regards as a possible national model, includes the dangerous and disturbing possibility of a limited system of preventive detention; otherwise, it is less punitive than his campaign rhetoric suggested and places a healthy emphasis on improving police and court procedures and the administration of justice.

POVERTY PROGRAM EXTENDED

The President also has moved to extend the life of the Johnson-created Office of Economic Opportunity for another year, an even further departure from the Nixon campaign line. This appears to reflect a judgment—as Pat Moynihan put it—that the poverty program's "goals are valid and this Administration wishes to embrace them as its own goals."

On the tough and immediate question of enforcing school desegregation, Secretary Finch of H.E.W. has moved on from an uncertain start in which he delayed final decision to withhold Federal funds from five Southern school districts. He has since cracked down on three other Southern districts and has spoken out bravely about attacking the widespread *de facto* school segregation outside the South—some of which he believes is plain old discrimination.

ROCKEFELLER'S PRESSURE

There also is some barely discernible motion toward relief for the financially hard-pressed states—although nothing like the sweeping proposals of Governor Rockefeller of New York. On this issue, the Governor has poured on the kind of pressure seldom applied to a President by a defeated rival, or even by a party member in excellent standing with his leader. Having drastically cut back proposed New York social expenditures, while making it known that one of his purposes was to force Federal action to aid the states, Rockefeller then preached his gospel directly to the President last week in a highly publicized Cabinet-room session.

Later, he hired the respected former Democratic H.E.W. Secretary, Wilbur Cohen, to help put his state-aid plans into legislative form. Then he returned to Washington on what he called "a selling trip"—the theme of which was that unless some help for the states was forthcoming, the Federal system might collapse.

It might, too, at least in terms of the states' ability to provide even low levels of social services. Even so, few high Nixon Administration officials are ready to go along with the Rockefeller plan to retain indefinitely the 10 per cent surcharge on Federal income taxes and turn the revenues over to the states for educational purposes. One official with great influence on domestic legislation points out, for instance, that the surcharge was passed for a specific anti-inflationary purpose and was coupled at the time with a Congressional direction for reduced Federal spending.

STATE NEEDS DRAMATIZED

It therefore would be a "breach of faith," in this influential view, to put the surcharge on a permanent basis or to use its handsome proceeds to finance new Federal spending programs.

Rockefeller has nevertheless succeeded in dramatizing the fiscal needs of the states. The result might be quicker motion toward limited forms of assistance. Secretary Finch, for instance, has under sympathetic consideration a plan to establish a Federally supported "mean" between Mississippi's $7.90 monthly payment to dependent children and New York's $50.83 (1966 figures).

FEDERAL AID "MEAN" PLAN

The difference between the payment level of a state like Mississippi and the "mean" would be paid by Washington, which would also take over a small percentage of payments above the mean by states like New York. The higher-paying states would further profit, it is believed, from a slowdown of the migration of welfare recipients out of the low-paying states.

That is less state aid than Rockefeller is advocating, although, for the poor, it is more—again—than might have been expected from the campaign discussion of welfare issues. As for helping the states with health and education expenditures, high Administration officials are talking mostly about an eventual system of block grants, providing the states more flexiblity in the use of Federal funds.

[From the New York Times, Feb. 20, 1969]

THE POVERTY MESSAGE

President Nixon's message to Congress on the reshaping of the antipoverty program is modest in its ideas and in its language. Its chief significance is that the President has decided, at least temporarily, against dismantling the Office of Economic Opportunity, which directs the war on poverty. His long-term plans remain obscure.

In a deliberate shift of rhetorical emphasis away from President Johnson's grandiose and overoptimistic approach, Mr. Nixon stresses not the urgency of what needs to be done but how little even the experts know about what to do and how to do it. "Precedents are weak and knowledge uncertain," the President declares. "How vast is the range of what we do not yet know and how fragile are projections based on social understanding."

For all his caution on these points, Mr. Nixon does spell out some clear precepts. The blight of poverty is to have priority attention. The Office of Economic Opportunity, though stripped of its control over Head Start and the Job Corps, is to stay in business as a hatcher of innovative programs to combat want. If these precepts are observed in the formulation of future policy, the Administration will be moving in the right direction.

The President sets forth a national commitment to provide all children a "healthful and stimulating development during the first five years of life." How significant that commitment proves depends upon the quality of the programs which the Administration develops. The earlier in life the problems of poverty can be attacked, the better the chance that an individual will avoid educational failure and a lifetime of dependency.

But, desirable as it is to concentrate effort and research on radically improving the first five years of a poor child's life, society cannot afford to downgrade the problem presented by several million older children and youths who are failing in school and getting nowhere even in today's booming job market. The President's message largely ignores them, but these lost youths are potential social dynamite. Society has to keep seeking solutions and helping them as much as it can. Preventing poverty in the next generation cannot be the whole answer.

In its specific recommendations, this message is essentially an interim report. Mr. Nixon promises a more comprehensive statement in May or June of his long-range plans for combating poverty. The timetable will give Congress a year to consider revisions in the Economic Opportunity Act which is scheduled to expire June 30, 1970. Meanwhile, the President asks Congress to appropriate money to carry the programs until that date.

His decision to persevere is a welcome rebuff to those reactionaries who had hoped the new Administration would abandon the antipoverty effort. If Mr. Nixon follows up this decision effectively in his choice of a new head of O.E.O., there will be solid ground for hope for the future of this essential national program.

THE OVERCOMMERCIALIZATION OF TELEVISION

Mr. SAXBE. Mr. President, I am disturbed by the current commercial practices prevailing on television, and I find that my constituents share this concern. The problem entails the number of commercial announcements broadcast by some stations, the frequency and manner of program interruptions for the broadcast of commercials, the length of some commercials, and the total amount of broadcast time devoted to commercials.

I am aware that this subject is not new. The history of the problem predates the inception of television, being an outgrowth of commercial radio. The question was recognized as early as 1922 by Herbert Hoover, then Secretary of Commerce. He said:

> It is inconceivable that we should allow so great a possibility for service to be drowned in advertising chatter.

Congress addressed itself to the regulation of the airwaves in 1934 by passing the Communications Act, establishing the Federal Communications Commission. In 1963 the FCC unsuccessfully attempted to limit the length of television time devoted to commercials, by adopting the existing National Association of Broadcasters' Code of Good Practices in its rules and regulations. In response to heavy pressure the FCC unanimously terminated the rulemaking proceedings on January 15, 1964. Nevertheless, in February the House of Representatives, by a vote of 317 to 43 passed the Rogers bill designed to prohibit the FCC from making rules relating to the length or frequency of broadcast advertisements.

The FCC now acts on a case-by-case basis. It can revoke a broadcasting license or refuse to grant an application for a renewal. In fact, the FCC routinely approves applications for renewal. If a station has flagrantly exceeded the proposed commercial time as stated in its previous application, the FCC may grant a short-term renewal for 1 year instead of the customary 3-year renewal. This penalty may be meaningless if invoked only when a station exceeds the proposed limit. The station may then qualify its application for renewal to such an extent that its proposed commercial time is indefinite. For example, the FCC recently approved an applicant that indicated its standard will not normally be expected to exceed 33 minutes of commercials per hour.

Presently sponsors have been cramming more but shorter messages into the same time space. With the establishment of the 30-second commercial as the basic advertising unit, there has been a 100-percent increase in commercialization over the former 60-second commercial. This practice has been approved by the TV Code which also recently authorized four commercials in a row instead of three during programs, and three instead of two during station breaks.

The increase in number is further compounded by the repetition of loud, irritating, and annoying commercials. I recognize the right of an advertiser to use reasonable means to present a product in an attractive and intelligible manner. Unfortunately, a recent poll indicates that annoying TV commercials do not hurt sales, but may actually stimulate them. This result appears to have evoked a rash of commercials, insulting the intellect of the average American TV viewer. Daily he is confronted with incorrect grammar, bad manners, and psychological misrepresentation such as the equation of products with sex appeal. No one should have a right to inundate the public airwaves with obnoxious and offensive material designed to stimulate sales. This continuing annoyance constitutes a nuisance which must be abated.

The default on the part of the NAB in effectively addressing these problems and others caused the Westinghouse Broadcasting Co. to withdraw from membership in the TV Code last month. The increase in the number of commercials, compounded by the annoying manner in which they are presented, apparently demonstrates that the networks and stations have failed to meet the challenge of self-regulation.

This challenge must be met. It cannot be met by the public. The argument that the public controls the network policy by holding the power of acceptance or rejection is sheer nonsense. Because of the limited number of stations in the market and their similar commercial practices, the public does not have a viable choice.

Therefore, the broadcast industry is left with two alternatives. It may allow its indifference to lead to such a public outcry that Federal regulation of commercials ensues or it may rise to meet the challenge of self-regulation, a challenge that has not been met.

At this time a public warning to the television industry to take corrective measures would seem most appropriate. A stricter code and voluntary policing on the part of the National Association of Broadcasters is essential. The subscribers to the code should include all but those few stations that are too small and financially unable to meet its requirements. Finally, the FCC should pay closer scrutiny to renewal applications. The ownership of a television license is a public trust—not a property right. The airwaves in fact belong to the public. This public trust must not be violated by an overdose of television commercials, which annoys the public in the privacy of their own homes.

METHODS OF MILITARY CONSCRIPTION

Mr. SCHWEIKER. Mr. President, we face a growing awareness by the citizens of this country, particularly our young people, who are most directly affected, that the present inequitable and outdated methods of military conscription must be changed. The ultimate solution to this problem is the abolition of the draft and the institution of an all-volunteer army.

The distinguished Senator from Oregon (Mr. HATFIELD) has been one of the leaders in the effort to establish a volunteer military. Recently I joined with him and eight other Senators in proposing legislation to end the draft as it is now constituted and to substitute a volunteer army. In addition, I believe that efforts should also go forward to improve selective service procedures, so long as we are faced with the system's continued existence.

Senator HATFIELD expressed his views on a volunteer army to students at the University of Montana, in Missoula, on February 7, 1969. I ask unanimous consent that the text of his outstanding and challenging remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR MARK O. HATFIELD

Many thoughtful and concerned people have correctly identified the major challenge this country faces today as our apparent inability to rationally establish national priorities. One example. There are between 10 and 20 million hungry and malnourished people in the United States—the most abundant nation in the world—but somehow we just cannot seem to muster the needed resources or commitment to end this shameful situation. Instead, we spend billions upon billions upon billions of dollars stockpiling weapons to kill every person on this planet a dozen times over. The irony is that no one consciously sat down and decided that the children in Mississippi should go hungry. This insane distortion in our national and moral commitments is the result of ritual, not reason: the generals in the Pentagon whisper that they want bigger and better bombs; the public hysterically demands that we close the "megaton gap;" and the politicians frantically pledge billions of dollars to feed that most sacred, if mythical, cow—"national security."

And the children whimper in their sleep because they are hungry.

It has become fashionable to blame this imbalance in our national priorities on a sinister conspiracy of the "military-industrial complex." Critics cite the fact that the national defense budget was 40 million dollars annually when President Eisenhower made his farewell address in which he issued a warning about the growing alliance between military and industrial interests. Today, less than a decade later, this defense budget has doubled to 80 billion dollars. Critics also point to the implications of the fact that one out of every 10 workers in this country is employed in defense activities. Ten percent of our breadwinners and, therefore—counting their dependents—at least 20 percent of our population finds its livelihood dependent on the continued good health and fortune of the defense establishment.

But these horrifying statistics don't tell the entire story and it is much too simplistic to describe the nature of the threat as the ambitions and momentum of the military-industrial complex. Our universities, from where much of the opposition to this alliance has grown, have hyporcritically nourished the monster they seek to destroy. Last year alone, our universities accepted $300 million in research and development funds from the Defense Department. This money financed projects ranging from research into the inhuman weapons of chemical warfare to the installment of computers in Thailand for the purpose of analyzing, projecting, and hopefully programming the behavior of the Thai peasants. Our universities are slowly being corrupted by the very forces they fear. They, too, have a great deal at stake in the continued good health of the defense establishment.

There is yet another arm to this octopus which is strangling our national conscience and consuming the resources that are needed to nourish our people and improve the quality of life in our country. Like private enterprise and academia, the world of politics also has a vested interest in assuring the vitality of the defense establishment. Congressmen and Senators often find their hope of re-election partially based on the amount of defense contracts they bring into, or keep, in their districts. In many cases it would be political suicide for them to vote to cut back defense spending if it in some way affected the economic health of their constituencies. So politicians, who are in the best position to understand the dangers of the military-industrial-academic-political complex, are also in a difficult position to do anything about it.

Thus, we are on the verge of creating a frankenstein we are unable to control. But the situation is not hopeless. Although there is no one solution, no single brake that can be applied, there are some steps that can be taken to create a counterforce to the momentum of our movement toward a militaristic society. We can place checks on our government's ability to involve the United States in war.

Let's look at it realistically. The ability to put young men in uniform is absolutely vital to any major commitment to war. One man—the President—now has this ability and there exists no effective check on it. The Executive Branch of government has declared that the President, as Commander-in-Chief, has the power to send American men, in any number he chooses, to any spot in the world, without the approval or even consent of Congress. I have again proposed a bill that would, in its effect, place restraints on the President's unilateral capacity to involve the United States in conflict. This legislation would also enhance rather than inhibit our ability to respond to genuine threats to our national safety.

Several weeks ago I introduced in the Senate the Voluntary Military Manpower Procurement Act of 1969 which would abolish the draft and return our nation to a voluntary military. If our armed forces were based on volunteer enlistment it would curtail the Executive Branch's unilateral capability to involve us in war in two ways. First, since the armed services would fill their ranks with volunteers rather than draftees, it would be difficult for the President to commit us to an unpopular war such as Vietnam and still induce the necessary number of young men to volunteer. Before intervening in a conflict, then, the President would be forced to consider very carefully whether our involvement could be convincingly justified to the public.

A further check will be the President's awareness that if he can't sell the war to the American public, he must be able to sell it to Congress. If insufficient numbers of young men believed in the commitment enough to volunteer, the President would have to ask Congress to re-institute the draft. Before he decides to intervene in conflict then, he will take pains to see that he can justify his action to Congress and this fact should reduce the possibility of a ill-considered commitment of troops.

A volunteer military will force the President and his Joint Chiefs of Staff to think through even a limited commitment of American military forces and consider every possible outcome—a requirement which might have produced more rational policies with regard to Vietnam.

I believe a voluntary military would also help slow down military spending by making the true costs of our defense system more apparent.

A voluntary military would not cost any more than an army of conscripts. In principle, the price would be just the same but the bill would be sent to a different party. Under a voluntary military, as I propose, all taxpayers would share the true costs of supporting our armed forces. This is not the case under our current draft system where those young men we force into the military are the ones that subsidize their own service. Let me explain. When a young man is capable of earning $350 in civilian employment and is drafted into the army where he only earns $210—including room, board, and family allowances—he is forced to sacrifice the difference between what he could be earning as a civilian and what he actually earns as an army private. So, in addition to donating two years of his life, the young man is also forced to sacrifice $140 a month in terms of what he could be earning. I am determined that we remedy this injustice by placing the financial burden of our national defense where it belongs—on the general taxpayers rather than on the hapless shoulders of the young men we force into uniform.

The $140 of earning power that is denied draftees is called a *hidden* tax. It does not appear in the national budget and it is not paid by the general taxpayer. But it is a very definite tax against the young men drafted into the armed forces. Professor John K. Galbriath very eloquently described this inequity: "The draft survives principally as a device," he said, "by which we use compulsion to get young men to serve at less than the market rate of pay. We shift the cost of military service from the well-to-do taxpayer who benefits by lower taxes to the young draftee. This is a highly regressive arrangement that we would not tolerate in any other area. Presumably, freedom of choice here as elsewhere would be worth paying for."

An outstanding economist and scholar, Professor Walter Oi, has produced figures that point out the magnitude of this inequity. On the basis of 1964 statistics, he has estimated that the hidden tax—or the difference between what a young man could earn as a civilian and as a draftee—was $1,680 per year. But during that year taxpayers over 21 paid an average federal tax of only $633. In Professor Oi's words: "The typical draftee [was] thus saddled with a hidden tax that [was] over twice as high as the federal income tax burden of an individual taxpayer."

As a footnote to this discussion of the inequity of the hidden tax—or tax on patriotism as some have called it—I would like to make this point. Maintaining the armed services and providing for the national defense takes both human and material resources. We get the necessary human resources through conscription and without paying what it is worth. No one has ever suggested that we also conscript the necessary material resources. There is no need to describe the reaction of the business world if we began to conscript needed guns, blankets, food, and jeeps and paid less than two-thirds of what these goods were worth. Is it any fairer to do this to young men: to requisition two years out of their lives; send them off to wars from which they might not return; pay them less than two-thirds of what they could earn on the open market; and, as the final insult, refuse to allow many of them a voice or vote in these basic decisions that affect their lives.

If we paid young men salaries high enough to induce them to volunteer, we would merely be paying for the true value of their service and the added budgetary cost would only be a reflection of the actual cost of our armed services. Under the draft, the American voter never sees the true cost of our armed forces because he doesn't have to pay it: the young man in uniform does. Under a voluntary military where we paid realistic salaries, the public would see for the first time what the maintenance of our armed forces was costing the country. The taxpayers concern with the pursestrings could be counted on, then, to cause them to look more carefully at our military commitments to see if they are truly worth paying for.

But I did not introduce my bill to move our nation to a voluntary military for the single purpose of providing checks on the ability of our government to involve us in war. The draft should be abolished because it cannot meet the three criteria of any military manpower procurement system: First, to preserve the maximum amount of individual liberty and freedom from unjustified intrusion by the government; second, to be fair in its application so that every young man receives equal treatment and no young man is required to make sacrifices that are not demanded of his peers; and third, to provide the maximum national security with the greatest efficiency and economy.

It can very definitely be shown, I believe, that the current selective service program does not meet these criteria. First, the draft denies individual liberty. As the Wall Street Journal pointed out editorially: "We should recognize that [the draft] is about the most odious form of Government control we have yet accepted. We should not forget that it is a basic violation of our traditions of freedom and individualism. . . ." I feel strongly that each man has a moral obligation to serve his country, but he must be granted the freedom to accept his responsibility and the right to determine what form his service shall take. Individual liberty is not a concession granted by government that can be withdrawn or that must be paid for by military service. It is the ultimate and guaranteed right of democracy and it must not be compromised.

The draft also fails to meet the second criterion because it is not equally applied to all men. There has been a great deal of resentment generated because the Selective Service System is not administered uniformly throughout the country; because of the uncertainty young men must live with; and because of the many inequities of the deferment system. But the most basic inequity—which is often camouflaged by listing of specific injustices—is the fact that a smaller and smaller minority of our young men is carrying the burden of national defense. Even under today's crisis conditions, the military services draft only about 350,000 men out of a draft eligible pool that totals 12 million.

Addressing the third criterion, that of efficiently and economically providing the necessary quantity and quality of men, it is found that the current system of conscription again fails to meet the mark. Why? Because the Selective Service System is designed *only* to provide large numbers of men and is inherently incapable of supplying well-qualified personnel to the armed services. The sad fact is that draftees, who have been taken from civilian life against their wishes, spend their two years of military service counting the days until they get out. As soon as the required period is over, they inevitably return to civilian life. Their empty bunks are filled with other unwilling draftees and the cycle continues. Any personnel manager would be quick to agree that low morale among employees reduces the efficiency of any operation and in a situation where men are forced into duty against their will, low morale is to be expected. Consequently, inefficiency results.

The eagerness of draftees to return to civilian life also prevents specialized training and in-depth knowledge of the complex weapons systems of our country. With its emphasis on quantity rather than quality, the draft automatically produces a high turnover rate in personnel. Among draftees, this turnover rate is 92 to 95 percent. In other words, only 5 to 8 percent of the young men drafted stay in the armed forces beyond their two-year obligation. Consider the implication of these statistics on our national security during a period when, as NAVY magazine points out "the new demands imposed by warfare suggest that what we need is not only superweapons but supermen in uniform."

There are a number of people who propose the establishment of a national lottery system where draftees would be selected on a random basis from a pool of draft-eligible 18 or 19 year olds. Again, this proposal does not meet the established criteria of an acceptable military manpower procurement system. First, this method does not alter the fact that young men are forced into duty and are denied their individual liberty. Second, this method of randomly selecting who shall serve does not alleviate the basic injustice of the draft but only treats some of its symptoms. The lottery could reduce some of the inequities currently found in the deferment system and the lack of uniform administration by the 4000 draft boards, but it does not remedy the basic inequity of forcing one man to serve while allowing another his freedom. In his book, "The Wrong Man in Uniform," Bruce Chapman questions: is injustice handed out by a machine any more tolerable than injustice handed out by men? The lottery he contends, "would be a supremely callous, a dehumanizing, a frivolous, Government-sponsored game of Russian roulette."

And, finally, neither is the quality of servicemen improved nor the efficiency or economy of the system enhanced under the lottery proposal. Men will still be serving against their will and the turnover rate will be no different than today. The lottery approach is a patchwork proposal designed to cover some of the gaping holes in the fabric of military conscription, but it does little to re-tailor the flaws in the basic design of the draft.

I am convinced that the current frustration with military conscription can lead to more than ineffective reform of the draft laws: it can lead to the abolition of the draft and a return to a system that first, provides absolute personal liberty and freedom from government interference. No one would be forced to serve in the armed forces against his will. Second, a volunteer system would eliminate the inequities of conscription and would end the injustice of forcing some to serve while allowing the majority their liberty. Third, a voluntary military system would provide a more efficient and effective armed service.

While logic and principle may both support the concept of a voluntary military, the question still must be asked: "Is it practicable?"

The voluntary military is unusually first challenged on the grounds that it would never provide the armed services with the number of men needed. The evidence, however, points to the contrary.

In reality, we are talking about rather small numbers of men. In peace time, a volunteer military, with its reduced turnover, should only need to recruit about 330 thousand young men a year in the enlisted ranks. Statistically, this comes down to less than two men out of every 100 in what is called the "draft-eligible pool"—those young men between ages 18 and 26. Even if this "pool" is limited to the ages 18 through 20—when most young men are making career decisions—the military would still need to recruit only about six out over every 100 men into the enlisted ranks each year.

The task is to make a military career attractive and rewarding enough to induce this relatively small number to volunteer. Two economists who worked on the 1964 defense manpower project sponsored by the Pentagon—Professor Walter Oi and Dr. Harry Gillman—have concluded that salary increases totaling somewhere around $4 billion or less would provide *all the incentive needed* to supply a peace-time armed forces. The price tag would raise to about $8 billion during wartime. I would be happy to go into the facts and figures supporting these estimates later on if anyone wishes.

But I personally believe we should go beyond just making a military career competitive with civilian employment in terms of salary. My bill contemplates not only raising pay scales considerably but seeks to improve the fringe benefits and status of a military career. Among the improved benefits are greater educational opportunities and the expansion of social, cultural and recreational facilities for military personnel and their families. Other provisions of the bill ease the currently rigid promotion schedules and increase re-enlistment bonuses. Also, the bill provides for the improvement of the Ready Reserve and the National Guard.

I am confident that by increasing the pay scales and making a military career more attractive in the fore-mentioned ways, we will be able to attract the necessary numbers of men and return our country to a voluntary military.

A second common criticism of the proposal for a voluntary military is that it would produce an all-black army. This is very improbable.

First, it is not too likely that higher pay scales would make the military a corresponding greater attraction for black Americans. Robert Tollison argues convincingly in his article "Racial Balance and the Volunteer Army" that increased pay would not cause a significant increase in black enlistments because most blacks who are interested in a military career join now. Even with its current low pay scales the military offers many black Americans better employment opportunities than they can find in the civilian job market.

Even if *every* black young man decided on a military career, currently only about 100 to 120 thousand of them are *eligible* to enlist because of the military's physical and academic standards. Professor Thomas Schelling of Harvard University has estimated that at present acceptance rates, about 10 blacks would be accepted for every 50 whites, with an ultimate ratio of about 20 percent of the armed forces. Even if enlistment standards were made more flexible and more black Americans were eligible to enlist, it is difficult to argue convincingly that even a larger ratio would be undesirable. As is pointed out by five members of Congress in their book "How to End the Draft": "There is nothing wrong with the fact that military service in an all-volunteer Army might offer some Negroes better living conditions, better education, more secure employment, a better chance of assuming responsibility, and a more dignified life than the civilian economy can offer. It is not our military system which should be condemned for offering a chance to the Negro, it is the civilian sector of our society which should be condemned for failing to allow the Negro to share fully the fruits of America's prosperity."

But our nation is committed to improving the economic opportunities for our black citizens. As we expand the possibilities in the civilian job sector, fewer black men will find the military to be the most attractive road to higher economic and social status and this will tend to place an effective ceiling on the number of blacks who enlist.

It is unlikely that a voluntary military will result in an all-black army for a final reason. Blacks compose only one-third of what the Office of Economic Opportunity has categorized as "poor" Americans. For every black young man who found the military attractive because of pay and other benefits, two white young men would be drawn into a military career for the same reasons.

A voluntary military is also criticized on the assumption that a professional military would be an automatic political threat: alarmists have gone so far as to predict military coups. There are several factors that render this argument slightly ridiculous. First, except for the last thirty years and a brief period during World War I, our nation has relied almost exclusively on a volunteer or professional army. Civilian control of government has never been threatened.

Second, we by and large already have a professional army. During the years 1960–1965, before Vietnam, draftees comprised only 3 percent of the total armed forces. Today, at Vietnam force levels, they represent only 15 percent. These draftees, who are only in the service for two years and who are at the very bottom of the military power structure, have very little ability to inject a "civilian" influence on the military. The danger of military elitism comes primarily from the officers who are, and always have been, professionals. The civilian influence must be injected at the top—in the office of the Secretary of Defense and the Secretaries of the Army, Navy and Air Force, if we are to establish safeguards against the dangers of a military clique or class. The possible military threat to political stability is largely unrelated to the system used in recruiting enlisted men.

Critics have also emotionally condemned the concept of an all-volunteer military because they fear it would result in an army of "mercenaries." This, too, is not a very credible argument. Number one, it presupposes that young men will choose a military career solely because they are paid well. Young men who pick careers as teachers or carpenters certainly don't reach their decision purely on the basis of economics and there is no reason to think that those who enlist in the military would be motivated entirely by pay scales. In the second place, our military officers have traditionally been well-paid and they have not been characterized contemptuously as mercenaries. Indeed, as the prestigious magazine, Science, has asked editorially, "Why is a volunteer officer [called] a 'dedicated career man' but an enlisted man [called] a 'mercenary'?"

One final criticism made of an all-volunteer military is that it would not be as flexible as an army produced by the draft. There is little logic to this argument. An estimated 43 percent of the army at any given time has less than one year's experience. In an emergency situation are we willing to risk the possible consequences of committing these inexperienced troops? In all probability, future conflicts in which U.S. troops become involved will be guerrilla actions—such as Vietnam. Our experience in this war has shown that what is needed is a force of highly trained men not green recruits who see action for only a few months before their tour is over.

In a time of crisis such as the beginning of the Korean War or the Berlin Crisis, the draft is irrelevant to our ability to respond rapidly. Logistically, it takes at least two and a half months to conscript civilians and turn them into soldiers. In crisis, we must be able to rely on the Ready Reserve, not the draft, to provide for our defense. And improved Reserve, as proposed in my bill, coupled with an experienced army, would provide the most flexible armed forces possible. And of course in the event of an all-out land war requiring the addition of millions of men to the armed forces, Congress could always reinstitute the draft.

My opposition to conscription can be basically summed up in one brief sentence. The draft is immoral in principle, inequitable in practice and injurious to our national security. The fact that we have docilely accepted it for so long is sad testimony to our lack of vigilance in protecting our democratic tradition and belief in individual liberty.

GREAT MORTGAGE HOLDUP

Mr. WILLIAMS of New Jersey. Mr. President, the boost in interest rates is a problem of growing concern as pointed out in a recent article by Sidney Margolius, a highly respected commentator on economic problems. His article illustrates just what the real cost of interest is today; particularly, that connected with Federal Housing Administration mortgages. The statistics are frightening and shocking. Such a situation could lead to that of many years ago where the purchase of a home was economically impossible for a substantial number of our citizens. It is a problem that must be dealt with, and I commend this fine article which illustrates the dimensions of the problem to my colleagues.

I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Great Mortgage Holdup

(By Sidney Margolius)

How would you like to put out $60,000 to repay a $20,000 mortgage?

That's exactly what can happen to you as the result of the Nixon Administration's action in raising the interest rate on government-guaranteed FHA mortgages to 7½ per cent plus one-half of 1 per cent for the FHA premium. This makes a total of 8 per cent.

At the same time the Administration raised the rate on VA mortgages to 7½ per cent.

This was the first action of the new Administration directly affecting consumers. It took place less than a week after the Administration took office.

The increase follows by nine months the jump from 6 per cent to 6¾ made by the previous Administration last May. In the last weeks of his Administration, however, former President Johnson had refused the request of VA Administrator William Driver to increase the rate again.

ACTUAL INTEREST PAID

People were shocked enough when they learned that 6 per cent rates on mortgages usually doubled the amount they would pay back on a 30 or 35-year mortgage. The new rates for the first time actually can triple the amount a homeowner pays.

For example, on a 35-year mortgage the payment for interest and principal at 7½ per cent comes to $6.75 a month for each $1,000 of mortgage, plus 42 cents for the FHA premium insuring the lender against loss (not charged on VA mortgages). On a $20,000 FHA mortgage, the payment would be $143.31 a month, or a total of $60,190 for 35 years. (These monthly figures do not, of course, include taxes or insurance often paid each month with the mortgage.)

That means a home buyer undertaking a mortgage on these terms would pay an incredible $40,000 just in interest. This is more than the average industrial worker earns in six years at current wages.

Even on a 30-year mortgage for $20,000, the home buyer would repay a total of $53,387.

At last year's 6 per cent rate (plus one-half of 1 per cent) the family that took on a $20,000, 30-year mortgage would pay back $46,184, and for a 35-year term, $51,450.

One of the most revealing aspects of the new increase is that for the first time, government-backed mortgages cost more than the ordinary "conventional" mortgages. These are made by the lenders without any government guarantee against loss. The Federal Home Loan Bank reported that the effective rate on conventional mortgages on new houses averaged 7¼ per cent in December throughout the country.

Rates on government-backed mortgages have risen gradually from the 5¼ per cent of 1965 when the Vietnam war became intensified. Usually increases were about one-fourth of 1 per cent at a time. But the two increases of three-fourths of 1 per cent each in less than nine months are double the total increase of the previous three years.

The leaping mortgage rates have been a main reason why home ownership has become the second fastest-rising item in the cost of living (next to medical costs). Homeowner costs have jumped 31 per cent in the past decade compared to an overall rise in living costs of 23 per cent.

WHAT CAN YOU DO?

What can you do about this, outside of just buying a tent? Obviously you have to shop interest rates more widely among different lenders, try to put down more, try to pay off sooner, and make sure you get a right to prepay without a severe penalty written into your contract (in case rates come down later).

Note that conventional mortgages are a little cheaper now than FHA or VA. You do have to make a larger down payment for a "conventional," and won't get as long to pay off. The more you can put down, the better your chances of getting a lower rate.

Avoid very long terms. A 35-year mortgage instead of 30 will reduce your payments only about $5 a month. But you'll pay $7,000 more in total interest.

A house with a lower-rate mortgage which you can take over now takes on additional value if the seller will let you take over the old mortgage.

On the other hand, if you are selling, you should know that you are still liable if the buyer takes over your mortgage. So be sure he signs a bond which makes him fully liable to the lender, and check his credit to make sure he is a good risk.

One thing Congress could do to help some young families and restrain rates in general, would be to give the VA more authority to make direct loans to vets at a lower rate than the present impossible 7½ per cent.

POSITION ON SALARY INCREASES

Mr. PEARSON. Mr. President, on January 30 I flew to London to attend the annual Anglo-American Legislators Conference. And on February 4 I flew from London to Tokyo to attend the United States-Japanese Parliamentary Exchange Conference. My participation in these two official conferences made it impossible for me to vote on the motion to reject the President's recommended increases in salaries to Members of Congress, judges, and certain executive department officials.

Mr. President, had it been possible for me to have been present I would have voted in support of the motion to reject the President's recommendation.

While I agree certain salary adjustments are necessary I believe it would have been far better to have made such adjustments in smaller increments over an extended period. An increase of this magnitude particularly at this time is unwise. At a time when we are trying to control inflation, at a time when we are asking for wage and price restraint, at a time when we are trying to keep Federal spending down, I simply do not believe the recommendations of President Johnson were justified or desirable.

SERMON BY RABBI JEROME W. GROLLMAN, OF ST. LOUIS

Mr. EAGLETON. Mr. President, Rabbi Jerome W. Grollman, of the United Hebrew Temple, is not only one of the most highly respected spiritual leaders of the St. Louis metropolitan area, but is one of the most distinguished public orators in that area as well.

He is a man of considerable conviction, considerable conscience, and considerable candor.

Mr. President, I ask unanimous consent that excerpts from a sermon delivered to his congregation by Rabbi Grollman shortly after President Nixon's inauguration be printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

An Open Letter To President Nixon From One Who Voted for Humphrey

(Sermon deliverd by Rabbi Grollman on Jan. 24, 1969)

Dear President Nixon: How strange it sounds, how strange it seems, to address you by this exalted title. You see, for years, I have labored arduously campaigning against you. Indeed, in 1960, I stayed up most of the night, just to make sure that in the morning it would be John F. Kennedy—not you—who would be our President-Elect. Complete candor also compels me to admit that I was overjoyed when Pat Brown subsequently defeated you for the office of Governor in California. Nor was I dismayed when your state of pique at that precise moment seemingly signaled the end of your political career. Certainly, at that juncture, no one in his wildest imagination could have possibly dreamed that one day you would yet become the President of the United States. But you have! And not even those who have opposed you so strongly—not even your worst detractors—can deny the magnitude of your personal triumph. Speaking for myself, I can only look up to you with complete respect because of your fortitude, your endurance, your perseverance, and your refusal to abdicate to frustration and despair in your quest for the Presidency. For those faltering in the face of apparent impossible challenges—and who isn't—you have already become a symbol of inspiration of what can be accomplished when man is strong enough never to surrender to failure. . . .

PEACEFUL TRANSITION

There are not too many countries in this world where there could have been such an orderly change in government. Elsewhere, a change in government is inevitably accompanied by violent upheaval, revolution, riot, turmoil, bloodshed. Althought I personally have participated in many demonstrations and marches, I regret the detrimental actions on the part of a few extremists last Monday during the parade. But even these few incidents point up the almost completely orderly and totally calm transition of governmental authority which is the hallmark of our American democracy. The voice of the people has been heard . . . peacefully and . . . peacefully . . . their will has been done.

An Inauguration, after all, is like a wedding ceremony. The relationship between the President and the citizens of the United States is akin to a marriage. A husband cannot be truly happy unless his wife is happy. A wife cannot be genuinely happy unless her husband is happy. So, too, a President cannot find his fulfillment unless his nation and citizenry also find their fulfillment. And a country's progress is so intimately related to the progress and accomplishments of the President who leads and serves it. Your success, Mr. Nixon—your success—will be our success. And our success will be your success. Indeed, you, you are our only hope. With the very survival of the world at stake, with our own land split asunder with strife which can possibly be fatal, if you should fail—if you should fail, what future is there for any one of us. Did I watch the Inauguration? Did I listen to your words? You bet your life I did! Because that's exactly what I was doing. I was, I am betting my life on you—my life and the life of my children and their children and their children's children.

ONE WORLD

And frankly, it's a wager that I think we're going to win. I pray we shall. We must. After all, you are an intelligent man. That we have never denied. You're ambitious—ambitious for a second term in office, ambitious to be remembered as a great President. And this is nothing to be ashamed of. To the contrary, you could not become a great President otherwise. You, much better than I, you know that you will rise or fall first of all on what you do about the war in Vietnam, your ability to bring that conflict honorably to an end. The Declaration of Independence guarantees us the right of life, liberty and the pursuit of happiness. Each day, however, I speak with so many young men, bitter, sullen, their faces gloomed with woe because soon or possibly already, they have been placed in a situation where they may be denied the right to life, much less the right to enjoy—liberty and the pursuit of happiness. Young people have the inalienable divine prerogative to plan their own future, to develop their talents and abilities and potentialities to attain the utmost meaning in their lives.

It is nothing less than criminal when we sentence these innocent youngsters possibly to die in the full bloom of their vigor, to die in distant jungles for a war that not one of us, not one of us truly understands. You have promised us that you will not heed the lunatic fringe of the extreme left. We pray also that you will not heed the lunatic fringe of the extreme right that would plunge and embroil us in further wars and hostilities which would toll the death knell of civilization. As a Jew, our liturgy is constantly punctuated with the aspiration Sim Shalom—"Grant us Peace, Thy most precious gift, O'Lord, Thou eternal source of peace." And no less do we beseech in this meditation—"Bless our country—bless our country that it may ever be a stronghold of peace and its advocate in the council of nations." Let this be the overriding ceaseless goal of your administration. As a devotee, a disciple of Franklin Delano Roosevelt and Adlai Stevenson, I shall continue to dream—and I hope you will—to dream fervently of one world—one world and for the United States a nation that is one, united, each of us devoted to the other.

ONE NATION

It is in Isaiah that we encounter the verse: And a little child shall lead them. Yet, out of the mouths of babes oftimes there issues forth the most sublime and noblest of truths. Never did you more impress, hearten and encourage me about your future as President than when your eye caught the placard of that young girl, the placard that plaintively exhorted: Mr. Nixon, unite us—unite us. I must confess that I'm somewhat of an alarmist. I'm a Jew. We Jews have no choice but to be alarmists. We know that a faint wisp of smoke can so easily become a devastating conflagration. We have stood aghast, terrified, as we watched a faint breeze named Hitler become murderous tornado Adolph, destroying everything in its path. . . . I'm somewhat of an alarmist and I frankly admit that I am afraid of what may happen in the United States in the next four years. I see incipient signs of revolt, revolution, bloodshed on the streets. I am apprehensive that the riots we have already experienced will be mere child's play in contrast to what is yet in the offing unless somehow our nation can be—must be—united—united in the near future—and time is running out.

LAW AND ORDER

In your campaign, you elicited maximum enthusiasm when you forthrightly promised to establish law and order. Fine! But let it be law that serves all, not just the elected few. Let it be law that extends justice rather than one that permanently perpetuates injustice. . . . By all means, let's have law and order. But let's enforce the law designed to correct conditions which help breed rats, just as much as we enforce the law that denies a group to parade without a permit. Let us indeed strive for law and order, but not the law and order that serves the special unique interests of the "haves" and rejects the special unique interests of the "have nots."

America is divided. In the words of the young girl, Mr. President, you must unite us before we tear at each others throats. Although I have long been involved in the Civil Rights Movement—at least emotionally—I would have every right to turn my back upon the struggle for equal rights to the Negro community—now that many extremist militant blacks are marching to the drum-beat of anti-semitism. I am sorry that in their bitterness and frustration, too many so-called black leaders need a scapegoat and spew their venom upon that group which has traditionally played the classic role of scapegoat—my people—the Jews. Let it be understood, however, that we Jews will no longer, never again will we play patsy and scapegoat for anyone—not even the Stokely Carmichaels or the H. Rap Browns. But neither will we turn our backs upon the remainder of the Negro community and their legitimate rights and needs. And Mr. President, neither can you. You must unite us in the spirit of justice and brotherhood and divine love.

YOUTH

In this respect, you will undoubtedly find your greatest challenge amongst the young—those of college age and their ilk and the like. They don't trust you. But don't be insulted. They don't trust me either. They don't trust anyone over thirty. But then again, why should they. What kind of world have we brought to them. Verbally, we have taught them to be honest, to build their lives upon principle and ethics and integrity. But when they do take all these teachings seriously, we condemn them and insist: Be realistic. Plastics—go into plastics—the Graduate is advised. We live in a plastic world, a phoney world. Why should they trust us when we have betrayed them—when we are more concerned about how clean is a man's body than how clean is his conscience, when we harp upon how neat are your clothes, but not how neat is your heart. When we become more exercised over long hair than long lynch ropes. Wire-tapping is not going to be the answer or larger police forces, or soldiers with fixed bayonets, or watering down Supreme Court decisions. America is dedicated to the principle: Law is created to serve the people. People are not created to serve the law. The young will trust us when once again America is America in spirit as well as in name.

FOREBODINGS

Alarmist and worrier than I am, Mr. President, I cannot deny that I harbor some forebodings about your administration. As a Jew, I feel somewhat uneasy about Governor Scranton's remarks concerning Israel and Arabs. Anyone with the briefest knowledge of politics knows that a Presidential Emissary does not make a public policy statement without having cleared it with the President first. After everything that Israel has experienced and endured, you cannot, Mr. President, you cannot allow Israel to be sacrificed upon the pagan altar of global politics.

Mr. President, I cannot deceive you. I voted for Hubert Humphrey! I have never been one of your great champions. With me, you would never win any popularity contests. But you have my support. Especially in light of your moderate and conciliatory inaugural address. I pledge to you my wholehearted loyalty so that together all of us—all citizens in this blessed country—may re-create an America which in every sense and in every dimension will be a "sweet land of liberty."

Sincerely and humbly,
Rabbi JEROME W. GROLLMAN,
United Hebrew Temple.

P.S.—Which, I hasten to add is the oldest Jewish Congregation west of the Mississippi River.

URBAN PROBLEMS IN NEW JERSEY

Mr. CASE. Mr. President, a recent speech by W. Paul Stillman, chairman of the board of First National State Bank of New Jersey and chairman of the board of the Mutual Benefit Life Insurance Co., to the Americanism award dinner of the Antidefamation League of B'nai B'rith, New Jersey region, at the Robert Treat Hotel, Newark, N.J., has been called to my attention.

In it, Mr. Stillman discussed urban problems as they are present in New Jersey. Not everyone will agree with all of Mr. Stillman's proposals, but taken together they constitute a provocative response to social conditions by one who has long been active in the effort to rebuild Newark and make it a better place in which to live and to work. I ask unanimous consent that the full text of Mr. Stillman's speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE CITY AND STATE: REMARKS ON URBAN PROBLEMS IN NEW JERSEY

(By W. Paul Stillman)

I have no doubt that in giving me this award you are interested not primarily in flattering me—and certainly this is a flattering honor—but in furthering the cause for which the Anti-Defamation League stands.

As I understand it, your cause has changed somewhat from the time the ADL was originally organized. You first were concerned with manifestations of anti-Semitism. You soon realized that your real interest was in combating everything in our society of a defamatory nature.

The phenomenon of defamation certainly has not completely disappeared in America, nor is it likely to ever be 100 percent eradicated. But it is obvious to me that your organization, over the years, has been able to accomplish a great deal in this connection.

It should be evident to the Anti-Defamation League, for example, that the struggle for civil rights, where it has taken on an extreme character also has brought about anti-Semitic feeling from new quarters. There certainly is irony in that, in light of the efforts of the Jewish community to promote understanding.

What you are doing to combat defamation may be even more important in the years ahead than it has been in years past because the social problems which nourish discord appear to be with us for awhile. By the same token, the ultimate answers to defamation and to all of the unsavory activities connected with it, lies in the solution of these problems. Defamation goes hand in hand with excessive social ferment, with oppression of minorities, with poverty, with unemployment, with poor schools, with bad housing and with crime and vice. The answer to defamation, then, must lie not only in a direct attack on its manifestations, but also in an assault on these conditions.

Unhealthy social conditions breed ill feelings, hatreds, jealousies, and misunderstandings. These in turn translate into the personal attacks and prejudicial feelings which you identify as defamation. I believe that a healthy society is the real answer to defamation. If we can find work for the unemployed, so as to reduce poverty, upgrade housing conditions and improve our schools, much of your job will be done for you.

If social conditions hold the real answers to defamation, then certainly the answers are to be found in our cities, because this is where most of our social problems today are rooted.

Presumably, you are bestowing this award upon me because you feel that those things in which I have had an interest will contribute in some way to the attack on urban problems, and in turn, to our best defenses against defamation. My main interests, of course, have been in the problems of Newark, because this is where both my business and civic activities have been centered. Besides that, I was born and raised here. With that as a premise, then, I would like to respond to this generous tribute by offering a few observations about Newark and our state. If what I say has any application beyond this city, or beyond New Jersey, then so much the better.

As you know, we have been committed for some years to the ideal of rebuilding Newark through a sound redevelopment program. We have many investments around the country, but here in our home city we have chosen to make our deepest commitment to rebuild, and we have done so because as buisnessmen we thought it would be good business, as well as good for Newark. I don't think you can argue with the proposition that sound redevelopment is good business for the city. We have caused to be built six new structures in the Washington Park area—with more to come. These locations once paid the city a total of $64,000 a year in annual taxes. Today those same properties are returning about $1,575,000 to Newark each year, or about 25 times as much. Despite the problems in Newark, we are pleased with our investment, and we would assume the city is, too.

Some corporations in the city have contributed in greater measure than others to the rebuilding of our area. It has not been without profit to them, I can tell you with both certainty and satisfaction. Other companies could profit by shedding timidity and entering into large-scale private enterprise rebuilding. It would prove worthwhile.

But there are a number of serious problems connected with redevelopment which must be checked if it is not to become a self-defeating activity. For one thing, it has long been our opinion that rather than bulldozing whole areas and placing people in inhospitable, vertical, institutional-type apartment buildings, we could save many taxpaying structures, and improve living environments at the same time, by reclaiming more of our rundown housing. I would like to see a development corporation formed jointly by business organizations for the purpose of reclaiming existing dwellings and then offering them to individuals. As we create more property owners, we create better, more interested and responsible citizens.

By involving the FHA in such a program, I would hope that monthly charges for this kind of housing would not be greater and in some cases less, than the unreasonably high rent some families now pay for inferior housing.

The problem of rebuilding a city must be approached from all sides. There is no single road. Each element of the community must do what it is best equipped to do. In keeping with this, perhaps business can accomplish much by working areas that are not beyond recovery.

Redevelopment simply for the sake of slum clearance, and without the prospect of something better for the city both financially and socially, is not going to solve our problems. It will just create new ones. We have an ever-decreasing tax base in the City of Newark, and a smaller tax base means less money for the city, which in turn means a diminished chance of conquering our social problems which cannot be conquered without money. If we clear land and don't build revenue-producing facilities to replace what we sweep away, we are simply compounding the financial squeeze which threatens to strangle our city, as well as many others. If we create new housing which increases population density where the population already strains the capacity of inadequate schools and inadequate supply of jobs, we are contributing to the increase of unhealthy social conditions. And that, as I observed a moment ago, in its roundabout way will add to the problems of the Anti-Defamation League in the years ahead.

Another reason that redevelopment can be unhealthy when not soundly conceived is that it takes jobs away from people. I cannot think of anything more basic to healthy social conditions than jobs. Today the industrial directory of this city shows a total of 1,169 industrial firms employing 10 or more people. In 1960 the directory listed 2,031 firms in that same category. This means that in that relatively short period of time we lost 862 employers of 10 or more each. That means we lost at least 8,000 jobs and possibly three or four times that number. You can't blame redevelopment for all of that, but the program of large-scale land clearance, without suitable replacement or relocation, has had its part in bringing this about.

The whole question of city finances, incidentally, is one that all of society is going to have to face with new attitudes and with new solutions if we are ever to escape from the urban dilemmas which now afflict our whole nation. Our city—and I am sure it is true of many other cities—is weighted by far too much tax exempt property, proportional to the land which produces property tax revenue. If you throw out the streets, the hospital sites, your churches, your schools and colleges and eliminate also airport and seaport, as well as the land on which city, county, state and federal government buildings are located, there isn't much left to tax in Newark in terms of land area. I think it runs something less than 30 percent of the total. Yet the city is required to provide expensive and extensive services to the institutions and organizations which occupy much of this land.

It may be controversial today, but I believe we are going to have to face the absolute necessity of asking every institution which receives city services to make some payment to the city in return, as a means of reimbursing the municipality for its out-of-pocket expenses, at least.

As to the need for new ratables, I think the answer at this time is obvious—tax relief incentives for new business or expanded business, locating in Newark. The American city with a high tax rate too often insists on a whole loaf from business, and gets no loaf instead. We don't even require new legislation to initiate such a program, though new tax incentive laws might be advisable. We now have the Fox-Lance bill, the benefits of which today are offered only to large organizations building in urban renewal areas. The tax incentives in that law could be offered to any business offering employment anywhere in our city. Let's face it. Nearly all of Newark is an urban renewal area, and should be treated as such.

Right now, we are making enormous financial demands on the principal corporations of the city. Taxes, as you know, are among the nation's highest and they are increasing. A comparatively small group of local business organizations are making massive capital and other subscriptions to educational facilities, hospitals and other most worthy institutions. They are now doing so to a point which, under some conditions, could become highly embarrassing to management. Also, the management of some organizations now dedicated to the salvation of Newark could change. There is no accounting for the views that future management might hold.

There seems to be a widespread misconception that the big corporations of this city really could not move if they wanted to. I would like to set the record straight on that. They very definitely can move from Newark, and given too much financial pressure, they will. It is not a question of being unwilling to carry their share of the load, and more. I think they have proved their willingness to do so. It is simply a question of the limit of their ability to do so.

We should not lose sight of the fact that there are very few organizations which must stay here. Most industrial concerns and most major financial institutions, are not bound to Newark, except to the extent that they are willing to remain tied.

We are going to have to see important steps taken to reduce the danger of losing some of our keystone business organizations. For one thing, we are going to have to find new sources of revenue so as not to add to the already unreasonable burden borne by property, and particularly by business property. This, of course, applies not only to Newark, but to the state in general. Anyone who thinks that there is any possibility that taxes will be reduced is just not being realistic.

New sources of revenue, particularly at the state level, unquestionably will be found in the near future. There should be no illusions about any possible alternatives.

Secondly, the state is going to have to sharply increase the financial aid it is providing our big cities. Here is where the problems are, problems which ultimately are the responsibility of every citizen of New Jersey. Here is where the help is needed. What I am saying to the legislature is simply this: Act before it is too late.

Over and above what might be done by the state, however, the city must also look for new strength. This means new ratables and sources of income other than the property tax. New revenues, however, will only defeat their own purpose if they add to the pressure on corporations to move from Newark.

One possible—and again controversial—new source that might answer Newark's need could be a head tax for persons making use of our airport. There is precedent for this. It is done at a number of major European airports. Such a tax could be low, with the return relatively high, for at present about 6.5 million passengers pass through our Newark Air terminal each year.

I realize that the institution of such a tax might raise an interesting constitutional question. In view of the stake that every citizen has in meeting the problems of the city, however, I think a full test of the issue is warranted.

One of the things which places our city, and others, in a financial bind is the staggering burden of its welfare obligations. Much of this load is the direct result of others, in other places, having failed in their obligation to make it possible for people to live there in a reasonably decent and dignified manner. Why, then, should our city, or any other city like ours, which is forced to accept those people who can't make it elsewhere, be forced also to take on the financial obligation which really belongs to those other people in other places?

The answer, of course, is that the city should not be so unreasonably burdened. To lift this intolerable weight from the city's shoulders, however, we are going to have to institute a welfare equalization system in our nation. This system would spread the responsibility evenly, not only between city and suburb, but also between urban state and rural state. The urban state today carries much of the load created by a problem which has its roots in the rural state.

The city should be given a chance to breathe so that all of the diverse elements within it—minority groups, institutional organizations, business organizations, the poor and the well-to-do—can live and work together in harmony. That would be the most decisive long-run, anti-defamation step I could wish for Newark or any other city. But today the air that city must breathe consists of money. Instead of squeezing the city for more money, where there is none, we are going to have to make it available from other sources.

Money certainly is not the entire question to our problems in Newark, but it is an essential ingredient.

I hope that I have not sounded pessimistic in my view of Newark, or of our chances of solving her problems. If I appear pessimistic, I am not. I am, I believe, a realist. Realism should tell us that there is much to give us hope. Balance the city, with all its current problems and recent disorders against the situation in Newark 15 years ago. We had not done a thing to help ourselves then. We had both problems and stagnation. Today, at least we are moving, sometimes dramatically. Look around at the construction in magnificent new office buildings, in remarkable college campus areas, in major new hospital buildings, a new state medical school, and the rebuilding of our airport. Observe our seaport, which already leads the world in container shipping. We continue to be a key transportation hub for the entire eastern seaboard. In Newark's immediate future are other very large commercial structures, yet to be announced.

Let all of us—city government, businessmen and citizens—start to sell to the world our pluses. We are not dead, but we are going to have to take an honest look at ourselves each day if we are to reach our goals. It can be done, with a lot of pain, and if I have made any contribution to the effort to do so, then I am proud of it as I am proud of this award.

In closing, may I quote from Marcus Aurelius, a wise man of old: "If I knew more about the subject, I would write less."

My thanks, again, to you for conferring this award upon me.

NEW JERSEY TRANSPORTATION COMMISSIONER CALLS FOR EXPANDED TRANSIT AID

Mr. WILLIAMS of New Jersey. Mr. President, New Jersey's energetic commissioner of transportation, David J. Goldberg, recently told the New Jersey Citizens Transportation Council that the Federal Government must establish a clearly defined national program for transportation. In a speech February 18, Commissioner Goldberg emphasized the need for increased Federal funding for capital improvement and operating assistance projects. He called for a regional transit authority to service the "megalopolitan" corridor between Washington and Boston; and he urged the Congress to approve funding for auto-on-train experiments and other transportation innovations.

Commissioner Goldberg has correctly identified one of the major problems facing metropolitan America—our tangled transportation systems. Jobs, housing, recreation, and education must all be improved dramatically in the next few years; but unless we make parallel improvements in our mechanisms for moving people, nothing else will matter. We will simply choke ourselves in the unhappy snarl of slipshod transit planning.

Some of these transit problems will respond to vigorous financial assistance. Recently I introduced a bill to provide operating subsidies for failing commuter lines. Then some days ago, I offered a bill which would create a mass transit trust fund—similar to the longstanding highway trust fund—to make available the needed funds for transit growth.

These measures should receive a prompt examination, because as Commissioner Goldberg said in his timely speech:

> Our intercity rail service can be likened to a great natural resource which should not be wasted or destroyed . . . the loss could be irreparable.

Mr. President, I ask unanmious consent to have portions of Commissioner Goldberg's remarks printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Excerpts From Address by Commissioner David J. Goldberg, Department of Transportation, State of New Jersey, Before New Jersey Citizens Transportation Council, Newark, N.J., February 18, 1969

I recognize that there is an immediate shortage of funds on the Federal level because of defense commitments. At the very least, however, the Congress should establish the policy that the Federal government will fully participate in approved mass transportation improvements up to the two-thirds limit provided by law.

If funds are not immediately available to permit full participation, agencies like the New Jersey Department of Transportation and the Metropolitan Transportation Authority of New York should be authorized to finance their programs with local funds with a guarantee of reimbursement from Federal source as funds become available. This would permit local programs to move ahead without undue delay by assuring states that their advance expenditures would be fully reimbursable. Without such a guarantee, it is impossible for public agencies such as ours to fix the size of programs that can be carried out because of the uncertainty of Federal participation and the necessity to move ahead immediately on the program even if only state funds are available.

Based upon our experience in New Jersey, I believe that it is both unrealistic and unfair to expect a private railroad carrier, which is engaged in business for the pursuit of profit, to provide to this critically congested area the level of transportation service that the people of the corridor require.

I am convinced that a regional authority established under Federal law could assume operational responsibility for intercity service and carry out its operations on a revenue or near revenue basis if backed by long-term low interest Federal loans as well as full Federal participation in any needed capital improvement program. Such an agency could, in turn, contract with local areas to render such local services as each area wishes provided.

This would permit New Jersey, for example, to contract with a public agency with a public commitment to the preservation of rail service for the rendering of such commuter and local service as we desire. Similar arrangements could be provided in Pennsylvania, New York, Connecticut and other interested states to the extent that each desired.

As I envision it, the Federal government would assume responsibility for the intercity service while each state or local area would be responsible for the commuter or local service requested. The present Federal programs for participating in the cost of capital improvements would, of course, remain available to the states in carrying out improvement programs essential to the establishment or maintenance of an adequate transportation system.

The present high-speed program from Boston to Washington is only a demonstration. There is no existing commitment on the part of the Federal government or the rail carriers to continue this program beyond the relatively short demonstration period. The establishment of such a regional authority represents the next natural step to be taken to insure the continuation of rail service in the Boston to Washington corridor. Such a step should be taken now if we are to be certain of continued Federal interest and participation in this critical corridor after the completion of the demonstration program.

It is absolutely essential that the employees of bus and rail carriers be fully protected from any employment hardship caused as a result of changes in improvements of the mass transportation system in an area.

In order to bring about the most efficient form of service, changes in employment are essential but they should not be achieved at the expense of the employees. Since these changes are the result of the capital improvement program and temporary in nature, the expense of any essential labor protective agreements should be underwritten in the same manner that the expense of capital improvement is handled. With the Federal government participating in two-thirds of the cost of such agreements, it should be possible to bring about the operating efficiencies that are essential to the future success to any mass transit program.

It is obvious that major portions of this country are threatened with the total loss of intercity transportation.

Congress should consider a short-term subsidy program to preserve service on all intercity lines where total abandonment is now threatened to give appropriate Federal authorities an opportunity to determine whether service on such intercity lines should be preserved and by what method. It has been estimated that minimum service on those intercity lines which are threatened with loss of all service could be maintained for as little as ten to fifteen million dollars a year. This is a small investment to provide the time necessary to determine whether governmental action should be taken in these critical areas. Once service is totally abandoned, the cost of restoring rail lines which may have been stripped of equipment and the signaling and protective devices essential to safe passenger service would far exceed the Federal subsidy investment or the scrap value realized by the rail carrier. Our intercity rail service can be likened to a great natural resource which should not be wasted or destroyed at the very point in time when we are seeking a re-evaluation of our national policies. The loss could be irreparable.

Senator Williams is to be commended for his usual foresight in the area of urban mass transportation and we would hope that his proposal receives serious and early consideration by the Congress.

A TWO-WAY PROPOSITION

Mr. HANSEN. Mr. President, a recent Gallup poll evidences the concern of the American citizen over crime and lawlessness in his community.

The poll showed a substantial majority of our people favor new and tougher laws to deal with these problems.

It reveals that 75 percent of those contacted felt convicted criminals are not dealt with harshly enough. Only 2 percent felt convicted criminals are treated too harshly.

In the same poll, 71 percent felt denial of parole to a person convicted of a crime a second time is a good idea. On this question, 21 percent felt this is a poor idea.

In an earlier, but still recent survey, it was found that one person in three in the United States—known as the land of the free—admitted to being afraid of going out alone at night in their very own neighborhood.

This is not the case in my own State of Wyoming—the Equality State. The chief of police in our capital city, Cheyenne, has reported that the city's crime rate for 1968 was 21 percent below that of 1967. The Cheyenne chief of police is James W. Byrd. He is an outstanding law officer, citizen and family man. He also is a Negro, which is neither here nor there except to further point out that a man must be recognized for what he can do, rather than the color of his skin.

In Wyoming, we see all people as Americans. A man is neither accepted nor rejected in Wyoming for the fact he is a black American, a white American, a brown American—or any color of the rainbow. He is accepted or rejected by his own actions. Chief Byrd is a man who was not born in Wyoming. He came to our State as an adult. We are fortunate to have him and we are fortunate that he has chosen to work and live in Wyoming.

The people who do live in fear of criminals in this country are entitled to know the reasons for Chief Byrd's success. Unfortunately, Chief Byrd, as one man, has no magic formula for erasing fears from criminal attack. The Cheyenne community—in its entirety—is the formula for this reduction of the crime rate.

It is community cooperation with and respect for the police department, and for law and order, that is the secret to Chief Byrd's success. The people of Cheyenne recognize that respect for the law is essential to the protection of their person and property. This has created a good climate for that city. There are no irresponsible charges of police brutality in the city of Cheyenne. The people of Cheyenne are not afraid to walk the streets at night. Those in other areas of the Nation who are, should face this fact: It is not the police brutality that makes them afraid to walk the streets at night—it is the lack of respect for the law.

In the city of Cheyenne, there were only 14 armed robberies during all of 1968. Yet, you can find few homes in Cheyenne that do not contain at least one firearm.

Mr. President, an editorial from the Wyoming State Tribune discusses Chief Byrd's report and gives some analysis of successful crime control in Cheyenne.

I ask unanimous consent that it be printed in the Record as a possible help to other States in their battle against criminal elements.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A Two-Way Proposition

"While the national crime rate continues to climb at a rate of nearly 20 per cent per year, I am proud to announce that Cheyenne's crime rate for 1968 is 21 per cent below that of 1967," Chief of Police James W. Byrd wrote in the preface to the police department's 20-page annual report of its activities released yesterday. "This fact is especially significant, because we arrested more persons and cleared more cases in 1968 than we did in the previous year.

"As policemen," wrote Byrd, "we are very aware of our vital role in the community; thus, our every effort has been, and shall continue to be, directed toward the improvement of our services, the preservation of law and order in Cheyenne and the assurance that our city will always have a police agency that is willing and able to protect the people and their interests."

In an era when police agencies and their personnel are under attack by dissidents of all kinds particularly in our massive urban areas, this report indicates many things. One primary fact that is immediately evident is that through the projection of a very good image because of efficiency and unobstructiveness, the police department in this community enjoys a much better than average relationship with the community as a whole than in most places.

One problem with police departments in many communities large and small, impinges on a tendency of many of them to be either patronizing or supplicatory or both, depending on the identity and status, social or economic, of those with whom they are dealing. Thus there is a suspicion on the part of the poor that it depends on the individual in question with whom the police may be dealing at a particular time rather than the merits of the incident connected with the individual. Much of this suspicion is unfounded, we believe, in both the large and small communities of this country, but the feeling persists in some places that there is discrimination. Much of this may be due to lack of communication between the police department and especially its leadership, with the community at large.

Communication is a most important factor in any community regardless of its size; in today's times, communication is a highly important factor in the relationship between those charged with the duty of enforcing the law, and the people as a whole, for a failure in communication can very well undo the best of works in this regard.

Police agencies must be careful to create the impression, founded on actuality, that they exercise total fairness based on the facts of a situation without regard to the identity of the persons concerned including their standing in the community or their economic status; that they are not harsh, but rather concerned only with the aspects of violation of the law, if any, that may be concerned with a particular incident; and that finally their actions are predicated on service to the community as a whole that stems from observance of the law.

At a time when factors that tend to escalate violation of the law—including mobility of people, a growing availability of narcotics, and a general deterioration of moral standards—the demands made upon the police and their concomitant responsibilities, are also intensifying.

In connection with this latter observation, it should be noted that in the statistics made public yesterday, Chief Byrd reported narcotics arrests during 1968 totaled 41, a rise of 110 per cent over the preceding year; which suggests that while general crime may be on the decrease, a serious situation confronts us with respect to narcotics usage and traffic.

Two other areas of crime in the community also are up: Armed robbery increased 17 per cent, from 12 such occurrences in 1967 to 14 in 1968; and burglaries increased 25 per cent, from 290 in 1967 to 362 in 1968. In an age of affluence, illegal substances such as narcotics are made more available to users, especially youth; and at the same time the taking of cash or property by forcible seizure or otherwise, is heightened.

The outlook in these particular areas is not promising; but despite all of the police work that may be done, there still remains the matter of citizen cooperation in the desired goal of crime reduction in all areas.

This brings us back to the subject of continued good community relations by the police department.

We have had this in the past; it can be intensified in the future. Chief Byrd's report, nevertheless, is reassuring; but it will take work and vigilance by all concerned, including both police and citizens, to keep it that way to say nothing of improvement.

THE PLIGHT OF THE AMERICAN INDIAN

Mr. GRAVEL. Mr. President, yesterday I had the privilege of testifying befor the Subcommittee on Indian Education, at a committee hearing chaired by the distinguished and able senior Senator from Massachusetts. At that time, I proposed a new policy which the Federal Government should adopt, in my view, toward the plight of the American Indian.

I ask unanimous consent to have my prepared statement printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Mike Gravel Before the Subcommittee on Indian Education, February 24, 1969

I will confine my comments today to some specific proposals in regard to what is called the "Indian Problem", and to Indian education—issues which, I submit are inseparable.

This is an area of deep concern to me. Eskimos, Aleuts and Indians live in nearly 200 villages scattered around Alaska's forests, tundra and rivers. Most live in conditions of extreme poverty. It will be illuminating for this committee to be exposed to that environment, and to the native population of my state.

We are making strides toward improving life for all Alaska's natives, most significantly through education.

Alaska has assumed full responsibility for the education of all the children in the state, including Alaska natives. A 1962 agreement between the Bureau of Indian Affairs and the State of Alaska set in motion a gradual transfer of BIA schools to the State. Our object is to transfer those schools to local villages and towns as soon as possible.

We are also making progress in secondary education. Through cooperative Federal-State funding, Alaska is constructing regional high schools in many communities. The BIA supplies the boarding facilities for the students. The object is to educate every Alaskan near his home, under a unified educational system.

But today, more than 2,000 Alaska natives are still shipped to high schools thousands of miles away, often to learn special skills which have no relationship to the life they intend to lead, or the place they choose to live.

We have severely objected to the segregated schools run by the BIA. Alaska native students have little or no choice about the schools they attend, the quality of education received, what is taught, or where the school is located.

We have no objection to schools which, because of location are almost totally Indian in composition. The racial composition of the locality will characterize, and determine, the composition of the student body.

Our objection is to the typical BIA secondary school which requires an Eskimo from Nunapitchuk or Kivalina, in Alaska, to travel perhaps 5,000 miles to Oregon or Oklahoma, and be trained there in an Indian school with other Indians from other cultures. How would you gentlemen feel if you sent your 14 year old daughter away in September—thousands of miles away—not to see her again until June?

Like many other American Indians, the Alaska native who suffers from this environmental dislocation finds himself in a state of cultural shock. As a result, large numbers of these students drop out, or sink into a deep personal withdrawal.

Annually, millions of dollars in public funds are spent to perpetuate such an environment, inside and outside the classroom. These public funds have been administered by the Bureau of Indian Affairs.

I have worked with many of the administrators, educators and employees of the BIA, and I do not want to make unfair allegations against those people, most of whom are very dedicated, public servants.

But the Federal Bureau in which they work is paternalistic. And this institutionalized paternalism has tended to create an environment which perpetuates the problem.

This is the paternalism of a bureaucracy which has failed to develop a way to shared decision making with the Indians. Which has stifled Indian creativity. Which has not properly educated the children. Which has not realistically encouraged economic opportunity, or well-being. And which has not understood the current needs of the Indian people. It has ignored Indian traditions. It has distorted Indian history. It has encouraged aimlessness and apathy. And the system stands convicted by the evidence vividly at hand: the Indian condition.

Over the generations, our Indian policy has stripped a proud people of dignity, identity, and goals. Today large numbers of our Indian people cry out to protest this false comfort of paternalism.

The most obvious illustrations are in education. It is not the intent of Congress to put a teacher who knows nothing of Indian culture into a remote classroom where he can innocently wreak havoc. In Alaska, this is still a major concern. Teachers still attempt to teach a second language, English, to Eskimos, by using totally unfamiliar objects like stoplights, umbrellas and giraffes. Eskimo children go home and ask their parents why a man in a blue suit and cap, called a "policeman", isn't at the corner of the street, just as he was in the Dick and Jane textbook. What answer does a parent have to a question like that?

This is how Eskimos learn to write a second language, and count in a new arithmetic system.

And then we wonder why they drop out of high school. Or why they rarely take jobs in areas where they have had a training course. Or why there is a serious crisis of alienation among the adults.

An Eskimo friend of mine—he is about my age—has spent the last 11 years taking BIA training courses—and he has never held a job in any of the many areas in which he has been trained. Too little attention has been given to training which helps him earn a living where he lives.

There is even a greater crime committed within the Indian environment. Through the pursuit of a policy—quite acceptable to our conventional wisdom—a policy which bleeds off the most able and most promising young . . . A policy which removes them from the place where they could make their most significant contributions. History shows a guided migration of the Alaska native away from the village. The crime is compounded, since many are not prepared educationally to share in the opportunities open to the rest of the Alaskan people. As a result, most drift back and forth, from the village to the city, to the village, and their talents are frustrated in the process.

I point out all these illustrations to indicate the magnitude and complexity of the problem.

Educational reform cannot be separated from a reform of the entire BIA. The problems of Indian identity, history, values, migration, success, cannot be solved piecemeal. These elements are inextricably bound.

What we teach in school has relevance for policy in every other sphere of Indian life—his economics, his values, his attitudes, his future. If we leave these other elements out, and concentrate solely upon a policy change in the school, we will not be successful *in* the classroom or *out* of it.

The elements of this problem are all wrapped up together. The school policy relates to the existence or reliability of a local tax base to run a school. The curriculum relates to the sources for economic mobility and the nature of available jobs. The construction of a school relates, most obviously to the community's decision to locate up or down river.

Likewise, the reservation systems are bound up with the problems of the States with large Indian populations. And State problems in this area are involved with Federal funds from the BIA, Federal policy toward Indians, national Indian groups, and the policies of other States.

Various proposals to resolve the long-standing Alaska native land claims question will be before Congress this year. And we are very hopeful that passage of a settlement bill will change the Federal policy toward the Alaska native, and change the BIA structure in my state. As a direct result, I am working on the entire question of the government's relationship with its native peoples. And I am quite convinced that a new policy for the American Indian is desperately needed.

The key to this new policy, as I see it, is the abolition of the Bureau of Indian Affairs. I mean here a total restructing of the system which administers the Federal obligation to the American Indian.

Although I have much Indian counsel to seek before I feel confident enough to make specific proposals, I am going to offer the criteria under which I believe such a change should take place. But before I present these criteria, I wish to offer two main arguments justifying this abolition.

First, the BIA has not failed because of a lack of concern, or because of a lack of money spent: It failed precisely because we chose the wrong vehicle to take us to our goal.

Fifty years ago 235,000 Indians were dependent upon the Federal Government, and the annual BIA appropriation was 30 million dollars. Today, 400,000 Indians are dependent upon the Federal Government, and the appropriation is more than $340 million dollars. After fifty years of work to eliminate dependency, and in the BIA's words "to create economic self-sufficiency," we are spending ten times as much money on twice as many dependents.

The village school in Kasigluk, Alaska, is a good example. There, the BIA has constructed a million dollar school with a million dollar sanitation system and the best educational equipment money can buy. But to my personal knowledge, not one student from that grade school has ever graduated from an accredited high school.

The problem doesn't have anything to do with the degree of effort, it has to do with the kind of effort. It has to do with the BIA, the institution itself. It is chartered as a wardship agency to protect the Indian. A charter out of keeping with our sense of human dignity as we recognize it today. And out of touch with reality itself.

Second, the BIA does not belong in the Department of the Interior, but since it is there, it is affected by what happens in that department.

In Australia, the Government counts the Aborigines along with the Kangaroos, Aardvaarks and Mango trees, not with the human population. Here, the Indian is in the Department of Interior, which is primarily concerned with fish, wildlife, gold, oil, lands, forests. Such classifications betray old, established attitudes, some of which are still with us.

With these thoughts in mind, I offer the following criteria for the restructuring of the Federal effort toward the American Indian:

First, we must create a policy of shared decision-making, with regional control. Indians must have real influence on the management of businesses, the curriculum of schools, and the goals of the community.

Regional groups, whether they be in reservations, States, or groups of villages, should serve as the administrative arm of the Federal funding intended for Indian benefit. Policy decisions would be shared with technical experts, when and if necessary.

A few illustrations are in order. In Alaska, a statewide federation of native groups has incorporated, and is now operating a sophisticated statewide REA project to bring electricity into the remote villages. Like any other corporation, it has hired technical assistance to help it make decisions.

A similar corporation would be created by the proposed Alaska native land claims settlement. That corporation would be owned by Alaska natives, and operated through the regional federation encompassing all of Alaska.

The Rough Rock demonstration school, on the Navajo Reservation, affords us another example. This is a school operated by Indian groups for the education and enlightenment of their own people. And this school is nationally recognized as a great success.

These illustrations are presently the exceptions to the rule, but under the new structure of the Federal effort that I foresee, these exceptions would become the rule.

The two main criteria for this new structure are, first, establishing programs for economic well-being, and second, improving Indian education, which is the primary purpose of this subcommittee. In my view, these two elements are vitally connected, and cannot be separated.

Without an economic base to support, at least in part, the local schools, there can be no local control. All people want control of their local schools. Under this new structure, we must provide the opportunity for viable economic organization in every American Indian region. As a direct result, the economic base will be provided for local schools. One solution will blend into another, just as historically one problem has tended to create another.

What I mean by the abolition of the BIA is not the abolition of the Federal obligation to the American Indian. What I am suggesting is a new structure for administering this obligation to the Indian people, a structure which is largely regional in character, which shares its decisions with the Indians themselves, which encourages economic well-being, and which solves the educational dilemma on the reservation and in the village.

Let me make it crystal clear that I advocate the phasing out, and eventual termination, of this present Bureau.

That is my proposal briefly stated. I suggest that the larger problem must, and can, be solved concurrently with the educational dilemma.

I have one final comment. And it involves the right of the American Indian to be an American Indian.

To the common heritage we, as Americans, all share, certainly the American Indian has contributed substantially. He asks now the right to live the kind of life he chooses to live, and no other kind of life. Each and every American has that right. It is characteristically American. And it is on this logic, this constitutional logic, that the Indian rests his case with the Federal Government.

In a pluralistic society, surely we are not about to require everyone to be the same. Surely there is nothing wrong with living on a reservation, or in a remote village, if that is the kind of life one wants to live. But there is something wrong when that is the only kind of life an Indian can live. When he is not free to choose.

It is our duty to provide the opportunity for that choice, that free choice. And I believe we can restructure our Federal effort, and make it responsive to regional groups. And I believe the first effort we should make, is to share responsible leadership with Indians.

Secondly, if we really want to free the Indian, we must lay down criteria which encourage economic well-being, self-sufficiency, and mobility. Under the plan I envision, this is possible, and I would hope that this committee in particular would see it as desirable.

THE OFFICE OF ECONOMIC OPPORTUNITY

Mr. **MONDALE**. Mr. President, we have learned much about the nature of poverty in the last 8 years. We have learned it means deprivation—a lack of income, of services, of hope.

Many agencies and individuals have been involved in teaching us these lessons. But no single agency has been more important than has the Office of Economic Opportunity.

I am pleased to see that President Nixon has recognized the essential role OEO programs have played. And I am encouraged to see his specific endorsement of several of the programs in the message sent to the Congress last week. I look forward to having an opportunity to review with others the proposals he announces he will submit to the Congress. Certainly there is no more important issue than the organization of the anti-poverty effort.

But as we address the issues his message raises—the role of the community action program, the location of Headstart and health services programs, among others—I believe we also should address with equal vigor a program not specifically mentioned in the Nixon message, the legal services program of the Office of Economic Opportunity.

The legal services program of OEO is one of the most important, least controversial, and most widely supported of all the OEO programs. The 265 OEO legal service local projects located in 49 States, and in the 50 largest cities, currently are providing services through 1,600 full-time attorneys to over 1 million poor people who so desperately need their help.

To the poor, legal service programs promise hope—the hope of escaping some of the daily tragedies of their lives. The efforts of legal services lawyers to prevent evictions, to deal with consumer frauds, to secure welfare payments for eligible clients mean the basics of life to the poor—housing, income, a chance to live in dignity and peace. Through dedicated effort and hard work, legal services attorneys give the poor the hope that the American way of life and the accompanying rule of law is responsive to their needs. The poor now recognize the law as something not to fear, but to trust—not as someone or something which will deprive them of their property or liberty, but as something and someone who is concerned about their problems and will help settle their grievances.

To the lawyers participating in the program, legal services means a chance to do something direct to end the double standard of justice now existing in the land, one for the rich, another for the poor, separate and unequal.

Mr. President, recent articles appearing in the New York Times and in the St. Louis Dispatch have highlighted the central and crucial role legal services have to play. A recent letter to President Nixon by a lawyer in New York State reflect the overwhelming support given the program not only by the poor, but by members of the private bar as well.

Mr. President, I agree with the St. Louis Dispatch that the "momentum" of the lawyers of the legal services program must not cease. And I agree with the New York Times that the innovative efforts of the legal services program need expansion and specific, concrete endorsement. I plan to provide that endorsement through legislation to be introduced in the near future, hopefully next week.

As a prelude to that effort, however, I ask unanimous consent to the inclusion in the Record of the editorial from the New York Times, the articles from the St. Louis Post Dispatch, and a letter from Irwin Birnbaum of Syracuse, N.Y.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the New York Times]

Legal Inequities

The pioneering support given to the legally disadvantaged through the Office of Economic Opportunity's legal services division needs expansion and specific legislative endorsement. If the storefront law operations across the country are cut off by the Federal Government and the legal profession, these daring programs to provide equality in the courts will cease.

It has long been a shameful fact that in both civil and criminal courts there is a law for the rich and a law for the poor. Equal justice under law simply does not work unless people who cannot afford legal representation are considered as clients instead of charity cases. For the past three years almost every state has had at least one community law office operating because of Federal help.

Associate Justice William J. Brennan Jr. of the Supreme Court underscored the great but silent need in his recent talk at Notre Dame. "The social and legal problems of the disadvantaged and outcast groups and individuals are novel and complex for the practicing bar," he said, "not the least because they involve precisely those in our society who traditionally have not been the clients of the legal profession."

The bench and bar must realign attitudes toward poor clients. The Legal Aid Societies in New York and other cities and public defender attorneys have contributed much toward this noble goal. Now the O.E.O. legal services program has blazed new trails in this direction by staffing 350 law offices in 255 projects with 1,800 full-time lawyers. Unless O.E.O. continues and expands, the "legal inequities" Justice Brennan has warned against will be perpetuated.

[From the St. Louis (Mo.) Post-Dispatch, Feb. 11, 1969]

Lawyers Turning to Aid to Poor

(By James C. Millstone)

Washington, February 11.—From New England to California, America's young lawyers and law students are building the momentum that is driving their slow-moving profession toward the empty but beckoning arms of the unrepresented poor.

Only in recent years has the legal profession acknowledged that it never really has served the needs of vast numbers of persons who have little money and multiple problems. And only in recent years have newcomers to the profession begun to protest against that omission.

Law professors, private practitioners, recent graduates and others close to the situation now have become increasingly aware of a growing trend: More and more good young lawyers not only want—but are demanding—a chance to work with the poor.

One man who has seen it is William Klaus, a partner in Pepper, Hamilton and Scheetz, one of Philadelphia's largest law firms.

"Fifteen years ago," he said, "the best thing that could happen to a Harvard Law School graduate was to get into one of the top 10 firms. Now these young men will bargain with you. They want to know how much free time you'll give them to work with the poor.

The old-line Wall Street firms are feeling the pinch. Traditionally the mecca for the nation's top law students, Wall Street has been forced to recruit intensively to keep young blood flowing. Even a 50 per cent increase in starting salaries—from $10,000 to $15,000—has not solved the problems of Wall Street firms in re-establishing themselves with the graduates.

John M. Ferren was graduated from Harvard Law School in 1962. He quickly accepted a position with Chicago's largest law firm.

"It wouldn't have occurred to me to do anything else," Ferren said. "But after a year and a half. I began to feel very empty. I was cranking out loan agreements and stock registration statements. I couldn't find any real interest in what I was doing, helping the giant corporations.

"I began to think, 'What am I doing here?' "

Today, Ferren is director of the Harvard Legal Services Program, a law office staffed by four full-time lawyers and 120 law students to help the poor in the Cambridge, Mass., area. It is funded by the Office of Economic Opportunity.

The OEO program, founded four years ago has been a major catalyst in the movement of the law toward the poor. For the first time, resources were provided to enable the legal profession to work with poor people where they lived. And, at the same time, the OEO opened new employment opportunities for the new breed of socially aware young lawyers.

The appeal of the OEO program to law students cannot be overstated. In effect, it has given the private law firms a run for their money in attracting the best young legal brains in the nation.

E. Clinton Bamberger, the first director of the Legal Services Program and now a partner in Baltimore's biggest law firm, Piper and Marbury, said that the kind of lawyer who used to apply for a job at the firm was precisely the kind now going into antipoverty work.

"He buttons his collar down," Bamberger said. "His ties are striped. He went to Harvard and made Law Review. But he didn't apply to us. He went to OEO."

Ferren told how the program captured the imaginations of Harvard students from the very beginning.

"When this program opened up in the fall of 1966," he related, "I scheduled an explanatory meeting and signed up for a room big enough to seat 100 students. I thought maybe I was too optimistic. Well, I had to get another room because 300 students showed up. There is a fantastic interest in this program, and it has increased since it started. We can't accommodate all the students who want to work in the program."

The latest piece of evidence showing the wellspring of interest among law students in antipoverty work was the response to a modest OEO recruiting campaign for applicants for the Reginald Heber Smith fellowship program. For Smith Fellows, the Government takes outstanding law graduates or young practitioners, gives them five weeks of special training in poverty law and sends them to work for a year in a neighborhood law office. Fellows are paid at least $9500 a year.

In the first year, 250 persons applied for Smith fellowships. Last year there were 500 applications. This year, 1200 applications came in, meaning that about one of every 15 new law graduates in the United States wanted to get into the antipoverty program. Harvard had 72 applicants, more than 10 per cent of its graduating class. Yale University had 38, the University of Chicago 29, the University of Michigan 43, and Stanford University 25.

The quality of the applicants was uniformly high. One third were in the top quarter of their class and 160 of them were in the upper tenth. Twenty-two applicants were either first or second in their class. Several law professors and one assistant dean applied. So did law clerks for three judges of the Mississippi Supreme Court.

Michael J. Davis, 26 years old, was graduated from the University of Michigan Law School in 1967. The Smith fellowship program turned out to be exactly what he was looking for.

"There weren't very many channels available for poverty work, and that's what an awful lot of us want to do," Davis said. "Most of the jobs were as staff attorneys in legal aid offices. That meant very low salaries and pretty dull work.

"This program trained you well, paid you well and assured you of a chance to get into a lot of the more interesting aspects of the law."

Davis was one of the first 50 Smith fellows. He spent a year working with the poor in Kansas City and now has graduated into a post with the Legal Services Program in OEO headquarters here. He said that even those involved in the Smith fellowship program were surprised by the tremendous response from law students this year. Because only 250 fellowships can be given, Burt Griffin, Legal Services program director, is trying to find a way to use the talents of most of the other applicants in neighborhood law offices.

Peter L. Wolff, assistant to the executive director of the Association of American Law Schools, said that OEO officials "shouldn't have been surprised" at the big response.

"Anybody connected with legal education wouldn't be surprised," he said. "Students have provided the impetus for the whole development of poverty law. They don't care about going to the big, fancy law firms any more. They are concerned with doing a different kind of work."

One result, Wolff said, is that poverty courses in law schools have increased by 10 times in the last two years. This development is portending important changes in legal education, he said.

"You don't really have to learn commercial law the standard way," Wolff said. "The type of thinking we are trying to instill is valid if clients are rich or poor."

In fact, Wolff said, the "sense of involvement in society" being demonstrated by so many of today's students "will make them better lawyers."

Not just the law schools are reacting to the demands of youth. The competition for the best young men is forcing the established private law firms to re-examine their policies in serving the poor. The bait of higher starting salaries is one response. Another is the increasing willingness of the firms to give young associates the time to work on projects and cases that generate no fees and bring in no business.

Students at Stanford University Law School voted overwhelmingly a few months ago to find out in advance what prospective employers had to offer in the way of free time for work with the poor.

In a referendum, the students approved by a 4-to-1 margin the concept of sending questionnaires to all law firms scheduling campus interviews with members of the graduating class. Among the questions: "What opportunities are open to a young associate in your firm to become involved in activities related to racial and urban problems? Do you encourage such involvement? How many associates and partners participate in such activities?"

Jack Friedenthal, professor of law at the school, said that to his knowledge this was "the first time anything like this was ever done." The questionnaires went out last October. Friedenthal said that most firms responded that they encouraged participation in such activities and tried to give specific examples.

There is nothing new about the most prominent lawyers in a city serving on boards of charitable agencies or holding other civic positions. What is new is the beginning of a movement by the best law firms into the slums, where their facilities are made available to the poorest element in the community.

For the most part, that movement is represented by the willingness of firms in some cities to backstop OEO neighborhood offices. A few firms have gone beyond that. Two Philadelphia firms—Pepper, Hamilton and Scheetz together with Morgan, Lewis and Bockius, with a combined total of 120 lawyers—are manning a slum law office that was opened last summer. Klaus said that half of his company's lawyers work at the office at night, on a voluntary basis, and the firm gives them whatever time they need for the work.

In Baltimore, Marbury and Piper is planning to open a slum branch office by the end of the year, a development that is being watched closely by other firms in other cities.

Explained Bamberger, "If a law firm like this is going to do more than just mouth its commitment to the community, it has to go where the poor can find it. You can't do much for the poor on the ninth floor or the downtown bank building."

Some lawyers dispute the thesis that young people are the driving force in the painfully slow effort to swing legal practice in the direction of the ghetto. Ferren and Klaus are not among them.

"The response of the law firms would never have happened had not the law students made this a demand of their employment," Ferren said.

Said Klaus, who as board president of Philadelphia's Community Legal Services spends half his time on the antipoverty program, "This generation itself has a greater sense of social awareness. A goodly number of really competent young lawyers are going into this field. Every major firm in this city has some kind of structure to permit men to do this kind of work."

Klaus views the upsurge of interest among young lawyers in working with the poor as having a significance far beyond its effect on legal practice.

"These people are going to be a tremendously effective force some day," he said. "They are going to rise to the top of their profession. They'll be the heads of law firms; they'll be corporate presidents; they'll be in public office.

"Their exposure to the ills of America won't rub off. Nobody who goes to work in a storefront (law) office in the slums is going to come out unscathed, and they're not going to forget what they've seen.

"When these men rise to positions of power in this country, as they inevitably will—say 10 years from now—they're going to have a tremendous impact on the nation."

January 27, 1969.

Richard Nixon,
President of the United States,
The White House,
Washington, D.C.

Dear Mr. President: As you undertake your reappraisal of OEO activities throughout the Country, I hope that you will consult with the American Bar Association, the Lawyers Committee for Civil Rights and various Bar Associations throughout the Country before making any decision with regard to the OEO sponsored neighborhood legal services program.

The legal services program in Onondaga County, New York, has been one of the most effective weapons against both crime and poverty which the OEO has maintained in this area.

Respectfully,

Irwin Birnbaum.

EUGENE L. VIDAL

Mr. MUNDT. Mr. President, it is with deep regret that I invite attention to the death of a great American who is regarded as one of the outstanding sons of South Dakota. I refer to the passing of Eugene L. Vidal, former Director of Air Commerce in the Department of Commerce, and one of America's early, persistent, and effective advocates for the development of an outstanding civilian aviation service.

Eugene Vidal was also one of the outstanding athletes produced by the State of South Dakota, having represented the United States in the Olympics and having served for a time as a coach at West Point Military Academy. Eugene Vidal was born in my hometown of Madison, S. Dak. One of my boyhood thrills was to watch and applaud his athletic prowess. His brother, retired Air Force Gen. F. L. "Pick" Vidal, now lives in Washington, D.C.

I ask unanimous consent to have printed in the Record the obituary notices as published in the New York Times and the Washington Post.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the New York Times, Feb. 21, 1969]

Eugene L. Vidal, Aviation Leader: Former Commerce Aide, 73, Dies—Olympic Athlete

Los Angeles, February 20.—Eugene Luther Vidal, former director of air commerce of the Department of Commerce, died today in Palos Verdes after an illness of several months. He was 73 years old and lived in Avon, Conn.

Mr. Vidal is survived by his widow, the former Katharine Roberts; two sons, Gore Vidal, the writer, and the Rev. Vance Vidal; a daughter, Mrs. Valerie Hewitt; a brother, F. L. Vidal, a retired Air Force general, and two sisters, Mrs. Merle Lloyd Jones and Mrs. Fred Sutton. Gore Vidal is the son of Mr. Vidal's first wife, the former Nina Gore, from whom he was divorced in 1935.

AIDED CIVIL AVIATION

As director of air commerce from 1933 to 1937, Mr. Vidal promoted the growth of civil aviation. He pushed the construction of airports and beacons, encouraged private flying and the manufacture of small planes, advanced commercial aviation and reorganized Government control of commercial flights.

After leaving the Commerce Department, he set up a research laboratory near Camden, N.J., where he developed a process for making the fuselages, tails and wings of airplanes from molded plywood.

A small man, lean and muscular, Mr. Vidal was a brilliant athlete in his college days. He was born in the small farming town of Madison, S.D., on April 13, 1895. He was offered athletic scholarships by the Universities of South Dakota, Nebraska and Minnesota. He graduated as a civil engineer from the University of South Dakota in 1916 at the head of his class, with letters in football, baseball, basketball, and track.

He went on to the United States Military Academy at West Point, where he was an all-American halfback. After graduation in 1918 he became a member and coach of two American Olympic teams. In 1920 at Antwerp he placed second in the pentathlon. He coached the American pentathlon entries at Paris in 1924.

He was commissioned in the Army Engineers Corps in 1918, but soon switched to the Aviation Division of the Signal Corps. After qualifying as a pilot, he was detailed to West Point as an instructor, the first Army airman to serve in that capacity.

COACH AT WEST POINT

Mr. Vidal served as a volunteer track and basketball coach and backfield coach of the football team at West Point until he resigned from the Army in 1926 to enter private business. He became assistant general manager of Transcontinental Air Transport. Later he organized the first every-hour-on-the-hour plane service between New York and Washington.

After leaving the Commerce Department, Mr. Vidal served as a director of Northeast Airlines and a consultant to the air transport and aviation industry. He was aviation adviser to the chief of staff of the Army from 1955 to 1965. He had been a member of the Army Scientific Advisory Panel and the Transportation Corps Advisory Committee.

[From the Washington (D.C.) Post,
Feb. 22, 1969]

Eugene Vidal, Air Director at Commerce

Eugene L. Vidal, former director of air commerce for the Commerce Department and a strong advocate of an extensive civilian aviation fleet, died of cancer Thursday in Los Angeles. Mr. Vidal, the father of author Gore Vidal, was 73 and lived in Avon, Conn.

Having established the first hourly air service between New York and Washington, Mr. Vidal became the director of air commerce in 1933 when President Roosevelt reorganized the onetime aeronautics branch.

Mr. Vidal urged the building of an extensive civilian aviation force that, in case of war, could supply manpower, equipment, technology and factories for a rapid build-up of military air power. He foresaw that if commercial aviation were to succeed, faster and bigger planes had to be built to lower cost-per-mile operating expenses. To this end, Mr. Vidal was a strong supporter of Federal financing of aviation technology.

Envisioning a family plane comparable to the family car, Mr. Vidal hoped to see the development of a Model-T for the airways—a "poor man's" plane.

His other hopes included the extensive use of seaplanes to connect cities located on rivers, lakes or oceans. Even in the 1930s airports were located too far from major cities, and Mr. Vidal saw seaplanes landing at seaports as a solution.

It was one hope that had never materialized.

But there were others that did. Airways acquired electronic and visual navigation aids, some 1000 landing field projects—many of them New Deal projects—sprang up around the country and commercial aviation came in to its own, despite a series of fatal air crashes in 1936.

Mr. Vidal resigned his government post in mid-1938 to become an aviation consultant.

He married Nina Gore, daughter of Sen. Thomas P. Gore of Oklahoma, in 1922 in a ceremony attended by most of official and social Washington.

The couple subsequently was divorced. Mrs. Vidal later married Hugh D. Auchincloss and Mr. Vidal married the former Katherine Roberts of New York.

Born in Madison, S.D., Mr. Vidal received a civil engineering degree from the University of South Dakota. He excelled in athletics and studies at West Point, was an all-America halfback and competed in the 1916 Olympics. He graduated high in his class of 1918 and served in the Army Corps of Engineers before earning his wings.

Mr. Vidal was a founder of the Ludington Line that set up the New York-Washington shuttle, served as a director of Northeast Airlines, was assistant general manager for Transcontinental Air Transport and recently served as an aviation adviser to the Army.

Mr. Vidal is survived by his wife, sons Gore of New York and Vance of Tucson; a daughter, Valerie, who lives in California; a brother, retired Air Force Gen. F. L. Vidal, of Washington, and two sisters.

MID-ATLANTIC AIR POLLUTION CONTROL COMPACT

Mr. RIBICOFF. Mr. President, I am a sponsor of the resolution to enable the Federal Government to join the mid-Atlantic air pollution control compact. I am pleased to join the distinguished Senators from Connecticut, New York, and New Jersey in this endeavor. The compact will eventually bring together these three States as well as Pennsylvania and Delaware in a comprehensive and unified effort to combat air pollution.

This effort is urgently required. Air pollution is an interstate problem. It knows no political or jurisdictional boundaries. The innocent and guilty suffer alike. The vagaries of the atmosphere and the wind can transport poisoned air from city to city and State to State. The Travelers Research Center in Hartford, Conn., reports that pollution emanating from New York City can affect towns in Connecticut as far east as New Haven.

But often our efforts to abate air pollution are hindered by the very jurisdictional lines which the problem itself ignores. One city can issue and enforce excellent and strict emission standards yet remain subject to poisoned air because a neighboring city has failed to act.

Air pollution must be attacked on a regional basis. This is why I strongly support the proposed compact. I know that officials from Connecticut have talked and worked with leaders from other States in an effort to find regional agreement on this problem. The concept of an interstate compact has been chosen as the best means for interstate cooperation. The States want to cooperate, and I believe the Federal Government should ratify and join this progressive effort.

The compact would create a Mid-Atlantic Air Pollution Control Commission. The Commission would investigate the causes and effects of pollution. It would establish emission standards and the necessary means to enforce these standards. The Commission would also undertake further research in the field of prevention and abatement of air pollution. These efforts will supplement and extend the constructive work presently being done at all levels of government.

Mr. President, we all know the dangers of air pollution. It can kill and infect, corrode, and discomfort. Its presence can shroud the sunlight from our view.

Air pollution corrodes our buildings and damages our agricultural crops. The annual cost of this problem to the Nation is estimated to be over $12 billion.

Dirty air also kills. Pollution has been linked to the growing incidents of lung cancer, emphysema, chronic bronchitis, and asthma. At its worst it can cause millions of Americans in our industrial cities to cough and choke.

Mr. President, I commend the energetic efforts of the States involved in this compact to meet the problem of air pollution. The Federal Government, too, has taken important steps in this direction. But much more remains to be done in this field. We must strengthen our efforts by making industry a partner in the program to end air pollution. We must allow private enterprise to do its part by installing the newest and most advanced air pollution abatement equipment. For many years, I have introduced and supported legislation to allow industry a tax incentive for installing pollution control devices. I believe that by allowing industry to amortize the cost of pollution control devices over the period of 3 years will enable many companies to speed their efforts to protect our environment. We need this cooperation on all levels, and tax incentives of this type would be in the public interest.

SOYBEANS

Mr. PERCY. Mr. President, an issue of grave concern has arisen in our economic relations with the European Economic Community. The EEC is currently proposing to place an internal tax on oils, meals, and oil-bearing materials consumed in the EEC. The proposed tax of $60 a ton on soybean oil and $30 a ton on soybean meal would severely affect soybean oil and meal exported from the United States.

The $60-a-ton tax on soybean oil would constitute an effective tariff barrier of over 50 percent. The $30-a-ton tax on soybean meal would be equivalent to a 35- to 40-percent tariff rate on soybean meal exports.

This proposed action by the EEC is a purely protectionist device, designed to make the United States pay the penalty for the EEC's own agricultural policy failings which have led to unmanageable butter surpluses and growing supplies of feed grains. The EEC is already the world's best practitioner of protective agriculture trade barriers through the use of its variable levy system. Now it hopes to relieve its surpluses through keeping U.S. soybean oil and meal out of its market.

The United States cannot condone this action by the EEC. Annual exports of soybeans and soybean products from the United States amount to more than $1 billion annually. In 1968, soybean exports to the EEC alone amounted to $457 million and represented one-third of all our agricultural exports to the EEC.

Foreign sales of soybeans are vital to the U.S. farmer and to the U.S. balance of payments. This issue is of particular concern to the State of Illinois which is the largest soybean producing and exporting State in the country.

I call upon the Secretary of Agriculture, the Secretary of State, and other officials of this Government to make clear to the EEC in the strongest possible language this Government's grave concern over this tax. We must do everything we can to preserve the EEC market, as the loss of this market would have severe adverse effects on U.S. soybean producers, processors, and distributors.

The EEC should bear well in mind that such action would only be self-defeating. If the United States cannot sell its goods in Europe, the United States cannot buy Europe's goods in the United States. The United States cannot afford to stand by and allow this tax to go into effect.

I urge the U.S. Government to take all possible actions to get the EEC to void this proposed tax.

TRIBUTE TO THE LATE SENATOR BARTLETT, OF ALASKA

Mr. ANDERSON. Mr. President, I wish to join Senators in paying tribute to the memory of Senator Bartlett.

Few Members of Congress were more closely identified with the States which they represent than was Senator Bartlett, of Alaska. He was born of Alaskan parentage and spent his entire life working in and for Alaska. He was proud of that great land, its rugged beauty, its grandeur and its vast potential.

My first immediate contact with Bob Bartlett came at the time I was chairing the hearings on Alaska's statehood. At the beginning, I was opposed to the idea of Alaskan statehood. But Bob Bartlett was an able spokesman for the cause of his area. He quickly established himself as a credible proponent and we found we could rely on his arguments and integrity as the issues were presented on both sides. Through his assistance we were able to discover the personal interests of those groups opposed to statehood and to recognize that facts were not always as these opponents propounded.

His role was a major one in the ultimate success of obtaining statehood for his people. So it was fitting that he was honored by those people in being elected as their first representative in the U.S. Senate.

In 1964, I found myself again involved in the affairs of Alaska when President Johnson appointed me chairman of the Federal Reconstruction and Development Planning Commission for Alaska after their tragic earthquake devastated large areas of the State. Countless hours were spent by the Commission in organizing to provide Federal assistance to bolster the shaken economy of the State. Again, I witnessed the dedication and love that Bob Bartlett felt for Alaska. He was truly committed to seeing that all possible help was made available and that the Commission received full cooperation.

As a Senator, he was a quiet and efficient workman. He was loved and respected because of his honesty and great devotion. In remembering his contribution I am reminded of the words of Sir Henry Newbolt:

To count the life of battle good
  And dear the land that gave you birth,
And clearer yet the brotherhood
  That binds the brave of all the earth.

I extend to Mrs. Bartlett and to all the family the sincere sympathy of Mrs. Anderson and me.

SENATOR EAGLETON DEFINES "PORK BARREL PROJECTS"

Mr. SYMINGTON. Mr. President, over the years various critics have attacked water resources projects by labeling them "pork barrel." In a recent statement, my colleague from Missouri (Mr. EAGLETON) pointed out, however, that not only are these projects far from "pork barrel"; they usually pay for themselves many times over.

One of the major problems facing advocates of water resource development projects today is the failure on the part of Government agencies involved in the evaluation of the benefit-cost ratio to count all the benefits; and in that connection Senator EAGLETON, a member of the Public Works Committee, cites several clear examples of "stingy" estimation of benefits on Missouri projects. These examples are but additional proof that public works projects are investments in the future well-being of the people of this Nation.

I ask unanimous consent that Senator EAGLETON's remarks before the Mississippi Valley Association on February 10 be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

SPEECH DELIVERED BY SENATOR THOMAS F. EAGLETON, DEMOCRAT, OF MISSOURI, TO MISSISSIPPI VALLEY ASSOCIATION, SHERATON PARK HOTEL, WASHINGTON, D.C., FEBRUARY 10, 1969

I am here today to speak to you in behalf of "Pork Barrel Projects." Pork Barrel Projects . . . the image these three words conjure up to the average taxpayer! As the Book of Job states: "How forcible are tight words."

The history of our times is a history of phrases—"big government," "States rights," "government dole," "boondoggling," and, of course, "pork barrel projects." Wendell Wilkie displayed insight when he noted, "a good catchword can obscure analysis for fifty years."

As you may know, a pork barrel project is any public works expenditure outside your own district. Thus to most Missouri taxpayers, water resource projects from Maine to California are so defined.

These projects are not, however, to be confused with useful, necessary and even imperative projects in Missouri which provide economical use of water resources through flood control or the prevention of bank erosion or the creation of power and additional recreational facilities—projects like the Stockton, Kaysinger Bluff, Clarence Cannon and Meramac Park Reservoirs or the St. Francis River Basin, St. Louis and Vicinity, and the Kansas Cities, Missouri and Kansas, Local Protection Flood Control Projects.

The fact is that "pork barrel projects"—wherever they are—are usually anything but. As you know, for a project to be authorized, it must survive rigorous benefit/cost ratio evaluation by the Corps of Engineers and further scrutiny by the Bureau of the Budget and the various Committees of Congress.

And these benefit/cost ratios are often underestimated—one might even say stingy. In my home state the Clarence Cannon Dam and Reservoir was authorized with a benefit/cost ratio of 1.3 it is now 1.6; Kaysinger Bluff Reservoir was authorized with 1.13, it has risen to 1.3; local protection for Kansas Cities, (both Missouri and Kansas), has risen from a 1.8 ratio to 8.3; and local protection at St. Louis has risen to 4.5 from an initial estimate of 1.4.

This process of careful and even conservative evaluation and review has resulted in a highly productive series of water resource projects throughout the country. A study done in Fiscal Year 1968 indicated that the difference between the estimated cost at the time of authorization and the full cost at completion rose only by one-tenth of one percent—from $734,637,000 to $735,502,000—a truly remarkable record when one considers that cost estimates for the annual presentation to Congress must be prepared on current prices, that some of these projects were under construction for 8 to 10 years during which time the Engineering News Record reported that the general cost of construction had increased by about 4½ per cent.

In December, 1968, the interest/discount rate used in the benefit/cost ratio of water resource projects was increased.

Few would argue that such an increase was justified, if accompanied by a directive to evaluate both primary and secondary project benefits more realistically. However, most experts agree that a one-sided increase can be disastrous for water resource projects.

I need not belabor the possible consequences of this action. I would, however, warn that political pressure continues for a further increase from 4⅝ per cent to 7½ per cent or more.

I will oppose such an increase.

I am also contacting the members of the Water Resource Council to urge a more realistic approach in the calculation of benefits.

As you know, the Council, which was created under P.L. 89–80, is empowered to establish, after consultation with other interested entities and with approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects.

I will ask that the Council set standards for use in benefit/cost computation which would bring project benefit estimates in line with reality. Such revisions would include both more reasonable estimates of primary benefits and the inclusion of secondary benefits.

The authority to do this requires no new policy authorization—only full implementation of existing policy as stated in Senate Document 97:

"A comprehensive public viewpoint shall be applied in the evaluation of project effects. Such a viewpoint includes consideration of all effects, beneficial and adverse, short range and long range, tangible and intangible, that may be expected to accrue to all persons and groups within the zone of influence of the proposed resource use or development."

Present methods of project evaluation are narrow, usually failing to go beyond the narrow commercialized definition of primary benefits.

Flood control projects, for example, presently consider the benefits of property damage to be averted but fail to include the many secondary benefits—often greater—such as the avoidance of loss of business and payrolls during the period of inundation and reconstruction and the hazards to health and human life itself.

We must possess the vision to realistically calculate the long term benefits which accrue as well as the cost. The present approach lacks that vision.

We must remember that these projects are built not only for today, not only for the 70's, but for the year 2000 and beyond.

SOCIAL POLICY—A MEASURE OF QUALITY

Mr. MONDALE. Mr. President, on February 7, Time magazine printed an excellent article entitled "Social Policy—A Measure of Quality."

This article reviewed HEW's "Toward a Social Report." "Toward a Social Report" is a preliminary working model for the annual social report which would be submitted to Congress by the President if the Full Opportunity Act of 1969—S. 5—were enacted.

S. 5 declares full opportunity for every American to be a national goal. This bill which I introduced last month would establish a Council of Social Advisers. This Council would not only advise the President of the United States on the present quality of American life but would, as well, make recommendations to the President designed to improve the quality of our life. This would require a simultaneous research effort to develop a set of "social indicators." These "social indicators" would be used by the Council to help them evaluate the quality of our life.

As the article indicates, HEW's report notes that since we do not have such a set of indicators we are unable to say with any certainty or competence whether or not the money spent by the Government to improve education, for example, is in fact "contributing to better learning." The Time article also alludes to some of the difficulties associated with social reporting in general. One such difficulty is the absence of a sophisticated model for the social system comparable to the model for our economic system. This, of course, underscores our need to do more research in the "social indicators" field. Sophisticated "social indicators" will enable us to determine if we are in fact improving, for example, our educational system or any social dimension of our lives.

Mr. President, I ask unanimous consent that the article entitled "Social Policy—A Measure of Quality," published in the February 7 issue of Time magazine, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Social Policy—A Measure of Quality

The U.S. Government produces $150 million worth of statistics a year on everything from coal production to babies. Many of these figures form the basis of the President's annual Economic Report, a key aid to businessmen and Government planners in measuring the nation's economic health. Now a task force of experts has shown how this mountain of figures, plus a number of critical new ones, could be used by social scientists to prepare an annual report that would measure the quality of American life—not how much but how good.

This is the basic argument of a farewell gift to President Nixon by the Johnson Administration: a 198-page volume called *Toward a Social Report*, prepared under the direction of Mancur Olson, an economist with the Department of Health, Education and Welfare. Two years in the making, the study charges that while the U.S. has—in theory, at least—learned how to regulate its economy, it has been ill-prepared to predict riots or determine its social needs and goals. *Toward a Social Report* contends that systematically marshaling "social indicators" would provide the nation with a working tool for the setting of social priorities.

The study, for example, points out that despite statistics showing dramatic progress in medical care over the past decade, the amount of time the average American can expect to spend in a sickbed or an institution has remained static. Illnesses stemming mainly from cigarettes, alcohol and a rich diet have undercut the advance.

SECOND MARRIAGES

Although vast sums are spent by the Government on education, the report says, relatively little is known about whether the money is really contributing to better learning. And for all the talk of rising crime rates, there may have been an actual decrease in the harm that crimes do to people. Religious leaders worry about the rising divorce rate. Still, notes the report, the percentage of the population that is married has risen 7.5% since 1940, largely because of the increase in second marriages.

With becoming modesty, the study acknowledges that such measurements are crude and tentative. The social sciences are still new disciplines with expanding boundaries. According to Social Psychologist Raymond Bauer of Harvard, "Our hang-up is that we don't have a model for the social system anywhere as precise as what the economists have for the economic system." Nor do the social scientists have a measurement for social values akin to the dollar, although one possible theoretical unit is called the "utile," used by economists to weigh the price people would pay to avoid the sonic boom of an SST, for example, as against the economic benefits that the plane would give them.

SYSTEMS ANALYSIS

The HEW document joins the academic optimists who contend that the long-run benefits of better social calculation can be as immense as those of economic accounting. Already, the report says, tools are being developed for measuring such basic concerns as powerlessness, job satisfaction, freedom of expression, and even the obtuseness of bureaucrats. Eventually, these and other measures might make possible a hardheaded "systems analysis" of the efficacy of government programs.

Like all scientific knowledge, the statistics in a social report could be misread or manipulated to justify dubious policies. Or they could simply be ignored. But the U.S. Government's use of the social sciences is becoming increasingly sophisticated, and it has some impressive legislative support. Minnesota's Senator Walter Mondale has introduced a bill that would set up a social report and a presidential Council of Social Advisers. "In the social field," he says, "the decent intentions of a decent politicians were once good enough, but that is no longer true." A leading supporter of Mondale's bill last year, and a member of the academic group that advised the task force, is Nixon's new urban-affairs adviser, Daniel Moynihan. Statistics can be revolutionary, he points out in a new book, *Maximum Feasible Misunderstanding*; all too often, it is only when a problem can be counted that citizens begin to think it counts.

NOTED EDUCATOR DR. PAUL McKAY

Mr. PERCY. Mr. President, the January 25 issue of the Decatur, Ill., Review reprints a speech by the highly respected educator Dr. Paul L. McKay, president of Millikin University, which is located in Decatur. Dr. McKay spoke at a meeting of the Decatur Rotary Club on the timely question of student unrest on campus.

Dr. McKay's views on the politics of confrontation are especially interesting. He states that ultimatums can never take the place of rational discourse and debate in our country. As he put it:

> I do not find ultimatums productive of rational discourse or debate. The politics of confrontations— which is the term for submission—is not the best method of decision-making. I am still influenced by the fallout of the democratic process. I will talk. I will listen. (But) I will engage in no shouting matching.

Mr. President, I ask unanimous consent to have this excellent speech printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

[From the Decatur (Ill.) Review, Jan. 25, 1969]

A Frankenstein or a Child of Promise? Millikin President Reflects on Revolution

(By Dr. Paul L. McKay, president, Millikin University)

(Note.—These remarks by Dr. Paul L. McKay, president of Millikin University, are from a talk delivered Monday at a meeting of the Decatur Rotary Club.)

There is an oriental proverb which reads: "My friend, may it be your fate to be born in an interesting age."

No one needs to wish this for us today. As we look into our satellite-streaked sky, as we see man, through science and technology, freeing himself from earth's gravitational plane, we know that we have entered into a new and different age.

Oliver Wendell Holmes observed that "it is required of a man that he should share the passion and action of his time—at peril of being judged not to have lived."

Revolutions were not as noisy in Rip Van Winkle's day as in ours. I suspect that history has not dealt fairly with Dame Van Winkle in placing such a large burden of responsibility upon her for Rip's 20-year nap. At best he was perpetually thirsty and possessed little awareness of his world.

REVOLUTION HAS BEGUN

First of all I would like to say that I do not believe that we are on the verge of a revolution. The revolution has already begun. One world is dying and a new one is being born. No one knows whether the birth will bring forth a Frankenstein or a child of promise.

When I refer to revolution I mean more than a tremendous explosion of knowledge, or population, or projection into outer space. I am referring to man's response to the world which has been created through the interaction of people, forces and events.

In my reflection, shared aloud today, I do not care to indulge in speculation as to what constitutes progress in human affairs, or make guesses as to whether the word is getting better or worse. I do, however, propose to support the proposition that the world changes, and that man changes. Some of the changes are subtle and pass almost unnoticed. Others are accompanied with shots heard around the world.

Homo sapiens, the species of man, as we now know him, dates from about 50,000 B.C. His recorded history goes back for about 5,000 years.

Our immediate ancestors, Neanderthal men, were succeeded by Cro-Magnons, the first modern man who appeared in Europe toward the end of the Glacial Period.

MAN'S HISTORY BRIEF

As we read man's brief history, we mark his development as he uses crude utensils of chipped stone, through the stage of polished stone, to the use of bronze and iron. We mark his movements from food gatherer and hunter to herder and finally to farmer and city dweller.

Man has moved from Stone Age to Bronze Age, to Iron Age and to the age of the wheel, steam, electricity and atomic power.

Each stage of the more important discoveries constituted a hinge of history. The doors opened out on a different world. The old order gave way to a new era.

As men utilized these discoveries they in turn came under the influence of their own invention. What they first molded, later molded them. They changed in radical ways. Their life styles were altered. Their patterns of response were different. Communication gaps—and battles between the generations—took place long before modern psychoanalytic terminology was created to describe the process.

There was an Indian philosopher who taught the doctrine that nothing was real, all was illusion. His teachings emphasized this view so vigorously that one day his students determined to test their teacher's commitment to his own philosophy.

CONFRONTING DILEMMA

At the appropriate hour when the philosopher has retired for contemplation, they released a wild elephant in his garden. From their place of concealment they watched the philosopher confront his dilemma. If all were illusion, then he would surely ignore the danger, whatever the risk. Much to their surprise, the renowned teacher picked up his heels and ran as fast as he could to the nearest tree and hurriedly climbed to safety. As soon as the students had captured and removed the animal, they questioned their master about his undignified flight. After all, they pointed out, his belief centered on the concept that all was illusion. "Why did vou run from the elephant?" they asked. The sage looked down from his tree and with a gentle smile replied, "What elephant?"

Margaret Meade recently said, "no one will live all his life in the world into which he was born, and no one will die in the world in which he worked in his maturity."

I think of man's character as the system of his sustained response. I believe that the nature of man's response is different at one period of history than at another. Sometimes it is only the anthropologist, the archeologist, or the historian who understands why societies or cultures change. This understanding all too frequently comes only in the postmortem—which is too late for therapy.

WHO KILLED DIPLODOCUS?

Perhaps the largest creature ever to roam the North American continent was the diplodocus—a huge dinosaur. In the Carnegie Museum in Pittsburgh there is a mounted skeleton of a diplodocus taken from the ancient rocks of Wyoming. This animal was 87 feet long, 65 feet of which were behind the pillar-like leg supports. If this giant were to have met and battled with one of the largest creatures now living, such as an elephant, (the wild one that did exist!) the elephant would have stood little chance of success.

Who killed diplodocus? No one did. The atmosphere changed and the diplodocus did not adjust to the new environment. In his voluminous "Story of Man" Toynbee has had something to say regarding the passing of civilizations.

I will only have opportunity to take one or two concepts and show how they have altered what we call man's character or basic structure of being.

It was only toward the end of the Middle Ages that the concept of time in the modern sense began to develop. Minutes became valuable: A symptom of this new sense of time is the fact that in Nuremberg the clocks have been striking the quarter hours since the Sixteenth Century. Time was so valuable that one felt one should never spend it for any purpose that was not useful. Work became increasingly a supreme value. A new attitude toward work developed and was so strong that the middle class grew indignant against the economic unproductivity of the institutions of the church.

These new forces found expression through one named Martin Luther who served as a midwife bringing into birth our modern understanding of the importance of time and work. These became psychological foundations that have at least until recently sustained capitalism in its modern development.

What has been referred to by scholars as "the protestant ethic" was shared in the Western world by capitalists of all faiths. The "protestant ethic" focused on the importance of time and the inherent value of work.

Dr. Eric Fromm has pointed out that this new attitude "may be assumed to be the most important psychological change which has happened to man since the end of the Middle Ages. . . .

"What was new in modern society was that men came to be driven to work not so much by external pressure but by an internal compulsion, which made them work as only a strict master could have made people do in other societies.

"There is no other period in history in which free men have given their energy so completely for the one purpose: work." ("Escape from Freedom").

There would seem to be a growing body of evidence to support the thought that man's attitude toward time and work have changed or are now in a state of flux. I do not mean that your attitude toward work has changed—or that my attitude has changed—presumably we are still driven by these beliefs that have characterized the Industrial Age and have given us the affluent society.

PSYCHOLOGICAL SYMBOL

The guitar is a psychological symbol of the vagabond—one who puts a different value-stress on time and work. (Obviously not everyone who plays the guitar is a vagabond anymore than everyone who has hair above his life is a hippie! I am talking of symbols.)

We have moved from the age of the wheel and steam symbols of transportation to the age of electronics and the hardware of communications.

Dr. Marshall MacLuhan is doing more than making a play on words when he tells us that "the medium is the message."

Although I do not pretend fully to understand MacLuhan, what I do hear him saying is that the new influences of the media, coupled with all the influences of our complex world, is so conditioning man that his basic character or system of response is undergoing a cataclysmic change.

Man is modifying his life style in response to new environmental forces to the extent that new value patterns are emerging. These forces contribute to a sense of alienation, rebellion, revolt against authority and contribute to the demand for instant participation in the process of decision making.

The tremendous appeal to young people of the late President John F. Kennedy derived in large part from the fact that he was the product of these new forces, the first president to have been born in the twentieth century. He was uniquely attuned to the new influences, allegedly to the extent of consulting the computer. Not that the morality of politics prevented it before Kennedy. He just knew how to use it. It is widely agreed that his use of the television media contributed to his election—a lesson that Mr. Nixon learned well and profited from eight years later.

UNREST IS REAL

I would render a disservice to the larger issue if I concentrated on the social unrest that prevails on our college campuses. This unrest is real, it is intense and it is pervasive. However, we bypass the larger question if we attempt to analyze the college student apart from the forces at work in society. The student is only an extension of his culture. He is not an isolated phenomenon.

(Dr. McKay then told of the father who, as his 16-year-old son was walking out the door to pick up his date, said, "Have a good time." The son shot back "Don't tell me what to do!")

It is not the college student who is in revolt today—it is a generation. Manifestations of this revolution are seen within the church with nuns and priests leaving the Roman Catholic Church in alarming numbers. Similar movements are taking place in the non-Catholic realm as well. Elsewhere the role of the police and their function is undergoing scrutiny, analysis and challenge. In the old days, college presidents were hung in effigy. Today they are just hung!

Those of us who are members of the established order have obligations so vast that they cannot be denied. In a pluralistic world we have a debt to pay to the past for our freedom and our heritage. As citizens of the present we have the duty to preserve order even from those seeking greater freedom. We know that although there can be order without freedom there can be no freedom without order. And what of our obligations to the future? Here is where with our actions and attitudes we sign promissory notes that will be cashed in the future.

The current issue of Fortune magazine is devoted to "American youth: How its outlook is changing the world." If you have not already seen it, I commend it to you. It is not pleasant reading.

My remarks for today were drafted before it reached my desk. But now I want to lift as footnotes several sentences from the lead article because the author is perceptive and has supported exactly the position I have already outlined.

SERIOUS MATTER

On the "generation gap" Fortune says: "The phrase itself is beginning to grate, but it seems more evident every week that the 'generation gap' is a rather serious matter. It would be nice to believe that it isn't—that what we are witnessing is only the latest act in history's continuously-run tragicomedy about the rebellion of restless, rootless youth against the world of its elders. A fair number of Americans are in fact clinging to some such agreeable notion about the generation gap. The notion is agreeable because it implies that this generation too will eventually come to terms with its elders and their institutions: that the arguments swirling around the campuses will pass; and that at some point, looking back through a nostalgic haze we will perceive the young rebels of the 1960's as legitimate successors to the flappers of the 1920's, the campus radicals of the 1930's, and the 'beats' of the 1950's, all of whom influenced our society in one way or another but were ultimately absorbed into it.

"And yet it may not turn out that way at all," Fortune says.

No one of course can predict the future. Your guess is as good as mine regarding the meaning and direction the revolution will take.

All of us will be called upon as citizens, as educators, as business and professional people, to take some stance regarding the revolution. Because we are involved in society we are involved in the revolution.

I will state my own position as simply as I can. It reflects only a philosophical position from which hard decisions must be made.

RESPONSIBILITY RESPONSIVE

As a college administrator I hope to be responsibly responsive to valid requests for reform. In higher education the state of utopia has not yet been attained.

By philosophy and by temperament, I am not of the nature to find myself responsive to intimidation or coercion or threats. I do not find ultimatums productive of rational discourse or debate. The politics of confrontations—which is the term for submission—is not the best method of decision-making. I still am influenced by the fallout of the democratic process. I will talk. I will listen. I will engage in no shouting matching. The man who runs scared has a nightmare road down which to run.

The revolutionaries have outlined their strategy—and at this point we had better take them seriously. They have said: "First the campuses, then business, then the government." This is truly their disruptive design.

Society is their target—not college reform. I am talking of course about the hard core of revolutionaries—not just young men and women of basic goodwill who are idealists at heart. For the latter we should be grateful. For the anarchists and nihilists we should be watchful and on guard.

Don't get hung up on the numbers game. It doesn't take a majority to gain control of a revolution. Sometimes a dedicated or fanatical handful can get the job done.

On July 14, 1789, an unruly but determined mob of indignant and angry Frenchmen stormed the Bastille. The active phase of the French Revolution had begun.

Louis XVI, reigning monarch of France, had spent the day hunting and tramping in the woods. This was his favorite preoccupation.

That evening he recorded in his diary the significant events of the day. Louis wrote the single word—"rein." Nothing had taken place. The day had been uneventful. Louis' area of awareness was so limited, his horizons so constricted, he did not even suspect that a revolution had begun.

The late Christopher Morley admonished us with insight:

> "Never write up a diary
> On the day itself.
> It needs longer than that
> To know what happened."

TRIBUTE TO SENATOR BARTLETT

Mr. MOSS. Mr. President, the death of a Member of the Senate always saddens us, but our grief is especially great when we lose a Bob Bartlett—a colleague with whom we walked in singular admiration and respect.

Bob Bartlett dedicated his life to two things—helping all people but especially helping Alaskans.

Probably his most outstanding quality was his compassion. He was a warm, generous, and understanding person. When anyone was in trouble, he took those troubles deeply to himself. His efforts to help were unceasing, endless. He made friends as easily as some people make enemies. Bob kept his friends for life.

In his dedication to Alaska, Bob Bartlett built an enduring monument. He spent most of the last quarter century of his life in a drive to win Statehood for Alaska, and in helping to guide it through its first 10 transitional years when it changed from a territory to a full-fledged, first-class member of the family of American States.

I think it no exaggeration to say that Alaskan statehood, and the flourishing, progressive place that Alaska has become, are as much due to the dedication of Bob Bartlett as to any other single force or effort.

And ever with Bob as his companion and counselor, devoted to him and to his work and his ideals, was his wife, Vide. She, too, is loved and revered by all who know her.

I have never been more impressed with home State editorials about the passing of a Member of the Senate than with those on Senator Bartlett. Alaska newspapers speak of the "outpouring of grief" of his arctic frontier constituency and call him their "most beloved citizen." They say no one was ever as trusted and revered as was he. They refer to their "plateau of devotion" for him and consider him a "man to match the State's mountains."

Those of us who knew him well here in the Senate can understand.

We knew it was a privilege to call him friend and to work with him. He was a sound legislator, and he was solid as a man. He had loyalty, courage, and integrity.

We shall miss him—we shall always remember him. Phyllis joins with me in expressing our deep sympathy to his devoted wife, Vide, and his daughters, Doris Ann and Sue. They can walk with his memory in singular pride.

THE SCHOOL MILK BILL

Mr. McGOVERN. Mr. President, I am confident that the Senate and the American people share my concern with the need to improve nutrition among our young people. This concern cannot be limited to a single economic segment of the population.

After some study of the nutrition habits of our population I have come to realize that money and income does not guarantee that the youth in a family will be well fed. Numerous studies show that children of families with adequate and even very high incomes suffer from malnutrition as well as children from the impoverished segment of the population; and that malnutrition is adversely affecting progress in education.

In this modern age of working mothers, a great many children from well fixed as well as poor families go to school without breakfast, or an inadequate breakfast. Except as provided by the special milk program for children and the national school lunch program, the same children often have a soft drink and a candy bar for lunch.

The records of the Selective Service alone are convincing evidence that many parents neglect, or are unaware of, their responsibilities for building healthy bodies and healthy teeth. Providing milk for use in schools, child-care centers, and similar institutions is a method of correcting deficiencies in home diets for children in all economic groups.

Congress deserves unstinting praise for providing the programs and the finances for both the national school lunch program and the special milk program for children. These two programs, when taken together, have made an outstanding contribution toward improving the diets of some 16 million of our youth annually.

In addition, these programs have provided a substantial market for farm products, including milk. A great deal of the milk and other food used in the school milk and lunch programs would, in any event, be acquired by the Government through its price support operations. For this reason, both the school lunch and the special milk program for children are in effect dividends from the farm program, which rebound to the benefit of every boy and girl in America who have an opportunity, through local educational facilities, to participate.

The special milk program for children deserves special mention. This program was inaugurated in 1954 with the dual purpose of expanding the market for dairy products and experimenting with a plan to upgrade the diets of children, whether or not they participate in the school lunch program. Under the special milk program for children, the Federal Government uses money which otherwise would go for price support, to reduce the cost of milk to children in schools. It was a prudent decision of the Congress to allow schoolchildren to drink all the milk they wish, rather than have Government purchase the milk as butter, cheese, or nonfat dry milk and then to find outlets for those products.

The special milk program for children, last year, was responsible for encouraging children to increase consumption by some 3 billion cartons of milk. For dairy farmers this was nearly 3 percent of all sales of bottled milk.

In the budget submitted to the Congress by the past administration, it is proposed that the special milk program for children be emasculated. Slightly less than $15,000,000 would be available for the program for the next fiscal year and the program would be terminated sometime in 1970. For the current fiscal year, the Congress provided $104 million to insure all of our children a milk ration.

We should continue this program with "full steam ahead," as a health measure. I have cosponsored a bill with the Senator from Wisconsin (Mr. Proxmire), S. 644, for this purpose. The bill would make the program permanent, and authorize expenditure of sufficient funds so that no child will be denied milk for lack of suport by the U.S. Congress.

The budget message errs in its suggestion that the money now appropriated for the special milk program for children will be used to increase the amount of funds available for the school lunch program. We need the increased appropriations for the school lunch program, but not at the expense of milk. Congress last year provided for some increases in school lunch funds and, in so doing, it had no intention of recapturing the sums for the milk program.

Under the special milk program for children, milk is available without limit at minimum cost. Under the school lunch program a child attending a participating school is entitled to only one half-pint carton of milk for each type A lunch. The milk provided by the special milk program represents 3 billion additional cartons. The shifting of funds as suggested by the budget would not result in increased milk consumption by children, or in better diets, but would result in a substantial decrease in our present provision of school milk and food. This would be a false economy and a step backward.

Both the milk and lunch programs are important to the nutrition of our children and the amount of money required for their success is minimal. In my judgment they pay greater dividends than any expenditure that might be authorized by the U.S. Congress, for these dividends come to us in healthy children and healthy citizens.

The measure Senator Proxmire and I have introduced (S. 644) is intended to provide for some expansion of volume used in the school milk program and to again make it clear that Congress does not approve of the regressive step in child feeding involved in the budget proposal.

THE BIOLOGICAL REVOLUTION

Mr. MONDALE. Mr. President, last Monday, I reintroduced my proposal for a creation of an Advisory Commission on Health Science and Society. This measure, Senate Joint Resolution 47, would create a blue-ribbon commission to look into the social, legal, and public policy issues surrounding the exploding field of biomedical research.

With the resolution, I included in the Record an article by Harvard Historian Donald Fleming "On Living in a Biological Revolution," which summarized some of the amazing developments in biological research, amplifying some of the remarks I had made. The March issue of the Atlantic carries a selection of letters in response to that article. Two particularly make the comments I would make about the article.

I agree with Theodosius Dobzhansky that:

> The application of these and other possible discoveries to man will raise a host of tough problems, which will be sociological, ethical, and even political.

Further, I believe as does Historian L. Pearce Williams that we must do better at describing what the revolution will do to "the traditional structure of American society."

Mr. President, I think these letters are interesting and provocative. I believe they too add to the case for the Commission. I ask unanimous consent to the inclusion in the Record at this point of the series of letters, entitled "Further Thoughts on the Biological Revolution," from the March issue of the Atlantic.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Further Thoughts on the Biological Revolution

(Note.—In last month's issue, Harvard historian Donald Fleming, in his article "On Living in a Biological Revolution," ventured a contemplative summary of recent scientific discoveries that bring us closer to "the manufacture of man." That this scientific ambition is controversial, on both scientific and humanistic grounds, is amply borne out by these comments, all written in response to the Fleming article by men distinguished for their own work in genetics or related fields.)

"Donald Fleming's article impresses me as a valid statement of the views of a strident biological minority, which would, if it could, impose a social and evolutionary disaster on man. The article ignores the early and needed applications of genetic engineering in (a) the alteration of micro-organisms as biological controls of pests and as more effective biochemical transformers—for example, of sewage into edible proteins; and (b) the modification of plants for desired properties.

"Professor Fleming exaggerates the extent of today's genetic knowledge, especially with reference to metazoan species. Certainly, many genetic components are common throughout life, but it is equally clear that the aggregate quantity and organization of genetic information is vastly different in bacteria and man. This applies especially to the still obscure process of cellular differentiation (for example, why one cell becomes part of an eye rather than part of an intestine), and to polygenic traits (such as stature or components of intelligence), which are governed by the interactions of many gene loci.

"More important, Fleming confuses the possibility of controlling specific traits with the maintenance of entire 'desirable' types. The independent assortment of genes in sexual reproduction constantly introduces changes. The perfect replication of Superman is not possible; however, a 'clone' of Superwomen might, in theory, be maintained through the asexual activation of eggs.

"In general, Fleming's sources appear innocent of population genetics or modern evolutionary theory, as developed by Mayr, Dobzhansky, Hirsh, and others. In evolutionary perspective, man has been successful over a half-million years and through enormous change because of his variability and constant hybridization. Variability also has reduced conflict and promoted cooperation within the species—a fact well known for the basic variants: male and female. Characteristically, many of man's traits are at once 'good' and 'bad'; such worldwide diseases as juvenile diabetes and schizophrenia probably have highly desirable complements linked with energy mobilization and abstracting capacity. Moreover, man, as an old, successful species, carries a heavy burden of deleterious recessive genes which would be maintained by the close inbreeding needed to maintain specific traits. (Old frozen sperm, by the way, produces an increasing proportion of defective offspring.) All this means that genetic tinkering could produce many culls—how are they to be handled?

"In any case, the introduction of tailor-made man on any significant scale could only be done by the elimination of virtually all of today's social institutions and values. The development of the latter is, however, far more likely to achieve viable solutions to man's problems of survival and emotional satisfaction. Thus my prospective view for the year 2000 A.D. is not a Biological Dictatorship, but either a cultural collapse in the wake of nuclear war or a tamed biology ruled by more sophisticated Social Man." (Demitri B. Shimkin, Professor of Anthropology and Geography, University of Illinois, Urbana, Illinois.)

"My own specialty is gerontology, and I am surprised Professor Fleming places as much stress as he does on organ transplant and says so little about the biochemical control of the aging process. I think that such control is implicit in modern molecular biology if understood and considered desirable.

"Fleming's paper fails to make what I consider an important distinction. Extension of life-span past the age of frequent conception has a limited effect on the total population. While the extension of mature life-span is occurring, the proportion and number of older individuals do increase. However, the population is mainly determined by the rate of breeding and infant mortality. The population of the world is more dependent on the number of surviving great-grandchildren we produce than the length of our own lives. The world could well afford to have people live longer, as long as they were productive and provided that they did not contribute extra offspring.

"Growing larger cerebral cortexes is not as sensational as suggested by Professor Fleming. We have discussed the matter a number of times in our own laboratory, and I am sure that somewhere experiments are under way. The questions are technical—what agents should be used, would they cross the placenta, how would they affect uterine blood flow, and what other effects would there be on the developing embryo?

"I believe Professor Fleming misses one point, and that is that before genetic tampering becomes commonplace, there is going to be a period where people will have a good deal of latitude in determining the causes of their death and the risk they will run with particular diseases. Many situations will arise where a course of action might result in less probability of cardiovascular disease and more probability of cancer. The person who receives a transplant runs more risk from infectious disease. I am sure that there will be a risk concerned with gene manipulation of the type that is being discussed in this article. Efforts to introduce more perfect genetic information will always run a risk of damaging other genetic information. The patient, instead of making no decisions, may face the problem of makng a good many more. I don't really believe that the biological revolution is a threat to the individual. I would hope that he could aspire to a more creative, better life and that he would have more time for his education, a successful career, and the enjoyable use of his leisure time." (F. Marott Sinex, Chairman, Department of Biochemistry, Boston University School of Medicine, Boston, Massachusetts.)

"Most of the promises of the New Biology enumerated by Professor Fleming will doubtless be fulfilled sooner or later. But these promises are really of two quite different categories. Some will alleviate human suffering without endeavoring to change the basic nature of human beings; others purport to create new kinds of beings by altering their genetic composition.

"The biologists, unfortunately, are generally so preoccupied with the genetically determined instinctive characteristics of man as an animal that they tend to ignore the role of cultural activities in human affairs. Culture, not inheritance, sets the values of different societies. Generally speaking, changes within the societies of *Homo sapiens* will be accomplished with varying degrees of difficulty, and social science analysis can predict the acceptability of such changes within limits. Genetic alteration of *Homo sapiens* into another species, however, involves problems of qualitative transformations, which leads into the unknown.

"The late Hermann Muller, Nobel laureate in genetics, whom Professor Fleming cites with approval, proposed a sperm bank to select people who are genetically more healthy, intelligent, and cooperative. Professor Fleming seems to believe that someday gene manipulation can remove the 'aggressive instincts of the human animal' and increase 'his lamentably low average intelligence for copying with increasingly complicated problems.' Others have discussed man's instinct for territoriality and his aggressiveness in defense of his habitat, and some primatologists attempt to trace the roots of human society to vague instincts shared with primate ancestors and the whole animal kingdom.

"The most elementary knowledge of the history of culture and of its varieties should make it clear to anyone that man is cooperative or aggressive, territorial or nonterritorial, warring or peaceful according to cultural circumstances, and that only the emotional components of these varieties of behavior arise from the basic qualities of all human beings. At present, therefore, it is more realistic to think of how culture can be changed than how man may be altered to respond instinctively to a culture not yet envisaged.

"The most alarming ethical aspect of the proposed use of the New Biology is that the nature of the genetic transformations shall be stipulated by those of superior intelligence, and that the remainder of the population shall conform to the needs of society, childbearing being licensed. Not only is it unlikely that specific temperaments and forms of behavior that are socially desirable have any genetic basis, but intelligence alone by no means assures an answer to social problems.

"One has only to think of the intellectual eminence of the Nobel laureates in their own fields as compared with their basic misunderstanding of the implications of the proposals discussed here. No one will object to intelligence per se, but it is by no means a simple Mendelian factor. Moreover, it becomes effective only when trained and applied to specific problems by means of an appropriate methodology. Such efforts have scarcely begun.

"To entrust the remodeling of the basic nature of *Homo sapiens* into a new species, with more clearly conceived characteristics than docility in the hand of their masters, will rightly be opposed. If use of drugs and chemicals, surgery, electrodes in the brain, brainwashing, and other techniques are added, I can only picture a new race of zombies, and it occurs to me that mechanical robots would be cheaper and better behaved.

"At a moment in history when nonwhite races are striving for self-identification and dignity, it is deeply disturbing that the old eugenics should be offered with pseudoscientific claims. Not all the New Biologists have any such goals, and one must hope that they would refuse to be part of the intellectual caste of dictators. One thing is clear about our present society: the required freedom of research which makes the New Biology possible will also make individuals rebel against such a new society." (Julian H. Steward, Professor of Anthropology, University of Illinois, Urbana, Illinois.)

"The claim that molecular and organismic biology no longer 'constitute a community' is sheer rubbish. And rubbish it would remain even if some Nobel Prize winner endorsed it. The great discoveries which have enriched biology in recent years have given biology, the science of life, an unmistakable coherence, not a schizophrenia. Life has two aspects, equally significant and equally fascinating—its unity and its diversity. It is pure blindness or puerility to ignore either.

"Yes, indeed, we may be entering a century of biology. Yes indeed, it would be a bold man who would deny that the possibilities outlined in Mr. Fleming's article may someday be realized. It takes an even bolder, or perhaps a thoughtless, man to be sure that they will be realized by the year 2000. And when and if they will, biologists had better keep in mind that the application of these and other possible discoveries to man will raise a host of tough problems, which will be sociological, ethical, and even political, rather than primarily biological, in nature." (Theodosius Dobzhansky, The Rockefeller University, New York, New York.)

"Professor Fleming's article is encouraging in that it indicates scientists are becoming concerned with the social consequences of their discoveries. However, it is difficult to see how the technological discoveries he lists can be described as a 'revolution.' Indeed, many of them are little more than faint hopes or biological curiosities, and one of them, the preconceptual determination of sex, is no closer to solution now than it has been for the past thirty or forty years. To put these matters into proper perspective, the major unsolved practical problems of today are those of poverty, violence, warfare, overpopulation, and last but not least, a general rising tide of discontent with a bureaucratic and impersonally organized society.

"These are social and ecological problems, and their solution is most likely to come from the efforts of scientists in the behavioral sciences and the ecological portion of biological science. Indeed, there are two centers of ferment and discovery in the biological sciences at the present time, located at almost opposite poles of complexity of organization. One of these is molecular biology as described by Professor Fleming, arising from the application of new biochemical techniques to basic biological processes. The other is animal behavior, including the study of animal societies and their ecology. While the nature of the social problems is so complex that they will require the best efforts of all sorts of sciences for their solution, it is from the latter area of biology rather than the former that possible solutions of our major problems are most likely to come.

"For example, the population problem is likely to be augmented rather than diminished as constitutional diseases are cured and embryos are provided a better prenatal environment. While the newer methods of contraception are somewhat more convenient than the old, the way in which these techniques may be used to bring about a desirable result provides an extraordinarily complex problem of social control and social engineering. We still have too many narrowly trained scientists who anticipate that all human ills will be removed by one simple technical discovery, and each hopes that that discovery will come from his own discipline. What we need is a new breed of scientists who are aware of the complex and interdependent nature of biological and social processes, and who have the ability and motivation to cooperate with each other in attempting to understand and control these processes." (J. P. Scott, Director, Center for Research on Social Behavior, Bowling Green State University, Bowling Green, Ohio.)

"I see no excuse for beefing up brains. The human range of neurons in excess over basic mammalian needs ranges from 7 to 12 billion, almost 2 to 1. We don't need more than 12 billion, only more people with better prefrontal areas and thus better judgment. A computer is a better storage house for excess information than a top-heavy skull.

If all these biological breakthroughs were employed, death might be abolished, and if it were, cultural change would be too. A frozen status quo is itself death, the end of the world, as presented by the Harvard *Lampoon* in its parody of *Life* in October, 1968.

"But who is going to persuade or force people to accept these changes? Must we have a tighter dictatorship than any that the world has yet seen, or a reign of terror controlled by a Nobel laureate in a spaceship? Before it is too late, it might be wise to abolish the Nobel Prize as the world's greatest breeder of arrogance. Statements like 'We will succeed in doing such and such by A.D. 1985,' or 'A.D. 2000,' etc. remind me of the Arab story of the little men underground trying to dig their way out to daylight and destroy the world. Every night they say, 'Tomorrow we will break through,' but God fills in their holes because they forgot to say *Inshallah* (God willing). Perhaps these superbiologists might find some way to say their equivalent of *Inshallah*, or to cross their fingers when they set their timetables." (Carlton S. Coon, Gloucester, Massachusetts.)

"The revolution that Dr. Fleming describes is real enough, but I do not feel that he has really come to grips with its implications. I kept asking myself 'So what?' at each new revelation, and it is a good question. What Fleming fails to do—yet he is certainly equipped to do it—is to spell out what the biological engineering he describes will do to the traditional structure of American society. How, specifically, will it affect our egalitarian ideals, our laws, our lives? He hints at some of the answers—for example, the relief that might be felt by many adults if they could justify *not* having children—but such hints are not enough. Fleming, it seems to me, treats his 'revolutionaries' entirely too gently. He is in awe of them and handles them with kid gloves. I would much prefer a bolder attack.

"Joshua Lederberg may be a genius with macro-molecules, but he would appear to be a rather untrustworthy kind of guide to the new, biologically engineered society. What are his qualifications for this task? What are the implications of publicly sponsored research being used to destroy the institutions of the society paying for the research? How much autonomy should be granted scientists when the results of their research have implications of fundamental importance to society? These are questions that desperately need answers today; unfortunately, Fleming does not even raise them. I wish he had." (L. Pearce Williams, Professor of the History of Science, Cornell University, Ithaca, New York.)

"I believe that Donald Fleming has quite misconstrued or at best oversimplified my own position on the subject he discusses.

"I am indeed fascinated by embryology, since so much of the biochemical and physiological machinery of the body is laid down during fetal life. But I am equally fascinated by the psychological and social development of the child afterward. I would take particular exception to the phrase 'maddened and obsessed,' unless it is answered that my concern for healthy maternal nutrition to sustain the fetus' developing brain is an obsession. I think the further phrase 'such a waste of time before the scientists can get at us' is particularly offensive—if Mrs. Fleming wants to voice such an opinion on his own account, that is fine with me, but I hate to have even an indirect attribution of such language to myself appearing on the record. I also have to stress that the emphasis I have given to 'euphenics' is a counterslogan in reaction to the zealous eugenicists. I pointed out elsewhere that euphenics is in fact nothing but medicine.

"Mr. Fleming has certainly misunderstood me if he believes that I advocate a program of action. I do advocate that research that can enable us to achieve the human mastery of nature that has been the main thread of his cultural development; and I advocate the widest possible public education about these opportunities precisely in order to minimize the chance that they will be dominated by monolithic bureaucracy. For example, I am quite opposed to 'foolproof compulsory contraception.' At the same time, I join a great many biologists and others in warning that we must somehow achieve a humane solution to the very pressing problem of world overpopulation and underdevelopment.

"As to organ replacements, I was among the first to point out the difficulties that would arise in managing the potential 'market' in organs, and primarily for that reason, pointed out the need to stress some countertechnology in the direction of artificial organs.

"I do not see any prospect of gene manipulation and substitution along the lines specifically laid out by Fleming, but I certainly do see new possibilities of therapeutic repair of those diseases about which we achieve sufficient biochemical understanding.

"I do favor continued research on human development, particularly on the correlated questions of the development of the brain and of intellect, and there is no doubt that such research will provide answers to many tragic questions that plague people today.

"I am in accord with Mr. Fleming in his cautions that the opportunities for more and more incisive intervention may have cumulatively insidious by-products, and that these will be far the worse if we do not broaden the base of public understanding of biology.

"Finally, let me state one specific program that I do advocate and a theme to which I have returned again and again in my columns. The world's most pressing problems are the nutrition and education of the young." (Joshua Lederberg, Professor of Genetics, Stanford University School of Medicine, Palo Alto, California.)

"It is too bad that Professor Fleming emphasizes the split at Harvard between the 'old' and 'new' biologies. Harvard in this area is way behind the times, and now appears to be going through the sort of convulsions which characterized other departments nearly a decade ago (and which Stanford was very fortunate to avoid). It is now abundantly clear that biologists of all persuasions must remain in close touch while attempting to solve the fantastic problems now confronting mankind. Many molecular biologists, presumably because of their extremely narrow training, have promoted preposterous systems of priority in biological research. One need only consider the money which over the past decades has flowed into what broadly can be described as 'cancer research' in contrast to what has gone into research in areas related to population control. Cancer is a disease primarily of concern to older people in a world where almost 40 percent of the people are under fifteen years of age. The population explosion threatens to exterminate us all. On the other hand, 'classical biologists,' out of envy, ignorance, or stupidity, have all too often denigrated the striking advances made in molecular biology, refused to see their importance in all biological disciplines, and have reacted to defensively against the molecular biologists. The time has long since passed for this kind of nonsense. The brilliance of the molecular biologists must be directed first at problems of immediate importance, and the classical biologists must bring more rigor to bear on those problems which are too complex for a simple chemical solution.

"If we had the time, perhaps the most interesting study of all would be essentially the study of the theology of science. There already has been one immensely interesting contribution to this area in Professor James Watson's superb book *The Double Helix*. Scientists could profitably spend more time trying to understand their own motives and faiths rather than promoting the corny ideas of how science operates that are characteristically repeated to secondary school students."—(Paul R. Ehrlich, Professor of Biology, Stanford University, Stanford, California.)

"Dr. Fleming's review of the revolutionary implications of some of the recent discoveries in biological science is challenging, even if there will be some disagreement as to the equal validity or equal importance of each of his twelve items.

"The omissions seem to me to be the more important. Decisions will have to be made about whether and how to use our increasing ability to control hitherto uncontrollable natural and biological processes. These decisions will have great individual and sociological importance; and in addition, they are emotionally highly charged. Therefore they require men who are both erudite and emotionally mature. But to produce this combination in abundance implies revolutionary developments in the educational process. This cannot even begin until we acknowledge the fact that in the entire history of human culture, erudition and wisdom have had at most a purely accidental correlation.

"I agree wholly that we must accept the responsibility of bringing order into planning the intervals and gender sequences of family life. Among the thousands of other variables which determine the processes of growth in human life, these have special and early importance. Once we have this knowledge, however, we will face the problem of how to use it. I agree that the right to prevent conception or to interrupt it will soon be taken for granted, and that our main problem will then be to determine how to induce people to use these rights. In itself this is an unsolved psychological and psychosocial problem on conscious, preconscious and unconscious levels.

"Even more fundamental will be the next problem—namely, to ascertain who has a right to have babies at all, and when, and how frequently, and at what intervals. So I agree that we will have to consider every possible technique by which genetic determinants can be ascertained, selected, and brought into harmonious use and control. But this implies again the same revolution in education, because to determine what are the most favorable intervals and the most favorable gender sequences in any family unit demands a special kind and degree of maturity.

"Finally, as we attempt this, we will also have to avoid the danger of reverting to the ancient fallacy that genetics can operate in a vacuum. There is some danger that Professor Fleming's thesis, if accepted uncritically, will throw us back to a modern version of the ancient and unreal controversy between heredity and environment, as though either ever operates apart from the other.

"For example, recent studies of infants have shown that in addition to genetic factors, inadequate nutrition can block the development of brain size, of the central nervous system as a whole, and of the IQ. But 'nutrition' involves emotional as well as caloric and biochemical ingredients. So genetic factors do not operate independent of nutritional and other factors, and to select genetic factors for separate and isolated emphasis brings a danger of overlooking other concurrent determinants.

"Professor Fleming steps furthest from his own field when he discusses drugs and the brain. In principle there is nothing new about the so-called hallucinogens and their simulation of psychotic states. Alcohol was doing this long before anyone coined the term 'psychopharmacology.' The fact that such deliria are a form of psychosis does not lead to the unwarranted conclusion that psychosis is due to some inborn error of metabolism which is remediable by the administration of drugs. This is an unwarranted assumption made by Linus Pauling and others who have observed this field only from clinically naive armchairs. Even if true, the existence of a drug delirium does not prove this thesis, whether the drug is alcohol or LSD. We must not assume too much that is still unknown about the relation of the hallucinogens to the psychotic disorganization of the neurotic process.

"Similarly, the lack of a tranquilizer is not the *cause* of a psychosis any more than a lack of aspirin is a *cause* of headaches. Actually, it is not always clear when a drug is therapeutic in any real sense, or when it simply masks symptoms to produce a temporary illusion of health while the underlying process of illness goes on unimpeded until even greater disorganization occurs. Also, when drugs make an illness accessible to psychotherapy, this is a valuable achievement, but only when the opportunity is seized upon by experienced psychotherapists. I am unhappy to see the current newspaper ballyhoo over psychopharmacology and hallucinogens given such unwarranted support." (Lawrence S. Kubie, Sparks, Maryland.)

"I consider it improbable, not impossible, that within this century eugenics by biological engineering will become feasible for man; that 'euphenics' will become a reality; that it will be possible to prevent and cure mental diseases by drugs, although they will be increasingly important in ameliorating symptoms; or that the transplantation of organs will become more than an act of desperation to gain a worthwhile prolongation of life.

"It is my opinion that the processes of life and development are too complex to be mastered to the extent predicted by Professor Fleming.

"It is my opinion that predictions of successful transplantation of the human brain require gross ignorance or disregard for the complexity of its anatomical connections. Prolonged survival of the *caput* without a body is more probable." (Dwight J. Ingle, Editor, Perspectives in Biology and Medicine, Chicago, Illinois.)

RICHARD M. NIXON, USN

Mr. CURTIS. Mr. President, for some years it was the good fortune of my family and me to live next door to a distinguished naval officer, Peter F. Boyle, who has now retired as a captain.

I was pleased to notice in the January 24, 1969, issue of Time magazine an item wherein Captain Boyle made public his early impressions of a young naval lieutenant under his command. That young lieutenant was Richard M. Nixon.

I ask unanimous consent that this article be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Fitness Report: Superior

Sir: Mr. Nixon is about to become our new President [Jan. 20]; but I haven't yet heard much about his wartime experiences.

I was Mr. Nixon's commanding officer for a number of months during 1944 at the Naval Air Station, Alameda, Calif. My command was Headquarters Squadron, Fleet Air Wing Eight. When I first met him in my office, I detected a very eager young lieutenant who was proud of his uniform and displayed a nervous desire to get to his new job assignment, which was as night maintenance officer, third shift.

> We had a huge backlog of heavy maintenance checks to perform and a large flight schedule to maintain, in which we qualified pilots and crews for transpacific flights to Honolulu. Mr. Nixon assured me that there wouldn't be another officer or man in the squadron who would work harder or support our mission better than himself. His enthusiasm was overpowering. He had something special to give, but I couldn't immediately determine what it was. In about three months, my engineering officer recommended that the third shift be terminated—much to my surprise. His explanation was that the young Lieut. Nixon had been so successful in performing, not through technical competence but through the sheer weight of enthusiastic leadership, that the night shift produced so well that they were even performing checks scheduled for the day shift!
>
> Mr. Nixon's quiet leadership techniques took hold throughout the squadron. I am sure that his leadership qualities will stand all Americans in good stead these next four years.
>
> P. F. Boyle,
> *Captain, U.S.N., retired.*
>
> A.P.O. San Francisco.

CONTRACTS AWARDED TO CERTAIN TEXTILE COMPANIES

Mr. HART. Mr. President, after reading press accounts about the decision of the Department of Defense to award contracts totaling $9.4 million to three textile companies whose civil rights compliance is highly doubtful, I sent the following communication to the Deputy Secretary of Defense:

> Dear Mr. Packard: In recent days, I have taken more than a passing interest in the newspaper accounts of the action of the Department of Defense in awarding $9.4 million in contracts to three textile companies whose civil rights compliance has been challenged. I have been left somewhat confused by what appear to be conflicting press accounts of this action.
>
> After reading the attached article from Tuesday's Washington Post, I am even more concerned about the procedures which have been followed—or not followed—in the awarding of contracts to J. P. Stevens, Dan River Mills, and Burlington Industries. I certainly hope that the Department has secured more than "paper" assurances that the requirements of the Executive Order on contract compliance will be followed by the three companies in question.
>
> It would be helpful if you could advise me of the extent to which the companies have met and are meeting the requirements of the Executive Order and whether the normal procedures have been followed in this case, both within the Department and in coordination with the Office of Federal Contract Compliance.
>
> Thank you for your attention to my request.
>
> Sincerely,
>
> Philip A. Hart.

Mr. President, my concern, if anything, has been increased after having read additional articles about this action. Congressional Quarterly, in its February 14 issue, carried a brief account relating to Secretary Packard's decision to award the contracts. Excerpts from the CQ article follow:

> The Department of Defense February 7 announced approval of $9.4 million in contracts awarded to three textile companies threatened the previous week with debarment from federal contracts because of violations of federal regulations against racial discrimination.
>
> Dan River Mills, Burlington Industries and J. P. Stevens & Co. were awarded contracts after company executives assured David Packard, Deputy Secretary of Defense, that they would take "affirmative action" to reach equal employment goals.
>
> Packard did not disclose the details of such action plans. He said that he had received satisfactory assurance from the companies that they would end discriminatory employment practices.
>
> This decision appears to reverse a previous finding by the Defense Department and the Office of Federal Contract Compliance (OFCC) that the companies were not in compliance with federal regulations and were therefore ineligible for federal contracts.
>
> The decision, originally set for January 31, was delayed a week. The delay was attributed to the efforts of Senator Strom Thurmond (R-S.C.) to prevent the debarment of the companies, all of which have plants in South Carolina.
>
> The OFCC, charged with supervising the equal employment policies of Government contractors, objected February 10 that it had not been consulted about the settlement which was reached with the companies. The OFCC is in the Department of Labor.
>
> The OFCC asked Packard to specify the details of the agreement and indicated that it might convene formal hearings to bar the companies involved from bidding for any future federal contracts. . . .
>
> Senator Walter F. Mondale (D-Minn.) February 11 asked David Packard to delay award of the contracts to the three textile companies until the OFCC approved the settlement with the companies. Mondale said that he was "most disturbed . . . that these contracts were approved without even consulting OFCC" and warned Packard never again to ignore the OFCC in such matters.

Mr. President, over the weekend, the Leadership Conference on Civil Rights, through its distinguished chairman, Roy Wilkins, called upon the President to order a review of Mr. Packard's decision and to have him make public the details of the agreement with the three textile companies. I ask that the text of Mr. Wilkins' telegram to the President be included as part of my remarks at this point in the Record.

There being no objection, the telegram was ordered to be printed in the Record, as follows:

> The Defense Department's award of textile contracts to J. P. Stevens & Co., Dan River Mills and Burlington Industries, three companies with long histories of job discrimination, calls for the most searching concern. The fact that the terms of the Department's agreement with these companies are undisclosed is incompatible with the public's right to know and the pledge of an "open administration." We urge you to direct a review to determine if these firms are indeed in full compliance with the executive order on non-discrimination in employment and to direct Secretary Packard to disclose what agreement he has made.
>
> Roy Wilkins,
> *Chairman, Leadership Conference on Civil Rights.*

Mr. HART. Mr. President, the decision of Secretary Packard is most unfortunate. The fact that the details of the agreement with the companies have not been made public is regrettable enough, but when one considers that the Federal agency responsible for coordinating the contract compliance program, the Office of Federal Contract Compliance, was not consulted about the agreement, the decision becomes even more deplorable. I hope the President will respond affirmatively to Mr. Wilkins' telegram by ordering a complete review of the action and then by making public the details of the agreement which has been reached with the three companies.

TOWARD A SOCIAL REPORT: SOCIAL MOBILITY

Mr. MONDALE. Mr. President, I invite attention once again to the bill I introduced on January 5—the Full Opportunity Act of 1969. The bill establishes a Council of Social Advisers and a Joint Committee on the Social Report, and requires the President to submit an annual Social Report to Congress. I firmly believe that the enactment of this bill will allow us to seriously begin working toward the realization of one of the most cherished of American ideals: equal opportunity for every American.

The aspect of opportunity I want to highlight today is social mobility. It is indeed ironic that while some men are mobile enough to travel to the moon others lack the mobility to travel out of their ghetto. That we know more about extraterrestrial mobility than intrasocietal mobility is today all too evident and unfortunate. We can no longer afford—in any manner—the luxury of such relative ignorance. To say "I don't know" is not a satisfactory response to the social problems which now confront us. While knowledge is not a sufficient condition for problem solving, it is a necessary condition. We need both the desire and the competence to solve these problems associated with equal opportunity. We cannot realize our ideal of equal opportunity unless we have an open society—a society which affords and stimulates rather than denies and frustrates social mobility.

Mr. President, HEW's "Toward a Social Report" points to the fact—based on systematic analysis—that "the great majority of our citizens" do have the opportunity "to improve their relative occupational status." For the great majority of our citizens there is the opportunity for social mobility. Yet what about the minority? The report reveals that there is an income gap of $1,400 between white citizens and black citizens of "comparable family background, educational attainment and occupational level." Plainly this does not describe a society in which every American has equality of opportunity regardless of family background. The report concludes:

> Economic and social status—and hence social mobility—in our society still depend in a striking way on the color of a man's skin.

I am convinced, Mr. President, that once the American people fully understand these serious problems in our society, they will move swiftly and surely to remedy them. The Social Report is a start in the right direction.

Mr. President, I ask unanimous consent that the second chapter of "Toward a Social Report," euntitled "Social Mobility," be printed in the Record.

There being no objection, the chapter was ordered to be printed in the Record, as follows:

Social Mobility: How Much Opportunity Is There?—Chapter II

"America means opportunity." So said Ralph Waldo Emerson over a hundred years ago. Ever since our Nation began, Americans, probably more than others, have believed that the individual should have the opportunity to achieve whatever his talents can bring. They have not enjoyed complete equality of opportunity, but a belief in greater equality of opportunity has always been a part of the American creed.

Thus, any inventory of the state of American society must ask how much equality of opportunity we have, and whether there is more or less than there used to be. Complete equality of opportunity exists when the social and economic status a person has is determined by his own abilities and efforts rather than by the circumstances of his birth. If a person's family background or race, for example, affect his ability to "get ahead," then the ideal of equality of opportunity has not been realized.

An improvement throughout the society in the prospects for a high income, an advanced education, or a white collar job, however, does *not* necessarily mean greater *equality of* opportunity. Such improvements in "life chances" for the population as a whole are, of course, important, but they are largely the result of economic progress, which is considered in another chapter. Here, we focus instead on the extent to which a person's status, *relative* to that of others in his society, is determined by his ability and effort, rather than by his social origins. True equality of opportunity means that some families must fall in *relative* social or economic position if others rise. Indeed, many Americans might not want complete equality of opportunity with its extreme emphasis on individual talent, and some might question whether an aristocracy of ability is really preferable to an aristocracy of birth. A society in which the most capable people were always able to rise to positions of leadership, however fair this might seem, could prove intolerable to those who were condemned to failure because they lacked the patricular talents valued in that culture. We must, then, temper our desire for more equality of opportunity with the realization that it may also be necessary for the successful and talented to share their good fortune with those less well endowed. But, in this Chapter, these issues need not concern us unduly, for no matter how much equality of opportunity there may be in our Nation, most people want more than we now have.

To assess the degree of opportunity and measure its changes over time, we have to be able to determine a man's relative "position" in society, so that we can say whether he has risen or fallen in status. Though there is no one ideal measure of social and economic position, a man's occupation is probably the best single indicator of his socio-economic level. Other characteristics, like high income, education, social standing, community influence, and membership in prestigious organizations, can also bring high socio-economic status. The man of independent means and wide influence may have a high standing in his community even if he does not work at a job, and the man in a religious or ethnic minority may be denied access to prestigious organizations in spite of his career success. Thus, occupational mobility is not a perfect indicator of social mobility, and we cannot be sure that there is more or less equality of opportunity just because a man's occupational position is more or less dependent on his family background than at some earlier point in our history. Yet, changes in occupational mobility probably tell us as much about changes in social mobility as any other single measure we could use. All of the ingredients of a high status usually vary with occupation and are roughly measured by it. In a modern society like the United States, moreover, men are admired primarily for the work they do. Accordingly, in this Chapter, we will measure the extent of opportunity by looking at changes in occupational status from one generation to the next, asking in particular how an individual's family background bears on his chances of success. Toward the end of the Chapter, we will also consider how the color of a man's skin affects his position in our society (or at least his economic opportunities). In this first attempt toward a Social Report, it was not possible to consider other circumstances, such as sex, religion, or national origin, which may limit success in our society. The special problems facing some of these groups are also of great concern to the Nation and it is hoped that any future report can give greater attention to them.

HOW MUCH EQUALITY OF OPPORTUNITY IS THERE?

Earlier in American history, the possibility of moving to the frontier, with its lack of established social structure, was supposed to provide at least some degree of equality of opportunity. The opportunities of the unsettled frontier have vanished, and modern American society has on-going institutions, established families, and an emphasis on educational credentials that could limit equality of opportunity. A number of observers have been understandably concerned that the extent of equality of opportunity may be decreasing as the Nation's institutions become older and the demands of modern technology place those with an inadequate educational background under an ever greater disadvantage. Among sociologists there has been a debate on the question of whether class lines, as reflected by occupational mobility, have or have not been hardening in the last several decades.

In 1962, the Bureau of the Census conducted a survey of "Occupational Changes in a Generation" which has made it possible to estimate the present extent of opportunity in this country and whether or not there is more or less than there used to be. This survey asked a representative sample of American men not only about their own first occupation, income, education, and the like, but also about their father's usual occupation. A separate survey asked a cross-section of the American public what degree of status they thought attached to each occupation, and these responses were used to derive a numerical status "score" (ranging from 0 to 96) for each of 446 detailed Census occupations.[1]

As a result of these two surveys, it is possible to compare the occupational score of each man surveyed in 1962 with the score his father had, and thereby see how much influence the father's relative socio-economic position had on the ranking of his son. Since the men surveyed were of different ages, it is also possible to get some impression about whether equality of opportunity has been increasing or decreasing by comparing the father-son status relationship of the older men with that of the younger.

THE PRESENT STATE OF OPPORTUNITY

An analysis of the survey results undertaken by Professors Dudley Duncan and Peter Blau shows that the occupational achievements of the sons were *not* in any large degree explained by the socio-economic levels of their fathers. To be exact, only 16 percent of the variation in the occupational scores of the men surveyed in 1962 was explained by the father's occupational status.[2] If the data and analyses are correct, it follows that the remaining 84 percent of the variation in socio-economic status among the sons was not related to the socio-economic status of their fathers. Since there is a probability that the men whose fathers were of high socio-economic status had on the average somewhat more ability than those whose fathers had lower socio-economic status, some relationship between status of father and son might be expected even in a society with perfect equality of opportunity. Accordingly, the findings, though extremely tentative, tend to suggest that there is a considerable degree of social mobility in America.[3]

TRENDS IN OPPORTUNITY

There is also some reason to suppose that the degree of equality of opportunity has *not* been declining in recent decades. The oldest group of men surveyed were between 55 and 64 years of age in 1962 and the youngest between 25 and 34, so the oldest group of men held their first jobs about 30 years before the youngest. As Table 1 shows, the degree of relationship between the status of father and son is roughly the same for older and younger groups. The relationship appears to be slightly less for the two younger groups than for the two older groups, but it would be a mistake to attach significance to these small changes, and infer that social mobility is increasing. The conclusion should rather be that opportunity and social mobility have shown no tendency to decline.

TABLE 1.—*Degree of relationship*[1] *between father's occupation and respondent's first job for four age groups, men 25 to 64 years old*

Age (Years) in March 1962	
25 to 34	0.380
35 to 44	.377
45 to 54	.388
55 to 64	.384

[1] Correlation Coefficient.

Source: Blau and Duncan, p. 110.

It might seem that historical changes in the occupational structure, such as the increasing importance of white collar and other high status jobs, have invalidated the conclusions. But, in fact, the statistical analysis that was used abstracted from these changes, since it related the *relative,* not the absolute, occupational positions of the men in the two generations. As a result, such changes in occupational structure could not account for the findings.

There is, to be sure, the possibility of other shortcomings in the data or analysis that qualify or invalidate the conclusions. If the material wealth of the fathers of the men surveyed were known, and comparisons made with the wealth or income of the sons, the results might well have been less impressive, since material wealth is presumably easier to pass on from generation to generation than a given occupational status.

---

[1] The survey provided prestige ratings for 45 occupations. Census information on the income and education within each occupation was used to assign scores to all other occupations. The procedure was to assume that the relationship between the socio-economic status of an occupation and the general level of income and education in that occupation was similar to the relationship found to exist between these variables in the 45 occupations for which direct scores were available. It was also known that the relative prestige of various occupations changes very little over time, which made it possible to use the same scores to measure the occupational status of both fathers and sons.

[2] In the language of the statistician, the correlation coefficient relating the occupational scores of fathers and sons was .40.

[3] Some Americans may also wonder whether there is more or less opportunity in the United States than in other parts of the world. At least one study has shown that occupational opportunity, as here measured, is about the same in all industrialized countries. Interestingly enough, however, there is evidence that long distance social mobility—that is, the ability to go from rags to riches in a single generation—is greater in the United States than elsewhere, so there does seem to be a grain of truth in the Horatio Alger myth.

These and other qualifications notwithstanding, it is most encouraging that the relative socio-economic status of father has only a small influence on the relative socio-economic status of the son, and that this influence is not increasing.

EDUCATION AND OPPORTUNITY

What accounts for the degree of social mobility that we enjoy? And the obstacles to opportunity that remain? Here, education plays an important but uncertain role. Education is the principal route to a high status occupation, but it is not obvious whether, on balance, it promotes social mobility. As the subsequent chapter on Learning, Science, and Art shows, socio-economic status influences not only access to higher levels of education, but also the motivation and capacity to learn. In part, then, education is a "transmission belt," whereby initial advantages stemming from the family are maintained for the fortunate, whereas initial disadvantages are perpetuated for the unfortunate. On the other hand, education allows some able people from low status families to rise to a higher relative position in the society. We must assess the extent to which education limits social mobility and also the extent to which it increases it, so that we can evaluate the effect of additional education on equality of opportunity and find educational policies that will further this objective. We look first at the evidence which tends to suggest that education is the means by which parents bequeath superior status to their children.

EDUCATION AS A BARRIER TO MOBILITY

The average person born in this century received more years of schooling than his parents did. As Table 2 shows, the average white male born between 1900 and 1934 (aged 35 to 69 in 1969) spent 11 years in school whereas his father who was educated at a much earlier point in time spent only about 8 years in school. But, whenever these men were born, the education they obtained depended to some extent on the education their father received. Thus, fathers who had above-average education for their day have tended to produce sons who were well-educated relative to their own contemporaries. Specifically, for every extra year of education the family head receives, the son tends to get an additional three-tenths or four-tenths of a year of education. It is also clear from Table 2 that this relationship between the relative educational attainment of fathers and sons has not changed much since the turn of the century.

TABLE 2.—MEAN NUMBER OF SCHOOL YEARS COMPLETED BY NATIVE WHITE MALES AND BY THE HEADS OF THEIR FAMILIES OF ORIENTATION, AND AVERAGE RELATIONSHIP OF RESPONDENT'S TO HEAD'S SCHOOLING, BY AGE, FOR MEN IN THE CIVILIAN NONINSTITUTIONAL POPULATION OF THE UNITED STATES, MARCH 1962

Respondent's year of birth	Family head	Respondent	Average increase in respondent's schooling for each year completed by head
All, 1900 to 1934	7.9	11.0	0.376
1900 to 1904	7.4	9.4	.401
1905 to 1909	7.4	10.1	.398
1910 to 1914	7.5	10.6	.333
1915 to 1919	7.8	11.1	.336
1920 to 1924	8.0	11.4	.368
1925 to 1929	8.3	11.8	.337
1930 to 1934	8.7	12.0	.366

Source: Beverly Duncan, "Family Factors and School Dropout, 1920–60," Cooperative Research Project No. 2258, U.S. Office of Education (Ann Arbor, University of Michigan, 1965), tables 3-1 and 3-2. (Based on data collected by the Bureau of the Census in the current population survey and supplementary questionnaire, "Occupational Changes in a Generation," March 1962.)

Evidently, one way in which high status parents can assure the future success of their children is by providing them with a better than average education. The influence of socio-economic status on years of schooling is particularly notable where college and graduate education are concerned. This is true even after differences in academic ability have been taken into account, as can be shown by using previously unpublished data from *Project Talent*, and considering only those high school graduates who rank in the top one-fifth of the sample in academic aptitude. If the parents of these relatively able youth are from the top socio-economic quartile, 82 percent of them will go on to college in the first year after high school graduation. But if their parents come from the bottom socio-economic quartile, *only 37 percent* will go on to college in the first year after high school graduation. As Table 3 shows, even five years after high school graduation, by which the almost everyone who will ever enter college has done so, only 50 percent of these high ability but low status youth will have entered college, and by this time 95 percent of the comparable students from high status families will have entered college. High school graduates from the top socio-economic quartile who are in the third ability group are more likely to enter college than even the top ability group from the bottom socio-economic quartile.

Differences in attendance at graduate or professional schools are even more striking. Five years after high school graduation, those high school graduates in the top fifth by ability are *five times more likely to be in a graduate or professional school* if their parents were in the top socio-economic quartile than if their parents were in the bottom socio-economic quartile.

There is also, as the subsequent chapter on Learning, Science, and Art will show, a tendency for children from families of low socio-economic status to perform less well on tests than other children even when they have spent the same number of years in school. This learning differential further accentuates the differences in the initial advantages of children from low and high status families.

TABLE 3.—ENTRANCE TO COLLEGE, BY ABILITY AND SOCIOECONOMIC STATUS (WITHIN 5 YEARS AFTER HIGH SCHOOL GRADUATION)

Socioeconomic status quartile	Number of high school graduates in group	Number who enter college	Percent	Loss	Percent
Top ability group (20 percent):					
1. High	203,000	192,000	95	11,000	5
2	153,000	120,000	79	33,000	21
3	122,000	82,000	67	40,000	33
4. Low	60,000	30,000	50	30,000	50
Total	538,000	424,000	79	114,000	21
Ability group 2 (80–60 percent):					
1. High	130,000	109,000	84	21,000	16
2	143,000	90,000	63	53,000	37
3	148,000	78,000	52	70,000	48
4. Low	94,000	34,000	36	60,000	64
Total	515,000	311,000	60	204,000	40
Total (top 40 percent)	1,053,000	735,000	70	318,000	30
Ability group 3 (60–40 percent):					
1. High	94,000	65,000	69	29,000	31
2	135,000	63,000	46	72,000	54
3	159,000	55,000	34	104,000	66
4. Low	148,000	35,000	24	113,000	76
Total	536,000	218,000	41	318,000	59
Subtotal (1–3 quintiles)	1,600,000	952,000	60	648,000	40

Note: Entrance to college means degree-credit only.

Source of data: The probabilities for these tables are derived from unpublished data from Project Talent, 5-year followup survey of the 1960 12th- and 11th-grade high school students. The 1965–66 high school graduates (Digest of Educational Statistics, 1967 edition, Office of Education, U.S. Government Printing Office, table 65, "Number of public and nonpublic high school graduates, by sex and State: 1955–66") were then distributed according to the Project Talent probabilities.

HOW EDUCATION PROMOTES EQUALITY OF OPPORTUNITY

On the other side of the ledger, we know that there are many factors independent of family socio-economic status which influence educational attainment, and in turn occupational achievement. These include native mental ability, personality traits, the influence of stimulating teachers, and the like. If educational attainment depends mostly on these and similar factors, it will promote social mobility, by allowing those with ability and ambition to rise to a higher socio-economic level than their parents. If, on the other hand, education depends mainly on family status it may simply be the means by which successful parents bequeath social and economic advantages to their children.

A statistical analysis, using again the data from the survey of "Occupational Changes in a Generation," tells us something about the role which education plays in promoting social mobility. In this analysis, which is summarized graphically in Figure 1, family background is defined to include father's occupation and education, number of siblings, nativity of birth, color, region of birth, and region of residence. It is evident from Figure 2 that some part of the variation in occupational achievement is accounted for by the family background factors we have just mentioned. This is largely because individuals born in favorable circumstances (for example, in well-educated, white families in the North) come to be better educated than those born in less favorable circumstances. But, to a great extent, the educational attainment of a child is due to factors that are independent of his family background, and this education, in turn, helps him achieve a higher occupational status even if he had a disadvantaged family background. Indeed, individual differences in educational attainment that are independent of family background explain more than half of the variation in occupational scores attributable to education.

FIGURE II—1.—*Sources of variation in occupational achievement for men 20–64 years old in experienced civilian labor force, March 1962—Percentage of total variation in occupational achievement*

	Percent
Not explained by education and/or background	60.7
Education, apart from background	18.4

FIGURE II—1.—*Sources of variation in occupational achievement for men 20–64 years old in experienced civilian labor force, March 1962—Percentage of total variation in occupational achievement*—Continued

	Percent
Overlapping influence of education and background	17.1
Background,[1] apart from education	3.8
Total	100.0

[1] Background factors included: Family head's occupation, family head's education, number of siblings and sibling position, nativity, color, region of birth and region of residence.

Source: P. M. Blau and O. D. Duncan, *The American Occupational Structure*, (New York: Wiley, 1967), Appendix H.

We can then conclude that social background factors, though important determinants of educational and occupational achievements, are *not* as important as the other factors that influence educational attainment and thereby allow those of humble birth to rise to the more prestigious occupations. What might be called the democratic discovery of talent through universal education is quantitatively more important than the educational advantages children from high status families enjoy.

Education could, to be sure, do still more to equalize opportunity. If education depended less on family background than it now does then it would give children from families with a low socio-economic position a still greater opportunity to rise to a higher level. If, for example, the chance to go on to college did not depend so much on the financial resources of one's family, education would enable many more to climb up the ladder of occupational success. Though education could contribute much more to equality of opportunity, the fact that it has already contributed a good deal may explain why we expect so much of it.

OPPORTUNITY AND RACE

There is one glaring exception to the encouraging conclusion we have drawn. The same data that show abundant opportunity for most Americans also show that Negroes have much less occupational mobility than whites. This can be seen by looking at Table 4. This table shows the occupational distributions of men whose fathers were in the same occupation, and also distinguishes the occupational distributions of Negroes from all of the others surveyed in the study of "Occupational Changes in a Generation."

TABLE 4.—MOBILITY FROM FATHER'S OCCUPATION TO 1962 OCCUPATION (PERCENTAGE DISTRIBUTIONS), BY RACE, FOR CIVILIAN MEN 25 TO 64 YEARS OLD, MARCH 1962

Race and father's occupation	1962 occupation[1]						Total	
	Higher white collar	Lower white collar	Higher manual	Lower manual	Farm	Not in experienced civilian labor force	Percent	Number thousands
Negro:								
Higher white collar	10.4	9.7	19.4	53.0	0.0	7.5	100.0	134
Lower white collar	14.5	9.1	6.0	69.1	.0	7.3	100.0	55
Higher manual	8.8	6.8	11.2	64.1	2.8	6.4	100.0	251
Lower manual	8.0	7.0	11.5	63.2	1.8	8.4	100.4	973
Farm	3.1	3.0	6.4	59.8	16.2	11.6	100.0	1,389
Not reported	2.4	6.5	11.1	65.9	3.1	11.1	100.0	712
Total (percent)	5.2	5.4	9.5	62.2	7.7	10.0	100.0	
Total (number)	182	190	334	2,184	272	352		3,514
Nonnegro:								
Higher white collar	54.3	15.3	11.5	11.9	1.3	5.6	100.0	5,836
Lower white collar	45.1	18.3	13.5	14.6	1.5	7.1	100.0	2,652
Higher manual	28.1	11.8	27.9	24.0	1.0	7.3	100.0	6,512
Lower manual	21.3	11.5	22.5	36.0	1.7	6.9	100.0	8,798
Farm	16.5	7.0	19.8	28.8	20.4	7.5	100.0	9,991
Not reported	26.0	10.3	21.0	32.5	3.9	6.4	100.0	2,666
Total (percent)	28.6	11.3	20.2	26.2	6.8	6.9	100.0	
Total (number)	10,414	4,130	7,359	9,560	2,475	2,517		36,455

[1] Combinations of census major occupation groups. Higher white collar: professional and kindred workers, and managers, officials, and proprietors, except farm. Lower white collar: sales, clerical, and kindred workers. Higher manual: craftsmen, foremen, and kindred workers. Lower manual: operatives and kindred workers, service workers, and laborers, except farm. Farm: farmers and farm managers, farm laborers and foremen. Classification by "father's occupation" includes some men reporting on the occupation of a family head other than the father.

Source: Unpublished tables, survey of "Occupational Changes in a Generation."

The table reveals a striking result: Most Negro men, *regardless of their fathers' occupations*, were working at unskilled or semiskilled jobs. Even if their fathers were in professional, managerial, or proprietary positions, they were usually operatives, service workers, or laborers. Growing up in a family of high socio-economic status was only a slight advantage for the Negro man. By contrast, the majority of white men with higher white collar backgrounds remained at their father's level and almost half of the white men whose fathers were in clerical or sales work and almost two-fifths of those with a farm or blue collar background moved up into the more prestigious professional and managerial group. But the Negroes from similar origins did not. The Negro man originating at the lower levels is likely to stay there, the white man to move up. The Negro originating at the higher levels is likely to move down; the white man seldom does. The contrast is stark.

As we saw earlier in the chapter, education is an important source of occupational opportunity. Because most Americans can realize their highest ambitions through education, it is often assumed that Negroes can similarly overcome the handicaps of poverty and race. But this has not been so in the past. To be sure, even in minority groups, better educated individuals tend to occupy more desirable occupational positions than do the less educated. Yet, the returns on an investment in education are much lower for Negroes than for the general population. Indeed, for a Negro, educational attainment may simply mean exposure to more severe and visible discrimination than is experienced by the dropout or the unschooled.

Thus, in addition to the handicap of being born in a family with few economic or other resources, the average Negro also appears to have less opportunity because of his race alone. Let us examine the relative importance of each of the different types of barriers to success for Negroes.

Figure 2 shows that the average Negro male completed 2.3 fewer years of school than the average white male, that his occupational score is 23.8 points lower, and that his income is $3,790 lower. Much of the shortfall in the relative achievement of Negroes can be attributed to specific causes. One year of the educational gap arises from the fact that Negroes come from disadvantaged families while an additional 0.1 year is the result of the fact that Negroes tend to be born into larger families where resources must be spread among more children. But even with the allowance of 1.1 years of schooling traceable to these disadvantages, there remains an unexplained gap of 1.2 years. Evidently, this must be caused by something other than the initial socio-economic differences between blacks and whites. Perhaps it is the Negro's knowledge that he will be discriminated against whatever his education.

If we look at the *occupational gap* of 23.8 points, we see that 6.6 points can be ascribed to initial Negro-white differences in family socio-economic levels and an additional 0.6 to differences in family size. The residual educational gap, already identified, carries over into occupational achievement, lowering the Negro score relative to the white by 4.8 points on the average. There remains a gap, not otherwise accounted for, of 11.8 points. This discrepancy derives from the fact that Negro men with the same schooling and the same family background as a comparable group of white men will have jobs of appreciably lower status. It is surely attributable in part to racial discrimination in hiring, promotion, and other job-related opportunities.

All of the factors mentioned are converted into an *income gap* totaling $3,790. Substantial components of this are due to socio-economic status and family size ($1,010), lower educational attainment ($520), and job discrimination ($830), so that disadvantages detectable at earlier stages clearly have an important impact in lowering Negro income compared to white income. But there remains a gap of $1,430 not otherwise accounted for, suggesting that Negro men, relative to a group of white men of comparable family background, educational attainment, and occupational level, still receive much lower wages and salaries. The specific magnitudes obtained in calculations of this kind are not to be taken as firm estimates. Nevertheless, the substantial discrepancies existing between Negro and white attainment suggest that the Negro has severely limited opportunity, not only because his social and economic background place him at a disadvantage, but also because he faces racial discrimination in the school system and in the job market.

What can we conclude about social mobility in America? We have seen that there is opportunity for the great majority of our citizens to improve their relative occupational status through their own efforts. Yet, we are far from achieving true equality of opportunity. Economic and social status in our society still depend in a striking way on the color of a man's skin. Until we can eliminate this barrier to full participation, we will not have been faithful to our historic ideals.

FIGURE 2.—DIFFERENCES IN MEANS BETWEEN WHITE (W) AND NEGRO (N) WITH RESPECT TO EDUCATIONAL ATTAINMENT, OCCUPATIONAL STATUS, AND INCOME, WITH COMPONENTS OF DIFFERENCES GENERATED BY CUMULATIVE EFFECTS IN A MODEL OF THE SOCIOECONOMIC LIFE CYCLE, FOR NATIVE MEN, 25 TO 64 YEARS OLD, WITH NONFARM BACKGROUND AND IN THE EXPERIENCED CIVILIAN LABOR FORCE, MARCH 1962

Years of school completed		1962 occupation score		1961 income (dollars)		Component[1]
(W) 11.7	1.0	(W) 43.5	6.6	(W) 7,070	940	(A) [Family]
10.7	0.1	36.9	0.6	6,130	70	(B) [Siblings]
10.6	1.2	36.3	4.8	6,060	520	(C) [Education]
(N) 9.4		31.5	11.8	5.540	830	(D) [Occupation]
		(N) 19.7		4,710	1,430	(E) [Income]
				(N) 3,280		
	2.3		23.8		3,790	(T) [Total]

[1] Difference due to: (A) Socioeconomic level of family of origin (head's education and occupation); (B) number of siblings, net of family origin level; (C) education, net of siblings and family origin level; (D) occupation, net of education, siblings, and family origin level; (E) income, net of occupation, education, siblings, and family origin level; (T) total difference, (W) minus (N) equal sum of components (A) through (E).

Source: O. D. Duncan, "Inheritance of Poverty or Inheritance of Race?" (Unpublished.)

REPORT ON THE DEMAND FOR PERSONNEL AND TRAINING IN THE FIELD OF AGING

Mr. KENNEDY. Mr. President, Secretary Wilbur Cohen of the Department of Health, Education, and Welfare, before he left office, submitted to Congress a report entitled, "The Demand for Personnel and Training in the Field of Aging." He had been directed to make this report by Public Law 90–42, the "Older Americans Act Amendments of 1967." Under provision inserted at my request, the Secretary was directed: "to undertake, directly or by grant or contract, a study and evaluation of the immediate and foreseeable need for trained personnel to carry out programs related to the objectives of the Older Americans Act and of the availability and adequacy of the educational and training resources for persons preparing to work in such programs."

As chairman of the Subcommittee on Federal, State, and Community Services in the Senate Special Committee on Aging, I have been impressed with the importance of having an adequate number of personnel trained to work in programs for older Americans, if we are eventually to solve the problems and take advantage of the opportunities of this age group. At hearings conducted by our subcommittee, witnesses have testified that the shortage of trained personnel has handicapped efforts to provide services needed by our older compatriots.

The report submitted by Secretary Cohen was prepared on contract by the Surveys and Research Corp. The report's conclusion is that there is "an urgent and increasing need for personnel" to serve in the field of aging. In addition, it states that "a projection of future demand . . . would place requirements for trained workers in 1980 at a level two and three times above that of 1968." Twenty-three recommendations are made for relieving present shortages and preventing future shortages of personnel trained to serve in aging programs.

This report provides much food for thought in congressional consideration of this problem in the months ahead. I ask unanimous consent that a summary of this report be printed at this point in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

THE DEMAND FOR PERSONNEL AND TRAINING IN THE FIELD OF AGING

SUMMARY AND RECOMMENDATIONS

The study reported in the following pages was undertaken in response to a directive from the Congress. Cognizant of the critical need for trained manpower to serve the needs of older persons, Congress included in the Older Americans Act Amendments of 1967 an authorization to the Secretary of Health, Education, and Welfare to "undertake, directly or by grant or contract, a study and evaluation of the immediate and foreseeable need for trained personnel to carry out programs related to the objectives of this Act [the Older Americans Act of 1965], and of the availability and adequacy of the educational and training resources for persons preparing to work in such programs." On behalf of the Secretary, the Administration on Aging contracted with Surveys & Research Corporation to undertake the necessary research and to prepare a report of its findings and recommendations. Concurrently, the Administration on Aging made grants to the National Association of Housing and Redevelopment Officials and the National Recreation and Park Association for studies of personnel needs in the specific fields of retirement housing and recreation for the aging. Summary data from these two studies, as well as new data for employees in State and Federal programs collected by Surveys & Research Corporation as part of its task, have been incorporated in the present report. For the most part, however, limitations of time and resources compelled the study staff to restrict its operations to information already in existence. Despite such shortcomings, the data presented in the report reveal in significant measure the major dimensions of current and future needs.

The need for trained personnel in aging

National concern for the older population has risen rapidly over the past 30 years, reflecting the phenomenal growth in the number of older people, and technological and social changes which have altered the place and roles of older adults in the economy and in society. Congress, State legislatures, and scores of national and community agencies and organizations have responded with the creation of numerous programs, facilities, and services designed to meet the needs of the older population in the areas of income maintenance, preservation of health, provision of suitable housing, and finding new activities and roles for the retirement years.

The new programs require large cadres of personnel trained in a variety of professional fields and for supporting subprofessional and technical tasks. They must bring to their tasks, it is generally recognized, not only professional and technical skills, but also a knowledge of the processes of aging, and of the special characteristics and needs of older people. Although some progress has been made in developing appropriate training programs it is far behind the expanding need. As a result most if not all service programs are faced with critical shortages of trained personnel. The outlook is for little improvement in this regard unless drastic changes are made in the scope and character of the training effort.

At least a third of a million professional and technical workers are employed in programs serving older people exclusively or primarily. In all likelihood, fewer than 10 to 20 percent of these have had formal preparation for work with older people. A protection of future demand, if necessarily a gross one, would place requirements for trained workers in 1980 at a level two and three times above that of 1968. A few examples in specific occupational areas will illustrate trends in demand.

Teachers in Universities and Professional Schools

The report indicates a need to double the support for students preparing for teaching and research in aging in universities and professional schools within the next five years. Translated into training staff requirements, such a recommendation implies a substantial increase in the number of teachers. No data are available to estimate the need for teachers in gerontology in community colleges and vocational schools but it will have to be of major proportions if subprofessional and service personnel are to be trained in anything like adequate numbers.

Federal and State Personnel in Planning and Administration

Federal and State personnel engaged in planning, administering, and coordinating programs under the Older Americans Act—key personnel in the field—now number about 300, not counting approximately 80 vacant positions. Projected minimal needs for 1970 and 1980 are 600 and 1,100–1,200 respectively. These figures are exclusive of the supply of and demand for trained personnel for local community planning and leadership.

Management Personnel in Retirement Housing

Management personnel in governmentally assisted housing projects designed for occupancy by older people currently number about 4,900. Few have had specialized preparation for working with older people. Estimated requirements for such personnnel in 1970 range from 8,000 to 13,000. Corresponding figures for 1980 are from 32,000 to 43,000.

Personnel for Nursing and Personal Care Homes

An even more compelling need for trained personnel exists in the field of nursing and personal care homes if these facilities are to provide adequate medical care, restorative services, and stimulating activity programs. Some 24,000 persons are employed in administrative capacities in such homes at the present time, most of whom will require special training if they are to meet licensing requirements now being developed in response to the Social Security Act Amendments of 1967. A special analysis made for the present report points to the strong likelihood of a doubling and tripling in the number of beds in use by 1980, with a need for corresponding increases in the number of trained personnel. The number of registered nurses and licensed practical nurses required, for example, may rise from the current 70,000 to about 200,000–300,000. Substantial increments will also be called for in the number of physical therapists, occupational therapists, dietitians, pharmacists, nurse-aides, and others employed in nursing and personal care homes.

Personnel for Community and Home Delivered Services

Home medical care programs and the provision of social services to older people through social agencies appear destined for major expansion. As these programs grow in number and size, they will make demands for personnel. The need for social workers, social work aides, and community aides trained to serve older people in public welfare agencies, long-term care facilities, information-referral services, retirement housing projects, and in other facilities, largely unfulfilled, runs into many thousands.

Recreation Personnel

The field of recreation is responding to the challenge of helping middle-aged and older people find new uses for their retirement time. The report indicates that at present there is a full-time equivalent of approximately 15,000 recreation personnel working with older adults. Projected needs are for 23,000–31,000 such workers in 1970 and 26,000–76,000 in 1980.

The data cited point clearly to an urgent and increasing need for personnel to teach gerontology, basic and applied, in universities, professional schools, colleges, and community colleges; to conduct research that would both add to existing knowledge, and afford systematic evaluations of prevailing policies and programs for meeting the needs of older people; to plan and administer programs in the field of aging; and to operate the facilities and provide the many services required. Twenty-three recommendations are made in the report. These are listed below, with a brief reference in each case to the basis for the recommendation.

Recommendations to overcome data gaps

One of the most serious deficiencies turned up by the present study is the paucity of basic information on the demand for and supply of personnel in the field. The first recommendation in the report is addressed to this subject, in recognition of the fact that such information is fundamental to efforts to recruit personnel and to provide training opportunities.

Recommendation 1: That AoA establish a *Manpower Data Center* responsible for assembling and publishing on a continuing basis data on manpower supply, utilization, and demand in the field of aging. The Manpower Data Center should make use of all data resources available in Federal agencies (e.g. Bureau of the Census; the Bureau of Labor Statistics), and be empowered to conduct, directly or by contract, both census type and/or sample studies in the procurement of needed manpower data. Adequate funds and staff should be allocated for the effective operation of the proposed Manpower Data Center.

Educational and training programs can be designed only with the aid of detailed information regarding the precise nature of the positions to be filled, the specific tasks to be performed in such positions, and the educational and experience qualifications required for performing them. This is the subject of the second recommendation.

Recommendation 2: That AoA, in cooperation with designated units in other Federal agencies and with the professional and trade associations concerned, undertake a systematic analysis and review at regular intervals of the duties and responsibilities of all significant positions in programs serving older persons and of the requirements for employment in such positions.

Recommendations designed to strengthen training programs

The report presents evidence that personnel needs in the field of aging are of serious proportion. The achievement of an adequate supply of skilled personnel to serve the older population will require a greatly augmented program of: Curriculum development, teacher training, trainee recruitment, and involvement by educational institutions in the design and organization of training programs in the field of aging at all levels of training: doctoral, master's baccalaureate, vocational, and short-term.

Chapter III of the report deals with training needs and sets forth recommendations relevant to each of these levels.

Programs Leading to the Doctorate in Aging

The basic purpose of doctoral level training programs in aging is to enlarge the supply of teachers in colleges, universities, and professional schools, research workers, and of top level administrators and planners in the field. Although the number of people in these groups is likely to remain relatively small, they will always account for most of the new knowledge in the field, supply most of the teachers, and, in large measure, provide leadership in program planning and strategy.

Currently, there is a distressing gap between the number of trainees for the doctoral degree and the need for teachers and other high level personnel in the field. Recommendations 3 through 5 address themselves to the problem of increasing the supply of personnel at this level.

Recommendation 3: To increase the supply of faculty members engaged in teaching graduate students working for a doctoral degree in the basic sciences and in professional fields with a concentration in aging, AOA, NICHD, NIMH, and other Federal agencies should encourage universities to provide teacher preparation training at the doctoral and postdoctoral levels, including support of summer institutes designed specifically for such teachers. These efforts should be extended to include training opportunities for students at the doctoral level who seek to prepare for top level administrative and planning positions.

Recommendation 4: Federal support for all doctoral degree programs in aging be increased each year, beginning in Fiscal Year 1970, until it reaches the level required to meet the needs of the field.[1]

Recommendation 5: The dollar amount of Federal stipends in doctoral degree programs be raised to attract more candidates, particularly from among practitioners, supervisors, and administrators in the field; and in recognition of the likelihood that they will have dependents, such stipends should include supplements for dependents.

Programs Leading to the Master's Degree in Aging

There is broad agreement that master's degree programs in applied social gerontology and in a number of critically important professional fields with a specialization in aging, are essential to the delivery of high quality services to older people. Personnel trained at this level are in great demand for program planning and administration, for directing a variety of facilities for older people, for providing direct services, supervising semiprofessional and technical personnel engaged in the provision of services, and for teaching in vocational education programs. Recommendations 6 through 8 are addressed to the problem of recruiting and training the thousands of professional workers needed at the master's degree level.

Recommendation 6: AoA steps up its efforts, as rapidly as resources permit, to stimulate universities and professional schools to introduce aging as a subject field for study and research at the master's degree level; to promote aging as a specialty in social work, public administration, recreation, health care administration, adult education, home economics, architecture, hotel and institutional management, and other relevant fields; to develop field training opportunities (with funding for internship positions) in aging programs. Evaluative studies of existing programs need to be undertaken, and new curriculum models developed as necessary.

Recommendation 7: AoA and other Federal agencies, State agencies, and community agencies provide sabbaticals or other paid leaves of absence to enable personnel to enroll in graduate level programs that will increase their competencies for work in aging. The same agencies should offer paid internships and other field work experiences to enhance the quality of training for students enrolled in graduate level educational programs in aging.

Recommendation 8: Federal agencies with master's degree traineeships undertake a joint effort to:

1. Increase the number of traineeships;
2. Raise the dollar amount of the stipend to more realistic levels; and
3. Standardize stipend amounts among programs, while allowing differences related to level of training and number of dependents.[2]

Programs Leading to the Baccalaureate Degree

Among educators in the field of aging there is consensus that exposure of undergraduates to courses in the field of aging would be conductive to a better understanding of aging as a human and social fact of life, and could awaken an interest in some young people in a career in the field of aging. There is a growing demand for at least a rudimentary professional education at the undergraduate level to relieve critical personnel shortages. The report offers two recommendations in this area.

Recommendation 9: AoA increase the support of colleges and universities with baccalaureate degree programs with a health, social work, recreation, public administration, or other concentration in a field related to aging, and study the experience of such institutions with a view to making recommendations concerning the inclusion of aging as a potential concentration major or career line for graduates. The possibility of developing an undergraduate concentration in gerontology as such, cross-disciplinary in its scope, with support from relevant funding agencies needs to be explored more fully.

Recommendation 10: AoA encourage colleges and schools of education to provide short-term training in gerontology to primary and secondary school teachers who, in turn, may incorporate appropriate material into courses in the social studies, health studies, and in other parts of the curriculum. Such efforts should be evaluated carefully with respect to the effects on teachers and pupils and with regard to including content on aging into career preparation for teaching at the primary and secondary school levels.

Full-time Vocational Education in Aging

The report points up the need for additional numbers of semiprofessional and technical personnel in occupations serving older people. Recommendations 11, 12, and 13, look toward an increase in the activity and capability of community colleges and vocational education programs at this level.

---

[1] In a report prepared for the National Institute of Child Health and Human Development earlier this year, the Gerontological Society, Inc., recommended that funds for training should be doubled over the next five years. (*A Survey of Training Needs and Mechanisms in Gerontology,* Final Report, Submitted by the Project Division, Gerontological Society, Inc., 110 South Central, St. Louis, Missouri 63105. Prepared under Contract PH 43065–647 and submitted March 15, 1968, P. 48.)

[2] HEW's Grant Administration Manual was amended May 3, 1968 to standardize stipend amounts among training programs financed by the Department effective July 1, 1968. Differences in stipends after July 1 are related primarily to level and year of training, number of dependents, and professional experience.

Recommendation 11: AoA, directly or by grant, and in cooperation with interested Federal agencies, develop curricula suitable for use in vocational education facilities designed to prepare trainees for employment as community aides, senior center aides, housing, and other program aides in aging programs, and for incorporation into existing training programs of a more general character.

Recommendation 12: The Office of Education and the Department of Labor (MDTA) along with AoA stimulate State and local vocational schools and junior and community colleges to offer courses and to recruit students for training in technical occupations essential to the provision of services for the older population. Special effort, supported by stipends, should be made to recruit older people, military service retirees, housewives, and other persons in their early or middle years seeking a first-time career or a new career in subprofessional or technical positions in aging.

Recommendation 13: A teacher training program be developed, at the master's degree level, to augment the supply of teachers engaged in the training of aides and other subprofessional personnel for employment in agencies serving older people. This entails a cooperative effort with the agencies, universities, and professional associations in the disciplines affected.

Continuing Education Programs in Aging

Short courses on aging are playing a significant role in introducing sizable numbers of new practitioners and volunteers into the field, in providing gerontological content, and in upgrading and updating the skills of practitioners already employed in occupations serving the aged. The principal limitations of short courses are: (1) the small scale on which they are now conducted and the consequent failure to reach many who might be interested in them; (2) the shortage of teachers and of curriculum models; and (3) inadequate funding support for expansion and recruitment. The potential of the short course mechanism in helping to meet current need is so great that four recommendations are devoted to it.

Recommendation 14: Federal spending for short courses and institutes be increased sharply from the FY 1968 level of approximately $1 million to levels required to implement Recommendations 15, 16, and 17.

Recommendation 15: AoA, in cooperation with other Federal agencies—including the Office of Education, the Public Health Service, the Office of Economic Opportunity, the Department of Labor (MDTA) and other units of the Social and Rehabilitation Service—develop and provide directly or by grant and contract, opportunities for training personnel, including middle-aged and older persons, to serve as aides and technicians in the wide range of programs for older people. This effort should include:

1. Development and testing of model short courses by Federal agencies, colleges, universities, and professional organizations;

2. Strong efforts to encourage widespread offering of such courses by educational and other appropriate agencies;

3. Greater utilization of funds available under Titles III, IV, and V of the Older Americans Act, the Vocational Education Act, the Manpower Training and Development Act, Title I of the Higher Education Act, relevant provisions of the Public Health Service Act and of the Social Security Act, and other appropriate funding programs in support of short courses in aging;

4. Experiment and innovation in the use of field experience as a training device; and

5. Testing the effectiveness of various devices for attracting trainees to short courses, including payment of stipends.

Recommendation 16: In view of the rapid expansion of social, recreation, health, housing, and other services and programs for older people, AoA proceed as outlined in Recommendation 15 to develop and foster short term training for currently employed professional and paraprofessional personnel in order to increase the supply of such persons qualified to serve the older population as rapidly as possible. The Federal agencies involved should staff up with specialists in aging to strengthen their capability in this area.

Recommendation 17: Until the supply of teachers coming out of the doctoral programs (see Recommendations 3 to 5) meets the needs and demands for such personnel, AoA in cooperation with universities develop and underwrite the cost of summer training institutes for short course teachers, to be conducted at selected universities throughout the country, making use of gerontologically-oriented faculty involved in the master's and doctoral programs referred to above. Attendance at such summer institutes would be encouraged among practitioners in agencies serving older people, as well as among interested faculty of community colleges, four-year colleges and universities.

Underpinning the training effort

The report makes a number of additional recommendations designed to underpin the training effort. These concern the improvement of institutional settings for training in aging, closer coordination and cooperation of Federal activity in the encouragement and support of training, interchange of personnel in aging, and recruitment to the field.

University Centers for Training, Research, and Service in Aging

A dozen or more universities across the country have established multidisciplinary institutes of gerontology or centers for training, research, and service in aging. Such centers increase the visibility of the field of aging; often afford the only opportunity students and faculty may have for exposure to the broad interdisciplinary aspects of the field of gerontology; constitute a focal point for research and training; and can provide many significant services to State and other agencies serving older people. A major hindrance to their development has been the lack of general purpose financial support from the Federal government, which limits its aid to funding specific research and training projects. Moreover, there has been little joint encouragement or funding of such centers by the several Federal granting agencies in the field of aging. Recommendations 18, 19, and 20 are designed to overcome these problems.

Recommendation 18: Under authority of Titles IV and V of the Older Americans Act, AoA should make general purpose grants to universities for the support of institutes of gerontology or centers for training, research, and service in aging. Such grants should help support developmental activities in research and training; preparation of curricula, model courses, and teaching materials; career and short-course training in broadly specified areas of aging; a range of research on specified topics or problems; the operation of demonstration projects and programs; and consultation services. An institute or a center will require from one-half to one million dollars the first year, and from two and a half to four million dollars the fifth year.

Recommendation 19: Federal agencies providing support for training and research in aging—AoA, the Rehabilitation Services Administration and other units of the Social and Rehabilitation Service, the National Institute of Child Health and Human Development, and the National Institute of Mental Health—be encouraged to engage in joint funding of such centers and institutes.

Recommendation 20: AoA be authorized and allotted funds to support the construction of university centers for training, research, and related purposes in aging. In addition, AoA, the Public Health Service, the Office of Education, the Department of Housing and Urban Development, and other Federal agencies, as appropriate to their objectives and programs, should be authorized to provide financial assistance for the construction of model multiservice senior centers, housing projects, and personal care and nursing homes to be operated in conjunction with training and research programs in universities and professional schools. Authorization to AoA should include provision for subsidizing the operation of such facilities, to the extent necessary.

Recruitment of Personnel to the Field of Aging

Throughout the report there are numerous references to the urgency of recruiting large numbers of persons—young, mid-career, and older people—for vocational, semiprofessional, and professional training in occupations that serve the older population. There is need for an immediate, major, and continuing effort to call attention to the needs and opportunities for personnel in the wide-ranging aspects of the field and at all levels of skill and training. Such effort should include the preparation of information bulletins, folders, and booklets for use by secondary school and college vocational counselors and for distribution in schools, public and private employment and counseling agencies, military discharge posts, meetings of professional organizations including teachers' meetings, national voluntary organizations, and community agencies.

Recommendation 21: AoA expand markedly its public information program to call the attention of all elements of the population to the urgent need for personnel and the availability of positions in programs serving older people, and to the career and short course training opportunities open to those who seek to prepare for such positions.

Federal Agency Cooperation

Four agencies in the Department of Health, Education, and Welfare, as of 1968, make grants for training in aging, namely, Administration on Aging (AoA), National Institute of Child Health and Human Development (NICHD), National Institute of Mental Health (NIMH), and the Bureau of Health Manpower of the Public Health Service. Other Federal agencies (Rehabilitation Services Administration and Office of Education in the Department of Health, Education, and Welfare; Department of Labor; Office of Economic Opportunity), administer training programs focused on occupations or skills levels without reference to age group served; these programs do however yield trainees employed in aging programs.

The various Federal agency programs cited are complementary rather than competitive. Several of the foregoing recommendations point toward continuing and expanded involvement of all of these agencies in the support of training, and urge the need for close cooperation to achieve maximum efficiency in the joint training effort, comprehensive coverage of the field, and elimination of existing gaps. Recommendation 22 calls for AoA to provide leadership in achieving these goals.

Recommendation 22: AoA take the leadership in effecting closer cooperation among Federally supported training programs in the field of aging through an exchange of information among Federal funding agencies, defined understandings concerning division of effort, joint exploration of gaps in training coverage, and joint planning to overcome training program gaps and deficiencies.

Interchange of Federal, State, and Local Employees

Many if not most of the programs providing services to older people in the United States involve relationships among Federal, State, and local government agencies. Greater sensitivity and understanding of the needs of older people, and better program planning and coordination designed to meet these needs effectively, could be achieved if opportunities were available for a regular interchange of Federal, State, and local employees working in the field of aging. The following recommendation is addressed to this issue.

Recommendation 23: Mechanisms should be provided for the periodic interchange of personnel among Federal, State and local agencies serving older persons, to promote improved program coordination and planning, and to broaden the experience of key staff personnel.

ACHIEVEMENTS OF THE BLIND AND EXPANSION OF WORK OPPORTUNITIES TO BE STRESSED AT WASHINGTON CONFERENCE ON THE EMPLOYMENT OF THE BLIND

Mr. RANDOLPH. Mr. President, tomorrow, Wednesday, February 26, several Federal agencies are sponsoring a 1-day conference on employment of the blind. This meeting is being held in the auditorium of the Smithsonian Museum of Natural History.

As an original author of the Randolph-Sheppard Act which established the existing vending stand program for blind operators, I am gratified to call attention to this conference. I commend the Federal agencies and other organizations participating in this worthy endeavor. The purpose of the meeting is to explain, extend, and expand employment opportunities of qualified and efficient persons who are blind.

Real accomplishments are made by blind persons who have been given the opportunity for productive employment. Their records of service are substantial. As a Nation, we have endeavored to break down the barriers to employing the handicapped and we have provided progress. But much remains to be done. I am confident that the Washington Conference on the Employment of the Blind will contribute significantly to the development of new job programs.

Mr. President, at the end of fiscal year 1968 there were 2,920 vending stands in the United States under the management of 3,259 blind persons. The total gross sales from these stands were in excess of $78.9 million. Our goal is employment opportunities for 5,000 blind persons by fiscal year 1970. It is my belief that the Randolph-Sheppard program is tangible evidence of what can be accomplished in affording job opportunities for the blind. We must build on such records. Achievements of the blind as productive citizens is a fine force in our society.

Mr. President, I ask unanimous consent that the program for the conference be printed in the RECORD.

There being no objection, the program was ordered to be printed in the RECORD, as follows:

WASHINGTON CONFERENCE ON THE EMPLOYMENT OF THE BLIND

PURPOSE

To explain, extend and expand employment opportunities of qualified and efficient persons who are blind.

Nicholas Oganovic, Conference Chairman, Executive Director, U.S. Civil Service Commission.

Albert J. Schaffer, Assistant Conference Chairman, Personnel Director, Internal Revenue Service.

SPEAKERS

Mr. Joseph Hunt, Commissioner, Rehabilitation Services Administration, HEW.

Miss Mary Switzer, Administrator, Social and Rehabilitation Service, HEW.

Mr. Edward Walker, WRC Radio National Broadcasting Company.

Mr. B. Frank White, IRS Regional Commissioner (Southwest).

Mr. Robert S. Bray, Chief, Division for the Blind and Physically Handicapped, Library of Congress.

Dr. Douglas MacFarland, Chief, Division of the Services for the Blind, HEW.

Mr. Edward Rose, Director of Selective Placement, CSC.

SPONSORS

Library of Congress.

U.S. Treasury Department, Internal Revenue Service.

U.S. Department of Health, Education, and Welfare, Social and Rehabilitation Service, Rehabilitation Services Administration, Division of Services to the Blind.

Veteran's Administration.

U.S. Civil Service Commission.

WRC Radio, National Broadcasting Company.

ADJOURNMENT TO FRIDAY, FEBRUARY 28, 1969

Mr. KENNEDY. Mr. President, in accordance with the previous order, I ask unanimous consent that the Senate stand in adjournment until 12 o'clock noon on Friday, February 28, 1969.

There being no objection, the Senate (at 3 o'clock p.m.) adjourned until Friday, February 28, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 21, 1969, under authority of the order of February 19, 1969:

DEPARTMENT OF COMMERCE

Kenneth N. Davis, Jr., of New York, to be an Assistant Secretary of Commerce.

James T. Lynn, of Ohio, to be General Counsel of the Department of Commerce.

Andrew E. Gibson, of New Jersey, to be Maritime Administrator, Department of Commerce.

U.S. TRAVEL SERVICE

C. Langhorne Washburn, of the District of Columbia, to be the Director of the U.S. Travel Service.

CORPORATION FOR PUBLIC BROADCASTING

Albert L. Cole, of Connecticut, to be a member of the Board of Directors of the Corporation for Public Broadcasting for the remainder of the term expiring March 26, 1974, vice Milton S. Eisenhower, resigned.

DEPARTMENT OF COMMERCE

Robert A. Podesta, of Illinois, to be an Assistant Secretary of Commerce.

COASTAL PLAINS REGIONAL COMMISSION

G. Fred Steele, Jr., of North Carolina, to be Federal Cochairman of the Coastal Plains Regional Commission.

FOUR CORNERS REGIONAL COMMISSION

W. Donald Brewer, of Colorado, to be Federal Cochairman of the Four Corners Regional Commission.

DEPARTMENT OF THE ARMY

Eugene M. Becker, of New York, to be an Assistant Secretary of the Army.

Executive nominations received by the Senate February 24, 1969, under authority of the order of February 19, 1969:

DEPARTMENT OF AGRICULTURE

Richard E. Lyng, of California, to be an Assistant Secretary of Agriculture.

FARM CREDIT ADMINISTRATION

The following-named persons to be members of the Federal Farm Credit Board, Farm Credit Administration, for terms expiring March 31, 1975:

T. Carroll Atkinson, Jr., of South Carolina, vice Lorin T. Bice, term expiring.

James H. Dean, of Kansas, vice Kenneth Anderson, term expiring.

IN THE AIR FORCE

The following officers for appointment in the Air Force Reserve to the grade indicated, under the provisions of chapter 35 and sections 8373 and 8376, title 10 of the United States Code:

To be major generals

Brig. Gen. Joe M. Kilgore, FV437412, Air Force Reserve.

Brig. Gen. Rollin B. Moore, Jr., FV397579, Air Force Reserve.

Brig. Gen. Gwynn H. Robinson, FV791240, Air Force Reserve.

Brig. Gen. John H. Stembler, FV342806, Air Force Reserve.

To be brigadier generals

Col. William H. Bauer, FV857929, Air Force Reserve.

Col. Gerald A. Hart, FV755937, Air Force Reserve.

Col. Ralph G. Hoxie, FV650233, Air Force Reserve.

Col. Michael J. Jackson, FV440840, Air Force Reserve.

Col. Frank S. Perego, FV426422, Air Force Reserve.

Col. Duncan N. P. Pritchett, FV1863021, Air Force Reserve.

Col. Robert W. Valimont, FV560437, Air Force Reserve.

Col. Alfred Verhulst, FV697071, Air Force Reserve.

The following officers for appointment as Reserve commissioned officers in the U.S. Air Force to the grade indicated, under the provisions of sections 8218, 8351, 8363, and 8392, title 10 of the United States Code:

To be major general

Brig. Gen. George W. Edmonds, FG755898, California Air National Guard.

To be brigadier generals

Col. Ralph W. Adams, Sr., FG793233, Alabama Air National Guard.

Col. Rollin M. Batten, Jr., FG946592, Nebraska Air National Guard.

Col. Nowell O. Didear, FG682941, Texas Air National Guard.

Col. William C. Smith, FG796038, Tennessee Air National Guard.

Executive nominations received by the Senate February 25, 1969:

LAW ENFORCEMENT ASSISTANCE

Charles H. Rogovin, of Massachusetts, to be Administrator of Law Enforcement Assistance.

Richard W. Velde, of Virginia, to be an Associate Administrator of Law Enforcement Assistance.

CONFIRMATION

Executive nomination confirmed by the Senate February 25, 1969:

U.S. DISTRICT JUDGE

James F. Battin, of Montana, to be U.S. district judge for the district of Montana.

WITHDRAWAL

Executive nomination withdrawn from the Senate February 21, 1969:

DEPARTMENT OF THE ARMY

Eugene M. Becker, of Illinois, to be an Assistant Secretary of the Army, which was sent to the Senate on February 19, 1969.

HOUSE OF REPRESENTATIVES—*Tuesday, February 25, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

If you continue in My word, you are My disciples, and you will know the truth.—John 8: 31, 32.

O Thou who art the truth that makes men free and the love that gives them life, strengthen us by Thy spirit that no danger may overwhelm us and no discouragement overcome us. Make us one of that splendid company who find in Thy service perfect freedom and who in loyalty to Thee commit their lives to purposes greater than themselves.

Help us to make good use of this day, seeking always to know what Thou wouldst have us do. Beginning this hour with a vision of Thy presence, may we continue in dependence upon Thy spirit and come to rest at eventide knowing Thou art with us and that we have been with Thee all the day long.

Bless our President as he seeks peace and unity among the nations. Crown his efforts with enduring success and give him wisdom as he talks with the leaders and people of other lands. Grant him a safe return with greater ideas for the good of all and with a firmer faith in the goals of free men.

In the spirit of our Lord we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

PHILIP N. BROWNSTEIN

(Mr. BARRETT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BARRETT. Mr. Speaker it is always a pleasure to give recognition to a job well done and particularly to honor a Government official who has brought credit to his office and who has played a vital role in the growing success of our legislative goals. Philip Brownstein, Assistant Secretary for Mortgage Credit and Federal Housing Commissioner, is just such a man. His responsibilities have not only been exacting and complex but in his position, he has played a key role in the successful development of a major aspect of recently enacted housing legislation—that of a growing partnership between Government and private citizens in meeting our housing needs.

Beginning with the Housing Act of 1961, with the introduction of below-market interest rate financing for rental and cooperative housing for moderate-income families, we in the Congress have recognized that Government alone cannot meet the needs of all of our citizens who cannot afford decent housing entirely on their own. There were many who had misgivings that the Federal Housing Administration with its conservative business-oriented background could not adapt to this new responsibility and, as is the case in so many new programs, the BMIR program took some time to gain acceptance. However, the recent sharp increase in activity under this program has fully justified our confidence that the FHA could carry out this new responsibility while at the same time maintaining the soundness of its mortgage insurance operations. Commissioner Brownstein has led FHA into its broadened field with skill and competence. In 1965, the Congress recognized that the housing needs of our lowest income families could not be fully met without the participation of private sponsorship and enacted the rent supplement program to meet that need. The growing public acceptance of the rent supplement program is due in no small part to the leadership of Commissioner Brownstein. The Government-industry partnership through FHA was further developed with the 221(h) program of 3-percent loans to finance rehabilitation and homeownership in 1966 and the major innovation of the 1968 Housing Act of interest subsidies for both homeownership and for rental and cooperative housing.

Commissioner Brownstein has indeed played a pivotal role in a major reworking of the nature of our housing programs. The Congress is heavily committed to the principle of greater private participation in meeting the housing needs of low-income families. By developing the full potential of the Federal Housing Administration and the confidence which Commissioner Brownstein has inspired has been vitally important in making this possible. It is not an easy task in government or in private enterprise to meld a business operation with the objectives of our programs to assist those who cannot afford housing entirely on their own but Commissioner Brownstein has been outstandingly successful in doing just that.

We have made a major breakthrough in our housing efforts in recent years through the partnership of Government assistance and private initiative but we all recognize that the success of this effort depends on skillful administration and we in the Congress who support this new partnership are deeply indebted to Phil Brownstein for the vital role he has played in our success.

Despite his many years of public service, Phil Brownstein is still a young man and he is entering private law practice here in Washington where I am confident he will add further distinction to his career.

Mr. YATES. Mr. Speaker, Philip N. Brownstein, Assistant Secretary of the Department of Housing and Urban Development and the FHA Commissioner, retires from Federal service on February 21 and is embarking on a second career in private enterprise. I want to take a moment to commend him for his significant contribution in the field of housing and urban development. After his appointment as Commissioner of FHA in 1963, Mr. Brownstein directed the agency's efforts toward mortgage insurance for small towns and outlying areas and the inner city. We urged mortgage lenders to finance residential development and mortgage transfers in rural areas and encouraged traditional lenders to make money available in older neighborhoods. He also directed FHA's efforts toward assuming greater risk in financing home purchases for the low-income and disadvantaged families, particularly those in the inner city. He is a man much admired on the Hill for his dedication to our Nation's housing goals and for his tireless efforts on behalf of all our citizens. We wish him great success as he begins his career in private life.

Mr. EDWARDS of California. Mr. Speaker, there is not one Senator or Congressman who does not feel a sense of loss with the retirement of Philip N. Brownstein, Assistant Secretary of the Department of Housing and Urban Development. Each of us represents hundreds of thousands of people back home. Each of us is concerned with the housing of our people. Each of us is confronted frequently with problems regarding housing where Federal interests are involved. Fortunately for us and our constituents, we have had for the past 6 years Phil Brownstein sitting in high Housing and Urban Development office, immensely skillful, resourceful, knowledgeable—and—best of all—personally dedicated to our national goal of "a decent home and suitable living environment for every American family."

Mr. Speaker, I could talk for a long time this afternoon in relating the many instances where the families of northern California are better housed today because of Phil Brownstein. Every House Member here today could do the same. Suffice to say, Phil was always there when we were in need of help. If our problem was legitimate, within the area contemplated by Congress in the enactment of the law, we could always count on Phil Brownstein.

In his job Phil Brownstein was more than an administrator. He was also an innovator—a principal in the drafting of many of the housing bills that have created a nation of homeowners. It is no secret that Phil has always felt strongly about the opportunity of homeownership to low-income Americans. He has done something, too, about his cherished ideal of homeownership. The laws today that help low-income families become proud owners of American homes have been significantly influenced in their inspiration and creation by Philip Brownstein.

The agency that Philip Brownstein leaves will carry on. It will continue to provide the American people with high-quality service because it is composed of very talented and trained people. That the organization he leaves is top grade is also to Phil Brownstein's credit. He will be remembered by his colleagues with respect and with warm affection. And that is how he will be remembered in the Congress of the United States.

Mr. BOGGS. Mr. Speaker, Assistant Secretary Philip N. Brownstein, the FHA Commissioner, is retiring from Federal service on February 21 and is embarking on a new career in private industry. We certainly wish Phil every success in this new endeavor. He has had a remarkable career of public service spanning some 34 years. He started with FHA in 1935—served as Chief Benefits Director in VA and returned to FHA in 1963 to lead the agency he once served as an assistant truckdriver. Mr. Brownstein has many significant accomplishments in his career. Among the most recent would be the redirection of the Federal Housing Administration's efforts to help meet the desperate housing needs of low-income, disadvantaged, and other families living in the inner city. He directed FHA's efforts toward the area of greatest need without diluting the efficiency of the agency in performing its traditional role of public service. He is an administrator who has few parallels in Government and I am delighted to take this opportunity to commend him publicly.

Mr. EVINS of Tennessee. Mr. Speaker, it is a pleasure for me to join with others in paying a brief but sincere tribute to Mr. Philip N. Brownstein, whose career in public service as Commissioner of the Federal Housing Administration has been outstanding.

Mr. Brownstein served in FHA for 33 years and was the first Assistant Secretary of the recently created Department of Housing and Urban Development.

Phil Brownstein is an able, genial career employee in Federal service. His competence, ability, and experience are unsurpassed in his field.

While FHA Commissioner—a position he held longer than any of his predecessors—Phil Brownstein made important improvements in the handling of the public's business to facilitate loans and service to the people.

As chairman of the Subcommittee on Independent Offices and HUD Appropriations, I found Phil Brownstein to be an effective and articulate administrator in his testimony before our committee.

I commend and congratulate Phil for his great record of public service, and I join with my colleagues in wishing him the very best of good luck and success as he enters the private practice of law in Washington.

Mr. REUSS. Mr. Speaker, Philip N. Brownstein, Assistant Secretary of the Department of Housing and Urban Development and the FHA Commissioner, joined FHA in 1935. Just last week he left FHA to enter the private practice of law. Between those two dates lies a career studded with significant achievements of public service.

After 9 years with the Federal Housing Administration, Mr. Brownstein left for 2 years' service in the Armed Forces during World War II. He then joined the Veterans' Administration in its newly established home loan program where he served with distinction for 17 years reaching the post of chief benefits officer. In 1963 he was selected by President Kennedy to become FHA Commissioner and has served in that capacity for the past 6 years.

Under Commissioner Brownstein's direction FHA has become a vital part of our Government's efforts to solve our pressing urban problems. Through his pioneering efforts he has made it possible for more American families to become homeowners. He has encouraged the development of individual homes for purchase by families of modest means. He has stimulated creation of rental housing for low-income families by nonprofit corporations. He saw to it that the services of FHA were available whether the need was in rural America or in the ghetto. We owe Mr. Brownstein a debt of gratitude for his great public service.

Mrs. SULLIVAN. Mr. Speaker, on February 21 the Department of Housing and Urban Development lost to retirement one of the most capable administrators and innovators that have served our country's housing needs. Philip N. Brownstein, Assistant Secretary, is retiring to enter the field of private enterprise after some 34 years as a career public servant. Mr. Brownstein's tenure as FHA Commissioner began in 1963 and is the longest and, in my judgment, one of the most fruitful periods of service in that important office. Phil Brownstein was a Federal careerist who began in Federal service in the mid-1930's and who has devoted all but 2 years—they were for military service—to meeting the housing needs of our citizens both at the Veterans' Administration and the Federal Housing Administration. Mr. Brownstein's stewardship of veterans benefits programs and the mortgage insurance programs of the FHA reflects great credit on him and brings honor to the many hard-working Federal careerists in our Government.

In our hearings before the Committee on Banking and Currency, Commissioner Brownstein's testimony and comments have always been of exceptional value and most helpful to us in carrying out our responsibilities. I was particularly appreciative of the technical assistance and advice provided in drafting the section 221(h) program which I sponsored to provide for the first time 3 percent financing for the rehabilitation and sale of housing to low income families. This was our first program of direct assistance for home ownership and has proven its worth not only in my own city of St. Louis but elsewhere in the Nation.

Phil Brownstein has set an extremely high standard that Federal careerists can strive for. He has earned the gratitude of his Government and the American public he so ably served. I join my colleagues in wishing him well in his new career in private industry.

Mr. BROOKS. Mr. Speaker, on February 21, our Government lost to retirement one of its most able and most imaginative administrators. I speak of Philip N. Brownstein, Assistant Secretary of Housing and Urban Development and FHA Commissioner, who has retired to enter private law practice.

Mr. Brownstein's career has been largely in the field of housing; first with FHA in that agency's early years, then with the VA following World War II and then as the head of the Federal Housing Administration. He is a man who has always been sensitive to our most pressing housing needs—decent shelter for families of modest and low income and for those who had been discriminated against. Mr. Brownstein broadened the focus of FHA's activities to include both the suburbs and the inner city. He cut through redtape and made FHA a most responsive and highly efficient organization.

I know Phil and his lovely wife, Ester, will enjoy the added leisure time and the responsibilities and challenges of his future endeavors. I wish them all the best, but I cannot help regretting that he will not still be overseeing this vital area of our Federal Government.

I am glad to have this opportunity to recognize the very meritorious service of an imaginative and hard-working public servant.

Mr. TEAGUE of Texas. Mr. Speaker, I have known Philip Brownstein for over 20 years, and in those two decades, my respect for him as one of this Nation's very finest civil servants and public officials has grown to almost limitless proportions. His ability, his service, his dedication, and his drive have been diligently applied to the administration of some of this Government's most effective programs.

I have also come to know Phil Brownstein as a good man, and a good friend. His departure from the official scene is a real loss to this Government.

I know and respect Phil Brownstein best through our long, pleasant, and productive association in the context of veterans' affairs, although our contact has continued through his years with the Federal Housing Administration and the Department of Housing and Urban Development.

He served the Veterans' Administration for 17 years, first as loan guaranty agent immediately after he returned from service in World War II with the Marines. He became head of that service in 1958, and in 1961 was designated chief benefits director for all the VA programs except medical and insurance. In 1963, President Kennedy appointed him Commissioner of Federal Housing Administration and when HUD incorporated FHA, President Johnson selected him as Assistant Secretary for Mortgage Credit and Commissioner of Federal Housing Administration.

During his service at the Veterans' Administration, Mr. Brownstein's penetrating evaluation of the sound-business side of a good program was strengthened by his compassion and understanding of the millions of veterans and widows and orphans which he served so well. He was, in one sense, the guardian to more than 4½ million veterans, widows, and children in his supervision of the $4.5 billion compensation and pension program.

He was, in another sense, the housing banker for over 7 million veterans who had homes financed under the $72 billion loan guaranty program. That loan guaranty program, as we all know so well, was and is the model for effectiveness and efficiency in the Federal Government. It pays its own way, and it continues to be a tremendous force in providing homes for those who gave so much including thousands who otherwise would not own homes.

During his VA career, Phil Brownstein in yet another capacity, was the overseer of finance for the program that saw more than 10 million veterans receive their education under the GI bill.

His relentless dedication, his skill as an administrator, and his understanding of high finance, in conjunction with his compassion for the millions who want to own their own homes, continued to be his hallmark as head of the Federal Housing Administration and as an Assistant Secretary of Housing and Urban Development.

Philip Brownstein was one of the most respected of Government servants throughout the private financial community. The captains of finance learned to respect him, they knew he meant what he said. His word was accepted without question by lenders, bankers, investors, insurance companies, and the homebuilding industry.

His standing among our own, the Congress, is tall. His integrity, his fairness, and his knowledge of veterans' programs and housing programs were widely recognized by all who dealt with him on legislative matters.

Phil Brownstein was not satisfied with mere efficiency and a smooth operation. He was an innovator, forever seeking ways to improve, to expand, to introduce changes to better serve the citizens he was paid to serve. This won him, in his VA days, the Exceptional Service Award, the highest honor the Veterans' Administration can bestow. It also won him the commendations of the two Presidents in his days with the FHA and HUD.

This man's innovative mind is reflected in some of the programs which he devised in recent years. He expanded the privilege of homeownership to hundreds of thousands of innercity residents, the disadvantaged, the minorities, and other low- and moderate-income families.

This Government is losing a man of excellence, and one of great dedication. This Government is losing the single most competent, well-informed man of housing programs in the United States.

He will be missed at Housing and Urban Development, Federal Housing Administration, at the Veterans' Administration, and here in Congress. He will be missed by the thousands who worked with him, and worked for Phil Brownstein.

While we will miss him, he goes with our warmest best wishes and our deep gratitude for over 32-years of superb, productive Government service.

Mr. FULTON of Tennessee. Mr. Speaker, it is a privilege to join with my colleagues to pay tribute to a man who, for more than three decades, has helped expose and explore, meet and mitigate America's urgent housing needs, Mr. Philip N. Brownstein.

After 33 years in Government service Mr. Brownstein has left his position as Commissioner of the Federal Housing Administration to join the Washington law firm of Parsons, Tennent & Zeidman.

The accomplishments of Mr. Brownstein were summarized briefly in the Washington Evening Star of February 21, 1969, and I include this article in the RECORD at this point:

Brownstein Resigns From HUD

Philip N. Brownstein, who started at the bottom rung at the Federal Housing Administration and rose to the top, has resigned as FHA commissioner and assistant secretary of the Department of Housing and Urban Development.

President Nixon is expected to appoint a successor soon.

A career federal employe who joined FHA 33 years ago, Brownstein is moving to the Washington law firm of Parsons, Tennent & Zeidman. Yesterday was his last day at HUD.

Brownstein was named FHA commissioner by President Kennedy in March, 1963. When the Department of Housing and Urban Development was created, he was appointed assistant secretary by President Johnson in February, 1966.

In this capacity, he had administrative responsibilities for the Government National Mortgage Association and the mortgage and loan insurance programs of FHA.

Brownstein held the top post at FHA longer than any of his predecessors. In recognition of this long tenure and performance, 13 associations dealing with housing and related fields paid tribute to him by sponsoring a reception last June.

He made a number of changes in FHA's operations during his tenure. He led FHA back into the inner city so that its mortgage insurance programs could be of greater service there.

He stimulated FHA's activity in the field of low and moderate income housing. Under his aegis, the FHA simplified its procedures by shortening processing time in both the home purchase and multifamily fields.

While working for FHA, Brownstein attended George Washington University and Columbus University Law School (now a part of Catholic University) and received his LL.B and LL.M degrees. He is a member of the D.C. Bar.

Brownstein served with the Veterans Administration starting in 1946, after a stint in the Marine Corps, until his appointment as FHA commissioner.

He was the recipient of House and Home Magazine's "Top Performer in Housing" award in 1964, and the Career Service Award of the National Civil Service League in 1967. He also was given VA's highest award, the Exceptional Service Award, in 1960.

Mr. Speaker, this article could not, in such short space, itemize the many meaningful and lasting contributions which Mr. Brownstein has made in the housing field.

Suffice it to say, however, that these contributions have been so great that though he may be succeeded as FHA Commissioner he cannot be replaced.

The Federal Government and Department of Housing and Urban Development has lost one of its most able servants and the howeowners of America, past, present and potential have lost a friend.

Mr. MORSE. Mr. Speaker, my close friend, Philip N. Brownstein, Assistant Secretary of the Department of Housing and Urban Development and the FHA Commissioner, is highly respected by many, Members of the House of Representatives and the Senate as a tireless and efficient crusader in meeting the housing goals of our country. Mr. Brownstein is retiring from Federal service on the 21st, and we will miss his leadership and wise counsel. The low-income families of our cities, particularly those in the older neighborhoods, are better housed today because of Phil Brownstein's efforts. He had done an outstanding job and has earned the gratitude of us all as a truly great public servant.

Mr. ASHLEY. Mr. Speaker, the Federal service lost one of its most respected career men with the retirement of Phil Brownstein last week. In his more than three decades with the Government, first with FHA, then with VA, then again with FHA as Commissioner and Assistant Secretary of Housing and Urban Development, Phil Brownstein became one of the most knowledgeable men in the country in the field of housing and home finance. His knowledge, good judgment, and keen mind inspired confidence in all those who worked with him. As FHA Commissioner, he has been of great help to the Committee on Banking and Currency in carrying out its responsibilities in the field of housing, but his greatest contribution has been the skillful administration of the laws enacted. I am sure that he will add further distinction to his career in the private law practice which he is now entering.

Mr. DORN. Mr. Speaker, one of the Nation's most dedicated public servants is leaving Government service with the departure of Philip N. Brownstein as Assistant Secretary of Housing and Urban Development and Commissioner of the Federal Housing Administration.

I first became acquainted with Phil Brownstein when I came here as a freshman Congressman, and he was a loan guaranty agent with the Veterans' Administration. Even in those days of infrequent contact, he was impressive.

As he climbed the ladder of responsibility, he became more and more respected as his fine mind and great ability were applied to the programs designed to serve the millions of veterans who served their country so well.

The programs that Phil Brownstein administered in the Veterans' Administration and the Federal Housing Administration are among this Government's soundest, and part of the credit must go to the diligent service of this unusual man. He mastered the complexities of finance, all the time retaining his understanding of the veteran's needs and the home owners' desires with a depth of comprehension that sets him apart.

His sensitivity in dealing with people, and this includes Congressmen and Senators, his own staff and associates, as well as the veterans and homeowners, always complimented a store of knowledge that won him immense respect. He was a topnotch administrator, and ever exhibited a passion for excellence in serving the millions of Americans who enjoyed the privileges of the programs he administered.

As a VA official, as FHA Commissioner and as HUD Assistant Secretary, he was always able to lead, to chart new courses of action, and to enlist the enthusiastic support of his colleagues in the effective application of his ideas.

Millions of veterans, their widows, and their children will ever be indebted to Phil Brownstein for the constant application of his talents in their behalf. Millions who otherwise might be living in poorer circumstances now own their own homes through FHA and they, too, are indebted to Phil Brownstein.

His retirement, after three decades of service to his country and to his Government, will leave a void that will be hard to fill.

We wish him Godspeed in whatever new career he seeks, and we want him to know that he will be sorely missed.

Mr. ST GERMAIN. Mr. Speaker, Philip N. Brownstein has had a long and outstanding career in Government. His retirement last week ended a third of a century of dedicated service in the field of housing and mortgage finance. He served half of that long period in the Veterans' Administration rising to Director of the GI home loan program and then to Chief Benefits Officer of the VA. From that position, he was appointed Commissioner of the Federal Housing Administration, the agency he had originally started with in 1935. As FHA Commissioner and Assistant Secretary of the Department of Housing and Urban Development, he administered one of the most complex and most important of all Government agencies. FHA mortgage insurance has helped finance millions of homes and apartments and has played an important role in the tremendous increase in homeownership over the last three decades.

I know all of my colleagues join me in extending best wishes to Phil Brownstein as he enters a new career in private law practice.

GENERAL LEAVE TO EXTEND

Mr. BARRETT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks with reference to Mr. Philip N. Brownstein, retiring commissioner of the Federal Housing Administration.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

COMMENDATION FOR ASSISTANT SECRETARY BROWNSTEIN

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, there is no finer career than public service and undoubtedly my colleagues will want to join in paying tribute to Philip N. Brownstein for his 34 years in Government. In that time, he has made a major contribution in the field of housing through the Veterans' Administration and the Federal Housing Administration.

As the first sponsor of the veterans housing program, I want to pay tribute to his 17 years of service with the VA which he joined in 1946 after service in the Marine Corps. During this time, millions of veterans were able to buy homes of their own through VA-guaranteed and direct loans. This is one of the most successful programs ever undertaken and, together with FHA, has made this a nation of homeowners. The outstanding ability he demonstrated in those years brought him the position of Chief Benefits Director of the VA.

In 1963 he left the Veterans' Administration to accept appointment by President Kennedy as Commissioner of the Federal Housing Administration and, upon creation of the Department of Housing and Urban Development, was named Assistant Secretary for Mortgage Credit and FHA Commissioner. He has carried out the difficult and demanding responsibilities of Assistant Secretary with the same skill and distinction that have characterized his whole career.

Our best wishes go with him as he enters a new career in private industry where the judgment and knowledge he has displayed in the past will undoubtedly bring him new success.

UNIFORM CONSUMER CREDIT CODE—BANKERS' BONANZA

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, in a recent speech on the House floor I characterized the proposed Uniform Consumer Credit Code as a form of legalized usury. This code, by expressed provision, would permit runaway consumer credit interest rates as high as 36 percent per annum.

Preparation of the Consumer Code was financed almost 100 percent by the credit industry. The most notable contribution of $75,000 came from the American Bankers Association. In the final analysis the bankers opposed the code because it permitted free entry into the credit markets by lenders other than banks. However, before it was "done in" by the free-entry provision, the bankers got an awful lot for their $75,000 through incorporation in the code of unbelievable advantages.

As now written, the code permits banks to charge up to 36 percent interest on revolving bank credit card sales. Regular department store revolving credit charge sales can charge a less generous, but still exorbitant, 24 percent per year. This is not the only bank bonanza in the code. On the theory that a bank credit card sale is a loan to the customer to pay the debt to the seller, such "sales" are covered under the loan provisions of the code.

There are a number of restrictions on cash sales which do not apply to bank credit card sales which come under provisions of the code covering cash sales. Most notable is that defenses of the buyer arising out of the sale are not available against the bank if the bank sues for payment. Others include the limitation on referral sales where alleged discounts are offered for referrals of new customers. Also the requirement of notice to the consumer of any assignment would apply.

Thus the $75,000 ABA contribution is well spent. Even if the ABA loses its current fight to prevent the code's adoption, banks that issue credit cards will enjoy tremendous privileges readily translated into tremendous profits.

Let us apply this situation in a practical situation. If the code were in effect and a customer buys $100 worth of merchandise which he charges on his bank credit card, he is subject to an annual interest rate of up to 36 percent. However, if he had had a store card, the rate would be up to 24 percent. If the merchandise is faulty, the customer cannot enter this fact as a defense to pay the bank, whereas the defense would be available to him if he had a store card. If the bank assigns the paper to a finance company, the customer is obligated to pay the finance company. However, with a store credit card, he would not be so obligated unless he received written notice of the assignment.

This discrimination in favor of bank credit cards would be ludicrous if it were not for the stark facts which were published in a Federal Reserve report on credit cards issued last year. According to the Board, bank credit card plans are increasing at a rate which would put rabbits to shame:

> As of September 30, 1967, there were 197 commercial banks operating credit card programs. In the subsequent 9 months this figure more than doubled, and as of June 30, 1968, there were 416 banks operating such programs. During this same period, amounts outstanding on bank credit card plans jumped 50 percent, to $953 million. As of December 31, 1967, "plastic credit" outstanding totaled $12 billion, with $800 million of that in bank credit cards.

From these figures it can safely be predicted that, in the near future, bank credit cards will account for most of the revolving credit business. The huge volume which the banks are able to handle in our computerized society, coupled with the bank's assumption of record keeping and collection procedures, make their predominance in this business inevitable.

Lest anyone take these remarks to be a backhanded endorsement of other provisions of the code, let there be no mistake that this proposed Uniform Consumer Code should be rejected even if the bank favoritism is eliminated.

This week the gentlewoman from Missouri (Mrs. Sullivan) is conducting hearings before the Subcommittee on Consumer Affairs of the House Banking and Currency Committee. The subcommittee will hear from both proponents and opponents of the code.

I commend these hearings to your attention and study.

FREEDOM'S CHALLENGE

(Mr. HULL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. HULL. Mr. Speaker, Missouri's winner in the Voice of Democracy contest this year is Larry B. Williams, 620 Van Brunt, St. Joseph, Mo., in the Sixth Congressional District which I have the honor to represent.

The Voice of Democracy contest is sponsored annually by the Veterans of Foreign Wars and its Ladies Auxiliary and this year more than 400,000 school students participated in the contest.

Under leave to extend my remarks in

the Record. I include the winning speech of Larry Williams:

Freedom's Challenge

(By Larry Williams)

Through the grace of God man mastered a primitive world and began the slow and tedious process of development, above all the other living creatures on the face of the earth. He gathered in tribes for safety, built homes against the wind, and became the hunter, the farmer, the leader, the warrior. He used those gifted abilities of thought to adjust to meet the situation, and by so doing survived a period of history that saw the mass extinction of animals far stronger.

And so man became master and his history began; Egypt, Greece, Rome, and on and on. His mind brought him greatness and he built and developed and grew with the age. He both built and burnt cities. Faced death by disease and war, yet he sought out life, and made a world ruled by men, for men. He crossed a vast ocean and founded what would become a land mark in his future existence. A country and he named it America.

For years it has been a very profound, seemingly unanswerable question as to the extent of man's similarity of the animal. What exactly does man have as instinct and what is taught. I am clearly not a professor of history, or an advanced student of the study of mankind, but I can very easily answer you this. We are born, everyone, with one quality shared by all breathing creatures of the earth, and our years of development have only increased it and years of suppression have never erased it. It's a part of the heart, and a part of the soul. It's the peacefulness of the night with the assurance of the dawn, and as impossible as it may seem, it can be summed up into one word, Freedom.

Freedom . . . a quality that each man has born inside him, perhaps tempered somewhat by his society, but still present beyond a shadow of a doubt. It seems so strange that freedom would be such an expensive word, and it's very expensive. Perhaps more men have died for freedom than any other cause, perhaps all other causes put together. Life's blood lost for freedom has stained the ground of every nation on the earth. Life exchanged countless time and time again for death. For something that seems so natural, isn't it, in a senseless way ironic that the price of freedom could be so high?

Through a chain of events no man could possibly' change now, the United States stands as the most powerful and influential of the free nations, a leader of the free people, founded by those seeking freedom from all nations. Like it or not we set the example. We lead the way and they tend to follow!

When an animal is injured or caged in the jungle and cries, all animals within hearing distance are moved, and come if not to the aid of the injured at least to see if the injured can be aided. Simple animal logic.

But what about the human being. What about the human cry, who hears it?

There is a cry and it echoes across oceans, across the mountains, over the plains, down the canyons, up the river bluffs, down the valleys, across the farmland and directly to the heart of freedom. The Americans.

The voice of the free world, American, where the cry of those oppressed is heard and answered. Where the cry of the oppressed is heard and answered. Where the cry of the oppressed is . . . is . . .

What would happen if the cry was ignored? What would happen if America decided to shed all her responsibilities. What would happen to those who cried. Who would come to their aid? The answer is simple, no one.

Another answer is very simple, if we choose to ignore the challenge that freedom has placed upon us, I for one, am afraid the cries would soon be stifled. Ignore, just once, those cries of anguish and you endanger your own freedom. Here, I guess, is the answer to why the price of freedom is so high. To have freedom you must deserve it, when all men are not free, your freedom is not complete. Freedom is a strange sort of gift, misused it has a tendency to drift away.

The challenge stares America in the face, the decision as in the past is ours. Only history will prove us right or wrong. But the hand is here and it's reaching to strangle the cry and stop the heart. It's our challenge, to face or ignore.

Excuse me if I let my animal instincts show, but this is one boy who would never separate with freedom, that feeling of the wind in your face and the world at your command. I only hope when the challenge arrives for me I meet it valiantly.

ASSISTANT SECRETARY OF STATE FOR INTER-AMERICAN AFFAIRS SHOULD BE APPOINTED

(Mr. MONAGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, one week ago I called to the attention of the House failure of the President to appoint an Assistant Secretary of State for Inter-American Affairs.

At that time I adverted to the crises in Cuba, Bolivia, and Peru and emphasized the urgency of this appointment.

The intervening days have done nothing to lessen this urgency.

The Peruvian problems become more involved as we speed toward the possible termination of economic assistance with the invocation of the Adair amendment. The coming Latin American Congress in Brazil presents another occasion for actions potentially damaging to the United States.

It is a matter of the highest urgency for the Nation that some capable person be appointed immediately to oversee our diplomacy with our Latin friends.

Over the weekend two newspaper articles have referred to this administrative failure.

One by Benjamin Welles appeared in the New York Times on Sunday and an excerpt follows:

> Latin-American diplomats here are especially perturbed by what they consider the inexplicable failure of Mr. Nixon to fill the post of assistant secretary of state for inter-American affairs. The post, which includes supervision of the United States economic aid program throughout the hemisphere—approximately $1.3 billion yearly—has remained unfilled since December 31.
>
> On Feb. 6, in his second press conference, President Nixon denied press reports that the "job was going begging" and that "we were unable to find a qualified man."
>
> "I believe we have decided on the assistant secretary," he said. But he added that he was not prepared to make the announcement because the "necessary clearance" had not taken place. It is now known that 'clearances' were not responsible for the delay but the fact that Dr. J. George Harrar, president of the Rockefeller Foundation, whom Mr. Nixon had in mind, declined the position for personal reasons.

Another by Jeremiah O'Leary appeared in the Washington Sunday Star. An excerpt follows:

> If Americans cannot understand Peru's new militancy, how can the Latin nations collectively be expected to understand why the Nixon administration has failed to appoint an Assistant Secretary of State for Inter-American Affairs? The post has been vacant since mid-December and Washington is handling its Latin policy today like the Dutch boy with the dike, except that there are leaks breaking out all over the place.

Once again I emphasize the vital importance of an immediate nomination so that there may not be a further deterioration of our relations with the countries of Latin America.

FREEDOM OF CHOICE

(Mr. NICHOLS asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous material.)

Mr. NICHOLS. Mr. Speaker, I rise today to call to the attention of Congress a matter which is of vital importance to the people of my State, and I believe, to all the people of this country. In 1954, the U.S. Supreme Court ruled that a State may not deny the right of any person to attend a publicly supported school on account of his race. That decision is now the law of the land, and the people of my State have accepted that law.

Every school district in Alabama has a freedom-of-choice plan whereby any student of any race can attend any school within that school district. This plan worked well and was acceptable to both black and white students and parents. There is not a single public school in Alabama today that a student cannot attend no matter what his race.

But now, the bureaucracy of the Department of Health, Education, and Welfare has decided that merely allowing a student the freedom of choice in attending schools is not enough. Now, the Federal Government is closing certain schools in order to achieve a racial balance in all our public schools. We understand that the new administration has promised the Northern States the same treatment, so many of my colleagues from other parts of the country may soon be hearing stories similar to the ones I hear every day.

In many cases, a practically new school has been closed because too many students of one race were attending. In other cases, students who lived within easy walking distance of their schools now have to make long bus rides to their assigned schools.

Mr. Speaker, it was not the intent of this Congress that the abolishment of segregation in our schools was to mean racially balanced schools. In fact, we have specifically written language into our laws which say that this was not the intent. Yet the bureaucrats and the Federal courts have taken it upon themselves to do something that neither the Congress nor the Supreme Court intended.

Last week during the Lincoln Day recess, a young man who is president of his high school student body came to see me at my home. He told me that a Federal court had ordered his school closed and the students transported to another high school. He pleaded with me not to let this be done. His fellow students are proud of their athletic teams, which have excelled in all sports. They are proud of their glee club and band, which are widely known for their abilities. The entire student body has esprit de corps and want to carry on the traditions of their school.

The young man who came to see me is a Negro. His school is a predominantly Negro school. He is free to attend any school in the county, and any other student in the county is free to attend his school. The teachers, the parents, the clergy, and the entire Negro community is opposed to the closing of their school. Recently, they held a parade through the small town to demonstrate their feelings on this matter. These people do not want their school closed, yet HEW says it will be closed next year.

We in the South have always been accused of being paternalistic toward the Negro. Now who is being paternalistic? Now who is saying to the Negro, "You do not have intelligence enough to know what is best for you, so we are going to tell you what to do?"

Mr. Speaker, I told the young man who came to see me, and I told his teachers and his parents, that I could not help them. It is beyond me and it is apparently beyond this Congress to halt some of the absurd rulings of some of the Federal courts in this country and some of the idiotic rulings of the bureaucrats in the Government. But I promised them that I would tell this Congress exactly what is going on and exactly how the Negro students and parents of a school which is about to be closed for the sake of integration feel.

I would like to insert in the RECORD the following letters from concerned citizens of the community affected, and also an article by David Lawrence which appeared in the February 10 issue of U.S. News & World Report.

PELL CITY, ALA.,
February 14, 1969.

Hon. BILL NICHOLS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: I am very appreciative to you for the cordial reception you gave me in your lovely home on Thursday, February 13, 1969. I enjoyed the conversation and was greatly enthused with the interest you showed in trying to help us maintain the present status of our school.

Letters have been mailed to you from the student body, churches, parents and other civic organization.

We will be very grateful to you for the efforts you render in helping to maintain our high school department.

Sincerely yours,
HARRY CHARLES MCCOY.

PELL CITY, ALA.,
January 30, 1969.

Hon. BILL NICHOLS,
House of Representatives,
Washington, D.C.

MY DEAR MR. NICHOLS: We, the members of the Trustee Board of the St. Clair County Training School, are deeply concerned with the abolishing of our High School Department. The school presently consists of Grades 1–12, and we would like to maintain these grades. If the High School Department is taken away, there will not be one predominantly all Negro High School in St. Clair County. Our school is accredited by the State Department and one of the few schools in the State of Alabama to be accredited by the Southern Association of Secondary Schools and Colleges.

We, as board members, feel that we have one of the finest schools in our county, district or State, with an excellent curriculum designed to meet the educational and cultural needs of our children. We realize the excellent job that our competent and qualified principal and staff are doing in preparing our children to be worthwhile citizens and to be able to meet the challenge of tomorrow.

The losing of our High School will bring bleakness and despair to the students, teachers, parents and the immediate and surrounding communities.

So, we are faithfully asking you as our representative to render your service and efforts in helping us to maintain the present status of our school.

Very truly yours,
LONNIE DAVIS,
Chairman of Trustee Board.
JAMES CUNNINGHAM,
Rev. JAMES KIRKSEY,
Board Members.

PELL CITY, ALA.,
January 30, 1969.

Hon. BILL NICHOLS,
House of Representatives,
Washington, D.C.

MY DEAR MR. NICHOLS: We, the Parent Teachers Association, and citizens of the Pell City and surrounding communities are deeply concerned with a perplexing situation. We have been informed that in the very near future, our school, the St. Clair County Training School, located in Pell City, which presently consists of Grades 1–12, will become an Elementary and Junior High School. Our school, a modern brick veneer structure, with a competent and an energetic principal and a qualified staff are working faithfully and diligently with our children in trying to meet their educational, social, and cultural needs. It will be very regrettable to us that if the High School Department is taken away, there will not be one predominantly all Negro High School in St. Clair County. We feel that we have one of the finest schools in our county, district, or the State of Alabama. It is accredited by the State Department of Education and the Southern Association of Secondary Schools and Colleges.

We are seeking your help as our Congressman and representative from the State of Alabama and our district to render your service and efforts in helping us to maintain the present status of our school.

Thank you for your cooperation.

Very truly yours,
GEORGIA L. KIRKSEY,
President of P.T.A.
LOUIZA LANE,
Member of Executive Committee.
LIZZIE FORMAN,
Member of Executive Committee.

FIRST BAPTIST CHURCH,
Riverside, Ala., January 28, 1969.

Hon. BILL NICHOLS,
House of Representatives,
Washington, D.C.

MY DEAR MR. NICHOLS: We, the clergymen, citizens, patrons, and parents of the Pell City and surrounding communities are deeply concerned with a perplexing situation. We have been informed that in the very near future, our school, the St. Clair County Training School, located in Pell City, Ala., which presently consists of Grades 1–12, will become an Elementary and Junior High School.

We are seeking your help as our Congressman and representative from the State of Alabama and our district to render your service and efforts in helping to maintain the present status of our school.

Thank you for your cooperation.

Very truly yours,
Rev. W. F. Poole, Pastor; James Phillips, Lonnie F. Davis, Deacons; Rev. E. L. Hawkins, Pastor; James Cunningham, Franklyn Henderson, Lindsey Miller, Billy Gene Bedford, Deacons.

WHAT IS THE "LAW OF THE LAND" ON RACIAL IMBALANCE?

(By David Lawrence)

Ever since the Supreme Court of the United States rendered its opinions in 1954 and 1955 dealing with desegregation and racial discrimination in public schools, there has been a tragic indifference to what is often called the "law of the land."

Local school boards have been under pressure not only to "integrate" but to bring about a "racial balance" by transporting Negro children to schools in white areas or whites to schools in Negro sections. Indeed, federal funds have been withdrawn as a means of punishing those public institutions which have not taken positive action to correct "racial imbalance." Disturbances and disorders have arisen in many cities in the North as school officials have been unwilling to bow to demands that children be bused from one school district to another so as to achieve "racial balance."' It has also been insisted that a certain proportion of whites and Negroes be assigned to faculties of public schools.

But the Supreme Court of the United States has never ruled that there must be "integration," much less that "racial imbalance" must be corrected, when segregation is the result of normal conditions and constitutes no deliberate act of discrimination by a public agency.

The Supreme Court has let stand a decision handed down on July 15, 1955, by a three-judge court—consisting of two Circuit Court judges and one District Court judge—in the case of Briggs v. Elliott. Its opinion, which is at present the "law of the land" on discrimination in public schools, said in part:

"Whatever may have been the views of this court as to the law when the case was originally before us, it is our duty now to accept the law as declared by the Supreme Court.

"Having said this, it is important that we point out exactly what the Supreme Court has decided and what it has not decided in this case. It has not decided that the federal courts are to take over or regulate the public schools of the States. It has not decided that the States must mix persons of different races in the schools or must require them to attend schools or must deprive them of the right of choosing the schools they attend.

"What it has decided, and all that it has decided, is that a State may not deny to any person on account of race the right to attend any school that it maintains. This, under the decision of the Supreme Court, the State may not do directly or indirectly; but if the schools which it maintains are open to children of all races, no violation of the Constitution is involved even though the children of different races voluntarily attend different schools, as they attend different churches.

"Nothing in the Constitution or in the decision of the Supreme Court takes away from the people freedom to choose the schools they attend.

"The Constitution, in other words, does not require integration. It merely forbids discrimination. It does not forbid such segregation as occurs as the result of voluntary action. It merely forbids the use of governmental power to enforce segregation. The Fourteenth Amendment is a limitation upon the exercise of power by the State or State agencies, not a limitation upon the freedom of individuals.

"The Supreme Court has pointed out that the solution of the problem in accord with its decisions is the primary responsibility of school authorities and that the function of the courts is to determine whether action of the school authorities constitutes 'good faith implementation of the governing constitutional principles.' "

The Congress of the United States, in the Civil Rights Act of 1964, carried out the basic concepts set forth by the Supreme Court decisions, and provided for desegregation in public education. This statute says:

" 'Desegregation' shall not mean the assignment of students to public schools in order to overcome racial imbalance. . . .

"Nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance."

This same law authorizes each federal department or agency which extends financial assistance to any program or activity to issue "rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance." But it makes the following stipulation:

"No such rule, regulation, or order shall become effective unless and until approved by the President."

While President Johnson approved some regulations issued on Dec. 3, 1964, by the Department of Health, Education, and Welfare, nowhere was mention made of the specific prohibition in the law against the issuance of "any order seeking to achieve racial balance in any school." But the "guidelines" distributed by the Department of Health, Education, and Welfare actually have the effect of imposing a requirement that there shall be certain percentages or quotas of Negro pupils in various public schools. State and local governments have been told that compliance is "voluntary." But they nevertheless have been threatened by punitive action if they failed to carry out the edicts.

In the issue of Feb. 6, 1967, this writer said:

"The U.S. Commissioner of Education is insisting on what might be called 'compulsory volition.' The States and cities are told that the 'guidelines' are purely voluntary. If, however, these yardsticks are not applied, the local governments then can lose federal funds.

"It is the duty of the President of the United States to insist that regulations be issued to prohibit any Department from threatening to withhold school funds or from taking other actions which directly or indirectly seek 'to achieve a racial balance in any school.'

"Why shouldn't officials of our Government be required to obey both the spirit and the letter of the law?

"To ignore an Act of Congress or to violate its explicit provisions is hardly a good example of government under a system of 'law and order.' On the contrary, it is, unfortunately, another tragic infringement during our era of 'civil disobedience.' "

Will President Nixon, who has just taken an oath to support the Constitution, permit the "guidelines" of the Department of Health, Education, and Welfare to remain in effect insofar as they threaten punishment unless "racial imbalance" is corrected?

In many areas of the country efforts have been made to put into operation "freedom of choice" plans, and certainly there is no reason why school boards shouldn't open their institutions to students who come from any part of the city. There is, on the other hand, no reason for the Federal Government to punish a school board when it chooses to admit only the children who live within a particular district as long as admission is open to all, without regard to race or color.

The "law of the land" properly calls for an end to segregation. But it does not require "integration" as a means of correcting "racial imbalance" which is due to residential patterns or other circumstances not connected with discriminatory practices.

Yet we have observed in the last few years agencies of the Department of Health, Education, and Welfare, proclaiming "guidelines" which, in effect, seek to correct "racial imbalance" by transporting children away from the school which they would normally attend, while other children are bused to that same school. Faculty members are being assigned on a racial basis. The object is to have in some instances at least the same percentage of white and Negro teachers as students in a school.

The big question before the country today is whether the new Administration at Washington will show the indifference to the "law of the land" that has been previously exhibited.

Within the last few days, Robert M. Finch, the new Secretary of Health, Education, and Welfare, granted a 60-day extension to five southern school districts which were scheduled to lose federal funds because of an alleged refusal to abolish segregated school systems. Mr. Finch said he has not had an opportunity to establish and review the facts in these cases and has dispatched a team of investigators to each district "to develop workable and effective alternatives within the law." He recalled that Mr. Nixon during the election campaign had set forth "the proper construction of this provision of the law."

The Republican presidential nominee, in a public speech in October, said:

"No child, black or white, should be deprived of an adequate education. I would enforce Title VI of the Civil Rights Act of 1964. I oppose any action by the Office of Education that goes beyond a mandate of Congress. A case in point is the busing of students to achieve racial balance in the schools. The law clearly states that 'desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance.' "

The total vote given to Nixon and to Wallace was in part a reflection of the bitter feeling that had developed throughout the country because the Johnson Administration permitted the issuance of illegal "guidelines," along with threats to curtail federal funds, in order to attain "racial balance" in the schools.

The fact is there are various ways of moving toward racial balance through the voluntary action of the residents in different communities.

Our citizens want a fair deal for every race, and they do not want governmental power used as a means of correcting "racial imbalance" arising from natural causes. The "law of the land" must be properly administered to retain the support of an overwhelming majority of the American people.

ATTACK ON THE SPIRALING CRIME PROBLEM

(Mr. KLEPPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEPPE. Mr. Speaker, I am today introducing, for reference to the appropriate committee, a package of 10 crime bills. It is my belief that these bills will present a united attack on the spiraling crime problem. These bills are similar to those introduced by the gentleman from Virginia (Mr. POFF), and I want to commend him for being in the forefront of the congressional attack on crime. His efforts—and I might add, successes—in the fight on crime have been many, and I would like to direct the attention of my colleagues to the remarks he made when introducing similar legislation on January 15, 1969, which appear on page 738 of the CONGRESSIONAL RECORD for that day. An excellent analysis of the bail reform bill that I am today introducing has been inserted in the RECORD by the gentleman from Ohio (Mr. McCULLOCH) at page 1136 of the RECORD for January 16, 1969.

Mr. Speaker, I do not intend here to discuss each bill. The gentleman from Virginia (Mr. POFF) has done that with eloquence in the remarks referred to above. However, I do want to say that it is my hope that these bills will provide the framework around which an effective crime program can be based. The soaring crime rate is appalling. According to the latest FBI bulletin, crime rose 19 percent in the first 9 months of 1968 over the same period in 1967. Furthermore, the total number of crimes reported in 1968 was about 4.6 million, or really 750,000 more crimes than the year before. One out of every fifty persons will be the victim of a crime this year. One out of every twenty juveniles will commit a crime this year. The cost of crime is also a dark picture indeed. It was $27 billion in 1967, and about $31 billion in 1968. But the cold figures on the cost of crime do not tell of the heartbreak and human misery that accompanies those figures.

The future is also bleak. As John N. Mitchell, Attorney General of the United States, said before the Conference on Crime and Urban Crisis of the National Emergency Committee of the National Council on Crime and Delinquency in San Francisco on February 3 of this year:

> Today crime has assumed a new and frightening dimension which is casting in doubt our traditional ability to be the free and independent men that our forefathers were. The simple fact is that crime is intimidating us—is forcing us—to change the fabric of our society and our inability to control crime is a courtship with national disaster.

Anyone doubting the validity of this statement need only ask himself a few simple questions. Let me ask my colleagues—are you not receiving complaints from your constituents—the farmer and the merchant, the businessman and the housewife—about the increase in crime? Have they not all felt the sting of crime in some fashion? And in our daily lives, is not the first question we ask ourselves whether the geographical area into which we are heading is a safe area? If we travel at night—especially in the Washington, D.C., area—is not the first question that comes to mind one of personal safety, and safety for our family? I think the answers to each of these questions can only serve to pinpoint the truth of the remarks made by our new Attorney General. The picture is not only bleak—it is almost unbelievable. And for those of us in the Nation's Capital, there is no necessity to shout about the crime rate—we read about it every morning in the paper. The President has made an attack on crime one of the main thrusts of his administration, and I think that the bills I have introduced would go a long way to aid that fight. Mr. Speaker, I urge my colleagues to introduce similar legislation, and hope that hearings on these bills will take place as soon as possible.

POWELL AGAINST McCORMACK—MOTION FOR LEAVE TO FILE AND BRIEF OF GEORGE MEADER, AMICUS CURIAE, IN SUPPORT OF RESPONDENTS

(Mr. HUTCHINSON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HUTCHINSON. Mr. Speaker, the case against the House of Representatives now pending in the Supreme Court of the United States, known as POWELL against MCCORMACK, presents an historic confrontation between the legislative and judicial branches of Government. One who is keenly aware of the fundamental issue in that case is a distinguished former House Member, Hon. George Meader, of Michigan. Because of his interest as a citizen in protecting the House, he has followed the case closely. As an able constitutional lawyer, he has found some points that were not argued in the courts below, and has prepared a brief on those points which he has presented to the Supreme Court in support of the House, amicus curiae. I am reliably informed that the petitioner, Congressman POWELL, has filed his brief; the respondents have been given until March 17 to file their briefs; and that oral arguments have been set in the case before the Supreme Court for April 21. Because of the interest of all Members in the case, Mr. Speaker, under leave to include it with my remarks, I incorporate Mr. Meader's brief, together with his motion for leave to file it amicus curiae. I am further informed that on yesterday the Supreme Court granted Mr. Meader's motion to file a brief amicus curiae.

The brief follows:

[In the Supreme Court of the United States, October Term, 1968, No. 138]

ADAM CLAYTON POWELL, JR., ET AL., PETITIONERS, *v.* JOHN W. MCCORMACK, ET AL., RESPONDENT

MOTION FOR LEAVE TO FILE BRIEF OF GEORGE MEADER, AMICUS CURIAE, IN SUPPORT OF RESPONDENTS

May it please the Court:

The undersigned, George Meader, respectfully moves this honorable court for leave to file the annexed brief *amicus curiae* in this case in support of Respondents.

1. Applicant served as a member of the U.S. House of Representatives from the Second Congressional District of Michigan between 1951 and 1965, and in the Eighty-third and 86th-88th Congresses was a member of the Judiciary Committee of the House of Representatives. Prior to such Congressional service, applicant served for approximately four years, commencing in July of 1943, as Assistant Counsel and then Chief Counsel of the United States Senate Special Committee Investigating the National Defense Program, popularly known as the Truman Committee. In 1950, Applicant served as Chief Counsel of the United States Senate Banking and Currency Subcommittee Investigating RFC Loans, popularly known as the Fulbright Committee. Subsequent to congressional service, Applicant served as Associate Counsel and then Chief Counsel of the Joint Committee on the Organization of the Congress between March of 1965 and August of 1968. Among the subjects committed to the Joint Committee on the Organization of Congress for study was relations between the judicial and legislative branches of the government. Applicant has followed with great interest the developments in this case from its beginning to the present time.

2. Applicant believes there are necessarily involved in this case certain historic but delicate constitutional issues which the Court should consider. These issues are:

a. Is this an appropriate class action?

b. May 434 members of the House of Representatives be bound when only 6 members have been served?

c. Is this attempted class action in effect a suit against the House of Representatives as a legislative body?

d. Is the House of Representatives a "person" or "party" that may be brought before the Court as a defendant in a suit?

e. If the House of Representatives is a person which can be made a party, is it clothed with the sovereign immunity of the United States Government?

f. If it is so clothed, has that sovereign immunity ever been effectively waived?

g. Whether the suit is treated as one against the House of Representatives as a legislative body or as against all of its members as individuals, does the Court have any effective sanction for enforcing its decree in the light of the "freedom from arrest" clause of the Constitution?

3. Applicant believes the foregoing issues will not be adequately presented by the parties in this case because these issues were not adequately presented in the briefs before the United States Court of Appeals. Furthermore, Petitioners' brief in this Court does not adequately present these issues.

4. Even though Respondents may prevail on some other grounds, failure of the Court to comment on the issues raised above may be a precedent that the House of Representatives can be sued by a citizen, or citizens, through the device of a class suit. At the minimum, in the event the Court does uphold Judge Hart's dismissal of the above action, on grounds other than those enumerated above, the Court could appropriately include in its opinion a statement to the effect that, having disposed of the case on other grounds, the Court did not find it necessary to consider and reach a decision on the issues raised above.

5. Applicant has requested consent to file a brief *amicus curiae* from the parties to this case under Rule 42 of the Rules of this Court, but has not yet received from either party the written consent requested.

6. It is respectfully submitted that this case affords an appropriate occasion for the Court to grant leave to file the brief annexed hereto.

I therefore urge that leave be granted, and respectfully so move the Court.

Respectfully submitted.

GEORGE MEADER.

[In the Supreme Court of the United States, October Term, 1968, No. 138]

ADAM CLAYTON POWELL, JR., ET AL., PETITIONERS, *v.* JOHN W. MCCORMACK, ET AL., RESPONDENTS

BRIEF OF GEORGE MEADER, AMICUS CURIAE, IN SUPPORT OF RESPONDENTS

Facts

Petitioners commenced this action in the United States District Court for the District of Columbia under Rule 23a of the Rules of Civil Procedure against the Speaker and five other members of the House of Representatives of the 90th Congress, individually, and "as representatives of a class of citizens who are presently serving in the 90th Congress as members of the House of Representatives," and also against three officers of the House of Representatives.

The Petitioners sought a temporary and permanent injunction restraining Respondents from enforcing and operating under House Resolution 278, adopted March 1, 1967, excluding Representative-elect Adam Clayton Powell from the 90th Congress.

Attorney Bruce Bromley, after appearing specially on behalf of Respondents, moved to dismiss the action on the grounds that the Court did not have jurisdiction over the persons or the subject matter of the suit.

District Judge Hart dismissed the suit "for want of jurisdiction of the subject matter," basing his decision on the doctrine of separation of powers between the judicial and legislative branches of the government.

The Circuit Court of Appeals for the District of Columbia affirmed Judge Hart's order dismissing the suit but in their opinions held that they did have jurisdiction over the defendants and the cause was justiciable but in their discretion they decided it was inappropriate to exercise their jurisdiction.

Question

May Petitioners, either individually, or as representatives of a class, maintain an action in a United States District Court against Respondents, either as individuals in their legislative capacity or as representatives of a class consisting of all members of the House of Representatives of the 90th Congress, or against the U.S. House of Representatives itself as a legislative body?

Argument

Introduction

Although the undersigned has views on the decision of the House of Representatives in House Resolution 278, and on the power of the House of Representatives to judge the qualifications of its members; and the extent of that power, and other issues such as justiciability, the extent of federal court jurisdiction over cases arising under the laws or Constitution of the United States, the speech and debate clause and immunity rising therefrom, and the political-question issue; none of these matters will be discussed in Applicant's brief because the Applicant desires to focus attention upon the propriety of the procedure in this suit, namely, whether or not the device of a class action under Rule 23 of the Rules of Civil Procedure is available for a citizen to commence an action against the House of Representatives of the United States Congress.

I. This Is Not an Appropriate Class Action

In determining whether all members of the House of Representatives of the 90th Congress are a "class," so that they may be effectively joined as defendants through the service of process on six members as representatives of that class, the following considerations are relevant:

1. Each individual member is the representative of his own constituency and no two constituencies are the same.

2. Each member must cast his own vote and may not transfer the right to his vote to any other member or person.

3. A seat in Congress, unlike a share of stock, cannot be sold or transferred.

4. To bind member A, who was not served or represented in the instant case, by a decree against member B, who was served and appeared by counsel, would deny due process to A and to the constituents he represents.

5. It is the very essence of a legislative body to hold and advance differing points of view. Indeed, the debate on H. Res. 278 (March 1, 1967), as well as the debate on H. Res. 376 (March 9, 1967) authorizing the Speaker to employ counsel, are evidence of widely differing views of members—not only on the seating of Powell—but even on the manner in which the suit against some members and officers of the House should be defended.

6. Some members of the House of Representatives are Republicans, others are Democrats, some voted in favor of Powell at

various stages in the proceedings of March 1, 1967, other voted against him.

7. It is difficult to see how any small group of members such as the six served in the *Powell* case can appropriately "represent" other members who were not served. It is difficult to conceive, for instance, that Representative Celler, who is a named defendant, could represent Representative H. R. Gross of Iowa.

8. 428 elected members of the House of Representatives are not "too numerous" to be brought before the Court as defendants when the purpose of the action is to bind them individually in the exercise of their legislative discretion.

9. Under Rule 23c of the Rules of Federal Civil Procedure, defendants sought to be joined as a class, but not served with process, are entitled to notice, and have the option of being excluded or entering an appearance through their own counsel. The pertinent provisions are as follows:

"(c) Determination by order whether class action to be maintained: Notice: Judgment: Actions conducted partially as class actions.

"(1) As soon as practicable after the commencement of an action brought as a class action, the court shall determine by order whether it is to be so maintained. An order under this subdivision may be conditional, and may be altered or amended before the decision on the merits.

"(2) In any class action maintained under subdivision (b)(3), the court shall direct to the members of the class the best notice practicable under the circumstances, including individual notice to all members who can be identified through reasonable effort. The notice shall advise each member that (A) the court will exclude him from the class if he so requests by a specified date; (B) the judgment, whether favorable or not, will include all members who do not request exclusion; and (C) any member who does not request exclusion may, if he desires, enter an appearance through his counsel. . . ."

10. Even if all 434 members, individually, could be joined as defendants in a class action, as individuals, this still would not reach the result requested by Petitioners. Even if each of the 434 members should individually, or with co-sponsorship in groups of twenty-five, introduce resolutions in accordance with the requests of Petitioners, still no action would occur officially by the House of Representatives until all of the procedures under the Rules and precedents of the House had been undertaken to validly adopt a resolution of the House of Representatives. The only meaningful relief the Court could grant would be against the House of Representatives as a legislative body, not against its entire membership as individual representatives.

II. The House of Representatives Is Not a "Person" Capable of Being Made a Party Defendant in a Suit in the U.S. District Court

A. The House of Representatives is not a "person," natural or artificial. It owes whatever corporate existence it has to the Constitution of the United States, which defines its organization and its powers.

The House of Representatives is one branch of the Congress of the United States and has only the attributes described in the Constitution. Nowhere in the Constitution is the Congress as a whole, or the Senate or the House of Representatives as its branches, given the power to sue or be sued.

Whether the Congress through the exercise of its legislative power could vest in itself or in either or both of its branches the power to sue or be sued would be, for the purposes of this action, idle speculation, because the Congress has never passed such a law.

In the history of our republic, this is the first case ever to reach the Supreme Court in which plaintiffs have sought to make the House of Representatives or the Senate or the Congress as a whole a party defendant in the federal courts. This historical fact is persuasive in itself that the House of Representatives as a legislative body may not be brought before the federal courts.

B. Even if the House of Representatives is a "person" with the capacity to be made a party defendant in an action, it is clothed with the sovereign immunity of the United States Government which would successfully prevent maintaining an action against it without its consent. Petitioners can cite no law waiving this sovereign immunity of the House of Representatives nor action by the House of Representatives, itself, consenting to be sued.

III. Whether the Suit Is Treated as One Against the House of Representatives as a Legislative Body or as Against All of Its Members as Individuals, the Courts Do Not Have Any Effective Sanction for Enforcing a Decree in the Light of the "Freedom From Arrest" Clause of the Constitution

Article I, Sec. 6, Clause 2, of the United States Constitution provides as follows with respect to Senators and Representatives:

"They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same;"

A decree granting the affirmative relief prayed by Petitioners would be enforceable through contempt proceedings and imprisonment of Respondents. Such enforcement sanction against respondents would be unavailable by reason of the "freedom from arrest" clause quoted above.

If the "freedom from arrest" clause is not a bar to imprisonment for contempt, the legislative process would come to a halt.

Conclusion

It is respectfully suggested that the judgment of the Court of Appeals should be vacated and the case remanded to the District Court with directions to dismiss the complaint on the grounds that it does not present an appropriate class action under Rule 23 of the Civil Rules of Procedure; that the House of Representatives as a legislative body may not be made a party defendant in a suit in the United States District Court and that the Court is without power to enter an enforceable decree because of the "freedom from arrest" clause of the United States Constitution.

In the event the relief suggested above is granted by the Court, but on other grounds, it is respectfully suggested that the Court include in its opinion a statement to the effect that because of its disposition of the case on other grounds, the Court did not find it necessary to reach and pass upon the issues raised in this brief.

Respectfully submitted.

GEORGE MEADER,
Amicus Curiae.

ELIMINATION OF ANNUAL INCOME QUESTIONNAIRE

(Mr. ZWACH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZWACH. Mr. Speaker, I have introduced a bill today to emancipate a large group of our citizens from the odious chores of being required to complete an annual income questionnaire. This move alone is estimated to be able to save roughly $5 million in tax funds spent in office work in connection with the preparation, compiling, and filing of these veterans income questionnaires.

The national commander of the Veterans of World War I stated that over 35,000 veterans and widows have been inadvertently dropped from eligibility lists because of misinformation reported on this form, or because of failure to send it back.

My bill simply amends title 38 of the United States Code to eliminate the need and necessity of sending this form to World War I veterans who are 70 years of age and who have been receiving their rightful benefits for 2 calendar years.

Complicated forms are difficult for all of our citizens, but can be even more trying and burdensome to our elderly. I can see no reason why this requirement is necessary as only in very rare instances do we find people in this age bracket who are able to increase their income over what they had been earning the 2 previous years.

ELIMINATION OF LOOPHOLES IN TAX LAWS

(Mr. SCHERLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHERLE. Mr. Speaker, today I am introducing a bill that will be beneficial to the American farmer, and for that matter, all taxpayers.

Other bills have been proposed to eliminate present loopholes in our tax laws as they relate to agriculture. However, my bill differs in one respect from the so-called Metcalf bill which has been introduced in both bodies of the Congress—but that change is not without importance.

The change, recommended by the Treasury Department in its published report, would treat all taxpayers alike, regardless of the level of their nonfarm income. While other bills would disallow the offsetting of any farm losses against nonfarm income of persons earning more than $30,000 off the farm, the bill I am introducing would simply limit the amount of farm losses which could be used as an offset to nonfarm income to $15,000—regardless of the total earnings of the taxpayer. This would treat all taxpayers the same. Just as all taxpayers receive a personal exemption of $600, whether they earn $1,000 or $100,000, my bill would allow all taxpayers to offset nonfarm income with up to $15,000 of farm losses without regard to total income. According to the Treasury Department, this legislation would produce an additional $145 million in tax revenue and would affect 14,000 taxpayers. Of the increased amount, $55 million would come from about 11,500 taxpayers with nonfarm incomes of more than $15,000 but less than $100,000 who reported farm losses—based upon 1964 data. The remaining $90 million would come from about 2,400 taxpayers reporting nonfarm incomes of more than $100,000.

Some would suggest that these 14,000 taxpayers have been involved in questionable operations. This is not true. Our income tax laws provide that farmers, due to the nature of their business and their lack of access to sophisticated bookkeeping methods, may adopt a "cash" method of accounting for income tax purposes. Due to further advantages given certain capital gains, a number of taxpayers have found that by acquiring farm property and combining the "cash" method of accounting with income derived through capital gains, they can reduce substantially the tax on their nonfarm incomes. The law currently allows them to do this.

It is my opinion, and that of others, that the law was not intended for this purpose and therefore I am proposing to change that law. By allowing offsets against up to $15,000 of nonfarm income, the bona fide farmer and his wife will still be able to incorporate more modest nonfarm incomes with their farming operations. Let me say, with net farm income at today's low levels, many farmers must seek off-farm income just to keep in business.

I do not see farmers gaining from this legislation any more than other taxpayers. But without this legislation, farmers could lose a great deal. The only suggested alternative to this legislation is to put to an end "cash" accounting for farmers. The added cost of accrual method accounting to thousands of American farmers would be disastrous.

REFORM OF THE POSTAL SYSTEM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-81)

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and referred to the Committee on Post Office and Civil Service and ordered to be printed:

To the Congress of the United States:

Reform of the postal system is long overdue.

The postal service touches the lives of all Americans. Many of our citizens feel that today's service does not meet today's needs, much less the needs of tomorrow. I share this view.

In the months ahead, I expect to propose comprehensive legislation for postal reform.

If this long-range program is to succeed, I consider it essential, as a first step, that the Congress remove the last vestiges of political patronage in the Post Office Department.

Accordingly, I urge the Congress promptly to enact legislation that would:

—eliminate the present statutory requirement for Presidential appointment and Senatorial confirmation of postmasters of first, second, and third-class post offices;

—provide for appointment of all postmasters by the Postmaster General in the competitive civil service; and

—prohibit political considerations in the selection or promotion of postal employees.

Such legislation would make it possible for future postmasters to be chosen in the same way that career employees have long been chosen in the other executive departments. It would not, however, affect the status of postmasters now in office.

Adoption of this proposal by the Congress would assure all of the American people—and particularly the more than 750,000 dedicated men and women who work in the postal service—that future appointments and promotions in this important department are going to be made on the basis of merit and fitness for the job, and not on the basis of political affiliations or political influence.

The tradition of political patronage in the Post Office Department extends back to the earliest days of the Republic. In a sparsely populated country, where postal officials faced few of the management problems so familiar to modern postmasters, the patronage system may have been a defensible method of selecting jobholders. As the operation of the postal service has become more complex, however, the patronage system has become an increasingly costly luxury. It is a luxury that the nation can no longer afford.

In the past two decades, there has been increasing agreement that postmaster appointments should be made on a nonpolitical basis. Both the first and second Hoover Commissions emphasized the need for such action. So did the recent President's Commission on Postal Organization, headed by Frederick R. Kappel. President Harry S. Truman and many Members of Congress from both political parties have proposed legislation designed to take politics out of postal appointments. In the 90th Congress, the Senate, by a vote of 75 to 9, passed a bill containing a provision that would have placed postal appointments on a merit basis. Forty-two such bills were introduced in the House of Representatives during the 90th Congress.

The overwhelmingly favorable public comment that followed my recent announcement of our intention to disregard political consideration in selecting postmasters and rural carriers suggests that the American people are more than ready for legislative action on this matter. The time for such action is now at hand.

The benefits to be derived from such legislation are, I believe, twofold.

First, the change would expand opportunities for advancement on the part of our present postal employees. These are hard-working and loyal men and women. In the past, many of them have not received adequate recognition or well-deserved promotions for reasons which have had nothing to do with their fitness for higher position or the quality of their work. For reasons of both efficiency and morale, this situation must be changed.

Second, I believe that over a period of time the use of improved professional selection methods will improve the level of competence of those who take on these important postal responsibilities.

I would not request this legislation without also presenting a plan which insures that the new selection process will be effectively and impartially administered. The Postmaster General has such a plan.

He is creating a high level, impartial national board to assist him in the future selection of postmasters for the 400 largest post offices in the country. Regional boards, also made up of exceptionally well-qualified citizens, will perform a similar task in connection with the selection of other postmasters. First consideration will be given to the promotion, on a competitive basis, of present postal employees.

The Postmaster General has also initiated action to improve the criteria by which postmasters are selected. The revised criteria will emphasize managerial competence, human relations sensitivity, responsiveness to customer concerns, an understanding of labor relations, and other important qualities.

Proposals for additional legislation dealing with the selection process will be included in the broad program for postal reform that the Postmaster General is now preparing.

Some of the needs of the Post Office clearly require extensive study before detailed solutions can be proposed. Other problems can and should be dealt with now. One objective which can be met promptly is that of taking politics out of the Post Office and I strongly recommend the swift enactment of legislation that will allow us to achieve that goal. Such legislation will be an important first step "towards postal excellence."

RICHARD NIXON.

THE WHITE HOUSE, *February 25, 1969.*

MINE SAFETY LEGISLATION

(Mr. MOLLOHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOLLOHAN. Mr. Speaker, one of our first major pieces of legislation must be mine safety. It required major disaster in my home district of West Virginia to shock the public and the public officials into the realization that present safeguards are not adequate. Now, in the wake of that shock it is important that we carefully analyze the deficiencies of our present legislation and its enforcement. Make no mistake that enforcement is lax. The orders issued by the Secretary of the Interior immediately after the Mannington disaster revealed extreme laxness.

Secretary of the Interior Udall stated last year that advance notice of inspection, regular or otherwise, has been permitted by the Bureau of Mines. Mines could be put in order for inspection and once inspection was made, a more casual approach to mine safety would follow. This casual approach contributed to the loss of 290 lives in 1968. Mr. Speaker, we very urgently need to increase the number of required inspections, and to see that they are thorough, and no advance notice is given. We need to increase the number of spot inspections.

But, Mr. Speaker there is a limit to the results that we can hope for through strengthening the current procedures and penalties of mining safety. We must look to science for better results.

Mr. Speaker, one of the most important factors in mining health and safety is technology. We have not yet developed the equipment to communicate effectively through our mines. In the area of health, we have not yet developed the scientific knowledge to give us a firm basis to deal with pneumoconiosis.

Mr. Speaker, our engineering on coal mining equipment needs to be geared more to safety. Our mining equipment is not engineered so that dust levels can conform to the 3 percent millogram standard recommended by the Department of Health, Education, and Welfare.

Mr. Speaker, to summarize, we must fight the war against unsafe mining on two fronts. We can, through legislation and administration, tighten our safety practices immediately. With better safety standards and a tougher system of inspections and enforcement, we can expect immediate improvement.

The second front, research and development, will necessarily take more time, but because of that we should begin now. It is primarily in the area of technological development that we find our real opportunities for making mining safe for the miner. This is an area where we must concentrate money and resources, for it is here we can expect great progress. We must have breakthroughs in mining methods, equipment, and health if we are to make mining a safe profession.

We must find ways of committing the resources to achieve these breakthroughs. It is my understanding that the Technical Advisory Committee to the Office of Coal Research has recommended that the entire budget for fiscal year 1970 be allocated to safety and health rather than matters of finding new uses for coal. This may be a very constructive first step depending upon the amount of funds within that budget that are available for reallocation. Government should not be called upon to bear the full brunt of this research and development. Industry should enter as a fully cooperating partner to this effort to apply technology to safety.

Mr. Speaker, Britain has been mining coal for more than 200 years. She enjoys a safety factor approximately twice as great as ours. Our immediate goal should be to equal that standard and then to surpass it. The old fatalism about mining being a dangerous business just is not good enough today.

THE COAL MINES MUST BE MADE SAFER

(Mr. **HECHLER** of West Virginia asked and was given permission to address the House for 1 minute and to include extraneous matter.)

Mr. **HECHLER** of West Virginia. Mr. Speaker, the following editorial was broadcast over WTOP Radio and Television last night:

A Brutalizing System

This is a WTOP Editorial.

The coal miners of West Virginia are in open revolt this week against a system which has brutalized them for generations. They are up against some tough adversaries, and they deserve all the help they can get.

The miners have shucked their customary fatalism to become political activists, and upwards of half the mine workers in West Virginia have walked off the job in the biggest outpouring of indignation and anger in decades.

Their immediate target is the state legislature, where a strong workmen's compensation law that would make life bearable for victims of black lung—the notorious miner's disease—is being watered down.

One of the most grim illustrations of exploitation and indifference in this country is the small army of miners in West Virginia—some 20,000—who have been driven to premature retirement by black lung and related diseases, and who are unable to draw any kind of financial compensation for the damage done to them. Even those who have managed to meet the overly rigid requirements for compensation now in effect can eke out only the most primitive existence.

As WTOP News correspondent Bill Zimmerman found, in a visit last week, the traditional power centers still are lined up against the miners. The legislature gives every appearance of being sympathetic to the big coal operators. The Governor and the state government generally are playing to both sides of the issue. And the mine workers' own union, the UMWA, continues to be only mildly enthusiastic about the health and welfare of its own members.

Even if the strikers are able to coax a good law out of the legislature, full justice for the miners will not come until 18th century health and safety standards now applied in this country are made to match the 20th century standards by which coal is mined.

Black lung and mine disasters also are symptoms of a social disease, and so long as they continue needlessly they will diminish our claim to be a civilized nation.

This was a WTOP Editorial—Norman Davis speaking for WTOP.

Mr. Speaker, in addition to the editorial appeal for action at the State level, I certainly hope this Congress will rise to its responsibilities and pass meaningful and effective coal mine health and safety legislation. Such legislation must be administered effectively in order to protect thousands of coal miners who have for generations been overlooked in this Nation.

ANNIVERSARY OF THE INSTITUTE OF INTERNATIONAL EDUCATION

(Mr. **BRADEMAS** asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. **BRADEMAS**. Mr. Speaker, I want to call the Members' attention to a most significant anniversary being marked this year by the Institute of International Education, one of the preeminent agencies of the world in the field of educational and cultural exchange among nations. Last week the IIE held its sixth conference on international education here in Washington, D.C. and thereby began a series of events to celebrate its 50th year.

For the Institute of International Education, the 50th year brings primarily a feeling of accomplishment in what has gone before and a sense of challenge in what is yet to come.

Born 50 years ago after a world war that devastated nations and tore them asunder, the IIE dedicated itself to the principle that people could learn to understand each other, and learn to live in peace together, if only they would learn to share with one another experiences of both the heart and the mind. Thus, the concept of international educational and cultural exchange was institutionalized—slowly at first, but rapidly building upon solid foundations.

And although the last 50 years, sadly, have not seen an end of war, the IIE has remained firm in its basic belief: People from different lands and different cultures and even different ideologies can learn from one another and, thereby, can learn to live with one another.

Now the institute, on its golden anniversary, is concentrating its efforts on the development of an even broader concept and an even broader call to action. It is convinced that international education can be an important means to help solve some of the world's most pressing problems—problems related to the population explosion, the world's food supply, urbanization, and educational and political development in the struggling nations of the Third World. And out of this conviction came IIE's sixth conference on international education, which met last week to determine the most effective ways of pooling educational resources and talents to seek solutions to these problems.

Cosponsored by over 100 organizations, the conference brought together approximately 1,500 leaders of educational institutions, Government agencies, private organizations, and business and industry from 70 countries.

The IIE has sought and continues to seek support for its many programs from contributions from individuals, corporations, and foundations. Already these private sources have produced pledges of over $1 million to launch its 50th anniversary campaign—an indication of great faith in the current program and great expectations for future expansion to meet the needs of the 1970's.

But the institute also relies heavily on financial assistance from the U.S. Government to carry out such worthy programs as the exchange of Fulbright scholars. Yet Congress this past year voted to reduce the budget for international exchange by almost one-half. And Congress has failed to take any steps to provide funds for the International Education Act of 1966. Considering that every dollar spent now for international education may mean that many millions of dollars might not have to be spent for armaments in the future, we in Congress must show our faith and support for the programs that promote the exchange of people and ideas among nations.

During the last session of Congress, it was my privilege to introduce a concurrent resolution urging U.S. support for the designation and worldwide observance of an International Education Year in 1970. The United Nations General Assembly has now resolved that the year should be so designated.

Let us start now, Mr. Speaker, as a salute to the Institute of International Education in its 50th year, to pledge our cooperation in every way possible to further the principles and practices of international educational programs. Only then can International Education Year have meaning next year—and for years and years to come. Only then can we hope for peace and understanding among the nations of the world.

FRANK BORMAN'S SECOND REENTRY

(Mr. **SYMINGTON** asked and was given permission to address the House for 1 minute.)

Mr. **SYMINGTON**. Mr. Speaker, when Frank Borman and his fellow astronauts returned from the moon, we welcomed and thanked them for outstanding dedication to the service of the country. Frank has now made a second reentry from a tour of the earth with Mrs. Borman. Thousands of the world's people who had thrilled to the live news coverage of Borman's lunar orbit have had the chance to see and hear in person a modest young American and his attractive wife, and to know that American technology is still only the servant and not the master of the American man. As one who has witnessed and participated in more than a few good will tours on earth I can testify to the strains they impose on the good will, good nature, patience, and diplomatic skill of the travelers themselves. The Bormans carried most gracefully both their message and the attendant burdens of jet diplomacy. They deserve renewed thanks from all of us for demonstrating that sensitivity and humility can survive success.

RETAIN $2.50 SOYBEAN LOAN

(Mr. BURLISON of Missouri asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURLISON of Missouri. Mr. Speaker, as the Representative of a large soybean producing area and in behalf of the producers in my district, I have personally urged our Secretary of Agriculture to resist the pressure to lower price supports for soybeans.

The argument that lowering the price support from the existing $2.50 to $2.05 or lower will control production and guarantee a ready market simply will not stand scrutiny. Many of the farmers I represent are primarily cotton growers and plant soybeans as an alternative crop when weather conditions and/or acreage limitations will not allow cotton to be planted. Several times in the past few years weather has precluded cotton planting and these farmers have avoided economic disaster by producing a soybean crop. We know that these farmers have no choice. They are going to grow just as many bushels of soybeans as they can whether the support price is $2.50, $2.25, or $2. Obviously, the only effect lowering the support price could have is a decrease in the farmer's income. In many areas where cotton is predominantly grown, it would require an even more drastic change in the soybean support level to obtain appreciable changes in planting.

We are all well aware of the nearly open-ended potential market for soybeans. Scientific research has disclosed heretofore undreamed of possibilities for the soybean. Thus it would seem to me incongruous and shortsighted to be considering measures to limit production when our efforts should be directed to developing new markets and retaining those that we have. In the latter category would fall the proposals being aired in the European Economic Community for placing an unauthorized tax on oilseed products traded in that market.

A program of soybean acreage limitations would be far more palatable than a reduction in the support price, if the market were such as to dictate a choice among alternatives.

PERSONAL INCOME TAX EXEMPTIONS

(Mr. RAILSBACK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAILSBACK. Mr. Speaker, in May of 1967, during the first session of the 90th Congress, I introduced a bill that would increase from $600 to $1,000 the personal income tax exemption for a taxpayer, his spouse and dependents, and the additional exemptions for old age and blindness. Today I am reintroducing this legislation. My reasons for doing so are based on the conviction that the present $600 exemption is unrealistic.

There have been many differing views as to the basic purpose of the individual exemption from income taxes. The one which appears most valid to me is the premise that taxes should not be applied to the income of persons until their minimum basic needs have been allowed for. During the years of World War II, the exemption was reduced from $750 to $500 per person. In 1948 the amount of the exemption was increased to $600. We have never even returned to the prewar situation although every person in the United States knows that it costs more than $600 to provide for each member of a family.

The $600 now allowed is demonstrably unrealistic when the eroding effects of inflation and the increasing tax rates are considered. Every taxpayer has seen his earnings eaten away by increases in the cost of living. The cost of living in 1968 alone rose approximately 4.7 percent over 1967. This jump was the largest since 1951 when Korean war inflation caused price increases of 5.9 percent. This is only one part of the economic squeeze that taxpayers face, however.

Fiscal 1969 will go down in history as a landmark year, because taxes, collected at all levels of government, are expected to total $247 billion. This is $147 billion higher than in fiscal 1956. Tax receipts by the Federal Government alone are expected to reach $170 billion in fiscal 1969 and exceed 1968 receipts by $24 billion. This means that the average family will pay $3,927 in taxes in fiscal 1969 which is an increase of $370 over the previous year.

These factors, inflation and increased taxes, make it very difficult, of course, for the American taxpayer to make ends meet financially. Recently the Ways and Means Committee has begun to study proposals for tax reform. It is my understanding that many suggestions have been submitted that would not only make the present tax system more equitable but would also provide relief for the average American taxpayer. In this regard I hope that this bill and other similar proposals will be studied carefully. It is my opinion that this bill will help those who need help the most—the average American wage earner—and should, therefore, receive favorable consideration.

FIFTEEN MINUTES AND OUT

(Mr. WYMAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. WYMAN. Mr. Speaker, in any orderly society worthy of the name there are things you do and things you do not do. If you do the things you "don't do", sanctions must be applied against you so that it is publicly recognized as "not worth it"—or whatever the rationale for acceptance of a social norm of conduct.

One of the things you "don't do" is engage in violence or criminal conduct while you are attending school, either public or private. This goes for students or faculty. The "don't" is perhaps written larger for faculty whose responsibility awareness is bound to be greater.

The courts of this land owe it to the Nation to stop mollycoddling deliberate criminal conduct on or off campus by permissive interpretations of the first amendment. Recently the Governor of Wisconsin when responding to a question concerning expulsion from campus forthwith indicated that each time the university administration attempted to take forceful, direct action against disruptive students, challenge was raised in Federal courts and that "almost without exception the court has prevented the university from taking direct action."

However, at Notre Dame University, as recently reported in U.S. News & World Report, the atmosphere is different. There students and faculty are informed in advance that such conduct will result in expulsion forthwith. They will be given 15 minutes to think it over, refrain, or be expelled. This is as it should be, and Notre Dame is to be commended for this clear-cut policy. It should apply throughout the educational institutions of the land and the courts should help not hinder the process of restoring order on the campuses of America.

The article follows:

Dealing With Campus Chaos—Notre Dame: 15 Minutes and Out

(One of the strongest stands to be taken by any college against campus violence was announced February 17 at the University of Notre Dame. In a letter to faculty members, students and their parents, the Rev. Theodore M. Hesburgh, president of Notre Dame, outlined immediate action that will be taken against anyone disrupting university operations. Included: On-the-spot expulsion of students who persist in disruptive tactics after a warning and "15 minutes of meditation." Excerpts from the Hesburgh letter are given here.)

Anyone or any group that substitutes force for rational persuasion—be it violent or nonviolent—will be given 15 minutes of meditation to cease and desist.

They will be told that they are, by their actions, going counter to the overwhelming conviction of this community as to what is proper here. If they do not within that time period cease and desist, they will be asked for thier identity cards.

Those who produce these will be suspended from this community as not understanding what this community is. Those who do not have or will not produce identity cards will be assumed not to be members of the community and will be charged with trespassing and disturbing the peace on private property and treated accordingly by the law. . . .

After notification of suspension, or trespass in the case of noncommunity members, if there is not then within five minutes a movement to cease and desist, students will be notified of expulsion from this community, and the law will deal with them as nonstudents. . . .

There seems to be a current myth that university members are not responsible to the law, and that somehow the law is the enemy—particularly those whom society has constituted to uphold and enforce the law. I would like to insist here that all of us are responsible to the duly constituted laws of this university communtiy and to all the laws of the land. There is no other guarantee of civilization versus the jungle or mob rule, here or elsewhere.

If someone invades your home, do you dialogue with him or call the law?

Without the law, the university is a sitting duck for any small group from outside or inside that wishes to destroy it, to incapacitate it, to terrorize it at whim.

The argument goes—or has gone: Invoke the law and you lose the university community. My only response is that without the law you may well lose the university and, beyond that, the larger society that supports it and that is most deeply wounded when law is no longer respected, bringing an end of everyone's most cherished rights.

I have studied at some length the new politics of confrontation. The rhythm is simple:

1. Find a cause—any cause, silly or not.

2. In the name of the cause, get a few determined people to abuse the rights and privileges of the community so as to force a confrontation at any cost of boorishness or incivility.

3. Once this has occurred—justified or not, orderly or not—yell, "Police brutality!" If it does not happen, provoke it by foul language, physical abuse, whatever, and then count on a larger measure of sympathy from the up-to-now apathetic or passive members of the community. Then call for amnesty, the head of the president on a platter, the complete submission to any and all demands.

One beleaguered president has said that these people want to be martyrs thrown to toothless lions. He added, "Who wants to dialogue when they are going for the jugular vein?"

So it has gone, and it is generally well orchestrated. Again, my only question: Must it be so? Must universities be subjected, willy-nilly, to such intimidation and victimization, whatever their good will in the matter? Somewhere a stand must be made.

I only ask that, when the stand is made necessary by those who would destroy the community and all its basic yearning for great and calm educational opportunity, let them carry the blame and the penalty.

No one wants the forces of law on this or any other campus, but if some necessitate it, as a last and dismal alternative to anarchy and mob tyranny, let them shoulder the blame instead of receiving the sympathy of a community they would hold at bay.

The only alternative I can imagine is turning the majority of the community loose on them, and then you have two mobs. I know of no one who would opt for this alternatice—always lurking in the wings.

We can have a thousand resolutions as to what kind of a society we want, but when lawless is afoot and all authority is flouted—faculty, administration and student—then we invoke the normal societal forces of law, or we allow the university to die beneath our hapless and hopeless gaze.

I have no intention of presiding over such a spectacle: Too many people have given too much of themselves and their lives to this university to let this happen here. Without being melodramatic, if this conviction makes this my last will and testament to Notre Dame, so be it.

May I now say in all sincerity that I never want to see any student expelled from this community, because in many ways this is always an educative failure. Even so, I must likewise be committed to the survival of the university community as one of man's best hopes in these troubled times. . . .

We cannot allow a small minority to impose their will on the majority who have spoken regarding the university's style of life; we cannot allow a few to substitute force of any kind for persuasion to accept their personal idea of what is right or proper. We only insist on the rights of all, minority and majority; the climate of civility and rationality, and a preponderant moral abhorrence of violence or inhuman forms of persuasion that violate our style of life and the nature of the university.

RETIREMENT OF PHILIP N. BROWNSTEIN

(Mr. GIAIMO asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. GIAIMO. Mr. Speaker, on February 21, Mr. Philip N. Brownstein retired as Assistant Secretary of Housing and Urban Development, a post he has held for the past 3 years. His retirement brings to a close a distinguished career of 34 years as a public servant.

Mr. Brownstein joined the Federal Housing Administration a year after it was created. His steady rise through a variety of positions with the agency, culminated in his appointment as FHA Commissioner early in 1963.

During World War II Mr. Brownstein served with the U.S. Marine Corps for 2 years. Following his release from military service, Mr. Brownstein joined the Veterans' Administration and later became the chief benefits director. As director he administered all VA benefits programs.

During his term of service with FHA, Mr. Brownstein played a large part in directing the housing efforts of the Federal Government toward our national goal of a decent home for every family. He is an administrator with few equals and was instrumental in streamlining the operations of FHA. Through increased efficiency and faster service, he made it easier for the general public and industry to do business with this Federal agency. One of Mr. Brownstein's many accomplishments was the reduction of FHA's home mortgage processing time from weeks down to days. He was also responsible for substantially shortening the time it takes to finance an apartment project through FHA.

Mr. Speaker, I wish that time permitted me to mention Mr. Brownstein's many achievements, but they defy listing. His years of service were marked by great personal dedication, innovation, and success. It will be difficult for a successor to follow in the footsteps of Philip Brownstein.

WELFARE OF AMERICAN PRISONERS OF WAR

(Mr. GIAIMO asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. GIAIMO. Mr. Speaker, last fall, Mrs. James Bond Stockdale, whose husband, a U.S. Navy captain, is a prisoner of war in Hanoi, visited my district office to reiterate her concern for the welfare of all of our brave American fighting men who are prisoners of the Vietcong and the North Vietnamese.

At that time I expressed my concern to the distinguished chairman of the House Armed Services Committee, and he assured me that the Department of Defense will continue to exert every effort to secure the release of our servicemen. My discussions with the Department of State revealed that our Government had been instructed to pursue the matter of prisoner of war treatment as an integral part of the Paris negotiations in which we are participating.

Mr. Speaker, after these many months, I must confess quite frankly my feelings of frustration as I observe the lack of response on the part of the Vietcong and the North Vietnamese to the repeated efforts of the Government of the United States and numerous other governments of the free world to secure the humane treatment of American prisoners of war which is guaranteed by the Geneva Convention.

Although North Vietnam, like the United States and South Vietnam, is a signatory to the Geneva Convention, its government has ignored the appeals of the International Committee of the Red Cross to extend the specific protections which are afforded to POW's by the Geneva Convention and which are vital to their safety and well-being.

The Geneva Convention provides that prisoners are not to be isolated from contact with the outside world. It specifically states that prisoners are entitled to correspond with their families and friends and to receive parcels from the outside. The International Committee of the Red Cross is entitled to visit prisoner-of-war camps, to speak privately with prisoners of war, and to distribute parcels and comfort items to the prisoners.

The Government of North Vietnam and the Vietcong have rigidly refused to comply with these provisions of the Convention. Some U.S. prisoners in North Vietnam have been allowed to send a few letters, and several prisoners have been seen by journalists and other foreign visitors. However, the great majority have been cut off from every contact with the outside world. Parcels mailed to prisoners in North Vietnam are returned unopened, and we do not know whether letters sent to North Vietnam are delivered to the prisoners. The International Committee of the Red Cross is not allowed to enter North Vietnam, and the prison camps and places of detention are not open to inspection.

This policy of isolation of prisoners of war is both illegal and inhumane, and it gives grounds for deep concern as to the treatment of prisoners by North Vietnam.

Mr. Speaker, the remarks which I have made here have been repeated many times on the floors of both the House and Senate by many of my distinguished colleagues. My purpose in expressing myself this afternoon is to again bring the matter of the welfare of our prisoners of war to the attention of the Members of Congress on both sides of the aisle. I would like to have the Members exercise whatever influence and persuasion they may have with President

Nixon and urge him to instruct our negotiators to place renewed emphasis on including the subject of the humane treatment of prisoners of war as an integral part of the Paris talks.

PESTICIDES CAST A POLLUTED SHADOW

(Mr. PODELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PODELL. Mr. Speaker, not too many Americans are overly familiar with the word "ecology"—it deals with the sum total of man's environment. Of late it is more in the news, and with excellent reason.

Man in his drive to bring order to the world to insure his personal comfort is altering our environment, often without a second thought for the consequences of such acts. One of these is the lavish, unrestricted use of pesticides.

One already well proven result of such actions is pollution of our total environment. The ecology of our earth is being altered with the most terrifying potential consequences for mankind.

Recent hearings in Wisconsin and testimony by scientists there have brought to light the framework of a terrifying structure. DDT has been used broadly and often in our Nation since World War II. Many scientists have called for an end to wide use of this pesticide. It is my belief that their opinion should be heeded by the Nation.

Pollution of any kind knows no boundaries. Political lines are crossed with disregard by the filthy air, polluted water and irritants placed in our environment by man. It has been demonstrated that their effect is cumulative.

Wisconsin's waterways have become polluted by DDT, a pesticide that does not break down easily. Instead, it lingers for years in air and waters while building up in the bodies of wildlife. Many species have already been doomed to extinction because of its action.

In the past, scientists have written learned papers deploring such unrestricted use of pesticides. Industry retorts by pointing to beneficial effects of such products claiming they are the best or only method to accomplish such beneficial results.

I submit that industry has done a disservice to our Nation and perhaps our world by deliberately ignoring the fact that dangerous pesticides do not have to be used. There exist safe and nonpersistent agents which are readily available. Industry has an obligation to shift to production of such agents.

Mr. Speaker, why does a segment of American industry persist in such harmful and shortsighted opposition to fair criticism? Why does it ignore such a clear and well-delineated menace? Do these men and their families not breathe same air and use the same water that the rest of us do? Are they not also in jeopardy? Will they not suffer the consequences along with the rest of mankind?

I believe our conservation organizations and the learned gentlemen in Wisconsin have rendered a signal public service to the Nation. They have at last brought industry out in the open and to a public forum in order to answer these accusations. To date, industry has not provided satisfactory answers to these accusations.

Mr. Speaker, if a segment of industry is so obsessed with profit to ignore the national well-being, society and its instruments of government cannot stand idly by. We have a duty to put an end to the unthinking and shortsighted pollution of the environment, and must act shortly before it is too late.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. YATES, for 30 minutes, on February 26; and to revise and extend his remarks and include extraneous matter.

Mr. O'HARA, today, for 30 minutes; to revise and extend his remarks and to include extraneous material.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. YATES.

Mr. FRELINGHUYSEN in two instances and to include extraneous material.

Mr. MADDEN, and to include extraneous material.

Mr. GAYDOS in three instances and to include extraneous matter.

(The following Members (at the request of Mr. MAYNE) and to include extraneous matter:)

Mr. PETTIS.
Mr. WHALEN.
Mr. ASHBROOK.
Mr. BROYHILL of Virginia in five instances.
Mr. MINSHALL in two instances.
Mr. STEIGER of Wisconsin in two instances.
Mr. SMITH of New York.
Mr. SCHERLE.
Mr. KLEPPE.
Mr. BURTON of Utah in five instances.
Mr. GROSS in two instances.
Mr. LUJAN.
Mr. LANGEN.
Mr. DERWINSKI.
Mr. TAFT in two instances.
Mr. REID of New York in three instances.
Mr. WYMAN in two instances.
Mr. HOSMER in two instances.
Mr. MATHIAS.
Mr. MCCLORY.

(The following Members (at the request of Mr. DANIEL of Virginia) and to include extraneous matter:)

Mr. BOLAND in two instances.
Mr. FRASER in two instances.
Mr. BOGGS.
Mr. DINGELL in two instances.
Mr. MATSUNAGA.
Mr. SIKES in five instances.
Mr. FRIEDEL in two instances.
Mr. HANNA in six instances.
Mr. PODELL in two instances.
Mr. BOLLING.
Mr. BROWN of California in two instances.
Mr. RARICK in six instances.
Mr. HICKS in two instances.
Mr. MONTGOMERY.
Mr. GILBERT in two instances.
Mr. KOCH.
Mr. FLOOD in two instances.
Mr. BROOKS.
Mr. WOLFF in three instances.
Mr. MCCARTHY in two instances.

ADJOURNMENT

Mr. DANIEL of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Wednesday, February 26, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

535. A letter from the Deputy Secretary of Defense, transmitting the annual report on Reserve Forces for fiscal year 1968, pursuant to the provisions of 10 U.S.C. 279; to the Committee on Armed Services.

536. A letter from the Director, Federal Mediation and Conciliation Service, transmitting a copy of "The Missile Sites Labor Commission," an analysis of the operation of that Commission for the period 1961–67 under Executive Order 10946; to the Committee on Education and Labor.

537. A letter from the Chairman, National Mediation Board, transmitting the 34th Annual Report of the National Mediation Board, including the report of the National Railroad Adjustment Board, pursuant to the provisions of Public Law 442, approved June 21, 1934; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TUNNEY: Committee on Foreign Affairs. A report on measuring hamlet security in Vietnam (pursuant to H. Res. 179, 90th Cong.) (Rept. No. 91–25). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 497. A bill to amend section 301 of the Manpower Development and Training Act of 1962, as amended (Rept. No. 91–26). Referred to the Committee of the Whole House on the State of the Union.

Mr. DULSKI: Committee on Post Office and Civil Service. H.R. 7206. A bill to adjust the salaries of the Vice President of the United States and certain officers of the Congress (Rept. No. 91–27). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 7568. A bill to authorize certain persons to accept gifts of money for the purpose of acquiring objects to be placed in the Capitol; to the Committee on Ways and Means.

By Mr. BIESTER:

H.R. 7569. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. BRINKLEY:

H.R. 7570. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BUSH:

H.R. 7571. A bill to amend the Internal Revenue Code of 1954 to include the sintering and burning of clay, shale, and slate used as lightweight aggregates as a treatment process considered as mining; to the Committee on Ways and Means.

By Mr. CONTE:

H.R. 7572. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 7573. A bill to designate the birthday of Martin Luther King, Jr., as a legal public holiday; to the Committee on the Judiciary.

H.R. 7574. A bill to provide for posting information in post offices with respect to registration and voting, and for other purposes; to the Committee on Post Offices and Civil Service.

By Mr. CULVER (for himself, Mr. Addabbo, Mr. Anderson of Tennessee, Mr. Conyers, Mr. Dellenback, Mr. Donohue, Mr. Dulski, Mr. Eckhardt, Mr. Foley, Mr. Halpern, Mr. Hastings, Mr. Hathaway, Mr. Horton, Mr. Hosmer, Mr. Jacobs, Mr. Matsunaga, Mr. Mikva, Mr. O'Neill of Massachusetts, Mr. Olsen, Mr. Pike, Mr. Podell, Mr. St Germain, Mr. Wright, and Mr. Yatron):

H.R. 7575. A bill to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 7576. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer with adjusted gross income of $7,500 or less a deduction for the expenses of tuition and certain other fees and charges paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

H.R. 7577. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct tuition expenses paid by him for the education of his children through the 12th grade; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 7578. A bill to amend the Federal Aviation Act of 1958 to authorize reduced-rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH:

H.R. 7579. A bill to provide for the establishment of a national cemetery within the Manassas National Battlefield Park, Va.; to the Committee on Interior and Insular Affairs.

By Mr. EVANS of Colorado:

H.R. 7580. A bill to amend the Antidumping Act of 1921; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 7581. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in a combat area; to the Committee on Armed Services.

By Mr. FISHER:

H.R. 7582. A bill to amend the Internal Revenue Code of 1954 to provide that an individual may deduct amounts paid for his higher education, or for the higher education of any of his dependents; to the Committee on Ways and Means.

By Mr. FLYNT:

H.R. 7583. A bill to amend title 42, United States Code; to the Committee on Ways and Means.

By Mr. FRIEDEL:

H.R. 7584. A bill to provide appropriations for sharing of Federal revenues with States and certain cities and urban counties; to the Committee on Ways and Means.

By Mr. GIBBONS (for himself, Mr. Conyers, Mr. Long of Maryland, Mr. St. Onge, Mr. Farbstein, Mr. Podell, Mr. Byrne of Pennsylvania, Mr. Thompson of New Jersey, Mr. Mikva, Mr. Eilberg, Mr. Yatron, Mr. Rosenthal, Mr. Vigorito, Mr. Koch, and Mr. Nedzi):

H.R. 7585. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mrs. GRIFFITHS:

H.R. 7586. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 7587. A bill to provide that daylight saving time shall be observed on a year-round basis; to the Committee on Interstate and Foreign Commerce.

By Mr. KING:

H.R. 7588. A bill to amend the Internal Revenue Code of 1954 to exclude reenlistment bonuses from gross income; to the Committee on Ways and Means.

By Mr. KIRWAN:

H.R. 7589. A bill to establish rates of compensation for certain positions within the Smithsonian Institution; to the Committee on Post Office and Civil Service.

By Mr. KLEPPE:

H.R. 7590. A bill to amend chapter 44 of title 18, United States Code, to strengthen the penalty provision applicable to a Federal felony committed with a firearm; to the Committee on the Judiciary.

H.R. 7591. A bill to amend chapter 207 of title 18 of the United States Code to authorize conditional pretrial release or pretrial detention of certain persons who have been charged with noncapital offenses, and for other purposes; to the Committee on the Judiciary.

H.R. 7592. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

H.R. 7593. A bill to amend title 18 of the United States Code to establish extended terms of imprisonment for certain offenders convicted of felonies in Federal courts; to the Committee on the Judiciary.

H.R. 7594. A bill to amend title 18 of the United States Code to make it unlawful to injure, intimidate, or interfere with any fireman performing his duties during the course of any riot; to the Committee on the Judiciary.

H.R. 7595. A bill to amend the Sherman Act to prohibit the investment of certain income in any business enterprise affecting interstate or foreign commerce; to the Committee on the Judiciary.

H.R. 7596. A bill to prohibit the investment of income derived from certain criminal activities in any business enterprise affecting interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

H.R. 7597. A bill to amend title 18, United States Code, to provide for improved criminal procedure, and for other purposes; to the Committee on the Judiciary.

H.R. 7598. A bill to establish a Joint Committee on Organized Crime; to the Committee on Rules.

H.R. 7599. A bill to amend the Internal Revenue Code of 1954 to modify the provisions relating to taxes on wagering to insure the constitutional rights of taxpayers, to facilitate the collection of such taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. LANDRUM:

H.R. 7600. A bill to provide for the renewal and extension of certain sections of the Appalachian Regional Development Act of 1965, including increased authorization for vocational education facilities; to the Committee on Public Works.

H.R. 7601. A bill to amend the Internal Revenue Code of 1954 to increase the credit against tax for retirement income; to the Committee on Ways and Means.

By Mr. LONG of Maryland:

H.R. 7602. A bill granting the consent of Congress to the States of Maryland, Delaware, and Virginia to negotiate and enter into a compact relating to the pollution of Chesapeake Bay; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 7603. A bill to amend title 5, United States Code, to provide for the immediate retirement of Federal civilian personnel on oceangoing vessels upon separation from the service after attaining 50 years of age and completing 20 years of service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MURPHY of New York:

H.R. 7604. A bill to amend title IV of the Social Security Act to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

By Mr. NICHOLS:

H.R. 7605. A bill to make it a crime to induce, through fraud or misrepresentation, any person to travel in interstate commerce for educational purposes; to the Committee on the Judiciary.

By Mr. O'HARA:

H.R. 7606. A bill to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PERKINS (for himself, Mr. Thompson of New Jersey, Mr. Dent, Mr. Brademas, Mr. Hathaway, Mrs. Mink, Mr. Scheuer, and Mr. Burton of California):

H.R. 7607. A bill to authorize the Secretary of Labor to provide supplementary compensation for permanent total disability or death from lung cancer resulting from exposure to ionizing radiation in uranium mines; to provide grants to States for research and planning with respect to ionizing radiation injuries in uranium mines; and for other purposes; to the Committee on Education and Labor.

By Mr. PODELL:

H.R. 7608. A bill to authorize funds to carry out the purposes of title V of the Public Works and Economic Development Act of 1965, as amended, and for other purposes; to the Committee on Public Works.

H.R. 7609. A bill to amend title 39, United States Code, to provide employment and relocation assistance for veterans; to the Committee on Veterans' Affairs.

By Mr. POFF:

H.R. 7610. A bill to provide appropriations for sharing of Federal revenues with States and certain cities and urban counties; to the Committee on Ways and Means.

By Mr. RAILSBACK:

H.R. 7611. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. REID of New York:

H.R. 7612. A bill to provide a special milk program for children; to the Committee on Agriculture.

By Mr. RODINO:

H.R. 7613. A bill to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes; to the Committee on Public Works.

By Mr. SAYLOR:

H.R. 7614. A bill to provide for the addition of certain lands to the Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR (for himself and Mr. SKUBITZ):

H.R. 7615. A bill to enlarge the boundaries of Grand Canyon National Park in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7616. A bill to revise the boundaries of the North Cascades National Park in the State of Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SCHERLE:

H.R. 7617. A bill to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 7618. A bill to provide for the conveyance of certain real property of the Federal Government to the Board of Public Instruction, Okaloosa County, Fla.; to the Committee on Armed Services.

By Mr. SMITH of New York:

H.R. 7619. A bill to amend the Tariff Schedules of the United States to allow containers for certain petroleum products and derivatives to be temporarily imported without payment of duty; to the Committee on Ways and Means.

By Mr. STAFFORD:

H.R. 7620. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 7621. A bill to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TAFT:

H.R. 7622. A bill to provide for orderly trade and market sharing in iron and steel mill products; to the Committee on Ways and Means.

By Mr. TALCOTT:

H.R. 7623. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. TEAGUE of Texas (by request):

H.R. 7624. A bill to clarify the standard for recognition of certain widows by the Veterans' Administration; to the Committee on Veterans' Affairs.

By Mr. ULLMAN:

H.R. 7625. A bill to authorize the Secretary of the Interior to establish the John Day Fossil Beds National Monument in the State of Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WATTS:

H.R. 7626. A bill to amend the Tariff Schedules of the United States with respect to the tariff classification of certain sugars, sirups, and molasses, and for other purposes; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON:

H.R. 7627. A bill to amend section 592 of the Tariff Act of 1930 (19 U.S.C.A. 1592), and for other purposes; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 7628. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

H.R. 7629. A bill to amend title 38, United States Code, to relieve certain persons from filing the annual income questionnaire in connection with non-service-connected pensions; to the Committee on Veterans' Affairs.

By Mr. CELLER (for himself, Mr. ADDABBO, Mr. BIAGGI, Mr. BUTTON, Mr. CONABLE, Mr. DELANEY, Mr. DULSKI, Mr. FARBSTEIN, Mr. FISH, Mr. HALPERN, Mr. HANLEY, Mr. HASTINGS, Mr. HORTON, Mr. KING, Mr. KOCH, Mr. McKNEALLY, Mr. PIKE, Mr. PIRNIE, Mr. PODELL, Mr. REID of New York, Mr. ROBISON, Mr. ROSENTHAL, Mr. SCHEUER, Mr. STRATTON, and Mr. WYDLER):

H.J. Res. 482. Joint resolution to consent to, and enter into, the Mid-Atlantic States air pollution control compact, creating the Mid-Atlantic States Air Pollution Control Commission as an intergovernmental, Federal-State agency; to the Committee on the Judiciary.

By Mr. COUGHLIN:

H.J. Res. 483. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. COWGER:

H.J. Res. 484. Joint resolution proposing an amendment to the Constitution to provide for the direct election of the President and the Vice President; to the Committee on the Judiciary.

By Mr. GALIFIANAKIS:

H.J. Res. 485. Joint resolution authorizing the President to proclaim the month of May in 1969 as "National Arthritis Month"; to the Committee on the Judiciary.

By Mr. HANNA (for himself and Mr. Anderson of California):

H.J. Res. 486. Joint resolution to request the President to negotiate with the Mexican Government for the purpose of setting up a Joint United States-Mexican Commission to investigate the flow of marihuana, narcotic drugs, and dangerous drugs between the United States and Mexico; to the Committee on Foreign Affairs.

By Mr. RONAN:

H.J. Res. 487. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.J. Res. 488. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. VIGORITO:

H.J. Res. 489. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Commitee on the Judiciary.

By Mr. CONABLE:

H. Res. 276. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban and Metropolitan Affairs; to the Committee on Rules.

By Mr. POWELL:

H. Res. 277. Resolution creating a select committee to conduct an investigation and study to determine why the percentage of black members of the Armed Forces who are killed in action exceeds the ratio of the overall percentage of members of the Armed Forces who are killed in action; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 7630. A bill for the relief of Felipe Guleng; to the Committee on the Judiciary.

H.R. 7631. A bill for the relief of Leon B. Licos; to the Committee on the Judiciary.

H.R. 7632. A bill for the relief of Adelina A. Pajel; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 7633. A bill for the relief of Caterina Caliendo; to the Committee on the Judiciary.

H.R. 7634. A bill for the relief of Pasquale Cervini; to the Committee on the Judiciary.

H.R. 7635. A bill for the relief of Anna Rosa, Luigi, and Amelia Guistino; to the Committee on the Judiciary.

H.R. 7636. A bill for the relief of Thomas McHugh; to the Committee on the Judiciary.

H.R. 7637. A bill for the relief of Rosa Magro; to the Committee on the Judiciary.

H.R. 7638. A bill for the relief of Antonio Maida; to the Committee on the Judiciary.

H.R. 7639. A bill for the relief of Bruno C. Palumbo; to the Committee on the Judiciary.

H.R. 7640. A bill for the relief of Mario and Rita Pelmonte; to the Committee on the Judiciary.

H.R. 7641. A bill for the relief of Thomas Henry Smith; to the Committee on the Judiciary.

By Mr. ANDERSON of Illinois:

H.R. 7642. A bill for the relief of Armando Gigante; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 7643. A bill for the relief of Vita Maria Abbate and her minor children, Antonina, Giuseppa, and Valeria; to the Committee on the Judiciary.

H.R. 7644. A bill for the relief of Angelo Castiglione; to the Committee on the Judiciary.

H.R. 7645. A bill for the relief of Salvatore Cusumano; to the Committee on the Judiciary.

H.R. 7646. A bill for the relief of Gaetano Di Giacinto; to the Committee on the Judiciary.

H.R. 7647. A bill for the relief of Giuseppe Innico; to the Committee on the Judiciary.

H.R. 7648. A bill for the relief of Benedetto Lo Bello; to the Committee on the Judiciary.

H.R. 7649. A bill for the relief of Giulio Mannino and Alicia Mannino; to the Committee on the Judiciary.

H.R. 7650. A bill for the relief of Attilio Marra; to the Committee on the Judiciary.

H.R. 7651. A bill for the relief of Filippo Morici; to the Committee on the Judiciary.

H.R. 7652. A bill for the relief of Aurelio Passalacqua; to the Committee on the Judiciary.

H.R. 7653. A bill for the relief of Michelangelo Petralito and Giuseppa Petralito; to the Committee on the Judiciary.

H.R. 7654. A bill for the relief of Paolo Reparto; to the Committee on the Judiciary.

H.R. 7655. A bill for the relief of Melchiorre and Mariana Tamburello; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 7656. A bill for the relief of Spyridon B. Adam; to the Committee on the Judiciary.

H.R. 7657. A bill for the relief of Diamantis D. Androutsopoulos; to the Committee on the Judiciary.

H.R. 7658. A bill for the relief of George Bisbikis; to the Committee on the Judiciary.

H.R. 7659. A bill for the relief of Catherine Choraitis and Emmanuel Choraitis; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 7660. A bill for the relief of Pedro Tijan Munoz; to the Committee on the Judiciary.

By Mr. BUTTON:

H.R. 7661. A bill for the relief of John Sotiriou Koutsakis; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 7662. A bill for the relief of Esther Bitton; to the Committee on the Judiciary.

H.R. 7663. A bill for the relief of Angelo Cardinale; to the Committee on the Judiciary.

H.R. 7664. A bill for the relief of Rocco Roppo, his wife, Grazia Roppo, and their children, Michele Roppo and Giacoma Roppo; to the Committee on the Judiciary.

H.R. 7665. A bill for the relief of Dr. Eddy Chi-Kwang Tong and his wife, Hoo Pool-Man Tong; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 7666. A bill for the relief of Joseph Charles Mechaly; to the Committee on the Judiciary.

H.R. 7667. A bill for the relief of Mrs. Zoe Stavropoulos; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 7668. A bill for the relief of Calogero Di Maggio; to the Committee on the Judiciary.

By Mr. HOGAN:

H.R. 7669. A bill for the relief of Dr. Zito Alba; to the Committee on the Judiciary.

H.R. 7670. A bill for the relief of Mr. Dimitrios Kaldis; to the Committee on the Judiciary.

H.R. 7671. A bill for the relief of Mr. George Kaldis; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 7672. A bill for the relief of Pietro Piannaca; to the Committee on the Judiciary.

H.R. 7673. A bill for the relief of Madeline R. Schreiber; to the Committee on the Judiciary.

H.R. 7674. A bill for the relief of Christina von Renner; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 7675. A bill for the relief of Shēng Ming Cheng; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 7676. A bill for the relief of Juanito Pellicer and his wife, Flameta Vargas Pellicer; to the Committee on the Judiciary.

H.R. 7677. A bill for the relief of Teresita Villaneuva; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 7678. A bill for the relief of Bento, Rosaria, and Benedetto Bisconti; to the Committee on the Judiciary.

H.R. 7679. A bill for the relief of Biago and Rosa Barbaro de Tirrusa; to the Committee on the Judiciary.

H.R. 7680. A bill for the relief of Lorenzo Lombardo; to the Committee on the Judiciary.

H.R. 7681. A bill for the relief of Eugenio and Renata Sanacore; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 7682. A bill for the relief of Francesco Di Domenico and his wife, Giuseppina Di Domenico; to the Committee on the Judiciary.

By Mr. PRICE of Illinois:

H.R. 7683. A bill for the relief of John T. Duffy; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 7684. A bill for the relief of Angelina Cappa; to the Committee on the Judiciary.

H.R. 7685. A bill for the relief of Rosina Parisi, Donato Parisi, and Gerardo Parisi; to the Committee on the Judiciary.

H.R. 7686. A bill for the relief of Mario Sarni; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 7687. A bill for the relief of Paciencia Mallari; to the Committee on the Judiciary.

H.R. 7688. A bill for the relief of Zenaida Legaspi Mayuga; to the Committee on the Judiciary.

H.R. 7689. A bill for the relief of Sgt. Theodore J. Violissi; to the Committee on the Judiciary.

By Mr. TAFT:

H.R. 7690. A bill for the relief of Dr. Stanley V. J. Gan and Trees M. C. Gan; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R.7691. A bill for the relief of Honorata Anita Organo; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

THE 17TH ANNUAL PRESIDENTIAL PRAYER BREAKFAST

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 25, 1969

Mr. RANDOLPH. Mr. President, the 17th annual Presidential Prayer Breakfast was held at the Sheraton-Park Hotel on Thursday, January 30. It was attended by the President, the Vice President, members of the Cabinet, members of the Supreme Court, members of the diplomatic corps, Governors of various States, and members of the executive and legislative branches of the Government.

Presidents of national and international labor unions, leaders in industry and business, chancellors and presidents from colleges and universities, and citizens from other phases of our economic life were present.

This year, the Armed Forces Radio and Television System broadcast the Prayer Breakfast to millions of men and women in uniform around the globe.

Mr. President, the 2,200 worshippers at the breakfast were given an hour of inspiration and devotion and truth.

Prior to the Presidential Prayer Breakfast, a congressional prayer breakfast was held.

There is a great value in prayer. Elizabeth Cottam Walker has written "Who Once Has Prayed." Her moving lines are:

WHO ONCE HAS PRAYED

Who once has prayed shall live in prayer forever;
This is no passing impulse, to depart
Leaving a life unscrolled, a seeking mind
Untouched by light. A prayer will lift the heart
To realms unsensed in crowded, active hours
Burdened with tasks. Like a bell's clear ringing
A sincere prayer renews, and echoing, blesses,
And sets each life so touched to rhythmic singing.

Whom prayer has winged to set the spirit soaring,
Though brief the flight, shall never rise alone:
Companioned by light, and by an inward hearing,
Will listen always for a prompting tone.
Who once has prayed, though life be etched in sorrow,
Shall walk in light toward a bright tomorrow.

I ask unanimous consent to have the text of the two programs and the proceedings of the latter event published in the RECORD at this point.

There being no objection, the programs and the proceedings of the Presidential Prayer Breakfast were ordered to be printed in the RECORD, as follows:

CONGRESSIONAL PRAYER BREAKFAST

PROGRAM

Sea Chanters: "God of Our Fathers."

Presiding: The Honorable Albert H. Quie, U.S. House of Representatives.

Invocation: The Honorable Gerald R. Ford, U.S. House of Representatives.

BREAKFAST

Introduction of head table and statement: The Honorable Albert H. Quie.

Old Testament reading and comments: The Honorable George Romney, Secretary of Housing and Urban Development.

Prayer for national leaders: The Honorable Joseph D. Tydings, U.S. Senate.

New Testament reading and comments: The Honorable Jennings Randolph, U.S. Senate.

The President of the United States.

Closing prayer: The Honorable James G. O'Hara, U.S. House of Representatives.

Closing song: "America."

"Our Father's God to Thee.
Author of liberty,
To Thee we sing.
Long may our land be bright
With freedom's holy light
Protect us by Thy might,
Great God, our King."

"The Lord our God is one Lord; and you shall love the Lord your God with all your heart, and with all your soul, and with all your might."—Deuteronomy 6: 4, 5.

"Righteousness exalts a nation, but sin is a reproach to any people."—Proverbs 14: 34.

" 'and you shall love the Lord your God with all your heart, and with all your soul, and with all your mind, and with all your strength.' The second is this, 'You shall love your neighbor as yourself.' There is no other commandment greater than these."—Mark 12: 30, 31.

"Where the Spirit of the Lord is, there is liberty."—II Corinthians 3: 17.

PRESIDENTIAL PRAYER BREAKFAST

PROGRAM

Singing Sergeants: "A Mighty Fortress is Our God."

Presiding: The Honorable Frank Carlson, U.S. Senate.

Invocation: The Honorable Robert H. Finch, Secretary of Health, Education, and Welfare.

BREAKFAST

Introduction of head table and statement: The Honorable Frank Carlson.

Greetings from House breakfast group, The Honorable Graham Purcell, U.S. House of Representatives.

Old Testament reading: The Honorable Dr. Guillermo Sevilla-Sacasa, Dean of the Diplomatic Corps.

Greetings from Senate breakfast group: The Honorable John Stennis, U.S. Senate.

New Testament reading: The Vice President of the United States.

Prayer for national leaders: The Honorable Edmund S. Muskie, U.S. Senate.

Message: Dr. Billy Graham.

The President of the United States.

Closing prayer: The Honorable Mark O. Hatfield, U.S. Senate.

Closing song: "America"

> "Our Father's God to Thee,
> Author of liberty,
> To Thee we sing.
> Long may our land be bright
> With freedom's holy light
> Protect us by Thy might,
> Great God, our King."

"Above everything else, we need faith . . . a faith not only in the rightness of our cause, but faith in God."

"Our tradition is not simply one of great military strength, of tremendous economic productivity, but it is one [of] faith, faith in God, faith in our country, and faith in the great God-given rights which we believe belong to every man in the world today."—RICHARD M. NIXON, March 12, 1959.

PROCEEDINGS OF PRESIDENTIAL PRAYER BREAKFAST

INVOCATION

(By the Honorable Robert H. Finch, Secretary of Health, Education, and Welfare)

Shall we pray:

Our Father, we are gathered here today to reaffirm our faith in Thy guidance, to express our gratitude for Thy bountiful blessings upon this land.

We especially pray today for Thy blessings upon the President of the United States as he faces these formidable tasks before all of us.

We pray for the wisdom to discern Thy truth, and the strength and the courage to act upon it. We pray for humility to be receptive to Thy guidance, and for the spirit of charity and compassion to accompany all of our works.

We pray that Thy inspiration be with all us who strive for peace in the world and open their eyes to the paths of peace and justice.

As we pause in this moment to proclaim our faith, we humbly commit ourselves to Thy will, knowing that the ultimate hope of progress and strength of action is in our God, "for blessed is that nation whose trust is in the Lord, and blessed are the peace-makers, for they shall be called the children of God."

Amen.

STATEMENT OF HON. FRANK CARLSON, U.S. SENATE

It is my privilege, on behalf of the men of the U.S. Senate and the House of Representatives who meet informally each week in the Spirit of Christ to consider spiritual issues and to pray for ourselves and the nations, to welcome to this Breakfast our new President, members of the official family, and distinguished citizens from across the nation.

This morning we meet for the 17th consecutive year as the Presidential Prayer Breakfast. We are honored in having the President of the United States and Mrs. Nixon as our honored guests.

It is perhaps fitting to be reminded that President Richard Nixon, as then Vice President, was part of the very first Presidential Prayer Breakfast begun with President Eisenhower. And, Mr. President, if I may be permitted this personal word, I would like to say that what you had to say in this context in those early days was not only an inspiration then but provided a foundation for the widespread good which has resulted in our meeting together in this way.

In fact, anticipating this moment together, I recalled one of your messages, Mr. President, and looking back in the Congressional Record for it, I discovered that in your statement illustrating the great contribution of the spirit which America had to offer, you concluded with these words:

"And so, with that, may I say that the work you do in inspiring faith in leaders in your own communities and leaders in the halls of Congress and Government is basically important—important because you are emphasizing the phase of American life which needs emphasizing today. You are helping us to point out to the world that we have something more to offer than the enemies of freedom, and you are helping to remind us of the fact that our tradition is not simply one of great military strength, of tremendous economic productivity, but it's one in which we have arrived where we have arrived because we have faith—faith in God, faith in our country, and faith in the great God-given rights which we all believe belong to every man in the world today."

End of the quote, Mr. President, and that was in 1953. Now it is a testimony to the vision of men originally conceiving this idea that each successive President has attached a great growing measure of importance and significance to this event which involves so meaningfully so many of our national leaders in all walks of life.

And I'm glad to announce that this morning, for the first time, the Presidential Prayer Breakfast is being broadcast by the Armed Forces Radio to the United States military commands and servicemen around the world. This Breakfast inspiration is going out over more than 300 Armed Forces Radio stations to personnel in 29 foreign countries, 9 United States territories and possessions. And it's reassuring to realize that this morning 95 per cent of our troops in Vietnam will be hearing this Breakfast.

This Presidential Prayer Breakfast grew out of the inspiration received by members of Congress in the weekly United States Senate and the House of Representatives Prayer Groups beginning in 1943—and, as you know, the Senate group meets weekly on Wednesday mornings, and the House group on Thursday mornings. These groups, as you know, are completely private and they are unpublicized. The two groups meet together, and met together for the first time in 1953, when they invited President Eisenhower as their guest, and each year since the two groups have continued to meet together on a date at the opening of Congress to bring about this event now known as the Presidential Prayer Breakfast.

So, over the past 15 years the growth of this idea has been rather remarkable. The influence of the Presidential Breakfast has resulted in prayer groups in practically every State in the Union, a Governor's prayer breakfast, breakfasts involving political, business, labor and professional leadership of our nation. And I think I would state it might be well said that the observable result of the Congressional Prayer Breakfast groups as well as the Presidential Prayer Breakfast has been the building of friendships between the leaders of nations by developing common spiritual ties on a private basis.

Now, it's my distinct honor this morning to present the head table. And before introducing our head-table guests, it's my high privilege to present the First Lady of the land, Mrs. Richard Nixon.

Now, I shall present those who will not be participating in the program, and, in view of the shortness of time, I would urge that as I present these names they remain standing and we'll give the applause at the conclusion of the presentation of these fine people.

I'm going to start on my right with the Honorable John Volpe, Secretary of Transportation, and Mrs. Volpe;

The Honorable George Shultz, Secretary of Labor, and Mrs. Schultz;

The Postmaster General of the United States, the Honorable Winton Blount;

The Secretary of Defense, the Honorable Melvin Laird, and Mrs. Laird;

The Honorable Valenzuelo Valdorama, President of the Congress of Chile;

The Secretary of State, the Honorable William Rogers and Mrs. Rogers;

The distinguished Senator from the State of Oregon, the Honorable Mark Hatfield, and Mrs. Hatfield;

The wife of our distinguished Vice President, Mrs. Agnew.

The Secretary of the Treasury, the Honorable David M. Kennedy and Mrs. Kennedy.

The Mayor of our great city, the Nation's Capital, the Honorable Walter Washington, and Mrs. Washington;

The Honorable John Mitchell, Attorney General;

The Honorable Maurice Stans, Secretary of Commerce;

The Honorable Secretary of Interior, Walter Hickel and Mrs. Hickel;

The Honorable Clifford Hardin, Secretary of Agriculture, and Mrs. Hardin;

The Secretary of Housing and Urban Development, the Honorable George Romney, and Mrs. Romney;

The Honorable Robert Andreas, head of the Canadian delegation and the Minister of Indian Affairs of Canada.

And now, proceeding with the program, it is my great privilege to present a very distinguished member of the House of Representatives who will bring us greetings from the House Breakfast Prayer Group, the Honorable Graham Purcell of the United States House of Representatives.

GREETINGS FROM HOUSE BREAKFAST GROUP

(By the Honorable GRAHAM PURCELL, U.S. House of Representatives)

Mr. President, honored guests and friends: I convey to you the warmest of greetings from the Prayer Breakfast Group of the House of Representatives. By custom we meet each Thursday at 8 a.m. These same mornings from our fellowship together we go forth strengthened and renewed with a better ability to handle the burdens of our office. The spark that sometimes lies dormant will have been fanned by that brief hour together, and we will feel as if the light gained will better enable us to see the road that must be followed to find the true meaning of our lives and our purpose as a nation.

It perhaps is Government's destiny to function through the works of man, but there is no mandate that Government and its leaders must function without the benefit of God's guidance. Quite to the contrary, we feel that it is the very withdrawal from God that has brought us to a point in time where as never before race hates race, crime sweeps the streets, and a craze for materialism and soft living in a land of plenty has threatened the very foundations of our existence.

We are painfully aware that this is not as things should be. But how guilty also are we of holding out the promise of action by the Government as a panacea for the aches of the soul of a people? We remember that we must seek the true well-spring, gain a return to spiritual caring, simple human kindness and a renewal of our hopes and work—just work—for this nation.

At such a time, those of us who are fortunate enough to be able to share together that hour between 8 and 9 Thursday mornings, we are able to renew our true values, to see ourselves more realistically. We recall that so many people across the globe placed really little credence in the display of technology and skill which placed man behind the moon, but chose instead to rejoice at the miracle of the Biblical words spoken Christmas Eve from the Lunar perimeter. Thus recalling, we take heart, we feel refreshed, and our tremors are still.

And now, for several years we have looked forward to this very special day when we could come join with you and share in this international commitment of free men joining together and praising the Lord, calling upon Him for Divine Guidance. Most fully from our hearts go out our prayers for our President and for our leaders everywhere. We seek these things not only for you and ourselves as individuals, but so necessarily for the good earth.

OLD TESTAMENT READING

(By Dr. Guillermo Sevilla-Sacasa, Ambassador of Nicaragua)

Mr. President and Mrs. Nixon, Mr. Vice President and Mrs. Agnew, Excellencies, distinguished guests, ladies and gentlemen:

It is an honor and a source of great satisfaction to my colleagues in the Diplomatic Corps and to me to attend this splendid and highly significant Presidential Breakfast honored by the presence of our illustrious friend, His Excellency, the President of the United States, Richard M. Nixon, and Mrs. Nixon, and His Excellency, the Vice President, Spiro T. Agnew, and Mrs. Agnew.

It is a pleasure to recall our fortunate meeting last year; our thanks to Divine Providence for having given us the opportunity to meet again as friends and as brothers. It is indeed gratifying to share the bread of friendship, the bread that has most the meaning in the Christian meaning, the bread of friendship.

"Friendship" is a sacred word, a novel sentiment, that precious essence that flavors life. We know that the cross symbolizes Christianity, and it is under this symbol that the Sublime Power brings us together. The arms of the cross are always open as if to receive us. So, on this happy occasion, we, too, are meeting with open arms to greet our friends who reside far from here and have come to this famed Capitol, the heart of a glorious nation, to share with us the bread of friendship.

This breakfast is being held, as I just stated, in a glorious country, whose Founders brought in their veins the heart and blood of her power for generations, and in their souls the guiding faith and rebellious spirit that made them the heroic builders of friendship.

We greet with respect and highest esteem His Excellency, the President, Richard M. Nixon and Mrs. Nixon, whose presence has greatly pleased us. We greet His Excellency, Vice President Spiro T. Agnew and Mrs. Agnew with sentiment of deep regard. We greet the Honorable Frank Carlson, the indefatigable person responsible for promoting this event, whose qualities are so worthy of our respect. We greet all the distinguished personalities, gentlemen and charming ladies, who are present here today, whose attendance adds to our satisfaction. To you all I would like to say that we are of sincere hope we shall meet again under the sign of friendship, that delicious matter that will never cease to flow because it flows from the heart.

Now, Mr. President, Mrs. Nixon, Mr. Vice President, Mrs. Agnew, distinguished guests, Senator Carlson, ladies and gentlemen, Psalm 24, Psalm of David:

"The earth is the Lord's, and the fullness thereof; the world, and they that dwell therein.

"For he hath founded it upon the seas, and established it upon the floods.

"Who shall ascend into the hill of the Lord? or who shall stand in his holy place?

"He that hath clean hands, and a pure heart; who hath not lifted up his soul unto vanity, nor sworn deceitfully.

"He shall receive the blessing from the Lord, and righteousness from the God of his salvation.

"This is the generation of them that seek him, that seek thy face, O Jacob. Selah.

"Lift up your heads, O ye gates; and be ye lifted up, ye everlasting doors; and the King of glory shall come in.

"Who is this King of glory? The Lord strong and mighty, the Lord mighty in battle.

"Lift up your heads, O ye gates; even lift them up, ye everlasting doors; and the King of glory shall come in.

"Who is this King of glory? The Lord of hosts, he is the King of glory. Selah."

GREETINGS FROM SENATE BREAKFAST GROUP

(By the Honorable John Stennis, U.S. Senate)

President Nixon, Mrs. Nixon, Vice President Agnew, Mrs. Agnew, Distinguished Guests, other Friends:

It is my privilege to bring greetings from the Senate Breakfast Group which meets Wednesday morning each week during Congressional sessions. First we enjoy the fellowship and friendship that comes from having breakfast together, and then have a 15-minute talk by a previously chosen Senator on a spiritual subject of his choice, with an added 15 minutes of round-the-table responses or questions by the members present. The attendance at our meetings so far this year has averaged 24 Senators per meeting.

All sessions are personal and private; all talks, questions and responses are strictly off the record. Under these circumstances we bare our minds, our hearts, our feelings, our very souls, far beyond all other experiences we have together. This brings out the real man. There we find the best chance to know each other. This has been by far my most rewarding experience in the Senate.

As one who has attended these weekly meetings fairly regularly and listened to the discussions for years, I am impressed with the extent to which all the members continue to be influenced by the spiritual values and lessons that came in their early years—their early teachings and beliefs—given by a mother, a father, a sister, a teacher, a minister or a friend. Clearly, these influences have prevailed through the years of busy lives and continue to be a major factor in our official life as we daily make grave decisions on far-reaching policies that affect the 200,000,000 citizens of our Nation as well as many added millions around the world.

If I could sum up these expressions and experiences related by the members at these sessions, they would add up to the word—FAITH—positive faith in spiritual values.

This includes a faith in our system of self-government; a faith in the raw product of humanity; a faith in individuals; and moreover, it means a faith in eternal truths, and a faith in an eternal God.

In a large measure, these are the things that are missing in many, but by no means all, of our youth, and is largely the cause of much honest uncertainty and unrest as well as a major cause why many are in tragic revolt against authority in our time. We will find an answer amidst these principles that we were taught, but have failed to effectively pass on to many of our time.

Let us try harder—let us try harder—to instill these principles in the minds and hearts of both the youth and many of the adults of our time, so that they may and will take their rightful place in helping solve the problems confronting our nation. We must find a way, and can do so—with God's help.

NEW TESTAMENT READING

(By Vice President Spiro T. Agnew)

Mr. President, Mrs. Nixon, distinguished members of our governmental family, visitors from other governmental families, ladies and gentlemen:

This morning I have selected a passage from Chapter 6 of St. Luke, because this particular passage brought to my attention more forcibly than anything I've read recently the transitory nature of our existence and our preoccupation with what we may describe as "indescribable complexity"—if you can use those two words together, and I think you can in this context—attempt to describe.

The problem seems to be that we are beset with so many opinions forcing themselves upon our attention—so many opinions that sometimes we lose sight of the simple edict of the Commandments of our faith, and the need to become aware that these things should transcend our thoughts, should reinforce us in moments when we are not entirely sure of the direction we should take.

I was raised as an Episcopalian because my mother was born to that faith. My father was Greek Orthodox. What they left me as a heritage did not come from the doctrinaire teachings of either one of those religions, but from the way they lived their belief in God from day to day. And my father had an expression that I remember so well. And that expression was "He was a good man." And when my father said someone was a good man, he meant not that he was wealthy or talented or handsome; but he meant that he lived and guided his existence by his belief in the concepts of God. And I think that today we stand on the threshold of space. This teaches us really not how much we have progressed, but how far there is yet to go. We must guide ourselves by the words in the scriptures. These passages, I think, are appropriate to those who find themselves confused:

"Blessed be ye poor; for yours is the kingdom of God.

"Blessed are ye that hunger now: for ye shall be filled. Blessed are ye who weep now: for ye shall laugh.

"Blessed are ye, when men shall hate you, and when they shall separate you from their company, and shall reproach you, and cast out your name as evil, for the Son of man's sake.

"Rejoice ye in that day, and leap for joy: for, behold, your reward is great in heaven: for in the like manner did their fathers unto the prophets."

PRAYER FOR NATIONAL LEADERS

(By the Honorable Edmund S. Muskie, U.S. Senate)

Mr. President and Mrs. Nixon, Mr. Vice President and Mrs. Agnew, let us pray:

Our Father, we are gathered here this morning perplexed and deeply troubled. We are grateful for the many blessings You have bestowed upon us; the great resources of our land and our people; the freedom to apply them to uses of our own choosing; the successes which have marked our efforts.

We are perplexed that notwithstanding these blessings, we have not succeeded in making possible a life of promise for all our people and a growing dissatisfaction, division and distrust threaten our unity and our progress toward peace and justice.

We are deeply troubled that we may not be able to agree upon the common purposes and the basis for our mutual trust which are essential if we are to overcome our difficulties.

And, so, Our Father, we turn to You for help. Teach us to listen to one another with a kind of attention which is receptive to other points of view, however different, and with a healthy skepticism as to our own infallibility.

Teach us to understand one another with a kind of sensitivity which springs from deep-seated sympathy and compassion. Teach us to trust one another beyond mere tolerance with the willingness to take a chance on the perfectability of our fellow man. Teach us to help one another beyond charity in the kind of mutual involvement which is essential if a free society is to work.

Each of us in this room in some degree bears the responsibility and the burden of leadership. Our task has been described as the art of changing the nation from what it is into what it ought to be. Such a task is a challenge to the best that is in each of us.

And so we pray, Our Father, that You will bestow the gifts of wisdom and inspiration and strength in full measure upon our President, the Vice President, the Cabinet, the Congress, the Courts, and all others in authority. And as we raise our eyes and our hopes above our weaknesses and shortcomings help us, Our Father, to move toward the day envisioned by Franklin in his prayer: "God grant that not only the love of liberty, but a thorough knowledge of the rights of man may pervade all the nations of the earth so that a philosopher may set his foot anywhere on its surface and say, 'This is my country.'"

We ask it in Jesus' name, Amen.

MESSAGE BY DR. BILLY GRAHAM

Mr. President, Mrs. Nixon, Senator Carlson, Mr. Vice President and Mrs. Agnew:

We're running about a half an hour behind schedule, and I'm not going to presume upon the time of the President, whom you've come to hear and to see, and upon the appointments of so many distinguished leaders of Government by taking a long time this morning.

I had four points in my talk, but I'm going to concentrate only on the last one and cut out the first.

One of the things that disturbs me in America at this moment is the over-self-criticism that we have, of which I too have been guilty. Sir Winston Churchill once said that our problems are beyond us. Jean-Paul Sartre wrote a book entitled "No Exit." He said there is no answer to the problems of the human dilemma. I say to both of those distinguished men, I believe there is an answer. There is a way out. We have too much introspection. This is a great government, a great system and a great way of life.

Two days ago, I spent four hours with one of the theoreticians of the "new left." We debated, we talked, we disagreed and we agreed. He said within five years we will have either revolution or dictatorship. He said, "We're going to burn the country down."

I said, "What will stop it?"

He said, "Only one thing. A religious awakening in this country would save the country." In that I agreed.

We faced difficult times in American history before. When Washington was at Valley Forge, what could have been more difficult and more pessimistic than that hour? A third of his men had deserted, a third died from malnutrition, only a third were left. And Washington got on his knees and prayed, and out of that winter of prayer came the victory of the Revolution.

What could have been more hopeless than those men meeting, trying to bring about a Constitution of the United States and they could not agree, and it seemed that the little country would die in the beginning? And Franklin stood up and called for prayer, and those men went to their knees in prayer, and out of that prayer came our Constitution.

What could have been more hopeless than Lincoln, during the Civil War, when brother was fighting against brother and cousin against cousin, and blood was being spilled all over this country, and hate was rampant? And Lincoln would call his Cabinet together and ask them to get on their knees. And out of those times of prayer there came an answer. The union was preserved. The nation was saved.

In 1955, President Eisenhower was in Pittsburgh and he said this: "The history of free men is never really written by change, but by choice—their choice."

Ladies and gentlemen, I believe we have a choice. Our poverty problem, our race problem, the war problem are problems of the heart, problems of the spirit. The President of the United States has reminded us that ours is a crisis of the spirit, and he was right. This is the basic crisis. And if we can solve that problem, all of our other problems can be solved. The nation can be preserved. World peace can come.

And I think it's time that we take our eyes off our shortcomings and off our failures and off ourselves and put them on the Christ Who said, "You must be born again."

Eric Hoffer said the other night on television that we need a new birth. He was right. We need a new birth. But it needs to start with somebody. It needs to start with me. It needs to start with you. Christ said, "You must be born again if you are to be saved." You must have a new birth of the spirit, a new birth of the heart, and that can come about in your life today if you would be willing to get alone somewhere today with God and say, "O God, I have sinned against You. I put my trust and my confidence in Your Son Jesus Christ." And in that moment you can have a new birth. And through you, America and the world could have a new birth.

Thank you very much.

REMARKS OF THE PRESIDENT

Mr. Vice President and Mrs. Agnew, Senator Carlson, all the distinguished Members of Congress, representatives of the Administration, and particularly to your distinguished guests from other countries and those listening on radio and those who may see bits and pieces on television:

I am honored to be here on one of the first public appearances since the Inauguration; and particularly so because I have had the opportunity to share with you in these very eloquent moments in which we have heard from people in both Parties, in which we have also heard from a representative of another nation. There is, however, a common theme that runs through it all. That theme is religious faith which, despite the differences we may have, brings us together—brings us together in this Nation and, we trust, may help bring us together in the world.

As I was preparing my Inaugural Address, I did what I am sure every President who has had that responsibility did—I read all the ones that had previously been made. They were very different. Some were much longer than others. One was an hour and forty minutes. Another, the shortest, was ten minutes. Some spoke of all the great issues as the State of the Union message does, and others were rather brief, speaking only of the principles which were to be held to by the next President of the United States.

But there was one theme that was common to every one of them. That was that each President, as he was being inaugurated, in his own way, recognized the spiritual heritage of this Nation and asked for the blessing of God on this country—in not only its affairs at home, but its affairs abroad.

In talking to Billy Graham, who has spoken to us so eloquently today, he told me he had made a study of the Presidents of the United States. He had reached an interesting conclusion. Some of them came to the Presidency with a much deeper and more basic religious faith than others, but however they may have come to that awesome responsibility, all had left the Presidency with a very deep religious faith.

Yesterday, Speaker McCormack gave me a striking example of this. One of the early great Presidents, Andrew Jackson, came to the Presidency from the battlefields. Perhaps those who had read history were not aware of the deep religious faith which he perhaps had then but had not expressed, but which in his later years—and particularly after he left the Presidency—he often attested to.

The Speaker referred to an occasion when President Jackson was asked to participate in a dedication ceremony marking the Battle of New Orleans. He refused because the ceremony was set for Sunday.

Those who were inviting him said, "But, Mr. President, you fought in the Battle of New Orleans on Sunday." Jackson answered, "Well, that was a matter of necessity. I am speaking now from choice."

During these past few days, as is the case with any newly-inaugurated President, I have found very little time to do what I would like to do; to meet people, to read the thousands of letters that come in from all over the country. But each evening at the end of the day I try to read a few, to get a feeling of the country, so as not to get out of touch—in that Oval Room—with all of the deep feelings that people around this country have about the Presidency and our Nation.

I found one common theme that ran through a majority of those letters. I was somewhat surprised that it did so. In these days in which religion is not supposed to be fashionable in many quarters, in these days when skepticism and even agnosticism seems to be on the upturn, over half of all the letters that have come into our office have indicated that people of all faiths and of all nations in a very simple way are saying: "We are praying for you, Mr. President. We are praying for this country. We are praying for the leadership that this Nation may be able to provide for this world."

As I read those letters I realize how great was my responsibility and how great was your responsibility, those who share with me these days in Government.

I realize that people who we will never meet have this deep religious faith which has run through the destiny of this land from the beginning.

I realize that we carry on our shoulders their hopes, but more important, we are sustained by their prayers.

I say to all of you joining us here today in this Presidential Prayer Breakfast, that in the many events that I will participate in, none will mean more to me, personally, none, I think, will mean more to the Members of the Cabinet and to Congress than this occasion.

You have inspired us. You have given us a sense of the continuity of history which brings us together from the beginning to now. You have told us in a very simple and eloquent way that, great as the problems which now confront us, with faith, faith in Our Lord, faith in the ideals of our country, and also with a deep dedication to what our role is in this nation and the world, we are going to be able to make these next years great years for this nation and great years for the world.

I believe that and it is to that end that we dedicate ourselves today. That objective transcends all partisan considerations. I am proud to stand here today in the presence of those who, by your being here, indicate that you have not lost faith in this nation. You have not lost faith in the religions background that has sustained us.

As a matter of fact, we are entering a period when, sustained by that faith, we will be able to meet the challenge which is ours—a challenge which comes to very few people in the history of man. It is America's now. Whether we succeed or we fail will depend or determine whether peace and freedom survive on this world.

We will meet the challenge. We will meet it because we are going to devote every hour of the day to seeing that we meet it properly. But we will meet it also because we will be sustained and inspired by the prayers of millions of people across this world. Those prayers do mean something. Through the medium of these words I want to thank the people of this nation, the people of this world who are praying for us. We trust that we can be worthy of your prayers and worthy of your faith.

CLOSING PRAYER

(By the Honorable MARK O. HATFIELD, U.S. Senate)

Holy, Holy, Lord God Almighty, hear now our prayer.

We are grateful for having brought us together, but let this time not be merely an annual occasion in our lives. Grant us a realization of the possible impact of answers to our prayers, the impact on other people and nations. Excite our imagination with all our potential to serve and love You by sharing ourselves and resources with our fellow man. Burn into our mind a sense of urgency to mobilize our technology to conquer the enemies of man—disease, hunger, poverty.

Grant our President, Richard Nixon, and all leaders of men profound wisdom to achieve peace in all parts of the world. Purge our hearts of all sin, especially bigotry, hatred, jealousy and all others. Teach us to worship not self, money, glamor, prestige, but to displace ego with a love of Jesus Christ our Saviour, and You, as our Father, God, send now Your Holy Spirit with each one of us to guide and to protect. Amen.

DISASTER VICTIMS HELP THEMSELVES

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. PETTIS. Mr. Speaker, the damage from floods this year in California is rapidly approaching status as the worst natural disaster, in terms of total dollar loss, in the State's history. Indeed, it may have already exceeded that, and the figures are mounting. There has been $23 million in damages in my district, San Bernardino County, and this is increasing hourly as heavy rains continue to come down today. The extent of damage to public and private facilities—highways, utilities, homes, businesses—is so great that the people of my district have nowhere else to go but Congress and the Federal Government for the assistance necessary to restore those facilities and to rebuild their homes and businesses. I will have more to say on this, Mr. Speaker, along with my distinguished colleagues from California, when the California Disaster Act of 1969 comes to the floor, and when the matter of appropriations for flood-control works is considered.

I would like to emphasize today, Mr. Speaker, that the people of San Bernardino County are not passively sitting back waiting for outside assistance. The people of the afflicted communities have organized disaster relief committees and are in the process of raising funds to help those who have lost their homes and other possessions and who have suffered major damages to their homes. The people of those communities have opened their hearts and their pocketbooks in their efforts to soften the impact of the disaster.

One of the organizations involved in this program is the Cucamonga District Disaster Foundation, established by the Cucamonga Chamber of Commerce and headed by the chamber president, R. E. "Tip" Browne, and a member of the chamber, Ted Vath. Cucamonga District Disaster Foundation was set up as a permanent foundation to give immediate money assistance to anyone affected by the disaster. Its funds will be distributed to residents of Cucamonga, Alta Loma, Upland, and Mount Baldy. The group has raised funds from donations, from a benefit show in which entertainers donated their time, and from a dance. Other projects are being planned.

The Cucamonga Service Club, headed by Milan "Chuck" Swan, collected vast amounts of food and clothing to distribute to the victims. Response to the call for help was so tremendous that the club had to issue a bulletin asking prospective donors to stop bringing food and clothing to the collection points. The Cucamonga-Alta Loma Women's Club and the Junior Women's Club also assisted with this project.

The Montclair Teachers Association has organized benefit dances to raise money for teachers who were flood victims. And the Alta Loma-Cucamonga Kiwanis Club and the Cucamonga District Lions Club joined hands to sponsor a spaghetti dinner to raise money for the relief fund. All food items were donated, and all money collected went into the fund.

Mr. Speaker, these are but a few of the efforts in my district by the people of the area to help those who have suffered from the record rainfall. Much more will be done, by private citizens and by the local governing bodies—all that is humanly possible for them to do. I sincerely hope, Mr. Speaker, that this body will see fit to offer these dedicated, responsible people that, where their efforts end, the task of Congress and the Federal Government will begin.

ADDRESS BY SENATOR GOLDWATER BEFORE THE UNIVERSITY CLUB, NEW YORK CITY, GEORGE WASHINGTON'S BIRTHDAY

HON. BARRY GOLDWATER

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 25, 1969

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an address I made before the University Club of New York City on February 22, 1969.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR BARRY GOLDWATER, OF ARIZONA

Honored guests, ladies and gentlemen, I am extremely happy to be with you on this important day in the history of our country and to share with you some observations on the state of American preparedness in an uncertain world. If any of you have overlooked it, today is George Washington's birthday, and I believe a particularly appropriate time to discuss American strength and its bearing on the peace of the world. You know, of course, that George Washington was more than just a man of historic honesty who once chopped down a cherry tree and threw a silver dollar across the Rappahannock River near Washington, D.C. He was the father of our Republic and one of the most accomplished and wise soldier-statesmen of his time. He understood the workings of military strength as it relates to power and influence in world affairs. He was a victorious general and, as such, a dedicated military man. But this did not prevent him from becoming an outstanding President. If anything, his military experience served him well in the high office he assumed following the Revolutionary War. It helped him to launch a fledgling nation on the road that eventually was to make it both the most powerful and the most benevolent nation the world has ever seen.

We stand today at the very summit of that power. But I cannot say that we stand as proudly as I believe we should. Throughout the land there are breast-beaters who insist that the American people should develop a collective feeling of guilt because of our strength. There are people, believe it or not, who would equate the mere existence of a large U.S. military establishment with the forces of evil—regardles of how that military machinery was utilized. There are people, some of them highly influential in their respective fields, who will never be satisfied until the United States unilaterally destroys its nuclear potential or reduces it to a point below or equal to that of other nations, especially those who compete with us and who threaten us with aggressive designs.

Please do not mistake me. I am talking about people who oppose American strength, not for any solid, debatable reasons but merely because it exists. And I would warn you against confusing any of their arguments or designs with the genuine cause of peace.

We have an especially emotional atmosphere surrounding our public discussions today which involve American defense, American offensive strength, enemy plans and the best road to peace. Let me illustrate. People who today argue that the cost of the Vietnam war is depriving domestic social plans of the kind of funding they require would have you believe that anyone who thinks the Vietnam war should be carried to an honorable conclusion is, per se, an enemy of the poor. These people in their over-simplification would have you believe that a public official who favors our present policy in Southeast Asia also favors hunger and poverty at home. These also are the people who will tell you that the so-called Nuclear Non-Proliferation Treaty is a step toward peace and that anyone who opposes it is automatically a warmonger or a munitions maker. These are the people who would have you believe that failure to discuss arms and missiles limitations with the Soviet Union on their terms is a denial of peaceful intentions. These are the people who insist that aggressive, freedom-destroying moves like the Russian invasion of Czechoslovakia, Soviet armament buildups in the Middle East, Communist harassment in Berlin are all separate developments having nothing to do with one another. If a public official dares to suggest that Soviet-American relations might be improved by some Russian effort to end the Vietnam war and arrange to lessen tensions in the Middle East, he is immediately accused of something the leftist press now calls "linkage." I would suggest that you remember that word "linkage." Unless I miss my guess, "linkage" is to become for the Nixon administration something as malignant to the liberal press as the word "brinkmanship" was during the Eisenhower administration. Right now President Nixon and his Defense Secretary, Melvin Laird, are both being taken to task on charges of "linkage." Mr. Nixon's crime was a press conference statement that he intended to use the lure of missile talks to "promote, if possible," the settlement of outstanding political issues such as Vietnam and the Middle East. Secretary Laird's crime was a suggestion aired on television that Moscow must produce "signs of progress" at the Paris Peace Talks on Vietnam and in the Security Council discussions of the Middle East before Washington will become serious about bilateral missile talks with the Soviet Union. The objection of the liberals was expressed especially well by the *Washington Post* which claimed that the "linkage" idea can—horror of horrors—"too easily degenerate into the crude notion that bilateral relations are a reward to the Russians, rather than a requirement for both countries."

Given the Soviet record for aggressive action, for trampling freedom, for violating treaties, for generally contributing to the tensions which hold the world in fear, I would say that it is nearly time somebody made the Russians earn the right to honorable acceptance at the tables of negotiation.

The idea of "linkage" is not an invention of the Nixon administration. It is a fact of international life that too long and too often has been ignored by American diplomats to their discomfort and their disadvantage. To pretend that our right hand in dealing with missile talks does not know what our left hand is doing at the Paris negotiations on Vietnam is to erect a roadblock to our own efforts. To begin with, it disregards the whole idea of world opinion or the regard with which the United States is held by other nations. For example, it may be great to avoid the crime of "linkage" by going ahead with the missile talks while our friends in West Germany wrestle with the problem of access to Berlin. But it certainly won't win us any friends in Bonn.

And while we are on the whole subject of "linkage," I could wish that the Nixon administration would apply it to Senate ratification of the Nuclear Non-Proliferation Treaty. Here is a treaty that the Soviets obviously want. It is a treaty whose ratification was opposed for some months by Mr. Nixon because of the Russian invasion of Czechoslovakia. This to me was an entirely proper and legitimate use of the "linkage" device. It in effect punished the Soviet Union for committing the international crime of aggression. I believe this punishment should have been kept in force rather than eased by a Presidential request for Senate ratification. I plan to oppose the Nuclear Non-Proliferation Treaty, not only because I feel this is the wrong time to be entering into agreements with nations who are notorious for violating such pacts, but because I feel that it would have a highly deleterious effect on the Atlantic Alliance. The maintenance of a strong NATO has always been an endeavor close to my heart, but I believe the necessity for it has been magnified and underscored by the events of last August in Czechoslovakia.

I have on several occasions objected to the treaty on other grounds. For one, I believe it is dangerous psychologically to take an action which has been promoted as a step toward world peace and which could easily prove to be just the opposite. I believe the ratification of this treaty could easily undermine the confidence with which we are held by our European allies, especially West Germany. I must say I could feel better about this treaty if it incorporated provisions for an inspection system which I felt were adequate to prevent possible cheating. But so far I have seen no indication on the part of the administration to insist upon any such machinery.

Let me emphasize here that the arguments being put forth throughout this country for ratification of a Non-Proliferation Treaty are more emotional than sensible. The push for ratification is part of the emotionalism with which the Radical Left would like to conduct all of our foreign affairs in today's world. The architects of this emotionalism insist that anyone who doesn't look for the good, doesn't detect some evidence of mellowing on the part of our enemy, is against peace. I don't know about you; but as one who absolutely refuses to hide my head in the sand, I say this is the worse kind of tommy rot. If the Russians are mellowing, if they want to ease world tensions, enter into productive missile talks, if they are tired of the arms race, why in the name of heaven don't they act like it? Why are the Russians intent on disrupting the whole of Europe? Why are they playing a mischievous game of taking sides with the Arabs in the Middle East, why do they encourage trouble in Berlin, why do they move troops to the Finnish border, why do they feed the military machine of the Viet Cong in Southeast Asia? Are these really the acts of a world super-power interested in maintaining a reasonable, intelligent balance of affairs that will prevent the development of World War III?

No. They are not the acts of a nation bent on peace and harmony in a dangerously complex world. They are the acts of a nation dedicated to the concept of world conquest and, consequently, to the use of every situation that comes to hand in the international sphere to implement an overall design.

Let's take the Czechoslovakian situation. The optimists who are trying to resurrect the machinery for a detente with the Soviet Union are now trying to soft peddle the whole idea, while overlooking completely the events which have taken place since the invasion. But how do they expect those who look below the surface to ignore the purge which even now is going on in the Czechoslovakian government? How can they expect us to overlook the ruthless censorship which is being imposed so rigidly that there are even rules against any mention of individuals who are being arrested? And how can we overlook the fact that larger Soviet forces have been brought into Central Europe than at any time since the early post-war period.

While part of the Warsaw Pact troops might have been removed from Czech soil during the bitter winter season when barracks and other accommodations were lacking, they still left behind several divisions stationed near the West German frontier. If the invasion of last August has taught us anything, it must be clear that the Warsaw Pact nations are capable of mobilizing, deploying, and reinforcing several hundred thousand troops in a very short period of time. Thus the transfer of Soviet forces to other locations in Central Europe is meaningless and certainly should not be considered as a sign that the Russians are ready to permit the modest hope of freedom to revive in Czechoslovakia.

Time has passed since the invasion of Czechoslovakia but not enough of it to dim the harsh realities. The Russians still have not retracted their new doctrine of "limited sovereignty" which was fabricated after the invasion. And in their most recent affirmation of that doctrine, they aimed it directly at Rumania and Yugoslavia. Moscow continues to justify the Czech adventure on the grounds that the Kremlin has the right to intervene in the affairs of other Socialist countries by any means, whenever it feels that the survival of Socialism is at stake. Also the Soviets have not yet withdrawn the claim they made last fall that they have the right to intervene in West Germany under certain postwar agreements and the United Nations Charter.

How can anyone look at the chain of events which has been put together by the Soviet Union since the August invasion—a chain which runs from the northern-most part of Europe through the central continent and into the Middle East—and still believe the Russians are pursuing a new course of reasonableness in world affairs?

And let me remind you that the aggressive nature of Soviet activity outside its borders is matched by recent developments in the Soviet Union itself. I am referring now to the resurrection of Joseph Stalin. I am sure I don't have to explain what that can mean. Everyone here is old enough to remember the bloody period embraced by Stalin's reign. Any effort at this date in history to resurrect Stalin can only point to a return to the hard-nosed, rigid, police state which characterized Russia in the early years of the Cold War between East and West.

All these developments which I have recounted here speak of an unrelenting, aggressive, nasty attitude of superiority on the part of the Soviet Union. When coupled with the militancy and belligerence of Red China, they present the freedom-loving nations of the world with a dangerous and ever-challenging problem. They make it very plain that the United States, in its pursuit of peace, must move in the direction of ever-greater strength. Unfortunately, the need to rebuild our military strength comes at a bad time. Our people are understandably tired of the Vietnam war. Many of them are inclined to think that our own military system is at fault. Others are convinced that the way to attack our domestic problems is through the expenditure of billions of dollars and that these billions can only be made available if the nation cuts down on its defense spending.

I certainly agree that much can be done to effect savings in our military programs. However, I believe it is dangerous in the extreme to make a concerted assault on defense spending in general. I certainly cannot and will not prescribe to the theory that the way to promote peace is to cut down on our military spending. I am referring here to the danger inherent in movements like the recent pledge of 50 members of Congress to support economies in defense as a "means of achieving world peace."

I also reject out-of-hand suggestions that we must cut down on our military expense because former President Dwight D. Eisenhower once warned against allowing too much "unwarranted influence to be acquired by the nation's military-industrial complex." Time and again these words of our great ex-President are quoted in an effort to convince Americans that this complex poses some kind of mysterious threat to our continued existence.

I would remind you that when Dwight Eisenhower mentioned a military-industrial complex in his farewell radio and TV address to the American people he had some other profound things to say. I want to quote one passage in particular. He said and I quote, "We face a hostile ideology—global in scope, atheistic in character, ruthless in purpose and insidious in method. Unhappily the danger it poses promises to be of indefinite duration. To meet it successfully, there is call for, not so much the emotional and transitory sacrifices of crisis, but rather those which enable us to carry forward steadily, surely, and without complaint the burdens of a prolonged and complex struggle—with liberty the stake. Only thus shall we remain, despite every provocation, on our charted course toward permanent peace and human betterment . . .

"A vital element in keeping the peace is our military establishment. Our arms must be mighty, ready for instant action, so that no potential aggressor may be tempted to risk his own destruction."

Those words were spoken by Dwight Eisenhower on January 17, 1961, just a little over eight years ago. They hold just as true this minute as they did in 1961. We *are* faced with a hostile ideology, and liberty *is* the stake. It can only be protected through the maintenance of American strength. And I say to you now without hesitation that our nuclear strength is not as great, comparatively speaking, as many of you might believe. We are now second to the Soviet Union in this vital sphere.

FREEDOM'S CHALLENGE

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. LUJAN. Mr. Speaker, each year the Veterans of Foreign Wars and their ladies auxiliary conduct a contest called the Voice of Democracy. This year over 400,000 school students participated in a competition for five scholarships. The contest theme this year is entitled "Freedom's Challenge."

Miss Margaret A. Rapp from Las Vegas is the winner from the State of New Mexico, and her speech is one of the most outstanding I have ever had the privilege of reading.

In these times of student unrest and protest, it is reassuring and gratifying to know that there are still those in this Nation with an overwhelming sense of devotion and loyalty. Margaret is a fine example, I believe, of our youth.

At this time I would like to include her speech in the RECORD, as follows:

FREEDOM'S CHALLENGE

The Time: 300 B.C.

The Place: Athens.

The Event: The Marathon.

The objective of this relay is to win by successfully passing a baton from one runner to the next until the goal is attained.

In the eighteenth century another marathon was held; this time their goal was not just a victory. It was a matter of life or death! For on one inauspicious day, a handful of invincible men embarked on a voyage fraught with peril. These same men armed only with their courage and determination crossed a sea, carrying with them the etherial baton of freedom, and established a form of government completely unorthodox from any that man had previously conceived. These men met not only the challenge of change, but of freedom.

Because freedom is a fundamental part of our lives, sometimes we tend to take it for granted and shun the responsibility of meeting it's challenge. Right now, while our country is meeting scornful criticism from every direction, is the time for us to be proud of her! For right or wrong—America is our country. Our government, the manifestation of some of the dreams of Greek and Roman philosophers, has not served us so well these many years, by accident.

Our government was able to accomplish the impossible only through strong construction, strong unity and the dedication of men and women to the American way to freedom.

The reason we must now be proud is that if we are to preserve our liberty, our emancipation, we must be Americans. No longer is it enough to think I am an American; nor is it enough to say I am an American, now we must *be* Americans!

When you hear derogatory remarks aimed at our government, examine them very carefully before you join the opposing throng. How supremely conceited are those who find fault with all the policies of the Government. America is the agricultural, industrial, and economical leader of the entire world. Therefore, ladies and gentlemen, we must be doing something right. What other country brooks all dissenting factions simply because they acknowledge these people's basic freedoms also? What other country offers so many and varied educational pursuits to anyone? What other country has people standing in lines years deep for entrance into it? America is indeed unique!

In conclusion fellow Americans, I say *Now* is the time for you to enlist your name in the roll call of those who have fought that we might live in freedom. George Washington and his troops, their bodies frozen by the bitter cold of Valley Forge; Abraham Lincoln, his heart torn by the sight of brothers raising arms against each other, yet convinced that democracy must prevail. Those so dear to us who at last lay quietly in Flanders Field, the delicate poppies tenderly growing over the stark white crosses; those who fought bravely on Normandy's hostile shores as they jestingly reiterated "Nuts"; and those who even now are donning soldiers apparel and marching away from the quiet placidness of homes. Marching away from the interests in one location to attend to the interest of a nation in the jungle foliage of Asia! Marching proudly with but one idea—to preserve freedom for all Americans!

The Time: 1969.

The Place: The United States of America.

The Event: The Perpetual Challenge of Freedom.

The baton is being handed to you. Will you Accept??? Will you accept the challenge of Freedom???

AVIATION TECHNOLOGY AT PURDUE UNIVERSITY

HON. BIRCH E. BAYH

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 25, 1969

Mr. BAYH. Mr. President, one of the Nation's leading as well as oldest schools of aviation is located at Purdue University, West Lafayette, Ind., the first college to offer a bachelor's degree with a major in professional piloting. Students may enroll for aviation maintenance, aviation electronics, and general flight technology in 2-year undergraduate programs leading to an associate degree, and then may continue in the program to earn a regular bachelor of science degree.

Purdue University has long furnished mechanics, technicians and pilots for major airlines, and a separate Purdue Airlines, Inc., was established many years ago which provides charter service to transport athletic teams and other groups from colleges and universities throughout the country. The latter will shortly have three DC-9 jet airplanes in service.

Recently there came to my attention a very informative article describing the development of the Aeronautical School at Purdue University and paying deserved tribute to Prof. James R. Maris, the head of its Department of Aviation Technology. I ask unanimous consent that the article, entitled "Purdue's School in the Sky," published in the Indianapolis Star magazine on January 12, 1969, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PURDUE'S SCHOOL IN THE SKY

(By Edward W. Cotton)

Aviation is another of the many fields of technology and engineering in which Purdue University excels. This is due to the 49-year-old head of the Department of Aviation Technology—Prof. James R. Maris.

The balding, but sparkling-eyed, ex-military pilot was the lone instructor in aviation maintenance when he joined Purdue's Technical Institute in 1955.

He modestly disclaims credit for the success of the school's aviation technology during his 13-year tenure, yet he is proud to point out that full academic acceptance of aviation by the Purdue faculty three years ago made it then the first university in the nation to offer a bachelor degree with a major in professional piloting.

One of the nation's major aviation magazines described Prof. Maris as operating "at about 100 per cent power all his waking hours."

Still another said he is mainly responsible for "one of the best aeronautical schools in the country." And the Federal Aeronautics Administration News called the professor "a whirlwind personality" who guides "an energetic and well-qualified staff."

The enthusiasm of Prof. Maris shows itself in his office, any classroom and in the cockpit of a plane he is flying.

The Purdue program encompasses three major aviation technologies: aviation maintenance, aviation electronics and general aviation flight technology, all of which lead to an associate degree in applied science and associated government control certificate.

They are two-year undergraduate programs, but students may go ahead and continue their education for a full bachelor of science degree in industrial education or industrial supervision.

Prof. Maris emphasizes education in all classes within the aviation technologies program. He points out that facilities force the department to turn away more students than are now accepted, some 275 on campus and nearly 80 at the Indianapolis extension branch.

"It's pathetic to have to turn them down," he admits. "This (aviation) is the largest employing industry in the nation and the technical people are the core of it. The job opportunities are unlimited.

"We would like to train more than we do, but it would be foolish to take more than we can accommodate and provide a good education. As you know, Purdue stresses quality in education—we are striving for that rather than quantity."

Born at LaFayette, Colo., Prof. Maris grew up in Champaign, Ill., where he got his first taste of aviation in a ride aboard a barnstorming Fokker tri-motor plane. He joined the Army Air Force in 1942, became a B-24 bomber pilot in the famed Eighth Air Force in England and flew 30 missions over Europe.

Later, he became a flight testing engineering officer and, after returning to civilian life, went to the Currey School of Aeronautics, Galesburg, Ill., earning a mechanic's license and becoming an instructor.

He re-entered the Air Force and served as a mobile training educational specialist from 1951–1952. He completed his education, interrupted by World War II a decade earlier, at the University of Illinois in 1955.

The professor, the father of four daughters, retired a year ago from the Air Force Reserve as a lieutenant colonel.

But, he is aerial-oriented to the extent that he wants to protect and improve Purdue's image in the air. He is fully aware that the school was the first to own and operate a university airport and is the "mother" of such astronaut graduates as the late Gus Grissom and Roger Chaffee, as well as Neil Armstrong and Gene Cernam and other aerospace immortals as Navy balloonist Malcolm Ross and X-2 test pilot Ivan Kincheloe.

Even earlier, Purdue's pioneering with degree-granting in aviation resulted in the Purdue Research Foundation's financing of the late Amelia Earhart's globe-girdling plane.

It took Prof. Maris, although the heritage was there, to provide the ebullience and perspicacity that enabled Purdue to go so far in aviation technology programs that offer two-year associate degrees in aviation electronics and aviation maintenance, as well as bachelor of science degrees in professional piloting.

The professor points out the difference between Purdue Airlines Inc., a self-sufficient corporation which serves charter service to the university, other Big 10 schools and private group requests, and the school's aviation program.

He also cites the co-operation between the aviation program and the chance for pilots and mechanics to get experience with the airlines.

At least three major airlines rely on Purdue to furnish mechanics, technicians and pilots for their operations.

Prof. Maris' principal lament is that the school is not capable of providing instruction for more students. He bargains, begs and borrows to keep the school in the latest type aircraft. He also works closely with the Purdue Airlines to supplement the pilot's program.

He cuts red tape, laughs easily and flies any one of the school's planes. He is excited about the fact that Purdue Airlines is scheduled to receive three DC–9's (jet planes) in February and foresees a full jet fleet for the future of the university's aviation program.

So far, Purdue has been able to establish new standards in aviation technology with programs that offer two-year associate degrees or four-year full degrees. It is recognized throughout the nation for its proficiency and professional instruction.

Some of these standards are reflected in the record of Prof. Maris, such as:

Three aviation maintenance students testing for a Purdue-Beech Aircraft Corporation co-operative program were the only ones from several universities to pass all phases of evaluation.

Eleven of 23 School of Technology students honored by the president for academic achievement were in aviation technology.

Several students in maintenance technology received perfect scores on portions of the Federal Aeronautics Administration rating examination, which is rare.

Some 77 per cent of professional pilot graduates, some of them captains, are employed by scheduled airlines.

Prof. Maris declines credit for Purdue's leadership in aviation.

Instead, he say, "It's my staff and the hard work, time and effort that they put in."

The truth is that he was awarded the William A. Wheatley Award last year for his outstanding contributions to American aviation. That didn't happen by chance.

OUTDOORSMEN BENEFIT FROM DAM CONSTRUCTION

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. HOSMER. Mr. Speaker, during the past few years we have been subjected to a constant flood of propaganda about the evils of dam builders and their ruinous ways. A few of us have continued to feel that real benefits can be derived for our society from their construction.

These dams have made possible much of the growth of many major population centers and our most productive farming areas. But the benefits are not limited to just furnishing water for industrial or agricultural development. They include many intangibles which serve our recreation and leisure-minded citizens well.

Lupi Saldana, a well-known outdoorsman and writer, has taken the measure of four great dams which now regulate the Colorado River—Hoover, Glen Canyon, Davis, and Parker—and finds that they have created one of the finest fishing streams in the world from a muddy, erratic river. I would like to recommend his article in the Los Angeles Times of February 2, 1969, to everyone interested in the development of our water resources.

OUTDOORS: DAMS CHANGING COLORADO RIVER INTO AN ABUNDANT FISH STREAM

(By Lupi Saldana)

It doesn't say in the history books, but some of the most disappointed explorers must have been members of Francisco Vasquez Coronado's party who discovered the Grand Canyon and Colorado River in 1540.

The explorers were searching for the fabled Seven Cities of Cibola, which were supposed to have tons of gold and precious gems. Instead they found only a gaping hole in the earth and a muddy river.

They had no way of knowing these were two of nature's richest prizes. The Grand Canyon has long been acclaimed as one of the world's wonders. Now the river is on the threshold of greatness as one of the finest fishing streams in the world.

When Coronado's troops arrived, the river contained only a few nondescript species of fish—humpback suckers, bonytail chubs and squawfish. Today the list borders on the fantastic. It includes sturgeon, striped bass, silver salmon, cutthroat trout, rainbow trout, largemouth bass, smallmouth bass, white crappie, black crappie, channel catfish, flathead catfish, yellow bullhead catfish, white bass, green sunfish, redear sunfish and bluegill.

Key to the development of these fisheries was the series of dams built along the river. They created lakes behind them and excellent fishing streams below them.

The first important game fish introduced in the river was the largemouth bass. According to an unofficial source, the bronzebacks arrived in Arizona by accident. A group of sportsmen had asked an eastern state to send a railroad tank carload of fish, but they were supposed to have been a different species. So the largemouth bass were dumped into the sloughs along the river and forgotten.

Unmolested by man for years, the bass multiplied and spread up and down the river. The main reason fishermen didn't confront the bronzebacks was that there was little access to the river.

The bass finally made the limelight when Hoover Dam was completed in 1935 and Lake Mead was created. As the lake filled, fishermen were surprised to find tremendous bass fishing.

Since then Mead has had good and bad days, and now has one of the brightest futures on the river. Arizona and Nevada wildlife officials are launching extensive experimental programs with three highly prized species—rainbow trout, striped bass and silver salmon.

Arizona has stocked 30,000 catchable-size rainbows at Kingman Wash and Bonelli Landing, while Nevada added 3,650 fin-clipped rainbows averaging 10 to 11 inches. These experimental trout plants are due to continue for three years.

In June, the two states hope to stock 550,000 striped bass. South Carolina is expected to provide 500,000 fry and fingerling stripers, while California is scheduled to furnish 50,000 of 3-inch bass.

Stripers were first introduced into the river by the California Department of Fish and Game in 1959. These bass thrive in the river and recently a 25-pounder was landed below Imperial Dam. However, while there is evidence that a few stripers have spawned biologists are not sure yet that the bass can establish themselves.

However, due to the growing popularity of the stripers Bill Richardson, inland fisheries supervisor for the DFG in Southern California, said the department is considering an experimental striped bass propagation program when its warm water hatchery is built in the Imperial Valley next year.

Richardson feels that an excellent striper fishery could be established in Lake Havasu if 100,000 fingerlings are stocked annually. He said an experimental trout program for Havasu is also being considered. Richardson said this would be made possible by increased trout production from new hatchery facilities.

Lake Mojave hasn't been forgotten, either. It received plants of cutthroat trout and silver salmon in 1966. And farther north, Lake Powell has been loaded with bass and trout.

Who's responsible for this excellent work? Most of the credit belongs to the Colorado River Coordinating Council, which is comprised of wildlife personnel from states bordering the river—California, Nevada, Arizona, Utah, Wyoming and Colorado.

THE NIGHT THEY BURIED THE CHAPLAIN

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, February 25, 1969

Mr. JAVITS. Mr. President, on December 17, Army Chaplain Morton Singer was killed in an airplane crash while en route to conduct holiday religious services for a group of Jewish servicemen. An orthodox rabbi from New York City, Chaplain Singer had volunteered for the chaplaincy and was struck down only 6 weeks after he had arrived in Vietnam.

The National Jewish Welfare Board, the Government-authorized agency for serving the religious, morale, and welfare needs of Jewish military personnel and their dependents, has published a moving tribute to Chaplain Singer by Rabbi Maurice Lamm, director, chaplain personnel, Jewish Welfare Board Commission on Jewish Chaplaincy.

I ask unanimous consent to have the tribute printed in the Extensions of Remarks.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

THE NIGHT THEY BURIED THE CHAPLAIN: MIDNIGHT ON JERUSALEM'S MOUNTAIN OF REST

(By Rabbi Maurice Lamm)

Morton Singer, an Orthodox Rabbi from Flushing and the East Side of New York, arrived in Chu Lai in October, 1968 to begin his work as an Army chaplain in the I Corps area of Vietnam. Six weeks later, on December 17th, with Hanukkah candles in his pack, the rabbi fell to a flaming death in his transport plane which crashed into the underbrush of Vietnam. He was 32.

Morton Singer was an unusual man. He volunteered for military chaplaincy service. He volunteered for non-combatant duty in the Six-Day War in Israel. He volunteered for paratroop school. He volunteered for jungle school in Panama. He volunteered to serve in Vietnam. He wanted to live on the highest level of excitement. He died a shattering death on a pyre with 13 American soldiers, and he was buried on January 1, in the middle of the night on the Mountain of Rest, a hilltop that borders Jerusalem, the city of his love.

The peak of intense excitement on which he lived demanded both skill and unflinching courage. In Vietnam, unlike in other wars, there are no rear lines in which to take cover. Every man is his own front line. The Jewish chaplain in "I" Corps in Vietnam is truly a "sky pilot". He flies to Da Nang to Phu Bai to Chu Lai. At each stop he dispenses comfort, advice, incentive, religious service and a touch of home. To do this, his jeep must travel over roads which may be mined and the cause of sudden death. He must board a plane which may be shot at while taking off and demolished while in the air. He holds his service in the field against a background of constantly clattering machine guns. It is a service that only few rabbis render in a period of war, one that tests the true mettle of the human soul.

I

A rabbi who is to serve on a battlefield that may become an instantaneous graveyard must have two qualities above all. Without these he is either no rabbi or no soldier. The two qualities were the hallmark of the ancient paradoxical hero, Samson. What the biblical Samson poses in the form of a riddle, and which brings him eventually to his crashing end, are really the historical characteristics of one who is both religious and brave. The Bible relates that Samson met a lion on the road and, with enormous personal strength, slew him. On his return he saw that bees had built a hive on the dead lion and that honey was flowing on the carcass of the beast. The riddle Samson posed to the Philistines was, "out of the eater came forth food, and out of the strong came forth sweetness." The paradoxical blend of strength and sweetness was the clue to Samson's character. It is the clue to the heroism of religious personalities down to our day.

Rabbi Singer was strong and he was sweet. He saw might as a means of achieving justice where there was no justice. He did not use might for purposes of violence but to defend that which is right. He was considerably devoted to the virtue of personal strength. He himself was a big man with a resounding voice. When asked about his physical health his reply was "excellent." He was a man who was a brown-belt karate expert, who taught judo, who was once the Eastern Intercollegiate Weight-Lifting champion of the United States. He believed that physical fitness was a worthy part of spiritual strength. He volunteered for dangerous assignments in Israel and Vietnam. He did this at the sacrifice of his career, at the expense of being away from the family he loved and, indeed, at the risk of losing his young life.

But strength alone surely would not have brought Rabbi Singer to the mud and jungle of Vietnam. He was gifted with the ability of being sweet—dedicated to inspiring men to the gentle and good life. His brawn was equaled by his soft-heartedness. A Navy chaplain, Captain Radcliffe, wrote of him that he had mastered the "art of caring and concern". In volunteering for service in Israel during the Six-Day War, he worked 20 hours a day bandaging the wounded and caring for those who were in pain and anguish in "Bikur Cholim" Hospital in Jerusalem. Colonel Aryeh Levi, artillery commander for the Northern sector of Israel, said that he was a superbly dedicated and kind man. His friend, a dentist, said of him that he would be willing to give anyone who needed it of his substance and time and wisdom. Shakespeare's words are most appropriate:

"When he shall die
Take him and cut him out in little stars
And he shall make the face of Heaven so fine
That all the world will be in love with night . . ."

II

It was my sad privilege to escort the remains of this strong, gentle man to his burial place in Jerusalem. I represented the United States Army and the National Jewish Welfare Board and, more than all else, I represented the tribute of American Jewry to a man who died while helping American Jews. What I experienced was surely the loneliest moment in my career. I had presided over all too many funerals in circumstances that were sometimes very tragic. But this surpassed them all.

Chaplain Singer was buried at night because of the biblical injunction that the dead must not linger beyond the day of death, and since the plane carrying the body arrived too late for a daylight burial, the funeral took place at midnight.

The coffin was draped with a tallit and the American flag and it was escorted by the American military attaché, representatives of the Israeli Army chaplaincy, the Burial Society consisting of 15 bearded Jews from Jerusalem, a handful of relatives who had never met the deceased, and a devoted friend who had come from New York. We stood there in the dead of night, at the top of the mountain from which you could see some 25 or 30 miles to the peak of another nearby mountain on which was built the tomb of the prophet Samuel. It was a chilling midnight stillness that surrounded us in that graveyard. The night was velvet black and cold, and nothing moved. The moon above, which is supposed to be a lovers' symbol, was pale cold and lifeless as it cast its borrowed light. The stars which hang so low in the canopy of the Jerusalem sky did not twinkle this night. They stared at the handful of people surrounding the grave of the rabbi. The tombstones nearby were all set only a year and a half ago. They bore sad testimony to the heroes of the Six-Day War. One read, "Yehudah Son of Moshe, fell in the battle of Jerusalem in the Six-Day War at the age of 45." His monument will read—"Mordecai ben Yehiel, Rabbi Morton Singer, fell in Da Nang in the long Vietnamese war at the age of 32, survived by 5-month-old Karena, 4-year-old Vera, a young wife of 23, a brother and a mother." The very earth which is the warm, hospitable soil of the Holy City, on this night was cold and indifferent. The Jerusalem earth has carried the historic burdens of the Jewish people and at this moment it spoke without feeling, seeming to say, "I am used to swallowing young blood."

III

But despite the loneliness there was a great deal of tenderness that surrounded this burial. The members of the Burial Society were fervent, religious members of the Hassidic community of Jerusalem. The dead in Israel, except for the military dead, are not buried in a coffin. The body is laid on a stretcher, covered with a sheet and buried. It is an intensely personal act of laying to rest a child of God. Morton Singer could not have the right of final purification. He was burnt beyond all recognition. But as he lay covered after two weeks of wandering, he was held in the arms of people who loved him but knew him not, and he was laid quietly and personally to rest by hands that cared for a fellow human being. The grave was filled by the Hassidim and by the handful of dignitaries, and they recited from the Psalms and spoke brief words of praise. They held a single candle which silhouetted them against the black sky. The candle threw patches of yellow on the somber faces of that lonely group of men—soldiers, Hassidim, government officials and rabbis—all of them assembled to pay tribute to a soul lost to humanity.

We could not help think that the lights which flickered in the darkness on the Mountain of Rest in Jerusalem were symbolic of the Hanukkah light which flickered on that first night in Chu Lai, Vietnam, of the shiva candle that the bereaved mother and brother and wife lit for seven days, of the yahrzeit candle which will burn one year from now, bringing the horrid tragedy back to reality with the fullness of such sad irony, of the eternal light that shone from this man's beautiful blend of strength and sweetness.

The epitaph to this man's life was written by himself as a postscript to a letter to a friend which arrived a week after his death. "Simcha, my friend, after I leave Vietnam, I will get to Jerusalem—one way or another."

WE ARE GOOD NEIGHBORS

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. FLOOD. Mr. Speaker, in the never ending task of bettering the relations between the United States with other nations none is more important than our Pan American policies. In this field one of the most thoughtful writers for the last half century was Harry W. Frantz, long-time Latin American correspondent of United Press-International.

In a "wrap-up" of feature stories written by Mr. Frantz when he was Director of the Press Division of the Office of Inter-American Affairs during World War II under the title, "We Are the Good Neighbors," he reflects the understanding that comes only from a lifetime of observation and study of Latin American history. Widely used in South American publications, so far as known, it was never published in the United States except in the Spanish language press.

In order that Mr. Frantz's perceptive observations may be recorded in the permanent annals of the Congress, I quote it as part of my remarks:

WE ARE THE GOOD NEIGHBORS—SPIRIT OF THE WESTERN HEMISPHERE

We are the navigators who dreamed of a New World and set sails to seek it: Columbus finding West Indies where East had been; Cabral skirting the prodigious coast of Brazil; Balboa climbing a peak in Darien to discover the Pacific; Magellan solving the Secret of the Straits; Orellana sailing down the endless Amazon; Hudson drifting, lost, on the bay that bears his name.

We are the statesmen who bespoke the fraternity of the American republics: Washington praying at Valley Forge for New World freedom; L'Overture, the high-minded Negro; Juarez, the broad-minded Indian; Bolivar dreaming of a Pan American League; San Martin bursting the Andes to conquer royalty; Jefferson expounding democracy; Blaine convening a Pan American Conference; Rio Branco harmonizing Brazil's many neighbors; Roosevelt launching a Good Neighbor policy; Hull giving it effect; N.A.R. making it practical; Aranha, the democratic diplomat; Alfaro likewise.

We are the humanitarians who toiled for health and social betterment: Finlay watching the fever-laden mosquitos; Walter Reed dying to defeat yellow fever; Gorgas cleaning up the Zone; Rockefeller matching millions against plagues and pests; Cruz mobilzing microscopes and test tubes; Grenfell warming the frozen in Labrador; Damien comforting the lepers of Molokai; Horace Mann and Sarmiento trading textbooks between Continents; Dunham spreading sanitation through a Hemisphere.

We are the men who broadened the Neighborhood by cutting time and distance: Shouten rounding Cape Horn; Wheelright thrusting steel rails into the Andes; Scrymser weaving a net of submarine cables; Bradley ballooning across the Cordillera; Goethals driving the Big Ditch digging; Chavez crashing after trans-Alpine flight; Sarabia goodwill flying Mexico to New York; Byrd above Antarctic wastes; Thatcher, who spent half a lifetime in executive and legislative services to the Panama Canal.

We are the journalists who wanted the Neighborhood better informed: Paz with his fact-laden Prensa; Mitre with his intelligent Nacion; Silva Vildosola with his Continental pen; Ochs with *All the News Fit to Print;* Lou Heath covering Diplomatic Row; Dean Williams and Pulitzer pioneering journalistic education; Cabot with gold and bronze rewards for merit; Grosvenor editing the globe.

We are the unassimilated dreamers of the Continent: Marti reporting the Goddess of Liberty; Rodo with his feet on the pampas and his heart in the Parthenon; Walt Whitman chanting of a Cosmic Neighborhood; Whittier with an Abolition heart and Lincoln with Emancipation pen; Chocano breaking poetic lances against tyranny; Dario, *el Indio divino,* leaping from sports desk to Parnassus.

We are the Common Men who do the hard work of a Hemisphere (albeit sometimes loafing on park bench or selling the Apples of Unemployment): The *roto* unloading cargoes down the West Coast; the deep-earth miners of tin and copper; the deckhand shining brass-rail on Carribbean cruiseship; the *gaucho* tending herds on the pampas; the rubber-tapper on the Tapajos; the trackwalker on the Santa Fe; gas-vendor on inter-American highway; steam-shovel man at the Canal; raftsman on the Father of Waters; canoe-man on the River of Seven Stars.

From Polar Star to the Southern Cross, north of Capricorn or south of Cancer, 'neath tropic sun or Arctic Lights, driven by the Trades or drifting in the Doldrums, we are safer when we are friendlier.

We are the Good Neighbors.

HOW TO BUILD

HON. CLIFFORD P. HANSEN

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Tuesday, February 25, 1969

Mr. HANSEN. Mr. President, in a time when some students seem determined to pursue a course of disruption, disorder, and destruction, it is reassuring to observe others, more nearly typical of the majority of students in American colleges, who recognize the opportunity our country offers for continued progress and widening opportunity for all of its citizens within the framework of laws and institutions.

For the past year, I have served as adviser to the American University Young Republican Club. This outstanding group of young people has worked diligently with numerous Republican candidates throughout the country. They know, better than many, how to get results, how to effect change, how to build.

Fred Gushin, who is seeking reelection as president of the club, says:

> I want to see the Republican Party grow as the hope of this Nation to further assume its place in the leadership of our land.

Mr. President, I ask unanimous consent that the announcement of Fred Gushin's candidacy be included at this point in the RECORD.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

> Fellow Young Republicans: A year has passed since I first offered my candidacy for President of The American University Young Republican Club. During this period much has transpired, and I think all of us would agree that it has been a year of turbulence, not only for our party, but for the nation as a whole.
>
> Reflecting on this past year, I have seen many of our fellow students question and reject the political system in which we take part. I personally had had doubts about its relevence to the greater issues of our time.
>
> But in the final analysis, I have decided that my participation in the political process and in the Republican Party is worth it. I feel that within the structure of the Young Republicans is today, the finest opportunity for young people to change and move Party Politics in the United States. And I am proud of the contributions I can and have made as a leader.
>
> That is why, after much thought and reflection, I have decided to seek re-election as your President.
>
> I want to see the Republican Party grow as the hope of this nation to further assume its place in the leadership of our land.
>
> I want to see the Republican Party continue to become a party of compassion and integrity in rejection of racism and reactionary thought.
>
> I want to see the Republican Party able to placate the dissidents and disaffected in our nation because it is able to offer creative solutions to the problems which now alienate so many people.
>
> And I want to help lead the Young Republicans here at American University to become an integral part of all this by assuming another term in office.
>
> In this effort I ask for your help, your opinions and your vote.

COMMISSION ON DRUG TRAFFIC

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. HANNA. Mr. Speaker, today I am introducing a measure to request the President to negotiate with the Mexican Government for the purpose of setting up a joint United States-Mexico commission to investigate the flow of marihuana, narcotic drugs, and other dangerous drugs between the United States and Mexico.

The text of the resolution, printed below, tells the tragic tale of narcotics traffic across our border to Mexico:

> Whereas Mexico is the primary source of supply for narcotic drugs and dangerous drugs brought into the southwestern part of the United States; and
>
> Whereas these narcotic drugs and dangerous drugs are subsequently distributed throughout the United States; and
>
> Whereas 100 per centum of the marihuana seized by the enforcement officials in the southwestern part of the United States comes from Mexico; and
>
> Whereas the smuggling of narcotic drugs and dangerous drugs into the United States poses the largest single problem for the collectors of the customs and for the Federal courts in the southwestern part of the United States; and
>
> Whereas the use of narcotic drugs and dangerous drugs by juveniles has greatly increased due to the easy accessibility of such drugs from Mexico: Now, therefore, be it
>
> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is requested to initiate negotiations with the Government of Mexico for the purpose of setting up a joint United States-Mexico commission to investigate and to recommend appropriate solutions concerning the flow of marihuana, narcotic drugs, and dangerous drugs between said countries.

Because the area I have the honor to represent is very close to the Mexican border, I am immediately familiar with the problem that this illicit traffic in dangerous drugs causes. The problem is not, however, a local one. A major share of narcotics used in our country come from Mexico.

The State of California is different from other States only in the sense that it is a throat through which these terrible materials pass on the way to States throughout the Union. Because of the criticality of this problem and its national dimensions, I urge the Congress to move quickly to take the essential first step toward stopping the flow of dangerous drugs into our country.

WEST VIRGINIANS ATTEND LEADERSHIP CONFERENCE IN NATION'S CAPITAL—VOCATIONAL INDUSTRIAL CLUBS OF AMERICA HELP YOUNG MEN ATTAIN NECESSARY SKILLS FOR PRODUCTIVE LIVES

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 25, 1969

Mr. RANDOLPH. Mr. President, young men were in our Nation's Capital last week, attending a leadership conference sponsored by the Vocational Industrial Clubs of America.

I had the privilege of meeting with three young West Virginians who were delegates—Michael M. Murphy, State director, West Virginia Association, Vocational Industrial Clubs of America; Alan Acord, Bolt, W. Va., and Kenneth McCarty, Minden, W. Va.

I have long been a strong advocate of vocational education and it was gratifying and encouraging to talk with these youth. Acord and McCarty are high school students and are alert and wholesome lads. Acord told me:

> If not for vocational training I would not have been associated with electronics. Vocational school has opened a new field for me and through VICA I have been able to develop leadership abilities, learn productive skills as well as building citizenship and character.

When I asked McCarty what Vocational Industrial Clubs meant to him, he replied:

> I feel it is an excellent method of preparing one's self to participate in a world of

work. It teaches us to respect our work and our fellow workers.

These boys are sincere and represent tangible proof of a valuable program.

State Director Murphy is doing a truly fine job in West Virginia and is to be commended for the progressive achievements he is accomplishing. His efforts and the cooperation of business, education, and government are strengthening vocational programs. We need to do much more in our State and the Nation.

FREEDOM'S CHALLENGE

HON. FLOYD V. HICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. HICKS. Mr. Speaker, as you know, each year the Veterans of Foreign Wars and its ladies auxiliary conduct a Voice of Democracy contest. This year's theme was "Freedom's Challenge," and more than 400,000 students participated.

I am proud to say that the winning speech from the State of Washington was by a fellow resident of Tacoma, Wash. He is Scott Aspman, a young man of obvious dedication to our country and ability to articulate that dedication. I feel that just about everyone could learn something about freedom from Mr. Aspman, and I therefore offer his comments for the RECORD:

FREEDOM'S CHALLENGE

(By Scott Aspman, of Washington)

Baseball managers have a rough life, especially that most famous of all baseball managers, Charlie Brown. For Charlie, baseball is not just a game; it's a mood, a feeling, a magical thing that makes life, life. He feels it. Lives it. He has stomach aches and sleepless nights over it. He stands in the rain for it. He endures so much because of it that sometimes he thinks he just can't stand it.

Freedom is a lot like baseball. It's a mood, a feeling, something you just don't put into words. It's something you have to stand in the rain for, have stomach aches and sleepless nights for before you can even begin to know what it really means. It's a lot like happiness; you can't define it because freedom is both little things and big things, happy thoughts and sad thoughts, and you have to understand and care about them before they can mean anything. Because freedom is a mood, a state of mind, it shows up in everything around you. Freedom is the Declaration of Independence and a kindergartener's first book. It's the Statue of Liberty and your daily newspaper. Freedom is voting for president and a box of wheaties. Big freedom or little freedom, freedom is all the millions and billions of little insignificant things that intermingle to make up you; and you'll never, ever know entirely what it means till like Charlie you get so full of it you think you just can't stand it.

But there's more to freedom than just living it. Once you understand your freedom, once it really means something to you, once you've had the sleepless nights and stomach aches, then and only then are you ready to accept the biggest job of all: holding on to your freedom. You've got to hold on to it just as tenaciously, as unshakably laboriously as Charlie Brown's friend, Linus, holds on to his blanket. This is freedom's challenge. When something means as much to you as freedom, then nothing, nothing at all, can shake it loose.

It's not an easy challenge. The men who fought at Lexington and Gettysburg, at Verdun, Argonne, and Iwo Jima knew that hanging on to freedom isn't easy.

Remember the hunger, the pain and the biting cold of Valley Forge? Those men knew the meaning, lived the sleepless nights and shivering marches of freedom—that hunger and that air of impending death couldn't shake it loose. They clung to their freedom with every ounce of might within them, and many died doing it. Remember the stench that hung over Gettysburg ninety years later—a stench of death, five thousand dead—everyone of those men died a private death, a real, personal death, but each was willing to die because hanging on to his freedom meant so much to him. Remember the ditches, dirt, machine guns and mustard gas that surrounded the men at Verdun and Argonne? They too knew the mood, felt the magic of their freedom permeate their living—and because they knew that mood, because they felt that magic, nothing, not even death could shake it loose from them. Remember the marines who raised that flag over Iwo Jima? That was no baseball game, but a place where men fought and died for a thing that they believed in—where men went beyond feeling and knowing to giving. And that's freedom's challenge—to feel freedom, yes, but to care about it so much you'd even die for it.

For the half-million men who have died for this nation in war, freedom was more than just a word. Like baseball to Charlie Brown, it was the focal point of their lives—something they wept over, lost sleep over, got stomach aches over—a something whose loss would be infinitely worse to them than losing their own lives. They knew what freedom meant to them and they cared about it so much they even died for it. Knowing, caring, and giving—does it mean as such to you?

THE EDUCATIONAL INSTITUTION CITATION

HON. HENRY BELLMON

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 25, 1969

Mr. BELLMON. Mr. President, the cause of world peace is uppermost in the minds of all Americans at this critical time in our Nation's history. Perhaps at no previous time has there existed a greater need for understanding among the peoples of the world.

It is heartening to know, therefore, that many of our educational institutions are contributing to that kind of exchange of ideas between nations that builds the foundations for peaceful and progressive relations. I am proud that my alma mater, Oklahoma State University, holds an outstanding position in this field.

Seventeen years ago, under the leadership of the late Dr. H. H. Bennett, one of the most noted and respected educators of our time, Oklahoma State began a program in Ethiopia which has resulted in the establishment of an agricultural college and research station.

These efforts were recognized in the designation of Oklahoma State University to recevie the 1969 Institute of International Education-Reader's Digest Foundation Award for Distinguished Service in the field of international education and cultural relations. The award was presented February 19, 1969, in Washington.

Mr. President, I ask unanimous consent that the citation accompanying the award be printed in the Extensions of Remarks.

There being no objection, the citation was ordered to be printed in the RECORD, as follows:

THE EDUCATIONAL INSTITUTION CITATION TO OKLAHOMA STATE UNIVERSITY

To thousands of students in remote towns and villages all over the world, the campus of Oklahoma State University surely must seem to be the source from which the "fountain of knowledge" emanates. Each year—for almost twenty years—groups of teachers, consultants, researchers, and advisers have spilled forth in a steady stream from the town of Stillwater, Oklahoma, taking with them to newly developing lands their accumulated skills and a common desire to share their specialized talents.

The African nation of Ethiopia, in particular, has welcomed its association with Oklahoma State University since 1952 when the first group of experts arrived to establish and operate a technical high school at Jimma. In succeeding years the university has worked—with the help of U.S. aid, the Rockefeller Foundation, and the National Science Foundation—to establish a college of agriculture at Alemaya and an agricultural research station at Bishoftu.

The highest compliment to the over 180 participating university staff members is the fact that most of their jobs now can be held by the local personnel they have trained. This, after all, has been the chief goal of their educational assistance program—whether it be in Ethiopia, in Pakistan, in Thailand, or in Latin America—"to create independent and self-reliant world neighbors."

Fortunately for the students and teachers who remain on the Oklahoma State campus, the international exchange of people and ideas has been a two-way flow. Over the past two decades, the number of foreign students has increased over eight-fold to more than 500 visitors this year.

In presenting the distinguished service award to Oklahoma State University, IIE and the Reader's Digest Foundation heartily commend the university for demonstrating the diversity of international education programs and for proving first-hand the magnificent results of enabling others to help themselves.

U.S.S. "PUEBLO"

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. SCHERLE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following letter and newspaper article.

The letter is one which I sent to Secretary of the Navy John Chafee.

DEAR MR. SECRETARY: What were the "rather long and learned dissertations from other sources" that reversed the Navy's position from the original ruling that the Military Code of Conduct did not apply to the crew of the USS Pueblo?

According to the February 21, 1969, issue of the Washington Post and Washington Evening Star a startled reporter told Navy Captain William R. Newsome, Counsel for the Navy Court of Inquiry, "that sounds like a reversal." With a smile the Navy Attorney replied simply, "It does."

Who were the "other sources?" Who is

calling the shots on how this case is being handled?

Earlier in the Inquiry, January 23, 1969, Captain Newsome had ruled, with the reported advice of the Navy's judge advocate general's office, that "the Code of Conduct is inapplicable in this present situation. We had an opinion that the crew members on the Pueblo were not prisoners of war; they were illegally detained. We are not in a state of hostilities at the present time with the North Koreans. Consequently, they are not the enemy, of course we don't have prisoners of war. And when we don't have prisoners of war, we don't have the application of the Code of Conduct. . . ."

Does the Court of Inquiry contend that because Commander Lloyd Bucher wanted to save the lives of his crew by signing a phoney confession that he is more guilty of violating the code than US Army General Gilbert H. Woodward, who, acting on orders from the highest government level, knowingly signed a false confession to obtain the release of the Pueblo crew? I think not.

As one who has been extensively involved in the Pueblo affair, I cannot accept this double standard. To do so would make a mockery out of the Navy Court of Inquiry.

Please provide me with the reasons for this abrupt reversal of the Navy's decision.

Sincerely yours,

WILLIAM J. SCHERLE.

"PUEBLO" HELD SUBJECT TO RULE

(By George C. Wilson)

CORONADO, CALIF., February 21.—The Navy, in a reversal of opinion, has decided the American fighting man's code of Conduct applies to the Pueblo crewmen after all.

Capt. William R. Newsome, attorney for the five admirals who comprise the Naval Court of Inquiry looking into the Pueblo seizure, confirmed the change of opinion last night.

He told reporters, however, that no legal action is contemplated against Pueblo crewmen for breaking the code while in captivity in North Korea.

The code, he said, "is like the Ten Commandments," which can be violated "spiritually" but not "punitively."

APPRAISAL OF CODE

The court's focus instead, he said, is on the 1955 code itself and its viability in today's environment. He called the inquiry "an excellent vehicle" for appraising the code and recommending changes.

He would not say who or what reversed his earlier opinion that the code did not apply to the Pueblo men because they had been "illegally detained," as distinguished from being taken as prisoners of war.

Newsome does not set policy for the Court of Inquiry but acts as its hired legal hand. Vice Adm. Harold G. Bowe Jr., president of the court, and his four fellow admirals on the court obviously decided to focus on the code.

Questions all this week were framed to determine if the Pueblo crewmen knew about the code and why they had violated it. Their testimony will influence the Navy Department in Washington, which right now is trying to come up with a position on the code in advance of Congressional hearings on the subject.

ALL ADMIT BREACH

To a man, the Pueblo crew admitted to breaking paragraph five of the code: "When questioned, should I become a prisoner of war, I am bound to give only name, rank, service number, and date of birth. I will evade answering further questions to the utmost of my ability. I will make no oral or written statements disloyal to my country and its allies or harmful to their cause." Another part of the code directs the man to "resist by any means available" and "make every effort to escape . . ."

The six officers, 74 enlisted men and two civilians on the Pueblo gave the North Koreans more than that minimum amount of information. Many of them also signed confessions of spying and they participated in propaganda press conferences and petitions while in captivity.

The Pueblo crewmen have told the court they could not hold out against the physical and mental torture. They added that, the Koreans already had answers to most of the questions they were asking during severe beatings.

The Pueblo was captured with many of the records of the men and the ship's mission intact. The crewmen contend their plight therefore was different than that envisioned by the code. They said they were not like a soldier captured with no detailed information about him or his outfit on his person.

Newsome conceded the Pueblo was a special case in another way—two civilians were aboard the ship serving as oceanographers for the intelligence center. This raises the question, Newsome said, of what code they were supposed to follow.

For purposes of comparison, here is what Newsome said in his earlier statement and last night about the applicability of the code to Pueblo crewmen:

Jan. 13—". . . the Code of Conduct is inapplicable in this present situation. We have had an opinion that the crew members on the Pueblo were not prisoners of war; they were illegally detained. We are not in a state of hostilities at the present time with the North Koreans. Consequently, they are not the enemy. Not being the enemy, of course, we don't have prisoners of war. And when we don't have prisoners of war, we don't have the application of the Code of Conduct . . ." He said the legal opinion had come from the Navy's judge advocate general.

WARNING BY SUPERIORS

Feb. 20—"It has become obvious that the Code of Conduct is applicable in this situation. First of all, because the understanding of the people themselves, and second of all, because of certain things which transpired aboard the ship at the time of its capture." He apparently was referring partly to the warning passed to the men by their American superiors not to tell the Koreans anything more than name, rank, service number and date of birth.

"One of the tasks of the court is to examine that code and see whether or not it meets our present needs . . . I think we have an excellent vehicle for doing that right now . . ."

WAR PRISONER CODE APPLIED TO "PUEBLO"

(By Robert Walters)

CORONADO, CALIF.—The counsel for the Navy court of inquiry investigating the capture of the USS Pueblo unexpectedly has changed his position and ruled that the Military Code of Conduct is applicable to the 82 surviving crew members of the intelligence gathering ship.

Prior to the convening of the-five-admiral court one month ago, its counsel, Capt. William R. Newsome, said the code was "inapplicable" because the Pueblo crew members were "illegal detainees" rather than "prisoners of war" during their 11 months of captivity in North Korea.

But under questioning by reporters yesterday, Newsome said: "It has become obvious that the Code of Conduct is applicable in this situation."

One startled reporter told the attorney: "That sounds like a reversal." With a smile, Newsome replied simply: "It does."

The code, promulgated by President Dwight D. Eisenhower in 1955, is designed as a guideline for United States troops captured by enemy forces. It was initially issued by the White House as an executive order, and subsequently incorporated in Navy regulations as a "general order."

ANSWERS RESTRICTED

Of the code's six provisions, the one which has emerged as most applicable to the actions of the Pueblo crew reads as follows:

"When questioned, should I become a prisoner of war; I am bound to give only name, rank, service number and date of birth. I will evade answering further questions to the utmost of my ability. I will make no oral or written statements disloyal to my country and its allies or harmful to their cause."

Similar references to "prisoners of war" appear throughout the code, and it was on that basis, Newsome said yesterday, that the code was initially held to be inapplicable to the Pueblo case.

The term "prisoner of war," as defined by the Geneva conventions on the subject, requires, among other elements, a declaration of war—a condition which does not exist between the United States and North Korea.

But Newsome said that since this initial ruling the court of inquiry has received "rather long and learned dissertations from other sources that indicate that the Code of Conduct has wide applications." He declined to identify the "other sources" or to elaborate.

IN A MURKY AREA

The full impact of the decision remained unclear because Newsome acknowledged that the area was a murky one. "There's a big question with respect to the code's application," he said.

He rejected, repeatedly and emphatically, suggestions that members of the Pueblo's crew might face punitive action for violation of the code's provisions. "The Code of Conduct is a moral code; it's not something you can violate punitively," the attorney said.

That apparently ruled out the possibility of any serious legal rebuke for the Pueblo's six officers and 76 crew members, all of whom signed an open letter to President Lyndon B. Johnson "admitting" that the Pueblo violated North Korea's territorial waters and was engaged in espionage activities at the time of its capture.

Newsome apparently also rejected the possibility of a reprimand for violation of the code, explaining that "reprimand" is a formal military legal term with limited application. "A reprimand is an administrative action—a non-punitive form of punishment" applied only to those who fail to follow administrative regulations, he said.

The court counsel said the Uniform Code of Military Justice does contain specific prohibitions against many of the acts which the Code of Conduct warns about in "moral" terms.

Failure to comply with these regulations is punishable by court marital, and Newsome said that Article 104 contained several such proscriptions under the heading of "aiding the enemy."

However, Newsome added: "Conceivably you could find some offense under the UCMJ . . . But it's not a direct step."

Every member of the Pueblo crew to testify before the court has said that he has a basic understanding of the provisions of the code and that, in theory at least, he regarded it as an important document to be respected and obeyed.

CODE ABANDONED

However, the crew members said, in the particular circumstances surrounding their capture, the code had to be soon abandoned as a guide for two reasons:

1. The North Koreans captured hundreds of pounds of highly classified documents when they seized the Pueblo, and thus had access to papers describing much of the ship's intelligence work. To deny what already was in the form of printed reports would only be foolhardy, they said.

2. During the armed conflict in their country in the early 1950s, the North Koreans had exceptional success in "brainwashing" captured American fighting men, breaking their minds and forcing them to "confess" against their will to numerous "crimes."

Determined resistance to the North Koreans last year would only have led to a similar situation, the crew members said. In the end, the North Koreans would have secured their "confessions" anyhow—and would have inflicted serious mental or physical damage on their captives in the process.

Recent questioning has concentrated on the code, attempting to have each witness explain in detail why he freely acknowledged violating its provisions.

"WOULDN'T FOLLOW RULES"

Yesterday's questioning of Lawrence W. Mack, photographer's mate first class, was typical. "These people had an unsavory reputation, and it was clear to me that they wouldn't play by the rules to get the information they wanted," he testified.

Explaining that during the interrogation the North Koreans frequently displayed documents captured from the Pueblo, Mack said: "I had the impression that they never asked a question unless they knew the answers themselves."

He added: "What information they wanted they were going to get one way or another, and they could get it from me hard or get it from me easy. . . . But they were going to use torture or whatever was necessary to get it."

In describing the method used by the Koreans to elicit information from him, Mack said he was forced to kneel on the floor of an interrogation room and hold a chair above his head for as long as 90 minutes.

MENACED BY BAYONET

"You can hold that chair up for only so long, and after a while your arms get pretty tired," said Mack, explaining that every time he lowered the chair a guard "kept poking his bayonet in my face. I was worried that if he wasn't careful he might take my eye out by accident."

Mack added: "All I could see was unending torture. So I told the Korean officer, "Why don't you tell this guard to shoot me and get it over with?' " He said he "went through a period of considerable mental torture" before finally providing the information demanded.

Crew members also testified yesterday that 11 months of malnutrition, inadequate medical care and severe beatings left some of them with permanent physical disabilities.

The Pueblo's chief quartermaster, Charles B. Law Jr., for instance, had perfect vision when he was captured, but began "going blind" because of malnutrition and now suffers from "central blind spots" and is extremely nearsighted.

Law, the crew member unanimously acclaimed by the Pueblo's officers for his ability to provide leadership and keep morale high among the enlisted men during the detention period, said that prior to the Pueblo's ill-fated mission, he had better than perfect vision—20–13 in one eye and 20–14 in the other. But "about the first part of August (of 1968) my eyes started to go bad, he said.

A North Korean physician attempted to treat the disorder with numerous injections, but Law said that after the crew's repatriation and return to this country he was told by Navy doctors that his vision had permanently deteriorated to 20–200.

In addition, Law said he was told by doctors that he had "central blind spots" and that his vision problems were uncorrectable by glasses" because he sustained an "inflamation of the optic nerve" as the result of malnutrition.

Another witness, Radioman 2.C. Lee Roy Hayes, said he was stricken by hepatitis while a prisoner and "also had my jaw broken by the Korean guards."

Hayes said that in a letter the North Koreans forced him to write to Ohio's Gov. James A. Rhodes, he tried to signal his desire that the United States retaliate for the Pueblo's capture by dropping an atomic bomb on North Korea.

Hayes said the letter to his governor included the line: "I long to behold the great and glorious light of our fatherland." He explained: "By this, I meant that they should drop the atom bomb on North Korea."

Like virtually every other crew member to testify, Hayes said he not only expected but hoped for some form of U.S. military retaliation although all of the men knew that such action would undoubtedly lead to their death.

Hayes said one of the "signals" he included in letters from the prison camp to his parents was to capitalize the word "right" each time he used it. He explained: "They're very conservative, they're right-wing in their politics, like I am—and I tried to make it clear that I wanted this thing settled from that point of view."

SEEING US IN LONDON

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 25, 1969

Mr. HARTKE. Mr. President, a brilliant young American, William Janeway, now contributes a column of observations and reflections on the American scene to the British journal, the Spectator. I was especially struck with his remarks published January 10, 1969, and in order to be able to share these with my colleagues I ask unanimous consent that Mr. Janeway's column be printed in the Record.

There being no objection, the column was ordered to be printed in the Record, as follows:

[From the Spectator, London, England, January 1969]

America: A New York Diary

(By William Janeway)

Last week Sir Denis Brogan confessed himself able to identify only one event of "any general interest" which made news in Britain during the past year: the resignation of George Brown. New Yorkers have had a surfeit of news: the war and the riots; the assassinations and the election. Given the present stalemate in the Vietnam fighting and talking plus the constitutional interregnum between the election and inauguration of the new President, one might have expected the Christmas season to offer some relief. But New York managed to celebrate the holidays in appropriate 1968 fashion: a strike of fuel oil delivery drivers cut off the heating in more than half the city's homes and offices just as the Hong Kong flu attacked in full force. As a fitting side effect, the extra school days, scheduled to allow students to catch up on the weeks missed during the teachers' strike of October and November, had to be cancelled for lack of fuel to heat the classrooms.

The specifics of New York's accelerating disintegration have more than parochial significance. The fundamental issues in the teachers' strike, for example, provide a useful perspective in which to judge Powellite demagogy on the British racial situation. The struggle in New York is between the black leaders of the city's various harlems, who demand a decisive say in how ghetto children are to be taught and by whom, and the teachers' union, which since the last war has passed beyond issues of pay and job security to virtual control of education policy. (That the union is predominantly Jewish has added a further explosive ingredient to the brew.) The city administration is caught in the middle between the two most self-conscious of New York's bloc votes: Mayor Lindsay's poll ratings make Harold Wilson's look good. The strike is likely to break out again at any moment, as are boycotts of non-community controlled schools.

The teachers' strike in New York is only one outcome of the broad and bitter drive by ghetto inhabitants to gain a measure of control over the institutions which have been the instruments of their systematic exclusion from the political, economic and social life of the country. As a result, the racial conflict in New York now completely overshadows the relevant issue of education policy *per se:* how best to provide meaningful opportunities for personal growth and social mobility for all deprived children. In Britain, by contrast, education policy can still be the prime means of preventing the highly diverse immigrant minorities ever being forced into the homogenous damnation of Harlem-style ghettos.

The alarums and excursions of 1968 have had one definite impact upon social intercourse across the Atlantic. Whatever the level of conversation seems on a wholly different level from that in Britain. Enoch Powell and the Editor of *The Times* may be playing to a great hush in John Osborne's refound land; in New York the Tiber runs red with blood through every cocktail party and around every dinner table. It is not just the intensity of discussion of the Great Issues that is striking—and the prospect of one's city burning down, one's head being cracked by a passing police nightstick, or one's son, husband or self being called to defend freedom in Vietnam does add a certain intensity to the discussion. War-talk, race-talk, student rebellion-talk is never-ending. *Item:* drunken businessman to previously unknown traveling companion on the three-hour delayed Boston to New Haven 'express': 'I say we ought to clear them out of there. Declare war and use the bomb.' Pause. 'I don't know what the hell we're doing there in the first place.' The unmistakable sign of a successful Nixon Administration would be the return of public discourse by private persons to the level of triviality experienced in America in the 1950s and in Britain today. Some chance.

Now is the time, of course, for full-blooded speculation over the purposes and prospects of the incoming Administration. One aspect of Nixon's cabinet-making is clear, at any rate. For the first time since the pre-FDR 1920s, the Republicans are preparing to build their own Washington establishment of power brokers and inside operators. Unlike the ideologues and outsiders who held office under Eisenhower, men like the new Secretaries of State and Defence, William Rogers and Melvin Laird respectively, are political pros. Their archetype is the man whom Lyndon Johnson called in as receiver-in-bankruptcy for the Rusk-McNamara-Rostow policy in Vietnam, Clark Clifford. In the yet-to-be-written history of the age, Clifford will surely receive credit second only to Eugene McCarthy's for saving the 'System' from the folly of its managers by stopping the escalation of the war. Clifford has been the legendary master-operator of the System's Washington nerve-centre for a generation. As Secretary of Defence, he put first things first by restricting the bombing, by refusing reinforcements by moving towards negotiations, and by expressing a clear willingness to sacrifice the Saigon government in the interests of American political and social stability. During the last nine months he has given an object-lesson to the new administration in self-interested American pragmatism at its most enlightened. The great big question of the next four years is whether Nixon and his pros will have the shrewdness and the skill to pursue continuity with Clifford's pragmatism, rather than the continuity with LBJ's megalomania and with Rusk's dogmatism that Nixon espoused during the campaign.

The political acumen of President Nixon and his advisers will be tested to the full as soon as the Inaugural ceremonies are over. In addition to the great issues of war, law and order and inflation, the F-111 scandal is about to blow up again. The project is by now an undoubted failure, at the cost to date of some $10 billion of US money (not to count the extra cash conned out of Britain and Australia). The navy version has already been cancelled and the air force version keeps falling down when they let it fly. On all accounts, a perfect tar baby to stick to LBJ's bedraggled coat-tails as he heads home to Texas. But Nixon has given a mighty, and all too characteristic, hostage to fortune. Three days before the election, in a vain effort to carry Texas, he went to Fort Worth (where the plane is produced) to pledge that he would make the F-111 "one of the foundations of our air superiority." At the end of the year, he compounded the potential embarrassment by naming as Under Secretary of Defense a director of General Dynamics (which makes the F-111). Now the relevant Congressional committees are getting geared up to reopen hearings on the whole mess, with final cancellation looming in the background. One suggestion for getting the new President off the hook: back up his pledges to protect Israel's security by giving F-111s to Nasser.

The past year has seen the consolidation of one aspect, and not a minor one, of the last decade's social upheaval. The progressive integration of educated, middle-class Negroes—tokenist as it may be—has become dramatic. The active recruiting of black students by prestige, private universities barely raises a growl from reactionary alumni any more; there was one American Negro in the class which entered Princeton in 1961; more than eighty were accepted for admission in 1968. The professional schools and the professions are following suit. Television confirms the change: perhaps a quarter of the announcers, newscasters, etc. on New York's seven channels are black, virtually all television advertising is integrated, and Diahann Carroll's friendly, formula, middle-middle-middle-class series is in the Top Ten.

But the irony is stark. As the room for movement within or beyond middle-class America has expanded for those who can break out of the ghetto, the noose around the ghetto itself continues to tighten. During this same decade, the number of people on New York's welfare rolls, overwhelmingly black and Puerto Rican, has risen from slightly more than 200,000 to over one million. A knowledgeable estimate is that another one million qualify for relief which they have not applied for. The city's budget is now greater than California's or that of New York State, and welfare is the largest item. The low skill jobs are disappearing and the craft unions, the next step up in a city without heavy industry, are bastions of the white backlash. The roads out are few: education to the professional level for a tiny elite, employment in the public sector for more (but the near-bankruptcy of the city has cut back opportunities sharply). Hence the demands for Black Unions, Black Capitalism, Black Power.

Outside of the ghetto, the cost of living in central New York is following the astronauts to the moon, with no likelihood of re-entry. Rents are up more than 40 per cent. A first-run cinema ticket now costs more than two pounds. One new house-owner, around the corner from the Metropolitan Museum in the heart of Upper Middle Class Manhattan discovered that the cost of installing a complete burglar alarm system, with private, armed police on automatic call in radio cars, was more than offset by the saving on insurance premiums. *New York* Magazine put the pre-tax income necessary for a family to live in Manhattan in the style to which television has accustomed us at over $100,000 per year. No wonder that a measure of *de facto* housing integration is taking place, with white graduates finding feasible rents only on the fringes of the ghetto.

In the meantime, financial and artistic New York constitutes to run wide open. The 'action' on Wall Street is wilder and woollier than ever; further uptown, the off-off-Broadway theatre, playing to an increasingly un-*épatayable bourgeoisie*, is less self-censored and more exciting than post-Lord Chamberlain London. A dance to the music of chaos? At the least, the 'contradictions' of American society have, in New York, reached a 'world historical' extreme: the West's economic and cultural capital towering over a human refuse heap.

CLEAN WATERS: A CONTINUING GOAL

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. McCARTHY. Mr. Speaker, I introduce today on my behalf and that of my colleagues, Mr. ADAMS, Mr. ADDABBO, Mr. ANDERSON of California, Mr. BINGHAM, Mr. BLATNIK, Mr. CONYERS, Mr. DULSKI, Mr. EDWARDS of California, Mr. FARBSTEIN, Mr. FRASER, Mr. HALPERN, Mr. HASTINGS, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mr. HOWARD, Mr. JONES of Alabama, Mr. KLUCZYNSKI, Mr. McKNEALLY, Mr. MIKVA, Mr. OTTINGER, Mr. REID of New York, Mr. REUSS, Mr. ROSENTHAL, Mr. SCHEUER, and Mr. WOLFF, a comprehensive water quality bill.

Much of this bill is the unfinished work of the last session of Congress—legislation that did not reach final passage before adjournment. Both branches of the Congress had passed slightly differing versions of water pollution control bills by overwhelming majorities. But, unfortunately, minor differences in the two bills were not ironed out in time to enact a final version. It is up to us to complete that work, to make this needed water pollution control legislation one of the first orders of business of the 91st Congress.

This bill goes beyond the major points raised in last year's discussions. It focuses on the problem of lateral sewers, the part of a sewerage system that is most important in our rapidly growing metropolitan areas. It simplifies administration of our water pollution control programs. And it makes some minor changes that can speed up progress in this field and insure that those States that do move rapidly are treated fairly in the legislation.

The United States faces many major problems today, the threat of nuclear war, the crisis in our cities, the tensions of racial conflict, and a growing prosperity that has bypassed parts of our society. Each commands our attention, the full commitment of our mental and physical resources. But even while we strive to find solutions in these areas, we must conserve our rich natural heritage of lands, waters, and seashores, for it is the foundation on which our economic and esthetic wealth rests. Enhanced, it is a source of strength; blighted it will slow and cripple us.

Our land is rich in rivers and lakes and seashores. Majestic rivers flow to the sea: The Hudson, the Ohio, the Chattahoochee, the Mississippi, the Missouri, the Columbia, the Rio Grande, and the Colorado. Great inland seas wash the shores of our northern States: Superior, Michigan, Huron, Erie, and Ontario. Each serving as channels of commerce, as sources of pleasure to millions, all giving rise to generations of sailors that have sailed their reaches. Magnificent ocean beaches shoulder the Atlantic, the Gulf of Mexico, and the Pacific, each beach with its individual character, beauty, and form. And the great bays lining our coasts: Boston, New York, Chesapeake, Charleston, St. Petersburg, Galveston, San Diego, San Francisco, and Puget Sound, each an arm of the sea serving as a gateway to a major city. In the mind's eye one can see these rivers and lakes, bays and beaches in sparkling, unspoiled beauty.

The true picture is something else again. For in a century we have defiled our waters in a way that early generations could not conceive. Our growing population, our indiscriminate industrial activities, our callousness toward the human values of our environment have turned our major waterways into sewers, have polluted our beaches, and threaten the very existence of some of our major lakes. This should be a source of shame for all Americans.

Fortunately, Congress has recognized the importance of water pollution control and has enacted legislation to aid States, cities, and towns in constructing sewage treatment systems. The authorization bills for Federal funds in this field have passed by overwhelming margins in both branches of the Congress.

But the appropriations have not matched the authorizations; there has been a gap—a gap that has seriously hampered progress on construction of needed treatment plants and sewers. A total of $581 million was authorized for sewer systems in fiscal year 1968. We appropriated $296 million. A total of $836 million was authorized for fiscal year 1969. We appropriated $303 million. Our appropriations were more than $800 million below the amount authorized. In the meantime our towns and cities are under legal orders to construct sewage treatment systems. It is no wonder that they sometimes fail to comply.

There has been some justification for the failure to appropriate the amounts of money that have been authorized. The demands of the Vietnamese conflict have hampered progress in this area as it has in so many others. And until there is a lessening of the conflict, there will continue to be a shortage of funds. This shortage has forced us to look for other means to meet our pollution problems.

First, this bill is designed to make the limited funds that are available go as far as possible. By shifting from an individual grant approach, one in which the total Federal sum is given to each project, to a capital financing approach, available funds can be used to start many more projects. The capital financing approach is one in which the Federal Government enters a 30-year contract with a town or city that has an approved construction project. The Federal Government pays its share of the costs, as much as 55 percent, over a 30-year period rather than in one lump sum. The Federal Government pays both for the principal and the interest costs associated with the bonds issued by the town or city for the Federal portion.

This is a key provision of this bill; it will allow us to start on many more water pollution control projects than we are at present. It eliminates a major bottleneck in the search for clean waters.

Second, this bill establishes controls for the critical problem of oil pollution. No American needs to be reminded of the threat that oil poses to our ocean beaches, our harbors and our rivers. The *Torrey Canyon*, the *Ocean Eagle* that spilled oil on the beaches of San Juan in Puerto Rico, the Hess oil barge at Rehoboth, Del., the catastrophe in the Santa Barbara Channel, the 1,000 oil spills that the U.S. Navy is responsible for each year, and the thousands of oil spills from industrial operations on our rivers and harbors must be controlled if we are to restore the quality of our waters.

The oil spillage provisions of this bill were drafted before the major Santa Barbara incident. There is no question that the committee hearings may cause us to revise these provisions to more adequately meet this threat.

Third, this bill deals with the problem of thermal pollution. Thermal pollution is a new threat, a threat rising from the growth in the number of nuclear power plants that are now being constructed around the country. Nuclear power plants operate in a manner that releases much more heat than the conventional powerplant. This heat must be distributed, and it is usually done with cooling waters. The cooling waters become a problem, however, because the heat reduces the capacity of the water to handle other pollution. Plants must be designed to either store the cooling waters until the heat is lost into the atmosphere or to use cooling towers to dissipate the heat.

This bill requires that any Federal agency responsible for licensing of installations insure that the installation will not be a source of water pollution. The Atomic Energy Commission licenses each nuclear power plant; pollution control will be a part of its licensing function under this legislation.

Fourth, this bill addresses the question of avid mine drainage from mining operations. Waters draining from abandoned mine shafts are so acidic that they destroy any animal life in the streams and rivers they enter. Techniques must be found to control this source of damage. This bill provides assistance in meeting this problem.

Fifth, this bill eliminates a provision in the current bill that would deprive some States of Federal funds to which they are entitled. A prepayment clause in the present bill says that States which start projects approved by the Federal Government but for which funds are not available at the time can be paid for these projects at a future date, should these funds become available. This payment clause expires on June 30, 1971.

This provision will discriminate against those States which have begun work on water pollution control projects in good faith. They will lose considerable sums of money should this clause expire. My bill removes that expiration date. This is important to New York State, where a considerable number of projects have been started with some expectation that Federal assistance would be available at a later date.

Sixth, and perhaps of most significance, is a new provision bringing lateral sewers under the control of the Federal Water Pollution Control Administration of the Department of the Interior and authorizes sufficient funds for their construction for the first time.

In the past, funds for lateral sewers, the lines that connect the individual home with the interceptor or trunk sewer, have been administered by the Department of Housing and Urban Development. But the amounts available have been totally inadequate to the need. HUD has had requests totaling more than $2 billion against an annual appropriation of no more than $165 million, and these funds have been used for both water and sewer grants. A national survey of lateral sewer construction needs conducted by the U.S. Water Resources Council estimates a national need of over $6 billion. It is obvious that we have not been meeting this pollution problem.

In addition, the administration of lateral sewers and interceptor and treatment plants between two different agencies has created barriers to progress in this field. The administrative practices of one agency are not the same as the next. Schedules and standards differ. These differences, plus the inadequacy of the funds available to HUD have caused the local water pollution control official undue trouble. It results in the sort of bureaucratic fumble where a county receives money for interceptor sewers and a treatment plant from the Federal Water Pollution Control Administration and only is able to start a portion of its lateral sewer net with the limited funds that it receives from HUD. This is a situation that needs correcting.

My bill transfers the lateral sewer program from HUD to the Federal Water Pollution Control Administration of the Department of the Interior. The FWPCA is today the Federal agency with the major water pollution control program. It makes sense to include lateral sewers in its scope. It will make it possible for the local official to get one-stop service on pollution problems in Washington. It should simplify administration.

The bill also funds lateral sewer construction on an adequate basis for the first time. The capital financing approach, proposed for interceptors and treatment plants, is also extended to lateral sewers. And adequate funds, $500 million in 1970 and $700 million in 1971, are authorized for the first time.

Adequate funding for lateral sewers is one of the keys to a sensible land development policy for the United States. With our population expected to grow by 30 million in the next decade and perhaps by 100 million between now and the close of the century, it is essential that we control water pollution in the areas of growth. This growth is expected in the areas surrounding our metropolitan centers. Rapidly growing counties such as Suffolk, Rockland, Orange, and eastern Erie in New York State, Monmouth in New Jersey, and Riverside in New Jersey must be able to handle their pollution problems before control becomes an insurmountable problem.

Neither Federal nor State funds have been available to the homeowner for the construction of lateral sewers in the past. This has meant that the largest part of his tax assesment for sewage treatment is the cost of lateral sewers. If he has the choice in a zoning referendum, he may then choose to build cesspools rather than lateral sewers. And in that decision lies the seeds of future blight.

The homeowner should not be asked to bear a disproportionate cost of capital improvements that will be used by future generations and also benefit others completely outside his community. Our current method of funding lateral sewers does this. Federal assistance should be made available. This bill provides that assistance, 40 percent Federal assistance and an additional 10 percent Federal assistance if the State will contribute 30 percent of the costs of construction.

Seventh, this bill contains a section regulating pollution from boats and commercial ships. The growing number of boats on our lakes and rivers and along our coasts has created a pollution problem of major proportions. In addition, commercial ships discharging untreated wastes also add to the load on local waters. During the recent East Coast shipping strike, over 40 ships were anchored in Chesapeake Bay. With approximately 30 men on each ship, the pollution from these vessels became a threat to shellfish and other fish caught in these waters for market.

This bill would require the construction of holding tanks or treatment facilities on boats and ships that operate in our waters. It is important that these standards be adopted now before 50 different standards are adopted by the States. New York State has already deferred action for 1 year in expectation that the Federal Government will take action. We should take that action now.

Finally, a careful reading of this bill should reveal that it does not advocate massive new expenditures of money or massive new assumptions of responsibility by the Federal Government. Rather, it is designed to fill some of the areas in the water pollution field that have not been treated in the past. It is designed to simplify some of the administration of our control programs.

It does, however, call for us to appropriate the funds for water pollution control that have been authorized. There is bipartisan support for this bill in part because it recognizes our responsibility to the environment. I would hope that the President could lend his support to this measure for by doing so he will demonstrate his concern for the environment.

Water pollution control is, after all, of the greatest importance to millions of Americans; not only those alive today, but those who follow after us. They will look at the land, the rivers, and the sea and judge us by what they see. They will judge us for what we did to protect—or besmirch—our heritage. I hope that Congress can act promptly to pass this legislation. The problem deserves no less.

THE MANY LIVES OF COLGATE DARDEN, ELDER STATESMAN

HON. WILLIAM B. SPONG, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 25, 1969

Mr. SPONG. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article by Miss Helen Dewar, of the Washington Post, concerning one of the great Virginians of this century, the Honorable Colgate W. Darden, Jr.

Mr. Darden has served his native State and Nation in many roles. He was a Member of the House of Representatives, Governor of Virginia, president of the University of Virginia, and special representative to the United Nations, but his continuing interest throughout many years of public service has been education.

I think my colleagues will enjoy reading about this outstanding Virginian.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MANY LIVES OF COLGATE DARDEN, ELDER STATESMAN

(By Helen Dewar)

It was 1913 and the senior-class prophet was sizing up a classmate. Someday, the prophet boldly predicted, the tall, lanky farm boy would become Governor of Virginia.

The anonymous seer was not wrong; he just vastly underestimated Colgate Whitehead Darden, Jr.

Not only did Darden go on to become Virginia's chief executive in 1942, but through more than 40 years of public service he has rolled dozens of lives into one—State legislator, Congressman, Governor, university president, United Nations representative, lawyer, scholar and now, in retirement, the Old Dominion's distinguished and revered elder statesman.

After all this, Darden could be excused for having an Olympian detachment. But he is as plain, straight-forward and enthusiastic as he must have been when he sallied forth from his family's Southampton County farm 56 years ago.

Nor has the passage of time softened Darden's passion for the things he really cares about, such as the importance of public education.

His most recent activities—membership on the State Board of Education, from which he retired last month, and on the State Commission on Constitutional Revision, whose proposals will go before the General Assembly later this month—were aimed at achieving his foremost goal for Virginia: a good education for all children.

A talk with Darden in the Norfolk office he still maintains, high up in one of that bustling city's new skyscrapers, leaves a visitor torn between exhilaration and exhaustion.

One minute he's leaning back in his chair relating a quotation from Edmund Burke to contemporary Virginia politics or citing Napoleon III's treaties on ending poverty to illustrate a point about how little is really new in the world.

The next minute he's answering the telephone. There was no secretary screening the calls. The first sound the caller heard from Darden's end was a crisp "Yup" from Darden himself.

Then he's back on his perilously balanced chair recalling what it felt like to be a State legislator during the 1920s from an urban area like Norfolk, where he settled as a young man: "We had as much to say about Virginia as we did about China. It was a friendly, nice experience but a journey into utter frustration."

Or he's telling about the time he took on Harry Byrd Sr. in an attempt to get some highway money diverted to pay teachers' salaries during the Depression.

"You'd have thought we'd advocated the disestablishment of the Christian church," he chuckled. "We didn't succeed but we created such a commotion that Harry Byrd himself had to come back down from Washington to straighten things out . . . What a set-to that was!"

Darden is still erect and handsome at 72. His eyesight is failing but his intellectual vision is exceedingly keen. His words can be witty and biting although his manner is always gentle. His philosophy tumbles out as a blend of conservatism and liberalism, optimism and pessimism, rural simplicity and urban sophistication.

The talk turns to many subjects, for Darden's knowledge and curiosity is encyclopedic. But somehow it always comes back to education—what Darden calls the "engine of civilization."

Thus it is not really surprising that, despite the governorship and other lofty positions, Darden never hesitates in naming his 12 years as president of the University of Virginia as his favorite and most rewarding experience. A "fabulously interesting journey," he once called it.

He became university president in 1947, a year after he left the governorship and only shortly after he turned down a draft for the United States Senate because he wanted to spend more time with his wife and three children than a Senator's life would allow.

"I've made a lot of mistakes in my life," he says with an impish smile, "but not going to the Senate is not one of them."

Darden had his share of problems at the University, including being hanged in effigy. His concept of student discipline didn't always set well with an impatient generation of World War II veterans. But he was generally credited with raising its academic tone, giving it a sounder structural foundation and strengthening its previously weak ties to the public school system.

It is the last of these that Darden stresses. He came to the University as a "public school boy" himself and it was "pretty tough" at times.

Although a State institution, "it had developed into a university for the private schools," he recalls. "There weren't many public school boys there, and making a change a much harder job than I thought. The public schools were suspicious of the University . . . some felt the University would show them up. We made some progress but it was slow."

And he also got a foretaste of the problems that today's college presidents face. "The students assumed the administration was there to make life uncomfortable for them, and a lot of the faculty were of the same persuasion . . . it made life interesting for everyone."

Suddenly he stopped his recollections to chuckle as though over a private joke. Then he explained: One day a group of law students marched down into town to file suit against the law faculty for failing to publish their grades soon enough. "It was the greatest hassle you can imagine. I was very cautious about what I said, but I did feel they were (he paused and grinned) on sound ground."

It was mainly the contact with students—having "your hands on the levers of the future"—that made the job personally satisfying. "They could generate more ideas than you could imagine, and some were quite good. It was an experience that kept you mentally nimble. You had to be."

He didn't bother to say so, but it is well-known that Darden, a wealthy man, turned back his salary each year to the University.

Darden's legacy to Virginia is more than just his work at the University, however.

After his "retirement" in 1959—through eight years on the State Board of Education and numerous other activities, Darden helped pave the way for the State's current crusade for better schools.

Darden believes that most Virginia children, particularly those in its urban areas, get a "remarkably good" education. What worries him is the rest—the children, black and white, who are growing up in areas of poverty and declining population.

Schools in these areas may not have gotten worse in recent years, but "by simply holding their own, they've lost ground."

Ending the disparity of educational opportunity, he believes, is Virginia's "single greatest" need. "Oh yes, we can have progress of a sort without it, but there won't be a just progress that way."

A corollary concern for Darden is that mass education will lead to mediocrity. "The ever-present danger is the confusion of a broadly-based education with a good education. . . . You can turn out any number of numb-skulls and it doesn't help society any."

He was asked whether he was optimistic about the chances for proposed constitutional revisions, which he is generally credited with having inspired, that would put muscle behind the State's powers to improve schools in poor, backward areas.

The response was typically Dardenian. "I'm cautiously optimistic but I'm prepared for disappointment. I don't mean to sound bitter, it's just that I've seen so much happen in my life that could have turned out better. The main thing is that you don't relax your efforts."

If there are moves to scuttle the proposals in the Assembly, said the old lawmaker with a twinkle in his eye, they'll be deceptively quiet. "You'll go to bed one night thinking all is well and wake up in the morning to find it's all over." It's like the way terrapins go after ducks in a pond, "not a very spectacular operation but a thorough one."

Darden's roots in Virginia run deep. His grandfather had run a girl's school in Bedford County, Va., before the Civil War (Darden dutifully calls it the War Between the States).

Not long after leaving the family farm and entering the University of Virginia, Darden left in a "burst of enthusiasm" to help the French fight World War I and later served in Europe with the U.S. Marines. He was cited for bravery under fire at Verdun and later narrowly escaped death in an airplane accident.

He returned to the University after the war and graduated shortly with the help of war credits—a mistake, he feels, because there should be no short, easy paths to a good education. Nevertheless, armed with a degree from the University of Virginia, he went on to Columbia University for a master's degree and law degree and then to Oxford University on a Carnegie fellowship to study international law.

Settling in Norfolk, he was soon into politics, making speeches on behalf of Harry Byrd and getting himself elected to the House of Delegates in 1929.

He was elected to Congress in 1932 and then, in 1936, got "kicked out unceremoniously because some of my constituents thought I was not as much of a New Dealer as I should have been—and, looking back on it now, they were probably right and I was wrong."

He was back in the good graces of his constituents by 1938, where they decided to return him to Congress, where he served until resigning in 1941 to run for Governor.

Serving as wartime Governor might have been frustrating to many ambitious men, but Darden didn't find it so.

"The great experience was to show the sterling qualities of the people of Virginia in such a frightening time—the splendid spirit of cooperation in getting things done . . . You never got a dodge, never got a refusal."

After his term ended in 1946, Darden could have had the Democratic nomination to succeed the late Carter Glass in the Senate, and there was powerful support for his nomination as Under Secretary of the Navy. He ended up as chancellor of the College of William and Mary and, the following year, moved on to the presidency of the University of Virginia.

Thereafter there was no end to his activities. He was a member of the U.S. delegation to the 10th session of the United Nations and served on President Eisenhower's Commission on National Goals. He was on the Commission of Goals for Higher Education in the South and served as Virginia chairman of the United Negro College Fund in 1961. He was chairman of the Prince Edward Free School Association, the biracial group that restored free education to that county's Negro pupils after four years of closed schools.

His wife is the former Constance S. duPont, and he has served on several big corporation boards, including duPont's.

Throughout the period, which spanned one of the most turbulent eras in Virginia politics, Darden was an ardent and outspoken advocate of moderation.

In 1953, he was speaking warmly of Adlai Stevenson and urging the Virginia Democratic Party to pursue a more "middle-ground" course. He urged repeal of the poll tax. And then in 1956 he broke dramatically with the Democratic Organization, with which he had been associated for three decades, over "massive resistance." To threaten school closures to avoid school desegregation, he argued, was a "dangerous and useless" venture that might end by "inflicting deep injury upon the public schools."

In 1963, he was pressing for modification of another Organization article of faith: the Byrd "pay-as-you-go" fiscal policy.

At the time, he encountered resistance from then-Gov. Albertis S. Harrison. "Bonds beget bonds," Harrison said, "debts beget debts." But last year, the two former governors, both members of the Commission on Constitutional Revision, joined in preparing a formula for ending the ban on debt.

Ten years ago a columnist wrote: "It is no mean compliment, even for a critic of the Byrd Organization, to say of these generally able men who have led—and misled—Virginia during the past quarter century that Darden is the noblest Roman of them all. He has never hesitated to follow his convictions. Darden could never be 'read out' of the Organization, but for the past several years, he has walked alone.'

Ten years ago, yes. But he has plenty of company now.

BUS OWNERS HEAR ADDRESS BY REPRESENTATIVE MURPHY

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. FRIEDEL. Mr. Speaker, our colleague, Representative John M. Murphy of New York, has long been keenly aware, as a member of the Committee on Interstate and Foreign Commerce, of the Nation's pressing transportation problems, particularly in our urban areas.

This week, in a thoughtful speech to the board of directors of the National Association of Motor Bus Owners in New York City, Representative Murphy discussed the problems and pointed out several instances where action could profitably be taken.

Because of the great importance of the subject and the clear ideas advanced by our colleague, I include the text of his talk at this point in the Record:

Remarks by Representative John M. Murphy of New York Before the Board of Directors of the National Association of Motor Bus Owners, Plaza Hotel, New York City, February 18, 1969

Nearly one tenth of the population of the United States lives and works within 60 miles of Times Square. More than a million people commute to Manhattan in a single hour each morning, and depart in a single hour each evening. No more than one in ten of these can use the typical mode of travel to work used throughout the United States—the automobile.

In spite of these facts, which seem to indicate that the population of the New York metropolitan region depends primarily on public mass transit systems, more than 65% of the region's individual trips are by automobile. There are more than 4½ million automobiles in the region, and they travel over 100 million miles a day. By 1985 the number of cars will have increased by 80%, and about 180 million miles of travel will have to be accommodated each week day.

To analyze the role of mass transportation, including the bus lines, urban transportation should be viewed in three parts.

The first is the transportation in the periphery of the city—in the suburbs—and is primarily by private automobile. There is little chance that mass transit systems can accommodate this type of transportation. These trips have varied origin and destination patterns that fixed transit routes could not serve economically. While the idea of fringe parking, which I will discuss later, may provide a partial answer, the transportation in this area will continue to be primarily by automobile.

Commuter transportation, from the periphery to the inner city, will continue to be a mixed system of mass transit—trains and buses—and private automobiles. This is the most flexible area, and it will provide the most competition among the modes of transportation. Particularly for the motor bus industry, the area of commuter service holds a vast opportunity for potential growth.

The suburban commuter wants fast, efficient, comfortable transportation to his office. He is not married to any particular mode of transportation, except to the extent that habit dictates. In short, he is a ready customer to buy that proverbial "better mousetrap."

The third area of urban transportation, transportation within the inner city, consists primarily of subways, supported by bus services and taxicabs. It would be difficult to meet increased transportation needs in the city by private automobile; there just isn't enough room. Expansion of the subway system is a possibility, and in some areas a necessity, but the cost of land and construction and the time needed for such construction are so high that subway extension is only a partial answer. Certainly bus transportation provides part of the answer. Buses can operate on existing roads, they take as many as 40 to 50 cars off of the road, and they can reach areas not served by any other form of transportation.

It is obvious, I think, that each of the three types of service, between suburbs, between the suburb and the inner city, and within the inner city, has a definite place in the transportation system.

It is equally obvious, however, that the exact role and scope of each type of service has not been determined. It is up to each mode of transportation to state its case and prove its competence.

The most important criterion to be used in judging that competence will be the ability to innovate and react to the challenge of the growth in urban transportation needs. The fringe parking program I mentioned earlier is an example of the need for innovation.

Fringe parking is outlined in a new section of the 1968 Highway Act. Basically, this section would help establish parking facilities in peripheral areas around the inner city, which would be built in conjunction with existing or planned transit facilities into the inner city.

Under this program, a central point serving a suburban area could be developed for the parking lot. The commuter would then drive there and leave his car. The transit service, whether it be railroad or subway or bus, would then carry the commuter into the city.

A number of other innovative ideas are now being studied to make use of the particular advantages of bus transportation into urban areas.

One of these is the possible use of rail rights for bus roadways. A second is the possible construction of special bus turn-out lanes on expressways and special lanes for commuter buses. A third is the possible construction of special bus loading facilities at highway interchanges.

These are just a few of the areas where innovation can produce dramatic results. The name of the game is service to the commuter, and the opportunities are unlimited.

The need for new transportation facilities is growing at a phenomenal rate and the public will demand that that need be met. Billions of dollars will ultimately be spent by the public to insure that an adequate transportation system is provided. But the question of whether that system will feature an increase in train systems, or more subway systems, or more highway construction and bus service, or a combination of all of these, has yet to be decided.

I do not have the answer. It will depend largely on what each mode of transportation can produce to meet this new urban challenge.

For the real challenge in transportation today is finding a solution to the growing problem of urban immobility. We cannot multiply our highway construction to keep pace with the uncontrolled increase of automobiles. The answer is to make public transportation in urban areas so attractive that private transportation will be the less desirable alternative during peak hours.

The commuter riding on public transportation must be assured swift, unimpeded access to the central city. This is what its all about.

Before closing I would like to mention one further concept in transportation of special interest to the entire transportation industry, and particularly to those of you involved in passenger transportation.

We all know of the dramatic increase in the containerization of freight. It has probably been the singular most significant development in the industry in many years, and it has revolutionized the whole concept of freight handling.

Today it is possible to send freight from the heart of Germany to the heart of Kansas, moving on three different modes of transportation, without ever handling the cargo.

I think some of the methods and procedures of containerized freight handling can be applied to the area of passenger transportation.

This idea is not as far-fetched as it may seem. For example, why should the traveller from London to New York ever have to touch his baggage. It should be checked at his hotel in London right through to his hotel in New York.

The passenger himself should be able to buy a ticket from hotel to hotel. He could be taken to the airport by bus or limousine service in London, and similar bus or other transportation could be waiting at the plane in New York.

This entire process could be handled on one ticket at one quoted price.

I think this trend towards doorstep to doorstep passenger transportation is the thing of the future, and the not too distant future at that. And again, the exact type of transportation system which evolves is up to each industry. What do you have to offer, and how does it stack up against the competition? These are the important questions.

In the transportation industry there can be no vacuum. Where a need exists it must be met. The decline of one type of transportation service will be met with the rise of another. And in the years to come, when transportation needs will grow so rapidly, the field is open to all competitors.

But it is not as easy as that. At some point public funds must be commited, particularly in the area of urban mass transportation. And those funds can have a tremendous impact by tipping the scales one way or the other. I know your industry and every transportation industry is very concerned about this. No one wants to be put at a competitive disadvantage through the expenditure of public funds.

Ideally the funds should be used to develop a balanced transportation system capable of serving the broadest public interest. On a national level it is up to the Congress to decide what the public policy shall be in this area.

It is for this reason that I welcome the chance to be here today. I welcome the chance to give you my thoughts, and I look forward to hearing yours. This exchange of ideas plays a central role in the evolution of public policy which is so important not just to your industry, but to this nation's transportation system.

Thank you.

PROGRESS OF THE COAST ELECTRIC POWER ASSOCIATION IN MISSISSIPPI AREA

HON. JOHN STENNIS

OF MISSISSIPPI

IN THE SENATE OF THE UNITED STATES

Tuesday, February 25, 1969

Mr. STENNIS. Mr. President, my appreciation of the fundamental values which underlie my State of Mississippi and our Nation is always enriched by my fellowship and close association with those who live on the land. I, too, have loved the land and have always lived close to the soil.

The electric power associations have succeeded because they provide a needed service and continue to give a full dollar's worth of service for a dollar.

As individuals and as a group, these people, by their own toil and effort, have raised the living standards of their area. They have shown what hard-working, dedicated people can do when they are willing to cooperate and do a full day's work for a full day's pay.

It is a refreshing contrast to the growing national attitude among many that the Government owes them a living.

With this in mind, I ask unanimous consent that there be printed in the Extensions of Remarks of the Record an article that was published in the national Rural Electrification magazine showing the progress of the Coast Electric Power Association and the area served by it.

There being no objection, the article was ordered to be printed in the Record, as follows:

Oysters, Pralines, and Progress

(By Tom Hoy)

As dusk settles across Mississippi's Gulf Coast, two fleets head for home from opposite directions. One from the sea, the other from inland highways.

No two fleets could be more unlike, but both represent a new Mississippi growing and prospering without losing rich traditions of the past. Wooden ships of the oyster fleet sail in from the Gulf and up Bayou Caddy to unload sacks of the seafood delicacy at the old docks. Except for motors on the boats and electric lights brightening docks, this scene hasn't changed for the last 100 years. Oystermen from the bayou speak Cajun dialect as they work.

The other fleet, this one of 32 yellow service trucks, comes home from inland points all across Hancock County to headquarters at Coast Electric Power Association in Bay St. Louis. Trucks are modern, their equipment the best available. Line crews aboard this four-wheel fleet speak the language of the electronic age.

Despite their differences, both fleets are important parts of the Mississippi of today, building for tomorrow. Although a relative newcomer when compared to the oyster fleet, Coast Electric's flotilla of trucks is a big reason why the area's future looks so bright.

In an area where growth projections are never high enough to keep ahead of real growth, Coast Electric works for today and plans for tomorrow. Hardin Shattuck, Coast's dynamic manager, says the only way to keep ahead "is to look ahead, and we're looking way into the future." Shattuck remembers when Coast Electric had 3,485 consumers and REA figures predicted an ultimate of 7,500 members.

"That was in 1948," he recalls. "But today we have 14,000 members and we're adding another thousand every year. We predict a membership of 22,500 members by 1975. Who knows, maybe these projections will be under, too?"

Directed by Hardin Shattuck's visionary leadership, Coast Electric follows a long-range plan to care for any and all future growth. Included in this blueprint for the future is a step-by-step building plan which won't be complete for 20 years. Already operational is a new crew building second to none in architecture and facilities. The modern building houses maintenance shops to keep Coast's fleet of service trucks rolling. The best in equipment and training combine to give Coast Electric crewmen a real *esprit de corps*.

Along with newness and progress, the area has managed to retain the charm and traditions of past years. Bayous still jump with fish. White, sandy beaches along the Gulf Coast lure tourists, and seafood right off the fleet at Bayou Caddy can't be topped.

Another Misssissippi coastal delicacy has made Bay St. Louis famous as the "Praline Capital of the World." Pralines, a delightful southern candy of sugar, maple and pecans, are shipped to every corner of the globe from candy kitchens in the area. At Joyce's Candy Shoppe on Route 90, Joyce Buquoi and husband Fabian make a fresh batch of pralines daily from a secret recipe handed down from Joyce's parents.

All around Joyce's candy kitchen, progress takes the form of new housing developments springing up across Hancock county. Bright yellow trucks from Coast Electric's fleet are commonplace at construction sites as their crews race to keep pace with the residential building boom. Much of this boom in housing comes from an influx of scientists, engineers and technicians who work at Mississippi Test Facility, NASA's huge testing center for Apollo rocket boosters.

Mississippi Test Facility includes almost one-third of Coast Electric's service area and displaced 1,000 members when it was developed. Even though the Test Facility located in Coast Electric's area, the cooperative was unable to serve it because of a punitive clause in its power supply contract. But today Coast Electric is growing rapidly by filing power needs on the periphery of Apollo's Test Facility. Home building is moving at a gallop. At Loren Heights Development, the first group of 116 all-electric homes are under roof and people are unloading furniture from moving vans even while Coast Electric crews connect meters. This development will grow to over 500 homes served totally underground by Coast Electric.

Touring the area with Coast Electric Public Relations Director Charles Carter, the magnitude of challenges facing Coast Electric became obvious.

But talking with Manager Hardin Shattuck and listening to his enthusiastic vision of Coast Electric's role in Mississippi's future, you begin to realize these challenges will be met.

When architects were developing blueprints for Coast Electric's new building, Shattuck insisted these plans include room for expansion. "We don't think we'll need to expand our new building for 20 years. But I want it available just in case. We'll be ready for anything."

Ready for anything.

Somehow that seems the best motto for Coast Electric.

FREEDOM'S CHALLENGE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conducts a Voice of Democracy contest, and the winning contestants from each State are brought to Washington, D.C., for the final judging, to be held on the week of March 4, 1968.

My congressional district has the unusual honor of having not one, but two winners this year. The winning contestant from Virginia was Mr. Michael Rosenbaum, 3309 Potterton Drive, Falls Church, Va., and the winning contestant from the District of Columbia was Mr. James L. Ferrara, 6937 Espey Lane, McLean, Va., a student at Gonzaga High School in the District of Columbia.

It is my pleasure to include the text of both speeches at this point in the RECORD:

FREEDOM'S CHALLENGE

(By Michael Rosenbaum)

"It is a great and dangerous error to suppose that all people are equally entitled to liberty. It is a reward to be earned, not a blessing to be gratuitously lavished on all alike . . . not a boon to be bestowed on a people too ignorant, degraded and vicious, to be capable either of appreciating or of enjoying it."

These are the words of John C. Calhoun, in *A Disquisition on Government;* words that express freedom's challenge.

Webster's Dictionary defines freedom as the exemption or liberation from the control of some other person or some arbitrary power; in essence, liberty. The people of the United States are guaranteed their freedom, or liberty, in the first ten amendments to the United States Constitution, known as the Bill of Rights. The courts, especially the Supreme Court, stand as the guardian of these rights; however, this fact does not mean that the citizen can sit back in assured safety. To protect these liberties, each generation must learn and understand them anew, and each must be willing to fight to preserve them. Daniel Webster once said, before the United States Senate, that: "God grants liberty only to those who love it, and are always ready to guard and defend it." Furthermore, Woodrow Wilson maintained that: "No more vital truth was ever uttered than that freedom and free institutions cannot long be maintained by any people who do not understand the nature of their own government."

Our forefathers gave us a democratic system of government, which depends upon the people for its very life; the same is true about freedom. Neither one can be any better than the people are willing to make it. Both are a challenge; a challenge to all of us, not just to "the other fellow," and not just to all of us some of the time. To maintain, enjoy, and develop our democratic system and our freedom, we must meet this challenge.

Our democratic society and our freedom are dependent upon law for their very survival. We have a choice in the making of laws; however, we do not have a choice in obeying them once they are made. Obedience for law must come from respect for the law, a respect founded upon a recognition of the importance and the necessity for law to protect our liberty. Those who disobey our laws are, in fact, hindering our freedom.

Our freedom comes through our democratic government, a government by and with the consent of the people. It can function at its best only when the opinions the public holds are informed opinions. Although keeping informed in public affairs is not an easy task, it is a vitally necessary one. Democracy flourishes on the interest and enlightenment of its citizens. Newspapers, magazines, books, radio, television, libraries, and nonpartisan groups exist to provide objective information on public affairs. It is the duty of every citizen to use these sources as an effort to protect his freedom through government.

In order to understand and further protect our freedom, it is the citizen's responsibility to take an active part in public life. How can a citizen participate and bring his knowledge up to date? He can join and work with groups promoting better government; he can participate in public meetings; he can write to his elected representatives; and he can make his views known by writing to a local newspaper.

There are always those who complain that they "haven't got the time" to do things a good citizen should do. Our democratic system and our freedom were not easy to come by, and we, as Americans, must be willing to follow in our predecessor's footsteps to maintain and protect this freedom for ourselves and for future generations.

FREEDOM'S CHALLENGE

(By James L. Ferrara)

Each morning I get on a bus which passes one of the best high schools of the country. I choose not to go there however. I attend a school of my own choice, with no one to object or restrain me. Yet all of us are challenged to do our utmost in any school, not only for the outward recognition we might receive, but because only through knowledge and understanding are we really free. This is our freedom, and its challenge.

On this same bus I pass many different Churches, of various religious denominations. I know that I could not only attend one of these freely, but that whichever way I decide, none of the other rights guaranteed to me would be denied or infringed upon. Yet as I watch throngs of my fellow Americans gather at these places of worship, I am presented with the reality of God, and I must ask myself, "Is God still alive? If so, who is He for me?" This is our freedom and its challenge.

As I continue through my education, I am choosing for myself what career to pursue. I am not compelled to become something simply because I excel in a particular area; my vocation is not predetermined simply because my father was a doctor or a lawyer or a plumber, and he must hand his profession down to me. And I am in no way restricted by the government in this regard. No matter how many people the government might need to build a bridge or develop rockets, it cannot infringe upon my rights as an individual in order to accomplish its own ends. But as I view the professional world from my own vantage point, I am encouraged to consider a vocation serving the needs of my fellow man. It need not be my entire life's work, but when I see thousands devoting themselves to other people through the Peace Corp, Civil Rights work or the Red Cross, I wonder if I should not contribute at least a token of my efforts in this direction. This is our freedom, and its challenge.

The mere fact that I can stand here and openly criticize the government under which I live manifests one of the greatest freedoms ever granted to a people under any form of government: the Freedom of Speech. And this freedom enables me to express publicly my opinions about the government, and to say that sometimes it makes mistakes—serious ones. In fact, our democracy itself could collapse. It could be the largest and most expensive waste man has devised if its people take no interest in its activities, such as voicing their opinions about current issues. Totalitarian governments can be far more efficient than a democracy in arms race or a space race. For a totalitarian government does not have to contend with the varying views of a decision making public. And this right to differ is the very essence of our democracy. For once a free decision has been reached by an unrestricted public, that decision is more stable and secure than any a totalitarian government could conceive, because it is expression of the peoples' desires. But we, the people of this free republic must openly discuss our views and encourage each other in the proper use of our freedom if we are ever to match the efficiency of a totalitarian state. This is our freedom and its challenge.

I have spoken about our democracy and its freedoms. I have already begun to see that these freedoms present challenges which must be met. But so far in my life, these freedoms have largely been a gift. I must realize that someday I may have to defend these freedoms on a battlefield, but that is of relatively minor importance. What is of real import is that I must take my place in society, and protect for others those freedoms which I have already enjoyed. But I cannot do this alone; no one can. And since there are 200 million people in the United States, there are 200 million other stories of democracy which can and must be told. Because only through understanding each others views on democracy will be be able to cooperate together in protecting our freedoms. Thus only will our cherished freedoms be secure, but the light of our example will reach the rest of the world, guiding others in that unending quest for life, liberty, and the pursuit of happiness.

TRAGEDY PERSISTS IN IRAQ

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, February 25, 1969

Mr. JAVITS. Mr. President, last week, the savagery of the turmoil in Iraq was demonstrated to the world as once again alleged spies were executed in a show demonstration and their bodies exposed to public display in Baghdad. Terror in Iraq continues at two levels, the public terror typified by show executions such as that repeated last week this time without Jewish victims and the private terror imposed upon Iraqi citizens, especially upon members of its Jewish community.

I ask unanimous consent that two items be printed in the RECORD. The first is an editorial from the February 21 New York Times, entitled "Climate of Hysteria," dealing with the public terror. The second is excerpts from a poignant address delivered on February 3 by Rouben Horesh, an escaped member of the Iraqi Jewish community, at the memorial services held in New York City for those publicly executed several weeks ago as alleged spies. Mr. Horesh's remarks reveal the terror under which Iraqi Jews live and underline the necessity for their emigration without delay from the land where they and their families have lived for so many centuries.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the New York Times, February 21, 1969]

CLIMATE OF HYSTERIA

Iraq has once again put on public display the bodies of persons executed as spies for Israel.

This time none of Iraq's harassed Jewish community was among the victims, so the international impact is less pronounced. But Baghdad's fresh display of barbarism does further discredit the Iraqi regime in the eyes of a world that has rejected such primitive travesties of justice.

Base appeals to public emotions reflect internal weakness, not strength. They aggravate the climate of hysteria that is the enemy of peace both within and among the states of the Middle East.

EXCERPTS FROM AN ADDRESS OF ROUBEN HORESH

My Friends, this is the first time in my life that I am addressing an assembly like this. Jews in Iraq are not supposed to make speeches; they are not supposed to talk, They are supposed to stay silent and not utter a word of complaint even when they are persecuted.

If I am addressing you this evening it is because I want to talk to you about Iraq and the hanging of the innocents there. Last Monday my brother Charles Horesh, with eight other innocent Jews were publicly hanged in one of the squares of Baghdad while a mob of 500,000 rejoiced and danced; singing and clapping their hands and tapping their feet. . . . And the bodies were kept dangling the whole day from the scaffold while the Baghdad radio and TV were calling on the mob of 500,000, to come and rejoice and join in the bestial festivities.

A sign was pinned to the victim's prison garb with the word "JEW". That was their crime. . . .

The tragedy of the thing is that my brother Charles Horesh considered himself to be an Iraqi first and a Jew second. He always liked his country. He was a family man allotting all his time to his family and his work. Never at any time in his life did he have anything to do with politics in any way, the same as with the other eight victims of last Monday. He always trusted his Arab friends and for that he paid with his life.

The plight of the Jews in Iraq was always bad. Iraq is the only country in the world since the Second World War, when Nazi Germany was destroyed that passed official laws discriminating against Jews. Even before the June 67 War, the Jews were compelled to carry the Yellow Identity Card. They were not allowed to sell their properties; most of the Jewish Synagogues, schools, and Community Hospitals were taken over by the Iraqi Government. The Jewish Cemetery, (500) years old was leveled to the ground by bulldozers.

In 1963, a new law was passed forbidding Jews to leave the Country. For me this was the writing on the wall. It became crystal clear to me that while this noose was being tightened around our necks, we were being kept as hostages for future evil purposes.

In December 1966 I made it across the border to Iran and from there to the U.S. In vain I tried to convince my brother Charles that life for our community in Iraq was over and that we should make it out while it was possible to do so, even if we had to take the risk and do it across the border. He argued that Mother at 78 would not be able to make it. He would wait for better times . . . better times. . . .

With the June 1967 War the situation took a sharp turn for the worse.

Immediately:

1. All telephones at Jewish homes and offices were disrupted.

2. All Jewish savings in all banks were blocked.

3. All Jewish properties were blocked. No Jew was allowed to sell any of his property.

4. All Jews were not permitted to trade anymore; their licenses had been revoked.

5. All Jews were put out of employment. Firms who employed Jews received a visit or a telephone call from the authorities saying that they must dismiss any Jews in their employ.

6. Jews were put under semi-house arrest. They were not allowed to go more than three or four miles from their homes.

7. The Jewish community was vilified and abused twenty-four hours a day on the Government controlled radio, TV and newspapers.

Worse than all that, their only way out, across the border to Iran was blocked. The Iraqi authorities made sure that none of its hostages would escape. They were badly needed for bestial holocausts, to amuse their mob of 500,000. Exactly the same as the Romans used to do 2000 years ago in their circuses.

Out of employment, their savings blocked, their properties confiscated, well over 70% of the Jews remaining in Iraq, some 3000 of them are in very difficult circumstances and are living on the charity of their co-religionists.

Since the war of June 67 the Jews in Iraq have lived in constant fear of arrest. A knock on the door and the breadwinner of the family is gone. While under arrest they were tortured beyond description. Only eight months ago the son of a rabbi, by the name of Nessim Yaeir, a twenty eight year old man, was tortured to death while under arrest. Over one hundred and fifty Jews are now under arrest. Some of them have been detained since the war of June 67; others were rounded up on later waves of arrests.

The Jews of Iraq with their livelihood cut, under house arrest, under the constant threat of arrest and torture . . . and they tell us the Jews were spying for Israel.

Zilkha, the man supposed to be the head of the so-called Plot, who was waging Germ-warfare in Basrah, who was dynamiting bridges, who was planning the overthrow of the government in Baghdad, and who was appointing a new Regime in Baghdad in order to make peace with Israel, this Zilkha, is an illiterate man who cannot read or write, nor can he drive a car. This is the Zilkha who is supposed to wage Germ-warfare in Basrah, by himself, without laboratories and without help.

DAVID JAMES ENGEL WINS NORTH DAKOTA VFW SPEECH CONTEST

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. KLEPPE. Mr. Speaker, the Veterans of Foreign Wars of the United States and its ladies auxiliary annually conduct a Voice of Democracy contest. This year, more than 400,000 school students participated in the contest, competing for the five scholarships which are offered as top prizes. First prize is a $5,000 scholarship, second is $3,500, third is $2,500, fourth is $1,500 and fifth is $1,000.

The winning contestant from each State is brought to Washington for the final judging, as a guest of the Veterans of Foreign Wars.

I am proud to announce that the North Dakota winner this year is Mr. David James Engel, 1324 North Second Street, Bismarck. Having received permission, I insert his speech on the contest theme, "Freedom's Challenge," in the RECORD, as follows:

FREEDOM'S CHALLENGE

(By David Engel)

Voices were raised in dissent. An articulate minority was exercising that right promised them in the first amendment of the United States constitution. They were denouncing the Establishment—the military-industrial complex—that nebulous, illusive they and all that these somewhat synonymous terms meant.

People across the nation gasped. Not since the infamous McCarthy era had dissension been thrust into the public arena to such a great extent. Many felt that if it were not stopped, the foundations upon which this country were built would crumble and be destroyed.

But, after listening to these dissenters whom many called Communists and traitors, there were those who began to think and to reflect upon what was actually happening.

On the college and university campuses resistance groups were being formed to actively, intelligently and in an organized manner resist the draft and hence America's involvement in Vietnam. Young Americans everywhere were calling for a participatory democracy—a change from the old, worn machine politics. They were spearheading an anti-war crusade against a war which they felt was being based on and perpetuated by senselessness, corruption, deception and most important of all, "outdated" values.

Elsewhere throughout American society, organizations were being formed to take a stand on pressing, urgent issues confronting the United States. Laymen, businessmen, lawyers and religious leaders all formed various groups to provide for intelligent research and thought and for rational action. Various national church organizations made studies of the Vietnam situation and the draft and took stands on them.

Within the national government there were men who, feeling it was their duty to do so, were making their opinions and ideas known—opinions which were contrary to those of the administration. The senators Fulbright, Gruening, Morse, McGovern, McCarthy and others were standing up and asking for a reappraisal of the direction the United States was heading with its present foreign affairs policy, its domestic policy and more specifically, touching upon both of these, its involvement in Vietnam.

Martin Luther King was asking for justice—for the Negro's right to his own life—for a concentrated attack upon poverty and the social injustices which were the direct result of this poverty.

America was seething with people and groups of people wanting to be heard, recognized, and understood.

And so—those who had stopped to think and reflect upon what was actually happening soon realized that this is the way it has been, this is the way it is, and this is the way it should be. People taking a stand on real problems—putting their own personal welfare out on a limb and trusting that the ideals upon which the United States of America was founded would prevail—showing a display or moral courage and political fortitude as rarely witnessed before in American history—a display of true patriotism.

As the modern Russian poet Yevgeny Yevtushenko has written:

> "Oh, only they were blessed
> who, like traitors to treason itself,
> not turning back at all,
> went on to the scaffold's planks,
> having understood that the essence
> of a patriot is to rise in the
> name of freedom!"

ESTONIAN INDEPENDENCE

HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. SMITH of New York. Mr. Speaker, this week marks the 51st anniversary of Estonia's independence. In 1918, the people of Estonia, after 200 years of Russian domination, proclaimed their independence and founded the Estonian Republic.

But since 1940 Estonia and the other Baltic States, Latvia and Lithuania, have again been under the authoritarian rule of the Soviet Union. Within a few days in June 1940 the Red army moved into Estonia, established military bases and deported thousands of Estonians to Siberia. The Soviet Union has tried to suppress religion and any feeling of national loyalty in this little Baltic nation.

The people of Estonia have made Estonia one of the most industrialized of the Soviet republics, making a large percentage of the U.S.S.R.'s large electrical transformers and mining more than half of its oil shale.

Yet the Estonians still live under the shackles of Soviet domination. The people in the United States living with and enjoying freedom, should pause today to remember that many people of the world do not have the opportunity to enjoy any freedom of choice. I pray that the long-suffering people of Estonia may again soon be among the rolls of independent nations.

VIOLENCE ON OUR CAMPUSES

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. MONTGOMERY. Mr. Speaker, the plain facts are that today no American—whether Congressman, shopkeeper, housewife, or White House assistant—is immune from a personal encounter with crime. All of us are potential crime victims, and each day, fewer and fewer of our names remain on the potential list. We become victims, and our personal misfortunes are recorded on some chart which shows a national crime rate climbing like an Apollo blastoff.

My turn as a victim came last evening. I returned to my apartment at the close of my working day to find my front door forced open; inside my color television was gone.

Mr. Speaker, becoming a crime victim does not give me any fresh insight toward a solution to end crime; in fact, it does not really make me any more aware of the deplorable, truly unbelievable prevalence of crime.

Becoming a victim does prompt me, however, to urge more forceful, aggressive action by the administration in the effort to stem the rising national crime rate.

Last year Congress approved the most extensive Federal anticrime measure in the Nation's history. More than $100 million in Federal funds was authorized for use by State and local governments in efforts to improve techniques for combating crime, for training and recruiting law-enforcement officers, for increasing the salaries of officers, and developing better crime control equipment and methods.

The Omnibus Crime Control and Safe Streets Act also included a law authorizing grants to States for projects to prevent juvenile delinquency and to rehabilitate young offenders. Still other provisions set criminal penalties for the illegal use of "speed," LSD, and other such drugs. Congress passed a total of five measures intended to bar from Federal educational assistance students engaging in activities which disrupt their campuses.

I simply ask here today, how vigorously is the administration working to see that the anticrime measures are forcefully and effectively carried out?

The violence on our campuses, the frequency that juvenile offenders commit crime while on probation for other crimes, the unreasonable attacks on the integrity and character of our policemen, may be a long way from the burglary of my apartment, but they are all criminal actions and, in my opinion, positive efforts to combat any one of these areas of lawbreaking will have an ultimate positive effect on the curbing of all crime.

Congress can do only so much. We can only enact legislation. It is the province of the administration to insure that this legislation is boldly and effectively enforced.

"REACT" WINS GOOD REACTION

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. MINSHALL. Mr. Speaker, it is good news to learn of a team of citizens dedicated to helping, not hurting or hindering, their fellow men. Such a group in the Greater Cleveland area is REACT, the Radio Emergency Associated Citizens Team, composed of civilian band radio operators who devote their weekends to volunteer assistance to firemen and police.

They are doing a terrific job. The team deserves particular applause at a time when our law-enforcement agencies are hard pressed and heavily burdened. I hope REACT will inspire similar groups of CB operators across the country to join in this kind of active good citizenship.

The full story of REACT's activities is given in an article by Denise Rochford, talented writer for the Lakewood Ledger, an outstanding suburban newspaper in the 23d Congressional District, which I represent. The article follows:

MODERN BAND OF MERRY MEN ROAM THE WEST SIDE READY TO REACT

(By Denise Rochford)

Have you ever wondered if the chance for real adventure—Robin Hood type—exists on Cleveland's West Side today? Have you ever dreamed of being a part of a band of "merry men" to assist people in distress and be recognized far and wide by your distinctive outfit?

It's not as corney as it sounds—in fact, such a "band" exists, although in its modern version it's called "Citizens Band" (CB). Using this radio system is a group called REACT (Radio Emergency Associated Citizens Team). They've chosen bright orange vests over the traditional green and in place of fast steeds are automobiles equipped with police-type flashers.

The group, which is part of a national program sponsored by Hallicrafters of Chicago, began here in September. All members are Citizens Band (CB) radio operators who decided to get together and devote their weekends to being Good Samaritans.

Presently there are 76 members with 24 more pending. All are on the West Side, although there are plans to expand the unit to include an east side team also.

Monte Thomas, of 7217 Colgate Avenue, the founder and president of the group, has been interested in helping police and firemen since he was six years old in Uniontown, Pa. He used to run for coffee for the firemen, and volunteer to help in any way he could at fires and accidents.

He reports that since its organization in September his group has accomplished the following:

Started 30 disabled cars
Reported and assisted at 53 accidents
Changed 90 flat tires
Carried water to five stalled automobiles
Carried gas to 21 motorists
Reported nine hit-skip accidents
Found 13 abandoned cars
Reported four stolen cars, and located two
Helped five broken down truckers, unloaded one trailer that jacknifed.
Helped people who were lost; found one lost person
Taken stranded motorists home; and occasionally lent money for gas
Reported three ADT alarms
Helped at eight fires.

The organization, which is presently only active on weekends, has kept very busy the past five months. They have received letters from people they have helped, postmarked Canada, New York, Streetsboro, and Strongsville.

Thomas said that the group's activities in police and fire situations depend on the approval of the ranking officer on the scene. He recalls one incident in which their unit lent a helping hand at a fire at West Blvd. and Clifton on New Year's day. REACT members helped to direct traffic, block off streets, and pick up the frozen hoses with permission of the police and firemen.

"We are always ready to help, and at the disposal of the police when they need us," he explained.

REACT, a non-profit corporation, sends monthly reports to the federal government outlining the work they have accomplished. Members buy the amber lights for their cars, and their orange safety vests for identification. Prospective members are screened through the safety director's office, Thomas said.

"We want to help the community in any way possible", Thomas said, in explaining his group's aims. He said that long range plans call for a possible towing service, and trailer or bus for relief of police and fire during emergencies, they have hopes to eventually cover a 50-mile radius with their membership.

Presently they have a 24-hour emergency list, and a monitoring chief who can call out all cars in a matter of a few minutes. A number of truck drivers are active in the organization, who are familiar with the methods of handling car breakdowns and traffic jams.

The group is sponsoring a bake sale at Zayre's Discount Store, Ridge and Denison, all day Sunday February 23rd, to defray the cost of vests and lights.

Officers and members of the board include: Monte Thomas, president, 7217 Colgate; Sid Quigley, vice president, 3433 Wade Avenue; Donna Lihwa, rec. sec'y, 4013 Norwalk; Pat Thomas, corr. sec'y, 7217 Colgate; Robert Conger, treasurer, 2154 W. 38 Street; Jack Boston of Grafton, Ohio is the Far West Side organizer; Andy Branicky, Parma organizer; Dick Meyer, West Side organizer; Nathaniel Mattex, East Side organizer; James Burhas, 3405 Highview, Sgt. at arms; Frances Kelly, 3408 W. 49 Street, John Eubanks, 3440 W. 88 Street and Russ Snyder, 2182 W. 38 Street, trustees.

THE SPECIAL MILK PROGRAM

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. REID of New York. Mr. Speaker, I am today introducing a bill to extend the special milk program under the Child Nutrition Act. This measure was first introduced by the gentleman from Minnesota (Mr. QUIE) on February 6.

It would authorize appropriations of $125 million for fiscal 1970; $130 million for fiscal 1971; and $135 million for each succeeding fiscal year to enable the Secretary of Agriculture to encourage consumption of milk by children. The Secretary of Agriculture would administer the program, as he has in the past, and the milk would be made available to children in nonprofit schools of high school grade and under, and in nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children.

It is my understanding that the fiscal 1970 budget submitted by former President Johnson proposed phasing out this program. On the premise that the program would be phased out, President Johnson requested appropriations of only $10 million for fiscal year 1970 to take care of the needy children in schools without lunch programs until such schools can set up lunch programs. President Nixon is presently reviewing the budget request for the Department of Agriculture.

The special milk program authorized by the Child Nutrition Act of 1966 provides milk not only for students in elementary schools, but also for students in other nonprofit institutions. In my judgment, it should be continued, for children from low-income families may get most of their milk in nursery school or at camp.

The special milk program thus fills a gap left by the school lunch and other food programs.

Mr. QUIE's and my bills would increase the authorization for fiscal 1970, which is presently $120 million, by $5 million and authorize the expenditure of $135 million for each fiscal year succeeding 1971. I hope that President Nixon will recognize the value of the special milk program and request full appropriations for it.

LITHUANIAN INDEPENDENCE DAY

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. TAFT. Mr. Speaker, February 16, 1969, marked the 51st anniversary of the Declaration of Independence of the Lithuanian people. While it is a day for celebration, it is also a day of sadness because of the fact that Lithuania, along with her sister countries of Estonia and Latvia, are still under Soviet rule. However, Lithuanians throughout the world continue bravely to hope and aspire for freedom.

I welcome this opportunity of joining my colleagues in marking this anniversary of Lithuanian independence, and to again let the people of Lithuania know that I share their aspirations that some day soon they can be counted among those who know freedom.

THE 51ST ANNIVERSARY OF INDEPENDENCE OF ESTONIA

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. MORSE. Mr. Speaker, freedom and independence are principles cherished by every peoples and nation. Our strong support for these rights is vital, not only to reaffirm our dedication to liberty, but to allow the continued hope by peoples who no longer enjoy that freedom and to keep alive the spirit they have courageously displayed.

Among these people are Americans of Estonian descent, and today they are celebrating the 51st anniversary of the independence of the Republic of Estonia. From 1918 to 1940 Estonia flourished. Since World War II they have suffered under the tragic and bitter yoke of Soviet domination. Yet the ideals and goals with which the Republic was founded still remain very much alive in the minds and hearts of the Estonian people. It is both an honor and a solemn responsibility to reaffirm our support to these principles on this particular day, and to present here the moving expression of their spirit and their determination:

THE ESTONIAN NATIONAL
COMMITTEE IN THE UNITED STATES,
New York, N.Y., February 18, 1969.

HON. F. BRADFORD MORSE,
House of Representatives,
Washington, D.C.

SIR: Americans of Estonian descent in the United States will celebrate the 51st anniversary of independence of the Republic of Estonia proclaimed on February 24, 1918.

After the outbreak of the Second World War Estonia and the other Baltic States, Latvia and Lithuania, became victims of the conspiracy of the totalitarian imperialistic powers, Soviet Russia and Nazi Germany, and were forcibly incorporated into the USSR. The Soviet Union's assault against its Baltic neighbors was the first step westward in a ruthless march against Europe. The beginning of today's international tensions and threats to the peace may thus be found in the Soviet aggression against the Baltic States of 1940.

At this anniversary all Americans of Estonian descent feel dutybound to call the attention of all peaceloving free nations to the continued forcible ruling and colonial exploitation of Estonia by the imperialistic Communist conspiracy called the Soviet Union.

We are convinced that the rejoining of Estonia and the other Baltic States into the free community of nations will also serve the vital interests of the United States. Therefore, we consider it to be important that this great nation as well as the population of the presently captive Estonia be kept aware of the continued willingness and determination of the United States Congress and Government to lend their moral and political support to the rightful aspirations of Estonia.

All greetings, statements, and messages to this effect on occasion of this great Estonian memorable day will be read at the solemn commemorative meetings of Estonian-Americans held in this country, and published in the Estonian-language press.

Very truly yours,

HEIKKI A. LEESMENT,
President.

AN END TO APPEASEMENT ON CAMPUS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. WYMAN. Mr. Speaker, the time is overdue for firmness by college administrators in dealing with those who willfully act to promote violence on our Nation's campuses.

These young deliberate lawbreakers who openly promote anarchy ought to know that those in responsible places within the college and university have had it with such tactics.

It is not "free speech" for a handful of anarchists to shut down a university or college. It is not "free speech" for a criminal to deny to the law-abiding majority that to which they are rightfully entitled—the pursuit of higher education without fear of class sit-ins, burnins, or what have you.

James Kilpatrick, columnist for the Washington Evening Star says that "too many months already have been wasted in trying to reason with unreason." That is one of the best statements I've read regarding the present policy of "no action" by those who could move to effectively control this increasingly sorry situation but have not and do not. The approach here must be to restore order on campuses—without it there simply can be no academic freedom.

I recommend the reading of this article to the membership of the House and to readers of the CONGRESSIONAL RECORD. This problem cannot continue unchecked. For too long it has been permitted to be seriously out of hand. The article follows:

CRACKDOWN TIME FOR YOUNG FASCISTS

(By James J. Kilpatrick)

This much, at least, can be said of the disorders that plague our college campuses: The time for temporizing with young Fascists has passed. The time for mounting a counteroffensive is at hand.

Too many months already have been wasted in trying to reason with unreason. Nothing more can be gained by excesses of "understanding" and of "tolerance." The line is clear—everyone comprehends it—between peaceable protest and lawless anarchy. Not one more word needs to be said on that point.

Consider the incredible situation that has developed from attempts at appeasement: Mere handfuls of militant students, backed by some unhinged professors, have been permitted absolutely to disrupt the education of thousands of law-abiding students whose rights have been wholly ignored. These militants have seized buildings, destroyed public and private property and committed repeated acts of criminal violence.

The militants do not lack for leadership. At most campuses, the revolutionaries are led by SDS—Students for a Democratic Society. What a travesty upon semantics is here! A "democratic" society is the last ambition of these totalitarian gangs. They cannot be distinguished from the booted student Nazis of Adolf Hitler's day.

The problem lies rather in the absence of leadership among the law-abiding students, professors, administrators, alumni, and public officials. What in the world is wrong with them? Are they gutless? Afraid? Apathetic? It is absurd to suppose that the 99 percent of the students who want a peaceful education are incapable of dealing with the one percent whose purpose is deliberate disruption.

But it ought not to be the responsibility of the nonviolent students to protect their rights with fists and clubs. Such protection is the duty—the primary duty—of the presidents, trustees, and the established agencies of law enforcement.

When do they stop playing pat-a-cake? It ought not to be a matter of great difficulty to obtain TV tapes and motion picture film of the terrorist groups. Such evidence, one assumes, would establish actions and identities beyond a reasonable doubt.

If the violent demonstrators turn out to be students, the course ought to be clear: Expel them. If they are nonstudents, the course is equally clear: Arrest them; take them to court; prosecute to the limit of the law. This same clear-headed policy should be applied to those professors who aid and abet the violence: Fire them. Fire them out of hand, and turn a deaf ear to blubberings of "tenure" and "academic freedom."

Timid voices may be heard to say that such an approach would "destroy a university." Nonsense! It is only in this fashion that a true academic community may be preserved. Let the motto be carved in stone: The essence of freedom is order. Discipline is the foundation of learning. Without order, without discipline, the educative process falls to the level of children's games.

A number of university administrators understand these elementary truths. At Notre Dame, the Rev. Theodore M. Hesburgh has issued a notice that rings of his determination to act decisively against violent disturbance. Any student or professor who seizes a building at Notre Dame will be given 15 minutes "of meditation to cease and desist." Those who pursue their criminal course will then be suspended, expelled, or arrested. Thereafter, "the law will deal with them."

This is the only approach to be taken now. There is, of course, a companion effort that has to be exerted also—to anticipate trouble, to remedy valid grievances, to maintain clear channels for the effective handling of requests and complaints. It is merely common sense to pursue policies of fire prevention. But the greater need at the moment is simply for the restoration of order; and this cannot be accomplished by "negotiating" with young extortionists.

HOUSE OF REPRESENTATIVES—*Wednesday, February 26, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

He who is of God hears the words of God.—John 8: 47.

O God, whose strength supports us in our labor and whose spirit sustains us in our work, give us a new and a fresh realization of Thy presence as we wait upon Thee in prayer. Grant unto us patience when we demand too much too soon and decisions do not go our way; courage in the face of apparent defeat that we may still believe in the ultimate victory of the good for the good of all; and love when we falter in fear and fail in faithfulness that we may have the steady assurance that Thou art with us loving us unto the very end and strengthening us for every noble endeavor.

Deliver our Nation from the spirit of discord and disunity and lead us in the paths of peace and prosperity, for Thy name's sake. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 17. An act to amend the Communications Satellite Act of 1962 with respect to the election of the board of the Communications Satellite Corp.

The message also announced that the Vice President, pursuant to Public Law 86–417, appointed Mr. Hruska as a member of the James Madison Memorial Commission in lieu of Mr. Carlson, retired.

The message also announced that the Vice President, pursuant to Public Law 89–81, appointed Mr. Murphy to the Joint Commission on the Coinage in lieu of Mr. Kuchel, retired.

APPOINTMENT AS MEMBERS OF U.S. DELEGATION OF CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86–42, the Chair appoints as members of the U.S. delegation of the Canada-United States Interparliamentary Group the following Members on the part of the House: Mr. Gallagher, Chairman; Mr. Murphy of Illinois, Mr. Johnson of California, Mr. St Germain, Mr. Kee, Mr. Slack, Mr. Randall, Mr. Andrews of North Dakota, Mr. Stafford, Mr. Thomson of Wisconsin, Mr. Broomfield, and Mr. Langen.

CIVIL DISOBEDIENCE: DESTROYER OF DEMOCRACY

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. ASPINALL. Mr. Speaker, each passing day seems to bring us new reminders that there are serious problems facing our Nation, the solutions to which cannot be put off much longer. We have not lacked for theories on cause and effect and each proponent of a solution seems to have his dissenter. Too often that dissent, instead of adding to constructive dialog, has magnified the problem by generating civil disobedience. Why should the right of dissent—a heritage of our democratic system—become a part of the problem? There is strong evidence that some basic values of our democratic way of life have been obscured, if not subverted. One of the most thought-provoking discussions of dissent and civil disobedience that I have read in some time is the subject of an article written by Lewis H. Van Dusen, Jr., 1968 chancellor of the Philadelphia Bar Association and published in the February issue of the American Bar Association Journal.

I earnestly recommend this article to my colleagues, as follows:

Civil Disobedience: Destroyer of Democracy

(By Lewis H. Van Dusen, Jr.)

As Charles E. Wyzanski, Chief Judge of the United States District Court in Boston, wrote in the February, 1968, *Atlantic:* "Disobedience is a long step from dissent. Civil disobedience involves a deliberate and punishable breach of legal duty." Protesters might prefer a different definition. They would rather say that civil disobedience is the peaceable resistance of conscience.

The philosophy of civil disobedience was not developed in our American democracy, but in the very first democracy of Athens. It was expressed by the poet Sophocles and the philosopher Socrates. In Sophocle's tragedy, Antigone chose to obey her conscience and violate the state edict against providing burial for her brother, who had been decreed a traitor. When the dictator Creon found out that Antigone had buried her fallen brother, he confronted her and reminded her that there was a mandatory death penalty for this deliberate disobedience of the state law. Antigone nobly replied. "Nor did I think your orders were so strong that you, a mortal man, could overrun the gods' unwritten and unfailing laws."

Conscience motivated Antigone. She was not testing the validity of the law in the hope that eventually she would be sustained. Appealing to the judgment of the community, she explained her action to the chorus. She was not secret and surreptitious—the interment of her brother was open and public. She was not violent; she did not trespass on another citizen's rights. And finally, she accepted without resistance the death sentence—the penalty for violation. By voluntarily accepting the law's sanctions, she was not a revolutionary denying the authority of the state. Antigone's behavior exemplifies the classic case of civil disobedience.

Socrates believed that reason could dictate a conscientious disobedience of state law, but he also believed that he had to accept the legal sanctions of the state. In Plato's *Crito*, Socrates from his hanging basket accepted the death penalty for his teaching of religion to youths contrary to state laws.

The sage of Walden, Henry David Thoreau, took this philosophy of nonviolence and developed it into a strategy for solving society's injustices. First enunciating it in protest against the Mexican War, he then turned it to use against slavery. For refusing to pay taxes that would help pay the enforcers of the fugitive slave law, he went to prison. In Thoreau's words, "If the alternative is to keep all just men in prison or to give up slavery, the state will not hesitate which to choose."

Sixty years later, Gandhi took Thoreau's civil disobedience as his strategy to wrest Indian independence from England. The famous salt march against a British imperial tax is his best-known example of protest.

But the conscientious law breaking of Socrates, Gandhi and Thoreau is to be distinguished from the conscientious law testing of Martin Luther King, Jr., who was not a civil disobedient. The civil disobedient withhold taxes or violates state laws knowing he is legally wrong, but believing he is morally right. While he wrapped himself in the mantle of Gandhi and Thoreau, Dr. King led his followers in violation of state laws he believed were contrary to the Federal Constitution. But since Supreme Court decisions in the end generally upheld his many actions, he should not be considered a true civil disobedient.

The civil disobedience of Antigone is like that of the pacifist who withholds paying the percentage of his taxes that goes to the Defense Department, or the Quaker who travels against State Department regulations to Hanoi to distribute medical supplies, or the Vietnam war protestor who tears up his draft card. This civil disobedient has been nonviolent in his defiance of the law; he has been unfurtive in his violation; he has been submissive to the penalties of the law. He has neither evaded the law nor interfered with another's rights. He has been neither a rioter nor a revolutionary. The thrust of his cause has not been the might of coercion but the martyrdom of conscience.

WAS THE BOSTON TEA PARTY CIVIL DISOBEDIENCE?

Those who justify violence and radical action as being in the tradition of our Revolution show a misunderstanding of the philosophy of democracy.

James Farmer, former head of the Congress of Racial Equality, in defense of the mass action confrontation method, has told of a famous organized demonstration that took place in opposition to political and economic discrimination. The protesters beat back and scattered the law enforcers and then proceeded to loot and destroy private property. Mr. Farmer then said he was talking about the Boston Tea Party and implied that violence as a method for redress of grievances was an American tradition and a legacy of our revolutionary heritage. While it is true that there is no more sacred document than our Declaration of Independence, Jefferson's "inherent right of rebellion" was predicated on the tyrannical denial of democratic means. If there is no popular assembly to provide an adjustment of ills, and if there is no court system to dispose of injustices, then there is, indeed, a right to rebel.

The seventeenth century's John Locke, the philosophical father of the Declaration of Independence, wrote in his *Second Treatise on Civil Government:* "Wherever law ends, tyranny begins . . . and the people are absolved from any further obedience. Governments are dissolved from within when the legislative [chamber] is altered. When the government [becomes] . . . arbitrary disposers of lives, liberties and fortunes of the people, such revolutions happen . . .".

But there are some sophisticated proponents of the revolutionary redress of grievances who say that the test of the need for radical action is not the unavailability of democratic institutions but the ineffectuality of those institutions to remove blatant social inequalities. If social injustice exists, they say, concerted disobedience is required against the constituted government, whether it be totalitarian or democratic in structure.

Of course, only the most bigoted chauvinist would claim that America is without some glaring faults. But there has never been a utopian society on earth and there never will be unless human nature is remade. Since inequities will mar even the best-framed democracies, the injustice rationale would allow a free right of civil resistance to be available always as a short-cut alternative to the democratic way of petition, debate and assembly. The lesson of history is that civil insurgency spawns far more injustices than it removes. The Jeffersons, Washingtons and Adams resisted tyranny with the aim of promoting the procedures of democracy. They would never have resisted a democratic government with the risk of promoting the techniques of tyranny.

LEGITIMATE PRESSURES AND ILLEGITIMATE RESULTS

There are many civil rights leaders who show impatience with the process of democracy. They rely on the sit-in, boycott or mass picketing to gain speedier solutions to the problems that face every citizen. But we must realize that the legitimate pressures that won concessions in the past can easily escalate into the illegitimate power plays that might extort demands in the future. The victories of these civil rights leaders must not shake our confidence in the democratic procedures, as the pressures of demonstration are desirable only if they take place within the limits allowed by law. Civil rights gains should continue to be won by the persuasion of Congress and other legislative bodies and by the decision of courts. Any illegal entreaty for the rights of some can be an injury to the rights of others, for mass demonstrations often trigger violence.

Those who advocate taking the law into their own hands should reflect that when they are disobeying what they consider to be an immoral law, they are deciding on a possibly immoral course. Their answer is that the process for democratic relief is too slow, that only mass confrontation can bring immediate action, and that any injuries are the inevitable cost of the pursuit of justice. Their answer is, simply put, that the end justifies the means. It is this justification of any form of demonstration as a form of dissent that threatens to destroy a society built on the rule of law.

Our Bill of Rights guarantees wide opportunities to use mass meetings, public parades and organized demonstrations to stimulate sentiment, to dramatize issues and to cause change. The Washington freedom march of 1963 was such a call for action. But the rights of free expression cannot be mere force cloaked in the garb of free speech. As the courts have decreed in labor cases, free assembly does not mean mass picketing or sit-down strikes. These rights are subject to limitations of time and place so as to secure the rights of others. When militant students storm a college president's office to achieve demands, when certain groups plan rush-hour car stalling to protest discrimination in employment, these are not dissent, but a denial of rights to others. Neither is it the lawful use of mass protest, but rather the unlawful use of mob power.

Justice Black, one of the foremost advocates and defenders of the right of protest and dissent, has said:

"Experience demonstrates that it is not a far step from what to many seems to be the earnest, honest, patriotic, kind-spirited multitude of today, to the fanatical, threatening, lawless mob of tomorrow. And the crowds that press in the streets for noble goals today can be supplanted tomorrow by street mobs pressuring the courts for precisely opposite ends."[1]

Society must censure those demonstrators who would trespass on the public peace, as it must condemn those rioters whose pillage would destroy the public peace. But more ambivalent is society's posture toward the civil disobedient. Unlike the rioter, the true civil disobedient commits no violence. Unlike the mob demonstrator, he commits no trespass on others' rights. The civil disobedient, while deliberately violating a law, shows an oblique respect for the law by voluntarily submitting to its sanctions. He neither resists arrest nor evades punishment. Thus, he breaches the law but not the peace.

But civil disobedience, whatever the ethical rationalization, is still an assault on our democratic society, an affront to our legal order and an attack on our constitutional government. To indulge civil disobedience is to invite anarchy, and the permissive arbitrariness of anarchy is hardly less tolerable than the repressive arbitrariness of tyranny. Too often the license of liberty is followed by the loss of liberty, because into the desert of anarchy comes the man on horseback, a Mussolini or a Hitler.

VIOLATIONS OF LAW SUBVERT DEMOCRACY

Law violations, even for ends recognized as laudable, are not only assaults on the rule of law, but subversions of the democratic process. The disobedient act of conscience does not ennoble democracy; it erodes it.

First, it courts violence, and even the most careful and limited use of nonviolent acts of disobedience may help sow the dragon-teeth of civil riot. Civil disobedience is the progenitor of disorder, and disorder is the sire of violence.

Second, the concept of civil disobedience does not invite principles of general applicability. If the children of light are morally privileged to resist particular laws on grounds of conscience, so are the children of darkness. Former Deputy Attorney General Burke Marshall said: "If the decision to break the law really turned on individual conscience, it is hard to see in law how [the civil rights leader] is better off than former Governor Ross Barnett of Mississippi who also believed deeply in his cause and was willing to go to jail."[2]

Third, even the most noble act of civil disobedience assaults the rule of law. Although limited as to method, motive and objective, it has the effect of inducing others to engage in different forms of law breaking characterized by methods unsanctioned and condemned by classic theories of law violation. Unfortunately, the most patent lesson of civil disobedience is not so much nonviolence of action as defiance of authority.

Finally, the greatest danger in condoning civil disobedience as a permissible strategy for hastening change is that it undermines our democratic processes. To adopt the techniques of civil disobedience is to assume that representative government does not work. To resist the decisions of courts and the laws of elected assemblies is to say that democracy has failed.

There is no man who is above the law, and there is no man who has a right to break the law. Civil disobedience is not above the law, but against the law. When the civil disobedient disobeys one law, he invariably subverts all law. When the civil disobedient says that he is above the law, he is saying that democracy is beneath him. His disobedience shows a distrust for the democratic system. He is merely saying that since democracy does not work, why should he help make it work. Thoreau expressed well the civil disobedient's disdain for democracy:

"As for adopting the ways which the state has provided for remedying the evil, I know not of such ways. They take too much time and a man's life will be gone. I have other affairs to attend to. I came into this world not chiefly to make this a good place to live in, but to live in it, be it good or bad.[3]

---

[1] Dissenting in *Cox* v. *Louisiana,* 379 U.S. 536, 575, 584 (1965).

[2] *The Protest Movement and the Law,* 51 VA. L. REV. 785 (1965).

[3] Thoreau, *Essay on Civil Disobedience,* in PEOPLE, PRINCIPLES AND POLITICS (Meltzer ed. 1963).

Thoreau's position is not only morally irresponsible but politically reprehensible. When citizens in a democracy are called on to make a profession of faith, the civil disobedients offer only a confession of failure. Tragically, when civil disobedients for lack of faith abstain from democratic involvement, they help attain their own gloomy prediction. They help create the social and political basis for their own despair. By foreseeing failure, they help forge it. If citizens rely on antidemocratic means of protest, they will help bring about the undemocratic result of an authoritarian or anarchic state.

How far demonstrations properly can be employed to produce political and social change is a pressing question, particularly in view of the provocations accompanying the National Democratic Convention in Chicago last August and the reaction of the police to them. A line must be drawn by the judiciary between the demands of those who seek absolute order, which can lead only to a dictatorship, and those who seek absolute freedom, which can lead only to anarchy. The line, wherever it is drawn by our courts, should be respected on the college campus, on the streets and elsewhere.

Undue provocation will inevitably result in overreaction, human emotions being what they are. Violence will follow. This cycle undermines the very democracy it is designed to preserve. The lesson of the past is that democracies will fall if violence, including the intentional provocations that will lead to violence, replaces democratic procedures, as in Athens, Rome and the Weimar Republic. This lesson must be constantly explained by the legal profession.

We should heed the words of William James:

"Democracy is still upon its trial. The civic genius of our people is its only bulwark and . . . neither battleships nor public libraries nor great newspapers nor booming stocks: neither mechanical invention nor political adroitness, nor churches nor universities nor civil service examinations can save us from degeneration if the inner mystery be lost.

"That mystery, at once the secret and the glory of our English-speaking race, consists of nothing but two habits. . . . [O]ne of them is habit of trained and disciplined good temper towards the opposite party when it fairly wins its innings. The other is that of fierce and merciless resentment toward every man or set of men who break the public peace.[4]

GILBERT ELECTORAL REFORM LEGISLATION

(Mr. GILBERT asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GILBERT. Mr. Speaker, I have introduced House Joint Resolution 474 to amend the Constitution to provide for the direct popular election of the President and Vice President. It is my belief that the electoral college no longer has a place in our system. My amendment proposes a runoff election if no candidate gets as much as 50 percent plus one of the votes cast. As I recently pointed out in testimony before the Judiciary Committee, I have severe reservations about the 40-percent provision recommended by President Nixon. I believe it could set a disturbing precedent which could easily pass into more commonplace political practice. We are a country that has always been governed by majority rule and I believe very deeply that we should stay that way. I call to the attention of the House my testimony, which follows, and I ask my colleagues in the House to support my proposal:

Statement of Congressman Jacob H. Gilbert, of New York, Before the House Judiciary Committee, February 21, 1969

Mr. Chairman, I appreciate the opportunity to bring to bear my views on this very important constitutional issue. I know that no question is more vital to the stability of our society than the integrity of our Presidential elections.

I want it clearly understood that I endorse the principle of the popular election of the President. I think the electoral college no longer has a place in our system. It is inherently undemocratic and, more important, structurally flawed. It stands as an ever present threat to the smooth functioning of our governmental processes.

I do, however, feel compelled to take issue with some of the details of the O'Hara-Bayh amendment, which seeks to achieve the popular election of the President. Because I concur with the objective of this amendment, I would like to raise certain questions about its methods.

Mr. Chairman, I have severe reservations about the provision that would elect a President with forty per cent of the popular vote. I recognize and respect President Nixon's endorsement of this principle, but I do not agree with it. I regard it as inherently unwise to build into our Constitution a provision for the election of our highest public official with less than a majority of votes. I think it is an unhealthy departure from the traditional American principle that the majority rules. I believe it will set a disturbing precedent, which—given its association with the highest office in the land—could easily pass into more commonplace political practice. We are a country that has always been governed by majority rule, and I believe very deeply that we should stay that way.

I have other reservations about the forty per cent provision. I think it will encourage the growth of splinter parties and stand constantly as a sword over the head of the two-party system. I suspect it will give undue power to small groups. I think it will enable, far more easily than with a majority requirement, the election of a President who appeals to some transitory passion. A demagogue will more easily get forty than fifty per cent of the vote. The forty per cent principle means that sixty per cent of the voters might support the stability that the two traditional parties have always given our society—while a minority is temporarily diverted by some folly. I have great faith in the long-term wisdom of the American people but I have, even in my own lifetime, seen instances when a substantial minority has had its head turned by the siren songs of irresponsible would-be leaders. I think the amendment, as it currently is written, will serve the ambitions of a demagogue, while putting the solid majority of Americans at a severe disadvantage.

Let me go a step further and say that the institution of a minority President will do a disservice to good government. In these days of enormous social problems, we need a strong man in the White House, one who is uncontestably the master of his administration. We know how difficult it can be for the President to exercise control over entrenched interests inside the government—the vast Federal bureaucracy, the military, the intelligence agencies, the regulatory commissions. These fiefdoms inevitably are strengthened by the feeling that the President represents less than the majority of voters. Any sign of weakness in the Presidential office, it seems to me, diminishes the responsiveness of these entrenched forces to necessary change. We contribute nothing but potential disorder to the processes of government, in my view, if we build into the Constitution the institution of a minority President.

What I propose is the resort to a run-off election, which the amendment already contemplates if no candidate obtains a plurality of 40 per cent. My amendment would provide for a run-off if no candidate gets as much as 50 per cent plus one of the votes cast. I recognize that this could entail added expense, both for candidates and the election districts, but I think the expenses could be kept to a minimum. If the run-off election were held one, or perhaps, two weeks at most from the original election day, there would be little additional campaigning. And since this would be a head-to-head contest, with only two names on the ballot, I would think that administrative expenses would be minimal. Other countries and several of our states find the run-off system quite feasible. I do not think the technical handicaps are serious. I prefer this system because it is far more democratic than acquiescence to a minority president. I believe that the integrity of our system demands that our President be the choice of a majority of Americans.

Mr. Chairman, I prefer the O'Hara-Bayh amendment to no reform at all. But I would like to caution my colleagues against institutionalizing a constitutionally sanctioned minority President—and I would like them to consider seriously the device of the run-off election to preserve the confidence of the people and keep our system strong.

ROONEY CALLS FOR INVESTIGATIONS OF MAGAZINE SALES

(Mr. ROONEY of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ROONEY of Pennsylvania, Mr. Speaker, at this moment all across this Nation hundreds of Americans are being fast talked into an unbelievable array of unwanted purchases, staggering financial obligations, and inestimable heartache and mental suffering. These hundreds of Americans are being victimized at this moment by unscrupulous individuals who wear the guise of legitimate business representatives. Within 24 hours, these victims will increase in number to thousands. Before the end of 1969, a million or more Americans may be duped of sums of money totaling billions of dollars. Many will gain a great deal of experience but at a staggering cost. Others will lose not only precious dollars but even more precious good credit ratings. Others, caught in a quicksand of intolerable debt, will lose perhaps all that they have scrimped and saved in a lifetime.

Each of us in Congress is aware of the growing number of schemes and frauds being devised to victimize the American consumer. As the legislative body for this Nation, we have taken many concrete steps to protect the American consumer against the unscrupulous merchant in what we term the "marketplace." But what of the unscrupulous merchant who plies his wares at the consumer's doorstoop or in the comfort of the consumer's living room.

We are familiar with the home improvement rackets, the debt consolidation rackets, the dance instruction rackets, the easy credit rackets and many more. Today, I would like to invite my colleagues' attention to another racket which has reached such staggering proportions that Americans are going into debt by many millions of dollars annually for unwanted, long-term, high-cost, magazine subscriptions.

---

[4] James, Pragmatism 127–128 (1907).

There are some 50 major magazine subscription sales organizations operating throughout the United States. Several of these are directly affiliated with some of the largest and most prominent newspaper and magazine publishing chains in the country. And some, if not all of these subscription agencies prey upon the immature, the elderly, and the unsuspecting like vultures.

Although the methods used by the magazine subscription sales companies vary slightly from company to company and from locale to locale, I have noticed a basic pattern in most of the cases I have reviewed. These cases were brought to my attention by Action Express, a public service feature of the Easton Express newspaper, published in Easton, Pa., and serving readers in Pennsylvania and New Jersey. Action Express has been exploring dozens of complaints from victims of the magazine subscription racket over a period of many weeks. Their perception and investigation already have led to the disclosure that one firm fraudulently used the name of a popular television personality, Johnny Carson, to lend an air of legitimacy to its scheme. A spokesman for Mr. Carson made it clear to Action Express that the use of his name was totally unauthorized and has indicated the entertainer may begin legal action against the offending firm.

Action Express, through its disclosure of incident after incident of consumer duping in this magazine sales scheme, has attracted the attention of investigative agencies in two States. In my own State, Attorney General William Senett has designated his deputy, Benjamin Kirk, to head an investigation of the magazine sales racket and "to proceed at once with steps to stop operations in Pennsylvania."

In New Jersey, with the help of the bureau of consumer fraud, an investigation has been launched by Deputy Attorney General Douglas Harper.

And although I know of no investigation underway in that State, Maryland's Attorney General Bill Birch told Action Express his office has received several dozen similar complaints.

Most of the victims in the Easton Express circulation area discovered belatedly that they had been duped into signing innocent-appearing forms which in reality were contracts for $150 worth of magazines. And when they realized they had been taken for an expensive ride, their problems multiplied. Efforts to cancel their unwanted installments led to astonishing collection pressures from the magazine subscription sales companies, from credit agencies, lawyers, and threatening telephone calls that roused some of the victims from their beds.

The pattern I have observed shows that the initial contact with the intended victim is a telephone call. The caller advises the prospective victim that he has been chosen from the local telephone book or some other random means, to receive a gift. In some cases, the victims were led to believe they had won a new car, a color television set, or some other major prize. In other cases, the intended victim supposedly had won free magazine subscriptions but existing laws required that the recipient first agree to pay nominal wrapping and mailing costs.

The telephone caller invariably suggested an appointment at the victim's home at some later date to complete arrangements for the victim to receive his gift, or free magazines or whatever. Moments later, without regard to the appointment arrangements which generally provided for a personal contact days later, the victim heard a knock at his door and the magazine sales representative already was on the scene. "I just happened to be in the neighborhood," is the excuse offered.

Awestruck, the supposed prizewinner soon falls victim to the fast-talking salesman, rattles off a list of preferred magazines which the salesman jots on a form, produces the nominal good-faith deposit, signs the order slip offered by the salesman, and then heaps gratitude upon the bearer of good tidings and gifts as the salesman makes a hasty exit.

Later, after the victim reads in detail the fine print on the order form he has signed, and still later when the postman delivers a time-payment coupon book calling for long-term monthly payments substantially larger than anything the new subscriber had imagined possible, he recognizes that he has been victimized. But then it is too late.

Mr. Speaker, Congress has made a great deal of progress in recent years to protect the consumer. Here is an area which we have neither explored extensively nor acted upon effectively to prevent this type of consumer duping.

As I said, there are 50 recognized companies engaged in this type of magazine subscription sales. One of these which is subject of some of the complaints to which I have referred operates in 14 States and grosses $16 million annually. Many of the others carry on a business comparable in volume. How many resort to distortion and fraud in their business activities is uncertain. But it is obvious that a number of them do.

This type of sales activity, which is deserving of the label racket, must be brought under effective controls which will adequately safeguard the unsuspecting consumer.

I regret that I must report an effort at self-regulation by the magazine industry is a virtual failure, if in fact it is a sincere effort to wipe out unscrupulous tactics.

This self-regulatory agency is known as Central Registry. It is supported financially, not by these subscription peddlers, but by the magazine publishing companies themselves. In view of its performance, I cannot help but question the reliability and effectiveness of a regulatory agency which is financed by the very industry which benefits from the volume of magazine sales generated by these subscription companies, whether their sales methods be unscrupulous or not. I question whether the Nation's magazine publishing firms which support Central Registry will permit Central Registry to bite the hand that feeds the publishing industry.

Mr. Speaker, the efforts of Action Express to provide assistance to the victims of these schemes have served to underline the failure of Central Registry to regulate subscription sales. I find this particularly disappointing, in view of the fact that Mr. Earl Kintner, who serves as counsel for Central Registry and who, I have been informed, was instrumental in helping to draw up this self-regulating code of business conduct, was a Chairman of the Federal Trade Commission during the Eisenhower administration. I would have anticipated greater diligence of enforcement from a man of that background.

I want to make it clear that the self-regulating code for magazine subscription sales was implemented several years ago with the concurrence of the FTC after the Commission had investigated complaints of the very nature I have just cited. Aware of that prior investigation by the FTC, I last week submitted many samples of correspondence from victims to prove to the Commission that self-regulation within this industry has failed.

Further, I followed up that submission of evidence with an appeal today to Chairman Paul Rand Dixon of the Federal Trade Commission for a reopening of the FTC investigation with particular emphasis on the apparent failure of Central Registry to accomplish its objectives.

Also, Mr. Speaker, I am introducing today a resolution to authorize and direct the Committee on Interstate and Foreign Commerce, of which I am a member, to conduct a study and investigation of magazine sales promotion practices. While it is true that the States of Pennsylvania and New Jersey are moving forcefully ahead with efforts to halt this racket within their own State borders, the operations of these subscription sales companies extend to every State in the Nation. They are engaged in interstate commerce and must be prepared to conduct their business activities in a legitimate, straightforward manner which will guarantee that the prospective subscriber will not be duped.

In the near future, I intend also to introduce specific legislative proposals to place Federal controls on magazine subscription sales. I expect to include in these legislative proposals specific features of the self-regulatory code to which these magazine sales companies have verbally subscribed but factually flaunted. I see no reason why these subscription sales companies, if in fact they support the provisions of their own code, should have serious objection to its enactment as Federal law with adequate provision for strict enforcement.

If the American consumer deserves protection in the marketplace—and he does—he deserves equal protection on his doorstep and in his living room.

The text of the resolution follows:

H. Res. —

Resolution authorizing and directing the Committee on Interstate and Foreign Commerce to conduct a study and investigation of magazine sales promotion practices

Resolved, That the Committee on Interstate and Foreign Commerce, acting as a whole or by subcommittee, is authorized and directed to conduct a full and complete investigation and study of magazine sales and sales promotion practices, including telephone solicitation, with particular emphasis on installment contracts.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

CONGRESSMAN BINGHAM HAILED FOR URGING THAT GIRLS BE PERMITTED TO JOIN VARSITY HIGH SCHOOL SWIMMING TEAMS

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, as one who swam competitively in high school and later in college, I was interested to see in the February 1969 issue of Swimming World, a semiofficial journal of competitive swimming in both high school and college, an editorial commenting on some remarks made by our colleague, the gentleman from New York (Mr. BINGHAM).

Mr. BINGHAM, quite properly in my opinion, had objected to a ruling by the New York State Department of Education forbidding qualified girl swimmers, in high schools where no girls' swimming team existed, from joining a varsity team made up of boy swimmers.

Obviously Commissioner Allen, who made the ruling in question, has been out of touch with what the girls have been doing in sports lately, including swimming. Little 15-year-old Debbie Meyers, for example, this year's winner of the Sullivan Award, and a triple gold medal winner in the 1968 Mexico City Olympics, has been swimming far faster, especially in the 1,500 meter swim, than the top male Olympic swimmers when I was in college back in 1935. Why should girls with abilities like Debbie's not be allowed to swim against, and even beat, boys of her own age in high school?

Under leave to extend my remarks I include the editorial in question, and I commend the gentleman from New York (Mr. BINGHAM) for the stand he has taken.

The editorial follows:

CONGRESSMAN DECRIES LACK OF HIGH SCHOOL SWIMMING FOR GIRLS

NEW YORK, N.Y.—Congressman Jonathan B. Bingham, Democratic Representative from New York City believes girls who have the ability to swim competitively in a high school program should be allowed to compete, even if they must compete as a member of the boys' high school swimming team.

So strongly does Representative Bingham feel on the subject that he has written a strong letter of appeal to The Honorable James Allen, New York State Commissioner of Education calling for an immediate correction to the "19th century" regulation that participation of 16-year old Peggy Loewy in interscholastic swimming as a member of New York City's George Washington High School swimming team "violates the rules and regulations" and must be prohibited.

Peggy had made the team on her ability and had been accepted by her teammates. In two meets this year in New York's Public Schools Athletic League, the 16-year old senior competed directly against boys for the first time in local history. Her performances were not spectacular, but she scored a few points for her team.

The George Washington coach, Joe Pargament, allowed Peggy to compete after she has made the team on the basis of preseason time trials. At the last meet, she just watched.

At present there is no official interscholastic competition for girls in New York City. In fact there is a local regulation prohibiting it, according to the director of the Bureau for Health and Physical Education, Erwin Tobin.

While the value of sports competition in schools, and more important, participation among women, is gaining acceptance, there is a great deal of resistance to mixed sports acceptance.

As Congressman Bingham wrote, "I could understand such a regulation if there were a program for girls. But there is none. Peggy either competes with the boys or she does not compete."

New York City isn't the only area in the United States where a bankrupt high school swimming program is thrust upon the taxpayers. In only a few areas do state health and physical education boards permit high school girls to swim in a competitive interscholastic program, though the same school districts culminate their boys' competitive interscholastic swimming programs with a state championship meet. The facilities are okay for boys competition, but not for girls, though taxes for the facilities failed to delegate which sex was to enjoy a complete aquatic program.

Beginning in 1970, the American Association for Health, Physical Education and Recreation through their 60-year old Division for Girls and Women's Sports will sponsor and conduct an annual national intercollegiate swimming championship for junior college, college and univeristy women students.

For the last few years, the American Swimming Coaches Association attempted, with varying degrees of success, to foster interscholastic swimming for girls. However, the program was never accepted by the State High School Associations, and not more than a dozen or so states submitted the names of their girls for All America consideration. However, it was a start, but until there is an interscholastic swimming program in all 50 states, the girls who wish to enjoy the physiological, psychological, social contributions of aquatic sports will have to either join a private club or wait till they enter college. For some, the latter choice is too late.

AMERICA CANNOT FURTHER DELAY A FORTHRIGHT RESPONSE TO THE CHALLENGE POSED BY THE CURRENT COMMUNIST OFFENSIVE IN VIETNAM

(Mr. STRATTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. STRATTON. Mr. Speaker, one hesitates to advise the new administration on important military and foreign policy matters at a time when the President himself is out of the country. But the new Communist offensive in Vietnam is not a routine development. It represents a most serious challenge to and test of the will and determination of this Government and of the new administration. We cannot possibly ignore it or delay unduly in making our response to it.

Last November we ended all bombing in North Vietnam on the basis of several conditions or "understandings," two of which were that there would be no attacks on the major cities in South Vietnam, and that the DMZ would be kept demilitarized.

The current offensive constitutes a very grave violation of both conditions. A major battle is underway. American casualties have escalated sharply. Yet as of this hour, 3 days after the violations began, there has still been no American response, and one of our major defensive weapons, the retaliatory striking power of the U.S. Navy and Air Force, remains sheathed and grounded.

Mr. Speaker, in my judgment, this Nation of ours, however important the current conversations in Europe, cannot safely delay our response to this new challenge. To allow these violations to continue without even a verbal protest, would very seriously erode the credibility of the United States as an effective force for world law and order and very dangerously compromise our bargaining position at the Paris talks.

SELECTIVE SERVICE REFORM

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, I am very pleased to join in cosponsoring legislation today which will institute a number of vitally needed and long overdue reforms in our draft laws and remove many of the current inequities.

Although two distinguished panels studied and recommended drastic changes to the draft law 3 years ago, the Military Selective Service Act of 1967 did virtually nothing to enact their recommendations. I thus supported an amendment to limit extension of the law to just 1 year in 1967. Since then, the inequities have become even more glaringly apparent.

The current law is grossly unfair in many respects. It leaves all young men in a constant state of uncertainty, is disruptive to their pursuit of education and is, I think, a major contributor to the restlessness of young people on college campuses and elsewhere today. It is terribly damaging to our graduate schools and thus to our future supply of people with the kind of educational background needed to advance America's economic, social, and political interests in a highly complex and technological age. It is unfair to students who cannot pursue their educations for financial or other reasons.

The law is also arbitrary in many respects. A draft registrant does not have the right to be represented by counsel before a local draft board despite the fact that complex legal questions often are raised by draft action. The bill we are introducing today, provides that a registrant is entitled to counsel in any appearance before the board and an indigent registrant may request free counsel. The current law's deficiencies in treatment of conscientious objectors are also corrected.

Perhaps the greatest evil of the current draft law is its uncertain application and unjust criteria for selection. The new bill provides that all youth of appropriate age will be eligible for the draft—except in cases of disability or hardship—and that those young men to be drafted be chosen through random selection, taking the youngest—19-year-olds—first. This system was used successfully through World War I. This random selection procedure will spread draft exposure equitably among rich and poor, black and white, student and nonstudent. It will do so without unduly disrupting our educational institutions. Military experts are also virtually unanimous that taking the youngest first will improve the quality of draftees selected. The bill also extends college deferments, but only so long as war casualties don't exceed 10 percent of the numbers drafted in any month. Under these circumstances, the registrant is given a choice of going into a prime selection group upon his high school graduation or waiting until he graduates from college or graduate school. But in either case, he will be notified upon graduation from high school or upon reaching age 19 as to his liability for service so he can plan his life sensibly.

Our bill requires the adoption of national standards and criteria in the administration of the draft law and their uniform application. All too often I have had brought to me situations in which one young man is granted a deferment by a local board in one location but another young man, in exactly the same position, is called for induction by a local board in another State—or even county or city. National standards and uniform application will eliminate such injustices.

Recently we have heard much discussion of the feasibility of a volunteer army. The bill I am introducing today calls for a thorough public study of the feasibility of a volunteer army as well as a National Service Corps, in which individuals seeking nonmilitary service might fulfill their obligation of service to the country.

Mr. Speaker, considerable time, effort, and thought have been devoted to the preparation of this bill by many Members of the House and Senate who participated in its drafting. I believe we owe it to our young people to give it our fullest and most careful consideration and attention.

Hopefully, the time may soon come when no more war ravages the earth and consumes the youth of our society. The time is not yet here. Nor is our knowledge yet sufficient to eliminate conscription as a means of raising armies for our current involvements. Until these highly desirable ends become feasible, it seems clear that the draft must be made as fair and certain as possible to our youth and our society. The bill I have joined in sponsoring today seeks to accomplish these important reforms. I urge that it be given prompt and favorable consideration.

TRIBUTE TO THE LATE LEVI ESHKOL, PRIME MINISTER OF ISRAEL

(Mr. REID of New York asked and was given permission to address the House for 1 minute and to revise and exteind his remarks.)

Mr. REID of New York. Mr. Speaker, I believe that all Members of this House would wish to express our sense of loss and deep concern over the passing of Prime Minister Levi Eshkol of Israel. He was a leader who over many years brought great promise and accomplishment to the state of Israel. He cared deeply about the land. He worked unceasingly as he saw it for peace. He said most recently that—

> I am ready to meet with the leadership of the U.A.R. anywhere and any time and I will not quarrel about procedure, agenda or the shape of the table.

Mr. Speaker, I had the privilege of knowing the late Prime Minister and working with him, particularly during the time when he was Minister of Finance. He did more, perhaps, than any other single Israeli to imaginatively strengthen the economy in the overall sense and for all Israelis. His leadership will be deeply missed.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman from New York yield?

Mr. REID of New York. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I desire to join the distinguished gentleman from New York (Mr. REID), in what the gentleman has said about his service in Israel, because I once visited the gentleman while he was serving as the distinguished Ambassador from this country to the State of Israel.

Mr. Speaker, I join the gentleman also in what he said about the loss of Premier Eshkol, one of the great men of the free world. That loss is not only Israel's loss. It is the loss of everyone who seeks peace and freedom in this troubled world. To Mrs. Eshkol and her family and to all of the wonderful people of Israel I extend my deepest sympathy.

Mr. REID of New York. I thank the distinguished majority leader for his remarks.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I am grateful that the distinguished gentleman from New York (Mr. REID) has yielded to me on this occasion. I wish to associate myself with his most appropriate remarks concerning the tragic passing of Prime Minister Eshkol.

Although I never had the privilege or honor of meeting the Prime Minister, I have admired him greatly for his efforts in leading a stanch and steadfast nation through a period of great difficulty. I have greatly respected his efforts to seek a solution to the many problems confronting his people and his country, and to achieve a fair and lasting peace in the strife-torn Middle East.

I know that his passing will be a great loss to his country. It will be a loss to those who are at this moment seeking to achieve an honorable settlement of the longstanding grievances and difficulties in the Middle East.

Mr. Speaker, I extend, as did the gentleman from New York, my deepest condolences to his family and to his country on his passing under these most unfortunate circumstances. The world has lost a great statesman and the United States has lost a fine friend.

Mr. REID of New York. I thank the distinguished minority leader for his most thoughtful remarks.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I yield to the very distinguished chairman of the Committee on the Judiciary.

Mr. CELLER. Mr. Speaker, Levi Eshkol, Prime Minister of the State of Israel, is dead. This is not only Israel's loss but the world's. Consider the nature of this man who came to Palestine in the year 1913; who served in the Jewish Legion of the British Army from 1918 to 1920; who was Director General of the Ministry of Defense of the State of Israel in the years 1948 and 1949; who was Minister of Agriculture and Development in the years 1951 to 1952; who was Minister of Finance in the years 1952 to 1963; and who was Prime Minister of the State of Israel since 1963. He was the chief of the main political party of Israel. Thus, his largeness of vision, his understanding, basic and realistic, grew out of a wealth of experience in every significant aspect of the structure of statehood. At the age of 73 he had achieved world eminence because of the knowledge and foresight no ordinary mortal can reach within his lifetime. He rescued Israel from the jaws of death. This intrepid modern David sought to doom the Arab Goliath of violence and hatred. He is gone from the scene at one of the most crucial moments in the history of the State of Israel. We are thus called upon to extend to Israel our most sympathetic understanding in its loss of such a man and such a leader. Our condolences go forth to his beloved wife, Miriam, and his dear children.

Mr. REID of New York. I thank the distinguished chairman of the Committee on the Judiciary for his pertinent and very thoughtful remarks.

Mr. BINGHAM. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman from New York (Mr. BINGHAM).

Mr. BINGHAM. Mr. Speaker, I thank the gentleman for yielding.

I would like to be associated with the very appropriate remarks made by my colleague, the gentleman from New York (Mr. REID) and by the distinguished chairman of the Committee on the Judiciary, the gentleman from New York (Mr. Celler).

Mr. Speaker, my wife and I had the honor and privilege of meeting with Prime Minister Levi Eshkol in his office in 1964. We were accompanied by Teddy Kollek, when in the Prime Minister's office, and now mayor of Jerusalem.

Prime Minister Levi Eshkol was a man of extraordinary strength, dignity, and wisdom. He will be sorely missed in Israel, in this country, and in many other parts of the world.

I extend to the Prime Minister's family and to the people of Israel my most profound sympathy.

Mr. REID of New York. I thank the gentleman.

Mr. GILBERT. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman from New York (Mr. Gilbert).

Mr. GILBERT. Mr. Speaker, I thank the distinguished gentleman from New York for yielding to me. I wish to associate myself with the remarks of my distinguished colleague from New York, Congressman Reid, and my colleague from New York, Congressman Celler.

The passing of Prime Minister Levi Eshkol is a great loss to humanity, and we all feel this loss very deeply and keenly. Mr. Eshkol was of the generation and type of Jewish pioneer who brought Israel into existence and increased her strength in the face of Arab hostility and belligerence. He was a man with a common touch. He began his career in Palestine in 1913 as a farmer and laborer. He was an accomplished economist and statesman, but he never lost his down-to-earth quality. His sense of humor shone through his speeches. He had thousands of friends, his visitors found it easy to strike a common cord with him. He was unpretentious and unassuming to the point of self-effacement—perhaps the most approachable of the world's dignitaries.

Above all, Prime Minister Eshkol was a man of peace. He dedicated his life to the development of land and to the welfare of humanity. He never ceased to hope that peace was within reach for his country and his Arab neighbors.

Mr. FARBSTEIN. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I yield to my colleague.

Mr. FARBSTEIN. Mr. Speaker, I too would like to associate myself with the remarks made by both gentlemen from New York in connection with the untimely passing of the head of state of Israel.

I had occasion to visit him immediately following the last 6-day war, and I truthfully can say from the conversation I had with him that all he sought was peace. He had no desire for conquest.

Mr. Speaker, the sudden and unexpected death of Israel's Prime Minister Levi Eshkol has saddened the entire world. All of us are diminished by his passing.

Mr. Speaker, Levi Eshkol was no ordinary man. He was a patriot who loved his country and served it well in positions of leadership and responsibility. He fought for the right of his people to be free and it can be truly said that he laid down his life for his country and for his fellow man.

Levi Eshkol was a man of compassion. During the difficult days through which his beloved country has been passing Levi Eshkol, in spite of extreme provocation, was a voice of moderation.

Although he realized that Israel could only survive by using firmness in protecting the nation from external attack, yet his desire for peace was such that he was satisfied to take a modest approach with those who threatened the integrity of his beloved country.

Mr. Speaker, I had the pleasure to speak with Prime Minister Eshkol immediately after the 6-day war in 1967. It was at that time that I learned of his desire for peace. He told me that everything that Israel had conquered during that war was negotiable except Jerusalem and the Golan Heights. These he deemed essential to the security of Israel and therefore not negotiable. He had no desire for conquest—only for peace.

Levi Eshkol brought to his nation the qualities of leadership and devotion to duty, as he saw his duty, that few men possess. As William Hazlitt once wrote:

> Death strips a man of everything but genius and virtue. It is a sort of natural canonization.

Mr. Speaker, Levi Eshkol is dead, but his memory will live on as long as men desire to be free. This is not death; it is immortality.

Mr. OTTINGER. Mr. Speaker, I am sure that people throughout our Nation share our feelings of sympathy and concern over the untimely death of Israel's premier, Levi Eshkol.

Premier Eshkol, Israel's second Premier during her 21-year history as a nation, was truly an outstanding statesman. He guided Israel wisely and well during the past 6 stormy years. He led with an unclouded vision of Israel's destiny. He led with firmness but with the ability to conciliate. He led with vigilance against the constant threats against Israel and her people, but he led also with compassion and understanding for the thousands of innocent victims of war.

Israel's loss is a loss to any person, any nation which values freedom and national integrity. I am sure we all hope that Levi Eshkol's successor will continue the outstanding tradition established by him and his predecessor, David Ben-Gurion.

Mr. Speaker, I ask unanimous consent to have the remarks that I made previously follow the remarks of the gentleman from New York (Mr. Farbstein) and I join in those remarks as well as the remarks made by the gentleman from New York (Mr. Reid), my colleague from Westchester County and our distinguished leader in the House, the gentleman from New York (Mr. Celler).

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I am happy to yield to the very distinguished Speaker of the House of Representatives, the gentleman from Massachusetts (Mr. McCormack).

Mr. McCORMACK. Mr. Speaker, we are sorry to learn of the death of Prime Minister Eshkol. He was one of the great statesmen of the world. Levi Eshkol was born in the Ukraine, educated in Poland and died in Israel. The course of his travels took him much farther than the distance between Velno and Tel Aviv, for the journey of Levi Eshkol spanned the centuries between the Roman conquest of the Jewish kindgdom to the rebirth of the State of Israel. His brave country has certainly been an example to the entire world of the will and of the desire of a free people to be free under their own law.

His leadership in behalf of the people of his country made a profound impression upon the entire world and particularly on the free world.

As Speaker of the House of Representatives, I have, for all of my colleagues, sent a telegram to the President of Israel conveying to the Government, to the President, and to the associates of the late Prime Minister, and to the people of Israel the profound sympathy of all Members of the House of Representatives in Congress.

I have also sent a telegram to the widow of the late Prime Minister, as your Speaker, conveying to her the deep sympathy of all Members of the House of Representatives in Congress, and I have also sent a telegram to the Ambassador from Israel in Washington conveying to him and through him to his Government and to the Speaker and the members of the Knesset, the parliament of Israel, the profound and deep sympathy that Members of the House of Representatives feel upon the death and the loss of their distinguished member of that body, who was Prime Minister of Israel.

The death of Prime Minister Eshkol leaves a vacuum and we, in America, and particularly in the free world will carefully watch the selection of his successor, knowing that the type of leadership that his successor will give will be of great importance in the years that lie ahead.

Again for myself as an individual and as Speaker of the House of Representatives, and I know I am speaking the sentiments of all Members of the House, I extend to the Government of Israel and to Mrs. Eshkol and her loved ones our deep sympathy in their great loss and sorrow.

Mr. REID of New York. I thank the most distinguished Speaker of the House for his remarks.

LEVI ESHKOL: THE QUIET, RETICENT MAN WHO MADE ISRAEL GROW

Mr. HORTON. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I yield to my colleague.

Mr. HORTON. Mr. Speaker, I thank the gentleman from New York for yielding to me on this occasion.

I am fortunate to have this opportunity to speak following the Speaker of the House of Representatives because it was by his designation I was privileged to represent the distinguished Speaker, along with other Members of the House of Representatives, at the dedication of the Knesset in Jerusalem, Israel, in the fall of 1966.

On that occasion Mrs. Horton and I had the privilege and honor to meet Premier Eshkol and Mrs. Eshkol and other members of the Israel Knesset. I came to have a deep respect for Mr. Eshkol's leadership in Israel and a deep respect for Israel and for what it was doing for the leadership of the free world in the Middle East.

I shall never forget the lovely summer evening on one of the Jerusalem hillsides just as the heat of the day begins to disappear when we attended the reception given by Premier and Mrs. Eshkol for those at the Knesset dedication. We presented gifts from the people of Rochester and the 36th Congressional District to the Eshkols. Mr. Eshkol in a gracious and warm manner spoke highly of many of my friends from the Rochester area and of our great country. They were a wonderful couple, friendly, and happy, who gave great depth of leadership to a sturdy and struggling people.

It is particularly sad for Mrs. Horton and me to note the passing of Premier Eshkol. I think it comes at a very crucial time in the history of this great country. But I am sure the determination and the will of the people of Israel will carry them through this very trying time, as it has in the past.

So it is with deep sadness and great sympathy that I and my wife express our sincere sympathy to Mrs. Eshkol and to the Israel Government. I just finished speaking by telephone with the Israel Ambassador here in Washington and expressed to him my personal sympathy and regrets on this occasion.

A quiet, naturally reticent man, Premier Eshkol was an expert at conciliation. His lively sense of humor eased many tense moments for his colleagues and put his visitors at ease.

Born in Russia, he witnessed the terrible pogroms that marked the czarist nation in the early part of this century.

His interest in Zionism was stimulated by the harsh reality of life for a Jew in Russia and, in 1914 he moved to Palestine.

Immediately, he became an active force in the Jewish community, first as a member of the local workers council and later as a founder of 500 farm villages in the early days of Israel's existence.

During World War I he served in the British Army Jewish Legion. During the war he also became a member of Mapai, the Jewish Labor Party and afterward played a leading role in establishing various organizations well known today in modern Israel.

As Mr. Eshkol's career expanded, so did the strength and aspirations of the Palestinian Jews.

Their dream—and his—was a Jewish homeland, the Israel promised of old to them.

The Zionist leaders recognized Mr. Eshkol's exceptional abilities and soon had him promoting the interests of the Jews of Palestine at home and abroad. Mr. Eshkol did much to make a reality of the dream of an independent Israel.

He continued his active participation in national life—delegate to the founding conference of the Histradut, the General Federation of Labor; representative in the Palestine office of the Jewish agency in Berlin for transfer of Jewish people from Nazi Germany; director of Histradut corporations—settlement, water development, housing; secretary-general of Tel Aviv Labor Council.

Then came nationhood for Israel in 1948; and Mr. Eshkol was appointed Director General of the Ministry of Defense. Later years saw him take Cabinet posts as Minister of Agriculture and Development, Minister of Finance and Deputy Premier.

Mr. Eshkol was largely responsible for the development and economic policy of Israel during the past decade.

For years, Mr. Eshkol worked in the shadow of the beloved and great Israel leader, David Ben-Gurion. It was Mr. Ben-Gurion who chose Mr. Eshkol to succeed him as premier in June 1963. The people of Israel voiced their confidence in Mr. Eshkol during the national elections of 1965, by giving him a sound victory.

His skills in economics, administration, and diplomacy—which had helped the Jewish nation to come into being—nutured its growth since then.

His tenure in office was marked by a brief war and constant tension with Israel's Arab neighbors.

But the problems of the day did not prevent him from leaving his mark upon the nation—or from dreaming great things for its future.

A man of peace and vision, Levi Eshkol was a friend of the United States, a modern pioneer who helped to forge a great and flourishing nation from the ancient sands of an arid desert.

Mr. Eshkol was from that rare breed—his was the last of that generation of people who forged a new country out of the rocky slopes of a once barren land.

His leadership will be sorely missed at this crucial time in the history of Israel.

Mr. REID of New York. I thank the gentleman from New York. I yield to the distinguished gentleman from Maryland (Mr. LONG).

Mr. LONG of Maryland. Mr. Speaker, I too, join in expressing my deep sympathy and regret over the passing of Prime Minister Eshkol. I was privileged to meet with the Prime Minister for about an hour in late 1965 and to discuss with him the problems that faced Israel, particularly the coming confrontation with the Arab States. I was deeply impressed with the grasp this man had of the problems of the world and of his own country. My thoughts went back to the founding of our own Nation. At the time the United States was founded, at the time we developed our great Constitution, we had a population about that of Israel now.

We have all wondered, as we read our own history, how a small country could have assembled such a group of leaders and thinkers as we did at that time.

I reflect in the same vein on Israel. I have wondered where in the world today could a small country the size of Israel, not more than a couple of million people, the size of a small U.S. State now, have developed such a brilliant constellation of leaders. And none of them in the constellation has shown more brightly than did Prime Minister Eshkol. We all mourn his passing.

Mr. REID of New York. I thank the gentleman from Maryland.

I yield to the gentleman from New York (Mr. PODELL).

Mr. PODELL. Mr. Speaker, I, too, would like to join with my colleagues, with the great Speaker and the gentleman from Massachusetts, who spoke so eloquently on behalf of a dear, departed, free-world leader, Prime Minister Levi Eshkol. The free world shall suffer an irreparable loss in the passing of this man, who was a strong force in the preservation of democracy in the Middle East. People the world over will mourn this loss. We only trust that the State of Israel will continue in its efforts as a bulwark of democracy in the Middle East and that very soon we will have a lasting peace in that troubled region.

Levi Eshkol was a man with a dream and he was fortunate during his lifetime to see most of his dream turn into reality.

As a boy, first in his native Ukraine and later in Vilna, Poland, he wanted to go to Palestine, the promised land, to work on the land of his forefathers and to build a new Israel. He was active in the Zionist movement attending the internation congresses which organized the first efforts at settlement in Israel. As a young soldier he fought with the Jewish Legion of the British Army in World War I against the Turks. He later used his military knowledge in the formation and organization of the Haganah, the forerunner of the Israeli defense forces. After the war, Eshkol helped found Degania Beth Kibbutz and was able to watch not only the growth of his home agricultural community but to see the establishment of the kibbutz system as a foundation stone of the Israeli economy.

Levi Eshkol was recognized as a world authority on collective farming and cooperative communities. His involvement in the labor movement and the Mapai political organization led to his active role in the Israel Government and to the positions of leadership for which he was so eminently qualified. In the fields of agriculture, economic planning, and financial organization, Levi Eshkol was without peer. His one unfulfilled dream was for peace.

Perhaps his greatest tribute was that he was chosen to lead his nation. Israel is a dynamic and vital state. Its people are inventive and courageous and the leader of such a nation must encompass all the qualities which contribute to its greatness.

This earth has known few great men. Levi Eshkol, pioneer, soldier, farmer, and statesman, was a great man.

Mr. REID of New York. I thank the gentleman from New York.

I yield to the distinguished gentleman from New York (Mr. HALPERN).

Mr. HALPERN. Mr. Speaker, we are deeply grieved at the death of Prime Minister Levi Eshkol. He was a true builder and leader of Israel. His whole life was dedicated, until his final hour, to Israel's revival as a sovereign land.

Levi Eshkol was a man of the people.

He was an architect of Israel's democracy. He was a symbol of truth, justice, and human dignity. His death is a loss to Israel and to freedom-loving people everywhere.

Mr. REID of New York. I thank the gentleman from New York.

I yield to the distinguished gentleman from Florida (Mr. PEPPER).

Mr. PEPPER. Mr. Speaker, I thank the able gentleman from New York for permitting me to join with him and my colleagues in an expression of profound sympathy to the families of the departed distinguished Prime Minister of Israel, Levi Eshkol, to the Government and people of Israel, and to people all over the world who believe in the cause of freedom which the people of Israel have so nobly espoused in that small but great land.

I had the privilege of being with my wife in Israel in January of last year.

I had the honor and opportunity of seeing at first hand what this great man was doing in the leadership of his country in this crucial period of his nation's history and in the cause of freedom all over the world. His death comes at a time when Israel is beset by many dangers and is confronted by many crises and has many problems to confront, but I am sure, Mr. Speaker, that the courage which was responsible for the establishment of this great new star in the constellation of states, and which has sustained this country up to this moment and made it capable of momentous achievements, and their abiding faith in the God they have so long worshiped and served will sustain these noble and gallant people of Israel in this other hour of crisis, and that they will emerge stronger than ever before and will go forward to attaining greater victories in the cause of liberty and freedom than have yet crowned their renowned country.

Mr. REID of New York. Mr. Speaker, I thank the gentleman from Florida.

I yield to the gentleman from Pennsylvania (Mr. FLOOD).

Mr. FLOOD. Mr. Speaker, I thank the gentleman from New York for yielding to me.

In this hour of tragedy for the people of Israel, my mind goes back to Easter week of the year 1945. At that time I had the honor of serving upon the great Foreign Affairs Committee of the House under the beloved Sol Bloom of New York who was then its distinguished chairman. At that time I introduced in the House—at the same time as the late beloved Senator from New York, Bob Wagner, introduced it in the Senate—what was known as the Israel Resolution, the Flood-Wagner resolution. In that resolution, which was passed by the Congress, we declared this Congress in favor of the creation of a free and independent nation in Palestine to be known as Israel.

This soon came about, and after this new nation was established, I was invited by that country and by its congress—which they called the Knesset—to appear representing our country at the first session of the Knesset.

Down through the years this Nation and this House have looked with favor and with protection and with pride upon the creation, the birth, and the development of this great little country, Israel, and its people.

So today I join with my colleagues in the House in extending a deep and heartfelt sense of tragedy in this great loss of their great and well-known Premier Levi Eshkol.

Mr. REID of New York. Mr. Speaker, I thank the gentleman from Pennsylvania.

I yield to the gentleman from New York (Mr. McCARTHY).

Mr. McCARTHY. Mr. Speaker, I thank the gentleman from New York for yielding.

I join with my colleagues in expressing the profound sympathy of Mrs. McCarthy and myself to the family of the great and distinguished Prime Minister of Israel, Levi Eshkol.

This is a tragic loss for Israel and it is a tragic loss for the whole world, because Mr. Eshkol was a powerful force for peace and reason in the Middle East. And he was courageous in expressing his views on peace. It is a great loss that this influential spokesman will not be with us in furthering the urgent cause of peace in the Middle East.

Israel will miss this man, the United States will miss him, and the whole world will miss him.

Mr. REID of New York. Mr. Speaker, I thank the gentleman from New York.

I yield to the gentleman from Tennessee (Mr. KUYKENDALL).

Mr. KUYKENDALL. Mr. Speaker, today the whole world mourns the loss of a great and compassionate leader in the sudden death of Israel's Premier, Levi Eshkol. His death in this critical time of history is indeed a tragedy for his own country and for all the people of the Middle East.

Levi Eshkol was truly one of the outstanding statesmen of our time. In spite of years of armed conflict between Israel and the Arab Nations, actual out-and-out war involving the whole world has been kept at a minimum due to his tact, his determination to avoid war and his genius at inspiring his people.

I join with the people of Israel, Jews throughout the world, and all people of good will in mourning the loss of this great and good man. No greater thing can be said of him than those all-powerful and all-encompassing words, "He served his fellowmen."

Mr. REID of New York. Mr. Speaker, I thank the gentleman from Tennessee.

I yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, I associate myself with the remarks of the distinguished gentleman from New York and my other colleagues who have indicated their grief at the loss of the Prime Minister of Israel, Mr. Eshkol.

Almost two centuries ago, Edmund Burke stated:

> Men are much more important than measures.

A great leader gives his people real political and spiritual maturity. He lifts their eyes to great objectives, and makes them oblivious to the distance and difficulty of their attainment. He gives the ideals of democracy color, clarity and vividness, a dynamic quality, which elevates them and inspires them. Such a leader was Levi Eshkol.

A simple man possessing the great virtues, he assumed the highest office within the gift of his people to give and wrote an imperishable page in history as a noble leader. His wisdom, his commonsense, his humility, his perception endeared him to his people. He united them in their moment of greatest peril and his courage and insights brought them to a safe shore.

His loss is particularly poignant at this critical time when strife still separates Arab and Israeli. Eshkol looked to the day when in the land of the Bible swords would be beaten into plowshares and war would be made no more.

His memory will be cherished by all who love peace, freedom and humanity.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I am happy to yield to the distinguished chairman of the Committee on Armed Services.

Mr. RIVERS. Mr. Speaker, I should like to associate myself with the remarks of the distinguished gentlemen who have spoken.

I visited with the distinguished gentleman as an ambassador, and I have had a firsthand view of this great country and of its people, as well as this fine leader who has now had an untimely death.

It is a serious blow to the aspirations of all peace-loving peoples. It is a world loss. He was a great friend of our country.

Mr. REID of New York. I thank the gentleman.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman from New York (Mr. RYAN).

Mr. RYAN. I thank the gentleman for yielding.

Mr. Speaker, I wish to join my colleagues in this expression of grief and sympathy on the tragic loss of Premier Levi Eshkol of Israel. The news of his unexpected death at the age of 73 comes at a time when all of us are deeply concerned about the security of the State of Israel and about the necessity for the achievement of peace in the Middle East. Certainly no one was more devoted to that end than the Premier.

Premier Eshkol brought outstanding qualities of leadership and integrity to the Government of Israel and his death is a tragic loss for the people of Israel whom he so effectively led. As the second head of State in Israel's 21 years as a nation, Premier Eshkol led his country during the 6-day Arab-Israel War of 1967, when Israel repulsed an unwarranted attack by her Arab neighbors. His leadership then was crucial, and his subsequent efforts to bring peace to the Middle East established his reputation as a strong and compassionate leader.

Premier Eshkol came to Palestine at the age of 13 and participated in the great events that led to the founding of the State of Israel. He served his nation as a member of Parliament before succeeding David Ben-Gurion as Premier in 1963. As one who has consistently supported Israel's efforts to achieve security for herself and for the Middle East, I offer my deepest sympathies to the people of Israel at this time of mourning, and pay tribute to an outstanding leader who faithfully and effectively served his country as its head of state.

Mr. TIERNAN. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman from Rhode Island.

Mr. TIERNAN. I thank the gentleman for yielding.

Mr. Speaker, I want to join my colleagues and to be associated with the fine remarks of my distinguished colleague from New York at this time of tragedy to the State of Israel.

Mr. REID of New York. Mr. Speaker, Prime Minister Eshkol was a man of great warmth, of vision, of strength. He had a unique capacity to resolve differences. His contributions in personal terms and in agriculture, in finance, in defense, and perhaps above all through statesmanship and working toward an abiding and lasting peace, are very real and will provide, I believe, significant foundations for the future.

I join with all Members in expressing my deepest sympathy to Mrs. Miriam Eshkol, to other members of the family, to the people of Israel, and to the President and the State of Israel.

Mr. VAN DEERLIN. Mr. Speaker, with the death today of Premier Levi Eshkol, Israel has lost one of her greatest champions in what is perhaps her time of greatest need.

Like the nation he headed, Mr. Eshkol was a study in versatility, having served at various times in top posts in the ministries of defense, agriculture and finance before becoming premier in 1963.

It is my fervent hope—and expectation—that Israel now will be able to rally around her new national leaders in the trying days that lie ahead, for she is threatened as never before in her 21-year history by her hostile neighbors.

I personally am confident that Israel, as she has so often done in the past, will come through this latest crisis with colors flying. The brilliant leadership provided by Mr. Eshkol, and his predecessor, David Ben-Gurion, will be carried on by the new government to be selected after the mourning period for Mr. Eshkol.

For there is no shortage of talented statesmen in Israel. And the dedication of her leaders and people to the preservation of this gallant nation will, in my opinion, transcend any of the political differences which her enemies doubtless hope will now divide Israel.

Mr. ROSENTHAL. Mr. Speaker, I am grieved to hear the news of Mr. Eshkol's sudden death. Levi Eshkol was a man whose wisdom and judgment helped prevent another round in the Middle East war. Although tensions remained high in recent months, Mr. Eshkol was an ardent supporter of mediation efforts and a just settlement with the Arab countries.

Mr. Eshkol was a master at conciliation. He achieved political compromises where others could not. Mr. Eshkol never lost sight of his overriding goal and the overriding goal of his country: an Israel whose political sovereignty and territorial integrity remain intact and respected by her neighbors. Although less fiery than his critics may have desired, he was resolutely determined to achieve peace in the Middle East.

Both Mr. Eshkol's political flexibility and his commitment to Israel's security were evident in his interview appearing in the February 17, 1969, issue of Newsweek. He stated:

> The present cease-fire lines will not be changed except for secure and agreed lines within the framework of a final and durable peace. We must discuss new borders, new arrangements.

But he also was reported as saying that Israel was flexible about every aspect of a peace settlement except that she was determined to keep the Golan heights in Syria and all of Jerusalem and to have troops stationed along the Jordan River and at Sharm el Sheik.

Eshkol was not only a patriot, he was also a realist. In the midst of a political fight, he would consistently be the man to find the one common strand of agreement.

An outstanding leader is now dead; it is not only Israel's loss, but the world's as well.

Mr. MURPHY of New York. Mr. Speaker, the world today mourns the death of a great man.

Premier Levi Eshkol, only the second man to head Israel's Government during the Jewish State's turbulent 21-year life, was a politician's politician, a brilliant man and a friendly man.

His death at the age of 73 after a heart attack robs not only his nation and the turbulent Middle East but the world of his calm wisdom in a time of intense crisis.

A native of the Ukraine, Eshkol came to Palestine at the age of 13 and was active in the Jewish labor movement and the Haganah army which fought for the establishment of Israel. From Israel's founding in 1948, he served first as Director-General of Defense, then as Agricultural Minister and from 1952 to 1963 as Minister of Finance.

Eshkol succeeded David Ben-Gurion as Premier in 1963 and headed the Government during Israel's lightening victory over the Arabs in the June 1967 war.

I had the great honor to personally meet with Premier Eshkol. His loss, therefore, is a particular loss to me and I mourn with great sadness the death of a warm and gracious friend.

Mr. DULSKI. Mr. Speaker, the passing of Premier Levi Eshkol of Israel is a great blow not only to his home State of Israel but to the entire free world.

The second man to head the Government of Israel during its 21-year life, Premier Eshkol had won high respect for himself and for his people.

Several of my friends in Buffalo, N.Y., who have visited Israel, have told me of the wonderful work which he was doing for his countrymen.

He was Premier since 1963 and became known as a politician's politician. Premier Eshkol had the great ability to compromise policy disputes and to bring harmony when it was most needed.

The sudden passing of Premier Eshkol, after he had appeared to have recuperated fully from an earlier heart attack, is a great loss to the cause of Israel.

Mr. HOLIFIELD. Mr. Speaker, I was greatly saddened at the news of the untimely passing of the Premier of Israel, Levi Eshkol. His death at a time when steady hands are needed in Israel and other countries of the Middle East raises new and serious dimensions of concern for the United States. I was also surprised to learn that the official representative of the United States at Mr. Eshkol's funeral would be the Secretary of Health, Education, and Welfare of the new administration. I believe that this implies an inadequate level of support for an important ally in an important area of the world. President Nixon must, of course, accept the responsibility for this level of representation.

Mr. Speaker, no one wants more than I do to see the establishment of an enduring and stable peace in the Middle East at this time. The road to such peace, however, is a long and tortuous one with few shortcuts available to us or to the immediate parties of the conflict. The imposition of a two-power or four-power settlement would hardly lead to an enduring peace; the most enduring and stable arrangement will have to be found by a face-to-face meeting of the Arab nations with the leaders of Israel.

The fortunes of the United States and Israel are inextricably linked in the Middle East. At this time, although we have interests in other Middle Eastern nations, we have no firm allies there other than Israel. I do not accept this situation as a permanent one, nor should it be accepted as permanent. While the Arab nations have been rallied into a superficial alliance and goaded into a brothers-in-arms spirit by Nasser of Egypt, several of these Arab nations realize that Nasser has led them down the path to ignominy and defeat in the past and may do so again. The Soviet Union has begun to realize the heavy price of dealing with fanatics, and it is no coincidence that the Soviets have taken a cautious approach in moderating their re-arming of the dangerously provocative leader of Cairo. Ultimately the other nations of the Arab bloc will realize that there is more to be gained by stabilizing relations with Israel than there is to be gained by maintaining a continuing state of mutual terror and fear.

A further consideration which concerns me is the diminishing stature of the United Nations as a source of stability and reconciliation in the Middle East. At present, the U.N. enjoys the confidence of none of the parties in this tragic situation. This is not entirely the fault of the United Nations membership as a whole. It is the fault of the major powers which dominate the Security Council and who do not find it in their interest to push for an effecetive U.N. role in the Middle East. While the negotiations which will be necessary must be between the Jews and the Arabs, there is much that the U.N. could be doing to set the stage for such talks.

Finally, I would say this word to our allies in Israel: the United States is a huge and powerful nation, not to be forced into confrontations by its smaller allies' reckless or ill-timed actions. New leadership now comes to the fore in

Israel. Since we are firm allies, there must be a spirit of communication and consultation in our relations, not a spirit of fait accompli. The Beirut airport incident was a fait accompli. We will not be pulled by the tail into a dogfight in the Middle East; by the same token, we will not permit our tail to be stepped on or twisted by the fanatics in Cairo or those circles in the Soviet which are playing games in the already troubled waters of the Middle East.

Mr. ADDABBO. Mr. Speaker, the world has lost a statesman with the untimely death of Israel's Prime Minister Levi Eshkol.

A farmer, Levi Eshkol, became an economic expert for the Israel Government prior to his selection as Prime Minister. One of the earliest pioneers of the Jewish state, Eshkol was liked by all political factions and was able to form a united government for Israel.

He was a man who loved people—an unassuming man but a leader of great vision. Not a military-oriented man, he was able in January 1968 to successfully negotiate the purchase of 50 Phantom supersonic jets from then-President Lyndon B. Johnson. Levi Eshkol led his nation during the Israel victory in the 6-day war but turned his attention quickly to the search for a lasting peace in the Middle East.

He was candid and open as a diplomat. Just 3 weeks ago in an interview for Newsweek magazine, he said that he would "go to Cairo tomorrow" if Nasser would discuss peace.

Mr. Speaker, we have lost a man of the people and a compassionate leader. For the sake of world peace, I hope the people of the Middle East and the leaders of nations in that troubled area will not let Levi Eshkol's search for peace go unfinished.

Mr. MIKVA. Mr. Speaker, I rise to join my colleagues in mourning the passing of Premier Levi Eshkol of the State of Israel. His kind of leadership is always in short supply. In these trying times—trying most especially for Israel and her people—Levi Eshkol's compassion and understanding were most needed. As the New York Times said of Mr. Eshkol yesterday, despite his tumultuous political career he "remained a conciliator at heart, a gentle man who seemed the least likely person to lead a nation into the most spectacular triumph of its two-decade history, the 1967 war."

In 1963 when Levi Eshkol succeeded David Ben-Gurion, to whom he had been a top aid in the early 1960's, he became only the third premier in Israel's history. During the days of increasing tension in 1967, and during and after the 6-day war, Mr. Eshkol guided Israel with dignity and restraint. Both for David Ben-Gurion and later for himself, Mr. Eshkol proved himself the master of concilliation, reconciling seemingly irreconcilable factions to keep a strong and viable government together.

It is appropriate that the Israeli Government has chosen to allow Levi Eshkol, the first premier to die in office, to be buried on Mount Herzl, named for the father of Zionism, with the founders of the nation which he helped to lead.

Mr. RODINO. Mr. Speaker, I was deeply saddened to learn of the death of Prime Minister Levi Eshkol, of Israel, and I want to pay tribute to the memory of this great world leader.

Levi Eshkol was Prime Minister of Israel since 1963, but before then he had achieved a magnificent record of service and dedication to his chosen land. He came to Israel in 1913, before this bastion of democracy in the Middle East was established as an independent state, and he had a valiant and vital role in the long struggle for statehood and economic development of Israel. As Prime Minister during the perilous years when Israel's very survival was at stake, he led his people with wisdom, courage, and firm determination, never doubting the outcome. Yet throughout these difficult times he maintained a calm and moderate outlook, seeking only to assure the integrity of Israel and to find a just solution that would bring peace to this most troubled area.

The passing of this unique man is a loss to the whole world and to the cause of freedom and peace. But he has left a wonderful heritage of statesmanship, humanitarianism, and courage to guide his people and the leaders who must now carry on.

Mr. BURTON of California. Mr. Speaker, the death of Prime Minister Levi Eshkol is a cause of sorrow for the people of Israel. It is also a loss to the world which looked to his capable leadership and his strength to maintain the peace in the Middle East. While the people of Israel will mourn for him, they are also keenly aware of the potential threat which the untimely death of this great man may present to them.

Prime Minister Eshkol fought to establish his nation and served its people in various positions of responsibility since 1948. Since 1963, when he became Prime Minister, he has used his plentiful talents to preserve and protect Israel and to defend her people. His death is a great loss and cause for sadness.

It would be tragic, indeed, if Israel's Arab neighbors should, in the transitional period that must follow this loss, enter into a reckless military adventure. For while attention may be diverted to the political realm in Israel and differences may exist, as they must in any healthy democratic society, there is a common bond, a common cause, a common dedication to the preservation of Israel which transcends all other considerations which face her people. It would be folly for anyone to misjudge this.

The people of Israel have lost a leader who served them well. They have lost a man of strength but their strength is not alone in their leaders but in themselves, in their faith in their destiny, and in their love of the Israel which Levi Eshkol helped to conceive and which he served until his death.

Mr. WOLFF. Mr. Speaker, all men of good will mourn the passing of Levi Eshkol, the late Premier of Israel. During the past 6 years Mr. Eshkol provided Israel with dynamic, constructive leadership that was as committed to peace as it was to the preservation of his homeland.

It was Mr. Eshkol's enduring devotion to his homeland that reminds me of our pioneers of the last century. Premier Eshkol migrated to Palestine at an early age and the rest of his long and productive life involved him in the founding and then the development of Israel. Like the great men that made our country what it is, Premier Eshkol and his fellow countrymen set out to build a healthy, viable, free nation in which all peoples could live under democratic order.

The establishment of Israel and its subsequent development in the midst of hostility required men of restraint and strength, diplomacy and forthrightness. Premier Eshkol embodied these qualities and had special skills as an economist and administrator.

Especially striking was the late Premier's desire to reach a lasting peace agreement with Israel's neighbors. Mr. Eshkol's desire for peace was as strong as his desire to see Israel survive as a viable nation.

Levi Eshkol understood the meaning of being in the Middle East during a most crucial period in that historic part of the world. He was a strong adherent to the democratic principles of the Western World and was a friend of the United States and the other free nations of the West. He was our ally in resisting the intrusion of communism into the Middle East and at the same time sought to preserve the unique character of that part of the world.

My condolences go the Premier's family and his countrymen with whom we share the loss of this able servant of freedom.

Mr. MORSE. Mr. Speaker, the passing of Prime Minister Levi Eshkol is a cause for sorrow for the people of Israel. As his successor, Mr. Allon said:

> He was a man of the people who remained one of the people. We have lost a brother, a friend and a leader.

His death is also a loss to the world which looked to his strong and capable leadership in dealing wisely with the tense and complex problems facing Israel and in maintaining peace in the Middle East.

His life encompassed and paralleled the entire history of modern Israel, from the reclaiming of the desert wastes, through 20 years of striving for statehood, to its achievement in 1948. As a fighter, farmer, union leader, and foreign envoy he worked for the creation of the state, and then led it through its formative years as he rose to become Minister of Agriculture and Development, Minister of Finance, and, since 1963, Prime Minister.

His love for his country and his desire to live in peace was resolute. Levi Eshkol was a patriot, yet a realist; a strong and decisive statesman, yet a master at conciliation in the most difficult political issues. His total commitment to the welfare of his nation did not preclude the political and diplomatic flexibility vital to working amid high tension toward the peaceful settlement of the complex problems of the Middle East.

I am glad to note that those who are now faced with the continuing and awesome responsibility of preserving the security of Israel and peace in the Middle

East have agreed to maintain his policies. We who are concerned with and dedicated to the integrity of the Israeli nation, peace in the Middle East and in the world, will continue to uphold the goal of peaceful settlement that Mr. Eshkol so deeply hoped for. As former Supreme Court Justice and U.S. Ambassador to the United Nations, Arthur Goldberg, recently said:

> Our renewed efforts to create . . . (a) just and lasting peace in the Middle East . . . would be the finest memorial to Levi Eshkol.

Mr. TUNNEY. Mr. Speaker, I wish to express my profound sorrow at the passing of Israel's Premier Levi Eshkol. It is a rare event in history when the passing of one man marks the end of an era. Such a moment was exemplified last week when the world was saddened by Levi Eshkol's death. Israel's leader was a man of great strength yet his humble beginnings ingrained in him an understanding of and compassion for his fellow man. Premier Eshkol valued reason above emotion and understanding above hate.

Walter Lippmann once said:

> The final test of a leader is that he leaves behind him in other men the conviction and the will to carry on . . . . The genius of a leader is to leave behind him a situation which common sense, without the grace of genius, can deal with successfully.

Levi Eshkol passed both of these severe tests of leadership. Coming to power in a demanding and difficult situation, he acted with restraint and commonsense where others might have precipitated total conflict.

It is clear that the Middle East is in the throes of great turmoil and the memory of the restraint of Levi Eshkol must serve to illuminate a path toward peace. To say that the task of Israel's new generation of leaders will be difficult and perilous would be an obvious understatement.

Walter Lippmann said further:

> Surely the task of statesmanship is more difficult today than ever before in history. . . The distance between what we know and what we need to know appears to be greater than ever. . . . Nor can we keep to the problem within our borders. Whether we wish it or not we are involved in the world's problems, and all the winds of heaven blow through our land.

Let us here in the United States heed these words in our search for world peace and in our world involvement let Levi Eshkol's memory of restraint and commonsense serve to illuminate our path.

Mr. MATSUNAGA. Mr. Speaker, we in the United States felt a particular sadness upon hearing of the death of Levi Eshkol, Prime Minister of the State of Israel. Mr. Eshkol was a friend of the United States and of all freedom-loving peoples throughout the world. He served his nation through trying times, from the birth of the state in 1948, through three wars, through an unprecedented period of economic growth, through international crises, and during the time of mass immigration of disfranchised Jews from everywhere. The era of Levi Eshkol and his fellow countrymen, an era indelibly marked in history as one of great achievements, is one that will remain in the memory of men as a time of heroic deeds.

But Levi Eshkol was not the usual hero type; he was a quiet man, with a sense of humor and a deft grasp of the art of statesmanship. Presented with the alternatives, he did not waiver or hesitate, but made a firm decision, which usually proved to be the right one. He was at once a man of one-word answers for complex problems of state and of the rambling jokes he loved so well, often told in his favorite Yiddish vernacular. To an opponent in the Knesset, Eshkol was a formidable debater, and to a small child in a Kibbutz, he was a lost grandfather. He could calculate with equal ease the amount of financing necessary for an irrigation project or the amount of water needed for one tree. Levi Eshkol was a pragmatist with a state budget and a dreamer when discussing the future of his nation and his people.

Let those who would honor Levi Eshkol remember that the greatest monument which can be erected to his memory is the continued existence of the State of Israel. The people of Israel have lost their Prime Minister, but the people of the world have lost an advocate of peace.

Mr. KOCH. Mr. Speaker, Levi Eshkol, a prince of Israel, has died. He died in the service of his people, a people having a tradition going back 5,000 years. Understandably, there is pain in the breasts of those who loved him, and this would not be limited to his immediate family but encompasses the Jewish people all over the world. The Jewish religion particularly comforts in a time of bereavement. We are enjoined from grieving at a time of death, because we believed good men live on by their works and through their children; and in his case, he lives on in the hearts of the entire Jewish people, who thought of him as a father. There is a Talmudic statement oft quoted which goes as follows:

> From Moses to Moses, there is no one like Moses.

Undoubtedly, the name of Levi Eshkol in generations to come will be similarly revered.

Those of us in this 91st Congress, Jew and gentile, who wish to make certain that the dream of the sages in ancient Babylon poignantly stated more than 2,000 years ago, "If I forget thee O Jerusalem, let my right hand forget its cunning," must in this generation never forget the safety of Jerusalem and the people of Israel.

Mr. COHELAN. Mr. Speaker, the State of Israel suffers a dreadful loss in the death of its revered Prime Minister, Levi Eshkol. He exemplified not only the highest qualities of leadership but also the abilities of a master craftsman in the art of government, and he will be sorely missed in the world community.

From the time he came to Palestine as a young student in 1913 till his death at the age of 73, Levi Eshkol worked courageously and effectively on behalf of the land, the nation, and the people he loved. As a soldier in the Jewish Legion, as Director General of the Ministry of Defense, as Minister of Agriculture and Development, as Minister of Finance, and finally as Prime Minister, he mastered the intricacies of establishing and governing the new nation of Israel.

Throughout Israel's challenge and travail Levi Eshkol was unwavering in his steadfast dedication to the betterment of his people and to all of humanity. In the face of the hostile forces which have surrounded Israel, he remained calm, confident that the cause of his beloved country is just. He has not feared to negotiate, but he has been firm in his insistence that the security, integrity, and independence of Israel are not negotiable.

The United States has lost a great friend and understanding ally. The world is poorer for the passing of a proud and compassionate leader. I join with my colleagues in Congress in extending to the people of Israel my most sincere sympathy. The Kaddish intoned around the world testifies to the fact that we all share their grief.

Mr. CAREY. Mr. Speaker, from the day in 1913 when he first arrived in Palestine, Levi Eshkol was a man of the soil. His first home was on one of the agricultural settlements that were striving to build a refuge for the lost and homeless Jews of the world. He learned early that the land of Israel was a harsh master, for the struggle to make the land productive and fruitful required more than just work—it demanded a devotion and determination often beyond the capabilities of most men. Those first pioneers in Israel were men and women with a vision of a new land—a new land to be built at all costs on the decayed ashes of a pledge made centuries before by a downtrodden people.

The lessons of those laborious years were not wasted on the young Levi Eshkol. He was to remember that whatever was worth having, was worth working for. The rewards did not come early nor quickly, but with patience, dedication, and effort.

As Minister of Finance for his nation, he established goals for the economy and Israel reached them, despite the fact that no other nation in history had ever achieved such heights in development so quickly. The dream and the reality were somehow merged in Levi Eshkol. He saw the dream and turned it into the reality.

As the Prime Minister of Israel, Levi Eshkol's leadership qualities were all the more evident. Under his guidance, the Israelis withstood the Arab challenge of 1967, and emerged from the battle unscathed and victorious. Until his final moments, Levi Eshkol was searching for the elusive Middle East peace which would have freed his nation from the burdens of defense and turned its full efforts toward the development not only of Israel, but of the whole region.

To the people of Israel, we in the United States extend our most heartfelt condolences at the loss of their great statesman. We share, in part, their loss, for Levi Eshkol was our friend and a champion of freedom for all men.

Mr. MINISH. Mr. Speaker, I rise to express my profound sadness at the death of a great leader of the free world, Premier Levi Eshkol, of Israel. Premier Eshkol, a brilliant man who dedicated his life to the preservation of peace and to the development of Israel, will be sorely

missed, not only by his brave countrymen, but by people the world over who shared his belief in democracy and freedom.

As a young man, Levi Eshkol felt persecution in his native Russia and settled in Palestine in 1914. After the establishment of the State of Israel in 1947, he rose quickly to a well-deserved position of influence and power in the new Government. As Minister of Finance from 1952 to 1963, Eshkol became the driving force behind his nation's phenomenal economic growth and development. Since 1963, when he rose to the position of Premier, Levi Eshkol has provided Israel with strong and resolute leadership during its most trying and crucial years.

Mr. Speaker, the tremendous achievements of Israel over the short span of two decades will stand as a lasting monument to Levi Eshkol's inspiring life. He lived to see his adopted homeland transformed from a barren desert to a thriving, free society, populated by hardworking and courageous citizens. We all pray that his last dream—that Arabs and Israelis might someday prosper together as peaceful neighbors—will soon come to pass. Mrs. Minish joins me in offering sincere condolences to Premier Eshkol's wife and children.

Mr. GIAIMO. Mr. Speaker, we were all shocked and saddened by the sudden and untimely death of Prime Minister Levi Eshkol. I join with my colleagues in Congress, and men of good will everywhere in mourning the passing of this great statesman and respected world leader.

Prime Minister Eshkol devoted 60 years of his life to the service of his country. At the age of 13, Mr. Eshkol left his home in Eastern Europe and journeyed to Palestine in search of a new and better life. As he worked and learned and grew into manhood, his leadership abilities became apparent. Zionist leaders recognized these abilities and employed his talents in promoting a Jewish homeland both at home and abroad. He did his work well and was instrumental in the fulfillment of the age-old dream of a free and independent Jewish State of Israel. With independence a reality, he continued working untiringly to insure the success of Israel as a member of the world community.

Mr. Eshkol succeeded Prime Minister David Ben-Gurion in 1963 and led the State of Israel through one of the most treacherous periods of its existence. During the 1967 crisis, Israel was threatened with annihilation by her enemies. His calm and courageous leadership gave strength to his people throughout the crisis and Israel was preserved.

Under the leadership of a lesser man the Middle East situation might have exploded in a massive conflict. A conflict which could have ultimately involved the nuclear powers. For this alone the world is truly in Levi Eshkol's debt.

Mr. Speaker, his loss will be sorely felt, not only by the people of Israel, but by the people of the world. Let us hope that Mr. Eshkol's successor will possess the same fine qualities of patience, restraint and wisdom that made him such a great and respected leader.

GENERAL LEAVE

Mr. REID of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the passing of Premier Levi Eshkol.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Finally, Mr. Speaker, if there are one of two sentences which might be quoted from the late Prime Minister, perhaps it would be appropriate to quote from a recent interview reported in Newsweek. I believe this is worth thinking about for the future.

Prime Minister Eshkol said:

> Let me say, clearly and unequivocally, there will be no return to the situation preceding the June war. The present cease-fire lines will not be changed except for secure and agreed lines within the framework of a final and durable peace.

Let it be the hope of this House, in expressing our sympathy to the people of Israel, that indeed there will be meaningful progress toward a real and lasting peace.

PROPOSED MANDATORY PRISON SENTENCE TO PERSON CONVICTED OF FELONY WITH A FIREARM

(Mr. MONAGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONAGAN. Mr. Speaker, today I am introducing legislation which I believe to be an important adjunct to the Gun Control Act of 1968; namely, a bill to provide an additional mandatory prison sentence to any person convicted of committing a felony with a firearm.

While I do not advocate that these stricter penalties for felons who commit crimes with firearms be a substitute for regulations which make it more difficult for potential criminals to purchase firearms, I do think that having expressed our desire to reduce the alarmingly high incidence of crimes perpetrated with guns in this country through the Gun Control Act of 1968, we should implement the force of this law by imposing an additional period of punishment for a felon's use of a firearm to commit his crime.

Although the Gun Control Act of 1968 may well cause some reduction in the incidence of gun-related felonies, we need only read the newspaper each morning to comprehend the extreme urgency to find some means of penalizing the use of firearms by persons intent on committing a crime. The amendment which I propose provides such means.

I have in the past expressed my deep concern for the alarming increase in the incidence of crime in this country. On February 5, 1969, I introduced House Resolution 220 to establish a Committee on Coordinated Crime Control as a select committee of the House to coordinate efforts on the part of the enforcement officials at the different levels of government.

At that time I warned, and I repeat that warning today, that we must place our faith in democratic enforcement of the law, and we must also strengthen our efforts in the traditional form. Keeping that warning uppermost in my mind, I offer this bill today which will further strengthen anticrime efforts within the traditional democratic process.

This amendment to the Gun Control Act of 1968 contains two provisions which I expect to act as deterrents to firearms use.

A first offender under this subsection must be sentenced to at least 1 but not more than 10 years imprisonment, in addition to the penalty provided by the court for commission of such felony. A second offender under this subsection would, in addition to the penalty provided by the court for the commission of such felony, have to be sentenced to a term of imprisonment for not less than 5 nor more than 25 years. A court finding a person guilty of a second offense under this subsection would be prevented from suspending the sentence of such person, and the term of imprisonment imposed under the subsection would not run concurrently with the term provided for the commission of the principal felony.

While I intend this amendment to act as a deterrent to the resort of firearms by providing for additional penalties, I have intentionally refrained from making either provision inflexible in order to allow a sentencing judge to fashion the penalty, within reasonable limits in relation to the gravity of the offense, to the particular circumstances of each case. While imposing a 1-year minimum and a 10-year maximum on a first offender, I have refrained from putting any further limitations on the court of jurisdiction. A sentencing judge may, in the case of a first offender, provide anywhere from 1 to 10 years imprisonment, suspend the sentence, or give a probationary sentence. While for a second offender under the subsection the minimum sentence is 5 years imprisonment and the maximum 25 years, the sentencing judge may, in a proper case, utilize the probationary sentencing procedure.

I think my proposed amendment will do much to strengthen our anticrime efforts within the traditional democratic form, and will further protect law abiding citizens from those individuals in our society who choose to violate the public order by resorting to firearms to perpetuate their unlawful schemes.

I sincerely hope that this legislation will be given early and favorable consideration by the Congress.

AMBASSADOR EDWARD CLARK HONORED AT LAREDO AS "MR. SOUTH TEXAS OF 1969"

(Mr. KAZEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and to include extraneous matter.)

Mr. KAZEN. Mr. Speaker, for 72 consecutive years, the city of Laredo, Tex., has held a Washington's Birthday celebration honoring our Nation's first President. Of the many activities held during this historic occasion, one of the most outstanding events is the one honoring a citizen of south Texas and designating him as "Mr. South Texas" of the year.

The person selected to receive this honor is one who has made an outstanding contribution to the progress, growth, and development of this entire area. The recipients of this great honor and distinguished award have come from many fields—education, business, government, and civic affairs. A former distinguished Member of this House, the Honorable Joe M. Kilgore, is among those who have been so honored.

At this year's celebration, the honor and award went to one of south Texas' most illustrious sons, the Honorable Edward Clark, U.S. Executive Director of the Inter-American Development Bank. Ambassador Clark was cited for his contribution in various fields of endeavor. The presentation of the award was made at the President's luncheon on Saturday, February 22, 1969, by the popular mayor of the city of Laredo, the Honorable J. C. "Pepe" Martin, Jr.

The remarks made by Mayor Martin very eloquently describe the many and great contributions made by Ambassador Clark, and I insert them in the RECORD so that all may become aware of and take pride in the achievement of this great American.

Following the stirring introductory remarks made by Mayor Martin, the Honorable Edward Clark then addressed the President's luncheon, and in view of the distinguished career that this outstanding citizen has had and the great public service that he has rendered this State and his country, I also take great pride and extreme pleasure in inserting Ambassador Clark's remarks in the RECORD.

The addresses referred to follow:

REMARKS OF HON. J. C. MARTIN, JR., MAYOR OF LAREDO, TEX., PRESENTING HON. EDWARD CLARK—"MR. SOUTH TEXAS OF 1969"

Ladies and gentlemen, this tribute luncheon at which we have assembled today to honor a distinguished native son of Texas is a cherished privilege for the citizens of Laredo. It is our fervent hope that the occasion strikes an equally responsive chord within the heart of the man we honor today as "Mr. South Texas" of 1969—the Honorable Edward Clark of Texas, U.S.A.!

As I've sat here this afternoon and watched people from all walks of life challenge the capacity of our auditorium, the prophetic words used by Judge J. J. Ficher, of Beaumont, to describe the public's admiration and affection for his brother-in-law have never left my mind.

"Ed," the Judge counseled, "You'll always draw a crowd!"

That personal appraisal of the magnetic qualities of Edward Clark—his character and his effervescent personality—has been substantiated once again in Laredo today as the cascading current generated by this afternoon's affair has literally engulfed us.

As attested by his legions of friends and well-wishers here today—Ed Clark has proven in one fell swoop that he's no ordinary man.

And I'm confident those closest to him will testify that this was made possible by the fact that he is not, and has never been, a disciple of sophisticated and unrealistic standards, nor of unanchored senses of values. And I know that they—like we—take pride in the fact that his successes have accumulated from an undaunted faith in his fellow man, an unrequiting loyalty to those he calls his friends, and a near-reverent love for the people and the traditions that are part and parcel of his beloved State of Texas.

You may well ask on this occasion, what was the background and what were the traditions and circumstances that forged and blended in the character and talents of this lawyer—banker—citizen statesman? He was reared in the piney woods of East Texas among a citizenry who practiced the homely virtues and drew their strength from frequent contact with the bosom of mother earth. Their work and their worth were measured by their diligence and the development of faculties capable of the severest discipline and yet they possessed the saving grace of humor and drank deeply of the pure joys of generous friendships and mutual high enthusiasms. They were not prone to appear as "cock-sure" reformers leading quixotic crusades nor jump to hasty and ill-grounded conclusions—but in common walks, with clear seeing intelligence, the courage to act and the skill to perform, they advanced themselves, helped their fellow men and aided the state along the lines of enduring progress.

Of such men the poet sang when he eloquently wrote:

> "And there is neither East nor West
> Border, breed nor birth
> When two good men stood face to face
> Though they came from the ends of the earth."

Ed Clark was one of four children—two sons and two daughters—born to his parents, John David and Leila Downs Clark in San Augustine. The sole surviving man of his family, Ed, has always been and remains closely attached to his mother, who still resides in San Augustine, and to his two sisters, Mrs. Leola Clark Butts of San Augustine, and Mrs. Kathleen Clark Fisher of Beaumont.

We regret that circumstances prevented Ed's lovely mother from being with us on this proud occasion, but we are happy that his two sisters, with their husbands, are here and adding beauty and dignity to our program.

Ed has always been fiercely proud of the fact that his forefathers arrived in Texas in 1842, when Texas was still a republic. It is also a constant source of pride to him that he is one of 24 living members of the Order of San Jacinto, membership of which is restricted to people whose families lived in Texas between 1836 and 1848.

Early in life, Edward Clark determined to make law his vocation. Toward this end, he enrolled in Tulane University, at New Orleans, La., where he received a B.A. Degree in 1926. He later received his LLB from the University of Texas in 1928.

While at Tulane, Ed met a young lady destined to be the inspiration of his illustrious career. She was Anne Metcalf, who was born on a plantation owned by her grandparents in Washington County, Mississippi. Steeped in the tradition of the Old South and a beauteous Southern Belle in every sense of the term, Anne was a student at Sophie Newcomb College when she met her future husband.

A whirlwind courtship won Ed Clark his first important case: He and Anne, then just 18, were married December 27, 1927.

To this union was born one child, a daughter, Leila, who grew into a beautiful and charming young woman.

Leila re-established the family's affinity for the legal profession by wedding a then budding young attorney, Douglas C. Wynn, who successfully practices law in Greenville, Mississippi, where they make their home. Laredo is most proud to have them with us this afternoon and we know their presence makes our tribute to our honor guest complete.

Mr. and Mrs. Wynn have blessed the lives of the Ed Clarks with four grandchildren—three girls, Anne, Margaret, Martha and finally, a boy, Billy. And there's nothing their grandfather relishes more than raring back and telling all the world—Mississippi included—that they're sixth-generation Texans!

Ed Clark will be the first to admit that things were tough the first few years of his marriage.

"I borrowed $150 to get to Austin with my wife and baby to seek my fortune," Ed will tell you. He quickly follows up, though, with "I made it after I got there. The good things that have come to me cannot be forgotten!"

Admitted to the Bar in 1928, he began his career as County Attorney of San Augustine County and subsequently ascended to the positions of Assistant Attorney General of Texas; Administrative Assistant to Governor James Allred of Texas; Secretary of State of Texas; Special Assistant to the Attorney General of the United States, and Special Counsel to the Board of Regents of the University of Texas. The law firm he heads in Austin today—Clark, Thomas, Harris, Denius and Winters—is one of the most noted and outstanding legal firms in Texas. Throughout his varied and vast career in his chosen profession, Ed Clark pursued—the articulate principles of the law with the ardent conviction that the law is not alone the punishment of crime or preservation of property rights but reaches its pinnacle of perfection in the expansion and protection of the interests of humanity—writing its judgments clearly—so that neither shall the mighty crush the weak, nor shall the lawless destroy the law—but humanity shall ever be her abiding and guiding star.

Throughout his life—from the hard times to the good years—Ed's great love, next to his family, has been for the stage upon which he has spent most of his life—Texas. His loyalty and love for his state and his fellow Texans have continued to ripen with the years.

Ed paid his first visit to Laredo some 35 years ago when he accompanied the late Governor, James Allred, here for—appropriately enough—Washington's Birthday Celebration. And I'm proud to say that he's returned every year since for the celebration when circumstances have permitted.

We all know that Ed Clark's forte is personal—or person-to-person—relations. I cannot help but feel his exposure to the two blended cultures that he has encountered in Laredo and Nuevo Laredo impressed him with the fact that we Americans can live together, plan together and work together with other people for common goals and mutual benefits.

It is also my personal belief that Ed Clark knows—as do few non-border residents—the great potentialities and influences that Mexico's booming economy and cultural achievements hold forth to the people of Texas.

Ed has branded himself as a "tough businessman." This no doubt is true, but those close to him also describe him as an aggressive and progressive banker.

Aggressively jolly by nature and always anxious to develop new friendships, Ed has led many newcomers to laugh at his jokes and indulge in his reminiscences without being aware they were being studied by the cool, level, evaluating eyes as they peered behind the rimless glasses of a very shrewd man. Commanding those eyes is the brain that built the borrowed $150 "stake" into a personal fortune of several million dollars.

Ed's business acumen has won him the chairmanship of the Board of the Capital National Bank of Austin and the presidency of the First National Bank of San Augustine as well as directorships in the San Benito Bank and Trust Co., the Telecom Corporation of Georgetown, Red Ball Motor Freight. Incorporated of Dallas, and places on the Board of the University of Texas Law School

Foundation and Texas Southern University at Houston.

In between, Ed has found time to serve his country as U.S. Ambassador to Australia, as Federal Commissioner to HemisFair '68, and, of course, through his present duties with the Inter-American Development Bank.

Ed Clark's opportunity to apply his philosophy and talents to his country's foreign policies resulted from Australian Prime Minister Sir Robert Menzies' visit to Washington in mid-1966. Sir Robert urged President Lyndon B. Johnson to name as resigned Ambassador William C. Battles successor, "a close friend, someone you have confidence in—someone who can ring you on the telephone and get through to you." Sir Robert told the President, in answer to a question, "I think a Texan would be great—as long as he's a Texan who knows you very well."

"Mr. Prime Minister," President Johnson declared, "I've got your man!"

Edward Clark went to Canberra, as U.S. Ambassador, under a mandate from President Johnson to get to know Australia and Australians—not only in the area of officialdom, but in all walks of life.

With the help of a ready, capable and gracious workmate in his wife Anne, Ed Clark set out to fulfill his President's mandate.

Our friend in the land from Down Under had not long to wait to meet the new Ambassador. He had but shortly arrived when he initiated a new people-to-people diplomacy that broke all barriers to diplomatic contact. For the first time, he opened the American Embassy to all visitors and segments of the Australian people. He went forth through the Country to meet and talk with the people on their farms, in their fields, in their cities and their factories. He brought the advantages of the diplomatic service from behind the walls of the embassy directly to the people and within a short period had completely captured and captivated the hearts of all Australia.

During his service in Australia, Ed told a newsman, "In these days of big government and big publicity, it is easy to think that foreign relations are solely matters of official business. In a certain sense, government servants are the junior partners in the business of international understanding, because in free societies foreign relations are strongly in the hands of the people themselves."

I cannot help but believe that our Honor Guest's previous visits to Laredo, where he saw the Good Neighbor Policy practiced daily between the people of the two Laredos, helped form this political philosophy.

Returning to the U.S., fate maneuvered Ed into positions to serve another area of the world for his country, through his responsibilities as Federal Commissioner to HemisFair '68, and when he accepted the office of Executive Director of the Inter-American Development Bank.

HemisFair proved an excellent introduction to the family of Latin American nations, many of whose economies are closely tied with those of South Texas.

In naming Ed Clark as Executive Director of the Inter-American Development Bank, following the signing of the Organization of American States Treaty Amendment on April 23, 1968, President Lyndon Johnson told the assembled representatives of the American family of Nations present:

"I want to take advantage of this occasion to introduce all of you to a distinguished American who will be playing a key role in the days ahead in our relations with Latin America.

"The man I have reference to has just completed a tour of duty as our Ambassador to Australia. In that position, I believe that he learned and understood and knew more about the geography of that country, its resources and its people and had more interest in them than most ambassadors are able to display or to accumulate in that brief period.

"He did such an outstanding job that when I gave thought to the selection of someone as United States Executive Director of the Inter-American Development Bank, someone who I wanted to know the geography of Latin America, someone who I wanted to know the resources of Latin America, someone who I wanted to know the people of Latin America and to bring all three of these together in the way that the Inter-American Development Bank could play its major role and the United States of America could give its major contribution, I asked Ambassador Clark to take this assignment.

"The Bank, as you know, is the financial cornerstone of our Alliance for Progress.

"It gives me a great deal of pleasure to wish Ambassador Clark well in this new assignment and to say to our friends in Latin America that I don't know of an individual in this country who could or would or can or will display more interest in your problems or do more about helping you solve them." So spoke the President of the United States.

Such was the background of influences which were melted and moulded in the crucible of Ed Clark's character and genius, and such were the faculties that have endured throughout his eminent career. Such are the qualities that make him equally at home, at a country fireside or counselling a president; participating in the varied functions of our Washington's Birthday Celebration to which he has returned year after year, or directing with untiring zeal and profound judgment the intricate financial transactions of the Inter-American Development Bank; treating the winning jockey to a decanter filled with the best bourbon in Australia for winning the "Texas Handicap" which he initiated to the delight of the citizens of Canberra, or being toasted by his earliest critics in the diplomatic service whom he had completely converted into his most ardent admirers.

The man we honor today, though fiercely proud of his native home, is indeed a man of all regions. He possesses the rare gift of absorbing with delight and admiration the customs, commerce, culture and traditions of the peoples of all lands where his labors have led him. But above all else, with a unique dual combination of heartfelt homespun philosophy coupled with a disarming but rare insight into human nature Ed Clark possessed the talent to inspire and direct mankind's highest energies toward the mutual common good.

Now it becomes our pleasure, Ed, to acquaint you with a few words expressing the esteem the citizens of Laredo hold for you and which touch on those fields of endeavor and accomplishment which inspired them to honor you here this afternoon.

These are the words inscribed upon the plaque I am presenting you in their behalf:

"Presented to Edward Clark, selected as 'Mr. South Texas' for 1969—in public recognition of his many personal contributions to the growth and development of Texas through his achievements in the fields of Banking, Law, Diplomacy and International Relations, and in appreciation of his efforts to strengthen the national fibres of Mexico and our other good neighbors of Latin America which have established greater understanding and closer bonds of friendship with them, all of which combine to create new opportunities, greater material benefits and a richer way of life for the people of South Texas—by the citizens of Laredo, Texas, through the Washington's Birthday Celebration, February 22, 1969."—and inscribed with the names of the officers of the Association and the members of the Mr. South Texas Committee.

Ladies and Gentlemen, I give you Mr. South Texas of 1969—the Honorable Edward Clark.

REMARKS OF AMBASSADOR EDWARD CLARK, U.S. EXECUTIVE DIRECTOR, INTER-AMERICAN DEVELOPMENT BANK, AT THE WASHINGTON'S BIRTHDAY CELEBRATION LUNCHEON HONORING "MR. SOUTH TEXAS," LAREDO, TEX., FEBRUARY 22, 1969

Thank you, my friends, for this undeserved honor. I join a goodly company of former Mr. or Mrs. South Texas's. I look at many of their faces and feel even more proud. For thirty years I have been happily at home in Laredo for three days every February. The celebrations Anne and I missed in 1966 and 1967 we spent on an island (Australia) 10,000 miles away. The Vice President of the United States was a guest in our United States Embassy residence on February 22, 1967. The place was teeming with activity, but all the exciting weekend my heart was here in Laredo with you, my friends. My mind was filled with handclasps and abrazos, with sparkling velvet and powdered wigs, with perfume and paper flowers. This was where I wished to be. Truly my cup runneth over.

How fitting and proper that on George Washington's Birthday, here at the gateway to Mexico, we speak of inter-American relations and our mutual interdependence. For many years Laredo has presented this inter-American celebration because here the names of Hidalgo's and Bolivar and Juarez join that of Washington, each enshrined in the hearts of all Americans who love liberty. We all share a common history of casting off colonial masters and establishing our own self-government. The same ideals that motivated George Washington have application throughout all of the Americas. Bolivar was the Washington of South America.

In this day of Apollo VIII, when man courses around the moon, we know the world has shrunk to a degree unknown in the time of George Washington, or even in the time when this celebration first commenced. Our good neighbors are more important today than ever before, and our need to preserve the ideals of George Washington in the Americas becomes more apparent and more urgent with every passing day.

While I was United States Commissioner to HemisFair, in San Antonio, I saw at first hand the impact in Texas of the interchange of cultural and commercial ties between the United States and Latin America. My firmer grasp and new realization of urgency made me accept the President's appointment as Executive Director on the Inter-American Development Bank Board. This is a real Bank, with six other directors representing 20 countries south of the Border plus the United States. It was given life by President Eisenhower, greatly enlarged by President Johnson. Its purpose is to make developmental loans to advance economic and social well being for all. In its 10-year life, nearly $3 billion have been loaned which in turn generated another $5 billion in investments. Initially a $1 billion bank, we now have a resource capacity of $6 billion.

A summary of accomplishments includes:

Bringing into production nearly 6 million acres of farmland and granting one-half million individual credits to small and medium-scale farmers in Latin America through loans extended by our Bank to local development institutions.

The construction of 35 large industrial plants has already been completed. Small industries benefit from thousands of other credits extended to them by local development banks which obtained capital from the Inter-American Bank.

Miles of main highway and more miles of farm-to-market roads have been built. Port expansion and grain elevators are also financed.

3,000 city and rural water systems and many sewerage systems benefiting more than

40 million Latin Americans are being built with our Bank loans.

300,000 housing units for low-income families serving also 2 million people are being constructed.

120 schools throughout Latin America are being modernized and improved.

51 credits have been authorized for studies of specific development projects—so called "pre-investment" funds.

I was most encouraged to see, during my recent travels in Latin America, what our projects can accomplish. I visited a teacher training institution, in a rather remote village, where I saw, in the faces of teachers and students, an understanding of the challenge and the burden placed upon them to improve the predicament of their own people. While the institution was partially financed with United States funds, both for construction and the technical assistance for modernizing the curricula, these people recognized the real job, which is to train trainers who in turn will improve teaching, and thence the quality of life. I was very pleased to see that the source of this outside help was genuinely appreciated. I saw clear-cut evidence of what can be done to support the agricultural cooperative movement with financial help and technical help for research. The leaders were devoted to their cause, and with this outside assistance they were proceeding in a dynamically impressive fashion.

The fundamental concept underlying this or any other outside assistance, bilateral or multilateral, is self help. Self help is a cornerstone of the Alliance for Progress. Less developed countries can make progress only through their own efforts. Outsiders cannot force the farmers to invest in fertilizers, pesticides and high-yield seeds. Outsiders cannot carry out the necessary policies that will stimulate demand for larger and better crops. Outsiders cannot build all of the school rooms necessary to increase educational opportunity. Outsiders cannot reform the tax systems to mobilize additional domestic resources. Outsiders cannot force the people of crowded countries to limit their families. These measures require *self help;* outside loans or grants without internal help is aid wasted.

Latin America's importance to the United States is obvious. Reasons are many; we live in the same neighborhood, and we grew up at about the same period in history; we enjoy a tradition of friendship; we have fought beside each other in three wars; our economic systems complement each other.

The area's importance to us is further emphasized by the rapid awakening of this immense continent from its long colonial-age sleep; awakening into a modern technological society, whose products and living standards it ardently desires to posses at once, but for which it lacks sufficient education, skills, and ready local capital.

President Nixon has stated that in the search for alternatives to caudillos and communists and the threat of communism," . . . what Latin America really needs is fewer marching feet and more helping hands."

Hungry people cannot be productive people and untrained people cannot provide the human resources for a modern society. The needs are great and I am sure that together with self help the resources from the outside will be made available. The Inter-American Development Bank is participating in this battle. It is an Institution to which the Latin American countries have made substantial contributions, both financially and to its management. This is truly a mutual effort.

I am happy to state that the Bank's bonds grace the portfolio of nearly all important banks, insurance companies, pension funds and similar institutional investors throughout the United States, including Texas. To indicate the high regard in which the Bank is help throughout the world, nonmember governments such as Canada, Germany, Holland, the United Kingdom and others have entrusted the Institution with the administration of funds devoted to the economic development of Latin America.

Within the Bank we are all aware that the experience of one of our great member nations, Mexico, holds our great hope for the rest of Latin America, and through the Bank we have been able to share the Mexican experience with the lesser developed countries of our Hemisphere in sustaining economic and social progress.

Poverty, ignorance and disease are still with us in this Hemisphere. There are no easy solutions. We are moving forward slowly on some fronts, more rapidly on others. President Johnson has said, "Development is a task not for sprinters, but for long-distance runners."

Proudly I stand here in Laredo, a great city of happily blended cultures, speaking to you of our hope for progress. It is symbolic that this international border—which most of us will cross and recross in the next day or two, is not a border of tension and of moving armies, like those in so much of the world. It is only a challenge to mutual cooperation for mutual benefit.

In closing please let me speak from the bottom of my heart to my good and true friends in Laredo and say how very deeply grateful my wife Anne and I are to you for your kind consideration and many courtesies.

UPDATING QUALIFICATIONS FOR AIR TRAFFIC CONTROLLERS

(Mr. **DULSKI** asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. **DULSKI**. Mr. Speaker, the safety of our airlanes is of vital concern in this day of ever-increasing air travel.

Unfortunately, our air traffic control system has not been able to keep up with the demands for assistance and supervision of air traffic.

The staff is inadequate to handle the job. In this demanding and exacting work protecting the lives of millions of air travelers, employees should not be expected nor compelled to work extra hours in order to keep the system operating.

I have introduced legislation today to raise the qualifications and standards of air traffic control personnel. The Federal Aviation Administration and the Civil Service Commission have not dealt adequately with this problem and therefore it becomes incumbent upon Congress to act.

The work of air traffic controllers must be considered as a profession as proposed in my bill. There must be updating of qualifications for air controllers, including the vital age limit for beginners, as well as special attention to the somewhat unusual retirement needs of the controllers.

The present conditions in the air controller system cannot be allowed to continue. The need for corrections is urgent.

THE 1970 TRAINING CAMP OPENS AT THE CONGRESSIONAL HOTEL: A HANDY GUIDE FOR REPUBLICAN MEMBERS

(Mr. **VAN DEERLIN** asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. **VAN DEERLIN**. Mr. Speaker, one of the busiest spots on Capitol Hill these days is the third and fourth floors of the Congressional Hotel. These are the suites of offices occupied by the Republican congressional campaign committee.

Possibly by mistake, since I am a Democrat, my office recently received an announcement from the committee, detailing the special services it stands ready to provide. I might wish this had been no mistake—that Democrats, too, could avail themselves of year-round assistance and hard cash such as the committee bestows upon our colleagues of the opposite party.

Mr. Speaker, in the manner of a hungry waif pressing his nose against the delicatessen window, I herewith submit the campaign committee's bill of fare for the RECORD:

REPUBLICAN CONGRESSIONAL COMMITTEE SERVICES

Located in the Congressional Hotel, the Committee's staff, headed by I. Lee Potter, Executive Director, provides a wide range of services and assistance to Republican House members, ranging from direct financial assistance to professional services and counseling.

The Committee's Public Relations Office in Room 312 is available to work with members and staff assistants on PR problems arising during the year—including the preparation of press releases, radio–TV programs, setting up press conferences, as well as general advice and counsel on public relations matters. Contact: Paul A. Theis, Public Relations Director.

The PR office also has available a former NBC newsman, Bob Gaston, to work with members in the development of broadcast materials and programs for their District stations. Room 308.

The Republican Congressional News Bureau is designed to help publicize members through press releases to their district news media—releases which the member himself might consider too self-serving to put out from his own office. For instance: House GOP Leader Ford praising the member for his attendance record or legislative efforts, etc. Contact: Ed Neff in Room 312.

The Committee's PR staff also prepares and distributes a number of party publications, such as the weekly Committee Newsletter (circulation of 60,000) which is sent to subscribers who pay $25 a year for it and complimentary to key leaders and each of the nation's daily and weekly newspapers as well as radio and TV stations which carry editorials. Other committee publications include the "Issue of the Day" (designed to call members' attention to the issues which may have been missed and which may provide subject matter for speeches, newsletters, etc.); Speech of the Week (designed to call attention to the best Republican-oriented speech each week); Daily News Digest (sent to each GOP office each morning reporting the highlights of the major political news of the preceding 24-hour period).

The Committee's PR office maintains a speech file of major speeches by Republican members and others for the use of GOP offices—broken down by subject matter and type of audience. For instance: speeches for use over Lincoln Day, before Young Republican Clubs, business audiences, etc. Contact: John Lofton in Room 312. Because of staff limitations, the committee is unable to prepare finished speeches for members but the staff will assist in the development and polishing of speech material. The committee also has a speech typewriter available for the use of Republican offices—but the member will have to supply the typist. See Judy Gagliardi in Room 412.

To provide members with professional art work for their newsletters, press releases, TV programs, letterheads, etc., the Committee has artists on staff and a wide range of samples to look over in Room 312 of the Hotel. See Lee Wade or Steve Balogh.

The Committee also provides a complete photo service, with two full time photographers and dark room facilities, to shoot and process pictures of members for publicity use back home. Contact: Bob Brockhurst or Mickey Senko on Capitol extension 7121 or in Room B-304 of the Rayburn Building.

The committee keeps a running tabulation of GOP members' voting records in the House and at the end of each session sends a complete record to each member along with an explanation of the issue voted on. Bill Waugh handles this in Room 411 as well as research on Democratic incumbents' records.

The committee also provides financial assistance to members to help underwrite their public relations activities: $3,500 for 1969 to freshmen and members from marginal districts and $2,000 to others. This fund is to be used for projects and activities which help the Congressman tell his story back home through his news media and to provide indirect benefit to the party as well. A list of PR activities which the fund can be used for has been sent to each member's office. For further information, contact Curt Fulton.

To summarize, here is a ready-reference listing of key contacts who can be reached either through the Committee's offices at the Congressional Hotel or LI 4-3010.

Executive Director—I. Lee Potter, Room 412.

Public Relations Director—Paul A. Theis, Room 312.

Art and Advertising Director—Lee Wade, Room 312.

Radio-TV Director—Bob Gaston, Room 308.

Photographs—Bob Brockhurst, Room B-304, Rayburn Building, or Ext. 7121.

PR Allocations and Finance Director—Curt Fulton 53 D Street, S.E.

Incumbent Research—Bill Waugh, Room 411.

Speech and Issues Research—John Lofton, Room 312.

Republican Congressional News Bureau—Ed Neff, Room 312.

Issues of the Day—Jack Anderson, Room 312.

Committee Newsletter—James Galbraith, Room 312.

Congressional Offices Liaison (General)—Tom Lias, Room 414.

Women's Activities—Mary Ellen Miller, Room 414.

JUDGE RUSSELL E. TRAIN, UNDER SECRETARY OF THE INTERIOR

(Mr. DADDARIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DADDARIO. Mr. Speaker, I am delighted that Judge Russell E. Train has been confirmed as Under Secretary of the Interior. Judge Train occupies a unique place in the natural resources field, having had the experience of leadership in both national and international conservation organizations. For the past 4 years he has been president of the Conservation Foundation, located in Washington, D.C., and on many occasions has provided new ideas and reliable information on resource problems and issues for the consideration of congressional committees. The African Wildlife Leadership Foundation, of which he also is president, has spearheaded educational programs in East Africa for the training of badly needed resource managers and field personnel. In the last session of Congress, I had the pleasure of Judge Train's assistance in organizing a congressional colloquium, sponsored by both the House and Senate, which discussed the need for a national policy on environmental management. Judge Train emphasized that much more must be done, and as quickly as possible, if the insidious degradation of the quality of our environment is to be halted. In our exchange of views on this subject, I learned of his deep concern for an orderly and planned coexistence between man and his physical surroundings. As the No. 2 man in the Interior Department, I feel certain that he will bring courage and insight to the task of establishing new goals of environmental management for productive purposes as well as the pursuit of an ecologically sound and esthetically pleasing environment. I hope that the Nixon administration will have the wisdom to make the fullest use of Judge Train's unique abilities and experience in the conservation field. I am confident that he will respond with dedication and distinction.

REPEAL THE FREEZE ON AID TO DEPENDENT CHILDREN

(Mr. BINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, on July 1 of this year the freeze on aid to dependent children imposed by the 1967 amendments to the Social Security Act will go into effect.

I strongly support responsible economy measures in these inflationary times. I realize and agree that major revisions are desperately needed in our welfare system, which in many instances operates wastefully, ineffectively, and inhumanely. But the arbitrary limit set by the 1967 social security amendments on the number of children and their families eligible to receive aid under the aid to dependent children program constitutes neither reasonable economy nor responsible reform. It is nothing more than a simplistic and reactionary effort to solve a very complex problem. It will be effective only in imposing greater hardships and disadvantages on children who are neither responsible for the condition of their birth and early life, nor able to help themselves in any way.

This regressive legislation, which I and many of my colleagues in both the House and Senate opposed with utmost vigor when it was included in the 1967 package of social security amendments, must be removed from the statute books before it has a chance to work its unfortunate effects: before it imposes further deprivations where further and better care is needed; before it discourages and dislocates dedicated welfare employees in Federal, State, and local programs who will be forced to carry it out, when what is needed instead is sweeping program reform.

I am today introducing legislation to repeal section 403(d) of the Social Security Act. I am pleased to join those of my colleagues who are also sponsoring this legislation, and I am hopeful that it will be acted upon quickly and favorably by the Congress.

TRANSFER OF SPECIAL ORDER

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the special order granted me for today be transferred to tomorrow, Thursday, February 27.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

INTERGOVERNMENTAL COOPERATION ACT OF 1969

(Mr. PICKLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PICKLE. Mr. Speaker, today I wish to join my colleague from North Carolina (Mr. FOUNTAIN) in cosponsoring the Intergovernmental Cooperation Act of 1969, which he introduced late last week.

As you may know, this general subject is one about which I have been most interested, and I have already reintroduced the bill this year known as the Executive Management and Reorganization Act. My original measure directs that a study commission be created among other things to look at the effects of Federal grant activities on the interrelationship of Federal, State, and local governments and to consider the possibility of channeling all Federal programs which benefit the same functional area through a single State agency for each State.

The bill I am introducing today contains provisions which might well simplify some of the goals sought in my original measure and I feel it is certainly essential that we consider these matters from all possible sides.

This newest Intergovernmental Cooperation Act directs that Federal programs be consolidated along functional lines whenever such moves would promote the efficiency of the Government, and I believe this step might lead us to the point that any attempts to extend State and local control in Federal programs would not lead to nightmarish administrative problems.

I fully realize and would mention that the bill I originally introduced was essentially a study measure, while the bill I am sponsoring today is cast in terms of substantive legislation. Still, my understanding to the two approaches is that both aspects are needed.

Mr. FOUNTAIN's bill implements improvements in the organization of the executive branch; it simplifies and standardizes financial reporting procedures in connection with assistance programs; and it provides for interdepartmental joint funding of functionally identical projects.

I believe that all of these purposes are worthy. I would hope that the additional provisions of my original bill will still be considered in connection with creating a single State agency to handle programs of the same functional area. And I commend my colleague for this important legislative step.

JAMES FARMER OF HEW

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, since the announcement of the appointment of James L. Farmer as Deputy Director at HEW, there have been many inquiries as to his background, experience, and qualifications. Some are aware that he was active in the so-called civil rights movement in the Southern States, but uninformed concerning his direct involvement with identified members of the Communist Party of the United States, and his leadership in the SDS.

As late as August 1968, James Farmer shared the speaker's platform in Washington, D.C., with Herbert Aptheker, director of the American Institute of Marxist Studies.

His appointment is an insult to education and an affront to civilization itself.

Mr. Speaker, I ask that various news clippings follow my remarks so our colleagues will have ready access to some history about the appointee.

ALABAMA LEGISLATIVE COMMISSION TO PRESERVE THE PEACE

JAMES L. FARMER

James L. Farmer, Negro male, born January 12, 1920, is the National Director for the Congress of Racial Equality. He has resided at 85 Bedford Street, New York City 14, New York, Apartment #5, since August 1949. Prior to that time, his residence was at 27 Desbrosser Street, New York City. In 1951, his wife, Lula, was employed as a typist at the Institute of International Education, 2 West 45th Street, New York 19, New York, an organization organized in 1919 by Elihu Root and Nicholas Murray Butler, former President of Columbia University, New York, for the purpose of promoting world understanding by student exchange, i.e., students in various European colleges are educated in American universities and vice versa. It is financed by fees from the students, government grants, membership dues and contributions. The Chairman of the Board of Trustees in 1950 was the President of Hunter College, George M. Shuster, outstanding educator, journalist and Catholic layman.

In 1951, James L. Farmer was reportedly employed as a lecturer and student organizer with the League for Industrial Democracy, 112 East 19th Street, New York City, New York, an organization allegedly devoted to the cause of Socialism through education in the fields of economics, politics, and culture. This organization frequently has held testimonials and dinners, often attended by prominent Americans. The League for Industrial Democracy has clearly stated its opposition to Communism, and is definitely Socialist in nature.

He is presently affiliated with the Congress of Racial Equality and the National Association for Advancement of Colored People, as a National Director; he is also listed as a member of the National Board of the Committee for a Sane Nuclear Policy.

James Farmer was listed as a candidate for the 9th District on Independent Nominating Petition of the Socialist Party—General Election—1952, New York State.

The program of the Students for Democratic Society (SDS) 1960 Conference for Human Rights in the North, lists James Farmer, National Association for the Advancement of Colored People, as a member of the National Advisory Council. The Students for Democratic Society is a non-partisan educational organization of students who are concerned with ways of increasing democracy in all areas of our common life and extending it to all parts of the world. The SDS is coordinating the 1960 Ann Arbor Conference for Human Rights as part of its broad educational program.

James L. Farmer, Jr., not further identified, is listed as having been National Chairman, Youth Committee Against War, 1942.

One James Farmer, 2013 Fifth Avenue, New York City, New York, reportedly was Secretary, Non-Violent Action Committee, Fellowship of Reconciliation, 1942.

James Farmer allegedly was affiliated as a speaker with the March-On-Washington Movement, 1943 and 1944 and in 1964.

James Farmer allegedly was listed as a sponsor for the Carlo Tresca Memorial Meeting, January 11, 1945, Webster Hall, New York City; and participated in the 7th Annual Carlo Tresca Memorial, January 11, 1950, Rand School, 7 East 15th Street, New York City.

James Farmer, identified as International Representative of the American Federation of State, County and Municipal Employees, AFL–CIO, was reportedly a participant at a meeting of the New York Committee Against Testing Nuclear Weapons, August 6, 1957, Town Hall, New York City.

James Farmer listed in "Counterattack," March 4, 1960, page 36, as a National Board Member of the Committee for a Sane Nuclear Policy.

[From the Shreveport Times, Apr. 26, 1964]

EX-RED HELD INVOLVED IN RIGHTS MARCH

CLEVELAND, OHIO.—Mayor Ralph Locher said Saturday he sent a report to the Federal Bureau of Investigation Friday charging Eric J. Reinthaler, 30, former Ohio Valley secretary of the Communist party, and some 30 other members of subversive organizations with taking part in local civil rights demonstrations.

Reinthaler, who is co-chairman of the Finance Committee of the Congress of Racial Equality (CORE) was described by police as playing a "major role" in demonstrations in the recent school integration controversy.

Locher said his letter was based on a report received from Police Chief Richard R. Wagner.

Wagner said the police subversive squad had definitely "identified 18 known Communist party participants" in the demonstrations since Jan. 30.

Police said Reinthaler allegedly advised CORE members how to influence public opinion in the trials of school board sit-in demonstrators, urged the use of handbills, pickets and demonstrations, and was a leader of a CORE demonstration during a rent strike campaign.

Reinthaler and six others were indicted by the federal grand jury for falsely swearing to a loyalty oath and was convicted in 1958. He was sentenced to federal prison in Milan, Mich., from March, 1961 to July. 1962.

Police reports show Reinthaler took an active part in CORE activities and made regular financial reports at membership meetings.

Reinthaler and present officers of the Communist party denied he was now a member of the party. Party officials said "Reinthaler was expelled."

City council is to hear a resolution Monday asking for a federal investigation of known subversives involved in the demonstrations.

Locher said he resented recent FBI investigations of alleged police brutality charged by demonstrators last week.

"I resent their spending our tax money to investigate our police," Locher said, "when we know there were known Communists among the demonstrators."

INTERNATIONAL DAY OF PROTEST AGAINST THE WAR IN VIETNAM, SATURDAY, APRIL 27, 1968

Join us in demanding that the U.S. Government:

End the war and support our GI's.

By bringing them home now.

End the draft and release all draftees now.

Let the Vietnamese solve their own problems in their own way.

Join us on: Saturday, April 27.

11:00 a.m. Assemble at Franklin Park, 14th and K Streets, N.W.; march to and demonstrate at the Induction Center, 916 G Street, N.W.

1:00 p.m. Return to Franklin Park for rally.

SPEAKERS

Professor Howard Zinn, of Boston Univ., author Vietnam: The Logic of Withdrawal.

Etta Horn, Volunteer Community Worker.

Jan Bailey, Washington Black Anti-War Anti-Draft Union.

Donna Allen, Women Strike for Peace.

James Farmer, former head of CORE, Professor at Lincoln University.

End the war now! The fight for freedom is at home!

SPONSORING ORGANIZATIONS

Catholic Peace Fellowship.
CHOICE.
Committee for a SANE Nuclear Policy.
Congress of Racial Equality.
Draft Resistance Union.
Federal Employees Against the War in Vietnam.
Student Mobilization Committee.
Student Non-Violent Coordinating Committee.
Students for a Democratic Society.
Washington Black Anti-War Anti-Draft Union.
Washington Mobilization Committee to End the War in Vietnam.
Washington Peace Center.
Women's International League for Peace and Freedom.
Women Strike for Peace.
Young Socialist Alliance.

[From the New York Daily News, Aug. 16, 1968]

FARMER HEADS BLACKS FOR ROCK

James Farmer, former director of the Congress of Racial Equality, and other Negro leaders pledged their support yesterday of Gov. Rockefeller's GOP presidential candidacy and announced formation of the Black independents and Democrats for Rockefeller.

Farmer said the group, which includes the Rev. Martin Luther King, father of the slain civil rights leader, strongly opposed the candidacies of Vice President Hubert Humphrey and former Vice President Richard Nixon.

DOUBTS M'CARTHY'S POWER

Farmer said he didn't think Sen. Eugene McCarthy could get the nomination.

Other members of the group include entertainer Cab Calloway, Bishop F. D. Washington of the Churches of God in Christ, Rev. George Lawrence of the Southern Christian Leadership Conference and Omar Ahmed, a former associate of the late Malcolm X. Alfred Duckett is the national executive chairman.

CATHOLIC CONFERENCE: MILITANTS SCORE CHURCH

Members of a Catholic liturgical conference were urged yesterday to use their talents as organizers with the middle classes instead of in the black ghettoes.

They were also told that black power is a legitimate demand of black Americans and that racism is "ingrained in Christian society."

The speakers were Saul Alinsky, caustic organizer of the poor; James Farmer, former national director of CORE and now a Republican Party candidate for Congress in New York's 12th District, and Isaiah Robinson, chairman of the Harlem's Parent's Committee and also chairman of the upcoming National Black Power Conference to be held in Philadelphia.

They spoke at workshops of the National Liturgical Conference at the Sheraton-Park Hotel.

Organization of the middle classes instead of the ghettoes was brought up by Alinsky, who urged the clergy and lay participants of the conference not to march into the ghettoes uninvited in what he called the "traditional colonizing" manner of the Catholic church.

"There's a great deal of political wisdom" in rejection by black militants of help from white sectors, he said, adding "you should be working with your own people."

He called the preoccupation of militants with black culture and power "natural in many ways. It's part of growing up, of getting an identification and it's going to work." Eventually, he said, militants will be willing to accept help from whites and to work with them.

All revolutionaries of history have lived at least part of their lives among the middle class, Alinsky said. The middle class in America can be organized as a vital force and power base, but only when it feels threatened, he added.

Farmer, calling black power a legitimate demand, said: "Black Americans must develop ethnic cohesion and pride to be able to enter and participate meaningfully in a pluralistic society."

"In the days ahead," he added, "we must wield the levers of the machinery available for social justice and seek economic and political power through control of our own communities." This is the process that other minorities have used to gain acceptance in American society, he said.

Farmer pointed out that American attitudes about foreign groups have changed and rechanged very rapidly at times when it was deemed in the "national interest" by the Government.

"The American attitude toward the Japanese has been changed three times in recent years," he said. "But it was done with the backing of the U.S. Government and by using all the media and platforms available to reach the people."

Robinson made the charge that racism is "ingrained in Christian society."

He recalled that religion was historically used in America to pacify slaves but that once converted, black Christians were eventually forced to establish their own churches.

The history of Christian responses to the racial challenge in the past leaves black Americans with little hope of a positive response today, he concluded.

Members of the conference later endorsed a Liturgical Week statement of concern calling for an unconditional halt to the bombing of North Vietnam and also calling for laws protecting the rights of conscientious objectors.

The statement also said it was the duty of married couples to make their own decisions on birth control. Finally, the resolution called for the United States to donate at least 2 per cent of its annual Gross National Product to fight poverty.

[From the Chicago Tribune, July 7, 1968]

RIGHTS GROUPS DECENTRALIZED—URGES MOVE TO MAINSTREAM

James Farmer, former head of CORE, used it in a commencement address at Muhlenberg college, Allentown, Pa., to urge graduates to "move into the mainstream with a hand on the decision-making levers."

The Poor People's campaign, to many of the campus radicals and even some of the seasoned S.C.L.C. workers, presented a hope for a new kind of populism, uniting the poor of all races under the banner of "participatory democracy" and "the guaranteed wage."

[From the Washington (D.C.) Post Aug. 18, 1968]

SPEAKERS QUESTIONED

What has Herbert Aptheker, a Communist on the National Liturgical Week program, got to do with Roman Catholic liturgy?

[From the Washington (D.C.) Evening Star, July 29, 1968]

O'BOYLE RAPS SPEAKERS FOR LITURGICAL MEETING

The theme of the event, to be held Aug. 19–22 at the Sheraton-Park Hotel, is "Revolution: Christian Responses." It is sponsored by the Liturgical Conference, a national voluntary association of clergy and laymen, mostly Catholic, interested in broadening the liturgy of the church.

Cardinal O'Boyle, archbishop of Washington, criticized the announced speakers for the meeting as having "little or no expertise in the liturgy" and declared the Liturgical Week "is not endorsed by the Archdiocese of Washington." The archdiocese had not previously endorsed the event.

Announced speakers include Dr. Herbert Aptheker, founder and director of the American Institute of Marxist studies, New York; James Farmer, first national chairman of the Congress of Racial Equality; Saul Alinsky, executive director of Chicago's Industrial Areas Foundation; Floyd McKissick, immediate past CORE director; Marcus Raskin, co-director of the Institute for Policy Studies, Washington, and the Rev. Andrew Young, vice president of the Southern Christian Leadership Conference.

Several other anti-war and black power activists are on the program, but Aptheker has drawn the most criticism.

JAPANESE INSTIGATOR OF WAR TO BE FETED

(Mr. RARICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. RARICK. Mr. Speaker, the announcement that Gen. Menoru Genda, the Japanese general who engineered the dastardly attack against the U.S. fleet at Pearl Harbor, has been invited to lecture at the U.S. Naval Institute at Annapolis comes as a torturous disservice to the memory of all loyal Americans who perished and served in World War II in the Pacific.

I echo the comment of John E. Joniec, president of Philadelphia's Pearl Harbor Survivors Association, that it may be all right to forgive and forget, but never to laud a former enemy leader by honoring him as a "distinguished visitor."

If we are to forgive and forget all, can we now expect Rudolph Hess, the Nazi leader, to be freed from the English prison where he has been held for over 24 years? And when are we to rectify the injustices against Admiral Kimmel, the American counterpart of Genda, who was sacrificially disgraced and shelved as a result of Pearl Harbor?

Mr. Speaker, I protest this indignity against our people. An article and table follow:

[From the Washington (D.C.) Evening Star, Feb. 25, 1969]

JAPANESE VISITOR HIT BY SURVIVOR OF PEARL HARBOR

PHILADELPHIA.—A Philadelphia man who survived the Japanese attack at Pearl Harbor does not think the general who engineered the attack should be honored as a "distinguished visitor" in this country.

John E. Joniec, 49, president of Philadelphia's Pearl Harbor Survivors Association lodged his protest in a telegram to the U.S. Naval Academy at Annapolis, Md.

The Japanese general is scheduled to lecture at the U.S. Naval Institute in Annapolis March 3 as a guest in the institute's "distinguished visitor" program.

"It is all right to forgive and forget, but not to toast and honor the coward Gen. Menoru Genda," Joniec said in his telegram. "The memory of those who died Dec. 7, 1941, will remain with us survivors forever."

Herbert Machol, news director at the Naval Academy, said yesterday there would be no military ceremonies for the general. The institute is not affiliated with the U.S. Navy. It is a professional, private society, he said, which owns a building on the Academy grounds.

U.S. MILITARY CASUALTIES AT PEARL HARBOR

	Killed	Wounded	Missing	Total
Navy and Marine Corps	2,117	876	960	3,953
Army	226	396		622
Total	2,343	1,272	960	4,575

Source: Legislative Reference Service, Library of Congress.

ELEANOR ROOSEVELT HUMANITIES AWARD

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, I received one of the most meaningful honors of my life, the Eleanor Roosevelt Humanities Award, at the Ambassador's Ball sponsored annually by the Israel Bond Drive at Miami Beach. The award was presented by His Excellency the distinguished Ambassador of Israel to the United States, the Honorable Yitzhak Rabin. A bound volume of the scrolls of tribute to me from those attending this stirring dinner was presented by the great, eloquent and learned rabbi of Temple Emanuel of Miami Beach, Irving Lehrman.

Mr. Speaker, I include my address in accepting this award following these remarks in the body of the RECORD:

REMARKS BY CONGRESSMAN CLAUDE PEPPER ON ACCEPTING THE ELEANOR ROOSEVELT-ISRAEL HUMANITIES AWARD, FONTAINEBLEAU HOTEL, MIAMI BEACH, DECEMBER 28, 1968

Mr. Chairman, Distinguished and Gallant Ambassador Rabin and Mrs. Rabin, Learned Rabbis, Distinguished Guests, Ladies and Gentlemen: You honor me far beyond my desserts in bestowing upon me this evening the Eleanor Roosevelt-Israel Humanities Award. I accept with deep humility and profound gratitude for what is a particularly meaningful and moving experience for me.

I am all the more pleased to receive this Award in the presence of the distinguished son of Eleanor Roosevelt, former Mayor or Miami Beach and former General in the Air Force, Elliott Roosevelt, and his lovely wife; and in the presence of the distinguished and heroic Ambassador from Israel to the United

States, General Rabin, and his lovely wife; and in the presence of so many devoted friends whose friendship I have so long cherished.

At a time when the mood in our own country and in the world is too often callous rather than concerned and indifferent rather than interested in the poor, the ill, the under-privileged, the victims of tyranny, intolerance and discrimination, it is fitting that we refresh our memories and the memories of all people of Eleanor Roosevelt whose great and beautiful life was principally dedicated to the problems of such people and to the defense of millions who suffered from man's inhumanity to man.

And at such an era in history, it is an inspiration to those of little faith and weak courage to thrill to the dramatic birth and the heroic survival and magnificent progress of what a small population of diverse origins but common ferver and faith can make of a barren land surrounded by savagely hostile neighbors determined upon their destruction.

When three Americans departing from Florida have just circled the moon and landed safely back home exhibiting the capacity of the human mind and body to perform miracles in the material world, it is well that we direct men's hearts and souls to the examples of Eleanor Roosevelt and Israel as to what the human spirit is capable of accomplishing to bring man's heroism of the spirit world to the level of his gallant achievements in the physical world. Surely if man can create and harness a force which will lift him out of the pull of the gravital forces of his own earth it would seem that if he will to do it, he could create and harness a force of the spirit which would lift him above the pull of the base forces of selfishness, greed and destructiveness and to generate as the mightiest force on earth recognition in truth of the Fatherhood of God and the Brotherhood of man.

Eleanor Roosevelt's devotion to the State of Israel was symbolic of her faith in the right of all people to build their own lives and determine their own destinies in an atmosphere of freedom and prosperity and respect for the dignity of the individual human being.

She was deeply moved by an experience she had at a camp in Germany. She recalled standing in the mud of that camp for Jewish refugees:

"I remember," she wrote, "an old woman whose family had been driven from their home by the war's madness and brutality. I had no idea who she was and we could not speak each other's language, but she knelt in the muddy road and threw her arms around my knees. 'Israel,' she murmered, over and over. 'Israel. Israel.' "

It was while looking into this woman's weatherbeaten face and hearing her pleading voice that Eleanor Roosevelt realized fully and personally what Israel really meant to so many, many people throughout the earth.

This is the kind of thing she meant when she said something so seemingly bland as: "You gain strength, courage and confidence by every experience in which you really stop to look fear in the face. You are able to say to yourself, 'I lived through this horror. I can take the next thing that comes along.' . . . You do the thing you think you cannot do."

I remember so vividly when Mrs. Pepper and I were in Israel in 1950. I had been there in 1945 when Palestine was still a British Mandate. But now we were in the new State of Israel and had the privilege of an hour's conference with Israel's great first Prime Minister, Ben Gurion.

Prime Minister Ben Gurion told me then that he didn't know how he was going to do it, but Israel was going to take—and find a home for—every Jew from any part of the world who want to come to Israel.

And last January when Mrs. Pepper and I were back in Israel for our third visit with a group of outstanding people from our area, I could not help but think how well Ben Gurion and his devoted followers had done the thing that so many people thought could not be done.

The enormous progress that has been made in the development of the State of Israel seems a miracle almost comparable to the crossing of the Red Sea on land by the Jews of Exodus or the feeding of the starving wanderers by manna from heaven in the wilderness.

Everywhere, one sees today, the evidence of the determination of an able and dedicated people to build a great state in a hostile environment. Not only has there been the problem of the Arab states which cannot stand the comparison with the successes of Israel or understand the great human resources which the people of Israel have unleashed in an abused and largely barren land. There has been the enormous problem of correcting the abuses of centuries, of rebuilding the land that once was known far and wide for its "milk and honey" and for the riches of its mines—the mines of King Solomon—and for the even greater spiritual riches of its people.

In the material terms which we value so highly in our own society, the State of Israel has made enormous progress.

Her gross national product exceeds three billion dollars a year. It has grown at an annual rate of 11 per cent during her first decade of existence and has continued to enjoy one of the highest growth rates of any country in the world.

Much of this growth has been made possible by a very large immigration—bringing talented people, as well as some of the world's poorest people—to this tiny land. Much of the growth has also been the result of the receipt of over five billion dollars of foreign capital from bond sales abroad, contributions from Jewish organizations throughout the world, private investment and foreign aid—including approximately $1.2 billion in U.S. aid to Israel over the last two decades.

The importance of bond revenues, which this great Israel Bond organization has done so much to provide, has been inestimable. And the State of Israel has never defaulted on a bond issue and has paid off some $500 million of the more than $1 billion of bonds it has issued.

The per capita gross national product of Israel exceeds $1,300 a year—by far the highest in the Middle East. Despite the great number of immigrants who must be absorbed in a small economy, the unemployment rate has been held to a level comparable to that of the United States and the rise in per capita labor productivity has been much greater than our own—increasing by about 5 per cent a year in the last several years.

But the thing which struck us, in addition to the serene dignity and the calm confidence of the people of Israel, was the trees. In 1950 Mrs. Pepper had noted the absence of trees. Now everywhere there are trees. The Israeli government and the people of Israel have planted 85 million trees throughout the country. They have also brought water to the desert sands—even developing techniques for growing crops in saline water, to stretch the available fresh water supplies by adding some fresh water to reduce the salt content of the abundant salt water supplies.

Now the fields of Israel are so well used—the available land so wisely tilled—that Israel has a surplus of food. And with the solution of the food problem it looks forward to the early 1970's when its flourishing export trade will enable it to achieve a balance in its critical imports and exports.

I am proud of my long association with the State of Israel, which dates back to the late 1930's when, as a Senator and a member on the Senate Foreign Relations Committee, I began to work closely with Jewish leaders in our country toward the fulfillment of the Balfour Declaration and the ancient dream of re-establishing a Jewish homeland in Palestine.

The United States had then—and still has—a great humanitarian stake in the establishment and maintenance of the State of Israel. Today we also have a vital strategic interest in the preservation of this great bastion of democratic commitment in the strategic Middle Eastern area. The forces of Russian power and international communism, in furtherance of the old Russian dream to dominate the Middle East, have sought to exploit the weakness of the Arab countries and to arouse their envy and recklessness against the people of the State of Israel. The great, heroic armies of Israel so gallantly led by Ambassador Rabin, have turned back these forces—especially in the magnificent achievements of the Six Day War. But the Russians continue to rearm the enemies of Israel and the petty potentates of these countries continue to threaten the destruction of the dynamic little democracy and her people.

When I was speaking to the great and eloquent Foreign Minister of Israel, Abba Eban, in Jerusalem in January, he said: "You know we are relying upon the United States to keep Russia from aggressing upon us." In view of Russia's persistent threat to Israel and the determined and savage belligerency of the Arab States against her, it seems obvious that it should be the duty of the United Nations to maintain peace in the Middle East and the continued independence of Israel and all countries there. But in view of Russia's attitude that appears impossible. Hence, either NATO should be expanded to include Israel as it includes Greece and Turkey and for the same reasons, or failing that, the United States should enter into a mutual defense pact with Israel in solemn treaty form which would proclaim to the world our commitment that we would consider an attack upon the territorial integrity of Israel, at least by a great power, as an attack upon the United States, just as we say now to the world that an attack upon Greece and Turkey or any other member of NATO, we will consider an attack upon ourselves. I have introduced legislation in the Congress calling for such a mutual security pact and I will continue to urge it upon our government until some more effective method for preserving the integrity of Israel and peace in the Middle East can be found.

I am pleased that with my friend and colleague, Lester Wolff, of New York, I was able to get in the Foreign Aid Bill in the recent Congress a provision directing the President to enter into negotiations with Israel to supply Israel with 50 of our latest F–4 Phantom Jets to enable Israel to defend herself against the vast supply of weapons being furnished to the Arabs by the Russians. I am pleased that the announcement was made by our State Department yesterday that an Agreement with Israel for supplying these 50 latest model Phantom Jets has been reached and delivery will begin in 1969. I am hoping that the delivery schedule may be accelerated. We should let the Russians, the Arabs and all would-be aggressors upon Israel know that we will supply Israel with whatever weapons she needs and whenever she needs them and upon terms which she can afford to defend her security and to enable her to carry on her great work of progress in that old part of the world which needs to be stirred to a new life and hope.

Eleanor Roosevelt believed, as I believe, that the ultimate hope for peace, trust, and cooperation in the world lies in a strong and committed United Nations. She was a realist; she understood the vital role of military strength and power in world and human affairs. But she was a fervent spokesman and defender of the cause of international brotherhood and cooperation.

Once when she was asked: "Don't you ever feel depressed? What do you do when you just have one of those days when life doesn't seem worth bothering with?" And she replied:

"Why, one just faces up to it and goes about one's job."

This was the noble spirit of this great woman whom Mrs. Pepper and I were privileged to know our friend. I shall ever cherish the memory of the times when I was privileged to play some small part in many of her great projects. We shall never forget when she honored our home as a guest here two years before she passed away. Mrs. Pepper recalls Mrs. Roosevelt dozing on her shoulder not long before the end as she rode back from Hyde Park with her from a meeting with the United Nations Association. To the end this admitted First Lady of the world was bravely facing up to all of the ugliness and brutality of the world; facing up to it and transcending it and in some way at least softened it with one of the greatest human spirits who has adorned the human race.

It was as Chairman of the United Nations Commission on Human Rights, established in 1946, that Eleanor Roosevelt achieved the immortality in the hearts of mankind that she so richly deserved. It fell to her to implement one of the basic purposes set forth in the Charter of the United Nations:

"To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion."

Under her wise leadership the Universal Declaration of Human Rights was drafted and proclaimed. Then came the difficult work of incorporating these noble sentiments in a series of international convenants which could give them the force of law throughout the world.

Nine of these covenants have been ratified by the requisite number of nations to bring them into force:

The Convention on the Prevention and Punishment of the Crime of Genocide entered into force on January 12, 1951.

The Convention on the Freedom of Association and Protection of the Right to Organize became effective in 1950.

Equal Remuneration for Men and Women Workers became a recognized goal in 1953.

The Convention on the Political Rights of Women was made effective in 1954.

The supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery was brought into being in 1957.

The Convention on the Abolition of Force Labor entered into force in 1957.

Discrimination in Respect to Employment and Occupation was given international disapproval in the convention adopted in 1960.

The Convention against Discrimination in Education entered into force in 1960 also.

And the Convention on the Elimination of all forms of Racial Discrimination became effective in 1965.

I regret that our own government has ratified only two of these Conventions—the supplementary convention on slavery and another the Protocol on the Status of Refugees to which we have recently adhered. I hope the Senate will see fit soon to advise and consent to six Conventions submitted by Presidents Truman, Kennedy, and Johnson:

1. The Inter-American Convention for Granting Political Rights to Women, recommended by President Truman in 1949.

2. The Convention on the Prevention and Punishment of the Crime of Genocide, recommended by President Truman in 1949.

3. The Convention on the Freedom of Association and Protection of the Right to Organize, recommended by President Truman in 1949.

4. The Convention on the Abolition of Forced Labor, recommended by President Kennedy in 1963.

5. The Convention on the Political Rights of Women, recommended by President Kennedy in 1963, and

6. The Convention on Employment Policy, recommended by President Johnson in 1966.

But I am proud and I know Eleanor Roosevelt would be proud to know that the State of Israel has completed its ratification of all but the most recent of these conventions.

A few days ago as Colonel Bormann and his intrepid fellow astronauts left the moon and started homeward 200,000 miles away, in semi-glow, orbiting in the vast emptiness of space, loomed as a little orb the earth. As Colonel Bormann gazed upon our world he reflected upon all that he would soon enjoy again—his family, his home, the beautiful country, all of the majesty and might, the marvelous things, the wonderful places—he said to his fellow astronauts, "the earth is a good earth and we who are upon the earth are all there together, brothers whether we like it or not." You and I know that ours is a good earth and we love it. But we know also that it can be better and it must be better and it shall be better if we work together in the spirit of Eleanor Roosevelt as the brothers we are to make it better. That is our task. That is our challenge.

As we face the future, then let it be with firm faith and unfaltering confidence and ever with unfailing courage, always assured that by walking in the spiritual footsteps of Eleanor Roosevelt and Israel we can, as have they, helped all men to walk on higher ground.

A CALM, OBJECTIVE COMMENTARY

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, on February 5, 1969, the Honorable Paul C. Warnke, then Assistant Secretary of Defense, International Security Affairs, delivered a very able, thoughtful, and eloquent address before the annual combined luncheon of Yale-Princeton-Harvard Clubs of Washington at the Mayflower Hotel. This calm, objective commentary upon our foreign policy and our relations with other nations is, I believe, a very meaningful contribution to a better understanding by Congress and the country of so many challenging problems which face us in our relations with other nations and people. I, therefore, include the outstanding address of former Assistant Secretary Warnke in the Record following my remarks and I commend it to my colleagues and my fellow countrymen:

Remarks by Hon. Paul C. Warnke, Assistant Secretary of Defense, International Security Affairs, Before the Annual Combined Luncheon of Yale-Princeton-Harvard Clubs, Washington, D.C., February 5, 1969

Thank you Mr. Faulkner, Mr. O'Brian, honored guests, ladies and gentlemen.

I am afraid that you are all victims of false advertising. My talk today was planned to be sort of a personal retrospective on defense policy and national security as I saw it during my term of service in the Pentagon.

I had hoped to speak as a private citizen with all of the answers and none of the responsibility, but due to circumstances more or less beyond my control, I find I still have the constraints that necessarily accompany public office. In my case, however, they are quite mild. No one really cares if you are a Hawk or a Dove when you are clearly a lame duck.

But a more serious disadvantage is the fact that Governor Harriman is speaking at the National Press Club at this very moment. Not only is he freer to express his views but his service in the interests of our national security spans about as many years as mine does months. We would all be much better off if we could have his speech piped in here. As you know, he is one of our most able, effective and durable public servants and I am sure he is only temporarily at liberty.

The practical effect of my lack of change of status is that I will have to stick a little more closely to my notes. Fortunately, they are not too long and perhaps equally fortunately I find that what I would have said to you in a private capacity does not vary all that much from what I can express to you today.

As an overall theme I thought that I might try and link some of the exhibits from the chamber of horrors that was set forth in the flyer announcing my appearance. This list, as you will recall, included Vietnam, the *Pueblo*, the Middle East crisis, and the Russian invasion of Czechoslovakia. And the announcement, I thought, left some sort of a hang-nail implication that maybe none of this would have happened had I not been Assistant Secretary of Defense.

I would have to concede that most of these won't rank high among American triumphs. Although we have not lost in Vietnam neither have we won militarily. And although we recovered the 82 men from the *Pueblo*, one American was murdered during the outrageous seizure of that vessel, some of our intelligence was compromised and the survivors were subjected to a year of brutal mistreatment. Our unexampled power was unable to put us in a position to deal summarily with aggressive conduct by countries we dwarf in size and resources.

Nor has our military strength enabled us to resolve the smoldering dispute in the Middle East, or to block the unprovoked and unjustified suppression by the Soviet Union of the stirrings of liberalism in Czechoslovakia. We have to ask why it is that our objectives are often frustrated despite our conviction of their fairness and despite our strength. And one might even ask why it is worth while to have this amount of military power if it cannot buy us the ability to control these events.

The reasons, of course, are complex, but the answers, I think, are pretty clear. In the present world situation we must deal with circumstances which no nation, including our own, can hope always to control and to direct toward the accomplishment of our national objectives. And this is true even though those objectives challenge the integrity and the independence of no other country. Our national security instead derives from the independence and the autonomy of other countries. And our military establishment exists to insure that security.

Questions about our world role and doubts as to when and where our vital interests are at stake have long been a part of the American political scene. In recent years, that debate has grown in intensity and it is never easy to turn these questions and that debate from the day-to-day crises to a longer range view of our security interests and toward lasting solutions. I don't expect to be able to do it today. But nonetheless I would like to try.

As I have noted, the first requirement of our defense establishment and indeed of the government as a whole is to provide for the security of the nation. However, today this security depends not only on the resources we are prepared to commit for the national defense and the resourcefulness with which we use those resources. It depends also on the capabilities and the determination of our potential adversaries and on the awesome growth in military technology.

One compelling example I believe illustrates the increasing dominance of these two latter factors. With the technology of long-range ballistic missiles and with nuclear weapons and given the size of the Soviet economy and the determination of her leaders to have a credible nuclear deterrent, we can do nothing that will deprive the Soviet Union of the capability of killing millions of Americans. They could rend the fabric of our society at any time within 30 minutes after a decision to launch. We have had to conclude reluctantly and after hard analysis that a ballistic missile defense against a sophisticated Soviet attack is presently unattainable. So that in today's nuclear world, we are dependent upon influencing intentions rather than on frustrating capabilities. At least this is true in the case of the other major power.

Because of this need to influence intentions, there has had to come a much closer linking of our diplomacy with our military strategy. As a newcomer in this field, I was surprised and pleased to find the degree of cooperation and consultation that exists between the Departments of State and Defense. I have been equally pleased to find that—contrary to the popular myth—the Defense Department disputes don't develop typically from a military-civilian split. Our diplomacy cannot proceed without reference to our military capability. And the development and the deployment of our military forces cannot be divorced from our foreign policy objectives.

We have three and one-half million Americans under arms; of that number, one and one-half million are stationed outside the country. They support there eight collective security treaties with 43 nations, and the very existence of these forces is in itself a cardinal fact of our foreign policy. As a result, the determination of our foreign policy objectives is and must remain a mixed political-military issue.

Over one-half of those overseas military personnel are now located in Southeast Asia and their presence there has occasioned perhaps the bitterest internal debates of our history. In my view, however, these debates should center on priorities and on price rather than on the propriety of our objectives. What we have sought to achieve there is something different than empire, something different than economic gain. We have sought to achieve the right of the South Vietnamese people to determine their own political future, and we have felt that this objective was consistent with the kind of a world in which a country such as ours could continue to prosper.

We have recognized that this limited objective would not warrant the application of unlimited force which could lead us into a much wider conflict. Accordingly, we have not pursued enemy forces across national boundaries and we haven't attempted to occupy and conquer North Vietnam. And under the conditions of instability that exist in South Vietnam, these prudent restrictions have made it inevitable that we try to find a settlement rather than a military solution. Now finally, despite the prefatory bombast which is about all we have received from the other side thus far, the substantive talks directed toward a settlement are going on in Paris.

In regard to our foreign policy, we have heard of the "arrogance of power," we have heard of the "responsibilities of power." What I am suggesting today is that we all have to agree on the limitations of power, as graphically illustrated by our Vietnam experience. Our military posture must be and it is sufficiently strong to deter or to repel any attack by any adversary. It is sufficiently strong to protect our allies from external aggression. But no military strength we can bring to bear can give any other country internal stability or propel it toward progress in meeting the needs of its own people. In Southeast Asia, as elsewhere in the lesser developed regions of the world, our ability to understand and to control the basic forces that are at play is a very limited one. We can advise, we can urge, we can supply financial support. We can even in selected cases buy some period of time in which a country can be protected from external pressures while seeking to solve its own internal social problems. But American military power cannot build nations, any more than it can solve the social and economic problems that face our own country.

In other instances what military force may do can be irrelevant or even counter-productive. The Pueblo episode, for example, faced us with almost unprecedented provocation. Our men and our ship were seized in international waters. Their activity had been neither unusual nor questionable. For example, our vessels and Soviet vessels collect intelligence all over the world. The Soviet vessels come within three miles of our shores. They are safe in doing so. Moreover, intelligence about the operations of other countries, and particularly potential adversaries, not only prevents surprise, it can prevent misunderstanding. And in view of North Korea's avowed intention to take over the entire peninsula by force, it was certainly in our national interest to obtain such information as we could about their operations.

The kneejerk reaction, I would suggest, was to strike back against this outrage. We could of course have attacked the port of Wonsan; we could have sunk the North Korean Navy, and this might have given us a temporary feeling of vindication but it would not restore our men to their families. Instead, the likely effect would have been to sign their death warrants. The other course, and a course which we followed, was to seek their return through negotiations. We also used diplomatic pressures. It took almost a year and it required an American signature on what we clearly identified in advance as a total North Korean fabrication.

But our fundamental national interest is and was to prevent North Korea from scoring gains in its campaign of aggression. The North Koreans had hoped to damage our relations with the Republic of Korea. Instead, our allies accepted the necessity for the steps that we took to regain our personnel and militarily we left North Korea worse off than they were before their theft of the Pueblo and their contemporaneous attempt to assassinate the President of the Republic of Korea. Their conduct led to the strengthening of the South Korean defenses and to a $100 million supplemental in military aid. So in my view the Pueblo episode demonstrates a realistic awareness of the limits of military power, and the proper use of other means to secure national ends.

Turning to the Middle East, the chronic crisis there shows the uses as well as the limits of American military strength. We cannot expect and must not try to force the resolution of the ancient hostilities that plague that area. We can, through our friendship with Israel and through our relations with the moderate Arab states, use our good offices to help bring about peace and stability. It is our strength on the other hand that makes the Soviet Union aware that they, as we, must avoid a direct military confrontation, both in that area and elsewhere in the world.

So in the Middle East our military power can and does deter military intervention by other outsiders, but it cannot impose a lasting military solution on the region. Nor could we even try to do so without grave risk to world peace.

On the other hand, whatever accommodation of competing interests may be possible in the Middle East, it has to remain clear to the Soviet Union that any incursions on the security of Western Europe would require our military response. Although we cannot make the nations of Eastern Europe honorary members of NATO, and I must admit none as yet has applied for admission, we can make plain our legitimate concern with Soviet military moves anywhere in Europe that may affect the security of our allies.

The Czechs, I am told, envy the Israelis on the ground that being surrounded by enemies is much safer than being surrounded by friends. And the concept of a Socialist commonwealth in which the Soviets claim to be free to intervene in the affairs of any other Communist country, should make a fairly poor recruiting device. But it also has to cast a chill not only in countries such as Romania and Yugloslavia but among their NATO neighbors. The Alliance however affords warm comfort against the risk of external aggression.

In trying to review my much too-brief experience and trying to think ahead, I have been struck with the rapidity with which the various components of our national security change in today's world. Thinking ahead, a likely target date would be the year 2000, which is now only 31 short years away. But if we think back to 31 years ago, we can see, I believe, the unlikelihood of trying to base a security policy on that type of long-range prediction.

In the year 1938, for example, we were on the eve of World War II. It would have been impossible to predict, I suggest, that 31 years later our participation in an Atlantic military alliance would find Germany as our leading partner and France as an abstainer. It would have been impossible to predict an Asian policy which looks forward to greater Japanese economic and security intervention in the affairs of Asia. It would have been impossible to guess that the list of great powers would not include a single Western European country. And no one would have thought that over one-half million Americans would be engaged in a land war, in what used to be French Indo-China, but without the participation of either France or China.

So that I would submit that we cannot predict and base policy on a perception of our interests as they will appear 31 years from now. But we can, I believe, continue to improve our posture by defining our objectives more clearly and ranking their order of importance to the national interest.

We certainly can and must do a better job of reading situations in other areas of the world and analyzing how American interests there may best be served.

That's what we are trying to do at the present time in the continuing debate about America's world role. The outcome of this soul-searching is not as yet clear, but I think what is clear is that the government will not be able to sustain any foreign policy for very long that does not have the clear support of the American people. Our leaders must be and they are responsive to long-range shifts in public opinion.

With our wealth, our power, and our concern, we have no choice but to remain involved in the world and certainly no policy of isolation would rid us of the danger of nuclear missiles. However, we do have choices to make in the years ahead and they are going to be hard and difficult choices about where to take a stand and where to follow a more flexible course. These are the kinds of questions of political judgment on which the government cannot long remain outside the bounds of domestic consensus—which demands of course an informed population.

And a final lesson of the past three decades is that we will have to live and live peacefully with the other major industrial powers throughout the world. This includes not only the western Europeans for whom we feel such bonds of cultural and political affinity, not only the Japanese who have become sort of honorary members of Western Europe, but also the Soviet Union and eventually mainland China. They are two peoples and two societies which are very different from our own. But the world is too small and the Soviet Union now and mainland China potentially are too powerful to permit personal distaste or ideological dispute to block the way to eventual cooperation.

For example, our reaction to the Soviet invasion of Czechoslovakia, though strong, did not prevent us from continuing to explore matters of possible mutual interest. Although we sought condemnation of their action in the United Nations and pressed for withdrawal of their forces, we continued to pursue efforts toward the non-proliferation treaty and we continue, after some delays, to try and find ways to proceed with talks on the limitation of strategic offensive and defensive missiles.

With respect to the non-proliferation treaty the President announced this morning that he was sending it to the Senate with the recommendation that it receive speedy approval.

In just two and a half years I have been privileged to serve 30 percent of all of the Secretaries of Defense. I have seen each of these three men face valiantly the incredible problems of national security. None of them and none of us can hope to solve all of them successfully.

What they can hope for and what they must receive is our informed understanding, our tolerance of the inevitable miscalculations and our recognition of a shared national objective which is a secure nation in a stable though diverse world.

WHITE RUSSIANS OF RICHMOND, MAINE

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, some time ago I put into the RECORD some material telling about the great community establishment at Richmond, Maine, as a whole community for White Russians by a very old and distinguished friend of mine and formerly a member of a noble Russian family, and now a great American, Vladimir Kuhn von Poushental. The Richmond project has become a refuge home in America generally for White Russians fleeing the scourge of communism in Russia has received respect and admiration of all Americans and in many parts of the world. The establishment of such a great project required vision, courage, organizing ability, and determination. All these virtues Baron von Poushental possesses to a high degree. In the January 1969 issue of the Magazine of Maine, entitled "Down East," there appears a very interesting article on this dynamic Richmond project in Maine. It is a moving story proving that great dreams may still be made to come true by people of competence and character. I believe it will be an inspiration to my colleagues and my fellow countrymen to read this stirring article about a noble and successful experiment in democracy and our country. Hence, Mr. Speaker, I include this article for incorporation in the RECORD following my remarks:

THE WHITE RUSSIANS OF RICHMOND, MAINE

(By Isabel Currier)

Travelers along the winding highways on either side of the Kennebec River sometimes pause in Richmond, midway between Augusta and Bath, to ask directions of some strolling citizen, and are startled to be answered by the useful phrase, "No English," spoken with a Russian accent. The 300–400 Russians who reside permanently in the Richmond area are almost doubled in numbers during the summer, when compatriots from the cities occupy vacation homes. Despite the empty factory buildings along Front Street and the dozens of homes for sale on the hilly streets rising from the river, the White Russian colony has been revitalizing the once-prosperous typical Maine town during the past fifteen years. Approximately sixty village homes are now owned by Russians and, sprawling back from the peaceful river, about forty farms in the beautiful countryside have been reclaimed by these anti-communistic refuges—many of retirement age—who traveled halfways around the world to put down new roots for their ancient culture in Sagadahoc County, State of Maine.

The 2000 natives of Richmond take their new neighbors for granted, whereas the newcomers respect the communty in which they've found refuge and safeguard its institutions while establishing their own. Richmond has acquired three new churches—two Russian Orthodox and one Ukrainian, a headquarters for the White Russian Corps Combatants in America, caviar supplier, a Russian bootmaker, and a Russian restaurant and baker, without many outward signs of these establishments' alien quality.

Strangers seeking the Russian restaurant and pastry shop, as the most accessible of the colony's centers in Richmond, will find it in a modest frame building near the top of Maine Street hill. There is a display of exotic plants in the plate glass windows, and it is obvious that the proprietors—as is often the case with their Maine counterparts—make their home in the apartment upstairs. Both the sign identifying the restaurant and the menus on the unadorned inside tables are in English. Along with borsch, Stroganoff, pelmeni, prijanik, perogis and other enticing Russian dishes, the bill of fare lists such standard American items as frankforts, hamburgers, french fries and coke. "Young people seem to like these better," explains Valerian Denisow, the slight, scholarly proprietor, who bakes the pastries, and proudly offers samples to his patrons.

With his wife Ariadna, who cooks meals and waits at table with the air of a formal hostess on her maid's day off, Mr. Denisow arrived in Richmond three years ago with all their goods and chattels packed in a car which he drove in eight days across the continent from San Francisco. A forest engineer in his Russian youth, in California Mr. Denisow worked successively as an experimental gardener, proprietor of a grocery store and then of a laundry, "We were prospering, but there was too much racial tension in San Francisco. We came here in search of peace and quiet, and have found it in this beautiful State of Maine."

Although both of the Denisows speak heavily-accented English, they strive constantly to improve it, and Mr. Denisow proudly displays a framed copy of the Declaration of Independence, presented him in Portland when he became a naturalized citizen of the United States. "Our language and religion set us apart," Mrs. Denisow said, "yet I am Russian only because I was born there. I was only three years old when the revolution caused my parents to leave our home in Kiev and go to Siberia." There the White Russians under Admiral Kolchak were defeated by the communists, and many fled across the Siberian boundary into China. "I grew up in China from the age of eight," Mrs. Denisow continued. "All I know of Russia is the language and customs taught me by my parents. That is true of most of us here of the older generation. What I'm saying is that we are only people."

Richmond's town clerk, Tom Borjesson, echoes this emphasis upon human similarities and considers the Russian group a distinct asset to the town. "They're a lot like Maine people—independent, industrious, religious, close-mouthed about their affairs, but courteous in answering questions. There are more highly-educated people among them than you find in most groups, but most of them are average; by and large, they keep to themselves and never cause any trouble."

The majority of the Russians in Richmond, he explained, are retired persons living on pensions; some younger ones work in the local shoe factory, some in the Bath Iron Works, and others are very successful farmers in the outlying countryside. "There are three generations of Russians here now, and the younger ones get Americanized fast. Several of our Maine girls have married Russian boys, and two or three of the group go to the Methodist Church."

Mr. Borjesson recalled that, a few years ago, the Russians rented the Methodist Church dining room to entertain their archbishop from New York. "It was strange to see all those beards and fancy regalia in a Methodist Church in Maine . . . It's also strange that, although many of the Russians speak several languages, the older ones especially have trouble with English. But then, we Mainers don't speak Russian—don't need to in order to understand and respect good people."

The quiet drama of the White Russian migration to Maine began in 1952, after Vladimir Kuhn von Poushental, born to the title of baron in the vanished empire of the czars and later manager of the Helicopter Corporation of America, chanced to visit the area. Five years earlier, forest fires had ravaged the Kennebec Valley and, in their wake, many farms and village homes became abandoned and desolate. Richmond itself, once a thriving Kennebec port with great icehouses along the river front where vessels loaded cargoes of "frozen gold" for the foreign trade, had been struggling for decades to find other industries that would keep its young people at home. The Great Depression, plus the fire, almost had reduced it to a ghost town. Then along came Poushental who, first of all, was struck by the resemblance of the landscape and climate in the Kennebec Valley to that of the region around Moscow, remembered from his Russian youth. His life had been almost a career of turning disaster into a new lease on life, and here in Maine he saw an opportunity to acquire a quantity of neglected real estate, whereon many of his homeless compatriots might reestablish themselves as a White Russian community.

Before proceeding with his plan, Mr. Poushental consulted both the governor and the secretary of state in Augusta, explaining the background of the White Russians as the first armed opponents of communism. He was assured that they would be welcome to Maine. With these official blessings, Poushental acquired abandoned farms and homes by the dozens and advertised them for sale in Russian language newspapers throughout North America. The response was eager and immediate.

More than half of the first hopeful migrants to Maine were persons whose rootlessness began with the Russian revolution following World War I. Others had become White Russian combatants during World War II, only to find that fighting for the invaders of communist Russia was to leap from the frying pan into the fire. Disillusioned with Germany, as well as with their homeland, they became displaced persons to escape repatriation to Russia. They flocked to the cities of hospitable countries to find any work open to them, living frugally and laying aside a nestegg to finance another possible enforced move. The advertisements which offered country life in a nostalgically familiar landscape and climate, also offered a miraculous opportunity to become home owners in a community of their own kind, far removed from the crowded loneliness of the cities.

Mr. Poushental's vision in promoting such a community brought him the means to extend his real estate activities to Florida, although he still is a summer resident of Maine. Recently he has been made an honorary citizen of the United States and his achievements in the Richmond, Pittston, Dresden, Bowdoinham, Gardiner area of Maine has been recounted in the Congressional Record.

The compatriots who came to Maine to establish new homes had earned the wherewithal as actors, artists, singers, dancers, businessmen, teachers, farmers, taxi drivers and factory workers, even though a number of them—in common with Mr. Poushental—had been born to a forgotten aristocracy. The late Miss Lydia Rennenkampf, for instance, daughter of the famous Czarist General of the Northern Front in World War I, became an interpreter for the Russian theater of Maine under the direction of Eugene Sherbakoff. Miss Rennenkampf also was secretary of the Maine chapter of the White Russian Corps Combatants, which named Princess Vera Romanov, purchaser of a summer residence in Richmond, as its honorary president.

The purposeful and peaceful "Russian invasion" startled Maine residents—but usually in ways that they heartily approved. *The American Mercury* reported, for instance, that a newly-arrived Cossack farmer "walked five miles to the village store, purchased a 100-pound sack of grain and carried it home on his shoulder." Also, as the first colonists in Maine had done, the White Russians in Richmond immediately established a place of worship.

The first Russian Orthodox Church in Maine consisted of two rooms in a huge, rambling old house on Church Street. The house itself was presented by Mr. Poushental to the White Corps Combatants, a militaristic organization, somewhat comparable to the American Legion, whose response to his real estate ads made the Maine project an overwhelming success. The combatants accepted the gift for use both as headquarters and residences for permanent and visiting officials of the St. Alexander Nevsky Foundation—the formal name for the Richmond chapter. The two rooms, lavishly decorated with icons and paintings, set aside for religious services and dedicated to St. Alexander Nevsky, served as a church for the community until 1961. Then, the members of the Foundation decided to build a separate church edifice. They raised a fund of about $20,000 and, aided by eager volunteers among the parishioners, completed the small, but richly decorated church which was dedicated in 1961 by the Russian Orthodox Archbishop of New York.

The first pastor of the Russians in Richmond was Father George Gorsky, succeeded by Reverend Afanasy Donetzkow, until his retirement. But a group of parishioners, moved by a desire to keep their religion independent from the White Corps Foundation, urged Father Donetzkow to come out of retirement in 1964 as pastor of St. Nikolaus Russian Orthodox Church. This was established in a house on South Front Street, purchased with funds raised by the independent group, and serving both as St. Nikolaus Church and the pastor's residence.

Much the larger congregation of the colony is that at St. Alexander Nevsky, the original church, of which the pastor is Father Nikolas Kashnikov, once a member of the Czar's Imperial Guard. The aristocratic old priest, with merry blue eyes in a handsome, white-bearded face, assures all comers, with apologetic brows, that he speaks "No English." He is master of several other languages, though, and he also seeks to perpetuate his native Russian by conducting Saturday classes for the colony's school children, who are habitual speakers of English. With other members of the colony, including the Denisows, he also assists students of Russian at various Maine colleges who go to Richmond for periods of conversational practice. Visitors are welcome to stand with other worshipers—the church has no pews—at Sunday morning services at 10 o'clock, when the ancient Slav ritual of the Orthodox Mass is celebrated. Both Orthodox churches in Richmond hold a colorful traditional Christmas party for children, usually on the Saturday or Sunday nearest the Russian Christmas, which occurs this year on January 7th, according to the Julian Calendar.

A third church on Pleasant Street in Richmond is not strictly Russian in the purist sense, since it is Ukrainian. Theoretically under the jurisdiction of Rome, the Ukrainian Church holds Eastern Rite services under the Russian episcopate in America. "Our three churches may lead people to believe that we Russians in Richmond do not always agree among ourselves," Eugene Sherbakoff, official Russian interpreter for the State Welfare Department and other groups, remarked drily.

Eugene Sherbakoff is one of the most articulate Russians in Maine—not alone because of his command of the language, but also by virtue of his long experience as a professional actor and director of drama. His career, which began at theatrical school in his native Odessa, extended throughout eastern Europe but was interrupted by active service with the White Army, several arduous years in a German work camp, and finally with a term of enlistment in the American army. In 1948 he began an off-Broadway revival of the Russian theater in New York, which continued until Mr. Poushental's advertisement of the Russian colony in Maine caught his eye in 1958. Sherbakoff's wife Alexandra, both a ballerina and a concert singer in her Russian youth, had developed a chronic illness from labor imposed on her in a German factory, and the promise of camaraderie, prosperity, and the pure air of a familiar climate seemed irresistible.

Once in Maine, Mr. Sherbakoff organized a group of Russian players, an artistic venture dependent upon the late Miss Rennenkampf's interpretive narrations, which could not be continued after her demise. But Sherbakoff has directed and participated in college theatricals, such as a production of *Crime and Punishment* at Bowdoin, where he played the part of Inspector General.

The ebullient Mr. Sherbakoff says that it is second nature to all White Russians to find the talent for something in demand, instead of mourning the lack of demand for an already developed talent. With his hopes for a highly successful Russian theater in Maine unrealized, he cheerfully donned a hobbyist's chef's hat and began producing pastries (there are 144 flaky layers in his apple turnovers) and smorgasbords for the Worster House in Hallowell. With equal good cheer, meanwhile, his charming and cultivated wife went to work in the shoe factory in Richmond where, she says happily, "I've had the chance to really know and be accepted by fellow workers. And I like them; I think I'll be sorry when its time to retire.

Now in his seventies, Mr. Sherbakoff has retired, except for his official services as an interpreter—for the Russian-American Pension Association, as well as State departments. He also is Richmond correspondent for the Kennebec Journal. But he is busy all the time with unofficial chores of interpretation, to smoothe the way of his non-English speaking countrymen who might be haled into court, for instance, for speeding. His busiest time is right after mail deliveries, when compatriots bring their letters to him to translate. The Sherbakoff's hospitable home on Front Street is a sort of informal public relations bureau for Russians of the entire area.

They are excited about the successes of others such as the Gradsky brothers' poultry farm near Bowdoinham, with 100,000 chickens, and that of the Lupuschenko family, whose son married a Maine girl. Without children of their own, they take pride in Olga Taranko's position as a teacher in Gardiner, and in the English language courses she conducts for her people in Richmond. "Her brother Vladimir, graduated from the University of Maine and is now fighting in Vietnam," Mrs. Sherbakoff said, "but we are not the only ones who are proud of these people—and of about sixty Russian children in the public schools here, who are all acclaimed as good students. The entire community is proud of what our people accomplish in Maine, which has done so much to make us welcome."

Newcomers to the colony continue to arrive. A recent one is the Ukrainian artist, Seweryn Boraczok, widely acclaimed both in Europe and America for his adaptation of ancient Byzantine art to modern mediums, using glass and small stones for stunning mosaics and imitations of stained glass.

Also, Mr. Speaker, another fine article paying a great tribute to Baron von Poushental for the establishment of the Richmond project appeared in the January 6 issue of the Quarterly magazine section, published weekly by the National Association of Real Estate Boards of Washington, D.C. I also commend this very fine article to my colleagues and fellow citizens, Mr. Speaker, and include in the body of the RECORD following these remarks:

BARON VLADIMIR KUHN VON POUSHENTAL—REALTOR

Russia lives again, not on the windswept steppes of Central Asia, but on the snowy, sometimes bitter landscape of Maine.

Here, along, the shores of the Kennebec River, the ancient Russian ways, customs, religion, and language flourish as though uninterrupted by the cataclysm of the Bolshevik Revolution.

The community of more than 100 families in Richmond, Me., owes its existence to the desire of a former Russian nobleman, Baron Vladimir Kuhn von Poushental, to create a home for Russian refugees from communism and nazism.

This man, a Realtor, former hunter and aviation executive, following a personal conviction that "we must try to justify our existence by helping others," formed the Alexander Nevsky Foundation, named for the Russian warrior-saint who drove back the Tartars. Through this foundation and using his own business acumen, he began purchasing abandoned farms in the Richmond, Pittston, Dresden, and Gardiner areas of Maine.

He had visited the state soon after forest fires had swept across the land in the late 1940s and was struck by its similarity to the countryside around Moscow he remembered as a youth.

Before continuing with his plan, Mr. Poushental conferred with both the governor and the secretary of state of Maine, explaining the background of the White Russians as the earliest armed opponents of communism. With official blessings for his endeavor, he advertised in Russian language newspapers in the United States and Canada "telling of the hospitable people in Maine, of how there could be true Russian religious worship, and a reconstruction of Russian ways," wrote Eleanor Sterling in the Spring, 1967, *Maine Digest*.

"And soon, in small groups, the refugees began to come. In the manner of the pioneer generations past, they brought with them their own customs, their own language, their own religion. But they also brought with them one great variation on the pioneering theme. More than half of them were retired pensioners living on social security and private funds. They came not to create a brave new world of youth but to buy up deserted farms and wasted acreage, to have a stretch of forest and river and garden of their own, to restore the sagging community while spending retirement years together in productivity."

Some who took up residence in the new community were Col. Anatole Rogoshin in 1955, then head of the White Russian Corps, a group of officers of the old Imperial Army and other Czarist services dedicated to the overthrow of communism; Miss Lydia Rennenkampf, daughter of the famous Czarist general of the Northern Front in World War I who was executed by the Bolsheviks; and Princess Vera Romanov, cousin of the late czar and daughter of the Grand Duke Constantine who was also named honorary president of the White Russian Corps.

"The Russian community had a troublesome beginning. Archbishop Nikon, (head of the Russian Orthodox Church in North America) with his undying faith, was a strong source of help to me. He is a great learned churchman and scholar," says Baron von Poushental.

"We had trouble with the town of Richmond from the beginning. The town officials did not want the Russian refugees to open their own church and were told 'your people should learn our way and go to our churches.' Our people spoke no English—the younger people of today are the only ones who do not speak their native tongue exclusively—our people only knew their prayers in Slavic, and they like to stand up during the services. Archbishop Nikon went to all clergymen, Catholic, Methodist, Baptist. . . . and with their help, we established our own church, the first in the state of Maine," he says.

Today, there are two Russian Orthodox Churches and one Ukrainian Church (Eastern Rite) in Richmond.

"The community has remained as it began—foreign as in the 'old country.' The people have their own social activities along with their church work; their own businesses and shops; they stay pretty much to themselves in their own community and do not depend on others. They are happy people and content to be free in America away from the dictates of anyone—and especially the communists."

Baron von Poushental was born in 1899 in Tiflis, Russia, son of a general in the Czar's Military Engineering Corps and grandson of the Ataman (chief) of all the Don Cossacks. During his youth, the family lived in Kiev, where he attended the Polytechnical Institute, and in St. Petersburg.

At age 16, he joined the Imperial Russian Army and attended the Michailovsky Artillery School and Naval Aviation in Baku, Caucasus. He was one of the first combat pilots in the Russian Army.

While American flyers were tangling with von Richtoffen in the skies over Germany, Mr. von Poushental was making bombing runs over the drydocks in Constantinople in the country he would soon call home.

As an officer in the Imperial Army, he was left with nothing to do when Kerensky gave the order for soldiers not to obey their officers. He went to Kiev and joined the White Russian Army, and when the army was routed in the Crimea, he fled to Turkey.

In Turkey, he shot ducks, geese, and quail on an estate outside Constantinople, making a good enough living. Ducks were worth a dollar each, and in a couple days he was able to shoot a hundred.

"But I always wanted to go to America and play Indian when I was a kid, so when the chance came, I went," he says.

His American career began auspiciously enough. When he arrived he looked up a friend of his father, Dr. George de Bothezat, then one of the world's ranking men in aviation. Dr. de Bothezat had evolved a revolutionary theory of propellers and airscrews and had an idea for a new type of plane using his theories.

He was commissioned by the U.S. government, and he built one of the first helicopters in Dayton, Ohio.

Dr. de Bothezat left the government to form the Helicopter Corporation of America, and in doing so, named Mr. von Poushental the manager. Success was shortlived because Dr. de Bothezat died, and his secrets died with him.

The baron had always managed to turn disaster into a new lease on life, and he found this in the neglected Maine real estate. His success in promoting Maine as a home for his homeless compatriots provided the means for him to extend his activities to Florida, although he is still a summer resident in Maine.

Realtor von Poushental has been honored several times for his achievements. He has been named an honorary citizen of the State of Maine, and twice had his achievements recounted in the *Congressional Record*.

In 1967, he was signally honored by being awarded the eight-pointed Maltese Cross of the Order of St. John of Jerusalem, a sovereign religious and military order of the Catholic Church. The cross is one of the organizations highest honors. He also was invited to join the Knights of Malta.

A member of the Andoscroggin Board of Realtors, he is president of Kennebec Realty, Incorporated, in Gardiner, Me.

Mr. Speaker, in further tribute to my friend, Baron von Poushental, for whose genius and dedication to the cause of his persecuted fellow countrymen and to the cause of freedom made this Richmond project in Maine, is an article in the Miami News, of Miami, Fla., of December 14, 1968.

I include this article, too, Mr. Speaker, for the information of my colleagues and all who read the RECORD, in the RECORD following my remarks:

RUSSIAN BARON STARTS U.S. TOWN FOR COUNTRYMEN

(By Louise Leyden)

A Russian nobleman who lost his fortune when he had to flee from his country to escape from the Bolshevik Army, has been instrumental in founding a white Russian community in Richmond, Me. Baron Vladimir Kuhn von Poushental, a resident of Miami Beach, and an American citizen since 1925, not only started the community in Maine, but was the guiding spirit behind the establishment of a Russian Orthodox Church for the immigrants.

"I felt the great need for a church there," he said in telling of the establishment of the colony, "so I went to see His Eminence Archbishop Nikon in New York who went with me to Maine to look over the situation.

"There was no Russian church in the state at the time and people of other churches around the community said 'Why have one more church? Let them go to our church'."

To this Baron von Poushental replied, "No. They must have their own church." After a 'fight' he won. Today there are two Russian Orthodox churches and one Ukrainian church serving a community of some 1,000 people including children.

"They are really happy and are thankful for their freedom," the founder stated with a smile. "All go to church regularly. The Russian priests also teach English in addition to attending to their spiritual duties."

Baron von Poushental, who prefers to be called "Val" by his friends, had previously bought some abandoned farms in the Richmond, Pittston, Dresden and Garniner areas—a large tract of land which had been swept by numerous fires. He gave the early settlers who had come to America mainly via Yugoslavia, around 500 acres as well as farm houses and some horses to till the soil.

Shortly after that he began working for a house of worship for the spiritually-minded people who had lost not only their country and their homes but their churches as well.

Baron von Poushental's family originally had vast land holdings in the old Austria-Hungarian empire. When his great grandfather was forced from the family's original home after helping in abortive movements on the continent, the Czar gave him lands in Russia.

"My father was a general who built many military establishments for the Czar. He was rich, but not as rich as the Russian noblemen around him. With the coming of the revolution my whole family was killed.

"I was a captain in Baku when Kerensky gave the order, 'Soldier do not obey officer.' When he said that I had nothing to do so I went to Kiev and joined the White Army to fight the Communists. But in 1918 the Communists broke through. I went to Sevastapol where I took a boat for Constantinople, leaving Russia with a couple of suitcases."

He had sold his rubies for $850, the last of his family fortune.

Now in Maine where he spends his summers hunting and visiting with old Russian friends, Baron von Poushental is happy watching the people till the soil, raise chickens or make shoes and attend church services in a free land—a kind of life they once knew long ago.

An account of Baron von Poushental's life was published in the Congressional Record of July 18 at the request of Rep. Claude Pepper. An earlier account appeared in May 1967.

The recent story said "to von Poushental (he prefers not to use the title now) as to Dr. Zhivago, the important thing has been to somehow find a new way in a disrupted world." And this he has done.

TWENTIETH BIRTHDAY OF THE NATIONAL HEART INSTITUTE

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, on November 14, 1968, President Johnson met in the East Room of the White House with a distinguished group of guests to celebrate the 20th birthday of the National Heart Institute. The group included Mr. Wilbur J. Cohen, Secretary of Health, Education, and Welfare; Dr. Philip R. Lee, Assistant Secretary for Health and Scientific Affairs; past and present Surgeons General of the Public Health Service; past and present Directors of the National Heart Institute; and past and present members of the Institute's chief advisory body, the National Advisory Heart Council.

Representing the Congress at this gathering were myself and the Honorable Lister Hill, distinguished Senator from Alabama who, throughout a long and illustrious career, has fought for legislation and appropriations aimed at improving the health and welfare of all our citizens.

It was a special pleasure for me to attend this celebration; for I was one of those who, in February of 1968, introduced the bill which was subsequently enacted into law as Public Law 655. This law, also called the National Heart Act, created the National Heart Institute. It charged the new Institute with the tasks of conducting and supporting research into the causes, prevention, treatment, and cure of diseases of the heart and circulation; with assisting States and other agencies in the application of pertinent findings of this research; and providing training in matters relating to these diseases.

It has now been 20 years since President Truman signed the National Heart Act. And I note with pleasure that, during its first 20 years, the National Heart Institute has come a long, long way.

From a fledging institute with a staff of 11 and no appropriation to call its own in 1948, NHI has developed into a major research complex employing nearly 700 scientists and supporting personnel and managing an annual appropriation of more than $160 million. In addition to a sizable research program carried out in Federal laboratories at Bethesda and elsewhere, NHI supports more than 2,000 research projects at universities, medical schools, and similar research institutions throughout the Nation. No less important is the Heart Institute's annual outlay of more than $25 million to support research and clinical training in the cardiovascular field and to improve standards of cardiovascular teaching in medical schools. This investment is, in a sense, "seed money" for future research progress.

The Heart Institute staff and its advisory bodies, who managed these research investments over these years, and the American people, who provided the money, both have many reasons to be proud of the results.

The store of scientific knowledge of the cardiovascular system and its diseases accumulated through research over the past 20 years far outstrips that gained during all previous years of medical history. In fact, during the past 10 years, the flood of scientific and clinical information pouring forth from a multitude of research projects is already straining, and threatens to swamp the traditional machinery for disseminating this information and for assuring its prompt and widespread application toward improving the health care received by all of our people. This is an urgent problem requiring solutions, and these are being provided by recent advances in computer technology. Such an "information crisis" could scarcely be envisioned 20 years ago; and this is certainly one crisis that, when resolved, will result in benefits to all mankind.

Meanwhile, although the dissemination machinery may occasionally creak, the fruits of research are finding their way from the laboratory to the ward more swiftly than ever before. The results, in terms of human lives saved or usefully prolonged and in terms of suffering relieved, have often been spectacular.

As recently as 1950, for example, there were no satisfactory drugs for the relief of high blood pressure, a disorder that is currently thought to affect between 17 and 21 million Americans.

Today, the physician has a variety of clinically proven drugs at his disposal. Not all are effective in every patient or against all forms of the disease. But where one drug fails, another drug or combination of drugs is likely to succeed. Only rarely does it prove impossible to bring a rampaging blood pressure under control.

Improved diagnostic techniques have also been devised for identifying patients suffering from high blood pressure due to kidney disorders and other potentially curable diseases. Many of these patients can be cured or substantially improved by surgery.

These advances in diagnosis and treatment have reduced death rates from high blood pressure by nearly 50 percent during the past 10 years.

Rheumatic fever and rheumatic heart disease, once a scourge of children and young adults, have been decreasing steadily as a cause of death and disability. Most attacks of rheumatic fever can be prevented by prompt and vigorous treatment of strep infections with antibiotics. Heart threatening recurrent attacks can often be prevented by providing continuous antibiotic protection to susceptible persons.

Hearts damaged by rheumatic fever may often be mended by modern surgical techniques for restoring or replacing damaged heart valves. Today, using any of a variety of artificial valves or valve transplants, surgeons can replace one, two, or even three damaged valves in a single operation with excellent prospects of success.

Equally impressive has been the progress made during recent years in the relief of inborn heart defects. Modern heart-lung machines and other techniques for sustaining the patient during open-heart surgery allow the surgeon time to correct even complex or multiple abnormalities. As a result, operations have been devised for the cure or relief of most of the recognized types of congenital heart disease.

Atherosclerotic heart disease, and acute heart attacks resulting from this disease, remains our Nation's most important health problem.

Progress has been made, to be sure. Medical science has learned much about factors that increase susceptibility to coronary heart disease. The coronary prone patient can often be spotted early by the physician, who can recommend measures that, hopefully, may avert that first heart attack.

For victims partially or completely disabled by the crushing chest pain of angina pectoris, new drugs provide longer lasting, more complete pain relief by reducing the work load of the heart. A recent development is an electronic device that provides nearly instantaneous relief of chest pain in selected patients.

New surgical techniques have been developed for increasing the blood supply to the oxygen-starved hearts of angina patients. In many patients, improvement has been dramatic. Some, who were partially or completely disabled before surgery, have been enabled to return to work. Others have been enabled to resume activities that formerly would have brought on incapacitating chest pain.

Recent developments are also steadily improving the patient's chances of recovery from acute heart attacks. Intensive coronary care units, specially equipped and staffed for the closest clinical supervision of the coronary patient, are saving many lives that might otherwise have been lost to rapidly developing complications of the acute attack.

Special monitoring equipment keeps continous watch on the patient's heart function and summons medical assistance at the first hint of trouble. New drugs and electrical techniques for normalizing an erratic heart beat, effective agents for restoring a falling blood pressure or improving the performance of a flagging heart can swiftly be employed to avoid or cope with circulatory crises.

The Heart Institute's new artificial heart-myocardial infarction program holds promise of further improvements in coronary care. In seeking increased medical knowledge of the acute illness itself and improved methods of diagnosis and medical treatment while simultaneously working toward the development of heart assist devices to complement more conventional therapy, this program may bring about substantial reductions in death and disability in the future.

Many of the advances I have cited have been made possible through the Federal investment in biomedical research. This investment, wisely managed by the National Heart Institute and other Institutes of NIH, has supported the studies of outstanding scientists and clinicians throughout the country. It has also supported the research of a comparatively small but immensely talented group of scientists at Bethesda. The high esteem in which these men are held by the scientific community is evidenced both by the outstanding trainees that they attract to the NIH campus and also by the numerous awards bestowed on them by professional societies and related groups. And very recently, one member of the National Heart Institute scientific staff, Dr. Marshall Nirenberg, became the first Federal scientist to win a Nobel Prize. I very much doubt that he will be the last.

During its first 20 years, the National Heart Institute has indeed accomplished much. And, while much remains to be done, I have no doubts that, during the next 20 years, the Institute will continue to acquit itself as well—that it will attack the formidable problems that confront it with no less vigor, imagination, and skill than it has already shown in the past.

What the results of this effort will be, no man can now tell. But there are ample grounds for hope that, during the next 20 years, diseases of the heart and blood vessels will be largely eliminated as a cause of premature death, disability, and suffering among our people.

Mr. Speaker, the 20th birthday of the National Heart Institute, its past accomplishments, and its future prospects should be matters of considerable pride and great hope for all of us. For this reason, I propose that the transcript of the proceedings be entered into the CONGRESSIONAL RECORD:

TRANSCRIPT OF PROCEEDINGS: THE 20TH ANNIVERSARY OF THE NATIONAL HEART INSTITUTE

Secretary Wilbur J. Cohen. We are here today to commemorate the 20th Anniversary of the National Heart Institute. The National Heart Act was passed in June of 1948 during the Truman Administration. During these 20 years the Institute has distinguished itself with a most impressive list of accomplishments. This, I believe, reflects great credit on those concerned with its establishment and with its growth to maturity during these past two decades. Many of these individuals are with us today, and I would like to introduce some of them to you at this time.

First, I would like to introduce one of the men who introduced the bill which became law in 1948—a man who at that time led the effort to make the National Heart Institute a reality—my good friend, Congressman Pepper. I may be carrying coals to Newcastle, but I brought with me the first page of the bill (S. 2215) that Mr. Pepper, then a Senator, introduced on February 25, 1948 and which subsequently became law. I would like to present this and a copy of the act to him today in commemoration of this 20th Anniversary.

I would also like to introduce the man who, over these many years, has led the fight both in legislation and appropriations, not only for NHI but also for NIH and for many other important activities in the field of health. This man, who has made much of this possible, is retiring; but he leaves a great record: my friend, Senator Lister Hill.

I would also like to introduce two others who have done so much to make all of this work possible. First, Mrs. Mary Lasker. And someone who needs no introduction, Dr. Michael DeBakey.

We have here in this room a glittering galaxy of stars: men and women who have done so much in this particular area. I'd like to introduce first a man to whom I have delegated all my responsibility for administering the tremendous work in the field of health: Dr. Philip R. Lee, Assistant Secretary for Health and Scientific Affairs.

Those of us connected with the Department of Health, Education, and Welfare are, of course, very proud of the remarkable group of men and women whose work has contributed to the progress we have been making, not only in the heart field, but in many other areas. We are delighted to have here one of the outstanding members of the National Institutes of Health scientific staff, Dr. Marshall W. Nirenberg and his wife. Dr. Nirenberg, as you know, is our first Nobel Prize winner.

I'd like now to introduce the present Director of NHI, Dr. Theodore Cooper. Dr. Cooper is the latest of a line of very distinguished men who have previously served in this post. I'd like to introduce these former directors: Dr. James Watt; Dr. Ralph Knutti; Dr. William Stewart, former NHI director and current Surgeon General; and Dr. Donald Fredrickson.

Under the National Heart Act of 1948, the Heart Institute is charged with the responsibility for conducting research into the causes, prevention, diagnosis, and treatment of diseases of the heart and circulation; fostering, supporting, and coordinating cardiovascular research and related activities by public and private agencies; providing training in matters relating to heart diseases; developing more effective methods of prevention, diagnosis, and treatment; and assisting the States and other agencies in the application of these methods.

As this chart shows, cardiovascular diseases are responsible for 55% of all deaths in the U.S. each year. This, of course, is why the Institute is of such great importance. Accounting for more than half of these one million cardiovascular deaths was atherosclerotic heart disease, which claimed 559,000 American lives during 1966. Ranking second in importance was stroke, which claimed 201,000 lives. Hypertension, a distant third, caused 67,000 deaths. The remaining 173,000 deaths represent the combined total resulting from congestive heart failure, rheumatic heart disease, congenital heart disease, and other cardiovascular disorders.

This chart gives you some idea of the tremendous growth of the NHI during its 20-year history. The chart begins here in 1950, the year the Institute received its first appropriation. During the next six years, growth was slow and the annual appropriations remained below—often well below—$25 million. Then, beginning about 1957–58, when Senator Hill and Congressman Fogarty became interested in seeing what could be done, one can see how the appropriations have increased steadily over the years.

In 1963, when President Johnson took office, the budget of this Institute was about $108 million. By last year, it had climbed to more than $162 million, showing the tremendous growth that has occurred during this period of time. Most of this growth occurred in the area of research and training grants.

During 1967, NHI allocated about $127 million for research grants. Of this sum, $44 million was spent for research in atherosclerosis. This included roughly $26 million for research into the causes of this disease, $14 million for treatment, and $4 million for diagnosis.

The $14 million allotted for the study of hypertension included $8.6 million for research on causation, $3.3 million for treatment, and $2.1 million for diagnosis. The emphasis here indicates the importance of discovering the causes of these diseases, still largely unexplained.

At this point I'd like to introduce our distinguished Director of the National Institutes of Health, Dr. Robert Q. Marston, who will describe to you some of the Institute's specific accomplishments during the past 20 years.

Dr. Robert Q. Marston. Thank you, Mr. Secretary, Ladies and Gentlemen. NIH is proud of the accomplishments of the Heart Institute over the last 20 years, but I think it is important to point out that the scientists at the Heart Institute are a part of a much larger group of scientists who are dedicated to research toward curing and controlling all diseases that threaten the health and well being of our citizens. Work in other fields has made major contributions to the Heart Institute's efforts; and, indeed, the Heart Institute's findings have often had even greater applicability in other areas.

We build upon the advances of the past, on the work of others, and on the fruits of the work of the people in the Heart Institute.

In pointing out some of the highlights, one can look at the problem of heart disease due to infection. There has been a decrease over the last 20 years in rheumatic fever and rheumatic heart disease to almost half of what occurred in 1950. This has been due primarily to the prophylactic use of penicillin.

Similarly, in 1950, syphilitic cardiovascular disease was a major problem. Today it is essentially ceasing to be a problem in this country.

Hypertensive heart disease remains one of the major problems today; but one can see the dramatic progress since 1950, not only in the decrease in deaths of all ages, but particularly the decrease in deaths under the age of 65. Indeed, one sees a decrease in the death rate down into lower age groups. Surgical procedures for correcting certain kidney disorders have made contributions to the reduction of the problems with hypertensive heart disease, but the main contribution has been the development and application of effective blood pressure-lowering drugs. And we hope that in other areas of heart disease, such as coronary heart disease, it will be possible to find drugs, such as those that have an effect on lowering blood lipid levels, which may prove to be equally effective.

There have been very dramatic developments in all areas of cardiovascular surgery. Indeed, one can say that, over the last 20 years, this field has developed and has essentially been perfected. Here we see pictures of a child with tetralogy of Fallot, a major cause of "blue babies," before and after operation to correct the condition. Not only has cardiac surgery allowed the correction of a variety of congenital defects by allowing prolonged access to the heart itself, but it is also possible to correct abnormalities, particularly stenotic lesions of the heart valves, due to acquired heart disease. In this chart we see the decrease in the size of the heart following the installation of an artificial heart valve to replace the mitral valve which had been damaged, probably by rheumatic fever.

Engineers, in addition to working with surgeons and physiologists on the development of heart-assist devices and even total replacements for the heart, have also made major contributions in the development of artificial pacemakers. These can restore normal heart rate and rhythm when degenerative diseases have destroyed or impaired the conduction processes that normally control the patient's heartbeat. Some 20,000 people at present have such devices implanted, and about 10,000 additional patients are having pacemakers inserted each year.

In addition, artificial pacemakers and defibrillation devices, used transiently after acute heart attacks, are saving many lives formerly lost to arrhythmias and cardiac arrest.

Another advance stemming from the combined efforts of engineers and physicians has been an electronic device for relieving pain from angina. Here is depicted the use of a carotid sinus stimulator, which allows the patient to push a button and get almost instantaneous relief from chest pain due to advanced coronary atherosclerosis.

Now, Dr. Berliner, who is now Director of Laboratories and Clinics, NIH and who formerly headed the NHI Intramural Research Program will talk in greater detail about some of these and other advances made during the last 20 years in the cardiovascular field.

Dr. Robert W. Berliner. Mr. Secretary and distinguished guests.

Dr. Marston has pointed out the dramatic reduction in the number of deaths from hypertensive heart disease that has taken place in the last 20 years. And, as he pointed out, this is largely due to progressive improvement in the management of high blood pressure through the application of new and better blood pressure-lowering drugs. In turn, the development of these drugs has been greatly facilitated by increased understanding of the way the small blood vessels that regulate blood pressure are controlled through the operation of the sympathetic nervous system.

A great deal has been learned about the ways in which messages are transmitted from one element of this system of nerves to another by the release of chemical substances that carry the messages. These chemicals are released, not only at the nerve endings in heart and blood vessels, but also in the brain centers from which the impulses arise.

Scientists working in NHI and other intramural labs in Bethesda have made a major contribution to our understanding of the processes whereby these chemical messengers are formed and stored in brain and nerve tissues and also the ways in which their storage, release, and action are effected by drugs. Indeed, it is by altering the manufacture, storage, release, or action of these chemical messengers that the drugs which are useful against hypertension produce their effects. For his contribution to our knowledge in this field, Dr. Bernard B. Brodie, Chief of the Heart Institute's Laboratory of Chemical Pharmacology, last year received the Lasker Award.

However, an outgrowth of Dr. Brodie's work illustrates the point that we can never be sure where or how some piece of basic scientific work will turn out to have practical application. This work now appears to have made important contributions to a most promising development in a disorder far removed from hypertensive heart disease: a new treatment for Parkinson's disease, commonly known as "shaking palsy."

It has been found that dramatic improvement can be produced in many people with this disease by the administration of a substance called L-DOPA. L-DOPA is a precursor of one of the chemical transmitters in the central nervous system. That is, when L-DOPA is acted upon by certain enzymes in the central nervous system, it is converted to one of the chemical transmitters. This particular transmitter has been found to be deficient in Parkinson's disease. The work in Dr. Brodie's Laboratory had helped to focus attention on the concentration of such transmitters in the central nervous system, so that the deficiency in Parkinson's disease was discovered. In addition, his work showed that the transmitters themselves cannot enter the nervous system. To raise the concentration of the transmitters, one must administer its precursor—in this case, L-DOPA—which does enter the central nervous system where it is converted to the active substance. Thus, this basic work on the physiology and pharmacology of the sympathetic nervous system has had an unexpected payoff in what promises to be a remarkably effective treatment for a disease that is thought to affect more than a million Americans.

Dr. Marston showed an X-ray demonstrating an artificial heart valve that had been used to replace a diseased one. These valves, although they usually bring about marked clinical improvement, have been plagued with problems owing to the formation of blood clots on the foreign metal surfaces. A modification developed in the Heart Institute has remarkably reduced this difficulty. The solution was suggested by the results obtained when loose-weave plastic fabrics were used to replace segments of diseased blood vessels, a procedure that Dr. DeBakey has pioneered. Such replacements become lined by the ingrowth of body tissue so that, in a relatively short time, there is no longer an interface of blood with foreign material and clotting is no longer a problem. The solution to the valve clotting problem then was to cover the fixed metal part with woven plastic cloth. This covering encouraged the ingrowth of tissue, so that the blood no longer made contact with a foreign surface. Continued administration of anticoagulants to prevent blood clotting is no longer necessary and the clotting problem is almost elminated.

Finally, I would like to describe another use of the cardiac pacemaker. This application originated in the Heart Institute and, although it is still in the experimental stage, has provided interesting and promising results. This is the use of an electronic device to relieve angina pectoris: that is, the chest pain that occurs upon exertion or excitement in some patients with disease of the coronary arteries.

It is known that this pain comes on when parts of the heart muscle do not receive enough oxygen to meet their requirements. The situation can be improved either by increasing the blood supply to the heart or by reducing its oxygen requirement. Since our means of increasing the cardiac blood supply are very limited, it seemed worthwhile to direct attention to reducing the heart's demand for oxygen.

Fortunately, in the Heart Institute laboratories, extensive studies had been done to define the factors that determine the heart's need for oxygen. The most important of these had turned out to be, first, the pressures against which it is required to pump; second, the frequency with which the heart contracts, that is, the pulse rate; and third, the rapidity or force with which each contraction occurs. All of these—blood pressure, heart rate, and force of contraction—are controlled by the sympathetic nervous system. As a result, we can reduce heart oxygen requirements acutely by reducing the input through the sympathetic nervous system.

This can be done by providing stimuli to a structure in the neck called a carotid sinus nerve. The sympathetic nervous system interprets these electric stimuli to mean that the blood pressure is too high. Subsequently, this nervous system tries to reduce the blood pressure by dilating the blood vessels, by slowing the heart, and by reducing its force of contraction. When it does, the oxygen requirements of the heart are very sharply reduced and the pain of angina is usually dramatically relieved.

The picture that Dr. Marston previously referred to shows a man who has a carotid sinus stimulator. A transmitter, worn externally, beams radio frequency signals to a receiver implanted under the skin. From there the signals are carried via implanted wires to the carotid sinus nerve in the neck. When the patient feels the pain of angina, or when he's about to undertake some activity that he knows from experience will produce angina, he turns on his transmitter and his pain is relieved or obviate. Several patients who had been completely incapacitated from angina have been rehabilitated by the use of this device.

I have tried to point out a few of the contributions of our intramural program to practical results in the management of heart disease, emphasizing the way in which basic research has contributed, often in ways that could not have been anticipated by the worker at the time the work was done In this connection I would like to note again the presence of Dr. Nirenberg, whose work has provided a key that promises to open many doors to the future of biomedical research. Although we do not know yet where or when it will find practical application, we feel certain that it will; and, at that time, the Heart Institute will again note with pride that it was privileged to support and provide a home for his work. Thank you.

I would like to introduce Dr. Theodore Cooper, NHI Director, to tell us something about the future of research in cardiovascular disease.

Dr. THEODORE COOPER. Thank you, Dr. Berliner.

Mr. Secretary, Ladies, and Gentlemen.

In a sense, commenting on the future challenges confronting the Heart Institute is tantamount to reporting in some detail on our apparent failures, and in particular on our failure to stem the rising tide of coronary heart deaths in young men. As you can see from this chart, there is no doubt that the tide is still rising. Every year in the U.S. more than 123,000 young men—that is, men under 65—die of this disease.

Coronary heart disease is a complex disease which is likely to challenge us for some time to come. As an initial attack on this problem, we have some promising new treatments which we can apply to patients now suffering from coronary disease. In addition, we have been mounting an attack on the problem of sudden, pre-hospital deaths in adults, because these constitute about half of all patients who die from heart attacks.

Moreover, we have gained some insight into what we call the risk factors which are associated with coronary heart disease. Much of the information on these risk factors has been derived from a population study which the Institute has supported for the past 20 years at Framingham, Massachusetts.

There are a number of these risk factors, but three are of special importance. These three are elevated blood cholesterol, high blood pressure, and cigarettee smoking. And, although we are not able to say at this time what the basic mechanisms are by which these factors act to produce a heart attack or coronary artery disease, the message here is clear. Namely, that high blood cholesterol levels in combination with high blood pressure and cigarettee smoking increase the chance of having a heart attack more than five-fold.

We use a score of 100 to designate the average risk of having a heart attack. An individual who has none of these risk factors—that is, he had normal blood pressure, normal blood cholesterol, and is a nonsmoker—would be rated at 68; thus his risk of a heart attack is less than average. However, if he has all three risk factors working against him—elevated cholesterol, elevated blood pressure, and the cigarette habit—his score would be 535; hence his chances of having a heart attack are more than 5 times the average risk.

What we do not know, and what we plan to concentrate upon in our research efforts during the next decade, is how to prevent heart attacks. And to do this, we must know what the causes are and how these often-lethal lesions are produced. Some of these problems can be attacked now. As you heard previously, the skills and knowledge of many new disciplines, like engineering, are becoming increasingly available to medical science. By working together and pooling new ideas, resources, and techniques, I feel sure that, in the next 20 years, we will find some of the causes of coronary disease and also of congenital heart disease, high blood pressure, and chronic lung diseases, all of which now take so many lives prematurely.

Hand in hand with this, of course, we must continue our efforts to improve the treatment now available for people who suffer from heart attacks. This we plan to do and this we are doing. For example, the Institute is attacking the underlying scientific problems associated with heart transplantation. And the Institute also has an active, coordinated program of artificial heart development. Actually, temporary mechanical assist-devices have already been used successfully in a few centers. In addition, we are developing, testing, and improving monitoring systems and new drugs for the treatment of the disorders of heart rhythm, which are so often the cause of death for people who suffer from a wide variety of heart diseases.

Let me re-emphasize that treatment really never equals prevention. Treatment and prevention both contain many difficult problems; but with the continued support of the Congress and the public, Mr. Secretary, I am optimistic that substantial progress can be made toward the solution of these problems.

Secretary COHEN. Thank you, Dr. Cooper.

I'd like to introduce at this time, two distinguished men that I did not introduce originally: they are Dr. Leonard Scheele, former Surgeon General, and Dr. Luther Terry, former Surgeon General.

And now, since we have a minute or two, Dr. Cooper, why don't you tell us what's in the six exhibits here.

Dr. COOPER. Here we have a left-ventricular bypass pump which was developed by a team of scientists under the direction of Dr. DeBakey. It was one of the devices I mentioned which has had successful clinical application under his sponsorship at the Methodist Hospital, Houston, Texas. This is an air-driven device which supports the pumping function of the main ventricle of the heart that pumps blood into general body circulation. It takes up blood from the left receiving chamber (atrium) of the heart and pumps it into the aorta. The pump can assume any part or, if necessary, all the circulatory duties of the left ventricle, which pumps whatever blood remains after the device has taken its share. The pump itself is mounted outside the body and can be removed when the patient's heart no longer requires pumping assistance.

Here is a cardiac pacemaker of the type developed by Chardack and Greatbatch: pioneers in the application of engineering technology to diseases in which the conduction system of the heart is so interrupted as to prevent or impair effective, coordinated contraction of the heart's pumping chambers. ike most modern pacemakers, it is completely implantable and is powered by long-life mercury batteries that require replacement only every 2-3 years. The unit may be implanted under the skin of the abdomen and the pacing stimuli conveyed to the heart by wire electrodes implanted in the heart muscle via an incision through the chest wall. Or, alternatively, the pacemaker may be implanted in a skin pouch beneath the patient's armpit and the pacing electrodes run into the heart via the jugular vien. The rate at which the device will pace the heart is set by the surgeon at the time of implantation, but can be changed later if this proves desirable or necessary.

Here we have a mount of the Starr-Edwards valve. Currently, this is the valve most widely used in cardiac surgical circles for the treatment of acquired valvular disease, usually of rheumatic origin. It has had several improvements over the past years. One improvement was to cover the metal struts of the cage with a loose-weave fabric, which encourages tissue ingrowth and reduces the threat of clot formation. Another was the use of a lightweight metal (Stellite) ball instead of the silicone ball used in earlier models. The silicone ball tended to erode under prolonged exposure to blood flowing through the valve, eventually causing the valve to become incompetent in some patients.

On the far right is a device which is called an intra-aortic balloon pump. It is based on a simple concept, but appears very promising as a mechanical support to assist the pumping function of a depressed heart. This particular one is called the Kantrowitz-Avco pump, developed in Boston, or the environs of Boston. The balloon surrounds the end of a cardiac catheter, which is introduced into the aorta (the main artery carrying blood from the heart) via the femoral artery of the leg. The balloon, inflated as the heart refills between pumping strokes, helps raise blood pressure in the systemic circulation. Deflated as the heart contracts, it reduces the pressure the heart must work against in expelling blood, thus reducing the cardiac workload.

In addition, we have here some other experimental devices under development both at the Institute and by contractors for the Institute. Now over here, we have a Kolobow-Bowman assist device, developed in the Laboratory of Technical Development at the National Heart Institute. Dr. Bowman—I see he's in the audience today—is director of that team. The device has a rigid outer shell and an elastic inner jacket fitted around the pumping chambers of the heart. Suction, applied to the outer shell, causes the elastic jacket to expand outward from the ventricles, allowing them to fill. When suction is released, the "elastic recoil" of the jacket causes it to squeeze down on the contracting ventricles, aiding them in ejecting blood.

Another device here is the spiral coil artificial lung which was also developed by Kolobov, of the NHI Laboratory of Technical Development. This device features a membranous envelope wound loosely around a central core in the rigid outer housing. Blood entering the lung flows across the outside surface of the envelope while a stream of oxygen is pulled through the envelope by the application of suction. Oxygen diffuses across the membrane to the blood; and carbon dioxide, diffusing into the envelope from the blood, is subsequently flushed from the envelope by the oxygen stream.

This membrane oxygenator appears very promising for use during acute respiratory crisis and possibly after open-heart surgery or during the acute phase of a heart attack, when low blood pressure or other serious heart catastrophes may reduce the capability of the cardiopulmonary system to oxygenate the blood adequately.

On the main exhibit we have some additional devices which are of interest in the field of cardiac replacement. And as you know, the whole field of cardiac replacement received a great impetus during the past year by the amazing success that surgeons and scientists have experienced with cardiac transplantation. There is always going to be a discrepancy between the potential number of patients needing heart replacement and the number of potential donors. Thus, a reasonable complement to the problem of cardiac replacement is the development of artificial hearts. In this exhibit we have examples of some prototypes of total cardiac replacements designed to do the same thing that a transplanted heart accomplishes now. At present, none of these are anywhere nearly ready for clinical application, but they illustrate several interesting approaches to the fundamental problem of artificial heart development.

Dr. Willem Kolff, the developer of the first artificial kidney, is also active in the field of artificial heart development. This is a model of a heart replacement developed by his team of scientists when he was at the Cleveland Clinic. He is now at the University of Utah where he is continuing his work. His device is closely analogous to the human heart, in that it has two receiving chambers and two pumping chambers. It has necessary conduits to receive "used" blood returning to the heart from the systemic circulation, pump it to the lungs for oxygenation, then return it to the left side of the heart. The pumping chamber on the left side then pumps the blood into the systemic circulation to nourish the organs and tissues of the body.

This device, like most blood pumps of contemporary design, is powered by compressed air. It has been used successfully in experimental animals of large size for about a day or so.

The major problem here, and, indeed, with all devices developed thus far, resides in the problem of obtaining a suitable material that is compatible with blood and body tissues. The Heart Institute has a major program segment devoted to attempting to understand better why so-called inert, non-toxic materials promote blood clotting and denature proteins and other blood constituents. Once this problem of materials is solved, I would predict that there will be an acceleration of development in the artificial heart field.

Much of what I said concerning the Kolff heart can be applied to the Woodward total heart replacement demonstrated by this exhibit. It is another mechanical analogy of the normal heart.

On the far right, we have another model of the DeBakey left ventricular bypass device, which I described earlier.

A different approach to cardiac pumping assistance is exemplified by the auxiliary ventricle designed by Dr. Adrian Kantrowitz. It works in series with the weakened ventricle. The device is installed across the aortic arch. It receives blood pumped into the aorta by the natural left ventricle. Then, while the ventricle refills, the pump gives the blood an extra "boost" to provide adequate blood pressure and to improve bloodflow throughout the body.

Again, with all these devices, the major scientific problem that we face for further development and improvement is the problem of finding a material that does not make blood cot, which does not destroy blood cells, and which does not denature the proteins in the blood.

Secretary Cohen. Mr. President, we've been reviewing here today the 20 year history of the accomplishments of the NHI. The bill leading to its establishment was sponsored by Senator Pepper, and was signed into law by President Truman in 1948. We've gone over the record of accomplishments. On this chart over here, you can see the increase in appropriations during recent years. When you took office, the budget for the National Heart Institute was $108 million. In this last year, it was $162 million. We have put together, as a record of today's review, a book of the charts which are presented here and the story of the Institute. We would like to present it to you in commemoration of this 20th anniversary.

President Johnson. Thank you very much, Mr. Secretary.

Senator Hill, and distinguished Congressman Pepper, distinguished members of Congress, honored guests, all. This is one birthday party I am very glad to attend. All of you in this room—Congressmen, Federal officials, doctors, and medical researchers—have contributed a great deal in the struggle against heart disease. I am particularly happy (to see that) Dr. Robert Hall, a distinguished cardiologist who looks after General Eisenhower, is a guest here this morning. I don't know whether I should make this personal reference or not, but I've been forced to pay the Federal Government several hundred thousand dollars in taxes since Dr. Willis Hurst saved my life when I had a heart attack, and I'm happy President Eisenhower is going to continue to pay taxes after many, many attacks. I think this is largely due to the great advances that you good people in this room have forced us politicians to take, as well as to the work that the National Heart Institute is doing.

There's one person that can't be here today that I wish could be. If he were here, he would certainly be justified in occupying the seat of honor. That person is Harry Truman. President Truman believed that the health of the people of this country should be his foremost concern, and it *was* during the days of his presidency. Those of us who share this belief often seem to regard it as a fact that was revealed in the Book of Genesis. But it isn't, and it wasn't, and building the Federal role in health and medical research, as Lister Hill and Claude Pepper know, is long and hard and sometimes bitter. But thanks to all of you today, there is a strong support in this country for the NIH from political leaders, from researchers, and, most important, from the people of this country. And all the people not supporting it will be supporting it if you'll give their names and addresses to Mrs. Lasker. (Laughter)

In the 20 years since this Institute was founded, we have amassed more knowledge about the heart and about its diseases than mankind gained in all the previous history. We've reduced the death rate from high blood pressure by nearly 50% in the last 10 years. We've developed new surgical techniques. (We have some of the distinguished surgeons with us here this morning, I'm glad to say.) We've developed heart-lung machines, we've developed open-heart surgery, and we've made many other breakthroughs. Intensive heart care units are today saving hundreds of lives, and everyone they save becomes a taxpayer and remains a taxpayer. And *that* we must not lose, because this investment pays off. Many of these advances would never have been achieved at all except for the Federal investment in health care and biomedical research which was brought about under the leadership of you people, and particularly

Senator Hill and Congressman Pepper, and others.

We have come a long way, but I know there's not a person in the room or at the Heart Institute, or a medical faculty anywhere who feels that we've come nearly far enough. A family of diseases that still murders more than a million citizens a year cannot be said to be ready for a knock-out blow. High blood pressure kills 55,000 Americans every year. Twenty to 30,000 babies are born each year with heart defects. Coronary heart disease kills more than 500,000 Americans every year and many die before the doctor ever gets there.

Today, in this room, I think we should all pledge ourselves so that someday we can say to our grandchildren (I'm thinking in terms like that these days) that we met here in the East Room with the President and we started on the next 20 years. And in those years to come, I think we ought to expect that our accomplishments will be even more spectacular. So I want to send all of you away from here with a mission, with a charge, with a challenge. I would hope that each of you would be willing to be missionaries of progress in health legislation for the next 20 years. I'm not talking about the past now; I'm talking about what's ahead of us. I wish we could make sure the path between the research laboratory and the congressional committee room is well worn. So stand before the American people and tell them what a good investment it is to spend a little money on thinning blood so that a man can live another 20 years and pay thousands of dollars in taxes every single year. Stand before the American people and argue for the funds that are essential if we're going to make this 20 years better than the last.

And if you do these things, I have no doubt that when we meet again, in the East room, God willing, 20 years from now, we will have an even happier birthday celebration. And on that day, I believe we can boast not only to have slowed down the killers (which you have—and at least a few presidents are evidence of that fact today), but we can brag that we have banished them; and that all of the fear, waste, and tragedy that went along with it is no longer with us. And if that happens, that will be my proudest moment, because I have seen in my own life and in the lives of other dear people what you scientists can do if we will just give you a little of our concern and our care and our interest. I know what it is to watch the crisis days that I've gone through the last few weeks with President Eisenhower's illness. I have seen the great investment that we've made pay off in helping this man resist his problem. I know what it is to have your blood pressure go to zero—to go into shock. And I know it well enough that I would like to see the day come when that didn't happen to anybody. And if it did happen to anybody, that you would have the implements to get the same results that the good Lord, and Lady Bird, and Doctor Hurst, all working together got back in 1955. Some of you may agree it was a good result, and some of you may not. (Laughter.)

PROHIBITION OF FEDERAL AID FOR RIOTING STUDENTS

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, Congress last year passed laws against Federal aid for rioting college students. Those laws are not being enforced.

The New York Times recently reported that of 549 students arrested this school year for participating in campus disorders at embattled San Francisco State College, 122 were receiving Federal financial assistance.

It is estimated that one of every six college students holds a scholarship, loan or grant from the Office of Education or a bank loan guaranteed by the Government.

Congress made it quite clear last year that the American taxpayers had no intention of financing revolution and anarchy. Student protests that exceed legal limits must not be permitted. When law violations do occur, and the students arrested are receiving Federal scholarship assistance, that aid should be terminated.

Just this week President Nixon issued a call for strong enforcement of law and order on the college campuses. He will be supported by the vast majority of American people in this regard. He has the tools within his own executive agencies to combat the wave of lawlessness, and he should be strongly urged to enforce the laws passed by the the Congress last year. Every Federal agency dispensing aid to colleges and universities should at once insist on full compliance with the law and a proper and peaceful atmosphere on the campus. The minority of students who attend college only to disrupt the education of the majority should suffer the immediate loss of Federal aid. Colleges and universities which refuse to take adequate measures to guarantee the safety of the students who do wish to continue their education in a lawful manner should be required to comply with the law without further delay.

Congress adopted these new laws to give the executive branch the necessary tools to meet the campus crisis. We expect every effort be made to enforce the law.

DESIGNATING THE BIRTHDAY OF MARTIN LUTHER KING, JR., AS A LEGAL HOLIDAY

(Mr. CONYERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CONYERS. Mr. Speaker, I rise for the purpose of advising my colleagues that today I and 24 other Members of this House have introduced a bill that would make the birthday of the late Dr. Martin Luther King, Jr., January 15, a legal public holiday. I think that we need not spend too much time reviewing the life of one of America's greatest citizens, and certainly one of the Nation's most prominent figures in the few years that I have been privileged to serve in the House.

I would hope that in addition to the nearly one-half million letters and petitions that have come in from across the country in support of the bill, that we as Members of this great body, will indicate our esteem and support of this great leader for peace, for nonviolence, for humanitarianism and for justice by designating him the first black American to be honored in this way.

Mr. Speaker, I include at this point in the Record two telegrams which I have received, together with a press release and list of the sponsors of this legislation.

ATLANTA, GA.,
February 25, 1969.

Congressman JOHN CONYERS, Jr.,
Rayburn Office Building,
Washington, D.C.:

We are truly pleased with the sincere initiative taken by the co-sponsors and you to make the birthday of Dr. Martin Luther King, Jr., a national and legal holiday. Unfortunately, overloaded schedule will not permit my presence at the press conference on the bill today. However, the SCLC has committed itself to make certain that the Nation supports this legislation and that the Congress responds positively to this mandate. Please see that we receive copies of this historic bill.

RALPH DAVID ABERNATHY,
President, SCLC.

ATLANTA, GA.,
February 25, 1969.

Congressman JOHN CONYERS, Jr.,
Cannon House Office Building,
Washington, D.C.:

Deeply regret that a prior commitment prevents me from being with you today. I support you and the other distinguished Congressmen in your efforts to make January 15, Martin Luther King Jr.'s birthday, a national holiday.

CORETTA SCOTT KING.

CONYERS ANNOUNCES INTRODUCTION OF MARTIN LUTHER KING, JR., BIRTHDAY HOLIDAY BILL; REV. A. D. KING PRESENT AS NEARLY ONE-HALF MILLION MESSAGES OF SUPPORT DISPLAYED

Congressman John Conyers, Jr. (Dem-Michigan) today announced re-introduction, with 24 co-sponsors, of legislation to make the birthday of the Dr. Martin Luther King, Jr. a legal public holiday. Congressmen Conyers, Henry Reuss (Wis.), William Ryan (New York), George Brown (Calif.) and Benjamin Rosenthal (New York) were joined in a press conference by Rev. A. D. King, brother of the late Dr. King and Rev. Delaney, also of the Southern Christian Leadership Conference. The conference table was piled with nearly one-half million letters and petitions which have been received in support of the legislation.

"We are overwhelmed at the number of persons who have written to us and various radio stations in support of the bill," said Conyers. "The impressive thing is not just the amount of mail, but the fact that much of it has come from persons who, seldom, if ever, write to Congressmen. This obviously is an issue which has great meaning to millions of Americans, and we are delighted that so many have taken the time to make this simple, personal gesture in memory of the late Dr. King. I, and everyone else involved greatly appreciate these letters, and wish that it were possible for each to be answered individually."

This bill was originally introduced during the tragic days following Dr. King's untimely death in Memphis last April. Conyers then re-introduced the bill on the opening day of the 91st Congress. Several nationally known entertainers learned of the bill and made radio tapes which have been played across the country. "As a result of the efforts of Sammy Davis, Jr., Ruby Dee, Ossie Davis, Bill Cosby, Joe Williams, Diana Ross and the Supremes, Diahann Carroll, Dick Gregory, and Nancy Wilson," said Conyers, "my office has been literally deluged with mail. I hope the sincerity and volume of this continuing support has a very positive impact on the legislative process and we can look forward to observing the Martin Luther King, Jr. Birthday Holiday next January 15th."

Although she could not be present for the press conference, Mrs. Coretta King, widow of the late Dr. King, sent a tape expressing her gratitude for the encouraging support for the holiday honoring her husband. In the tape, which will be sent to radio stations throughout the country, she urged that persons begin to contact their own Congressmen and Senators to indicate their interest in passage of the King Holiday Bill.

SPONSORS OF THE MARTIN LUTHER KING, JR., BIRTHDAY HOLIDAY BILL

Frank Annunzio, Illinois, Alphonso Bell, California, Jonathan Bingham, New York, Richard Bolling, Missouri, John Brademas, Indiana, George Brown, California, Mrs. Shirley Chisholm, New York, William Clay, Missouri, John Conyers, Jr., Michigan, John Culver, Iowa, Charles C. Diggs, Jr., Michigan, Don Edwards, California, Don Fraser, Minnesota, Seymour Halpern, New York, Charles Joelson, New Jersey, Edward Koch, New York, Allard Lowenstein, New York, Abner Mikva, Illinois, Mrs. Patsy Mink, Hawaii, Richard Ottinger, New York, Ogden Reid, New York, Henry Reuss, Wisconsin, Benjamin Rosenthal, New York, William Ryan, New York, Louis Stokes, Ohio.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. CONYERS. I am glad to yield to the distinguished gentleman from New York.

Mr. RYAN. Mr. Speaker, I am pleased to join our distinguished colleague, the gentleman from Michigan (Mr. CONYERS), in introducing a resolution to designate the birthday of the late Reverend Dr. Martin Luther King, Jr., January 15, as a Federal holiday.

Martin Luther King, Jr., dedicated his life to securing equal justice for all Americans. The inspirational leadership he provided to the civil rights movement in both the South and the North helped make possible the enactment of the landmark Civil Rights Acts of 1964 and 1968, and the Voting Rights of 1965. Beyond that he eloquently articulated the need for America to commit itself to righting the abject misery which still characterizes the life of millions of poor Americans—black and white. His final great effort—the 1968 Poor People's Campaign—focused attention on the plight of millions of Americans—who suffer from pervasive poverty and the lack of an equal opportunity to share in America's abundance.

Dr. King rejected the notion that hate, violence, and oppression are inevitable and instead, by appealing to America's conscience, tried to draw out our better instincts for justice and fair play. In his own lifetime he became a symbol of the struggle to make real the American ideals of equality and equal opportunity. In that effort he surely made a vital contribution to our national life.

I was privileged to work with Dr. King on many occasions during the course of his career, and I never failed to be impressed by the magnitude of his commitment and the steadfastness of his courage. In an era of our national history marked by racial strife and intolerance, he was a man of all races; a leader who fought for dignity and an equal chance for black and white; a critic who never doubted that American society could be redeemed.

I recall a visit with Dr. King in the summer of 1962 when he was jailed during the civil rights struggle in Albany, Ga. In a basement cell of the Albany jail he told me of his goals and aspirations for a free America. I returned to the Congress and called for the immediate adoption of legislation aimed at curbing the denial of rights which was then rampant in Albany, Ga., and insuring equal access to public accommodations. But the Congress did not adopt that legislation until 1964.

I was with Dr. King again in Selma, Ala., when he was released from jail where he had been imprisoned for leading demonstrations for the guarantees of voting rights. Again Martin Luther King, Jr., was the head of a movement that dramatized for the entire Nation outrageous denials of fundamental constitutional rights. And again his actions contributed to the adoption of corrective legislation, the Voting Rights Act of 1965. At the moment of his death he was making plans to lead another movement aimed at dramatizing the deplorable conditions which beset the ghetto areas of our cities and the deprived rural areas of our country. We will never know whether his leadership would have moved the Nation and Congress to action. But we do know that his tragic death left an emptiness and sadness in all of us. As a nation, we could ill afford the loss of a leader of Dr. King's compassion and dedication.

Surely there can be no question of the magnitude of Martin Luther King's contribution to this country. The goals and aspirations which he championed are goals for which every American must continue to struggle until the dream he had of one America becomes a visible and substantive reality. The official celebration of Dr. King's birthday would remind future generations of his great contribution and of the need to carry on his work. I urge the Congress to adopt promptly this resolution to make Martin Luther King's birthday a national holiday.

NOEL THOMAS DOWLING, HARLAND FISKE STONE PROFESSOR EMERITUS OF CONSTITUTIONAL LAW

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, Prof. Noel Thomas Dowling, an outstanding authority in the field of constitutional law and one of America's foremost educators, died at the age of 83 on February 11.

Noel Thomas Dowling was Harland Fiske Stone professor emeritus of constitutional law at the Columbia Law School, and for 35 years, preceding his retirement from regular teaching duties, he was nationally recognized as one of the most influential scholars and teachers of the law.

His record as a teacher, unusually broad, and his abilities were clearly the product of his vast experience, combined with giant intellect.

A native of Ozark, Ala., he spent his undergraduate years at Vanderbilt University before attending Columbia University, where he received a master's degree in 1911, and a law degree from the Columbia Law School the following year. Entering the Army in World War I, he served as a major in the office of the Judge Advocate General, and as Associate Director of the War Risk Insurance Bureau, which later was renamed the Veterans' Administration. When the war ended, he assumed a place on the faculty of the University of Minnesota.

About this time, the growing legal reputation of Noel Thomas Dowling attracted the attention of Harlan Fiske Stone, dean of the Columbia Law School, later to serve as Chief Justice of the United States. At Stone's urging, Professor Dowling accepted a position on the Columbia Law School faculty, in 1922, and in a short time was firmly established as one of the leading authorities on constitutional law. His advice was sought by Congress on numerous occasions, as well as by executive agencies, and many private companies of major significance. Among his many public services, Professor Dowling shared in establishing legislative drafting bureaus in both Houses of Congress and served as a frequent adviser to the Agricultural Adjustment Administration and the Tennessee Valley Authority.

During World War II, Professor Dowling served on the board appointed by the Secretary of the Navy to review the organization and practices of naval courts. In consequence of this, he later received the Distinguished Public Service Award "for exceptionally meritorious service to the Navy," the Navy's highest civilian honor.

Professor Dowling was a frequent contributor to many legal periodicals and newspapers of note. His books on legal matters and procedure are numerous, and all are highly respected.

In 1954, at the bicentennial celebration of Columbia University, Professor Dowling was honored by the presentation of the honorary degree of doctor of laws. The citation accompanying the honorary degree described him as:

> Expert in military law, advising our Navy on court procedures; called often, responding willingly, to public duty; as author, counseling his profession in important publications; honored by many, but most by grateful students for lessons of integrity, scholarly industry, and high professional competence.

Mr. Speaker, as one of Professor Dowling's grateful students, I am deeply saddened by his passing. He belonged to a select group of legal scholars at Columbia Law School who earned for that institution prestige and fame but, at least of equal importance, who knew how to teach and enjoyed teaching. Professor Dowling had a contagious enthusiasm for the law which stirred his students, and his deep commitment to the principles embedded in our Constitution inspired those who studied under him.

His influence upon several generations of law students was profound, and his significant contribution to the development of our legal institutions will endure for generations to come.

Prof. Noel Thomas Dowling shall be missed by everyone familiar with his work, and everyone familiar with his warm and generous spirit. I want to extend my deepest sympathy to Mrs.

Dowling and his two daughters, Janet and Elizabeth.

I include at this point in the RECORD the obituary which was published in the New York Times on February 13, 1969:

NOEL T. DOWLING, LAW PROFESSOR, 83—COLUMBIA SCHOLAR IS DEAD—EXPERT ON CONSTITUTION

Noel Thomas Dowling, Harlan Fiske Stone Professor Emeritus of Constitutional Law at Columbia University, died Tuesday in his home at 520 East 77th Street. He was 83 years old.

Professor Dowling, who for 35 years was one of the nation's most influential scholars and teachers of constitutional law, was a native of Ozark, Ala., and the son of a circuit-riding Methodist minister.

He graduated from Vanderbilt University in 1909 and received a master's degree from Columbia in 1911 and a law degree from the Columbia Law School the next year. In 1954, at its bicentennial celebration, Columbia conferred upon him the honorary degree of Doctor of Laws.

The citation accompanying the honorary degree described him as "expert in military law, advising our Navy on court procedures; called often, responding willingly, to public duty; as author, counseling his profession in important publications; honored by many, but most by grateful students for lessons of integrity, scholarly industry and high professional competence."

STONE CALLED HIM TO COLUMBIA

In World War I, Professor Dowling served as a major in the Judge Advocate General's Office and as associate director of the War Risk Insurance Bureau (now the Veterans' Administration). Afterwards, he taught law at the University of Minnesota.

Harlan Fiske Stone, later to be Chief Justice of the United States, was dean of the Columbia Law School and in 1922 was instrumental in calling Professor Dowling to join his faculty.

Among his many public services, Professor Dowling shared in establishing legislative drafting bureaus in both Houses of Congress. Government agencies, such as the Agricultural Adjustment Administration and the Tennessee Valley Authority, and private insurance companies that he served as constitutional consultant sought his advice in developing and defending legislation. In 1937, he assisted the Attorney General of Alabama in litigation sustaining the constitutionality of the Social Security Act.

During World War II, he served on a board appointed by the Secretary of the Navy to review organization and practices of naval courts. He received the Distinguished Public Service Award "for exceptional meritorious service to the Navy," the highest honor the Navy can bestow upon a civilian.

BOOKS USED IN MANY SCHOOLS

Professor Dowling was a contributor to legal periodicals and newspapers. His books include: "Cases on Constitutional Law," one of the most widely used law school texts; "American Constitutional Law," with Richard A. Edwards, a casebook for political science courses, and books on conflict of laws, public utilities and legal method. With Joseph P. Chamberlain and Paul R. Hays, he wrote "The Judicial Function in Federal Administrative Agencies."

In 1941, Mayor Fiorello H. La Guardia named him chairman of a fact-finding board in a city bus strike. Within 24 hours, Professor Dowling reported resumption of transit service.

He became professor emeritus in 1954 but continued to teach actively until 1958, and after that he continued his work as an adviser to the Legislative Drafting Research Fund at Columbia.

Surviving are his widow, the former Elizabeth Brown Molloy, and two daughters, Janet C. B. Dowling and Elizabeth M. Dowling.

A funeral service will be held Saturday at 2 P.M. at the Brick Presbyterian Church, Park Avenue and 91st Street.

SUPPLEMENTAL APPROPRIATIONS FOR URGENT HOUSING NEEDS

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, I have today introduced an omnibus supplementary appropriation bill to fund fully several vital housing and urban development programs which did not receive the full amounts authorized by Congress for fiscal year 1969. This bill would appropriate an additional $100 million to the homeownership and rental housing programs—sections 235 and 236—$35 million to the rent supplement program, $187.5 million for model cities urban renewal, and $650 million for overall urban renewal. An increase in funds in each of these programs to the level specified would bring the appropriation for each to the full amount authorized by Congress for fiscal year 1969.

This bill is identical to H.R. 5562, which I introduced on January 30, and combines in one overall form individual bills which I have previously introduced in this Congress. Those bills are H.R. 4305—which would appropriate $50 million to section 236—H.R. 4602—which would provide an additional $50 million to section 235—H.R. 3840—which would make $35 million more available for the rent supplement program—H.R. 4603—which would provide $187.5 million for urban renewal in the model cities program; and H.R. 4604—which would increase appropriation for overall urban renewal programs by $650 million.

I am joined today in introducing this bill by 29 other Members who are cosponsoring this legislation. A list of the cosponsors is appended at the conclusion of my remarks.

There is no more urgent priority facing Congress than the crisis of housing and jobs in our cities. With the passage of the 1968 Housing and Urban Development Act, Congress showed signs of recognizing the true dimensions of this problem. But then Congress failed to appropriate the full amounts authorized for the rent supplement program, the section 235 homeownership and section 236 rental assistance programs for lower income families, and model cities and urban renewal. If the goal of revitalizing our cities is to be realized, adequate financial resources must be committed to that task.

The Housing and Urban Development Act of 1968 proposed a goal over the next decade of the construction and rehabilitation of 6 million housing units for low- and moderate-income families. That act states:

> The Congress finds that the supply of the Nation's housing is not increasing rapidly enough to meet the national housing goal, established in the Housing Act of 1949, of the realization as soon as feasible of the goal of a decent home and suitable living environment for every American family. The Congress reaffirms this national housing goal and determines that it can be substantially achieved within the next decade by the construction or rehabilitation of 26 million housing units; 6 million of these for low- and moderate-income families.

The President's National Advisory Commission on Civil Disorders also recommended the annual construction of 600,000 units of low- and moderate-income housing. However, President Johnson, in the first annual report of the Nation's housing goals, was forced to reduce production goals for fiscal year 1969 and fiscal year 1970 to take into account the fact that Congress did not appropriate the full amount authorized for fiscal year 1969.

Today housing conditions continue to grow worse. Some 7.8 million families still cannot afford to pay for decent, wholesome housing. Some public officials have decided that shortages will have to be met by the private sector. But, as the December 1968 report of the President's Committee on Urban Housing points out, private enterprise alone cannot correct these housing deficiencies. That report states:

> We concluded that new and foreseeable technological breakthroughs in housing production will not by themselves bring decent shelter within economic reach of millions of house-poor families in the predictable future. To bridge the gap between the marketplace costs for standard housing and the price that lower-income families can afford to pay, appropriations of Federal subsidies are essential and must be substantially increased.

The magnitude of the problem confronting us is clear. Yet, in the first year of the 10-year housing goal established by the Housing and Urban Development Act of 1968 production schedules have not been met. One reason for this lag is the failure of Congress to provide adequate funding for programs which could reduce the critical shortage in housing which today exists in our major urban areas. Therefore, I previously introduced five supplemental appropriation bills to insure that these programs will receive the full amounts authorized by Congress for fiscal year 1969.

The omnibus bill which we are introducing today combines the necessary supplementary appropriations in one package, so that the many citizens groups which are concerned with meeting our housing goals can readily identify the legislation which would help to realize those goals.

The National Committee for a Confrontation With Congress, which was so instrumental in the adoption of the "jobs in housing" concept and the 10-year goal of 6 million units of low- and moderate-income housing embodied in the Housing and Urban Development Act of 1968, is particularly concerned about the importance of full funding. This knowledgeable grassroots organization will be mobilizing public opinion and rallying support for supplemental appropriations in order to implement the 1968 act.

Let me discuss each of these amendments now in greater detail.

SECTION 236

This bill proposes an additional appropriation of $50 million for fiscal year 1969 to carry out the low-income rental and cooperative housing programs administered under section 236 of the Housing and Urban Development Act of 1968. The supplemental appropriation requested in my bill represents the difference between the amount authorized for fiscal year 1969—$75 million—and the amount actually appropriated—$25 million.

Section 236 assistance benefits reduce the market interest rate—which includes principal, interest, and cost of insurance premium—to an amount commensurate with an interest rate of 1 percent. The tenant pays no more than 25 percent of his income.

The 1968 Housing and Urban Development Act envisioned a total of 720,000 units of housing to be funded over a 3-year period. But, at the present $25 million level, only 33,000 to 40,000 units could be funded during the current fiscal year. If the section 236 program were funded at the full $75 million level, it could produce 99,000 to 120,000 units and enable us to keep pace with production goals.

SECTION 235

The President's National Advisory Commission on Civil Disorders called for a massive attack on slum housing and the establishment of an ownership supplemental program to open opportunities for low-income families to become homeowners. Full funding of the section 235 program would help to meet the need articulated by that Commission.

This bill provides a supplemental appropriation for the section 235 homeownership program. This program provides subsidy payments based on the difference between 20 percent of the homeowner's monthly income and the monthly mortgage payment.

The 3-year authorization for the section 235 program in the 1968 Housing and Urban Development Act proposed a production goal of 500,000 units during that period of time. But only 33,000 units can be funded at the current appropriation level of $25 million. My bill, by bringing the appropriation to the full $75 million authorized, would allow 100,000 units to be funded, again allowing us to keep pace with goals specified in the 1969 act.

RENT SUPPLEMENTS

Each year the rent supplement program has been starved for funds, and each year it has required a prolonged struggle in Congress to retain the program. The administration's fiscal year 1969 budget request for rent supplements was slashed by over 50 percent, from $65 million to $30 million. This drastic reduction has already produced adverse effects on the operation of the program. Within the next month the Department of Housing and Urban Development's authority to enter into contracts for annual rent supplement programs will be completely exhausted. By increasing the appropriation for this program from $30 million to $65 million—as this bill proposes—35,000 more units of housing could be financed during the current fiscal year. This also would enable us to reach the 10-year goal of 6 million housing units for persons of low and moderate income.

The rent supplement program is the private sector complement to the low-rent housing program. Under the program the Federal Government pays an amount equal to the difference between 25 percent of the tenant's monthly income and the market rental cost. The aim of the program is to enable private enterprise to take a larger measure of responsibility in fulfilling our housing needs. But, as with other housing programs, inadequate funding has resulted in the program having very little impact. If we are to gain more momentum in tackling the needs of low-income families, then this program must be adequately funded.

MODEL CITIES AND URBAN RENEWAL

The final component of this omnibus supplementary appropriation bill would provide additional funds for the urban renewal program—in both the model city neighborhoods program and the overall urban renewal program. An additional $187,500,000 would be appropriated for model city neighborhoods for use in fiscal year 1969, and $650,000,000 in additional funds would be appropriated to the urban renewal program provided for by the Independent Offices and Department of Housing and Urban Development Appropriations Act of 1968. In the latter case, the appropriation would be brought from $750 million to the full authorization of $1.4 billion.

Presently there is a large backup of applications for urban renewal programs which must be funded if we are to rid our cities of the slums and meet the 10-year national housing goals.

Since one of the essential components of the model cities program is a substantial increase in the supply of standard housing of low and moderate cost as well as creating the maximum opportunities for employing the residents of the area in all phases of the program and enlarged opportunities for work and training the appropriation to the model cities program will serve double duty by helping to create additional job opportunities for low- and moderate-income families as well as increasing the amount of decent housing that is so desperately needed. This kind of investment in the future—which through one allocation provides both jobs and housing—should be given top priority by Congress.

It is the duty and responsibility of this Congress to insure that the Housing and Urban Development Act of 1968—unlike its predecessors—achieves the goals which were first outlined in the 1949 Housing Act. Twenty years ago Congress promised to facilitate the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family. It is now time to fulfill that promise and liberate millions of long-suffering Americans from the blight of inadequate housing.

The following Members of Congress have joined in cosponsoring this legislation:

Joseph P. Addabbo, of New York;
Frank J. Brasco, of New York;
George E. Brown, of California;
Phillip Burton, of California;
John Conyers, Jr., of Michigan;
Emilio Q. Daddario, of Connecticut;
Don Edwards, of California;
Leonard Farbstein, of New York;
Donald M. Fraser, of Minnesota;
Jacob H. Gilbert, of New York;
Henry Gonzalez, of Texas;
Seymour Halpern, of New York;
Henry Helstoski, of New Jersey
James J. Howard, of New Jersey;
Edward I. Koch, of New York;
Allard K. Lowenstein, of New York;
Spark M. Matsunaga, Hawaii;
Abner J. Mikva, of Illinois;
Thomas P. O'Neill, of Massachusetts;
Richard Ottinger, of New York;
Claude Pepper, of Florida;
Bertram L. Podell, of New York;
Howard W. Pollock, of Alaska;
Adam Clayton Powell, of New York;
Thomas M. Rees, of California;
Ogden R. Reid, of New York;
Byron G. Rogers, of Colorado;
Benjamin S. Rosenthal, of New York;
and
James H. Scheuer, of New York.

REPRESENTATIVE HARSHA INTRODUCES A BILL TO INCREASE PERSONAL INCOME TAX EXEMPTION TO $1,200

(Mr. HARSHA asked and was given permission to address the House for 1 minute.)

Mr. HARSHA. Mr. Speaker, I am today introducing a bill which would increase the personal income tax exemption to $1,200. This would include the exemption for a spouse, for a dependent, and for old age and blindness.

This doubling of the present exemption of $600 would be an overdue step in the necessary direction of equity and justice for the too-long-overburdened taxpayer.

The present exemption was adopted in 1948; obviously, it is no longer realistic. In the nearly 21 years since this exemption was established, the cost of living paced by the cost of Government, has increased many times. This has resulted in an inflationary trend which has decreased the value of the relatively few dollars which the wage earner has been permitted to retain after his taxes have been deducted.

Actually, the increase to a $1,200 exemption would not match the rate by which the cost of living has increased and dollar value has decreased. It would, however, permit a major improvement in the taxpayer's position while posing no threat to the Government's position. To adjust itself to the relatively small revenue reduction the Government would merely have to trim a bit of the more obvious fat from its economic midriff and, in so doing, become a bit more healthy.

In other words, this would constitute a welcome move toward greater fiscal integrity and a demonstration of better faith toward the taxpayer.

I, for one, cannot subscribe to the theory that the way to fight the inflation which Government causes is to permit Government to siphon off a greater share of the dollars which the Government arbitrarily decides it can spend a bit more wisely than the individuals who earn it.

The results of last November demonstrated that I am not alone in that position. I would, therefore, suggest that the time has arrived when the Congress begin to give the people the fiscal justice which they deserve and demand.

A doubling of the personal income tax exemption would be a very proper beginning.

ON HONORING THE LATE REVEREND MARTIN LUTHER KING

(Mr. HORTON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, although the tragic events of the spring of 1968 have become a part of history, the deaths of Martin Luther King and Senator Robert Kennedy weigh heavily on the minds of every American.

Early in this session, I received letters from the pupils in a fifth-grade class at School No. 9 in the inner-city of Rochester, N.Y.

Although young people of a free nation should not have to know grief and the anguish of a lost hero or loved one, these 10- and 11-year-old youngsters feel deeply the scar of Martin Luther King's death on our Nation. As has been done with other great Americans, they would like to memorialize Dr. King and his thought and accomplishments by honoring his birthday.

The thoughts of these youngsters, as recorded in letters to their Congressman, are worthy of the attention of our colleagues and accordingly I have included them as follows:

ROOM 104, ANDREW NO. 9 SCHOOL,
Rochester, N.Y., January 16, 1969.

DEAR CONGRESSMAN HORTON: I think that Dr. Martin Luther King's birthday should be a holiday, but I don't want to stop going to school, Martin Luther King wants us to get an education.

Dr. King was a great man, who wanted us to live with the white men. He didn't want any fighting, all he wanted was peace before he died. And when he died he wanted to be carried, not in a hearse but in a wagon drawn by two mules.

The way he died was brave. So keep us in school and let us get a good education and grow brave like Dr. King.

Yours truly,
JUDY WASHINGTON.

ROOM 104, ANDREW NO. 9,
Rochester, N.Y., January 16, 1969.

DEAR CONGRESSMAN HORTON: I like him. He liked color people and white. He helped people when they had no money. Dr. Martin Luther King was a famous Negro leader. He spoke lots of speeches to people. He went to church on every Sunday. He made many speeches trying to make peace.

Yours truly,
MICHAEL THOMAS.

ROOM 104, ANDREW NO. 9 SCHOOL,
Rochester, N.Y., January 16, 1969.

DEAR CONGRESSMAN HORTON: Martin Luther King was a very great man and everyone loved him. He always said "I have a dream" that he wishes that he saw the little "Black and White" children walking to school together. But someone had to go shoot him. He was nice to everyone and never did anything to hurt their feelings. He would always preach and say things that were right. He was such a great man and his name was famous, but anywhere you go you will hear his name. He was a very famous man and I think on his birthday we should stay home and or march like they did when he died.

Sincerely yours,
SHARON LATTA.

ROOM 104, ANDREWS NO. 9 SCHOOL,
Rochester, N.Y., January 16, 1969.

DEAR CONGRESSMAN HORTON: Would you please try to do something about Martin Luther King's birthday. Martin Luther King was a great negro leader. He would have been a world known man if he had not have been killed. How many more leaders would have died for togetherness for their country. This day January 15, should be remembered by all.

Yours truly,
WILLIE TONEY.

ROOM 104, ANDREWS NO. 9 SCHOOL,
Rochester, N.Y., January 16, 1969.

DEAR CONGRESSMAN HORTON: I think that we should have Dr. Martin Luther King, Jr.'s Birthday saluted and children not go to school. I don't mean to stay home and play not just lay around in the house either. But mean something that will let people know the way we feel about him. And I think January 16th, 1969 should be a National Holiday for us and every one else to salute his birthday.

I hope someone will stop this violence that's going on. I hope someone will stop violence.

Hope is always in my mind.

Yours very truly,
CRYSTAL BROWN.

ROOM 104, ANDREWS NO. 9 SCHOOL,
Rochester, N.Y., January 16, 1969.

DEAR CONGRESSMAN HORTON: I want to tell you why we like Martin Luther King. He was a famous man like George Washington and Columbus. So we think that January 15, should be a National Holiday.

Yours truly,
JEROME BROWN.

ROOM 104, ANDREWS NO. 9 SCHOOL,
Rochester, N.Y., January 16, 1969.

DEAR CONGRESSMAN FRANK HORTON: Mr. Horton, Dr. Martin Luther King is a famous man throughout the world just as George Washington and Abraham Lincoln. So because of this we should make his birthday a National Holiday.

He was a spokesman of the people and he settled matters without a fight.

We celebrate George Washington's and Abraham Lincoln's as a National Holiday and so we should celebrate his (Dr. Martin Luther King's) birthday the same way.

Yours truly,
FRANK SZABO.

ROOM 104, ANDREWS NO. 9 SCHOOL,
Rochester, N.Y., January 16, 1969.

DEAR CONGRESSMAN HORTON: I like him cause he is a good man. Dr. Martin Luther King was a famous negro leader. He was a great man. He spoke lots of times. He went to Church every Sunday. His famous saying was, "to get something don't use violence."

Yours truly,
DONALD WYATT.

ROOM 104, ANDREWS NO. 9 SCHOOL,
Rochester, N.Y., January 16, 1969.

DEAR CONGRESSMAN HORTON: I really love Dr. Martin Luther King. My mother bought a picture that you can plug it up and it will light up. He is a great man. And do you know why I love him, because he did great deeds for our country. I think we suppose to have his birthday a national holiday, because everybody liked him. If I would have catch that man who killed him I would have killed him to. I'm glad Mrs. Martin Luther King didn't marry another man like Jackie Kennedy did. She loved her husband. And I still think that we should make his birthday a national holiday.

Yours truly,
ELOISE.

ROOM NO. 104, ANDREWS, NO. 9,
Rochester, N.Y., January 16, 1969.

DEAR CONGRESSMAN HORTON: January 15, should be a holiday because it's Martin Luther King's birthday. I think it should be a holiday because he was a famous man like Benjerman Franklen and George Washington. If some people have a problem he could sometimes help them with it. We Martin Luther King and if we help him he'll help us. When he's walking with the march he stops and makes a few speeches.

Yours truly,
RONALD BROWN.

ROOM 104, ANDREWS NO. 9 SCHOOL,
Rochester, N.Y., January 16, 1969.

DEAR CONGRESSMAN HORTON: I think that you should have Dr. Martin Luther Kings birthday a holiday. Can you tell me Why it is not a holiday. We have respect for Dr. Martin Luther Kings.

He did not lake to fight or kill he want peace. for our country. He was a nice man. Be for he died he said he was free free at last. Dr. Martin Luther Kings mame his son after him and his mane was Martin Luther Kings' Jr. All the presidents went to Dr. Martin Kings Death. Dr. Martin Luther King was buried in Atlanta, Georgia.

Yours truly,
ANNETTE JACKSON.

ROOM 104, ANDREWS, NO. 9,
Rochester, N.Y., January 16, 1969.

DEAR CONGRESSMAN HORTON: I think that you should have Dr. Martin Luther King birthday for a Holiday can you tell me why they did not have his birthday for a Holiday? I do not know. Dr. Martin Luther should have a birthday for a Holiday. Do you think that Martin Luther King should have his birthday for a Holiday? I think you do not like Martin Luther King because You do not want to give him his birthday for a Holiday. And he was such a nice man and you do not like him. Can you write me and tell me why you do not have his birthday for a Holiday. Just send the lettle to No. 9 School to me. And say "Hello," to his family for me. Thank you.

Your truly,
SHERYL SLOAN.

ROOM 104, ANDREWS NO. 9 SCHOOL,
Rochester, N.Y.

DEAR CONGRESSMAN HORTON: I hope it can be possible to have Mr. King's birthday as a holiday, because he is a famous Negro man. He wasn't afraid of anything. It would be a good idea, but I know that Dr. Martin Luther King would want us to have good schooling. . . . I will pray for him every night.

Yours truly,
MERDELL.

ROOM 104, ANDREWS NO. 9 SCHOOL,
Rochester, N.Y., January 16, 1969.

DEAR CONGRESSMAN HORTON: I think that Martin Luther King was a good man, because he tried to help us every body. Martin Luther King was not an outsider.

Dr. Martin Luther King went to church every Sunday. I like Martin Luther King because he tried to help us. I think that January 15 should be a holiday because that is the birthday of Dr. Martin Luther King. Dr. Martin Luther King loved every body in the world.

Dr. Martin Luther King died for us.

Yours truly,
KALEB WATSON.

Room 104, Andrews No. 9 School,
Rochester, N.Y.

Dear Congressman Horton: Dr. Martin L. K. was a great man, and he made great speeches. When he died, he was not riding in a funeral car, he was pulled by two mules. Before he died, he said, when I die I want to be pulled by two mules. I stayed up and watched his funeral.

Yours truly,
Athena Chatman.

Room 104, Andrews No. 9,
Rochester, N.Y., January 16, 1969.

Dear Congressman Frank Horton: I think that (Dr. Martin Luther Kings) birthday should be a national holiday because he was a Nobel peace prize winner whose life was notably lacking in peace. As an embattled young minister he once owned a gun but got rid of it because to him possessing the weapon symbolized not defence but only his own spiritual death. He was an advocate of brotherhood who was jailed repeatedly, kicked, spat on, stabbed nearly to death, and finally murdered.

Yours truly,
Steven Dotson.

Room 104, Andrew School No. 9,
Rochester, N.Y., January 16, 1969.

Dear Congressman Horton: I feel very bad about Mrs. King's husband. He was a very famous Negro, so I'm going to ask, Mr. Horton, what he is going to do about his birthday, Jan 15.

Yours truly,
James.

Room 104, Martin Luther J.
Anderson No. 9 School,
Rochester, N.Y., January 16, 1969.

Dear Congressman Horton: I think that he should be worshiped on his birthday and I think that we should not fight on his birthday.

Yours truly,
George.

Room 104, Andrews No. 9 School,
Rochester, N.Y., January 16, 1969.

Dear Congressman Horton: I wish that on January 15th that it should be a national holiday. Because on that day is Doctor Martin Luther King's Birthday. Because he is a great man and he gave his life for the peace of America. He tried to make it a better America. He had a dream that he would make it a better place to live. And I am only one of a thousand people who want it to be a holiday in his memory.

Yours truly,
Roman Whitmore, Jr.

Room 104, Andrews School No. 9,
Rochester, N.Y.

Congressman Frank Horton,
New House Office Building,
Washington, D.C.

Dear Congressman Horton: Enclosed are the thoughts and questions of my fifth grade class.

These children are very sincere in what they have written to you. They know the Reverend Dr. King as the first real leader of their race. They are groping so hard for an identity with him that it would be unfair for you and I to let this pass unattended. Don't you think it is our duty to make January 15, a national holiday and to give these children the type of hero they can be proud of.

I'm sure that it will be a very proud day for them when they receive your answers to their questions.

Thank you.
Jerome J. Ochs.

Mr. Speaker, my reply in part to these young Americans, concerned about the loss of an outstanding leader, is as follows:

Thank you very much for your letter about Martin Luther King. I, too, think that Dr. King was a great man and a great American.

His goal was an America where men, women and children of all races have the opportunity to live and prosper together in friendship. His creed of non-violence and his work for the rights of his people won for Martin Luther King one of the highest honors the world can bestow, the Nobel Peace Prize.

As time passes, and the greatness of Martin Luther King is recognized by the test of history, his birthday, along with those of President John F. Kennedy, Senator Robert F. Kennedy, President Franklin Roosevelt, President Woodrow Wilson, President Abraham Lincoln and others, may one day be established as a National Holiday. Today, only the father of our country, George Washington, is so honored.

Because of your great pride in Dr. King, I have written a personal letter to President Richard Nixon, asking that he proclaim January 15th of each year, Martin Luther King Day.

I am very proud of you and your classmates. By writing to your Congressman about a problem you are concerned with, you are learning to exercise your rights as a citizen of a democracy.

Mr. Speaker, let there be no question that our young people do have compassion and understanding. Let us hope that they will never lose it. For on compassion and understanding, we can build a better and peaceful world.

CONGRESSMAN HORTON SUBMITS LEGISLATION TO REDUCE THE SOCIAL SECURITY TAX ON SELF-EMPLOYED

(Mr. HORTON asked and was given permission to extend his remarks at this point in the Record and to include extraneous material.)

Mr. HORTON. Mr. Speaker, farmers and other small businessmen are painfully aware of the axiom "security does not come cheap." This is particularly true when applied to our social security laws as they affect the self-employed.

Under newly enacted social security rates, a premium self-employment tax of 1 percent is scheduled for 1969 and 1970. While employees will pay 4.4 percent, the self-employed person will pay 5.4 percent of his income for social security taxes.

Last year basic social security costs took as much as $460.20 per person from the self-employed. Another $39 went for medicare. In addition, increases in both these programs are scheduled for the years ahead.

By 1971, the self-employed will be paying a combined employment-medicare tax of 7½ percent on the first $7,800 of income. This means that the farmer, owner of a small business, or self-employed person may have to pay up to $585 a year for themselves and up to $440.70 for each employee they may hire.

It does not make sense to subsidize Federal programs designed to aid farmers and small businessmen while retaining laws on the social security books which penalize these same people with taxes at 150 percent of the rate paid by employees with the same income.

I am introducing a bill today which would relieve self-employed persons from these excessive social security tax burdens by scaling self-employment taxes down to the same rate that employees pay. The future tax rates would be adjusted upward to correspond with the Social Security Amendments of 1967.

This legislation is primarily designed to aid the small or part-time farmer and businessman who earns $7,800 or less a year.

It is necessary, Mr. Speaker, because more and more self-employed are becoming disenchanted with the worries and demands of being their own boss.

In a survey conducted last year by the National Federation of Independent Business, 78 percent of the 250,000 small business firms responding to the questionnaire supported this bill, which I originally introduced in the 90th Congress.

Surprisingly, the same survey also indicated that lower and lower aftertax earnings of the self-employed are making the salaried employee position more and more attractive for many self-employed. They reason the fewer headaches and less problems of the employed status are more desirable than fighting the battle of the self-employed.

The National Federation of Independent Business has strongly endorsed the concept and provisions of my bill.

I hope, Mr. Speaker, that like-minded colleagues in the House who are concerned with the future of America's small businessmen will join with me in support of this measure.

This Nation cannot afford to lose the initiative and creative genius of even one self-employed American who is forced to, or chooses to go out of business for himself because of inequitable and costly self-employment tax rates.

Historically small business has kept our economy healthy, competitive and growing. Equitable social security tax laws will help small business to remain the backbone of the Nation.

CONGRESSMAN HORTON INTRODUCES THE "AL SKINNER BILL" TO EXTEND SOCIAL SECURITY BENEFITS TO LOW-INCOME PERSONS OVER 72

(Mr. HORTON asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, one of the most rewarding privileges of a Member of Congress is the privilege of translating the ideas of citizens directly into legislative proposals.

One of the most distinguished public servants I know, and one who is himself a devoted public servant, is Sheriff Albert Skinner, of Monroe County, N.Y.

In the 90th Congress Sheriff Skinner informed me of a serious problem that is faced by many aged citizens over 72 years of age. These people find themselves ineligible for $35 monthly payment which the 89th Congress authorized for persons over 72, because they are recipients of State or local government pension payments.

Under the present provisions of section 228 of the Social Security Act, benefits are reduced based on the amount of other government pensions, received by the potential recipient, while some other forms of income are not counted in the benefit reduction formula.

Thus, many persons receiving very small amounts of government pension, say $1,000 or less per year, receive reduced social security payments, while others with substantially greater sources of nonpension income continue to receive the full $35 per month.

I have also reintroduced today legislation which would effectively remove the retirement test from social security payments under title II of the act. Instead of the present earned income limitation, this bill substitutes a $7,000 per year limitation on income from all sources, thus removing the penalty unjustly placed on aged citizens who do not have large investment income to draw on during retirement.

The bill which I propose today would seek to apply the same theory to section 228 benefits. Instead of penalizing low-income recipients of Government pensions, my bill would reduce the over-72 benefits only where the recipient has yearly income exceeding $2,500—$3,750 for a couple.

This would mean that persons whose Government pension income is inadequate to provide a decent level of support would be eligible for the full $35 monthly payment. Those who have adequate income from nonpension sources would not receive the special over-72 benefit, which is paid to persons who have little or no social security covered employment.

Mr. Speaker, Al Skinner, although he serves the people of Monroe County as sheriff, is alert to their problems in many areas outside the realm of his law-enforcement duties. I should like to thank him publicly again this year for communicating this particular problem to me.

I hope that my colleagues will give this bill the full and prompt consideration it deserves.

CONGRESSMAN HORTON INTRODUCES A BILL TO SPEED SOCIAL SECURITY DISABILITY PAYMENTS

(Mr. HORTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, in addition to the other bills I introduced today to benefit the retired Social Security recipient living on a fixed income, I am also submitting a measure designed to speed disability payments to social security claimants.

The 6-month waiting period after application now required by law requires too many seriously disabled persons to undergo unnecessary financial hardships.

Generally those most in immediate need of disability benefits are those suffering from readily identifiable disabilities such as blindness or loss of limb. The validity of these handicaps can usually be identified in only a few days or weeks.

My bill directs the Social Security Administration to give immediate payment to any claimant who has been blinded, has lost a limb or is otherwise suffering from a disability which can be immediately determined as one of protracted duration and seriousness.

The 6-month waiting period now required by law thwarts and frustrates the purpose of the program. The disability insurance program was established to provide incapacitated persons with sufficient sums of money to insure their well-being during periods of major crisis.

This bill would eliminate needless suffering and financial hardship now endured by such claimants who have to foot the costs incurred during the first 6 months of their disability.

The Social Security Administration has already established an unofficial procedure for processing hardship claims within 10 days of notice. They can handle 1,400 such claims weekly.

This procedure could easily be adapted to speed insurance disability relief to persons qualifying under the provisions of my bill. The incapacities qualifying under this legislation are certain to persist during the 12 months required for compensation under the act.

CONGRESSMAN HORTON INTRODUCES LEGISLATION TO LIBERALIZE THE SOCIAL SECURITY RETIREMENT TEST, PROVIDE SOCIAL SECURITY STANDARDS-OF-LIVING INCREASES, AND INCREASE WIDOW'S AND WIDOWER'S BENEFITS

(Mr. HORTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, I am vitally concerned with the role of the retired citizen in our economy today. Neglected and shoved aside after retirement, the older American is paying the cost of inadequate social security laws and feeling the pinch of an economy influx.

More than any other segment of our society, the older American is the one hardest hit by inflation.

To help make our social security laws more equitable, I am introducing three measures which are designed to pull the retired citizen back into the mainstream of American life by making his living more comfortable, and encouraging him to participate in the pursuits of our society.

This Nation has programs in desperate need of skilled and experienced guidance. Yet, our social security laws discourage retirees from accepting new employment.

We should encourage, not discourage, the participation of retired citizens in our economy. This Nation needs their talent, expertise, and leadership.

One good way to tap the talents of the elderly in all pursuits of American society and economy is to substitute a rational income test for the present retirement earnings income test.

The first bill I am introducing today would not allow a beneficiary's payments to be reduced unless the beneficiary's income was more than $5,960 a year.

Income under the provisions of this bill would have the same meaning as it does for income tax purposes. Under present law, each beneficiary under age 72, with the exception of disabled workers and disabled children, can earn up to $1,680 a year. If more than that amount is earned, a recipient's benefits are reduced by $1 for each $2 he earns between $1,680 and $2,880. When more than $2,880 is earned, $1 is reduced for each $1 earned.

Any persons earning less than $140 a month gets paid benefits regardless.

Mr. Speaker, it is easy to see this test is really a tax on earnings. Moreover, it applies only to income derived from work.

When a person has a large income from non-work sources, he receives full Social Security benefits regardless of his outside income.

In my bill, income has the same meaning as it does for income tax purposes. But, the amount of income is computed without regard to any exclusions, exemptions, offsets, reductions or deductions which might be applied for income tax purposes.

Instead of penalizing our retired Social Security recipients, this legislation would encourage our older citizens to play a truly meaningful role in American society with dignity, security, and respect.

Mr. Speaker, the burden our older Americans bear in an inflated economy is shocking. Inflation cost our retired elderly a regressive tax of 4 percent last year alone.

The second concept I am offering today provides an automatic standard-of-living increase in social security, old-age, survivors, and disability payments whenever there is a 3-percent rise in the Consumer Price Index. I am also submitting a similar proposal for retired railroad workers which applies this formula to the Railroad Retirement Act of 1937.

This legislation would allow social security recipients and railroad retirees to receive a percentage increase in benefits which exceeds the rise in consumer prices by an amount based on the corresponding rise in real per capita income.

This formula is designed to enable qualified recipients to share in productivity and real income improvements made by the economy. While most retired workers over 65 do not currently contribute to improvements in national productivity, their past membership in the labor force entitles them to share partially in the strength of the economy.

A standard-of-living increase such as I have proposed in these bills would allow beneficiaries to keep pace with inflation. The real value of benefit dollars should remain at the level set by Congress in the initial legislation authorizing these increases.

In considering the needs of today's widowed citizens, Mr. Speaker, I think it only equitable that social security recipients who are widows and widowers should receive the full benefits of their late spouse's pension.

The third bill in my social security package increases widow's and widower's benefits from the present 82 percent to a full 100 percent of the late spouse's pension.

Depriving widows and widowers of the money a late spouse has contributed to the social security fund serves no meaningful purpose. It is a law without conscience.

Economy measures enacted by Congress should not hit hardest those least able to bear the burdens of slowing down an overheated economy.

Mr. Speaker, I feel our social security laws should enable and encourage recipients to play a truly meaningful role in the American way of life. They should not restrict, penalize, and deprive our social security recipients of the little they already have.

PURDUE UNIVERSITY CELEBRATING ITS CENTENNIAL

(Mr. LANDGREBE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANDGREBE. Mr. Speaker, Purdue University—Indiana's land-grant university—is this year celebrating its centennial.

The university is 16th in size among U.S. colleges and universities. Its enrollment on five campuses totals 36,700 students in the fall of 1968.

Purdue ranks first in the Nation in the number of BS degrees granted in engineering.

It has the largest graduate enrollment in pharmacy in the country.

It has ranked 13th or higher in Ph. D. degrees awarded in the United States since 1953.

It has cooperative and technical aid programs in Argentina, Brazil, and Afghanistan, as well as worldwide research in sorghum production.

It ranks ninth in the Nation in the number of doctorates awarded in biology, sixth in chemistry, fourth in engineering, third in agriculture, and first in pharmacy.

It enrolls more students in science courses than any other American university.

If the General Assembly of the State of Indiana had not established Purdue University in May 1869, and this university had never existed, the economic and social environment of the people of Indiana and of the Nation, as well, would be affected. Nearly 100,000 young men and women have graduated from Purdue University during its history. Had there never been a Purdue, there would be vacant fields on the farmlands of Indiana, since 90 to 95 percent of all of the red wheat grown in Indiana traces its origin to varieties developed by Purdue; cattle feeders would not have the benefit of improved rations brought about by the development of Purdue Supplement A; housewives might still have to use their own recipes for cakes and other pastry mixes, for Purdue developed the first commercial cake mix in the research laboratories of the university; the entire country roadmarking system, so valuable to firemen, doctors, and others performing emergency services, would be missing. This was a development of Purdue's engineering school.

In sports, Purdue has excelled in its championship football and basketball teams and become well-known for its contributions to intercollegiate competitions. The beginning of the Intercollegiate Conference of Faculty Representatives, known widely as the "Big Ten," began in 1895 when Purdue President James Smart called a meeting of the presidents of seven Midwestern universities to consider regulation and control of intercollegiate athletics.

Purdue has also excelled in its musical organization: its "All American" marching band with its majorette corps, with 350 members, believed to be the largest university band in the Nation, its concert and varsity bands, as well as its world-famous men's glee club.

One of Purdue's greatest assets is its president, Dr. Frederick L. Hovde. A graduate of the University of Minnesota, a Rhodes scholar at Oxford University, and a past lecturer in chemistry, he has been president of Purdue University since 1946. In addition, he has served on the National Defense Research Committee and as head or as member of numerous educational and scientific committees and task forces. He has received several awards recognizing his athletic, war, and educational achievements, and has been awarded honorary degrees by 18 colleges and universities.

In the field of space, Purdue has made a significant and unique contribution to the Nation. She is known as the "Mother of Astronauts" and has given two of her finest sons in Virgil S. Grissom and Roger B. Chaffee to the search for knowledge beyond the stars. In addition, Neil Armstrong, a 1955 Purdue graduate in aeronautical engineering, was commander of Gemini VII and is commander of Apollo 10, and may be the first human being to set foot on the trackless soil of the moon; and Eugene A. Cernan in Gemini IX added greatly to the U.S. store of space knowledge with a 2-hour space walk which, up to that time, has been a record.

These facts amply illustrate that Purdue University is not just another institution of higher learning, but a university with a role and a mission to serve the people of Indiana and the Nation.

As Purdue University looks forward to its second century of service to the Nation, we the members of the congressional Indiana delegation take this opportunity to extend to Purdue University our very best wishes.

LEGISLATIVE REORGANIZATION ACT OF 1969

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MIZE. Mr. Speaker, I speak today in support of the Legislative Reorganization Act of 1969, an act which I have cosponsored with many of our colleagues.

This proposal strengthens the role of the legislative branch of the Federal Government, by providing for:

First. More penetrating and effective congressional committee review of important legislative business.

Second. More comprehensive, thorough, and manageable control over the fiscal affairs of the Nation, through increased use of electronic data processing equipment, and modern management techniques.

Third. A qualitative and quantitative improvement in the information available to Members of Congress as a basis for important decisions which must be made by Congress alone.

Fourth. Improvement of Congress as an institution, through the establishment of a permanent Joint Committee on Congressional Operations, the removal of postmasterships and rural mail carriers from the patronage system, appointment to the service academies on a merit basis, and other measures appropriate at this time.

Fifth. Increased supervision of lobbying activities involving the work of the Congress, and the transfer of lobbying records and responsibility for their publication to the General Accounting Office.

MEASURES TO RESTORE PUBLIC CONFIDENCE

Mr. Speaker, this legislation represents a dramatic, yet cautious attempt to facilitate professional competence on Capitol Hill, and promote professionalism in the discharge of the public duty. Further, this proposal, through its modest initiatives, sets a course for the Congress which will lead to bolder initiatives, and ultimately to a restoration of public confidence in the Congress as a vital institution.

We have been told that these times are an "era of decline" for parliamentary democracy. Instant communications, the demands of society, the imponderable measure of sufficiency and proper employment of the forces of national defense, and the seemingly unlimited capacity of technology to achieve long-cherished goals in science and commerce, have all led to increased dependence on the executive branch of the Government for direction in human affairs. Congress, in contrast, has been viewed as cumbersome and inefficient.

CONGRESS IS COEQUAL YET UNEQUAL

The executive must never be permitted to retreat from the challenges of the times—everyone would agree to that. But the Congress, by the same token, should not be permitted to fail in its constitutional responsibility as a coequal branch of the Government of the United States. By failing to provide itself with the means to maintain the historic balance as an independent, coequal partner, the Congress has in effect fallen short of its constitutional duty.

This failure is exemplified by a review of the most basic congressional prerogative: control of the Nation's fiscal affairs. The White House has at its command the most modern management cost-control techniques, electronic data processing, and a host of other tools to aid in preparing the budget. The Congress, in whom is vested the responsibility of appropriation for the public welfare, has no comparable machinery for review of that same budget.

We all know, Mr. Speaker, as a practical matter, that the Federal budget is sufficiently complex to frustrate any individual Member's systematic analysis. Members of Congress can only grasp at straws in their review of Presidential requests for funds.

Corporate executives could not manage modern business without fully competent personnel for assistance and advice, nor could they manage private enterprise without the aid of management technology.

Coequal, yet unarmed, the Congress enters the contest each year at hopeless disadvantage. The President, his advisers, and the vast machinery of the executive branch represent our competitors in determining the proper level and direction of Federal expenditure. Without staff or equipment to advise realistic alternatives, and without the capacity to exercise fine-tuned management control, the Congress can only react with quill-and-ledger crudeness to the electronic data sophistication of the executive advocates.

If it has not been in the national interest for the Federal budget to have doubled in the past 4 years—and I do not think that it has been—the Congress must bear the constitutional responsibility for the increase. That the executive has advanced these requests with persuasiveness is irrelevant. The simple fact is that the Congress has been incapable of responding to the requests of the executive with well developed, constructive, convincing arguments in the alternative.

Congress must bear full responsibility, as the Founding Fathers intended, for review and control of the spending policies of the Federal Government. But the dominant influence of congressional opinion on the fiscal policies of the Nation has diminished because Congress has neglected to equip its Members with the proper administrative weapons for their tasks.

Mr. Speaker, the Legislative Reorganization Act of 1969 would provide the management tools Members must have to do the job.

CONGRESSIONAL VITALITY MUST REFLECT NATIONAL VITALITY

No doubt those Founding Fathers of imaginative mind and boundless spirit, such as Jefferson, Washington, and Franklin, who were scientists and engineers as well as statesmen, could foresee the probability—at least—of the modern technological explosion. The vast western expanse of the land, the restless imagination and industry of the people, and the evident national desire to create an empire on the North American Continent, could never be expected to become stagnant.

One crucial institution adopted at the Constitutional Convention was the Congress. That body was to reflect the habits and ambitions of the people, and provide a national atmosphere of energy and commitment to just causes for all time. It was further to provide a check upon the executive branch, through elected representatives of the people. The Founding Fathers of this Nation no doubt believed that the people would never be disappointed in the Congress as an institution, for the Congress was made continuously responsible to the people.

Today we cannot permit ourselves to frustrate that historic purpose through failure to adopt reforms which will facilitate the reestablishment of our proper congressional role.

Mr. Speaker, the essence of congressional responsibility is fiscal control. Today, we cannot adequately perform that task, and that is the most compelling case for adoption of the Legislative Reorganization Act of 1969.

CONGRESSIONAL REFORM CAN INSPIRE THE NATION

Many young men and women in this Nation and abroad are disillusioned. They feel the institutions upon which society is based cannot provide a forum for the debate of their most heartfelt views.

Perhaps if Congress were to initiate substantive reform, and thus demonstrate that institutions can perfect themselves from within, the lesson would not be lost upon the community at large. With evolution, not revolution, lies our best hope for meeting the challenges ahead.

Those that truly love their country, and its cherished system of government, will surely applaud efforts to perfect that system. Static government stagnates, and the restless energy of the people will not long tolerate such inaction. There are pressing problems to be resolved.

REPRESENTATIVE SKUBITZ INTRODUCES LEGISLATION TO ELIMINATE HEALTH DANGERS TO COAL MINERS

(Mr. SKUBITZ asked and was given permission to address the House for 1 minute.)

Mr. SKUBITZ. Mr. Speaker, I am introducing a bill which, if enacted into law, would be a long step forward in the elimination of the health dangers to coal miners resulting from the inhalation of coal dust.

Although there are no deep shafts in my congressional district today, there was a day when deep-shaft mining was a major industry in the southeast corner of my State of Kansas. I know the dangers that come when the coal dust level is too high—not only to health but also as a cause of mine explosions as well.

My father was a miner, as were my grandfathers and six uncles. I, too, worked in the mines for a short time.

We are deeply concerned with air pollution caused by the automobile and industry in general. Our concern is enhanced because it affects us personally. Is it not time we think of the health of those who help produce the real wealth of this country?

I do not say this bill is perfect. I do not know whether the standards of 3 milligrams of respirable dust per cubic meter of air is too high or too low.

One way to find out is to hold hearings on this measure and the other bills which have the same objective.

The reason I introduce this bill is because this whole matter must be brought out in the open and discussed.

EARTHQUAKE STUDY BILL INTRODUCED

(Mr. DON H. CLAUSEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. DON H. CLAUSEN. Mr. Speaker, last December, Dr. Donald F. Hornig, then Director of the Office of Science and Technology, released a very important report entitled "Proposal for a 10-Year National Earthquake Hazards Program—A Partnership of Science and the Community." This report was prepared by an ad hoc interagency working group of the Federal Council for Science and Technology under the chairmanship of William T. Pecora, Director of the U.S. Geological Survey. Other Federal agencies participating in the study were: The National Science Foundation, the Departments of Commerce, Agriculture, Defense, Housing and Urban Development, Transportation, and Interior; and the Atomic Energy Commission and National Aeronautics and Space Administration.

The report recommended a 10-year program to—

Map in detail areas of the United States likely to be subjected to economically significant earthquakes:

Improve knowledge of geology to determine the instability of geological materials under earthquake motion, and to predict earthquake intensity;

Develop better criteria for site planning and design of structures to minimize potential earthquake damage;

Search for ways to predict significant earthquakes, in order to provide earthquake risk warnings and permit emergency; measure to be taken;

Determine whether it may be possible or useful to relieve subsurface stresses; and

Analyze the socioeconomic aspects of earthquakes, including the physical, social and opportunity damages, the psychological aspects, and the costs of prevention measures.

The report notes that "many moderate, a few severe and probably one great earthquake can be expected within the United States between now and the year 2000." Losses from an earthquake like that which occurred in San Francisco in 1906 would be $3 to $15 billion plus personal injuries.

Many areas in coastal California, including the area I represent in the First District, are subject to this hazard and other areas are not immune. The largest earthquake in U.S. history occurred in New Madrid, Mo., in 1811–12. If this earthquake were repeated today, it would strongly affect the cities of Memphis and St. Louis. The earthquake of November 9, 1968, in southern Illinois shows this area is still active. Other destructive quakes have occurred in Charleston, S.C.; St. Lawrence Valley, Alaska; and Hawaii. Even the city of Philadelphia was shaken by a small earthquake in December 1968.

The report points out that urban areas are growing in areas of earthquake risk. In California alone construction in earthquake prone areas is about $10 billion per year and may reach $20 billion per year in 10 years. Potential dollar losses are thus accelerating rapidly. The entire cost of the recommended 10-year program could be offset by a reduction of a few percent of the loss a single great earthquake might bring a few years from now.

The report's subtitle "A Partnership of

Science and the Community" emphasizes the joint efforts needed to meet this national hazard. The report highlights areas where present knowledge is inadequate to enable city planners, construction engineers and designers of public utilities to take proper account of earthquake risk.

Dr. Hornig noted that potential losses from earthquake could nevertheless be reduced substantially through application of present information in earthquake engineering and seismology. He referred to the Field Act in California as an example of that State's leadership in protecting its schoolchildren from this hazard by setting standards for earthquake-resistant school construction.

Dr. Hornig expressed his hope that research and use of existing knowledge to reduce earthquake losses would proceed simultaneously, and that the Federal Government would join with State and local governments to protect all Americans from this natural hazard to life and property.

The legislation which I am introducing today would authorize the Secretary of the Army, acting through the Chief of Engineers, to undertake investigations on the effects of earthquakes and seismic sea waves, or tsunami, on engineering structures. This legislation implements one of the recommendations of this very important report—the development of better criteria for site planning and design of structures to minimize potential earthquake damage.

The need for such legislation has been amply demonstrated by the difficulties encountered in collecting adequate information on the great Alaskan earthquake of March 1964. At the direction of the President, the Office of Science and Technology undertook to assemble a comprehensive scientific and technical account of that catastrophe. In this endeavor it was assisted by the National Academy of Sciences, and the latter called upon the Corps of Engineers to undertake a broad program of data collection and analysis. The special and time-consuming arrangements that were required in this instance clearly revealed the need for legislation which will enable some Federal agency, having a nationwide organization, to provide leadership and to take immediate action to collect engineering data when disastrous earthquakes occur. Moreover, the Alaskan experience demonstrates, as have many previous seismic disturbances, that not enough is known about the effects of earthquakes or about designing engineering structures to withstand such effects.

The Corps of Engineers not only has a nationwide organization—it has within that organization a wide range of technical talent, as well as much experience in dealing with natural disasters. Moreover, in designing and constructing dams, shore protection works, seawalls, levees, buildings and other engineering works, the Corps of Engineers has a great need for better information on the effects of earthquakes and seismic waves, and for improved methods of designing structures to withstand the effects of these phenomena.

Other Federal agencies, the States, educational institutions, scientific foundations, private firms and individuals, can and will make important contributions to the attainment of the objectives of the proposed legislation. It is not my purpose for the Corps of Engineers to enter into competition with, or to obviate the need for, any of the activities now underway. Rather, the Corps of Engineers should seek to complement these activities by undertaking the studies necessary to overcome deficiencies in engineering data collection and should relate findings to structural design criteria.

REPRESENTATIVE WYLIE COSPONSORS RESOLUTION EXPRESSING SENSE OF CONGRESS THAT CURRENT CHILD, YOUTH, AND MILITARY REDUCED AIR FARES ARE CONSISTENT WITH THE FEDERAL AVIATION ACT OF 1958

(Mr. WYLIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYLIE. Mr. Speaker, I am today cosponsoring a resolution expressing the sense of Congress that current child, youth, and military reduced air fares are consistent with the Federal Aviation Act of 1958.

Up until last month, when a Civil Aeronautics Board decision interpreted them as discriminatory, half fare tickets were an important factor in U.S. air travel. They allowed families to fly on their vacations together, when it might otherwise have been monetarily impossible. They stimulated our youth to travel greater distances for better educational opportunities. And most important, they gave the members of our armed services more time to be with their loved ones and less time in traveling when on leave.

The cosponsors of this resolution, Mr. HUNT, Mr. LUKENS, Mr. SCHERLE, and I do not feel that half fare tickets, issued on a standby basis, are discriminatory to full fare passengers in any way. They involve only those unpaid for seats that would otherwise remain vacant. We feel that the Civil Aeronautics Board decision misinterprets the intent of Congress.

PERMISSION FOR SUBCOMMITTEE ON IMMIGRATION, COMMITTEE ON THE JUDICIARY, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Immigration of the Committee on the Judiciary be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

REPUBLICAN CONGRESSIONAL CAMPAIGN COMMITTEE

(Mr. BROWN of California asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.

Mr. BROWN of California. Mr. Speaker, the remarks of the distinguished Democratic member from San Diego, Calif., pertaining to the delicious bill of fare offered to our Republican colleagues by the congressional campaign committee brings to my mind a recent communication enclosed in a letter sent to me by one of my constitutents. This communication was signed by the distinguished Republican Member from San Diego, the chairman of the Republican Congressional Campaign Committee. I dismissed the letter as merely another fund solicitation sent to the Republican faithful, rather a normal procedure. However, since the letter refers to a massive, but secret, program to win control of the Congress by defeating many of my esteemed Democratic colleagues, I think it appropriate to include it in the RECORD at this point to indicate how the funds are being raised to provide this delectable menu described by my California colleague. Only the names have been deleted to protect the innocent.

The letter follows:

NATIONAL REPUBLICAN
CONGRESSIONAL COMMITTEE,
Washington, D.C., February 7, 1969.

DEAR MRS. B———T: We learned plenty in the last elections. I think we learned how to take control of the House in 1970.

It is true that while we only increased our numbers by 4 this election, we have picked up 52 seats in both Special and General Elections since 1964. But we are still 26 seats short of winning control of the House. We now have 192 Republican Members in the House. We must give each of these Congressmen special help because they will be targets for defeat in 1970 by the Democrats.

But now we know what we have to do in 1970. Hardly a day has gone by since the election that we haven't had a top-level meeting. The best political minds here on Capitol Hill. The best from back home. Result: the 1970 Victory Program.

Here I have to ask you to trust me. Details of the Program must be kept top secret. The plan would lose much of its vote-getting power if the Democrats learned about this new approach. But I am free to say this much: the Program is starting right now. And it is going to cost more than we have spent in any non-election year in our history. I wish I could tell you more at this time. But you can appreciate the need for secrecy.

We can't finance the 1970 Victory Program without your help, Mrs. B———t. Last time you sent us a most generous check. Would it be too much to ask you for that plus an extra $10 this time? I know it is asking a lot. But we want a Republican Congress in 1970. The 1970 Victory Program gives us the key. And you, Mrs. B———t, can help get that program started. Thank you, once again, for your wonderful help!

Gratefully,

BOB WILSON,
Chairman.

P.S.: Please enclose the top part of this letter when you send your check? It would help our volunteers. Thank you.

TRIBUTE TO THE HONORABLE PHILIP N. BROWNSTEIN, RETIRED COMMISSIONER OF THE FEDERAL HOUSING ADMINISTRATION

(Mr. McCORMACK (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCORMACK. Mr. Speaker, last week, Philip N. Brownstein retired as

Commissioner of the Federal Housing Administration.

He stepped down after 33 years of service to the Federal Government and to the people of the United States. I bring this to the attention of the Members of the House because Mr. Brownstein's career typifies what is best in the civil service.

Mr. Brownstein's story smacks of the Horatio Alger, Jr., concept.

He started with the FHA in 1935 as a truck driver's helper. Fresh out of high school in his native Indiana, willing to work and wanting to learn. He did both. He worked by day and studied by night. In a few short years, he had his law degree.

After service with the Marine Corps during World War II, he returned to the Federal Government and worked with the Veterans' Administration where his star began to rise. It was in 1963 that President John F. Kennedy appointed Philip Brownstein as Commissioner of the FHA, the same agency where he had started off by helping a truck driver.

This set the stage for an extremely productive period in his Federal career, one that has benefited the agency, the agency's image, and more importantly, one that has benefited the low- and moderate-income families who make up a broad economic belt in the United States. He first turned his attention to the mechanics of the FHA operation, and within a short period of time, he had taken the swirling papers and put them in a no-nonsense track of accomplishment. The FHA was on a processing par with almost all private lending organizations and, in some cases, it exceeded their standards for dispatch and efficiency.

He then tackled the more difficult task—that of weaning away the FHA from its suburban orientation and bringing it back to the cities where it could do the most good. It was a conversion that was not without sweat and cries of anguish. But Philip Brownstein succeeded and in so doing gave the FHA a new outlook on what its role should be in providing better housing for all the people of our country, and for the poor and disadvantaged in particular. This approach led to the vast housing rehabilitation project in the Roxbury-Dorchester area of Boston. This is the largest single rehabilitation project in the country, and one which already has had a salutory effect on this neighborhood and the wonderful people who live there.

Many are living better, in more security and at prices they can afford, thanks to the diligency and skill which Philip Brownstein brought to his job.

There is still much to be done in the field of housing. We have not yet reached a position where we in the Federal Government can rest comfortably on our laurels. The needs of our poor are especially pressing, but at least we have started to provide them with the housing they need. We have provided the tools and the training for the men who can carry out the job. We have shown them the way to succeed.

The man who has consistently stood in vanguard was Philip Brownstein and to him we owe a debt of gratitude and a debt of thanks. He has served well the needs of his country.

RETIREMENT OF RICHARD L. EMBLY, HOUSE PRESS GALLERY SUPERINTENDENT

(Mr. ALBERT asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. ALBERT. Mr. Speaker, next Friday the House of Representatives will lose the services of one of its most loyal and devoted aids.

Richard L. Embly, superintendent of the House Press Gallery, has elected to retire on February 28, 1969, after completing 30 years of service to this body.

Dick is the quiet and efficient administrator who skillfully assists all of us each day in the dissemination of news to our constituents and in communicating the deliberations of the House of Representatives to the reading public.

Dick's successor as superintendent of the House Press Gallery will be Benjamin C. West, who has served the Press Gallery with distinction for nearly 28 years.

Those of us who know Mr. West have every confidence that his service will meet the high standards set by Mr. Embly.

Originally from Maryland, Dick was appointed to the Press Gallery staff in 1939. Only 10 members of this House have served longer than has Dick Embly.

Dick has been a familiar figure at national political conventions and he has played a key role in the preparation of daily press facilities at those events and at other similar activities. Dick Embly is a good friend—respected by the House of Representatives and by his colleagues in the newspaper industry.

I am sure that all Members of the House join me in wishing good health and happiness to Dick Embly and his lovely wife in his retirement years.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I will gladly yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I am pleased to join with the distinguished majority leader in paying tribute to Richard L. Embly on the occasion of his retirement as superintendent of the House Press Gallery.

Perhaps few persons are aware of the extent to which the Press Gallery superintendent and his staff assist in the flow of information from the House side of the Capitol to the public via the press. Dick Embly has performed a valuable role in that process. He has helped to make the actions of the House clear to newsmen covering "The Hill," and he has served as a conduit between news sources in the House and the press.

Throughout all of his three decades on the Press Gallery staff, Dick Embly has served quietly but most capably. He has been of great service to this House.

There are but a few individuals who have served as superintendent of the House Press Gallery since it was established nearly a century ago. Dick Embly has the distinction of being only the third man to serve in that capacity.

Mr. Speaker, I am sure my colleagues join me in expressing the appreciation of the House for the services of Richard L. Embly. I wish Dick Embly and his wife, Elizabeth, every happiness in his retirement years.

Mr. ALBERT. I thank the distinguished gentleman from Michigan for his remarks.

ABM QUESTION

The SPEAKER. Under previous order of the House, the gentleman from California (Mr. COHELAN) is recognized for 60 minutes.

(Mr. COHELAN asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. COHELAN. Mr. Speaker, we have taken this opportunity today to schedule this discussion of the ABM question in the hope that it would help focus—for ourselves, for the administration, and for the public—the difficult issues associated with the deployment of an anti-ballistic-missile defense.

I do not expect that we will today resolve our doubts or our differences. But I do hope that we will come away with a greater understanding and appreciation of the enormous magnitude of the ABM decision.

Last year when the House had its first opportunity to pass on the appropriations for the construction of an anti-ballistic-missile system, I introduced the amendments to delete all funds for ABM deployment. At that time neither the Congress nor the public had much discussed the serious implications of ABM deployment. Today we are more fortunate in that we have the benefit of a full-scale public debate of the consequences of ABM—on domestic priorities, on national security, international policy, and even on safety in our cities. I would hope that today's proceedings add to this important national debate.

In preparing for House consideration of the ABM deployment last spring, I conducted an extensive study of the available literature. I solicited the views of knowledgeable Congressmen, defense planners, industrialists, scientists, and foreign policy experts.

After this research, I concluded that it was not in the national interest for the United States to deploy an anti-ballistic-missile system.

This conclusion was based on my findings that the ABM threatens to escalate the arms race and is not necessary to a strong bargaining position with the Soviets; that it would probably not save lives in case of a Soviet nuclear attack; that it is not necessary to our defense against China; that the ABM would cost enormous sums that could be better spent at home; and that even if built that it would probably not work very well for very long.

In the months that have followed, nothing has occurred to cause me to alter these conclusions, and a good deal has happened which has reinforced my convictions.

I would like today to review the reasoning that led to my opposition to ABM deployment, and to comment on some of the issues which have been raised since last spring.

I hope my colleagues who are present will feel free to volunteer any contributions they may choose to make in the course of the discussion.

First. ABM deployment threatens to escalate the arms race and is not necessary to a strong bargaining position with the Soviets.

Deterrence has been the defense of every nuclear nation against nuclear attack for the past two decades.

The United States and the Soviet Union have achieved the ultimate deterrent—an assured destruction capability. The offensive forces of both are so vast, and so invulnerable, that either country can absorb a surprise nuclear attack and still with absolute certainty destroy the attacking country; thus making any nuclear attack against them positively suicidal.

Both countries have responded over time to meet weapons advances by the other side which threatened the certainty of their assured destruction capability. Since responses must anticipate the worst plausible actions by the other side, and since long leadtimes require decisions based on relatively uncertain information, each side has overreacted to deployments by the other side. Today both the Soviet Union and ourselves possess such vast nuclear arsenals that we can destroy one another several times over.

We had until recently arrived at a plateau in nuclear armaments, with both sides relatively secure in the credibility of their deterrent. Now however, technological advances like ABM and MIRV threaten to coax us off the plateau and into the whirlwind of a resumed nuclear arms race.

Mr. GIAIMO. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I am glad to yield to the gentleman from Connecticut.

Mr. GIAIMO. The gentleman has referred to the ABM and the MIRV in relation to our defensive capability. It seems to me that we should not in this discussion combine both the ABM and the MIRV together. It may well be that deployment of the ABM at this time could escalate both the Soviet Union and the United States into another phase of the expanding nuclear capability. But I do not think we should confuse a defensive weapon such as the ABM, which is questionable in its defensive capabilities, with an offensive weapon such as the MIRV, which should stand or fall on its own merits. I can envision my own support for MIRV's at the same time that I oppose strenuously the deployment of the ABM system.

Mr. COHELAN. As the gentleman so well knows, the MIRV question is tied in with the anti-ballistic-missile system, but I agree with the gentleman. The MIRV is an offensive system. It is a system that we are now going into further development. It is, in effect, a breakthrough technologically and it gives us an even greater capability than we now possess. It is essentially an escalation of the arms race.

Mr. GIAIMO. Mr. Speaker, will the gentleman yield further?

Mr. COHELAN. I yield to the gentleman from Connecticut.

Mr. GIAIMO. My point is this: For example, I am convinced that there are adequate and sufficient reasons why we should not deploy the ABM system at this time. The possible escalation of the arms race is one of the reasons.

On the other hand, I probably lean toward the theory that we may well want to deploy a MIRV system. So I believe they should both be treated separately and not treated in the same discussion as if they both would accomplish the same objective or that both must stand and fall together.

Mr. COHELAN. I think it is hard to carry on a discussion about strategic posture unless you discuss all of the weapon systems and the remarkable technological breakthroughs which have taken place, which, of course, have the effect of escalating the arms race, because with each increment, with each addition to the system, we get a response from the other side and, of course, the whole thing escalates. But I would agree with the gentleman that today we are trying to focus on one aspect of the strategic posture of this country which we feel is going to escalate the arms race, and that, of course, is the anti-ballistic-missile system. I feel that if we have to make any bets, I would prefer to bet on offense rather than on this system. But there is still a case to be made against the advance of further offensive systems.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman has stated, and rightly so, that in the confrontation we have with the Soviet Union today, our offensive capability can saturate their defenses just as theirs are acknowledged to have the ability to saturate ours. Those who support the anti-ballistic-missile system make reference to the fact that the Soviets are building what is referred to as an ABM system around Moscow. They make this argument with some trepidation.

In the hearings before the Department of Defense Subcommittee of the House Committee on Appropriations for 1969, Chairman GEORGE MAHON, of Texas, raised the question specifically with Dr. John Foster, who is the Director of Research and Development for the Department of Defense. On page 454 of part 2 of those hearings the following appears:

> Mr. MAHON. What kind of attrition could the Soviet ABM system, which is based on the so-called Galosh missile and is deployed around Moscow, place on our ICBM's? Could we, for the most part, negate this system today without neglecting other important targets?
>
> Mr. FOSTER. Mr. Chairman, to answer the latter part of the question, we can negate the Moscow system without neglecting important targets. The U.S. inventory, both current and planned for the future, is adequate to ensure penetration of the Moscow area defense system by sheer exhaustion of the defenses. That is to say, we calculate the maximum number of intercepts that their ballistic missile defense system could make; then we program a number of missiles into that area equal to the number they could intercept plus the number necessary to assure destruction of the targets.

The point I make is the leading expert of the Division of Research and Engineering of the Department of Defense and one of the leading strategists makes the point the Soviet ABM system is not any kind of obstacle or any kind of defense to the American offensive capability.

Mr. COHELAN. Mr. Speaker, I thank the gentleman for his contribution.

I would like to make one other comment at this juncture which is not in my prepared remarks. What we are really talking about here is whether or not we are going to go forward without further expansion of U.S. strategic forces. I think one of the most important pieces of literature on this subject, which I commend to my colleagues, was written by Prof. George Rathjens of the Massachusetts Institute of Technology in a little paper called "The Future of the Strategic Arms Race—The Options of the 1970's". He points out that in the line against further expansion of U.S. strategic forces, which was held during the early and mid-sixties, up until 1966, in nearly all the important procurement as distinct from research and development decisions, the strategic systems were negative.

There was a decision not to deploy a rail mobile Minuteman—and my colleagues on the Armed Services Committee at that time will recall the extensive discussions about this and the MLF and other systems for dispersion of the system. There was a decision not to deploy a rail mobile Minuteman and a decision not to proceed with the B–70 bomber force. This House voted the authorization for the B–70 when many of us argued it was not going to be used, and indeed it was rejected. And there was the cancellation of Skybolt and the decision not to go ahead with the full ABM system and new strategic manned aircraft. Consequently the budget for strategic forces dropped from over $11 billion in 1962 to less than $7 billion for fiscal year 1966 as the major strategic weapons programs came to fruition without any major new procurement decisions.

So one of the things involved in looking down the road is, are we or are we not going to expand U.S. strategic forces, and, of course, is there a need for it?

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. Mr. Speaker, I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Speaker, the course that has been charted for this Nation by the proponents of the Sentinel anti-ballistic-missile system is one that is fraught with perils. To gain the unwitting acceptance of the American taxpayer, a so-called thin ABM system, with an estimated price tag of $4 to $6 billion, is initially advocated. The evidence reveals that this is in the nature of a junior model, since it avowedly would be directed against a possible nuclear attack from Communist China, as distinguished from one of much greater magnitude and destructiveness which could emanate from Russia.

As if to employ the time-honored rationalization of "yes, we can afford the cheaper model," proponents in the same breath tell us that the cost of a full-scale model, that is, a Russia-oriented ABM system, has been pegged at $20 to $60 billion.

If history is to teach us any lessons, then we ought to face honestly the three conclusions to which we are led inevitably by any consideration of the proposed construction of a Sentinel system.

The first is that the actual cost of either ABM system, whether it is called Communist China-oriented or Russia-oriented, will greatly exceed the estimated cost. This conclusion requires no explanation. The implements of war have never given rise to unanticipated price reductions, nor have they remained at the level of estimated costs.

The second conclusion is that if we start with the cheaper model, so to speak, it will be merely a matter of time before we move on to the high-priced one. As a matter of principle, we have good reason to believe that the proponents of the "thin" ABM system are being less than candid. If the Sentinel is as effective as they claim, whether viewed in its deterrent or destructive aspect, then it would make more sense to construct the Russia-oriented system which would then be able to cope also with Communist China, admittedly the inferior nuclear power. It would make no sense at all to erect such a costly defense system which is aimed at possible acts of war or aggression by the lesser of two potentially hostile powers. There is the disturbing thought, therefore, that the "thin" ABM system is but a prelude to the time when, from coast to coast, and in Hawaii and Alaska, this entire Nation will be saturated with ABM sites.

This brings me to the third and final conclusion. This is the assumed invincibility of the Sentinel ABM system by many of its proponents. History would remind us of the lesson of another era, when the leaders of another nation conceived of a defense scheme and became convinced, before it was ever tested in battle, of its invulnerability. It was called the maginot line. Today, we know that the term "maginot line" is linked with costly failure and badly misplaced faith.

If this Nation's goal is peace, as Americans know it is, then we ought to lead the rest of the world in acts which are consistent with the achievement of our national goal. The speedy ratification of the nuclear nonproliferation treaty is such an act. The establishment of a Department of Peace is another. But the establishment of an ever-increasing number of ABM sites is definitely inimical to our efforts to bring peace to areas in the world where it does not exist, and to strengthen it in other areas where its existence is precarious. And from all the information I have been able to gather, the ABM is practically ineffective as a weapon for our national defense. The money could be put to much better use in countless other areas of our national life, or in the promotion of better relations between and among nations through positive nonmilitary programs. If we mean to seek peace then let us seek it by peaceful means.

Mr. COHELAN. I thank the gentleman for his contribution.

Mr. FARBSTEIN. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from New York (Mr. FARBSTEIN).

Mr. FARBSTEIN. I thank the gentleman for yielding.

First I want to join with the gentleman in the position which he has taken that the anti-ballistic-missile system, whether it is the thin or the thick, will defend nothing. I believe that is the position he has taken.

I voted against the appropriation for the antiballistic missile. That very same date, peculiar as it may seem, young men were demonstrating in front of the city hall in New York because they had no jobs. When I weighed these things in the balance, it appeared to me, in view of the knowledge we had as to the effectiveness of this anti-ballistic-missile system and the need of our people for assistance for their suffering, that the needs of our people came first. That is the reason why I voted against that appropriation.

Nothing has happened to date to change my mind. I would still vote against any appropriation for any anti-ballistic-missile system because I believe, for comparative purposes, it is useless except that it will sustain and maintain the present military-industrial complex.

I think that the needs of our people are too great today. I think that our people demand that their way of life be bettered rather than that the military-industrial complex be treated in such a fashion as to increase their profits.

I am satisfied, Mr. Speaker, that they should make money, but let them make it in civilian pursuits and not in a manner which would urge the expenditure of so much of our wealth simply because these organizations seek profits.

Mr. Speaker, I will not pursue this line very much further. All I say is I want to thank the gentleman from California for permitting me to raise my voice at this moment.

Mr. Speaker, the nonproliferation treaty and the antiballistic missile represents opposite approaches to achieving national security. It would be inconsistent for the United States to ratify the proposed treaty on nonproliferation with an article VI which will pledge its signers to seek disarmament negotiations and then proceed with deployment of an ABM system, which would have the effect of accelerating the atomic arms race.

To my mind, the discussion taking place today on the floor of the U.S. House of Representatives is a part of the dialog which will decide the path this country is to follow. The question is whether the United States places its reliance purely on military technology by adopting the costly ABM or whether it complements its currently great military capability with mutually beneficial attempts to negotiate reduction in the cost of armaments and curb proliferation of atomic weapons.

Before I could reject the peaceful approach for the purely military one, I would have to be convinced that the military approach offered unquestioned greater security to this Nation, and then I still might have my doubts. The ABM does not appear to offer this unquestioned greater security.

I arrive at my conclusion by asking three questions. First, is the ABM system technologically feasible? Second, is it desirable in terms of safety to the American people and the objectives it is meant to carry out? And third, what are the consequences in terms of the international arms race and stability in our cities?

I. TECHNOLOGICAL FEASIBILITY

There is serious question of the technological feasibility of developing an effective ABM system. Former Secretary Robert McNamara told an audience a year and a half ago:

> If we could build and deploy a genuinely impenetrable shield over the United States, we would be willing to spend not $40 billion, but any reasonable multiple of that amount that was necessary. The money in itself is not the problem. The penetrability of the proposed shield is the problem.

He also quoted all of the science advisers to Presidents Eisenhower, Kennedy, and Johnson, as well as former Directors of Research of the Department of Defense, as being opposed to mounting ABM's against a possible Soviet attack. Almost all of these men have declared themselves opposed to any ABM deployment at this time. These are extremely competent men, not professionally biased, who are in the best position to appreciate the technical inadequacies of ABM's.

In more specific terms, these and other experts see the current ABM as having severe technological limitations which make it vulnerable to certain types of weaponry and thus ineffective as a missile defense. First, the Sentinel system is effective only against high-altitude missiles. Missiles fired from submarines or surface vessels, which come in at low altitude, could as a consequence stand an excellent chance of getting through such a defense. Second, the ABM operates on radar. Missiles encased in paint that absorbed—rather than reflected—radar beams might be able to totally evade the ABM defense as would missiles which scattered aluminum or other particles that could disrupt radar.

Third, and most fundamentally, we are told that man has yet to develop a defense against aircraft which is capable of destroying more than one plane in 20. Even assuming that the ABM could be developed to destroy eight or nine out of 10 much faster missiles it encountered, it would only take a single miss of a missile with a nuclear warhead to destroy New York City and 5 million people. Partial success would not be enough for an ABM system. It would have to be successful in knocking down every enemy missile to have any value at all.

Beyond this, the fast pace of weapons technology represents an additional factor to be weighed in considering technological feasibility. An ABM system developed today might be useless against a missile developed 10 years from now. In 1960, for example, missiles had a single nuclear warhead. The Nike-Zeus, the proposed ABM of that period, would have cost between $20 and $30 billion and been ineffective against today's missile with multiwarheads by the time it was fully operational 5 or 6 years later.

These considerations suggest seriously whether an ABM system is today technologically feasible.

II. DESIRABILITY

Of greater significance than feasibility is whether in fact the characteristics of the proposed system make it desirable. To me as a human being concerned for the safety of my family and friends as well as for the survival of my country, the safety of any nuclear ABM system is of prime importance in weighing its desirability. I would think that safety to the population would also be the concern of the Defense Department. Yet, while the Department was describing the proposed system's "umbrella character" which, it declared, meant an ABM site need not be located nearby to protect a city, it went ahead and selected sites for the location of dangerous nuclear bomb-carrying ABM's right next to our largest cities including, I might add, my own city of New York.

The location of ABM's near large population centers creates the possibility that enemy fire might be drawn to a city which otherwise might not be aimed at civilian population centers. The Army's reply to those who express this concern is that the population centers are prime targets in any event. But who knows? Today, the Soviets might believe in attacking population centers; 10 years from now, they might be more interested in purely military targets. But if we should decide to keep the ABM's in large population centers like New York, then if the enemy decides to strike at the ABM's on the edge of Manhattan, they would in the process devastate New York City. If, on the other hand, they decided to attack both types of targets, we will have helped them kill two birds with one stone.

Location of ABM sites near large cities also creates the chance that if one of the clusters of H-bomb warheads in the ABM system should accidentally explode, the consequent loss of life could be catastrophic. The Army's reply to those who share this concern is that "there has never been an accidental nuclear explosion. The control devices are so good and so involved that an accidental explosion is not a danger." This sounds like a good attitude, the voice of experience. Many military personnel get accustomed to living with dangers. A soldier knows that the grenade he carries could blow him to bits if the pin were accidentally pulled; but after living with it on his belt for a year, he forgets about the slight danger. Even so, most civilians would prefer not to live on a powder keg without some very good reason for doing so. Nor did we hear much about the near-accidents, but in the case of one H-bomb dropped accidentally in North Carolina in 1961, it was reported that five of the safety devices had failed. Since there were six, there was no detonation. This threat to personal safety of large numbers of our citizens makes me question the desirability of the ABM system.

It also concerns me that the proposed ABM defense system involves exploding our own H-bombs over our own cities, in the hope of intercepting enemy ICBM's there.

The ultimate test of the desirability of something is to examine its fundamental aim. In the case of the ABM system, there is a great deal of confusion. We were originally told that an ABM system would be ineffective against the advanced Russian missile system, and that a "thin" and relatively inexpensive system would serve against the threat of the more "primitive" Chinese ICBM system. Subsequently, however, it was pointed out that the Chinese could quickly discover the "technological vulnerabilities" of the system and be able to make a few adaptions which would make even their more "primitive" system invulnerable to an American ABM. We have been hearing less about the Chinese since then. But if its objective is not to protect against the "suicidal" Chinese, what is the objective of the ABM system?

Even though we were previously told it was ineffective against the advanced Russian missile system, we are beginning to hear that it is to be used against the Russians. Secretary of Defense Laird testified before the Senate Foreign Relations Committee last week that the ABM system could be used as a bargaining point with the Soviets on arms control. If it is not meant to be used against the Russians and is ineffective against their missiles, how are we going to use it as a point of negotiation?

Even more confusing is the apparent disagreement between Secretary of State William Rogers and Secretary Laird over the desirability of beginning the ABM system before disarmament negotiations begin. If it is meant solely as a bargaining point, why invest a great deal of money on something that hopefully will not have to be completed?

There appears to be no generally agreed upon aim for the ABM system, which leads one to think that its real aim is simply to secure increasingly heavy appropriations for what former President Eisenhower called the "military industrial complex." We are already being told that the "thin" Chinese system will have to be "upgraded" and will cost twice the original estimate.

III. CONSEQUENCES

If the technical feasibility of the ABM is at best questionable and the desirability of the system is more than doubtful, the consequences of its deployment can be termed nothing less than catastrophic.

First, the likelihood of an attack and its intensity would probably be increased by our decision to deploy ABM's. The natural Soviet response to an American ABM system according to several authorities would be to build more missiles to penetrate it, just as we have already responded to their small ABM deployment around Moscow by adding more deliverable warheads. The Russians would also probably deploy a serious ABM system in response to ours; we would respond to that; and so on in an upward spiral. Intensification of the arms race increases the chances of nuclear war. As former Secretary of Defense McNamara declared in the same speech first announcing the decision to seek the ABM:

> If we opt for heavy ABM deployment—at whatever price, we can be certain that the Soviets will react to offset the advantage we would hope to gain. It is futile for each of us to spend $4 billion, $40 billion or $400 billion, and at the end of all the spending, and at the end of all the deployment and at the end of all the effect, to be relatively at the same point of balance on the security scale that we are now."

The heavy financial drain has to come from somewhere in terms of the Federal budget. It will no doubt come at the expense of our cities and of the poor and underprivileged. This further delay in making the kinds of investment that need to be made to upgrade the standard of life in the cities and throughout our Nation may well result in the creation of a society not worthy of defending militarily.

IV. CONCLUSION

The ABM system in which the American people are being asked to invest their future security is neither technologically feasible, desirable in terms of safety to the American people and the objectives it is meant to carry out, nor are its consequences anything less than catastrophic. A comparable investment in cleaning up our cities, air, water, and so forth, training our youth for jobs, strengthening our natural resources, and attacking the misery which breeds disorder both in our own society and in the developing countries will do far more to build American security and our leadership for peace.

(Mr. FARBSTEIN asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. COHELAN. Mr. Speaker, I thank the gentleman, and I now yield to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Speaker, I thank the gentleman for yielding.

It is on the point raised recently by the gentleman from New York as well as my distinguished colleague from Hawaii (Mr. MATSUNAGA) that I wish to comment.

With regard to the question as to what other purposes these very large sums of money might be more adequately used for, it seems to me, if I might say so, that this question is one that has given me the greatest concern. As one who has sponsored legislation consistently trying to eliminate poverty and unemployment and the increasing ghettos that mark the large cities of the United States of America, I think that these questions raised by the two previous speakers are very, very relevant indeed. I think the gentleman from California (Mr. COHELAN) has done us a great service. I would report to you in the State of Michigan and in the city of Detroit the concern is overwhelmingly with not only why a thin ABM system but what else might be done not only with the potential sums of money to be used but the actual sums of money already expended. It is in this vein that I urge all of the Members of this body to join with the gentleman in the well in carefully reviewing the grave and important question which he has so timely presented here on the floor of the House today.

Mr. COHELAN. Mr. Speaker, I thank the gentleman for his contribution.

I want to comment that it should be absolutely clear to every one of us, certainly our minority report which we delivered last year made it perfectly clear, that as far as the defense of this country is concerned, we believe the security of our country is the primary consideration. But we also feel it is our responsibility as representatives of the people to give a much more careful analysis to defense expenditures and particularly to weapons systems of this character which affect the balance of our nuclear forces.

Mr. YATES. Mr. Speaker, will the gentleman yield to me on that point?

Mr. COHELAN. I yield to the gentleman from Illinois.

Mr. YATES. This is on the question as to what sort of defense the ABM system would be. Again I refer to the hearings of the Committee on Appropriations and the interchange between the gentleman from Texas, Chairman GEORGE MAHON, and Dr. Foster. Mr. MAHON commented upon a statement that Dr. Foster had made in his testimony before the committee that:

> The sophisticated and economic strength of the Soviet Union permit that country to hold a large part of the United States population hostage.

This was a statement that Dr. Foster had made to the Committee on Appropriations. Mr. MAHON asked this question:

> In your opinion, is there anything we could do today that would make your statement invalid? Is this just a fact of life based on the unilateral strength of the U.S.S.R., with which we must live ad infinitum?

Dr. Foster replied as follows:

> One hopes not, Mr. Chairman.
>
> I have tried to explain in the statement that we are making a major effort in research and development of the ABM defense in the hope that it may be possible to evolve a defense.
>
> In other words, we do not have one at the present time, but in the hope that we may evolve a defense that will protect our American people against an all-out Soviet attack.
>
> As you know, we do not feel that current technology permits this capability.

Then Mr. MAHON asks this next question:

> I do not detect a great deal of optimism that the United States will be able to perfect an airtight ABM system that would give us the security against attack that we would like to have?
>
> Dr. FOSTER. No, sir; I do not believe there is.

Then Dr. Foster goes on to say:

> On the other hand, we must realize that in the late 1950's very few believed that it was technically realistic to attempt to intercept an incoming ballistic missile. Now, just ten years later, we have demonstrated that is a straightforward matter, and it is a question of the economics of offense versus the economics of defense.

But, Mr. Speaker, the point is how. Even Dr. Foster admits—and he is one of the proponents of the ABM system—he admits that there is much to be accomplished in evolving this kind of a defense. In other words, one can only draw the implication from what he says that there are very great limitations in his own mind on the Sentinel ABM system, but not on the cost thereof. The cost would escalate at a tremendous rate.

Mr. BINGHAM. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I am glad to yield to the gentleman from New York.

Mr. BINGHAM. I thank the gentleman.

I would like to join in commending the gentleman for the leadership that he has shown in constantly raising the issue with regard to the ABM system and the value of proceeding with the deployment of it.

I think it is literally impossible to exaggerate the importance of this issue. I think it is undoubtedly the most important issue that will come before this Congress, because it not only signals a whole new dimension in the arms race between ourselves and the Soviet Union, but it will also determine how we are going to use our resources in the coming years, whether we are going to use them on highly dubious military devices, or whether we are going to use them for the crying needs of our cities and the country as a whole.

I do feel, Mr. Speaker, it is regrettable that this discussion here today is so one-sided. I commend the gentleman for his initiative in taking this special order, but I feel it is a pity we do not have a debate. All those who are speaking agree, although I know that there are a great many Members in the House who do not agree with the views expressed. Perhaps the time will come when we will have an opportunity to debate all the aspects of this system.

Mr. COHELAN. As you know, when our little group circulated the letters in the House, we invited all Members to appear and take part in this discussion. It is a matter of great regret to me that we do not have an adversary proceeding as it is in order that we thoroughly ventilate this perplexing problem.

Mr. BINGHAM. Mr. Speaker, if the gentleman will yield further, I believe that the subject which we are discussing today is literally one of the most important ever to come before this House. For the proposed deployment of an ABM system represents a major new dimension in the strategic arms race between this country and the Soviet Union. It also constitutes a major turning point in the ordering of our own priorities for the use of the resources available to the Federal Government.

I shall not seek to duplicate what others have already said about the ABM both here and in the Senate. They have told us of the ABM's exorbitant costs and dubious utility; of the risks of accidental explosion close to urban centers; of the cycle of force and counter-force which the ABM will inevitably stimulate further. They have told us of the urgent needs of our own society to which resources sought for the ABM might better be dedicated: of persistent hunger and substandard housing; of polluted air and water; of choking cities and inadequate transportation systems; of failing schools, unequal opportunity, and wasted lives.

In the light of this overwhelming testimony, Mr. Speaker, I believe we in Congress, and the entire American people, must stand firm in opposition to deployment of an ABM system. I shall myself vote against any appropriations for site acquisition or for procurement of any components of such a system, and I would urge my colleagues to do likewise. I shall also undertake, insofar as possible, to stimulate concerned citizens to learn about the ABM system, for I believe that knowledge in this case will breed informed opposition. To this end, I am taking the lead in convening in the near future a meeting of community leaders in the New York City area to discuss the proposed ABM system and, hopefully, to agree on the means of most effectively insuring against its deployment.

Mr. Speaker, the letter which I am sending to these community leaders sets forth my position on this question. The text is as follows:

> DEAR FRIEND: When Secretary of Defense Laird announced a temporary halt in construction of a "thin" ABM system, millions of Americans breathed a sigh of relief. The voice of the American people seemingly had been heard—
>
> Protesting the emplacement of nuclear missiles in metropolitan areas;
>
> Protesting against a massive investment in new weapons systems which leading witnesses from the scientific community said would be largely ineffectual;
>
> Protesting against the fueling of a new stage of the world arms race on an unprecedented scale;
>
> Protesting the warped sense of priorities which advocated billions for dubious defense measures at the expense of urgent programs of human betterment at home and abroad.
>
> But the relief may well be only temporary. On February 9, the Secretary of Defense appeared on nationwide television (on "Face the Nation"). In his remarks, he laid such heavy stress on Soviet missile deployment that his own predilections in favor of bigger and better missilery were evident. When his current review of the ABM is concluded next month, it thus seems very likely that he will decide to proceed as originally planned with the Sentinel system.
>
> Where would such a green light for missiles leave us? The Sentinel system, you may recall, is designed to protect the United States against a "primitive" Chinese missile threat at a cost of $5 billion or more. For the price, we will get 15 sites equipped with long-range Spartan missiles, short-range Sprint missiles, or both. These sites will be tied to a complex radar network which will locate incoming missiles and guide the long-range Spartans to intercept the threat well outside the atmosphere. For missiles which get past the Spartans, the short-range Sprints will make a final try at close-in interception.
>
> There are just a few problems with this simple picture. For one, there is little reason to expect the Chinese to build a missile threat tailored precisely to fit our defenses. It would be simpler for them to fire short-range missiles from submarines, carry atomic weapons in with manned aircraft, or sail nuclear bombs into our harbors aboard cargo vessels bearing false registry—all of which would render the Sentinel system irrelevant. For another, the "thin" system would be far from infallible. It could be

overwhelmed by a concentration of attacking missiles or inexpensive decoys against a single sector, for example. Even without such a concentration, the odds are that some missiles would get through even if the Sentinel system functioned perfectly. And based on recent studies of the performance levels achieved by complex defense systems engineered in past years, perfect functioning is very unlikely.

Other problems exist, too. The explosion of a nuclear weapon creates a "shadow" effect which temporaily blacks out radar coverage. Thus the first long-range Spartan missile might successfully destroy the first attacking missile, only to leave our elaborate radar installations blind for several minutes to the next wave of attacks. And penetration aids—well-known, cheap, and easy to develop—can confuse even a working radar into sending missiles after decoys, thus further reducing the probability of a successful defense.

If the system won't really work against the "primitive" Chinese threat, what about the greater and more sophisticated Russian threat? Not here, either—unless we move to a "thick" system, at a cost variously estimated from $50 to $110 billion. Even then, we can assume the Russians would make comparable investments in improving their offensive missiles to penetrate our defenses—and in improving their own defenses—so that we would return in the end to a state of "sufficiency" in which we could assure each other's destruction. This, of course, is where we are today. What, then, is to be gained by spurring the arms race to these new heights, thereby diverting resources from essential domestic needs in both nations? But, Secretary Laird says, the "thin" system will at least be useful as a bargaining counter with the Soviets in the forthcoming talks (which we hope will get underway soon) on limiting offensive and defensive missiles. Why should they? If, as no one denies, the "thin" system is worthless against the sophisticated Russian offensive missiles, why should they lend it any weight in an eventual bargain?

In the meantime, millions of Americans could get used to having megaton nuclear warheads in their communities—and perhaps in their back yards. For the sites thus far investigated or selected are all in close proximity to the large urban centers that lie under their theoretical defensive umbrellas: 11 miles from the center of Boston, for instance, or 25 miles from the Chicago Loop. As military spokesmen have correctly said, there has never been an accidental detonation of a nuclear weapon and such an event is very unlikely. But it is *not* impossible, as they will also admit, and Spartan missiles would carry megaton warheads capable of totally devastating a five-mile radius around their silos. The fallout, of course, would carry much further—all the way to downtown Chicago, for example, if prevailing northwest winds happened to be blowing at their usual brisk pace. Even without an accidental explosion, the sites would certainly make the cities they are supposed to defend look like more appealing targets for an enemy attack.

What about New York? The Defense Department announced in November 1967 three sites which are already under consideration and has said that it may look at several others this spring before reaching a final decision. Central Park is not among the candidates, but the potential locations are not much more distant from midtown Manhattan. Cavens Point and Tenafly, both in New Jersey, are being evaluated, as is Sands Point, New York. Any one of these would bring megaton nuclear warheads within 16 miles of Times Square. Cavens Point, which juts into New York harbor from Jersey City, would reduce the distance to about 6 miles. My own 23rd Congressional District lies only a little more than a mile from the proposed site near Tenafly, on the west bank of the Hudson River north of the George Washington Bridge.

Is the decision irrevocable? Are we committed beyond recall to massive new expenditures on armaments, to a frantic pursuit of national security through ever-greater weaponry? Have we forsaken all chance of seeking world peace through a rule of law, through negotiation, through agreement on arms limitation and other matters of vital mutual interest? Or have we still a chance to change our course, to abandon the ABM and reduce military spending, to re-order our national priorities, and to put our resources to work for human betterment?

I believe that it is *not* too late. The voice of the American people has been heard once, and has temporarily checked the ABM system. That voice must be heard again, louder and clearer, if the halt to deployment is to be made permanent and the pressure for growing arms spending reversed. I urge you to join in this effort.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from Iowa.

Mr. GROSS. If the gentleman wants a quorum call, I shall be glad to make it.

Mr. COHELAN. I think that those who have a contribution to make know the time and place of the meeting and I rather suspect that under the circumstances a quorum call would be inappropriate.

Mr. GROSS. I just wanted to be accommodating.

Mr. COHELAN. I was hoping that my dear friend from Iowa would join in the discussion.

Mr. GROSS. At another time.

Mr. LONG of Maryland. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Speaker, I, too, want to compliment the distinguished gentleman from California for his leadership in developing this discussion. I could say a great deal on this subject, but I really think I shall confine my remarks to just one aspect of the problem.

It does seem to me that it has been pretty well conceded by both the proponents of the program and by the opponents of the program that an ABM system cannot at the present time, or for the foreseeable future, defend the United States against a nuclear attack.

Consequently, it seems to me that the main question concerning whether we ought to move on an ABM system would be, What about the future? Is it possible that we ought to be keeping research interest in this problem that would enable us to move ahead quickly if the time ever came that it was possible to develop an ABM system, and so that the United States would not be helpless if the Russians got it first, and we were not in any position to even get started on it?

So it does seem to me that the real question before us, then, is the state of the art sufficiently advanced to justify putting money into hardware at this stage, and do we have an advantage over putting money into hardware at this stage that we would not have if we allowed this whole thing to go for, say, another 5 years until the state of the art was sufficiently advanced?

I put this question to Secretary of Defense McNamara in the hearings on the 1968 Department of Defense appropriations, and here was his reply:

> My opinion is that we are most likely to advance the state of the art without a production program than we are with one. That may sound paradoxical, but I think it is true for this reason; any one of these programs—posture A let's say at $10 billion, if you would hold it to that, or posture B at $20 billion—is a fantastically large weapons program, larger than any other single weapons program in the history of the world. It would take so much attention from Western Electric and Bell Laboratories and the associated scientists and engineers, that I am sure the research program for advancing the state of the art would suffer.

Now, if this is true, if what Secretary of Defense McNamara was telling us at the time is true, then I believe this is a powerful reason for giving pause at this time for the whole program so that we can wait until we can see the whole picture.

Mr. COHELAN. I am especially grateful to the gentleman from Maryland for this particularly important contribution because, as my colleagues know, Dr. LONG serves as a member of the Subcommittee on Appropriations for Military Construction and probably knows more about this system than most of us do and certainly on the classified side of the material I am sure he is well informed.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from Washington.

Mr. ADAMS. I thank the gentleman for yielding.

I want to carry on with the subject raised by the gentleman from Maryland. There is what might be classed as a technical iron curtain around military programs that prevents congressional debate on these topics. I speak from personal experience on this aspect of the ABM issue, because my interest in the ABM system was first aroused when it was indicated that one of the primary sites would be centered within the metropolitan area of the city of Seattle at a surplus Army fort. There were a variety of reasons why the citizens did not want this fort used for the ABM including their desire that the land be used for other purposes such as recreational or educational use.

During the course of our discussion with the Army a committee of scientists from the University of Washington and from other institutions in the area began to deal with this subject. These are men from the physics department and allied fields. They are not men who were social scientists with no expertise in the technical field or for some reason had a social reason for opposing the ABM. These men have a technical interest. Many of them have worked for the Defense Department, and other Government bodies. They became willing, during the course of the debate on the ABM site to come forward with technical publications and describe in detail how the system would work and what would happen to the city of Seattle, and the Nation if this system were deployed at this time.

I believe the gentleman from California would agree with me that the primary issue today in this Congress is the deployment and site acquisition for this system. And as other of my colleagues have just mentioned, once this system commences then from a technical viewpoint, there will not be forward-looking research and development in the general sense but all energies will be directed toward hardware and then trying to update or change the obsolete hardware.

Mr. COHELAN. If the gentleman will forgive me for interrupting at this point, what there will be, will be a constant get-well program.

Mr. ADAMS. Exactly.

Mr. COHELAN. Those of us who have been involved in this R. & D. know that we are constantly faced with the problem of more and more money for get-well programs.

But it is not my purpose to discuss other missile systems, today.

Mr. ADAMS. We will not go back to the Nike-Zeus today?

Mr. COHELAN. That is right.

Mr. ADAMS. I would like to refer the Members, and particularly the members of the Committee on Appropriations and Committee on Armed Services and those other Members who support this system who have not read some of the recent technical articles on this subject, to some reference materials. First, I placed in the Record on July 11 of last year a report of scientists from our area as regarding the system.

Next the Scientific American magazine of March 1968 set a complete detailed explanation of the proposed Sentinel system which I will later ask to be included with my remarks.

Finally, I want to point out that this information is not classified, it is not overly technical, and every Member is very capable of exercising an informed value judgment as to whether this system should be built.

If you talk about the thin system, for example, it should be known that all the Chinese have to do against the Sentinel, with its Spartan and Sprint missile systems is to send forth one missile and explode it in the atmosphere to create an electronic blackout and then send a second missile right behind the first one and it will go through the system.

Another example is the problem of the Sprint system being built within a city if several of these explode at one time the entire area is subject to fallout.

Another example detailed in the Scientific American magazine article is the effect of the Spartan ABM missile on the incoming offensive missile. The missile is to be killed by the X-rays from the Spartan which melt the missile shield or by neutrons which fuse the inner workings of the missile. What happens then is the movement of the missile is not affected, and continues to come on in.

So the defenders will undoubtedly fire the Sprint missiles to be sure that the missile is dead.

If you fire several Sprints in a metropolitan area and do not have a fallout program, you can inundate the entire area with fallout even if a low yield missile is used.

Therefore, you must lock down the system and make it entirely automatic so the defenders do not panic. If you do that, however, the recent statistics reveal that our electronic program and guidance systems together with the radar computers and other various sophisticated electronic products that are necessary, are not working well. In fact, the recent evaluation shows the effectiveness of these systems has dropped in the past 10 years because of this detailed sophistication to below a 50 percent effectiveness. We have been able to correct some of these by working with them on a day to day basis in actual use until they function, but you will never be able to test this system in that fashion. It will be utilized only when needed. There is no other way to test it.

Mr. COHELAN. This has been discussed at some length but I would like the gentleman to cite the article to which he has referred.

Mr. ADAMS. This is the Scientific American of March 1968, and I would ask unanimous consent, Mr. Speaker, to revise and extend my remarks and to include within my remarks portions of the article in the Scientific American of March 1968.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ADAMS. Mr. Speaker, my deep personal interest in the ABM system started with the proposal that a possible surplus World War I coast artillery fort in Seattle would be used as an ABM site. This area known as Fort Lawton was once declared surplus in 1936, and since then there have been various proposals for the use of this site as a regional park, campus for a local educational institution, or other public use.

Originally, the argument was made that this was the best location that could be used for an ABM site because of certain technical reasons. Fortunately, however, a group of scientists at the University of Washington in the physics department and other related scientific areas indicated to me that this was not the case, and made specific reference to published articles in the aviation press which described the system in detail. These scientists were also willing to take a public position that this site was not only unnecessary but would probably be detrimental to the defense of the metropolitan Seattle area, since this would bring attacking missiles into the area.

I then exchanged a great deal of correspondence with the Department of Defense and received special briefings from those in charge of the Sentinel system to check the information I had received. Since that time I have read many disquieting reports on the effectiveness of the new technical systems utilizing radar-computer technology.

On July 11, 1968, I placed in the Congressional Record the report I had received from the Seattle Association of Scientists of the Federation of American Scientists, dated May 29, 1968, which described in detail many of the technical defects in this system, the cost of the system, and questioned whether this system could even be effective as a thin system against the Chinese.

Today, I will refer to portions of an article in Scientific American for March 1968, and place them in the Record at this point, which describe the system in detail and why it is dangerous to believe that it can even be effective against a possible Chinese attack; and after that I want to discuss with you the general status of the anti-ballistic-missile system:

Anti-Ballistic-Missile Systems

(Note.—The U.S. is now building a "light" ABM system. The authors argue that offensive tactics and cheap penetration aids could nullify the effectiveness of this system and any other visualized so far.)

(By Richard L. Garwin and Hans A. Bethe)

* * * * *

Known as the Sentinel system, it will provide for long-range interception by Spartan antimissile missiles and short-range interception by Sprint antimissile missiles. Both types of missile will be armed with thermonuclear warheads for the purpose of destroying or inactivating the attacker's thermonuclear weapons, which will be borne through the atmosphere and to their targets by reentry vehicles (RV's). The Spartan missiles, whose range is a few hundred kilometers, will be fired when an attacker's reentry vehicles are first detected rising above the horizon by perimeter acquisition radar (PAR).

If the attacker is using his available propulsion to deliver maximum payload, his reentry vehicles will follow a normal minimum-energy trajectory, and they will first be sighted by one of the PAR's when they are about 4,000 kilometers, or about 10 minutes, away [*see illustration on page* 26]. If the attacker chooses to launch his rockets with less than maximum payload, he can put them either in a lofted trajectory or in a depressed one. The lofted trajectory has certain advantages against a terminal defense system. The most extreme example of a depressed trajectory is the path followed by a low-orbit satellite. On such a trajectory a reentry vehicle could remain below an altitude of 160 kilometers and would not be visible to the horizon-search radar until it was some 1,400 kilometers, or about three minutes, away. This is FOBS: the fractional-orbit bombardment system, which allows intercontinental ballistic missiles to deliver perhaps 50 to 75 percent of their normal payload.

In the Sentinel system Spartans will be launched when PAR has sighted an incoming missile; they will be capable of intercepting the missile at a distance of several hundred kilometers. To provide a light shield for the entire U.S. about half a dozen PAR units will be deployed along the northern border of the country to detect missiles approaching from the general direction of the North Pole (illustration not shown). Each PAR will be linked to several "farms" of long-range Spartan missiles, which can be hundreds of kilometers away. Next to each Spartan farm will be a farm of Sprint missiles together with missile-site radar (MSR), whose function is to help guide both the Spartans and the shorter-range Sprints to their targets. The task of the Sprints is to provide terminal protection for the important Spartans and MSR's. The PAR's will also be protected by Sprints and thus will require MSR's nearby.

Whereas the Spartans are expected to intercept an enemy missile well above the upper atmosphere, the Sprints are designed to be effective within the atmosphere, at altitudes below 35 kilometers. The explosion of an ABM missile's thermonuclear warhead will produce a huge flux of X rays, neutrons and other particles, and within the atmosphere a powerful blast wave as well. X rays, particles and blast can incapacitate a reentry vehicle.

* * * * *

One of us (Bethe) will now describe (1) the physical mechanisms by which an ABM missile can destroy or damage an incoming warhead and (2) some of the penetration aids available to an attacker who is determined to have his warheads reach their targets.

Much study has been given to the possibility of using conventional explosives rather than a thermonuclear explosive in the warhead of a defensive missile. The answer is that the "kill" radius of a conventional explosive is much too small to be practical in a likely tactical engagement. We shall consider here only the more important effects of the defensive thermonuclear weapon; the emission of neutrons, the emission of X rays and, when the weapon is exploded in the atmosphere, blast.

Neutrons have the ability to penetrate matter of any kind. Those released by defensive weapons could penetrate the heat shield and outer jacket of an offensive warhead and enter the fissile material itself, causing the atoms to fission and generating large amounts of heat. If sufficient heat is generated, the fissile material will melt and lose its carefully designed shape. Thereafter it can no longer be detonated.

The kill radius for neutrons depends on the design of the offensive weapon and the yield, or energy release, of the defensive weapon. The miss distance, or distance of closest approach between the defensive and the offensive missiles, can be made small enough to achieve a kill by the neutron mechanism. This is particularly true if the defensive missile and radar have high performance and the interception is made no more than a few tens of kilometers from the ABM launch site. The neutron-kill mechanism is therefore practical for the short-range defense of a city or other important target. It is highly desirable that the yield of the defensive warhead be kept low to minimize the effects of blast and heat on the city being defended.

The attacker can, of course, attempt to shield the fissile material in the offensive warhead from neutron damage, but the mass of shielding needed is substantial. Witness the massive shield required to keep neutrons from escaping from nuclear reactors. The size of the reentry vehicle will enable the defense to make a rough estimate of the amount of shielding that can be carried and thus to estimate the intensity of neutrons required to melt the warhead's fissile material.

Let us consider next the effect of X rays. These rays carry off most of the energy emitted by nuclear weapons, especially those in the megaton range. If sufficient X-ray energy falls on a reentry vehicle, it will cause the surface layer of the vehicle's heat shield to evaporate. This in itself may not be too damaging, but the vapor leaves the surface at high velocity in a very brief time and the recoil sets up a powerful shock wave in the heat shield. The shock may destroy the heat shield material or the underlying structure.

X-rays are particularly effective above the upper atmosphere, where they can travel to their target without being absorbed by air molecules. The defense can therefore use megaton weapons without endangering the population below; it is protected by the intervening atmosphere. The kill radius can then be many kilometers. This reduces the accuracy required of the defensive missile and allows successful interception at ranges of hundreds of kilometers from the ABM launch site. Thus X-rays make possible an area defense and provide the key to the Sentinel system.

On the other hand, the reentry vehicle can be hardened against X-ray damage to a considerable extent. And in general the defender will not know if the vehicle has been damaged until it reenters the atmosphere. If it has been severely damaged, it may break up or burn up. If this does not happen, however, the defender is helpless unless he has also constructed an effective terminal, or short-range, defense system.

The third kill mechanism—blast—can operate only in the atmosphere and requires little comment. Ordinarily when an offensive warhead reenters the atmosphere it is decelerated by a force that, at maximum, is on the order of 100*g*. (One *g* is the acceleration due to the earth's gravity.) The increased atmospheric density reached within a shock wave from a nuclear explosion in air can produce a deceleration several times greater. But just as one can shield against neutrons and X-rays one can shield against blast by designing the reentry vehicle to have great structural strength. Moreover, the defense, not knowing the detailed design of the reentry vehicle, has little way of knowing if it has destroyed a given vehicle by blast until the warhead either goes off or fails to do so.

The main difficulty for the defense is the fact that in all probability the offensive reentry vehicle will not arrive as a single object that can be tracked and fired on but will be accompanied by many other objects deliberately placed there by the offense. These objects come under the heading of penetration aids. We shall discuss only a few of the many types of such aids. They include fragments of the booster rockets, decoys, fine metal wires called chaff, electronic countermeasures and blackout mechanisms of several kinds.

The last stage of the booster that has propelled the offensive missile may disintegrate into fragments or it can be fragmented deliberately. Some of the pieces will have a radar cross section comparable to or larger than the cross section of the reentry vehicle itself. The defensive radar therefore has the task of discriminating between a mass of debris and the warhead. Although various means of discrimination are effective to some extent, radar and data processing must be specifically set up for this purpose. In any case the radar must deal with tens of objects for each genuine target, and this imposes considerable complexity on the system.

There is, of course, an easy way to discriminate among such objects: let the whole swarm reenter the atmosphere. The lighter booster fragments will soon be slowed down, whereas the heavier reentry vehicle will continue to fall with essentially undiminished speed. If a swarm of objects is allowed to reenter, however, one must abandon the concept of area defense and construct a terminal defense system. If a nation insists on retaining a pure area defense, it must be prepared to shoot at every threatening object. Not only is this extremely costly but also it can quickly exhaust the supply of antimissile missiles.

Instead of relying on the accidental targets provided by booster fragments, the offense will almost certainly want to employ decoys that closely imitate the radar reflectivity of the reentry vehicle. One cheap and simple decoy is a balloon with the same shape as the reentry vehicle. It can be made of thin plastic covered with metal in the form of foil, strips or wire mesh. A considerable number of such balloons can be carried uninflated by a single offensive missile and released when the missile has risen above the atmosphere.

The chief difficulty with balloons is putting them on a "credible" trajectory, that is, a trajectory aimed at a city or some other plausible target. Nonetheless, if the defending force employs an area defense and really seeks to protect the entire country, it must try to intercept every suspicious object, including balloon decoys. The defense may, however, decide not to shoot at incoming objects that seem to be directed against nonvital targets; thus it may choose to limit possible damage to the country rather than to avoid all damage. The offense could then take the option of directing live warheads against points on the outskirt of cities, where a nuclear explosion would still produce radioactivity and possibly severe fallout over densely populated regions. Worse, the possibility that reentry vehicles can be built to maneuver makes it dangerous to ignore objects even 100 kilometers off target.

Balloon decoys, even more than booster fragments, will be rapidly slowed by the atmosphere and will tend to burn up when they reenter it. Here again a terminal ABM system has a far better chance than an area defense system to discriminate between decoys and warheads. One possibility for an area system is "active" discrimination. If a defensive nuclear missile is exploded somewhere in the cloud of balloon decoys traveling with a reentry vehicle, the balloons will either be destroyed by radiation from the explosion or will be blown far off course. The reentry vehicle presumably will survive. If the remaining set of objects is examined by radar, the reentry vehicle may stand out clearly. It can then be killed by a second interceptor shot. Such a shoot-look-shoot tactic may be effective, but it obviously places severe demands on the ABM missiles and the radar tracking system. Moreover, it can be countered by the use of small, dense decoys within the balloon swarms.

Moreover, it may be possible to develop decoys that are as resistant to X-rays as the reentry vehicle and also are simple and compact. Their radar reflectivity could be made to simulate that of a reentry vehicle over a wide range of frequencies. The decoys could also be made to reenter the atmosphere—at least down to a fairly low altitude—in a way that closely mimicked an actual reentry vehicle. The design of such decoys, however, would require considerable experimentation and development.

Another way to confuse the defensive radar is to scatter the fine metal wires of chaff. If such wires are cut to about half the wavelength of the defensive radar, each wire will act as a reflecting dipole with a radar across section approximately equal to the wavelength squared divided by 2π. The actual length of the wires is not critical; a wire of a given length is also effective against radar of shorter wavelength. Assuming that the radar wavelength is one meter and that one-mil copper wire is cut to half-meter lengths, one can easily calculate that 100 million chaff wires will weigh only 200 kilograms (440 pounds).

The chaff wires could be dispersed over a large volume of space; the chaff could be so dense and provide such large radar reflection that the reentry vehicle could not be seen against the background noise. The defense would then not know where in the large reflecting cloud the reentry vehicle is concealed. The defense would be induced to spend several interceptors to cover the entire cloud, with no certainty, even so, that the hidden reentry vehicle will be killed. How much of the chaff would survive the defensive nuclear explosion is another difficult question. The main problem for the attacker is to develop a way to disperse chaff more or less uniformly.

An active alternative to the use of chaff is to equip some decoys with electronic devices that generate radio noise at frequencies selected to jam the defensive radar. There are many variations on such electronic countermeasures, among them the use of jammers on the reentry vehicles themselves.

The last of the penetration aids that will be mentioned here is the radar blackout caused by the large number of free electrons released by a nuclear explosion. These electrons, except for a few, are removed from atoms or molecules of air, which thereby become ions. There are two main causes for the formation of ions: the fireball of the explosion, which produces ions because of its high temperature, and the radioactive debris of the explosion, which releases beta rays (high-energy electrons) that ionize the air they traverse. The second mechanism is important only at high altitude.

The electrons in an ionized cloud of gas have the property of bending and absorbing electromagnetic waves, particularly those of low frequency. Attenuation can reach such such high values that the defensive radar is prevented from seeing any object behind the ionized cloud (unlike chaff, which confuses the radar only at the chaff range and not beyond).

Blackout is a severe problem for an area defense designed to intercept missiles above the upper atmosphere. The problem is aggravated because area-defense radar is likely to employ low-frequency (long) waves, which are the most suitable for detecting enemy missiles at long range. In some recent popular articles long-wave radar has been hailed as the cure for the problems of the ABM missile. It is not. Even though it increases the capability of the radar in some ways, it makes the system more vulnerable to blackout.

Blackout can be caused in two ways: by the defensive nuclear explosions themselves and by deliberate explosions set off at high altitude by the attacker. Although the former are unavoidable, the defense has the choice of setting them off at altitudes and in locations that will cause the minimum blackout of its radar. The offense can sacrifice a few early missiles to cause blackout at strategic locations. In what follows we shall assume for purposes of discussion that the radar wavelength is one meter. Translation to other wavelengths is not difficult.

As shown by the preceding article, even if the missile were "killed" by X-ray penetration the missile would continue to appear on the radar screens as approaching the target and the defense would not know whether it was "dead" or "alive." The defense would have to be fully automated otherwise the defenders would undoubtedly fire all their short-range missiles at the incoming vehicle.

It is sometimes claimed that an antiballistic-missile system will be good because it is defensive and it is better to place one's resources in a defensive race than in an offensive race. A related argument is to say that it is better to have imperfect defense than to have no defense at all. Both of these statements are not valid because unless the ABM is a perfect shield, which it is not, it is in reality no defense at all. Our present defense against an all-out nuclear attack from the Soviets, which will not be changed by our deployment of any foreseeable ABM system, is our second-strike capability which permits us to absorb a first strike and respond with enough destructive power to destroy the Soviet Union as a civilized country. Under these conditions neither country would be able to win an all-out nuclear exchange which robs any rational motive for such a war. The reaction of the Soviets to our deployment of the present Sentinel system will be exactly as our reaction was to their ABM system. It was not to build another ABM system but to revamp all of our present warheads so as to make them more capable of penetrating any foreseeable future Russian ABM deployment. By this means we will have increased by many times the number of deliverable warheads at our disposal. The end result will be that we will have even greater deliverable destructive power than we had before the deployment of their ABM system. To expect the Russians to respond in any other way to our ABM deployment would be naive and wishful thinking. In fact it is reasonable to say that the large increase in Russian deployment of ICBM's which has occurred in the last year can be directly attributed to their anticipation of our ABM system.

ABM's are therefore not our defense, but our ICBM's which maintain our deterrent capability, are. Because of the action-reaction mechanism—just described—ABM's can strategically be interchanged with ICBM's. If we deploy an ABM system to protect our Minutemen, this is equivalent to increasing the number of deliverable Minutemen that we can return to the attacker. A more direct way to accomplish the same is to simply build more hardened Minutemen missiles. However, the use of ABM's does add a new dangerous dimension to our national security. This danger is the psychological factor that the country or its leaders may feel that they are truly protected. In this case we or the Russians might then feel that the concept of winning an all-out nuclear war makes sense, which could produce such a war. The ABM system can only increase the arms race without changing our defensive posture, and adds the dangerous psychological dimension of giving us a false sense of security.

There might be some who would still want to maintain the fiction that the thin ABM system is to be oriented only against the Chinese and therefore the Russians need not react. Recent pronouncements have made it clear that the system is to be intended against the Russians to be used either as a negotiating point or as a first step to developing technology for an anti-Soviet system. However, there is another important argument against a so-called thin Chinese oriented system. If we start off with a "thin" system, there will come a period when such a system can be penetrated by the Chinese. The point at which this will occur is a matter of debate. Some people feel that this will occur even before the system is built. However, whenever such a point is reached the same reasoning that justified the anti-Chinese system in the first place will require the United States to modify and expand the system so as to keep it in step with the development of the Chinese offensive capabilities.

This means that such a system will inevitably be expanded into a "thick" system. The Army clearly had this in mind in their initial plans for deploying these missile sites near population centers, even though such location is not a requirement for the Sentinel system, but is a requirement for a "thick" system which depends on point defenses of Sprint batteries around each population center in the United States.

Furthermore, for a "thick" system to have any hope of being effective, it must be coupled with a major fallout shelter program. To ignore the need for a major fallout shelter program when proposing a "thick" system is misleading, to say the least, since the effect of exploding short-range Sprint nuclear missiles around a metropolitan area will create a tremendous fallout problem even with low yield missiles. The psychological impact on our society of such a fallout program and its threatening nature to the Soviets has been amply discussed in the past when this idea was resoundingly rejected by the American people.

Now we have also heard that we should begin deployment in order to get arms control talks started. If we want to get the Russians to take their ineffective ABM apart, then we must have an ineffective system of our own to take apart. Frankly, I cannot believe that this argument is more than a last-ditch attempt to justify deployment for its own sake.

Another, even worse excuse is that we must deploy this ineffective system in order to learn how to build a good one. Anyone in technology knows the difference between R. & D. and deployment. We are supposed to accept deployment in the guise of research. But deployment means the end of research. R. & D. has to be done before the system is built. When we deploy, we freeze the design. Deployment of an ineffective system can only slow up our search for effective defense.

I urge my colleagues on the Armed Services Committee, the Appropriations Committee, and Foreign Affairs Committee to hold public hearings on whether to deploy this system now or continue research and development while the President and his Executive departments carry on negotiations with the Russians on the whole subject of the arms race.

Mr. COHELAN. I thank the gentleman.

Mr. KOCH. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from New York.

Mr. KOCH. Mr. Speaker, I thank the gentleman for arranging this debate so as to give us an opportunity to put our remarks in the RECORD.

What we see here today is really a discussion of the classic salami tactics.

We are told that a thin ABM system will cost $5 billion and that a thick ABM system will cost $50 billion. But from past experience with Government figures, we know that the thin system will cost $50 billion and the thick ABM system will cost $500 billion. This is the cost that we should address ourselves to. It is the whole concept of employing this kind of situation at this time when we are on the verge, at least in the other body, of discussing the nuclear nonproliferation treaty.

What we are doing is escalating. I want to tell you this is some race, Mr. Speaker.

I want to refer to what occurred in New York in the late fifties and the early sixties when this question was up to impose upon the State the bomb shelters. That was the answer in the late fifties and early sixties. They were going to spend billions of dollars, and today as we look back on that we see that it is an utter joke. But if we had let them do what they wanted to do, and if we had not stopped it, we would have been stuck with these garages underground, which could not even be used, of course, for cars.

But there is something that I also would like to bring to your attention, and that is the safety of the cities themselves. We have a situation where they tell us that these missiles are safe, that the antiballistic missiles are no danger to the cities in which they are physically located.

We know that that is not the truth. We know that the same experts in the Army, the same experts in the Pentagon told us that there was no danger when they flew with the hydrogen bombs. But ask the people in the tomato fields of Palomares in Spain; ask the people in Greenland; ask them in South Carolina. Those same bombs which accidentally fell there did have radioactive danger, even though we were told they did not.

Our trouble in this situation is that the Sprint, because it is to be available immediately, because as soon as the button, or whatever it is they touch to set it off, has to be immediately available, and so it has to be armed on the site, and it is the electronic and mechanical impulses and provisions that prevent its detonation in the city.

But do you know that five of the six electronic and mechanical devices which were to control those hydrogen bombs that [fell accidentally and] had leakage—they did not go off, but they had leakage at the sites I told you—that five of the six safety factors failed, and that if the sixth one had failed there would have been hydrogen bomb explosions at those very sites, one of which would have been in South Carolina?

It is clear to me that what we are doing is this: We are investing in a system which has no military purpose, with the expenditure of billions of dollars, because that is what the Army wants. It does not make any difference if the system is outmoded the day it is put on the drawing boards. They want to keep it up. And it is our job to stop them.

Mr. COHELAN. I thank the gentleman from New York.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from Wisconsin.

Mr. REUSS. I thank the gentleman.

Mr. Speaker, like the gentleman from California, I have had to get my information on the ABM as best I can, and I do not mean to suggest that the issue of its usefulness is entirely settled in my own mind. I cannot help but observe, however, that first the Pentagon sought to sell us on the basis that it would protect our cities against the Red Chinese. Then that not having exactly been bought, the switch was made to protecting our cities against the Soviet Union. And because of difficulties, not the least of which has been the objection on the part of many city-dwellers, the current attempt from the Pentagon seems to be to base the ABM program on a desire to harden our Minutemen missile sites throughout the country.

Whatever the rights and wrongs, whatever the validity of this proposed ABM as a defense instrument, the great point, it seems to me, and one that has been well made already by the gentleman from California, is that action by one side of the great confrontation inevitably leads to a reaction, and frequently a wild and possibly uncontrollable reaction, from the other side.

There is no doubt that, looking back, we overdeployed our intercontinental ballistic missiles during the alleged missile-gap period of the early and middle 1960's. Now the Soviet Union is reacting and catching up, and by this summer it is said they will be just about caught up.

If we now start deploying the ABM, the next step will be some variant of the MIRV to pierce the ABM. But since there is no way to police the MIRV, although there is a way to police the ABM, we may indeed have let the genie out of the bottle, because both sides could then wildly over-react.

Which brings me to what I think is the essential point of this debate, and that is that the time to start negotiating about missiles with the Soviet Union is now.

Our distinguished former colleague, whom I was delighted to see on the floor of the House just a moment ago, the Secretary of Defense, Mr. Laird, just a few days ago on "Face the Nation" said that before missile talks can start, "There must first be progress not only in Paris, but also in the Middle East."

Now, I hope there is progress in Paris, and I hope there is progress in the Middle East. But the time to begin those negotiations with the Soviet Union does not depend upon what happens in Paris. It does not depend even on what happens in the Middle East. We should start now, before contractors get a vested interest in the deployment of the ABM, by negotiating on missiles with our opponents on the other side.

If we do not deploy the ABM, this will, no doubt, disappoint those units of the industrial complex—Western Electric, General Electric, McDonnell-Douglas, Raytheon, Martin-Marietta, and some others—that have been banking on a multimillion-dollar program.

I would hope that the scientific genius of those great industrial companies could instead be turned loose on the great problems of the American people, the problems of air and water pollution, the problems of new methods of building homes and schools, and working toward some of the great scientific breakthroughs which are so desperately needed.

So my contribution, if I may make one to this afternoon's debate—and I am so grateful to the gentleman from California for initiating it—is that rather than deploy ABM, let us now at once, not waiting for the solution of other problems, start negotiating with the Soviet Union toward a diminution of missile strength on both sides.

Mr. COHELAN. Mr. Speaker, I thank the gentleman from Wisconsin for his contribution.

I would like to comment on that, because the gentleman from Wisconsin has raised a very interesting point about the apparent shift in ground in support of the program. All we know is from what we read in the newspapers, our good friend and former colleague, the Secretary of Defense, has indicated that they may be changing their posture, since there has been so much attack on deploying missile radar sites and perimeter radar sites in and around cities.

There are other major problems I could develop, but I wanted to point out there are relatively a large number of ways of increasing the chances that our missiles will survive attacks without putting up an ABM hardening system around our presently existing so-called hard sites.

Many of us have spent endless hours in committee hearings on hardening up those sites so that they would survive. We have a survivable system now, and it seems to me a kind of last-minute thought in an effort to try to keep the ABM system in being to insist on this shift in ground.

Mr. YATES. Mr. Speaker, will the gentleman yield at that point?

Mr. COHELAN. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, as a matter of fact, in the current appropriation for the Department of Defense there are funds for hardening the sites even further and for protecting them against possible attack.

Mr. COHELAN. But it is not only that. We can increase hardening of our sites by adopting a rail or truck mobile system, or we can increase our submarine launching capability, or we can deploy ABM's. But by no means has the ABM been proven the most effective or least expensive of these options.

Furthermore, the effect of this further hardening is to increase our offensive capability, and this, in turn, adds fuel to the arms race.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. Mr. Speaker, I yield to the gentleman from New York.

Mr. McCARTHY. Mr. Speaker, I thank the gentleman for yielding. I am going to ask permission to revise and extend my remarks, but I inject this at this moment on this action-reaction cycle which the gentleman from California and the gentleman from Illinois have just alluded to.

This could go on forever. I do not see any end in sight unless, as the gentleman from Wisconsin suggested, we take advantage of the willingness now of the Soviet Union to sit down and talk about this. It is the only way to break this action-reaction cycle. We are poised now at a critical point. They have injected new elements into this picture which could involve massive spending by both nations in the seventies without any increase in security.

So, I think the most critical point is that the United States should indicate its willingness to sit down with the Soviet Union and discuss this matter of ABM's and related matters, and hopefully we can achieve an end, or at the very least, a diminution of this escalation. Otherwise, there will simply be no end to it.

Mr. Speaker, I thank the gentleman for yielding.

Mr. COHELAN. Mr. Speaker, I agree with the gentleman from New York. I would just like to make an aside on that, which is incidentally part of my prepared text, but it has been argued by some that we should prepare to deploy the ABM's to strengthen our position in discussions with the Soviets.

In my judgment, this is not valid. Our defense experts, including former distinguished Secretary of Defense Robert McNamara, have advised us the best American response—which is what the gentleman from Connecticut (Mr. GIAIMO) was pointing out—to the deployment of an effective Soviet ABM system is to improve our offensive arsenal to insure a sufficient number of our warheads can be delivered on target to maintain our second strike capability. Then we can offer to trade off Soviet restraint with ABM for similar U.S. restraint in deployment of improved offensive forces.

Mr. TUNNEY. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from California.

Mr. TUNNEY. I thank the gentleman for yielding to me and for having brought this matter before the House, because I feel, as do some of my colleagues, this is one of the most important issues facing the country at this time.

I personally believe that one of the key factors is whether or not the United States can afford the ABM system. I am talking now about dollars and cents; I am not talking about whether we can afford it spiritually in the reaction and counterreaction on the part of the Soviet Union.

We are talking in terms of $60 billion to $100 billion, and about a system which may very well not work. We already have spent, since the end of World War II, about $19 billion on missile systems which were never completed or when developed were found to be obsolete. Six billion dollars of these funds were spent on weapons systems which were designed to protect us from a Soviet missile attack.

So I believe, when we look at the overall problem, looking at the things we need in this country and looking at what we need in the way of a defense structure in other parts of the world, there is a question whether we can afford it.

I should like to quote from Mr. George Rathjens, who recently wrote a report "The Future of the Strategic Arms Race" for the Carnegie Endowment for International Peace, which already has been quoted today. I should like to quote a brief statement:

> Let it be assumed that a given target is defended by 50 interceptors, that the Chinese have 25 ICBM's with a reliability of 80 per cent, and that each interceptor has an 80 per cent chance of destroying an ICBM. According to this scenario, there is no more than about a 50 per cent probability that sentinel would succeed in preventing all 25 ICBM's from hitting their target.

Then he goes on to point out that each time the Chinese increased their complement of ICBM's in an arithmetical proportion we would have to increase our defense structure in a geometric proportion.

So I feel it is impossible for the United States at this time, with the kind of information we have available to us, to go ahead with this program.

Mr. Speaker, T. S. Eliot has said:

> We shall not cease from exploration and the end of all our exploring will be to arrive where we started and know the place for the first time.

It is now apparent that Secretary of Defense Laird has all but decided to resume the deployment of the ABM system despite the fact that strong doubts have been raised as to its utility and its effectiveness. I believe that a more rational approach would be to freeze further deployment of the ABM pending more research and development. Let us explore this vital issue thoroughly so that we may know what we have, where we are, and where we are going to lead the American people.

In September of 1967, Robert McNamara said:

> Every ABM system . . . now feasible involves firing defensive missiles at incoming offensive warheads in an effort to destroy them. What is overlooked is that any such system can rather obviously be defeated by an enemy simply sending more offensive warheads, or dummy warheads, than there are defensive missiles capable of destroying them.

The advocates of the ABM have been unable to agree with certainty as to justification for its immediate deployment. The preliminary justification given was the threat of a Chinese missile threat by the mid 1970's. Later the "future Chinese threat" was abandoned in favor of justifying the "thin" ABM as a base for the future development of a "thick" ABM for use against the Soviet Union. Secretary Laird indicated that he viewed the thin ABM only as a bargaining factor in negotiations with the Soviet Union over the limitation of the nuclear arms race. More recently the Secretary appears to have retreated to the position that the deployment of a thin ABM should continue as protection against a future Chinese missile threat. However, many scientists argue that the thin ABM will be obsolete by the time it is ready to cope with a mid-1970 Chinese missile threat. They argue that the Chinese could quite easily incorporate in their first generation ICBM's the necessary penetration aids to enable them to overcome the thin ABM.

Mr. Speaker, the cost of building a thin ABM will, in all probability, exceed $9.4 billion plus 10 percent or almost $1 billion a year for maintenance. Before we agree to commit such a large sum of money I feel we should, at the very least, have clear and convincing justification.

Furthermore, if the rationale for the thin ABM is that it is a base for the eventual construction of a thick ABM, we are speaking of costs ranging anywhere from $60 to $100 billion plus an annual 10 percent maintenance cost.

A recent report written by a former Bureau of the Budget employee responsible for evaluating weapons systems performances concluded that many performed poorly or were outright failures. The report demonstrated a close correlation between so-called crash programs to develop new weapons systems and subsequent poor performance or cancellation.

The ABM is a relatively new weapons system which has undergone only superficial testing. Yet its immediate deployment is being pushed with the assurance that it will work.

Many scientists have raised doubts as to its reliability. Since the ABM will only be tested once—when it is actually used—I believe that more research and development should be undertaken to resolve serious doubts which question its reliability.

Deployment of the thin ABM near several of our major cities has created a fear of accidental nuclear explosion. Considerable anxiety is being generated among a great many citizens and yet we cannot even be certain that the ABM will protect them. Moving the ABM sites into rural areas is not a solution, since there is a strong possibility of a thick ABM will follow requiring sites adjacent to major cities.

Secretary of State William Rogers has reportedly said that he hoped that the decisions on the deployment of the ABM could be deferred pending negotiations with Moscow on limitation of the nuclear arms race. Thus the division on the issue of immediate deployment of the ABM extends from the scientific community to within the new administration itself.

Mr. Speaker, I would like to conclude by an additional quotation from Mr. George W. Rathjens:

> The issue is whether the possible utility of Sentinel in saving lives in the unlikely event of a Chinese nuclear attack is sufficient to justify the costs, the risks that the United States might act on the basis of misplaced confidence in its effectiveness, and the undesirable impact of the decision on the Soviet-American strategic balance. Any conceivable flexibility Sentinel may give in dealing with Chinese aggressiveness or with the accidental launch of missiles against the U.S. is probably negligible compared to these considerations.

Mr. Rathjens is a professor at the Massachusetts Institute of Technology and his conclusion, backed up by other well-known scientists, is clear evidence of the need to freeze present ABM deployment and proceed with more research and development on weapons systems needs.

Mr. Rathjens continues:

> It must be borne in mind that the offense can choose any target on which to concentrate its attack: the defense must defend all. The range of the Spartan interceptor, which is used with the Sentinel system, implies that not 50 interceptors, but about 500 would have to be deployed throughout the United States if every important target were to be within the effective defensive range of 50 Spartan missiles. Thus, even with a twenty to one superiority in numbers of interceptors over the number of Chinese missiles, the picture is far from comforting.
>
> When one considers that a single one-megaton warhead detonated over one of the larger U.S. cities would produce about one million fatalities, it is clear that those who claim a damage-denial or near damage-denial capability for Sentinel are assuming an extraordinarily high level of effectiveness.
>
> As the Chinese capabilities grow, the defense problem will become even more diffi-

> cult. This is illustrated by an extension of the sample calculation: if the numbers of Chinese ICBM's and United States interceptors are both doubled, the chance of at least one Chinese missile getting to its target rises to over 70 per cent, to over 90 per cent if the numbers of ICBM's and interceptors are both quadrupled, and so on. In the long run then (and it may not be too long a run), defense clearly becomes a losing game even against a relatively weak adversary. The costs of defense required to maintain any given level of protection will rise much more sharply than the costs of improving the offense.

I thank the gentleman from California for giving me this opportunity to make this statement.

Mr. COHELAN. I am very grateful to my distinguished colleague from California for his comment and also for his citations.

I would hope that Members who want to pursue this subject further—and we have only 8 minutes left, by the way, on my special order—would devote their attention to page 4244 of the RECORD for February 24, 1969, wherein I inserted several articles which explore this general subject.

Mr. BURTON of California. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from California (Mr. BURTON).

Mr. BURTON of California. Mr. Speaker, former Vice President, Hubert H. Humphrey wrote in January of this year:

> The fundamentals of the missile controversy are not beyond the comprehension of the American people, and certainly no decision of the magnitude of ABM should be taken on their behalf without greater evidence of their informed consent than can be said to exist presently.

I share this view and commend my distinguished colleagues for scheduling the special order so that some of the many facets of this question can be further viewed by the American people.

They have a right to know what they are buying and we have an obligation to engage in this dialog so that they can know.

We are asked to support a limited ABM system at an estimated cost of $5 billion. Why? To deter a potential threat from the Soviet? No. Former Secretary of Defense Robert McNamara tells us it will not serve this purpose. Besides, he says, in effect, the offensive deterrent we already possess is sufficient to accomplish that goal.

This, we are told, is to be a limited ABM—aimed at the "Chinese" threat. In my view, there is a sufficient contradiction here, alone, to cast doubt on the proposal. For if, in the Secretary's view, sufficient offensive deterrent exists in relation to the Soviet, then why is it not also sufficient to deter a threat from any other and, in this case, admittedly lesser source?

I should like to make it clear at this point that I am not advocating the concept of offensive deterrence but pointing up at least one substantial contradiction which is the start of a strong thread of doubt concerning the whole argument in favor of deployment of an ABM system.

If the concern is miscalculation by China of our position and our potential, that concern finds remedy not in escalation of the arms race but in escalation of the peace race—in meaningful attempts to establish contact so that miscalculation will not occur out of ignorance, or be the result of fear that is natural to those too long cut off from participation in the vital dialog within the community of nations.

The thread of doubt about the wisdom of ABM continues to grow as one contemplates the needs of the people in our cities, the hunger of the rural poor, the medical needs of the aged and disabled, the need for improved education of our youth and so many other domestic needs. These needs could be met with this $5 billion, or whatever the larger figure which would inevitably result. It is not the cost alone of ABM which gives one pause, but the growing knowledge that it is a useless cost which will spiral as demands for more complex systems reflect the escalation of the arms race which this initial deployment would cause.

If history were to teach us anything, we should be able to grasp the almost physical principle that in the affairs of nations "for every action there is an equal reaction." ABM will call for more sophisticated weapons systems of any potential adversary. More sophisticated weapons systems by them call for greater deterrence in some form by us—Where, I ask, does it end?

This is the purpose of the dialog in which we now engage. We pause to contemplate the next step and the consequences that will follow.

It can be argued that ABM is useless before it is built.

Serious question can be raised about the wisdom, even the morality, of so great an expenditure at this time for so questionable a goal.

It can be argued that such a system is not necessary even if you were to grant a certain validity to arguments concerning a Chinese threat.

The overriding factor in my opposition to the deployment of the ABM is that this act thrusts us into a new spiral in the arms race from which we have toiled so desperately to escape.

Negotiations on arms reductions seem to be within our grasp.

We have pending before the Senate a nuclear nonproliferation treaty which demands action.

These and other steps have been taken in the last decade in the long road toward peace and toward the rule of reason and not of arms in the affairs of nations and of men.

To be deterred from this course by so questionable a goal, so doubt ridden a project as ABM is folly and history would record it so.

For, in the closing words of Robert McNamara's speech to the United Press International Editors and Publishers in San Francisco, in September, 1967:

> In the end, the root of man's security does not lie in his weaponry.
>
> In the end, the root of man's security lies in his mind.
>
> What the world requires in its 22nd Year of the Atomic Age is not a new race towards armament.
>
> What the world requires in its 22nd Year of the Atomic Age is a new race towards reasonableness.
>
> We had better all run that race.
>
> Not merely we, the administrators, but, we, the people.

These, then, are the considerations which determine my opposition to the ABM system.

It is our responsibility, in the words of the prophet Isaiah, to:

> Undo the heavy burdens and to let the oppressed go free.

We have the opportunity to loose ourselves from the heavy burdens of a spiraling arms race and to free our people from the oppression of hunger, want, and suffering which still stalk major segments of our people in this bountiful land.

It is a responsibility which I do not take lightly nor was the course which I advocate arrived at hastily. It is a course of opposition to the ABM demanded, in my view, by reason, by humanity, by deep concern for the future of this Nation, its people, its leadership within the community of nations, and its place in history.

Mr. MIKVA. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from Illinois.

Mr. MIKVA. Mr. Speaker, it is my privilege to join my distinguished colleagues, including my colleague and friend from California (Mr. COHELAN) and from Illinois (Mr. YATES) in discussion of an issue which may have more impact on shaping the future of our country than any other issue to come before this Congress. While the cost of development and deployment of the Sentinel anti-ballistic-missile system may or may not break us, the way in which we resolve this question will be the clue as to how we will resolve all of our priority problems. It seems to me that it will also determine in large part whether Congress has any real role in this question of defense spending and priorities of whether the military both proposes and disposes and Congress merely rubberstamps.

There are, Mr. Speaker, as my distinguished colleagues have pointed out and will further document innumerable reasons for us—the elected Representatives of the people—to question the soundness, the necessity, and the effectiveness of the Pentagon's proposed Sentinel ABM system. As the growing flood of constituent mail amply proves, the citizens of this Nation are concerned, not to say deeply distressed, by the danger to the safety of their families and communities which is posed by present plans for deployment of the Sentinel system.

In addition to the safety problems which the proposed Sentinel system presents, there are serious questions of the efficacy of the proposed system, its tremendous cost, its destabilizing effects on international relations and our present disarmament negotiation efforts, and so on almost ad infinitum. Many of these reasons for opposing the present deployment of Sentinel have received widespread public attention, and are the source not only of public concern but in some cases of excruciating public apprehension. Today, however, I would like to concentrate on some of the arguments against Sentinel which have not been so well covered or so thoroughly discussed. I do this not to detract one whit from the importance of concerns which have been expressed about Sentinel's safety, but to emphasize that in addition to these immediate and pressing considerations there are more fundamental criticisms of Sentinel—criticisms which go to the very heart of the program—which cast doubt upon the program's whole conception. I raise these fundamental objections, Mr. Speaker, to underline the fact that even if the Pentagon should be convinced by public outcry to abandon the present deployment scheme—an occurrence rare enough in itself to be worthy of some note—and even if it should decide on "hard site" deployment as some sources now indicate it will, this new deployment arrangement will not overcome the basic, far-reaching inadequacies in the present Sentinel program. What I am saying is that this proposed Sentinel system scares our own citizenry a lot more than it scares any potential enemy.

In order for any discussion of the pros and cons of the Sentinel ABM system to have the proper bite, it must be remembered that these missiles are untested—and untestable. In other words, the only thing we know for sure about this system is that we do not know anything for sure about the system. The computer component of this system is heralded by friend and foe alike to be a great computer. However, as we are reminded over and over again, a computer is only as good as its imput. Computer science has not reached the point where we can "imput" a program to cover all of the unknown variations on an offensive theme—whether that theme speaks Chinese or Russian. To say it another way, if the Chinese or whoever else we are defensing against would let us see their missile system, there is little doubt that the computer could work out a defense. Until someone can make sure that we see their offense, there is great doubt that the Sentinel can program a defense.

A callous story that came out of the war between China and Japan in the 1930's had to do with casualty figures and the population of the two countries. A mythical Chinese communique reported that in a particular battle the Japanese had suffered 5,000 casualties and the Chinese 10,000 casualties. The Chinese communiqué concluded that if that rate were to continue pretty soon the Chinese would win the war. A twist of that story is relevant to the dollar expenditure here. Distinguished scientific sources advise us that at the very least the Sentinel ABM system means $5 of defense expenditure for us for every dollar of offense by the other side. I ask you to think for a moment as czar of all the Russian offenses or war lord of all the Chinese offenses. Does not the Sentinel ABM system tickle your fiscal funny bone?

Consider the conclusions of Prof. George W. Rathjens as he talked about the Sentinel and its mathematical probabilities. I quote from his treatise "The Future of the Strategic Arms Race" published by the Carnegie Endowment for International Peace, as follows:

> Third, there is the fact, mentioned earlier, that damage denial is a much more demanding task than simply reducing damage by small amounts. The extreme difficulties involved can be illustrated by a simple calculation. Let it be assumed that a given target is defended by 50 interceptors, that the Chinese have 25 ICBM's with a reliability of 80 per cent, and that each interceptor has an 80 per cent chance of destroying an ICBM. According to this scenario, there is no more than about a 50 per cent probability that Sentinel would succeed in preventing all 25 ICBM's from hitting their target. It must be borne in mind that the offense can choose any target on which to concentrate its attack; the defense must defend all. The range of the Spartan interceptor, which is used with the Sentinel system, implies that not 50 interceptors, but about 500 would have to be deployed throughout the United States if every important target were to be within the effective defensive range of 50 Spartan missiles. Thus, even with a twenty to one superiority in numbers of interceptors over the number of Chinese missiles, the picture is far from comforting.
>
> When one considers that a single one-megaton warhead detonated over one of the larger U.S. cities would produce about one million fatalities, it is clear that those who claim a damage-denial or near damage-denial capability for Sentinel are assuming an extraordinarily high level of effectiveness.
>
> As Chinese capabilities grow, the defense problem will become even more difficult. This is illustrated by an extension of the sample calculation: if the numbers of Chinese ICBM's and the United States interceptors are both doubled, the chance of at least one Chinese missile getting to its target rises to over 70 per cent, to over 90 per cent if the numbers of ICBM's and interceptors are both quadrupled, and so on. In the long run then (and it may not be too long a run) defense clearly becomes a losing game even against a relatively weak adversary. The costs of defense required to maintain any given level of protection will rise much more sharply than the cost of improving the offense.

In other words, we are talking about an untested 5-to-1 plan that claims to be 50 percent effective. That sounds like the prognosticator who stated that he was 95 percent right—12 percent of the time.

And when the fiscal funny bone stops aching, it is perfectly obvious that our adversary will in fact spend the $1 to force us to spend $5 or more. And such an escalation makes any "thin" ABM system automatically a "thick" ABM system. Mr. Speaker, a thin ABM system is like a malignant cancer. It will feed off itself until it devours the whole budget and our whole wherewithal—unless this Congress has the courage to ask "why"? If we ask "why" and refuse to authorize a go-ahead until we receive candid answers, then maybe we can avoid this budget buster that probably will not work.

The gentleman from Hawaii mentioned the maginot line.

Some months ago a little squib appeared in the newspaper advising that the French were selling off the maginot line at less than salvage value prices. The maginot line was the Sentinel system of the last generation. It defended against nothing except unemployment in the bunker building business—and nearly bankrupted France on the way. At the projected prices for the Sentinel system, we may not be as lucky as France.

Mr. COHELAN. I thank the gentleman from Illinois.

Mr. LOWENSTEIN. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from New York (Mr. LOWENSTEIN).

Mr. LOWENSTEIN. Mr. Speaker, I appreciate the courtesy of the gentleman from California.

I wish this could be a debate today. What a pity that the people who favor this program are not here to explain it, perhaps even to defend it against some of the charges that have been made against it. But at least to explain it, because there are many of us who have questions, and the absence of anyone to answer those questions cannot but add to the grave doubts that have developed among concerned Americans about the desirability of the program.

But instead of clarification and debate, we must today settle for another airing of unanswered questions, questions we begin to suspect may, in fact, be unanswerable. Questions which seem rather basic if we are to decide rationally on the merits of this proposal. What, for instance, is it hoped that an ABM system would achieve?

At first we were told we needed a "thin" system, to protect America against China. This theory appears to postulate the ascendancy to power in China of a mad dictator. Such a dictator would have to be intent on destroying his country, since an attack on the United States would presumably subject China to massive retaliation. But for the ABM system to have any relevance to the behavior of a mad Chinese dictator we would have to come into power as late as 1974, which is when China will first have the capacity to launch a missile attack, and not later than 1976, by which time she will have the capacity to penetrate the thin system.

Even some proponents of the ABM seem to feel that a possible defense against a hypothetical mad Chinese dictator inconveniently in power during a few months in the mid-1970's may not be a fully persuasive reason to spend enormous sums of money, especially since our best military experts have assured us that our antimissile deterrent is more than adequate anyway.

So now, Mr. Speaker, we hear increasingly that perhaps the ABM is needed to defend us against possible Russian attack. But this line of reasoning raises other serious questions.

Secretary McNamara himself seems unsold on this kind of reasoning. He has explained that the thin system would not be very helpful in the event of a Soviet attack; but his further comments seem more significant in this discussion:

> The danger in deploying this relatively light and reliable Chinese-oriented ABM system is going to be that pressures will develop

> to expand it into a heavy Soviet-oriented ABM system. * * * The so-called heavy ABM shield—at the present state of technology—would in effect be no adequate shield at all against a Soviet attack, but rather a strong inducement for the Soviets to vastly increase their own offensive forces. That, as I have pointed out, would make it necessary for us to respond in turn—and so the arms race would rush hopelessly on to no sensible purpose on either side.

So one is really tempted to echo the comment of the distinguished Senator from South Dakota, Senator McGOVERN:

> I believe the proponents of this system owe us a clear statement of why they want this system built and against what it is to protect us.

It is, of course, a bit odd at this late date to be obliged to raise so basic a question, but the suspicion hovers that we may, in Dick Barnett's phrase, be faced with the specter of a massive weapons system in search of a rationale. Mr. Speaker, this Nation wants to be secure, needs to be secure, has the right to be secure.

But great foolishness can be committed in the name of noble purpose, in the pursuit of important goals. To chart "security" is not to achieve it, and the only thing one can be sure of buying if one spends vast new sums of money are vast new tax burdens and a greater national debt.

Such tax burdens and debts do not seem to me a contribution to national security. So, I think we ought to be very sure that new weapons systems entailing vast new expenditures will, in fact, make us more and not less secure, before we embark upon them.

Nor does the unearthing of the military's reasons for wishing to retain our bases in Spain seem particularly reassuring.

It appears, Mr. Speaker, that we are urged to spend large additional sums of money to help protect General Franco from a potential invasion by hoardes of Algerians, and from an equally imminent people's revolution to be launched apparently from the Spanish Sahara, the Spanish colony in Africa called Rio Muni.

Perhaps the value of this kind of reasoning is that it makes the mad Chinese dictator setting out to destroy as much of China as quickly as he can seem relatively plausible.

I thank the distinguished gentleman from California for helping to turn the spotlight on this whole problem—perhaps as grave a problem as we shall face this session.

Mr. DENNIS. Mr. Speaker, will the gentleman yield for one question?

Mr. COHELAN. I will be glad to yield to the gentleman. I have 2 minutes left, but we will get some more time.

Mr. DENNIS. It will take me less time than that.

I am in no position as a private citizen here without any access to technical information to give the other side of this debate which has been called for here today by several of the speakers. But it does occur to me that this complicated matter cannot possibly be this one-sided.

As I have sat here and listened to the discussion, one question has occurred to me and that is this: Let us suppose that we do nothing to get and develop or deploy this defense system at this time and that we put all of the money and energy and attention which might otherwise have gone into it into various other good works and then the Chinese Communists do fire off an intercontinental ballistic missile within the next 2 or 3 years? After we have pursued that course, what will the gentleman say then, or will the RECORD of today's proceedings look as good to the gentleman then as they do now? In other words, would the gentleman wish to stand by it and have it read then as eagerly as he is doing now?

Mr. COHELAN. Mr. Speaker, just one comment: I am delighted that the gentleman had the feeling to get up on his feet and to raise this very important question. I only wish there were others there on your side of the aisle and on our side of the aisle as well who would have raised such a question, because in our more complete paper we discuss this in great detail under the category that the ABM system is not necessary for the defense against China. And I am not going to take the time now other than to refer the gentleman to the defense posture hearings which were held last year and the data he wanted that appears on page 9033 where there appears an extensive discussion of the matter.

Mr. Speaker, I want to assure my colleague of his every right to be skeptical about not having these devices. Many of us here have spent a great deal of time and much work on these problems, especially some of us who work on certain special committees have certain advantages, and this is why this makes the problem so tough. This is why we are ventilating the subject as we are today. But, believe me, in this time we have pointed out the arguments. I think the logic of the argument is on our side of the question. Let us be very frank. We started out with an anti-Chinese rationale—and the record is replete with excuses for the defense against China with the thin system. But when one listens to Senator RUSSELL and when one reads the hearings over in the other body, it is very clear that this support for ABM is based upon a Russian-oriented system. And if one reads former Secretary of Defense McNamara's speech of September of last year, one will find that throughout the entire speech he said to orient this system against the Soviets would be utter folly.

Mr. Speaker, I should like to conclude with some detailed remarks and a quote from the former Secretary of Defense Mr. McNamara's speech of September 1967 announcing the ABM deployment because I think these remarks are really what we are talking about in making this decision—in addition to the technical problems that are involved. It is essentially a question of moral philosophy. I think that the distinguished Secretary gave us some good thoughts on this subject and I shall quote him in due course.

Mr. Speaker, nearly a year ago, after an extensive study, I concluded that the United States should not deploy an antiballistic-missile system.

After considering all the arguments advanced by the Department of Defense, I was not convinced of the wisdom of deploying a light Chinese-oriented ABM.

I concluded that the ABM probably would not work, that it would be enormously expensive, that it would threaten to escalate the arms race, that it was not necessary to our defense against China.

I have not in the ensuing months had any reason to alter my conclusions. Today I would like to again review with you the reasons for my opposition to the light ABM system.

First. ABM deployment threatens to escalate the arms race, and it is not necessary to a strong bargaining position with the Soviets.

The mechanics of action and reaction in the nuclear arms race are clear. Each side defends itself from nuclear attack by maintaining forces which are numerous enough, and invulnerable enough, to survive a surprise nuclear attack, and still literally destroy the attacking country.

Since the United States and the Soviet Union each know that the other is strong enough to absorb a surprise attack and still destroy the attacker, both countries know that nuclear war means the certain destruction of both countries. In sum, both countries know beyond any doubt that it is suicidal to launch a nuclear attack against the other.

On the basis of this deterrent, the world has existed for 23 years with nuclear weapons but without nuclear war.

If either side increases its offensive or defensive capabilities to the point where the other side feels that its deterrent—its ability to assure beyond doubt that any attacking country will be destroyed—is threatened, that country will have to respond by increasing its offensive or defensive capabilities. Since both sides will have to plan for the worst plausible case, and since leadtimes will require relatively uninformed estimates of the intentions of the other side, both sides are likely to build more weapons than they need to maintain their assured destruction capability. In fact, both countries have done so in the past. Under these circumstances, in case of a nuclear attack, the damage on both sides is likely to be greater, and numbers of lives lost larger, than if neither side had proceeded to deploy new weapons.

We had, until recently, arrived at a plateau in nuclear armaments, with both sides relatively secure in the credibility of their deterrent. Now, however, technological advances like ABM and MIRV threaten to coax us off the plateau and into the whirlwind of a resumed nuclear arms race.

Unfortunately, it seems likely that it will be even more difficult to halt the arms race once these new systems are deployed.

Let me take just a minute to explain.

Since each country's defense depends on the certainty with which it can destroy the other, deployment of a nationwide missile will reduce the certainty of destruction and will therefore require deployment of weapons systems to overcome the additional defense. But the effectiveness of the other side's ABM defense cannot be known with a high degree of certainty. Thus, much greater amounts of offensive force than are really necessary will be deployed. The other side will feel more threatened by the increased offense, and will have to respond by deploying more or better offensive or defensive systems. This in turn will affect the other side, and so on in a never ending spiral.

The fact that the leaders of the Soviet Union have expressed an urgent interest in discussions to limit offensive and defensive missile deployments is a clear indication that the Soviets, too, understand the logic of the arms race—understand that both sides will be induced to spend billions and yet still not add to their security.

It has been argued by some that we should proceed to deploy the ABM to strengthen our bargaining position in these discussions with the Soviets. In my judgment this contention is not valid.

Our defense experts, including former Secretary McNamara, have advised us that the best American response to the deployment of an effective Soviet ABM is to improve our offensive arsenal to assure that sufficient numbers of our warheads can be delivered on target to maintain our second strike capability. Thus the trade off for Soviet restraint in ABM deployment is a similar restraint by the United States in the deployment of improved offensive forces.

Moreover, if the ABM does not work, or is viewed as unlikely to work by the Soviets, our forbearance from deploying an ineffective system is not likely to do much to strengthen our case in negotiations. As I will point out shortly, there is good reason for the Soviets to question the effectiveness of our system.

It should also be remembered that there is enormous waste of resources entailed in building an ABM system, only to negotiate an agreement to pull it out.

One further note of caution is in order. It may be that no formal agreement on missile deployment restraint will be possible. Yet it may be that a mutual unwritten detente could be achieved. Thus, if we do deploy the ABM we will have placed our entire reliance on obtaining a formal agreement of limitation and we will have foreclosed the possibility of mutual unilateral restraint.

Second. The ABM is not necessary to our defense against China.

In his original announcement of September 18, 1967, Secretary McNamara described the Sentinel ABM as a light, Chinese-oriented ballistic missile defense. Thus the question arises whether the ABM is necessary to our defense against China.

First, it should be remembered that the same awesome offensive force which provides our deterrent against Soviet attack is available against China. Moreover, because of the vulnerability of Chinese air defense, it may be that even our Air Force alone possesses the capability to destroy China should she attack us. Thus it is absolutely clear to the Chinese that if they attack us, their country will without any doubt be destroyed.

In addition, our experience to date has shown the Chinese to be quite reserved in their actions, despite their extravagant rhetoric. This reserve is an indication of a strong appreciation of the realities of our military force.

It has been argued however that the Chinese might irrationally decide to ignore our deterrent and attack anyway. If this is the case and the Chinese are irrational and undeterrable, then there seems to be no reason why they should not attack with biological or chemical weapons, or high fallout nuclear warheads, or missiles in orbit, or fractional orbit, or from submarines—all of which are methods of delivery against which the Sentinel ABM is no defense.

I think it should also be pointed out that even if the Sentinel would work to protect against a Chinese attack, it seems unlikely that we could be so certain that it would work completely that a President of the United States could afford to risk millions of lives and ignore the threat by the Chinese that they would launch their missiles. Thus even the limited Chinese ICBM force, would deter the United States, even if we had an ABM.

To this is added the fact that the defense advisers of the United States have expressed a willingness to forgo the deployment of the Sentinel Chinese-oriented ABM if the Soviet Union would agree to forgo further deployment of their ABM and other offensive systems. This would seem a tacit admission that there is little need for a Chinese-oriented ABM.

Third. The ABM probably will not work.

It is of course difficult for laymen to pass judgment on the effectiveness of the advanced scientific technology involved in ABM systems. However, several highly distinguished and well informed scientists, some even former presidential science advisers, have expressed the view that for a broad range of reasons, the ABM is unlikely to work with the high degree of effectiveness required. I would like to explore these technical objections in a little more detail.

In evaluating the performance of an ABM system in defending against nuclear attack one must realize that the defense must be extremely effective. If even one warhead gets through, it could take the lives of millions of people. The most effective air defenses ever built are probably only about 10 percent effective, and they certainly are not more than 50 percent effective. Yet an antimissile defense must be nearly 100 percent effective if it is to defend the lives of the people it is to protect. It is difficult to imagine that any defense with the present technology could be designed with this high degree of effectiveness.

Moreover, design and construction of the ABM system will be the most complicated engineering task ever undertaken by man. Almost all complicated defense systems have not worked perfectly at the outset. Yet the ABM will have to work perfectly the very first time it is called on to act under a nuclear attack. A further complication is added by the fact that the system cannot effectively be tested as a whole except under the conditions of an actual nuclear attack and then it is too late to make corrections.

Added to these complications are the possibilities that water cooled computers will fail under the stress of attack, or that thermonuclear detonations will cause the intricate and essential electronic systems to black out, or that human links will fail under the pressures of an attack.

Further still the arguments of Dr. Hans Bethe and Dr. Richard Garwin have not to my knowledge ever been satisfactorily refuted. Bethe and Garwin contend that simple targeting strategies can exhaust ABM batteries and, therefore, defeat the system, and that relatively cheap and easy-to-build devices can destroy the effectiveness of our ABM radars and computers. These devices might include clouds of metal chaff, metallic coated balloons, electronic counter measures, nuclear explosions, multiple warheads, and nose cone hardening against X-rays.

Added to these technical obstacles is the further problem that the ABM now proposed is designed to protect only against a modest attack coming from the north by relatively unsophisticated intercontinental missiles. Thus the system would not be effective against orbiting warheads or fractionally orbiting warheads coming from directions other than the north. It would not protect against submarine launched missiles. And of course it would not provide any defense against air attack, biological or chemical weapons, high fallout nuclear warheads or any other means of unconventional attack to which an irrational power might resort.

In addition to these technical arguments, two more, which are generally overlooked in the discussion bear on the question.

One of the uncertainties about ABM defenses is their ability to function effectively after nuclear explosions have caused large electrical disturbances. Some people believe it will not be possible to adequately determine ABM effectiveness under these conditions without actual tests in the atmosphere. Accordingly some people have predicted that strong pressures will mount to resume atmosphere testing in order to refine the reliability of our ABM system against a more sophisticated attack than that with which it is now designed to deal.

Atmospheric testing is of course banned by the Atmospheric Nuclear Test Ban Treaty. Detonations in the atmosphere in the past, as well as those continuing tests by the French and the Chinese have had, and are having, more serious consequences than many of us realize. The entire biology of plant and animal environments has been affected by the ingestion and spread of radioactive materials like Strontium 90. The effects on gene pools and future generations are still not clear. But what is clear is that there is a significant price to pay for tampering with nature through nuclear explosions. I think little more need be said to caution against the resumption of atmospheric testing.

A second little-discussed item is the

potential need for a massive fallout shelter program. Since it is possible to attack a city's population by exploding a bomb causing large amounts of fallout, away from the city, and then allowing the radioactive and deadly fallout to waft over the city, no terminal ABM defense can be expected to provide adequate population defense without an adequate fallout shelter program.

It is true that an area defense which destroys incoming warheads outside of the atmosphere does not require a system of fallout shelters. However, even the Sentinel system contemplates some penetration of the area defense, and, therefore, it provides a terminal defense in the atmosphere for destroying incoming missiles which get that far. Even the Sentinel cannot provide highly effective population protection against an attacker capable of penetrating the area defense, even if each city had a terminal defense, unless there are also adequate fallout shelters.

Thus, I remind my colleagues that ABM defense may still require extensive fallout protection. And I remind you, too, of the rigors of a "hardened society," living with backyard shelters, mountains of supplies, regular drills in getting underground, and all of the other costs of such a massive shelter program. These costs were largely determinative in our decision not to deploy the Nike-Zeus ABM in the early 1960's.

In sum, there are a large number of technical considerations raised by responsible, experienced scientists which indicate that the ABM is likely not to work effectively. On this present record, I can only conclude that there is a good chance the system will not work. And so in deciding on deployment, I think we must keep in mind that we may be spending billions, and risking a massive escalation in the arms race, all for a system which may not work.

Fourth. ABM will cost enormous sums that could be better spent at home.

There has been a good deal of discussion of the costs of ABM deployment. Figures of from $3.5 billion to $100 billion have been discussed. As I understand it the latest official Defense Department estimate is that the Sentinel will cost $5.8 billion to deploy.

However, I think it is only fair to call the attention of my colleagues to the misleading nature of this figure. First, this figure does not include any of the research and development costs which predated the decision to proceed with Sentinel deployment. Nor does this figure include the sums for research and development of a more advanced ABM system. This figure does not include either the very large sums expended over the last several years to increase the capacity of Atomic Energy Commission facilities to produce the large numbers of warheads necessary to deploy the Sentinel ABM and the Poseidon multiple warhead missile.

In addition it is estimated that the ABM system will cost from $500 million to $1 billion annually just to operate and maintain. For the 5 years of the anticipated life of the Sentinel this adds $2.5 to $5 billion to the $5.8 billion estimate.

Then, of course, there are the statements by the proponents of the Sentinel noting that in order to meet the anticipated technological advances, it will be necessary to expand and modify the system deployed for $5.8 billion. The costs of this expansion and modification have, to my knowledge never been officially disclosed. But from statements made by defense officials it is reasonable to assume that these get well costs will be of the same magnitude as the original capital outlay, or about another $5 billion dollars. Thus the present indication is that by the end of the mid 1970's the United States will have put $15 to $20 billion into Chinese-oriented ABM deployment and operation exclusive of prior research and tooling up costs. In case anyone needs reminding, these are enormous sums, in fact they amount to 22 to 30 percent of the personal taxes paid by individuals last year.

And these sums would be spent in addition to the maintenance of an awesome deterrent in air, naval, land, and missile armaments which we now possess against the Chinese. This is indeed a high price to pay for redundancy, and a system which has a significant probability of not working well.

Of course, too, there are large, pressing needs for these funds and the talented scientists and engineers they employ in solving increasing problems of urbanization, racial tension, crime and the like which are now perplexing us.

The costs of deployment are not in money alone. They exist in the number of scientists and engineers whose time and talent will be devoted to deployment and not to further research in ABM or other defense, or even social development technology.

Then too we pay the price of continued feeding of the military-industrial bent of our society. It would seem desirable to strive to reorient these powerful and potentially extremely constructive and dynamic forces.

Thus, I can only conclude that we would be spending extraordinarily large sums to augment our defense against the Chinese, and that we would not significantly be increasing our security, and we would reduce the resources available to meet the problems of our people and our cities in a time of crisis.

Defense expenditures can no longer be treated as sacred cows. In addition to ABM there are a dozen other major programs deserving of close scrutiny and reduction. Some extremely knowledgeable men have suggested that as much as $9 billion could be pared from the defense budget with no loss of security.

Now would not seem too soon to begin this scrutiny and reallocation of resources.

Now, Mr. Speaker, these arguments are all ones that have been made before, by myself and others. But even these considerations are not the only ones which compel me to the conclusion that we had best not deploy the ABM system.

What are the implications of deploying in our cities dozens of nuclear warheads, each 50 to 100 times more destructive than those which destroyed Hiroshima? While the chances of accidental detonation are small, are they small enough to take the risk and to add to the anxiety of those who live nearby?

What are the implications of ABM deployment on the provisions of the Nuclear Nonproliferation Treaty which obligate us to negotiate arms limitations in "good faith?"

What are the chances that once we deploy a limited ABM we will not be impelled by the "mad momentum" of the arms race to deploy an even larger, more expensive but ineffective ABM?

What are the implications of adopting a strategic posture which attempts to maximize our position after a nuclear attack, rather than devoting all our resources to deterring attack in the first place?

All of these and many more are serious, indeed profound, questions which must be resolved to decide on ABM deployment. In my view they counsel that we decide against ABM deployment.

In concluding, let me read to you the last few somber paragraphs of Secretary McNamara's speech announcing the ABM decision:

> The road leading from the stone axe to the ICBM—though it may have been more than a million years in the building—seems to have run in a single direction.
>
> If one is inclined to be cynical, one might conclude that man's history seems to be characterized not so much by consistent periods of peace, occasionally punctuated by warfare; but rather by persistent outbreaks of warfare, wearily put aside from time to time by periods of exhaustion and recovery—that parade under the name of peace.
>
> I do not view man's history with that degree of cynicism, but I do believe that man's wisdom in avoiding war is often surpassed by his folly in promoting it.
>
> However foolish unlimited war may have been in the past, it is now no longer merely foolish, but suicidal as well.
>
> It is said that nothing can prevent a man from suicide, if he is sufficiently determined to commit it.
>
> The question is what is our determination in an era when unlimited war will mean the death of hundreds of millions—and the possible genetic impairment of a million generations to follow?
>
> Man is clearly a compound of folly and wisdom—and history is clearly a consequence of the admixture of those two contradictory traits.
>
> History has placed our particular lives in an era when the consequences of human folly are waxing more and more catastrophic in the matters of war and peace.
>
> In the end, the root of man's security does not lie in his weaponry.
>
> In the end, the root of man's security lies in his mind.
>
> What the world requires in its 22nd Year of the Atomic Age is not a new race towards armament.
>
> What the world requires in its 22nd Year of the Atomic Age is a new race towards reasonableness.
>
> We had better all run that race.
>
> Not merely we the administrators. But we the people.

Mr. Speaker, at this point, I would like to insert in the RECORD, under the permission previously granted to include extraneous matter, the excellent paper I

referred to earlier by Dr. George Rathjens:

THE FUTURE OF THE STRATEGIC ARMS RACE: OPTIONS FOR THE 1970'S

(By George W. Rathjens, visiting professor of political science, Massachusetts Institute of Technology)

INTRODUCTION

As the end of the decade draws near, the United States and the Soviet Union must face major decisions regarding strategic forces and policies that will set the pattern for the 1970's. These decisions must be taken in the light of the inescapable fact that the United States and the Soviet Union bear responsibility for the fate of the whole world; for a thermonuclear exchange would imperil the survival of mankind.

Specifically, both countries must consider:

(1) whether to procure major systems such as new manned bombers, new strategic missiles, and ballistic missile defenses;

(2) what strategic force levels are appropriate—a problem of particular immediacy for the U.S.S.R. because of the current rapid growth of its missile force;

(3) what positions they should adopt regarding negotiations to end the arms race.

Unfortunately, there has been much confusion about these points. Thus, there is:

(1) dispute about the appropriate measure of adequacy for strategic forces—in particular, about the relationship between quantities of strategic weapons and their possible political utility;

(2) a serious problem in weighing short-term advantages of decisions regarding strategic weapons against consequences that, in the longer run, may be harmful, considering probable adversary responses;

(3) an unresolved conflict between the desire to minimize the probability of nuclear war and the desire to minimize damage should it occur;

(4) the question of what should be the response to the emergence of Communist China as a nuclear power.

The author does not claim to treat these issues with complete impartiality. The paper will serve its purpose if it alerts the reader to the fact that this is a critical time of decision regarding the strategic arms race, and if it persuades him that decisions regarding procurement of specific weapons ought not to be made without most careful consideration of the relationships between such factors as the qualities of weapons systems, the objectives to which acquisition of strategic nuclear forces will contribute, the national interests of the United States and its adversaries, and America's responsibilities toward its allies and the rest of the world.

I. THE PRESENT STRATEGIC BALANCE

To a large extent the present strategic capabilities of the United States represent the realization of plans developed during the last years of the Eisenhower Administration and at the beginning of the Kennedy Administration.

In part this is a consequence of the long lead-time required for the translation of a concept for a new strategic weapons system into an operational capability. But it is also due to the fact that the broad directions in which the United States and the Soviet Union were headed became apparent during the Eisenhower Administration. The development of the hydrogen bomb and ballistic missiles made it almost inevitable that the 1960's would be a period of mutual deterrence during which neither the United States nor the Soviet Union could derive any winning advantage in a nuclear war. They could easily destroy each other regardless of who struck first, even if they had defenses. Recognition of those facts set the pattern at the beginning of the 1960's for the strategic forces that the United States has since deployed; and the size of those forces was all but established by the end of the first year of the Kennedy Administration. Thus, by the time of the presentation of the budget for fiscal 1963 (late 1961), it was clear that: the Titan II force would be limited to 6 squadrons; there would not be an expansion of the B-52 force beyond 14 wings nor an operational B-70 force; and the size of the Polaris fleet would be set at 41 boats. The number of Minutemen was set at 800, raised to 950 the following year, and still later to the present level of 1,000.

This rapid growth of American strategic forces was in large measure due to concern that the Soviet Union might have a significant superiority in strategic systems during the early 1960's—a concern that arose at the time of the election of 1960 but which was rapidly dissipated by improved intelligence indicating that the "missile gap," if any, would be in favor of the United States.

The projected size of the U.S. strategic force was set as large as it was—at 1,054 intercontinental ballistic missiles, 41 Polaris boats each with 16 missiles, and about 650 intercontinental bombers—in part because of uncertainty about possible Soviet actions and the importance given to hedging against the worst possible contingencies. There was, however, another factor that made a large force attractive—a desire to have a capability to limit damage to the United States by destroying Soviet offensive capabilities. Indeed, there was pressure, particularly from the Air Force, to expand "counterforce" or "damage-limiting" capabilities by enlarging the strategic offensive forces beyond the levels finally decided on.

This pressure was resisted because of: (a) the probability of a compensating or overcompensating expansion in Soviet offensive forces; (b) the unlikelihood of a war developing in a way that would permit a U.S. attack to catch a significant fraction of the Soviet bomber and missile force on the ground; (c) the relatively small diminution in damage to the United States that would result from additional American counterforce capability, even if circumstances should develop under which the United States would attack before all of the Soviet strategic offensive force had been launched. With time, the last of these arguments became increasingly persuasive as it became apparent that the Soviet Union would emulate the United States in making its forces relatively invulnerable by dispersing its ICBM's in "hardened" underground protective sites, and by building a submarine-based missile force. Thus damage-limiting arguments played a diminishing role in the rationalization of the United States strategic force posture, as shown, for example, by a comparison of former Secretary of Defense Robert S. McNamara's Ann Arbor speech of 1962 and his more recent statements.[1]

The demand by the Army to improve American "damage-limiting" capability by deploying an anti-ballistic missile (ABM) defense system was also resisted simply because its performance seemed inadequate. To those with decision-making responsibility it seemed clear that any ABM deployment by the United States would easily be offset by modest improvements in Soviet strategic offensive capabilities.

Thus, the line against further expansion of U.S. strategic forces was held during the early and mid-1960's. Up to 1966, nearly all of the important procurement, as distinct from research and development, decisions regarding major new strategic systems were negative: the decision not to deploy a rail-mobile Minuteman; the decision not to proceed with the B-70 bomber force; the cancellation of Skybolt; and deferrals of decisions to go ahead with a full-scale ABM system and a new advanced manned strategic aircraft. Consequently, the budget for strategic forces dropped from over $11 billion in 1962 to less than $7 billion for fiscal 1966, as the major strategic weapons programs came to fruition without any major new procurement decisions. (These figures, and others that appear later, do not reflect the total cost of the U.S. strategic program since certain research and development and other costs are not included. Also, the figures may be slightly deceptive in another respect since they are not converted to constant dollars. However, relative to the year-to-year budget changes, the correction for inflation would be small.)

While the size of the U.S. strategic force approached the levels specified at the beginning of the Kennedy Administration, Soviet strategic forces were growing rapidly, and they continue to do so. However, this growth has lagged several years behind that of the United States, and still lags far behind in intercontinental bombers and especially in Polaris-type submarines (see Table I). In numbers of ICBM's the Soviets are rapidly approaching the United States; but some of theirs are still "soft," or unprotected against the effects of a nuclear explosion, while in the case of the United States all the soft missiles were phased out several years ago.

TABLE 1.—UNITED STATES VERSUS SOVIET INTERCONTINENTAL STRATEGIC NUCLEAR FORCES

	United States [1] October 1968	U.S.S.R.	
		October 1967	October 1968
ICBM launchers [2]	1,054	720	900
SLBM (sea launched ballistic missiles) launchers [3]	656	30	75-80
Total intercontinental missile launchers	1,710	750	975-980
Intercontinental bombers [4]	646	155	150-155
Total force loadings, approximate number of deliverable warheads	4,206	1,000	1,200

[1] The size of the U.S. strategic force has not changed significantly since mid-1967.

[2] Excludes ICBM test range launchers which could have some operational capability against the United States. The Soviets also have medium range ballistic missiles (MRBMs) and intermediate range ballistic missiles (IRBM's) which are capable of striking Eurasian targets.

[3] In addition to the SLMB's on nuclear-powered submarines, the Soviets also have SLBM's on diesel-powered submarines, whose primary targets are believes to be strategic land targets in Eurasia. The Soviets also have submarine-launched cruise missiles, whose primary targets are believed to be naval and merchant vessels.

[4] In addition to the intercontinental bombers, the Soviets also have a force of medium bomber/tankers capable of striking Eurasian targets.

Source: Department of Defense, Secretary of Defense Robert S. McNamara, "Approach to the Fiscal Year 1969-73," program and fiscal year 1969 budget, in U.S. House of Representatives (90th Cong., 2d sess.), Department of Defense Appropriations for 1969, hearings before a Subcommittee on Appropriations, pt. I (Feb. 14, 1968), pt. 147; some of the figures are based on a statement by Secretary of Defense Clark M Clifford, Oct. 25, 1968; see New York Times, Oct. 26, 1968.

Measuring strategic strength

The rapid growth in Soviet capabilities, coupled with the fact that the number of U.S. launchers and strategic aircraft have been constant and are expected to remain the same for some time, has naturally led to questioning, particularly in Congressional hearings, about whether the United States continues to have "superiority" in strategic capabilities vis-à-vis the Soviet Union; about

---

Footnotes at end of article.

whether the loss in "superiority," if it has occurred, could have been prevented; about future trends; and indeed about the whole range of questions regarding feasible and desirable objectives for strategic forces.

Until recently the most common measure of strategic strength was the number of delivery vehicles possessed by each side, that is, the numbers of bombers and deployed missiles. By this measure the United States has maintained superiority over the Soviet Union for several years—superiority in numbers of intercontinental bombers, in numbers of Polaris-type submarines, and in numbers of ICBM's (or at least ICBM launchers). The measure was not entirely satisfactory, however, in that it did not take into account qualitative differences in the various missile and bomber systems. American bombers and submarines were generally believed to have superior performance capabilities. In addition, some bombers and missiles carried substantially larger payloads than others.

With the beginning of the era of multiple individually targetable reentry vehicles (MIRV's), the measure is even less satisfactory, since some missiles can carry several warheads, while others carry only one. Thus, in the last few years, when discussing the question of force strength, Administration spokesmen have argued that the number of warheads is a more meaningful measure than numbers of missiles and bombers.

Critics of Johnson Administration policy have claimed that the Soviet Union has, or soon may have, greater strategic strength than the United States because its missiles, while fewer in number, could in the aggregate carry more "megatons" since more of their missiles are large.

If any of these measures—number of delivery vehicles, number of warheads, or number of megatons—is to be meaningful, it is necessary to take into account the expected interactions during a nuclear exchange. To do that, survivability and penetrability factors have been introduced. Thus, the Johnson Administration has spoken of the number of warheads that could be delivered on target as the most appropriate measure of strength. But even that is not entirely satisfactory.

To get the ultimate measures, that is, the capability to inflict damage on the adversary and to limit damage to oneself, one must also take into account the match of the weapons with the targets. When this is done, the differences between the Soviet Union and the United States are not significant. Even if there were a preemptive attack by the Soviet Union weighted heavily toward attempting to destroy American strategic offensive capabilities, the United States could with high confidence inflict over 50 per cent fatalities in retaliation. And the situation is symmetric. In former Secretary of Defense McNamara's posture statement for fiscal 1969,[2] it is estimated that in an all-out nuclear exchange in the mid-1970's each country could inflict 120 million fatalities on the other in retaliation. This is probably a lower limit on the actual expected damage, in that indirect and delayed effects of a nuclear attack, such as fatalities from fire storms, maldistribution of resources and fallout are generally not fully considered in making such estimates.

Despite some uncertainty about the absolute levels of damage that each side might experience and about the recuperative ability of such heavily damaged societies, there seems little reason to doubt that in a full-scale nuclear exchange at this time, the United States and the Soviet Union would suffer about equally and grievously. The foundations of society in each country would certainly be destroyed.

In view of the damage-inflicting capabilities of the two sides, the present situation is one of considerable stability. Even, and perhaps particularly, in the event of extreme crisis where attack seemed imminent, there would be a powerful moderating effect on both sides. Preemptive attack would be unlikely, since neither could hope to reduce damage to itself to a degree that would make such an attack seem rational if there were any possibility of avoiding the holocaust.

Yet despite the stability that does exist, there remains concern about instability and the consequences of escalation. Thus, the very existence of strategic forces may also serve to deter or at least inhibit the superpowers from commitments of conventional forces or even political commitments, if there is a significant risk of a superpower confrontation that could lead to uncontrollable escalation.

Conflicts about objectives

There would be little disagreement with the foregoing assessment of the present strategic balance. Yet there is disagreement about the objectives that have been and might be served by our present strategic forces.

First, there is dispute about two closely related issues: whether during the last few years the numerical superiority that the United States has had in strategic forces has conferred on it some advantage in dealing with the Soviet Union; and whether strategic "superiority" would be meaningful in the future. The figures in Table I do indicate a continued large U.S. superiority in numbers of bombers, sea-launched ballistic missiles, and deliverable warheads. For all practical purposes, however, the present situation can be characterized as one of strategic "parity" in the sense that both the U.S.S.R. and the United States can wreak unacceptable damage on each other.

But, in fact, neither "superiority" nor "parity" is at this point a very useful concept, and is not likely to be in the foreseeable future. Even large changes in capabilities could not be translated into useful political power. In the view of many this was already true by the early 1960's. They would hold, for example, that the Cuban missile crisis was resolved as it was because the United States was prepared to intervene with conventional strength that the Soviet Union could not match; and that the existence of strategic forces for both sides served simply to deter escalation. Others argue, however, that it was not just the strategic strength on both sides and the fear of escalation, but rather actual U.S. superiority in strategic strength that served to deter the Soviet Union from moving on Berlin or elsewhere as a response to the "quarantine" of Cuba.

While there may have been a basis for this distinction in the early 1960's, it would be difficult to make such a case under present circumstances. The strategic forces of both sides are too large. Thus, as far as deterrence is concerned, the point has certainly been passed by now where both sides have "sufficiency"—probably a more useful concept for describing the present strategic balance than either "superiority" or "parity."

If the Soviet strategic retaliatory force were either doubled or halved, while that of the United States remained constant, there would very likely be no discernible effect on U.S. resolve to stand up to the Soviet Union in a crisis. Yet many Americans continue to feel that the United States should still strive for "superiority." This feeling is grounded not in the expectation that numerical superiority in strategic strength could be translated with confidence into any politically useful option, but rather in a desire for a return to an earlier era when it seemed that the wealth of the United States could almost guarantee superiority in any contest the country chose to enter. During the last decade the United States has become aware that it cannot count on wealth or industrial capacity to provide it with the kind of superiority in exploitable strategic strength that it had vis-a-vis the U.S.S.R. in the 1950's; nor does it solve other problems such as Vietnam and the cities. This has been a disillusioning and frustrating experience, and it is not surprising that many Americans should wistfully seek to recapture the past and look for scapegoats who can be blamed for letting it escape.

Second, despite recognition that both societies would be destroyed by an all-out nuclear exchange, it is argued that American forces should be structured so that we can, in the event of war, "come out a little better than they do."[3] Or, as Senator Richard Russell put it, "If we have to start over again with another Adam and Eve, then I want them to be Americans and not Russians—I want them on this continent and not in Europe."[4] Whatever their reaction to Senator Russell's apocalyptic remark, most Americans would probably agree that the the first quotation expresses a desirable objective. But many believe it could only be pursued at the expense of an increase in the absolute level of damage to the United States or in the risk of war, or both, and doubt whether it is worth the price.

Third, there exists a difference of opinion regarding the extent to which the United States can or should rely on the possibility of escalation as a deterrent to actions by the Soviet Union other than direct attack against the United States. This controversial point has been one of the critical considerations in NATO policy during the last few years (others being the closely related question of the relative capabilities of NATO and Warsaw Pact forces to fight a conventional war and the question of Soviet intent).

Finally, there is dispute about whether strategic weapons could serve as a deterrent or a response to Soviet or other nonnuclear attacks of limited objectives. The possibilities seem unrealistic or remote. As far as the Soviet Union is concerned, the risks of escalation are too large. As regards other adversaries, including Communist China, it is difficult to imagine a realistic provocation that could not be dealt with by other means, and to which a limited strategic nuclear attack would be judged an appropriate response. (The problems of objectives will continue to be serious ones as the United States develops policies and postures for the 1970's. They are discussed further below.)

That there is as much consensus in the United States as there is, both about the consequences of a nuclear exchange and about the present roles and limitations of strategic forces, is in part due to the fact that the Soviet-American strategic balance has not changed qualitatively in several years. Although the budgets submitted for strategic weapons have increased dramatically—some 40 per cent from the fiscal 1967 budget to that for fiscal 1969—because of the time lag between the obligation of money and the impact on operational capabilities, the present U.S. posture does not yet reflect this recent escalation in strategic budgets. In fact, the present operational force is probably changing less rapidly than at any time since 1945—a reflection of the low strategic budgets of fiscal 1965 through 1967. Thus, there has been time for argument, and at least some resolution of differences and maturation of opinion about the present situation, if not about future prospects and objectives.

But unless the United States modifies its present plans, its posture will soon begin to change qualitatively and rapidly as its operational forces begin to reflect decisions made during the last two years regarding such new systems as Sentinel, Poseidon, Minuteman III, and the FB–111 bomber. Soviet operational forces, in addition to growing rapidly, may also change in new qualitative ways if the U.S.S.R. deploys some systems it apparently has in development, such as frac-

---

Footnotes at end of article.

tional orbital bombardment systems (FOBS) and land-mobile ICBM's.

We are in effect at a crossroad. The United States and the Soviet Union now have a better chance than they are likely to have in the foreseeable future to make decisions that may enable them to avoid or at least moderate another spiral in the strategic arms race. Such a race will not only be expensive and dangerous for both countries, but may also produce more disagreement in the United States about realistic and desirable strategic force objectives.

II. FACTORS AFFECTING STRAGETIC DECISIONS

During the early 1960's there was hope, albeit without real encouragement from the Soviet Union, that even if one could not see an end to the Soviet-American competition in the strategic area, there might at least be a period of stability commencing in the late 1960's and carrying on into the 1970's—a perpetuation of the kind of qualitative balance that actually obtains today. This would imply the willingness of each side to rely on the capability of its strategic forces to deter any attack by the other, and an acceptance of the fact that with "sufficiency" in strategic offensive forces, little would be gained either by further growth in those forces or by deploying active defenses against them. Three considerations now make the realization of that hope questionable.

First, there is no evidence of a levelling off in the growth of Soviet strategic offensive capabilities, despite the fact that, at least as regards ICBM's, the Soviet force is now about equal in numbers to that of the United States.

Second, the development of some sort of nuclear capability is becoming easier for the lesser powers as the technology and the use of nuclear power become more widespread. Of particular concern is the fact that the Chinese nuclear program has moved ahead more rapidly than expected at the beginning of the decade.

Third, technological developments have led some to believe that there may be an increased possibility that in the event of a nuclear exchange, the superpowers might be able to limit damage to themselves to levels substantially below those that would result with present capabilities. Implied here is the belief that preemptive attack, the use of active defenses, or a combination of the two might be highly effective in destroying adversary defensive forces.

The chances of continuing the present stable situation into the 1970's may be enhanced if some restraint can soon be placed on these developments. It may be possible to buy time through the implementation of the nuclear non-proliferation treaty, and by reaching agreement with the Soviet Union to constrain the deployment, and possibly the development, of new strategic offensive and defensive capabilities. Realistically, however, it must be recognized that, even if implemented, such agreements may not suffice. For example, the fact that Communist China will not be a party is a serious defect.

On the other hand, it is probable that without such agreements, or at least reciprocal unilateral restraint, a new spiral in the arms race will be one of the burdens of the 1970's. In the United States the beginnings are already reflected in the sharp rise in the budget for strategic systems.

The Anti-Ballistic Missile Defense Possibility*

With the possible exception of the n^{th} country problem, it has long seemed that the most serious threat to stability is the possibility of an offense-defense race: deployment of ABM systems; followed by compensating or over-compensating expansion of adversary offensive capabilities; followed in turn by further improvements in defenses, and so on. In the United States the prevalent view has been that such a cycle of action and reaction would be a futile exercise leading to no improvement in either American or Soviet security and to greatly increased expenditures for both nations. This conclusion, which contributed to the refusal of the U.S. Administrations of the last decade to deploy an anti-Soviet ABM system, was based on two considerations:

(1) no technology appeared in sight that would permit deployment of a defense that could not be offset by less expensive improvements in adversary capabilities;

(2) the Soviet Union would, it was believed, react to any U.S. defensive deployment by making just such improvements in its offensive capabilities.

On the first point there has been little dispute, certainly little in the American technical community. The second is more contentious. It has been argued by ABM proponents that one cannot be sure the Soviets would react to a U.S. defensive deployment as former Defense Secretary McNamara and others have postulated they would. Although they might continue to expand their offensive capabilities, it is conceivable that this would not compensate fully for the effects of a U.S. active defense.

On the Soviet side, there was no evidence during the early 1960's that decision-makers were prepared to accept the prevailing American views about the action-reaction phenomenon, or about the intrinsic advantage of the offense and the futility of defensive deployment.

Within the last few years there have been changes that might indicate some convergence of Soviet and American views. It has been noted that the Soviet ABM program is not proceeding as rapidly as the Americans had expected. Indeed, there is no evidence of deployment of any system other than that around Moscow. This, plus the professed Soviet willingness to enter into negotiations to control both offensive and defensive systems, may be indicative of some disillusionment regarding the feasibility of deploying really effective defense systems; of concern about the very large costs; or of concern about the action-reaction arms race implications of ABM deployment.

On the U.S. side there has been increased interest in ABM defense, in part triggered by concern about the more rapid than expected development of nuclear capabilities by Communist China, but also based on a somewhat changed view regarding the technical problems and possibilities of defense.

Although most of the American technical community would agree that the offense continues to have an advantage over the defense, there is an enormous range of views held by experts regarding the difficulties of penetrating defenses. In recent months this has been brought out especially in discussions about the probable effectiveneses of a defense (Sentinel) to cope with a possible Chinese offensive threat (see Appendix). At one extreme, Richard Garwin and Hans Bethe have argued that overcoming a defense such as Sentinel would be relatively easy, and that even the Chinese could, and quite likely would, incorporate in their first generation of ICBM's the necessary penetration aids to enable them to do so.[5] At the other end of the spectrum, Johnson Administration spokesmen have maintained that it is within U.S. capability, at a cost of only $3 billion to $5 billion, to limit damage to the United States from a Chinese ICBM attack in the 1970's to a very low level.

The most extreme claims have been made by John Foster, the Pentagon's Director of Defense Research and Engineering—"I have reasonably high confidence that the Sentinel system, when first deployed, will provide damage *denial* against the Communist Chinese"[6]—and by Deputy Secretary of Defense Paul Nitze who stated, "We are confident that this sophisticated defense can provide us with high assurance of denying damage to the United States from the type of attack the CPR [Chinese People's Republic] will be able to launch in the mid-70's. With further foreseeable improvements we believe we can maintain such protection at least until the 1980's."[7]

The difference in judgment regarding the effectiveness of Sentinel is in part due to a difference in opinion about Chinese capabilities; but beyond that, there is a great range of opinion in the technical community regarding how well Sentinel would be expected to perform against Communist China or the Soviet Union. Some skeptics argue that the defense may fail catastrophically, considering its great complexity and the fact that it will never be possible to test the system adequately in peacetime.

MIRV's

One of the few comforting things about the present strategic balance was noted earlier: even if a nuclear holocaust seemed imminent, there would be little incentive for either of the superpowers to initiate a preemptive counterforce attack, because their strategic forces, particularly those of the United States, have been developed and deployed so that they can "ride out" an attack against them. The U.S. bomber force is in a sufficient state of alert so that, given the warning of missile attack which one can reasonably expect, a large fraction could be airborne before the arrival of Soviet missiles. The part of the Polaris force that is at sea—and it is the larger part—is believed to be almost invulnerable, considering present Soviet anti-submarine warfare capabilities. And American ICBM's have been deployed with sufficient spacing between them, so that it is unlikely that more than one could be destroyed by a single Soviet warhead. Furthermore, the underground silos are believed to provide considerable protection against the blast effects of a nuclear explosion. Consequently, given the combination of yield and accuracy which, it is believed, characterize the present Soviet ICBM force, several Soviet missiles would be required on the average to destroy a single Minuteman or Titan.

The most serious threat to the present stability is the possibility of the development of systems for delivering several warheads from a single booster, each against a separate target, all with greater accuracies than have been realized so far. Such multiple individually targetable reentry vehicles (MIRV's) now appear technically feasible, and the United States has announced its intention to equip both some of its land-based missiles (Minuteman III) and its sea-based missiles (Poseidon) with such reentry vehicles. This raises the at least theoretical possibility that with a preemptive attack the United States could destroy all of the Soviet fixed missiles, and other targets as well, with an American missile force smaller than the force it was attacking. Conversely, the Soviets could in principle destroy the American Minuteman and Titan force with a few hundred ICBM's, if each had several warheads that could be delivered with high accuracy.

The MIRV threat is not an immediate one to either side. It will take a major effort to develop the concept and the accuracies required for an effective counterforce capability. But there is no doubt that it is technically feasible. It is just a matter of time, engineering effort, and money—probably lots of all three.

The American decision to go ahead with the Minuteman III and Poseidon programs was taken only partly because of desire to have a greater "damage-limiting" capability than would otherwise be available in a missile force with a fixed number of launchers. The decision to procure systems employing MIRV's was specifically keyed to concern about Soviet ABM developments,[8] and to the view that the United States must have a capability with a high degree of assurance of inflicting some specified level of damage on the Soviet Union. A number of other options could have been relied on as the prime means of defeating a possible Soviet ABM defense, for example, precursor nuclear bursts to produce radar blackout; electronic jamming; decoys and chaff; saturation of radar discrimination capability; targeting of ABM radars; or combinations of these. Certainly, with a heavy emphasis on such penetration techniques, there would be a high probability of getting through any defenses. Such options do not offer quite the assurance of success that exhaustion through the use of MIRV's might offer (assuming that the number of adversary interceptor missiles is known). But neither is any of these other measures, or combinations of them, quite so likely to produce an expansion in Soviet offensive forces, for they do not pose a threat to those forces. MIRV's must pose such a threat in Soviet eyes, just as Soviet MIRV's would to the United States.

---

*Unless otherwise specified, references to ABM are to systems designed exclusively or primarily to defend population and industry. For further discussion of the ABM problem, see Appendix.

Footnotes at end of article.

In its attachment to "assured destruction" as a measure of deterrent adequacy, and in focusing on MIRV's to maintain it, the United States may end up paying a price that in the long term could be a heavy one. Such high assurance was not always an American requirement. In the pre-missile era there was considerable uncertainty, probably more than many liked to admit, about how well bombers could penetrate defenses. The United States had an adequate deterrent because there was a reasonably high probability that it could inflict a very high level of damage on the Soviet Union. It may be that with the uncertainties that ABM defenses will introduce, the United States will want or be forced to rely again on a reasonably high probability, rather than on near certainty, of being able to inflict a high level of damage on our adversaries as a deterrent. This will be particularly true if in striving for near certainty, the arms race is fueled in ways that may result in a net diminution of United States security. The "assured destruction" concept probably served to limit expansion of American strategic forces in the past few years. But in the years just ahead, as the uncertainties now implicit in ABM's and MIRV's become explicit, this concept could be used to justify almost unlimited expansion of strategic forces.

There are, of course, possible threats to strategic relatiatory forces besides MIRV's and ABM's. But none of the others seems quite as serious. The development of fractional orbital bombardment systems (FOBS) could enhance Soviet capability to attack American aircraft on the ground by surprise. But that development is being countered by improved warning systems. Advances in antisubmarine warfare (ASW) could lead to some increase in the vulnerability of the Polaris fleet if the United States did nothing to counter the development. But ASW is likely to be a losing game for some time, since any improvements will be offset, or more than offset, by improvements in the missile-launching submarines or, if need be, by extension of the range of the missiles they carry.

Concurrent development of MIRV and ABM

While the possibility of either ABM or MIRV development provides a stimulus to the arms race, in their combination there is a more serious threat. It is conceivable that one of the superpowers, with an ABM system, might develop MIRV's to the point where it could use them to destroy the bulk of its adversary's ICBM force in a preemptive attack. Its air and ABM defenses would then have to deal with a much degraded retaliatory blow, consisting only of the sea-launched forces and any ICBM's and aircraft that might have survived the preemptive attack. Problems of defense in such a contingency would be formidable; however, they would be significantly less difficult than if the adversary's ICBM force had not been seriously depleted. The defense problem would be relatively simple, particularly if the bulk of the adversary's retaliatory capability were, as is true for the United States and to a far greater degree for the Soviet Union, in its ICBM's, most of which would presumably have been destroyed.

It may seem unlikely that either superpower would initiate such a preemptive attack, in view of the hypothesized capabilities, the great uncertainties in effectiveness, particularly as regards defenses, and the disastrous consequences, should even a relatively small fraction of the adversary's retaliatory force get through. But with both MIRV's and ABM's such a preemptive attack would not seem as unlikely as it does now. It would not necessarily be irrational if an uncontrollable nuclear exchange appeared almost certain and if by striking first one could limit damage to a significantly lower level than if the adversary were to strike the first blow. (This point is discussed further below.) In short, if one or both of the two superpowers had such capabilities, the world would be a much more unstable place than it is now.

Obviously, neither superpower would permit its adversary to develop such capabilities without responding, if it could, by strengthening its retaliatory forces. But the response problem becomes more difficult if the adversary develops both MIRV's and ABM's than if he develops only one.

Against a MIRV threat alone there are such obvious responses as greater reliance on sea-launched or other mobile systems. Such responses are likely to be acceptable because, while the costs of highly survivable systems are large (perhaps larger by an order of magnitude than the costs of simple ICBM's), only relatively small numbers of such secure retaliatory weapons would be required to provide an adequate "assured destruction capability." Indeed, a force the size of the present Polaris fleet might be adequate.

The response to ABM alone might also be kept within acceptable limits because the expenditures required to offset the effects of defense are, as indicated earlier, likely to be small compared to the costs of the defense.

But if it is necessary to acquire retaliatory capabilities, which are costly on a unit basis because of the MIRV threat, in sufficient numbers to saturate or exhaust ABM defenses, the total cost could be very great. Indeed, if one continued to rely heavily on exhaustion of defenses as the preferred technique for penetration, the offense might no longer have a significant cost-effectiveness advantage over the defense.

Thus, the concurrent development of MIRV's and ABM's raises the specter of a more precarious balance of terror a few years hence, a rapidly escalating arms race in an attempt to prevent the instabilities from getting out of hand, or quite possibly both.

Communist China and the Sentinel decision

It is difficult to grasp the implications of new technological factors for a rational strategic force policy for the 1970's. This would be so even if one had only bilateral U.S.-U.S.S.R. relationships to consider, but the emergence of China and possibly other States as nuclear powers compounds the difficulties. The problems have begun to come into focus as policy-makers have been forced to ponder:

(1) whether it is desirable to try to inhibit the spread of nuclear capabilities to other countries;

(2) what price the United States might be willing to pay to do so;

(3) what the chances of success of inhibiting nuclear spread might be;

(4) what the response should be to developments that the United States cannot prevent.

The first three questions have been at the heart of the debate on such issues as the NATO multilateral force (MLF), U.S. policy regarding control of fissionable materials and technology relevant to nuclear weapons development, and the nuclear non-proliferation treaty.

The first question—whether it is desirable to inhibit the spread of nuclear weapons—has been answered in the affirmative, at least by the United States and most other countries. The United States has not only decided that the spread is undesirable, but has also applied fairly stringent controls on its exports of nuclear fuel and equipment, despite some political and economic costs. And, in agreeing on a formulation of the non-proliferation treaty acceptable to the Soviet Union, the United States has incurred criticism, whether justified or not, from some quarters in Europe.

Nevertheless, the prospects for limiting the spread of nuclear weapons capabilities are not good. The technology for building both warheads and delivery systems is now within the reach of perhaps a dozen powers that do not have nuclear weapons; and with the growing use of nuclear reactors, an even larger number of nations will soon have quantities of plutonium adequate for limited stockpiles of nuclear weapons. The development of capabilities that would be significant against one of the superpowers could be an expensive proposition, particularly if one of them deployed limited ABM defense systems and if the emergent nuclear power desired high confidence of penetrating that defense. But nuclear capabilities that Israel might consider adequate against the Arab states, or India against Pakistan, could be acquired at costs that are not large compared to the present defense budgets of those nations.

There is some hope that these developments can be prevented or at least delayed by the nuclear non-proliferation treaty. But even if that treaty comes into effect, accession by India, for one, appears unlikely. In any case there is the particularly worrisome problem of China.

Whether our strategic offensive forces would alone be adequate to deter a Chinese nuclear attack requires judgments about the vulnerability of China and the rationality of its leadership.

Because a relatively small fraction of it is urban, China's population is far less vulnerable than that of the United States or the Soviet Union to nuclear attack (except to an attack with large yield weapons relying heavily on fall-out). However, China's modern industry is heavily concentrated and could be destroyed with a small number of nuclear weapons. These could be delivered without significantly compromising American capabilities against the U.S.S.R. This is true not only because U.S. strategic offensive capabilities are so large relative to actual requirements for retaliation against either country, but also because Chinese air defenses are so poor that the United States could use bombers with great flexibility, and with only moderate losses, to deliver an attack of almost any weight against China.

Thus, the only impediment to relying on strategic offensive capabilities as a deterrent to Chinese nuclear attack is possible irrationality of the Chinese leadership. On this point there is an extraordinary divergence of opinion. Some, for example, Air Force Chief of Staff General J. P. McConnell, argue that the Chinese are highly irrational,[9] but the record hardly suggests that. On the contrary, despite a notorious record of vituperation, the Chinese have been rather careful

---

Footnotes at end of article.

in the actual use of force, particularly when there was any likelihood of open conflict with the United States or the Soviet Union.

However, one does not have to subscribe to the McConnell view to admit the possibility of Chinese nuclear attack, particularly in response to great provocation. As long as there is any possibility, possession by China of an intercontinental nuclear capability will serve to some degree as an effective deterrent to large-scale U.S. actions against China. This is particularly true considering that the interests in the Far East over which the United States and China might come into conflict are not likely to be vital to the Americans, and the damage the United States might suffer, should the Chinese retaliate, could be very great.

Indeed, the desire to have a deterrent with regard to the United States may well have been one of the major motivations for the extraordinary effort China has made to develop a nuclear weapons capability. (Other reasons are prestige, and possible use to coerce its neighbors in Asia.)

Recognizing that a Chinese nuclear attack, however irrational, could not be discounted completely, the United States made the decision to deploy Sentinel. But one must wonder about its effectiveness in coping with China's nuclear capablity. The Johnson Administration made it clear that Sentinel was to be bought largely because of its anticipated effectiveness in reducing damage to the United States in the event of a Chinese ICBM attack in the 1970's.[10] This is an objective it may well accomplish. Will it have any other value? It will hardly diminish the prestige that China has acquired through possession of a nuclear capability; on the contrary, the decision to deploy Sentinel will tend to magnify the importance of the Chinese achievement. And Sentinel is hardly a direct response to the possibility that China might threaten its neighbors with nuclear attack, although it was claimed by the Johnson Administration that Sentinel would reinforce confidence in Asian states that the United States would come to their aid if they were threatened by China.[11]

Sentinel could conceivably do that by restoring whatever freedom of action the United States might have felt it had to intervene in Asia before the Chinese acquisition of an intercontinental nuclear capability, but only if there was extraordinarily high confidence in the system's effectiveness; otherwise, the Chinese nuclear capability would still be able to serve what may have been its primary purpose—deterrence of the United States. Can one have that high confidence? Probably not, considering the many uncertainties involved in the effectiveness of ABM systems (see Appendix). (This argument seems sound to the extent that one is concerned about most kinds of action one might take against China. In a contingency where the United States would be prepared to use nuclear weapons in the numbers required for an effective attack against Chinese ICBM capabilities, it might have some confidence that Sentinel could actually intercept whatever, if any, Chinese ICBM's had survived an American preemptive attack. That is the one option that might be significantly more acceptable if the United States had Sentinel than if it did not.) But that is only one side of the coin. The other in some ways more worrisome possibility is that the United States might base vital decisions on misplaced confidence in Sentinel.

Another aspect of the decision to deploy Sentinel is its possible impact on the Soviet-American strategic relationship. In short, it would appear that the Sentinel decision has very serious implications. The issue is whether the possible utility of Sentinel in saving lives in the unlikely event of a Chinese nuclear attack is sufficient to justify the costs, the risks that the United States might act on the basis of misplaced confidence in its effectiveness, and the undesirable impact of the decision on the Soviet-American strategic balance. Any conceivable flexibility Sentinel may give in dealing with Chinese aggressiveness or with the accidental launch of missiles against the United States is probably negligible compared to these considerations.

The role of uncertainty in the dynamics of the arms race

As the foregoing discussion indicates, uncertainty about adversary intentions and capabilities may well be the most powerful stimulant of the arms race. Its pernicious effects can be illustrated by several examples:

(1) American reaction, indeed over-reaction, to uncertainty in the case of the "missile gap";

(2) the Soviet decision to deploy the so-called Tallinn air defense system, possibly made in the expectation that the United States would go ahead with deployment of B–70 bombers or SR–71 strike reconnaissance aircraft;

(3) the Sentinel decision.

An even better illustration is the United States response to the Tallinn system (which until recently was thought to be an ABM system) and to the possible extension of the Moscow ABM system into a country-wide system. In order to have high assurance of its ability to get through possible Soviet ABM defenses, the United States has embarked on the development of various penetration aids and even of new missiles—Minuteman III and Poseidon.

All these examples have in common the fact that if doubt exists about adversary capabilities or intentions, prudence requires that one respond, not on the basis of what one expects, but on a considerably more pessimistic projection. The United States generally bases its plans—and makes much of the fact—on what has become known as the "greater-than-expected threat." In so doing, the Americans—and presumably the Russians—have often over-reacted. The extent of the over-reaction is directly dependent on the degree of uncertainty about adversary intentions and capabilities.

The problem is compounded by lead-time requirements for response. According to the Johnson Administration, the decisions to go ahead with Minuteman III, Poseidon, and Sentinel had to be made when they were because of the possibility that in the mid-1970's the Soviets might have a reasonably effective ABM, and the Chinese an ICBM, capability.[12] And the Soviets had to make a decision to develop the Tallinn system (if the decision was made because of the B–70 program), long before the American themselves knew whether they would deploy an operational B–70 force.

Once the decisions to respond to ambiguous indications of adversary activity were made, it proved impossible to modify the response, even when new intelligence became available. For example, between the time of announcement of the Sentinel decision and the Congressional debate on the appropriation for it, evidence became available that the Chinese threat was not developing as rapidly as had been feared. Yet despite this information, those in the Congress who attempted to defer the appropriation for Sentinel failed. Similarly, at this writing, as the Poseidon and Minuteman III programs begin to move forward with momentum, it seems much less likely than it did at the time of their conception that the Soviet Union will deploy the kind of ABM system that was the Johnson Administration's main rationale for these programs. On the Soviet side, the Tallinn deployment continued long after it became clear that no operational B–70 force would ever be built.

Of the kinds of weapons development that can stimulate over-response on the part of one's adversary, it is hard to imagine one more troublesome than anti-ballistic missile defenses. Besides uncertainty about adversary intentions, and the need, because of lead-time requirements, for early response to what the adversary might do, there is the added fact that the uncertainties about how well an ABM system might perform are far larger than in the case of strategic offensive systems. The conservative defense planner will design his ABM system on the assumption that it may not work as well as he hopes—that is, he will over-design it to take into account as fully as he can all imaginable modes of failure and enemy offensive threats. But the offensive planner will assume that the defense might perform much better than he expects and will over-design his response. Thus, there is over-reaction on both sides. These uncertainties result in a divergent process: an arms race with no apparent limits other than financial, each round more expensive than the last. Also, because of over-reaction on the part of the offense, there may be an increase in the ability of each side to inflict damage on the other.

All one needs to make this depressing possibility a bleak reality is a triggering mechanism. The Soviet ABM program, by stimulating the Minuteman III and Poseidon programs, may have served that purpose. And, perhaps unintentionally, the Chinese nuclear program also may have triggered an action-reaction chain, of which the Sentinel response is the second link.

It can be assumed that there will be considerable pressure and effort to make Sentinel highly effective against a "greater-than-expected" Chinese threat. But such a system will undoubtedly have some capability against Soviet ICBM's. Soviet decision-makers, who must assume that Sentinel might perform better than they expect, will at least have to consider this possibility as they plan their offensive capabilities. More important, they will have to respond on the assumption that the Sentinel decision may foreshadow a decision to build an anti-Soviet ABM system. Although the Johnson Administration has argued that there need be no such response (Assistant Secretary of Defense Paul Warnke has argued that "because our proposed deployment poses no possible threat to the Soviet deterrent, it need lead to no acceleration of the Soviet-American strategic arms race." [14] And former Secretary of Defense McNamara has stated, "There will not be any misunderstanding by the Russians because they are sophisticated enough to see, in the development plans that will be made public, the distinction between Chinese-oriented and Soviet-oriented population protection systems" [15]) several facts seem to contradict this:

(1) there has been support for the Sentinel decision as a first step toward an anti-Soviet ABM deployment, particularly by the Joint Chiefs of Staff and such influential Senators as Richard Russell of Georgia. (General Earle Wheeler, Chairman of the Joint Chiefs of Staff, stated that he was satisfied with the Sentinel decision because "everything is being done that will contribute to the type of defense which the Joint Chiefs have been advocating [i.e., a full-scale ABM]." [16] He and General Harold K. Johnson also alluded to the possible expansion of Sentinel to a Nike X (i.e., anti-Soviet) type system.[17] Senator Russell has stated "I consider it [Sentinel] primarily the beginning of a system to protect the people of this country against a Soviet missile atomic attack." [18])

(2) Secretary of Defense Clark Clifford has acknowledged that Sentinel will complicate the Soviet attack problem; [19] (This is also apparent from former Secretary of Defense McNamara's last posture statement, which included an estimate that, should the Soviets fail to respond to the Sentinel deployment by providing penetration aids for their missiles, U.S. fatalities would be reduced

---

Footnotes at end of article.

from 120 million to about 100 million in the event of an all-out war in the mid-1970's.[19])

(3) Sentinel will include components that could easily be integrated into an anti-Soviet system;

(4) Because of the Sentinel program, production lines will have been established that will shorten the leadtime for an anti-Soviet ABM deployment.

Thus, it is probably not a question of whether the Soviet Union will respond to Sentinel. One must consider instead whether the U.S.S.R. will limit its response to one that does not require a U.S. counter-response, and whether it is too late to stop the Sentinel deployment.

With such examples in mind, it is apparent that reduction in uncertainty about adversary intentions and capabilities is a *sine qua non* to curtailing the strategic arms race. There are a number of ways of accomplishing this (in addition to intelligence collection, which obviously makes a great contribution).

First, there is unilateral disclosure. In the case of the United States there has been a conscious effort to inform both the American public and the Soviet leadership of the rationale for many American decisions regarding strategic systems and, to the extent consistent with security, of U.S. capabilities. This has been done particularly through the release by the Secretary of Defense of an annual posture statement—a practice which, it is hoped, will be continued by the United States and emulated some day by the Soviet Union. This would be in the interest of both countries. Because there has been no corresponding effort by the Russians, the United States probably over-reacts to Soviet decisions more than they do to American decisions. (At least, it is easier to trace a casual relationship between Russian decisions and U.S. reactions than vice versa.)

Second, negotiations to curtail the arms race, even if abortive, or any other dialogue may be very useful if such efforts result in any reduction of uncertainty about the policies, capabilities, or intentions of the parties.

Finally, some weapons systems may be less productive of uncertainty than others that might be chosen instead. For example, it is likely to be less difficult to measure the size of a force of submarine-launched or fixed missiles than that of a land-mobile force. Similarly, it would be easier to persuade an adversary that a small missile carried only a single warhead than would be the case with a large vehicle. Such considerations must be borne in mind in evaluating alternative weapons systems.

In short, while uncertainty about adversary capabilities and intentions may not always be bad—in some cases, the existence of uncertainty contributes to deterrence—the U.S. and the Soviet Union would seem well advised to make great efforts to avoid giving each other cause to over-react to decisions because of inadequate understanding of their meaning.

Economic considerations

It has been pointed out that in terms of total obligational authority, the annual American budget for strategic forces has risen about 40 per cent in the last three years: from some $6.7 billion for fiscal 1966 to $9.6 billion for fiscal 1969. A major part of this increase arises from the three new strategic programs—Poseidon, Minuteman III, and Sentinel. The estimated total cost of the three amounts to about $10 billion over several years.

If no other new strategic programs are begun before these are completed, it might be possible to get through the next few years without the budget for strategic forces growing much beyond that proposed for fiscal 1969. However, that seems unlikely. Aside from the probability that the actual costs of the aforementioned programs will exceed the estimates, other developments are in sight.

Johnson Administration spokesmen have made it clear that Sentinel will have to be upgraded to take into account improvements in Chinese capabilities. This could be very costly since it would probably require the addition of terminal defenses for cities and a comprehensive fall-out shelter program. Thus, upgrading Sentinel could easily cost an additional $1 billion to $3 billion per year starting in the early 1970's, with costs increasing rapidly thereafter.

Second, there is the possibility of expanding the Sentinel system into a full-scale anti-Soviet ABM system. In that case the costs would probably be at least $5 billion a year shortly after the expansion began.

Third, there is a proposal to develop an improved air defense system involving an airborne warning and control system (AWACS) with a ten-year cost of $10 billion to $12 billion.

Fourth, there is pressure for a new advanced manned strategic aircraft (AMSA) to replace the B–52's, a program that may cost $10 billion spread over several years.

Finally, there is a possibility, already under consideration, of new U.S. strategic missile programs. The possible vulnerability of American strategic forces to a Soviet MIRV threat would provide one impetus for such programs. A massive Soviet ABM program would be another. The character and magnitude of the American response would depend on which of these Soviet developments was of concern to the United States. If both were, the U.S. response could well cost $3 billion to $5 billion per year.

Thus, if one considers only the programs now under way and under serious consideration, during the early 1970's, the U.S. can expect annual budgets for strategic forces of between $12 billion and $25 billion. By the late 1970's, costs could be even higher.

The impact of these high levels of expenditure, particularly over a long period of time, on economic growth and on the ability to meet other demands of society, cannot be dismissed lightly. If one makes the assumption that the United States could otherwise maintain a high level of unemployment, the social costs of allocating 2 per cent of GNP in the early part of the next decade to a strategic weapons program, and possibly a larger fraction during the latter half, are glaring. On the other hand, if the American economy would otherwise be operating with substantial unemployment, the effect might be relatively small, even at a level of $25 billion per year. Even then, however, a large fraction of the country's advanced engineering talent would be committed to endeavors that produce little spin-off relevant to major social problems. If full employment is achieved as a consequence of large military programs, short-term economic problems may be avoided. However, in so doing, the country is denied the long-term benefits of investing the same resources in its capital plant, in education, and in the other foundations on which society is built.

The direct costs inherent in high levels of defense expenditure are not the only drawbacks. Military programs and the fortunes and influence of the military-industrial complex, of which President Eisenhower spoke in his farewell address, are dependent on the maintenance of conflict or at least on a high level of international tension. It would be a mistake to claim that armaments are the sole, or even the primary, cause of such tensions. But it would also be wrong to deny that armaments cause tensions—witness the Cuban missile crisis. In a very real sense the arms race feeds on itself with adverse effects on international relations.

In this connection the impact of an expensive arms race on Soviet society should also be of concern. Some Johnson Administration witnesses have testified that they are not particularly unhappy about the prospect of Soviet expenditures on defenses. Therefore, they argue for AMSA on the grounds that it would divert to air defenses Soviet resources that would otherwise be available for improving Soviet offensive capabilities, which would cause more concern.[20] This argument is open to serious question. In the Soviet Union, probably to an even greater degree than in the United States, demands for new weapons systems, whether defensive or offensive, will almost certainly be met largely at the expense of the civil economy. And there is little basis for doubting the capacity of the Soviet economy to meet these demands.

It would be a mistake to believe that by spending enough on arms the U.S. can force the Soviet Union to accept second class status simply because of its smaller economic and industrial capacity. Long before that point is reached America's own growth will have been stunted and its society badly distorted by the military demands placed on it.

The effect of the arms race on Soviet decision-making must also be considered. A rapid growth rate and increased consumption and consumer influence in the Soviet Union are almost certainly in the long-term U.S. interest. Conversely, the greater the Soviet defense budget, the stronger will be the hand and the longer the tenure of those elements in Moscow most inimical to the United States.

Thus, increased allocation of Soviet resources to the arms race is triply disadvantageous: in increasing the threat to the United States; in requiring that the country devote its own resources to responding; and in delaying changes in Soviet society which are the long-term hope for a more stable, peaceful world.

III. OPTIONS FOR THE SEVENTIES

Looking to the future, the United States is confronted with two broad dilemmas: that of minimizing the likelihood of escalation while relying on it as a deterrent; and that of reconciling the desire to minimize damages to the U.S. in the event of war with the desire to escape the adverse consequences that may flow from developing damage-limiting capabilities.

The first seems the easier to deal with. Escalation to an all-out nuclear war is properly seen as such a disaster that extraordinary efforts seem justified in order to minimize this risk. Yet American interests have sometimes been served by the possibility of escalation, because it deterred the superpowers from involvement in political or military confrontations.

Relying on escalation is the cheap defense for Western Europe and particularly for Berlin. But unless damage that the Soviet Union can inflict on the United States can be limited to low levels—which seems unlikely—it is an extremely risky option. Relying on the threat of escalation may lack credibility, and if it is put to the test the United States loses either way, whether escalation results or whether it does not.

It is within the power of the United States to increase the likelihood of escalation and hence its credibility as a deterrent. This has happened as a result of American deployment of large numbers of tactical nuclear weapons and delivery systems in Europe. The original build-up of those capabilities was based, in part, on the expectation that they could be used in tactical combat to effect a favorable outcome for the West without necessarily leading to a strategic nuclear exchange between the superpowers. For the last decade, however, this possibility has been discounted. Today, one of the major effects of these tactical nuclear weapons is to create something approaching a continuum in the scale of violence between conventional combat on the one hand and a full-scale thermonuclear exchange on the other. Thus, the transition from the one to the other is

---

Footnotes at end of article.

made more probable, and the credibility of the deterrent thereby enhanced. (The additional role they serve, or at least the rationale for their deployment, is to buttress the confidence of some of the Western allies in the American commitment to their defense.)

There are other possible mechanisms for making escalation more likely. British and French possession of nuclear capabilities may serve that purpose, as would further proliferation of nuclear weapons capabilities or relaxation of American control over U.S. nuclear weapons in Europe.

When one looks beyond Europe, it is occasionally argued that strategic forces may be of value in compelling non-nuclear or weaker nuclear powers to behave as the United States would like. At best, this concept is of limited utility. Against nuclear powers it would be useful only if the United States had something approaching a damage-denial capability against the country in question. Against nuclear and non-nuclear powers it would be useful only if the risks of uncontrollable escalation were practically non-existent. In fact, nuclear strength has repeatedly proven irrelevant to problems that have arisen on the periphery of Asia and Africa.

The hard reality is that the United States cannot minimize the probability of escalation while attempting to rely on it as a mechanism for deterring a broad range of conventional or limited nuclear attacks. Nor can the threat of limited use of strategic nuclear capabilities be relied on as an effective instrument for exerting American political power.

Despite the cost and the opposition from some Western allies, it seems wise to continue to move, as has been done since the days of John Foster Dulles' massive retaliation doctrine, further away from reliance on the likelihood of escalation, and toward increased reliance on conventional strength as a deterrent to conventional threats.

The second policy dilemma—the incompatability of a "damage-limiting" policy with other U.S. objectives—is more difficult to deal with. It has two facets. First, there is the possibility that certain actions taken by the superpowers to reduce damage, should deterrence fail, may lead to an increase in the probability that it will fail, particularly if the adversary should fail to modify his force posture in response to those actions. This point is illustrated in Table II, taken from former Secretary of Defense McNamara's posture statement for fiscal 1967. This shows that American fatalities (in 1975) would be only about one-third as great in the event of a U.S. first strike as in the case of a Soviet first strike, assuming a greatly expanded threat, extensive damage-limiting efforts by the United States, and failure of the Soviet Union to react to U.S. damage-limiting efforts by improving its retaliatory capabilities. Obviously, if war seemed imminent, with the strategic balance as hypothesized in the Table, there would be tremendous pressure on the United States to strike first. There would be corresponding pressure on the Soviet Union to do likewise if a Soviet first strike could result, not only in a much higher level of damage to the United States, but also in a diminution in damage to the U.S.S.R. And the incentives would be mutually reinforcing.

To minimize the chance of deterrence failure, it seems important for both sides to develop strategic postures such that preemptive attack would have as small an effect as possible on the anticipated outcome of a thermonuclear exchange.

In short, there is an inherent inconsonance in the objectives spelled out in our basic military policy, namely, "to deter aggression at any level and, should deterrence fail, to terminate hostilities in concert with our allies under conditions of relative advantage while limiting damage to the United States and allied interests."[21] Hard choices must be made between attempting to minimize the chance of escalation and attempting to minimize the consequences if it does occur.

Actually, the United States may have only limited freedom of action in trying to achieve the latter objective even if it tries to do so. For example, it is unlikely that the Soviets would passively watch the United States develop the damage-limiting postures hypothesized in Table II; rather they would probably react by modifying their force posture so that the advantage to the United States of attacking preemptively would be less than indicated in the Table.

This is the second facet of the dilemma: to what extent will any measure to limit damage to the United States in the event of a nuclear war stimulate a compensating or over-compensating reaction in the structuring of Soviet forces? This is especially troublesome, for while the United States generally reacts by anticipating possible Soviet moves, one cannot be sure of the extent to which the Soviets do likewise.

TABLE II.—DAMAGE TO THE UNITED STATES ASSUMING MAJOR DAMAGE-LIMITING EFFORTS

	Soviet damage potential in terms of millions of U.S. fatalities [1]	
	Soviet first strike	United States first strike
U.S.S.R. threat I: [2]		
U.S. DL posture A	80–95	25–40
U.S. DL posture B	50–80	20–30
U.S.S.R. threat II:		
U.S. DL posture C	105–110	35–55
U.S. DL posture D	75–100	25–40

[1] Rounded to the nearest 5,000,000.

[2] DL is damage-limiting. Both the Soviet threats and the U.S. damage-limiting postures are hypothetical.

Note: Threat I is basically an extrapolation of current Soviet forces reflecting some future growth in both offensive and defensive forces. Threat II is a major Soviet response to our deployment of a ballistic missile defense. 2 of the 4 U.S. damage-limiting programs, postures A and B, are tailored against threat I; and the other two, C and D, against threat II. Postures B and D include more antiballistic missile defense forces and SAM–D batteries than postures A and C. Postures C and D include more F–12 interceptors than postures A and B.

Source: Department of Defense, Secretary of Defense Robert S. McNamara, "Approach to the Fiscal Year 1967–71"; program and fiscal year 1966–67 budget, in U.S. House of Representatives (89th Cong., 2d sess.), Department of Defense Appropriations for 1967, hearings before a Subcommittee on Appropriations, pt. I (June 1966), pp. 46–47.

Recognizing this uncertainty, many responsible Americans, including senior military officers, assign high priority to capabilities to limit damage to the United States in the event of war. Whether they are right in advocating such capabilities depends upon the extent to which the action-reaction hypothesis applies to the Soviet decision-making process, as well as the impact of such actions on the probability of a failure of deterrence.

The decision taken in recent years with respect to new weapons development and deployment reflect a middle ground philosophy. The United States has generally avoided actions whose primary rationale was to limit damage which the Soviet Union might inflict upon it, and to which the Soviets would probably respond. Thus, the United States has not deployed an anti-Soviet ABM system, and has given air defense low priority.

On the other hand, where there were reasons other than a desire to improve American damage-limiting capability vis-à-vis the Soviet Union, the United States has proceeded with programs despite their probable escalatory effect on the arms race or their effect on first-srike incentives. This was true in the case of MIRV's and Sentinel.

Footnotes at end of article.

The United States will face more such decisions. For example, it may appear necessary to change the U.S. strategic offensive posture in order to make American forces less vulnerable to possible Soviet MIRV attack. The nature of these decisions will depend on the importance attached to the action-reaction phenomenon and to the effect of improved counter-force capabilities on the probability of war. Emphasis on these two factors implies discounting options that would increase U.S. counterforce capability against Soviet strategic forces, which in turn might provoke an expansion of Soviet offensive forces. Options requiring long lead-times would also be discounted, since decisions regarding them might have to be taken while there was still uncertainty about whether the Soviet Union was developing MIRV's.

Should more weight be given in the future to developing damage-limiting capabilities? Or should more weight be given to minimizing the probability of a thermonuclear exchange and curtailing the strategic arms race? Again, as in the case of the escalation phenomenon, it is hard to see how one can have it both ways.

Despite some changes in technology, there is little to indicate that the United States could get very far with damage-limiting efforts, considering the determination of the Soviets and the options available to them for denying the attainment of such U.S. capabilities.

The emergence of new nuclear powers, the rapid pace of technological advance, and the other important demands on American resources suggest that a clear first priority should be assigned to moderating the action-reaction cycle. Moving toward greater emphasis on "damage-limitation" would seem justified only if the United States can persuade itself that the Soviets will not react to American moves as the United States would to theirs, and if means can be chosen that will not increase the probability of war.

Negotiations to curtail the arms race

In considering negotiations with the Soviet Union on the strategic arms problem, the first factor to be borne in mind is the objectives to be sought. It would be a mistake to expect too much or to aspire to too little.

One obvious aim is to reduce strategic armaments in order to lessen significantly the damage that would be sustained by the United States (and the U.S.S.R.) in the event of a nuclear exchange. Regrettably, this goal is not likely to be realized in the near future. In the first place, any initial understandings will probably not involve reductions in strategic forces. Even if they did, these reductions would be limited. One cannot expect damage levels to be lowered by more than a few per cent, even with fairly substantial cuts in strategic forces, because the capabilities of the superpowers are already so great.

Other objectives have been considered: reducing the incentives to strike preemptively in time of crisis; reducing the probability of accident or miscalculation; and increasing the time available for decisionmaking in the hope that the increased opportunity for communication might prevent a nuclear exchange from running its full course. Last but not least, one might also hope to change the international political climate so as to lessen tension, to reduce the incentive for powers that presently do not have nuclear weapons to acquire them, and to increase the possibility for agreement by the superpower on other meaningful arms control measures.

It is reasonable to expect that successful negotiations might achieve all these objectives to some degree, except the first—reduction of potential damage. However, to focus on any one, or a combination of them, is to obscure the immediate problem. Despite the United States' restraint in its choices regarding strategic weapons development and deployment during the first two-thirds of this decade, it now appears that in the absence of some understanding with the Soviet Union, the United States will be unable to break the action-reaction sequence which propels the arms race. Thus, the immediate objective of any negotiations must be to bring that sequence to a halt or to moderate its pace, so that there will be a better chance of ending the arms race than is offered by continuing the policies of the last two decades.

In retrospect, controlling or reversing the growth of strategic capabilities could have been accomplished more easily a few years ago, when the possibility of ABM deployment seemed to be the factor that would be likely to drive the United States to another round in the arms race. Now the ABM prospect is more troublesome because of technological advances. In addition, there are the two other stimuli already discussed: the possibility of effective counterforce capabilities as a result of the development of MIRV's; and the possibility that the Chinese nuclear capability may serve as a catalyst to the Soviet-American action-reaction phenomenon.

Obviously, short of destroying them by nuclear attack, there is little the United States can do about Chinese capabilities except to make sure that it does not give them more weight in its thinking than they deserve. This leaves the option of trying to break the ABM–MIRV chain by focusing on control of MIRV's or ABM defenses.

While one might hope to limit both, if a choice must be made, the focus should clearly be on the latter. Verification of compliance would be relatively simple and could probably be accomplished without intrusive inspection. Moreover, the incentive to acquire MIRV's for penetrating defenses would be eliminated—although the incentive to acquire them for counterforce purposes would remain.

The problems of vertifying compliance with an agreement to control MIRV's would be very difficult. Also if ABM deployment occurred, there would be great pressure to abrogate or violate any agreement prohibiting MIRV deployment because MIRV's offer high assurance for penetrating defenses. While reversing the MIRV decision would be difficult, doing so in the case of Sentinel would present less of a problem. In fact, there may well be sufficient reason for doing this, aside from the possible impact on Soviet-American negotiations on arms limitation.

To be attractive to the Soviet Union, any proposal to limit defenses would almost certainly have to be coupled with an agreement to limit, if not reduce, inventories of deployed strategic offensive forces. In principle, this should not be difficult, since it need not involve serious verification problems.

Complicating any attempt to reach understanding with the Soviet Union on the strategic balance is the fact that there are asymmetries in the American and Soviet positions. The United States has allies and bases around the periphery of the Soviet Union, whereas the latter has neither near the United States, unless one counts Cuba. It is clear that a Pandora's box of complications could be opened by any attempt in the context of negotiations on the strategic balance to deal with the threat to America's allies posed by short-range Soviet delivery systems, and with the potential threat to the U.S.S.R. of systems in Europe that could reach the Soviet Union, even though they are primarily tactical in nature. Hopefully initial understandings will not have to include specific agreements on such thorny issues as foreign bases and dual purpose systems.

Virtually all of the above is based on the premise that for the foreseeable future each side will probably insist on maintaining substantial deterrent capabilities. For some time to come there will be little basis for expecting negotiations with the U.S.S.R. to result in a strategic balance with each side relying on a few dozen weapons as a deterrent. The difficulties and importance of verification of compliance at such low levels, the problem of Communist China, the existence of large numbers of tactical nuclear weapons on both sides, and the general political climate all militate against this. At the other extreme, negotiations would almost necessarily be doomed to failure if either party based its negotiating position on the expectation that might achieve a significant damage-limiting capability vis-á-vis the other.

Thus, the range of possible agreement is quite narrow. There is a basis for hope (a) if both sides can accept the fact that for some time the most they can expect to achieve is a strategic balance at quite high, but less rapidly escalating, force levels; and (b) if both recognize that breaking the action-reaction cycle should be given first priority in any negotiations.

There will be risks in negotiating arms limitation. These must be weighed not against the risks that might characterize the peaceful world in which everyone would like to live, or even against the risks of the present. Rather, the risks implicit in any agreement must be weighed against the risks and costs which in the absence of agreement one will probably have to confront in the 1970's.

A final note

Whether the superpowers strive to curtail the strategic arms race through mutual agreement or through a combination of unilateral restraint and improved dialogue, they should not do so in the mistaken belief that the bases for the Soviet-American confrontation of the last two decades will soon be eliminated. Many of the sources of tension have their origins deep in the social structures and political institutions of the two countries. Resolution of those differences will not be accomplished overnight.

However, restraining the arms race may shorten the time required for resolution of the conflicts; may increase the chances of survival during that period; and, may enable the Soviet Union and the United States, despite political differences, to work more effectively, both individually and in concert, on the other great problems that confront the two societies.

APPENDIX: ANTI-BALLISTIC MISSILE DEFENSES

Kinds of ABM systems

Anti-ballistic missile defenses fall into two categories: one type employs exoatmospheric interception, in principle providing protection for large areas; the other is designed to intercept the incoming warhead late in its trajectory, so that a single interceptor site can defend only on a very limited area. The latter category may be subdivided into systems designed to defend cities, and so-called "hard-point defenses," designed to defend ICBM sites or other "hardened" key facilities. The problems of hardpoint defense and city defense are somewhat different. Hardpoint defense is technically easier, as missile sites or other hard points can be designed to withstand close-in nuclear bursts that would destroy cities; thus interception can be deferred until relatively late in the trajectory of the incoming missile. Also, a lower degree of effectiveness may be acceptable.

The implications of hard-point and urban defenses for the arms race are also very different. The former serve to enhance "assured destruction" capabilities and the latter, "damage-limiting" capabilities.

The effectiveness of ABM systems

ABM systems are often evaluated by comparing their cost with what the other side would have to spend on improving offensive capabilities to offset their effect. The comparison has generally proved favorable to the offense. This is particularly true if the objective of the defense is to reduce expected damage from a nuclear attack to very low levels—less so if the objective of the defense is limited to reducing damage only slightly.

To some, prospects for the defense appear somewhat better than they did a few years ago. While at that time it was generally thought that the offense would have perhaps a ten- to fifty-fold cost-effectiveness advantage over the defense (assuming intermediate levels of damage reduction), it is probably fair to say that now a more acceptable estimate would be about one to five. The reasons underlying this change in assessment are:

(1) the development of phased array radars and their associated computers enhances the possibility of discriminating between incoming warheads and decoys and other penetration aids;

(2) the development of interceptors capable of very high accelerations may permit a deferral of decision to intercept an incoming ICBM until fairly late in its trajectory.

(3) there is a realization that area-type defenses may be somewhat more attractive than was thought a few years ago—in part because of technological changes in interceptor warheads.

Sentinel

The ABM deployment (Sentinel) planned by the United States is to be of the area-defense type, although some terminal interceptors are planned for the defense of radars, and more may be added for "hard-point" defense of ICBM sites.

In announcing the Sentinel decision, former Secretary of Defense McNamara made it clear that he regarded the decision as marginal.[22] He also indicated that despite the possibility of some Chinese ICBM's leaking through it, Sentinel might save up to 14 million American lives in the event of a Chinese first strike with ICBM's during the 1970's.[23] Subsequently, other Johnson Administration spokesmen claimed the system could deny damage to the United States from a Chinese nuclear attack.[24] However, to have high confidence in the system one must allay doubts of three kinds. First, there is the question of whether such a complicated system will work at all when called upon to do so. It must be recognized that while component tests will be possible, it will never be feasible to test the full system against a satisfactory simulation of an operational environment. This fact, together with the history of initial failures of far less complicated systems, leads many experts to believe that the probability of a catastrophic failure of Sentinel, or any other ABM system, is high (and much higher than for strategic offensive systems which are, by comparison, simpler and more susceptible to adequate testing).

Second, there is the possibility that the Chinese may develop penetration aids that could defeat the system. This possibility is discussed at some length by Richard Garvin and Hans Bethe.[25] The author is not aware of any convincing rebuttal of their thesis. General A. W. Betts, Chief of Research and Development for the Army, in replying to the Garwin-Bethe argument, disputes the contention that development of effective penetration aids would be as easy as claimed. To make his point, he cites American difficulties in developing high confidence penetration aids.[26] There are, however, two considerations that make this experience largely irrelevant:

(1) Our programs aim at the development of penetration aids effective not only against exoatmospheric defenses but also against terminal interception. If one has to cope only with the former, which is all that is required in the case of Sentinel, the problem is much less complex.

(2) Although the Chinese would probably prefer to have a high confidence system as a deterrent against the United States, one with a moderate probability of penetrating the Sentinel defenses might be almost as useful to them.

Third, there is the fact, mentioned earlier, that damage denial is a much more demanding task than simply reducing damage by small amounts. The extreme difficulties involved can be illustrated by a simple calculation. Let it be assumed that a given target is defended by 50 interceptors, that the Chinese have 25 ICBM's with a reliability of 80 per cent, and that each interceptor has an 80 per cent chance of destroying an ICBM. According to this scenario, there is no more than about a 50 per cent probability that Sentinel would succeed in preventing all 25 ICBM's from hitting their target. It must be borne in mind that the offense can choose any target on which to concentrate its attack; the defense must defend all. The range of the Spartan interceptor, which is used with the Sentinel system, implies that not 50 interceptors, but about 500 would have to be deployed throughout the United States if every important target were to be within the effective range of 50 Spartan missiles. Thus, even with a twenty to one superiority in numbers of interceptors over the number of Chinese missiles, the picture is far from comforting.

When one considers that a single one-megaton warhead detonated over one of the larger U.S. cities would produce about one million fatalities, it is clear that those who claim a damage-denial or near damage-denial capability for Sentinel are assuming an extraordinary high level of effectiveness.

As Chinese capabilities grow, the defense problem will become even more difficult. This is illustrated by an extension of the sample calculation: if the numbers of Chinese ICBM's and the United States interceptors are both doubled, the chance of at least one Chinese missile getting to its target rises to over 70 per cent, to over 90 per cent if the numbers of ICBM's and interceptors are both quadrupled, and so on. In the long run then (and it may not be too long a run), defense clearly becomes a losing game even against a relatively weak adversary. The costs of defense required to maintain any given level of protection will rise much more sharply than the costs of improving the offense.

FOOTNOTES

[1] See U.S. Department of State *Bulletin* (9 July 1962), pp. 64–69, and, for example, U.S. Senate (90th Cong., 2d Sess.), *Hearings before the Committee on Armed Services* (2 Feb. 1968), pp. 144, 150–153. See also, discussion between James T. Kendall and General Earle G. Wheeler in U.S. Senate (90th Cong., 2nd Sess.), *Preparedness Investigating Subcommittee of the Committee on Armed Services on Status of U.S. Strategic Power* (27 Sept. 1968), pp. 5–8. (Cited hereafter as *Senate Hearings on Status of U.S. Strategic Power.*)

[2] Department of Defense, Secretary of Defense Robert S. McNamara, "Approach to the Fiscal Year 1969–73," Program and Fiscal Year 1969 Budget, in U.S. House of Representatives (90th Cong., 2d Sess.), *Department of Defense Appropriations for 1969, Hearings before a Subcommittee on Appropriations, Part I* (14 Feb. 1968), p. 152.

[3] General J. P. McConnell, statement at *Senate Hearings on Status of U.S. Strategic Power, op. cit.* (30 Apr. 1968), p. 222.

[4] CONGRESSIONAL RECORD, vol. 114, pt. 22, p. 29172.

[5] Richard L. Garwin and Hans A. Bethe, "Anti-Ballistic Missile Systems," *Scientific American* (Mar. 1968), pp. 21–31.

[6] House of Representatives (90th Cong., 2d Sess.), *Department of Defense Appropriations for 1969, Hearings before a Subcommittee on Appropriations, Part II* (24 Apr. 1968), p. 455. Emphasis added. (Cited hereafter as *House Hearings on Defense Appropriations.*)

[7] Deputy Secretary of Defense Paul Nitze, *Statement for Subcommittee on Military Applications of the Joint Committee on Atomic Energy* (6 Nov. 1967), p. 2. Emphasis added.

[8] Department of Defense, Secretary of Defense McNamara, "Approach to the Fiscal Year 1968–72," Program on the Fiscal Year 1967–68 Budgets, p. 42. (Cited hereafter as *Posture Statement 1968–72.*)

[9] General McConnell, statement at *Senate Hearings on Status of U.S. Strategic Power, op. cit.*, p. 205.

[10] See Secretary of Defense McNamara, *Address before the United Press International Editors and Publishers,* San Francisco, 18 Sept. 1967, and Assistant Secretary of Defense Paul Warnke, *Address before the Advocates Club,* Detroit, 6 Oct. 1967.

[11] Assistant Secretary of Defense Warnke, *Address before the Advocates Club, op cit.*

[12] See *Posture Statement 1968–72* and *Posture Statement 1969–1973,* as well as Secretary of Defense McNamara, *Address before the United Press International Editors and Publishers, op. cit.*

[13] See letter by Secretary of Defense Clifford to Senator Richard Russell, CONGRESSIONAL RECORD, vol. 114, pt. 22, p. 29172.

[14] Assistant Secretary of Defense Warnke, *Address before the Advocates Club, op. cit.*

[15] R. B. Stolley, ed., "Defense Fantasy Now Come True," interview of former Secretary of Defense McNamara, *Life Magazine* (29 Sept. 1967), p. 28c.

[16] See *House Hearings on Defense Appropriations, Part I,* p. 266.

[17] See *Senate Hearings on Status of U.S. Strategic Power,* respectively, p. 11 and pp. 346, 366.

[18] CONGRESSIONAL RECORD, vol. 114, pt. 22, p. 29169; see also CONGRESSIONAL RECORD, respectively, 18, 19, 21 June, 29 July, 2 Oct., and 1 Nov. 1968.

[19] *Posture Statement 1969–73,* p. 152.

[20] See discussion between General Wheeler and Senator Henry M. Jackson, *Senate Hearings on Status of U.S. Strategic Power,* p. 19.

[21] General Wheeler, statement at *House Hearings on Defense Appropriations,* p. 2.

[22] Secretary of Defense McNamara, *Address before the United Press International Editors and Publishers, op. cit.*

[23] *Posture Statement 1969–73,* p. 152.

[24] See Dr. John Foster, statement at *House Hearings on Defense Appropriations,* p. 455; and Deputy Secretary of Defense Nitze, *Statement for Subcommittee on Military Applications of the Joint Committee on Defense Appropriations, op. cit.*

[25] Garwin and Bethe, "Anti-Ballistic Missile Systems," *op. cit.*

[26] General A. W. Betts, Letter to the Editor, *Scientific American* (May 1968), pp. 6–7.

Mr. PODELL. Mr. Speaker, the military industrial complex of this country is preparing its greatest coup, one that will make all previous robbery of the public purse seem like petty thievery. I refer, of course, to the ABM system. It will stop little, accomplish less for the people it is supposed to protect, and only serve to enrich those who are already perpetrating astronomical assaults upon national solvency in the name of national defense.

It is the most controversial weapons system ever suggested. Lacking anything close to unanimous backing from our military, it is, to begin with, a $6 to $9 billion "thin" defense system against a Red Chinese attack. Already we have been forewarned that it will merely serve as a foundation for a full ABM system against Russian attack that could cost $50 billion, or much more. We can probably double this figure, if we take into consideration past miscalculations.

Deployment of 15 to 20 batteries is contemplated, equipped with missiles costing from $1 to $2 million each. Each related radar unit would cost $100 million, and yearly operating costs would be $500 million.

There are two types of radar. One to detect incoming missiles at long range, and one for short range use. The Spartan missile is to destroy incoming warheads at long range. The Sprint missile is for short range destruction, primarily to protect radar sites. Once a "thick" system is built, which of course it would be, thousands of Sprints would be required.

ABM sites would each require 180 to 250 acres of land. A Spartan warhead is in the megaton range, 100 times the power of the Japan bomb. Sites are to be located near major cities if we are to protect against attack. The Pentagon states that the proposed system is primarily to defend against a Red Chinese attack. The notion that most major American urban areas will have, under this system, a proliferation of multimegaton warheads on a round-the-clock basis to defend against a Red Chinese attack is frightening to say the least. The better the Red Chinese get, weaponry-wise, and the greater the Soviet threat, the more missiles will have to be built, and located even closer to our metropolitan areas.

Mr. Speaker, this is incredible. We are passing into the world of Oz, of never-never land. I expect Dorothy and Toto to come tripping forward, following the yellow brick road leading to the Pentagon.

George Rathjens, MIT faculty member and former Deputy Director of the Defense Department's Advanced Research Projects Agency under President Kennedy stated that an accidental explosion of the warhead of a Spartan missile would cause nearly total destruction for a radius of 5 miles.

Further, location of such sites insures that any metropolitan area covered by them will have priority on any Russian target list. The missile, if used, would explode close to cities. And what about enemy use of decoys? One technological breakthrough makes such hardware obsolete. It becomes junk, an untested drug or an auto with a safety defect. It will not fulfill the function it was built for.

Yet our military states that the ABM is primarily aimed at saving civilian populations. The Seattle Association of American Scientists estimates that minimal shelter protection for urban Americans, which would have to be provided along with an ABM system, would cost 10 times the initial outlay for the ABM, which is now conservatively estimated at $6 billion. Yet the present Defense Department budget calls for a total civilian defense outlay of only 6 percent of the ABM allocation. Pentagon logic leaves much to be desired.

The Red Chinese have plenty of time to develop countermeasures to our system. Clever use of decoys could and would overwhelm and exhaust our ABM system. Many other options are open to any potential attacker. In short, it is impossible to develop and install a defense system against ICBM and MIRV attack, now or in any foreseeable future.

Further, deployment of this system would not only deepen the cold war freeze, but begin another insufferable spiral to the arms race. Net losers; the American taxpayers and peace and security of all mankind.

Each year demands for weapons development funds from the Pentagon increase, until now they have reached $8 billion yearly. In 1959, the Army proposed deployment of the Nike-Zeus. Cost estimates were $13 to $14 billion. President Eisenhower said, "No," to his credit. Had it been built, we would already have been tearing it out and replacing it.

The Soviets already have a missile bombardment system operating from a satellite in orbit. Our ABM is helpless against it. MIRV is almost a reality. ABM is useless against it. Submarine missiles are rapidly appearing in the Soviet arsenal. ABM is unable to stop it.

Mr. Speaker, more than $2.4 billion has been already spent on research for ABM. This has created a constituency with a vested interest in its deployment within the military industrial complex; 15,000 companies stand to gain from it, including almost every major military contractor. What better argument is there that could be more effective against plaintive voices crying out for arms control?

A recent major study by a Budget Bureau examiner was highly revealing to me. Richard Stubbing is owed a debt of gratitude by every citizen of the United States for his work.

He studied a sample of 13 major Air Force-Navy aircraft and missile programs with sophisticated electronic systems initiated since 1955 at a cost of $40 billion. Enough to rebuild the worst ghettos in America, Mr. Speaker.

Of the 13, he found that only four, costing $4 billion, could be relied upon to perform at more than 75 percent of their specifications. Five others, costing $13 billion, were rated "poor," with an electronic reliability of less than 75 percent. Two more, costing $10 billion, were phased out because they were so much junk. The last two were canceled after we spent $2 billion.

Multibillion-dollar weapons systems are performing more poorly as time goes along, according to this excellent study. Yet the proposed ABM system is far more complicated. We know that the Russians, have expended billions in a vain effort to create a viable ABM. Warheads are increasingly improving and harder to destroy. Radars for detecting them are increasingly sensitive and easily jammed.

Former Vice President Humphrey, former President Eisenhower, Robert S. McNamara, and Jerome Weisner are among those who have added their voices to the opposition. As respected a man as Senator SYMINGTON, of Missouri, has added his weight to those opposing this vast boondoggle. The list is legion, Mr. Speaker, and growing daily.

What it boils down to is simple. A vast complex of defense oriented firms have made a fortune from supplying armaments to the U.S. Government. Their lobbyists swarm in this city as bees around a hive. A steady stream of high-ranking officers from all military services find employment in high places among these firms when they leave the service. Such gentlemen are used to aid these firms in their ever-accelerating greed for more taxpayer dollars to build more systems to make their empires larger and their profits fatter.

In return for this, and because of this insanity, our waters have grown more polluted; our air is becoming increasingly dangerous; our transportation network is grinding to a halt; our cities are cesspools of poor housing, crime, narcotics addiction, and filth; and we are on the verge of racial conflict which will assume the form of urban guerrilla warfare. This is violently imminent. All because our priorities have become reversed. Because this House has rammed through staggering sums for such hardware without debate, without queries, without mature consideration, without asking uncomfortable questions. Between the insanity in Vietnam and these incredible boondoggles for the benefit of a few, America is on the brink of internal chaos.

Let us not be misled by the sum requested. They do not dare ask for the full sum. First they seek to get the door open by asking for a "thin" ABM shield against an improbable Red Chinese attack. Our protection will consist of a thin defense, which may have to become a thick one to defend against a Russian attack.

Mr. Speaker, I submit that such a system would endanger hundreds of millions of Americans on a permanent, daily basis, without lessening their danger or aiding our defensive capability. Instead, it would increase the menaces to Americans and further escalate the arms race and deepen the cold war.

I am more than ready to vote for sums of money for the protection of this Republic. I am unalterably opposed to building a monstrosity that will not fulfill its task while irretrievably harming the Nation. Mr. Speaker, this ABM system is a most outrageous affront to the American people.

A time has come when America must heal its wounds and upgrade the quality of its life. It is time for us to uplift the fallen, not tread them further into the earth. It is time to spend of our substance upon those who have not, rather than to swell our armories, already bursting, with more horrors of mass murder. We are toying with elementary forces of nature, disregarding the exigencies of our immediate problems.

Mr. Speaker, I am but one Member of this august body, and a very junior member at that. Yet Mr. Lincoln once said that, "To sit in silence when we should protest makes cowards out of men."

I plead for defeat of the ABM. I pray for enlightenment and selflessness in the name of private survival, if for nothing else.

Mr. GREEN of Pennsylvania. Mr. Speaker, I want to thank my distinguished colleagues for reserving time to discuss this vital issue.

I think it is important for Members of Congress to raise questions about the need, the efficacy, the costs, and the potential effects of the development of an anti-ballistic-missile program.

I do not think the Congress has been given adequate information on the subject. Much of the information about the ultimate objectives of the system has been contradictory and confusing.

With the benefit of hindsight, I would hate to see the anti-ballistic-missile system become the Vietnam of the 1970's—so costly that we neglect other areas of defense and national well-being—and so potentially threatening that it escalates a more deadly arms race. This is not to say that we have no business in building defense systems. As a major power in a world threatened by many sources of conflict, we have a duty to protect our people and a right to protect our interests. But I question the wisdom of a decision that may well bring our people—as well as the rest of the people in the world to the brink of nuclear war. I question the wisdom of spending $50 billion on a system that will be obsolete before its completion—particularly at a time when the needs for revenue are already pressing the people of this country and the problems of the domestic front cannot go unanswered.

As with Vietnam it would be naive to assume that the interests of the United States do not go beyond our national frontiers. We are a world power with worldwide interests. We are in competition, strategically and economically.

But there is an object lesson provided by Vietnam that I hope we can learn. Once we make the decision to move along the path toward a buildup, there is no turning back. The very presence of a vast array of equipment seems to generate the need for an even greater expenditure of money on even more equipment. At that point, we are no longer in a position to question the wisdom of our intentions. We must live with the reality we have created. We must make decisions on the basis of that reality.

Again, as in the early stages of the Vietnam war, we hold a trump in threatening to use power as a means of negotiating peace. This was true when we threatened to bomb North Vietnam. It is true when we threaten to construct an anti-ballistic-missile system. Once we have used that power, however, we can no longer employ the threat of using it to negotiate peaceful pursuits. By constructing the ABM we are challenging our opponents to match us in skill and hardware. We are not challenging them to negotiate. I think we should begin with the negotiations to make the world safer from nuclear holocaust.

Mr. BOLAND. Mr. Speaker, I congratulate the gentleman from California for sparking this discussion. Many of us in this House are aware of the great deal of study, time, and effort he has put into this important problem. The issues that he has raised before and now raises again on the floor of Congress are, indeed, transcendent. I join him in this discussion and associate myself with his remarks.

The matter of deployment of the Sentinel ABM system deserves a great more thought and study. Serious questions must be answered—questions that have been raised for many months and to which no positive answers have been given.

A week ago, the distinguished assistant majority leader of the Senate and senior Senator from Massachusetts, Edward M. Kennedy, called for more and adequate information on the Sentinel system. In line with this, he has asked two distinguished Americans to organize and prepare a report, not alone for Senator Kennedy, but for the Congress as well. He has summoned to this task Dr. Jerome B. Meisner of the Massachusetts Institute of Technology, and Prof. Abram Chayes, of Harvard University. Both of these talented men have given outstanding service to this country. Both understand the nature of the many problems posed by the Sentinel system. Senator Kennedy deserves the gratitude of all for asking for this in-depth study—a study that will give us the answers that are so difficult to arrive at by the inexperienced and untechnical mind.

Mr. Speaker, the question of whether or not to deploy an ABM system, be it thin or thick, is one of the most crucial and complex defense questions ever to confront this Nation. It involves our entire strategic posture, the balance of nuclear power, relations with our allies, disarmament negotiations, and vast expenditures of the national wealth. Yet this matter has received insufficient attention in the Congress. The Army, on the other hand, has initiated a high-geared public relations program designed to defuse opposition to Sentinel system deployment.

The Members of the Congress, as the duly elected representatives of the people, have the responsibility to see that the matter of deployment of an ABM system receives the most intensive scrutiny and debate in order to safeguard the national security and public interest. Rational discussion of this subject is imperative. Yet rationality has been singularly lacking in the explanations offered in defense of the Sentinel system. The primary official case made by the Defense Department to the public for its decision to deploy the Sentinel system has been to protect the Nation from a potential Red Chinese missile threat, expected to materialize in the early or mid-1970's. However, many advocates of the system state that the principal argument for the Sentinel program is that it will strengthen the hand of the United States in bargaining with the Soviet Union for the limitation of offensive and defensive missile systems. I find these arguments to be logically inconsistent.

Nevertheless, let us suppose for a moment that the Sentinel system is in fact designed to cope with a potential Communist Chinese threat. I am then prompted to ask the following questions: What possible gain could accrue to the Red Chinese in attacking the United States? Further, might not our anti-Chinese ABM system provoke them into believing that the United States has aggressive designs on the Chinese mainland? If so, this would seem a strange strategy on the part of the United States at a time when we are trying to open new lines of communication with the Peking regime.

In a January briefing of the House Appropriations Committee on the Sentinel system by Lieutenant General Starbird, Sentinel system manager, the question was asked if the Pentagon actually considered Communist China to be a greater menace to the United States than the Soviet Union. This question was left unanswered at the time.[1] However, I find it difficult to believe that the Pentagon places more credence in a possible Chinese threat than it does in the existing Soviet threat.

In this respect, I think that President Nixon has done a great service to the Nation in refusing to accept the rationale that the Sentinel ABM is directed against a Red Chinese nuclear threat. To many astute observers, it is becoming increasingly evident that the ABM system is aimed against potential attack from the Soviet Union.

If the latter is, in fact, the case, I think it is worthwhile to recall that former Secretary of Defense McNamara in announcing the decision to deploy a thin ABM system in September 1967, spent the greater portion of his remarks expounding on the futility of an anti-Soviet ABM system. He warned that a buildup of offensive or defensive weapons on the part of either the Soviet Union or the United States would "necessarily trigger reaction on the other side" and produce the "action-reaction phenomenon that fuels an arms race."

I think it virtually certain that the deployment of an ABM system by the United States will lead to an increase in numbers of offensive missiles by the Soviet Union in order to counter the U.S. defensive buildup. Should this occur, our military leaders would then feel compelled to increase our offensive missile capability in order to counter the Soviet increment. The result would be a mutual rise in the arms level, but neither side will have gained any more security.

The cost of deploying the Sentinel ABM system has officially been estimated to be $5 billion. Undoubtedly, this will prove to be a conservative figure. Our experience with Pentagon estimates of the costs of weapons systems shows that final expenditures almost invariably exceed the original figures. Many knowledgeable scientists and military experts think that an estimate in the neighborhood of $10 billion for a thin ABM system to be more realistic. Like many of my colleagues, I feel that a thin ABM system will prove to be the entering wedge for the eventual deployment of a thicker system that could eventually cost anywhere from $50 to $100 billion.

Assuming, however, that the Sentinel system to be deployed were to cost only $5 billion, the question remains: What would the Nation gain thereby? Again, I would like to quote the September 1967 statement of former Secretary McNamara:

> None of the ABM systems at the present or foreseeable state of the art would provide an impenetrable shield over the United States. There is clearly no point in spending $40 billion if it is not going to buy us any significant improvement in our security.

Certainly I would not quarrel with the expenditure of $5 billion or much greater multiples of that number if it were certain that we could purchase an invulnerable defense against nuclear attack on the United States. No dollar-and-cents value could be placed on such a defensive system. But today it is not available at any price.

Many nuclear physicists have pointed out that even a defensive system that is 90 percent effective would not provide meaningful protection because only one ICBM has to get through to insure the complete devastation of its target. Furthermore, while the ABM system may not provide any significant defense to the cities around which it is to be deployed, the mere presence of ABM missiles in themselves constitute a threat to the populace. In a book entitled "The Effects of Nuclear Weapons," both the Defense Department and the Atomic Energy Commission have warned that, despite thorough precautions, the accidental explosion of nuclear weapons can take place anywhere and anytime—during assembly and storage, when they are being loaded or transported on the ground or when emplaced in a delivery vehicle. In addition, the ABM sites near cities are a hazard because they invite attack from an enemy who would naturally try to knock out the defending country's ABM missiles first.

The futility of an ABM system to cope with atomic attack has been pointed out by a host of eminent scientists. By the addition of relatively inexpensive penetration aids and decoys, it is possible for an enemy to overwhelm the system. The radars can be taxed beyond their ability to track and discriminate among all incoming objects, and the supply of ABM missiles exhausted in attempting to intercept these objects.

Not only can an ABM system be overwhelmed, the effects of a nuclear attack might cause its malfunction. We do not know to any degree of certainty how well an ABM system would behave under fire. It is true that successful missile intercept tests have been conducted by the Army from Kwajalein Island. However, these tests are conducted under "ideal" or controlled conditions. Many scientists claim that no realistic test of the Sentinel system can be made except under conditions of an actual nuclear attack. To simulate these conditions in the absence of attack is impossible because the actual explosion of hydrogen bombs would necessarily be involved.

Moreover, the Sentinel ABM system is to consist of an enormously complex and intricate network of electronic components and weaponry. It includes the Spartan and Sprint missiles plus perimeter acquisition radars and missile site radars, all operated by computers. We are asked to have faith that all elements of this network will function flawlessly and in harmony under bombardment. We know from experience that most highly sophisticated weapons systems do not work effectively on first try. There are always "bugs" that show up in operation, even after successive trials and costly adjustments. The F-111 aircraft is a case in point. It was put through many flight tests and was finally authorized by the Air Force for use in Southeast Asia. However, structural flaws showed up when the plane flew in combat, and the Air Force was forced to ground the plane after the loss of several of these $7-million aircraft. This was after billions had been spent on research and development of this airplane.

---

[1] The committee felt that this question would more appropriately be addressed to the Secretary of Defense.

We are all familiar with the elaborate hours-long countdowns that accompany each flight of our astronauts. In these countdowns, a systematic check is made of the essential components to see that they are in functioning order. On numerous occasions, the flights have been delayed or postponed for hours or days because defects in minute parts, upon which the success of the whole operation depended, have been detected.

Given the above considerations, I must conclude that the ABM system, as presently conceived, offers no credible deterrent to nuclear attack on the United States. The only adequate deterrent is the maintenance of offensive missile forces that can threaten the infliction of unacceptable levels of damage in retaliation upon an attacking nation. To heighten the credibility of this deterrent, the United States can continue to develop more sophisticated penetration aids and improve its offensive missiles and their guidance and control systems. Perhaps we can also convince the Soviet Union thereby of the futility of their efforts to build an effective ABM system. If we succeed in discouraging them in this endeavor we may be able to prevent the upward spiral in the arms race which they have as much reason as we to fear and avoid.

In conclusion, I wish to say that I wholeheartedly support continuing research and development on an ABM system. It is the responsibility of this Government to seek new technological breakthroughs that might be translated into a truly effective nuclear defense. However, I have not heard to date a convincing or acceptable argument for proceeding with the deployment of an ABM system at this time. To do so would amount to gross folly, would lull the American people into a false sense of security, and waste billions of taxpayers' dollars that are sorely needed in other sectors of the economy.

Mr. ANDERSON of California. Mr. Speaker, I rise today to join with my colleagues in expressing my views on the proposed anti-ballistic-missile system. It is my understanding that a site located in the city of Compton in the 17th Congressional District is under consideration as a Sentinel anti-ballistic-missile base.

If, indeed, this system is proved necessary to the defense of our country, a proposition which has not as yet been adequately demonstrated, then I would oppose the deployment of the ABM in this area for the following reasons:

First. Placement of the missile site would require condemnation of approximately 200 acres of prime industrial property. This would inhibit further commercial development of the area with serious economic consequences. Among these would be the potential loss of many new companies which would otherwise be attracted to the area through the currently scheduled development of a major industrial complex. In addition, thousands of potential new jobs would be lost in an area which is already considered by the Department of Labor to have a high rate of unemployment. Moreover, several millions of dollars in property taxes would be lost because of the tax-free status of a Federal reservation. This would especially hurt the tax base of surrounding municipalities which are already hard pressed to finance the growing demand for services to their residents.

Second. Deployment of the ABM in such a densely populated urban area would prove to be a very vulnerable enemy target. In addition, we must consider the possibility, no matter how remote, of a nuclear accident which could affect the half-million residents of the 17th District.

Third. There is no apparent sound reason why this missile base, if it is proved to be necessary, could not be located in a remote section of California away from any major metropolitan areas. There are plenty of open spaces and sparsely populated land all over the State, including southern California. In fact, there is such land within 50 miles of my district. Moreover, much of this land is owned by the Federal Government, which would save the taxpayers millions of dollars, since prime industrial property would not have to be condemned.

In summary, Mr. Speaker, I am opposed to the placement of an anti-ballistic-missile base in the 17th District because of the unfavorable economic impact, the possibility of a nuclear accident, and the fact that there are many better locations which would save the Government money.

Although I am not at the present time convinced of the need or the effectiveness of such a system in terms of its cost, I would hope that there would be much continued debate and discussion on this very important issue before the administration and the Congress reach a decision to proceed with its development.

Mr. MOORHEAD. Mr. Speaker, I rise in opposition to the deployment of the Sentinel anti-ballistic-missile system.

This highly controversial program, which should have never been started in the first place, has been a source of contention in this House ever since it was first suggested that the United States needed additional missile protection for its cities and weapons sites.

The Defense juggernaut, allied with those business interests who profit most from an anti-ballistic-missile network, have feverishly lobbied for their questionable program.

Construction began on the sites and proceeded under the shepherd-like gaze of top Defense Department officials. Recently, public and congressional concern has halted temporarily deployment of Sentinel and the program is currently being "reexamined."

Mr. Laird, the new Defense Secretary, publicly stated his support for the desirability of the antimissile system. Therefore, unless Congress acts, I think it is but a matter of time before the administration plunges ahead with this program.

The Secretary of Defense feels the Nation faces a threat from both the Red Chinese and the Russians, a threat which the Sentinel can largely blunt. Nonsense. Numerous academicians and scientists have questioned both the value and wisdom of Sentinel.

Would Congress not serve the interests of the people of this country better by putting the effort and money now ticketed for Sentinel into a sustained peace initiative—the object of which would make all the Sentinel programs of the future unnecessary?

Mr. Nixon, on his European visit, has pledged to explore talks with the Russians concerning mutual disarmament.

Further action on the antimissile deployment at this time could sabotage disarmament talks before they begin and lead the Russians to mirror our buildup and once again we will reheat the enormously expensive arms race.

In the greater interest of world peace, let the United States take the initiative and break the arms cycle. Congress should take a stand and demand that the Defense Department, and those corporate interests cheering from the sidelines, stop this maniacal arms buildup, whose entire existence has been surrounded by subterfuge, "propaganda campaigns," broken promises, debates of "thin and thick," and all the other accusations and counterclaims that have made the Sentinel program the most ominous of red herrings.

Mr. THOMPSON of New Jersey. Mr. Speaker, one of the most significant contributions President Eisenhower made during his long career of public service was his admonition to the Nation upon leaving the White House to beware of the industrial-military complex.

General Eisenhower's warning is particularly appropriate when we consider some of the aspects of the controversy concerning the proposed multi-billion-dollar anti-ballistic-missile system. It will be recalled that the ABM was first set forth as our answer to the Soviet missile threat. When the cost seemed prohibitive—even by Defense Department standards—the rationale for the ABM was changed and it was portrayed as a defense against some future Red Chinese missile strike. Whatever the merits of ABM—and I for one, have very grave reservations about its military merit—it is absolutely necessary that the issue be discussed in the open where the arguments of proponents and opponents may be subject to public scrutiny and evaluation.

Therefore, it came as a matter of great concern to me to read in a recent issue of the Washington Post a story telling of two memorandums sent last fall to former Secretary of Defense Clark Clifford. One of these documents authorized by Secretary of the Army Stanley R. Resor pointed out that "several highly placed and reputable U.S. scientists have spoken out in print against the Sentinel missile system." Mr. Resor then went on to detail how his office would be in contact with friendly scientists who might write articles for publication supporting the technical feasibility and operational effectiveness of the Sentinel system and would "extend to these scientists all possible assistance."

In addition to sponsoring such friendly articles, the military would initiate a highly coordinated public relations campaign directed at Congressmen, Governors, mayors, community leaders, editors and publishers to sell them on the merits of the ABM. This public relations campaign would involve preparation of mobile displays, information kits, film clips, taped interviews, and other such public relations vehicles. In short, a public relations campaign worthy of the highest priced Madison Avenue firm was contemplated. This campaign was not designed to initiate debate on the merits of the ABM, it was rather designed to sell the product to the public officials and in much the same way detergents and automobiles are sold in commercial advertising.

Mr. Speaker, the military has a perfect right to press for defense requirements it determines to be in the national interest. We are told that the ABM system will save the lives of millions of city dwellers. In my judgment, these city dwellers ought to be consulted. They ought to have the right to determine whether they want decent housing and decent schools for their children, rather than more rockets and missiles.

With Defense Department expenditures now at the level of $80 billion a year and eating up 42 cents of each Federal tax dollar, it is a matter of increasing urgency that the military budget be carefully scrutinized and that the Department's performance be effectively monitored. I can think of no better way to start than by reexamining the rationale underlying the ABM system.

Mr. HALL. Mr. Speaker, a major policy decision will soon have to be made by the Nixon administration, and by the Congress, which could have profound implications toward national security and defense. The decision involves whether or not to proceed with development and early deployment of an anti-ballistic-missile system, popularly known as "Sentinel."

To say the issue is controversial is an understatement. It also is true that a lot of people who have taken sides are not very well informed about Sentinel, its mission, its capabilities and its limitations. Sentinel is not a sure fire defense against an all-out or even a sophisticated ballistic missile attack; and no one in the present state of the "art" thinks that a "thin"—or any other system—could provide full protection in the event of a massive first strike by the Soviet Union. What the experts say Sentinel would provide, is a selective shield that would assure our capability to strike back on a large enough scale that the cost to the Russians would be prohibitive. The Sentinel system also would offer protection in several other possible situations. It would provide a safeguard against the kind of nuclear attack which the Chinese Communists could launch by the mid to late 1970's. Put another way, the Chinese Communists will not even then be capable of mutual annihilation.

Deployment of a Sentinel system also would strengthen the U.S. hand in any future missile negotiations with the Soviet Union. We know that the Russians already have started work on a primitive ABM system of their own, and the Secretary of Defense advises that the Soviets are now testing a newer and more sophisticated ABM system. Now what are some of the arguments against Sentinel and how valid are they? For one thing there is the cost, at least $5 or $6 billion, and possibly as high as $10 billion. Congress already has invested about $4 billion in research and development, and the 1970 fiscal year defense budget is for $1.8 billion. Some of the opponents say we ought to be spending this kind of money instead of rebuilding our cities and financing social projects of various types. I suggest that this particular question is not relevant to the basic issue of national security. If we had dependable intelligence information, that gave reasonable assurance that neither Russia nor Red China had the ability—or the inclination—to launch a nuclear attack against us, then we could start talking about alternate ways to spend or save tax dollars. But we have no such assurance and the ruthless nature of the Communist attack on Czechoslovakia, the seizure of the *Pueblo*, and the continuing aggression in Vietnam, makes it impossible for those of us who bear the responsibility for national defense, to ignore the threat of nuclear attack.

So long as nuclear attack is a real possibility, I believe the key element in our ABM decision is whether the system we have in mind is sophisticated enough or not, to perform its mission. The task assigned to an ABM system is essentially like trying to stop one bullet with another. To perform such a task requires incredibly accurate radar, instant communications, dependable and strategically located missiles, both the long-range "Spartan" and the short-range "Sprint," and highly trained technicians on 24-hour, round-the-clock alert. If we have the scientific capability—and the Armed Services Committee on which I serve will look very closely at this—then I believe we must proceed with deployment of the system.

About 20 years ago, a similar debate took place in our country involving the hydrogen bomb, whether it was possible to build it, and whether it was desirable. There were voices in those days, too, that cried out against the H-bomb development, that said we should concentrate on works of peace, not war, and that said H-bombs were not technically feasible any way. But former President Truman made the decision to go ahead, a tremendously important decision in view of the fact that the Soviet Union tested a thermonuclear device only a short while after we tested ours. The ABM decision may be every bit as important as the one 20 years ago that has produced a nuclear stalemate between the world's two opposing power blocs. If we can save 20 to 60 million U.S. citizens, you can bet I will be for trying every way we can, including even the expensive Sentinel ABM system.

Mr. HELSTOSKI. Mr. Speaker, I am very pleased that my colleague from California (Mr. COHELAN) has requested time for a discussion of the controversial Sentinel antimissle system, an already antiquated system with built-in obsolescence that serves no end for protection as claimed.

I am of the firm belief that before the growing controversy over this system becomes inflamed in emotions, entangled in personalities and politics, it should have a thorough objective public discussion.

The proposed Sentinel antimissile system is a tremendously costly item envisioned by our Department of the Army, with far-reaching implications.

This Defense Department brainchild of a "thin" line defense has been estimated to cost about $5 or $6 billion and upward of $50 billion for a "thick" defense system. But knowing how these original Government estimates grow, we can expect any antimissile system to require more funds than the original estimates.

We must consider the two critical questions relating to the present dimensions of the program. First, can any ABM system, American, or Russian, or Chinese really work against incoming missiles saturating a defense or target point? And the diplomatic question, Would any ABM system facilitate or make more difficult, a halt to the spiraling arms race?

These questions and others of equal importance to residents of the local areas in which these ABM bases would be established have not been given the deserved public discussion and facts. The Sentinel missile project has, so far, been primarily a Pentagon endeavor. The American public has been given the "what do we care what the public thinks" attitude on what is involved.

I am very heartened by the fact that Senator ALBERT GORE plans to hold public hearings on the ABM before the Senate Disarmament Subcommittee next month. I feel confident that these hearings will turn up frank testimony from top science, diplomatic, and military experts, both from inside and outside of the U.S. Government.

It is my hope that the Senator's subcommittee hearings will provide us with some answers which presently escape us. The American public has the right to know just what the ABM system is and what we can expect in its capabilities to protect us. In addition, what the ultimate cost of the entire system from the "thinnest" to the "thickest" line of defense will be and where the Defense Department desires to deploy these sites and these missiles is important. There will be a negative impact when the Department of Defense commences construction on these missile bases and they will certainly set back our hopes for disarmament.

These hearings should also be extended to the House side of the Capitol so that they can be used to inform us and clear the air and confusion which exists in the minds of the American public today. The full facts are not known.

Secretary of Defense Laird has said that the continuing idea of building these missile bases would be a vital aspect of negotiating arms limitations with the Russians. Yet as he says this, Secretary of State Rogers says he "hopes" that arms control talks can begin before the ABM system is deployed. Now, I ask you, who is more accurate in his estimation of the necessity of the system, the

Secretary of Defense or the Secretary of State? There even seems to be some confusion on this level.

Mr. Speaker, whether the system will entail the cost of $6 or $50 billion, or any figure in between, this money could be put to better use in the advancement of some of the programs which we have instituted to help the poverty stricken, the aged, the weak and sick, the uneducated and the unemployed. We would be contributing to the economy and the greater strength of our Nation in this manner.

We who take the floor here today may be the targets of criticism that we do not wish to provide for the adequate defense of our country. The answer is quite the contrary.

What we desire to ascertain is justification whether the necessity of this missile system and its function as a defense weapon exists. We recall the "maginot line" of World War II. That system of concrete defenses was to have been so built as to make it impenetrable. Yet, when tanks in great numbers came in, the line was penetrated and the fortifications behind it were as useful to the defenders as last year's calendars. Is this our maginot line?

Mr. Speaker, the discussion of this controversial ABM system should be brought forth to the American public to show just what a costly and unproven defense system this really is. I am taking this time to voice my objection and opposition to the continuation of any further action on this idea.

There is no justification for placing bombs in the backyards of our urban populace under the guise of protection, for the fallout resulting from the release of these nuclear warheads against incoming missiles by this system is as detrimental as an attack on one of our cities itself. This is certainly the paradox in this type of "protection."

Mr. **HALPERN**. Mr. Speaker, among the considerations that currently are entering into national debate over the development and deployment of an ABM system are: First, the purpose of such a system—is it to be a "thin" system protecting us against Red Chinese nuclear aggression and possible nuclear accidents, or a "thick" system protecting us against Soviet nuclear aggression; second, the technological feasibility of antimissile defenses; third, the cost of this kind of defense; fourth, the cost of an ABM system in relation to our ability to meet domestic goals and problems; fifth, the risk of really turning the United States into a "garrison state" complete with a full-blown and ingrown military-industrial complex of the type to which former President Eisenhower referred some 10 years ago; sixth, the legitimate fears of our citizenry in those localities where ABM sites might be constructed; the political and moral responsibilities undertaken by the United States in negotiating the Nonproliferation Treaty; and seventh, perhaps above all, the universally recognized necessity of not feeding the fires from which a superheated arms race could be forged.

Mr. Speaker, although these are vital and perplexing issues, and although I do not claim to be a military expert, I do submit to you and to this legislative body that there exists but one fundamental criterion by which the United States must determine its policy toward ABM defenses. This criterion, unfortunately, seems so far to have been inundated by the tidal waves of claims and counterclaims that the ABM controversy has set in motion.

The criterion to which I am referring simply is that in the nuclear age there can be no strategic victory attained through military means. This being the case, the only realizable strategic goal toward which the United States can work with respect to other nuclear powers—at least until some brighter day when truly substantial and widespread arms control measures are feasible—is one or more nuclear balances that can be called nuclear standoff.

I recognize, Mr. Speaker, that this criterion is unpopular, if not anathema, in many quarters. But it is the central issue about which national debate over ABM defenses must proceed.

I accept this criterion and on the basis of it completely oppose the development and deployment of an ABM system. Until the brighter day to which I referred earlier, such a system—and possible countermeasures to it that are already being discussed—would do nothing to preserve the Soviet-American nuclear standoff that apparently now exists, but only ignite the fires from which a superheated arms race most assuredly would be forged.

Mr. **BRADEMAS**. Mr. Speaker, the current debate over the deployment of the Sentinel anti-ballistic-missile system raises many issues concerning not only military strategy and defense policy but, indeed, our entire scheme of national priorities.

Mr. Speaker, for too long Congress and the public have tended to accord defense programs an inviolability which is scarcely justified. While domestic programs to meet the Nation's crying needs in education, welfare, housing, and urban redevelopment continue at minimum funding levels, defense outlays swallow up nearly 10 percent of the Nation's resources.

Mr. Speaker, many informed observers contend that considerable cuts can be made in defense spending without reducing our national security.

One defense analyst, Mr. Robert S. Benson, has written a highly informative article entitled, "How the Pentagon Can Save $9,000,000,000," which appears in the current issue of the Washington Monthly. Mr. Benson, formerly of the office of the Assistant Secretary of Defense, Comptroller, and now on the national staff of the Urban Coalition, suggests some of the areas where responsible reductions could be effected in the defense budget.

Mr. Speaker, without presuming here to judge each of the reductions proposed by Mr. Benson, I do agree that it is surely time that we in Congress give much closer scrutiny to the huge sums of tax dollars that are appropriated each year for this Nation's defense system. I commend Mr. Benson's article to the attention of all Members.

The text of the article follows:

How the Pentagon Can Save $9 Billion

(By Robert S. Benson)

I have a modest proposal.

I should like to demonstrate, in as brief and as simple a way as the complexities permit, how $9 billion can be cut from the Pentagon budget without reducing our national security or touching those funds earmarked for the war in Vietnam.

Let me emphasize at the outset that this is truly a modest proposal, offered from an earnest belief in its practicality and with the conviction that savings from its adoption could be applied to our fiscally undernourished concerns for human opportunity.

The process by which the Pentagon budget—as well as the rest of the federal budget—is shaped and reviewed is a strange and not always wonderful thing. Any new program is usually given thorough scrutiny in Congress: debate rages over the program's purposes and over the level of funding required. Once it is accepted, however, only the funding level is certain to receive continuing Congressional attention. A nation's needs change, but rarely is a program's reason for existence ever challenged again, either in the executive branch or on Capitol Hill. On the contrary, its administering agency and its Congressional advocates, cheered on by its beneficiaries, strive to perpetuate or expand it, seldom pausing to ponder whether it is still worthwhile or whether something else is needed more.

The process can be insidious. Man, the social animal, takes comfort from acting in accord with the wishes of friends and associates. But over years of advocacy he loses some ability to discriminate, to relate the particular to the whole. In the case of Pentagon outlays, the built-in protection inherent in established programs often achieves invulnerability.

Because a mystique of secrecy and complexity surrounds the Pentagon, most Americans feel uncomfortable, or even vaguely unpatriotic, if they question any part of the military budget. But the fact is that the federal budget's provisions for defense far exceed our national security requirements. Although not many Americans realize it, a great deal of information about the threats to our security (and the forces we procure to meet them) can be gleaned from unclassified papers; budget statements of the President every January, annual posture statements by the Secretary of Defense, transcripts of Congressional hearings, and articles in the newspapers. Any serious student will soon discover that items in the defense budget, as in any other, range from fundamental to marginal. The difference is that in the Pentagon budget (a) vastly larger sums are involved, and (b) far less Congressional scrutiny is applied to them.

I

Using the sources above, my two years of experience in the Comptroller's office of the Department of Defense, and my own judgment of the issues. I hope first to outline how the budget can be trimmed by $9 billion and then proceed to a discussion of the weaknesses in the system which allowed this fat to survive even in the cost-conscious regime of Robert S. McNamara.

In our budget-cutting exercise these ground rules will apply:

None of the cuts is related to the war in Vietnam.

None of the cuts would impair our national security requirements.

All of the cuts are in what the Pentagon calls ongoing core programs.

All of the cuts could be effected within the next 24 months, which would allow the savings to be applied rather quickly to unfilled domestic needs.

The focus is on areas where forces or weapons systems are either duplicated or outmoded, where an enemy threat is no longer credible in today's political and technological environment, or where money is being lost through grossly inefficient performance.

Perhaps the best place to begin is with the Manned Orbiting Laboratory, which receives half a billion dollars a year and ought to rank dead last on any rational scale of national priorities. The MOL, a carbon copy of the National Aeronautics and Space Administration's spacecraft operation, is in the budget because the Air Force wants a piece of the extraterrestrial action, with its glamor and glory, and Congress has been only too happy to oblige.

Although there have been valiant attempts to make the MOL seem different, Pentagon space research is alarmingly similar to that of NASA. Listen as Dr. Alexander H. Flax, Assistant Secretary of the Air Force for Research and Development, tries to draw the distinction for members of the House Appropriations Committee:

"If you view the objectives of these programs as being simply to get data on humans exposed for some period of time, I think you have to conclude that there is a great deal of duplication, but I tried to make the point that our objective is primarily to test equipment, not humans. The humans interact with the equipment, of course."

True, there are potential military uses for space vehicles. But little thought appears to have been given to whether a separate program was required or whether the same results could have been achieved through slight adjustments in the parallel NASA activities. The MOL program is duplicative and wasteful. Of the $600 million requested for it last year. Congress approved all but $85 million. This year's budget calls for $576 million. I would strike all of it.

As for grossly inefficient Pentagon performance, the most obvious example is manpower management and utilization. Manpower is the single largest commodity the Defense Department buys; this year, the Pentagon will directly purchase the services of nearly five million Americans. Assuming an average of $7,000 each in pay, allowances, and supplementary benefits, the department payroll is about $34 billion, of which about $22 billion goes to military personnel and $12 billion to civilians.

The Pentagon has little direct control over the costs of its civilian personnel, who are recruited mainly through a government-wide civil-service pool. But its control over military personnel is complete, covering not only the $22 billion payroll but also about $7 billion annually in training costs and nearly $2 billion in moving expenses for men changing assignments.

Most men enter the armed forces either because they are drafted or because they enlist in preference to being drafted. All enlisted men entering the service receive basic training, which in the Army takes eight weeks and costs about $1,000 per head. After advanced training in a specialty, these short-term new servicemen generally spend the rest of their hitches on assignments requiring that specialty.

A more flexible training policy would not employ such a lockstep approach. Some basic training is needed for everyone, and combat infantrymen certainly need the full eight weeks. But not all of the Army's 535,000 new soldiers this year will serve in combat, and four weeks would suffice for the others. The Navy and Air Force have already abbreviated their basic training; for the Army to do so would yield, in direct training savings alone, $50 million.

Although the pattern of training and assignments for officers is far different, even greater economies are possible—and with a clear gain in individual job performance. After initial training, which is more diverse than it is for enlisted men, almost every officer is shuttled around through an amazing variety of assignments and further training designed to give him enough breadth of experience to become Chief of Staff some day, often at the sacrifice of obtaining no deep experience in any one field. The expectation is that every seasoned officer can lead an infantry battalion through a swamp on one assignment, promulgate personnel promotion policies behind a Pentagon desk on the next, and discuss black separatism with Ethiopians as a military attache in Addis Ababa a year later.

In this age of specialization, such a philosophy is anachronistic and expensive. No efficient business would move its men around in so illogical a pattern. By perpetuating the illusion that every officer can aspire to the top organizational position, rather than screening the candidates earlier in their careers, the services suffer from having an excessive number of men struggling to learn totally unfamiliar jobs. Moreover, today's technological and analytical complexities demand the development of specialists whose entire experience is focused on performing one particular function well. By attempting to fill the growing number of specialist slots with generalists, job performance diminishes for all.

If we were to reduce by a modest one-fourth the present number of assignment changes (whereby servicemen move almost once a year), the annual saving in transportation and moving costs alone would be slightly over $500 million, to say nothing of the improvement in work effectiveness.

A further saving can be accomplished by changing the way the military calculates individual manpower requirements. Unlike business, which requires work units to absorb the impact of absences, the Pentagon includes a cushion to compensate for men absent on leave, in the hospital, in school, and en route to new assignments. And the military's 30 days of annual leave—which all servicemen get—is far more than the norm for civilian work forces of comparable age and experience, even acknowledging that the 30 days includes weekends. The military argues that this amount of leave time is compensation for being on duty 24 hours a day, seven days a week—but this is a myth long in need of explosion. Except for those at sea and in Vietnam, most military men work evenings or weekends no more and no less than civilians do. Cutting leave time to 20 days a year—with the exception of men on hardship duty overseas—would reduce the total armed forces manpower requirements enough to save $450 million annually.

Thanks to Beetle Bailey, *Catch 22*, and the fact that so many Americans are veterans, the supernumerary theory of military staffing has had great visibility. But an area of far greater inefficiency—supplier performance on large weapons system contracts—draws almost no attention at all. This is especially serious because the same contractor who can be extremely efficient under the conditions imposed by the private competitive marketplace can waste millions when working under a government contract. Few Americans are aware that about 90 per cent of the major weapons systems that the Defense Department procures end up costing at least twice as much as was originally estimated. Some of this cost growth comes from Pentagon-ordered changes in design or configuration, but much of it results from inefficient contractor practices or from his knowledge that the government will underwrite his excessive overhead.

It is up to the government, therefore, to impose on a non-competitive defense contractor the same cost discipline that the contractor would be forced to impose on himself in a competitive situation. Instead, the present procurement system is geared almost exclusively to securing timely delivery and good technical performance. Cost comes last.

The engine contract for the controversial F-111 fighter-bomber offers a classic illustration of what happens to costs after a decision is reached to proceed with procurement.

An aircraft of this kind has three major components: airframe (wings and fuselage), avionics (electronic navigation and weapons-guiding gear), and engines. For a technologically advanced fighter-bomber, the airframe will account for about 55 per cent of total cost, avionics 25 per cent, and engines 20 per cent. The initial F-111 contract for 2,053 engines was awarded to Pratt & Whitney on the basis of an estimated cost of $270,000 per engine. Today the engines are expected to cost more than $700,000 each.

In the F-111 case, and in general, four major factors account for such cost escalation:

1. The Buy-In: Our procurement system encourages contractors to play the game called "buy-in." The rules are simple. Contracts are awarded to the company which offers the lowest bid with a straight face. Later cost overruns may bring a mild reproach or a stern reprimand, but they will not prevent the contractor from getting enough money to cover all his costs and pocket a profit. A contractor rarely takes these reprimands seriously; he knows that his competitors have similar experiences. Besides, the procurement officials have told him to worry about performance and prompt delivery, not about cost. So the buy-in game produces initial cost estimates that everyone knows are unrealistically low.

2. Design Changes: From the time bids are requested on a new weapons system until final delivery, a great many changes in design specification develop. These changes are often initiated by the Defense Department, although some reflect contractor production problems. In either case, the costs change—usually justifiably, but almost always upward.

3. Volume: Changes in volume are even farther beyond the contractor's control. In large contracts, economies of scale are often achievable; if a weapons system is found highly useful, as was the F-4 fighter, and more units are ordered than were initially planned, the later unit costs are lower. In the case of Air Force F-111, however, cancellation of British orders and the Congressional decision to kill the Navy version reduced the number of aircraft to be purchased, thereby raising the unit cost.

4. Sheer Inefficiency: These costs arise because a contractor has slipshod purchasing procedures, poor scheduling of men and machines, ineffective work standards, or other managerial deficiencies. Such extra costs would be a threat to a company's survival in the competitive private marketplace; they should not be tolerated in defense procurement.

In calculating how much of the F-111 engine's cost growth was due to this intolerable fourth factor, we need to begin by figuring how much the first three factors cost.

We know that the original $270,000 estimate was artificially low. Allowing for buy-in fibbing and for some early required changes in design, an initial figure of $450,000 would have been more realistic. Later design changes may have raised the allowable price to $500,000. But the contractor's final estimate of $700,000-plus, made after the British action but before the Congressional cutback, probably should not be adjusted for volume changes, because the British buy was to have been proportionately very small and there are good indications that this actually enabled Pratt & Whitney to disengage itself from some expensive subcontracts. So unjustifiable contractor inefficiency amounted to around $200,000 per engine.

It could have been worse. Past practice in such cases, where the government is dealing with a single supplier rather than with several competitors, has been to accept whatever price is commensurate with the costs the supplier has incurred, regardless of how efficient or inefficient he is. But, in an unprecedented action, the Defense Department ordered an investigation of Pratt & Whitney operation to determine how much such an engine ought to cost if produced under efficient manufacturing procedures. After that, the Navy—which had contract responsibility for all F-111 engines—took the further unprecedented step of unilaterally setting the price it intended to pay. Indications are that the Navy compromised its position somewhat after some hard bargaining, but the final contract did reduce by about 15 percent the price proposed by the company, which customary procedure would have accepted outright. This saved the government roughly $200 million.

Two other good examples of spiraling costs were described in recent hearings before the Congressional Joint Economic Committee. A. E. Fitzgerald of the Defense Department reported that the C-5A transport may cost $2 billion more than the original contract ceiling of $3 billion; yet when Defense negotiated the contract with Lockheed, then-Secretary of Defense Robert S. McNamara described it as "a model method of doing Defense business . . . a damn good contract." In another case, retired Air Force Colonel Albert W. Buesking, a former financial officer for the Minuteman intercontinental ballistic missile, said the Minuteman contractors received a 43 per cent pre-tax profit based on net worth, or about twice the normal industrial return; he estimated that defense contract costs are 30–50 per cent "in excess of what they might have been under conditions of competitive-type commercial environment."

Conservatively assuming that aerospace and shipbuilding contractors harbor an inefficiency of 15 per cent, and figuring that the average annual amount provided for research and procurement of such systems over the past three years is about $17.9 billion, then wiping out the inefficiency would annually save the government $2.7 billion.

This is no pipedream. It requires no dramatic breakthrough in management techniques. Such savings could be achieved quickly if the Secretary of Defense and the Secretaries of the individual services resolved to focus the energies of their top financial and engineering men on procurement of these major weapons systems. What is needed is some truly independent cost-sleuthing into contractors' operations, with firm backing from top Defense management for appropriate follow-up efforts.

The most fruitful way of all for saving defense dollars is to eliminate forces which no longer pack a credible punch or which were designed to meet a threat that is no longer credible.

The Navy's Polaris/Poseidon fleet ballistic missile program is vital to our national security. But the Navy's three primary and independent conventional warfare missions—tactical air, amphibious operations, and shipping protection—are overequipped, as are their associated support units. Current force levels cannot be justified by any potential threats. In my view, President Nixon was misguided when he decried America's loss of sea power during the campaign last fall. He made the mistake of applying the same argument the admirals use when they attempt to eternalize and expand their favorite programs: that the United States must have superiority in numbers, ship-type by ship-type, over the Soviet Navy. This is a legacy of late 1940's thinking, when it was assumed that we must always be ready to fight and win an extended war at sea. In the nuclear age, such thinking is highly unrealistic.

Fifteen aircraft carriers are presently assigned to the Navy's tactical air mission. Since the wallop they pack is purely the firepower of their aircraft, they should be compared with the alternative means of delivering that firepower—Air Force tactical aircraft. Carriers can deploy quickly to areas where we have no airfields, and they are safe from insurgent attacks (though they now appear to be vulnerable to Russian Styx missiles). But this flexibility comes at a high price. Independent studies place the cost of carrier-based tactical missions at three to four times that of similar missions flown from ground fields. Because of the many air bases we have built all over the world, we can rapidly deploy land-based aircraft to most areas. Carriers still play a necessary role in providing the potential to fight in a handful of otherwise inaccessible places and in meeting initial "surge" requirements for a non-nuclear war. But there is no justifiable reason to use them on extended deployments in major wars as we do now in Vietnam. Although the Defense Department will never admit it, the only reason we continue to employ carrier-based air strikes there is that the jealous Navy doesn't want to be shut out of some role in the war.

Tactical aircraft carriers could be cut from 15 to 10 without risk to the country's security. The average annual peacetime operating and modernization/replacement cost per carrier appears to be about $120 million. Assuming that the costs of expanding Air Force tactical missions to take up the slack were one-third as much, the net annual saving from the elimination of five carriers would be $400 million.

Marine Corps amphibious assault tactics have been used in minor contingencies such as Lebanon and the Dominican Republic, but against a major power they would be highly vulnerable to a tactical nuclear weapon. Nor are Marine forces now structured logistically for sustained combat, the type of war that Vietnam would suggest is most probable. Without eliminating any Marine troops, we could—by restricting their amphibious training and equipment phasing out a proportionate share of assault ships—save $100 million annually.

A classic example of continued spending for protection against a no longer important threat is the third major area of Navy tactical forces—protection for shipping. The structuring of our anti-submarine and supporting anti-aircraft and fleet escort forces harks back to the post-World War II prospect of a sea war with Russia. If we ever do begin destroying each other's ships, there seems little prospect of avoiding escalation to nuclear war, which would make shipping protection irrelevant. Further, as various jumbo aircraft near production, the cost gap between a ton-mile of plane transportation and a ton-mile of ship transportation is narrowing. Yet instead of scaling down our protective forces, we are keeping them up and even expanding them, through last year's implausible decision to begin procuring VSX anti-submarine aircraft. Killing this program and reducing overall shipping defenses to a sensible level—four anti-submarine carriers and three air groups rather than the present eight carriers—would save an annual $600 million.

Another major area in which our involvement is unreasonably large is our troop commitment in Europe. We have about 310,000 soldiers there now, accompanied by more than 200,000 dependents. Such a staggering share of the NATO burden was appropriate while our World War II allies struggled to get back on their feet, but they can now afford a larger load. Part of the thesis behind U.S. deployments is to make certain that any substantial attack by Warsaw Pact forces would engage American forces, thereby creating potential consequences that the Soviet Union would find untenable. But this could be assured with far fewer than 310,000 U.S. troops. Says Senator Stuart Symington (D-Mo.), a former Air Force Secretary recently assigned as chairman of a Foreign Relations subcommittee that will investigate the involvement of U.S. forces abroad: "Surely 50,000 American troops would be sufficient to make sure that no Soviet probe could succeed in Berlin or elsewhere in Europe without a direct confrontation with the United States."

In the event of a truly major Soviet attack, not even 310,000 U.S. troops plus the NATO allies' forces would be sufficient to thwart it. But both sides recognize that an assault of such proportions is likely to evoke a nuclear response.

Psychological reasons prevented us from making a major cut in our European forces close on the heels of the Russian takeover in Czechoslovakia last year. But that should not deter us from effecting the cut this year. If anything, our non-response to the Czech invasion simply reinforces the reality learned in Hungary in 1965—that the United States is not about to send troops into Eastern Europe no matter what the Soviet provocation.

Realistically, we could cut back to a total of 125,000 troops in Europe plus 50,000 at home earmarked for NATO contingencies, and cut by one-fourth the air power assigned to the European theater (a McNamara comparison shows that NATO air forces can deliver a payload more than three times greater than that of their Warsaw Pact counterparts). Altogether, these reductions would annually save about $1.5 billion.

The final two programs of questionable value—the SAGE-Air Defense Command system and the Sentinel anti-ballistic missile system-share some common characteristics. Both are defensive, in an age when the balance of terror rests on offensive missile strength. Both encompass a detection function and an intercept guidance function. And numerous technical experts express serious doubts about the potential operational effectiveness of either.

SAGE represents yesteryear's attempt to defend against the Soviet version of our Strategic Air Command. It is widely conceded that the Soviets have grounded their bomber development efforts and no longer pose their primary strategic threat in this area. Nonetheless we persist in trying to further refine our bomber defenses, when in fact we have already achieved a satisfactory capability in the detection sphere. Moreover, SAGE's role as a guide to interceptor pilots is rather superfluous, given its imperfections and our primary reliance on a strong offensive deterrent. Some reductions have already been effected in the Air Defense Command, but conversion from a full defensive system to purely a warning system ought to save $600 million annually.

If SAGE is intended to sustain a mostly futile yesteryear system, the Sentinel ABM represents a misguided attempt to provide protection tomorrow. Against the destructive power of the missile, our best defense is a good offense. Particularly tragic is the staggering cost of a full-blown "thin" Sentinel system. Because it is so expensive, and the work is therefore parceled out to many Congressional districts, many politicians have favored it. It therefore may be difficult to stop before we have spent $40 billion. However, the Sentinel program faces increasingly fervent opposition in the Senate this year—partly because residents in four cities where ABM sites are being developed have objected so loudly.

Sentinel would make some sense if it truly promised blanket protection against strategic offensive missiles. But it doesn't. As Secretary McNamara said in a speech in San Francisco 18 months ago: ". . . any such system can rather obviously be defeated by an enemy simply sending more offensive warheads, or dummy warheads, than there are defensive missiles capable of disposing of them."

Secretary McNamara opposed the Sentinel, but President Johnson overruled him and decided to proceed with the program. Today we are on the road toward building a $5 billion ABM system, ostensibly for protection against Chinese missiles—as yet undeveloped—should Peking miscalculate our potential response and attack us.

It seems unrealistic not to expect the Soviets to perceive the $5 billion "thin" Sentinel as a first stage in a $40 billion "thick" defense against themselves. Senator Richard B. Russell (D-Ga.) said as much last year when he was chairman of the Senate Armed Services Committee: ". . . there is no doubt that this is a first step in a defense system against an atomic attack from the Soviet Union." Yet all seven of the men who have served over the past decade in the jobs of Science Adviser to the President or Director of Research and Engineering in the Defense Department have recommended against deployment of a "thick" ABM system designed to protect our population against a Soviet attack.

By halting the Sentinel now, before it acquires irreversible momentum, we could save $1.8 billion this year, not to mention vastly larger sums during the next decade.

The items above do not exhaust the list of things to cut—there are other savings to be made in such areas as mapping operations, the reserve forces, logistics—but the total here will serve as a start. It amounts to: Total savings, $9,276,000,000.

II

If all these Pentagon budget cuts are so obvious, why didn't the cost-conscious McNamara regime push them through? Did the Whiz Kids fail? Were they really trying? I think a fair assessment would have to conclude that they were trying hard but were only partly successful, for five basic reasons.

First. McNamara's Band was greatly outnumbered by experienced adversaries bound together by a shared goal—more and bigger military programs. All the elements in this military-industrial-Congressional complex are served by an enlarged defense budget, though their motivations are different. Industry wants greater sales and profits. The military wants expanded power, plus the assurance that they will be on the forefront of technology. Congressmen respond to pressure from contractrs and military employees in their districts, and those on the military committees yearn for the prestige and power that comes from presiding over a bigger slice of the federal pie. The combination made life difficult even for a man as strong and courageous as Robert McNamara.

Second, in selecting systems to analyze for effectiveness, the Whiz Kids chose to concentrate on the relatively uncluttered strategic programs instead of digging into such fat and messy activities as we have catalogued here. Within their selected framework, they generally performed technically sound, objective initial analyses. Once they arrived at a position, however, they too often "overdefended" their conclusions; that is, they were unwilling to reassess them against subsequent cost experience, technological advances, or a changing international political environment. For example, the current structuring of our programmed airlift/sealift needs emanates from a carefully developed linear programming model. This model attaches a high value to rapid deployment, stemming from an early 1960's Europe-oriented study which showed high benefits in terms of political bargaining power and casualty minimization. This analysis still makes good sense in Europe, but now appears grossly mis-applied in Asia. Yet nothing has been done to revise the high value placed on rapid deployment. Such a change would point to a different desired mix of airlift and sealift.

Third, the Defense Department's budget review process concedes too much at the beginning. Last year's budgeted amounts are generally taken by everyone as this year's starting points. This practice ignores the possibility that fat crept into preceding budgets or that some of last year's activities are now outmoded. Consider, for example, the subject of training, in which the armed services have been pioneering for years by applying new technology to education. This area should be a prime candidate for frequent review from the ground up (what the managers call "zero-base" budgeting). Rather, the Defense Department budgeting process virtually concedes last year's amount and focuses on whatever incremental changes have been requested. The result, of course, is higher budgets, with past errors compounded year after year.

A fourth limitation also derives from the planning and budgeting system. Discussions about the desirable level of various forces are conducted in terms of numbers of things—missiles, carriers, fighter wings. This flows naturally out of intelligence estimates of enemy forces and subsequent analyses of how much counterforce the United States needs to nullify them. Approval is then given to the Air Force to buy 40 more fighters or the Navy to buy four more submarines, each with specified capabilities. But carrying out such purchases is not like walking into an automobile showroom and asking for a yellow Plymouth Belvedere sedan with power steering. As a submarine is built, many unanticipated choices present themselves; they involve different levels of effectiveness or convenience for different levels of dollars. Inevitably the generals and admirals want to buy as much capability as possible; it is almost always more than is required to meet the threat. For want of adequate follow-up by top procurement officials, the generals often have their way.

Finally, the President and the Budget Bureau have shied from making public any meaningful comparisons between military and domestic programs. Systems analysis, the technique that aims to measure the relative national worth of results obtained from alternative programs, cannot precisely compare the benefits to be gained from highly diverse activities. Yet inexact as such comparisons may be, the Budget Bureau does make them and present them to the President from time to time. If the President, for his part, were to discuss national priorities more frequently and candidly with the public, then Congressmen might be less likely to base their judgments on the only other available view—that the present balance of activities is about right.

The present balance of activities is anything but right. Unmet national concerns for human opportunity and the quality of life require an investment even larger than the amount that would be freed if all of the Pentagon reforms outlined in this report were carried out.

Perhaps the clearest, most thorough delineation of these high-priority social needs is found in the report of the National Advisory Commission on Civil Disorders. To redress root causes of despair and frustration, the Commission recommended a long series of measures which, if enacted in full, would cost between $13 billion and $18 billion a year over their first several years.

The only way to begin addressing these unfilled needs is to take money away from Pentagon programs that must rank lower on any rational national-priority scale. Examples provide compelling support for this argument. We have such choices as:

Funding the Manned Orbiting Laboratory—or providing Upward Bound summer courses for the 600,000 additional ghetto students who have the potential to go to college;

Spending this year's Sentinel funds—or training 510,000 more hard-core unemployed;

Continuing to operate one of the marginal tactical aircraft carriers—or training and supporting 20,000 more Teacher Corps members;

Maintaining our full troop complement in Europe—or diverting an additional $10 million to each of 150 Model Cities.

Permitting excessive contractor costs to flourish unchecked—or providing Head Start education for 2,250,000 more children, plus enough school lunches to feed 20 million children for a whole year.

These alternatives are real and immediate. They do not represent wishful dreaming. The choices are up to Mr. Nixon, to the Congress, and ultimately to ourselves.

Mr. REID of New York. Mr. Speaker, I welcome the opportunity to state again my conviction that the ABM-Sentinel system should be deferred pending early talks with the Soviets on slowing down the nuclear arms race and obtaining verifiable agreement not to build a new generation of defensive and offensive missiles.

Indications are that the Soviets are interested, indeed, quite interested, in having these talks now, before major decisions are set in train in either country. I am hopeful that the administration will undertake the necessary diplomatic footwork now and following the President's trip to Europe to encourage these vital talks while there is yet time.

The Department of Defense originally intended the Sentinel to be a defense against the sophisticated Chinese missiles of the 1980's. However, as Jerome Weisner, provost of the Massachusetts Institute of Technology and former science adviser to President Kennedy, said:

> A careful analysis of the Sentinel system . . . does not show that Sentinel would provide protection against Chinese nuclear weapons for very long unless we make some unbelievably naive assumptions about the Chinese—that they do not have access to our journals and newspapers, for example, or that they are simply not thinking people.

Now, the purpose of Sentinel is even less clear since its deployment is being suggested as a lever to be used in bargaining with the Soviets.

In fact, however, these rationalizations are both meaningless and the latter counter-producing because moving forward on a thin missile system now may well encourage the military in Moscow to stimulate expansion of its offensive arsenal, thereby beginning a progression of escalation that neither Government will be able to stop. If either or both countries start a major new generation of missiles it could confirm the hardliners in the Presidium, rigidify the diplomatic atmosphere, and reduce diplomatic options generally.

The cost, of course, could devastate any plans for appropriations to meet the needs of the cities here at home and implementation of the year-old and largely unheeded recommendations of the Riot Commission report. The initial price of the expanded ABM system is now estimated at well over $10 billion and could lead to an eventual expenditure in excess of $100 billion.

Many voices will be raised in support of the ABM by the military-industrial complex but I strongly believe that this is the time to move the world away from the risks of nuclear confrontation. Further, article VI of the Nuclear Nonproliferation Treaty soon to be taken up by the Senate states that the nuclear powers will undertake "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament." As Senator GORE pointed out, for the United States to assent to the treaty and at the same time to build a defensive missile system would be an act of inconsistency evidencing very little good faith. This is the time to move instead toward negotiations and to give a much higher priority to the Nation's most pressing needs—education, jobs, decent housing, adequate health care, and the rebuilding of our cities.

Concern over national security must not create an obsession with hardware and the trappings of destruction in the backyards of our citizens. I would strongly urge that the Defense Department's current review of the ABM program give searching consideration to its necessity, instead of simply its location, and that any decision be deferred pending talks with the Soviets which I very much hope will lead to agreement.

Mr. WOLFF. Mr. Speaker, the issue of whether or not the United States should deploy an anti-ballistic-missile system is one that understandably should concern all Americans. The course followed by the United States on this crucial question could well determine the future course of world events. And in this awesome nuclear age our decision could determine whether or not the human race is to survive.

I might also note I have an interest in this issue that comes closer to home. Sands Points, Long Island, N.Y., which is in the Third Congressional District is under consideration as a possible ABM site and thus the decision on deployment will immediately and directly affect my constituency.

Recognizing the great moment attached to a decision on the ABM, I am pleased to participate in this discussion which I trust will be the first of many such discussions in the Congress on deployment of the ABM system.

To date the Department of Defense has failed to provide substantial evidence that deployment of an ABM will provide security necessary to our national interests. The ultimate criterion of a decision on the ABM must be our national security and scientific data disproves the so-called effect of the ABM.

The simple and disturbing fact is that an ABM system will not defend the people of this Nation against sophisticated weapons already possessed by the Soviet Union and within the grasp of Communist China.

The ABM is a boondoggle that will create unjustified confidence among the American people. This could, in turn, bring about support for a more aggressive foreign policy in the false belief that the United States enjoys some kind of immunity from nuclear attack.

The ABM will not provide that immunity and appears to be a convenient device of the military-industrial complex to absorb the reduction in defense spending that will accompany a decrease in hostilities in Vietnam. General Eisenhower, in his eloquent farewell as President, made a strong plea that the United States be wary of the military-industrial complex. That plea should be remembered time and again as we discuss proposals for an ABM.

There are other reasons to oppose deployment of an ABM system at this time:

Deployment of the ABM by the United States could involve us in an escalating arms race and prevent needed negotiations with the Soviet Union on arms limitations.

The high cost of the ABM, a minimum of $10 billion for a thin line and as much as $100 billion for a thick line, would not provide any meaningful improvement in our defensive posture.

I believe the information available thus far makes a compelling argument against deployment of an ABM system by the United States.

Mr. UDALL. Mr. Speaker, as we sit in this Chamber today it is awful to realize that we could be playing out one of the final acts in our Nation's history—indeed, in the history of what we know as modern civilization. I hope and pray this is not the case. I trust it is not the case. But I base my confidence, in part, on the assumption that President Nixon will not accede to pressures from the Defense Department and segments of the defense industry to resume work on the Sentinel anti-ballistic-missile system.

These are strong words, to be sure, but they merely indicate the depth of my convictions in this matter. I firmly believe that a decision by this administration to resume construction of the Sentinel system could lead to a new and uncontrollable spiral in the nuclear arms race. I firmly believe that the end result of that process could be nuclear war, not between China and the United States, but between the Soviet Union and the United States. And I believe such a war would bring about the total destruction of our society, that of the Soviet Union, and that of many of the nations with which these superpowers are allied. In short, it would be the end of most, if not all, of modern civilization. It would be a calamity of such proportions that, just possibly, there might never be a history book to record it.

I have chosen to speak in such sweeping terms, Mr. Speaker, not to frighten anyone but to drive home a point that seems to be missed by many people today. That is simply this: War has changed, not just a little, but completely. It is nonsense to use the old terms of bravery and courage and national pride and apply them to nuclear war. It is suicidal to talk about defense against enemy attack and have your people assume that any meaningful defense is possible.

Many people still talk glibly about the "next war," as though this would be just another war like all past wars—painful and costly, perhaps, but something to be endured and beyond which life could still continue.

Even President Nixon, for one brief moment on inauguration night, caught himself thinking in the old terms. He recalled dancing to the music of Guy Lombardo at the end of World War II and said he hoped to be able to do so after the "next war." I do not criticize him for it—anyone could make such a slip—but it served to dramatize the kind of mental adjustment we all must achieve if we are to deal realistically with the world of the 1970's. If we value human society, if we attach importance to 5,000 years of history and to the future of the human race, we cannot talk about the "next war." It is as simple as that.

For this reason I was greatly relieved when the administration on February 6 announced it was ordering a temporary halt in construction work on the Sentinel system pending a review of the program. However, I was not heartened a few days later when Secretary Laird indicated he expected construction to resume. I believe resumption of work on this missile would be a disaster. And I look to President Nixon to see that this does not occur.

Mr. Speaker, in such matters as this the point is made, all too often, that ordinary citizens, and even Members of Congress, cannot have all the facts. Therefore, the military must be trusted to do the right thing. Surely, this argument must raise a few eyebrows in view of the succession of mistakes, miscalculations, and blunders associated with our war in Vietnam, all on the best military advice. Choices between Springfield rifles and carbines may be the proper business of the military experts, but choices between war and peace, life and death, existence and annihilation, are choices that can only be made by the American people as a whole. It is time that issues of this nature, affecting the lives and futures of all of us, are dealt with openly and honestly and fully.

In his book, "Thirteen Days," the late Robert Kennedy told of the advice of the Chief of Staff of the Air Force to President Kennedy during the Cuban missile crisis. That advice was to launch a military attack on Cuba, even though that would mean the loss of many Russian lives and threaten nuclear war with the Soviet Union.

On another occasion, Senator Kennedy wrote, a member of the Joint Chiefs of Staff told him he believed the United States should make a preventive attack against the Soviet Union. These are further evidences, if more are needed, that decisions like these cannot be left solely to our so-called military experts.

At this moment in time some of our military experts are telling us that a Sentinel anti-ballistic-missile system could protect this country totally from the threat of Chinese intercontinental ballistic missiles. This is nonsense. Anyone remotely acquainted with the nature of the problem faced by the attacker, as opposed to the problem faced by the defender, will know that this claim cannot be supported.

Prof. George Rathjens, of Massachusetts Institute of Technology, in a paper published by the Carnegie Endowment for International Peace, makes this observation:

> It must be borne in mind that the offense can choose any target on which to concentrate its attack; the defense must defend all.

Obviously a thin ABM system will not do the job. And even a complete ABM system, covering all areas fully, could not eliminate the possibility of a Chinese missile reaching its target. Thus, there is no way, in his judgment, that the United States could deny to China some of the bargaining power its nuclear missile threat poses.

In view of this situation, combined with the fact that the Sentinel system could never be tested once in place, I believe it would be the highest folly to proceed to build such a system and, in the process, trigger a new and exceedingly costly arms race.

Since the first rush to build intercontinental missiles in the late 1950's and early 1960's the world has enjoyed a period of relative stability in nuclear arms. While the United States had considerably more nuclear strength than the Soviet Union, each nation knew it had the "assured destruction capability" needed to stay any aggressive act by the other. No matter what happened, we knew we had weapons we could rain on the Soviet Union if it attacked us, and the Soviet Union enjoyed the same certainty.

Now, however, this stability is challenged, and curiously enough the initiative for a new spiral in the arms race is coming, not from the Soviet Union but from the United States. We have based our decisions on the most questionable suppositions concerning the military plans of the Russians and the Chinese. We have started building a new generation of missiles, with multiple, targetable warheads, to counter what we thought was to be an anti-ballistic-missile system, only to discover that it is apparently an antiaircraft system. And we have started an ABM system of our own to counter a Chinese capability of the most minuscule size, apparently expecting the Russians to ignore its existence—even though such a system could alter significantly the effective strength of the Soviet Union.

Mr. Speaker, if there is one lesson that past wars can tell us, it is that contending nations never ignore the military preparations of their adversaries. Invariably, every action has its equal and opposite reaction. To assume that the Soviet Union will stand still and do nothing when we make a significant change in the balance of power now prevailing is naive in the extreme.

I wonder, Mr. Speaker, whether the American people have any idea of what costs are at stake in this controversy. I refer, not just to the ultimate costs of nuclear war, but to the funding of nuclear arms procurement.

Hopefully, this Nation will see an end to the Vietnam war in the next year. When that occurs, the $30 billion cost of that military venture will begin to taper off, and conceivably our country will have some additional funds to spend on the long-delayed problems plaguing our domestic scene. This will not be so, however, if the advocates of the Sentinel system and other new nuclear arms have their way. The figures assigned thus far to the Sentinel system are only a drop in the bucket. Billions more will follow, not only to complete that system but to build all the other systems necessary to respond to the steps taken by the Soviet Union in response to our initiatives. Quite literally, these costs could go off the chart completely. The point could be reached where, for sheer self-preservation, we would have to devote the major portion of our entire Federal budget to nuclear procurement.

Looking at that dismal prospect, one has to wonder how anyone in his right mind could advocate construction of a defense system to counter a threat of such minor significance as that of Communist China in the 1970's.

To those who say, "Ah, but the Chinese are irrational; we cannot trust them even to act in accordance with their own self-interest," I would say read your history. Those whom men and nations conceived as potential enemies have always been accorded subhuman, beastly and irrational traits. Consider the "yellow peril" feared so long by Kaiser Wilhelm. That very same notion cropped up only last year in the words of our own Secretary of State. To base a nation's foreign policy on such a bogeyman psychology is hardly to exercise the rationality we claim to possess.

Mr. Speaker, I believe I speak for most of my constituents when I say that the Sentinel system must not be constructed—at least not until every conceivable effort has been made to slow down or halt the arms race. I commend President Nixon for halting its construction, and I pray that he will have the wisdom and courage to make that decision permanent.

Mr. DONOHUE. Mr. Speaker, I am happy to have this opportunity to further record my views on the proposed construction of an anti-ballistic-missile system, whether thin or thick, around the country.

I have already made public pronouncement, through the news media, of my very great fears, on the information so far presented by the administration and Defense Department, that this proposal is not in the best interests of this country and the people throughout the world.

In summary, my fears are based upon three primary factors about which there are grave questions that, thus far, remain to be convincingly answered.

The factors and questions are interrelated, but perhaps the first one should be—has the system been demonstrated to be technically workable and militarily effective? The immediate and obvious answer is that many eminent and knowledgeable scientists do not believe it is technically sound nor that it could be militarily effective in its objective. It has not been tested and it does not appear practically possible to fully test the system on these counts.

The second question that calls for answer in this matter is whether or not its construction would aid the administration in arriving at arms reduction and control agreements with Soviet Russia, and others, or whether it would rather accelerate a further and more tragically reckless arms production race. Perhaps no one but the Russian leaders themselves could answer this question, but it is rather openly admitted on our part, that this is an area in which no certainty at all can be developed. At best, it appears to be a gamble that would be very hard to justify.

Another question is whether this proposal is financially prudent and feasible. The various estimated costs of this system seem to range anywhere from $5 billion to $50 or $80 billion. During this critical financial period of our history, when we are calling for valiant efforts and great sacrifices to balance the budget and get back on a sound financial course, an expenditure commitment of such vague range and indefinite limit cannot, by any standard, be classified as economically prudent or practically feasible. The final but not the least important question to be answered is whether the system is absolutely safe from an accidental explosion of catastrophic proportion. While we all know that responsible officials would exhaustively exert every technical resource to prevent accidents, we, nevertheless, must reflect that whenever and wherever human techniques and energies are involved, there is hardly ever such a thing as perfect safety.

Mr. Speaker, there is no more challenging problem, other than the peaceful ending of the Vietnam war, before the country today than this proposed construction of the anti-ballistic-missile system. It must, therefore, be given the most searching and thorough examination with full and open discussion, for rejection or resumption, by every responsible segment of our Government and our national society. I am pleased that the Defense Secretary and the administration are reviewing the problem now and that appropriate committees of the Congress will conduct their separate and complete inquiries as to the necessity for and feasibility of this tremendous military project.

We shall all be waiting for the additional information and recommendations that will come from the reviews and inquiries by these separate sources, but I am impelled to state that until and unless all the very grave doubts and uncertainties that currently surround this vitally important proposal are satisfactorily resolved, I shall be constrained to retain my present conviction that the construction of this system, as proposed, is not essential or prudent, nor would it be militarily effective or accident free.

Mr. ROBISON. Mr. Speaker, I should like to express my appreciation to the gentleman from Illinois (Mr. YATES), and to those others who have sought to give us this further opportunity to discuss the highly complicated and complex issues involved in any consideration of an anti-ballistic-missile system.

I regret that other commitments, this afternoon, have prevented me from being here to listen to and to participate in such debate as has heretofore gone on, and I offer these remarks with knowledge that they may, therefore, in some way be repetitive of what has already been said.

However, Mr. Speaker, I do wish to express for the RECORD once again my very deep concern about the wisdom of going ahead, now, with the deployment of any form of an ABM system. In doing so, I recognize full well the fact that neither I—nor any of us—can speak to these issues with any certainty, and this is precisely because, as the Washington Post said editorially on yesterday, so many of these issues "fall in the realm of the unknowable at present," involving as they do ultimate decisions that cannot "be established by argumentation or by flat assertion or by the yes-it-will versus no-it-won't approach."

Then, as others may already perhaps have noted, the Post went on to decry what it called "the recurrence of the disturbing custom of stating as certainty what is at best prediction and speculation at this point—that the limited system would or would not work, that it will or will not inspire a new round of weapons development in the Soviet Union, that it is or is not necessary by way of keeping current with new technology that may be required to meet a new Soviet threat, and that it will prove useful or the exact opposite to the chance of reaching a missile limitation agreement with the Soviet Union."

In such an absence of certainty, Mr. Speaker, one must proceed largely on instinct, tempered by as objective an analysis of our present situation—vis-a-vis both Russia and Red China—as one can muster.

Proceeding along that line as best I could, I first expressed my reservations about the wisdom of proceeding with the actual deployment of an ABM system by my "no" vote—one of only 26 so cast—against the military construction appropriation bill of 1968, as it passed this House on a rollcall vote on October 24, 1967, and I have subsequently supported such moves as were made in this body to remove deployment funds from follow-on authorization or appropriation bills dealing with this subject.

Briefly stated, my position has been and remains one of believing we must proceed with such additional and advanced research and development work on such a system as those who are experts in this field, and on whose judgment we must so heavily rely, advise us may be necessary.

But I have been and remain unconvinced that our actual need for whatever additional protection such a system—in its present uncertain state of development—may provide us is such that we must go ahead with deployment now.

I believe it to be important for us to attempt to keep this distinction between research and development programs and the actual beginnings of deployment of whatever "thin" or "thinner" system we are technologically able to put together now foremost in our minds.

Keeping that distinction in perspective, it seems to me, would be helpful to President Nixon in his announced ambition—which is one I have applauded—to make the coming era one of "negotiation" rather than "confrontation."

For we are clearly moving under our new President toward some form of discussions with the Soviet Union in which, as Secretary of State Rogers admitted before the Senate Foreign Relations Committee the other day, the question of deploying an ABM system will be a "big issue," and in his own words "an item of very great importance."

Of course, it will be, Mr. Speaker—it could not be otherwise—and I believe it is urgent, if we are to grasp this new and possibly last chance at slowing the pace of the senseless arms race, that we give our President the support and encouragement he may need to approach those pending discussions under the best possible terms for success.

Quite frankly, I do not see how our going forward with deployment of a very limited ABM system now adds one iota to our negotiating strength. I fully appreciate the sincerity of those who have come to an opposite judgment on this question, but I think they are wrong because our negotiating strength rests, as it will more and more in this age of complicated and highly advanced weapons systems, on our vast and oft-demonstrated technological superiority.

The leaders of the Soviet Union most surely respect that facet of our overall strength.

On the other hand, our at least temporary restraint in refraining from putting into being an ABM system of doubtful value that could have the appearance—though probably not the substance—of tipping the present nuclear balance between ourselves and the Soviet Union, ought to demonstrate to Russia's leaders, as to the world, that we are prepared to negotiate in earnest.

Mr. Speaker, I cannot say—nor can anyone say—what the Russian response to this might be, but if we are to have a chance to earn the title of peacemaker, which is something Mr. Nixon in his splendid inaugural address said is "the greatest honor history can bestow," then I think it behooves us to run the risks incidental, whatever they may be, to our attempting to find out.

Mr. CULVER. Mr. Speaker, I believe it is imperative that a genuine top-level review of the proposed Sentinel anti-ballistic-missile system be undertaken. In my judgment, the very serious questions raised by the proposed deployment of this new weapons system require that we in the Congress give our careful consideration to the technical, the political, the military and the economic issues posed by this new undertaking. I believe that at the present time adequate answers are not available, and therefore, I think it would be unwise, imprudent and potentially dangerous to proceed toward another spiral in the arms race at this particular time.

It is in no way to cast doubt on the achievement, or the ingenuity, or the technical capacity of the American scientific community to suggest that the technical limitations involved in designing and testing a missile that can find and destroy another missile are great indeed. In fact, a substantial body of opinion in the scientific community holds that such a missile is technically unfeasible.

In my view, the strategic importance of the Sentinel system has a dimension that has not been adequately explored. And like the technical limitations, this too, cautions further investigation and deliberation before a deployment decision is made.

The security of our Nation surely depends as much on the degree to which we can understand, live with, and work toward a mutual reduction in tensions with our adversaries, as it does on maintaining our military strength at a level where no adversary would be willing to pay the cost in destruction of human life and society that would surely follow a nuclear attack on this country. These are, I suggest, the two sides of a balance involved in our security.

In addition to very possibly encouraging another round in the arms race, deployment at this particular time may well cost us our security in yet another respect—that of lost opportunities for meaningful disarmament discussion. In my judgment, this can best be fostered by withholding a final decision on Sentinel deployment until we can at least make some test of the Russians' good faith in arms negotiations.

Finally, in times when the problems of our Nation demand an ever-increasing share of the tax dollar, legislators have, I believe, a special responsibility to be certain we are buying real security with defense dollars, not false security or even worse, less security. The sums we are talking about are truly astronomical. For the "thin" system, costs have been estimated in excess of $6 billion. For the "thick" system which several—including Secretary of Defense McNamara—have advised against, costs would be well over $50 billion.

For these reasons, Mr. Speaker, I believe that Congress should turn its attention to the Sentinel system. And I believe that our attention should be marked by careful, calm and conscientious deliberation so that our most crucial national interest—that of self-preservation—can be most effectively served.

Mr. ROSENTHAL. Mr. Speaker, arguments for the Sentinel antiballistic missile resemble a piece of clay—squeezed first into one shape or another—sold to the American public first as a defense against a potential Chinese nuclear attack; then as protection against an accidental missile fired from any country; and more recently, as a defense against a Soviet nuclear attack.

Since its proponents can not provide data to indicate its effectiveness, they instead describe an impressive list of negotiatory wedges with the Soviet Union open to us if the ABM system is pursued. The fact that proof or even substantial likelihood of the effectiveness of the system is overlooked in the process does not bother them.

Even if one were satisfied with its effectiveness, the Soviet Union could overwhelm such a defense simply by building up its own offensive strength. As Prof. Jerome Weisner has pointed out:

> Some weapons systems are obsolete in their conception and I think this is probably true for the anti-ballistic missile system.

No missile defense system can be really effective because any enemy can buy offensive missile strength much cheaper than defense measures can be taken against them. Indulging ourselves in the illusion of missile defense fools no one, protects no one and helps no one but those with vested interests in an inflated military budget.

We should, instead, devote our energies in this field to achieving a mutual reduction, with the Soviet Union, and ultimately with China, of overall offensive weapons systems. Devotion to disarmament should replace our fervor for new and better weapons.

Ironically, we have witnessed millions of public dollars spent by the military on conditioning the public to support the system—millions spent on the system before it goes beyond the design state. Exploitation of the national feeling of insecurity is the purpose of this promotion campaign. Defense projects are endowed with that familiar and special label: "This is holy, do not disturb." But the deployment of this system would actually increase the threat of nuclear war by adding fuel to the arms race.

The real doubts as to the military value of this project, coupled with the projected monetary cost—probably as much as 10 times the early estimates—are serious considerations. But far more important than the fallibility of the proposed system and the monetary cost are the dangers of an ever-escalating arms race. Where will it end? The Soviet Union will increase offensive capability and we will be faced with the need to add to both our defensive and offensive systems. One move cancels out the other and the stakes increase by leaps and bounds. We must put a halt to this spiral now—by understanding and accepting the judgment that the real defense against the Soviet Union missile system is our overwhelming capacity to deter the possible use of that system and not the development of new and more fantastic defense systems which ultimately cannot defend.

The bases planned in the most thickly populated centers of the Nation pose a grave menace to city residents. Innocent civilians could be the victims of an accidental explosion and their cities the victims of a further increase of the already bloated military presence around us.

Many important issues are also associated with that of the Sentinel system—such as the distribution of Federal funds between military and domestic programs. The money slotted for the Sentinel system should be channeled into rebuilding our cities—providing Americans with a quality education, medical care, and a decent job and place to live.

The insatiability of the military establishment for new projects, cloaked in the guise of protecting our national security, is disturbing. We must maintain a clear perspective of the domestic, military, and diplomatic implications of the Sentinel system—and, in my judgment, the Sentinel system should be rejected on all counts.

Mr. McCARTHY. Mr. Speaker, one of the sources of tension in our society today is the awareness that we constantly live on the brink of thermonuclear war. This awareness is heightened in international crises, such as the Berlin wall, the Arab-Israel wars, the approach to the Chinese border during the Korean war, the Cuban missile deployment, and the *Pueblo* incident. At these times sober Americans reflect on the Armageddon that a false step or a miscalculation might bring.

We live our daily lives with this awareness submerged below the immediate concerns. We have learned, as Americans did on the frontier, to live with the danger of the thermonuclear age. But if there is any doubt that the awareness and concern is there, one has only to watch a central telephone switchboard light up when there is a loud explosion in one of our towns or cities. People want to know if it was the bomb. So far, the answer has been "No."

There was a brief period following the Second World War when we did not face this threat. We emerged from that conflict as one of the most powerful nations on earth. We had a nuclear monopoly. We were confident that we could resist any aggression that an enemy might launch against us. This was a brief, and in some sense, misleading interlude.

Our nuclear monopoly was misleading because it still gives rise to the belief that we can achieve some perfect defense in today's complex world. Americans are led by what was a very unique period to search for an ironclad assurance that our country will be safe. Unfortunately, this assurance is not within the realm of possibility. We must live with the awareness that there is no perfect defense—there is no totally secure way of life.

This coexistence with danger is not new. Our forefathers lived with the constant threat of Indian raids on the frontier. We were unable to defend our Capital, Washington, against the British in 1812. Our border States suffered grievously during the Civil War for neither Federal nor Confederate armies could guarantee safety. In World War I our shipping was attacked on the high seas. And Pearl Harbor illustrated the fallibilities of our defenses. We understood, however, that we could live with this danger if we took the necessary precautions to see that we had a reasonable level of security.

The nuclear era is different in kind, perhaps, because of the numbers of casualities that would accompany a conflict. Military strategists debate defense systems that would involve 120 million versus 30 or 40 million dead Americans. But the underlying truth is that most Americans cannot imagine 1 million dead—much less 40 or 120 million. Destruction on this scale is beyond our comprehension.

The vast scope of a nuclear conflict should not obscure the fact that the lack of perfect security is similar to that of earlier periods in our history. We are still forced to live with the possibility that there might be a conflict—that the goal of total security is illusory. With this in mind, we can consider our military posture in a realistic manner.

Our strategic defenses today are based on the concept of assured nuclear deterrence. This concept involves maintaining nuclear intercontinental ballistic missiles in sufficient quantity and security so that even if we are attacked with the missiles of another country, we will have enough missiles left after the attack to destroy the aggressor. We maintain this assured deterrent capability with a combination of weapons; Minutemen intercontinental ballistic missiles, Polaris missiles, and the B-52 bomber fleet in a high state of readiness. It is generally acknowledged that this force gives us the capability to destroy any nuclear power that might attack us several times over.

Both the Soviet Union and the United States have maintained an assured nuclear deterrence in the post World War II years. Although there have been periods when our nuclear capability has given us a greater edge than during others, there has been no period when we, or for that matter, the Russians could launch a nuclear strike without fear of effective retaliation. American and Russian nuclear strength today can be described as being roughly in balance. We have a greater number of nuclear warheads than the Russians but the edge would be obscured in the massive destruction that would accompany use of any sizable part of these arms.

This rough equality of forces should be emphasized, for I think that it is unlikely that in the near future, we will achieve this equality again. This rough equality is a necessary condition for meaningful strategic arms limitation talks with the Soviets. Without this equality, neither side is likely to sit down to talk for long.

A major shift in our defense posture has been recommended by some of our strategic planners. It has been recommended that we build a thin antiballistic missile—ABM—defense system to protect our country against a number of threats. Such a step would represent a significant change in the approach that we have taken in the strategic field. Simply, this approach attempts to reduce the number of civilian casualties and physical destruction that would be inflicted on our country in a nuclear conflict. It presumes that we can destroy enough of the incoming nuclear missiles to significantly lower the casualties that we would otherwise suffer.

Until this point, we have not spent any significant sums on defensive systems against intercontinental missiles. Our experts conceded that the weapon systems that were proposed to do this job, the Nike X and its following versions, would not do the job. Our one major experiment in defense against nuclear weapons, in that case, weapons carried by enemy bombers, proved to be a failure. The Nike-Ajax and the Nike-Hercules were acknowledged to be deficient in the ability to stop the Russian bomber fleet. Yet we poured millions of dollars into the deployment of that system.

A number of developments in Russia during the last several years have been the moving force behind the suggestion to build the ABM system. The Russians began building intercontinental missiles at a more rapid rate than we had expected. They also began building what appeared to be an anti-ballistic-missile system around a number of their cities.

And they started to build a different ABM system around Moscow.

Our military planners decided to take certain steps to maintain our assured nuclear deterrent. We decided to build the Poseidon missile for our Polaris submarines. This missile would carry several warheads that could be individually directed toward separate targets. We decided to build the Minuteman III intercontinental missile, a land-based missile that would carry a similar cluster-type warhead. And we decided to build this sophisticated warhead, called MIRV for multiple individually targetable reentry vehicle. These steps in total will increase the number of warheads that we will be able to deliver to about three or four times the current number. This has been our response to actions, as we interpreted them, taken by the Russians.

We find now, however, that the ABM system that was being built around a number of different Russian cities is really not an ABM system but is rather an antiaircraft system. This Tallinn system was probably built against the B-70 bomber threat, a threat that did not materialize since we decided not to build the bombers. We also find that the ABM system being built around Moscow slowly in the Moscow area, perhaps in recognition of the difficulties in making any such system effective. Our response to their moves as we interpreted them, will cost us more than $5 billion, even though it turns out that we apparently misjudged their intentions.

When our military planners made the decision to go ahead with an ABM system, known as Sentinel, it was primarily justified as a defense against a Chinese threat. They acknowledged that it was probably impossible to defend against a determined Russian missile attack. They did feel that we could provide a defense against 25 or so Chinese intercontinental missiles with a so-called thin Sentinel system that would cost $6 to $10 billion. This defense would be effective, so we were told, during the 1970's and would prevent us from being blackmailed by the Chinese.

What was also acknowledged, but with far less fanfare, was that the radar system that would be used with the Sentinel system would be the basis for a larger system that supposedly would defend us against a Russian threat. By expanding the radars used with the thin Sentinel system, by producing more long and short range ABM's on the production lines that would have been set up, we would have the capability to build a heavy Sentinel system. The point I am making is that although we would presumably be building an ABM system for defense against the Chinese, in the eyes of the Russian military strategists we would be building a capability to resist their missiles. And if we gained this capability, their country would be in danger.

A decision to build an ABM system, even a so-called thin system, upsets the balance in Russian-United States arms capability. If taken, it will force the Russians to respond. They will either have to build their own ABM system or vastly multiply their missile force. And once again both countries will be pursuing the highly expensive and never ending task of maintaining assured nuclear deterrence.

A new race for nuclear parity involving ABM construction would be particularly harmful at this time because for the first time we appear to have an opportunity to sit down with the Russians to discuss the limitation of strategic arms. First at Glassboro, then in subsequent contacts, we have gradually moved toward discussions on strategic arms limitations. No topic is of more importance to Americans. It has meaning in terms of reducing the constant tension that I spoke of earlier and it has meaning in terms of making resources now used for arms available for peaceful uses.

I am of the opinion that we are at a crossroads in the search for reduction of international conflict. I do not think that we will soon find both the Soviet Union and the United States in the position of rough nuclear parity that permits both to sit down at the table to discuss strategic arms limitations. If we pass up this opportunity—throw it away by making decisions that preclude the possibilities of talks, we will commit a blunder that will haunt future generations of Americans.

I believe that we can defer a decision on the construction of an ABM system for at least 6 months to a year while we begin discussions with the Russians. We can maintain our research capability in the ABM field in the meantime without prejudicing our ability to construct a system should it prove necessary. We can reserve the right to act at any time we wish to—even though we are engaged in discussions at the time.

Such a course demands courage. It involves the uncertainties of negotiations with the Russians. But there are just as many uncertainties in diplomatic negotiations of this type as there are in the deployment of an ABM system. There is just as much chance that Sentinel will prove ineffective as there is a chance that the arms discussions may fail, perhaps more. But we have an obligation to attempt to slow down the arms race. And we should not jeopardize that attempt by committing ourselves to a Sentinel system unless we absolutely have to.

I urge that we defer the decision on the Sentinel system at this time. I believe that Americans have the courage to live with the uncertainties of arms limitation negotiations. More than that, I believe that informed Americans will insist that we pursue these negotiations. And I believe that they are willing to accent the lack of absolute safety that accompanies any meaningful search for peace.

Mr. FRASER. Mr. Speaker, there are three reasons the anti-ballistic-missile system should not be built.

First, it would be ineffective.

Second, it would be too dangerous.

Third, it would be too expensive.

The first thing that is clear about an anti-ballistic-missile system is that it would not protect the United States from a massive attack by the Soviet Union. It is supposed to be a defense system, but it would not defend us. The reason is that the U.S.S.R. could and would improve its offensive power to overcome our ABM defense. This can be done by modifying the Soviet offensive weapons to carry multiple warheads and to use more sophisticated methods of decoys and avoidance.

Second, the ABM would be too dangerous because it would inevitably lead to a heightened arms race between the United States and the U.S.S.R. If the Soviets perceive that we are building a system to cut down the effectiveness of their missile attack threat, they will certainly adopt multiple warheads, and a number of other modifications to assure their ability to overcome our defense. We in turn will respond by expanding and improving our ABM system to reach again for the goal we sought—to cancel the effectiveness of the Soviet nuclear strike threat.

As Secretary McNamara stated to the Congress 2 years ago:

> It is the virtual certainty that the Soviets will act to maintain their deterrent which casts such grave doubts on the advisability of our deploying the NIKE-X system for the protection of our cities against the kind of heavy, sophisticated missile attack they could launch in the 1970s. In all probability, all we would accomplish would be to increase greatly both their defense expenditures and ours without any gain in real security to either side.

Third, the exorbitant cost of an ABM system should make us wake up and refuse to go along with this unwise proposal.

Fifty billion dollars over 10 years is just one of many estimates of the enormous costs of an ABM system. Even larger amounts can be expected as refinements and improvements are added even as the system is being built. The annual cost of operation is thought to be in the neighborhood of a billion dollars.

All of that money being spent on a system that is certain to be ineffective and dangerous.

All of that money being drained from our national budget when we are woefully short of funds needed for housing and transportation and education and programs to aid our own people.

Mr. PELLY. Mr. Speaker, I would like to commend the gentleman from California (Mr. COHELAN) and others for affording this opportunity to write a record for the American people so that they might be fully advised as to the pros and cons of the Sentinel anti-ballistic-missile system.

My position in the matter has been fully outlined in this body and my remarks can be found on page 3408 in the CONGRESSIONAL RECORD of February 17, 1969 and on page 4197 on February 24, 1969.

I testified before the Committee on Appropriations January 15, 1969, and at that time I did not oppose the defense system but rather opposed its location on Bainbridge Island in my congressional district. I still oppose this location, but after a careful review of this entire project, I now strongly believe the program should be delayed indefinitely. At the outset I felt this was a means of having a bargaining item to discuss the possibility of nuclear disarmament with the

Russians, but while I still firmly support nuclear disarmament, I think our intentions to defend ourselves are fully known and that we would suffer no risk by deferring this Sentinel system.

I would like to further commend the gentleman from California for his statement in the RECORD this past Monday in which he well outlined the arguments against the establishment of the Sentinel system at this time.

But, I do not intend to reiterate these same arguments. Rather, with permission, I place a letter I sent President Richard M. Nixon on February 17, 1969, in the RECORD for the information of my colleagues:

FEBRUARY 17, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The purpose of this letter is to strongly urge you to defer all further implementation of the Sentinel Missile Program indefinitely, or until after any disarmament negotiations with the Soviet Union.

Because one of the proposed missile sites is scheduled for my Congressional District I have had occasion to carefully consider the pros and cons of this anti-Ballistic missile defense system. In this connection, I fully agree with your recent statement when you said you did not buy the assumption that the "thin shield" system is to protect us from Red Chinese missile attack. After all the former Secretary of Defense, Robert S. McNamara, stated on September 18, 1967, that the United States has the power not only to destroy completely China's entire nuclear offensive forces, but to devastate her society as well. Surely this capability is sufficient to deter any Communist Chinese missile attack. As Secretary McNamara said then, it would be insane and suicide for her to launch such an attack.

Thus, I conclude, the present sentinel is actually a first step forward the so-called heavy ABM system although at best it has little promise of producing an adequate shield. However, surely if we did develop such an anti-Soviet shield, such a program would certainly induce the Soviets to increase their offensive capability to overcome any defense moves of ours. It seems to me any decision to proceed needs a careful second look.

I voted last year for the funds to initiate the sentinel system. Until recently I felt the same way in support of that program. I did not want, nor do I now want the Soviets to outdistance us in offense or defense.

But, now I feel it advisable to pause in this costly program. I realize you, as President, do not want to take any risks. But, would a deferment in the sentinel program constitute a risk? I don't feel it would.

So, Mr. President, I urge that you halt the sentinel missile program at least until the need for any anti-ballistic protection is clearer. Surely the decisions of the past are sufficient to indicate to the Communists our intention to build a strong defense if need be—but let us talk nuclear disarmament and common sense with the Russians before we proceed with this weapons system which to say the least has dubious value.

Respectfully,

THOMAS M. PELLY,
Member of Congress.

Mr. OTTINGER. Mr. Speaker, I want to express my warmest thanks to the gentleman from California for affording this opportunity to the Members to express their views on the vital decisions whether to proceed with deployment of the Sentinel anti-ballistic-missile system.

I consider this decision on ABM deployment one of the most crucial questions that confronts the new administration and Congress. It will affect not only the security of the United States, but as well the future ability of this country to meet all our foreign and domestic responsibilities.

There should no longer be any doubt that the ABM system upon which we have embarked is a "thick" system designed to protect against the possibility of Russian attack, not the "thin" system directed against Chinese attack for which it was originally announced. This was made explicit in the testimony last year of Gen. Harold K. Johnson, Army Chief of Staff, before the Senate Appropriations Committee. It is confirmed by the expressed interest of the new Secretary of Defense in using the "thin," supposedly China-oriented system as a bargaining point in arms limitation talks with the Russians.

Estimates of the cost of the "thick" system range as high as $100 billion—and our past experience indicates that Defense Department estimates are invariably a fraction of actual cost.

The cost does not begin to stop there, however. The system contemplates Sprint missiles with nuclear warheads that will intercept enemy missiles that get by the long-range Sentinels, creating nuclear explosions directly over our major population centers. To be at all effective, a multibillion-dollar shelter system would have to be constructed. You can be sure that if we institute this kind of a system, the Russians will have to either overcome it with more sophisticated offensive weapons that will require multibillion-dollar ABM improvements or will duplicate our defensive system requiring us to invest in such multibillion-dollar offensive weapons ourselves. The true expense is sure to involve multiple hundreds of billions.

Now, if the end result were a substantial increase in the security of the United States against nuclear attack, then it is arguable that we should make the investment regardless of cost. There is no such evidence, however. Quite the contrary, it would appear that deployment of the ABM will merely touch off an offensive-defensive cycle of arms escalation, resulting in vastly greater destructive power on all sides, without any increase in security. As Secretary McNamara said on September 18, 1967, after a thorough Defense Department review and consultation with the leading technical experts:

> It is futile for each of us to spend $4 billion, $40 billion or $400 billion—and at the end of all the spending, and at the end of all the deployment, and at the end of all the effort, to be relatively at the same point of balance on the security scale that we are now.

As Carl Kaysen, writing in Brookings Institution's Agenda for the Nation put it:

> The expected result of the process can be no more than a new balance at higher force levels, larger expenditures, and most likely, unthinkably higher levels of destruction in the event that the forces were ever used.

It seems quite clear that in the nuclear confrontation game, as in many sports games, the best defense is a good offense. The scientific community seems to have reached an overwhelming consensus that there is no defense we could devise that could not be overcome relatively easily and cheaply by more sophisticated offensive weaponry.

To my mind, this is the crux of the objection to ABM deployment—that at enormous cost, it would not add to the security of the United States. On the contrary, it would force an escalation that would increase the jeopardy of our people, expose them—in the process of defending them—to nuclear defense explosions over our cities, and increase the balance of terror in the world.

The only security I can see enhanced by ABM deployment is the security of the military-industrial complex.

It is important to note that if the proposed ABM system is ineffective because of the necessity of the Russians to match or overcome it, then the objection applies equally to "thin" or "thick" deployment and to deployment for the alleged purpose of increasing our bargaining position with the Russians in disarmament talks. The Russians will have to match or overcome the system at whatever level we choose—and you can be sure they will not be satisfied to bargain from weakness any more than we. Any of the "thin" rationales are but a way to get a foot in the door to start the inexorable cycle of defensive and offensive escalation. No matter how modest the beginning, the cycle will have been set off.

Beyond ineffectiveness attributable to Russian response and the ease of overcoming the defense, there is substantial evidence that the Sentinel system simply would not work. Senate testimony indicates the possibility of a nuclear cloud created by a Sentinel explosion that would render our radar-controlled system ineffective. There is further testimony that various kinds of decoys and artificially created metallic clouds could readily overcome the system—and that at any rate, enough offensive weapons would get through even a "thick" system to destroy tens of millions of our inhabitants.

There is a strong likelihood that, after spending billions upon billions of dollars on the Sentinel system, shelters, and the more sophisticated offensive systems that would be required to overcome Russian accelerated defenses, the Sentinel would never be deployed.

This would hardly be the first time that the military had caused us to embark upon a multibillion-dollar defense missile boondoggle. Senator YOUNG, of Ohio, said in a speech in the other body on February 7, 1969:

> The fact is that the United States has spent almost $19 billion since World War II on missile systems that either were never finished or were out of service when completed because of obsolescence.

In 1959, the Army proposed deployment of the Nike-Zeus system, father of the Nike X system from which the Sentinel was developed. The cost was estimated at about $14 billion. President Eisenhower, explicitly wary of the military-industrial complex, turned it down. Secretary McNamara said last year that had we gone ahead and produced the Nike Zeus system, most of it would have had to be replaced before it became operational because of obsolescence. This was a near miss, but there have been many other accomplished billion-dollar Pentagon fiascos.

The B–70 bomber was proposed and approved in 1959 as a follow-on to the B–52 at an estimated cost of $1.3 billion for the first three prototypes. Only two were actually built, at a total cost of $2 billion. One crashed in 1966 and the other, after completion of unsuccessful test flights last month, was retired to the Air Force Museum. The project was abandoned.

The Skybolt air-to-surface missile was another boondoggle. In 1960, the Pentagon estimated R. & D. costs at $214 million and production at $679 million. By December 1961, the estimates were $492 million and $1.4 billion respectively. In 1962, the ante was raised to a total of $2.3 billion. The program was formally canceled in January 1963, after total expenditures of some $2 billion.

What these examples are intended to show is simply that the military is not infallible. There is an unfortunate tendency in Congress to regard military proposals as sacrosanct. Anyone who challenges them is accused of being soft and fuzzy headed in the face of the great military dangers we confront. We must end this tendency. Just because the Joint Chiefs propose doesn't mean we have to dispose. Military proposals, particularly those that involve basic policy decisions and billions in spending, deserve the most careful and skeptical scrutiny from both Houses of Congress.

The Sentinel system proposal is the biggest and most far-reaching military proposal yet. It is so big that its implications affect our ability to meet the entire spectrum of foreign and domestic needs of the country. It certainly deserves particularly close and skeptical scrutiny.

It is long past time that we faced up to the fact that we are a country of limited resources. This truth has been dramatized by the Vietnam war, a so-called limited engagement in a peanut-sized country. That "small" war, costing in the neighborhood of $27 billion per year, has brought us to the brink of financial crisis, creating a serious inflationary threat, forming the excuse for underfunding vital domestic programs, provoking a serious imbalance in our international payments and undermining the dollar as the staple of international exchange.

The hundreds of billions of dollars that the Sentinel system could absorb and require for new offensive systems would certainly preclude expansion of programs vitally needed to overcome pressing domestic problems of education, hunger and malnutrition, health, housing, job training and placement, and restoration of our water and air. It would undermine further our ability to help the underdeveloped nations of the world achieve self-sufficiency both economically and in their own defense. Indeed, it would limit our own defense capability to meet likely nonnuclear confrontations. A program involving such serious consequences must certainly bear a heavy burden of proof as to its soundness and imperative necessity. The Sentinel system sorely fails this test.

It is my strong conviction that the administration should abandon deployment of the system and concentrate on the deterrent of our second strike offensive capability to assure us against nuclear attack. This second strike capability is apparently the only effective deterrent, at any rate.

At the present time, our experts tell us that our second strike capability is sufficient to destroy Russia and China several times over. We clearly must maintain such sufficiency. But we should do all within our power to prevent a costly and fruitless arms race. In the words of Winston Churchill on sufficiency: "Why make the rubble bounce?"

Mr. RYAN. Mr. Speaker, the participation in today's special order by many of our colleagues and the serious questions of public policy raised in this discussion should make it clear to the Nixon administration that, unlike last year when only a few of us voted against the authorization and appropriations for the Sentinel anti-ballistic-missile system deployment, there is strong and organized opposition in the House. The same is true in the Senate.

Therefore, it behooves the administration to weigh very seriously the arguments advanced today on the floor of the House and I should like to commend the gentleman from California (Mr. COHELAN) for his efforts.

The plans of the Department of Defense to locate missile sites in or near large population centers has provoked such widespread apprehension and protest from the general public that the Department of Defense has been forced to reconsider its plans to locate the missiles in heavily populated urban centers. But the mere relocation of missile sites would not be a sufficient response to the basic questions. A Sentinel system located in sparsely populated areas would still pose the question of whether or not an anti-ballistic-missile system in any form—"thin" or "thick"—and in any location is in the public interest.

Mr. Speaker, this is an appropriate time, as the new administration takes office, to reassess our national priorities and examine the stark disparity between the allocation of our resources to meet our domestic needs and the insatiable demands of the military-industrial complex.

At a time when military spending has forced cutbacks in programs designed to meet urgent domestic problems, the enormous cost of an ABM system will only increase the military budget. The $5 billion that a "thin" ABM system is said to cost is only the beginning. Once the "thin" system is established there will be immense pressure to expand the program—both to increase its geographic coverage and to attempt to provide protection from a possible Soviet attack. Given the influence of the military-industrial complex, it is hard to estimate where the expansion will end. Secretary of Defense McNamara, in a Defense appropriation hearing on January 25, 1967, said:

> I believe that once started, an ABM system deployed with the objective of protecting the U.S. against the Soviet Union would require an expenditure of $40 billion over a 10-year period.

Another point is that the ABM system may be obsolete or ineffective before it is completed. An example of this is the Nike-Zeus system proposed by the Army in 1959. In spite of its strong backing from the Army, President Kennedy decided against producing and deploying the program. We now know that his choice was correct—it would have cost $13 to $14 billion and most of it would have had to be torn out and replaced, almost before it became operational, by new missiles and radar. Presently experts agree that none of the existing systems and none of those in the foreseeable future will provide an impenetrable shield over the United States. An important technological fact about the ABM system is that weapons can be developed to overcome any currently possible defense. Offensive weapons with penetration aids—using decoys and multiple warheads—can frustrate any known defensive system. Other methods of attack—that is, using low-altitude missiles launched from submarines—can also be used against ABM systems. Many feel that these offensive improvements would be far less costly than the defensive programs that stimulate them.

To proceed with the ABM system will escalate the arms race and seriously lessen the possibility of an agreement on arms control. In his September 18, 1967, speech before UPI editors and publishers in San Francisco, Secretary of Defense McNamara commented:

> If we in turn opt for heavy ABM deployment—at whatever price—we can be certain that the Soviets will react to offset the advantage we would hope to gain.

The end result will be larger stockpiles of nuclear weapons and increased tensions with no change in the balance of nuclear power. It was because they understood this fact that the science advisers of the last three Presidents and directors of research and engineering to the last three Secretaries of Defense unanimously recommended against deployment of an ABM system designed to protect against a Soviet attack.

Deploying the ABM system also has serious implications as far as the nuclear nonproliferation treaty is concerned. Under the treaty the nuclear powers are to "pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament." A "good faith" interest in disarmament would be evidenced by deferment of the deployment of the ABM system and entering into negotiations with the U.S.S.R. on limiting offensive and defensive weapons systems.

Justice William O. Douglas made a pertinent statement which I would like to call to the attention of my colleagues:

> My lay judgment is that the manufacture of the missile defense systems will make the military-industrial complex rich, will result in the production of huge piles of junk and

will be meaningless in terms of survival. Indeed, our preoccupation with problems of this kind reveals the growing political bankruptcy of this nation. The salvation of the world lies in the pursuit of law not in the anti-ballistic missile.

Mr. ROYBAL. Mr. Speaker, I am happy to have this opportunity to join with my colleagues in discussing the question of deployment of an anti-ballistic-missile defense system in the United States, and the many difficult problems this proposal raises for each of us here in the Congress as well as for all American citizens throughout the country.

Indeed, I believe that the issues are so important to the very survival of our Nation that every means should be used to assure that the American public becomes thoroughly acquainted with the full facts of this critical situation—with the pros and cons of ABM deployment with its attendant consequences for our national security and for the peace of the world.

Only in this fashion, will we be in a position to make an intelligent and considered decision in the best interests of all our people.

First of all, I would like to make it clear that there is no difference between the proponents and opponents of immediate construction and deployment of the suggested Sentinel ABM system—with regard to the vital necessity of an American national defense effort second to none.

We all agree that whatever must be done to protect our country and preserve our freedoms—can and will be done; and whatever price must be paid—will gladly be paid; in the traditional American way of bearing the burdens and sharing the sacrifices necessary to guarantee that our Nation's priceless heritage will be enjoyed by future generations of American citizens—as we and our ancestors have also enjoyed them.

Second, it is apparent from the extensive discussions of the ABM concept over the last several years that the experts in all the related fields—military, technological, scientific, political, international relations—differ widely in their opinons and in their judgment and evaluation of the ABM system as an effective defense or deterrent in the nuclear/space age.

In view of this kind of divergence of expert opinion from men of worldwide stature over all aspects of the subject, it is evident that honest men can, in good conscience, differ among themselves as to the value, and the advantages and disadvantages of the Sentinel ABM system.

For this reason, it is all the more important that this question be given the widest possible publicity—so that interested and concerned citizens can have an active voice in resolving the question in the best interest of all.

I have always hoped that a workable and carefully monitored system of arms control could be negotiated that would make it unnecessary to proceed now with a vast, multibillion-dollar anti-ballistic-missile defense program—which might have the ironic effect of accelerating the arms race and actually resulting in less real national military protection than we have at the present time.

With the progress we have made recently in securing broader acceptance of the Nuclear Nonproliferation Treaty, and the excellent prospects for the beginning of United States-Soviet talks on the overall subject of arms limitation, I would think that perhaps the best, most prudent course for us at this time would be to proceed actively toward discussing a halt to the arms race, while holding the Sentinel system, at least temporarily, in abeyance—until it can be determined the degree of success we can expect for these vital negotiations.

In this way, we do not preclude picking up any of our national defense options at any time in the future, should we so decide, and at the same time, we provide the best possible atmosphere in which to encourage a mutually advantageous agreement on arms control and limitation that in this thermonuclear age could literally spell the difference between human survival and extinction.

Mr. Speaker, the recent publication, "ABM: Yes or No?" issued by California's Center for the Study of Democratic Institutions, contains a fine pro and con discussion of the ABM controversy by some of America's leading authorities on this subject.

I believe it would be helpful to include in the CONGRESSIONAL RECORD at this point the preface to this publication, written by Mr. Donald McDonald, as well as the foreword, entitled "The State of the Question: An Introduction" by former Vice President Hubert Humphrey.

These articles together offer a good background description of the entire ABM question, plus a penetrating discussion of the major points at issue.

The articles follow:

ABM: YES OR NO?

PREFACE

(By Donald McDonald)

Since the end of World War II, the nuclear arms relationship between the United States and Soviet Russia has been marked by calculation and miscalculation, many alarms, occasional accommodations, slow-downs, speed-ups, relative stabilization, frequent unease, and constant uncertainty, with the whole periodically subjected especially during presidential election campaigns to misleading rhetoric about bomber gaps, missile gaps, and security gaps.

For more than a decade the two great powers, and perforce the rest of the world, have predicated their strategy upon a power balance based on what is popularly called "deterrence," and is more precisely identified by scientists and military planners as "mutual assured destruction." That is, both the United States and Russia possess "second-strike capability": if either is attacked, it can retaliate with sufficient force to inflict "unacceptable damage" on the other.

Until very recently this second-strike capability has been presumed to be an adequate safeguard against either power's initiating or provoking a nuclear attack. Both have acted on the premise that their offensive strength also provided a basis for defense strategy: rational men would not attack in the face of certain knowledge that a nuclear exchange would be suicidal.

However, the era of deterrence has been marked by curious anomalies, usually arising from a nervous misreading of the other side's activities and intentions. Both great powers have amassed enough thermonuclear warheads to devastate most of the habitable world several times over, and in the process the United States has built up a four-to-one numerical superiority over Russia in the number of deliverable thermonuclear missiles. This ratio probably will increase dramatically when the United States' MIRV (multiple independently targetable reentry vehicles) and Poseidon (multiple warheads fitted to Polaris submarine-launched missiles) are fully deployed and operational. MIRV and Poseidon make it possible for one missile to carry from three to ten thermonuclear warheads which can be detached in trajectory and aimed at as many separate targets.

Still, the offensive balance continues to hold. Although the United States has a numerical superiority over Russia, this is not the same as nuclear superiority. Nuclear superiority is the power of one nation to inflict a first strike on another of such force that the other is not able to retaliate and inflict unacceptable damage on the attacker. Neither the United States nor Russia possesses such power. And William Foster, the Johnson Administration's director of the Arms Control and Disarmament Agency, said last fall that the "most authoritative experts have assured us" that neither side "can hope to attain (nuclear superiority) in the foreseeable future."

Although Russia and the United States have continued to pin their primary strategy on the deterrent power of their massive, second strike/nuclear capability, this has not precluded sporadic efforts on both sides to explore the possibilities of an active missile defense system. The immediate objective, to reduce casualties, is enormously attractive in its own right. The larger consideration is strategic: an ABM system that could nullify a substantial portion of the enemy's striking power could serve to tilt the balance of offensive power in reverse.

The record of such explorations has not been brilliant. In the nineteen-fifties the United States spent thirty billion dollars on bomber defenses which later were found to have been full of holes. In the nineteen-sixties the United States spent another twenty billion dollars on anti-ballistic-missile research and development, but in every instance abandoned emerging defensive systems when it became obvious that, years before they could be deployed, the hardware and controls would have been rendered obsolescent by Russian offensive missile advances.

Despite these failures pro-ABM pressure has continued to mount in the face of contrary official policy. Scientific advisers for three successive Presidents have opposed anti-missile expenditures, as did former Defense Secretary Robert McNamara, who served both Presidents Kennedy and Johnson. Then, a little more than a year ago, Secretary McNamara yielded. The background of this historic modification of ABM policy has been summarized by Jeremy Stone in an *Adelphi* report published by the British Institute for Strategic Studies:

"On 18 September 1967, Mr. Robert S. McNamara, then US Secretary of Defense, announced plans to deploy a limited ballistic missile defence system (called *Sentinel*) against the possibility of an attack by Chinese ballistic missiles. He acted under considerable political pressure, and called the case for the weapon system 'marginal'. This political pressure was generated very largely by the belief—now thought to be mistaken—that the Soviet Union was deploying ballistic missile defences around far more than Moscow.

"The Soviet Government had expressed willingness in principle to discuss limits on the arms race, but had delayed in setting a date for talks to begin. Many drew the conclusion that the Russians were 'stealing a march' on the United States. Because this pressure combined with the problem of missile defence against China, and because

China became the rationale for the decision taken, it is a decision almost impossible to reverse on the grounds of faulty American estimates of Soviet intentions. Indeed, the new US Secretary of Defense, Mr. Clark Clifford, has advised the Senate Armed Services Committee that he is for maintaining a 'clear-cut nuclear supremacy' over the Soviet Union; this approach, distinctly more favourable to missile defence procurement than that of Mr. McNamara, suggests an increase in the likelihood that the United States will press on to build a larger system. . . .

"For eight years preceding the September 1967 decision to deploy a 'thin' ballistic missile defence, United States Administration considered and rejected suggestions that ongoing development programs for missile defence be followed by procurement of one system or another. At first it was a primitive Nike-Zeus missile—considered successful if it could make an 'intercept' of a single incoming warhead. Such a system could have been built by 1963–64 but would, according to estimates made by the Defense Department in 1962, have been obsolete by the time it became operational. A more advanced system, Nike-X, could have been ordered in 1963 and built by 1968, but—relative to projected Soviet improvements—would have been obsolete by 1966.

"These systems depended upon tracking incoming objects despite clouds of 'chaff,' then distinguishing between decoys and weapons, and then launching anti-missiles at located warheads. Since observations of atmospheric drag on incoming objects were critical to distinguishing them, the defence was required to wait until the attacking warhead had entered well into the atmosphere and to intercept perhaps 5,000 to 100,000 feet off the ground; hence it had to rely upon interceptors that could climb thousands of feet in a few seconds. For this reason also, it had to anticipate low-level detonation of adversary warheads, and hence it had to complement the system with fallout shelters. Finally, the defence was local in character, covering ranges of only 15 to 25 miles, and all but the largest 25 or 50 urban areas would have been undefended.

"Although the systems under development were quite obviously improving throughout the 1959-65 period, they seemed, paradoxically, ever less likely to be built. The problem of civil defence, the partial coverage provided by the defence, the rising cost of building an ever more complicated system, a growing willingness to rely upon the balance of terror, the prospect of suitable Soviet penetration devices, a wide-spread desire not to stir up the arms race, and Mr. McNamara's emphasis on cost-effectiveness—all combined to limit the prospects for missile defence procurement.

"In 1964, Communist China exploded her first bomb, and American strategists saw a threat that might be neutralized with greater confidence than could that of the Soviet Union. Not long thereafter, the range of the American interceptor missiles was greatly expanded. At the same time, new techniques were developed to permit the destruction of incoming missiles with X-rays while they were still outside the atmosphere. (Earlier systems had relied on blast effects in the atmosphere, and hence such systems were ineffective at airless altitudes.) The increased range of the interceptor, in conjunction with the new X-ray method of 'kill', enormously improved paper-and-pencil calculations of effectiveness. Incoming missiles could be attacked several hundred miles up. Each interceptor battery could cover a ground radius of about 400 miles. When these results were considered with respect to the new (and weaker) prospective Chinese threat, some began to talk of the possibility of preventing any Chinese missiles from penetrating until the 1980s—even of discouraging China from building long-range missiles at all.

"In this supersaturated situation, in 1966, some evidence was uncovered that the Soviet Union had begun to build a ballistic missile defence. Earlier sporadic Soviet efforts to build a single battery around Leningrad in 1962 had created only a stir. Now it seemed certain that defensive system had been installed around Moscow. Elsewhere, unquestionably, something was being built rapidly. This more comprehensive installation (called the 'Tallinn' system, after the Estonian city that housed part of it) was thought by some to be a defence against missiles. General Earle G. Wheeler testified that it would violate 'military logic' if it were not. But despite an earlier news conference in which Mr. McNamara announced 'considerable evidence' that the Soviet Union was deploying an antimissile system, he testified in 1967 that existing evidence could be explained by the hypothesis of an extensive new air defence system. Presumably such a system would have been started in anticipation of a high-flying B–70, or it might have reflected compulsive vested interests in air defence. By 1968, a 'majority' of Department of Defense analysts subscribed to Mr. McNamara's 'air defence' view, and the situation was seen as follows in [testimony supporting] the fiscal 1969 defence budget:

" 'Now, I can tell you that the majority of our intelligence community no longer believes that this so-called Tallinn system (which is being deployed across the northwestern approaches to the Soviet Union and in several other places) has any significant ABM capability. This system is apparently designed for use within the atmosphere, most likely against an aerodynamic rather than a ballistic missile threat.'

"Although construction of the Galosh ABM system around Moscow is proceeding at a moderate pace, no effort has been made during the last year to expand that system or extend it to other cities. It is the consensus of the intelligence community that this system could provide a limited defence of the Moscow area but that it could be seriously degraded by sophisticated penetration aids.

"Notwithstanding this new appraisal of Soviet plans, the Defense Department has not changed its own plans, asserting: 'Nevertheless, knowing what we do about past Soviet predilections for defensive systems, we must, for the time being, plan our forces on the assumption that they will have deployed some sort of an ABM system around their major cities by the early 1970's.' The phrase 'for the time being' presumably refers to the possibility of American-Soviet discussions and may suggest American willingness to compromise in the presence of talks."

This shift in Defense Department policy, followed by congressional authorization of the five-billion-dollar "thin" screen, has opened the way for ABM proponents to raise the ante and argue openly for the "thick" or "heavy" system, of which Sentinel would be simply the building-block. The initial cost of ABM as now visualized is generally conceded to be in the range of forty to fifty billion dollars and its scope has been escalated to provide protection for twenty-five to fifty American cities and for our missile-launching installations.

The debate between pro and anti ABM partisans has waxed throughout the months since Mr. McNamara's Sentinel announcement, a curious and prophetic speech in which he warned of the pressures that would follow:

"There is a kind of mad momentum intrinsic to the development of all new nuclear weaponry. If a weapon system works—and works well—there is strong pressure from many directions to produce and deploy the weapon out of all proportion to the prudent level required.

"The danger in deploying this relatively light and reliable Chinese-oriented ABM system is going to be that pressures will develop to expand it into a heavy Soviet-oriented ABM system.

"We must resist that temptation firmly—not because we can for a moment afford to relax our vigilance against a possible Soviet first strike—but precisely because our greatest deterrent against such a strike is not a massive, costly, but highly penetrable ABM shield, but rather a fully credible, offensive-assured destruction capability.

"The so-called heavy ABM shield—at the present state of technology—would in effect be no adequate shield at all against a Soviet attack, but rather a strong inducement for the Soviets to vastly increase their own offensive forces. That, as I have pointed out, would make it necessary for us to respond in turn—and so the arms race would rush hopelessly on to no sensible purpose on either side."

The ABM debate has been only incidentally over Sentinel as such. That decision has been taken, Congress has appropriated the construction funds, and presumably Sentinel will be deployed unless President Nixon presses for a reversal of prevailing Defense Department policy. But the debate over the basics of anti-ballistic-missile defense is by no means over. The current round turns on whether a heavy ABM system can be justified; the Sentinel decision did not settle that argument, it only inflamed it. Mr. McNamara's pronouncements before leaving office, and Secretary Clifford's since assuming it, have done nothing to resolve the technical, military, economic, and political differences which lie at the heart of the ABM controversy.

Yet, despite the high status of the adversaries and the fateful character of the issue, the ABM question has been debated in rather restricted circles to date: in the scientific community; before a few congressional committees and, on one occasion, before a secret session of the Senate as a whole; and in some journals of opinion. In fragmented fashion the running controversy occasionally breaks through in the mass media, and this has produced a prevailing editorial uneasiness among the more serious newspapers, periodicals, and television commentators. And the ABM issue turns up as a priority item on the agenda of all of those concerned with the current state of international relations, for it is well on the way to becoming the most immediate and dangerous symptom of the Cold War.

To examine the current state of the ABM issue, and appraise its possible consequences, the Center for the Study of Democratic Institutions brought together experts representing opposing scientific, military, and political views. Gathered in New York in late November of 1968, with the confusions and alarms of the Presidential election behind them, protagonists and antagonists of ABM met in two lengthy sessions, the second of which broadened the discussion to include associates of the Center and others qualified to introduce subsidiary but essential political, economic, and social questions that flow from the central strategic issue. This publication is a distillation of those discussions, and of the position papers prepared for them.

It is introduced by Hubert H. Humphrey, former Vice-President of the United States. A leader in arms control debates during his long service in the Senate, Mr. Humphrey during the past four years has been directly involved, as a member of the National Security Council, in the decisions that led to deployment of the Sentinel system and to the apparent reversal of long-standing policy against anti-missile defense. Mr. Humphrey here renews his plea for a full public airing of the larger strategic issues that lie behind ABM.

THE STATE OF THE QUESTION: AN INTRODUCTION

(By Hubert H. Humphrey)

America's determination to find ways of stabilizing the nuclear arms race will be severely tested in the coming days. President Nixon will be faced with a series of decisions that will irrevocably affect the security of this nation and the peace of the world. The U.S. Congress will review these decisions and a spirited exchange of opinion on Capitol Hill is guaranteed. We are, in short, on the verge of a great debate on nuclear arms control, a debate whose outcome could well determine the survival of this country, not to mention the life and death of millions of other persons around the globe.

Yet the American people are shamefully ill-informed on these matters. Decisions of far-reaching significance can be accomplished with only the slightest involvement of the informed and politically aware public. In a representative democracy this is unhealthy under any circumstances. When the survival of the planet may be involved, the situation becomes intolerable. That is why this paper is so important. It seeks to bring to the American people the facts on the most critical issue of nuclear arms control; should the United States build an anti-ballistic-missile defense system?

As President Nixon takes office he will find that the basic decisions on the strategic issues posed by ABM, far from being settled by the congressional authorization for a "thin" screen that lies on his desk, are yet to be made. He will receive, as we did in the Johnson Administration, directly conflicting testimony from his scientific advisers as to the capability of the proposed anti-missile defenses; and he will receive conflicting intelligence estimates as to the Russians' capability to penetrate our defenses, or shield themselves against our nuclear missiles. He stands now at the point where he must modify or reverse the recommendation of his military advisers; rest with the admittedly inadequate "thin" ABM system for which the Army is already selecting sites; or make a commitment to a "heavy" system that will, by common agreement, usher in another fateful stage in the nuclear arms race with the Soviet Union.

Throughout the Presidential campaign, I emphasized that the most important question facing the new President would be that of negotiating an agreement with the Soviet Union to limit the strategic arms competition. Despite the brutal invasion of Czechoslovakia by the Soviet Union and its dire consequences for East-West relations, both the United States and the Soviet Union continue to have a mutual interest in reaching such an agreement. The discussion over the ABM should be reviewed in relation to this broader issue, but the ABM issue is, however, the most immediate and potentially dangerous issue on the arms control agenda. Although the ABM issue was not discussed in detail in the Presidential campaign, I have always been skeptical in my own mind about the security value of deploying an ABM system. I share the reservations stated by Secretary McNamara when he announced the ABM deployment in 1967. At the same time, I understood the reasons why the President felt that preparations for a limited deployment might quicken the interest of the Soviet Union in meaningful negotiations on the strategic arms race, provided we place top priority on the urgent necessity of reaching an agreement on the ABM issue.

The ABM issue is not an easy one for the public to follow. It may be, as suggested by Dr. David R. Inglis, of Argonne National Laboratory, "the world's nuclear problems are too subtle for the average unconcerned citizen; the part most visible to him is the economic manna descending from the defense-industry heaven." The trouble with that complacent view is that there is no longer any such thing as an unconcerned citizen, whether he knows it or not.

There are a good many reasons why the ABM controversy, which has raged within the government for almost a decade now, has been hard to follow. Official secrecy has had something to do with it, but not much. Although sometimes delayed and distorted by security regulations, the essential facts on such large strategic questions always come to light and find their way into general circulation. The description of the development of American ABM policy quoted from a paper published by the British Institute of Strategic Studies in the preface to this paper is an example of the manner in which the information and estimates of the "intelligence community" are regularly publicized. Although a few details may be incorrect, or missing, the principal elements upon which the official policy-makers based their decisions are neatly laid out for all to see.

The record of the debate on *ABM: Yes or No?* which follows provides a valuable demonstration of how this kind of decision-making actually goes forward. As the reader will see, the participating scientists provide a hard core of factual analysis, usually reduced to numerical calculations suitable for a computer, and upon this base the strategists erect their structures of speculation and conjecture. It is, on the surface at least, comforting to come back to this solid collection of presumably measurable facts after a chilling exercise in what, in the nuclear era, has come to be called "thinking the unthinkable."

The very vocabulary of nuclear gamesmanship is uncomfortable for all but the most hardened practitioners. Neil Jacoby has noted that with economists ordinarily "cost-benefit" analysis is changed to "cost-effectiveness" analysis in Pentagon parlance, "probably because it puts language under serious strain to refer to the death of a hundred million Russians or the destruction of a hundred billion dollars of Soviet capital as a benefit."

But one begins to suspect that this resort to the "facts" is not, as it appears, a return to reality but a retreat from it. Changing the vocabulary does not disguise the fact that the counters in the game are human lives, and the stake the fate of nations. Jerome Wiesner, who played it for years, calls it "the numbers game" and insists that it runs out of substance at the point at which it requires human judgment—as it always does.

Trying to explain to President Kennedy why scientists, who are supposed to be the most rational of people, could differ so on a technical issue, Wiesner pointed out that it is nature that is rational, not the scientists who try to explain natural processes. "Different people make different assumptions about all these elements. That is what is involved in the argument about anti-ballistic-missile systems. One man's assumptions give one set of conclusions; another man's assumptions give a different set. Some of the assumptions are essentially undefinable. We are talking about things we do not and cannot know anything about no matter how we try. And so you can take whichever set of assumptions you choose."

Yet much of our most critical defense policy is being made on the basis of these numbers. And even so experienced a Washington hand as Dr. Jacoby, turning a skeptical economist's eye on the decision to put five billion dollars in the thin Sentinel ABM system, has looked at the cost-analysis considerations involved and accepted the result because "presumably the Pentagon has plugged figures into the equations, run the calculations, and reached an affirmative conclusion."

We are living in an environment significantly affected by what President Eisenhower called the military-industrial complex and its principal off-spring, the mammoth research and development budgets which sustain the defense establishment in the nuclear and missile age. R & D is a catalyst; by its nature it leads to far greater investment in production of the goods and systems it makes possible. Thus every dollar spent on R & D has produced an expenditure of at least five dollars in military procurement alone. This diversion of funds into the military-industrial complex is widely recognized. What often escapes notice is the massive diversion of brainpower away from the civilian economy into the defense establishment. There inevitably arises among many of these talented individuals a disposition to justify defense expenditures, rather than to think in terms of national limitations on the production and dissemination of arms.

The principal points at issue in the ABM controversy are ably set forth in the following discussion. Here, as in the inner circles in Washington, they are advanced by men of great intellectual capacity and high moral purpose. In summary they are:

Challenge: The "heavy" ABM system will be the most complex technological system ever built by man, and there is no way to test it except under actual enemy attack. The odds are for at least a partial failure, and in this contest even a low percentage of missile penetration can be fatal.

Response: The military-industrial complex can meet the challenge and produce a system with a tolerable margin for error.

Challenge: Today's offensive missiles, with their improved penetration aids, probably could overcome the ABM system as now visualized, and the offensive improvement that its deployment is bound to stimulate certainly will render the system obsolete before it can be made operational.

Response: Any projected margin of failure for the defense system is not necessarily any greater than that for the offene.

Challenge: The cost is disproportionate to the protection ABM can afford.

Response: Potential deaths in an undefended United States are a hundred and twenty million; ABM could reduce that casualty list to forty million; the saving of eighty million lives is not only a compelling humane consideration but involves our survival as a nation.

Challenge: ABM will intensify rather than restrain the arms race, worsening instead of improving U.S.-Soviet relationships.

Response: This does not necessarily follow. If the United States deploys an effective ABM system the Russians might also shift their emphasis to defense, thus permitting a mutual deëscalation of the offensive missile race.

There is not, as Dr. Wiesner points out, any final proof here, only untested assumptions—and a man may come down in good conscience on either side, depending upon which set of assumptions he chooses. In closely following the development of missile policy over the years, I have myself found the most persuasive scientific argument on the side of restraint. I did not change that view when Secretary McNamara reluctantly compromised in favor of the "thin" ABM; it seemed to me that even in announcing it he made a better case against the new system than he did for it.

There is a grave omission in all this. The missile game is played almost entirely within the limits of scientific and military concepts; political considerations are largely dismissed as imponderables, relegated in the computer computations to a place along with such diversionary factors as the possibility of human error. The result is to predetermine the character of the game's results; the policy it produces is bound to be shaped within the limits of the military factors upon which it is predicated. We may have more missiles, or fewer, or missiles of a different type, but this is no more than addition and subtraction of the hardware of deterrence—and experience on both sides has indicated that the exercise leads inexorably to multiplication.

The tendency is to dismiss the political alternative to the balance of terror as entirely too risky—or at best to give it lip service. Well, politics is a risky business. But I would ask in all seriousness if it is any more difficult for the skilled and dedicated men who practice diplomacy to compute the odds on possible failure of a U.S.-Soviet disarmament treaty than it is for the scientists and strategists to determine the malfunctioning potential of ABM. I do not believe it is, and if the question is to be decided by the simple assessment of risk, it ought to be pointed out that a diplomatic debacle would not necessarily be terminal, while an ABM failure certainly would be.

The truth is that we have been demanding more certain guarantees of success of those who have urged the positive course of negotiated disarmament than we have of those who insist that prudence requires us to rely on the negative protection of nuclear deterrence. The only proof of effectiveness that can be offered in defense of the missile standoff is that we have survived twenty years of international tensions without precipitating World War III.

ABM is described by its proponents as defensive, but if it does achieve an effective missile screen it could become offensive, since it would release strategic policy-makers from the restraints imposed by enemy second-strike capacity. The Russians will certainly recognize such an offensive potential, as we did when a rudimentary missile defense system was deployed around Moscow several years ago.

It is contended that we can build up our defensive screen and our deterrent forces at the same time we actively pursue the goal of arms control and ultimate disarmament; indeed, it is argued that this is the only practical way we can proceed, since our adversaries will not respond to anything less than the clear threat of being outdistanced in the arms race. The history of the last decade seems to me to provide a monument to the fallacy of this theory.

So it is in the larger arena where we coexist uneasily with the Soviet Union, while sharing with the Russians the overt hostility of the People's Republic of China. I would be the first to agree with the dictum that the United States must negotiate with the communist world from a position of strength. But there is reason to doubt that we can any longer equate strength with military power alone. Secretary Clark Clifford, in his final report to the Congress, echoes the thoughts of his predecessor in the Defense Department by stressing that true national security is a compound of more than nuclear warheads and missiles. Another round in the nuclear arms race could only increase our insecurity compared to achieving verifiable agreement with the Soviet Union to limit strategic offensive and defensive forces.

For a while, when the leaders of all the nations accepted the balance of terror as an inescapable fact of strategic life, we began to see our differences more clearly, and to consider means by which they might be resolved without the use of the military force now denied the great powers, at least on a global scale. We did not resolve our ideological differences, nor reduce all our conflicts of interest, but, as Justice Douglas notes in the concluding essay in this paper, we did achieve a substantial number of agreements and arrangements under which a great deal of useful international business has been conducted. We can draw at least a minimal lesson from that experience: we are not strangers any longer, and it is not ordained that we must again become enemies.

Robert McNamara, who has been as close to these matters as any man alive, ended his long tour in the Defense Department convinced that the most dangerous thing in the world is a state of mind—the belief among powerful men on both sides, in the face of all the horrendous evidence to the contrary, that somehow the scientists will yet find a way to employ nuclear weapons so that military men may again win a war. This is the real issue in the ABM controversy; when nations begin to accept the thesis that they may be able to devise adequate protection against nuclear attack they also raise the possibility that they may yet be able to use decisively offensive missile force; and on the basis of a mixture of unfounded hopes and challenged assumptions they may turn away from serious negotiation and the effort to find a way to base international relations on liberating reason rather than paralyzing fear.

I say the time has come when we should take some risks in the name of peace, rather than continue the great nuclear gamble in the name of security. In this light ABM might yet provide a great service in advancing the strategic arms negotiations, if, having taken the system to this stage of development, we set it aside as a symbol of our determination to halt the arms race where it is, and turn it back if we can. Let us couple this with passage of the nuclear nonproliferation treaty now pending in the Senate, and go back to the negotiating table with the Russians. The application of as much energy, imagination, and determination in an honest effort to find a formula for arms control as we have invested in the effort to ring our cities with ABM will, I am confident, bring far greater rewards with less risk.

Many wise and experienced men in Washington who agree that this is what we should do insist that it cannot be done—that it is a political impossibility to reverse the policies that have produced, and are now shaped by, the military-industrial complex. It will be difficult, yes, but it is not impossible. For we cannot forget that our only chance of obtaining the huge volume of funds and talent required to rebuild American society at home lies in placing some limitation on the arms spiral. If we fail to do this, urgent domestic needs will go unmet. What is needed now is a great expansion of the dialogue set forth in this paper: let us get the issues out in the open, and get them clear. The fundamentals of the missile controversy are not beyond the comprehension of the American people, and certainly no decision of the magnitude of ABM should be taken on their behalf without greater evidence of their informed consent than can be said to exist presently.

Mr. GILBERT. Mr. Speaker, the purpose of this discussion in the House is to provide a better understanding of the enormous magnitude of the anti-ballistic-missile system decision. This is as it should be. We in this Chamber are charged with the responsibility of making decisions that affect the lives of every American, and this is one such decision. We must carefully weigh the risks involved and try to determine the degree of security the system will offer our Nation. And the American people should be informed of the facts and findings.

We are, I believe, at the crossroads—if we elect to go the way of the Sentinel ABM system, it is possible there will be no turning back. My own conclusion is that it is not in the national interest for the United States to deploy the ABM system. The testimony from scientists, defense experts, and others knowledgeable on the subject, is overwhelmingly against it.

Last year I voted against the appropriation for the Sentinel ABM system and I stand firm in my opposition to the deployment of any such system. The cost is exorbitant and the risks of accidental explosion near our urban centers is frightening. I do not think any of us can feel comfortable with megaton nuclear warheads in our backyards. The sites thus far considered are all near large urban centers. This creates the possibility that enemy fire might be directed toward a large city which otherwise might not be a target. And it also creates the chance that if one of the H-bomb warheads in the ABM system should accidentally explode, the consequent loss of life could be catastrophic. Can millions of Americans get used to the idea of living on a powder keg?

If we had the assurance the system could make our country bombproof—that it would assure the safety of all of us in the future—then this could be an accomplishment we would all welcome. But this is not the case. Even former Secretary of Defense McNamara, when he announced the decision to go ahead with the Sentinel system, said the ABM could not possibly defend us against the Soviet Union's large striking capabilities and would be effective only against smaller Chinese attack. Even then, there is the question of just how useful it would be. Experts see severe technological limitations in the ABM, making it vulnerable to certain types of weapons and ineffective as a missile defense. Since the Sentinel is useful only against high altitude missiles, those fired from submarines or surface vessels coming in at low altitude, could get through. In addition, ABM operates on radar, and missiles encased in paint that absorbs rather than reflects radar beams, the experts tell us, could probably penetrate the ABM defense system. Then there is the obvious observation that any such system can be defeated by an enemy by simply sending more effective warheads—or even dummy warheads—than there are defense missiles capable of destroying them. It has been pointed out that it is relatively simple to devise decoys and penetration aids to foil the radar and divert intercepting missiles.

Mr. Speaker, my conclusion that we should not deploy the ABM system is not based solely on the risk and possible ineffectiveness of it, though these are certainly major factors. I believe it will escalate the arms race and weaken our bargaining position with the Soviet Union. The Soviets are not likely to stand by and remain static as we proceed in the deployment of the ABM system. They will no doubt respond as we did when we got evidence the Soviet Union was deploying a limited defense around Moscow. We began developing penetration aids and more powerful warheads to enable us to penetrate that system. They could react the same way and nullify our system possibly in less time and with less outlay than was required for us to install it.

If our goal is peace, Mr. Speaker, we must set an example for the rest of the world. We must not diminish our capacity to conduct intelligent and rational foreign policy. The ABM system is inconsistent with our efforts for the ratification of the nuclear nonproliferation treaty and the establishment of a Department of Peace. Under the terms of the treaty the nuclear powers are to undertake "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament." If there is "good faith" intent in nuclear disarmament, then deployment of the ABM system is inimical to a nonproliferation treaty.

Mr. Speaker, the financial drain for the ABM system—billions of dollars—must come from our Federal budget. It will be at the expense of the poor and underprivileged, our already overtaxed low- and middle-income Americans. I prefer to direct my efforts in Congress, as I have in the past, to trying to eliminate the social ills that plague America: poverty, unemployment, improper housing, polluted air and water, and unequal opportunity. The billions the ABM system will cost can better be used to cope with the social and economic needs of our country, and for the promotion of better relations between and among nations. I believe the security of our Nation depends more on our ability to work and live with other countries and on our efforts toward mutual reduction of tensions, rather than on a costly anti-ballistic-missile system that undoubtedly will escalate the arms race and yet offers no guarantee that it will save American lives in the event of nuclear attack.

Mr. JACOBS. Mr. Speaker, at this point in the CONGRESSIONAL RECORD, I would like to bring to the attention of my colleagues one more example of the widespread disapproval for the proposed ABM system:

[From Forbes, Mar. 1, 1969]

SHOOT IT DOWN

Sentinel, a half-baked $6- to $10-billion antimissile program, I think will be shot down by a combination of worried constituents and sensible congressmen.

When Defense Secretary Laird first said he was going ahead with this "thin" facade, I felt most glum about him.

The prime justification put forward for this vastly expensive boondoggle was that it would help us to bargain with the Russians. The logic of this totally escaped me, since the Reds presumably could read in our papers that the "system" couldn't interfere with the kind of nuclear assault the Russians could launch, and was intended primarily as a negotiating ploy.

My hopes for Mr. Laird rebounded when he responded to Congressional doubters and postponed the Sentinel "for further study." Now he talks of it as a defense against Chinese missiles and/or as a project to give us "experience" in constructing a missile defense, etc.

If Mr. Laird doesn't have the sense to sentence Sentinel to be shot down, there's high hope that Congress will do it for him.

Mr. RYAN. Mr. Speaker, during the 90th Congress I was anxious to receive the assistance of scientists familiar with the military and strategic implications of an anti-ballistic-missile system. Accordingly, in November 1967, I wrote letters to several distinguished scientists asking them to comment on the wisdom of deploying an antiballistic system. My colleague from Minnesota (Mr. FRASER) also joined in these requests.

The answers received were most informative and useful. Since this issue has again come before the House during this session of Congress, I would like to insert these letters, along with the articles to which several of the letters referred. I commend the views expressed in these letters to my colleagues and urge them to heed the advice of these experts as they consider this crucial issue.

I include at this point in the RECORD letters from Prof. Jerome B. Wiesner, former science adviser to President Kennedy and President Johnson, Prof. Victor F. Weisskopf, Department of Physics, Massachusetts Institute of Technology; Dr. Wolfgang K. H. Panofsky, director, Stanford University Linear Accelerator Center; Dr. Leonard S. Rodberg, Institute for Policy Studies, Washington, D.C.; and Prof. Betty Goetz Lall, New York State School of Industrial and Labor Relations, Cornell University:

MASSACHUSETTS INSTITUTE
OF TECHNOLOGY,
Cambridge, Mass., November 28, 1967.

Hon. WILLIAM F. RYAN,
Hon. DONALD M. FRASER,
Members of Congress,
House of Representatives,
Washington, D.C.

DEAR SIRS: I am writing in response to your recent letter asking for my thoughts about the antiballistic missile system deployment. I have just recently published a statement in Look magazine which sets forth my strong feelings about the matter. I believe that we are embarking on a course of action which will lead to a new cycle in the arms race, one which will ultimately result in a new level of deterrents and which would potentially be more destructive than the situation with which we are now living. I am enclosing two copies of that piece for your use. I wonder whether you have seen the collection of papers on the antiballistic missile problem that were recently published by the Bulletin of Atomic Scientists. If not, I would suggest that you look at them for these were interesting papers relating to the ABM problem.

A number of persons in the United States would, I'm sure, be willing to help you understand the ABM issue. Professor Herbert York, who is at the La Jolla campus of the University of California, has spent a good deal of time on these matters, and would, I'm sure, be pleased to have an opportunity to talk to you. The same would apply to Professor Jack Ruina on the M.I.T. faculty, Professor George Kistiakowsky at Harvard University, Professor Paul Doty at Harvard, Professor Leonard Rodberg, Physics Department, the University of Maryland, and Professor Frank Long at Cornell University. I'm sure a short note from you would solicit their views, and I'm also certain that any one of them would be willing to participate in more formal discussions with you.

Sincerely yours,

JEROME B. WIESNER.

THE CASE AGAINST AN ANTI-BALLISTIC-MISSILE SYSTEM

(By Dr. Jerome B. Wiesner)

When China exploded a hydrogen bomb, waves of concern spread around the world. Renewed calls were raised in the United States for a defense that would protect us from Chinese nuclear ballistic missiles. These calls have now been heeded by President Johnson. Scientists agree that neither the United States nor the Soviet Union can protect itself completely from a nuclear attack by the other. But as long as Communist China's primitive missile force is very small, some protection *can* be achieved—and this is what the President has decided to buy. Because he couldn't persuade the Russians to consider limitations on missile defenses, the President has now ordered the building of a "thin" defensive system to protect us from the Chinese. The logic of the President's decision seems mighty tortured.

The word in Washington is that President Johnson was forced to bend under the pressure of the military, congressional and industrial sponsors of the antiballistic-missile system. Enormous pressure certainly existed, but such pressure on a President to build a missile-defense system is not new. Both President Eisenhower and President Kennedy were exposed to it. One of the most difficult decisions President Kennedy had to make concerned the Nike-Zeus missile-defense system. The pressures on him were tremendous, but after long, careful study, he decided, on technical grounds, not to build the Nike-Zeus. Today, we know that to have built that system would have wasted between $20 and $30 billion. It would have been already obsolete. I am certain that the system we are now planning will be regarded as ineffective before it is installed.

Secretary of Defense McNamara estimates that the United States could build an ABM system (for between $3 and $6 billion) that would provide a reasonably effective defense against Chinese ballistic missiles—for 10 to 15 years. But he concedes that such a system would do us little good against an attack by the Russians. Even if the thin ABM system is as effective as the Secretary of Defense says—and I strongly question this—should we take the portentous step of deploying an ABM system for protection against Red China? I think we should not.

In his long statement announcing the President's decision to build an anti-Chinese ABM system, Secretary McNamara concludes that the arguments marginally support its construction. This is obviously a matter of judgment. I think the arguments are overwhelmingly against building it. In fact, I believe that this decision could be as wrong and have as serious domestic and international consequences as the disastrous conclusion six years ago that a few military advisers and some weapons would lead to an early victory for South Vietnam's forces.

In the late 1950's, the United States first began to examine the problem of defense against ballistic missiles. At that time, the only useful concept involved low-altitude interceptor missiles armed with nuclear weapons. The idea was that radars would track an incoming enemy missile and guide our "antimissile missile" near enough so that the nuclear warhead, exploded at the right time, would destroy the enemy missile. One defensive rocket would be fired against each incoming object. But an enemy could easily confuse the radars—by including along with the real nuclear warheads high-altitude "decoys," such as lightweight metallic balloons. Since decoys break up or slow down when they hit the earth's atmosphere, we hoped that by waiting, we could pick out the real warheads and launch a defensive attack. The antimissile missiles would have to be placed near each city to be defended, and the tremendous heat and blast caused by the explosion of the defensive warheads, low over the cities, could inflict terrible civilian casualties. It was possible that such a defensive system would do as much damage as enemy warheads. The Nike-Zeus plans, therefore, included a major fallout-shelter program.

During the past two years, it has appeared feasible to build high-altitude defensive missiles for use against small-scale attacks. The nuclear warheads on the high-altitude missiles would be exploded far out in space—in an attempt to destroy both the decoys and the real enemy warheads. In this way, some defense of a much wider region, farther from each antimissile site, would be possible. The proposal is that, with enough sites, the entire United States can be protected. But this will not work if an attacker staggers his decoys and warheads in time and spreads them over a large area, or precedes them by a nuclear explosion of his own to "black out" our defending radars. High-altitude defense represents an improved approach to the problem of defense against ballistic missiles, but it is by no means a solution.

The basic technical fact about an ABM defense is that a sophisticated opponent can overcome any defense currently possible. Offense has all of the advantages; any defense system can be overpowered.

Today, the nuclear powers rely on the deterrent effect of their offensive missiles to keep the peace. A powerful incentive, therefore, exists for either side to increase its offensive-missile forces the moment the other starts to build an ABM system.

The Russians appear to be building a simple ABM defense around Moscow, and possibly other areas, though it is yet unclear that they have decided on a full-scale, antimissile defense system. In response, the United States has taken steps to add decoys and multiple warheads to its own offensive-missile force. These actions on our part are still quite limited, but the steps we have already taken, especially the introduction of multiple warheads on each missile to overwhelm possible Soviet defenses, will greatly increase the number of missile warheads in our inventory. The Russians appear to have been taking similar steps in anticipation of a U.S. decision to build an ABM system. An ABM system in the U.S. will stimulate the Soviets to increase the number of their offensive warheads.

The United States is earnestly seeking some agreement with the Soviet Union to limit the deployment of ABM systems and missiles, in order to forestall a new spiral in the arms race. Unofficial conversations have been held with individual Russians, but we have not succeeeded in getting discussions started at an official government level. In Glassboro, President Johnson repeated to Mr. Kosygin our willingness to explore the problem. The Soviet Union does not seem ready to discuss such questions—yet. But there is no need for us to rush into an ABM deployment.

There is little relation between a Russian decision to deploy an ABM system (if, indeed, they have made a decision for more than an experimental system) and such a decision here. Our security would be seriously endangered if the Russians installed an effective ABM defense that could prevent our missile force from reaching their territory and if they simultaneously developed an effective defense against our Strategic Air Force bombers—something they have not been able to do so far. Since it is obvious folly for us to build a defense against missiles while we also are so vulnerable to a bomber attack, the Pentagon has quietly decided to spend four billion more dollars improving our air-defense system.

I do not believe that a really effective antimissile system is remotely possible for either the U.S. or the Russians. And even if the Russians could develop one, and a truly effective defense against our SAC bombers as well, our installing an ABM system would not restore our powers of deterrence. Only improvements in our own offensive-missile force, including "penetration aids" such as decoys and electronic jammers to ensure that our missiles could get through the Russian defense, could achieve this. This is our Defense Department's basic strategy.

The United States has embarked on a large, expensive program of outfitting ballistic missiles with multiple warheads and other devices to penetrate Russian defenses. We have also started a $2 billion program to replace our submarine-based Polaris missiles with the larger Poseidon missiles, which can carry more and better penetration aids. As long as we continue to improve our missile forces and maintain our B-52 bomber force, our deterrent power will remain effective. An ABM system is not required to preserve the power and the effectiveness of our deterrents.

We should build an ABM system only if it gives us greater security. And in deciding this, we must assume that the Russians will respond to our ABM system by upgrading and enlarging their missile force—just as we are doing in response to their ABM activities. If the Russians were to do this, an American ABM system would leave us with less security and more vulnerable to destruction.

Secretary McNamara and many proponents of an ABM system concede that an anti-Soviet ABM defense would not be worth the huge expense, because the Russians could nullify its effectiveness at considerably lower cost to themselves. So the proponents now argue: We can at least provide ourselves with protection against Red China at a more modest cost and without starting a new Russian-American arms spiral. Is this so? Again, I think not.

An ABM system would grant us some protection against China's missiles during the early years of its missile buildup; but this protection would not be complete, and it would be short-lived, certainly, much shorter than 15 years. Once the Chinese can build intercontinental missiles, the cost to them of producing additional missiles would be relatively small (perhaps $5 to $10 million per missile). Within a short time, they would have enough missiles (say, 50 to 100) to penetrate our "anti-Chinese" ABM system.

The Chinese would certainly build penetration aids into their missile force. The techniques of designing such aids are neither highly complex nor exceedingly costly (one can learn all about them in American aerospace journals). I do not believe, therefore, that an ABM system will give us either complete or lasting protection against Chinese missiles. I am convinced we must rely instead on the offensive deterrent, as we must with the Russians; that is, we must rely on our known ability to retaliate devastatingly in case of a nuclear attack. Ten percent of our SAC bomber force could kill 200 million Chinese.

I am very skeptical that any ABM system based on the present approach will ever work at its calculated effectiveness. No one has even succeeded in developing an antiaircraft defense that is as much as ten percent effective (three percent is a more common actual effectiveness). An ABM system that was only this effective would be almost worthless. Even if an ABM system were as much as 90 percent effective, it could still not prevent an opponent from inflicting millions of fatalities on us.

Besides, whenever an ABM system might be installed, how could a realistic test be made? We could not fire missiles at it (it would be located within the continental United States), and from hard experience during World War II, we know that far simpler devices (such as submarine torpedoes) fail to work the first time. I realize that a model system is being tested on Kwajalein, but these tests are under laboratory conditions and cannot simulate a nationwide installation manned by GI's and technicians. Even if we were willing to fire missiles at the system, the test would not be completely realistic, for we would be testing against our missiles, not enemy warheads. Few competent people expect the extremely complex ABM system to work the first time; yet it must to have any effect!

There will always remain a big chance that even if the system is working as designed, it will not intercept all of the enemy missiles. They will obviously know how our ABM system works; we will know little about their offensive weapons. Imagine the advantage a football team would have if it knew precisely its opponents' defense on every play. Remember that if a single enemy nuclear weapon leaks through the defense to a city, the city will be destroyed.

Besides, the Chinese could bypass our ABM system completely—either with low-altitude missiles launched from submarines or with aircraft, which, surprisingly enough, are more difficult to intercept than intercontinental ballistic missiles because they come in at relatively low altitude and do not follow predictable projectories the way a missile does. We simply cannot rely upon an ABM system to give us a sure defense against a Chinese attack.

Many people also fear that the deterrent power on which we rely against the Soviet Union will not be effective against China. The exceptional anxiety expressed each time the Chinese carry out a nuclear test seems related not to their military potential but to our view of them as irrational or unstable. This anxiety rises more from Chinese rhetoric than Chinese actions. Although the words of China's leaders have been inflammatory in the extreme, in action, they have been exceedingly cautious.

China's actual military capacity is, most likely for decades to come, hardly comparable to that of either the United States or the Soviet Union. The Chinese have an extremely limited industrial capacity (until now, they have produced no aircraft of their own!). They also lack the broad base of technically trained manpower that is absolutely necessary for a modern military establishment. Nonetheless, they have made remarkable progress in developing nuclear weaponry. They took less time than any of the other nuclear powers to carry out a thermonuclear explosion. In this, they received considerable help from the Soviet Union, in the late 1950's, as well as a good deal of technological information from open sources and their own intelligence network. And they do appear to be making progress on missiles capable of carrying nuclear weapons. Apparently, they launched one of their nuclear weapons on a short-range missile. Though we have no evidence of a Chinese long-range ballistic missile, we know that their resources are adequate to develop one and, I believe, produce it in moderate numbers (100-200) in less than a decade.

During the late 1950's, many statements by Chinese leaders minimized the importance of nuclear weapons, arguing that they did not really change the relative power balance. We heard boasts that China alone among the great powers would be able to survive a nuclear war. All this has changed. The Chinese now renounce any intention of being the first to use their nuclear weapons, and they show every sign of a growing sophistication in nuclear matters, which is to be expected as they acquire knowledge of the terrible effects of nuclear explosions.

It is China's neighbors, not we, who would be most directly threatened by any Chinese missile force, and an ABM system in the U.S. would be of little help to them. We could not deploy an ABM system in India and Japan; they are to close to China to permit the system to work effectively. What, then, must the leaders and people of Japan and India think as we make plans to hide under an ABM umbrella while they have no way to defend themselves? If the United States is so fearful of China that it must create an ABM defense, should not Japan and India conclude that it is time for them to make their peace with the Chinese? There is no easier way for us to build up China in Asian eyes. No Asian can afford to believe that we are prepared to lose New York to counter a Chinese nuclear attack against them. Some Indian officials are already asking for a missile-defense system.

Can we build a limited ABM system to protect us against China without stimulating the Soviet Union to respond with an offensive-force buildup of its own? I think not. Just as we are enlarging our missile forces because we cannot wait to see whether the Soviet Union is building a limited or an extensive ABM system, so the Russians could not wait to see whether our system would be a limited one before embarking on an offensive-missile buildup. Even if, as the President proposes, we build a thin ABM system, it would be unlikely to remain small; pressures from the military and industrial establishment to improve—and expand—it would be irresistible. Most military planners expect the system to expand rapidly, and in fact do not consider the initial system to be of much use. This is the reality of the President's decision. I am convinced that once we decide to take the ABM route, we cannot avoid an enlarged arms race.

Three other consequences of the President's decision are not generally appreciated. First, an expanded ABM system will be needed eventually to cope with decoys and multiple warheads. It will almost certainly raise the issue of fallout shelters to protect the population both from Russian nuclear weapons and our own protective system.

Secondly, no one has bothered to mention the several hundred million dollars a year that it will cost to maintain and operate even this thin system or the billions of dollars it would take to run the final one.

Finally, our only substantial arms limitation accomplishment, the limited test ban treaty, is likely to be a victim of this step-up in the arms race. The developers of the ABM system will soon be telling us that they cannot assure its effectiveness without nuclear tests in the atmosphere. The pressure on the President to renounce the treaty in the interest of national security and protecting our multi-billion-dollar investment will be overwhelming.

The United States and Russia are learning to work together to create a more rational world order. Gone are those deep fears of a surprise attack that dominated the 1950's. The best hope for the future lies in joint efforts by the Soviet Union and the United States to eliminate the arms race. Such efforts will be impossible if each side is forced to offset the defensive and offensive buildup of the other.

Under the present circumstances, we are going to have to accept and live with a "deterrent balance." We have done it with the Russians. We will have to with the Chinese. There just is no way to avoid this; there is no magical or technical escape from the dilemmas of the nuclear age through defense. A sensible course would be to reduce greatly the offensive-missile forces on both sides, achieving the deterrence with much less danger to all of us.

Like most other scientists who have studied its problems, I am convinced that much mutually coordinated disarmament is technically achievable with considerably less risk, effort and cost than is involved in our current deterrent position. The blocks to disarmament are political and psychological, not technical. Unfortunately, disarmament has no effective political support, no vested interests backing it, and no power base in the Government bureaucracy or in the Congress. Some of the same senators who have been pressing the President to spend tens of billions of dollars on defense against a missile attack have consistently tried to cut the tiny budget of the Arms Control and Disarmament Agency. Substantial balanced disarmament is sensible, safe and technically achievable, and even partial disarmament would release many tens of billions of dollars for constructive uses. But it is not coming very fast. Until statesmen take disarmament efforts seriously and fashion international security arrangements more appropriate to the nuclear age we all live in, the best we can hope for is an increasingly nightmarish peace insured by only a balance of terror.

A real defense against nuclear-armed missiles is a mirage. Our only real security lies in peace itself. Nuclear weapons are just too potent for effective defense. The best defense is to prevent a nuclear war.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY,
Cambridge, Mass., November 29, 1967.
Congressman WILLIAM RYAN,
Cannon Building,
Washington, D.C.

DEAR MR. RYAN: I was very pleased to receive your letter in respect to the plans of the Administration to deploy an anti-ballistic missile system. I am very strongly against this measure, being both useless and dangerous. My ideas are perhaps best expressed in an article which my friend and collaborator, Provost Jerome Wiesner, has written in Look Magazine a few weeks ago. I am sure that you are in possession of this valuable document. I also was deeply impressed and convinced by the speech that Mr. McNamara has given in respect to the anti-ballistic deployment. In the first three-fourths of his speech he is most cogently against such a measure, but at the end he was forced by the circumstances to subscribe to the Administration's policy to begin with such unnecessary and useless expenses. I feel that the anti-ballistic issue is a most dangerous one, and it is high time that the public is informed of the dangers involved. The fate of the United States and the whole world are at stake, and I am greatly heartened by the fact that congressmen like yourself and Mr. Donald Fraser are taking up this important issue. Please let me know whenever I can be of help to you in this matter. There is quite a number of members of the M.I.T. and Harvard community who would be only too glad to help you in your efforts.

Very sincerely yours,
VICTOR F. WEISSKOPF.

STANFORD UNIVERSITY,
Stanford, Calif., November 28, 1967.
Hon. WILLIAM F. RYAN,
Hon. DONALD M. FRASER,
House of Representatives,
Washington, D.C.

MY DEAR MESSRS. RYAN AND FRASER: I have your letter of November 17, 1967, asking for my opinion of the recent decision on the part of the Administration to proceed with the development and deployment of a "thin" anti-ballistic missile system. I am extremely glad that you and other members of the Congress are taking an interest in this vital issue since it clearly represents a decision which could have far-reaching consequences.

I should like to emphasize that I am responding to your request as an individual and not as a member of some of the military and disarmament advisory groups in which I am continuing to play a part.

It is clear that one can respond in reacting to the deployment decision in two ways: namely, one can take the decision at its face value—that it represents "thin" deployment to meet specified objectives, or one can assume that it represents a "foot in the door" to lead to a full deployment decision costing many tens of billions of dollars, which is aimed at a hopefully effective anti-ballistic missile defense against the Soviet missile force. In my reply to your letter I will not deal with the merit or lack of merit of such a full deployment; I continue to be opposed to such a move since it clearly would signal the initiation of another round of strategic escalation with the Soviet Union without a gain in security for either side. I believe that Secretary McNamara's San Francisco speech well documents the arguments against such full deployment and I heartily concur with these arguments. Whether it is politically feasible to resist the pressure for such deployment as a result of the "thin" deployment decision is a matter on which you and other members of Congress are more qualified to pass judgment. My comments are therefore restricted to the deployment decision as it relates to "thin coverage" only.

The dominant arguments now presented in favor of a quick deployment decision for the thin umbrella system are the following:

1. To give interim protection against the Chinese threat.

2. To assure survival of an adequate fraction of Minuteman ICBM's against a fully coordinated first strike Soviet attack.

3. Protection of command and control and protection against accidental attack.

I would like to comment in turn on these three arguments.

1. CHINESE THREAT

The justification for the partial system is presented in the context of a limited number of ICBM's in the 1975 time period. It should be made clear that there is no quantitative basis whatsoever for a specific projection. On the one hand the Chinese may exploit their ICBM potential for propaganda or political purposes only and not make the major economic sacrifice involved in an ICBM production program; moreover, they may find themselves unable to sustain a major program as a consequence of the chaos produced by the cultural revolution. On the other hand, the Chinese may give highest priority to the development of an ICBM threat. It is then technically feasible for them to reach numbers adequate to penetrate the thin shield.

The proposed defense is characterized by the fact that its effectiveness is highly sensitive both to the quantitative nature of the threat and the specific level of defense. Under all circumstances it is recognized by even the most ardent advocates that the protection it can give us is of an interim nature, i.e., that we cannot "win" a defense race against the Chinese ICBM's any more than we can "win" it against the Soviets. What purpose does this interim protection serve? It appears to me that such a system can primarily permit us to implement a strategic policy vis-a-vis the Chinese not unlike John Foster Dulles' "massive retaliation" which was invoked against the USSR during the time when the Soviets did not have a nuclear delivery capability. Under this policy a massive nuclear attack by the USA could be threatened with impunity as a possible consequence of unacceptable USSR military moves, even of a minor nature, yet this policy did not prevent the buildup of USSR strength to a level which made complete defense against nuclear attack infeasible, so that the USA was forced to rely on an assured destruction capability as its primary means of averting attack.

I see no reason why the outcome of such a course should be fundamentally different in Asia. At present we could, in principle, respond by "massive retaliation" to unacceptable Chinese moves were it not for other consequences (including Soviet response or moral considerations). A limited ABM deployment would extend this policy option until we will once again have to rely on deterrence as our primary means of strategic defense. Eventually a big enough buildup of ICBM forces can always concentrate its fire on sufficiently few targets and thereby penetrate the defense by sheer exhaustion if by no other means.

An argument often cited in support of the thin ABM defense against the Chinese threat goes as follows: If we fail to deploy an ABM system the Chinese can blackmail us by threats to our cities and population and thereby immobilize our willingness and ability to resist her expansionist military moves in Asia. This argument is recognized, however, as no more than a restatement of what I have said above and means only this: We can threaten "massive retaliation" until the Chinese buildup of their ICBM threat forces us to rely on deterrence once again rather than on an airtight ABM system for strategic defense.

What price should we be willing to pay to extend temporarily our present security from Chinese threats—especially when we discern little at present that serves to retard Chinese military buildup and political intransigence? Since the Chinese must realize fully that a nuclear first strike against U.S. cities would be suicidal for them, is not our deterrence effective protection? There is no evidence whatever that the Chinese are apt to be irrational in military ventures. The Chinese military action vis-a-vis Quemoy and Matsu and other targets under U.S. protection has been exceedingly cautious. I am therefore talking only about temporary protection against a totally irrational and suicidal attack by the Chinese which would result in limited damage to the U.S. in comparison with the tragic consequence for China. For this reason I believe that by itself the Chinese threat is a very weak argument for deploying at this time the "thin" system.

A further reason for questioning the "Chinese" argument for the deployment decision relates to the reaction of our Pacific allies. On the one hand they might feel *less* secure if the U.S. protected itself in order to avoid pressure from potential nuclear attack by China, while leaving them exposed and vulnerable as hostages. On the other hand, they might feel *more* secure in the knowledge that the USA could protect them without itself being exposed to nuclear attack. Given the choice between these two arguments I doubt that the Pacific allies of the U.S. would take much comfort in this second argument while fully realizing the first. At best this reasoning must be considered to be a standoff unless the U.S. is willing to extend ABM protection to its allies also.

2. PROTECTION OF MINUTEMAN

Although, historically, in the evolution of the Army ABM proposals "hard point defense" has not been a primary argument, I feel that the evolving rationale for deploying the limited system for defense of the Minuteman force has some justification. However, it is difficult to make it a high priority objective.

It is possible in principle that the Minuteman force can in time be denied its second strike effectiveness through increase in accuracy and numbers of the Soviet ICBM force and through the development and deployment of sophisticated, multiple warhead devices on the part of the Soviets. There is a minimum time interval between first indications of such a threat to Minuteman through new technical developments and a full-scale Soviet deployment of new devices endangering Minuteman. Should such a threat occur, an over all challenge to our deterrence would arise only if it were accompanied by the deployment of a truly effective ABM on the part of the Soviets to neutralize Polaris and Poseidon, and an air defense considerably more impenetrable than that now facing SAC bombers. Nevertheless, one can argue that all these events may happen with a lead time no longer than the time required to deploy active defense for the Minuteman force, or the time required to proliferate our ICBM force to keep up with the threat. Under these highly strained assumptions a case can therefore be made for a decision to proceed now with active defense of the Minuteman force.

Given such a decision there is still the question of whether the present system is technically the best means to accomplish this objective.

3. PROTECTION OF COMMAND AND CONTROL AND PROTECTION AGAINST ACCIDENTAL ATTACK

An argument for the "thin system" which has some validity is that it protects vital command and control points, in particular, Washington, D.C., in case of an accidental firing of a Soviet or Chinese ICBM, or in case of other limited threats. This argument in my view has considerable validity. It is certainly imaginable that there can be an accident of this nature and the chance of an irrational or ill-informed response on our part would be substantially reduced if the lines of command were protected so that meaningful investigations as to the source of actual firing and possible discussions over the "hot line" could take place before a course of action is decided.

The question may naturally be raised as to how ABM deployment, both in its present "thin" context and a possible full deployment, relates to the prospects for arms limitation or arms reduction. As you know, overtures have been made towards the Soviet Union to forego ABM deployment and to consider reduction of strategic weapons if the USSR showed some interest in a reciprocal arrangement. To the best of my knowledge these moves have not been successful, partially, of course, under the shadow of the Viet Nam war. It is my belief that including ABM in an arms limitation agreement with the Soviets would be a very difficult negotiation problem since, traditionally, the Soviet Union has been more defense minded than the USA: that is, the Soviet Union has always spent a considerably larger fraction of its strategic military budget on defensive, rather than offensive weapons. quite apart from these ongoing moves in relation to the Soviet Union one can argue that the "thin" deployment would make it more feasible to reach a disarmament agreement with the Soviet Union in the field of long-range strategic missiles. The argument is that should one reach an agreement involving *complete destruction* of long-range ICBM's, but if one lacked confidence in an adequate inspection system, then the thin ABM system would offer protection against residual, clandestine deployment. This argument is valid only provided means are found to reach a point of total elimination of strategic missiles without passing through a strategically unstable situation; I am not aware of any feasible proposal to achieve such a reduction in the presence of deployed ABM. If, on the other hand, an arms reduction move is being negotiated which would provide *reduction* of present strategic forces to a minimum deterrence level, then the presence of a limited ABM would raise the level which each nation would conclude to be required for minimum deterrence. In short, the relation of the limited ABM deployment decision to the prospect for arms limitations or arms reduction depends on the particular scheme under discussion. Since I consider the prospects for engaging in a meaningful dialogue with the Soviets aiming at complete elimination of long-range strategic missiles to be considerably less hopeful than engaging a dialogue aiming at a simple reduction of strategic force missiles, I feel that on balance the decision for limited deployment is an impediment rather than a help toward the prospect of arms reduction agreements.

To summarize, I continue to be very much opposed to full deployment of an ABM system and I also feel that the "Chinese Argument" for deploying a thin system now lacks validity. On the other hand, I feel that there may be valid arguments, although not of high priority, for deploying the thin system for protection of Minuteman and thereby reducing the pressure for proliferating the Minuteman force, and there are also valid arguments for the thin system for protection of command and control, in case of accident or otherwise limited attack. You will note that the two arguments which I consider to be valid for deployment of the "thin" system are limited in scope and in themselves could not be used as a basis for amplification of the system. The "Chinese Argument" on the other hand, which I do not consider to be valid, also contains the implied threat of pressure for the deployment of a vastly expanded system.

I hope you will find these comments useful; clearly a great deal more can be said on this very complex question.

Sincerely yours,

WOLFGANG K. H. PANOFSKY,
Director.

INSTITUTE FOR POLICY STUDIES,
Washington, D.C., December 1, 1967.

Hon. WILLIAM F. RYAN,
U.S. House of Representatives,
Cannon Building, Washington, D.C.

DEAR CONGRESSMAN RYAN: Thank you for letter of November 16 regarding the anti-ballistic missile problem. I am very much concerned with this problem and will be happy to provide whatever assistance I can in your study of this most important question.

The recent decision to deploy a "thin" ABM system is of course most disturbing. I believe it was a most unwise decision, leading us toward a much more dangerous future military position. It was clearly a decision impelled by the pressures of intense military-industrial (and Congressional) lobbying, in the face of Administration reluctance to initiate such a large and momentous new program at this time. The departure of Secretary McNamara only adds to my concern, since the forces resisting an all-out arms race will be weakened thereby.

It is clear from the history of ABM discussions that the "anti-Chinese" emphasis currently in vogue was developed to justify a program whose prime initial justification, as a defense against Soviet ICBMs, was not "selling". The Administration now wants to deploy such a system, directed against China, while at the same time avoiding an arms race with the Soviet Union. However, it cannot have it both ways. If the system will provide as effective a defense against the Chinese as the Administration has claimed, then it will also threaten the Soviet deterrent, and the Russians will have to expand their missile forces to keep their deterrent "credible". If the system is kept more limited, it will not work against the Chinese missiles, and cannot even be justified on those grounds.

This new program also refocuses world attention on nuclear weapons and will make it difficult to stop the spread of these weapons to other countries. This is perhaps the most important consequence of this decision. From the domestic political point of view, though, I do not see that much can be made of this, since it is difficult to raise it dramatically before the public view.

I enclose several things I have written recently on this subject, including an article in the Bulletin of Atomic Scientists on the arms control impact of ABM deployment, and a letter I have written to the New York Times on recent discussions of the deployment decision. I would also refer you to an article by Jerome Wiesner in the November 28 issue of Look Magazine.

In addition, the Federation of American Scientists has recently been in contact with Congressman Cohelan, who has also indicated interest in investigating the ABM question further. The Federation has gathered some materials for Mr. Cohelan, and I have asked Mr. Daniel Singer, its General Counsel, to make these materials available to you also.

If there is any other way I can be of assistance, please let me know.

Sincerely yours,

LEONARD S. RODBERG.

CORNELL UNIVERSITY,
New York, N.Y., February 29, 1968.

CONGRESSMAN WILLIAM F. RYAN,
CONGRESSMAN DONALD M. FRASER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN RYAN and CONGRESSMAN FRASER: I am delinquent in responding to your request of last November to share with you some thoughts about the decision of the Secretary of Defense to develop and deploy an anti-ballistic missile system. I am enclosing some four articles that I have written on this subject.

I would particularly like to stress the importance of not separating the ABM question from that of strategic offensive forces. I believe that from the point of view of domestic politics and with respect to negotiations with the Soviet Union, as well as giving consideration to the problems of obtaining the signatures of non-nuclear countries to a non-proliferation treaty, we need to proceed from the assumption that the issue is now to halt the strategic arms race in both offensive and defensive weapons. I believe the Secretary of Defense in the past has done a disservice in emphasizing only the need to control the defensive aspects of the strategic arms race. I hope that your efforts can be directed along lines to rectify this lopsided way of looking at the question.

I think it would be very useful if members of Congress could turn their attention to means by which the U.S. could develop a negotiating position on means to curb the strategic arms race. I realize that the Soviet Union has been resisting negotiations on this question because of the Vietnam War. At the same time you should know that there have been several quiet discussions between U.S. and Soviet scientists on this issue. They are planning to meet again. As the Soviets move closer to more of a balance with the U.S. in strategic forces, it is likely that once again there may be interest in serious negotiations on this question.

Obviously, it would be desirable for both political parties to discuss this matter in a constructive light during the campaign or at least take the issue out of the campaign by not having the parties use it as an area of controversy.

In any case hearings to explore various negotiating postures might be enormously educational as a means of focusing Congressional and public interest on the question. This at least would help to indicate to the Soviets that influential political leaders in the U.S. took the issue seriously. Furthermore, this is one of the more important areas which could have some influence on non-nuclear powers to sign the non-proliferation treaty. If such powers think the two super powers are willing to curb their own armaments, just as they are using the non-proliferation treaty to prevent others from obtaining nuclear weapons, signatures may be more forthcoming.

As to other sources you should consult, you might want to talk with George Rathjens, Jack Ruina, Frank Long, and Paul Doty.

Sincererly yours,

Betty Goetz Lall.

The ABM Decision: $40 Billion for Anti-Missile-Establishmentarianism

(By Betty Goetz Lall)

(Note.—Betty Goetz Lall is on the staff of Cornell University's State School of Industrial and Labor Relations.)

When Secretary of Defense McNamara announced last November that he was stepping up production of the newest U.S. strategic missile, the sea-based Poseidon, because there was increasing evidence that the Soviet Union had begun to deploy an anti-ballistic missile defense system around Moscow, he may not have anticipated the storm of controversy he was brewing up. His announcement raised the pitch of the debate about whether the United States should move from the research and development stage to the production and deployment stage of its anti-ballistic missile, the Nike X. The Secretary of Defense clearly does not favor spending an estimated $40 billion over a ten-year period for such a weapon of dubious effectiveness. If the United States were to deploy an ABM and the Soviets were then to act to counter this with an improvement in their own offensive capability, Mr. McNamara has said: "In all probability, all we would accomplish would be to increase greatly both their defense expenditures and ours without any gain in real security to either side." But since the Joint Chiefs of Staff and some important members of Congress favor early deployment of an ABM system around 50 American cities, along with a necessary accompanying large-scale fall-out shelter program, it seems prudent to examine the policy choices before the American government and people at this point in time.

What are the choices? 1. *Produce and deploy the currently developed Nike X system.* Enough research has been done on this system to consider it deployable. If the Soviet Union took no measures (a rather optimistic assumption) to counteract the Nike X, deployed both as an area defense and around about 50 cities, it is estimated that the U.S. fatalities from a Soviet strike might be reduced from 120 million to 30 million. If the Soviets improve their offensive capability to counteract the effect of the Nike X, which they easily can do, then the U.S. fatalities would remain at about 120 million.

The system itself would consist of three parts: a long-range interceptor missile, the Spartan, which would aim to detect and destroy Soviet incoming missiles above the atmosphere as much as 400 miles away; a short-range interceptor missile, the Sprint, which would attempt to destroy those attacking missiles getting by the Spartan; and a fall-out shelter program to protect people from the inevitable fall-out which would descend upon them by the detonation of the U.S. and Soviet missiles intercepting one another with their respective large nuclear warheads above large U.S. populations.

There are two main advantages in deploying such a system. One is the obvious saving of some 90 million lives in the event of a full-scale Soviet nuclear attack on American cities and provided no measures were subsequently taken to improve the Soviet missile capability to counter the U.S. deployment of Nike X. The second advantage is the possible further deterrent effect on the Soviet Union: it would not try to attack the U.S. because with the Nike X the U.S. would probably have the strength to counterattack and kill millions of Soviet citizens. Another, rather weak, argument is that other countries might be less likely to build their own nuclear weapons. Instead they would rely on a U.S. guarantee to come to their aid in the event they were attacked with nuclear weapons. It is contended that, if the U.S. had an ABM system deployed, such a guarantee would be more credible, i.e., the U.S. would be more likely to risk attacking a nuclear aggressor if it knew that its own population was relatively more immune from nuclear attack. A fourth possible argument is that the U.S. should adopt the Soviet strategy, spend money for an ABM system, and reduce its concentration on offensive missiles. The U.S. has been spending roughly $4 billion on offensive missiles for every $1 billion spent on defensive systems. If this ratio were reversed and the Soviets were also to rely primarily on defensive strength, then the U.S. offensive strength, which is considered four times that of the Soviet Union, may become less ominous to the Soviets and a reduction in tensions between the two countries might result.

SEVERAL ARGUMENTS

Arguments against ABM deployment include the following: First, the cost (estimated by McNamara to be $40 billion for defense of 50 cities and up to $100 billion for all major cities) is not worth it since it is unlikely that such a system would in fact reduce U.S. fatalities. The Soviet Union would surely counter U.S. deployment with stronger offensive systems, thus completely nullifying the U.S. effort. Such a large amount of money is more usefully spent elsewhere, on better offensive systems or on needed non-military projects.

Second, if the Soviet Union reacted to American Nike X deployment by improving or enlarging its own defensive force, the U.S. might then feel required to increase its offensive force, thereby reducing the possibilities for de-escalation of the arms race, improved U.S.-U.S.S.R. relations, and further arms control agreements. (In particular, ABM deployment would diminish chances to extend the partial test treaty to cover underground tests, because such tests give information on ABM effectiveness: it would reduce possibilities of an agreement to stop production of fissionable material for weapons purposes because the U.S. or the Soviet Union may decide they need to continue production for ABM nuclear warheads.)

Third, U.S. allies may decide that if the U.S. must have an ABM system, so must they, thus further reducing the likelihood of containing the spread of nuclear weapons. West Germany may have in the ABM a more effective argument for acquiring nuclear weapons than she had in wanting to participate in a NATO sea-based multilateral nuclear force. Germans might claim, just as the Russians do, that nuclear warheads for an ABM system are only defensive and, therefore, cannot be a threat to any nation.

Fourth, an ABM system may cause the American people and government to believe themselves invulnerable to attack and consequently to lose interest in further efforts to reach arms control and disarmament agreements; similarly, other countries would note the lack of U.S. and Soviet restraint in the arms race and conclude they should not show restraint in arming themselves.

Fifth, the U.S. is not yet absolutely sure what the Soviet Union is doing or is ultimately intending to do regarding an ABM system; a hasty U.S. decision to go ahead and deploy an ABM system might destroy the forces of restraint in the Soviet Union. (It is known that some Soviet scientists have urged their government to go slowly on deployment; if they have had some measure of success, a decision by the U.S. for major deployment would certainly weaken their position.)

Sixth, the U.S. deterrent posture should not be determined by imitating precisely whatever the Soviet Union chooses to do. There is no necessary principle of defense that states that because the Soviet Union has a certain weapon or employs a particular strategy the U.S. must follow willy-nilly. In fact, when the Soviet Union spent for air defense systems over twice what the U.S. was spending, the U.S. reaction was not to ape the Soviets in building more air defenses, but rather to concentrate on offensive weapons.

All this for and against argument, however, still leaves other choices to be considered:

2. *Decide against deployment now and concentrate on continuing to build offensive strength to overcome the disadvantages of any Soviet ABM system.* The main argument for this approach is that the deterrent to Soviet attack lies primarily in having a good offensive capability. Furthermore, the cost of a given amount of offensive capability is much less than the cost of a comparable effort in the defensive field. Offensive strength gives, moreover, greater confidence to U.S. allies that we have the wherewithal to protect them in the event war comes.

Placing major emphasis on continued offensive strength has its own disadvantage, however. This can pose as a threat to the Soviet Union, more so than defensive measures. Consequently the Soviet Union may feel compelled to continue its offensive buildup and to doubt the United States' interest in finding ways to curtail armaments.

3. *Seek agreement with the Soviets not to deploy further any ABM system.* This step would have the advantage of precluding vast expenditures for defense on either side. The status quo of the existing deterrent would remain. Each side would know that the other possessed overwhelming power to deliver deadly blows on its people causing 100 to 120 million fatalities to each side. Such an agreement might be embodied in a formal treaty or it might be an understanding or declaration made by the two sides. The need to perfect further the offensive missiles of both sides would decrease; for example, the U.S. may find it unnecessary to replace the Polaris sea-based missiles with Poseidon, thus saving at least $1.9 billion.

An agreement not to deploy an ABM system would not require inspection on the territory of the two powers. Satellite reconnaissance can detect the large radars and other equipment related to an ABM system.

Soviet unwillingness to negotiate any kind of an agreement on defensive weapons that lets offensive weapons stay intact is the main impediment to an agreement not to deploy an ABM. The Soviet Union has always been more defensive-minded and traditionally has spent more money on defensive measures than has the United States. Therefore, Moscow would not feel that its security had been enhanced if the U.S. were free to improve and enlarge its strategic offensive strength while the Soviet Union was forbidden to undertake defensive measures.

A simple limitation on ABM deployment by the U.S. and the U.S.S.R. had been the preference of the Secretary of Defense. In his budget presentation earlier this year the Secretary said that, although the U.S. would continue to push ahead with its ABM development program, the U.S. would "initiate negotiations with the Soviet Union designed, through formal or informal agreement, to limit the deployment of anti-ballistic missile systems." But since the Soviet Premier, in a recent letter to President Johnson, announced that he would not be content with so restricted a proposal, this leads to a fourth choice.

4. *Negotiate an agreement to limit both offensive and defensive weapons.* President Johnson apparently concurred in the Soviet request mentioned above to consider limiting both offensive and defensive missiles, and has instructed his Ambassador to the Soviet Union, Llewellyn Thompson, to pursue discussions. The principal advantage of this move is that, if successful, it would achieve a stability of the deterrent at no higher level than exists today and possibly even at a lower level. Money would be saved and valuable manpower released for other high priority projects. Non-nuclear powers would be encouraged to sign a treaty preventing the spread of nuclear weapons. Their chief complaint about such a treaty at present is that it would deny them a weapon which the two nuclear super powers had in great quantity but refused to limit in any way for themselves—relegating non-nuclear powers to a permanent position of inferiority. Already such a claim is being made among groups in West Germany, India and Japan. Restrictions on U.S. and U.S.S.R. offensive and defensive strategic weapons would demonstrate that these nuclear powers were acting to control their most important weapons.

But when offensive weapons are added to defensive as part of international arms control negotiations, there arise two added difficulties from the U.S. point of view. The U.S., since World War II (it did not take this position in the inter-war period) advocates rather complicated inspection procedures whenever it considers reducing an important part of its weapons arsenal, and these inspection procedures are usually so elaborate as to be unacceptable to the Soviet Union. The U.S. demand for inspection springs from a profound distrust of the Soviet Union, a suspicion that it would not honor its commitments; by the same token, the Soviet Union has rejected most U.S. inspection demands out of a profound distrust of the United States, a suspicion that it would use inspection as a means to carry out anti-Soviet activities in the Soviet Union. Whether this mutual distrust has dissipated sufficiently for the U.S. to moderate its inspection requirements and for the Soviet Union to accept some inspection is unlikely; but since relations between the two powers have improved slightly (though they would probably improve much more if the Vietnam war could be brought to a satisfactory end), a serious and sustained exploration of possible areas of agreement is certainly justified.

This brings us to the other problem in pursuing this choice, and that is the reluctance of powerful U.S. political and military leaders to see any diminution of the U.S. offensive strategic strength regardless of what policy is pursued by the Soviet Union. During the Senate consideration of the partial test ban treaty in 1963, the importance of testing for the perfection of weapons, both offensive and defensive, was one of the major concerns of those Senators who were skeptical about the treaty. Additionally U.S. political leaders have convinced themselves that offensive strength is the key to security and that the margin of superiority of U.S. to Soviet strategic offensive strength must be substantial (it is now between 3 or 4 to 1). Any attempt, therefore, to limit strategic offensive weapons is likely to be regarded with hostility by some influential members of the Congress and many members of the military, especially the Air Force.

The crucial question is, what kind of an agreement might be worked out. At the outset it should be understood that serious negotiations on what both sides regard as the heart of their military strength will necessarily be long and arduous. One of the advantages of such negotiation is that it would provide both sides with a reason to defer further activity in the defensive area and to slow down the pace of what they were doing in the offensive area.

The precise nature of any agreement will be delicate to work out. There are four aspects: deployment, reductions, production, and research and development. No one appears to be advancing any scheme to curtail research and development. This is difficult to inspect, and although provocative in a sense, not nearly as much so as either production, deployment, or an unwillingness to reduce existing stockpiles. With respect to deployment, it would probably not be a difficult task for each side to ascertain through reconnaissance satellites and other intelligence techniques that the other side was not increasing its deployment of either defensive or offensive strategic weapons. Furthermore, it would not be difficult to check on reductions of missiles, since this could be done by a so-called bonfire approach; each side would place its missiles in a given location for destruction, and destruction would be observed by those from the other side or by an international inspection team.

The more difficult question is that of production controls. In 1964 the United States proposed a production freeze on offensive and defensive weapons which would cover not only a freeze on the number of strategic missiles produced, but also on all of their important characteristics. This proposal had attached to it an elaborate inspection procedure requiring entry into all the known production plants for producing missiles as well as spot checks into other plants to insure that no missiles were being produced surreptitiously. However, if the freeze did not extend to the characteristics of missiles but only to the rate at which existing missiles could be replaced, then the inspection procedures might not be so onerous. This might not even require inspection of production plants, but rather, only inspection of the replacement. Such a procedure might be sufficiently unobtrusive to be acceptable to Soviet leaders.

The possibilities for agreement may be dependent on the course of the other areas of Soviet-U.S. relationships, particularly Vietnam. Any agreement may have to await the outcome of that struggle, but if that outcome can be mutually satisfactory, then there is real hope that the perplexing ABM problem can also be resolved.

[From the Bulletin of the Atomic Scientists, September 1967]

CONGRESS DEBATES THE ABM

(By Betty Goetz Lall)

(NOTE.—"On the ABM question . . . the pattern of Congressional interest shows some usual and unusual aspects. . . . They [Congressmen] are pondering many of the consequences of a decision to deploy or not to deploy. There is no panic and little oratory. They do not pretend to have pat solutions to the problem and clearly most would like to be confronted with a case of successful diplomacy to avoid a commitment to deploy.")

It is a virtual certainly that when President Johnson and Secretary of Defense McNamara decide to undertake some degree of production and deployment of an anti-ballistic missile system for the United States, Congress will not object. On major weapons systems, especially those recommended unanimously by the Joint Chiefs of Staff, Congress as a body does not usually try to override the decisions of the military and its civilian chiefs. The ABM case is not likely to be an exception. What Congress frequently does is to recommend production of arms before the Executive branch has judged them to be essential for the nation's security. When this happens the uncertainty is whether or not the Executive branch will adhere to Congressional conclusions.

On the ABM question, which become a major public issue in 1967, the pattern of Congressional interest shows some usual and and unusual aspects. It is the purpose of this article to discuss pertinent Congressional concerns as they have evolved by mid-1967.

HISTORY OF THE ABM AND CONGRESS

Research and development on the first U.S. ABM system, the Nike Zeus, began in fiscal 1955; it grew out of the Nike Hercules and Nike Ajax systems, the two surface-to-air missiles designed to protect the population from an attack by Soviet bombers. Congress authorized and appropriated the funds requested by the Executive branch for Nike Zeus research and development, without substantive comment, until 1959 when the Army announced that the system was ready for production and deployment. The U.S. Secretary of Defense, Neil McElroy, rejected the Army's request but the dispute precipitated considerable Congressional discussion; at that time the issue was resolved by Congress adding to the defense budget $375 million for the "acceleration of the Nike Zeus and/or the modernization of Army firepower." Because of technical weaknesses in the Nike Zeus, research and development began in 1963 on a new system, the Nike X. Congressional interest remained minimal, a technical question was asked now and then during authorization or appropriation hearings, but on the floor of the House or Senate no attention was given to the ultimate and strategic implications for U.S. national security policy.

Later in 1963, however, when the partial test-ban treaty was before the Senate, interest in ABM increased due to opposition to the treaty on grounds that it would preclude perfection of an ABM. Once this opposition was overcome and the treaty ratified, Congress reverted in 1964 and 1965 to its previous relative disinterest.

In 1966, as a result of a recommendation by the Joint Chiefs that Nike X was ready for production and deployment, the Senate Armed Services Committee recommended an additional $153.5 million for preproduction of long leadtime items for the ABM and $14.4 million for additional developmental efforts. The House Armed Services Committee, in agreeing with the Senate, said in its report:

"Recent advances in technology and concepts of deployment permit a blanket of protection for the whole United States against a relatively small number of attacking missiles, and tighter protection against heavier attacks for 25 major cities, at a five-year cost of $8.5 to $10 billion. Because of its building block or modular design concept, the Nike X system lends itself to the initial deployment of a light defense for a small number of cities and a later addition of more extensive and intensive coverage as circumstances capable of defending against not only intercontinental ballistic missiles, but also missiles that might be launched from Polaris-type submarines. Even a modest ballistic missile defense might save millions of American lives in the event of an enemy attack.

"The committee is not attempting to define the ultimate type or scope of a ballistic missile defense deployment and it is not necessary to make such a determination now. The leadtime between a decision to proceed with deployment and the attainment of an operational capability is so long, however, that the committee considers the cost of buying a saving of about one year in such a deployment as being reasonably priced insurance when one considers the consequences of being attacked without any protection."

The Senate and House accepted their Armed Services Committees' recommendation with a modicum of debate—Representatives Bennett (D. Fla.), Sikes (D. Fla.), and Younger (R. Calif.) were for deployment and Senators Clark (D. Pa.), Young (D. Ohio) and Representative Cohelan (D. Calif.) were opposed. The Secretary of Defense subsequently announced that we would not spend the money at that time, on the grounds that it would not add to U.S. security because the Soviet Union would act to counter effectively any major deployment effort and China would not have an intercontinental ballistic missile capability before the mid-1970s.

In late 1966, probably to justify accelerated development and production of the advanced Poseidon missile—a substitute for the Polaris missile—Secretary McNamara announced that the Soviet Union had accelerated its deployment of an ABM system around Moscow. But the President and Secretary McNamara, in presenting the defense budget to Congress for fiscal 1968, continued to hold the view that deployment of an ABM system was not now desirable and that any such decision should await the outcome of proposed talks between the Soviet Union and the United States on an agreement to freeze ABM deployment on both sides. (The Soviets requested, in February 1967, that these talks be expanded to include strategic offensive as well as defensive missiles.) The major public Congressional reaction to the McNamara announcement was a telegram sent to the President by the Senate's Assistant Minority Leader, Senator Kuchel (R., Calif.), a member of the Defense Subcommittee of the Appropriations Committee, who urged agreement to freeze ABM deployment between the United States and the Soviet Union as a means to forestall "a new and ominous round in nuclear arms race" if both sides deployed ABM systems. Not objecting to this advice, the President nevertheless requested $377 million for ABM of which $91 million was for contingent funding for the initiation or procurement of an ABM system if talks with the Soviets proved unsuccessful Congress approved the Administration request.

SCOPE OF CONGRESSIONAL INTEREST

In contrast to its posture on most defense policy questions, Congress showed aroused interest in whether and when the United States should begin to produce and deploy the Nike X system, which expressed itself in the following ways:

What size system, when, and against whom. The Joint Chiefs wanted deployment of an extensive system around 25 cities, in addition to an area defense network; but the Secretary of Defense wanted to postpone a decision about deploying any system. The Senate Armed Services Committee took a middle course and recommended consideration, in the U.S. negotiations with the Soviet Union, "of the desirability of our deploying a 'thin' ABM defense against such threats [as China, an accidental firing, or a form of blackmail], or those that might be posed by future nuclear powers." Such a system could be expanded later, the Committee felt, until full deployment was reached covering the entire country, including protection of Minuteman missile sites. On March 21, 1967 Senator Russell (D. Ga.), chairman of the Senate Armed Services Committee, presented the Committee's views and added:

"It seems to me that the objective in defense should be to prepare to save all that you can, even if you are unable to save everything and everyone. Fortunately, it is not necessary to decide now what the ultimate scope of the deployment need be. . . . The Committee, of course, does not oppose negotiations with the Soviet Union on an agreement banning the deployment of complicated, expensive, and extensive missile defense systems. We believe, however, that these negotiations should take into account that a bilateral agreement would leave us vulnerable to a possible nuclear attack from Communist China, or even an accidental attack. The Committee feels that full consideration should be given to permitting deployment of at least the 'thin' ABM defense. . . ."

The Chairman's somewhat satirical response to the arguments of Mr. McNamara—that the Soviet Union would act to nullify any ABM system installed by the United States by improving its offensive systems—was "in trying to support its conclusions that it is expensively futile to build an ABM defense against the Soviet Union, the Department of Defense presented an involuted series of assumption, hypotheses, and assumption upon assumptions. In its latter stages, this exercise gets too esoteric for me to follow. If one accepts every premise in this syllogism, he will arrive at the conclusion the Department desires. More seriously, the Department's case is based more on . . . the assumption that the reaction of the Soviet Union to our ABM deployment would be 'equal, opposite, feasible, and possible'."

The Committee did not appear to be panicky about the need for haste to begin deployment (construction of a thin system would require at least four to five years) nor impressed with arguments that the decision should be postponed for an indefinite period. Some members of Congress expressed greater impatience. Senator Thurmond (R. S.C.), the most vocal in favor of immediate deployment, inserted into the *Congressional Record* several articles and editorials supporting this point of view and himself told the Senate: "The most urgent task facing the 90th Congress is to spur the Administration toward immediate and decisive action in beginning forthwith the preproduction engineering on the Nike X system as authorized and funded by Congress." Senator Fannin (R. Ariz.) addressed the Senate April 12 on "The ABM—Let Us Begin." His case rested on the report that the Soviets had begun deployment and were increasing their offensive weapon capability.

On the House side Representatives Ashbrook (R. Ohio), Evins (R. Tenn.), Gross (R. Iowa), Michel (R. Ill.), Roudebush (R. Ind.), Sikes (D. Fla.), and Taylor (R. N.C.), publicly indicated, through remarks in the House or inserts in the *Record*, that they favored proceeding immediately with deployment. Representative Berry (R. S.D.) proposed a radical step in order to obtain a favorable decision for deployment. On February 16, 1967, he introduced a bill (H.R. 5586) "to provide that no further appropriations for the purpose of furnishing foreign aid shall be deemed to be authorized by the Congress until an adequate antimissile defense system for the U.S. has been constructed." It is unlikely that the House Foreign Affairs Committee seriously considered such an extreme measure.

Is cost a factor? Although Secretary McNamara stated that cost was not a factor in deferring a deployment decision, his emphasis on a $40 billion program led several in Congress to evaluate the issue partly on that basis. Senator Symington, not necessarily an opponent of "deploy now," responded to testimony by Secretary of the Army Vance at hearings before the Senate Foreign Relations Subcommittee on Disarmament by saying:

"You say $3.5 billion to defend against the Chinese [referring to a 'thin' ABM system]. We had previous testimony on the Terrier, Talos, and Tartar. We used $3 billion alone for those lost missiles. I do not know how many billions were lost on Bomarc, but it was plenty. I do not know how much was lost on the Nike Ajax or Nike Hercules, or Atlas, but it was plenty more. I would guess the overall figure was $10 billion if it was a nickel. It might be a good idea if you would at some time get up a table for the record to show what we have lost on missiles abandoned, as one of the reasons for justifying not going ahead with the ABM."

Senator Gore (D. Tenn.), chairman of the Disarmament Subcommittee, stressed that cost was not a key consideration for him: "This business of equating the possible killing of 80 million people, which is almost half of our population, with a cost of $40 billion just would not appeal to me," he said. "But if there are other and more compelling reasons, then let us have them." Senator Symington agreed with this view. Also discounting cost an argument against deployment was Senator Ervin (D. N.C.) who said: "We scatter over the earth hundreds of millions of dollars in foreign aid; certainly this nation can afford to spend $40 billion for such a program." Senator Young (D. Ohio), opposed ABM deployment partially on cost. It "would be a complete waste of taxpayers' money," he asserted in the Senate, and advocated instead an overwhelming offensive as the best defense.

Negotiations with the Soviet Union. Since the Administration position was to postpone a decision on deployment until determining the outcome of negotiations with the Soviet Union, some in Congress directed their attention to the wisdom of this Presidential decision and the likelihood of successful negotiations. Senators Clark, Fulbright, Javits, Proxmire, Symington, and Young supported the President on his decision and Representatives Moss (D. Calif.) and Rosenthal (D. N.Y.) inserted editorials into the RECORD urging negotiations with the Soviet Union. This is probably the first time since the Cold War began that so many in Congress publicly urged the Administration to seek negotiations with the Soviet Union on an arms control measure. In the past Congress has been skeptical or hostile and seldom so willing to look to negotiations as an alternative to pursuing military strength.

Other Congressmen, however, expressed concern that negotiations would drag on and the Soviets might stall; meantime the United States would be falling behind the Soviet Union in proceeding with deployment. Some tried to obtain a firm answer from Administration spokesmen as to what would be a maximum time limit for negotiations. This answer tended to be vague or classified, but on one occasion a time limit of five or six months was suggested. Senator Gore was one who wanted a limit on negotiations. "This time element," he claimed, "is something about which I feel a sense of urgency that, in all candor, I have not detected in the President's statement." In a different tone, Senator Sparkman (D. Ala.) offered the advice: "My impression has been that the matter was rather sensitive and that, perhaps, it was felt that we would have a better chance of making headway with the Russians if we went into it in a soft and quiet manner. We ought to feel our way." Yet, Senator Symington pursued the point: "I do think here in Congress we ought to have some idea as to how long we wait." The answer from Secretary Vance: "I think it all depends on how the discussions seem to proceed. If we are making progress then we would be willing to wait longer than otherwise. . . ."

The Senate Armed Services Committee went on record as favoring negotiations but added that funding for initial production for deployment should be used "if an agreement that fully protects the interest of the United States cannot be consummated within a reasonable period." Senator Javits demurred from such a view and told the Senate that "even if the negotiations do not succeed, I would wish to evaluate the strategic implications involved in such an antiballistic missile system at that time." The New York Senator also took exception to the proposal in the Committee's report that negotiations with the Soviet Union should explore the desirability of deploying a thin system for protection against any Chinese threat. He said he felt this would not be "a proper element of negotiations with the Soviet Union."

Few Senators evinced interest in the kind of position being developed by the Executive branch for presentation in negotiations with the Soviet Union. Even after President Johnson announced on March 2 that he had accepted, at the Soviets' request, inclusion of offensive as well as defensive missiles in projected U.S.-USSR negotiations, Congressmen did not inquire about the U.S. negotiating position. On one occasion during Armed Services hearings, Senator Young (R. N.D.) asked Mr. McNamara whether an agreement with the Soviets to freeze ABM systems would require inspection. The answer, oddly enough, was deleted as being classified. Although the Secretary of Defense suggested that an agreement with the Soviets might be either formal or informal, Congress did not pursue the meaning of informal. Usually Senators in particular are sensitive to any possibility of the Executive branch circumventing use of the treaty power. In any event, without further inquiry into the nature of the U.S. position, Congress will not be knowledgeable enough to assess cause if the negotiations fail.

Only Senator Gore seems to have advanced a proposal for ABM agreement. He urged the Secretary of State to suggest "to the Soviets a willingness to discuss the feasibility of an international agency, preferably the U.N., deploying a thin ABM line. If you will look at the world in terms of a sphere, a thin line of defensive ABMs, running, say, from Greenland to Kamchatka, would bisect just about all fixed bases of missile trajectories from the Soviet Union to the United States. Has the administration given any thought to utilizing an international agency in this regard, to give some security, some feeling of safety to both countries?" Secretary Rusk promised to consider such a proposal, although he noted that there were problems of who would pay the cost and under what circumstances firing would take place.

Impact on the economy. Of interest to some in Congress is whether heavy defense expenditures, such as those that would be involved in an ABM production and deployment system, might have undesirable consequences for the economy. Senator Aiken (R. Vt.) expressed his apprehensions during the Disarmament Subcommittee hearings:

"I think we are overlooking one important phase of this whole program. That is the growing dependency of areas and States on Government orders until they get to where they are almost helpless. For example, for the State of Washington over 50 per cent of their gross national product is from Government. California and Connecticut are also highly dependent, and this will certainly increase. It might be a mutual dependency on the part of the Government and the States on how the work is being done, but I am wondering how far we want to go before we divert them back to something of a different nature. For instance, I believe the Connecticut Brass Works are now offering 33 per cent of their facilities in the production of shell casings. How far can they go in that direction, and then say, 'We have to keep on with this, we have got to look for uses for this product we make because we cannot afford to stop business or readjust anything.' "

On the same theme Senator Clark introduced into the *Record* an article, "Thirty Billion Dollars For Whom?—Politics, Profits, and the Antimissile Missile." The article by Frederic Collins in *The New Republic* listed some 20 companies as being important contractors in ABM development and production, and suggested that because the various plants of these companies permeate most of the states and a majority of Congressional districts, pressures may mount on Congress to seek a positive decision on deployment.

Although he did not label it blackmail, or any other opprobrious term, Senator Russell referred to a speech by Dr. Harold Agnew, head of the Scientific Laboratory Weapons Division of the AEC Los Alamos Laboratory, where Agnew said that "companies working on the Nike X were now ready for the next step but might disband their technical teams and convert their facilities to other uses if the system is kept in suspension another year."

Effectiveness of the system. Administration spokesmen claim that the present effectiveness of the Nike X in shooting down incoming missiles from Soviet territory would reduce American fatalities by 90 million in an all-out nuclear exchange. McNamara would deploy the system were it not for his conviction that the Soviets would act to counter it and thus render it completely ineffective. Not all Congressmen, however, have been persuaded that the present system is ready for deployment. When the Defense Department's authorization bill for fiscal 1968 was being discussed in the Senate, Senator Smith (R. Me.) said:

"It was with considerable reluctance that I joined in the committee's approval of the authorization with respect to the deployment of an antiballistic missile defense system. I can give no assurance that I will do so again next year. I am becoming more and more inclined to believe that the Secretary of Defense is right—but for the wrong reason—on this issue. I am not convinced that the state of the art on an anti-ballistic missile defense system has reached a relatively static status. . . . I am not convinced that the ground placements of what may appear to be Russia's anti-ballistic missile defense system are what they seem but that rather they may be decoys of classic deception designed to motivate us to a very costly defense system that may be obsolete or become obsolete in the near future."

In a different way Representative Dorn (D. S.C.) also objected to the system. Speaking on the theme, "$40 Billion Folly," and the fact that the Joint Chiefs' proposal would protect only 25 to 50 cities, he said: "What then would happen to my constituents and the millions of other patriotic Americans in the thousands of cities and rural areas throughout our country?" His answer—build a strong offense everywhere including space and under the sea. Representative Fraser (D. Minn.), in inserting an article by James Burnham against deploying ABM and instead relying on offensive deterrent power, was perhaps also indicating sympathetic interest in this viewpoint.

Senator Clark questioned the whole concept of relying so totally on either offensive or defensive power. He exclaimed during a Disarmament Subcommittee hearing:

"From where I sit there is a basic blind spot in this whole discussion, not only philosophically but logically. You gentlemen are, of necessity, engaged in utilizing your magnificent talents to attempt to defend the United States as best you can against an armed attack of any enemy nuclear force. You must, therefore, make the basic assumption that there is and always will be an enemy. But as politicians . . . we must devote our best interests toward developing international cooperation as opposed to international conflict. Accordingly, when you tell us what can and cannot be done with an antiballistic missile system, you are, in effect, merely giving us advice as to what we should do in our efforts to persuade the Soviet Union and China to substitute cooperation for conflict. Our task, therefore, is to try to bring peace to the world not through deterrence, but through disarmament. Your advice in that regard is essential to us, so that we should not take an undue risk."

Civilian versus military. Perhaps one of the principal reasons why debate on the ABM during 1967 blossomed into full controversy is that expert opinion in the Executive branch is divided. It would not be likely that so many members of Congress would take such an active part in discussions if the respective sides could not point to experts in the Administration to support their points of view. Most Congressmen consider themselves laymen, especially on military and foreign policy questions, and in the absence of expert advice tend to defer to those who appear to have superior knowledge. With the civilian chiefs, Defense Secretary McNamara and Army Secretary Vance, on one side, and the military Joint Chiefs of Staff on the other, members of Congress could be comfortable and confident taking either position publicly.

Senator Symington, however, expressed apprehension about the possible effect of the civilian-military division on the military. He felt there was too much anti-military feeling being voiced in his state. "Doesn't it worry you," he asked of the Defense Secretary, "to make a civilian decision of this character [not to deploy an ABM] against the unanimous opinion of the Joint Chiefs; and second, don't you think, when you do that . . . that it somewhat denigrates the position of the military before the American people?" The Secretary thought not.

Soviet intentions. Discussions of why the Soviet Union had undertaken to deploy an ABM system seemed to reveal an important shift in attitudes toward the Soviet Union on the part of some members of Congress. As witness after witness in the Executive branch explained Soviet behavior in deploying an ABM on the ground that historically the Soviet Union is primarily defense minded, legislators appeared not to question the conclusion held officially, though only a few years back, the government's view was that the Soviet Union was an offensive, aggressive power. Senator Lausche (D. Ohio) finally asked why the Soviets did not follow our example: "Why haven't they gone forward with the development of an offensive system? Why have they gone forward with this defensive system? If it is good for them why isn't it good for us?" The answer from an Executive branch expert: "I can only repeat because I have it from history and I heard other people saying it, is that the Russians are defensive-minded and, for a country which has been throughout their history defensive-minded, an ABM would appeal to them." And Senator Case (R. N.J.), after listening to Executive branch witnesses discuss the fallout problem in an offensive-defensive missile exchange, commented: "This is leading toward the argument that the present antiballistic missile system would be more valuable for us [deleted] than to have our present and projected larger numbers [meaning large numbers of offensive missiles]."

These are the questions, comments, and views of those in Congress who are beginning to concern themselves with a major issue in defense and foreign policy. They are pondering many of the consequences of a decision to deploy or not to deploy. There is no panic and little oratory. They do not pretend to have pat solutions to the problem and clearly most would like to be confronted with a case of successful diplomacy to avoid a commitment to deploy. But they have not yet looked closely enough to learn in what manner the Executive branch is pursuing the course of negotiation.

[From the Bulletin of the Atomic Scientists, March 1967]

SUPERIORITY AND INNOVATION IN U.S. DEFENSE FORCES

(By Betty Goetz Lall)

Anyone who follows the U.S. defense program is aware of the constant change taking place as weapons conceived of yesterday, developed today, and produced tomorrow will be labeled, by military planners, as obsolete day after tomorrow. Those who are deeply engrossed in the process of weapons building—in the Pentagon, defense companies, and the committees of Congress that oversee the Defense Department—are necessarily preoccupied with the goal of achieving the most modern and advanced military force for the U.S., within a politically acceptable cost range. Most citizens shrink from any effort to evaluate what should be the proper dimensions of the defense budget and the principal factors determining the size and quality of the U.S. military force. And yet a growing question is: should not at least some citizens be capable of and interested in making competent judgments on how much of the nation's resources should be devoted to military activities? Is the matter of defense policy so different from other public issues that the citizen should be absolved of responsibility to inform himself and enter into discussions on the nature of the defense establishment?

In the current fiscal year, U.S. offensive and defensive strategic nuclear forces and civil defense measures constitutes slightly over 11 per cent of the total budget request. This total includes funds for Vietnam except for the supplemental requested by the President in December 1966. In fiscal 1964, the last year before the build-up in Vietnam, the strategic nuclear war forces amounted to about 18 per cent of total defense expenditures, $9.3 billion out of $51.7 billion. Of total funds for offensive and defensive forces, the offensive has since been absorbing about 80 per cent, an indication that the United States believes that offensive strength is better protection from attack than defensive strength.

The U.S. strategic offensive force began expanding substantially in the first year of the Kennedy administration. Although the Democrats in 1960 had charged that there was a deficiency in the number of U.S. intercontinental missiles compared to those held by the Soviet Union, this was found not to be the case once the Democrats took control and examined the evidence more closely. The United States possessed over 100 ICBM's compared to an estimated 25 for the Soviet Union. U.S. long-range bomber forces also exceeded by a considerable number those of the Soviets. The United States nevertheless, proceeded to build missiles at a fast pace until the ratio of U.S. to USSR ICBMs by 1964 was over six to one—1,250 to 200 (see the accompanying chart).

U.S. AND SOVIET STRATEGIC FORCES

	1962	1963	1964	1965	1966	1967–68
UNITED STATES						
B–52 (long-range bomber)	630	630	630	630	600	600
B–58 (long-range bomber)	90	90	90	80	80	80
FB–111A (long-range fighter-bomber)						210
Atlas (ICBM—66 in soft sites)	90	126	[1] 126	(2)		
Titan I (ICBM)	36	108	54	(2)		
Titan II (ICBM)			54	54	54	54
Minuteman I (ICBM)	150	180	600	800	800	(2)
Minuteman II (ICBM) Minuteman III (ICBM)					50	1,054
Polaris A–1 (sea-based missile)	80	80	80	80	(2)	
Polaris A–2		80	208	208	208	208
Polaris A–3			128	208	448	448
SOVIET UNION						
Bison (long-range bomber)	120	120	120	120	120	(3)
Blinder (long-range bomber)		(4)			300	300
ICBM's	75	100	200	270	300	(5)

[1] 30 soft.
[2] Phased out.
[3] Phasing out.
[4] Coming into force.
[5] 300 plus.

Sources: The Military Balance, published annually by the Institute of Strategic Studies, London, and statements of the U.S. Secretary of Defense.

HOW MUCH SUPERIORITY?

Why is this level of superiority thought to be necessary? The Secretary of Defense has stated that the U.S. strategic forces "are far more than adequate to inflict unacceptable damage on the Soviet Union even after absorbing a well-coordinated Soviet first strike against those forces." He has further said: "It appears that even a relatively small portion of these forces would furnish us with a completely adequate deterrent to a deliberate Soviet nuclear attack on the United States or its allies. . . . The effective delivery of even one-fifth of the surviving weapons on Soviet cities would destroy about one-third of the total population and half of the industrial capacity of the Soviet Union." (See 1966 Presentation of the Defense Budget to the Congress.) The main reason advanced thus far by military specialists is that it is best to figure very conservatively when it comes to national security; therefore, even if only 300 missiles are necessary to assure the mission of the force, it is best to be cautious and procure five to six times that number.

Perhaps this answer should suffice for the citizen. He wants to feel his security is protected. But there are at least three other questions that emerge. The first is whether the country and its tax-paying citizens are so well off that buying five times more security than is needed is an acceptable national policy. Can this money be better used? Do we not face an unmet domestic threat of equally serious proportions—the deterioration of our cities, the cancer of spreading poverty, the slow rate of progress in achieving full equality and employment for all citizens, and the failure to raise appropriately the quality of educational and other social services? Do we not face a foreign non-military threat, potentially as great as the military, in the growing income gap between the so-called developed and developing nations?

A second question is how the Soviet Union reacts to a U.S. strategic offensive build-up that is over four times superior to its own. The Soviet Union decisions regarding the adequacy of its strategic force, while influenced by the parallel U.S. policies, apparently do not aim at achieving full quantitative or qualitative parity with the U.S. Its ICBM force has evidently more than trebled in the past four years. Qualitative improvements appear to be primarily in some hardening and increased mobility and in decreasing reaction time for missile firing. The Soviets have installed many second generation missiles as opposed to the third and fourth generation missiles being developed and procured by the United States.

A third question relates to how the United States can expect to achieve another national goal, presumably as important as military strength—that of stopping the arms race and mutual reduction of military strength—if we insist that this level of superiority be maintained throughout the disarmament process. Which situation buys the greatest security: a balanced reduction in the strategic strength of both sides, or an attempt to maintain current superiority and increase the size of the force whenever the Soviet Union attempts to reduce the gap? A balanced reduction of strategic forces implies a willingness to relinquish at least some of the superiority that has been achieved. To suggest such a relinquishment draws sharp criticism from most military officials. While there is no stated doctrine that a particular superiority ratio is essential to U.S. security, neither has there been a policy statement suggesting that the United States would be prepared under certain conditions to abandon its present position of superiority. Yet, it is difficult to comprehend how the United States could realize its disarmament objectives without such a willingness.

RATE OF INNOVATION

The quantitative ratio of superiority we have been discussing must be joined to the rate of qualitative change in U.S. strategic forces. How much should be expended each year on such change and what criteria should be used to determine how much qualitative change is necessary?

The American people seem to accept each year, almost as a tradition, the need to modify every model of automobile, kitchen appliance, and women's clothing produced. To what extent has this cultural phenomenon been transferred to the defense program? In the early 1950s the United States built a large force of B–47 medium jet bombers which could attack the Soviet Union from overseas bases. In 1960 the Defense Department began phasing out these planes; they were to be replaced by a large force of over 600 B–52s and a smaller force of 90 B–58 intercontinental bombers. The B–52s were constantly being modernized so that by 1963 the number of models ranged from A through H and several hundred million dollars had been spent. By 1967 models A and B had been phased out and the Air Force was in the process of phasing some of the planes of models C to F, leaving a bomber force of 255 B–52 models G and H, 345 models C to F, and 80 B–58s. In the late 1950s the Defense Department began developing a prototype for a new bomber, the B–70, and spent $1.7 billion on development before military decisionmakers decided that it was not the plane they wanted as a replacement for the B–52. Development then began on a combination fighter-bomber, the FB–111A, and in 1966 the Secretary of Defense agreed to recommend an initial procurement of 210 of these airplanes to be fully operational by 1968 at an investment cost of $1.9 billion. But many in the Air Force believe another plane is also desirable and they are pressing for full development and procurement of the AMSA (advanced strategic aircraft). Several members of Congress, especially in the various armed services committees, also believe the AMSA should be developed but have not yet convinced Secretary McNamara that such a plane is needed. One of the Secretary's argument is that there is no agreed purpose for such an aircraft. Another is that since the Soviet Union has not given evidence it is building a new long-range bomber, the United States should not proceed in such an endeavor. Some congressmen are not impressed with this argument and plead instead that it is simply time to have a new plane.

An alternative to pursuing innovations in weapons at a rather rapid rate, one seldom discussed by those responsible for military policy in Congress, is a simultaneous phasing out by the United States and the Soviet Union of a given type of weapon. A few years ago the United States did offer to dismantle its B–47s if the Soviet Union would also dismantle its Badgers, the comparable Soviet medium-range bomber. The Soviets countered that since the B–47s were being dismantled anyway both countries should dismantle all bombers. The United States never agreed to this proposal, one likely reason being that since it had such a ratio of superiority over the Soviets in long-range bombers, 600 to 300–400, this was not a good trade. Another possible reason for retaining a U.S. force of long-range bombers, despite what the Soviets do, is that this requires the Soviet Union to spend money on bomber defenses; without such expenditures the Soviet Union could divert funds to other purposes, military or civilian. As Secretary McNamara said: ". . . a force of 255 operational B–15 G-Hs would be sufficient to compel the Soviets to maintain their present antibomber defenses."

In the absence of any bomber agreements with the Soviet Union, matters for U.S. defense policy consideration should include the criteria by which the United States should decide to retain through 1975 B–52 models G and H by further modernization, at a cost of $1.3 billion through 1972 and another $600 million through 1975; to initiate further procurement of the FB–111; or to institute a $4 or $5 billion program to build the AMSA.

Similar questions can be raised about rates of innovation in the U.S. strategic nuclear missile force. The first strategic ballistic missiles were the Thors and Jupiters, sufficiently short range so that they had to be stationed in Turkey, Italy, and England, and were vulnerable to Soviet attack. They were replaced as soon as the United States had a fair-sized ICBM missile force stationed on its territory: 90 Atlas missiles and 36 Titan missiles. Since the Atlas missiles were also vulnerable they too were replaced by a hardened force of 108 Titans. The Titan I was fully produced and operational in 1963 but the next year saw the replacement of half the Titan I force by Titan II, which had an increased payload. Today the remaining 54 Titan I missiles have been phased out. Almost simultaneously with the Titan the Defense Department began deployment of Minuteman I, a solid fuel missile with better hardening qualities than the Titan, and the sea-based missile, Polaris A–1. A force of 180 Minuteman I and 80 Polaris A–1 missiles was operational by 1962. As they were being installed work proceeded on Minuteman II and Polaris A–2; in 1967 the latter two models will be replacing Minuteman I and Polaris A–1. Additionally, about 448 Polaris A–3 and 1,054 Minuteman III missiles will be installed as replacements for many of the Minuteman I and II and the Polaris A–2 missiles. The new models generally have longer range, increased payload, and better accuracy than their predecessors. In December 1966, Secretary McNamara announced that accelerated development on the Poseidon missile was proceeding as a replacement for Polaris A–2 and A–3. (In the fiscal 1967 budget $300 million was allocated for the Poseidon.) Also, early developmental work is going forward on an advanced or Improved Intercontinental Missile as a possible replacement for Minuteman II and III.

TO BE CONTINUED?

The story of the rate of innovation in the strategic force is not unlike the story of innovation in other weapons for tactical warfare or for bomber or missile defense. In the absence of knowledgeable public opinion to balance discussions on defense policy it is almost inevitable that the momentum of defense innovation will continue. As the Vice-Commander of the Air Force Systems Command reported to an advanced planning session for defense industry officials: "The task of the Air Force Systems Command is to provide qualitatively superior systems for the Air Force. In order to perform this mission, we must advance aerospace technology as rapidly as is practical and adapt it on a timely basis to the needs of our aerospace systems." Although the Systems Command is expected to relate its work to the military threat posed to the United States, the momentum of the activity in its own right is sufficiently strong that the nature of the threat appears to become less and less a factor in the analysis and in subsequent decisions about building new systems.

Few citizen groups concern themselves with Department of Defense assertions about the level of superiority or the rate of innovation in military weapons procurement. Many of those private citizens who are knowledgeable are consultants to the Defense Department and are reluctant to share with the public criticisms or alternative suggestions they may have. Ordinarily, a natural place for citizen evaluation is in the Congress where legislative review of executive agencies is one of the most important functions of congressional committees. Yet, committees most involved in military affairs tend to become friendly spokesmen for the armed services. The Chairman of the House Armed Services Committee reminded Air Force witnesses before his committee: "If you don't have any friends on this committee you don't have any friends. We are your voice in Congress. We are the only official voice, there aren't any others."

Committees with foreign policy functions in general do not review defense policies and their implications for foreign policies including disarmament. Nor do committees charged with the overall economic health of the nation and the desirable allocation of resources and division of government expenditures challenge the absolute priority of defense over other needs. An exception is the work of Congressman Reuss' subcommittee hearings on the decisionmaking process in federal research and development programs.

One possible conclusion is that unless more citizens and citizen groups interest themselves in defense policy questions there will be no effective challenge to the Defense Department's budgetary requests and policy directives except from those groups with more narrow military interests which are usually after more, not less, defense outlay. If greater public discussion can take place this surely will inspire Congress to carry out its supervisory functions more completely and comprehensively. And it will help prevent political parties and politicians from becoming demagogic about defense policies, which they are likely to do in the absence of sufficient public enlightenment and articulate concern.

[From the Bulletin of the Atomic Scientists, April 1967]

GAPS IN THE ABM DEBATE

(By Betty Goetz Lall)

There is one distressing aspect of the current discussions on whether the United States should now deploy an antiballistic missile system at a cost ranging from $4 to $40 billion. The President, the Secretary of State, the Secretary of Defense, and other government officials imply that if they cannot persuade the Soviet Union to enter into an agreement against ABM deployment the United States may then feel compelled reluctantly to go into full production and deployment of such a system either as an attempt to protect some of the people living in American cities or as protection against our own land-based intercontinental ballistic missiles. The President, in his State of the Union message, in reference to his assertion that the Soviet Union "has begun to place near Moscow a limited antimissile defense," stated that "any additional race would impose on our peoples, and on all mankind for that matter, an additional waste of resources with no gain in security to either side. And I expect in the days ahead to closely consult and seek the advice of the Congress about the possibilities of international agreements bearing directly upon this problem." The main clues as to what kind of agreements are being sought are contained in statements by the Secretary of State at a news conference on December 21, 1966 and the Secretary of Defense in his annual budget presentation to the Congress on January 2, 1967. Mr. Rusk referred to the earlier proposal of the United States that the two major nuclear powers freeze their production of offensive and defensive strategic nuclear delivery systems. Mr. McNamara said that the Executive branch proposes: "To initiate negotiations with the Soviet Union designed, through formal or informal agreement, to limit the deployment of antiballistic missile systems" and "To reconsider the deployment decision in the event these discussions prove unsuccessful."

What is missing in this discussion is the important point that in all previous arms control discussions on ABM with the Soviet Union the Soviets have indicated that the way to make negotiable a proposal on restrictions against ABM deployment is to include reductions in offensive systems as well. If Mr. McNamara and other officials of the Administration lead people to think that the only issue up for negotiation is antiballistic missile deployment then when the negotiations fail, as they are almost certainly likely to do if they do not include limitations on offensive strategic weapons, there will be the inevitable pressure in the United States to proceed with full production and deployment of our own Nike-X antimissile system.

It is difficult to know whether Administration officials have convinced themselves that the strongly held Soviet view—that offensive missiles must be part of any ABM agreement—has changed; or, that they know it has not changed but still cannot bring themselves to propose an agreement which includes reduction of part of the Soviet and U.S. land-based or sea-based intercontinental ballistic missiles. With respect to the first possibility there is little evidence in the public domain that the Soviet Union has changed its attitude. Soviet officials at both private and official conferences have fiercely supported the concept that building defensive systems is not as provocative as offensive systems. Soviet scientists privately have acknowledged that ABM systems are not effective in shooting down incoming rockets, particularly if they have multiple warheads, but such scientists have also indicated they have failed to convince their generals and members of the Politburo of the undesirability of installing an ABM system—such a view has been well known to U.S. experts in the arms control field for at least four years. The need for defense of the "motherland" can arouse as much emotion in many a Russian as the need for anticommunist measures can arouse in many Americans. When Soviet Premier Aleksei Kosygin was in London in February he seemed to reconfirm the Soviet view when he said in answer to a question about ABM: "What would you say is more of a step toward tension in the military field, an offensive weapon or a defensive weapon?" And his answer to his own question: "The system that warns of an attack is not a factor in the arms race. On the contrary, it is a factor that reduces the possibility of the destruction of people."

If the United States realizes there is little probability that the Soviet Union would be interested in an agreement limited to ABM systems alone what is the explanation for the absence in the Executive branch of proposals for reductions of ICBMs as part of an agreement? The most apparent explanation is that the United States is simply not interested in reducing its own offensive strength. A U.S. proposal to reduce a specific number of its ICBMs in return for a similar reduction of some of the Soviet ICBMs would substantially increase prospects for agreement not to deploy further ABM systems on both sides. Along with such reductions it would be desirable to freeze for several years the production of new ICBM systems by the two countries. The United States proposed a production freeze in 1964 but has yet to suggest an agreement that would also include reductions in strategic offensive missiles. One can almost predict that if the United States did propose some scheme for reductions in offensive strength our policymakers would tie on to the reductions an elaborate inspection system that would almost certainly be unacceptable to the Soviet Union and which would perhaps in some degree go beyond the needs of the case. Given the knowledge we now have about Soviet weapons developments in the strategic field would it not be possible to check on reductions of missiles by an inspection team witnessing their dismantlement or destruction, an inspection measure the Soviets in the past have stated they would be willing to accept? Whether further inspection of production facilities would be necessary is a matter to be scrutinized carefully before decisions are taken to seek elaborate inspection of them.

The probable reason why the most likely course for the United States to follow is not to seek agreement to limit offensive systems is that the domestic pressures are almost totally one-sided. Within the Executive branch the Air Force and Navy argue strongly for a continuation of development of offensive systems because this is their mission. General John P. McConnell, Air Force Chief of Staff, said November 11, 1966, that "In the final analysis, this problem [whether an effective antimissile system by a potential enemy could lead to nuclear war] boils down to the question as to which nation stays ahead in the technological race for superior aero-space power. . . . I am confident that we can keep our deterrent strong enough by maintaining a safe margin of strategic superiority." And General Bernard A. Schriever, retired Air Force missile expert, said last November 27 that the United States should concentrate on developing better missiles rather than an antimissile defense system because there was "a grave question with respect to the effectiveness" of an antiballistic system against Soviet missiles. The Army which has the responsibility for an antiballistic missile defense takes a different view and is in favor of deploying an ABM system. This is the only important field for Army strategic missile activity and the Army naturally wants to preserve this mission. Chief of Staff of the U.S. Army, General Harold K. Johnson, told Congress last year: "I recommended that the funds be granted in the 1967 budget for preproduction, to establish a production base for the deployment of Nike X with an initial operational date of [deleted]."

Comparable pressures, other than the Secretary of Defense himself, do not seem to have come to light on the other side of the issue. One of the most vocal was the Republican Whip in the Senate, Senator Kuchel, who called upon the President last December to initiate discussions with the Soviet Union "to seek common cause to reverse the trend in weaponry which Soviet actions [to deploy an ABM system] may have started." The Secretary of Defense's view is: "The Soviets have it within their technical and economic capacity to offset any further Damage Limiting measures we might undertake, provided they are determined to maintain their deterrent against us. It is the virtual certainty that the Soviets will act to maintain their deterrent which casts such grave doubts on the advisability of our deploying the Nike X system for the protection of our cities against the kind of heavy, sophisticated missile attack they could launch in the 1970s. In all probability, all we could accomplish would be to increase greatly both their defense expenditures and ours without any gain in real security to either side. . . . I believe that, once started, an ABM system deployed with the objective of protecting the United States against the Soviet Union would require an expenditure on the order of $40 billion over a ten year period."

The probabilities for a satisfactory outcome to the ABM debate are not great. And the Soviet Union may just want the United States to invest the kind of money in ABM systems Mr. McNamara is talking about. Since Soviet Leaders regard defensive systems as non-provocative and since they would prefer to see the United States utilize its resources in such an endeavor, rather than to other endeavors which could be more damaging to Soviet interests, the Soviet leaders have every reason to encourage the United States to decide to produce and employ an ABM system. This may explain why the Soviet General Pavel A. Kurochkin claimed, as he did on February 20, that "detecting missiles in time and destroying them in flight is no problem." Such a statement strengthens the argument that the United States may be falling behind in ABM technology and, therefore, should proceed with ABM deployment. And it is this view that is likely to prevail rather than the view that the best interests of the United States would be served by pouring our best diplomatic strength in an effort to negotiate an agreement with the Soviet Union to limit both offensive and defensive strategic weapons systems.

GENERAL LEAVE

Mr. COHELAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to extend their remarks on the topic of this discussion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. YATES. Mr. Speaker, I ask unanimous consent that all Members may revise and extend their remarks in connection with the colloquy on the special orders this afternoon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PROPOSED ABM SYSTEM

The SPEAKER pro tempore (Mr. Stratton). Under a previous order of the House, the gentleman from Wisconsin (Mr. Reuss) is recognized for 60 minutes.

Mr. REUSS. Mr. Speaker, before recognizing the gentleman from Connecticut (Mr. Giaimo), and the gentlewoman from Hawaii (Mrs. Mink), and some others who have been on their feet, I do want to say to the gentleman from Indiana (Mr. Dennis) that I welcome his transforming this monologue into a debate, and during my time I shall attempt to provide some additional answers to the very legitimate question the gentleman raised.

I will now yield to the gentleman from Connecticut (Mr. Giaimo).

Mr. GIAIMO. Mr. Speaker, I thank the gentleman from Wisconsin for yielding.

I would state that I rose for the purpose of trying to address an answer to the legitimate question of the gentleman from Indiana who stated that he was concerned that at some future date there may be an attack by the Chinese, and that we do not have an ABM system to defend us against such an attack. He properly asks, how would we feel then had we taken this position today?

I believe the answer to the question is that if we had an antiballistic missile which was effective, if we were convinced that it would provide an adequate defense against an attacking Chinese missile, we know it will not provide a defense against a Russian missile—if we knew all that, then there would be all reason and justification for deploying this system today.

But the evidence seems to be clear that we will be living under a false security if we deploy an ABM system which will not be effective.

To date the evidence before this Congress consistently has indicated on the part of the military that the ABM missile would not be effective against an attack because, although they say that a thin system might be effective in what they would call a small attack, they clearly indicate that it would not be effective against a missive attack by the Soviet Union.

But although they state it might be effective against a small attack by the Chinese, we must presume and assume that if we deploy an ABM system, the Chinese, who have not as yet deployed an ICBM system, would develop a sophisticated attack system which would be able to overcome the defense of an ABM system.

What would that be? It might well be an attack by submarine, in which case an ABM system defense is clearly not effective. It might be an attack with deceptive devices which would negate the effectiveness of such a defense. It might be an attack by airplane, it might be an attack by a bomb literally carried into this country on board some surface ship against which an ABM system would not be effective.

It might even be an attack such as was mentioned by the gentleman from Washington (Mr. ADAMS) which would be preceded by a preliminary weapon which would destroy our radar capability, therefore, allowing the second and deadly weapon to come in.

The fact of the matter is that the essence of this debate both in this body and in the other body has been that we are being asked to deploy a system which has not demonstrated its capability of defense. Before we do that, before we get involved into an expenditure which can run into billions of dollars, and come up with an ineffective system, we should pause and we should hesitate.

There has been ample warning from all sides that we should do this to determine just what we are doing and where we are going before we foolishly rely on an inadequate defensive system.

Mr. REUSS. The gentleman from Connecticut, I think, has made a very sincere attempt to provide an answer to the question raised by the gentleman from Indiana.

Just to summarize what the gentleman from Connecticut has said in his answer to the question put—What will happen 3 years from now if the Chinese lob a thermonuclear device over the room in which we are now speaking?—it seems to me there are three answers. First, the adoption of an ABM is not going to prevent that. The ABM is $60 billion worth of obsolescent hardware before it ever gets off the ground. As Dr. Jerome Wiesner, former science adviser to President Kennedy and provost of MIT, recently said:

> Some weapons system are obsolete in the conception, and I think this is probably true for the anti-ballistic missile system before us. I have, in fact, come to the conclusion that any system that depends on projectiles—rather than, say, nuclear rays of electromagnetic beams or laser beams—is futile.

So an ABM system now would be putting all our eggs in one very leaky basket and it would mean that we do not proceed with the research and development of devices that are more promising ways to achieve this miraculous bullet that shoots the bullet.

If we could do this, then truly mankind might rest relatively easy for the first time since 1945.

The second answer to the question raised by the gentleman is that, if we do proceed to deploy the ABM in its present conceptual form, it is a simple matter for a very primitive Red China, instead of lobbing just one missile over us, to lob two, the first one by its ionized gases to immobilize our radar system and the second one to do the business.

Third, and perhaps the most fundamental point, is simply this:

Since the fission of the atom, since these terrible weapons were unleashed on the world 24 years ago, the whole science of warfare has changed. People everywhere in the world are menaced by sources of military power indescribably far off.

In such a world, it is very easy for anyone, including the sincere and well meaning, to say, "Look, the device that I propose, though it costs $100 billion, could bring us a tiny fraction closer to security."

Yet, as the world is now constructed, there is no real security, and in the end our security must come through a leveling off or deescalation of weapons of destruction.

I want to thank the gentleman again for posing the important question that he did.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman.

Mr. YATES. I think the gentleman gave an excellent answer to the question posed by the gentleman from Indiana.

I would just like to add this final thought and that is that the thesis of our defense today is our power to retaliate with the basic offensive capability that we have. There is no defense that we have against the Russian power to unleash its missile might upon us except our power to retaliate.

I have been unable to understand why, if we are satisfied, perhaps perforce, to accept this position and this confrontation with the Russians, the two missile giants holding each other off by the power of their offensive might, why that thesis is not equally valid against the Chinese, who have no missile threat in being, who will only have a primitive missile threat in the foreseeable future, and whose country and whose people can be destroyed by our nuclear missiles as well. Why if we are willing to have this kind of confrontation with the Russians with this powerful force, why is it not equally and even more valid against the Chinese?

Mr. REUSS. I believe even the Pentagon would concede that our current missile potential is greater than that of Communist China, and under the circumstances we would be bargaining from power. I think the gentleman has raised a point so delicious in its simplicity as so far to have escaped the powers of the Pentagon.

Mrs. MINK. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentlewoman from Hawaii.

Mrs. MINK. I would like to join my colleagues in commending the gentleman from Wisconsin and his colleagues for giving us this opportunity to hear this very important debate, and also to make our small contribution.

Hawaii was one of the recommended locations for the ABM. Until this date a specific site has not been selected. The people of my State are quite concerned about this issue. I have longed for an opportunity to express myself.

I think that the most grave fault in this recommendation comes from the false sense of security that the people would derive from the construction of such a system, the innocent belief that it would provide them with protection from a nuclear catastrophe.

I believe that everyone recognizes that a nuclear was is unthinkable, and yet, as unthinking as it is, people naturally have the feeling that they would want to survive if one should ever come.

On September 18, 1967, Robert McNamara announced plans for a limited ABM defense system called Sentinel. We are told that he reached that decision under intense political pressure against his better judgment. His own words seem to bear that out, for in announcing the system, he made a better case against it than for it.

He said:

> There is a kind of mad momentum in the development of nuclear weaponry. If a system works, there is strong pressure to deploy it out of all proportion to the prudent level required.

Mr. McNamara feared that the construction of a light ABM system would lead at once to demands for a heavy one; and he said we must firmly resist those demands, because our greatest deterrent against attack is not a costly defense system of questionable reliability, but a fully credible, offensive, destruction capability.

It is an accepted fact that the one thing which prevents any nuclear power from attacking another, is the certain knowledge that such an attack would be suicidal. It is a situation which has been properly described as "the balance of terror," and it is the situation which now prevails. It is certainly not a pleasant situation, but it has worked. Now the proponents of the ABM seek to disrupt that balance of terror, and they tell us that the deployment of the ABM will make us a little safer, will give some assurance to our survival as a nation.

I think otherwise.

In the first place, any argument in favor of the ABM system must be based on a number of assumptions. It seems to me that two of the most important assumptions that must be made are: first, that the system will work, not only under laboratory conditions but under the unpredictable conditions of an actual nuclear exchange. That is generally accepted as a rather questionable assumption. Second, we must assume that the Russians will do nothing to counter the ABM. That is not even a questionable assumption—it is innane.

I subscribe to Jerome Wiesner's view of a high degree of unreliability in the system and to the probability that we shall never know about that unless the system is employed under the actual conditions of an attack, and such conditions cannot be duplicated under any controlled situation, nor can they even be predicted. Who can say what will happen in the environment when a hundred or several hundred warheads are exploded within minutes of each other on both sides of the globe and throughout the atmosphere? No one can.

But even if it would work—even if we could be guaranteed that it would work—the question would still remain, "should we build it?"

What would be the effect of such a system on present international relations? I think it would clearly exacerbate them. Could we really expect the Russians or anybody else to improve relations with us while we are at the same time stripping them of their nuclear deterrent which they truly believe to be necessary to their continuing existence? The idea is ridiculous. We are completely convinced that our survival depends entirely upon our nuclear capability, but we fail to understand how the Russians or the Chinese might hold the same conviction. Assuming that they do hold that conviction, they could never consider an American ABM as a purely defensive system no matter what we might say about it. And viewed in the context of the theory of deterrence it could not be a purely defensive system since its mere existence would negate some part of their deterrent system thus giving us a greater offensive capability as compared to theirs. That situation would be intolerable for them, and the arms race would run on at a new and higher level.

So there can be no question about the Russian response to an American ABM—they would be compelled to counter it, and we will be asked in turn to counter their countermeasures, and so on without end.

Another thing that is disturbing about the question of an ABM system is this: When the missile people talk about losing one-half of our population without ABM, or losing something less than that with ABM, they are talking only about the number of people who will die in the first few hours of a nuclear war—the tens of millions who will die in the first great exchange of warheads—they do not tell us about the days that will follow. With our cities burned and twisted, with tens of millions dead, with untold millions of others dying of burns and radiation disease, with millions paralyzed by fear and panic, with the Nation completely demoralized, the enemy missile submarines will rise from the bottom of the sea to deliver the second blow. What will ABM be worth at that point?

So as the debate over this vital issue continues, let us not be caught up in the grotesque numbers game played with human lives and the very life of this earth.

If we succumb to a debate only of alternative levels of destruction, and what degree of damage is acceptable and what is not, then have we not already made the psychological adjustment to the inevitability of nuclear war?

So let us not ask only how many millions of dead are we willing to accept, but whether we must accept any at all.

The question we must decide is not how many lives will ABM save, but what will be its effect on the likelihood of a nuclear war.

The ABM—like every other weapon in the history of man—may be a self-defeating device, it may save millions of lives in a war that might not have occurred save for the existence of the system itself.

Mr. REUSS. Mr. Speaker, I thank the gentlewoman from Hawaii for her contribution.

I would like to yield first to the gentleman from Indiana, who has been on his feet seeking recognition.

Mr. DENNIS. Mr. Speaker, I thank the gentleman from Wisconsin for yielding.

I would like to say that, as I understood the answer addressed by the gentleman to my previous question, at least the first part of it was that we were dealing with an inadequate defense system.

I think I indicated previously I really lacked the technical information on that subject, and I am openminded on the question. It seems to me that it is basically a technical question on which it should be possible to get a relatively adequate technical answer. If I understand the gentleman, if it were adequate, then he would be for it. That seems to me an appropriate position.

What I would perhaps differ with a little more are some of the suggestions I thought I heard here, that rather than putting the energy and research and effort into answering that question, they should go to certain social endeavors, and so on, which, whatever their virtues, if we had no country here in which to experiment, would not amount to much. Therefore, it seems to me, if we are in accord, if we can get an adequate defense that has to be the first thing.

I should like also to suggest to the gentleman from Wisconsin that an interest in acquiring such a defense, to my thought, is not at all inconsistent with exploring these great questions of war and peace and accommodation. They may have to go hand in hand.

Mr. REUSS. Certainly not. The purpose of the conversation here this afternoon is to bring to bear such information as your colleagues in the House have been able to obtain.

May I say this: When warriors from the war on poverty come before us in the Congress, we feel able to, and do, give them the most rigorous going-over. That is as it should be.

When warriors from the war against crime appear for their appropriations, they likewise are subjected to rigorous analysis.

I see nothing in nature which should insulate the warriors of the military-industrial complex from similarly passing muster before this, the elected body of the people.

Mr. DENNIS. Neither do I.

Mr. REUSS. That is the purpose of this afternoon's debate.

May I say, finally, that I am one of those who are against the ABM, and for two reasons. One is that it appears to me not apt or adequate to do the job it is asserted it will do; namely, bring us true security. And I am against it second, and in conjunction with the first reason, because what this country needs, is to focus some of its financial and scientific power on the great issues of enabling mankind to live the good life here on earth, and that includes massive attacks upon our polluted environment and our degraded cities, a goal which I am sure the gentleman shares.

Mr. BROWN of California. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from California (Mr. BROWN).

Mr. BROWN of California. Mr. Speaker, I also want to commend the gentleman from Wisconsin and the gentleman from California (Mr. COHELAN) for stimulating this very interesting discussion.

It has not yet reached the point of debate, because even despite the contribution of the previous speaker, who raised the question about the Chinese ICBM, the full presentation of the arguments in favor of this system have yet to be made. I think they need to be made.

I have been seeking to understand them, in all good faith, because I do not believe one can successfully rebut any argument unless one understands that argument.

The problem has been, as some of the previous speakers have pointed out, that there has been a little slipperiness with regard to the reasons for this system. I will get into that a little later.

There is also the very real question as to whether some of these arguments can ever be successfully met because at the root—I doubt if we will get to the root this afternoon or even during the course of this session—there are certain articles of faith with regard to the support of or the opposition to the ABM system. There is on the part of the proponents a faith, for example, that the continued proliferation of weapons, the continued development of nuclear power or other nonnuclear power, contributes to the security of this Nation and of the world in today's situation. That faith is hard to reason with. For a Member of Congress or a general who feels that any military expenditure must contribute, just because it is a military expenditure, to the security of this country there is very little that logic can do to persuade him otherwise.

It is my own contention that the continued expansion of military expenditures on the part of this country not only does not contribute to the security of this country but is actually weakening our security in many, many ways. This point has to be stressed over and over again not only in view of what it deprives us of in the way of resources for domestic problems but, in fact, because it may be leading us to a militarily less secure position.

I think there are many sound technical arguments that can be made on this point. Obviously every large-scale military system which has been proposed and which was funded and then failed over the last few years has been fervently supported by the planners in the Pentagon who proposed it, by supporters in the Congress, and by many others. Nevertheless, many of these systems have failed.

Mr. Speaker, underlying the technical arguments, which are too sophisticated for most Members of Congress, there are certain nontechnical arguments which are articles of faith and which are difficult to rationalize. Some of it, also, involves geopolitical considerations that have not yet been expressed. For example, our desire to feel that we have a central or core interest as a nation that extends throughout the world. There are many who honestly believe this. They think our power and leadership role in the world requires that we assert a core interest in almost every part of the world. Others assert this, and there is no arguing with them that you assert it through military means or at least the potential of applying it in these areas for they believe that America's role requires it. You will not be able to argue with them rationally on sophisticated technical grounds that a particular weapons system will not work or something of that sort.

Mr. Speaker, I want to make one additional point. There has been, of course, a fight over the ABM system that goes back 15 years. There were proponents who sought to have this system deployed during the Eisenhower years. It was rejected by the President at that time on sound grounds. It was sought to be deployed by the Joint Chiefs of Staff and many of their supporters in Congress. The system was actually funded. For several years the Secretary of Defense, Mr. McNamara, refused to spend those funds, which brought him into conflict with certain very able Members of this body. In late 1967 he changed his mind. I am sure you are all familiar with the history. He acted to authorize funding for the initial steps for the light system. Now, it is my contention that the Secretary of Defense did not make this decision because he had suddenly changed his mind with regard to the technical sufficiency of the system. I think—and the evidence, I believe, will support this beyond any question—that he was told to change his mind and he did so with reluctance. The reasons why he was told to change his mind had to do with the political realities of the time. There was then developing a strong attack by many Members of Congress and many political figures, and it was not just confined to the leaders of the opposition party but included some in the Democratic Party. There was the beginning of a large-scale political attack on the wisdom of the President and his subordinate, the Secretary of Defense, for not deploying this system. It was to be made an issue in the 1968 Presidential campaign just as the so-called missile gap was made an issue in the 1960 campaign. All of us recognize that making an issue of this sort bearing directly on the security of our country can be a very telling political thing to do in an election year.

In fact, there are some who ascribe the victory of the late President John Kennedy to his effective use of the "missile gap" issue even though it was admitted by all parties after the election that this was a specious issue—that there was no missile gap.

I think President Johnson feared this particular sort of issue and that he was not about to be trapped into being a victim of this kind of an issue.

I have here in my hand, as the late Senator Joe McCarthy used to say, a little booklet which was put out by the Republican National Committee which says:

> The missile defense question. Is L. B. J. right? Russia deploys antimissile network. United States refuses to keep pace.

This lays the groundwork on the part of the Republican committee for this political attack about which I am speaking. At that time the President was a potential candidate for reelection and I think did the smart political thing by pulling the fuse on this issue by telling Secretary of Defense McNamara, in effect, "I do not care what you think about the system. You go ahead and say you are going to deploy it." That is exactly what happened. I believe this accounts for the fact that we are today fighting the fact that the system is already authorized and funded. And, I believe, as with many other things that happen in this great country, once you make a decision, even though it is a mistake, it is extremely hard to go back and correct it. I hope that will not be the case in this instance because this decision not only has its roots in a generation past, but it has its fruition in a generation yet unborn. If we do not correct it today, we may be storing up trouble, more trouble than we can imagine, for the future.

One last item here. I understand that our distinguished former colleague who is now the present Secretary of Defense, the gentleman from Wisconsin, Mr. Laird, held a press conference last week in which he made certain points. I do not have the text but I have the article which states:

> Laird Taking Harder Line on Soviet Military Threat.

In this article—and I do not vouch for its accuracy or authenticity—the present Secretary of Defense makes certain assertions to this effect: "The Soviets are testing a 'sophisticated new ABM system,' and that construction of the Galosh ABM around Moscow may have been held up for this development."

Mr. Laird's statement to the effect that the Soviets are testing a new ABM system came as a surprise here. Further quoting from the article:

> There was no mention of this possibility in the annual posture statement submitted to Congress by former Defense Secretary Clark M. Clifford on January 15.

And, here, I want to ask the Secretary if he is prepared to present to us information—facts which indicate that things have changed so much in the last few weeks or if he has acquired additional information—that would indicate a basis for stating that the Soviets are now deploying a new sophisticated ABM system.

He makes a similar statement about the FOBS system. Secretary Laird says that the Soviets are deploying the FOBS system at the present time. On the other hand, just last year, it was stated that we could not differentiate between the FOBS system and other ICBM systems.

Mr. Speaker, I would like to ask Mr. Laird what information he has upon which he has suddenly decided 3 weeks later that the Soviets are deploying the FOBS system.

Third, he said that the Sentinel could act against Soviet sea-launched ballistic missiles—SLEMS—the FOBS, and accidentally launched ICBM's.

This brings in another argument—the capability of defense against sea-launched vehicles which only last year was denied.

I would like to know what new capability of the system would now make it effective against sea-launched systems of any sort.

Fourth, there is this point: Mr. Laird stated that the Soviets are now spending $3 to every U.S. dollar for strategic defense, exclusive of research and development and for Soviet defense needs.

This makes it look as if the United States is not spending enough on the ABM system. I have had other information to the effect that a portion of these dollars went into antiaircraft defense. I would like to ask Mr. Laird what the components of these figures are and if he can in this way justify the position which he has now taken.

It seems to me that this is the type of presentation that we hear all too often just before an appropriation bill is considered for discussion. If the Navy is going to testify for their new antisubmarine warfare vehicles, then just a few days before that we always see a spate of stories about Soviet submarines off our coasts. If the Air Force wants money for their new advanced manned orbiting platform, or whatever it is, they suddenly find out that the Russians have got some new, fantastic, advanced bomber.

Now, I am questioning Secretary Laird as to whether he has been using a little psychology on the Congress.

Mr. YATES. Mr. Speaker, will the gentleman yield at that point so that I may advance some information on that subject?

I too will have some things to say about Mr. Laird when I make my complete statement later on.

Mr. REUSS. I will yield to the gentleman from Illinois for that purpose.

Mr. YATES. I thank the gentleman for yielding.

In my version of the Laird statement before the committee, which appeared in the Chicago Sun-Times last Sunday, it is stated this way, I will say to the gentleman from California:

> Laird said that the Soviet Union has "already deployed an ABM system," but the committee forced him to agree that the system around Moscow is only half completed and that it corresponds roughly to a system the United States abandoned because it was ineffective.

Laird stated this:

> If the Soviet Union launched an attack, the United States could retaliate devastatingly. Then he downgraded the U.S. deterrent.
>
> He asserted that the Soviet Union outstrips the United States in megatonnage. But he agreed when Senator STUART SYMINGTON said that although some Russian rockets can carry heavier warheads than some U.S. missiles, the total power of U.S. bombs is greater than the Russian total.

So I am inclined to agree with the gentleman in the conclusion he draws from the remarks that the Secretary made.

Mr. BROWN of California. Mr. Speaker, will the gentleman yield further so that I may continue for one more moment?

Mr. REUSS. I yield further to the gentleman from California.

Mr. BROWN of California. I thank the gentleman very much for giving me this extensive time.

Mr. Speaker, I have a longer statement which I would ask unanimous consent to insert in the RECORD at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BROWN of California. Mr. Speaker, behind the debate over international ramifications of ABM is a basic, yet generally ignored, factor: that the United States decided to deploy this grossly questionable system more from internal pressures and fears than from any real external threat.

Intricate political maneuvering played a major role in the go-ahead on ABM. Indeed, such maneuvering closely resembles—and, of course, is related to—the recently renewed missile gap controversy. Whether or not an ABM gap exists—and despite all his purported facts, figures and testimony, Defense Secretary Laird cannot prove that there is such a thing as an "ABM gap," it is less important than the prospect raised that it "might" exist.

As a perspective, we should look at the history of the ABM concept and how it relates to the recurring "missile gaps." Contrary to arguments used by many ABM proponents, it was the United States, not Russia, which first undertook extensive anti-missile-system research. That was back in the mid-1950's when Bell Telephone Laboratories made initial studies proposing the Nike-Zeus system.

During the late Eisenhower years, Nike-Zeus won Army approval and tests were made of prototype components. Deployment never was fully implemented, but research efforts continued.

The first missile gap suddenly appeared in 1960, largely fueled by Soviet achievements in space and by American military fears. Though the gap was mainly on paper, it had important impacts on both domestic and foreign affairs. It created a new drive for increased U.S. offensive weapons spending. Soviet reaction to this move came when the Russians announced that a Galosh ABM had been deployed. The arms race began to accelerate.

The Democratic Party used the missile gap in 1960 as a lever in gaining national control. Once in office, the Kennedy administration quietly quashed the gap. As a political tool of the military, it proved significant; in reality the gap was a sham, created by the military and shunted aside by the military when its usefulness was gone. But, it was only shunted aside; as a tool it had proved effective once, and its nature was such that it could be used and reused with frightening effectiveness.

In practical terms, the missile gap uproar resulted in a restructuring of U.S. military objectives. Since 1960 the arms race has sped blindly ahead with few hesitations. The military budget already has bloated to over twice its 1960 level, with most of the increment in sophisticated electronic and missile systems. According to former Defense Secretary Clifford, if there is a missile gap today, the balance tips in our favor with the United States holding at least a 3-to-1 advantage over the Soviet Union.

Measured against the early American ABM efforts and the military philosophy which has led to both the Soviet Union and mainland China being virtually surrounded by nuclear-equipped U.S. forces, Soviet deployment of ABM does not seem unrealistic. But, for the superhawks and militarists, such Soviet deployment became another vehicle for promoting even more U.S. spending for weapons systems.

By 1967, missile gap tactics once again reappeared, this time in the guise of an ABM gap, and this time forwarded by the Republican Party. A major Republican National Committee background report on the subject summarized the issue this way:

> The question of an anti-ballistic missile system for the U.S. has become a major issue as a result of the deployment by Russia of an ABM system.
>
> This question achieves added significance from the progress made by Red China in developing an offensive missile system. Evidence indicates that China may test an ICBM this year and may have ICBMs operational by 1975. But the Chinese are reported to be making faster progress than was anticipated sometime ago by Pentagon analysts. Red China may develop medium-range ballistic missiles this year.
>
> An apparent difference of interpretation exists as to the progress made by Russia in developing an ABM system. President Johnson has said Russia "has begun to place near Moscow a limited anti-missile defense," and this low-key estimate is supported by Defense Secretary McNamara. But other interpretations, based on U.S. Intelligence reports, are that Russia has made substantial progress in laying out a sophisticated "area" defense system which eventually may close off the entire Soviet Union.
>
> The U.S. is developing the Nike-X system as an answer to the Soviet project, but has kept this system in the research stage and has made no move up to this time to deploy the system. There are reports that, despite marked improvements made in recent years in the Nike-X system, it is still a "point" defense system, or less sophisticated than an "area" defense plan.
>
> Deployment of the U.S. system, according to reliable estimates, would require about five years. This is because of the sheer physical difficulty of translating research into actual installations.
>
> Thus the Russians are years ahead of the U.S. in actually laying down a missile defense. How far the Russians are ahead of the U.S. depends on the degree of progress made by them in deploying their system and how long they have been at it.
>
> Evidence was developed four years ago indicating that the Russians had installed anti-missile sites around Leningrad. *The Washington Star* published a report to this effect in March, 1963. If this evidence is well-founded, the Russians may be further advanced in missile defense deployment that the Administration seems willing to believe.
>
> Establishment of an ABM system by the U.S. would cost up to $40 billion, according to present estimates, depending upon the depth of the defense undertaken. Various reports state that this huge cost would include collateral defense programs, including fallout shelters, improved bombers against a possible bomber attack, better defense against missile-carrying submarines. The cost would be spread over a number of years, since even a "crash" program could not accomplish the entire undertaking hurriedly.
>
> Consideration is being given to a "modest" missile defense, costing from $3 to $10 billion. Such a defense would be directed primarily at the Chinese or similar threats not expected to materialize for some years.
>
> However, the Administration for six years now has rejected repeated recommendations that the U.S. move forward with a missile defense. These recommendations, originally made by the Army, in recent years have been supported unanimously by the Joint Chiefs of Staff.
>
> In the face of now acknowledged evidence that the Russians are deploying an ABM system, President Johnson and Secretary McNamara continue to reject proposals for a similar defense for the U.S.
>
> Instead, the Administration is seeking through negotiations with the Russians to work out some kind of agreement to halt further development of nuclear weapons. Some reports have referred hopefully to a possible "moratorium" on further development of ABM systems.
>
> Soviet Premier Kosygin, at a news conference in London, said that a missile defense would increase international tensions less than an offensive missile system, and was preferable. This was interpreted as indicating the Russians would reject the President's overtures.
>
> The President stated in his budget message for the 1968 fiscal year that he would "reconsider" his decision not to proceed with a missile defense if efforts to negotiate with the Russians fail. He earmarked $375 million in the budget to start work on a missile defense if this happened. This reportedly is intended to start work on a defense for U.S. ICBM bases and not cities. There is still no plan in the works to begin production of a defense for cities.
>
> Defense Secretary McNamara for years has cited various reasons for not proceeding with a ballistic missile defense, such as: the system is imperfect, research has not been completed; the system would have to be combined with a highly expensive fallout shelter program. He has leaned strongly to the idea that the best deterrent to nuclear war would be a strong offensive missile or ICBM capability.
>
> Recent reports state that improvements in research on the Nike-X system reveal that a relatively "modest" fallout shelter program would suffice in combination with it, costing half the previous $5 billion estimate for shelters. This is said to be due to improvements in the Nike-X defense mechanism.
>
> In a "posture" statement issued in January, McNamara argued that spending billions of dollars now to build a missile defense system would buy no real security for this country. His basic theme was that Russia would improve its offensive missile capability to erase any advantage from an ABM system. Conversely, he argued that the U.S. would maintain its ability to inflict unacceptable damage on Russia through its offensive missiles, regardless of Russia's missile defense.
>
> However, apparently reliable reports state that Russia has made vital breakthroughs in developing offensive missiles as well as an ABM system.
>
> Some military men take issue with McNamara, saying the time has come to cut metal for an ABM system. Otherwise, they contend, the situation could lead to nuclear blackmail or to a nuclear war.

The Republican report put the Johnson administration into a quandary. Refusal to deploy ABM became an increasingly hot political issue. But deployment would mean deferring vital domestic programs. And, in that situation, the political forces favoring ABM heavily outweighed dissenting opinions.

Pressures came at many levels. Fear tactics stemming from the Republican background paper grew steadily. Politicians began to sense the immense pork-barrel aspects of ABM. Potential contractors saw ABM as a huge profitmaking endeavor.

Yet, once the decision was made to begin the "thin" ABM deployment, the critics were quickly silenced. The commitment had been made. The "gap" closed again.

Internal forces were crucial in the ABM deployment decision. Now, they are working toward expanding the ABM system. And, in the course of that expansion drive, many unsettling points are becoming apparent.

Slowly, but surely, the main objective of ABM is shifting away from that of protecting American cities and American citizens, and is becoming, instead, a watchdog for U.S. military interests. According to the following article from the February 13, 1969, Los Angeles Times, one study already has asked that ABM be limited only as a defense for offensive missile sites:

Sentinel Defense Urged for ICBM Sites Only—Private Study Asks Reorientation of ABM System To Omit Protection of Cities

(By Ted Sell and Ruby Abramson)

Washington.—A private study being circulated on Capitol Hill urges that the controversial Sentinel antiballistic missile system be reoriented to protect U.S. intercontinental ballistic missile sites rather than cities.

Such a move would completely reverse the strategy conceived when then-Sceretary of Defense Robert S. McNamara ordered a go-ahead on Sentinel deployment Sept. 18, 1967.

From sites near the remote ICBM nests in Western states, the ABM network, with its relatively shortrange missiles, would offer little protection for population centers—the mission for which the Sentinel system originally was conceived.

An ICBM-oriented ABM system might also fit more closely into the ideas of President Nixon and Defense Secretary Melvin R. Laird. Both have indicated they see an ABM system more in terms of defending against Russian attack than against a lesser Red Chinese threat.

LAIRD HALTS WORK

Work on Sentinel deployment was halted by Laird last week pending a review.

Laird lumped the Sentinel delay decision with similar reviews on six other major weapons systems which the Republicans also inherited from the Democratic Administration. But the Pentagon conceded Wednesday that no orders to halt the other programs have gone out pending completion of the studies.

Identity of the author of the ABM study now circulating cannot be disclosed. But he is known to be an expert on nuclear weapons, and his views are expected to carry substantial weight with legislators who question the value of an ABM system around major cities where some citizen groups have protested.

No action has yet been taken on the study. It is certain to figure in congressional hearings on ABM. The Senate and House Armed Services committees and the House-Senate Committee on Atomic Energy have said they will hold hearings.

Adoption of the ICBM-oriented network would be a victory for figures in Congress, the Administration and the military who have argued all along for an ABM defense against Soviet attack.

KEEPS IT ALIVE

As far as military experts are concerned, a principal benefit at the moment in such a deployment would be to keep a part of the ABM program alive during a period when it otherwise is in trouble with Congress.

It would avoid for the moment the objections raised in major cities, perhaps until residents could be "educated" to overcome resistance, including fears of an accidental explosion of nuclear-tipped missiles. It also would keep scientists, engineers and missilemen in the program and help develop ABM technology.

Pentagon experts on antimissile research and strategy, however, admit that a deployment designed solely to protect ICBMs would be of marginal strategic value—and only then in what is considered the most unlikely form of Communist attack.

This would be if an enemy—presumably Russia—chose to launch a limited number of ICBMs not at American cities but at U.S. missile bases as a form of international blackmail, hoping to force the United States to back down on some major issue.

Under past doctrine, any report of enemy warheads heading toward the United States was to have resulted in a massive launch of American ICBMs so that the U.S. missiles could be out of their silos before the enemy warheads streaked into targets.

There would be no question but that World War III had started and that in its first hour a major share of Russia's population and most of its industry would be pulverized.

Even if Russian ICBMs were targeted on American ICBM fields, under this theory, the 15-minute warning time which U.S.-radar would provide would mean that the Soviet nuclear warheads would strike only empty silos.

DIFFERENT ATTACK

On the other hand, the idea of placing the first ABMs around U.S. ICBM fields carries tacit recognition that an altogether different kind of nuclear exchange might occur and that an attack by Russia with only a few missiles might not be the signal for starting World War III.

"If we saw only two or three warheads coming in," one Sentinel project figure said, "what would the President do?"

"Would we go to war?"

"If they were coming at our Minutemen fields, and we were sure we could stop them, it would buy more time for the President to decide what to do—whether to destroy Russia or do something else."

Ironically, U.S. ICBM fields already are the best-protected installations in the nation, in terms of nuclear attack. The 1,000 Minutemen are in hardened underground silos at six bases in Wyoming, Montana, North and South Dakota and Missouri.

DISTANCES A FACTOR

Because of the distances between silos and the concrete hardening, experts calculate the Russians would have to target at least two ICBMs on each Minuteman to have a good chance of destroying it on the ground. With 15 or even fewer minutes warning, the missiles could be fired before they were destroyed.

In terms of a possible Red Chinese attack when China builds ICBMs, however, the ICBM-oriented ABM makes almost no sense, Pentagon leaders said. The Defense Department expects China to have a small ICBM force in mid-1970s.

But with a small ICBM force, according to strategic planners, it would be highly unlikely that China would target on the hardened U.S. missiles in an effort to force the United States to desist from any international move.

It would not be profitable to target scarce ICBMs on hard-to-damage targets, particularly when the American population would lie open in what planners call soft cities.

Moreover, China would be immediately hit by American missiles from Polaris submarines, from shorter range missiles on Okinawa and from bombers in the Pacific, which under current targeting theory are more involved in retaliation against China than the U.S. ICBM fields.

The ICBM-oriented ABM would reverse the order of priority discussed by McNamara in ordering Sentinel deployment.

McNamara argued that it would be cheaper to build more ICBMs than to put ABMs around them. In effect, this accepted some ICBM loss in a sudden strike, but by providing far more ICBMs it was intended to insure that enough survived to maintain the margin needed to inflict wide damage on Russia.

McNamara stressed fears that ABM might come to be considered a potential defense against Soviet missiles and he marshaled vast expert advice to the effect that such protection was impossible against the type of heavy attack Russia could launch.

The Sentinel system manager, Gen. A. D. Starbird, in a briefing before House Appropriations Committee members confirmed that the second of the three objectives of the authorized ABM system is "to provide an option for defending Minutemen with Sprints."

Traditional interservice competition is now beginning to heat up over ABM. The following stories, from the February 21, 1969, Los Angeles Times and from the February 19, 1969, Washington Evening Star, indicate that both the Air Force and the Navy are asking for ABM systems of their own:

[From the Los Angeles (Calif.) Times, Feb. 21, 1969]

Antimissile Funds Sought by Air Force

(By Ted Sell)

Washington.—The Air Force is lobbying behind the scenes to get money for its own antiballistic missile system, perhaps in competition with the Army.

The Army has been assigned responsibility for developing and deploying, as well as operating, the controversial Sentinel ABM.

But the Air Force would like to get some of the action, too, partly out of concern that continued Army work on ABMs would in time put the Air Force out of the space-defense business it was assigned after it became a separate service.

Air Force officers are seeking about $15 million to test out their ideas that discarded Minuteman intercontinental ballistic missiles can be modified into ABMs.

APPROACH LEGISLATORS

Air Force officials have privately approached key legislators on the project. The action has the effect of encouraging delays in going ahead with Sentinel on grounds the Air Force may be in the process of developing a better and cheaper substitute.

How successful the Air Force effort will be on Capitol Hill is open to question. The current dispute in Congress is over whether the Army's Sentinel will work and whether it will be worth the $5 billion to $10 billion estimated cost.

The Air Force already had started to acquire the expertise it might need to operate an ABM. At Eglin Air Force Base, Fla., it built a $62 million one-of-a-kind advanced radar installation in 1967. Since then the Air Force has trained technicians to operate the unit in excess of the needs for simply one such radar, while admitting it did not plan to build others.

The Eglin radar is of a type called phased-array, an advanced system far beyond those now needed by the Air Force but similar in principle to those to be used in the Army's Sentinel system.

One of the advantages the Air Force sees in its proposal is that it would use hundreds of Minuteman 1 missiles which otherwise will become surplus as the new, multiwarhead Minuteman 3 missiles are produced.

APPROVED IN 1957

The Minuteman program was approved in 1957 as the first project to use solid-fuel missiles as ICBMs instead of the earlier liquid-fueled Atlas and Titan missiles. Solid-fueled missiles can be stored longer and fired much faster than missiles which have to be fueled with the toxic and corrosive liquid fuels immediately before firing.

By 1963, the Air Force had 800 Minuteman 1 missiles. The figure is down to 600, with the other 400 missiles in the 1,000-rocket force being later model Minuteman 2.

Each of the Minuteman 1 models cost on the order of $7 million to $8 million. The Air Force sees an ABM system based on these weapons as saving much of the cost otherwise involved in buying new Spartan and Sprint missiles.

The major modification involved in the Air Force plan would be to convert guidance systems from the offensive mission—directing the Minuteman in an upward path that would put it on course to plunge onto within about a quarter mile of a target in Russia—to a defensive one.

The defensive mission would involve placing the Minuteman warhead within a close enough distance of an incoming Russian missile to destroy it either with blast effect or a shower of radiation to neutralize the nuclear warhead.

Significantly, the Air Force thinks the guidance might be made accurate enough to get away from a nuclear warhead for the ABM—that conventional explosives might do the job.

[From the Washington (D.C.) Evening Star, Feb. 19, 1969]

Pentagon Eyes Sentinel as Sub Missile Shield

(By Orr Kelly)

The Defense Department is considering a significant new use for an anti-missile system—protection against a possible Soviet submarine missile attack—in its current review of the Sentinel defense system.

Defense Secretary Melvin R. Laird raised the possibility that the components of the Sentinel system might be arranged to provide protection against Soviet submarine-launched missiles for the first time yesterday in a Pentagon press conference.

"I believe . . . the technology that is ready now for deployment and could be deployed if we were to go along with the Johnson-Clifford budget proposal or a modification of the Johnson-Clifford budget proposal, would have certain side-defense capabilities as far as Soviet-launched weapons from submarines or from space platforms, or false launches," Laird said.

Although Defense officials are convinced an effective defense against the Soviet force of nearly 1,000 land-based missiles is impractical now, it was learned that they are considering the possibility that a high degree of protection could be provided against submarine-launched missiles through much of the 1970s.

Defense experts, working under the direction of deputy defense secretary David Packard, are considering about 10 possibilities in their review of the Sentinel system, developed under the Johnson administration.

The possibilities being considered include continued research and development, with no deployment at the present time, plus the number of different ways of deploying the radars and missiles of the Sentinel system. Not under consideration is the so-called "thick" system designed to protect this country against a full-scale Soviet attack, according to Pentagon sources.

But an effective defense against submarine-launched missiles is considered a possibility.

As presently planned, the Sentinel system would have only limited capability to shoot down submarine-launched missiles because it is designed to detect and destroy missiles coming in from the north. But it could be redesigned to look seaward as well, probably at a significant increase in cost.

The Russians now have about 45 submarine-based missile launchers, compared with 656 launchers on American polaris nuclear submarines.

The Soviet Union deployed its first boat comparable to the early Polaris-type American submarines last year and is now estimated to be building from one to two new ballistic submarines a year. Each is capable of carrying 16 missiles.

At this rate of production the Russians could have about 237 launchers on submarines by the mid-1970's, of which about half might be deployed at any one time. If, in the event of war, two or three subs could be destroyed before they launched their missiles, an American missile defense system might well be able to intercept most, if not all of those remaining.

Whether the cost of checkmating the Soviet ballistic missile submarine effort through much of the next decade would be worthwhile when the Russians would still have enough land-based missiles to destroy this country, is debatable.

But American defense planners consider the 41 U.S. Polaris submarines this country's most important means of preventing a nuclear war and would be greatly concerned if the Russians found some way to nullify this force. They could thus decide it would be worth a great deal to prevent a similar Soviet force from becoming an effective threat.

The following three stories from the February 15, 1969, Armed Forces Journal show other directions that ABM supporters are taking in order to expand the system:

Testimony From Secretary of Defense

Congress intends to ask Defense Secretary Melvin Laird to advise it on the possibilities of deploying an anti-ballistic missile system that will "shoot down anything."

L. Mendel Rivers, Chairman of the House Armed Services Committee, told the Journal that the committee will ask Laird to testify on the possibilities of:

Using non-nuclear ABM warheads.

The Air Force and Navy participating in ABM defense.

The development and deployment of an entirely new ABM system.

Laird will be asked to testify as part of the hearings on the "412" military procurement authorization bill. The hearings are due to be held in the latter part of March.

Laird recently suspended all ABM site and construction work. The move was coincident with objections from some members of Congress to the location of nuclear ABM warheads near cities.

Rivers explained that prior to the 1967 approval of the Sentinel system, the Armed Services Committee did not "explore every possible alternative for ABM deployment.

"In our eagerness to have an ABM system to defend the country, we just assumed that the problem had been worked out, and that the Sentinel was the best thing we had."

Rivers said that this might not be the case today. "We may have something that will shoot down everything."

He suggested the possibility that the other Services may not have been given an adequate opportunity to participate in the planning of ABM deployment.

If the other Services have a system that will aid the Sentinel, Rivers said, then the mission should be "shared."

"If this is so, then we ought to be told." The country should be defended with the best possible ABM system, the pro-ABM Chairman said.

Rivers strongly emphasized that the Committee action should in no way be interpreted as a criticism of Laird, whom he said will be, in his opinion, a "wonderful Secretary."

Sentinel Advances

(By Walter Andrews)

The Army now is evaluating Sentinel ABM intercept improvements that, if proven feasible, would permit the use of lower-yield nuclear warheads and possibly even the eventual use of conventional warheads.

Industry studies for greatly improving the accuracy of the Sentinel system's Spartan long-range, ICBM intercept missile are presently being evaluated by the Army's ABMDA (Anti-Ballistic Missile Defense Agency).

The studies are referred to as SIPS (Spartan Improved Performance Study) and center on the high performance third stage.

ABMDA is part of the Army's Office of Research & Development (OCRD), and provides long range R&D for the Sentinel system.

Nothing is officially firm on when the improved Spartan missile would be incorporated in the Sentinel system.

However, indications exist that the Army would like to have the improved missile in the Sentinel system sometime during 1974. As presently conceived, the Sentinel is slated for operation in 1971.

The proposed improvements would give the Sentinel a new deployment flexibility, which could conceivably mitigate the effect of recent objections to the location of nuclear ABMs near cities.

Officials pointed out to the JOURNAL, however, that a "massive change" would not be involved.

SIPS AND LOITER

SIPS, if proven, would give the Spartan an in-flight "loiter" or "wait" capability, which could possibly be measured in minutes or seconds.

It would permit the Spartan to be redirected in flight, with all that capability implies in terms of improved accuracy. With a "loiter" capability, the Sentinel would not have to commit a Spartan to intercept until time had been allowed for the atmosphere to separate the real warheads from decoys.

JANUARY PROPOSALS

Since the middle of January, ABMDA has been evaluating studies by Boeing, McDonnell Douglas and Martin Marietta on the feasibility of developing a new third, "loiter" stage for the three-stage Spartan missile.

These funded efforts studied the feasibility of a new, third stage utilizing solid-propellant.

A previous McDonnell Douglas effort considered the possibility of developing a new third stage utilizing liquid rocket technology.

SOLID VERSUS LIQUID

The usual advantage of liquid propulsion over solid is that thrust and missile attitude can be controlled and varied more. Once ignited, it is difficult to control the burning and vary the thrust of a solid rocket. This is done in liquid rocket motors by controlling the flow of fuel or oxidizers.

Solid motors, however, have the strategic advantage of readiness.

The Army therefore is studying methods to vary the pulse and attitude of solid motors.

RFP'S SOON

In the near future, it will request industry proposals for the best method of building such a controllable solid motor. The industry "answer" could involve a near term solution of clustered motors or the development of a new type of solid motor control nozzle.

Officials also told the Journal that technology has been postulated by industry (LTV was mentioned as being in the forefront) of "near-zero miss distances."

In its evaluation of technology the Army would take into consideration work done by the Air Force on satellite intercept by rocket.

The R & D job facing DoD and the Army's ABMDA right now involves feasibility evaluation of these postulated capabilities.

CONVENTIONAL WARHEAD?

Officials said that a successful SIPS effort would permit the utilization of a much lower yield nuclear warhead.

They added that the attainment of accuracies sufficient enough to permit the utilization of conventional pellet or steel rod type warheads "is still farther down the road.

"The people in DoD are as eager as anyone to develop a non-nuclear warhead. It's a goal we are shooting for—unfortunately it's not easy. The probabilities involve distances of a few feet."

SPARTAN AND SPARTANS

In ABM developmental language, officials told the Journal "the proposed improved third stage would let you wait until the atmosphere has sorted out the ballistic coefficients of all the things involved."

The 1967 approval of the Sentinel system was predicated on the development of a new, longer-range, "exoatmospheric" Spartan missile.

This missile will use the radiation from a high-yield nuclear warhead exploded outside the atmosphere—the so-called "big bang effect"—to intercept and disarm incoming ICBM warheads.

A NEW MISSILE?

Prior to the go-ahead for the Sentinel system, the Spartan was called the Extended Range Zeus (DM15X2), which was developed by McDonnell Douglas.

Except for the public relations/political rationale for renaming the Extended Zeus the Spartan, there would be a good possibility of the improved Spartan being given a new name.

Officials said that such a missile would be combined with the exoatmospheric Spartan for the area defense of the country.

Presumably, the shorter range Sprint ABM interceptor also would find a place in the new scheme.

REMOTE SPRINT

Consideration also has been given to a "Remote Sprint" Sentinel configuration, in which the Sprint missiles would be placed away from the detecting Perimeter Acquisition Radars (PAR) and the tracking Missile Site Radars (MSR).

The benefit here would be that such a Sprint configuration would better utilize the "reach" of the longer range radars.

When positioned close to the radars, the short range Sprint missiles only utilize a fraction of the radar's range.

Officials told the JOURNAL that Remote Sprint is considered a potential improvement. However, no decision has been made as yet, they said.

The obvious trade-offs are the cost of new site acquisition and additional command and control installations.

In a possible new Sentinel configuration, the exoatmospheric Spartan missiles containing the high-yield nuclear warheads could be positioned away from cities.

The SIPS version of the Spartan could be emplaced nearer the cities for the "area defense" of the population centers.

The Sprints, remote or otherwise, could be used for the defense of radar sites and possibly ICBM installations.

SABMIS AND SENTINEL

"Proven technically feasible" are the words used by officials to describe the present status of the Navy's Seaborne Anti-Ballistic Missile Intercept System (SABMIS).

Officials told the Journal that concept formulation of the system is "completed right now" as far as the technical feasibility of the system is concerned.

A SAMBIS would be a good system for intercepting enemy ICBMs in the boost and mid-course phase, officials said. As such it would complement the Army's Sentinel system.

SABMIS presently is funded at a low level, officials said, but a lot depends on DoD decisions made during the next month.

Industry feasibility studies on SABMIS were completed last year. Companies participating were: Hughes, PRC, General Electric, Northrop Nortronics, Sperry, Boeing, McDonnell Douglas, Martin Marietta and Raytheon.

Along with the superhawks and militarists there has been a third powerful ally in the recent campaign for an expanding ABM—the military-industrial complex, that great aggregation of military, corporate, and lobby power that President Eisenhower warned us about, but which too many persons have shrugged off as being nonexistent or unimportant.

By this time we should not be shocked by the abject profiteering and correspondingly low quality production which has marked the armaments industry over the past decade. The complex has been able to call all the shots without much anxiety over being turned down.

I do not expect ABM to be much different from past weapons systems. Once again, I foresee high profit margins, poor reliability, and early obsolescence. Seymour M. Hersh, in his article, "The ABM Pork Barrel," published in the January 1968 War/Peace Report, presents a dismal picture of the relationship between the military-industrial complex and the decision to deploy ABM:

THE GREAT ABM PORK BARREL

(By Seymour M. Hersh)

President Johnson's decision to begin deployment of the Chinese-oriented Nike X antiballistic missile defense system is the biggest thing that's happened to the electronics industry since color television. Beyond that, it's impact drops off sharply.

Nike X won't stop the arms race, won't hinder Russian second-strike capability, won't prevent a Chinese nuclear attack, won't protect our allies, won't add to the U.S. deterrent, won't protect U.S. civilians—and probably won't work.

The presidential decision to build the ABM was announced by Defense Secretary Robert S. McNamara last September 18, but there is some evidence that it wasn't fresh news to the electronics industry and the brokers of Wall Street. Between July 1 and September 30 last year (the third quarter), 75 mutual funds sold other holdings and invested nearly $90 milllon in electronic stock. Ten of the mutuals bought more than 250,000 shares of General Electric, expected to be one of the big contractors for one of the sophisticated radar units of the Nike X (renamed the Sentinel system by the Pentagon last winter). All told, 15,000 companies are expected to profit from the deployment of the Nike X; 12,000 of these are small business firms ("Thin Nike, Fat Orders," said one trade magazine headline). A partial list of the main contractors sounds like a Who's Who of the military-industrial complex: Douglas Aircraft, General Electric, Bell Telephone, Martin-Orlando, Raytheon, Western Electric, Thiokol Chemical, Sperry Rand, Avco, Burroughs, Control Data, Westinghouse, General Dynamics, I.T.&T., Lockheed and Aerojet.

One brokerage house described the then-pending Nike X deployment last summer "as the day they will shake the money tree for electronic companies. All will stand to benefit. The demands will be too high not to be felt by all in the industry." Based on Pentagon estimates, it's probable that three contractors—Douglas, Martin and Raytheon—each will receive more than $600 million in Nike X funds over the next five years. General Electric could get nearly $400 million. All play major roles in the system. Western Electric, another prime contractor, has received more than $1.5 billion since 1963 for its role in developing the missile system.

Is there really a military-industrial complex? A reporter for the *National Observer*, the weekly Dow-Jones newspaper, randomly surveyed six leading defense contractors recently and found former Pentagon officials and officers in all. "One office said its 30-man staff included only two Pentagon retirees," the newspaper said in its November 6, 1967, issue. "Further questioning brought out that one—a two-star general—was the office director. He handles relations with the Pentagon. The other, a consultant, is a former chairman of the Joint Chiefs of Staff." An oft-cited 1959 congressional survey found more than 1,400 ex-officers above the rank of major working for the top 100 defense contractors, including 261 generals and admirals. The survey, one index of the relationship between big business and the military, sorely needs updating.

MEANS BREAD AND JOBS

Frederic W. Collins noted in *The New Republic* last year that as few as 29 of the major contractors for the Nike X employ as many as one million persons in 300 plants located in 172 congressional districts in 42 states. To those 172 congressmen (and the 84 senators also affected) Nike X is a pork-barrel issue—bread and jobs for constituents. Maybe that helps explain why McNamara was not able to convince Congress of the folly of a Russian-oriented ABM (antiballistic missile defense) during his many appearances before committees in past years.

Critical to that failure has been the administration's lack of success in persuading Congress that the Russian deployment of an ABM system around Moscow and elsewhere poses no threat to U.S. security. In his speech announcing U.S. ABM deployment, McNamara noted that "the Soviets are now deploying an antiballistic missile system. If we react to this deployment intelligently," he said, "we have no reason for alarm. The system does not impose any threat to our ability to penetrate and inflict massive and unacceptable damage on the Soviet Union. In other words, it does not presently affect in any significant manner our assured destruction capability" because of the growing U.S. nuclear ICBM (intercontinental ballistic missile) arsenal.

McNamara's congressional sales job was spelled out nearly four years ago in the *Bulletin of the Atomic Scientists* by Freeman J. Dyson, a physicist at the Institute for Advanced Study: "The crucial problem that remains is to convince the American Congress and public that Soviet ABM systems are not necessarily a deadly threat. The American people must become accustomed to the idea that they may be better off without an ABM system, even if the Soviet people believe thy are better off with one."

This sort of reasoning, however persuasively presented by McNamara and others, leaves the military buffs in Congress cold. Sen. Henry M. Jackson, Washington Democrat, in announcing a hearing on the Nike X last fall, declared that "an ABM defense in Soviet hands lends itself superbly to bluffing and blackmail. Would an undefended U.S. maintain its resolve to act strongly if a defended U.S.S.R. appeared willing to risk a move against Berlin or any part of Western Europe?" Never mind that McNamara has repeatedly said the answer is Yes. Jackson's answer, as he told the Senate last November 30, is that the United States should begin building a new generation of ICBMs and nuclear submarines "to maintain political stability" in the world.

Another example of the attitude toward the Nike X on the part of that small, powerful clique who run the Senate and House Armed Service Committees came from Sen. Strom Thurmond, South Carolina Republican, shortly after McNamara's speech. Thurmond, a two-star general in the Army Reserve, wrote in the October issue of *Data Magazine* that "the true significance of the recent decision to deploy the ABM in the United States is the production time advantage that we shall have in any future confrontation with the real enemy—the Soviet Union. We will have completed the preproduction engineering, will have production lines established and will have some units installed. If we decide later that the 'thin' missile defense has to be thickened, American industry, that once produced miraculous numbers of Liberty Ships, planes and tanks, can gear up for mass production of ABM components as well.

The generals, the Congress and big business all stick together from thin to thick.

GOING TO THE PEOPLE

Playing politics with the ABM is not only a congressional game. During the savage infighting between McNamara and the Joint Chiefs prior to the Nike X go-ahead, both took the issue, in effect, to the people. The Joint Chiefs drew up a list of 50 cities late in 1965 that would be given special protection under the ABM system envisioned; the list was presented to congressional committees. Under the Joint Chiefs' recommendations, a thick defense of long-range Spartan area defense missiles would be installed to protect the United States, including Hawaii and Alaska, with 50 cities given the added protection of short-range Sprint antiballistic missiles. The military leaders planned to press for the immediate protection of 25 cities at a total cost of $10 billion. On the list of the first 25 cities to get protection was Charleston, S.C., home of Rep. L. Mendel Rivers, chairman of the House Armed Services Committee and advocate of everything military. McNamara argued vigorously against the Joint Chiefs' approach, telling them they would never be able to draw the line between 50 cities and the rest of the nation. To prove it, he eventually had some details of the top-secret plan leaked to his favorite Pentagon reporter, Richard Fryklund of the *Washington Star* (now a deputy assistant secretary of defense for public affairs). The resulting protests from the cities left off the list convinced the Joint Chiefs that such a strategy would be politically unfeasible.

After this clash, all signs pointed toward the deployment of the light Chinese-oriented ABM costing under $10 billion. In the spring of 1967 the usually reliable DMS market intelligence report, a privately produced survey of future Pentagon research and development prospects, noted that the Defense Department's "procurement request for fiscal year 1968 is believed to provide for the initial funding of a $4 billion to $7 billion system over five years." DMS, which is circulated among 3,500 Pentagon contractors, is staffed by many former Defense Intelligence Agency (D.I.A.) officers. In his press conference of May 18, 1967, McNamara carefully left the thin ABM door open. After explaining once again that any U.S. ABM system would not be capable of stopping a Soviet missile attack but would stop a Chinese ICBM attack, the defense chief testily added: "I frequently read in the press discussions of antiballistic missile systems which fail to distinguish between these two types of systems and which, therefore, are quite misleading in indicating the capability that we have for protecting our people."

McNamara then was asked if "the fact that we are asking the Russians to agree to a limitation of ABMs leaves open clearly the possibility that both sides could deploy this limited system." "Yes, I think so," he answered. "We haven't foreclosed any action by our desire to engage in discussions with the Soviet Union, but I think it definitely does leave open the possibility."

Some sophisticated analysts saw other signs of a favorable Nike X decision. A brokerage house that closely watched the Nike X debate reported in mid-1967 that research funding for the system was remaining stable but added, however, that "all may not be as it seems." It noted that "work on the new Spartan missile appears to be accelerating" and that "radar efforts have centered around the development and construction of a single radar system for testing. Once the initial model is fully completed and moved into test stages, funding will drop off except for modifications and testing activities. If the system is deployed, the contracting companies will then be characteristically told to go back and build 25–50 more just like the first one." The report concluded by urging investors to plow funds into the electronic companies and, indeed, most electronics stocks have gained substantially since September.

A few weeks after the Nike X decision was announced, the *Washington Post* added an illuminating, if little noted, sidelight. It said it had learned that the United States originally was headed toward a December announcement of the thin ABM. President Johnson, faced with strong congressional opposition on all fronts, the newspaper said, "suddenly accelerated the ABM timetable in an effort to ease the political pressures on him. Among the president's multiple objectives," the *Post* said, was a desire to outflank zealous pro-ABM forces in hearings planned by Senator Jackson, plus an attempt to solicit support for the president's stymied tax increase proposal from pro-ABM members of Congress." It should be noted that, according to the *Post*, political pressure was responsible only for moving up the date of the announcement—and nothing more.

When McNamara quit his Pentagon job in November and announced he would move early this year to the World Bank, the *New York Times* said that some sources believed a key factor was his disagreement with Johnson over deployment of the ABM. The newspaper added that McNamara's September 18 speech initially called for a restatement of his policy against deployment of the antiballistic missile defense system but had been rewritten a few days earlier by presidential fiat. The evidence tends to suggest, however, that McNamara's basic dispute was not over the deployment per se of an ABM defense, but over what kind of a defense was necessary and how much to spend on it. By mid-August he was circulating to key aides in the Pentagon a draft recommendation to the president calling for deployment of the thin Nike X. His private beliefs notwithstanding, it seems significant that publicly McNamara did nothing to discourage the possibility of a thin Nike X deployment.

A few days before the initial announcement of the deployment of the thin Nike X, the Pentagon's public relations office put out an information sheet for the press. It included a long series of hypothetical questions and answers and as could happen only in the Pentagon, even its own questions were not answered. For example:

"Q. Can this system be used as a first-step toward a large-scale system?"

"A. There is no plan or intention to expand the system."

In announcing the go-ahead for the Nike X, McNamara explained there was a possibility that in the next decade China might "become so incautious as to attempt a nuclear attack on the United States or our allies." Since it is the job of strategic planners to always "take into consideration even the possible irrational behavior of potential adversaries," he said, "there are *marginal grounds* [my emphasis] for concluding that a light deployment of U.S. ABMs against this possibility is prudent."

In effect, the secretary was postulating that the multi-megaton U.S. deterrent was capable only of preventing a Soviet missile attack and not one from China, a rationale described dryly by one expert as "indeed remarkable." A more Soviet-oriented reason for the ABM deployment, however, was given by McNamara in a *Life* magazine interview shortly after the Nike X decision was announced: "Our deployment isn't designed to protect the cities of America against a Soviet strategic attack, and thus it in no way threatens the Soviet ability to deter an American attack. The fact is, however, that they [the Russians] have been building up their strategic missile forces. We had no choice but to take additional steps to maintain the adequacy of our own deterrent. We considered a number of alternatives—adding more missiles, a new manned bomber, or even a new strategic missile system. We reached the conclusion that one of the most effective steps we could take, and the one least likely to force the Soviets into a counter-reaction, was the deployment of an ABM system which would protect our Minuteman [ICBM] sites, so that our own deterrent is not diminished."

During the hearings last November on the Nike X before Jackson's Military Applications Subcommittee of the Joint Atomic Energy Committee, this significant exchange took place between John S. Foster, Jr., director of Pentagon research, and Rep. Craig Hosmer, California Republican:

"FOSTER. The thin Nike X provides a cover over all of the United States against ICBMs launched from China . . . the second capability is being able to add additional Sprints and radar necessary in order to provide still additional coverage of the Minuteman silos against attempts by the Soviet Union to knock out those silos.

"HOSMER. That confirms the suspicion, of some people at least, that this is really the first stage of an anti-Soviet ABM as well as an anti-Chinese ABM. Is that right?"

"FOSTER. It is certainly not . . . This is not being deployed as a building block for some heavier system."

Many sources disagree flatly with Foster's assessment. In a special issue on the Nike X system last October, the authoritative magazine *Aviation Week & Space Technology* noted: "A preponderance of opinion in Washington, however, appears to be that, once a thin defense is in place, the American predisposition to go 'all-out,' coupled with the Nike X building-block concept, makes it almost inevitable that the system will harden and grow." Opinion aside, the incredibly complex radars for the Nike X (estimated to amount to between two-thirds and three-fourths of the total cost) known as Perimeter Acquisition Radar (PAR) and the Missile-Site Radar (MSR) have been developed in close coordination with two larger and even more technically sophisticated radars, known as the Multifunction Array Radar (MAR) and a Tactical MAR (TACMAR). The more complex radars will not be included in the thin system largely because of their cost but will continue to be developed by the Pentagon. If a decision is made to install a Russian-oriented heavy ABM, the more elaborate radars are capable of easily fitting along with PAR and MSR into the larger system. As one commentator has said, the light ABM defense would be "like pregnancy, hard to stop before full term." The line between Nike X/ No Nike X is much more sharply fixed than the division between thin Nike X/ thick Nike X.

J. I. Coffey, a former Army officer writing in *Foreign Affairs* months before the ABM decision was announced, argued similarly: ". . . as China's technology and industrial capacity grow, so also will the sophistication of its weapons. To counter this, we will probably find it necessary to extend, to deepen, and perhaps to improve our antiballistic missile system and to build up our air defense and antisubmarine warfare forces. Thus, whatever the initial form of an ABM system designed for use against Communist China, it will ultimately become either largely ineffective or little different from that required to defend against Soviet forces. In the long run, therefore, ballistic missile defenses capable of coping with a Chinese attack are likely to increase markedly our capability to limit damage by Soviet strategic forces—a point which the U.S.S.R. is not likely to miss."

Ironically, as many experts have pointed out, the Nike X offers no assurance of doing its primary job—defending the continental United States from a Chinese nuclear attack. Who's to say China won't forego the ICBMs, if it irrationally decides to strike. It could use airplanes launched from a ship or submarines capable of firing nuclear-tipped torpedoes or medium-range missiles.

COSTS UNDERESTIMATED

There is considerable evidence that McNamara has sharply underestimated the cost of deploying the thin Nike X. Dr. Charles M. Herzfeld, former director of the Pentagon's Advanced Research Projects Agency (ARPA), told a House Defense Appropriations subcommittee last March he would favor deployment of a thin ballistic missile defense—"a high altitude system to cover most of the United States, and in particular to cover our ballistic missile sites"—in short, the Nike X. Asked for a cost estimate, Herzfeld answered: "I think one could do reasonably well with $10 billion, maybe $12 or $14 billion. If you stretch it over a period of five years, it isn't all that much money, really."

Cost for the radars, computers and the necessary underground sites for the Nike X is estimated at $3.5 billion, with an additional $1.5 billion earmarked for the missiles and their silos. Annual operating costs, an expense rarely mentioned in the daily press, will total about $500 million annually for the system, with another $1 billion needed to purchase the nuclear warheads for the Spartan and Sprint missiles. Total research and development costs in connection with the system are expected to reach about $500 million a year. One electronics trade magazine wrote last October that "the figure of $5 billion spread over the next five to six years has appeared frequently of late, but it ignores annual support costs and research, engineering and facility costs that will push the figure to a more realistic $11 billion by 1973." It further should be added that roughly $4 billion has been spent on the Nike X and its precursor, the Nike Zeus, since 1957—this is more than was spent on the entire Manhattan Project in World War II. The Pentagon has acknowledged only that the $5 billion estimate does not include operating costs.

Another usually unmentioned Nike X cost factor involves the equipment and manpower needed to coordinate the new antimissile defense with existing defense systems, such as Over The Horizon Radar (OTHR) and the Ballistic Missile Early Warning System (BMEWS). DMS reports that the deployment of the Nike X "would not supercede BMEWS since it would still be used to provide early warning against manned bombers." OTHR could help detect a missile launched from a Fractional Orbiting Bombardment System (FOBS), which McNamara announced last November is under development by the Russians. (A FOBS missile is fired into a very low orbit about 100 miles above the earth, but could be dropped onto its target before the first orbit is completed. The Nike X would not be capable of stopping a determined FOBS missile attack, Mr. McNamara said.) It is not known how much money will be needed to interface the Nike X with the older warning systems.

One brokerage house experienced in large-scale federal research projects has estimated for its clients that "the maximum expenditure levels for any one year will be $2 billion" for the Nike X. That figure might be reached by 1969, a private analysis said, adding that "1970 would almost certainly reach the $2 billion mark. The NASA (National Aeronautics and Space Administration) budget and the trend of space expenditures have taught us all a lesson in the unpredictability of federal outlays in specific programs," the analysis concluded.

McNamara himself has hedged his prediction, telling the House Armed Services Committee last March 2, for example, that the Nike X costs, "if past experience is any guide, may be understated by 50 to 100 per cent . . ."

Obsolescence is another potential cost factor. In an article for *Look* last fall, Dr. Jerome B. Wiesner, former science adviser to Presidents Kennedy and Johnson, flatly declared that he was "certain that the system we are now planning will be regarded as ineffective before it is installed." There is much evidence to support this. Now under development by ARPA is a missile booster called Hibex that accelerates many times faster than Sprint. The Hibex, slightly smaller than the Sprint, is designed to be fired directly from its underground silos, while the Sprint is ejected by a gas-propelled piston and does not ignite until it is above ground. Hibex could be the short-range interceptor of the future. In addition, the Army now is studying the possibility of developing an improved third stage for the Spartan missile that would enable it to "loiter" in space, and thus increase its capability to attack incoming ICBMs. With this added capability, the Spartan would not have to be targeted at the time of launching, which should be a major help in sorting out decoys among incoming missiles.

There are other potential costs. The Johnson administration's responsiveness to the Army ABM proposals has encouraged the Navy and Air Force to seek a piece of the high-priced ABM pie. The Navy has been pressing for a sea-based antiballistic missile system (codenamed SABMIS) that would theoretically make the Nike X's job easier by knocking down enemy ICBMs before they reached the skies over the United States. The Air Force is reported to be taking another look at some of its earlier ABM proposals, including the use of such airplanes as the giant Lockheed C5A transport as a launching platform for antiballistic missiles. Studies also are under way of the concept of using satellites to aid in the detection and discrimination of ICBM targets. ARPA further has told Congress it is investigating the use of lasers as possible missile kill mechanisms.

AN AMBITIOUS SYSTEM

The Nike X is an ambitious system. It requires radars and computers to detect and track a decoy-accompanied warhead capable of traveling more than 15,000 miles per hour, and then to guide a Spartan missile to an intercept point in outer space for area defense. It requires similar capabilities for the Sprint missile, which, is designed to destroy warheads after they re-enter the earth's atmosphere.

Electronic reliability will be a major factor in the success or failure of the Nike X. If a typical Nike X radar or computer uses 200,000 microcircuits, the Army expects it to operate for approximately 1,000 hours before one circuit fails. "If home television receivers had this reliability level," *Aviation Week* says, "a lone TV repairman operating in a city of 150,000 persons would go bankrupt, because he could expect only a single service call over an entire year, assuming that each set was operated for an average of three hours every day."

The system, expected to be in operation by the early 1970s, has four main components:

Spartan—An advanced solid-fuel three-stage version of the 5,000 m.p.h. Zeus missile that is believed capable of traveling 600 miles into the atmosphere with a large nuclear warhead. It is now under development by Douglas Aircraft, but has yet to undergo testing. Estimated per unit cost is $1.25 million, but no reliable estimate of annual operation costs is available.

Sprint—A smaller high acceleration solid-fuel missile that will be capable of meeting targets 25 miles away in about five seconds. Built by Martin-Orlando, it is now undergoing tests. Like the Spartan, the Sprints will be housed in vertical missile silos. Estimated unit cost is $1 million, with annual operating costs set at about $700,000. Both the Spartan and the Sprint are designed to destroy or immobilize enemy missiles by thermal radiation, particle radiation, high-intensity x-rays or combinations of these effects. Pentagon officials have indicated that the nuclear weapons used in both weapons have low fallout, but the low-level use of Sprint could present radiation hazards. About 1,100 of the missiles will be produced, according to DMS, with Sprints accounting for 700–800.

Missile Site Radar (MSR)—A relatively small radar complex basically designed to track targets and control the Sprint interceptor missile, although it will have some area defense (Spartan) responsibilities. To be built underground along with the missile silos, a prototype MSR is now being constructed at the Nike X test site on Kwajalein Atoll in the Western Test Range. It should be operational by the end of this year. (Along with the Kwajalein site, Nike X tests are being conducted at Ascension Island in the Eastern Test Range and at the White Sands, N.M., missile range. By December, working models of the radars are expected to be available and the system will begin testing in stages, starting with the Sprint and MSR.) About 14 of the MSR radars are expected to be incorporated into the thin Nike X.

Perimeter Acquisition Radar (PAR)—A sophisticated phased-array radar designed for very long-range search (up to 1,000 miles) and the targeting functions needed for the Spartan interceptor missile. While Par is under development, the initial Nike X tests at Kwajalein will be conducted with simulators. According to DMS, about six PARs will be installed near the Canadian border at an average cost of $85 million each. (Some critics have claimed that if an enemy missile ever is engaged by the Nike X system, the contact and explosion probably will take place over Canada.) Both PAR and MSR are believed to be capable of picking up reliable target information when the enemy missiles climb to 10–15 degrees above the horizon. Aided by Univac digital computers, the radars will be able to target search, identify, track and communicate data automatically. (The heavy costs for this kind of equipment have produced a side benefit for the major contractors: the Pentagon is urging them to automate their electronic component production lines in an effort to trim costs. The industry has been slow to introduce automation.)

HOW NIKE X WORKS

The Nike X system works this way: Once a potential target is picked up by the radars, the computers must determine if it is a missile or merely a satellite or meteorite by tracking the object long enough to determine its trajectory. Should more targets appear, the computers also must assess whether they are warheads that should be tracked or decoys that can be safely ignored. This is the crux of the Nike X system. If the number of targets threatens to saturate the radars, the computer must decide which should be handled on the highest priority. If the potential target is maneuvering and not following a simple trajectory, the computer will need more time to predict its future operations.

Aviation Week has noted: "The operation of an antiballistic phased-array radar has been compared to man trying to juggle several golf balls, a couple of basketballs and one baseball bat simultaneously. Timing is critical. The critically brief duration of a mass missile attack can tolerate no computer malfunction, and it leaves no time for human trouble-shooting and repair."

Many experts simply don't believe the Nike X can work without massive testing, which would violate the 1963 test ban treaty. Most notable of these is Wiesner. In his *Look* article, the scientist argued that "few competent people expect the extremely complex ABM system to work the first time; yet it must to have any effect. There will always remain a big chance that even if the system is working as designed, it will not intercept all of the enemy missies. . . . Remember that if a single enemy nuclear weapon leaks through the defense to a city, the city will be destroyed."

A team of scientists headed by Dr. Ralph E. Lapp and Leonard S. Rodberg also has concluded that the Nike X could not be immediately effective. Writing in *Science and Citizen* last year, they noted that it is not unusual for complex weapons to do poorly in battle. Specifically cited was the low rate of kill of the Russian-built surface-to-air (SAM) missiles used against American fighter planes in North Vietnam.

There already have been some ominous reports of production complications. The Martin-Orlando company is said to be faced with a number of operational and guidance problems due to the extremely high velocity of the Sprint missile. *Electronic Design* magazine last October reported: "The rocket's skin temperatures are reported to soar higher than those in any other rocket. This has raised serious thermal problems with the on-board electronics," although the magazine noted that the firm's engineers claim to have solved them.

In addition, *Aviation Week* has reported that the specially built computers for the Nike X (expected to be able to handle more than four million instructions a second with a single processor) are creating staggering programing problems. The magazine notes that "there is relatively little experience in programing for missile intercept and discrimination, especially against massive attacks involving decoys and other countermeasures. . . . This does not mean that the programing cannot be solved," the magazine said, but it will take more time and more money than many experts had expected.

These kinds of problems apparently prompted Sen. Joseph Clark, Pennsylvania Democrat, a harsh critic of the ABM, to tell the Senate last July 27 that it "should know that the United States has not yet experimented with using the Sprint, the Spartan, and the radars together and probably will not be capable of doing so for at least two years. How can we consider deploying, at a cost of some $5 billion, a system that has never been fully tested? I personally think that such an expenditure is outrageous, considering the crying need that this country has for funds for domestic programs to alleviate poverty, to provide adequate education for our youth, to rebuild our cities, to feed the hungry and to eliminate air and water pollution."

AN ABM FOR INDIA?

In his May, 1967, news conference, McNamara was asked this question: "If we employed an ABM system for defense against a Chinese threat, do you think a country such as India would lay claim to the need for such a system?"

He gave this answer: "Whether or not India would or would not wish to deploy an antiballistic missile system to protect itself against a potential attack from Red China, assuming we did, I can't say. My guess is that they would."

The defense chief had a different analysis in his October interview with *Life*. Asked if the U.S. deployment of the ABM wasn't a step in the direction away from a nonproliferation treaty, McNamara replied: "One of the assumptions inherent in negotiations of the nonproliferation treaty is that the real deterrent to China's use of nuclear weapons is the overwhelming nuclear capability of the United States . . . China's leaders know that an attempt to attack the United States would invite the utter devastation of urban China. Our allies know that the same constraints that prevent China from attacking the United States prevent China from attacking them. . . . We firmly believe that it would serve no useful purpose for nations in Asia to acquire nuclear weapons of their own with all the financial burden . . . that would entail."

India, which is well within range of China's present stock of intermediate-range ballistic missiles, thus has its choice. On one hand, it can go along with the belief that the United States deterrent against China should suffice (although it must be difficult to understand why the United States itself doesn't trust its own deterrent—hence the ABM), or it can begin laying out funds for missile defense. Pressure has been growing inside the country for the latter move. The United States, by in effect voiding its own arguments for nonproliferation, has escalated the arms race.

Suspicious allies, and China, for that matter, can question whether the U.S. goal in deploying the ABM is to eliminate a potential source of what some senators call "nuclear blackmail" in Asia and the subcontinent. Instead, the ABM may assure American military planners of free and easy intervention in any part of the world (at least until the 1980s, when China is expected to develop ICBMs with sophisticated penetration devices—a development Wiesner believes can be accomplished with the aid of reports available in American aerospace journals).

McNamara's theory, as outlined in his San Francisco speech, is that the light "Chinese-oriented" ABM poses no challenge to Russia, hence that country should not react by increasing its offensive forces. That reasoning amounts to asking the other fellow to exercise restraints that we are not willing to accept ourselves. Although it is still unclear whether Russia is building a full-scale ABM defense around Moscow and other cities, the United States already has reacted to the Soviet move by initiating steps to increase its offensive striking force. A $2 billion program to replace the submarine-based Polaris missiles with larger Poseidons capable of carrying improved penetration aids was begun last year, along with a massive program of adding multiple warheads (MIRV) to the new, improved Minuteman III.

RESPONDING IN TURN

Few of America's European allies believe the United States will stop at the thin system, although McNamara warned in his speech that "The so-called heavy ABM shield . . . would in effect be no adequate shield at all against a Soviet attack, but rather a strong inducement for the Soviets to vastly increase their own offensive forces. That, as I have pointed out, would make it necessary for us to respond in turn—and so the arms race would rush hopelessly on to no sensible purpose on either side." Yet France immediately seized on the U.S. ABM announcement to urge once again that a separate French nuclear force is more necessary than ever. "Some Frenchmen," Don Louchheim of the *Washington Post* reported last October, "have even suggested that by creating an antimissile barrier in the United States, Washington has made Europe more vulnerable, as a common enemy might prefer to send its nuclear weapons toward undefended targets."

Victor Zorza of the *Manchester Guardian*, considered a leading expert on Russian military affairs, has reported that the U.S. ABM will aid those Russians who are eager to get a larger share of the nation's budget for military spending. Noting also that there is no proof that Russia has decided to go ahead with a full-fledged ABM system, Zorza wrote in the September 20 *Washington Post* that the Soviet military-political lobby already has won increased allotments of steel for military use. The question being debated now, he added, is whether the United States can somehow allay the misgivings McNamara's announcement "is bound to have aroused in the Kremlin."

As Coffey presciently wrote in *Foreign Affairs*, "At the very least . . . the deployment of antiballistic missiles would in all probability lead to a hiatus in arms control negotiations, while both sides tried out their new weapons, decided on countermeasures to the other's deployment, and reestablished an effective and acceptable strategic balance. It could mean the loss of any chance for an early agreement on a comprehensive test ban and on the nonproliferation of nuclear weapons, leading to decisions by countries such as Italy or India to proceed with their own nuclear weapons programs. And it could lead to a new arms race with the U.S.S.R."

Even more significant to some will be the increased pressure to break or void the existing nuclear test ban treaty because of the need to test the ABM in the atmosphere. "The developers of the ABM system will soon be telling us that they cannot assure its effectiveness without nuclear tests in the atmosphere," Wiesner glumly wrote in *Look*. "The pressure on the president to renounce the treaty in the interest of national security and protecting our multimillion dollar investment will be overwhelming."

Major strategic mistakes are not unknown to McNamara. In his September 18 speech, the defense chief revealed—apparently for the first time—that he had seriously miscalculated soon after taking office in 1961 (a major election factor being Kennedy's charge of a "missile gap") and helped promote the recent Russian build-up. Shortly after taking office, Kennedy sent Congress a supplementary military budget request for $1.94 billion to bolster the forces above the Eisenhower levels for fiscal 1962; included was $1.48 billion earmarked for strategic deterrent forces, largely Polaris missile submarines.

"In 1961, when I became secretary of defense," McNamara explained, "the Soviet Union possessed a very small operational arsenal of intercontinental missiles. However, they did possess the technology and industrial capability to enlarge that arsenal very substantially over the succeeding several years. Now, we had no evidence that the Soviets did in fact plan to fully use that capability.

"Since we could not be certain of Soviet intentions—since we could not be sure that they would not undertake a massive build-up—we had to insure against such an eventuality by undertaking ourselves a major build-up of the Minuteman and Polaris forces," McNamara added. "Thus, in the course of hedging against what was then only a theoretically possible Soviet build-up, we took decisions which have resulted in our current superiority in numbers of warheads and deliverable megatons. *But the blunt fact remains that if we had more accurate information about planned Soviet strategic forces, we simply would not have needed to build as large a nuclear arsenal as we have today.*" (My italics.)

It seems no one is immune from making the same mistake twice.

While the ABM certainly represents a profitable splurge for the military-industrial complex, for the rest of the economy it is a drag. Over the past 3 years, increasing resource demands by the military have been a leading factor in the steady rise in wholesale and consumer prices. Further ABM deployment will exaggerate these serious inflationary pressures. And we must remember that each marginal dollar allocated to ABM is one less dollar for better education, for more livable cities, for a cleaner environment, for an equitable and just society.

Of course the ABM is not the only piece

of fat in the swollen defense budget, but it does stand out as an overly visible example of foolish spending. Both last year and earlier in this congressional session, I have argued that the defense budget must be cut. I have pointed out where the highly reputable Congressional Quarterly has shown areas in which over $10 billion could be sliced from the defense budget—and instead, where those same areas received a net increase of around $1.75 billion for fiscal 1970.

In the March issue of the Washington Monthly, Robert S. Benson, formerly a member of the staff of the Assistant Secretary of Defense, Comptroller, gives another perceptive analysis showing where $9 billion could be slashed from the defense budget without reducing national security:

How the Pentagon Can Save $9 Billion

(By Robert S. Benson)

I have a modest proposal.

I should like to demonstrate, in as brief and as simple a way as the complexities permit, how $9 billion can be cut from the Pentagon budget without reducing our national security or touching those funds earmarked for the war in Vietnam.

Let me emphasize at the outset that this is truly a modest proposal, offered from an earnest belief in its practicality and with the conviction that savings from its adoption could be applied to our fiscally undernourished concerns for human opportunity.

The process by which the Pentagon budget—as well as the rest of the federal budget—is shaped and reviewed is a strange and not always wonderful thing. Any new program is usually given thorough scrutiny in Congress: debate rages over the program's purposes and over the level of funding required. Once it is accepted, however, only the funding level is certain to receive continuing Congressional attention. A nation's needs change, but rarely is a program's reason for existence ever challenged again, either in the executive branch or on Capitol Hill. On the contrary, its administering agency and its Congressional advocates, cheered on by its beneficiaries, strive to perpetuate or expand it, seldom pausing to ponder whether it is still worthwhile or whether something else is needed more.

The process can be insidious. Man, the social animal, takes comfort from acting in accord with the wishes of friends and associates. But over years of advocacy he loses some ability to discriminate, to relate the particular to the whole. In the case of Pentagon outlays, the built-in protection inherent in established programs often achieves invulnerability.

Because a mystique of secrecy and complexity surrounds the Pentagon, most Americans feel uncomfortable, or even vaguely unpatriotic, if they question any part of the military budget. But the fact is that the federal budget's provisions for defense far exceed our national security requirements. Although not many Americans realize it, a great deal of information about the threats to our security (and the forces we procure to meet them) can be gleaned from unclassified papers: budget statements of the President every January, annual posture statements by the Secretary of Defense, transcripts of Congressional hearings, and articles in the newspapers. Any serious student will soon discover that items in the defense budget, as in any other, range from fundamental to marginal. The difference is that in the Pentagon budget (a) vastly larger sums are involved, and (b) far less Congressional scrutiny is applied to them.

I

Using the sources above, my two years of experience in the Comptroller's office of the Department of Defense, and my own judgment of the issues, I hope first to outline how the budget can be trimmed by $9 billion and then proceed to a discussion of the weaknesses in the system which allowed this fat to survive even in the cost-conscious regime of Robert S. McNamara.

In our budget-cutting exercise these ground rules will apply:

None of the cuts is related to the war in Vietnam.

None of the cuts would impair our national security requirements.

All of the cuts are in what the Pentagon calls ongoing core programs.

All of the cuts could be effected within the next 24 months, which would allow the savings to be applied rather quickly to unfilled domestic needs.

The focus is on areas where forces or weapons systems are either duplicated or outmoded, where an enemy threat is no longer credible in today's political and technological environment, or where money is being lost through grossly inefficient performance.

Perhaps the best place to begin is with the Manned Orbiting Laboratory, which receives half a billion dollars a year and ought to rank dead last on any rational scale of national priorities. The MOL, a carbon copy of the National Aeronautics and Space Administration's spacecraft operation, is in the budget because the Air Force wants a piece of the extraterrestrial action, with its glamor and glory, and Congress has been only too happy to oblige.

Although there have been valiant attempts to make the MOL seem different, Pentagon space research is alarmingly similar to that of NASA. Listen as Dr. Alexander H. Flax, Assistant Secretary of the Air Force for Research and Development, tries to draw the distinction for members of the House Appropriations Committee:

"If you view the objectives of these programs as being simply to get data on humans exposed for some period of time, I think you have to conclude that there is a great deal of duplication, but I tried to make the point that our objective is primarily to test equipment, not humans. The humans interact with the equipment, of course."

True, there are potential military uses for space vehicles. But little thought appears to have been given to whether a separate program was required or whether the same results could have been achieved through slight adjustments in the parallel NASA activities. The MOL program is duplicative and wasteful. Of the $600 million requested for it last year, Congress approved all but $85 million. This year's budget calls for $576 million. I would strike all of it.

As for grossly inefficient Pentagon performance, the most obvious example is manpower management and utilization. Manpower is the single largest commodity the Defense Department buys; this year, the Pentagon will directly purchase the services of nearly five million Americans. Assuming an average of $7,000 each in pay, allowances, and supplementary benefits, the department payroll is about $34 billion, of which about $22 billion goes to military personnel and $12 billion to civilians.

The Pentagon has little direct control over the costs of its civilian personnel, who are recruited mainly through a government-wide civil-service pool. But its control over military personnel is complete, covering not only the $22 billion payroll but also about $7 billion annually in training costs and nearly $2 billion in moving expenses for men changing assignments.

Most men enter the armed forces either because they are drafted or because they enlist in preference to being drafted. All enlisted men entering the service receive basic training, which in the Army takes eight weeks and costs about $1,000 per head. After advanced training in a specialty, these short-term new servicemen generally spend the rest of their hitches on assignments requiring that specialty.

A more flexible training policy would not employ such a lockstep approach. Some basic training is needed for everyone, and combat infantrymen certainly need the full eight weeks. But not all of the Army's 535,000 new soldiers this year will serve in combat, and four weeks would suffice for the others. The Navy and Air Force have already abbreviated their basic training; for the Army to do so would yield, in direct training savings alone, $50 million.

Although the pattern of training and assignments for officers is far different, even greater economies are possible—and with a clear gain in individual job performance. After initial training, which is more diverse than it is for enlisted men, almost every officer is shuttled around through an amazing variety of assignments and further training designed to give him enough breadth of experience to become Chief of Staff some day, often at the sacrifice of obtaining no deep experience in any one field. The expectation is that every seasoned officer can lead an infantry battalion through a swamp on one assignment, promulgate personnel promotion policies behind a Pentagon desk on the next, and discuss black separatism with Ethiopians as military attache in Addis Ababa a year later.

In this age of specialization, such a philosophy is anachronistic and expensive. No efficient business would move its men around in so illogical a pattern. By perpetuating the illusion that every officer can aspire to the top organizational position, rather than screening the candidates earlier in their careers, the services suffer from having an excessive number of men struggling to learn totally unfamiliar jobs. Moreover, today's technological and analytical complexities demand the development of specialists whose entire experience is focused on performing one particular function well. By attempting to fill the growing number of specialist slots with generalists, job performance diminishes for all.

If we were to reduce by a modest one-fourth the present number of assignment changes (whereby servicemen move almost once a year), the annual saving in transportation and moving costs alone would be slightly over $500 million, to say nothing of the improvement in work effectiveness.

A further saving can be accomplished by changing the way the military calculates individual manpower requirements. Unlike business, which requires work units to absorb the impact of absences, the Pentagon includes a cushion to compensate for men absent on leave, in the hospital, in school, and en route to new assignments. And the military's 30 days of annual leave—which all servicemen get—is far more than the norm for civilian work forces of comparable age and experience, even acknowledging that the 30 days includes weekends. The military argues that this amount of leave time is compensation for being on duty 24 hours a day, seven days a week—but this is a myth long in need of explosion. Except for those at sea and in Vietnam, most military men work evenings or weekends no more and no less than civilians do. Cutting leave time to 20 days a year—with the exception of men on hardship duty overseas—would reduce the total armed forces manpower requirements enough to save $450 million annually.

Thanks to Beetle Bailey, *Catch 22,* and the fact that so many Americans are veterans, the supernumerary theory of military staffing has had great visibility. But an area of far greater inefficiency—supplier performance on large weapons system contracts—draws almost no attention at all. This is especially serious because the same contractor who can be extremely efficient under the conditions imposed by the private competitive marketplace can waste millions when working under a government contract. Few Americans are aware that about 90 per cent of the major weapons systems that the Defense Department procures end up costing at least twice as much as was originally estimated. Some of this cost growth comes from Pentagon-ordered changes in design or configuration, but much of it results from inefficient contractor practices or from his knowledge that the government will underwrite his excessive overhead.

It is up to the government, therefore, to impose on a non-competitive defense contractor the same cost discipline that the contractor would be forced to impose on himself in a competitive situation. Instead, the present procurement system is geared almost exclusively to securing timely delivery and good technical performance. Cost comes last.

The engine contract for the controversial F–111 fighter-bomber offers a classic illustration of what happens to costs after a decision is reached to proceed with procurement.

An aircraft of this kind has three major components: airframe (wings and fuselage), avionics (electronic navigation and weapons-guiding gear), and engines. For a technologically advanced fighter-bomber, the airframe will account for about 55 per cent of total cost, avionics 25 percent, and engines 20 per cent. The initial F–111 contract for 2,053 engines was awarded to Pratt & Whitney on the basis of an estimated cost of $270,000 per engine. Today the engines are expected to cost more than $700,000 each.

In the F–111 case, and in general, four major factors account for such cost escalation:

1. The Buy-In: Our procurement system encourages contractors to play the game called "buy-in." The rules are simple. Contracts are awarded to the company which offers the lowest bid with a straight face. Later cost overruns may bring a mild reproach or a stern reprimand, but they will not prevent the contractor from getting enough money to cover all his costs and pocket a profit. A contractor rarely takes these reprimands seriously; he knows that his competitors have similar experiences. Besides, the procurement officials have told him to worry about performance and prompt delivery, not about cost. So the buy-in game produces initial cost estimates that everyone knows are unrealistically low.

2. Design Changes: From the time bids are requested on a new weapons system until final delivery, a great many changes in design specification develop. These changes are often initiated by the Defense Department, although some reflect contractor production problems. In either case, the costs change—usually justifiably, but almost always upward.

3. Volume: Changes in volume are even farther beyond the contractor's control. In large contracts, economies of scale are often achievable; if a weapons system is found highly useful, as was the F–4 fighter, and more units are ordered than were initially planned, the later unit costs are lower. In the case of the Air Force F–111, however, cancellation of British orders and the Congressional decision to kill the Navy version reduced the number of aircraft to be purchased, thereby raising the unit cost.

4. Sheer Inefficiency: These costs arise because a contractor has slipshod purchasing procedures, poor scheduling of men and machines, ineffective work standards, or other managerial deficiencies. Such extra costs would be a threat to a company's survival in the competitive private marketplace; they should not be tolerated in defense procurement.

In calculating how much of the F–111 engine's cost growth was due to this intolerable fourth factor, we need to begin by figuring how much the first three factors cost.

We know that the original $270,000 estimate was artificially low. Allowing for buy-in fibbing and for some early required changes in design, an initial figure of $450,000 would have been more realistic. Later design changes may have raised the allowable price to $500,000. But the contractor's final estimate of $700,000-plus, made after the British action but before the Congressional cutback, probably should not be adjusted for volume changes, because the British buy was to have been proportionately very small and there are good indications that this actually enabled Pratt & Whitney to disengage itself from some expensive subcontracts. So unjustifiable contractor inefficiency amounted to around $200,000 per engine.

It could have been worse. Past practice in such cases, where the government is dealing with a single supplier rather than with several competitors, has been to accept whatever price is commensurate with the costs the supplier has incurred, regardless of how efficient or inefficient he is. But, in an unprecedented action, the Defense Department ordered an investigation of Pratt & Whitney operations to determine how much such an engine ought to cost if produced under efficient manufacturing procedures. After that, the Navy—which had contract responsibility for all F–111 engines—took the further unprecedented step of unilaterally setting the price it intended to pay. Indications are that the Navy compromised its position somewhat after some hard bargaining, but the final contract did reduce by about 15 per cent the price proposed by the company, which customary procedures would have accepted outright. This saved the government roughly $200 million.

Two other good examples of spiraling costs were described in recent hearings before the Congressional Joint Economic Committee. A. E. Fitzgerald of the Defense Department reported that the C–5A transport may cost $2 billion more than the original contract ceiling of $3 billion; yet when Defense negotiated the contract with Lockheed, then-Secretary of Defense Robert S. McNamara described it as "a model method of doing Defense business . . . a damn good contract." In another case, retired Air Force Colonel Albert W. Buesking, a former financial officer for the Minuteman intercontinental ballistic missile, said the Minuteman contractors received a 43 per cent pre-tax profit based on net worth, or about twice the normal industrial return; he estimated that defense contract costs are 30–50 per cent "in excess of what they might have been under conditions of competitive-type commercial environment."

Conservatively assuming that aerospace and shipbuilding contractors harbor an inefficiency of 15 per cent, and figuring that the average annual amount provided for research and procurement of such systems over the past three years is about $17.9 billion, then wiping out the inefficiency would annually save the government $2.7 billion.

This is no pipedream. It requires no dramatic breakthrough in management techniques. Such savings could be achieved quickly if the Secretary of Defense and the Secretaries of the individual services resolved to focus the energies of their top financial and engineering men on procurement of these major weapons systems. What is needed is some truly independent cost-sleuthing into contractors' operations, with firm backing from top Defense management for appropriate follow-up efforts.

The most fruitful way of all for saving defense dollars is to eliminate forces which no longer pack a credible punch or which were designed to meet a threat that is no longer credible.

The Navy's Polaris/Poseidon fleet ballistic missile program is vital to our national security. But the Navy's three primary and independent conventional warfare missions—tactical air, amphibious operations, and shipping protection—are overequipped, as are their associated support units. Current force levels cannot be justified by any potential threats. In my view, President Nixon was misguided when he decried America's loss of sea power during the campaign last fall. He made the mistake of applying the same argument the admirals use when they attempt to eternalize and expand their favorite programs: that the United States must have superiority in numbers, ship-type by ship-type, over the Soviet Navy. This is a legacy of late-1940's thinking, when it was assumed that we must always be ready to fight and win an extended war at sea. In the nuclear age, such thinking is highly unrealistic.

Fifteen aircraft carriers are presently assigned to the Navy's tactical air mission. Since the wallop they pack is purely the firepower of their aircraft, they should be compared with the alternative means of delivering that firepower—Air Force tactical aircraft. Carriers can deploy quickly to areas where we have no airfields, and they are safe from insurgent attacks (though they now appear to be vulnerable to Russian Styx missiles). But this flexibility comes at a high price. Independent studies place the cost of carrier-based tactical missions at three to four times that of similar missions flown from ground fields. Because of the many air bases we have built all over the world, we can rapidly deploy land-based aircraft to most areas. Carriers still play a necessary role in providing the potential to fight in a handful of otherwise inaccessible places and in meeting initial "surge" requirements for a non-nuclear war. But there is no justifiable reason to use them on extended deployments in major wars as we do now in Vietnam. Although the Defense Department will never admit it, the only reason we continue to employ carrier-based air strikes there is that the jealous Navy doesn't want to be shut out of some role in the war.

Tactical aircraft carriers could be cut from 15 to 10 without risk to the country's security. The average annual peacetime operating and modernization/replacement cost per carrier appears to be about $120 million. Assuming that the costs of expanding Air Force tactical missions to take up the slack were one-third as much, the net annual saving from the elimination of five carriers would be $400 million.

Marine Corps amphibious assault tactics have been used in minor contingencies such as Lebanon and the Dominican Republic, but against a major power they would be highly vulnerable to a tactical nuclear weapon. Nor are Marine forces now structured logistically for sustained combat, the type of war that Vietnam would suggest is most probable. Without eliminating any Marine troops, we could—by restricting their amphibious training and equipment and phasing out a proportionate share of assault ships—save $100 million annually.

A classic example of continued spending for protection against a no longer important threat is the third major area of Navy tactical forces—protection for shipping. The structuring of our anti-submarine and supporting antiaircraft and fleet escort forces harks back to the post-World War II prospect of a sea war with Russia. If we ever do begin destroying each other's ships, there seems little prospect of avoiding escalation to nuclear war, which would make shipping protection irrelevant. Further, as various jumbo aircraft near production, the cost gap between a ton-mile of plane transportation and a ton-mile of ship transportation is narrowing. Yet instead of scaling down our protective forces, we are keeping them up and even expanding them, through last year's implausible decision to begin procuring VSX anti-submarine aircraft. Killing this program and reducing overall shipping defenses to a sensible level—four anti-submarine carriers and three air groups rather than the present eight carriers—would save an annual $600 million.

Another major area in which our involvement is unreasonably large is our troop commitment in Europe. We have about 310,000 soldiers there now, accompanied by more than 200,000 dependents. Such a staggering share of the NATO burden was appropriate while our World War II allies struggled to get back on their feet, but they can now afford a larger load. Part of the thesis behind U.S. deployments is to make certain that any substantial attack by Warsaw Pact forces would engage American forces, thereby creating potential consequences that the Soviet Union would find untenable. But this could be assured with far fewer than 310,000 U.S. troops. Says Senator Stuart Symington (D-Mo.), a former Air Force Secretary recently assigned as chairman of a Foreign Relations subcommittee that will investigate the involvement of U.S. forces abroad: "Surely 50,000 American troops would be sufficient to make sure that no Soviet probe could succeed in Berlin or elsewhere in Europe without a direct confrontation with the United States."

In the event of a truly major Soviet attack, not even 310,000 U.S. troops plus the NATO allies' forces would be sufficient to thwart it. But both sides recognize that an assault of such proportions is likely to evoke a nuclear response.

Psychological reasons prevented us from making a major cut in our European forces close on the heels of the Russian takeover in Czechoslovakia last year. But that should not deter us from effecting the cut this year. If anything, our non-response to the Czech invasion simply reinforces the reality learned in Hungary in 1956—that the United States is not about to send troops into Eastern Europe no matter what the Soviet provocation.

Realistically, we could cut back to a total of 125,000 troops in Europe plus 50,000 at home earmarked for NATO contingencies, and cut by one-fourth the air power assigned to the European theater (a McNamara comparison shows that NATO air forces can deliver a payload more than three times greater than that of their Warsaw Pact counterparts). Altogether, these reductions would annually save about $1.5 billion.

The final two programs of questionable value—the SAGE-Air Defense Command system and the Sentinel antiballistic missile system share some common characteristics. Both are defensive, in an age when the balance of terror rests on offensive missile strength. Both encompass a detection function and an intercept guidance function. And numerous technical experts express serious doubts about the potential operational effectiveness of either.

SAGE represents yesteryear's attempt to defend against the Soviet version of our Strategic Air Command. It is widely conceded that the Soviets have grounded their bomber development efforts and no longer pose their primary strategic threat in this area. Nonetheless we persist in trying to further refine our bomber defenses, when in fact we have already achieved a satisfactory capability in the detection sphere. Moreover, SAGE's role as a guide to interceptor pilots is rather superfluous, given its imperfections and our primary reliance on a strong offensive deterrent. Some reductions have already been effected in the Air Defense Command, but conversion from a full defensive system to purely a warning system ought to save $600 million annually.

If SAGE is intended to sustain a mostly futile yesteryear system, the Sentinel ABM represents a misguided attempt to provide protection tomorrow. Against the destructive power of the missile, our best defense is a good offense. Particularly tragic is the staggering cost of a full-blown "thin" Sentinel system. Because it is so expensive, and the work is therefore parceled out to many Congressional districts, many politicians have favored it. It therefore may be difficult to stop before we have spent $40 billion. However, the Sentinel program faces increasingly fervent opposition in the Senate this year—partly because residents in four cities where ABM sites are being developed have objected so loudly.

Sentinel would make some sense if it truly promised blanket protection against strategic offensive missiles. But it doesn't. As Secretary McNamara said in a speech in San Francisco 18 months ago: ". . . any such system can rather obviously be defeated by an enemy simply sending more offensive warheads, or dummy warheads, than there are defensive missiles capable of disposing of them."

Secretary McNamara opposed the Sentinel, but President Johnson overruled him and decided to proceed with the program. Today we are on the road toward building a $5 billion ABM system, ostensibly for protection against Chinese missiles—as yet undeveloped—should Peking miscalculate our potential response and attack us.

It seems unrealistic not to expect the Soviets to perceive the $5 billion "thin" Sentinel as a first stage in a $40 billion "thick" defense against themselves. Senator Richard B. Russell (D-Ga.) said as much last year when he was chairman of the Senate Armed Services Committee: ". . . there is no doubt that this is a first step in a defense system against an atomic attack from the Soviet Union." Yet all seven of the men who have served over the past decade in the jobs of Science Adviser to the President or Director of Research and Engineering in the Defense Department have recommended against deployment of a "thick" ABM system designed to protect our population against a Soviet attack.

By halting the Sentinel now, before it acquires irreversible momentum, we could save $1.8 billion this year, not to mention vastly larger sums during the next decade.

The items above do not exhaust the list of things to cut—there are other savings to be made in such areas as mapping operations, the reserve forces, logistics—but the total here will serve as a start. It amounts to a total savings of $9,276,000,000.

II

If all these Pentagon budget cuts are so obvious, why didn't the cost-conscious McNamara regime push them through? Did the Whiz Kids fail? Were they really trying? I think a fair assessment would have to conclude that they were trying hard but were only partly successful, for five basic reasons.

First, McNamara's Band was greatly outnumbered by experienced adversaries bound together by a shared goal—more and bigger military programs. All the elements in this military-industrial-Congressional complex are served by an enlarged defense budget, though their motivations are different. Industry wants greater sales and profits. The military wants expanded power, plus the assurance that they will be on the forefront of technology. Congressmen respond to pressure from contractors and military employees in their districts, and those on the military committees yearn for the prestige and power that comes from presiding over a bigger slice of the federal pie. The combination made life difficult even for a man as strong and courageous as Robert McNamara.

Second, in selecting systems to analyze for effectiveness, the Whiz Kids chose to concentrate on the relatively uncluttered strategic programs instead of digging into such fat and messy activities as we have catalogued here. Within their selected framework, they generally performed technically sound, objective initial analyses. Once they arrived at a position, however, they too often "overdefended" their conclusions; that is, they were unwilling to reassess them against subsequent cost experience, technological advances, or a changing international political environment. For example, the current structuring of our programmed airlift/sealift needs emanates from a carefully developed linear programming model. This model attaches a high value to rapid deployment, stemming from an early 1960's Europe-oriented study which showed high benefits in terms of political bargaining power and casualty minimization. This analysis still makes good sense in Europe, but now appears grossly misapplied in Asia. Yet nothing has been done to revise the high value placed on rapid deployment. Such a change would point to a different desired mix of airlift and sealift.

Third, the Defense Department's budget review process concedes too much at the beginning. Last year's budgeted amounts are generally taken by everyone as this year's starting points. This practice ignores the possibility that fat crept into preceding budgets or that some of last year's activities are now outmoded. Consider, for example, the subject of training, in which the armed services have been pioneering for years by applying new technology to education. This area should be a prime candidate for frequent review from the ground up (what the managers call "zero-base" budgeting). Rather, the Defense Department budgeting process virtually concedes last year's amount and focuses on whatever incremental changes have been requested. The result, of course, is higher budgets, with past errors compounded year after year.

A fourth limitation also derives from the planning and budgeting system. Discussions about the desirable level of various forces are conducted in terms of numbers of things—missiles, carriers, fighter wings. This flows naturally out of intelligence estimates of enemy forces and subsequent analyses of how much counterforce the United States needs to nullify them. Approval is then given to the Air Force to buy 40 more fighters or the Navy to buy four more submarines, each with specified capabilities. But carrying out such purchases is not like walking into an automobile showroom and asking for a yellow Plymouth Belvedere sedan with power steering. As a submarine is built, many unanticipated choices present themselves; they involve different levels of effectiveness or convenience for different levels of dollars. Inevitably the generals and admirals want to buy as much capability as possible; it is almost always more than is required to meet the threat. For want of adequate follow-up by top procurement officials, the generals often have their way.

Finally, the President and the Budget Bureau have shied from making public any meaningful comparisons between millitary and domestic programs. Systems analysis, the technique that aims to measure the relative national worth of results obtained from alternative programs, cannot precisely compare the benefits to be gained from highly diverse activities. Yet inexact as such comparisons may be, the Budget Bureau does make them and present them to the President from time to time. If the President, for his part, were to discuss national priorities more frequently and candidly with the public, then Congressmen might be less likely to base their judgments on the only other available view—that the present balance of activities is about right.

The present balance of activities is anything but right. Unmet national concerns for human opportunity and the quality of life require an investment even larger than the amount that would be freed if all of the Pentagon reforms outlined in this report were carried out.

Perhaps the clearest, most thorough delineation of these high-priority social needs is found in the report of the National Advisory Commission on Civil Disorders. To redress root causes of despair and frustration, the Commission recommended a long series of measures which, if enacted in full, would cost between $13 billion and $18 billion a year over their first several years.

The only way to begin addressing these unfilled needs is to take money away from Pentagon programs that must rank lower on any rational national-priority scale. Examples provide compelling support for this argument. We have such choices as:

Funding the Manned Orbiting Laboratory—or providing Upward Bound summer courses for the 600,000 additional ghetto students who have the potential to go to college:

Spending this year's Sentinel funds—or training 510,000 more hard-core unemployed;

Continuing to operate one of the marginal tactical aircraft carriers—or training and supporting 20,000 more Teacher Corps members;

Maintaining our full troop complement in Europe—or diverting an additional $10 million to each of 150 Model Cities;

Permitting excessive contractor costs to flourish unchecked—or providing Head Start education for 2,250,000 more children, plus enough school lunches to feed 20 million children for a whole year.

These alternatives are real and immediate. They do not represent wishful dreaming. The choices are up to Mr. Nixon, to the Congress, and ultimately to ourselves.

In real terms, no cost is too high for true national security. Let there be no doubt. I fully back any concept which protects and advances the security of this Nation. But I am unwilling to support fantasies of the military-industrial complex in the quest for an ever-increasing share of our national product.

It is absurd for Congress to authorize a program which can cost up to $100 billion and which—even if it did work—may concede the lives of up to 90 million persons. Other Members today are presenting an overwhelming case documenting the sketchy premises upon which the ABM system is being built. I shall not repeat those arguments. Justification for ABM has yet to be proved, and it is nonsense to continue to deploy the system on the basis of the arguments brought forth so far by its proponents.

Were scare merchants willing to put as much effort into establishing a functioning Nuclear Nonproliferation Treaty and to seeking peaceful ways to end the suicidal arms race, then I might hold a different view of their judgment and motives.

My own personal views on means of achieving a secure and lasting peace are best reflected by a major policy statement recently released by the National Council of Churches entitled "Defense and Disarmament: New Requirements for Security," which I would like to insert in the Record at this point:

DEFENSE AND DISARMAMENT: NEW REQUIREMENTS FOR SECURITY

(NOTE.—This Background Paper is issued by the Department of International Affairs of the National Council of Churches for use in connection with the NCC Policy Statement on this same subject.)

INTRODUCTION

It is the purpose of this statement to address the issues of national defense and security in Christian perspective in an effort to provide a new concept of, and a new context for, national security. We believe that a new international community is coming into being in the midst of the system of nation-states, which for so long have been preoccupied with their own security—a security understood largely in military terms. This new system of increasingly global interdependence is one in which security must be seen more and more in its international dimension—bound up with technology, international finance and trade, and cross-cultural encounter. The world view that provides the context for present United States defense policies seems to be an inadequate reflection of this reality.

One of the dominant elements of the post-World War II period has been the "Cold War" and the arms race that it has spawned and on which it has fed. This phenomenon grew largely out of the convergence of two historical events—the development of atomic and nuclear power and the ideological rivalry between "the free world" and "Communism." Enormous scientific and technological advances have put at man's disposal an unprecedented amount of power. At the same time, demands for national security, generated especially by the ideological and power confrontation between the Great Powers, have led to the channeling of a large portion of this power potential into defense and defense-related projects. Each of these events has aggravated the other.

During the past two decades questions of defense and national security have increasingly become the chief concern of the United States Government. A growing proportion of our national substance is being channeled into defense-related endeavors in a search for increased security. This has created an astronomical increase in the destructive power of our military forces. As a result, the problem in the nuclear age is no longer the increase but the controlling and curbing of power.

Without denigrating the legitimate duty of nations to provide adequate protection and security for their peoples, we believe that it is incumbent upon Christians and others to declare that an increase in military power is not necessarily an increase in security, prestige, or any other value. If the requirements of a just peace and the understanding of a responsible use of power, as suggested by the National Council of Churches,[1] have validity, it is therefore imperative that Christians in the United States address themselves to questions raised by the United States emphasis on military power in the pursuit of security.

The emerging international community is at present more of a community of risks than a community of mutual concern and action, but it is a historical reality and not simply a disembodied ideal. The Christian faith must recognize and celebrate the development of this new universal community and must view the policies of nations in this light. That faith requires no less a perspective than one that embraces all nations, and it does not permit the interest of any nation to become absolute. Thus, both historical events and the demands of the Christian faith lead us to ask for a new approach to questions of national defense and security by the citizens and the Government of the United States.

I. THEOLOGICAL PERSPECTIVE

Man in his finite freedom can use the power he has developed in ways useful and redemptive for humanity or in ways destructive and dehumanizing. The Christian must therefore be particularly concerned, along with all men of compassion and human sensitivity, with the management of power, especially military power.

For the Christian this concern stems first from his belief that God is Lord of creation. Man has been given the whole of creation to tend, to develop, and to use in his freedom for the common good. Creative in the image of God, man is to be creative also, using his God-given power and freedom in ways that will serve the common good and further God's loving purposes for His world.

Second, this Christian concern stems from the belief that God is sovereign over His creation. The sovereignty of God imposes limits on all national sovereignties and on the use of power by these sovereignties. At the same time it gives a degree of legitimacy to national sovereignty since, in our era, it is the nation-state that is a primary instrument through which men work to shape the conditions of human community—conditions without which men could not realize their intended potential.

Third, the concern of the Christian is based on his belief that God is active in His creation through participation in its history. The sovereign Lord of creation is also the God who "was in Christ, reconciling the world to himself" and who calls us to be agents of reconciliation. In our era, when the political sphere is so determinative for the direction of history and for human existence itself, the Christian must seek to discern and to respond to the political dimension of this reconciling activity.

Within this theological framework, there has been historically a diversity of Christian conscience regarding military power, its legitimacy and use. For some defense is grounded in the commission of government to maintain peace and order in a world always threatened by chaos, to develop and maintain a positive order of justice as a work of love, and to provide a stable political existence within which life may become more genuinely human. For others, the use of military power cannot be supported by Christian teaching. For them, the reconciliation and love which the gospel proclaims and to which it summons men are antithetical to the use of military force. Most would agree, however, that the roots of the Christian concern for the management of existing power, i.e., the belief in God as Creator, Sovereign, and Reconciler, place qualifications on its establishment and use. First, man's responsibility for the created order is a responsibility to preserve and develop it, not to abuse and destroy it. The use of large amounts of the world's wealth and manpower for the development of ever-improved means of destruction calls into question the quality of the stewardship man exercises in his care of the earth. Defense policies that threaten the destruction of a large part of the created order are likewise to be questioned.

Second, God's sovereignty, which imposes limits on political sovereignty, also places limits on the moral autonomy of any aspect of the political order. A government's political or military activity that tends to exceed the limits of its commission or to frustrate the intentions of that commission is in effect an act of self-idolatry and a denial of God's sovereignty. This precludes an uncritical "my country right or wrong" attitude on the part of Christians.

Third, God's reconciling act in Christ, the response to which is the Christian vocation of reconciliation, denies the ultimacy of the parochial political community and affirms that the "enemy" is the brother for whom Christ died. Defense policies that intend or threaten to destroy the enemy society deny the inclusiveness of the human community and in effect reject the Christian mission of reconciliation.

The function of politics, and the legitimate concern for security must, according to Christian faith, be controlled by and responsive to God's creative, ordering, and reconciling work. Man's relationship with man is marked by much distrust, disorder, and alienation, particularly in the relationships among national communities. Technology has created a community of mutual dependence but not one of trust and mutuality. In this political realm the Christian vocational concern is not with establishing a perfectly moral order. Rather, it is a concern to provide better conditions for an effective work of love in which such trust and mutuality can be more effectively realized, i.e. conditions under which the mission of reconciliation can be carried on in relatively better circumstances. The appropriate conditions to be sought, however, may vary considerably, depending on the situation calling for a response. While we are to serve the growth of community and reconciliation, we have to seek them through an endless variety of circumstances and in a world that often does not permit us to seek them directly. On the other hand, the mutuality of interests that does exist must be utilized to its greatest advantage in order to broaden and strengthen the basis for future international cooperation.

---

[1] Policy Statement, "Imperatives of Peace and Responsibilities of Power," adopted by the General Board on February 21, 1968.

II. SECURITY AND THE INTERNATIONAL SITUATION

As men and nations seek to create conditions under which the work of reconciliation can be carried on more effectively, there must be a clear perception of the international situation to which they must respond.

Under present conditions the instruments of international order are inadequate to resolve the most persistent and threatening conflicts among the nations of the world. Given these conditions, which we believe to be transitional to more integral forms of international community, it is to be expected that the various nation-states will assume the responsibility to maintain their own security arrangements, either individually or in concert.

In the pursuit of such security arrangements, however, at least two nations, the United States and the USSR, have already developed the power virtually to destroy whole societies and to lay waste that social fabric that is indispensable for meaningful human existence. The goal of the policies that resulted in this great accumulation of power has been a legitimate one—national security or, as it has sometimes been stated, the kind of world in which we and others wish to live. But there is real evidence that this goal has not been fully achieved and that, in fact, the defense policies and strategies designed to realize it have in some ways tended to thwart legitimate security goals.

In theological terms, the adequacy of present defense policies must be questioned in view of the following dangers: First, they threaten to destroy the created order for which man is responsible, not only because of the immediate effects of nuclear blasts and fire damage but also because of the long-range effects of genetic damage and nuclear contamination of the earth. The ecological effects of chemical, biological, and radiological warfare can be equally destructive of the created order. Second, the requirements of present policies seem to have become self-validating in actual practice and to have subordinated other values. Such relatively unquestioned acceptance, often in the name of military necessity, tends to make the policies self-justifying ends in themselves. Third, the possibility of advanced escalation in an actual nuclear war implies the destruction of the adversary's population and social order and, in so doing, denies the inclusiveness of the human community. The destructiveness of large-scale conventional warfare may have the same result. In each instance, then, there is a breach of the limitations that the Christian faith would place on defense measures.

In political terms, the adequacy of present defense policies must also be questioned in the light of the criticisms of many knowledgeable observers. There are several aspects of the present international situation that, in view of the positive political goals they seek, call into question both the wisdom and the effect of current national defense and security arrangements. Among these are the following:

(a) The national security of the United States has declined as the nuclear arms race has increased. Though our defense capabilities already go far beyond the needs of deterrence, rarely in history have men been so fundamentally insecure, especially those in nuclear nations. There is no adequate defense against a sophisticated nuclear attack. In a nuclear confrontation our massive power could be employed only at the cost of reciprocal national suicide. Thus the mutual escalation of the nuclear arms race increases only mutual destructive capabilities. It does not increase security.

(b) The distrust and suspicion of the Cold War are often further exacerbated by some of the military postures that are designed to cope with it. Mutual deterrence can easily generate new fears, lead to higher levels of unnecessary armaments, and undermine efforts toward arms reduction and mutual accommodation, which are necessary for a stable international order. Regardless of intentions, actions by either the United States or the USSR to increase its nuclear capabilities trigger similar reactions on the other side. So long as this "action-reaction phenomenon," which fuels the arms race, continues, fears will be aggravated rather than allayed and nuclear arsenals, already greatly in excess of what is needed to be credible, will continue to grow.

(c) The nuclear arms race and the perpetuation of the Cold War have resulted in an enormous outlay of money and resources for military purposes which jeopardizes other national programs. With the added impetus of the Vietnam war, two thirds of our total national expenditures are now spent for defense-related purposes. Currently, the military expenditures of all nations amount to about $140 billion annually, with the $72 billion United States defense budget for fiscal 1969 more than equaling the defense expenditures of all the rest of the world combined. This vast use of our money, manpower, natural resources, expertise, and energy for defense-related purposes removes these resources from more humane and constructive uses, and perpetuates the long-standing neglect of increasingly dangerous domestic problems. It also means increasingly inadequate efforts to deal with the overwhelming security problem posed by the world's hungry and deprived majority. The $140 billion spent by the nations annually for defense pales into insignificance the $9 billion spent by all nations for international development.

(d) The power and influence that inevitably accompany the control of such a large portion of our national resources mean that military considerations now influence virtually all other national decisions. This is not to say that some conspiratorial military-industrial cabal is responsible for this phenomenon. It is doubtlessly more accurate to see it as the result of a huge military establishment, whose needs have of necessity given rise to a large private defense and research industry. Together, tied by bonds of common interest, they have become a major political force. Nevertheless, the result has been that the issues of war and peace, of international trade, of economic development at home and abroad, and of science and higher education are being determined increasingly by government decisions concerning strategic deployment of military forces and weapons and military technology. The allocation of the nation's resources, the determination of its priorities and purposes, and the possibility of free political debate and academic inquiry are all affected by these decisions.

(e) There are dehumanizing elements in the nuclear strategies of the Cold War. Weapons of mass destruction lead inevitably to calculations of human destruction in terms such as "megadeaths," as opposed to the more sobering "one million dead human beings." This effectively dehumanizes the enemy, especially when he is also thought of collectively in ideological terms like "Communists" or "Cong." The remoteness of push-button warfare, removing the enemy from the immediate presence of his adversary and making killing easier psychologically, strengthens this tendency. Dehumanization is also a danger within the nation. The acceptance by the populace of a national commitment to use weapons of mass destruction can, over a long period of time, lead to ethical desensitization. This can also be the result of living in what has been termed a "weapons culture," a society increasingly devoted to and organized for the production of the tools of war.

(f) An overly ideological approach to the world's ills on both sides influences the perception of events and causes distorted interpretations of the facts to fit the preconceived ideology. The oversimplified and now outdated bipolar world view, formulated at the end of World War II and still adhered to in some quarters, tends only to perpetuate the dated dogmas of the Cold War. Such a world view seems increasingly inadequate to describe the contending interests within and between blocs and the new realization of common interests between supposedly implacable foes. This gap between perception and reality can only exacerbate the dangerous Cold War rivalry, slow down the advance toward international order, and have a deleterious effect on that open communication between nations that is essential for understanding and reconciliation. At the same time, such an ideologically-colored perception of reality can set in motion the mechanism of the self-fulfilling prophecy.

III. A NEW CONTEXT FOR SECURITY

The demands of the Christian faith, and the most salient features of the international situation to which Christians must respond, lead us to ask for a new approach to national defense and security issues on the part of the citizens and the Government of the United States. Such an approach should encompass at least three interrelated requirements:

A. A first requirement is a new understanding of security. We believe that present military planning, with its emphasis on the continuing buildup of military forces, is out of touch with the real security needs of the nation. In our world, security is not to be found in vast defense establishments, which in a variety of ways often help to exacerbate the very insecurity they are meant to alleviate. Moreover, excessive preoccupation with the limited area of military security dangerously narrows the national perspective on the broader meaning of security.

The present threat to United States security arises from neglect of social justice—a result in part of defense spending—and reveals a new and tragic dimension to the problem of security, for which traditional concepts are inadequate. National security in the modern world must be supplied by international processes and institutions for arms limitation and control, for peace-keeping and peacemaking, for development, for finance, and for adjudication, rather than by immense defense establishments. Only a new understanding of national security and its integral relationship to the needs of the underdeveloped world can make international security possible.

B. A second requirement is a new approach to the use of national resources. We believe that, while national security does require the maintenance of an adequate military force, the level of armaments reached today far exceeds that needed for security and is leading us to ignore the desperate plight of many of our own citizens and of people throughout the world. A national security that is supplied by international processes and institutions calls for a use of United States resources—money, manpower, natural resources, and expertise—commensurate with the requirements of justice and peace. The building of our own nation and the use of our resources to help others build their nations are the two primary tasks. A major shift from the objective of increasing military capabilities to the objective of sound development and nation-building is necessary to meet these tasks.

C. A third requirement is a new emphasis on human rights and values. We believe that defense policies should be, in the last analysis, for the service of human life on earth, and must be constantly revised in the light of what they are designed to defend. Otherwise it may be possible for the defense establishment to make its work an end in itself, to become overly fascinated by the tools of war and their efficiency, and to forget or even unconsciously to thwart the purpose they are to serve. That purpose is, simply, to act so that man's life on earth may have the stability required to enable it to become human.

Emphasis on the human ends of defense means also that citizens must regain a greater degree of control over the military services that seek to protect them. Defense policy has been increasingly removed from effective political processes. It is a part of our present mentality that defense problems are left to the "experts," and that largely without question the citizens pay the immense bills that result. The right and duty of citizens to debate and to express themselves in defense matters must be reawakened. They must insist that their resources be used to meet real and pressing human needs, not applied to military goals, which bear little relation to those needs. They must reject the tendency, both at home and abroad, to answer deep issues of human rights in terms of coercion or suppression. There is a need for a new establishment of priorities between the claims of military defense and the claims of human rights and values.

The foregoing context for reappraising the meaning of security suggests the preliminary necessity of acknowledging that the present policy of maintaining nuclear superiority is ultimately futile. There is no advantage to be gained by nuclear superiority, however it is computed, when each side is admittedly capable of inflicting overwhelming damage on the other, even after being attacked first. Such effective parity has been operative for some years. Any effort to achieve superiority only leads to ever-higher levels of armaments as it forces the side with the lesser capability to seek to overcome its inferiority and forces the side with the greater capability to seek to maintain its superiority. In the wake of this action-reaction phenomenon comes a decrease in both stability and security.

The political context of international relations has changed sufficiently to allow for and even encourage a movement toward a decline in the importance of nuclear weapons. That context includes positive political forces that provide opportunities to strengthen the bonds of international community and to make possible reductions in military stockpiles. Once the meaninglessness of nuclear superiority is acknowledged, those positive forces can be more widely perceived and utilized. Communism, for example, is no longer monolithic. The extreme hostility of the Cold War years has been reduced, and even in spite of Vietnam a limited but real spirit of mutual accommodation has developed.

The United States and the USSR both realize that war between them is unacceptable and that, while many differences remain, there are many areas of mutual interest. Both have critical domestic problems calling for attention. Both also are beginning to understand that cooperative efforts to help solve the problems of the developing world are necessary lest these problems one day threaten the security of both of them.

The effort to encourage a new approach to national defense and security issues, therefore, does not have to take place in an international milieu completely alien to the goals of that effort or completely unsympathetic to its requirements. That attempt can and must capitalize on the common interests and concerns already built into the present international situation. In addition to the elements of disorder, there are also elements of order present. The Christian political vocation must seek to utilize these elements as it seeks to restore defense to its proper limits and to subordinate it to the demands of justice and the work of reconciliation among peoples and nations.

IV. PROPOSALS FOR ACTION

Many years of effort to seek mutual agreements on the control and reduction of the instruments of force have netted little agreement. There have been a few successful efforts, most notably the 1963 partial test ban treaty, the outer space treaty, and the nuclear nonproliferation treaty. These have been constructive steps, and have helped to lay the foundation for more far-reaching agreements. The United States' efforts in concluding these agreements are to be commended. The nonproliferation treaty, now awaiting ratification by all nations, is an important and necessary step toward preventing the further decline in the security of all nations that would result from the proliferation of nuclear capabilities, and from the ensuing regional arms races and drain on scarce resources. But these agreements have done little to halt the nuclear arms race among the Great Powers or to allay the mutual fear and distrust, which that arms race both reflects and perpetuates. Neither have they brought about a new approach to the problems of defense and security.

In striving to achieve the objectives required for a national reorientation on issues of defense and security, what is called for in terms of next steps? The following are suggested as illustrations:

A. Arms control and arms limitation

A general prerequisite for meaningful progress in arms control efforts is a good deal more flexibility in arms control negotiations and a greater readiness to undertake such things as unilateral steps, reductions by mutual example, and relaxation of verification requirements. Such flexibility can lead to mutual accommodations that will offer a more promising prospect for major steps toward both disarmament and broader but directly related political settlements. Specifically, it seems essential that the following measures be implemented:

1. A mutual halt in the further production and deployment of strategic offensive and defensive missile systems. The 1964 United States proposal "to explore a verified freeze in the number and characteristics of strategic nuclear offensive and defensive vehicles" deserves renewed emphasis, though explorations should not be restricted to this specific formula. A halt in the production of the weapons of greatest destructiveness would reduce the fear of the development by one side of a decisive first-strike capability, thereby strengthening internal resistance on each side against pressures for more ICBM's or antiballistic missiles. A unilateral United States freeze, at least for a finite period of time, should also be considered.

A mutual halt in the deployment of missile systems, at least for an agreed period of time, would add to the security of both the United States and the USSR. Each can now assure the destruction of an unnecessarily large percentage of the other's population, regardless of enemy defense capabilities. Such a halt could be effectively monitored by existing national satellite observation capabilities. Such a halt, in either production or deployment, not only would increase security but also would open the way for reduction in strategic arms and defense spending. Any such halt should be followed by negotiations to begin actual reduction of strategic weapons.

Specifically in regard to defensive weapons, every effort should be made to resist the pressures to expand the present plan for a "limited" deployment of a United States antiballistic missile system. Some would even seek to rescind the decision to begin an ABM deployment. The decision to deploy the ABM can have serious consequences for both the world political climate and the real security of the nation, particularly if those who see it as a first step to a heavy, Soviet-oriented system are heeded.

2. Widespread support for the nonproliferation treaty. A halt in the further spread of nuclear weapons to nations which do not yet possess them is an important and necessary step in reducing the danger of nuclear war. The development and possession of such weapons by an increasing number of nations would increase the possibility that these weapons will be used, thereby threatening the peace and security of all nations. Regional rivalries could lead to arms races all over the world and the draining of scarce resources from more constructive projects. Thus the nuclear nonproliferation treaty agreed to by the United States and the USSR and awaiting the approval of all nations deserves strong support.

3. A mutual cessation of the production of fissionable material for military purposes, under IAEA-approved safeguards, and the transfer of agreed quantities to peaceful uses. Such a step would cut off the supply of an essential ingredient for the further production and testing of nuclear weapons. This would be an appropriate response to the demand of the non-nuclear powers for some step toward nuclear self-denial by the nuclear powers. Recognizing the great need in the world for new sources of energy for constructive purposes, and the great economic potential available through the peaceful uses of nuclear energy, we also urge the United States to continue to seek ways to make the peaceful services of nuclear explosives and nuclear fuel available to non-nuclear states, through appropriate international bodies and with safeguards against their use for military purposes.

4. A comprehensive test ban treaty, taking into full account available national means of detection and inspection. Further improvements in nuclear weaponry will not significantly affect the military balance. Therefore the degree of assurance against violation of a nuclear test ban can be relaxed. Technological developments have also greatly improved the nation's ability to detect and identify nuclear weapons tests, thereby making an on-site inspection provision less critical. Continued testing only acts as an incentive to the nuclear arms race.

5. A United Nations declaration forbidding nations to place weapons of mass destruction on the seabed. This is an environment not yet penetrated by nuclear weapons. Every effort to prevent the introduction of such weapons into areas that are currently nuclear-free, as has been done in the Antarctic and in outer space, is to be supported. The United States intention to adhere to the Latin American nuclear-free zone treaty is to be commended.

6. Continued study and planning in problems related to conversion from defense to nondefense production. Study and planning on conversion are essential in order to avoid serious dislocation in the economy and also to avoid any tendency to prolong wars for the sake of the economy. Adequate planning

can help to bring about a transition with a minimum disruption of the economy, can release funds for the urgent domestic needs of our nation, and can stimulate thinking about opportunities for further productive use of our resources.

7. Efforts to strengthen international measures against the production and use of chemical and bacteriological weapons. These weapons can be developed with relative ease. Every effort must therefore be made to strengthen international revulsion against the use of such weapons, to seek binding agreements not to use such weapons, and to develop effective control and verification measures to reinforce international restraints.

Some of these steps are already United States policy. Others are not. But in all cases they are first steps which will do little more than freeze the status quo. Their significance will lie primarily in the extent to which they reflect a new, dominating determination to proceed more drastically, so that further steps in the control and reduction of armaments may be achieved.

B. Defense spending and use of resources

1. Significant reduction in United States defense spending and the channeling of the funds into development projects both at home and abroad. The fiscal 1969 United States defense budget equals our total national budget of only a few years ago, surpassing the total national economies of the great majority of nations, including China, and dwarfing our expenditures for both foreign aid and our critical domestic needs. New demands for substantial increases in the already appallingly large military budget are constantly being made.

The seemingly sacrosanct nature of the defense budget, as evidenced by the limiting of calls for economy to "nondefense" spending and by the minimal critical appraisal of its size and content, must be challenged. The imperatives of the Christian faith call for support for the poor and downtrodden, justice for the oppressed, and a responsible stewardship of our wealth and resources. These demands in this case coincide with both the best traditions and the highest interests of our nation. As long as the gulf between the developed and underdeveloped segments of mankind remains and even grows wider, there can be little progress toward a more humane global order or toward reconciliation among men, either at home or abroad. Toward this end, every nation should reexamine its use of its own resources.

For the United States, only a reversal of its national priorities, as those priorities are actually reflected in our national budget, can hope to have a significant effect. A realistic, independent assessment of security needs, free from the rationalizations of dying ideologies and outdated slogans, indicates that we do not need to wait for complex agreements on balanced military budget reductions before some cuts can be made. The termination of the Vietnam war and progress in controlling the arms race could and should lead to defense budget cuts of at least $25 billion per year.

2. A radical curtailing and strict controlling of the supply of arms to other countries. The proliferation and distribution of non-nuclear weapons, as practiced by the major industrialized nations, tends to fuel regional arms races and regional wars, encourages military government and the suppression of needed social change, and drains from underdeveloped nations critically needed resources for economic development. It also works to undermine both our long-range national interests and the quest for better conditions for an effective work of reconciliation among men.

The supply of sophisticated weapons to underdeveloped nations should be halted. Arms competition with the Soviet Union should stop. The United States, as the largest supplier of conventional arms to other nations, should seek an agreement with other suppliers to form a conventional arms moratorium on certain conventional weapons, such as missiles and jet aircraft. It should also seek agreement on registration of all arms shipments with the United Nations. In the interim it should refrain from further endangering stability, especially in sensitive areas, by unilaterally curtailing its arms transfers. The long-term consequences of the uncontrolled and growing world traffic in arms outweigh any short-term advantage such as influence over military elites or an improved balance of payments. Such a method of solving the problem of international insecurity is demonstrably self-defeating.

C. Peacekeeping, peacemaking, and disarmament

1. An increase in United States efforts to strengthen the United Nations as a peacekeeping and peacemaking agency. In a nuclear age, when no amount of offensive or defensive weaponry can preclude nuclear catastrophe, there seems to be no rational or moral alternative to the development of an adequate system of international collective security under the aegis of the United Nations. An effective United Nations peacekeeping capacity will require a significant measure of Great Power cooperation. They and their principal allies must come to the understanding that unilateral and competitive peace-keeping will be more likely to magnify than to reduce the risk to national security and that a mutually acceptable and manageable way of limiting these risks would be to strengthen the peace-keeping capacity of the United Nations. This could lead to a substantially more effective United Nations, which could replace the military posturing of the worldwide Great Power confrontation and thereby help to relieve the inherent insecurity of nations which are now prisoners of their mutual distrust.

As examples of appropriate efforts we recommend that:

(a) Member nations of the United Nations train and maintain in readiness special forces that would be available for use in United Nations peace-keeping operations. Countries now maintaining forces for United Nations use for peace-keeping operations should be encouraged to make bilateral agreements with the United Nations Security Council, under Article 43 of the Charter, to specify conditions, including financing, for the use of these forces. Other countries should be encouraged to make similar agreements, thus putting on a more permanent basis the availability of national forces to the United Nations.

(b) The United States accept the compulsory jurisdiction of the International Court of Justice. The Congress is urged to repeal the Connally Amendment, which declares that United States acceptance of such jurisdiction does not apply to matters within United States domestic jurisdiction as that is defined by the United States.

(c) All nations be encouraged to seek a nonintervention treaty designed to keep the Great Powers out of local disputes, to provide for United Nations observation machinery in such instances, and to allow for an automatic United Nations investigating force for use in nations that claim they are being subverted. Peace-keeping, if it is not to become war-making, is a task that must be performed collectively.

2. A major and sustained effort by the United States, in conjunction with other nations, for substantial and rapid progress toward arms control and general disarmament. This has been a goal of United States policy since 1961, and since 1962 the United States has participated in continuing international disarmament negotiations with limited but significant success. There must be a constant awareness of the necessity not to treat disarmament in isolation from the political conditions that cause international tensions or from the total peace-building process—a process that must include measures to enable the United Nations to become an effective agency for keeping the peace. Within such a context, progressive disarmament through international agreement can release the resources and manpower of many nations, thereby making a substantial contribution to the welfare of humanity.

The defense postures and strategies of the major powers both reflect and to some extent perpetuate the distrust and alienation that characterize the fractured international community. In seeking a just and peaceful international order, Christians must first seek to ameliorate the conditions that set men against each other and to create conditions in which reconciliation can take place. In doing this, much of the actual work will of necessity take the form of ground-clearing and obstacle-removing, clearing the way for a new approach to the issues of defense and security.

Present policies call into question our stewardship of our God-given resources, our national sense of priorities, and our wisdom in the management of power. A serious examination of the assumptions behind these policies, and their actual effect on real security in our revolutionary world, could greatly improve the chances of at least a limited Great Power accommodation so necessary for a just peace and a stable international order. It is in such accommodation and the "technical" measures of arms control that will result, as much as it is in zealous advocacy of peace in general terms, that our hope lies for avoiding disaster and for improving the conditions for reconciliation among nations.

But in order to achieve these measures it is necessary to stop thinking in obsolete terms. There must be a new context for looking at defense matters, requiring on the part of churchmen and all citizens a change of concepts, disposition, will, and determination. Such a reorientation can bring the United States to use its power in the years ahead to secure the development of nations and peoples, including its own, and to establish the international structures necessary for world order, justice, and peace. Only such a reordering of priorities can lead us toward real security.

Today's colloquy on ABM has generally concentrated on the external forces which have led to the initial deployment decision. I recognize that external pressures hold a key place in the ABM controversy. I would again want to emphasize that we must not be deluded from recognizing that internal factors have played a dangerous and leading role in the push for ABM.

Ever since the Vietnam war escalations, policymakers here in Washington have acted as if all national priorities were predicated upon the direction of events in Southeast Asia. That is, domestic policy was secondary to foreign policy. The result has been a festering of the ills of our cities and a decreasing of hopes and aspirations for a better life by millions of poor Americans while we continue to pour billions of dollars into a wasteful war. Very few persons have gained from such a ranking of priorities, and, many—both at home and abroad—suffered greatly.

Today, with whatever chances we have of peace in Southeast Asia beginning to brighten slightly, policymakers again are faced with making hard choices. Where we go from here can be dictated by a commitment to some rational sense of priorities, or we can be thrown back into the morass of frustration once more.

Our decision on ABM will be pivotal. If we bow to the superhawks, to the scare-merchants, to the profiteers, we will only be enhancing the arms race. In the end, relatively few will gain—if any at all—and perhaps the whole world will suffer.

In conclusion, Mr. Speaker, I would just like to say that I hope we can devote more time to an analysis of the profound implications of this issue which, despite the very excellent debate this afternoon, we have only begun to touch upon in terms of all of the various things that need to be brought into this discussion. I would be very, very unhappy if I thought that we were progressing on a tragic course as a result of political decisions made in 1967, for which there is no longer any validity, and that we do not have the guts here in this Congress to rise up and to question whether or not the basic security of this country is going to be furthered or hindered as a result of actions which we take.

Again I thank the gentleman for yielding me this time.

Mr. GIAIMO. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Connecticut.

Mr. GIAIMO. Mr. Speaker, I thank the gentleman for yielding.

I want to commend the gentleman from Indiana who posed several questions that I believe bring this debate and discussion into real perspective, and I am delighted that the gentleman did so, because to me it indicates the very essense of what we are discussing here, and what we are trying to accomplish here, and that is a full-scale review of whether we should continue along the lines we have already adopted through authorization and appropriation for the Sentinel system.

But the gentleman from Indiana raised a question which is significant, wherein he stated that he was concerned by the fact that some statements were made here today that indicate that if we did not spend the money for defense items such as the ABM system, we would have this money available for expenditures on some of our other needs, particularly the needs of a domestic and urban nature.

I agree with the gentleman from Indiana that this should not be an "either-or" proposition, or a guns-or-butter proposition, because I certainly feel that the highest priority that we as a nation can have is our defense and our safety, as a nation.

Our defense capability, therefore, must be adequate to assure this, because if we do not have this we will not exist as a nation, and will not be able to do any of the things which must be resolved in the cities.

Certainly we should not put this debate on the plane that if we save the money in defense, or ABM systems, we would then have this money available to use in our cities.

I believe that would be an ill-advised argument on whether or not to go ahead with the ABM system. I believe the ABM system must stand on its own feet as to whether or not it is an effective weapon in our arsenal of defense.

The other question that was raised then was: Why, then, if there is so much opposition to it does the military feel disposed to proceeding and going ahead with it?

It has been obvious for quite a few years there has been opposition to the development of an ABM system. Former Defense Secretary Mr. McNamara was opposed to it until he decided otherwise at a later date. Former Presidents have been opposed to it. I understand that President Eisenhower was opposed to it and that President Kennedy was not disposed toward deploying an ABM system. The same is true so far as President Johnson is concerned and President Nixon at this very date wants a full-scale study into this matter to decide whether or not to proceed.

Of course, the military has been in favor of it. I have the highest regard for the military. They are our experts in this area.

But it is up to us as civilians to tell them when to put the brakes on because they would otherwise have us proceeding with all forms of weapons expenditures as they did in the case of the B–70 or in the case of the Skybolt and perhaps in the case of the F–111.

But we have responsibilities as civilians after being given the facts by our military experts to determine whether or not we should proceed in this area.

I suspect the reason we have so much opposition by the former administration to the deployment of the ABM system and then subsequently were told that it was in our best interest to proceed with an anti-ballistic missile system last year—I suspect the reason for that change in position was not so much that it was not scientific and not based on whether or not it would work effectively as a defense weapon, but in fact that it was a political decision—political in the international sense. Because of the fact the Russians had deployed a system around Moscow and Leningrad and because we were planning to negotiate and to talk with the Russians on the reduction of nuclear weapons and nonproliferation and armaments in general.

I believe it became a political weapon—that we would be in a better bargaining position with the Russians if we were to deploy an ABM system.

My answer to that is that we are not in a better bargaining position if we deploy an ABM system which will not be effective. The greatest weapon that we have in any discussion with the Russians and the greatest argument we have with them is—you do not have a first strike capability against us and we do not have one against you.

To assure that we do not lose out on our side insofar as any nuclear deterrent is concerned, we must rely, as has been said time and again on this floor—we must rely on our offensive weapons that the Russians know about and are aware of. If they realize and recognize the strength of our offensive weapons and they do not have a first strike capability against us, then this is the greatest weapon that we could have in any forthcoming discussion with the Russians to reduce armaments and to reduce the threat of nuclear war.

I think this is the reason why there was a change of position by the former administration when it suggested to the Congress to change our position and that now we should go ahead with the deployment of an ABM system. I think it is faulty and I do not think it will really give us an edge with the Russians. I think we will be expending billions of dollars and not be coming up with an adequate defense system. We will, in fact, have accomplished nothing but increased the escalation in nuclear power both in our own arsenal and in the Russian arsenal.

Mr. LEGGETT. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman.

(Mr. LEGGETT asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. LEGGETT. Mr. Speaker, I thank the gentleman from Wisconsin for yielding.

Mr. Speaker, I think the debate today led by the gentlemen from California and Wisconsin and by the gentleman from Illinois who I understand will follow shortly—this discussion of the ABM system is probably the most important thing that we will do in this House perhaps this year.

I was concerned last year when the Senate—I think a third of the Senate was exercised enough to vote against this system and still we had a very difficult time in bringing this body up to speed with respect to these problems of deployment of this ABM system.

About 7 months ago the question of anti-ballistic-missile deployment was debated on this floor. At that time with others I made a number of objections to the deployment program. Since that original debate, there has been a mounting escalation of criticism by both the public and the scientific community, as well as by many of my distinguished colleagues on this floor and in the Senate. There is good reason for this growing disenchantment with the proposed deployment of the Sentinel ABM system. This program was conceived as the ultimate deterrent to enemy nuclear aggression, yet the best scientific advice agrees that the defensive shield it is supposed to afford is but a sieve that can be easily penetrated by over-targeting the defended area with enough missiles to exhaust the system, or by the use of semisophisticated decoy or screening devices. I made these arguments last year, and I restate them again today. The arguments were valid 7 months ago, and there has been no indication that the technical situation has changed. The proposed system is still a "maginot line."

A very readable and excellent summation of the technical deficiencies in the Sentinel system was published in the March 1968 issue of Scientific American by Nobel laureate, Hans Bethe, and Prof. Richard L. Garwin. I would again commend this article to my colleagues.

The arguments presented in this article

have not been successfully contested, but have in fact been buttressed by the leading members of the scientific community, including all the past scientific advisers to the Presidents—inarguably, a distinguished group.

In September of 1967, this ABM program got off the ground with a speech by the then Secretary of Defense McNamara. In this speech, the Secretary proposed the establishment of the system, but qualified his endorsement of the concept very strongly. These qualifications stand out as prophetic and bear repeating again today. Here I quote:

> There is a kind of mad momentum intrinsic to the development of all new nuclear weaponry. If a weapon system works—and works well—there is strong pressure from many directions to procure and deploy the weapon out of all proportion to the prudent level required.
>
> The danger in deploying this relatively light and reliable Chinese-oriented ABM system is going to be that pressures will develop to expand it into a heavy Soviet-oriented ABM system.
>
> We must resist that temptation firmly—not because we can for a moment afford to relax our vigilance against a possible Soviet first strike—but precisely because our greatest deterrent against such a strike is not a massive, costly, but highly penetrable ABM shield, but rather a fully credible offensive assured destruction capability.

I would say that we are not just a group of unilateral disarmorors here today, those that are making some remonstrance with the expenditure for the ABM system. I think the reason for it is the fact that the Department of Defense has not made out their prima facie case. When they came before my House Armed Services Committee, they indicated that this was going to be a $5 billion system, that it had been reasonably thought out, that the costs were reasonably within control. However, they admitted that the system would not be good as to a cruise missile, it would not be good as to a fractional orbiting missile, it would not be good as to multiple missiles, and it would not be good as to the MIRV or the independent reentry vehicle.

A few moments ago the gentleman from Indiana said, "Well, wouldn't you be cut short, you folks, if the Chinese lobbed a missile over in your direction in about 3 years and you did not have a defensive system?"

Well, the point is that in about 3 years this system will not have been completed. We are going to spend $2 billion this year, and we are not going to have any defense this year. We are not going to have any defense in 1970, we are not going to have any defense in 1971, 1972, or 1973—maybe in 1974 or 1975 if these ideal conditions arise, where we build our system and the Chinese have developed a very unsophisticated system of about 30 missiles, according to the best scientific advice that we have today. We will be able to knock out about 80 percent of those missiles, and that will be good for maybe 1974 and 1975. But then in 1976, 1977, and 1978, when the Chinese develop a capability of 40, 50, or 60 missiles, then our defensive capability with our current technology devolves from about 80 percent down to about 15 percent. Then what we suspect is that the Department of Defense is really engaged in the most fallacious and speculative investment ever known to mankind, because what they want to do is not to spend the $5 billion that they said they wanted to spend last year, but to spend the $9 billion that they have said they want to spend this year to build the system, and perhaps another $40 billion in trying to keep pace wtih the State of the art and with the developments of the Chinese.

We know—and an article was published the other day on this subject—that when you are trying to build a system based on a high-risk development, the costs are generally 250 percent of your minimum estimate. The minimum estimate of a fixed system to handle a complex Russian system is $50 billion—250 percent of that amount is a good figure. For those of you who think that we are going to be disarmed if we do not build this system, keep in mind where we are. My colleague from southern California mentioned a moment ago that perhaps we cannot afford this system. I think he is dead right. I think we should keep in mind that in spite of the fact that we have toned down the war over the past 4 months, our defense budget is $2 billion more than last year and at about $83 billion. We still have an obligation of $6 billion to cover the cost of past wars and benefits for veterans. That brings the amount to $89 billion. We have $2 billion from space fallout for defense; we have $1 billion cost of atomic energy in fallout for defense, and a $16 billion interest share of our national debt, which is the cost of past wars.

I think we are paying about $107 billion in expenditures for defense, directly, and indirectly, and we are trying to live off an administrative budget income this year of, I think, about $135 billion.

But we have got a lot of things on the shelf we are moving ahead with. There is the thing called VFX. We are hearing a lot about that. We think it is good. It is a $2 billion system. There is a new fighter aircraft for the Navy. They did not like the F–111–B program. There is another program which is a new fighter for the Air Force, which is a multi-billion-dollar program. We have a lousy antisubmarine warfare program, so we are going ahead with a VFX program. We have an intermediate interceptor program that we have to move ahead with because it is essential for defense of our coast. That is a billion-dollar program. We want to move ahead with advanced manned supersonic attack aircraft, which is essential for our defense.

I do not say this to burlesque these points at all. The vast majority of our defense-oriented committees believe these programs are essential for our future military posture. We are moving ahead with an MOL program and we have $6 million in that this year.

What I have described is about $17 billion of new defense programs.

The reason we are against this program is the fact that to date it just does not make any sense.

Why did the Department of Defense move ahead with it a year ago? I think one of the reasons was the fact that, as explained by my colleague from southern California (Mr. BROWN) we did not want an anti-ballistic-missile gap to evolve for the elections. Second, we were caught about a year and a half or 2 years ago, when we discovered, as appeared in the newspapers, that our national intelligence estimates were 25 to 30 percent off base with respect to anticipated capability of the Soviets. We got nervous and decided to employ a light Chinese system.

Mr. McNamara, our great former Secretary of Defense, stated the case for the light ABM system, as was specified by the gentlewoman from Hawaii, but he said:

> Do not get this mixed up with defense against the Soviet Union. We do not have a capability to handle the Soviet Union.

Why did he say that? It was not to confound necessarily the missile abatement talks, but for the simple reason that we are worse off against a sophisticated country like the Soviet Union with a poor ABM system if we say the purpose of this missile system is to defend against a sophisticated system.

Why is that? Because today Moscow is worse off because of the Galosh system than before they developed the Galosh ABM system. Why? Because we changed a few settings on our computers to make sure we do the job in Moscow. What is going to happen now, if we develop this system, to Boston or to San Francisco?

The computers are already set. All we had to do was to say what the President said a few days ago, and I think it bears repeating. Of course, Secretary McNamara warned against expanding the system and against expanding the reason why we are putting in the system.

But that is exactly what is happening. First we are asked to approve a highly debatable Chinese-oriented system. When the criticism mounted as to the effectiveness of this Chinese system, the President on February 7 of this year at a press conference fielded the following question:

> Mr. President, you know the ABM system was planned originally to protect us against the threat of a nuclear attack by Red China early in the 1970's. Does your information indicate that there is any lessening of this threat, or greater, or just where do we stand?

The President answered:

> First, I do not buy the assumption that the ABM system, the thin Sentinel system, as it has been described, was simply for the purpose of protecting ourselves against attack from Communist China.
>
> This system, as are the systems that the Soviet Union has already deployed, adds to our overall defense capability. I would further say that, as far as the threat is concerned, we do not see any change in that threat, and we are examining, therefore, all of our defense systems and all of our defense postures to see how we can best make them consistent with our other responsibilities.

I say when he said that we blew the ball game. Unless the Department of Defense can come before our House Armed Services Committee this year and show us they can make out a prima facie case for a reasonable expenditure against the

Soviet Union, the better part of sanity for us is to go slow on this program.

Of course, Bob McNamara said that if we had deployed the Nike-Zeus system at the time a lot of people wanted to deploy it, then we would have totally wasted about $2 billion to $3 billion, because the next state of the art came forward with the Sentinel system here, about 2 years ago, and we would have had to change it. We have had to do this on a number of occasions.

This change in emphasis from Chinese defense to Soviet defense is exactly what Secretary McNamara warned against, and the new reasoning is absolutely fallacious. We have a system which is marginal even against a simple but concerted Chinese attack, and yet when this system is questioned, the answer is that it is actually destined to be a defense against a far more deadly Soviet attack. I ask again, how can a weapon marginal against a mouse be useful against a bear?

This is exactly what is happening with the current ABM system. We had $1 billion in the budget as of last summer. I hesitate to imagine how much of that $1 billion has been spent.

Now that the opposition to the ABM is growing, confusion reigns among the ranks of the committed. Last year in the Armed Services Committee we were treated to a well-organized argument clearly designed to prove the efficacy of the proposed ABM system. Now when concern has been expressed across the board, the proponents of the system are treating us to an array of contradictory statements and opinions that indicate only one thing—no one seems to know where the program is going. The original plan envisioned a system of city defense against a light Chinese attack. The President states that the system may actually be directed toward a Soviet attack. The Pentagon indicates that possibly a "thinner than thin" system is advisable—one that will protect the hard site missile bases only. Mr. Rivers, my chairman of the Armed Services Committee, indicates that the whole concept of missile defense must be gone over with a view to looking at the options of entirely new systems, perhaps possible seaborne or airborne. I think he is right.

The proponents argue that we must have the system in the deployment stage before we enter into talks with the Soviet Union, so as to use the deployment as a bargaining point with the Russians. On this question, I can see no conceivable reason to spend billions of dollars on a highly speculative system just to use it as a bargaining position in talks that have not been scheduled with a country that has already experimented with an ABM system of its own, and which according to the best intelligence estimates is not going forward to completion because of serious doubts as to its effectiveness. How can we seriously confront the Soviet Union with an ABM system in negotiations when the Soviets themselves know it is useless against a concerted attack? Moscow is admittedly worse off today because of our overtargeting response to the ballistic system.

Secretary of State Rogers on the other hand feels that such missile talks should precede deployment of the system.

I agree with him.

Out of this confusion one thing is clear—there is considerable confusion on the part of the administration and the proponents of the present ABM program on both the direction the program should take and the goals that should be sought. The opponents of the system are disaffected with the whole idea and are confounded on every turn by the contradictory replies.

The only sensible action that has been taken on ABM has been the recent halt in site acquisition and deployment. It is eminently clear that this halt should be continued until a full scale hearing is held in which all members of the scientific community are able to state their views on the value of this multi-billion-dollar boondoggle. I, for one, am not willing to continually accept the assurances of the military that all counter arguments have been fully explored and their presentation is the culmination of a totally objective indepth study. Experience has too often shown that the military does not come totally clean with us.

Last year I had the opportunity to question General Starbird, manager of the Sentinel system, in committee hearings. After a detailed and articulate presentation of the Sentinel program, the General during questioning indicated that the price guidelines could be pretty closely adhered to. Yet now, we read that the original $5 billion figure for the Chinese-oriented system is reaching up to $9 billion.

I was unhappy with the responses to my questions last year, and I am not any happier now.

There is absolutely no sense in authorizing and appropriating funds at the rate of over $1 billion a year for a program that could easily be a gigantic mistake. We must settle down and figure out the direction we are taking before we put one more dollar into the hardware for this program.

[From the New York Times]

Pentagon Concedes Sentinel Would Cost More Than Estimate

(By John W. Finney)

Washington, February 11.—The Defense Department said today that the $5.5-billion cost estimated for the Sentinel missile defense system represented but the first installment on an effective defense against the Chinese missile threat.

Just how much height the cost of the Sentinel system might go, the Pentagon was not prepared to say. But a spokesman, in response to inquiries, acknowledged that additional sums would be needed as Communist China developed more sophisticated intercontinental missiles carrying decoys to confuse a defense system.

In Congressional testimony made public today, the Defense Department explained that the Sentinel missile bases were being located in urban areas to provide an eventual defense against a "sophisticated" Chinese missile attack.

In its initial deployment, the Sentinel system is designed to deal with the relatively simple missiles with single warheads that Communist China might be able to fire at the United States by the mid-seventies. But as the Chinese develop their missile technology, the presumption is that within a few years they could add decoys to the warheads and otherwise make interception more difficult.

The Pentagon also pointed out that nuclear warheads for Nike-Hercules antiaircraft missiles had been stored in certain urban areas since 1958 without any adverse public reaction. It acknowledged, however, that the public had never been informed which of the missiles were armed with nuclear warheads and which were not.

Between the rising costs of the Sentinel system and the Army's decision to locate the nuclear missile bases in populated areas, the Defense Department is finding itself caught in a rising crossfire of Congressional opposition to deployment of the Sentinel system.

When deployment was authorized last year, Congress was led to believe that the missile defense bases would be located some distance from population centers.

The impression was also conveyed by the Defense Department and its spokesmen in Congress that the $5.5-billion figure represented the best estimate of the cost of establishing a "thin" defense against the Chinese missile threat.

What was not made clear last year in Congressional testimony or debate was that the Defense Department viewed the initial $5.5-billion system as but a start in a system that would grow and become more complex as Communist China improved its missile force.

As initially presented to Congress, the Sentinel system was to provide "area defense" for the entire United States through a complex of radar and missile bases firing the Spartan missile. With its two-megaton warhead (equal to two million tons of TNT) the Spartan is designed to intercept and destroy an incoming ballistic missile warhead from 400 to 500 miles away.

In the controversy developing over the selection of Sentinel bases, it is now coming out that the Army is designing and building the system so that it can be enlarged to fire short-range Sprint missiles. With their 10-kiloton warheads (equal to 10,000 tons of TNT) the Sprint missiles are designed to provide close-in defense against warheads that penetrate the "area defenses" of the Spartan missiles.

SHORT RANGE A FACTOR

In an attempt to meet some of the Congressional criticism, Lieut. Gen. Alfred D. Starbird, Pentagon manager of the Sentinel system, was called before the House Appropriations Committee in mid-January for a secret hearing.

In his testimony, made public today, General Starbird explained that missile bases near urban centers were being chosen so that the Sentinel system would eventually be capable of defending against a Chinese missile attack using decoying warheads.

To meet this "more sophisticated threat," he said, Sprint missiles will have to be added to the Sentinel system. Because of their relatively short range of around 50 miles, however, the Sprint missiles would be ineffective in defending a population center unless the bases were situated nearby, he explained.

The Pentagon said the cost of adding the Sprint missiles was not included in the $5.5-billion estimate presented to Congress. A Pentagon spokesman said that even a rough estimate of the cost of adding the Sprint missiles could not be made available.

Senator Stuart Symington, Democrat of Missouri, a senior member of the Senate Armed Services Committee, estimated last week that the Sentinel system would cost $9.4-billion. This higher cost estimate, according to a Symington aide, was based on the normal cost escalation encountered in new weapons systems and did not include the addition of the Sprint missiles.

If the Symington estimate is correct—and there is reason to believe he obtained his estimate from Pentagon sources—the cost of deploying an anti-Chinese missile defense system could substantially exceed $10-billion once the Sprint missiles were added.

In his heavily censored testimony, General Starbird said the principal criterion for Sentinel base sites was that they be "tactfully effective . . . both now and for a long range future if and when the Red Chinese may have penetration aids."

"There is no indication as yet," the general said, that Communist China is developing penetration aids, such as metallic chaff, light balloons or decoys designed to confuse the defensive radar so that it cannot pick out the actual warhead.

But he made clear that the Pentagon was proceeding on the assumption that Communist China could and would add such penetration aids to its intercontinental ballistic missiles. And once they are added, he continued, the Spartan missiles would have "only limited capability" in protecting populated areas.

The reason, he explained, is that the threatening warhead would not be picked out by the radar until shortly before it reached its target, thus making it impossible to commit the Spartan to a long-range interception.

As an example of the long-range need for locating Sentinel bases near cities, General Starbird cited the selection of Libertyville, Ill., some 25 miles northwest of Chicago, as one of the sites. He made it clear that, while there was "no current plan" for installing Sprint missiles at Libertyville, the site was selected with that in mind.

[From the New York Times, Feb. 24, 1969]

THE SENTINEL AND THE TREATY

In his questioning of Secretary of State Rogers on the nuclear nonproliferation treaty, Senator Albert Gore has exposed a fundamental inconsistency in the Administration's apparent resolve to push ahead with some sort of Sentinel antiballistic missile system—a resolve made more explicit last week by Secretary of Defense Laird. Mr. Gore noted that under Article VI of the treaty the nuclear powers undertake "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament."

The Sentinel program provides a critical test of how seriously the United States views its obligations under that article. If there is a "good faith" interest in nuclear disarmament, then the logical step would be to postpone deployment of the Sentinel system while the United States enters into negotiations with the Soviet Union to limit offensive and defensive strategic missiles. If, instead, the Administration decides to proceed with Sentinel deployment on the distorted logic that accelerating the atomic arms race somehow leads to nuclear disarmament, then it will be apparent that the United States regards Article VI as little more than a pious statement imposing no obligations upon the nuclear powers.

Something far more important is at stake, however, than just this country's interpretation of Article VI. At issue is the whole future of the treaty, a matter that is likely to come up in President Nixon's European discussions this week.

So far as the non-nuclear states are concerned, the article was one of the more important concessions made by the two major nuclear powers in drafting the treaty. If the United States and the Soviet Union now indicate that they do not feel bound in any way by the article, then some of the more important non-nuclear states, such as Japan, Israel and India, can ask with good reason why they should take the treaty vow of complete nuclear abstinence.

By proceeding with the Sentinel system, therefore, the United States can jeopardize the nuclear nonproliferation treaty. Even if the military utility of the system were much less dubious than it is, this would be a bad risk to run. In the long run, the spread of nuclear weapons undoubtedly presents a far greater danger than the still non-existent nuclear missiles in Communist China or the unproved usefulness of Sentinel as a bargaining counter in arms talks with Moscow.

[From the Washington (D.C.) Post, Feb. 17, 1969]

THE BIG ABM BRAINWASH

There is more, obviously, to the Great Debate over the Sentinel ABM System than has hitherto met the eye, judging from a report on the front page of this newspaper yesterday. The report told of two memoranda to former Secretary of Defense Clifford last fall. One was from the present Secretary of the Army, Mr. Stanley R. Resor, and the other, a supporting document from the manager of the project to build the Sentinel System, Lt. Gen. Alfred D. Starbird. Together they spelled out in breathtaking detail a complex and comprehensive public relations—not to say propaganda—campaign to convince the American public, and Congressional critics, and wayward scientists and the citizens residing in or around prospective Sentinel sites that in every way these weapons are good for you.

A perfectly respectable case can be made that, within reason and suitable limits, they are; something must have recommended the project to two successive Defense Secretaries in the Johnson Administration. And if the Sentinel is not in fact as essential to our security as it is said to be, there would still be nothing wrong about the Army arguing the point. We pay our military men to tell us what we need for our safety, and we expect their civilian leaders and the Congress to weigh the merits of the military arguments, and cast them up against our other priorities, and make a judgment that takes more than the military view of things into account.

So there is no quarrel here with the right of military men to make their pitch and there was very little in the Resor and Starbird memoranda that added anything new to the Army's argument. What the Army was proposing to say about the Sentinel, in short, was not the startling thing about these memoranda to Mr. Clifford. What was astonishing and disturbing—the part that had not met the eye—was the way the pitch was to be made, the sweep and intensity of the Army's intended campaign. That, and the plain evidence that an important part of the whole operation was clearly calculated *not* to meet the eye; the Army's hand was not supposed to be visible. That's what is genuinely unsettling—the suggestion, for example, of clandestine complicity with the contractors for the Sentinel program in carefully coordinated public relations undertakings to tout the virtues of this weapons system; the unabashed intention to plant or inspire favorable magazine articles by scientists who are proponents in direct response to opponents of the program within the scientific community.

"Several highly placed and reputable U.S. scientists have spoken out in print against the Sentinel missile system," Mr. Resor wrote to Mr. Clifford, and after naming a few of them (Hans Bethe, George Kistiakowsky, Jerome Wiesner) and complaining of the difficulty of replying without disclosing secrets, he went on to say:

"It is essential that all possible questions raised by these opponents be answered, preferably by nongovernment scientists.

"We will be in contact shortly with scientists who are familiar with the Sentinel program and who may see fit to write articles for publication supporting the technical feasibility and operational effectiveness of the Sentinel system.

"We shall extend to these scientists all possible assistance."

So there it is, and what are we to make now of the next learned dissertation published by a scientist in favor of the Sentinel? Will it be his handiwork, or General Starbird's? And what are we to make of some of the other aspects of this campaign—the instructions proposed by the General, for example, that "personnel affiliated with the Sentinel Public Affairs Program will cooperate and coordinate with industry on public relations efforts by industries involved in the Sentinel Program"? Will Army officers write the advertising copy, or merely furnish the photographs of successful missile shots?

There is less to be said against some of the other, more conventional plans, for a heavy round of visiting with Congressmen and Governors and Mayors and community leaders and editors and publishers, for example, except that you do have to ask what all this is going to cost: the junketing, the mobile displays, the preparation of information kits and a library of useful quotations, the film clips and taped interviews and all the rest.

But mostly you wonder whether this isn't too much—too covert, too all-pervasive, too overpowering. For if this is standard operating procedure, as they say, for the Army, and for all its works, it presumably is standard for other services, too. And this adds up, in our view, to a good deal too much brainwashing of the American public and a good deal too much intrusion by the military into American political life.

If this is what's going on, it is too much. In any case we'd like to know. The Sentinel is too serious an issue to be settled by an Army propaganda campaign, on the one hand, or by a counter-reaction to such a campaign, on the other, by the antipathy to the idea of the citizens in one community, or by anything other than the merits of the matter and a balanced reckoning of where our national interest lies. That the Army should embark on so massive a public relations campaign, so far in advance of Congressional approval of the project, and by the use of such dubious methods, is a thing apart, though no less important on that account, and one which we would hope the Congress would also like to know a good deal more about.

THE ABM SYSTEM

The SPEAKER pro tempore (Mr. STRATTON). Under a previous order of the House, the gentleman from Illinois (Mr. YATES) is recognized for 30 minutes.

Mr. PIKE. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from New York.

Mr. PIKE. First I want to thank the gentleman from Illinois and the gentlemen who have taken the time previously for discussion of this very important matter. It is one of those rare days on the floor, when discussing a military situation, I find almost nothing with which I can disagree.

There is one item which we might consider, in talking about this. When we get into all the technology involved in the ABM system, let us assume that we could build a system which could technologically intercept everything the Chinese threw at us. We still would get involved in a situation which we have seen entirely too frequently in the last few years, and that is the command and control problem, the business of making the decision to utilize this system.

We had a situation with a ship called the *Liberty* and the messages which did not get through. We have had situations with other ships. We have had other kinds of situations.

Assuming the very best in this system, that we detect the launch of an enemy missile immediately upon launching, from that time we have roughly 30 minutes to make the decision to launch the ABM's against it. I question very seriously, even assuming all of the technological know-how in the world, that we are geared in the command and control area to utilize all of these billions of dollars that we are going to spend.

I have tremendous respect for our technological capabilities, but there are always human elements involved. I have opposed the deployment of this particular system for some 2 years now.

Mr. Speaker, 2 years ago, when the House Armed Services Committee reported favorably on the Defense procurement authorization, only two members of that committee, the gentleman from Michigan (Mr. Nedzi) and I spoke out against the inclusion of an anti-ballistic-missile system in that procurement. Then it was called the Nike X, and I quote part of our minority statement at that time:

> At the present time the United States and the Soviet Union are engaged in extremely complicated and sensitive negotiations seeking to limit in some meaningful and responsible manner a major new round in the continuing cycle of increased armaments and increased spending for armaments. The Joint Chiefs of Staff have endorsed these efforts and so do we.
>
> The committee report states that regardless of the outcome of these negotiations "the committee strongly believes that the thin deployment would be a useful first step toward meeting the defense needs of the Nation in protecting against ballistic missile attack from any hostile nation."
>
> First, the report clearly shows that the so-called thin deployment which they recommend (costing $4 billion) is capable only of protecting us from an unsophisticated attack by the Red Chinese in the 1970's ($3.5 billion) plus a defense of our own strategic offensive forces ($500 million). Everything in the report, however, looks toward moving from the "thin" defense to the so-called posture A deployment, optimistically estimated at $9.9 billion and accurately described in the report as "a light defense against a Soviet missile attack on our cities." In the language of the majority, it's like "learning to walk before trying to run."
>
> From there, the next logical step would be to advance to posture B, optimistically estimated to cost $19.4 billion and accurately described as a heavier defense also designed against a Soviet attack on our cities—some of our cities, but obviously not all of them. The Secretary of Defense has estimated the cost of a missile defense would grow to $40 billion over a 10-year period. Whether we stay with the "thin" defense, or move to posture A or posture B, the main thing is to get on with it, says the majority.
>
> We believe that if we as a nation are serious about trying to prevent a new arms race with the Soviets, the Armed Services Committee has a responsibility beyond that of advocating just such a new arms race.
>
> Regardless of whether it costs the $19.4 billion that the military predicts, or the $40 billion that the Secretary of Defense predicts—regardless of whether the Soviets do not react at all (thereby reducing American fatalities from 120 million in an all-out exchange to 'only' 30 million dead) or whether they react the same way we are reacting (thereby leaving American fatalities at 120 million), we would embark upon such a deployment reluctantly, not wtih a feeling of joy in our military achievement, but of sorrow in our human failure.

With a minor change here and there the same statement could be made with the same validity today. The gentleman from Michigan and I note that similar doubts as to the need for this system have arisen in the committee itself, in the press, in the scientific community, and, I assume, in the White House itself.

I have promised my district that my highest priority in this Congress will be an effort to find areas in which we can cut down on our massive arms budget without jeopardizing our national defense posture, and because of that promise, and my continuing doubts as to the necessity and usefulness for this system, I must protest again today against deploying it.

Mr. YATES. Mr. Speaker, a few days ago the press carried the story that a massive public relations campaign had been launched by the Pentagon to sell the Sentinel ABM to the American people. It was revealed that every propaganda resource at the Army's command was to be hurled into the effort to convince the public that this highly questionable exotic system was vitally essential to our national security. Army officers, men, and machines were to be used, of course, but this was only the beginning. The defense contractor corporations were to be enlisted, newspapers, TV, radio, veterans' organizations, ladies' clubs—the whole works were to be employed, all stops pulled. The orders came directly from the Secretary of the Army himself. This could well be the military-industrial complex's finest hour—a real triumph. And the interesting and amazing part of the campaign was that it was to proceed even though the question of continued deployment of the Sentinel was presumably under scrutiny and review.

You will recall, Mr. Speaker, how some weeks ago with much fanfare the new Secretary of Defense, our old friend Mel Laird, announced he was going to make a complete review of the Sentinel. The Congress and the country thought it was to be a full, fair, and impartial reassessment, and those of us who oppose the system were confident that such a review would result in suspending its further deployment. But it is now apparent that no such review was planned or contemplated and that in fact the heralded review will be no review at all. With each passing day the new Secretary makes statements which indicate that his mind was made up from the beginning, that he is not reappraising the question as to whether or not the Sentinel should be deployed, but rather, how it is to be deployed, that he never intended to question the worth or validity of Sentinel, but only to find a deployment of the missile sites which would be more acceptable to the public and which would serve to abate the rising storm of public protest.

The arguments he has presented add little of merit to the inadequate justification previously advanced for deployment of the Sentinel. In great measure they serve only to cloud the issue, for he has engaged in what can only be described as a spurious numbers game, in which he presents comparative Soviet and American military expenditures to sustain his position. The Russians, he says, have spent $3.7 on defensive strategic weapons for every dollar we have spent on such systems. In the area of offensive strategic weapons, they are outspending us $3 to $2.

Assuming that what he says is true, one is tempted to reply. "So what?" The real question is, Are their military capabilities greater than ours as a result? Is our national security in jeopardy? We are not engaged in a spending contest as such with the Soviet Union, except insofar as spending is necessary to achieve our goals. It surely is not the task of the Department of Defense to guarantee that no nation spends more on weaponry than the United States. Rather, it is its responsibility to provide for the military security of the Nation in the most economical and effective manner.

If the Soviet Union wants to squander its rubles on defensive ABM systems that do not increase its security, then let the Soviet Union do it. But we are certainly under no obligation to match those mistakes—or to match the money it expends for that purpose.

And, Mr. Speaker, in spite of Russian expenditures, it is clear that the Soviet ABM cannot withstand the might of the U.S. offensive missile capability. That is clearly stated in hearing after hearing by all our experts. It is difficult to understand, therefore, why proponents of the Sentinel ABM point with such trepidation to the meager effort of the Russians in building their Moscow missile sites, and why they foster the illusion that an effective ABM system is presently possible.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from California.

Mr. COHELAN. I thank the gentleman from Illinois for yielding.

I think it would be appropriate at this time to get this into the Record. I am quoting from a very reliable paper in which there is given the United States and Soviet intercontinental strategic nuclear forces, and I shall also supply this for the Record. But, briefly, it shows that as of October 1968 we have 1,054 missiles as compared to the Russians' 900. As far as the sea-launched ballistic missiles are concerned we have 656 as compared to the Russians' 75 or 80. The total intercontinental missile launchers are 1,710 on our side and about 980 on the Russian side. Our bomber force consists of 646 to 155, and that is the top of the range. We have a total force loadings, the approximate number of deliverable warheads, of 4,206 on our side as of October 1968 according to this estimate and 1,200 on the Russian side. It is overwhelming.

Mr. Speaker, I ask unanimous consent to insert the table to which I refer at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The table referred to follows:

TABLE I.—UNITED STATES VERSUS SOVIET INTERCONTINENTAL STRATEGIC NUCLEAR FORCES

	United States,[1] October 1968	U.S.S.R.	
		October 1967	October 1968
ICBM launchers[2]	1,054	720	900
SLBM (Sea-launched ballistic missiles) launchers[3]	656	30	75–80
Total intercontinental missile launchers	1,710	750	975–980
Intercontinental bombers[4]	646	155	150–155
Total force loadings, approximate number of deliverable warheads	4,206	1,000	1,200

[1] The size of the U.S. strategic force has not changed significantly since mid-1967.

[2] Excludes ICBM test range launchers which could have some operational capability against the United States. The Soviets also have medium range ballistic missiles (MRBM's) and intermediate range ballistic missiles (IRBM's) which are capable of striking Eurasian targets.

[3] In addition to the SLBM's on nuclear-powered submarines, the Soviets also have SLBM's on diesel-powered submarines, whose primary targets are believed to be strategic land targets in Eurasia. The Soviets also have submarine-launched cruise missiles, whose primary targets are believed to be naval and merchant vessels.

[4] In addition to the intercontinental bombers, the Soviets also have a force of medium bomber/tankers capable of striking Eurasian targets.

Source: Department of Defense, Secretary of Defense Robert S. McNamara, "Approach to the Fiscal Year 1969–73"; program and fiscal year 1969 budget, in U.S. House of Representatives (90th Cong., 2d sess.), Department of Defense appropriations for 1969, hearings before a Subcommittee on Appropriations, pt. I (Feb. 14, 1968), p. 147. Some of the figures are based on a statement by Secretary of Defense Clark M. Clifford, Oct. 25, 1968: (See New York Times, Oct. 26, 1968.)

Mr. YATES. I thank the gentleman from California for his contribution and I was going to address myself to that point.

Mr. BROWN of California. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from California.

Mr. BROWN of California. As long as we are making comparisons in expenditures, the latest study of the U.S. Arms Control Disarmament Agency on world military expenditures is very revealing, because it reveals that the United States continues to outspend Russia by a substantial margin. But, interestingly enough, it also has a column labeled "Special Education Expenditures." In going down that column we find that the Soviets expend twice the amount on education as does the United States. I have never heard a word said that we are losing the special education race with the Soviet Union. Therefore, this may have a very vital bearing upon our defense posture.

As the gentleman has pointed out, the only safety defense against missiles is likely to be in some now unknown field such as the field of education or the application of labor or something of that sort.

I suspect that the amount of money in scientific education has a great bearing upon how soon you make breakthroughs. Therefore, our security, even in pure power—which is the type of defense generally supported in this body—could be substantially harmed by our concentration upon military weaponry.

Mr. YATES. I thank the gentleman and I think he makes a very positive contribution.

Last week before the Senate Foreign Relations Committee the statement was made that the Soviet Union now has in being and under construction more ICBM's than we do. That should come as no great surprise to anyone who has read the posture statements by Secretary Clifford and Secretary McNamara. But in the context in which Secretary Laird made the statement, one would think that this was somehow evidence that we were falling behind in the missile race and that we had better, therefore, put an automatic stamp of approval on any recommendation by the Defense Department.

The fallacy of all that is that a comparison of raw numbers of ICBM's actually tells almost nothing about our strategic position relative to the Soviet Union. Most of the Soviet ICBM's are so primitive as to be unworthy of comparison with our sophisticated, solid-fueled Minutemen. Moreover, to compare numbers of ICBM's without reference to the overall strategic capabilities of both sides is misleading in the extreme. The fact is that our bomber forces, our IRBM's around the U.S.S.R., and especially our submarine-launched missiles provide us with an overall strategic advantage over the Soviet Union that will endure for the foreseeable future. Our own defense experts have testified to that effect. We must certainly exercise vigilance to assure that we maintain our present position. What is needed for that task is a reasoned, straightforward evaluation of our defense needs.

What is not needed, and cannot be excused, is the quoting of figures out of context in order to exert political leverage for deployment of an ABM system that has so many technical, strategic, and political liabilities that it cannot be promoted on its own merits and which does not contribute significantly to our national security.

The Sentinel system will not add significantly to our national security. It will not protect against a sophisticated Russian nuclear missile threat, or for that matter, a sophisticated Red Chinese missile threat. Our national security still rests upon our offensive power. As Dr. John Foster, Director of the Division of Research and Development of the Department of Defense stated in last year's appropriations hearings:

> The cornerstone objective of our strategic forces remains assured destruction, to deter a nuclear attack on the United States we rely upon a conservatively calculated secure ability to retaliate and destroy the society of any attacker under any circumstances.

And he points out in the same testimony that the Soviet ABM deployment does not affect our assured destruction capability of strategic targets in their country, including Moscow.

By the same token, our deployment of the Sentinel ABM system would not deny the Soviet assured capability to destroy the United States as a functioning society. As long as both sides maintain an assured destruction capability, as they are doing, any discussion of damage limitation is quite meaningless. In an overkill situation such as that which characterizes the strategic confrontation between the United States and the Soviet Union, an ABM system at the present state of the art confers virtually no advantages to either nation. The future may bring an ABM worthy of deployment, but that is for the future. The Sentinel is not that system.

The rationale for the system is supposed to be the protection it would offer from a primitive Red Chinese attack. No one has explained, Mr. Speaker, why the same awesome power to retaliate which is designed to keep all our enemies at bay is not applicable to deter the Red Chinese from attacking us.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from California.

Mr. COHELAN. I thank the gentleman for yielding.

I wonder if the gentleman would respond to the question: Supposing that the Russians agreed to negotiate, would we continue to have a Chinese thin missile defense system?

Mr. YATES. I would hope that the negotiations would proceed, and I would be afraid that the Sentinel system would be a deterrent to it because under the discussions that I have had with members of the Committee on Armed Services, and with others, they state that the so-called thin system is the underlying layer for a much larger system which is really aimed at the Soviet Union.

Mr. COHELAN. But my point is that even in the negotiation theory this is an expendable system, is it not?

Mr. YATES. I would think so; yes, I would say to the gentleman.

Mr. BROWN of California. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from California.

Mr. BROWN of California. Mr. Speaker, I believe the point made by the distinguished gentleman from California is significant as revealing in part the inconsistency with regard to the justification for this system. We cannot simultaneously argue that we need the protection as against the Chinese, and then hope to bargain it away with the Russians.

But, there is an even more serious objection to this Chinese idea, because we are arguing that a thin system will deter the Chinese threat, at least when they have 30 such weapons, but we agree it will not deter such a threat when they get to the point of having 100 or 200—or whatever the magic number is.

So we are caught in the position of denying the effectiveness of the deterrent, as the gentleman in the well has so well stated, or saying that because it is not the deterrent for the end effect, we need this for a period of *x* years until we get beyond that point and then the deterrent will not be there.

The whole thing is completely ridiculous and is, of course, founded or justified on the theory that the Chinese are irrational and that they would not object to having their country totally destroyed in order to send over two or three missiles to knock out some of our cities.

The Chinese are not quite that irrational. If they were, then they would have attacked Formosa, for example, because I doubt if we would retaliate with a nuclear attack for an attack on Formosa—even though it would be a highly irrational action.

But the point is, the Chinese have not taken any actions that were this irrational, at least in the field of their own defense. It is highly unlikely that they are going to deviate from that practice for a period of 2 or 3 years—in which time we will possibly have a system which might deter that irrational tactic.

Mr. YATES. I agree with the gentleman. I think it is completely naive to suspect that. The Chinese have shown already that they have a great capability because they have already exploded a hydrogen bomb. I think it is completely naive to expect Red China to develop a system so primitive knowing that the United States has this Sentinel ABM system with the capability of thwarting a simple attack. They would know too that in the event they were to launch a missile attack on the United States, the retaliation would be awesome and terrible in its intensity from planes and from submarines ranging near their shores and from missile bases in our country.

I do not understand this irrationality argument at all.

Mr. NEDZI. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Michigan.

Mr. NEDZI. I want to express my appreciation to those Members who organized this debate today on this very important subject.

I think at the present moment in the discussion we are really reaching the crucial assumption upon which the ABM system is based and the rationale for it; namely, the irrationality of the Chinese.

I do not know what makes anybody assume that the Chinese are going to be willing to have their nation obliterated in exchange for dropping a few missiles on the United States.

It is reasonable to assume that their threat is going to continue upsophisticated—and for how long is this lack of sophistication going to continue? I think as soon as we deploy a thin system which has the capability of knocking down unsophisticated Chinese missiles, the Chinese are not going to proceed in constructing and developing an unsophisticated missile system. They are going immediately to devote their resources to have something that is going to be able to meet this thing and they are not going to be building clay pigeons for us to knock down with our ABM and thereby render our ABM system totally obsolete at its inception.

Our President is in Europe at the present time, and talking of a possible discussion with the Soviet Union and looking forward to consulting with our allies in Europe—as he indicated in his inaugural address—in order to lessen the burden of arms. I am certain it is going to be one of the topics that is going to be discussed at these discussions.

Then, too, I would like to see some effort brought forth, rather than the deployment of the ABM, which may well undermine all these discussions before they begin.

Mr. YATES. I thank the gentleman for his very fine contribution.

Why must we build an admittedly inadequate defensive system to protect us against a prospective primitive missile threat when we are willing to accept our offensive strength as suitable to deter the Soviets who have an enormously powerful missile threat?

The fact is that many of those who favor the Sentinel acknowledge that the anti-Chinese rationale is at best a weak reed, and say, knowingly, that the system is really directed against the Soviets. President Nixon has declared that it would be a part of our overall defense posture which would include the Soviet Union. If this is true, we are talking not about the $5 billion thin system, but a thick system the cost of which will exceed $50 billion.

It is not likely that such a vast expenditure would be undertaken for an untested system. A thick system, then, would require in the minds of many that we conduct an extensive testing program to see if the system would work. In turn this might very well bring pressure to suspend the nuclear test ban now in being until the ABM tests were concluded, at least. The international political fallout of such a move would cast serious doubts throughout the world on our good faith in seeking to bring the nuclear arms race under control.

It is also generally accepted that a thick system, with batteries of terminal defense missiles at all of our major cities, would only make sense if it were accompanied by an extensive air raid shelter program. As Secretary McNamara pointed out, an ABM system without a shelter program will lose at least 30 percent of its effectiveness. Without such a shelter program the nuclear detonation of our own defensive missiles would threaten the city below with blast effects and fallout. The costs of a shelter program are astronomical. When such a system was suggested in the early 60s, the American people made it clear they wanted no part of it. The ABM system must inevitably bring with it serious consideration of the need for such shelters.

Moreover, the deployment of a heavy system, or the Sentinel system for that matter, would mean the proliferation of nuclear weapons all across the Nation. While the chances of an accidental disaster are admittedly extremely slim, they will increase with every warhead that is stationed near population centers. Deployment of a thick shield would mean that thousands of nuclear warheads would be installed around the perimeters of our Nation's cities. As it is, the Sentinel system would locate large yield nuclear warheads around 15 to 20 major cities, such as Chicago, New York, and Boston.

What we are faced with, if the decision to go ahead with the Sentinel system is approved, is the possibility that within the next several years the United States will become a nation of cities whose undersides are honeycombed with shelters and whose perimeters are dotted with nuclear installations. The proponents of the ABM have scarcely addressed themselves to this question. We must ask ourselves whether or not we are willing to accept the further pollution of our physical and psychological environment as the price for deploying a system as faulty as the ABM. It seems to me that our money could be better spent rebuilding the slums, rather than building shelters underneath them and surrounding them with nuclear hardware. I am not saying that if we go ahead with the Sentinel system, the thick shield and the shelter program are inevitable, but they would certainly be much more likely. The first step will have been taken—the major step. We ought not to make a judgment on one without understanding the implications of the other.

Last, but certainly not least, we must examine the implications of the Sentinel system on the strategic arms race. The dynamics of the arms race are very complicated, and it is difficult to predict with much accuracy what would happen if we went ahead with the ABM. But if history is any guide at all, it seems likely that our construction of the Sentinel system would signal the beginning of a new round in the arms race and have a destabilizing effect on the existing nuclear balance.

Mr. Speaker, it is true that our national security requires a posture of military strength, but we must realize that sophisticated scientific technology and unbridled weapons exploitation has made war a threat to the very existence of man on this earth. This is a time for restraint and for concern for future generations, for deescalation rather than destructive buildups. The Sentinel ABM deployment will not contribute to greater understanding and peace. It should be discontinued.

Mr. MIKVA. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Illinois.

Mr. MIKVA. I thank the gentleman. I want to call his attention to something that he knows well. I asked a speaker who was representing the Army the meaning of the term "essentially nil." The closest I came to an answer was that it is some new mathematical term more than a zero but less than infinity and cannot be defined any closer. It strikes me that when the assurance that the military have about the term "essentially nil" is transposed into the effectiveness of the Sentinel system, according to Mr. Acheson and some of the other experts, in effect, I worry that "essentially nil" may mean a lot more than zero even though, in fact, it may be less than infinity.

I am struck, when I read some of the figures and when they talk about the effectiveness of the system and the assurance that they have about it being safe, that they are sort of like the prognosticator who said he was 95 percent right 12 percent of the time.

I am glad the gentleman from Illinois has brough forth this concern about the safety of the system.

Mr. YATES. I thank the gentleman.

Mr. BROWN of California. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from California.

Mr. BROWN of California. I wish to compliment the gentleman on his excellent statement. I think it is a great contribution to this debate. I remember particularly the previous work he has done in connection with the hearings concerning the Chicago site. I recall the discussion in those hearings with regard to the safety factor.

I would like to say further, on the safety factor, I know of no way of contradicting the fact that the safety of a deployed nuclear system is going to depend directly or even arithmetically or geometrically on the number of nuclear warheads that are deployed. What we are talking about with this defense system is deployment of at least another 1,000 nuclear warheads and probably the deployment of equal numbers by our opponents to counteract the ones we deploy, so the total population of nuclear warheads in the world is going up by a factor of 3 or 4, and the danger of nuclear action is probably going to increase by the square of that, so even if this danger of accident is "essentially nil," when we are finished with this deployment it is going to be probably 10 times essentially nil and maybe more than that.

(Mr. YATES asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. YATES. Mr. Speaker, I also include the following material in connection with the subject of my special order:

Statement by Representative Sidney R. Yates, Democrat of Illinois, at a Public Hearing on the Sentinel Anti-Ballistic-Missile System, The Federal Building, Chicago, January 13, 1969

I am grateful to Secretary of Defense Clark Clifford for his cooperation in making possible this public hearing today, and to Colonel Robert C. Marshall and his associates for coming here to answer questions about the proposed Sentinel ABM site near Libertyville. The matter under consideration is a most important one. Public officials in this area and a great many people are concerned with the prospects and the risks of having to live and raise their families close to high-yield nuclear weapons.

I want to make it clear from the outset that I have opposed the Sentinel antiballistic missile system for some time now and I shall continue to oppose it. In my judgment the proposed system is of such questionable usefulness that its deployment at this time would constitute an unfortunate waste of vitally needed resources. Moreover, this initial step could signal the beginning of a new round in the arms race that would have serious consequences for our economy, the domestic climate of our country, and our national security. The missile site question I raise here today is only one of several objections I have to the deployment of the system at this time, but it is the question under immediate consideration.

While only a corollary to the larger questions involved in missile defense, it is an important corollary. The possibility of an accidental nuclear disaster though quite remote is nevertheless real and must be taken into account before these sites are installed around the perimeters of the nation's cities, raising the possibility that the cure is worse than the disease. There are many questions which should be answered in order that the public may know what is involved in the deployment of the Sentinel system.

I have been urging the Department of Defense to agree to this public meeting since last November when I learned to my great surprise that the Army was going to select a suburb near Chicago to build a Sentinel ABM site. This was contrary to what the Congress had been told. In the words of Congressman Sikes of Florida, who was in charge of the ABM appropriations bill, "such installations would be away from centers of population."

The Army contends that it had announced in November, 1967, that Chicago would be selected. Nothing could be more indefinite than the Army's announcement. Let me read it. It says:

"The Department of Defense today identified the first ten geographical areas to be surveyed as possible site locations for the Sentinel system, the Communist-Chinese oriented anti-ballistic missile system recently approved for deployment. . . ."

"The potential areas which will be studied now are among those which will probably provide optimum locations for the area-defense weapons and their radars. It should be emphasized that those areas are not final choices and that this list is not complete. In some cases, even the preliminary potential areas have not yet been determined."

However, I think the point is unimportant, for even had the announcement been specific and precise, it was superseded by what happened in the Congress subsequently. Congressman Sikes' statement and the Department of Defense Appropriations Subcommittees' hearings both clearly indicate Spartan missile sites need not be constructed near our great cities.

My view was reinforced a week ago Friday when I spoke to Congressman Sikes in the House. He said again there was no need to place a Spartan site near centers of population, and that he intended to look into the matter. This he has done. Last Friday I was called and asked to testify on this matter before his Subcommittee on Military Construction of the House Committee on Appropriations next Wednesday morning in Washington, which I will do.

The House Committee on Armed Services will look into this question, too, later this month or in February.

I think that many members of Congress might well have come to another conclusion had they been told the Sentinel missile sites were to be placed at the threshold of the most populated areas in this country. That is why I have invited all members of Congress and elected local officials from this area to this meeting, for this is not a question only for the congressman in whose district the installation is to be made. The possibility of an inadvertent explosion of the nuclear warhead of the Spartan missile either in or above its silo affects all our districts.

The Army argues there is no danger of an explosion at the site. Lieutenant General Alfred Starbird, who is the head of Sentinel Systems Command, stated categorically at a meeting in Waukegan a few weeks ago, "There *cannot* be an accidental nuclear explosion." In this, General Starbird departed from the position previously taken by the Army, for in the non-classified materials being distributed for public consumption by the Department of Defense the question is asked, "What are the safety implications of living in an area where nuclear weapons are stored?"

The response given is: "U.S. nuclear weapons are designed with a series of safety devices so that the likelihood of any nuclear yield in case of an accident is essentially nil." I repeat, "essentially nil." General Starbird's statement is absolute. The D.O.D. is not willing to go that far. The chance of accident, it says, is most remote, but it is not impossible.

In order to substantiate its claim that an accidental nuclear detonation could not occur at one of the Sentinel sites, the Department of Defense cites 20 years of accident-free handling of nuclear weapons. I agree that so far the Department of Defense has built a record in handling nuclear weapons that we can all admire. But I do not think it makes sense to suggest, as they do, that since there has never been an accidental detonation there can never be one.

General Starbird's statement is also at odds with the handbook prepared by the Department of Defense and published by the Atomic Energy Commission in 1962. In Appendix A, it states:

"Nuclear weapons are designed with great care to explode only when deliberately armed and fired. Nevertheless, there is always a possibility that, as a result of accidental circumstances, an explosion will take place inadvertently. Although all conceivable precautions are taken to prevent them, such accidents might occur in areas where the weapons are assembled and stored, during the course of loading and transportation on the ground, or when actually in the delivery vehicle, e.g., an airplane or a missile."

There have already been a considerable number of accidents involving nuclear weapons. The crashes at Palomares, Spain, and Goldsboro, North Carolina, come readily to mind. Of the Goldsboro incident Ralph Lapp, a nuclear scientist, says in his book, *Kill and Overkill*, that at the scene of the accident Air Force experts found that five of the six safety interlocks had been triggered by the fall.

When he was asked at the Waukegan meeting about Lapp's statement that all but one of the safety devices on the bomb which fell at Goldsboro had been triggered. General Starbird took issue with the statement. I thought, therefore, it would be well to check the matter further, so I asked the staff of the Appropriations Committee to obtain an authoritative answer. The Air Force gave me this answer: that instead of only one safety device remaining intact, two remained untriggered.

The deployment of the Sentinel ABM system is justified in part on the ground that it will catch accidentally launched ICBM missiles from other countries. If an ICBM can be accidentally launched, why cannot a Spartan be accidentally launched?

If a Spartan missile can be launched accidentally, what happens to its megaton range nuclear warhead? Is there any possibility that it will be exploded in the atmosphere rather than in the target area above the atmosphere? Is it possible for a Spartan missile located at a site in a southern state to re-enter the atmosphere and threaten northern populations?

I realize that a mechanically perfect Spartan will not explode until it is above the atmosphere where its nuclear yield will do no damage to this earth or its people. But we are talking about a less than perfect Spartan missile which through mechanical or human failure has been launched. Can its nuclear mechanism arm itself prematurely and explode its nuclear charge before it leaves the atmosphere?

The point is that the safety devices are not infallible—the fact that weapons are designed not to malfunction does not mean that they cannot. Nuclear accidents have been occurring at the rate of approximately one per year since the advent of the atomic age more than 20 years ago. As weapons proliferate throughout our states, we can expect the incidence of accidents to increase.

The possibility of an accident at the missile site cannot be discounted. Let me read to you from a Washington Post story of May 23, 1958, describing an accidental missile launch that occurred in Middletown, N.J.:

"Eight powerful Ajax missiles" reports the Post "exploded at a New Jersey Nike launching base today, killing nine men, injuring three and showering 24 live but non-atomic warheads over a wide area.

"A tenth man was missing and presumed dead.

"The Army said one of the missiles went off at about 1:20 p.m. while a crew of five civilian technicians and six army personnel was installing a new type of arming mechanism to insure greater accuracy. Four minutes later, seven other missiles on the launching pad blew up at once with an earthshaking roar that could be heard ten miles away. Windows were shattered within a one-mile radius.

"Army demolition crews scoured the countryside for the 24 warheads that were sent hurtling over the area."

Fortunately the accident was non-nuclear, but I think the remarks of the Mayor of Middletown is relevant. He said, "The Army assured me nothing like this would ever happen. Now we have missiles flying all over the place, landing on schools, in the streets and on our houses. The Army assured me that their things were not armed and never would be fired unless there was an enemy attack."

I have great respect for General Starbird as a distinguished and able officer. But despite the best intentions and assurances of able generals and despite their extensive and intensive precautionary measures with men and materials, accidents have occurred—and they will continue to happen. Mechanical equipment breaks down and men are not infallible. One has only to read the article by Dr. Paul Eggertsen in the August issue of Psychiatry Magazine entitled "The Dilemma of Human Reliability" to appreciate the incredible difficulties facing the leaders of our military forces in seeking to eradicate human failure in dealing with the complicated weapons used in today's armed forces.

Dr. Eggertsen tells of the work of the human resources committee of which he was a member and of the task given it by the U.S. high command. "Our bombs," read his assignment, "are increasingly numerous, they are deployed widely because of the cold war, and they have quick reaction times because of the short warning times that obtain in the cold war. We begin to perceive they may not always be in safe hands. You know about people. How can we make sure that only 'safe' people get control of weapons?"

The discussion ended, says Dr. Eggertsen, in the committee's answer that neither this nor any other group could insure that only 'safe' people could deal with nuclear weapons.

From all this the conclusion seems obvious that if it is possible to place nuclear missile sites away from centers of population without unduly diminishing whatever effectiveness the Spartan missile may have, in the interest of public safety that ought to be done. In this instance, distance from the city is important.

Particularly is this true when the public is required to live with a defense of such limited capability as the Sentinel. It is one thing for our people to have to live with nuclear weapons that are part of a defense system that provides maximum protection. It is quite another thing to ask them to assume such risks for a system which will not protect against the Soviet missile threat, which will not protect against nuclear warheads fired from enemy planes or submarines, which will not protect against a Red Chinese threat if it carries a missile which is not quite primitive in effectiveness.

Does it not seem naive to expect the Communist Chinese to develop and attack the United States with a missile system so unsophisticated that it could be thwarted by the Sentinel system, especially when the Chinese would know that our retaliation would be swift, certain and utterly devastating from nuclear warheads fired from bombers and submarines ranging near China's shores and from missile bases in this country?

I have voted for ABM research and development funds over the years because I believe that as long as nuclear weapons exist in other countries, we have no choice except to develop the best antimissile defense we can. But as yet, the Sentinel system should not be leaving the drawing board and the laboratory. As former Secretary of Defense McNamara said to Congress: "None of the ABM systems at the present or foreseeable state of the art would provide an impenetrable shield over the United States. . . . Let me make it clear that the cost in itself is not the problem; the penetrability of the shield is the problem."

There is a time for research and there is a time for deployment. The first stage must be completed before the second is undertaken. As Dr. Hans Bethe states it so well in his article in the March issue of the Scientific American:

". . . One must distinguish clearly between the possibility of development and the development itself, and similarly between development and actual operation. One must refrain from attributing to a specific defense system, such as Sentinel, those capabilities that might be obtained by further development of a different system."

It follows that the Sentinel light ABM system, to be built now and to be operational in the early 1970's against a possible Chinese intercontinental ballistic missile threat, will have to reckon with a missile force unlike either the Russian or the American force, both of which were, after all, built when there was no ballistic-missile defense. The Chinese will probably build even their first operational intercontinental ballistic missiles so that they will have a chance to penetrate. Moreover, we believe it is well within China's capabilities to do a good job at this without intensive testing or tremendous sacrifice in payload.

One remembers the recommendation of the Army in 1959 to deploy the Nike-Zeus ABM system, which was a predecessor to the Sentinel. President Eisenhower turned down the Army's request. Had he complied with the Army's recommendation and Nike-Zeus deployed at an estimated cost of $14 billion, in the words of former Undersecretary of Defense Cyrus Vance: "It would have had to be torn out and replaced almost before it had become operational."

Yet, "the illusion is being nourished," says Dr. Bethe, "that an effective system against ballistic missiles is possible." And the Army is contributing to that illusion. Many people—I should say most people—believe the Sentinel system is a sure defense against all incoming enemy missiles. They do not receive full information about it. For this hearing the propaganda machine of the Department of Defense was busy. Friday's Chicago *Daily News* showed drawings obviously obtained from the Department of Defense. The descriptive material says: "These drawings, based on a conference with Army officials, show how Sentinel missiles would be launched and guided and how they would stop enemy missiles."

To the average reader, this is a picture of a fool-proof defense. How could anyone, it suggests, be opposed to this scientific marvel which renders us impervious to enemy missile attack? The average reader would not know that enemy missile attacks do not come from individually lobbed firings, but in a salvo. The Sentinel would be inundated in a true attack. Should not the public know this?

From the Army's standard presentation we learn that in 1962 in a test at Kwajalein atoll a Nike-X missile intercepted one of our ICBM's launched from our west coast. Thereafter, it continues, various major improvements were made in the radar and interceptors available so that those components when fitted together into a system could meet a sizable number of attackers.

How many attackers can it meet? I realize I am nearing the realm of classified material and I would not want such data made public. But the department's own experts concede that it could not withstand a Soviet attack. What is its capability? How much can the public be told?

Will the Spartan installation proposed for Libertyville protect Chicago from a missile attack if the attacker uses decoys?

Will that Spartan installation protect Chicago if the attacker creates a Beta-patch blackout?

The specter of nuclear accidents remains. Each new ABM site will increase the chances for a nuclear accident. Those of us who represent constituencies close to missile emplacements have a responsibility to make a judgment as to whether or not we are willing to vote to take the risks implicit in this deployment. I, for one, am not willing to jeopardize the well-being of millions of citizens in the Chicago area for the sake of a system so questionable as the Sentinel ABM.

The citizens of the Chicago area are concerned, especially those who live near the Libertyville site. I receive mail and phone calls in my office daily from concerned citizens who want no part of the Sentinel system. Numbers of people and groups wanted to give statements at this hearing today. I told them time did not permit it because of the great number of requests.

I have tried to cover some of the questions that have troubled me and the many people who have written to me. I don't envy the Army its task. The threat of enemy weaponry is serious enough without introducing into the picture new anxieties concerning our own weapons. I do it reluctantly and only because I consider the decision we face with the Sentinel system and the location of its sites so serious. I hope and pray the decision we reach may be the right one.

(Mr. KASTENMEIER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. KASTENMEIER. Mr. Speaker, I would like to add my voice to those of my colleagues in opposing the deployment of the anti-ballistic-missile system. While the question has been dramatically debated by both the proponents and the opponents of the ABM, I think we would do well to consider not only the technical arguments that can be made against the system, but also the arguments which focus on that subtle and neglected position that deployment of an ABM system would tend not to stabilize the situation vis-a-vis the Soviet Union, but rather to heighten the instability of an already dangerous situation.

It is often said that an ABM would not upset the balance of terror because it would simply strengthen our ability to absorb a first strike and still be able to inflict unacceptable losses upon the Soviet Union. However, this argument is generally based on the supposition that the Soviets will not build up their offensive might in response to the deployment of the ABM. I believe this supposition to be wholly unrealistic and dangerous. The Soviets are as interested in maintaining an assured destruction capability as we are. If we deploy our ABM, the Soviet Union can be expected to upgrade their offensive forces to the point that they can cope with a highly sophisticated and accurate ABM system. In short, the Soviets must plan their offensive forces in such a way that they will be able to overcome a 95-percent effective ABM system if they want to maintain their end of the balance of terror. This mad rush for more and better weapons on their part would certainly force us to move in a similar direction. Can we honestly call this a stable situation, a situation conducive to frank discussions with the Soviets, conducive to a secure world in which we can live out decent lives.

Furthermore, I would like to add a note of warning to all those persons, ordinary citizens and leaders alike, who might believe that because we have an ABM there is some guarantee against destruction. Even if we should have an ABM which is 90-percent effective, there is no protection against annihilation in the event of a heavy attack. If 10 percent of the warheads in a large-scale attack get through, this is enough to crush our society and spell the doom of millions of our people. The grave danger is that someone might allow himself to be led into the fantasy that there is some protection after all. I shudder to think what would happen if we deploy this system and someone then thinks that it is effective enough to allow us to take a few more risks in pursuing our national goals.

Is it not true that in this case it is better to be truly afraid of the real danger of annihilation than to be lulled into a false security by unfounded promises about the effectiveness of an untested ABM system. Let us admit the fact that it is impossible to defend ourselves against destruction once the war begins and abandon now the ABM system. Perhaps then our realistic fear will drive us to seek more creative and productive means of building a secure and peaceful world in which we can live in safety with the Russians as well as the Chinese.

LONG BEACH, CALIF.: PROGRESSIVE RECREATION

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from California (Mr. HOSMER) is recognized for 5 minutes.

Mr. **HOSMER**. Mr. Speaker, the city of Long Beach deservedly enjoys a nationwide reputation for imagination and leadership in education and municipal services. Part of this reputation stems from a very wise decision on the part of the citizens of Long Beach 40 years ago when they voted to establish a recreation commission.

That vote was 40 years ago today, and it resulted in a coordination between the municipal recreation department and the school recreation program. It has long since become one of the outstanding such plans in the Nation.

This coordination under the recreation council has enabled Long Beach to get maximum benefit from its recreation dollars, which now have numbered more than 66 million since 1945. The benefits of this plan are many and varied. The city and the school system do not duplicate each other's facilities. Schools may use city parks, baseball diamonds, and camping facilities, while the city recreation program has full access to school gymnasiums, swimming pools, and athletic fields. All this has been a major benefit to the city's taxpayers.

I would like to take this opportunity to commend the Long Beach Recreation Council for its progressive leadership and dedicated service to the needs of the people of Long Beach. The council is headed by Mr. Milton B. Arthur, president, and Mrs. Charles F. Reed, vice president. Members are Mrs. Maurice W. Johnson, Mr. John Mansell, Dr. Dwight C. Sigworth, Mr. Charles A. Stevens, Councilman Emmet M. Sullivan, Mrs. Gus A. Walker, and Mr. W. Odie Wright.

The director of physical education and municipal and school recreation. Mr. Alvin D. Hoskin, recently addressed a civic group and highlighted the significance and accomplishments of Long Beach's outstanding recreational plan. Mr. Hoskin's remarks follow:

COORDINATION UNEXCELLED

Sound in its concept, effective in its service to the children, youth and adults of the community, and diversified in its scope, the Long Beach Coordinated Municipal and School Recreation program has become nationally and internationally acclaimed. The development of this corporate image did not just happen; it became a reality because of the dedication and sincere desire of leading citizens of this community, Recreation Commission members and recreation employees striving to provide for the needs of the community and diligently working for a quality type recreation service for its citizens. Most of us today accept the concept of coordination between the school district and the City of Long Beach, but few of us are aware of the basis for the present inter-agency coordination.

Let us go back a half century to the year 1917 when Eugene Tincher, now a prominent local attorney, was elected Commissioner of Public Affairs. Among his responsibilities was the administration of the parks and playground. It was during a four-year term that Mr. Tincher developed cooperative relationships between the municipality and the school district in the operation of the playgrounds and recreation programs. With the help of the school authorities in providing and lighting two schools, the PTA and the Public Affairs Department provided the personnel and the municipality provided the facilities necessary. During the latter part of this period $1,000 was appropriated for the operation of the summer playground project. Leaders were paid from these funds and the program was operated at five school playgrounds. Supplies were furnished by the PTA of each school. In 1920 a Community Service Committee headed by Josephine Randall, National Recreation Association recreation specialist, made a study of recreation in Long Beach.

In 1923 another survey of recreation in Long Beach was made by Mildred Wiley. Following this a meeting of the College Women's Club, now University Women's Club, was held, at which time a report was given which included the following statement:

"The visitor in Long Beach during the summer finds these eight supervised and equipped playgrounds in full swing. He returns in September and looks again. No playgrounds. No leaders. A few children about after school for an hour or two. Are not the play needs of the summer still existent, or is play a bad thing for children in the fall, winter, and spring?"

The survey report also stated:

"No good reason can be seen for the existence of two separate administrations for the playgrounds of the City of Long Beach. On the other hand, there is reason for unifying the command. The purpose of all the public playgrounds is identical, namely to furnish play for the children in the daytime and the adults in the evening. Because certain sites happen to come under the jurisdiction of the Department of Recreation, and others happen to be school grounds under the authority of the Board of Education, is no reason why one central head should not be responsible for the administration of all."

Additional efforts were made to establish cooperation and coordination between the City and the School District in providing recreational opportunities. In 1928, Charles H. Hunt, high school supervisor of physical education, was convinced that a greater use of the school facilities could be made for recreation. He suggested a plan to Superintendent of Schools W. L. Stephens, to open all playgrounds, gymnasiums and swimming pools for after school, Saturday, and vacation use. The Board of Education supported the plan by appropriating necessary funds.

Later, Mrs. W. J. Kimball, President of Washington Gladden Club of the Congregational Church, came to Mr. Hunt and urged that some plan be developed that would incorporate the parks, beaches and other city areas with the schools. Subsequently, this Club invited several hundred community leaders to the Church for a meeting and Mr. Hunt addressed the group, outlining a possible plan of coordination and suggesting that a survey committee composed of school and community leaders be formed to study the situation and make recommendations. The Press-Telegram published and supported the idea. The PTA under Mrs. Stephen G. Skinner, President, called a meeting at which time a Public Recreation Survey Committee was formed with Clyde Doyle, attorney and later Congressman, as chairman.

The survey Committee met regularly for nearly a year and involved many prominent local citizens and organizations as well as State and national consultants. It is interesting to read a portion of one of Mr. Doyle's reports:

"By mail and personal interviews with representatives of other cities, documentary material, visitations, and all other available methods and means, this group sought out the experiences of dozens of other American cities in this matter, both municipal and school, relating to parks, playgrounds, school gymnasiums, athletic field, physical education programs, use of public buildings, grounds and facilities under the Civic Center Act of the State of California and otherwise, having in mind at all times the desirability of Long Beach profiting by the experiences and mistakes of other cities. At the time the study commenced, the municipality of Long Beach was conducting virtually no recreation or playground program, but the Board of Education was financing and conducting one which appeared highly efficient and desirable."

Following the completion of the study, City officials requested that legal provisions to coordinate municipal and school recreation be prepared for submission to the electorate. Mr. Hunt prepared the original documents which were refined into legal terminology by Mr. Doyle. The PTA was the major community organization supporting the concept and encouraging voters to approve the Charter Amendments which they did in 1929.

The City Charter amendments of 1929 provided for the establishment of a Recreation Commission consisting of nine members. Four of the nine members serve because of their positions within the governmental structure of the community. The additional five members are lay citizens who serve terms of five years with one term expiring each year.

The Superintendent of Schools and the City Manager by Charter provision are members of the Recreation Commission. The Board of Education selects one of its members to represent it on the Recreation Commission and the City Council selects one of its members to represent the City Council on the Commission. The Charter provides that no more than six of the nine members may be of the same sex, thereby assuring that at least three women are represented on the Commission.

The Recreation Commission is charged with the responsibility of establishing policies governing the joint operation of school and municipal recreation.

Close working relationships with the other city commissions and departments are essential for the coordination of recreation. A Coordinating Committee consisting of the president of the Park, Planning and Recreation commissions, the director of each of the three departments, and representatives from the City Engineer's Office, City Manager's Office, and Marina Advisory Committee, meet regularly to consider plans for major facilities or developments relating to recreation. Recommendations of the Coordinating Committee are referred to the respective commissions. After approval of the Coordinating Committee's recommendations by the commissions, the City Manager's Office is informed and the recommendation to the City Council is forthcoming. Upon approval by the City Council, the implementation of the recommendations occurs.

The City Charter further provides that the Director of Health and Physical Education of the School District shall be the Director of Recreation for the City and that he shall manage and supervise the public recreation program. The Director is also the secretary of the Recreation Commission and has the responsibility of coordinating the recreation program of the schools and of the city.

It has been the concept under the coordinated plan from the beginning that both school and municipal facilities may be used for the recreation of the citizens. The City may use the gymnasiums, swimming pools, athletic fields, etc. when these are not needed for the educational program. The schools in turn may use the recreation facilities, parks, baseball diamonds and have use of camping facilities provided by the City. These reciprocal uses of facilities are coordinated through the office of the Director of Municipal and School Recreation.

One of the major advantages of the Coordinated Program of School and Municipal Recreation is the economy of the joint use of facilities. The City does not duplicate the construction of gymnasiums, pools, athletic fields of the schools but builds structures such as social hall clubhouses and youth club facilities that are used for the activities not normally conducted in the school plant. Such coordinated use enables the tax payers of the community to save a great deal on the construction of facilities as well as provide a much greater utilization of both school and city recreation facilities.

Recreational services are coordinated at the Commission level, administration level, supervision level, and the recreation leadership level. The fact that both agencies of the coordinated program are represented at the policy making level, is essential to the successful administration of the total program. The recreation administrators of both the school and city agencies meet weekly, and at other times when essential, to discuss and reach decisions relating to current problems, programs, implementation of Recreation Commission policies, personnel matters and planning directions for programs and future developments.

Once a month members of the Supervisory Council, representing both city and school recreation, meet around the table to discuss matters appropriate to this group. Generally, discussion items include program planning, evaluations, inservice education and major projects such as buildings and park improvements for use in the recreation program.

General meetings of employees of both school and city recreation departments are held several times a year. The basic purpose of these meetings is to disseminate information, clarify policies and procedures of the coordinated program, improve communications among personnel and various facets of the total program, to recognize employees for loyal service, and to provide inspiration for continued progress in providing the best all around recreation service possible.

Further coordination of the program in the area of sports is handled through the issuance of permits to community groups for the use of recreation facilities by coordinating all permit requests for school and city facilities for junior baseball, softball and baseball through the Municipal Sports Supervisor.

A number of services are jointly provided by the two agencies. These include a year around program of swimming instruction, recreation swimming and competitive swimming in the five high school pools and one city college pool, programs for handicapped children, youth groups and Saturday Sports for junior high youth. In all of these examples the leaders work side by side.

Implementing the concept of cooperation and coordination of recreation by employees, whether paid from city funds or school funds or assigned to a municipal area or a school area, is essential for the success of the total operation. Although competition exists between teams or groups representing various municipal and school areas or programs, such competition should always be held in true perspective to the total program and the basic concept of cooperation and coordination. I am very proud to say that we have a most enviable record in this regard.

In forty years of operation in the Long Beach community, the coordinated program has provided for excellent cooperation between the involved agencies, the promotion of consistency of program services, better use of staff services, more effective use of facilities, the elimination of costly duplication of services and facilities, and enrichment opportunities for all ages unexcelled in any community in the nation.

PUBLIC LANDS AND PUBLIC TRUST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SAYLOR) is recognized for 60 minutes.

Mr. SAYLOR. Mr. Speaker, our public lands constitute one of the most varied and most valuable resources of this Nation. Intelligently and purposefully managed, these lands can provide benefits to all segments of the population—recreation, hunting and fishing, timber production, fresh water, and forage.

Generally, those who share this bounty are willing to make fair payment for what they receive. Others contribute to the management and protection of these lands through their Federal taxes but never receive any direct personal benefit. Despite the vast majority who are paying their way there are still those who feel that a free ride is their right.

In particular, many ranchers who graze livestock on public lands and national forests are violently opposing the move to insure that they pay an equitable cost for what they receive. So frightening to some ranchers is that idea, one livestock group has called the proposal to collect fair market values for grazing privileges on the public lands shocking in the extreme. While I am fully aware of the course of historical development of the American West, I am somewhat disturbed by the failure of some of its developers and their descendents to recognize that the days of the free range are long past. While grazers have been paying fees for running their stock on the national forests since 1906 and on the public lands since 1936 and would thus deny the free range allegation, the fact remains that they are not paying the full value for grazing permits, thus receiving part of their range without charge.

Let us look for a moment at the background of the grazing fee proposal which we are told by some ranchers will, "cripple a great segment of the United States" and eventually make of consumers, "losers through enforced higher prices of beef."

All Government user charges are presumably based on guidelines established and set forth by Congress in the Independent Offices Appropriation Act of 1952. Further guidance, originating in the executive branch, has come from the Bureau of the Budget in its 1959 Circular No. A–25. Central to both of these guidelines is the premise that Federal user charges should generate revenues in line with the fair market value of the resource being used.

Due to differences in legislative foundations and missions, the Forest Service and the Bureau of Land Management, which administer the public lands, have evolved differing grazing fee schedules. Currently a mature cow is permitted to graze for a month on BLM rangeland at a cost of 33 cents. This same cow grazing on a national forest would incur a month's board of from 19 cents to $1.64. This inequitable situation has led to requests for studies and rectification. Such studies were begun in 1961 and were capped by a comprehensive survey in 1966 which covered 98 national forests, 19 national grasslands, 48 BLM districts, and 10,000 individuals.

Analysis of the data generated by the 1966 survey confirmed not only wide differences in grazing fee charges within Federal agencies, but revealed that these fees were considerably lower than those charged for the use of private or State grazing lands. The following table shows that BLM receipts per acre for grazing permits are far below the returns from State grazing lands.

COMPARISON OF BLM AND STATE GRAZING RATES

State	Average receipts per acre		BLM receipts as a percentage of State receipts per acre
	State	BLM	
Colorado	$0.370	$0.027	7
Wyoming	.195	.034	17
Oregon	.105	.024	23
Arizona	.070	.019	27
Idaho	.100	.029	29
Montana	.185	.053	29
New Mexico	.110	.043	39
California	.055	.026	47
Utah	.042	.021	50

A technical committee was established to analyze the data, consisting of representatives of the Statistical Reporting Service, Economic Research Service, and Forest Service, all in the Department of Agriculture, the Bureau of Land Management in the Interior Department, and ex officio representation by the Budget Bureau.

The committee's determination was that $1.26 per animal-unit-month was the best available base fee for cattle grazing. Further analysis resulted in this figure being lowered to $1.23/AUM.

On November 15, 1968, Secretaries Freeman and Udall announced proposed changes in the grazing fee schedules, designed to reach the recommended base price of $1.23 in 10 years. This stretchout in achieving the base price is intended to minimize the economic impact of the proposed fee change on ranchers.

It is reasonable to expect a businessman to resist any increase in his cost of doing business, but one expects him to offer arguments considerably less specious than those we have heard from the livestock people.

On the one hand we have been told that production costs of livestock operations increased "by more than 100 percent" since 1950. Although the fee adjustment proposal next year would increase fractionally, a factor which represents only about 6 to 8 percent at most of the total cost of production, we are told it would force many ranchers out of business.

We are also told that the consumer will have to pay higher prices for meat. Given the astronomical increase in meat prices in the last few years, this is an argument which will frighten few people, as meat has already been essentially priced out of the market for many of them. Further, only a small portion of the livestock which eventually reach the marketplace have been grazed on public rangelands. One organization estimates the figure as low as 2 percent, while the industry claims "as much as 20 percent of the total U.S. cow-herd would be in jeopardy."

The industry has argued extensively about the relationship between grazing costs and the market price of meat, claiming a direct relationship. If, as the industry claims, first, 20 percent of the cow herd would be affected by the increased fees, and second, private grazing land costs less in many cases, then it follows that we should now be able to choose at a meat counter between higher priced meat from public lands or less expensive meat which was raised on private lands. Lacking such a two-tier price structure for beef we must assume:

First. That 80 percent of the meat sold has been inflated in price to match that set for public land grazing animals; or

Second. Owners of animals run on public lands find it possible to market their product at the same price as owners of cattle raised on private lands.

If the former is true, then the public has been cheated, meat prices should drop immediately, and the excess profits realized by the industry can be used to offset any financial difficulties experienced by operators under the revised fee schedule.

If the second instance represents the situation as it exists, then it follows that stockmen on public lands are operating at or near a loss, in which case they would not be acting as "prudent men" which is one of the criteria used in validating claims to the public lands through mineral entry laws. This same test should certainly be applied for grazing permits.

Another claim of the cattlemen is that they are not being credited with the cost of buying a grazing permit when computations of total production cost are made.

I would point out that the more expensive of these purchases are made from other permit holders, not from the Federal Government. Since grazers are willing to pay a premium for a permit it is obvious that the value of the forage received is greater than the fee paid to the Government.

There simply is no sound reason why a public asset of this nature should be realized by a private individual at the expense of the general public. The full value of the resource used should be realized by the true owners—the people of the United States.

One other argument frequently dragged forth and propped up by not only the cattlemen, but by all the would be saviors of the status quo in resource management, is that the Public Land Law Review Commission is now carrying out its review of all aspects of land use legislation, hence we should make no changes, take no action until they have finished their deliberations. Some of the heel-draggers would even give the impression that such inaction is required by the legislation which established the PLLRC.

Mr. Speaker, as a member of the Public Land Law Review Commission, I can assure my colleagues that operations of that body in no way require or condone the abrogation of congressional or executive responsibility to carry on the management of the Nation's land resources.

The review being conducted by the Commission is a complex and trying task. We have had to extend the life of the Commission already so as to allow it to finish its work. We now expect completion of the review by 1970. I must confess great weariness with the myriad special interest groups who would have us hold off from making obvious and needed changes in any resource policy or procedure until sometime after 1970.

One other point needs to be made. There will be a small number of livestock operators who will actually be disadvantaged by this increase in the cost of grazing. These men are being done a gross injustice by the brash propaganda efforts of those associations which claim to represent the interests of all who graze animals on the public lands.

In reality, it is the administering agencies which show the greatest real concern with the social and economic wellbeing of the permit holders. The proposed fee schedule is flexible, subject to readjustment on the basis of changes in the relative costs of grazing on private and public lands. Hence, we are not seeing the creation of rigid, unrealistic price scales, but rather guidelines toward the ultimate establishment of standard, current fees.

The agencies now issue exempt—no charge—grazing permits for limited numbers of stock associated with the operation of ranches and farms. In the Forest Service alone, there are currently about 40,000 such permits. This practice will continue.

Additionally, and perhaps most importantly, the Agriculture Department proposal seeks to minimize the effect of the increase in a compassionate manner by a number of means, including reduced fees to selected individuals upon proof of need.

Thus, I submit that what has been proposed is a laudatory attempt to manage a public resource in the public interest—a task entrusted to the competence of administrative agencies, and the conscience of Congress.

I am incorporating as a part of my remarks a study of the history of grazing fees established by the Secretaries of Agriculture and the Interior as prepared by George H. Siehl of the Natural Resources Division of the Library of Congress. The study follows:

History of Grazing Fees—The Free Range

The early history of the Western cattle industry and associated range utilization was described by George Stewart, a Forest Service ecologist, in *The Western Range*.[1] These excerpts provide some idea of the rapid and expansive deterioration that occurred when the range was used indiscriminately, rather than managed:

"The first era of intensive use of western range by livestock coincided with the great boom in range cattle, which was on the upswing in 1880. By 1881 the price recovery from the 1873 depression generated in the grazing industry a tide of expansion which became a veritable flood in 1883. That year, in Wyoming alone, 20 mammoth cattle companies were organized with a total capitalization of more than $12,000,000.

". . . In a few short years practically all ranges were under use and in many cases depletion had commenced on a scale in keeping with the size of the herds.

"Outfits owning 5,000 to 100,000 cattle were common on the Plains and in the Southwest, and properties of small owners were often consolidated by purchase or by incorporation.

* * * * *

"The buffalo, deer, elk, mountain sheep, antelope, and other forms of wildlife, large and small, that were the first users of the range had little or no discernible effect upon it in terms of depletion. Heavy use by vast roaming or migrating herds of buffalo was common, and around strategic watering places, salt licks, and on favorite breeding grounds range forage would be so fully grazed that little or no feed remained. Yet in every instance seasonal migrations of the herds permitted recovery of the vegetation between grazing periods.

"In all other instances of temporary exhaustion of the range resource, such as overuse by huge colonies of prairie dogs, or utter destruction of forage by locusts or crickets, sufficient periods of recuperation occurred to maintain the productive power of the original range. No evidence remains to us from those times of such persistent overuse as came when the white man began to pasture his cattle year after year on the same range, without affording any opportunity for restoring plant vigor.

"With the discovery of gold in the Rocky

---

[1] U.S. Congress. Senate. 74th Congress, 2nd Session. Document No. 199. The Western Range. Letter from the Secretary of Agriculture, 620 p. April 24, 1936.

Mountains during the sixties, cattle were taken from Utah and California into Colorado, Montana, Idaho, and Nevada. The strong markets of the late seventies and early eighties carried grazing onto most of the accessible ranges in the mountain region. Here, however, development of the country was slower and more substantial, since it came in connection with homes and farms. Wild hay and irrigated alfalfa produced abundantly and from the first lent stability to range use on a community basis.

* * * * *

"The tremendous growth in range cattle, however, carried with it a weakness that in the end proved fatal. It was based on a husbandry transplanted from Mexico, which brought to English-speaking people for the first time in history the practice of rearing cattle in great droves without fences, corrals, or feed. The lariat, the type of saddle, chaps, and the sombrero came along with the manner of conducting the business. The very newness of it all as well as the immensity of the outfits left the Americans without guide or standard by which to gage either the security of the cattle as they roamed at large or the ability of the forages to stand up under continual intense utilization. It is little wonder, therefore, that cattle instead of grass came to be regarded as the raw resource and that the neglected forages began to give way before the heavy and unmanaged use to which they were subjected.

"This almost explosive expansion of cattle grazing was based on a great natural resource which the stockmen obtained with little cost. Grass was the magnet and living bonanza that irresistibly drew cattle and cattlemen to this range El Dorado.

* * * * *

"The expectation of fortunes to be made in a few years led to gambling in futures and caused overexpansion both in investments and in range use. In this process the accumulated forage of several years was mined, overuse taking not only the current growth but sapping as well the vigor of the forage plants. The better stockmen recognized the danger but warnings in a minor key during a boom get no hearing, and exploitation raced on.

"This constant drain, without allowing any chance for recuperation, caused the forage 'mine' to peter out. In 1898 Bentley reported that some stockmen considered that in parts of Texas 'the injury has gone almost past the point where redemption is possible.' Ranges that should have carried a cow on every 40 acres had one on every 10 acres."

An extremely severe winter in 1885–1886 was followed by a summer drought and another bad winter. This killed large number of cattle, in places as much as 85% of the herd, and abruptly deflated the speculative balloon.

"So weak had the boom structure been and so severe the shock of its fall that only a wreck of the range-cattle industry remained. Range use had been so concentrated and relentless that the best coulees were hopelessly trampled, and the back slopes weakened in productive power. Herds were broken and scattered; confidence was wiped out; and forced sales for liquidation of debts pressed down the already broken prices.

* * * * *

"While the range was used recklessly by most ranchers, the necessity for providing a dependable forage supply was felt, even before the ruinous winter of 1886–87, by a few stockmen who had purchased land in an effort to prevent summer use of range suitable for winter grazing. Others, realizing that controlled ranges had advantages, were willing to relinquish their 'rights' and persuaded the national convention of Cattle Growers to recommend Federal leases on the public range. Before the boom, in 1881, stockmen of both Montana and Wyoming fought against enacting the law suggested by Powell for enlarged 'arid homesteads', and urged that all proposals to lease land be rejected; but after the boom they felt differently about the situation.

"No action on this recommendation was taken by the Federal Government and the cattlemen then attempted to acquire ownership of as much land as possible. Cowboys were hired to enter land and for a small sum turn it over to their employer. Lands along streams where cattle could water and where wild hay could be grown were acquired first, and later more and more upland range."

A major new threat to the economy of the cattle industry and the ecology of the battered range appeared—the sheep.

"Just when security in the ownership of cattle was becoming established and the West was being taught the necessity of welding land to livestock to insure dependable forage supplies and range use, a tremendous and rapid increase in sheep again stirred up the struggle for range.

"Sheep numbers quickly rose from a comparatively small figure to veritable hordes. This increase came at different times in different States, but maximum numbers were reached in most States between 1880 and 1910. . . .

"Vast numbers of sheep appearing almost without warning on fully used cattle ranges not only aroused a deep resentment but had a dire effect in causing even further exhaustion of the range forage. Compact herds left the range plants shaved to the ground and the soil exposed to wind and water erosion."

Stewart credits the institution of public land control with restoring essential stability to the deteriorating conditions on the range.

"The creation of the national forests . . . greatly stabilized range use and livestock production. An effort was made to administer grazing on the national forests for the benefit both of the permanent stockmen and of the adjacent agricultural communities. Having a definite range allotment with 3 to 5 months of dependable summer feed of high quality helped the stockmen to make the adjustments necessary to supply feed for the remainder of the year."

FOREST SERVICE FEES

The first regulated use of the forest reserves was set by the act of June 4, 1897. Regulations under this act allowed continued grazing of cattle in forest reservations as long as no harm was done to the forest. Sheep, however, were prohibited except in the Washington and Oregon reservations where it was thought that the abundant rainfall would allow for quick regeneration of vegetation. No fees were charged at this time.

Administration of the forest reserves was by the General Land Office in the Department of Interior until transferred to the Department of Agriculture by the act of February 1, 1905.

The first grazing fees were imposed by regulation on January 1, 1906. The minimum fees for summer grazing were set at 5 to 8 cents per head for sheep and, for the summer season, 20 to 35 cents per head for cattle and horses. The annual rate was 35 to 50 cents per head. The regulations further provided that, as the condition of the range improved and the demand for permits increased, the grazing charges would gradually be increased.

The imposition of fees was strongly resisted by stockmen. Clawson writes in *The Federal Lands,*[2] "The authority to control grazing on the forest reserves was challenged successfully in the courts until as late as the period of 1908–11. For many years the authority to charge grazing and other fees was disputed."

A Forest Service view on grazing charges stated:

"The collection of a reasonable fee for the use of national-forest range is nothing more or less than the recognition of the common business principle of paying for values received. The intrinsic worth of the forage and the stability afforded the livestock agriculturist in the use of the range have definite values. Not to collect fees from the range users would result in a subsidy to this group as compared to the producer who operates on privately owned or leased range or farm land. The collection of fees is also justified as a means of offsetting the cost of administration and the construction of improvements on the range by the Government, both of which directly benefit the range user. Nevertheless, almost continuous pressure has been brought by the livestock interests using the range to keep the fees as low as possible."

THE PUBLIC DOMAIN LANDS

From the turn of the century until the 1930's there were numerous efforts to pass legislation which would provide some form of control and management of the public domain rangelands. These efforts are detailed by Foss in his book, *Politics and Grass.*[3]

In the absence of successful legislative action the public domain remained open to all on an unmanaged, first-come first-served basis. The severe grazing paralleled the early practices on forest ranges described by Stewart, and led inevitably to the same result. The 1936 Agriculture Department report[4] said:

"Approximately 162 million acres of unreserved unappropriated public domain remained in the United States on June 30, 1934—practically all of it in the 11 Western States. This is the last 'picked over' remnant of the once vast acreage of free public land, which except for 65 million acres now being organized for administration under the Grazing Act is a no man's land so far as conservation and orderly use of its resources are concerned.

* * * * *

"The forage resources on this land . . . have been depleted approximately 66 percent as compared to virgin condition and the soil and watershed values have been greatly impaired. The use of the land for wildlife conservation has been greatly reduced. The lack of regulation has led to serious social and economic maladjustments.

"Although the need for regulation to conserve and wisely use these resources has been recognized for many years and efforts to obtain action have been aggressively urged since late in the last century, nothing was done about it until recently. In June 1934 the Grazing Act was passed, but only after oppositon which forced amendments that greatly lessened its value as an instrument for the solution of one of the Nation's major conservation problems."

Passage of the Taylor Grazing Act granted the Interior Secretary authority to establish reasonable fees for grazing permits. The first fees, set in consultation with an advisory board of stockmen, were to become effective in 1936. Cows and horses were to be grazed at a rate of five cents per animal unit month, and sheep at one cent per A.U.M.

One point stressed while the bill was under consideration was that revenues should cover the cost of administration. This was reemphasized again when Interior Secretary Krug had cattleman Rex Nicholson study the question of grazing fees late in the 1940's. "Nicholson's proposal side-stepped any consideration of fees based on the value of forage or any other criterion. It assumed that grazing fees should cover only the cost of administering the program."[5]

UNIFORMITY AND FAIR RETURN

The Taylor Grazing Act was an important step in implementing a policy of insuring a fair return to the Federal Treasury for the use of public resources. The first fees set for grazing on the public domain were far lower than those charged on National Forests—a disparity which, despite criticism, continues today.

---

[2] Clawson, Marion, and Burnell Held. The Federal Lands: Their Use and Management. Johns Hopkins Press, Baltimore. 1957. 501 p.

[3] Foss, Philip O. Politics and Grass. University of Washington Press, Seattle. 1960. 236 p.

[4] *Op. cit.* The Western Range.

[5] *Op. cit.* Politics and Grass.

The two elements of the grazing fee system sought by many—uniformity and fair return—are already present inasmuch as the Bureau of Land Management fees are uniform, and the Forest Service fees come closest to yielding a fair return. The problem has been to combine the best features of both systems.

Attempts to bring the BLM fees more nearly in line with those charged by the Forest Service date almost to the establishment of the former fees in 1936. The Congress set forth guidelines in the Independent Offices Appropriations Act of 1952 for establishment of user-charges. The Bureau of the Budget issued Circular No. A–25 in 1959, which provided further guidance. Numerous authors have chronicled the effective resistance to fee increases by the stockmen and their organizations. A comprehensive review of this conflict is contained in the chapter on administration of public grazing lands in *History of Public Land Law Development.*[6]

In late 1968, as a result of a joint two-year study by the Departments of Agriculture, Interior and Defense, a proposal to revise the fee schedules was published in the Federal Register. The proposal would result in a common base fee of $1.23/A.U.M. being reached in ten years by a series of equal increments.

A period of 45 days was provided for comment from interested parties, during which time conservation organizations generally lined up in support of the measure and stockmens' associations vigorously criticized it. Both sides presented what has become the standard arguments as used previously when fee increases were proposed.

THE GRAZING FEE RECORD

The fees charged by the Interior Department since 1936 are summarized in the following table:

Year	Rate per AUM	
	Cattle	Sheep
1935		
1936–46	$0.05	$0.01
1947–50	.08	.016
1951–54	.12	.024
1955–57	.15	.03
1958	.19	.034
1959–60	.22	.042
1961–62	.19	.034
1963–65	.30	.06
1966–68	.33	.066

The record is not nearly as simple for the Forest Service fee schedules. Dutton[7] has summarized the early history of these grazing charges.

"From 1906 until 1910 there was little change in the fees, except that a few adjustments were made between forests and regions in order to assure like fees for like ranges. The regulations in 1910 provided for the establishment of cattle fees from 35 cents to 60 cents, raising the maximum limit 10 cents per head per annum, and of sheep fees from 10 cents to 18 cents yearlong.

"In 1915 the regulation was again amended and the per annum fees were established at 40 cents to $1.50 per head per annum for cattle, and the rates for sheep at 25 percent of the rates for cattle.

". . . the Secretary of Agriculture, under date of November 3, 1916, issued an order increasing the grazing fees from 12 to 20 cents per head for 1917 with the same amount of increase for each of the succeeding years of 1918 and 1919, provided no single increase or series of increases resulted in a fee in excess of $1.50 per annum. A minimum rate of 60 cents per annum was established. These were flat rate fees and the examples are on a cattle basis."

A major study was undertaken in 1920 to determine a fair basis of compensation for grazing on the National Forest rangelands. A new fee schedule was drawn and presented to 9,000 permittees. While 1,700 accepted the increases:

"The great majority of the remaining 7,300 permittees agreed to the fairness of the method but, as a business proposition, were almost unanimous in opposing any increase at that time."

A review of the situation was ordered by the Agriculture Secretary.

"Mr. Dan D. Casement, Kansas livestock breeder and leader in the industry, was selected to make the review with the understanding that the 1919 fee rate would continue through 1925 and 1926, except where the appraisal had shown the 1919 rates to be in excess of the value of the forage."

Casement recommended an average reduction of 25% of the proposed new schedule, and the use after 1930 of the price of beef and lamb in setting fees. The new fees were approved in January 1927.

"Increases called for by the final adjusted fees were applied in installments of 25 percent each during the years of 1928, 1929, 1930 and 1931, the full increase being effective in 1931. Under this schedule the average fee per head per month for cattle was increased from 10.4 cents to approximately 14.5 cents; for sheep from 2.9 to about 4.5 cents. Fees by Regions, Forests, and grazing allotments of course varied considerably above or below the average."

The use of the market price formula suggested by Casement was approved and applied in 1933. "It recognized that prices received by the producer year by year are indices to the ability to pay for a given commodity." This guideline was adopted by the BLM in 1963.

The following table shows the average National Forest grazing fees by years in cents per Animal Unit Months.

Year	Fee per AUM	
	Cattle	Sheep
1933	9.05	2.05
1934	7.51	2.38
1935	8.04	2.71
1936	13.05	3.36
1937	12.55	3.66
1938	14.98	4.24
1939	13.4	3.3
1940	14.89	3.68
1941	15.97	3.85
1942	18.9	4.6
1943	23.0	5.5
1944	26.0	6.25
1945	24.8	6.03
1946	27.0	6.25
1947	31.0	7.5
1948	40.0	10.0
1949	49.0	11.0
1950	42.0	10.75
1951	51.0	12.25
1952	64.0	15.25
1953	54.0	11.75
1954	35.0	9.00
1955	37.0	9.00
1956	35.0	8.75
1957	34.0	9.00
1958	39.0	9.75
1959	50.0	10.25
1960	51.0	9.25
1961	46.0	8.75
1962	46.0	7.75
1963	49.0	9.00
1964	46.0	9.00
1965	42.0	9.75
1966	46.0	11.25
1967	51.0	11.50
1968	51.0	11.00

ESTONIAN INDEPENDENCE DAY

(Mr. McCORMACK (at the request of Mr. Cohelan) was granted permission to extend his remarks at this point in the Record.)

Mr. McCORMACK. Mr. Speaker, Estonia is a small country in northeastern Europe, one of the three Baltic States. With an area of about 17,000 square miles and with 1,300,000 inhabitants, it has always been among the smallest of European countries. Though quite small in numbers, the Estonians have always faced their far more numerous and powerful foes with courage and firm determination, convinced that theirs is a righteous and sacred cause. Even in defeat they have earned the respect of their foes. In the course of their modern history, when it became impossible for them to maintain their national independence, even then they refused to bend their knees to their overpowering overlords. For more than two centuries they were subjected to cruel treatment in the hands of the czars' callous agents. They were fiercely prosecuted for some of the beliefs they held. Still they clung to these beliefs until the time came for their liberation. In 1917 when the czarist regime in Russia was overthrown, they saw their chance, seized upon it and proclaimed their national independence on February 24th of 1918.

Thenceforth the Estonian people lived and worked happily in their homeland for about two decades. But world-shaking events since late 1930's have brought tragedy to the Estonians. In mid-1940 the country was overrun and then annexed to the Soviet Union. Since then unhappy Estonians have not known freedom in their homeland. For nearly three decades they have been suffering under cruel foreign tyrants. Their overlords have treated them as prisoners, and they are being forced to work under abominable conditions. They have little freedom of movement within the country, and are forbidden to leave the country except in rare cases and under very rigid conditions. But the people have not stopped their fight for freedom, and they carry it on quietly and clandestinely with all the means at their disposal. They pray for the end of their enslavement by Communist tyrants and anxiously look forward to their deliverance from totalitarian tyranny. On the 51st anniversary observance of their independence day we all hope that these sturdy and stouthearted people will attain their national goal and live in peace in their homeland.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Coughlin) to revise and extend their remarks and include extraneous matter:)

Mr. Minshall, for 45 minutes, today.

Mr. Hosmer, for 5 minutes, today.

Mr. Saylor, for 60 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Podell to extend his remarks during the special order today on the antiballistic-missile program.

Mr. Michel in two instances and to include an address by the Honorable John Gardner and several editorials.

---

[6] Gates, Paul W. History of Public Land Law Development. GPO, Washington. 1968. 828 p.

[7] Dutton, W. L. History of Forest Service Grazing Fees. Journal of Range Management, Vol. 6, No. 6, November 1953. p. 393–98.

Mr. Don H. Clausen and to include extraneous matter.

Mr. Albert and to include extraneous matter.

Mr. Hagan (at the request of Mr. Albert) in two instances.

(The following Members (at the request of Mr. Coughlin) and to include extraneous matter:)

Mr. Ashbrook.
Mr. Roudebush.
Mr. Bob Wilson in two instances.
Mr. Whalen.
Mr. Widnall in two instances.
Mr. Latta.
Mr. McKneally.
Mr. Harvey.
Mr. Saylor.
Mr. Cramer.
Mr. Frey.
Mr. Hunt in three instances.
Mr. Schwengel in two instances.
Mr. O'Konski.
Mr. Scherle.
Mr. Kuykendall.
Mr. Price of Texas.
Mr. Derwinski in two instances.
Mr. Skubitz in three instances.
Mr. Zwach.
Mr. Robison.
Mr. Wyman in two instances.
Mr. Findley.
Mr. Reid of New York.

(The following Members (at the request of Mr. Cohelan) and to include extraneous matter:)

Mr. Dent.
Mr. Gonzalez in three instances.
Mr. Long of Maryland in three instances.
Mr. Bolling in two instances.
Mr. Teague of Texas in six instances.
Mr. Johnson of California.
Mr. Evins of Tennessee.
Mr. Holifield.
Mr. Olsen in three instances.
Mr. Gilbert in two instances.
Mr. Podell in two instances.
Mr. Gallagher in two instances.
Mr. Fulton of Tennessee in four instances.
Mr. St Germain.
Mr. Pickle.
Mr. Kyros.
Mr. Rosenthal in three instances.
Mr. Thompson of New Jersey in two instances.
Mr. O'Neill of Massachusetts in two instances.
Mr. Murphy of New York.
Mr. Dingell in two instances.
Mr. Rarick in four instances.
Mr. Patten.
Mr. Ryan in three instances.
Mr. Koch in four instances.
Mr. Fraser in two instances.
Mr. Bevill.
Mr. Biaggi in two instances.
Mr. Mollohan in five instances.
Mr. Fascell in two instances.
Mr. Annunzio.

ADJOURNMENT

Mr. COHELAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 23 minutes p.m.) the House adjourned until tomorrow, Thursday, February 27, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

538. A letter from the Comptroller General of the United States, transmitting a report of audit of Federal Savings and Loan Insurance Corporation supervised by Federal Home Loan Bank Board for the year ended December 31, 1967 (H. Doc. No. 91–82); to the Committee on Government Operations and ordered to be printed.

539. A letter from the director, legislative commission, the American Legion, transmitting a report of the proceedings of the 50th Annual National Convention of the American Legion held in New Orleans, La., September 10–12, 1968, pursuant to law (H. Doc. No. 91–83); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

540. A letter from the Architect of the Capitol, transmitting a report of expenditures during the period July 1–December 31, 1968, pursuant to section 105(b) of Public Law 88–454; to the Committee on Appropriations.

541. A letter from the assistant to the president of the American Academy of Arts and Letters, transmitting, the report of the academy for the year 1968, pursuant to the provisions of section 4 of their charter; to the Committee on House Administration.

542. A letter from the Under Secretary of the Interior, transmitting the annual report on the anthracite mine water control and mine sealing and filling program, pursuant to the provisions of 69 Stat. 352, as amended by 76 Stat. 934; to the Committee on Interior and Insular Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 7692. A bill to provide specific and additional penalties for the use or carrying of firearms in the commission of crimes; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 7693. A bill to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. BERRY:

H.R. 7694. A bill to increase from $600 to $750 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age and blindness); to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 7695. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts (for himself, Mr. Bates, Mr. Boland, Mr. Cleveland, Mr. Conte, Mr. Donohue, Mr. Hall, Mr. Hathaway, Mr. Hull, Mr. Keith, Mr. Kyros, Mr. McKneally, Mr. Morse, Mr. O'Neill of Massachusetts, Mr. Pirnie, Mr. Price of Illinois, Mr. St Germain, Mr. Schneebeli, Mr. Tiernan, and Mr. Wyman):

H.R. 7696. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. CAHILL:

H.R. 7697. A bill to provide Federal assistance for special projects to demonstrate the effectiveness of programs to provide emergency care for heart attack victims by trained persons in specially equipped ambulances; to the Committee on Interstate and Foreign Commerce.

H.R. 7698. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. CELLER:

H.R. 7699. A bill to incorporate into title 28, United States Code, "Judiciary and Judicial Procedure," certain existing laws relating to admiralty and maritime judicial matters; to the Committee on the Judiciary.

By DON H. CLAUSEN:

H.R. 7700. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 7701. A bill to provide for engineering investigations on earthquakes, seismic waves, and related phenomena, and for other purposes; to the Committee on Public Works.

H.R. 7702. A bill to amend title 38, United States Code, to provide survivor benefits for military career personnel; to the Committee on Veterans' Affairs.

By Mr. CONYERS (for himself, Mr. Annunzio, Mr. Bell of California, Mr. Bingham, Mr. Bolling, Mr. Brademas, Mr. Brown of California, Mrs. Chisholm, Mr. Clay, Mr. Culver, Mr. Diggs, Mr. Edwards of California, Mr. Fraser, Mr. Halpern, Mr. Joelson, Mr. Koch, Mr. Lowenstein, Mr. Mikva, Mrs. Mink, Mr. Ottinger, Mr. Reid of New York, Mr. Reuss, Mr. Rosenthal, Mr. Ryan, and Mr. Stokes.

H.R. 7703. A bill to designate the birthday of Martin Luther King, Jr., as a legal public holiday; to the Committee on the Judiciary.

By Mr. CONYERS (for himself and Mr. William D. Ford):

H.R. 7704. A bill to assure to every American a full opportunity to have adequate employment, housing, and education, free from any discrimination on account of race, color, religion, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. DIGGS:

H.R. 7705. A bill to authorize realistic, economic, and modern building heights and bulk in the District of Columbia, to provide new housing and employment opportunities for all, to expand the tax base, to stimulate and assist efforts to break the poverty cycle and strengthen the economy, to provide parking, to rebuild and renew blighted, slum, burned-out, and underdeveloped areas, to conserve and make the best, and maximum, use of land, to achieve the best design, to save tax funds, and for other purposes; to the Committee on the District of Columbia.

By Mr. DULSKI:

H.R. 7706. A bill to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers; to the Committee on Interstate and Foreign Commerce.

H.R. 7707. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7708. A bill for the relief of certain nonprofit medical research institutions; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 7709. A bill to provide for the renewal and extension of certain sections of the Appalachian Regional Development Act of 1965; to the Committee on Public Works.

H.R. 7710. A bill to provide for the renewal and extension of certain sections of the Public Works and Economic Development Act of 1965; to the Committee on Public Works.

H.R. 7711. A bill to amend title 38 of the

United States Code so as to make presumptions relating to certain diseases applicable to veterans who served during the period between the end of World War II and the beginning of the Korean conflict; to the Committee on Veterans' Affairs.

By Mr. ESCH:

H.R. 7712. A bill to extend the executive reorganization provisions of title 5, United States Code, for an additional 2 years, and for other purposes; to the Committee on Government Operations.

By Mr. ESHLEMAN:

H.R. 7713. A bill to provide for the election of President and Vice President as required by the article of amendment to the Constitution proposed by House Joint Resolution 362 of the 91st Congress; to the Committee on House Administration.

By Mr. FULTON of Pennsylvania:

H.R. 7714. A bill to provide for the issuance of a special postage stamp in commemoration of the golden anniversary of the National Federation of Business and Professional Women's Clubs, Inc., on July 16, 1969; to the Committee on Post Office and Civil Service.

By Mr. FULTON of Tennessee:

H.R. 7715. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 7716. A bill to amend certain provisions of existing law relative to low- and moderate-income housing; to the Committee on Banking and Currency.

By Mr. HALEY:

H.R. 7717. A bill to amend the Federal Reserve Act to place insured nonmember banks on a parity with other insured banks in respect of their eligibility as depositories for member banks; to the Committee on Banking and Currency.

By Mr. HANNA (for himself, Mr. Langen, Mr. Brown of California, Mr. Corman, Mr. Smith of Iowa, Mr. Pettis, Mr. Carter, Mr. Waldie, Mr. Blanton, and Mr. Watkins):

H.R. 7718. A bill to amend the Communications Act of 1934 in order to prohibit the broadcasting of any advertising of alcoholic beverages; to the Committee on Interstate and Foreign Commerce.

By Mr. HARSHA:

H.R. 7719. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 7720. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 7721. A bill to amend the Federal Hazardous Substances Act to protect children from toys or other articles intended for use by children which present any electrical, mechanical, or thermal hazard; to the Committee on Interstate and Foreign Commerce.

H.R. 7722. A bill to amend the Railroad Retirement Act of 1937 to provide for standard-of-living increases in the annuities and pensions (and lump-sum payments) which are payable thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 7723. A bill to amend chapter 2 of the Internal Revenue Code of 1954 to reduce (to the level of the tax imposed on employees and employers) the rates of tax imposed on self-employment income for purposes of old-age, survivors', and disability insurance; to the Committee on Ways and Means.

H.R. 7724. A bill to amend title II of the Social Security Act to provide for standard-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

H.R. 7725. A bill to amend title II of the Social Security Act to provide a substantial liberalization in the retirement test; to the Committee on Ways and Means.

H.R. 7726. A bill to amend title II of the Social Security Act to increase widow's and widower's insurance benefits; to the Committee on Ways and Means.

H.R. 7727. A bill to amend section 228 of the Social Security Act to eliminate the existing reduction in benefits thereunder on account of other governmental pensions, and in lieu thereof to prohibit the payment of such benefits to any individual whose annual income from all sources exceeds $2,500 (or $3,750 in the case of a couple); to the Committee on Ways and Means.

H.R. 7728. A bill to amend title II of the Social Security Act to eliminate the 6-month waiting period for disability insurance benefits in cases of blindness or loss of limb and in certain other cases where the severity of the impairment is immediately determinable; to the Committee on Ways and Means.

By Mr. HUNT:

H.R. 7729. A bill to amend the Internal Revenue Code of 1954 to increase, for 1970 and 1971, the personal income tax exemptions of a taxpayer from $600 to $800, and to provide that for taxable years beginning after 1971 such exemptions shall be $1,000; to the Committee on Ways and Means.

By Mr. KING:

H.R. 7730. A bill to retrocede a portion of the District of Columbia to the State of Maryland; to the Committee on the District of Columbia.

By Mr. JOELSON:

H.R. 7731. A bill to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7732. A bill to amend the Internal Revenue Code of 1954 with respect to the definition of commuter fare revenue; to the Committee on Ways and Means.

By Mr. LATTA:

H.R. 7733. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. McCARTHY (for himself, Mr. Adams, Mr. Addabbo, Mr. Anderson of California, Mr. Bingham, Mr. Blatnik, Mr. Conyers, Mr. Dulski, Mr. Edwards of California, Mr. Farbstein, Mr. Halpern, and Mr. Hastings):

H.R. 7734. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. McCLURE:

H.R. 7735. A bill to amend title 38 of the United States Code to restore entitlement to benefits on termination of a widow's remarriage; to the Committee on Veterans' Affairs.

By Mr. McFALL:

H.R. 7736. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. MACDONALD of Massachusetts:

H.R. 7737. A bill to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting; to the Committee on Interstate and Foreign Commerce.

By Mr. MATHIAS:

H.R. 7738. A bill to amend section 2312 of title 18, United States Code, to permit a person enforcing that section to stop a motor vehicle to inspect the serial number of its body and motor if he has reason to suspect that the motor vehicle has been stolen; to the Committee on the Judiciary.

H.R. 7739. A bill to amend title 28 of the United States Code to provide that any judge or justice of the United States appointed to hold office during good behavior shall retire from regular active service upon attaining the age of 70 years; to the Committee on the Judiciary.

By Mr. MEEDS:

H.R. 7740. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

H.R. 7741. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MINSHALL:

H.R. 7742. A bill to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MONAGAN:

H.R. 7743. A bill to strengthen the penalty provisions of the Gun Control Act of 1968; to the Committee on the Judiciary.

H.R. 7744. A bill to impose a minimum income tax on certain individuals and corporations with substantial income; to the Committee on Ways and Means.

By Mr. NIX:

H.R. 7745. A bill to make Dr. Martin Luther King's birthday a legal public holiday; to the Committee on the Judiciary.

By Mr. O'NEAL of Georgia:

H.R. 7746. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. PERKINS (for himself, Mr. Saylor, Mr. Skubitz, Mr. Staggers, Mr. Dent, Mr. Bray, Mr. Slack, Mr. Kee, Mr. Mollohan, Mr. Wampler, Mr. Morgan, Mr. Olsen, Mr. Flood, Mr. Clark, Mr. Moorhead, Mr. Yatron, Mr. Gray, Mr. Price of Illinois, Mr. Rooney of Pennsylvania, Mr. Hays, Mr. Carter, and Mr. Pollock):

H.R. 7747. A bill to improve the safety conditions of persons working in the coal mining industry of the United States; to the Committee on Education and Labor.

By Mr. PICKLE:

H.R. 7748. A bill to improve the financial management of Federal assistance programs, to facilitate the consolidation of such programs, to provide temporary authority to expedite the processing of project applications drawing upon more than one Federal assistance program, to strengthen further congressional review of Federal grants-in-aid, and to extend and amend the law relating to intergovernmental cooperation; to the Committee on Government Operations.

By Mr. PODELL:

H.R. 7749. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job-training programs; to the Committee on Ways and Means.

By Mr. QUIE:

H.R. 7750. A bill to establish a community self-determination program to aid the people of urban and rural communities in securing gainful employment, achieving the ownership and control of the resources of their community, expanding opportunity, stability, and self-determination, and making their maximum contribution to the strength and well-being of the Nation; to the Committee on Ways and Means.

H.R. 7751. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job-training programs; to the Committee on Ways and Means.

By Mr. RARICK:

H.R. 7752. A bill to require judges of courts of the United States to file confidential statements with the Comptroller General of the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 7753. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7754. A bill to amend section 138 of the Legislative Reorganization Act of 1946 so as to provide for the reduction of the public debt by at least 10 percent of the estimated overall Federal receipts for each fiscal year; to the Committee on Rules.

H.R. 7755. A bill to amend the Internal Revenue Code of 1954 to require each tax-exempt organization to file an annual information return showing each source (including governmental sources) of its income and other receipts, and to provide for a loss of tax exemption in the case of willful failure to file, or fraudulent statements made in connection with, such return; to the Committee on Ways and Means.

H.R. 7756. A bill to amend the Internal Revenue Code of 1954 to add social security benefits to the annuity and pension payments which are exempt from levy thereunder; to the Committee on Ways and Means.

By Mr. RIVERS:

H.R.7757. A bill to authorize appropriations during the fiscal year 1969 for procurement of aircraft for the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. ROSENTHAL:

H.R. 7758. A bill to amend the Foreign Assistance Act of 1962, as amended; to the Committee on Foreign Affairs.

By Mr. ROYBAL:

H.R. 7759. A bill to establish the Interagency Committee on Mexican-American Affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RYAN (for himself, Mr. Addabbo, Mr. Brasco, Mr. Brown of California, Mr. Burton of California, Mr. Conyers, Mr. Daddario, Mr. Edwards of California, Mr. Farbstein, Mr. Fraser, Mr. Gilbert, Mr. Gonzalez, Mr. Halpern, Mr. Helstoski, Mr. Howard, Mr. Koch, Mr. Lowenstein, Mr. Matsunaga, Mr. Mikva, Mr. O'Neill of Massachusetts, and Mr. Ottinger):

H.R. 7760. A bill to provide supplemental appropriations to fully fund programs to build 300,000 units of low- and moderate-income housing for the fiscal year 1969, and for other purposes, including jobs in housing; to the Committee on Appropriations.

By Mr. RYAN (for himself, Mr. Pepper, Mr. Podell, Mr. Pollock, Mr. Powell, Mr. Rees, Mr. Reid of New York, Mr. Rogers of Colorado, Mr. Rosenthal, and Mr. Scheuer):

H.R. 7761. A bill to provide supplemental appropriations to fully fund programs to build 300,000 units of low- and moderate-income housing for the fiscal year 1969, and for other purposes, including jobs in housing; to the Committee on Appropriations.

By Mr. ST GERMAIN:

H.R. 7762. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for amounts expended by State policemen for meals which they are required to eat while on duty; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 7763. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

H.R. 7764. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

By Mr. SAYLOR:

H.R. 7765. A bill to rescind the pay increases for Members of Congress and other Federal officials pursuant to Presidential recommendation to Congress in the budget for the 1970 fiscal year, to abolish the quadrennial Commission on Executive, Legislative, and Judicial Salaries, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCHADEBERG:

H.R. 7766. A bill to provide for equitable acquisition practices, fair compensation, and effective relocation assistance in real property acquisitions for Federal and federally assisted programs; to the Committee on Public Works.

H.R. 7767. A bill to modify the reporting requirement and establish additional income exclusions relating to pension for veterans and their widows, to liberalize the bar to payment of benefits to remarried widows of veterans, to liberalize the oath requirement for hospitalization of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHEUER (for himself, Mr. Hechler of West Virginia, Mr. Helstoski, Mr. Howard, Mr. Jones of Alabama, Mr. Kluczynski, Mr. McKneally, Mr. Mikva, Mr. Ottinger, Mr. Reid of New York, Mr. Reuss, Mr. Rosenthal, and Mr. Wolff):

H.R. 7768. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. SCHWENGEL:

H.R. 7769. A bill to modify the decrease in Federal group life insurance at age 65 or after retirement; to the Committee on Post Office and Civil Service.

H.R. 7770. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

H.R. 7771. A bill to amend the Civil Service Retirement Act, as amended, to provide minimum annuities for employee annuitants and spouse survivor annuitants; to the Committee on Post Office and Civil Service.

H.R. 7772. A bill to equalize civil service retirement annuities, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7773. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

H.R. 7774. A bill to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged; to the Committee on Ways and Means.

H.R. 7775. A bill to amend the Internal Revenue Code of 1954 to provide that the first $5,000 received as civil service retirement annuity from the United States or any agency thereof shall be excluded from gross income; to the Committee on Ways and Means.

H.R. 7776. A bill to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes; to the Committee on Ways and Means.

By Mr. SKUBITZ:

H.R. 7777. A bill for the elimination of health dangers to coal miners resulting from the inhalation of coal dust; to the Committee on Education and Labor.

By Mr. SNYDER:

H.R. 7778. A bill to rescind the pay increases for Members of Congress and other Federal officials pursuant to Presidential recommendation to Congress in the budget for the 1970 fiscal year, to abolish the quadrennial Commission on Executive, Legislative, and Judicial Salaries, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. STRATTON:

H.R. 7779. A bill to amend the Military Selective Service Act of 1967 to provide for a prime selection group subject to a period of vulnerability of 1 year from age 19 to age 20 and to provide for a random system of selection of inductees; to the Committee on Armed Services.

By Mr. TAYLOR:

H.R. 7780. A bill to rescind the Presidential pay increases for Members of Congress pursuant to recommendations in the budget for the fiscal year ending June 30, 1970, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of Georgia:

H.R. 7781. A bill to amend section 2312 of title 18, United States Code, to permit a person enforcing that section to stop a motor vehicle to inspect the serial number of its body and motor if he has reason to suspect that the motor vehicle has been stolen; to the Committee on the Judiciary.

H.R. 7782. A bill to amend title 29 of the United States Code to provide that any judge or justice of the United States appointed to hold office during good behavior shall retire from regular active service upon attaining the age of 70 years; to the Committee on the Judiciary.

H.R. 7783. A bill to amend title II of the Social Security Act to increase the number of years which may be dropped out in computing the benefit of an individual who is forced by a Federal agency (or under Federal, State, or local law) to retire at age 60 or earlier; to the Committee on Ways and Means.

By Mr. THOMPSON of New Jersey (for himself, Mr. Adams, Mr. Boland, Mr. Gilbert, Mr. Hathaway, Mr. Howard, Mrs. Mink, Mr. Moorhead, Mr. Moss, Mr. Nix, Mr. Ottinger, Mr. Reid of New York, Mr. Reuss, Mr. Rosenthal, Mr. Scheuer, and Mr. Udall):

H.R. 7784. A bill to amend the Military Selective Service Act of 1967 to provide for a fair and random system of selecting persons for induction into military service, to provide for the uniform application of selective service policies, to raise the incidence of volunteers in military service, and for other purposes; to the Committee on Armed Services.

By Mr. TIERNAN:

H.R. 7785. A bill to provide for the crediting of certain past employment by certain persons subject to the National Guard Technicians Act of 1968; to the Committee on Armed Services.

H.R. 7786. A bill to amend the International Travel Act of 1961 to provide for Federal regulation of the travel agency industry; to the Committee on Interstate and Foreign Commerce.

By Mr. UTT:

H.R. 7787. A bill to amend Public Law 874, 81st Congress, to include federally connected children living in institutions; to the Committee on Education and Labor.

By Mr. VANDER JAGT:

H.R. 7789. A bill to amend the Internal Revenue Code of 1954 so as to limit the amount cent maximum credit against the Federal estate tax for estate taxes paid to States; to the Commitee on Ways and Means.

H.R. 7789. A bill to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income; to the Committee on Ways and Means.

By Mr. WAMPLER:

H.R. 7790. A bill to prohibit the Administrator of Veterans' Affairs from requiring an annual income statement from certain pensioners who are 72 years of age or older; to the Committee on Veterans' Affairs.

By Mr. WHALEN:

H.R. 7791. A bill to amend the Military Selective Service Act of 1967; to the Committee on Armed Services.

By Mr. WHALLEY:

H.R. 7792. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to unremarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households; to the Committee on Ways and Means.

By Mr. WIGGINS:

H.R. 7793. A bill to designate the Okefenokee National Wildlife Refuge as the "Okefenokee Wilderness"; to the Committee on Interior and Insular Affairs.

By Mr. ZWACH (for himself, Mr. Hansen of Idaho, Mr. Nelsen, Mr. Quie, and Mr. Wold):

H.R. 7794. A bill to amend section 22 of the Agricultural Adjustment Act of 1933, as amended; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN:

H.J. Res. 490. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FISHER:

H.J. Res. 491. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. JACOBS:

H.J. Res. 492. Joint Resolution proposing an amendment to the Constitution of the United States with respect to the compelling of testimony from a defendant in a criminal case in open court, and with respect to the right of a defendant in a criminal case to be informed of the evidence against him; to the Committee on the Judiciary.

By Mr. PODELL:

H.J. Res. 493. Joint resolution to provide for a study and evaluation of scientific research in medicine in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. UTT:

H.J. Res. 494. Joint resolution to request the President to negotiate with the Mexican Government for the purpose of setting up a Joint United States-Mexican Commission to investigate the flow of marihuana, narcotic drugs, and dangerous drugs between the United States and Mexico; to the Committee on Foreign Affairs.

By Mr. LANDGREBE (for himself, Mr. Madden, Mr. Brademas, Mr. Adair, Mr. Roudebush, Mr. Bray, Mr. Myers, Mr. Zion, Mr. Hamilton, Mr. Dennis, and Mr. Jacobs):

H. Con. Res. 150. Concurrent resolution honoring the 1969 centennial of Purdue University at West Lafayette, Ind., and the contributions by the university to the welfare of the American people; to the Committee on the Judiciary.

By Mr. OLSEN (for himself and Mr. Mikva):

H. Con. Res. 151. Concurrent resolution expressing the sense of the Congress with respect to reduced air fares for children, youth, and members of the Armed Forces of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. WATSON:

H. Con. Res. 152. Concurrent resolution expressing the sense of the Congress that "freedom of choice" plans are the most equitable, legal, and feasible method of facilitating title VI of the Civil Rights Act of 1964; to the Committee on the Judiciary.

By Mr. WYLIE (for himself, Mr. Lukens, Mr. Hunt, and Mr. Scherle):

H. Con. Res. 153. Concurrent resolution expressing the sense of the Congress with respect to reduced air fares for children, youth, and members of the Armed Forces of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLAGHER:

H. Res. 278. Resolution, U.S. aid for Iraqi Jews; to the Committee on Foreign Affairs.

By Mr. MARTIN:

H. Res. 279. Resolution to authorize the Committee on Banking and Currency to conduct an investigation and study of prices of lumber and plywood; to the Committee on Rules.

By Mr. PODELL:

H. Res. 280. Resolution, United Nations Conventions on Human Rights; to the Committee on Foreign Affairs.

By Mr. ROONEY of Pennsylvania:

H. Res. 281. Resolution authorizing and directing the Committee on Interstate and Foreign Commerce to conduct a study and investigation of magazine sales promotion practices; to the Committee on Rules.

By Mr. SISK:

H. Res. 282. Resolution to create a select committee to regulate parking on the House side of the Capitol; to the Committee on Rules.

H. Res. 283. Resolution creating a select committee to establish a plaque to commemorate Lyndon Baines Johnson's service, as a young man, as doorman at an entrance to the Hall of the House; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

28. By Mr. OLSEN: Resolution of the Senate of the State of Montana to the Montana congressional delegation endorsing Senate bill 500, to amend the Internal Revenue Code to prohibit persons who are not bona fide farmers from using losses incurred in their farming operation as an offset to income from other sources and urging support of that bill by the Montana congressional delegation; to the Committee on Ways and Means.

29. By the SPEAKER: Memorial of the Legislature of the State of New York, relative to the Brooklyn Navy Yard; to the Committee on Armed Services.

30. Also, memorial of the Legislature of the State of New York, relative to the dissemination of pornography through the U.S. mails; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 7795. A bill for the relief of Victoria V. Bayle; to the Committee on the Judiciary.

H.R. 7796. A bill for the relief of Anthony Carrington; to the Committee on the Judiciary.

H.R. 7797. A bill for the relief of Valerie and Benjamin Franco; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 7798. A bill for the relief of Maria D'Acunto; to the Committee on the Judiciary.

H.R. 7799. A bill for the relief of Raffaele Dilavello; to the Committee on the Judiciary.

H.R. 7800. A bill for the relief of Dr. Elita B. Gose; to the Committee on the Judiciary.

H.R. 7801. A bill for the relief of Stefano Squitieri; to the Committee on the Judiciary.

H.R. 7802. A bill for the relief of Elderfield, Sara, and Evelyn C. Williams; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 7803. A bill for the relief of Ligaya L. Villazor; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 7804. A bill for the relief of George C. Karachalios; to the Committee on the Judiciary.

H.R. 7805. A bill for the relief of Anastasia Chionis; to the Committee on the Judiciary.

H.R. 7806. A bill for the relief of Ioannis Vasilios Fotopoulos; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 7807. A bill for the relief of Eva Szeman; to the Committee on the Judiciary.

H.R. 7808. A bill for the relief of Branimir Zivkovic; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 7809. A bill for the relief of Annamma Thomas (also known as Annamma T. Kuttikandathil); to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.R. 7810. A bill for the relief of Mrs. Berjoohee Constantine; to the Committee on the Judiciary.

H.R. 7811. A bill for the relief of Mark P. Hagood; to the Committee on the Judiciary.

By Mr. CABELL:

H.R. 7812. A bill for the relief of Mr. Louis Gena; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 7813. A bill for the relief of Giuseppe D'Aguanno; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 7814. A bill for the relief of Richard E. Thorner; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 7815. A bill for the relief of Michiko Hirotsu; to the Committee on the Judiciary.

H.R. 7816. A bill for the relief of Tokuko Ozawa; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 7817. A bill for the relief of Thomasina Acierno; to the Committee on the Judiciary.

H.R. 7818. A bill for the relief of Elisabetta DiMetteo and Pietro DiMetteo; to the Committee on the Judiciary.

By Mr. DELANEY (by request):

H.R. 7819. A bill for the relief of Derli Oriovaldo Rosas, Marta Serrano Rosas, Enzo Adhemar Rosas, and Dalva Maritza Rosas; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 7820. A bill to permit the vessel *Pious Puffin* to be documented for use in the coastwise trade; to the Committee on Merchant Marine and Fisheries.

By Mr. EILBERG:

H.R. 7821. A bill for the relief of John (Giovanni) Denaro; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 7822. A bill for the relief of Angelo

Pellegrini; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee:

H.R. 7823. A bill for the relief of Dr. Sajjan Gangappa Chikkannaiah; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 7824. A bill for the relief of Giovanni Bonfantino; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 7825. A bill for the relief of Tomasso Masella; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 7826. A bill for the relief of Patricia Gail Dennis; to the Committee on the Judiciary.

By Mr. HANLEY:

H.R. 7827. A bill for the relief of Dr. Amin Fuleihan; to the Committee on the Judiciary.

By Mr. HANSEN of Idaho:

H.R. 7828. A bill for the relief of Helle Bergh Kristensen Jonas; to the Committee on the Judiciary.

H.R. 7829. A bill for the relief of Walter M. Piccirillo, his wife, Emma Piccirillo, and their children, Mario Piccirillo and Daniel Piccirillo; to the Committee on the Judiciary.

By Mr. HARSHA:

H.R. 7830. A bill for the relief of James Howard Giffin; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 7831. A bill for the relief of Silvio De Luca; to the Committee on the Judiciary.

H.R. 7832. A bill for the relief of Yasuo Kayaba; to the Committee on the Judiciary.

H.R. 7833. A bill for the relief of Takayuki Yoshida; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 7834. A bill for the relief of Ronald Gordon Bullen; to the Committee on the Judiciary.

By Mr. KUYKENDALL:

H.R. 7835. A bill for the relief of Diana Margaret Westley; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 7836. A bill for the relief of Mila Sabio Infante; to the Committee on the Judiciary.

By Mr. MANN:

H.R. 7837. A bill for the relief of Colie Lance Johnson, Jr.; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 7838. A bill for the relief of Julian Maisterrena Iturralde; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 7839. A bill for the relief of Jesus Agner; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 7840. A bill for the relief of Salvatore Graceffa; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 7841. A bill for the relief of Isidoro Albino and his daughter, Antonina Albino; to the Committee on the Judiciary.

H.R. 7842. A bill for the relief of Audrey Jones; to the Committee on the Judiciary.

H.R. 7843. A bill for the relief of Joseph Lala; to the Committee on the Judiciary.

H.R. 7844. A bill for the relief of Vincenzo Vindigni; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 7845. A bill for the relief of Miss Marika Nicholas Vassiliadou; to the Committee on the Judiciary.

By Mr. REES:

H.R. 7846. A bill for the relief of Mr. and Mrs. Francisco Mejia-Murillo; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 7847. A bill for the relief of Serafina Patti; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 7848. A bill for the relief of Mr. and Mrs. Haim Ribak, and their children, Amikam, Dvora, and Sara; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 7849. A bill for the relief of Raja Butros El-Qare; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 7850. A bill for the relief of Maria de Jesus Goncalves; to the Committee on the Judiciary.

By Mr. STEPHENS:

H.R. 7851. A bill for the relief of Dr. Romeo D. Uy; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 7852. A bill for the relief of Eric Declan Horgan; to the Committee on the Judiciary.

By Mr. TIERNAN:

H.R. 7853. A bill for the relief of Kam Tak Chan; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 7854. A bill for the relief of Wilda M. Kilburn; to the Committee on the Judiciary.

By Mr. WEICKER:

H.R.7855. A bill for the relief of Michelina Cinotti; to the Committee on the Judiciary.

H.R. 7856. A bill for the relief of Franco Geralmo Giraudo; to the Committee on the Judiciary.

H.R. 7857. A bill for the relief of Carmelo Macauda; to the Committee on the Judiciary.

H.R. 7858. A bill for the relief of Leonardo Riccio; to the Committee on the Judiciary.

H.R. 7859. A bill for the relief of Giovanni Sari; to the Committee on the Judiciary.

H.R. 7860. A bill for the relief of Michele Sorbara; to the Committee on the Judiciary.

By Mr. WIGGINS:

H.R. 7861. A bill for the relief of Thelma M. Parong; to the Committee on the Judiciary.

H.R. 7862—A bill for the relief of Fe Fajardo Villanueva; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

64. By the SPEAKER: Petition of the Congress of Micronesia, relative to an appropriation for the support of Micronesia by the United States; to the Committee on Foreign Affairs.

65. Also, petition of Ohio Bell, Chicago, Ill., relative to redress of grievances; to the Committee on the Judiciary.

66. Also, petition of Clarence Martion, Sr., Washington, D.C., relative to redress of grievances; to the Committee on the Judiciary.

67. Also, petition of Henry Stoner, Columbus, Ohio, relative to John Brown; to the Committee on House Administration.

EXTENSIONS OF REMARKS

THE REPUBLIC OF LITHUANIA

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. MORSE. Mr. Speaker, February 16 marks the anniversary of the restoration of the independence of Lithuania. This year is the 51st year after the nation-state was proclaimed in 1918. For 22 years the Republic of Lithuania flourished culturally, intellectually, and politically.

This progress was cut short, however, by forced occupation by the U.S.S.R., under whose oppressive and tyrannical domination the people of Lithuania still suffer.

It is particularly important, in view of the dedication of the United States to the right to freedom and independence, that we stand today to commemorate the day when Lithuania was a free and independent nation, to reaffirm our support for justice, and to keep alive the spirit and hope for the day when Lithuania and all captive nations will once again enjoy the exercise of the principles of liberty and self-determination.

The memorandum from the Lithuanian Christian Democratic Union Central Committee is an eloquent expression of the courage, ideals, and goals of the Lithuanian people, and it is an honor to include it here:

LITHUANIAN CHRISTIAN DEMOCRATIC UNION MEMORANDUM

To the Honorable Members of the U.S. Senate and the House of Representatives:

Today marks the Fifty-First Anniversary of the restoration of the independence of Lithuania, once an ancient civilization, whose roots reach to the second century and its kingdom to the thirteenth; that of a nation whose political, economic and social record was as distinctive as it was progressive. It is tragic therefore, that this anniversary is overshadowed by the brutal fact that Lithuania today bears the heavy yoke of Soviet imperialism.

Acting in conspiracy with the Nazi regime—see "Nazi-Soviet Relations 1939–1941", excerpts attached—the Soviet Union broke four major bilateral treaties:

1. The Treaty of Brest-Litovsk of March 3, 1918 in which the Soviet Union forever renounced all claims to Lithuania.

2. The Peace Treaty of July 12, 1920, which defined the common boundaries.

3. The Non-Aggression Pact of September 28, 1926, which was later extended to 1945.

4. The Soviet imposed Mutual Assistance Pact of October 10, 1939.

On June 15, 1940, with the above treaties in full force and effect, the military forces of Soviet Union occupied the territory of Lithuania, and two days later repeated the same attack against the Republics of Latvia and Estonia. Occupation was followed by systematic terror and violence. Religious and political persecutions culminated in mass executions and deportations to the Siberian wastelands. Many sources place the number of such Baltic victims at the one million mark.

Several weeks later, the Soviets staged mock elections and as the result of these, forcibly incorporated Lithuania and the other Baltic Republics into their slave empire.

On July 23, 1940, the United States denounced this aggression, and all Administrations since then have affirmed this stand and have opposed this brutal invasion and forced annexation.

It is difficult to conceive that during the present rise of many former colonies to their rightly deserved national independence, a shroud of silence is maintained about Lithuania and the other Soviet occupied countries whose traditions of statehood reach back for many centuries.

It is even more difficult to conceive that all the international crimes committed by the Soviet Union are still not rectified, nor the criminal punished. It is indeed a crime in itself that Kremlin is still permitted to indulge in international rape, as in the case of Czechoslovakia just a few short months ago.

It is time to raise such questions before international forums and to seek condemnation of the Soviet Union for its genocidal actions. It is also time to investigate the illegal seizure of Lithuania and the other countries of Eastern Europe and to thoroughly study the prevailing conditions in these countries, the results of which should be made public.

At this time there is a plan submitted by the Honorable Frank Annunzio, U.S. Representative from Illinois, in a form of H. Con. Res. 81, which "Expresses the sense of Congress with respect to the incorporation of Latvia, Lithuania and Estonia into the Union of Soviet Socialist Republics."

We ask all of you to support this Resolution. It is one definite way in which you can help us in our fight for liberty and justice.

Very respectfully submitted.

A. J. Kasulaitis,
President, Central Committee.
K. Algimantas Pautienis,
Chairman, Commission on International Relations.

THREE HUNDRED THOUSAND WEAR MEDIC ALERT EMBLEM THAT SAVES LIVES

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. McFALL. Mr. Speaker, it is a source of pride to me that my district is the home of the Medic Alert Foundation, a charitable, nonprofit organization dedicated to the purpose of saving lives.

This is accomplished by indestructible metal emblems worn on the wrists or necks of some 300,000 persons in the United States and other countries. On the emblem is noted some hidden or special medical problem for which they require certain treatment or care. It also carries the Medic Alert serial number of the wearer and the telephone number of Medic Alert's headquarters in Turlock, Calif., where medical records of each member are on file. Thus, in an emergency, they are saved from the wrong treatment or people who assist them are alerted to their need for specialized care.

This lifesaving organization was founded by Dr. Marion Carter Collins, a resident of Turlock who attended high school there, went on to Stanford University and Northwestern University Medical School, then returned to Turlock to operate the Lillian Collins Hospital with his father, also a physician. He founded Medic Alert Foundation after his daughter Linda nearly died from a severe anaphylactic reaction to a tetanus antitoxin skin test. In 1964 he retired from medical practice to devote full time to Medic Alert. He and the foundation's directors serve without remuneration.

This is a dramatic story, Mr. Speaker, and I am confident you and our colleagues will be interested in the following brief article from the Stockton, Calif., Record of January 4, giving a few striking examples of how Medic Alert has saved the lives of people who might have died but for the bracelet on their arms:

The Tiny Tag That Could Save Your Life

(By Dick Kleiner)

One day in 1953, a teenage girl in Turlock cut her finger. Because of that incident, today more than 300,000 people believe their lives may have been saved—or may someday be saved.

The girl's name is Linda Collins. When she cut her finger, 15 years ago, she was taken to a hospital where the attending physician gave her a routine patch test, before administering tetanus antitoxin, to see if she was allergic to that serum. She was, in fact, so allergic that the patch test alone put her in a coma for four days.

A full shot undoubtedly would have killed her. Her father and her mother naturally worried that someday a doctor, unaware of her deadly allergy, might give her such a dose. Any parents would worry. But Linda Collins' father was a doctor—Dr. Marion Collins—and he worried with direction.

He thought of devising some methods of warning any police or doctors who might treat Linda in the event of an accident. He knew a card in her wallet might not be discovered until too late. He knew the girl's vanity would not stand for a tattoed notice.

Then came the idea which has become the Medic Alert Foundation—a bracelet tag with the words, "Allergic to Tetanus Antitoxin" engraved on it.

More than 3,000 people a month now join Medic Alert, and wear tags around their wrists or necks. These warn of many potential dangers—diabetes, epilepsy, various allergies, heart conditions, neck breathing, hemophilia, even such items as that the wearer is a scuba diver (and could fall victim to the bends as long as two hours after he leaves the water) or that he wears contact lens (which must be taken out before they scratch the retina).

Medic Alert today is a big organization. What started out with one member—Linda Collins—has grown.

Dr. Collins and his wife used to do all the work themselves, in their playroom after he finished his day's calls. Now the foundation has a neat yellow building catty-corner from Turlock's town hall, with paid workers and many local volunteer ladies going through the mail and filling the orders and engraving the bracelets.

Each tag contains information as to the wearer's condition—so it is readily noted in case of emergency—plus an identifying number and the telephone number of Medic Alert. If the wearer is in an accident, the doctor who treats him can call for more information, which is kept on file in a fireproof room here.

The highway patrol in Montpelier, Vt., called about No. 147868—and learned what medication the diabetic was taking. The Los Angeles police department called about No. 253321—another diabetic with specific medication requirements.

The police in Washington, D.C., called about No. 253932—and learned that the child having convulsions at the swimming pool was an epileptic, and what to do about him. A doctor in London, England, called when No. 153324 collapsed on a London street—and found out about his allergies.

Chester L. Watts, executive director of the nonprofit foundation, says their work is twofold—educating the 40 million people who should wear some warning on their persons about the foundation, and simultaneously educating law enforcement personnel and medical people to look for the Medic Alert tags.

The organization has uncovered a new kind of hypochondriac—which might be termed jewelry hypochondriacs. They want to wear a tag, even without any dangerous condition. One woman applied for membership and requested that her tag read: "Patient Takes Bile Salts." The foundation turned her down.

A new wrinkle is a tag which reads "Organ Donor." These are supplied to people desirous of giving one or more of their vital organs for transplanting. If these people become accident fatalities, the doctor at the scene can call Medic Alert and learn which of their organs can be used for transplanting.

More information about joining Medic Alert can be obtained directly from the foundation, Turlock, California, 95380.

LITHUANIAN INDEPENDENCE

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. CUNNINGHAM. Mr. Speaker, February 16 marked the 51st anniversary of the Declaration of Independence of Lithuania. Because of the continuing subjugation and oppression by the Soviet Union, the only country in which Lithuanians were unable to commemorate this event was Lithuania itself.

It was in 1918 that the Lithuanian nation declared its independence. This was a goal for which the Lithuanian people had been striving throughout a long period of Russian domination—from 1795 to 1915.

Lithuania was occupied by the Germans during the First World War, but after two decades of independence, it again fell under Russian domination when it was occupied by the Red army during World War II.

It was declared a constituent Republic of the U.S.S.R. on August 3, 1940. Following the German attack on the Soviet Union 10 months later, Lithuania was in Nazi hands until reoccupied by the Soviet Army in 1944. Since then, it has been considered by the Soviet Union as a component Republic.

The United States never has recognized the Soviet incorporation of Lithuania or the other two Baltic States, Estonia and Latvia.

Mr. Speaker, Americans of Lithuanian extraction are among our most patriotic citizens. Let us join them in hope that their homeland will again be an independent nation.

NONPROLIFERATION TRAP

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. GROSS. Mr. Speaker, retired Gen. Thomas A. Lane has written a column which all Americans ought to have the opportunity to read and in which he correctly denounces the proposed so-called Nonproliferation Treaty as a "fraud" and a "trap."

In the hope that more citizens of this country will have the opportunity to read the general's views on this subject, I am submitting it for publication in the Congressional Record, as follows:

Washington.—In debate on the Johnson pay raises for the federal elite, Majority Leader Mike Mansfield asked, "Are we mice or are we men?" The majority showed they were mice in the way they went after the Johnson cheese!

Now we have a new measure to test the qualities of the senators. The vote will have special significance for Republican senators because the Johnson Non-Proliferation

Treaty has been indorsed by President Richard Nixon.

While Democrats held the White House, Republicans were free to vote their convictions on important policy issues. They could all be patriots. Now that they are receiving guidance from the White House, Republican senators must decide whether the party or the country comes first. Will they compromise their convictions to accommodate the White House influence?

The Non-Proliferation Treaty is a good test because the issue is so clear-cut and because President Nixon has come down on the wrong side of it. The national interest calls clearly for rejection of the treaty.

This treaty is a fraud upon the American people. It pretends to serve peace; but it increases the prospect of war by disarming the West without corresponding restraint of the Communist powers. The central Soviet objective in this treaty is to deny nuclear weapons to West Germany. Secondary targets are Japan, India and Israel. The treaty does not disarm any Communist powers.

This treaty provides specifically that the signatory powers shall not do what the Soviet Union did in Czechoslovakia. We have long known that the Soviet Union regards these treaties as scraps of paper to mislead the ever-trusting West. How can American leaders, in the face of such a breach of the treaty before it is signed, pretend that such immoral contracting helps the cause of peace? It is clear that they strike these postures only to deceive the American people and not with any expectation of restraining Soviet aggression.

What aberration of political strategy dictated the Nixon commitment to this treaty on the eve of his trip to Europe? Why didn't he wait to talk with his allies before taking the leap? His action signals to Europe more plainly than words could do: "I am standing with Britain against the interests of the continental allies." Who told the President that this action would help him to heal the rift in the Atlantic Alliance?

Free Europe is now a weak aggregation of independent and competing powers. It has a potential to become through union a superpower matching the United States and the U.S.S.R. Soviet leaders fear this development and do all they can to prevent it. They prefer to have weak neighbors. And how could they hold their satellites with a free superpower next door?

Britain also fears the unification of continental Europe. For 400 years, the cornerstone of British policy has been the balance of power, the division of Europe. So Britain works assiduously to stir the jealousies which will be a barrier to union. In this matter, Britain is in league with the Soviet Union.

But European unity would serve U.S. interests and the cause of peace. A strong Europe and a secure Europe. It will not need the billions of dollars which the United States has been pouring out to protect a weak Europe. No longer will the people of Europe be under the threat of conquest and dependent upon U.S. protection.

Why then is the United States playing the lackey of Britain and the dupe of the Soviet Union? Why doesn't it listen to the allies who are standing face-to-face with the Soviet threat? West Germany has opposed this treaty and surely will not sign it. Does President Nixon propose to join Britain and the Soviet Union in condemning West Germany? He does so when he indorses this treaty.

The Non-Proliferation Treaty was a pending issue of international policy which offered President Nixon opportunity to demonstrate that grasp of foreign policy which he had claimed and the people had allowed. It gave him a signal occasion to correct the Johnson error and fulfill the people's hopes. His blundering approach to Europe in this matter, his adherence to the dogmatic Johnson pursuit of detente, do not augur well for U.S. success.

If President Nixon is going to be so easily led by Britain, he is not going to be respected by France and West Germany. He will encounter the very obstacles to allied harmony which effectively stymied the Kennedy and Johnson administrations.

The Senate must save the President and the country from such a disaster. It must reject the Non-Proliferation Treaty and invite the President to try some new initiatives in foreign policy.

TEENAGE VOTE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. RARICK. Mr. Speaker, among the latest issues promoted to foster discontent and grievance is that of a right to vote for 18-year-olds.

Emotion notwithstanding, the issue of voting age addresses itself to the legislatures of the respective States and not to the U.S. Congress.

A frequent retort of the draft dodgers and draft card burners, despite their inconsistency, is: "If they are old enough to fight, they are old enough to vote."

Yet, those fighting for their country are not the vocal group—their great numbers are overseas and probably denied the chance to politic and would not be able to vote even if given the right. It is hard enough to get mail, let alone to mark a ballot when you are in a foxhole dodging bullets.

On the other hand, the antiwar people—the card burners and those disloyal youth—some on our campuses and some in Canada and Sweden dodging the draft—would be available to participate in elections.

Mr. Speaker, I think two recent occurrences point up apparent discrimination favoring the domestic guerrilla troops over our country's servicemen.

Men in the U.S. military are prohibited from participating in politics—even to the extent of placing a bumper sticker on their automobiles; while on the other hand, the Supreme Court has licensed the pacifist-extremists to wear political armbands to class.

Right to vote because old enough to fight? Why not a suitable compromise—give the right to vote to every 18-year-old serving honorably in the U.S. military and those 18 and over honorably discharged.

If it is no longer to be age that determines the voting qualifications, let us at least set them at responsibility and loyalty.

Mr. Speaker, I include the following news releases:

[From the Washington (D.C.) Post, Feb. 22, 1969]

ARMY ORDER BANS POLITICAL BUMPER STICKERS FOR SERVICEMEN

(By Bruce Galphin)

A Nixon bumper sticker—or maybe even one touting "Snoopy for President"—could get a GI in trouble under a new Army policy amendment.

The policy, promulgated earlier this month, adds this to its list of forbidden political activities:

"Display of political stickers is prohibited on automobiles operated by members of the Army while on active duty."

Does that include a wife's car or a father's when the driver is an Army man?

Does it apply only when he's on base, or on assignment, or in uniform?

The Pentagon declined to comment on specific examples.

NOT FEASIBLE

"It is not feasible to speculate as to all the possibilities that might arise with respect to the interpretation of a regulation," an Army spokesman said in an official statement. "Such matters will always have to be decided on an individual basis, based on the circumstances in each case."

But it did appear that the Army man could be in violation even driving around town while wearing civilian clothes. A person is on active duty, the Army spokesman explained, "when in full-time military service of the United States."

Technically, even Reservists and National Guardsmen on two-week active training duty would be covered.

But, the Pentagon said, "the matter of imposing this restriction on two-week active duty training personnel is a matter to be decided by the local commander."

Reservists who serve only on weekends are exempt from the prohibition, the Army said.

DENIES POLICY SHIFT

It insisted that the sticker ban "does not represent a change in policy, but is a specific enumeration of what was considered to be inherent in the general policy in effect."

That policy, the Army explained, allows private expression of political belief, but not active political management or efforts to influence elections.

To the Armed Forces Journal, however, the Army's sticker ban is "insulting . . . ridiculous . . . picayune."

In its Feb. 22 issue, the Journal contends editorially that "what is involved is a very basic rule of democracy which says: Don't meddle in the private lives of citizens."

"And doesn't the Army's policy discriminate against a serviceman's wife, or his son or daughter, by denying them so common an expression of political choice?" the editorial asks.

"This," says the Journal, "is not the way to go about building the all-volunteer armed force President Nixon has been talking about."

[From the Washington (D.C.) Post, Feb. 25, 1969]

PEACEFUL PROTESTS IN SCHOOLS UPHELD

(By Morton Mintz)

The Supreme Court, saying that the right to free speech cannot be denied "at the schoolhouse gate," yesterday upheld the right of five Iowa students to wear black armbands in classrooms as a passive silent protest against the war in Vietnam.

In a 7-to-2 decision, the Court said that a student's rights—in the classroom or anywhere else on campus—permit him to express opinions on controversial subjects so long as there is no collision with the rights of others.

But, Justice Abe Fortas said for the Court, any conduct that for any reason "materially disrupts classwork or involves substantial disorder . . . is, of course, not immunized by the constitutional guaranty of freedom of speech."

In the Iowa case, Fortas emphasized that by wearing armbands the students had done nothing that was even "potentially disruptive" and had engaged in a protest closely akin to "pure speech." He disclaimed any connection between the case and regulation of such things as hair styles and skirt lengths.

* * * * *

STARTED IN 1965

The case began in December, 1965, when a group of adults and students decided to publicize their objections to the war and their support for a truce by fasting on two nonconsecutive days and by wearing black armbands.

Learning of the plan, principals of the Des Moines Independent Community School District adopted a policy that a student coming to school with an armband would be asked to take it off and, if he refused, would be suspended.

A few days later, a few students wore armbands at school. They were sent home and told they could return only without the armbands. The students came back after New Year's Day, when the protest period had expired.

Four of the students were the children of a Methodist minister whose salary is paid by the American Friends Service Committee—John Tinker, 15, Mary Beth, 13, Hope, 11, and Paul, 8. A fifth was Christopher Eckhardt, an 11th grader whose mother, an official of the Women's International League for Peace and Freedom, had been the hostess for the meeting to plan the protest.

The fathers of the students sought an injunction restraining the school authorities. A Federal Court denied the petition. It said that with the war in sharp controversy, the authorities had acted reasonably to prevent disturbances.

The fathers appealed. The case brought an even split in the Court of Appeals for the Eighth Circuit. This affirmed the court below. Last year, the Supreme Court agreed to review the case.

Yesterday's decision, which reversed the Appellate Court, was concurred in by Justice Potter Stewart. He said, however, that "I cannot share the Court's uncritical assumption that, school discipline aside, the First Amendment rights of children are co-extensive with those of adults."

For the majority, Fortas said that the five students were an inconsequential proportion of a school population of 18,000, and that the authorities significantly did not forbid the wearing of all controversial symbols, including "the Iron Cross, traditionally a symbol of nazism."

CAUSED DISCUSSION

The students "neither interrupted school activities nor sought to intrude in the school affairs or the lives of others," Fortas said. "They caused discussion outside of the classrooms, but no interference with work and no disorder . . . Our Constitution does not permit officials of the State to deny their form of expression."

Asserting that mere "apprehension" that there may be a disturbance is "not enough to overcome the right to freedom of expression," Fortas said that "State-operated schools may not be enclaves of totalitarianism. Students in school as well as out of school are 'persons' under our Constitution."

LITHUANIAN INDEPENDENCE DAY

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, Lithuanians everywhere in the world, except in Lithuania itself, joined in celebrating the 51st anniversary of the Declaration of Independence of Lithuania this past Sunday. Unfortunately, the people within Lithuania were unable to celebrate because of continuing subjugation and oppression by the Soviet Union.

The Soviet invasion and occupation of Czechoslovakia last year was a dramatic reminder of the identical invasion and occupation of Lithuania and the other two Baltic States in 1940. In both instances Soviet aggression was unprovoked, and in flagrant violation of existing treaties and international law, and against the will of the people.

Despite condemnations of the occupation by free world nations over the years, the Soviet Union still forces Lithuania and its people to suffer oppression and exploitation under despotic Communist rule.

Today I join my colleagues in the House in restating our intention to continue to exert strong and steady pressure upon the rulers of the Soviet Union to liberate these captive nations. We renew our demand that Soviet armies, police, and ruling apparatus be withdrawn from Lithuania so the people can freely elect a government of their own choosing in accordance with the Atlantic and United Nations Charters, and the principle of self-determination the Soviets so loudly demand for people outside the Communist sphere. We urge restoration of freedom and independence for Lithuania, Latvia, Estonia, and all other captive nations.

A VIETNAM PERSPECTIVE

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. WHALEN. Mr. Speaker, the Cleveland Plain Dealer was impressed enough with the final story written by one of its reporters prior to his departure from Vietnam that the paper reproduced that report and circulated it.

After reading what Plain Dealer correspondent Michael D. Roberts filed on December 15, 1968, I can understand why the newspaper was impressed.

Some of the observations Mr. Roberts makes relate to things we have heard and read before about the war in Vietnam. But the totality of what he has to say strikes me as frank and poignant. To quote a current cliche, Mr. Roberts "tells it like it is."

Mr. Speaker, under unanimous consent, I insert the article at this point in the RECORD, and I hope that my colleagues will have the time to read Mr. Roberts' piece:

VIETNAM, 1968, IS TIME FOR ANGER

(NOTE.—Michael D. Roberts, Plain Dealer correspondent, sums up in this dispatch the overall conclusions he has drawn from nearly a year's service in Vietnam.)

(By Michael D. Roberts)

SAIGON.—It is difficult to feel sadness on leaving Vietnam. All the sadness you could muster has long been expended—uselessly, you might add.

The thing you can do is lament the dead and those who are going to die in this place of confused torment.

The feeling most prevalent, though, is anger—not an anger derived from a political philosophy or a fervid moral movement, but an anger based on realism.

This anger is directed at the Vietnamese and American governments and those who represent each in their particular endeavors in the orchestrated mess called the Vietnam war.

And the others—the Vietnamese people and the American soldiers—well, they really have no control over what happens to them, and need an element of luck to duck at the right moment. You can sympathize with them, admire them and wish them luck. After they are dead you may lament them.

A new President will now confront the cursed ways of this war, and if he is not deceived perhaps he can help bring peace to the countryside and joy to the people.

But to do this he must be tough and wise and stop playing "let's pretend" with the South Vietnamese Government (GVN) and recognize what it is and what it has not done.

In many ways the GVN, masked behind its democratic drapery, is as much of a hindrance as the Viet Cong when it comes to joy and freedom for the people.

It is neither responsive to the people it represents nor viable enough to stand on its own. Directed largely by military personalities, the GVN goes its own way and in a carefully masked drama gives us the impression of being democratic. It is a hollow impression.

Most knowledgeable Vietnamese who care enough to be interested will tell you about the great election we forced the GVN to hold in the fall of 1967.

"The election was the biggest fraud," said one student. "It is common knowledge among the people that many soldiers voted twice. That many people long dead had cast ballots is quite amusing to many of us."

But since the election and the writing of a constitution, Americans here have looked upon the evolution of democracy in almost a reverent manner.

"Why, I'm not worried about a coup," said an American adviser in Vung Tau. "They have a constitution now. After the election why should there be a coup? It is a practicing, living democracy now."

The fact that the GVN is a thinly disguised tyranny that closes newspapers with flimsy explanations, harasses those who would dare to speak out in public, and takes from the people in the form of corruption is usually overlooked.

Outwardly, the GVN appears to be laboring to develop a war-torn nation, but inwardly its officials, products of a system that has become part of this nation's blood, continue to grow wealthy from the ways of war, corruption and the American dollar.

Given peace tomorrow, the GVN would only have to face another armed group preparing to rid the land of oppression.

The oppression comes first, rebellion follows and the Communists fill the vacuum and provide an added spirit, eventually taking the leadership of the entire movement and making it theirs. This is a possible pattern of insurrection.

As long as the GVN continues to treat the people in the present manner communism will always have a point from which to commence.

Legions of naive, ambitious and plainly stupid Americans have unwittingly aided the GVN. Our government attempted a revolution here which was of such magnitude that it became an impossibility from the start because of the character of the people and the nature of the GVN.

Our government, under the impression that American money and men could eventually transform this land into a democratic society, gave the GVN its head. Because of the United States, the GVN had power and we really had no control over this power, which, of course, was ours from the beginning.

Never before has our government fought such a war. In response, it has sent American civilians and leaders of such naive quality that one's teeth grate in frustration.

U.S. AID employes, people who are asked

to function in important jobs—jobs that require immense skill and understanding—arrive daily to collect substantial salaries and live in air-conditioned comfort. They arrive without skill or understanding.

Some go to the district and provincial capitals to serve in various advisory roles. Many who are sent to advise are recent college graduates who previously never held jobs and are avoiding military service. Others are former military men, usually retired, who were passed over on the promotion lists.

This is not to say that the civilians who serve as advisers are all inadequate, for there are some outstanding people here, but even they are stymied by the atmosphere and events that take place around them.

One adviser, a young man who is capable and knowledgeable, blames the military for many ills and refuses to mingle with the rest of the men on the advisory team who are all military.

His attitude is one of disgust toward the Army—disgust because the Army seems indifferent toward the Vietnamese people.

"I have as little as possible to do with the military," this adviser explained.

Whether he knows it or not, this adviser is dulling the effectiveness of his particular team. True enough, the military does not exhibit the same zeal as the young adviser, but he refuses to see reality and try to make the team work.

On the other hand, the military often manifests contempt for the civilians, who are sometimes viewed as "do-gooders" with no business to be cluttering up a war zone.

Since the job of fighting this type of struggle is complex, the experience and knowledge of those who have mastered a small part of it is invaluable. But by and large, many of these people give up in disgust at the leadership, which tends to give in to the Vietnamese pressures at nearly every turn.

The matter of corruption alone is of such staggering magnitude that the mind reels when it confronts only a small part of it.

And the Vietnamese people laugh—oh, how they laugh!—at the Americans who are innocent of the corruption that surrounds them. The Vietnamese people know all and see all. They are the last to be fooled by the stories of improvement and progress that we praise the GVN for making. Obviously, we are the first to be fooled.

We have done so much for the Vietnamese that they have simply stopped functioning. We advise on everything, we finance most things and we do the heaviest fighting. The Vietnamese government spends its time talking about how it is not going to talk to the National Liberation Front, a confrontation that will have to take place if there is to be peace.

While South Vietnam's large and questionable army moves about the countryside deploying in maneuvers of eluding and engaging, our military is expected to do more than fight.

The truth is that the military has been asked to do too much in Vietnam. Soldiers are expected to be politicians, good humor men, development specialists, doctors, psychologists and just above everything short of the good fairy.

If you have ever had anything to do with an infantry unit that has seen combat day in and day out, you can understand the ridiculousness of this. Men tense and tired from combat are apt to look upon any Vietnamese with suspicion and ill feeling.

However, the military in Vietnam cannot go uncriticized. Gen. William C. Westmoreland with his vocal optimism, his search-and-destroy methods and his massive use of firepower left the military effort open to the attacks of skeptics.

But in many ways the military has done its primary job in Vietnam. It has killed Viet Cong and North Vietnamese soldiers. It is even getting better at the job. What else does a military do?

The longer you are here, however, and the more closely you examine the enemy and the politics, it becomes increasingly evident that the military operations are superfluous because the "other war" is being fought like a delay-and-withdraw action. Because of the ineptness of the GVN, Viet Cong are manufactured daily.

Our participation in the "other war" has been less than brilliant.

Men were assigned to Vietnam as leaders in this program and came to build personal empires of such bureaucratic magnitude that it took elaborate charts to find out who was responsible for what.

Robert W. Komer, now U.S. ambassador to Turkey and a former Central Intelligence Agency man, came to head up our efforts in this area.

On paper, the way Komer likes things, he had great qualifications. He had good schools behind him, good experience and was generally considered a good administrator. Fine.

But Komer did not listen to his people in the field, many of whom he classified as malcontents when they complained of failures. He would urge them to "get on the team."

A cheery, ebullient sort, Komer told his people to listen to the GVN and do it their way. After all, it was their country.

Komer was fair game for the press which constantly attempted to put him on the defensive at his news briefings. These were almost always concerned with his evaluation system for pacification, a computerized system that analyzed security in the countryside.

"It is the only measurement," he would say in defense. Yes, it was the only measurement that could be worked out on the computer, but there was always the feeling that advisers' reports never quite made it to the final input. Things may not be so good out in the districts, yet by the time Saigon produced the final reports they looked good on paper.

And what about the U.S. advisory system, which has worked so long and so hard with the Vietnamese military and civilian forces?

Despite all the cheering and applause from many American advisers, who must rely upon good efficiency reports for promotion, progress among the Vietnamese armed forces is largely hope and a supply of better American arms.

Since almost all advisers, be they civilian or military, have rather limited tours of duty in specific assignments, their Vietnamese counterparts have gone through a dozen or so.

In many instances the adviser does not advise at all. He sometimes asks, sometimes begs, sometimes cons and most times functions as a line of supply or a communications clerk.

Many Vietnamese commanders, district chiefs and province chiefs have served in the environment of war for so long that it seems impossible that an American officer with no command of the language or, in many cases, no previous combat experience is really going to advise them.

Advisers do not even have the power to control American goods and materials that are sent to help the war-stricken people.

The advisory effort in name has dwindled to the static stage. Vietnamese counterparts have learned to rely too much on U.S. support as provided by an adviser who thinks that he is doing his job by making the aid available. Vietnamese leadership, as bad as it generally is, needs to regain personal initiative.

No one fools the Vietnamese people. When they are helped they know where the help comes from, and our help does not make them view their government with any more respect.

The advisory program needs re-evaluation. It would be the first step in making the Vietnamese realize that the "other war" must be fought by themselves for it is a war in which we are altogether too ineffective.

The problem of the South Vietnamese military is one that will tax the minds of our leadership for some time. The Vietnamese soldier sees how the American fights. He sees the artillery, air strikes and massive helicopter support. He is not interested in fighting without these and where, after we withdraw, is he going to get them?

Westmoreland tried to make the war as easy as possible on the GI. He always said let machines do the job to save men's lives, which was admirable enough. But the South Vietnamese are men, too. Where does their future lie?

The naive Americans are perhaps the most dangerous. They truly believe because they cannot see. The adviser in one seacoast town was oblivious of the fact that the yearly budget was being held back and lent out at a high rate of interest and then, suddenly, spent at a terrific pace at the end of the fiscal year.

"I don't know why they've spent only 20% of the budget in 10 months," he explained to a reporter. "I think it's because they have been having a difficult time getting the books straightened out."

His assistant, younger and more alert, explained later: "It is being lent out at as much as 50% interest on a loan that has to be paid back in 10 months."

"Why didn't you tell your boss?"

"I've told him a couple of times and he refuses to believe me. He says we have to listen to the Vietnamese."

A Saigon official laughed over the lending incident. "At least they are not stealing it," he said.

Americans are naive in other ways.

In a province west of Saigon, an area heavily infested with Viet Cong, the American advisers are quick to extol the virtues of the province chief, who is better than most but still is not beyond applying the con.

Several nights a month, the province chief, buttoned up in his armored car, travels with a musical band to a hamlet where the people are brought together to listen to entertainment and a speech from their leader.

The American leadership views this as quite wholesome. It is just the kind of thing Bob Komer would have in his backyard. The province chief gains prestige through this action because the Americans like it and in turn the GVN is impressed because the United States is much easier to deal with in this particular province.

So on the face of it the rice paddy variety shows are very good. The province chief displays his contempt for the VC by spending the night in the village. On paper it is a brave and bold gesture.

Since most Americans cannot speak Vietnamese, however, they do not realize one thing. The people in that particular hamlet are terrified.

Even though the province chief, who appears to be quite unconcerned about the VC, has set up night ambushes and defensive positions around the hamlet with nearly a battalion, the people fear that his foolishness is simply inviting a Viet Cong attack.

"I have talked with some people from one hamlet," a Vietnamese friend said. "The mothers fear for their babies when the musical show comes. All the people are cold with fright. They wish the colonel would stop trying to impress the Americans."

If you are sitting in Saigon reading reports and evaluating this activity, all would appear quite progressive. The province chief is attempting to pacify his province; he is out showing the flag and he is working. His counterpart seems to be doing well, too.

No one evaluates the people's feelings. Did you ever have a good time while waiting for a mortar attack? This never occurs to the Saigon officials, whose secretaries often enjoy salaries and benefits equal to those of a company commander.

The game goes on.

Most Americans in Vietnam see our effort for what it is, most recognize the GVN as despotic. To discuss this with them in Saigon is old hat; you give an example and they can give you two back.

Westmoreland could never understand the press in Vietnam. He tried to be friends, tried to use public relations to win their understanding.

Westmoreland did not lie. But what he faced in the press corps was an independent agency that could go anywhere in the country and see anything it wanted to and talk to anyone who cared to comment.

The difference between the press and the government was that the press listened to what everyone had to say. It was not that U.S. officials did not tell the truth. It was just that they did not know any differently themselves so they took the word of the GVN or of whoever could identify progress.

But when these same people who talked to the press tried to talk with the government, people like Bob Komer did not always have time to listen. Ambassador Komer wanted to listen only to those things that told of progress. To speak otherwise meant that you were not doing your job.

Barry Zorthian, the former leader of the Joint U.S. Press Mission, another bureaucratic empire of questionable worth, returned home after a long tour in Vietnam and criticized the irresponsibility of the press.

To a degree Zorthian was right. Some poor reporting is coming out of Vietnam. But the U.S. Government accredits as a journalist just about anyone who would like to attend a war.

These persons flock in without any previous journalistic experience. They are accredited as free-lancers.

"Oh, this is my first writing effort," a young man said the other day. "I'm just here to make some money and see a little war."

A beautiful school operator came over to film a documentary. Red Cross girls return to become journalists and even a matronly woman with nothing other to do was accredited. She asked meekly:

"Please can you tell me when the tour is going out to the war?"

And strangely enough, when the free-lancers find out, as most eventually do, that a war does not necessarily make you an Ernest Hemingway and that it takes money to live even in Saigon they can get an assignment from our government that will pay them a few hundred dollars.

They are paid well to write insipid feature stories that neither will see print nor represent good propaganda. Our conception of propaganda is air-dropped leaflets that the Vietnamese use for toilet paper or peanut wrappers.

Yes, Barry Zorthian is right. There is a problem with the press, largely because the government was too timid to keep Vietnam from being a playground for would-be writers.

A lot of good is to be found in Vietnam, mostly good people. Outstanding Americans and equally outstanding Vietnamese labor daily together, endure the hardships and dangers and build binding friendships and mutual respect through their toils.

The men who extend for more duty deserve credit for they discount the odds that are made by the Viet Cong and the politicians. Not enough can ever be said about these people.

Often it is best not to mention the good Vietnamese for their government does not like to hear what they have to say. But they are the victims of politics and the times and they are the ones who suffer the most.

Both governments, reigned over by the single-mindedness of their leaderships, struggle on. The Americans look for progress during their tour so they can come home to a promotion while the GVN leaders immerse themselves in the joys of new-found power, unwilling to face reality.

That the writer has been unfair in his portrayal is acknowledged. He is unfair because he does not have the answers to these agonies, but apparently neither does any of those in power.

But first we have to acknowledge our mistakes before we can correct them. The question is whether our leadership is ready to do so.

That is why anger overcomes sadness in Vietnam.

COMPREHENSIVE WATER QUALITY IMPROVEMENT BILL

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. REID of New York. Mr. Speaker, today I am introducing, with my colleague (Mr. McCarthy) and 22 other Members, a Comprehensive Water Quality Improvement bill which includes many of the provisions of the water pollution control legislation passed by both bodies of Congress during the last session. Unfortunately, the differences between the two bills were not resolved before the end of the session, and new legislation is therefore necessary.

The major provisions of the bills passed during the last session dealt with oil spillage, control of pollution from ships and boats, acid mine drainage, thermal pollution and a new method of financing to permit maximum use of existing funds. This bill incorporates those provisions with some minor changes regarding financing.

The intent of the legislation is to permit communities to finance the Federal share of the cost of waste treatment works with repayment assured from the Federal Government. This would be achieved through the use of contracts between the Secretary and the localities. The total amount of contracts will represent not more than twice the amount appropriated for grants in fiscal years 1969, 1970, and 1971. Authorizations are set by existing law at $700 million in fiscal year 1969, $1 billion in fiscal year 1970, and $1.25 billion in fiscal year 1971. The contract will obligate the United States to pay, over a maximum period of 30 years, the grant covering the Federal share which would be subject to the same percentage limitations now applicable to direct grants.

A major addition to this bill is the inclusion of authority to finance basic sanitary sewers in the Water Pollution Control Act for the first time. Assistance for the construction of such sewers is now authorized by the Housing and Urban Development Act of 1965, but inadequate appropriations have been harmful to efforts to control water pollution—the rapidly growing suburbs have not had adequate funds for installation of lateral, or basic sanitary sewers rather than cesspools or other temporary disposal systems.

By placing grants for lateral sewers, interceptor sewers, and treatment plants under the administration of one Federal agency—the Federal Water Pollution Control Administration—this bill introduces a unified or systems approach to water pollution control. Administration of the program is simplified and some of the overlapping paperwork will be eliminated for local sewer authorities. The bill provides adequate funding for lateral sewers for the first time, authorizing $500 million in fiscal year 1970 and $700 million in fiscal year 1971. As Mr. McCarthy points out, it deals directly with the problem of pollution in our suburbs, where we are experiencing explosive population growth.

In my judgment, we must act now to meet our water pollution control needs. This is an important step toward restoring the quality of our waters.

ALCOHOLISM AND ADVERTISING

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. HANNA. Mr. Speaker, today, nine of my colleagues and I introduced a bill to bar advertising of alcoholic beverages on radio and television.

We take this step advisedly, aware of the objections that will be raised by those who see such legislation as an infringement on free speech; conscious of the chorus of objections that will be raised by beer and wine advertisers. Those who manufacture and sell what is generally termed "hard liquor" do not advertise on these media. I mention our awareness of the objections to this approach, at the outset, Mr. Speaker, because I want it understood that in introducing this bill we have balanced these objections against the multiplying magnitude of the problem of alcoholism in our society. It is our conclusion that action is needed. It is our conclusion that existing evidence, at least, supports the modest assertions: that children are deeply influenced by radio and television advertising; that wine and beer advertising account for a significant amount of radio-television advertising; and that this advertising may create tastes and predispositions in children who are unable to objectively appraise the content of such commercials.

It is our hope that this legislation and the dialog which it will engender will focus attention of all the Congress on the problems of alcohol and alcoholism. You might say we wish to use this bill as a prism through which we can filter the problem of alcohol and alcoholism, as a means for identifying the several shadings of the problem.

The discussion which will surround this bill will of necessity answer two questions. The first: What is the nature and scope of the problem of alcoholism? This interrogative must be answered before we can proceed to addressing ourselves to the second and the immediate question posed by this bill: What responsibility does the Congress have to take affirmative public policy action to find a solution to this problem?

In launching this bill and the dialog which I hope will accompany it, let me offer for the consideration of all who would participate a thought-provoking article. It was written by a leading student of alcoholism, Dr. Max Hyman. The article follows:

[From the American Journal of Psychiatry]

THE MYTH OF SOCIAL DRINKING

(By Max Hayman, M.D.)[1]

(NOTE.—The author casts doubt on three well-accepted myths: that social drinking is a definable entity, that it is not harmful, and that it is helpful. While he notes that there is no definitive proof that social drinking is either harmful or helpful, the flimsiness of the evidence in its favor should act as a spur to further investigation. He calls for a comprehensive, objective study similar to the Surgeon General's report on smoking.)

If one looks down the row to the 15th person in an average audience, that person will be an alcoholic. If one counts down to the fifth person, this one's life will be adversely affected in one way or another by an alcoholic. If you now look at the intervening persons, the fourth will be an abstainer and the rest will drink varying amounts of liquor. Again, every fifth person will be a heavy drinker, and if the audience is composed of doctors, one in 100 will be lost to the profession because of drinking. Furthermore, an unknown number will be handicapped in their work because of drinking.

Most of the research on alcohol and alcoholism has dealt with differences between alcoholics and nonalcoholics; very little has been involved in the differences in drinking behavior among the various types of "social drinkers." This is rarely spelled out by investigators, and we must try to deduce from their data what the frequency of social drinkers in pathological behaviors might be.

In a report from the Stanford Research Institute it was noted that 11 percent of auto drivers at any time have been drinking, that the estimate of the number of drunk driving offenses each year is in the hundreds of millions, and that less than one individual in a thousand is apprehended. Winek noted that 20 to 40 percent of accidents can be attributed to alcohol. Alcoholics constitue a substantial proportion of these statistics, but a large percentage of individuals actually come from the ranks of social drinkers. Popham has shown that one can be an alcoholic with the equivalent of six drinks of whiskey a day *or less*. This can be no more, from the viewpoint of quantity, than the amount consumed by many of the 20 percent of the population classed as heavy drinkers.

Such figures, underlining both the quantity and quality of the drinking done under such an embracing term as social drinking, appear to indicate that the division between social drinking and alcoholism—for so long consciously or unconsciously taken for granted—may instead be nebulous or nonexistent. So firmly entrenched is the belief in its existence, however, that it has transcended the limits of logic and reason and has become established in the mythology of our time.

In attempting to assess the more recent data on this subject, therefore, we will consider social drinking under the broad category of myths. Like all myths, this particular one is more easily described than defined, but we will use it in the sense of a statement, idea, or attitude strongly believed but without sufficient data to support it. From the title it is apparent that this essay is polemical and partisan. However, in a society where abstainers are considered a "deviant minority" (with the connotation of abnormality), it is not unwarranted to examine the "other side" of social drinking.

MYTH 1: SOCIAL DRINKING IS A DEFINABLE ENTITY

Definitions of alcoholism itself are vague and imprecise. The World Health Organization calls it "any kind of drinking that goes beyond the traditional and customary and dietary use or ordinary compliance with the social drinking customs of the whole community, irrespective of the etiologic factors leading to such behavior, and irrespective also of the extent to which etiologic factors are dependent upon heredity, constitution, or acquired physio-pathologic and metabolic influences."

Such vagueness highlights the infinitely more difficult problem of defining social drinking. We often assume it to mean the opposite of asocial, problem, excessive drinking, or alcoholism, but if we follow it to its ultimate conclusion it may include anything from the single drink to celebrate Christmas to a state of alcoholic coma whenever two or more people congregate. To paraphrase Humpty Dumpty in *Alice in Wonderful* "social drinking means just what I choose it to mean—neither more or less." There would be considerable objection if we defined social drinkers as all those drinkers who have not been formally diagnosed as alcoholics, but this is hardly more imprecise than most attempts at defining social drinking. Such vagueness leads us to overlook the seriousness of the problem.

Social drinking and moderate drinking are often equated, but moderation is as difficult to define as social drinking. One man's moderation is another's excess, and King agrees that moderation, in this context, is the greatest example of contemporary, undefined ambiguity. He further adds that terms like social drinking and normal drinking are in reality value judgments. Moderation has been held up to man as the ideal approach to life since time immemorial and its virtues may indeed be irrefutable, but as a practical guide for the individual it is useless. Boundaries are too indistinct by which to chart a course, and the drinker too readily interprets moderation as moderate drunkenness. This recalls the alcoholic, pressured by his wife, her mother, and his physician to abstain completely. "I don't mind total abstinence," he said to me, "as long as it's done in moderation."

While it would be absurd to label the Christmas celebrant as a problem drinker, there is an increasing gradient to the heavy "nonproblem" drinker who has had an arrest for drunk driving ("just an accident"), or a fight ("it could happen to anyone"), or missed work ("it wasn't the liquor—it was something I ate"). The concept of social drinking aids these rationalizations and leads to cultural denial of problems until the magnitude becomes so great that to do so would be an utter dissipation of rationality.

One definition of alcoholism (a rather satisfactory one clinically) is "loss of the power of choice." I would suggest—even challenge—the social drinker to stop drinking and observe his own feeling of loss and dependency, his rationalizations, and, so frequently, a return to old habits of drinking. This can be an excellent gauge of one's dependency on alcohol.

In the minds of most people, consciously or unconsciously, there is a qualitative difference between social drinking and alcoholism and a belief that social drinkers consume alcohol for different reasons than alcoholics. This is open to considerable question, for there is no evidence to permit this conclusion. Drinking may be the reflection of a universal desire, a regressive longing for infantile pleasures in all of us. The difference often is in the amount of alcohol necessary to achieve such a state. Williams has shown that alcohol provides relief of anxiety and depression both to problem and nonproblem drinkers, but problem drinkers appreciate it more.

MYTH 2: SOCIAL DRINKING IS NOT HARMFUL

Except for such "deviant" groups as the Prohibitionists and the Women's Christian Temperance Union, the general public accepts the view that social drinking of alcoholic beverages is not harmful. On the whole this view is shared by medical practitioners, and it is significant that more than 80 percent of all physicians (as large or larger a percentage than can be found in any group) drink. Depending on the degree, their own drinking may lead to underdiagnosing alcoholism, distorting attitudes to patients' drinking, and recommendations to drink or not to drink on the basis of their own habits rather than the condition of the patient.

The literature on the harmlessness of drinking is too voluminous to evaluate in detail, but the claims have been covered quite adequately by several recent volumes: *Alcohol and Civilization*, edited by Lucia, especially the paper by Dock; *Social Drinking*, by Lolli; the "Symposium on Alcohol and Food in Health and Disease," published in the *Annals of the New York Academy of Sciences;* and, particularly, *Alcoholic Beverages in Clinical Medicine*, by Leake and Silverman. We might include *Liquor: The Servant of Man* by Chafetz, but he specifically eliminates accuracy and scientific treatment as a goal in his volume. Leake and Silverman make a serious attempt to evaluate all the available data on the chemistry, pharmacology, toxicity, and other clinical aspects of alcoholic beverages. They list over 400 references: alcohologists owe them a debt of gratitude for performing this formidable task. Leake and Silverman state that abstainers can live happily and healthfully without alcohol and moderate drinkers can live happily and healthfully with alcohol. The former statement, although it appears self-evident, is often denied; the latter is open to considerable question;

Writers on the effects of alcohol state that it is not harmful when used in "moderate or prescriptive doses" and emphasize that only low blood levels are permissible. This, by consensus, is in the area of one or two drinks, or .05 mgs. percent. In actual practice it is easy to go over the borderline and it is a rare social drinker who does not go over this tenuous line on occasion. Innumerable social drinkers go over the line regularly or on many occasions. The heavy drinkers mentioned by the California Drinking Practices Study and by Mulford would certainly have regular blood alcohol levels of over .05 mgs. percent.

Indeed, most of those in the "frequent moderate" group of drinkers—that is, those who drink one to four times weekly with more than two drinks at a sitting—would be included among those who drink more than recommended by the above writers. Together they make up 36 percent of the sample of the California population. We must conclude that the range between toxic and so-called therapeutic doses of alcohol must be a very slender one. If any other drug were used to induce the effects of ordinary intoxication, it would automatically be considered a dangerous drug, and more than two drinks would be considered excessive.

Lolli does not minimize the toxic effects of alcohol, but Dock states it is one of the least toxic tranquilizers. He suggests that American physicians do not use alcohol as a therapeutic agent because no detail men push it as a medication; he feels that physicians are prejudiced against prescribing alcohol because of a hangover from the prohibition era.

---

[1] Dr. Hayman is a Research Psychiatrist at the Alcoholism Research Clinic, Department of Psychiatry, University of California at Los Angeles School of Medicine, and Director of Education and Research, Compton Foundation Hospital. His address is 969 Hilgard Avenue, Los Angeles, Calif. 90024.

This work was supported by the Division of Alcoholism, Department of Public Health, State of California, and by the Compton Foundation Hospital (Vista Hill Psychiatric Foundation), Compton, Calif.

Short-term effects of social drinking

There is fairly general agreement that two to three ounces of 80- to 90-proof liquor produces a blood level of .05 mgs. percent. It is less generally agreed that above this figure, efficiency in various respects is impaired. The individual who can still perform fairly well with a high blood alcohol level is more likely to be an alcoholic. One study concluded that a statistically significant proportion of drivers responsible for accidents had blood alcohol levels in the .03 to .05 mgs. percent range. It was found in another study that 69 percent of 653 drivers killed in single-vehicle accidents had been drinking; sixty percent had blood alcohol levels of .10 mgs. percent or higher. It is likely that the 17 percent who had blood alcohol levels in excess of .25 mgs. percent were alcoholics. A good proportion of the remaining 83 percent were likely so-called social drinkers.

There are other statistics which show that traffic arrests and accidents may not be restricted to alcoholics. It is unlikely that all of the 74 percent of pedestrians who were fatally injured in auto accidents and had been drinking were alcoholics, or that the 73 percent of auto accidents caused by those who had been drinking involved alcoholics. Over half of the arrests in California cities (500,000 annually) are for drunkenness. There are 50,000 drunk driving convictions. Even if we take the rather high figures of Selzer and his group for the incidence of alcoholism among these drunk drivers, almost 50 percent would still be classified as social drinkers. Others report even less frequent alcoholism. It should also be noted that many social drinkers who have a respectable appearance are not arrested; they are more likely to be warned and released. They therefore tend to appear in statistics much less frequently than do alcoholics.

Moskowitz and Duprey of the UCLA Alcoholism Research Clinic recently demonstrated that alcohol interferes with the brain's ability to pay attention to several things at the same moment. They report that the complexities of driving have been vastly underestimated and find that a single alcoholic drink may seriously impair the driver's ability to give attention to more than one concurrent stimulus.

Drew found in simulated driving experiments that there were detectable error scores as soon as there was any measurable quantity of alcohol in the blood (.01 mgs. to .02 mgs. percent); this error score increased proportionately to the increase in blood level of alcohol. If we juxtapose these findings with Williams' report that 90 fraternity men in a social party setting in one hour consumed a mean of 11 ounces of 86-proof whiskey (the liquor was free), we have some idea of what some types of social drinking can do to the driving skills of individuals.

We cannot at this time review the suicides, homicides, carcinomas of the esophagus and mouth, frequency of varicose veins, complications of venereal disease, and many other factors that occur in heavy social drinkers as well as alcoholics. Recently these data have been extended and updated.

Long-term effects of social drinking

It has long been known that the mortality rate among chronic alcoholics is higher than among nonalcoholics. What is less well known is the recent evidence that social drinking also shortens life considerably. This is at variance with Pearl's work in 1926; he found that moderate steady drinkers showed somewhat lower rates of mortality and greater expectation of life than did abstainers, although heavy drinkers had considerably increased rates of mortality and diminished longevity. But he admitted that these data might not be significant statistically. His "reasonable and proper use" was not quite adequately defined. The study, however, is a careful one and requires replication.

Pearl criticizes life insurance statistics. These are important in that drinkers are followed to the end of their lives, although when individuals wish to obtain insurance they tend to conceal the amount of alcohol they consume; the amount of drinking in actuality may therefore be more than claimed. The data from life insurance statistics, however, are quite consistent and meaningful. With "minimal criticism with respect to the use of alcohol" of subjects who were investigated for life insurance policies, the ratio of actual to expected mortality was 225 percent. Furthermore, in three classes of social drinkers the actual mortality was 281 to 324 percent higher than expected. The figure for "spree drinkers," who were probably alcoholics, was 546 percent of expected mortality.

This incidence has worsened since a medical impairment study in 1929, which showed the mortality rate to be 248 percent of normal for "steady free users" who used one and one-half ounces of alcohol daily without intoxication; 195 percent of normal for those with periodic intoxication; and 331 percent of normal for spree drinkers.

There is an additional report on the findings on mortality claims from 1931 to 1947. This work indicated that social users who were intoxicated for six episodes a year for only a few hours showed a 277 percent higher mortality rate than expected. If 12 such episodes occurred in the year, the mortality rate rose to 287 percent, and if the episodes were weekly the mortality rate was 328 percent of normal. Spree drinkers who were intoxicated for two or three days up to three times a year showed 332 percent excess mortality—482 percent if the episodes occurred more than three times a year. It was interesting to note that former drinkers who had stopped drinking still showed an excess mortality rate of over 300 percent five years afterward.

Mortality rates were higher than expected in the following conditions: malignant neoplasms, arteriosclerosis and degenerative heart disease, cardiovasculorenal disease, diseases of the digestive system including liver cirrhosis, motor vehicle and other accidents, and homicides and suicides.

If we can assume that adverse effects are associated with greater alcohol consumption—and this is certainly indicated by the gradings of the life insurance reports—it follows that the social drinker is heir to all the problems of the chronic alcoholic though to a lesser degree.

Psychological effects of social drinking

Psychological ill effects of social drinking are usually long-term in type. Alcoholics are known to be passive individuals. We generally consider passivity to be a defense mechanism and activity to be the normal method of attaining one's goal. In the psychoanalytic treatment of nonalcoholics as well as alcoholics we frequently note the association of drinking and passivity, and the same loss of aggressiveness, ambition, and drive found in alcoholics can often be observed in many social drinkers. During the course of psychoanalysis many patients who have given up such oral activities as drinking and smoking have experienced a considerable increase in energy and drive.

The "Rule of Abstinence," which refers to the elimination of gratification from the therapist to the patient during the course of psychoanalysis, may produce temporary anxiety but often leads to the abandonment of the gratifications of infantile drives and the substitution of constructive and creative activities. The drinking therapist, and most of us are drinkers, may have a tendency to ignore the regressive and infantile nature of social drinking, which may have caused the patient both direct and indirect damage.

It would be an interesting experiment to apply a version of the "Rule of Abstinence" to a group of social drinkers or even a community with opportunity for adequate expressive outlets and then to assess the changes which occur. Such a procedure might elicit many less damaging substitutes for social drinking. It has not been demonstrated that more damaging substitutes have been selected by alcoholics who have become abstinent.

MYTH 3: SOCIAL DRINKING IS HELPFUL

Alcohol is credited with conferring many benefits upon mankind; these claims require examination. Dock, and Leake and Silverman in their defense of the medicinal use of alcohol claim that it is valuable as a source of food and energy, an appetite stimulant, a digestive aid, an aid in cardiovascular disease, a useful sedative, a fatigue-lifter, and a boon to the convalescent and the aging. They often refer to the efficacy of alcohol in relieving tensions and anxiety and consider it the most commonly used of all tranquilizers. Dock further adds that it has at least a temporary effect in preventing or ameliorating neurosis, has a psychiatric use in catharsis, and can be used to obtain suppressed or repressed data.

We might note in their evaluation of alcohol as a medicinal agent the vagueness of the findings, the scarcity of controlled studies, the impressionistic aspect of many of the studies, and a rather frequent reference to the persistent use of alcohol from antiquity as an index of its value. The merits of alcohol as a quick source of food and energy are negligible in our current society. It is difficult to think of a situation that would require an emergency caloric intake, although emergency fluids, of course, can be life-saving. The importance of alcohol as a valuable food stuff is diminished if we call to mind the fact that for the most part alcohol is manufactured from valuable food stuffs and merely represents a change in the form of the calories it contains. We should mention, however, that Jellinek states that in some poverty areas in the world wine represents the cheapest source of calories.

The evidence for the effectiveness of alcohol in stimulating the appetite appears to have little basis. There is, on the contrary, evidence that appetite and olfactory acuity are reduced as measured by various tests, including the actual amounts of food intake. Furthermore, unless the drinker eats within 15 to 20 minutes he is likely to continue drinking, thus defeating his purpose.

Cardiac benefits are frequently ascribed to alcohol, but there is very little acceptable evidence to support claims that it alleviates angina pectoris or prevents arteriosclerosis. A recent paper indicates, from postmortem examinations, that there is no significant relationship between advanced atherosclerosis of the aorta and coronary arteries and ingestion of alcohol. There is more evidence available that alcohol affects the heart adversely by increasing the heart rate and producing electrocardiographic changes. Repeated drinking, not necessarily alcoholism, may result in permanent alterations in myocardial metabolism which can lead to the development of irreversible alcoholic cardiomyopathy. Other writers have stated that moderate drinkers can do themselves cardiovascular harm, and alcohol even in moderate dosage may produce tissue changes.

Evidence is accumulating that alcohol directly affects the liver, producing an accumulation of fat in liver cells which precedes cirrhosis. The only way to get rid of fatty liver and prevent possible cirrhosis, several reports indicate, is to stop drinking. Most patients with pancreatitis have been found to be heavy social drinkers rather than alcoholics.

In tests of attention, abstract thinking, learning efficiency, and recall, adverse effects were shown even in cases where blood concentrations of alcohol were as low as one part in a thousand, and errors in various skills appear with minimal amounts of alcohol in the blood.

Although no recent studies on the effects of alcohol on intelligence were found, two early papers indicated that the intelligence of children in alcohol-consuming districts was lower than that of children living in areas where no alcohol was consumed. In children from the age of six to 14, scholastic ability varied inversely with the amount of drinking.

While alcohol is still referred to as an excellent hypnotic, it has been too difficult to gauge the appropriate amount. Furthermore, it often acts as an excitant, rather than a sedative, and there are medications of greater value, such as the minor and major tranquilizers, which are less addicting.

Cultural values of social drinking

It has been suggested, especially by Chafetz, that alcohol liberates spiritual and artistic powers (this is reminiscent of claims for LSD), is necessary for social interchange among people, is an aid to conviviality, and lubricates the wheels of commerce. Roe, however, found only one of 20 artists who felt it was easier to paint when drinking, and this one stopped drinking six months before the study. Rather than lubricate the wheels of commerce, and I refer to the two- or three-martini lunch, alcohol often derails it. An omnipresent reason given for social drinking is the impossible burden of adjustment which our current civilization imposes. The society is sick, we are told. If so, alcohol has become the medicine of a sick society. The apologist for liquor seems to feel that the world is such a miserable place is intolerable without the gift of alcohol, while the critic feels that since liquor creates so much of the misery in the world it should be entirely eliminated. The pertinent question is: Does social drinking permit us to attack the problems of our society with all our available efficiency and equipment?

The benefits of social drinking

Is alcohol, then, of any benefit whatever? This is possible. Carpenter and his associates, in what appears to be a carefully worked out experimental project, found that with the equivalent of two ounces of 90 proof whiskey subjects were better able to perform higher order problems in calculus than without alcohol. With larger amounts, performance deteriorated. They stated (as opposed to Drew) that undirectional consequences do not necessarily follow from increasing amounts of alcohol. They suggest the possibility that some people drink to enhance this facilitating effect of alcohol. Carpenter and Ross in 1965 found certain memory tasks were performed better with small amounts of alcohol and worse with larger amounts. Such studies have suggested to Keller that small amounts of alcohol may stimulate some functions, while larger amounts have the frequently described depressant action. Leake and Silverman have stated that alcohol acts as a stimulant on other organs but not on the central nervous system. These findings should be replicated and extended. If they are confirmed it remains to be seen what use can be made of such actions of alcohol.

It has been suggested that blood alcohol levels below .04 mgs. percent are not inconsistent with traffic safety. Indeed, there may be fewer accidents with such a level. Whether this is due to an alleviation of tension or whether there is a stimulatory effect has yet to be determined. This study, which is contrary to other findings, also requires replication and confirmation.

Lolli, who has given us a number of fresh ideas on alcohol and alcoholism, indicts inebriety as a pathway to alcoholism but implies at the same time that it "contributes favorably to an individual's inefficiency when he needs inefficiency in order to foster greater efficiency to come." This is understandable if viewed in connection with Kris' concept of "regression in the service of the ego," as we have noted elsewhere in connection with drugs.

There is little question that alcohol temporarily relieves anxiety and depression in a considerable percentage of people, but at a certain point (as little as four ounces of whiskey), these symptoms are increased.

There are a number of conditions in which drinking might be helpful and where the potential harm may be negligible. The elderly, who may enjoy drinking and who have no special future to preserve or to enhance and therefore have little need for efficiency, may decide in favor of the assuaging effects of social drinking. If alcohol can ease the suffering of the incurably ill and the dying, it should not be withheld. We should remember, however, that these conditions in a broad sense are also a part of life and we must not deprive these people of a "good death" which can be met with dignity and courage. The rest of us should perhaps await a definitive verdict on the harmfulness or helpfulness of social drinking, or at least restrict ourselves to less than the rather liberal amounts that Terhune has sanctioned in an otherwise conservative paper.

DISCUSSION

The prevalent impression in our society is that social drinking is harmless and may even be helpful. In a current reevaluation of a topic which should be periodically reappraised, there seems to be a better argument that social drinking is harmful. It is true that there is no definitive proof in either direction, but the flimsiness of the evidence that social drinking is an entity, or that social drinking is helpful medicinally, psychologically, or culturally, should act as a spur to further investigation.

The current conception of alcohol damage is shown in Figure 1. Only the alcoholics and a small percentage of "problem drinkers" are included. My own conception is shown in Figure 2, using data on the incidence of drinking from the California Drinking Practices Study. This indicates a far broader spectrum of risk from alcohol consumption.

FIGURE 1.—*Current concept of alcohol damage*

	Percent
Abstainers	25.0
Nonproblem drinkers	68.5
Problem drinkers	2.0
Alcoholics	4.5

FIGURE 2.—*Revised concept of alcohol damage*

	Percent
Abstainers	25.0
Nonproblem drinkers	39.0
Problem drinkers	16.0
High-risk drinkers	15.5
Alcoholics	4.5

The rare or infrequent consumer may drink for the same reason as the alcoholic or the marijuana or LSD user. Since the latter uses are legislated against we still have a Prohibitionist society, but the prohibitions are no longer directed against alcohol. Alcohol is, however, a far greater problem than all other dangerous drugs combined. Marihuana and LSD are the panaceas of youth; alcohol, the panacea of the adult. Our own unconscious conflicts about alcohol increase our ambivalence and are interpreted as hypocrisy and lying by our teenagers. This alienates them and enhances their rebellion. In a recent survey of high school students we found that they did not want to be warned against the evils of drinking; they wanted the facts on it.

From the evidence thus far, there seems no disorder for which alcohol is indispensable and no condition in which alcohol is superior to another medication. Keller has expressed this by saying that the alternatives to benefits that can be derived from alcohol are available to those who will choose them. We should add that it is questionable whether there is *any* disorder in which alcohol has proven helpful.

There is no suggestion implied that we should return to Prohibition. The psychiatrist is uneasy with authoritarian measures, even though there is evidence that legislative and financial procedures may reduce the consumption, complications, and consequences of alcohol. The taxation of liquor sales for social goals, which appears to have been successful in Great Britain, is a decision for society through its legislators to make. Eliciting the facts and disseminating them is the proper function for the physician, including the psychiatrist.

There is some evidence that accumulation of truths and education of the public has made a difference in both an absolute and relative diminution in cigarette smoking. Furthermore, doctors who have more access to knowledge of the disease-producing effects of smoking have reduced their cigarette use and now only 25 percent of doctors use them.

We cannot say that all who drink are alcoholics. But can we say that those persons are "social drinkers" who have, because of drinking: hurt others by hostile criticism; made unwelcome passes at other men's wives; had unreasonable fights; given their children a model of drunkenness; squandered time needed for constructive pursuits; driven while in a drunken state; had accidents coming home from a cocktail party; impatiently punished their children; or sat detached from wife and children in front of the television set evening after evening in a semistuporous state following several "social" drinks before dinner? We need another category, "antisocial drinking," to replace much of what we call "social drinking."

CONCLUSION

We do not have sufficient facts regarding pathological or social drinking; we must try indefatigably to obtain them. Only with such knowledge can education, persuasion, and thus prevention be an answer to the problems which social drinking raises. We urgently need a comprehensive objective study of "Alcohol and Health" similar to the Surgeon General's "Smoking and Health." Finances should be made available and qualified personnel found who will persevere, regardless of obstructions, to produce an unbiased scientific report. Whether this will change anything we cannot know, but truth, like Freud's description of the intellect, has a soft but persistent voice.

DR. MARTIN LUTHER KING, JR.

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. KOCH. Mr. Speaker, I am pleased to join today with the gentleman from Michigan (Mr. Conyers) and several of my colleagues in both the House and the Senate, to introduce a bill designating the birthday of Dr. Martin Luther King, Jr., January 15, as a legal public holiday.

Martin Luther King was a man among men. Those of us who lived in his generation can be proud that he appeared on the scene in our lifetime. To the black citizens of this country, he can be likened to Moses who saw the Promised Land but could not pass over the River Jordan. To white America, he is a shining example of what is best in our Nation. He stood, as Gandhi stood before him in an earlier period, as the leading proponent of nonviolence in our age. A nation like ours, made up of every color and religion, should take note of those spectacular men who rise up in a time of trouble to lead us and bring us together. At this point in our history, we have recognized too few such national heroes, and all have been white. It would be a unifying force for white and black alike to recognize in our national pantheon Martin Luther King, and to set aside his birthday as a public holiday devoted to the reconciliation of the races.

FATHER OF OUR COUNTRY

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, lauding Washington and the principles on which he and others of the Nation's Founding Fathers launched the Nation, in Civitan International's annual tribute to the Nation's first President and general, Sunday, Civitan International President Eddie Lunn, of Nashville, Tenn., called for the realization and practice of citizenship responsibilities to balance the privileges obtained from that citizenship, and the great heritage enjoyed. He spoke at Civitan's annual pilgrimage to Washington's Tomb at Mount Vernon, an event annually sponsored by Civitan's Mount Vernon club and participated in by Civitan's Chesapeake district and its international leaders. The Lunn address was a major enunciation of Civitan's appeal and demand for good and responsible citizenship and an end to chaos in America.

The pilgrimage procession, from Mount Vernon's main gate to the tomb, was led by President Lunn; Vincent R. Dalfonzo, of Baltimore, governor of the Chesapeake district, and William Lesher, president of the Mount Vernon club. They had an honor escort of Miss Mount Vernon 1969 and her two Civitan princesses, the Misses Cynthia Jean Lilley, Kathleen Perka, and Rebecca Keim, and the Mount Vernon Guard. The Guard is a revolutionary marine-uniformed youth honor unit sponsored by the Mount Vernon club. The Mount Vernon club en masse, its ladies, many Chesapeake Civitans and their ladies and International groups joined in the formal procession to the tomb.

Fife and drum musical features by the Guard, during which International, district and club wreaths were laid on the Washington bier and a brief speaking program were highlighted by the Lunn address. He said:

REMARKS BY EDDIE LUNN, PRESIDENT, CIVITAN INTERNATIONAL, GEORGE WASHINGTON TOMB, FEBRUARY 23, 1969

First in war, first in peace and first in the hearts of his countrymen. This description of the man whose memory we commemorate today was made by General "Lighthorse" Harry Lee in a eulogy on George Washington, December 26, 1799. On the 237th anniversary of his birth at a shrine dedicated to his memory, we pause to pay tribute to the man whom we identify as the Father of Our Country.

George Washington had faith in God and in himself. Early in life he acquired the magic of method. During the long and trying period in which he played the stellar role in the unfolding of our national drama, his character was displayed in all its grandeur, he was the patriot without reproach.

The first official record of the observance of his birthday states that, at Valley Forge in the winter of 1778, in that bleak winter and in the biting cold, the Band of the 4th Continental Artillery marched from their barracks to his headquarters to serenade their Commander-in-Chief. For many years the character of Washington has seemed to be suave rather than the mantle of almost legendary aloofness. His outstanding abilities and natural endowments were patent. His personality seemed to be staid by old portraits of Washington which showed him as a grave and dignified gentleman, grand but remote. Modern research has uncovered other interesting facts about his character. It has discovered that he was a genial gentleman with a hearty laugh, an excellent sportsman, fond of fox hunting, and a hot tempered antagonist in a worthy cause.

We proclaim George Washington as first in war, because the very first battles that were fought in freedom's defense and for the cause of freedom in behalf of the United States of America came to a successful conclusion because of the dedication to service, the tenacity to pursue a dedicated course, the ability to inspire men to go beyond their normal measure of capacity in order to achieve a job well done, his sense of honesty and integrity which could be believed and depended upon by all who served under him and likewise by all who opposed him. Early in his life as a soldier, when George Washington entered the House of Burgesses at the close of the French War, a vote of thanks was passed for his valuable services in the field. The young soldier hesitated in making a reply, and then the speaker of the House, Mr. Robinson, came to his aid by saying, "Sit down, Sir, your modesty is equal to your valor and that surpasses the power of any language that I possess."

Typical of his devotion and dedication to a cause was exemplified when on June 16, 1775, John Hancock of Massachusetts, presiding in the absence of Peyton Randolph of Virginia, stated that he had "the order of Congress to inform George Washington, Esq. of the unanimous vote in choosing him to be General and Commander-in-Chief of the forces raised and the forces to be raised in defense of American liberty. The Congress hopes that the gentleman will accept."

Standing before the members of Congress in a scarlet and blue uniform of a Colonel of the Virginia Militia, George Washington drew out a sheet of paper and read a statement: "Mr. President, though I am truly sensible of the high honor done me in this appointment, yet I feel great distress for my consciousness and my abilities and military experience may not lead me to equal the extensive and important trust. As to pay Sir, I beg leave to assure the Congress that as no pecuniary consideration could have tempted me to have accepted this arduous appointment, I do not wish to make any profit from it."

First in peace, the stature of the man was most typically put forth, perhaps the magnanimity of his soul is nowhere better expressed than by his own words addressed to his troops after Cornwallis's surrender at the battle of Yorktown in the first flush of victory—"My brave fellows, let no sensation of satisfaction for the triumphs you have gained induce you to insult your fallen enemy. Let no shouting, no clamorous or huzzaing increase their mortification. It is sufficient for us that we be witness to their humiliation. Posterity will huzza for us".

In the moment of victory over a staggering enemy in a war increduously fought with an appalling lack of equipment, with an appalling lack of clothing for his men and even the food necessary for their sustenance, this man, the first in peace was able to make this type of statement.

First in the hearts of his countrymen. George Washington, above all, was a Christian gentleman. Very generally recognized as a lover of the land, a farmer, a sportsman, a patriot, a perfectionist in any detail, a man of great physical stature, sufficiently able to sail a silver dollar across the Rappahannock River, with an abiding sense of humor, extremely fond of children. The man who had three positions which were of the utmost importance to all af the people of history. First, he served as Commander-in-Chief of the first American Army; secondly, as President of the Constitutional Convention, at a meeting of 55 of the wisest men in the country to design the guidelines by which you and I are and became free citizens. Last, certainly not least, was being the first President of the United States of America.

Possibly the greatest sustaining force in allowing this man to dissipate with the utmost of success and dignity, all of these positions, was his abiding faith. In his first inaugural address, George Washington made this statement: "It would be peculiarly improper to omit in this first official act my fervent supplications to that Almighty being who rules the Universe, who presides in the council of nations, whose providential aids can supply every human defect, that His benediction may consecrate to the liberties and happiness of the people of the United States a Government instituted by themselves for these essential purposes and may enable every instrument employed in its administration to execute with success the functions allotted to this charge. No people can be bound to acknowledge and adore the invisible hand which conducts the affairs of men more than those of the United States of America. Every step by which they have advanced to the character of an independent nation seems to have been distinguished by some token of providential agency.

A man of many firsts, I think above all and the greatest first that George Washington would first recognize was that first of all he was an American and that he enjoyed the great privilege of being an American Citizen and that he was willing to give of himself to make this citizenship have the high value that you and I take so lightly today.

In his farewell address to Congress, George Washington stated, "the name America, which belongs to you in your national capacity must always exalt the just pride of patriotism more than any appellation derived from local discrimination. You have in common cause fought in triumph together, the independence and liberty you possess are the work of joint councils and of joint efforts, of common dangers, sufferings and successes." To be an American is a great heritage, a great privilege and yet with privilege goes responsibilities. We owe to ourselves, to posterity and especially to a man whose memory we commemorate today that we will live as true Americans. I think that if we could hear a voice come from within this shrine today, the question would be asked of us: "Americans, Americans, what are you doing to my beloved America?" As we see chaotic conditions in America today, as we see desecration of the privilege of being an American Citizen, as we see the flag trampled in the earth, I think that George Washington's anxiety in this particular cause would know no bounds.

I believe, that if we were in a position today to answer, though the words may not be heard, the purpose would be defined so as to clearly be understood by all, both in and out of America who would attempt to lessen the high values that we place upon our citizenship. I think our answer to Mr. Washington today would be:

Sir, we here today with a new design for dedication, with a new concept of freedom, with new determination, with the help of God, assure you that from this day forward, we here highly resolve that we will place a new value on the citizenship that we enjoy, on the freedoms that we enjoy, and from this day forth purpose to the end that they will be exalted to the high position to which this privilege is entitled. That we might say in years to come, that the Government of the People, by the People, and for the People has not perished from the earth.

THE STRUGGLE FOR CONGRESSIONAL REFORM

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, Congress once again has before it legislation designed to provide badly needed reforms. During the last Congress, after lengthy study, a similar proposal was introduced and passed the Senate by a vote of 75 to 9. At that time the House failed to act and now we find it necessary to begin all over again with the task of implementing truly meaningful reforms. H.R. 6278 contains a series of proposals which, if enacted, will permit Congress to regain a position alongside the executive as a coequal branch of the Federal Government.

Our colleague, DONALD RUMSFELD, of Illinois, has written an article on congressional reform for the February issue of New City magazine. I include the manuscript at this point as an excellent analysis of the pending bill and as a reminder of the lengthy and careful deliberations that have gone into its preparation:

THE STRUGGLE FOR CONGRESSIONAL REFORM

THE LONG DAY

The House chamber was quiet except for the drone of the Reading Clerk's voice as he continued the reading of the previous day's journal. A Congressman from the Far West rose to his feet:

"The SPEAKER. For what purpose does the gentleman from California rise?

"Mr. BURTON of California. To merely bring the attention of the House to the hour of 5 a.m. having arrived. I was going to make the point of order that the House was asleep, but I shall not make it."

A few hours later, an Alabama Congressman rose to make a parliamentary inquiry. His question to the chair was, simply, what day was it!

By anybody else's calendar, it was Wednesday, October 9, 1968. As far as the U.S. House of Representatives was concerned, however, it was still the legislative day of October 8, the House having been in continuous session since noon on Tuesday.

By the time the House finally adjourned, more than 32 hours after it had convened, all records had been broken for consecutive roll calls, and we had just completed the longest (or perhaps the second longest—the record is not clear) continuous session in the history of the U.S. House of Representatives.

What was it all about, this Long Day?

Contrary to what some television networks reported, and some newspapers said, it was *not* about S.J. Res. 175, the resolution to suspend the equal time provision of the communications law to permit televised debates between major candidates for President in 1968.

WHY THE EQUAL TIME BILL?

Granted, the equal time bill was the pending order of business, and it is easy to see how the story of October 8–9, 1968, could have been misconstrued. Under the rules of the House, which are quite specific in these matters, it is impossible to explain what you are doing during the time quorum calls, objections, and other parliamentary moves are being made. The framework for such parliamentary moves allows no opportunity for discussion.

The equal time bill was important because it was a pending order of business. We had selected this bill as a proper vehicle to carry forward our 11th hour battle over what the Long Day *was* about: the struggle to get the House to take action on two pieces of reform legislation that had been pending for more than a year—a legislative reorganization bill to bring about some badly needed modernization of the Congress, and a "clean elections" bill to overhaul the antiquated laws dealing with campaign spending.

The equal time bill was a logical vehicle because (1) it was timely, (2) its subject matter was relevant, particularly to the campaign spending bill, and (3) the majority leadership wanted this bill badly enough to possibly wish to avoid pointing up its opposition to the two reform bills. If successful, we could have avoided having the Congress finish for the year without dealing with these two important pieces of reform legislation.

Both reform bills had occupied the daily attention of a small group of Republican Congressmen since September 10. (In addition to Rep. Thomas B. Curtis of Missouri, ranking House Republican on the Joint Committee on the Organization of the Congress, and Rep. James C. Cleveland of New Hampshire, a member of both the Joint Committee and the House Administration Committee and chairman of the House Republican Task Force on Congressional Reform, the group included Reps. Clark MacGregor and Albert Quie of Minnesota, Rep. Fred Schwengel of Iowa, Rep. Bill Brock of Tennessee, Rep. Rogers Morton of Maryland, Reps. Robert Taft, Jr. and Charles Whalen of Ohio, Rep. Barber Conable of New York, Rep. George Bush of Texas, Rep. Edward G. Biester of Pennsylvania, Rep. John Dellenback of Oregon, and Rep. William Steiger of Wisconsin and myself.)

Both of these reform issues had occupied the attention of many of us for a much longer period of time, going back to previous Congresses. Now, with only a few weeks remaining before the 1968 elections, the House was trying to mop up already long delayed appropriations and other matters and adjourn without giving consideration to either of the reform measures.

THE SEPTEMBER PROJECT

On September 10, 1968, a small group of my colleagues and I announced at a well-attended morning press conference:

"If Legislative Reorganization and Election Reform legislation are not passed by the House this year, both bills will have to begin again the long, torturous legislative road in both Houses. It would mean that it would be 1971 before many of their provisions could be implemented. The Congress cannot wait. The American people should not allow such a delay. We need these bills to effectively do our job. We need them before adjournment.

On Wednesday, September 11, a group of Republican Congressmen will engage in a series of parliamentary moves which will have the effect of altering normal proceedings of the U.S. House of Representatives. Our purpose is not to be disruptive. Our sole purpose is to dramatize the need for House consideration, and hopefully, House action, on both of the reform bills before adjournment. As members of the minority party, we recognize that we do not have the votes to pass these bills alone. But we are not asking that they be passed specifically in the form in which they have been reported, or in the more extensive form recommended in the Republican minority views which are contained in the reports accompanying both bills. All we are asking is that the House be given the opportunity to express its will on both bills, under completely open rules so that meaningful debate can be conducted and amendments offered."

Later in the day, under special order following the completion of the day's legislative business, we expanded on our plans and hopes to get action on both reform measures before the 90th Congress closed up shop. (Summaries of the provisions of both bills, chronological legislative histories of both bills, and other background information can be found in the Congressional Record of this date.)

On Wednesday, September 11, we carried out our plan to focus attention on the Congressional and election reform bills by delaying routine actions in the House until the defense appropriation bill was actually ready for consideration.

CALENDAR WEDNESDAY

A little-known procedure of the House called Calendar Wednesday permits standing committees to call up certain bills that have not been scheduled for action by the Rules Committee. The procedure can be cumbersome in that it provides for the committee to be called in the alphabetical order in which they are listed under House rules. The Ways and Means Committee, for example, gets no turn at bat until the 19 committees which precede it under the rules have been called This circumstance is mitigated by the fact that once a committee has used its turn, it does not get another opportunity until the "call" has gone full cycle. However, if some committees decide to engage in a conspiracy of obstruction, the procedure can be used to defeat the very purpose for which it was designed. We met this kind of fate in our attempt to use Calendar Wednesday to call up the election reform bill.

On Thursday, September 12, Rep. Clark MacGregor objected to the usual request for unanimous consent to dispense with Calendar Wednesday so that this procedure would be available to us the following week. It did not take the Democratic leadership long to remember how many "cats and dogs" could be brought to the floor on a call of the committees under Calendar Wednesday. By Tuesday, September 17, it was clear that other committees would bring enough of these bills to the floor to prevent the call of the committees from ever reaching House Administration, the parent committee of the election reform bill, before adjournment. (In the Congressional Record of this date can be found a list of bills eligible under Calendar Wednesday, together with relevant historical data and the disappointing story of our attempt to use this procedure to get action on the election reform bill in the closing days of the 90th Congress.)

ADDITIONAL EFFORTS

In view of the fact that the Rules Committee held original jurisdiction over the Congressional reform bill—if the Committee was not disposed to schedule the bill under normal procedures, it would hardly be likely to ask for consideration of the bill on a call of committees under Calendar Wednesday—other procedures would have to be applied against this bill.

One of the efforts we made to get the Congressional reform bill to the floor was to write a letter to the Speaker urging his cooperation and assistance in scheduling the measure. Writing a letter is not, of course, a parliamentary procedure, and in spite of the ordinarily compelling force of 134 signatures on this one, it prompted no more than a polite and belated "thank you" response.

On Wednesday, September 25, we again debated the Congressional and election reform issues under special order. The following day I objected to certain bills, one of them a bill to assist older Americans, being scheduled under unanimous consent ahead of the reform bills. The same day, Rep. Tom Rees (D.-Calif.) placed on the desk a petition to discharge the Rules Committee from further consideration of the Congressional reform bill.

A discharge petition requires 218 signatures for action. It is another extraordinary procedure of the House that provides a means of bringing to the floor a bill which has been bottled up by the Rules Committee. It has been tried only a few times in the history of the House and has been found to be successful even fewer.

There is good reason for the general reluctance of Members to sign a discharge petition: once the procedure became common, there is no practical limit to the number and kind of bills that might be brought to the floor by the Discharge Calendar. Then, of course, the procedure would cease to exist as an extraordinary remedy against parliamentary abuse.

Still, the failure of this discharge petition was equally disappointing to Rees and some of his fellow Democrats and to those of us on the Republican side of the aisle.

(Readers interested in a more detailed chronology of the September Project can find in the Congressional Record, volume 114, part 24, page 31919, an index to the daily issue of the Record from September 10 through adjournment.)

A brief history of the Joint Committee on the Organization of the Congress

On March 11, 1965, for only the second time in its history, the U.S. Congress created a special joint committee "to make a full and complete study of the organization and operation of the Congress of the United States and recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution." (S. Con. Res. 2, 89th Congress.)

Resolutions to create the joint committee had passed both houses without a single dissenting vote. I was one of the Congressmen who had originally introduced resolutions for this purpose. The joint committee was established, and an equal number of Republicans and Democrats from the House and Senate were appointed. One of the rules later adopted by the joint committee precluded it from making any recommendation that had not been endorsed by a bipartisan majority of the members of the committee from *each* house.

Immediately following the establishment of the Joint Committee, the Planning and Research Committee of the House Republican Conference appointed a Republican Task Force on Congressional Reform "in part to assure that every significant aspect of the operation of the House of Representatives would be studied and to serve as a reservoir of recommendations should the Joint Committee fail to report out a comprehensive set of proposals for modernizing the machinery and strengthening the role of Congress in the twentieth century." (From the Introduction, by Rep. Gerald R. Ford, to *We Propose: A Modern Congress*, by Rep. James C. Cleveland et al., McGraw-Hill, 1966.)

On May 10, 1965, the Joint Committee began hearings on the operations and problems of the Congress. The committee eventually amassed a printed record in excess of 2,300 pages, including testimony of more than 200 witnesses, more than 100 of them Members of the Senate or House of Representatives.

In addition to supplying witnesses for the Joint Committee, the Republican Task Force simultaneously was researching Congressional procedures and organizational problems both independently of the Joint Committee and at times in cooperation with it and other groups, such as the American Political Science Association's Study of Congress group.

Sixteen months after its creation, on July 26, 1966, the Joint Committee issued its Final Report containing more than 100 recommendations for improvement in the operation and procedures of the U.S. Congress. These are lumped under the general headings of "The Committee System," "Fiscal Controls," "Sources of Information," and "Congress as an Institution." (Although the Final Report itself is now nearly extinct, the extracted recommendations can be found in the daily Congressional Record of September 25, 1968.)

Bills were introduced in the Senate by Sen. Mike Monroney (D.-Okla.) and in the House by Reps. Tom Curtis and Ray Madden (D.-Ind.) in the 89th Congress, and attempts were made in both bodies to get action on the reorganization question before adjournment. In the House, the House Republican Policy Committee in particular called for action on the bill, citing the importance of getting the legislation enacted in time to put the improved provisions into effect in the new Congress. The 89th adjourned before action was taken in either chamber.

Revised bills (to correct dates and minor original errors) were reported and introduced early in the 90th Congress, and on January 25, 1967, the Senate began debate on S. 355, "To improve the operation of the legislative branch of the Federal Government." After 18 days of debate, stretching over a period of several weeks, the Senate passed, by a roll call vote of 75 to 9, an amended bill. With a few exceptions, the amendments tended to be technical in nature, many affecting only the Senate. In substance, the bill as recommended by the Joint Committee was still largely intact.

On March 9, the Speaker referred the Senate-passed bill to the Rules Committee in the House, despite the efforts of a bipartisan group of House Members of the Joint Committee to prevail upon him to follow the precedent of the 1946 Legislative Reorganization Act in reporting the bill directly to the Committee of the Whole, thus avoiding the possibility for the Rules Committee to bury the legislation.

On April 10, the Rules Committee opened hearings on the reorganization bill. In a wave of generosity, the committee thereupon suspended further hearings on the bill without even completing the testimony of the first witness, Ray Madden, co-chairman of the Joint Committee and one of the Rules Committee's own!

On May 10, exactly one month after the Rules Committee's Great Hearing Day, the House Republican Policy Committee issued a statement similar to the one it had issued in the previous Congress urging action on the reorganization bill without further delay.

Then began a series of behind-the-scenes attempts to water down the Senate-passed bill, along with sincerely motivated efforts by individual Congressmen—notably Dick Bolling (D.-Mo.) and Ogden Reid (R.-N.Y.)—to "write a better bill."

On June 22, Rep. Tom Curtis, who more than any individual deserves the title of "father of reform in the House in the 1960's," rose on the floor of the House to disclaim any participation by Republican Members in the attempts to redraft the Senate-passed bill. Exactly one month later, Rep. Jim Cleveland reactivated his Task Force on Congressional Reform "to put pressure on House Democrats to report out" the Senate-passed bill.

In the following days, Curtis, Cleveland, and other Republican Members found opportunities to comment on the reorganization bill nearly every day. Finally, on October 11, the House Republican Conference, which consists of every Republican Member of the House of Representatives, voted *unanimously* to adopt a resolution calling on the leadership to schedule the Senate-passed bill without further delay under an open rule for debate.

The first session of the 90th Congress ended without a whimper from the leadership, much less a bang, on the question of reform.

As the second session of the 90th got under way, Cleveland opened fire on the floor of the House as Minority Leader Gerald Ford used a portion of his nationally-televised response to the State of the Union Message to call for action on the reorganization bill.

By March, the leadership was disclaiming opposition to Congressional reform legislation, but still there was no bill on the floor. In an effort to enlist public support in the struggle, the Republican Task Force mailed to the editor of every daily newspaper in the country, the radio and television stations that carry editorials, to columnists, and to the legislative assistants to every Member of the House, as well as to the Members themselves, a complete, detailed description of the provisions of the Senate-passed bill, together with comparative provisions in other bills and a chronological history of the legislation. There was a brief stir of interest in the House corridors, and a handful of reporters made inquiries.

On August 7, in Miami Beach, the National Republican Convention adopted in its 1968 platform plans calling for enactment of both "clean elections" and Congressional reform legislation. And this brings us to the start of the September Project, with which I began this article.

WHO IS THE OPPOSITION?

My purpose in projecting this brief flashback has been to provide a setting for the question: Who is the opposition? I remember the mixture of anger and frustration I felt when I posed this question on the floor of the House last September:

"We have been waiting for some clue from the Speaker, from the majority leader, from the leadership on that side of the aisle that they might be willing to bring to the floor these two pieces of legislation. We have no desire to disrupt or disturb the proceedings of the House. We have been willing to cooperate and we have been looking for cooperation from the other side. We have used most of the procedures that are available to the minority Members of the House of Representatives.

"There is one procedure remaining, and I, for one, intend to use it; namely, the discharge petition. Unfortunately, we have still received no signal, no clue—no cooperation from the other side of the aisle.

"It is interesting, too, because, as I have talked with various people on the other side of the aisle, I have frequently had them say to me 'I am for that bill,' or, 'I am for the other bill.' And I say, 'You know, that is passing strange, because I am for it, too. I have gone around on the minority side and talked with Members in the minority. I have visited with them and I have found that most of them are for it. It kind of makes you wonder. I know I am not running this place. I know the minority side is not running this place. And if the people on your side are for the bills, too, it kind of makes you wonder who is running this place. Somebody must be running it. Somebody has to be keeping those bills in the committee. Somebody has to be against them or they would be scheduled on the floor, because when everyone is for a bill, it does come to the floor'."

What is in the bill, that it should have been so strongly resisted all this time? Let's have a look.

Title I attempts to carry out most of the Joint Committee's recommendations for improving the committee system. At mid-twentieth century, the committee system is the bulk of the legislative process and therefore the prime place to begin the task of modernization. Fully one-third of the Joint Committee's recommendations are directed to gearing up the standing committees for better performance of both their legislative and oversight functions.

Changes in committee procedure that would be brought about by enactment of the reorganization bill include opening more committee meetings and hearings to the public, allowing television and broadcast coverage of committee hearings under certain conditions, providing a right of the minority to call witnesses in order that all sides of a question may be presented and heard, and requiring annual authorization of funds for committee staffing. The rights of all members of a committee to file dissenting views in a committee report would be protected, and the right of equal time in debate on conference reports would be assured.

One important section of Title I overhauls the concept of legislative oversight by spelling out specific responsibilities of the committees to review the operation and administration of laws and programs under each committee's jurisdictional purview.

Another section places realistic limitations on the number of committee assignments a Senator can have at any given time.

One of the best provision in this title, in my opinion, would prevent any measure from coming to a vote in either house until the committee report and printed hearings, if any, are available for at least three calendar days exclusive of weekends and holidays.

The hallmark of all of these provisions is common sense. The wonder is that we have struggled along for so long without making most of the changes contained in Title I.

Title II strengthens Congressional control of the government's fiscal operations by requiring the executive branch, in cooperation with the Government Accounting Office, to establish a standard system of classifying expenditures, activities, and budget information of all government agencies, by requiring improvements in the budget document itself, and by providing for cost effectiveness analysis prior to decisions on renewal of appropriations. Under Title II, the Appropriations Committees to both houses would be required to receive testimony from the Director of the Bureau of the Budget, the Secretary of the Treasury, and the Chairman of the President's Council of Economic Advisers within 30 days after submission of the annual budget.

Consistent with the improved operating procedures of other committees, the Appropriations Committees, too, would be required to open hearings to the public unless those hearings involved national security matters.

Other changes made by this title involve more uniform distribution of GAO reports, greater participation in the appropriations process by the legislative committees through a projection of costs on new legislation, review of fixed obligation and grant-in-aid programs, and authorization of programs in such a manner that they will be subject to annual appropriations review.

Title III provides better sources of information for committees and Members of Congress by shoring up the staff resources of all committees. The professional staff would be augmented to provide a guarantee of professional staff assistance for minority members upon their request. The committees would be authorized to employ outside consultants and to approve supplemental training for members of the permanent professional staff.

Second only to the committees as an independent fact-finding arm of the Congress, and ofter superior to the committees in researching certain areas of concern, the Library of Congress has been taken for granted by Members of Congress who appreciate and use heavily its vast resources and expert personnel without any knowledge of the Library's problems. One important section of Title III is directed to the Library's Legislative Reference Service, authorizing it to augment its staff by use of outside consultants and research organizations on a temporary basis, providing better liaison between the Service and committees of both houses, and requiring the Joint Committee on the Library to exercise more careful attention to needs and problems of the Service.

Title IV brings about a number of changes in the Congress as an institution. First and foremost in this portion of the bill is the creation of a permanent Joint Committee on Congressional Operations. As noted earlier in this article, only twice in its entire history has the U.S. Congress set up a special committee to study the operation and organization of the legislative branch in relation to its changing responsibilities. Until the middle of this century, it may well not have been necessary to have a continuing study group to monitor the workings of the legislative process. But with the growing multitude of problems faced by today's Congress, and the increasing complexity and interconnected intricacies of those problems, we can no longer afford to let the cobwebs accumulate for a general housecleaning every twenty years. I can remember several occasions when Tom Curtis, who is responsible for so much of the Joint Committee's effective work, remarked: "Don, if we had made no other recommendation—and I think we did make many good recommendations—than this one to establish a continuing Joint Committee on Congressional Operations, we would have taken a meaningful step forward in the direction of modernizing this institution."

In the revised reorganization bill which will be introduced with the opening of the new Congress, we will have added significant duties to those already imposed on the new Joint Committee in the Senate-passed bill.

Other provisions of Title IV require Senate and House pages, who may now serve in these positions at the ripe old age of 14, sans supervision! to be of college age, take post office patronage out of Congressional hands, require Congressmen to disclose the real salaries of their office staff personnel by changing the "basic" figures to gross figures, and by authorizing officers of the Congress to require competent performance of duties by employees of the Congress.

Title V strengthens the Federal Lobbying Regulation Act in the following ways: (1) by broadening its scope to require registration by individuals and organizations who solicit or receive funds and have influencing of legislation as a "substantial purpose," (as contrasted with the "principle purpose" definition of the current law), (2) by requiring more complete disclosure of expenditures for influencing legislation, (3) by transferring the responsibility for the maintenance and publication of lobby registration records from the offices of the Clerk of the House and the Secretary of the Senate to the General Accounting Office, and (4) by making stringent requirements for disclosure of arrangements for contingent fees for purposes of influencing legislation.

SUMMARY AND PROSPECTS

The Joint Committee's recommendations were aimed at making Congress more efficient and better informed. Legislation of the scope encompassed by the reorganization bill is bound to contain some flaws, and there is obviously room for disagreement over the specific language contained in this section or that clause. There is rarely an ideal solution to any problem. In Congress, the effort to reach a skillful compromise is our modus operandi.

But is there any excuse whatever for not even scheduling the reorganization bill for floor debate and consideration? In the total record of our efforts, and it is a very solid and consistent record, we have never asked for more than the opportunity to have the Senate-passed bill on the floor for consideration under an open rule. But as we noted in the opening sentences of our press conference statement last September:

"We live in an era of change. Whether that change will be wild and erratic or thoughtful and responsible depends in part on the U.S. Congress.

"Recent events in our country, as well as throughout the world, have emphasized the critical need for democratic institutions to keep abreast of the times. The institutions which must deal with the problems of today and tomorrow must be as modern as the problems, or we run the risk that individuals within the society will seek means other than the traditional democratic processes of finding answers to their problems."

By the time this article is published, the "Raiders," as those of us in the forefront of the battle of the Long Day were characterized by several newspapers last fall, will be back in action on the floor of the U.S. House of Representatives, pressing for consideration of both Congressional reorganization and election reform legislation. Unlike last fall, we will have a full session ahead of us, hopefully an aroused press behind us, and a real chance for bipartisan success in enacting meaningful reform laws.

THE FEDERAL PRIVACY ACT

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. REID of New York. Mr. Speaker, today I am introducing, along with a number of my colleagues, the Federal Privacy Act, which was originally introduced by the gentleman from New York (Mr. KOCH).

Briefly, the bill, if enacted, would safeguard the privacy of individuals by insuring that they be apprised of records concerning them which are being maintained by Government agencies.

There are presently 20 Federal agencies which collect information about individual citizens, but, in most cases, we Americans are not aware of the detailed personal files being maintained. The provisions of the Federal Privacy Act would require each agency maintaining such records to notify individuals of the information on file. The agency would be forbidden to disclose any information on file without the permission of the individual concerned; and a written record would be kept, showing the names of all those who inspect a given file.

An individual would, of course, be allowed to examine his own record and have copies made at his own expense, and to supplement his file with information he might deem pertinent for the record. This would make it possible for him to correct any errors or explain any extenuating circumstances surrounding his actions.

In my judgment, this bill is an important step toward making American citizens aware of the extensive files which are maintained on nearly all of us, and enabling us all to prevent the calamities which can result from errors in such records.

A HUMAN APPROACH TO THE SYSTEMS APPROACH

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. GALLAGHER. Mr. Speaker, Ida R. Hoos is a distinguished research sociologist currently working at the Space Sciences Laboratory of the University of California in Berkeley. She has acted as a consultant to the Civil Service Commission, the Department of Health, Education, and Welfare, and the California Personnel Board. She received her Ph. D. from the University of California, is married to Dean Sidney Hoos, and is the mother of two children.

I recite such seemingly irrelevant detail because of the subject matter of her contribution to the Forum in the February issue of Datamation. Her article is practically guaranteed to infuriate many influential individuals for she has the temerity to suggest that systems analysis is not exactly divine revelation, that systems analysts may occasionally deviate from a course of pure truth and unblemished beauty, and that the application of procedures which are successful in military and space planning does not instantly produce paradise in other areas.

Mrs. Hoos captures in pristine prose what many would regard as the central fallacy in escalating the use of systems analysis:

> By concentrating on miniscule portions or isolated variables simply because they are quantifiable, the technique may actually lead to results which are irrelevant and inappropriate. Assignment of social costs and social benefits is an arbitrary matter, and even dollar cost/benefit comparison is a matter of interpretation.

Mr. Speaker, I am delighted to be able to introduce the article by Mrs. Hoos into the RECORD at this point. "A Realistic Look at the Systems Approach to Social Problems" may help to clarify just what we can expect from systems analysis and may help to avoid expensive mistakes as we fulfill our legislative duties. The article follows:

A REALISTIC LOOK AT THE SYSTEMS APPROACH TO SOCIAL PROBLEMS

(By Ida R. Hoos)

An era characterized by bigness—big budgets, big business, big government, big explosions—of population, information, and technology—provides an environment hospitable to the growth and development of the big, total approach. Such is systems analysis, with its components and companions, cost/effectiveness measures and program planning/budgeting. These methods, utilized and refined in military and space missions, have gained favor for the apparent tidiness with which they have achieved management marvels. For this and other reasons to be mentioned later, systems analysis has come to be accepted as a nostrum for all manner of social ailments, and the market for socio-economic systems is booming. At present receiving one dollar out of every five in the U.S. Budget, socio-economic programs, by 1975, will account for one or perhaps two out of every four dollars. With the federal investment in urban renewal for 1968–78 amounting to $250 billion, predictions that the market for urban civil systems will reach somewhere between $210 and $298 billion by 1980 may prove accurate.[1]

The prospect of so bountiful a market is enticing, and prospectors of remarkable diversity as to discipline, background, and competence are converging on it. There are aerospace and aviation firms, computer manufacturers and their multifarious subsidiaries, electronics companies, management consultants, appliance makers, directory publishers, and university-based entrepreneurs. Prominent among the contenders for contracts are the nonprofit but highly profitable "think tanks," with their in-house experts and on-tap consultants and their proliferating satellites with unpronounceable acronyms. They are all competing energetically to bring what journalists enthusiastically hail as "the powerful tools of technology" to bear on matters concerning the commonweal.

The forensic is familiar: A nation that can send men to the moon should be capable of closer-to-home accomplishments. All we need to do is to apply our scientific know-how to the analysis and solution of social problems with the same creativity we have applied to space problems.[2] This type of argument is persuasive on several counts: first, the prestigious origin and logical, scientific aura of systems analysis, and second, the growing recognition of the need for better planning, organization, and management of social affairs. A brief review of the genealogy and current conception of the systems approach will adequately illustrate the first point. Charles J. Hitch, whose imprint on this methodology is so great that it is sometimes called "Hitchcraft," described systems analysis as a direct lineal descendant of World War II operations research.[3] O.R. was used to solve tactical and strategic problems of a military nature; systems analysis uses the same principles but has wider range and scope. It encompasses (1) a more distant future environment, (2) more interdependent variables, (3) greater uncertainties, (4) less obvious objectives and rules of choice.[4] Impressive as to historical background, systems analysis, with its heavy reliance on models and mathematical computations and manipulations, has special appeal in an era characterized by a universal craving for certainty and orderliness.

This yearning underlies the present impatience with traditional approaches. Juxtaposing the duplication, confusion, and disarray of current public administration with the rationality and neatness of program management to be realized from application of the "revolutionary concepts," proponents of systems analysis make a strong case for their wares. And there is no gain-saying the fact that social problems beset us: urban blight deepens and spreads; pollution of air, water, and land proceed at an awesome pace; crime rates soar; arteries and facilities for air and ground travel are dangerously clogged. In one way or another, these problems ultimately become the business of government, already regarded by many as too big to be potent and too trapped in a bureaucratic maze to respond effectively.

Since 1964, when the state of California pioneered by hiring aerospace engineers to help solve problems of public concern through systems analysis, many public officials, from county to Congress, have chosen the same vehicle on the high road to grants and contracts.

Can we assume from the vast expenditure of public funds and mobilization of motley systems experts that we will now witness a diminution of the inefficiency, ineptness, and uncertainty that plague planners of public programs? The question deserves serious consideration, for there are signs that the incoming administration in Washington will be especially receptive to further involvement of the private sector in public affairs. Its managerial techniques will be given full play. We may find it useful, therefore, to note the factors surrounding the adoption of systems analysis in the social arena. Four are especially important: historical antecedents and scientific attributes, already mentioned briefly, and political and economic circumstances. Because of the admirable escutcheon derived from its association with defense and space achievements, systems analysis has enjoyed almost total immunity from the critical evaluation to which some other methodology might have been subjected. And yet, to judge from recent discussions,[5] the DOD model may not be optimal for military, let alone other kinds of decisions. Government officials struggling with program budgeting as decreed by President Johnson are learning, the hard way, that the circumstances governing and the criteria for judging effectiveness in the DOD resemble not remotely those prevailing in matters for social accounting.

Since, however, the same assumptions, rules, and courses of action that appeared so logical and scientific in their earlier context are being transplanted bodily, they deserve scrutiny. First and foremost, there is the assumption that because the word system can be used for everything from atomic weapons delivery to anthropotomy, the same analytic tools can aid in understanding all of them and the same type of remedies can be applied to their malfunctioning. There is the related assumption that since large scale, complex systems have been "managed" by use of certain techniques, then social systems, which are often large and always complex, can be "managed" in like fashion. This presupposes similarity of structure, with social systems reducible to measurable, controllable components, all of whose relationships are fully recognized, appreciated, and amenable to manipulation. To the extent that these are fallacies, they must be attributed to semantic impoverishment. Moreover, the very characteristics which distinguish social from other species of systems render them resistant to treatment that tries to force them into analytically tractable shape:

1. They defy definition as to objective, philosophy, and scope. For example, what kind of definition of a welfare system can be regarded as valid—that which encompasses the shortcomings of other systems, such as health, education, employment, or the one which focuses on individual inadequancy? A definition depends on the point of view and the ideological posture. The system looks very different to the administrator, the recipient, the black power monger, the social critic, and the politician.

2. "Solution" of social problems is never achieved. You do not "solve" the problems of health or transportation. Consequently, where you start and where you stop is purely arbitrary, usually a reflection of the amount of money the government has to fund the particular analysis.

3. Despite the semblance of precision, there are no right or wrong, true or false solutions. Consequently, it is presumptuous to label as wrong anything being done now and right that which looks good on paper. By concentrating on miniscule portions or isolated variables simply because they are quantifiable, the technique may actually lead to results which are irrelevant and in appropriate. Assignment of social costs and social benefits is an arbitrary matter, and even

---

Footnotes at end of speech.

dollar cost/benefit comparison is a matter of interpretation. There are no ground rules for identifying the Peter being robbed and the Paul getting paid. It should here be noted that anyone can join the popular sport of knocking bureaucracy; playing utopian games is easy.

Corollary to the assumption that systems analysis can improve the state of the art of public program planning is the notion that the "systems expert" is a past master of advanced concepts on all fronts. He often ascribes to himself a clairvoyance denied specialists in the subject area, for, with the greatest of ease, he hurdles 1984 and designs year 2000 plans. As though by his own original discovery, he brands present practices as fragmentary and duplicatory. This situation he corrects by an unfurling of flip charts, a dubbing of labels in bank boxes, and an affixing of arrows on the flow diagrams. He deplores the lack of information and proposes a data bank to capture every last bit. After an exercise in present-day serendipity now known as "playing around with some models" and a series of optimistically-called "progress reports," time and money will have run out. The air may be no safer to breathe, urban ills no less crucial, but conclusions and recommendations, like campaign speeches, will ring with truisms and promises: (1) Present planning is wasteful and ineffective; (2) the prescribed course of action is more systems studies which will harness huge reservoirs of talent and put to use the "powerful tools of technology" and produce knowledge and understanding. Anyone who has reviewed systems reports cannot fail to recognize the pervasiveness of the "Perils of Pauline" feature, which may be intrinsic to the nature of the technique.

This hard look has fallen on the technicians as much as the technique and necessarily so, for the two are inextricably intertwined. What the analyst conceives as the system is reflected in its definition, its objectives, its interfaces, its significant variables, its relevant data. The methodology of systems analysis supplies the form; the analyst, the content. The inputs which he selects become determinative. That he chooses to omit certain phenomena because of his own bias or because they resist quantitative treatment may be far more crucial to society than his model, but neither the technique nor the technician has use for them. It is precisely because of the centrality of his role that the analyst should possess a deep and sensitive understanding of the social matter with which he is engaged. Unfortunately, this is seldom the case. On the contrary, "expertness" is an *ad hoc* affair, with titles bestowed to suit the contract in hand. The casting of characters reminds one rather uncomfortably of the Puritan who marched around the fort in a succession of hats to fool the Indians. Lacking in orientation and without an appropriate frame of reference, such an analyst substitutes ignorance for objectivity and banal generalization for total system comprehension.

If anyone is surprised at the discovery that the emperor, for all his multi-million-dollar wardrobe, goes naked, that may well be because oversell dominates every stage of the system analysis, from proposal to final report. The "expert" appears in many forms—as undersecretary of a government agency, as think tanker, as advisor to contracting agencies—but always as a salesman in disguise. He testifies at Congressional hearings; he delivers keynote addresses at meetings of all kinds of professional groups. His presence at the latter is strictly that of the fox in the henhouse, for he invariably predicts growing complexity ahead and promulgates the notion that nothing short of the powerful tools of his technology will suffice to handle the problems. He may occassionally offer the modest disclaimer that systems analysis cannot solve every problem, but he earnestly implores his listeners not to throw out the baby with the bathwater, or the egg with the eggshells. The rules of his game are simple: one for the money, two for the show. The name of the game is self-perpetuation, the stakes are high, for systems business is booming, here and abroad.[6]

Economic considerations on the part of all participants keep the game going. The prosperous and growing community of problem solvers is apparently more concerned with obtaining more contracts than with improving the state of the arts or of the nation. There is a serious dearth, among practitioners, of critical evaluation. Apparently, no one with sufficient claim to systems expertness to preach or practice the technique would be so rash as to shoot down the goose that lays the eggs, especially when they are golden! The moral problem of the profession as expressed by C. West Churchman has been delicately sidestepped in pursuit of the objective not to do better, but to do more. The political arena in which the game is played discourages rigorous review, since large sums of public money are involved. In their expenditure, everyone must look good. No official is so possessed of the death wish as to admit that the venture was anything but successful. Consequently, every aspect of the transaction, quite irrespective of its true color, comes through tinted with a glow of success.

The mixture of salesmanship and politics may, ultimately. undermine the state of the art, for short-run, pervasive zeal for self-perpetuation practically guarantees stagnation. With little benefit of feedback from earlier experience, the same level of sophistication remains, with the same shortcomings, the same deficiencies, the same old excuses. Conceptual and methodological mutations are needed in order to to create a tool useful in social planning, but these cannot occur unless there are open channels of inquiry and assessment free from public relations embellishments.

Such evaluations are not the private preserve of any one professor or any particular discipline. Nor need they be considered the bailiwick of any one sector. There is an important role in the process of social accounting and planning to be played by professional persons, whether in the employ of government, industry, universities, or elsewhere. In every system study, the close and constant involvement of individuals expert in the relevant disciplines is absolutely essential. Every major problem facing urban society today is multifaceted in nature! Economic, political, and social rationality must all contribute to developing a viable model, for human and social values are at stake as old problem areas are subjected to new modes of treatment. Understanding calls for knowledge on many fronts. Highly desirable, indeed, would be a creative synthesis achieved through a genuine multidisciplined approach. It is interesting to speculate on the extent to which systems analysis will be the means to an end of such a synthesis.

FOOTNOTES

[1] Finance Magazine, January 1968. Staff, V-P Marketing, North American Aviation, *The Economic Business Spectrum as Related to National Goals—Identification of New Business Opportunities*, 1967.

[2] Statement by Senator Gaylord P. Nelson, *Congressional Record*. Proceedings and Debates of the 89th Congress, First Session, Oct. 18, 1965, No. 194.

[3] Charles J. Hitch, Royal Society Nuffield Lecture, London, Oct. 25, 1966.

[4] This comparison was made by Albert Wohlstetter in "Scientists, Seers, and Strategy," Columbia University, Council for Atomic Age Studies, 1962, pp. 36–7 (unpublished paper).

[5] James R. Schlesinger, *Systems Analysis and the Political Process*, RAND Paper P–3464, June, 1967, pp. 14 ff. See also Hearings before the Committee on Foreign Relations, U.S. Senate, 90th Congress, Second Session, Part 2, May 28, 1968.

[6] Daniel S. Greenberg, "Consulting: U.S. Firms Thrive on Jobs for European Clients," *Science*, Vol. 162, No. 21, 1968, pp. 986–7.

INDEPENDENCE OF ESTONIA

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. MINSHALL. Mr. Speaker, it is always a pleasure to salute my good Estonian friends, many of whom reside in the Greater Cleveland area. We are this week commemorating the 51st anniversary of the declaration of independence of Estonia, an independence which was extinguished under the combined forces of communism and Nazi Germany in 1940, and, since the end of World War II, under the Soviet Union.

It is remarkable that the human spirit, the craving for liberty, can survive under totalitarian conditions such as have been inflicted on these proud people. But survive it does. Heikki A. Leesment, president of the Estonian National Committee in the United States, writes to me:

> At this anniversary all Americans of Estonian descent feel duty bound to call the attention of all peace-loving free nations to the continued forcible ruling and colonial exploitation of Estonia by the imperialistic Communist conspiracy called the Soviet Union.

This I have attempted to do in my House Concurrent Resolution 59, introduced on the opening day of this Congress, which calls upon the United Nations to insist that the Soviet Union abide by its charter commitments on national self-determination and colonialism. I am distressed that the House Committee on Foreign Affairs has scheduled no hearings on my legislation, and I wish once again to raise my voice in behalf of all the captive nations who would benefit by adoption of my resolution.

I urge those who share my fervent hope that independence will be a reality for Estonia and for all nations now under Communist domination to call for immediate consideration of this resolution, full text of which follows:

H. CON. RES. 59

Whereas the United States of America was founded upon and long cherished the principles of self-determination and freedom; and

Whereas these principles, expressed in the sovereign quality of nations, are the very reason for the existence of the United Nations, as set forth in the charter of that world organization; and

Whereas the United States and all other members of the United Nations have solemnly pledged themselves to make these principles universal and to extend their benefits to all peoples; and

Whereas, on December 10, 1948, the General Assembly of the United Nations passed the Universal Declaration of Human Rights which was accepted both by the United States and the Union of Soviet Socialist Republics, defining said rights as relating to citizens of all member states; and

Whereas, since 1918 Soviet communism has, through the most brutal aggression and force, deprived millions of formerly free peoples of their right to self-determination; and

Whereas the Congress of the United States has unanimously expressed in Public Law 86-90, approved July 17, 1959, its revulsion at the continued enslavement of the peoples of Eastern and East Central Europe who were described by the said public law as captive nations; and

Whereas the Hungarian, Polish, Czech, Slovak, Carpatho-Ruthenian, Latvian, Lithuanian, Estonian, East German, Rumanian, Bulgarian, Albanian, Ukrainian, and White Ruthenian peoples may only look to the United States and the United Nations for the restoration of their national self-determination and political independence; and

Whereas the member nations of the United Nations have failed to bring before the General Assembly for successful discussion the problem of self-determination and political independence of the peoples of Eastern Europe; and

Whereas, despite the numerous resolutions passed by the United Nations General Assembly, Russian occupation troops are still maintained in Hungary and the issue of their removal has not come up for discussion in the Assembly since 1962; and

Whereas it is vital to the national security of the United States and to the perpetuation of free civilization that the nations of the world act in concert through the forum of the United Nations in demanding national self-determination and political independence for the peoples enslaved by Communist governments; and

Whereas the Constitution of the United States of America, in article II, section 2, vests in the President of the United States the power, by and with the advice of the Senate, to make treaties and to appoint Ambassadors: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the President of the United States is hereby authorized and requested to instruct the United States Ambassador to the United Nations to request at the 1968 session, that (1) the United Nations insist upon the fulfillment of its charter provisions based on self-determination of all peoples in the form of the sovereign equality of states and condemnation of colonial rule; and (2) the Soviet Union be asked to abide by its United Nations membership obligations concerning colonialism and interference with the sovereignty of other nations through the withdrawal of all Soviet Russia troops and agents from other nations now under Communist rule and through returning to their respective homelands all political prisoners now in prison and labor camps; be it further

Resolved, That the President of the United States is further authorized and requested to use all diplomatic, treaty-making, and appointive powers vested in him by the Constitution of the United States to augment and support actions taken by the United States Ambassador to the United Nations in the interest of self-determination and political independence of these nations.

EMPLOYEE AND MANAGEMENT RELATIONS IN THE POST OFFICE DEPARTMENT

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. HORTON. Mr. Speaker, of all the aspects of postal reform being studied in Congress, one of the most urgently needed is a fair and equitable employee-management relations system within the Post Office Department.

Postal labor-management relations should have an established structure for grievance procedures and bargaining rights, but Executive Order No. 10988 governing these regulations, by its very nature, obstructs the creation of an impartial third party appeal system.

The lack of a channel of appeal and communication is one of the greatest causes of frustration, distrust and low employee morale in the Post Office Department. Moreover, poor labor-management communication has a direct causal relationship to the quality and effectiveness of the postal service.

The bill I have introduced provides the means to correct this inequity in our postal system by establishing machinery for the compulsory arbitration of disputes. It also guarantees the right of representatives from both labor and management to testify, to question, and to cross-examine witnesses without fear of reprisal or intimidation.

An independent labor-management relations panel is created to oversee and mediate labor-management problems. Both sides are given the opportunity to discuss the issues and problems at hand.

Greater communication between labor and management in the Post Office Department can materially strengthen the vitality and effectiveness of the postal service.

By establishing clear-cut guidelines and standards for both labor and management, this bill sets up a modern and dynamic employee-relations mechanism based on the principle of free and open avenues of communication.

This is accomplished without threatening the Federal laws which prohibit strikes in the Government service.

I earnestly hope that my colleagues in Congress will give this bill the close study and attention that it deserves.

Fair and equitable labor-management standards are an important key to high employee morale and greater effectiveness in the operation of the U.S. Post Office Department.

THE 10-PERCENT SURTAX

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. LANGEN. Mr. Speaker, a fellow Minnesotan has written me in regard to the 10-percent surtax. He is Mr. Brian Wright Catlin, of St. Paul, and he has asked me to share his views with my colleagues in Congress. His letter follows:

FEBRUARY 14, 1969.

HON. ODIN LANGEN,
House of Representatives,
Washington, D.C.

DEAR SIR: The Nation does not need a ten per cent surtax as long as plainly marked property of the United States is publicly sold in the black market on the streets of Saigon, a civilian technician is punished for revealing the theft of millions of dollars worth of gasoline and equipment, Vietnamese Generals grow rich in corruption, War on Poverty funds are scandalously wasted, there is money to loan to foreign governments who repay their debts only with insult and ridicule, and there is money to double the salaries of Legislators who permit all of this.

We, of the Land of the Ten Thousand Lakes, find it more realistic and practical to plug the leaks in our boats rather than to pledge our incomes as security for the purchase of expensive pumps.

Those who have done so have found that the additional strain widens the seams and further weakens a rotten bottom.

We respectfully request that our Representative deliver this message, verbatim, in a speech on the Floor.

Sincerely Yours,
BRIAN WRIGHT CATLIN.
ST. PAUL, MINN.

ABM SYSTEM: IT WILL NOT WORK

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. FRASER. Mr. Speaker, one of the most pressing issues facing this session of Congress is whether or not this country ought to go ahead with the Sentinel ABM system.

Last year I joined with a group of Congressmen in unsuccessful efforts to delete $387 million earmarked in the fiscal 1969 appropriation for the development of the system. Many distinguished scientists and defense experts agree that ABM is an unnecessary military expenditure.

The following article from the February 15, 1968, issue of the New Yorker magazine presents a most persuasive argument against the building of such a system. Its point is simply that the system, as designed, cannot possibly work.

I would draw particular attention to the conclusion that should the ABM system go forward, the military-industrial complex is heading, perhaps, toward its first major defeat at the hands of public opinion. I commend this article to my colleagues and present it for inclusion in the RECORD:

If only it worked, the anti-ballistic-missile system, or ABM, would be the most triumphant development in military technology since the atomic bomb. It would make America a bombproof fortress, insuring that future world wars, like the past two, would be fought on someone else's territory. Unfortunately, however, almost no experts believe that it will work. And last week the Administration halted the Pentagon's enthusiastic rush to construct ABM sites, giving President Nixon time to decide whether he wants the ABM at all.

When Secretary of Defense McNamara announced the decision to go ahead with the Sentinel ABM system, he said that the ABM could not possibly defend us against the large Soviet striking force but would be useful against a far smaller Chinese attack. We can assume that the narration by the wargame computers goes something like this: The Chinese, maddened by hatred or frustration, launch a few dozen missiles against a United States whose certain retaliation will destroy most of China. The oncoming missiles are picked up by the Perimeter Acquisition Radar (PAR) when they are still more than a thousand miles away. A Spartan missile with a nuclear warhead is then launched. It is guided by the shorter-range Missile Site

Radars (MSR) toward the hostile missile. When the interception is made, the Spartan explodes destroying both itself and the attacker. If a Chinese missile slips pass the Spartan, a shorter-range Sprint missile, situated near the PAR, will intercept it before it destroys the radar. The surest way to nullify such a defense is simply to overwhelm it. If more missiles are shot at, let us say, New York than there are Spartans or Sprints to defend the city, an H-bomb or two is certain to get through. And that is enough. Since the Russians already have a large and growing missile fleet, and can build more missiles cheaper and faster than we can defend ourselves against them, McNamara and President Johnson decided not to go ahead with an anti-Soviet system. Instead, the Sentinel was designed, to defend us against an attack by the Chinese in the years between the present, when they have no missiles, and that unpredictable but rapidly approaching time when they, like the Russians, will have enough to drown a defense. To defend ourselves against an irrational suicide attack by the Chinese might possibly be worth five or ten billion dollars if the Sentinel system did not have so many other defects and uncertainties.

The physicist Hans Bethe, among others, has pointed out that it is relatively simple to devise decoys and "penetration aids" to fool the radar and divert the intercepting missiles. Such devices are fairly cheap, are easy to design, and are well within the present reach of Chinese technology. Moreover, the recent Deputy Director of Defense Research and Engineering for Strategic and Space Systems, Dan Fink, has said, without being refuted, that the defensive radar itself could be partially blacked out by the radiation occurring when a Spartan or a Sprint explodes; to deal with this potential defect, it may be necessary to redesign the Sentinel system so that the radar operates at a different frequency. Even new design may not give complete protection against radiation blackout. Also, since the Sentinel detects enemy ICBMs while they are high above the atmosphere, it may be possible for the enemy to circumvent the Sentinel by firing nuclear warheads on a lower trajectory from a submarine or a ship. All these deficiencies, as well known to the Chinese as to us, make it highly unlikely that the Sentinel can defend us against an enemy that is serious about getting through. Nor can we test this highly complex system under simulated combat conditions, since to do so would require exploding nuclear warheads in the atmosphere and that would violate the test-ban treaty. Objections to the Sentinel, however, go well beyond an attack on the system's effectiveness. Despite our denials and our logic, Soviet military planners will undoubtedly assume that the Sentinel is designed for them and will press even harder to increase their stock of offensive weapons. We will then be under pressure to build more missiles of our own. Thus the nuclear-arms race will be given another upward push. And when it is all over we will still be able to blow each other up, just as we are now. Besides, the Sentinel system will require a loosening of a historic restraint—the principle that only the President can make the decision to fire a nuclear weapon. Between the moment the PAR sights a hostile missile and the moment a Spartan is fired to intercept it, only five or ten minutes can elapse. Since it is not realistic to require a Presidential or Cabinet-level decision in such a short period, the authority to fire will necessarily be delegated to a field commander, or to an automatic computer, which can digest and analyze data even faster than a general. Yet it was only five years ago that the country as a whole, and the Democratic Party in particular, was horrified by Senator Goldwater's suggestion that he might delegate nuclear authority to field commanders.

Another objection has arisen out of the Army's strange decision to place several Sentinel sites near big cities. Since even the shorter-range radar covers several hundred miles, a missile headed for Boston could be intercepted just as easily from a potato field a hundred miles away as from the nearby suburbs of Reading and North Andover, where the missiles will in fact be placed. Such placement makes the chosen cities top-priority targets for attack. Furthermore, there is a remote but finite chance that a Spartan or Sprint warhead might explode by accident, destroying everything within a distance of five or ten miles and causing heavy damage for a far greater distance. It has been argued that placing the Sprint missiles near a city offers the additional protection of a possible last-minute interception. (This contention does not apply to Spartans.) The argument seems more like a rationalization than a reason, since the basic purpose of the Sprint is not to defend cities but to protect the long-range PAR, and only the handful of cities that have PAR will also have Sprints. It is hard to believe that Boston, Seattle, and Detroit have been honored with a defense while almost every other American city—including Washington, D.C.—has been deprived of whatever protection the Sprints will give. Also, it has long been known that anything like Sprint protection can be nullified by exploding a large thermonuclear bomb upwind and beyond the reach of short-range defensive missiles, thus sending a cloud of radiation over a city supposedly defended by the missiles.

There is, however, one assumption that makes perfect sense of the choice of sites: that this is not an anti-Chinese system at all but the first step toward the large, more-than-forty-billion-dollar anti-Soviet system that was publicly rejected by Secretary McNarmara and President Johnson. For the logic of such a system requires "point" defense around every major city (along with a large fallout-shelter program) to render it effective. Many of the most fervent advocates of ABM in the Senate have not concealed their conviction that the Sentinel makes sense only if the system is to be expanded, and the Chairman of the Joint Chiefs of Staff is known to share this belief. Secretary Laird hinted that this is the intention when he defended the Sentinel as a possible bargaining counter in talks with the Russians. Yet if, as our government has said, the Sentinel is worthless against the Soviet Union and has been designed only for China, it is hard to see why it would add to our strength in any United States-Soviet negotiations. Perhaps this is only an instance of last year's non sequitur's becoming this year's cliché.

The approval of ABM and the initial appropriation for its construction came in an election-year atmosphere, when many political figures were reluctant to challenge those who said the system was needed for the national security. Now the election is over. Land for sites has been taken and cleared. The citizens of the chosen cities have been stirred to awareness that they may soon have nuclear missiles in the neighborhood. As is noted elsewhere in these pages, there have already been meetings of protest in the Chicago and Boston areas. In the last week or two, more than a dozen Senators, of both parties, spoke against the ABM and asked the Administration to stop the preparation of sites pending a full review by Congress and the President. In response to these requests, to mounting public opinion, and to the inner doubts of the Executive branch, Secretary Laird last week announced that nothing more would be done until such a review had been completed. No one can predict the final decision. But one thing is clear. If the ABM goes forward, the military-industrial complex is headed toward a serious confrontation, and, perhaps, its first major defeat at the hands of public opinion. Indeed, it may already have lost.

SURMOUNTING CAMPUS CHAOS

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, the most difficult challenge facing the Nation's colleges and universities this winter is the problem of student disruption and unrest. Unless we learn to deal meaningfully with this problem, the potential for more violence will increase.

Just as the mayors of our cities are grasping for the methods of crowd control and maintenance of order that will reduce the chances of violent confrontation, so are the administrators of our great colleges searching for what needs to be done on the campus. Clearly the cry for participation and communication by and between students and administrators cannot be overlooked or swept away.

This week some top school administrators and Government officials are focusing on alternative responses to the problems on campus. First, Governor Knowles, of Wisconsin, has discussed some of the lessons to be learned from the confrontations of student radicals at the University of Wisconsin. Father Hesburgh, president of Notre Dame University and a long-time member of the U.S. Commission on Civil Rights, has spelled out the guidelines for discouraging the substitution of force for rational discussion at Notre Dame. Finally, President Nixon is lending the suasion of his office to the efforts to avoid the dimunition of academic freedom by those who use coercive methods against the rights of the majority of college students.

There are no simple solutions to this phenomenon, but I include these articles and statements as part of a continuing effort to call to the attention of my colleagues the problem and the need for guidance:

[From the U.S. News & World Report, Mar. 3, 1969]

HOW TO DEAL WITH CAMPUS CHAOS—EXCLUSIVE INTERVIEW WITH THE GOVERNOR OF WISCONSIN

(NOTE.—A federal grand-jury investigation of campus riots and their leaders is advocated by Wisconsin's Governor Warren P. Knowles in this interview with editors of "U.S. News & World Report.")

Other ways to clamp down on lawless students are spelled out by the Wisconsin Governor. They include new State laws to enable college officials to keep undesirables—and their sound trucks—off the campus; greater effort by Federal Bureau of Investigation and local lawmen to get evidence for prosecuting ringleaders of violence.

Q. Governor Knowles, what is really behind these campus troublemakers?

A. I think the hard core of the radicals who appear to take over campus demonstrations seems intent on destroying the system of higher education, and on using university campuses as staging areas for the spread of their own political philosophy. I think that this philosophy, which condones violence and disruption and which disregards the rights of other students, is incompatible with the foundations of our democracy.

Sometimes it is almost a conspiracy—apparently—that is involved in this whole matter of the disruptions and in the leadership of the disturbances on campus.

Q. Conspiracy to do what?

A. I believe that there is in existence a total nationwide pattern. These disturbances are not here at Wisconsin alone. Violence has happened at Columbia. It has happened at Duke. It has happened at Chicago, and the University of Illinois, and Iowa State, and on the West Coast at Berkeley and San Francisco State.

We do see some insidious outside influence involved in many of the activities on campuses. We must show the people who attempt to cause these disorders that we are not going to tolerate anything that affects our ability to operate a successful and outstanding academic institution.

Q. How do you do that?

A. I would welcome the calling of a federal grand jury to identify the real disrupters—the real troublemakers who are known not only throughout the United States but internationally. I think it is high time that we clamp down on this type of individual, whose purposes apparently involve subversion, revolutionary tendencies and tactics. These people are not just dealing with local problems in the area of equal opportunities and civil rights—which we protect here in Wisconsin.

We recognize everybody's right to due process of law. But when it is shown that an individual has precipitated riotous conduct through inflammatory statements or incendiary action—that he is involved in a crime—then that individual must expect to be punished, just like anybody else who violates the law.

Q. Do you think additional federal laws are needed?

A. I would think that at the present time we have adequate laws for calling grand juries at both the federal and State levels. But I believe that the Federal Bureau of Investigation, local law-enforcement officers—and even military intelligence—must make a greater endeavor to pinpoint the individuals who are precipitating this kind of disruption and disturbance. Once they are identified and the evidence is there, our system of government and our Constitution provide adequate means of prosecution.

Q. What about State laws through the legislature? Are you planning anything there?

A. I have proposed a series of four bills:

One of them provides for a period of ineligibility for readmission to the university after conviction for a crime related to a campus disorder.

A second provides that anyone suspended must have permission to return to the campus. Those who did so without permission could be charged with criminal trespass.

A third, in connection with the faculty, would provide a review of the status of anyone convicted—again providing for due process by the faculty committee, by the administration and by the board of regents.

Then, I have proposed a bill to deal with one of the things that has been very troublesome—the question of the use of sound-amplifying equipment by demonstrators. It is very evident that this is not one of the normal or ordinary facilities that one brings to an academic course on campus. It is equally clear that the use of such devices to direct and conduct riots and demonstrations is not within the ordinary process of either State law or university rules and regulations. I think it is high time that we deal with this sort of thing.

Q. What is the status of these bills?

A. They are just about to be introduced in the legislature.

We recognize that, insofar as the State is concerned, it would be inappropriate to panic—to attempt to introduce legislation which might clearly be unconstitutional.

We have had the advice of some of the best minds of the faculty, the members of the bar associations, members of our own legislative teams and my executive staff.

I believe that these four bills which we propose to introduce will have a beneficial effect—in making it understood by faculty and students alike that we are running an educational institution, and we are not going to tolerate anything that is going to disrupt or interfere with the rights of the majority who are there for the purpose of getting an education.

Q. What about the suggestion that has been made that officials ignore these campus uprisings, hoping they will just go away?

A. Problems of this nature don't go away. They have to be dealt with.

Now, some people say they have to be met with toughness. I don't agree with that. But they have to be met with firmness. Our various educational institutions—no matter where they are—must not be taken over by any group of individuals for purposes other than education.

Those of us who are in positions of political leadership and those who are on faculties must co-operate with law-enforcement agencies to see that we preserve and protect the rights of the majority.

Q. Was that why you called out the National Guard?

A. The use of large numbers of police or of National Guard troops is only an emergency measure intended to protect the lives and property of our citizens. My purpose in using the Guard and the police is to keep the buildings open—not shut down, as some of the disturbers would like to see. The great majority of students want to attend classes. Well, they are not going to be intimidated.

If we are going to keep the university open while activists attempt to block the doors and passageways, then we must use whatever force is necessary.

We must recognize that there is a realistic desire on the part of the black community to achieve certain goals for members of their race. There is a great deal of sympathy on the part of the majority of students for the cause of black people and other minority groups. There is a sympathetic desire to help the black students to attain their goals. But you don't do it by closing down the school.

The major solution to these problems is the need to improve communications with these serious, idealistic young men and women. They must become aware that their government shares with them their concern and their ideals and their goals.

As Chancellor Edwin Young has indicated, they must be alerted to the multitude of activities that are being carried on by the University of Wisconsin and by governmental agencies to achieve mutual goals. Now, these processes do not bring instant solutions.

We must get these young people involved in the processes of government so they are full participants in the effort to improve society, to expand opportunity—and to protect the rights of the individuals.

Q. Governor, do you thing there is a danger that if all this troublemaking continues, the people—or the legislature—might cut off funds for the teachers or for the State schools?

A. I would say that this is going to be one of our very serious problems.

For instance, let me point out to you that in Wisconsin, 66 cents out of every dollar of our State budget is spent on education. The taxpayers are really fed up with paying their hard-earned money to subsidize disruptive students. Most of the blacks on campus have additional loans and grants to take care of their education.

Taxes are high—and there is a general feeling that a small number of students are precipitating this trouble and wasting the taxpayers' money.

Certainly, I would not like to see this type of feeling permeate our legislature. But the legislature is finely attuned to the viewpoints of the public—they keep their ears to the ground—and we know from past experience that sometimes when the public is totally aroused, the legislature gets the message very rapidly.

I have been convinced for a long time that our problems with the minority groups—the blacks, the Spanish Americans, the Indians and other groups—are not half as much racial here in Wisconsin as they are economic.

In order to resolve this situation, we must think in terms of necessary education to provide opportunities for the unemployed and unemployable to take part in our labor force. And when they are able to earn a good living, they will then be able to buy housing, they will be able to support their families, they will be able to enjoy the benefits of living in a State such as this that has many assets.

Education is the very cornerstone of all social and economic growth. It is the passport of each individual to his individual success. And it is the only hope we have for preserving and protecting our system of democracy.

Q. Are you saying that if these agitators cause the legislature to cut off funds, they will be foreclosing these individual opportunities you mention?

A. That is my fear. I would certainly hope that the legislature would not let the small numbers of people who are involved prompt it to react against the support necessary to continue to expand the educational opportunities for the citizens of our State.

TROUBLEMAKERS: A MINORITY

Q. In the present atmosphere, is education still possible at the University of Wisconsin?

A. Yes. There is no question but what in the present climate you will find that, out of 33,000 to 34,000 students, 80 per cent of these students are going to classes. They are in lecture halls. They are in laboratories. They are very much disturbed about the disruption which exists—caused by the small number of people involved.

Of course, there is a sympathetic group. And certainly we have had marches. I have seen high-school students and others—those who want to be where the action is—marching along with the militants who are leading these demonstrations. But it isn't fair to say this is representative or that the university is not functioning.

If you were to get at the very roots of this whole problem, you would find that very few students are actually involved. Our State is a conservative State, basically. These people who are here who live in Wisconsin come from conservative homes. They are good Americans.

Now, there are many onlookers and hangers-on involved. There are those who think that being in the forefront of a nationally recognized disruption—the thought that they might get on television or see their picture in the paper—is something they find rather amusing.

Here is an example of what I mean: The other day one of the professors told me that a young girl walked up to one of the National Guardsmen—a handsome young man standing at attention—and she said, "You should be on our side."

The Guardsman replied, "Young lady, I am on your side—if you only knew it."

So, you see, this is illustrative of the fact that there is not total recognition on the part of some of the student body that law and order must be preserved.

Q. Governor, since there is this hard core of troublemakers among students and faculty, can't the university just get rid of such people—expel them or fire them?

A. Actually, the university—at my suggestion, in connection with student-body activities—has adopted a set of guidelines: rules, regulations or codes of conduct and discipline. They could enforce these.

The same is true under the disciplinary procedures for faculty members.

The university does need, however, a little more support in the way of legislative action.

And, therefore, I have made some recommendations to the legislature which will still preserve the right of the student body and the faculty to institute disciplinary measures where necessary.

Q. Has the university done anything about punishing any of these troublemakers?

A. We have instances where troublemakers have been suspended. I can think of at least three or four instances where, after due process and after a hearing—even though those accused did go to the federal and State courts to try to block action—the faculty suspended individuals who had cause disruption or violence, and who had taken part in unlawful conduct on campus.

But, again, one thing that really bothers in this whole area of civil processes and due process at the educational level is the problem of proving intent. As I said, sometimes it appears to be almost a conspiracy to disrupt, and we do see some signs of insidious outside influence involved in many of the activities on the campus.

Q. Why doesn't the university just throw these people off the campus wholesale?

A. The difficulty in doing that is tied closely to interpretations of "due process." Each time the university administration attempts to take forceful, direct action against disruptive students, a challenge is raised in federal court. Almost without exception, the court has prevented the university from taking direct action—by issuing an injunction based on a challenge relating to due process.

In other words, the court insists that any action to suspend or expel a student be processed through the administrative machinery established by the board of regents for such disciplinary purposes.

[From the New York Times, Feb. 25, 1969]

THE PRESIDENT'S LETTER

Following is the text of Mr. Nixon's letter to Father Hesburgh:

"DEAR TED: I share your concern over the recent disorders that have paralyzed campus after campus across the country in recent weeks, and I want to applaud the forthright stand you have taken.

"As you know, the issues raised by the protesting students range from minor reforms within the academic community to major concerns of national policy.

"But the means some students—a small, irresponsible minority—have employed reflect an impatience with democratic processes, an intolerance of legitimately constituted authority, and a complete disregard for the rights of others.

"Violence and vandalism have marked many of these protests, and the rights of the majority of the students have been grossly abused.

"If the integrity of our universities is to be preserved, then certain principles must be re-established and certain basic rules enforced. Intimidation and threats remain outlaw weapons in a free society.

"A fundamental governing principle of any great university is that the rule of reason and not the rule of force prevails. Whoever rejects that principle forfeits his right to be a member of the academic community. The university administrator who fails to uphold that principle jeopardizes one of the central pillars of his institution and weakens the very foundation of American education.

"I have directed the Vice President in meetings in Washington this coming week with the Governors of the 50 states to discuss what action, consistent with the traditional independence of American universities, might be taken at the state and Federal levels to cope with the growing lawlessness and violence on our campuses. I would appreciate it greatly if you would take the time to give him your views on this matter.

"With warm regards,

"Sincerely,

RICHARD M. NIXON."

FINE CALENDAR OF ARTISTIC AND MUSICAL EVENTS AT NATIONAL GALLERY OF ART

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, in March the National Gallery of Art offers a rich array of artistic and musical events for the enjoyment of the American public. It is a pleasure to include in the CONGRESSIONAL RECORD this interesting schedule:

NATIONAL GALLERY OF ART, MARCH 1969

Rembrandt tercentenary: To commemorate the 300th anniversary of the death of Rembrandt van Ryn, the National Gallery has assembled from its extensive holdings an exhibition that will be shown on the Main Floor from March 16 through May 11. Included are 23 paintings, more than a dozen drawings, and a selection of 77 of the most distinguished prints from among a collection of several hundred. An illustrated catalogue is available at $3.00 with introduction by Egbert Haverkamp-Bergmann, the Dutch painting and print authority and Kress Professor-in-Residence at the National Gallery.

J. M. W. Turner: Continuing on the Main Floor is an exhibition of 16 paintings by Joseph Mallord William Turner from the British collection of Mr. and Mrs. Paul Mellon. A catalogue is available with introduction by John Walker and text by Ross Watson. 10'' x 7½'', 32-pages, 16 black-and-white illustrations. $2.75 postpaid.

A. W. Mellon lectures: Jacob Bronowski of the Salk Institute for Biological Studies continues the eighteenth annual A. W. Mellon Lectures in the Fine Arts, Art as a Mode of Knowledge. Concluding lecture is March 30.

Film showings: 'The American Vision," a survey of American painting, written and directed by J. Carter Brown, is shown in the auditorium each Saturday at 2 p.m. 35 minutes.

Recorded tours: The Directors Tour. A 45-minute tour of 20 National Gallery masterpieces selected and described by John Walker, Director. The portable tape units rent for 25c for one person, 35c for two. Available in English, French, Spanish, and German.

Tour of Selected Galleries. A discusion of works of art in 28 galleries. Talks in each room, which may be taken in any order, last approximately 15 minutes. The small radio receiving sets rent for 25c.

Gallery hours: Weekdays 10 a.m. to 5 p.m. Sundays 12 noon to 10 p.m. Admission is free to the building and to all scheduled programs.

Cafeteria hours: Weekdays, Luncheon Service 11 a.m. to 2 p.m.; Snack Service 2 p.m. to 4 p.m. Sundays, Dinner Service 2 p.m. to 7 p.m

MONDAY, FEBRUARY 24, THROUGH SUNDAY, MARCH 2

Painting of the week *: Botticelli. "Giuliano de'Medici" (Samuel H. Kress Collection) Gallery 9. Tuesday through Saturday 12 and 2; Sunday 3:30 and 6.

Tour of the week: "Light in Painting: Expression and Illusion." Rotunda, Tuesday through Saturday 1; Sunday 2:30.

Tour: "Introduction to the Collection." Rotunda, Monday through Saturday 11 and 3; Sunday 5.

Sunday lecture: "Art as a Mode of Knowledge: The Speaking Eye, the Visionary Ear." Guest Speaker: Jacob Bronowski, A. W. Mellon Lecturer in the Fine Arts. Lecture Hall 4.

Sunday concert: Helena Costa, Pianist. East Garden Court 8.

MONDAY, MARCH 3, THROUGH SUNDAY, MARCH 9

Painting of the week *: Corot. "Agostina." (Chester Dale Collection) Gallery 93. Tuesday through Saturday 12 and 2; Sunday 3:30 and 6.

Tour of the week: Rembrandt's Contemporaries outside Holland. Rotunda. Tuesday through Saturday 1; Sunday 2:30.

Tour: Introduction to the Collection. Rotunda. Monday through Saturday 11 and 3; Sunday 5.

Sunday lecture: "Art as a Mode of Knowledge: Music, Metaphor, and Meaning." Guest Speaker: Jacob Bronowski, A. W. Mellon Lecturer in the Fine Arts. Lecture Hall 4.

Sunday concert: Claudia Hoca, Pianist. East Garden Court 8.

All concerts with intermission talks by members of the National Gallery Staff, are broadcast by Station WGMS–AM (570) and FM (103.5).

MONDAY, MARCH 10, THROUGH SUNDAY, MARCH 16

Painting of the week*: Reynolds. "Lady Caroline Howard." (Andrew Mellon Collection) Gallery 59 Tuesday, through Saturday 12 and 2; Sunday 3:30 and 6.

Tour of the week: Rembrandt's Contemporaries in Holland. Rotunda, Tuesday through Saturday 1; Sunday 2:30.

Tour: Introduction to the Collection. Rotunda, Monday through Saturday 11 and 3; Sunday 5.

Sunday lecture: "Art as a Mode of knowledge: The Act of Recognition." Guest Speaker Jacob Bronowski, A. W. Mellon Lecturer in the Fine Arts Lecture Hall 4.

Sunday concert: The Ellsworth String Quartet, East Garden Court 8.

Inquiries concerning the Gallery's educational services should be addressed to the Educational Office or telephoned to 737–4215, ext. 272.

MONDAY, MARCH 17, THROUGH SUNDAY, MARCH 23

Painting of the week*: Gian Antonio and Francesco Guardi. "Erminia and the Shepherds" (Ailsa Mellon Bruce Fund) Northwest Stairway Tuesday through Saturday 12 and 2; Sunday 3:30 and 6.

Tour of the week: "Rembrandt's Approach to Nature." Rotunda, Tuesday through Saturday 1; Sunday 2:30.

Tour: Introduction to the Collection. Rotunda, Monday through Saturday 11 and 3; Sunday 5.

Sunday lecture: "Art as a Mode of Knowledge: Imagination as Plan and as Experiment" Guest Speaker: Jacob Bronowski, A. W. Mellon Lecturer in the Fine Arts Lecture Hall 4.

Sunday concert: Joyce Castle, Mezzo-Soprano, Larry Graham, Pianist, East Garden Court 8.

MONDAY, MARCH 24, THROUGH SUNDAY, MARCH 30

Painting of the week*: Fetti. "The Veil of Veronica" (Samuel H. Kress Collection) Gallery 34, Tuesday through Saturday 12 and 2; Sunday 3:30 and 6.

Tour of the week: "Rembrandt's Approach to History." Rotunda Tuesday through Saturday 1; Sunday 2:30.

Tour: "Introduction to the Collection." Rotunda, Monday through Saturday 11 and 3; Sunday 5.

Sunday lecture: "Art as a Mode of Knowledge: The Play of Values in the Work of Art." Guest Speaker: Jacob Bronowski, A. W. Mellon Lecturer in the Fine Arts, Lecture Hall 4.

Sunday concert: National Gallery Orchestra, Richard Bales, Conductor, East Garden Court 8.

---

* 11'' x 14'' reproductions with texts for sale this week—15¢ each. (If mailed, 25¢ each.)

OUR ENVIRONMENT IS CONTAMINATED

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. DINGELL. Mr. Speaker, the November-December 1968 issue of Wildlife News, published by the Arizona Game and Fish Department, carried an excellent article entitled "Our Environment Is Contaminated." This article clearly documents the point that pollution of the land, air, and water has gotten so far out of hand it is essential that concerted action be taken by all elements of our society if we are to survive.

So that my colleagues will have an opportunity to familiarize themselves with the information provided by Wildlife News, I include the text of the article in question at this point in the CONGRESSIONAL RECORD:

OUR ENVIRONMENT IS CONTAMINATED

POLLUTION—PART 2

The "death" of Lake Erie, smog-ridden cities, blighted crops, polluted water and wildlife—these are examples of what blundering mankind has done to his planet. Pollution-induced, oxygen-starved Lake Erie gives predictions of a similar fate for all of this nation's surface waters.

Who would believe North America's five fabulous Great Lakes—containing one fifth of the world's supply of fresh water—could become seriously polluted? Not only is the shoreline polluted, but over one fourth of Lake Erie is now without oxygen. (The oxygen is removed by bacteria feeding on the wastes.) This vast reservoir of oxygenless death, in the middle of the lake, is a virtual underwater morgue. All useful water life has been smothered by the immense blooms of green and blue-green algae feeding on the nitrogen, phosphorus and other waste products dumped into the lake directly, or flushed in by polluted rivers and streams. What does all of this do to the fish and associated wildlife? It's almost too late. There's not much fish and wildlife left to worry about.

A slug of cyanide or other harmful chemical discharged into a river, flows along for many miles before dissipating. It kills thousands of fish as it flows downstream.

The pollutant passes a given point in the river in a few minutes, but its effects may be felt for years. When the scourge has passed, the stream must be repopulated, not only with fish, but with the aquatic food they eat. It takes several years for the progeny to grow up and for the water to regain its natural balance. This is assuming, of course, that the stream doesn't get new supplies of pollutants in the meantime.

Actually, a gradual increase in pollution may slowly kill off the fish population in such a way that the dead fish or the decline in numbers is not noted. The fishery is destroyed without exciting public protest because few people realize what is happening. In some streams—in the East particularly—the destruction of fishing grounds has proceeded at such a slow pace over such a long period, that people have long since forgotten that fish were once abundant.

Just as too much sewage, smog, etc. can destroy water and air and eventually dependent animal life, if the whole environment is overloaded, natural purification processes cannot keep ahead of the load. There is a saturation point; it has been reached in many areas of the world!

Visitors to famed Niagara Falls are often offended by the stench of sewage and paper-mill waste flowing over the falls.

The U.S. Public Health Service labels Atlanta's water and sewage problem "critical." It adds, however, that it is typical of conditions prevalent throughout the entire country. If you want more vivid examples read U.S. Congressman Jim Wright's book, *The Coming Water Famine*. But don't read it before dinner unless you have a cast-iron stomach.

Is it any wonder that the typical drinking water supply of many U.S. cities is described as "a brown diluted soup of dead bacteria preserved in chlorine"?

"Our continued survival" depends upon solving the problem of whole environmental pollution, Secretary of the Interior Stewart L. Udall told the National Petroleum Council in 1967.

"This is a strong statement," Udall said. But, he added: ". . . we must restore our air and our water resources to some tolerable state of purity or we shall as a nation surely suffocate in our own effluvia."

The once beautiful Mississippi River is now referred to by some as "the colon of Mid-America." During the fall of 1966, a noted group of conservationists inspected the Mississippi by boat, in the vicinity of St. Louis. They were shocked to see more than 100 pipes pouring untreated sewage directly into the Mississippi.

Water samples taken from the river below St. Louis were found to be so toxic that even when diluted 10 times with clear water, fish placed in the mixture died in less than one minute! When samples were diluted 100 times the test fish still perished within 24 hours.

From St. Louis southward, the Mississippi is so bad that state health departments and the Federal Public Health Service have posted signs forbidding people to even eat lunches along the banks of it, let alone go wading in the water, or to water ski. The concentration of infectious bacteria in just the spray from the river, when deposited on a person's face or on lips, can cause typhoid, colitis, hepatitis, diarrhea or infections in the blood stream.

Since the turn of the century, the volume of municipal wastes discharged into watercourses has increased more than 200 percent while industrial pollution has risen nearly 3,000 percent.

"No country in the history of the world," said Senator Gaylord Nelson of Wisconsin, "has destroyed its natural resources at a rate comparable to the destruction now going on in the United States.

"In the last 100 years this country has destroyed more of its resources than the entire world has in the past 1,000 years. We destroyed the forests, the rivers—there is not one watershed in the United States that is now un-polluted—and we are rapidly destroying the lakes."

Senator Nelson predicted two years ago, in 1966, that unless corrective measures are taken, our useable water reserves "will be used up in ten years!" (Newark, New Jersey, *Star Ledger*, August 23.) Suppose Senator Nelson is wrong, and it takes 15 years instead of ten. Wonderful! Now we only have 13 to go, and if we wait that long to do something about it, it will too late.

Similar conditions exist on the other side of the globe. The beautiful natural harbor in Sydney, Australia, is now contaminated.

"Name your disease," reported the *Australian International News Review*. "With very little effort you can catch it merely by going swimming anywhere inside the harbour itself or almost anywhere along the coast for 20 miles above and below the city."

As if dirt, sewage, silt and chemical pollution of our waters wasn't enough, the temperature of the country's lakes and streams are rising. The most important reason for this is that a growing and expanding industry is using more and more water for cooling purposes in its manufacturing processes and then returning the water to its source at higher temperatures. Another reason is that cultivated fields have been replacing forests, reducing shade, and including more rapid runoff and greater siltation. These phenomena are called thermal pollution.

Many of the country's trout streams are approaching borderline temperatures. A rise of only one or two more degrees in some areas of the country will mean the end of trout for that area. Water temperatures are becoming so high that even the more desirable warm water fish—sunfishes, bass and crappies, for example—are being affected.

"Our physical environment, sad to say, is being contaminated faster than nature and man's present efforts can cleanse it. We must reverse this process of deterioration before it is too late," said Dr. Samuel Lehner, a vice-president and director of the world-famous Du Pont Chemical Company. His statement was in the keynote address on the opening day of the National Pollution Control Exposition and Conference held at Houston, Texas, April 3–5, 1968.

Never before had such a broadbased conference on pollution control convened. It had 2,000 delegates from all across the nation. U.S. Congressmen, Public Health Service spokesmen, leading state and municipal pollution control officials, top level representatives from private industry, nearly 100 manufacturers and distributors with the latest pollution control equipment on display—all were in attendance.

The facts presented at this conference should shake the last ounce of complacency out of anyone who still naively believes that dirty air, polluted water, and all other types of environmental contamination are "nuisances" which can be passively tolerated.

The Assistant Surgeon General of the United States, Dr. Richard A. Prindle, told this to the conference: "The deterioration of our environment is a problem so vast and urgent that anxiety about it must not be confined to elected officials, professionals, health workers, and conservationists. Every level and facet of citizenry is affected and must be concerned."

Congressman John Blatnik of Minneosta was asked at this conference whether or not every major river system in the United States is plagued with pollution.

Representative Blatnik's reply: "Practically, yes."

Blatnik is a pioneer in water quality control legislation, authoring the Federal Water Pollution Control Act of 1956. In this capacity as Chairman of the House Rivers and Harbors Subcommittee, Representative Blatnik has toured every major harbor and inland waterway in America. The conditions of this nation's waters wherever he went are, as he put it: "simply horrible."

How much would an all-out assault on pollution in only America cost?

Hold on to your chair! If all forms of pollution were to be tackled, the combined industrial, municipal, state and private expenditures could rise as high as 10 billion dollars a year for the next 20 years—or a total of 200 billion dollars—and that's if we stop polluting, now. That's just to clean up the mess we have already. If man had acted more responsibly in the first place, we wouldn't be in this pickle today.

Enough on water pollution, let's get back to our air problems, as if water and hydrocarbons weren't enough.

It has been reported recently that the contamination of the air in Los Angeles may be approaching the limits of physical tolerance by man.

White-collar workers in West Germany's heavily industrialized Ruhr district are accustomed to carrying an extra shirt with them to work. The first one will be gray after half a day in the area's polluted air.

A smog-aggravated respiratory ailment, "Tokyo-Yokohama asthma," affects thousands in that giant Japanese megalopolis. Oxygen tanks have been installed at busy Tokyo intersections for use of traffic policemen who must stand for hours in the swirl of auto exhaust fumes. Every half hour the men have to take an "oxygen break."

The atmosphere over a number of South American cities is becoming increasingly contaminated. Major problems already exist in Sao Paula, Brazil, and Santiago, Chile. Potentially major problems are expected in Buenos Aires, Argentina, in the near future.

In Madrid, Spain, the pall of smoke and dust is sometimes so great it is difficult to see from one side of a thoroughfare to the other.

Polluted air is not just a threat to living things. It even destroys metal and stone! Four ancient Greek bronze horses in Venice's St. Mark's Square are being eaten away by polluted air. So is the famed "Cleopatra's Needle" in New York City. This monument successfully withstood more than 3,000 years of wind-driven desert sand in Egypt. New York's air is simply more than it can take!

No death certificates have ever cited "smog" as a cause of death. Yet U.S. Surgeon General William H. Stewart reported on April 19, 1967, there is "compelling evidence" that air pollution is killing and disabling Americans in every area of the nation.

In testimony before a Senate subcommittee, Dr. Stewart revealed scientific studies have linked pollution to such diseases as cancer, the common cold, emphysema and chronic bronchitis.

We produce power plants and automobiles which envelope our cities in smog.

We synthesize and disseminate new insecticides and did it well before we learned that they also kill wildlife and might, yes, just be harmful to PEOPLE.

We produce synthetic detergents and put billions of pounds of these chemicals into surface waters—before we realized that they would pollute water supplies because natural bacterial action cannot break down their chemical bonds to disperse them harmlessly into the environment.

We are now spraying herbicides (plant killers) on an unprecedented scale in Vietnam—and here also in the United States. There are no assurances that we know their long-term effects. Concern over the use of herbicides as defoliants in the war has been expressed. Among biologists, there is a general concern over the ecological after effects and it has been suggested that these applications should be studied so there might be some sort of guideposts to future chemical applications. Would it be out of the realm of possibility to think that we have produced another DDT-type chemical, only this time instead of accumulating in animals (including ourselves), we're going to accumulate (poison, pollute—take your pick) the junk in all plant life?

We build aluminum cans and plastic bottles which defy destruction. They have become "royality" in the dumps, along highways, and in wildlife habitat, litteral "king-of-heap" existences. It has been suggested that Man's eras should be summarized as: the Stone Age, then the Bronze Age, the Iron Age, the Space Age . . . and now the Garb*age*."

In 1901, an engineer wrote: "In no branch of municipal service has so little progress been made in the U.S. as in the disposal of garbage." Today, the techniques of waste disposal are still fearfully outmoded. They "represent little advancement beyond the technology of the garbage pail, the trash can, the open dump, and the obsolete incinerator," says Wesley W. Gilbertson, Pennsylvania Director of Environmental Health.

Garbage removal alone has become an immense challenge to industry and management. The solution to this huge problem of garbage removal is considered "difficult." It is in reality tiny compared to the fact that we as humans are running out of clean water and breatheable air.

Professor Percy H. McCauhey of the University of California testified before the House Interstate and Foreign Commerce Subcommittee, June 29, 1965, that: "Our heritage of wastefulness is derived from an economy which now demands that the volume of waste be constantly increased in order that the economy itself be maintained." We are going to smother in our waste to live.

Apart from minor improvements during the past 50 or 60 years in the ways we handle domestic wastes, American cities rely chiefly on two classical methods for disposing of it.

The sanitary landfill is an important refinement of the open dump where trash is haphazardly piled up and burned, with all its attendant dangers and nuisances. In a landfill, wastes are pushed into deep pits, laid down evenly, or placed in trenches, then covered over each day with a blanket of soil. Properly operated, this is clean, causing little or no air pollution or health hazard.

Incineration is the second method most widely used for garbage disposal. The main benefit from incineration of wastes is the reduction of volume. However, the residue of 20 percent or more must still be disposed of. Incineration is considerably more expensive than landfilling, usually running $7 or more per ton, while landfills cost from 75 cents to $5.00 per ton depending on dumping area available. Incineration also requires a large capital investment and is a major contributor to air pollution.

There is often a vicious circle in waste disposal systems. In 1967, New York, plagued by air pollution, passed an ordinance requiring large apartment buildings to clean up their 4,000 incinerators. Many of the owners balked, saying they'd rather put their trash out in cans and let the city take care of it. The already beleaguered Sanitation Department objected that it had neither adequate facilities nor disposal sites. The additional volume seemed destined for the edges of the Pelham Bay estuary on Long Island Sound. This brought a cry from the city park commissioner and conservationists. The area is a wildlife and fish sanctuary and one of the few remaining unspoiled shorelines in the region. But the area is "spoiled," and badly, when compared to our Oak Creek Canyon which itself is becoming "unsightly."

It has been estimated that New York will run out of landfill space altogether in four to eight years. Philadelphia has been short of space for decades, and consequently incinerates 90 percent of its wastes, with resulting air troubles.

There's also more to the solid waste dilemma than the 185 million tons of municipal wastes generated each year. Industrial wastes are measured in the many hundreds of millions of tons annually—waste rock, mill tailings, slag, ash, processing residue and the like. Many materials, of course, are salvaged and reused, but much remains to be dealt with—add more than a billion tons of agricultural wastes each year plus much logging debris, field crop residue, animal manure and carcasses.

Discussing the 700 million tons or so of animal wastes produced each year, Agriculture Secretary Orville Freeman said: "The disposal facilities to cope with the staggering amount of animal wastes from highly concentrated feeding operations (feedlots) just *don't exist*." Freeman made his comments February 2, 1968, to the U.S. Chamber of Commerce's Natural Resources Committee.

Additional comments on agricultural wastes came from the April 1968, issue of the Missouri *Conservationist*. It stated that these type of wastes were a "largely unrecognized problem. Missouri has about as many pigs and cattle as people—four million. Yet the animals produce sewage equal to that produced by 40 million people! It's clear that any efforts to clean up our own wastes will be largely cancelled by an army of well-fed farm animals."

Special problems in removal and disposal are posed by atomic wastes. Just considering radioactive fallout from the atmosphere: a recent report states that fallout from past nuclear weapons tests in the atmosphere will continue to increase each year until 1975. This rate is based upon the assumption there will be no more nuclear explosions. A risky assumption, indeed.

In any case, this nation's solid wastes alone clearly pose a major threat to the environment. As congress has noted, they "result in scenic blights, create serious hazards to the public health, including pollution of air and water resources, accident hazards, and increase rodent and insect vectors of disease, have an adverse effect on land values, create public nuisances and otherwise interfere with community life and development."

As was stated in the first part of this article, when the aspects of just water pollution are totally known, they are found to be too closely related to air and little pollution. Unfortunately, knowledge of these leads to others.

We haven't even touched on the subject of food additives—the artificial sweeteners, the preservatives, the stabilizers, emulsifiers and so on. Suffice it to say that some 2,400 food additives are in commercial use today! About 400,000,000 pounds are used each year in the U.S. alone. That's about three pounds of chemicals per person, per year. Many are admittedly of unknown or questionable nature.

What does the future hold? What are the prospects for major break-throughs in our sluggish, outmoded and in some cases nonexistent strategy for dealing with the growing pollution crises? Industry, as a whole, has written a dismal record regarding pollution. The public doesn't seem to want to be bothered with such seemingly mundane problems as garbage collection and wildlife habitat pollution.

And when the values and merits of a particular type of health-hazard waste we're talking about overlaps more on government, industry, farmers, private citizens, or "that other country," you can rest assured that the buck will be passed and little if anything will actually be accomplished toward the reversal of the problem.

The expression, "Technology created pollution. It can also solve it," has been heard long enough. The question is: When?

When will technology ("industry," if you please) suddenly change? When will pollution producers comply 100 percent with regulations and common sense, instead of waiting to be practically bludgeoned into action on nearly every single issue? When will the general public demand a cease and desist and get it cleaned up attitude?

Will the hoped-for and talked about new advances in science and technology clean up our polluted world to the extent that we can once again breathe clean air, drink pure water, eat uncontaminated food, or know that our wildlife is not going to be polluted out of existence?

'Fraid not! So far scientists do not intend to do any of that.

A recent report on waste management and control issued by the committee on pollution of the National Academy of Sciences stated:

"The right amount of pollution must be planned with criteria set somewhere between the ideal of complete cleanliness and the havoc of uncontrolled filth."

The so-called "right amount" of pollution, this report continued, "involves a calculable risk to society. It depends on where we are, what use we want to make of the environment, and quality of cleanliness for which we are prepared to pay."

Are we willing to accept this decision on the part of the "scientific" community? Are you willing to accept the opinion of a national news magazine which recently claimed that in the search for pollution solutions, "there is no point in attempting to take nature back to its pristine purity."

Why no? Why shouldn't our environment be clean—totally? Why should we have to tolerate a "little bit of filth?"

Pollution is serious. We cannot run off to the woods and hide from it in all its forms and its effects anymore. There is now so much that it follows us. The burden of new and noxious substances which we carry as permanent constituents of our bodies—strontium 90 and other man-released radioactive elements including lead, mercury and DDT, all are increasing.

We have compiled a record of serious failures with our environment and should the causes of all pollution not stop, completely—come to a screeching, skidding halt within the next few years—more cars, more people, more smog, more pesticides, more chemical wastes, more animal and human wastes, more mounds of garbage and just plain tons of junk are going to entirely pollute our own environment. It will not take any more than 10 years at the present rate.

We as humans are destroying or contaminating every essential element for keeping ourselves alive: air, water, plants, animals the very ground beneath our feet. Absence of any one of these essential elements means the end for us. The end! Period. No arguments.

We had better get off our elbows, posteriors and high-and-mighty-attitudes and onto our knees for some answers. Scoffing will not change the facts. It's already the beginning of the end, and at the rate things are going, not many are going to make it to that promised second beginning.

We have very nearly polluted ourselves and civilization as we know it out of existence.

". . . I brought you into a plentiful country, to eat the fruit thereof and the goodness thereof; but when ye entered, ye defiled my land, and made mine heritage an abomination."—Jer. 2:7 (Also Ezek. 5:11)

CONNECTICUT'S NEW DEPUTY BANKING COMMMISSIONER

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. ST. ONGE. Mr. Speaker, under leave to extend my remarks, I wish to insert into the RECORD a brief article which appeared in a recent issue of the Hartford Times regarding former State Senator Maurice J. Ferland, of Danielson, Conn.

"Moe" Ferland, as he is affectionately known throughout eastern Connecticut, was recently named deputy banking commissioner for the State of Connecticut. He served in the State senate for six terms with great distinction and was the author of many worthwhile bills enacted by the State legislature.

I extend my best wishes to him upon the assumption of his new office. He is a man of integrity and ability, and I feel sure that he will fulfill his new duties in a responsible and successful manner. The article is as follows:

FERLAND NAMED BANKING OFFICIAL

Former Democratic State Sen. Maurice J. Ferland of Danielson was sworn in this morning as deputy state banking commissioner.

The oath of office was administered by Banking Commissioner Philip Hewes before a group of Ferland's relatives and friends during a brief ceremony in the commissioner's office.

Ferland, who served six terms in the Senate, five of them as chairman of the powerful Appropriations Committee, succeeds Reinhard J. Bardeck of New Britain to the $20,500-a-year job. Bardeck is retiring after 40 years with the banking department.

Ferland, who heads an accounting firm as well as an office supply business in Danielson, did not seek re-election last year. Succeeding him as senator from the 29th District was Atty. Thomas E. Dupont, also of Danielson.

Legislation which Ferland introduced during his years in the upper chamber benefitted eastern Connecticut in many ways.

Among other things, his bills resulted in the construction of the Danielson Airport and the installation of lights for night flying, the construction of Harvard H. Ellis Technical School, construction of a new superior courthouse in Putnam, the acquisition of Wauregan Lake and Ross' Pond in Killingly for recreation purposes, a multi-million dollar expansion of Eastern Connecticut State College in Willimantic, funds for a new athletic field at Ellis Tech, the construction in Putnam of a center for the mentally retarded, the establishment of a Department of Motor Vehicles branch office in Putnam, the reconstruction of Maple Street in Killingly, funds to assure the turnpike connector from Killingly to the Massachusetts state line would be a four-lane limited access highway, and a bridge spanning Route 6 in Danielson.

His major piece of legislation, however, was his bill creating the Connecticut Industrial Building Commission. The commission was set up with a revolving fund to insure first mortgages on new or existing buildings devoted to industrial activity.

THE GRAPE DEBATE: BOTH SIDES OF THE ISSUE

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. McFALL. Mr. Speaker, the widespread publicity being accorded the California grape boycott is arousing the interest of many Members of the House and of citizens across the country.

The Washington Post recently performed what I believe was an exceptional public service by devoting several columns of space to signed articles on this subject by the gentleman from California (Mr. SISK), and by Cesar Chavez, the director of the United Farm Workers Organizing Committee.

Because of the complexities of the grape industry, I believe it is imperative that we achieve maximum feasible understanding. To assist in bringing this about, I include the full text of both of these articles in the RECORD, as follows:

TO BUY OR—

(By B. F. Sisk)

(NOTE.—Mr. SISK, Democratic Representative from the 16th District of California since 1954, Sisk represents Fresno and Merced Counties and was one of the organizers of what is now the liberal Democratic Study Group in the House. His office reports that the AFL–CIO voting record, the last time they added it up, gave Sisk 70 "right" votes and only two "wrong" ones.)

The great California grape boycott is rapidly assuming the proportions of a national psychodrama. It is on the "must" list for everyone who fancies himself a defender of the poor.

The public debate over the boycott thus far has been couched in the terms of a classic labor-management dispute: wages, working conditions, oppressive management, labor bossism, and on and on ad nauseum.

The real issue is not whether farm workers should have the right to organize (they should—and they do, under existing law); or whether management should pay an adequate wage (it should); or whether there should be clean drinking water and latrines in the vineyards (there should be).

Neither is the issue whether the boycott is a proper strike weapon (it is). Or whether informational picketing is a proper way to get the issues in a dispute before the public (it is).

The issue is whether this boycott, directed at the people this boycott is directed at, is defensible by any standard of common decency. It isn't.

In the eight counties that comprise California's San Joaquin Valley, there are between 8000 and 9000 grape growers. By far the vast majority of them either dry their grapes for raisins or sell their grapes to the wineries. Only a relatively small percentage of them grow grapes for eating as fresh fruit—table grapes, in other words.

Although it is not always a simple matter to shift from wine or raisins to table grapes, it is always a simple matter to shift from table grapes to wine and, in some cases, raisins. Because the table grape is so readily salable to the winery, the grape boycott is not really a boycott against table grape growers, but against the growers of all California grapes—whether the grapes are for wine or raisins.

All over the United States, the impression has been created that in order to put an end to oppression in California agriculture, the United Farm Workers Organizing Committee is engaged in a titanic struggle with all of California's grape producers ("Don't Eat California Grapes," say the bumper strips). "Delano" has come to mean almost as much to present generations as The Alamo or Valley Forge meant to generations past.

DIRECTED AT LARGE GROWERS

The fact of the matter is that the grape strike which precipitated the boycott is directed at a handful of large California growers, many of whom operate out of the financial districts of Los Angeles and San Francisco and some of whom don't know pruning shears from a hacksaw.

On the other hand, there are literally thousands of other farmers—men with callouses on their hands and mud on their boots—who also grow grapes but who are not now negotiating with the Farm Workers Union, have never been asked to negotiate with the Farm Workers Union and are not now and never have been engaged in any kind of a labor dispute with any union.

Furthermore, under pending legislation to place farm workers under the National Labor Relations Act—which is strongly supported by the Farm Workers Union—the vast majority of the grape growers would be exempt because they are too small to be covered.

In the eight counties on the map, there were 8686 farms growing grapes in 1964—the latest year for which official Census Bureau information is available. The average size of those 8686 farms was 48 acres. These figures refer to growers of all kinds of grapes—for wine, for raisins, and for fresh consumption.

In Kern County, the southernmost of the eight counties and the locale of practically all of the disagreements between the Farm Workers Union and the growers, there were only 193 farms and their average size was 251 acres. Less than 3 per cent of the grape growers in the San Joaquin Valley are in Kern County—and their farms are five times the size of the other 97 per cent.

The disparity between the Kern County grower and other growers is even greater when you take into account only those 2071 San Joaquin Valley farmers growing varieties of grapes especially well suited for fresh consumption. The 95 per cent of the table grape growers outside Kern County averaged 36 acres each, while the 5 per cent in Kern County averaged 219 acres—six times the size of the farms in the other seven counties.

Even in Kern County, where the farm union organizing drive has been concentrated, not all of the ranches are big. Nevertheless all of the evils of large scale corporate farming—either real or imagined—are being portrayed by boycott supporters as being general throughout the San Joaquin Valley. Small growers as well as large are being atttacked in an indiscriminate campaign that is the very antithesis of the justice which the Farm Workers Union purports to seek.

SMALL FARMERS SQUEEZED

Furthermore, when you total up the tonnage of table grapes in the eight counties, you find that Kern County growers raise about 23 per cent of the total output. In other words, in order to get jurisdiction over farm labor employed by 5 per cent of the table grape growers who produce approximately 23 per cent of California's table grapes, the farm union is willing to destroy the other 95 per cent of the growers who raise the other 77 per cent of the crop!

And the economics of the California grape industry further aggravates the injustice.

The wine and raisin marketing situation—both domestically and world wide—is such that a relatively small shift in tonnage from one use to the other (diverting table grapes, for instance, into the wineries) can cause wide swings in the price of wine and raisin grapes.

The cost-price squeeze being what it is, the smallest shift in grape prices can bankrupt the small farmer. To the big operator with adequate reserves or to the corporate farm, this merely means a lower profit this year with a dip into the reserves to keep the operation going.

Historically, the fresh grape tonnage has been the smallest. Wine takes the biggest tonnage by far because it is traditionally the outlet for grapes that don't find their way into either the fresh or raisin markets.

In 1967, for instance, nearly 1.5 million tons of grapes went to the wineries, nearly 760,000 tons were dried for raisins, and slightly over 400,000 tons went into the table grape market.

The significance of this to the farmer who raises grapes for wine or raisins is enormous. If the boycott succeeds (which it hasn't up to now), the tonnage of fresh grapes that cannot be sold will have to be diverted to either the raisin outlet or the wine outlet—most likely the latter. This additional tonnage can break the market and mean anything from serious financial losses to absolute bankruptcy for thousands of grape growers *who do not even grow table grapes.*

It is probable that in some ways, the grape boycott has been a blessing in disguise because now, at least, millions of people are aware that there is such a thing as a fresh grape. The publicity about the boycott has brought table grapes more publicity than the industry could ever have obtained through normal promotional channels. However, the amount of false and misleading information that has been disseminated about the California grape grower is tending to influence many people who have not taken the trouble to inform themselves of the facts. If the boycott is only moderately more successful than it has been, it could spell disaster for the grape grower if there is a bountiful crop this fall.

CRITICIZING THE BIG OPERATORS

The refrain of the farm workers is not unlike the refrain sung over and over by the critics of public assistance programs: the big operators, some of them at any rate, are scoundrels, therefore all farmers are scoundrels. It bears a dismal similarity to assertions that because some welfare recipients are cheats, most are probably cheats.

It should be emphasized here that the California grape industry is one of few in the country that is not heavily subsidized. Supporters of the boycott regale their audiences with stories of multimillion dollar farm subsidies but carefully neglect to point out some pertinent facts:

The big subsidies in the San Joaquin Valley are paid under the Federal cotton program. There is no subsidy program for grapes.

The multimillion dollar subsidies which have been so well publicized in recent years are not paid to the thousands of small farmers who grow California grapes. There is admittedly some common ownership between the large-scale cotton operators and the large-scale grape growers, but by what tortured logic does this justify an attack on the small-scale grape grower?

Finally, a word or two must be said about the grape grower as a person, because these are people, not corporations or machines we are talking about.

Of the farmers in the 16th Congressional District of California (which I represent), 1 out of 4 has only an eighth grade education. Two out of those 4 have a high school education. Only a small fraction has completed college.

More than half the farms in the 16th District sold their entire farm output in 1964 for less than $10,000. Using the Department of Agriculture rule of thumb that the farmer spends two dollars for every three he gets for his crop, this means that more than half the farmers in the 16th District made less than $3,300 from a full year's farming operations.

(Considering $3,000 as the poverty level, we must conclude that the grape boycott is aimed directly at a great many people who are bordering on poverty.)

More than three out of every four farmers in the 16th District of California had to work off the farm to supplement their income, and those who worked off the farm, two-thirds earned more than $3,000 during the year in off-farm jobs.

They have worked hard for what they have, through good times and bad. For many, all they have to show for a lifetime of labor is a modest home and a big debt. They don't mind this, because they've been able to give their children a better life than they had, but they resent the abuse and vilification which has been heaped upon them by labor leaders, public officials, college activists and a host of other citizenry who seem unwilling to take the time to find out just exactly what the implications of the boycott are.

"Long live the cause" is the battle cry of the boycott supporters. To which I would add, "if the cause is just."

Not To Buy

(By Cesar Chavez, director of the United Farm Workers Organizing Committee, AFL–CIO)

In nearly every major city of the United States today there are California-based union farm workers. They are there, they hope temporarily, to promote the boycott against California grapes and to seek broad understanding and support from the consumer community.

They are far from their homes and most of their relatives. They are away from their friends, living new lives in strange places under extremely difficult conditions. Why do they do it? Because there is no other way forward! The alternative is to stand still, and in so doing to hand down to their children the same bleak frustration of their lives, with no security, no dignity and very little hope.

The consumer boycott is the only open door in the dark corridor of nothingness down which farm workers have had to walk for so many years. It is a gate of hope through which they expect to find the sunlight of a better life for themselves and their families. To get from where they are to where they want to be, they must go together. They must organize, and for workers that means to unionize.

This is not the first effort to unionize among farm workers. It is simply the first one that has succeeded, and it is succeeding, slowly but surely. To understand the significance of the progress that has been made, one only needs to know that previous efforts of farm workers ended in bitterness and often bloodshed, crushed beneath the boots of the extremely wealthy and powerful agriculture interests in the West.

A reasonable person might ask, "Aren't there legal procedures for determining the rights and the wishes of workers with respect to having unions?"

The answer is "Yes" for millions of American workers—*but not for farm workers!* They are specifically excluded from the coverage of the Federal law that assures and protects the rights of other workers to organize and to bargain collectively. The same person might say, "But surely some reasonable procedure could be worked out to determine the wishes of the workers and give them some equal treatment where these rights are concerned?"

Such a proposition sounds reasonable. As a matter of fact, hundreds of priests, rabbis, ministers, professors, industrialists and others have thought so, and have offered their services as third party participants. The employers have turned down every such effort.

Denied the protection and procedures under the Federal law and faced with the growers' refusal even to discuss the matter of union recognition, the workers were forced to choose between striking and crawling. They say they will no longer be the last vestige of the "crawling American." They struck.

COURTS WENT INTO ACTION

The built-in pitfalls of farm-labor strikes became immediately apparent. Local courts, free to take jurisdiction of each and every complaint against the union, went into action. Judges and public officials who have long been a part of the power structure in agriculture-dominated communities, are "soft" on growers. Injunctions were quick and devastating.

The gates that the injunctions opened in the picket lines were soon filled with masses of strike-breakers—green-card visa holders from Mexico with easy entrance into the United States because of the laxity of the Government in enforcing its immigration policy. The green-carders flooded the strike-bound fields, often in buses provided by growers and escorted by local police, ready and willing to compete against and undercut their brothers because of economic conditions in Mexico that make U.S. farm wages, however miserable by American standards, look very, very good.

Faced with such limitations on the strike's effectiveness, the farm worker reinforced his strike activities by introducing the boycott, which he realized was his last best hope of success, not by choice but by process of eliminating the other alternatives where unfair and inequitable treatment jeopardized any chance of real success.

The current boycott was started well over a year ago against one company, Giumarra Vineyards Corporation in the Bakersfield area of California, probably the Nation's largest shipper of fresh table grapes. To frustrate the boycott the Giumarra Company started shipping its grapes in cartons bearing the labels of its competitors. Whereas Giumarra normally shipped under a half dozen labels, suddenly there were 50 or 60 labels available to them, lent by their "competitors." Under such conditions the union had no alternative but to include all of the "competitors" in the boycott . . . thus the action against *all* California grapes.

That is where it stands today and that is why California farm workers—Mexican-American, Filipino-American, Negro-American and "Anglos"—can be found in Boston, New York, Washington, Chicago, Cleveland, Seattle and the other big cities, rallying support for the "Don't Buy Grapes" campaign.

They have really been forced there by a Government policy which denies them equal protection of the law as American workers but gives them special services as non-American strikebreakers. They have been forced there by a community of growers whose mentality is reminiscent of the bitter anti-union days of the 1930's and who simply refuse to recognize the rights of workers to do anything but serve *them* at *their* convenience and on *their* terms. Not only do the growers enter into a near-conspiracy with each other, they openly enlist and welcome the aid of traditional right-wing anti-union organizations such as the John Birch Society, the National Right-to-Work Committee and the American Farm Bureau.

Some public officials from the very area of the dispute who have "supped at labor's table" in the past have turned their backs on the farm workers to keep their lines tight with the local power structure and are championing the cause of the growers in some of the legislative halls of the Nation. With the dispute consuming much of the interest of the Nation for the past three years, the Congressmen whose two districts embrace most of the area of the dispute have not taken one single affirmative step to contribute to a solution other than championing the cause of the growers and joining them in the dream that some time they'll wake up and find things like they were in the "good old days."

MASSIVE RESISTANCE

The resistance to the farm-workers' organizational efforts has been massive. Numerous lawsuits, totaling millions of dollars, have been filed against the union. There has been constant harassment in the courts, both through civil suits and action by local constabulary. Dealing in double standards doesn't bother the growers a bit! The National Labor Relations Act protects both employees and employers. The industry is fighting bitterly to prevent the farm workers from being covered by that part of the law which protects the *workers'* rights. Yet the growers have instituted several massive legal cases with the National Labor Relations Board to force coverage where the rights of the *employers* are concerned.

Propaganda campaigns have been instituted by the growers and their friends that portray the farm worker union as weak and unable to attract farm workers to membership.

All of these anti-union smear campaigners who argue that farm workers don't want to organize are actively opposing legislation to extend the Federal law to cover those farm workers so they can vote their true feelings in secret-ballot Government-conducted elections.

The Farm Bureau and the right-to-workers smear the boycott by saying that the issue in the boycott is "compulsory unionism," and that the boycott is to try to force unionism on workers who really don't want it. The facts are that not a single grower of table grapes has ever been presented any demand at any time by the union which would require any worker to join the union. The only demand is that the companies agree to sit down and discuss ways and means of recognizing the union and then make plans to enter into negotiations.

Phony wage data and economic statistics are part of the resistance propaganda. The growers and their supporters quote California farm wages as the best in the Nation—piece work averages of $2.50 per hour. They fail to mention that these are wage statistics that are built up during long hours at harvest peak under optimal piece-work conditions. Neither do they mention the fact that frequently the mother and father are the payroll statistic but all their children may be in the field picking with them and having their production credited to the parents, thereby inflating the wage rate.

California farm wages are the best in the Nation next to Hawaii and Hawaii's agricultural workforce has a greater degree of unionization than any state. California wage levels in agriculture have risen at a faster rate in the past eight years than in any other comparable period in history. It goes without saying that they have also outdistanced every other state's rate of farm labor wage improvement. It is interesting to note that those years are exactly the period of the union organizational effort in California.

The facts are that by management's own admission a healthy, energetic, highly skilled grape harvester getting the maximum hours among all grape workers and working under the best of conditions can expect to make between $3000 and $3500 per year. Those are poverty level wages and he is the elite—the cream of the crop—with respect to earnings. Imagine how it is with the others.

In reality, whether the wages are more or less has little to do with the real issue, which is: Do farm workers have rights similar to those of other workers, or are they to be relegated to second-class citizenship simply because they are farm workers?

NO SANITARY FACILITIES

Besides, there are some issues that override even the economics. The bad practice of inadequate or no sanitary facilities for workers, toilets in the fields, is an issue of great importance to the workers, for their own personal dignity as well as for the conditions wherein these foodstuffs grow.

Even more critical is the question of the pesticides and chemicals which, we are convinced, are at the base of the increased number of skin afflictions and respiratory problems we are discovering among the field workers. There are many who feel that the protection and welfare of the consumer is also a matter of concern. Yet the growers refuse to talk to the workers about the pesticides and chemicals.

Growers like to convey an image of little family-operated farms of few acres, struggling against great odds to eke out a living from the soil. The 1964 Census of Agriculture shows 81,000 farms in California; 49,000 of them hire no outside labor. So 60 per cent of the farms have no labor and are not involved in this matter. These farms average less than 50 acres and their total acreage is only 5 per cent of California's agricultural land.

However, less than 6 per cent of California's farms constitute *75 per cent of the land!* Add to this picture the fact that California agriculture is big business. Gross agricultural income in 1966 was a record $3.95 billion. Since then that annual figure has grown to exceed $4 billion. California agriculture and related industries, by their own testimony, account for 33 per cent of the jobs in the State.

Arrayed against this wealth and this power are the farm workers. Their average income is less than $1400 per year. They are lucky to have a year or two of high school education. The educational attainment level of their children is one of the lowest in the Nation. The health levels of the children and the women is far below national averages. Their housing and living conditions are substandard. Many of them have problems requiring legal assistance; frequently they need medical attention.

So they are trying to do something about it. They are not doing it by seeking charity. They are not begging at the welfare office. They are not, like many of their employers, lobbying the halls of Congress with their gold-plated tin cups asking to be paid for not growing crops. They are trying to do it in the way that millions of other Americans have shown is the right way—organization, unionism, collective bargaining.

If there is any doubt as to how great the American people have reacted to the plight of the farm worker, just remember—only if the boycott were succeeding would the powerful union-hating elements be joining with the growers to crush the farm workers.

MEDIA VIOLENCE AND ITS EFFECTS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. BROWN of California. Mr. Speaker, recently the Monterey Park Californian printed two excellent articles reporting the remarks of actor Don Murray at the seventh annual Edgar Cohn Memorial Lecture Series. At that time Mr. Murray urged a national study of the effects of violence as shown in the mass media. As there is now pending before the House a resolution, which I introduced on January 9, to establish such a study, I commend these articles to the attention of my colleagues:

COHN LECTURE SERIES BEGINS: TV GUNFIGHTER SPEAKS AGAINST MEDIA VIOLENCE

Actor Don Murray will speak out against violence and the manner in which it is depicted in the first program of the seventh annual Edgar Cohn Memorial Lecture Series Sunday night at 7:30 at the Bruggemeyer Memorial Library, 318 S. Ramona Ave.

Murray, who portrays a gun-wielding bounty hunter on the widely acclaimed television program, The Outcasts, will discuss "Our Violent Generation." He will emphasize the manner in which violence is portrayed on television, in motion pictures and in printed matter.

He will be introduced by Wayne Kelly, president of the Monterey Park Friends of the Library which sponsors the series of lectures and panel discussions.

Tickets for the five-program series are on sale at the library and by board members of the Friends of the Library. They will also be sold at the library Sunday night. Prices are $7.50 for a family ticket and $5 for a series single admission. Tickets for individual programs are $1.25 for adults and 50 cents for students.

Murray's list of acting credits encompasses the stage, screen and television. He co-starred with Marilyn Monroe in "Bus Stop" and was also featured in "Bachelor Party," "Advise and Consent," "A Hatful of Rain," "The Plainsman," and other films.

His career was halted for some 18 months when he refused to take roles in movies or on TV which he felt glorified violence.

"I finally decided my individual protest had too little effect," he told Hal Humphrey, television columnist, "You have to have a platform of success from which to speak if people are going to follow you, and I didn't have it."

It was then that he took his present role in The Outcasts. On the television show, which has received favorable comment from many television reviewers, he is paired with a Negro bounty hunter.

"The Outcasts may be contributing to the violence on TV," he said, "but I believe this is offset by white-Negro relationship."

Murray said he believes the three networks and the League of American Theaters should set up rules on violence, even if this means the end of The Outcasts.

Other programs in the lecture series will be two panel discussions and a talk by Art Seidenbaum, Los Angeles Times columnist, on the Generation Gap, and a speech by Reuben Salazar, Los Angeles Times reporter and foreign correspondent, on the emergence of Mexico.

Actor Chides Washington on TV Violence Hearings

Actor Don Murray urged a national study of the effects of reporting violence in the press and portraying it in the entertainment world.

If it is found harmful to the public, it should be subject to censorship, he told more than 100 persons who braved a rainstorm to attend the first program of the seventh annual Edgar Cohn Memorial Lecture Series, which began Sunday night at the Bruggemeyer Memorial Library.

The star of stage, screen and television expressed his views on violence and sex as portrayed in films and television in a lively lecture and question-and-answer period.

He deplored what he called tokenism in Washington where problems are shunted aside rather than attacked, he said. Through committee hearings, politicians, Murray said, try to give the impression that they are attempting to solve problems when in reality they prefer to avoid them.

This tokenism, he insisted, should not be used to determine whether violence as reported and portrayed is harmful to society. A scientific study should be made, he urged. If violence is harmful, censorship should be imposed.

It could mean that violence would continue to be reported in the press, but that the details might be reduced or eliminated. Similarly, plays and movies glorifying violence might be banned. Murray said he did not believe that the public was affected differently by real violence as reported by the press and violence as seen in movie or television drama.

Sex, he said, should continue to be truthfully portrayed in movies. But, Murray said, what often is called sex in movies is really sadism.

Campus revolutions are not in themselves harmful, he asserted. But closing classrooms defeats the purpose of education which outweighs student protest.

Murray said he was puzzled that the vast majority of students is "disinvolved" in the campus unrest, yet it allows a small minority to close a school. He refused to take a position on whether the dissidents on campus were right or wrong because he is an outsider who has not studied the issues.

The lecture series will continue Feb. 16 when a panel of high school students will discuss "What's Wrong With Our Parents?" Tickets can be purchased at the library.

The series is sponsored by the Monterey Park Friends of the Library.

SENSITIVITY TRAINING FOR SEX TEACHERS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. RARICK. Mr. Speaker, according to New York University reports, sex education instructors must qualify by undergoing sensitivity training, perhaps to become desensitized to morality to escape their guilt in using little children as guinea pigs for the new sex revolution.

I not only do not want any of these zombies teaching my children—I will even refuse to let my children associate with their victimized pupils.

Strange that none suggest sex education classes for the mommies and dads who, in turn, could be encouraged to give a healthy explanation of sex to their own children. Or would this restore the American tradition of parental authority and supervision—the real target.

If it were not that this training is being financed by the taxpayers, under the auspices of a large university, the entire matter could be dismissed as a sick, sordid cult.

Are the American people expected to discard the teaching of morality in favor of the teaching of perversion?

Mr. Speaker, I place an Associated Press news release for February 21, at this point in my remarks:

Sex Education Teachers Take Sensitivity Course

New York.—An anxiety-struck teacher lay on his back in the center of a suburban basement. Eleven teachers sat around him, half crying, their thoughts reaching out to the supine man as he related one heart-breaking story after another.

Finally, the anxiety attack subsided and the teacher returned to his usually composed self as he was rocked like a baby in the arms of the group's instructor, Dr. Tom McGinnis, a New York University psychotherapist.

It was part of a program of sensitivity training, designed to release them from their anxieties and help them to be better teachers of a very sensitive subject, sex education. Eventually they will teach it to equally sensitive pupils, those in elementary schools.

The man who experienced the prostrating self-revelation entered the marathon session displaying a normal demeanor. During the 15 hours that followed, he was broken down by fatigue and the prodding instructor. His areas of self-doubt and fear were exposed and he experienced an overwhelming, cathartic release of memories of terrifying deaths and illnesses. When it was over he felt limp, but purged.

The sensitivity training is a major part of a new course—the nation's first master's degree program for teachers of elementary school sex education.

At the same time the teachers are getting a strong foundation in substantive courses of anatomy and health education. The sensitivity training is aimed at releasing them from their own psychological problems.

"We see sex education not only as understanding where babies come from but how people see themselves," said McGinnis. "Once you get your mask off, people are free to be positive."

As Dr. Marian Hamburg, the founder of the program, explained, no amount of intelligent discussion will compensate for the unconscious statement of a teacher's real feelings.

"Sex education is not an isolated entity," she said, "but part of a person's total entity—how a teacher wears clothes, an old-maidish air, how she relates to the principal. All this figures into the way a teacher relates to pupils."

Now with parents clamoring for sex education in the schools "teachers are experiencing some of the same personal anxieties that the parents are," said Dr. Hamburg.

"Everyone, of course, has somewhere to pass the buck, teachers included," she said. "And their scapegoat is the teacher preparation institution. Their complaint is that they were not prepared to handle sex education."

Dr. Hamburg decided NYU was the place for the buck passing to stop.

Armed with the fact that only eight per cent of the institutions preparing teachers have courses in sex education, she convinced the Department of Health, Education, and Welfare to finance fellowships of more than $4,000 for each of the first 20 students.

The fellows were selected to represent a cross-section of teachers in terms of age, sex, marital status and geographic location. Half are from the New York City area, the others are from all parts of the country.

And more important, said Dr. Hamburg, when the year's work is completed, July 1, their school administrators have agreed to add sex education to the curriculum.

SPANISH DOVER THRIVES ON SELF-IMPROVEMENT

Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. FRELINGHUYSEN. Mr. Speaker, the concepts of self-help and involvement in programs designed to aid minority groups and the poverty-stricken have become reality in the town of Dover, N.J.—and with spectacular success.

The leaders of the Spanish-speaking community in Dover, which is in my congressional district, have been conducting a broad program of self-help that has resulted in a bright hope for the future for the more than 2,500 Spanish-speaking residents of that town.

Involvement is the key to a large part of the program's success. Actively participating in and supporting the program are various levels of municipal government, schools, churches, and everyday citizens willing to volunteer their time and energies in behalf of those willing to help themselves.

The core of the program is the Dover Neighborhood Center, operated by the Office of Economic Opportunity. Among its many activities, the center has established a relationship with more than 50 industries in the area with the prime goal of placing newcomers to the community in meaningful employment.

The many areas in which this self-help program is involved—and, in which it has achieved great success—were outlined in an article in the Newark Sunday News of February 23, 1969, by staff writer Robert Mitchell.

I should like to insert this article in the Record and commend it to the attention of my colleagues:

SPANISH DOVER THRIVES ON SELF-IMPROVEMENT

(By Robert Mitchell)

DOVER.—The large Spanish-speaking community in this Morris County town is an enthusiastic minority with good reason—mutual encouragement.

Self improvement efforts being guided by leaders of the 2,500 Puerto Ricans and several hundred other "Hispanos" here are being matched by help from others in and around Dover in a fashion that is propelling them into being productive citizens with a future.

While Puerto Ricans by the nature of their language problem, economic background and sheer numbers, are the principal beneficiaries of the civic action, the programs are open to all.

The mutual-help program has expanded to involve not just the Office of Economic Opportunity, which is at its core, but also various levels of municipal government, schools, churches and citizens willing to volunteer time and effort in behalf of those willing to help themselves.

ENGLISH CLASS AT LIBRARY

Among latest programs are two at the Dover Free Public Library. One is a class in English composition, complementing a course sponsored at the Dover Adult School by the Board of Education. The other is a new class in preparation for high school equivalency examinations.

Francisco De Jesus of 45 West Blackwell St., director of the Dover Neighborhood Center run by the Office of Economic Opportunity, and D. Stuart Smith Jr. of 297 Perry St., personnel administrator at New Jersey Bell Telephone Co. Laboratories at Murray Hill, are typical of area attitudes.

De Jesus is an energetic 25 years old, perhaps a man who could be considered the unofficial "mayor" of his people. Like any mayor, he has his sights set on a good education, good jobs, fair housing and recreation outlets for his constituents.

"Dover is a nice place to live and we are doing our best through the center to even make it better," De Jesus said. "The big thing is education . . . getting all of our people trained to speak and understand English and getting as many as possible to earn high school diplomas or their equivalent."

BELL EMPLOYEES HELP

That's where the community-minded like Smith step into the picture. Smith is coordinating 27 Bell employes, engineers, mathematicians, accountants, economists—who are voluntarily serving as instructors for five English classes three nights each week to help the Spanish-speaking population learn the language. With each class lasting two hours, that is 30 volunteer man hours each week.

The "school" is held in rooms made available by the First United Methodist church and St. John's Episcopal Church. The volunteer school graduated 44 last year and now has Spanish-speaking people from nine different countries providing an enrollment of 100—most of whom, of course, are from the town's Puerto Rican population.

"Newark and New York waited too long to help people like this and now they can't help enough," De Jesus says. "I don't want that to happen here. I want to be part of this community and do my share and I think if we attack the problems now, we can do something and make all useful before the problems get out of hand like in the big cities."

The center, opened in a Blackwell Street store, has developed a working relationship with about 50 area industries since it was established 19 months ago. It makes its prime role the task of placing newcomers in gainful employment to make all self-supporting.

"I think it is tremendous," De Jesus said. "When the center was not here, people came from the island and they had no place to go. It's doing a lot of good. Last year we placed about 700 people in different jobs."

Most Dover's Puerto Ricans come from the city of Aguada, hoping to find jobs that are lacking there. They are following in the footsteps of predecessors who first came to this area during World War II to work the truck farms at Great Meadows and the mines around Dover, all knowing work was available even if none could speak English.

"We know they can get better jobs with an education and knowing how to use and talk English," De Jesus said. "One of our biggest problems is keeping boys and girls in school after they reach 16 and their parents want them to go to work to help support large families."

APPROACH TO TEENS

This is where the Neighborhood Center has steered extra effort to help. Education is the theme of its Teen-Age Club where all sessions, including dances, begin with a speaker or educational program and the prime requirement for membership is enrollment in school.

"If they quit school, they have to quit the club," De Jesus said. "Education is everything to them."

Carlos Figueroa, 27, of 79 East McFarlan St., assistant director of the Neighborhood Center and son of the former mayor of Aguada, also is wrapped up in the effort that has the Teen-Age Club mushrooming with 75 members in its few short months. He, too, sees it as a way to encourage education that could lead to the development of leaders and needed professional people from within the Puerto Rican community.

Mayor Edward R. Horan, a recent speaker at a club dance, and other town officials are happy with the fact that club activities also help keep teenagers occupied and off the streets.

Horan, other officials and businessmen also are happy with the fact that all center programs are helping to keep unemployment in town at a bare minimum.

Extra help toward this end comes from the Dover Child Center at Grace Methodist Church, where mothers can leave youngsters between the ages of 3 and 5 to free themselves for employment.

That center, open to all at nominal charges, is operated with funding from the Office of Economic Opportunity, the Inter-Church Group of Mendham and local donations. It currently serves 11 youngsters, and expects many more as its work becomes known.

To bolster spirits and develop community interest, an effort is now being planned to establish a gymnasium for after work exercise and play. Spanish-American Boy Scout Cub Pack 15 is working on a charter issued Jan. 19. A 4-H Club is being organized by Sonya Valenzia of 53 Randolph Ave. and educational trips are run periodically to major points of interest.

What's more, Juan R. Lorenzo of 247 East Blackwell St., a social worker and interpreter in the Dover school system, keeps the Spanish-speaking population interested in and aware of all going on about them with his weekly radio program over Radio Station WRAN. Lorenzo's program, a 90-minute feature since Dec. 1, also includes interviews and educational material each Sunday evening.

BILINGUAL REPORT CARDS

The school system for several years has stressed the second language program, bending over backward to minimize language barriers to equal education for all. Report cards and special notices to parents are bilingual.

The town's special services, again open to all needing them, get heavy use by the Spanish-speaking population. These include medical and dental clinics sponsored by the Board of Health, as well as fulltime sanitary inspection services.

A long, simmering controversy over housing appears on the way to happy resolution, with a rent subsidy program. Under this, new housing will be available to those about to be displaced by extensive urban renewal which would wipe out the old Dickerson Street area that is now the heart of Spanish Dover.

Summing up, those close to what's going on look with particular pride on whole-community involvement, in which volunteers do so much, and those who are in a paid status render service far beyond the call of duty.

CHRISTMAS PARTY A HIT

They are still talking about the children's Christmas party last December. The prime movers were De Jesus and Figueroa. The OEO paid for food. The Methodist Church of Rockaway and Picatinny Arsenal employes gave toys. The First Methodist Church of Dover provided the location, and its high school Sunday School class members cooked and served the hamburgers and hot dogs.

The payoff: Nearly 200 happy children. mostly from Puerto Rican families, showed up and had the time of their young lives—most of them eating both hot dogs and hamburgers and singing their heads off in both English and Spanish.

BRUCE R. SEAMAN, HAWAII FINALIST IN VFW HIGH SCHOOL SPEECH CONTEST

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. MATSUNAGA. Mr. Speaker, the final judging in the Voice of Democracy contest, sponsored by the Veterans of Foreign Wars of the United States and its ladies auxiliaries, will be held in the Nation's Capital next week.

This year's finalist for the 50th State is Bruce R. Seaman, student body president of Aiea High School, on the Island of Oahu, and I wish to extend to Bruce warmest congratulations on an excellent speech.

I wish to take this opportunity to commend also the VFW for sponsoring the Voice of Democracy contest and providing the opportunity for young Americans to express their feelings on "Freedom's Challenge," this year's theme. It is my understanding that more than 400,000 high school students throughout the country participated in this year's contest.

It is with considerable pride that I submit for inclusion in the CONGRESSIONAL RECORD Bruce's award-winning presentation, which not only speaks well for the youth of Hawaii, but also for the youth of the entire Nation:

FREEDOM'S CHALLENGE

(By Bruce R. Seaman)

Look about you. Everywhere you will see that Americans are demanding more of their government and of their Constitution. Students are demanding freedom of speech in many forms; minority groups are demanding freedom to protest; some citizens are even demanding the freedom to destroy.

But, if you listen more carefully, you can hear, or perhaps feel, another demand. It is not a demand by Americans, but a demand of Americans. This is the challenge of freedom, a challenge all but lost in the din of protest and of selfish demand. This is a challenge to all Americans and especially to our youth, but it is hard to define.

Thomas Paine attempted a definition in *The Crisis:* "Those who expect to reap the blessings of freedom must, like men, undergo the fatigue of supporting it." This is part of the challenge. To support freedom, we must strengthen our democratic society. We must assert ourselves as individuals. We must think independently and act rationally. We should learn to appreciate our heritage. But this is an oversimplification. There are other, less obvious, aspects to this challenge.

John Gardner, former Cabinet Secretary and now head of the Carnegie Foundation has said: "Part of our problem is how to stay awake on a full stomach. Can we as a people, despite the narcotic of easy living and the endless distractions of a well-heeled society, respond with vigor and courage and dedication to the demands that history has placed upon us?" Freedom thus challenges us to resist the complacency that leads to stagnation. The desire for improvement and the imperative need to actively strive for something better are prerequisites for progress, and we must not lose them.

Furthermore, the challenge of freedom is not limited to our own country. The concept of a government based on liberty is one that is foreign to most people of the world. Freedom is regarded as impractical and undesirable. Americans, therefore, are challenged to show the world that our system is workable. We are called upon, perhaps only by a feeling of moral responsibility, to demonstrate our faith in our ideal of freedom and to show it as a workable and desirable way of life.

Meeting these challenges of freedom requires not demands but dedication. Meeting the challenges does not require the reorganization of our government. Our republican democracy has proven capable of withstanding external and internal challenges for nearly 200 years. The challenge of freedom calls upon us to completely realize the potential of our present system. This can be done only at a personal level. We must first realize that the challenges exist. Then each individual should realize the personal responsibility he has in meeting them.

Youth has the greatest responsibility in this respect. At the time of our lives when we possess an open-mindedness—an ability to learn from the past and still aspire for a better future, we must critically examine our free society and determine our role in insuring its continuation.

This, then, is the challenge of freedom: a personal responsibility to support liberty, to strive to improve our national life, and to prove to the world that a democratic system is a practical and a beneficial system under which to live.

John Gardner says of this challenge: "It is hard for Americans to realize that the survival of the idea for which this nation stands is not inevitable. It may survive if enough Americans care enough."

Freedom challenges us not to demand, but to care.

THE NEW TECHNOLOGY

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. BOLLING. Mr. Speaker, the new technology should become an invaluable tool for the Congress to employ and thereby reassert its diminished position vis-a-vis the executive branch, no matter which political party controls the Presidency. Mr. Robert Chartrand, of the Library of Congress Legislative Reference Service's Science Policy Research Division, has written an extremely lucid paper on the subject of the new technology, including a historical review of scientific management and planning-programing-budgeting system—PPBS. It is most useful and I commend it. I include it in the Extensions of Remarks of the RECORD:

INTRODUCTION

The scope and complexity of the problems confronting the Federal Government of the United States have caused the decision-makers of the executive and legislative branches to search for more effective management mechanisms. The leadership of the Nation, in having to cope with the benefits and problems of the "technological revolution," continues to work to fulfill two basic goals: the maintenance of national security against external and internal pressures, and improvement of the level of subsistence for all members of the population.

During the past quarter-century several significant technological achievements have taken place, altering our way of life and the context within which we must plan for the future. Among these were the development of nuclear energy, the ability to penetrate space, and the advent of automatic data processing. All facets of society were affected by these and other new tools and techniques. Not only did Federal, State, and local governments but the private sector as well have to evaluate their ability to incorporate the new technology into their routine.

Illustrative of the growing concern about technology and society was the passage of Public Law 88–444 which provided for the establishment of a National Commission on Technology, Automation, and Economic Progress, comprised of eminent leaders from the public and private sectors. In reflecting on the interplay between technology and the needs of our civilization, the Commission report proffered the philosophy that:

"Technology has the potential, whose beginnings we already see, to realize a persistent human vision: to enlarge the capacities of man and to extend his control over the environment." [1]

Because of the rapidity with which new tools and techniques are invented and assimilated, man often has a more tenuous control of his environment. In past eras, change could be accommodated more leisurely. Today, our institutions, mores, and laws are feeling the effect of accelerated change. Since man often cannot adjust quickly enough to prevent harmful disruption, balances of power or public program responsibility may be unsettled. In this environment and with the complexities manifest in such a situation has emerged the so-called "systems approach."

What is the systems approach? While there are many definitions, a succinct statement might say simply that it is a method for considering a problem area as a totality, with procedural guidelines established that will maximize performance-cost efficiency after analyzing various alternatives. Inherent in the utilization of the systems approach is the availability of information on priorities. This information, whether narrative in form or of statistical content, is an absolute prerequisite for the decision-maker.

The Federal Government has seized the initiative in grasping the systems approach and applying it to real world problems. Lessons learned in industry as long ago as the late nineteenth century have been restudied and adapted for agency use. The man-machine techniques and human procedures integral to systems analysis and operations research have been augmented in the last two decades by the creation of new "tools," evidenced in the development of data processing equipment. Legislative branch perception and utilization of the new technology will be discussed within the context of executive branch development of a working, multi-agency PPB System.

SCIENTIFIC MANAGEMENT: BEGINNINGS IN INDUSTRY

In the beginning, a man named Frederick W. Taylor possessed the conceptual capability to theorize and then put into practice many of his ideas about improving human performance in a given work environment. Even more importantly, he recognized the wrenching effort which any such change had on human elements of the system: manager, foreman, worker. The time studies undertaken by Taylor and companion efforts by Frank and Lillian Gilbreth in motion study analysis proved to be of inestimable value to industry and the Nation as a whole.[2] It should be noted that Taylor's emphasis on creating an organization element dedicated to operational analysis, while much maligned in those early years, finally was comprehended and made an integral part of the corporate structure.

The first recorded example of applying the principles of scientific management to government operations at the local level was in 1940 when Philip Murray, head of the Congress of Industrial Organizations, and Morris L. Cooke, former director of the Department of Public Works in Philadelphia, prepared a report entitled "Organized Labor and Production," in which the responsibilities of management and labor in striving for optimum productivity were identified.[3]

While the management of production efforts received primary emphasis, the focus was broadened to include sales, engineering, and the financial activities of the corporation. With profit as a motive and corporate performance as a basis for evaluation, planners and budgeteers designed, tested, and sometimes abandoned such prediction and review mechanisms as trend lines, econometric graphs, statistical charts and synoptic narratives, general studies, and rudimentary intrasystem analyses. A number of powerful companies such as General Motors, DuPont, and Westinghouse applied some of the new techniques in the operations and program budgeting areas. Executives began to view the full range of line and staff activities as interrelated elements of the corporate whole.

The outbreak of World War II brought many changes. The use of military technology (e.g., radar) caused British scientists to reexamine existing ways for designing, testing, and implementing new systems. Interdisciplinary teams were assembled and their performances thoroughly assessed. "Operational research" gradually was accepted and applied to an increasing number of areas by Americans, Canadians. and British alike. A vital by-product was the training of significant numbers of analytical personnel.

Peacetime reconstruction and reconversion brought many opportunities for applying skills acquired and techniques polished to private sector projects. New problems beckoned, and the scientists and engineers often were encouraged to test new tools and techniques. The mid-forties also witnessed the creation of prototype computers. Increasingly, these devices afforded the pioneering systems analysts and operations research specialists with capacious memories, undreamed of manipulative flexibility and speed, and a promise of even more miraculous performances to come. So great was the ability of

---

Footnotes at end of speech.

these equipments to store, correlate, and retrieve selectively both narrative and statistical data, however, that claims concerning their ability to "think" were forthcoming which could not be substantiated.

Quantification of essential information may be useful, and much has been said about the proper structuring and titling of such data. It must be fully understood that computers and quantitative methods are not, in and of themselves, decision-makers. Perhaps more accurately they have been termed "aids in illuminating the issues." [4]

Far-sighted individuals in the Federal Government saw a need for a new type of institution in the period of spectacular innovation and implementation following the Second World War. Defense planning required long-term, complex, often innovative studies of high consequence to the Nation and the world. In this setting the RAND Corporation was founded, in 1946, and has produced such national figures in planning, programming, and budgeting as Charles J. Hitch, Alain C. Enthoven, and Henry S. Rowen. Their impact on the national scene is exemplified by the establishment of PPBS in the executive branch and continuing emphasis on improving authorization and appropriations functions within the Congress.

PLANNING-PROGRAMING-BUDGETING IN THE FEDERAL GOVERNMENT

The systems technology which had been nurtured in the academic and industrial arenas became an acknowledged part of Federal management during the administration of President John F. Kennedy. The Department of Defense (DoD) had need of new and improved means of solving the multitudinous problems within the aegis of that establishment. Secretary of Defense Robert S. McNamara was acquainted with the proven utility of systematic quantitative analysis in industry, and immediately took steps to apply the tools and techniques to departmental activity areas. Charles J. Hitch was appointed Comptroller, and was vested with the authority and responsibility for converting DoD practices and procedures to a more up-to-date mode.

While purists often argued about the differences between "systems analysis" and "operations research," Hitch chose not to, and set forth this often quoted definition of the former term:

"Systems analysis at the national level . . . involves a continuous cycle of defining military objectives, designing alternative systems to achieve those objectives, evaluating these alternatives in terms of their effectiveness and cost, questioning the objectives and the other assumptions underlying the analysis, opening new alternatives, and establishing new military objectives." [5]

"The Planning-Programming-Budgeting System" (PPBS) was developed featuring four distinctive characteristics:

1. It focuses on identifying the fundamental objectives of the Government and then relating all activities to these (regardless of organizational placement);
2. Future year implications are explicitly identified;
3. All pertinent costs are considered; and
4. Systematic analysis of alternatives is performed. This is the crux of PPBS. It involves (a) identification of Government objectives, (b) explicit, systematic identification of alternative ways of carrying out the objectives, (c) estimation of the total cost implications of each alternative, and (d) estimation of the expected results of each alternative.[6]

Although there were instances of human reluctance and procedural barriers, DOD elements increasingly incorporated systems techniques into many facets of their operations. Finally, it was determined at the highest level of Government that PPBS should be placed in effect in selected executive agencies and establishments. Figure 1 presents a listing of agencies required, and those encouraged, to establish a formal Planning-Programming-Budgeting System. This was accomplished in October of 1965 by a directive from President Johnson to the Bureau of the Budget, which issued Bulletin No. 66–3.[7]

FIGURE 1.—*Originally appeared as exhibit 1 in Bulletin No. 66–3 to the heads of executive departments and establishments*

A. Agencies To Be Covered by the Preview

Department of Agriculture.
Department of Commerce.
Department of Defense—separate submission for:
Military functions (including Civil Defense).
Corps of Engineers, Civil functions.
Department of Health, Education, and Welfare.
Department of Housing and Urban Development.
Department of Interior.
Department of Justice.
Department of Labor.
Post Office Department.
Department of State (excluding Agency for International Development).
Treasury Department.
Agency for International Development.
Atomic Energy Commission.
Central Intelligence Agency.
Federal Aviation Agency.
General Services Administration.
National Aeronautics and Space Administration.
National Science Foundation.
Office of Economic Opportunity.
Peace Corps.
United States Information Agency.
Veterans Administration.

B. Other Agencies for Which a Formal Planning-Programing-Budgeting System is Encouraged

Civil Aeronautics Board.
Civil Service Commission.
Export-Import Bank of Washington.
Federal Communications Commission.
Federal Home Loan Bank Board.
Federal Power Commission.
Federal Trade Commission.
Interstate Commerce Commission.
National Capital Transportation Agency.
National Labor Relations Board.
Railroad Retirement Board.
Securities and Exchange Commission.
Selective Service System.
Small Business Administration.
Smithsonian Institution.
Tennessee Valley Authority.
United States Arms Control and Disarmament Agency.

Early in 1966, a Supplement to Bulletin No. 66–3 [8] was promulgated which delineated the procedures to be followed in implementing PPBS. Two forms were identified as essential to the success of PPBS: the Program and Financial Plan, and the Program Memorandum. The Program and Financial Plan provides a listing of program outputs—these could be "services" or "equipment"—and program inputs, which are denoted as items of cost or related financial data. The Program Memorandum contains detailed narrative and statistical data on each program identified in the Program and Financial Plan, and is issued on an annual basis. Bulletin No. 68–2 [9] was issued July 18, 1967, replacing Bulletin No. 66–3 and its supplement, and provided additional direction to departmental heads in implementing PPBS.

Strenuous efforts have been made to orient and educate managers, staff, and line personnel in the Executive Branch elements regarding the role and characteristics of PPBS. The United States Civil Service Commission sponsors a continuing series of seminars for selected personnel, and individual agencies undertake special in-house training. Featured in the courses are a presentation of the origins of program budgeting—in the War Production Board in 1942,[10] and as noted in industry—and the day-to-day problems faced by PPBS personnel who are dedicated to making the new system work.

A useful adjunct to the utilization of management science techniques within the Federal framework has been the extensive acquisition of automatic data processing equipment by various Executive Branch components. The June 30, 1967 computer inventory indicates 3,000 units; [11] ten years earlier the total was 160.[12] Procurement and operating expenses for the Federal ADP equipment during the fiscal year 1967 approximated 1.2 billion dollars.[13]

CONGRESSIONAL VIEWS OF PPBS

Although the promotion of the Planning-Programming-Budgeting System has received a full measure of recognition within the executive branch, interest in the systems approach has been modest in the legislative branch.

Perhaps the first formal acknowledgement of the importance of PPBS by a Congressional entity took place during the hearings of the Special Subcommittee on the Utilization of Scientific Manpower (Senator Gaylord Nelson of Wisconsin, chairman) of the Senate Committee on Labor and Public Welfare in May, 1966. In connection with S. 430, the Scientific Manpower Utilization Act, Senator Nelson sought to draw upon the experience of Alain C. Enthoven, DOD Assistant Secretary for Systems Analysis, and Henry S. Rowen, Assistant Director, U.S. Bureau of the Budget. In referring to the significance of PPBS, Senator Nelson noted that lessons could be learned from the functioning of the new system, and that—

"The problems faced by this Nation at the State, regional, and national level in the field of education, welfare, conservation, transportation, pollution, urban planning, and land use control . . . are certainly no less urgent or complex than the problems faced by the Defense Department." [14]

The testimony of Messrs. Enthoven and Rowen reinforced the belief of the Special Subcommittee that selected techniques and systems design concepts developed within the PPBS context could be useful in other problem areas.

Congressional concern regarding the criteria and procedures used in expending research and development funds, and more than incidentally the growing impact of PPBS, was reflected in the 1967 report entitled "Federal Research and Development Programs: the Decisionmaking Process," prepared by the Research and Technical Programs Subcommittee of the House Committee on Government Operations. The report noted that the defense, space, and atomic energy developmental activities have drawn heavily on systems analysis and systems engineering. While mathematical techniques and computers have been used in many instances, there are decided limitations to these aids. Charles Hitch and others stressed that: ". . . There is nothing inherent in the programming system [of defense] or in systems analysis that calls for down-grading military judgment or for relying on computers for anything other than computation." [15]

Also active in conducting exploratory hearings in the PPBS area was the Subcommittee on National Security and International Operations of the Senate Committee on Government Operations. In opening the hearings in August of 1967, chairman Senator Henry M. Jackson of Washington stated that ". . . our Senate subcommittee has had a continuing interest in the role of budgetary process in helping plan and control national security policy." [16] He then went on to say that the subcommittee could assist in a "frank stock-

---

Footnotes at end of speech.

taking of the benefits and costs of the planning-programming-budgetary system."[17] Lengthy testimony was presented by Charles L. Schultze, Director of the Bureau of the Budget, and Dr. Enthoven, and proved useful in providing explicit responses to the questions of the subcommittee on matters of PPBS policy, control, evaluation criteria, and individual agency experience.

Five committee prints were prepared by the Subcommittee on National Security and International Operations dealing with various aspects of "Planning-Programming-Budgeting: These were published during 1967 and 1968, and were entitled: "Official Documents," "Initial Memorandum," "Selected Comment," "PPBS and Foreign Affairs," and "Budget Bureau Guidelines of 1968."

In September of 1967, the Subcommittee on Economy in Government of the Joint Economic Committee convened a series of hearings entitled "The Planning-Programming-Budgeting System: Progress and Potentials." The chairman, Senator William E. Proxmire of Wisconsin, described the concern of his group in improving management in government. Noting that Federal components are responsible for handling approximately 175 billion dollars annually, he went on to say:

"Certainly at a time when approximately 30 percent of our national income flows through the public sector, it is of the utmost importance that our policymakers be armed with the best possible tools for evaluating the effectiveness of our public programs and expenditures."[18]

It was pointed out that the intrinsic worth of PPBS is open to controversy, with proponents of the system claiming "that for the first time it provides decision-makers with a rational basis for choosing between alternative policies" while critics "view PPBS advocates as a new breed of technocrat who think the computer can take the politics out of decision-making."[19] The hearings featured testimony by representatives of such civilian agencies as the Department of Health, Education, and Welfare, the Department of the Interior, and the Department of Housing and Urban Development. State and local applications of PPBS—e.g., Wisconsin, New York City, and Vermont—were discussed, and future applications of the PPB approach were noted by government and university witnesses.

There are increasing signs that the members of the Congress are becoming more and more aware of the impact of the systems technology on fiscal planning and other critical activities within the private sector, as well as its effect on sub-Federal governmental groups. A number of respected leaders in the public sector are writing and speaking about the responsibility of business, industry, and the universities for further introducing and experimenting with new methods and devices in such public problem areas as transportation planning, pollution control, and urban renewal. Also, a realization is developing on the part of the Nation's leadership that the computer and its ancillary devices, the mathematical models, the charts and other manifestations of the systematic approach, can serve a purpose, but the ultimate responsibility resides with the human who must make the judgments. Dr. Donald N. Michael underscored this position when he said:

"In all, top leadership in many organizations will find that while the computer relieves them of minor burdens, it will enormously increase the demands on them to wrestle with the moral and ethical consequences of the policies they choose and implement."[20]

Congressmen and executive branch decision-makers alike have become cognizant that the unprecented pressures of our age demand imaginative and forceful corrective action. The ultimate effect of PPBS on Congressional authorization and appropriation functions will not be known fully for some time to come, but a state of readiness is required for all concerned.

SUMMARY

From its origins in the last century in private industry, the systems approach has evolved in many environments and now appears in many forms. Private industry gradually learned, through time and motion studies, to revamp production procedures, and subequently applied the new thinking to management planning, engineering, and marketing operations. In the period prior to World War II, military planners identified the need for different, better developmental techniques. From that point in time forward, systems technology has been employed heavily in defense and space activities.

Within the United States Government, the careful delineation of decision options and the use of structured logic have been employed upon occasion during the past several decades. It was not until the early 1960's, however, that a full-fledged effort was made within the Federal establishment to utilize the systems approach. The success of the Department of Defense in the early 1960's in developing a Planning-Programming-Budgeting System resulted in a 1965 Presidential directive causing numerous other executive branch elements to adopt formal PPBS guidelines and procedures.

Acceptance of the Federal Planning-Programming-Budgeting System has continued to increase with the passage of time and the accrual of experience by the participants. With the training of significant numbers of agency personnel at all grade levels, understanding of the objectives and procedures of PPBS has been enhanced, and the role of the new system as a contributor to efficiency is accepted. Finally, there is an increased awareness that the new series of national tasks and problems require precision planning and budgeting, and that these can be achieved through the PPBS operation.

It is now recognized by agency program specialists and Congressional staff personnel responsible for handling authorization and appropriations information that the new tools and techniques can be useful. The multifaceted systems approach offers many opportunities for conceptualizing alternative solutions to a given problem. Some of the techniques and man-machines procedures are quite simple, others more sophisticated.

The selection of innovative mechanisms cannot be performed without a careful scrutiny of all the requirements of *all* categories of system users. The key decisions to be made by Congressmen and heads of executive departments are based upon requisite information that has been collected, filtered, structured, collated, and processed according to pre-delineated guidelines. This information then is considered in the light of national goals and other non-technical considerations by the decision-maker. It is within this operational framework that the Planning-Programming-Budgeting System has proven in many instances to be a valuable asset to the leadership of the Nation.

FOOTNOTES

[1] National Commission on Technology, Automation, and Economic Progress. Technology and the American economy, v. 1, Washington, U.S. Govt. Print. Off., February 1966, p. 73.

[2] Barnes, Ralph M. Motion and time study. London, John Wiley & Sons, 1955. p. 12–16. *Also* see Taylor, F. W. The principles of scientific management. New York, Harper and Brothers, 1911. 77 p.

[3] Niebel, Benjamin W. Motion and time study. London, Illinois, Richard D. Irwin, Inc., 1955. p. 8.

[4] Novick, David. Origin and history of program budgeting. Santa Monica, the RAND Corporation, October 1966. p. 9.

[5] Hitch, Charles J. Plans, programs, and budgets in the Department of Defense. *In* Operations research, January–February, 1963. p. 8.

[6] Hatry, Harry P. *and* John F. Cotton. Program planning for state, county, city, Washington, State-Local Finances Project of the George Washington University, January 1967. p. 15.

[7] Executive Office of the President. Bureau of the Budget. Planning-programming-budgeting. Bulletin No. 66–3 to the heads of executive departments and establishments. Washington, October 12, 1965. 13 p.

[8] Executive Office of the President. Bureau of the Budget. Planning-Programming-Budgeting. Supplement to Bulletin No. 66–3, Washington, February 21, 1966. 31 p.

[9] Executive Office of the President. Bureau of the Budget. Bulletin No. 68–2 to the heads of executive departments and establishments: Planning-Programming-Budgeting (PPB), Washington, July 18, 1967. 25 p.

[10] Novick, *op. cit.*, p. 2–5.

[11] Executive Office of the President. Bureau of the Budget. Statement of Phillip S. Hughes, Deputy Director of the Bureau of the Budget, before the Subcommittee on Government Activities, Committee on Government Operations, on data processing management in government. Washington, July 18, 1967. p. 8.

[12] Executive Office of the President. Bureau of the Budget. Inventory of the automatic data processing equipment in the Federal Government. Washington, July 1966. Chart 1, p. 7.

[13] Executive Office of the President, Bureau of the Budget. Statement of Phillip S. Hughes, *op. cit.*, p. 8.

[14] U.S. Congress. Senate. Committee on Labor and Public Welfare. Special Subcommittee on the Utilization of Scientific Manpower. Scientific manpower utilization. 1965–66. Hearings before the Special Subcommittee (89th Cong., 1st sess., May 17, 1966), p. 145. [Remarks of Senator Gaylord Nelson].

[15] U.S. Congress. House. Committee on Government Operations. Subcommittee on Research and Technical Programs. Federal research and development programs: the decision making process. Thirty-fourth report by the Committee on Government Operations (89th Cong., 2d sess., 1966). House report no. 1664. p. 7. [Quoting C. J. Hitch].

[16] U.S. Congress. Senate. Committee on Government Operations. Subcommittee on National Security and International Operations. Planning-programming-budgeting. Hearings before the Subcommittee (90th Cong., 1st sess., August 23, 1967), p. 1. [Remarks of Senator Henry M. Jackson].

[17] *Ibid.*

[18] U.S. Congress. Joint Economic Committee. Subcommittee on Economy in Government. The Planning-programming-budgeting system: progress and potentials. Hearings before the subcommittee (90th Cong., 1st sess., September 14, 1967), p. 1. [Remarks of Senator William E. Proxmire].

[19] *Ibid.*, p. 1–2.

[20] Michael, Donald N. Some long-range implications of computer technology for human behavior in organizations. *In* The American behavioral scientist, v. 9, April 1966. p. 35.

DEPLOYMENT OF SENTINEL ABM BUYS VALUABLE TIME FOR PEACEFUL NEGOTIATION

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. McCLORY. Mr. Speaker, the pending controversy regarding deployment of a Sentinel ABM system deserves the earnest attention of all Members of the Congress.

Our first responsibility as National Legislators is to provide adequately for the national defense, including, of course, defense against enemy nuclear attack.

While extensive research and development have been carried on, the decision to deploy a Sentinel ABM system recognizes the real threat of a surprise Chinese nuclear attack, of which the Red Chinese would be capable in the mid-1970's.

More than a year ago, the Department of Defense recommended deployment of the Sentinel ABM system, a decision in which the Congress has concurred. Questions regarding the location of the 15 projected bases have revived the issue of the efficacy and wisdom of such a nuclear defense system.

An objective discussion of this subject appeared in the February 9, 1969, issue of the Chicago Sun Times. This authoritative article is outlined by Prof. Lawrence H. O'Neill, a professor of electrical engineering at Columbia University.

Professor O'Neill's article emphasizes that a Sentinel ABM system can be effective for a generation or more against Chinese offensive nuclear weapons launched from the Chinese mainland.

Professor O'Neill's objective discussion of this subject of great current interest is as follows:

The Weapons Race—Buying Time

(By Lawrence H. O'Neill)

I am an engineer by education and background and I have had a great deal of experience with the military technology of the United States. But before I was an engineer, I was a human being, as indeed I still am and it is impossible to contemplate the proliferation of nuclear arms throughout the world exemplified so ominously by the Chinese acquisition of such arms without feeling the deepest concern.

We engineers and the military people who direct us and the scientists who furnish us basic knowledge can offer mankind, at best, a sequence of palliatives that reduce the dangers of nuclear war to some unknowable extent but we cannot put an impenetrable shield over the heads of man.

During the years of Soviet and American standoff, the Soviet government and our own have each acquired a nuclear arsenal and systems of weapons delivery which assure that if either suffered a nuclear attack, the victim could impose unacceptable damage in a retaliatory strike upon the original aggressor. We believe that this situation of mutual deterrence has been an important factor in preventing the use of nuclear weapons in war during all of the turbulent years since 1945.

We have made it, in the understatement of several millenia, "irrational" for the United States or the Soviet Union to attack the other with nuclear weapons. The possession of those arsenals of retaliatory weapons has also had the effect of causing the two great powers to move with great caution and restraint in matters of vital interest to the other.

With passing of the years, a kind of almost comfortable acceptance of our relationship with another, generally hostile, nuclear armed power has occurred. The passage of time has created some confidence that our situation is stable, that inhuman as it is to deter each other with threatened mutual destruction, neither power is likely to do the things that will bring such destruction about.

The imminence of China's possessing a small but significant force of nuclear armed missiles, and conceivably aircraft, changes the situation quite substantially and changes it for the worse. We and the Soviets have each learned to live prudently in the presence of the other's power of destruction. As the number of participants in such a process increases, the chances for blunders or dangerous adventures increase. Moreover, the logic of the deterrence process becomes much more complicated as the number of participants increases.

Solving the increasingly complex problems arising from the existence of three great nuclear forces is a great need of our time. Technology is only peripherally involved in the problem. Essentially, the problem is a political one. Its ideal solution is obvious but seemingly tragically unreachable very soon. That solution, of course, is to replace the processes of threats and armed confrontations by a reasonably just and viable system of law accepted and obeyed by all nations.

In the meantime, military technology and the industry that applies it can help to buy time to be used in solving the deterrence problem. In using military technology in this way, however, it is important to avoid steps that might trigger an uncontrolled arms race ending in catastrophe.

As I see it, the United States is, and for the foreseeable future will remain, invulnerable to a Chinese ICBM attack. I believe that the Sentinel system which is soon to be deployed (Sec. of Defense Laird said Thursday the project is being reviewed), * * * a missile attack upon the United States. I believe that for some years, perhaps three to five after the Chinese first deploy a missile force—assuming, as is by no means certain, that they deploy a force of intercontinental range—the Sentinel will be able to intercept and destroy every, I said every, Chinese weapon launched against the United States. I expect that in a subsequent period of about five years technically feasible and practically achievable advances in the technology applied in Sentinel will sustain its ability to destroy all Chinese weapons that might be launched against us, even though the Chinese employ penetration aids in their force.

In the long run, of course, as Chinese weapons technology progresses and their industrial base expands, the weapons-dominated part of the strategic relationship to China will become similar to that with the Soviet Union. If we are fortunate by that time, perhaps 20 years in the future, the governments of the world will have devised reliable ways of controlling nuclear force which may be quite common.

Thus, in my judgment, Sentinel will provide reliable protection of the United States from Chinese missile attack for a decade or somewhat longer. But it obviously will not be able to do more than that. The problem that the United States will encounter—that China can threaten our allies or friends with nuclear attack—will not be solved by Sentinel.

Moreover, Sentinel tends to complicate our efforts to reach agreement with the Soviet Union on the limitation of strategic offensive and defensive forces. Sentinel is designed to protect the United States against missile attack using limited numbers and rather simple technology. It is not very effective and is not intended to be very effective against a massive attack employing advanced penetration aids such as the Soviet Union could make.

Nevertheless, it will be a missile defense system in being. It will, I think, inevitably tend to force Soviet planners to increase the size or penetration capability or both of their forces. Moreover, they will be aware of the possibility that Sentinel could be improved to reduce the ability of the Soviet strategic offensive force to attack the United States.

One lesson stands out clearly from our experience with the technology of modern strategic offensive and defensive nuclear weapons. These weapons are far too dangerous to exist in the same world in which men live. Ridding ourselves of them is an objective rivalled in importance perhaps only by the need to bring the population and resources of the world into better balance.

The great enemy of progress toward elimination of the dangers of nuclear arms in China, in the Soviet Union, in the United States or anywhere else in the world is simplism.

We must not think, as some do, that evil men or moral dullards took us to where we are because they were contemptuous of human values. On the contrary, we have armed to protect in our society the finest political achievements of mankind, the institutions that most strictly proclaim our recognition and respect for man's special dignity.

It is the tragedy of our race that we have found nothing else adequately capable to protect our institutions. To believe that our tragedy is the result of conscious evil or moral torpor is to accept what is obviously not true that our fears are paranoia and the finest institutions conceived by man are not, in fact, endangered.

Neither must we think that in weapons we can find ultimate security and justice. Weapons can serve but one rational purpose to provide to men of good will the time they need to rid the world of weapons.

A LEGISLATOR FOR ALL SEASONS

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. SIKES. Mr. Speaker, I have read with appreciation and with pride the very fine comments of Bruce Cossaboom which appeared in the Armed Forces Journal of February 15 about our distinguished and able colleague from Florida, the Honorable Charles E. Bennett. This fine statement contains the thoughts of a great many people who are privileged to know Congressman Bennett and to share in the regard expressed for the high caliber of his work and character. I submit it for reprinting in the Congressional Record:

A Legislator for All Seasons

If Congress were composed of 535 Charles E. Bennetts, Capitol Hill would be a constituent's dream but a muckraker's nightmare—a monotonous scandal-free hotbed of integrity, industry, ability, and dedication to the best interests of the American public.

One-time Eagle Scout, Sunday School teacher, successful lawyer, amateur historian, WWII hero, and first Chairman of the first ethics committee in the House of Representatives, Congressman Bennett is one of the most admired and respected legislators on the Hill. He personifies "The Case For Congress," if anyone does.

This is undoubtedly the reason why the 58-year old Representative from Florida's Third District since 1949 (and sixth-ranked Democrat on the House Armed Services Committee) was selected by Committee Chairman L. Mendel Rivers (D-SC) to take on one of the most significant jobs to be given any Congressman in many a day—Chairman of the Special Subcommittee on Sea Power. Under the broad charter of responsibility given the Bennett panel by Chairman Rivers, moreover, the group may yet come up with the solution to the "U.S. Maritime Mess"—the term now is almost a cliche.

Representative Bennett accepted the task with characteristic modesty, commenting that its sheer magnitude and complexity made him feel "humble and inadequate."

The most industrious researcher, however, would be hard pressed to find someone with less cause for feeling "humble and inadequate." A far better description of Bennett appeared last fall on one of his reelection campaign fliers: "A man of action who gets things done."

As with everything else in his life, Bennett takes his job as a Congressman with deadly earnestness. Possessor of a prodigious ability to work, he now holds the all-time voting record for a member of Congress, not having missed a roll-call vote in the House for nearly 18 years (the string started 4 June 1951).

He achieved this feat, moreover, despite the fact that he must walk with a cane as a result of polio contracted as an Army captain leading Philippine guerrillas during the War. (In the spring of 1968, to make matters worse, Bennett suffered a broken leg, but continued on crutches to make all roll-calls—much to the chagrin, perhaps, of more able-legged but absentee colleagues.)

Bennett's attendance record, moreover, is matched by performance. He has compiled an impressive list of legislative achievements in both the military and nonmilitary fields:

In the last Congress he was instrumental in getting passed bills requiring a long-needed codification of the UCMJ, and creating a Judge Advocate General Corps for the Navy.

In earlier sessions, he fathered the hostile fire pay statute, and saw the Pentagon adopt two others of his many legislative proposals—educational and physical training for draft rejects (Project 100,000), and riot control training for the National Guard.

BUCHER OVERCAME MANY OBSTACLES TO GAIN NAVAL COMMAND

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. CUNNINGHAM. Mr. Speaker, I have spoken out many times regarding the handling of the *Pueblo* matter.

I have received hundred of letters from Nebraskans and others who feel as I do that the present proceedings have the appearance of an attempt to let the *Pueblo*'s captain take the rap for higher officials who sent him on a mission with an ill-equipped vessel and without proper contingency planning.

Mr. Speaker, we in Nebraska claim that man, Comdr. Lloyd M. Bucher, as our own—one who overcame many obstacles to gain command in the U.S. Navy.

The following article, which was written by Arnold Garson and appeared in the January 29 issue of the Omaha World-Herald, gives an idea of just what this man, known as Pete to his friends is made of. I commend it to your attention:

IN 4 SHORT YEARS AT BOYS TOWN PETE BUCHER ESTABLISHED A HOMETOWN

Officials at St. Joseph's Orphanage in Culdesac, Idaho, spent seven months trying to get young Lloyd Mark Bucher admitted to Boys Town, where they said he would be happiest.

Commander Bucher, skipper of the United States intelligence ship Pueblo, now is the central figure in a Naval court of inquiry investigating the vessel's capture by North Korea last January. Bucher's statements at the inquiry have aroused interest and sympathy throughout the country. This is the story of his years in Omaha.

Records show that Bucher arrived at Boys Town September 25, 1941, at the age of 14.

Four years later, when he left Boys Town to enlist in the Navy, Bucher had left indelible impressions on classmates and instructors. And Boys Town had provided Bucher with friends he would always stay close to.

"It was his only real home," said Msgr. Nicholas H. Wegner, Boys Town director.

Classmate Harlan Vogt, who now lives at 11925 Skylark Drive, remembers Bucher as a gregarious youth who displayed leadership abilities almost from the day he arrived.

STOOD OUT

Vogt said Bucher served as a class vice-president, as a "commissioner" in charge of a residence hall, and as a battalion commander in Boys Town's short-lived ROTC program.

"His congeniality made him stand out. He was well-liked and others followed him easily," Vogt said.

Maurice (Skip) Palrang, who began coaching football at Boys Town in 1943, the first year Bucher was eligible for the varsity team, described Bucher as a "great team leader."

"He was enthusiastic and peppery and one helluva football player," Palrang said. "He was the finest downfield blocker I've had in 26 years at Boys Town. The only man who came close to him in downfield blocking was Glen Hepburn," the Omaha Mustang who died last fall.

Bucher has credited Palrang as having the greatest single influence on him at Boys Town. "He, more than any other single individual, has contributed to my outlook on life, my compassion for other human beings, my desire to win, my desire to make America come out on top," Bucher said recently.

Palrang recalls one game when left tackle Bucher, who stood 5 feet, 10 inches and weighed about 160 pounds, threw downfield blocks that enabled Boys Town to get four touchdowns on long runs.

The coach also recalls that Bucher was one of the few members of the 1943 team who understood the Chicago Bears T-formation which Palrang tried to install at Boys Town.

CHOKED UP

Monsignor Wegner said that years later Bucher would become quite emotional when recalling his Boys Town days.

One such occasion was the Boys Town athletic banquet in 1958, Bucher, then in the submarine service, was invited to speak.

Henry Straka, Boys Town public relations director, recalled the event: "For quite a long moment, he just stood there without saying anything. He seemed choked up at the idea of being called back here to speak."

Monsignor Wegner recalled a similar experience in May, 1967, when the Pueblo was commissioned at Bremerton, Wash.: "He broke down when he began talking about Boys Town. He tried to express his gratitude publicly. It got the best of him."

Boys Town file No. 03448, marked "Bucher, Lloyd (Pete)," reveals that Bucher got average grades in high school. He barely passed beginning Latin, but excelled in mechanical drawing.

Bucher has said he adopted the nickname "Pete" because he was impressed with Pete Pihos, an all-American football player at the University of Indiana in 1943 and later an all-pro end with the Philadelphia Eagles. Bucher's friends have known him only as Pete.

Bucher left Boys Town to join the Navy on October 2, 1945, during his senior year in high school. He earned his high school diploma in 1947, through correspondence.

He was discharged as a quartermaster second class in 1948 and returned to his native Idaho, where he took a job as a bartender and coached midget baseball and football in his spare time.

CONSTRUCTION JOB

By the spring of 1949, he was back in Omaha, working on construction jobs and planning to enter the University of Nebraska in the fall.

On a 1949 visit to Boys Town, Bucher renewed acquaintance with Charles T. Mitchell, a former Boys Town classmate who has worked in the publications shop at Boys Town since graduating.

"We used to get together about every week end until he started school. We'd go to baseball games—the old Omaha Cardinals—or to high school football games," Mitchell said.

"I used to watch him work sometimes. He looked like an octopus when it was busy," Mitchell recalled.

In the late summer of 1949, Rose Delores Rohling and her oldest sister, Angela, came to Omaha from their home in Jefferson City, Mo.

The Rohling sisters found lodging with Mr. and Mrs. Fred W. Martin who had advertised a room for rent. The sisters got jobs as long-distance telephone operators with Northwestern Bell Telephone Company.

Mrs. Jeanette Maier, now of 2409 North Fiftieth Street, also worked at Northwestern Bell. She helped arrange a blind date for Rose and Pete, who was a friend of some boys she knew.

LOVED SCIENCE

Pete and Rose began dating regularly. They were married in a Catholic church in Jefferson City, Mo., in June, 1950, and moved into an apartment in Omaha at 3844 Hamilton Street. Pete continued to commute to his classes at N.U., while Rose kept her job at Northwestern Bell.

Charles Mitchell got married the next year and the Mitchells and the Buchers got together often on week ends. They played hearts, bridge, cribbage, but mostly just talked, Mitchell said.

"Pete loved to talk about science, if any one would listen. One night he got to talking about how industrious ants are and he went on 'til 3 o'clock in the morning," Mitchell said.

In 1952, shortly before their first son was born, the Buchers moved to Lincoln.

Bucher was graduated from N.U. in June, 1953, and was commissioned as an ensign in the Navy through the ROTC program. Naval ROTC and the G.I. bill had helped pay the costs of Bucher's college education.

Bucher's first assignment was to technical school in Glenview, Ill. He was then assigned to the USS McKinley.

In 1955, he attended submarine school and later served on three submarines: the Besugo, Caiman and Ronquil.

Bucher spent about half his time at sea during the late 1950's and the 1960's. His family made its home in California during these years. The Buchers now have two sons, Mark Stephen, 16, and Michael Francis, 14.

In January, 1967, Bucher was sent to Seattle, Wash., to oversee the conversion of the Pueblo from an Army freighter to a sophisticated electronic surveillance ship.

Then a lieutenant commander, Bucher told his friends the ship was to be used for geological surveys and that he was well-suited for its command, having studied geology at N.U.

When Monsignor Wegner attended the commissioning ceremonies, he was told by an admiral that it was a one-in-three-thousand chance that Bucher—a man who had not attended the Naval Academy at Annapolis, Md.—would get such a command.

Bucher was born September 1, 1927, in Pocatello, Idaho. His mother died at childbirth and he was put in the care of Mr. and Mrs. L. B. Bucher.

The Buchers adopted Lloyd February 27, 1928. Mrs. Bucher died about a year later. Lloyd was sent to a children's home in Boise, Idaho, where he lived about three years, before going to St. Joseph's in Culdesac.

Fred Martin, now of 8407 Pacific Street, met Pete Bucher in 1949.

"I remember thinking what a dignified fellow he was when I met him. He was slow and deliberate in everything he discussed. He's not an impulsive type of man and he weighs things carefully before taking action."

MIGRATORY BIRD TREATY AND THE HAZARD OF OVERSHOOTING

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert into the CONGRESSIONAL RECORD an excellent resolution by the Michigan United Conservation Clubs regarding the Migratory Bird Treaty and the hazard of overshooting and excessively liberalized waterfowl hunting privileges for Indians and Eskimos granted by the Dominion of Canada.

I also insert an excellent article appearing in the fine outdoor publication, "Outdoor Life," setting forth with great clarity the reason for the resolution and the hazard to our continental migratory waterfowl resource from possible unwise liberalization of shooting privileges for natives of the far north.

Vigorous action by all persons interested in our great continental resource of migratory waterfowl is needed to prevent this unwise step, properly feared by conservationists in America, from becoming a reality.

The resolution and article follow:

MICHIGAN UNITED CONSERVATION CLUBS, RESOLUTION REGARDING MIGRATORY BIRD TREATY

Whereas it has come to our attention through an article in the February issue of Outdoor Life magazine entitled "Conspiracy in Canada?" that the Cabinet of the federal government of Canada now has under consideration an Order in Council that would grant greatly liberalized waterfowl hunting privileges to all Indians and Eskimos; and

Whereas enactment of such an order would violate and seriously undermine the Migratory Bird Treaty of 1916 between Canada and the United States, the cornerstone on which all waterfowl conservation programs in both countries rest; and

Whereas such action would mean a return to spring shooting and would have disastrous consequences for waterfowl populations; and

Whereas Canadian natives not living in remote and undeveloped areas have no need for such liberalized hunting rules; and

Whereas the Federal action has been considered in secrecy, without adequate consultation between the Cabinet, Provincial governments and conservation organizations: Therefore be it

Resolved, That the Board of Directors of Michigan United Conservation Clubs strongly urges the Congress, the wildlife officials and the State Department of this country to take prompt action seeking to delay until full and open discussions can be held, and also urges that the proper authorities of our Government make known their opposition to any action on the part of the Canadian government that will result in unilateral abrogation of the Migratory Bird Treaty.

[From Outdoor Life, February 1969]

CONSPIRACY IN CANADA?

(By Jerome J. Knap and Ben East)

OTTAWA.—The Migratory Bird Treaty of 1916 between Canada and the United States, and the Migratory Bird Convention Act that grew out of it, are the cornerstone of waterfowl conservation in North America.

Is that treaty about to be violated and the cornerstone badly cracked by the Government of Canada?

There is good reason to believe that the answer is yes. As this issue of Outdoor Life went to press, the Canadian Cabinet here was considering an Order in Council that seems sure to be enacted in one form or another. This action would give all Canadian Indians and Eskimos the right to kill migratory gamebirds on reservations and "all unoccupied crown lands" (such crown lands would take in huge tracts in the north of Canada) with little restriction on bag limits or the time of year. In all likelihood the order will have been passed by the time you read this.

Perhaps the most important provision under the Migratory Bird Treaty was the one that ended spring shooting in both countries, by banning waterfowl hunting between March 10 and September 1. The proposed order almost certainly will seriously weaken that restriction. In the past there has been talk of allowing native hunting as late as June 1, a change that would permit extensive spring shooting. Inevitably, any substantial liberalization will open a Pandora's box of problems.

Shockingly, too, such action will have been taken without anything like real consultations between the Canadian Government's wildlife officials and their counterparts in Washington, or even in the provinces of Canada itself. Many Canadians are ashamed that their national government would conspire to violate an international treaty, and these same Canadians are worried about what the development will mean to the future of duck hunting.

UNUSUAL SECRECY

Rarely if ever has a major conservation matter been considered in such an air of hush-hush secrecy as has surrounded this one. In December, shortly before the Canadian Cabinet recessed for the holidays, a rumor swept through sportsmen's circles that the order would be passed within hours. Protests poured into Ottawa, however, and that action did not transpire.

At this writing no one has been able to find out when final action might be taken. Neither have worried conservationists been told anything about what regulations are contemplated.

OFFICIALS CANNOT COMMENT

Government officals, questioned on what the order would finally provide, said they could not comment. Refusing to be quoted by name, they admitted only that the government is examining the conflict between the regulations laid down in the Migratory Bird Convention Act and earlier rights granted to the natives in Indian treaties.

The strict secrecy surrounding the whole affair, plus the unwillingness of anyone to predict when the order might be acted on, hinted strongly at a high-level conspiracy, politically motivated. Obviously, if action could be taken before sportsmen and the general public learned the details, anybody who opposed the breaching of the 1916 treaty would be confronted with an accomplished fact.

The proposal, coming at a time when duck and goose populations are already hard pressed and when hunting seasons and bag limits on many species have been sharply curtailed, aroused widespread concern among sportsmen and conservationists on both sides of the border.

It is not new. It first came up two or three years ago, at the instigation of increasingly militant Indian groups who charge that today's hunting laws conflict with rights granted them in old treaties and proclamations. The proposal was shelved then because of public opposition.

In the past year, however, Indian and Eskimo spokesmen have continued to press claims that they were guaranteed rights to take migratory birds for food without regard to the rules laid down under the treaty.

In actual practice, the treaty's restrictions have never been enforced against natives who live by hunting and trapping in undeveloped areas. The Crees of James Bay, for example, have shot ducks and geese whenever they could and in whatever numbers they needed. Law-enforcement officers have looked the other way.

But the Supreme Court of Canada recently ruled that the natives must abide by the Migratory Bird Convention Act. Perhaps for that reason, the Indians and Eskimos are pressing more and more strongly to have what they consider their ancient rights clearly spelled out by law. The current Order in Council proposal is the result of this pressure.

Few Canadians object when natives of the Far North, living by trapline and gun as their ancestors did, take what waterfowl they need for food. The rub is that many Indians and Eskimos believe that the ancient treaty rights apply to every native, regardless of his location, job, or economic status. They have been encouraged in this belief by certain federal civil servants.

SOME NEED GENEROUS LAWS

Those who oppose granting more sweeping hunting rights to all natives concede that Indians and Eskimos living off the land in undeveloped areas need generous regulations that will permit them to carry on their traditional way of life within the law. But they point out that the problem for those living in developed areas is quite different.

At the Federal-Provincial Wildlife Conference in 1965, Arthur Laing, then the Minister of Northern Affairs and National Resources (now the Department of Indian Affairs and Northern Development), with jurisdiction over migratory birds, made a blunt statement on Indian hunting rights.

"We do not deny," he said, "to any Indian living in a traditional fashion the game he may need for sustenance. Bus I don't see how we can hope to manage wildlife for the future of all Canadians, or even for the Indians in certain critical situations, if the activities of any significant number of people are forever beyond control.

"Where Indians have had the oportunity to develop the same skills as their neighbors and have pursued a similar course into the present age, as I believe they all must eventually do, I see no reason why they should not join in measures to insure that crops of wildlife are available throughout our lifetimes and for successive generations."

Along the same line, Richard C. Passmore, executive director of the Canadian Wildlife Federation, had this to say in a recent letter to Laing's successor, the Honourable Jean Chretien:

"While this Federation is in complete sympathy with those Indians who live off the land in remote and undeveloped areas, and we urge that the law be changed in their favor, we cannot stress too strongly our absolute opposition to granting similar privileges to every Indian in Canada, regardless of his way of life."

It is clear that the granting of almost unrestricted hunting rights to all the natives of Canada, as seems to be under consideration, would have disastrous consequences for waterfowl populations.

EFFECT ON SEASONS, LIMITS

The country's 300,000 Indians and Eskimos, who are only 1½ percent of the entire population, now take an estimated 20 percent of the annual waterfowl harvest. If their hunting regulations were substantially liberalized, they could easily increase that figure to 50 percent or more. And since a big share of this kill would consist of spring birds, the results would almost surely affect seasons and bag limits in both Canada and the United States, and could well put certain species in grave jeopardy.

Indian and Eskimo hunters, for example, could exert pressure on black-brant populations if spring shooting were allowed. Many of the brant bagged would be paired birds, and the survivors would arrive on the breeding grounds too late to remate, nest, and hatch young. So if even only one brant of a pair was killed, the increase of the pair for that year would be lost.

Or consider mallards. In recent years their population on the marshes of Manitoba has declined sharply. What would be the effect if wide-scale spring hunting by Indians was added to other unfavorable factors?

FIVE REASONS AGAINST

In his letter to Minister Chretien, Passmore listed five reasons that the Canadian Wildlife Federation is unalterably opposed to the proposed changes.

1. Any widespread liberalization affecting Indian and Eskimo hunting rights would violate the Migratory Bird Treaty. Repudiation of this treaty by either Canada or the United States would reduce waterfowl-management arrangements to chaos.

2. Migratory gamebirds have been the subject of vast research over several decades and as a result have come under complicated management programs throughout North America. Regulations are designed annually to strike a fine balance between production and total mortality. To introduce an uncontrolled harvest by Indians would undo years of cooperative effort by federal, state, provincial, and territorial governments and by sportsmen and conservation groups. Some species and the waterfowl population of some regions would almost certainly be endangered.

3. It would be difficult to overestimate the level of antagonism that would be generated by the discriminatory regulations proposed. Sportsmen and other conservationists who have worked for decades to conserve waterfowl are not likely to stand idly by while this precious resource is destroyed by unregulated shooting. There would almost certainly be international repercussions that would hinder the efforts of private groups now working to preserve waterfowl-breeding habitat in Canada.

4. While the Canadian Federal Government holds the major responsibilty for managing migratory birds, provincial and territorial governments have always shared much of the burden of this task. It is unfortunate that Ottawa should make major changes without full consultation with, and the concurrence of, such other governments. We are not aware that any such consultation at ministerial level, has taken place.

5. The regulations proposed are highly discriminatory as between Indians and other Canadians. Such discrimination is surely not in the best interests of the natives themselves.

Passmore's opinions deserve the most serious consideration. Before assuming his present position as director of Canada's leading conservation organization, he was a highly respected wildlife manager. The federation he now heads is the voice of all organized sportsmen and conservation groups in Canada.

It also represents three other influential affiliates: the Canadian Audubon Society, the Canadian Society of Wildlife and Fishery Biologists, and the Canadian Chapter of Ducks Unlimited. With such membership, the Federation voices the opinions of professional wildlife managers and conservationists as well as of sportsmen and amateur naturalists.

DUCKS UNLIMITED VIEW

Ducks Unlimited in Winnipeg has stated similar concern. Angus Gavin, the general manager, believes that the extension of extra-liberal hunting privileges to Indians in settled areas would quickly generate serious public-relations problems locally, nationally, and internationally.

In addition, he warns that spring shooting would have grave consequences for waterfowl, both directly and indirectly. Even the knowledge that such shooting was being permitted would have an immediate and drastic effect on the public support available for organizations dedicated to the preservation and increase of wild ducks and geese.

Ducks Unlimited reiterates the point that no one can rightly object when northern natives take waterfowl for food in time of need, under proper regulations, but it insists that the government should explore the ramifications thoroughly before extending this privilege to all Indians and Eskimos regardless of need or location.

Sportsmen and conservationists in the United States were quick to join the chorus of protest. Said Tom Kimball, director of the National Wildlife Federation in Washington, in a blunt statement to OUTDOOR LIFE.

"The granting of any special waterfowl-hunting privileges to any segment of the population, contrary to the provisions of an international treaty, raises a serious question whether any wildlife species that migrates between countries can be preserved for the enjoyment and benefit of future generations."

DUCKS A TEST CASE?

Militant statements made by both Indian and non-Indian spokesmen for native groups indicate that in reality the question of Indian and Eskimo rights to hunt migratory birds at any time of year, in open defiance of the Migratory Bird Treaty of 1916, has been chosen as a test case, to put the relationship between the government and the native peoples on trial before the country.

It seems highly unfortunate that the hard-pressed waterfowl resource of North America, already facing more than enough difficulties, should be made a symbol of alleged mistreatment of native people.

As Paul Murphy, executive director of the Manitoba Wildlife Federation, sums it up:

"If the Canadian conscience is bothered by unfair treatment of our Indians, real or imagined, our wildlife heritage should not be offered as penance."

GEORGE WASHINGTON TRADITIONS IN UKRAINE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. DERWINSKI. Mr. Speaker, one of the outstanding authorities on the history of Eastern Europe is Prof. Roman Smal-Stocki, Ph. D., Catholic University of America, who has just prepared a study published by the Shevchenko Scientific Society of New York entitled "George Washington Traditions in Ukraine."

I feel that insertion of this material into the RECORD at this point is quite timely since we have just commemorated the birthday of our first President.

The material follows:

GEORGE WASHINGTON TRADITIONS IN UKRAINE

In my book, *Shevchenko Meets America*, Marquette University, Slavic Institute, 1964, which contained a preface by my distinguished colleague, Alfred Sokolnicki, I discussed on pp. 26–27 (footnote 17) the Washington traditions in Ukraine.

Evidence for the existence of a cult of George Washington in Ukraine is to be found in the *Diary* of Mrs. P. Rozciszewska of the Kievan province:

"May 21, 1827—I also visited the Trzeciak family in Yaropovci. What a beautiful garden they have! Trees, flowers, and a beautiful setting. Mrs. Trzeciak showed me Washington's beloved tree—the Bignonia Catalpa. The hapless Muravjov always used to doff his hat before the tree, saying that one must pay homage to the tree of the great man . . . Alas, a few steps away grow tall cypresses and frowing pines, and they remind one of this splendid young man and his unhappy fate. Together with Mrs. Trzeciak, we wept there, moved by the remembrance of him and by our grief."

Who was the Muravjov mentioned in the Diary? Serge Muravjov-Apostol (1796–1826) was a descendant on his mother's side of the Ukrainian *Hetman*, Danylo Apostol. Educated in Paris and St. Petersburg, he played a leading role in the conspiracies of the "Union of Liberation" and the "Southern Society." As a colonel of the Chernyhiv Regiment, he headed its mutiny and, after the failure of the Decembrist Revolt, was sentenced to death together with Ryleev, P. Pestel and Michael Bestuzhev-Riumin (1803–1826), who was a second lieutenant in the Poltava Regiment and liaison to Polish revolutionary societies.

About the tree mentioned in the *Diary*, I wrote:

"*Bignonia Catalpa*, the supposed beloved tree of Washington, was brought to Europe from North America and was widely cultivated in Poland and Ukraine. It is a decorative tree with bell-shaped flowers."

But neither the noted historian of Marquette University, Rev. Ralphael Hamilton, S.J., nor I could locate in the U.S. any material to justify the East European traditions connected with this tree. I added:

"We could not find any material to support this East European tradition that this tree was in fact a beloved favorite of Washington. We assume that it was brought from America to Poland and Ukraine and that here developed the legend by association: American Tree—Washington's Tree. Perhaps the following explanation can give some direction. For it we are indebted to our distingusihed colleage, Rev. Raphael Hamilton, S.J. professor of history, Marquette University, Milwaukee, Wisconsin:

"In 1932 the Bicentennial Commission, appointed to celebrate the birth of George Washington, had extensive research done which was published as: 'Honor to George Washington and Readings About George Washington.' There on pages 97–98 Father Hamilton found that the only tree which the Commission is sure was planted by Washington and which still flourishes on the grounds of his home, Mt. Vernon, is a magnolia tree which the dictionary establishes to be very much the same as the Bignonia tree. Both have large decorative leaves and white, pink or red blossoms."

Teaching now in Washington, I availed myself of the opportunity to investigate the question on the very spot, Mt. Vernon: Had the Bignonia Catalpa Tree any link with George Washington or his home, Mt. Vernon, or is all merely an East European, Polish-Ukrainian legend? The Very Rev. Constantine Berdar, Rector of the Ukrainian Catholic Seminary in Washington, D.C., was my good guide and helper, and twice we inspected the Mr. Vernon Gardens. In a shop on the grounds I bought a series of publications, among them: ***The Mount Vernon Gardens, a brief description of their origin and restoration, complete plant lists, plans and other illustration.*** This is a publication of the Mount Vernon Ladies' Association of the Union, Mount Vernon, Virginia, 1960.

Among "Trees and Shrubs, A list of the trees and shrubs collected and planted by General Washington, which are represented in the general plantings," page 23, is: *Catalpa Tree—Catalpa Bignonioides.*

Therefore, summing up: 1. There can now be no doubt that the East European Washingtonian traditions are no legend but are based on the fact that this tree was a favorite of Washington and was in fact planted by him in his Mt. Vernon Gardens. This proves that Washington at least "liked this tree." 2. According to the aforementioned booklet Washington was in contact with French and German gardeners who could have brought its seeds to Europe. Cultivated on the estates of the nobility in Eastern Europe, this tree eventually reached Ukraine.

In the background of the Washingtonian symbolism of this tree was surely the great popularity of the American War of Independence and of George Washington, the man, among the Polish and Ukrainian gentry families on the right bank of the Dnieper in Ukraine at the beginning of the nineteenth century. As a quarter of a century later the Ukrainian Decabrists (Decembrists) organized their rebellion against the Czar in Kiev Province, Washington and the political regime in office in the USA were looked upon as ideals. Washington was the hero, and the pattern of the American regime in some parts and ideas were integrated into the project of state reforms which were discussed in the conspiratorial circles of the Southern Decembrists. The *Diary* of Mrs. P. Rosciszewska confirms this.

But there is a continuity of Washington and American traditions in Ukraine. The Cyril and Methodius Brotherhood, a conspiratorial organization which emerged in Kiev twenty years later, propagated the ideas of a federation of all Slavic nationalities according to the pattern of the USA. In this way the name of George Washington again became a banner.

The national bard of Ukraine, Taras Shevchenko (1814–1861), was associated with this group. He formulated modern Ukrainian nationalism by expressing the longing for the coming of "Washington's just and new law," also for the Ukrainian nation.

The American Ukrainians erected in the capital of the United States, Washington, D.C., a monument of Shevchenko on 22nd and P Streets, N.W. It was unveiled by former President Dwight D. Eisenhower on June 27, 1964.

And thus the circle of Washington traditions closes: the gardens of Mt. Vernon to the Washington traditions in Ukraine and back to Mt. Vernon by way of this monument.

CATHOLIC UNIVERSITY OF AMERICA.
ROMAN SMAL-STOCKI.

ISSUES OF "PAPERS" PUBLISHED

1. Bohachevsky Daniel, J. U. Dr.: Problems of Ukrainian Learning Abroad (in Ukrainian). Lew Vasyl, Ph. D., Prof.: Folklore in the Almanac "Rusalka Dnistrova" (In Ukrainian) (1958).

2. Ostapiak Mykola, Prof.: Isolating the Virus of Asian Influenza from Samples of Gargling the Throat and Autopsy Material (In Ukrainian) (1958).

3. Smal-Stocki Roman, Ph. D., Prof.: The Impact of the "Sputnik" on the English Language of the U.S.A. (1958).

4. Bohachevsky Daniel, J. U. Dr.: The Ideological Fundamentals of "The November Awakening" (In Ukrainian) (1959).

5. Jaszezun Vasyl, Ph. D.: Religious and Moral-Ethical Tenets of Taras Shevchenko (In Ukrainian) (1959).

6. Smal-Stocki Roman, Ph. D., Prof.: J.S.C. De Radius, an Unknown Forerunner of Comparative Slavic Literature (1959).

7. Nazarko Ireneus, OSBM, Ph. D.: Metropolitan Julian Sas- Kuilovsky (1826–1900) (1959).

8. Smal-Stocki Roman, Ph. D., Prof.: Shevchenko and the Jews (1959).

9. Mackiw Theodore, Ph. D., Prof.: Mazepa (1632–1709) in Contemporary German Sources (1959).

10. Vytanovych Illja, Ph. D., Prof.: Social and Economic Tendencies in State Policies of Ivan Mazepa (In Ukrainian) (1959).

11. Luciw Luke, Ph. D.: Academician Prof. Stephen Smal-Stockyj (In Ukrainian). Wozniak Michael, Acad., Prof.: Stephen Smal-Stockyj and Franko (In Ukrainian) (1959).

12. Manning Clarence A., Ph. D., Prof.: The Role of Mazepa in Eastern Europe (1960).

13. Kamenetsky Ihor, Ph. D.: Origins of the New British Imperialism (1960).

14. Krawciw Bohdan: Fedkovych in the Latest Literary Publications (In Ukrainian) (1961).

15. Pavlovych Petro: The Shevchenko Heritage and M. Kotsiubynsky (In Ukrainian) (1961).

16. Smal-Stocki Roman, Ph. D., Prof.: Discrimination and Bias in Two UNESCO Publications (1961).

17. Pap Michael S., Ph. D., Prof.: Ukraine's Struggle for Sovereignty, 1917–1918. (1961)

18. Smal-Stocki Roman, Ph. D., Prof.: The Hetman Mazepa Traditions of the Ukrainian National Government of 1917–23. (In Ukrainian). (1961)

19. Lysiak Roman, M.D.: Role of Non-Tyroxive Protein-Bound Iodine in Idiopathic Erythema Multiforme. (1961)

20. Kovaliuk Jeannette-Yaroslava, B.A.: Shevchenko and Pan-Slavic Ideas. (1962)

21. Holiat Roman S., Dr.: Short History of the Ukrainian Free University (1964)

22. Sokolyshyn Alexander, Dr.: The Appearance of the Apostol and the Primer 390 Years Ago in Lviv—Western Ukraine (In Ukrainian). (1964).

23. Collection of Papers, honoring Prof. C. A. Manning (1964).

24. Emal-Stocki Roman, Ph. D., Prof.: Beginning of Fight for Rebirth of Ukrainian Statehood. (1967).

25. Ostapiak Mykola, Prof.: The Synthesis of Prof. Volodymyr Brygider's Scientific Work. (In Ukrainian). (1968).

26. Kysilewskyj Constantine, Ph. D., Prof.: Peculiarities of the Shashkewych's Language. (In Ukrainian). (1968).

27. Hordinsky Bohdan Z., Dr.: Terpenes in the treatment of Cholelithiasis and Hypercholesterolemia. (1968).

DR. H. GUYFORD STEVER MAKES EXCELLENT STATEMENT

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to include in the CONGRESSIONAL RECORD the excellent statement which Dr. H. Guyford Stever, president of Carnegie-Mellon University in Pittsburgh, made today before the Subcommittee on Science, Research, and Development of the House Committee on Science and Astronautics during the hearings on H.R. 35, the proposed institutional grants bill.

Dr. Stever is well qualified to give testimoney on this topic and, as always, his remarks are interesting and to the point.

The statement follows:

STATEMENT OF DR. H. GUYFORD STEVER, PRESIDENT, CARNEGIE-MELLON UNIVERSITY, FEBRUARY 25, 1969.

Mr. Chairman and members of the subcommittee, I am pleased and honored to have the opportunity to comment on H.R. 35 proposing a national institutional grants program to be administered by the National Science Foundation.

As a member of the Advisory Panel to the House Committee on Science and Astronautics, I have often had an opportunity to express myself to you on a wide range of subjects. It is therefore pleasant to be back to speak about your proposed national institutional grants program, a program which I think is badly needed, and if put into effect will have a major beneficial effect on science education and academic research.

In the Declaration of Purpose of H.R. 35 there are summarized the reasons for and success of support of science and scientific research by the Federal Government. With these I agree. I agree also with the statement that "continued advance requires the development, maintenance, and expansion of vigorous research and instructional programs in the sciences at institutions of higher education throughout the nation." I would like to enlarge on the role of research and education in the universities as it relates to the whole spectrum of science.

Science research in the universities is the seed corn of science in two different senses. First, basic research is at the beginning of the long and complex process by which new knowledge is discovered and shaped into the innovative end-products and processes which are the practical output which this bill H.R. 35 seeks to produce. And, second, the research laboratory in the university is the educational cradle of the scientists, engineers, technologists and other practitioners who will carry on the chain of research, development, engineering, and production in the future. I do not claim that the university is solely responsible either for basic research or for the development of scientists and engineers in their careers, but it carries the major share of these loads.

May I delve deeper into the role of basic research in the complex process of turning out innovative gains for society. It is not a simple chain reaction of a researcher turning up a fact on theory which is passed on to an engineer to use to design something to be turned over to industry to be made. No advance is made in a pure form; an idea is worked over by colleagues, by further checking in literature, by reporting and discussion in meetings and conferences; it is checked in different ways by other laboratories. Universities provide for scientists a setting for the kinds of laboratory work, the library and computer resources, the setting for meetings and conference of the ideas, all of which are needed in this research process. Universities also provide the freedom of action and the long-term jobs needed for the research scientists to function optimally.

Practical men responsible for action in a society sometimes get impatient with basic research, feeling that the payoff is not soon enough. Good research results last a long time and have impact far into the future. A recent study provides an interesting analysis of the relative roles of basic, nonmission research, mission-oriented research, and development and application leading to innovations of use to society. It is entitled "Technology in Retrospect and Critical Events in Science" conducted by researchers at the Illinois Institute of Technology Research Institute and supported by the National Science Foundation. I commend it to your attention.

This study investigates the important forerunning scientific events to the five following innovations: magnetic ferrites; video tape recorder; the oral contraceptive pill; the electron microscope; and matrix isolation. It is interesting that most key events, about 70 percent, lay in the field of basic non mission research, with 20 percent in the mission-oriented research and the remaining 10 percent in development and application. The interesting part of the forerunner key events in basic research is that they are spread broadly over more than the fifty years preceding the innovation, with a peak between 20 and 30 years. As one might expect, key mission-oriented research events do not spread as far back into history and continue to grow in number as the date of innovation is approached. The same is true of the key forerunner events in development and application, with an ever sharper concentration in the near past.

So patience is required. We in this generation are living off the basic research done in the centuries behind us. I think we owe it to the next generations to supply them with some basic research results. The universities better than any other institutions, though not exclusively, understand the long range nature of research and have the needed patience.

So too do the universities address this problem of preparing the young for careers. This is the first and most important mission of the university. In science, though part of this job is the research in the laboratory using operating funds often received from a project grant, it is only part of the young scientist's education. Getting the right science students into place in the laboratories and giving them all aspects of their education is also a complex problem which our universities address. In the educational aspects of science in the university, the actual research project is only a part, and the other parts have to be carried out with high quality as a goal.

Now to H.R. 35, the institutional grants bill. All of this business of large-scale support of academic science is less than a quarter century old. Naturally you in government and we in the universities have not yet arrived at the perfect system but have been slowly evolving a system of support. Let's remind ourselves of one outstanding success—the project grant. I have viewed this from the standpoint of a grantee, a government servant, and an academic administrator; and I conclude, as do my colleagues with whom I have checked, that the high quality of American science is in large measure due to the system developed by NSF, NIH and numerous other agencies of the use of peer judgment in selecting the best projects. Whatever we do with other means of supporting academic science, let us not weaken that.

Wisely the whole state of health of academic science has been explored recently. This bill; the recent report of the National Science Board entitled "Towards a Public Policy for Graduate Education in the Sciences;" the testimony of Dr. Haworth, Director of the National Science Foundation, to this subcommittee; the report of the Carnegie Commission on Higher Education, and other studies have addressed the broader needs of university science.

All are discovering that the central university, the science department, the professor-project researcher, and the student, all face serious problems of support, and should be getting it. This bill H.R. 35 points at helping outside the project grant. I thoroughly endorse it. It will enable universities to upgrade the general facilities supporting science—that is, the labs, libraries, computers and other general equipment; it will enable universities to direct some research support in new directions important to society as a whole, such as urban problems, or important to a state or region, or important to the strength of the institutions themselves: it will enable the university to help the young, very promising scientist who has not yet got into the main stream of the project grant system.

Any university deserving of a grant will use all its intellectual assets, faculty, administration and others, to determine the best use of these funds.

The means proposed in H.R. 35 of determining the distribution of the funds seems reasonable to begin with. It gives help to the university which has already proven its quality by the magnitude of the current project grant budget; it helps the university which can attract the graduate students; and it helps the universities which are starting the young undergraduate students along the path toward science.

Is this the best mixture of criteria? It is a reasonable one, and we can perfect it as time passes. The important thing to us is, *let's get started.*

I do urge this committee to continue to explore all the areas of Federal support for science education and academic research—that is in projects, institutions, departments, facilities and equipment, and student aid. I am confident that such continued attention will yield significant results, and strengthen an already good field of American endeavor—its academic sciences.

Thank you for giving me the opportunity to share my thinking with you.

SHADY DEALS SHAKE AID

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. GROSS. Mr. Speaker, the columnist Richard Wilson, of the Cowles Publications, properly calls attention to some of the corruption that continues to infest the foreign aid program as administered by the Agency for International Development in Vietnam.

It is to be hoped that Mr. Wilson will go further and review the adminsitration and effectiveness of hundreds of millions of dollars spent by AID in other countries around the world, including the Central and South American areas.

The article by Columnist Wilson follows:

Thomas Edison Higgins, an enterprising citizen of Tampa, Fla., had by his own admission "only 38 cents in my pocket but a quarter of a million dollars worth of letters of credit" by courtesy of the Agency for International Development.

Higgins managed to convert this credit into cash by supplying an equivalent amount of battery additive, deemed by the U.S. Bureau of Standards to be worthless, to South Vietnamese who yearned to prolong the life of their storage batteries by 10 years.

In the process, however, Higgins had to forward 56 percent of his take to a numbered Swiss bank account on behalf of a mysterious Dinh Xuan Thao as instructed by the Higgins South Vietnamese agent, Doanh Tin Cuoc. Dinh Doanh, or both, had arranged the deal with Higgins, who had a son in South Vietnam to see it through, and the U.S. taxpayer financed the whole operation by which the life of South Vietnamese storage batteries was not much prolonged.

All this and much more is cited by a Senate committee as a classic example of kickbacks, rake-offs and shady deals through which great amounts of federal funds have been siphoned off in uneconomic, illegal or corrupt practices in suppling South Vietnam with commodity imports. In another case, ampules of water taken from the seas off Pureto Rico were shipped to South Vietnam as "bioceane" for the relief of nausea, skin disorders and other aliments apparently immune to the vast amount of sea water surounding Vietnam.

Some of our best pharmaceutical companies have been involved in government financed transactions requiring kickbacks and payoff, all in the spirit of the ancient oriental commercial vices, and how many tens of millions have gone down the drain nobody knows.

It is enough, however, to make all who know about it ill beyond relief from bioceane. The Agency for International Development claims to have corrected some of the conditions permitting wily South Vietnamese agents to split their fees with government officials and swell their own numbered Swiss bank accounts.

AID is due for credit on this but not for acting as swiftly as it might have, and not for failure to recognize corruption when it saw it. There is an all too prevalent a tendency to write off corruption as a condition of the mysterious East which no amount of Yankee rectitude will ever correct.

The American pharmaceutical companies seem to have fallen willingly enough into the Oriental vices which does not speak well for their officials either, particularly since some of the bigger companies didn't really need the business.

Potentially harmful antibiotics were shipped and sold under conditions suggesting that their use would be uncontrolled. And there is little doubt that large quantities of antibiotics, more than the Quakers will ever supply to Hanoi, passed through the hands of the thousands of little men in Saigon who are in the import trade into the hands of the Viet Cong. The American taxpayer has been supplying medicine to the enemy, and undoubtedly a great deal of other useful material.

The Senate Government Operations Committee cannot get on too soon with an inquiry into practices in the AID program all over the world. Venality and the willingness of some Americans to cooperate with it is not confined to the South Vietnamese.

Opposition has developed to this worldwide inquiry which the committee proposes to undertake because, as Sen. Jacob Javits of New York seems to fear, it may adversely affect a program which he thinks is vital to U.S. foreign policy and peace in the world.

As every year has passed, Congress has become less convinced that foreign aid is vital to U.S. foreign policy. The committee's worldwide investigation, if it reveals venality on the scale of the import program in South Vietnam, could deliver the death blow to foreign aid in its present form. There is increasing public disillusionment which supports the senate committee's determination to force the discarding of obsolete programs and inefficient and inadequate theories and practices.

CONNECTICUT VOICE OF DEMOCRACY ESSAY

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. ST. ONGE. Mr. Speaker, the winner of the Voice of Democracy Essay Contest in the State of Connecticut this year is a young man from my congressional district, Mr. Dennis Hanover, of Colchester, Conn. He is a student at St.

Bernard's High School at Uncasville, Conn.

The Voice of Democracy Contest is sponsored each year by the Veterans of Foreign Wars of the United States and its ladies auxiliary. This year's theme was "Freedom's Challenge" and over 400,000 students throughout the country participated in the contest. The winning contestant of each State is brought to Washington during the first week of March where the final winners are chosen for the five top prizes, scholarships ranging from $5,000 to $1,000.

We in Connecticut extend congratulations to our State winner and our very best wishes that he will succeed in winning also one of the five scholarships. His essay reads as follows:

FREEDOM'S CHALLENGE

Freedom's Challenge is to end the alarming spread of violence in America. This is the greatest single challenge facing the United States today. We must learn how to live in *peace* with our fellowman for it is only in peace that freedom may flourish. Truly the most difficult task for any man is to turn the other cheek—not to strike back when he is hurt—some men say this is not human nature, yet isn't this what we have all yearned to have the courage to do? It takes far more courage to stand and take abuse than to pick up a stone. This is "freedom's challenge".

For the most obvious example we look to the ghetto and to the race riots that have become almost second nature to us—we have horriby enough conditioned ourselves to accept this degradation of a suffering people and we are no longer concerned—ghetto people are striking out at a society that has done nothing to help cure their ills. It is little wonder that fire and unleashed violence have become the only answers. We must not close ourselves to their plight. What we need now is not aid or money, but compassion, brotherly love. This is "freedom's challenge".

Violence has become the American pastime, not only in the ghetto do we find this awful problem, but everywhere. Our most successful sports are violent, our entertainment is violent, our children are raised to enjoy and practice violence—in brief—our lives are violent. We see violence all around us—in our schools—in our homes—and even in our churches—where and when will it end? It will end when men learn to live as brothers and to forgive their fellowman's faults and mistakes—or it will end with the collapse of America and our liberty. This is "freedom's challenge".

During the Democratic convention the entire nation was placed at ringside to a most senseless battle between students and police. This was perhaps the first obvious violence and savagery that they had ever been subjected to. This opened many eyes and ears to the troubles that plague us and threaten to divide our country. The breach is growing rapidly and it must be closed in order to have peace. This is "freedom's challenge."

Perhaps now we will see a change. We want to see America get excited about the quest for peace. Peace is vital for freedom to survive—and only in freedom can we live peacefully. We did not act on the Kerner report and yet it told us we are on the verge of violence so great that it may destroy the American dream. This is "freedom's challenge," to stop the violence ruining our country.

America has responded well to the call many times in the past. If we realize that this violence is such a call, we will have won the first crucial battle. To end it will result in peace. To continue fighting will result in discord so great that we may never recover—we will never be the same. Which is better? The challenge of freedom is never easy, and for the most part, it is very difficult—but nevertheless—"freedom's challenge" is to stop the violence in America. Peace and freedom are one in the same. Whether we solve this problem will determine the future of America's freedom. This is "freedom's challenge."

RESOLUTION ON PORTUGUESE COLONIES

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. FRASER. Mr. Speaker, on February 2 the Council for Christian Social Action of the United Church of Christ adopted a resolution condemning Portuguese colonialism. The resolution expressed support for "the legitimate claims of the liberation movements in Angola, Mozambique, and Guinea Bissau." And it called upon the U.S. Government to implement an arms embargo on Portugal and to terminate American use of Portuguese bases.

In a background note on the resolution, the church explained:

This is a rather unique and frank declaration in church circles, stating as it does the legitimacy of violent revolution to shake off colonial control and to move towards self-determination and independence. It is equally important as a pointer towards "the unknown war" which is raging in the Portuguese colonies and a reminder that America is standing solidly on the wrong side, the Portuguese side, in this struggle for self-determination in the colonies. It is a further reminder that America used force in the 1700's to break away from Britain and a plea to understand that Africans have not resorted to violence with glee but as a last resort.

The resolution follows:

RESOLUTION

Whereas the Portuguese colonies of Africa (Angola, Mozambique, Guinea Bissau) remain the last major European colonies of that continent;

Whereas the United Nations has repeatedly condemned Portuguese colonialism, has judged those colonies to have the right of self-determination, and has called upon Portugal to permit free elections in those colonies, and Portugal has steadfastly refused;

Whereas the racism which Portugal practices, keeps 97% of the African inhabitants illiterate and allows fewer than 2% to enjoy the rights of full citizensship.

Whereas the racism of Portugal cooperates with and contributes to the illegal independence of Rhodesia and the apartheid policies of South Africa by providing trade outlets and essential oil pipelines for the former, and cheap slave labor for the mines of the latter;

Whereas the United States provides arms through NATO and economic assistance through private investment to support such a Portuguese regime as it fights against national freedom-fighters;

Whereas the Board of Missions of the United Methodist Church of America has already stated in its January 14, 1968, statement that one of its legitimate roles is to support African movements which seek to change the present political situation;

Whereas the struggle for self determination in the Portuguese colonies is similar to the thrust for independence of America against Britain, and

Whereas this struggle for self determination in African colonies has culminated in the establishment of 36 independent countries since 1957,

Therefore be it resolved that the CCSA of the United Church of Christ, standing in opposition to all forms of colonialism, particularly condemns Portuguese colonialism and the self denial of self-determination for all its people, pursuant to the United Nations Charter;

Be it further resolved that the CCSA of the UCC supports the legitimate claims of the liberation movements in Angola, Mozambique and Guinea Bissau,

Be it further resolved that the CCSA of the UCC call upon the United States government to implement an arms embargo upon the government of Portugal and terminate its use of Portuguese Bases.

LINCOLN DAY SPEECH AS DELIVERED BY GOV. JACK WILLIAMS, OF ARIZONA

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. RHODES. Mr. Speaker, it is my privilege to insert in the CONGRESSIONAL RECORD the speech given in Phoenix, Ariz., on February 12 by the distinguished Governor of Arizona, the Honorable Jack Williams. I consider it to be one of the finest Lincoln Day speeches I have ever heard and so feel it should be shared with all the Members of Congress. The speech follows:

LINCOLN DAY SPEECH AS DELIVERED BY GOV. JACK WILLIAMS OF ARIZONA

We are here in the observation of a ritual which has become commonplace in our society—to mark the anniversary of the birth of one of our national heroes.

We have gathered to honor a most uncommon man.

Abraham Lincoln was born into a world so vastly different from the one we now occupy it stretches our imagination to even visualize how things were in that ninth year of the first decade of the Nineteenth Century.

Kentucky was a wilderness. The elements, the Indians, the isolation were a never ending threat to survival beyond our ability to comprehend.

We are all familiar with the external aspects of the Lincoln legend. We know the hardship he suffered. We know his struggles to overcome the environment of his childhood. We know of the defeats and disappointments he endured as a young man. We know that he failed in his first try for public office, that as small town storekeeper and country lawyer he never earned more than a very modest living. The more elegant of his contemporaries were amused by his awkward manner and homely appearance.

A. Lincoln of Illinois would not have been selected by his neighbors as the man most likely to succeed in this world, and yet today the world pays him homage and reveres his memory.

What then do we find so memorable in the life of this homely, plain-spoken child of the western frontier? As partisans we are proud of Lincoln as the first Republican ever to be elected President of the United States. But this fact alone has little to do with our affection for Lincoln. Indeed, it is the fashion nowadays to cynically downgrade our public figures. By today's standards Abraham Lincoln was a hopeless square.

All across this land, and indeed throughout the world, Democrats and Republicans, Protestants and Catholics, Jews and Gentiles, agnostics and atheists, blacks and whites, sophisticated intellectuals and beginning students confess the inherent worth of the life of Abraham Lincoln.

Our age is caught up in uncertainty in every discipline . . . in medicine, in economics, in physics and mathematics . . . our traditional understandings are being challenged, and in some cases destroyed. The new theology says God is dead, and yet the life of Abraham Lincoln is a testament to his faith in the benevolence of a loving, all-powerful creator. The new morality, which substitutes relative values for absolute standards, has enlisted adherents in every segment of our society. But the words of Abraham Lincoln reveal an unshaking acceptance of a standard of right and wrong based on the Ten Commandments.

Are we then assembled purely for sentimental reasons? To make an outward and visible demonstration of our nostalgic regard for certain antiquated standards no longer applicable or practical in our complicated, technological world?

I would challenge that notion and suggest that we are here tonight hoping to recapture,—to reestablish that basic faith of Abraham Lincoln which enabled him to guide the republic through its most perilous period.

As the old absolutes of our physical world have been challenged and overwhelmed by the new scientific truth, as we have grown in affluence, as our technology has triumphed over our environment, discipline has disappeared. Today's man knows so much about so many things, believes so implicitly in the inevitability of change, he no longer understands himself.

We rationalize the lack of direction in our society by saying that all our problems are new, have never been encountered by man before. We look back on the simple agrarian pursuits of our ancestors and think how easy it was, how safe to be alive before the discovery of the atomic weapons and the guided missiles and the chemical destroyers. And in our discomfort and our loneliness and our alienated condition the simple words of Abraham Lincoln inspire new hope. The record of his life provides inspiration.

In a world distinguished by pride and arrogance we are irresistably attracted to the humility of Lincoln's life.

Confronted with an event which threatened to destroy the Union and bury him in the rubble, the saving grace of Lincoln's humor emerges to temper the tragedy of the times.

At one time General George B. McClellan, then Commander of the Union forces, was conducting a waiting campaign. He was so careful to avoid mistakes that little headway was evident. President Lincoln wrote him a letter:

"My Dear McClellan . . . If you don't want to use the army, I should like to borrow it for awhile . . . Yours Respectfully, A. Lincoln."

Just after the battle at Gettysburg had been fought Lincoln sensed an opportunity to end the war by driving hard against Lee's rear. A swift and daring attack might do it. As Commander in Chief of the Army he ordered General Mead to pursue. A friendly note in the President's handwriting accompanied the instructions:

"The order I enclose is not of record. If you succeed, you need not publish the order. If you fail, publish it. Then if you succeed, you will have all the credit of the movement. If not, I will take all the responsibility."

It is probably true that more words have been written about Abraham Lincoln than about any other figure in American history. There is an endless supply of anecdote to illustrate his warm, compassionate humanity, and the temptation to spend our time together recalling these pleasant memories is almost irresistible. To do that and no more would, I suggest, be a disservice to the man who is the inspiration for our meeting.

We are the inheritors. It is our task to draw upon the wisdom of the past and apply it judiciously to the problems of the present and future. We must not avoid that responsibility.

We understand the more things seem to change the more they remain the same. We know the great challenging questions of Lincoln's time confronts every generation.

What sort of structures in the world of economics, politics, education and social relations can we construct and support in order to guarantee that each individual human being on this earth may enjoy equal opportunity, encounter equal justice, be safe in his person and his property, endowed by his creator with a unique personal dignity.

Lincoln said, "With malice toward none, with charity toward all . . . let us have faith that right makes might . . . and in that faith let us to the end dare to do our duty as we understand it."

The American dream was born in the minds of the founding fathers who having suffered personally the tyrannies of the old world proclaimed their new and revolutionary concept of what a government should be. At Gettysburg, Lincoln said, ". . . Of the people, by the people, for the people."

As a nation we were born on the battlefields of the revolutionary war. We have grown and prospered as have no other peoples on this earth. Succeeding generations gave their lives to preserve our liberty. And at this very moment American boys are dying in battles being fought eight thousand miles from our shores named after cities and places most of us can't pronounce. And here at home the demonstrators disrupt the college campuses. Riots disfigure our cities . . . with looting and burning and bloodshed.

In history Abraham Lincoln emerges against the tragic background of a war between the states. And the American Revolution continues. It is a battle for the minds of men. As they rejected the tyranny of the English crown, so do we reject the tyranny of those concentrations of power which would deny individual dignity, restrict opportunity and make justice the servant of power and privilege.

Today our campaigns are waged with persuasive words, with doctrine and ideology calculated to attract a people seeking earnestly to establish a better society.

At Gettysburg, Abraham Lincoln said, "Four score and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal.

"Now we are engaged in a great civil war, testing whether that nation or any nation so conceived and so dedicated can long endure."

I would suggest that tonight in this second month of the seventh decade of the Twentieth Century, we, the servants of freedom are likewise engaged in testing whether that nation or any nation so conceived and so dedicated can endure.

The passions and the prejudices of the present moment are not so easily identified as they were in Lincoln's day. But surely we have learned from our participation in World War I and World War II, in Korea and in South Vietnam that tanks and guns and bombs alone cannot neither produce nor maintain the peace we seek.

Surely we have learned that expanding federal power, unlimited Federal spending and well-intended federal legislation alone cannot create the kind of society described by the Constitution of the United States—"One nation, under God, indivisible, with liberty and justice for all."

Surely we have learned that the bountiful affluence of the Twentieth Century, the increased production, the improved transportation and communication cannot alone accomplish our objective.

In despair, in a desire to avoid responsibility, in feelings of inadequacy and impotence some nations have accepted the notion that by investing government with absolute authority equity can be achieved . . . man protected . . . and the fruits of his labor equally divided. That dismal experiment has demonstrated that if you protect all men from their folly, you raise a nation of fools. If you permit government to divide the fruits of man's labor, government gets the fruits and man provides the labor. Communism isn't good enough for mankind because it says: Trust your life to the state and that will be your reward . . . and thus destroys all hope and all freedom and the truth that man is a child of God who must be placed in charge of his own destiny.

We had our experiment with the communal type of living at the Plymouth Colony, and you remember that the people nearly starved to death because incentive had been destroyed.

We are appalled at the excesses of a hedonistic society, which having rejected all restraints, appears intent upon worshipping before an altar on which the candles are self-indulgence, alcohol, drugs and unrestrained sexual promiscuity.

I am sure that most of us have driven across that great bridge which arches over the Golden Gate in San Francisco. Unconcerned, we whiz along at sixty miles an hour, blissfully unafraid of the icy water, far, far below us. There is no danger . . . we can't fall off . . . we are protected by the railings on each side.

I would suggest to you that if the railings were removed, none of us would cross that bridge at sixty miles an hour. We would creep along, filled with fear and uncertainty.

Isn't it true that in our cynical debunking of morality and religion—isn't it true that by adopting the permissiveness which has permeated our society we have removed the railings?

We know, you and I, that man is not perfectable on this earth, that in every age there have been rogues and sinners and scoundrels. And yet, mankind held noble aspirations, reached for the stars, dreamed the impossible dream, sought for the unachievable objective . . . and in the seeking somehow society was improved.

Perhaps the most remarkable thing about Abraham Lincoln was his common sense.

Today you can get an expert opinion on just about any subject, but common sense is lost in the shuffle.

Today we have expert opinions on the dangers of cigarette smoking and also a subsidy to promote the growth of more tobacco as a crop.

We have experts who say marijuana is harmless and other expert opinion to the contrary.

Yet common sense tells us we don't want our kids to become addicted to any dope.

We have experts who insist that capital punishment is no deterrent to murder, and yet we had as violent an outbreak of homicide in our land last year as in all our history, but not a single person was executed.

Experts tell us how to train our children, and common sense tells us that the permissive philosophy has sowed the wind and reaped the whirlwind.

Experts are continually coming before us through our mass media urging the practice of using the government of the United States as a means of preying upon the majority interests of the country.

No matter how wild the idea, there is an expert who can be found to espouse it.

We feel vaguely ill at ease before this massive onslaught of expert opinion, which contributes to such things as the one-world conspiracy, the slick-procommunism and surrender to the USSR theme, devious disarmament, liquidation taxation, crazy spending, labor-union piracy, politicalization of education, political exploitation of the minorities, defaults in economic leadership, full-employment hypocrisy. Social security frauds, gold and silver brigandage. The Vietnam red herring. The destruction of the scorpion, subsidies to Castro communism . . . and I could go on and on, and you could add to this list.

National politics have been moved about as far away from common sense as is possible.

This has been brought about mainly by taking away the common sense of initiative, responsibility, and authority for conducting affairs of all the people locally.

An attempt to vest power in the federal government has been made and has been given every reasonable opportunity. It, however, has turned out to be a complete failure. Under such circumstances, the direction of future policy, if it is to respond to the real meaning of the November mandate must be toward restoring the initiative and responsibility to people and local communities.

Back to common sense. Back to speaking softly, but carrying a big stick. Back to fiscal sanity. Away from funding a national revolution on the streets and on the campuses with taxpayers' dollars.

Detoqueville warned us of the species of oppression by which democratic nations are menaced. Such a government seeks to keep its manhood in perpetual childhood. The government chooses to be the sole agent and the only arbiter of happiness. It provides security, foresees and supplies necessities, facilitates pleasures, directs industry, regulates the descent of property, spares all the care of thinking and all the trouble of living.

Such a power he warned compresses, enervates, extinguishes, and stupefies a people till the nation is reduced to nothing better than a flock of timid animals of which the government is the perpetual shepherd.

If we are to learn anything from the lesson of the life of Abraham Lincoln, surely it must be this: common sense, a personal dedication to noble aspirations, a personal commitment to observe the eternal standards of right and wrong, a personal compassionate interest in the needs of others.

It is improbable that you and I will ever be confronted with the dramatic challenge and magnificent opportunity presented to Abraham Lincoln when he was nominated by the Republican party to serve as President of the United States. But I am equally persuaded that the troubles of this present time will never disappear until we, as individuals, humbly acknowledge our total indebtedness to God who created us, and being guided by the example he set before us, fashion our lives and our governments and our institutions so that they shall become an instrument of his will.

As Lincoln stood in Springfield, Illinois on February 11, 1861, called to depart that place and assume new responsibilities. . . .

So I suggest you and I stand in the middle of the magnificent material achievements of the Twentieth Century and are called to depart from the present and face the future—to find a renewed purpose and a renewed inspiration.

Do you remember the words Lincoln used on that occasion? Let me repeat them for you:

"No one, not in my situation, can appreciate my feeling of sadness at this parting," he said. It takes courage to leave our comfortable, accustomed surroundings and established situations. Then he continued, "To this place and the kindness of these people I owe everything. Here I have lived a quarter of a century and have passed from a young to an old man. Here my children have been born and one is buried."

Lincoln added, "I now leave . . . not knowing when or whether ever I may return . . . with a task before me greater than that which rested upon Washington."

What was the task resting upon Washington? It was your task today, to build a government which would serve society and provide peace, justice and the blessings of liberty to his posterity.

Let us then, as the people of our particular political party, aware of past failures and determined to correct those errors, reestablish the guard rails to protect us from danger. Let us reaffirm our allegiance to those absolutes which if man can never achieve, he must forever pursue. George Washington said the indispensable supports of government were religion and morality. We now know that a government which gives only lip service to mankind's guiding principles can neither sustain its people or survive in our time.

We are the inheritors of the most noble concept of the function and duties of government ever presented to a people. Let us then unite, determined to protect, preserve and enhance this heritage.

As workers in the Republican party—let us make it the party of common sense. Realizing that after the election of 66 and 68 we have the people's mandate to govern. Let us resolve to govern well, because if we cannot accomplish this; and faced with the failure of the opposition party, perhaps the hippies and the yippies may be right . . . we have no governing group and if that is the case we plunge the whole civilized world into the darkest of all dark ages, where tyranny gives way to anarchy and man becomes worse than a beast. This is your task and mine. And I am confident, we are worthy of the challenge and capable of the trust.

WASHINGTON'S BIRTHDAY DESECRATED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. RARICK. Mr. Speaker, the birthday of our first President, George Washington, has been celebrated in many ways by many thankful free Americans.

President Washington—always first in peace or war—and foremost in the hearts of his countrymen has now become a target of the anti-American culture movement.

But George Washington's memory will live on—an inspiration to free men.

As the Roman Emperor Marcus Aurelius said:

> If a man stand beside a stream of pure water and curse it, the spring will not cease to send up pure water.

Mr. Speaker, I place Martin Weil's report from the Post for February 23 at this point in my remarks:

PUPPET SHOW TELLS OF RACISM OF COLONIALS

(By Martin Weil)

Three busloads of Junior Village youngsters celebrated Washington's birthday yesterday by watching a puppet show in which General Washington spurns the efforts of black men to join the Continental Army.

Only after the British tried to get the slaves to fight on their side, did Washington accept Negroes on his side, according to the playlet staged at the Corcoran Gallery of Art.

The youngsters watched the puppet show attentively. After Washington expressed his doubts about the fighting ability of black men, the 120 children listened quietly as he was reminded that the first man killed in the Boston Massacre was a Negro and that Negores had fought at Concord.

But the youngsters appeared more vocal in their enthusiasm when some of them were permitted to touch and hold the puppets.

In addition to watching the puppet show, written and staged by Rose Brown of Rockville and four of her children, the youngsters ate cookies, drank punch and made a quick tour of the Corcoran's controversial 31st Biennial show.

James Harithas, the Corcoran's director, who invited the youngsters and guided the tour, said the gallery is concerned with introducing Junior Village children and other community groups to its exhibits and facilities.

In a long, well-ordered column of twos, the children, aged 8 through 11, wound rapidly through the show of brilliantly colored nonrepresentational paintings.

Stop here for a second, Harithas said before one canvas. "It hurts your eyes to look at it," he said appreciatively.

"It doesn't hurt my eyes," one youngster said.

Harithas told him he was a pretty tough kid.

THE DECLINE IN AMERICAN SEAPOWER

HON. ROBERT B. (BOB) MATHIAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. MATHIAS. Mr. Speaker, several editorials from the Bakersfield Californian, concerning the steady decline of the U.S. seapower, were recently brought to my attention. I commend to my colleagues the reading of these editorials.

The House Armed Services Committee has recently printed a special report prepared by the American Security Council entitled "The Changing Strategic Naval Balance: U.S.S.R. versus U.S.A." This report deals with the Soviet thrust for dominance on the high seas, and paints a bleak picture of the U.S. strength.

Based upon the knowledge that the U.S. naval and maritime power has declined in recent years, there is a definite need for a review of U.S. needs in this area. We must not lose sight of the fact that our strength at sea is important to both our national security and the American economy.

The greatness of the United States in the coming years may depend on how well the oceans are made to serve the American people.

Under unanimous consent, I include the editorials in the RECORD at this point:

[From the Bakersfield Californian, Jan. 9, 1969]

UNITED STATES SLIPPING BADLY AS SEA POWER

There is optimism that President-elect Richard M. Nixon will champion legislation to return the United States' military and Merchant Marine seapower to its former plane of superiority. As this year begins, the Soviet Union is making a bold bid to become this planet's ruler of the oceans and seas.

To be considered seriously is legislation offered last Friday by Congressman L. Mendel Rivers, D-S.C., which, if approved, would authorize construction of $3.8 billion worth of Navy ships in the year starting July 1. Included would be a nuclear-powered aircraft carrier, two nuclear-powered guided-missile frigates and three nuclear-powered attack submarines.

The United States Navy suffered critically during former Defense Secretary Robert S. McNamara's tenure in the Johnson Administration. If Nixon doesn't act to beef up Uncle Sam's naval fleet in the next four years, this nation could well meet the fate of proud Britain which once boasted mastery of the seven seas.

[From the Bakersfield Californian, Nov. 15, 1968]

U.S. SUPREMACY ON SEAS CHALLENGED

President-elect Richard M. Nixon, presently laying plans for diplomatic strategy, would be advised to take note of the Soviet Union's ominous warning this week that challenged the United States Navy's 6th Fleet activities in the Mediterranean Sea.

Boldly declaring the Soviet Union a "Mediterranean power" and maintaining the Russian fleet is in the strategic sea as "a certain guarantee of peace and security in the area," Vice Adm. Nikolai Smirnov falsely charged the 6th Fleet was in the Mediterranean Sea "in order to be prepared to strike blows from the sea and air against enemy targets using nuclear and conventional weapons."

The Soviet Union has placed approximately 60 warships in the Mediterranean Sea. The lucid facts: Russia today possesses the most powerful maritime fleet on this planet's oceans and seas; and the Soviets' military seapower is second only to the United States.

The Kennedy-Johnson administrations shamefully have permitted the United States' Merchant Marine to drop far behind those of other nations. Defense Secretary Robert S. McNamara pooh-poohed a complete nuclear-powered United States Navy. This republic, approaching the time of presidential transition, stands in danger of losing military supremacy in seapower.

Let us hope President-elect Nixon will give priority to rebuilding the United States' crippled Merchant Marine and to streamlining and updating the Navy's men-of-war. The Bakersfield Californian urges Nixon to heed the Navy League's persistent plea to bolster this country's merchant and military fleets. The Soviet Union's pointed warning should not be taken lightly.

[From the Bakersfield Californian, Jan. 27, 1969]

EARTH'S OCEANS "GO BEGGING"

Most Americans, understandably thrilled by the United States' successes in space adventures, perhaps unwittingly are ignoring the importance of this planet's oceans and seas. Worth serious consideration is this recent opinion by Charles F. Duchein, president of the Navy League of the United States:

"Your fabulous California Gold Rush of '49 is now exploding to the entire world of water. The modern gold rush of today is toward the challenging last world frontier—the oceans. Our fast-moving 20th Century industry depends increasingly on strategic materials carried overseas in ships. We are tampering with the long-term prosperity of this nation through our vacillation and neglect of what can be the chief stimulator of the national economy—the foundation for our future prosperity and this is to rebuild our maritime posture to a position of world preeminence."

Duchein paid high tribute to the American Merchant Marine for satisfactorily meeting the 10,000-mile sea lift requirements for the Vietnam war. He cautioned, however, that the second "hot spot" would stretch United States merchant-marine ships beyond the elastic limit.

Suggesting that Uncle Sam take "a page out of the bold aerospace industry's promotional book to regain No. 1 global maritime position, Duchein recommended this five-point program:

The formulation of national maritime policy providing incentive to gain a competitive maritime position on the oceans of the world. The failure of the federal government to formulate basic policy, in Duchein's opinion, is the most critical element in cleaning up "the mess in the Merchant Marine."

The United States must orient its national strategy to the oceans of the world—just as the Soviet Union has done in recent years.

The United States must go after the merchant-marine market by building a minimum of 100 ships a year for at least the next decade.

Oceanic education should be fostered in American school systems to provide youth a good subject grounding in the oceans as they now receive in the land environment. The Sea Grant College program should be pursued with the utmost vigor to mobilize the best minds in this nation—with the scientists, scholars and students pursuing diligently oceanic solutions to the pressing problems of state.

A Maritime Manhattan Project should be created to stimulate revolutionary maritime technological advances in sea-based systems.

The Bakersfield Californian concurs with Duchein that Earth's oceans and seas are not being given proportionate priority in research and development programs subsidized by tax dollars.

Life on this planet in the next 100 years could well depend on development of the abundant natural resources contained in the Seven Seas. The oceans and seas contain an untapped reservoir of potential food sources. An impressive example in recent years is the processing of hake—commonly known as trash fish—into protein food which today is providing life for many impoverished peoples.

Man's knowledge of the oceanic environment indeed is limited. The Nixon Administration, this newspaper believes, should give oceanic research the same priority as the costly space projects. The new President, moreover, should take a hard look at the shoddy condition of this country's Merchant Marine which Lyndon Johnson neglected so shamefully.

FILM ON GREAT SWAMP GETS OHIO STATE AWARD

Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. FRELINGHUYSEN. Mr. Speaker, last September former President Johnson signed into law a bill to designate the Great Swamp, of Morris County, N.J., in my congressional district, as wilderness. The affixing of the President's signature to this legislation culminated a 10-year effort on the part of thousands of persons to afford the Swamp the highest protection possible.

The North Jersey Conservation Foundation, which played a leading role in these efforts, cooperated in the production of a color television documentary as part of their program to bring the unique natural wonders of the swamp to the attention of the public.

I am pleased to report that this documentary recently won the 1969 Ohio State University award for excellence in educational, informational, and public affairs broadcasting.

I should like, at this time, Mr. Speaker, to insert in the RECORD a news article which appeared in the Evening News of Newark, N.J., on February 21, 1969, concerning this award:

FILM ON GREAT SWAMP GETS OHIO STATE AWARD

NEW VERNON.—A half-hour color television documentary program on the Great Swamp of Morris County has won the 1969 Ohio State University award for excellence in educational, informational and public affairs broadcasting.

A segment in the weekly "New York Illustrated" series on Channel 4, WNBC–TV, New York, the program originally appeared on June 15, 1968. It will be re-run tomorrow at 7 p.m. on Channel 4.

In the program, narrator Bill Ryan recounts the history of the swamp and successful efforts by conservationists to set it aside as a national wildlife refuge and national wilderness area, protecting it against destruction through developments.

The award, sponsored by the Institute for Education by Radio and Television at Ohio State, was in the local programming category. The program was produced in cooperation with the North Jersey Conservation Foundation, Morris Townsihp, the organization which spearheaded saving of the swamp.

Sharing in credits for the award were producer-writer Marc Brugnoni, director Roger Shope and photographer Church Austin, all of the WNBC News and Community Affairs Department.

IRAQI SCAPEGOATS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. BROWN of California. Mr. Speaker, the following article, one of a series being written from Israel by an American correspondent, gives a stark picture of the recent tragedy in Iraq where 14 "spies" were publicly hanged. Miss Carol Kovner, managing editor and foreign correspondent for Kovner Publications, Los Angeles, is to be commended for this stirring on-the-spot report. The article follows:

IRAQI SCAPEGOATS: 14 BODIES SWING AS MOB SCREAMS IN BAGHDAD

(By Carol Kovner)

A sad spectacle out of the Dark Ages . . . 14 bodies swinging from a public gibbet to satisfy a screaming mob summoned by the one modern reminder in the whole proceeding, the radio.

It happened in January in Baghdad and Basra, names that have always called up images of the Arabian Nights and flying carpets, glittering palaces and genies in magic lamps.

Now Baghdad will bring to mind the insane screaming overheard on Arabic radio, of a mob in the throes of a deliberately incited blood lust.

Middle-Eastern observers say that the 6-month-old Baathist regime in Iraq is using the old Israeli spy scapegoat game because it is feeling shaky. Of the 65 remaining "Israeli spies" being held for trials coming up, one is Dr. Abdul Rahman el-Bazzaz, a former Prime Minister, and another is a former Defense Minister, Major General Abdul Aziz el-Uqueili. Sufficient grounds for the suspicion even among Arab countries that the Iraqi government is using the coming trials as a means of getting rid of political opponents. Arab political opponents.

The mad dance of thousands around the

hanged bodies, 9 of whom were Jews, shocked the world and brought protests and demonstrations against the Iraqi government in several countries, and memorial services for the victims in Israel by Iraqi Jews.

Pope Paul thought the question of racism was raised because of the 9 Jews executed from a remnant community of 3000 where all are under close supervision and curfew, if not house arrest. The United States protested the manner of the hangings; the "spectacular way" in which they were carried out seemed designed to "arouse emotion."

There is a concerted effort by Israel underway to rescue the Jews of Iraq and other Arab countries. There have been no air attacks as has been repeatedly reported by Iraqi radio. The goal is to prevent further trials of Jews and further executions and to seek their exodus from countries where they are persecuted, says a Foreign Ministry spokesman, not to endanger their lives more.

There are 8,500 Jews remaining in Egypt, Iraq and Syria. In Egypt the 1000 Jews are no better off than in Iraq; practically all heads of families are in prison without trial, leaving their families without protection and livelihood.

Originally the Jews who elected to stay in Iraq were in partnership with Arabs, or had property and businesses they did not want to leave, the last of a thousands-year-old community. They felt they were safe as they were "unpolitical," as one condemned boy shouted before he was dragged out of a closed courtroom in a recently released Arab TV newscast of the trials.

Ezra Haddad, an Iraqi immigrant living in Israel, told a Histadrut Executive meeting Feb. 2, "We loved that land in which we lived a thousand years and more before the first Arab ever set foot there. For generations we lived with the people of Iraq, sharing our destinies, working for the development of the land. And this is our reward . . ."

Like all the Arab countries, Iraq could be a great and rich one, with its oil, its agricultural potential, abundant water, and human resources. But, again like most of the Arab countries, it is in a political quagmire. Getting rid of former Prime Minister as "Israeli spies" and holding mass public hangings of Jews before crowds drummed into savagery will only offend the world opinion that the Arab world is trying to capture.

In Nazareth, Israeli Knesset Member Seif ed-Din Zuabi strongly condemned the hangings and other crimes which he said had been going on in Iraq a long time. Mr. Zuabi drew a parallel with Israel, where even the lives of terrorists who come to kill and destroy are spared. (His wife, a fascinating and charming woman, has dedicated herself to improving the lot of Arab women in the Nazareth area. She is a "suffragette", although a devoted mother of six, and encourages girls to take jobs outside their villages and to take an interest in their community.)

There have been severe disturbances in Gaza in recent weeks, especially since three young women went on trial for espionage and membership in the Palestine Liberation Organization. In spite of all the stonings, blown-up vehicles and mass demonstrations of young school girls (the latest technique of the terrorist groups is to use school girls for their public demonstrations because they know the Israeli soldiers will not move against them as they would men or boys), the trial was conducted fairly. The girls went wild, however, the last day of the trial and they were hurt; 95 were injured, 20 still in hospital with fractured ribs, bruises and shock.

The three women were given short sentences which were then commuted by Tat-Aluf Mordechai Gur, Military Governor of the Gaza Strip and Northern Sinai. He acted on appeals for clemency on the grounds of economic hardship and the women were released after only 27 days in custody. They signed a statement before their release that they would be of good behavior and a bond of IL25,000 was put up by their parents, their headmistress and the mayor. Two of the girls were students and one was a teacher.

Or take Kantara on the Suez Canal in the occupied territory of Sinai, where the inhabitants have come under fire from Egyptian guns. They begged the Egyptians through the Red Cross to let them cross the canal into Egypt and never received an answer to their plea. They borrowed army loudspeakers from the Israel Defense Forces and shouted their request over the water. They were ignored.

Finally they were resettled at Israeli expense in "Operation Lifesaving" at El Arish where homes and jobs were provided for them. The 75-year-old mayor thanked the military governor of El Arish over and over for taking in his people, 855 of whom 200 were children. The town is empty now and quiet, but on one day last September over 10,000 shells were showered upon their own people by the Egyptians. That is why they had to move.

There is great agitation for authorizing a UN international inquiry into Israel's treatment of Arabs in occupied territories. Israel refuses unless the inquiry also goes into the treatment of Jews in Arab countries.

The 9 Iraqi Jewish citizens hanged in fabled Baghdad and Basra should serve as a reminder that Jews may still die for being Jews in Arab lands . . . but in Israel, Arabs are not condemned for being Arabs.

GILBERT TELLS NEW YORK CITY BOARD OF ESTIMATE THE NEEDS OF HIS DISTRICT

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. GILBERT. Mr. Speaker, with permission, I wish to include in the Record my statement before the New York City Board of Estimate hearing on the capital budget for 1969–70. I urged the allocation of adequate funds for new school construction, community and health centers, park and recreational improvements, headstart, and the model cities program. And I specifically stressed the Bronx's need for better street lighting and more police protection. These are all items of great importance to me and my district.

My testimony follows:

Statement of Congressman Jacob H. Gilbert, 22d Congressional District, Bronx, New York, Before the New York City Board of Estimate Hearing on Capital Budget for Fiscal 1969–70

I am Jacob H. Gilbert, Member of Congress, 22nd Congressional District, Bronx, New York. I am appearing in support of additional school construction and other needs of the residents of the Bronx. In my opinion, the Borough of the Bronx continues to be the "step-child" Borough for the allocation of Capital Budget funds. The time is more than appropriate for the Bronx to benefit from a more fair and adequate share of Capital Budget funds. We can, and must, eliminate overcrowding, short sessions, and split sessions in our schools. We must stop short-changing our school children and preschool children, and provide them with adequate classroom space, libraries, and other facilities for proper education. In addition, we must have more Community Centers, recreational facilities, better street lighting and adequate police protection.

The Community Planning Boards, civic organizations, and representatives of the various communities have met and have come forth with requests and suggestions for the needs of the Bronx. Since my Congressional District comprises about one-fourth of the area of the Borough, I want to speak specifically of those items within my District, comprising areas of the South Bronx (including Hunts Point and Longwood), portions of Morrisania, Crotona Park, Tremont, West Farms; the Soundview-Bruckner-Clason Point communities, and Pelham Parkway. There are, of course, many other needed items which overlap and affect not only my Congressional District, but those Districts adjoining mine. They are all improvements necessary to make the Bronx a better community in which to live—some urgently needed now and others we must plan for now to keep pace and meet the demands of our growing communities.

First, I want to discuss needed projects for the South Bronx, and especially for the Hunts Point and Longwood areas.

The New South Bronx High School and Community Center, for which the site has been selected should be funded immediately so that construction can begin without further delay.

The New Lincoln Hospital is of paramount importance to the residents of the South Bronx; the patient load is staggering since the closing of St. Francis Hospital. I was recently advised by Dr. Bernard Bucove, N.Y.C. Health Services Administrator, that the New Lincoln Hospital "has top priority and is being expedited on an urgent basis." Although it is to be built by the State, monies are required from the Capital Budget to repay the State for funds advanced.

Funds for the Hunts Point Neighborhood Family Care Center (also included in projects to be constructed by the State Mental Hygiene Facilities Improvement Corporation) are requested to repay the State.

I urge that funds be provided for the Model Cities Program, which is most important if we are to rebuild ghetto areas. On the Federal level, as U.S. Congressman, I shall continue my efforts to secure additional Federal funds for this program.

An academic high school to serve the Hunts Point Community is requested. Students who wish to attend a high school from the Hunts Point area must travel either to Morris or James Monroe High School, both overcrowded. I strongly urge allocation of funds now for a new Hunts Point High School and Community Center.

And I add my voice to the request of the community for funds for site acquisition for a new Primary School in the vicinity of Hunts Point Avenue and East 163rd Street, to relieve the severe overcrowding in nearby schools.

Funds are needed and should be provided for Head Start Centers at the several selected sites in the Hunts Point-Longwood communities. This program has proved its usefulness, and we should provide for the large number of youngsters now unable to benefit because of lack of facilities.

In the Morrisania-Claremont-Crotona Park communities, funds are requested for construction of an addition to Morris High School, for which site acquisition and planning funds were approved last year. This school is seriously overcrowded. And I urge funds for site acquisition for new Intermediate School 196.

Additional family day care centers are urgently needed. I join the many other voices of the community in requesting funds for the construction of Family Day Care Centers, especially in the Morrisania Health District. Locations near where the families live are important to provide proper care for children of working mothers.

I ask funding for the rehabilitation of Crotona Park, to include new lighting, bicycle paths, a skating rink, and the other needed improvements.

A Crotona Park Community Mental Health Facility is requested, and I urge the acquisition of a site, for which funds are already available.

I now want to briefly go over needed items in the Tremont-Belmont-West Farms communities—

Monies are needed and requested for the acquisition of a site and design for Intermediate School 194 in the Tremont area, where we have the shortest school sessions and the largest number of children of the entire Borough.

I strongly urge the inclusion of funds in the Capital Budget for a new Library in the vicinity of 183rd Street and Belmont Avenue, and for the rehabilitation of the Southern Boulevard Malls to include benches, trees, and sidewalks, water fountains, and other repairs.

I recommend a Community Center at the site of Old Borough Hall, or to be located at one of the two other suggested sites.

Within the Soundview-Bruckner-Clason Point communities, I urge the following which have been requested:

Funds for furniture and equipment for Intermediate School 174, for which construction funds were made available in the 1968–69 Capital Budget.

Priority should be given to construction funds for Primary School 182, for which site acquisition funds have already been made available. Over 2,000 new housing units in the area make it obvious the school will soon be needed.

Construction funds for an addition to Primary School 93. Here, too, additional construction bringing many new residents into the area, make planning for the addition a priority.

Soundview Park must be developed and improvements provided to make it a safe and useful recreational facility. I urge design plans and other action to accomplish this, for which I understand the Capital Budget contains the funds.

The area urgently needs other recreational facilities, such as a Community Center. Funds are requested for conversion of an abandoned bowling alley into a community center and to expand facilities at James Monroe Community Center.

I ask that funds be included for a Little League Field at Metcalf and Story Avenues.

The Soundview-Bruckner area is one of tremendous growth, and one of the most urgent needs is a New Hospital. Residents must use Jacobi Hospital, requiring triple fare, and where the patient load is already severe. I urge that funds be made available in the Budget for an immediate study and prompt action in this regard.

For the Castle Hill Community, the following projects should be included in the Capital Budget for 1969–70:

Funds for books, furniture and equipment for the Clason Point Library.

Construction funds for a Neighborhood Family Care Center to be located on a lot on Watson Avenue between Beach and Taylor Avenues.

Additional recreational facilities in the area north of Bruckner Boulevard, such as vest pocket parks; a swimming pool on a city-owned piece of property near Watson and Rosedale Avenues; monies for lighting the park at Watson and Rosedale, and a Little League Field to replace the one destroyed by reconstruction at Chatterton and Bruckner Boulevard.

Construction funds are requested for the James Monroe High School addition; and construction of Northeast Bronx High School and Community Center should be expedited. Additional funds are requested for furniture, books and equipment.

And once again, the request is made for monies for Castle Hill Park development and for additional facilities, including a gymnasium and the Castle Hill Houses Community Center.

I add my request to the following items for the Bronx Park-Pelham Parkway communities:

The North East Bronx High School and Community Center, already mentioned.

Funds for additional Senior Citizens facilities in Pelham Parkway; construction of a community center for the young; and modernization of Bronx Park's easterly section, with additional lighting, water fountains, a roller and an ice-skating rink.

Improvements in the Pelham Parkway Little League Field: better lighting, improved lavatory facilities, other repairs.

Funds for the modernization of Christopher Columbus High School, to include additional lockers, a swimming pool, and needed painting of the building.

Pelham Parkway Station, utilized by many area senior citizens, needs an Escalator.

Funds are requested for the completion of the municipal parking lot on White Plains Road and Brady Avenue, a highly populated commercial area.

And last, but not least, I want to make a strong plea for funds in the Capital Budget to provide more adequate street and park lighting, not only in this community, but in all the areas I have covered in the Bronx, comprising my 22nd Congressional District and adjoining areas. More police protection, especially foot patrolmen and better street lighting are the requests I hear most frequently from my constituents. We must provide adequate funds for these two items, which are deterrents to crime.

ANTISMUT LEGISLATION

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. FULTON of Tennessee. Mr. Speaker, today I am introducing legislation to curtail the sale and pandering of pornography to juveniles. This legislation is patterned after the New York State antipornography law which has been upheld by the U.S. Supreme Court.

The material being sent through the mails today to unsoliciting individuals has become more and more voluminous in recent years while the degree of blatant filth used and depicted in these materials has become indescribably disgusting.

I certainly do not want to set any moral guidelines for this Nation but something must be done. I believe most people know right from wrong. Most people can also tell smut and filth when they see it.

Not a week goes by that someone does not send me some advertisement for salacious material which he received unsolicited. Most often the question asked of me is: "Congressman, it is bad enough that I have to receive this unwanted filth but what would happen if my young son or daughter received something in the mail like this?"

The Supreme Court has held that "obscenity is not within the area of constitutionally protected speech or press." In April of 1968 the Court held in Ginsberg versus New York (390 U.S. 629), that a New York statute was constitutional which prohibited the sale to persons under 17 years of age materials defined to be obscene to them even though the same material might not be obscene to adults. This bill is patterned after the New York statute.

The bill would prohibit the dissemination of books, magazines, movies, and other materials in interstate commerce which are considered to be harmful to persons under 18 years of age.

The solicitations which these smut peddlers previously used were vulgar and suggestive, but the ones sent out today are blatantly pornographic and filthy. I believe this legislation will curtail the flow of this material to young persons.

Penalties under the bill include fines up to $5,000 and prison sentences of up to 5 years.

REMARKS OF JOHN W. GARDNER, CHAIRMAN, THE URBAN COALITION

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. MICHEL. Mr. Speaker, last Saturday, February 22, 1969, the Creve Coeur Club in my hometown of Peoria, Ill., held its 71st Annual Washington Birthday Dinner. The roster of speakers at this prestigious event over the years represents a veritable "Who's Who" from the political and business communities.

Our speaker this year, the Honorable John W. Gardner, Chairman of the Urban Coalition and former Secretary of Health, Education, and Welfare, continued this tradition of the club in presenting only the most outstanding leaders of our country.

Almost 1,000 of our community's leading citizens were present to hear Mr. Gardner's frank and candid appraisal of the problems confronting the country with regard to finding solutions to the tremendous difficulties in our cities, both large and small, all over the country. I include the text of Mr. Gardner's remarks in the RECORD at this point:

REMARKS BY JOHN W. GARDNER, CHAIRMAN, THE URBAN COALITION

Let me begin with a bit of history.

The time is June 1776. The scene—a second floor parlor in the brick home of a young German named Graff, at the southwest corner of Market and Seventh Streets in Philadelphia.

There shortly after the eleventh of June, beginning perhaps on the eleventh, the lodger who occupied the second floor of Graff's home began to draft one of the great documents in our history.

The lodger was, of course, the tall, lean thirty-three year old Virginian, Thomas Jefferson.

The document was, of course, the Declaration of Independence.

The second and most famous sentence in the Declaration, as it stands in the final version, reads: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness."

True to our modern temper, we have dissected the famous sentence, debated it, and impugned it. I myself have questioned it, defended it, argued over it and written about it. But the dignity of the sentence remains. To me nothing can detract from its beauty, nothing can detract from the significance for

Americans of the moral strivings reflected in the sentence. It is the most seminal sentence in the history of American values.

But we must not let our admiration blind us to certain facts. After the great words were written, 89 years passed before we abolished slavery in this land of the free. Another half century passed before we enacted effective legislation against child labor. It wasn't until 1920 that women were allowed to vote. It wasn't until 1954 that the Supreme Court ruled against segregation. And even today human potentialities are warped and stunted in our slums.

The story of our failures and partial successes in the 192 years since the Declaration is more than a story of the slow approach to an early goal. Not only is our practice becoming in some respects more compatible with the Declaration, our moral insight concerning the goal itself is in some respects deepening. We understand more now than we did then about the implications of those truths that were thought to be self-evident.

One of the things we know now is that there are other and perhaps more stubborn obstacles to individual fulfillment than the tyranny and oppression that preoccupied our Founding Fathers. The other obstacles are poverty, ignorance, disease, discrimination, mental or physical illness or incapacity, and so on. And these cannot be removed by mere assertion of unalienable rights, nor even by legally certified freedoms.

The most exciting declaration of our generation is the assertion that we must seek to remove *all* of these obstacles. Indeed we are now engaged in an unprecedented attack on all the conditions that prevent the full and free development of individual potentialities.

When we get down to the practical realities of that task—improving our schools, eliminating poverty, combating mental illness, eradicating discrimination, we find ourselves engaged in a hard and unglamorous business.

And in that hard and unglamorous business, the most difficult, most frustrating and most desperately important task is to accomplish the kinds of changes in institutional structures that will permit significant social progress. If you doubt the difficulty of that task, have a look at the fate of Congressional reform in the 90th Congress. Or the fate of several recent attempts to modernize State charters. Or attempts to modify zoning regulations or building codes. Or efforts to redesign the clanking archaisms of municipal government.

Those of us concerned with the problems of the cities face such questions of institutional change constantly. But today we face another kind of problem that really can't be wholly blamed on outworn institutional structures.

Today one of the gravest handicaps to the local community, one of the things that prevents it from pursuing any of its purposes effectively, is the fragmentation of the community itself—and the fragmentation of community leadership.

I saw this at first hand when, as Secretary of Health, Education and Welfare, I had to visit all of our major cities—and many not so major. I found that the typical American city was split up into a variety of different worlds that were often wholly out of touch with one another.

The suburbs were out of touch wtih the central city. Business, labor and the universities were three wholly separate worlds—as far apart as worlds can be. City Hall was usually out of touch with the ghetto and often out of touch with the ablest and most influential people in the city. The most ominous rift, of course, was the rift involving the white and black communities.

As I traveled around, I observed that these fragmented worlds were often terribly ignorant of one another, and that the ignorance bred fear, and the fear bred hostility. These cities were not communities. They were encampments of strangers.

Is it surprising that cities so fragmented have great difficulty in solving their problems, great difficulty in even formulating their problems? Long before the riots, it was apparent to everyone who studied these matters closely that communities so riven could not weather a storm without cracking wide open.

The storms came—and they cracked wide open. One after another. Like all structures under stress they cracked along the lines of their internal weaknesses. The rift between black and white communities was usually the main issue but when the city tried to pull itself together to face that issue, it found its capacity to do so greatly diminished by the other rifts within the community—between business and labor, between suburb and central city, between police and citizen, between young and old.

Nothing is more clear than that no major city can or will solve its problems without first repairing some of those devastating gaps in communication.

In some respects it is harder to accomplish that repair after the troubles that have occurred. In some respects, of course, it is easier. Some people respond to trouble affirmatively, redoubling their efforts to act constructively. But others, both black and white, respond to the interplay of violence and counter-violence with deepened anger, fear, hostility and a desire to strike back.

We shall see a good deal more of these emotions before we're through. But they won't solve a thing.

Sooner or later we are going to have to sit down together and figure out how we can create communities that we can all live in, all believe in, all be proud of, all defend.

The sooner we get on with it the better.

The Urban Coalition was formed precisely with that task in mind.

After the riots in the summer of 1967, a group of outstanding leaders in American life came together to form the Coalition.

The members of the Steering Committee included leading mayors, business leaders, labor leaders, leaders from the black community and religious leaders.

I emphasize the importance of the coalition principle. Some people think of the Coalition as just another organization tackling the tough urban problems of the day. But it is unique. Our distinction is that we bring together segments of American life that do not normally collaborate in the solution of public problems.

How does the Urban Coalition—local or national—differ from other organizations? First, we are not sponsored by one constituency. We are not a businessman's organization, nor a governmental organization nor a minority group organization. Our sponsoring constituency includes all significant elements in the community.

Second, we do not focus on a single problem—unemployment, race conflict, good government, welfare—but are concerned with the whole range of problems.

It is precisely this comprehensiveness of constituencies and functions that is our greatest strength—but it also makes it hard for people to understand our role. In this society, everyone is keyed to specialization. When Americans become concerned about the community they typically join with others of their own group (e.g., businessmen with businessmen) to form a special purpose organization.

And that's fine. But the special purpose organizations proliferate endlessly and still there is no organization designed to pull the whole fragmented community together—until an urban coalition is formed. A fragmented community cannot eliminate the senseless duplication of functions and agencies. An effectively functioning urban coalition can help the community correct that problem.

That larger goal is infinitely more important than all of the specific projects that local coalitions undertake. It is a goal that can never be accomplished by the innumerable single-purpose organizations concerned with employment, education, discrimination, and so on. Nor can it be accomplished in a city that is paralyzed by the rifts I described earlier.

Once the significant elements in the community begin to work together, once they begin to think as a community and act as a community, all kinds of things are possible. Then they can give city government the kind of intelligent support it needs; they can make the needs of their city felt at the state and Federal level; they can see how all the various Federal, state and local programs fit together; they can provide strong citizen support for Federal programs that are working and strong citizen criticism of those that are not working.

And most important of all, perhaps, they can look ahead.

The Urban Coalition has come a long, long way in its short 18 months of life. A year and a half ago it was no more than a group of men with a deep concern for their country and an idea of how they might be helpful.

Today we have 42 local coalitions. As in the case of the national, each local organization includes representatives from a variety of leadership segments in the community—the mayor, business, labor, minority groups and religion. And we encourage the participation of other relevant elements—the universities, the schools, the press, the professions.

The coalition principle requires that minority groups be represented in the effort to solve community problems. And such representation is itself a step toward solving the toughest problem of all—effective dialogue between minority communities and the dominant elements in the city.

The national organization leaves it entirely to the locals to determine priorities. The local coalitions make their own decisions as to what problems they want to tackle. The principle of local decision is extremely important. We are a grass roots organization or we're not anything.

But the problems the locals turn to are fairly predictable. They turn to the things that worry them the most—unemployment, housing, education, race conflict, black entrepreneurship. police-community relations and so on.

I will not burden you with a recital of the achievements of the locals, but they have gotten into an extraordinary variety of activities. They have formed venture capital corporations to assist black businesses, launched significant housing ventures, supported important new educational activities such as the Street Academies, set up youth councils, tackled local problems of race conflict and so on.

Why has the Urban Coalition grown so rapidly? How is it able to enlist the time and energy of the most able and gifted people in the country? How has it been able to establish itself so quickly as a significant landmark in our national life?

To me, the answer is very simple. It is an idea whose time has come. Neither in our cities nor in the nation as a whole is there any other instrumentality that undertakes to bind together all the various segments of national leadership. It provides a grass-roots network in which all segments of our national life can collaborate in shaping the future of their communities. It links the public and private sectors. It links national and local levels of action.

It involves two basic principles. One of them is the principle of coalition. As I pointed out earlier, most of our cities are very badly fragmented. And the fragmentation makes it almost impossible for the city to tackle any of its problems effectively.

We can correct that fragmentation; we can correct it through the process of coalition.

By doing so, we can again create coherent communities that can tackle their problems with vigor and commitment.

The second principle is grass-roots leadership. We believe that people must care about their own communities. They cannot imagine that their communities will remain healthy if they turn their backs on elementary civic duties. If I may speak plainly, the tradition of local leadership is badly decayed in this country, and a great many of our ablest citizens have paid little or no attention to the fate of the city in which they lived or worked. We can change all that. We can revive the tradition of civic responsibility.

I do not believe that in the years ahead there is going to be any rest for those of us who care about the wholeness and health of this society.

It may be, of course, that in the years ahead, moral progress will be swifter than we think. It may be that the human race, which for 10,000 years has been so uneven in honoring its ideals, will suddenly change when the generation now under 30 takes over. But it may not. We must face that dreadful possibility.

Before the Constitutional Convention in 1789 George Washington is said to have made the statement, "Let us raise a standard to which the wise and honest can repair. The event is in the hands of God."

When I was a young man that seemed to me, and it still seems to me, a noble proposal. But as a youth, I was also attracted by its seeming simplicity. Life hadn't yet revealed to me how difficult it is to raise any kind of standard, nor for that matter how hard it is to be wise and how very hard to be honest—hard all the days of our lives.

I believe that Jefferson erected such a standard when he inserted into our first great national document a memorable expression of what has proven to be the most enduring values in American life.

We have been faithless and faithful by turns to the ideals Jefferson expressed. We have interpreted and re-interpreted his words. Our understanding of the values underlying them has evolved and deepened. Yet we are still struggling to do justice to the vision, heartened by a few successes, ashamed of many failures and alarmed by present perils that seem to threaten the vision. Perhaps that is simply a description of the reality surrounding all moral striving.

A set piece of social philosophical debate is the question of whether evil exists in man or in his institutions. It is a sterile debate. We are imperfect creatures and have created imperfect institutions.

But we are imperfect creatures who dream of something better. And that is relevant too. I believe that we can come very close to that something better provided we accept continuous striving ("eternal vigilance," in the old phrase) as a condition. Both man and his institutions must be under constant pressure to meet moral standards.

If we could stamp out prejudice today, it would begin to take root again tomorrow. If we could bring our institutions to a perfect pitch of vitality and creativity today they would start to decay tomorrow. That's our situation. We just have to keep at it.

We're going to have to drop the long-established habit of taking our system for granted. We have a wonderfully complacent notion that if each of us minds his own business well, the system will take care of itself.

But it isn't taking care of itself. We're going to have to do something we haven't done since the late 18th Century when a lawyer named Jefferson, a planter named Washington, a printer named Franklin, a banker named Morris and others of varied occupations made themselves experts in statecraft in order to found a new nation. So must a lot of us today think hard about how our nation can be made to work.

We're badly out of practice. But we had better start.

ESTONIAN INDEPENDENCE DAY

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. HUNT. Mr. Speaker, on February 16, 1918, Lithuania declared her independence. The 51st anniversary of this declaration was commemorated less than 2 weeks ago. On February 24, 1918, just 8 days later, the Republic of Estonia proclaimed her independence and will likewise observe the 51st anniversary of the occasion this month. Due recognition of these solemn events should serve to focus world attention on the threat that the Communist regimes of the world pose to the struggles of newly emerging nations which seek self-determination, as well as those that already exist but which must rely upon their alliances with the free nations to preserve their sovereignty and independence.

Unfortunately, the proximity of the Baltic States to the Soviet Union laid them open to the ruthless imposition of incorporation into the U.S.S.R., thus subverting their short-lived freedom from outside domination. Estonia, Latvia, and Lithuania, comprising the Baltic States, share a common bond in spirit and purpose to rejoin the community of free nations of the world, an aspiration that was once realized and one which is now the driving force behind their appeals for moral and political support. Our stake in keeping this spirit and hope alive is no less than a reaffirmation of our own way of life, the principles to which we dedicate our lives.

Mr. Speaker, with the permission of the House, I include a letter I received from the president of the Estonian National Committee in the United States.

THE ESTONIAN NATIONAL COMMITTEE,
New York, N.Y.

Hon. JOHN E. HUNT,
House of Representatives,
Washington, D.C.

DEAR SIR: Americans of Estonian descent in the United States will celebrate the 51st anniversary of independence of the Republic of Estonia proclaimed on February 24, 1918.

After the outbreak of the Second World War, Estonia and the other Baltic States, Latvia and Lithuania, became victims of the conspiracy of the totalitarian imperialistic powers, Soviet Russia and Nazi Germany, and were forcibly incorporated into the USSR. The Soviet Union's assault against its Baltic neighbors was the first step westward in a ruthless march against Europe. The beginning of today's international tensions and threats to the peace may thus be found in the Soviet aggression against the Baltic States of 1940.

At this anniversary all Americans of Estonian descent feel dutybound to call the attention of all peace loving free nations to the continued forcible ruling and colonial exploitation of Estonia by the imperialistic Communist conspiracy called the Soviet Union.

We are convinced that the rejoining of Estonia and the other Baltic States into the free community of nations will also serve the vital interests of the United States. Therefore, we consider it to be important that this great nation as well as the population of the presently captive Estonia be kept aware of the continued willingness and determination of the United States Congress and Government to lend their moral and political support to the rightful aspirations of Estonia.

All greetings, statements, and messages to this effect on occasion of this great Estonian memorable day will be read at the solemn commemorative meetings of Estonian-Americans held in this country, and published in the Estonian-language press.

Very truly yours,
HEIKKI A. LEESMENT,
President.

REMARKS OF CONGRESSMAN CARL ALBERT REGARDING FREEDOMS FOUNDATION AWARDS TO OKLAHOMANS

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. ALBERT. Mr. Speaker, on February 24 Freedoms Foundation At Valley Forge announced awards given by it to 17 patriotic Americans who had written outstanding essays including the subject "A Free Ballot—A Free Country." Two of these awards went to fellow Oklahomans, one, to my constituent, Lt. Col. William R. Ellis, a native of Hugo, Okla.; and the other to my former constituent, Capt. Ed Wheeler now of Tulsa, Okla. I am proud of the talent displayed by these Oklahomans and I congratulate them on the awards which they have received. At this time I submit a copy of their essays for inclusion in the CONGRESSIONAL RECORD:

A FREE BALLOT—A FREE COUNTRY

(By Lt. Col. William R. Ellis)

In our great Republic we are blessed with a free ballot established by the fifteenth amendment to the Constitution. Thus by exercising our free ballot under the laws of our free country we are doing a great deal for our nation and for ourselves.

The Communists and Communist front organizations have conducted an extensive campaign to divide the United States of America and undermine our efforts and the efforts of the free world in combating the expansionist efforts of Communism in Vietnam. Our honest law-abiding American citizens have sat passively by while this small but well organized minority has been very effective.

In the wake of the recent unprovoked aggression against Czechoslovakia by a group of Soviet-led Communist nations, more and more loyal and dedicated Americans are now raising their voices against this well organized minority within the United States that seeks to divide us against ourselves.

When young Thomas Jefferson sat in a small, hot room in Philadelphia in June 1776 and prepared the first draft of the Declaration of Independence, he knew that the men who dared to sign that immortal document would be risking their lives when they signed it. But sign it they did, just as we must now stand against those who would divide and destroy our American way life.

The words of Patrick Henry fall on deaf ears in 1968, mainly because we have been spared tyranny and oppression in our homeland—thanks to the valor of our forefathers. It was Santayana who said, "A nation that does not know history is fated to repeat it."

The time has come for all Americans, who respect our laws and are loyal to the Constitution, to stand up and be counted as our forefathers have done before us.

How can we stand up and be counted? Part of the answer is to VOTE. After all, we have a Free Ballot—a Free Country; let's do our share to keep it that way!

A FREE BALLOT—A FREE COUNTRY

(By Capt. Ed Wheeler)

DEAR SON, as I gazed through the antiseptic glass wall in that hospital waiting room to see you flail the air in youthful protest, I thought of the future and the long journey ahead of you.

I thought of the wonders of which you will learn, the happiness that you will experience, the tears of sadness and heartbreak that will roll down your checks and the strength that you will develop as you progress down the highway of life.

I have only a few precious moments before I must leave on a trip that will take me a long way from my newborn son and his mother. Someday I hope you will understand that I had to leave to do a job that had to be done. An assignment that far too many of my generation refused to do for selfish reasons, but an undeniable obligation that will determine whether a people—very much like you and me—will be granted the opportunity to survive in their environment without being subjected to an oppressive system forced upon them by an invader.

Because the possibility exists that we may not be privileged to know and love one another, I have to take this opportunity now to convey to you the one principle by which I have lived—love of my country and all that my country represents as the hope for an oppression weary mankind.

When you grow tall and strong, when you begin to chart your own course and take your place among your fellow man, I want you to take a moment one day and examine all that surrounds you. Reflect on the majesty and abundance of the land in which you live. Think of the freedom of movement you have, the liberty of expression and the unlimited opportunities open to those who have the courage to take advantage of the occasion.

But more than anything else son, I ask you to look upon the greatness of your country, and because of those who have gone before and in tribute for what they did, love her deeply, sincerely and beyond the capacity of the shallow-citizen or professional-patriots.

Hold her close, revere her and defend her from her enemies—both foreign and domestically bred.

And although you may never be called to the sound of her drums, you must continue the fight for her or she will wither and fall under the onslaught of the vultures and wolves who have hovered over her and surrounded her since her birth.

Preserve her freedom and you will preserve your own. For your rights are her rights, your vote is her vote and your voice—her voice . . . for you are part of her. So son . . . whatever may be wrong with her, is wrong with you and it will be up to you to correct it.

I charge you with that responsibility.

All my love,

YOUR FATHER.

WASHINGTON SHORES RECREATION ASSOCIATION

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. FREY. Mr. Speaker, I am proud today to report on a successful fundraising drive that took place in my district. I am especially proud in that this campaign was organized and completed within our black community in Orlando, Fla., raising over $125,000 for a badly needed community center.

The leaders of our black community felt that too many times people ask for help without first trying to help themselves. The easy way is to complain about the problems but not take any action. The easy way is to sit back and seek Federal and State aid. The easy way is to expect something for nothing.

This was not the approach taken. Instead, the Washington Shores Recreation Association was formed. A vigorous door-to-door campaign was organized. When the drive initially fell short, instead of giving up, efforts were redoubled and success finally achieved after long hours of work.

It is refreshing in today's society to know that initiative and independence are still a vital part of the American way of life. Opportunity is everywhere. It is waiting for those who have the courage and dedication to seek it out. I am proud of the members of the Washington Shores Recreation Association. I am proud that they are constituents of mine and that I am part of such a community. I hope that their efforts will serve as an example to all Americans. I know they did to me.

FFA—AN OPPORTUNITY

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. BEVILL. Mr. Speaker, FFA clubs throughout the United States provide an opportunity for youth in agriculture to learn, to do, to earn, and to serve.

Future Farmers of America celebrated FFA Week, February 15–22. Their theme is "FFA—An Opportunity for Youth."

At this time, Mr. Speaker, I place in the Extensions of Remarks of the CONGRESSIONAL RECORD, an editorial which appeared in a recent edition of the Cullman Tribune, a newspaper serving Cullman County, in my congressional district. This editorial adequately spotlights the work of FFA. In my opinion, FFA deserves our unqualified thanks and support.

The editorial follows:

FFA—AN OPPORTUNITY

FFA provides an opportunity for youth in agriculture to learn, to do, to earn, and to serve. The FFA organization does not make these young people great. But rather it provides them the opportunity to excel, to grow, and become outstanding youth-leaders for agriculture in America.

Experiences in leadership, citizenship and cooperation, and the pursuit of vocational and educational objectives provide these young people with opportunities for personal growth. Participation by members at local, state and national levels within the organization is the basic plan.

An FFA member begins his career as a student of vocational agriculture. He has thus elected to begin his career in agriculture. He and the others like him find common goals and objectives in FFA.

His opportunities in FFA are many; much more than the awards or contests which are important in providing competition, experience, incentive and encouragement. The member can apply what he learns in the classroom to his personal agricultural situation. Through active participation, the member can demonstrate his ability in public speaking, parliamentary procedure or livestock judging. He also takes part in establishing chapter goals, and just as important—helps accomplish them. Many typical chapter activities include earning their own resources and providing community service.

Future Farmers of America are celebrating FFA Week, February 15–22. Their theme—"FFA . . . an opportunity for youth."

Through the FFA, a member can develop skills and prepare himself for his vital role as an adult leader in American agriculture. Millions of young people have grasped these opportunities and progressed. Many more will find opportunities in FFA to learn, to do, to earn, to serve.

DEFENSE DEPARTMENT DUMPS SCIENTIST WHO CRITICIZED EXTRAVAGANCE

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. ROUDEBUSH. Mr. Speaker, Kenneth Cook of Lebanon, Ind., one of our Nation's top military scientists, some time ago was discharged from his job under very mysterious circumstances.

For over a year now I have tried to help Mr. Cook in his attempt to get a formal hearing before the Civil Service Commission. But every time I thought there was a chance for a hearing, the door closed on me.

I hope that every Member of Congress will take the time to read the following newspaper story which appeared recently in the Hearst newspapers throughout this Nation.

After you read this story I know that many of you will start to ask questions to the Civil Service Commission and the Defense Department.

The article follows:

HOW KENNETH COOK WAS RAILROADED: DEFENSE DEPARTMENT DUMPS SCIENTIST WHO CRITICIZED EXTRAVAGANCE

(By Leslie H. Whitten)

WASHINGTON.—The Air Force has drummed out a civilian missile scientist on a mental disability retirement even though the top Air Force psychiatrist said they had no "sound medical basis" in the records to do so.

Still, the case of Kenneth S. Cook, 55, might have been buried in conflicting medical views if he had not charged that his retirement only gathered steam because he refused to change study data critical of a projected multi-billion dollar, pet Air Force weapons system.

The truth of this charge cannot be determined because both the Air Force and the Civil Service Commission have denied the stocky, balding weapons analyst a formal hearing.

They have also refused Cook a hearing on other peculiar gaps in the case which, even in the kindest light, evokes a picture of interagency back-scratching plus outright misrepresentation.

For the University of Indiana master of science it has meant loss of his $16,152 a year job, the damaging label "paranoid personality" and the $9,000—his life savings and then some—he has spent fighting back.

Worst of all for him, his $297 a month pension cannot possibly cover a court fight—his final appellate battleground. And he is too broke to get medical checkups for a mild diabetic problem.

The Civil Service won't even let him see much of his file, contending that its medical statements—most of which he has gotten through doctors and friends on Capitol Hill—would upset him.

"I'm too dumb to quit," said the World War II Signal Corps officer. Psychiatrists he enlisted to help him fight the bureaucracy agree he should get a job back, but even they call him rigid and obstinate. That's what has kept him going.

The national import of the Cook case lies in mounting charges that the Defense Department is railroading out dissident employes—those who blow the whistle on such things as oil theft in Thailand, phony department figures on aircraft cost, awesome contract frauds.

The Cook case's combination of denial of due process and possible defense cover-up has prompted letters to the Civil Service and to others from Sens. Clinton Anderson (D-N.M.), Sam Ervin (D-N.C.), and John McClellan (D-Ark.). Constitutional Rights Subcommittee Chairman Ervin wrote then Civil Service Chairman John Macy:

"It would appear from the record that officials at Holloman Air Force Base (N.M.), displeased with Mr. Cook's policy criticisms of their operations, may have taken advantage of the many loopholes in the laws and regulations affecting the rights of individuals in retirement actions."

Among the many questions raised by the case are:

Why did the Air Force and Civil Service override Lt. Col. Paul Grissom, top Air Force psychiatrist? He wrote that Cook's Air Force psychiatric evaluation reports "do not support the conclusion on any sound medical basis that Mr. Cook was incapacitated for performance of his duties set forth in his job description."

Why did the Air Force, Civil Service and Defense Department insist in letters to Capitol Hill, and in the one case to Vice President Hubert Humphrey, that they had thoroughly investigated the case? Calls by Hearst Newspapers to Cook's civilian boss, Dr. Gerhard Eber; the psychological evaluator, retired Lt. Col. Herbert Reynolds; and the medical doctor who initiated the case, Lt. Col. Dwight Newton, brought statements that not one of the agencies' investigators had contacted any of them.

Why did the Civil Service retire Cook without checking out his contention that a clique at Holloman was prejudiced against him? Hearst Newspapers found from a base directory that the military superior with whom Cook clashed lived one door away from Dr. Newton, who as base hospital head put the medical case in motion. Dr. Newton acknowledged that he and the superior, a lieutenant colonel, were friends and that he had once gotten a local district attorney to drop a delinquency charge against the superior's son. Dr. Newton said he had acted in accord with medical ethics in the Cook case.

Why did Civil Service officials assure a House Civil Service investigator that then Civil Service Chairman Macy had interviewed Cook? The two men never met. The nonexistent interview was used as a reason for a committee staffer to recommend no committee action on the case.

Why in a 1968 letter to Vice President Humphrey, did the office of the Air Force secretary assure him Cook's "security clearance was not withdrawn," thus making Cook appear to be a liar for saying it had in his own letter to Humphrey? A "for official use only" Air Force document in 1967 says plainly "on Nov. 22, 1966 . . . Mr. Cook's security was withdrawn."

These are glaring holes among others discovered by congressional probers and by Hearst Newspapers. All are documented in official files or were confirmed by direct interviews.

As to Cook himself, his ordeal began in 1965 when he was working at Holloman on secret projects relating to anti-ballistic missile defense systems, particularly against submarine-launched missiles.

Listed in "American Men of Science" since 1955. he had come here with a record of more than 15 years as a physics professor and weapons analyst with the military and with North American Aviation.

In March, 1965, his data was ready for printing, but his civilian boss, Dr. Eber abruptly rejected it and indicated that Cook should rewrite it to change it by what Cook said was "180 degrees," according to Cook.

Dr. Eber calls the altering charge "complete nonsense." Reached at Holloman where he still works for the Air Force, he said the Cook data was not in an acceptable form.

In July, 1966, Cook's draft of another report on destruction of long-range missiles by using non-nuclear warheads was turned down both by Eber and by Cook's military superior. They refused to forward it to the Pentagon, said Cook. Dr. Eber said the report was not consonant with other Air Force data and thus was not included in the final report.

Whatever the facts of these cases, the conflicts grew between Cook and his military superior. For example, Cook said the officer told him and other subordinates to vote against the judge who handed his son's delinquency case. Cook contended that the superior caused him problems about getting leave when Cook's father was critically ill.

An effort by Hearst Newspapers to reach the superior in Thailand, his present post, failed. The telephone operator said there was no commercial service to the base, some 350 miles from Bangkok.

Cook also said that the superior ordered him to resign or transfer, a charge that Civil Service general counsel Anthony Mondello said was mentioned in the Cook file. Mondello conceded that the superior had not been questioned on this—and several other Cook allegations—as an effort to get to the truth of the clash between the two men.

In October, 1966, Cook wrote a letter over his superiors' heads to Brig. Gen. Ernest A. Pinson at the Air Force's aerospace research office in Arlington, Va. He bitterly complained that his military superior at Holloman was a "farce." The letter was later described at Cook's medical board hearing as "rather bizarre."

In November, 1966, Cook's bosses at Holloman lifted his security clearance and they initiated denial of his in-grade pay increase in December, 1966, according to Holloman records.

Cook's military superior went to Dr. Newton, the base hospital head and the superior's neighbor and friend and made his complaints against Cook, Dr. Newton said. Newton said he sent Cook to Lt. Col. Herbert H. Reynolds, now retired, a psychologist, friend of Newton and social acquaintance of the military superior of Cook. Reynolds evaluated Cook.

Both Newton and Reynolds—who was reached at his job in Ft. Worth, Tex.—said their mutual military and social ties with Cook's military boss did not affect their dealings with the civilian scientist.

Based on the results of the Reynolds examination and an examination of Cook by Capt. Martin Reite, a psychiatrist, an Air Force medical board was convened on Jan. 25, 1967, for Cook.

The board, made up of Reynolds, two psychiatrists and two other doctors, all Air Force officers, said:

"Mr. Cook is suffering from a . . . paranoid personality pattern, chronic, severe . . . should be retired for medical reasons."

Cook, who contends there are 120 separate errors in the medical board summary—which Reynolds said was agreed to by the board unanimously—then began his two-year fight. He consulted civilian psychiatrists.

Dr. George M. Schlenker, of El Paso, said Cook "may be paranoid tinged" but was neither potentially dangerous nor a security risk. He urged the Air Force to find a use for his "talents" and "experience."

Another psychiatrist, Dr. W. Thomas Holman, of Las Cruces, N.M., said he disagreed sharply with the Air Force, saying Cook had the sort of "obsessive-compulsive personality" that drives many "outstanding individuals (to) great feats on behalf of mankind" and is actually a "valuable" trait. He found "no abnormal content of thought" in Cook and urged he be sent back to work, with a pay raise.

The sheaf of medical reports finally was sent by the Air Force to its top psychiatrist, Dr. Grissom, who did not diagnose Cook but said the records "disclose no evidence of a psychotic or severe chronic neurotic condition." The board's diagnosis of "paranoid personality" describes a personality pattern but not a disease, he said.

Cook's superiors split with several of his colleagues in their views.

Dr. Eber, as one example, said the Air Force had been just to Cook. Retired Lt. Col Bob Whitfield who worked with Cook, said the Air Force "machine-gunned" him. Whitfield said the Air Force had taken advantage of the ease in carrying through a mental disability retirement as compared with a retirement for cause."

"He is a victim of the big machine that rolls over little people," said Whitfield. The Civil Service agreed that it was easier to get people out with a mental disability retirement, but counsel Mondello—who came to the commission after Cook was retired—said the case was handled properly.

Defense Department contentions that they checked out the case carefully leave something to be desired. Assistant General Counsel for Manpower and Reserve Affairs Frank Bartimo said he had "relied" on Deputy Assistant Secretary James P. Goode, of the Air Force, who told him the case had been thoroughly investigated.

Bartimo acknowledged that he did not know and could not recollect asking Goode whether witnesses for Cook were queried. And Goode declined to go explicitly into what he had done in the way of investigating.

But Whitfield said neither Goode nor Bartimo's office—nor any defense agency investigator ever asked for his views of the case.

There was a final irony.

Under pressure from Capitol Hill, the Civil Service put through a reform last May that now would give Cook a hearing. But they did not hold up retirement on Cook the four months it would have taken to make him eligible for his hearing, even though the reforms were in the works.

Now the defense agency and the Civil Service who have left Cook with $297 a month—minus hospitalization insurance which Cook says is deducted against his will—advise him to get a lawyer and take it to court. His mother is 75 and he can no longer send her money. His insurance has lapsed.

His case is the sort of precedent-making one that could go all the way to the Supreme Court—at a cost of hundreds of hours in time and thousands of dollars in cash. For these reasons, the advice of the two giant federal agencies appears to be both empty and cruel.

SUPPORT OF HOOVER COMMISSION STUDY

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. PATTEN. Mr. Speaker, I am convinced that the Federal Government needs drastic modernization and the most effective way of achieving urgently needed improvement is a Hoover-type commission aimed at greater efficiency and economy in U.S. Government operations.

As one of the cosponsors of a bill that calls for improving the organization and management of the Federal Government, I believe that expansion of U.S. programs and personnel has been so rapid and extensive, duplication, inefficiency and unnecessary costs have resulted.

I am confident that a comprehensive study conducted by a bipartisan 10-member commission would streamline Federal operations and ultimately save billions of dollars in U.S. costs.

The two Hoover Commission studies of 1947–49 and 1953–55 proved to be of substantial value and benefit, the latter producing savings estimated at $7 billion in Federal expenditures. Because almost 14 years have passed since the last commission, I know that another one would provide much greater savings.

I would also like to point out that the majority of the recommendations made by the two commissions were implemented: 72 percent of the first Hoover study and 64 percent of the second investigation were adopted. These commissions are an excellent investment in better Federal Government and should operate periodically—perhaps every 5 years—instead of waiting for heavy clamor by newspapers or the public.

Mr. Speaker, I would like to list just a few of the improvements that resulted from the commissions, just to show that the studies were really fruitful.

The first Hoover Commission reorganized the State Department to clarify responsibilities, improve communications, and so forth; created the General Services Administration, leading to modernized purchasing, inventory control, and records management; reorganized the Post Office Department to reduce waste, delay, and duplication; ended political appointments in the Bureau of Internal Revenue; and established a more systematic classification and pay scales of Federal employees.

The second commission reorganized and unified the Department of Defense; modernized the budget system; improved coordination and expediting of research programs; and simplified governmental paperwork.

Mr. Speaker, like many of my colleagues, I am deeply concerned about mounting U.S. costs. The Appropriations Committee on which I serve cut Federal costs by about $14.5 billion in the 90th Congress, but I believe that more savings and greater efficiency would be achieved by another Hoover Commission. I hope that legislation authorizing this is passed in this session.

LEGISLATION TO HONOR DR. MARTIN LUTHER KING

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. ANNUNZIO. Mr. Speaker, today I am pleased to join my distinguished colleague from the First District of Michigan, the Honorable JOHN CONYERS, JR., in introducing legislation to honor a great American—Dr. Martin Luther King.

The bill being introduced today would designate the birthday of Dr. Martin Luther King, Jr., as a Federal public holiday and would be a fitting tribute to this outstanding leader. It would serve as a reminder to future generations that in the midst of the chaos and turmoil of this decade, there was in our midst a man of compassion, nonviolence, and brotherhood.

From the time in 1955, when he helped to organize his angry, excited brothers in a peaceful boycott after the arrest of Mrs. Rosa Parks in Montgomery, Ala., Dr. King endured violence, misunderstanding, and hate, from Negroes and from whites, as he continued to spread the doctrine of nonviolence throughout our land. He was bombed, spat upon, ridiculed, and finally killed. His death was the violent manifestation of the hate he fought so bravely to dispel.

He was a man who loved his fellow man, and who regretted profoundly that that all men did not love and trust one another. He influenced his countrymen through his words, his deeds, and his example. He directed his followers in Montgomery through 382 days of a bus boycott which was successful. He supported the freedom rides through the South in the early years of this decade to draw the Nation's attention to the reality of discrimination. He led the Southern Christian Leadership Conference in a continued effort to improve the relations between the races of America.

He joined the march on Washington in 1963 in support of the civil rights bill then pending in Congress. He told the 250,000 marchers assembled at the Lincoln Memorial of his dream that:

> One day this nation will rise up . . . that one day in Alabama . . . little black boys and black girls will be able to join hands with little white boys and white girls as sisters and brothers.

In 1964, when he became the 12th American and third Negro ever to receive the Nobel Peace Prize, he said:

> I do not consider this merely an honor to me personally, but a tribute to the discipline, wise restraint, and majestic courage of the millions of gallant Negro and white persons of good will who have followed a nonviolent course in seeking to establish a reign of justice and a rule of love across this nation of ours.

He fought for peace, and for brotherhood, and for the elimination of poverty. He fought for love, and he was killed in hate. In 1955, after his house had been bombed, he said:

> I want it to be known the length and breadth of the land that if I am stopped, the movement will not stop. If I am stopped, our work will not stop.

We cannot forget this unique, this very special man. We must not allow his dream to go unfulfilled. Let us make a Federal public holiday of the birth date anniversary of the man who taught us lasting lessons in brotherhood and justice.

JOYCE LARKIN'S LAST COLUMN

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. O'KONSKI. Mr. Speaker, one of Wisconsin's most colorful and outspoken smalltown newspaperwomen died on January 13, 1969. She was Joyce Larkin, former editor and copublisher of the Vilas County News-Review, Eagle River, Wis.

I knew Joyce Larkin personally for many years, and always respected her. Her greatest interest was in the field of politics, but she had a keen understanding and interest in conservation and wildlife.

It think it is appropriate to have printed in the RECORD her last column which deals with her religious philosophy and pride in her Irish heritage.

The column follows:

GENERALLY SPEAKING: THE GREAT MIRACLE OF THE 20TH CENTURY

(By Joyce Larkin)

For the first time in 6,000 years, estimated age of the appearance of man in time, three men got close enough to the moon to send back photographs of it. What is equally important, they sent back photographs of the earth too, which no one has ever photographed, and mankind saw how little this globe looks turning around and around in the vastness of space.

In this editorial, the writer may go out as far in space as the astronauts did, because there is a significance to me in their adventurous and glorious journey into infinity, eternal and incomprehensible, and all that attended it that you may not feel. It took God six days to make the world and only a day longer to bring the astronauts so near the moon and to inaugurate the era of flights through space that lies ahead. Never before has man flown through endless space at such phenomenal speed and without the gravitational pull of the earth.

If you were to enumerate the "firsts" the astronauts accomplished and their effect on our lives, it would fill a very big book. These were not simple "firsts", but fantastic ones, so strange and unbelievable that only God could be the director behind these achievements, and only God could have stood over that room where all the mathematics were worked out and inspired the men and women to go beyond their human talents to find the right answers that made that flight to the moon possible.

Certainly there were dangers on the flight. We were told of three. It seems to me there were hundreds of dangers every second, but, as the critical points were ticked off, the dangers were achieved and passed without effort and successfully. If any of the three points had not been negotiated, the astronauts would have sacrificed their lives, so that others in the future, with the knowledge gained, such another attempt would be successful.

Much of the flight is like the story of Christmas. There's the star (the moon). There's the Three Wise Men (the astronauts). And where did these Three Wise Men lead us? To God. In the eternal and all-pervasive silence of the Universe, the astronauts read from the one book, the Bible, for these were reverent and humble men, one of them a lay preacher. And there was the tenseness and then the great rejoicing as the astronauts returned to earth.

God, Himself, is all-good, all-wise and all-knowing and He loves all men, but most of all He loves the good, humble, generous and magnanimous, and in them He manifests himself. He made that trip to the moon and back and everything went off like clockwork, from lift off to getting to the moon, to circling it ten times, to getting out of the moon's gravitational orbit and into the earth's atmosphere to "splash down."

These three men and all the workers could have said, "Look what we have done, made a machine that did fly to the moon and back. We are bigger and better and more wonderful than anyone, because who has ever before done his?" The astronauts didn't say this nor the people with them. They went to church. They thanked God for giving them their talents, their brains and their strength and patience and endurance. No, there was not an agnostic in that capsule and on the ground. They even acted more like spectators, because, as things clicked off, they would say, "It worked perfectly, or without a fault or hitch." It was as if someone else did it and they were filled with wonder.

Nothing impressed the people of the Christian world, and even those not Christians, as the reading of "In the beginning God created the heaven and earth." It was a reminder of their great feat, but that God did even more. It was a reminder that God is the great last hope away from them by insisting that God is dead. This is evil and diabolical. Russians have been trying to get to the moon. No one knows how many lives have been lost in their experiments, but if they make it, the significance will be lost, because the people who embrace and trust God will have been there first.

Being Irish, and mystical, I believe God is on our side, since he has made it possible * * * creator, and He made man, and gave him the power to create a machine capable of flying around the moon.

Among the many miracles of that flight, there was one little one, hardly noticed, given little space in the newspapers. One of the astronauts developed a cold. In the talks from the capsule to central control, the illness was diagnosed as "flu" and fear was expressed the others would become infected and then re-infect each other. By the next day the illness had disappeared.

In this world, there are many small, dark evil clouds, but the biggest one that hangs over the world is Russia, a great blot on the universe. This country has captured millions of people and enslaved their spirits. Its philosophy is that man is supreme and that man can do anything that God can do. Indeed, it has crushed the spirit of independence and desire to be free out of the people it enslaves. * * * He also made that flight to the moon, because America needed a miracle now. He selected three reverent men and they sent back a message to millions of waiting Americans that touched their hearts and awakened and deepened their belief and trust in Him. Many vowed they would give Him a place in their lives and accept Him as their daily companion. It was a great spiritual awakening, and all of us will feel it all our mortal lives.

God lives.

FREEDOM'S CHALLENGE

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. KUYKENDALL. Mr. Speaker, it is with pride that I announce that the winning contestant for the State of Tennessee in the Voice of Democracy contest conducted each year by the Veterans of Foreign Wars is one of my constituents from the Ninth District of Tennessee. The speech by John Durham, of Memphis, and a student at West Side High School, points out man's greatest challenge at this time in history: freedom's challenge, John Durham's speech is included here as an inspiration for all Americans:

FREEDOM'S CHALLENGE

(By John Durham)

There is told the story of a businessman driving with a lumberjack in a jeep up Mt. Cushman in Vermont. Near the top of the mountain the businessman noted some six-inch seedlings. He asked the lumberjack when they would be large enough to be used as lumber, the lumberjack replied: "In the year 2015 A.D." Since that was far beyond his span of years, the businessman asked him why he had planted these trees and the lumberjack's reply "Because my grandfather had planted some on the other side for me." So it is with us—the 20th century American citizen. Our forefathers took the time to plant the seeds of freedom, justice, and equality. It falls upon our shoulders to cultivate these ideals and to plant further so that the generations who follow will live, grow and develop in a world of freedom, a challenging world of freedom, one in which all men can enjoy the rights, life, liberty, and the pursuit of happiness and that today in a society such as ours is the Freedom's Challenge—freedom: a strange sounding word, it is a sensational feeling, an intangible spirit that has moved nations, guided destinies, stirred the hearts of millions, seen cries of revolutions and challenged the toughest of dictators and despots. Freedom is like a broad highway with many crossroads and detours. The crossroads and the detours are slavery, anarchy, dishonesty, deceit, avarice and lawlessness. These crossroads lead to sorrow, misery, failure and degradation. But the main road is the way of free men. This road leads to honor, respect, success and contentment. Some say the challenge today is far greater, more complex, and above all, unique, and yet, if we look back to the past we can see that the challenge is not new but the present is really the past made over. For example: Socrates, whose name we hold in reverence today was murdered by the Athenian people for seeking them to lead them to think for themselves. Galileo was imprisoned because he paid the penalty of loving truth more than public opinion. Roger Bacon upheld the cause of scientific research against unnumbered persecutions. Francois Voltaire, Thomas Paine, Nathan Hale, Abe Lincoln, Paul Revere, Patrick Henry, George Washington Carver, Daniel Webster, Martin Luther, Winston Churchill, Thomas Jefferson, Sir Thomas More, and scores of others have followed in demonstrating that free minds and free lips were necessary, in order that men might grow and learn and civilization continue.

These men tested freedom, believed in freedom, and were willing to maintain freedom, sometimes even at the price of death. As Patrick Henry once said, "Look to the past for guidance in the future." We can see that today we cannot shrink from our responsibility of defending freedom—in such trouble spots as Vietnam, Berlin, Africa and Czechoslovakia. How can we defend freedom? How can we challenge these competitors? By arms when it is attacked by arms, by truth when it is attacked by lies, by democratic faith when it is attacked by authoritian dogma . . . and always in the final act by dedication and faith. Today, as in everyday—as in every generation since our country's founding there are those who are seeking to destroy our land, our government, our way of life—the draft card burners, demonstrators, militants, student strikers and rioters—but they must not have the final word . . . the test of democracy is the freedom of criticism and the amount of freedom which any nation has is a true measure of civilization and the outcome of this struggle depends largely upon the people now living in this world—upon us—we must not shrink from our responsibilities.

Perhaps the seedlings we told about will grow strong and have enough nutrients to survive storms and fires and then our side of the mountain will be green and beautiful—and as we grow strong in knowledge, brave in our American heritage, then we will survive the storms of hatred and the fires of fear in our time and our side of the mountain—the United States will stand green with promise and beautiful to all the world. This is the challenging world which we face today in 19(68–69). We must today resolve to answer the challenge, fulfill our responsibility of which all the world hinges, Freedom's Challenge.

A FORTHRIGHT VIEW ON THE MILITARY DRAFT

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. KYROS. Mr. Speaker, I have been sincerely impressed with the high quality of public discussion concerning the future of the Selective Service System. A number of very articulate arguments have been made in behalf of proposals for placing military service on a voluntary basis. A number of arguments, to me even more persuasive, have been made against the adoption of such a system. No spokesman has been more forthright in advocating reforms in the Selective Service Act while seeking to maintain the concept of national service than Maine's Senator MUSKIE. In a recent speech at Miami University in Ohio, Senator MUSKIE presented his views to an audience most immediately affected by present and future Selective Service policies. Columnist Joseph Alsop has recently taken note of Senator MUSKIE's remarks. While I do not endorse Mr. Alsop's criticisms of those who protest military service or the war in Vietnam, this column does point out the wisdom of Senator MUSKIE's position on the draft. I insert Senator MUSKIE's speech in the CONGRESSIONAL RECORD together with Mr. Alsop's column, which appeared February 26 in the Washington Post:

[From the Washington (D.C.) Post, Feb. 26, 1969]

LITTLE-NOTICED MUSKIE SPEECH WISELY URGES DRAFT RETENTION

(By Joseph Alsop)

Facing a university audience, forthrightly calling for continuation of Selective Service, and getting the warmest applause for so-doing, might be described as an unlikely feat. Yet just this feat was pulled off by Sen. Edmund Muskie, in a too-little-noticed speech at Miami University in Oxford, Ohio.

Sen. Muskie did not claim perfection for the draft as it now operates. In fact he called for almost exactly the same reforms in the Selective Service System that Sen. Edward Kennedy has more recently proposed in a newly submitted bill.

It was notable that Muskie chose his first university audience since the election to declare in favor of continuing the draft. And his tone of cool, long-headed national-mindedness was ever more notable.

"We have (always) insisted," Muskie remarked, "upon civilian control of the military. The relationship of the ordinary soldier to society is crucial in maintaining such control. Under our present system, his commitment to the military is limited. He will soon be replaced by someone else, and the goal of his military career is the end of his service.

"When and if a soldier becomes more concerned with self-perpetuation of the Army than with going home, society loses its control over the military. A volunteer army is a professional army, and the goals of a professional solider are military.

"A professional soldier has a limited relationship to society outside his professional career. He has a limited commitment to a civilian life to which he does not expect to return. So long as the professional soldier is part of a larger, citizen army, the problem is limited . . . (but in this matter) the entire relationship of military service to our society could be at stake."

There was more of the same sort, all on the same level of calmy thoughtful forthrightness. To those who have taken the trouble to see the war in Vietnam at first hand, everything that Muskie said will seem both wise and profoundly important.

In Vietnam, we have a citizen army, although with professional officers, largely professional NCOs, and a certain percentage of long-service men at all levels. Yet one of the really ironic comedies of the war has been the oft-repeated attempt, by antiwar newspapermen, to solicit antiwar talk from this citizen army. Unprintable remarks about "the peace-creeps back home" have been the standard response.

Even with this citizen army, in fact, it would be pretty dangerous for President Nixon to accept defeat in Vietnam. Fortunately, the President has no notion of doing anything of the sort. But if he did so, there would surely be a very bitter reaction, perhaps even capable of warping our basic political pattern, from most of the men who have made such great efforts and sacrifices in the Vietnamese war.

Change that citizen army to a volunteer, or professional, or mercenary army—call it what you will. The political risk would then be very great indeed, in these times which call upon this country to maintain massive defense forces, year after year.

It is intensely reassuring that both Muskie and Kennedy, the two leading Democrats of the younger generation, have had the guts and good sense to see these points. In doing so, they have defied the silly left-wing fashions of the moment.

President Nixon, in contrast, is committed by his campaign statements to end the draft at some unspecified time in the future. If that should prove possible to do. But it now is likely to be proved impossible to do, by all sorts of weighty arguments.

The latter is the sensible interpretation, at any rate, of the appointment of a new commission to study reform or replacement of the Selective Service System. The commission was launched, and its members were named, by Nixon's extremely able Secretary of Defense, Melvin Laird.

Reportedly, Secretary Laird's chosen commission chairman is his best predecessor of the Eisenhower years, former Secretary Thomas Gates. Gates is not what you would call a strong end-the-draft enthusiast. In truth, this new commission can be rather confidently expected to come to about the same conclusions as the earlier, Democratic-named commission. This group, headed by one of the truly wise liberals, Burke Marshall, recommended reforming but continuing the draft.

And that Pentagon estimates for the extra cost of wholly volunteer armed services run from $7 billion to $14 billion a year, with the higher figure more probable. You can see, then, why the Nixon Administration, Kennedy and Muskie are likely to agree in the end, albeit with due deliberate speed.

Remarks by Senator Edmund S. Muskie, Oxford, Ohio, February 17, 1969

I am speaking to an audience of college students for the first time since last year's campaign, but I want you to know that the hiatus was not due to unpleasant memories.

On the contrary, some of my most refreshing experiences during the campaign were with college audiences.

Now, during the campaign, this usually was as far in my prepared text as I was able to proceed.

If that heckler in the back row would like to come up and speak for five minutes. . . . . .

But the campaign is over, and most of the heckling has stopped.

In many ways, it was not a pleasant campaign.

The apathy and indifference of one generation produced a political process that was largely unresponsive to the next.

Emotion-charged issues made accommodation and compromise difficult for some and unacceptable for others.

And for many Americans easy answers were attractive in the face of difficult and complex problems.

Although the campaign is over, I am afraid that the fundamental social and political issues which provoked the divisions remain unresolved. Now we must deal with them.

One issue which is uppermost in your minds is the question of military service and the draft. Many of you feel—and with good reason—that the present system and its procedures are unfair and have little relevance to your goals and motivations. You want to serve your country, but many of you are convinced that there are more productive ways to serve.

On the other hand, in the present state of the world, and for an unpredictable time into the future, America must have an armed force; and American citizens must somehow staff it from among their own numbers.

In other words, American citizens must be prepared to fight for those values they consider worth fighting for; and this will require a military organization staffed by American citizens.

The problem is, "How do we organize it and how do we staff it?" If the solution to the problem need only reconcile the necessity of a military force with the aversion of some to military service and the draft, then a volunteer army is the obvious answer. In other words, we would simply pay enough to attract enough of those who as a consequence would be willing to spend their lives in military service.

But is this easy answer good enough? The easy answers of the past are the root of present dissatisfactions.

In other words, American citizens must be prepared to fight for those values they consider worth fighting for; and this will require a military organization staffed by American citizens.

Are you satisfied with so narrow an examination of this question? Fundamental ideals of equality and justice are at stake. And our democratic traditions and ideals have no small bearing on our answer.

We have not cherished a military force as a hallmark of our society. We have simply recognized it as a necessary function of government, at least for the foreseeable future. We have believed that its responsibilities must be limited, and that its position must be subordinate to civilian control.

We have developed this tradition and have insistently maintained it because, out of the experience of mankind, we have come to believe that the preservation of democratic ideals and institutions can be affected by the relationship of the military to the rest of society.

And so we have insisted upon civilian control of the military. The relationship of the ordinary soldier to society is crucial in maintaining such control. Under our present system, his commitment to the military is limited. He will soon be replaced by someone else, and the goal of his military career is the end of his service.

When and if a soldier becomes more concerned with self-perpetuation of the army than going home, society loses its control over the military.

A volunteer army is a professional army, and the goals of a professional soldier are military.

A professional soldier has a limited relationship to society outside his military career. He has a limited commitment to a civilian life to which he does not expect to return. So long as the professional soldier is part of a larger, citizen army, the problem is limited.

There is still another point.

A volunteer army may be more than professional or mercenary. Its creation may cost us more than civilian control of the military. The entire relationship of military service to our society could be at stake.

Historically, the citizen army of the United States has been a responsibility which all American men have had to face. Not all men have been chosen, and not all men have had to serve. But the distinctions have never been based on race or economic condition. At least, that is what we have intended.

The National Advisory Commission on Selective Service recognized these ideals. Its Chairman, Burke Marshall, said that the Commission's objective was to "Find the means of securing the manpower needed by our national security in a manner as consistent as possible with human dignity, individual liberty, and fairness to all citizens."

That Commission rejected the suggestion that the draft be eliminated in favor of a volunteer professional army.

It concluded that such a system would probably cost too much money and would not provide large enough numbers of men in times of crisis. More importantly, however, it also concluded that such an army could become a mercenary force unrepresentative of the nation.

I want to underscore those last few words—"unrepresentative of the nation." A professional army would attract those who could not otherwise find employment. We would force upon the poor by the use of pecuniary incentives the responsibilities which the affluent could afford to avoid.

It would, in some respects, be comparable to the purchase of substitutes which flourished during the Civil War.

There is more to equality than equal opportunity. Equality also involves an equal responsibility to the society. Should not military service in a democratic society be a responsibility unrelated to economic status?

Black Americans re-enlist in the army at a higher percentage than whites because there is less opportunity for them if they return to civilian life. Could not the billions of dollars which we would spend to create a professional army be better spent equalizing the opportunities of civilian life?

There is one other point involved it seems to me; and that is the uses to which our armed forces may be committed in the future.

If we have a volunteer professional army, made up of those paid to devote their lives to military pursuits, will there be a temptation to use it more freely, or, at the very best, will its use be less inhibited as an instrument of national policy, than that of a draft citizen army?

One lesson I suspect we have learned out of our Vietnam experience—and actually, I think it was embedded in our tradition before—is that a draft citizen army (pulling citizens out of their private lives to bear the burdens and sacrifices of war) imposes, or is more likely to impose, restraints upon the policy-makers. The purposes for which it can be used must be such as can command solid and widespread public support.

Such restraints may well be less restrictive in the case of a volunteer professional army. And let us not overlook the possibility that a military action begun with the volunteers may assume dimensions requiring recourse to a draft to meet the emerging manpower needs of an escalating conflict, and we will be back where we started.

There is, of course, another argument for the volunteer professional army which ought to be discussed in the context of the point I have just made. It is the argument that, with a higher level of profesisonal training, and with less turnover in the field (because of the present rotation policy to spread the risks of exposure to combat), the army would be more effective. Such greater effectiveness, it is said, would have enabled us to handle the Vietnam problem with fewer men and possibly to have ended it sooner.

Again the question arises, however—might there not be greater temptations to use such a force?

These are all serious questions we should ponder thoughtfully before opting for the volunteer army as the easy answer to the military service problem.

On the other hand, simply opting for the draft over a volunteer professional army does not automatically satisfy our doubts about its equality and fairness.

The draft, as presently operated, is unfair and unjust:

The draft boards themselves are not representative. Over one-fifth of the members are over 70. Only 1.3 percent are black.

The appeals procedure is sadly inadequate. A draftee seldom knows what his options are, or who to turn to for help and counsel.

The present system of selecting the oldest first disrupts a young man's life from the time he is 18 until he is 26. He faces eight years of uncertainty as to when—or whether—he will be called for induction.

Finally, the methods and criteria for selection are not at all uniform, and have questionable relevance to the nation's needs and purposes.

The entire system needs to be changed.

First, 4000 local boards with almost that many different procedures and classifications are unnecessary. We should create regional selective service boards whose members have a better understanding of the problems of their constituents, and who more accurately reflect the region's population.

The boards should be strengthened by the adoption of uniform national standards, more adequate appeals procedures, and a greater effort to inform the draft registrant of his status and the timing of his induction.

Second, all men eligible for the draft should be selected by lottery at age 19, by the fair and impartial random selection recommended by the Marshall Commission.

Finally, when he is selected, the draftee should be allowed to choose among several options for national service—military and otherwise—which have been determined to be relevant to the needs of the nation.

Pre-selection deferments should be limited to strict criteria of health and occupation, but post-selection choices should be as broad as the needs of the country require and the imagination of our young people permit.

There is an enormous force for good among American youth today, and there is no reason why this force should be discouraged by lack of opportunity.

When we broaden the choice of service, we must broaden it for all Americans. We cannot permit an educated elite to escape military service, dooming the poor—black and white—to its limited opportunities.

Developing service alternatives open to all young Americans will require imagination and initiative. Much of that responsibility will be yours.

Alternative national service should be as open as military service. And its tasks should be no less taxing.

Its aims must not be subject to question or doubt. We should not create a haven for draft-dodgers, a program providing for two or three years of fun, or a series of make-work projects.

We have seen the successes of the Peace Corps, the Teacher Corps, VISTA, and some of the programs of the war on poverty. The young people who made those programs successful have not found the going easy. But they have found that a vigorous commitment to real change in the lives of individual people can—bit by bit—bring about a real change for the better in the world.

If young Americans are willing to make this commitment, they should be encouraged.

We believe in the value of the commitment, and we shall encourage you—

To participate in a system of national service which recognizes that military service is only one alternative;

To develop these alternatives;

To make the choice as to how you can best contribute; and,

To help mount a broad attack on the roots of poverty and deprivation at home and abroad.

It is time for all of us, I think, to broaden our perspectives in this area.

Although military security is a major element of national security, the two are not synonymous.

Security comes from the development of a life for all people which affords each citizen the chance to reach his own greatness. It comes from the development of a society where we help one another in a mutual involvement which goes beyond charity.

It is important that we achieve this kind of society, but how we achieve it is also important.

Our aim is to help people of all nations secure this life, but not to secure it for them.

So our efforts must be consistent with our objectives. Our priorities and our policies should be examined and questioned.

Does our national security depend only on our military strength?

Does a volunteer professional army meet the tests of equality and human dignity?

Individual citizens—particularly you young people—must participate in the search for the right answers.

You have questioned the present system and doubted its relevance.

You have seen the effects of apathy and indifference.

The present system has not been satisfactorily changed because those who have objected have never cared enough to suggest alternatives which meet the tests we cannot avoid—tests of equality and justice.

I think we have the makings of legitimate alternatives before us. But we have to make some choices.

The responsibility to help make those choices is now yours. I hope you will set a better example.

A NOBLE AND NEEDED ACT

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. HARVEY. Mr. Speaker, I want to take this opportunity to express my full and complete support of the action taken by President Nixon and Postmaster General Winton M. Blount to remove all postmaster and rural carrier appointments from politics.

For years I have introduced such legislation, as have a number of my colleagues Approximately 3 weeks ago, I publicly announced my intention that all postmaster appointments in Michigan's Eighth Congressional District would be on merit and not by political choice wherever and whenever possible.

I think it would be of interest to all Members to see the public reaction to that announcement. I am inserting three newspaper articles and conclude with a telegram that I dispatched on February 5, 1969, following the joint announcement by President Nixon and Postmaster General Blount. I would point out, in conclusion, that I have received many telephone calls from the district in support of my stand on postmaster appointments, along with numerous letters. I remain convinced that the vast majority of our citizens favor a nonpolitical course in postmaster appointments.

I again extend my congratulations to the President and the Postmaster General. They have shown great political courage and a sincere desire to improve our postal service. The articles follow, along with the telegram:

[From the Saginaw News Jan. 30, 1969]

HARVEY PROPOSES NEW POSTMASTER SELECTION PLAN

U.S. Rep. James Harvey, R-Saginaw, proposed today that Saginaw's next postmaster be selected from within the ranks of supervisory career postal employes at the Saginaw Post Office.

This method would replace the nationwide custom of choosing a postmaster via the political "spoils system."

Under the Harvey plan, the U.S. Post Office Department would have the responsibility of selecting the postmaster as certified by the U.S. Civil Service Commission concerning his qualifications. The President would as before, nominate the candidate to the Senate for confirmation.

Harvey was scheduled to announce his proposal at a Saginaw press conference this morning, but bad weather canceled his flight from Washington.

He sent this statement to The News:

"Since the election, much has been said and written about postmaster appointments in Michigan's Eighth Congressional District with particular interest centered on Saginaw.

"In the past several weeks, I have conferred with officials of the Civil Service Commission and the Post Office Department.

"I have also conferred many times with Robert W. Grant Jr., Saginaw County Republican Committee Chairman. From the beginning we agreed that if politics could be eliminated from the postmaster appointment, that was the route we wanted to take.

"I would like to emphasize at this point that it is not my intent to cast any personal character reflections on our present acting postmaster, Melvin Muehlenbeck, who was selected by the Saginaw County Democratic Committee to serve as acting postmaster. He has served four years in this capacity and failed to achieve confirmation despite the fact that his political party held the White House, the Post Office Department, and the votes of the U.S. Senate.

"The political system employed for postmaster appointments can be a cold, harsh experience—and an unpredictable one. This, to me, is an excellent example why politics should be taken out of the post office.

"Perhaps the decision which now has been reached is not perfect. It may have a flaw unknown to us at this time. Nonetheless, we are convinced that it is a vast improvement over the past and present political spoils system which is used primarily to pay off political debts.

"We want efficiency and a business-like operation in the Post Office Department. In the eight years that I have served in Congress, I have received more complaints about mail service than anything else. I hasten to add that this is not a reflection on our dedicated postal workers. On the contrary, it's a result of the system where political consideration comes first.

"Therefore, I am recommending to the President, Sen. Robert P. Griffin and Postmaster General Winton Blount that Saginaw's next postmaster be selected from within the ranks of supervisory career postal employes at the Saginaw Post Office.

"The United States Post Office Department will have the responsibility of selecting the postmaster as certified by the U.S. Civil Service Commission as to qualifications. The President then will be required to nominate the candidate to the Senate for confirmation.

"I feel that this proposal is completely consistent also with my past and present position of introducing legislation to take politics out of the appointment of Postmasters. Just "Personally, I am convinced that eventually we will get all such appointments out of the this week, I reintroduced the bill. political arena."

[From the Saginaw News, Jan. 31, 1969]

HARVEY LEADS WAY FOR POSTAL REFORM

Rep. Jim Harvey may have disappointed a few waiting with baited breath here Thursday for word on who was about to come up with the Saginaw postmaster nomination. Not us.

Instead, Rep Harvey, who was unable to get here for a scheduled press conference, sent word that if he has his way the next postmaster is going to be selected from the ranks of supervisory career postal employes at the Saginaw Post Office.

Moreover, the responsibility for picking that man will fall to the U.S. Post Office Department which will be advised to make its selection on the basis of Civil Service certification of his qualifications. From there the nomination would be passed to the President and sent to the Senate for confirmation.

This, in substance, is the recommendation Harvey has made to the President, Sen. Robert P. Griffin and Postmaster General Winton Blount. It is to be hoped that those in higher echelons will lend a receptive ear to Harvey's request. It would be small enough reward for the 8th District congressman who has long fought for postal reform and who, now being in a position to do something about it, demonstrates his sincerity.

The Harvey plan for Saginaw's next postmaster appointment carries larger implications than that, however. It strikes the first mighty blow to take the job of postmaster out of politics and put it where it belongs—in the hands of a career postal worker who has advanced through the ranks to supervisory level.

Harvey is proceeding on the not so novel assumption that any man who has come up that way is bound to have a grasp of the business of handling the mail, a professional interest in its attendant problems and that just possibly he might be bringing some creative ideas to the job. He has been saying as much for a long time. So have we in clear recognition that time has long since gone for postmasters' chairs to be doled out as political debts marked "paid."

The plan, whatever its present imperfections, ought to prompt the Senate to act more speedily on the question of confirmations with greater assurance and without political overtones.

In trying for what appears to be a Saginaw test case in reform appointment, Harvey's intent is clear. If reform can begin in Saginaw and prove successful, it will catch on and eventually remove the last vestiges of politics from postmasterships. Every career worker ought to applaud the effort.

Those who have worked with Harvey in formulating the plan—from County GOP Committee level to Civil Service and postal authorities—deserve thanks.

When Mr. Nixon tapped Mr. Blount for the postmaster generalship, Mr. Blount pledged to do everything within his power to put the U.S. postal service on a businesslike basis. Rep. Harvey has given him an opportunity to begin that job where we have said it must begin—at the top.

[From the Flint Journal, Feb. 4, 1969]

MAIL SERVICE SHOULD BENEFIT

Removing politics from the Post Office is a noble cause and U.S. Rep. James Harvey of Michigan's 8th District deserves commendation for doing his part to achieve that goal.

Harvey, a Republican, is recommending that Saginaw's next postmaster be selected from the ranks of the career supervisory employes of that city's Post Office.

That, of course, is the way it ought to be everywhere—although the mere thought of such a practice becoming widespread is likely to be rather disturbing in some political corners.

Harvey observed that in his eight years in Congress he has received more complaints about mail service than on anything else. He doesn't blame this on the postal workers, but rather on a "system where political considerations come first."

He holds that once the postal system is recognized as a business operation, "then we will receive improved service." The first step, he continued, is to eliminate politics in postmaster appointments.

In agreement with him on his position, Harvey pointed out, is Robert W. Grant Jr., chairman of the Saginaw County Republican Committee. This is significant because Saginaw's acting postmaster was selected by that county's Democratic committee, but never confirmed by the Senate. Now that Republican Richard M. Nixon occupies the White House, the door would be open for appointment of a loyal Republican as Saginaw postmaster.

Harvey made what seems to us to be an especially important point when he expressed the hope that going to the career ranks will make a solid contribution to the morale and dedication of postal workers, and entice them to stay in the postal service.

Post Office workers need to know that politics will not bar them from rising to postmaster positions.

FEBRUARY 5, 1969.

I am immensely pleased with the joint announcement Wednesday afternoon by President Richard M. Nixon and Postmaster General Winton M. Blount to remove all postmaster and rural carrier appointments from politics. This, I am positive, will be an extremely popular decision and will be warmly received by all citizens.

As one who has sponsored such legislation in Congress for the past 4 years, I am very proud that the new administration would take such prompt action early in its term.

My only reservation, but certainly not a serious one, is the fact that the open competitive examinations for the larger post offices will not include written examinations. It was chiefly for that reason that I have recommended that the postmastership in Saginaw be filled from within the ranks of career postal employees.

However, there will be complete uniformity with the Civil Service Commission conducting all examinations and I will accept their final evaluation and judgment.

(According to the Post Office Department, written examinations are not required for post offices in Saginaw and Port Huron, both class I operations. Nor are examinations required at two of the smallest class 4 post offices, Forestville (Sanilac County) and Bach (Huron County). Written examinations will be necessary at all other post offices in the Eighth District.)

The important point is that the day of the political postal appointments has finally arrived at the "dead letter window." We can all be thankful because, as postal patrons, we are going to be the chief beneficiaries.

JAMES HARVEY,
Representative.

INCREASE PERSONAL EXEMPTION

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. HUNT. Mr. Speaker, today I am introducing a bill to raise the personal income tax exemption over a 3-year period to a maximum of $1,000 with an intermediate step increase to $800 in the first and second years.

A review of the legislative history of the personal exemption confirms that my reasons for this legislation are consistent with the purposes for which it was initially allowed. The exemption was provided for in the first tax law, the Revevnue Act of 1913, subsequent to the adoption of the 16th amendment which authorized a Federal tax on incomes. At that time, there was a $3,000 exemption per individual taxpayer plus an additional $1,000 for dependents, regardless of number.

It is interesting to note, Mr. Speaker, the prevailing opinion of the time was expressed by Representative Alexander Palmer, a prominent Member of the House and later Attorney General of the United States, when he said:

> (W)e ought to leave free and untaxed as a part of the income of every American citizen a sufficient amount to rear and support his family according to the American standard and to educate his children in the best manner which the educational system of the country affords. . . .

As the needs for revenue grew, the personal exemption decreased in an inverse proportion, until taxes from income became the largest single source of Federal revenues. Thus it is evident, rightly or wrongly, the revenue needs of the country have been the controlling factor in setting the level of the personal exemption. For your review, the following is an extract from a chart, prepared in 1964 by the Joint Economic Committee, showing the basically downward progression of the level of the exemption from 1913 to 1965:

THE FEDERAL TAX SYSTEM, 1964—FEDERAL INDIVIDUAL INCOME TAX EXEMPTIONS, 1913–65

	Personal exemptions				
		Married (dependents)			
Income year	Single	No.	1	2	3
1913–15	$3,000	$4,000	4,000	$4,000	$4,000
1916	3,000	4,000	4,000	4,000	4,000
1917	1,000	2,000	2,200	2,400	2,600
1918	1,000	2,000	2,200	2,400	2,600
1919–20	1,000	2,000	2,200	2,400	2,600
1921	1,000	[1]2,500	2,900	3,300	3,700
1922	1,000	[1]2,500	2,900	3,300	3,700
1923	1,000	[1]2,500	2,900	3,300	3,700
1924	1,000	2,500	2,900	3,300	3,700
1925–28	1,500	3,500	3,900	4,300	4,700
1929	1,500	3,500	3,900	4,300	4,700
1930–31	1,500	3,500	3,900	4,300	4,700
1932–33	1,000	2,500	2,900	3,300	3,700
1934–35	1,000	2,500	2,900	3,300	3,700
1936–39	1,000	2,500	2,900	3,300	3,700
1940	800	2,000	2,400	2,800	3,200
1941	750	1,500	1,900	2,300	2,700
1942–43	500	1,200	1,550	1,900	2,250
1944–45	500	1,000	1,500	2,000	2,500
1946–47	500	1,000	1,500	2,000	2,500
1948–49	600	1,200	1,800	2,400	3,000
1950	600	1,200	1,800	2,400	3,000
1951	600	1,200	1,800	2,400	3,000
1952–53	600	1,200	1,800	2,400	3,000
1954–63	600	1,200	1,800	2,400	3,000
1964	600	1,200	1,800	2,400	3,000
1965	600	1,200	1,800	2,400	3,000

[1] If net income exceeds $5,000, married person's exemption is $2,000.

Source: Treasury Department, Office of Tax Analysis.

The current $600 exemption was first adopted in 1948, following World War II, which at that time, was an increase of $100 over the then prevailing level of $500. It was argued by the Secretary of the Treasury, John W. Snyder, that—

> Under this bill, personal exemptions are increased by $100 to compensate for a calculated $100 decline in the purchasing power of the average income after taxes during the past 2 years (1946–47).

He went on to say that in consideration of the emergency wartime needs:

> It was . . . recognized that the $500 per capita exemption system would endanger the health and living standards of large segments of the population if retained for many years.

If this argument was true then, and there is little doubt it was, it is certainly applicable today. The consumer price index for all items since 1948 rose 44.6 percent through 1968. The highest increase is reflected in a 107.7-percent jump in medical care while the lowest increase falls in the category of apparel and upkeep at 26.4 percent. For reference, the cumulative percent increases of the Consumer Price Index for all major categories from 1948 to 1968 are as follows: Food, 35.3; housing, 49.2; apparel and upkeep, 26.4; transportation, 67; medical care, 107.7; personal care, 52.1; reading and recreation, 45; and other goods and services, 56.7. Putting the price index increase for all items in terms of dollars and cents would mean that a dollar worth 100 cents in 1948 was worth only 69 cents in 1968 or a reduction of almost one-third in the purchasing power of the dollar.

Mr. Speaker, there is absolutely no question in my mind that the middle-income wage earner is protesting for tax relief and it will not suffice to merely close the loopholes benefiting those in the higher income brackets if reforms do not affect the middle and lower income pocketbooks. I am pleased that comprehensive hearings on tax reforms are now underway and I urge that every due consideration be given to an increase in the personal exemption which will more accurately reflect the actual costs of living. To use the personal exemption as an economic tool to curb inflation or fatten the Federal purse is deceptive. These objectives can and should be accomplished, if necessary, by adjusting the income tax rate so that the taxpayer can relate tax policies to the economic objectives which they are designed to achieve.

LOCAL GOVERNMENT AND REGIONALISM: PATTERN DOES NOT MAKE SENSE

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. PODELL. Mr. Speaker, the obvious thing about the pattern of local government in New York State is simply that it does not make sense. At the last count in November 1966, we had exactly 8,890 units of local government, including counties, cities, towns, villages and special districts, representing a ratio of one local government unit for each 200 of our population.

The total cost of local government will amount to $8½ billion this year, and based on the scale of annual cost increases in recent years, by 1970, just 3 years from today, the total annual cost of local government operations in our State will exceed $10 billion. Manifestly government costs of such astronomical figures are worthy of microscopic scrutiny by the taxpayer to determine whether he is getting decent services for his tax dollar and whether he can get those services at a lesser cost.

A taxpayer making such an examination will find an incongruous pattern of chaos and confusion in our local government structure. Our counties are superimposed upon municipalities, which in turn overlie sanitary and water districts, which may or may not be superimposed upon towns and villages. These local government units enact laws, impose taxes, issue permits, borrow money, fix speed limits and engage in a myriad of other governmental activities.

In contrast to normal standards of business efficiency, this pyramid of local governments is a blueprint for governmental chaos. Within a single county, police protection is provided by a welter of police forces each of which is lacking crime laboratories, communications systems and other equipment and facilities essential to modern, scientific crime detection procedures. Seepage of sewage, detergents, and other contaminants from cesspools and septic tanks jeopardize the water resources of an adjoining area. Garbage disposal districts compete with each other for dumping areas in a era of shrinking land availability.

Moreover, these government units incur increased costs for doing individually what can best be done collectively. Each unit does its own purchasing losing the benefit of quantity discounts. Each sends out its own bills for taxes and for payment of services, making it impossible for them to achieve the economies and efficiencies which flow from the use of computers. Each of these units bear the cost of reporting, accounting and hiring and training of personnel. A piece of equipment urgently needed in one village for road repairs stands idle in a neighboring village.

The anachronisms of local government have long been decried and the urgent need for reform has long been apparent. The waste, duplication, overlapping and inefficiency of local government has long been under fire. As far back as 1930 Gov. Franklin D. Roosevelt called for reorganization and asserted that we then had in the State more tax collectors than the number of soldiers engaged in the Battle of Thermopylea.

The reasons for concern in this area of government activity are manifest. They lead to inequities of tax burdens and differences in the example, the population of the tricounty capital district—Albany, Schenectady, Rensselaer—is about the same as Suffolk County. There are 17 police districts in this area. A single police district in Suffolk County covers 90 percent of that county's area. The cost of police protection in this area costs $5 more per person, amounting to about $3,000,000 annually for police protection than the people of Suffolk County.

Westchester County received 75 percent of its water supply from city of New York reservoirs. Yet the county has within it over 150 water districts. It is hardly surprising under the circumstances that the water rates in Westchester County are among the highest in the State.

The years since the end of World War II have witnessed an endless proliferation of special districts, as a result of population movements. During the decade from 1955 to 1965, the total population of all the cities in our State remained virtually constant at slightly over 10 million, with a minor decline of about 100,000 city dwellers.

On the other hand, during the same 10-year period, the total population of unincorporated areas increased from 3,375,000 to 4,942,000 in 1965, an increase in population of more than one half million or almost 50 percent. So special districts were created to provide water, sewers, street lighting, police and fire protection and other services. Since the population trend continues along the same lines, we will be obliged to add more and more of these special districts.

A special census taken in 1966 in parts of the tri-county area discloses that population trends here are in line with the statewide pattern. Substantial population gains show up in the towns coupled with declines in the city areas. According to these up-to-date census figures the population in the town of Colonie increased 20 percent since the census of 1960; the village of Colonie increases 21 percent and Menands Village 26 percent.

In neighboring Saratoga County the

town of Clifton Park registered a gain of 88 percent in population and the town of Halfmoon made a 53 percent gain.

POPULATION DECLINE

For the State as a whole, within the areas covered by the 1966 census, cities suffered a population decline of 3.6 percent while towns showed an increase of 17 percent, villages 7.7 percent, and unincorporated areas 20.3 percent.

With population moving in huge numbers to our towns, villages, and unincorporated areas, it is clear that our local government structure can properly meet the needs for water supply, sewage, and functions, it is becoming increasingly clear that the local taxpayer can no longer afford to support the waste and inefficiency which go hand in hand with the proliferation of these units.

CALL FOR CHANGES

Under the circumstances, it is hardly surprising that the Association of Towns, meeting in New York City, called for changes in the State constitution to give broader taxing powers to towns and to increase the capacity of the towns to borrow money. Adoption of these resolutions by the Association of Towns followed an address by former Lt. Gov. Frank C. Moore, who estimated that the total cost of local government in the Nation will reach $75 billion in 1970 and $108 billion in 1975.

If we are to maintain in the State of New York our present system of local government, where we pile layer upon layer upon layer of local government organizations, then it is very difficult to disagree with the Association of Towns that they are in urgent need of greater flexibility in the management of their fiscal affairs, if they are to provide the people the services they need and demand.

In 1965, the total revenues of all towns amounted to $320 million, an increase of over 135 percent in the decade from 1955 to 1965. During this 10-year period, assessments of fully taxable property in garbage disposal, police and fire protection, transportation and realistic traffic controls. With many of our towns and villages having a population fewer than 1,000 it becomes impossible to plan for and finance these services properly, particularly when the entire planning process is bedeviled by jealousy and rivalry among the local government units.

Moreover, the prospects for financial aid for proper planning is jeopardized by the multiplicity of these units. Federal planning funds under the demonstration city program are restricted to applications from regional planning units. State funds for planning of water resources or for sewerage disposal similarly require applications from areas broader than those now encompassed by existing local units.

With a single parcel of real estate subjected to five, six, or more separate taxes to support local government, the towns increased from $7 to $11 billion, and real estate taxes increased by 127 percent. During the same period town indebtedness has increased more than 200 percent. Despite these increases, the Association of Towns insists upon greater taxing power and increased borrowing capacity to support a system which it outmoded, inefficient, and unsupportable.

In addition to increase local taxes, local governments are substantially subsidized by Federal and State aids. During the past 3 years the Federal Government appropriated a total of $40 billion in various aid programs, a sum greater than the total Federal budget 20 years ago. The State budget for the coming fiscal year as submitted by Governor Rockefeller proposes an appropriation of $2.668 billion for local government purposes as against only $1.972 billion, exclusive of capital construction, for state purposes. The proposed appropriation for local government assistance reflects an increase of $265 million over the current year.

Three years ago, the Association of Towns claimed that local government operations could be made more effective if the towns were given greater home rule powers. The legislature responded affirmatively to this request. Out of a total of 931 towns in the State, in 1965 the towns passed a total of 127 laws and in 1966 a total of 218 laws, meaning that most towns passed no laws during that period. While a proliferation in the enactment of laws is no more a consummation devoutedly to be wished than a proliferation of local government units, the failure of most towns to enact any laws reflects a perfection in town government which defies human intelligence.

The survival of these local government units in the face of persuasive testimony to their inefficiency and waste reflects a nostalgic regard for the simplicity of early town government, where presumably every citizen could participate freely in that decisionmaking processes of government. The simple fact is that such a democratic process in its ideal state never existed and conditions today make it impossible.

It is, of course, true that in larger governmental units, the potential for citizen participation in the formulation of policy necessarily declines. Thus the problem of creating patterns of local government units large enough to be efficient without depriving its residents of a sense of participation and responsibility is indeed a complex one. Yet there are ways of achieving both desired ends.

Consolidation of local units is an obvious technique for bringing sense to local government without impairing citizen participation, particularly in areas where expertise is an essential ingredient for efficiency such as sewer planning and construction.

I am confident that efforts to reform local government will begin to bear fruit within the next 2 years, in response to taxpayers revolt against mounting costs of local government. For some years the Advisory Commission on Intergovernmental Relations, which includes in its membership U.S. Senators and Representatives, Governors, mayors, and county officials, has done a splendid job in the formulation of programs and legislation to bring rhyme and reason to local government operations.

I have introduced in the State legislature a number of bills recommended by the Commission dealing with water resources planning, sewerage disposal and consolidation of special districts.

Last year the Committee on Economic Development, under the leadership of Marion F. Folsom, of Rochester, former Secretary of Health, Education, and Welfare in the Eisenhower administration, has aroused widespread public demand for local government in a report which described the present local government organization as a major national crisis.

THE CHILDREN'S PROTECTION ACT OF 1969

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1969

Mr. O'HARA. Mr. Speaker, today I introduced the Children's Protection Act of 1969, legislation to further protect the Nation's 56 million children from unsafe toys and other objects commonly used by children.

This legislation was recommended to the Congress this week by the National Commission on Product Safety, a Commission established by action of the 90th Congress.

Mr. Speaker, I was pleased to support the legislation which established the Commission, a panel charged with conducting a wide-ranging investigation into the potential danger of products sold to the public.

I am pleased too at the diligence and speed with which the Commission is doing its job, as demonstrated by this week's interim report on the hazards of toys.

The statistics on children's accidents are appalling:

Each year more than 15,000 children under the age of 15 are killed by accidents. More than half of them are under the age of 4 years.

Another 17 million are injured.

Many of these deaths in injuries result when toys of a dangerous nature are placed in children's hands by unwarned parents or relatives.

Because of present deficiencies in the law, we pay a terrible price in suffering every year. How long can we—or will we—tolerate this?

In the foreword to its report, the Commission noted:

> In the course of its investigation, and as a result of public hearings, the Commission has become acutely aware of grave inadequacies in the protection of children against death and injury from hazardous toys and articles intended for use by children.

Because of this, the Commission felt it imperative to file an interim report and suggest immediate legislation, rather than waiting for its final report.

I have introduced the Child Protection Act in response to that interim report. I believe that it is important that the Congress act quickly in order to protect our children, to show our concern for safety of all consumers, and to demonstrate our support for the work being done by the National Commission on Product Safety.

We established the Commission, now we must respond to its findings.

Mr. Speaker, the legislation recommended by the Commission and which I have introduced today is needed to correct major deficiencies in the Federal Hazardous Substances Act as it pertains to toys and articles for children's use.

The Commission points out that "hazardous substances," as defined in the act, covers a rather limited number of potential sources of danger. In fact, the categories of toy hazards against which the Hazardous Substances Act provides protection are limited to two: the danger from pressurized toys and flammable toys.

The Commission found that there are three specific categories of hazards not covered by the Hazardous Substances Act. These are electrical, mechanical and thermal hazards.

> These hazards—

According to the Commission—

> are associated with sharp or protruding edges, fragmentation, explosion, strangulation, suffocation, asphyxiation, electrical shock, and electrocution, heated surfaces and unextinguishable flames. . . .

It is the tragic fact that these hazards, in the words of the Commission, "appear to predominate in the statistics associated with toy related injuries."

Mr. Speaker, we are well aware that modern technology has provided many new and beneficial articles for our use.

We have learned how to manufacture new and imaginative toys, alluring to youngsters. But we have not yet begun to make them absolutely safe. Some are terribly dangerous.

Let me give an example from the Commission's report.

There are now on the market children's stoves which may be plugged into a standard house current—110 volts—and which warm up, providing a very realistic effect so the child can cook "just like mommy."

But some of these appliances heat to extraordinary temperatures—up to 660° Fahrenheit—which is hot enough to fry young hands and arms unless the heating element is properly shielded.

Mr. Speaker, the Commission's report also tells of a toy car with steel fins that could cause a serious puncture wound; a blowgun dart that 10 children accidentally inhaled, steel tip and all, into their lungs; a child's doll with a spiked mechanism that was exposed when the outer casing was broken; a bird-like missile that became a dangerous projectile; explosive devices that blind; cribs that become death traps for infants.

This is just a sample.

In the Commission's words, the Hazardous Substances Act "is silent as to these fundamental kinds of hazards."

I submit that the Congress cannot remain silent in the face of this evidence.

Mr. Speaker, I do not intend that the text of the bill introduced here today be the last word on children's safeguards. It may well be that this legislation will be improved by the Committee on Interstate and Foreign Commerce.

I hope that hearings can be held at an early date so that any necessary changes can be made and the legislation enacted into law.

I note too that the Commission sees this legislation as a "standby measure," warranted at this time because its implementation may immediately curtail this accidental carnage inflicted upon our children.

While I feel this legislation should be enacted promptly because of the immediate protection it would afford, Congress should be thinking seriously about substantially tougher legislation to insure the protection not only of children, but of the American public.

We may have to consider in the future the very mechanics of the Federal Hazardous Substances Act, one of the major consumer safety laws now on the lawbooks.

The Commission points out that this legislation does not change the enforcement procedures of the act, nor does it affect "the underlying philosophy of post-market control."

By post-market control, the Commission refers to the fact that the Federal Government can only intercept dangerous products after—and I emphasize the word "after"—they have been manufactured and sent to the seller.

In many cases a dangerous product is sold to unknowing buyers before the Government acts to remove it from store counters. I am sure we have all heard radio broadcasts warning of dangerous objects which were sold before the Government ordered a halt to sales.

I believe that the Congress will have to give this factor consideration in the future, and I anticipate that the Product Safety Commission will have some recommendations in this regard.

In the meantime, I hope that Congress will move swiftly on the Child Protection Act of 1969. This issue has been placed before the Congress. The danger is evident; the need is urgent.

Children need this protection. Their parents demand it.

Mr. Speaker, I include the text of the Child Protection Act of 1969 at the close of my remarks, along with the introduction of some pertinent excerpts from the Commission's report:

H.R. 7606

A bill to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes

SHORT TITLE

SECTION 1. That this Act may be cited as the Children's Protection Act of 1969.

APPLICATION OF FEDERAL HAZARDOUS SUBSTANCES ACT TO ELECTRICAL, MECHANICAL, AND THERMAL HAZARDS OF TOYS AND OTHER ARTICLES INTENDED FOR USE BY CHILDREN

SEC. 2 (a) Section 2(f)(1) of the Federal Hazardous Substances Act (15 U.S.C. 1261 (f)(1)) is amended by adding at the end thereof the following new clause:

"(D) Any toy or other article intended for use by children which the Secretary finds pursuant to the provisions of section 2(q) (1) of this Act meets the requirements of subparagraph (A) (iii) or (iv) of such section."

(b) The matter of preceding the semicolon in clause (A) of section 2(q)(1) of the Federal Hazardous Substances Act (15 U.S.C. 1261(2)(q)(1)(A)) is amended to read as follows: "(A) any toy, or other article intended for use by children, which pursuant to a determination made by the Secretary (i) is a hazardous substance, or (ii) bears or contains a hazardous substance in such manner as to be susceptible of access by a child to whom such toy or other article is entrusted, or (iii) is otherwise hazardous because of the presence of electrical, mechanical, or thermal hazards, or (iv) may cause substantial personal injury or substantial illness by, during, or as a result of foreseeable use of the toy or article, even if unintended by the manufacturer, where such injury or illness is attributable to electrical mechanical, or thermal aspects of the design, processing, or assembly of that toy or article.

(c) Section 2 of such Act is amended by adding at the end thereof the following:

"(r) The term 'electrical' means of or pertaining to the flow of an electrical charge or to electrons in motion; the term 'electrical hazard' means a condition or circumstance such that substantial personal injury or substantial illness from electric shock or electrocution may be caused during or as a proximate result of any customary or reasonably foreseeable use.

"(s) The term 'mechanical' means of or pertaining to the design, construction or structure of a substance; the term 'mechanical hazard' means a condition or circumstance such that substantial personal injury or substantial illness may be caused during or as a proximate result of any customary or reasonably foreseeable use because of sharp surfaces or protrusions, fragmentation, explosion, strangulation, suffocation, asphyxiation, or other mechanical means.

"(t) The term 'thermal' means of or pertaining to the transfer or manifestation of heat energy; the term 'thermal hazard' means a condition or circumstance such that substantial personal injury or substantial illness may be caused during or as a proximate result of any customary or reasonably foreseeable use of articles: (1) which contain heated surfaces; or (2) which if ignited burn so intensely that (A) extremely high temperatures are reached, or (B) they cannot be readily extinguished by means ordinarily at hand."

EFFECTIVE DATE

SEC 3. The amendments made by section 2 of this Act shall become effective sixty days after the date of enactment of this Act.

NATIONAL COMMISSION ON PRODUCT SAFETY—INTERIM REPORT RECOMMENDING ENACTMENT OF THE CHILD PROTECTION ACT OF 1969

FOREWORD

The National Commission on Product Safety, created by Public Law 90–146 (81 Stat. 466), is currently conducting a comprehensive study and investigation of the scope and adequacy of measures now employed to protect consumers against unreasonable risk of injuries which may be caused by hazardous household products. In the course of its investigation, and as a result of public hearings, the Commission has become acutely aware of grave inadequacies in the protection of children against death and injury from hazardous toys and other articles intended for use by children.

It is the belief of the Commission, on the basis of its findings, that existing legislation in the form of the Federal Hazardous Substances Act (15 U.S.C. 1261 *et seq.*, as amended by the Child Protection Act of 1966) is in critical need of amendment to provide protection for children against hazards not now subject to regulation. Specifically, the Act should be amended to allow for protection against hazards which are electrical, mechanical, and thermal, or which arise from or are attributable to these aspects of the design, processing, or assembly of a toy or other article intended for use by children.

Pursuant to Section 2(c) of Public Law 90–146, the Commission is to transmit to the President and to the Congress such interim reports as are deemed advisable in carrying out its statutory mandate. The Commission believes that recommendations of the kind set forth in this report are warranted at this time, as a stand-by measure, because their implementation may prevent or alleviate occurrences of accidental death and injury caused by hazardous toys or other articles intended for use by children during the course of the Commission's study.

The Commission will be continuing its review of unreasonably hazardous household products and of federal, state and local laws relating to the protection of consumers against such hazards. It intends to continue its consideration of the problems of hazardous toys and other articles intended for use by children as part of this general review. Moreover, in recommending this limited substantive amendment to the Federal Hazardous Substances Act, the Commission wishes to make it clear that it has not made any determination or evaluation as to the operation of that Act; nor is the Commission prepared at this time to endorse the processes, enforcement procedures, or underlying philosophy of the Federal Hazardous Substances Act.

Any such determination at this time would be premature in view of the Commission's ongoing study of the adequacy of industry self-regulation and the suitability of other means of affording protection to consumers.

FEDERAL HAZARDOUS SUBSTANCES ACT AMENDMENTS

A. Purpose

For the purpose of giving the Food and Drug Administration of the Department of Health, Education and Welfare, the regulatory apparatus needed to deal appropriately with certain hazards of which this Commission has become aware, the Child Protection Act of 1969 would amend the Federal Hazardous Substances Act. The proposed amendment to that Act is limited to hazards associated with toys and other articles intended for use by children.

At present, the relevant section of that Act is section 2(q)(1) (15 U.S.C. 1261 (q)(1)) which reads as follows:

"The term 'banned hazardous substance' means (A) any toy, or other article intended for use by children which is a hazardous substance, or which bears or contains a hazardous substance in such manner as to be susceptible of access by a child to whom such toy or other article is entrusted; . . ."

Limiting the application of that subsection, the term "hazardous substance" is earlier defined in Section 2(f) (15 U.S.C. 1261 (f)) as:

"1. (A) Any substance or mixture of substances which (i) is toxic, (ii) is corrosive, (iii) is an irritant, (iv) is a strong sensitizer, (v) is flammable, or (vi) generates pressure through decomposition, heat or other means, if such substance or mixture or substances may cause substantial personal injury or substantial illness during or as a proximate result of any customary or reasonably foreseeable ingestion by children.

"(B) Any substance which the Secretary by regulation finds, pursuant to the provisions of section 3(a), meet the requirements of subparagraph 1(A) of this paragraph.

"(C) Any radioactive substance, if, with respect to such substance as used in a particular class of article or as packaged, the Secretary determines by regulation that the substance is sufficiently hazardous to require labeling in accordance with this Act in order to protect the public health."

Accordingly, toys or other articles intended for use by children may be banned if the category of hazard involved is essentially of a chemical nature (toxic, corrosive, irritating, sensitizing), or is otherwise hazardous because flammable, pressurized, or radiational. In the narrow area of toys, it is the Commission's opinion that the chemical-type hazards are not nearly as relevant as in other product areas. The clear exception would be chemistry sets, but these are specifically exempted from the banned toys section by subsection 2(q)(1), with a proviso to the effect that ". . . the Secretary by regulation, (i) shall exempt from clause (A) of this paragraph articles, such as chemical sets, which by reason of their functional purpose require the inclusion of the hazardous substance involved, and which bear labeling giving adequate directions and warnings for safe use and are intended for use by children who have attained sufficient maturity, and may reasonably be expected to read and heed such directions and warnings. . . ."

Similarly, toy hazards are not likely to be of a radiational nature for reasons that are clear.

Thus, the categories of toy hazards against which the Hazardous Substances Act provides possible protection are effectively limited to two: pressurized and flammable.

On the basis of evidence submitted to the Commission at its hearings in New York City on October 21 and 22, 1968, and in Boston on December 17 and 18, 1968, as well as from information collected in the regular course of its study, the Commission believes that the categories of hazards relating to toys and other articles intended for use by children should be extended and expanded to include three additional categories of hazards; namely, electrical, mechanical, and thermal. Of the articles to which reference was made at those hearings, or toward which the Commission's attention has been directed, an overwhelming number appeared to constitute hazards of a kind not presently dealt with by the terms of the Hazardous Substances Act. That is, hazards associated with sharp or protruding edges, fragmentation, explosion, strangulation, suffocation, asphyxiation, electric shock and electrocution, heated surfaces and unextinguishable flames—and the untold aggravation, injury, and death attributable thereto—have been pointed out to the Commission, and these hazards in fact appear to predominate in the statistics associated with toy-related injuries. Yet the Hazardous Substances Act is silent as to these fundamental kinds of hazards.

* * * * *

C. Effect of amendments

Amendment of the Federal Hazardous Substances Act, in the manner and form indicated above, could be accomplished without any significant change in the basic structure and application of that Act. The amendment expands the number of categories of hazards, but only with respect to toys and other articles intended for use by children. It does not affect other products. Except with respect to children's articles, the term "hazardous substance" still refers only to those substances which are hazardous under the existing Act because they are toxic, corrosive, irritating, sensitizing, flammable, pressurized, or radiational. The added categories of electrical, mechanical, and thermal hazards are each separately defined and pertain only to toys and other articles intended for use by children. The enforcement procedures of the Act remain unchanged, as does the underlying philosophy of postmarket control.

The Commission intends to address these issues comprehensively and exhaustively at future hearings and throughout its tenure, prior to issuance of a final report to the President and to the Congress.

D. Background and need

While product-related injury statistics for children are not generally categorized in terms of electrical, mechanical, or thermal hazards, the figures that the Commission has found point to the existence of a major problem. The Commission is apprised of the following facts:

Of the nearly 56 million children under 15 years of age in the United States, more than 15,000 of them die each year from accidents at a rate of 28 per 100,000 population. This figure is higher than the deaths from cancer, contagious diseases, heart diseases, and gastroenteritis combined.

More than half of the children who died as a result of accidents in 1966 were preschool children (birth to 4 years).

Another 17 million children annually are injured severely enough to restrict normal activity or require medical attention—a rate of 300 per 1,000 population.

With respect to stationary recreational equipment used by younger children, annual injury estimates are exceedingly high: swings, 500,000; slides, 200,000; seesaws, 50,000, etc. Injuries involving mobile equipment are estimated each year to total 1,300,000 with 1 million of these attributable to bicycles (including 120,000 fractures and 60,000 concussions), and another 100,000 related to tricycles.[1]

Hearings were held in New York City on October 21 and 22, 1968, and in Boston on December 17, 18 and 19, 1968. The following is a brief summary of the testimony received during the course of the hearings:

Dr. Philip R. Lee, the then-Assistant Secretary for Health and Scientific Affairs of the Department of Health, Education, and Welfare, in discussing the existing enforcement authority under the Federal Hazardous Substances Act, pointed up the limitations of that Act. Alluding to the banning provisions of Section 2(q)(1), he emphasized the constrictions arising from the use of "hazardous substance" in Section 2(f). * * *

NATIONAL COMMISSION ON PRODUCT SAFETY

ARNOLD B. ELKIND,
Chairman.
EMORY J. CROFOOT,
HENRY A. HILL,
SIDNEY MARGOLIUS,
MICHAEL PERTSCHUK,
HUGH L. RAY,
DANA YOUNG,
Commissioners.

STUDENT UPRISINGS

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. MICHEL. Mr. Speaker, last week I inserted in the RECORD a column by Drew Pearson expressing the viewpoint that the limit had been reached with respect to patience in handling the small minority of troublemakers on our college campuses all over the country.

In the Sunday, February 23, 1969, edition of the Washington Post another column by Mr. Pearson makes the charge that there is definite evidence of a link between all the turmoil and uprisings which are so common today on American campuses.

---

[1] "Estimates of Injuries From Consumer Products," Department of Health, Education, and Welfare (Injury Control Program, Consumer Protection and Environmental Health Service), prepared for the National Commission on Product Safety, October 1968; Iskrant and Joliet, *Accidents and Homicide* (Harvard Univ. Press, 1968); "Accident Facts, 1968 Edition," (National Safety Council); "Accidents in Children," (American Acad. of Pediatrics, 1968).

I ask that the Pearson column appear at this point in the Record, together with an editorial from the Washington Star of February 22, 1969, lauding the President of Notre Dame University, Rev. Theodore M. Hesburgh, for his "no-nonsense" policy of dealing with trouble of this kind.

The above-mentioned material follows:

Black Student Uprisings

(By Drew Pearson)

Chicago.—There is a very definite evidence of a link between the uprisings that are sweeping American campuses. But rather than any Communist link, the connection appears to be between black students, with rumblings of anarchism in the background.

The fact that the student rioting has been inspired largely by black students has led to unfortunate repercussions—an increase of George Wallaceism, Ku Klux Klanism and more white backlash in the North. This is why the majority of Negroes are so sour on the protests of the black student minority.

The original source of black extremism has been traced to the inflammatory speeches of Stokely Carmichael, who has now ducked out of the United States; Eldridge Cleaver, now an exile from parole violation; and LeRoi Jones, the Negro novelist. All three have goaded Negro students to assert themselves and claim their rightful place in society by any means necessary. They have argued that without violence, the power structure would never give up the power that allegedly has "kept Negroes in chains."

Another black militant who spread seeds of campus unrest was Nathan Hare, a former assistant professor of sociology at Howard University, where last year he tried to oust the Negro administration of the largest and most efficient Negro university in the world. This year he was asked not to return. He transferred to San Francisco State College where he became "coordinator of black studies" and has since been arrested. Ever since his transfer, San Francisco State has been in turmoil.

Another instigator of turmoil for turmoil's sake has been George Mason Murray, minister of education of the Black Panther party and an English teacher at San Francisco State. When, last Oct. 24 at Fresno State College, he openly advocated the killing of "slave masters" and named as among the masters President Johnson, Chief Justice Earl Warren and Gov. Ronald Reagan, California State College trustees investigated and then suspended Murray. This suspension has been one factor behind black rioters at SFSC.

Also behind the San Francisco State turmoil is the "Socialist Workers Party," which is on the Attorney General's subversive list. It has helped to rally the support of more than 40 colleges, universities, high schools and other organizations behind the San Francisco strike.

The manner in which black militants have worked together was illustrated at Cheyney State College in Cheyney, Pa. In late November, 1968, nine Negro students were expelled after a heated argument as to who would be selected for inclusion in "Who's Who Among College Students."

Out of the clear blue a busload of 25 students from Federal City College in Washington arrived in Cheyney about 1 p.m. Dec. 9. Shortly after 3 p.m. that day, a group of 100 students from Cheyney State and Federal City entered the administration building, forced their way into the president's office and demanded that nine expelled students be reinstated.

When this was refused, they broke windows and overturned furniture and statues. Then the Federal City College students left for Washington.

At nearby Swarthmore College in Pennsylvania, the chief Negro student leader is Clinton A. Ethridge Jr. of New York City. Helping him, though not a student, has been Samuel Reginald Jordan Jr., a Negro, who while at Franklin and Marshall College in Lancaster, Pa., last spring was arrested for possessing fire bombs and a loaded revolver. He was convicted, but he is free on bond awaiting appeal.

He was active in the lockin at Swarthmore's admissions office, which continued until Swarthmore president Courtney Smith, who had been conducting all-night sessions with the black militants, died of a heart attack.

At the same time as the Swarthmore strike, Negro students seized control of the main switchboard at Brandeis University outside Boston. Some of the Negroes involved had been at San Francisco State College.

Shortly before Christmas, students at Le Moyne College in Memphis, Tenn., engaged in three days of minor disturbances in protest over the way grades were computed, with the usual demand for more black history courses. They also demanded the end of required attendance at student convocations.

To foment the strike, the Invaders, a black extremist group in Memphis, appeared on the campus, intimidated students and attempted to convince them that they needed outside help whether they wanted it or not.

Almost every case of student unrest this winter has originated with a black extremist minority making almost identical demands for more admission of black students, regardless of their scholastic ability.

A Voice of Reason

It had to come eventually and at last it has—a word of common sense on student violence by a man in a position to follow up his words with action.

Rev. Theodore M. Hesburgh, president of Notre Dame University, has announced a policy of short shrift for disruptive demonstrators on campus. "Anyone or any group that substitutes force for rational persuasion, be it violent or non-violent, will be given 15 minutes of meditation to cease and desist." Then, if the disrupter does not have a student identity card, he will be arrested for trespass. If he does have a card, he will be expelled from the university.

This simple, direct approach to the problem has been lacking on campuses from coast to coast with the deplorable results we see at San Francicso, Chicago and here in Washington. "Without the law," the president observed correctly, "the university is a sitting duck for any small group from outside or inside that wishes to destroy it, to incapacitate it, to terrorize it at whim."

The priest made it clear that "we welcome and protect orderly dissent, but we're not going to let anyone destroy the place."

Encouragingly, within 24 hours after Father Hesburgh's announcement, the Sixth Circuit Court of Appeals upheld the right of colleges to expel students for riotous conduct, a giant step of legal clarification, since the students in question, expelled from a state university at Nashville, had claimed their conduct was an exercise of freedom of speech as constitutionally guaranteed.

Notre Dame University has had relatively few disruptive demonstrations. The new policy announcement apparently is in response to the actions of a small group of students three months ago in blocking access to the campus to recruiters from Dow Chemical and the CIA. It is probable that there will be fewer disorders under the new policy.

REPORT TO A SLEEPING SON

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. PRICE of Texas. Mr. Speaker, 2d Lt. Michael L. Dewlen, U.S. Marine Corps Reserve, has been awarded the Silver Star Medal, posthumously, for heroic achievement against the enemy in Vietnam. Mike's father, Al Dewlen of Amarillo, Tex., wrote his "Report to a Sleeping Son," which recently appeared in the Amarillo Globe-News, and also is being published in the March issue of Reader's Digest.

I have asked and have received Al Dewlen's permission to enter his "Report to a Sleeping Son" in the Congressional Record. I am sure this father's tribute to his son and his bravery in gallantly giving his life in the service of his country will serve as an inspiration to all of us in these troubled times.

The article follows:

[From the Amarillo (Tex.) Sunday News-Globe, Jan. 12, 1969]

Report to a Sleeping Son: This, My Son, Is How It Was, and Is

(By Al Dewlen)

(Note.—On June 11, 1968, at the age of 24, 2nd. Lt. Michael L. Dewlen, USMC, was killed in Vietnam. In the June previous he had graduated from Baylor, married pretty Lynn Nowlin of Vernon and donned the uniform of the Marine Corps. Mike was the only child of Mr. and Mrs. Al Dewlen, 4605 Matador. As a youth he had been a leader and outstanding athlete; president of his Amarillo High class, captain of the Sandie football team and regular on the baseball team. At college he earned a starting position on the Baylor football team. Now his young widow is teaching at Vernon, and she and his parents have had six months to look back on the great tragedy of their lives. His father, the respected Amarillo author, reflects some of this thinking and raises some questions any parents of a young son in these days might ask.)

It was Friday, 5:15 p.m., cloudy and still hot as I drove in from the barber's. I noticed that most of our neighbors were standing out in their front yards, but I missed recognizing this as unusual. Pretty Mrs. Kelley, her children clinging tightly to her, raised her hand as I passed. I waved back, turned into the drive and continued on into the garage. I was standing over my workbench, debating which of the endless drudges of household upkeep deserved first claim on the remaining daylight, when someone called my name. In the doorway I saw a preacher I scarcely know, a man you never met, and I suppose I was annoyed.

He said, "Come here a minute, please." Then, more firmly: "I want you to come with me."

I took my time going out to meet him on the driveway. It was as I reached him that I saw your mother coming from the house. She had left the door ajar as she never does, and was hurrying toward me. Nothing about her looked right. As I stood gaping at her, the minister began tugging on my arm. It seemed he was bent on dragging me ahead to some horror I still had the option to reject, and I resisted him. Then Jean took my hand. I felt her trembling. Every detail of her appeared fatally altered; there was the impression of calamitous change, final, entire. My impulse was to shout at her, to demand that she restore for me the smile she had worn when I left her an hour before. I cannot be sure, but I think that with first sight of her I must have known about you. Nevertheless, I asked, "What has happened?", and she answered, "Mike has been killed."

How can I tell you how much like death was life at that instant? I remember picturing you as clearly as ever I have seen you, in all the ways I've ever seen you—as a fat baby drooling on my shoulder, as a little leaguer straining to throw down to second base, as a rugged softie sobbing from the sight of a starved dog, as a furious half-pint clansman wading in because your dad was in a fight and getting whipped, as the fiery captain of those good football teams, as the tall embarrassed boy trying to show grace while accepting those trophies and certificates. I saw you grown, a man blooming with pride in the Marine Corps uniform, so strong and tough and openly sentimental; and I thought, You, Mike, shot down in battle?—it was preposterous, a lie. That you could die at all was unthinkable; that you could have lain dead four days without our having known it or sensed it or dreamed it, was not possible. But there was Jean, wavering before me as the wreckage a woman is when she has lost her only child, and I could lay hold of nothing to fend off belief.

The agony was utter, crippling. I was unable to take your mother in my arms, or even to speak to her. I remember a moment in which I saw you without life, not teasing or laughing, but cold and still, and out of my guts sprang an awful rancor toward God. I wanted to summon Him down to be battered with this rage and pain; I wanted to force Him to account for this disastrous mishandling of your trust and of our daily prayers for your survival.

"It's Mike," Jean said. "They do mean Mike, and he is dead."

I shook free of the preacher and we went into the house. Lynn was waiting. A while earlier she had been talking about your first anniversary, just three days away. This sweet and lovely miniature had sent you a piece of your wedding cake, saved in the freezer as a surprise for the occasion, and she had been much concerned that the mails might mash it. Now she stood wide-eyed and lost at the center of the room. Beside her were the Marines—Maj. Dale Dorman, whom you once pointed out to me as the perfectly correct Marine, and M. Sgt. Del Taft, who helped out that day we arranged your transportation to Vietnam. They met me with quiet expressions of regret and the gentle warning we should not cling to hope. There was no mistake, they said. Your war was over.

Time passed before I could react enough to gather in our women, yours and mine. I held them like a pair of broken dolls. Poor grey Maggie fell into a quivering panic, dangerous for a dog of seventeen. It was as though she grasped she would be living out her days in a sad house, that she understood she would not again be smuggled into your bed.

How could she, or I, have outlived you when you were meant to inherit us?

Soon the telephone was ringing. People came flooding in. Dishes of food appeared on the cabinet, flowers popped up from the floor and it had begun, the terrible two weeks of wet pillows, of escapes to the closet for private grief, of alternating collapse and recomposure so critical it menaced even the will to accept the next breath, while we awaited the return of your body from Da Nang.

It is difficult to tell you about those weeks, or to as much as separate one day from the other. Your mother dwindled by fifteen pounds. I experienced sudden savage fantasies wherein the Communist who killed you materialized in opportune reach of my hands. Daytime, Lynn made herself the angel of our consolation; at night she lay crying in your bed.

Jean never slept. She would lie staring at the darkness, remembering the mother things, taking tearful inventory of the treasures she had been storing in her heart since the morning you were born. Sometimes, exhaustion stunned me into periods of stupored rest, and they were hateful. At each awakening the news struck me afresh, as if with every sunrise you died again, right before me eyes. Everything prompted us to recollection. Your dog scratching at the back door, your clothes hanging in the closet, your fishing and hunting gear piled about. In the kitchen doorframe were the pencil marks recording the stages by which you grew. We heard you in our talk, through the ridiculous nicknames and lighthearted phrases you invented and installed so deeply in the family language that how hard as we tried, we could not avoid them. Hundreds of people called to speak well of you. There were mountains of mail, including two fine letters from the President. And, because Lynn and your mother agreed I should, I got myself together amid all this and wrote your eulogy.

Remember the talk we had, the day before you shipped out? "I expect to be back," you told me. "But if I should buy the farm, I want to be buried as a Marine." Make it short and simple, you said, "and in my dress blues."

This was how we did it. You had Marines, like gleaming statues, as an honor guard, Marines as pallbearers. There was a rifle volley, and taps, at the cemetery. You would have been pleased with the conduct of your women: your mother controlled, keeping her head high; Lynn wearing the dress you liked best and looking indescribably beautiful with those mute tears streaking her cheeks as she accepted, in the place of a husband, the flag off your coffin.

Much later the details came to us. On June 9, they tell us, the battery was helio-lifted south and east from Khe Sanh, out from under the daily shelling tormenting that rat-infested trash heap, and put down on a ridge squarely astride the Laotian border. With you went two battalions of sweeping infantry in an operation named Robin South. The mission, they say, was to sever the infiltration routes feeding toward Quang Tri, and to mount an offensive relieving the pressure to Khe Sanh during its evacuation.

It was Indian country, a known NVA stronghold which had not been intruded on since the days of French control. Like the other 'Chin-Strap Charlies' of C Battery, 1st Battalion, 12th Marines, you swelled with pride over having been chosen to make a fire base out of a spot so hot it was designated Landing Zone Torch. Indeed, the whole operation appears to have been the sort you had longed for. "I'm tired," you had written, "of granting Charlie the first lick. I'll be glad when we go on the offensive instead of merely counter-attacking and killing these stragglers while the main force gets away."

You learned immediately that you had been set down in the middle of a powerful enemy concentration. Along with the called shots, you were firing on NVA troops moving in plain sight over the surrounding hills. Your infantry protection was compelled to claim key terrain beyond the range of rapid support, and your six 105's and seventy-five Marines stood vulnerable and isolated in a sea of elephant grass. While the CO hustled at establishing a defense, you, as executive officer, commanded the firing. You worked the crews in shifts around the clock, expecting an attack while you exulted in the commendations pouring in on the effectiveness of your gunnery.

At 1:30 a.m. on the second day, the enemy assault began. With heavy mortar and automatic weapons fire came an infantry force of perhaps a battalion and a sapper platoon. They blew a .50 caliber machine gun sky high off your perimeter, penetrated the position and were creating havoc among the guns before anyone could assess what was happening. A few NVA reached the foxholes and jumped in. Hostile and friendly were suddenly intermingled, and confusion swept the ridge. The battery, your fellow officers say, appeared doomed.

You were napping in the exec's pit when it started. Armed only with the Gold Cup .45 I had given you at Christmas, you dashed downslope under fire, gathering men as you went. You mustered just four. With these you charged the breach in the perimeter, leaping directly into the enemy. You fought it out hand-to-hand in blind darkness through a desperate half-hour. They tell us you prevented capture of the guns, that you wrung organization out of chaos, got the battery to fighting. They say you changed the probable massacre into an astounding triumph.

It was a burst from a Russian AK-50 submachine gun, fired from a scant fifteen feet away, that cut you down. Another of your party died with you, the rest fell wounded. But you had won. In the small arms fight you had killed 28 of the NVA. Thereafter, making use of the time you bought them, the men turned the 105's around and brought them into action, getting off 200 beehive rounds which accounted for an additional 150 of the enemy.

You would like knowing the battery has received special commendation; that its men declare you saved their lives; that they requested and held a memorial service for you; that they nominated you for your citation and decoration. How splendid of you, my son, to have given yourself as you did; to have willed us this boundless piece of gallantry as your estate. Thinking on it helps ease the awareness of how those bullets blew apart the bright life-plan you had built and kept with Lynn; of how there died with you a thousand family dreams, among them our promise of grandchildren.

We pore over this final report card with vaulting pride. But your marks have not surprised us. Bravery was like you. I remember it manifest in you always, from the time you took on that formidable neighborhood bully, on through the blood and bruises of a hundred football games, into those later courageous hours when you stood alone in allegiance to standards long since ditched by others of your generation. I recall with shining clarity that cold Sunday in December when you led us, your family, on a walk through Arlington; when you wept at the changing of the guard, when you spoke among the graves of the greatness resting there with those who had died, enchanted and believing, under the flag of the United States and in devotion to its causes.

Thinking of you as you looked and talked that afternoon—oh, the attitude wasn't new; the newness lay in the maturity and solemn certainty with which you expressed it—I am compelled again to the question that has twisted inside me like a dagger since the moment I knew you were gone. Did not we, it asks, we, your parents, point you toward this death? Didn't we, out of our own unqualified love of country and rigid definition of duty, actually rear you to die at war?

Perhaps we did. From the first we poured you full of the American glories. We taught you reverence for the flag, the law, the traditions and institutions. We imparted to you an unequivocal confidence in the system, trained you to the habit of everyday joy in your citizenship. We encouraged your development into an aggressive competitor for excellence in a free society. We saw to it you would regard the defense of your homeland and the support of its commitments as a privilege, and we approved of how your career intention always included a time for the military as a mandate of conscience, an essential of your self-respect. The way things came about, it is unlikely you would ever have been drafted. But there was never a doubt you would volunteer. Nor was there much doubt, in view of your automatic compulsion to make the first team, that you would serve as a Marine.

Lately your mother and I have awakened at night to wonder if every teaching you had did not somehow move you toward the cruel appointment you kept on that ugly Asian hill. We deliberately cultured in you the presently unfashionable belief that each person is responsible for himself, that a man is the fabricator of his own consequences. We told you failure is a personal affair, not to be laid off on poverty or wealth, associates or influences, or, worse yet, to be blamed on the remainder of mankind. You listened well. You accepted yourself as what you had to work with, granted yourself no excuse, disciplined your life into its appropriate seasons. The meaningless bypaths the professors so blandly and inanely justify in youth as a 'search for identity' or the 'effort to relate' never attracted you. Nor were you seduced by the 'new morality', which you recognized, despite its elaborate cloakings, as in truth just a cheap amorality. You accepted the student's role as one of learning, not once misconstruing it as a franchise for the destruction of order, the denial of history or the dismantling of authority.

It was natural, then, that you should have considered Vietnam not debatable. That your country had pledged itself was sufficient. You reacted exactly as other young Americans preceding you by a quarter of a century had responded upon hearing of Pearl Harbor.

So, you were orthodox. In a sense, I suppose, you belonged to the prior generation. Many of your contemporaries must have thought you a hopeless non-swinger, a well-groomed heir to their arch-rival establishment, while we applauded you. But on that unendurable Friday, with the terrible cost of our handcrafted patriotism there before us in the cemetery, we had to ask ourselves whether we had meant what we preached; whether we would continue meaning it down through the bleak years to which your passing has condemned us. If granted a second chance, would we repeat the course? Or would we find ways to permit and justify, consent and retract, knowing that the resultant irresponsibility might, like a foul-smelling serum, save your life?

To answer we looked about us at others of your age. We considered the man in our end of town (you knew him) who ducked into teaching, marriage and parenthood while broadcasting each venture as part of a strategy for frustrating the draft. We regarded those hiding in eternal scholarship, fleeing to Canada or burning their cards and defying prison under a rationale of a love cultism that has obsessed them only with the adoration of themselves. We took into account the pot and LSD sets; the peaceniks and raceniks and mobniks lollygagging along in the degenerate fads of a bogus intellectualism, conforming to filth, reveling in a sophomore complex fixed on them like the acne of a lingering adolescence. We considered the infragrant flower children rotting in their own imagined sweetness, the yippee packs caterwauling that America is two hundred years mistaken, the whole miscellany of people who can celebrate only the hormones by which they amass hair, whose sole product is division, whose single attainment is the encouragement of the enemy that killed you, and we became too sick to go on.

No, my son. We could not have given you an exempted conscience, could never have consigned you to the company of these. We prefer this tearful sorting out of your things, this sorrowful laying away of your expectations, these brokenhearted pilgrimages to your grave. We would do it again. Yet, even in your transcendency, you are owed a score of apologies.

We are sorry that when you died there existed behind you no national resolve to win. It shames us that while you expended your blood for sane Americans, only insane America was flourishing. We hate it that your sacrifice goes little noticed and unpraised by a liberal press choosing instead to sponsor the street radical and to euphemize treason as 'the peace movement,' mass criminality as 'demonstration,' and exhibitionistic anarchy as 'protest' and 'dissent.' We apologize for abiding the kick-seeking 'new left' with its spewing seditions, for tolerance of government that woos the insurrectionist and is only unnerved by any reminder of your kind; for the souring churches, the orgiastic disemboweling of the heritage, for the tribes of fools swarming your sweet land like ants in the sugar—yes, I beg your forgiveness for everything that enfeebled America during your brief days of manhood and your instant of dying.

Along with these regrets, I confess there is anger. You have purchased me the right to it. It sends me bellowing out of my plane in the obedient silent citizenry where the blames are conveniently dumped and into a new radicalism of my own. I think, Mike, that I have become dangerous. They shall not mutilate the flag in my sight; they'll not sing their Ho Chi Minh chant in my hearing . . . They shall not sack your street, nor mock your widow. I'll allow no one to belittle or slander you, or even forget you. I give you the promises you must already have known I would make, and I swear to them.

There remains, then, just this. How, my son, do I say farewell?

The willow, the one you joked of as our "family tree" that gay day we made such ceremony of planting it, withered and dropped its leaves the week after you died, as if June were autumn. But the chrysanthemums sent us in memorial are doing well out under the north eave where we put them, and it appears they are near blooming again. We wear our gold stars for you, we have left your boots in the corner, we have hung your sword on the wall. We are keeping fresh the good memories, and more often now, as we speak of you, it is with joy. The three of us who loved you and buried you, thank you forever.

America has had no better than you. And you were ours.

Goodbye, Mike. Goodbye.

VIETNAM ESSAY

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. SCHWENGEL. Mr. Speaker, a young man from my district recently wrote an essay on Vietnam which has been accepted for publication in the Chicago Tribune. It seems to me that this young man, Mr. James Baker, of Mount Pleasant, Iowa, has taken a very mature approach to the problem of serving his country. The advice he offers to his contemporaries is excellent, and I commend him for it. Under unanimous consent I insert in the RECORD an article from the Mount Pleasant News regarding the essay which Mr. Baker wrote:

JAMES BAKER, JR., RECEIVES CHICAGO TRIBUNE RECOGNITION

James Baker, Jr., 18, son of Mr. and Mrs. James Baker, has written an essay on the Vietnam War entitled "Saigon Tech or ——" which has been accepted for publication by The Chicago Tribune on Sunday, March 2 or Sunday, March 9.

Baker, a senior at M.P.H.S., was informed by long-distance telephone Tuesday. On Wednesday morning, he and Mrs. Evelyn Traut, his teacher of Vocational Writing, were interviewed via telephone by Miss Genevieve Flavin, editor of The Voice of Youth Column in which his essay is to appear. At this time, Miss Flavin invited him and Mrs. Traut to be guests of the Tribune at a luncheon to be held at the Chicago Lake Shore Club on May 10.

Among Baker's other interests are National Thespians, track, M.Y.F., and he was the recipient of a KXGI scholarship to the journalism workshop in the School of Journalism at the University of Iowa this past summer. In addition to Jim's other activities, he has a job at Hy-Vee after school and on Saturdays.

Other English teachers of Baker at M.P.H.S. have been Roger Williams, David Giese, Mrs. Barbara Anderson, and Mrs. Louise Clark.

The essay written in response to an editorial which had appeared in the Tribune:

" 'SAIGON TECH' OR—

"Graduation from high school or college presents a major obstacle in the lives of many young American males. It is at this time that they are faced with the Selective Service System and classification or reclassification, as the case may be. Reclassification may prove to be a one-way ticket to 'Saigon Tech' and, quite possibly, a quick trip home in a metal box.

"With this thought in mind, we must make a major decision. Shall we, as the law demands, submit ourselves for induction, or shall we resist—possibly going to Canada or jail—or shall we seek the status of conscientious objector? This is not an easy decision to make; rather, it is one that takes a great deal of thought.

"We must attempt to consider and evaluate all the facts as we seek to determine whether the Vietnam War is justifiable. What are our obligations to America? Do we have the obligation to stand up for its security as well as its prestige? But what of the moral obligations to ourselves? These must be considered as well.

"In all actuality, there are only two clear-cut decisions that can be reached. Either to be inducted or to appeal as a conscientious objector. This is a very delicate issue to study to determine the answer, but in the end we will invariably reach the decision that is correct for us. If the government calls, I shall go. Though I may disagree with our policies on some issues, America means a great deal to me. Many young men of previous generations as well as my own, have died to preserve our freedom. The most I can do is the same."

PLANS FOR ELIMINATION OF AIR POLLUTION

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. LATTA. Mr. Speaker, the General Motors Corp. and the management of the Defiance, Ohio, plants of Central Foundry Division have unveiled a tremendously ambitious project which they have undertaken to abate air pollution. This project is vital to the public interest.

Speaking to officials and civic leaders in Defiance, Ohio, on February 18, 1969, Elmer E. Braun, divisional general manager, and Thomas E. Smith, manager of the Defiance plants, reported that high-energy Venturi scrubbers will be installed on two plant No. 1 cupolas. Plant No. 2, newest of Central Foundry's iron foundries, was equipped with modern effluent controls when built in 1966.

Braun said that the new Defiance project is in keeping with the General Motors

Division's policy of eliminating or effectively controlling air and water pollution problems by applying the latest technology.

Braun said:

> The new type scrubbers have demonstrated the ability to surpass existing codes and will make a dramatic improvement at Plant No. 1.

Planning and facilities engineering for the project have already been completed, and the ordering of equipment has begun.

Smith said:

> By April, we hope to break ground for the caissons needed to support large (1750 h.p.) fan motors which are part of the air cleaning systems.

Completion of the project is scheduled for early 1970. The current project is the third major step taken by the Defiance plants to preclude air and water pollution.

Smith noted:

> First, when Plant No. 2 began operations in the summer of 1966, a high energy scrubbing system was an integral part of the single cupola installed in that facility.
>
> Step number two became a reality last fall, when we assisted with the clean-up of the Maumee River by creating a new 30-acre secondary settling basin and recirculating system for river water used to cool plant equipment. And, of course, the project we are now undertaking with two Plant No. 1 melting units will effectively control the release of effluent into the atmosphere from that source.

At present, effluent from plant No. 1's cupolas is controlled by "wet caps" at the top of the cupola stacks which spray exhaust gases with water. In so doing, 40 to 70 percent of the dust particles contained in the effluent are removed.

With the new system, hot effluent will be cooled as it passes through a curtain of water in a new type cupola cap, then pulled into a high-energy scrubber where it is accelerated and bombarded with large volumes of water. Dirt particles are settled out while clean air and water mist pass into a mist eliminator unit and eventually into the atmosphere. The new system is expected to remove more than 98 percent of the solids from the effluent.

Mr. Speaker, I commend General Motors Corp. and the management of the Defiance plants of the Central Foundry Division for undertaking this project and would urge other foundries to undertake similar projects with the abatement of air pollution as their objective.

A BILL TO AMEND THE AGRICULTURAL ACT OF 1933

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. ZWACH. Mr. Speaker, I am introducing a bill today to amend the basic Agricultural Act of 1933 in order to provide the safeguards from subsidized imports that was the original intent of Congress at that time.

A portion of the 1933 act was devoted to providing machinery for a complete study of those imports which are deemed to render ineffective, or materially interfere with any Federal farm program. The route was for the Secretary of Agriculture to call this to the attention of the President and cause an immediate investigation by the U.S. Tariff Commission. Upon receipt of this investigative report, the President may take action to restrict the imports. In other emergency situations, the President may act before the recommendations are returned from the Commission.

There are other specified routes of getting studies, and the hope of some relief, from other laws. For example, investigations and recommendations from the Tariff Commission can be secured by petition of either branch of Congress, the House Ways and Means Committee, the Senate Finance Committee or by the President under the Tariff Act of 1930. Under the provisions of the Anti-Dumping Act of 1921, the Secretary of the Treasury can require action of the Tariff Commission. Other instigators for hearings, studies, and reports from the Tariff Commission are authorized in the 1962 Trade Expansion Act. This law allows petition from any industry, firm, or group of workers who fear any probable impact from imports of any article as to constitute the threat of serious injury to the petitioning industry or firm or workers.

It is interesting to note that industry and workers, other than agricultural, have a guaranteed route of getting some hope for immediate relief simply by petition.

I wish this avenue was as open to organizations and to producers of farm products. Therefore, my bill, in which I have the coauthorship of my colleagues from Minnesota (Mr. NELSEN and Mr. QUIE), my colleague from Idaho (Mr. HANSEN), and my colleague from Wyoming (Mr. WOLD), attempts to provide a portion of this accessibility by agricultural producers by giving the House Committee on Agriculture and the Senate Committee on Agriculture and Forestry the authority to get such a study by the U.S. Tariff Commission. In addition, the bill provides for petition to the Tariff Commission by the Governors from at least five States. This, I believe, is a sound provision and will provide that necessary safeguard for those specialized farm commodities which may be clustered in several States.

The changes that I have recommended, does not take away any present authority, nor will it weaken any present structure or function of government. It does provide a realistic and needed procedure for the two congressional committees who are first contacted by farm producers, to bring the current problem to the Commission's attention.

VOICE OF DEMOCRACY SPEECH OF MISS NANCY HAIGWOOD OF NEWPORT, R.I.

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. ST GERMAIN. Mr. Speaker, annually the Veterans of Foreign Wars conducts a Voice of Democracy Contest for the youth of our country. The title of this year's competition was "Freedom's Challenge" and I am pleased that a young lady from my congressional district, Miss Nancy L. Haigwood, of Newport, R.I., was the winner in my State.

I was much impressed with this young lady's dissertation and following is the content of her speech:

> FREEDOM'S CHALLENGE
>
> (By Nancy Haigwood)
>
> Several years ago when my family was in Thailand, we were living south of Bangkok where there were very few Americans. On one particular day I remember a United States submarine made a brief stop at the Royal Thai Marine Corps base. It was not the submarine which sparked our interest, for certainly we had all seen subs before. Still, we eagerly rushed to the dock to stand for a protracted moment with tears stinging our eyes. They were not tears of disappointment, because the vessel stood there clearly. In one rushed second we all realized how long it had been since we had seen the tri-colored stars and stripes, and we watched proudly our fluttering flag on top of the submarine
>
> At that instant I realized how proud I was to be an American—how proud I was that I had accepted freedom's challenge. Since then I have become even more aware of the need to instill the feeling of freedom's challenge in all citizens, reminded daily by the symbol of the flag.
>
> To understand what the challenge is, let me quote from Albert Camus, "Freedom is nothing else but a chance to be better." A chance to be better—what possibilities that phrase contains! The flame of freedom burns in our souls. As it remains, so does the will to better ourselves. Especially as a nation, we have always accepted freedom's challenge. On the world scene, the nations which have a great deal, the so-called "have" nations, want to keep the status quo. On the other hand, the "have not" nations are constantly building and changing. The United States is unique in this respect: we have a national tradition of faith and progress even though we have been classified as a "have" nation for more than half a century.
>
> Since the birth of our nation we have had a sensitivity to the "have nots" both at home and abroad. This is freedom's challenge. As the dynamic leader of the free world, we have always supported the principles and ideology of democratic society. Since progressiveness often causes upheaval, we must understand that many of the national and world crises of today are necessary. Progressives are not disturbed by today's problems because they can see far enough ahead to know that for a problem to be solved, it must first be uncovered. They simply are wise enough to realize that we are in the uncovering stage. There is a consistent effort on America's part to meet freedom's challenge by seeing the unrest and bringing the problems out into the light. Then, and only then, can they be mastered and can improvements be made.
>
> Along with this chance to be better—as characters, as citizens, as nations, as a world—goes the responsibility of freedom's challenge. The tale has often been told of the little Dutch lad, Peter, who stuck his finger in the dike to save Holland from flood. Here is a fine example of the responsibility each citizen has—to accept the defense of freedom when freedom itself is challenged.
>
> We can accept freedom and responsibility ourselves by obeying current laws. If we disagree with them, we must work to change them by means of our elected senators and representatives. On the community and school levels, we can support projects and, again, offer suggestions for improvements. It is a challenge to obey a law one does not believe in until it can be revised and amended.

The flag which stirs our hearts is the symbol of freedom's challenge. Just as the various strong fibers are woven into the material for the flag, so the strong characters and moral courage of each individual citizen weave the pattern of the American people. Three striking colors together make up the flag. In the nation, too, a mixture of creeds, religions, and races is the backbone of America's vitality. Even though over the years the nation, as the flag, has become occasionally tattered by war and unrest, sometimes frayed by distrust, each succeeding generation has had the courage to reweave the ruined parts.

Freedom's challenge is not one to be met haphazardly. It must be a conscientious effort on our part. Let us not be disheartened by change for the better when it involves unrest. However, it is our responsibility under the challenge to reevaluate change which is not for the benefit of our nation. Freedom's challenge is to try to be better, and what can be better than to reach for the stars, the pure white stars flying on a background of deep blue truth. So look to the stars the next time you view our flag; and promise yourself that you will meet freedom's challenge.

BRIBERY TRIAL IN NEW JERSEY

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. BOLLING. Mr. Speaker, I hope that many of my colleagues read the astounding account of a recent bribery trial in New Jersey that was carried on page A3 in the Washington Post on February 24, 1969. Seldom, if ever, have I seen described such a naked case of "money in politics." The Post reporter, Morton Mintz, has written a clear, highly readable account of the trial that is both fascinating and frightening. I particularly point to the brutal passages in the article quoting the remarks of John E. Toolan, an attorney representing one of the defendants in the case.

In all candor, none of us can claim to be unfamiliar with the hazards of financing campaigns. Nor can we claim to be uneducated in respect to the baleful influence tainted money has had upon politics and politicians. Many of us have long advocated revision of campaign financing statutes so as to provide realistic expenditure ceilings backed by strong provisions for enforcement and disclosure. We must institute campaign financing reform before the country is confronted with more proved evidences of monstrous abuses and our political system suffers further blows and loss of esteem.

Lastly, Mr. Speaker, but no less importantly, this trial should enable us to see the full scope of the cry for law and order. The most recent presidential campaign contained considerable denunciatory oratory about "crime in the streets." Quite properly, our streets should be safe at all times and for all persons. But this bribery trial should inform us that lawlessness is not confined to the pool halls and the ghetto streets. It may be found in the offices of high public officials and in the board rooms of corporate America. And that deserves severer censure.

The article follows:

NEW JERSEY CASE: NAKED CORRUPTION OR PRACTICAL POLITICS?

(By Morton Mintz)

In Federal Court in Newark, N.J., today, an obscure local politician, two business executives and three corporations will seek a new trial in one of the most remarkable cases of "naked corruption" ever exposed.

That phrase—"naked corruption"—was used in court last month by Herbert J. Stern, a special attorney for the Justice Department, to describe payments of $110,000 by the Colonial Pipeline Co. (and its agents) to Robert E. Jacks, president of the Municipal Council of Woodbridge, N.J.

Stern called the payments a "bribe" by Colonial to get a building permit and right-of-way for the largest privately financed construction project in history—a $400 million pipeline which carries 40 million gallons of petroleum products a day 1600 miles from Houston, Tex., to the New York harbor area.

Jacks' lawyer said the $110,000 was simply "political money and it takes an awful lot of political money to run a political organization in a community of a hundred thousand people."

Lawyers for Colonial had still another version of the transaction. The corporation and its officers, they insisted, had been the victim of an extortion plot by Jacks and Woodbridge Mayor Walter Zirpolo.

A jury on January 23 returned guilty verdicts against six defendants:

Council President Jacks.

Colonial Pipeline, which is owned by nine oil companies with combined asset of $35 billion—American, Cities Service, Continental, Gulf, Phillips, Sinclair, Socony-Mobil, Texaco and Union.

Colonial's president in 1963 and 1964, when the payments were made, Ben D. Leuty.

Karl T. Feldman, who in the payment period was Colonial's executive vice president.

The Bechtel Corp., a San Francisco construction firm with 10,000 employees and annual sales of $750 million, one of the contractors on the pipeline.

The Rowland Tompkins Corp. of Hawthorne, N.Y., another contractor on the Colonial job.

"Rarely if ever," Prosecutor Stern told the jury before it returned the verdicts, "has the United States been able to pull back the curtain and to display before you or any jury the kind of naked corruption that we have displayed in this case, the intimate details of corrupt public officials met and joined, furthered and promoted by big businessmen who were equally corrupt for their own reasons . . ."

The curtain-pulling Stern described was the result of an accident. In the course of an investigation of union racketeering begun by the Labor Department, FBI accountants stumbled across a mysterious $20,000 check for cash issued by the Bechtel Corp. in 1963. The name on the check was that of Basel C. Licklider, a Bechtel employe.

The Justice Department subpoenaed Licklider to testify before a special grand jury in May, 1966. A day before he was to appear, his lawyers revealed that Bechtel, acting for Colonial, had conveyed $60,000 in cash to Mayor Zirpolo and Council President Jacks.

With this startling new phase of the investigation opened up, the Justice lawyers learned a month later that another $50,000 had been paid to the Woodbridge officials in 1964 through the Rowland Tompkins Co.

As the investigation continued, two facts were established:

That the $50,000 paid to Jacks and Zirpolo in 1963–64 had obtained for Colonial a building permit for 22 big storage tanks in Woodbridge.

That the $60,000 paid in 1964 got for Colonial vital pipeline easements through five city-owned lots in Woodbridge.

The question then became a matter of definition. Was the money a "bribe," a "political contribution," or a payoff to extortionists?

The lawyers involved argued all three versions to the jury.

Stern, the 32-year-old prosecutor, said that "rarely if ever has the United States been able to prove such a deliberate, knowing, intentional and willful flouting of the laws . . .

"Let me suggest to you the reason that these cases are so rare is because the men don't often get caught . . . the reason they don't get caught is because generally they hide it too well, and if you doubt it . . . look how well it was hidden in this case," he said.

John E. Toolan, a former New Jersey State Senator representing Jacks, said the "story in capsule" is that "elections in this Nation are run with cash in every municipality, in every county, and everywhere along the line." He continued: ". . . there is nothing in the law that says that a man can't receive a contribution, a political party can't receive a contribution . . .

"How do you think political campaigns are run? Did you ever try to hire a poll worker or a car or get a babysitter for somebody to go out to vote, and think you can pay them with a check on Election Day?

Political parties spent $35 million in the last election . . . Do you think all that money came in checks? Do you think they paid all their bills in checks?

"Every political party must have someone in it who has the capacity to raise money . . . Bob Jacks was that person in the Woodbridge political organization . . . Now, this is an oil company coming through. He has to raise money either by going around and sandbagging local people, or you get it on a one-shot deal with some big asset that is coming through, and you take advantage of it . . .

"You know, this pipeline business is a tough business . . . You have to buy or acquire by condemnation, by hook or crook, rights of way . . .

"These right-of-way men . . . have to get people to give them things that people don't want to give them . . . I don't want to do any injustice, but I don't think you can get a job as a right-of-way man for any oil company unless you had calluses on your conscience because you have to go in and get the job done.

Simon H. Rifkind, a former Federal Judge whose newest partner is Arthur J. Goldberg, the former United States Ambassador and Supreme Court Justice, represented the former Colonial president, Leuty.

Praising Leuty, who now is 66 and retired, as a man of "superlative" character, Rifkind tried to show that the executive had been the victim rather than the perpetrator of a crime:

Leuty authorized the payments . . . because he honestly believed . . . that he and his company were threatened with massive injury, amounting to a national disaster. . . . He considered the consequences of having . . . this great project brought to a halt and decided that the consequences were unendurable, as indeed they were, and he capitulated. . . .

"All of the evidence showed conclusively that what Leuty and his people tried to do was to prevent the officials of Woodbridge from acting dishonestly and illegally. . . .

"Because he did make an honest decision, he did not commit bribery. He did not intend to commit bribery. . . .

"Supposing . . . your house was burglarized, do you think we ought to punish you? . . . is that the way we are going to stop crime in this country?"

Rifkind said that representatives of the nine oil companies had entrusted Leuty with the $400 million pipeline project "because his reputation was as stainless as the very reputation of this Colonial Pipeline is stainless." He identified the owners of the oil firms as "more than one million stockholders, men, women, children, widows, orphans."

Rifkind pleaded with the jury of eight men and four women to lift the heavy burden that events had, for five years, put on "this great, good and creative man" and "to let the sunshine of truth dispel the shadow of this unwarranted accusation."

And, he told the jury, "Yours will be the glory when you wipe the tear off his lovely wife's cheek.

The $110,000 came to Colonial in three installments—$20,000 and two of $15,000 each—for the building permit for the storage tanks, and three more—each of $20,000—for the easements for the pipeline.

The situation began in 1963 when Colonial was trying to meet a deadline of January, 1964, for completing the world's largest pipeline. (Largely because of resistance in Woodbridge, the deadline was not met and the job was not finished until 1965.)

On Aug. 16, 1963, Fred Stewart, Colonial's right-of-way manager for New Jersey, went to see Mayor Zirpolo.

Zirpolo cited intense public opposition to construction of any more storage tanks in Woodbridge and advised Colonial not to seek a building permit.

Stewart and Zirpolo agreed that above all, what had to be avoided was a public hearing on the desired permit. Such a hearing was required by law.

Stewart testified that Zirpolo told him to go see Jacks, then a stranger to him, at Metro Motors, Jacks' used-car lot.

There, Stewart said, Jacks told him, "You have got to have friends on the Council—friends that will be able to pass this permit for you over the objections of the people."

Stewart left, phoned Atlanta and made a report to Jack Vickery, counsel and a vice president of Colonial.

Stewart told Vickery that Jacks wanted a $50,000 "campaign contribution" for the permit. But Vickery advised him, Stewart said, "You can't do it. It is illegal—you can't do it, it's illegal—under both Federal and state law."

At the trial, however, then construction manager and now vice president Glenn H. Giles testified that Colonial's subsequent decision was to pay the $50,000—and the later one for $60,000 for the easements—through contractors, "because we preferred not to get . . . Colonial Pipeline Co. involved in this" any more than was "absolutely needed."

The first payment for the permit was handed to Jacks on Nov. 7, 1963—two days after he and the mayor were re-elected on a platform of "Tanks, No Tanks."

The second installment followed issuance of the building permit. The third was paid after Colonial got a certificate of occupancy. Colonial made all three installment payments through Rowland Tompkins Corp.

The three $20,000 payments for the easements—made in three successive months starting in October, 1964—were handled for Colonial by the Bechtel Corp. and the Gates Construction and Gates Equipment Corps. of Little Ferry, N.J.

The Bechtel and Rowland Tompkins Corps. said that in acting as conduits for the payments they had assumed they were on innocent missions. But to give credence to this contention the jury had to believe testimony such as this from William L. J. Fallow, a Bechtel emplyoee:

Following a conversation with Jacks at Metro Motors, Fallow phoned Bechtel vice president Harry F. Waste in Vancouver and Colonial's construction manager, Giles, in Atlanta. Then Fallow flew to San Francisco. He returned with 200 $100 bills obtained from Basil Licklider, the Bechtel employe whose name was on the $20,000 check which broke the case.

Fallow next went to a motel room to count out the cash. Then he drove to the Menlo Park Shopping Center in Edison Park, N.J., where the Mayor has a private office. There he met Jacks. Fallow gave him the money. Jacks put the $20,000 into a desk drawer. No receipt was requested or offered.

After taking Fallow through this step-by-step recital, prosecutor Stern asked if his testimony at that moment remained what it had been—"that it was your understanding that that $20,000 in cash was going into the Woodbridge city treasury?"

"Yes, sir," Fallow answered.

For the pipeline easement, Colonial executives Leuty and Feldman told the grand jury that Jacks and Mayor Zirpolo solicited $100,000. But Leuty arranged for negotiations in which this sum was reduced to $60,000.

The resulting transactions involved elaborate techniques of concealment, including fraudulent invoices, fake bonuses and the use of checks much larger than the three actual payments of $20,000 each.

Because the sums paid to the contractors for distribution among the Woodbridge officials were declared as income on their books, Colonial had to give the contractors more than $220,000 to cover taxes on the alleged income.

One of the $20,000 payments for the easement was handled by Robert L. Bowman, a Bechtel construction manager, and Robert S. Gates, president of the two firms bearing his name.

Gates testified that he wrapped the $20,000 in $10 and $20 bills, in a newspaper and met Bowman at an inn. Bowman counted the money out on a bed, put it in an envelope and gave Gates a check which, because of the tax factor, was for $42,000. (The discrepancies between the actual cash payments and the check amounts added to the investigators' difficulties in building their case.)

The men lunched. At Bowman's request, Gates accompanied him to the Menlo Park Shopping Center. There, Bowman introduced him to Jacks.

"He told me he was in the automobile business," Gates told the jury. "He gave me his card and told me if I was buying any automobiles or something like that to look him up, and then we gave the money to him, put the money on the table to the best of my knowledge, and Bowman had his briefcase and handed me the envelope and instructed me to give it to Mr. Jacks. I put it on the table and Bowman left and I went out after him."

Explaining how Rowland Tompkins happened to have conveyed three payments for the building permit, lawyer Joseph E. Brill told the jury that president Howard Tompkins, vice president Ralph A. Bankes and the late Roy A. Murphy, merely had performed a check-cashing service to help Colonial get money to Jacks.

The jury deliberated three days before returning its verdicts.

Colonial Pipeline was convicted on all nine counts in the indictment. (Its counsel, Warren W. Wilentz, was the Democratic candidate for the U.S. Senate last year but was defeated by the incumbent, Clifford P. Case. Wilentz's father, David, who played a major defense role for Colonial early in the case, is the Democratic National Committeeman from New Jersey.)

Jacks and Colonial executives Leuty and Feldman were each convicted on the two conspiracy counts—one for use of interstate mails, phones and travel to get the building permit by bribery, the other to do the same to get the easements.

The Bechtel and Rowland Tompkins firms were convicted on one conspiracy count each.

The indictment contained seven substantive counts, each involving an interstate trip to deliver cash for the permit or the easements.

Jacks was convicted on one of these counts, Bechtel on one and Rowland Tompkins on four. In addition, each of the Gates firms pleaded guilty before the trial to one of the substantive counts.

Mayor Zirpolo, who became ill early in the trial, faces a separate prosecution. His counsel is Edward Bennett Williams.

Colonial's Giles who was promoted from construction manager to vice president, was, like Zirpolo, indicted on all nine counts.

But before the trial started on Nov. 13, the Government severed him from the trial in hopes of eliciting testimony against the other defendants. However, he invoked the protection of the Fifth Amendment against self-incrimination and refused to testify. Attorney General Ramsey Clark then wrote a letter requesting that Giles be exempt from prosecution.

After the prosecution submitted the letter to the trial judge, Reynier J. Wortendyke Jr., Giles was compelled to testify for the prosecution.

The indictment named as conspirators but not as defendants seven officers and employes of the contractor firms involved in the payments—Banks, Bowman, Fallow, Gates, Murphy, Tompkins and Waste.

The motion for a new trial comes two years and one day after the indictment was returned.

Each defendant faces a maximum penalty on each count of a $10,000 fine. In addition, each individual defendant could be imprisoned up to five years per count.

CRITICISM OF NATIONAL CHAMBER'S POSITION ON WATER POLLUTION CONTROL UNJUSTIFIED

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. CRAMER. Mr. Speaker, I am greatly concerned over the criticism, which I consider unfounded and unjustified, of the selection by Secretary of the Interior Hickle of Mr. James C. Watts for a policy level position in the field of water pollution control. This criticism apparently stems from the erroneous viewpoint of some that Mr. Watts' former employer, the Chamber of Commerce of the United States, is opposed to water pollution control legislation. Such a viewpoint is contrary to the facts in that the national chamber strongly supported the water pollution control bill passed unanimously by the House in the last Congress, which legislation would now be law had it not been for the Senate's failure to give its final approval to the bill before adjourning the 90th Congress.

To help set the record straight as to the national chamber's position on water pollution control legislation, I wish to call to the House's attention the following statement made February 11 by Mr. Arch N. Booth, executive vice president of the Chamber of Commerce of the United States. Mr. Booth's statement speaks for itself and I trust that it will nullify any doubts that the national chamber, and Mr. Watts, strongly support the enactment of effective water pollution control legislation.

The statement follows:

STATEMENT BY ARCH N. BOOTH

The National Chamber's position on water pollution control legislation has been seriously distorted by recent events as reported by the news media. The fact is that the House of Representatives passed an effective water pollution bill last year—the last time such legislation reached the floor of either the House or the Senate—and the National Chamber strongly supported it. The House-passed bill also had the support of most of the nation's governors.

The House bill would have provided for the financing of municipal treatment facilities, extended federal jurisdiction over oil and hazardous spills, and established laws controlling the discharge of sewage from vessels.

Democrats and Republicans in the House unanimously opposed a Senate amendment that would have given to the Secretary of Interior authority to intervene where a federal department or agency issues a license or permit to a water user. He would have been given authority to control many of the activities in connection with agriculture, irrigation, and industrial and municipal development. This was a deviation from the intent of Congress, as expressed in the Water Quality Act of 1965, and was unwarranted. The National Chamber also opposed the Senate amendments.

Referring to the Senate amendment, a prominent House Democrat, on October 14, 1968, said: "The implications of a basic change in government policy of this magnitude are too great for hasty and ill-considered action at this time. Therefore, this group of Senate amendments should be rejected." A few minutes later, the House, for the second time in eight days, passed, without dissent, an effective and significant water pollution control bill.

Presumably, the critics of the National Chamber's position would also be critical of the combined judgment of the House of Representatives. If this is not the case, then it suggests that some people are playing politics with pollution.

We of the business community are concerned about another implication in the statements reported by the press. It is the implication that the business viewpoint on issues such as pollution abatement is contrary to the interests of the nation. This is a serious implication. It argues that businessmen or others who have represented business interests should not serve in high government posts.

This kind of attitude seems most inappropriate, particularly at a time when political leaders of both major parties are calling upon businessmen to involve themselves more in the complex problems facing the nation and to contribute their resources and knowhow to help solve these problems.

The National Chamber urges President Nixon and his Cabinet to resist in every way pressures that would tend to mute or eliminate the viewpoint of business in the affairs of the Federal Government.

REMARKS OF LEO M. HARVEY AT THE TECHNION DINNER, DECEMBER 11, 1968, LOS ANGELES, CALIF.

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. HOLIFIELD. Mr. Speaker, I had the pleasure recently to attend a banquet in Los Angeles given by the friends of the Technion Institute in Israel. The dinner was in honor of Leo M. Harvey.

The Technion group in this country is composed of people who believe in the value of the technological training provided by the Technion Institute in Israel. These friends of Technion are working to support the necessary expenses of the school and its crucial work in the expanding economy of Israel.

Leo M. Harvey has been a supporter of the Technion since its inception. He established a million dollar fund, the proceeds from which are to be used for scholarships to the Technion for young men and women interested in science and industry.

Leo Harvey himself is a remarkable man—he came to the United States from Russia as an immigrant in his youth. He has been shown great capability and perseverance in building an industrial complex which fabricates many types of machines and equipment from aluminum and other metals. His background of more than half a century in American industry and his own innate intelligence is shown in the remarks which he delivered at the Technion dinner in his honor. I commend this man's wise and eloquent statement to my colleagues, as follows:

REMARKS OF LEO M. HARVEY, TECHNION DINNER, DECEMBER 11, 1968, LOS ANGELES, CALIF.

Friends and countrymen, it is my pleasure to greet you and express my appreciation for the support extended by you to the Technion on the occasion of being an honored guest—permit me to reciprocate the compliment—you are all honored guests.

For thousands of years the hallmark of the Jewish people was education and work "Torah and Avodah."

Leaning heavily on "Torah" (education) from Israel came forth a vision (a creed) which captured the imagination of men all over the world.

This new creed based on moral and ethical teachings of Monotheistic Judaism is the dignity of man. Sustaining this dignity of man by rich and poor, master and slave, served to strengthen the brotherhood of man and aleviate the harshness of man's struggle for existence.

With the renaissance of Israel this great traditional creed continues.

From various institutions of higher learning go forth this ethical message.

The Technion, the major technical university in the Middle East, provides the technological foundation for improving and developing the well-being of man not only in Israel, but through scholarships and technical assistance programs in the countries of Africa, Asia, and Latin America.

The Technion is a unique educational institution. Its aim in education can best be expressed by the following:

If you give a man a fish, he will have a single meal.

If you teach him how to fish, he will eat all his life.

Our present social order is no more the domain of fiction writers and occasional prophets. It is the domain of science and technology.

To participate in economic well-being, people must learn the technology of material, atmosphere, earth, and ocean.

The technology of space and planets within space.

And above all, the technology of management.

All these subjects are taught by the Technion staff in Israel.

On the list of economic well-being and expansion, education is the most important factor.

To profit by this factor, education and technology must be made available to all without restraint and discrimination.

Nature by itself is clearly democratic.

It distributes its priceless gift (brain power) universally.

To sustain full progress we must employ this priceless gift to enable us to escape the tyranny of unconscious forces, and control production by reason and will.

This justifiable expectation of progress, to a large extent, is the art of management.

Management is in the end the most creative of all the arts, for its medium is human talent itself.

The fundamental task of management is to deal with growth and change.

The growth of knowledge is the necessary medium for economic growth in an industrial society.

Management recognizes this as an essential requisite.

Management is the gate through which social, economic and technological change is rationally and effectively spread to society.

The real threat to democracy comes from under management, not from over management.

Technological advances have two bedrock requisites—scientific knowledge and managerial competence.

Israel is a country of scarce, natural material resources.

To offset the scarcity of natural material resources Israel is investing heavily in the most precious commodity the Israeli nation has—namely, human resources.

Israel as a nation, and Jewish people in general, have a goodly portion of human resources.

If the future can be reckoned by the past, the names and numbers of Jews who contributed to the well-being of civilization and humane society as a whole, would be of considerable importance.

I do not desire to exaggerate the share the Jews have in the evolution of the modern world.

I do not advocate the cult of the chosen people "om segula".

I merely wish to name a few giants in social justice, arts, and science: Moses and Isaiah, Jesus and Paul; in modern times, Spinoza and Disraeli, Erlich and Einstein.

True, it is not by giants alone that civilization can be assessed.

Great advances in human progress are the work not of a single genius but of a score of lesser known pioneers from whose work, experience, and failures, the genius profits.

Civilization is a complicated subject, it is in a continuous action and reaction.

Startling results would in most cases be impossible without the painstaking research of scores of humble and unrecorded workers.

The battles may be won by the general. They are fought by the private soldier. And victory is the result of laborious plans of the staff.

It is accordingly a more solid contribution to progress on the part of the humble of the human race if they had performed their duty consistently in the lesser function than if they had contributed the giants of discovery.

The Jewish people have provided both—the workers and the giants.

They formed an integral part of the culture of Europe and have contributed to it incessantly through the dark ages, the Renaissance, and the present time—as scientists, men of letters, as explorers, as pioneers, physicians and philosophers.

Western civilization would *not* stand where it does today without the Jewish collaboration.

However, this should not be marked as Jewish or non-Jewish, as such contributions are universally human. The Jewish investigators and discoverers have, in many cases, had non-Jewish teachers on one hand, and many non-Jewish pupils on the other.

The Jew in fact is an inheritor of a double tradition.

There is the religious history which germinated on the soil of Israel with a basic belief that man does not live by bread alone.

And there is the political history of the past twenty centuries which has been associated principally with the western world in whose civilization persons of Jewish birth have taken a share worthy of study and respect.

We might say that without *their great influence*, one may imagine that Europe would have remained *pagan*, divided between the immoral deities of Rome and Greece, and bloodthirsty gods of Teutonic Valhalla.

The Latin and Greek genius required the fertilization by Christian religious thought based upon Jewish Monotheism.

Without the invigorating *Judaeo-Christian influence*, Europe might have remained in the condition in which it was left in the dark ages.

It was the spirit of the Judaeo-Christian tradition which gave rise to the Magna Charta and the bill of rights.

Where and whenever the Jewish influence of the Judaeo-Christian tradition was temporarily lost, then even in the contemporary western world, civilization reverted to the inhumanity of man-to-man as witnessed by the disgraceful practice in Nazi Germany.

The caste society of India with its *untouchable millions*, and the Chinese Communist degradation of its people, would not be possible within a framework of the Judaeo-Christian values in the brotherhood of man.

It might be worth mentioning at this time that for the sake of promoting a better climate of friendliness between the Arabs and Israelis, the *Israeli* managerial competence should include an active training and educational unit—in order to train and influence the Arab neighbors whose masses have been traditionally mistreated and mismanaged—to the detriment of the greatest number, by religious fantaticism and despotic governments.

Educating the Arabs for a better way of life is a formidable task requiring the labor of dedicated people who are genuinely interested in the welfare of the Arab masses.

This educational process can only succeed if it is done for the sake of freeing the Arab from poverty and degradation to which he is presently chained by antiquated fairy tales of religious beliefs, and the duplicity of present Arab leadership.

In Medieval Arab Spain and Arab North Africa, a golden age flourished in medicine, science, and the arts, between the Jewish and Arab communities.

Such an era can rise again when Israeli democratic procedures and social innovations, coupled with the technology the Technion provides, diffuse throughout the Middle East.

It is the hope that this great influence will radiate not only westward but eastward, throughout all mankind.

Then we will witness a strong, resolute United Nations dedicated to justice and peace.

A United Nations rich with power and devotion, enabling it to settle disagreements between nations at a conference table and not on the field of battle. A United Nations whose fighting tools are reason and international law and not a machine gun and a bomb.

A United Nations where, when a conflict occurs between a small and big nation, the small nation does not disappear.

And when a conflict occurs between big nations, the United Nations itself does not disappear.

Israel today is in a state of crisis.

As is often the case, a crisis is sometimes a blessing in disguise.

The Chinese aptly describe it.

In the Chinese language the word "crisis" consists of two words.

One word means "trouble"—the other "opportunity."

The crisis in Israel may be compared to a coin.

One side of the coin spells trouble, which the Jewish people have experienced for centuries.

The other side spells opportunity—which is a reminder that Israel, with its timely well-deserved confidence and technical skill will carve out for itself a niche of honor and esteem among the nations of the world.

Israel, a Jewish homeland, the fulfillment of an idea, hope, and prayer of countless generations—truly, greater than the tread of mighty armies—is an idea whose time has arrived.

MARINE, G.I. FROM MARYLAND DIE SAME DAY IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. LONG of Maryland. Mr. Speaker, Sp4c. Edward A. Lamb and L. Cpl. Thomas R. Davis, two fine young men from Maryland, were killed recently in Vietnam. I would like to commend their courage and honor their memory by including the following article in the RECORD:

MARINE, GI FROM MARYLAND DIE SAME DAY IN VIETNAM

A young marine who had been co-captain of his football team in Frostburg, Md., and an Army man from Dundalk have both been killed in Vietnam, the Defense Department announced yesterday.

Lance Cpl. Thomas R. Davis, 20, of Loartown in Allegany county, was hit in the back of the neck by small-arms fire and died January 31, near An Hoa, his family said.

Spec. 4 Edward A. Lamb, of Dundalk, also 20, was killed in action the same day at Tuy Hoa, only a few miles from where his stepfather, SFC Robert L. Dale, was fighting at the same time, the veteran said at the family home, 2513 Yorkway, Dundalk.

Specialist Lamb was born in Charlottesville, Va., and attended Dundalk Senior High School, his mother said. He enlisted in the Army in October, 1967, and was sent to Vietnam the following May 15.

Besides his parents, he is survived by a grandmother, Mrs. Joseph Shiflet, of Charlottesville.

He was a medic in the 173d Airborne Brigade, his stepfather said. "I was only a few miles from him when it happened so all I can say about it now was that he was killed by hostile fire," Sergeant Dale, who recently completed a 10-month tour of duty in South Vietnam, said.

Corporal Davis wrote his family about two weeks ago that he was "getting tired of sitting around and would begin volunteering for patrols again," his brother, Michael J. Davis, said yesterday.

WOUNDED BY SHRAPNEL

"He thought he was fighting a just fight. He felt very deeply about it," his mother said.

In July, he was wounded by shrapnel as he led a machine-gun squad. He was awarded the Purple Heart. He was in C Company, 1st Battalion, 3d Marine Division.

He began wrestling and playing football on the varsity team of Beall High School in his sophomore year. He was co-captain of the football team for three years and co-captain of the wrestling team his senior year.

He graduated in June, 1966, and hoped to go to college, his brother said. He held several jobs, however, before enlisting in the Marine Corps in September, 1967. The following March, he was sent to Vietnam.

Besides his mother and brother, he is survived by two other brothers, John S., of Baltimore, and Gary L., of Loartown, and a grandmother, Mrs. Clara Cookerly, of Baltimore.

HARBUS NEWS AGAINST ABM

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. RYAN. Mr. Speaker, the proposed deployment of the Sentinel ABM system has serious implications. More and more Americans are becoming convinced that the construction of more missile systems—far from increasing the security of the United States—will further escalate an already spiraling arms race.

The alternative to the deployment of an ABM system was clearly spelled out in an editorial which appeared in the February 20 issue of the HarBus, the weekly publication of the Harvard Business School. That editorial calls for an early ratification of the nuclear nonproliferation treaty, initiation of arms limitation talks with the Soviet Union, and a more open policy of exchange and communication with mainland China.

Community after community in which the Department of Defense proposes to locate these missile installations has strongly protested the construction of missile sites in their community. I urge the Congress to heed the urgings of these concerned citizens and concentrate its energies on finding ways to reverse the arms race and reduce tensions.

The editorial follows:

[From the HarBus News, Feb. 20, 1969]

DEAR CONGRESSMAN: NO ABM

As Editor of the HarBus News, the weekly newspaper of the Harvard Business School, it is my responsibility to communicate to you the paper's position on the Antiballistic Missile System, the Nuclear Nonproliferation Treaty, Arms Limitation Talks, and Chinese-American Relations.

These four issues are vital to American foreign policy and cannot be separated, despite the efforts of some journalists, columnists, and politicians to do so.

But discussion must start somewhere, and we will start, as do most others, with the ABM question. It is our position, based on the most expert testimony available to us, that the proposed Sentinal ABM system cannot be justified at present on military or national security grounds.

The primary military justification for the ABM, as put forth by the Defense Department, is defense against a limited Communist Chinese nuclear attack in the next decade. Others contend the purpose is to discourage a Russian attack by matching the Russian ABM system.

Available evidence indicates the above reasoning is not consistent with the facts as the Chinese offensive capability is behind schedule and years away from even being a remote threat to the U.S., and Russian ABM deployment is at best considerably more limited than the proposed Sentinal and not considered by U.S. arms experts to be effective against the most advanced American weapons.

The only possible current justification appears to be on political grounds, and political grounds cannot, in our opinion, justify the expenditure of billions of dollars, escalation of the arms race, deterioration of Russian-American relations, disregard for domestic priorities, and further disruption of world order which might accompany the vigorous deployment of the ABM system.

But military and national security justification for the ABM will inevitably strengthen over time unless steps are taken now to halt the spread of nuclear weapons, defuse the arms race, and greatly improve Chinese-American relations.

Thus our position against deployment of the ABM is inextricably tied to early ratification of the nuclear nonproliferation treaty, initiation of arms limitation talks with Russia, and a new U.S. policy on Communist China including cultural exchanges, ambassadorial talks, and diplomatic recognition in the future.

We ask your assistance in bringing our position to the attention of the appropriate Congressional and executive committees.

PERTAINING TO PORNOGRAPHIC MATERIAL RECEIVED THROUGH THE MAIL

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. MINSHALL. Mr. Speaker, our Nation is wading knee deep in pornographic muck.

And I am firmly convinced that I speak not only my own convictions, but those of an overwhelmingly majority of those I represent, when I say we are sick of it.

It is time to clean up.

Each of us Members of Congress receives constant complaints from constituents who have received unsolicited filth through the mails. Many times the complainant is an outraged parent whose minor child has been the innocent recipient.

Anyone who subscribes to a magazine, a book club, or who orders an innocent piece of merchandise through the mails, is instantly vulnerable to a bombardment of obscene advertisements. One of my constituents ordered flower bulbs from a firm advertised in a highly respected gardening magazine. Her name was sold to a pornographic mail-order house. Through identical errors in the name tapes used by the two firms she was able to establish beyond doubt that such had been the case.

This is only one example, but it is typical. Public Law 90–206, which we enacted in the last Congress, gives recipients of unsolicited objectionable material the right to file a protest with the Post Office, which then orders the advertiser to cease and desist mailings to the protesting individual. We all are aware of the incredible workload at the Post Office, which has hindered it in carrying out the law as quickly and efficiently as we had hoped. Many persons are unaware that they even have this right of protest.

I have long had strong views on the corrupting influence pornography is having on our Nation, particularly our youth.

Last October 15, addressing the Westpark Kiwanis Club, I made the following remarks, which I wish to underscore again today:

> The purveyors of pornography and violence even manage to send their ugly merchandise to your homes, unsolicited. And, by virtue of recent decisions of the U.S. Supreme Court, these filth peddlers are riding high, shipping their obscene books and films through the mails to neighborhood bookshops—and, unless you object by letter to the Post Office, to your child at home.
>
> In 1964 the Postal Inspection Service reported about 86,000 complaints from persons who had received unsolicited obscene material and some 800 arrests were made.
>
> But during fiscal 1968, only 350 promoters of such smut were arrested and indicted although more than 160,000 citizens complained.
>
> Today we are being deluged with the greatest flood of hard-core pornography ever experienced by any nation and we also are witnessing, not at all coincidentally in my opinion, a total breakdown in public morals and an increase in sexual degeneracy.
>
> Beyond a doubt the 1966–67 Supreme Court decisions relating to pornography were the causative factor which brought about this state of affairs. The Court reversed 23 of 26 state and federal obscenity determinations. The community standards of 13 states were upset. The high court appeared unimpressed by testimony such as that given by an eminent psychiatrist who testified that obscene material can cause criminal conduct—as in the case of seven teen-agers who attacked a 12-year-old girl after reading material which the youths themselves indicated was their book of instruction for the sexual crimes they committed. And the Supreme Court paid no heed to the same psychiatrist's plea that even though pornography may not lead directly to crimes of violence, it misleads youth into believing that promiscuity, perversion and sadism are acceptable standards of conduct.
>
> The first obscenity conviction took place in England in 1688 and when the Founding Fathers came to America they brought with them the Common Law of England including laws against lewd exhibitions and obscene publications. These principles became absorbed into our laws in early American courts. Later they were codified in the laws of Congress and each of the States of our Union. Contrary to what we often hear, they do not reflect the Puritan image—they reflect Judeo-Christian norms respected for centuries for the protection of the family structure and the wellbeing of the community.
>
> The great Judge Learned Hand pointed out in one landmark case, "In this country the jury must determine under instructions where the book is obscene. The court's only power is to decide whether the book is so clearly innocent that the jury should not pass on it at all."
>
> But contrary to nearly two centuries of American juristic precedent, the Nine Men in Washington now have made themselves custodians of the national morality! And they reached their decisions on pornography at a time in our history when juvenile delinquency cases had almost doubled, when juvenile arrests for murder were up 31%, rape, 34%, robbery 55% and aggravated assault 115%!
>
> You can pay a visit to book and magazine stores in the Cleveland area and see what the courts unleashed on our youth. You can open the entertainment pages of newspapers and see the type of films being offered at local theaters. You might even, when you go home tonight, discover that your young son has received unspeakable smut through the mails—unsolicited, of course—from pornographers who seize every opportunity to purchase mailing lists of young people. They've been known to steal such lists from schools, from Scouting headquarters, they prowl through the newspapers for names and addresses of youngsters.
>
> Constituents, quite justly outraged, have sent me samples of the sort of filth their children have been receiving. Their only recourse is to notify the Post Office that postal officials in turn notify the pornographer to cease and desist such mailings under threat of penalty.
>
> I say that is not good enough. Here is what I propose:
>
> Federal legislation should be enacted making it illegal to solicit sales or sell to any minor through the mails or through interstate transport any salacious merchandise. Book and magazine dealers would be prohibited from counter sales of such filth to minors. Motion picture theaters and other places of entertainment would fall under the same strictures.
>
> Even the U.S. Supreme Court, last April, said that laws may be drawn to establish different standards of obscenity for minors. We should proceed accordingly.
>
> And we should enact legislation provided by the Constitution to check and balance an arbitrary judiciary. Article 3, Section 2, says:
>
> "The Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make."
>
> Congress, in other words, can through legislation withdraw appellate jurisdiction from the U.S. Supreme Court and return it to the state supreme courts where it belongs. If a state supreme court rules that material is obscene, it is obscene, and the matter ends there. Had such legislation existed in May 1967 the nation might be well on its way to a solution of the obscenity problem—a solution mandated by juries, the conscience of the people, in their verdicts in 26 different obscenity cases. The Supreme Court, as I have mentioned, reversed all but three.
>
> Supreme Court Justice Harlan, the great dissenter, courageously stood by the decisions of the lower courts, upholding them in these brilliant words:
>
> "The domain of sexual morality is preeminently a matter of state concern. The Court should be slow to interfere with state legislation calculated to protect that morality. The state can reasonably draw the inference that over a long period of time the indiscriminate dissemination of material, the essential character of which is to degrade sex, will have an eroding effect on moral standards."
>
> Congress appropriated $640,000 this year for the President's Commission on Obscenity and Pornography. Its purpose is "After a thorough study which includes a study of casual relationship of such materials to anti-social behaviour, to recommend advisable, appropriate, effective and constitutional means to deal effectively with such traffic in obscenity and pornography."
>
> I say the effects are self-evident. Citizens are tired of commissions which study and study and study situations which plainly speak for themselves. The time to act is now—not a year from now or two years from now after the commission has spent a million or two more in tax dollars.
>
> I vigorously support severe penalties for those who send through the mails or through inter-state commerce any obscene, pornographic materials for sale to minors;
>
> I vigorously support laws returning to state supreme courts appellate jurisdiction over state obscenity and pornography cases.
>
> I shall do all in my power to see these laws are enacted.

Mr. Speaker, accordingly, on January 3, opening day of this Congress, I introduced H.R. 855, to limit the appellate jurisdiction in obscenity cases to State supreme courts.

And, today, I am introducing the following legislation which would inhibit the rampant abuse of address lists sales to marketeers of muck:

A bill to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and

transactions involving the sale or exchange of mailing lists, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 53 of title 39, United States Code, is amended by adding at the end thereof the following new section:

"§ 4061. Registration of mailing list brokers; furnishing of information with respect to mailing lists

"(a) Each broker engaged in the sale or exchange of mailing lists shall file with the Postmaster General a registration statement, in such form and detail as the Postmaster General shall determine, which shall cover, among other matters prescribed by the Postmaster General, (1) the name under which he is doing business, (2) the scope and general character of the business, (3) the location of his principal business office, and (4) the names and addresses of the directors and the chief executive officers if the broker is a corporation, association, partnership, or other business association.

"(b) Each individual and each corporation, partnership, or other business organization or association using, buying, selling, renting, exchanging, or otherwise making available to others any mailing list shall, on request, furnish to the Postmaster General, in such form and detail, and at such times, as he shall determine, information respecting (1) the name of the individual, corporation, partnership, or other business association or organization, and (2) the identity of individuals having a financial interest in any such organization or association, including the responsible officers and employees thereof. Postal officials, upon request, shall be permitted to examine records and particulars of transactions or mailings pertaining to any such mailing list.

"(c) As used in this section, 'broker' means any person who engages either for all or part of his time, directly or indirectly, as agent, dealer, or principal, in the business of offering, buying, selling, or otherwise dealing or trading in mailing lists owned, rented, or used by another person.

"(d) The Postmaster General shall make appropriate rules and regulations to carry out the purposes of this section. Such regulations shall provide that a broker shall obtain the written consent of each person to be included on such list before placing the name of such person on such list and that a broker or user of such list shall remove the name of such person from such list on the request of such person.".

(b) The table of contents of chapter 53 of title 39, United States Code, is amended by inserting—

"4061. Registration of mailing list brokers; furnishing of information by suppliers, buyers, and users of mailing lists."

immediately below

"4060. Foreign publications free from customs duty.".

Sec. 2. (a) Chapter 83 of title 18, United States Code, relating to offenses against the postal service, is amended by adding at the end thereof the following new section:

"§ 1735. Mailing list brokers, suppliers, buyers, and users

"Whoever, being required by section 4061 of title 39, United States Code, to furnish information to the Postmaster General, fails or refuses to furnish such information as the Postmaster General shall request under such section, or violates any regulation of the Postmaster General under such section, shall be fined not more than $5,000, or imprisoned not to exceed one year, or both.".

(b) The table of contents of such chapter 83 is amended by inserting

"1735. Mailing list brokers, supplier, buyers, and users."

immediately below

"1734. Editorials and other matter as 'advertisements'.".

Sec. 3. The foregoing provisions of this Act shall become effective on the ninetieth day following the date of enactment of this Act.

Mr. Speaker, I have written the chairman of the House Committee on the Judiciary urging that he refer my H.R. 855 to subcommittee for immediate action, and I am hopeful that the House Committee on Post Office and Civil Service will give priority to consideration of the legislation I have introduced today, a bill in which I am pleased to associate my efforts with those of my distinguished friend and colleague, the gentleman from Wisconsin (Mr. Schadeberg).

It is my hope that a majority of this Congress will take heed of the damage being done by the unprecedented flood of corrupting material sweeping our country. The concern of our citizens is brilliantly expressed in the following article by Russell Faist, of the Catholic Universe Bulletin:

[From the Catholic Universe Bulletin, Feb. 7, 1969]

Justices for Smut

(By Russell Faist)

Members of the Citizens for Decent Literature, one of the last holdouts for decent reading and viewing, have an idea that the only way to stop the flood of pornography in the U.S. is to put some kind of restriction on the Supreme Court justices.

Atty. Richard Bertsch, University Heights councilman and a member of the national legal staff of the CDL, gave the Universe Bulletin a quick review of the situation and some of the reasons for the CDL's position.

"The U.S. Supreme Court," said Bertsch, "was not set up to act as a fact-finding jury. It was established, in fact, to guarantee the rights of individuals and the constitutionality of American law."

And in most cases, he said, it does just that. It may determine that the rights of the defendant were unjustly offended by illegal search or questioning; it may hold that trial procedure did not follow rules, etc. etc.

With one notable exception, it does not weigh the established facts or impose its own judgment for that of juries or judges in the lower courts.

That exception is in appeal cases involving obscenity and pornography.

Here, Bertsch said, the Supreme Court justices constantly push away the community standard rule and impose their own standards. Bertsch says they are not minding their own business when they do just that.

Result over the past two years has been the complete collapse of laws limiting obscenity and pornography. Anything goes in the court's libertine philosophy. Obscenity and pornography are things in the eyes of the beholder.

The only chance a law official has in making such a case stick, Bertsch said, is where juveniles are concerned.

Needed, Bertsch said, is a law that would require the Supreme Court justices to mind to their own business as guardians of constitutionality and not become fact-finding juries.

CDL, with several grants including one from the Reader's Digest, has prepared a 45-minute film to show to legislators on the state and national level in the hope of making the point.

The movie was shown to congressmen in Washington last summer, planted some seeds of thought, but legislators seldom move on their own without public pressure behind them.

The film "Target Smut," is not for the squeamish. It reports on some 20 cases involving paperbacks and films in the past two years, follows them from the lowest court to the appeals court, to the supreme courts in some 10 states.

Then the film reports how the U.S. Supreme Court—acting as fact-finding juries and not appeal courts—reversed all the decisions.

Several movie clips in the film involve sex acts or simulated sex acts. In theory at least the CDL could have been arrested for showing the film before the Supreme Court reversed the state courts.

Here is the core of the problem faced by CDL members: How can you arouse citizens to legal pressures and community actions without offending them? How can you show how bad a situation is without showing how bad a situation is?

"Target Smut" will be shown for the first time in this area Monday night at Independence High School. It is part of an anti-smut program of the St. Michael, Independence, Holy Name Society. Adults are invited.

If you think pornography is just an 11-letter word that really isn't a problem, drop out at Independence High School at 8 p.m. Monday. You may get more than you bargained for.

NATIONALISM HAS SOVIET UNION WORRIED

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. GAYDOS. Mr. Speaker, an illusion which continues to be propagated is the "unity" of the Soviet Union and its satellite nations. I believe it necessary to remind ourselves from time to time of the great "potential for freedom" within the confines of the Iron Curtain complex. The Soviet Union is not a voluntary blending of states, but a forced fusion of nations, which have been compelled to accept the dictates of the Kremlin, but have not given up their desire for independence.

I call the attention of my colleagues to an interesting article on this subject which appeared in the Washington, D.C., Sunday Star:

Nationalism Has Soviet Union Worried

The rising tide of nationalism among the peoples who make up the Soviet Union is causing concern in Moscow. Danger signals are coming in from areas as far apart as the Ukraine on the western border and Tadjikistan in Soviet Central Asia, as well as from the Baltic Republics, which were annexed by the Soviet Union only during the last war.

In the past, repeated waves of nationalism in the non-Russian areas were suppressed by wholesale deportations, arrests, and purges of party officials who spoke up for the interests of their own nationalities. But now Pravda, mindful of what happened in Czechoslovakia, is handling the Soviet Union's own nationalists with kid gloves—for the time being, at least.

Symptoms of nationalism should not be underestimated, it says, but it also adds—evidently in reply to those who want firm action now—that it would be wrong to "exaggerate" them.

What are these symptoms? Pravda speaks in generalities. Nationalism, it says, can disguise itself as an attempt to make one's own republic "flourish," as a desire to "exploit fully" its potential and this takes the form of "disdain for contacts" with other Soviet republics.

Translated, this means that there are Ukrainians, and Tadjiks, and members of other nationalities in the 17 republics which make up the Soviet Union, who want to be masters each in their own house. The Ukraine, with its population of 47 million and an industry that stands comparison with the best in Europe, is still ruled largely from Moscow which decides the policy for the country as a whole, and therefore for each of its constituent parts.

This applies even more to the smaller republics. Yet the Russians, who largely make the policy, comprise only half the country's population.

Nor do the Russians rule the other republics only from Moscow. They hold many key posts in the capitals of the republics, where only the representative positions are reserved for indigenous officials. Pravda admits, in effect, the existence of resentment against this when it deplores "the distrust of cadres of another nationality" which masquerades as "a legitimate urge to cultivate national cadres."

Thus, when the Party Central Committee in Moscow rebuked last month the leaders of the Tadjik republic for promoting to important posts certain people who were "without the necessary political and business-like qualities," it was really saying that the Tadjiks had been appointing their own officials to key posts instead of Russians, who were better qualified.

Eight years ago a big purge in Tadjikistan led to the dismissal of the leading Tadjik officials on exactly the same charges, which were accompanied then, as now, by criticism of the prevalence of Moslem customs. The same criticism is repeated now, but it is pitched in a lower key.

In the Baltic republic of Latvia, even the prime minister is making veiled complaints about Moscow's interference with the economic development of his area, but nobody has pulled up short yet. Ten years ago the Latvian deputy prime minister was dismissed with ignominy for the "narrow nationalism" which caused him to seek "the destruction ties" between Latvia and Russia proper. As Pravda now explains, survivals of nationalism are indeed the invisible allies of the Soviet Union's enemies—"but this does not mean that anyone who commits nationalist errors may be regarded as an alien character."

The Kremlin's commendable self-restraint is undergoing its most difficult test in the Ukraine, where a new economic nationalism is beginning to merge with the old-established cultural and the long-suppressed political ingredients to produce what is potentially a most explosive mixture.

The East Europeans, and particularly the Czechoslovaks, have long complained that the imposition on them by Moscow of its own pattern of industrial development, with primary emphasis on heavy industry, has hamstrung their development of the modern industries which are more important today. Now the same complaints may be between the lines of Ukrainian economic journals, which are beginning to hint at the damage to the Ukraine's national interests caused by Moscow's continuing insistence on this policy.

The most important of these, "the economy of the Soviet Ukraine," notes that for many years "huge capital investments" went primarily into the heavy industry of the Ukraine's old-established industrial centres.

At the same time, the areas which needed new labor-intensive industries to absorb their surplus manpower, were starved of capital. Now there were "in our republic" whole branches of industry—in chemicals, light industry, engineering—which had still not attained "a satisfactory level of development." And the magazine complains of the electronics and motor car industries, that is those which really matter in a modern economy.

It lists "the most important products" which, in its view, the Ukraine makes in "inadequate quantities" and which therefore have to be imported from other republics—from metal cutting tools to washing machines and refrigerators. The predominance of heavy industry in the Ukraine used to be something to boast about, but now the magazine reminds Moscow that it played a major role in the development "not only of our republic, but of the entire Soviet Union," while the Ukraine's labor-intensive industries "lagged considerably behind."

It is, in short, a cry for more capital, which the Ukraine believes it has earned by its own exertions, and which is being siphoned off to other areas to the detriment of its own population.

It is a cry that is today being heard in many parts of the world, where the rise of regional and national ambitions can hardly be blamed on the Communist mismanagement of the economy.

But in Communist countries, with their ideologically predetermined centralization of economic and political decision-making, this cry has a power and an eloquence all its own. In the Soviet Union, moreover, it combines with the traditional distrust and envy which subject peoples develop for "imperial" rulers, whether they be Russians or Britons. The analogy must not be taken too far, because in most cases the Russians have become integrated in the social fabric of the nations they have ruled to a much greater extent than the British ever did.

In one sense, indeed, this is the cause of the present trouble in the Ukraine, where the Russians comprise a third of the urban population. And in many of the important towns their proportion rises to a half.

It is the rural population, the "Helots," that is overwhelmingly Ukrainian. The Russian-dominated towns rule the country. They have a much higher standard of living. Much of the teaching is done in Russian, so that Ukrainians in their own country sometimes find it more expedient to send their children to non-Ukrainian schools.

Before the revolution, Ukrainians had to fight very hard for the rights of their own language, so that this struggle became something of a barometer of national feeling.

Now the increasing use of Russian has led to widespread "nationalist" demands that more textbooks, particularly for universities, should be printed in Ukrainian. When the issue was put to the party secretary responsible for ideology, he gave the standard reply that what was important was that technology should develop, "not the language in which the textbooks are published."

More recently, however, the Ukrainian Party's first secretary, Mr. Shelest, has announced that it was time to compile new textbooks—"and most important of all, they must be published in Ukrainian."

At the same time, the party press keeps calling for a "merciless struggle" against every manifestation of nationalism. It is less than 50 years since the Ukraine boasted, for a brief spell after the revolution, an independent national statehood.

Long after the last war, Ukrainian nationalists, who had collaborated with Hitler in the hope that he might restore the Ukraine's independence, continued to harass the Soviet administration from their forest hideouts.

Today young Ukrainians, in prison for demanding freedom of thought—as the young Russians imprisoned in Moscow—have become nationalist heroes. More Urkainian textbooks are no doubt welcome, but this is only a beginning. Politics and language, culture and the economy—all these are at issue now.

Concessions will only lead to further nationalist demands. Repression will only strengthen the nationalist sentiment, in the Ukraine as well as in the other republics.

Nationalism is on the rise throughout the world, but the Kremlin—as its handling of Czechoslovakia shows—is less able to accommodate itself to it than other regimes. If Moscow does not learn the lesson soon, it will be faced with another Czechoslovakia—this time inside the Soviet Union.

WHAT WOULD WE DO WITHOUT AMERICA?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. SCHERLE. Mr. Speaker, in an age in which patriotism is often downgraded, and large numbers of young Americans find it necessary to march and protest against their own country, it is indeed encouraging to learn of young Americans who have a different feeling. These are young Americans who love our country, who understand its message to the world, and who seek to make it a better place in which to live. In a recent issue, the Council Bluffs Nonpareil published a group of short essays written by fourth graders at the Franklin Elementary School. Their teachers, Mrs. Lois Preston and Miss Loreen Elliff asked them to write on the question, "What Does America Mean To Me?" Under unanimous consent I submitt these statements for inclusion in the CONGRESSIONAL RECORD so that they may be shared with my colleagues:

WHAT WOULD WE DO WITHOUT AMERICA?

This is Freedom Week. George Washington's birthday is Saturday—Abe Lincoln's is just over.

The Nonpareil wondered what children thought of their country in light of wars, threats of wars, internal strife, poverty and rising crime.

Fourth graders at Franklin Elementary School in the classes of Mrs. Lois Preston and Miss Loreen Elliff were assigned one morning to write an impromptu essay on "What Does America Mean To Me?"

They did, and those of Joseph Blain, 2715 Avenue F; Mike Weatherill, 2716 Avenue A; Glenda Vanecek, 2932 Avenue A and Richard Heath, 3033 Avenue F, were chosen by Nonpareil editors as highlighting the present American scene.

Two responses asked a question we used as our headline. In the simple language of 9 and 10-year-olds, it makes adults stop and think. Can you answer it?

Here are the essays:

JOSEPH BLAIN

"Hold up that Flag,
Don't let it drag.
Shoot bullets of lead,
For the Green Berets.
Get silver wings,
Don't be ding-a-lings.
Hurrah!
For the Green Berets!

You can win the war.
And tramp through door.
To victory,
In History."

MIKE WEATHERILL

"What does America mean to me?

"It means Washington, Lincoln, Cleveland, and Johnson. Lou Brock, Mickey Mantle, Bob Gibson, and Stan Bahnsen.

"It means oceans, rivers, lakes and streams. And pop, hot dogs, coffee and cream.

"It's my uncle's shotgun, my grandpa's cigar. My dad broke a window, and my Mom wrecked the car.

"All these things above that you see is what America means to me."

GLENDA VANECEK

"What does American mean to me?

"It means the home of the free and the brave.

"It means this is our country and we have to fight for it even if we don't want to. We like to live in peace not with wars.

"It means we wish riots wouldn't happen. We should respect our country and the lakes and parks.

"We want our country to be a beautiful place, not bloody with wars.

RICHARD HEATH

"America means freedom, it means liberty and justice for all.

"It means loyalty, it means privileges, it means love, it means peace for all. It means beauty, it means The Pledge of Allegiance.

"It means work for our country and its people, houses, animals, and Medicare, water, food and land.

RESOLUTION ON NIGERIA-BIAFRA WAR

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. **FRASER**. Mr. Speaker, as one of many Members who are concerned about bringing the Nigerian-Biafran war to an end and alleviating the untold suffering there, I call the attention of the House to the following resolution passed by the Council for Christian Social Action of the United Church of Christ:

RESOLUTION

We call upon the new Administration to utilize every diplomatic resource at its disposal to aid in mediating and terminating the tragic and dangerous Nigeria/Biafran war.

The United States is the only great power that has maintained a relatively neutral position in this conflict and is therefore in a strong moral and political position to appeal to both sides.

However, an initiative must be taken rapidly as the war is beginning to escalate with outside intervention. The greater the threat to human life through starvation and disease in Biafra the greater the pressures for external intervention. Already the French military intervention has created new danger of escalation resulting in further Soviet support for the Federal Military Government of Nigeria.

We commend our Government for its humanitarian concern in the supply of food and planes for transportation through international religious relief agencies. This is a necessary humanitarian action without political implications for either side; but at least a ten-fold increase is necessary before this program can begin to be effective.

We urge our Government to invite both parties to a mediation conference to meet in a neutral area under the chairmanship of the Secretary of State or the Secretary General of the United Nations. United Nations facilities and the cooperation of interested states, particularly members of the Organization of African Unity should be sought. In addition, the U.S. should declare support for an international arms embargo.

The basis of a settlement should of necessity be a compromise that will recognize the basic interests of both parties. A demilitarized zone should be establish under the auspices of the OAU and negotiations begun for a final settlement.

Neutral land and air routes for the supply of food should be opened and policed by OAU states in conjunction with the cease fire.

REMARKS OF CONGRESSMAN WHITEHURST

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. **BOB WILSON**. Mr. Speaker, my distinguished Armed Services Committee colleague, Congressman G. WILLIAM WHITEHURST, made a number of pertinent observations concerning our sagging national maritime posture and Russia's increasing naval strength, in a recent speech before the Norfolk Jaycees. As a well-known Norfolk news commentator and former dean of students at Old Dominion College, BILL WHITEHURST is an eminently qualified spokesman on foreign affairs and our Nation's ocean strength. His knowledge of Communist naval activities is based not only on extensive research, but also on his personal visit to the Soviet Union and Poland several years ago.

We all share BILL's deep concern over the recent presence of a massive Soviet fishing fleet off the Virginia coast. I understand he personally inspected the area with several other Virginia legislators during the Russian fleet's encampment off our shores. I take great pleasure in sharing BILL's recent remarks with my House colleagues:

REMARKS OF CONGRESSMAN WHITEHURST

The appearance of Soviet-bloc fishing trawlers off our Virginia coast dramatizes an issue vital to the Norfolk-Portsmouth area and the national security interests of the United States.

It may be that the Communist fishing fleet is only interested in the fine herring off Chincoteague Inlet. But their presence so near our nation's leading naval center indicates a new Communist strategy of nose-thumbing, harassment and pin-pricking.

We are painfully aware of how small ships of North Korea's "pin-prick" navy, acting, in effect, as proxies of the Soviet Union seized the U.S.S. *Plueblo* and inflicted humiliation on the United States. The Russians are sailing into new waters and providing naval weapons to associated communist states.

From the Mediterranean to the Sea of Japan, the Russians have pulled some rude and obstructive maneuvers. They have cut into U.S. naval formations. They have steered on collision courses. There is a method to the madness of this seagoing "buzzing". Moscow's naval thinkers are methodically seeking to undermine the world image of the United States Navy and to substitute a fear of spreading Soviet naval presence.

Moscow has linked naval and political operations. They are seeking psychological advantage over us. They want to inhibit our forces. That was the name of the *Pueblo* game.

Russian naval brinkmanship, the playing around with the 12-mile limit, and Communist efforts to close certain sea areas to American warships illustrate the arrogant and cunning Russian attempts to exploit and destroy the historic freedom of the seas.

The Soviet fishing fleet illustrates the Russian goal of domination at sea. Even if all their trawlers were merely innocent fishing vessels, our interests are threatened. Since 1954 the Soviet Union has invested $4 billion in its fishing fleet and fishing facilities ashore. Meanwhile, American trawler owners are hard-pressed to find money to build or modernize trawlers. But the Russians are building the latest trawlers costing more than $2 million each.

In the last year for which figures are available, 1964, five years ago, the Russians were already landing almost twice the total American catch of fish. Moscow has set a goal of 8.5 million metric tons of fish for 1970.

But the Russians are obviously fishing for something more than seafood. Two hundred special oceanographic vessels have been assigned by the Russians to ocean research. Nine thousands of their best scientists are engaged. A worldwide fleet of trawlers and auxiliaries is assigned to work like the U.S.S. *Pueblo* was supposed to have done.

During the recent International Geophysical Year the Soviet oceanographic effort was double that of the United States.

An outstanding feature of the Soviet oceanographic program is the construction of new scientific research ships.

The United States has only about 3,700 people engaged in ocean studies, a little more than a third of the manpower that Russia has assigned. The United States has 50 fewer ships in oceanographic work.

As a newly-appointed Member of the House Committee on Armed Services, I am beginning my duties with the conviction that the Navy is still our first line of defense. We must consider the full range of Soviet potentialities and possibilities of the 1970's, the coming decade. *Soviet emplacement of nuclear weapons on the seabed is one of these possibilities.*

Recent studies have indicated that Russia might find it strategic to replace land-based missiles with sea-bed bases or underwater silos. Satellite surveillance would be less effective against missile silos on the ocean floor. Such undersea installations would decrease the consequences of a nuclear strike against a missile-armed foe, thus giving the Russians a great advantage.

Even if such undersea installations are merely within the realm of possibility the United States must face the consequences. We must authorize and achieve naval systems for detecting and destroying such offensive bases on the seabed.

America must simultaneously develop new undersea law concepts that would provide adequate security against the establishment of Russian undersea missile bases within range of Norfolk or any other point on our coasts.

I will propose steps to meet the Russian challenge. Russia's change from land power to aggressive oceanic power may lead them to believe that they have found the means of tipping the world power balance in their favor. A gap in naval power cannot be tolerated. It would tempt the Russians to dangerous conclusions. They know very well that after a nuclear exchange, seapower would be the main residual power available.

The new Administration finds that U.S. oceanography has become a national stepchild. While we spend more than $4 billion a year for the space program, the total spent for ocean studies, research and development, is less than the building of a single space vehicle.

It is not enough to say that two-thirds of our Navy is over 20 years old . . . or that only 10 percent of Russians are more than 20 years old. Let us look at the floating junkheaps among the ships we are still using even in the war zone in Southeast Asia. When some are overhauled and sandblasted to remove barnacles, the sandblasting goes right through the hull. The Coast Guard would intervene if this happened to commercial ships. But a plate is welded over old Navy ships and they are sent back to dangerous waters.

Our sailors really earn their pay, patching up our old tubs. Crew facilities are often without airconditioning, even though ships are operating in tropical waters. On one ship, the Armed Services Committee found that only three out of six toilets for 144 men were working. The shipfitters were too busy repairing the boilers to fix the toilets.

The Atlantic fleet and the Mediterranean fleet have entirely too many overaged ships that are not getting the necessary maintenance, let alone total replacements. The Russian navy is spreading its presence, not only in the Mediterranean but into the Indian Ocean. Soviet TU-16 jet bombers fly surveillance over the U.S. Sixth Fleet from bases in Egypt. As the British withdraw from bases East of Suez, the Russians push in. That's what the Middle East crisis is all about. Russia is making a power play to control the oil of that strategic region, to dominate the Suez Canal, to turn the Mediterranean into a Red Sea, and to outflank NATO from the south.

Since the State of Israel, dependent upon the United States and friendly to us, is now in a strategic position at Suez, the Russians have lined up with the Arabs. Moscow sees the destruction of Israel, by political pressure or guerrilla warfare, a major blow at American power in the region. I favor the sale of Phantom jets to Israel because I conceive of Israel as a possible unsinkable aircraft carrier that may prove a vital auxiliary to our Sixth Fleet.

President DeGaulle of France is playing a peculiar game in the Middle East. He is facilitating Russian strategy. The anti-Israel policies of DeGaulle have little to do with anti-semitism or pro-semitism. They are designed to attract hard currency deposits by Arab oil sheikhs to the Bank of France to strengthen the franc and manipulate other currencies including the dollar.

The decline of the franc last year led DeGaulle to a desperate and cynical accommodation with the Arabs and Russians. DeGaulle is irresponsibly exploiting what President Nixon has termed a "powder keg" situation in the Middle East. DeGaulle is jeopardizing the shaky Mideastern balance and risking a world conflagration in a desperate gamble for massive hard currency transfers of Arab oil money from American and other banks.

In the final analysis, America may have to depend upon its own strength and its own ships in the Mediterranean and elsewhere. In the Norfolk-Portsmouth area, we possess the naval experience and technology to far surpass the Russians at sea.

The real issue that I mentioned in my opening remarks is whether the American people are determined to maintain our supremacy at sea by building a more modern Navy. It is the best guarantee for peace. Moscow respects strength and has contempt for weakness.

We could have built a *Pueblo* here that would not have fallen prey to the North Koreans. We have the facilities and the skill to build fast, modern ships that can cope with special circumstances.

It is absurd to permit the Russians to surpass us in oceanographic research, or in any other kind of research. We need ships with adequate speed and facilities so there can never be another Pueblo seizure by a pin-prick Navy. If the Russians are going to harrass us, to humiliate us, we should think about humiliating them a little bit.

I can think of no better place than the Norfolk-Portsmouth area for the development of a great oceanographic research center. Naval and civilian enterprise could join together to broaden knowledge and technology.

Let the Russians worry about our trawlers off their coasts. Maybe we would like some of their cod, or crabs, or caviar, or whatever they have on their 12-mile limits.

Let us explore the whole range of possibilities at sea. The last Administration set arbitrary limits on new submarines. They held down our nuclear attack submarine force.

Their record on surface ships left a lot to be desired. Years were lost in the development of a nuclear-powered surface fleet.

The rigid cost-effectiveness formula of Secretary McNamara elevated accounting factors over security factors.

I am extremely interested in new legislation emerging in my committee for the construction of Navy ships costing $3.8 billion in fiscal year 1970. The naval shipbuilding program amounted to only $1.3 billion in fiscal year 1969.

The new legislation would provide for 19 new warships including one nuclear-powered aircraft carrier, two nuclear-powered guided missile frigates, three nuclear-powered attack submarines, and eight destroyers of the latest class; also, 17 new support ships, 21 conversions including six Polaris submarine conversions, and modernization of three missile escorts.

This is but the start of a new modern Navy. The funds would also cover design efforts and purchase of long lead time for further nuclear attack submarines and nuclear frigates.

The implementation of this kind of program would permit the shipbuilding industry to plan for the modernization of facilities. It would be possible here in the Norfolk area to make better long-range plans for utilization of the working force. Long-range plans would enable our Navy to attract and retain the kind of talented men required to design and operate the complex ships required.

The first priority of my Congressional duties in Washington, according to the oath I have sworn, is to defend and protect our nation. My efforts for a new nuclear Navy are totally consistent with this commitment.

Nor can we forget our merchant marine. Four out of five Russian merchant ships are less than 10 years old. Four out of five of our ships are of World War Two vintage or older. The massive expansion of the Russian merchant fleet has military, economic, and political implications. Soviet merchant ships are the decisive factor in the movement of munitions to North Vietnam.

We cannot permit Russia to gain maritime supremacy. Our Government must encourage the builders of merchant ships. This is another priority linked with our defense.

If we are to keep the peace and maintain freedom, our nation must proceed at full speed to augment our sea power.

The trident will not be wrested from America's grasp.

ESTONIAN INDEPENDENCE DAY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. WOLFF. Mr. Speaker, this week is the 51st anniversary of the independence of the Republic of Estonia Tragically the breath of freedom that came refreshingly from Estonia in 1918 was snuffed out by the Soviet Union in 1940.

Estonia, like its Baltic neighbors, Latvia and Lithuania, became a captive of Soviet oppression in 1940 after just 32 years of freedom. Yet during those 32 years the people of Estonia made clear their commitment to the principles of freedom and democracy that we, here in the United States, value so greatly.

Thus it is appropriate that out of respect for those principles on which this Nation was founded and out of respect for the many Americans of Estonian descent, that we take the time to recognize the anniversary of Estonian independence. Clearly implied in our recognition of the Estonian Independence Day is our unwillingness to accept as permanent the Soviet occupation of Estonia and our commitment to the eventual renewed freedom of the people of Estonia.

I am proud to join in recognizing Estonian Independence Day and to reaffirm my commitment, shared with my colleagues, to see Estonia free again.

AMENDMENTS TO THE MILITARY SELECTIVE SERVICE ACT OF 1967

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. WHALEN. Mr. Speaker, I am reintroducing today legislation to amend the Military Selective Service Act of 1967. This measure is similar to the bills which I and Messrs. Horton, Shriver, and Stafford introduced during the 90th Congress.

As you know, my colleagues and I have been extremely critical of the present draft system for some time. Since 1967, we have advocated the development of an all-volunteer military force, which, we believe, can be accomplished within 2 to 5 years. Nevertheless, there are numerous immediate improvements which can be made in the draft laws which will make them more equitable. Some of these changes are contained in the measure which I am reintroducing today.

The main provisions of this bill are as follows:

Requires the drafting of the 19-year-old group first;

Requires draft boards to conform to uniform national criteria for deferments;

Requires the Selective Service System to abide by the recommendations made by the National Security Council on "critical skills";

Removes any obstacle to the President to institute an equitable method of choosing those few who are needed from among the larger available manpower pool, including a system of random selection;

Includes a statement of purpose that the Government would attempt to meet its military manpower needs through adequate voluntary enlistment before resorting to compulsory conscription;

Requires that entrance standards for enlistment be no lower than for the draft;

Allows deferments for students attending junior colleges, community colleges, and similar institutions of learning on the same basis as baccalaureate candidates.

Mr. Speaker, the distinguished chairman of the House Armed Services Committee has announced that the committee will hold hearings on the draft laws during this session, and I hope that these proposals will be thoroughly considered at that time.

APOLLO IS PROUD OF APOLLO

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. SAYLOR. Mr. Speaker, yesterday I sent the following letter to Postmaster General Winton M. Blount:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 25, 1969.

Hon. WINTON M. BLOUNT,
Postmaster General of the United States,
Post Office Department, Washington, D.C.

DEAR MR. BLOUNT: As representative of a district that includes Apollo, Pennsylvania, I should appreciate your arranging for that town to share in the first-day issue of the commemorative stamp honoring the Apollo 8 Mission. While I am aware that Houston has been designated to handle the issue on May 5, I feel that an Apollo postmark would add inspiration and excitement to the occasion.

Residents of Apollo are thrilled and they are proud to have the *only* post office of that name in the United States and possibly in the world. By linking this community with the historic mission to the moon, you will pay tribute to a grateful and patriotic people and at the same time assist in perpetuating recognition of and appreciation for our courageous astronauts. What could be more appropriate?

You will be interested to know that Apollo Mayor Duane S. Guthrie has issued a proclamation conferring honorary citizenship on Astronauts Frank Borman, James A. Lovell, Jr., and William A. Anders. Citizens of the town are hoping that their adopted sons will be able to visit there in the near future.

Coincidentally, William B. Smith, Manager of Apollo Manufacturing, Space Division, North American Rockwell Corporation was born in Apollo, Pennsylvania.

Your cooperation in this matter will be deeply appreciated. I will be most happy to lend my efforts and arrange for appropriate ceremony at Apollo providing the necessary approval is received.

With every good wish,
Sincerely,

JOHN P. SAYLOR,
Member of Congress.

P.S.—Enclosed is a copy of the resolution passed by the Pennsylvania Senate.

In support of a desire to have the Post Office Department permit Apollo the privilege of the first-day issue, I insert the following documents—"Apollo Salutes Apollo" and a proclamation issued by Mayor Duane S. Guthrie—in the RECORD. I should also like to point out that the Apollo News-Record published a special Apollo 8 edition on December 31, 1968.

The documents follow:

APOLLO SALUTES APOLLO

Whereas Apollo Seven dramatically departed the planet Earth October 11, 1968 and,

Whereas Apollo Seven accomplished its mission of 163 orbits about the plant Earth and,

Whereas Apollo Seven returned to Earth on this 22nd day of October 1968 and,

Whereas Captain Walter M. Schirra, Major Donald F. Eisele, and Walter Cunningham piloted Apollo Seven thru this historical flight and,

Whereas William B. Smith, Manager of Apollo Manufacturing, Space Division, North American Rockwell Corp., Downy, California, was born in Apollo, Pennsylvania.

Therefore, I, Duane S. Guthrie, Mayor of Apollo Borough and members of Apollo Borough Council do hereby declare on this 22nd day of October, 1968 that this historical event be proclaimed as Apollo Seven Week in Apollo, Pennsylvania and, Be it further

Resolved, that this proclamation be recorded in the records of Apollo Borough at a regular Council meeting.

Duane S. Guthrie, Mayor; Everett A. Beck, President of Council; H. Owens Coleman, Vice President of Council; Chas. E. Morgan; Russell Swenson; Lyle K. Ament; Robert J. Jackson; and Dorothy L. Owens, Secretary.

PROCLAMATION

Whereas Apollo Eight has historically orbited the Moon and,

Whereas Apollo Eight has returned to the planet Earth this twenty-seventh day of December, 1968 and,

Whereas Apollo Eight accomplished scientific feats, until now unknown to man and,

Whereas Colonel Frank Borman, Captain James A. Lovell, Jr., and Major William A. Anders piloted this successful mission.

Therefore, I Duane S. Guthrie, Mayor of Apollo, Pennsylvania do hereby declare Colonel Frank Borman, Captain James A. Lovell, Jr., and Major William A. Anders be proclaimed Honorary Citizens of Apollo, Pennsylvania.

DUANE S. GUTHRIE,
Mayor.
EVERETT A. BECK,
President of Council.

LITHUANIAN INDEPENDENCE DAY

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. RHODES. Mr. Speaker, on February 16 the Lithuanian people observed the 51st anniversary of their independence. Sadly enough, this day could not be truly celebrated because Lithuania has no independence, nor has she had since 1940 when she was occupied and annexed by Soviet forces. February 16 was a day of commemoration, however, by Lithuanians all over the world, except in their own country where they suffer the yoke of Soviet oppression, of that great day in 1918 when the Lithuanian Council declared Lithuania to be an independent and democratic nation. That such a time will come again to Lithuania is the hope of all her people, and marks their every effort. Certainly, we paid tribute on February 16, as we do throughout the year, to the courageous Lithuanian people in their struggle to return justice and freedom to their country.

THE TRAGEDY OF OUR TIME: MOST PEOPLE WANT TO LIVE IN SMALL TOWN AMERICA, BUT MUST LIVE IN BIG CITY AREAS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. EVINS of Tennessee. Mr. Speaker, two recent reports underline the frustration of millions of Americans who are compelled to live in our big cities and metropolitan areas because of the lack of opportunities in many of our rural areas.

One report includes a public opinion poll conducted for the National Rural Electric Cooperative Association by International Research Associates of New York City. This poll indicates that 82 percent of the American people would prefer to live in smalltown and rural areas—if they could live anywhere they wanted to live. Only 15 percent chose the big cities.

Other phases of the public opinion poll of a representative sampling of the American public, 18 years of age and over, show that most Americans consider people in rural areas to be warm and friendly, in good health, active participants in community affairs, and honest in their business dealings. A much smaller percentage associates these characteristics with big cities.

It has long been my contention that 70 percent of the American people are crowded into 1 percent of the land area in crowded, congested metropolitan areas because of lack of opportunity in many of our rural areas.

This report confirms this belief.

Another report prepared at my request by the Library of Congress shows that from 1960 to 1965 the metropolitan areas in our big city complexes grew at a rate of 15 percent while the growth rate in rural areas was 3.3 percent.

During this period the farm population declined 4 million as the migration to our metropolitan areas continued. The Library of Congress report cites research by the Advisory Commission on Intergovernmental Relations which shows that this migration includes more than a proportionate share of the better educated and skilled in rural areas—stripping the smalltown and rural areas of much of their leadership and talent.

The report shows also that much of the migration has been to the urban ghettos where the new arrivals increased the intensity of existing problems.

The report concludes that with 5.3 million young men in rural areas becoming members of the work force in this decade—and with farm jobs declining at a rate of 300,000 a year—a total of 550,000 additional rural nonfarm jobs is needed each year if our young people are to be retained in their home areas.

The report added:

> The alternative is continued heavy migration from the countryside to the already overcrowded cities.

Failure to act decisively to halt this migration trend, the Library of Congress report continues, will result in a weak-

ening of the economic strength of smaller communities and accelerated out-migration until small towns find it difficult to support public services.

Thus—

The report adds—

the problem is a critical one.

Much progress has been made in our rural and smalltown areas through economic development and a Federal-State partnership for progress. Many large industries are decentralizing their operations because they are finding a more favorable work climate in rural areas—with easier traffic access, a stable work force, pleasant communities with less crime and many other advantages.

But this trend must be accelerated.

In this connection, I have introduced in the House H.R. 799, the Rural Development Incentive Act of 1969, which would provide for tax incentives to encourage rural industrial development. This would help to provide the jobs and opportunities for our young people and slow the trend of out-migration.

In this connection, I am placing in the RECORD an article written by the distinguished syndicated columnist, Mr. Bert Mills, Main Street, U.S.A., which outlines the importance of this approach to the problem:

[From the Covington (Tenn.) Leader, Jan. 16, 1969]

MAIN STREET, U.S.A.—EVINS PUSHES FOR AID TO SMALL TOWNS IN NATION

(By Bert Mills)

Tax incentives to encourage the establishment of new or expanded job-producing industries in rural areas, where low incomes are prevalent or the emigration rate is high, have been recommended to the new Congress by the House Small Business Committee.

Another recommendation is that legislation be passed to enlarge the criteria now determining eligibility for federal aid under the poverty program so as to include outmigration along with low income and the unemployment rate.

These and other proposals stem from the concern of Rep. Joe L. Evins (D. Tenn.), the perennial chairman of the small business group, over the future of small towns and rural communities. Two years ago, he asked a subcommittee headed by Rep. John C. Kluczynski (D. Ill.), to hold hearings on the problems of smaller cities and towns.

The thought was that both the small towns and the major cities would be helped if some way could be found to keep people from leaving the towns for the cities, where they often fail to make their way and wind up as welfare cases. The obvious answer is to provide jobs back home.

Rep. Evins said when hearings began: "We must stem the tide of out-migration. We must strengthen and rebuild small town and rural America. We must assist small business and our free enterprise system to provide the opportunities that will hold our young people in Small Town, U.S.A."

FIGURES MISLEAD

Hearings were held in Washington and in the field in 1967 and 1968. Among the conclusions reached as a result were that the rate of unemployment and the percentage of low incomes in a community can be highly misleading as an index to prevailing conditions.

If a factory in a town closes down, and if its employees cannot find other jobs locally, most of them are likely to move elsewhere. The out-migration reduces the ranks of the jobless and the community may be unable to qualify for federal aid because it cannot meet the unemployment criteria.

As the report points out, "a town whose inhabitants have moved away has progressed much further into economic malaise" than another community which has high unemployment but whose residents have not yet pulled up stakes and gone elsewhere.

Low incomes can also be misleading when city and rural residents are compared. The cost of living is lower in Small Town, U.S.A. As the report states, "many potential economies exist in smaller towns as compared to their more pupulous sister cities."

OMBUDSMAN URGED

At the urging of chairman Evins, the Department of Housing and Urban Development recently established an Office of Small Town America. This is a small, pilot program and its fate at the hands of the new administration is in doubt. The Small Business Committee wants it enlarged and "empowered to act in an ombudsman capacity."

The idea is that small towns need a central office within the federal establishment which is a do-everything operation, able to arrange participation in any program, cutting across the departments and agencies, able to guide whether the problem is highways, sewers, law enforcement or any of the myriad areas in which matching funds or grants are available.

The House Small Business Committee is virtually powerless to achieve any of these recommendations. It is a special committee, without authority to originate legislation. All it can do is urge other groups to act on its proposals. Of course, if there is a loud roar of approval from the grass roots, a way could be found to get action.

Mr. Speaker, because of the interest of my colleagues and the American people in this most important matter, I am also placing in the RECORD excerpts from the report of the National Rural Electric Cooperative Association which I want to commend and congratulate for its great work in promoting rural growth and progress.

The excerpts follow:

THE NATION'S VIEW OF RURAL AMERICA AND RURAL ELECTRIFICATION

IN BRIEF

The American public looks upon rural America in very favorable terms, assigning to rural life and rural people most of the classic virtues, and few, if any, faults. These feelings extend directly to the mistaken impression that rural America faces few problems.

The public as a whole has given little thought to the electric power industry in the United States today. The public is generally unfamiliar with even the simplest terminology used to describe the three major types of power suppliers, but, importantly, there is often recognition of concepts, even when terms are unfamiliar.

The public holds a generally favorable attitude toward America's rural electrification program. The great majority of Americans feel that electric cooperatives play a desirable role within the framework of the electric power industry in this country.

These points are discussed more fully below:

RURAL AMERICA—ITS IMAGE

The overwhelming majority of Americans state they have some contact with the small towns and rural areas of the country and hold an extremely favorable image of rural America. When life in the big cities and the rural areas ar hypothetically compared, rural life seems to hold all of the classic virtues and few, if any, faults.

People who live in rural areas are believed to be much friendlier, much healthier, much more honest and much harder working than their city counterparts. They are thought to be free of the tensions and pressures of city living. To a slightly lesser degree, they are believed to be more active in community affairs and to care more about the needs of communities other than their own. Contrary to the standard stereotype, they are felt to have more fun in life than the city dwellers. In terms of his "open-mindedness," the rural resident is ranked on a par with the resident of the big city.

Only in the sense of knowledge and sophistication are the city residents given a decided edge; they are believed to be much better informed about the affairs of the world.

FIGURE I.—*Percentages of the American public who choose either the "people who live in big cities" or the "people who live in rural areas" to fit each description*

Thinking about the people who live in the big cities and in the rural areas—which do you feel would be more likely:

[In percent][1]

	Big city	Rural	No difference: no opinion
To be warm and friendly to other people	7	81	12
To be in good health	8	75	17
To be very honest in their business dealings	6	65	29
To be the most hard working	15	56	29
To get real fun out of life	29	53	18
To work actively in community affairs	27	52	21
To be concerned about the problems and needs of people outside their own communities	30	42	28
To be openminded about other people's opinions	35	36	28
To be well informed on what is going on in the world	54	19	28
To have a lot of tension and pressure in their daily lives	83	5	12

[1] Percentages in tables may not add to 100 due to rounding

This favorable image of the rural person extends uniformly to the conditions of rural life. Most people believe that poverty is to be found in the cities much more than in rural areas and that housing conditions are far worse in the city than in the country. Only on the matter of the quality of educational facilities are cities conceded the advantage, but even here the gap is small.

Only 15 per cent of the American population would prefer to live in large cities. There is grave dissatisfaction among those who already live there—only 27 per cent of the present large-city residents say they live there by choice. In contrast, 70 per cent of those who live in small towns say they prefer to live there; a full 75 per cent of those who live in rural areas are satisfied.

Almost paradoxically, a large plurality of the population believes that the large city is where a young man has the best chance of building a good life for himself. The young themselves reflect this attitude clearly: 55 per cent of those under 25 felt that they should go to the city to get ahead, although only 26 per cent of this same group say they would really prefer to live there.

Apparently the middle road—the small town—represents the true ideal for the average American. It is the small town that is ranked first as a place to live and as a place to raise children. The rural areas come second and the cities a poor third.

FIGURE II.—*Percentage of the American population that name one of three types of area as first choice on specific points listed*

We've mentioned so far three different kinds of places in this country: the big cities, the smaller cities or towns, and the rural areas. All things considered:

[In percent]

	Big cities	Smaller towns	Rural areas	Don't know; no preference
If you could live anywhere you wanted, which of these would you choose?	15	53	29	3
Where do you think would be the best place to raise children?	5	53	38	4
Where do you think a young man would have the best chance of building a good life for himself?	44	29	9	18

THE VIEW OF RURAL PROBLEMS

Despite his stated contact with small towns and rural areas, the average American does not believe rural problems to be as important as others that face the nation. He ranks them lowest in priority among seven major issues and tends to set the problems of the cities at a significantly higher level. Residents of the rural areas themselves tend to view rural problems as secondary in the national context and consider them only slightly more critical than those of the cities.

In terms of possible solutions to community problems—whether urban or rural—the average citizen believes first in the concept of self-help. Only slightly below this in acceptability are solutions that, although sponsored by either government or industry, involve the citizenry and become self-help projects.

Certain slight differences are perceived by the public between the "proper" solutions for urban and rural problems. Private industry is seen as playing a more significant role in solving urban problems than in solving rural problems—probably because of the belief that industry is not as available in the rural areas to help. Perhaps for the same reason, the role of government is seen to be more important, relative to private industry, in rural areas than in urban.

BACKGROUND OF THE STUDY

The study is based on a total of 1394 personal interviews among a representative sample of the adult public, 18 years of age and over, throughout the United States.

Approximately one-third of the interviews were held in the major central cities of the nation and another third in suburban areas satellite to these large urban communities. Of the remaining one-third, half were in small towns and half in rural areas. Geographically, interviews were divided among the East, North Central, South and Western United States—the exact number of interviews per section dependent upon the size of the region.

Specific interview points were selected within the framework of a national probability sample, making it possible to project the results to the total adult population of the United States. The results were computer tabulated and broken down by age groups, sex, income level, geographical area, education, political party preference, type of community, and other variables.

Sixty-seven question items were included in the survey questionnaire. They concerned major national issues, attitudes toward various aspects of urban and rural life, and knowledge of and attitudes toward the three major types of electric suppliers. Personal data questions were also included.

Mr. Speaker, I also place in the RECORD excerpts from the Library of Congress report prepared at my request.

The excerpts follow:

A BRIEF FAVORING TAX INCENTIVES FOR THE DEVELOPMENT OF RURAL AREAS—STUDY BY THE LIBRARY OF CONGRESS

INTRODUCTION

This paper was prepared at the request of a Congressional office desiring to support the idea of tax incentives for the development of rural areas.

I. THE DEVELOPMENT PROBLEM IN RURAL AREAS

The rural areas of our Nation have held their own in population but have grown more slowly than any other sector. Between 1960 and 1965, the greatest population growth, over 15 percent, was experienced in the metropolitan suburbs. The next greatest growth (6 percent) occurred in non-metropolitan towns with over 10,000 population. The central cities in metropolitan areas followed with 3.5 percent. Finally, with 3.3 percent came the "non-metropolitan remainders," or rural areas, consisting of towns below 10,000 population, rural villages and farms.

The slow rate of growth in rural areas was due to a decline of 4 million in farm population during the period and a considerable out-migration from rural areas generally. According to an April 1968 report of the Advisory Commission on Intergovernmental Relations, entitled, "Urban and Rural America: Policies for Future Growth," the migrants from depressed areas included more than a proportionate share of the better educated and skilled, leaving behind an overrepresentation of the less productive sector of the work force: blue collar workers, the less skilled, Negroes and the aged. The migrants from rural areas, particularly the less skilled, have migrated to the central cities where they have contributed to the economic and social problems of the urban ghettos. It has been estimated that over one-fifth of the growth of the central cities has been due to in-migration, almost entirely from the rural areas.

The result has been a less-than-desirable rate of economic growth in rural areas. This is so because economic growth is related directly to rates of increase in total population and inversely to rates of increase in the nonwhite proportion. The ACIR report points out also that rural America is consistently in the disadvantaged position, compared with urban areas, by such indexes as educational and health facilities, housing and income levels.

It has been estimated that for rural America as a whole, about 5.3 million rural young men are becoming adults in this decade as against only about 3 million men who are dropping out of the labor force. In addition, farm jobs are declining at a rate of perhaps 300,000 a year. To compensate, there is need to create each year about 550,000 rural nonfarm jobs or jobs accessible to rural residents by commuting. The alternative is continued heavy migration from the countryside to the already overcrowded cities.

A continuation of past trends, according to the ACIR report, will have these results:

(1) a widening gap between the economies of the central cities and their surrounding suburban neighbors, intensifying the problems of the central cities, and

(2) an eventual by-passing of the nation's small urban places to the point where they will be less and less able to offer enough jobs to their residents and those of the surrounding rural areas. This will cause an even greater out-migration from rural areas than we have witnessed in the past. Then these areas will be left with an overconcentration of less productive people and will find it increasingly difficult to support basic public services.

Thus, the problem is a critical one.

II. SOME EXISTING PROGRAMS AND NEW PROPOSALS FOR RURAL DEVELOPMENT

The Area Redevelopment Act of 1961 (P.L. 87–27) helped to alleviate unemployment in economically depressed rural areas. It provided occupational training and encouraged the development of physical plant and industrial expansion in an effort to reduce out-migration. By 1965, when it was terminated and basically replaced by the Public Works and Economic Development Act of 1965 (P.L. 89–136), it was credited with some 65,000 new jobs in rural areas.

The Appalachian Regional Development Act of 1965 (P.L. 89–4) established a program of cooperative development of the depressed Appalachian region. It is designed to improve the public facilities and service-base of the Region to suport private investment rather than directly to finance industries. It encourages coordinated programs for overall development of the region, including highways, health facilities and vocational and technical schools.

The Public Works and Economic Development Act of 1965 (P.L. 89–136), provided some regional development for other areas like that for the Appalachian region (the mountainous portions of Missouri, Arkansas and Oklahoma, the Upper Great Lakes Region and portions of New England). It also provided some direct assistance. By June 1968, some 1,300 local areas had some kind of EDA assistance or development program. In about 600 areas some $560 million had been put into public works projects to improve the infrastructure necessary for business growth. Some 60 percent of the projects and 80 percent of the over $100 million of business loans went to areas under 10,000 population and to firms employing less than 250. (EDA may lend up to 65 percent of aggregate cost, at least 20 percent must come from private lenders, and at least 5 percent from a State or a public community or area organization). It has been estimated that 70,000 to 75,000 jobs in rural areas have been developed since 1965.

The Department of Agriculture administers many community development programs. These include loans and grants for water and sewer systems, telephone and electric systems, housing, roads, schools, watershed development, flood prevention, recreational facilities, etc. There are also numerous loan programs to strengthen family farms, improve rural communities and alleviate rural poverty. The rural non-farm programs include rural renewal loans to renew the economy of rural areas where family incomes are abnormally low, community facility loans for water and waste disposal systems and community recreation areas in communities up to 5,500 population, rural housing loans, resource development loans, and economic opportunity loans to help low income rural families develop enterprises to raise their level of living. It has been reported that rural electric cooperative associations have created employment for about 30,000 rural residents. Additional employment opportunities were created by the over 300,000 commercial and industrial customers, mostly small businesses, served by REA systems. Electric and telephone systems financed by the Rural Electrification Administration work with local groups, generally in locating technical advice or lending sources, to help launch new or expanded industries in their areas. Surveys indicate that from 1961 to 1967 more than 2,700 such enterprises have been launched creating an estimated 216,000 new rural job opportunities.

It is clear, however, that much more needs to be done. In recent testimony, the Assistant Secretary of Agriculture for Rural Development and Conservation, Dr. John A. Baker stated that "The rural forces for progress, who want to help industry thrive in the countryside, are getting organized. In thousands of rural communities, they are putting together their resources, putting their plans on paper and into action. Counties are getting together and working in harmony on a multi-county basis."

The Small Business Administration has a local development company loan program, known as the 502 program. Between 1959 and 1967 a total of 1,556 loans have been made totalling $305 million. Local groups get together, incorporate, and then raise a percentage (generally 20 percent) of the needed funds from the community. Banks may participate to the extent of 20 to 40 percent of the total and hold a first mortgage on the property. 502 loans can be used only for land, buildings and machinery but not working capital (which can, however, be provided by an accompanying SBA business loan of up to $350,000). Of the 1,556 loans over 900 were in communities under 5,000 population and over 200 more were in communities of 5,000 to 10,000. About 31,000 job opportunities are estimated to have resulted.

There is some conflict among experts as to the efficacy of industrializing non-metropolitan areas. Some maintain that only industry based on natural resources of the area will be successful and then only until the natural resource is exhausted. Others suggest that industries not based on natural resources can be successful. Research is fragmentary and more is needed. There are some practical indications from existing programs, however, that industrialization of rural areas is worthwhile.

Moreover, States and localities have experienced some success in their industrial development efforts. Thus, the textile industry was attracted to the South from its former base in New England. Not only manufacturing, but services and investment of public funds in government facilities such as schools, research centers and military posts are thought to yield important renewal stimulus.

Compared with the need for an estimated 550,000 new rural jobs annually, the problem, however, is a huge one. It involves, moreover, in addition to problems of financial stimulus by government such as loans, grants and tax incentives, numerous issues of overall planning, the respective roles of governmental and private sectors, intra-governmental cooperation within the Federal Government and intergovernmental cooperation between the various levels of government.

In its report on "Urban and Rural America: Policies for Future Growth" the Advisory Commission on Intergovernmental Relations recommended a national policy on urban growth. Such a policy would, among other things, conform governmental institutions to a nation which is no longer primarily agricultural; strengthen governmental institutions in impoverished rural areas, promote equality of opportunity regardless of race; encourage Negro and other migrants from rural areas to move to growth centers outside metropolitan areas; and develop a viable nation-wide pattern of urban growth in a healthy economy—both rural and urban.

The recommendation for a national policy on urban growth was reached after consideration of such negative factors as the waste of money involved in combating inevitable trends, the lack of data on which to base a policy, the practical difficulty of inducing industry to locate where jobs are needed and of inducing unemployed people to move where the job exist; the political difficulty of pinpointing action to limited areas; the healthiness of the natural distribution of people and jobs; the superiority of a frontal attack on the problem of impoverished Negroes; the undesirability of shoring up businesses and government units better left to die; and the likelihood of creating big-spending programs.

The Commission identified national government policies which can influence the location of people and industry and the resulting patterns of urban growth. These include: policies and programs to neutralize factors producing excessive population concentrations (resettlement allowances, training allowances, interarea job placement information, reduced interstate variations in public assistance eligibility and benefit standards); placement of Federal procurement contracts to foster growth in certain areas; and Federal financial incentives (loans, direct payments, and tax incentives).

The financial incentives, said the Advisory Commission, should encourage business to locate in small rural growth centers and in urban neighborhoods of concentrated unemployment. These incentives would be preferential financing arrangements in the form of below market-rate loans, location cost offsets in the form of direct payments or preferential tax treatment in the form of a Federal income tax credit. If this is done, the dollar amount of any tax credits or preferential financing arrangements should be included for informational purposes in the President's budget. Also the enabling legislation should have an expiration date of 5 to 7 years so that Congress and the Executive might assess the cost and benefits of the subsidy approach.

Thus, we have a tremendous problem requiring over ½ million new rural non-farm jobs annually and all efforts to date have fallen short by a considerable margin. Moreover, the suggestions for new approaches still offer no guarantee of fully meeting the need. Consequently, it would be desirable to consider seriously any new policy proposal, including tax incentives. Much experimentation and development may be required, but this should be encouraged in the interest of solving this critical problem.

HON. EARLE CABELL ADDRESSES THE DALLAS RETAIL MERCHANTS ASSOCIATION

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. TEAGUE of Texas. Mr. Speaker, my good friend and colleague, the Honorable Earle Cabell of Dallas, Tex., delivered the main address at the Dallas Retail Merchants Association, Inc., meeting, February 11, 1969, at the Baker Hotel in Dallas. To coin a much-used phrase of today, Congressman Cabell "tells it like it really is," and I would like to insert his remarks at this point.

The address follows:

Address by Representative Earle Cabell, Fifth District, Texas, Before Dallas Retail Merchants Association, Inc., Baker Hotel, February 1, 1969

According to the newspapers, the radio and the television, another session of Congress has started . . . as a matter of fact it is eleven days into its second month. But as many of you also know, very little has happened and we still seem to be facing the same old problems we faced before we changed presidents.

And so today . . . I'd like to do what I can to dig into this can of worms we call Washington and give you some idea of the things that are developing in your principal areas of interest.

As yet, after more than three weeks in office, the basic objectives of President Nixon remain unclear . . . and this is considered wise. He has a tough row to hoe even under the best of circumstances. There are major questions . . . One's that affect us all.

We seem no nearer to peace in Paris than we did when we were bombing North Vietnam. I sincerely hope that we can reach an agreement there without having to resume the bombing, but I'm ready to advocate that step if it proves necessary.

We certainly are no nearer peace in the Middle East . . . and I cannot believe such peace is possible until the Arabs are willing to meet face to face with the leaders of Israel. But the decision here rests with our chief executive and not with the Congressman from Dallas.

Business continues to expand . . . employment remains full. But inflationary pressures are continuing and I can see no hope of either slicing back or ending the 10 percent surtax at expiration date in June. I sincerely hope so . . . But I am not able to be optimistic.

President Nixon has promised a war on crime both in the Nation's Capital and around the Nation. His appointment of former Dallas district attorney and former Texas attorney general Will Wilson to the post of national crime fighter has been well received, and Will is off to a good start. But here again it is too early to pass judgement. Other than to say that I have a great deal of confidence in Will Wilson both as to integrity and ability.

There is one significant development already clear. Congress . . . and this is a Democratic Congress, mind you . . . is not sitting by awaiting direction from the President.

In many areas we are finding new ideas developing, new directions being suggested, new programs already being outlined . . . without any impetus from the White House.

It is significant that Congress is taking the bit into its own hands and that we may see at this session, much key legislation originate in Congress rather than in the White House. We also may see something more . . . a President who will consult with Congress, with leaders of both parties there, before he offers suggestions in major fields.

Much of this legislation that is beginning to generate on its own, within key committees, from knowledgeable leaders, is an extension of legislation begun in the past but not yet accepted either by the full Congress nor either by the Johnson or the Nixon administration. A great portion of this developing legislation lies in the consumer field with which you as members of the downtown Retail Merchants Association are most concerned.

As you know, the 90th Congress considered a number of bills designed to protect the consumer from the so-called "ravages" of you merchants, and manufacturers, and parenthetically may I add, milkmen.

The major bill passed was a truth-in-lending bill—the heart of the bill being the disclosure of loan costs including installment payments in the terms of an annual rate in order that potential purchasers of automobiles, home furnishings, and other consumer goods could make proper price and interest comparisons.

Another bill of which you may not be aware that was passed last year was the Monday Holiday Bill. This would shift three well-known holidays—Washington's Birthday, Memorial Day, and Veterans Day—to Mondays . . . Washington's Birthday on the 3rd Monday in February, Memorial Day on the last Monday in May, and Veterans Day on the fourth Monday in October. A new holiday—Columbus Day—was set for the second Monday in October. I don't know what Leif Eriksson thinks of that. These holidays are solely for federal workers effective in 1971, but it's hoped States will follow suit. So far, Congress has not seen fit to tinker with Thanksgiving, Christmas, New Year's, the Fourth of July, or Groundhog Day. But all of this is only the beginning.

Miss Betty Furness, the lady who did such a good job of opening ice box doors, has retired from her job as a special assistant in charge of consumer affairs and I have heard no mention of her replacement in the group surrounding President Nixon.

But there is the promise from at least one Congressman for a bill which would create a cabinet-level Department on Consumer Affairs. This has been suggested before but has not as yet received sufficient support to clear the committee. It will come up again this year, you may be sure!

The same Congressman—Benjamin S. Rosenthal of New York—also wants an independent Federal agency to test consumer products and provide them identifying tags. In other words—eliminate brand names in favor of a grade label. I cannot predict where that proposal will land. He also advocates fixed fees for professional and other services.

This is the year that the Cigarette Labeling and Advertising Act of 1965 expires and if the law is not extended or if new legislation is not adopted, we can see the Food and Drug Administration on its own issuing new regulations on advertising and labeling which may be even harsher . . . perhaps a listing of tar and nicotine content on each package of cigarettes sold. This does not disturb me. I've quit smoking.

Much of the additional legislation now being talked among committee members relates to automobiles . . . hearings on the cost of automobile repairs are expected in the Senate and there could be legislation on that matter. There can also be hearings on the safety factors of Volkswagens and other small imports. There is also talk of legislation on automobile insurance, though no drastic action is being expected before the Department of Transportation completes an industry study in 1970. Some have even advocated the Government taking over all forms of casualty insurance. This could conceivably lower rates if they were not keyed to experience. But I'll guarantee you that the net cost to the taxpayer would double what insurance now costs.

There is also possibility of action in these fields . . . hearings into the credit-reporting industry will continue and Wisconsin Senator Proxmire has announced plans for a bill to regulate credit bureaus.

Boating safety, the regulation of door-to-door selling, and several other matters are also on the list.

CAVEAT EMPTOR

As a matter of fact, I have introduced my own consumer bill . . . a resolution for penalizing those who use false advertising to entice potential trade school students to cross the State lines to obtain their education. I am sure you are aware of the bad name Dallas has received in this field after gullible youngsters from neighboring States came here hoping for education and jobs and found the picture was badly represented. The bill has been introduced and I was surprised to discover how many Congressmen from other States were equally concerned with this problem and as interested in seeing it alleviated as I.

This is one of the few bills that I will introduce because to be frank with you we have too many laws now. I sincerely feel that I am rendering a better service to my community in helping to kill bad legislation, and in testifying before committees on subjects of which I have personal knowledge and experience, than in seeking more harassing restrictions on a business community that has built such a magnificent America. The profit system may be obnoxious to some—but I still like it!

These of course are only a few of the more specific issues in which you have an interest . . . and I can assure you many others will hit the newspapers in the weeks ahead.

We are going to have a strong push for industrial safety laws, there will be efforts made either to alter or to dismantle the National Labor Relations Board . . . but so far we have no clear picture on this . . . I expect labor will try again to enact situs picketing legislation but such a bill isn't given much chance under a Republican administration, especially when it didn't get anywhere under the Democrats . . . and there is some talk . . . but not enough *serious* talk . . . about some way to avert such major labor difficulties as strikes that tie-up our entire economy.

We shall continue, I feel sure, to do something about our cities . . . and I hope that we can continue to receive further help to maintain the strong downtown area you men have built—most of it without Federal help—over the years.

I know that much remains to be done . . . we are going to need funds for our airport . . . for neighborhood centers . . . for our throughways . . . for downtown beautification . . . and for many other services.

In conclusion, let me say there is a great tendency across this country to look at the problems of the cities and to wring our hands. Isn't it terrible? They ask. What can be done?, they say. And the summation usually is: our big cities are in such a mess, there is no way out.

Dallas has a history of worrying about its metropolitan problems. Even before it was a city, Dallas was worried about its obligation to its residents . . . and, therefore, because it was worried, because it tackled its own problems early, and because it was not afraid to take necessary steps early . . . Dallas has done a good job in eliminating or preventing many of the problems other cities are still wrestling with.

During the past week I sat through 10 hours (not all in one day, thank goodness) of a panel discussion of the role of science and technology in the reshaping and rehabilitation of our central cities.

These men came up with some outstanding papers and displayed an amazing awareness of the problems. But throughout the papers and dialogue there was an alarming thread of thought woven into the fabric.

Foremost was the principle that Big Brother (in Washington) knows best and that he should preempt all responsibility and authority. It was a computerized approach but I've never seen the computer yet that could accurately equate human beings. Very little, if anything, was said about municipal governments responsibility and nothing about the responsibility of the individual toward society as a whole.

Their prime cure was a greenback-bandaid plastered over the sore with no effective medication included. There is not enough money in the world available to solve all metropolitan problems. Congress knows that. I know that there will be much debate in Congress over city problems this year . . . model cities . . . urban renewal . . . housing . . . rent supplements . . . war on poverty . . . welfare . . . health . . . education.

We shall see a great many suggestions . . . a great deal of money appropriated. And I can assure you Dallas will get its fair share. But thanks to you gentlemen and to many others like you who have worked hard in the years before you came on the scene . . . the city of Dallas is not in the same desperate ditch as are those other cities who have waited too long and who now look only to Washington for help.

The 91st Congress will be an interesting one . . . I find it difficult today to clearly outline the future ahead of us . . . but I can say that we shall tackle many of the problems that puzzle us, and that the benefits we receive for Dallas will improve a situation that today needs far less improvement than does the situation at any other metropolitan area in the world. Let's keep it that way!

Thanks for asking me to be with you.

LITHUANIAN INDEPENDENCE DAY

HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. WIDNALL. Mr. Speaker, on February 16, Lithuanians in exile around the globe commemorated the 51st anniversary of the establishment of the Republic of Lithuania, and I am proud to join my colleagues in this commemoration.

We are all aware of the sad fate of the young Republic and the terrible misfortunes which befell her people at the hands of the Soviet aggressors. I think, however, that the resolution, which I include below, adopted by the Lithuanian Council of New Jersey, expresses the feelings of these people, still loyal, after 51 years of oppression, to the aims and goals of democracy. The resolution follows:

RESOLUTION

Unanimously adopted at a meeting of American-Lithuanians and their friends living in New Jersey, sponsored by the Lithuanian Council of New Jersey, held on Sunday, February 16, 1969 at St. George's Lithuanian Hall, Newark, New Jersey, in commemoration of the 51st anniversary of the establishment of the Republic of Lithuania on February 16, 1918.

Whereas the Soviet Union took over Lithuania by force in June of 1940; and

Whereas the Lithuanian people are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty which they rightly and deservedly enjoyed for more than seven centuries in the past; and

Whereas the Soviets have deported or killed over twenty-five per cent of the Lithuanian population since June 15, 1940; and

Whereas the House of Representatives and the United States Senate (of the 89th Congress) unanimously passed House Concurrent Resolution 416 urging the President of the United States to direct the attention of the world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples: Now, therefore, be it

Resolved, That we, Americans of Lithuanian origin or decent, reaffirm our adherence to American democratic principles of government and pledge our support to our President and our Congress to achieve lasting peace, freedom and justice in the world; and be it further

Resolved, That the President of the United States carries out the expression of the U.S. Congress contained in H. Con. Res. 416 by bringing up the Baltic States question in the United Nations and demanding the Soviets to withdraw from Estonia, Latvia, and Lithuania and be it further

Resolved, That the pauperization of the Lithuanian people, conversion of once free farmers into serfs on kolkhozes and sovkhozes as well as exploitation of workers, persecution of the faithful, restriction of religious practices and closing of houses of worship, and be it finally

Resolved, That copies of this resolution be forwarded this day to the President of the United States, Secretary of State William Rogers, United States Ambassador to the United Nations Charles Yost, United States

Senators from New Jersey, Members of U.S. Congress from New Jersey, and the press.

LITHUANIAN COUNCIL OF NEW JERSEY.
VALENTINAS MELINIS, *President*.
ALBIN S. TRECIOKAS, *Secretary*.

BAD NEIGHBORS

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. BOB WILSON. Mr. Speaker, the militant actions of two of our neighbors to the south over the past week have created considerable indignation throughout the United States. The press has taken a great interest in the latest seizure of an American fishing vessel by Peru and the uncalled for act of harrassment by Ecuador that followed the Peruvian seizure and gunfire on another fishing vessel.

It then was with great interest that I read an editorial in the Seattle Post-Intelligencer, dated February 18, relating to this subject. It clearly defines my position that Americans fishing in international waters deserve protection by their Government.

Meanwhile, Mr. Speaker, I deeply regret that Peru has turned down the proposal that all interested parties sit at the conference table and discuss the subject of fisheries in the eastern Pacific.

For the information of my colleagues, the aforementioned editorial follows:

[From the Seattle (Wash.) Post-Intelligence, Feb. 18, 1969]

BAD NEIGHBORS

For several years Peru and other western Latin American nations have engaged in open piracy on the high seas off their coasts, seizing American fishing vessels and holding them for exorbitant ransom in the form of fines.

Last Friday Peru went too far.

Peruvian gunboats fired upon and damaged two American tuna vessels out of San Diego, as the fishing boats attempted to escape from the marauding Peruvians 23 miles at sea.

The outrage expressed by Washington's Rep. Thomas M. Pelly and others in Congress at this latest incident should be shared by all Americans.

These illegal seizures of U.S. fishing boats off the South American coast have persisted for several years. There have been diplomatic conferences, as well as pleadings and warnings from the U.S., obviously without effect on the Latins, who make a preposterous claim to territorial jurisdiction 200 miles off their coasts.

Such a claim has absolutely no standing in international maritime law, which recognizes 12 mile coastal fisheries zones.

Whenever an American ship is seized, the Latins tow her to port and hold her until the U.S. government pays her fine. Typical of the size of the ransoms was the $202,000 paid to Ecuador last August following capture of four tuna vessels.

While West Coast congressmen and citizens seem to be the only Americans steamed up about the situation, every section of the nation should be angered. The fines come from the pockets of all American taxpayers.

The gunfire episode last Friday has caused Congressman Pelly to reiterate a previous request to the State Department that it station either Navy or Coast Guard patrol boats on the high seas off the Latin American coast, to protect American fishing vessels.

With the exception of the fishing boat confrontations, we are friendly with Peru and Ecuador and are properly concerned that we remain good neighbors.

But when neighbors start spraying machinegun bullets around the neighborhood, it's time for some police action.

[From the Seattle (Wash.) Times, Feb. 18, 1969]

U.S. FISHERMEN SHOULD BE PROTECTED

Squabbles over fishing rights are a familiar part of the maritime scene from the Arctic to the Antarctic. But the use of firearms is something else again.

Peru not only seized one American fishing vessel last week, but fired at several others during a wild chase off Peru and Ecuador.

This most recent incident in the continuing troubles over attempts by Peru, Ecuador and Chile to enforce a 200-mile territorial fishing limit is a part of an overall deterioration in United States-Peruvian relations that also involves Peru's expropriation of an American-owned oil company.

It is time for Uncle Sam to put a stop to the continuing seizures of American fishing boats in international waters and particularly to the use of firearms as a part of what is, in actuality, piracy.

Under the Fishermen's Protective Act of 1968, the United States can reduce foreign aid to the "pirate" nations by the amount of whatever fines are levied against seized American vessels.

The act was applied for the first time last month against Ecuador after another vessel was seized. It should be applied with equal promptness against Peru if a fine is levied against the boat seized last week.

What is even more important, the Nixon administration ought to heed Congressman Thomas M. Pelly's plea that this country provide naval protection, where necessary, to American fishing fleets on the high seas.

CAPT. W. E. JOHNSON

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. LONG of Maryland. Mr. Speaker, Capt. W. E. Johnson, an outstanding young marine from Maryland, was killed recently in Vietnam. I would like to commend his courage and honor his memory by including the following article in the RECORD:

W. E. JOHNSON, PILOT, KILLED—WRECKAGE OF COPTER FOUND 2 YEARS AFTER VIET CRASH

GREENBELT, MD.—The Defense Department reported the death of Marine Capt. William E. Johnson who was killed over two years ago in a helicopter crash in Vietnam.

Officials informed his wife, Mrs. Barbara Johnson, of Greenbelt, that the wreckage of the craft remained undiscovered until recently. Mrs. Johnson said the Defense Department is investigating the cause of the crash.

A career service officer, Captain Johnson had 13 years' service in the Marines. He was a graduate of Florida State University.

Mrs. Johnson stated that her husband had been "devoted to the Marine Corps and felt a definite need to be in Vietnam."

In addition to his wife, survivors include a 6-year-old daughter, Lori; three brothers, Heyward Johnson, of Havana, Fla., Paul Johnson, of Apalachicola, Fla., and M. Sgt. John E. Johnson, stationed in Germany, and a sister, Mrs. Frank Edenfield, of Sorrento, Fla.

FIRST ANNIVERSARY OF THE REPORT BY THE PRESIDENT'S NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS: THE OUTLOOK FOR EDUCATION

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. BRADEMAS. Mr. Speaker, on March 1, 1968, the President's National Advisory Commission on Civil Disorders, headed by the distinguished former Governor Otto B. Kerner, of Illinois, now Judge Kerner, released its historic report analyzing the Nation's racial and urban crisis and recommending policies for national action.

The Commission's sober indictment of black-white relations in the United States and its penetrating look at the sores of discontent in the big cities still, 1 year after the report's publication, have profound meaning for all Americans.

Mr. Speaker, on February 22, 1969, I had the privilege of addressing a luncheon meeting in Chicago which marked this first anniversary of the Kerner Commission report. My remarks were focused on the implications of the Kerner report for American education and the prospects for implementing the Commission's recommendations in this area.

Mr. Speaker, I include the text of this address in the RECORD at this point:

ADDRESS OF CONGRESSMAN JOHN BRADEMAS, OF INDIANA, ON THE OCCASION OF THE FIRST ANNIVERSARY OF THE KERNER COMMISSION REPORT, CHICAGO, FEBRUARY 22, 1969

One long year has passed since the Kerner Commission tried 'to tell it like it is.' But the grave warning sounded by the historic report of that Commission still echoes, I think we must all agree, with continuing relevance today: "Our nation is moving toward two societies, one black, one white—separate and unequal."

Let me take a moment today to reflect back on the findings of the Kerner report and then to try to assess the prospects for effective action, on a national scale, toward realizing the Commission's recommendations.

THREAT OF APARTHEID

Apartheid, the Commission warned, is fast becoming a reality in American life. The strife of recent summers has hardened the barriers separating black and white. More and more middle class whites are abandoning the core cities, now rapidly deteriorating into black ghettos. Discrimination in jobs and housing persists, and the economic gap between Negro and white Americans grows wider.

Rarely has a nation been confronted with so stark a portrayal of its most searing dilemma, and the phenomenal sales of the Bantam Book Edition of the Commission Report testify to the widespread and intense interest it has created. The American capacity for self-analysis and self-criticism perhaps reached a peak with this grim survey of the unhappy state of black-white relations in the United States.

But where does the indictment leave us? Where do we go from here? The Commission was as forceful in presenting a course of action as in analyzing the problem.

Rather than retreat to despair after its unsparing survey, the Commission insisted that the pattern can, and, indeed, must be changed. For to pursue present policies will mean only mounting violence, social dislocation and loss of lives, both black and white.

The alternative, said the Commission, is clear: to make the massive investments urgently required on every front in the beleaguered cities of America—investments in more jobs, better schools, modernized welfare programs and decent housing. "The great productivity of our economy, and a Federal revenue system which is highly responsive to economic growth", said the Commission, "can provide the resources."

Certainly, as a nation we have the economic capacity to meet the challenge. The issue is rather one of will and determination—and imagination. We must be prepared to make a commitment of public funds commensurate with the problems we face. For as John W. Gardner, former Secretary of Health, Education, and Welfare and, as head of the Urban Coalition, an articulate advocate of a greater role for the private sector in meeting the urban crisis, has warned "History is not going to deal kindly with a rich nation that will not tax itself to cure its own miseries."

The Commission pressed a number of objectives for national action in the areas of employment, education, the welfare system and housing. But let me focus on the particular concern of the upcoming issue of the Illinois Schools Journal—education.

STERN JUDGMENT ON AMERICAN EDUCATION

The Commission's judgment on American education was particularly stern: While the public schools have served many communities well, for the children of the ghetto they have largely "failed to provide the educational experience which could overcome the effects of discrimination and deprivation." This failure, the Commission found, "is one of the persistent sources of grievance and resentment within the Negro community."

The results of inadequate education in the ghetto are reflected in the high rate of unemployment and underemployment for Negro youth. They leave the school system ill-prepared to enter the competitive job market, and if they do find employment, it is likely to be in the low-skilled, low-paying sector of the economy.

Moreover, the Commission's findings indicate a close relationship between the poor performance of the schools and civil disorder, for there is a markedly high incidence of riot participation by ghetto youths who have not made it educationally. A survey of riot cities found that the typical riot participant was a high school dropout. Yet the evidence also suggests that those within the ghetto who are most likely to lead active, responsible opposition to rioting have benefited from relatively higher levels of education and income.

The Commission acknowledges, of course, that the schools themselves do not bear the full responsibility for the failure of education in the big cities. The total environment impairs the capacity of ghetto children for achievement in school. The Commission strongly argues, however, that the schools can and must do a far better job in cutting through the effects of discrimination and deprivation in the ghetto community.

TWO KEY EDUCATION STRATEGIES

The Commission recommends two key strategies for improving the education of ghetto children:

First, the Commission focuses on integration as the priority education objective for the long-run. Racial isolation in the schools, it says, is detrimental to the interests of both whites and Negroes; opportunities for interaction between the races must be expanded.

Second, recognizing that the goal of integrated schools will not come soon, the Commission declares that in the meantime, "we must drastically improve the quality of ghetto education. Equality of results with all-white schools must be the goal.

"We see no conflict between the integration and quality education strategies we espouse," the report continues. "Commitment to the goal of integrated education can neither diminish the reality of today's segregated and unequal ghetto schools nor sanction the tragic waste of human resources which they entail."

SPECIFIC POLICIES RECOMMENDED

The Commission went on to recommend a number of specific policy actions. Let me highlight the major ones:

Vigorous enforcement of the Civil Rights Act of 1964 to eliminate racial discrimination in northern as well as southern schools.

Sharply increased efforts to eliminate de facto segregation in the schools through substantial federal aid to school systems seeking to desegregate either within the system or in cooperation with neighboring school systems.

Stepped up efforts to improve the quality of teaching in ghetto schools, and in particular, expansion of the Teacher Corps into a major national program.

Extension of quality early childhood education to every disadvantaged child in the country, building on the pioneering of Head Start.

Year-round compensatory education programs to improve dramatically schools serving disadvantaged children.

An intensive national program to eliminate illiteracy and increase verbal skills of ghetto residents.

Enlarged opportunities for parent and community participation in the public schools.

Reoriented vocational education emphasizing work-experience training and the involvement of business and industry.

Expanded opportunities for higher education through increased federal assistance to poor students.

And finally, alteration of state aid formulas to provide more per student aid to districts having a high proportion of disadvantaged school-age children.

IMPLEMENTATION DEMANDS NEW COMMITMENT

Implementation of these recommendations will, of course, require a new commitment at every level of government and in all sectors of the private community. But, as the Commission points out, it is clear that the principal burden for financing this new commitment will fall upon the Federal government. Tax resources at the state and local levels are simply far from adequate to the task.

A national effort is required, and this means affirmative action on the part of both Congress and the national Administration.

It should be noted that Federal education programs enacted in recent years already represent a substantial start in the directions pointed by the Kerner Commission. As a member of the House Education and Labor Committee during the past five Congresses, I have witnessed the passage of legislation to support education at every level, from preschool through graduate school and adult education. In the words of the Kerner report, "This network of Federal educational programs provides a sound and comprehensive basis for meeting the interrelated educational needs of disadvantaged students. We need now to strengthen that base . . . and to build upon it by providing greatly increased Federal funds for the education of the disadvantaged."

What is the outlook for realizing the kind of dramatic commitment called for by the Commission?

First, let me say here that I deeply wish we could be meeting today to celebrate the implementation of the recommendations of the Kerner report, or even to note the fact that the hard-hitting observations of the Commission had been thoroughly considered and digested by the American people and their government.

NATION HAS SCARCELY BEGUN TO RESPOND

But the fact is, one year after the release of this historic Report, we have scarcely begun, as a nation, even to face up to the hard truths so incisively set forth in that document.

In Congress it is clear that the response to the Commission report has been something less than enthusiastic. Indeed, the initial reaction in many quarters of the 90th Congress last year was controversial and largely negative. Pressed by the budget demands of the Vietnam war and the President's call for a tax increase, many members of Congress turned a deaf ear to suggestions of increased Federal expenditures. Moreover, the sobering indictment of American race relations issued by the Commission was unpalatable to some.

As a result, the constructive policy proposals set forth in the report largely went by the boards in the 90th Congress. In fact, a majority of the 90th Congress, far from embracing the Commission's recommendations and expanding funds for education, chose to cut back money for several crucial education programs.

PROGRESS MAY BE PAINFULLY SLOW

I must therefore suggest that advancement toward the education goals of the Kerner report, from a legislative standpoint, may well be painfully slow in the period just ahead. Political realities, frankly, dictate that progress will be incremental rather than giant-step.

But I can assure you, nonetheless, that many of us in Congress will be doing our best to start moving forward. Let me touch on several major areas in which I hope we will see action in the months ahead.

(1) Right now, for example, the House Education and Labor Committee, on which I serve, is taking up major legislation to extend Federal elementary and secondary school aid, a large portion of which goes to disadvantaged rural and urban areas. These past several weeks we have heard testimony from big-city school superintendents from across the country, all of whom—almost to a man—echo the Kerner Commission in urging vastly expanded Federal funds for compensatory education in ghetto areas. I am hopeful that the Committee will shape the elementary and secondary school bill accordingly.

(2) The Committee will also be taking up legislation determining the future of the Office of Economic Opportunity and the Federal anti-poverty programs. Many tangled issues are involved in this area, and the debate in Committee and in both House and Senate is bound to be highly charged. My hope is that while some adjustments may be made in various phases of the war on poverty, we can preserve the basic thrust and momentum of the over-all effort.

Only this week, I might note, President Nixon sent Congress his own recommendations on the anti-poverty programs. The tone of the President's message and his decision not to dismantle OEO, but rather to spin off certain programs, such as Head Start and Job Corps, to other agencies, were most encouraging—especially in view of the widespread expectations that the President would take a hard line against the war on poverty and seek to retrench, if not eliminate, the OEO programs. And let me here note that I do not at all mean to say that I am endorsing the proposed spin-offs.

(3) The third area I want to mention is higher education—particularly the need to open new channels to greater equality of educational opportunity at the college and university level. This, I might say, was a key recommendation of the education section of the Kerner report.

HIGHER EDUCATION BILL OF RIGHTS

Two weeks ago I joined with a Republican colleague of mine in the House, Rep. Ogden Reid of New York, in introducing legislation which we hope will provide a benchmark for proceeding on this front. The Higher Education Bill of Rights, as we have called our proposal, would expand Federal college student aid programs several-fold in order to remove financial barriers for all qualified Americans seeking a college education.

Only 7 per cent of those now attending college come from families in the nation's lowest family income quartile, while almost half are from families with incomes in the highest quartile. The Higher Education Bill of Rights would work against this inequity. It would make Federal financial assistance available to some 3.6 million needy students in 1971—about 6 times the present number—increasing to 5.8 million in 1977. In addition, it would provide supplemental grants directly to institutions of higher education for meeting the costs of educating the increased numbers of students. The cost of the entire package would be $5.5 billion in 1971, rising to $9.7 billion in 1977.

I have no notion that the 91st Congress is going to buy this monumental legislation lock, stock and barrel, but Rep. Reid and I hope it will be a starting point for discussion on what we need to do to achieve real equality of access to higher education while maintaining academic excellence.

The specific provisions of the proposed bill are based on the recommendations of the Carnegie Commission on the Future of Higher Education, headed by Dr. Clark Kerr. That Commission has focused on two essential goals for American higher education in the years ahead: equality of access and quality of result. And these are the goals which are reflected in the legislation we have introduced.

PRESIDENT NIXON ON EDUCATION

But I want to say here that the progress we make in education does not, of course, rest entirely with the Congress. A great deal depends on vigorous leadership from the Executive Branch and particularly from the new President. In the final part of my remarks, then, let me try to give you an early assessment of where the Nixon Administration seems to be going in the field of education.

Richard Nixon follows, as we all know, two men in the White House who were profoundly dedicated to strengthening the nation's schools and colleges and to expanding Federal support for that purpose—John F. Kennedy and Lyndon B. Johnson. Nixon, on the other hand, is a man whose commitment to education is neither widely known nor entirely clear from the record.

NIXON'S EARLY COOLNESS TO FEDERAL AID

His earlier career in the House and Senate and as Vice President provide only scattered evidence upon which to base a judgment of President Nixon's views on education. The record does show, however, that the early Nixon was at best cool to the notion of Federal financial aid to education. Although he voiced his commitment to educational opportunity for all citizens, better qualified and better paid teachers, and the improvement of school and college facilities, he was never a leader in sponsoring or cosponsoring measures to achieve these goals.

On the contrary, with a few exceptions, he opposed education legislation, and he usually invoked the standard conservative argument against Federal aid, namely, the threat of Federal control of the schools.

During the 1968 campaign, Nixon offered no firm indication that his general posture on education had substantially changed. His few statements concerning education were ambiguous on the question of the Federal role in supporting the schools, and on the crucial issue of enforcing desegregation guidelines he seemed clearly to be giving aid and comfort to Senator Storm Thurmond of South Carolina who had done so much to help Nixon win southern support at the Republican convention in Miami.

All things considered, therefore, it is not surprising that the election of Richard Nixon as the 37th President of the United States has met with considerable disquiet in educational circles. Some educators fear that the Nixon Administration may usher in a go-slow period, putting the brakes on recent progress at the Federal level in education.

CAUSE FOR GUARDED OPTIMISM

But several developments since the November election, I think, give cause, for guarded optimism and suggest that at least in the field of education, there may indeed be a "new Nixon."

The President's two top appointments in the education field are especially encouraging.

Secretary of HEW Robert Finch's views on education are largely unknown, but many of us on Capitol Hill have been heartened by some of the new Secretary's initial statements. On a Meet the Press appearance recently, he said that his department's most urgent problem was to come to grips with the needs of elementary and secondary schools—"particularly," he said, "in terms of bringing the disadvantaged into the mainstream" of American education. Nor has Finch made any step toward scrapping the programs enacted during the Kennedy-Johnson years. "Our job," he says, "is to rationalize and implement the legislation now on the books."

NEW COMMISSIONER OF EDUCATION JAMES E. ALLEN

The second crucial appointment affecting education in the new Administration is James E. Allen, New York State Education Commissioner, as both Assistant Secretary for Education in HEW and U.S. Commissioner of Education.

Allen is widely regarded as perhaps the ablest chief state school officer in the country, and he is one of the few who has battled against the tendency to let states' rights get in the way of nationwide needs and goals. As the New York Times said, his appointment assures "that the Federal voice in matters of school and race will remain liberal and independent."

Most important, Allen is acutely sensitive to the pressing educational problems of the cities. Only the day after his nomination Allen announced that he hoped to design a program of "massive" Federal aid to urban education and said this would be his "No. 1 priority" as Federal schools chief. Such a program was necessary, he said, "because it left to the states and localities, the problems of urban education will not be dealt with adequately."

NIXON TASK FORCE ON EDUCATION

Another significant development centers on Nixon's own Task Force on Education, which he appointed shortly after the election to investigate short-term educational priorities for the new Administration. Alan Pifer, president of the Carnegie Corporation and a strong advocate of Federal aid, headed the group.

Although the complete findings of the Task Force are not scheduled to be released, newspaper accounts indicate that the Task Force report, submitted to the President in January, was a hard-hitting document that pressed the new Administration to take vigorous action on major needs in education. Like Dr. Allen, and like the Kerner Report, the Task Force urged substantial additional Federal expenditures—at least another $1 billion a year—on the nation's predominantly black, big city schools.

Moreover, the Task Force bluntly criticized the President for:

One, suggesting during the campaign that he favored replacing current Federal education assistance pinpointed on poverty areas with block grants to the states. Such a move, said the Task Force, would come "perilously close" to re-opening the church-state issue, which for years helped kill Federal aid to schools.

Two, creating the impression by campaign statements that he would go slow on school desegregation. The Task Force urged Nixon to make "absolutely clear" that he will not "adopt a lower standard" in enforcing Title VI of the Civil Rights Act with respect to cutoffs of Federal funds to schools that refuse to desegregate.

SCHOOL DESEGREGATION ISSUE

At this point, the Administration's posture on Title VI enforcement is not fully clear. Several weeks ago Secretary Finch incurred a wave of criticism when he postponed a scheduled cut-off of funds to five segregated southern school districts. But just last week Finch denied Federal dollars to three other school districts in Arkansas, South Carolina and Tennessee in a move that strongly indicated that the Administration will not adopt a more lenient school desegregation policy after all.

President Nixon has made no public statements on the recommendations of his Task Force on Education, and there is certainly no assurance that he will embrace their views. Presidential task force reports are sometimes filed away for future reference, resulting neither in new policies nor new legislation.

But Mr. Nixon and his advisers were certainly aware of the views of Alan Pifer and the other distinguished Americans whom the new President appointed to the Task Force. There is basis for hope, then, that the forward-looking proposals of the Task Force will not fall on unsympathetic ears.

NEW ADMINISTRATION'S PRIORITIES STILL UNCLEAR

It is still too early to speak with complete assurance about Nixon on education. But many of us in Congress are encouraged by some of the omens in the opening weeks of the new Administration. We shall, of course, know far more about the President's commitment to education when we see what bills he proposes and how much education money he requests.

Nixon has said in the past that he recognizes the importance of protecting aid to schools and colleges from Federal budget cutbacks. "At budget-cutting time, this is one area that must not be shortchanged," he said last year.

But it remains to be seen how education will fare in the new Administration in competition with other budget demands, such as Vietnam and military spending. Moreover, holding the line against education cutbacks is not enough. For to stand still in education is clearly to lose ground in the fight against poverty and discrimination and to hasten the domestic crisis of which the Kerner Commission warns.

Let me just say by way of conclusion that the next few months will be a time of testing for the Nixon Administration. I should like to express the hope that this anniversary of the Kerner Commission's historic report might signal for the new Administration some of the priorities which it must embrace, not only in education but in other areas of national life, if we are to come to grips with the grave challenges facing this nation.

FREEDOM'S CHALLENGE

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. BURTON of Utah. Mr. Speaker, Reynolds Weiss of Provo, Utah, is the winner this year for the State of Utah of the Voice of Democracy Contest conducted annually by the Veterans of Foreign Wars of the United States and its Ladies Auxiliary. He will come to Washington next month to compete with the winning contestants of the other 49 States for one of the five scholarships to be awarded as the top prizes.

I am pleased to insert the comments of this outstanding young American in the CONGRESSIONAL RECORD. His winning speech follows:

FREEDOM'S CHALLENGE

In 1775, Patrick Henry rose before the Virginia Convention to plead for a cause called liberty. To them he asked, "Why stand here idle? What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it almighty God! I know not what course others may take but as for me, give me liberty or give me death!"

With these words, our ancestors, our forefathers set out upon a grave sea of conflict, to break the bonds of subjection. They gave their lives for a cherished cause; a cause worth fighting for, worth dying for: Freedom.

Today, freedom's challenge is, ironically, different from the challenge we met and defeated those many years ago. The challenge, then, was the oppression of a despotic and arbitrary foreign power; now it is the indifference of a people: a people living too long in the benefits of democracy, once cherished, now taken for granted; a people enjoying personal liberty, yet not acknowledging it; a people magnifying their troubles and ignoring their blessings; a nation of people, free and independent, but seem to advocate mob rule and anarchy; a people who are Americans.

The challenge of freedom is a malignant cancer: starting from a tiny core, it has grown rapidly, unseen, hidden; destroying the very fiber of our society. It is not so much a young man publicly burning his draft notice, but those many who justify his action. Nor is it a militant inciting a riot, the arsonist burning a great city to death, but the so-called Americans who urge them on in their destruction. Freedom's challenge is a woman who is too tired to stand when the flag passes by, the man who's mind is on other things while he merely recites the Pledge of Allegiance. It is not caring when someone denounces these United States of America. It is apathy.

This challenge is very real. It is not a sick minority, but everyone of us. We are all guilty of the highest treason: thanklessness for our liberty, for our democratic way of life, for our freedom. This terrible indifference is all around us. Only we can eliminate it, we must eliminate it. We must seek it out, and destroy it. It is not too late, if we do it now. A new golden era of pride, and freedom can be ours. It will not be easy, but it will be rewarding. We must start with ourselves, and revitalize that old love of freedom and democracy. We must support our government and our president in all that they do. Patriotism must run fervently through our veins. We must protect our freedom; for without freedom there is no life worth living. It must be that we face this challenge and that we defeat it. For the love of independence, for the desire of liberty, for the necessity of freedom, our conscience demands that we destroy this apathy to our God given rights. This we must do, so that everyone of us may reminisce the past humbly, but with pride. So that we can lift our heads high and say, "I am an American." This challenge is before all of us. Why stand we here idle? What is it that we wish? What would we have, freedom or slavery. The choice is simple. It is up to you!

DR. ARTHUR ERNEST MORGAN, A MASTER BUILDER OF REGIONAL DEVELOPMENT

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. FULTON of Tennessee. Mr. Speaker, for more than a half century, Dr. Arthur Ernest Morgan has given to American life that rare type of leadership which combines penetrating social insight with masterly performance in the public interest. As a young engineer he conducted important drainage investigations, and both designed and supervised land reclamations and water and flood-control operations. He was called by many States to assist with drafting proper legislation for regulating drainage practices. In 1921, as incoming president of Antioch College, he brought into being a program of education which related the social and intellectual development of students through alternating work experience in productive enterprises with study on college campus.

The foresight and skill he had demonstrated in engineering and educational achievements made him the choice for the first chairman of the Tennessee Valley Authority. It was in this that he was able to lead the comprehensive improvements of a whole interdependent people in a landlocked river basin. Among the many books he has written, those dealing with the small community reveal his grasp of the importance of this unit in society and in the improvement of society—"The Small Community," "Small Community Economics," "Industries in Small Communities," and "Community of the Future."

As extensive and profound technological changes have occurred in America, his work stands out as highly applicable to many current social problems.

People who live in the Tennessee Valley increasingly recognize and honor him as the leader who laid foundations for ever-widening opportunities and richness of living in the valley region. Honoring him for his creative work is expressed in many ways, as does the article quoted below. It suggests the tremendous meaning of the valley regional development for improving many problem conditions in the Nation as a whole.

Mr. Speaker, recently Wayland J. Hayes, professor emeritus of the department of sociology and anthropology of Vanderbilt University, in Nashville, Tenn., prepared an article for publication honoring Dr. Morgan as the first chairman of the Tennessee Valley Authority.

Although this article has not as yet been published, Professor Hayes has given me permission to have it printed in the CONGRESSIONAL RECORD, and I commend it to the consideration and attention of my colleagues:

REVOLUTION: FACTORIES MOVE TO THE PEOPLE

(By Wayland J. Hayes)

The concentration and centralization of population which characterize the modern city are largely traceable to the application of the steam engine to factories and to locomotives guided by steel rails. The considerable weight of this instrument of power combined with the necessity for ready access to fuel and water made its use relatively rigid and inflexible. Machines driven by it had to be close to it and connected to it by shafts and pulleys. When it was applied to transportation maximum efficiency depended upon railroads conforming as nearly as possible to straight lines and level ground. Cities came to be identified as railroad centers even when located at favorable harbors or along deep rivers.

Now, power may be generated and transmitted long distances for quite varied uses. Relatively light weight vehicles carrying relatively light loads of fuel run at high speeds on curved roads to reach high altitudes. Other vehicles fly through the air to carry passengers and freight to many points on the earth. It is no longer necessary, economical, or desirable for people to live in highly congested areas. They will not be compelled to go to the factories; but factories are likely to go to them. The present patterns of human ecology, or utilization of space, is now being changed, and is likely to be quite different by the 21st century.

In the present transition period problems of the modern city may seem even more acute than they ever have been, and some, such as air pollution, organized crime, and violence among conflicting groups may actually reach new proportions. Most of the catalogue of problems repeatedly covered by mass media and shouted by rival politicians have long since been recognized by investigators and research specialists.[1]

Of course some problems such as food spoilage, insanitary conditions, and frequent preventible diseases were so glaring that control was sought early in the course of rapid urban growth. But the ties between business and political organization which were exposed by muckrakers at the turn of the century have merely become more sophisticated and renamed as "power structure."

Problems connected with the revolution in human ecology in America might be thought of as commencing with the flow of millions of immigrants from Europe near the beginning of the current century. Later, the mechanization of agriculture freed enough labor for industry and construction work of many kinds to cut off the flow from outside the country. To the increasing number of farm population pushed off the land by the application of efficient machinery, have been added a greater number who have exhausted their soil through poor management, or who have been victims of soil erosion by winds and water. Still others have responded to the mirage of welfare benefits reflected from big cities through rumor. Thus, the competition for unskilled jobs and living space is highly critical for large cities. The time has come for finding means to stop, and even reverse this internal migration to cities.

Within the 20's and early 30's Social Scientists discovered the spatial structure of cities and analyzed the process by which such structure emerges and becomes involved in continuous change. Segregation of people by social class, or other bases for division, marks the modern community from small towns to megalopolis. Business and financial transactions are located at the most convenient spot to serve their purposes and become the center for all later growth. New enterprises are located near the financial centers and further growth results in sub-segregation by which banks, brokerage houses, special types of merchandising and services take their places in functional relation to the whole. Land values may become so high at the center that skyscrapers become economically desirable. All the while there is a push from the center being communicated outward to all areas which have also become segregated in the ongoing process.

---

[1] During the second quarter of the current century Robert E. Park led a group of his colleagues and students to make both a detailed and comprehensive study of Chicago. He conceived of the modern city as well as the distinctive areas within it as products of natural growth; which could be analyzed in terms of human ecology and social organization.

Land values next to the business area are kept so high by anticipated business expansion that existing properties are neglected and allowed to drift toward increasing decay. This area just peripheral to the center becomes the most densely populated in the city with poverty as the common denominator for all residents. By crowding many people into a limited number of rooms the rents per person are low but the total income received by landlords is high. In general, people are sub-segregated by such differences as race, ethnic or regional origin, nationality, gang activities, illegitimate business, and so on. In addition to being people of lowest income they are often the least well educated, poorest in physical and mental health, least skilled, and lowest in aspirations and hopes. Until recently this area of transition and social disorganization has been called, slum; but the usage of ghetto, implying forced residence, may gain acceptance.

The slum has always been notorious for violence and the compounding of all social ills. But recently, enough leadership of some groups within the slum has emerged to carry out mass protests of various kinds. These disturb the city as a whole and claim the attention of the general public. Under such circumstances, many remedies are being proposed and some are being tried. Few indeed are the politicians who do not promise to improve the conditions of the poor and control crime. It is not surprising that most of these proposals are concerned with remedies, repairs, and alterations of the city as it has been. It would require a vast catalogue to list the programs and proposals for the "public sector" and the "private sector" to perform.

But there is very little recognition that the very large city, itself, is obsolescent.[2]

Mechanical means are being employed with the intention of altering human or social relations. Social desegregation is called integration and treated as if the close proximity and mixing of divergent peoples would bring about social unification of society. Segregation of populations, per se, does not prevent achievement of consensus concerning social goals and their realization. It should be recognized that segregation is a process as well as a structure; and that "suburban developments" and decentralized efforts of many kinds simply change the locations of segregation. New housing, whether separate dwellings or apartments, is graduated by costs and income levels rather than any plan for changing social relations.

Obsolescence of very large cities is also indicated by their vulnerability. Although New York City has been so simplified that a moron who is able to recognize the difference between red and green lines, can go long distances by subway and reach a destination he seeks; an organization of a few highly competent experts must keep the complicated operations of the city in balance. A strike or a combination of strikes can paralyze basic services and render populations helpless. An attack from the outside could soon produce so much panic and physical damage as to bring about desolation within a short time.

Striking changes have been under way in the life and structure of cities during the last generation of its inhabitants. The most impressive perhaps has been the growth of population at the periphery or outer area surrounding the city. This has been due to the "flight from the city" from within, and the migration to the city being arrested within commuter's range or satellite distance. Some of the suburbs have become distinct communities through the development of local institutions and services in accord with the desires and ethos of the residents. But most of them, perhaps, are little more than enclaves of people having similar income levels, but without identity with the people around them or the place they occupy. The housing construction of many suburbs is so cheap and the residents are so near to poverty that they could almost be labeled new slums or slums of the future. Few suburbs, other than industrial, provide the work by which residents exist and most of the bread winners are commuters.

A development coupled with the more rapid growth of population on the outer border of cities is the building of shopping centers. And as these prove successful others are rising further and further out from the central city. The loss of population, merchandising, and services, by the city creates loss of tax support; and central cities are resorting to costly efforts to hold tax paying residents, and to attract as much business from the outside as may prove possible. Efforts to hold or recapture tax bases actually require new public investment. Thus, further taxes are needed and the result may run counter to the end desired. Since greater commuting distances are possible over four lane interstate highways and improved rural roads, people are able to locate their residence in areas with relatively low taxes.

Perhaps the most promising development towards changing the imbalance created by seventy percent of the nation's population living on two percent of the land comes from changing practices of industrial plant location. Factories for making elemental parts are becoming more widely distributed in many regions and places throughout the nation. Assembly lines are being set up in areas where finished products are to be sold and utilized. Factories are not only being taken to the people where they live, but in some instances persons may continue to draw some income from agriculture concurrently with income from industry.

II

We can now focus attention on the Tennessee Valley Region, where the "technological revolution" is so recent that we can get a microcosmic view of alternatives for future industrial development, redistribution of population, and more democratic organization. We can begin at a time when 75 percent of the people live in rural areas and 54 percent on farms. The Tennessee Valley Region was more densely populated than many other rural parts of the United States, and the birth rate was much higher than the national average. Mere subsistence farms devoted to a single cash crop greatly outnumbered livestock and grain farms. Food and feed crops were insufficient to support the Valley's population. Under such economy, incomes were low and dietary deficiencies, much chronic illness, shoddy houses, sordid furnishings, utterly inadequate schools, poor recreational facilities, and insufficient transportation were somewhat comparable to the situation in urban slums. Timber, soil, and mineral resources had been exploited without regard to equity or future welfare of the people. A steady decline in natural wealth was accompanied by a steady increase in population. All the while, most people were unaware of the resource impoverishment going on around them and of the magnitude of their accumulated loss through the years. Their ignorance and limited cultural interests, combined with primitive housing and other facilities left no escape for any venturesome youth except migration to industrial cities.

Then came the nitrate works at Muscle Shoals, Alabama in conection with needs of World War I. Later this factory was reactivated for the experimental development of chemical products especially plant fertilizers, with power coming from Wilson Dam built in 1925.[3]

After much political haggling and a later deep economic depression, The Tennessee Valley Authority was created by an Act of Congress in 1933 to take over and operate installations at Muscle Shoals and to integrate development of the entire Tennessee River Basin. To achieve such ends multipurpose dams and reservoirs were constructed to provide: low-cost power; a navigation channel from the Tennessee's mouth on the Ohio River to Knoxville, Tennessee, a distance of 650 miles; conservation and development of natural resources; malaria control; and recreational and educational facilities. Thus, foundations were laid and opportunities were made available for people to develop a new way of living if they could learn to use the vast opportunities placed in their reach.

One chapter of the early responses of the people has not been fully documented. It is well known that most of the construction work on dams and auxiliary installations was done by people from the Valley Region. But the first administrative leaders of the vast enterprise had the wisdom to foresee the need for trained technicians if new opportunities were to be fully embraced by the people. On-the-job education was continually kept in mind and workers were given new responsibilities as rapidly as they demonstrated capacity and competence. Evening and night school were set up in work camps for all who volunteered for instruction. The teaching staff itself was composed of volunteers from the highly trained technical staff which had to be brought in from varied experienced sources whether inside or outside the region. Since the Act of Congress did not provide funds for this educational endeavor, those who participated in it did so without financial reward. This phase of the project reflects the creative spirit which pervaded the work done by those who launched the enterprise. One of the anecdotes which survives from the time, is that a very high official told the people that creative living was like measles and had to be caught from others who had it.

Parenthetically, it should be said that not all of the industrial and agricultural development of the Region occurred under the stimulation of the TVA. Kingsport, in Sullivan County, Tennessee was fully planned by John Nolen, laid out in 1916 and incorporated in 1917. It is noted for its pulp and paper mills associated directly with very large book printing and binding operations. Textile mills and plants making brick, cement, glass, synthetic fibers, plastics, hosiery and chemicals are also located there. From the beginning, hospitals, schools, and entertainment facilities in Kingsport were of high quality. The family plan for providing hospital care for workers in the area was one of the earliest experimental ventures of its kind. Bristol on the Virginia-Tennessee line is only a few miles from Kingsport and Johnson City and the three now referred to as Tri Cities, form an industrial gateway to the Tennessee Valley Region.

---

[2] Lewis Mumford in his prophetic book, *The Culture of Cities* has described the "Rise and Fall of Megalopolis" and the "Regional Framework of Civilization."

[3] About one fourth of the electrical energy generated in the Region continues to be utilized by defense installations including munitions defense research at Muscle Shoals, Alabama; atomic plants at Oak Ridge, Tennessee; and Paducah, Kentucky; the Air Force wind tunnel research at Tullahoma, Tennessee; and the famous NASA Marshall Space Flight Center at Huntsville, Alabama.

Although primary attention will be given to industry, it is important to understand the strategic place of agricultural change in the whole Valley Region. Agricultural change was not only important for the sake of improving the income and standard of living of the people, but also for checking the erosion of land for its own productivity and also for protecting streams and reservoirs from silting. The agricultural pattern of growing such row crops as corn and tobacco imperiled the very foundations of the new system being built into the whole region. A wide spread program of establishing grass and growing it for hay and pastures was most vital. Enrichment of the long worn soil had to be built into the program. And all this implied a considerable shift to livestock and dairy production where it had not been widely practiced before. As in all matters of this kind, demonstrations and assistance were placed before the people; but they made the changes through their own efforts. It is a long story but it is based on creative community development. People were given advantageous terms for obtaining agricultural lime and suitable fertilizers. Local agricultural communities throughout the region organized under their own leadership and made plans for comprehensive improvement of all phases of their lives over long periods of time. The results have not only contributed to an improved economy but an improved society with more satisfying social relations.

Of the 201 counties in the Tennessee Valley Region only 35 have waterfronts on the Tennessee River. It is not surprising that these offered the most advantageous sites for industrial development when the landlocked valley was opened to commercial navigation and joined with the combined river system of continental United States in 1945. Since that time 1.3 billion dollars have been invested in 133 private manufacturing plants operating on the river. Over 90 percent of this capital and 68 percent of the employment involved has been devoted to the manufacture of chemicals, primary metals, and pulp and paper. Well over 100,000 new jobs, including trades and services have been created directly or indirectly by these investments.

It must not be understood that rapid and substantial development in the water-front counties has been separated from counties adjoining and extending far beyond. Guntersville, Alabama, for instance, has become an inland port to which and from which commercial products flow in literally all directions. Barges loaded with hundreds of automobiles are met at the dock by motor carriers to distribute them to many parts of the south. Similarly, grain elevators and feed mills receive cargoes of corn, soy beans, alfalfa pellets, and other crops in short supply in the area. These are necessary for adequately supporting the expanding live stock and dairy farming of a number of southern states. The broiler and fryer production which must respond by rapid transit to demands from the Far West as well as the Northeast and Middle West is largely fed through Guntersville and Decatur ports.

Another illustration of the complementary relation between industry located on the river and a vast supporting hinterland is found at Charlestown-Calhoun, Tennessee. The manufacturing of pulp and paper requires a continuous dependable supply of wood from forest to factory. This involved systematic planting, harvesting and transporting trees to provide ample supplies for the paper mills year after year. Such an operation, not only provides jobs for many people in several states, but it goes far to restore forests and conserve soil over a vast area. It is made possible by the combined means of rail, river, and public road transportation. Other ties of industry located on the river with related development as much as 75 miles away can be found in aluminum production at Muscle Shoals, Alabama and at New Johnsville, Tennessee. Rolling operations, foil printing, laminating and casting productions are among those also found some distance from the river.

Electric energy is not only generated by falling water at dams, but by a number of coal-fired steam plants as well. Although strip mining has not been controlled, several coal fields in the Region or adjoining it find a market close at hand for maintaining a profitable coal industry in the region. It should be noted also that two large nuclear generating plants, now under construction, round out the picture of a new day in accessible power for development of the Region.

III

Although industrial centers located along the Tennessee River have grown in population much of the essential labor force is made up of persons who commute from varying distances within the Region. This is made possible by the high quality and extensive system of paved roads to be found in the hinterland about the centers. In spite of this fact, many counties are too far from the newly developed places or the metropolitan centers elsewhere in the region to have economical and reasonably attractive access to industrial employment. Furthermore, many highly significant sites for particular types of industry do not receive attention from persons who might have the capital and interest to develop them. The sites selected by industry are often dependent upon promotion by communities who need them. It should be quite obvious that many small and often isolated communities do not have awareness of their resources and certainly have no detailed knowledge of how to inform potentially interested persons.

It was this condition which let 12 public power distributors, either municipalities or rural electric cooperatives, to organize on September 15, 1951, an industrial development association in that portion of North Mississippi served by TVA. Membership was open to any public power distributor in the area and a representative from each of the twelve formed a board of directors. The initial financial support for professionally trained staff and equipment for research, and promotional activity was equitably met. This made it possible for all communities in the area, regardless of size to obtain expert service in analysis of resources and help in promotion of suitable and attractive sites for industry. This Association is known as the North Mississippi Industrial Development Association (NMIDA), and today is supported by 27 of the 28 distributors in the area.

The program for the industrial development association is subsumed under the functions of research, education and information, cooperation, and promotion. By research is meant the assessment of resources a community has to offer as a site for industrial development-location in relation to water and other transportation routes and services; to towns and cities; and to such natural resources as minerals, forests, water supply and soils. Population composition, and its growth or decline along with local and area history must be analyzed. Social institutions such as local government, churches, schools, medical services, communication media should give insight into the cultural tone and local ethos. Of course the business activities and financial status must be fully analyzed. Promotion has to do with arranging the research findings in an attractive brochure and making it available to potentially interested industries. Visits, letters, telephone calls, and tours are used by expert personnel employed as directors of major areas. Member distributors are kept fully informed about all activities of their Association by systematic reports, meetings, and personal contacts. Emphasis is placed upon activities affecting the development of their own communities. The Association also cooperates with chambers of commerce and all private and public agencies likely to have mutual interests, information, or communication. Cooperation with any educational institution within the area is especially cultivated. Evidence of interest on the part of any reputable and responsible business management is consistently followed to the extent which seems warranted. The final decision of a business concern to locate in a particular community depends on its local leadership and the qualifications and impressions the people are able to offer when they are visited and exploratory negotiations become mutually desirable.

The idea and practice of organizing these professionally staffed industrial development associations has now spread over three-fourths of the Tennessee Valley, an area of more than 60,000 square miles. Of the 122 municipal and cooperative distributors of TVA power in this area 109 are members and actively support five associations. In addition to that of Northern Mississippi, four other industrial associations have been formed during the past five years. Middle Tennessee Industrial Development Association (MTIDA) with 23 member distributors, South Kentucky Industrial Development Association (SKIDA) with 15 member distributors, North Alabama Industrial Development Association (NAIDA) with 24 distributors; and West Tennessee Industrial Development Association (WTIDA), supported by 20 member distributors. Complete organization of the region seems likely in the near future.

Only highlights concerning one member of 109 industrial development associations can be reported here. Cookeville, Tennessee located near the center of the Cumberland Plateau, county seat of Putnam County, is chosen because it has a number of basic similarities to Yellow Springs, Ohio,[4] a town which has received sociological study.

Cookeville does not have the systematic program of alternating work and study after the manner of Antioch College. But the Tennessee Polytechnic Institute founded in 1916 (now operating as a branch of the University of Tennessee) does incorporate practical and applicable technical training in its curriculum. Even before college work begins "vo-tech" schools on the secondary level make it possible to learn the technique of welding and similar basic skills. Only recently the Fleetguard Division of Cummins Engine Co. looked for a place with strong educational resources relevant to their production of oil, air, and fuel filters for dieasel and automotive demands. It is notable that eight of the Fleetguard management staff were educated at Tennessee Tech and 150 of the production workers came from the "vo-tech" schools of Cookeville.

Furthermore, the Fleetguard factory is fairly representative of the high quality of enterprise which develops mutually satisfying relations with the people of Cookeville. The Delman Company produces automotive parts and accessories. The Volunteer Tool and Die Company produces what the name suggests. A further but incomplete catalogue of products include: electroplating, upholstered living room furniture and chairs, plastic football equipment, brushes and brush handles, concrete blocks, charcoal briquettes, and so on. Nineteen new plants and 1367 jobs have been added since 1960.

The quality of life in a community is difficult to assess without actually living in it for some length of time. A few facts may suggest or reflect facets of Cookeville's interests and vitality. As might be expected, the presence of a branch of the University of Tennessee with over 5,000 students and a faculty of more than 200 members has a marked influence on the small city. It sponsors music, dance, and drama activities in the community and may have inspired the active amateur theater, which often draws upon regional dramatic materials as well as local talent. Its considerable library reinforces the local public library by making many privileges available to all in the area. Cookeville is unique, perhaps in supporting three weekly newspapers, each with more than 6,000 subscribers, at a time when such papers have been failing and going out of existence throughout the nation. Daily papers are also brought in from Knoxville, Chattanooga and Nashville, some 80–100 miles east, south, and west of what is sometimes called the "Hub of the Upper Cumberlands." Lakes and state parks are only a few miles away but, in addition, Cookeville maintains a park of its own. Modern health services are available, including two hospitals. The governing body is of the council-manager type with five members elected for three year terms.

---

[4] Small city in Ohio analyzed in terms of ethos, process of industrial growth and adaptable practices by Arthur Morgan in his *Industries for Small Communities* published in 1953.

The laborers found at Cookeville and the response they are making seem to support statements by Morgan: "If there is a core of sound, honest, and friendly people, and a persistent spark of inquiry and adventure, then all the rest can be added in due course . . . Men's creative capacities commonly lie dormant until their social and economic setting provides both a pattern and a stimulus for action." Some managers coming into Cookeville have said: "The native aptitude of our workers here in Middle Tennessee has made it possible for us to cut the training time and costs by 40% over other facilities in another section of the country."

"Our turnover and absenteeism rates have been amazingly low. The workers here seem to lack the 'itchy feet' of their counterparts in some sections. The actual manhours of our plant here far exceed those of similar plants in other sections and industry in general,—last year, for example, our absentee rate was 1.6. This year it is 1.7. We would have had an even lower rate had we not had employees out with prolonged illness."

"Production figures of our new plant in Middle Tennessee surpasse those of our old location by a full 25%."

"The working people of this area have an old fashioned idea—a day's work for a day's pay."

"Our concern has been very happy here. The people and the region are so attractive that I hope to retire here."

IV

Lest there be over simplification, it must be understood that modern megalopolitan growth and the imbalance of human ecology in our time is not entirely, due to the correlation of industrial, rail, and commercial centers near the beginning of the 20th Century. The patterns were laid at that time by people leaving their agricultural and hand craft production to go where new factories provided a better life through machine production and widening possibilities of trade. The concentration and centralization of population seemed rational, utilitarian and survivalistic at the time. But growth has continued long after any one of these criteria is met. In fact, the opposite is true. Further migration of people from marginal land or places with limited educational or vocational opportunity has ceased to be rational or utilitarian; and it certainly does not contribute to human or cultural survival.

One of the clues for understanding the continuous irrational growth of cities, regardless of their size, may be found in the stereotyped notion that growth in numbers is equivalent to growth in prosperity and progress. Another clue is suggested by Ralph Linton's dictum in his *Study of Man* that man tends to elaborate certain culture patterns as ends in themselves without regard to their utility or injury.

The extraordinary transformation of opportunities and the achievement of higher qualities of living by people living in the Tennessee Valley Region may represent a change which will spread to other areas. If so, a more even distribution of population might become established and many of the problems now associated with very large urban concentration would disappear. Such an ecological balance would seem rational and utilitarian. And, under modern threats of violence from within and without, such a change would appear to improve prospects of survival.

The recent experience in the Tennessee Valley may prove to be the wave of the future. For the years 1958–1966 rural counties with their largest cities having less than 10,000 population were compared with standard Metropolitan statistical Areas (SMSA) and with urban counties having their largest cities in the 10,000–50,000 class with respect to numbers of new and expanded manufacturing plants, investments by class of industry, and jobs created. The totals may be shown most clearly in tabular form:

COUNTIES WITH CITIES

Type of counties	Rural	Urban	Metropolitan
Number counties	133	26	11
Plants	1,722	923	1,563
Investments	$931,710,000	$798,009,000	$665,411,000
Jobs created	140,326	66,428	62,341
Total population	2,236,935	1,215,856	1,895,757

It is evident that more jobs have been created in the 133 rural counties than in the 37 urban counties where population is highly concentrated. It is also clear that gross investment in plants and the number of plants is higher than in either classification of highly urban counties. It is not surprising, however, that the low-wage industries and those requiring less skilled and trained workers—those in apparel and furniture making—are dominant in the rural counties. These are paid less than $5000 per worker whereas those in chemicals receive more than $7000 per worker and those employed in primary metals and pulp and paper manufacturing receive earnings above $6000 per worker. But the important fact remains that factories are moving to the rural places and the people do not have to move from their low yielding agriculture to some city in the hope of obtaining a better level of living.

In longer time perspective the picture of industrial growth from 1929–1966 in rural areas shows employment expansion from 221,600 persons to 682,000, an increase of 208 percent as compared with 78 percent for the nation. This greater number and variety of job opportunities, including the concurrent growth in trades and services, brought about a phenomenal increase in income and purchasing power. During this period the income received by individuals rose from $1,666,000 to $13,732,000, or 777 percent compared to a national increase of 578 percent. Per capita income increased from 45 to 70 percent of the national average during the period.

One of the major tests of the matter under consideration is found in the relations of employment and population. The current decade is the first time total employment, including agriculture, has grown faster in the Valley than in the Nation. Employment on farms has been decreasing faster than the country as a whole for a long time—60 percent from 1929 to 1960 compared to 48 percent for the nation. Concurrently, the rate of population growth has been below the national average every decade since 1900 with the exception of the depression decade of the thirties. From 1930 to 1967 the Region's population gain was only 36 percent compared to 61 percent for the nation. These population changes were the result of natural increase and migration of persons primarily in the 20–24 age classifications to industrial centers in other parts of the country. Migration into the region is now exceeding outmigration for the first time as job opportunities have expanded recently and rapidly. Net migration from the Region apparently has stopped. If the factors which brought this change about continue to operate with job opportunities becoming even more varied and income levels rising, a genuine contribution to ecological balance will be achieved. The rural-urban populations within the region seem likely to maintain their present balance.

What of the future? Will young people wish to spend their lives and work in the Tennessee Valley Region? As their level of living rises will their standards of living move beyond "creature comforts" and "mass entertainment" to creative endeavors of high quality? Answers to these questions may be suggested by the way of life which has been emerging. In the first place the Tennessee Valley development has been built upon an idea, or vision of the river and its valley as "a unit from its source to the sea." Every part is interdependent with every other part—physiographically, biologically, and sociologically as a habitat for man. Development of one part must be integrated with that of other parts of maximum values of any part is to be realized. People learned this through demonstrations. Reversing the process of erosion of land by reforestation, and establishment of pastures, was first demonstrated and then adopted as opportunity. This learning through demonstration, or actually, through experimentation and testing became a wide spread pattern. The people of the Region found greater scope for their initiative, energy and talents.

Furthermore, they learned the effectiveness of managing their own affairs through social organization. Agricultural improvement along with enrichment of home life was realized through community and neighborhood planning and appropriate division of labor. Only by organizing electric cooperatives were many people able to get the revolutionizing applications of electric energy to their productive work and comforts of living. In the process they learned their own powers of managing public affairs. The catalogue of achievements by the people might be extended indefinitely and would include greater knowledge and realization of conditions essential to health and the establishment of health services. The combination of man-made lakes with the setting of mountains and hills results in scenic grandeur for literally millions of people to enjoy. The varied enjoyment afforded by these lakes does not require detailed description to be understood and utilized.

The operation of the Tennessee Valley Authority, as an instrument for the unitary development of a watershed area reaching into seven states has required a high degree of understanding and agreement on the part of local, state, and federal administrations of government. The policy of creating increasing opportunities for all people has been the keystone for success of the venture. Just as people with intelligence, integrity, and pride have been grasping the new opportunities afforded them; so, have their local and state governments accepted an increasing role in mutual support of such public interests as control of water pollution, strip mining; beautification of highways and parks; and forest fires; and so on. The several state institutions of higher learning have been extending their opportunities through branches made accessible to people within commuting distance. The curricula of these institutions are increasingly designed to provide knowledge and skills for varied types of work students desire to enter; as well as for creative understanding through literature, history, social studies and fine arts.

From one point of view the multiple and unified development of patterns of living in the Tennessee Valley Region may be regarded as an experiment or demonstration on a grand scale. It is being followed as a model for development in many parts of the world.

It provides an alternative for the overbuilding of cities and the ecological imbalance of population in the United States. Arthur Morgan, with the combined insight of engineer-sociologist-educator, in his book, *Search for Purpose*, pointed out the highly significant results which flow from changing existing currents of attention and purpose of men. As First Chairman of the Tennessee Valley Authority he was instrumental in demonstrating this principle.

THE WELFARE SPIRAL

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. PUCINSKI. Mr. Speaker, the Chicago Sunday American carried an excellent editorial on the rising crises in the Nation's public welfare program.

I was particularly pleased to see this highly respected newspaper support a uniform, nationwide standard for relief payments.

I have long advocated this approach as one way to slow down, or maybe even stop, the huge migration of impoverished families to the large cities seeking the higher welfare payments usually paid by urban communities.

The editorial follows:

THE WELFARE SPIRAL

A court ruling that eliminated Illinois' one-year residency requirement for welfare payments a year ago already has cost the state an additional 10 million dollars, according to Gershom Hurwitz, assistant public aid director. The announcement, hardly a surprise, verifies gloomy predictions by state officials when the court decision was made.

The number of new cases added to welfare rolls each month has risen from between 160 and 170 cases a month to between 250 and 300 cases a month since the requirement was eliminated.

This new load imposed on an already overloaded state welfare program adds urgency to an argument we've been setting forth here for a long time: Uniform national welfare standards are needed to save Illinois—and other states which pay high relief allotments—from a constantly rising influx of relief recipients, worsening urban poverty and the further crowding of already overcrowded slums. A way must be found to keep the welfare migrants at home, and perhaps tempt back to their homes those who have been lured to the cities.

Illinois is attractive to destitute southern families both because of its high public-aid standards and because it's easy to get to. Of only five states that average more than $200 a month in welfare payments to families, Illinois is the only one not on the northeastern seaboard. Of the six states which average less than $100 a month, four—Texas, Arkansas, Alabama, and Mississippi—are within relatively easy travel distance, even for the poor. Mississippi, at the bottom of the list with monthly payments of $34.90, led the Illinois caseload increase last December.

A nation-wide standard of relief payments now has been proposed by Robert H. Finch, secretary of health, education, and welfare. It's imperative, we think, that the federal government give this program the highest priority.

Gov. Ogilvie has gone a step further and suggested that the entire program be underwritten by the United States. That is a reasonable proposal; it goes hand in hand with uniform standards. But the standards themselves are the minimum needed.

Wiping out the residency rule may have changed the very reasons poor people once had to migrate to Chicago. Members of the Chicago's American staff have learned during several investigations in the last seven years that the most alluring prospect in Chicago, as far as the southern poor were concerned, was job opportunity. In too many cases, the lure turned out to be false. Large families arrived in Chicago; the father, unable to get or hold a job, drifted away, leaving wife and children to the benefits of A.D.C.

The massive increase in welfare cases indicates the lure now is even stronger—instant money by court order. If the city's problems are not to become insoluble, the magnet must be turned off.

STAMP TO HONOR 50TH ANNIVERSARY OF BUSINESS AND PROFESSIONAL WOMEN'S CLUBS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to announce that today I have introduced a bill to provide for the issuance of a special postage stamp in commemoration of the golden anniversary of the National Federation of Business and Professional Women's Clubs, Inc., on July 16, 1969.

The goals of this federation are to elevate the standards for women in business and the professions, to promote the interests of business and professional women, to bring about a spirit of cooperation among business and professional women in the United States, and to extend opportunities to business and professional women through education along lines of industrial, scientific and vocational activities.

We in the U.S. Congress applaud these objectives and feel strongly that the contributions to American society which the federation has made, through its many National, State, and local scholarship programs for young women interested in business and professional careers and through the civic involvement of its members, deserve nationwide recognition.

As it would be particularly fitting that on the 50th anniversary of its founding the National Federation of Business and Professional Women's Clubs be honored with a commemorative stamp, I urge the Postmaster General to approve the issuance of such a stamp.

FREEDOM'S CHALLENGE

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. DENT. Mr. Speaker, I would like to call to the attention of my colleagues a young lady from my district, Miss Hope A. Little, of Belle Vernon, Pa. She submitted the winning speech in the Veterans of Foreign Wars annual Voice of Democracy Contest for the State of Pennsylvania. This award entitles Miss Little, along with the winning contestants from each State, to be brought to Washington for the final judging in this contest; five scholarships will be awarded as top prizes. Over 400,000 schoolchildren throughout the country participated in this competition.

Miss Little's essay on the theme "Freedom's Challenge" is worthy of our notice, and I commend it to my colleagues, as follows:

FREEDOM'S CHALLENGE

(By Hope Little)

Through no merit of our own each of us has been given one of the greatest gifts on earth, the gift of American citizenship. A gift so rare only two hundred million people out of three billion possess it. A gift so coveted that thousands of people annually leave their homes, their friends, and all they have known to journey to America and become citizens.

Surely no people of any other time in any other land have been so blessed, so fortunate, and yet so ingrateful. Considering that the Russian revolution ended in a Communistic government, and the French revolution was followed by a dictatorial ruler, America was surely fortunate in that her revolution brought a democratic form of government. However, with all of our freedoms and rights, it is we Americans who express the least gratitude. Russia, with its overpowering dictators, has never seen a premier assassinated. America, which has been blessed with wise, honest leaders, has had four of her presidents die at the hands of assassins. Last spring we saw the French people riot for two weeks producing merely two fatalities. But in America a man peacefully runs for public office and he is shot down; another speaks of Negroes and Whites walking hand and hand and he too is slain. We are accepting a philosophy that says, "If you don't like something, burn it. If you don't like someone, kill him."

It has often been said that violent movies and television programs have a militant affect on children. But when will people realize that the most violent programs are the newscasts which show stores being looted, draft cards being burned, and the American flag being desecrated? To prevent these incidence from being shown would be Hitlerism; but to regain respect for the flag and to reestablish the honor connected with military service would be the American Dream.

A Greek philosopher once said, "A government is a success only when all citizens take part in its affairs. Whenever one person says, 'The government is of no concern to me', then that government is a failure." Yet in a recent election 42% of the qualified voters did not exercise their precious right to select the leaders of our nation. In other words, 42% of our citizens said "The government is of no concern to me." According to this Greek philosopher our government is a failure; not because its leaders have been poor or its military weak; but due to the fact that its citizens have been indifferent.

What can one person do? One seventeen year old French girl, Joan of Arc, is credited with holding the English from invading her homeland. One man named Hitler is responsible for the death of one million people. One woman had prayers removed from public schools. These people have one thing in common. They stood against immense opposition to prove what one lone pilgrim could accomplish.

Our most powerful enemies are not in Moscow or Peking. Our toughest enemies exist on the Texas prairie, in the Allegheny Mountains of Pennsylvania, and in the metropolitan areas of California. They thrive in ghettos. They lurch in filthy alleys.

These enemies—ignorance, greed, sloth, cowardice, predjudice, and apathy are the enemies that can conquer our republic, but only if we let them.

To defeat these enemies demands bravery for a silent revolution must begin in which each American examines his conscience and learns to stop finding the qualities that divide Americans, but rather to find those qualities which unite us. It will take courage, but America can be the land of the free only as long as it is the home of the brave.

UNITED CHURCH OF CHRIST STATEMENT ON VIETNAM

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. WOLFF. Mr. Speaker, earlier this month the United Church of Christ Council for Christian Social Action adopted what I consider an excellent statement on Vietnam. This statement articulates clearly the need for a reduction in the level of hostilities and the concurrent need to proceed with the negotiations in Paris.

I feel this statement is a constructive contribution to the debate on American policy in Vietnam and commend it to my colleagues' attention. Under leave to extend to my remarks, I therefore wish to include the statement in the RECORD at this point:

STATEMET ON VIETNAM

(Adopted by Council for Christian Social Action, United Church of Christ, February 3, 1969

We welcome the emphasis which President Nixon placed on the attainment of peace in his inaugural address. We believe he was accurate in stating that because the people want peace and the leaders are afraid of war, "the times are on the side of peace," and that America now has "the chance to help lead the world at least out of the valley of turmoil."

The acclaim given at home and abroad to the President's peace theme shows the widespread support he has to move forward in this "era of negotiation." We join in that support and urge prompt action in the most pressing of the negotiations, namely, those dealing with Vietnam.

While the talks continue in Paris, violence and suffering continue in Vietnam itself. We cry out in anguish over each day of delay. We deplore the continued destruction of the Vietnamese people, their children, their land, their culture as well as the loss in American lives. This level of violence is detrimental to a peaceful settlement.

We wish to add to our general support for the President, these specific suggestions:

First, *negotiate, unilaterally if necessary, with the North Vietnamese.* It is with Hanoi that agreement must be sought for the withdrawal of troops. We believe our Government has been unduly deterred by the footdragging of the Saigon Government. They are the beneficiaries of tremendous American sacrifices, but it is not for them to decide how and when the United States reduces its efforts there. It is important to recognize the self-interest of Saigon officials in the U.S. presence, and to realize that the United States must make its judgment independently.

Second, *begin troop withdrawal, with or without the consent of the Saigon Government.* We believe a significant consensus has been reached in this country favoring a de-escalation in Vietnam, and the beginning of withdrawal of U.S. troops. We share this conviction. This means that the U.S. Government should notify the Saigon Government immediately of this intention in order to give it opportunity and time to adjust itself to the new realities, and if it wishes, to make accommodation or arrangements for internal peace with the divergent forces within South Vietnam. Time is short. These arrangements should be concluded without further delay.

Third, *work for the active participation of all divergent groups in the South Vietnamese political arena.* We believe our Government should strongly recommend to the Saigon Government that political prisoners be released from jail. Many persons in South Vietnam are represented by neither the National Liberation Front nor the Thieu Government. It is quite likely that only these people in a "third force" can bring stability to that unhappy country by providing a catalyst around which the divergent elements in the population can form a viable government. And its is quite possible that any future economic aid the United States might give would be wasted unless a broad national government can be established which should include representation of diverse interests, not excluding the National Liberation Front.

Fourth, *use multi-lateral channels for post-war reconstruction of all Vietnam.* We dare not forget that when the killing has stopped and the immediate suffering has been mitigated, the road to reconciliation is long and the task of reconstruction is massive. We urge the President and Congress to offer ample resources, working through multi-lateral channels, to press forward with haste to bind up the wounds of all the peoples in Vietnam.

With this statement of support and recommendation, we wish the President God speed in his quest for peace.

NONBILL, NONACTION PAY RAISE

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. ROBISON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following letter received earlier this month—a letter that speaks for itself:

SCHWAN'S TRAILER PARK,
Ithaca, N.Y., February 8, 1969.

DEAR CONGRESSMAN ROBISON: I am a partially disabled ex-marine attending Cornell University under the GI Bill of Rights.

Please submit a non-bill to the Congress so that my disability award and educational allotment will be increased by 41% upon non-action by the legislature.

Sincerely,

JOHN F. ROWE, Jr.

FREEDOM DAY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. DERWINSKI. Mr. Speaker, to observe the 15th anniversary of Freedom Day, January 23, the people of the Republic of China held a mass rally at Taipei, Taiwan, with our distinguished colleague, the Honorable JOHN H. BUCHANAN, of Alabama, as principal speaker. I would like to bring to the attention of the Members the program of the rally in Taiwan and include the program as part of my remarks in the RECORD:

PROGRAM OF THE RALLY

1. Messages from H. E. President Chiang and from H. E. Presidents of Republic of Korea, Republic of the Philippines, and Republic of Vietnam; and from Foreign Minister Choi Kyu-Kyu-hah of Republic of Korea and Ambassador Walter D. McConaughy of the United States.
2. Address by Chairman Ku Cheng-kang.
3. Speech by H. E. Vice President C. K. Yen.
4. Speech by U.S. Congressman John Hall Buchanan

PRESIDENT CHIANG KAI-SHEK'S MESSAGE TO THE MAO-SUPPRESSION AND NATIONAL SALVATION RALLY ON THE 15TH ANNIVERSARY OF FREEDOM DAY JANUARY 23, 1969

Fifteen years ago, more than 14,000 former prisoners of the Korean War repudiated the Chinese Communists and chose to be free. This momentous decision gave rise to the Freedom Day movement of free China. As a result of the efforts of the anti-Communist people of the world and the unanimous resolution of the Second Conference of the World Anti-Communist League, this movement has now assumed international significance. New energy has been injected into the historic undertakings of opposing slavery and defending freedom. We ourselves have assumed a large share of responsibility in the struggle for human liberty. The regime of Mao Tse-tung is the source of the evils that threaten man's right to be free. The snake is killed by striking at its head and the weed is eliminated by pulling it out by the roots. So it is that the establishment of the Mao-suppression and National Salvation United Front on the occasion of Freedom Day is a matter of great importance.

With the tides of freedom surging ever higher, the Peiping regime is on the edge of collapse. The radiance of humanity enlightens the world and the victory of our National Revolution of *San Min Chu I* (Dr. San Yat-sen's Three Principles of the People) is in sight. History's iron law that freedom will vanquish slavery is in the process of being borne out. However, the wicked Mao knows that he is isolated internally and externally and at the end of his rope. He is therefore engaged in a last-ditch struggle of trying to amend the Chinese Communist Party charter and to convene the "ninth party congress", hoping thereby to conceal the failures of his "cultural revolution", "rebellion" and "power seizure". But the oppressed people of the mainland and the Party members who have been so long deceived are now alert to Mao's intrigues of "grasping Party members" and "deceiving those outside the Party". They are ready to use tactics they have learned in the course of the struggle and will "raise high red flags to oppose red flags". The bitter experience of Mao's attempts at vengeance and liquidation will be applied as people and Party members become the vanguard of an all-encompassing rebellion that will bury Mao.

Regardless of party affiliation or occupation, all of the Chinese people should now rise up to perfect our Mao-Suppression and National Salvation United Front and march forward together under the flags of *San Min Chu I* and the National Revolution. Our anti-Mao and anti-Communist comrades are imbued with the spirit of ethics, democracy and science. In their political, economic, cultural, military or social posts, they are now prepared to contribute their wisdom and their energy in implementing *San Min Chu I*, in developing Chinese culture and in saving, recovering and reconstructing their country. As they endeavor to fulfill their duty, all of the people will rise up in total mobilization. Chinese at home and abroad will be united spiritually and will expedite a rendezvous of anti-Mao and anti-Communist people and military forces both in front of and behind the enemy. That will mark the end for the chief enemy of freedom.

As Freedom Day develops, we shall unite with all freedom-loving peoples and with all the forces of liberty and righteousness to be found in the world. Together we shall liberate those who are enslaved behind the Iron Curtain and restore their freedom. We should also exert ourselves to frustrate the international counter-current of Communist appeasement. With a single strategy and concerted actions, we shall bring lasting peace to the world and realize the noble ideal of one great commonwealth set forth in our *San Min Chu I*.

Message From His Excellency President Park Chung Hee of Republic of Korea

"On the historic occasion of the fifteenth anniversary of Freedom Day I would like to join my fellow countrymen, the people of the Republic of China and those patriotic freedom fighters who have so valiantly chosen freedom, in expressing my warmest congratulations and best wishes. I also join you in renewing our resolution to carry through our determined campaign for the preservation of freedom. It is most gratifying to witness that our indomitable spirit in which we have jointly pursued the path to freedom is today diffusing itself through even the iron curtain and bamboo curtain and that the comradeship which has been knit closely between our two people in the course of waging our long and hard fight against our common enemy is providing a strong spiritual fulcrum to us as we continue to struggle for our common goals. On this occasion, we again join your people and free peoples throughout the world in pledging anew that we will stand even more closely in our march forward toward freedom and justice until this planet in which we live finds itself clear of an evil destructionist force called communism."

Message From His Excellency President Ferdinand Marcos of Republic of the Philippines

On behalf of my country and people, I extend to the people of free China my warmest greetings on the 15th Anniversary of Freedom Day. The heart is indeed stirred by the event 15 years ago, when 14,000 Chinese who have long labored under the lash of communism, obeyed the instincts of freemen and daring all dangers, broke through the bamboo curtain to reclaim their dignity as human beings, the Filipino people have a long tradition of democracy and our history has recorded our many battles for freedom. Today we are deeply irrevocably committed to the free way of life, which others before us have defended with blood and sacrifice. It is our fervent hope that in a time not too distant all peoples can live in peace and freedom. Even as the 14,000 Chinese Communist soldiers who have elected to become freemen now live an unfettered life. As you celebrate Freedom Day, we pledge anew our continuing support of all endeavors of free peoples to repudiate aggressive, oppressive Communism and bring about a world at peace and unified in freedom.

Message From His Excellency President Nguyen Van Thieu of the Republic of Vietnam

As you commemorate this great historic Anniversary when fifteen years ago 22,000 Chinese and Korean POWS under the custody of the United Nations Forces in Korea chose freedom in spite of Communist coercion and intimidation, the Vietnamese people, fighting on the frontline of the Free World, deeply share your pride and your hopes.

The fact that the so-called "volunteers" that Communist China sent into its aggressive war in Korea, refused to return to their homeland after the war was over, shows most eloquently the emptiness of the Communist claims of peaceful intentions and of the popular support they pretend to have in the areas under their dictatorial control.

Since that momentous Freedom Day fifteen years ago, millions of others everywhere in the world, in various Continents, have likewise chosen freedom whenever they were given a chance to do so.

In Viet Nam, after the 1954 Geneva Agreements partitioned the country and placed northern Viet Nam under Communist rule, nearly one million people in North Viet Nam chose to abandon their homes and their ancestral lands to seek refuge in the South.

In the past years, after Communist North Viet Nam intensified its aggression against the Republic of Viet Nam and sent armed troops to invade South Viet Nam in violation of the Geneva Agreements, over 90,000 Communist troops chose to abandon Communist ranks to rally to the side of freedom. This not only testifies in a dramatic fashion the physical presence of the Communist aggressive forces coming from the North, which the Hanoi regime always denies, but also repeatedly confirms the deep aspirations for freedom of all men everywhere, and the abiding attachment to the spiritual values of our ancient civilizations throughout Asia.

Free men everywhere appreciate highly the efforts of your Committee in keeping alive the flame of hope in the hearts of all the unfortunate people now suffering under Communist slavery.

On this occasion, I send you my best wishes and warm congratulations.

Message From His Excellency Foreign Minister Choi Kyu-hah of Republic of Korea

"On the joyous occasion of your freedom day, I wish to extend to your excellency, on behalf of the government and people of the Republic of Korea, the most heartiest congratulations. I take this opportunity to make our renewed determination to smash the Communist expansionism in Asia. Please accept my best wishes for the sustained progress and prosperity of your great nation."

Message From His Excellency Ambassador Walter P. McConaughy of the United States of America

Fifteen years ago this month, 14,000 Chinese prisoners of war in Korea who had selected freedom rather than return to Communist oppression began to arrive in Taiwan.

Much has happened during those fifteen years. In contrast to the turmoil on mainland China, remarkable progress has been achieved by the Republic of China under the inspirational leadership of President Chiang Kai-shek, and the Government of the Republic of China is now able to extend the fruits of the lessons it has mastered to many other countries of the Free World. In contrast to the discredit which the mainland regime has brought upon itself in the international community, the standing of the Republic of China among the free nations of the world has never been higher. Our two governments have been joined even more closely in working for peace, freedom and prosperity for all mankind.

In all the long years of bitter confrontation between the forces of communism and the Free World, there have been few events which more dramatically illustrated the shining truth that men when allowed a free choice will seek the path leading to freedom, liberty, and justice. The United States Government is pleased to participate in the celebration of that most significant occasion, which is important not only in itself but as a symbol of man's never ending search for freedom.

Address by Chairman Ku Cheng-kang

This is the fifteenth anniversary of Freedom Day token of mankind's bright future. We who are meeting here for its commemoration are very much honored by H. E. Vice President C. K. Yen who will address the Rally, and by the Honorable John Hall Buchanan, Congressman of the United States, Mr. Kang Ye Muk from the Republic of Korea, and Mr. Phan Van Xuong from the Republic of Vietnam for having travelled from afar to join us. On behalf of the Rally, may I express to them my heartiest welcome and appreciation.

In the past fifteen years, the Freedom Day movement, a symbol for mankind's struggle for freedom, has been growing and expanding, and is now supported by the U.S.A. and other countries outside of Asia. The World Anti-Communist League meeting in Saigon last December further accepted the 23rd of January as a World Freedom Day, making it a common standard for mankind's struggle for freedom against enslavement. This is the new and added significance for our gathering this year.

The Freedom Day movement has been treated with such respect because of three important factors Freedom Day represents, all of which are vital to the victory of freedom.

First because it represents the determined fight made by the 22,000 Chinese and Korean ex-POW who in defiance of Communist brainwashing and pressures elected to turn their backs on the Communist Party and choose freedom.

Secondly because it brings to our mind the historical fact that the United Nations was able to assert justice on an international scale to stand firm on the principle that repatriation of the prisoners of war had to be based on individual volition.

Thirdly because it reminds the world of the active support given by the governments of the Republic of Korea, the U.S.A., and the Republic of China to those 22,000 brave men in their struggle for freedom.

And it was precisely the combination of these three factors which wrote that glorious page in mankind's fight for freedom against Communist enslavement: determination in fighting, firm adherence to principles and giving active support from without. These three precepts courageously employed will make it possible for the camp of freedom and justice to defeat the forces of Communist enslavement in the battle raging even today. May I offer my thinking on these precepts.

With regard to determination in fighting, the first step is to convince the world that Freedom's victory is a certainty. We must persuade the world to look closely at the ebbing of the Communist movement and the splitting up of the Communist camp, so that the fear of Communist might be eradicated. Freedom can be enjoyed only by those who have fought and are fighting for. For the safeguarding of the freedom we now possess and for the restoration of freedom to those who have lost it, we have to fight Communism courageously. Many have struggled against Communism behind the Iron Curtain to escape to freedom. But the situation today has become appropriate for more active methods, that is to say, for fighting against

Communist behind the Iron Curtain. As the former Red Guard members, the intellectuals and the Communist cadre are now being purged by Mao Tse-tung, we send our call to them and to other people to join the united front against Mao advocated by President Chiang for the rescue of the nation, so that the intellectuals can join force with the peasants and workers and the urban resistance can link up with that in the countryside. Presently we shall see resistance moving from scattered attempts into an unified effort, and from the political to the military front. With help from us, the forces of resistance shall one day destroy the Communist camp from within.

With regard to the adherence to firm principles, the Free World should be brought to realize that we should not permit coexistence with enslavement for ever. If we can only watch as bystanders as more than one-third of the human race continue to be enslaved, and as free countries are subject to Communist infiltration and subversion, the freedom we do possess now will be under serious jeopardy. Appeasement policies must go. The illusion of peaceful coexistence must be removed. And in negotiating with the Communists, the freedom world will do well to depend on strength and courageous action to uphold the principle that all mankind should share freedom, without any concessions that might compromise the principle. In the Paris peace talks, the U.S. and the Republic of Vietnam, we are confident, will adhere to these principles and meet with true success.

With regard to giving active support to the freedom fighters, we submit two points, both of them vital; that the Freedom must give moral and substantive support to every freedom movement behind the Iron Curtain, and that the countries in the Free World must cooperate closely in coping with the common threat posed by the Communist camp. The United Front against Mao, which is advocated by President Chiang, is to give strong support in action to our compatriots fighting for freedom on the mainland. This Rally is held here today to further the movement of this United Front. We hope fervently that the spirit of the movement will grow throughout the world so that the fighters of freedom everywhere will unite to defeat the Communist forces.

With respect to mutual support and cooperation in the Free World, the primary task is to expedite the forming of regional security organizations as basis for a world united front against Communist enslavement. Asia's need is especially urgent here. Last year at the annual conferences of both the Asian Parliamentarians' Union and the World Anti-Communist League, my advocacy of a regional security organization for the Asian and Pacific Area met with support from all the delegates. It is becoming increasingly clearer that the strength of the nations in the region must be developed to remove the source of disasters therein and to safeguard the independence, freedom, prosperity and peace of the individual nations.

The world desires peace and mankind requires freedom. Unless freedom is enjoyed by all mankind there will never be true peace in the world. Fifteen years ago, those 22,000 Chinese and Koreans so attained the freedom they were denied, scoring a great victory against the Communists. Today the very same precepts will help us fight for mankind's freedom to create peace for the world.

Vice President Yen Chia-kan's Address to the Mao-Suppression and National Salvation Rally on the 15th Anniversary of Freedom Day, January 23, 1969

Today marks the 15th anniversary of Freedom Day. Just 15 years ago, 14,000 former prisoners of the Korean War made their unprecedented, sagacious and greatly courageous choice between freedom and slavery and between the brightness of day and the darkness of night. Determined to cast off their shackles, these brave men received the righteous support of the free world and succeeded in returning to their free fatherland. This magnificent feat has added one of the brightest pages to the history of man's struggle to survive in freedom. For these reasons, we decided—at the first rally celebrating their freedom—to designate January 23 as Freedom Day. The objectives are to strengthen the anti-Communist forces of the world and bring them together in a mighty movement to destroy the Iron Curtain and liberate enslaved peoples everywhere.

The courage of these 14,000 freedom fighters reflected man's unshakable aspirations for freedom and ceaseless antagonism toward tyranny. The momentous goals of Freedom Day constitute an expression of the free world's determination and confidence that justice and human rights will prevail. Our Freedom Day movement subsequently has brought an enthusiastic response and strong support from Asia and other parts of the world. Freedom Day is now a symbol of the world anti-Communist movement. With constant enlargement and expansion, the Freedom Day spirit has become a towering beacon for the enslaved people and a weapon that can penetrate the Iron Curtain.

Encouraged by the Freedom Day movement, many people have succeeded in breaking through the Iron Curtains of both East and West during the last 15 years. More than 150,000 refugees from the Chinese mainland have made their way by air and sea to freedom in Taiwan. More than two million escaped to other places in Asia. These escapes testify to the profound influence of the Freedom Day movement in the anti-Communist struggle.

This growing importance led the Second Conference of the World Anti-Communist League, meeting in Saigon last month, to designate January 23 as World Freedom Day. The day thus acquires a deeper significance in anti-Communist history and is assured of further growth of the potential of generating an overwhelming anti-Communist tide throughout the world.

As yet we have not completed the task of tearing down the Iron Curtain and freeing the enslaved people of Asia. The anti-Communist war rages on in our region. Nevertheless, the situation is becoming more favorable to us and to the rest of the free world. We are moving toward unity while the Communists know only schism and disruption. Our chances of Iron Curtain destruction and of the liberation of those behind it are improving day by day.

Celebration of World Freedom Day and establishment of the Mao-Suppression and National Salvation United Front involve much more than our own survival and progress. We are also fulfilling our obligations to the causes of world peace and human freedom. I should like to make these three points:

First, the world's worst "hell on earth" is the Chinese mainland, where Mao Tse-tung's tyranny and fanatical ambitions have not been curbed by internal turmoil. President Chiang Kai-shek has told us that the center of gravity in world affairs is in Asia, that the root of Asian evil is on the Chinese mainland and that mankind cannot escape from wickedness until the evil Peiping regime is destroyed. We must solemnly acknowledge that the suppression of Mao for the salvation of the country is our inescapable responsibility. Chinese at home and abroad, in front of and behind the enemy, will respond to President Chiang's ringing summons. They will join the alliance in both spirit and in action. So it is that we shall forge our united front for Mao-suppression and national salvation, overthrow the Peiping regime and restore liberty to the hundreds of millions of our mainland compatriots.

Second, we shall remind our democratic allies that we have reached the dividing line between day and night in the world anti-Communist struggle. We must not lose this golden opportunity for the expeditious strengthening of the world anti-Communist front and for the unifying of our global strategy. Marching shoulder to shoulder, we shall take the strong actions that are necessary to pull down the Iron Curtain and bring about the earliest possible liberation of our compatriots. Additionally, we shall heighten our vigilance against Communist peace traps, thereby assuring that the tens of thousands who have given their lives to resist Communist aggression in Korea and Vietnam shall not have died in vain.

Third, we call once more upon the countries of the free world to provide humanitarian support and relief for refugees from the Chinese mainland. We join in expression of hope that overseas Chinese everywhere will unite together and accept their share of responsibility for assisting compatriots who escape from Communist tyranny.

The supreme objectives of Freedom Day and the Mao-Supression and National Salvation United Front are both the extinction of the Communist threat, the freeing of those who are enslaved and the bringing of permanent peace to the world. I call upon my fellow countrymen and all the freedom-loving peoples of the world to grid themselves in courageous determination and march resolutely forward to victory in this most decisive battle of human history.

Speech by U.S. Congressman John Hall Buchanan

Mr. Chairman, Mr. Vice President, Distinguished Guests, Ladies and Gentlemen: We are gathered on this Freedom Day to commemorate the courageous act of 22,000 men; 8,000 of Korea and 14,000 of China, who when given the choice as prisoners-of-war, chose freedom. We are gathered also to commemorate the larger truth that wherever men are given the choice, they will choose freedom. Those of us who have joined hands and hearts together as the forces of freedom upon our troubles there, must recognize that the force with which we are confronted in our time is very strong. The world Communist movement controls in its varying forms more than 25 percent of the earth surface and more than 1 billion of the world's people. In Asia, in Africa, in Latin America and in Europe, although there is division within the Communist world, between the two giants of that world, the Soviet Union and Red China, nevertheless, they are joined in one purpose—to replace our governments of freedom with their way of tyranny and they are active all over the world toward that end. In Latin America, Fidel Castro works to subvert the Western hemisphere and as promise to bring us one to many Vietnams. In Africa, both the Communist government on the mainland of China and the Soviet Union has worked feverishly to subvert and to bring the nations of Africa within their orbit if they can. In Europe, we have witnessed the sad fate of the people of Czechoslovakia and indeed of all the captive nations in Eastern Europe and here in Asia, we have witnessed the threat of the government on the mainland of China, and the active present war of aggression of North Vietnam. As you have stood courageously through the years against that great Communist power which has enslaved so many of your compatriots upon the mainland, as the people of the Republic of Korea stood firm against the aggressor of North Korea and of Red China, even now the people of the Republic of Vietnam stand firm against the aggressor. They have formed in the midst of their day of trouble a constitutional republic. They have elected a free government of the people. They have elected a parliament which is dedicated to the proposition of protecting the people of the Republic of Vietnam against the aggression. And with our continued help, I am certain they shall succeed in their high purpose of conserving their freedom.

Confronted as we are by the great challenge of world Communism, let us look at the contrast between that way of tyranny and our way of freedom. I can think no greater illustration to that contrast than those of you who live in Taiwan under the government of the Republic of China as contrast with those who suffered under the government of Mao upon the mainland. What is the contrast between the condition of the people of China under these two regimes? Here you live in freedom upon the mainland there is only tyranny. Here you have made great economic, scientific and industrial progress. There the great leap forward became instead a leap backward. And the cultural revolution has resulted in further destitution and disillusion. Here you live in growing prosperity for all your people with real land reform and with the opportunity for all to participate in economic and scientific progress and here you have, like the carp who swam up stream to the cliff through the dragon's gate to become the dragon you have worked together to create something of value upon Taiwan. As the oyster takes the adversity of the grain of sand and perfects it into the value and beauty of the pearl. So you have here conserved that which is of value, of great value and Chinese art and culture and built upon it new achievements as an expression of what the great people of China can do when they are permitted to follow the way of freedom. In vivid contrast to this subversion of Red China, of Africa, and of Asian Nations, you have rather turned in aid and assistance to help them to achieve. You have given leadership to the mutual defense of Asia and provide a large part of the whole for regional development and regional partnership in mutual defense. You may be assured that my country will continue under its new administration the firm friendship which exists between our two Republics. We will continue our mutual defense treaty and will continue to work as partners in Asia for the development and toward the freedom of all its people. What will be the outcome of the great struggle between the forces of freedom and tyranny in our time? May I say it is my confidence that time shall come when the great people of China shall be united again not under the government of Mao or any of his associates but as the Republic of China in the tradition of Sun Yat-sen and Chiang Kai-shek, your great leader. What shall be the outcome of the larger struggle around the world? I believe that its good is by its nature stronger than evil. As it is in the nature of light to cast out darkness so that it is in the nature of freedom to overcome tyranny and that freedom shall live and not die in our time and the wave of the future lies not with the Communists or with the tyrants but with the forces of freedom in our world. As the mighty eagle, the symbol of my Republic, was born not to drabble in the dust but to fly, so the creature man was born to be free.

Let us therefore with hope and high courage labor together toward that day, toward the time which shall surely come when for all mankind the long night of tyranny shall come to an end and men shall walk together in the light of a new day of freedom.

PVT. LOUIS V. ALBI, JR., KILLED IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. LONG of Maryland. Mr. Speaker, Pvt. Louis V. Albi, Jr., a fine young man from Maryland, was killed recently in Vietnam. I would like to commend his courage and honor his memory by including the following article in the RECORD:

CITY SOLDIER, PRIVATE ALBI, JR., IS KILLED IN VIET COMBAT

Army Pvt. Louis V. Albi, Jr., 25, of 1637 Lochwood road, has been killed in combat in Vietnam, the Defense Department announced yesterday.

Private Albi served with the 82d Airborne Division near Saigon. He was attached to Company B, 2d Battalion, 505th Regiment and worked at the unit's fire base loading artillery.

He enisted in the Army in November, 1967, after working for a time as a cutter in a tailor shop. He had been in Vietnam for eight months.

He graduated from the eighth grade at School No. 32, Guilford Avenue Elementary School.

Surviving are his parents, Mr. and Mrs. Louis V. Albi; four brothers, Lino Albi, Rudolph Albi and Remo Albi, all of Baltimore, and Mario Albi, serving in the Navy; and two sisters, Mrs. Angelina Fantom, of Baltimore, and Mrs. Eleanor Hollopeper, of Ontario, Oreg.

JOINT STATEMENT URGES BROADER FEDERAL SUPPORT OF COLLEGES

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. BRADEMAS. Mr. Speaker, recently the Great Lakes Colleges Association and the Associated Colleges of the Midwest issued "A Joint Statement on Federal Support of Higher Education." The statement represents the views of 22 private, primarily undergraduate, institutions which are noted for maintaining high quality education.

The statement makes the following points, among others:

First. The entire national complex of higher education will require continued and increased Federal support if this country is to meet its clear educational needs in the decades to come.

Second. The report of the Carnegie Commission on Higher Education cited in the statement, presents a broad, bold plan which our member institutions endorse.

Third. The undergraduate sector of the educational complex has received a disproportionately small portion of Federal support even though it is the sole source of students who enter graduate programs.

Fourth. Little focused attention has been given to the special—and expensive—efforts of certain institutions which maintain high quality programs, and which send a disproportionately high percentage of students into training for the professions.

Fifth. Although the actions of the Congress in support of the natural sciences are to be applauded, the lack of adequate support for the arts, humanities, and certain of the social sciences has and will progressively create serious imbalances.

Mr. Speaker, in addition, the two associations have appointed a joint committee on national policy. The four members of this joint committee, all distinguished college presidents, are: President Landrum Bolling, Earlham College; President James P. Dixon, Antioch College; President Sidney Rand, St. Olaf College; and President Miller Upton, Beloit College.

Mr. Speaker, because I believe that many Members of the House will be interested in the "Joint Statement on Federal Support of Higher Education," I include this statement at this point in the CONGRESSIONAL RECORD:

A JOINT STATEMENT ON FEDERAL SUPPORT OF HIGHER EDUCATION BY THE GREAT LAKES COLLEGES ASSOCIATION AND THE ASSOCIATED COLLEGES OF THE MIDWEST, JANUARY 1969

We, the member colleges of the *Great Lakes Colleges Association* [1] and the *Associated Colleges of the Midwest,*[2] sharing the nationwide concern for further development of the most effective national policy in support of higher education, wish to record our judgment concerning certain major principles which should shape that policy and some of the central provisions which should be incorporated into legislation to implement national policy.

Basically, we endorse the fundamental objectives stated in the recent *Report of the Carnegie Commission on Higher Education* [3] which calls for expanded and diverse programs of federal support for American colleges and universities in order to accomplish the twin top-priority purposes of improving the *quality* of higher education and providing genuine *equality* of opportunity for our young people to acquire it.

We strongly support the emphasis which the Carnegie Commission gives to the desirability of large-scale and diverse types of direct assistance to students. This, we believe, is essential if we are to carry through national objectives for promoting the personal advancement and social contribution of the needy and the disadvantaged. Such assistance should include work-study grants, scholarships, and loans.

We endorse the recommendation that institutions which accept federally-aided students, in keeping with some formula similar to the one which obtained in the original and highly successful GI Bill of Rights program, should receive direct federal institutional grants. Recognizing that institutions with students who receive partial support from educational opportunity grants have added seriously to their financial burdens, we urge the provision of adequate funds, again as recommended by the Carnegie Commission, for matching grants for non-federal support of students in addition to federal opportunity grants.

We endorse the principle implicit in the proposal for the creation of the National Student Loan Bank to offer all students, regardless of need, the opportunity to ease the burdens which fall with increasing severity on a very large cross-section of American families with children in college. The American traditions of self-help which have so long influenced our approaches to the financing of higher education still have validity, but they need to be adapted to our times and to the realities of our inflationary economy.

---

[1] *The Great Lakes Colleges Association:* Albion College, Antioch College, Denison University, DePauw University, Earlham College, Hope College, Kalamazoo College, Kenyon College, Oberlin College, Ohio Wesleyan University, Wabash College, College of Wooster.

[2] *The Associated Colleges of the Midwest:* Beloit College, Carleton College, Coe College, Cornell College, Grinnell College, Knox College, Lawrence University, Monmouth College, Ripon College, St. Olaf College.

[3] *A Special Report and Recommendation by the Carnegie Commission on Higher Education: Quality and Equality: New Levels of Federal Responsibilities for Higher Education.* McGraw-Hill. December 1968.

We wish further to record our strong endorsement of the recommendations of the Carnegie Commission that a significant portion of federal support should be channeled into efforts to improve the *quality* of education, including the development of new and improved processes and techniques of education and the upgrading of programs which have fallen behind. In such efforts at educational improvement we would urge that all areas of learning in our colleges and universities be eligible for support in the interest of maintaining a healthy and creative balance in our academic and intellectual life.

Taking note of the possibility that the current Congress and the new national administration may propose additional legislation concerned with higher education, we wish to call attention to certain areas of education which need particular attention:

1. We feel that *undergraduate* education should receive greater support than it has had up to now. This is not to argue against the large support which has gone and must continue to go to graduate study and research. It is to say that there is a serious deficiency in support of undergraduate education.

2. We feel that the *social sciences, humanities,* and the *fine arts* require special increases in support. Again, this is not to argue against the understandable large assistance support for work in the *natural sciences*. It is simply to emphasize that there is an evident danger, if not current reality, of serious imbalance in our institutions due to marked inadequacies in support for these other fields.

3. We feel that, within some formula of fairness, equity, and open opportunity for all institutions, there should be provision for "bonus" support for demonstrably outstanding achievement in the quality of education.

We are aware of the fact that H.R. 35 (National Institutional Grants Program, introduced by Representatives Miller and Daddario) is receiving active consideration in the Congress. During the deliberations over the merits of this proposed legislation, due consideration should be given to these possible revisions which, we believe, are in consonance with recommendations of the Carnegie Commission:

(a) Recognition of the number of students who *graduate with majors in the sciences* as the primary basis for the awarding of grants to institutions.

(b) Some provision for supplementary grants to institutions related to the number of their graduates who *continue with professional and graduate study in the sciences.*

(c) A provision that some significant portion of the total federal support for the sciences incorporated into this bill should be allocated as *direct aid to students, with appropriate matching grants to institutions.*

We further call attention to the fact that by its limitation to support of the "sciences," important as it is to have increased financial assistance for science education, H.R. 35 perpetuates and accentuates the developing imbalance among departments and programs in higher education. We would urge, with Representative Daddario, that some attempt be made to provide appropriate and comparable federal support for other academic departments and programs not now covered in the present bill.

AQUANAUT CANNON A HERO—DESERVING OF HIGH AWARD

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. SIKES. Mr. Speaker, I take particular pleasure in submitting for reprinting in the CONGRESSIONAL RECORD an editorial which tells of the dedication, the contributions, and the final great sacrifice of Berry L. Cannon, an aquanaut who lived in Panama City, Fla., and who worked in the oceanographic program at the Navy Mine Defense Laboratory there. The editorial appeared in the Panama City News-Herald, one of Florida's truly outstanding publications. Lawrence Gibb is publisher and Mike Darley is editor. I endorse the editorial in its entirety:

AQUANAUT CANNON A HERO—DESERVING OF HIGH AWARD

Man's pathways of progress have invariably been marked along the way by the grave stones of uncommon men.

These intrepid explorers and pioneers have shared certain identifying denominators: courage, dedication, humility, dynamic drive, and an abiding love for their God, their fellow men, their families, and the goal for which they sought.

Over the seas and across the lands, they pursued a better life and more abundance for those who remained behind; all too often to be called upon to make the supreme sacrifice attended only by the hovering Valkyrie.

The latter day quest of limitless space has already added three astronauts to the select society of Valhalla.

And now, the depths of the seas—which hold out the golden promise of wealth and plenty to a burgeoning humanity—have claimed their first heroic explorer, Aquanaut Berry L. Cannon.

He would decry this praise. In fact, Berry Cannon might shed a tear at having been taken away from the task before its completion. He might even smile quietly, and find a sad amusement at being cast as a member of the exclusive club of explorers and pioneers who have died for daring to blaze new trailways.

He was doing his job. He was doing it well. Berry Cannon was a master at his trade and profession, and he asked nothing more than this; to do his job and do it well.

But those of us who remain to benefit from his courageous work owe him something. We owe him due recognition as a hero, for that he was.

Berry L. Cannon knew hardship and heartache in his personal life. He knew the personal sacrifice of loneliness at being called away from his beloved family—Mary Louise, Patrick, Kevin and Neal—for what must have seemed endless weeks and months in the saga of Sealab.

His dedication took him away from his beloved Florida in pursuit of education and preparation to participate in the enormous Sealab undertaking. He worked and studied and grew in proficiency and expertise, and finally achieved his berth as one of the select few to earn the title, "Aquanaut."

Then it happened. With a moment of achievement at hand, and inches away, in the black silence of a distant sea, death denied Berry L. Cannon the satisfaction of seeing the most adventurous Sealab experiment, yet, begin.

His massive contribution to the project remains. His memory is with his family and friends to be cherished and recalled for all time.

His assignment will be taken over by another, and the project will go ahead, for this is a fact of life, and the way Berry Cannon would have willed it.

He has been memorialized by his Church, by his Panama City station, the Naval Ship Research and Development Laboratory, and by the Navy at large with the final salute at the brink of the grave.

We strongly feel that certain things remain to be done:

That the citizenry of Panama City (perhaps under the auspices of the Bay County Ministerial Association) conduct a fitting memorial to this man for his achievement and sacrifice that appear to extend far beyond his brief 33 years;

That the Congress of the United States consider a fitting award or medal in posthumous recognition of his bequest to the nation and its people;

That consideration be given and action taken to rename "Princeton Circle" where he lived as "Berry L. Cannon Circle;"

That the Sealab III Experiment be permited to continue without undue delay and pursued to the achievement of the glorious promises it holds;

And that each of us bow a moment and say a prayer of thanksgiving for having been privileged to be served by such a man, and for the family which remains, that they may find comfort at this hour of tragic loss.

Though we're certain a Benevolent Creator has already said them to Berry L. Cannon, may we too say with deep sincerity, "Well done, good and faithful servant."

THE MIDDLE EAST

HON. MARTIN B. McKNEALLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. McKNEALLY. Mr. Speaker, I rise to report on a large meeting held in the great county of Rockland, N.Y., on Sunday, February 23, 1969. The meeting was held in the Spring Valley High School, and the audience overflowed the auditorium and occupied the gymnasium as well.

The meeting was called to express a great concern about the dangerous situation in the Middle East and more specifically to express the feeling of kinship, support, and solidarity with the State of Israel. Speeches were made in which the fundamental point was made of our continuing interest and relationship and friendship with the State of Israel. I, myself, was pleased to be present and speak of the need of our constant support for this small, struggling nation—democratic, stable, cultured—as a matter of fact, a bright light in a dark area. The meeting culminated in a fine resolution which was presented to me which I am pleased to include in the RECORD and bring to the attention of all the Members of the Congress. I commend it to your perusal:

We, Citizens of Rockland County, assembled here this date, being mindful of ominous developments and continuing turmoil in the Middle East,

And concerned over penetration of this area by forces that promote communism, undermine democracy and threaten the long-term interests of the United States, And being, moreover, deeply concerned that the democratic State of Israel be supported in its struggle for survival and its quest for a just peace with its neighbors,

DO Respectfully Resolve and Hereby Petition the President of the United States and The Congress, for reasons of morality, historic justice and our own vital interests, to assist and help preserve the democratic State of Israel; and to this end, to enable her to procure such aid, defensive arms, and other requirements, as are necessary to her existence and survival as a bulwark of democracy in the Middle East.

Dated: Spring Valley, New York, February 23, 1969.

CAPT. FREDDY McFARREN SERVES WITH DISTINCTION

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. TEAGUE of Texas. Mr. Speaker, when Capt. Freddy McFarren gave a television interview some weeks ago in Vietnam, he had no idea it would become a part of the CONGRESSIONAL RECORD, the official record of the U.S. Congress.

McFarren, of Cleburne, was interviewed some weeks ago for station KRLD in Dallas and station WBAP in Fort Worth, by their correspondents in Vietnam.

The television airing of the interview might have passed unnoticed except for the home folks, except that Captain McFarren was wounded on the day the Dallas station showed the interview. That led to a story by Linda Hines in the Cleburne High School paper, which was sent to me because I appointed McFarren to West Point 6 years ago.

Some of America's finest young men are today serving their country honorably in Vietnam. We hear and read so much about the young people who disdain honor, duty, and patriotism, but too little about the majority who do believe in these basic strengths of our country. I would like to pay tribute to one of these brave men, Capt. Freddy McFarren, of Cleburne, Tex., who serves as an example of devotion to his ideals. It was my privilege to appoint him to West Point in 1962.

I would like to quote from a feature story in the Cleburne High School newspaper, written by Linda Hines. The story told of television interviews with Captain McFarren on stations KRLD and WBAP. A few quotes from the story will best serve to illustrate that some of the Nation's finest and brightest young men choose careers of service to their country. Following are some of those quotes:

McFarren has twice been decorated by the South Vietnamese. In addition he has received the Combat Infantry Badge and the Bronze Star. . . .

On the same day of the television interview, Captain McFarren was wounded. . . .

McFarren preferred combat-duty working with soldiers in the field (to desk duty). When wounded, he had been in the field over six months. . . .

McFarren planned a military career from an early age. He entered West Point, June 28, 1962. . . .

Captain Freddy McFarren volunteered to go to Vietnam. He felt it his duty. . . .

While in Cleburne High School, McFarren was President of the National Honor Society. He was a member of the Key Club, Student Council, Math Club and A.B.C. Club. He was vice president of his Junior Class and treasurer of his Sophomore Class.

I hope Captain McFarren's wounds do not end his military career but if he does leave the military, I am confident of his success in any field he chooses.

CHANGE FISCAL YEAR TO OCTOBER 1–SEPTEMBER 30

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. PICKLE. Mr. Speaker, on February 6 of this year I introduced H.R. 6529, which would change the Federal fiscal year to an October 1–September 30 basis. According to an article written by Mr. Leslie Carpenter for the February 23 Washington Star, my colleague, the gentleman from Texas (Mr. MAHON) has indicated that he is considering a similar measure. As chairman of the House Appropriations Committee, Mr. MAHON speaks with experience and authority. I concur with his position that a fiscal year ending later in the calendar year would give Congress much-needed time to complete appropriation bills. In order that all Members of Congress might benefit from Mr. MAHON's opinion, I would like to introduce at this point the article written by Mr. Carpenter:

House Appropriations Committee Chairman George H. Mahon, D-Tex., is convinced the federal fiscal year will have to end later in the calendar year than June 30—as it now does—if financial chaos is to be avoided.

But before he proposes legislation, he wants to finish a study of all the complications that could result.

For example, more than half the states are on a July 1 to June 30 fiscal year, just like Washington. They probably would change if Washington did.

As more new spending programs are written into law, Congress needs additional time to finish appropriations bills. For years, Congress has been missing the June 30 fiscal year deadline on some money measures, and the situation has been steadily getting worse.

ONLY ONE BILL PASSED

Except for supplemental money bills—applying to the preceding fiscal year—Congress in 1968 had passed only one major appropriations bill by June 30.

That one provided money for the Treasury and Post Office Departments and the White House executive offices. All other departments and agencies had to go into the new fiscal year without any definite idea of how much money Congress was going to give them to spend.

Mahon is thinking of an Oct. 1-Sept. 30 fiscal year, but confides it might make more sense to conform with the calendar, starting off as late as Jan. 1.

Making the problem worse now is the shift in political control at the White House.

No Cabinet officer or agency head is yet ready—in late February—to tell Congress how much money he wants because the Nixon administration has reached no final decisions on amendments to the Lyndon Johnson budget.

The only business the House Appropriations Committee has been able to transact this winter has been with the federal judiciary, which is independent of Nixon's executive branch and handles its own money requests.

SPECIFIC FIGURES AWAITED

Once Nixon appointees are ready to talk specific figures, appropriations bills should move faster in Congress this year.

LUCRETIA C. MOTT

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. SCHWENGEL. Mr. Speaker, on the opening day of this session, January 3, 1969, I had the distinct pleasure of participating in a most stimulating and thought provoking memorial service for Lucretia C. Mott. This service was held in the crypt of the Capitol and was sponsored by the National Woman's Rights Party, of which Mrs. Emma Guffy Miller is president. Mrs. Miller presided at the service, and by her comments throughout the program, added immensely to its depth and meaning.

The primary purpose of this service was to honor Lucretia Mott, who was one of the founders of the woman's rights movement in this country, and one of the movement's most articulate advocates. The program was even broader in scope, however, and it served to remind us once again of the goals of the National Woman's Party, and the wonderful work which it has accomplished on behalf of women's rights.

Mr. Speaker, the memorial service was of such a high caliber that I would like to share the remarks made during the service with my colleagues. The proceedings were as follows:

LUCRETIA MOTT MEMORIAL SERVICE, THE CAPITOL CRYPT, WASHINGTON, D.C., JANUARY 3, 1969

Welcome: Mrs. Emma Guffy Miller, President, National Woman's Party.

Presentation of Colors: Joint Armed Forces Color Guard (please remain standing); The National Anthem.

Yesterday: "The Enlightened Woman," Barbara Ireton, Legislative Chairman, National Organization for Women (NOW); presentation of Red Carnation.

Introduction of Honored Speakers: Mrs. Miller.

"Lucretia Mott: Her Contributions to Women," The Honorable Fred Schwengel, Iowa.

Other presentations from Congress:

Mrs. Mary Brooks, Assistant Chairman, Republican National Committee.

Mrs. Joe Chittenden, General Federation of Women's Clubs.

Mrs. Gladys O'Donnell, President, Federation of Republican Women's Clubs.

Today: "The Action Woman," Frances McDowell, Airline Stewardess; introduction of Action Women Representatives; presentation of Red Carnation.

Tomorrow: "The Whole Woman," Lisa Bingley, Student; presentation of Red Carnation.

Closing Remarks: Mrs. Miller, "The Equal Rights Amendment"; The Battle Hymn of the Republic.

Our special thanks to the following for their support of the Memorial Services: Hon. Fred Schwengel, Hon. Eugene J. McCarthy, Hon. Edmund S. Muskie, Hon. Catherine May, Hon. Martha W. Griffiths, Hon. John J. Sparkman, Hon. Frank J. Horton, Hon. Robert Dole, Hon. Florence Dwyer, Hon. Gilbert Gude, Hon. Margaret Chase Smith, and Hon. James B. Allen.

Floral arrangement presented by Mrs. Lyndon Baines Johnson, the White House.

Organizations Participating in the Lucretia Mott Memorial Service in the Crypt of the Capitol, Friday, January 3, 1969

Alpha Kappa Alpha, Miss Valerie Chase.

American Newspaper Women's Club, Mrs. Mary Smith.

Capitol Hill Restoration Society, Honorable Fred Schwengel.

Democratic National Committee (*Women's Division*).

General Federation of Women's Clubs, Mrs. Joe Chittenden.

Crupo Espanol, Miss Consuelo Reyes-Calderon.

National Association of Colored Women's Clubs, Mrs. Ruby Kendrick.

National Association of Women Lawyers, Miss Maurine Abernathy.

National Association of Women Legislators, Miss Louise Gore.

National Federation of B&PW Clubs.

National Federation of Republican Women's Clubs, Mrs. Gladys O'Donnell.

National League of American Pen Women, Inc., Miss Cecelia Fine.

National Organization for Women (*NOW*), Barbara Ireton.

National Society of Daughters of American Revolution, Mrs. Douglas Dyer.

National Woman's Party, Mrs. Mary A. Birckhead.

People's Mandate Committee, Miss Mabel Vernon.

Ladies Grand Army of the Republic, Mrs. Henry E. Ewing.

Republican National Committee, Mrs. Mary Brooks, Assistant Chairman.

Society of Friends.

Soroptimist International, Miss Ella Werner, National Officer; Miss Dorothy Foster, District President.

St. Joan's Alliance of Catholic Women, Miss Sylvia Radyx.

United States Daughters of 1812.

United Daughters of the Confederacy, Mrs. Richard Purdue, D.C. President.

Veterans of Foreign Wars (*Women's Auxiliary*), Mrs. Bonnie Moore.

Women's Bar Association of D.C., Miss Maurine Abernathy.

Women's Christian Temperance Union, Mrs. Mildred B. Harmon.

Women's Division of the Metropolitan Police, Lt. Jayne T. Rich.

Women's National Farm & Garden Association, Mrs. Roger Coustry, President; Mrs. Louis M. Denit, V.P., Virginia; Mrs. Meta Grace Keebler.

Women's National Press Club, Miss Margaret Kilgore.

Women's Joint Legislative Committee for Equal Rights.

Women's Medical Association (American).

Zonta Club International.

Veterans of the Civil War, Mrs. Charles M. Barud.

Lucretia Mott and Her Contributions

HON. FRED SCHWENGEL

Born in the year of 1793, when the nation was four years to live to year 1880 or 87 fruitful years of service to humanity. She was a Quaker by birth and conviction. Her intelligence and capabilities assisted her in becoming a preacher and a great teacher.

Lucretia Mott was the real founder and the soul of the woman's rights movement in America and England. She was the outstanding feminine worker in the struggle to rid our country of slavery. She advocated labor unions in a day when they were almost unknown and generally considered illegal. She proscribed war and worked diligently for liberal religion. For the true religion—the religion of concern with action.

A woman of rare refinement, yet she was not afraid to challenge the evils of her day, or to speak upon the public platform, an act then considered unwomanly and indecent.

These achievements, combined with her undeniably beautiful character and innate spirituality, is why she is known as the "Greatest American Woman." No woman in American history ever combined so many outstanding talents or participated influentially in so many varied movements, and with such grace of charm, as Lucretia Mott. She was great in deeds, great in womanhood, and great in those attributes of femininity that women strive for, and men demand.

In her many controversies she never lost the poise of womanly dignity. She was always essentially true to her sex. We are told she grew old beautifully, so that every wrinkle in her face was the accolade of Time in the ripeness of experience.

In her day, America, as now, was rocked with a great economic problem—slavery—defended as entrenched greed always is defended. America had its nation-shaking disputes over the Constitution, its vigilantes, and a Supreme Court controversy that came to a climax with the Dred Scott decision, America, then as now, had its conservatives, reactionaries, radicals, liberals and that inert mass of people who talk up progress until suddenly they discover it cannot be accomplished without ridicule and sacrifice of social and business prestige, where-upon they become suddenly very "Sound" in their views and adhere to old abuses.

Our Nation needs today the enlightened liberalism, a spirit of moderation, the sanity, and the sincerity of purpose of this great woman who did much, the women of America, the right to go upon the public forum to discuss living issues of our century. Let us not fail as carriers of the responsibility she entrusted to our hands.

Theodore Tilton, a great journalist of the Civil War period said, "In the same sense in which the greatest man ever produced in this country was Benjamin Franklin, the greatest woman ever produced in this country is Lucretia Mott."

Sensing problems of her time she became a leader and abolitionist. She organized the Female Anti-Slavery Society and became its leader. She journeyed to London, only to be refused admission as a delegate to the World's Anti-Slavery Convention because of her sex. She then went to Elizabeth Cady Stanton in Seneca Falls, New York to organize and began to work for Women's Rights movement.

On religion she boldly prophesied the coming of the day when there would be a universal religion. The Great Spirit of the Indian, the Quaker, the Blessed Mary of the Catholics, and Brahma of the Hindoo would she prophesied eventually to become the same thing. When this was accomplished she said, "There would come such a faith, and such liberty, as should redeem the world."

She would recognize the grouping of churches today and welcome the change. How she would have gloried in that day when all religious leaders joined in the famous march from the Washington monument to the Lincoln monument to hear Martin Luther King utter those famous words "I had a dream."

I gladly join all of you today to honor this great pioneer. This great female character has had a wholesome influence on the lives of millions in her time and millions since her active life was stilled by death. She belongs here in statue form so we may be reminded of the great spirit that should burn in our heart and minds today.

As a paraphrase from the words of Lincoln,

Here truly is a character and life "to hold against the sky to match the mountain and the sea."

I am glad to have the honor to join you in doing honor to her and to be with you as you seek to make other men wiser and better.

The Enlightened Woman

(Speech delivered by Barbara Ireton, National Organization for Women, and chairman of arrangements committee for the Lucretia C. Mott Memorial Service, sponsored by the National Woman's Party, Capitol Crypt, January 3, 1969)

On July 14, 1848, the Seneca County Courier carried the following announcement: "Woman's Rights Convention: A convention to discuss the social, civil, and religious condition and rights of women, will be held in the Wesleyan Chapel at Seneca Falls, New York, on Wednesday and Thursday, the 19th and 20th of July, current. The public generally are invited to be present when Lucretia Mott of Philadelphia and other ladies and gentlemen will address the convention."

This meeting was years in the dreaming; only three days in planning. Within those few days, however, Lucretia Mott and the "other ladies and gentlemen" made exhaustive research into documents to guide them in writing the declaration of sentiments and resolutions they wished to present.

The reports of Peace, Temperance, and Anti-Slavery conventions were examined, but all seemed too tame for the inauguration of the rebellion these women planned.

But, as is often the case, the most profound ideas can be stated in the simplest words. And, in fact, the perfect declaration had already been written and was waiting, with very little change, for the women's use. It read: "We hold these truths to be self-evident; that all men *and women* are created equal; that they are endowed by their Creator with certain inalienable rights . . ." We all know these familiar words—but this was the first time they had ever been applied to the other half of humanity—to women.

At this first women's convention, Lucretia Mott presented 12 resolutions, all of which were adopted, and which make me proud to be one of her spiritual and actual descendants. Judge for yourself how revolutionary her sentiments were in 1848—and in 1969:

"*Resolved,* That such laws as conflict in any way with the true and substantial happiness of woman, are contrary to the great precept of nature and are of no validity.

"*Resolved,* That all laws which prevent woman from occupying such a station as her conscience shall dictate, or which place her in a position inferior to that of man, are contrary to the great precept of nature, and therefore of no force or authority.

"*Resolved,* That woman is man's equal—was intended to be so by the Creator, and the highest good of the race demands that she should be recognized as such.

"*Resolved,* That the women of this country ought to be enlightened in regard to the laws under which they live, that they may no longer publish their degradation by declaring themselves satisfied with their present position, nor their ignorance, by asserting that they have all the rights they want.

"*Resolved,* That inasmuch as man, while claiming for himself intellectual superiority, does accord to woman moral superiority, it is preeminently his duty to encourage her to speak and teach, as she has an opportunity, in all religious assemblies.

"*Resolved*, That the same amount of virtue, delicacy, and refinement of behavior that is required of woman in the social state, should also be required of man, and the same transgressions should be visited with equal severity on both man and woman.

"*Resolved*, That the objection of indelicacy and impropriety, which is so often brought against woman when she addresses a public audience, comes with a very ill grace from those who encourage, by their attendance, her appearance on the stage, in the concert, or in feats of the circus.

"*Resolved*, That woman has too long rested satisfied in the circumscribed limits which corrupt customs and a perverted application of the Scriptures have marked out for her, and that it is time she should move in the enlarged sphere which her great Creator has assigned her.

"*Resolved*, That it is the duty of the women of this country to secure to themselves their sacred right to the elective franchise.

"*Resolved*, That the equality of human rights results necessarily from the fact of the identity of the race in capabilities and responsibilities; And finally

"*Resolved*, That the speedy success of our cause depends upon the zealous and untiring efforts of both men and women, and for the securing to woman an equal participation with man in the various trades, professions, and commerce."

Let me quote now from Richard Nixon's writings: "Today, it is accepted as a matter of course that men and women have an equal electoral franchise in this country and that American men and women have an equal voice in choosing President, Congress, and state and local governing officials and bodies. But the task of achieving Constitutional equality between the sexes still is not completed. It is my hope that there will be widespread support for the Equal Rights Amendment to our Constitution, which would add equality between the sexes to the freedoms and liberties guaranteed to all Americans."

Text of Remarks of Hon. Frank Horton, of New York, National Woman's Party's Lucretia Mott Memorial Service, Capitol Crypt, Opening of the 91st Congress, Friday, January 3, 1969

This month, the new Administration and the Congress will embark on a new search for the solutions to the problems which plague our world and our country. We embark on this search armed with the purpose to afford progress through equal rights and opportunity to all citizens.

As the history of this nation has unfolded under our enlightened constitutional democracy, we have proven ourselves to be the nation best able to progress in the field of equal rights. A great share of this progress has been brought about through the efforts of the National Women's Rights movements—including the Women's Rights Party.

Today, Americans have become accustomed to thinking of equal rights movements solely in terms of civil rights for minorities, or rights of the poor, the underfed, the undereducated, and the less fortunate members of American society. There is no question that upgrading the rights and opportunities of these people carried the highest of priorities. But we cannot for a moment forget that the drive for the rights of an important majority in America is still incomplete. The fight begun by my fellow upstate New Yorkers, Lucretia Mott and Susan B. Anthony, to win equal stature for America's women is still being fought. I was proud as Congress convened one hour ago, to contribute to this fight by again introducing the women's rights amendment to the U.S. Constitution.

While America's women were given suffrage under the 19th Amendment, and while Title VII of the Civil Rights Act of 1964 extends fair employment protection to women, there is a final step to be taken. Today, in 1969, there is nothing in the law or the Constitution to extend to women full equality of all rights, both civil and political.

Too few of us are aware of the distressing limitations on women's rights imposed by some states and localities, where women are discriminated against on juries, in property rights, and in making crucial legal and custodial decision concerning their own children.

Increasingly, these injustices are vanishing as America realizes that our potential cannot be fulfilled without utilizing the full abilities of every citizen without discrimination. Today, there are more women in American graduate and professional schools, more women pursuing full-time careers, more women actively involved and concerned about the politics and policies of our Nation. Many women's rights groups have turned their emphasis to urging "woman involvement" in the problems and solutions of present day America.

One such group which has gained national acclaim, is the "Woman Power" movement, begun in my own District in Rochester, New York, by the wife of a distinguished University President. The Woman Power advocates have concentrated on winning reform of our outmoded draft laws, and on urging a national service foundation which, through VISTA, the Peace Corps and other groups, would involve *all* the youth of America, men and women, in the pursuit of prosperity and equality for all.

Mrs. Marcia Ellingson, the founder of the Woman Power movement, typifies the drive and the concern that marks American womanhood today. She testified before the Platform Committees of both parties last summer—urging a more meaningful role for women in the life of this nation, and a more modern concept of service for our young people.

Mrs. Ellingson and her followers are beneficiaries of the great work that was done by those who met in 1848 at the first woman's convention in Seneca Falls, New York. Lucretia Mott, whom we honor here this afternoon and whose women's rights amendment I am pledged to support, has left a mighty mark on the evolution of American society toward one of equal rights, equal opportunity, equal participation, and equal recognition for every American, regardless of race, creed, religion, or *sex*.

I am proud to participate with you today to honor this great American, and to pursue her goals in the Congress.

Remarks of Mrs. Joe D. Chittenden, General Federation of Women's Clubs, at the Lucretia Mott Memorial Service, January 3, 1969

Mrs. Miller, ladies and gentlemen, the President of the General Federation of Women's Clubs, Mrs. Walter Varney Magee, regrets so much that she is unable to be here today. But I bring you her greetings and her message that the General Federation of Women's Clubs joins you in memorializing a great woman whose contributions to the betterment of womankind provided the basic structure on which we continue to build today. For all women to be accorded equality of rights under the law would complete the dream Lucretia Mott envisioned so long ago.

The members of the General Federation of Women's Clubs pledge their continuing support of the Equal Rights Amendment to the Constitution of the United States.

Remarks by Mrs. Lucille Shriver, National Federation of Business and Professional Women's Clubs, Washington, D.C., at the Lucretia Mott Memorial Services, January 3, 1969

The National Federation of Business and Professional Women's Clubs and the Business and Professional Women's Foundation feel very much "at home" in a group gathered to pay tribute to Lucretia Mott.

Her biographers tell us that her flaming determination to secure equal rights for women was kindled when she took her first job as a teacher—and immediately discovered that she would receive half the pay of the men teachers at the same school.

That was the beginning of the campaign for equal pay and equal opportunity which she waged until her death—and the 180,000 members of BPW are continuing that same campaign today.

Many laws have been passed, many barriers have been overcome since Lucretia Mott's day. But in 1969—as in 1830—it cannot be truly said that women have an equal chance for advancement or receive an equal reward for their skills.

The National Federation of Business and Professional Women's Clubs is 49 years old, and for 49 years it has been an ardent advocate of the equal rights championed by Lucretia Mott. Since 1933 we have supported the Equal Rights Amendment and today passage of that amendment has first priority in our legislative activities.

Lucretia Mott's goal has not yet been completely attained. But neither has it been forgotten.

Speech on Today's Woman's Role in Society

(By Frances McDowell, stewardess)

Ladies and Gentlemen, I am pleased to have the honor today of representing the stewardesses in our nation at this ceremony in gratitude to the National Woman's Party for their support to the stewardesses in obtaining the right to continue working after marriage, as well as the many other equalities obtained during the last few years.

I have always observed if a man is afraid to carry a lady's heavy bag or to shed a tear because of the danger of appearing feminine. A real man is a man who is confident of his own self-image as a man and whose masculinity is not threatened so easily by this, by competition of working women or women who are successful in some way. Man and woman can never really compete if each will only recognize the difference is not in what each does, but in the nature and how it is done. Men and women do not feel or appear alike while doing similar things, carrying a bag or flying an airplane. If men and women would, both, recognize this fully, man would be freer also, as he would not confine himself to certain careers only because those he might like to consider are considered "feminine." These ideas are outmoded and must be forgotten if we want to erase some of our unnecessary pressures, fears and problems and fully enjoy the free society that we want to see exist.

As the pace of society accelerates and changes all aspects of the world, it naturally and inevitably affects the woman's role. Man and woman, both, must understand the reason behind these changes before we can accept and adjust to them. Looking over the last 20 years we observe the increase in variety of products and services. This also created a greater variety of work. Technological changes and the need for greater efficiency resulted in a greater specialization of jobs. Rather than one worker turning the crank, pressing the buttons, managing the office and selling the products, the tasks had to be divided, each one doing one very specific work. More jobs appeared and a greater variety: women had to be included in a greater percentage in the labor force to fill the new requirements. Many types of jobs are not suited to many men or are not desired by them. This is equally true of women.

A wife who works or participates in society can be a better companion for her husband since she understands the business world he faces every day and, therefore, communicates with him better and is more understanding *of* him. She continues to be interesting to her husband if she has an interest of her own to share and discuss with him and a chance to grow and develop with him rather than be a mere extension of her husband. Any man would certainly prefer a wife he respects and he can only continue to respect her if she progresses and develops her character and person as he does. Even the children are better prepared for life in today's world if their mothers give them an opportunity to be with other people when they are young. It is quite a shock to a child who was sheltered for years by his mother's company almost exclusively to suddenly be independent at a certain age, 18 or 21, and capable of handling the cruel world. Children may be better balanced if they spend a more equal amount of time with mother, father, friends, relatives. Parents will be more balanced, too.

Too much of any one thing has rarely proven to be good. Ideally, husbands and wives would each work 20 hours per week and men and women would share in bringing up children, decisions on household matters and equal leisure time with their family, friends and alone. Finally, a woman, also a complete human being with brains, memory and flexibility, will respect herself more and be a better contribution to society if she is allowed to be as free as a man in career choice and opportunity, and every aspect of her life without being considered "unfeminine" doing certain types of work. In the end, men and women will both be freer and happier. Let's hope this will come about during our generation. Thank you.

TOMORROW'S WOMAN

(Talk delivered by Lisa Bingley, 13-year-old student at Gordon Junior High School, Washington, D.C., before the Lucretia C. Mott Memorial Service, Capitol Crypt, Friday, January 3, 1969)

When my older brother asked my mother why she bothers with equal rights for women, she told him that if she were a man, she'd be earning more money for the same job—and it would be easier to send him to college. My brother, Tony, said "Keep at it, Mom. Get equal rights—I need them, too!"

But, I don't need an explanation about equality for women. Because I am tomorrow's woman. In eight years, when I am old enough to vote, I want the full rights and privileges of a citizen of the United States.

I hope, when I'm grown up, that women will have won these rights. I hope that I will be able to earn equal pay for equal work. I hope that I won't have to face laws that discriminate against me, just because I am a woman—laws that restrict me in what job I hold, how much I can work, and for how many years I choose to work. I hope there won't be any more laws restricting women in property rights, inheritance rights, pension and retirement rights, the right to eat in all public restaurants—and even the right to fly on United Airlines' "Executive Only" flights—now barred to women. I hope, when I'm a grown-up, that I—and all women—will have won the God-given right to life, liberty, and the pursuit of happiness, now guaranteed just to men by our Constitution.

But if we haven't won these rights by then, time I'm 21—I'll continue to fight for them—because I'm already a feminist, and I have started my battle against discrimination, even thought I'm "just a mere girl."

RESOLUTION UNANIMOUSLY ADOPTED JANUARY 3, 1969, AT MEETING IN CRYPT OF NATIONAL CAPITOL IN CELEBRATION OF BIRTHDAY OF THE GREAT SUFFRAGE PIONEER, LUCRETIA MOTT

I move that this gathering, with representatives present from organizations numbering approximately 10 million women, request the Chairwoman of the meeting, Mrs. Emma Guffey Miller, to appoint a committee to express to our newly elected President, Mr. Nixon, our hope that he will put the full force of his Administration back of the pending Equal Rights for Women Amendment, and that he will do all in his power to secure its passage by Congress, and its ratification by the States, thereby establishing Equal Legal Rights for Women throughout our land.

(Resolution presented by Mrs. Butler Franklin, Vice Chairman, The National Woman's Party.)

AMENDMENT TO FOREIGN ASSISTANCE ACT

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. ROSENTHAL. Mr. Speaker, I introduce today an amendment to the Foreign Assistance Act, to modify the Hickenlooper amendment which presently requires the suspension of aid if American property is expropriated without compensation within 6 months of seizure.

We are now facing, in Peru, one of the most serious crises because of this amendment. Its application there may further result in repercussions throughout Latin America of such gravity that no one can really predict the full consequences.

I will not review the details of the seizure last October 9 of certain assets of the International Petroleum Co.—IPC—a subsidiary of Standard Oil of New Jersey. The insistence of IPC that our Government invoke the Hickenlooper amendment and the position of the present Peruvian Government in this dispute propel our Government toward, first, suspension of aid and of Peru's sugar quota; then, a retaliatory seizure of an immense American copper company in Peru; and, finally, fiscal, economic, and political disaster for that country and for our interests there and perhaps throughout the hemisphere.

The arguments against the Hickenlooper amendment are more persuasive today than ever. This amendment:

First. Cripples the President's ability to control or even influence events which, in Peru, now rush toward disaster.

Second. Deprives the parties in a dispute of time to exhaust the remedies of negotiation since such negotiations start, as in the IPC case, with a revolver to the head of one participant, that is, Peru.

Third. Places the interests, and the property, of a single American company of whatever size and whatever behavior, above other considerations of national interest.

Fourth. Makes an AID-recipient government a hostage to whatever dissident elements within the country seek its downfall. A state or even local government could seize property—this has already happened in Brazil—even when the national government opposed such action. But the whole country pays, through aid suspension, for the seizure.

Fifth. Ignores and confounds what we have always insisted about our aid programs; that they are not expressions of generosity, nor payments for quiescence but rather attempts to protect our own interests by promoting stability and development abroad. To suspend aid in pique or anger or frustration, as this amendment demands, is to demean our international goals which our aid program supports and expresses.

My proposal allows the President to waive the suspension of aid when he finds and reports to Congress that such waiver is in the national interest. It allows what the Constitution demands; that the President take responsibility for the conduct of foreign affairs.

I traveled last year to Peru as a member of the Government Operations Committee. I returned impressed with the enormity of our economic investments in Latin America—and specifically, in Peru—the imbalance in our meager efforts to assist and encourage the progressive elements throughout the continent.

I anticipate a dramatic increase in our role in that continent's fate. Our need is to proceed with sensitivity and understanding—which we have often lacked—in these countries with whom we share so much and whose development and good fortunes are tied so intimately to our own.

WORLD MOURNS ESHKOL

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. FASCELL. Mr. Speaker, the untimely death of Levi Eshkol, Premier of Israel, is a sad blow to the cause of freedom and justice in the war-torn Middle East. I join with my colleagues in Congress, and all Americans, in mourning the death of this valiant and effective fighter for his people.

Mr. Eshkol has been Premier since 1963. He led the Israel Government during the 1967 crisis in which it was threatened with annihilation by its enemies. Under his leadership, Israel made a miraculous effort and defeated the threat by a far larger and superior force.

Although his health has suffered from the tremendous strain of leadership in these perilous times, Mr. Eshkol never faltered in his service to the Jewish people. He continued as a uniting figure in the Israel political arena even after a previous heart attack served warning of the dangerous toll his devotion was taking on his health.

As a master at working out compromise agreements among the various factions in the Israel democracy, Mr. Eshkol knew no peer. He was looked up to by one and all as one under whom all others could unite. He served in this capacity at a time when these talents were sorely needed, and were indeed mandatory if Israel were to surmount its internal divisions and meet the challenge from outside.

His loss will be sorely felt, and I call on all Jews in Israel and elsewhere to maintain their courage despite this tragic death. We must continue to build on the legacy left for us by the great and wise leader of his people, Levi Eshkol.

MORE ON CONSOLIDATION OF LOCAL GOVERNMENTS

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. PODELL. Mr. Speaker, the other day I called the attention of our colleagues to the splendid report made public by the President's National Commission on Urban Affairs under the chairmanship of the distinguished former Senator Paul Douglas. I should like today to draw further upon my experience and studies of local government in New York State when I served as chairman of the assembly committee on local finance. I think it most urgent that we follow through on the recommendations of the President's Commission to adopt the techniques of Federal fiscal aid programs to encourage consolidation of local governments. The structure of local government in New York State is a clear reflection of local government forms throughout the Nation. To the extent that the situation in New York cries for reform so there is equal necessity for reform throughout our Nation.

There are 931 towns in New York State. Their range in population and in area runs to extremes. The town of Hempstead in Nassau County has a population of 800,000, larger than the population of every city in our State except New York City, and larger than the population of every county except Erie, Westchester and, of course, Nassau Counties. At the other extreme is the town of Morehouse with a population of just 65 souls.

Similar extremes are reflected in the size of towns. The town of Webb contains an area of 466 square miles, an area approximately two and one-half times the size of Rockland County, the State's smallest county. At the other extreme is the town of Green Island, which is so small that it is measurable only in acres. In any event, it contains less than a square mile.

The job of establishing a pattern of town government, which will meet the needs of the people living in units so diverse in size and in population is of such monumental proportions that it makes child's play of Hercules' task of cleaning out the Augean stables.

And if just the range in population and size does not raise sufficient problems to try men's souls, then there are certainly other complexities that will. The boundaries of towns and the basic pattern of town government were established just at the turn of the 19th century. That means you must clear away the accumulated carbuncles, decay, and obsolescence of over 160 years and disturb interests that have become nested in the waste and inefficiency of a government structure that falls far short of meeting the needs of its residents in this jet age.

The record of this failure is in fact written by the towns themselves. In order to provide water, sewer, fire protection, street lighting, refuse removal, and other services, the 931 towns by a process akin to parthenogenesis have given birth to 3,800 special districts. In 1965, the total cost of these special districts amounted to $85 million, representing 25 percent of all town government costs, and increasing at a faster rate than the costs of the other town government functions remaining in the balance of 75 percent.

Since World War II as cities declined in population, villages generally increased in population with the greatest increases taking place in unincorporated town areas, a trend which is likely to continue in the years ahead. As a result of the trend to town residence, we have a complex system of a very large number of units whose number increases every year forming a network of overlapping, duplicating governmental bodies, performing many services in a totally decentralized and uncoordinated manner adding annually to the burdens of local taxation unable to mobilize sufficient resources of talent and equipment needed to cope with the problems of our times.

Again, the towns are the best witnesses of their failure to respond adequately to their burgeoning powers. Of the 931 towns in our State, only 490 towns have planning boards, only 278 towns have zoning ordinances, and only 255 towns have both planning boards and zoning ordinances. The inevitable consequence is inadequate controls over land subdivision, inadequate controls over planning for water, sewers, transportation, and other services essential to a viable community.

Consolidation of local governments into more rational administrative units is clearly among the first orders of business among the States. The Federal Government should properly employ some of its resources to stimulate and encourage such consolidation.

ESTONIAN INDEPENDENCE DAY

HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. WIDNALL. Mr. Speaker, on February 24, 1918, the independence of the Republic of Estonia was proclaimed, and on this date in 1969, we and Estonians in exile are commemorating the 51st anniversary of this declaration. I am honored to join my colleagues in commemorating this occasion.

The Estonian War of Independence lasted from 1918 to 1920, and the Estonians fought valiantly against the Soviet invaders. The Soviets, unable to win a decisive victory against the Estonian Army, began a program of insidious propaganda and infiltration against the independent Estonian Government. Finally, in 1940, Estonia was forcibly incorporated into the U.S.S.R., despite the heroic efforts of her people to avoid this alliance.

The mass deportations, executions, and the attempted dissolution of the proud Estonian culture and history are well known to us all. It is a pattern the Soviet Union follows in dealing with small countries on its borders, and is apparent throughout Eastern Europe and the Baltic States. That this is still the Soviet Union's modus operandi today certainly becomes obvious, when the events which occurred in Czechoslovakia are viewed with an eye toward the past experiences of these unfortunate Baltic States.

Mr. Speaker, I know that the goals and efforts of the Estonians still in Estonia and those in exile in free nations around the world, will give the citizens of our country an example in patriotism to follow in these troubled times.

STATEMENT BY HON. EDWARD I. KOCH, ON S. 1, THE UNIFORM RELOCATION ASSISTANCE AND LAND ACQUISITION POLICIES ACT OF 1969

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. KOCH. Mr. Speaker, I submit for inclusion in the Congressional Record the statement I delivered today before the Senate Government Operations' Subcommittee on Intergovernmental Relations on S. 1, the proposed Uniform Relocation Assistance and Land Acquisition Policies Act of 1969.

My major interest in this legislation rests in that portion of the bill relating to relocation assistance. At this time the Federal Government is employing different criteria for its treatment of people and businesses displaced by Federal construction. In some instances it provides relocation assistance and in other cases, it does not.

Presently, about 500 of my constituents are faced with eviction from their homes to make way for a new Federal office building. And because it is the Post Office Department that is involved—and not the State or city of New York, private enterprise, NASA, the Bureau of Public Roads, or the Defense Department—the residents are not receiving any help whatsoever from the Government in their frantic attempts to relocate. Needless to say these people sorely need and deserve our help. The Uniform Relocation Assistance and Land Acquisition Policies Act, when enacted will make for the future our relocation policies at last humane and our actions uniform.

I am concerned, however, that the Senate bill as now written will not cover those presently under the gun of eviction. Therefore, I have recommended some changes so that the Murray Hill tenants and others similarly situated across the country will be covered by the new law when it is enacted.

I hope that the Congress will act promptly in rectifying the inequities that we have allowed to exist for too long.

My statement before the Senate subcommittee follows:

Statement by Hon. Edward I. Koch, of New York, on S. 1, the Uniform Relocation Assistance and Land Acquisition Policies Act of 1969, Before the Senate Subcommittee on Intergovernmental Relations

I am pleased to appear here today in support of S. 1 and to speak specifically about Title II providing uniform relocation assistance to persons displaced by the acquisition of property in Federal and Federally assisted programs.

This legislation is long overdue. Surely, it is time that the government meets its responsibility of assisting persons to relocate after displacing them for a public project. This Committee knows that many states and localities have already imposed upon themselves by law relocation assistance to tenants affected by their condemnation proceedings and have long required such help from private enterprise engaged in demolition projects. The federal government recognizes its similar obligatiosn in three situations: when NASA, the Highway Department and the Defense Department condemn and demolish they do pay relocation stipends. And so, this leaves the federal government operating, in a strange way, helping some of its citizens and turning its back on others. Can anyone of us explain to a family being uprooted because of a post office demolition why it is that they receive no help yet if they were in the path of a roadway they would be helped?

I speak to you now of 175 families that are about to be thrown out of their homes by just such a post office project to make way for the new Murray Hill Post Office in Manhattan. In fact, the families already have received notices to vacate by March 1st but by the grace of the Post Office authorities may remain to June 1969. They are people who in many cases have lived their entire lives on the site, and they are at the lower end of the economic scale and are those who need our help most.

The Murray Hill tenants are in many cases elderly or parents of large families for which it is terribly difficult to find new apartments in New York City where the vacancy rate is less than 1%. These people need help, both in finding a new home and in financing their move. And yet, they are receiving none.

To add to the inequity, a few years ago these same people saw some of their fellow citizens suffering the effects of demolition and living in other parts of town receive federal stipends and help with their relocation when the Franklin Delano Roosevelt and Morgan Post Offices were constructed. It has been more than difficult to explain to these tenants in Murray Hill that other tenants, otherwise similarly situated, were eligible for stipends because the buildings were being constructed by private enterprise on a leaseback arrangement with the federal government.

To help make the government's acts rational and understandable to its citizens, S. 1 is sorely needed and its sponsors and this Committee must be applauded for considering this legislation so early in the session. However, not to damn the legislation with false praise, but rather to strengthen it, I should like to point out some defects in the bill.

Under Section 253, S. 1 reads, "This title (meaning title II) and the amendments made by this title shall become effective one hundred eighty days after the date of its enactment."

The 175 families (including about 500 people) on the Murray Hill site in New York City would not be eligible for assistance under such a date. It would be a savage act on the part of the government to enact a law long overdue and not include those who are now most in need of its coverage. These people already have their eviction notices and demolition is scheduled to begin on July 1st of this year.

And so, I ask your Committee to consider making special provision for those persons presently living under the gun of eviction. Surely, the Murray Hill tenants and others similarly situated need not be required to suffer needlessly—a humane federal government should not, and I believe will not, withhold its help from these people, when a simple change to make the law effective immediately upon its passage would cure that problem.

Further, the language of the bill suggests that the time of *property acquisition* is pivotal in determining whether the displaced persons are eligible for assistance. In Section 211(f) which covers supplementary payments to tenants unable to secure a dwelling in a low rent housing project (and most of the Murray Hill site tenants will not be eligible for New York City Housing Authority facilities) the bill reads that a tenant will secure assistance under the law providing that "such dwelling was actually and lawfully occupied by such individual or family for not less than ninety days prior to the initiation of negotiations for acquisition of such property." In addition, under Section 215, "Fund Availability," the bill reads, "Funds appropriated or otherwise available to any Federal agency for the acquisition of real property or any interest therein shall be available also for obligation and expenditure to carry out the provisions of this title."

The problem with this, Mr. Chairman, is that the Murray Hill site was purchased by the Post Office Department in June 1962! Common sense, a practical application of the law, and an even handed policy of dealings by the government with its citizens would require that provision be made to cover those instances in which land has already been acquired. I am sure that the Murray Hill site is not unique in this respect and that there are many other sites across the country which have already been acquired with residents still living on the site.

In addition, in the future there will be site acquisition long before tenants and businesses have to be displaced. Look how long it has taken the Post Office to get underway with the Murray Hill construction: seven years. While I can understand that persons who have moved into a building for only a few months before it is torn down ought not to be eligible for stipends, it would be reasonable, I submit, to cover those who moved in some reasonably long period of time before demolition. In any event, the critical date should be demolition and not acquisition.

I would recommend that the general funding of the relocation assistance program should come from funds made available for acquisition of property, but that actual demolition of the site buildings be made the determinant for eligibility. Secondly, I ask the Committee to consider adding a specific authorization to cover those cases in which the land has already been purchased so as to cover this Murray Hill site and other similar situations.

A corresponding bill will be introduced on the House side by Chairman George Fallon and I am pleased to be a co-sponsor. I stand ready to do whatever would be helpful to move this legislation along. Indeed if it is to have any meaningful application to the people in Murray Hill it must be passed prior to July 1, 1969.

UNIQUE PROGRAM FOR AMERICAN SERVICEMEN STARTED AT QUINCY COLLEGE

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. FINDLEY. Mr. Speaker, a unique project sending extensive radio tape programs to servicemen in Vietnam was started last fall at Quincy College in Quincy, Ill. Tapes of popular music and comments of interest to our men in far away Vietnam have been prepared by disk jockeys and staff members of Quincy College intramural radio station WWQC and sent to USO centers and hospitals in Vietnam. The Student to Servicemen program conceived by returned Vietnam Army veteran, Rodney Hinkamper of 627½ Lind, Quincy, Ill., has passed its 6 months of service mark and has received many commendations from servicemen and USO organizations in Vietnam.

Mr. Hinkamper was stationed at Cam Ran Bay in Southeast Asia and experienced firsthand that there was a general hostility toward American college students because of campus disorders being strongly emphasized in the service newspaper, Stars and Stripes. He, along with his fellow soldiers, also found a dearth of popular music, so much a part of their lives back home.

Mr. Hinkamper sought the help of WGEM's Bob Joye to begin a continued program of furnished taped entertainment for the men in Vietnam. Receiving encouragement and help, he also elicited the aid of the college station. The college students seized upon the opportunity of unusual service, following a radio station staff meeting.

Advising the program are the Rev. George McDevitt, O.F.M., assistant instructor of speech and the Rev. Donald Werr, O.F.M., director of public relations.

Throughout the week, programs are being recorded and sent on to the anxious military listeners under the project title, "Student to Servicemen."

Letters of appreciation are beginning to return from the men. For example, SP/4 Kenny Hemming of Quincy wrote:

> There is a guy in our barracks who has a recorder and we've all been listening to it all night. The songs are really great. Thank you so much for spending so much time making it. You don't know how nice it really is to get songs that are actually popular back in the world.

The program has already proven to be a tremendous morale booster, and it is hoped that a far-reaching consequence will be a better feeling between servicemen and students.

College organizations helping to sponsor the project are: Student Senate of Quincy College, Individual Students and Friends of Quincy College, and the Quincy College Data Processing Center.

The student to servicemen program, as it is entitled, has expanded during the past 6 months. This program includes the recording of popular music by Quincy College coeds who act as disk jockeys for these tapes on Sunday mornings. During this time a master tape is produced and then duplicated on a copier providing 16 copies which are distributed to all USO's in Vietnam, and other numerous copies for individual requests.

The success of this program has been made possible through the efforts of Quincy College students and Quincy citizens. As one soldier said in a letter of thanks to WWQC: "It makes a better home away from home."

The following letters testify that the Quincy College student to servicemen program is not only a success in itself, but also contributes directly to maintaining and improving the morale of our boys in the frontlines in Vietnam:

JANUARY 30, 1969.

HELLO RODNEY: I would like to thank you, Quincy College, and the Student to Servicemen Radio Tape Club for the tape I have received. It was very much appreciated and enjoyed by all of us here in Chu Lai. Tape recorders are prevalent in our company so it was no trouble getting it played. I think that a tape with Top Hits on it are the most popular as some of us don't get a chance to hear the radio because of unusual working hours. It seems that someone constantly is playing that tape. It's a very patriotic thing you are doing bringing us these tapes. Thanks again.

Sincerely yours,

SP/4 DOUGLAS RUFF,
126th Sup & Ser Co., APO S.F. 96325.

UNITED SERVICE
ORGANIZATIONS, INC., AN-KHE,
APO San Francisco, October 26, 1968.

Mr. BILL LAWTON,
Station manager, the Studios of WWQC
Quincy College, Quincy, Ill.

DEAR MR. LAWTON: Our most sincere appreciation is extended to you and all involved in producing the pre-recorded tape we recently received.

Morale is a major factor over here, and these men deserve support from back home. The men here often read only the headlines of the hometown newspapers sent to them. They see college students protesting the war; they see draft dodgers rioting and burning their selective service cards; they see people their own age rebelling, being unfaithful to and unloyal to the very cause which they are fighting to preserve. Our congratulations is in order to you and the students of Quincy College for restoring some faith in these young, hard working Americans over here.

After only two short days of playing your tape over our P.A. system, we have received numerous requests to play the tape over again. Many of the men have their own recorders, and ask to borrow the tape so they may reproduce it for their personal use. The choice of music (current trends) is terrific, as is the use of a female disk jockey.

Our USO is located in Vietnam's Central Highlands, and the majority of the 600–800 men we serve daily are from fighting units just in from an operation in the field. These are the men who need your help and ours!

UNITED SERVICE ORGANIZATIONS, INC.,
FREEDOM HILL, DANANG,
San Francisco, January 5, 1969.

STUDENTS TO SERVICEMAN PROGRAM,
Radio Station WWQC,
Quincy College,
Quincy, Ill.

DEAR FRIENDS: We wish to express our sincere appreciation for the gift which you directed to us for our servicemen in Vietnam.

Gestures such as this are certainly "living proof" that the people at home really care about our young men and women in the service of their country.

For your information, all gifts are either directed to various military units, to hospitalized servicemen, or they are distributed in our U.S.O. Club.

On behalf of these men, please accept our grateful thanks.

Sincerely yours,

PAUL S. KRAFT,
Associate Director.
CAROL K. QUINN,
Associate Director.

P.S.—I heard the Christmas tape, enjoyed it very much especially since one of the girls live in Anchorage, Alaska. I just finished a two year tour with the Armed Services YMCA. Wish I were back there. What was her name, maybe I knew her.

USO,
January 22, 1969.

DEAR FRIENDS: Just a short but sincere "thank you" for your Christmas Tape. They were not the easiest things to come by over here.

Trying to keep two tape recorders going with Christmas music presented a problem—and you helped us out a great deal. "Outstanding!"

Thank you again.

CAROLYN MAXEY.

USO, CHU LAI,
APO San Francisco.

WWQC RADIO,
Quincy College,
Quincy, Ill.

DEAR MR. WEISS: I hope you won't mistake my delay in responding to your tape as a show of ingratitude or lack of enthusiasm.

Having been squared away after my first R&R, I would now like to take a second here to say that I found your tape to be just great. Or as the men would say, "outstanding" "number one!", "real decent".

I couldn't say what the men enjoyed more—the good selection or the girls' voices.

A very warm "thank you" to the students of Quincy College for remembering our men in "Nam".

Do hope to hear from you again!

Sincerely,

CAROLYN MAXEY,
Associate Director.

KISSINGER'S FOLLY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. RARICK. Mr. Speaker, an informative statement by a foreign minister of a former non-Communist country gives an interesting analysis of what we can expect from the togetherness of the State Department, which Z. A. Rust suggests is a road to destruction.

I include an editorial and Mr. Rust's article from the Manchester, N.H., Union Leader for January 23, in the RECORD:

[From the Manchester (N.H.) Union Leader, Jan. 23, 1969]

Kissinger's Folly

At the top of our back page today is a devastating analysis of the type of gobbledygook and nonsense that President Nixon's personal adviser on foreign affairs has proposed over the years.

One sometimes wonders whether these Presidents ever read the record of their appointees.

It would be hard to see how anyone who had looked into what Henry Kissinger has written and said in the past could ever have appointed him to any post of any serious consequence.

The article at the top of our back page today is written by one of the most interesting figures of diplomatic life of the 20th Century. For reasons of personal safety and modesty, he prefers to write under the pen name of Z. A. Rust. Actually, Mr. Rust legitimately bears the title of Prince and has served his nation as foreign minister and in other diplomatic posts through the most dangerous and difficult events of the 20th Century.

He has seen his country overrun and taken over by the Communists. He has seen his own castles and lands seized and is forced to wander on the face of the earth. Based on his own bitter experience, Z. A. Rust would like to warn happy-go-lucky, innocent American leaders, and the American people as a whole, who are quite sure that nothing like this could ever happen to them. Mr. Z. A. Rust has seen in his own country the dreamers and the theorists who were sure communism was mellowing and that there was no intent to conquer any lands outside of Russia.

The fancy theories of Professor Kissinger and reality are poles apart, as Z. A. Rust shows very brilliantly in his article at the top of our back page. Be sure to read it today. Ponder it. The hour to bring about the survival of this nation is very late indeed.

WILLIAM LOEB,
Publisher.

Academic Gobbledygook Versus Reality: The Road to Destruction

(NOTE.—"Z. A. Rust" offers some penetrating comment on Pres.-elect Richard M. Nixon's choice of foreign policy advisors and the philosophies which they represent.

(Z. A. Rust is the pen name of a veteran European diplomat who has served as his nation's foreign minister and participated in all the great crises of World War I and World War II. Communism is no theory to Z. A. Rust. He has seen his country overrun by the Communists. He has seen his castles and his lands confiscated. He and his wife, the Princess, have been in stinking jails from which they were lucky enough to escape with their lives. Z. A. Rust would like to warn the free world of the realities of the Communist menace before it is too late.)

(By Z. A. Rust)

One of those syndicated columns which have helped so much in spreading among American public opinion the idea of a tamed communism, cured of its dreams of messianic and military world-conquest and amenable to association and co-operation, has expressed its discontent and its worries with President-elect Nixon's choice of Mr. Richard B. Allen as a senior staff assistant to the "highly respected" Dr. Henry Kissinger, of Harvard, President Nixon's foreign policy adviser.

Nothing good could be expected, argue the two associated opinion-builders from the brush of such conflicting policies as Professor Kissinger's "sophisticated and adult" anti-communism and that of the Cold War vintage of Mr. Allen, a man who belonged to the American Security Council, a hard-line anti-Communist propaganda instrument, and who in a recently published essay used such moth-eaten and wild witch-hunt rhetoric as shown in the following quotations:

"We are faced by an implacable and self-declared enemy whose aims are unlimited, who seeks the destruction of the American way of life."

"Specific attention must be given to intellectual and university groups in this country and abroad at which Communist propaganda is aimed and in which considerable gains have been already recorded."

We did not need the recent article of Professor Kissinger in the "Foreign Affairs" quarterly to learn what sophisticated anti-communism means, we have followed this brand of policy since Teheran, Yalta, Potsdam and the Marshall Mission to China, through the first Communist onslaught on Czechoslovakia, the Geneva Conference of 1953 which gave half of Indochina to the Communist Empire, the Camp Davids, the Vienna and the Glassboro chummy meetings, the Bay of Pigs betrayal, the unbelievable hoax of Cuba's "debombing," the "pacifying" unilateral Rostow-McNamara disarmament both conventional and nuclear. Then there were the so called intellectual exchanges of students and professors with Communist countries, the Pueblo affair, and so many other episodes of the co-existence and rapprochement era.

Now we watch for the advent of their new product the lunatic non-proliferation treaty and new disarmament understanding in spite of all those other treaties violated already by the Soviets, and despite the second rape of Czechoslovakia.

RECOMMENDATIONS

We must nevertheless be grateful to the learned professor for having acquainted us in his articles in "Foreign Affairs" and "Look" with the latest recommendations of the sophisticated anti-Communist school he represents as they concern the Vietnam War, they are consistent, we are told, with the professor's policy toward Europe and will not differ very much from the advices he will offer President Nixon on those burning problems.

Professor Kissinger's analysis and suggestions form, to our opinion, an elaborate and confusing maze of contradictions, unintentional double-talk, wrong premises, evasion of issues, false dilemmas and unwarranted hypotheses. These are the unavoidable byproducts of the master-lie in which the Western politicians and opinion-building mediums have progressively entrapped themselves in the last 50 years. Their theory is that communism is not what it seems that it is not using the methods it actually uses, that its motivations are not what they are, and that it does not pursue the objectives it really pursues.

DECEPTIVE FRAME

Consequent with this deceptive framework for his argumentation, Professor Kissinger treats the Vietnam question as an isolated problem, unconnected with any global, permanent and, until now, unconquered onslaught of the Communist forces against the independence of nations and the liberty of man. Persisting in his analytical disconnecting methods, Professor Kissinger recommends what he calls "multilevel negotiations" as the best means for liquidating honorably the Vietnam affair. Contrarily to a multi-millenary experience, so fittingly summed up in the Klausevitz postulate, War and Politics seem to be absolutely unrelated for this Harvard professor. The Vietnam negotiations therefore have to be conducted on two totally different levels: the military and the political, the United States to find the military solutions in discussions with North Vietnam, and South Vietnam to find a political arrangement in discussion with the Viet Cong and the NLF.

As if the presence of the United States troops in Vietnam had no national security, national responsibility and national high interest motivations, the solution Professor Kissinger offers, is the withdrawal of the United States forces, the same solution that was required by Mr. Clifford, the menacing Defense Secretary, and by Mr. McGovern the insulting senator. "Mutual withdrawal," of course, negotiated between Washington and Hanoi, while Saigon, which the departure of the North Vietnamese forces would have left in a vantage position, will discuss with its Communist enemy "The internal political and administrative structure to be developed in South Vietnam." The learned professor does not recommend, but does not rule out a coalition government with Communist participation.

ANOTHER ASPECT

All this could be perfectly consistent with the artificial political substratum in which Professor Kissinger moves with so many other advisors, analysts and experts of Harvard or Yale persuasion. For unsophisticated observers however, the situation the United States is facing in Vietnam has quite another aspect and other dimensions:

(1) The American troops are not in Vietnam for the questionable pleasure or fighting a deadly and treacherous enemy, but because of the responsibility of the United States as a member of a defense regional organization, as the principal promoter of the Geneva 1953 Vietnam arrangement, and as the begetter of Communist China.

The United States troops are in Vietnam because abandoning it to the giant Communist enemy would mean, on the long run, abandoning all American positions in Asia and the Far East. It would be the last blow to the prestige and influence of the last non-Communist big Power. President Markos, from the Philippines, has told us where he would look for new friends in such a case.

(2) "Mutual withdrawal" of United States and North Vietnam Troops is only an euphemism for the final United States unilateral stampede. The enemy knows very well, and Professor Kissinger ought to know also, that no United States troops withdrawn will ever be sent back to the Asiatic battlefield and that whatever the length of the "staged withdrawal" of the United States troops, once withdrawn they will be on the other side of the Pacific while the North Vietnam forces will still be where they were when they started their last aggression.

(3) It is obviously not true that the mutual withdrawal of the United States and North Vietnam troops will leave the South Vietnamese government in a better position to negotiate an arrangement with its enemies. Such a statement could not be rationally substantiated and Professor Kissinger had to contradict himself when in another part of his expose he observed that "it is beyond the imagination that parties that have been murdering and betraying each other for 25 years could work together as a team giving joint instructions to the entire country." Or does the learned professor contemplate a new partition of the "entire country?"

(4) Abandoned, with its forces only, to the whims of its enemies, which are not North Vietnam only, as Professor Kissinger asks us to believe, but all the Communist world with the tremendous power of Soviet Russia and Red China, Saigon will be finally forced to surrender and the whole of what had been Indochina will be submitted to the endless and abominable regime implicit to every Communist domination.

Professor Kissinger's solution for ending the war in Vietnam has in any case one merit. It is perfectly consonant with the way this war has been waged: in the strict limits desired and permitted by an enemy whose headquarters are not in Hanoi but in Moscow and Peiping. That is why we must congratulate President-elect Nixon for having provided for an optional program in foreign policy matters also, by appointing unsophisticated Richard W. Allen as head staff-assistant to sophisticated Professor Kissinger.

Unsophisticated anticommunism is not, of course, Mr. Allen's invention as will be shown by the following quotations of a highly respected churchman and of three illustrious soldiers who had the opportunity to study the common enemy from better viewpoints than a university pulpit.

From Francis Cardinal Spellman, Archbishop of New York:

"Sooner or later, we who are free and have been marked down for slavery will be drawn into the line of the Communist Juggernaut. On this score let us have no illusion. We stand under the same sentence of death that has already been meted out to the free people of those countries that are now enslaved by Soviet Russia."

From Lord Alexander of Tunis, British War Minister:

"If Britain and the United States fail to play the part forced upon them, the Western Christian Civilization, as we know it, will be submerged and disappear."

From General Douglas MacArthur:

"The Communist threat is a global one. Its successful advance in one sector threatens the destruction of every other sector. You cannot appeal or otherwise surrender to communism in Asia without simultaneously undermining our efforts to halt its advance in Europe."

From General Claire Lee Chenault:

"I seriously doubt that Russia will make anything more than probing skirmishes in Europe until the Asiatic front is secured . . . this, then, are the stakes for which we are playing . . . if Russia's Asiatic flank is secured and American air power pushed beyond a critical range, then the way will be opened for new and powerful ventures in Europe."

When those earnest warnings were bestowed on us, Soviet Russia was not the first nuclear power of the World but a backward second, neither was she the sole possessor of the fractional orbit space bomber which can drop its nuclear charge on any target on earth by radio signals. She had not pushed her warships up to Gilbraltar and her divisions to the Bavarian borders. The Kremlin had not transformed Cuba to a Soviet beachhead 90 miles from the United States shores, while engaging them in another no-win war thousands of miles from those shores.

Africa had not become a Sino-Soviet powder barrel, nor South America the happy hunting grounds for Castro-Guevara guerrillas. Infiltration and corruption had not yet contaminated the youth of the free nations in a moronic and rebellious fifth column, and the enemy agents had not already infiltrated our spiritual sanctuaries, the last bulwark of the Western defense.

UNLAWFUL CONDUCT OF STUDENTS ON CAMPUS

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. HUNT. Mr. Speaker, if the reports which are reaching the Members in increasing volume are only a partial assessment of public reaction to persistent student violence at our colleges and universities, it must indeed be viewed with considerable indignance that the crisis has been allowed to evolve into almost total chaos. Perhaps chaos is a foregone conclusion, for in compromising the principles of lawful conduct, in whatever field of endeavor, educational administrators have found that a middle ground for reasonable and responsible agreement is of little consequence if only one party to the conflict is willing to yield.

In the final analysis, it might even be suspected whether the rash of student activists really want to seek a rational compromise on educational objectives or provoke a confrontation with lawful society designed to destroy existing educational systems, and even more, our democratic institutions. I believe there is ample evidence to tip the balance toward the latter. Not long ago, a group of militants presented the administration of the University of Wisconsin with a list of "nonnegotiable" demands—hardly conducive to reaching any sort of agreement. At the Berkeley campus in California, the hotbed of student revolution, one protest leader in pressing demands threatened that, "If necessary, we'll destroy the entire university. If necessary, we'll destroy the entire Government."

While it is true the number of militants and student radicals still comprise a relatively small minority of the total student population, the threat posed by this well-organized minority can no longer be dismissed on that ground. The pattern of anarchy at the hands of the few across the country is as serious as the attitude of permissiveness makes it. Certainly, public concern should not be viewed as a meddling into the internal affairs of our publicly supported educational institutions.

There is no question in my mind, Mr. Speaker, that the Government has a vital stake in the outcome of the current confrontations which have already jeopardized the continued operation of many institutions. The influence of Government should be twofold. First, every ounce of public support must be martialed through the elected and appointed public officials of Government to enhance and encourage the exercise of the existing prerogatives of educational administrators to deal firmly with those whose conduct interferes with the lawful functioning of the institution in a manner that paralyzes its educational responsibilities. Second, Government should provide the means, through enabling legislation when necessary, to deprive such persons of public funds, for it is clearly not in the public interest to support any unlawful activity.

While legislation has already been enacted to accomplish the latter, no doubt its effectiveness is negated for lack of concerted attention to the former. Then, too, the question as to whose responsibility it is to judge conduct is not the least of the obstacles. I believe the unlawful conduct of students on campus should no more be insulated from the judicial process than the lawbreaker on the street.

Although news articles abound on campus disorders, two of recent date are the more noteworthy by their emphasis on curbing the anarchy by the few through the established institutions of law enforcement and justice. We might well ask ourselves why some college and university administrators still refuse to use the sanctions at their disposal, and I believe columnist James J. Kilpatrick sums it up concisely in his statement:

> The problem lies . . . in the absence of leadership among the law-abiding students, professors, administrators, alumni, and public officials.

Following are the complete texts of these columns:

[From the Washington (D.C.) Evening Star, Feb. 8, 1969]

COURT DRAWS THE LINE ON UNIVERSITY SIT-INS

(By Charles Bartlett)

DENVER, COLO.—An appeals court here has taken a meaningful step toward nailing down the prickly questions of what goes and what does not go on a college campus.

In upholding the University of Denver's right to move swiftly last April to stop a student sit-in, the 10th Circuit Court of Appeals has enunciated a landmark challenge to the temporizing tactics with which officials in many other universities have met disruptions by the students.

The court found nothing to "lend credence to the hypothesis that these students have a constitutionally protected right to close the doors of the university in order to enforce their demands." The appeal of the 39 students against their suspension was dismissed by the federal court.

This verdict marks the complete acceptance of the precipitous response by Maurice B. Mitchell, a spirited recruit to campus life from the business world, after a group of students launched a protest over a minor issue of student government. The disruption had barely begun when the students were officially expelled so that the city police could come in and take them off the campus. The incident ended before it had gathered momentum.

"The proper length of a sit-in is five minutes" Mitchell told a group of educators recently. "Anyone who tolerates interference with the operations of the university beyond that time is rationalizing against a background of fear that I don't understand."

The reactions to Mitchell's counter-activism illustrates a tightening attitude toward campus militancy. Student applications for the university are up 42 percent this winter and money-raisers for Mitchell's mushrooming private institution have raised as much in the past six months as they did in the previous twelve. Forty percent of the university's student body comes from the East.

Mitchell had arrived at the university less than a year before the trouble flared. A veteran of many media enterprises, he had spent most of his career as an official of Encyclopaedia Britannica and five years as its president. He accepted the invitation of the trustees of UD because he wanted to go where the action seemed to be.

He is a promising blend for university life at this juncture because he combines the toughness which he acquired in business with the empathy of a long commitment to liberalism. His distaste for being pushed or threatened is mixed with an anxiety to let the students be heard and a readiness to let the SDS attempt to enlarge its toehold in campus life.

Mitchell discerns many superior qualities in the modern young but he is ruthlessly blunt in exposing the curious vein of charlatanry which mars the spirit of protest. "Those kids want to be martyrs," he observes, "but they want to be thrown to toothless lions."

He warned the protest leaders last April that if they staged these sit-ins, they would be severely punished. "That's preferable to slavery," said one of the leaders. Mitchell dispatched a faculty leader who had been close to the protesters to calm them down. The man came back and reported no success.

He told Mitchell, "You can't talk to anyone who thinks he's Jesus." A lesson of the experience for Mitchell is that it is almost hopeless to try to negotiate one of these confrontations. Kids reach for nonnegotiable issues and they say, "You won't listen to us," when they mean, "You won't give us what we want."

Mitchell believes that universities like Brandeis and Columbia have been drawn into serious conflicts because their officials paused while they tried to find a middle ground that doesn't really exist. "You can't compromise," he maintains, "while adversaries reach for your jugular."

The chancellor argues that the young militants are playing a tough game which is predicated upon their feeling that the university is a "sucker trap," a device developed by the principal components of the affluent society in order to perpetuate themselves. It is a game stimulated by newspaper accounts of student militancy in other places and by an anxiety to avoid the great sin of apathy.

The campus seems calm today but Mitchell knows the spring may bring another test. If it comes, he will greet it in the spirit of a man who does not intend to yield to threats.

[From the Washington (D.C.) Sunday Star, Feb. 23, 1969]

CRACKDOWN TIME FOR YOUNG FASCISTS

This much, at least, can be said of the disorders that plague our college campuses: The time for temporizing with young Fascists has passed. The time for mounting a counter-offensive is at hand.

Too many months already have been wasted in trying to reason with unreason. Nothing more can be gained by excesses of "understanding" and of "tolerance." The line is clear—everyone comprehends it—between peaceable protest and lawless anarchy. Not one more word needs to be said on that point.

Consider the incredible situation that has developed from attempts at appeasement: Mere handfuls of militant students, backed by some unhinged professors, have been permitted absolutely to disrupt the education of thousands of law-abiding students whose rights have been wholly ignored. These militants have seized buildings, destroyed public and private property and committed repeated acts of criminal violence.

The militants do not lack for leadership. At most campuses, the revolutionaries are led by SDS—Students for a Democratic Society. What a travesty upon semantics is here! A "democratic" society is the last ambition of these totalitarian gangs. They cannot be distinguished from the booted student Nazis of Adolf Hitler's day.

The problem lies rather in the absence of leadership among the law-abiding students, professors, administrators, alumni, and public officials. What in the world is wrong with them? Are they gutless? Afraid? Apathetic? It is absurd to suppose that the 99 percent of the students who want a peaceful education are incapable of dealing with the one percent whose purpose is deliberate disruption.

But it ought not to be the responsibility of the nonviolent students to protect their rights with fists and clubs. Such protection is the duty—the primary duty—of the presidents, trustees, and the established agencies of law enforcement.

When do they stop playing pat-a-cake? It ought not to be a matter of great difficulty to obtain TV tapes and motion picture film of the terrorist groups. Such evidence, one assumes, would establish actions and identities beyond a reasonable doubt.

If the violent demonstrators turn out to be students, the course ought to be clear: Expel them. If they are non-students, the course is equally clear: Arrest them; take them to court; prosecute to the limit of the law. This same clear-headed policy should be applied to those professors who aid and abet the violence: Fire them. Fire them out of hand, and turn a deaf ear to blubberings of "tenure" and "academic freedom."

Timid voices may be heard to say that such an approach would "destroy a university." Nonsense! It is only in this fashion that a true academic community may be preserved. Let the motto be carved in stone: The essence of freedom is order. Discipline is the foundation of learning. Without order, without discipline, the educative process falls to the level of children's games.

A number of university administrators understand these elementary truths. At Notre Dame, the Rev. Theodore M. Hesburgh has issued a notice that rings of his determination to act decisively against violent disturbance. Any student or professor who seizes a building at Notre Dame will be given 15 minutes "of meditation to cease and desist." Those who pursue their criminal course will then be suspended, expelled, or arrested. Thereafter, "the law will deal with them."

This is the only approach to be taken now. There is, of course, a companion effort that has to be exerted also—to anticipate trouble, to remedy valid grievances, to maintain clear channels for the effective handling of requests and complaints. It is merely common sense to pursue policies of fire prevention. But the greater need at the moment is simply for the restoration of order; and this cannot be accomplished by "negotiating" with young extortionists.

PESTICIDES AND MAN'S ENVIRONMENT

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. DINGELL. Mr. Speaker, the January 1969 issue of American Forests carries a most thoughtful article by Mr. David H. Jenkins, entitled "Pesticides and Man's Environment." Mr. Jenkins gives particular attention to the dangers of persistent pesticides, such as DDT, carried into Lake Michigan by waters draining from four States. So that my colleagues may be aware of the dangers posed by pesticides to fish and wildlife, as well as man himself. Under unanimous consent I include the text of the article at this point in the RECORD:

PESTICIDES AND MAN'S ENVIRONMENT

(By David H. Jenkins)

We, as conservationists, see two major obstacles standing in our way to the good life on a sustained basis. One, in spite of the Pill, and in spite of the coming second and third generation missiles for population control, we will have more people to the point of desperation.

Obstacle two. The environmental pollution that all of us have created and will create; the natural pollutants from carbon dioxide to coliform bacteria, and the products of our exploding technology—persistent chemicals, radioactive wastes, aluminum sardine cans, and a host of last-forever materials that we have created on one hand while we practice planned obsolescence on the other. Why doesn't someone come up with a car body that disappears at the end of the guarantee period even without the use of road salt!

We conservationists are not directly concerned with obstacle number one, except as individuals. Any married couple with more than 1.7 children has already added to the problem. Readers can put themselves in the proper category here.

It is to the problem of the alteration and degradation of our total environment that we conservationists must address ourselves because if *we* don't, no one else will, or at least to date they haven't been concerned to the degree that we think they should.

What is a pesticide? This is putting it pretty simply, but a pesticide is a chemical that is used to kill or get rid of anything you don't want—weeds, rough fish, fungi and mold, insects, rats, and sea lampreys. This is too broad a subject and I couldn't cover it properly—it would be like trying to read *Playboy* magazine with your wife turning the pages. Our main concern here is the insecticides—the bug killer, and not *all of them*—only a few.

We clearly recognize the tremendous value of pesticides to our health, our comfort, and our prosperity—to food production, to industry, and the home. We can live without them, but not very well. We are concerned for the most part with only a few of these pesticides, the persistent chlorinated hydrocarbons—those that persist in the environment, spread rapidly over the earth, and are concentrated a thousandfold or more in the tissues of living things, the effects of which are just now beginning to be detected and understood.

Let me share with you one experience that we have had recently in Michigan. It involves persistent pesticides and it involves a big chunk of our real estate.

At the risk of sounding like a Chamber of Commerce spokesman I want to point out that Michigan is blessed with lots of "fresh water" and I quote those last two words.

We have more shoreline than any other of the "lower 48" states and more fresh water within our boundaries than any other state, but we see something bad happening here and we want to pass on this warning to you.

Waters from one third of the land area of four states drain into Lake Michigan. The lake itself measures 22,000 square miles with 1,600 miles of shoreline, and is nearly 1,000 feet deep. Some 80 percent of the shoreline has potential for outdoor recreation and the variation in habitat makes the lake inherently capable of supporting a wide range of aquatic life. It is significant as both a sport and commercial fishery.

Lake Michigan is a principal source of drinking water—1.5 billion gallons daily. Industry uses another 4¼ billion gallons. It is a major international seaway.

Now, Lake Michigan lies off to the side of the main stem of water flow through the Great Lakes, like an appendix. Water circulates within this appendix, but discharges very little out through the Straits of Mackinac—only about *one percent* of the total lake volume per year. This means that *any* stable, persistent substance that finds its way into that lake is going to be there for a long, long time. And that is just what is occurring right now with certain persistent, chlorinated hydrocarbon insecticides.

What happens when these toxic substances—virtually insoluble in water—begin to accumulate? Recent findings show that DDT was the most probable cause of the death of nearly one million coho salmon fry hatched in state fish hatcheries from eggs from Lake Michigan nurtured salmon. Many Lake Michigan fish now have DDT levels up to 10 parts per million. The U.S. Food and Drug Administration permits 7 parts per million in beef and pork. There is already talk of the FDA establishing limits on fish and if they do it will surely "change the water on the minnies."

Where have these pesticides come from? Within the Lake Michigan watershed, including two of the major metropolitan areas of the Middle West, live six to seven million people. Along its shores is one of the major fruit-growing areas of the nation with its accompanying spray schedules. In the northern part of the Lake Michigan basin lie extensive publicly owned and industrial forests—spraying here, too. Certainly, over the past two decades, many tons of DDT have been released in the watershed from a wide variety of sources, as far as 100 miles from the lake, right down to the shore itself. Dutch elm disease and mosquito control in cities and parks, farms and orchards, state and national and industrial forests, homes and backyards, spray remnants dumped down the drain—all have contributed. Dieldrin undoubtedly came from a narrower range of sources—and somewhat more recently—from farms and orchards, and home and backyard use, and even woolen moth-proofing plants.

Runoff from city and farm and forest finds its way down river; or in the atmosphere, dust storms and water vapor add their share of DDT from points west. Regardless of the source of DDT, once it reaches the lake it is going to stay there, and this has been going on for the past 20 years.

The Lake Michigan situation is only an example—a big, easy-to-recognize example of environmental contamination. Large bodies of water store these pesticides. Tiny organisms pick up the chemicals and store them. Larger organisms eat the little fellows who in turn are eaten by larger critters until at the top of the food chain—fish-eating birds store vast quantities of the stuff in their fat. The lowly clam concentrates DDT 70,000 times greater than his water environment.

The effects of this storing-up in animals from the smallest to the largest is not completely known, but the gaps are beginning to fill in. Man, for the first time in his history, has chemicals at his disposal that can completely alter his own food chain. By wiping out certain insects or minute seacreatures he removes one link in the very delicately balanced chain of life on which he depends. The complexities of the whole thing are beyond my ken, but believe me, they are complex, they are subtle, and they are real. Enough is known now about the persistent pesticides DDT, dieldrin, lindane, chlordane, aldrin, endrin, to name a few, to know that they affect the reproductive cycle of certain animal species. We know that DDT was the most probable cause of the loss of close to one million coho salmon fry raised from Lake Michigan nurtured eggs—DDT picked up in Lake Michigan. We know that the pink shrimp, the same that you use for shrimp cocktail, can be killed by four tenths of a part per billion—four tenths of one part per billion!—of DDT after two days' exposure. One part per billion is the same as one ounce of chocolate syrup in one thousand tank cars of milk, and that's mighty weak chocolate milk.

It would be nice if we could prove beyond a shadow of a doubt how DDT directly affected man. But these effects are indirect (we think) and subtle. Effects on lower level organisms are better known but even here the story is not completely clear. Nevertheless, there is enough evidence for us to be greatly concerned and to start bringing the unnecessary and widespread use of these persistent chemicals to a halt. Keep in mind, though, that pesticides are only one of the many environmental pollutants that are of real concern to all of us.

The entire pesticide matter flared up brightly last fall when, to curb an outbreak of Japanese beetles in southwestern Michigan near Lake Michigan, the State Department of Agriculture proposed to apply 2.8 tons of dieldrin. The Agriculture Department was totally within their legal authority and they felt that this was in the best interest of the people of Michigan. However, we felt that there were safer ways to get at the problem and we opposed the spray program. Further, the Environmental Defense Fund took the matter to court and at the same time brought action against 56 municipalities who used DDT to control Dutch elm disease.

In a nutshell this action stalled the application of dieldrin until it was too late in the fall and the area was not treated. Then 53 out of the 56 cities stipulated that they would drop plans to use DDT against the elm bark beetle.

Unfortunately this entire affair brought our two state agencies eyeball to eyeball and this is never a good thing. The whole thing was doubly "silly" because both had the best interests of the people at heart. Naturally we felt the broader viewpoint of concern for the entire environment was proper wherein the ag folks were "after the beetle."

To resolve this "confrontation" Governor

Romney appointed a three-man Pesticide Advisory Panel—the Director of the Pesticide Research Center at Michigan State University, an ecologist from the University of Michigan, and an industrial entomologist whose hobby is bird watching.

They advised the Governor that an application of dieldrin and chlordane in the fall of 1968 would be the lesser of two evils (the other being application by private interests). So a several-ton application on 4,800 acres is planned and the Environmental Defense Fund has the Department of Agriculture back in court again and there you are—up to date.

Our position on pesticide use can be simply stated. There has been plenty of distortion by the press and other interests of this position, but you as foresters and conservationists should understand it clearly.

(1) We believe that where proper alternatives are available, the persistent pesticides should *never* be used.

(2) Where alternative safer methods of pest control exist, at least for certain stages of the pest's life cycle, that pest should be attacked at *that* stage with non-persistent chemicals.

(3) Where alternative methods of control do *not* exist, the harm to the total environment from using persistent pesticides should be carefully weighed against the calculated harm of the pest. In other words, we must make darn sure that the cure is not worse than the cold.

(4) When persistent chemicals must be used they should be used under as carefully controlled conditions as possible at the time of the year when the environmental conditions will make their use the least harmful.

Regardless of the outcome of this affair, we are encouraged because we see progress on one *big* point—*people are beginning to be interested and concerned*—the first step toward acceptance and action.

Go into a Farm and Garden store or department in Michigan and you'll see people reading pesticide labels, albeit a problem for anyone on Geritol—or even Serutan—to read 6-point black type on a green label background.

DDT is no longer recommended for Dutch elm disease control in Michigan.

Many cities no longer use this chemical for that purpose.

DDT is no longer registered by the Department of Agriculture for mosquito control.

People are concerned. At a hearing in the Legislature on a Pesticide Control Bill there were as many in attendance as at a hearing on whether hunters should shoot doe deer—and that is really something. Probably the only thing guaranteed to stir up more interest would be a hearing on whether to permit nudism in Michigan.

This concern about pesticides is only part of a feeling that many people are having for a cleaner environment—people seeking solution to the problems of a technology-ridden world.

Foresters, farmers, and horticulturists have made great strides toward the elimination or greatly restricted use of the persistent pesticides—leaning more and more on the "safer" chemicals and on other control methods. We are happy about this.

But we have a long way to go. The U.S. Forest Service, state agencies, and universities still recommend persistent chemicals *even though there are safer alternatives.*

We'd be somewhat happier if these publications would point out the differences when there is a choice. This ought to be done and done quickly. Out-of-date publications should be discarded or revised.

Chemical companies still recommend DDT and its "family" without reservation. Oh sure, they urge caution. Beware of getting poisoned! But what about environmental poisoning—less dramatic but perhaps just as important to the survival of the race of man. To read some of those ads, you'd think their products were as safe as the talcum powder mothers use on babies.

We urge a hard look at these deficiencies.

We urge action on several points.

We urge agencies to take a look at and shown concern for the entire environment—not just their own restricted "area."

We urge that pesticide tolerances be included more firmly in the inter-state and intra-state water quality standards.

We urge updating and revising pesticide control laws and regulations on applicator licensing, labeling, registration, and applicator training.

We urge a stepped-up educational program to bring the concept of our delicately balanced ecosystem to the people. It's the most important thing in their lives but they don't know it.

We urge a national inventory of the sources of pesticide pollution and a monitoring of these sources.

We urge tight enforcement of present and future pesticide laws and regulations.

We urge accelerated research to document the direct and indirect effects of pesticides, and to develop safer pest control methods.

We urge a regional approach to pesticide problems to accommodate the many problems in different ecosystems.

The recently approved four-state agreement between the conservation departments in Illinois, Indiana, Wisconsin, and Michigan to halt the flow of pesticides into Lake Michigan is a model that we hope will stimulate similar action in other regions of the country, and we will urge Governor Romney to broaden its effectiveness by bringing the governors and the agriculture departments of these states into the effort.

We will work to identify and correct environmental contamination in its earliest stages.

We will work to develop and improve an ecological conscience in all of us, and we will work toward the day when government at all levels will be more of a trustee of our natural resources rather than a referee between the many users competing for a resource.

We are not really worried about DDT affecting our virility, we're just tired of being buried in our own filth and ecological ignorance.

CONTINUED OPPRESSION IN RHODESIA

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. FRASER. Mr. Speaker, it was reported a few days ago that the Rhodesian Government has stiffened substantially the income and means qualifications for voting. The effect of this and other measures is to help perpetuate the grip of the white minority on the black majority of Rhodesia's citizens, as the following newspaper article explains:

RHODESIA UPGRADES VOTERS' MEANS TEST

SALISBURY, RHODESIA, February 14.—The Rhodesian Government announced today a 20 per cent increase in income and means qualifications under which black and white Rhodesians qualify for the vote.

The increase in requirements for new voters followed the report of a special commission earlier today that the buying power of Rhodesian currency—the Rhodesian pound—declined since July, 1957, by 21.6 per cent.

Earlier today, Prime Minister Ian D. Smith gained massive support from an important section of his Rhodesian Front party for a new constitution.

Almost 200 delegates from the sprawling Mashonaland division approved the proposals at a meeting here. There was only one dissenting vote.

Mr. Smith said Wednesday that the party had decided to scrap two-stage constitutional proposals in which an initial multiracial parliament would have been replaced after five years by political separation of the races.

The new constitutional proposals are believed to provide for a Senate, a multiracial national parliament—which would be dominated, like the present one, by whites—and three provincial assemblies. Over-all control of the country would remain firmly in the grip of whites.

SAVE THE MONTAUK POINT LIGHTHOUSE

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. WOLFF. Mr. Speaker, in the long overview of history ours is a relatively young nation. Yet we have certain national landmarks that we value for their role in American history.

The Montauk Point, Long Island, lighthouse built in 1795 at the personal direction of President George Washington is truly an American landmark and worthy of preservation as an integral part of our history.

I have received a letter from a constituent, Mr. Andrew John Vissicchio, Jr., of Glen Head, N.Y., on the subject of the Montauk Point lighthouse and a copy of an article that appeared in the Long Island Daily Review regarding the lighthouse. Because of the significance of this subject to the history of our country, and under leave to extend my remarks, I wish to include Mr. Vissicchio's letter and the aforementioned newspaper article in the RECORD at this point:

GLEN HEAD, N.Y.,
February 17, 1969.

To the Honorable and Distinguished Members of Congress, Congress of the United States, House of Representatives, Washington, D.C.

GENTLEMEN: I call your attention to a matter of national heritage the subject is a lighthouse which has served her nation since 1795 when President George Washington personally approved her construction.

This lighthouse located on the eastern tip of Long Island, N.Y., Montauk Point, has pointed the way for millions. Standing watch in the night to guard her countrymen from peril. Faithfully, without complaint, she has shepherded traveler and sailor to the safety of their harbor.

Now her life is threatened, as the hill on which she rests is being eroded by tide, and to our shame, neglect.

We have helped to save the temples of Egypt, we write the heritage of the future in the epic of outer space—are the only things worth saving the grand and the pompous? Is the grand old lady of Montauk Point to be buried in the sea because her countrymen are thankless of her service and neglectful of their heritage?

Most respectfully,
ANDREW JOHN VISSICCHIO, Jr.

[From the Long Island (N.Y.) Daily Review, Feb. 12, 1969]

SUBJECTS OF SIGNIFICANCE TO LONG ISLAND: MONTAUK LIGHT

In 1795, the then still fledgling nation of the United States, entered into its first contract for public construction of a lighthouse facility, with one Mr. John McComb, Jr. Mr. McComb was the low bidder, of $22,000, for the construction of a lighthouse at Montauk Point, on Long Island. The contract was approved personally by President George Washington and signed by Mr. Tench Cox, Secretary of the Treasury.

In the nearly one hundred and seventy-five years since then, Montauk Light has had a continuous history of service to thousands of mariners who have made the Port of New York their destination. Of added significance to its service as a primary navigational facility, however, is Montauk's historical importance.

As the first lighthouse authorized for construction by the world's most renowned democracy, Montauk Light has come to symbolize the very growth of this nation. To hundreds of thousands of foreigners who sought to escape tyranny for the promise of all that a life in America holds, the lighthouse has been matched only by the Statue of Liberty as a beacon of freedom for the downtrodden.

Today, nearly two centuries of historical significance is in danger of being erased by the inevitable tides of man and nature. The Montauk facility itself is marked for eventual replacement by automated equipment to be placed atop a steel tower. The lighthouse building is destined for certain destruction via tidal erosion and neglect, unless an aroused citizenry demands specific action by government officials to preserve it.

MR. P. R. "PEM" CURRY

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. FULTON of Tennessee. Mr. Speaker, Mr. P. R. "Pem" Curry, the manager of the Western Electric system plant at Nashville, Tenn., recently retired after many years of devoted service and concrete contributions to that plant, its employees, and to our community of Metropolitan Nashville-Davidson County, Tenn.

An article by Mr. Nat Caldwell in the Nashville Tennessean entitled "Pem Curry Steps Down as 'Boss'" and an editorial in the same publication, "A Popular Boss Takes His Leave" outline the energy, ability, warm nature and pleasant wit of Pem Curry, a man all Nashvillians respect and many, who know him, love.

Mr. Speaker, Mr. Caldwell's article and the Tennessean editorial pays deserved tribute to Pem Curry and I insert them in the RECORD at this point, adding only that it has been my great pleasure and high privilege to have known Mr. Curry and work with him in community activities. He is a gentleman and a builder in our community, and our community is a better place in which to live, work, and raise a family because of Mr. P. R. "Pem" Curry.

The article and editorial follow:

PEM CURRY STEPS DOWN AS WESTERN ELECTRIC "BOSS"

(By Nat Caldwell)

Most men about to be turned out to pasture after 49 years in what a leading novelist has called "the corporate squeeze" come through as fairly tragic figures.

But nobody in Nashville or anywhere over the far flung Western Electric system, who knows him, is going to feel sorry for P. R. (Pem) Curry, 65, for stepping down next week.

City Councilman Mansfield Douglas, who has worked under the manager of Nashville's big Western Electric plant since 1955, first as janitor and recently as a personnel man, grinned admiringly as he spoke of the impending retirement.

He watched Curry as "the boss" trotted down the long factory floor.

"Retiring," Douglas almost snorted. "Just watch him . . . prancing like a youngster. You know what? People around here these days are wondering who's going to have the fun of working for or with Mr. Curry next. This kind of man can die. All of us will. But he doesn't just retire. He keeps going at something else . . ."

Following Curry around the plant as he hobnobs with the people who work for him—his old or new friends, a few obviously physically handicapped—one in wheel chair—not exactly the usual Duke's mixture of a plant this size, (there are many extra black faces)—one gets the idea Douglas is correct.

"We'll miss him around here," the councilman continued. "And, as you walk around with him today, you might see a tear in the corner of somebody's eye . . . They know why a reporter is out here . . . But they will be careful of this . . . because he swings around so fast and looks back at you. They wouldn't want to be caught with even one tear . . .

Take the union. The Western Electric Division of The Communications Workers of America could have gone to Miami or Palm Springs or Phoenix for its annual mid-winter executives' conference. But they came to Nashville instead, to be around "just before Curry shoved off," a local CWA leader said:

He was their guest at one affair and they were his guests at a luncheon. The good natured wise cracks exchanged were many.

Frank Novotny, CWA director for 35 Western Electric plants, confirmed the reason for holding the conference in Nashville three weeks ago. He said:

"This guy was reasonable. He could see both sides of the fence . . . Also he's been out and done most of the rough jobs himself . . . He knows . . . You can't say the same for all those younger company smoothies.

"Why this guy had to quit school in the seventh grade. Then he went back, after passing a GED test, to college nights in Atlanta . . . He would have gotten his degree, too . . . if he hadn't quit early in World War II to set up a communications system for the Air Force on Guadalcanal."

Nashville civic leaders remember how a short, heavy set, and ready-witted man has contributed in easing broader community headaches.

E. J. Shea, former executive vice president of the Nashville Area Chamber of Commerce, now regional executive for ASCAP, recalled:

"Remember when a Negro couldn't buy a hamburger in most restaurants in Nashville and there was rioting about it. Pem Curry was the sparkplug of the very small group of civic leaders who bluffed some, reasoned more, and mainly just kept plugging to clear this matter up.

"And nobody even dreamed of giving him a red carpet or a blue ribbon for what he did."

Shea told of Curry's well known battle for the UT Extension Center's expansion. "He begged old office furniture for equipment, built lockers out of packing materials, scrounged used lab equipment, then this, then that. Finally, we had an accredited night college," Shea continued.

"Stubborn, persistent, the man was. He kept on, dingdonging governors, wore down Andy Holt, bullied us at the Chamber—but good naturedly—and Nashville kept getting a better night school and today's assurances of a four year university branch."

Western Electric employees at the plant picked up the story:

"Imagine that you were busy installing a new switchboard in a little tiny Bell exchange in the East Kentucky coal fields 350 miles from Nashville and, suddenly, the big boss was looking over your shoulder.

"That's the way he was . . . out on the road driving 350 miles . . . just to see for himself . . . not to spy on anybody . . . but just what I said . . . out to see for himself."

And what does the retiree have to say?

"I've got a big house on Old Hickory Lake. I've got a cabin cruiser and a lot of the inland waterway to see. . . . My house has one of the biggest workshops you ever saw. I've got the equipment to work in metal, wood, anything. . . . I still could go back and get my engineering degree. . . . There's always plenty for a man to do. . . ."

The strong face, which looks ruddy in one light and grayish in a different light, is highly mobile. So are the shoulders, arms and legs behind the big desk that has imprisoned him not more than an hour or two a day since Western Electric opened its Nashville plant in 1955.

Today 1,700 men and women call him "the boss." The biggest group works at the main plant here. The rest are split up in small crews repairing and installing equipment for Bell over the three states.

"I was a building superintendent for Western Electric at Atlanta, when I decided to try college. Something like a glorified janitor but good pay. The war came on. I got to thinking. I was too young for World War I and I'd be too old for World War II . . . That decision landed me at Guadalcanal where early telephone poles were set in holes that had started as foxholes a few days before."

Before the end of the war, he bossed Air Force communications equipment for most of the South Pacific with 3,500 men and 200 officers taking orders from the major. Replacement parts were scarce and the "scrounging" Curry did to keep his lines alive was notorious at a time and in an area where commanding officers valued a successful scrounger as highly as the Congressional Medal winner.

Better jobs with Western Electric followed the war. But Curry was fortyish and the rule exception that sent him to Nashville for the new plant job provided an opening for an unusual figure in Bell system management. Mansfield Douglas had to sue him to get out of his janitor's job and move up. Curry learned about the suit when superiors in New York read over the phone to him a tiny Nashville item in a long list of federal job discrimination court suits in the New York Times.

Curry burned only briefly. "I found Mansfield to be a hard worker and a broad gauge man. He didn't have to sue again," he says. "He got to be a maintenance mechanic and did a good job. I had an opening in the office, ticket auditor in accounting, then purchasing, and lately personnel. Mansfield now does most of the interviewing, white and Negro for new employees in Alabama."

Thirty-two additional Negroes have been hired by Western Electric's Nashville plant since April, 1968.

And there are plenty of hard core whites, including the wheel chair case.

"Never heard one complaint," Curry added, quite unnecessarily, if before you talked to him you have poked around the plant a bit and attended a union mid-winter conference.

That's why Douglas' final words "That guy'll be doing something big, very quickly" is an unnecessary reassurance about this guy who'll sit behind the big desk for the last time on Feb. 28.

A POPULAR BOSS TAKES HIS LEAVE

Mr. P. R. (Pem) Curry, manager of the Western Electric Co. plant here, is retiring next week after 49 years with the company.

Mr. Curry has had a varied and exciting career in the communications field, including the job of setting up a communications system for the Air Force on Guadalcanal during World War II.

But he will be best remembered in this area for his talent in employe relations, and in human relations generally.

Although a management official, he was extremely popular with the union members who worked under his supervision. The Western Electric division of the Communications Workers of America held its mid-winter executive's conference here recently to be with Mr. Curry before his retirement. "This guy was reasonable," said one union official. "He could see both sides of the fence."

Mr. Curry also saw to it that equal employment practices were followed at his plant. He played a major role in opening up Nashville restaurants to Negro customers several years ago. And being a former night school student himself, he fought for the expansion of the University of Tennessee night school here.

Mr. Curry has been a quiet force for progress in this community. He is to be congratulated upon the end of a productive career, but it doesn't seem likely that his retirement will diminish his interest in community affairs.

YOUTH HAS ITS SAY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. DERWINSKI. Mr. Speaker, a series of articles written by high school students is featured in the Park Forest Reporter. Miss Peggy Burnett, a senior at Rich Central High School, is the author of a very challenging and effective article in the Wednesday, February 12, edition of the Reporter.

Miss Burnett who plans to attend college and pursue a career in the field of teaching is the editorial editor of the Torch, the Rich Central High School newspaper and is president of the school literary club.

The editorial follows:

YOUTH HAS ITS SAY

(By Peggy Burnett)

There is not a single literate person living in the United States today who does not realize that the country is floundering in the midst of a serious domestic problem. This problem is the result of a dichotomy in the organization of America's governmental system. The dichotomy occurred because the writers of the Constitution tried to promote organized individuality as a form of government. That is to say, they recognized obvious necessity of having an orderly, stable government while at the same time providing each individual with the right to dissent, thereby disrupting that order. The conflict creating the serious domestic problem is therefore a question of values: In a democracy, which is more important, individual rights, with its accompanying prerogative of dissent, or government stability? To anyone understanding the basic principles of democratic rule, the answer should be obvious. Government stability must be held in higher esteem than the right of dissent.

It would be ridiculous to say that the right of dissent has no place in a democracy; that very right is what makes democracy democratic and America free. The founders of the country made dissent legally and morally right so that citizens who disagreed with the government could change conditions without destroying the system. Democracy is thus the only form of government that has the capacity for peaceful internal change. If a minority can persuade the majority that the government should be changed, and if the minority has provided a workable and satisfactory solution to the country's problems, then the government can be peacefully altered by the democratic means of majority consent.

This basic principle, however, is being ignored by many of today's dissenters, student demonstrators in particular. According to one member of the Students for a Democratic Society (SDS), "Our job is to ask questions, not to provide answers." In other words, these dissenters are taking for themselves the right to destroy without assuming the responsibility of rebuilding. Furthermore, since their pseudo-intellectualism assures them that they are right, they feel no compunction whatsoever about using any means necessary to attain power. More often than not, these means are outside the law. When flaunting the law becomes an acceptable way of change, the stability of the country will be so greatly undermined that democracy will cease to exist.

The purpose of granting Americans the right to disagree was to make it possible for the government to evolve according to the needs of the times. This right was granted with the understanding that Americans wished to continue living under the democratic system, and would therefore refrain from dissenting in such a way as to harm that system. Unless this right is exercised within the bounds of democracy, unless the rights of the majority are considered as important as those of the minority, unless freedom and equality are the ultimate goals of any dissenters, democracy will not survive. The world will lose the best form of government that it has ever spawned.

SELECTIVE SERVICE ACT OF 1969

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. REID of New York. Mr. Speaker, today I am introducing, with the gentleman from New Jersey (Mr. THOMPSON) and 18 of our colleagues, the Selective Service Act of 1969. The bill is identical to the one introduced by Senator KENNEDY yesterday.

The principal change in the present draft law contained in our bill is that which provides for random selection of draftees from a "prime selection" group consisting of first, 19-year-olds not deferred or exempt; second, former deferees aged 19–35; and third, registrants 20–26 not deferred or exempt. This plan revises the present order of priority by requiring that the youngest registrants, the 19-year-olds, be drafted first. A registrant would remain in the prime selection group for 12 months and would be withdrawn from the group if not selected within that time. In other words, his exposure is limited to 1 year and he can then plan his future if he is not called. The registrant would be given a choice between entering the prime selection group upon graduation from high school or waiting until he had completed his education. A student could thus postpone his exposure to the draft, but this postponement would not become an exemption, as frequently happens under the present system.

Other important provisions of the bill include:

Elimination of occupational deferments except where ordered by the President;

Granting of conscientious objector status to atheists and agnostics, so long as they are genuine pacifists, as well as to those whose objection is based on conventional religious training and belief;

Adoption of national standards and criteria in the administration of the draft law, and their uniform application nationwide;

Prohibition of use of the draft as a punishment for protest activities, by limiting draft delinquency to acts relating to a registrant's own individual status;

Extension of major new protection to persons subject to the draft, through a requirement that the Selective Service Director inform each registrant of his rights as to deferment and exemption; the establishment within the Justice Department of appellate procedures for claimants denied conscientious objector status; and assurance that draft registrants can appear in draft board proceedings affecting them and be represented by counsel; and

Prohibition of discrimination of any kind in the makeup of any Selective Service panels which determine the draft status of registrants.

Senator KENNEDY has called the present Selective Service law "an out-dated patchwork." In my judgment, the bill we are introducing today will eliminate the inequities in the current system, shorten the period of uncertainty for those who are subject to the draft, and assure registrants proper representation in draft board proceedings. These are changes which I have repeatedly advocated and which should have been made, either through legislation or by executive order, several years ago. I hope that the Congress will act at an early date.

HOUSE OF REPRESENTATIVES—*Thursday, February 27, 1969*

The House met at 12 o'clock noon.

Rev. Father Festus C. Okafor, of Biafra, Catholic University of America, Washington, D.C., offered the following prayer:

God, our Father, source of all wisdom, wealth, and power, while establishing the human race in this little world, You have structured the divergence of environment, culture, and complexion, that reason may enjoy the credit of discerning the unity in diversity. Grant this Congress, the President, and all who exercise legislative power in this magnificent and most powerful Nation, supernatural wisdom and uncompromising courage to follow moral rectitude and benevolence in dealing with peoples, races, and human totality. Let them be the efficacious instrument of Your peace among peoples and among nations, that, in admiration of the dazzling splendor proceeding from this "Nation under God," all peoples will say with the United States of America: "In God we trust." Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

RESIGNATION AS MEMBER OF THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication, which was read:

House of Representatives,
Washington, D.C., February 27, 1969.

Hon. John W. McCormack,
Speaker of the House of Representatives.

Sir: I beg leave to inform you that I have this day transmitted to the Governor of Montana and the Secretary of State of Montana, my resignation as a Representative in the Congress of the United States from the Second District of Montana, to be effective at 3:30 p.m., eastern standard time, on the above-mentioned date.

James F. Battin,
Member of Congress.

TIMELY FUNDING OF EDUCATION PROGRAMS

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, during the course of the investigations and hearings conducted by the House Education and Labor Committee during the past several Congresses with respect to Federal aid to education, a very deep concern continues to be expressed by the education community. This regards the matter of the time in which funds are allocated to local educational agencies for the Federal share of program costs. Too frequently these funds are not made available to school districts until several months of the school year in which they are to be used have elapsed. Under these circumstances we, at the outset, make it extremely difficult—if not impossible—for school administrators to plan and make the most effective use of Federal dollars. We handicap schools in their ability to employ and retain qualified teachers and teaching specialists in federally sponsored programs. Without exception the witnesses appearing before the House Education and Labor Committee in this session of Congress on H.R. 514, a bill to extend special education programs for the handicapped, impact areas school aid, as well as the various titles of the Elementary and Secondary Education Act, have called for its early enactment to enable timely funding of education programs.

Here is what some school administrators have said to our committee on this matter:

EXCERPT OF TESTIMONY OF MR. DAVID TANKEL, DIRECTOR, ESEA TITLE I, TRENTON PUBLIC SCHOOLS, TRENTON, N.J.

A second major way in which Congress can help is to provide for early funding. Many of our employes are tenure teachers who were placed in the program because they were the best teachers in the school system. When we do not know by May 1 of any given year what our Title I funding will be for September of the next school year, we must turn these teachers back to the Board of Education for reassignment. Nontenure teachers are then released or new teachers are not hired when they are available. If we did not reassign our tenure teachers, the Board of Education could very easily be left with a number of tenure teachers who do not appear on any budget—Board of Education or Title I.

When we are finally notified in June or July concerning our initial allocation, we must then try to reconstruct programs which were torn asunder only six or eight weeks before. This in itself is a deterrent to the development of sound ongoing programs. In addition, because of the failure to have early funding, we do not know our final allocation until the school year is more than half over. This makes it extremely difficult to plan and conduct programs efficiently.

EXCERPT OF TESTIMONY OF THE HONORABLE WILBUR COHEN, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

But pending those basic changes I believe that it is necessary for our Governors, our 20,000 school districts in this country and school boards, to have some degree of assurance and security about the continuation of the Elementary and Secondary Education Act in order that they may do their planning and they may do their budgetary work with a minimum of insecurity in terms of the things that they have to do at the local and State level to assure the continuation of personnel planning and budget planning that are so necessary.

While I recommend the continuation for five years of the program, I do not do that on the basis that the Act does not need any further amendment, but rather that you should take the Act in substantially its present form and as you find further changes that need to be made, that you undertake those and enact them, giving the school districts adequate time to make the necessary adjustments in their programs.

I have come to the very important conclusion that we must look upon education legislation at least a year or two in advance in terms of the ability of the States and school districts to make the necessary adjustments. Quite frankly, most school districts in April or May of each year make the final determinations with regard to their student enrollment, their teacher salaries, and their budget for construction and operation programs for the ensuing September, and I believe it is highly undesirable to enact legislation that in a sense comes into the middle of a school year while the schools are operating, or very close to the end of a school year, asking the school boards to make adjustments within three or four or five months, which is very difficult to do.

EXCERPT OF TESTIMONY OF DR. GRAHAM SULLIVAN, DEPUTY SUPERINTENDENT OF INSTRUCTION, LOS ANGELES CITY SCHOOLS

First, may I say to you that we support fully the extension of ESEA for a period of five years.

Then secondly, we certainly support the long-term extension. You are referring to a five year extension, I believe, in H.R. 514. One of the problems we have had and again the claim alluded to this this morning is the starts and stops we have had to follow in order to keep programs underway. We have not known, and sometimes until the year is half over, not only whether or not we are going to have extended authorization, but what funds we are going to have for the next year. This has been a very critical problem for us both at the State and local level.

Related to this certainly we do support the advanced funding concept and matters that relate to it.

Mr. Chairman and Members of the Committee, it is essential, especially to the large urban centers, that the Elementary and Secondary Education Act be continued. Further, it is essential that the existing structure of the Act be retained. Congressional control over congressional intent must be preserved. The inclusion of the Elementary and Secondary Education Act into a program that would provide funds for the state to redistribute to local school districts will only result in reductions of funds to the urban centers. California is an example of a state taking into consideration payments of federal funds in determining the eligibility of local districts for state aid. Currently, an amount equal to 25 percent of all impact area funds is withheld from districts' apportionments for school purposes by the state. It is essential that any program enacted by Congress for the benefit of young people in local school districts contain provisions that prohibit states from applying formulas that can reduce state efforts.

EXCERPT OF TESTIMONY OF DR. MARK R. SHEDD, SUPERINTENDENT OF SCHOOLS, PHILADELPHIA, PA.

Fund ESEA programs sufficiently in advance for school districts to plan for the expenditure of funds. We begin planning, in considerable detail, our operating budget ten months before the fiscal year begins. Our planning is guided by a five-year budget projection. But we never know how much ESEA money we will receive until well into the fiscal year for which it is appropriated. Sound planning and management are all but impossible under these conditions. They are replaced by a kind of fiscal roulette.

In closing, let me simply reiterate that we are at a critical point in the history of federal support of public education. You have enabled us to begin structural changes in the schools which will release the talents of teachers and students alike. Teachers have been given more effective tools and materials to work with. The system itself has begun to respond to individual needs of the students in the community.

To turn back, or to stand still, will produce chaos in the schools and add to the chaos in our cities. In my view it is imperative that education receive the priority in dollar terms that it must have if the cities—and the country as a whole—are to survive "the urban crisis".

It is just possible that we can accomplish the needed revolution in American education. And in so doing, we will disprove the conventional wisdom, which holds with overwhelming evidence in support, that it is not possible for one institution in society to stand against and repair the damage done by all the rest of society.

Ladies and gentlemen, the first step in undertaking this job, in my view, is the passage of H.R. 514.

EXCERPT OF TESTIMONY OF DR. WILLIAM H. OHRENBERGER, SUPERINTENDENT, BOSTON PUBLIC SCHOOLS

I earnestly request that Congress not only extend the Elementary and Secondary Education Act for five years, but also that it increase substantially the funding thereof. At present, federal funding under Title I is not adequate to meet the needs of all children for whom the legislation was designed. The present programs serve approximately one-half of the disadvantaged children in Boston. . . .

I earnestly hope that specified appropriations under the Elementary and Secondary Education Act can be authorized by Congress a year in advance so that the serious planning problems inherent in the late authorization of funds can be eliminated.

EXCERPT OF TESTIMONY OF DR. JOSEPH MANCH, SUPERINTENDENT, BUFFALO PUBLIC SCHOOLS, BUFFALO, N.Y.

The CHAIRMAN. Considering the program as a whole, especially Title I, I would like to ask you what is your greatest obstacle from the standpoint of achieving this? Is it lack of funding?

Dr. MANCH. I think our problem has been what the problem of other communities has been. There is too much uncertainty between authorization and funding. It is very difficult to plan programs where you have got to employ staff. You don't just take a staff and throw them in the program and go ahead. People must be prepared for it. If there could be less time elapsed between the authorization of a program and the funding of it, this would be very helpful to us. If we could know that we can count on five or seven years of a program, then we can do some real long-range planning. It is very difficult, and I speak as an educator—we must allow many people in it to start a program and say we don't know what the situation will be next year.

The CHAIRMAN. Wouldn't it be a terrible mistake if we only extended this program for one or two years?

Dr. MANCH. It certainly would. I am here because I feel strongly this is a good bill because it does add five years to it.

EXCERPT OF TESTIMONY OF DR. NORMAN DRACHLER, SUPERINTENDENT OF SCHOOLS, DETROIT, MICH.

The extension of the Elementary and Secondary Education Act for a five-year period will provide local school districts with the assurance that they can plan programs for more than one year without the threat of having to dissolve projects that involve a significant part of the community. This five-year extension will provide an opportunity for evaluation of the programs which we are confident are making a meaningful impact on the youth of Detroit. . .

The forward funding provisions in this legislation have provided substantial continuity; however, this provision without additional funds each year still presents serious operational problems, since the re-casting of programs annually, without the benefit of additional funds, makes it a restrictive rather than a forward planning approach. Perhaps the possibility of forward funding, with step increases worked out cooperatively by this Committee and the Appropriations Committee, should be explored. Most programs, without exception, require a minimum increase of 10% annually if forward movement is to be maintained.

EXCERPT OF TESTIMONY OF DR. PAUL W. BRIGGS, SUPERINTENDENT OF SCHOOLS, CLEVELAND, OHIO

Mounting programs of the size and scope of those under Title I is not without problems, particularly in a large school system. It required time to establish an organization within the school system to administer the program in a manner that would assure its compliance with the intent of Congress. It was not easy to locate the 700 additional staff members and to prepare them for their new responsibilities. There was no backlog of instructional materials and equipment. Schedules had to be adjusted. Parents and other community leaders had to be consulted and in some instances building alterations were required, but we did the job, that is the important thing. In some cases we had lead time of only one week between the approval of programs and the mounting of the programs. . .

Delays in funding have impeded proper planning and staffing. I certainly hope that Congress will provide forward funding so that intelligent, ongoing planning and orderly implementation of projects can occur. Also with respect to funding, I would urge that appropriations be made at the full level of authorization. This causes considerable trouble and concern. In addition, consideration should be given to normal increases in costs such as regular salary increments for staff.

EXCERPT OF TESTIMONY OF MR. FRANCIS D. MURNAGHAN, JR., PRESIDENT OF THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS

Like all man-made diseases, however, the ailment from which we are suffering can be cured by man. I have tried to convince you today, by way of a few concrete examples, that we do know how to save our children; we do know how to fulfill our obligation to give each one of them an education as an individual. We are using the precious funds which we receive from the Elementary and Secondary Education Act in a cost-effective and educationally-effective way. We hope that the E.S.E.A. will be reenacted, fully funded, and rapidly expanded and that we will all join together to fight as educators, taxpayers, and legislators to make E.S.E.A.'s promise of a healthy America a great reality.

EXCERPT OF TESTIMONY OF MRS. G. THEODORE MITAU, VICE CHAIRMAN OF THE BOARD OF EDUCATION FOR INDEPENDENT SCHOOLS, DISTRICT NO. 625, ST. PAUL, MINN.

The federal fiscal year and the flow of annual appropriations for ESEA should more closely coincide with the academic year. Funds should be authorized for more than two years in order to permit more careful planning and eliminate the many present uncertainties that now exist. Normally, school budgets are made nine or ten months ahead of federal funding commitments, and it is difficult to know to what extent local matching funds should be earmarked and how much federal support should be anticipated.

EXCERPT OF TESTIMONY OF DR. EDWARD PALMASON, SEATTLE, WASH.

We would like to see funds authorized so that school districts can plan programs and secure personnel in ample time for the school year from September to June. In order to secure qualified personnel, school districts must hire teachers during the earlier spring months. This can not take place if funds are not authorized until late in the year, sometimes not until November.

EXCERPT OF TESTIMONY OF DR. RICHARD ANDO, HONOLULU, HAWAII

We share the common concern and suffer the same grief from the cutbacks in funds, the late funding and the inadequate funding of these programs as other school boards. I express my confidence that you are exerting every energy to resolve the problem . . .

Mr. Chairman, I thank you for the opportunity to give our unqualified endorsement to H.R. 514 and the purpose of the ESEA of 1965 and to share our views with you on the general concerns many have on the benefits of the program for the children of the families of the economically disadvantaged.

EXCERPT OF TESTIMONY OF MR. HAZEN SCHUMACHER, BOARD MEMBER AND PAST PRESIDENT, BOARD OF EDUCATION, ANN ARBOR PUBLIC SCHOOLS

We feel there has been a definite gap in the Congressional problem of the funds authorized and that appropriated. This has not only meant a reduction in the kind of programs we planned, but it has been extremely difficult for us to plan programs properly with the knowledge of the funds that will eventually be available. . . .

I understand there are some plans for forward funding of this. This would certainly be very helpful. We would certainly like to see something like a hundred percent forward funding, but some way that our school district can adequately plan ahead.

EXCERPT OF TESTIMONY OF MRS. MARGARET NIELSEN, PRESIDENT, BOARD OF EDUCATION, WEST BEND, WIS.

Since 1966 the Title I project has totaled $97,809.49. Of this, 79% has been appropriated for salaries, 8% for equipment, 9% for instructional supplies, 3% for remodeling, and 1% for other instructional costs. I have included a summary in my report.

The exact amount of funding has been uncertain until late each year. This has necessitated the time-consuming activity of rewriting parts of the proposal. It would be helpful to know the specific amount of the grant earlier. For example, at present we are developing budget for 1969–70 and require definite information that we will not receive until after July 1.

EXCERPT OF TESTIMONY OF MRS. FRANCES M. CARNOCAN, CHAIRMAN, NEA LEGISLATIVE COMMISSION, TRENTON, N.J.

Funding has been limited to say the least, as well as being untimely. We urge that these programs be carried forward for at least five more years, at which time a meaningful evaluation can take place. . . . .

First of all, Congress can help by providing for a five-year extension of Title I funds. Hopefully more funds will be available. By far the largest percentage of the Title I allocation is used for salaries. Each year there are mandatory increases in teachers' salaries, but at the same time our Title I allocation has been shrinking. This creates an impossible situation.

EXCERPT OF TESTIMONY OF DR. JOHN M. LUMLEY, EXECUTIVE SECRETARY, NEA LEGISLATIVE COMMISSION, AND NEA ASSISTANT EXECUTIVE SECRETARY FOR LEGISLATION AND FEDERAL RELATIONS, WASHINGTON, D.C.

What we want is a long-time extension with forward funding so they in turn can give the school district the opportunity to plan.

EXCERPT OF TESTIMONY OF MR. G. WARREN PHILLIPS, SUPERINTENDENT OF SCHOOLS. VALPARAISO, IND., AND CHAIRMAN, AMERICAN ASSOCIATION OF SCHOOL ADMINISTRATORS, FEDERAL POLICY AND LEGISLATION COMMITTEE

Continuing to use my own school district as an example, in fiscal 1969 the amount of money in the Title I program per child is approximately 30 percent less than it was in fiscal 1966. In varying degrees this would be true in almost every school district. The program is more underfunded than it has been in the past.

In the past three years the administration of Title I has been simplified. It needs further simplification, greater flexibility, less red tape—above all, it needs more money. It also needs advanced funding and the certainty that it will continue. It is still very difficult to secure and retain well-trained staff because of the feeling of uncertainty as to when and if Congress will appropriate and how much money will be allowed. . . .

We endorse this Act (H.R. 514) and recommend:

1. That it be fully funded.
2. That it have an advance authorization of at least three years—preferably five years.

FEDERAL PRIVACY ACT REINTRODUCED

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD).

Mr. KOCH. Mr. Speaker, last Wednesday, February 19, I introduced the Federal Privacy Act. Today I am pleased to reintroduce my bill on behalf of myself and 17 Members of the House.

This bill is designed to protect the individual citizen from unauthorized disclosure or use of personal information collected by various Federal agencies. Most people are not even aware that such information is being collected and maintained in agency files. My bill provides the individual citizen with the opportunity to examine his own record and have copies made at his own expense, and to supplement his file with information believed pertinent for the record. The agency is enjoined from unauthorized disclosure of the file except with permission of the individual. A written record must be kept by the agency showing the names of all of those who inspect the record. As necessary safeguards, exceptions are made in cases involving national security, and the names of informants are not to be disclosed.

The sponsors of the Federal Privacy Act are: JACKSON E. BETTS, MARIO BIAGGI, JONATHAN B. BINGHAM, GEORGE E. BROWN, JR., PHILLIP BURTON, JOHN CONYERS, JR., WILLIAM JENNINGS BRYAN DORN, DON EDWARDS, SEYMOUR HALPERN, HENRY HELSTOSKI, ROBERT W. KASTENMEIER, ROBERT L. LEGGETT, CLAUDE PEPPER, BERTRAM L. PODELL, OGDEN R. REID, FRED SCHWENGEL, and OLIN E. TEAGUE.

I invite the cosponsorship of other interested Members of the House.

A CALL FOR RECONCILIATION

(Mr. KOCH asked and was given permission to address the House for 1 minute.)

Mr. KOCH. Mr. Speaker, as my colleagues in this House know, on February 9, 1969, I wrote to President Nixon proposing that he use his Executive power to redefine the status of the conscientious objector so as to include in that definition those who are selective conscientious objectors and who oppose, in this case, the Vietnam war. My proposal to the President is not that of a general amnesty—such an amnesty could only come after the war had been concluded—but rather it would require that the young man who established that he was in fact a bona fide selective conscientious objector, perform an acceptable form of alternative service as is presently available to the conscientious objector.

To date, the White House has not replied nor acknowledged receipt of the letter.

I do believe that the present law permits the selective service boards to accord selective conscientious objector status to those who establish that they are opposed to a particular war and their opposition stems from the same depth of conscience as resistance to participation in all wars—that is to say, it is one based on religious and ethical revulsion against a particular conflict.

It is my intention to remove any ambiguity whatsoever by introducing legislation at this time which specifically clarifies the existing statute and requires the designation of selective conscientious objector status to those who qualify as such.

This is not a careless or radical proposal. The substance of this legislation has been endorsed by the National Council of Catholic Bishops, the World Council of Churches, and the Governing Council of the American Jewish Congress.

This Congress can do what the President has said he would do—and that is to bring this country together. A major step would be to permit those who have exiled themselves and gone to jail, out of conscience, the opportunity of coming back into the mainstream of American life.

It is my hope that the President of this country will not wait for this legislation but will by Executive action take the first step to reconcile the gross antagonisms which exist in our divided country and which are the result of the most unconscionable and unpopular war in our history.

TAX REFORM

(Mr. FRASER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FRASER. Mr. Speaker, each year at this time our Federal Government directly and personally touches the 110 million American citizens who pay Federal income taxes. As April 15 approaches we share a growing awareness of our ever-larger obligation to finance the operation of government.

Although Federal tax rates are lower today than 5 years ago, the cumulative impact of all taxes—local, State, and Federal—is making the taxpayer wince. So it is understandable that more and more taxpayers are demanding a tax system which distributes the burden more equitably.

On paper our tax system is progressive—the rate of taxation increases as income rises. But when we examine the system in actual practice we find that the basic tax rates have little meaning for those people at the upper brackets. Through a "crazy quilt" system of loopholes, very wealthy people can arrange to pay little or no income tax. According to the Internal Revenue Service, at least 20 people with incomes in excess of $1 million paid no tax at all during 1967. The following case example in a recent Newsweek article shows how this legal tax evasion was accomplished:

> Taxpayer "C" has a total income of $2.3 million. Part was capital gains, the deductible portion of which reduced taxable income to about $1.9 million. Against this, taxpayer "C" had a 27½% oil and gas depletion allowance of $900,000 which brought taxable income down to $1 million. Taxpayer "C" also had a farm "loss"—most of it resulting from a heavy investment in new breeding cattle—of more than $800,000. This "loss" together with nearly $200,060 in normal personal deductions, reduced taxpayer "C" taxable income to zero.

While "Taxpayer C" pays no Federal tax on his income of $2.3 milion, the average American taxpayer, with a family income under $15,000, often finds that 25 percent of his income goes to pay local, State, and Federal taxes.

Today I am introducing legislation which would help eliminate this basic inequity in our tax system. My bill will require a minimum tax of 20 percent on all income over $50,000 a year—regardless of source.

In addition the bill would:

Cut the oil depletion allowance from 27½ to 10 percent.

Tax capital gains presently untaxed at death.

Eliminate special tax treatment for stock options.

Eliminate tax benefits derived from organizing multiple corporations from a single firm.

Establish the same rate for gift and estate taxes by raising the gift tax rate 25 percent.

Limit hobby farmers' use of farm losses to offset other income.

Eliminate accelerated depreciation on speculative real estate.

Require that Government bonds used to settle estate taxes be valued at current market prices.

In addition to the tax inequities they create, these loopholes can have a negative social impact. The accelerated depreciation allowance on speculative real estate, for example, has indirectly contributed to the deterioration of older rental housing in our central cities. Under this particular loophole, a tax advantage is gained from rapid turnover of unimproved slum property.

Enactment of this legislation would bring in close to $15 billion a year in additonal revenue. This added revenue would permit the Federal Government to respond more adequately to the desperate needs of our cities in education, in housing, in job training, in transportation.

The passage of this bill will certainly not solve all our economic problems. But it represents a long overdue effort to deal with a major inequity in our governmental system.

CHAIRMAN DULSKI INTRODUCES BILLS REGARDING EMPLOYEE-MANAGEMENT RELATIONS IN THE FEDERAL GOVERNMENT

(Mr. DULSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DULSKI. Mr. Speaker, one of the most urgent needs of the Government today is a strong statute to establish a modern, workable, and effective employee-labor management relations program.

H.R. 4, the postal reform bill which I introduced on the first day of the 91st Congress, includes such a program for the postal field service. It is a model program that will serve the best interests of postal management, postal employees, and the public they serve.

Today I am introducing three additional bills, each of which provides for the creation, by law, of employee-management relations programs affecting Federal employees.

These new bills are consistent with the general policy that Federal management-labor relations should be governed by statute, as contained in H.R. 4 with respect to postal employees. They differ somewhat in coverage of employees and in methods and procedures for dealing with various employee groups.

I am introducing these additional bills in order that the Congress may have an opportunity to consider all responsible legislative proposals dealing with Federal labor-management relations.

ADDRESS OF AMBASSADOR ELLSWORTH BUNKER

(Mr. DORN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DORN. Mr. Speaker, Ambassador Ellsworth Bunker delivered an outstanding address to the American Chamber of Commerce on January 16. Ambassador Bunker is one of the greatest diplomats of our time. I commend to the attention of my colleagues in the Congress, and the people of the free world, this superb address of Ambassador Bunker:

TEXT OF AN ADDRESS BY AMBASSADOR ELLSWORTH BUNKER

Gentlemen, it is always a pleasure to be invited to lunch with you and have the opportunity to talk to you about our common problems and concerns. Since I last had the privilege of addressing the Chamber in June, 1967, many eventful happenings have occurred in Viet-Nam.

In the history of Viet-Nam, the year 1968 has been one of great importance and significance for this country. I believe that the perspective of history will show that 1968 was the year that saw the confidence of the Vietnamese people and their government emerge and grow, secure in the belief that they had a growing capacity to defeat the forces of aggression that beset them and to preserve the freedoms and institutions they had established for themselves.

What were these events that brought about this quiet but vital change—a change not fully appreciated in many quarters of the world, but nevertheless dramatic? Looking at the past year, I would say that certain events stand out most prominently.

The Tet, the May–June and the mid-August–October enemy offensives;

The speech by President Johnson on March 31 and the partial bombing halt;

The beginning in May of the talks between the United States and North Viet-Nam in Paris;

The October 31st speech by President Johnson and the complete halting of the bombing of the North;

The departure on December 7 of the South Vietnamese delegation for the new Paris talks.

These events, very dramatic and well publicized, were in a sense the product of externally originated forces. There are others, which might be described as more domestic in nature, that have had an equally profound effect on this nation and its future. Among these I would particularly note:

The establishment of a broader based Government under Prime Minister Huong in May; the establishment of democratic institutions—the Supreme Court, the Inspectorate—provided for by the Constitution; the strengthening of the constitutional processes; and the enactment of basic laws derived from the Constitution.

The changes in key civil officials, particularly at the province levels; the development of the training programs to increase the effectiveness of local government administrators; and programs to eliminate corruption.

The enactment of the General Mobilization Law establishing priorities for the use of the nation's manpower which has resulted in more than a million men being under arms.

The improvement in the combat capability of the Vietnamese Armed Forces, so evident with the beginning of Tet; the changes in key military personnel along with Command reorganization; the rearming and equipping of the military with modern weapons and material; the improvement of the Capital Military District defenses; and the establishing, training and arming of the People's Self Defense Forces.

The beginning of the Accelerated Pacification Campaign, including its emphasis on territorial security and on neutralizing the Communist infrastructure.

And the establishment of the Industrial Reconstruction Fund, the enactment of the War Risk Insurance Law, the promotion of improved rice strains and measures to assure stability in the economic sector.

In order to put all these events into perspective and to see what their meaning in Vietnam has been in 1968, I would like to outline for you the major trends as I see them at the end of the year.

What the year began, President Thieu's government had been in office about two months and the process of organizing itself had just gotten under way. Though the nature and character of this new administration had not yet begun to emerge, there were many forecasts made on its likely direction its life expectancy and its representativeness. When the Tet attack occurred, a number of eminent Americans and several leading American newspapers made some rather dire forecasts about the future of President Thieu's government. Well, at the end of the year the Government is still around and I wonder what they would predict now.

The difficulties and complexities of the problems that the GVN faced during the year, and for that matter still face, are obvious. They and we, with our allies, have been enaged in fighting a limited war, for limited objectives and with limited resources. At the same time the GVN has been endeavoring to carry out a social revolution involving the political, economic and social fabric of their society.

Looking at how they have done, the first observation I would make is that the evolution of the constitutional process and the pacification program, taken together, seem to me equally as important as the military effort in gaining our objectives. I think we can fairly say that the war is now being fought on both the military and political fronts with increasing effectiveness.

The decision in April 1966 to hold elections for a Constituent Assembly, which took place on September 11 of that year, was the start of the political offensive against the Communists. The military leadership should be credited with seeing the great value of that step. The move toward democratic institutions has proved to be an effective political complement to our military offensive.

With the move toward constitutional government, it became possible to express opposition in non-violent ways. Political opposition was channeled into legal and on the whole constructive efforts; first, to win election to the Constituent Assembly, then to influence the writing of the Constitution and the electoral laws, then the village and hamlet elections, and finally to compete in the national elections for President, Vice President, and the two Houses of the National Assembly in September and October of 1967.

I believe that the establishment of a stable, functioning, constitutional government here will speak louder than anything else in demonstrating to the Viet Cong and to North Viet-Nam that South Viet-Nam is here to stay. Progress has been made toward the establishment of such a government, especially since the formation of Prime Minister Tran Van Huong's Cabinet last May. The present government is generally regarded as the strongest and ablest one South Viet-Nam has had in a decade. It is growing in effectiveness, growing in self confidence, and is beginning to generate popular support and acquire popular confidence.

The legislative and executive branches are working fairly well together. Although there are no parties in the strict sense, a substantial majority of both houses support the present government. While the important nationalist and political forces have not yet joined together in order to meet the communist political threat, there is a growing public awareness of the need to bring together those forces on the national basis in support of the present form of government. In the past year, we have begun to see the first efforts in the direction of forming such political associations.

On other fronts I would note that a campaign against corruption and to improve administration is being carried out. Since Tet, 24 province chiefs and some 57 district chiefs have been removed and the main reason in many cases was corruption or incompetence. The police forces are being improved and strengthened and over 800 were disciplined or fired. Efforts to improve and professionalize the task of government administration can be seen in the training programs for officials and the placement of such individuals in key positions at the district and province level.

As a general comment, I would say that, though the government is stronger and more effective today, it nevertheless must be made more effective and the administration more responsive to the public need. The nation's leaders know this and are working toward it.

This brings me to the next major topic—pacification. If pacification eventually succeeds, there will be nothing left for the North Vietnamese to support. We will have simply cut the ground out from under their feet. At the present moment, the military situation is favorable to the GVN in its undertaking of its "accelerated pacification campaign," under President Thieu's enthusiastic leadership.

More than eleven hundred hamlets which were regarded as "contested" between the VC and the government at the beginning of last November are the targets of an accelerated program to bring them into the "relatively secure" category by January 31. By the end of 1968, a stronger government presence had been established in nearly all of these hamlets. The emphasis is on territorial security, primarily through Regional and Popular Forces; on the creation of People's Self-Defense Forces; on the attack on the VC infrastructure; on a stronger Chieu Hoi program to get the enemy to rally to the government; on an improved village and hamlet administration; and perhaps most importantly, on the involvement of the people in their own development.

As in many other areas, pacification can be accomplished only by the Vietnamese. This effort requires planning, organization and a vast amount of training. An enormous amount of resources are devoted to this effort—the RF/PF, the National Police, the RD cadres and the resources of many ministries. In carrying out this complex program we find some of the same problems that exist in other areas, that is to say, a shortage of managerial talent and in some cases, lack of motivation. Nevertheless progress is being made:

In expanding areas of security;

In identifying and rooting out the Communist infrastructure;

In training and improving the quality of the pacification cadres;

In training the newly elected village and hamlet officials in the processes of local government;

In getting people motivated and involved in problems of their own development and well being.

I think that the reports of the Hamlet Evaluation system provide us with a reasonable indicator of trend lines so far as the pacification program is concerned. You will recall that when the year began we considered that about 67 percent of the population was under GVN control. As a result of Tet, this dropped to just under 60%. As of December 31 just over 76% of the population was under GVN control; a little over 12% was under VC control; and the remaining almost 11½% was in the "contested" category. I feel the more meaningful figures are those concerning the rural population. On January 1st last year almost 53% of the rural population was considered under GVN control. After Tet this dropped to about 44%, but by December 31st it had surpassed the January figure and was a little over 65%. Rural population that was under VC control at the end of December was down to a little less than 19%. I cite these figures not as absolutes but rather to demonstrate trends since the statistics themselves are sensitive to the overall military situation of the moment as well as to the progress of the pacification program.

I would now like to comment on the economic situation at the end of 1968. During the past two years of rapid buildup of the armed forces, the economy adjusted as well as could reasonably be expected. The economic strategy followed by the GVN during that period worked quite well. Massive imports coupled with port improvements have held import prices nearly constant for the last 18 months. Tight ceilings on US piaster expenditures have held down US spending pressure on the economy. The devaluation of two and one half years ago brought about a sharp reduction in the rate of increase of money supply. Last year, however, that rate rose rather sharply, primarily because of the mobilization. So far, despite the increase of money supply, price rises have been relatively moderate.

While the major port improvements occurred in 1967, the start of 1968 saw the port in good shape and this was sustained all through the year. Losses and diversions of goods and supplies in 1968 were at new lows and compare favorably with ports in other countries.

The threat of further inflation, nevertheless, must be recognized. The mobilization entails added expenditure, although this has now slowed down as force level targets are being reached. Consumer and investment expenditure, for a long time, dampened by lack of confidence, has been reviving cautiously. The money supply increased over 55% in 1968, compared to a 30% increase in prices. As confidence grows pressure on prices will undoubtedly continue. The government is aware of the problem and has taken some measures and is holding some in reserve. We don't believe that they are fully adequate; and the threat of inflation continues to be a major problem as we enter 1969.

But apart from the control of inflation, economic development must be pursued as a means of political progress, especially as it relates to the more than half of the Vietnamese who live in the villages and hamlets.

A further stimulus to economic development in the rural areas can come about through the local elections in the villages and the hamlets—an outgrowth of the Constitution and the return to local self-government. This can have an important effect in involving the rural people in their own development and in achieving permanent pacification of the countryside. Rural development is not a luxury to be enjoyed in spite of the war; it must be achieved to win the war.

We must look ahead also to long range economic development so that the Vietnamese people may be able to see pictures of their future—new fertilizer plants, refineries, and extensive water control systems in the Delta. These people need dreams to lure them on to a vista beyond this seemingly never ending war. These are sensible dreams. This spring, the Lilienthal group which has been working on post-war plans will submit its report, and we as well have been working on this matter with the appropriate GVN officials.

I suggest there is no better political weapon than that of getting the Vietnamese involved in their own development, to let the people themselves plan and carry out development activities through which they can increase their incomes and improve their lives. The GVN is taking on more and more responsibility and we are lessening, even eliminating, the U.S. role in some areas. This is an essential task and we have made a start.

Pacification and economic progress cannot succeed without continuous security in the cities, villages and hamlets. This can only be provided by the Vietnamese Armed Forces, the RF/PF, the National Police and the People's Self-Defense Forces. All are undergoing more or less reorganization and intensive training programs to improve their capabilities and performance. In the new period we are entering, the RF/PF, the police and the self-defense forces will play an increasingly important role.

To see how they are performing, we might look at the period of the Third Offensive, August 18–October 5. As a result of actions during that period the Vietnamese Armed Forces killed 11,700 of the enemy compared to 10,400 killed by U.S. forces. They lost 2,700 killed compared to less than 1,500 U.S. killed. For the entire year of 1968 their performance shows that they killed more than 80,000 of the enemy and lost 17,486 killed in action on their side. These statistics are more impressive when one remembers the difference in artillery and air support which the U.S. forces receive.

There are of course still many problems confronting the Vietnamese armed forces. They need better arms and equipment, which we are now providing; better training; in some cases better leadership; and desertions continue to be a problem. But the improvement in the Vietnamese defense forces this year has been dramatic. At Tet a great many units, including RF/PF and police, fought exceptionally well. This is particularly notable since it was against a surprise attack and these units were frequently under strength. Performance since then has improved unevenly but in many cases impressively.

A complicating aspect of providing the additional manpower for defense purposes is to see that essential personnel are not drained away from the civilian sector, thus causing damage to supporting governmental functions and to the economy.

Turning to what 1968 meant to the enemy I would say that the year was also an eventful one for him, as well, for he saw many changes occur. He saw the military initiative largely pass to friendly forces. His main forces have increasingly been driven back into remote areas and his local forces have been encountering more and more difficulty in maintaining his logistic system against our relentless attacks. Both US and ARVN forces are operating deep in what had always before been regarded as enemy base areas. As a result, we have taken from him unprecedented amounts of weapons and ammunition. In 1968 we took from caches and captured more than 58,000 individual weapons, 10,000 crew-served weapons, 2,750 rockets, and 5,000 tons of rice and salt. This compares with the total weapons taken in 1967 of 28,873 individual weapons, 2,856 crew-served weapons and 817 rockets.

The enemy's first two offensives, while they were military defeats, secured him some material and psychological advantages. The heavy loss of life, civilian as well as military, the creation originally of more than 1,000,000 evacuees, and the destruction or severe damage to upwards of 150,000 homes and to a number of industrial plants, created both a psychological strain and a heavy drain on resources. In the countryside, there was reduced security in some areas and, as I have noted, the relatively secure population fell from 67% on January 1 to just under 60% after Tet. And these offensives had a great psychological impact in the United States and around the world, much greater than here in Viet-Nam. I went back to the U.S. for 3 days in April, 1968 and was frankly shocked with what I found.

Significantly, what the enemy has called his Third Offensive was defeated away from major population centers. Because the previous pattern of withdrawal of friendly forces from the rural areas to defend cities and towns was not repeated and because we exercised more caution in the use of firepower against the enemy in populated areas, he was denied even the advantages he had achieved, at a fantastic price, in the first two offensives. And he paid dearly for this third venture. The total enemy killed August 18th-October 5th, about 25,000, was over 77% of the losses he suffered during the same number of days in the attacks which began May 5th. At the end of October he had nothing to show for this major effort.

Within the country itself, the Communists have an infrastructure that enables them to control a still significant part of the rural population. Recognizing the importance of

this control in the Paris negotiations, they are making a major effort now to legalize this mechanism by means of hamlet, village, district and province Liberation Committees. Most of these committees are simply existing bodies under a new name. Our analysis shows that of this category 65% are in VC controlled territory, 15% in contested areas, 15% in GVN controlled areas and 5% in abandoned hamlets. By virtue of these Committees, the Communists will continue to claim falsely in Paris that they exercise authority in major populated areas of South Viet-Nam—that they control 80% of the area and 10 million of the population. I expect the NLF and Hanoi to do their utmost along this line during the negotiations.

At the beginning of 1969 the enemy's problems are greater than they have ever been. There are many indications that he is faced with a weakening of morale and of his confidence in victory. But I do not wish to leave the impression that he has no remaining assets. He is still able to infiltrate regular forces, mainly through Laos. The use of Laotian and Cambodian sanctuaries gives the enemy great advantages. He continues to be supplied by the Soviets and the Chinese with a wider range of the most sophisticated weapons. He still has a functioning infrastructure in the country which he can employ for military and political purposes.

Despite these advantages, however, I believe the pressure is on the enemy to change his strategy which hoped for a military breakthrough in 1968 by means of conventional warfare. I think it is more likely that he is simply returning to safe havens to build up his forces. But, I also believe that he will decide that it is too costly. He might decide to negotiate seriously at the new talks in Paris. Or he might, without admitting any change in policy has occurred, drop the level of military activities back to something like what Truong Chinh had in mind when he wrote of "protracted war." In either case, his aim would be to bring about US withdrawal from South Viet-Nam after which he could take it over.

We have frustrated his offensives, we have attacked his infrastructure, and he has suffered serious losses in killed, wounded, captured and defections. Nevertheless he has the capacity to launch new attacks against GVN and allied forces and at the population centers. He can do this in a dramatic manner and he may well try to do it, hoping to affect the negotiations in Paris and American and world opinion.

Finally, on the negotiations in Paris, I believe that they will be long, tough, complex and arduous. I do not look for solutions to be arrived at simply and with rapidity. While we seek to reduce the level of violence through the talks in Paris, I would point out that the enemy can easily accomplish this any time he wants. The real question is whether he sincerely wishes to take this step towards peace. I believe he will pace his steps to gain for himself the greatest advantage possible seeking to use the implied threat of continued violence as leverage on us.

In closing I want to say that casting up a balance sheet is obviously a difficult and complicated undertaking involving as it does many factors, questions of judgment, and some imponderables.

I have stressed some of the progress that has been made. But many unsolved problems still remain. Perhaps the greatest is the political and psychological success which was achieved by the Tet offensive both in the United States and abroad, and which the subsequent progress I have described here has only partially offset.

There is much work still to be done and many obstacles still to be overcome. Balancing out the pluses and minuses, however, I believe none of the latter are insuperable. The Vietnamese are intelligent, hardworking, and when properly encouraged and well led perform effectively. We have had a good measure of success, I believe that we are making steady progress and that we are gradually achieving our objectives in Viet-Nam. If we stick with it long enough—and this is not a short term proposition—I am confident that we shall have reasonable success in achieving our objectives.

Thank you.

EQUITABLE SYSTEM FOR FIXING AND ADJUSTING THE RATES OF COMPENSATION OF WAGE BOARD EMPLOYEES

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, I have today introduced a bill entitled the "Prevailing Wage Rate Determination Act of 1969," whose purpose is to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees.

Because the number of wage board employees exceeds 765,000, this bill is of vital concern to one-fourth of all employees of the Federal Government. It directly affects their wages, their own individual rights and obligations as well as the rights and obligations of their union representatives who are bargaining for them and who represent them on the various wage board committees established by this bill.

Basically, my bill is intended to bring order and system out of the chaotic situation which now eixsts in the Federal Government's procedures for fixing the rates of pay of employees working under the so-called prevailing wage rate system. The information which I have been receiving for some time showed such a great discrepancy between rates of pay for wage board employees performing the identical functions and working in the same community that I found that the presumption of serious inequity and injustice could not be excluded.

This bill would reduce such a possibility of inequity.

While remedying abuses, the bill will preserve, nonetheless, the concept and procedures of the "prevailing wage" system. It thus is not a modification of the wage board system itself but simply a measure to eliminate injustice and inequity by providing new mechanisms to establish basic regulations, to conduct wage surveys and to adjudicate or arbitrate differences.

The most important single improvement in my bill over the present arrangement is that it will give a statutory foundation to improved procedures for wage board rate determinations. The principal instrumentality provided by the bill to assure that such a policy is pursued is a newly created standing committee within the Civil Service Commission, to be known as the National Wage Policy Committee.

Composed of 11 members, the National Wage Policy Committee will have as its Chairman a person who shall be from outside the Federal service and who shall be appointed directly by the President and shall hold no other office in the Federal service during his tenure as Chairman.

To assure that the Chairman is objective, my bill provides that he will serve exclusively at the pleasure of the President of the United States and that his compensation will be $75 for each day spent in the work of the Policy Committee.

In addition, the Policy Committee will have five Federal employee union representatives and five management representatives.

The Federal employee union representatives will be appointed as follows:

Two by the president of the AFL–CIO; and one each appointed respectively by the president of the Federal employee union representing the first largest, the second largest and the third largest number of Federal employees subject to this act.

The five employer representatives shall be appointed to the National Wage Policy Committee as follows:

Two management representatives will be appointed by the Secretary of Defense, at least one of whom shall be appointed on a rotational basis for a period of 2 years from the Department of the Army, the Department of the Navy, and the Department of the Air Force;

One management representative from the Veterans' Administration will be appointed by the Administrator of Veterans' Affairs;

One management representative from the Civil Service Commission will be appointed by the Chairman of the Civil Service Commission; and

One management representative will be appointed, on a rotational basis for a period of 2 years, by the Chairman of the Civil Service Commission from Federal agencies which are leading employers or employees subject to this act.

In addition to establishing the National Wage Policy Committee, my bill will require each Federal Department or independent agency designated by the National Wage Policy Committee to establish an Agency Wage Committee, composed of five members. The role of the Agency Wage Committee will be to assure the implementation within the agency of the wage surveys through the functioning of the local wage survey committees.

A most important feature of my bill is the inclusion under its wage rate system of all employees who are now paid from so-called "nonappropriated funds." These employees will no longer be considered outsiders to the wage board, or prevailing wage rate system. They will be assured equity and justice in the same manner as if they were receiving their pay from appropriated funds. Certainly, it is improper that an employee should receive less money for his work simply because his employer or manager draws his checks on a different bank account.

As with all legislation, I realize that this bill may emerge in somewhat different form when it is finally enacted. However, on the basis of my experience, I am sure that the final statute will not be very much different in its essentials than the bill which I introduced today.

LABOR-MANAGEMENT RELATIONS IN THE FEDERAL SERVICE

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, I have today introduced a bill, to provide a legislative basis for labor-management relations for employees of the Federal Government. Entitled the "Federal Employee Labor-Management Act of 1969," this bill is the result of consultation with the executive branch of the Government, with unions of Federal employees and with my colleagues.

During these consultations, I found that there is general recognition that the Federal Government has already greatly benefited from the existence of Executive Order No. 10988, entitled "Employee-Management Cooperation in the Federal Service," which the late President Kennedy issued on January 17, 1962.

There is also general recognition of the fact that, after 7 years of experience under that Executive order, the time has come to establish labor-management relations on a legislative, statutory basis.

Although my bill has relied heavily on the main outlines of Executive Order No. 10988, it incorporates a number of major improvements which were devised explicitly to provide the major improvements indicated by the experiences of the past 7 years.

The most important innovation envisaged by my bill is the creation of an independent three-member Federal Service Labor Management Relations Board to direct and supervise labor-management relations in the Federal service. The Chairman of that Board shall be appointed by the President with the advice and consent of the Senate. One member shall be appointed by the President from a list representing labor unions; and one member shall be appointed by the President from a list representing Federal management. In order to assure expeditious action I have written into my bill the provision that the Board's actions will be determined by majority vote.

One of the most important functions of this Board will be to promulgate rules and regulations which will be followed by all Federal departments and agencies in developing and administering labor-management programs.

To put teeth into this provision, I have stipulated in my bill that whenever this Board finds that a department or agency has failed to develop an adequate labor-management program, or has permitted violations to occur, the Board shall itself assume full responsibility for labor-management relations in that department or agency until the latter can produce evidence of its intention to eliminate its shortcomings.

In this way, I expect, a standard, uniform administration of the letter and spirit of labor management relations will follow.

Because I wanted to be absolutely certain that the new Board could draw upon the best recources available in the executive branch concerning labor-management affairs I have also included a requirement that the Civil Service Commission and the Department of Labor will provide necessary assistance to the Federal Service Labor Management Relations Board in developing proposed standards of conduct for employee organizations and a proposed code of fair labor practices in employee-management relations.

I am aware that every bill and every law is a result of the growth of understanding in the Congress about the subject matter to which it applies. My bill will undoubtedly undergo changes in its progress through the legislative process. However, I am confident that the bill which eventually emerges as law will include a provision for a Board more or less like the one I am proposing with powers and functions more or less like those I have outlined.

For this reason, I look upon this bill as one likely to receive early acceptance and to be enacted in this session of Congress.

WALTER M. HIGLEY

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, recently the religious community in central New York paid tribute to a man who since 1960 has served as bishop of the Episcopal Diocese of Syracuse.

It is a mark of the esteem in which Walter M. Higley was held by his colleagues that the ceremonies honoring his retirement were distinguished by an unusually large representation of other faiths in the diocese.

Walter M. Higley, the son of Mr. and Mrs. Homer Higley, was born in Norwich, N.Y., on January 23, 1899. He was educated in the public schools of Norwich, at Phillips Academy, Andover, Mass., and Columbia University, graduating in 1922 with a bachelor of science degree.

He studied for the ministry at General Theological Seminary, New York City.

On October 18, 1922, he married the former Marion Carr Mason. They have four children.

The Right Reverend Walter M. Higley was ordained a deacon on April 14, 1925, by Bishop Fiske. As deacon, then priest-in-charge, he ministered to Christ Church, Jordan; Emmanuel Church, Memphis; and St. Paul's Church, Port Byron, N.Y. He was rector of All Saints Church, Johnson City, from September 1, 1929, to January 31, 1943, when he was made archdeacon and secretary of the diocese. When the two offices were separated in 1948, the Venerable Walter M. Higley continued as archdeacon until his election as suffragan bishop of the diocese of central New York at the Diocesan Convention of September 15, 1948.

At the diocesan convention of 1959, Bishop Higley was elected bishop coadjutor of the diocese. When Bishop Peabody retired February 1, 1960, Bishop Higley became the diocesan bishop and was instituted on March 26, 1960, at St. Paul's Church, Syracuse, by the late Right Reverend Arthur Lichtenberger, presiding bishop of the Episcopal Church.

During his ministry, Bishop Higley has held many important diocesan appointments. He was a member of the diocesan council, 1931 to 1943; chairman of the department of Christian education of the diocese, 1935 to 1944; chairman of the department of missions, 1944 to 1960; a deputy to the provincial synod, 1929 to 1943; and deputy to general convention, 1943 to 1946.

By appointment of the presiding bishop, Bishop Higley has been chairman of the advisory committee of the church for work among the deaf. He is a member and past president of the board of New York State Council of Churches. He has also been a member of the board of trustees of the Manlius School.

Among the honors bestowed upon Bishop Higley are an S.T.D. degree in 1949 from General Theological Seminary, a D.D. from Hobart College in 1962, and a D.S.T. from Syracuse University in 1964.

Mr. Speaker, I would add only this note to the many honors Bishop Higley has received. May his successor serve with the same compassion, insight, and sense of Christ-oriented unity which Bishop Higley brought to his office.

I pray that God will grant him many more years of health and happiness and that we in upstate New York will remain the beneficiaries of his wisdom and counsel.

SERVICE ACADEMY APPOINTMENTS

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, in my judgment, one of the most important responsibilities of a Member of Congress is the matter of service academy appointments. We realize that the boys who are selected for admission will be cast into our Nation's and perhaps the world's most competitive arena, an arena which will challenge both their physical and scholastic prowess.

Beyond this immediate challenge, however, it is reasonable to assume that one day many of these appointees, in roles of leadership, will be required to make similar judgments, the soundness of which could have serious ramifications involving human lives and the national interest.

For these reasons, since entering Congress, I have tried to recognize my responsibilities in a most conscientious manner. The determination with respect to academy appointments in my district is made by an advisory board composed of a cross section of outstanding community leaders. I accept their recommendations as final.

Realizing further the importance of the position an appointee has assumed, once he has been admitted to an academy, I make it a point to keep abreast of his activities and performance. I am pleased to report that my observations on the appointees from the 34th Congressional District of New York have been most favorable. These observations confirm my belief that our selection process is a good one and they stand as a tribute to the members of the advisory board.

In my continuing observation of the performance of the appointees, Mr. Speaker, one young man continually reflected special dedication to his responsibility and consistently exemplified a truly outstanding cadet at the Air Force Academy. For instance, he had been selected, as a first classman, to wear a silver wreath, designating outstanding military performance. He had also been chosen wing materiel officer with the rank of cadet lieutenant colonel.

I refer, Mr. Speaker, to Cadet James E. Scott, who in my judgment, had so much to offer the future of our Nation.

Unfortunately, last Sunday evening, God saw fit to take this outstanding young man from our midst. As he was returning to the Academy from an auto trip to Denver, a tragic accident occurred, resulting in Jim's death.

Men of my faith use the phrase, "It was God's will," and so it was, for apparently, Almighty God, observing, as so many of us who knew him did, that Jim had already proven himself on earth, decided, at age 21, to take him to his reward.

His mother and dad, sister and grandparents, I feel certain realize that all who knew Jim share their deep loss. America has lost a potentially great leader.

HOW PURE ARE TAX-EXEMPT FUNDS?

(Mr. FEIGHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FEIGHAN. Mr. Speaker, the tax laws regarding tax-exempt foundations must be altered. Some of these foundations frequently abuse their tax-exempt status. For instance, a wealthy individual can set up a tax-exempt foundation. He can then lease space in an office building he owns to the foundation and charge the foundation exorbitant rent. He can make a large profit in this manner. Or, a wealthy individual can establish a corporation and then borrow money from it over a long term with no interest. Another example occurs where a person establishes a nonprofit corporation which operates profitmaking companies. He then, as president of the nonprofit corporation, pays himself and others exorbitant salaries.

My colleague, the Honorable WRIGHT PATMAN, is to be commended for his great concern in protecting the public against predatory practices by certain foundations. Also, I am pleased that my colleague, the Honorable WILBUR MILLS, is presently conducting hearings on tax reform and is considering the problem of tax-exempt funds.

A particularly informative editorial appeared in the Plain Dealer, of February 19, 1969, examining the problem of Federal tax treatment of nonprofit corporations.

The abuses practiced by foundations must be stopped.

I recommend that each of you read carefully the following editorial.

HOW PURE ARE TAX-EXEMPT FUNDS?

For 20 years tax-exempt foundations have been growing and multiplying without being subjected to any thorough public scrutiny.

Yesterday the House Ways and Means Committee opened a deep, searching inquiry into those tax-exempt funds. This is a good project undertaken at a good time—when the average taxpayer, his burden increasing, looks askance at anyone or anything enjoying tax-free status.

There are more than 30,000 private, tax-exempt organizations known to the Internal Revenue Service. They wield some $20 billions in money power.

That power runs unchecked by any action by the public. Without having to put anything to a popular vote, tax-exempt funds such as the Ford Foundation choose one side in a political argument and throw plenty of weight in the direction which its social thinkers think is right.

Ford financed the experimental Ocean Hill-Brownsville School decentralization, which caused such a public ruckus in Brooklyn. Ford poured money into Cleveland's CORE chapter for voter registration—giving Carl B. Stokes' candidacy for mayor a special boost.

But this is only one chunk of a huge pyramid of problems among these funds. Granted tax freedom, they owe something to the public which pays those tax dollars which they do not have to pay.

Some funds have been used as gimmicks for tax evasion. Rich men have stowed wealth away under cover of a "philanthropic fund" which served to mask stock manipulations, to evade inheritance and gift taxes.

Some funds are only a yellowing set of papers in some lawyer's files, and a bank account out of which he draws his fees every year, for doing nothing worth mentioning for any public purpose.

Some funds and tax-free associations make a lot of money, which can legally be voted into salaries that are only snug, comfortable sinecures for paper-shufflers.

U.S. Rep. Wright Patman, D-Tex., has been the chief gadfly and the chief skeptic about tax-exempt foundations. He will be teeing off on the worst offenders as the inquiry proceeds.

Tax exemption is a subsidy paid for by the taxpaying public. Yet sometimes tax-exempt foundations pay out grants supporting extreme and antisocial groups. Has the public no appeal then?

Under the charismatic words "philanthropy" and "nonprofit," a lot of unusual things are being allowed. The sheer power of the biggest, most aggressive of the funds makes one stop and wonder, and ask questions which will be raised in these hearings on Capitol Hill.

THIS IS LIBERALISM?

(Mr. GROSS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GROSS. Mr. Speaker, I wish to call attention to an article in today's Washington Post which describes in detail a truly revolting series of events that are, apparently, typical of what is going on at San Francisco State College as well as on many other campuses in this Nation.

It is unthinkable to me, Mr. Speaker, that the people of this country have to, or will, tolerate such anarchistic conduct by groups of arrogant so-called "students."

Why those described in this article, and their counterparts across the land, are still in these colleges and universities, is beyond me. Perhaps it is because a decade of ultraliberalism and permissiveness have eaten away the spines of those who run these institutions, so that they are no longer capable of summoning the courage to kick them out and keep them out.

I include the newspaper article for insertion in the RECORD at this point:

ALL IS RACIST TO BLACKS: HARASSMENT JARS LIBERALS

(By Rasa Gustaitis)

SAN FRANCISCO, February 24.—As Prof. John H. Bunzel faced his class for the first time in the semester at San Francisco State College, he knew he was in for trouble.

In the unusually large group before him he saw a sizable number of black militants—to whom, he knew, he symbolized the enemy.

For months now—ever since he had published an article critical of the black studies program as proposed by Associate Professor Nathan Hare—Bunzel had been a target of abuse and intimidation.

He had received anonymous threatening telephone calls at home and became accustomed to being called "pig Bunzel." His two cars were covered with the words "Fascist Scab" one night and all the tires were slashed. A homemade bomb was found one morning outside the office of the political science department, which he heads.

Nevertheless, Bunzel, 45, tall and tweedy, looked at the group before him calmly and began to explain what he had in mind for the course.

FLOOD OF HOSTILITY

His voice was drowned in a flood of hostile questions and remarks. Someone stood up and began to read aloud from "Quotations from Chairman Mao Tse-tung." Bunzel tried for ten minutes to restore order, then stunned, he dismissed the class.

Two days later, on Wednesday, he tried again. The class now had become, for him, a testing ground of "whether those of us committed to the use of reason can still have his voice heard in an increasingly irrational environment."

He tried to respond to the hostile questions. The course, he said, was titled "community power and the politics of leadership." It would not deal with today's headlines (here a girl's hand shot up) but would follow an academic form and would probe the complexities of community power, he said. Then he gestured to the girl.

"Some of the things you say we don't understand," she told him. "I'm asking you to come down to our level. And when we raise our hands, you should respond immediately. It took you about four minutes to respond."

"If it's all right, I'd prefer to finish a thought, then answer questions," Bunzel replied.

"Man, what you're saying doesn't mean anything anyway," a black student shouted. Others joined in a cacophony.

"I can't hear your questions," Bunzel told the class.

"Man, you haven't been hearing all your life," a student said.

TWO MILLION OMITTED

The black students demanded to know why no readings from Stokely Carmichael or Huey P. Newton were assigned. Bunzel replied that some two million other choices had been omitted.

The books on the list, the students charged, were racist.

C. Wright Mills and Talcot Parsons racists? By what standards? Bunzel asked. Had anyone read them?

"If you put it on the list, nine times out of ten it's a racist book," a voice replied.

At the end of half an hour, Bunzel dismissed the class, telling the students: "I intend to teach this course as it has always been taught."

"If we have to bring guns in here you won't teach it," a youth replied. "We'll teach you about community power."

On Friday, Bunzel again pleaded with the students to be allowed to begin. When the heckling continued, an administrative official was called and ordered two of the Negro students suspended. The class was again dismissed, with the first lecture still to be given.

INTIMIDATION CHARGED

At a press conference later, Black Student Union members declared that "black students were harassed, intimated and suspended" in Bunzel's class that morning.

Tony Miranda, a leader in the Third World Liberation Front, said the militants were determined to "stop the functioning of the class and educate people on what the class is about. Any class he'll be teaching will have his attitudes and perceptions of our society and that is hurting the people. We're saying he's in direct opposition to our struggle at this point. And as such he's an enemy."

Bunzel, a cool, calm scholar, is somewhat puzzled by the vehemence of the attacks against him, for he prides himself on his long liberal record—the fight he led for admission of Negroes into clubs at Princeton in the 1940s, his outspokenness against Sen. McCarthy and against the California loyalty oath in the 1950s, his support for a black studies program at San Francisco State College as long as four years ago.

He became a special target of the militant students last October, when he published that article in the quarterly, "The Public Interest." In it, he questioned whether the black studies program being drawn up for the College by Nathan Hare would allow for enough diversity in points of view on racial questions.

"It was a cautious piece, hardly something to provoke a kamikaze attack," he said.

Yet it is exactly that caution which angers the militants. For Bunzel, with his careful weighing of all sides of the question, represents to them the liberal enemy—the man in the middle who fails to take sides clearly and so blocks the revolution.

He not only questions their black student studies program but also has failed to support the American Federation of Teachers' strike, explaining that he believes "it is the wrong strike at the wrong time, and besides, I'm not completely persuaded that the industrial trade union model is appropriate to the academic community."

WORSE THAN WALLACE?

"He's much more a dangerous thing than a man like George Wallace," a BSU member told me. "With Wallace, everyone knows where he stands. But when Bunzel says something people say, yeah, he's a liberal so that must be right."

But to Bunzel, the right to say or write what he believes and to teach the class as he wants to is "the irreducible minimum of academic freedom."

"I will not be intimidated but I will not be afraid to acknowledge that sometimes I'm scared," he told me. "I've had police protection at home now for four months and that's a lousy way to live."

THE HONOR OF THE THING

(Mr. CARTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CARTER. Mr. Speaker, paraphrasing the words of Kipling, "Open the old cigar box, let us consider a space through the soft blue veil of the vapor, musing on the post office's new face."

Mr. Speaker, as it happens, I am not a member of the Post Office and Civil Service Committee, but any legislation or regulation which affects the 384 postmasters and the 132 rural routes in my district certainly affects me.

During the past 4 years, even though I have had this number of post offices and rural carriers, only two complaints of any importance have been made adversely reflecting on the professional efficiency of these employees.

Although many of these people have been chosen by members of the opposition party, evidently they have been chosen well. It has been my privilege to meet with many of these people on many occasions, and I have always been impressed by their high character and devotion to duty.

I realize we have a problem with our post offices, but I assure you, Mr. Speaker, that it exists in our urban areas, and certainly not in rural areas such as I represent. It is my opinion that the efforts toward reorganization are being directed toward the perimeter, or rural areas, whose efficiency no one questions, rather than at the center, the urban areas, where great problems actually exist.

We Members on this side of the aisle have been told we would have the high honor of announcing the appointments made by certain selection boards. To those who offer this honor, this superlative honor, I will reply, "I am reminded of the old gentleman who had been tarred and feathered and was about to be ridden out of town on a rail, who said, 'If it was not for the honor of this thing I had rather walk.' "

VOICE OF DEMOCRACY CONTEST CONDUCTED BY VETERANS OF FOREIGN WARS

(Mr. MAYNE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. MAYNE. Mr. Speaker, each year the Veterans of Foreign Wars of the United States conducts a Voice of Democracy contest. This year over 400,000 students participated in the contest competing for five scholarships which are awarded as the top prizes. The contest theme was "Freedom's Challenge."

The winning contestant from each State is brought to Washington for the final judging as guest of the VFW. I am happy to report that this year's Iowa winner comes from the Sixth Congressional District, which I have the honor to represent. He is Grant M. Colvin, an outstanding high school student from Storm Lake, Iowa. I am looking forward to meeting this fine young American and the other winning contestants when they visit Washington next week. It is a real pleasure to commend Grant Colvin for his excellent speech which I have carefully read, and now insert at this point in the RECORD in the hope that it will be an inspiration to all interested Americans.

FREEDOM'S CHALLENGE

(By Grant M. Colvin)

One day while I was thinking of history and governments and nations, it suddenly struck me that I could not really put into words my idea of America's goals—I was not able to say what we should be working for, where we should be going, or what we should be doing.

I delved into books. I reread the Declaration of Independence. Then I thought about it. That Declaration had made us free men—it declared America to be independent of England. But the more I looked at it, and the more I thought about it, the more it seemed like a pattern—a formula—for our Nation and our world. It was almost as if the Founding Fathers were daring us to create the Nation they had described. It was, indeed, a challenge. Then I thought about today's world. On top of everything that is bad, there *is* something good. We are still free men. But that challenge still lies before us. Today we are being challenged to do two things: to achieve peace, and to establish brotherhood. This is the double challenge of freedom.

Nineteen-sixty-eight has seen a rebirth of idealism in America. Young people and older people alike fought for a cause—peace, in the face of a brutal war. Their cause and their candidates, in their minds, were defeated; but is it not possible to rise from the ashes of that defeat and step triumphantly into the new dawn of victory? That is what John Kennedy and Robert Kennedy would have wanted. If we truly cherish freedom, we should labor to build a nation and a world in which peace is the *rule* rather than the exception. To build a lasting peace—this is part of the challenge of freedom.

For ages, man has sold man into bondage. Only a little more than a hundred years ago did we finally unshackle our brothers and put an end to slavery. Sadly, its vestiges remain, a scar on our great Nation. Today there are millions of Americans who are enslaved by the hate of their fellow citizens, and their cries are seemingly not heard. All of the great men who signed the Declaration of Independence were white, but many of them had dreams of that day when black and white would live together in friendship and equality—the day when all voices would be heard. Let us build a nation and a world in which all men are truly brothers—where all human beings can join hands in friendship and together face the new day of destiny. In August of 1963 more than 200,000 people marched in Washington, D.C. to protest discrimination. As they stood in front of the giant memorial to Abraham Lincoln, they heard Dr. Martin Luther King tell America that he had a dream. Let us take that dream of Dr. King and make it a reality.

This is the double challenge of freedom—peace, and brotherhood. It is a challenge which must be met. When we start our quest, the road will be rough—we will meet with some defeats; but in the face of those defeats our initiation should not evaporate but should redouble; and the ambition which sparked us shall not dissolve but shall crystallize in renewed hope.

Men who have already departed from this earth have left us a legacy and have handed us a challenge. Let us join together, accept that challenge, and build our newer world. With the help of God, we will not fail.

REPRESENTATIVE WHITEHURST INTRODUCES LEGISLATION TO COVER MINISTERS UNDER THE SOCIAL SECURITY ACT

(Mr. WHITEHURST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WHITEHURST. Mr. Speaker, today I am introducing a bill which I feel the law should not have made necessary.

In 1954, a minister was in the position of being a professional with, in effect, no retirement benefits. In that year, Congress, recognizing this injustice, passed a law making it possible for him to be covered by social security if he so desired. This law has been changed to cover a minister unless he does not wish to be so covered, but still considers him to be a self-employed individual as pertains to his social security tax. A minister pays all of his tax, with no contribution from the church.

In 1964, the Keogh bill was passed giving professionals and other self-employed individuals a retirement option in addition to social security. However, the minister is excluded from participation in this program.

My bill will make it possible for a minister to join the ranks of his fellow professionals by permitting him to participate in the Keogh bill as well as social security.

TAX REFORM LONG OVERDUE

(Mr. BEALL of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEALL of Maryland. Mr. Speaker, the disproportionate amount of taxes paid by a number of our citizens was brought home to me most clearly during a recent tour of my district. The experiences of one woman in this regard stand out so starkly that it serves as an excellent example of why tax revision must be one of the highest priority items for business in the 91st Congress.

While I was sitting in my office seeing constituents, a lady came in, sat across the desk from me and said that she really did not want anything other than to let me know of a situation which she felt should be of concern to me. She said that during 1968 she had total wages $3,108. She pointed out that the taxes withheld from all sources, that is State, Federal, and social security, amounted to $526.37, or over 16 percent of her gross income. Her net pay after the deductions was $2,581.63. Her basic expenses were food, shelter, insurance, and utilities which came to $2,450.80 leaving her a balance of $130.83 with which to buy her clothes, pay the doctor in case of illness, and pay for other small items which most of us would consider absolute minimal expenses.

The lady continued and said that what really bothered her was that now, because of the fact that her husband had died during year 1968, and even though she was 62 years of age, she would have deducted from her pay $1 additional each payday because she is to be classified as a single person. With tears in her eyes she told me that she would have to seek additional employment in order to provide for her basic necessities and pay the taxes charged her by the Federal Government. I think that this case demonstrates most clearly the need for wholesale revision of our tax structure. While our Government has said that $3,000 a year is the income that separates a person from poverty, in the case of this lady, who earned $3,108, the Federal Government is collecting $324.60 in Federal income taxes.

Mr. Speaker, unless we find some way to bring equity to our tax structure we cannot expect to continue to have the confidence and respect of the public for government as we now know it.

The time to act on tax reform is upon us and we must face and deal with it now.

TREATY—NONPROLIFERATION OF NUCLEAR WEAPONS

(Mr. RARICK asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, I have received numerous letters of inquiry and comment concerning the nonproliferation treaty.

Since the Senate alone votes on treaties, our constituents should be encouraged to express their feelings to their Senators. A vote is expected by March 6, 1969.

Few people are familiar with the text of the treaty or have even seen it.

A cursory examination suggests one of the primary objectives of the treaty will be to comply with United Nations Organization directives to place nuclear weaponry under the control of the UNO which will be in charge of regulating terms, conditions and profits from the sale of "nonnuclear weapons" to "nonnuclear state parties."

I place the treaty in the Record for all to examine:

Treaty on the Nonproliferation of Nuclear Weapons

The States concluding this Treaty, hereinafter referred to as the "Parties to the Treaty",

Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

In conformity with resolutions of the United Nations General Assembly calling for the conclusion of an agreement on the prevention of wider dissemination of nuclear weapons,

Undertaking to cooperate in facilitating the application of International Atomic Energy Agency safeguards on peaceful nuclear activities,

Expressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Enregy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points,

Affirming the principle that the benefits of peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties to the Treaty, whether nuclear-weapon or non-nuclear weapon States,

Convinced that, in furtherance of this principle, all Parties to the Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in cooperation with other States to, the further development of the applications of atomic energy for peaceful purposes,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament,

Urging the cooperation of all States in the attainment of this objective,

Recalling the determination expressed by the Parties to the 1963 Treaty banning nuclear weapon tests in the atmosphere in outer space and under water in its Preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a treaty on general and complete disarmament under strict and effective international control.

Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources.

Have agreed as follows:

ARTICLE I

Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

ARTICLE II

Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

ARTICLE III

1. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfillment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this article shall be followed with respect to source or special fissionable material whether it is

being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this article shall be applied on all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere.

2. Each State Party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this article.

3. The safeguards required by this article shall be implemented in a manner designed to comply with article IV of this Treaty, and to avoid hampering the economic or technological development of the Parties or international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of this article and the principle of safeguarding set forth in the Preamble of the Treaty.

4. Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency. Negotiation of such agreements shall commence within 180 days from the original entry into force of this Treaty. For States depositing their instruments of ratification or accession after the 180-day period, negotiation of such agreements shall commence not later than the date of such deposit. Such agreements shall enter into force not later than eighteen months after the date of initiation of negotiations.

ARTICLE IV

1. Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of this Treaty.

2. All the Parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also cooperate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territory of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.

ARTICLE V

Each Party to the Treaty undertakes to take appropriate measures to ensure that, in accordance with this Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. Non-nuclear-weapon States Party to the Treaty shall be able to obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States. Negotiations on this subject shall commerce as soon as possible after the Treaty enters into force. Non-nuclear-weapon States Party to the Treaty so desiring may also obtain such benefits pursuant to bilateral agreements.

ARTICLE VI

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

ARTICLE VII

Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.

ARTICLE VIII

1. Any Party to the Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more of the Parties to the Treaty, the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for each Party that deposits its instrument of ratification of the amendment upon the deposit of such instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. Thereafter, it shall enter into force for any other Party upon the deposit of its instrument of ratification of the amendment.

3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized. At intervals of five years thereafter, a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty.

ARTICLE IX

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by the States, the Governments of which are designated Depositaries of the Treaty, and forty other States signatory to this Treaty and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to article 102 of the Charter of the United Nations.

ARTICLE X

1. Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

2. Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty.

ARTICLE XI

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Goevrnments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

DONE in triplicate, at the cities of Washington, London and Moscow, this first day of July one thousand nine hundred sixty-eight.

UNITED NATIONS SECURITY COUNCIL RESOLUTION 255 (1968)

ADOPTED BY THE SECURITY COUNCIL AT ITS 1433RD MEETING ON 19 JUNE 1968

The Security Council,

Noting with appreciation the desire of a large number of States to subscribe to the Treaty on the Non-Proliferation of Nuclear Weapons, and thereby to undertake not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices,

Taking into consideration the concern of certain of these States that, in conjunction with their adherence to the Treaty on the Non-Proliferation of Nuclear Weapons, appropriate measures be undertaken to safeguard their security,

Bearing in mind that any aggression accompanied by the use of nuclear weapons would endanger the peace and security of all States,

1. *Recognizes* that aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State would create a situation in which the Security Council, and above all its nuclear-weapon State permanent members, would have to act immediately in accordance with their obligations under the United Nations Charter;

2. *Welcomes* the intention expressed by certain States that they will provide or support immediate assistance, in accordance with the Charter, to any non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act or an object of a threat of aggression in which nuclear weapons are used;

3. *Reaffirms* in particular the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

DECLARATION OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA

(Made in the United Nations Security Council in explanation of its vote for Security Council Resolution 255 (1968))

The Government of the United States notes wtih appreciation the desire expressed by a large number of States to subscribe to the treaty on the non-proliferation of nuclear weapons.

We welcome the willingness of these States to undertake not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

The United States also notes the concern of certain of these States that, in conjunction with their adherence to the treaty on the nonproliferation of nuclear weapons, appropriate measures be undertaken to safeguard their security. Any aggression accompanied by the use of nuclear weapons would endanger the peace and security of all States.

Bearing these considerations in mind, the United States declares the following:

Aggression with nuclear weapons, or the threat of such aggression, against a non-nuclear-weapon State would create a qualitatively new situation in which the nuclear-weapon States which are permanent members of the United Nations Security Council would have to act immediately through the Security Council to take the measures necessary to counter such aggression or to remove the threat of aggression in accordance with the United Nations Charter, which calls for taking "* * * effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace * * *". Therefore, any State which commits aggression accompanied by the use of nuclear weapons or which threatens such aggression must be aware that its actions are to be countered effectively by measures to be taken in accordance with the United Nations Charter to suppress the aggression or remove the threat of aggression.

The United States affirms its intention, as a permanent member of the United Nations Security Council, to seek immediate Security Council action to provide assistance, in accordance with the Charter, to any non-nuclear-weapon State party to the treaty on the non-proliferation of nuclear weapons that is a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used.

The United States reaffirms in particular the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defense if an armed attack, including a nuclear attack, occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

The United States vote for the resolution before us and this statement of the way in which the United States intends to act in accordance with the Charter of the United Nations are based upon the fact that the resolution is supported by other permanent members of the Security Council which are nuclear-weapon States and are also proposing to sign the treaty on the non-proliferation of nuclear weapons, and that these States have made similar statements as to the way in which they intend to act in accordance with the Charter.

LEGALIZED BIAS—THE OFCC

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, a Federal agency, operating with little publicity except to its target victims is the OFCC of the Department of Labor, a governmental branch intent on interpreting and administering the law according to what its appointees feel satisfy them rather than the intent of the Congress.

Its aims sound flowerly, but everywhere it has been in operation, the results have been subsidized anarchy.

I had earlier remarked on the deplorable, disruptive, and devastating activities of this agency in the CONGRESSIONAL RECORD of April 20, 1967, and February 1, 1968.

One of the best exposés of this race-quota gestapo has been feature articles by the renowned pro-American writer, Mrs. Shirley Scheibla, which appeared in Barron's national business and financial weekly, in a three-part series.

I place all three parts of Mrs. Scheibla's work at this point in my remarks:

GENTLEMAN'S AGREEMENT? GOVERNMENT IS MAKING BUSINESS ITS UNWILLING PARTNER IN BIAS—I

(By Shirley Scheibla)

WASHINGTON.—"I'm no crusader," the worried executive told a reporter recently, "but I'm no bigot either. All I am is a businessman trying to operate my company the best way I know how—which means bidding successfully for contracts I can deliver on, and hiring qualified workers I know can get the job done for me." This employer, however, like thousands of others in the U.S. today, is dependent for most of his business on federal contracting agencies, and Uncle Sam is determined to wipe out racial discrimination in private employment—at any cost. Because of the way Washington has been going about it, the cost can come high.

"If I don't sign a commitment to hire a certain number of nonwhites in each job category," explained the businessman, "the government threatens to deal me out. I face formal complaints by the Equal Employment Opportunity Commission and possible lawsuits by the Justice Department. I stand to lose millions of dollars in contracts—which means that dozens or even hundreds of workers' jobs are placed in jeopardy too, affecting blacks and whites alike. Yet I have no way to guarantee that I can find the people to meet these quotas, particularly in high-skill classifications. And the irony of it is, if I do go all-out with such 'reverse discrimination' in my hiring and firing, I run the very real risk of all-out trouble with organized labor."

BLOCKBUSTER APPROACH

There's little doubt that the government's blockbuster approach to the centuries-old problem of employment bias may be creating as many ills as it has cured. Not surprisingly, Parkinson's Law holds sway here in a chaotic proliferation of policy-making bureaucrats, acting under one or the other of two edicts: the 1964 Civil Rights Act and President Johnson's Executive Order 11246 of 1965, which combine to blanket any employer of at least 50 persons as well as any contract of $10,000 or more involving federal funds. Enforcers include not only the Equal Employment Opportunity Commission (EEOC), but also the Justice Department, the Labor Department's Office of Federal Contract Compliance (OFCC) and each of some 17,000 contracting officers representing 28 other U.S. agencies. Although racial considerations are predominant, incidentally, they by no means exhaust the government's purview as defined by statute, proclamation and regulatory fiat.

Beyond administrative confusion, however—not to say a clear lack of either coordination or consistency—are problems far more serious. Some official actions, for example, appear to constitute inexcusable abuse of unquestioned authority. Worse still, others may well be illegal if not unconstitutional. Employers have been denied due process; firms have been placed arbitrarily in financial jeopardy. In the name of fair employment, finally, both the National Labor Relations Act and the Civil Rights Act itself plainly seem to have been violated.

UNDUE PROCESS?

The most glaring instances of action without due process have occurred under the aegis of OFCC. Ward McCreedy, acting director of the agency, admits that contracting officers have been holding up awards virtually on a daily basis, because of non-compliance with OFCC regulations. "Across the board," he said recently, "this experience has has resulted in the company's submitting a program which does effect compliance. None of these people can demonstrate that they have suffered any financial loss owing to such delays on their bids." But the affected firms tell a different tale: many claim convincingly that the compliance procedure has caused substantial monetary losses. Since several of OFCC's regulations are, to say the least, of dubious legality, the risks to which such employers are exposed would seem to entitle them—before and not after the action has been taken—to their day in court.

What's more, OFCC's parent Labor Department, in determining which contracts are to be held up, appears to be applying a double standard. One notorious case in point involves New York's Neighborhood Youth Corps. As long ago as last May, several agencies were investigating criminal charges against this child of the poverty program. Alleged was the theft of millions of dollars which had been freely parceled out by the Labor Department. On September 13, with the charges still pending, the NYC was awarded an additional $367,000. Michael Aun, information specialist for Labor, explained at the time that the purpose was to keep the Corps going, "until matters could be straightened out." (As it happens, they still haven't been.)

While doling out money to those facing criminal charges, in short, the Department doesn't flinch from interfering with the money-making ability of others whose only sin is the failure to comply instantly with questionable regulations. Mr. McCreedy goes so far as to say that OFCC can (though it hasn't done so yet) suspend all government business with a company while a "discrimination" case is pending.

CREATIVE COMPLIANCE

The businessman's plaint, quoted at the outset, reflects the widespread frustration and anger over Washington's imprecise terms for compliance. Specifically, each contractor now is required to promise in writing that he will hire a certain number of Negro workers for each of the major job categories on his payroll. To begin with, the Civil Rights Act prohibits racial quotas in employment—a coin which, presumably, has two sides. But the government does not set the quotas; it tells private industry to do so, in effect, by applying a curiously vague formula.

Here's how that formula has been expressed: an employer must initiate "affirmative action programs" designed to avoid discrimination. The programs, businessmen are advised by way of clarification, will be expected to utilize the "creativity and ingenuity of American enterprise" in attaining this social goal. But if such a program then fails to win official approval, the company submitting it becomes subject to federal sanctions. That probably makes this the first time in American history that Washington has demanded "creativity" in order to comply with law; the concept has not been spelled out in plain English, much less tested in court. Indeed, the National Association of Manufacturers, after reviewing an OFCC regulation which attempted a broad definition of "affirmative action," characterized it as "difficult to summarize, hard to understand, beyond interpretation. . . ."

NO EASY WAY

It's clear, however, that the government wants detailed, written commitments for the hiring of nonwhites, virtually in every job category. Employers who don't sign such commitments don't get approval of their "affirmative action programs." Those who do sign, meanwhile, soon find that life isn't all that easy. Nobody can be sure about such projected figures, and government officials make a point of not publicly demanding specific quotas—which would, of course, blatantly violate the Civil Rights Act. The employer, then, must come up with numbers which satisfy the federal regulators. However, what suits one agency may not find favor with another; even the bureaucrats within a given agency are likely to disagree. Not least, "quotas" deemed acceptable today may not be so tomorrow, since "affirmative action" is expected to be progressive.

To illustrate, three construction companies in Philadelphia all were low bidders on different U.S.-aided projects. One, Joseph L. Farrell, Inc., got approval from the Department of Health, Education and Welfare (HEW) for its "affirmative action" program. The other two each submitted essentially the same plan, but HEW rejected the program of Harold E. Irwin Co., and the Department of Housing and Urban Development (HUD) the one submitted by Perry J. Goldman Construction Co. When Irwin revised its plan, and won HEW's approval, Goldman duplicated it—but again was turned down. After six months of post-bid negotiations, the Goldman concern finally managed to come up with one acceptable to HUD.

NOT BY NUMBERS?

Adding to the confusion, public statements by government officials, even in the same agency, often are contradictory. Thus, OFCC's McCreedy says it's impossible to deal with people without dealing in numbers, but that job assignments by race merely are "goals"—not "quotas"—and he emphasizes that OFCC does not dictate any such numbers. Last May, however, Charles Doneghy, an OFCC area coordinator, told Columbus, Ohio's Carl M. Geupel Construction Co. that before it could qualify for a $5 million road-building contract involving federal funds, it would have to hire something on the order of 15 Negro operating engineers, 13 journeymen and two apprentices.

Earlier this year in Philadelphia, OFCC area coordinator Bennett Stalvey warned the aforementioned Irwin Co. that a contract would be awarded to the second bidder unless Irwin agreed to hire a representative number of minority-group members. "We want to see," declared Mr. Stalvey, "a manpower table listing the trades, total workers and how many will be minority, Negroes. . . ." Last January, the Philadelphia Bulletin quoted Mr. Stalvey as warning contractors that "if they fail to hire a 'representative number' of Negro workers, they face the possible loss of $100 million in federal contracts to be awarded in six months."

That Philadelphia story ran about a month after Labor Secretary W. Willard Wirtz told the AFL–CIO's Building & Construction Trades convention: "I think it is an error to approach this problem . . . in terms that mean a number of . , . Negroes or whites or anybody else, as being required on every single situation. . . . (That) involves quotas in one form or another, and as far as I am concerned . . . that is simply the wrong approach to that problem, and we have got to find a better one."

EEOC QUOTAS

Secretary Wirtz' OFCC apparently is not alone in forcing racial quotas. Last May, Senator Paul J. Fannin (R., Ariz.) told Congress about a letter sent to an employer by EEOC Chairman Clifford Alexander Jr., accusing the businessman of committing unfair employment practices, based on a statistical disparity between the minority composition of the employer's workforce and that of his community's population. "Despite a provision in the (Civil Rights) Act against using ratios or racial balance," Senator Fannin declared, "the (EEOC) does, in fact, use such ratios as one of its preliminary tests to determine whether there has been a violation."

In any case, as more and more companies sign these commitments, finding the necessary job applicants has become increasingly difficult. Both OFCC and EEOC contend it is up to the firms to recruit and train black workers. The written agreements include lists of the sources employers are advised to use for such recruitment. (Sample sources: the Congress of Racial Equality, Neighborhood Youth Corps and Workers Defense League—all active in militant causes but, according to several employers, not much help as job recruiters—as well as more cooperative groups like the Urban League and the National Association for the Advancement of Colored People). At best, however, productivity is bound to suffer during the apprenticeship period. "Training is a fine idea," says one executive, "but how am I supposed to fill my written commitment in the meantime?"

BROTHERHOOD DAYS

Making matters still more difficult for all concerned is the obstinacy within much of organized labor. Inevitably, a vast amount of government contract work involves construction projects, and the construction industry is burdened with the tradition of union hiring halls—through which the union, not the employer, selects the workforce. Accordingly, an employer may find himself signing a federal commitment which he may not be able to implement in practice. OFCC answers that hiring halls which don't supply an adequate personnel mix probably are discriminating and, therefore, are illegal. Employers, however, feel obliged to honor their labor contracts (at least until adjudged illegal)—especially since they may have a strike on their hands if they don't.

Hiring halls are but one such area in which OFCC now is demanding action by contractors. The agency also wants sweeping changes in that bulwark of unionism, the seniority system. To make up for past discrimination, OFCC has advised employers to make preferential promotions outside the system, allowing minority-group members to take their seniority along with them in any shift from one department to another—a radical departure in the construction brotherhoods.

Under the National Labor Relations Act, collective bargaining on seniority is mandatory where the NLRB has certified a union to represent workers. But how can an employer bargain when he has been ordered to make specific changes by the OFCC? Asked the question, OFCC replies that it plans to use its influence to help but that "if differences on a seniority contract cannot be resolved, a contractor may have to decide whether to take a strike or lose a (federal) contract."

A union found guilty of discrimination risks losing its NLRB certification, but the legality of certain OFCC and EEOC requirements on seniority is as questionable as some of the others affecting management. In fact, EEOC has received complaints of racial discrimination from whites—because of preferential treatment given blacks. To avoid charges that they are encouraging companies to violate the national labor law, both agencies claim they now consult unions, allowing them to become "interested parties" in formal proceedings. On at least one occasion, however, an OFCC official refused to make this concession. At a meeting in Cleveland last May, Area Coordinator Doneghy, after checking with Washington, refused to discuss an "affirmative action program" of Carl M. Geupel Construction Co. while representatives of the International Union of Operating Engineers were in the room.

What's more, Donald Slaiman, AFL–CIO Civil Rights Director, told Barron's that OFCC recently launched proceedings to debar Bethlehem Steel from federal contracts (over the issue of seniority) without even consulting the United Steelworkers. The union, after protesting, was allowed to become an interested party. (Hearings now are adjourned; a subsequent article in this series will discuss the case.) "Making a union an interested party in proceedings to work out something new is not the same as bargaining collectively," says Thomas W. Miller, Jr., NLRB's information director. But it's not possible to file an unfair labor practice charge against the government; Uncle Sam is exempt from the National Labor Relations Act.

EMPLOYER'S BURDEN

All of this would seem to make government contracting a more precarious business than ever, but the agencies increasingly act as though determined to wreck contractor relations through sheer harassment. The watchword in current federal enforcement of equal job opportunities, indeed, seems to be "guilty until proven innocent." EEOC habitually levels charges against employers without giving them an opportunity beforehand to see the evidence and respond to it. Investigators frequently arrive at a plant unannounced, demanding a look at the records without stating any specific complaint. Not least objectionable to employers, finally, is an OFCC tactic of requiring them to "validate" all personnel tests by proving that such tests don't result in discrimination.

Good intentions aside, Washington's equal employment opportunity campaign clearly is being administered with a bias all its own. "The government couldn't have done a better job of sabotaging the program," one sorely beset employer said recently, "if it had deliberately set out to do so."

The Young Savages: Taxpayers Are Subsidizing Their Assault on Learning

In the honorable tradition of the labor movement—"Reward your friends," so Samuel Gompers adjured his followers, "and punish your enemies"—as well as of Tammany Hall, the liberal establishment always looks after its own. Win or lose at the polls, Democratic standard-bearers rarely fail to advance their personal fortunes; regardless of the state of the union, party big-wigs evidently know how to succeed in business without really trying. In the Great Society, moreover, politics has produced some strange success stories. Thus, several former Treasury officials, whose disastrous policies have brought the U.S. to the brink of financial ruin, have gone straight from Washington to Wall Street. Hubert Humphrey, whom nobody ever accused of being an egg-head, soon will begin a new career as mentor to the Encyclopedia Britannica. Kind of makes you wonder what line Betty Furness will be peddling next.

All of which brings us to Clark Kerr, the educator who, shortly after Governor Ronald Reagan took office two years ago, was unceremoniously dumped—"fired with enthusiasm," in his own genial words—as President of the University of California. During Dr. Kerr's tenure, of course, the student rebellion at Berkeley, staging area for the revolts now raging throughout the groves of academe, achieved nationwide prominence and scored its first gains off weak-kneed authority (remember Mario Savio and the Filthy Speech Movement?). Like so many liberals, Dr. Kerr landed comfortably on his feet, with the prestigious Carnegie Foundation. As Chairman of the Carnegie Commission on the Future of Higher Education, however, the scholar apparently has learned very little. Last month his blue-ribbon group issued a report urging a multibillion-dollar program of expanded federal aid to colleges and universities. Last week, even as student agitators were committing acts of disruption and violence on campuses from coast to coast, Dr. Kerr chose to wax philosophical. "Kerr sees benefits in campus protest," ran the headline on a front-page interview in The Christian Science Monitor. Universities, he told the reporter, will emerge stronger for the "legitimate" demands being made upon them.

In the liberal lexicon, "legitimate" may cover a multitude of sins. At Berkeley, for example, it included Presidential sanction of the distribution on campus of propaganda favoring use of marijuana, as well as the broadcasting of obscenities over university loudspeakers. From these relatively modest goals, the agitators lately have escalated to demands for control over curricula and the hiring and firing of faculty members. In a striking number of cases, moreover, notably in public institutions, the protest movements are spearheaded by a small but highly select minority of undergraduates; those who have been chosen less for their academic qualifications than their underprivileged economic status or their race. By subsidizing the enrollment of students with neither the capacity nor the will to learn, U.S. taxpayers have made it difficult for others to get an education. Willy-nilly they also are working to undermine those hallowed ivy-covered walls.

The process—as measured by the shift from private to public financing of higher education—is far advanced. Since 1960, the number of students enrolled by colleges as freshmen has increased from 920,000 to 1,567,000. Of the total, however, those entering private institutions have risen only from 345,000 to 454,000, or by less than 30%, while their taxpayer-supported counterparts have doubled. The rise in enrollments inevitably has led to a surge in expenditures: in the past eight years, state and local outlays for higher education have gone from $1.8 billion to $4.6 billion, while federal spending, estimated at a nominal $1 billion in fiscal '60, will approach $5 billion in the 12 months ending June 30, 1969. In some states, notably those which charge little or no tuition, budgets and student bodies alike have climbed geometrically. Since Nelson Rockefeller took office, for example, enrollments at the State University of New York have shot up from 28,500 to 100,000, while Albany's contributions to Gotham's City University have risen eightfold.

Too little, said the Carnegie Commission in effect, and too late. Hence in December it issued a report resoundingly titled "Quality and equality: new levels of federal responsibility for higher education." To meet what the distinguished body views as a pressing national need, it recommends, among other things, a complex scheme of student loans and grants and the establishment of 500 new two-year and 50 new urban four-year colleges, at a cost "not to exceed $10 million per institution." All told, if its recommendations were followed, total U.S. outlays on higher education in the next decade would rise to $41 billion annually, or by nearly 150%, the contribution of the federal government would nearly quadruple.

In a day and age when universal higher education has become an article of faith, few voices have been raised in dissent. Yet to judge by the nasty headlines that have proliferated during the past academic year, Dr. Kerr and his colleagues may have overlooked a thing or two. One is the draft, which, by exempting eligibles while they remain in college, has placed an artificial premium on the B.A. degree. Someday the war in Vietnam will come to an end, at which point the Nixon Administration has pledged that it will "take a new look at the question of permanent conscription in a free society." If the draft were ever phased out, Contemporary Civilization courses all over the country might lose a sizable chunk of their captive audience.

Before throwing the ivory tower open to all comers, moreover, the taxpayer ought to ask if perhaps he hasn't already made admission to college—notably for the culturally deprived or ethnically disadvantaged—far too free-and-easy. According to a recent article in The Wall Street Journal: "Schools all over the country are suddenly seeking out . . . ghetto youngsters who just a couple of years ago would have been denied admission because of poor high-school records and low college-entrance examination scores." N.Y.U. and the University of Chicago have designed special programs stressing lower entrance requirements, extra tutoring and financial aid. "The biggest single effort to help such 'high-risk' students is the Search for Education, Elevation and Knowledge (SEEK) at the City University of New York. Despite considerable opposition from faculty members who feared academic standards would be compromised, SEEK was launched in September 1965, with 109 students. Currently 2,000 SEEK students attend classes at the school's 15 metropolitan campuses . . . 'There are many thousands of young people in the ghettos of New York who ought to be educated but can't meet admissions requirements elsewhere,' says Leslie Berger, SEEK director. 'We're willing to bring them in and take them as far as they can go.'"

Seek and ye shall find. While campus disorders are by no means confined to public institutions of higher learning—hail Columbia!—and plenty of white rabble-rousers regularly do their thing, the latest spate of trouble seems peculiarly race-oriented. Thus, with the threat of disorder and violence, a few score of Negro and Puerto Rican militants, enrolled (and subsidized) by SEEK, last Tuesday coerced Queens College, a 26,000-student unit of City University, into closing its doors. Their demands, which are "not negotiable," include the ouster of the local head of SEEK, as well as authority to set the program's academic standards, choose participants and allocate funds. Members of the Afro-American Society at Brandeis and Swarthmore last week seized communications centers and admissions offices. At San Francisco State College and San Mateo Junior College, where violence has escalated into near-insurrection, the hardcore troublemakers, according to one press account, "were recruited as part of a special program initiated two years ago . . . to bring more nonwhites onto the campus." The war on poverty as Barron's time and again has observed, has become a war on society. With their own hard-earned money, taxpayers are helping to turn the campus into a battleground.

Clark Kerr may remain indulgent, but here and there—ironically in California, where it all began—the authorities are finally facing up to the challenge. At San Francisco State College, Dr. S. I. Hayakawa, noted semanticist and acting president, has taken a notably hard line toward the young savages. Governor Reagan has declared war. In a blunt message last week, he urged the legislature to help him rid Golden State campuses of "criminal anarchists and latter-day Fascists." In particular, the Governor wants the lawmakers to approve some form of tuition or increased student fee, as well as proposals that would "provide for the expulsion of students or the dismissal of teachers who interfere with the educational process. . . . I am determined that academic freedom and the pursuit of knowledge will be upheld, protected and preserved." Go to the head of the class.

Legalized Bias?: Only Congress or the White House Can Prevent It—III

Washington.—Roadbuilders from all over the country last month warned the Senate Public Works Committee that the federal aid highway program is coming to a virtual standstill because of the impossibility of their complying with equal employment opportunity (EEO) regulations. While EEO problems are by no means confined to the roadbuilders, their plight dramatically underscores both the urgency of straightening out the present nationwide mess and the likelihood that it won't be easy. As noted in earlier articles, the two greatest difficulties in the EEO program are: the "affirmative action" requirements which call for employers to be "creative" in order to avoid discrimination; and the chaotic, and often conflicting, administration by the Equal Employment Opportunity Commission, Justice Department and Labor Department's Office of Federal Contract Compliance—as well as 28 government contracting agencies.

The roadblock to the highway program has astonished members of the Public Works Committee of both the House and Senate who had thought that a ruling by U.S. Comptroller General Elmer B. Staats, another by Assistant Comptroller General Frank H. Weitzel, and an amendment to the Highway Act of 1968 not only would hurdle EEO barriers to public works, but also would set precedents applicable to all employers.

Senator Jennings Randolph (D., W. Va.), chairman of the Senate committee, was so concerned that, in the middle of his own committee hearings, he rushed over to the Labor and Public Welfare Committee's hearings on confirmation of the new Secretary of Labor, George Shultz (and won from him a promise to tackle problems of EEO administration right after taking office). Senator William B. Spong (D., Va.) already has received a response to his plea to the new Secretary of Transportation, John A. Volpe, to straighten out the mess in Virginia which has halted all federal highway construction in that state—follow the federal regulations, said Mr. Volpe, or forfeit all federal highway funds. Last week, the Virginia Department of Highways, announcing that it would comply under protest, charged the federal government with improper interference with a state agency. However, EEO problems cut across so many agencies and involve such basic questions of legality and official policy that the ultimate answers lie with President Nixon, Congress and the courts.

The cause celebre which led to the rulings of the Comptroller General and the aforementioned 1968 amendment involves an unusual man from Columbus, Ohio: John Geupel, who heads Carl M. Geupel Construction Co. On February 21, 1968, Mr. Geupel's company was declared low bidder at $5 million and awarded a contract to build 3.3 miles of Interstate Highway Project No. 25 in Ohio's Summit County near Akron, part of a $125 million beltway program planned for 1968.

Just five days earlier, however, the OFCC had issued a new regulation saying that each federal aid construction contract of $500,000 or more must have its approval before going into effect. As the contracting agency, the

Department of Transporation and its Bureau of Public Roads, as well as OFCC, went into action to determine if Mr. Geupel really was an equal opportunity employer.

The federal functionaries told Mr. Geupel that he would have to be creative and come up with an affirmative action program to preclude discrimination. At that point, the doughtly contractor did something virtually unheard of these days: he defied his regulators. Mr. Geupel said he could not come up with a program without knowing exactly what they wanted. Talks continued beyond the 20-day period during which the contract was supposed to be executed.

By mid-March, under instructions from both the Department of Transportation and OFCC, the Bureau of Public Roads told the Director of Highways for Ohio that Mr. Geupel would have to supply "manning" tables by race for his own firm and for his subcontractors. (In essence, this would have been a contractual commitment to employ specific numbers of Negroes in each craft.) On March 27 Mr. Geupel set forth the estimated maximum number of employes for each craft for himself and his subcontractors, and said he would make an "estimate" of the minority groups to be employed when he was told "what the criteria will be" for "acceptable manning tables."

The roadbuilder said he could make no guarantees because be obtained his workers through a union hiring hall, nor did he know how he could go outside it to reach minorities. In the eyes of the federal regulators, this constituted failure to take appropriate affirmative action.

The next step came on April 12 when the Bureau of Public Roads said the Geupel bid should be rejected and the job re-advertised. But P. E. Masheter, director of the Ohio Department of Highways, demurred, saying that the job already had been awarded to the Geupel company. The following is from a letter written by Mr. Masheter to F. C. Turner, director of Public Roads.

"It is a matter of grave concern when the duly authorized representatives of the U.S. and the state of Ohio enter into a seriously considered written agreement, and other representatives of the U.S. then order that agreement to be breached. . . . It is not my intention at present to take bids on any of the projects in the Cleveland Operational Plan area which are scheduled to be let in contract this year, totaling $125 million . . . until this problem is solved."

At this point, the Associated General Contractors, American Association of State Highway Officials, American Road Builders Association, Ohio Contractors Association and the International Union of Operating Engineers joined the fray. When conferences with federal officials proved fruitless, they went to Congress. They got their first action when Rep. William C. Cramer (R., Fla.) ranking minority member of the House Public Works Committee, requested the opinion of the Comptroller General on the legality of imposing varying affirmative action requirements after bids are opened.

On May 22, Assistant Comptroller General Weitzel ruled that no post-award obligation may be imposed on road contractors that is not spelled out in federal advertisements for bids; thus, he appeared to have solved the affirmative action problem for federal roadbuilders. The various groups were happy over what they thought was a genuine victory. Their joy was short-lived, however, because nothing happened—the contract with Mr. Geupel remained unexecuted.

Last summer, Congress passed an amendment to the Highway Act of 1968, saying essentially what Mr. Weitzel had ruled; by late summer, Mr. Geupel finally got his contract, at the same price at what he had bid in February. "There is no question but what we will lose money on it," he told Barron's. He estimates that the delay will cost him between $200,000 and $300,000 in wage rates alone, to say nothing of higher costs of materials. Moreover, the project itself will be about a year late.

As for the other roadbuilders, regulatory actions by the Johnson Administration under the Highway Act amendment have created the aforementioned crisis in the industry. As passed by the House originally, the amendment said essentially what Mr. Weitzel had ruled. But by the time the measure got through conference and was passed, it contained a provision that the Secretary of Transportation must receive assurances from each state that employment in connection with proposed projects will be provided without regard to race, color, creed or national origin.

The Federal Highway Administration apparently interpreted this to mean that if it couldn't require a roadbuilder to come up with his own affirmative action program after bidding, it could do so beforehand. Accordingly, last October 1, it issued Order 7–2, establishing vague "prequalification procedures" and said all roadbuilders should be prequalified by December 1.

Among other things, 7–2 says "no bid will be accepted unless the bidder has submitted an EEO Prequalification Statement" acceptable to the state highway department and concurred in by the Bureau of Public Roads. The approved statement then is to be made part of the contract. Specific EEO obligations have not been spelled out in advertisements for bids as required by the new law.

Contractors from all over the country told the Senate Public Works Committee in January that 7–2 amounts to having each company write its own EEO specifications. Guidelines for approval are so unclear that no two states interpret them alike; what is accepted by one FHA official frequently is turned down by another.

Confusion over the prequalification procedure, as noted, has brought the federal aid highway program to a virtual halt. Lacking what it regards as proper criteria to enable it to prequalify bidders, New York State has prequalified nobody, and all federal highway work is being delayed. In Virginia only 10% of 500 contractors have been prequalified, and the state has decided to hold up all federal highway construction until most of those who normally bid are able to do so.

California has been unable to start the $700 million federal aid highway program it plans for 1969 because only two of its 300 contractors have been prequalified. With only three of its 320 roadbuilders approved, Michigan postponed January contract lettings for an estimated $5.8 million worth of roads, and, at the time of the hearings, had doubts about a scheduled February letting of an additional $15.8 million in contracts. Though 134 contractors have applied in Montana, none has received final clearance. In Oregon two out of 44 are prequalified.

Now several Senators have asked the Comptroller General to rule on the legality of the prequalification procedure and are expecting a reply momentarily. Some members of his staff have advised him that they consider it illegal. If Mr. Staats issues a formal ruling to this effect, no federal agency may spend funds to carry out the procedure.

At the time of passage, the Public Works Committees thought that the Highway Act amendment would make the intent of Congress regarding affirmative action crystal clear, not only for roads, but also for all projects involving federal funds. In other words, affirmative action requirements would have to be stated specifically in advertisements for bids. "But," said one amazed committee staff member, "agencies like the Department of Housing and Urban Development acted as if nothing had happened."

A case in point involves Hyman R. Weiner, president of Reliance Mechanical Contractors, Inc., of Cleveland. He is asking a court of appeals to enjoin the execution of a contract with the second low bidder for construction work involving HUD funds at Cuyahoga Community College on grounds that illegal requirements were placed on Reliance after it submitted a low bid.

The Cuyahoga case (which is still pending) and similar developments attracted the attention of Rep. Cramer, who asked the Comptroller General if the opinion that advertisements for bids must contain specific EEO obligations would apply not only to highways but also to all competitive bidding involving federal funds. Comptroller General Staats replied in the affirmative on November 18, saying, in part, "Where material conditions and requirements are not clearly defined, such circumstance gives rise to the opportunity for favoritism, arbitrary action and abuse of authority in the awarding, or approving of proposed awards, of the contracts."

Subsequently Barron's asked Robert F. Keller, general counsel for the Comptroller General, if the same reasoning would apply to all federally funded contracts with fixed prices, whether set by bidding or negotiation. He said it definitely would, and that it clearly is not right, after a final price has been set, for the government to impose additional obligations which may involve extra costs.

This plainly has a bearing on the Allen-Bradley Co. case now pending before Secretary of Labor Shultz. On January 16, then Secretary of Labor, W. Willard Wirtz, upheld the findings of a hearing panel that while the Milwaukee manufacturer had not discriminated against individual applicants or employes, its failure to undertake special recruitment for Negroes constituted grounds for debarment from all federal contracts. He gave the firm until February 10 to work out an agreement with OFCC or suffer debarment. On that date the OFCC reported to the new Secretary of Labor, George Shultz, that it had failed to come to terms with Allen-Bradley. He then cancelled the deadline and told the company to continue negotiating with the same OFCC officials.

One of the main witnesses for the government at the panel hearings was the Rev. James E. Groppi, then an advisor to the NAACP Youth Counsel which the panel subsequently recommended as a recruitment source for Allen-Bradley. (According to press accounts, the Roman Catholic priest has led 200 open housing demonstrations in Milwaukee; this month the Wisconsin Supreme Court upheld his conviction for resisting arrest during a demonstration.) Father Groppi said he found Allen-Bradley's employment record "terrifying" because it didn't hire enough black people. He said he had demanded that it handle hiring so that 10% of its employes would be black. Preferential hiring to provide jobs for black people is morally justified, he told the panel.

Previously OFCC had ordered the company to do something about the fact that it employed only 30 or 40 Negroes out of 6,500 workers. Leonard Biermann, OFCC's senior compliance officer, testified that affirmative action means "results." Allen-Bradley, however, pointed out that about 18,000 applicants walk in and apply for the approximately 1,500 jobs that it fills each year. Since it was not found guilty of discriminating against anyone, the company said it felt no obligation to go to the expense of recruitment when it received more applications than it could use. Moreover, it contended that the preferential recruitment demanded by OFCC would violate the Civil Rights Act of 1964.

Significantly, Allen-Bradley added that if OFCC can force it to undergo extra costs for Negro recruitment under its federal contracts, there's no telling where matters will end. "The contractor who enters into a govemnment contract today may find tomorrow that his cost of performance has been substantially increased by a requirement that he institute an apprenticeship training program or vastly expanded recruiting activities; he may find himself involved in a complicated, time-consuming and expensive program of retesting rejected applicants; he may be told to revalidate tests or to seek out and utilize 'culture-free' tests; he may be required to ascertain the 'rightful place' of Negroes employed by him and to award back pay in an amount equal to the difference in 'rightful place' and the former wage rate." (OFCC has regulations on all these matters, making such possibilities very real).

Some time ago, OFCC announced it was considering debarment for three other companies, Bethlehem Steel Corp., Pullman Co. and B&P Motor Express. Last week, according to The Wall Street Journal, OFCC Acting Director Ward McCreedy indicated he also is considering debarment for three South Carolina textile firms: Dan River Mills, Burlington Industries and J. P. Stevens. Earlier the Defense Department had found that the companies failed to take "appropriate affirmative action" to preclude racial discrimination. After White House intercession, following a telegram from Senator Strom Thurmond (R., S.C.), Deputy Secretary of Defense David Packard said the firms convinced him they will take the necessary affirmative action, and he awarded new contracts to all three.

Subsequently, according to The Journal, Mr. McCreedy declared he has authority to institute action to reverse the contract awards. He said he will examine the new guarantees of affirmative action, observing: "Those must have been rather spectacular agreements for them (the Defense Department) to award the contracts, based on what I know of the cases."

According to James W. Moore, counsel for the Arkansas Chapter of the Associated General Contractors of America, the entire debarment procedure, which is subject only to intra-agency review, "is without provision for right of judicial review as ordinarily required of other agencies' rulings which are subject to the provisions of the Administrative Procedure Act." He adds: "The plan lacks the proper checks, balances and opportunities for review of the administrative agency's determinations before imposition of penalties which conceivably could put many contractors out of business before any judicial review was obtainable."

Actions being taken under Executive Order 11246 are clearly of questionable legality. But there is a still more fundamental question of legality—that of the order itself. Although President Johnson never stated the authority for 11246, everyone has assumed that it was based on the executive's contracting authority. No President, however, has the right to issue an order which is contrary to the intent of Congress.

In the Civil Rights Act of 1964 Congress made clear that the intent was to promote equal opportunity through an independent body, the Equal Employment Opportunity Commission, using voluntary means. If these do not work, the aggrieved parties then can institute suit through the Justice Department with the advice of the Commission, or the Department itself can bring suit. Executive Order 11246, however, granted life and death power over companies to an agency under the direct control of the President. Thus, as noted, the ultimate solution of EEO problems must come from President Nixon or Congress.

The President simply could withdraw the order. There are recent indications, however, that matters are becoming so bad that Congress may be ready to tackle the politically tricky subject. On February 4, Senate Minority Leader Everett Dirksen (R. Ill.) called for an investigation of OFCC and EEOC, saying, "It is my strong impression that the orders and requirements flowing out of these offices (EEOC and OFCC) exceed the authority granted to them by Congress and are beyond any reasonable interpretation which can be given to the intent of Congress in the enabling legislation. An additional separation-of-powers problem exists in connection with the OFCC since it was established by executive order, and it may well be that this entire matter should have been dealt with by the Congress in the first place."

On February 7, Senator Paul J. Fannin (R., Ariz.) introduced a bill that would abolish Executive Order 11246 and "provide that the remedies enacted by Congress to secure equal employment opportunities shall be the exclusive federal remedies available in this area."

Meanwhile, EEOC has said that it will ask Congress for cease and desist powers again this year, as it did in 1968. Chairman Clifford Alexander's term runs to mid-1972, and he has indicated he will stay on the Commission, though President Nixon could name a new chairman. Some hard-and-fast decisions should be forthcoming soon.

REPRESENTATIVE MIKVA INTRODUCES BILL TO ELIMINATE THE GASOLINE SALES-PROMOTION GAME

(Mr. MIKVA asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. MIKVA. Mr. Speaker, I introduce today a bill to restrict and ultimately to eliminate the use of a device which has literally become the scourge of the modern consumer—the gasoline sales-promotion game. My proposal would not make such sales promotion games illegal—although arguably they may already be so under some State lottery laws—but it would require that any manufacturer or distributor who used such a game, or forced the dealers to use it, would have to make available to the customer as an alternative the retail cost per gallon of the game. This retail cost per gallon would include all cost of administering, advertising or otherwise promoting the game—including those costs which are paid by game promoters. The dual purposes of the bill are: First, to insure that those customers who do not want to play do not wind up—as they do now—bearing part of the cost of the games which others are playing; and second, to convince manufacturers and distributors that ultimately games are in no one's interest except those who promote the games.

As to the second objective of my proposal, Mr. Speaker, I believe that the increased attention focused on gasoline sales-promotion games within the last year has already made clear to most of those engaged in the production, distribution and retail sale of gasoline that there is nothing substantial or lasting to be gained, and much to be lost, by continuing the senseless competition of sales-promotion games. Last year the Federal Trade Commission made a study of this business practice in retail sales of gasoline and in food retailing. In its report, transmitted to the House Select Committee on Small Business on December 13, 1968, the Commission found that:

> The total cost of the games was $24.5 million in 1966 and $26.5 million in 1967.

The average cost per gallon varied greatly from distributor to distributor, but in general was at least 1 cent per gallon. I emphasize Mr. Speaker, that these cost-per-gallon figures are only the costs to the manufacturer—they do not include the costs per gallon to the dealers. These costs, too, the consumer must ultimately pay. For this reason it is safe to say, as the bill does, that in no case will the retail cost per gallon be less than 1 cent.

In addition to the cost for all customers—not just those who play the game—which sales-promotion games require, there is the problem of tie-in sales. Sales-promotion games are not tie-ins in the strict statutory sense, since no inferior or less desirable product is involved. But in principle, gasoline sales-promotion games are exactly the same as tie-ins: the dealer is forced to take the game in order to continue doing business with the distributor. He is forced not only by pressure from the distributor, but by the demands of a small minority of his customers who have heard the games widely advertised. Thus the hapless dealer is in the position of not being able to gain any business by engaging in a game, but risking the loss of those customers who do wish to play if he does not engage in it.

The FTC's report was based in large measure on the fine work done on this subject by the Subcommittee on Activities of Regulatory Agencies of the House Select Committee on Small Business. This subcommittee, under the distinguished chairmanship of my colleague, JOHN DINGELL, of Michigan, laid the groundwork for the Commission's study by its hearings earlier in 1968. During these hearings, two complaints of retail gasoline dealers were brought to light: First, that the games took time and kept them from giving more attention to their primary responsibility—serving their customers; and second, that after the initial games had been introduced, the effect of later games was actually unprofitable to the retail dealers. The unhappiness of retail dealers in my own home, Chicago, is amply demonstrated in the story from the Chicago Sunday American which I include after my remarks. These Chicago dealers are actually considering going to court to stop the spiral of escalating gamesmanship on the part of gasoline distributors.

A third compelling argument against the continued use of gasoline sales-promotion games is that they present easy opportunities for rigging and deception. The FTC in its study concluded that not all gasoline sales-promotion games are fixed, but that all games do present the opportunity for fixing, and that it is practically impossible for the consumer to tell which are rigged and which are not. I submit, Mr. Speaker, that even though many game promoters have managed to avoid State and Federal laws against lotteries by not requiring "a purchase" by the customer, nevertheless these games are as bad as lotteries. All the reasons which led States and this Congress to ban lotteries also apply to gasoline sales-promotion games. Under my bill the fact that the customer is not required to provide consideration—that is to make a purchase—would not exempt the game from coverage. Hopefully, Mr. Speaker, this proposal will encourage State legislatures to reexamine the sufficiency of their State lottery laws. Anything which looks like a lottery, feels like a lottery, and smells like a lottery—as gasoline games do—should be treated like a lottery.

Mr. Speaker, what these gasoline games are, with all the fancy language and trimmings removed, are games of chance which in almost any other form are illegal. In Illinois we put people in jail for running a policy racket or a numbers game. It appears on the basis of some of the things which the FTC has discovered that the numbers players have a better chance than the players in a gasoline game.

With all this to criticize about gasoline sales-promotion games, why do the manufacturers, the dealers, and the consumers continue to play? The answer is that they are caught in a vicious circle which is begun by the game promoters and fostered by them to the detriment of the industry, the retailers, and the consumers. As the recent article from Fortune magazine which I append to my remarks points out, it is only the promoters who make any money on gasoline games. After the initial stages, the games of competitors cancel each other out, and the promoters walk away with the loot. I submit, Mr. Speaker, that my proposal will be welcome to manufacturers, to dealers, and to the sane majority of gasoline buyers all over the country.

Finally I should observe that my bill will continue to serve a legitimate purpose even if the Federal Trade Commission carries through with its present plans to issue regulations governing the use of gasoline games. The Commission's proposed regulations aim primarily at two evils: the possibility for deception and the coercion of unwilling dealers into participating in games in which they have no interest. This regulation is fine as far as it goes; but it does nothing to remedy the strongest objection to gasoline games—the fact that they cost the consumer an average of 1 cent per gallon every time he drives up to the pump.

During 1967, the last year for which figures are available, 55.22 billion gallons of gasoline were sold for use in automobiles in the United States—that is a lot of pennies. It is time that all this wastefulness came to an end—or at least time for the consumer to have a say in whether he contributes to supporting it. Under my bill the consumer would have such a choice. I urge support for this measure which could put the consumer, instead of the industry and the game promoters, back in the driver's seat.

The two articles mentioned above and the bill follow:

H.R. 7924

A bill to amend the Federal Trade Commission Act to make certain gasoline sales promotion games unfair methods of competition unless the customer is offered as an alternative in cash the retail cost per gallon of the game

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Trade Commission Act (15 U.S.C. 41–58) is amended by redesignating sections 16, 17, and 18 as sections 17, 18, and 19, respectively, and by inserting after section 15 the following new section:

"SEC. 16. (a) It shall be an unfair method of competition (within the meaning of section 5) for any manufacturer or distributor of gasoline in interstate commerce to require or encourage any retail seller to participate in a game in connection with the sale of such gasoline, unless the customer of the retail seller is offered as an alternative the equivalent in cash of the retail cost per gallon of such game.

"(b) For the purposes of this section—

"(1) The term 'to require or encourage' means to induce a retail seller by any means whatsoever to participate in a game. Such inducement is presumed where—

"(A) a course of business conduct extending over a period of one year or longer between a manufacturer or distributor and a retail seller is materially changed coincident with a failure or refusal of the dealer to participate in a game; or

"(B) a manufacturer or distributor advertises generally that a game is available at its retail sellers' outlets, unless the manufacturer or distributor can establish that a majority of its retail sellers have decided, without demand, request, or suggestion by the manufacturer or distributor, to participate in the game.

"(2) The term 'to participate in a game' means to do any act by which a customer is offered the opportunity to win a prize, award, or gift, whether or not in the form of cash, and whether or not such opportunity is conditioned upon a purchase by the customer.

"(3) The term 'the retail cost per gallon' means all costs (direct or indirect) of organizing, administering, and advertising, whether paid by the manufacturer, distributor, retail seller, or a game promoter, divided by the number of gallons of gasoline sold by all retail sellers of such gasoline during the time they are participating in the game, provided that in no case shall the retail cost per gallon be less than one cent.

"(4) The term 'game' means any contest, competition, or other arrangement by which certain customers (or prospective customers) are designated to receive money or other prizes, awards, or gifts, whether or not the winners are selected by chance, and whether or not the customer is required to provide any consideration in order to be designated a winner.

"(5) The term 'offered as an alternative' means that the alternative of receiving a cash equivalent of the retail cost per gallon of gas of a game is prominently mentioned in all advertising of the product which mentions the game itself.

"(c) The Federal Trade Commission may require any information from a manufacturer, distributor, retail seller, or game promoter which is necessary for the enforcement of this section."

[From the Chicago American, Feb. 23, 1969]

Gas Dealers Rip Games, May Sue

(By Ernest P. Cutro)

While the public dreams of instant riches thru gas station games, the dealers are having nightmares handling them.

So much so that the gasoline retailers association of metropolitan Chicago, may sue the oil companies, charging the games are illegal lotteries.

Charles Porcelli, counsel for the retailers group which represents more than 70 per cent of the dealers, threatened to take the giant oil companies to court if he doesn't get help from state authorities.

Porcelli says the dealers don't want these games. He asserts the dealers have to assume the full cost and said the games are hurting customer relations.

Specifically Purcelli wants an "opinion" from Atty. Gen. William Scott terming gas station games lotteries. Porcelli has written to State's Atty. Edward Hanrahan asking that Hanrahan get the opinion.

"If I don't get satisfaction, I'm going to court," Porcelli said.

Hanrahan, when asked what action he'd take, said, "We're looking into the matter and we will evaluate it later."

The Federal Trade commission is opening hearings tomorrow in Washington into the promotional games.

Robert Jacobs, executive director of the dealers association said:

"The oil companies don't pay for any of the promotional games. It costs dealers between $200 and $800 a month for these items. And oil company salesmen suggest to dealers that they play ball or risk the loss of their leases."

Oil company attorneys maintain the games are not lotteries because there is no cost to the participant. They insist they have to buy and promote the games because their competitors are using them.

According to the laws of most states, games of chance become lotteries and so fall under state regulation or become illegal prize, the payment of a consideration to enter, and the element of chance.

The promoters have had to do some fancy foot work to circumvent these lottery laws. Since their games must contain the elements of chance and the award of a prize, their only means of circumvention has been to doctor the concept of "consideration."

Games cannot increase sales unless the participant is convinced that he need not buy something in order to win. The promoters have tried to get rid of this embarrassment by adding the phrase "no purchase necessary" in all advertising related to the game.

Dealers feel that these games create added costs they can't afford.

"If the games are being played," one dealer said, "I'm forced to go along just to be competitive. Game pieces have cost me about $390 every 3 or 4 months."

Most dealers want these games stopped. They assert their customers ask them to get rid of the games and cut gas prices.

One dealer, whose company offers a game concerning Presidents, said the games increase his business volume at least 25 per cent. Customers were impressed with the educational value, he added.

One dealer who preferred to remain anonymous, said:

"I've got a living to make. These games are making it impossible for me. They cost me about $250 every 3 months. We dealers are losers and it hurts our customer relations." He said:

"I have a customer who gives me a great deal of business. On the last week of our game, she drew a ticket worth $25. I processed the form to the company and after 4 weeks, she received nothing. The company claims they know nothing about it."

"But I don't want to lose a good customer like this. I've told her that I'll pay her the prize if she doesn't get it from the company. Another loss for me caused by these games."

"What really wastes our time and labor," said Tony Spina, a dealer at Touhy and Cicero avenues, "is when people come in and ask only for a prize ticket. We drop everything to provide this service and delay waiting on a paying customer."

"I've got a family to support," said the dealer, "and these games are costing me $100 a month, a cost I can't afford much longer. I'm losing good, regular paying customers."

The oil companies claim these games must be used to keep up with competition, but Texaco and Gulf Oil have stood aloof, plugging away instead at advertising their quality and service.

Richard Reiss, Phillips 66 dealer at 4350 W. Touhy av., said:

"Phillips never has had games, but if they did I would be against them. It costs the dealers too much and there's no profit at all in it for us. We've given the customer savings in the product and that's what he wants, gas for less."

[From Fortune magazine, February 1969]

WHO WINS MARKETING PROMOTION GAMES?

(By Thomas O'Hanlon)

Henry Reichman, a poker-faced promoter, sits in his New York office explaining how he made a fortune by selling the most explosive, lucrative scheme in marketing history. Although he dresses with the understatement of a Swiss banker, Reichman has flamboyantly decorated his office with three objects symbolic of his success. Luck, enthusiasm, and money are represented by an immense antique dice game in a cage, a ship's brass telegraph with the handle optimistically set at "Full Speed Ahead," and a battered cash register that looks as if it has seen service at a corner grocery store. Reichman has no research organization behind him, and operates solely on instinct. Yet he has transformed marketing practices in the food and oil industries. "My success was so great," says Reichman, sixty-one, "because I had the only new idea in the supermarket and gasoline businesses. It was not so much the quality of the idea, but the timing. The secret of success is supplying the right thing at the right time."

Looking around him back in 1961, Reichman recognized that the old ways in which the food chains were competing—battling over price and the quality of the product, and the universal use of trading stamps—had grown pretty stale, and no company seemed to be gaining very much on any of the others. At the same time, increases in costs were requiring even greater increases in volume: when costs go up by 1 percent in retailing, volume must go up by 5 percent to preserve profit margins. So the stage was perfectly set for Reichman's "new idea"—a game called Spell C-A-S-H. It had two elements that made it a dazzling success: it was utterly simple, and it promised fast action for the participant. With each visit to the store, shoppers received a card, imprinted with a black dot. When dabbed with moisture, the dot disappeared, and one of the four letters in CASH was revealed. A shopper with all four letters on four different cards won $100.

Reichman's game held out a cure for a lot of what ailed the supermarket. It promised to prevent housewives from shifting their custom from store to store in search of bargains, and to attract new customers to the stores as well. Supermarkets were in the mood to try anything that would deliver even half of that promise, and within a year Reichman had sold his game to thirty-five food chains, including Safeway, Kroger, and Jewel, with outlets all over the U.S. Customers stampeded those markets to collect the cards, and to give them an avidly expectant lick. Participating stores reported sales increase of between 50 and 70 percent. Through the medium of his company, called Henry Reichman Sales Builders, Inc., Reichman became very rich indeed.

A kind of hallucinatory belief in the efficacy of games for market promotion has been sweeping the country ever since. The business of selling consumer products, and particularly gasoline and food, has become linked to gambling, sweepstakes, raffles, and assorted games of chance. In 1966 over fifty different types of games were being used in fifty-five grocery marketing areas. Today more than 100,000 gas stations are distributing billions of chances in games that are sponsored by most of the major oil companies. Executives who once struggled with mundane concerns such as how to reduce the price of bacon, or how to increase the output of refineries, are now evaluating the relative merits of such games as Let's Go to the Races, Winning Deal, Find a Fortune, Mr. and Mrs. N.F.L., and Kick-off. Hundreds of manufacturers have also entered the casino, offering dazzling prizes to the winners of sweepstakes. Recently Philip Morris was running a sweepstake offering a "pipe dream" prize of $10,000 and Squibb was conducting SweetaStakes, with prizes totaling $500,000. Longines Symphonette Society, a record company, recently topped all the other entries with a contest that purported to offer $5 million in prizes. The public is being inundated with a blizzard of gambling slips, tickets, tokens, and cards.

But the blizzard is now bringing bad news to just about everybody caught in it. About the only group eager to see the games continue is the half a dozen or so companies that hawk them to the big corporations. The individual consumer is beginning to resent the high-pressure sales pitch that screams about fat cash prizes and free new cars, which he never seems to win—or even see anyone else win. The gas-station dealers and supermarket managers, who have to pay the big companies for the games, are getting fed up with the added cost, with the fact that the competitive edge is lost when every store or gas station on the block offers some kind of game, with the paper handling that the games necessitates, and with having to take the flak sent up by a disgruntled public. Acting through their influential trade associations, the dealers are putting heavy pressure on Congress either to outlaw the games entirely, or to write regulations so onerous as to have the same effect.

Further, all kinds of evidence about deceptive practices in the conduct of the games has been revealed. The Federal Trade Commission has recently uncovered and publicized the fact that the games are sometimes rigged: prizes are seeded in certain areas where sales are lagging, while at the same time the promotion of the same game is heavy in places where the promoters know in advance that there won't be any winners. In some cases, as the Dingell subcommittee of the House Small Business Committee discovered, customers were given chances that didn't have a chance—the prizes were already awarded. The odds in favor of winning and the number of available prizes have been exaggerated in promotional material. The total amount of the prizes, which is luridly featured in advertising, sometimes is never paid, because some winning coupons are never redeemed—a predictable fact well known to the sponsors of the games.

As for the big corporations, they are now struggling to free themselves from the sponsorship of the games, even though they seemed almost eager to be gulled only a short time ago. The marketing executives in companies such as Standard Oil (New Jersey), Union Oil, and Atlantic Richfield, as well as food chains such as Winn-Dixie, are still insisting that they have to buy and promote the games because their competitors are using them. But, in a curious display of schizophrenia in corporate policy, the top executives of many of the same corporations have felt perfectly free to criticize the games that their subordinates were busily buying. Michael Haider, chairman and chief executive of Jersey Standard, said recently: "I think it is a damned poor way to market gas."

Surprisingly, despite the widely expressed view, accepted as a self-evident truth, that "we have to have it because they have it," the oil companies abstaining from game promotion have come off as well as the sponsors. Texaco and Gulf Oil have stood aloof from the whole affair, plugging away instead at their established advertising themes of products of good quality and good service. Right now those companies can take a lot of credit for their prescience. They are also doubtless breathing a sigh of relief at being free of any taint of the scandal that may grow out of the current investigations of the games. One can detect a note of triumph in a speech that Fred S. Schwend, president of Gulf Oil Co.-U.S., recently delivered to the National Congress of Petroleum Retailers. Said Schwend: "Giveaway games have gone beyond the stage of just being a marketing stratagem. After two years of spreading use, they are backfiring and causing our industry irreparable harm, because whether the charges are right or wrong, they are accompanied by a blight on our image which may last a long time."

Sitting nervously on the sidelines are the game promoters, some of whom have made instant fortunes from this arcane form of gambling. They fear that the outcry against the games, and the likelihood of restrictive action either by Congress or by the FTC, may stunt the growth industry that grossed over $200 million last year. That prospect doesn't trouble Reichman very much, perhaps because he has done so well already. He sees no great disaster if the games are outlawed, conceding with a sigh that he "created a monster." But other promoters of the games, who came from nowhere a couple of years ago to compete with Reichman, are understandably ridden with anxiety. They have been positively fulsome in their public statements about the need for regulation of the games. They have pledged their wholehearted cooperation with every investigative agency—always, of course, on the tacit assumption that, in some form or other, the games will be allowed to continue.

These promoters are an esoteric breed. All they need to be in business is an idea, and the services of a lawyer who is familiar with state and federal lottery laws. The promoters sometimes put on an air of mystery about the games they invent, hinting that they have laced into them a touch of sexual symbolism or perhaps a dash of mystic numerology. But the fact is that promoters crank out the games by the hundreds, in the sure knowledge that they will be able to sell some of them. When pressed they admit that, for a game to be successful, all it has to accomplish is convey to the participant—who in less decorous times was called a sucker—the idea that he has a chance to get something for nothing. Sometimes he does—but a very slim chance indeed. As one promoter admitted to the House committee, the odds against winning a $1,000 prize are one million to one.

According to the laws of most states, games of chance become lotteries (and so fall under state regulation, or become illegal) when they contain three elements: a prize, the payment of a "consideration" to enter, and the element of chance. The promoters have had to do some fancy stepping to circumvent those lottery laws. Since their games must contain the elements of chance and the award of a prize, their only means of circumvention has been to doctor the concept of "consideration." Games cannot increase sales unless the participant is convinced that he must buy something in order to win. To make their schemes legal, the promoters have tried to get rid of this embarrassment by adding the phrase "No purchase necessary" in all advertising related to a game. For their precedent in this maneuver, contemporary promoters owe a debt of gratitude to a carnival barker named Yellowstone Kit, who operated a shell game at country fairs around the turn of the century. Yellowstone Kit was arrested for infringing the lottery laws of Alabama. But he was released when he claimed that players did not necessarily have to pay to participate in his game. If most people exercised their right to demand chances without making a purchase today, games would end overnight.

Some states have already moved to make games illegal. In Ohio and Wisconsin the mere act of walking through a supermarket turnstile, even without making a purchase, is judged to be "consideration." The strict Kansas laws make it very difficult for promoters to operate there. Last year Massachusetts and Maryland banned gas-station games. The Maryland law was later overturned, but the dealers will probably try to have a broader statute passed this year.

HOW TO HIT IT BIG

To an outsider, most of the games offered in gas stations and supermarkets have a striking similarity. Some early games required players to match halves of play money. Then came a flood of Bingo imitations. The latest wave is known in the trade as "intrinsic value" games, where promoters offer metal coins or tokens rather than pieces of paper. "Probability—that's the new exciting thing that people like," says Stephen Friedman, president of the Plaza Group Inc., with the air of a man who has rediscovered the internal-combustion engine. "People like to control their own destiny." None of the games, though, is really foolproof: both dealers and players have been ingenious in finding ways to crack them—thus controlling their own destiny in a way Friedman did not intend.

Walter Schwimmer, a Chicago television producer, devised the first game of chance for television audiences. Let's Go to the Races is a half-hour horse-racing show. Viewers can wish cash prizes up to $1,000 by watching the screen and checking their entry cards picked up from the sponsoring supermarket chain. When Schwimmer's game was first used in 1963, sponsoring supermarket chains had sales increases of up to 40 percent. Other promoters have since produced similar games based on horse racing, trotting, and greyhound racing. Schwimmer hit it big with his game, though, when he sold his company, Walter Schwimmer, Inc., with rights to the game, to Cox Broadcasting for $2,750,000 and a share of future profits. Competitors refer to Schwimmer as a genius. Modestly, he says he is merely "the master of the obvious." He is now trying to find a buyer for a game that he considers more exciting than Let's Go to the Races. It will offer total prize money of $15 million, with a top prize of $1 million.

THANK YOU, MR. PRESIDENT

The most original of the extant games is the Mr. President Coin Game, a Shell Oil promotion created by Ogilvy & Mather and the Franklin Mint, the largest private mint in the world, whose president, Joseph Segel, started Franklin Mint in 1964. (Its chairman, Gilroy Roberts, was formerly head engraver for the U.S. Mint.) Instead of paper chances, the Shell game, which began a few months ago, features thirty-one coins, each depicting a President of the U.S. Prizes ranging from $1 to $5,000 can be won by those who succeed in collecting certain combinations of coins. In addition to cash amounting to over $3 million, Shell offered 500,000 complete sets of bronze coins as prizes. But, like the paper games, this one can be beaten, too. The coins are delivered in separate, sealed envelopes, and a sharp Mobil dealer, Nicholas Del'Spina, discovered ways of taking impressions of the enveloped coins, thus identifying (and extracting) the winners. When Segel redesigned the packages, Del'Spina struck back by finding a way to unseal and reseal them with his flat-tire repair kit. Segel and Ogilvy & Mather have countered with another packaging change. No doubt Del'Spina is already at work on that one.

The success of the Shell game (the company has received over 20,000 complimentary messages) has convinced at least one promoter that coin games are the wave of the future. Ralph Glendinning, whose marketing company has been retained by dozens of the biggest corporations in the country, promoted a coin game called Famous Americans, recently test-marketed by Shell in the Midwest. Since private minting facilities in the U.S. are strained to capacity, Glendinning placed his order with the Birmingham Mint in England. Segel, meanwhile, has expanded the capacity of his mint to one billion coins a year, which will allow him to provide a coin game to another major customer, Sun Oil. Following the announcement of Shell's $3,100,000 order to the Franklin Mint last August, the price of a share of Franklin Mint rose fairly steadily from $73 to a high of $175 prior to a two-for-one split. As long as no other mint facilities become available, Shell and Sun Oil seem to have a lock on the coin games—although Segel, in accordance with the general practices of the promoters, might someday switch his allegiance.

"Operating in the game business is like swimming in a sea of sharks" is how one promoter describes his experience. Like predators, the men in the game business circle each other carefully, and one will often nip in to grab a client from the other. Promoters feel perfectly free to offer games to competitive firms. One firm has wound up supplying games to no less than six competing oil companies. Some promoters are refreshingly frank about their motives. Two years ago when Stephen Friedman, then a sales executive with a publishing house, and Howard Brown, a psychology consultant, saw that supermarkets were offering a lot of games, they decided to join in. "We saw opportunity," says Friedman, "so we picked up the dice and rolled 'em." Their company, Plaza Group Inc., now supplies games to Mobil Oil.

The high-profit margin in selling game pieces would impress a Texas oilman. Chances normally printed in color on a piece of paper no larger than six square inches cost around $3.50 per thousand. The promoter sells them to an oil company or a food chain for as much as $12.50. A game promotion for an oil company with 15,000 stations usually requires 150 million game pieces. If the game continues for thirteen weeks, the promoter makes a profit of $1,350,000. Should the company continue the game for a year, the profit totals $5,400,000. The company puts up all the prizes.

This lucrative little universe is exempt from regulation in most states and free from public auditing when it comes to distribution of prizes. Promoters, though, are faithful to an old principle of the medicine men and sideshow barkers: they never give a sucker an even break. Large prizes are salted into prearranged areas, and stored for maximum promotional impact. In at least one case, boxes of *winning* chances were offered to selected gasoline dealers to build up their sagging business. In Florida, 500 Cities Service dealers promoted a game that purported to offer an undisclosed number of Mustang automobiles, but a company executive saw to it that the two winning tickets were handled by favored dealers. Possibilities of corruption are great, since thousands of identifiable winning chances are handed along from printers to promoters to company executives. Richard Kane, executive vice president of Marden-Kane, Inc., the game supplier for Humble Oil, put the case nicely when he told the Dingell subcommittee, "When we print game tickets, and I think any game company would agree with this, we are in the same business as the Treasury Department, printing money."

The absence of regulation, however, raises more sinister possibilities than the programming of prizes to friends, relatives, and cooperative dealers. By circumventing the lottery laws, the promoters have opened up a new area of opportunity for organized crime. William D. Snow, general counsel of the National Congress of Petroleum Retailers, points out that if the sale of chances by the food and oil industries is legal, there is nothing to prevent a Mafia member from claiming the right to sell them, too. Organized crime likes no business better than one that requires little managerial skill, needs only a small investment, generates immense profits, and is free from regulation. Significantly, a member of the Mafia was indicted last year, charged with attempting to extort money from an executive of a New York game promotion company.

TEMPTING LOST CUSTOMERS

The gambling boom was set in motion by food marketing men who were looking for a low-cost promotion. Since the market is inelastic—people can consume only a given quantity of food—substantial sales gains can be attained only by winning market shares from competitors. Moreover, the cost of persuading the public to change buying patterns is high; between 1955 and 1966 advertising and promotion costs in food retailing increased seven times faster than total expenses.

Games, therefore, looked like a good bet. They cost less than half as much as trading stamps, and they were highly effective as a short-term promotion. A Kroger executive explained that his company needed promotions because every year 40 percent of the customers are lost. Half of them move out of the marketing area and the other half switch stores. The remaining 60 percent also shop at other food stores. Because of this loss of customers, chance games or contests and trading stamps are necessary to bring new customers into Kroger stores.

But the gains were artificial and ephemeral. The counter strategy to a game is simple: just another game. Supermarkets were gradually drawn into the great gambling craze. In January, 1965, 8.6 percent of the stores operated by eighteen major food chains were offering games to their customers. By October, 1966, the percentage was up to 70.8: 9,621 stores out of the 13,591 outlets controlled by these chains were gambling merrily away. Total advertising and promotion expenses for nine chains increased from $314 million in 1965 to $354 million in 1966; games represented 75 percent of the additional cost. And the gains that they brought to the individual chains turned out to be ephemeral.

As the market became flooded with games, the promotions became defensive—a rather desperate ploy to hold onto a given market share. In Washington, D.C. four chains—Safeway, Giant Food, A & P, and Grand Union—shared more than 60 percent of the market. In June, 1966, Safeway introduced Bonus Bingo. For the following three months Safeway's sales gain over the previous year ranged from 15 to 19 percent, while its competitors, without games, suffered losses. Then Giant Food introduced Win at the Races. Grand Union blew a fanfare for Post Time at the Races. A & P offered a game called Three of a Kind. The games either reversed or reduced the sales losses. Market shares settled back to pre-game patterns.

Then the pitchmen began to make their pitch even more shill. One chain advertised the chances of winning as one in three, whereas the actual odds of winning a cash prize were 15,373 to 1. Another chain advertised that 428,790 prizes were available, although only 8,574 cash prizes were programed into the promotion. (The remaining prizes were stamps and merchandise of little value). Prize money varied from week to week, although the public was never told of the changes. Of eighteen chains interviewed by the Federal Trade Commission, eleven admitted that they selected certain stores for the handling of large prizes. The FTC concluded that customers in 80 percent of the stores had no chance of winning big prizes. There is a tinge of remorse in the remarks of foodstore executives now when they discuss their little flutter in the gambling business. An executive of a major food chain says the whole experience "was like one of those drugs. Quite a trip while it lasted, but what a headache the next morning."

PRESSURE ON THE DEALERS

Just as in food retailing, the gasoline market is inelastic. No less an authority than J. Paul Getty has admitted that in the oil industry "you are not selling something that is revolutionary. You are selling gas, and the public apparently doesn't think that there is too much difference in the various brands of gasoline." Despite that, though, there is increasing distaste for price competition among the marketers. After they all retreated from the price wars of the late Fifties and early Sixties, oil companies resorted to offering glassware, steak knives, and china to their customers. When the public became jaded with such trinkets, the stage was set for the game promoters.

The decision to use games in the gasoline industry introduced an element that neither promoters nor oil companies analyzed with caution. In order for the games to be successful, oil companies had to secure the cooperation of dealers. One obvious method was to use a high-powered advertising program, which would create a public demand for chances. The impact of such advertising often forces even an unwilling dealer to participate. In some cases, oil companies went further, threatening to cancel their dealers' leases in order to force them to cooperate. Gasoline dealers are fiercely independent, but initially they found their wrath balanced by their desire for profit: after all, promoters and oil companies were confident that the games would increase sales of gasoline by quantum jumps.

But the dealer had to pony up in order to participate. The oil companies decided to cut their promotional costs by selling the game pieces. Typically, a dealer has to buy a box of 1,000 chances from the oil company, often paying as much as $20 for the privilege. The price level is set high enough so that it would be unprofitable for the dealer to destroy all the game pieces in order to locate the prize-winning chances. In a typical example, Esso dealers paid $15 for a box of 1,000 chances containing instant winning tickets worth $11.15. Pretty soon the dealers' associations began questioning whether it is legal for companies to sell chances, which is, in fact, a practice quite different from the distribution of game pieces in the food industry through company-controlled outlets. But the oil companies plunged on.

Ironically, the first oil company to use games was Getty's Tidewater Oil, a company that had struggled for years to penetrate the huge and competitive California market. Between 1955 and 1960, Tidewater tried to compete with the major oil companies by increasing the number of gas stations from 1,918 to 3,885. But that was still not enough to win it a profitable share of the market: established marketers such as Standard Oil of California, Union Oil, and Shell fought off the challenge by adding new outlets of their own.

As a final desperate act, Tidewater introduced a game called Win-a-Check in January, 1966. The result was immediate and electric. Between January and March, Tidewater increased its monthly sales from 35 million gallons to 51 million gallons, an increase of 46 percent. In the course of reaching that record sales figure, Tidewater displaced Texaco and Mobil to become the fifth-largest marketer in the state, precisely what Getty had been after all along. (By July, though, Getty had reached an agreement to sell all of Tidewater's marketing properties to Phillips Petroleum.)

NO GAIN ON THE PLAY

That dramatic shift in market shares set off the game war. Richfield, Texaco, and Gulf stood aloof. But Standard of California, which held almost one-quarter of the market, along with Humble, Union, Shell, and Mobil, began rapid-firing games to dealer and consumer. As each company introduced its game, sales rose sharply—and then dropped as soon as the promotion was discontinued. "It must have looked like lunacy," recalls an executive of one of the companies. "We were offering steak knives, china, glass, stamps, and game chances. As a sideline, we were also selling gasoline."

As in the food business, the gasoline games have given the sponsoring companies only a short-lived advantage. There has been only one lasting shift in market shares. Between January, 1967, and October, 1968, Standard of California lost over 3 percent of its market share, and dropped to second place behind Shell, which increased its market share from 15.9 to 19.3 percent. Union's game promotion in the long run did not help any; it lost 1 percent of its share of the market. Without using any games, Atlantic Richfield managed to show increased sales over the previous year in all but two months since January, 1967, and ended up with a larger share of the market last October. Texaco and Gulf, also without the benefit of games, did not suffer any serious sales erosion. From California, the games rolled eastward until gas stations began to take on the atmosphere of branch offices of a casino conglomerate. Last year the oil companies paid out over $20 million in prizes.

BAD DEAL FOR DEALERS

The sourness of the dealers is just as impressive. A survey made by the Allied Petroleum Dealers of Florida showed that the average dealer paid $490 for game pieces, paid out an average of $87 in prizes (for which the company reimbursed him), but that most dealers had no increase in business. In Los Angeles another survey showed that while most dealers sold more gasoline, their profits were down, because of higher promotional and other costs. Moreover, deception and rigging were widespread. Dealers in Maryland, Virginia, Minnesota, and Florida made public the methods they hit on to extract winning chances from fresh boxes delivered by promoters. A Pittsburgh law student discovered an infallible method of extracting winners in the Esso game, and offered to sell the secret to the game promoter—who declined the offer. Some dealers were extracting winners in order to offset the cost of the game pieces. "Where will it all end, gentlemen?" asked an executive of the Michigan Gasoline Dealers Association. "Will the blackjack table replace my lube rack or the butcher's block? Will the nail bin in the hardware store become a holder of bingo balls, or could he convert his paint shaker to a dice roller? Will a lucky number appear when you scrape the price sign off the side window of your next car?"

Much breast-beating now can be heard emanating from the offices of chief executives, who at last are hearing the angry complaints of their dealers. A statement of Robert G. Reed, vice president of Cities Service Oil Co., is typical of the response of harried executives. "I have never been in favor of the use of games in our over-all marketing program," said Reed. "I do not feel that games are a firm basis by which we may build lasting customer and dealer relationships. However, the use of them by our competitors has forced us to enter the field." But that line of reasoning seems less and less convincing.

TRIBUTE TO THE LATE DR. VINCENT M. RAVEL

(Mr. WHITE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. WHITE. Mr. Speaker, our Nation draws its strength from the character of its citizens, a character often nurtured in traditions of service to mankind that are centuries old. Such was the heritage of my constituent and friend, Dr. Vincent M. Ravel, who passed away in El Paso, Tex., on February 13. A distinguished member of the Jewish community in El Paso, he had served as president of the Jewish Community Center, and was a great moving force in the building of a community service building for that organization.

He was a board member of B'nai Zion Synagogue, proud of the religious and cultural heritage of his people, and a valued contributor toward its preservation. I have the honor of being a member of a memorial committee which is establishing at the University of Texas at El Paso a collection of books and documents on Jewish history and culture. His own priceless library, donated to the university by his widow, will serve as the foundation for this memorial.

For his many contributions to Jewish life and culture and the welfare of his people, Dr. Ravel was honored with the Prime Minister's Medal, presented by Prime Minister Levi Eshkol, who died in Israel this week.

Dr. Ravel's heritage of religion and culture helped to mold a character that made him a tireless servant of the people in the El Paso area. He was a leader in his profession and served as director of radiology at two El Paso hospitals. He has given generously of his time and ability to the service of those in need, and has contributed greatly to the progress of such organizations as the Cancer Society and the heart and tuberculosis associations.

Our community is a richer place, culturally, because Dr. Ravel lived among us. In addition to the contributions of the culture of his own people, he served devotedly as vice president of the El Paso Symphony Association, a member of the board of directors of the El Paso Museum of Art, and a member of the board of Liberty Hall and the El Paso Coliseum.

His concern for our less fortunate citizens has been reflected in many acts of private beneficence, and in his service as a director of Project Bravo, the El Paso community action program in the war against poverty. I had the great pleasure of naming him as a cochairman of a special committee to secure a veterans nursing home for El Paso, with Federal and State participation in the costs of construction and operation.

Such a man as this is irreplaceable, but his words will go forward as his friends and coworkers draw strength from the life of service he left as an example. To his widow and his family, his many friends and admirers extend heartfelt sympathy, with the knowledge that we are all made stronger by the strength he left us.

LEGISLATIVE PROGRAM

(Mr. ARENDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARENDS. Mr. Speaker, I have asked for this time in order to inquire of the distinguished majority leader if he can advise us as to the legislative program for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished minority whip yield?

Mr. ARENDS. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority whip, the only legislative business that we have for next week is a bill, H.R. 497, which we are advised will be called up on Tuesday next by unanimous consent, a bill to amend section 301 of the Manpower Development and Training Act of 1962.

Monday is Consent Calendar day but there are no eligible bills on the calendar and there are no suspensions.

Mr. ARENDS. I might ask the distinguished gentleman if he can give us any information about the reorganization bill that has been sent up here for consideration.

Mr. ALBERT. Mr. Speaker, if the distinguished gentleman will yield further, my understanding is that the committee is giving consideration to that matter and that it is hoped to hold hearings beginning on Tuesday, March 11.

Mr. ARENDS. Might I express the hope that we could have early consideration of that legislation in view of the fact that we have the time to do it now rather than waiting until late in the session.

Mr. ALBERT. I thank the gentleman.

Mr. ARENDS. I thank the gentleman from Oklahoma for this announcement.

ADJOURNMENT TO MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TRANSFER OF SPECIAL ORDER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the special order granted to the gentleman from New York (Mr. BINGHAM) for today for 1 hour be transferred to March 3.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PROPOSED PAY RAISES

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HALL. Mr. Speaker, my position against the profligate pay raises in Government at all levels, is well documented and well known. I ask you to recall my statement here in the well of this House predicting a second Valentine's Day massacre of the U.S. taxpayer. That has come to pass, by an act of omission on the part of this body. Now Mr. Speaker, there are ominous rumblings in committee, in Congress, and downtown, that the equally predicted "fallout" increases to all employees will begin—first, among our own politically appointed "servants of the House," and then to all others. May the taxpayers forbid. If the moral stamina of these and their representatives has fallen to such a low ebb that they will not, then perhaps judicial review as indicated in the attached Milwaukee Sentinel editorial entitled "Challenge Raises," is in line of due process and should be tried. Since it does conflict with their personal benefits, and in view of many of their recent decisions and activities I can offer little hope, and only consolation to the overburdened and totally imposed upon taxpayer.

Quo vadis, America?

CHALLENGE RAISES?

How about a taxpayers' suit to challenge the constitutionality of the $12,500 a year salary increases members of congress have just grabbed for themselves?

Article I, section 6, clause 1 of the Constitution states: "The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States."

The key phrase in that clause is "to be ascertained by law." The question which should be put to the supreme court for a decision is whether the devious method congress used to grab these inordinate raises is in accordance with that provision in the Constitution.

One of the too few congressmen opposed to the pay increase for the nation's elected officials and their top employes, Rep. H. R. Gross (R-Iowa), believes they were not properly ascertained by law.

Gross points out that the 1967 bill to increase postal rates and the pay of federal employes other than those in the top brackets included "a cute little gimmick by which congress delegated to a commission, specially hand picked and anointed by President Lyndon B. Johnson, the authority to recommend pay increases for top level officials and employes in the three branches of government."

Noting that "ascertain" is defined to mean "make certain, exact or precise," Gross contends that the legislative delegation of power to the president to set congressional salaries was not exact or precise. "There was no standards or criteria for the commission or the president. The sky was the limit!" Gross says.

The raises were allowed to take effect Feb. 14 without the slightest committee consideration, without justification through hearings, without debate in the house and without a roll call in the house. They were not "ascertained by law."

Asking the supreme court to rule on the constitutionality of the salary increases might be a little awkward. As a part of the package the chief justice's salary was raised from $40,000 to $62,500 and that of the eight assistant justices from $39,500 to $60,000. Hence they might all have to disqualify themselves, leaving taxpayers nowhere to turn to seek relief—a circumstance with which American taxpayers are becoming all too familiar.

APPOINTMENT AS MEMBERS OF THE NATIONAL FISHERIES CENTER AND AQUARIUM ADVISORY BOARD

The SPEAKER. Pursuant to the provisions of section 5(a), Public Law 87-758, the Chair appoints as members of the National Fisheries Center and Aquarium Advisory Board the following Members on the part of the House: Mr. KIRWAN and Mr. FREY.

PARLIAMENTARY CONFERENCE WITH JAPAN

(Mr. McCLORY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCLORY. Mr. Speaker, I have today introduced a joint resolution to authorize the participation by the United States in parliamentary conference with Japan. The suggestion for this interparliamentary exchange was made to me by the Speaker of the House of Representatives of the Japanese Diet, the Honorable Naka Funada, when I visited Japan in 1965.

Mr. Speaker, the emergence of Japan as a great political and economic power in the world, and particularly in Asia, suggests that stronger ties between the Members of Congress and our counterparts in the Japanese Diet would be most useful.

Mr. Speaker, I first introduced a similar resolution in 1966 when the importance of continuing close relations between our Nation and Japan was evident. It now appears that notwithstanding our failure to establish such an interparliamentary organization, various private exchanges have been encouraged by some Japanese parliamentarians for purposes which may not always be consistent with our Nation's best interests. I refer to recent exchanges promoted by political opponents of Prime Minister Sato with selected Members of the U.S. Congress and others.

Problems relating to the future status of the Ryukyus and the presence of American military forces there and in other places in Japan require the most earnest attention on the part of representatives of our respective Governments. The decisions to be made will require the concurrence and support of both Houses of the Congress.

Issues affecting trade between our two nations, including the related elements of tariffs, subsidies and dumping, must also receive the attention of the Congress.

In addition to the problems which give rise to tensions between our two nations, there are innumerable domestic problems which are common both to Japan and the United States. Water and air pollution, urban deterioration, transportation, and many other difficult obstacles to our respective internal progress can be surmounted more readily by sharing possible solutions one with the other.

All of these subjects may be placed appropriately on the agenda of the proposed interparliamentary conferences between representatives of the U.S. Congress and those of the Japanese Diet.

Japanese and American understanding can be greatly enhanced by such annual or semiannual conferences. A balanced and knowledgeable delegation of the U.S. Congress named from both the Republican and Democratic ranks would make possible meaningful discussions for the joint benefit of the respective countries which we represent.

To maintain peace and understanding between nations an open dialog is a necessity. As a delegate to the various Interparliamentary Union Conferences, I have had occasion to witness firsthand the benefits that can flow from exchanges of views between the Members of our Congress and parliamentary representatives of other nations. If these exchanges are expanded, as I propose that they should be with Members of the Japanese Diet, improved understanding and mutual respect will inevitably follow.

It is my hope that this measure will be considered favorably by the appropriate committee of the House and that it will thereafter receive the overwhelming support of the Members of this House and of the other body.

IT IS IMPORTANT TO KEEP AMERICA'S RURAL COMMUNITIES ALIVE

(Mr. RANDALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RANDALL. Mr. Speaker, the agriculture editor of the Kansas City Star, Rod Turnbull, in the lead editorial of that paper for Sunday, February 23, has made an excellent presentation of the fact that an entirely new approach is needed to attack what has so long been known as the farm problem. No longer is the solution a matter of price supports or acreage control, nor even a program directed to the farm itself. It must be a program to benefit the entire rural community.

Reference is made to a study by a group of agricultural economists from the Center for Agricultural and Economic Development at Iowa State University. These economists, however, only confirm that all farm programs up to now have been directed to solving farm income and sustaining the family farm. Virtually nothing has been done to arrest the declining business activity and prosperity of the little towns under 2,500.

This well written editorial impressed me because in my opinion the one single problem of our country today which overrides all others, and which certainly embraces many others, is the problem of urban-rural imbalance. If this imbalance could be corrected, the ills of our cities would be lessened, including their frequent riots and racial disturbances. There is no doubt but that it is the migration from the farm to the urban areas that has created the crises of our cities. This same migration has hurt the little town. A new Federal farm policy must someway, somehow, result in a better distribution of our country's population. While we could never subsidize all of the people who live in our small towns, we can provide tax incentives for industries to develop new plants in smaller cities. I was the proud author of a bill directed toward such an effort in the 90th Congress. I again introduced what I have described as the rural revitalization bill early in the 91st Congress to encourage industry to locate in small cities.

Mr. Trumbull is so very right when he points out that, whatever the cost may be to prevent the death of more of our little towns, such cost will be much less than coping with the problems of more crowding in our big cities. We need more clear thinking such as emphasized by Mr. Turnbull. Those who realize the seriousness of our urban-rural imbalance are indebted to him for the editorial, which follows:

[From the Kansas City (Mo.) Star, Feb. 23, 1969]

IT IS IMPORTANT TO KEEP AMERICA'S RURAL COMMUNITIES ALIVE

A whole new approach is needed for the attack on the nation's farm problem, in the opinion of at least one group of agricultural economists. The big switch would not be in introducing new methods of price support or acreage controls, but in broadening the concept of the program from the farm itself to the entire rural community.

Apparently this idea coincides with the thinking of President Nixon. The President has said little, either in his campaign or since the election, to indicate policy positions on farm price support legislation. But he has spoken specifically on the problems of rural America.

In a "get-acquainted" appearance before the top officials of the Department of Agriculture, Mr. Nixon emphasized the fact that he had put Clifford M. Hardin, Secretary of Agriculture, on his new Cabinet committee, the Urban Affairs Council. He explained that he wanted the farm representative on the Council because "we know the problems of rural America today will be the problems of urban America tomorrow." The President added, "We know that as life in rural America is less attractive, there is a tendency for people from the farms and from the agricultural communities to move into the cities." Unless life is made more attractive in rural areas, he observed, virtually all future growth in America will be in the cities.

The Center for Agricultural and Economic Development at Iowa State University is made up of a group of economists whose task is to study government policy as it relates to the farm. While the Center obviously can't make laws, it is an instrument of research and contributes to the making of opinion on agricultural policy.

The Center's economists now are pointing out that government farm programs were created originally to solve the farm income problem and to sustain the family farm. Whether or not this purpose has been achieved, it is now a fact the country has only about half as many farms as it had in the 1930's. Income per farm has increased if for no other reason than that there are fewer farms.

Some of the larger farmers now are enjoying incomes which are on a parity with those of people in cities. The economists are convinced the trend to larger farms is far from over. They also insist that the shift to the larger farms is not a mark of failure in the rural economy but evidence of the success of technological progress.

One net result, however, has been a decline in business activity and prosperity in many small towns. Actually, there are as many people in the little towns (cities under 2,500) as on the farms. These communities have economic troubles and virtually nothing has been done for them. Also, the migration from farm to urban areas that hurts the little town has become a principal factor in the crisis of the cities.

Therefore it can be argued that the new farm program approach must be concerned with far more than prices on agricultural products. It should deal with a new set of considerations: What can be done to help both the farm *and* the rural community?

One difficulty stands out. Since virtually all thinking down through the years on the farm problem has concentrated on price, or income of farm operators, few concrete suggestions have been developed on how to keep the rural community alive, or even what towns or what size of towns should be maintained. The reduction in the number of farms has been accepted in recent years as inevitable. Moreover, it appears inevitable that many small towns no longer will be needed and gradually will fade away.

At the moment, there is no talk of subsidizing people to live in small towns. Instead there are such suggestions as providing tax incentives for industries to develop new plants in smaller cities. Already in effect are plans, and some government incentives, toward modernizing towns with water plants, sewers and the like to make them better places to live. But in general the rural community has not received the attention that has been given the farm—and particularly the commercial farm. Most of the benefits of the current farm program go, it is conceded, to the larger and most productive farms.

Recognition of this fact has prompted the Farm Bureau, largest of the farm organizations and one which generally has opposed control by the government on both farm production and prices, to favor two programs. One would sustain the commercial farmer and the other is of the "aid" type for the marginal operator.

The Iowa center's economists would go a step further in that their proposal would also include the rural community. Actually, the new stress is on the community because it is assured that the number of farms will continue to decline.

The nation's educational institutions, the economists suggest, should take the lead in research both to determine what kind of a rural society should be maintained and what the government might do to further the desired development. The alternative appears to be the haphazard trend toward larger and more crowded cities on the one hand and more dead little towns on the other.

The case made by the center's economists is appealingly logical, but the scope of the problem is almost beyond comprehension. Yet so is the prospect of development without guidance. It seems almost certain that events themselves will determine in general which towns shall fade and which shall survive. But isn't the time at hand to see if some order may be established? Where are another hundred million people going to live in the U.S. in the next 30 years? Could it be that the cost actually would be less by keeping some of this future population in rural communities or small cities rather than to cope with the problems of more crowding in the big cities?

The change in farm policy emphasis proposed by the Iowa center is striking in its possibilities for a better distribution of the country's populations. Surely this recommendation is worth the attention of Congress, the Department of Agriculture, the President's Urban Affairs Council and all who would be thinking of the nation's future.

CONGRESSMAN HALPERN INTRODUCES BILL AIMED AT REDUCING COST OF PRESCRIPTION DRUGS

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 30 minutes.

Mr. HALPERN. Mr. Speaker, one of the most blatant hardships faced by the American consumer today is the ever-increasing cost of prescription drugs.

The patent laws of the United States, which protect the manufacturer of the brand name prescription drugs from competition, were never meant to enforce exorbitant price schedules.

For that reason, I am introducing an amendment to title 35 of the United States Code to compel a patent holder who has made more than a reasonable profit on a specific drug—an unreasonable profit being 500 percent of more—after a period of 3 years from the date of its patent, to grant licenses to other competing firms to produce and sell the same drug. Statistics show that the average manufacturer of prescription drugs reaps profits far in excess of that percentage in 3 years.

The answer to reducing prices is simple and can be realized by limiting the life of the drug patent after a reasonable time and after adequate profit is realized.

The prescription drug industry takes advantage of existing long-term patent protection to set arbitrary prices which frequently bear no relationship to the cost of developing, perfecting, and producing drugs. The consumer cost of most drugs is many times their actual value and thus the drug companies are allowed to reap excessive profits at the expense of consumers.

And, our antiquated and unrealistic laws encourage such monopolies, with the concomitant results of unnecessarily prohibitive prices.

I am all for drug manufacturers making adequate profits under our free enterprise system. And I am all for ample reserves to meet the costs of research and encourage development, but surely after 3 years of marketing a drug, and making no less than a 500-percent profit, this is more than reasonable and the product should be on the open market for competition.

Moreover, research and development would be spurred, rather than hindered, by restricting the patents, since it would provide the incentive to open the field up to competition, thus furthering competitive innovation.

Under this bill, the percentage of profit would be calculated on the basis of all production costs, including research and overhead. Such costs would be determined from testimony at a Federal Trade Commission hearing.

Mr. Speaker, here is dramatic evidence of drug overpricing in New York City, as an example of the need for this type of legislation.

The city paid a manufacturer $24.99 per bottle of 100 capsules for a very useful antibiotic purchased in great quantities.

When the patent was close to expiration the same firm offered the city a price of $18 a bottle for the same drug—almost 28 percent lower than the first price. Now that the patent has expired and competitors are free to enter the field, the city pays only $6.73.

How can any manufacturer justify a patent-supported price which is a full 3½ times the profitable market price of the identical drug without a patent?

We can no longer allow this industry to take advantage of stricken persons by squeezing out of them the last few dollars the traffic will bear to reap excessive profits.

Major research is conducted by other industries without exaggerated markups.

Despite what the drug manufacturers would have you believe, the high profits from exorbitant markups are not all plowed back into research.

In fact, pharmaceutical houses spend hundreds of millions of dollars each year to send promotion men into the field to push the sale of their overpriced products to physicians. The big markups also pay for that.

I do not suggest that we eliminate normal sales promotion, nor that we bar recovery of a reasonable cost of such promotion in the final price of the product.

But, I do urge that action be taken immediately to curb those who would take advantage of a monopoly to capitalize on human misery.

I sincerely believe that if this legislation were adopted, without question, drug prices would be brought down to a level set by the basic principle of our free enterprise system—the law of supply and demand. And, I am confident the quality will improve, also.

Mr. Speaker, this legislation is vitally needed to protect the American public from price gouging, while stimulating competition, encouraging essential research, and protecting reasonable profits. The need for action is now.

The text of the bill I am introducing is:

H.R. 10777

A bill to amend title 35 of the United States Code to provide for compulsory licensing of prescription drug patents

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 29 of title 35, United States Code, is amended by adding at the end thereof the following new section:

"§ 294. Licensing of prescription drug patents

"(a) Whenever the Federal Trade Commission, upon complaint made to it by a qualified applicant for a license under a drug patent, has reason to believe as a result of an investigation that such application for a license was made and not granted after a period of three years from the date of issuance of the patent and that the price of the patented drug charged or quoted to druggists by the patentee is more than 500 per centum of the cost of production for such drug in finished form and packaged for sale, the Commission shall issue and serve upon such patentee a notice of a hearing upon a day and at a place therein fixed at least thirty days after the service of its notice and to show cause why an order as hereinafter provided should not be issued by the Commission. The patentee shall have the right to appear at the time so fixed and present evidence on the cost of production of the drug and the price charged or quoted to the druggists.

"(b) If after consideration of the evidence the Commission finds that the price charged or quoted to druggists by the patentee is more than 500 per centum of the cost of production of such drug in finished form and packaged for sale, it shall order such patentee to grant an unrestricted license to any qualified applicant to make, use, and sell such drug in finished form: *Provided,* That no such order shall be issued until more than three years after the date on which a patent is first issued for such drug. Such order shall be subject to review by the court of appeals of the United States and shall become final in the same manner as are orders of the Commission issued pursuant to section 5 of the Federal Trade Commission Act.

"(c) For the purpose of this section the Commission shall have all of the powers granted to it by the Federal Trade Commission Act.

"(d) Whenever at any time after an order of the Commission, as herein directed, shall have become final and thirty days thereafter have elapsed, the Commission shall notify the Commissioner of Patents in writing of any failure or refusal of any patentee, his heirs, or assigns to grant an unrestricted license to a qualified applicant after receipt of an application in writing. Upon receipt of such notification the Commissioner shall cause notice of the cancellation of that patent to be published in the Federal Register and endorsed upon all copies of that patent thereafter distributed by the Patent Office.

"(e) As used in this section—

"(1) The term 'qualified applicant' means a drug manufacturer who is registered with the Secretary of Health, Education, and Welfare under section 508 of the Federal Food, Drug, and Cosmetic Act;

"(2) The term 'drug' means any drug which is subject to the provisions of section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act;

"(3) The term 'patentee' means the patentee, his heirs or assigns, or licensee when the patentee does not sell to druggists and such sales are made only by the patentee's licensee;

"(4) The term 'cost of production' means cost of materials and labor used to produce the drug in finished form and packaged; a fair allocation of plan overhead; royalties paid, if any, for the use of any product or process patent in connection with the production of the drug; and the drug's share of the patentee's total research expense as determined by the relationship of the annual sales of that drug to the patentee's total annual sales of drugs for the last preceding annual or fiscal year; and

"(5) The term 'unrestricted license' means a license which (A) includes a description of the manner and process (not including a patented process) of making and using the invention in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains to make and use the same, and shall set forth the best mode contemplated by the patentee of carrying out the invention; and (B) contains no condition, limitation, or restriction upon the manufacture, use, or sale in finished form only in the United States other than the payment by the licensee of a royalty not exceeding 8 per centum of the gross selling price received by the licensee for the sale of that drug to druggists in its finished form for use and packaged."

SEC. 2. The analysis of chapter 29 of title 35, United States Code, is amended by adding at the end thereof the following: "294. Licensing of prescription drug patents."

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. HALPERN (at the request of Mr. MAYNE), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. DORN.

Mr. RANDALL.

(The following Members (at the request of Mr. MAYNE) and to include extraneous matter:)

Mr. FISH in two instances.

Mr. FULTON of Pennsylvania in five instances.

Mr. SCHWENGEL.

Mr. MYERS.

Mr. ASHBROOK.

Mr. HALPERN in two instances.

Mr. STEIGER of Wisconsin in two instances.

Mr. ANDERSON of Illinois.

Mrs. REID of Illinois.

Mr. POLLOCK.

Mr. TALCOTT.

Mr. HORTON in three instances.

(The following Members (at the request of Mr. MIKVA) and to include extraneous matter:)

Mr. FRASER.

Mr. BOLAND in three instances.

Mr. RODINO.

Mr. HOWARD.

Mr. BIAGGI.

Mr. UDALL in five instances.

Mr. BOLLING.

Mr. BURTON of California.

Mr. MATSUNAGA.

Mr. JOHNSON of California in two instances.

Mr. BINGHAM.

Mr. ASHLEY.

Mr. ADDABBO.

Mr. FALLON.

Mr. O'HARA in two instances.

Mr. PATMAN.

Mr. FRIEDEL in two instances.

Mr. FOLEY.

Mr. MARSH in two instances.

Mr. KIRWAN.

Mr. RARICK in four instances.

Mr. FEIGHAN in six instances.

Mr. RYAN in three instances.

Mr. FASCELL in three instances.

Mr. HOLIFIELD in two instances.

Mr. GALLAGHER.

SENATE ENROLLED BILL SIGNED

The SPEAKER on February 26, 1969, announced his signature to an enrolled bill of the Senate of the following title:

S. 17. An act to amend the Communications Satellite Act of 1962 with respect to the election of the board of directors of the Communications Satellite Corp.

ADJOURNMENT

Mr. MIKVA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 17 minutes p.m.), under its previous order, the House adjourned until Monday, March 3, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

543. A letter from the Secretary of Transportation, transmitting a report of an Anti-Deficiency Act violation by the Federal Aviation Administration, pursuant to the provisions of 31 U.S.C. 665(1)(2); to the Committee on Appropriations.

544. A letter from the Secretary of Defense, transmitting a report that the authority vested in the Secretary of Defense by 37 U.S.C. 306 to pay special pay in addition to other pay prescribed by law, to certain officers, was not exercised during calendar year 1968, pursuant to the provisions of the above-cited law; to the Committee on Armed Services.

545. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a request for the withdrawal of a certain case involving suspension of deportation under the provisions of section 244(a)(1) of the Immigration and Nationality Act, transmitted to Congress on September 3, 1968; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DULSKI: Committee on Post Office and Civil Service. Report on job evaluation and ranking in the Federal Government (Rept. No. 91–28). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BIAGGI:

H.R. 7863. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

H.R. 7864. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. CLEVELAND:

H.R. 7865. A bill to establish a national cemetery in New England; to the Committee on Veterans' Affairs.

By Mr. COLLIER:

H.R. 7866. A bill to assist the States and their political subdivisions to meet their needs for increased revenues by sharing with them a portion of the revenues derived from the Federal individual income tax; to the Committee on Ways and Means.

By Mr. CONTE:

H.R. 7867. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. COWGER:

H.R. 7868. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. EILBERG:

H.R. 7869. A bill to establish a Commission on Trading Stamp Practices to provide for the regulation of trading stamp companies, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FRIEDEL (for himself, Mr. ANDERSON of California, Mr. ASHLEY, Mr. BIAGGI, Mr. BROTZMAN, Mr. BRAY, Mr. BURKE of Florida, Mr. DENT, Mr. FASCELL, Mr. GARMATZ, Mr. GRAY, Mr. GUBSER, Mr. GUDE, Mr. HALEY, Mr. HAWKINS, Mr. KYROS, Mr. LONG of Maryland, Mr. MACDONALD of Massachusetts, Mrs. MINK, Mr. MURPHY of Illinois, Mr. PEPPER, Mr. PODELL, and Mr. PUCINSKI):

H.R. 7870. A bill to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers; to the Committee on Interstate and Foreign Commerce.

By Mr. FRIEDEL (for himself, Mr. ROONEY of Pennsylvania, Mr. ROUDEBUSH, Mr. VAN DEERLIN, Mr. WAMPLER, and Mr. WOLFF):

H.R. 7871. A bill to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers; to the Committee on Interstate and Foreign Commerce.

By Mr. HATHAWAY:

H.R. 7872. A bill to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes; to the Committee on Agriculture.

By Mr. HELSTOSKI:

H.R. 7873. A bill to require that impact-resistant eyeglasses be issued under the medical program for members of the uniformed services on active duty; to the Committee on Armed Services.

H.R. 7874. A bill to enable consumers to protect themselves against arbitrary, erroneous and malicious credit information; to the Committee on Banking and Currency.

H.R. 7875. A bill to provide Federal assistance for special projects to demonstrate the effectiveness of programs to provide emergency care for heart attack victims by trained persons in specially equipped ambulances; to the Committee on Interstate and Foreign Commerce.

H.R. 7876. A bill to prohibit the sale or importation of eyeglass frames or sunglasses made of cellulose nitrate or other flammable materials; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 7877. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

H.R. 7878. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the development of nonlethal methods and devices for crowd and riot control, and to provide for the acquisition of, and instruction in, such nonlethal methods and devices by State and local law enforcement agencies; to the Committee on the Judiciary.

By Mr. HOWARD:

H.R. 7879. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7880. A bill to amend the age and service requirements for retirement under subchapter III of chapter 83 of title 5, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7881. A bill to amend chapter 89 of title 5, United States Code, relating to enrollment charges for Federal employees' health benefits; to the Committee on Post Office and Civil Service.

H.R. 7882. A bill to amend title II of the Social Security Act to provide a 50-percent, across-the-board increase in monthly benefits thereunder, with the resulting benefit costs being borne equally by employers, employees, and the Federal Government; to the Committee on Ways and Means.

By Mr. HULL:

H.R. 7883. A bill to authorize the Secretary of Agriculture to cooperate with and furnish financial and other assistance to States and other public bodies and organizations in establishing a system for the prevention, control, and suppression of fires in rural areas, and for other purposes; to the Committee on Agriculture.

By Mr. JACOBS:

H.R. 7884. A bill to establish a Department of Consumer Affairs in order to secure within the Federal Government effective representation of the interests of consumers, to coordinate the administration of consumer services by transferring to such Department certain functions of the Departments of Commerce, Labor, and Health, Education, and Welfare, and other agencies, and for other purposes; to the Committee on Government Operations.

By Mr. KOCH:

H.R. 7885. A bill to amend the Military Selective Service Act of 1967 clarifying the definition of conscientious objector so as to specifically include conscientious opposition to military service in a particular war; to the Committee on Armed Services.

By Mr. KOCH (for himself, Mr. Betts, Mr. Biaggi, Mr. Bingham, Mr. Brown of California, Mr. Burton of California, Mr. Conyers, Mr. Dorn, Mr. Edwards of California, Mr. Halpern, Mr. Helstoski, Mr. Kastenmeier, Mr. Leggett, Mr. Pepper, Mr. Podell, Mr. Reid of New York, Mr. Schwengel, and Mr. Teague of Texas):

H.R. 7886. A bill to amend title 5, United States Code, to provide that individuals be apprised of records concerning them which are maintained by Government agencies; to the Committee on Government Operations.

Mr. McCLURE:

H.R. 7887. A bill to amend section 2412(a) of title 28, United States Code, to make the United States liable for court costs and attorney's fees to persons who prevail over the United States in actions arising out of administrative actions of agencies of the executive branch; to the Committee on the Judiciary.

By Mr. MAYNE:

H.R. 7888. A bill to develop business and employment opportunities in smaller cities by providing certain preferences for prospective Government contractors in such cities and areas; to the Committee on the Judiciary.

By Mr. MILLER of Ohio:

H.R. 7889. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

Mrs. MINK:

H.R. 7890. A bill to authorize the Secretary of the Interior to make a loan and grant to the State of Hawaii for the construction of the Kokee water project, Hawaii, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7891. A bill to amend sections 312, 301(b), 320(a), and 321(a) of the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 7892. A bill to amend section 152(b)(3) of the Internal Revenue Code of 1954 for the purpose of including nationals of the United States within the definition of the term "dependent" in connection with deductions for personal exemptions; to the Committee on Ways and Means.

H.R. 7893. A bill to amend the Tariff Schedules of the United States to accord to the Trust Territory of the Pacific Islands the same tariff treatment as is provided for insular possessions of the United States; to the Committee on Ways and Means.

By Mr. MONAGAN:

H.R. 7894. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. MOSHER:

H.R. 7895. A bill to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MURPHY of New York:

H.R. 7896. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. PODELL:

H.R. 7897. A bill making a supplemental appropriation for Headstart programs under the Economic Opportunity Act of 1964; to the Committee on Appropriations.

H.R. 7898. A bill to amend the Military Selective Service Act of 1967 to provide for uniform national criteria for the classification of registrants, to authorize a random system of selecting persons for induction into military service, and for other purposes; to the Committee on Armed Services.

H.R. 7899. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

H.R. 7900. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to provide for a Federal drug compendium which lists all prescription drugs under their generic names together with reliable, complete, and readily accessible prescribing information and includes brand names, suppliers, and a price information supplement, and providing for distribution of the compendium to physicians and others, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7901. A bill to establish a community self-determination program to aid the people of urban and rural communities in securing gainful employment, achieving the ownership and control of the resources of their community, expanding opportunity, stability, and self-determination, and making their maximum contribution to the strength and well-being of the Nation; to the Committee on Ways and Means.

H.R. 7902. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. POLLOCK:

H.R. 7903. A bill to amend title 5, United States Code, to include periods of sick leave to the credit of an employee in determining his total service for purposes of his civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. REID of Illinois:

H.R. 7904. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 7905. A bill to regulate interstate commerce by amending the Federal Food, Drug, and Cosmetic Act to provide for the inspection of facilities used in the harvesting and processing of fish and fishery products for commercial purposes, for the inspection of fish and fishery products, and for cooperation with the States in the regulation of intrastate commerce with respect to State fish inspection programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 7906. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on the Judiciary.

H.R. 7907. A bill to amend the Fish and Wildlife Act of 1956 to provide technical and financial assistance to the commercial fishing industry in meeting the requirements of the Wholesome Fish and Fishery Products Act of 1969; to the Committee on Merchant Marine and Fisheries.

By Mr. ST. ONGE:

H.R. 7908. A bill to provide Federal assistance for special projects to demonstrate the effectiveness of programs to provide emergency care for heart attack victims by trained persons in specially equipped ambulances; to the Committee on Interstate and Foreign Commerce.

H.R. 7909. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. STEED:

H.R. 7910. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition from Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. WATSON:

H.R. 7911. A bill relating to the income tax treatment of statutory subsistence allowances received by law enforcement officers and firemen; to the Committee on Ways and Means.

By Mr. WHITEHURST (for himself, Mr. Ayres, Mr. Blackburn, Mr. Downing, Mr. Hogan, Mr. Mizell, Mr. Perkins, Mr. Scott, Mr. Staggers, and Mr. Thompson of Georgia):

H.R. 7912. A bill to amend section 401(c) of the Internal Revenue Code of 1954 with respect to certain service performed by ministers; to the Committee on Ways and Means.

By Mr. BURTON of California (for himself, Mr. Carey, Mr. Steiger of Arizona, Mr. Thompson of New Jersey, Mrs. Mink, Mr. Roybal, Mr. Matsunaga, Mr. O'Hara, Mr. Ryan, Mr. Mikva, Mr. Kastenmeier, Mr. Brown of California, Mr. Meeds, Mr. Eckhardt, Mr. Rosenthal, Mr. Foley, Mr. Tunney, and Mr. Hathaway):

H.R. 7913. A bill to provide for a nonvoting Delegate in the U.S. House of Representatives for the territory of Guam; to the Committee on Interior and Insular Affairs.

H.R. 7914. A bill to provide for a nonvoting Delegate in the U.S. House of Representatives for the territory of the Virgin Islands; to the Committee on Interior and Insular Affairs.

By Mr. DULSKI (for himself, Mr. Olsen, Mr. Nix, Mr. Charles H. Wilson, Mr. Waldie, Mr. William D. Ford, Mr. Hamilton, Mr. Cunningham, and Mr. Hawkins):

H.R. 7915. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DULSKI:

H.R. 7916. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7917. A bill to provide for employee-management relations between the U.S. Government and its employees; to the Committee on Post Office and Civil Service.

By Mr. FLYNT (for himself, Mr. Brinkley, and Mr. Thompson of Georgia):

H.R. 7918. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

By Mr. FOLEY (for himself, Mr. Smith of Iowa, Mr. Udall, and Mr. Green of Pennsylvania):

H.R. 7919. A bill to provide for a coordinated program to improve the level of human nutrition in the United States, and for other purposes; to the Committee on Agriculture.

By Mr. HAMILTON:

H.R. 7920. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

By Mr. HANLEY:

H.R. 7921. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

By Mrs. HANSEN of Washington:

H.R. 7922. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. HOWARD:

H.R. 7923. A bill to authorize the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nation's ecological systems, natural resources, and environmental quality, and to establish a Council on Environmental Quality; to the Committee on Interior and Insular Affairs.

By Mr. MIKVA:

H.R. 7924. A bill to amend the Federal Trade Commission Act to make certain gasoline sales promotion games unfair methods of competition unless the customer is offered as an alternative in cash the retail cost per gallon of the game; to the Committee on Interstate and Foreign Commerce.

By Mr. MYERS (for himself, Mr. Johnson of California, Mr. Henderson, Mr. Friedel, Mr. Mann, Mr. Rarick, Mr. Nichols, Mr. Carter, Mr. Wylie, Mr. Coughlin, Mr. Podell, Mr. Zwach, Mr. Halpern, Mr. Saylor, Mr. Gonzalez, Mr. White, Mr. Gaydos, Mr. Bray, Mr. Brown of California, Mr. Duncan, Mrs. Heckler of Massachusetts, and Mr. Hogan):

H.R. 7925. A bill to amend title 10 of the United States Code so as to provide for the awarding of a Supreme Sacrifice Medal to relatives of members of the Armed Forces killed in Vietnam; to the Committee on Armed Services.

By Mr. PERKINS:

H.R. 7926. A bill to amend title 30, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. STEED:

H.R. 7927. A bill to authorize the Wichita Indian Tribe of Oklahoma together with its affiliated bands and groups of Indians to file with the Indian Claims Commission within 1 year any and all claims of said tribe against the United States, and to repeal any law inconsistent to this act, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WIGGINS:

H.R. 7928. A bill to prohibit the dissemination through interstate commerce or the mails of material harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.J. Res. 495. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

H.J. Res. 496. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.J. Res. 497. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HENDERSON:

H.J. Res. 498. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. McCLORY:

H.J. Res. 499. Joint resolution authorizing participation by the United States in parliamentary conferences with Japan; to the Committee on Foreign Affairs.

By Mr. McFALL:

H.J. Res. 500. Joint resolution proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

H.J. Res. 501. Joint resolution proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.J. Res. 502. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WATSON:

H.J. Res. 503. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. HORTON:

H. Con. Res. 154. Concurrent resolution that it is the sense of Congress that the United States and the various political entities thereof should adopt 911 as the nationwide, uniform telephone number; to the Committee on Interstate and Foreign Commerce.

By Mr. GOODLING:

H. Res. 284. Resolution to effect a thorough investigation of the rulemaking functions of the Federal Communications Commission with reference to community antenna television; to the Committee on Rules.

By Mr. SCHWENGEL:

H. Res. 285. Resolution to suspend the rules of the House relative to photographing the House in session; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII:

31. Mr. OLSEN presented a resolution of the House of Representatives of the State of Montana urging that the Meat Import Act of 1964 be amended so that it will modify the harmful effects of excessive meat imports on domestic cattle prices, which was referred to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 7929. A bill for the relief of Salvatore Bignardelli; to the Committee on the Judiciary.

H.R. 7930. A bill for the relief of Gaetano Gambino; to the Committee on the Judiciary.

H.R. 7931. A bill for the relief of Antonino Migliore; to the Committee on the Judiciary.

H.R. 7932. A bill for the relief of Francessa Mignanelli; to the Committee on the Judiciary.

H.R. 7933. A bill for the relief of Benedetto Patti; to the Committee on the Judiciary.

H.R. 7934. A bill for the relief of Eleftheria Yiannitsiadis; to the Committee on the Judiciary.

By Mr. ASHLEY:

H.R. 7935. A bill for the relief of Loo Bing Sun; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 7936. A bill for the relief of Teresa Rosa Mirijello; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 7937. A bill for the relief of Giuseppa Mangiameli; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 7938. A bill for the relief of Gaspare Evola; to the Committee on the Judiciary.

H.R. 7939. A bill for the relief of Harold Morgan; to the Committee on the Judiciary.

H.R. 7940. A bill for the relief of Hazle Ann Smith; to the Committee on the Judiciary.

By Mr. COUGHLIN:

H.R. 7941. A bill for the relief of Hee Joon Park; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 7942. A bill for the relief of Salvatore Orlando; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 7943. A bill for the relief of Dr. Paul Koyu Katayama; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 7944. A bill for the relief of Eugenia Bonchkovskaia; to the Committee on the Judiciary.

H.R. 7945. A bill for the relief of Ellen Wai-May Sun; to the Committee on the Judiciary.

H.R. 7946. A bill for the relief of Benito Chow Wong (also known as Cho Chia Yuan), Chan Pui Koon (also known as Chan Pui Koon De Chow), Tin Yee Chow, and Elisa Chow Chow; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 7947. A bill for the relief of Guiseppe Castellano; to the Committee on the Judiciary.

By Mr. LOWENSTEIN:

H.R. 7948. A bill for the relief of Fillippo Villano; to the Committee on the Judiciary.

H.R. 7949. A bill for the relief of Mauro Zaino, his wife, Maria Zaino, and his daughter, Carmela Zaino; to the Committee on the Judiciary.

By Mr. McKNEALLY:

H.R. 7950. A bill for the relief of Giovanni Cipolla; to the Committee on the Judiciary.

H.R. 7951. A bill for the relief of Antonio Sammartino; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 7952. A bill to provide that Maj. Carvel de Bussy shall be advanced to the grade of lieutenant colonel, and for other purposes; to the Committee on Armed Services.

By Mr. PHILBIN:

H.R. 7953. A bill for the relief of Raffaele Mercuri; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 7954. A bill for the relief of Dr. Mauerto Buenafe, and his wife, Norma; to the Committee on the Judiciary.

By Mr. WHALEN:

H.R. 7955. A bill for the relief of Charles Zonars; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 7956. A bill for the relief of Adalbert Gardos and his wife, Maria Gardos; to the Committee on the Judiciary.

H.R. 7957. A bill for the relief of Antonio Romeo; to the Committee on the Judiciary.

H.R. 7958. A bill for the relief of Victoria Louise Soberanis; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

68. The SPEAKER presented a petition of Russell O. Fudge, Brownwood, Tex., relative to redress of grievances; to the Committee on Interstate and Foreign Commerce.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

> (b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

QUARTERLY REPORTS

The following reports for the third calendar quarter of 1968 were received too late to be included in the published reports for that quarter:

A. Charles D. Ablard, 1620 K Street NW., suite 603, Washington, D.C.

B. Magazine Publishers Association, Inc., 575 Lexington Avenue, New York, N.Y.

D. (6) $2,500. E. (9) $270.33.

A. Actor's Equity Association, 165 West 46th Street, New York, N.Y.

D. (6) $2,500. E. (9) $2,500.

A. Herbert R. Alfrey, National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $472. E. (9) $26.40.

A. American Civil Liberties Union, 156 Fifth Avenue, New York, N.Y.

D. (6) $4,781.21. E. (9) $4,781.21.

A. American Dental Association, 211 East Chicago Avenue, Chicago, Ill.

D. (6) $4,322.56. E. (9) $4,322.56.

A. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.

D. (6) $9,908.02. E. (9) $9,908.02.

A. American Parents Committee, Inc., 20 E Street NW., Washington, D.C. Bipartisan Citizens Committee for Federal Aid for Public Elementary and Secondary Education, 2104 Davenport Street NW., Washington, D.C.

D. (6) $1,758.09. E. (9) $532.70.

A. The American Short Line RR Association, 2000 Massachusetts Avenue NW., Washington, D.C.

D. (6) $935.03. E. (9) $935.03.

A. American Society of Consulting Planners, 1815 "H" Street NW., Washington, D.C.

E. (9) $2,365.61.

A. American Textile Manufacturers Institute, Inc., 1501 Johnson Building, Charlotte, N.C.

D. (6) $14,614.72. E. (9) $14,614.72.

A. American Vocational Association, second floor, 1510 H Street, NW., Washington, D.C.

E. (9) $750.

A. Robert E. Ansheles, Suite 718, 1028 Connecticut Avenue NW., Washington, D.C.

B. Consolidated International Trading Corp., 180 Madison Avenue, New York, N.Y.

D. (6) $400. E. (9) $97.50.

A. The Arthritis Foundation, 1212 Avenue of the Americas, New York, N.Y.

E. (9) $1,323.78.

A. Davis M. Batson, the Ethyl Corp., 611 Madison Office Building, Washington, D.C.

B. The Ethyl Corp., 611 Madison Office Building, 1155 15th Street NW., Washington, D.C.

D. (6) $1,650.

A. Donald S. Beattie, 400 First Street NW., Washington, D.C.

B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

D. (6) $1,200.

A. John H. Beidler, Industrial Union Department, AFL–CIO.

B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.

D. (6) $5,125. E. (9) $381.57.

A. Bell & Howell, 7100 McCormick Road, Chicago, Ill.

E. (9) $750.

A. William Blum, Jr., 1815 H Street NW., Suite 1200, Washington, D.C.

B. Committee for the Study of Revenue Bond Financing, 55 Liberty Street, New York, N.Y.

D. (6) $1,600. E. (9) $1,511.26.

A. Rev. Eugene L. Boutilier, 110 Maryland Avenue NE., Washington, D.C.

B. National Campaign for Agricultural Democracy, 110 Maryland Avenue NE., Washington, D.C.

D. (6) $4,039.61. E. (9) $220.15.

A. Charles R. Bragg, 90 Stony Corners Circle, Avon, Conn.

B. Northeast Utilities Service Co., 176 Cumberland Avenue, Wethersfield, Conn.

E. (9) $166.15.

A. Joseph P. Brosnan, 9160 Springhill Lane, Greenbelt, Md.

B. Air Force Sergeants Association, 1501 Pennsylvania Avenue NE., Washington, D.C.

D. (6) $100.

A. Brotherhood of Painters, Decorators & Paperhangers of America, 217 North Sixth Street, Lafayette, Ind.

E. (9) $1,825.

A. Bulgarian Claims Committee, care of Chaco Chace, Dreyfus & Co., 2 Broadway, New York City, N.Y.

D. (6) $480. E. (9) $25.64.

A. Dr. Lowell A. Burkett, American Vocational Association, 1510 H Street NW., Second Floor, Washington, D.C.

B. American Vocational Association, 1510 H Street NW., Washington, D.C.

A. Charles S. Burns, 1100 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $584.50. E. (9) $139.14.

A. Dan L. Butler 400 Walker Building, 734 15th Street NW., Washington, D.C.

B. Harold K. Howe, on behalf of the National Automatic Merchandising Association, 400 Walker Building, 734 15th Street NW., Washington, D.C.

A. Dan L. Butler, 400 Walker Building, 734 15th Street NW., Washington, D.C.

B. Harold K. Howe, on behalf of the Outdoor Power Equipment Institute, Inc., 400 Walker Building, 734 15th Street NW., Washington, D.C.

A. Mr. Charles A. Campbell, 1615 H Street NW., Washington, D.C.

B. Chamber of Commerce of the United States.

A. Marvin Caplan, Legislative Representative Industrial Union Dept., AFL–CIO.

B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.

D. (6) $1,971.20. E. (9) $115.15.

A. Richard M. Carrigan, National Education Association, 1201 Sixteenth Street NW., Washington, D.C.

B. Legislation and Federal Relations, National Education Association, 1201 16th Street NW., Washington, D.C.

D. (6) $2,145.01. E. (9) $62.23.

A. Casey, Lane & Mittendorf, 26 Broadway, New York, N.Y.

B. South African Sugar Association, Post Office Box 507, Durban, South Africa.

D. (6) $19,845. E. (9) $310.53.

A. Donald E. Channell, 1705 DeSales Street NW., Washington, D.C.

B. American Bar Association, 1705 DeSales Street NW., Washington, D.C.

D. (6) $500. E. (9) $60.

A. Citizens for a Postal Corporation, Post Office Box 1807, Washington, D.C.

A. David Cohen, Industrial Union Department, AFL–CIO.

B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.

D. (6) $1,859. E. (9) $218.26.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C.

B. Committee of American Tanker Owners, Inc., One Chase Manhattan Plaza, New York, N.Y.

A. Paul G. Collins, Public Affairs, The Industrial National Bank of Rhode Island, 111 Westminster Street, Providence, R.I.

B. The Industrial National Bank of Rhode Island, 111 Westminster Street, Providence, R.I.

D. (6) $68.75.

A. Committee for a Free Cotton Market, Inc., 1725 K Street NW., Washington, D.C.

A. The Committee for Study of Revenue Bond Financing, 55 Liberty Street, New York, N.Y.

D. (6) $4,290. E. (9) $9,169.86.

A. Paul B. Comstock, 1812 K Street NW., Washington, D.C.

B. National Association of Broadcasters, 1812 K Street NW., Washington, D.C.

A. Bernard J. Conway, 211 East Chicago Avenue, Chicago, Ill.

B. American Dental Association, 211 East Chicago Avenue, Chicago, Ill.

D. (6) $1,749.99.

A. Harry N. Cook, 1130 17th Street NW., Washington, D.C.

B. The National Waterways Conference.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C.

B. Linen Supply Association of America, 975 Arthur Godfrey Road, Miami Beach, Fla.

A. Donald M. Counihan, Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C.

B. American Corn Millers Federation, 1030 15th Street NW., Washington, D.C.

A. Donald M. Counihan, Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C.

B. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio.

A. Paul L. Courtney, 1725 K Street NW., Washington, D.C.

B. Self employed.

D. (6) $300 or less.

A. P. H. Croft, The American Short Line RR Association, 2000 Massachusetts Avenue NW., Washington, D.C.

B. The American Short Line RR Association, 2000 Massachusetts Avenue NW., Washington, D.C.

D. (6) $600.

A. Francis D. Cronin, 1100 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $300.

A. CUNA International, Inc., 1617 Sherman Avenue, Madison, Wis.

D. (6) $1,615.38. E. (9) $1,306.64.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.

B. American Importers Association, Textile & Apparel Group, 111 Fifth Avenue, New York, N.Y.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.

B. American Textile Importers Association, New York, N.Y.

D. (6) $30.21. E. (9) $30.21.

A. Daniels & Houlihan (Attorneys), 1819 H Street NW., Washington, D.C., Michael P Daniels, Partner.

B. Japan Chemical Fibres Association, 3, 3-Chrome, Muromachi, Nihonbashi, Chuo-ku, Tokyo, Japan.

D. (6) $1,106.34. E. (9) $1,106.34.

A. Daniels & Houlihan (Attorneys), 1819 H Street NW., Washington, D.C., Michael P. Daniels, Partner.

B. Japan Woolen & Linen Textiles Exporters Association, 4, 4-Chrome, Bingomachi, Higashiku, Osaka, Japan.

D. (6) $698.04. E. (9) $698.04.

A. Daniels & Houlihan (Attorneys), 1819 H Street NW., Washington, D.C.

B. Vorort des schweizerischen Handels-und Industrie-Vereins Borsenstrasse 26, Zurich, Switzerland.

D. (6) $1,644.01. E. (9) $1,644.01.

A. Donald S. Dawson, Attorney, 723 Washington Building, Washington, D.C.

B. D.C. Transit System, Inc., Washington, D.C.

D. (6) $2,500.

A. Donald S. Dawson, Attorney, 723 Washington Building, Washington, D.C.

B. Guild of Prescription Opticians, 1250 Connecticut Avenue NW., Washington, D.C.

A. Dawson, Quinn, Riddell, Taylor & Davis, Law Firm, 723 Washington Building, Washington, D.C.

B. Air Transport Association, 1000 Connecticut Avenue NW., Washington, D.C.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.

B. C.I.T. Financial Corporation, 650 Madison Ave., New York, N.Y.

A. Dawson, Quinn, Riddell, Taylor & Davis, Law Firm, 723 Washington Building, Washington, D.C.

B. Indian Sugar Mills Association, Export Agency Division, Calcutta, India.

D. (6) $20,000. E. (9) $574.53.

A. Dawson, Quinn, Riddell, Taylor & Davis, Law Firm, 723 Washington Building, Washington, D.C.

B. V. I. Gift & Fashion Shop Association, St. Thomas, Virgin Islands.

A. DeHart and Broide, Inc., Public Relations Counsel, 1150 Connecticut Avenue NW., Washington, D.C.

B. Record Industry Association of America, 1 East 57th Street, New York, N.Y.

D. (6) $860. E. (9) $60.04.

A. James J. Delaney, Jr., 1003 Lancaster Drive, Anchorage, Alaska.

B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Ronald W. DeLucien, 1133 20th Street NW., Washington, D.C.

B. National Canners Association, 1133 20th Street NW., Washington, D.C.

D. (6) $400. E. (9) $225.

A. Vincent A. Demo, 25 Broadway, New York, N.Y.

B. New York Committee of International Committee of Passenger Lines, 25 Broadway, New York, N.Y.

D. (6) $5,000.

A. Franklin W. Denius, Post Office Box 1148, Austin, Tex.

B. Texas Electric Service Co., Post Office Box, 970, Fort Worth, Tex. Dallas Power & Light Co., Dallas, Tex. Texas Power & Light Co., Post Office Box 6331, Dallas, Tex.

A. Harry J. Donohue, 200 Maryland Avenue NE., Washington, D.C.

B. Veterans of Foreign Wars of the United States.

D. (6) $1,908. E. (9) $86.66.

A. Henry I. Dworshak, 1100 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $553.14.

A. Alfred Edwall, 25 Louisiana Avenue NW., Washington, D.C.

B. International Brotherhood of Teamsters, 25 Louisiana Avenue, Washington, D.C.

D. (6) $3,124.98.

A. Carl Elliott, 1510 H Street NW., Washington, D.C.

B. American Vocational Association, 1510 H Street NW., Washington, D.C.

D. (6) $750.

A. Elliott & Naftalin, 1510 H Street NW., Washington, D.C.

B. Bell & Howell, 7100 McCormick Road, Chicago, Ill.

D. (6) $750.

A. Elliott & Naftalin, 1510 H Street NW., Washington, D.C.

B. United Business Schools Association, 1101 17th Street NW., Washington, D.C.

D. (6) $750.

A. Warren G. Elliott, Assistant General Counsel, Life Insurance Association of America, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

D. (6) $1,354.38. E. (9) $52.93.

A. Ethyl Corporation, 611 Madison Office Building, 1155 15th Street NW., Washington, D.C.

E. (9) $2,853.15.

A. Clinton M. Fair, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $4,108. E. (9) $136.73.

A. Mr. William J. Fannin, 1615 H Street NW., Washington, D.C.

B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D.C.

A. Owen V. Frisby, 821 15th Street NW., Washington, D.C.

B. The Chase Manhattan Bank (National Association), 1 Chase Manhattan Plaza, New York, N.Y.

D. (6) $375. E. (9) $626.95.

A. David C. Fullarton, 1000 Connecticut Avenue NW., Washington, D.C.

B. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $422.

A. Mary Condon Gereau, Legislative Consultant, Legislation & Federal Relations, National Education Association, 1201 16th Street NW., Washington, D.C.

B. National Education Association, Legislation in Federal Relations, 1201 16th Street NW., Washington, D.C.

D. (6) $2,623.50.

A. Ernest Giddings, American Association of Retired Persons, National Retired Teachers Association, 1225 Connecticut Avenue NW., Washington, D.C.

B. National Retired Teachers Association, American Association of Retired Persons, 1225 Connecticut Avenue NW., Washington, D.C.

E. (9) $2,476.08.

A. John Goldsum, Lawyer, Post Office Box 1148, Austin, Tex.

B. Texas Electric Service Co., Post Office Box 970, Fort Worth, Tex., Dallas Power & Light Co., Dallas, Tex., Texas Power & Light Co., Post Office Box 6331, Dallas, Tex.

A. Jack Golodner, 286 N Street SW., Washington, D.C.

B. Actors' Equity Association, 165 West 46th Street, New York, N.Y.

D. (6) $2,500. E. (9) $310.

A. Frederick D. Goss, 1000 Connecticut Avenue NW., Washington, D.C.

B. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.

A. Anthony Haswell, 333 N. Michigan Avenue, Chicago, Ill.

B. National Association of Railroad Passengers, 333 N. Michigan Avenue, Chicago, Ill.

A. George J. Hecht, 52 Vanderbilt Avenue, New York, N.Y., 20 E Street NW., Washington, D.C.

B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C., and the Subcommittee Bipartisan Citizens Committee for Federal Aid for Public Elementary and Secondary Education, 2107 Davenport Street NW., Washington, D.C.

A. William H. Hedlund, 909 American Bank Building, Portland, Oreg.

B. Standard Oil Co. of California, San Francisco, Calif., Mobil Oil Co., Los Angeles, Calif., Union Oil Co. of California, Los Angeles, Calif., Shell Oil Co., San Francisco, Calif., Atlantic Richfield Oil Co., Los Angeles, Calif.

A. Carey W. Hilliard, president, National Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $502. E. (9) $31.

A. Harold K. Rowe, 400 Walker Building, 734 15th Street NW., Washington, D.C.

B. National Automatic Merchandising Association, 400 Walker Building, Washington, D.C.

A. Harold K. Howe, 400 Walker Building, 734 15th Street NW., Washington, D.C.

B. Outdoor Power Equipment Institute, Inc., 400 Walker Building, Washington, D.C.

A. Philip A. Hutchinson, Jr., director, Governmental Affairs, the American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.

B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.

D. (6) $1,000. E. (9) $2,545.

A. Elmer P. Hutter, lobbyist, Professional Advocacy Before Government, Officials, and Law-Making Bodies, Post Office Box 2255, Washington, D.C.

B. Alfred T. Eislinger, Washington, D.C., Radio & TV Service, et al. (viz: nine others as shown on first quarter 1968 report).

E. (9) $418.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.

B. Elmer P. Hutter, lobbyist, Post Office Box 2255, Washington, D.C.

D. (6) $5.

A. Raymond M. Jacobson, attorney at law, 1815 H Street NW., Washington, D.C.

B. American Society of Consulting Planners, 1815 H Street NW., Washington, D.C.

D. (6) $2,250. E. (9) $115.61.

A. Francis M. Judge, 1615 H Street NW., Washington, D.C.

B. Chamber of Commerce of the U.S.A., 1615 H Street NW., Washington, D.C.

A. James C. Kelley, 1500 Massachusetts Avenue NW., Washington, D.C.

B. American Machine Tool Distributors' Association, 1500 Massachusetts Ave., Washington, D.C.

A. Franklin E. Kepner, Berwick Bank Building, Berwick, Pa.

B. Associated Railroads of Pennsylvania, Room 1022, Transportation Center, Philadelphia, Pa.

A. J. Don Kerlin, Legislative Consultant, 1108 Stuart Road, Herndon, Va.

B. National Association of Letter Carriers, Employee Union, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $250. E. (9) $100.

A. J. Don Kerlin, Legislative Consultant, 1108 Stuart Road, Herndon, Va.

B. Time, Inc., Publisher, Rockefeller Center, New York, N.Y.

D. (6) $150. E. (9) $100.

A. Mr. Kenneth L. Kimble, Vice President and General Counsel, Life Insurance Association of America, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

D. (6) $853.83. E. (9) $23.92.

A. Keith R. Knoblock, 1100 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $300.

A. Robert J. Leigh, 1000 Connecticut Avenue NW., Washington, D.C.

B. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.

A. G. E. Leighty, 400 First Street NW., Washington, D.C.

A. Donald Lerch, Jr. & Co., Inc., 1522 K Street NW., suite 808, Washington, D.C.

B. Japan Chemical Fibres Association, 3,3-chrome, Muromachi, Nihonbashi, Chuo-Ku, Tokyo, Japan.

E. (9) $858.36.

A. Donald Lerch, Jr. & Co., Inc., 1522 K Street NW., suite 808, Washington, D.C.

B. Japan Lumber Importers Association, Tokyo, Japan.

A. Donald Lerch, Jr. & Co., Inc., 1522 K Street NW., suite 808, Washington, D.C.

B. Shell Chemical Co., 110 West 31st Street, New York, N.Y.

A. Donald Lerch, Jr. & Co., Inc., 1522 K Street NW., suite 808, Washington, D.C.

B. Swiss Union of Commerce & Industry, Gottfried Keller-Strasse 7, Zurich, Switzerland.

E. (9) $804.20.

A. Kenneth D. Lester, 400 First Street NW., Washington, D.C.

B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

D. (6) $550.

A. Life Insurance Association of America, 277 Park Avenue, New York, N.Y. Washington address, 1701 K Street NW.

D. (6) $6,304.52. E. (9) $6,304.52.

A. Dr. John M. Lumley, National Education Association, 1201 16th Street NW., Washington, D.C.

B. National Education Association, Legislation & Federal Relations, 1201 16th Street NW., Washington, D.C.

D. (6) $4,437. E. (9) $272.43.

A. Stanley J. McFarland, National Education Association, 1201 16th Street NW., Washington, D.C.

B. National Education Association, Legislation and Federal Relations, 1201 16th Street NW., Washington, D.C.

D. (6) $2,842.51. E. (9) $49.53.

A. Mr. John S. McLees, 1615 H Street NW., Washington, D.C.

B. Chamber of Commerce of the U.S.A., 1615 H Street NW., Washington, D.C.

A. William H. McLin, National Education Association, 1201 16th Street NW., Washington, D.C.

B. National Education Association, Legislation and Federal Relations, 1201 16th Street NW., Washington, D.C.

D. (6) $2,700. E. (9) $57.81.

A. William F. McManus, General Electric Co., 777 14th Street NW., Washington, D.C.

B. General Electric Co., 570 Lexington Avenue, New York, N.Y.

D. (6) $750. E. (9) $214.55.

A. Clarence M. McMillian, National Candy Wholesalers Association, Inc., 1343 L Street NW., Washington, D.C.

B. National Candy Wholesalers Association, Inc., 1343 L Street NW., Washington, D.C.

E. (9) Less than $10.

A. Ralph J. McNair, Life Insurance Association of America, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

D. (6) $311.95. E. (9) $13.60.

A. George E. MacKinnon, 800 Investors Building, Minneapolis, Minn.

B. Investors Mutual, Inc., Investors Stock Fund, Inc., Investors Variable Payment Fund, Inc.

E. (9) $287.50.

A. Jos. R. MacLaren, 1 Linden Drive, Hudson Falls, N.Y.

B. Potlatch Forests Inc., P.O. Box 3591, San Francisco, Calif.

A. Don Mahon, National Federation of Independent Unions, suite 703, LaSalle Building, 1028 Connecticut Avenue NW., Washington, D.C.

E. (9) $1,348.35.

A. Michael Marsh, 400 First Street NW., Washington, D.C.

B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

D. (6) $503.96.

A. Anthony Mazzocchi, 1125 16th Street NW., Washington, D.C.

B. Oil, Chemical & Atomic Workers International Union, 1840 California Street, Denver, Colo.

D. (6) $1,750. E. (9) $227.50.

A. R. Otto Meletzke, Life Insurance Association of America, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

D. (6) $30.15. E. (9) $.97.

A. Herman I. Miller, National Turkey Federation, 5116 Moorland Lane, Bethesda, Md.

B. National Turkey Federation, Mount Morris, Ill.

D. (6) $265. E. (9) $240.

A. Lester F. Miller, National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $412. E. (9) $29.50.

A. Clarence Mitchell, Washington Bureau, NAACP, 422 First Street SE., Washington, D.C.

B. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y.

A. Mobile Housing Association of America, 39 S. LaSalle Street, Chicago, Ill.

E. (9) $2,161.89.

A. G. Merrill Moody, Association of American Railroads, 925 Transportation Building, Washington, D.C.

B. Association of American Railroads, Transportation Building, Washington, D.C.

D. (6) $21.63. E. (9) $19.78.

A. Micah H. Naftalin, Elliott & Naftalin, attorneys at law, suite 300, 1510 H Street NW., Washington, D.C.

B. The Ethyl Corp., 611 Madison Office Building, 1155 15th Street NW., Washington, D.C.

D. (6) $750.

A. National Air Carrier Association, 1625 I Street NW., suite 412, Washington, D.C.

D. (6) $21,000. E. (9) $19,309.56.

A. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y., Clarence Mitchell, J. Francis Pohlhaus.

A. National Association of Home Builders of the United States, 1623 L Street NW., Washington, D.C.

D. (6) $42,973.92. E. (9) $18,752.16.

A. National Association of Railroad Passengers, 333 North Michigan Avenue, Chicago, Ill.

D. (6) $2,320.96. E. (9) $4,759.43.

A. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill., 1300 Connecticut Avenue, Washington, D.C.

E. (9) $12,124.61.

A. National Association of Social Workers, Inc., 2 Park Avenue, New York, N.Y.; Washington Office, 1346 Connecticut Avenue, NW., Washington, D.C., Mr. Rudolph T. Danstedt, Mr. Glenn Allison.

D. (6) $2,828. E. (9) $2,828.

A. National Campaign for Agricultural Democracy, 110 Maryland Avenue NE., Washington, D.C.

D. (6) $6,610. E. (9) $9,358.37.

A. National Canners Association, 1133 20th Street NW., Washington, D.C.

B. National Canners Association, 1133 20th Street NW., Washington, D.C.

D. (6) $150. E. (9) $50.

A. Legislation and Federal Relations, National Education Assocation, Washington, D.C.

B. National Education Association, Legislation and Federal Relations, 1201 16th Street NW., Washington, D.C.

E. (9) $20,225.01.

A. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue, NW., Washington, D.C.

D. (6) $388,830. E. (9) $4,882.58.

A. National Livestock Feeders Association, Inc., 309 Livestock Exchange Building, Omaha, Nebr.

D. (6) $3,883. E. (9) $3,883.

A. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.

E. (9) $6,256.80.

A. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue, NW., Washington, D.C.

D. (6) $29,795. E. (9) $8,746.

A. National Tax Equality Association, Inc., 1000 Connecticut Avenue Building, Washington, D.C.

D. (6) $9,861. E. (9) $12,564.91.

A. National Telephone Cooperative Association, 1000 Connecticut Avenue, NW., Washington, D.C.

E. (9) $422.

A. National Turkey Federation, Mount Morris, Ill.

D. (6) $645. E. (9) $645.

A. Ivan A. Nestingen, 1000 Connecticut Avenue NW., Washington, D.C.

B. CUNA International, Inc., 1617 Sherman Avenue, Madison, Wis.

D. (6) $300. E. (9) $321.15.

A. Northeast Utilities Service Co., 176 Cumberland Avenue, Wethersfield, Conn.

E. (9) $1,679.15.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Washington, D.C.

E. Investors Diversified Services, Inc., Investors Building, Minneapolis, Minn.

D. (6) $2,600. E. (9) $588.

A. J. Allen Overton, Jr., 1100 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $1,200.

A. D. V. Pensabene, Suite 1204, 1700 K Street NW., Washington, D.C.

B. Standard Oil Co. of California, Suite 1204, 1700 K Street NW., Washington, D.C.

D. (6) $50. E. (9) $25.

A. Joseph D. Phelan, 201 Massachusetts Avenue NE., No. 216; Washington, D.C.

B. Colorado River Association, 417 South Hill Street, Los Angeles, Calif.

D. (6) $3,750. E. (9) $500.

A. Albert Pike, Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. J. Francis Pohlhaus, Washington Bureau, NAACP, 422 First Street SE., Washington, D.C.

B. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y.

A. Ragan & Mason, 900 17th Street NW., the Farragut Building, Washington, D.C.

B. The Department of Tourism and Trade Development (formerly the Bermuda Trade Development Board), Hamilton, Bermuda.

D. (6) $1,666. E. (9) $194.68.

A. Ragan & Mason, 900 17th Street NW., the Farragut Building, Washington, D.C.

B. Sea-Land Service, Inc., Post Office Box 1050, Elizabeth, N.J.

D. (6) $900.

A. Ragan & Mason, 900 17th Street NW., the Farragut Building, Washington, D.C.

B. South Atlantic & Caribbean Line, Inc., 250 Park Avenue, New York, N.Y.

D. (6) $200.

A. Ragan & Mason, 900 17th Street NW., the Farragut Building, Washington, D.C.

B. Stimson Lumber Co., Post Office Box 68, Forest Grove, Oreg.

D. (6) $1,000.

A. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

A. James A. Ransford, 1701 Pennsylvania Avenue NW., Washington, D.C.

B. Getty Oil Co.

A. Recreational Vehicle Institute, Inc., 2720 Des Plaines Avenue, Des Plaines, Ill.

E. (9) $1,526.97.

A. Robert E. Redding, Transportation Association of America, 1101 17th Street NW., Washington, D.C.

B. Transportation Association of America, 1101 17th Street NW., Washington, D.C.

A. Research to Prevent Blindness, Inc., 598 Madison Avenue, New York, N.Y.

E. (9) $7,500.

A. Retired Officers Tax Credit Committee, Post Office Box 1965, Annapolis, Md.

D. (6) $10. E. (9) $121.32.

A. John Arthur Reynolds, Post Office Box 512, Fresno, Calif.

B. Western Cotton Growers Association of California, Post Office Box 512, Fresno, Calif.

D. (6) $937.50. E. (9) $750.

A. John Riley, 1625 L Street NW., Washington, D.C.

B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.

D. (6) $628. E. (9) $22.01.

A. Carl Roberts, American Association of Retired Persons, National Retired Teachers Association, 1225 Connecticut Avenue NW., Washington, D.C.

B. American Association of Retired Persons, National Retired Teachers Association.

E. (9) $750.

A. Roberts & Holland, 1301 Avenue of the Americas, New York, N.Y.

B. Trustees of the Bernice P. Bishop estate, 519 Halekauwila Street, Honolulu, Hawaii.

A. Walter E. Rogers, Suite 814, 1701 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $1,290. E. (9) $490.

A. Nathaniel H. Rogg, 1625 L Street NW., Washington, D.C.

B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.

D. (6) $1,500. E. (9) $84.70.

A. John F. Rolph III, 815 Connecticut Avenue NW., Washington, D.C.

B. The American Bankers Association, 90 Park Avenue, New York, N.Y.

D. (6) $500.

A. Michael J. Romig, 1730 Rhode Island Avenue NW., suite 810, Washington, D.C.

B. CUNA International, Inc., 1617 Sherman Avenue, Madison, Wis.

D. (6) $461.54. E. (9) $80.25.

A. James S. Rubin, American Association of Retired Persons, National Retired Teachers Association, 1225 Connecticut Avenue NW., Washington, D.C.

B. American Association of Retired Persons and National Retired Teachers Association.

E. (9) $1,962.31.

A. William H. Scheick, FAIA, the American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.

B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.

D. (6) $50.

A. C. Herschel Schooley, Independent Bankers Association of America, 815 15th Street NW., Washington, D.C.

B. Independent Bankers Association of America, Sauk Centre, Minn.

D. (6) $4,250. E. (9) $2,686.96.

A. Stanley W. Schroeder, 1100 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $300.

A. Hollis M. Seavey, 1812 K Street NW., Washington, D.C.

B. National Association of Broadcasters, 1812 K Street NW., Washington, D.C.

A. Clayton A. Seeber, National Education Association, 1201 16th Street NW., Washington, D.C.

B. National Education Association, 1201 16th Street NW., Washington, D.C.

D. (6) $2,700. E. (9) $224.83.

A. John J. Sheehan, United Steelworkers of America, 1001 Connecticut Avenue NW., Washington, D.C.

B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.

D. (6) $4,300. E. (9) $3,894.92.

A. Laurence P. Sherfy, 1100 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $575.

A. Shipley, Akerman & Pickett, National Press Building, Washington, D.C.

B. Raymond W. Cocchi, Independent Broker Dealers' Trade Association, 472 Bridge Street, Springfield, Mass.

A. Single Persons Tax Reform Lobby, 1692A Green Street, San Francisco, Calif.

D. (6) $33.50. E. (9) $52.34.

A. Harold O. Smith, Jr., U.S. Wholesale Grocers' Association, Inc., 1511 K Street NW., Washington, D.C.

B. U.S. Wholesale Grocers' Association, Inc., 1511 K Street NW., Washington, D.C.

A. Marvin J. Sonosky, 1225 19th Street NW., Washington, D.C.

A. W. Byron Sorrell, Sorrell, Jones & Paulson, 1140 Connecticut Avenue NW., Washington, D.C.

B. Mobile Housing Association of America, 39 South LaSalle Street, Chicago, Ill.

D. (6) $2,025. E. (9) $146.89.

A. W. Byron Sorrell, Sorrell, Jones & Paulson, 1140 Connecticut Avenue NW., Washington, D.C.

B. Recreational Vehicle Institute, 2720 Des Plaines Avenue, Des Plaines, Ill.

D. (6) $1,300. E. (9) $226.97.

A. Roy H. Stanton, 1625 L Street NW., Washington, D.C.

B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.

D. (6) $2,250. E. (9) $90.56.

A. Mrs. Annalee Stewart, 120 Maryland Avenue NE., Washington, D.C.

B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.

A. Francis W. Stover, National Legislative Service, Veterans of Foreign Wars, 200 Maryland Avenue NE., Washington, D.C.

B. Veterans of Foreign Wars of the United States.

D. (6) $4,600. E. (9) $314.41.

A. Philip W. Stroupe, 1100 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $450.

A. Richard L. Studley, Machinery Dealers National Association, 1400 20th Street NW., Post Office Box 19128, Washington, D.C.

B. Machinery Dealers National Association, 1400 20th Street NW., Post Office Box 19128, Washington, D.C.

A. Monroe Sweetland, National Education Association, 1705 Murchison Drive, Burlingame, Calif.

B. National Education Association, 1201 16th Street NW., Washington, D.C.

D. (6) $335. E. (9) $50.

A. Evert S. Thomas, Jr., 1730 Rhode Island Avenue NW., suite 810, Washington, D.C.

B. CUNA International, Inc., 1617 Sherman Avenue, Madison, Wis.

D. (6) $853.84. E. (9) $905.24.

A. Eugene M. Thoré, Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. Dwight D. Townsend, Cooperative League of U.S.A., 1012 14th Street NW., Washington, D.C.

B. Cooperative League of U.S.A., 59 East Van Buren Street, Chicago, Ill.

D. (6) $5,250. E. (9) $6,585.

A. United Business Schools Association, suite 505, 1101 17th Street NW., Washington, D.C.

E. (9) $750.

A. John M. Vansant, Jr., 1250 Connecticut Avenue NW., Washington, D.C.

B. Clearly, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Veterans of World War I, U.S.A., Inc., 40 G Street NE., Washington, D.C.

A. Mr. L. T. Vice, suite 1204, 1700 K Street NW., Washington, D.C.

B. Standard Oil Co. of California, suite 1204, 1700 K Street NW., Washington, D.C.

E. (9) $110.

A. Volume Footwear Retailers Association, Inc., 51 East 42d Street, New York, N.Y.

E. (9) $4,582.76.

A. Charles E. Walker, the American Bankers Association, 90 Park Avenue, New York, N.Y.

B. The American Bankers Association, 90 Park Avenue, New York, N.Y.

D. (6) $2,000.

A. Thomas G. Walters, National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.

B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.

D. (6) $2,980.96. E. (9) $3,888.27.

A. Charles A. Webb, National Association of Motor Bus Owners, 839 17th Street NW., Washington, D.C.

B. National Association of Motor Bus Owners, 839 17th Street NW., Washington, D.C.

A. Western Cotton Growers Association of California, Post Office Box 512, Fresno, Calif.

D. (6) $7,643.15. E. (9) $2,411.98.

A. Western States Meat Packers Association, Inc., 604 Mission Street, San Francisco, Calif.

D. (6) $17,716. E. (9) $21.06.

A. Robert P. Will, 201 Massachusetts Avenue NE., suite 216, Washington, D.C.

B. The Metropolitan Water District of Southern California, 1111 Sunset Boulevard, Los Angeles, Calif.

D. (6) $3,600. E. (9) $1,180.47.

A. Clay B. Wolfe, 400 First Street NW., Washington, D.C.

B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

D. (6) $416.60.

A. Nicholas H. Zumas, attorney at law, 1225 19th Street NW., Washington, D.C.

B. Emergency Committee on Gun Control, 1346 Connecticut Avenue NW., Washington, D.C.

D. (6) $350. E. (9) $1,637.85.

QUARTERLY REPORTS

The following quarterly reports were submitted for the fourth calendar quarter 1968:

(NOTE.—The form used for registration is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_______ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

Note on Item "D."—(*a*) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(*b*) **If This Report Is for an Employer.**—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(*c*) **If This Report Is for an Agent or Employee.**—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. Receipts (Including Contributions and Loans):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $-------- Dues and assessments
2. $-------- Gifts of money or anything of value
3. $-------- Printed or duplicated matter received as a gift
4. $-------- Receipts from sale of printed or duplicated matter
5. $-------- Received for services (e.g., salary, fee, etc.)

6. $-------- Total for this Quarter (Add items "1" through "5")
7. $-------- Received during previous Quarters of calendar year

8. $-------- Total from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $-------- Total now owed to others on account of loans
10. $-------- Borrowed from others during this Quarter
11. $-------- Repaid to others during this Quarter

12. $-------- "Expense money" and Reimbursements received this Quarter

Contributors of $500 or more
(from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": --------

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor* (*"Period"* from Jan. 1 through ----------------, 19----)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	Total

Note on Item "E".—(*a*) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(*b*) **If This Report Is for an Agent or Employee.** In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. Expenditures (Including Loans) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $-------- Public relations and advertising services
2. $-------- Wages, salaries, fees, commissions (other than item "1")
3. $-------- Gifts or contributions made during Quarter
4. $-------- Printed or duplicated matter, including distribution cost
5. $-------- Office overhead (rent, supplies, utilities, etc.)
6. $-------- Telephone and telegraph
7. $-------- Travel, food, lodging, and entertainment
8. $-------- All other expenditures

9. $-------- Total for this Quarter (Add "1" through "8")
10. $-------- Expended during previous Quarters of calendar year

11. $-------- Total from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $-------- Total now owed to person filing
13. $-------- Lent to others during this Quarter
14. $-------- Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	Total

PAGE 2

A. Charles D. Ablard, 1629 K Street N.W., suite 603, Washington, D.C.

B. Magazine Publishers Association, Inc., 575 Lexington Avenue, New York, N.Y.

D. (6) $2,500. E. (9) $27.

A. Clarence G. Adamy, National Association of Food Chains, 1725 Eye Street N.W., Washington, D.C.

B. National Association of Food Chains, 1725 Eye Street N.W., Washington, D.C.

D. (6) $100.

A. Aerospace Industries Association of America, Inc., 1725 DeSales Street N.W., Washington, D.C.

D. (6) $6,423.66. E. (9) $6,423.66.

A. Air Transport Association of America, 1000 Connecticut Avenue N.W., Washington, D.C.

D. (6) $1,880.55. E. (9) $1,880.55.

A. Aircraft Owners & Pilots Association, Post Office Box 5800, Washington, D.C.

A. John R. Ale, executive assistant, Government Relations, American Life Convention, 1701 K Street N.W., Washington, D.C.

B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

D. (6) $123.68.

A. Herbert F. Alfrey, president, National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue N.W., Washington, D.C.

D. (6) $425. E. (9) $18.40.

A. Mrs. Donna Allen, 3306 Ross Place NW., Washington, D.C.

B. National Committee to Abolish the House Un-American Activities Committee, 555 North Western Avenue, Los Angeles, Calif.

D. (6) $1,040. E. (9) $1,393.90

A. Kenneth D. Allen, assistant Washington counsel, 1701 K Street N.W., Washington, D.C.

B. Health Insurance Association of America, 1701 K Street N.W., Washington, D.C.

D. (6) $41.25. E. (9) $17.95.

A. Louis J. Allen, chairman, Tennessee Railroad Association, 916 Nashville Trust Building, Nashville, Tenn.

B. Class I Railroads in Tennessee.

A. Amalgamated Transit Union, AFL–CIO, an unincorporated labor union, 5025 Wisconsin Avenue N.W., Washington, D.C.

B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue N.W., Washington, D.C.

A. Amalgamated Transit Union, National Capital Division 689, 100 Indiana Avenue N.W., Washington, D.C.

A. American Automobile Association, 1712 G Street N.W., Washington, D.C.

A. American Cancer Society, 219 East 42d Street, New York, N.Y.

E. (9) $7,525.63.

A. American Committee for Flags of Necessity (a business league), 25 Broadway, New York, N.Y.

A. American Farm Bureau Federation, general offices: Merchandise Mart Plaza, Chicago, Ill.; Washington offices: 425 13th Street NW., Washington, D.C.

D. (6) $39,967. E. (9) $39,967.

A. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

E. (9) $38,129.18.

A. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.

D. (6) $12,997.30. E. (9) $12,997.30.

A. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.

A. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.

D. (6) $1,650. E. (9) $1,650.

A. American Insurance Association, 85 John Street, New York, N.Y.

D. (6) $10,593.63. E. (9) $10,593.63.

A. American Israel Public Affairs Committee, 1341 G Street NW., Washington, D.C.

D. (6) $577.62. E. (9) $437.60.

A. American Justice Association, Defense Highway, Gambrills, Md.

D. (6) $2. E. (9) $2.

A. American Landowners Association, box 294, route 1, Harpers Ferry, W. Va.

D. (6) $12. E. (9) $3.50.

A. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

D. (6) $618.33. E. (9) $18.45.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

E. (9) $10,314.44.

A. American Optometric Association, in care of J. C. Tumblin, O.D., 4856 Broadway, NE., Knoxville, Tenn.

D. (6) $3,568.84. E. (9) $3,566.84.

A. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y.

A. American Parents Committee, Inc., 20 E Street NW., Washington, D.C.. and Subcommittee, Bipartisan Citizens Committee for Federal Aid for Public Elementary and Secondary Education, 2104 Davenport Street, NW., Washington, D.C.

D. (6) $3,023.68. E. (9) $771.15.

A. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

D. (6) $3,070. E. (9) $10,204.

A. American Podiatry Association, 3301 16th Street NW., Washington, D.C.

E. (9) $917.45.

A. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.

D. (6) $979.17. E. (9) $969.17.

A. American Society of Travel Agents, Inc., 360 Lexington Avenue, New York, N.Y.

E. (9) $87.04.

A. American Stock Yards Association, 1712 Eye Street NW., Washington, D.C., Charles B. Jennings, 1712 Eye Street NW., Washington, D.C.

D. (6) $1,350. E. (9) $900.

A. American Taxpayers Association, 326 Pennsylvania Building, Washington, D.C.

A. American Textile Machinery Association, care of B. C. Connor, treasurer, 224 Ellington Road, Longmeadow, Mass.

D. (6) $1.20.

A. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.

D. (6) $14,700.26. E. (9) $14,700.26.

A. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $10,290.06. E. (9) $40,642.38.

A. American Veterinary Medical Association, 1522 K Street NW., suite 828, Washington, D.C.

A. American Vocational Association, second floor, 1510 H Street NW., Washington, D.C.

E. (9) $750.

A. The American Waterways Operators, Inc., suite 502, 1250 Connecticut Avenue, Washington, D.C.

D. (6) $3,441.97. E. (9) $3,441.97.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.

B. The National Football League, 410 Park Avenue, New York, N.Y.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.

B. Spiegel, Inc., 2511 West 23d Street, Chicago, Ill.

A. Edward T. Anderson, 245 Second Street NE., Washington, D.C.

B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

D. (6) $1,286.

A. Walter M. Anderson, Jr., Secy-Treas., Alabama Railroad Association, Montgomery, Ala.

B. Alabama Railroad Association, 1002 First National Bank Bldg., Montgomery, Ala.

A. Appalachian Corporation, c/o M. J. Blustein, 1089 National Press Bldg., Washington, D.C.

A. George W. Apperson, President, Amalgamated Transit Union, Division 689, 100 Indiana Ave. NW., Washington, D.C.

B. Amalgamated Transit Union, National Capital Div. 689, 100 Indiana Ave. NW.

A. Arkansas Railroad Association, 1100 Boyle Bldg., Little Rock, Ark.

A. Carl F. Arnold, 1101 17th Street NW., Washington, D.C.

B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

D. (6) $3, 125. E. (9) $2,702.

A. Mac Asbill, Jr., Esquire, partner in the law firm of Sutherland, Asbill & Brennan, 1200 Farragut Bldg., Washington, D.C.

B. The Travelers Corp., One Tower Square, Hartford, Conn.

A. Associated Railroads of New Jersey, Pennsylvania Station, Newark, N.J.

A. Associated Third Class Mail Users, suite 607, 1725 K Street NW., Washington, D.C.

D. (6) $500. E. (9) $500.

A. Association of American Physicians and Surgeons, Inc., 230 N. Michigan Avenue, suite 1000, Chicago, Ill.

D. (6) $500. E. (9) $500.

A. Association of American Railroads, American Railroads Building, 1920 L Street NW., Washington, D.C.

D. (6) $1,269.60. E. (9) $1,269.60.

A. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Association on Japanese Textile Imports, Inc., 551 Fifth Ave., New York, N.Y.
D. (6) $1,000. E. (9) $1,000.

A. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.
E. (9) $205.

A. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Atlanta Committee for Democratic Republican Independent Voter Education, 2540 Lakewood Avenue SW., Atlanta, Ga.
D. (6) $9,816.55. 1. (9) $9,137.71.

A. Robert L. Augenblick, 61 Broadway, New York, N.Y.

A. Richard W. Averill, Director, Washington Office, American Optometric Association, 1026 17th Street NW., Washington, D.C.
B. American Optometric Association, c/o J. C. Tumblin, O.D., 4836 Broadway NE., Knoxville, Tenn.
D. (6) $800. E. (9) $301.

A. Michael H. Bader, 1735 DeSales Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Mr. Harry S. Baer, 1725 DeSales Street NW., Washington, D.C.
B. National Aerospace Services Association, 1725 DeSales Street NW., Washington, D.C.
E. (9) $220.

A. John C. Bagwell, Hawaiian Sugar Planters' Association, 723 Investment Bldg., Washington, D.C.
B. Hawaiian Sugar Planters' Association, Honolulu, Hawaii.

A. Donald Baldwin, Suite 926, Cafritz Building, 1625 Eye Street NW., Washington, D.C.
B. Northern Pacific Railway Co., St. Paul, Minn., Great Northern Railway Co., St. Paul, Minn., Chicago, Burlington, and Quincy Railroad Co., Chicago, Ill.
E. (9) $321.61.

A. Ernest L. Barcella, Manager, Washington Office, General Motors Corp., Washington, D.C.
B. General Motors Corp., 3044 West Grand Blvd., Detroit, Mich.

A. John Barnard, Jr., Investment Company Institute, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Robert C. Barnard, 1250 Connecticut Ave., NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Ave. NW., Washington, D.C.

A. Arthur R. Barnett, 1140 Connecticut Ave. NW., Washington, D.C.
B. National Association of Electric Companies, 1140 Connecticut Ave. NW., Washington, D.C.
D. (6) $132.50.

A. Irvin L. Barney, 400 First Street NW., Washington, D.C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
D. (6) $3,600.

A. A. Wesley Barthelmes, 2133 Wisconsin Avenue N.W., Washington, D.C.
B. Insurance Company of North America, Life Insurance Company of North America, 1600 Arch Street, Philadelphia, Pa.
D. (6) $371.40. E. (9) $340.90.

A. Eugene T. Bartkowisk, 3829 W Street SE., Washington, D.C.
B. The National Association of Polish Americans, Inc., 3829 W Street SE., Washington, D.C.

A. Mr. James P. Bass, 1101 17th St. NW., Washington, D.C.
B. American Airlines, Inc., 1101 17th St. NW., Washington, D.C.

A. Ross Bass Associates (Consultants), 1120 Connecticut Ave. NW., Washington, D.C.
B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.

A. Lucius D. Battle.
B, Communications Satellite Corp., 950 L'Enfant Plaza South SW., Washington, D.C.

A. Donald S. Beattie, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $1,200.

A. Bebchick, Sher & Kushnick, Attorneys at Law, 919 18th Street NW., Washington, D.C.
B. Saturn Airways, Inc., Post Office Box 2426, Oakland International Airport, Oakland, Calif.
D. (6) $9,600.

A. John H. Beidler, Legislative Section, Industrial Union Department, AFL–CIO.
B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $3,950. E. (9) $76.38.

A. James F. Bell, 1100 Connecticut Avenue NW., Washington, D.C.
B. National Association of Supervisors of State Banks, 1101 Seventeenth Street, NW., Washington, D.C.
D. (6) $937.50. E. (9) $184.47.

A. Ernest H. Benson, 400 First Street NW., Washington D.C.
B. Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $6,000.

A. Reed A. Benson, for the John Birch Society, 1028 Connecticut Avenue NW., No. 1004, Washington, D.C.
B. The John Birch Society, Inc., 395 Concord Avenue, Belmont, Mass.

A. Walter J. Bierwagen, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. S. G. Bishop, 400 First Street NW., Washington, D.C.
B. Transportation-Communication Employees Union, 3860 Lindell Boulevard, St. Louis, Mo.

A. John H. Bivins, 1101 Seventeenth Street NW., Washington, D.C.
B. American Petroleum Institute, 1101 17th Street NW., Washington, D.C.
D. (6) $690.

A. Robert W. Blair.
B. New Process Co., Warren, Pa.

A. William Rhea Blake, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $350. E. (9) $649.78.

A. William Blum, Jr., 1815 H Street NW., suite 1200, Washington, D.C.
B. Committee for the Study of Revenue Bond Financing, 55 Liberty Street, New York, N.Y.
D. (6) $2,073.33. E. (9) $610.74.

A. Blumberg, Singer, Ross, Gotteaman, Diamond & Gordon, 245 Park Avenue, New York, N.Y.
B. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $11,250.

A. Milton J. Blustein, 1089 National Press Building, Washington, D.C.
B. Appalachian Corp.

A. Eugene F. Bogan, Bogan & Freeland, 1000 16th Street NW., Washington, D.C.
B. Investment Co. Institute, 61 Broadway, New York, N.Y.

A. Book Manufacturers' Institute, Inc., 161 East 42d Street, New York, N.Y.

A. Lyle H. Boren, Seminole, Okla.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Robert T. Borth, General Electric Co., 777 14th Street NW, Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $900. E. (9) $101.36.

A. G. Stewart Boswell, American Textile Manufacturers Institute, Inc., suite 840, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Textile Manufacturers Institute, 1501 Johnston Building, Charlotte, N.C.
D. (6) $575.10. E. (9) $14.54.

A. Samuel E. Boyle, 428 South Avenue, Pittsburgh, Pa.
B. The Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $1,543.17. E. (9) $703.67.

A. Samuel E. Boyle, 428 South Avenue, Pittsburgh, Pa.
B. The Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.,
D. (6) $1,543.17. E. (9) $703.67.

A. Col. A. A. Brackett, 1 Constitution Avenue NE., Washington, D.C.
B. Reserve Officers Association of the United States, 1 Constitution Avenue NE., Washington, D.C.

A. Charles N. Brady, Highway Department, American Automobile Association.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. The Madison Building, 1155 15th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association.

A. Wally Briscoe.
B. National Cable Television Association., Inc., 1634 I Street NW., Washington, D.C.
D. (6) $135. E. (9) $16.50.

A. Florence I. Broadwell, 1737 H Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $3,547.20. E. (9) $241.50.

A. David A. Brody, Anti-Defamation League of B'nai B'rith, 1640 Rhode Island Avenue NW., Washington, D.C.
B. Anti-Defamation League of B'nai B'rith, 315 Lexington Avenue, New York, N.Y.
D. (6) Approximately $250.

A. W. S. Bromley, 605 Third Avenue, New York, N.Y.
B. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. Joseph P. Brosnan, 9160 Springhill Lane, Greenbelt, Md.

B. Air Force Sergeants Association, 1501 Pennsylvania Avenue SE., Washington, D.C.

D. (6) $100.

A. Brotherhood of Painters, Decorators, and Paperhangers of America, 217 North Sixth Street, Lafayette, Ind.

E. (9) $1,825.

A. J. D. Brown, 2600 Virginia Avenue NW., Washington, D.C.

B. American Public Power Association, 2600 Virginia Avenue, NW.

D. (6) $100.

A. Brown, Lund & Levin, attorneys at law, 1625 Eye Street NW., Washington, D.C.

B. Ebasco Industries, Inc., 2 Rector Street, New York, N.Y.

A. Brown, Lund & Levin, attorneys at law, 1625 Eye Street NW., Washington, D.C.

B. General Public Utilities Corp., 80 Pine Street, New York, N.Y.

A. Lyman L. Bryan, 2000 K Street NW., Washington, D.C.

B. American Institute of CPAs, 666 Fifth Avenue, New York, N.Y.

D. (6) $4.15. E. (9) $9.35.

A. George S. Buck, Jr., Post Office Box 2285, Memphis, Tenn.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

A. Bulgarian Claims Committee, c/o Mr. D. J. Casarella, 88–04 63 Drive, Rego Park, N.Y.

A. George S. Bullen, legislative director, National Federation of Independent Business.

B. National Federation of Independent Business, 921 Washington Building, 15th Street and New York Avenue, NW., Washington, D.C.

A. George J. Burger.

B. Burger Tire Consultant Service, 250 West 57th Street, New York, N.Y.

A. George J. Burger, Washington Office, National Federation of Independent Business, 921 Washington Building, Washington, D.C.

B. National Federation of Independent Business, 921 Washington Building, Washington, D.C.

A. Dr. Lowell A. Burkett, American Vocational Association, 1510 H Street, NW., Washington, D.C.

B. American Vocational Association, 1510 H Street, NW., Washington, D.C.

A. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.

D. (6) $33,097.74. E. (9) $491.20.

A. Mrs. Margot Burman, 100 Seventh Street, NE., Washington, D.C.

B. National Committee to Abolish HUAC, 555 North Western Avenue, Los Angeles, Calif.

E. (9) $195.

A. George E. Burnhan, 120 C Street, NE., Washington, D.C.

D. (6) $670. E. (9) $670.

A. George Burnham, 4th, United States Steel Corp., 1625 K Street, NW., Washington, D.C.

B. United States Steel Corp., 525 William Penn Place, Pittsburgh, Pa.

D. (6) $518. E. (9) $397.39.

A. David Burpee, Fordhook Farms, Boylestown, Pa.

A. Herbert H. Butler, 438 Pennsylvania Building, Washington, D.C.

B. U.S. Independent Telephone Association, 438 Pennsylvania Building, Washington, D.C.

E. (9) $402.46.

A. Monroe Butler, 1801 Avenue of the Stars, suite 1106, Los Angeles, Calif.

B. The Superior Oil Co., 1801 Avenue of Stars, suite 1110, Los Angeles, Calif.

A. Charles G. Caffrey, American Textile Manufacturers Institute, 1120 Connecticut Ave. NW., suite 840, Washington, D.C.

B. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.

D. (6) $760.20. (9) $85.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D.C.

B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.

D. (6) $2,000. (9) $885.

A. Donald L. Calvin, New York Stock Exchange, 11 Wall Street, New York, N.Y.

B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. Carl C. Campbell, room 610, Ring Building, 1200 18th Street NW., Washington, D.C.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

A. Ronald A. Capone, Kirlin, Campbell & Keating, room 505, the Farragut Building, Washington, D.C.

B. Committee of European Shipowners, 30–32 Saint Mary Avenue, London E.C.3, England; CENSA/CES Joint Container Committee, 30–32 Saint Mary Avenue, London E.C.3, England.

D. (6) $11,250. (9) $171.89.

A. Michael H. Cardozo, Association of American Law Schools, Washington, D.C.

B. Association of American Law Schools, 1521 New Hampshire Avenue NW., Washington, D.C.

A. Philip Carlip, district 2, Marine Engineers Beneficial Association, 650 Fourth Avenue, Brooklyn, N.Y.

B. District 2, Marine Engineers Beneficial Association Union.

D. (6) $1,000. E (9) $118.70.

A. Philip Carlip, legislative director, Seafarers International Union, 675 Fourth Avenue, Brooklyn, N.Y.

B. Seafarers International Union.

D. (6) $2,500. E. (9) $1,365.70.

A. Col. John T. Carlton, 1 Constitution Avenue NE., Washington, D.C.

B. Reserve Officers Association of the United States, 1 Constitution Avenue NE., Washington, D.C.

A. Braxton B. Carr, Suite 502, 1250 Connecticut Avenue, Washington, D.C.

B. The American Waterways Operators, Inc., Suite 502, 1250 Connecticut Avenue, Washington, D.C.

D. (6) $2,917. E. (9) $161.26.

A. Robert S. Carr, Washington representative, Hiram Walker & Sons., Inc., 1220 Pennsylvania Building, Washington, D.C.

B. Hiram Walker & Sons, Inc., 8232 Jefferson Avenue, Detroit, Mich.

A. Blue Allan Carstenson, legislative assistant.

B. The Farmers' Educational and Co-Operative Union of American (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.

D. (6) $3,984.51. E. (9) $72.58.

A. Eugene C. Carusi, 1629 K Street NW., Washington, D.C.

B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

D. (6) $100.

A. Ralph E. Casey, president, American Merchant Marine Institute, 919 18th Street NW., Washington, D.C.

B. American Merchant Marine Institute, Inc. (trade association), 919 18th Street NW., Washington, D.C., and 11 Broadway, New York, N.Y.

D. (6) $1,725. E. (9) $339.64.

A. Col. Joseph L. Chabot, 1 Constitution Avenue NE., Washington, D.C.

B. Reserve Officers Association of the United States, 1 Constitution Avenue NE., Washington, D.C.

A. Chamber of Commerce, 1615 H Street NW., Washington, D.C.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.

B. International Association of Game, Fish and Conservation Commissioners, secretary's office, 5757 Blake Road, Minneapolis, Minn.

D. (6) $1,840. E. (9) $375.88.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.

B. The National Committee for the Recording Arts, 9300 Wilshire Boulevard, Beverly Hills, Calif.

E. (9) $8.76

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.

B. Newspaper Committee for a Free and Competitive Press, 33 North Dearborn Street, Chicago, Ill.

E. (9) $240.37.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.

B. Strohmeyer & Arpe Co., 260 West Broadway, New York, N.Y.

D. (6) $362.50. E. (9) $23.28.

A. James W. Chapman, senior legislative counsel, Retired Officers Association, 1625 Eye Street NW., Washington, D.C.

D. (6) $1,625.

A. Hal M. Christensen, 1750 Pennsylvania Ave. NW., Washington, D.C.

B. American Dental Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $2,250.

A. The Christian Amendment Movement, 804 Pennsylvania Avenue, Pittsburgh, Pa.

D. (6) $6,985.95. E. (9) $7,003.88.

A. Edwin Christianson, vice president.

B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.

A. Lowell T. Christison, special assistant for communications, Washington office, American Optometric Association, 1026 17th Street NW., Washington, D.C.

B. American Optometric Association, in care of J. C. Tumblin, O.D., 4836 Broadway NE., Knoxville, Tenn.

D. (6) $266.40. E. (9) $212.52.

A. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.

D. (6) $38,399.64.

A. Citizens Committee on Natural Resources, 1346 Connecticut Avenue NW., room 712, Dupont Circle Building, Washington, D.C.

D. (6) $4,031.66. E. (9) $985.05.

A. William F. Claire, 1835 K Street NW., Room 705, Washington, D.C.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y.

A. Allen Clark, Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Earl W. Clark.
B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,400. E. (9) $56.20.

A. James E. Clark, Jr., 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. Clay Pipe Industry Depletion Committee, Post Office Box 13125, Kansas City, Mo.
D. (6) $179.40. E. (9) $146.43.

A. Clear Channel Broadcasting Service (CCBS), 800 World Center Building, Washington, D.C.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.
B. Synthetic Organic Chemical Manufacturers Association, 330 Madison Avenue, New York, N.Y.
D. (6) $800. E. (9) $27.35.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. The American Tobacco Co.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. Brown & Williamson Tobacco Corp.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. Liggett & Myers Tobacco Co.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. Philip Morris Inc.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. R. J. Reynolds Tobacco Co.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. The Tobacco Institute, Inc.

A. David Cohen, Legislative representative, Industrial Union Department, AFL–CIO.
B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $2,288. E. (9) $108.

A. Edwin S. Cohen, attorney, Barrett Knapp Smith & Schapiro, 26 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
E. (9) $45.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Tanker Owners, Inc., One Chase Manhattan Plaza, New York, N.Y.

A. William J. Colley, Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C.
B. Pharmaceutical Manufacturers Association.

A. Collier, Shannon & Rill, 1625 Eye Street NW., Washington, D.C.
B. National Broiler Council, 1155 15th Street NW., Washington, D.C.
D. (6) $100.

A. Collier, Shannon & Rill, 1625 Eye Street NW., Washington, D.C.
B. National Footwear Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.
D. (6) $750. E. (9) $275.

A. Collier, Shannon & Rill, 1625 Eye Street NW., Washington, D.C.
B. Tool and Stainless Steel Industry Committee, in care of the Carpenter Steel Co., Reading, Pa.
D. (6) $1,250. E. (9) $450.

A. James F. Collins, 1000 16th Street NW., Washington, D.C.
B. American Iron & Steel Institute, 150 East 42d Street, New York, N.Y.
D. (6) $500. E. (9) $125.

A. Paul G. Collins, public affairs, the Industrial National Bank of Rhode Island, 111 Westminster Street, Providence, R.I.
B. The Industrial National Bank of Rhode Island, 111 Westminster Street, Providence, R.I.
D. (6) $68.75.

A. Colorado Railroad Association, 702 Majestic Building, Denver, Colo.
B. Colorado Railroad Association, 702 Majestic Building, Denver, Colo.

A. The Committee for Broadening Commercial Bank Participation in Public Financing, 50 South LaSalle Street, Chicago, Ill.
D. (6) $13,767.

A. Committee for a Free Cotton Market, 1725 K Street NW., Washington, D.C.
E. (9) $142.

A. Paul B. Comstock, 1812 K Street NW., Washington, D.C.
B. National Association of Broadcasters, 1812 K Street NW., Washington, D.C.

A. Raymond F. Congling, 1001 Connecticut Avenue NW., Washington, D.C.
B. Texaco Inc., 135 East 42d Street, New York, N.Y.
D. (6) $140. E. (9) $130.19.

A. Howard M. Conner, 1725 K Street NW., Washington, D.C.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.

A. John D. Conner, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers' Institute, Inc., 161 East 42d Street, New York, N.Y.

A. Robert J. Conner, Jr.. 1100 Connecticut Avenue, suite 930, Washington, D.C.
B. Chrysler Corp, 341 Massachusetts Avenue, Detroit, Mich.
D. (6) $225. E. (9) $150.

A. Eileen D. Cooke, 200 C Street SE., Washington, D.C.
B. American Library Association, 50 East Huron Street, Chicago, Ill.
D. (6) $69.

A. Edward Cooper.
B. Motion Picture Association of America, Inc., World Center Building, suite 400, 918 16th Street NW., Washington, D.C.

A. J. Milton Cooper, suite 401, 1000 Vermont Avenue NW., Washington, D.C.
B. R. J. Reynolds Tobacco Co., Winston-Salem, N.C.

A. Joshua W. Cooper, 626 South Lee Street, Alexandria, Va.
B. Portsmouth-Kittery Armed Services Committee, Inc., Post Office Box 1123, Portsmouth, N.H.
D. (6) $3,750. E. (9) $807.70.

A. Mitchell J. Cooper, 1001 Connecticut Avenue, Washington, D.C.
B. Council of Forest Industries, 1477 West Pender Street, Vancouver, British Columbia, Canada.
D. (6) $3,000. E. (9) $1.50.

A. Mitchell J. Cooper, 1001 Connecticut Avenue, Washington, D.C. Attorney
B. Footwear Division, Rubber Manufacturers Association, Inc., 444 Madison Avenue, New York, N.Y.
D. (6) $6,000.

A. Darrell Coover, One Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,500. E. (9) $603.49.

A. Allan D. Cors, 1629 K Street NW., Washington, D.C.
B. Corning Glass Works, Corning, N.Y.
D. (6) $125.

A. Council for a Livable World, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $52,086.85. E. (9) $26,272.06.

A. Council of Profit Sharing Industries, 29 North Wacker Drive, Chicago, Ill.

A. Council of State Chambers of Commerce, 1028 Connecticut Avenue, Washington, D.C.
D. (6) $291.16. E. (9) $291.16.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. American Machine Tool Distributors' Association, 1500 Massachusetts Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Electronic Industries Association, 2001 Eye Street NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. A. P. Møller, 8 Kongens Nytorv, Copenhagen, Denmark.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Ready Mixed Concrete Association, 900 Spring Street, Silver Spring, Md.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Tool, Die & Precision Machining Associates, 1411 K Street NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Truck Mixer Manufacturers Bureau, 900 Spring Street, Silver Spring, Md.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. The Wisconsin Corp., Route 3, Box 3747, Bainbridge Island, Wash.

A. Cox, Langford & Brown, 1521 New Hampshire Avenue NW., Washington, D.C.
B. The National Collegiate Athletic Association, Midland Building, Kansas City, Mo.

A. W. J. Crawford, Post Office Box 2180, Houston, Tex.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.

A. Mr. Harold C. Crotty, Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich.

A. J. A. Crowder, 1200 17th Street NW., Washington, D.C.

B. National Association of Wool Manufacturers, 1200 17th Street NW., Washington, D.C.

D. (6) $1,500.

A. Michael B. Crowson, 1132 Pennsylvania Building, Washington, D.C.

B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. J. Steele Culbertson, National Fish Meal & Oil Association, 1225 Connecticut Avenue NW., Washington, D.C.

B. National Fish Meal & Oil Association, 1225 Connecticut Avenue NW., Washington, D.C.

D. (6) $150. E. (9) $107.14.

A. John T. Curran, 905 16th Street NW., Washington, D.C.

B. Laborers' International Union of North America, 905 16th Street NW., Washington, D.C.

D. (6) $6,000. E. (9) $3,308.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.

B. Japan Lumber Importers' Association, Tokyo, Japan.

A. F. Gibson Darrison, Jr., Penn Central Co., 2000 L Street NW., suite 819, Washington, D.C.

B. Penn Central Co., 230 Park Avenue, New York, N.Y.

A. John Davenport, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

D. (6) $68.

A. Aled P. Davies, 59 East Van Buren Street, Chicago, Ill.

B. American Meat Institute, 59 East Van Buren Street, Chicago, Ill.

D. (6) $1,000. E. (9) $262.99.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.

B. Chicago & North Western Railway Co., 400 West Madison Street, Chicago, Ill.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.

B. Inland Steel Co., 30 West Monroe Street, Chicago, Ill.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.

B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

E. (9) $15.20.

A. Donald S. Dawson, 723 Washington Building, Washington, D.C.

D. D.C. Transit System, Inc., Washington, D.C.

A. Donald S. Dawson, 723 Washington Building, Washington, D.C.

B. Guild of Prescription Opticians, 1250 Connecticut Avenue NW., Washington, D.C.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.

B. Air Transport Association, 1000 Connecticut Avenue NW., Washington, D.C.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.

B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.

B. Indian Sugar Mills Association, Export Agency Division, Calcutta, India.

A. Dawson, Quinn, Riddell, Taylor & Davis, 723 Washington Building, Washington, D.C.

B. V. I. Gift & Fashion Shop Association, St. Thomas, Virgin Islands.

A. Mr. Charles W. Day, Ford Motor Co., 815 Connecticut Avenue NW., Washington, D.C.

B. Ford Motor Co., Dearborn, Mich.

D. (6) $105. E. (9) $15.99.

A. Tony T. Dechant.

B. The Farmers' Educational and Co-operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.

D. (6) $1,875. E. (9) $192.22.

A. L. E. Deilke, 163 165 Center Street, Winona, Minn.

B. National Association of Direct Selling Co's., 163 165 Center Street, Winona, Minn.

D. (6) $3,000.

A. James J. Delaney, Jr., 1003 Lancaster Drive, Anchorage, Alaska.

B. Association of American Railroads, 211 American Railroad Building, Washington, D.C.

A. Richard A. Dell, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

D. (6) $150.

A. Vincent A. Demo, 25 Broadway, New York, N.Y.

B. New York Committee of International Committee of Passenger Lines, 25 Broadway, New York, N.Y.

D. (6) $8,250.

A. Max A. Denney, American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.

B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.

D. (6) $900.

A. Leslie E. Dennis, Brotherhood of Railway, Airline & Steamship Clerks, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.

D. (6) $2,477.25. E. (9) $1,095.10.

A. Steven B. Derounian, 600 Old Country Road, Garden City, N.Y.

B. American Courier Corp., 2 Nevada Drive, Lake Success, New Hyde Park Post Office, N.Y.

D. (6) $100. E. (9) $125.

A. Steven B. Derounian, 600 Old Country Road, Garden City, N.Y.

B. Amerex Electronic Corp., 230 Duffy Avenue, Hicksville, N.Y.

D. (6) $175. E. (9) $100.

A. Steven B. Derounian, 600 Old Country Road, Garden City, N.Y.

B. Town of Hempstead, Town Hall, Hempstead, N.Y.

D. (6) $315. E. (9) $175.

A. Lloyd J. Derrickson, National Association of Securities Dealers, Inc., 888 17th Street NW., Washington, D.C.

B. National Association of Securities Dealers, Inc.

A. Russell C. Derrickson, 4000 Cathedral Avenue NW., Washington, D.C.

B. Responsive Environments Corp., 1707 "L" Street NW., Washington, D.C.

D. (6) $1,200. E. (9) $100.

A. George S. Dietrich, Association on Broadcasting Standards, Inc., 1741 DeSales Street, NW., Washington, D.C.

B. Association on Broadcasting Standards, Inc., 1741 DeSales Street, NW., Washington, D.C.

A. Disabled American Veterans, National Service Headquarters, 1221 Massachusetts Ave., NW., Washington, D.C.

B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.

D. (6) $14,500. E. (9) $3,950.25.

A. Robert H. Distelhorst, Jr., 812 Pennsylvania Building, Washington, D.C.

B. United States Savings and Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $487.50.

A. William H. Dodds, UAW, 1126 16th Street NW., Washington, D.C.

B. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) 8000 East Jefferson Avenue, Detroit, Mich.

D. (6) $954.50. E. (9) $89.75.

A. Paul R. M. Donelan, One Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

A. Harry J. Donohue, National Legislative Service, Veterans of Foreign Wars of the United States, 200 Maryland Ave. NE., Washington, D.C.

B. Veterans of Foreign Wars of the United States.

D. (6) $1,908. E. (9) $87.30.

A. C. L. Dorson, Room 1128, Warner Building, 501 13th Street NW., Washington, D.C.

B. Retirement Federation of Civil Service Employees of the U.S. Government, Room 1128, Warner Building, 501 13th Street NW., Washington, D.C.

D. (6) $2,370.48. E. (9) $302.

A. David L. Dougherty, National Retail Merchants Association, 1317 F Street NW., suite 706, Washington, D.C.

B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.

A. Leonard K. Dowiak, American Hotel & Motel Association, 777 14th Street NW., Washington, D.C.

B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.

D. (6) $175.

A. F. Raymond Downs, 1730 K Street, N.W., Washington, D.C.

B. The Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio.

A. Franklin B. Dryden, 1735 K Street NW., Washington, D.C.

B. The Tobacco Institute, Inc.

A. William DuChessi, 1126 16th Street, NW., Washington, D.C.

B. Textile Workers Union of America, AFL-CIO, 99 University Place, New York, N.Y.

D. (6) 975.15. E. (9) $100.

A. J. D. Durand, General Counsel, Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.

E. (9) $205.

A. Robert G. Dwyer, The Anaconda Co., Counsel, 1511 K Street NW., Suite 202, Washington, D.C.

B. The Anaconda Co., 25 Broadway, New York, N.Y.

D. (6) $250.

A. Roy W. Easley, Association of Maximum Service Telecasters, Inc., 1735 DeSales Street NW., Washington, D.C.

A. Alfred Edwall, 25 Louisiana Avenue NW., Washington, D.C.

B. International Brotherhood of Teamsters, 25 Louisiana Avenue, Washington, D.C.
D. (6) $3,125.06.

A. Macon T. Edwards, 1918 N. Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

A. George V. Egge, Jr., 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. J. C. B. Ehringhaus, Jr., Southern Railway System, Post Office Box 1776, Raleigh, N.C.
B. Southern Railway System, Post Office Box 1808, Washington, D.C.

A. Carl Elliott and Micah H. Naftalin, Elliott & Naftalin, Attorneys at Law, suite 300, 1510 H Street NW., Washington, D.C .
B. American Vocational Association, Second floor, 1510 H Street NW., Washington, D.C.
D. (6) $750.

A. John Doyle Elliott, 5500 Quincy Street, Hyattsville, Md.
D. (6) $1,897.16. E. (9) $2,899.77.

A. John M. Elliott, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. D. A. Ellsworth, Brotherhood of Railway, Airline & Steamship Clerks, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnatti, Ohio.
D. (6) $2,955.66. E. (9) $1,429.02.

A. Perry R. Ellsworth, 1025 Vermont Avenue NW., Washington, D.C.
B. Retail Jewelers of America, Inc., 1025 Vermont Avenue NW., Washington, D.C.

A. Ely and Duncan, 1200 Tower Building, Washington, D.C.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.
D. (6) $2,100.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. Coachella Valley County Water District, Coachella, Calif.
D. (6) $1,200.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. Department of Water and Power of the City of Los Angeles, Calif., 111 North Hope Street, Los Angeles, Calif.
D. (6) $3,200.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. East Bay Municipal Utility District, 2130 Adeline Street, Oakland, Calif.
D. (6) $1,200.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. Imperial Irrigation District, El Centro, Calif.
D. (6) $2,100.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
D. (6) $3,000.

A. James C. England, National Retail Merchants Association, 1317 F Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $63.44.

A. Grover W. Ensley, National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $386.40. E. (9) $21.

A. John D. Fagan, National Legislative Service, Veterans of Foreign Wars of the United States, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $2,375. E. (9) $35.

A. Richard E. Faggioli, 1025 Connecticut Avenue NW., suite 1014, Washington, D.C.
B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.

A. The Farmers' Educational & Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $58,156.80. E. (9) $24,553.65.

A. Joseph G. Feeney, REA Express, 1101 17th Street NW., Washington, D.C.
B. REA Express, 219 East 42d Street, New York, N.Y.

A. Arthur S. Fefferman, American Life Convention, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

A. Bonner Fellers, the Taxpayers Committee To End Foreign Aid, 1629 K Street NW., Washington, D.C.
B. The Taxpayers Committee To End Foreign Aid.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C.
B. Council of Forest Industries of British Columbia, 1477 West Pender Street, Vancouver, B.C. Canada.
D. (6) $7,200. E. (9) $95.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C.
B. Joint Committee on Printing and Publishing Industries of Canada, 4th floor, 117 Eglinton Avenue East, Toronto, Canada.
D. (6) $1,500. E. (9) $9.68.

A. Firearms Lobby of America, 415 Second Street NE., suite 305B, Washington, D.C.
D. (6) $3,147.50. E. (9) $1,870.41.

A. William J. Flaherty, assistant director of legislation, Disabled American Veterans, 1221 Massachusetts Avenue NW., Washington, D.C.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $4,500. E. (9) $433.06.

A. Frank U. Fletcher, Fletcher, Heald, Rowell, Kenehan & Hildreth (law firm), suite 400, 1225 Connecticut Avenue NW., Washington, D.C.
B. National Association of FM Broadcasters, 665 Fifth Avenue, New York, N.Y.

A. Law firm of Fletcher, Heald, Rowell, Kenehan & Hildreth, suite 400, 1225 Connecticut Avenue NW., Washington, D.C.
B. National Association of FM Broadcasters, 665 Fifth Avenue, New York, N.Y.

A. Floyd O. Flom, 260 Madison Avenue, New York, N.Y.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y.

A. Gene Fondren, attorney, Post Office Box 192, Taylor, Tex.
D. (6) $2,152.64. E. (9) $777.89.

A. Frederick W. Ford.
B. National Cable Television Association, Inc., 1634 Eye Street NW., Washington, D.C.
D. (6) $417. E. (9) $18.

A. James W. Foristel, One Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,762.50. E. (9) $277.29.

A. Charles E. Foster, 900 17th Street NW., Washington, D.C.
B. Kaiser Industries Corporation, 900 17th Street NW., Washington, D.C.
D. (6) $250. E. (9) $238.25.

A. Ronald J. Foulis, 1730 K Street NW., Washington, D.C., 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $140.

A. John G. Fox, 1730 K Street NW., Washington, D.C.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $87.48.

A. Morley E. Fox, 300 New Jersey Avenue SE., Washington, D.C.
B. Central Arizona Project Association, 1124 Arizona Title Building, Phoenix, Ariz.

A. Walter L. Frankland, Jr., 1625 Eye Street NW., Washington, D.C.
B. Silver Users Association, 1625 Eye Street NW., Washington, D.C.
D. (6) $450. E. (9) $67.63.

A. R. Frank Frazier, National Broiler Council, 1155 15th Street NW., Washington, D.C.
B. National Broiler Council, 1155 15th Street NW., Washington, D.C.
D. (6) $2,400.

A. James O. Freeman, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $1,562.50. E. (9) $25.45.

A. James H. French, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers' Institute, Inc., 161 East 42d Street, New York, N.Y.

A. Joseph Freni, Jr., 1629 K Street NW., Washington, D.C.
B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.
D. (6) $750.

A. Philip P. Friedlander, Jr., 1343 L Street NW., Washington, D.C.
B. National Tire Dealers and Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.

A. Friends Committee on National Legislation, 245 2d Street NE., Washington, D.C.
D. (6) $37,579. E. (9) $11,529.

A. Frank W. Frisk, Jr., 2600 Virginia Avenue NW., Washington, D.C.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.
D. (6) $100.

A. Gadsby and Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $2,500. E. (9) $299.72.

A. Gadsby & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.

B. Grumman Aircraft Engineering Corp., Bethpage, Long Island, N.Y.

A. Gadsby & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.

B. Royal Crown Cola Co., Columbus, Ga.

D. (6) $1,000. E. (9) $35.16.

A. Henry E. Gardiner, vice president, the Anaconda Co., 1511 K Street NW., Washington, D.C.

B. The Anaconda Co., 25 Broadway, New York, N.Y.

D. (6) $2,000. E. (9) $21.53.

A. William B. Gardiner, Assistant Director for Research, Disabled American Veterans, 1221 Massachusetts Avenue NW., Washington, D.C.

B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.

D. (6) $3,750.

A. Marion R. Garstang, 30 F Street NW., Washington, D.C.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.

D. (6) $50.

A. Gas Appliance Manufacturers Association, 2000 K Street NW., Washington, D.C.

A. Gas Supply Committee (an association), 1725 DeSales Street NW., Washington, D.C.

D. (6) $91,500.

A. Ernest Giddings, American Association of Retired Persons, National Retired Teachers Association, 1225 Connecticut Avenue NW., Washington, D.C.

B. National Retired Teachers Association, American Association of Retired Persons, 1225 Connecticut Avenue NW., Washington, D.C.

E. (9) $2,304.70.

A. Arthur P. Gildea, 2347 Vine Street, Cincinnati, Ohio.

B. International Union of United Brewery, Flour, Cereal, Soft Drink and Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio.

A. Joseph S. Gill, 16 East Broad Street, Columbus, Ohio.

B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.

D. (6) $1,375. E. (9) $55.

A. Dave Givens, Tennessee Railroad Association, 916 Nashville Trust Building, Nashville, Tenn.

B. Class I Railroads in Tennessee.

A. Glassie, Pewett, Beebe & Shanks, 1819 H Street NW., Washington, D.C.

B. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Washington, D.C.

D. (6) $5. E. (9) $1.28.

A. Glassie, Pewett, Beebe & Shanks, 1819 H Street NW., Washington, D.C.

B. The National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.

D. (6) $225. E. (9) $5.98.

A. Glenn F. Glezen, 1303 New Hampshire Avenue NW., Washington, D.C.

B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. W. S. Gookin, Consulting Engineer, 112 North Central Avenue, Phoenix, Ariz.

A. James M. Goldberg, 1616 H Street NW., Washington, D.C.

B. American Retail Federation, 1616 H Street NW., Washington, D.C.

D. (6) $150.

A. Douglas R. Gordon, 1616 H Street NW., Washington, D.C.

B. American Retail Federation, 1616 H Street NW., Washington, D.C.

D. (6) $100.

A. John A. Gosnell, National Small Business Association, 1225 19th Street NW., Washington, D.C.

D. (6) $1,833.34.

A. Edward Gottlieb & Associates, Ltd., 485 Madison Avenue, New York, N.Y.

B. Florists' Transworld Delivery Association, 900 West Lafayette Boulevard, Detroit, Mich.

A. Jerry Gould, One Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $1,200. E. (9) $131.61.

A. Government Employees' Council, AFL–CIO, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $11,418.15. E. (9) $4,772.63.

A. Grain & Feed Dealers National Association, 500 Folger Bldg., Washington, D.C.

A. Grand Lodge of the Brotherhood of Locomotive Firemen & Enginemen, 15401 Detroit Avenue, Lakewood, Cleveland, Ohio.

A. Cornelius R. Gray, Legal Department, American Automobile Association, 1712 G Street NW., Washington, D.C.

B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Mr. George O. Gray, Consultant, Legislative Committee, International Economic Policy Association, 1625 Eye Street NW., Washington, D.C.

B. Legislative Committee, International Economic Policy Association, 1625 Eye Street NW., Washington, D.C.

E. (9) $3,656.41.

A. James A. Gray, 2139 Wisconsin Avenue NW., Washington, D.C.

B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Robert K. Gray, senior vice-president, Hill and Knowlton, Inc., 1735 K Street NW., Washington, D.C.

B. Hill and Knowlton, Inc., 150 East 42d Street, New York, N.Y.

A. Mrs. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D.C.

B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.

D. (6) $96. E. (9) $59.28.

A. Samuel A. Grayson, Union Pacific Railroad Co., 611 Idaho Building, Boise, Idaho.

B. Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr.

A. Clifford P. Greck, American Educational Publishers Institute, 1826 Jefferson Place NW., Washington, D.C.

B. American Educational Publishers Institute, 432 Park Avenue South, New York, N.Y.

D. (6) $250.

A. Dale Greenwood, Washington Railroad Association, 302 Hoge Building, Seattle, Wash.

B. Washington Railroad Association, 302 Hoge Building, Seattle, Wash.

A. William G. Grief, 1155 15th Street NW., Washington, D.C.

B. Bristol-Myers Co., 630 Fifth Avenue, New York.

A. John F. Griner, American Federation of Government Employees, 400 First Street NW., Washington, D.C.

B. American Federation of Government Employees, 400 First Street NW., Washington, D.C.

D. (6) $9,417.80. E. (9) $2,212.93.

A. Ben H. Guill, 2000 K Street NW., Washington, D.C.

B. National Automobile Dealers Association, American Zinc Co.

D. (6) $4,100. E. (9) $2,300.

A. Jerome R. Gulan, National Federation of Independent Business.

B. National Federation of Independent Business, 921 Washington Building, 15th Street and New York Avenue NW., Washington, D.C.

A. Lester M. Haddad, 5005 Wickett Terrace, Bethesda, Md.

B. Committee for the Evaluation of Industrial Aid Financing; 1629 K Street NW., Washington, D.C.

D. (6) $2400. E. (9) $263.84.

A. Hoyt S. Haddock.

B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $1,400. E. (9) $58.06.

A. John R. Haire, Investment Co. Institute, 61 Broadway, New York, N.Y.

B. Investment Co. Institute, 61 Broadway, New York, N.Y.

A. Matthew Hale, 815 Connecticut Avenue NW., Washington, D.C.

B. The American Bankers Association, 815 Connecticut Avenue NW., Washington, D.C.; 90 Park Avenue, New York City.

D. (6) $50. E. (9) $60.

A. Randolph M. Hale, 1730 Rhode Island Avenue NW., Washington, D.C.

B. National Electrical Contractors Association, 1730 Rhode Island Avenue NW., Washington, D.C.

A. J. G. Hall, business research, General Motors Corp., Detroit, Mich.

B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. E. C. Hallbeck, United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.

B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.

D. (6) $6,650.13.

A. Norman S. Halliday, 1140 Connecticut Avenue, Washington, D.C.

B. National Association of Electrical Companies, 1140 Connecticut Avenue, Washington, D.C.

D. (6) $660. E. (9) $200.24.

A. Thomas A. Halsted.

B. Council for a Livable World, 1346 Connecticut Avenue NW., Washington, D.C.

D. (6) $5.000.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. National School Supply & Equipment Association, 79 West Monroe Street, Chicago, Ill.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. Tejon Ranch Co., Post Office Box 1560, Bakersfield, Calif.

D. (6) $900.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. United Student Aid Funds, Inc., 845 Third Avenue, New York, N.Y.

A. Harold F. Hammond, 1101 17th Street NW., Washington, D.C.

B. Transportation Association of America, 1101 17th Street NW., Washington, D.C.

A. Edward F. Harding, 140 New Montgomery Street, San Francisco, Calif.

B. The Pacific Telephone & Telegraph Co., 140 New Montgomery Street, San Francisco, Calif.

A. William E. Hardman, 1411 K Street NW., Washington, D.C.

B. National Tool, Die & Precision Machining Association, 1411 K Street NW., Washington, D.C.

A. Eugene J. Hardy, 277 Park Avenue, New York, N.Y.

B. National Association of Manufacturers.

A. Mrs. Mildred B. Harmen, room 640 Warner Building, 13th and E Streets NW., Washington, D.C.

B. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.

D. (6) $825. E. (9) $475.08.

A. William B. Harman, Jr., American Life Convention, 1701 K Street NW., Washington, D.C.

B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

D. (6) $280.

A. F. Donald Hart, American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. David Hartsough, 245 Second Street NE., Washington, D.C.

B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

D. (6) $687.

A. Clifford J. Harvison, 1616 P Street NW., Washington, D.C.

B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D.C.

B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

A. Eugene B. Hayden, Jr., 828 Midland Bank Building, Minneapolis, Minn.

B. Crop Quality Council, 828 Midland Bank Building, Minneapolis, Minn.

D. (6) $4,800.

A. Hays and Hays, Warner Building, Washington, D.C.

B. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.

D. (6) $300. E. (9) $1.81.

A. John C. Hazen, National Retail Merchants Association, 1317 F Street NW., suite 706, Washington, D.C.

B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.

E. (9) $4.30.

A. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

D. (6) $44.68. E. (9) $44.68.

A. Patrick B. Healy, 30 F Street NW., Washington, D.C.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.

D. (6) $200. E. (9) $85.35.

A. George J. Hecht, 52 Vanderbilt Avenue, New York, N.Y.; 20 E Street NW., Washington, D.C.

B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C. and the subcommittee Bipartisan Citizens Committee for Federal Aid for Public Elementary and Secondary Education, 2107 Davenport Street NW., Washington, D.C.

A. Robert B. Heiney, Government-Industry Relations Division, National Canners Association, 1133 20th Street NW., Washington, D.C.

B. National Canners Association, 1133 20th Street NW., Washington, D.C.

D. (6) $875. E. (9) $924.75.

A. Kenneth G. Heisler, National League of Insured Savings Associations, 1200 17th Street NW., suite 700, Washington, D.C.

B. National League of Insured Savings Associations, 1200 17th Street NW., suite 700, Washington, D.C.

D. (6) $350.

A. C. O. Henderson, Post Office Box 381, Washington, D.C.

E. (9) $500.

A. Christopher O. Henderson, 1341 G Street NW., Washington, D.C.

B. Organization of Professional Employees of the U.S. Department of Agriculture, 1341 G Street NW., Washington, D.C.

D. (6) $550. E. (9) $75.

A. Mrs. Elizabeth S. Hendryson, 6303 Indian School Road NE., Albuquerque, N. Mex.

A. Edmund P. Hennelly, 150 East 42d Street, New York, N.Y.

B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y.

E. (9) $124.20.

A. John K. Herbert, Magazine Publishers Association, 575 Lexington Avenue, New York, N.Y.

B. Magazine Publishers Association, 575 Lexington Avenue, New York, N.Y.

D. (6) $383.14.

A. Maurice G. Herndon, National Association of Insurance Agents, Inc., 1223 Pennsylvania Building, Washington, D.C.

B. National Association of Insurance Agents, 96 Fulton Street, New York, and 1223 Pennsylvania Building, Washington, D.C.

E. (9) $464.65.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.

B. National Football League, 1 Rockefeller Plaza, New York, N.Y.

A. Mr. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.

B. Savage Arms, Westfield, Mass.; Redfield Gun Sight Co., Denver, Colo.; O. F. Mossberg & Sons, Inc., New Haven, Conn.; High Standard Corp., Hamden, Conn.; Browning Arms Co., Morgan, Utah.

E. (9) $142.70.

A. Law Offices Hester & Stone, 432 Shoreham Building, Washington, D.C.

B. United States Brewers Association, 535 Fifth Avenue, New York, N.Y.

D. (6) $5,000. E. (9) $234.42.

A. M. F. Hicklin, Iowa Railway Committee, 507 Bankers Trust Building, Des Moines, Iowa.

B. Iowa Railway Committee, 507 Bankers Trust Building, Des Moines, Iowa.

A. George T. Higgins, 1100 Connecticut Avenue, suite 930, Washington, D.C.

B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.

D. (6) $300. E. (9) $125.

A. John W. Hight, Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.

B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.

D. (6) $100.

A. J. Eldred Hill, Jr., Unemployment Benefit Advisors, Inc., 720 Hotel Washington, Washington, D.C.

B. Unemployment Benefit Advisors, Inc.

D. (6) $2,000.

A. Lawrence S. Hobart, 2600 Virginia Avenue NW., Washington, D.C.

B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.

D. (6) $50.00.

A. Claude E. Hobbs, room 707, 1000 Connecticut Avenue NW., Washington, D.C.

B. Westinghouse Electric Corp., 3 Gateway Center, Pittsburgh, Pa.

D. (6) $900. E. (9) $195.

A. Ralph D. Hodges, Jr., Government Relations.

B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.

E. (9) $25.

A. Irvin A. Hoff, 1001 Connecticut Avenue, Washington, D.C.

B. United States Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C.

A. Bryce P. Holcombe, 1925 K Street NW., Washington, D.C.

B. Brotherhood of Painters, Decorators & Paperhangers of America, AFL–CIO, 217–19 North Sixth Street, Lafayette, Ind.

D. (6) $1,825.

A. Lee B. Holmes, 829 Pennsylvania Bldg., Washington, D.C.

B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

E. (9) $136.75.

A. John W. Holton, 815 Connecticut Avenue NW., Washington, D.C.

B. The American Bankers Association, 90 Park Avenue, New York, N.Y.

D. (6) $1,500.

A. Edwin M. Hood, Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Thomas B. House.

B. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.

D. (6) $100.

A. Joe L. Howell, 1225 Connecticut Avenue NW., Washington, D.C.

B. Allstate Enterprises, Inc., Allstate Plaza, Northbrook, Ill.

A. Joe L. Howell, 1225 Connecticut Avenue NW., suite 412, Washington, D.C.

B. Allstate Insurance Cos., Allstate Plaza, Northbrook, Ill.

A. Charles L. Huber, 1221 Massachusetts Avenue NW., Washington, D.C.

B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.

D. (6) $6,250. E. (9) $3,200.85.

A. William J. Hull, 1660 L Street NW., Washington, D.C.

B. Ashland Oil & Refining Co., 1409 Winchester Avenue, Ashland, Ky.

A. William J. Hull, 1660 L Street NW., Washington, D.C.
B. Ohio Valley Improvement Association, Inc.

A. Edward W. Hummers, Jr., suite 400, 1225 Connecticut Avenue NW., Washington, D.C.
B. National Association of FM Broadcasters, 665 Fifth Avenue, New York, N.Y.

A. Robert R. Humphreys, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $320. E. (9) $135.55.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
B. Alfred T. Eisinger, Washington, D.C.
E. (9) $381.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
B. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
D. (6) $5.

A. Frank N. Ikard, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

A. Illinois Railroad Association, room 801, 135 East 11th Place, Chicago, Ill.
E. (9) $1,060.20.

A. Bernard J. Imming, United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Independent Natural Gas Association of America, 918 16th Street NW., suite 501, Washington, D.C.
D. (6) $300.

A. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $8,480.88. E. (9) $8,480.88.

A. Insurance Co. of North America, 1600 Arch Street, Philadelphia, Pa.
E. (9) $500.

A. International Armament Corp., 10 Prince Street, Alexandria, Va.
E. (9) $500.

A. International Association of Machinists and Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C.
E. (9) $5,996.63.

A. Investment Company Institute, 61 Broadway, New York, N.Y.
E. (9) $2,322.84.

A. Iron Ore Lessors Association, Inc., 1000 First National Bank Building, St. Paul, Minn.
D. (6) $1,843.19. E. (9) $9,824.30.

A. Alexander Jackson, Jr., 1 Constitution Avenue NE., Washington, D.C.
B. Reserve Officers Association of the United States, 1 Constitution Avenue NE., Washington, D.C.

A. Charles Jackson, Jr., Gaston, Snow, Motley & Holt, 82 Devonshire Street, Boston, Mass.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Charles E. Jackson, 1200 18th St. NW., Washington, D.C.
D. (6) $450.

A. Robert C. Jackson, American Textile Manufacturers Institute, Inc., suite 840, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Textile Manufacturers Institute, 1501 Johnston Building, Charlotte, N.C.
D. (6) $2,750. E. (9) $219.62.

B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $700. E. (9) $135.

A. Japanese American Citizens League, 1634 Post St., San Francisco, Calif.
E. (9) $200.

A. Daniel Jaspan, National Association of Postal Supervisors, P.O. Box 1924, Washington, D.C.
B. National Association of Postal Supervisors, P.O. Box 1924, Washington, D.C.
D. (6) $6,143.01. E. (9) $45.10.

A. Charles B. Jennings, 1712 Eye Street NW., Washington, D.C.
B. American Stock Yards Association, 1712 Eye Street, NW., Washington, D.C.
D. (6) $400.

A. Hugo E. Johnson, 600 Bulkley Building, Cleveland, Ohio.
B. American Iron Ore Association, 600 Bulkley Building, Cleveland, Ohio.

A. Reuben L. Johnson.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $4,200. E. (9) $43.68.

A. Spencer A. Johnson, National Retail Furniture Association, 1025 Vermont Ave., NW., Washington, D.C.
B. National Retail Furniture Association, 1150 Merchandise Mart, Chicago, Ill.
D. (6) $300.

A. Elmer A. Jones, room 714, 1145 19th Street NW., Washington, D.C.
D. (6) $750. E. (9) $499.40

A. George Bliss Jones, Alabama Railroad Association, Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $96. E. (9) $314.15.

A. L. Dan Jones, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $14.15.

A. Oliver H. Jones, 1701 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1701 H Street NW., Washington, D.C.
D. (6) $11,250. E. (9) $2,287.

A. Mrs. Frit R. Kahn, 9202 Ponce Place, Fairfax, Va.
B. National Congress of Parents and Teachers, 700 N. Rush Street, Chicago, Ill.
E. (9) $16.10.

A. Karelsen, Karelsen, Lawrence & Nathan, 230 Park Avenue, New York, N.Y.
E. (9) $237. 86.

A. William J. Keating, 500 Folger Building, Washington, D.C.
B. Grain & Feed Dealers National Association, 500 Folger Building, Washington, D.C.

A. Howard B. Keck, 1801 Avenue of the Stars, Los Angeles, Calif.
B. Superior Oil Co., 1801 Avenue of the Stars, Los Angeles, Calif.
E. (9) $300.

A. W. M. Keck, Jr., 1801 Avenue of the Stars, suite 1110, Los Angeles, Calif.
E. (9) $275.

A. Charles C. Keeble, Post Office Box 2180, Houston, Tex.
B. Humble Oil & Refining Co. (a Delaware corporation), Post Office Box 2180, Houston, Tex.
E. (9) $19.

A. Eugene Adams Keeney, 1616 H Street NW., Washington, D.C.
B. American Retail Federation, 1616 H Street, Washington, D.C.
D. (6) $500. E. (9) $400.

A. Thomas John Kehoe & Associates, 1904 Rookwood Road, Silver Spring, Md.
E. (9) $500.

A. Harold V. Kelly, Unemployment Benefit Advisors, Inc., 720 Hotel Washington, Washington, D.C.
B. Unemployment Benefit Advisors, Inc.
D. (5) $1,000.

A. John T. Kelly, Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C.
B. Pharmaceutical Manufacturers Association.

A. Edward F. Kenehan, Fletcher, Heald, Rowell, Kenehan & Hildreth, suite 400, 1225 Connecticut Avenue NW., Washington, D.C.
B. National Association of FM Broadcasters, 665 Fifth Avenue, New York, N.Y.

A. I. L. Kenen, 1341 G Street NW., Washington, D.C.
B. American Israel Public Affairs Committee, 1341 G Street NW., Washington, D.C.

A. Harold L. Kennedy, Marathon Oil Co., 420 Cafritz Building, Washington, D.C.
B. Marathon Oil Co., Findlay, Ohio.
E. (9) $87.20.

A. William F. Kenney, Shell Oil Co., New York, N.Y.
B. Shell Oil Co., 50 West 50th Street, New York, N.Y.

A. Thomas P. Kerester, 1025 Connecticut Avenue NW., Washington, D.C.
B. Gulf Oil Corp., Pittsburgh, Pa.
D. (6) $600. E. (9) $150.

A. Kenneth L. Kimble, Life Insurance Association of America, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
D. (6) $307.50. E. (9) $14.98.

A. Joseph T. King, 1028 Connecticut Avenue NW., Washington, D.C.
B. General counsel for Associated Equipment Distributors, general counsel and executive secretary for Sprinkler Irrigation Association.
E. (9) $1,467.37.

A. T. Bert King, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $825.

A. Mr. and Mrs. Harry L. Kingman, 535 San Luis Road, Berkeley, Calif.
D. (6) $320. E. (9) $320.

A. John M. Kinnaird, American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $1,181.74.

A. Kirkland, Ellis, Hodson, Chaffetz & Masters, 800 World Center Building, Washington, D.C.

B. Grocery Manufacturers of America, Inc., 205 East 42d Street, New York, N.Y.

A. A. R. Kirkley, M.D., 1 Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $343.75. E. (9) $35.88.

A. Ernest A. Kistler, 901 Hamilton Street, Allentown, Pa.

B. Pennsylvania Power & Light Co., 901 Hamilton Street, Allentown, Pa.

A. Ralph W. Kittle.

B. International Paper Co., 220 East 42d Street, New York, N.Y.

A. George J. Knaly, 1200 15th Street NW., Washington, D.C.

B. International Brotherhood of Electrical Workers, AFL–CIO and CLC, 1200 15th Street NW., Washington, D.C.

D. (6) $4,999.98.

A. John D. Knodell, Jr., suite 1008, 1025 Connecticut Avenue NW., Washington, D.C.

B. Humble Oil & Refining Co. (a Delaware corporation), Post Office Box 2180, Houston, Tex.

E. (9) $473.93.

A. Wm. L. Kohler, American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,200. E. (9) $524.36.

A. June Kysilko Kraeft, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

D. (6) $54.

A. Maurice Kramer, 1 Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $1,462.50. E. (9) $90.64.

A. Germaine Krettek, 200 C Street SE., Washington, D.C.

B. American Library Association, 50 East Huron Street, Chicago, Ill.

D. (6) $551.10.

A. Lloyd R. Kuhn, Aerospace Industries Association, 1725 DeSales Street NW., Washington, D.C.

B. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.

D. (6) $5,064. E. (9) $1,076.93.

A. Labor Bureau of Middle West, 1155 15th Street NW., Washington, D.C.; 11 South La Salle Street, Chicago, Ill.

A. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $9,873. E. (9) $3,453.36.

A. Laborers' International Union of North America, 905 16th Street NW., Washington, D.C.

E. (9) $11,183.

A. Laborers' Political League, 905 16th Street NW., Washington. D.C.

D. (6) $9,543.07. E. (9) $35,669.30.

A. Richard H. Lane, 1511 K Street NW., Washington, D.C.

B. The Committee for Broadening Commercial Bank Participation in Public Financing.

A. Ronald A. Lang, 330 Madison Avenue, New York, N.Y.

B. Synthetic Organic Chemical Manufacturers Association, 330 Madison Avenue, New York, N.Y.

A. Albert Lannon, Jr., 1341 G Street NW., Washington, D.C.

B. International Longshoremen's & Warehousemen's Union, 150 Golden Gate Avenue, San Francisco, Calif.

D. (6) $2,599.98. E. (9) $216.85.

A. Glenn T. Lashley, 1712 G Street NW., Washington, D.C.

B. District of Columbia Division, American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Dillard B. Lasseter, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,200. E. (9) $525.

A. George H. Lawrence, 1660 L Street NW., Washington, D.C.

B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. John V. Lawrence, American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,200.

A. Robert F. Lederer, 835 Southern Bldg., Washington, D.C.

B. American Association of Nurserymen, Inc., 835 Southern Bldg., Washington, D.C.

D. (6) $20. E. (9) $267.84.

A. Legislation for Animal Welfare, Inc. (LAW, Inc.), 3045 P Street NW., Washington, D.C.

D. (6) $100. E. (9) $72.61.

A. Legislative Committee of the Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.

D. (6) $20. E. (9) $278.

A. Legislative Committee, International Economic Policy Association, 1625 Eye Street NW., Washington, D.C.

E. (9) $3,656.41.

A. Richard Leighton, Munsey Building, Washington, D.C.

B. National Association of Margarine Manufacturers.

A. G. E. Leighty, 400 First Street NW., Washington, D.C.

A. Nils A. Lennartson, 1140 Connecticut Avenue NW., Washington, D.C.

B. Railway Progress Institute, 1140 Connecticut Avenue NW., Washington, D.C.

D. (6) $10,000.12.

A. Kenneth D. Lester, 400 First Street NW., Washington, D.C.

B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

D. (6) $550.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C.

B. This law firm retained by American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C.

B. This law firm is retained by the American Waterways Operators, Inc., 1250 Connecticut Avenue NW., Washington, D.C.

D. (6) $2,000. E. (9) $360.10

A. Marx Leva, 815 Connecticut Avenue NW., Washington, D.C.

B. Registrant's law firm, Leva, Hawes, Symington, Martin & Oppenheimer, is retained by American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.

A. Morris J. Levin, 910 17th Street NW., Washington, D.C.

B. Arden Publishing Co., Tucson, Ariz.

A. Morris J. Levin, 910 17th Street NW., Washington, D.C.

B. Association of American Railroads, American Railroads Building, Washington, D.C.

D. (6) $2,500.

A. J. Stanly Lewis, National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.

B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $2,812.50.

A. Liberty Lobby, Inc., 132 Third Street SE., Washington, D.C.

D. (6) $19,056.15. E. (9) $20,909.56.

A. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

D. (6) $2,160.05. E (9) $2,160.05.

A. Lester W. Lindow, Association of Maximum Service Telecasters, Inc., 1735 DeSales Street NW., Washington, D.C.

D. (6) $10.93.

A. Charles B. Lipsen, Active Ballot Club Department, Retail Clerks International Association, AFL–CIO, 1741 DeSales Street NW., Washington, D.C.

B. Retail Clerks International Association, AFL–CIO, 1741 DeSales Street NW., Washington, D.C.

D. (6) $5,312.50. E. (9) $816.73.

A. Robert G. Litschert, 1140 Connecticut Avenue NW., Washington, D.C.

B. National Association of Electric Companies, 1140 Connecticut Avenue NW., Washington, D.C.

D. (6) $159. E. (9) $80.30.

A. John J. Long, 1730 Rhode Island Avenue NW., Washington, D.C.

B. International Printing Pressmen & Assistants' Union of North America, 1730 Rhode Island Avenue NW., Washington, D.C.

D. (6) $1,275. E. (9) $1,365.

A. Paul H. Long, 1025 Connecticut Avenue NW., suite 1014, Washington, D.C.

B. Standard Oil Co., of New Jersey, 30 Rockefeller Plaza, New York, N.Y.

A. Harold O. Lovre, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,200. E. (9) $197.

A. Otto Lowe, Cape Charles, Va.

B. National Canners Association, 1133 20th Street NW., Washington, D.C.

D. (6) $1,500.

A. Otto Lowe, Cape Charles, Va.

B. Norfolk & Western Railway Co., Roanoke, Va.

D. (6) $600.

A. Donald C. Lubick, 1 M. & T. Plaza, Buffalo, N.Y.

B. 111 Realty Corp., 111 Monument Circle, Indianapolis, Ind.

E. (9) $578,59.

A. Milton F. Lunch, National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.

B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.

D. (6) $750.

A. LeRoy E. Lyon, Jr., 11th & L Building Sacramento, Calif.

B. California Railroad Association, 11th & L Building, Sacramento, Calif.

A. Breck P. McAllister, 25 Broadway, Room 1012, New York, N.Y.

B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. William C. McCamant, 1725 K Street NW., Washington, D.C.

D. (6) $300.

A. John A. McCart, Government Employes' Council, AFL–CIO, 100 Indiana Avenue NW., Washington, D.C.

B. Government Employees' Council, AFL–CIO, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $2,050.50.

A. McClure & Trotter, Suite 600, 1100 Connecticut Avenue NW., Washington, D.C.

B. The Coca-Cola Co., Post Office Drawer 1734, Atlanta, Ga.

A. McClure & Trotter, Suite 600, 1100 Connecticut Avenue NW., Washington, D.C.

B. International Packers, Ltd., 410 North Michigan Avenue, Chicago, Ill.

E. (9) $16.56.

A. McClure & Trotter, Suite 600, 1100 Connecticut Avenue, Washington, D.C.

B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y.

A. E. L. McCulloch, Brotherhood of Locomotive Engineers, Room 814, Railway Labor Building, 400 First Street NW., Washington, D.C.

B. Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Engineers Building, Cleveland, Ohio.

D. (6) $284.60. E. (9) $81.50.

A. Albert L. McDermott, American Hotel & Motel Association, 777 14th Street NW., Washington, D.C.

B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.

D. (6) $200.

A. Angus H. McDonald.

B. The Farmers' Educational & Cooperative Union of America—National Farmers Union—1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.

D. (6) $3,984.51. E. (9) $122.

A. Marshall C. McGrath.

B. International Paper Co., 220 East 42d Street, New York, N.Y.

D. (6) $445. E. (9) $113.58.

A. Clarence M. McIntosh, Brotherhood of Railway, Airline & Steamship Clerks, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.

D. (6) $2,716.44. E. (9) $904.04.

A. William F. McKenna, National League of Insured Savings Associations, 1200 17th Street NW., suite 700, Washington, D.C.

B. National League of Insured Savings Associations, 1200 17th Street NW., suite 700, Washington, D.C.

D. (6) $170. E. (9) $2.

A. Ralph J. McNair, Life Insurance Association of America, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

D. (6) $226.95. E. (9) $30.98.

A. Charles R. McNeill, 815 Connecticut Avenue NW., Washington, D.C.

B. The American Bankers Association, 90 Park Avenue, New York, N.Y.

D. (6) $1,300.

A. Robert L. McNeill, 815 Connecticut Avenue NW., Washington, D.C.

B. Ford Motor Co., Dearborn, Mich., Emergency Committee for American Trade, 1000 Connecticut Avenue NW.

A. Shane MacCarthy, 20 Chevy Chase Circle NW., Washington, D.C.

B. Printing Industries of America, 20 Chevy Chase Circle NW., Washington, D.C.

D. (6) $475. E. (9) $820.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW., Washington, D.C.

B. American Optometric Association, 4836 Broadway NE., Knoxville, Tenn.

D. (6) $1,000.

A. Ian R. MacGowan, American Insurance Association, 1025 Connecticut Avenue NW., Washington, D.C.

B. American Insurance Association, 1025 Connecticut Avenue NW., Washington, D.C.

D. (6) $1,500. E (9) $350.

A. Joseph R. MacLaren, 4 Linden Drive, Hudson Falls, N.Y.

B. Potlatch Forests, Inc., Post Office Box 3591, San Francisco, Calif.

A. H. E. Mahlman, American Optometric Association, 1020 17th Street NW., Washington, D.C.

B. American Optometric Association, 4836 Broadway NE., Knoxville, Tenn.

D. (6) $900. E. (9) $29.85.

A. Robert L. Maier, 900 17th Street NW., Washington, D.C.

B. Kaiser Industries Corp.. 900 17th Street NW., Washington, D.C.

A. Carter Manasco, 5932 Chesterbrook Road, McLean, Va.

B. National Coal Association, Coal Building, 1130 17th Street NW., Washington, D.C.

D. (6) $6,440.01. E. (9) $106.95.

A. Rufus W. Manderson, 1730 Rhode Island Avenue NW., Washington, D.C.

B. National Electrical Contractors Association, 1730 Rhode Island Avenue NW., Washington, D.C.

A. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.

D. (6) $5,000. E. (9) $3,000.

A. Olya Margolin, 924 Dupont Circle Building, 1346 Connecticut Avenue NW., Washington, D.C.

B. National Council of Jewish Women, One West 47th Street, New York, N.Y.

D. (6) $2,475. E. (9) $96.67.

A. Rodney W. Markley, Jr., Ford Motor Co., 815 Connecticut Avenue NW., Washington, D.C.

B. Ford Motor Co., Dearborn, Mich.

A. Raymond E. Marks, Southern Pacific Co., 65 Market Street, San Francisco, Calif.

B. Southern Pacific Co., 65 Market Street, San Francisco, Calif.

A. Winston W. Marsh, 1343 L Street NW., Washington, D.C.

B. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.

A. J. Paull Marshall, Association of American Railroads, suite 212, 300 New Jersey Avenue SE., Washington, D.C.

B. Association of American Railroads, suite 212, 300 New Jersey Avenue SE., Washington, D.C.

A. Thomas A. Martin, 1625 K Street NW., Washington, D.C.

B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.

D. (6) $500. E. (9) $110.

A. Mike M. Masaoka, American Committee on Japan, 919 18th Street NW., Washington, D.C.

A. Mike M. Masaoka, Association on Japanese Textile Imports, Inc., 919 18th Street NW., Washington, D.C.

B. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.

D. (6) $1,000. E. (9) $1,000.

A. Mike M. Masaoka, Japanese American Citizens League, 919 18th Street NW., Washington, D.C.

B. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.

D. (6) $200. E. (9) $200.

A. Mr. Paul J. Mason, associate general counsel, Life Insurance Association of America, 1701 K Street NW., Washington, D.C.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. Walter J. Mason, legislative director, Building and Construction Trades Department, AFL–CIO, 815 16th Street NW., Washington, D.C.

B. Building and Construction Trades Department, AFL–CIO, 815 16th Street NW., Washington, D.C.

D. (6) $5,500.27. E. (9) $1,905.

A. P. H. Mathews, Association of American Railroads, 300 New Jersey Avenue SE., Washington, D.C.

B. Association of American Railroads, 1920 L Street NW., Washington, D.C.

D. (6) $623.33. E. (9) $104.21.

A. Charles D. Matthews, 1140 Connecticut Avenue, Washington, D.C.

B. National Association of Electrical Companies, 1140 Connecticut Avenue, Washington, D.C.

D. (6) $920. E. (9) $78.50.

A. Charles E. Mattingly, assistant director, National Legislative Commission, The American Legion, 1608 K Street NW., Washington, D.C.

B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.

D. (6) $2,925. E. (9) $30.75.

A. C. V. and R. V. Maudlin, 1111 E Street NW., Washington, D.C.

B. Georgia Power Co., 270 Peachtree Street, Atlanta, Ga.

A. Mr. James E. Meals, Air Line Pilots Association, 1329 E Street NW., Washington, D.C.

B. Air Line Pilots Association, 55th Street and Cicero Avenue, Chicago, Ill.

A. John S. Mears, assistant director, National Legislative Commission, the American Legion, 1608 K Street NW., Washington, D.C.

B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.

D. (6) $3,291. E. (9) $28.13.

A. R. Otto Meletzke, assistant counsel, Life Insurance Association of America, 1701 K Street NW., Washintgon, D.C.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. Lawrence C. Merthan, vice president, Hill and Knowlton, Inc., 1735 K Street NW., Washington, D.C.

B. Hill and Knowlton, Inc., 150 East 42d Street, New York, N.Y.
D. (6) $2,500. E. (9) $200.

A. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.

A. George F. Meyer, Jr., Retired Officers Association, 1625 Eye Street NW., Washington, D.C.
D. (6) $5662.50.

A. Midland Cooperative Dairy Association, Shawano, Wis.

A. Capt. A. Stanley Miller, 1629 K Street NW., Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100.

A. Miller Associates, Inc., 2011 Eye Street NW., Washington, D.C.
B. National Music Publisher's Association, Inc., 460 Park Avenue, New York, N.Y.
D. (6) $3,000. E. (9) $425.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Dallas, Tex., Chamber of Commerce.
D. (6) $1,650.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Gulf Intracoastal Canal Association, 2211 South Coast Building, Houston, Tex.
D. (6) $2,625.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Texas Gulf Sulphur Co., Newgulf, Tex., and New York, N.Y.
D. (6) $2,250.

A. Edwin Reid Miller, special representative, Nebraska Railroads Legislative Committee, 1815 Capitol Avenue, Omaha, Nebr.
B. Nebraska Railroads Legislative Committee, 1815 Capitol Avenue, Omaha, Nebr.
D. (6) $4,099.98.

A. Lester F. Miller, secretary, National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $425. E. (9) $17.20.

A. Luman G. Miller, 912 Failing Building, Portland, Oreg.
B. Oregon Railroad Association, 912 Failing Building, Portland, Oreg.

A. Jack Mills, 1735 K Street NW., Washington, D.C.
B. The Tobacco Institute (Non-Profit League).

A. Marion Daniel Minchew, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $176.25. E. (9) $6.13.

A. Missouri Railroad Committee, Ten Main Center, 920 Main Street, Kansas City, Mo.

A. Thomas F. Mitchell, executive representative, Georgia-Pacific Corp. (Forest Products), 1735 I Street NW., Washington, D.C.
B. Georgia-Pacific Corp., Post Office Box 311, Portland, Oreg.

A. Carl A. Modecki, Legal Department, American Automobile Association, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Willis C. Moffatt, 525 First Security Building, Boise, Idaho.

A. Morison, Clapp, Abrams & Haddock, Attorneys at Law, the Pennsylvania Building, Washington, D.C.
B. The Sperry and Hutchinson Co., 330 Madison Avenue, New York, N.Y.

A. James G. Morton, Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
B. Manufacturing Chemists Association, 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,500. E. (9) Under $100.

A. Lynn E. Mote, Automobile Manufacturers Association, Inc. (Trade Association), 1619 Massachusetts Avenue NW., Washington, D.C.
B. Automobile Manufacturers Association, Inc. (Trade Association), 320 New Center Building, Detroit, Mich.
D. (6) $1,000.

A. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $350. E. (9) $375.60.

A. T. H. Mullen, 4301 Columbia Pike, Arlington, Va.
B. None, but act as consultant on retainer for Union Camp Corporation (manufacturers of paper and paper products) 233 Broadway, New York, N.Y.

A. William E. Murray, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association (service organization), 2000 Florida Avenue NW., Washington, D.C.

A. John J. Murphy, 2794 Wilelinor Drive, Edgewater, Md.
B. National Customs Service Association.

A. Augustus Nasmith, Pennsylvania Station, Newark, N.J.
B. Associated Railroads of New Jersey, Pennsylvania Station, Newark, N.J.

A. National Agricultural Chemicals Association, 1155 15th Street NW., Washington, D.C.

A. National Association of Direct Selling Co's., 163–165 Center Street, Winona, Minn.
D. (6) $15,000.

A. National Association of Electric Co's., 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $983.74. E. (9) $11,021.41.

A. National Association of Foods Chains, 1725 Eye Street NW., Washington, D.C.
D. (6) $100. E. (9) $100.

A. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.
D. (6) $60,737.72. E. (9) $1,731.23.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $480,908.68. E. (9) $24,388.56.

A. National Association of Margarine Manufacturers, Munsey Building, Washington, D.C.

A. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $1,586.75. E. (9) $1,586.75.

A. The National Association of Polish Americans, Inc., 3829 W Street SE., Washington, D.C.

A. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $35,000. E. (9) $13,370.55.

A. National Association of Travel Organizations, 1100 Connecticut Avenue NW., Washington, D.C.
D. (6) $29,203.43. E. (9) $682.50.

A. National Broiler Council, 1155 15th Street NW., Washington, D.C.
D. (6) $250. E. (9) $250.

A. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $694,173.69. E. (9) $4,783.60.

A. National Coal Association, Coal Building, Washington, D.C.

A. National Committee to Abolish HUAC, 555 North Western Avenue, room 2, Los Angeles, Calif.
D. (6) $1,588.90. E. (9) $1,588.90.

A. National Conference of Non-Profit Shipping Associations, Inc., 2309 Fannin, Houston, Tex.
D. (6) $1,500.

A. National Cotton Compress & Cotton Warehouse Association, 1085 Shrine Building, Box 23, Memphis, Tenn.

A. National Cotton Council of America, P. O. Box 12285, Memphis, Tenn.
D. (6) $2,595.79. E. (9) $2,595.79.

A. National Council of Naval Air Stations Employee Organizations, 239 Beach Road, Alameda, Calif.

A. National Council of Technical Service Industries, 888 17th Street NW., suite 702, Washington, D.C.
B. National Council of Technical Service Industries, 888 17th Street NW., Washington, D.C.
D. (6) $777.12. E. (9) $743.22.

A. National Electrical Contractors Association, Inc., 1730 Rhode Island Avenue NW., Washington, D.C.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.

A. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $210,752.01. E. (9) $13,535.35.

A. National Federation of Independent Business, Inc., 920 Washington Building, Washington, D.C.
D. (6) $26,187. E. (9) $26,187.

A. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $139.79. E. (9) $160.

A. The National Grange, 1616 H Street NW., Washington, D.C.
E. (9) $5,000.

A. National Housing Conference, Inc., 1250 Connecticut Avenue NW., suite 632, Washington, D.C.
D. (6) $16,691.56. E. (9) $14,801.34.

A. National Independent Dairies Association, 1735 K Street NW., Washington, D.C.
E. (9) $205.13.

A. National League of Insured Savings Associations, 1200 17th Street NW., suite 700, Washington, D.C.
D. (6) $858.99. E. (9) $586.90.

A. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $3,924.29. E. (9) $3,924.29.

A. National Parking Association, 1101 17th Street NW., Washington, D.C.
E. (9) $825.

A. National Retail Furniture Association, 1150 Merchandise Mart, Chicago, Ill.
E. (9) $380.

A. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $6,256.80.

A. National Rural Letter Carriers' Association,, 1750 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $3,461. E. (9) $9,509.

A. National Small Business Association, 1225 19th Street NW., Washington, D.C.
D. (6) $5,000. E. (9) $2,562.52.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $114,948. E. (9) $2,601.

A. National Tire Dealers & Retreaders Association, 1343 L Street NW., Washington, D.C.
D. (6) $150. E. (9) $150.

A. Alexander W. Neale, Jr., 1101 17th Street NW., Washington, D.C.
B. National Association of Supervisors of State Banks, 1101 17th Street NW., Washington, D.C.
D. (6) $3,712.

A. Alan M. Nedry, 888 17th Street NW., No. 218, Washington, D.C.
B. Southern California Edison Co., Post Office Box 351, Los Angeles, Calif.
D. (6) $250. E. (9) $2,066.19.

A. Samuel E. Neel, 1200 18th Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $11,250. E. (9) $2,287.

A. Frances E. Neely, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,357.

A. George R. Nelson, 1300 Connecticut Avenue, NW., Washington, D.C.
B. International Association of Machinists and Aerospace Workers, 1300 Connecticut Avenue, NW., Washington, D.C.
D. (6) $1,500. E (9) $996.63.

A. Louis H. Nevins, 1300 Connecticut Avenue, Washington, D.C.
B. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill.
D. (6) $2,334. E. (9) $5.20.

A. Sarah H. Newman, 1029 Vermont Avenue NW., Washington, D.C.
B. National Consumer League, 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $1,650.

A. Herschel D. Newsom, 1616 H Street NW., Washington, D.C.
B. The National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $5,000.

A. Patrick J. Nilan, United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks.
D. (6) $6,693.96. E. (9) $783.51.

A. James W. Nisbet, the Association of Western Railways, 280 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Stanley D. Noble, 29 North Wacker Drive, Chicago, Ill.
B. Council of Profit Sharing Industries, 29 North Wacker Drive, Chicago, Ill.

A. Robert W. Nolan, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.
D. (6) $100.

A. Charles M. Noone, 1225 Connecticut Avenue NW., Washington, D. C.
B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.
D. (6) $1,500. E. (9) $770.05.

A. Graham T. Northup, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $11,250. E. (9) $2,287.

A. Michael J. Norton, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $200. E. (9) $370.10.

A. Ira H. Nunn, 1155 15th Street NW., suite 505, Washington, D.C.
B. National Restaurant Association, 1155 15th Street NW., Washington, D.C.; 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $3,125. E. (9) $250.

A. Seward P. Nyman, D.S.C., 3301 16th Street NW., Washington, D.C.
B. American Podiatry Association, 3301 16th Street NW., Washington, D.C.
D. (6) $650.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., suite 1303, Washington, D.C.
B. Upper Mississippi Towing Corp., 7703 Normandale Road, Minneapolis, Minn.
D. (6) $2,500. E. (9) $57.

A. John B. O'Day, CLU, 11 East Adams Street, Chicago, Ill.
B. Insurance Economics Society of America, 11 East Adams Street, Chicago, Ill.
D. (6) $11,633.

A. John A. O'Donnell, American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200.

A. Jane O'Grady, % Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
B. Amalgamated Clothing Workers of America, AFL–CIO, 15 Union Square, New York, N.Y.
D. (6) $1,575. E. (9) $178.19.

A. Richard C. O'Hare, 1120 Investment Building, Washington, D.C.
B. Harness Tracks of America, 333 North Michigan Ave., Chicago, Ill.

A. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
E. (9) $1,541.30.

A. Alvin E. Oliver, 500 Folger Building, Washington, D.C.
B. Grain & Feed Dealers National Association, 500 Folger Building, Washington, D.C.

A. Robert Oliver, 400 First Street NW., Suite 706, Washington, D.C.
B. The Sperry and Hutchinson Co., 330 Madison Avenue, New York, N.Y.

A. Claude E. Olmstead, National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $425. E. (9) $16.

A. One Eleven Realty Corp., 620 Guaranty Building, Indianapolis, Ind.
E. (9) $578.59.

A. Charles T. O'Neill, Jr., 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $2,000. E. (9) $39.40.

A. Jerry H. Opack, 815 Connecticut Avenue NW., Suite 1011, Washington, D.C.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Organization of Professional Employees of the U.S. Department of Agriculture, Post Office Box 381, Washington, D.C.
D. (6) $2,770. E. (9) $1,120.33.

A. Kermit Overby, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $185.

A. Raymond S. Page, Jr., Mill Creek Terrace, Gladwyne, Pa.
B. Campbell Soup Co., 375 Memorial Avenue, Camden, N.J.

A. Walter Page, Box 128, Cazenovia, N.Y.

A. Norman Paige, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. J. D. Parel, Association of American Railroads, suite 212, 300 New Jersey Avenue SE., Washington, D.C.
B. Association of American Railroads, suite 212, 300 New Jersey Avenue SE., Washington, D.C.

A. George F. Parrish, West Virginia Railroad Association, Post Office Box 7, Charleston, W. Va.
B. West Virginia Railroad Association.
D. (6) $6,000.

A. Robert D. Partridge, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $72.80.

A. Mr. Lynn C. Paulson, National Independent Dairies Association, 1735 K Street NW., Washington, D.C.
B. National Independent Dairies Association, 1735 K Street NW., Washington, D.C.
E. (9) $271.20.

A. Pennzoil United, Inc., 900 Southwest Tower, Houston, Tex.
E. (9) $2,100.

A. Mr. D. V. Pensebene, suite 1204, 1700 K Street NW., Washington, D.C.
B. Standard Oil Co. of California, suite 1204, 1700 K Street NW.
D. (6) $50. E. (9) $25.

A. J. Carter Perkins, Shell Oil Co., 1700 K Street NW., Washington, D.C.

B. Shell Oil Co., 50 West 50th Street, New York, N.Y.

A. A. J. Pessel, 1001 Connecticut Avenue NW., Washington, D.C.

D. (6) $1,800.

A. A. Harold Peterson, 715 Cargill Building, Minneapolis, Minn.

B. National REA Telephone Association, 715 Cargill Building, Minneapolis, Minn.

D. (6) $2,500. E. (9) $1,186.60.

A. Michael Petresky, 400 First Street, Washington, D.C.

B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.

A. Walter T. Phair, 900 17th Street NW., Washington, D.C.

B. Kaiser Industries Corp., 900 17th Street NW., Washington, D.C.

D. (6) $200. E. (9) $350.

A. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C.

A. Joseph D. Phelan, 201 Massachusetts Avenue NE., Washington, D.C.

B. Colorado River Association, 417 South Hill Street, Los Angeles, Calif.

D. (6) $3,750. E. (9) $500.

A. John P. Philbin, 1100 Connecticut Avenue, Washington, D.C.

B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y.

D. (6) $1,125. E. (9) $108.76.

A. Albert Pike, Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. James F. Pinkney, American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,000. E. (9) $66.70.

A. James H. Pipkin, 1001 Connecticut Avenue NW., Washington, D.C.

B. Texaco, Inc., 135 East 42d Street, New York, N.Y.

D. (6) $700. E. (9) $1,360.

A. Plains Cotton Growers, Inc., 1720 Avenue M, Lubbock Tex.

D. (6) $14,558.55. E. (9) $1,350.

A. Robert R. Poston, 908 Colorado Building, Washington, D.C.

B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.

D. (6) $900. E. (9) $155.26.

A. Potomac Basin Federation, care of John R. Moulton, Route 1, Charles Town, W. Va.

D. (6) $15.

A. Ramsay D. Potts, Shaw, Pittman, Potts, Trowbridge & Madden, 910 17th Street NW., Washington, D.C.

B. Investment Company Institute, 61 Broadway, New York, N.Y.

D. (6) $750. E. (9) $1,200.

A. William J. Potts, Jr., 1735 DeSales Street NW., Washington, D.C.

B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Richard M. Powell, National Association of Refrigerated Warehouses, 1210 Tower Building, Washington, D.C.

B. National Association of Refrigerated Warehouses, 1210 Tower Building, Washington, D.C.

A. William I. Powell, 1110 Ring Building, Washington, D.C.

B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.

E. (9) $11.10.

A. Carlton H. Power, 1918 North Parkway, P.O. Box 12285, Memphis, Tenn.

B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn.

D. (6) $270. E. (9) $26.63.

A. William C. Prather, 221 North LaSalle Street, Chicago, Ill.

B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $450.

A. William H. Press, Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.

B. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.

D. (6) $9,100.

A. Forrest J. Prettyman, 730 15th Street NW., Washington, D.C.

B. Association of Registered Bank Holding Companies, 730 15th Street NW., Washington, D.C.

D. (6) $218.75.

A. Jerry Pritchett, 59 Ivy Street SE., Washington, D.C.

B. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C.

D. (6) $750. E. (9) $750.

A. Earle W. Putnam, 5025 Wisconsin Avenue NW., Washington, D.C.

B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Luke C. Quinn, Jr., 1001 Connecticut Avenue NW., Washington, D.C.

B. American Cancer Society, New York, N.Y.; The Arthritis Foundation, New York, N.Y.; National Multiple Sclerosis Society, New York, N.Y.; United Cerebral Palsy Association, Inc., New York, N.Y.; National Cystic Fibrosis Research Foundation, New York, N.Y.; and National Committee for Research in Neurology Disorders, Minnesota.

D. (6) $14,450.01. E. (9) $7,970.79.

A. Thomas H. Quinn, 1750 Pennsylvania Avenue NW., suite 1303, Washington, D.C.

B. Committee for Study of Revenue Bond Financing, 55 Liberty Street, New York, N.Y.

D. (6) $1,482.16. E. (9) $366.48.

A. James H. Rademacher, National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.

B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $3,375.

A. Alex Radin, 2600 Virginia Avenue NW., Washington, D.C.

B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.

D. (6) $54.12.

A. Edward F. Ragland, 6917 Marbury Road, Bethesda, Md.

B. The Tobacco Institute, Inc., 1735 K Street NW., Washington, D.C.

A. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

A. Railway Progress Institute, 1140 Connecticut Avenue NW., Washington, D.C.

A. Alan T. Rains, United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. William A. Raleigh, Jr., 1000 16th Street N,W. Washington, D.C.

B. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.

D. (6) $4,750.

A. Carl R. Ramsey, 239 Beach Road, Alameda, Calif.

B. National Council of Naval Air Stations Employee Organizations, 239 Beach Road, Alameda, Calif.

A. James A. Ransford, 1701 Pennsylvania Avenue NW., Washington, D.C.

B. Getty Oil Co.

A. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.

E. (9) $14,137.15.

A. George L. Reid, Jr., 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $799.98.

A. Reserve Officers Association of the United States, 1 Constitution Avenue NE., Washington, D.C.

A. Ronald E. Resh, 1300 Wyatt Building, Washington, D.C.

B. Wyatt & Saltzstein, 1300 Wyatt Building, Washington, D.C.

D. (6) $416.66.

A. Retired Officers Association, 1625 Eye Street, NW., Washington, D.C.

D. (6) $2187.50.

A. Retirement Federation of Civil Service Employees of the U.S. Government, Warner Building, Suite 1128, 13th and E Streets NW., Washington, D.C.

D. (6) $3,629.70. (E. (9) $7,370.67.

A. John Arthur Reynolds, Post Office Box 512, Fresno, Calif.

B. Western Cotton Growers Association of California, Post Office Box 512, Fresno, Calif.

D. (6) $312.50. E. (9) $250.

A. William L. Reynolds, National League of Insured Savings Associations, 1200 17th Street NW., suite 700, Washington, D.C.

B. National League of Insured Savings Associations, 1200 17th Street NW., suite 700, Washington, D.C.

D. (6) $61.

A. Theron J. Rice, 1130 17th Street NW., suite 430, Washington, D.C.

B. Continental Oil Co., 30 Rockefeller Plaza, New York, N.Y.

A. James W. Richards, 1000 16th Street NW., Washington, D.C.

B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.

D. (6) $1,207.70. E. (9) $5.21.

A. Siert F. Riepma, Munsey Building, Washington, D.C.

B. National Association of Margarine Manufacturers.

A. William Neale Roach, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,200.

A. William Neale Roach, 1725 K Street NW., Washington, D.C.

B. International Armament Corp., (Interarmco), 10 Prince Street, Alexandria, Va.

D. (6) $500.

A. Paul H. Robbins, National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.

B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $250.

A. Roberts & Holland, 1301 Avenue of the Americas, New York, N.Y.
B. Trustees of the Bernice P. Bishop Estate, 519 Halekauwila Street, Honolulu, Hawaii.
D. (6) $2,332.50. E. (9) $128.95.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $185.

A. John P. Roche, 150 East 42d Street, New York, N.Y.
B. American Iron and Steel Institute, 150 East 42d Street, New York, N.Y.
D. (6) $500. E. (9) $210.

A. Donald L. Rogers, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Companies, 730 15th Street NW., Washington, D.C.
D. (6) $562.50.

A. Frank W. Rogers, suite 605, 1700 K Street NW., Washington, D.C.
B. Western Oil & Gas Association, 609 South Grand Avenue, Los Angeles, Calif.
D. (6) $526.

A. William E. Rollow, Esq., National Capital Area Council of Sportsmen.
B. Attorney for National Capital Area Council of Sportsmen.

A. John F. Rolph III, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $500.

A. Robert J. Routier, American Life Convention, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

A. Royall, Koegel, Rogers & Wells, 200 Park Avenue, New York, N.Y.; 1730 K Street NW., Washington, D.C.
B. Great Salt Lake Minerals & Chemical Corp., 579 Fifth Avenue, New York, N.Y.

A. John Forney Rudy, 902 Ring Building, Washington, D.C.
B. The Goodyear Tire & Rubber Co., Akron, Ohio.

A. Harland J. Rue.
B. New Process Co., Warren, Pa.

A. Albert R. Russell, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $191.25. E. (9) $30.50.

A. J. T. Rutherford & Associates, Inc., 1555 Connecticut Avenue NW., suite 502, Washington, D.C.
B. The American College of Radiology, 20 North Wacker Drive, Chicago, Ill.
D. (6) $750. E. (9) $649.92.

A. J. T. Rutherford, 1616 P Street NW., Washington, D.C.
B. American Trucking Association, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $850.67.

A. Mrs. Edward F. Ryan, 110 Bridge Street, Manchester, Mass.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.
E. (9) $124.12.

A. William H. Ryan, Machinists Building, Washington, D.C.
B. International Association of Machinists & Aerospace Workers, Machinists Building, Washington, D.C.
D. (6) $1,875. E. (9) $480.

A. Francis J. Ryley, 519 Title and Trust Building, Phoenix, Ariz.
B. Standard Oil Co. of California, San Francisco; Shell Oil Co., Mobil Oil Corp., Atlantic Richfield Co., Phillips Petroleum Co., Union Oil Co., Signal Oil & Gas Co., Gulf Oil Corp., all Los Angeles; Humble Oil & Refining Co., Midland, Tex.
D. (6) $876.80.

A. Carl K. Sadler, 400 First Street NW., Washington, D.C.
B. American Federation of Government Employees, 400 First Street NW., Washington, D.C.
D. (6) $3,880.80. E. (9) $6,172.01.

A. Robert A. Saltzstein, 1300 Wyatt Building, Washington, D.C.
B. American Business Press, Inc., 205 East 42d Street, New York, N.Y.
D. (6) $4,000. E. (9) $2,359.23.

A. Charles E. Sandler, 1619 Massachusetts Avenue NW., Washington, D.C.
B. Automobile Manufacturers Association, Inc., 320 New Center Building, Detroit, Mich.
D. (6) $500.

A. Leslie J. Schmidt Associates, 1341 G Street NW., suite 520, Washington, D.C.
B. National Beer Wholesalers Association of America, 6310 North Cicero Avenue, Chicago, Ill.
D. (6) $200.

A. C. Herschel Schooley, 815 15th Street NW., Washington, D.C.
B. Independent Bankers Association of America, Sauk Centre, Minn.
D. (6) $4,250. E. (9) $2,084.

A. Durward Seals, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Hollis M. Seavey, 1812 K Street NW., Washington, D.C.
B. National Association of Broadcasters, 1812 K Street NW., Washington, D.C.

A. Ronald C. Seeley, 1357 Nicolet Place, Detroit, Mich.

A. W. O. Senter, 1725 DeSales Street NW., Washington, D.C.
B. Gas Supply Committee, 1725 DeSales Street NW., Washington, D.C.

A. Leo Seybold, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,125.

A. Robert L. Shafer, 1700 Pennsylvania Avenue NW., Suite 580, Washington, D.C.
B. Chas. Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y.
D. (6) $800. E. (9) $300.

A. Arnold F. Shaw, Esq., 503 D Street NW., Washington, D.C.
B. The National Committee for the Recording Arts, 9300 Wilshire Boulevard, Beverly Hills, Calif.

A. Kenneth D. Shaw, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $750.

A. Shaw, Pittman, Potts, Trowbridge & Madden, Barr Building, Washington, D.C.
B. Doubleday & Co., Inc.. 277 Park Avenue, New York. N.Y.

A. Ira Shesser, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Max Shine, 1126 16th Street NW., room 200, Washington, D.C.
B. American Federation of Technical Engineers, 1126 16th Street NW., room 200, Washington, D.C.
D. (6) $992.50. E. (9) $20.

A. Alvin V. Shoemaker, 425 13th Street NW., Washington, D.C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.
D. (6) $750. E. (9) $940.

A. Charles B. Shuman, American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $958.

A. Sidley & Austin, 1625 Eye Street NW., Washington, D.C.
B. Associated Third Class Mail Users, 1725 K Street NW., suite 607, Washington, D.C.
D. (6) $500.

A. Sidley & Austin, 1625 Eye Street NW., Washington, D.C.
B. Electronic Industries Association, 2001 Eye Street NW., Washington, D.C.
D. (6) $1,200.

A. David Silver, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $86.54. E. (9) $51.15.

A. Silver Users Association, 1625 Eye Street NW., Washington, D.C.
D. (6) $2,564. E. (9) $1,249.41.

A. Six Agency Committee, room 230, 909 South Broadway, Los Angeles, Calif.
D. (6) $620. E. (9) $3,000.

A. Carstens Slack, Phillips Petroleum Co., 1625 Eye Street NW., Washington, D.C.
B. Phillips Petroleum Co., Bartlesville, Okla.

A. Stephen Slipher, 812 Pennsylvania Building, Washington, D.C.
B. U.S. Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $3,125.

A. Donald E. Smiley, suite 1008, 1025 Connecticut Avenue NW., Washington, D.C.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $130.58.

A. T. W. Smiley, room 801 135 East 11th Place, Chicago, Ill.
B. Illinois Railroad Association, room 801, 135 East 11th Place, Chicago, Ill.
E. (9) $1,060.20.

A. Gordon L. Smith, 1145 19th Street NW., Washington, D.C.
B. Edward Gottlieb & Associates, Ltd., 485 Madison Avenue, New York, N.Y.

A. Milan D. Smith, National Canners Association, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.

A. Robert B. Smith, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $150.

A. Robert Wm. Smith, Ford Motor Co., 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $26. E. (9) $21.

A. Dr. Spencer M. Smith, Jr., 1709 North Glebe Road, Arlington, Va.
B. Citizens Committee on Natural Resources, 1346 Connecticut Avenue NW., room 712, Du Pont Circle Building, Washington, D.C.
D. (6) $3,114.63. E. (9) $4,073.60.

A. Wallace M. Smith, 829 Pennsylvania Building, Washington, D.C.
B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.
E. (9) $203.25.

A. Wayne H. Smithey, Ford Motor Co., 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $122.46. E. (9) $14.78.

A. Lyle O. Snader, Association of American Railroads, Suite 212, 300 New Jersey Avenue SE., Washington, D.C.
B. Association of American Railroads, Suite 212, 300 New Jersey Avenue SE., Washington, D.C.

A. Frank B. Snodgrass, 1726 M Street NW., Suite 204, Washington, D.C.
B. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $425. E. (9) $66.20.

A. Society for Animal Protective Legislation, Post Office Box 3719, Georgetown Station, Washington, D.C.
D. (6) $2,496.06. E. (9) $4,043.11.

A. Carl A. Soderblom, Nevada Railroad Association, One East First Street, Room 803, Reno, Nev.
B. Nevada Railroad Association, One East First Street, Room 803, Reno, Nev.

A. William W. Spear, 214 Fremont National Bank Building, Fremont, Nebr.
B. Standard Oil Co. of Indiana, 910 South Michigan Avenue, Chicago, Ill.
D. (6) $1,065.40. E. (9) $2.55.

A. Nicholas J. Spiezio, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $2,725. E. (9) $1,475.

A. Melvin L. Stark, American Insurance Association, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Insurance Association, 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $3.000. E. (9) $350.

A. Mrs. Nell May F. Stephens, (Georgia) L. R. Nurses, Post Office Box 6234, Northwest Station, Washington, D.C.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.
B. California Olive Growers & Canners Industry Committee, 1868 East Lindmore, Lindsay, Calif., and Green Olive Trade Association, Inc., 80 Wall Street, New York, N.Y.
D. (6) $500.

A. B. H. Steuerwald, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railroad Signalmen, 2247 West Lawrence Avenue, Chicago, Ill.

A. Mrs. Annalee Stewart, 120 Maryland Avenue NE., Washington, D.C.
B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.

A. Stitt, Hemmendinger & Kennedy, 1000 Connecticut Avenue NW., Washington, D.C.
B. Imported Footwear Group, American Importers Association, New York, N.Y.; Japan General Merchandise Exporters Association, and Japan Rubber Footwear Manufacturers Association, Tokyo, Japan.

A. Stitt, Hemmendinger & Kennedy, 1000 Connecticut Avenue NW., Washington, D.C.
B. Japan Iron and Steel Exporters' Association, Tokyo, Japan.

A. Sterling F. Stoudenmire, Jr., 61 St. Joseph Street, Mobile, Ala.
B. Waterman Steamship Corp., 61 St. Joseph Street, Mobile, Ala.

A. Francis W. Stover, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $5,000. E. (9) $406.32.

A. William M. Stover, Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
B. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $3,937.50. E. (9) $108.90.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. California City Development Co., 6363 Sunset Boulevard, Los Angeles, Calif.
D. (6) $3,250.

A. Herald E. Stringer, National Legislative Commission, the American Legion, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $4,675.98.

A. William A. Stringfellow, 520 Investment Building NW., Washington, D.C.
B. National Association of Mutual Insurance Agents, 520 Investment Building, Washington, D.C.
E. (9) $137.

A. Norman Strunk, 221 North LaSalle Street, Chicago, Ill.
B. U.S. Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $1,875.

A. Richard L. Studley, 1400 20th Street NW., Post Office Box 19128, Washington, D.C.
B. Machinery Dealers National Association, 1400 20th Street NW., Post Office Box 19128, Washington, D.C.

A. Walter B. Stults, 537 Washington Building, Washington, D.C.
B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.
D. (6) $600.

A. John T. Sun, American Automobile Association, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. C. Austin Sutherland, 1616 P Street NW., Washington, D.C.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. William A. Sutherland, 1200 Farragut Building, Washington, D.C.
B. The Travelers Corp., 1 Tower Square, Hartford, Conn.

A. Noble J. Swearingen, 224 East Capitol Street, Washington, D.C.
B. National Tuberculosis & Respiratory Disease Association, 1740 Broadway, New York City, N.Y.
D. (6) $400.

A. John R. Sweeney, Solar Building, 1000 16th Street NW., Washington, D.C.
B. Bethlehem Steel Corp., 701 East Third Street, Bethlehem, Pa.

A. Mr. Russell A. Swindell, Box 2635, Raleigh, N.C.
B. North Carolina Railroad Association.

A. Synthetic Organic Chemical Manufacturers Association, 330 Madison Avenue, New York, N.Y.
E. (9) $45.

A. Gary Tabak, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $150.

A. Charles P. Taft, General Counsel, Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee, Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.

A. Rev. Charles C. Talley, 3 High Street, Waterford, Va.
B. National Congress of Parents & Teachers, 700 North Rush St., Chicago, Ill.

A. The Taxpayers Committee to End Foreign Aid, 1629 K Street NW., Washington, D.C.
D. (6) $500.

A. L. D. Tharp, Jr., Independent Natural Gas Association of America, 916 First Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $300.

A. Wm. B. Thompson, Jr., assistant to vice president, Association of American Railroads. 300 New Jersey Avenue SE., Washington. D.C.
B. Association of American Railroads, 300 New Jersey Avenue SE., Washington, D.C.

A. Eugene M. Thoré, president, Life Insurance Association of America, 277 Park Avenue, New York, N.Y.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. William H. Tinney, 2000 L Street NW., Washington, D.C.
B. Penn Central Co., 230 Park Avenue, New York, N.Y.

A. Tobacco Associates, Inc., 1101 17th Street NW., Washington, D.C.

E. (9) $1,455.

A. H. Willis Tobler, 30 F Street NW., Washington, D.C.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.

D. (6) $2,875. E. (9) $143.84.

A. John H. Todd, Box 23, 1085 Shrine Building, Memphis, Tenn.

B. National Cotton Compress & Cotton Warehouse Association, 1085 Shrine Building, Box 23, Memphis, Tenn.

A. David R. Toll, 1140 Connecticut Avenue, Washington, D.C.

B. National Association of Electric Cos., 1140 Connecticut Avenue, Washington, D.C.

D. (6) $357.75. E. (9) $592.15.

A. F. Gerald Toye, 777 14th Street, NW., Washington, D.C.

B. General Electric Co., 570 Lexington Avenue, New York, N.Y.

D. (6) $500. E. (9) $66.80.

A. John P. Tracey, assistant director, 1705 DeSales Street NW., Washington, D.C.

B. American Bar Association, 1705 DeSales Street NW., Washington, D.C.

D. (6) $400. E. (9) $25.

A. Transportation Association of America, 1101 17th Street NW., Washington, D.C.

E. (9) $25.50.

A. Glenwood S. Troop, Jr., 812 Pennsylvania Building, Washington, D.C.

B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $5,000. E. (9) $32.55.

A. Joel B. True, 277 Park Avenue, New York, N.Y.

B. National Association of Manufacturers.

A. Galen Douglas Trussell, 277 Park Avenue, New York, N.Y.

B. National Association of Manufacturers.

A. Dick Tullis, 607 Maple Terrace, Dallas, Tex.

B. Superior Oil Co., Houston, Tex., and Los Angeles, Calif.

D. (6) $200. E. (9) $200.

A. Richard F. Turney, 835 Southern Building, Washington, D.C.

B. American Association of Nurseymen, Inc., 835 Southern Building, Washington, D.C.

D. (6) $20. E. (9) $276.84.

A. John D. Tyson, Assistant Director, Government Relations.

B. International Paper Co., 220 East 42d Street, New York, N.Y.

D. (6) $370. E. (9) $111.16.

A. William S. Tyson, 821 15th Street NW., Washington, D.C.

B. Western Range Association, 7421 Beverly Boulevard, Los Angeles, Calif.

E. (9) $147.

A. United Federation of Postal Clerks (a trade union), 817 14th Street NW., Washington, D.C.

D. (6) $590,822.06. E. (9) $39,882.67.

A. United States Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C.

E. (9) $196.70.

A. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.

A. United States Savings and Loan League, 221 North LaSalle Street, Chicago, Ill.

E. (9) $28,756.21.

A. The Universal Exchange, Post Office Box 8701, Orlando, Fla.

A. John A. Vance, 1725 K Street NW., Washington, D.C.

B. Pacific Gas and Electric Co., 245 Market Street, San Francisco, Calif.

D. (6) $800. E. (9) $987.90.

A. Theodore A. Vanderzyde, Machinists Building, Washington, D.C.

B. International Association of Machinists and Aerospace Workers, AFL–CIO.

D. (6) $1,854.16. E. (9) $480.

A. Mrs. Lois W. Van Valkenburgh, 1673 Preston Road., Alexandria, Va.

B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.

A. John M. Vansant, Jr., 1250 Connecticut Avenue NW., Washington, D.C.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. John Robert Vastine, Jr., 1000 Connecticut Ave. NW., Washington, D.C.

B. Emergency Committee for American Trade, 1000 Connecticut Avenue NW.

A. Richard E. Vernor, associate general counsel, American Life Convention, 1701 K Street NW., Washington, D.C.

B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

D. (6) $214.65. E. (9) $18.45.

A. Veterans of World War I, USA, Inc., 40 G Street NE., Washington, D.C.

A. Mr. L. T. Vice, Suite 1204, 1700 K Street NW., Washington, D.C.

B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.

E. (9) $55.

A. Volume Footwear Retailers Association, Inc., 51 East 42d Street, New York, N.Y.

E. (9) $226.54.

A. E. R. Wagner, 888 17th Street NW., Washington, D.C.

B. National Council of Technical Service Industries, 888 17th Street NW., Washington, D.C.

D. (6) $207.30. E. (9) $27.34.

A. Richard B. Walbert, President, National Association of Securities Dealers, Inc., 888 17th Street NW., Washington, D.C.

B. National Association of Securities Dealers, Inc.

A. Wald, Harkrader & Rockefeller, 1225 19th Street NW., Washington, D.C.

B. Insurance Company of North America, 1600 Arch Street, Philadelphia, Pa.

D. (6) $500.

A. Charles E. Walker, executive vice president, the American Bankers Association, 90 Park Avenue, New York, N.Y.

B. The American Bankers Association, 90 Park Avenue, New York, N.Y.

A. Harold S. Walker, Jr., Director of Publice Affairs, American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Franklin Wallick, 1126–16th Street NW., Washington, D.C.

B. International Union, United Automobile, Aerospace and Agriculture Implement Workers of America, Solidarity House, 8000 E. Jefferson Avenue; Detroit, Mich.

D. (6) $4,172.48. E. (9) $891.61.

A. William A. Walton, Garlinghouse Building, 820 Quincy Street, Topeka, Kans.

B. Kansas Railroad Committee, Garlinghouse Building, 820 Quincy Street, Topeka, Kans.

A. Washington Consulting Service, 1435 G Street NW., Washington, D.C.

B. American Occupational Therapy Association, 251 Park Ave. South, New York, N.Y.

D. (6) $350. E. (9) $285.

A. Washington Consulting Service, 1435 G Street NW., Washington, D.C.

B. Association of Schools of Allied Health Professions, 2011 I Street NW., Washington, D.C.

D. (6) $300. E. (9) $230.

A. Washington Consulting Service, 1435 G Street NW., Washington, D.C.

B. Rehabilitation Institute of Chicago, 401 East Ohio Street, Chicago, Ill.

D. (6) $900. E. (9) $800.

A. Charles A. Webb, president, National Association of Motor Bus Owners, 839 17th Street NW., Washington, D.C.

B. National Association of Motor Bus Owners, Association of Intercity, Bus Operators, 839 17th Street NW., Washington, D.C.

A. E. Jerome Webster, Jr.

B. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.

D. (6) $100.

A. Clarence M. Weiner, 350 Fifth Avenue, New York, N.Y.

B. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.

D. (6) $8,000.

A. Dr. Frank J. Welch, 3724 Manor Road, Chevy Chase, Md.

B. The Tobacco Institute, Inc., 1735 K Street NW., Washington, D.C.

A. Joseph E. Welch, 1630 Locust Street, Philadelphia, Pa.

B. Wellington Management Co., 1630 Locust Street, Philadelphia, Pa.

A. Western Cotton Growers Association of California, Post Office Box 512, Fresno, Calif.

D. (6) $646.70. E. (9) $562.50.

A. John L. Wheeler, 815 Connecticut Avenue NW., Washington, D.C.

B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Donald F. White, 1616 H Street NW., Washington, D.C.

B. American Retail Federation, 1616 H Street NW., Washington, D.C.

D. (6) $700. E. (9) $25.

A. John C. White, suite 700, 1317 F Street NW., Washington, D.C.

B. Private Truck Council of America, Inc., suite 700, 1317 F Street NW., Washington, D.C.

A. Whitlock, Markey & Tait, suite 1032, Shoreham Building, 15th and H Streets, Washington, D.C.

B. American Institute of Laundering, Joliet, Ill.

D. (6) $500.

A. Louis E. Whyte, Independent Natural Gas Association of America, 918 Sixteenth Street NW., Washington, D.C.

B. Independent Natural Gas Association of America, 918 Sixteenth Street NW., Washington, D.C.

A. William E. Wickert, Jr., Solar Building, 1000 16th Street NW., Washington, D.C.

B. Bethlehem Steel Corp., 701 East Third Street, Bethlehem, Pa.

A. Leonard M. Wickliffe, 11th and L Building, Sacramento, Calif.

B. California Railroad Association, 11th and L Building, Sacramento, Calif.

D. (6) $2,062.50. E. (9) $977.41.

A. Claude C. Wild, Jr., 1025 Connecticut Avenue NW., Washington, D.C.

B. Gulf Oil Corp., Pittsbugh, Pa.

D. (6) $1,000. E. (9) $250.

A. Billy Glen Wiley, Standard Oil Co. (Indiana), 1000 16th Street NW., Washington, D.C.

B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.

D. (6) $692.30. E. (9) $13.25.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. American Society of Travel Agents, Inc., 360 Lexington Avenue, New York, N.Y.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. Arapahoe Indian Tribe, Fort Washakie, Wyo.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. Conferated Salish and Kootenai Tribes of the Flathead Reservation, Mont.

E. (9) $1.40.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. Estate of Albert W. Small, % Mrs. Albert W. Small, 5803 Green Tree Road, Bethesda, Md.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. National Congress of American Indians, 1346 Connecticut Avenue NW., Washington, D.C.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. Quinaielt Tribe of Indians, Taholah, Wash.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. The Three Affiliated Tribes of the Fort Berthold Reservation, New Town, N. Dak.

A. Mr. John Willard, Montana Railroad Association, Box 1172, Helena, Mont.

B. Montana Railroad Association, Box 1172, Helena, Mont.

D. (6) $200. E. (9) $524.07.

A. Francis G. Williams.

B. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.

D. (6) $100.

A. Laurens Williams, Sutherland, Asbill & Brennan, 1200 Farragut Building, Washington, D.C.

B. The Travelers Corp., 1 Tower Square, Hartford, Conn.

E. (9) $78.16.

A. John C. Williamson, 1300 Connecticut Avenue NW., Washington, D.C.

B. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill.; 1300 Connecticut Avenue NW., Washington, D.C.

D. (6) $4,750. E. (9) $87.40.

A. Kenneth Williamson, American Hospital Association, 1 Farragut Square South, Washington, D.C.

B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.

D. (6) $1,519.53. E. (9) $615.21.

A. E. Raymond Wilson, 245 Second Street NE., Washington, D.C.

B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

D. (6) $1,550.

A. Earl Wilson, Brotherhood of Railway, Airline & Steamship Clerks, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.

D. (6) $2,716.44. E. (9) $1,036.12.

A. Frank J. Wilson, National Association of Securities Dealers, Inc., 888 17th Street NW., Washington, D.C.

B. National Association of Securities Dealers, Inc.

A. W. E. Wilson, 623 Ockley Drive, Shreveport, La.

B. Pennzoil United, Inc., 900 Southwest Tower, Houston, Tex.

D. (6) $2,000. E. (9) $100.

A. J. Sam Winters, 1708 Windsor Road, Post Office Box 1148, Austin, Tex.

B. American Insurance Association, Blake Building, suite 515, 1025 Connecticut Avenue, Washington, D.C.

A. Richard F. Witherall, Colorado Railroad Association, 702 Majestic Building, Denver, Colo.

B. Colorado Railroad Association, 702 Majestic Building, Denver, Colo.

A. Clay B. Wolfe, 400 First Street, NW., Washington, D.C.

B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

D. (6) $416.60.

A. Peter L. Wolff, Association of American Law Schools, Washington, D.C.

B. Association of American Law Schools, 1521 New Hampshire Avenue NW., Washington, D.C.

A. Nathan T. Wolkomir, 1737 H Street, NW., Washington, D.C.

B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.

D. (6) $4,867.20. E. (9) $1,621.53.

A. James Woodside, 1126 16th Streeet NW., room 200, Washington, D.C.

B. American Federation of Technical Engineers, 1126 16th Street NW., room 200, Washington, D.C.

D. (6) $240. E. (9) $20.

A. Albert Young Woodward, 815 Connecticut Avenue NW., Washington, D.C.

B. The Flying Tiger Line Inc., Los Angeles International Airport, Los Angeles, Calif.

A. Albert Young Woodward, 815 Connecticut Avenue NW., Washington, D.C.

B. The Signal Companies, Inc., 1010 Wilshire Boulevard, Los Angeles, Calif.

A. Perry W. Woofter, 1101 17th Street NW., Washington, D.C.

B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

D. (6) $1,500.

A. Frank K. Woolley, 230 North Michigan Avenue, Chicago, Ill.

E. Association of American Physicians and Surgeons, Inc., 230 North Michigan Avenue, Chicago, Ill.

A. Jack Yelverton, 1303 New Hampshire Avenue NW., Washington, D.C.

B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. John H. Yingling, 905 16th Street NW., Washington, D.C.

B. First National City Bank, 399 Park Avenue, New York, N.Y.

D. (6) $100. E. (9) $25.

A. J. Banks Young, room 610, Ring Building, 1200 18th Street NW., Washington, D.C.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

D. (6) $85.50. E. (9) $6.75.

A. Robert C. Zimmer, 1250 Connecticut Avenue NW., Washington, D.C.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Zimring, Gromfine & Sternstein, 1155 15th Street NW., Washington, D.C., and 11 South LaSalle Street, Chicago, Ill.

REGISTRATIONS

The following quarterly reports were submitted for the fourth calendar quarter 1968:

(NOTE.—The form used for registration is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19______ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

A. Frederick N. Allen, 952 Pennsylvania Building, Washington, D.C.
B. National Water Company Conference, 952 Pennsylvania Building, Washington, D.C.

A. Lucius D. Battle.
B. Communications Satellite Corp., 950 L'Enfant Plaza South SW., Washington, D.C.

A. John H. Beidler, Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.
B. Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.

A. Frank Blake, 1725 K Street NW., Washington, D.C.
B. Outdoor Advertising Association of America, 1725 K Street NW., Washington, D.C.

A. John F. Bonner, room 100, Philip Murray Building.
B. Industrial Union of Marine & Shipbuilding Workers of America, AFL–CIO, 1126 16th Street NW., Washington, D.C.

A. Wayne W. Bradley, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

A. Cyril F. Brickfield, 1225 Connecticut Avenue NW., Washington, D.C.
B. American Association of Retired Persons, National Retired Teachers Association.

A. Monroe Butler, 1801 Avenue of the Stars, suite 1106, Los Angeles, Calif.
B. The Superior Oil Co., 1801 Avenue of the Stars, suite 1110, Los Angeles, Calif.

A. Paul N. Carlin, 3150 Spring Street, Fairfax, Va.
B. National Audio-Visual Association, Inc., 3150 Spring Street, Fairfax, Va.

A. Michael J. Cefalo, 4880 MacArthur Boulevard NW., Washington, D.C.
B. International Union of District 50, UMWA, 4880 MacArthur Boulevard NW., Washington, D.C.

A. Leslie Cheek III, suite 515, Blake Building, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Insurance Association, suite 515, Blake Building, 1025 Connecticut Avenue NW., Washington, D.C.

A. David Cohen, 1000 Wisconsin Avenue NW., Washington, D.C.
B. Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.

A. William J. Colley, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 Dearborn Street, Chicago, Ill.

A. Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.

A. Emmet P. Corrigan, No. 800, 1260 21st Street NW., Washington, D.C.
B. United Association of Journeymen & Apprentices of the Plumbing & Pipe Fitting Industry of the United States and Canada, 901 Massachusetts Avenue NW., Washington, D.C.

A. Fred E. Davis, 277 Park Avenue, New York, N.Y.
B. National Association of Manufacturers, 277 Park Avenue, New York, N.Y.

A. Michael B. Deane, 611 National Press Building NW., Washington, D.C.
B. Meat Importers Council, Inc., 25 Broadway, New York, N.Y.

A. Robert H. Doyle, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.

A. Richard W. Emory, Esq., 1400 Mercantile Trust Building, Baltimore, Md.
B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.

A. Robert M. Frederick, 1616 H Street NW., Washington, D.C.
B. The National Grange, 1616 H Street NW., Washington, D.C.

A. William T. Gibb, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. Dave Givens, Tennessee Railroad Association, 916 Nashville Trust Building, Nashville, Tenn.
B. Class I railroads.

A. Ronald E. Grandon, 2011 Eye Street NW., Washington, D.C.
B. National Association of Blue Shield Plans, 211 East Chicago Avenue, Chicago, Ill.

A. Keith Halliday, 1725 K Street NW., Washington, D.C.
B. ATCMU, 1725 K Street NW., Washington, D.C.

A. Lou Ann Harral, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.

A. James J. Hill, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Harry R. Hinton, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

A. Gerald M. Katz, Esq., 1400 Mercantile Trust Building, Baltimore, Md.
B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.

A. Daniel C. Kellick, 1317 F Street NW., suite 706, Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.

A. Kenneth S. Kovack, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.

A. Joseph P. Leary, suite 616, LaSalle Building, 1028 Connecticut Avenue NW., Washington, D.C.
B. The Association of Private Pension and Welfare Plans, Inc., LaSalle Building, suite 616, 1028 Connecticut Avenue NW., Washington, D.C.

A. J. Stanly Lewis, National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.

A. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.

A. Paul J. Mason, Life Insurance Association of America, 1701 K Street NW., Washington, D.C.
B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. George G. Mead, 128 C Street NE., Washington, D.C.
B. American Society of Radiologic Technologists, 645 North Michigan Avenue, Chicago, Ill.

A. Sarah Anne Nation, National Canners Association, 1133 20th Street NW., Washington, D.C.

A. Jane O'Grady, Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.
B. Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.

A. Edward W. Oliver, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Claude E. Olmstead, National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

A. Franklin L. Orth, 1600 Rhode Island Avenue NW., Washington, D.C.
B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C.

A. Outdoor Advertising Association of America, Inc., 1725 K Street NW., Washington, D.C.

A. S. Z. Placksin, 400 First Street NW., Washington, D.C.
B. Transportation-Communication Employees Union, 3860 Lindell Boulevard, St. Louis, Mo.

A. Joseph E. Quin, Attorney at Law (Transportation Counsel), 1616 H Street NW., Washington, D.C.
B. The National Grange, 1616 H Street NW., Washington, D.C.

A. Vincent P. Reusing, American Optometric Association, 1026 17th Street NW., Washington, D.C.
B. American Optometric Association, Inc., 4836 Broadway NE., Knoxville, Tenn.

A. Walter E. Rogers, executive director, Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

A. Jacques T. Schlanger, Esq., 1400 Mercantile Trust Building, Baltimore, Md.
B. Maryland State Fair & Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.

A. John W. Scott, master of the National Grange, 1616 H Street NW., Washington, D.C.
B. The National Grange, 1616 H Street NW., Washington, D.C.

A. Ronnie J. Straw, 1000 Connecticut Ave. NW., Washington, D.C.

B. National Telephone Cooperative Association, 1000 Connecticut Avenue NW., Washington, D.C.

A. Phillip Tocker, 1725 K Street NW., Washington, D.C.

B. Outdoor Advertising Association of America, Inc., 1725 K Street NW., Washington, D.C.

A. Venable, Baetjer and Howard, 1400 Mercantile Trust Building, Baltimore, Md.

B. Maryland State Fair & Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md.

A. James H. Wadlow, Jr., 952 Pennsylvania Building, Washington, D.C.

A. National Water Company Conference, 952 Pennsylvania Building, Washington, D.C.

A. Thomas G. Walters, president, National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.

B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.

A. Washington Consulting Service, 1435 G Street NW., Washington, D.C.

B. Association of Schools of Allied Health Professions, 2011 I Street NW., Washington, D.C.

A. Milburn E. Wilson, Route No. 1, Fremont, Mich.

B. Gerber Products Co., 445 State Street, Fremont, Mich.

A. Nicholas H. Zumas, attorney at law, 1225 19th Street NW., Washington, D.C.

B. Emergency Committee on Gun Control, 1346 Connecticut Avenue NW., washington, D.C.

EXTENSIONS OF REMARKS

SLEEPING BEAR DUNES: LEGACY OF THE UNSPOILED GREAT LAKES SCENE

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. O'HARA. Mr. Speaker, I was pleased to see that legislation to create the Sleeping Bear Dunes National Lakeshore has again been introduced in the Senate by Senator PHILIP A. HART.

The Sleeping Bear Dunes National Lakeshore is now the top priority conservation issue before the Congress. As a member of the House Interior Committee's Subcommittee on National Parks and Recreation, I have been working for the establishment of this national lakeshore.

We seek to preserve, for all the people, a truly beautiful area of undoubted national significance for its scenic, recreational, and scientific values. We seek to preserve this area now in the face of accelerating threats to these precious values.

THE HERITAGE OF ALL AMERICANS

The Sleeping Bear Dunes area offers the American people a legacy—the best we still have—of the unspoiled Great Lakes scene. The purpose of our national lakeshore proposal is to assure that this national legacy is perpetuated as a part of the heritage of all Americans and for future generations.

As Senator HART said, the Sleeping Bear Dunes National Lakeshore "will serve, as few other areas can, the recreation and green space needs of our heavily populated and growing midwest urban centers."

Last July, the House Subcommittee on National Parks and Recreation held hearings on Sleeping Bear Dunes legislation which I introduced in the House.

The Director of the National Park Service, Mr. George P. Hartzog, testified at those hearings, and summarized the values in the Sleeping Bear Dunes area:

> The Sleeping Bear region was first identified as having possible national significance in 1957 and 1958 when the Department of the Interior studied the Great Lakes shoreline. Later, more careful studies of the Sleeping Bear region revealed it to be a remarkably diverse area possessing such outstanding and varied scenic, scientific and recreational values that it clearly merits preservation as a national lakeshore.
>
> As it now exists, it has the quality of being both remote and accessible; remote in the sense that most of its natural features are still untrammeled and wild, and accessible in that it lies within one-day's drive of some 20 million people.
>
> The combination of shoreline, high dunes, inland lakes and green forests make this area outstanding in terms of scenic beauty. For sightseers, campers, hikers, hardy swimmers, fishermen, nature lovers and boating enthusiasts, the shore area will provide a great recreation opportunity.

The Sleeping Bear Dunes area along the Lake Michigan shore is a magnificent landscape composed of a great diversity of elements—natural as well as lightly developed, pastoral as well as wild. It is the purpose of this legislation, by establishing a 61,000-acre national lakeshore, to protect the existing diversity of the landscape and its ecological features—for these are the elements which give the region national significance. The boundaries will include not only 64 miles of Lake Michigan shoreline and the great plateau of dunes, but also quiet, free-flowing streams, wooded slopes and hills, high bluffs, deep forests, and beautiful inland lakes. A fascinating series of geological and ecological events is evidenced in the shape and beauty of the landscape of Sleeping Bear Dunes. What we must protect—quickly and fully—is the inherent character of this landscape, in which these many elements are blended to create unusual visual beauty and scenic appeal.

A GREAT RECREATION RESOURCE

In its favorable report on an identical bill in the 89th Congress, the House Committee on Interior and Insular Affairs stated its expectation that "most of the land within the boundaries of the national lakeshore will remain in its present condition." There will be necessary developments to provide for public use and enjoyment, but these will be only those which serve to better display the landscape and enhance appropriate recreational opportunities—including visitor centers, beach-use areas, and nature trails. Along the high ridges inland from the main lakeshore, a 30-mile scenic parkway will afford the leisure motorist spectacular, ever-changing scenic vistas over the dunes and lakes below.

We want to provide a full opportunity for all to enjoy this great landscape and to benefit by experiencing its exquisite beauty and natural values. Here our people can learn, through park interpretive programs, the geologic history responsible for the present landforms of our Great Lakes States region. Here, too, the visitor can find quiet beauty, broad scenic vistas and a kind of tranquil recreation we need increasingly. This legislation provides for careful professional planning to meet these recreational needs.

Mr. Speaker, I submit that this legislation is a positive and protective measure for the interests of the local communities and property owners, as well as for the broader national interest. At the same time the Sleeping Bear Dunes National Lakeshore will constitute a major contribution to the recreational needs of the 20 million people who reside within convenient distance in the Chicago and Detroit metropolitan areas. And it will carry us forward in our national effort to protect important samples of our native American landscape for the heritage of this and future generations.

AREA RANKED "NATIONALLY SIGNIFICANT"

In an editorial endorsing the Sleeping Bear Dunes National Lakeshore, the New York Times called it the "Cape Cod of the Middle West." Roland Clement, staff biologist of the National Audubon Society, has said of "the Bear": "I know of nothing else like it in the Eastern United States or Canada." The national significance of the area and the urgent need for its careful protection and preservation are beyond debate.

In addition, the project will certainly benefit the local area by assuring orderly control of development, and by a healthy economic contribution. Michigan State University economists estimated in 1967 that—

> When both the expenditures of the tourists and the National Park Service are infused into the economy at the appropriately multiplied rate, the estimated annual economic impact resulting from the establishment of the park could reach $20 million a year.
>
> On the basis of the best estimates which can be made at this time, it would appear that the proposed park would make a substantial contribution to the economy of the two-county area.

LANDSCAPE THREATENED AS NEVER BEFORE

Today the urgency of this proposal is greater than ever before. The pressure of unplanned development and subdivision, with few if any zoning controls, is growing at a rapidly accelerating rate. We have already lost some particularly valuable features because action has been delayed and adverse development proceeds. New development of cottages and summer homes in the area, badly overcrowded in some cases, results in despoilation of those very landscape features which have attracted nationwide conservation attention to this area.

This destructive pressure redoubles itself all too quickly, becoming a sort of unintentional, unplanned developmental vandalism. In a short time the public interest and values of clear national significance can thus be destroyed. As former Governor George Romney said of this bill:

> We need this legislation before further commercial and residential development destroys the very qualities which have given the Sleeping Bear Dunes national significance.

This is why I feel action now—promptly—is so imperative. This proposal has a long history. The legislation has received thorough study by the Congress, in hearings both in Washington and in Michigan. Viewpoints and differences have been carefully discussed and, where reasonable concerns have been raised, care has been taken to refine the bill in order to protect private rights and the public interest. The bill has twice been approved by the Senate, and in 1966 our Interior and Insular Affairs Committee reported it favorably to the House. In the last days of that Congress, however, the bill failed to reach the floor for a vote. We have come close to fulfilling our responsibility—now it is time to finish this urgent job.

The proponents of the national lakeshore have responded to the concerns of residents of the area, and have worked to fit into this one bill the objectives of conservation and the objectives of protecting private rights. I believe the bill now reflects the best kind of product of our legislative efforts in a well-balanced package. It can be supported by all, and I know from my own mail that residents of the Sleeping Bear Dunes area who understand the bill are strongly in favor.

I believe the Congress must act now, and I am pleased to see that our distinguished colleague, the gentleman from Michigan (Mr. NEDZI), has introduced the identical bill as H.R. 4287. My own strong support will continue as in the past, and as a member of the subcommittee, I want to express my hope that we will have an early report on this bill from the administration, so that the Congress may move promptly to fulfill its responsibility in this urgent conservation project.

A GLORIOUS CORNER OF CREATION

In testimony in 1961, when the bill was first introduced, Senator HART pointed out:

> The basic objective is to preserve the beauty and values which make this area so matchless. It is not proposed that homes fall to the bulldozers; rather, it is hoped that we can spare them from changes which will result from the uncontrolled passage of time. A record of such changes we can find in all too many areas that were once glorious corners of creation.

Sleeping Bear Dunes is a "glorious corner of creation" indeed, and in the new, enlightened spirit of conservation which has swept this Nation, we recognize our obligation to preserve such an area for all men, for all time. To that end I pledge my continued support and effort, and to that end I call upon concerned citizens to let their voices be heard.

LITHUANIAN INDEPENDENCE DAY

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. FEIGHAN. Mr. Speaker, February 16 marked the 51st anniversary of the independence of Lithuania. It is very fitting that the Congress of the United States devote time to commend the Lithuanian people and to remind the world that Lithuania and its people will continue to fight for the reestablishment of complete independence and self-government.

In the 22 years of Lithuanian independence a record was written in successful self-government of which any people could be proud. In two decades when Lithuania was free the number of primary schools was increased from 1,036 with 1,232 teachers and 45,540 pupils to 2,956 schools with 10,024 teachers and 379,233 pupils. In addition there were two universities and eight institutions of higher studies with 447 professors and 6,000 students. Every city in Lithuania of more than 5,000 population supported opera seasons with the world's great operas, many of them translated into Lithuanian, given under conditions making it possible for all who so desired to attend. Everywhere there was special schools for music, art and ballet. Industry and commerce reached peaks never before attained in a country of a population of not many more than 3 million. Practically everyone owned his own home or his own farm. This is the record made in 22 years when the people of Lithuania were free.

Only the people of Lithuania know the burdens, the heartbreaks, and suffering which have been endured since Soviet Russia lowered the yokes of oppression on their shoulders. Let us hope that soon the great Lithuanian nation can again be restored to their rightful heritage of liberty and independence.

AIR SAFETY

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. FRIEDEL. Mr. Speaker, air safety has recently become of greater concern to the American public. The capacity of the users of the Nation's skies is growing at an unprecedented rate. Half a dozen jets a month are being added to the fleets of this country and dozens of planes a month are produced for the general aviation users. Passenger miles being flown throughout the country are increasing in multiples of those being flown only a few years ago. This increasing capacity of the aviation industry adds daily to the complexities of air safety, and the burdens and responsibilities of air safety fall ultimately and finally upon the less than 10,000 air traffic controllers of the Federal Aviation Administration.

The fact of the overburdened air traffic control system and the ultimate responsibility for safety was abruptly and dramatically brought to our attention last July when many of these controllers on advice of counsel, in unison, decided to follow the rules of the FAA as they pertain to spacing for safety. Investigation of the lengthy delays in the air, flight cancellations, and a general tieup, led to the conclusion that the air traffic controllers were not slowing the movement of aircraft for their own narrow gains, but were forced through oversaturation of the air traffic system to take the action they did. Investigations revealed that controllers do not enjoy the luxury of even temporarily "passing the buck." They must discharge their responsibilities for safety immediately, as aircraft come into the system, and must restrict the movement of air traffic to reduce the demands upon the system, that they may be able to space aircraft as safety demands. Any lesser action would be the prelude to a catastrophy.

As we move into the seventies, greater demands will be placed upon the air traffic system. Against the backdrop of confusion, inadequate equipment, lack of runways, outmoded procedures and deficiencies in quality and quantity of personnel, the seventies will add the jumbo jets, supersonic aircraft, and greater increases in the existing fleets.

Some of these problems will require engineering studies before action can be taken. Other problems will require technological breakthroughs, in-depth studies, and so forth, but the problem of how to recruit able persons, retain qualified persons, and adequately compensate air traffic controllers for the demands placed upon them, and the responsibilities they hourly discharge, can be met now.

Therefore, Mr. Speaker, I introduce, for appropriate reference, a bill designed to raise and maintain the qualifications and standards for air traffic control personnel.

It is imperative that action be taken now. A revolution has taken place within the last 5 years in the aviation industry while the state of the art in air traffic control has remained stagnant. In fact, during this growth period the staff of frontline traffic controllers has actually declined. Congress has delegated the responsibilities for our Nation's air transportation system to the Federal Aviation Administration. FAA has not only failed to judiciously prepare for the future of air traffic control but cannot now operate a safe, efficient system.

The demands of the users of our Nation's skies, the safety of the flying public, the necessity for an operative, safe, and efficient system reverts by default to us today. New cloth must be spun to replace the patch work system we have.

The bill I offer today will upgrade the entrance requirements for trainees requiring air traffic controllers to have either a bachelor's degree in an accredited institution offering a course in air traffic control or a mixture of experience with a 2-year college program; require annual physical checkups and semiannual proficiency examinations, increase the minimum salary commensurate with the job requirements and responsibilities; aline retirement benefits with declining abilities as age reduces competence; establish three categories of controllers for proficiency, training, and compensation; require continuing training for all controllers to take place in the cockpit of an aircraft; distribute workload through the adjustment of personnel and the placing of facilities; and will economically penalize the FAA when controllers must work in excess of a 40-hour week.

NOTRE DAME'S TOUGH POLICY ON DISORDER

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. BOLLING. Mr. Speaker, the Wall Street Journal this week published two articles that I believe reflected a sensible and proper attitude in respect to campus demonstrations which have been almost a permanent feature of the university scene in recent years. One article from the Journal for February 25, 1969, contains excerpts from an article by Sidney Hook which originally appeared in the Atlantic magazine. The second is an open-letter to the students of Notre Dame University by its president, Rev. Theodore Hesburgh that was published the following day. They follow:

Notable and Quotable

(Note.—Sidney Hook, professor of philosophy at New York University, writing in the February issue of the Atlantic Magazine on "The War Against the Democratic Process.")

It is a striking phenomenon that more has been written about civil disobedience in the last few years than in the entire period of American history which preceded it. But the nature of civil disobedience in the political democratic process has been radically misunderstood by many, and when these misunderstandings are applied to the academic world, the results border on the grotesque.

There are two fundamental misapprehensions about civil disobedience in general which have seriously misled many. The first is the assumption that each law in a democratic community poses as a legitimate question to every citizen whether to obey that law or to disobey it.

What is overlooked is the fact that, except on rare occasions, the prior allegiance of the democrat is to the legitimacy of the process by which the law is adopted. There is always, to be sure, a moral right to reject the whole democratic process on revolutionary or counterrevolutionary grounds, but we are now speaking of civil disobedience in a democracy. The democrat cannot make an issue of obeying or not obeying every law without repudiating the principle of majority rule and the democratic process to which that rule is integral. It is only on a matter of the gravest moral importance that he will be civilly disobedient, and the limits of his civil disobedience, if he wishes to remain a democrat and operate within the democratic system, will be drawn at that point in which the consequences of civil disobedience threaten to destroy the democratic system. . . .

An analogy may make this clear. In the ethical universe of discourse and behavior, we assume that the truth must be told. But only a fanatic will assume that we must tell the truth all the time; and we can all conceive of circumstances in which a moral man will tell a lie.

The trouble with much of the literature on civil disobedience is that in recognizing that it is sometimes justifiable, it does not recognize the presumptive validity (not wisdom) to a democrat of laws passed by means of the democratic process. (Whoever, like Thoreau, says that as an individual he will obey society's laws when he can benefit by them but will not accept its laws when they limit his freedom of action or offend his conscience, is a freeloader.)

The second misconception of civil disobedience has far more dangerous fruits. The civilly disobedient democrat violates the law and accepts punishment in order to bear witness, to re-educate the majority by provoking them to second thoughts. Having failed to persuade his fellow citizens about the wisdom or justice of some measure by using all the methods open to him through the democratic process, he cannot honestly use civil disobedience as a strategy to prevent the majority of his fellow citizens from achieving their ends.

A citizen may refuse to pay tax which he regards as morally objectionable and go to jail to bring about the repeal of the tax; he has no right to prevent others from paying it. A student may refuse to take a course required of him and may suffer the consequences; he has no right to prevent other students who wish to take it from doing so. He may even strike and urge other students to join him, but he has no right to prevent his fellow students from attending class if they so desire.

What I particularly wish to challenge is the application of the principles of civil disobedience to the university as fundamentally misconceived. The university is not a political community. Its business is not government but primarily the discovery, publication, and teaching of the truth. Its authority is based not on numbers or the rule of the majority, but on knowledge. Although it can function in a spirit of democracy, it cannot be organized on the principle of one man, one vote, or, if it takes its educational mission seriously, of equal vote for student and faculty in the affairs of the mind or even with respect to organizational and curricular continuity. The fact that a society is politically organized as a democracy does not entail that all its other institutions be so organized—its families, its orchestras, museums, theaters, churches, and professional guilds.

. . . The assumption of a political democracy is that there are no experts in wisdom, that each citizen's vote is as good as any other's. If we make the same assumption about universities, and define a citizen of that community as anyone who functions in any capacity on the campus, we may as well shut up educational shop. . . .

Notre Dame's Tough Policy on Disorder

Dear Notre Dame Faculty and Students: This letter has been on my mind for weeks. It is both time and overtime that it be written. . . . I have tried to write calmly, in the wee hours of the morning when at last there is quiet and pause for reflection.

My hope is that these ideas will have deep personal resonances in our own community, although the central problem they address exists everywhere in the university world today and, by instant communication, feeds upon itself. It is not enough to label it the alienation of youth from our society. God knows there is enough and more than enough in our often non-glorious civilization to be alienated from, be you young, middle-aged, or old.

The central problem to me is what we do about it and in what manner, if we are interested in healing rather than destroying our world. Youth especially has much to offer—idealism, generosity, dedication, and service. The last thing a shaken society needs is more shaking. The last thing a noisy, turbulent, and disintegrating community needs is more noise, turbulence, and disintegration. Understanding and analysis of social ills cannot be conducted in a boiler factory. Compassion has a quiet way of service. Complicated social mechanisms, out-of-joint, are not adjusted with sledge hammers.

The university cannot cure all our ills today, but it can make a valiant beginning by bringing all its intellectual and moral powers to bear upon them: All the idealism and generosity of its young people, all the wisdom and intelligence of its oldsters, all the expertise and competence of those who are in their middle years. But it must do all this as a university does, within its proper style and capability, no longer an ivory tower, but not the Red Cross either.

PROFITING FROM THE PAST

Now to the heart of my message. You recall my letter of November 25, 1968. It was written after an incident, or happening if you will. It seemed best to me at the time not to waste time in personal recriminations or heavy-handed discipline, but to profit from the occasion to invite this whole University community, especially its central Councils of faculty, administration, and students, to declare themselves and to state their convictions regarding protests that are peaceful and those that threatened the life of the community by disrupting the normal operations of the University and infringing upon the rights of others.

I now have statements from the Academic Council, the Faculty Senate, the Student Life Council, some College Councils, the Alumni Board, and a whole spate of letters from individual faculty members and a few students. . . . In general, the reaction was practically unanimous that this community recognizes the validity of protest in our day—sometimes even the necessity—regarding the current burning issues of our society: War and peace, especially Vietnam; civil rights, especially of minority groups; the stance of the University vis-a-vis moral issues of great public concern; the operation of the University as a university. There was also practical unanimity that the University could not continue to exist as an open society, dedicated to the discussion of all issues of importance, if protests were of such a nature that the normal operations of the University were in any way impeded, or if the rights of any member of this community were abrogated, peacefully or non-peacefully.

I believe that I now have a clear mandate from this University community to see that: (1) Our lines of communication between all segments of the community are kept as open as possible, with all legitimate means of communicating dissent assured, expanded, and protected; (2) civility and rationality are maintained as the most reasonable means of dissent within the academic community; and (3) violation of others' rights or obstruction of the life of the University are outlawed as illegitimate means of dissent in this kind of open society. Violence was especially deplored as a violation of everything that the University community stands for.

WHAT WILL HAPPEN

Now comes my duty of stating, clearly and unequivocally, what happens if. I'll try to make it as simple as possible to avoid misunderstanding by anyone. May I begin by saying that all of this is hypothetical and I personally hope it never happens here at Notre Dame.

But, if it does, anyone or any group that substitutes force for rational persuasion,, be it violent or non-violent, will be given fifteen minutes of meditation to cease and desist. They will be told that they are, by their actions, going counter to the overwhelming conviction of this community as to what is proper here. If they do not within that time period cease and desist, they will be asked for their identity cards. Those who produce these will be suspended from this community as not understanding what this community is. Those who do not have or will not produce identity cards will be assumed not to be members of the community and will be charged with trespassing and disturbing the peace on private property and treated accordingly by the law.

The judgment regarding the impeding of normal University operations or the violation of the rights of other members of the community will be made by the Dean of Students. Recourse for certification of this fact for students so accused is to the tri-partite Disciplinary Board established by the Student Life Council. Faculty members have recourse to the procedures outlined in the Faculty Manual. Judgment of the matter will be delivered within five days following the fact, for justice deferred is justice denied to all concerned.

After notification of suspension, or trespass in the case of non-community members, if there is not then within five minutes a movement to cease and desist, students will be notified of expulsion from this community and the law will deal with them as non-students.

Lest there be any possible misunderstanding, it should be noted that law enforcement in this procedure is not directed at students. They receive academic sanctions in the second instance of recalcitrance and, only after three clear opportunities to remain in student status, if they still insist on resisting the will of the community, are they then expelled and become non-students to be treated as other non-students, or outsiders.

There seems to be a current myth that university members are not responsible to the law, and that somehow the law is the enemy, particularly those who society has constituted to uphold and enforce the law. I would like to insist here that all of us are responsible to the duly constituted laws of this University community and to all of the laws of the land. There is no other guarantee of civilization versus the jungle or mob rule, here or elsewhere.

If someone invades your home, do you dialogue with him or call the law? Without the law, the university is a sitting duck for any small group from outside or inside that wishes to destroy it, to incapacitate it, to terrorize it at whim. The argument goes—or has gone—invoke the law and you lose the university community. My only response is that without the law you may well lose the university—and beyond that—the larger society that supports it and that is most deeply wounded when law is no longer respected, bringing an end of everyone's most cherished rights.

I have studied at some length the new politics of confrontation. The rhythm is simple: (1) Find a cause, any cause, silly or not; (2) in the name of the cause, get a few determined people to abuse the rights and privileges of the community so as to force a confrontation at any cost of boorishness or incivility; (3) once this has occurred, justified or not, orderly or not, yell police brutality—if it does not happen, provide it by foul language, physical abuse, whatever, and then count on a larger measure of sympathy from the up-to-now apathetic or passive members of the community. Then call for amnesty, the head of the president on a platter, the complete submission to any and all demands. One beleaguered president has said that these people want to be martyrs thrown to toothless lions. He added, "Who wants to dialogue when they are going for the jugular vein?"

So it has gone, and it is generally well orchestrated. Again, my only question: Must it be so? Must universities be subjected, willy-nilly, to such intimidation and victimization whatever their good will in the matter? Somewhere a stand must be made.

I only ask that when the stand is made necessary by those who would destroy the community and all its basic yearning for great and calm educational opportunity, let them carry the blame and the penalty. No one wants the forces of law on this or any other campus, but if some necessitate it, as a last and dismal alternative to anarchy and mob tyranny, let them shoulder the blame instead of receiving the sympathy of a community they would hold at bay. The only alternative I can imagine is turning the majority of the community loose on them, and then you have two mobs. I know of no one who would opt for this alternative—always lurking in the wings.

We can have a thousand resolutions as to what kind of a society we want, but when lawlessness is afoot, and all authority is flouted, faculty, administration, and student, then we invoke the normal societal forces of law or we allow the university to die beneath our hapless and hopeless gaze. I have no intention of presiding over such a spectacle: Too many people have given too much of themselves and their lives to this University to let this happen here. Without being melodramatic, if this conviction makes this my last will and testament to Notre Dame, so be it. . . .

May I now confess that since last November I have been bombarded mightily by the hawks and the doves—almost equally. I have resisted both and continued to recognize the right to protest—through every legitimate channel—and to resist as well those who would unthinkingly trifle with the survival of the University as one of the few open societies left to mankind today. . . .

MAJORITY CONCERN NEEDED

As long as the great majority of this community is concerned and involved in maintaining what it believes deeply to be its identity and commitment, no force within it, however determined or organized, can really destroy it. If any community as a whole does not believe this, or is not committed to it, it does not deserve to survive and it probably will not. I hope we will. . . .

I truly believe that we are about to witness a revulsion on the part of legislatures, state and national, benefactors, parents, alumni, and the general public for much that is happening in higher education today. If I read the signs of the times correctly, this may well lead to a suppression of the liberty and autonomy that are the lifeblood of a university community. It may well lead to a rebirth of fascism, unless we ourselves are ready to take a stand for what is right for us. History is not consoling in this regard. We rule ourselves or others rule us, in a way that destroys the university as we have known and loved it.

Devotedly yours in Notre Dame,
Rev. THEODORE M. HESBURGH, C.S.C.,
President.

BIAFRA MUST RECEIVE INCREASED HELP

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. FISH. Mr. Speaker, it is clear that vast numbers are dying daily, particularly children, as a result of the Nigeria-Biafra conflict. If both sides continue to disagree over badly needed air and surface corridors one of the worst famines in modern times appears inevitable.

The complexity of the situation politically and militarily offers little hope of a halt to the starvation. Efforts by the ber I have been bombarded mightily by the political involvement of a number of the member nations.

It is because of this state of facts that I have joined with over 90 of my colleagues in the House of Representatives in sponsoring a resolution—the purpose of which is to see to it that the United States fulfills its humanitarian obligations.

Our resolution calls for significant increases in the "amount of surplus food stocks, relief moneys, noncombat aircraft, and such other vehicles of transportation as may be necessary for relief purposes."

Conscience demands that the United States take those steps proposed by our resolution to relieve the suffering of the Biafrans. We cannot wait any longer.

Our resolution does not question who is right or wrong, but expresses the sense of Congress that our Nation should be doing all it can to arrest the already appalling starvation in Biafra and prevent what is otherwise destined to become the major disaster of our time.

FREEDOM'S CHALLENGE

HON. MICHAEL J. KIRWAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. KIRWAN. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conduct a Voice of Democracy Contest. This year over 400,000 school students participated in the contest competing for the five scholarships which are awarded as the top prizes. The contest theme was "Freedom's Challenge." The winning contestant from each State is brought to Washington, D.C., for the final judging as guest of the Veterans of Foreign Wars.

Enclosed is a copy of the winning speech from Ohio as delivered by Mr. Robert J. Pondillo, 4565 Woodridge Drive, Youngstown, Ohio, a resident of my district. It is my privilege to insert this in the RECORD:

FREEDOM'S CHALLENGE

(By Robert Pondillo, Austintown-Fitch High School, District 8, Youngstown, Ohio)

This is the story of many voices, voices that tell of the spirit with which America has always faced its greatest tests, voices that challenge us today as never before, asking for the best in all of us, this is truly Freedom's Challenge.

In great crisis, in the moment of decision or of ultimate truth, there comes to men a calm, a stillness in which they know this is the big moment. Men have lived or have died by such moments, nations have endured or they have vanished.

Let me take you back, back through the vacuum of time, back beyond the endless void we call history, and I will endeavor to show from where the roots of this great American adventure took sprout.

We hold these truths to be self evident, some men in Philadelphia once wrote, that all men are created equal and there was not a man there who didn't know that this was to be a declaration for the ages, that all other generations would manifest it as the living document, that a new nation must be born even if they must die for it. This was truly an example of that will to forge forward against insurmountable odds, striving for liberty, freedom and justice for everyone.

And then out of the grief and the terrible grandure of Civil War, the nation whispered why? And on a winters day in 1862, the president replied, "we cannot escape history, the firey trials through which we pass will light us down in honor or in dishonor to the last generation." By giving freedom to the slaves, we assure freedom for the free, we bear that responsibility, we can nobly save or meanly lose the last best hope on earth—for America, for Abraham Lincoln, that was freedom's greatest challenge.

"Ask not," a young voice said, "what your country can do for you," but then the voice grew old, and cold, and stearn and said, "touch not," hands off to those who pointed at our hearts new muscats now charged with cosmic death. Hush the world said, pray, will this be the end; and then suddenly, increadiably that voice grew still, but it had lived to answer freedom's challenge. And truly for these presidents and the great masses of humanity they led, the crisis they faced were the most trying and certainly most challenging of their times, but they fought for their beliefs and delivered freedom from that challenge.

Today it seems many of us are beginning to forget that great heritage of the past is the seed that brings forth the harvest of the future. Oh, we still hear voices, but these voices threaten our government, ridicule our society, condemn our policies—voices—challenging our freedom, voices full of the sound and the fury and signifying—nothing, and perhaps thats the point, the sound is there, the words are heard, but—the significance is gone, the causes become futile, the protests foster disunity and freedom's challenge grows.

However, it is said, some of the brightest thunder bolts flash in the darkest of skies, therefore, we can be confident, that no matter what type of radical or reactionary group evolves in America to challenge our freedom, groups that even now, this moment are spreading hate like rats spread disease, we know we will not let them put cracks in our wall of freedom and solidarity. So you see, this is presented not to revive your shock or your tears, but to remind you of the courage and honor, and hope and pride, and compassion and pity and the sacrifice which have flashed during freedoms darkest moments which have been the glory of the past.

We cannot escape history, our signatures are on the great and the faithful documents and those beloved unforgotten voices challenge us to strength with greatness, to wisdom with compassion. By what we choose to be, we can nobly save or we can meanly lose the last best hope of earth—or perhaps the earth itself.

ESTONIAN INDEPENDENCE DAY

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. FEIGHAN. Mr. Speaker, February 24 marked the 51st anniversary of the Declaration of Independence of the Republic of Estonia. Free Estonians in the United States and about the world commemorate this event—not with joy but rather in sadness and heartache in lonely exile.

For more than two decades Estonia enjoyed its independence, was accepted into the free world and its citizens knew the rewards of self-determination. Economically, the people prospered. Culturally, the nation flourished. Socially, Estonians were far advanced. Politically, they had demonstrated the ability to conduct their own affairs as an independent nation.

This happy interlude was abruptly cut short by the events of World War II. In 1940 the Red army attacked Estonia and overran it, and it was incorporated into the Soviet Union. Free and independent Estonia ceased to exist, and since then Estonians have not known freedom in their homeland.

I salute these proud people who continue the struggle in heart and mind for individual liberty and the restoration of the national identity that is rightfully theirs. I acknowledge that so long as any peoples are denied their God-given right to individual liberty and self-determination no free people can be truly safe in any land.

C. L. DENNIS HELPS CHART LABOR'S COURSE

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. JOHNSON of California. Mr. Speaker, there are now several new faces around the conference table during executive council meetings of the AFL–CIO. I would like to take a few moments to highlight the achievements of one of the men recently appointed to this outstanding council—Charles Leslie Dennis.

In the years ahead, Les Dennis will be helping to chart labor's course with the same farsightedness and dedication that he brought to his post as international president of the Brotherhood of Railway and Airline Clerks—BRAC. Under his progressive leadership, this union which he has piloted since 1963 has moved boldly ahead and has lived up to its motto as "A modern union on the move."

As a long-time member of BRAC, I am pleased by his recent appointment to the executive council of the AFL–CIO, but I am not surprised. It is only natural that the leaders of American labor would recognize a man of his wide-ranging ability and deep dedication; it is only natural that they would want his counsel and guidance when tackling today's complex labor issues.

Les Dennis typifies those labor leaders who identify with American society as a whole—he wants for all Americans what he wants for his own membership. Broad social and economic issues as well as labor matters are of deep concern to him.

It was a natural step for young Les Dennis to enter railroading. His father, C. E. Dennis, was with the Chicago, Burlington & Quincy and the Chicago & North Western for many years. Altogether, 16 members of the Dennis family are or have been in railroad service. A son, L. E. Dennis, is a Washington-based staff member of the union, and two daughters formerly worked for railroads. Five of Les Dennis' sisters are BRAC members and belong to the C. & N.W. Lodge 679 in Chicago.

Born in Beardstown, Ill., on June 21, 1908, Les Dennis began his railroad career as a freight handler for the Chicago & North Western in 1928. He joined BRAC shortly afterward and still holds membership in Chicago's Wood Street Station Lodge 1189. Active in lodge affairs, he held almost every office ranging from financial secretary-treasurer and local chairman to division chairman.

In 1939 he won the union's grand prize for signing up the largest number of employes into membership. Elected general chairman of the C. & N. W. in 1940, he was reelected and continued to serve in that post for 19 years, until elected a vice grand president at the brotherhood's 1959 convention in Los Angeles. First elected to BRAC's top post in 1963 he was reelected without opposition in 1967. He, his wife Harriet, and their son Jeffrey make their home in Cincinnati.

Playing an active role in the Railway Labor Executives' Association, he is chairman of that group's international Affairs Committee and of its Railroad Retirement and Unemployment Insurance Committee. He also serves on the general council of the International Transport Workers' Federation. He is a vice president of the Eugene Debs Foundation and, as a representative of the AFL–CIO, he undertook a mission to Japan in 1963 for the Agency for International Development.

Les Dennis has established a reputation as one of the most progressive and innovative union leaders in the transportation field. As the principal architect and chairman of the Conference of Transportation Trades, he recognizes that labor must create a solid framework upon which to build a unified approach to the problems confronting today's working men and women.

Created to serve as "a clearinghouse on ideas and as a forum for the exchange of views," this relatively new conference has already made its mark on the labor scene. At its recent executive board meeting in Bal Harbour, Fla., the conference mapped out a comprehensive program to deal with key issues and problems affecting the transportation industry and the men and women who are a vital part of it. Les Dennis has been instrumental in formulating conference policy and in focusing public attention on the needs of the industry.

Aware of the challenges facing labor if it remans fragmental into many small unions, Les Dennis has spearheaded the movement toward the merger of unions. On January 1 of this year, BRAC merged with the Railway Patrolmen's International Union, and just recently, BRAC joined with the 40,000-member Transportation Communication Employes Union. Thus, Les Dennis now leads the largest AFL–CIO transportation union with a membership of more than 300,-

000 employes working in all modes of transportation. At the present time, merger talks are going on with the Canadian Brotherhood of Railway, Transport & General Workers' Union and, by the end of this year, BRAC will be headed toward a membership of 400,000.

Recent events have borne out Les Dennis' farsightedness in recognizing and working toward merger as a way to strengthen transportation unions. This trend was recently underscored by the unification of four of our Nation's operating rail unions into the United Transportation Union.

As a colleague of mine, the gentleman from Tennessee (Mr. ANDERSON), noted recently in the RECORD, the creation of this 225,000-member United Transportation Union—the second largest after BRAC—has brought four "frankly less effective railway trade unions" into one organization better able to serve its members and cope with the problems of the future.

Once again, let me say how pleased I am by the AFL–CIO executive council's appointment of Les Dennis—a man who has never forgotten that the foundation of the labor movement lies in its unity of spirit and purpose. I am confident that in the years ahead Les Dennis' influence and guidance as a vice president will be an invaluable asset to the AFL–CIO's executive council and to the entire labor movement.

SUPPORT OF LEGISLATION TO PERMIT TAX DEDUCTIONS FOR MOVING EXPENSES

HON. CHARLOTTE T. REID

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mrs. REID of Illinois. Mr. Speaker, today I am reintroducing legislation in an effort to secure more equitable tax treatment of reimbursed moving expenses for those employees who move at the request of employers.

American industry has long followed the practice of transferring employees to new locations for a variety of reasons—promotions, to staff new facilities, to fill needed skills, and others. When these transfers occur the employer has generally reimbursed the employee for the expense caused by the employer in moving the employee, members of his family, and his personal possessions to the new location. The Internal Revenue Service has ruled that the expense of transporting the employee, his family, and household effects to the new work location is actually the employer's expense and this is excludable from the employee's income. This clearly is a correct interpretation. However, the Internal Revenue Service contends that all other expenses created by the move and for which the employee is reimbursed by his employer is income to the employee and subject to income tax. This seems to be an unduly strained interpretation. The tax defeats the purpose of reimbursement which is to keep the employee financially whole.

In addition to those reimbursed expenses now excludable, my bill provides deductions for the following: First, reimbursed expenses for "househunting" expenses incurred by the taxpayer in searching for a residence at his new place of work; second, temporary living expenses at the new business location before the taxpayer has found permanent living quarters; third, expenses of selling the former residence at the old work location; and fourth, miscellaneous expenses, such as attorney fees, and so forth, incident to the purchase of the new residence.

In my judgment no portion of such reimbursement should be considered as "taxable" income to the employee because it represents an unexpected, out of the ordinary expense which would not have been incurred by the employee had he not been requested to relocate in another area. The question of moving expense deductions is one of the phases of out tax laws on the list of items to be reviewed by the Committee on Ways and Means. I hope this means that favorable action will be taken in this session of Congress.

GOVERNMENT BY SECRECY AT THE FEDERAL RESERVE

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. PATMAN. Mr. Speaker, this week, we had another example of the government by secrecy that goes on at the Federal Reserve.

The Federal Reserve—in another of its magnanimous moods—released a summary of the actions taken by the Federal Open Market Committee back on November 26, 1968. We learned from this summary of the secret Open Market Committee meeting that there has been a sharp divergence of opinion on monetary policy within the Federal Reserve.

This fact is obviously of great importance to the Congress, yet we learn of it 3 months after the fact.

Of course, Mr. Speaker, there are an elite few in our economy who did not have to wait 90 days to receive this information. These are the insiders who are represented at each and every one of these Federal Open Market Committee meetings.

In addition to the seven members of the Federal Reserve Board, all 12 presidents of the Federal Reserve Banks also attend these Open Market Committee meetings in which the critical decisions about our economy and the level of interest rates are made.

These 12 presidents report directly to nine-member boards of directors at each district bank. Six of these directors on each board are selected directly from the commercial banking industry and the remaining three are men with "tested banking experience."

It is reasonable to assume that these 12 Federal Reserve bank presidents reveal in great detail the discussions and the decisions of the secret Open Market Committee meetings which take place in the Federal Reserve building here in Washington, D.C. Only the most naive would suggest that these bankers who sit on the boards of directors of the Federal Reserve district banks do not use this inside information for the benefit of themselves, their friends, and their banks.

Mr. Speaker, I estimate that at least 2,000 to 3,000 insiders know everything that goes on at these Federal Open Market Committee meetings. Yet the Members of Congress and the President of the United States are denied access to the meetings or to the minutes of these meetings. Only the summaries are released 90 days after the secret sessions.

Mr. Speaker, such a situation violates every rule of good government. Specifically, these secret Federal Open Market Committee meetings are in violation of the Freedom of Information Act passed by the 89th Congress.

This Congress should demand that this "government by secrecy" cease and that these meetings be open in keeping with the law. Mr. Speaker, I place in the RECORD a copy of an article which appeared in the American Banker of February 25 concerning the release of the summaries of the Federal Reserve Open Market Committee meetings:

FOMC SPLIT ON COURSE AT NOVEMBER 26 MEETING

WASHINGTON.—The Federal Reserve Board Monday issued reports of meetings held by the Open Market Committee on Nov. 26 and Dec. 17, revealing a split in the members' views on the right course for monetary policy.

The earlier meeting ended with an 8–4 split in favor of seeking unchanged monetary conditions. The minority, including Alfred Hayes, president of the New York Fed, said they favored somewhat firmer money market conditions, both in view of inflation and to help maintain the strength of the dollar in foreign exchange markets.

Less than a month later, the Open Market Committee agreed unanimously that greater monetary restraint was required.

The members agreed that the discount rate should be increased, though views on the amount differed, and that one element of the new firmer money policy should be a more restrictive Open Market policy.

There was some support on Dec. 17 for "a moderate increase in member bank reserve requirements," the report indicated, while some members thought the discount rate should be raised by as much as one-half point.

It was also argued that uncertainties on the foreign exchange markets, and the sensitive state of domestic financial markets militated against also increasing reserve requirements at the time or raising the discount rate by as much as one-half point.

The Federal Reserve Bank of New York was thus told on Dec. 17 to conduct its operations so as to attain firmer conditions in money and short-term credit markets, thus marking the official beginning of the present tight money policies.

SUPREME SACRIFICE MEDAL

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. MYERS. Mr. Speaker, it is my honor to introduce today legislation which would establish a "Supreme Sacrifice Medal" for survivors of American service men and women killed in the Vietnam war.

The Supreme Sacrifice Medal would be presented to the widow or widower and parents of the men and women who are killed in the Vietnam conflict. Presentation would be retroactive to December of 1961 when American troops became involved in the hostilities.

Since that time more than 31,000 of our finest Americans, including nearly 900 from my State of Indiana, have died in Vietnam fighting. The controversy over this war should not be allowed to overshadow the fact these brave Americans have lost their lives.

Their sacrifice often has gone unnoticed because of the nature of this undeclared war. Awarding of this medal would be one small way we could demonstrate the appreciation of a grateful nation.

Existing awards, including the Purple Heart and Medal of Honor, are presented to the service man or woman or in their name to the next of kin. The Supreme Sacrifice Medal specifically would honor the widow or widower and parents of the deceased.

The Supreme Sacrifice Medal would be designed so that it could be appropriately and prominently displayed in the home or place of business of the survivor to serve as a reminder of the supreme sacrifice made by them.

This medal would not in any way detract from the honors awarded to the deceased service man or woman. Instead, it would serve as an official symbol of the Nation's gratitude to these who have borne the tragic loss of a loved one so that succeeding generations may continue to live in freedom.

This legislation is based on a resolution approved by the Indiana Department of the Veterans of Foreign Wars. VFW Post No. 1120 in Indianapolis, Ind., first proposed the resolution which later won unanimous support at the VFW National Convention in Detroit last August.

The following is the exact wording of that resolution:

RESOLUTION 274—SUPREME SACRIFICIAL MEDAL

Whereas, thousands of American servicemen have given, and are giving, their lives in active service all over the world; and

Whereas, many of these servicemen make the "Supreme Sacrifice" without benefit of any military honors from their country; and

Whereas, the families and next-of-kin of these servicemen would cherish a token of the official gratitude of our country for such Supreme Sacrifice; now, therefore

Be it resolved, by the 69th National Convention of the Veterans of Foreign Wars of the United States, that we initiate and/or sponsor such legislation in the Congress of the United States to provide to the next-of-kin of any American serviceman killed in military action a "Supreme Sacrifice Medal" of a design suitable for the solemnity of the occasion.

Adopted at the 69th National Convention of the Veterans of Foreign Wars of the United States held at Detroit, Michigan, August 16 through 23, 1968.

I am honored that numerous Members of the House of Representatives have joined with me in cosponsoring this proposal. We invite our colleagues to support this legislation, as well as individual citizens, other veterans' organizations, and civic groups across this Nation.

FREEDOM'S CHALLENGE

HON. GEORGE H. FALLON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. FALLON. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its Ladies Auxiliary conducts a Voice of Democracy Contest. This year over 400,000 school students participated in the contest competing for the five scholarships which are awarded as the top prizes. First prize is a $5,000 scholarship, second prize is $3,500, third prize is $2,500, fourth prize is $1,500 and the fifth prize is $1,000. The contest theme was "Freedom's Challenge."

The winning contestant from each State is brought to Washington, D.C., for the final judging as a guest of the Veterans of Foreign Wars.

It is a pleasure for me to insert in the RECORD a copy of the winning speech, delivered by Mr. Gregory E. Malanowski, who is from the State of Maryland and who resides in my congressional district at 3521 Shannon Drive, Baltimore.

We in Maryland are very proud of Gregory and wish him every success.

The speech follows:

FREEDOM'S CHALLENGE

(By Gregory E. Malanowski)

The scene is a road-side diner someplace in southern Mississippi. There are a few people sitting in the diner, for, it was twelve o'clock. A young Negro came through the door and sat at the counter. The waiter looked up from what he was doing. The diner had never served a Negro previously. The people were now watching the waiter as the Negro asked for a menu. The waiter stood there, confused. He could do one of two things. Refuse to serve the Negro and force him out of the diner, and probably keep every white person happy; or, he could serve this young man, acknowledge the dignity and freedom of this individual, and probably lose all his white business.

This was "Freedom's Challenge".

Now, the scene shifts to a city in western Czechoslovakia. A middle-aged man, a noted news broadcaster in the city, had just come down to breakfast. He had a piece of toast and a quick cup of coffee, then he hurried out the door. Preoccupied with the show he was to do in fifteen minutes, backing the liberalized Dubcek government, he did not notice the unusual quiet about the streets. As he turned the corner into the square he stopped, mouth wide open, and just stood there. About a hundred yards in front of him was a tank with a Red Star and Russian soldiers on its turret.

Now, he was faced with a grave challenge—return home without causing any trouble, or, go on the air, support Dubcek, and risk arrest and imprisonment.

Freedom now challenged him.

In these situations, the characters are presented with vital questions which they must answer: fateful decisions which they must make. The examples seem out of context and distant—yet each is the voice of Freedom.

But—What is freedom?

Freedom is a peculiar idea. You can't see it, touch it, or taste it, yet, you can feel its presence, and you know when it is gone. Because it is abstract, people have characterized and symbolized Freedom in many ways.

When creating the Statue of Liberty, its sculptor characterized Freedom as a woman, and, rightfully so, for a woman is always challenging those who love her with little trials and tests. She finds out if her "suitors" really love her.

President Kennedy also symbolized Freedom, its responsibility and challenge, in his Inaugural Address, "The Torch has passed to a new generation of Americans." As a Torch, Freedom serves as a "beacon" of hope for those in darkness or under oppression; a beacon whose flame must never be allowed to die.

But these challenges, *these* are the things that keep Freedom alive in men's hearts. Without them we would lose our desire; with them we strengthen our hold on our greatest treasure—freedom.

Yet, we must take up Freedom's Challenge when it comes our way. Like the waiter, we should not snuff out the Torch with a blanket of hate, but kindle it in love and respect. Like the news broadcaster we should not embrace a new love—Communism—but extend our loyalty and fidelity to our only love—freedom. We should keep in mind as our guide, a few lines of a contemporary song on Freedom:

"Seems to me, we have to fight to keep people free
Until you and me learn to live together.
Seems to me, we gotta solve it individually
Both you and me must learn to love one another.

"So shout it from mountain on up to the sea
People everywhere just wanna be free.
Hard to understand, seems so simple to me
People everywhere just wanna be free."

RETIREMENT CREDIT FOR UNUSED SICK LEAVE

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. POLLOCK. Mr. Speaker, today I have introduced a bill which if enacted will give retirement credit to those civil service employees who do not use all their accumulated sick leave.

Under the terms of this proposed legislation civil service employees will be allowed to retire 1 day early for each day of unused sick leave. This means that if a person works for 29 years and 2 weeks without ever taking one day of sick leave he could retire with credit for 30 years of continuous employment.

The law at present gives no credit for unused sick leave and when a person retires he loses all the sick leave he has accumulated by not being absent from work for reasons of illness. Thus, the dedicated employee would no longer fail to be paid for his dedication to his work and lack of absenteeism.

FISH BILL SOUND

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. FISH. Mr. Speaker, recently there appeared in the Evening News of Beacon, N.Y., an outstanding newspaper in my district, an editorial concerning the control of the criminal use of firearms. The editorial is a well reasoned and I believe a very sound argument that legislation that deals with gun control should be aimed at the criminal, not good citizens. I insert the editorial in the RECORD:

FISH BILL SOUND

Rep. Hamilton Fish Jr. (R-Dutchess and Ulster) has tried to plug a big hole in national legislation dealing with gun control.

The federal loophole which should be corrected in order to restrict criminal use of weapons, now permits courts to withhold penalties for such acts. The law provides for an additional sentence of from one to 10 years upon conviction for using or carrying a weapon in the commission of a crime. It also provides for a sentence of from 5–25 years for second or subsequent convictions.

However, it is discretionary with the court as to whether such a sentence should be imposed on first offenders. The additional sentence is compulsory in the case of second or subsequent offenses, but in both cases it is still discretionary with the court as to whether the additional sentence is to be served consecutively or concurrently with the sentence imposed for the crime committed with the weapon—robbery, homicide, etc.

Mr. Fish would make the prison sentence mandatory for all offenses, denying the use of probation as a substitute for first offenders. And his amendment would require that sentences for use of a weapon in commission of a crime be served consecutively.

He who uses a gun to commit a crime is prepared to commit murder, and he deserves such a severe sentence as to discourage if not deter such a practice. Concurrent sentences (served simultaneously) offer no deterrent to use of the weapon, nor does the knowledge that it may be possible to escape a prison sentence.

The law passed in 1968 already is being interpreted in a way to make good citizens register their weapons, just as many had feared. To buy ammunition (or a weapon) the citizen must provide identification, dealers report. Not much can be done about this unless sportsmen want to make an issue of it.

It's time those concerned over illegal possession or use of firearms tried to aim their fire at those who need it—not the honest citizens who don't require it.

At the same time our legislators might keep an eye on what goes on at the state level. Legislation dealing with firearms there also should be directed at the criminal—not the good citizens. Assemblyman H. Clark Bell (R-Ulster) has such a bill in the hopper at Albany and it deserves support, just like the proposal of Congressman Fish.

THE PROFESSIONAL STATESMANSHIP OF AVERELL HARRIMAN

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. BIAGGI. Mr. Speaker, political analysts are fond of describing American politics as government by amateurs. Because of our great reliance upon leaders in nongovernmental professions, they maintain that the Cincinnatus figure is traditional in American politics. They often compare our elected representatives to this early Roman who left his comfortable estate in the countryside to serve in the Roman Senate. However, such a view underestimates the contribution to the American system made by our career statesmen.

In a model way, Averell Harriman reflects both traditions. He has rendered over three decades of service to his country and in fact made a career of it. Yet he had already had a successful career as a Wall Street industrialist. He gave up his wealthy Republican background to join Roosevelt's New Deal liberals in 1933, and since that time has served four Presidents with distinction. The United States is grateful for his participation in the national recovery program. A dedicated public servant, Harriman used his economic and administrative abilities to help rescue America from the misery of depression.

After a number of years in domestic government, Harriman transferred his talents to the international sphere. In 1941 he was appointed Ambassador to England. Shortly thereafter he represented the United States in Moscow. From these experiences stem his deep awareness of the tensions and complexities of East-West relations. As Ambassador to Europe in the postwar years, Harriman contributed to the reconstruction of a devastated Europe. His involvement in the founding of NATO tempered his reputation as a negotiator skilled in the problems of cold war diplomacy. In 1954 he returned to domestic service when he was elected Governor of New York. After a brief respite from the affairs of government, Harriman joined John Kennedy's New Frontier as its senior member. In his characteristically energetic fashion, he immediately put his abilities to work for the new administration. Among other things, he laid the groundwork for the Nuclear Test Ban Treaty of 1962. The following year he analyzed the explosive Sino-Indian border dispute for President Kennedy. President Johnson tapped the New Frontiersman emeritus to handle the Vietnam negotiations in Paris in the spring of 1968. Now, his baggage covered with the decals of many foreign ports, Averell Harriman has come home to his retirement—or so he says.

Men half his age marvel that this seemingly inexhaustible source of energy, and find it hard to think of him in retirement. His colleagues at the Paris peace talks recall being awakened early in the morning by Harriman, who, having digested all the morning's newspapers, was ready to plan out the day's discussion.

Let us hold Averell Harriman the model statesman for future generations. Let us pay tribute to the man so deserving of our gratitude.

STATE, PENTAGON SPLIT ON COMMITMENTS TO SPAIN

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. RYAN. Mr. Speaker, I find the press reports to be very disturbing that the military in the Pentagon independently developed an agreement with Spain with respect to U.S. commitments to defend and protect that country. The New York Times of February 26 and Flora Lewis' column in the Washington Post of February 25 reported that the military had attempted to pressure the State Department into signing an agreement which contains a U.S. pledge to defend Spain as if it were a NATO country in exchange for Spain's extension of the leases for two U.S. airbases and a submarine base which expire on March 26.

These articles raise serious questions about who is actually conducting the foreign policy of the United States, the military or the State Department. The dangers posed by the military playing a predominant role in the exercise of foreign policy are so acute that I believe this entire episode warrants a prompt and thorough investigation.

Foreign policy must be developed within a broad spectrum of discussion and debate. While it may be true that sensitive diplomatic negotiations cannot already be carried on in public, decisions which imply far-reaching commitments for the United States must be considered at all levels of government.

During the past several years the influence of the military on the shaping of U.S. commitments has become more and more evident.

Two years ago we discovered that the CIA also was making foreign policy on its own initiatives. At a time when the extent and propriety of our foreign commitments are being called into serious question by large segments of our population, we cannot allow military usurpation of policymaking prerogatives. I urge the House to give thorough consideration to the question of who really makes U.S. foreign policy.

I include the following article by Flora Lewis from the Washington Post of February 25:

[From the Washington (D.C.) Post, Feb. 25, 1969]

STATE, PENTAGON SPLIT ON COMMITMENTS TO SPAIN

A secret dispute has developed between the State Department and the Joint Chiefs of Staff over American commitments to Franco Spain. At one point, the military almost made a U.S. pledge to fight for Spain as though it were a NATO country.

The Senate Foreign Relations Committee, which is starting to study how the U.S. gets into military obligation abroad, got wind of the blow-up between the State Department and the Pentagon at its peak. A committee staff member inquired and was told by both sides that there was no disagreement, no trouble. The executive departments are not inviting the Senators into their quarrel.

But the trouble has been brewing for months. The issue is now on its way to the National Security Council and will have to be decided by President Nixon. The story is a new case history of how the U.S. can stumble into a foreign war.

The immediate issue is the two air bases and the submarine base which the U.S. has in Spain. Although American officials disagree on their precise value, there is general agreement that none is essential to national security though all are useful.

The base agreement runs out this year. It provides that unless Madrid and Washington agree on renewal terms by March 26, the U.S. must evacuate within one year.

Talks on renewal went on during much of 1968. But last September, the Spaniards broke off negotiations, saying the gap between their price of $700 million in new weapons for another five years' use of the bases and the U.S. offer of $140 million in weapons and services was too big. If it was a bluff, it didn't work.

So in October, Spanish Foreign Minister Fernando Maria Castiella called on then Secretary of State Dean Rusk to launch a new approach. In place of the diplomatic talks, an American military mission was assigned to a three-stage discussion with the Spanish military, who dominate Spain. They were to assess the actual threat facing Spain, the "tasks and missions" the Spaniards must undertake to face it, and then the equipment needed to do the job.

Rusk's idea was that by tackling the subject in terms of needs rather than supplies, Madrid could be brought way down from its exorbitant demands for its three armed services.

Rusk also asked, twice, for a six-month extension of the March 26 deadline to give the new Administration time for this important policy decision. The Spaniards flatly refused.

On Nov. 18–20, Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, visited Madrid and opened the talks. He made a general speech about Western strategy and mentioned in passing "the potential problem of political instability in North Africa." And to head the mission he named Maj. Gen. David A. Burchinal, a tall, dapper man who as deputy to NATO supreme commander Gen. Lyman Lemnitzer has the dual role of second in command over all NATO forces in Europe and over all American forces in Europe.

Burchinal started work on Dec. 7. Two days later he signed a joint minute with the Spaniards on the threat they face. It included as a serious element the threat of limited war in North Africa, mentioning such possibilities as Algerian aggression, a "proxy" war in the Spanish colonies backed by the Russians, and other highly unlikely developments. His signature to this vast expansion of Wheeler's remark implied that Spain was justified in seeking far more weapons than the U.S. wants to give.

While he worked, he kept his papers locked in a safe at the U.S. air base at Torrejon, which is under his command. Neither the U.S. Embassy in Madrid nor the regular U.S. military mission there was given any word on conduct of the talks, nor could they possibly get access to the papers that were taken each night from Madrid to Torrejon.

Burchinal sent his copy of the signed minute back to Wheeler. It was not shown to the State Department nor to Pentagon civilians. After two weeks, with the intervention of top Pentagon civilians, the paper was finally produced.

The civilians, at the Pentagon and especially at State, were distressed with it. The extended reference to a threat from North Africa could be used to involve the U.S. in a Spanish colonial war. They wanted the text changed. Burchinal refused on the grounds that it was already signed and that trying to get a redraft would ruin his negotiations.

So State and the Pentagon compromised. They agreed on the text of a "prefatory note" which was sent to Burchinal to be inserted in the next joint minute on "tasks and missions." The note said the talks were a useful exchange of views but that nothing in the first or future minutes could be considered a binding Spanish-American understanding or commitment.

They also agreed on a proposed minute for the second stage and sent it to Burchinal to negotiate. It eliminated the whole passage about North Africa. There was no report from Burchinal for over a month. Then, in early February, he returned the jointly signed minute with a deadline of 48 hours for approval. The Joint Chiefs demanded State's endorsement.

The State Department people exploded. Burchinal had made three crucial changes:

1. The "threat from North Africa" idea was reinserted.

2. A statement was inserted saying the U.S. was obligated to defend Western Europe "of which Spain is an integral part." State Department lawyers pointed out that this could extend the NATO guarantee to include Spain, a vast and probably illegal commitment without Senate ratification.

3. The "prefatory note" was changed. It said that the minutes were "agreed views" of the two military sides and "must constitute" the basis for further talks on arms for Spain, though it still contained the phrase that this was not a commitment.

Furthermore, State was incensed at the impertinence of the 48-hour deadline and refused approval. Secretary of Defense Melvin R. Laird intervened on the request of Pentagon staff. He got Secretary of State Williams P. Rogers, who was in Florida, to insist on speedy clearance of the paper.

An inter-departmental meeting was called. It was stormy. Reluctantly, State agreed to endorse Burchinal's minute provided two changes were made. The fateful "integral part of Europe" phrase was removed and a sentence was added to the "prefatory note" saying the talks "do not necessarily reflect the views of the two governments."

The whole issue was then sent, as case No. 1, to the new Inter-Departmental Group for Europe set up under the Nixon Administration's machinery for funneling policy decisions to the National Security Council. Assistant Secretary of State John Leddy is chairman of the group. Its report went into the broad dangers of any security commitment to troubled Spain, whether the U.S. really needs the bases and how high a price it should pay for them in terms of both money and future policy risks.

The Spaniards have repeatedly made vague threats that they might turn neutral if there is no new base agreement. Some American officers argue that Madrid might settle for fewer weapons if it could get a mutual security treaty with the U.S. American diplomats are convinced this would be an outrageously false economy.

At the least it would open the U.S. to serious charges from anti-Franco Spaniards that it deliberately supported his dictatorship, as Cuban moderates who initially supported Castro charged about Batista. At the worst, it could impel the U.S. into an unwanted war.

CONGRESSMAN HORTON CALLS FOR THE DEVELOPMENT OF NONLETHAL WEAPONS FOR LAW ENFORCEMENT

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. HORTON. Mr. Speaker, modern police organizations are leaning toward nonviolence and minimum force in crime, arrests, and mob control. In their present form, most law-enforcement weapons developed to date are neither adequately evaluated, properly used, or fully developed.

The development of nonlethal weapons for crowd and riot control is one of the most neglected aspects of the war on crime.

I submitted legislation today which would amend the Safe Streets and Crime Control Act of 1968 by setting aside $5,000,000 for the research and production of effective, but nonlethal crime and riot control weapons.

As the President said when he signed this bill into law, "much more needs to be done."

Our present police weapons are inadequate and lethal. Law enforcement officers are using the same equipment that police used 100 years ago, the stick and the gun.

When criminals and rioters have access to the same weapons, the law-enforcement officer and even the fireman faces the risk of physical injury and death each time he responds to a call for assistance.

The primary emphasis of this bill is on research leading to the development, fabrication, production, and subsequent dispensing to law-enforcement agencies and personnel of weapons and techniques that are basically nonlethal and noninjurious.

Training law-enforcement officers in the use of these weapons and techniques, after they are developed, is also provided for.

This bill strictly limits the disbursement of any weapons or techniques developed solely to law enforcement agencies and personnel. To do less would materially weaken the intent of putting superior nonlethal weapons force in the hands of police alone.

Mr. Speaker, superior equipment and systems developed by science and industry would vastly improve police recruitment, law enforcement procedures, and community relations.

It is surprising to me that today's law-enforcement agencies continue to purchase the total output of police firearms offered by manufacturers.

The service revolver is neither self-loading nor automatic. It has a six-shot capacity and crude open sights. It lacks magazine loading, must be manually operated, and its off-center grip makes the gun recoil.

When you take this weapon and match it with the orders "shoot to maim," what you have is a preposterous situation.

As long as such weapons continue to be in demand, as long as the major firearms manufacturers can sell all the handguns they produce, there is little need from the corporate point of view to develop an improved handgun for "police only."

That is why appropriations expressly for research and development of a superior police weapon, with both offensive and defensive capacity, is so important. Lethal and nonlethal weapon supremacy in the hands of the police would result in fewer challenges of law enforcement. Typical real life shooting confrontations might result in no shootings at all.

We have on the market tear gases, stench chemicals, electric sticks, bright lights, net snares, high-pitched sound and directional horns, smoke bombs, detergent foam, itching powder, water guns, dye markers, and tranquilizing sprays.

I see no reason to believe that the mood of a mob can be changed with bayonets, guns, and billy clubs.

Death and permanent injury are the seeds from which violent disorder grows.

As such, it could trigger a possible epidemic of civil discontent.

Europe surpasses us in this respect. Firehoses are used to confuse, cool off, and hold off mobs. With a high trajectory stream of water a crowd can be moved with minimum injury. When a dye is mixed into the stream, rioters can later be identified.

Law enforcement in the United States has not yet begun to explore the possibilities of utilizing the many chemical agents we already have available as nonlethal crowd control weapons.

My bill makes it possible for the police to look to science and technology for the use, application, and development of weapons and techniques which would greatly reduce the opportunity for crime to be committed easily or successfully.

Fabrication and design is the keystone of effective nonlethal weapons development. Law enforcement officers could dissipate mobs before they get organized, and apprehend fleeing suspects without the use of clubs and bullets.

Not only would would-be rioters be discouraged from rioting in the first place, but police could do their work in relative freedom from charges of brutality and manslaughter. Training in these techniques will enhance the effectiveness of police forces across the country.

Mr. Speaker, if we fail to provide the money alloted in this legislation to invent, perfect, and train law-enforcement personnel in effective and nonlethal weapons and procedures, then conventional firearms and weapons will continue to be used in accordance with the demands, judgment, and risks of the moment.

The use of conventional weapons will only serve to prolong riots and stimulate intervention. Help me to prevent this by supporting this legislation.

HUMAN NUTRITION ACT OF 1969

HON. THOMAS S. FOLEY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. FOLEY. Mr. Speaker, today I am privileged to have three colleagues—the gentleman from Iowa (Mr. SMITH), the gentleman from Arizona (Mr. UDALL), and the gentleman from Pennsylvania (Mr. GREEN)—join me in introducing legislation to define formally the ultimate responsibility of the Federal Government to see that all Americans can be free from hunger and malnutrition.

This legislation would, moreover, clearly focus the responsibility for national food assistance programs within the Department of Agriculture by creating an Assistant Secretary for Human Nutrition.

Finally, our bill would set up an Advisory Council on Human Nutrition, including, in its membership, specialists in the fields of human nutrition, food distribution, and food assistance to advise the Agriculture Secretary, the President, and the Congress. The Advisory Council would submit an annual "state of the Union" message on the nutritional health of the American people. The Council would do so with an independent staff of its own, free to let the chips fall where they may in making its judgments and recommendations. The Council would be able to maintain a continuous yearly review—through independent consultants as well as its own staff—of Federal, State, local and private food programs throughout the United States.

Mr. Speaker, I am sure Members on both sides of the aisle agree that much needs to be done to refine the effectiveness of the Agriculture Department's food programs. In the last Congress, I had the pleasure of serving with Senator, then Representative, CHARLES E. GOODELL, Republican, of New York, as cochairman of the bipartisan "Coalition To Help Malnourished Americans." We sponsored legislation, which was approved by the House, implying a national commitment to eradicate hunger and malnutrition in the United States.

Subsequently, the Senate Select Committee on Nutrition and Human Needs has rendered valuable service in further developing the dimensions of the hunger problem. Dr. Arnold E. Schaefer, director of the National Nutrition Survey, in recent testimony before the Senate select committee, stated:

> Our studies to date clearly indicate that there is malnutrition, and in our opinion it occurs in an *unexpectedly* large proportion of our sample population. One of the major objectives of the National Nutrition Survey is to determine the prevalence of the various population groups that are in a serious health risk status as a result of their nutritional status . . . [Emphasis added.]
>
> Of special concern to us is so-called "hidden hunger" in which the individual may not recognize any particular symptom; however, in essence he has such low nutrient tissue levels, that if he is subjected to a continued inadequate diet and/or additional stress such as hard physical labor, infectious or chronic disease, his physiological functional performance is reduced and eventually the physical manifestations of malnutrition will appear. The preschool child from the time of weaning until approximately six years of age is the most vulnerable to problems of malnutrition. His well being is dependent upon the knowledge and capability of the mother to properly feed him and protect his health, supply clothing and shelter. The problems of malnutrition are definitely associated with other health, education, social and economic problems.

I should like to add that while Federal, State, and local food assistance programs are often underfinanced, require prompt expansion into areas not now served and need more imaginative administration to reach the needy effectively, we cannot hope finally to overcome the hunger problem without the full participation of American business. American food companies have made great strides in developing new fortified food products and have made important improvements in both food-delivery systems and in developing products that are not only nutritious but which can appeal to the taste of the diverse malnourished groups in the United States.

These private firms are giving consideration to many constructive proposals which merit the careful attention of the Congress. It is becoming clear that one of the most efficient ways we can allocate our food-assistance resources is through vastly expanded school breakfast and lunch programs.

I might add, for my own part, that the contribution private food service companies can make, particularly in low-income school districts, cannot be underestimated. We might well look to the example set by many large private firms in the use of such companies to feed their own employees. Some American food companies have also suggested new approaches in the food stamp program such as special supplementary stamps for expectant mothers to further enrich their diets.

In conclusion, Mr. Speaker, I should like to express my deepest gratification over President Nixon's recent statement to the Agriculture Department employees, emphasizing the capability of the United States to wipe out hunger and malnutrition in this country. The existence of such a capability should be a powerful incentive for a clear commitment and effective action on a national scale.

THE 51ST ANNIVERSARY OF LITHUANIAN INDEPENDENCE

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. HOWARD. Mr. Speaker, as we have just recently commemorated the 51st anniversary of Lithuanian independence, I feel it would be appropriate to include in the RECORD the following resolution, which was adopted by the Lithuanian Council of New Jersey at their meeting on February 16, 1969. I feel this would be a tribute to those who are still fighting for those freedoms we hold so dear in our own country:

RESOLUTION

(Unanimously adopted at a meeting of American-Lithuanians and their friends living in New Jersey, sponsored by the Lithuanian Council of New Jersey, held on Sunday, February 16, 1969 at St. George's Lithuanian Hall, Newark, New Jersey, in commemoration of the 51st anniversary of the establishment of the Republic of Lithuania on February 16, 1918.)

Whereas the Soviet Union took over Lithuania by force in June of 1940; and

Whereas the Lithuanian people are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty which they rightly and deservedly enjoyed for more than seven centuries in the past; and

Whereas the Soviets have deported or killed over twenty-five per cent of the Lithuanian population since June 15, 1940; and

Whereas the House of Representatives and the United States Senate (of the 89th Congress) unanimously passed *House Concurrent Resolution 416* urging the President of the United States to direct the attention of the world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples; now, therefore, be it

Resolved, That we, Americans of Lithuanian origin or decent, reaffirm our adherence to American democratic principles of government and pledge our support to our President and our Congress to achieve lasting peace, freedom and justice in the world; and be it further

Resolved, That the President of the United States carries out the expression of the U.S. Congress contained in *H. Con. Res. 416* by bringing up the Baltic States question in the United Nations and demanding the Soviets to withdraw from Estonia, Latvia, and Lithuania and be it further

Resolved, That the pauperization of the Lithuanian people, conversion of once free farmers into serfs on kolkhozes and sovkhozes, as well as exploitation of workers, persecution of the faithful, restriction of religious practices, and closing of houses of worship, and be it finally

Resolved, That copies of this resolution be forwarded this day to the President of the United States, Secretary of State William Rogers, United States Ambassador to the United Nations Charles Yost, United States Senators from New Jersey, Members of U.S. Congress from New Jersey, and the press.

Valentinas Melinis,
President.
Albin S. Treciokas,
Secretary.

G. WARREN NUTTER

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. MARSH. Mr. Speaker, the President's appointment of Mr. G. Warren Nutter, of the University of Virginia, as Assistant Secretary of Defense for International Security Affairs has generated considerable editorial comment.

I believe that the following editorial, which appeared in the Daily Progress, Charlottesville, Va., on February 24, 1969, will be of interest to Members of the House:

Mr. Nutter and ISA

So upset is the Washington Post that it devoted its lead editorial yesterday morning to an attack on the appointment of G. Warren Nutter of the University of Virginia as assistant secretary of defense for international security affairs.

The ISA, said the Post, is the foreign policy arm of the Department of Defense and is a lot more sensitive and important position than most people think.

Mr. Nutter, says the Post, is not qualified to hold this position, or at least he should not have been appointed to it, because of "his history as an intellectual zealot of the Right."

Furthermore, said the Post, Mr. Nutter's political judgment must be regarded as questionable in view of his support of Barry Goldwater in the 1964 presidential campaign and his position as a member of the inner circle of Mr. Goldwater's advisers in that campaign.

"To have thought that a man with such eccentric views in the field with which Mr. Nutter will be concerned would have been a good President, is scarcely a mark of the kind of judgment required for this sensitive job," said the Post.

And, although Mr. Nutter is recognized as one of the top international authorities on Russia, the Post takes him to task, adding "nor do the harsh and somewhat simplistic statements he has recurrently made on U.S.-Soviet relations suggest a bent of thought especially suitable to the job at ISA."

In other words, Mr. Nutter just will not do. He is rightist while the Post is leftist. Mr. Nutter is a zigger when he must be a zagger to qualify for the ISA position.

It will be recalled in the 1964 campaign, for which Mr. Nutter was one of Mr. Goldwater's closest advisers, one of the things that buried the Arizona senator was his recommendations for escalation of the war in Vietnam, a position that led the Post and a number of other newspapers and individuals to denounce Mr. Goldwater as something of a madman who would plunge the world into suicidal war.

The Post flayed Mr. Goldwater almost daily for his ideas on what to do in Vietnam, yet fell strangely silent in the months following the election when President Johnson carried out the Goldwater proposals almost lock, stock and barrel and in some instances escalated the war in Vietnam far beyond anything that Mr. Goldwater had dared to suggest.

The only explanation we can see for this is that Mr. Goldwater wore a Conservative label while Mr. Johnson leaned somewhat in line with the Post toward a leftist position, a strange way indeed to judge the capabilities of men and the programs which they recommend and which they carry out.

Mr. Nutter has a long record of service to his University, his state and his nation and if the Nixon Administration had no confidence in him, he would not have been named to head the ISA. At the very least he deserves an opportunity to demonstrate—as he has done often in the past—that he can handle this call to duty. Certainly his qualifications should not be questioned because he does not think as the Washington Post thinks.

PACKAGE OF MODEST REFORMS AIMS AT BETTER JOB ON HILL

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, in recent weeks attempts have been renewed to achieve essential reforms in the Congress. As we consider proposals and hopefully take action, I believe it is important to keep in mind the increasing support these measures enjoy among the American people.

This support will be shaped in large part by the manner in which the news media present the case for reform, and a number of commentators have stated very clearly their views of what the proposed legislation would achieve. I include a column written by Roscoe and Geoffrey Drummond which appeared in the Washington Post on February 8, and an editorial from the New York Times of February 11, at this point. Both articles portray the proposed changes as reasonable and essential if the Congress is to function effectively in a responsible manner in the months and years ahead. The articles follow:

[From the Washington (D.C.) Post, Feb. 8, 1969]

Package of Modest Reforms Aims at Better Job on Hill

(By Roscoe and Geoffrey Drummond)

It's Them Against Us, and to most people Government is Them.

And unless Government moves more to be Us, it is encouraging frustration and violence.

Congress in particular has got to do a better job, and the public will have to push them into doing it.

Majority rule must have more power in Congress, and its creaky machinery must be modernized so that it can transact the public business more openly, more efficiently and more responsively.

Fortunately, a package of measures to do this is being put up to the House by a sizable bipartisan group, led by Rep. Donald Rumsfeld (R-Ill.).

They are modest but useful reforms and all headed in the right direction.

Their direction is toward loosening the stifling dominance of powerful committee chairmen and toward making Congress more responsive to its own majority so that it can be more responsive to the majority of the people.

There is momentum behind the Rumsfeld push, but we need to bear in mind that most of the senior, powerful members of Congress like self-reform about the way Winnie the Pooh likes your honey.

This is why strong public support will be needed, and to that end we should know what the reform proposals would do and why they are critical to the Congress and to the country.

Separately, these reforms are not very exciting but, added together, they go to the heart of making democratic Government function more democratically. Here are some of the things they provide:

Senate committees must meet on "written consent of a majority of the committee." Sounds innocent, but without it committee chairmen can single-handedly suffocate legislation by refusing to call a meeting.

Congressional committee meetings shall be public unless the majority rules otherwise.

Roll call votes on bills within committees shall be made public.

A committee chairman must report on the written demand of a committee majority within seven days any measure approved by the committee. This is crucial. Some committee chairmen have pigeonholed approved bills for months.

No more proxy voting.

There shall be a roll call vote in both Houses on all appropriations bills. In the past, billions of dollars have been approved without it being known how anybody voted.

Every bill must contain a committee estimate of the cost of carrying it out.

There shall be a permanent Joint Committee on Congressional Operations to give continual study to congressional functioning and how to improve it.

These are not casual proposals. Most of them were unanimously urged by the Monroney Joint Committee on Congressional Reorganization in 1967 and passed by the Senate 75 to 9. Then the House Democratic leadership raised its hands in holy horror and arrogantly proved the need of these reforms by keeping them buried in the dark recesses of outdated rules.

These measures are coming forward again at a moment when they are especially important. Many Americans, who want nothing to do with the destructive militants, feel frustrated and on the outside looking in when it comes to the functioning of their Government.

Unless Congress wants to feed this frustration and fuel the cause of the violence, it must prove that Government by the "consent" of the governed requires that Congress must be responsible to the majority of the governed. It can only be so when its own majority can put its hands on the levers of Congress.

That's what it is all about. That is why the new congressional reorganization bill needs public support—and deserves it.

[From the New York Times, Feb. 11, 1969]

REBELS IN THE HOUSE

Twenty-six younger Republicans in the House under the leadership of Representatives Rumsfeld of Illinois and Conable of New York have introduced a bill to make the workings of Congress and its committees more open, more orderly and more responsible. A comparable group of younger Democrats is preparing a reform bill along similar lines.

One objective of the reformers is to democratize the internal procedures of the various committees. These vary widely, depending upon the personal strength of each committee chairman and the traditions of each committee. The bill would enable a majority of a committee to overrule a chairman who holds up a bill by refusing to report it to the floor or even to schedule hearings on it.

The minority party would be granted its own staff on each committee, thereby correcting a scandalously unfair condition which now exists in a few committees. Every committee vote would be made public. Proxies would be abolished. As the Joint Committee on Reorganization pointed out in the last Congress, proxies are a convenience for busy members, but the evils of this practice outweigh the advantage. Proxy voting tends to discourage attendance at committee meetings and sometimes makes a farce out of committee deliberations. "You cannot argue with a proxy; a proxy cannot consider an offered amendment; a proxy cannot compromise."

Committees would be empowered to hold hearings during the fall when Congress is not in session in order to prepare bills for Congress to consider in January and February, normally unproductive months. Scheduling of bills would also be altered to break the "Tuesday-to-Thursday" club and get the House on a true five-day work week. In view of the increased salary which members are about to receive, there is no longer any shadow of an excuse for members to rush back Thursday night to their law practices and insurance offices. Unfortunately, the bill does not ban this Congressional "moonlighting."

Other provisions of the bill would improve the effectiveness of the committees in reviewing the work of the Federal agencies under their jurisdiction, abolish Congressional control over appointments to West Point and Annapolis and strengthen the regulation of lobbyists.

These are all modest reforms. It is a measure of the inwardness and complacency of the Democratic committee chairmen and a few of their senior colleagues in both parties that a similar package of reforms was smothered in the House Rules Committee last year. Only by the old-fashioned standards of Capitol Hill would the proponents of these changes be regarded as rebels and disturbers of the peace. But time is on the side of the young men in both parties. Moreover, Representative Ford of Michigan, the minority floor leader, has made Congressional reorganization a party issue. If Speaker McCormack and the rest of the Democratic leadership are wise, they, too, will begin heeding the voices of change.

COMMUNITY INVOLVEMENT PROGRAM

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. PICKLE. Mr. Speaker, the war on poverty has developed a distinct, personal approach in Austin, Tex., largely through the efforts of a community involvement project. Since the poverty programs administered through the Office of Economic Opportunity will once again be scrutinized by Congress, I would like to explain this innovative program at this time.

The community involvement program is a demonstration through the Human Opportunities Corporation of Austin and Travis County, OEO, and the Hogg Foundation for Mental Health at the University of Texas.

Mrs. Sidney Smith, chairman of the committee, sent a detailed report of the CIP activities and I would like to enter excerpts of her report at this time:

> The intent of this proposal is to develop widespread local community support for anti-poverty efforts through the direct involvement of heretofore uninvolved segments of the community in the development, implementation, and evaluation of programs designed to meet the self-articulated needs of the poor.

The present administration has stressed that private enterprise ought to be brought directly into the scope of the poverty program, probably in tax credit incentive programs, and perhaps this can be made to work. It deserves our careful consideration. But even more important than business participation is the direct involvement of individual citizens. When individuals get involved they find a way to help. The community involvement program in Austin has been one of the first, if not the only demonstration program in America, where we have stressed individual participation. Just think, Mr. Speaker, if we could harness the help of individuals in our churches, schools, PTA organizations, civic clubs, fraternal organizations, veterans groups, garden clubs, and the myriad of women's organizations—what a tremendous force to reduce problems of poverty, hunger, and disease. I am proud that this demonstration program was started in Austin, Tex., and I hope that other communities over the Nation will attempt the same direct manner and invite leading citizens to help. I am confident similar programs are underway throughout our land.

Mrs. Smith's report added that—

> The use of pre-determined techniques, not previously used in this community action program, in all phases of the program will result in achieving the desired goal. Simultaneously, it is expected that existing unmet needs of the target population will to an appreciable extent be met through a coordinated multi-service approach of existing unused and underutilized local resources.

In an accompanying letter, Mrs. Smith explains some rather unusual aspects of the program that have proven highly successful. Excerpts from the letter include:

> This unique project was set up, not primarily as a public relations vehicle to spotlight the poverty program, but fundamentally to see if the poor can articulate their own needs and to discover if hitherto uninvolved segments of our affluent population can be encouraged to become involved.
>
> There is no problem of funding this particular program for another year. As the budget sheet reflects, we have not begun to expend our funds from the initial grant. It was recommended by the regional office that we not request a second year's grant, and we are operating for the next fiscal year on the residue of money remaining from our first year's budget.
>
> Now we are involved in what we consider perhaps one of the most innovative and exciting efforts yet made in the War on Poverty. It is our hope that our demonstration, small though it is, will be a microcosm of what might be done on a large scale in other efforts.
>
> We are endeavoring, through the efforts of Mr. Osborn, the District Director of Internal Revenue, to enlist the help of the community's largest employers in a training program for under-employed members of the East side. But we are not stopping there. Recognizing that it is not enough to help the head of the house with his job and to neglect the remainder of the family, we are making this a Family Involvement Project. No man will be taken for training unless his whole family agrees to share in the training effort in many areas. We have experts who will work with the young people, both scholastically and in information concerning human relations, home making, and practical skills. We are planning discussion groups for the mothers (and we hope to have indigenous leaders from the neighborhoods as teachers and teacher's aides). These courses will include home and family living, human relations, employment, education, legal aid, gardening, sewing, loan applications, cooking and any other helpful items we think relevant. Each family will have a "monitor family."
>
> All of us involved are excited over this idea. If we can pull it off, we feel as if we will have made a contribution consisting mainly of helping families learn to help themselves through their own strengths and efforts.

Mr. Speaker, at this juncture, I would like to introduce excerpts from the full report:

> The Office of Economic Opportunity designs programs to help people help themselves. It is not welfare by any means, but, instead, it helps people to solve their problems. A breakdown in dialogue comes when government brings money into a community and gives it away. The only way to solve this problem is by having people work along side the government. The government is responsible if only the people will let them know what they want.
>
> The welfare approach is not always the best way. It creates a dependency. Human Opportunities Corporation will not do this to people and make them want to linger in their present poverty. People in poverty want to succeed and make better lives for themselves.
>
> We hope that the community will see the needs of these people and respond to them in a way the government cannot. We want to demonstrate to the country that the project can work both for the community and the government.
>
> Essentially, the project was to attack a serious problem which is native to any area where government or private agencies wage their "War on Poverty." This problem revolves around the lack of community support for local and anti-poverty efforts.
>
> The formal presentation of the Community Involvement Project idea included these specific problem areas:
>
> 1. Absence of visible relationsip of H.O.C. to anti-poverty efforts.
> 2. Absence of techniques which make possible the participation of sufficient community involvement in all phases of program planning, development, and evaluation of programs.
> 3. Absence of sufficient opportunity for the poor to articulate their own perceptions of unmet needs.
> 4. Absence of a vehicle through which heretofore uninvolved or marginally involved community groups can develop projects in direct response to unmet needs as articulated by the poor.

5. Absence of a vehicle through which the above described groups can relate and coordinate their efforts so as to develop a multi-service approach.

6. Absence of paid technical expertise in the above described groups to assist them in development, implementation, and evaluation of self-generated and self-supporting projects.

These outlined problem areas were to be the foci of the C.I.P. Perhaps the key problem and the key solution to the success of this community effort may be found in item (6) above.

The development of social welfare, or more correctly, social programs, has been viewed with many a doubting eye, mainly because of the apparent ineffectual administration of the programs. For many years before the Office of Economic Opportunity Act of 1964, the basic philosophy of social programs involved the concept that volunteer efforts could effectively attack the problems of poverty. However, with the coming of the Kennedy administration and later the Johnson administration, this type of thinking gave way to the realization that the hiring of paid professionals, working in conjunction with volunteer efforts, was the only answer to a meaningful "War on Poverty." Too much energy was being expended in too many different directions, with the end result being a much less efficient overall effort.

In the case of Austin, or perhaps any community in the country, interested people belong to groups such as the League of Women Voters, the Chamber of Commerce, the Junior Chamber, the Optimist Club, or any number of other organizations. It seems that belonging to a club or civic organization is part of the American way. For some it is means to become involved while for others a way to make new business contacts. Whatever the reason for belonging, the small local club or organization is a functioning part of all our communities. And, for the most part, the plethora of civic organizations are quite separate entities in themselves. They very seldom participate in joint ventures of any sort, and when they do, the result is often chaos.

Since the intention of most service or civic groups is to try to serve their communities, it would seem that these would be logical vehicles to further the War on Poverty at the local level. The Community Involvement Project is designed to test this concept.

In addition to the above-mentioned test of whether or not established civic groups could, or would, sponsor an effort aimed at promoting community involvement, the O.E.O. project will also explore the following questions:

1. Whether direct (and visible) administration of (the) program will engender more extensive and intensive support for anti-poverty efforts.

2. Whether involvement of community groups in all phases of community action (development, implementation and evaluation) will result in more extensive and more intensive support.

3. Whether heretofore non-involved and marginally involved community groups can develop coordinated, broadly based, joint programs.

4. Whether members of the poverty population functioning as staff participants and beneficiaries can best articulate their own needs and develop community enthusiasm for the program.

5. Whether a structured pre-service and in-service training program for indigenous neighborhood staff can open new career opportunities.

6. Whether planned for on-going and past evaluation will maximize volunteer efforts.

In summary, the Community Involvement Project attempts to make use of vehicles already in existence and functioning toward community benefit. Groups and organizations which are typically native to white, affluent Austin were asked to send representatives to a central governing and operating unit, the Community Involvement Committee. These representatives act as liaison between the committee, the poor, and their own respective clubs or organizations.

Likewise, the representatives of the poor, economically deprived areas of Austin have been selected from already functioning neighborhood committees. These committees are set up to handle problems which generate from the neighborhood level. One project the Community Involvement program undertook was with the help of the Austin Real Estate Board. This group of men gave many cases of paint to neighborhoods if they would paint up and fix up their homes. This did not cost the government. It was a donation by Austin businessmen. The project was successful, though it was limited in geographical approach.

NIXON COMMENDED FOR GERMAN UNITY STAND

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. RARICK. Mr. Speaker, with the world divided—two Vietnams, two Koreas, two Chinas, two Rhodesias, two Germanys—and with every power play to keep it divided, into Communist and free, it was indeed refreshing to hear President Nixon from the capital of free Germany, a country divided into five occupied zones, state:

> One thing that has not changed is our devotion and dedication to the goal that the German people will again be united.

Here in Congress, in my remarks of May 1, 1968, I had recognized the need for a reunification of Germany, and a reuniting of her people with their own common culture so they might attain their position of leadership—a friendly bastion in a world sorely seeking peace and unity.

President Nixon's leadership is in keeping with the objectives of free people the world over in permitting nations to have self-determination, free from outside interference.

Mr. Speaker, I insert a news account of President Nixon's Bonn talks following my comments:

[From the Washington (D.C.) Post, Feb. 27, 1969]

GERMANS PLEASED BY NIXON—ALLIANCE UNITY IS DISCUSSED IN BONN TALKS

(By Richard Harwood)

BONN, February 26.—President Nixon flew into Germany today for the twelfth time since 1947 and came face to face with many of the problems he had encountered on his first visit 22 years ago.

As in the past, there was a crisis atmosphere over Berlin, where the President goes Thursday. The old unresolved issue of German reunification was still alive and came up in Mr. Nixon's initial talks with Chancellor Kiesinger. There was concern on Kiesinger's part over the treaty to limit the spread of nuclear arms. There was talk of sharing the costs of the NATO alliance. And there were the perennial questions about the negotiating intentions of the United States and the Soviet Union.

PERSONAL TRIUMPH

Nevertheless, the President's first day in Bonn is being described by both politicians and journalists as something of a personal triumph.

He left the West German Parliament laughing and cheering today after a brief speech arranged at Mr. Nixon's initiative. One Social Democratic member said he had made a better impression than any other post-war American President among politicians here, including the late President Kennedy.

A West German Foreign Office official said the public had responded with equal enthusiasm to the President, whose activities have been widely televised today. His references to the German heritage of his children (they had a grandmother who was born in Germany) and his repeated pledges to maintain and strengthen the U.S.-West German alliance met with particular approval.

GREETED BY KIESINGER

Chancellor Kiesinger greeted him with a small speech: "I view this (trip) as an expression of your conviction, which I share, that co-operation between the United States and free Europe is an important, if not the most important, precondition for the maintenance and strengthening of world peace."

Mr. Nixon replied: "One thing that has not changed (since his first trip in 1947) is our devotion and dedication to the goal that the German people will again be united.

"One thing that has not changed is our mutual dedication to the principle of independence and freedom for all of the peoples of Western Europe. And one thing that has not changed is that dedication to the great alliance of which we are a part."

From the airport, Kiesinger and the President drove to the Chancellor's office to begin a series of discussions that lasted much of the day.

They took a break after lunch and en route to the president's residence in the American settlement, Mr. Nixon stopped his car four times to get out and shake hands with people along the way. An old woman in the crowd gave him a gray pigeon, the symbolic bird of peace. Mr. Nixon stroked the bird, put it on his arm and smiled as it flew away. The crowd cheered.

TALKS WITH PEOPLE

Later he met with a group of private citizens—as he did in London yesterday—for a give-and-take conversation on the problems of life in the 20th century. His visitors included businessmen, academicians, journalists, bankers, youth leaders, and politicians.

Following the morning conversations between the President and the Chancellor, official spokesmen for the two governments reported that the discussion had ranged over the major diplomatic problems of the world.

AIR TRAFFIC CONTROLLERS MUST BE AIDED

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. FASCELL. Mr. Speaker, as today's air passenger relaxes in the comfort of his seat onboard a giant transcontinental jet, he thinks of his safety and security being the primary responsibility of one man—the pilot. Yet, there are many who are involved in the complex task of keeping the Nation's aircraft flying safely to their destinations and have an almost equal rank with the pilots in this respect. This group of men functions unseen and unknown to the average passenger.

I refer to the air traffic controllers, those anonymous but highly vital Government employees who are responsible for guilding and directing our aircraft to prevent midair collisions or other mishaps which could result in tragic loss of life and property. A pilot is in charge of one airplane and its passengers, but the air traffic controller is responsible for many planes and many passengers at any moment of time.

Today, a controller's function is absolutely demanding and vital. Some 400 people can be killed and $20 million worth of airplanes can be wrecked if a single controller says the wrong word or hesitates for a few seconds too long. The demands of the job are enormous, and the stakes are far too high, to permit anything less than the most capable and experienced of men to have these strategic positions.

In the past, the Government has played all too loosely with the lives of our airplane passengers by failing to enforce an adequate program for the selection, training, and compensation of controllers. To remedy this situation the controllers themselves have formed an organization, the Professional Air Traffic Controllers Organization, to secure the proper Government support for safety in the sky. With the lanes of air traffic becoming constantly more congested, and with larger passenger airplanes on the drawing boards, the outlook is for increasing danger in air transportation unless we act now to do what needs to be done.

The Professional Air Traffic Controllers Organization has drafted legislation embodying the reforms needed to insure air safety now and in the future, and I am pleased to join many of my colleagues in sponsoring this program. The bill I have introduced is designed to raise the qualifications and standards of all air traffic control personnel, thereby providing the Nation with a safer and more efficient air traffic control system.

Air traffic controllers use sophisticated electronic equipment, including radar systems, to keep track of the location of commercial airplanes. It is their duty to control the landing and takeoff of aircraft at the Nation's airports, and assign air routes between cities to prevent collisions. The responsibility of maintaining numerous aircraft in holding patterns during periods of high density traffic, and assigning landings on a frequent basis, demands intense concentration and the ability to make split-second decisions after analyzing many sources of continuously changing information.

This is a job for young men, yet men with the experience to know exactly what they are doing. This legislation is intended to place the right men in these extremely important positions.

Under the bill, the qualifications for entrance into the field of air traffic control would be elevated. No person would be allowed to begin a career in this field after the age of 33. Strict physical and proficiency requirements would be adopted, with a guarantee of annual physical examinations.

To attract qualified personnel, salaries would be adjusted to a range that is commensurate with the responsibility. A formula for retirement is included, along with provision that controllers would not have to work continuously past the time when their physical and psychological condition would have been too greatly strained.

These safety measures are needed now if we are to provide our citizens with the air travel safety they need. The public has recently become more conscious of the vital role of the air traffic controller and is looking to us to upgrade the professional competence of controllers.

By enacting this legislation, we can end the stopgap and crisis-to-crisis decisionmaking which has marked Government actions in this field in the past. This bill will provide us with a logical, effective program for the future, and I hope that the Congress will act favorably on it in the current session.

RACHEL TURNER: ARIZONA'S VOICE OF DEMOCRACY WINNER

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. UDALL. Mr. Speaker, I am pleased that a young lady from my congressional district was chosen as Arizona's candidate for the annual Voice of Democracy Contest sponsored by the Veterans of Foreign Wars of the United States. She is Miss Rachel S. Turner, of Tucson.

In her speech Miss Turner makes a strong appeal for continued freedom of dissent consistent with the preservation of society itself.

Without objection, I will insert the text of Miss Turner's speech at this point in the RECORD:

FREEDOM'S CHALLENGE

(By Rachel Turner)

There has been much public and governmental concern over riots that occurred in our large population centers. Some have argued that the rioters are young militants who purposely try to disrupt our country. Others have argued that the rights of the individual are being infringed upon as far as right for assembly is concerned. It is this differentiation of views that I want to discuss. Freedom's challenge is how we as a Nation can preserve individual rights without jeopardizing society's rights.

In discussing this problem, I'm first going to point out how riots arise from primarily peaceful gatherings. Then I want to point out the way in which we must resolve this situation.

Let's take a look at a sample riot. First of all, a certain goal must be achieved. Secondly, there must be a set mode for achieving this goal. Finally, somewhere along the line one of these steps becomes either obtuse or obscure. It is then that the people panic and police are called to the scene to try to calm the crowd. The logic of the crowd points to infringement of rights when police officers arrive to preserve the peace.

Charges of police brutality have frequently arisen from situations such as these when the police must resort to force to calm the crowd. But there is something to be said for these charges when the officers raided a building simply because they were "bombarded by empty bottles." Four ambulances were needed to carry the seriously injured away.

On the other hand, I can understand the frustration of police when they are hampered in their effectiveness by masses of enraged, incoherent youths, fistfuls of human waste thrown in their faces, and everywhere the cries of "Police brutality" when they so much as touch one of the rioters.

Those who support the individual's battle for freedom call upon historic events that happened in our past and ask where we would be today if the Boston Massacre and Tea Party had not occurred. These were obviously riots, but they achieved their purpose of lighting the mighty cannon of the American Independence movement.

Certainly, though, we cannot claim any justification for civil disorders when thousands of dollars of store merchandise were destroyed in Detroit last year, not to mention again those dead and wounded. The effects of that civil disorder are still evident; store owners in the southeast part of Detroit have an extremely difficult time obtaining insurance rates they can afford, and nearly everyone would refuse to walk the streets after dark even if there were no curfew. This is another example of carrying the individual's rights too far because they endanger the rights of society.

John Locke's philosophy, upon which much of our government is based, was that ". . . every man, by consenting with others to make one body politic . . . puts himself under an obligation to every one of that society to submit to the determination of the majority . . ." From this and from what our constitution says, I think we can assume that the individual's rights must be preserved at all costs except when he is a member of society and threatens to endanger that society.

Let the people gather to express their views. Let the halls of Congress ring with the voice of common man. But when this same common man turns and attacks the very society that he has worked to set up; when this same man threatens to destroy the very life of which he is a part, then he is no longer the individual whose precious rights must be guarded, but he becomes the individual whose rights must be bounded by society for her own preservation.

The United States is the example of democracy for the world. If we fall because of internal disorder, there can be no hope for weaker nations who seek the democratic way of life.

Freedom's challenge in our great democracy is to determine at what point the individual's rights end and society's rights begin.

CONGRESSMAN HORTON URGES ADOPTION OF "911" AS NATIONWIDE EMERGENCY TELEPHONE NUMBER

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. HORTON. Mr. Speaker, I am introducing a resolution today under which Congress would support adoption of "911" as the nationwide police, fire, and general emergency number.

This proposal's advantages are numerous. Call "911" for help has been vigorously endorsed by public leaders and civil organizations of all types.

Among leaders supporting "911" as

the uniform national emergency telephone number are the President's Commission on Crime and Civil Disorder and the Federal Communications Commission.

Even the American Telephone and Telegraph Co. has announced it is ready to make this service available to any community or city requesting it.

It is unfortunate and often tragic that the American public must contend with a multitude of emergency service numbers in each city and town.

In my District of Monroe and Wayne Counties, New York, for example, 500,000 persons have to contend with more than 75 separate numbers for fire, police, and ambulance services. Each city and town in the United States in faced with this same problem.

The advantages of a central "911" number are numerous. It would slash the time needed to place a call for emergency help. It would greatly eliminate the possibility of reaching busy numbers.

The confusion of different numbers for different services would be eliminated, panic would be lessened, and a person would be sure of getting emergency help no matter where he was, or when.

The new central emergency system would have enough operators manned around the clock to coordinate all mutual emergency aid and activity services. The whole process would be simplified, shortened, and strengthened.

By routing all emergency calls to a central switchboard, calls could be redirected quickly and accurately to the correct service or agency. This increased efficiency, in addition to lessening confusion, would save precious life-saving seconds and minutes.

Frankly, the logic and merit of such a system is so apparent that it is amazing a nation as technologically advanced as ours has not instituted this concept long ago. Great Britain has been using an emergency "999" number since 1937.

This is really a matter of life or death. The time for action is now. Let us promptly adopt this resolution establishing one uniform national police, fire and emergency telephone number.

COUNTY-RAILROAD COMMUNICATIONS

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, I deem it a privilege to have this opportunity to call the Members' attention to the excellent statement prepared by Mr. Peter Perrecone, supervisor of the town of Rockford, Winnebago County, Rockford, Ill., on behalf of the National Association of Counties. The subject of Mr. Perrecone's remarks is County-Railroad Communications.

I was most impressed by his presentation. His commentary on our future opportunities as well as our obligations in this area are well taken. Therefore, I feel certain that other Members will find his statement both interesting and helpful.

The statement follows:

COUNTY-RAILROAD COMMUNICATIONS

(By Peter Perrecone)

Mr. Manion has announced the subject of our panel as Communication Between Private and Public Agencies as it relates to safety at highway-railroad grade crossings.

I was asked to participate in this meeting as a Director of the National Association of County Officials.

As an elected Illinois official for the past three decades, I feel that the panel topic might be more direct if it had been announced as "the complete lack of communication" between public agencies and the railways.

Our moderator has referred to the more effective relationship developed by the AAR and highway officials since the Act of 1956—the Federal Aid Highway Act.

As an official who has worked tirelessly on the county, state and national levels, I must confess this comes as a complete surprise to me. Never in my public life—and I am Supervisor for Rockford Township which embraces the second largest city in Illinois—have I ever had a communication from the AAR, or any branch of railway operation, dealing with this subject.

At the start—do not misunderstand me. I merely want to stress that there must be a great need of communication between officials on the levels which I serve and those interested in our nation's vital rail systems.

My first reaction on being invited to participate on communications was that the railroads have done a fine job except where a crossing might get bumpy or when warning lights were needed.

At the same time it occurred to me that there has been no liaison or communication between the counties and the railroads, and because of this lack of communication, the railways have suffered.

I am interested to know that there have been so many higher-echelon meetings between Highway and AAR officials—and startled to find that not a word of this has trickled down to the county level.

If any one in the State of Illinois has been in a position to be advised of such a program, I believe I am. As President of the Illinois Association of County Officials I am kept constantly aware of comparable problems—but the railways and their representatives have not communicated.

However, we are all aware of the problems of rail-highway crossings, and have constantly sought to act in any way that would improve them. For instance, the first 1969 Highway death in our Winnebago county involved a collision between a Northwestern railway train and an automobile.

There was no reason for this accident—it was on a county grade crossing with good visibility—both the auto and the locomotive proceeded slowly. This is one of the inexplicable accidents we will always have as long as there are automobiles and grade crossings.

Granting that we will always have grade crossings and motorists, I wish also to record that I know the problem of the men who operate locomotives. The crews live in constant fear that some motorist will kill himself by ignoring the most basic of safety standards. The situation will never be eliminated, but it can be improved I am sure.

Today I also bring a message which should have a high degree of interest for all participating here. It is from Herbert D. Brown who today is assuming office of Illinois Director of Public Safety under appointment from Governor Richard Ogilvie.

Mr. Brown, a life-long law enforcment official dedicated to public safety, assures all interested in the work of this panel that he will give his complete cooperation in any move made to improve highway crossing safety in the State of Illinois.

He plans to study all proposed legislation on this point, and in discussion with me, has expressed interest in the use of reflector panels on railway cars. Director Brown says that in many situations, particularly in unlighted and un-signalled areas, reflectors on rail cars might alert a motorist that a train is using a crossing.

I know this law has been proposed before and has not been adopted. Knowing that many rail accidents have occurred because motorists have not been alerted to presence of a train, I feel that it is one that should be explored.

While the rail crossing problem is a vital one, I feel that it will become ever more important. Even though passenger hauling has dwindled on the nations rail system, I believe that a new era is approaching.

The urbanization of the United States is not closing in on us.

It is here!

We are near the point where upwards of 25 regional areas will comprise the heart of the future America.

It is obvious, therefore, that all levels of government must cooperate to achieve a transportation system that will move people swiftly and economically.

The American railroads can be the answer to this particular problem.

To be sure, the transportation system of this country of ours must be co-related to highways, aviation and waterways. I suggest that, in all our deliberations at all levels of government, we keep in mind that all modes of transportation depend on each other—and are not set apart from each other.

I feel that the American railroads are the answer to this particular problem.

This statement is made with complete realization that railroads have abandoned passenger service wherever possible. While Rockford is the second largest city in Ilinois, served by three major rail lines, its passenger service is virtually non-existent.

At the same time these rail lines are maintaining commodious and valuable rights-of-way into the heart of the community. They are virtually unused.

While rail right-of-way use is at a minimum—and I am fully aware of the value of rail freight service—adjacent highways are jammed and the downtown core of the city is suffering from too many automobiles and too little parking space.

Just for example. A North Western spur line parallels a large portion of US Route 51 on Rockford's northeast side. This line is vital to the freight business and the development of the area's industry. At the same time it is used by one or two switch engine trains daily—while the adjacent highway carries 40,000 vehicles every day and millions are being spent to improve the roadway in this immediate area.

The same situation exists on the west side of the city. Rail right-of-way, used by a couple of freights each day, parallels a highway which links the Rockford area to the Wisconsin state line. Millions of dollars are being spent to improve this highway—state route 2. Nothing is being done to improve and increase the use of the adjacent railway.

I'm sure you see the course of my thinking.

Many vital transportation problems would be solved in our community if there was a high speed passenger service.

This is no impossible dream. I know that it has been developed in the booming Toronto, Ontario metropolitan area with the cooperation of the Canadian National railway. Commuters leave their cars in mammoth parking lots and are whisked to the heart of the city from 40 miles away.

I know that Toronto is a much larger city—but the money being spent in our community, paralleling rail facilities, exceeds the amount which was required to put the Canadian commuter plan into operation—including special trains, stations and parking lots.

If federal, state and rail funds were used to eliminate grade crossings—with high speed passenger service the ultimate goal—certainly one of the great problems of every major center in America could be solved. Rail men will say at once that such service cannot be financially profitable. This may be true, but it is no more absurd to subsidize commuter service and save our central cities than it is to subsidize airports, air lines and transcontinental expressways.

The problem of swift, safe and convenient transportation for human beings grows each day. Air service is becoming congested to the point where it is ridiculous. Passengers spend more time stacked above major airports than they do in actual flight—as long waiting for their baggage as the journey required—and as much time getting from airports to their destinations as the air trip consumed.

In other words air and highway facilities are being used to the limit. Passenger service on railroads is vanishing. It's a problem we all will fade in the future.

These remarks on high speed rail service of the future are not a digression from the topic of this panel. Realistically, high speed service in crowded communities will require elimination of grade crossings to the greatest extent possible—even the use of subway-type construction in many areas.

Railways cannot be expected to assume the cost of high-speed lines alone. They can be expected to cooperate in making such high speed lines available by use of the invaluable right-of-way facilities they now own.

Certainly our railways should be as forward-thinking as the Canadian National railway which functions as a government owned facility in competition with the privately-owned Canadian Pacific system. I interject this comment to add that I favor the consolidation of our own major rail lines. In fact, my only experience with a railway and public relations came when rail officials were in our community to drum up sentiment for such a merger.

And getting back to "communications" which I originally believed was the topic for this panel. It has been my sad experience in dealing with railroad people to become entangled in a maze of red tape and endless correspondence.

When I was in private business as a fuel wholesaler, I happened to become the owner of 99 feet of American railroad. What appeared to me to be a simple matter of expanding a siding for $125.00 became a $2,000.00 project with no action in sight a year later. I recruited an expert section gang and installed the siding myself. The railway finally accepted it, but the encounter with railroad red tape convinced me that I would never become involved in a similar debacle.

These criticisms, if you want to call them such, are merely constructive. I happen to believe tht American railroads are beginning a new era of national usefulness.

You cannot, for a moment, visualize the United States without its railroad transportation systems. We, the American people, cannot long endure without the American railroads.

I believe it is up to us in public office—on local, state and national levels—to make sure that the avenues of communication are opened so that we can work together. There is nothing more frustrating than attempting to pierce the maze of vice presidents which every rail system apparently uses as insulation to keep itself from public reaction.

The National Association of Counties firmly believes that the railway systems can be modernized and expanded in a way to fill the void in our present transportation facilities.

Industry and commerce cannot live in our nation without services of the railroad in moving raw materials and finished products. A further contribution should be made by adding new facilities where they are required to accommodate the daily transportation needs of the 200 million residents of our nation.

In county government particularly, we are dedicated to solution of urban problems. The National Association of Counties currently urges that all counties move at once to assert vigorous leadership in the area of mass transportation problems.

Our National Association is also supporting adequate enabling state legislation which will permit local governments to move ahead in supporting area-wide transportation systems.

While this is moving far from the problem of grade crossings alone, I am certain that we here are all interested in another program supported by the National Association of Counties.

The organization approves the provision of the Housing Act of 1961 which provides grants for comprehensive transportation planning and demonstration programs for the improvement of mass transportation facilities.

Basically, we are talking today of communications between the railways and representatives of the public on a plane necessarily more broad than grade crossings.

Personally, I advocate efforts on the part of the AAR to seek a change of image—achieving a status more personal and accessible than the tremendous proportions which have developed through the years.

Through the years personal communication has been lost between our invaluable railways and local officials.

May I suggest that railway personnel offices—in cooperation with their important association—dig into this problem and try to bring the railroads back to a person to person basis achieved by other lines of transportation. Even General Motors, the world's largest corporation, seems closer to the average American than the railways which are so vital to his existence.

In my community—as in virtually all others in the country—we argue over rights-of-way, elevations and grade crossings year after year. Today we are no nearer to solutions than we ever have been. There seems just to be no area of communication. Let us find one.

Personally, I want to do something really important to lift the railroads out of the past and into the image of the last third of the 20th century. Hopefully, by the year 2000, the railroads will once again be what I think they ought to be today. The rail lines—and local governments—must think in terms of a population of 400,000,000 by that time.

NATIONAL ECONOMIC CONVERSION COMMISSION

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. BOLAND. Mr. Speaker, on Monday next I will join with Congressman BINGHAM of New York and Congressman MORSE of Massachusetts, and some 40 other Members of the House, in sponsoring legislation to establish a National Economic Conversion Commission.

This legislation will provide the administrative apparatus needed at the Federal level to insure the smoothest possible economic transition during a period of shifting and declining defense demand.

In his 1969 Economic Report to the Congress, President Johnson included the final report of the Cabinet Coordinating Committee on the Economic Planning for the End of Vietnam Hostilities which had been established by the President in the spring of 1967. In this report the Cabinet committee concluded:

> Prosperity has not depended on the defense buildup and will not need high military spending to support it in peacetime. On the contrary, peace will provide the nation with welcome opportunities to channel into civilian use manpower and material resources now being devoted to war.

As far as the national economy is concerned, these are indeed encouraging words. However, I think that we would agree that outlook is not so promising for many localities thoughout the Nation which find themselves heavily impacted by defense spending. This is particularly true in the case of those localities which have been affected by sharp increases in Vietnam spending occurring since the middle of 1965.

I think that we can agree that if adequate provision is not made for proper advance planning and close coordination between local, State, and Federal authorities, many of these communities will experience serious economic reversals resulting from either a leveling out of defense spending or a marked and sudden decline in such spending.

The Cabinet committee in its report acknowledged this fact and in turn recommended the early establishment of a full-time committee in the executive branch which would, first, assume responsibility for detailed planning for Federal readjustment assistance for affected localities and defense-related industries; second, work with State and local authorities responsible for demobilization planning; and, third, coordinate Federal readjustment programs during demobilization.

I applaud this recommendation of the Cabinet committee; the Congress must now come to realize that it is time to act on this matter. The question of economic conversion is of mutual concern to all of us in the Congress, and it is my view that the bill which we are introducing today will provide the administrative means and the direction needed to insure the least painful economic adjustment to either a gradual or a marked shift in the pattern of defense demand.

Mr. Speaker, considerable study both in and out of Government has been devoted to the conversion question in the past several years. What is clearly needed today is not more study but the immediate establishment of an appropriate administrative apparatus capable of implementing and directing an effective program of economic conversion at the community level. In the case of many localities the problem is already here. Defense spending in recent months has reached a plateau; many defense orders are being cut back or canceled; and most indicators at our disposal today show little prospect for renewed growth in defense spending, barring, of course, any serious deterioration in the world political setting. Moreover, if in the near future we should experience either a continuing and gradual deescalation of hostilities or hopefully a peaceful accord in Vietnam, either development would obviously have a profound impact on the pattern of defense spending.

Thus given these considerations, I urge the Congress, Mr. Speaker, to give immediate and active consideration to our legislative proposal calling for the establishment of a National Economic Commission.

THE LATE CHARLES ELLSWORTH RUSSELL

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. HALPERN. Mr. Speaker, I was shocked and distressed last week when I learned of the passing of a legendary musician who, over a 45-year period, entertained thousands of my constituents during his frequent engagements in Queens; hundreds of thousands in the Metropolitan New York area, literally millions throughout the Nation and the world. I refer, Mr. Speaker, to Charles Ellsworth Russell. This name may not sound familiar, but the name "Pee Wee" Russell is legendary in the history of jazz.

Just a few weeks ago many of us had the delight of seeing Mr. Russell for the last time here in Washington when he performed during inaugural festivities, and it is with deep sadness that we mourn his passing.

An eloquent tribute to "Pee Wee" appeared recently in the Washington Star, written by that newspaper's special writer, Allen Scott.

The text of Mr. Scott's column follows:

Jazz writer George Frazier, in once defining what jazz is, wrote "Pee Wee Russell's clarinet."

Another critic said Pee Wee's process sound was half B-flat and half saliva. Of the man himself, his late wife called him "a normal, healthy, maladjusted American male."

This was Charles Ellsworth (Pee Wee) Russell, who died yesterday in Alexandria Hospital at the age of 62.

A great many jazz fans will be surprised to learn his christened names. He was always Pee Wee from the start of his professional career with somebody named Herbert Berger in St. Louis at the age of 15. That was in 1921.

In the ensuing 48 years he became a jazz legend in his own time, in part because he played with so many other legends—clarinetist Leon Rappolo, pianist Peck Kelly and cornetist Bix Beiderbecke, among others.

His first record was "Feeling No Pain" with Red Nichols in August 1927.

Small combos were his forte, and in the 30's and 40's he was a fixture on the New York scene at the Famous Door, Nick's and Eddie Condon's, where he played with groups led by trumpeters Bobby Hackett, Max Kaminsky, and Wild Bill Davison; trombonists Miff Mole and Georg Brunis; singer Red McKenzie, and always Condon.

Condon reported the lives and good times of those days in his autobiography, "We Called It Music," including the group's surefire hangover cure, "the juice from two quarts of booze."

Although always classified as a Dixieland player, discerning critics pointed out that he always played in his own way. Pee Wee stunned his fans in the 1950's by teaming up with avant garde clarinetist Jimmy Giuffre for a masterful set of duets, meshing perfectly with Giuffre's modern style. Still later, he surprised them again by recording compositions by such modernists as Thelonius Monk and John Coltrane.

In the 1960's he formed a successful quartet featuring trombonist Marshall Brown. One of its albums, "Ask Me Now," gained Down Beat's highest five-star rating.

In 1965, at his wife's suggestion he took up oil painting. Within six months Pee Wee proudly reported he had made two "legitimate sales" to respected collectors. He did not count the ones his jazz friends bought. But Pee Wee firmly maintained he was a jazz player, not a painter.

In recent years he had played on several occasions at Blues Alley in Georgetown.

Tommy Gwaltney, a Washington musician, said Russell had joined him and trumpeter Buck Clayton a week ago at Blues Alley.

Russell often played on such occasions, Gwaltney said, but this time refused, complaining of not feeling well. He entered the hospital last Sunday.

Of his playing, someone once wrote: "He is no virtuoso and his tone is breathy and squeaky but you forget this when you hear the bliss and the sadness and the compassion and the humility that are there."

HOW TO CHOOSE A PRESIDENT

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. ULLMAN. Mr. Speaker, in my testimony before the House Judiciary Committee, I suggested that the abolition of the electoral college would only be a first step in bringing about the electoral reform which this country needs today. On February 24, the Christian Science Monitor ran an editorial which pointed out some weaknesses in the present convention system and offered justification for instituting a national presidential primary election. Under unanimous consent I place this editorial in the Extensions of Remarks:

HOW TO CHOOSE A PRESIDENT

One of the loudest cries raised at and after the 1968 Democratic convention at Chicago was: "Reform the nominating process!" To date, moves have been made toward staffing a special committee which is to assure the democratic statewide selection of convention delegates. But whether the party is moving in time, and whether this is all the reform that's needed, and whether the follow through on good intentions will be sufficient, remains to be seen.

Actually, some 800 of the 2,622 delegates at Chicago were chosen by undemocratic processes. And it is estimated now that perhaps 20 of the state Democratic parties have not complied, as yet, with the reform resolution adopted by roll-call vote at Chicago aiming at a more equitable process of selecting delegates.

If by the time 1972 rolls around improved machinery has not been set up, in all the states, the Credentials Committee of the Democratic Convention of that year will pretty certainly have a rugged row on its hands. The time to act is now.

How much reform is enough reform? Should the convention delegates all be selected, say, by state primaries? Or—a farther-reaching proposal—should the presidential candidates be chosen in a national primary—or by a national "advisory" primary, to be followed by conventions? The Democrats should be thinking about this. So should the public. So should the Republicans, who may of course be simply renominating Richard Nixon in 1972, but will need alert procedures then and in the ensuing convention years.

In defense of the convention process, unamended, it is pointed out that in virtually every instance the convention has chosen for the presidency the man actually preferred by the party majority (though perhaps not the man preferred by party activists and convention-hall demonstrators). But it is also a fact that conventions have been put together by very slipshod procedures—by enforcement of the unanimity-demanding "unit rule," by the choosing of delegates a full year and more before the convention date, and by selection of delegates by innerparty elite cabals.

The year 1972 may hear strident demands in the Democratic Party for a revamping, if not abolition of the convention process. Now is the time for Senator Harris, party chairman, and the party leaders to see that the essential reforms will have been accomplished.

FREEDOM DAY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. DERWINSKI. Mr. Speaker, our colleague, the Honorable JOHN H. BUCHANAN, of Alabama, was the principal speaker at a mass rally which was held January 23 in Taipei, Taiwan, to observe the 15th anniversary of Freedom Day. In addition to the material in yesterday's RECORD, I insert the following:

First. Declaration of the rally;

Second. Cable message to the United Nations;

Third. Cable message to President Richard M. Nixon, of the United States of America;

Fourth. Cable message to President Park Chung Hee, of the Republic of Korea;

Fifth. Cable message to President Nguyen Van Thieu, of the Republic of Vietnam;

Sixth. Cable message to the United States, Australian, New Zealand, Korean, Philippine, and Thailand officers and soldiers now fighting in Vietnam; and

Seventh. Address by U.S. Congressman JOHN HALL BUCHANAN at the Taipei city hall on January 24, 1969.

The material follows:

DECLARATION OF THE 15TH FREEDOM DAY RALLY

As the sixties in the 20th century will soon come to an end and mankind is prepared to welcome the arrival of the more glorious seventies, the hope of landing on the moon and the control of the space, all reflect the wonderful progress in human society. Immediately following the development of atomic energy for peaceful purposes and the lessening of natural pressure, freedom and well-being of mankind have been greatly elevated. A brilliant and colorful century of freedom will soon emerge.

However, in the age of progress which moves in leaps and bounds, there exists in our globe a vicious Communist force which has as its unalterable objective the conquest of the world and the enslavement of mankind. Today, nearly one third of the entire population of the world has fallen into its sinister hands—deprived of freedom, shed of human rights and threatened of human survival. As the 15th Freedom Day Anniversary is approaching, while we are ashamed and conscious of the absence of freedom to shine over mankind and the continued growth of the terror of enslavement, we are gratified to see the growing trend of the struggle for freedom and against slavery. This is particularly true in view of the resolution passed at the Second World Anti-Communist League (WACL) Conference held in Saigon last December, which called for the expansion of the Freedom Day into the World Freedom Day. Thus, this great freedom movement will become the World's main stream of justice.

We are certain that the march of mankind toward the objective of freedom is irresistible, and that all the obstacles in front of it will be eliminated. Though checked by brutal force for the time being, the liberalization movement of the people in Eastern Europe will generate still greater surges due to the thrust of mankind. Despite a rugged future lying ahead, Vietnam's struggle for freedom and independence will prevail and achieve victory in the end. The anti-Communist and anti-Mao struggles on the China Mainland will penetrate any suppressive measures that Mao and his cohorts may take, and will enter into a new phase in its overall development. The undercurrent of appeasement and the dark shadows of compromise will vanish in the midst of mankind's awareness of rationality and the uplift of moral courage. A brand new situation calling for joint actions by mankind for the defense of freedom and the elimination of slavery will rise.

Looking over the horizon, we can clearly see the sharp domestic division in the bloc which is out to enslave people, their bitter conflicts and serious crisis of disintegration. We are fully conscious of Pres. Chiang's words that "The past situation was one of a unified Communist bloc attacking a divided and scattered Free World. What we need to exert our efforts on is a unified Free World defeating a divided and contradictory Communist bloc." This then is the overall objective in our struggle for the freedom of mankind and marks the bright road on which freedom will prevail over slavery. As the delegates representing all walks of life in the Republic of China meeting here to Commemorate the 15th Anniversary of Freedom Day, we call upon all peoples of the World:

(1) To establish the firm conviction that freedom will triumph and that enslavement will fail. People who enjoy freedom must have the courage to shatter the status quo of "half freedom and half enslavement". Those people whose freedom is already at stake will protect freedom and fight with indomitable spirit. Those people who have lost their freedom and have been enslaved will resist and fight in order to regain their freedom and maintain their survival.

(2) To unite all forces guarding freedom into an entity. The most pressing things are to formulate a worldwide unified struggle objective giving equal emphasis to the East and the West and to establish a regional collective security organization in order to repel the challenge of the Communist force of enslavement and check its rampage.

(3) To step up all movement to seek freedom and all struggles against communism and tyranny behind the Iron Curtain—East or West. Destroy totalitarian and dictatorial tyranny, crush vicious slavery system, break the chains on one billion enslaved peoples, restore their freedom and human dignity, and protect their survival and wellbeing.

These are the directions of efforts for all freedom-loving peoples throughout the world. We the Chinese people will stand on the frontlines of this struggle. Domestically, we shall speed up the development of the "Anti-Mao and Anti-Communist movement." Internationally, we shall increase the joint actions against Mao and Communism. With our maximum efforts, we shall make out maximum contributions to the solemn missions of our time in order to achieve ultimate and everlasting victory for the freedom of mankind.

Draft Message to the United Nations

Secretary-General and all Delegations to the United Nations:

Fifteen years ago, the United Nations continued its insistence on the voluntary repatriation of prisoners-of-war in the Korean War that enabled 22,000 Korean and Chinese anti-Communists to regain their freedom on January 23, 1954. That was one of the most important achievements of the United Nations in its task of safeguarding human rights and dignity. Since then, the January 23 Freedom Day has been of great spiritual encouragement to the people both in the free world and behind the Iron Curtain in their struggle against Communism. It has also laid down a major example of the unviolability of the spirit of the United Nations Charter. Last year, the General Assembly set an unprecedented record in defeating an intrigue to seat Communist China in the United Nations, and the spirit of United Nations Charter was again exalted.

Late last year, resolutions were passed by the World Anti-Communist League at its Second Conference in Saigon to uphold the spirit of the United Nations Charter. The proclamation of January 23 as World Freedom Day by the Conference was an example of a concrete action the League has taken to fulfil the United Nations principle of defending human rights and freedom.

We people from all walks of life in the Republic of China meeting in Taipei to observe the 15th Anniversary of Freedom Day, are convinced that the achievements of the United Nations, under Your Excellency's great leadership, will be even more glorious. We are hereby sending this special message to Your Excellency to express our admiration and respect in the hope that Your Excellency will make further efforts in the United Nations for safeguarding human freedom and world peace.

With high regards,

Ku Cheng-kang,
Chairman.

Draft Message to His Excellency President Richard M. Nixon of the United States of America

Your Excellency:

Fifteen years ago, some 22,000 anti-Communist prisoners of war of the United Nations allied forces in the Korean War turned back on the Communists to begin a new life of freedom. They had outwitted brainwashing in prison camps masterminded by the Chinese Communists and their fellow travelers. However, their struggle against the Communist conspiracy would not have been a success without the support given them by former U.S. President Dwight D. Eisenhower and by Your Excellency.

At a time when the government and people of the Republic of China are commemorating the 15th Anniversary of that Freedom Day and celebrating the adoption of World Freedom Day beginning in 1969 by members and observers of the World Anti-Communist League, it is heartening and inspiring that Your Excellency has taken up office as the 37th President of the United States of America. Your Excellency's victory has given encouragement and inspiration to freedom-loving people and freedom-fighters throughout the world.

As Your Excellency knows, the Peiping regime is the root of all evils in the world. It has instigated armed revolts and subversive activities in Southeast Asian countries. It has infiltrated Africa and Latin America. It has also, openly taken part in inciting racial violence in the United States. It has also entered into rivalry with Soviet Russia for International Communist leadership, and shouted out anti-U.S. slogans to achieve its dream of world conquest. Because of its militancy and bellicosity, it has become Enemy No. One of the entire free world.

Taking advantage of the inconsistency and hesitation unfortunately now existing in the free world, the Peiping regime is intensifying its internal struggles, brainwashing the masses with Mao-thought and practically carrying out nuclear tests. It is thus of paramount importance to the free world that it devise a global unified anti-Communist strategy that will cover West as well as East before Peiping's evil schemes and ambitions reach maturity.

Your Excellency's proposal to nations in Asia and Pacific area that they form a regional mutual security organization is of enormous significance in the formation of a brighter outlook in this part of the world. We sincerely hope that Your Excellency will give continued support to make it a reality at an early date. We are confident that Your Excellency will lead the free world in its struggle against Communism and fulfill the historic responsibility that is entrusted to Your Excellency.

With our highest regards,

Ku Cheng-kang,
Chairman.

Draft Message to His Excellency President Park Chung Hee of the Republic of Korea

Your Excellency:

Fifteen years ago, more than 22,000 Korean and Chinese prisoners-of-war during the Korean War, under the insistence on the principle of voluntary repatriation of our two nations and peoples, were determined to choose freedom and regain happy lives in this side of the world. Since then, the bell of liberty has pealed outside and within the Iron Curtain. Those who have lost freedom find their hope for freedom rekindled; and those who are defending freedom are strengthened in their conviction that freedom will triumph and slavery will fail.

In the past year, as a result of the joint efforts of our two nations, the World Anti-Communist League was founded and has developed under the arm of freedom for all mankind. Moreover, the 23rd of January every year was proclaimed World Freedom Day at the Second World Anti-Communist League Conference in Saigon last December. In view of these encouraging signs, the Republic of Korea and this nation will bear an even heavier burden from now on.

Presently, we, people from all walks of life in the Republic of China are meeting in Taipei to observe the 15th Anniversary of Freedom Day and to promote the United Movement against Mao. We are heartened when we recall what we have accomplished together in our struggles shoulder to shoulder, and when we see that the trend of anti-Communism is stronger than ever.

Your country, under the great leadership of Your Excellency, has made tremendous progress in every field these years, and has been displayed vigilance in defending Northeast Asia against our common enemy. The despatch of armed forces to Vietnam by your Government demonstrated to the world how fond Korea is of justice! Recently, the Communists of North Korea sent infiltrators to the South and are engaged in undermining activities in your country. We are confident that the intrigue of the Communists will surely be in vain because of the firm anti-Communist determination of your people, military as well as civilian. At this juncture, we particularly hope that our two nations will draw even closer in our cooperation so as to establish a collective security organization in Asia and the Pacific area, and further to recover our lost land. We are hereby sending this special message to Your Excellency to express our admiration and respect in the hope that concerted action will be taken by our two nations to safeguard Asian security, world peace, and human rights and freedom.

With highest regards,
Yours respectfully,
Ku Cheng-kang,
Chairman.

Draft Message to His Excellency President Nguyen Van Thieu of the Republic of Vietnam

To His Excellency President Nguyen Van Thieu and to patriotic anti-Communist civilians and military personnel of the Republic of Vietnam:

At a time when the government and people of the Republic of China are celebrating the 15th Anniversary of the Freedom Day and the extensive propagation of the United Movement against Mao, it is particularly heartening and inspiring to witness the unswerving stand, the national unity and the determination of the democratic government of Vietnam to defeat the enemy both in the battlefield and at the conference table. The gallantry and fearlessness demonstrated by the Vietnamese civilians and millitary personnel will surely defeat the scheme of international Communism to sow dissension and unmask the conspiracy over the peace talks. At the same time, they will make it clear to the free world that peace and justice in Vietnam can never be achieved by any unilateral attempt at appeasement volunteered by any misguidedly enthusiastic party.

The meeting of the Second WACL Conference and the 14th APACL Conference in Saigon late last year unequivocally showed the whole-hearted support of freedom-fighters of the world to Vietnam's anti-Communist stand. It also demonstrated the unity of the world's anti-Communist strength. We are sure that ultimate victory will come to Vietnam in its struggle to safeguard her independence and territorial integrity. We sincerely hope that Your Excellency will give continued support to the establishing of a regional mutual security organization in Asia and Pacific area and to the early formulation of a united world anti-Communist strategy so as to lay a solid foundation for Asian security and world peace.

Ku Cheng-kang,
Chairman.

Draft Message to Gen. Creighton W. Abrams, Commander of U.S. Forces in Vietnam and All the United States, Australian, New Zealand, Korean, Philippine, and Thailand Officers and Enlisted Men Fighting in Vietnam

Dear General Abrams, and all United States, Australian, New Zealand, Korean, Philippine, and Thailand officers and enlisted men fighting in Vietnam:

At this time when the government and people of the Republic of China are observing the 15th Anniversary of Freedom Day, it is particularly heartening and inspiring that the forces of the United States of America and troops from Australia, New Zealand, Korea, Thailand and the the Philippines have dealt fatal blows to the Viet Cong offensives and harassments which were launched under cover of the smoke screen created by the Paris peace talks. The victories of the allied forces under your command, together with the high morale of the Vietnamese national forces, have made an enormous contribution to the final victory and independence of the Republic of Vietnam.

The government and people of the Republic of China pledge their whole-hearted support to the anti-Communist war being fought by the allied forces in Vietnam. We are confident that you will lead them to one victory after another, until the Hanoi regime is obliterated.

We sincerely hope that you will give continued support to the establishing of a unified world anti-Communist strategy that will embrace West as well as East. We are sure any help from a man with such profound knowledge of the dangers of International Communism as you have will be of incalculable value to our cause.

With high regards,
Ku Cheng-kang,
Chairman.

U.S. Congressman John H. Buchanan's Address at the Taipei City Hall on January 24, 1969

Chairman Ku, Members of the Parliament and Ladies and Gentlemen: It is a privilege to stand before you this day to participate in the Freedom Day activities this week in Taiwan. I salute you as leaders of a great republic and long with you towards the day when you will once again lead all of China.

As you may know, our new American President, Richard M. Nixon, is a member of the Quaker faith and the Quakers traditionally do not believe in violence. I trust in our new President and believe that in his foreign policy, he will be as I shall be in the speech I make this morning. I believe that you and I shall substantially agree on much of what I have to say, but if you find yourself in violent disagreement, then I shall be like the Quaker farmer who awoke one night to find that a burglar was crawling into his window. He picked up his shotgun, pointed it at the burglar and said: "Friend, I would not hurt thee, nor harm thee for the world and all that's in it, but thou art standing where I am about to shoot."

We are confronted as a part of the world's forces of freedom with a great challenge in our time and I would address you this morning before answering your questions on the Communist challenge and the American response to that challenge. I do not need to persuade the people in this audience of the strength and of the nature of the world Communist movement, but that you may know that there are a great many Americans in positions of leadership and the Parliament and our Congress and in the Executive Branch as well to recognize the nature and scope of this challenge, I will review it briefly this morning. We look out upon a world today in which 25 percent of the earth's surface and more than a billion of the world's people are controlled by some form of Communist government. We are confronted with a very powerful Communist nation at the forefront of that Communist movement is the Soviet Union, a nation of great economic, industrial and military strength, second only to the United States in its power. We look out upon a Communist movement which stretches across the globe at Cuba led by Fidel Castro with an effort to subvert the western hemisphere. We see Europe with the Eastern European captive nations under the heel of the Soviet Union. We witness Communist activity in Africa and in the Middle East. I do not need to persuade you of the dangerous government upon the mainland of China, and of its nature and its intent towards its neighbor as a great potential aggressor and as a tyrannical government, and so around the world we see this great Communist challenge with which the forces of freedom are confronted in our time.

There are those voices in Europe and some in the United States as well which would say there is less danger in our time in the 1960s from the World Communist Movement because in the first place the Soviet has mellowed and there is, or there is a chance for, a detente between the United States and the Soviet Union. Such voices would say further that there is a deep schism within the Communist world and a fragmentation which means that it is no longer united and hence no longer the threat it once was to the forces of freedom in the world.

Let us examine these propositions to determine their reality and validity. It is true that the Soviet Union over the last fifty years has made great industrial and economic and military progress. Soviet foreign policy is dictated not only by the Marxist desire for conquest and their belief that inevitably they must sooner or later replace every free government with a Communist government, but also by Russian national interest, and such Russian national interest would dictate at a time when they are a relatively prosperous nation that they would have a good deal to lose from a nuclear war with the United States. Hence, I do believe that Russian foreign policy is apt to place high priority on avoiding a nuclear warfare with the United States or that which might lead to it. This does not mean that there is any end to their desire for world conquest, both as a nation and as a leader of the Communist movement. There is within the Kremlin a conflict between the Neo-Stalinists, those who would impose a harsh and more rigid policies of Stalin at home and this same outlook abroad and those who would modify and relax this harsh regime. There is some indication in recent months that the Stalinists are again gaining more influence in the Kremlin and may exercise more on Soviet policy, foreign and domestic.

However great may be the Soviet determination to avoid war with the United States, her national policies still aim toward increasing Communist domination of the world. We need only look at the fact that she is supplying the aggressors in Vietnam to the amount of more than one billion dollars per year, but in my own hemisphere she supplies Castro one million dollars a day to continue his subversion, at a great expense amounting to several million dollars. The Soviet Union has armed and rearmed Egypt and certain other Arab nations to foment discord in the Middle East and to extend her influence there. We can look at the brutal suppression of Czechoslovakia when it took a slight turn towards freedom, not the replacement of the Communist government, but a movement simply to permit more personal freedom, such as freedom of the press to the Czechoslovakian people, brutally suppressed by the Soviet Union and her satellite states which surround Czechoslovakia to see the true nature of the Soviet Union, the true designs of that government for world conquest, whatever strategy that government might use to achieve this aim.

If and when the Soviet Union sees fit to use its offices to bring about the tearing down of the Berlin Wall or the holding of free elections in Hungary, if and when it ceases to finance subversion in the Western Hemisphere as in Asia and all around the world, then there may be a better chance for real detente between the United States and the Soviet Union.

I do not need to describe for you the nature of the government upon the mainland of China, but I will say that certainly there is schism between the Soviet Union and the Red Chinese, and I am glad that this is the case. I am very much afraid, however, the real debate between Mao and Moscow is over when they shall bury us, how they shall bury us, and who the chief undertaker shall be.

The leopard has not changed his spots, and Communism is still Communism in our time and I do not need to tell you that this is the case. It has been my privilege to stand before the ugly monument to the failure of Communism that is the Berlin Wall, which separates the thriving city of West Berlin from the bleak police state that is East Berlin. It has been my privilege to hear the testimony of Miss Juanita Castro as she told a subcommittee of which I was a part with deep emotion how her brother Fidel Castro had betrayed his country, how he had betrayed himself as the George Washington of Cuba, and how he had instead imposed upon that people a brutal totalitarian regime. It has been my privilege to walk among our troops in Vietnam and to see through their eyes the enemy which they help the Vietnamese people to fight—the enemy which rules by force and fear and terrorism wherever he holds power. An opportunity has also arisen much less than yours, however, to look upon the conduct of the Communist government upon the mainland of China and from all of this to know that Communism is still Communism, is still evil, and is still dangerous in our time.

I will only say further in this connection that no country, no system which is really good for people has to build an Iron Curtain of a Berlin Wall around itself to retain its people. How many people have thought to escape from Taiwan to the mainland, and how many seek to escape from the United States or Western Europe behind the Iron Curtain of the Soviet Union or its puppet nations.

In light of this great challenge to human freedom, to human dignity, and to those of us who seek to conserve these precious things, what will the Nixon foreign and domestic policy be in the United States? I can speak only with the authority of one who knows and has faith in this man's record and in his thinking in the years that have passed. Obviously, he has not had time to set forth detailed foreign policy for the present and future, but I believe we can find in this man's experience and background and in the statements he had already made certain elements of what his basic foreign policy will be. He has indicated in his Inaugural Address that high on his list of priorities will be his pursuit of an honorable peace. And yet you will note the very important phrase in that Inaugural Address "A peace which recognizes the right of self-determination for the peoples of the world." I believe that he will give himself in Paris and elsewhere to the pursuit of an honorable peace.

Let us look first at his policy as I believe it will be in Vietnam and in the conduct of the Paris negotiations, the Paris peace talks. As we all know, the Communists do not go to the bargaining table because they have not decided that they want peace and justice in the world. They fight first on the battlefield, and then they go to the Conference table to try to win there what they have failed to win on the battlefield. Their policy remains "Fight, fight, talk, talk, fight, fight, talk, talk."

Then the Paris negotiations represent a battlefield on which the Communists will seek to gain further advantages which they have not won. Now, the United States is, and this would apply beyond Vietnam to all our Asian Policy, irrevocably and inescapably both a world power and specifically an Asian power. We are a Pacific power, and our future is bound up with what happens in Asia. Our President knows that if the Communists are permitted to succeed in Vietnam, then they may well move forward with new adventures in Asia. Our President well knows there has been a dramatic turn in Indonesia to throw off the Communists as there has been the growth of the strong and courageous Republic of Korea following the Communist attempt to destroy that land and control it, as there has been the strong stand of your great Republic against the menace on the mainland. So we must not permit the Communist aggressor in Vietnam to succeed lest he continue to move elsewhere against the free and independent nations of Asia.

We need to look together to the great thing which has been achieved in this difficult struggle in Vietnam. Out of the midst of war and conflict there has been born constitutional republic created by the people of Vietnam and not by my government. There has been elected a government and a representative parliament which is composed of men of the highest caliber. That government is committed to the sustenance of a strong and viable non-Communist state in Vietnam. It has great public support in this high goal and I am confident that if we do not surrender unnecessary ground at the conference table, and I believe we shall not, this goal will be achieved in Vietnam.

Richard Nixon is a man of great experience and knowledge in foreign policy and a man who has through the years been a firm, knowledgeable anti-Communist. Henry Cabot Lodge, who has before stood firm against the Communists. Ellsworth Bunker, our Ambassador, is a tough and experienced diplomat, and I do not believe these men will permit other than an honorable peace which does not constitute surrender to tyranny or bowing to the aggressor.

I would remind you further that the United States like the Republic of Vietnam has made a great investment in this struggle, not only in terms of billions of dollars but in something more precious than this, 30,000 American lives. We will not fail to keep faith with these men who have made the supreme sacrifice that the people of Vietnam might be free and that the freedom and peace and stability of Asia and of the world shall be protected by their sacrifice.

The same set of principles will apply to our China policy and our policy in all of Asia. We are a partner in Asia's future by the very geography and nature of our nation. We are a Pacific power. We must have an interest in what happens in Asia. Our interest does not lay in the direction of Communist expansion, but in assisting the peoples of Asia to stand independent and free, to join hands with you in regional security and regional programs of economic advancement, to join hands in a continuing way with this great Republic as you have sought to aid in the economic development of Asia and Africa and to work with you and others toward the creation of a stable, non-Communist Asia where men can live in genuine peace and freedom and security. This shall be the direction of our policy and you may rest assured there will be therefore no change in our China policy.

As the thrust of the new administration shall be toward honorable and just and lasting peace for all mankind, as a necessary prerequisite to the chance for such a peace our policy shall not only be the pursuit for peace, but shall be one of strength and preparedness. Our new President has said we will remain as strong as we need to be for as long as we need to be. And this means a continuing investment in military and space programs and technology. This will mean that we will remain strong that we may use that strength to protect and preserve the world's chance for stability and peace.

It is not enough to have a balance of power, what Mr. McNamara used to call a balance of terror between the forces of tyranny and the forces of freedom. In my judgment, the new administration will rather pursue the course of continuing a definite American lead in American military strength and space technology, toward creating that necessary imbalance of power in favor of those nations who seek peace and freedom and who do not seek to control the rest of mankind. I believe that he will seek to guarantee an imbalance of power in favor of the forces of freedom for the sake of the world's peace and security.

I believe the policies of this new administration in this area shall follow the advice of former American President Theodore Roosevelt, who stated that his policy was to speak softly and carry a big stick.

A policy which pursues an honorable peace, but which maintains strength on the side of freedom, and on the side of our own country's military and space establishment. A policy I believe of patience and perseverance. A policy which will have patience enough to stand firm until there can be honorable peace and I pray that shall be soon.

Needless to say, and I have indicated, we will continue our firm partnership with our allies in Europe and Asia in mutual defense and toward economic development.

In his domestic policy, because a nation must be internally strong if it is to endure the storms of our time, I believe that our new President will have emphasis upon fiscal responsibility, on the part of the American government. For too many years, we have sown the seeds of fiscal instability within our own country. I believe that our new President shall seek to operate within our needs, and to pursue those policies which will protect the soundness of the American dollar and the American economy.

The new President has promised to bring a restoration of law and order with justice in the United States. As the world well knows, our country has had an alarming crime rate. Our country has been racked by riots and civil disturbances in a number of our cities. This has been caused in part by legitimate grievances on the part of groups of our people. It has also been caused in part by criminal elements in our population, and it has been caused in part by subversive groups, and their activities.

The overwhelming majority of the American people, of every race and ethnic group, are law-abiding citizens who love their country and respect its duly constituted authority. For the sake of the rights and liberties of all Americans, whose rights can only be protected within the firm framework of the law, I believe our new President shall insist on law enforcement and respect for duly constituted authority, and that in this he shall have the enthusiastic support of the overwhelming majority of the American people.

In the area of social legislation, I do not need to tell you of the tremendous wealth of our country, or that the standard of living of the average American family is very high compared to the standard of living of the average family of the world. There are, however, pockets of poverty within our country, although our poor are not poor by the world's standards. Be this as it may, I believe that the President will seek to meet the needs which do exist to eliminate what pockets of poverty we do have and to solve the problems that are there in our country. But I believe that he will rely increasingly on the partnership with private enterprise, which in our country as in yours has proven to be a key to great prosperity for all our people and has helped to create the great middle class and to eliminate most of the poverty in our land. I believe also that he shall enter into a voluntary agreement between government and the independent sector, the churches and the charity organizations which fill our land, that we together as private citizens, with our government, and through private enterprise and private charity, might continue to refine our goals and to protect the way of life which all our people can live in the United States, that we shall move forward, but with greater reliance upon private action and personal action and a partnership between government and people.

It is my belief that the new administration will be marked by realism, not making claims which cannot be delivered or making promises which cannot be fulfilled, marked by realism in word and action, one which listens to the voice and heartbeat of the American people. My country is one of vast resources, but our greatest resource is free men. As the whole is equal to the sum of its parts, a nation is equal to the sum of its people. And it is true for the

Republic of China or my Republic that its strength lies in its people. I believe that the American people will be challenged to stand on their own feet, and to live such lives of courage, and dedication, and patriotism, and usefulness, that our own country shall be made more internally strong, and that we shall be even more completely a part of the world's strength.

It is our privilege as free men to live at a time of challenge and of opportunity. As we look out upon a world that is threatened by the Communist terror, may I point out that the people of Latin America have said a firm no to Castro, that the people of Africa have in a number of instances literally run out the Red Chinese who would seek to subvert them. And Africa is saying no to Communism. May I point out that the people of Eastern Europe are restive and longing for freedom because it's man's nature to be free. But even within the Soviet Union itself among the younger people there is restiveness and a great desire for greater freedom which will some day bear fruit. I do not need to tell you of the disillusionment on the mainland of China, of Indonesia's dramatic turn for freedom, of the courageous stand for freedom in Vietnam, and Korea and here, of which I've spoken before, so I believe the time of the deep tides of history run with and not against the forces of freedom. I believe we shall succeed in our great quest for the preservation of human freedom. I believe that if we keep faith with freedom itself, and if we seek each to play his full part as a citizen of a country dedicated to the cause of freedom, we shall succeed and meet and overcome this great challenge of our times.

Chairman Ku, and leaders of free China, for your decisive role in this great struggle for human freedom, I salute you, and pledge to you the continuing and abiding friendship not just of this one American, but of my country.

Thank you.

THE SELECTIVE SERVICE ACT OF 1969

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. BOLAND. Mr. Speaker, I am joining today in the introduction of the 1969 Selective Service Act—a measure that would carry out major reforms in this Nation's system of military conscription.

The need for such legislation is clear and pressing. Cumbersome, antiquated, patently unfair, the draft has evoked protests from just about every segment of American society. Selective service standards for induction, for example, often appear capricious and vary widely from community to community. Some young men are summarily taken out of the classroom and put onto the drillfield; others are allowed to continue studies virtually ad infinitum. Current draft policies threaten to plunder our graduate schools while leaving veritably intact the student bodies of our undergraduate schools. Clearly, Mr. Speaker, the Congress must act to reform the draft.

The Congress, unfortunately, has lagged behind popular sentiment for draft reforms. In passing the Military Selective Service Act of 1967, Congress refused, for example, to establish a random selection system and national standards for the operation and administration of the Selective Service System. But Congress has not been alone in its oversights. Thus, after the passage of the 1967 law the President refrained from drafting the youngest first, which was legally possible, despite his earlier support of this change and widespread belief in both the civilian and the military sectors of national life that this would be a wise step.

Unfortunately, to the imperfections and omissions in the 1967 law, some of which have become obvious or clearer after almost 2 years' experience in operating under it, must be added new problems, such as the reclassification of protestors, that have sprung up or intensified since its enactment. In a word, the time has come, clearly, for the Congress to rework, in fundamental ways, our national policy and legislation pertaining to the procurement of military manpower. Toward this goal, the Selective Service Act of 1969 has been drafted and submitted for congressional consideration.

In the aggregate, the major provisions of the Selective Service Act of 1969 can be divided into five categories. These deal generally with induction, deferment, national standards, administrative-legal matters and problems, and studies of issues related to military manpower procurement.

First. The Selective Service Act of 1969 requires that the youngest registrants be drafted first by a random selection system, which will come into effect over a 3-year transitional period. In two other areas bearing closely on induction and induction requirements, it brings policy toward the drafting of aliens into conformity with our treaty obligations, and it encourages the employment of civilians in nonmilitary jobs through the defense establishment.

Second. It permits only those occupational deferments that are ordered by the President; permits students to postpone—but only to postpone—their exposure to induction, a permission that is discontinued if casualties in military combat rise to 10 percent of the number of men drafted in any month during hostilities; and permits the conferring of conscientious objector status on athiests and agnostics who are bona fide pacifists, thus placing these men on a par with those whose pacificism is based on religious training and belief.

Third. It requires the adoption and uniform application of national standards and criteria in the administration of selective service law.

Fourth. It restricts the definition of draft delinquency to acts relevant to a registrant's individual status; allows the judicial review of questions of law pertaining to classification, and the use of habeas corpus proceedings by those who comply with induction orders; reestablishes the responsibilities of the Department of Justice in the review of conscientious objector litigation; permits registrants to appear in draft board proceedings involving them, and to be represented by counsel; limits to 6 years the term of office of the Director of the Selective Service System; and prohibits discrimination of any type in the composition of selective service panels that act on the draft status of registrants.

Fifth. It calls for thorough public study of a National Service Corps through which the obligation of service to the United States might be met by nonmilitary activities; of a volunteer army; of programs to give educational and physical assistance to those who desire to volunteer for military duty but cannot meet induction standards; and of the granting of amnesty to men who have chosen to leave the country rather than to submit themselves to the draft.

This is highly significant legislation, and I urge its support by my colleagues of both parties.

YOU'RE A MAN NOW, SON

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. GAYDOS. Mr. Speaker, it is most gratifying to bring to the attention of my colleagues in the House, a moving and inspirational open letter published in the Pittsburgh Press, Friday, February 21.

It is obvious that a wonderful rapport has been established between father and son, as Major Collins so beautifully expressed his emotions upon his son's entrance into the U.S. Air Force.

In order that all my colleagues may have the opportunity to share with me the sense of true patriotic spirit, I submit for the RECORD the article at this time:

AN OPEN LETTER: YOU'RE A MAN NOW, SON

(NOTE.—As a major in the U.S. Air Force Reserve, The Press' night news editor, Lee W. Collins Jr., yesterday swore his son into the Air Force.

(Lee W. (Wes) III now at Lackland AFB, Tex., where he will receive basic training. Wes is a graduate of Taylor Allderdice High School.

(Mr. Collins, who has spent 26 years in the service, nine on active duty, lives with his family at 5712 Hobart St. Mr. Collins' open letter to his son follows:)

DEAR WES: You're a man now, son.

Maybe not in the strictest legal sense. After all, you're still only 18. But when you raised your right hand yesterday and I swore you into the U.S. Air Force, you became a man in nearly every sense of the word.

You're old enough to serve your country and to fight and die for it.

When I administered the Air Force oath to you, it was one of the proudest moments of my life and one that comes to few fathers.

LOTS OF MEMORIES FLASH BACK

A lot of things flashed through my mind as you repeated those words after me. And, if you saw an unusual glistening in my eyes, it wasn't the reflection of the light and it wasn't the first time in your life it has happened.

Yes, yesterday brought back many memories. Such as the first time I saw you, a few hours old, lying in an Army hospital nursery in Texas. My eyes shone the same way that day. Then a few days later I held you for the first time. You were a big baby but you seemed very small to your Air Force sergeant father.

And, so it went through the years. Your christening. Your first steps. First birthday.

Your first day in school. First Holy Communion. First Little League game. Your graduation from eighth grade and finally, last year, your high school graduation.

So many days. Some happy, some sad, some so-so, but really all pointing to this day when you were to leave home for the first time.

IT HASTENS THE PROCESS

I consider it a privilege that I was allowed to swear you in. It's a duty, an obligation to be sure, but more than that, it's a privilege to serve this great country.

There are those who say that military service makes a man out of a youth. Others say it makes him a bum. I disagree with both ideas.

I think the service merely hastens the process, whichever it may be. I have no qualms about you on this point, son. Just be your usual level-headed self; listen, learn and follow orders and you will come out okay.

I wish you well in the days to come and I hope you learn to be as proud of and love the Air Force as much as I do. There will be rough days but there will be good ones, too.

BIG FOOTSTEPS TO FOLLOW

Wherever you go and whatever you do, you'll be following in the footsteps of those who went before you. Men like Eddie Rickenbacker, Frank Luke, Charles Lindbergh, Billy Mitchell, Jimmie Doolittle, Hap Arnold and the thousands of others, many unsung, who helped build the proud tradition of the U.S. Air Force.

It is your tradition, now, too.

Also, I want you to remember that you will never really be alone. The thoughts and prayers of your family will go with you.

YOUR LOVING DAD.

LEVI ESHKOL, ISRAEL STATESMAN

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. BIAGGI. Mr. Speaker, the world was saddened on February 26, 1969, when the announcement came from Israel that Prime Minister Levi Eshkol had died of a heart attack. It is a loss for the world, for Levi Eshkol was a peacemaker in an area too often torn by war and too seldom quieted by peace. In a time fraught with polarization and extreme positions, Prime Minister Eshkol was the rare individual who sought compromise and moderation, the man who led a nation that wanted the tranquility that comes from reason, and not the chaos that is bred by invective and hate. Throughout his life, Levi Eshkol was dedicated to finding acceptable solutions to apparently insoluble problems.

Eshkol was an immigrant in a land of immigrants. He had suffered the tortures of the pogroms in his native Russia, and had witnessed the persecutions of the Nazis. His public life was devoted to finding homes and a new life for others of his faith who had been the victims of inhuman prejudice. Perhaps the Kibbutz that he loved and helped found is a fitting tribute to his life, for it was on the barren lands of Israel that he built the communities that accepted the lost and rejected Jews of the world. He left the land of Israel a better place than he found it some 50 years ago.

He was vitally interested in the labor movement and was a confirmed Zionist, having taken an active role in both of these fields and having become a recognized leader in both. He served with the British in World War I, and contributed to the Allied victory in that conflict. The military training of those early years served him in 1947 and 1948 when he was active in the war for Israeli independence. Levi Eshkol was also recognized as an authority on collective agricultural settlements and on economic planning for development. He was, in an age of specialists, a well rounded and well versed man, expert in many fields.

The people of Israel have lost a valued leader and statesman, the United States has lost an ally, and the free world has lost a champion of liberty.

TAX FREE PROMOTION OF SOCIALISM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. RARICK. Mr. Speaker, the revelation that a tax-free foundation had subsidized political freeloaders was revolting enough to taxpaying citizens—but for the recipients to try to defend the tax-free gifts makes a mockery of the tax system.

Perhaps the public need demand more than ethics in public life. Ethics, like any self-discipline, applies only to the honest and the decent, but is treated contemptuously by the crafty and amoral, who refuse to accept the equal rights and equal responsibilities of a free society.

Some feel they are immune to ethics and above responsibility because they believe themselves to be part of an intellectual aristocracy—a nonlaboring class entitled to special privileges.

Mr. Speaker, I include several news clippings on the Ford Foundation, as follows:

[From the Washington (D.C.) Post, Feb. 26, 1969]

FOUNDATION CONTROVERSY: FIVE R. F. K. AIDES DEFEND GRANTS

(By Bruce Galphin)

For Rep. Wright Patman (D-Tex.), it was further evidence in his long case against tax-exempt foundations.

Rep. John W. Byrnes (R-Wis.), referred to it acidly as "severance pay."

McGeorge Bundy, president of the giant Ford Foundation, defended it on educational and humanitarian grounds.

Whoever is right, it is clear that the case of Ford grants to eight aides of the late Sen. Robert F. Kennedy had dramatized some central issues of the foundation controversy.

By approving almost simultaneous grants for eight men all so closely identified with one man's politics, had the Ford Foundation clouded its nonpartisan stance? Had it demonstrated the danger that big foundations can unduly influence the Nation's political thought?

Or to the contrary, had the case shown the benevolent potential of foundations, investing in talent, putting the men's findings as it were into a sort of idea bank, so that the material's true worth could be judged—as Bundy put it—only "several years from now?"

Bundy told the House Ways and Means Committee that he initiated the eight grants. And he readily conceded that there was an emotional motive: After the second major assassination within a few weeks, he said, he asked himself, "What can we do to help?"

In the case of the Rev. Dr. Martin Luther King Jr.'s death, Ford gave $85,000 to the Atlanta university complex to establish a King archive.

Kennedy, Bundy said, had assembled an unusually talented group of idea men, and it seemed appropriate to fund studies in which their expertise could be put to work.

The eight grants totaled $131,879, including travel. Ford makes approximately 2000 grants a year to individuals, Bundy testified.

Beyond the philosophical questions in this case is a concrete one: What did the Kennedy octet do with the Ford money?

The Washington Post was able to reach five of the eight. Each contended that he had put the funds to good use, and that his study produced worthwhile data.

Their reactions ranged from resentment over the accusations leveled at the grants to a belief that people mistakenly thought the grants were used for politicking.

Peter B. Edelman, whose specialty on Sen. Kennedy's staff was domestic affairs, made a round-the-world trip under his Ford grant.

He said he studied social insurance in Denmark and Sweden, political and economic decentralization in Yugoslavia and Czechoslovakia, preschool programs in the Soviet Union, agricultural cooperatives in Israel, rural development in Kenya, Tanzania, and India and agricultural methods in Southeast Asia. In Japan, he said, "I tried to get to the roots of what's happening to the students. I think it is very relevant to American youth."

The whole trip, he contended, "broadened me in ways that are immeasurable" and was highly "relevant to poverty and other social problems in this country."

Edelman said he resents the suggestion that he did not carry out the requirements of his $19,901, five-month grant.

He has writtten about 125 of an estimated 150 pages of his study, which he hopes to complete within the next two weeks.

Edelman presently is working for the Robert F. Kennedy Memorial Foundation here.

The new job is with the Vera Institute of Justice, which deals with research and demonstration projects in the field of criminal justice.

Adam Walinsky was Sen. Kennedy's ear to the New Left. A special interest then was the problem of alienation and self-determination, and his six-month, $22,220 grant allowed him to continue research in that field.

Alienation is not solely a ghetto phenomenon, he said. It is a problem among farmers, factory workers, the rich—"much of the western world."

NO REQUIREMENTS

Walinsky said there are no firm requirements whether his research will be used for written reports or for advice to the Foundation. He looks upon himself as something of a continuing consultant, even though the grant has run its course and the funds are terminated.

For instance, he expects his research findings to be relevant to pending and future legislation. He already has spent some time advising the Robert Kennedy Memorial Foundation, which he said will be "active in these very fields" (of his interest).

"I think that what bothered some people was a belief that we were running around doing politics," Walinsky said of the controversy the eight grants have raised. He said he spent "maybe three weekends and seven or eight weekdays on politics. That was on my own time, and it was less than any number of privately employed men spent."

SCANS CAMPAIGNING

Gerald J. (Jerry) Bruno has been investigating the proposition that because of the threat of assassination, existing airport-motorcade-shopping center campaign techinques should be abandoned in favor of an all-media approach.

Bruno, who was Kennedy's top advance man, says he is comparing cities the Senator visited during his 1968 campaign with a control group Kennedy didn't visit. Bruno says he has compiled research in "about 16 states."

Funds for Bruno's seven-month, $19,450 Ford grant continue until March 5. He is doubtful that he will have a written report by then, but said he has no specific deadline for it.

Bruno opposes the all-media idea. "My belief is that it would hurt our political system . . . that it would tend to make the candidate not responsive to the issues," he said.

The three other Kennedy aides who received Ford grants after the Senator's death are:

Frank Mankiewicz, now abroad, $15,692 to study the effectiveness of Peace Corps programs in Latin America.

Earl G. Graves, $19,500 for a six-month study of opportunities for black citizens in small business.

Thomas Johnston, $10,000 to study the feasibility of transmitting newspapers electronically.

Joseph F. Dolan, now a practicing attorney in Denver, Colo., has completed his Ford project.

The six-month, $18,556 study concerned the way law schools teach students about the law-making process.

Dolan said he visited "22 or 23" law schools in the New York and Washington areas, in Michigan, Washington State and the Rocky Mountain states.

He completed his report early in January, submitted it to Ford, offered it to a law journal, and circulated it among a number of law deans and professors for criticism.

"The thing that mystifies me is the sudden interest in this grant," he declared.

Dolan worked with Kennedy in the Justice Department from 1961 to 1965, then joined his senatorial staff. He once was listed as Kennedy's best paid aide.

Dall Forsythe had the smallest of the Ford grants to the Kennedy octet: $6,390. And, he reported, "I gave them back about $700 that I didn't spend."

His four-month grant authorized him to study presidential political trends, especially in the nominating process.

He did research in the Columbia University library, attended the Democratic National Convention and the meeting of the New Democratic Coalition in Minneapolis, and conducted research in California, Oregon, Colorado and Iowa.

Thus far he has completed only a "six- or seven-page" outline for Ford, but Forsythe said he has no specific deadline for his final report.

"I've got about a foot and a half of research data," he said. "I wish I had finished it, but I have a new baby and a new job."

[From the Washington (D.C.) Post, Feb. 26, 1969]

Journalism Grant Given for Negros

The Afro-American Newspapers, Inc., and the Virginia Council on Human Relations will sponsor a year-long project, financed by a $123,000 Ford Foundation grant, to train 15 young Negro newspapermen and women.

Details of the Frederick Douglass Fellowship program were announmed yesterday in Richmond by Raymond H. Boone, editor of the Richmond Afro-American, and Carl E. Auvil of Falls Church, Virginia Council president.

They said the project is aimed at:

Training Negro newspapermen for careers in a profession usually closed to them.

Strengthening the Negro press by adding to the skilled manpower available.

Challenging and confronting racism in American newspapers, especially in the South.

Applicants for the Douglass Fellowships will be sought from colleges, prisons, ghettos, military services, Job Corps training centers, VISTA volunteers and Peace Corps returnees, according to Boone and Auvil.

The participants each will receive a stipend of $4200.

Headquartered in Richmond, the project also will have newsrooms in Washington and Baltimore.

The program, according to Boone and Auvil, will emphasize learning by doing. The fellows will cover news events, report on them and, if their accounts merit publication, will see them published in one or several of the Afro-American's editions.

THE SENTINEL ANTI-BALLISTIC-MISSILE SYSTEM

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. DADDARIO. Mr. Speaker, many Americans are deeply concerned about the proposals to construct the Sentinel anti-ballistic-missile system in the coming years, a system which is argued on the one hand as essential to the defense of the United States, and on the other, is criticized as a needless expenditure of American resources for a doubtful gain, at a time when the country should concentrate on its social needs, and its urban deficit, among other urgent requirements which have been recognized.

The Hartford Times has recently done a serious and thoughtful study of the arguments against this matter, and I believe that its presentation deserves to be placed in the RECORD and made available to Members of the House and Senate:

[From the Hartford (Conn.) Times, Feb. 23, 1969]

Why Sentinel Could Be a Cataclysmic Mistake

The debate about whether to go ahead with the Sentinel anti-ballistic missile system is a deliberation of very large and long range importance. It may be a far bigger decision than it seems to be.

It isn't just a debate over whether we should go ahead with a missile defense system that has been challenged both as technique and as strategy.

We are debating, there is reason to suspect, a national commitment to the ways of defense and the ways of life that lie beyond the Sentinel. The subject is explored in the leading article on the first Perspective page in today's Sunday Times.

This is a crossroads. If we elect to go the way of the Sentinel system, it is quite possible that there will be no turning back. We may find we have condemned ourselves to live under a permanent national preoccupation with Doomsday.

This is not a decision to be made in the Pentagon or in a closed session of a congressional committee. Because of the implications of the decision on the Sentinel, it needs to be the subject of full public understanding and discussion. And the Washington's Post's discovery of an elaborate and quite clandestine military plan of public relations on behalf of the Sentinel is not very reassuring.

When the United States decides on a route as important as this one seems to be, the decision should be an open one. When the United States decides to deploy an anti-ballistic-missile system, the relative security of the nuclear power stand-off between the United States and the Soviet Union will come to an end. To end that stand-off involves a commitment of awesome proportions.

The United States, in order to be effective in world affairs and in order to work creatively for world peace, must be able to bargain from strength. And many of the backers of the Sentinel, as men of good will and honesty, see this plan as one which simply gives us a little more strength to use for decent purposes.

But such experts as William C. Foster, for eight years the director of the U.S. Arms control and Disarmament Agency, point out that the issue is not that simple. The rules of the game will change dramatically if we make this choice.

There is at the moment, the best opportunity in many years to get together with the Soviet Union and to call a halt to the nuclear arms race. There is an opportunity now to halt the proliferation of nuclear weaponry around the world.

It is clear, moreover, that President Nixon recognizes the psychological importance of this moment and wants to make the most of it.

But even a president, especially in the first months of organization and policy-making, can be caught up in the sweep of earnest but misguided pleadings to find that bad judgment has closed the doors we wish were still standing open.

Today's chances for nuclear negotiation are perishable opportunities. It has taken decades to create them. They could be destroyed in a few hours of short-sighted decision-making.

It is the view of this newspaper that to lose these opportunities would be one of the great historic tragedies of modern times.

To plunge ahead, slam bang, with the Sentinel system is to commit ourselves to immeasurably more elaborate systems which would have to follow. That could kill off any opportunities for ending the perpetual spiral of nuclear weaponry.

When President Johnson and Defense Secretary McNamara gave their hesitant approval to the initial work on the Sentinel system 18 months ago, it was rationalized as a "thin" system to protect us against the relatively primitive nuclear weapons Red China will have a few years from now.

But Red China's weapons are not going to remain "primitive" for very long. There is good reason to doubt that the Sentinel system would give us effective protection against the Chinese by the time we got it installed.

Thus, if we undertake an anti-ballistic-missile defense at all, we will have to install something far more sophisticated than Sentinel.

At this point the Soviet Union is hardly going to believe us when we say we are worried only about Red China—even if we mean it. The Russians will feel compelled to counter our newest system with a newer one of their own. And we, in turn, will feel the necessity to top the Kremlin's effort.

The rules of this game of unlimited nuclear one-upmanship could bring the United States to a program in which we ring each city with all the hardware of nuclear war and huddle away our lives in fallout shelters.

The preliminary cost estimates of this "thick" defense ran to more than $40 billion—and there is probably no way of estimating what the real cost would be. The program is now being discussed at a $100 billion plan.

Real costs, in this kind of defense system, might be almost irrelevant, anyway. Would not our whole national existence be given over so soon to the nightmare preparations for a war of total nuclear annihilation?

We would have to prepare—if "prepare" is a word with any meaning here—for an enemy strategy which might at some point decide to catch us with a first strike before we could develop the next stage of nuclear capacity. For the odds again would favor the first-strike strategy.

This country's obsession with the terror-laden business of nuclear defense in an all-out arms race would surely threaten to demoralize the non-military aspects of our civic existence. It is hard to imagine, in any event, a situation which would dehumanize the United States any faster—or which would gobble up any resources available to the human side of our national existence.

President Johnson and Secretary McNamara saw all this clearly enough. They warned that this could be the result of their tentative approval of the Sentinel program. But they were not quite far-visioned enough or independent enough to reject the Sentinel when they should have.

It is not too late to do so now. But the time has almost run out.

A new administration, inheriting a plan ready for execution and all of that plan's self-generative expertise, may be too timid to cancel commitments which should be cancelled.

That was the course of events that led to the Bay of Pigs. And it has already been suggested that the Sentinel may be the Nixon Administration's Bay of Pigs. But let us make sure this doesn't happen.

If the people had really known what was going on, there would not have been a Cuban fiasco for Kennedy. If the people are permitted to get in on the facts and the decisions, there need be no nuclear fiasco for Nixon.

AID FOR BIAFRA

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. OTTINGER. Mr. Speaker, I am deeply troubled and concerned, as I know most of our colleagues and the majority of the American people are, over the situation which has existed in Nigeria for the past several months. Daily we receive reports of countless numbers of men, women, and children dying from starvation, disease, and malnutrition. The plight of the Biafrans, young and old, who have been victimized by this civil war cannot help but touch all of us, in and out of government.

The tragedy of Nigeria, like so many other human tragedies, is that what seems clearly moral and clearly imperative to most of us is not what seems either clear, moral, or imperative to the people who have it in their power to end the conflict. The basic difficulty appears to be that the humanitarian aspects of the problem are hopelessly tied to its political aspects and, so far, ancient rivalries and suspicions have prevented those responsible from being convinced that innocent persons should not be made victims of power plays and political maneuvering. A clear and definitive distinction must be made between the political and military aspects of the situation, on one hand, and the humanitarian aspects on the other.

Although our Government has made major contributions to alleviate the suffering in Biafra and has donated more than $22 million in cash and surplus food plus eight cargo aircraft, I believe the response of the United States to this situation was neither prompt nor broad enough. At present, only 200 tons a day are reaching a people whose minimum relief needs are estimated at 2,000 tons a day. It is obvious that much more must be done. Without becoming embroiled in the political factors, the United States should be doing everything it can to prevent the already appalling starvation in Biafra from becoming one of this century's major world disasters.

I was pleased to join with over 100 of our colleagues last month in sponsoring House Concurrent Resolution 98, which calls for a significant increase in U.S. relief efforts and international cooperation in this humanitarian endeavor. Such a large number of sponsors clearly indicates the strong bipartisan support in the Congress for expanding American relief efforts to this beleaguered and war-torn area of Africa and I urge that prompt and favorable action be taken on this resolution, and that the United States take all necessary steps to increase its relief activities in Nigeria-Biafra.

DAVID LEO UELMEN STRESSES LABOR'S STAKE IN THE AMERICAN CONSTITUTION

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. REUSS. Mr. Speaker, David Leo Uelmen, a well-known labor lawyer, gave an excellent speech in Milwaukee on January 11, 1969, in which he summarized eloquently the role the Supreme Court has played both in safeguarding the rights of the workingman and in assuring a decent and civilized society for all of us. He also sounded a timely warning against ill-considered attempts to overturn Supreme Court decisions by amending the Constitution.

The speech, entitled "Labor's Stake in the American Constitution," is well worth reading and I commend it to my colleagues:

Labor's Stake in the American Constitution

(Address By David Leo Uelmen)

I bring you greetings from Dave Previant who is not able to be with us tonight. It was nine years ago that he warned us all that no union would escape the restrictive provisions of the Landrum-Griffin Act, and we certainly have found that to be true. All unions have had to adjust to those provisions and none have escaped.

We also know that in 1968 strikes have become more difficult to settle, and perhaps there are numerous reasons for this fact. Some of these reasons bear stating:

(A) The historic right of union members to obtain assistance from their brothers on the picket line has been seriously curtailed by the law.

(B) The contracts that we desire to negotiate with the employer are now regulated from paragraph to comma by the National Labor Act. No settlement is possible, even where the parties are in agreement, without overcoming serious legal burdens.

(C) In addition to fighting the boss, we are occasionally obliged to fight some of our own members. All of these factors have contributed to the legal difficulties in 1968.

The simple fact is that law has virtually removed the power of the majority of the members to control or discipline the minority, including those few fifth column artists who consciously try to undermine the union and its work. In Detroit, Mich., three officers are facing indictment tonight for having assisted the chairman in removing, in a peaceful way, two members who insisted on attending a meeting at which they had no legal right to be.

In addition to legal impediments, the responsible officers of the unions have to face political problems at regular intervals. Much can be accomplished by dedicated union officers for the members and society, but disappointments and frustrations are also present. The year of 1968 had its fair share of those, and I'm not satisfied that enough is being done on the top policy levels inside the International Unions and the Central Bodies to assist the local unions in solving these problems.

1968 was a year of dissent and a year in which dissent was expressed in numerous ways and in strange places. We saw dissent expressed in our colleges and universities, in our labor unions, in our corporations, in our military services, in our sports activities and in almost every state of the union. In my opinion no organization as responsive to the economic and political life of the country as labor unions are can ignore this dissent. Nor will this dissent be still—nor can it be stilled.

Frequently, we are too eager to read evil into dissent. Each dissenting opinion becomes suspect, too quickly. Each dissenter is labeled "rebel" too soon. It reminds me of the story of the girl who joined a convent at which only two words could be spoken every ten years. After ten years this girl said "Food's bad." After twenty years she said "Bed's hard." After ten more years she said "I quit." The Mother Superior replied: "Well, I'm not surprised. You've done nothing but complain for the past thirty years."

No one person can tell the labor movement how it will react to its dissenting voices. All must listen to the voices and all must participate in the decision as to how labor should react. Are there procedures which must be changed or adopted? Are there policies which must be changed? What additional structures should be established or abolished? Who will be the leaders to meet these challenges?

In about one week a new U.S. President elected by the conservative groups of the country will be sworn in. He will be given every opportunity to help solve the nation's problems, but I am reminded what Adlai Stevenson said about Richard M. Nixon: "He is the type of a politician who will cut down a redwood tree and then mount the stump to give a speech in favor of conservation." Perhaps he has changed since then.

During the last campaign no institution of our country was safe from attack or was spared criticism. When the winds of dissent blow as strongly as they blew in 1968 no one can be sure what type of dust and sand will be blown about into the eyes and ears of the American public. One of the institutions which received the brunt of the attack was the Supreme Court of the United States. Part of the reason for the attack is because it is unable to publicly defend itself. The Presidency and the Congress are elected at regular intervals and great publicity follow these campaigns. The Court, which is the balance wheel established by the Constitution to secure the Constitution against erosion by legislative acts, is composed of members appointed for life. No public funds and no private funds are available or are budgeted for the Court to defend itself or its decisions.

Nor can the Court duck the issues presented. It can't reject a case as "too controversial"; a case must be controversial before the Court will consider it.

It can't consider "what will the voters think." It must consider only "what does the constitution say."

It can't say, as Congress said to labor in 1959 when it adopted the Landrum-Griffin Act over labor's objections—"You should have seen the mail."

The Court must face the controversial issues of the times, and it is frequently called upon so to do. We have seen, in the past fifteen years, that there is more guts in those nine men than Congress has shown with its 500.

Lost in the politics of the day was a recognition of the fact that the Supreme Court is one of three independent branches of government established by the Constitution of the United States. The Presidency, the Congress and the Supreme Court each have their specific roles to play; each are created by the Constitution and each have their powers defined by the Constitution. The genius of the American Constitution is that it created these three independent branches of government each to act as a check and balance on the other. Does Russia, France, Germany, Italy, Egypt, Cuba or other South American countries have a tradition of a free and independent judiciary? You all know the answer to that question.

The so-called system of checks and balances is the cornerstone of our Constitution, our government and our liberty as individuals. And it is the unique contribution which American history has made to the world. The attacks on the Supreme Court—the proposals to change the Court—the proposals to remove life tenure from the justices—the proposals to hold Constitutional conventions—to repeal the Bill of Rights and other provisions of the Constitution—should give us all cause for alarm.

True, decisions of the Court in important matters are controversial. Two sides argue, but only one can win. But the American labor movement should know that it has been saved again and again by that same Supreme Court, and management and the conservatives didn't like it one little bit. Just a few examples:

1. When the State of Wisconsin issued an injunction against the strike of the bus drivers in Milwaukee on the ground that it was illegal for them to strike under the state law as a public utility, the Supreme Court of the United States reversed, and told Wisconsin that since federal law gives these men the right to strike, the state can't take it away.

2. When the Supreme Courts of Mississippi, Georgia, Wisconsin and Texas and a number of other states held that a state court could enjoin peaceful picketing in industries that affect interstate commerce, the Supreme Court of the United States said—you're wrong. The National Labor Act gives unions the right to picket and no state can take it away.

3. When the National Labor Board held that a hiring hall was illegal, and the Building Trades and Teamsters Unions were to pay back thousands of dollars of dues collected pursuant to their hiring hall contract provisions, the Supreme Court of the United States reversed.

4. When the Kentucky Court of Appeals held that a decision of the joint labor-management grievance committee was just advisory, and that the decisions of these grievance boards could not be enforced in court, the Supreme Court of the United States reversed, and the Court backed up the collective bargaining agreement negotiated by the union. [Incidentally, for you newcomers, Dave Previant argued these cases in the Supreme Court.]

5. When Kansas argued that the regulation of rates for natural gas at the wellhead was a matter for exclusive state jurisdiction and that Congress would not regulate the price of natural gas, the Supreme Court of the United States said to Kansas—"you're wrong". We're not going to let Kansas, Texas and Oklahoma oil people hold up the people living in Wisconsin, Michigan, Illinois and Minnesota in the price of their natural gas.

6. When the old Liberty League argued that the National Labor Relations Act, which gave employees the right to join a union without being fired, was unconstitutional, the Supreme Court upheld the statute. Congress does have the constitutional power to protect employees who join labor unions from discrimination and discharge.

7. When the State of Ohio permitted its police force to push in the door of a private home simply because they suspected that there was some illegal conduct going on in that building, Ohio argued that the Bill of Rights to the Constitution doesn't apply to the States; and that it is a limitation only on the federal government. The Supreme Court of the United States said to Ohio—"forget it". The provisions against unreasonable search and seizure of the Constitution protect a man in his home and it would permit no distinction between whether a door is being kicked down by an FBI man, a state policeman or a local city patrolman. It is the Constitution that governs and protects.

8. When the District Attorney in New York went into a local union office and seized the file cabinets and physically carried them out without a search warrant, and used these files to convict a business agent of a crime based upon the records they found in his own file cabinets, the Supreme Court of the United States reversed. The Constitution protects a citizen in his home and in his office from illegal searches and seizures.

9. When the State of Florida tried and convicted a citizen on the charge of burglary and denied him the right to be represented by an attorney, Florida argued he wasn't entitled to an attorney unless he could afford to pay. The Supreme Court of the United States said "no", the Constitution guarantees a man a lawyer and Florida cannot deprive him of that right simply because the man is poor.

10. When the State of Mississippi argued that it could hold persons accused of crime without bail or, in the alternative, could set bail at hundreds of thousands of dollars in order to keep a man in jail, the Supreme Court of the United States said, "no", the Constitution gives a man the right to be released on bail and Mississippi cannot deprive him of those Constitutional rights.

11. When the State of Illinois said, all right, we'll give the man his right to a lawyer, but it will be at the time of trial, and in the meantime we'll hold him in the police station for a few weeks for questioning before we let him see the lawyer, the Supreme Court of the United States said "no", this man is entitled to a lawyer after his arrest. A state may not take a citizen accused of crime down to the jailhouse for a little pushing around in order to get a confession from him, and then after it has obtained the confession, give the citizen his day in court.

12. When Allis-Chalmers argued that the union could not fine its members who acted as strike-breakers by working during a strike, in violation of the Union constitution, the Supreme Court of the United States supported the union and its constitution.

13. When Nebraska held that the union shop amendments to the Railway Labor Act were unconstitutional, the Supreme Court reversed. It held that a citizen may be compelled to pay his fair share of the cost of collective bargaining under which he benefits.

14. When the Supreme Court of the United States held that a child could not be required to say certain prayers prescribed by the school board, there were certain kinds of "nuts" going around the country saying that the court had "thrown God out of the school room." [As though any human could throw God out of anywhere he desires to be.] We don't send our children to school for the purpose of praying, and who wants school boards whose membership undergoes change from Protestant to Catholic to Jewish from time to time, adopting a series of their own personal prayers and imposing them upon all children as uniform standard prayers.

I am also amused by those that say that the prescribed prayer was just a "harmless" prayer—whatever that is.

15. When the various states of the United States had ignored reapportionment of the legislatures for many years to the point that the cities were virtually unrepresented, and the state legislatures were organized on the basis of geography instead of on the basis of population, the Supreme Court of the United States ordered the legislatures reapportioned. Our Constitutional system requires each man to have one vote, and no state can count the sticks and stumps in the north or the swamp rats in the south as voters. One man—one vote. It was the Supreme Court of the United States that had the courage, the willingness and the intestinal fortitude to support the Constitution and interpret and apply the Constitution when the state legislators could not bring themselves to fulfill their duty.

We are told by Senator Dirksen that the Constitution must be changed so that legislative reapportionment may be based on an area as well as population. We are told by Governor Dewey that the Fifth Amendment should be dropped. We are told by George Wallace that the Supreme Court justices should be recalled and that their authority under the Constitution should be abolished.

No one will assert that the Constitution of the United States is a perfect document, but we do know that it is the one product of our revolution which makes this Country different from the rest of the world. No other revolution has produced a document or government that has lasted as has this government—not the French revolution, not the Russian revolution, not the Cuban revolution, not the Egyptian revolution.

Our document is different and its differences have been the source of our strength. Those who will change it are cutting at the heart of the Constitution and at the heart of our liberty.

We are told that a new Constitutional convention should be called.

Who does Senator Dirksen have in mind to be Chairman of this convention? Do you know who the last Chairman was?—George Washington. And who do we have on the scene today that will take the place of Alexander Hamilton, Benjamin Franklin, John Adams, James Madison, and the others?

No doubt these people seeking a new Convention envision one held in a plush carpeted building with cocktails before dinner and brandy afterward, and after the important provisions of our Constitution have been gutted, all Americans would sit down quietly and shake hands and "let bygones be bygones."

Well, there was no carpeting at Valley Forge; and there were no cocktails served before Washington crossed the Delaware; and when the British captured Nathan Hale they did not shake his hand and say let's "let bygones be bygones."

Our founding fathers knew sacrifice and experienced the risks to establish a document which gives the citizens of the United

States freedom unequaled and unheard of in the history of the world. The right to be free from unreasonable searches and seizures; the right to be free from arrest in the absence of reasonable cause; the right of the accused to be taken to a magistrate for the setting of bail; the right to be represented by legal counsel. These rights were obtained after much sacrifice and cannot and should not and will not be negotiated away by any current generation of Americans. These rights are too precious to be tampered with on a day to day or year to year basis. These are rights which cannot be taken away by any police patrolman, police chief, or police judge—not while the Supreme Court of the United States sits.

Some have said that since the Constitution of the United States has been amended twenty-five times, what's wrong with having a few more amendments. However, the number 25 is a very misleading number. The first ten, the Bill of Rights, are the ones that we have been talking about here tonight. Seven others are primarily "housekeeping" amendments. Election of senators, succession of presidents, women's suffrage, incompetence of the president and the income tax amendments.

Two amendments cancel each other—that silly business about prohibition.

The others are the Civil War amendments which state in substance that all persons born or naturalized in the U.S.A. are citizens of the United States and of the state in which they live. No state can deprive a citizen of life, liberty or property without due process of law or deny any citizen equal protection of law.

These additional protections from state action were won after the great Civil War. The phrase "Civil War" is not just a historical phrase to be read in your son's history book. The very term should send a chill down the spine of every living American. We lost one million American men dead in the Civil War. Based upon the percentage of population and the new "technology" if that war were to occur today, we could lose twenty million dead. By way of contrast, we lost 407,000 in World War II.

These tragic figures show that Americans value their Constitution and their freedom, and amendments to the Constitution affecting our basic rights are not going to be pushed through based on popularity contests or in plush carpeted halls. Our Constitution was born in revolution and can be amended only through the type of sacrifice mentioned above.

You all heard George Wallace campaign in this state last year with the phrase "Stand Up For America." "Love Her or Leave Her." You all saw those signs. Well the words are right, but the music and the singers are wrong.

Do we stand up for America when we run down her Court, tear down her institutions, and wrench out of her Constitution the important principles of checks and balances? Forbid it, Almighty God.

We stand up for America when we support her Court and when we support her Constitution.

We stand up for America when we stand up for the principles for which she had always stood—liberty, equality and justice for all her citizens regardless of race, color or creed.

All living Americans are the beneficiaries of the liberty protected by our Constitution. We are also, at the same time its trustees. As beneficiaries, we are free to enjoy this liberty, use it, live under it and benefit by it. As trustees we are obligated to protect it and to pass it on to those that come after us. No generation of Americans has failed in this trust and it is our obligation to see to it that this generation fulfills its obligations and duties under this trust.

There is no doubt but that the labor movement will be called upon to "stand up for America," and to support her Constitution, and when we are called upon, let us not answer unprepared.

VOLUNTEER FIRE DEPARTMENTS AND RESCUE SQUADS

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. MARSH. Mr. Speaker, I believe there is substantial interest in this House with respect to the operations of volunteer fire departments and rescue squads.

Many Members represent districts in which these voluntary organizations perform outstanding community service.

While I have no pride of authorship in the language of the bill, I want to note at this time that I have introduced H.R. 1210, which would provide preferential treatment for these organizations in the disposition of surplus Federal property, similar to the preference the Congress has given a number of other organizations. Additionally, I have introduced H.R. 491, which would give these organizations the postal rates available to nonprofit organizations, assuming that, in each case, the nonprofit qualification could be met.

It is needless for me to point out at this time, Mr. Speaker, that volunteer fire departments and volunteer rescue squads perform a needed service without charge on the taxpayer in most situations. The enthusiasm and competence of the members of these organizations are well known, and I believe the Congress should encourage their efforts in any appropriate way.

Representative of the service given by these volunteer organizations is the following statistical report of the Winchester, Va., Rescue Squad:

Winchester Rescue Squad, annual report, 1968

Total calls	2, 279
Total mileage	46, 746
Unit No. 1	3, 988
Unit No. 2	4, 168
Unit No. 3	15, 977
Unit No. 4	2, 842
Average calls per day	6¼
Total man-hours	28, 800
Man-hours per call	12. 6
Average hours per call	2. 1
Total expenses, 1968	$26, 067
Average cost per call	$11. 43
First aid and instructors	20
Persons instructed	144

AIR TRAFFIC CONTROL

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. ASHLEY. Mr. Speaker, I am joining in the introduction of legislation to raise the qualifications and standards of air traffic control personnel. In the interest of a safe national transportation system, it is of critical importance that this Congress move to insure the development of an effective air traffic controller force.

With the passage in 1958 of the Federal Aviation Act, Congress established the Federal Aviation Administration and made it responsible for development of an efficient and safe air traffic control system. FAA recruited its controllers primarily from the military, and for a time this was sufficient, but air transportation growth in the last 4 years and forecasts for the future indicate that air traffic will increase at a greater rate than the present or programed traffic control system can handle. An increasing number of terminal areas are already experiencing unusually long delays in receiving and dispatching aircraft. Nevertheless, in recent years only nominal changes in personnel policy have been brought about, while air traffic control has become much more complex, and during recent months various stopgap measures have been designed to alleviate the current air crisis in which many controllers have logged as many as 86 hours in less than 7 days.

FAA forecasts sharply rising demands for airspace by air carriers and general aviation through 1977. Total aircraft operations at airports with FAA traffic control service will rise from 41 million in fiscal year 1966 to 139 million in fiscal year 1977, an increase of 337 percent. This increased air traffic volume with a greater proportion of larger high performance aircraft will clearly require new approaches to air traffic control.

Mr. Speaker, the proposed legislation would establish educational and training qualifications, age limitations, and physical and proficiency requirements for air traffic controllers. Finally, in order to attract qualified candidates, the bill establishes a salary and retirement program that is commensurate with the responsibility. Air traffic control must be considered a profession and dealt with accordingly.

NATIONAL FFA WEEK

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. MILLER of Ohio. Mr. Speaker, one day last week 81 students of a high school in my district participated in a very worthwhile project. Their activities did not attract sensational news coverage. They came to school that morning each dressed in white shirt, tie, and jacket. Their group presented every teacher with a rose. The organization's officers volunteered to make the morning room announcements. That afternoon they presented an assembly program for the student body. The previous Sunday they attended a local church as a group. They also developed an exhibit of their leadership accomplishments for showing all week in the school's display case.

What was the week and which organization was trying to show what is right with American youth? It was National FFA Week and the members of Fairfield Union FFA chapter in eastern Fairfield County were doing their part to help set the record straight on behalf of the vast majority of their generation. Operating under the theme "FFA, an opportunity for youth" these ambitious members were doing what they could to show that the

FFA provides opportunities for young people in agriculture to learn, to do, to earn, and to serve. The FFA does not produce instant success, however. Rather, it gives members the opportunity to work, to grow, to excel, and thus become outstanding youth leaders for agriculture in America.

This outstanding chapter is just one of many in my district that are doing much to motivate our rural youth. Their success has been recognized at both the State and National levels of FFA. I salute them on the celebration of their week this month.

President Richard M. Nixon spoke of "the tremendous importance of a healthy, strong agriculture for the United States of America" when he addressed the National FFA Convention on the occasion of their 40th anniversary last fall in Kansas City. He went on to say:

> If there is one area in which the American achievement is most remarkable and which too often we do not pay attention to as much as we should, it's in the area of agriculture.

Even as our President is now abroad in pursuit of peace, we can recall his charge to—

> never forget that the production of American agriculture is the major source of America's strength in maintaining our industrial capability, in maintaining our military strength, and in maintaining our position of leadership in the world.

Looking to America's future, he concluded that there is no group—

> that has in its hands more the strength, the power, not only to feed America and clothe America, but to *lead* America than the Future Farmers of America.

I am proud to represent a portion of our country's great agricultural community, to serve on the Agricultural Committee of the House, and to bring to your attention the efforts of an organization that, while not capturing the headlines of the national journal is making a significant contribution to a better America.

YOUTH FARES

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. OLSEN. Mr. Speaker, student writers throughout the Nation continue to express their opposition to Civil Aeronautics Board Examiner Arthur S. Present's decision against continuation of youth fares on our airlines.

I include the following articles in the RECORD at this time:

[From the Harvard Crimson]

Youth Fare Well

There is so little room for life in this world. Even the Civil Aeronautics Board should cherish it, but it doesn't. The CAB is threatening to end the Youth Fare privileges for travellers from ages 12 to 21. The System is trying to squeeze the life from air travel so the great silver birds can fly in peace.

Ending Youth Fare will be first and foremost a blow to mothers and lovers. It will banish caprice from air travel. There will be no more impulsive flights to mothers' cooking or the arms of sweethearts. The airlines will be surrendered to fat executives and government officials with clenched teeth.

The end of Youth Fare will diminish the humanity of airports. Scenes of haggard youths cradling green bills in their hands will forever disappear. At night, the fluorescent light will shine on empty seats.

If the CAB ends Youth Fare, we will all know why it did.

[From Yale University Daily News]

Yale Backs Youth Fare; Demonstration Scheduled

(By Wayne Liebman)

A petition asking the Civil Aeronautics Board (CAB) to retain airline Youth Fares gained more than 2,000 signatures in the Yale dining halls last night.

A group of undergraduates drew up the petition and intends to send it to John Crooker, chairman of the CAB.

The student group has also organized a demonstration to show support for the continuation of Youth Fare. The demonstration will be held in front of the Trailways Bus Terminal on Grove and Whitney Avenue this afternoon at 4:30.

"Youth Fare is absolutely essential for some students at Yale," a spokesman for the group said. "The Trailways suit is designed to make money for Trailways. Trailways is apparently unconcerned about students who are on scholarship or who travel great distances to school.

"These students depend on the half fares. Many of them will be in real financial trouble if this thing goes through," the spokesman said.

Trailways has recently initiated the suit which would abolish half fare plane rides for passengers under 22, claiming such reduced fares are discriminatory.

The student petition says if Youth Fare is discriminatory, then so are all reduced fares for special groups, such as reduced fares for military men, which both the airlines and the bus companies themselves offer.

A form letter, which will be sent either to the CAB or to congressmen, accompanies the petition to students who request it.

Air Fair

The Trailways Bus Company suit to abolish airline Youth Fares is an attempt by the bus industry to recoup alleged profit losses at the expense of the country's youth.

Most hard hit will be college students who must travel great distances to school and who can least afford the prohibitive cost of air travel.

Youth Fare's discontinuation might well prevent some from applying to colleges outside their own states. At the very least the abolition of Youth Fare would limit the mobility of a large segment of the nation's population.

The logic of the suit itself is questionable. If Youth Fare is "discriminatory," then likewise are all reduced fares, such as the airlines' family plans.

Concerned undergraduates should protest the move to abolish Youth Fare by writing to members of Congress, to airlines featuring the plan, and to John Crooker, Chairman of the Civil Aeronautics Board, 1825 Connecticut Ave., Northwest, Washington, D.C.

Youth Fare and You

(By Wayne Liebman)

About a week ago, a story appeared in the NEWS with the heading "Examiner's Report Imperils Air Fares." If you saw it, perhaps you thought this might be affecting you. A sketch of Youth Fares history and the recent actions of Trailways Bus Company might make the effect more clear.

In 1965, American Airlines initiated the Youth Fare plan, whereby anyone under 22 could fly stand-by anywhere in the U.S. for half price. Other major airlines followed suit.

The plan proved extraordinarily successful, and while increasing airline profits, it also gave students the mobility to travel practically anywhere in the country to college. Many, and this probably includes you, have come to depend on Youth Fare as the least expensive, most convenient way to commute to school and back home for vacation.

CLAIMS DISCRIMINATION

Recently Trailways Bus Company filed a petition with the Civil Aeronautics Board which claimed Youth Fare was unnecessarily discriminatory (that is, there was no reason for giving people under 22 plane rides for half price). Trailway's action was prompted by a loss in profits attributed to the Youth Fare program.

A CAB examiner reviewed the situation and recommended to the Board that Youth Fare be discontinued. Had not American petitioned the decision, Youth Fare would have ceased then. Presently, the CAB has one month to rule on whether or not Youth Fare will be allowed to continue.

If you commute to school by air, the stopping of Youth Fare will double your transportation costs, starting perhaps as soon as spring vacation. For those students who live at distances of 1,000 miles or more, and who return home for Christmas and spring vacation, increases in fares will come to several hundreds of dollars a year.

There are few students at Yale who will not be affected by the abolition of Youth Fare. Those who are on scholarship will find it especially hard to meet the increased costs.

REQUIRES PROTEST

The CAB has sole jurisdiction with regard to air fares. There is no way to influence its decision other than by direct protest. The Board can be influenced by public opinion, if protest comes in large enough numbers.

We can do something to influence the CAB decision in our favor if enough of us will take a few minutes to write a letter to any of the following urging the continuation of Youth Fare:

1. All major airlines who feature the plan. All of them have national offices in New York and addresses can be found by calling information.
2. Your own congressman, or any other high level government official who might be concerned, eg. Sen. Ted Kennedy.
3. Mr. John Crooker, Chairman, Civil Aeronautics Board, 1825 Connecticut Ave. Northwest, Washington, D.C.

If you are concerned, please write *now*. The CAB will probably act one way or the other before spring vacation.

[From the University of Minnesota Daily]

Unfriendly Skies

Arthur S. Present's request on Tuesday that youth stand-by air fares be eliminated on the grounds of discrimination is unreasonable. Present, a Civil Aeronautics Board hearing examiner, is apparently concerned either that existence of youth fares discriminates in favor of some airlines, or that the practice discriminates only on the basis of age, and is in some sense unfair to other passengers.

Those airlines which do not presently offer youth stand-by would not be helped substantially if other airlines were required to eliminate it.

The mobs at the stand-by counter of Chicago's O'Hare airport are more than sufficient evidence that young people want to fly; eliminating stand-by service would probably mean they would not travel at all, since trains and buses usually demand so much time that students, at least would find them impractical no matter how low their fares.

Nearly all methods of public transportation offer special fares, depending on a traveler's age, destination, or time before return.

To do away with youth stand-by air fare would severely handicap young people who want—and sometimes need—to travel quickly and inexpensively; present fare schedules seem adequate, and elimination of stand-by would not make it easier for anyone else to travel. Present admitted that stand-by fares are neither unjust nor unreasonable. We wonder why he bothered to suggest their elimination at all.

Youth Fare May End Unless Petition Filed

Youth stand-by and young adult airline fares offered by 24 airlines may be eliminated on the grounds of discrimination by the Civil Aeronautics Board (CAB), if airline officials don't petition for a reviewal of the decision.

Under youth fare persons between 12 and 22 can fly for half fare if seats are available. Young adult fare allows seats to be reserved at one-third the regular price.

Military standbys would not be affected.

"On Jan. 21 I issued a decision which held that youth fares and young adult fares are discriminatory . . . but not unjust or unreasonable," Arthur S. Pressent, CAB hearing examiner, said yesterday in a phone interview from Washington, D.C.

Pressent said, however, that the parties involved, including airlines, bus systems, travel agents, and even the economic board of the CAB, have 25 days from Jan. 21 to file a petition for review of the decision. Also, the CAB can act within 30 days and either pass, overrule, or decide to review the decision, Pressent said. If no action is taken, the youth fares will be cancelled.

"My own opinion is that someone (other than the CAB) will file a petition," he added. "But I can't speak for the board."

Representatives of several airlines in the Twin Cities were also contacted yesterday. Some of them had not heard of the CAB's action.

Gordon Hudson, district manager at Western Air Lines, said, "I haven't heard any reports other than what I read in the paper. I don't know what the outcome will be, but I don't think the airlines want the elimination of youth fares."

"I'm positive that some of the larger carriers will petition for review," Dave Moran, vice president of traffic sales at North Central Airlines, stated.

Moran explained that a hearing was begun on the issue of discriminatory youth and young adult fares Aug. 23. The entire issue was prompted by bus companies, who are affected by increased air travel, and consequently decreased use of buses.

"There will be a decision," Moran said, "but it will probably be months before anything is certain."

[From Duke University Chronicle]

Fly Now

The Civil Aeronautics Board Examiner Arthur S. Pressent has asked the board to eliminate youth fares on air lines because the practice to him seems to be discriminatory to adult passengers.

Although this decision in no way is as important as the events happening on campus, students should now try to exert some type of unified reaction as a pressure group with practical interests of its own.

No one can be happy about such a decision, least of all the airlines who for the past couple of years have been "hooking" students into the habit of flying from place to place. And we wonder how many adults have actually complained to Mr. Pressent about this practice.

Of course students have no right to these benefits, but the situation until now seemed to be satisfactory to all concerned. Maybe they are just doing this to punish us for making so much noise on all these campuses?

[From New Mexico University Lobo]

Youth Fares

Unless the Civil Aeronautics Board (CAB) decides to review a proposal concerning the abolition of airline youth fares, the proposal will become effective in less than 30 days.

The proponents of the anti-youth fare case, and National Trailways Bus System and Transcontinental Bus System Inc., describe the present fares as "unjustly discriminating" against over-21 passengers.

Any opinions on the revision of the student discounts can be aired by writing to the Civil Aeronautics Board, 1825 Connecticut Ave., NW., Washington, D.C., 20009.

Half-Fare Travel Is in Trouble

Travel at half-fare for students has become so commonplace that for many it is now taken for granted. It is about to be taken away.

Civil Aeronautics Board Examiner Arthur S. Present has released a decision calling for elimination of airline youth fare, calling it "discriminatory to adult, full-fare passengers." If the full, five-member board upholds the ruling, youth fares will be abolished within 30 days.

Youth fares have been a source of cheap—if not always easy or convenient—transport for college students since their inception three years ago. Present charges that the measure discriminates against passengers over 22 years of age. The people who filed the complaint with the CAB, however, are not adult air passengers who feel discriminated against. The plaintiff to whom Present is responding is a representative of the nation's bus companies, whose fares in many cases exceed half-price plane fares to many points.

Not many adult passengers are willing to put up with the discrimination against half-fare passengers—there is no guarantee of a seat or of transportation, and interminable delays await the youth-fare traveler. Additionally, half-fare rates provide transportation services to military men, in many cases enabling trips home over long distances that would not otherwise be possible because of the long hours required for bus travel.

Of course the youth fares discriminate in a way against adult travelers. However, discrimination for cause of age is neither against the law nor uncommon in the United States. Those under 21 in most states cannot vote, and those under 62 cannot receive Social Security retirement benefits. One must be 25 to serve in the House of Representatives, 30 to be a Senator, and 35 to be President of the United States.

The important role of the bus companies in the CAB's decision (they filed a suit to force the CAB to hear their complaint) makes it all the more important to ask the question, how can filling otherwise empty seats with young persons at a reduced rate discriminate against adult passengers unduly? It is only the bus companies that are discriminated against.

Students are not without recourse in this affair. Both the CAB and this district's New Mexico Congressman, Manuel Lujan, should be informed by letter or telegram of student opposition to elimination of half-fare rates.

But time may be running out. Write to them before you have to spend your next vacation on a bus.

[From Northern Illinois University Northern Star]

Students Won't Fare If Youth Fare Goes

Start burning your youth fare cards, gang. You student airline passengers probably have heard the bad news that the Civil Aeronautics Board Examiner Arthur S. Present has issued a decision calling for elimination of the airline youth fare because he judges it discriminatory to adult, full-fare passengers.

How does a young person flying half fare on a seat that would otherwise go empty discriminate against regular passengers? He doesn't. And if that's discriminatory, then so would be those discounts that allow parents to drag the little ones on your flight.

One of the airlines that doesn't think too much of students is United Air Lines who testified before the CAB against the retention of youth fares. A United PR man, Mr. Northrup, tried to explain this warped view over the phone the other day.

"Well, you see, youth fares are hard to administer," he stated weakly. "Besides, these students will fly in any event."

Oh yeh? Try telling a student with a limited budget who receives his money from a part-time job that he'll still fly to New York for 60 more dollars.

"Well, if you get right down to it, if they have to fly, they'll pay our fare."

Maybe, but I'll bet it won't be the United way.

United's arch rival American Airlines—who were the first to initiate the youth fare—is "vigorously pursuing" retention of the fare which has catered to 5.8 million students.

American's spokesman, A. W. Jackson said by phone that his carrier will "maintain the youth fare as long as possible."

"Our people are trying to convince the CAB how wrong the ruling is, I cannot see how they can say this is discriminatory. We make no bones about it. We're going to fight this thing."

But time is running out. If the CAB does not review this case by Feb. 21, the new rule will go into effect. So here's what we as students can do to help:

Contact the Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C., 20009 and voice your protest against this unfair decision. If you don't have enough time to write your opinion, call Western Union and send a wire. For 90 cents you can send an opinion telegram of 15 words anywhere in the U.S. to your congressman (in this case, Charlotte Reid).

There are legislators like Rep. Arnold Olsen (D-Mont.) who are fighting for our cause. The elimination of youth fares, he said, "would encourage thousands of young people to resume the illegal and dangerous practice of hitchhiking or to attempt long, exhausting automobile trips, frequently in unsafe vehicles."

By the way, do you know who started all this trouble? It was those damn bus companies.

ESTONIA STILL A CAPTIVE NATION

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. FRIEDEL. Mr. Speaker, notwithstanding the fact that Estonia and its brave people are still a captive nation behind the Iron Curtain, we take full cognizance that more than a half century ago the people of that great country threw off the aggression of czarist Russia and proclaimed themselves as an independent nation. We also remember and shall never forget that in 1939, Stalin and Hitler signed an agreement to the effect that the U.S.S.R. was to annex the three Baltic nations of

Estonia, Latvia, Lithuania and forcibly incorporate them into the Soviet Union.

As a result of that agreement between the Nazi and the Communists, Soviet troops on June 17, 1940, invaded Estonia and destroyed that unfortunate land's freedom with utter disregard for human life, mass deportations, murders, rapes, beatings, and every type of vicious indignities followed. To these people who loved freedom, the ruthless acts of the Soviets and Nazis brought death and terror.

Although the Estonian nation was able to enjoy the fruits of its independence for only a very short time, the memory of such freedom is precious to them and their fellow countrymen and descendents everywhere. It is to the glory and credit of Estonia that both national and religious minorities were accorded every opportunity to develop their own respective national cultures and religious heritage unhampered by the majority during the entire period of Estonian independence.

The duplicity of the Soviet Government is apparent from the fact that at one time the Reds had actually signed treaties of nonaggression with Estonia and other Baltic nations and then had the temerity to invade the very countries whose integrity the U.S.S.R. had solemnly promised to respect.

By taking note of the day that the independence of the Republic of Estonia was proclaimed we call attention to the world of the willingness and the determination of the U.S. Congress to give our moral support to the rightful aspirations of the brave people of Estonia. May she be free in the not too distant future.

JOSEPH V. FERRINO ELECTED NATIONAL COMMANDER OF AMVETS

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, the American Veterans of World War II have recently elected an outstanding man to be their national commander. Joseph V. Ferrino is an attorney from Boston and a very active citizen of the Commonwealth of Massachusetts. A man with a warm heart and a social conscience, Commander Ferrino will lead the AMVETS in this time of extreme urgency in the placing of veterans from the Vietnamese war in jobs, homes, and communities. Commander Ferrino has been active in the AMVETS for many years, and I am confident that he will lead that excellent organization into a new era of social participation and concern as the brave soldiers from Vietnam come home.

Mr. Speaker, I think that all my colleagues in the House will be interested in these two articles I have submitted from the American Veterans of World War II newspaper, AMVETS, of November 1968:

COMMANDER FERRINO OFFERS CHALLENGE TO AMVET MEMBERS

"AMVETS must assume their share of the responsibility in the reestablishment in their communities of the returning Vietnam veteran, the enforcement of law and order, the fight against poverty, and above all, the safeguarding and continuance of our American ideals. I mandate each of you delegates, first as an American, and secondly as an AMVET, to accept the challenge of these problems in this Year of 1968–69."

With these words, Joseph V. Ferrino, a Boston attorney, became the 23rd National Commander of AMVETS at its National Convention in New Orleans. Commander Ferrino was elected by acclamation, and he assumed the leadership on October 1, following a week of briefings with Commander Caserta and National Executive Director Ralph Hall, and prior to meetings on October 4 and 5 of the National Finance Committee and the National Service Foundation.

Commander Ferrino has long been involved in veteran and community affairs, including membership on the executive board of the Boston Council of the Boy Scouts of America.

In 1967, he was awarded the Italian government's highest award to a non-Italian citizen, the Star of Solidarity.

Ferrino has served the AMVETS on department and national levels for 20 years and in 1962 was elected Commander of the Department of Massachusetts. In 1963 he served one year as National First District Commander and as National Judge Advocate in 1964. During 1968 he was appointed to the National Commander's Advisory Council, the Foreign Relations Committee and a delegate to the World Veterans Federation.

A graduate of Boston English High School in 1944, Ferrino served in the U.S. Maritime Service and U.S. Navy during World War II.

He was graduated from the University of Alabama in 1950 and received his law degree from Boston University in 1953. He presently maintains a law firm in Boston under the name of LaMonica & Ferrino.

"1944–1969"—25 YEARS

(By Joseph V. Ferrino, National Commander)

The year 1969 will be a landmark in the history of our great organization. It marks the 25th Anniversary of its founding. It must also be a year of reassessment.

The past is behind us, the future is our challenge. We now have the opportunity to surge forward in 1969 by doing the following:

(a) Early renewal returns.

(b) Follow-up invitations by personal contact to our new Vietnam members.

(c) Participation in the newly established membership incentive programs.

(d) Participation in all National and State programs, i.e., "D.E.", Americanism, hospital work, etc.

(e) Project the AMVETS organization into areas where we presently do not have Posts, by assisting in their establishment.

(f) Concentrate on the idea that every member should bring in a new member as a bare minimum requirement in membership activity.

The challenge of the future is great, we are living in a critical period in the history of our country.

We, as AMVETS, along with other veteran groups must lead the fight because we know and appreciate the heritage of our nation. To protect this heritage, the erosion of our Constitution must stop.

We must reinstate law and justice for all.

Our institutions and legislation must reflect and be responsive to the will and voice of the majority.

We must rebuild national pride in our Flag, our National Anthem, and our nation.

We must restore the family concept of respect for parental authority, as well as to teachers, clergymen, policemen and other public officials.

We must improve our image abroad by stamping out permissive anarchy and restore personal and political morality.

A strong AMVETS organization can help defend the nation against the destruction of the basic principles on which our country was founded.

The Constitution must be preserved against the rabble of sedition and the flames of anarchy that are threatening our communities and country. Your active participation in our programs and the strengthening of our membership is your insurance that AMVETS is doing its part to assure us that our way of life will be preserved and nurtured.

NEW YORK SEEKS TO COUNTER RACIAL TENSION

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. FARBSTEIN. Mr. Speaker, New York City has a great many problems. While most of them are not unique to the city, many find their most extreme expression in the complex context of New York life. One such problem is racial tension. In the last year, this has manifested itself in New York in an uneasiness between the black and Jewish citizens, born of changing conditions and a lack of full understanding and communications.

Recently, a group of 20 religious and civil rights organizations led by Arthur J. Goldberg, former Supreme Court Justice and United Nations Ambassador and now in private law practice in New York, announced a five-point program aimed at deescalating racial tension in the city and preventing future racial crises.

Participating groups include the American Jewish Committee of which Mr. Goldberg is president, the Urban League, the American Jewish Congress, the National Association for the Advancement of Colored People, the Archdiocese of New York and a number of other local religious agencies.

The program includes: First, the establishment of a "hot line" between the sponsoring agencies, eventually including the city administration, to insure quick communication and to squash false rumors; second, requesting both government and private foundations to end grants to any organization proved to be involved in promulgating bigotry; third, urging the press to balance reports of extremist statements with comments by people of "more influence and standing"; fourth, calling on city agencies, including the board of education to establish guidelines penalizing employees found to be fomenting racial bigotry; and, fifth, urging "publicly funded" institutions to check with any of the participating agencies before publishing materials which "in innocence or because of insensitivity" can have "disastrous effects."

No doubt, this kind of undertaking will, by itself, not be able to solve this problem. But, as one of hopefully many undertakings by public officials, civic organizations and common citizens, it can have significant impact.

The problem of race tension is a problem of people, and once people begin to face up to the problem they have the capacity to solve it. While I do not agree with all the recommendations made, I think it is a commendable program.

Under unanimous consent, I include two newspaper articles on this program as well as an analysis of the underlying causes of the problem of racial tension between blacks and Jews in New York City:

[From the Washington Post, Feb. 11, 1969]

New York Groups Act To Ease Racial Tension

(By Leroy F. Aarons)

New York, February 10.—A group of 20 religious and civil rights organizations proposed a five-point program today aimed at de-escalating racial tension in the city and preventing similar crises in the future.

Announced at a press conference by Arthur J. Goldberg, former Supreme Court Justice and United Nations Ambassador, and by a representative of Roy Wilkins, executive director of the NAACP, the campaign was clearly an effort to bring moderate voices to bear against the almost runaway hysteria here over black anti-Semitism and racial bias.

In addition to the NAACP, the participating groups included the American Jewish Committee of which Goldberg is president, the Urban League, the American Jewish Congress, the Archdiocese of New York, and a number of other local religious agencies. They proposed:

Establishing a "hot line" between the sponsoring agencies, eventually including the city administration, to insure quick communication and to quash false rumors.

Requesting both government and private foundations to end grants to any organization proved to be involved in promulgating bigotry.

Urging the press to balance reports of extremist statements with comments by people of "more influence and standing."

Urging "publicly funded" institutions to check with any of the participating agencies before publishing materials which "in innocence or because of insensitivity" can have "disastrous effects." This refers to the now-celebrated catalogue of the "Harlem on My Mind" exhibit at the Metropolitan Museum of Art that included a school girl's essay generally considered defamatory toward Jews and other ethnic groups.

In addition, the group asked that a special panel be established by the Mayor to head off racially tinged disputes before they escalate out of all proportion.

"The problem of race hatred is not a white problem, a black problem, a Jewish problem or a Christian problem," said Goldberg. "It is an American problem . . . being an American problem it requires an American solution. We must not allow extremists to capture the scene. Americans of good will must gather together in a sober, responsible way . . . This appeal is an appeal for moderation."

Asked about the free speech issue, Goldberg said "a teacher cannot be a teacher who teaches racial hatred. To preach hatred is a form of engaging in the worst type of fighting words. This is not at all protected by the Constitution . . . Too many fighting words are being uttered by nations and people these days."

[From the New York Times, Feb. 11, 1969]

"Hot Line" To Link Antibias Groups—Agencies Hope To Thwart Tension by Fast Action

(By Irving Spiegel)

A "hot-line" telephone network will be established here linking several human relations agencies to assure "prompt communication and joint action on community problems," particularly between the Negro and Jewish communities, it was announced yesterday.

The project was described at a news conference at the headquarters of the American Jewish Committee, 165 East 56th Street, by Arthur J. Goldberg, president of the agency, and John Morsell, executive assistant director of the National Association for the Advancement of Colored People.

Roy Wilkins, executive director of the N.A.A.C.P., was scheduled to appear but was unable to because of the weather.

Mr. Goldberg and Mr. Morsell announced that a campaign to end "escalating bigotry in New York City and the nation" had been urged by 20 Negro, Jewish, Protestant and Roman Catholic leaders active in the human rights field.

EXPLAINS "HOT LINE"

A statement signed by the leaders sharply criticized those who "seek to set black and white, Christian and Jew, against each other in order to divide our nation."

In explaining the "hot line," Mr. Goldberg said telephones would be established soon to be utilized at a moment's notice to thwart any rising racial tensions.

Mr. Goldberg said that ultimately the phone line would involve the Mayor's office, the City Commission on Human Rights and any "other pertinent city offices" dealing with racial tensions.

The leaders' statement said:

"We who are black reaffirm our commitment to the attainment of full and equal rights through the democratic process for America's 22 million Negroes."

It also pledged the efforts of Jews "in the struggle for democracy and opportunity" and declared that "we repudiate the ill-conceived views of those who would use the rantings of a few black bigots as an excuse for Jewish withdrawal from that struggle."

"We who are white Catholics and Protestants," the statement said, "condemn both white racism and anti-Semitism as an affront to the Creator who fashioned men in His image. We will oppose any efforts to substitute punishment and repression for the quality education, full employment and decent housing that every American has a right to expect."

SIGNERS OF STATEMENT

Signers of the statement, in addition to Mr. Wilkins and Mr. Goldberg, are the following:

The Rev. J. Edward Carothers, associate general secretary, Board of Missions of the United Methodist Church.

The Rev. Edward Flannery, executive secretary, American Bishops Secretariat for Catholic-Jewish Relations, Seton Hall University.

Rabbi Gilbert Klapperman, president of the New York Board of Rabbis.

Arthur J. Levine, president of the Jewish Community Relations Council of New York.

The Right Rev. Richard B. Martin, Suffragan Bishop of the Episcopal Diocese of Long Island.

Dr. Lewis Maddocks, executive director of the Council for Christian Social Action of the United Church of Christ.

Will Maslow, executive director of the American Jewish Congress.

The Right Rev. Gregory L. Mooney apostolate of human relations of the Catholic Archdiocese of New York.

Msgr. John Oesterreicher, director of the Institute of Judaeo-Christian Studies at Seton Hall University.

Bayard Rustin, executive director of the A. Philip Randolph Institute.

Dore Schary, national chairman of the Anti-Defamation League of B'nai B'rith.

Rabbi Henry Siegman, executive vice president of the Synagogue Council of America.

Albert Vorspan, director of the Commission on Social Action of Reform Judaism of the Union of American Hebrew Congregations.

Mrs. Leonard Wiener, president of the National Council of Jewish Women.

Arthur Wright, executive director of the Catholic Interracial Council.

Charles S. Zimmerman, president of the Jewish Labor Committee.

Whitney M. Young, Jr., executive director of the National Urban League.

[From the JTA Community News Reporter, Feb. 7, 1969]

"Unrealistic Expectations" Cited as Factor in Negro-Jewish Conflict

New York.—The "exceedingly high and unrealistic expectations" which Jews and Negroes have toward each other, stemming from their "common minority group status," have been cited by a Jewish expert on community relations as a significant factor in the growing conflict between the two groups.

Accordingly, in the view of Jerry Hochbaum, community consultant to the National Community Relations Advisory Council, efforts to reduce the level of rapidly expanding Jewish-Negro tensions must include progress aimed at diminishing such expectations by making it clear what each group may and may not reasonably expect from one another. Mr. Hochbaum outlined his views in a recent issue of Jewish Life, the publication of the Union of Orthodox Jewish Congregations of America.

The analyst, in tracing the background of Negro-Jewish relations in this country, noted that Negro anti-Semitism had roots both in Christian theology and in the frustrations of deprived and oppressed ghetto dwellers for which the white man is considered responsible and with the Jew as a handy target for generalized anti-white hatred. One reason, historically, has been the presence of the Jewish merchant and landlord in the inner city slums.

But, he added, there are "uniquely Jewish and Negro components which sharpen and exacerbate these tensions," particularly the expectations each group has toward the other. He pointed out that Jews are often prone, as are other ethnic groups, "to demand that the Negro pull himself up by his bootstraps, as they did," ignoring the fact that the Jewish experience in America and the Jewish historical and socio-cultural experience has been vastly different from that of the Negro. In the same way, he added, the Negro expects "and demands greater morality" from the Jew, because the Jew also is a member of a minority group and was also once "a slave unto Pharaoh in Egypt." This expectation, the consultant added, failed to understand the fact that the Jew "has achieved a middle-class standing in American society." In that status, the Jew "incorporates for better or worse many of the traits of American middle-class mentality. Even Jewish attempts to call Jewish conscience and morality to bear on the racial crisis have largely foundered because of the elementary sociological fact that commitment to a group's moral norms become attenuated as a result of that group's socioeconomic position, interests and experience."

EACH GROUP HOLDS OTHER RESPONSIBLE FOR BEHAVIOR OF MEMBERS

One paradoxical consequence, he added, was that Negroes and Jews, victims as minority group members, "utilize the same cultural devices applied to them by the dominant groups in our society—making demands of each other that we do not make of the rest of the population and holding the group responsible for the behavior of its individual members."

Thus Negroes hold Jews to a higher standard of behavior because they are Jews, and when the anticipated response from Jews fails to materialize, the Negroes are angry and disillusioned. "Even when reasonable responses are forthcoming, they are unlikely to satisfy Negro demands entirely because emotionally saturated and unrealistically high expectations are generically not capable of fulfillment." Moreover, the Negro, who has long been a victim of stereotyping by the white community, "resorts to similar types of generalizations about Jews."

In parallel fashion, Jews are prone to hold all Negroes responsible for the "anti-Semitism and demagoguery of a small minority of Negro extremists." In the light of the Jew's long commitment and staunch support for the Negro's struggle for equality, Jews also expect more from the Negro "than a kick in the teeth." In summary, the differences in the status of Negroes and Jews as minority groups, "and the unrealistic expectations and ambivalence this generates, adds new fuel to the already dangerous conflagration."

He suggested that short-range Jewish communal efforts should include help to Jewish owners of small enterprises in the black ghettoes to leave if they want to leave but also resistance to efforts by black militants to force them to leave, as well as aid in creation of programs involving Jewish slum landlords and merchants. Such programs should be aimed at minimizing the presumed abuses by such Jews of Negroes and at helping them to "relate to the ghetto community" through projects to improve the quality of ghetto life. The long range solution—"if there is any"—is to enlarge and expand Negro access to equal opportunity and achievement and thus eliminate the basic conditions which lead to "violence, upheaval and social dislocation."

WHITE BACKLASH HELD MINIMAL AMONG U.S. JEWS—AID POTENTIAL LARGE

Despite his view that American Jews have acquired many middle-class disabilities, the community relations expert said that the white backlash was minimal among Jews as an element of the dominant white society. He asserted that the Jewish community "continues to have a substantial and impressive potential, even if it is presently somewhat torpid, to respond to the racial and urban crisis." As one step, he said, Jewish communal leadership must educate American Jews on the desperate plight of the ghetto dweller and on the need for their support for massive action to provide full equality for the dispossessed.

But it is equally important, he emphasized, that Negro and Jewish groups act by all available means to de-escalate "their exceedingly high and unrealistic expectations toward each other. Negro and Jewish groups must learn to truly become cognizant of what each are, as minority groups and in relation to one another, what they have in common as well as their relevant differences." He added a warning that programs directed to such specific Negro and Jewish elements in the tensions between the two groups, "while less global in scope" than what is required of Jews as part of the dominant white group to meet the needs of the poor, "may be as difficult to achieve as some of the broader social engineering" needed to bring about true equality for the downtrodden.

THE MEDICAL ASSISTANT

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. ROSENTHAL. Mr. Speaker, American medicine at its best is the finest in the world; at the average, which is where most of us met it, American medicine leaves much to be desired; at its worse, we do quite badly in providing for those in our society too poor or too remote or otherwise unable to learn the intricacies of our "every-man-for-himself" medical delivery system.

We can learn from other countries in medical care as much as we can teach them. One area where we are seriously deficient is in the use of physician assistants to make our too few doctors more productive. Other countries know more about how to train and use these subdoctorate professionals.

Dr. Edwin F. Rosinski, former Deputy Assistant Secretary of HEW and an expert on medical education, reviewed the use of such assistants in a speech in Lima, Peru, entitled "The Medical Assistant." His talk follows:

The Medical Assistant

(By Dr. Edwin F. Rosinski, Ed.D., professor and head, Department of Health Education Research, University of Connecticut Health Center)

In recent years every published health manpower report, in almost every country, unequivocally states that there is a health manpower shortage and that the shortage will increase. Cries of desperation are heard from every quarter, but in reality few innovative efforts are being undertaken to remedy the situation.

The reasons for a less active and constructive approach are complicated and interwoven with a host of personal, political, social, economic, and professional factors. It is far easier to verbalize on what needs to be done than it is to exert the energy to make innovative health manpower programs a reality.

While disagreement as to possible solutions exists, there is a consensus as to the strategy that must be taken so that the health manpower problem is addressed critically and answered effectively. That strategy embodies the following:

(1) The system, or systems of health care must first be defined.

(2) As the system (systems) is defined, the health personnel who can best deliver all or part of the health care within the system must be identified. If personnel are required, but not yet in existence, then they will have to be created.

(3) The health personnel identified must be educated in an effective and efficient manner; educated as a team so that the health team concept of patient care can become a reality.

(4) The effectiveness of these health personnel in the delivery of health care must be assessed continuously.

There is almost universal agreement to this strategy and under ideal conditions, it would be a logical, sound, and productive approach. It is the course that every country must eventually follow, for only in such a systematic and comprehensive approach can the health manpower crisis be effectively, and ultimately permanently, remedied.

But while such a comprehensive attack is being made the health manpower crisis continues and worsens. Consequently, varied answers must be sought; answers with immediacy and relevance; answers that can provide for the health needs of society.

In the past three or four years one such possible approach has received wide attention—the development and creation of a new type of health worker, who in the health manpower pyramid, is below the university graduated physician, but above the registered nurse. The creation of this new type of health worker is based on the now documented assumption that many of a physician's duties can be more effectively and efficiently assumed by a lesser trained health worker. The argument follows that if a physician could be relieved of some of his less-demanding tasks he could provide better health care to a larger segment of the population. Furthermore, in combination, the M.D. and the newly created "assistant" could provide even greater and more effective care to a larger segment of society.

While the "assistant" concept has received considerable attention in recent years, six or seven years ago it was still an alien notion in the United States. However, within the United States Agency for International Development the health leadership group was aware that a number of countries were using "assistants" to aid in the delivery of health care. These "assistants" received little public attention for their use was controversial, and any kind of publicity that implied endorsement of their use generated an emotional response from the medical profession.

A.I.D. was aware that physician assistants might have merit but approached the matter with understandable caution. A.I.D. decided first to undertake an objective study of the education and use of these "assistants." If the study gave evidence that such "assistants" could be used effectively, and if leaders in the health professions were willing to test further the use of "assistants," then the A.I.D. study could serve as a model in the development of programs to train and use "assistants." It was obvious to A.I.D. that such a model would also have implications for the United States where at that time the health manpower shortage was reaching a crisis stage.

The entire A.I.D. study is reported in a book published by the University of North Carolina Press, titled the *Assistant Medical Officer: The Training of the Medical Auxiliary in Developing Countries*. The countries visited, the type of "assistant" studied, the reasons for studying that particular type, the design of the study, results, and a host of other data are reported.

That study was followed by an additional critical examination of countries that once used such "assistants" but phased them out of their medical service. Combining the data from the two studies resulted in the submission to A.I.D. of a final report of summary observations and conclusions on the use of "assistants."

The following observations are the gist of the report submitted to A.I.D. The phrase "physician assistant" is used here, for it appears the least innocuous of the many controversial titles used throughout the world. The following observations appear to have particular relevance to the theme of this conference, and as we discuss and consider the use of physician assistants they should always be in the forefront of our discussions.

While the function of the physician assistant remains indefinite and flexible, opposition to him as a sub-quality medical practitioner has diminished recently. This can be attributed to the problem of physician maldistribution that still exists in almost all countries. Regardless of the increase in physician-population ratio, qualified M.D.'s are reluctant to serve in rural areas. Therefore, medical services must be provided through other sources. The physician assistant, or a near equivalent, working with, or under the supervision of an M.D., appears a suitable answer.

However, some opposition to the assistant will persist at the local, national, and international levels. Several trends emerge in the reasoning behind the opposition. The trends are significant and must be considered as the continued use and evolution of the assistant depends on the merit of the opposition.

(1) The reason most often heard is that the assistant is a "second-class" doctor. ("Cheap," "watered-down," and "poor" are other adjectives used to describe him.) This second-class status is justified by the condensed medical curriculum, compacted by a faculty who frequently teach medical students, that is often received by the assistants. The education of the physician assistant then is regarded by the faculty as an added burden to an already heavy teaching and patient load.

(2) Another argument is that the assistant assumes the responsibilities of a physician once he is in "practice." This argument especially is damning when it can be supported that the assistant is trained only to offer a patient minimal clinical assistance.

(3) Because the assistant must be supervised by a qualified M.D. to insure he does not assume the responsibility of an M.D. and that his performance as an assistant is acceptable, additional qualified M.D.'s are needed. Furthermore, adequate supervision would require the services of M.D.'s who otherwise could be used more effectively in providing direct patient care.

(4) As the distinction between the assistant and the qualified M.D. becomes less evident to the public, medical standards deteriorate. This argument is based on the belief that the assistant—lacking supervision, and assuming more of the responsibilities of a physician, and without the commensurate education of the M.D.—offers second-class patient care. While the assistant might be able to make judgements on symptoms, often he does not know what he is prescribing nor the theory of the disease and its treatment. The "poor" quality of medicine offered by the assistant is regarded as the norm offered by the medical profession.

(5) By continuing the training of assistants, a community or country will content itself with existing medical services and not exert effort to improve the quality or quantity of medical education. As soon as assistants are considered to be "doctors" by the public, the public will be content with the services supplied by the assistants, and no grass-roots moves will be made to improve medical services. It is argued that the public will become complacent.

(6) All past efforts have failed to insure that assistants focus on what many consider their major contributing role—public health. If the assistant is to be a contributing member of a health team, it is thought he should devote his attention to public health, a problem an individual with his training could handle adequately. But as soon as the assistant is placed in a rural area, where he is little supervised, he quickly turns from preventive to curative medicine. As soon as he practices curative medicine he begins to justify all of the arguments already cited.

(7) Many assistants are not content with their status. As they assume more of a physician's responsibilities, they want commensurate status. Obviously this cannot be granted as it would lower the prestige of the qualified M.D.'s.

(8) As the assistants become discontented, many want to be upgraded either by edict or additional education. Opposition to upgrading is vehement in some circles as it equates a university "educated" physician (M.D.) with a "trained" technician (assistant). Upgrading by additional schooling creates problems, for where it is now permitted usually the assistant enters a medical school curriculum during its clinical years without undergoing study of the basic medical sciences or having satisfied the rigorous entrance requirements demanded of medical students.

These are some of the reasons for opposing the creation continuance of physician assistants. In spite of these arguments, there is agreement that the assistant does fill the need of front-line medical care. Furthermore, until countries develop an adequate number of physicians to serve *all* the health needs of *all* segments of society, a level of health worker such as a physician assistant will be necessary.

Most of the arguments can be countered and corrected with a well-planned program for the training and utilization of the auxiliary. The following is a possible solution to the problems just posed.

First and foremost the duties of the physician assistant must be clearly defined. If he is to be a pediatric assistant, then those responsibilities which can be safely delegated to him by the pediatrician must be spelled out. If he or she is to be an assistant in maternal and child health, again appropriate functions must be described. If he is to be a "generalist" then obviously the task of delineating responsibilities will be more difficult, but even more essential. Admittedly the task of job analysis and job assignment is difficult, but then it must be accomplished so that the educational program can be designed and specific and appropriate educational experiences be formulated.

The need for job analysis and job assignment is of crucial importance. The problems that have arisen through the use of assistants can be attributed to the lack of defined roles. Responsibilities and tasks were assigned to the assistant—by default or design—to the point where through cumulative assignments it often became difficult to distinguish between a physician and his assistant. Because job descriptions have been practically non-existent, well-defined educational programs for training assistants have similarly been lacking. It is futile to talk about the development of educational programs for physician assistants without first determining what it is the assistant can or should do, or better still, determining what functions of the physician can safely be delegated.

Once the role is decided, next the objectives of the educational program for the auxiliary must be defined precisely. These objectives must be distinctly different from those of a university-educated M.D.

Conflicts on the use of the assistant often arise because of the similarity between the educational programs of the M.D. and the assistant. If the educational objectives are explicitly stated then it can be seen whether the assistant's educational program is different from that of the M.D., and faculty teaching plans can be supervised to see if they are distinctly different from those used to educate M.D.'s.

The lack of well-defined objectives appears to cause much of the opposition to the physician assistant. Were educational objectives spelled out, (1) the limits of the educational program would be established, (2) the faculty would have to confine their teaching within those limits, and (3) school administrators and health officials could determine whether the program has been limited to the objectives. This should result in an assistant whose education has fitted him for a limited responsibility. It is when objectives are not cited that faculty, especially those teaching clinical subjects, become reluctant to develop teaching plans for their daily program. What compounds the problem is that they often assume that a general clinical education will suffice, and that general clinical education invariably resembles a condensed version of their own university medical education.

While establishing objectives seems an obvious first step, it is their absence that causes the difficulties arising from having an auxiliary such as the physician assistant. It is obvious that the objectives of an assistant's education must be markedly dissimilar to those for the education of an M.D.

It is also true that limiting the educational activities will give further assurance that upon graduation the assistant will have been exposed only to those experiences essential to carrying out his assigned duties.

Limiting the program should have the further desirable effect of appreciably shortening the time spent in school. The student can graduate sooner and become a practitioner. It is foolish to design an educational program of even nearly similar duration to that of an M.D. If this occurs it defeats the value of having physician assistants, health workers who can be trained in the shortest possible time to perform a prescribed role safely. In addition, by narrowly defining the program greater emphasis can be placed on some of the new technics of pedagogy such as programmed texts, self-study films, and audiotapes. The use of these devices should free the faculty from didactic teaching to work with students individually.

In summary, arguments against the use of a physician assistant can be combatted if (1) the role of the assistant is determined first, (2) the objectives of the training program are clearly delineated, (3) the objectives are obviously dissimilar to those for an M.D. program, (4) the faculty outlines its teaching program to conform to those objectives, and (5) all the learning experiences are confined to the achievement of the stated objectives.

Adhering to those five points is no guarantee that the practicing physician assistant will not exceed his professional competence. There will be those who by default (no one else around to provide medical care) will assume greater and greater responsibility for patient care. Activity of assistants cannot be strictly limited by these five points. As limitations are placed in the educational program, so must consideration be given to other roles the assistant may come to play.

There are several ways in which the role of the assistant may be altered.

1. Physician assistants now in service might be upgraded and, with further education, become physicians.

2. The role of the assistant may be downgraded and occupy a subsidiary position in the delivery of health care.

3. The assistant may continue as a limited practitioner, but salaried by the government and working under the close supervision of government employed physicians.

4. The assistant may become a member of a health care team headed by a physician.

5. The assistant may act as an independent practitioner, licensed by the government, and perform his duties as a physician without direct government supervision while receiving his income from any source he chooses.

All these possibilities, except the fifth, are in actual practice, today. There are inherent disadvantages in all of them, but probably the best use of the assistant and the most beneficial effect for society can be achieved through utilizing the assistant in a health team approach to patient care.

The "health team approach" to medical care is preached in most parts of the world and practiced in few. There are indications that many countries are accepting the idea of team medicine. In some, this has become a reality. In Chile, for instance, a team is used to promote health and other services according to population districts. The Chilean team consists of medical personnel as well as representatives of other departments, e.g., agriculture and education.

It is in this context that the future role of the physician assistant is most realistic. Each country will be able to design its program as an entity with the assistant providing a particular service in the team. This will enable the country to determine the type of individual needed and his training. In some instances, it may be that a general purpose "low-grade assistant" is indicated for disease control, such as for malaria spraying and smallpox vaccination. In other countries, an assistant of more education and initiative may be required, to participate as a prominent member of a health team that indulges in routine health activities, including clinical duties, health education, and administration of health services. The achievement of this, again, is based on clearly stated and soundly developed professional roles and educational objectives.

The future of the assistant is apparent. The question is not whether an individual of the physician assistant-type should be a member of a health team, but, rather, what position he should fill in the team. It appears inevitable that the pattern of modern health care will resolve into the physician delegating more and more duties to members of the team having less education and training. This phenomenon is true, not only in the "developing countries," but also in the United States as exemplified by the creation of the "Home Health Aide" in the Medicare program which functions in this fashion. There are indications that even those countries which supposedly have abolished physician assistants are reconsidering his position in their health service.

As an example, in India the training of health workers of an assistant-type is found in the Ford Foundation program. Thus, the assistant will provide a real and valuable function for society, a society increasingly sophisticated in medical matters and demanding more health services. These services cannot be met by the present number of physicians in the world, and it will be impossible to graduate immediately, if ever, the requisite number of physicians for each country. It is evident that even the United States, which has one of the lowest physician-population ratios in the world, provides incomplete health services to its people. It is equally evident, therefore, that the physician assistant will be a vital member of the health team.

The health manpower crisis is upon us and it will worsen. The use of physician assistants appears as an appropriate response to the crises. The use of a physician assistant does not imply a substitute to the university educated physician. The use of a physician assistant does not indicate that quality care is substituted for quantity care. Physician assistants, properly educated, with clearly defined roles, on the contrary can be a way to improve the quality and quantity of health care to all segments of society. Their use must be critically examined and not offhandedly discarded. It is time to find ways in which they can be used, and it is time to stop offering arguments why they will never succeed. Arguments against their use may be stimulating to the intellect but offer no concrete solutions to the health needs of society. The physician assistant appears as a means to meet more effectively the health needs of society.

Acknowledgement: The A.I.D. study was conducted under A.I.D. contract csd/312-#3433 to the Medical College of Virginia, Richmond, Virginia, U.S.A. Participating in the study were Professor F. J. Spencer of the Medical College of Virginia; Professor Howard K. Holand, at that time with the College of William and Mary, Williamsburg, Virginia; and, Dr. Robert Jessee of the Virginia State Department of Health.

PERSPECTIVE ON VIETNAM AND FOREIGN POLICY GENERALLY

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mrs. DWYER. Mr. Speaker, perspective is a quality too infrequently brought to bear on issues of public policy, especially in the area of foreign policy. It was particularly welcome, therefore, to find in the February 27 issue of the Wall Street Journal two examples of political analysis in which the benefits of perspective are clearly apparent.

I refer to the Journal's lead editorial, entitled "The Impotence of Power," and Editor Vermont Royster's "Thinking Things Over" column.

Though the editorial focuses on Vietnam and the column reflects on "summit" meetings between heads of state, the two have at least these fundamental considerations in common: first, a distrust of the emotional approach to foreign policy, whether the "messianic" character which the Journal sees as the root of our Vietnamese problems or the excessive reliance on personal diplomacy; and, second, a respect for the realities of national power.

Both are especially timely, what with the resumption of heavy fighting—and casualties—in Vietnam and with the absence of exciting developments during President Nixon's visit to Europe, so under leave to extend my remarks in the RECORD I am pleased to bring them to the attention of our colleagues.

The editorial and the column follow:

THE IMPOTENCE OF POWER

A rather surprising measure of agreement is emerging about the shape of America's post-Vietnam foreign policy. On this vital question, for example, these columns can be found in the unexpected company of former Presidential adviser Arthur Schlesinger, Jr.

Perhaps it isn't really so surprising; the Vietnam war, in all its demoralizing aspects, has shaken people's thinking to the very foundations and created a kind of consensus among observers who ordinarily see most things quite differently. As Mr. Schlesinger writes in an article in the current Harper's, "The tragedy of Vietnam is the tragedy of the catastrophic overextension and misapplication of valid principles"—chiefly the principle of collective security.

What was wrong about Vietnam, he explains, was not this country's initial involvement there; that is, the attempt to save some millions of human beings from being overrun by communism and at the same time thwart Red China's ambitions of territorial aggrandizement.

The trouble, instead, was the messianic approach, which led the Government to lose the sense of the relation between means and ends. "The wreckage we wrought in Vietnam had no rational relationship to a serious assessment of our national interest or to the demonstrated involvement of our national security."

A big part of the cause of that misjudgment, Mr. Schlesinger believes, was a failure to perceive the changes in world power contexts since World War II. Specifically, Vietnam is further evidence that the age of the Superpowers is at or near its end. No longer can the U.S. and the U.S.S.R. achieve their objectives simply by virtue of their might.

Here is the U.S., the greatest military power in the world and in history, unable to bring a military conclusion in Vietnam; the Vietnamese Communists, with more than substantial military aid from Russia, can't either. The same paradoxical impotence can be seen elsewhere.

America cannot influence its European allies as it could in the immediate post-World War II years. The Soviets, even with their brutal invasion of Czechoslovakia, cannot bring the Czechs or the rest of Eastern Europe back into line. Also, despite enormous effort, the Soviets have been unable to pick up reliable satellites in Africa or most of Asia. Even in the Arab states the Soviet sway is not absolute.

We would insert a caution at this point: None of the foregoing is intended to imply an equating of U.S. and Soviet motives. The basic Soviet motive has ever been conquest, direct or indirect. U.S. policy has ever been well intentioned, designed to make or keep people free, albeit with untoward results such as Vietnam. But Mr. Schlesinger's central thesis seems correct; strictly in terms of power politics, the rampant rise of nationalism in the world limits the effectiveness of both U.S. and Soviet policy.

Another cause of the U.S. trouble in Vietnam, the author suggests, is the development since World War II—and atypically for this country—of a powerful warrior class. Mr. Schlesinger is not at all denouncing our military leaders as evil men; in effect he is echoing President Eisenhower's valedictory warning against the possible dangers emanating from the "military-industrial complex."

The basic danger, we would guess, is the faith put in military solutions, even when, as Vietnam shows, they can be unavailing. Mr. Schlesinger quotes the economist Joseph Schumpeter, writing of the military establishment in ancient Egypt: "Created by wars that required it, the machine now created the wars it required." That is of course extreme as far as contemporary America is concerned; it nonetheless points up the danger.

The mistakes of Vietnam indicate the outlines of a more appropriate foreign policy for the future. Much as this newspaper has been writing in recent years, Mr. Schlesinger includes the following criteria in his list:

Everything in the world is not of equal importance to us (the effort in Vietnam has been disproportionate to its intrinsic importance and any gain to us). We cannot do everything in the world. We cannot be the permanent guarantor of stability in a world of turbulence. All the problems in the world are not military problems, and military force is not always the most effective form of national power. Accordingly, the basis for our international influence in the coming period will lie less in the power of our arms than in the power of our example.

It should be noted, finally, that many of us who are advocating change are not advocating a new isolationism in the literal sense. In a world in which Communists do continue to commit aggression, it would be unwise—and all but inconceivable practically—for the U.S. to withdraw to its own shores.

What is being advocated is a far more discriminating, and a less militarily oriented, foreign policy. We have to stand up to the Communists, but let us choose the stand. We should eschew military involvement unless our interests are unmistakably and directly involved.

Granted, stating the generalities is a lot easier than applying the specifics. Still, the generalities must precede the specifics. And the fact that so many, including men in the Nixon Administration, are thinking along new lines may prove to be one of the extremely few rewards of the Vietnam war.

Thinking Things Over: Summits and Such

(By Vermont Royster)

Well, one thing you can say is that there's never been a trip quite like it. Ordinarily when a President of the United States goes abroad you can expect exciting things, as with Roosevelt at Yalta, Truman at Potsdam or Kennedy at Vienna and Paris. But not, so it seems, with President Nixon.

By the time he gets home this Sunday night he will have lunched with the king of Belgium and the queen of England, chatted with ~~the~~ presidents of West Germany, France and ~~Italy;~~ visited with the mayor of Berlin and spent an hour with Pope Paul. All this has made good copy for the travel reporters, but thus far it's left the diplomatic correspondents little exciting to write about.

The general tone of their comments is that Mr. Nixon has set a low-key tone for his trip, a summation made by some with approval, by some with disapproval and by all with frustration. It's not easy to file profound dispatches daily when nothing much happens.

Yet sometimes in this world the unexciting is more important than happenings surrounded with alarms and excursions. College students who go to classes and don't bother anybody may have more effect on tomorrow's world than those who tear up the dean's office, and it's possible—or at least conceivable—that President Nixon's quiet visits will be more useful than all those clamorous summit meetings.

Anyway, the world has suffered a good bit from those past clamorous summits, going all the way back to the time when Napoleon and Czar Alexander made peace on a raft and then rather promptly started shooting at each other.

Certainly Yalta and Potsdam, as you'll recall, were disasters. It was at Yalta that President Roosevelt, under the illusion that he could "handle" Stalin, set in train the events that left Eastern Europe under the Soviet yoke, dismembered Germany and made the cold war inevitable.

Potsdam completed that debacle, insuring us today the ulcer of Berlin. In fairness to President Truman, he shouldn't be blamed too much, since he was only carrying on his predecessor's work, but that doesn't lessen the anguish of the results.

These, of course, are the classic examples of modern summitry, and the horrendous ones. But the record of subsequent attempts by heads of state to decide momentous matters on the basis of personal acquaintance is no less cheerless.

The great 1955 summit meeting in Geneva, at which President Eisenhower was present, could hardly be called disastrous because nothing much was accomplished; yet it did nothing to add to the prestige of Mr. Eisenhower or the United States. You could hardly argue either that Mr. Khrushchev's great visit to the United States in 1959, for all the courtesies he received, mellowed Russia's attitude toward this country.

And remember what happened when President Kennedy decided that personal diplomacy was the way to smooth things over. His visit to General de Gaulle was a flop in terms of smoothing Franco-American relations, and his confrontation with Mr. Khrushchev in Vienna was so acrimonious that it made matters worse. It was after this that the Russians installed their missiles in Cuba, and all the evidence suggests that President Kennedy's deepening commitment in Vietnam was a reaction to Vienna.

This sorry record of summitry can't be blamed on just a want of negotiating skill; too many statesmen have tried it too many times. The fault lies rather in supposing that the issues which divide nations are resolvable by person-to-person chats, like a neighbor's dispute over a hedgerow.

While it is true that a strong leader may put a personal stamp on his nation's foreign policy (witness de Gaulle's mark on France today), it is at most a passing thing. The rivalry of nations, or the friendship of nations, stems from more fundamental things of geography, economics and national need, and tends to persist regardless of the personality of the leader of the moment.

Russian foreign policy, for example, has been expansionist, particularly in seeking bulwarks in Eastern Europe, since the days of the Czars; its fears and rivalries with China are equally old. With the advent of communism an ideological aspect was added, and that aspect is little altered whether the leader is Lenin, Stalin, Khrushchev or somebody else.

American foreign policy may seem to twist and turn, but it is almost as consistent. President Kennedy was carrying out President Monroe's foreign policy when he confronted Russia over Cuba. Since World War I, when we first became a major power, the center of our policy has been to restrain, or at least contain, aggressive outbreaks from any other major power, be it Kaiserean or Nazi Germany, Fascist Italy or Communistic Russia and China.

Moreover, it has been primarily European-oriented in spite of all those wars in the Orient. Partly this is sentimental; but in greater part it is because the area from the Pyrenees to the Palestinian plains remains the heartland of modern economic civilization and, concurrently, the greatest source of danger to our national survival.

A China in control of Asia is a danger, but not so dangerous as a single power in control from the Hebrides to the Red Sea.

An understanding of all this, or anyway let us hope so, is subsumed in President Nixon's overseas journey. It is low-key because he is not bemused with the idea that an hour's visit with President de Gaulle is going to charm him into a different foreign policy, or that moving rhetoric in Belgium is going to move the nations of Europe to forget national interests and rivalries.

Yet there is something to be accomplished, perhaps the better for being more modest. His journey is a quiet way of reminding Europe that though we are fighting a war in Asia we are still deeply concerned with what happens on the old continent, abandoning neither our resolution against troublemakers nor our support of those who would live in peace.

If that is a modest hope, it leads to a more prayerful hope that President Nixon will keep the low-key tone when later he sits down with the Russians. Maybe he will be content then too with modest progress and spare us another dangerous gambit of summitry.

LESTER J. CAPPLEMAN

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. PICKLE. Mr. Speaker, I have just been informed that Lester J. Cappleman, State director, Farmers Home Administration, Temple, Tex., will retire effective February 28. As many Members of this body have, I have always found Mr. Cappleman to be that unique combination of dignity and efficiency. I count him as a close friend.

His fellow employees are honoring him with an appreciation banquet. I would like to insert in the Record the message which I have sent to the assistant State director, the Honorable John Barnes. It is as follows:

Mr. John O. Barnes,
Temple, Tex.:

I have just now learned of the party honoring our beloved friend "Cap". I am keenly disappointed that I cannot be with you. Cap Cappleman has been one of the great public servants for our state. He and your organization in general are too often unsung heroes. I could attest that Cap and the FHA has done more to restore confidence and extend hope and opportunity to our rural communities then perhaps any other governmental agency.

On scores of occasions I have called on Cap and he has responded magnificently. Please tell Cap that the Congressmen here know what he has done and we love him for it.

Many of us in the years to come will always watch for the opportunity to tell the leaders of our smaller communities, their children and their children's children that Cap Cappleman and the FHA made life better for them.

Sincerely yours,
Congressman J. J. (Jake) Pickle.

Mr. Speaker, I am honored to pay my respects to Mr. Cappleman. I know I speak for all my colleagues who say "Thank you, Cap" for a life of service to your fellow man.

THE SYMPATHETIC ATTITUDE OF AN URBAN DIOCESE TO RURAL PROBLEMS

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. HALPERN. Mr. Speaker, despite the recent emphasis on acute urban problems, I am deeply concerned with the less dramatic, but nonetheless grave and pervasive problems of rural areas where 37 percent of the Nation's poor reside. The problems of city slums and rural areas are, of course, interrelated. For many years, rapid technological progress in farming, coupled with seasonality of employment and low wages in the rural economy, have induced massive rural-to-urban migration—so much so that already 70 percent of America's population reside on only 1 percent of the land. As we all know, many displaced or dissatisfied rural workers are ill prepared to compete and thrive in the complex urban environment. In this light, I feel that we are obligated to extend the benefits of the National Labor Relations Act, the Federal minimum wage law and a national employment insurance program to farmworkers—to relieve local poverty and to stem the migration that aggravates problems in the cities. In this connection, I include in the Record at the end of my state-

ment a recent letter from the Reverend Joseph M. Sullivan, executive director of Catholic Charities, diocese of Brooklyn, concerning the extension of these laws to farmworkers because of the interest of my colleagues and the American people in this most important subject.

Consideration of agriculture as one of our Nation's major industries, coupled with its critical effect on all our lives, further evidences the need for maintaining equitable and stable employer-employee relationships. Thus if only for the aforementioned reasons, the benefits of the collective bargaining rights and procedures of the National Labor Relations Act should be extended to our citizens employed in agriculture. Consideration should be given to the desirability of new concepts which may be more suitable to a mobile, seasonal agricultural labor force than those afforded by the present Federal labor laws. For example, jurisdiction standards for the National Labor Relations Board, if revised, could meet the special problems of agriculture. Furthermore, a thorough review of this subject may demonstrate the need for an accelerated election procedure.

Just as there are few Federal laws regulating collective bargaining between farmworkers and employers, there are also few Federal and State minimum wage laws covering farmworkers. Only Hawaii and Puerto Rico provide a minimum wage applicable to farmworkers generally. The farmworker's substandard income, the lack of adequate minimum wage laws, and the competition across State lines among farmers producing the same crops while paying wages which vary from $0.65 to $1.46 per hour point up the need for a uniform Federal minimum wage law. It is up to us to see that employees in this sector of our economy are treated fairly. It is time we took action to rectify our wage laws.

Finally, we must consider legislation that would provide compulsory unemployment compensation coverage for our Nation's farmworkers. Farm employment provides the average farmworker with less than 150 days of work during the year. The lack of unemployment compensation coverage in practically all States for these workers denies to those who are most in need of its benefits the prime purpose of such insurance—to provide an orderly method of offsetting the effects of unemployment by allowing nondeferable living expenses to be met without having to rely on meager savings. Despite this urgent need, agricultural workers at the present time are eligible for unemployment compensation only in Hawaii, the District of Columbia, and Puerto Rico.

Unemployment insurance should be made available to all farmworkers. The near failure of solution of these problems at the State level gives rise to a responsibility on the Federal Government to assist the State in achieving these objectives. We, as representatives for the Federal Government, should hesitate no longer to rectify the injustices contained in our present labor laws. More comprehensive and higher Federal standards are needed.

The Reverend Sullivan's letter follows:

JANUARY 2, 1969.

Hon. SEYMOUR HALPERN,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN HALPERN: Catholic Charities, Diocese of Brooklyn, though acclaimed as the only totally urban diocese, strongly endorses the efforts of the National Conference of Catholic Charities and the New York State Catholic Committee in their effort to extend the benefits of the National Labor Relations Act, the National Minimum Wage Law and the National Employment insurance program to farm workers.

Sympathetic with the adversities faced by minority groups, we urge alleviation of the burdens of low wage scales, mounting health problems, inadequate educational opportunities, substandard housing and a lack of employment. Farm workers, regardless of the temporary nature of their relationship to the United States, are entitled to security, dignity and reasonable comfort.

We seek your cooperation in our efforts to see that the benefits of social legislation are extended universally to all those who are disadvantaged—particularly, in this instance, to farm workers.

Sincerely yours,
Rev. JOSEPH M. SULLIVAN,
Executive Director.

STUDENTS: SIGNS OF MODERATION?

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, the wave of disruptions occurring on campuses all across the Nation have confronted universities and public officials with the need to seek viable solutions to potentially disastrous situations. In the months ahead the Congress will be asked to reassess the effectiveness of current procedures for granting funds to universities and students.

As we approach these deliberations, I think it vitally important that we maintain a proper perspective of what is transpiring on a number of campuses. In recent weeks numerous universities have successfully resisted the doctrines of revolutionary violence advocated by a few students while avoiding the suppression of academic freedom. They have followed principles of reason and moderation—making clear their determination to oppose violence in any form while responding to responsible requests for evolutionary change. The February 28 issue of Time magazine presents an excellent assessment of these developments and, with unanimous consent, I include it as a reminder to my colleagues that amid the highly publicized violence, there are signs of moderation; that our universities contain vast numbers of citizens who are willing to renounce violence and work for educational reform within the framework of academic freedom:

STUDENTS: SIGNS OF MODERATION?

In scenes reminiscent of labor wars in the 1930s, the nation's campuses erupted in more violence last week. At Roosevelt University in Chicago, rebels invaded the president's office and ripped out telephones in a demonstration seeking amnesty for fellow rebels. Deputy sheriffs prevented seizure of the administration building at Eastern Michigan University by 200 students, cut chains off the doors and arrested twelve demonstrators. At Berkeley, 100 policemen clashed with thousands of demonstrators supporting a month-long strike for Third World Liberation Front demands. Pelted with rocks, bottles and fire bombs, the cops fought back with Chemical Mace, clubbed four strikers and arrested 24. While the University of California's regents met at the explosive Berkeley campus, Governor Ronald Reagan alerted National Guard units to stand by in nearby Alameda.

How long can the violence continue? According to the Educational Testing Service, a mere 2% of all students are wreckers who aim to "radicalize" the campuses even if some universities are destroyed in the process. Harvard's Dean Franklin Ford describes the varying degrees of militancy as a series of concentric circles; most students are mainly onlookers. Unfortunately, the torrent of spring-term disorders has clearly put dozens of campuses in double jeopardy. Repressive state legislators are on the war path; so are vigilante-minded conservative students. Unless moderates intervene, campus freedom and evolutionary reform may well be sacrificed to left and right extremists.

PATIENCE AND RESTRAINT

Fortunately, amid all the highly publicized violence, signs of moderation are appearing. Last week the dangerous eleven-day strike at the University of Wisconsin, which pitted bayonet-wielding National Guard troops against students, was called off while faculty members considered various reforms. Toward the end, as few as 300 students continued the strike, compared with 7,000 strikers during the Guard's initial invasion. At Howard University in Washington, black law students quietly heeded a federal judge's order to end their lock-in, called to obtain more voice in administrative decisions. The student lawyers planned to go on boycotting classes, but not to flout the law they study.

Elsewhere, student bodies have already taken a second look at good-faith faculty efforts to make archaic universities more democratic, relevant and effective. On some campuses, skilled administrators have warded off outside interference by firmly dealing with radicals while simultaneously "co-opting" their saner demands. On other campuses, students in the middle have simply wearied of disruptions that constantly interrupt their costly education. Items:

Brandeis University's President Morris B. Abram applied patience and restraint during the eleven days that 65 black students occupied the school's communications center in January. Abram waited out the occupiers, meeting with them when they requested but refusing to yield on a crucial demand that they control selection of the black studies department chairman. Because Abram shunned force, moderate students were never radicalized by police action and a strike supporting the occupation drew less than 10% of Brandeis' 2,600 students. "There was sympathy for the blacks," said Student Council President Eric Yoffie, "but there was also a commitment to maintain the university, not destroy it by physical force."

University of Chicago President Edward Levi, in office only five months, adopted a similar policy of passive resistance when radical students occupied the administration building, protesting the school's refusal to rehire a sociology teacher because she was unproductive. Like Abram, Levi eschewed police help, simply continued university business outside the occupied building. As a result, less than a thousand of Chicago's

9,000 students supported the protest; after 16 days, the sit-in died. The administration then quietly suspended 80 students, summoned 50 more to appear before the university's disciplinary committee. Jeffrey Blum, a sit-in leader, freely admitted that Levi had won the day. "We lost because there just wasn't enough faculty and student support for us," he said. "Perhaps our movement was too radical for the campus at this time."

Wilberforce University in Ohio pioneered a new approach to student demands by hiring an outside arbitrator to cope with a nine-day class boycott. After 13 days of negotiating with university and student representatives, Cornell Labor Law Professor Frederic Freilicher hammered out an agreement on 40 points. Freilicher noted that the students "crisis of confidence" dissipated as administration positions were patiently explained at the table. As he sees it, the Wilberforce way of professional mediation and arbitration "could set a precedent for setting similar situations in schools across the country."

Columbia University, scene of wild disorders last spring, will vote next month on an overdue plan to democratize the administration by joining students and long-aloof professors in running the campus. The plan, designed by a faculty committee chaired by Law Professor Michael I. Sovern, would place 20 elected students in a 100-member senate that would govern the university. Implicitly aimed at mobilizing moderates, the plan will bar any senate member if less than 40% of his constituents voted in the election. "Unless the students participate," warns Sovern, "their role will atrophy." If the plan is approved, representative government—not violence—will become the legitimate way to influence Columbia.

Notre Dame's president, the Rev. Theodore Hesburgh, took a slightly different tack last week, stressing the need for responsible behavior, and decreeing immediate suspension and possible expulsion for recalcitrant rebels. Without stiff rules, he said, "the university is a sitting duck for any small group from the outside or inside that wishes to destroy it, to incapacitate it, to terrorize it at whim." No one wants the police on campus, Hesburgh added, "but if some necessitate it, as a last and dismal alternative to anarchy and mob tyranny, let them shoulder the blame instead of receiving the sympathy of a community they would hold at bay."

RATIONAL REVOLT

Harsh words—but they obviously appeal to those who yearn for what Philosopher Sidney Hook calls "militant moderation." Hook himself is touring the country, organizing faculty cells for "a revolt of the rationally committed." Toward that end, some moderate students have acquired a hero in S. I. Hayakawa, the doughty acting president of tumultuous San Francisco State College. At the University of North Carolina, Student Grainger R. Barrett has, in fact, started a group called the Hayakawa Society. Says he: "We think change on this campus should be brought about through established and legitimate processes."

The danger in all this antiradicalism, of course, is the boost it may give to a militant right. Zealous conservatives at Queens College in New York City, for instance, recently sacked the office of a newspaper that has consistently supported the position of disruptive Negro and Puerto Rican students. Similar mindless violence seems imminent elsewhere. Worse, at least twelve states are now considering laws cutting off state aid to campus demonstrators who cause physical or property damage. The result might well threaten free speech, to say nothing of penalizing the poor without touching the rich, who may be equally guilty.

Such laws can only stimulate more radicalism followed by more reaction. Instead, the best solution is a lively coalition of liberals who shun revolution and conservatives who shun repression to provide firm leadership, promote sound reforms and purge the campus wreckers. Though it may take time, the odds are that just such a coalition will ultimately emerge.

CONGRESSMAN TALCOTT COMMENDS THE EXTRAORDINARY OSUGI FAMILY OF SALINAS: 12 CHILDREN, AVERAGE GRADE-POINT AVERAGE 3.7

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. TALCOTT. Mr. Speaker, Mr. and Mrs. Kumataro Osugi of Salinas, Calif., had 12 exceptional children. One hardly knows where to begin in describing the accomplishments of this very special family.

This is a Japanese-American family, each of whom is justifiably proud of both his Japanese ancestry and his American citizenship.

Every one of the children attended Salinas High School in Salinas. Except for two children, born in Poston, Ariz., during the Japanese internment during World War II, all are native Californians.

The last of the Osugis will graduate from high school in June 1969. The average grade-point average of all children is an average 3.7—A minus. I suggest that this is an American record not likely to be exceeded.

All have gone on to higher education where they have earned five baccalaureate degrees, two masters degrees, and three associate of arts degrees; three are still enrolled in college—one will receive his baccalaureate degree in June—and the youngest will enter college next September. Accomplishments other than those purely academic are equally impressive.

At a time when campus protest and destruction in the name of minority groups hold the limelight, it is particularly appropriate and rewarding to give attention to the positive side of constructive involvement and academic achievement in the campus picture.

This splendid family of 12 has made a major contribution to our community, our educational system, our State, and our Nation. They have always excelled; they have always been contributors; they have always been constructive. They have always epitomized good citizenship. They can be enormously proud; but our community is more proud and appreciative of them.

On March 6, the faculty of Salinas High School will honor this family. The faculty will be joined by the parent-teacher organization, which will name Mrs. Osugi recipient of an honorary life membership; by our mayor who will represent the community; and by a representative who will speak for the Japanese-American community.

This family deserves many special commendations. Their accomplishments and achievements were in spite of what others would rightly consider discrimination and poverty.

Nowhere do I know a family more entitled to the accolades of their neighbors and community.

Other families, other children can profitably emmulate the extraordinary Osugis of Salinas. Mrs. Talcott and I join in honoring Mrs. Osugi and her children. We wish each of them and their families continued success and great personal satisfaction in all of their future endeavors.

Mr. Speaker, I ask unanimous consent to include some personal data which is revealing but noteworthy. I am confident my colleagues will share my pride in the accomplishments of this family and would want to know these unusual facts:

THE 12 OSUGI SIBLINGS

SALINAS HIGH SCHOOL GRADUATES

Date of graduation

1951—May
1953—Frank
1954—John
1956—Fred
1958—George
1959—Victor
1961—Nobuko
1963—Roy
1965—Jim
1967—Carol
1968—Donna
1969—Mike

HIGH SCHOOL HONORS, AWARDS, AND ACTIVITIES

Honors

Average of the grade point averages of the twelve: 3.70 (A—).

California Scholarship Federation Sealbearers: 10.

Valedictorians: 2.

Student Body Meritorious Awards: 2.

Student Body Distinguished Service Awards: 2.

Student Body Life Pass Awards: 2.

Scholarships

Sears, P.T.A., University of Southern California, CSF Seymour, Elks (2), Rotary (4), California Savings and Loan League, BPW, Gertrude Waterman Scholarship.

Representative awards and activities

Bank of America Achievement Awards Trophy for Math and Science, and for Business.

First Place Cal Poly Math Contest.

Honor Orchestra.

El Gab Copy Editor.

Perfect Attendance Award.

All-League Honorable Mention, Basketball.

Most Valuable Player Award, Basketball.

Girls' Athletic Association Block S.

National Honor Society.

California Scholarship Federation.

American Field Service.

Wrestling.

Student Body Secretary.

Student Body Treasurer.

Class Secretary-Treasurer.

Class Treasurer.

California Scholarship Federation President.

Family

Father—Kumataro Osugi (deceased 1966): Born and reared in Japan. At age of about 16 he came to the United States, attended a mechanics' training school and worked for a few years. While still in his 20's Mr. Osugi returned to Japan, where he married his wife, Mitsuko. In the early 1930's Mr. and Mrs. Osugi came to the United States and settled in Salinas. Mr. Osugi worked as a mechanic, and eventually went into business for himself—he owned and operated the K. Osugi Garage for over thirty years.

Mother—Mitsuko Fujikawa Osugi: Born in Sacramento, California. Her parents had come from Japan to work in California. As a very young child Mitsuko returned with her parents to Japan, where she was reared and lived until she returned to California with her husband.

Family Home: 187 Coleridge, Salinas, California.

SIBLINGS

	Higher education	Present occupation
1. Mrs. Yasuo Fujino (May), 1133 Dover Way, Monterey Park, Calif. (married; 2 children).	Hartnell College (2 years)	Housewife and mother; prior to marriage, legal secretary in Salinas.
2. Frank Masaiche Osugi, 223 North 1st St., Salinas, Calif. (married; 2 boys).	do	Auto mechanic working at Sears, Salinas.
3. John Hiroshi Osugi, 1433 Stonewall Ave., Monterey Park, Calif. (married; 3 children).	University of Southern California (baccalaureate and masters degrees in engineering).	Engineer with space technology laboratory at Redondo Beach, Calif.
4. Fred Saburo Osugi, 18222 Milmore Ave., Gardena, Calif. (married; 2 children).	Hartnell College (2 years); University of California, Berkeley (baccalaureate degree); University of Southern California (masters degree in engineering).	Engineer with space technology laboratory at Redondo Beach (same as John).
5. George Shiro Osugi, 1433 South Saltair Ave. No. 9, West Los Angeles, Calif. (married).	Hartnell College (2 years); University of California, Berkeley (baccalaureate degree).	Electrical engineer with Rocketdlyne, Los Angeles.
6. Victor Masaru Osugi, 970 South Menlo Ave. No. 8, Los Angeles, Calif. (married).	Hartnell College (2 years); San Jose State College (baccalaureate degree).	Civil engineer working for Los Angeles City.
7. Mrs. Doug Nakamura (Nobuko), 841 4th St., Gilroy, Calif. (married; 1 child).	Hartnell College (2 years)	Housewife and mother; husband is engineer.
8. Roy Minoru Osugi, Fort Lewis, Wash.	Hartnell College (2 years); University of California, Berkeley, and San Jose State (baccalaureate degree).	U.S. Armed Forces (drafted Jan. 23, 1969); prior to draft worked as meteorologist for Los Angeles Weather Station.
9. Jim Tadashi Osugi, 529 South 10th St. No. 7, San Jose, Calif.	Hartnell College (2 years); San Jose State College (will receive degree in engineering in June).	Senior in college.
10. Carol Emiko Osugi, 187 Coleridge, Salinas, Calif.	Hartnell College	Sophomore in college; plans transfer either to Los Angeles State or San Jose State to work for degree in medical technology.
11. Donna Haruko Osugi, 187 Coleridge, Salinas, Calif.	do	Freshman in college; plans transfer to Fresno State for degree in social welfare.
12. Mike Daisuke Osugi, 187 Coleridge, Salinas, Calif.	Plans to enter Hartnell College in September; possible major, engineering.	Student in senior year at Salinas High School.

CONGRESSMAN FRANK HORTON INTRODUCES CHILD PROTECTION ACT TO HELP ELIMINATE HAZARDOUS TOYS

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. HORTON. Mr. Speaker, yesterday I submitted legislation designed to protect children from toys and other products intended for their use which might constitute an electrical, mechanical, or thermal hazard.

Based on the recommendations outlined in the interim report of the National Commission on Product Safety, this bill amends the Federal Hazardous Substances Act to add "electrical," "thermal," and "mechanical" to the categories under the supervision and regulation of the Secretary of Health, Education, and Welfare.

Under present law, toys or other products intended for use by children may be banned under this act only if the category of hazard involved is essentially that of a harmful chemical nature or is otherwise hazardous because it is flammable, pressurized, or radiational.

While the toy manufacturers of America make efforts to correct hazards in toys, most of this safety work is concentrated on making playthings safe when they are used as intended.

In summing up the most urgent needs in toy accident prevention, Dr. Allan B. Coleman, chairman of the committee on accident prevention of the American Academy of Pediatrics, at the National Commission on Product Safety hearings in New York stated:

> The biggest need is probably engineering for safety, built-in safety, fail-safe products, and fail-safe design.

Presently the Federal Hazardous Substances Act excludes physical hazards from the list of hazardous substances. That means electrical shock, burn, cut, and puncture are not presently covered.

By adding electrical, mechanical, and thermal to the act, the Federal Hazardous Substances Act would be expanded to attack a number of hazards including, but not limited to, sharp or protruding edges, fragmentation, explosion, strangulation, suffocation, asphyxiation, electrical shock and electrocution, heated surfaces, and nonextinguishable flames.

There is no question that our children need to be provided with greater protection from potentially hazardous toys.

Of the nearly 56 million children under 15 years of age in the United States, more than 15,000 die each year from accidents. Over 50 percent of these fatalities are preschool children.

The frequency and type of deaths and injuries resulting from hazardous toys designed for children is shocking.

Mr. Speaker, at present the National Safety Council does not act as a clearing house for toys on the interstate market. No systematic review of new toys is carried out by the Council of Toys before they are placed on the market.

This legislation I have offered would stimulate industry to bring about safe design in toys when they are manufactured for children. It would also prompt the toy industry to consider the potentially harmful use of these toys by children before they are released on the market.

Passage of the Child Protection Act would greatly help eliminate family tragedies that are caused when children are maimed, killed, or otherwise injured by defective or hazardous toys.

A TRIBUTE TO JAMES DEWEY CUNNINGHAM

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. BOLAND. Mr. Speaker, there are perhaps too few occasions when we stop to pay tribute to the many competent and conscientious public servants we find in our Federal, State, and local governments. But it would be entirely inappropriate not to pause to say a word of thanks and praise to one of the nearly anonymous public servants who tomorrow, after more than 38 years of dedicated service to the U.S. Government, takes leave of his position as chief hearings examiner of the Federal Communications Commission and enters upon what all of his many friends trust will be a most rewarding and satisfying retirement. I am glad to join those who are on this occasion honoring James Dewey Cunningham.

The business world was made well aware of Mr. Cunningham's towering presence—he stands at 6 feet 3 inches and is reported to weigh 235 pounds—by virtue of his role presiding over the hearings of the proposed merger of the International Telephone & Telegraph Co. and the American Broadcasting Co., Inc. He was also responsible for placing the record of those hearings before the FCC for their decision. Other noteworthy hearings presided over by Mr. Cunningham in recent years concerned the payola investigation and the pot party case involving a Chicago TV station. In important respects the record of the FCC and that of James Cunningham are synonymous. Mr. Cunningham has been with the FCC since its inception, joining it in 1934 as one of the original group of hearings examiners. In 1954 he became the chief hearing examiner of the FCC.

Prominence came to Mr. Cunningham at an early age. Born in Northampton, Mass., on September 26, 1899, to an immigrant Irish working class couple, his exploits as a catcher and a .350 hitter in the Holyoke parochial schools won him a scholarship to Georgetown University. After winning another scholarship and graduating from law school, he married Genevieve Griffin and went into private practice. After some rough sailing at the onset of the depression, Mr. Cunningham was appointed to the Civil Service Commission as a lawyer in 1930. His service with the FCC since 1934 has been continuous except for a World War II tour of duty with the Judge Advocate General's Corps.

James Dewey Cunningham's complete devotion to duty has been reflected in the manner in which he has presided over hearings. He has become known for his brisk and efficient approach to business and the way he has been able to terminate debate promptly, never raising his voice nor losing control of his temper, but known to pound a loud gavel and exhibit occasional signs of agitation. His zeal for rapid expedition of cases has made a deep impress throughout the FCC and the industries it regulates.

James Cunningham's career of public service serves as a model for others; it is one for which this Nation owes a deep debt of gratitude.

PRESIDENT HOWARD R. BOWEN OF THE UNIVERSITY OF IOWA

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. SCHWENGEL. Mr. Speaker, the president of the University of Iowa for the past 5 years, Howard R. Bowen, has recently announced his intention to retire from that position. Howard Bowen has spent a total of 21 years as an educator and leader in the great State of Iowa, and all Iowans are immensely proud of the work which he has accomplished. Of particular importance is the steady hand with which he has guided the university through the past turbulent 5 years in which he has served as president. The university has experienced a tremendous increase in student population, in faculty, in staff, and in capital facilities. All of the resultant and interrelated problems have been handled in a most exemplary manner by President Bowen. President Bowen is to be commended for his outstanding contributions to Iowa and to the university. We hate to see him go, but extend to him our very best wishes for his new endeavor. In connection with his departure, President Bowen recently had occasion to address a letter to the people of Iowa, in the University of Iowa Alumni Association's publication, the Spectator. His letter deals with the problem of student unrest and academic freedom. The University of Iowa, like so many of our universities, has experienced its share of student disorders, which in turn have caused serious concern on the part of State legislators. President Bowen does an excellent job of putting this perplexing problem in perspective and I include the letter, and an editorial from the Des Moines Register of February 23, 1969, commenting on the letter:

[From the Spectator, Feb. 1969]

BOWEN'S SPECIAL REPORT TO IOWANS

To the People of Iowa:

I have submitted my resignation as president of The University of Iowa. When it is effective in September, I shall have spent 21 years as an educator in Iowa, 12 at The University of Iowa and nine at Grinnell College. I want to thank the people of this state for the privilege of serving them. They have been helpful and friendly to me and I am grateful.

I should like to thank the people of Iowa particularly for their constructive attitude and deep commitment toward higher education. It is evidenced by the many splendid institutions in this state—public and private—of which The University of Iowa is the largest, one of the oldest, and one of the most distinguished.

The people of Iowa have made great efforts in providing financial support. But even more important they have understood that colleges and universities must be *free*—free from political control and free in thought and speech.

GOVERNOR'S PLEDGE

This idea was expressed recently and eloquently by Governor Robert Ray in his inaugural address when he said: "I shall use every resource at my command to protect the universities from any infringement of their ancient freedoms which academic communities must have if they are to fulfill their promise to mankind."

The University of Iowa has enjoyed unusual independence from political and bureaucratic intervention and other outside pressures.

The vitality of this institution is a direct result.

The University has not been plagued by the witch hunts, the loyalty oaths, the outside interference, or the oppressive legislation found in some states. It has been trusted to conduct its affairs, under the guidance of the State Board of Regents, toward the advancement of learning and enlightenment of promising young men and women.

In the opinion of the educational world and of the vast majority of the people of Iowa, the University has kept faith with this trust.

Recently, higher education—not only in Iowa but throughout the nation—has been in a turbulent period.

Some of the stresses in our society—those associated with racial injustice, poverty, the war in Vietnam, the overemphasis on material values, and the oppressiveness of large organizations—have been reflected on the campus.

In addition, young people of the ages of 18 to 25, whether in college or not, have been striving for adult status and adult freedoms.

CAUGHT IN CROSSFIRE

The outcome of these two sets of forces has been varying degrees of unrest on the campus. The universities have been trying to meet these new conditions and pressures.

As yet they have satisfied neither the more militant students who want faster change nor many members of the public who want to continue restraints on the young and who are fearful of open discussion of unorthodox ideas.

The universities in recent years have been caught in the middle and have been subject to criticism, and sometimes abuse, from two directions.

The colleges and universities at this time need special understanding and moral support from the public and from political leaders.

There are many persons today who would threaten the precious freedom and autonomy of the universities by imposing loyalty oaths, restrictions on freedom of thought and speech, control over what is taught and what is studied, supervision over the selection of faculty and students, and detailed control over internal budgets.

There are also some—both private donors and public legislators—who would withdraw financial support as a kind of punitive measure.

HERITAGE OF FREEDOM

Fortunately in Iowa the overwhelming majority of people do not subscribe to these views. Yet even in Iowa, with its long heritage of academic freedom and quality education, there are growing threats to higher education.

To those who would intervene with outside controls or who would "punish" higher education by withdrawing support, I would offer some views on the present state of higher education—views which I believe should be considered by every responsible person.

First, the impression of higher education presented in the mass media emphasizes disorders and conflicts.

Disorders have indeed been disastrous at three or four institutions in California and New York, and have been mildly troublesome at many. However, the plain fact is that disorderly conduct is rare and that the overwhelming majority of students and faculty, 99 percent at least, at most institutions including The University of Iowa, are performing creditably by any reasonable standard.

Indeed, some of the disorder is fomented by persons who are not students at all, but hangers-on. The students, with few exceptions, are orderly, hard working, morally upright, idealistic, committed to learning, and dedicated to the advancement of American society.

SUPERIOR GENERATION

No younger generation has ever seen eye to eye with its elders, and this generation is no exception. But in morality, idealism, honesty, and hard work they are superior to any previous college generation and superior to any other major segment of our society. They are far ahead of my own college generation.

They are not perfect; some of them make mistakes; some of them are rude and unkempt; sometimes they do and say stupid things. But who doesn't? To indict the whole present generation of students and young faculty—as some are inclined to do—is grossly unfair and irresponsible.

To those adults who criticize the college generation I would say: Remember that these young people are *your* sons and daughters and mine, not some abstract collection of people the universities have gathered together.

These young people are the way they are not because of what the colleges and universities have done, but because of what their families, their communities, and American society have done. But in fact the current crop of college students is in no sense degenerate. They are on the whole admirable young men and women.

Second, the leading universities, including The University of Iowa, are outstandingly successful in carrying out their mission of education, research, and public service.

They have never been more creative, or more stimulating, or more effective in serving society. American higher education is the envy of the entire world.

By any criterion—ability of faculty, standards, teaching effectiveness, research and scholarly accomplishment—American colleges and universities are vastly superior to the institutions of ten, twenty, or fifty years ago.

Third, the universities of America, again including The University of Iowa, are today woven more closely into the fabric of our society than ever before.

Our economy, our government, our military strength, our churches, our schools, our health, and our cultural life are all utterly dependent upon our institutions of higher education. We simply could not operate our society—it would soon break down—without the educated and trained people the universities produce and without the basic research they perform.

Our young people are complaining that the universities are too intimately involved with what is sometimes called the "military-industrial complex." They may be right. But what they mean is that the universities are over-emphasizing vocational and professional training and under-emphasizing the broad, liberal education intended to enlarge the human spirit and to give understanding of social issues and world problems.

DEAD WRONG

However, if they believe that an advanced technological society like ours could function without sophisticated technical training and research, they are dead wrong.

To slow down the progress of higher education would be the surest way to weaken our society economically, culturally, and morally.

If I were a foreign power wishing to destroy the United States, I would not bother with bridges, utility installations, military secrets, and congested cities. I would strike at the heart of America—at the center of its know-how—which is in its universities.

Fourth, the restless questioning that is found on American campuses today is a reflection of the problems and temper of our society and not of some perversity of the university.

As a society we are in the midst of great searchings as to our national role in world affairs, our system of values and goals, and our conception of human rights and human dignity. Our young people are deeply stirred by these issues, and their idealism leads them to try for improvements in our social order.

IRRATIONAL FEAR

It is inevitable and desirable that the campuses should become the centers of debate, discussion, and action on these matters.

It is utterly irrational to fear universities or to penalize them because ideas are discussed there, because new concepts originate there, because people there care about human rights and human equality, or because a true concern exists there for peace and human brotherhood.

As a nation, we should thank God that there is at least one place in our society where people can speak their minds, where they can debate issues, where they can be concerned about the meaning of human life, where they can explore the greatest of all questions: "How should a life be lived?"

It is perhaps fitting to quote a passage from the minutes of the Wisconsin Board of Regents written in 1894 at a time when academic freedom was in jeopardy:

"Whatever may be the limitations which trammel inquiry elsewhere, we believe that the great State University of Wisconsin should ever encourage that continual and fearless sifting and winnowing by which alone the truth can be found."

We should never forget that "continual and fearless sifting and winnowing" is sometimes a noisy and contentious process. But only when fearless sifting and winnowing are taking place is the University doing its job.

AVOID EXTERNAL CONTROLS

And so I say to the people of Iowa, cherish your university. It is a worthy institution.

Try to understand it, even when it is a bit difficult to understand. Give it adequate financial support. Don't give in to the temptation to starve the University at a time when it has never served you more effectively and when its services were never more needed.

And keep it from external controls so that it may continue to be an influential center of fresh ideas and so that it may seek the truth without restriction imposed by interest groups and public prejudices.

But if universities throughout the country are to merit the public support and the freedom I am advocating, they, too, have obligations to society which must be faithfully discharged.

First, universities must be genuine centers for the pursuit of truth.

They must foster rational discourse, objectivity, and willingness of members of the community to listen as well as to speak.

GUARD AGAINST BIGOTRY

They must guard against bigotry which sometimes takes the form of noisy intolerance, intimidation, and violence.

These forms of behavior are wholly alien to a center of learning. Bigotry of the "left" is in no way superior to bigotry of the "right."

Second, universities must maintain reasonable order and avoid disruption of their legitimate activities.

A community of scholars which cannot maintain order cannot function effectively as a center of learning, and it cannot long maintain its freedom from outside control. Society will not tolerate disruption and disorder, and will not allow a community where it exists to be self-governing.

Third, universities must not lose touch with their students either through the impersonality that grows out of large numbers or through neglect resulting from preoccupation with research.

The primary task of a university, around which everything else centers, is the education of young men and women. Universities are not primarily research institutes nor centers for social service. They are teaching institutions with primary responsibility to their students. The research and service activities, important as they are, are byproducts of the main business, which is education.

Fourth, universities must be concerned about the efficiency of their operations and seek to hold down costs.

The education of young men and women is inevitably a personal activity. It requires large amounts of personal service. It does not readily lend itself to the assembly line methods of automobile manufacturing or meatpacking. Therefore, because wages and salaries in our economy are constantly rising, higher education requires an ever-increasing percentage of the national income. For this reason it is a responsibility of those in higher education to be especially mindful of those economies that can be achieved without diluting the human factor in education.

The task of carrying out these responsibilities falls heavily upon the faculty, but it is shared by administrators and students as well. If universities—especially faculties—fail in meeting these obligations, society will step in and the freedom of the university will be curtailed.

In my judgment The University of Iowa has succeeded as well as any institution in the United States in meeting these responsibilities.

INSTANCES OF DISORDER

The University of Iowa is a place of genuine freedom of thought and speech and of tolerance and orderly discussion. The instances of disorder have been few and mild, and the essential operations of the University have been maintained without any interruption whatsoever.

The atmosphere of this university is personal and informal. Doubtless, teaching could be improved. But most faculty members are conscientiously concerned with teaching and with their students. Relationships between faculty and students are good and the morale of both is high.

Finally, the University is operated very efficiently—perhaps because it has had no choice. There has never been enough money for the University to achieve its aspirations comfortably. And so the job has been done with inadequate staff and inadequate building space.

ABC'S OF EFFICIENCY

To describe the degree of efficiency it is only necessary to point out:

(a) *There are 18 students for each full-time faculty member, when a ratio of 10 or 12 to 1 would be a reasonable standard for a leading university.*

(b) *There is only 172 square feet of academic building space per student when 200 is considered by authorities to be a minimal standard.*

(c) *Supporting staff, equipment, and plant maintenance have never been up to standard.*

The University of Iowa cannot be justly criticized for inefficiency or waste. Nevertheless, there may be ways of achieving significant improvements in efficiency, here and there, and these should be exploited.

To conclude my report to the people of Iowa: The University of Iowa is serving you well. It needs and deserves your continued understanding and financial support.

It also needs and deserves the kind of freedom and independence that has been traditional for higher education in this state.

HOWARD R. BOWEN.

BOWEN ON HIGHER EDUCATION

We reprint on this page a special report to the people of Iowa from Howard R. Bowen, who is retiring next September as president of the University of Iowa to join the faculty of the Claremont Graduate School in California. This statement is in the nature of a valedictory from a scholar and educational administrator with long experience and deep understanding of the Iowa system of higher education.

President Bowen's comments were written in connection with the announcement of his resignation, Jan. 29, before the controversy arose over radical speakers and dirty words following the student power symposium held at Iowa City, Feb. 5–6. But the article is especially timely now while the Legislature is considering appropriations for the state institutions and is debating issues of education policy. We commend Bowen's thoughtful observations to our readers for the perspective they provide on university affairs.

Iowans take justifiable pride in the fact that their universities are places of freedom of thought and speech, of tolerance—*and of orderly academic processes*. Disorders and disruptions, which plague many universities, have been small on Iowa campuses. They have been contained by sensible administrative policies and actions of Howard Bowen and the other university presidents. There has been no significant interruption of the teaching and learning functions in Iowa universities.

The people of Iowa should recognize that their state universities have been well and efficiently run under the Board of Regents and the university administrations. Iowa's universities deserve the full understanding and support which they have received from Iowa people.

SENATE—*Friday, February 28, 1969*

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Thou who dost condescend to dwell with men, come to us this day with an overwhelming sense of Thy presence. Come into this Chamber and in this moment make it a holy of holies. Come into our hearts and make them shrines of the spirit. Come into our homes and make them sanctuaries of love. Come into our offices, our shops, our courts, our forums, and our common life that wherever we are and whatever we do we may know Thy nearness. And if we should forsake Thee or are overcome by the duties of the day, help us to hear across the centuries Thy promise, "I will never leave you nor forsake you. Lo, I am with you always, even to the end."

In the Redeemer's name, Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, February 25, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of February 25, 1969, the following reports of a committee were submitted, on February 27, 1969:

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with amendments:

S. Con. Res. 5. Concurrent resolution to print additional copies of hearings on the nomination of Walter J. Hickel to be Secretary of the Interior (Rept. No. 91-88).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Res. 87. Resolution to print a report by the Secretary of Health, Education, and Welfare, on "Progress in the Prevention and Control of Air Pollution," as a Senate document (Rept. No. 91-87); and

S. Res. 88. Resolution to print a report by the Secretary of Health, Education, and Welfare on "Air Pollution Abatement by Federal Facilities," as a Senate document (Rept. No. 91-86).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with an amendment:

S. Res. 86. Resolution to print a report by the Secretary of Health, Education, and Welfare, on "Nature and Control of Aircraft Engine Exhaust Emissions," as a Senate document (Rept. No. 91-85).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry:

David A. Hamil, of Colorado, to be Administrator of the Rural Electrification Administration;

James V. Smith, of Oklahoma, to be Administrator of the Farmers Home Administration; and

Richard E. Lyng, of California, to be an Assistant Secretary of Agriculture.

Mr. STENNIS. Mr. President, from the Committee on Armed Services I report favorably the nominations of 16 flag and general officers in the Army, Navy, and Air Force. I ask that these names be placed on the Executive Calendar.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Claude M. Adams, and sundry other officers, for promotion in the Regular Army of the United States;

John S. McNeil, and sundry other persons, for appointment in the Regular Air Force; and

Dean E. Abbott, and sundry other Air Force officers, for appointment in the Regular Air Force.

Mr. STENNIS. Mr. President, in addition, I report favorably 866 promotions in the Army in the grade of colonel and below and 457 appointments in the Air Force in the grade of major and below. Since these names have already been printed in the CONGRESSIONAL RECORD, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered placed on the Executive Calendar, are as follows:

Rear Adm. Robert L. Townsend, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Rear Adm. Vincent P. de Poix, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Alban Weber, and sundry other Naval Reserve officers, for temporary promotion in the U.S. Navy;

Maj. Gen. Selmon W. Wells, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general;

Maj. Gen. Duward L. Crow, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general;

Lt. Gen. Bertram C. Harrison (major general, Regular Air Force), U.S. Air Force, to be placed on the retired list in the grade of lieutenant general;

Maj. Gen. Charles Allen Corcoran, U.S. Army, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general;

Vice Adm. Andrew McB. Jackson, Jr., U.S. Navy, for appointment to the grade of vice admiral on the retired list;

Vice Adm. John M. Lee, U.S. Navy, for appointment as a senior member of the Military Staff Committee of the United Nations;

Lt. Gen. William Frederick Cassidy, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general;

Maj. Gen. Frederick James Clarke, U.S. Army, for appointment as Chief of Engineers, U.S. Army; and

Maj. Gen. Frederick James Clarke, U.S. Army, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general.

By Mr. MURPHY, from the Committee on Armed Services:

Grant Hansen, of California, to be an Assistant Secretary of the Air Force.

By Mr. BYRD of Virginia, from the Committee on Armed Services:

G. Warren Nutter, of Virginia, to be an Assistant Secretary of Defense.

By Mr. GOLDWATER, from the Committee on Armed Services:

John L. McLucas, of Massachusetts, to be Under Secretary of the Air Force.

By Mr. SCHWEIKER, from the Committee on Armed Services:

Thaddeus R. Beal, of Massachusetts, to be Under Secretary of the Army; and

Stanley R. Resor, of Connecticut, to be Secretary of the Army.

By Mr. THURMOND, from the Committee on Armed Services:

William K. Brehm, of Michigan, to be an Assistant Secretary of the Army.

By Mrs. SMITH, from the Committee on Armed Services:

Eugene B. Becker, of New York, to be an Assistant Secretary of the Army.

By Mr. LONG of Louisiana, from the Committee on Finance:

Edwin S. Cohen, of Virginia, to be an Assistant Secretary of the Treasury;

Patricia Reilly Hitt, of California, to be an Assistant Secretary of Health, Education, Welfare;

John G. Veneman, of California, to be Under Secretary of Health, Education, and Welfare; and

Creed C. Black, of Illinois, to be an Assistant Secretary of Health, Education, and Welfare.

By Mr. SPARKMAN, from the Committee on Banking and Currency:

Lawrence M. Cox, of Virginia, to be an Assistant Secretary of Housing and Urban Development; and

Hilary J. Sandoval, Jr., of Texas, to be Administrator of the Small Business Administration.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT—ENROLLED BILL SIGNED

Under the authority of the order of the Senate of February 25, 1969, the Secretary of the Senate, on February 26, 1969, received the following message from the House of Representatives:

That the Speaker had affixed his signature to the enrolled bill (S. 17) to amend the Communications Satellite Act of 1962 with respect to the election of the board of directors of the Communications Satellite Corporation.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 5(a), Public Law 87-758, the Speaker had appointed Mr. Kirwan and Mr. Frey as members of the National Fisheries Center and Aquarium Advisory Board, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 1, Public Law 86-42, the Speaker had appointed Mr. Gallagher, Chairman, Mr. Murphy of Illinois, Mr. Johnson of California, Mr. St Germain, Mr. Kee, Mr. Slack, Mr. Randall, Mr. Andrews of North Dakota, Mr. Stafford, Mr. Thomson of Wisconsin, Mr. Broomfield, and Mr. Langen as members of the U.S. Delegation of the Canada-United States Interparliamentary Group, on the part of the House.

COMMITTEE MEETING DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Committee on the District of Columbia be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL TUESDAY, MARCH 4, 1969

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Tuesday next.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Report of Indian Claims Commission

A letter from the Chairman, Indian Claims Commission, reporting, pursuant to law, on certain proceedings which have been concluded (with accompanying papers); to the Committee on Appropriations.

Report on Overobligation of an Appropriation

A letter from the Secretary of Transportation, reporting, pursuant to law, on the overobligation of an appropriation in the Department; to the Committee on Appropriations.

Reports on Special Pay, Department of Defense

Two letters from the Secretary of Defense, reporting, pursuant to law, on special pay in addition to other pay prescribed by law, to certain officers, during the Calendar Year 1968; to the Committee on Armed Services.

Report of District of Columbia Armory Board

A letter from the Chairman, District of Columbia Armory Board, transmitting, pursuant to law, a report of the Board for the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on the District of Columbia.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of an audit of the Federal Savings and Loan Insurance Corporation supervised by the Federal Home Loan Bank Board for the year ended December 31, 1967, dated February 26, 1969 (with an accompanying report); to the Committee on Government Operations.

Report of the American Academy of Arts and Letters

A letter from the Assistant to the President, the American Academy of Arts and Letters, transmitting, pursuant to law, a report of the Academy for the year 1968 (with an accompanying report); to the Committee on the Judiciary.

Report of Architect of the Capitol

A letter from the Architect of the Capitol, transmitting, pursuant to law, his report of all expenditures during the period July 1, 1968, to December 31, 1968 (with an accompanying report); ordered to lie on the table and to be printed.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of South Dakota; to the Committee on Agriculture and Forestry:

"House Concurrent Resolution 503

"A concurrent resolution memorializing the Congress of the United States to enact legislation placing reasonable restrictions and limitations on payments to individual farmers and other farm groups, associations or corporations by the Agricultural Stabilization and Conservation Service and by the Commodity Credit Corporation

"Be it resolved by the House of Representatives of the State of South Dakota (the Senate concurring therein):

"Whereas, it has been the intention of the Congress that federal agricultural programs benefit the family size farm unit; and

"Whereas, family size farm units generally receive modest federal payments for their participation in federal agricultural programs; and

"Whereas, less than one (1) percent of the total number of farmers in the United States receive more than twenty (20) percent of the total amount of federal payments to farmers for their participation in agricultural programs; and

"Whereas, some individual farmers and other farm groups, associations and corporations receive for their participation in federal agricultural programs payments in excess of one million dollars ($1,000,000) each: Now, therefore, be it

"Resolved by the House of Representatives of the Forty-fourth Legislature of the State of South Dakota (the Senate concurring therein), That the Congress of the United States be, and the same is hereby, respectfully requested to enact legislation placing reasonable restrictions and limitations on payments to individual farmers and other farm groups, associations and corporations by the Agricultural Stabilization and Conservation Service and by the Commodity Credit Corporation; and, be it further

"Resolved, That copies of this Concurrent Resolution be transmitted by the Chief Clerk of the House of Representatives of the state of South Dakota to the Offices of the President and the Vice President of the United States, the Speaker of the House of Representatives of the United States, the members of the Congressional Delegation of the state of South Dakota, the Secretary of the Department of Agriculture of the United States, and the Governor of the state of South Dakota.

"Adopted by the House of Representatives February 6, 1969 Concurred in by the Senate February 13, 1969.

"James Abdnor,
"President of the Senate.
"Dexter H. Gunderson,
"Speaker of the House.
"Attest:
"Paul Inman,
"Chief Clerk of the House.
"Attest:
"Niels P. Jensen,
"Secretary of the Senate."

A concurrent resolution of the Legislature of the State of South Dakota; to the Committee on Finance:

"House Concurrent Resolution 507

"A concurrent resolution, memorializing the Congress and the President of the United States to enact legislation prohibiting nonfarm corporations and individuals from writing off farm losses against nonfarm profits for federal income tax purposes

"Be it resolved by the House of Representatives of the State of South Dakota (the Senate concurring therein):

"Whereas, national agricultural policies for nearly two centuries have encouraged the development of the family farm and the nation has benefited from this policy as industrious family farmers have built the most efficient agricultural base the world has ever known; and

"Whereas, the American consumer expends a lower proportion of his income for food than the citizens of other nations as a result of the efficiency of family farms; and

"Whereas, under the present federal income tax laws nonfarm corporations and individuals may claim farm losses for the purpose of writing off non-farm profits; and

"Whereas, a recent Internal Revenue Service study shows that twenty-two per cent of all individuals filing farm income tax returns paid taxes on non-farm income and there is a direct correlation between individual adjusted gross income and farm losses; and

"Whereas, an Internal Revenue Service analysis of income tax returns filed in the one hundred largest standard metropolitan areas shows that net farm losses in thirty-one standard metropolitan statistical areas totaling over one hundred forty million dollars were claimed by individuals living in those areas; and

"Whereas, the Internal Revenue Service studies indicate that the write-off of farm losses against non-farm profits has become a widespread business practice resulting in the loss of millions of dollars of federal revenue annually; and

"Whereas, the deliberate operation of farms at a loss for tax purposes by non-farm corporations and individuals is an unfair type of competition for the family farm with detrimental results to the people living in rural America: Now, therefore, be it

"Resolved, by the House of Representatives of the Forty-fourth Legislature of the State of South Dakota (the Senate concurring therein), That the President and Congress of the United States be, and the same are hereby, respectfully requested to enact legislation amending the Internal Revenue Code to prohibit persons and corporations who are not bona fide farmers from using losses incurred in farming operations to offset income earned by other means for federal income tax purposes; and be it further

"Resolved, That copies of this Concurrent Resolution be transmitted by the Chief Clerk of the House of Representatives of the state of South Dakota to the Offices of the President and Vice President of the United States, the Speaker of the House of Representatives of the United States, the Chairman of the Ways and Means Committee of the House of Representatives, the Chairman of Taxation Committee of the Senate, the members of the Congressional Delegation of the state of South Dakota, and the Commissioner of the Internal Revenue Service.

"Adopted by the House of Representatives February 6, 1969 Concurred in by the Senate February 14, 1969

"Dexter H. Gunderson,
"Speaker of the House.
"James Abdnor,
"President of the Senate.
"Attest:
"Paul Inman,
"Chief Clerk of the House.
"Attest:
"Niels P. Jensen,
"Secretary of the Senate."

A resolution of the House of Representatives of the State of Montana; to the Committee on Finance:

"House Resolution 8

"A resolution of the House of Representatives of the State of Montana urging that the 'Meat Import Act of 1964' be amended so that it will modify the harmful effects of excessive meat imports on domestic cattle prices

"Whereas, the domestic cattle industry has been caught in the cross fire of rising production costs and decreased product prices, and

"Whereas, imported meat has played an important part in creating the distressed market conditions in the cattle industry, and

"Whereas, the pressures on domestic prices of low-priced foreign imported beef discourages sale of domestic livestock thus adversely affecting the use of domestic grains and other feeds and diminishing the need for domestic labor, and

"Whereas, the distress in the livestock industry adversely affects all segments of Montana's economy as well as the economy of the United States, and

"Whereas, the 'Meat Import Act of 1964' (Public Law 88-482) was intended as a remedy for some of the problems of our livestock industry but has failed to alleviate the distressed situation: Now, therefore, be it

"*Resolved by the House of Representatives of the State of Montana*, That the House of Representatives urges that the 'Meat Import Act of 1964' be amended in the following particulars:

"1. The base period be changed from 1958-1963 to 1958-1962;

"2. The quotas be set on a quarterly basis, rather than on a yearly basis;

"2. The 'trigger level' be reduced from 110 percent to 100 percent of the applicable period;

"4. Instead of applying only to fresh, chilled, or frozen meat the import quotas be also applied to canned, cooked, and cured meat so that alteration in the form of packaging can no longer be used to avoid quota controls;

"5. Include 'off-shore' meat purchased by the armed forces within the import quotas; be it further

"*Resolved*, That the clerk of the House of Representatives send a copy of this resolution to each member of Montana's Congressional Delegation, to the President of the United States Senate, and to the Speaker of the United States House of Representatives.

"——— ———,
"*Speaker of the House.*

"I certify that the within Resolution was adopted on February 19, 1969, by the Montana House of Representatives.

"THOMAS E. MOONEY,
"*Chief clerk.*"

A joint resolution of the Legislature of the State of Nevada; to the Committee on Interior and Insular Affairs:

"ASSEMBLY JOINT RESOLUTION 12

"Assembly joint resolution memorializing the Congress and the Department of the Interior to authorize funds and planning necessary to complete the Dixie Project in Nevada and Utah and the board of county commissioners of Clark County to render immediate relief for flood victims

"Whereas, Recent severe flooding in the Virgin River area of Nevada, Arizona and Utah emphasizes the fact that remedial measures are essential for the welfare of the people and the relief of the economy of this important region; and

"Whereas, The Dixie Project continues to be of vital importance to this area for irrigation and flood control purposes; and

"Whereas, The completion of studies and surveys and the authorizations of funds are even more urgently solicited now than they were by the 54th session of the Nevada legislature in Assembly Joint Resolution No. 18; and

"Whereas, Immediate relief is needed at the local level for recent flood victims; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of Nevada, jointly*, That the Bureau of Reclamation of the Department of the Interior is hereby memorialized to complete all studies and surveys necessary for the construction of this vital project; and be it further

"*Resolved*, That the Congress of the United States is hereby memorialized to authorize all funds necessary for planning and construction of the Dixie Project; and be it further

"*Resolved*, That the board of county commissioners of Clark County is hereby memorialized to render immediate assistance to recent flood victims in the Virgin River watershed; and be it further

"*Resolved*, That copies of this resolution be prepared by the legislative counsel and delivered forthwith to the members of the Nevada, Arizona and Utah congressional delegations, the President of the Senate and the Speaker of the House of Representatives of the United States, the chairman and members of the Senate and House of Representatives committees on Appropriations and Interior and Insular Affairs, the Secretary of the Department of Interior, the Commissioner of the Bureau of Reclamation, the legislatures of the States of Arizona and Utah, and the members of the board of county commissioners of Clark County."

A joint resolution of the Congress of Micronesia; to the Committee on Interior and Insular Affairs:

"SENATE JOINT RESOLUTION 19

"Senate joint resolution requesting the President of the United States and the United States Congress to consider granting to the Congress of Micronesia, for its appropriation, three dollars for every dollar raised by the Congress of Micronesia pursuant to its tax and revenue laws

"Whereas, the United States of America is designated, under Article 2 of the Trusteeship Agreement, as the administering authority of the Trust Territory of the Pacific Islands; and

"Whereas, the United States agreed in Article 6 of the Trusteeship Agreement to discharge its moral and legal obligations to promote the Trust Territory citizens in political, economic, social and educational advancement; and

"Whereas, the Congress of Micronesia, which was established in 1964 as the legislative branch of the Trust Territory Government by Order No. 2882 of the Secretary of the Interior, still, in 1969, lacks sufficient funds to finance its many projects which are of vital importance to the inhabitants of the territory; and

"Whereas, it is the conviction of the Congress of Micronesia that a proportional matching grant type of subsidy from the United States Congress would promote the political, economic, social and educational advancement of Micronesia in that it would significantly increase the ability of the Congress of Micronesia to serve the needs of the Micronesian people and it would provide the Congress of Micronesia with greater incentive to explore new ways and methods of raising revenue: Now, therefore, be it

"*Resolved by the Senate of the Third Congress of Micronesia, first regular session, 1969 (the House of Representatives concurring)*, That the President of the United States and the United States Congress be and are hereby urged to consider granting to the Congress of Micronesia, for its appropriation, three dollars for every dollar raised by the Congress of Micronesia pursuant to its tax and revenue laws; and, be it further

"*Resolved*, That certified copies of this Joint Resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the chairmen of appropriate committees of the United States Senate and House of Representatives, the Secretary of the Interior, and the High Commissioner of the Trust Territory.

"Adopted January 27, 1969."

A joint resolution of the Legislature of the State of Nevada; to the Committee on the Judiciary:

"SENATE JOINT RESOLUTION 4

"Senate joint resolution memorializing the Congress promptly to ratify the Tahoe Regional Planning Compact

"Whereas, The legislatures of the states of California and Nevada have each found and declared that:

"1. The waters of Lake Tahoe and other resources of the Lake Tahoe region are threatened with deterioration or degeneration, which may endanger the natural beauty and economic productivity of the region;

"2. By virtue of the special conditions and circumstances of the natural ecology, developmental pattern, population distribution and human needs in the Lake Tahoe region, the region is experiencing problems of resource use and deficiencies of environmental control;

"3. There is a need to maintain an equilibrium between the region's natural endowment and its manmade environment, to preserve the scenic beauty and recreational opportunities of the region, and it is recognized that for the purpose of enhancing the efficiency and governmental effectiveness of the region, it is imperative that there be established an areawide planning agency with power to adopt and enforce a regional plan of resource conservation and orderly development to exercise effective environmental controls and to perform other essential functions; and

"Whereas, The states of California and Nevada have provided for the establishment of such an agency by interstate compact; and

"Whereas, Now as in the past, local and single state measures are proving ineffective to preserve the irreplaceable natural resource which is Lake Tahoe, and the pressures upon it grow with every passing month; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of Nevada, jointly*, That this legislature respectfully but urgently memorializes the Congress of the United States to ratify as soon as possible the Tahoe Regional Planning Compact, and to this end earnestly requests every federal agency which by law or request of Congress is required to report concerning the Compact prior to its ratification to expedite such report to the utmost; and be it further

"*Resolved*, That the legislative counsel forthwith transmit a copy of this resolution to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, each member of the Nevada congressional delegation, the Secretary of Agriculture, the Secretary of the Interior and the Director of the Bureau of the Budget."

The petition of Ohio Bell, of Chicago, Ill., praying for a redress of grievances; to the Committee on the Judiciary.

A resolution adopted by the City Council of Baltimore, Md., wishing success to President Nixon and expressing the cooperation of that Council; ordered to lie on the table.

CHANGE OF REFERENCE

Mr. FANNIN. Mr. President, I ask unanimous consent that S. 1168, a bill to authorize the Secretary of the Interior to take certain action with respect to grazing permits involving the Organ Pipe Cactus National Monument, which was introduced by me on February 25, 1969, be rereferred to the Interior and Insular Affairs Committee.

The **VICE PRESIDENT**. Without objection, it is so ordered.

ENROLLED BILL SIGNED

The **VICE PRESIDENT** announced that on today, February 28, 1969, he signed the enrolled bill (S. 17) to amend the Communications Satellite Act of 1962 with respect to the election of the board of directors of the Communications Satellite Corporation, which had previously been signed by the Speaker of the House of Representatives.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McCLELLAN, from the Committee on Government Operations, without amendment:

S. 1058. A bill to extend the period within which the President may transmit to the Congress plans for the reorganization of agencies of the executive branch of the Government (Rept. No. 91–89).

By Mr. LONG, from the Committee on Finance, with amendments:

S. 1022. A bill to provide that future appointments to the office of Administrator of the Social and Rehabilitation Service, within the Department of Health, Education and Welfare, shall be made by the President, by and with the advice and consent of the Senate (Rept. No. 91–90).

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. McGEE (for Mr. Monroney), from the Joint Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated October 11, 1968, that appeared to have no permanent value or historical interest, on today, February 28, 1969, submitted a report thereon, pursuant to law.

DISPOSITION OF EXECUTIVE PAPERS

The VICE PRESIDENT laid before the Senate a letter from the Archivist of the United States, heretofore received (during the sine die adjournment of the Senate, dated October 11, 1968), transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, was referred to the Joint Committee on the Disposition of Papers in the Executive Departments.

Mr. Monroney and Mr. Carlson were appointed members of the committee on the part of the Senate.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PERCY (for himself, Mr. Anderson, Mr. Bayh, Mr. Bennett, Mr. Bible, Mr. Boggs, Mr. Burdick, Mr. Cook, Mr. Cooper, Mr. Eastland, Mr. Fannin, Mr. Goodell, Mr. Griffin, Mr. Gurney, Mr. Harris, Mr. Hatfield, Mr. Inouye, Mr. Javits, Mr. Mansfield, Mr. Miller, Mr. Mundt, Mr. Murphy, Mr. Nelson, Mr. Packwood, Mr. Randolph, Mr. Saxbe, Mr. Schweiker, Mr. Scott, Mr. Stevens, Mr. Tower, Mr. Yarborough, and Mr. Young of Ohio):

S. 1179. A bill to amend the Federal Aviation Act of 1958 to authorize reduced rate transportation for certain additional persons on a space-available basis; to the Committee on Commerce.

(See the remarks of Mr. Percy when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN (by request):

S. 1180. A bill for the relief of Leo Temmer; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota (for himself, Mr. Jordan of North Carolina, Mrs. Smith, Mr. Allott, Mr. Burdick, Mr. Church, Mr. Cranston, Mr. Fannin, Mr. Goldwater, Mr. Jordan of Idaho, Mr. Magnuson, Mr. Mondale, Mr. Murphy, and Mr. Muskie):

S. 1181. A bill to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the qaulity of potatoes and potato products that are made available to the consumer; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Young of North Dakota when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota:

S. 1182. A bill to provide for a study of the need for regulation of weather modification activities, the extent of coordination, and the appropriate responsibility for operations in the field of weather modification, and for other purposes; to the Committee on Commerce.

By Mr. TOWER:

S. 1183. A bill for the relief of James Wesley May (Chin-kwei Lin); to the Committee on the Judiciary.

By Mr. PEARSON:

S. 1184. A bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Government Operations.

(See the remarks of Mr. Pearson when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of Virginia:

S. 1185. A bill to protect the public from certain fraudulent practices in the sale of used cars; to the Committee on Commerce.

(See the remarks of Mr. Byrd of Virginia when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 1186. A bill for the relief of Col. John H. Awtry;

S. 1187. A bill for the relief of Marcos Rojos Rodriguez; and

S. 1188. A bill for the relief of Francesco Rando; to the Committee on the Judiciary.

S. 1189. A bill to improve educational quality through the effective utilization of educational technology; and

S. 1190. A bill to provide for special programs for children with learning disabilities; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Yarborough when he introduced the last two above bills, which appear under separate headings.)

By Mr. STENNIS (for himself and Mrs. Smith):

S. 1191. A bill to authorize appropriations during the fiscal year 1969 for procurement of aircraft for the Armed Forces, and for other purposes; and

S. 1192. A bill to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Stennis when he introduced the above bills, which appear under separate headings.)

By Mr. ANDERSON:

S. 1193. A bill to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is a nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by operation of law for failure to pay rental timely; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON (for himself and Mr. Montoya):

S. 1194. A bill to provide for establishment of the Park Plaza National Historic Site in the State of New Mexico; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON (for himself and Mr. Aiken, Mr. Mansfield, Mr. Montoya, and Mr. Prouty):

S. 1195. A bill to amend the Social Security Act so as to provide a more uniform, orderly, economical, and equitable method of payment for hospital, extended care facility, nursing home and intermediate care services under programs established by or pursuant to such Act; to the Committee on Finance.

(See the remarks of Mr. Anderson when he introduced the above bill, which appear under a separate heading.)

By Mr. ANDERSON:

S. 1196. A bill for the relief of the Casa Angelica mental retardation facility of Albuquerque, N. Mex.; to the Committee on Labor and Public Welfare.

By Mr. MOSS:

S. 1197. A bill for the relief of Themistocles Ioanis Giannakos; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself, Mr. Allott, Mr. Anderson, Mr. Bennett, Mr. Bible, Mr. Burdick, Mr. Church, Mr. Curtis, Mr. Eagleton, Mr. Fong, Mr. Goldwater, Mr. Gravel, Mr. Griffin, Mr. Gurney, Mr. Hansen, Mr. Hatfield, Mr. Hruska, Mr. Inouye, Mr. Jackson, Mr. Jordan of Idaho, Mr. McGee, Mr. Moss, Mr. Percy, Mr. Randolph, Mr. Stevens, Mr. Tower, Mr. Yarborough, and Mr. Young of North Dakota):

S. 1198. A bill to permit a compact or agreement between the several States relating to taxation of multistate taxpayers; to the Committee on the Judiciary.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. INOUYE:

S. 1199. A bill for the relief of Cheung Tze Yan and Chau Fuk; and

S. 1200. A bill for the relief of Cheung Yun Tum and Chan Tam Tung; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 1201. A bill for the relief of Aristides Saketos;

S. 1202. A bill for the relief of George Markatis;

S. 1203. A bill for the relief of Maj. Warren D. Volmer, USAF; and

S. 1204. A bill for the relief of Agostino Maggiore; to the Committee on the Judiciary.

By Mr. HARTKE (for himself, Mr. Bible, Mr. Burdick, Mr. Byrd of West Virginia, Mr. Cooper, Mr. Eastland, Mr. Fannin, Mr. Goodell, Mr. Harris, Mr. Prouty, Mr. Schweiker, Mr. Scott, Mr. Stevens, Mr. Tydings, and Mr. Yarborough):

S. 1205. A bill to provide for a medal to be known as the Supreme Sacrifice Medal and to provide for its presentation to the widow or next of kin of members of the Armed Forces who have lost their lives as the result of armed conflict; to the Committee on Banking and Currency.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

By Mr. METCALF (or himself and Mr. Mansfield):

S. 1206. A bill to provide that certain lands shall be held in trust for the Assiniboine

Tribe and the Sioux Tribe of the Fort Peck Reservation in Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. METCALF (for himself and Mr. Hart):

S. 1207. A bill to repeal the provisions of the Federal Power Act which exempt from Federal Power Commission regulation the issuance of securities by public utilities subject to certain State regulation; to the Committee on Commerce.

(See the remarks of Mr. Metcalf when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD (for himself, Mr. Anderson, Mr. Inouye, Mr. McGee, Mr. Nelson, Mr. Pell, Mr. Randolph, and Mr. Yarborough):

S. 1208. A bill to amend title XVIII of the Social Security Act to provide for the coverage, under the Supplementary Medical Insurance Benefits program established by part B of such title, of one routine physical check-up each year for individuals insured under such program; to the Committee on Finance.

(See the remarks of Mr. Dodd when he introduced the above bill, which appear under a separate heading.)

By Mr. BAYH (for himself, Mr. Bible, Mr. Burdick, Mr. Eagleton, Mr. Hart, Mr. Hughes, Mr. Inouye, Mr. Jackson, Mr. Javits, Mr. Kennedy, Mr. McGee, Mr. Metcalf, Mr. Miller, Mr. Mondale, Mr. Packwood, Mr. Pell, Mr. Randolph, Mr. Scott, Mr. Tydings, and Mr. Yarborough):

S. 1209. A bill to amend title XVIII of the Social Security Act so as to eliminate, in certain cases, the requirement that an insured individual have first been admitted to a hospital in order to qualify under such title for the extended care services provided thereunder; to the Committee on Finance.

(See the remarks of Mr. Bayh when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 1210. A bill for the relief of Charles Ching; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 1211. A bill providing for the regulation of tender offers and exchange offers for, and certain acquisitions of, the equity securities of certain regulated bank holding companies, single-bank holding companies and banks insured by the Federal Deposit Insurance Corporation; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (for himself, Mr. Bennett, Mr. Bible, Mr. Brooke, Mr. Cranston, Mr. Hollings, Mr. Hughes, Mr. Mansfield, Mr. McIntyre, Mr. Mondale, Mr. Muskie, Mr. Percy, Mr. Proxmire, Mr. Tower, and Mr. Williams of New Jersey):

S. 1212. A bill to amend the Small Business Investment Act of 1968; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (for himself, Mr. Bennett, Mr. Bible, Mr. Brooke, Mr. Cranston, Mr. Hatfield, Mr. Hollings, Mr. Hughes, Mr. Javits, Mr. Mansfield, Mr. McIntyre, Mr. Metcalf, Mr. Mondale, Mr. Muskie, Mr. Percy, Mr. Proxmire, Mr. Tower, and Mr. Williams of New Jersey):

S. 1213. A bill to create a Small Business Capital Bank, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS:

S. 1214. A bill to amend title 11 of the District of Columbia Code to provide for the selection and tenure of judges in the District of Columbia Court of Appeals, the District of Columbia Court of General Sessions and the Juvenile Court of the District of Columbia, and for other purposes; and

S. 1215. A bill to expand the jurisdiction of the District of Columbia Court of General Sessions, to increase the number of judges of such court and the District of Columbia Court of Appeals, and for other purposes; to the Committee on the District of Columbia.

S. 1216. A bill to provide for three temporary district judgeships for the U.S. District Court for the District of Columbia; and

S. 1217. A bill to improve judicial machinery by amending section 292 of title 28, United States Code, to permit the chief judge of the U.S. Court of Appeals for the District of Columbia Circuit to assign district judges of the circuit to the District of Columbia Court of General Sessions; to the Committee on the Judiciary.

S. 1218. A bill to provide that the Government contribution to the cost of Federal employee health insurance plans shall not be less than 38 percent thereof; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Tydings when he introduced the above bills, which appear under separate headings.)

By Mr. CRANSTON:

S. 1219. A bill to direct the Secretary of the Interior to take certain actions, and make an investigation and study, with respect to drilling and oil production under leases issued pursuant to the Outer Continental Shelf Lands Act; to the Committee on Interior and Insular Affairs.

By Mr. WILLIAMS of New Jersey:

S. 1220. A bill for the relief of Jose Manuel Rodrigues de Gouveia; and

S. 1221. A bill for the relief of Dimitrios Kalyvis (Kalyzis); to the Committee on the Judiciary.

By Mr. INOUYE:

S. 1222. A bill for the relief of Yu Tai Fuk; to the Committee on the Judiciary.

By Mr. MATHIAS:

S. 1223. A bill to provide for the issuance of a special series of postage stamps in commemoration of the 50th anniversary of the National Federation of Business and Professional Women's Clubs; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Mathias when he introduced the above bill, which appear under a separate heading.)

By Mr. HATFIELD:

S. 1224. A bill to amend title IV of the Social Security Act to permit States to continue, under certain circumstances, community work and training programs for individuals receiving aid to families with dependent children under State plans established pursuant to such title; to the Committee on Finance.

S. 1225. A bill for the relief of Mary Yang (Soon Wol Yang); to the Committee on the Judiciary.

(See the remarks of Mr. Hatfield when he introduced the first above bill, which appear under a separate heading.)

By Mr. TYDINGS:

S. 1226. A bill for the relief of John Anthony Bacsalmassy;

S. 1227. A bill for the relief of Antonio Carbone; and

S. 1228. A bill for the relief of Dr. Barry J. Gurland; to the Committee on the Judiciary.

By Mr. BURDICK (for himself, Mr. Metcalf, Mr. McGovern, and Mr. Mansfield):

S. 1229. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 in order to make assistance available to Indian tribes on the same basis as to other local governments; and

S. 1230. A bill to amend the Juvenile Delinquency Prevention and Control Act of 1968 in order to make assistance available to Indian tribes on the same basis as to other local governments; to the Committee on the Judiciary.

(See the remarks of Mr. Burdick when he introduced the above bills, which appear under separate headings.)

By Mr. METCALF:

S. 1231. A bill to amend section 7902 of title 5 of the United States Code so as to provide for the establishment of a Federal employee accident prevention program; to the Committee on Labor and Public Welfare.

By Mr. MOSS (for himself, Mr. Bible, Mr. Cannon, and Mr. Church):

S. 1232. A bill to declare and determine the policy of the Congress with respect to the primary authority of the several States to control, regulate, and manage fish and wildlife within their territorial boundaries; to confirm to the several States such primary authority and responsibility with respect to the management, regulation, and control of fish and wildlife on lands owned by the United States; and to specify the exceptions applicable thereto; and to provide procedure under which Federal agencies may otherwise regulate the taking of fish and game on such lands; to the Committee on Commerce.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. COOPER:

S. 1233. A bill for the relief of Mrs. Gretel Rieger Micol; and

S. 1234. A bill for the relief of Max Ratibor; to the Committee on the Judiciary.

(See the remarks of Mr. Cooper when he introduced the above bills, which appear under a separate heading.)

By Mr. HOLLAND (for Mr. Talmadge):

S. 1235. A bill for the relief of James L. Wheeler; and

S. 1236. A bill for the relief of Homer T. Williamson, Sr.; to the Committee on the Judiciary.

By Mr. PELL:

S. 1237. A bill for the relief of Ralph R. Turner; and

S. 1238. A bill for the relief of Oresto A. Minardi and Dickran Manoogian; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 1239. A bill to deduct from gross tonnage in determining net tonnage spaces used for slop oil on board vessels;

S. 1240. A bill to require a radiotelephone on certain vessels while navigating upon specified waters of the United States;

S. 1241. A bill to amend the Federal Aviation Act of 1958 so as to specifically provide that remedial orders issued by the Civil Aeronautics Board in enforcement proceedings may require the repayment of charges in excess of those in lawfully filed tariffs;

S. 1242. A bill to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting;

S. 1243. A bill to amend the last sentence of section 201(b) of the Merchant Marine Act, 1936, and for other purposes;

S. 1244. A bill to amend section 406(b) of the Federal Aviation Act of 1958 to make certain air carriers ineligible for subsidy payments; and

S. 1245. A bill to authorize appropriations for the fiscal years 1970 and 1971 for the purpose of carrying out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, and to amend the definition of "motor vehicle equipment" in the National Traffic and Motor Vehicle Safety Act of 1966; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under separate headings.)

By Mr. McCLELLAN:

S. 1246. A bill for the general revision of the Patent Laws, title 35 of the United States Code, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. GOLDWATER:

S.J. Res. 59. A joint resolution proposing an amendment to the Constitution of the United States providing that citizens of the United States shall be entitled to vote for President and Vice President without regard to excessive residence and physical presence requirements; to the Committee on the Judiciary.

(See the remarks of Mr. Goldwater when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. MUNDT (for himself, Mr. Baker, Mr. Bennett, Mr. Burdick, Mr. Cook, Mr. Curtis, Mr. Dominick, Mr. Fannin, Mr. Hansen, Mr. Harris, Mr. Hruska, Mr. Jordan of Idaho, Mr. McGovern, Mr. Miller, Mr. Pearson, Mr. Percy, Mr. Prouty, Mr. Randolph, and Mr. Stevens):

S.J. Res. 60. A joint resolution to establish a Commission on Balanced Economic Development; to the Committee on Government Operations.

(See the remarks of Mr. Mundt when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. McCARTHY (for himself, Mr. Bayh, Mr. Bible, Mr. Boggs, Mr. Burdick, Mr. Case, Mr. Cooper, Mr. Dole, Mr. Dominick, Mr. Fulbright, Mr. Gurney, Mr. Hansen, Mr. Hart, Mr. Hartke, Mr. Hatfield, Mr. Hughes, Mr. Inouye, Mr. Mathias, Mr. McGee, Mr. McGovern, Mr. Mondale, Mr. Montoya, Mr. Moss, Mr. Mundt, Mr. Murphy, Mr. Muskie, Mr. Nelson, Mr. Pastore, Mr. Pearson, Mr. Prouty, Mr. Proxmire, Mr. Randolph, Mr. Ribicoff, Mr. Schweiker, Mrs. Smith, Mr. Sparkman, Mr. Stennis, Mr. Stevens, Mr. Tower, Mr. Tydings, Mr. Williams of Delaware, Mr. Williams of New Jersey, Mr. Young of North Dakota, and Mr. Young of Ohio):

S.J. Res. 61. A joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

(See the remarks of Mr. McCarthy when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. TYDINGS:

S.J. Res. 62. A joint resolution to establish a joint congressional committee to study and investigate matters pertaining to population and family planning; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Tydings when he introduced the above joint resolution, which appear under a separate heading.)

S. 1179—INTRODUCTION OF AIRLINES' SPECIAL SERVICES ENABLING ACT OF 1969

Mr. PERCY. Mr. President, I rise today to introduce legislation to enable young people, elderly people, military personnel, and the handicapped to travel at reduced fares on the Nation's airlines. This bill may be cited as the Airlines' Special Services Enabling Act of 1969.

This bill is cosponsored by 32 Senators: Senators Anderson, Bennett, Boggs, Burdick, Cook, Cooper, Eastland, Fannin, Goodell, Griffin, Gurney, Harris, Hatfield, Inouye, Javits, Mansfield, Miller, Mundt, Murphy, Nelson, Packwood, Randolph, Saxbe, Schweiker, Scott, Stevens, Tower, Yarborough, and Young of Ohio.

This bill for the first time would give specific legislative authorization to the CAB to extend half-price airfares to these groups on a standby basis during off-peak travel hours. As such, it would, in accordance with the terms of the Federal Aviation Act of 1958, give the CAB the statutory authority needed to administer these new group exclusions.

It should be emphasized that this is enabling legislation. The airlines are not required to put these reduced rate fares into effect, but will have a legislative basis to do so, thus providing the kind of flexibility that is most inherent in our competitive society.

This proposed legislation is in response to a January 21, 1969, decision by a CAB examiner to do away with the half-price youth fare for young people 12 to 21 while leaving the half-price fare for military personnel. Prompt remedial legislative action is necessary not only to retain the lower fares for young people, but also to extend them to certain other groups within our society.

To extend such fares to these groups makes both economic and social sense. Economically, airline revenues would benefit. I do not believe such a proposal would reduce airline revenue; it could actually increase it by permitting airlines to fill otherwise empty seats with paying passengers on a standby basis.

Young people away at school on low budgets often find it difficult, with higher air fares, to return to their families. Older people face a special problem of loneliness caused, in part, by being cut off from their family and friends by the comparatively high cost of transportation. Moreover, the handicapped also live often on reduced incomes with limited mobility and they too have special needs to be reunited more frequently with family and friends. Students, older people and the handicapped would be able to travel at off-peak travel hours.

Such legislation would not be discriminatory to others not qualifying for such reduced fares as services provided are not similar. Those obtaining such fares do not have the right to have reserved seats; they face the possibility of being bumped off at intermediate stop-over points by regular fare passengers; and such fares would not be available at peak periods of air traffic.

I have spoken to the distinguished chairman of the Senate Commerce Committee (Mr. Magnuson), who has graciously assured me of his interest in the problem. It is my hope that hearings could be held on this legislation at an early date.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1179) to amend the Federal Aviation Act of 1958 to authorize reduced rate transportation for certain additional persons on a space-available basis, introduced by Mr. Percy (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce.

S. 1181—INTRODUCTION OF BILL ENTITLED POTATO RESEARCH AND PROMOTION ACT

Mr. YOUNG of North Dakota. Mr. President, I am introducing today, together with 13 other Senators, a bill to authorize the establishment of a national potato promotion program in order to assist potato producers to expand their markets and improve their products.

The proposed Potato Research and Promotion Act is a serious attempt, through self-help legislation, to assist an important commodity group in solving some of the problems of the industry. There is a definite need for this legislation which will help potato producers to work cooperatively to solve their own problems.

While potatoes are one of the most important crops grown in this country—an average annual production of about 300 million hundredweight for the past 3 years—they are not a price-supported commodity. There are no guaranteed prices, acreage allotments, or loan programs. With potatoes at the mercy of a competitive market and confronted with a static demand, it has been impossible to maintain a reasonable and stable market for the grower. Largely because of this, we lost 55 percent of our potato farmers between 1955 and 1964. Over one-half were eliminated in 5 years. Indications are that the trend has continued since 1964.

Part of the problem has been the inability of the industry to do anything to improve the overall quality of fresh potatoes sold in retail stores. Many members of Congress have received complaints from their constituents about the poor quality of potatoes offered for sale. Under this proposed legislation the growers will be able to make effective efforts to upgrade and improve the product available to the consumer.

Many people have cut down or quit eating potatoes entirely because they think potatoes are a fattening food. They are not. Potatoes are an important vegetable. They supply substantial amounts of vitamin C and the B vitamins as well as essential minerals. At the same time, the calorie count of potatoes is much less than many of the food products substituted for them. Pound for pound, potatoes provide more nutritional value for the money spent than almost any other food. It is to the best interest of the consumer that he be fully aware of the important qualities of this wonderful vegetable.

Dehydrated potato products could become an important part of future programs to supply food to famine-stricken areas of the world. Through research, dehydrated potatoes could become the base for a complete balanced diet which, in a compact, dry form, could be shipped any place in the world and there reconstituted into an appetizing, hearty meal.

This is enabling legislation which would allow the potato farmers to decide by referendum whether they want to dedicate a portion of their sales proceeds to conduct and pay for marketing research, public relations and promotion projects and to be able to offer an improved product to the consumer.

It would require a two-thirds majority vote by producers to establish a program under this proposed act.

If at any time the program were not successful, it could be voted out by a simple majority. Even with a program in effect, growers who did not wish to participate could request and receive a refund of any funds withheld from their sales. The provision providing for producer contributions and for refunds, if desired, is substantially the same as contained in promotion programs which cover many other agricultural products.

The maximum allowable withholding would be 1 cent per hundredweight of potatoes sold. It is estimated that this would provide between $1½ to $2 million annually for the various programs.

A National Potato Promotion Board composed of growers would be selected to design and carry out the program. The members of the Promotion Board would be appointed by the Secretary of Agriculture from nominations submitted to him by potato producers.

It would be the responsibility of the Secretary of Agriculture to see that the Board did not undertake programs not authorized by the act. The Board would also give full financial reports on all collections and expenditures. The act specifically prohibits the use of any funds collected under the act for lobbying or otherwise influencing Government policy or actions.

Mr. President, potato farmers should have a chance to accept or reject this program. It is my understanding that this legislation is supported by every potato grower's association, commission, or other organized group exclusively representing potato growers. It has also been endorsed by many of the representatives of the potato shipping, processing, and distribution industries. In addition, it has been actively supported by many equipment manufacturers, supply firms, and chemical companies which depend on the potato industry for a substantial part of their business.

In order for the Potato Research and Promotion Act to become effective, it will require positive initiative on the part of the potato growers of this country. When they exhibit this initiative, the resulting program will be their program.

In addition, there is the great psychological influence created by the fact that it is the grower's money that is being spent. He will make every effort to make the program work or he will get rid of it. Success will mean a degree of stability for the potato producer and a better quality product for the consumer.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1181) to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer, introduced by Mr. YOUNG of North Dakota (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

S. 1184—INTRODUCTION OF BILL TO EXTEND FOR 2 YEARS THE PERIOD FOR WHICH PAYMENTS IN LIEU OF TAXES MAY BE MADE WITH RESPECT TO CERTAIN REAL PROPERTY TRANSFERRED BY THE RFC AND ITS SUBSIDIARIES TO OTHER GOVERNMENT DEPARTMENTS

Mr. PEARSON. Mr. President, I introduce today, for appropriate reference, a bill which would extend for a further period of 2 years the authority to make payments in lieu of taxes under Public Law 388 of the 84th Congress. That law provides that where real property was transferred on or after 1946 from the Reconstruction Finance Corporation to any Government department and the title thereto has been held continuously since such transfer, the Government department having custody and control of such properties pay the local taxing authorities an amount equal to the real property tax which would be payable if the property were in the hands of a private citizen.

Under the Constitution, property owned by a Federal department or agency cannot be taxed by the States. But the Federal Government may provide a substitute for the tax where the Congress deems it desirable. In this instance, the properties affected were at one time under the control of the Reconstruction Finance Corporation and then on the tax rolls of the communities in which they were located. They are, for the most part, manufacturing and commercial type properties which require police and fire protection and the numerous other costly services that local communities must provide.

The Federal Government owns nearly 30 such properties which this bill would affect, and one is located in Sedgwich County, Kans. Last year, the cost of this bill amounted to just over $2 million. When the bill was last introduced, it received favorable approval from the appropriate Federal agencies.

This bill is of vital importance to communities where affected properties are located, and I sincerely request that full consideration be given to this bill by the Senate.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1184) to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments, introduced by Mr. PEARSON, was received, read twice by its title, and referred to the Committee on Government Operations.

S. 1185—INTRODUCTION OF BILL TO PROTECT THE PUBLIC FROM FRAUDULENT PRACTICES IN THE SALE OF USED CARS

Mr. BYRD of Virginia. Mr. President, I introduce, for appropriate reference, a bill to prohibit tampering with mileage indicators—odometers—on motor vehicles, and to offer safeguards to the public against this widespread, fraudulent practice.

This legislation would accomplish the following: make it unlawful to alter the mileage reading on odometers subject to a fine of up to $1,000 for the first offense and $3,000 for each succeeding offense; require sellers of used motor vehicles to give purchasers a signed statement from the last private owner certifying the mileage at time of sale, and direct the Secretary of Transportation to investigate the feasibility of manufacturing a tamper-proof mileage indicator—odometer—for motor vehicles.

Mr. President, in 1967, American consumers spent an estimated $20 billion in the purchase of some 20 million used cars. This compares with an estimated 9 million new vehicles sold in the same period for about $29 billion.

I emphasize that the people who buy these cars are often the ones who cannot afford a new car, and who can least afford costly repair bills.

In purchasing any used product, of course, consumers assume greater risks than if they were to buy the same product new. The limited warranties on such items attest to that.

Additionally, in the used car market, the principle of "buyer beware" probably applies with greater force than anywhere else. But I think most people realize that and have learned to discount some of the more extravagant claims.

What concerns me, however, are the unknown risks—the risks which are hidden from the purchaser through willful and fraudulent practices.

Specifically, I refer to the widespread deception of altering the odometer reading on vehicles to register fewer miles than have actually been traveled. A substantial number of used cars sold in this country each year are altered in this way before resale.

Even more than the age of a car, the mileage reading is the purchaser's most dependable guide to the vehicle's condition and value.

Taken in conjunction with the model year, the mileage reading can also indicate how hard the car has been driven.

I would emphasize that an accurate mileage reading is important, not just from the standpoint of the value and salability of the vehicle, but also as a guide to its safe and reliable operation. Many of the most vital parts on a car deteriorate in proportion to miles driven. This is true, for instance, of brake linings, tires, and steering mechanisms.

The personal experience of one of my staff members first brought this problem to my attention.

He recently purchased a new car, trading in a 1965 automobile with 75,000 miles on the odometer. When he returned to the dealer for a minor repair on the new car, the salesman volunteered the information that the odometer on his traded car had been altered to read 36,000 miles, and sold at a handsome price to an unsuspecting resident of the area.

What was most shocking about this incident was that the salesman was fully aware that he was talking with a member of my personal staff. This indicated to me how commonplace this practice must be and how cynically it is carried on.

Incidentally, at the insistence of my staff member, the dealer made restitution to the man who purchased his old car.

As a result of that experience, I decided to look further into this situation to determine what, if anything, could be done to stop it. The legislation I am introducing today is a result of that study.

In talking with new and used car dealers, it has been my impression that they would strongly support legislation of this kind. Indeed, one used car manager in this area has taken it upon himself to provide customers with signed statements from the last private owner testifying to the accuracy of the vehicle's mileage reading. In many cases, however, dealers feel they have to engage in the practice of altering odometers to meet the competition of other dealers.

There is evidence that this is often done on a systematic basis by used car wholesalers who buy up vehicles in a given area, recondition them, including "reconditioning" their odometers, and then transport the autos to other parts of the country for retail sale.

Apparently, nothing very complicated is involved in turning back a speedometer. Depending on the model and year of the car, it can be done by simply turning the numbers by hand or, at its most complicated, removing the speedometer unit from the vehicle and attaching it to a high speed drill run in reverse.

A Virginian recently sent me a flyer from an automotive specialty manufacturing company advertising a speedometer resetting machine which eliminates the need of removing speedometers from the car. The machine is guaranteed capable of resetting odometers on any American-made car.

The price on this item—which is advertised as the latest in money-saving shop equipment—is $39.95, although I understand less expensive models are available.

My staff called the eight speedometer repair companies located in the Washington area to inquire whether they would reset the mileage on odometers. With no questions asked, they all offered their services at prices ranging from $5 to $25.

Mr. President, the legislation I have introduced today will not, by itself, eliminate this practice, but it should make it more difficult.

The primary protection in this bill is the requirement that the seller of a used vehicle provide the purchaser with a signed statement from the last private owner certifying the mileage at time of sale. With this requirement, sellers would think twice about altering those readings.

Ultimately, the solution to this problem is the manufacture of tamper-proof odometers. For that reason, my bill calls on the Secretary of Transportation to investigate the feasibility of producing such an odometer and report the finding to the Congress within a year.

For years, the used car has been the subject of American folk humor. It has been something like the weather—everyone talks about it, but nobody does anything about it.

I think it is time we took steps to eliminate one of the most flagrant abuses in this trade to the benefit, I would submit, of consumers and dealers alike.

I ask unanimous consent that the text of the proposed legislation which I have just introduced be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1185) to protect the public from certain fraudulent practices in the sale of used cars, introduced by Mr. Byrd of Virginia, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 1185

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds that in purchasing motor vehicles, customers rely heavily on the odometer reading as an index of the condition and value of such vehicle; that it is a widespread practice in all parts of the Nation to alter odometer readings in order to mislead customers with respect to the condition and value of motor vehicles; that such a practice is especially prevalent in the sale of used motor vehicles; that an accurate knowledge of the mileage traveled by a motor vehicle is directly related to its safe and reliable operation, and that motor vehicles move in the current of interstate and foreign commerce or affect such commerce. It is therefore the purpose of this Act to prohibit tampering with odometers on motor vehicles and to establish certain safeguards for the protection of the public with respect to the sale of motor vehicles having altered or reset odometers.

Sec. 2. (a) Whoever—

(1) disconnects, turns back or resets the odometer of any motor vehicle; or

(2) sells or offers for sale any motor vehicle knowing that the odometer of such vehicle has been altered and does not disclose this information in writing to the purchaser,

shall be fined not more than $1,000 for the first offense, and not more than $3,000 for each succeeding offense.

(b) The provisions of this section shall not apply to any person who (1) disconnects an odometer for repair or replacement provided the motor vehicle is not driven with the odometer disconnected, or (2) disconnects the odometer of a new motor vehicle for the purpose of testing such vehicle.

Sec. 3. (a) Whoever sells a used motor vehicle shall provide the purchaser with a statement signed by the last person owning the vehicle for purposes other than resale certifying the mileage at the time of sale and giving the address of said person.

(b) Whoever knowingly violates this section shall be subject to a civil penalty not to exceed $1,000 for each violation.

Sec. 4. The Secretary of Transportation shall investigate the feasibility of manufacturing odometers for use on motor vehicles which cannot be altered, disconnected or reset, and which shall accurately register the mileage traveled by the vehicle, and he shall report the findings of his investigation to the Congress no later than one year after the date of enactment of this Act.

Sec. 5. As used in this Act the term—

(1) "interstate commerce" means commerce between any State, any territory, or the District of Columbia, and any place outside thereof; or between points within the same State, territory, or the District of Columbia, but through any place outside thereof.

(2) "motor vehicle" means any vehicle driven or drawn by mechanical power for use on the public streets, roads and highways principally in the transportation of passengers, but such term does not include buses, or any vehicle operated exclusively on a rail or rails.

S. 1189—INTRODUCTION OF A BILL ENTITLED "EDUCATIONAL TECHNOLOGY ACT OF 1969"

Mr. YARBOROUGH. Mr. President, I introduce today, for the consideration of the Senate, the Educational Technology Act of 1969, and request that the bill and the accompanying section-by-section summary be printed in full at the close of my remarks.

Last October 10, just prior to the close of the 90th Congress, I introduced the Educational Technology Act of 1968. At that time I remarked that that bill was "meant to be a beginning of all the work necessary to pass such an act; it is meant to stir comment, open dialog, and set in motion the thoughts of the American educational community."

Comment was stirred, dialog was opened, and the thoughts of the American educational community were set in motion. That activity and interest continues today. The bill I introduce today is reflective of that concern and interest for it has grown out of it.

Since last October my office has daily received letters from across the country, from teachers, principals, superintendents, State commissioners of education, professors, college presidents, researchers, and thoughtful citizens.

The letters were unanimously in favor of the bill, but what was more encouraging, they were thoughtful letters containing sound suggestions for improving the discussion bill I introduced last October. In addition to receiving letters my staff and I received telephone calls and visitors—all of them with a message, all of them with an offer of assistance.

My thanks has already gone out to all of those who contributed to the dialog that has resulted in the bill I introduce today. But I wish to take this opportunity to express publicly my gratitude. The Educational Technology Act of 1969 is not just my bill; it is a bill of and for the American educational community. There are ideas, large and small, in the new Educational Technology Act which persons across America will recognize as their own ideas. I salute these educators who took the time to think, and communicate, and work toward the end of improving education in America through the application of educational technology to the learning process.

Several major themes run across this new bill. The bill is predicated upon the belief that through the wise application of technology to education the quality of education can be improved. Further, the bill requires sound and conscientious planning—planning that relates goals to needs, and programs to children and students. Additionally, the bill recognizes that the most sophisticated software—films, tapes, programs—coupled with the most advanced hardware—projectors, receivers, computers—are but two of the ingredients necessary to make technology work for the benefit of the learner. Just as important is the trained teacher who knows how to use technology as an extension of himself—as an added dimension in the learning process. And so this bill not only provides for training, it requires it.

It is my hope that in the days ahead my colleagues in the Senate, and in the

House of Representatives, will join me in support of this new dimension in education and work for its passage.

Mr. President, I ask unanimous consent that the bill and the section-by-section analysis of the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and the section-by-section analysis will be printed in the RECORD.

The bill (S. 1189) to improve educational quality through the effective utilization of educational technology, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 1189

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Educational Technology Act of 1969".

TITLE I—USE OF EDUCATIONAL TECHNOLOGY IN ELEMENTARY AND SECONDARY EDUCATION

Statement of purpose

SEC. 101. The purpose of this title is to improve the quality of preschool and elementary and secondary education through the effective utilization of educational technology by (1) encouraging significant applications of existing technology to preschool programs and education in elementary and secondary schools, (2) the development and demonstration of technological innovations in such schools (3) the expansion of the current general application of technological equipment and materials for instruction and learning in such schools, (4) strengthening the capabilities of teaching, administrative, and ancillary staff in such schools, (5) research into educational technology, including statistical and information services, and (6) strengthening the leadership resources of State educational agencies in educational technology.

Authorization of appropriations

SEC. 102. (a) There are hereby authorized to be appropriated for the purpose of carrying out this title $200,000,000 for the fiscal year ending June 30, 1970, and each of the next four fiscal years. There are further authorized to be appropriated such sums as may be necessary for payment to the States for use by them for making grants under this title for the purposes described in paragraphs (2) and (3) of section 104(a) for years other than the initial year of a grant for such purposes.

(b) Of the sums appropriated pursuant to subsection (a) for each fiscal year, 90 per centum shall be available for allotments to States in accordance with section 103, and 10 per centum shall be available for educational technology research in elementary and secondary education in accordance with section 304.

Allotments to States

SEC. 103. (a) From the sums available for allotments to States pursuant to section 102—

(1) The Commissioner shall allot not to exceed 3 per centum thereof, to be used for the purposes of section 104(a), among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, according to their respective needs for assistance for such purposes;

(2) The Commissioner shall allot to each State, for the purposes of strengthening the leadership resources of the State educational agency as described in section 104(c), the sum of (A) $100,000 for each State (or $25,000 in the case of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands), and (B) an amount equal to 5 per centum of the funds allotted for grants within each State under paragraph (3).

(3) The Commissioner shall allot the remaining funds among the States, for grants to local educational agencies for purposes of section 104(a), in the same proportions as the number of children aged three to seventeen, inclusive, in each such State bears to the total number of such children in all the States for that year. For the purposes of this paragraph, the term "State" does not include Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

(b) The portion of any State's allotment for a fiscal year under subsection (a) which the Commissioner determines will not be required for that State for the period such allotment is available, shall be reallotted on the basis of such factors as the Commissioner determines to be equitable and reasonable, among States which the Commissioner determines will be able to use without delay any amounts so reallotted. Any amounts so reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for such year.

Uses of Federal funds

SEC. 104. (a) Funds appropriated pursuant to section 102, and allotted to each State under paragraphs (1) and (3) of section 103(a) shall be available only for grants in accordance with applications approved pursuant to this title for—

(1) planning for the development and implementation by local educational agencies of educational technology programs, involving the use of technological equipment and materials, designed to change and strengthen the learning process in the elementary and secondary schools served by such agencies;

(2) in the case of local educational agencies which have carried out a planning phase as described in paragraph (1), whether covered by a grant under this title or otherwise, preservice and inservice training and development programs to strengthen the capabilities of professional and non-professional teaching, administrative, and ancillary staff in elementary and secondary schools served by such agencies to use and apply technology in the educational process, including the acquisition or rental of technological equipment and materials necessary to reinforce or supplement such training and development;

(3) in the case of local educational agencies which have carried out a planning phase as described in paragraph (1) (whether covered by a grant under this title or otherwise) and have made sufficient progress in an inservice training and development phase as described in paragraph (2), the acquisition or rental of technological equipment and materials (other than supplies consumed in use) and the provision of related services, including the employment of educational technology personnel, which are necessary for carrying out the purposes of this title, but the costs of such related services shall not exceed a reasonable portion of the program budget and in no case shall such costs exceed 20 per centum thereof.

(b) A local educational agency which receives a grant under subsection (a) may enter into a contract or other arrangement with a public or private agency, institution, or organization for the performance of planning, training, or related services necessary for the implementation, in whole or in part, of any of the purposes described in subsection (a).

(c) From the funds allotted to each State under section 103(a) (2) the Commissioner is authorized to pay to each State amounts necessary to enable the State educational agency to provide for—

(1) the planning, development, and operation of programs designed to strengthen the capability of the State educational agency with respect to the implementation of educational technology in elementary and secondary schools in the State, including the provision of technical assistance, demonstrations, workshops, and similar activities designed to assist local educational agencies in using technological equipment and materials for the improvement of instruction;

(2) the preparation and dissemination by the State educational agency to elementary and secondary schools, institutions of higher education, and other appropriate agencies, of information, including analyses of research and experimentation, relating to educational technology and improved methods of using and applying educational technology;

(3) the evaluation of the effectiveness of programs and projects supported under the State plan in meeting the purposes of this title, and dissemination of the results of such evaluations and other information pertaining to such programs or projects; and

(4) the administration of the State plan.

State plans

SEC. 105. (a) Any State desiring to receive payments for any fiscal year under this title shall—

(1) have a State advisory council for educational technology (hereinafter referred to as the "State advisory council") which meets the requirements set forth in section 302;

(2) set dates before which local educational agencies must have submitted applications for grants to the State educational agency; and

(3) submit to the Commissioner, through its State educational agency, a State plan at such time and in such detail as the Commissioner may deem necessary.

The Commissioner may, by regulation, set uniform dates for the submission of State plans and applications.

(b) The Commissioner shall approve a State plan, or modification thereof, if he determines that the plan submitted for that fiscal year—

(1) sets forth a program under which funds out of the State's allotment under section 103(a) (3) will be expended through grants to local educational agencies for the purposes described in section 104;

(2) provides that, to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served by a project whose educational needs are of the type which that project is designed to meet, provision has been made for the participation of such children;

(3) sets forth the administrative organization and procedures, including the qualifications of personnel having responsibility for the operation of programs and projects set forth in such plan, in such detail as the Commissioner may by regulation prescribe;

(4) provides for using 10 per centum of the State's allotment under section 103(a) (3) for each fiscal year for making grants to local educational agencies for planning purposes as described in section 104(a) (1);

(5) sets forth criteria for achieving an equitable distribution of assistance under this title, which criteria shall be based on consideration of—

(A) the size and population of the State,

(B) the geographic distribution and density of the population within the State, and

(C) the relative needs of persons in different geographic areas and in different population groups within the State for the kinds of programs and projects described in section 104 and the financial ability of the local educational agencies serving such persons to provide such programs and projects;

(6) provides for adoption of effective procedures—

(A) for the evaluation by the State advisory council, at least annually, of the effectiveness of the programs and projects supported under the State plan in meeting the purposes of this title;

(B) for appropriate dissemination of the results of such evaluations and other information pertaining to such programs and projects; and

(C) for adopting, where appropriate, promising educational practices developed through such programs and projects;

(7) sets forth policies and procedures which give satisfactory assurance that Federal funds made available under this title for any fiscal year—

(A) will not be commingled with State funds, and

(B) will be so used as to supplement, and to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Commissioner) that would, in the absence of such Federal funds, be made by the applicant for the purposes described in section 104;

(8) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this title;

(9) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require, including reports of evaluations made in accordance with objective measurements under the State plan pursuant to paragraph (6), and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

(10) provides that final action with respect to any application, or amendment thereof, regarding the proposed final disposition thereof shall not be taken without first affording the local educational agency or agencies submitting such application reasonable notice and opportunity for a hearing; and

(11) contains satisfactory assurance that, in determining the eligibility of any local educational agency for State aid or the amount of such aid, grants to that agency under this title shall not be taken into consideration.

Applications for grants—conditions for approval

SEC. 106. (a) A grant under this title pursuant to a State plan approved under section 105 may be made only to a local educational agency or agencies, and only upon application to the appropriate State educational agency at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. An application by a local educational agency for a grant to be used for any of the purposes of section 104(a) may be approved only if such application—

(1) provides that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

(2) sets forth a program for carrying out the purposes set forth in section 104 and provides for such methods of administration as are necessary for the proper and efficient operation of such program;

(3) sets forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 104, and in no case supplant such funds;

(4) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

(5) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(b) An application by a local educational agency for a grant to be used for the purposes of paragraphs (2) and (3) of section 104(a) may be approved only if—

(1) the local educational agency has submitted a long-range program plan, which extends over a period of time of not less than four years, describing the present and projected educational needs and problems of the children in elementary and secondary schools served by the local educational agency, and a schedule for meeting and solving those needs and problems through the implementation of a comprehensive program of educational technology of sufficient magnitude to make a substantial impact on those needs and problems; and

(2) the local educational agency submits for each fiscal year an annual program plan describing the content of, and allocation of funds to programs, services, and activities with respect to the implementation of a comprehensive educational technology program to be carried out during each such year for which Federal funds are sought; indicates how and to what extent, such programs, services, and activities will carry out the program of objectives set forth in the long-range program plan provided for in paragraph (1); and indicates the extent to which consideration has been given to the findings and recommendations of the State advisory council in its most recent evaluation report submitted pursuant to section 302 and indicates the extent to which research findings (whether such research is assisted under this Act or otherwise) have been incorporated as part of the annual program plan.

Payments

SEC. 107. (a) The Commissioner shall pay to each State which has a State plan approved under this title an amount equal to the total sums expended by the State under the State plan for the purposes set forth therein.

(b) Payments under this section may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

(c) Upon approval of an application submitted by a local educational agency for a grant to be used for the purposes of paragraph (1) of section 104(a) the Commissioner shall reimburse the local educational agency for the reasonable costs of preparing the application.

TITLE II—USE OF EDUCATIONAL TECHNOLOGY IN HIGHER EDUCATION

Statement of purpose

SEC. 201. The purpose of this title is to improve the quality of higher education through the effective utilization of educational technology by (1) encouraging significant applications of existing technology to education in institutions of higher education, (2) the development and demonstration of technological innovations in such institutions, (3) the expansion of the current general application of technological equipment and materials for instruction and learning in such institutions, (4) strengthening the capabilities of teaching and ancillary staff in such institutions, and (5) research into educational technology, including statistical and information services.

Authorization of appropriations

SEC. 202. (a) There are hereby authorized to be appropriated for the purpose of carrying out this title $100,000,000 for the fiscal year ending June 30, 1970, and each of the next four fiscal years. There are further authorized to be appropriated such sums as may be necessary for payment to the States for use by them for making grants under this title for the purposes described in paragraphs (2) and (3) of section 204(a) for years other than the initial year of a grant for such purposes.

(b) Of the sums appropriated pursuant to subsection (a) for each fiscal year, 90 per centum shall be available for allotments to States in accordance with section 203, and 10 per centum shall be available for educational technology research in higher education in accordance with section 304.

Allotments to States

SEC. 203. (a) From the sums available for allotments to States pursuant to section 202—

(1) The Commissioner shall allot not to exceed 3 per centum thereof, to be used for the purposes of section 204(a), among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, according to their respective needs for assistance for such purposes;

(2) The Commissioner shall allot to each State, for the purposes of section 204(c), the sum of (A) $100,000 for each State (or $25,000 in the case of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands), and (B) an amount equal to 1 per centum of the funds allotted for grants within each State under paragraph (3).

(3) The Commissioner shall allot the remaining funds among the States, for grants to institutions of higher education for purposes of section 204(a), in the same proportions as the number of students enrolled in institutions of higher education in each such State bears to the total number of such students in all the States for that year. For the purposes of this paragraph, the term "State" does not include Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

(b) The portion of any State's allotment for a fiscal year under subsection (a) which the Commissioner determines will not be required for that State for the period such allotment is available, shall be reallotted on the basis of such factors as the Commissioner determines to be equitable and reasonable, among States which the Commissioner determines will be able to use without delay any amounts so reallotted. Any amount so reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for such year.

Uses of Federal funds

SEC. 204 (a) Funds appropriated pursuant to section 202, and allotted to each State under paragraphs (1) and (3) of section 203 (a) shall be available only for grants in accordance with applications approved pursuant to this title for—

(1) planning for the development and implementation by institutions of higher education of educational technology programs, involving the use of technological equipment and materials, designed to change and strengthen the learning process in such institution;

(2) in the case of institutions of higher education which have carried out a planning phase as described in paragraph (1) whether covered by a grant under this title or otherwise, preservice and inservice training and development programs to strengthen the capabilities of professional and non-professional teaching, administrative, and ancillary staff in such institutions to use and apply technology in the educational process, including the acquisition or rental of technological equipment and materials necessary to reinforce or supplement such training and development;

(3) in the case of institutions of higher education which have carried out a planning phase as described in paragraph (1) (whether covered by a grant under this title or otherwise) and have made sufficient progress in an inservice training and development phase as described in paragraph (2), the acquisition or rental of technological equipment and materials (other than sup-

plies consumed in use) and the provision of related services, including the employment of educational technology personnel, which are necessary for carrying out the purposes of this title, but the costs of such related services shall not exceed a reasonable portion of the program budget and in no case shall such costs exceed 20 per centum thereof.

(b) An institution of higher education which receives a grant under subsection (a) may enter into a contract or other arrangement with a public or private agency, institution, or organization for the performance of planning, training, or related services necessary for the implementation, in whole or in part, of any of the purposes described in subsection (a).

(c) From the funds allotted to each State under section 203(a)(2) the Commissioner is authorized to pay to each State amounts necessary to enable the State educational agency to provide for—

(1) the evaluation of the effectiveness of programs and projects supported under the State plan in meeting the purposes of this title, and dissemination of the results of such evaluations and other information pertaining to such programs or projects; and

(2) the administration of the State plan.

State plans

SEC. 205. (a) Any State desiring to receive payments for any fiscal year under this title shall—

(1) have a State advisory council for educational technology (hereinafter referred to as the "State advisory council") which meets the requirements set forth in section 302;

(2) set dates before which institutions of higher education must have submitted applications for grants to the State higher education commission; and

(3) submit to the Commissioner, through its State higher education commission, a State plan at such time and in such detail as the Commissioner may deem necessary.

The Commissioner may, by regulation, set uniform dates for the submission of State plans and applications.

(b) The Commissioner shall approve a State plan, or modification thereof, if he determines that the plan submitted for that fiscal year—

(1) sets forth a program under which funds out of the State's allotment under section 203(a)(3) will be expended through grants to institutions of higher education for the purposes described in section 204;

(2) sets forth the administrative organization and procedures, including the qualifications of personnel having responsibility for the operation of programs and projects set forth in such plan, in such detail as the Commission may by regulation prescribe;

(3) provides for using 10 per centum of the State's allotment under section 203(a)(3) for each fiscal year for making grants to institutions of higher education for planning purposes as described in section 204(a)(1);

(4) sets forth standards and methods for determining relative priorities among eligible projects in educational technology, which standards and methods shall—

(A) contribute to achieving the objectives of this title while leaving opportunity and flexibility to accommodate the varied needs of institutions in the State; and

(B) give special consideration to applications, submitted by institutions of higher education, (i) for grants to be used by the institution in a program of teacher education, and (ii) for grants to be used for the development of courses in educational technology for persons preparing to serve in teaching, administrative, or ancillary positions in elementary or secondary education;

(5) provides for adoption of effective procedures—

(A) for the evaluation by the State advisory council, at least annually, of the effectiveness of the programs and projects supported under the State plan in meeting the purposes of this title;

(B) for appropriate dissemination of the results of such evaluations and other information pertaining to such programs and projects; and

(C) for adopting, where appropriate, promising educational practices developed through such programs and projects;

(6) sets forth policies and procedures which give satisfactory assurance that Federal funds made available under this title for any fiscal year—

(A) will not be commingled with State funds, and

(B) will be so used as to supplement, and to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Commissioner) that would, in the absence of such Federal funds, be made by the applicant for the purposes described in section 104;

(7) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the States under this title;

(8) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require, including reports of evaluations made in accordance with objective measurements under the State plan pursuant to paragraph (6), and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

(9) provides that final action with respect to any application, or amendment thereof, regarding the proposed final disposition thereof shall not be taken without first affording the institution or institutions of higher education submitting such application reasonable notice and opportunity for a hearing; and

(10) contains satisfactory assurance that, in determining the eligibility of any institution of higher education for State aid or the amount of such aid, grants to that agency under this title shall not be taken into consideration.

Application for grants—conditions for approval

SEC. 206. (a) A grant under this title pursuant to a State plan approved under section 205 may be made only to an institution or institutions of higher education, and only upon application to the appropriate State higher education commission at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. An application by an institution of higher education for a grant to be used for any of the purposes of section 104(a) may be approved only if such application—

(1) provides that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

(2) sets forth a program for carrying out the purposes set forth in section 204 and provides for such methods of administration as are necessary for the proper and efficient operation of such program;

(3) sets forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 204, and in no case supplant such funds;

(4) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

(5) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(b) An application by an institution of higher education for a grant to be used for the purposes of paragraphs (2) and (3) of section 204(a) may be approved only if—

(1) the institution of higher education has submitted a long-range program plan, which extends over a period of time of not less than four years, describing the present and projected educational needs and problems of students enrolled in such institutions, and a schedule for meeting and solving those needs and problems through the implementation of a comprehensive program of educational technology of sufficient magnitude to make a substantial impact on those needs and problems; and

(2) the institution of higher education submits for each fiscal year an annual program plan describing the content of, and allocation of funds to programs, services, and activities with respect to the implementation of a comprehensive educational technology program to be carried out during each such year for which Federal funds are sought; indicates how and to what extent, such programs, services, and activities will carry out the program of objectives set forth in the long-range program plan provided for in paragraph (1); and indicates the extent to which consideration has been given to the findings and recommendations of the State advisory council in its most recent evaluation report submitted pursuant to section 302 and indicates the extent to which research findings (whether such research is assisted under this Act or otherwise) have been incorporated as part of the annual program plan.

Payments

SEC. 207. (a) The Commissioner shall pay to each State which has a State plan approved under this title an amount equal to the total sums expended by the State under the State plan for the purposes set forth therein.

(b) Payments under this section may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

(c) Upon approval of an application submitted by an institution of higher education for a grant to be used for the purposes of paragraph (1) of section 204(a) the Commissioner shall reimburse the institution of higher education for the reasonable costs of preparing the application.

TITLE III—GENERAL PROVISIONS

Definitions

SEC. 301. As used in this Act—

(a) The term "Commissioner" means the Commissioner of Education.

(b) The term "elementary school" means a day or residential school which provides preschool or elementary education.

(c) The term "secondary school" means a day or residential school which provides secondary education.

(d) The term "technological equipment and materials" means instructional equipment and materials which have the primary function of optimizing learning through the improvement of instruction and includes audiovisual equipment or materials, television, radio, electronic classroom instructional equipment and materials, computer-assisted or managed instructional equipment and materials, and any other items necessary for the functioning of a particular facility as part of an educational technology program, and such other equipment and materials as the Commissioner determines to be necessary for the application of technology to the process of learning; but such term does not include textbooks, or equipment and materials for educational services such as duplication, administration, or general recordkeeping; nor does it include specialized instructional equipment used in such courses as typing or home economics.

(e) The term "institution of higher education" means an educational institution in any State which—

(1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate,

(2) is legally authorized within such State to provide a program of education beyond secondary education,

(3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree.

(4) is a public or other nonprofit institution, and

(5) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, (A) is an institution with respect to which the Commissioner has determined that there is satisfactory assurance, considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made, that the institution will meet the accreditation standards of such an agency or association within a reasonable time, or (B) is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited.

Such term also includes any school which provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and which meets the provision of paragraphs (1), (2), (4), and (5), and, for the purposes of section 204 of this Act, includes a developing institution, as defined in section 302 of the Higher Education Act of 1965. For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(f) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school;

(g) The term "Secretary" means the Secretary of Health, Education, and Welfare;

(h) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the administrative agency for its public elementary or secondary schools. Such term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school;

(g) The term "Secretary" means the Secretary of Health, Education, and Welfare;

(h) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

(i) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law; and

(j) The term "State higher education commission" means a State agency designated by the Governor or by State law as broadly representative of the public and of institutions of higher education in the State.

State advisory councils on educational technology

SEC. 302. (a) Any State desiring to receive payments for any fiscal year under title I or title II of this Act shall—

(1) establish a State advisory council on educational technology which shall be appointed by the Governor or, in the case of States in which the members of the State board are elected, by such board, and which shall have as a majority of its membership persons experienced in educational technology, including teachers, administrators, and other persons broadly representative of academic or instructional personnel, and

(2) provide that one-third of the funds allotted to the State educational agency under section 104(c) and to the State higher education commission under section 204(c) shall be made available for the activities of the State advisory councils, including the costs of obtaining technical, professional, and clerical assistance and the services of experts and consultants to assist such advisory councils in carrying out their responsibilities of disseminating the results of evaluations.

(b) The State advisory council, established pursuant to paragraph (1), shall—

(1) advise the State educational agency or State higher education commission, as the case may be, on the preparation of, and policy matters arising in the administration of, the appropriate State plan, including the development of criteria for approval of applications under such State plan;

(2) review and make recommendations to the State educational agency or State higher education commission, as the case may be, on the action to be taken with respect to each application for a grant under the appropriate State plan;

(3) evaluate programs and projects assisted under this Act;

(4) prepare and submit a report of its activities, recommendations, and evaluations, together with such additional comments as the State educational agency or the State higher education commission, as the case may be, deems appropriate, to the Commissioner and to the National Advisory Council, established pursuant to this Act, at such time, in such form, and in such detail, as the Commissioner may prescribe; and

(5) obtain such professional, technical, and clerical assistance as may be necessary to carry out its functions under this Act.

National Advisory Council on Educational Technology

SEC. 303. (a) The Secretary shall appoint a National Advisory Council on Educational Technology which shall—

(1) review the administration of, general regulations for, and operation of this Act, including its effectiveness in meeting the purposes set forth in sections 104 and 204;

(2) review, evaluate, and transmit to the Congress and the President the reports submitted pursuant to section 105(b)(9) and 205(b)(8);

(3) evaluate programs and projects carried out under this Act and disseminate the results thereof; and

(4) make recommendations for the improvement of this Act, and its administration and operation.

(b) The Council, which shall be appointed by the Secretary without regard to the civil service laws, shall have as a majority of its membership persons experienced in educational technology, including teachers, administrators, and other persons broadly representative of academic or instructional personnel. The Council shall meet at least four times annually at the call of the Chairman, who shall be selected by the Secretary.

(c) The Council is authorized, without regard to the civil service laws, to engage such technical assistance as may be required to carry out its functions, and to this end there are hereby authorized to be appropriated $100,000 for the fiscal year ending June 30, 1970, and $150,000 for each of the next four fiscal years.

(d) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this Act) to the President and the Congress not later than January 20 of each year. The President is requested to transmit to the Congress such comments and recommendations as he may deem appropriate.

(e) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

Research

SEC. 304. From the sums made available for the purposes of this section under sections 102(b) and 202(b), the Commissioner is authorized to pay all or part of the cost of research and experimental projects in educational technology carried out by institutions of higher education, State or local educational agencies, or other appropriate public or private agencies, institutions, or organizations.

Bureau of educational technology

SEC. 305. The Commissioner shall establish at the earliest practicable date not later than July 1, 1970, and maintain within the Office of Education, a bureau of educational technology which shall be the principal agency in the Office of Education for administering and carrying out programs and projects relating to educational technology, including programs and projects for research in educational technology.

Withholding

SEC. 306. Whenever the Commissioner, after reasonable notice and opportunity for hearing to any State educational agency, or State higher education commission, as the case may be, finds that there has been failure to comply substantially with any provision set forth in the plans of that State approved under title I and title II of this Act, the Commissioner shall notify the agency or commission that further payments will not be made to the State under such title (or, in his discretion, that further payments will not be made under such title to specified local educational agencies or institutions of higher education, whose actions caused or are involved in such failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under such title, or payments by the State educational agency or State higher education commission, as the case may be, whose actions did not cause or were not involved in the failure.

Judicial review

SEC. 307. (a) If any local educational agency or institution of higher education is dissatisfied with the State's final action with respect to the approval of an application submitted under section 106 or 206, or if any State is dissatisfied with the Commissioner's final action with respect to the approval of a plan submitted under section 105 or 205, such local educational agency, institution of higher education, or State may, within 60 days after notice of such action, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State or to the Commissioner, as the case may be. The State or the Commissioner, as the case may be, thereupon shall file in the court the record of the proceedings on which final action was based, as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the State or by the Commissioner, as the case may be, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown may remand the case to the State or to the Commissioner to take further evidence, and the State or the Commissioner may thereupon make new or modified findings of fact and may modify previous action taken, and shall certify to the court the record of the further proceedings.

(c) The Court shall have jurisdiction to affirm the action of the State or the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

Labor standards

SEC. 308. All laborers and mechanics employed by contractors or subcontractors on all minor remodeling projects assisted under this Act shall be paid wages at rates not less than those prevailing on similar minor remodeling in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a5). The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

Prohibitions

SEC. 309. (a) Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or the selection of library resources by any educational institution or school system, or over the content of any material developed or published under any program assisted pursuant to this Act.

(b) Nothing contained in this Act shall be construed to authorize the making of any payment under this Act for religious worship or instruction.

Administration

SEC. 310. (a) The Commissioner may delegate any of his functions under this Act, except the making of regulations, to any officer or employee of the Office of Education.

(b) In administering the provisions of this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or private agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon.

The analysis, ordered to be printed in the RECORD, is as follows:

SECTION-BY-SECTION SUMMARY OF THE EDUCATIONAL TECHNOLOGY ACT OF 1969

TITLE I—ELEMENTARY AND SECONDARY EDUCATION

Statement of purpose

Sec. 101: The purpose of title I is to improve the quality of preschool and elementary and secondary education through the effective utilization of educational technology.

Authorization of appropriations

Sec. 102: Beginning with fiscal 1970, and continuing for each of the next four fiscal years, $200 million are authorized to be appropriated. Additionally, for the years following fiscal 1970, such sums are authorized to be appropriated as are necessary for continuing the training and implementation programs initiated in prior years.

Ten percent of the amount appropriated will be used for educational technology research.

Allotments to States

Sec. 103: After having set aside ten percent of the funds appropriated for research (Sec. 102.), the Commissioner will allot up to three percent of the funds among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territories for planning and operations.

For the purpose of strengthening the leadership resources of the State educational agency, and for administration of the State plan, the Commissioner shall then allot $100,000 to each State ($25,000 in the case of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territories), plus an amount equal to 5 percent of the funds allotted for grants within each State (as set forth in the next paragraph).

For the purpose of making planning and operational grants to local educational agencies, the Commissioner shall allot funds among the States on the basis of the ratio between a State's school-age population and the National school-age population.

The Commissioner is also granted the usual reallotment authority.

Uses of Federal funds

Sec. 104: Subsection (a) sets forth the three sequenced phases of activity eligible for funding to a local education agency. They are: planning for educational technology, training for educational technology, and the application of educational technology.

Local education agencies could perform their planning under a planning grant made pursuant to section 104(a)(1), or through other funding sources; the planning phase would not have to last for a year.

Operational grants for inservice and preservice training and development programs are set forth in section 104(a)(2), and are preconditioned on sound planning. Eligible for training are professional and nonprofessional teaching, administrative, and ancillary staff, Where necessary to reinforce or supplement the training and development programs, local education agencies may rent or purchase technological equipment and materials.

Once sufficient progress has been made in the inservice training and development program, local education agencies would be able to apply an increasingly larger proportion of the funds for the acquisition or rental of technological equipment and materials for the purposes of improving the quality of education through the application of educational technology to the learning process. Where related services are necessary to supplement the utilization of educational technology they, too, will be eligible for funding, so long as their cost is not unreasonable compared to the total program budget.

Subsection (b) permits the local educational agency to contract out performance of planning, training, or related services necessary for the implementation, in whole, or in part, of any of the purposes described above in subsection (a).

Subsection (c) outlines the uses of Federal funds by the State education agency for strengthening its capabilities with respect to the use of technological equipment and materials in elementary and secondary schools in the State, for the preparation and dissemination of information relating to educational technology, for the evaluation and dissemination of evaluation of projects supported under the State plan, and for the administration of the State plan.

State plans

Sec. 105: In order to receive funds, a State has to establish a State advisory council, set deadlines for submission of application by local education agencies, and submit a State plan to the Commissioner.

In order to be approved by the Commissioner, the State plan must—

Set forth a program for expenditure of funds;

Provide for the participation of children in nonprofit private schools;

Set forth the administrative organization and procedures;

Provide for using 10 percent of the funds for planning;

Set forth criteria for achieving an equitable distribution of assistance within the State;

Provide for evaluation of programs and projects, dissemination of evaluation results, and adoption of promising practices;

Provide assurance that Federal funds will not be commingled with State funds, and that there will be maintenance of effort by the State; and

Provide for making an annual report, affording local education agencies with notice and opportunity for a hearing, and not taking State effort into consideration in renewing applications made by local education agencies.

Applications for grants—conditions for approval

Sec. 106: A local education agency may have its application approved by the State education agency only if the application—

Provides for administration of the project by or under the supervision of the applicant;

Sets forth a program for using Federal funds;

Sets forth assurance of maintenance of effort; and

Provides for making an annual report.

Additionally, in order to obtain approval of an application for a grant which is submitted for operational (training/acquisition/implementation) funds, the local education agency must have submitted a long-range program plan, extending over a period of at least four years, which describes the present and projected educational needs and problems of the children in elementary and secondary schools served by the agency, and a schedule for meeting and solving those needs and problems through the implementation of a comprehensive program of educational technology of sufficient magnitude to make a substantial impact on those needs and problems. Further, the local education agency must submit an annual program plan which must include an indication of the extent to which consideration has been given to the findings and recommendations of the State advisory council and the extent to which research findings have been incorporated as part of the annual program plan.

Payments

Sec. 107: This section contains the usual language permitting the Commissioner to pay States in installments and either in advance or by way of reimbursement. Additionally, it permits the Commissioner to reimburse local education agencies for the cost of preparing applications for planning grants, where such application is successfully funded.

TITLE II—HIGHER EDUCATION

Statement of purpose

Sec. 201: The Purpose of title II is to improve the quality of higher education through the effective utilization of educational technology.

Authorization of appropriations

Sec. 202: Beginning with fiscal 1970, and continuing for each of the next four fiscal years, $100 million are authorized to be appropriated. Additionally, for the years following fiscal 1970, such sums are authorized to be appropriated as are necessary for continuing the training and implementation programs initiated in prior years.

Ten percent of the amount appropriated will be used for educational technology research.

Allotments to States

Sec. 203: After having set aside ten percent of the funds appropriated for research (Sec. 202.), the Commissioner will allot up to three percent of the funds among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territories for planning and operations.

For administration of the State plan the Commissioner shall then allot $100,000 to each State ($25,000 in the case of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territories), plus an amount equal to 1 percent of the funds allotted for grants within each State (as set forth in the next paragraph).

For the purpose of making planning and operational grants to local educational agencies, the Commissioner shall allot funds among the States on the basis of the ratio between a State's higher education student population and the National higher education student population.

The Commissioner is also granted the usual reallotment authority.

Uses of Federal funds

Sec. 204: Subsection (a) sets forth the three sequenced phases of activity eligible for funding to an institution of higher education. They are: planning for educational technology, training for educational technology, and the application of educational technology.

Institutions of higher education could perform their planning under a planning grant made pursuant to section 204 (a) (1), or through other funding sources; the planning phase would not have to last for a year.

Operational grants for inservice and preservice training and development programs are set forth in section 204 (a) (2), and are preconditioned on sound planning. Eligible for training are professional and nonprofessional teaching and ancillary staff. Where necessary to reinforce or supplement the training and development programs, institutions of higher education may rent or purchase technological equipment and materials.

Once sufficient progress has been made in the inservice training and development program, institutions of higher education would be able to apply an increasingly larger proportion of the funds for the acquisition or rental of technological equipment and materials for the purposes of improving the quality of education through the application of educational technology to the learning process. Where related services are necessary to supplement the utilization of educational technology they, too, will be eligible for funding so long as their cost is not unreasonable compared to the total program budget.

Subsection (b) permits the institution of higher education to contract out performance of planning, training, or related services necessary for the implementation, in whole, or in part, of any of the purposes described above in subsection (a).

Subsection (c) outlines the uses of Federal funds by the State for the evaluation and dissemination of evaluation of projects supported under the State plan, and for the administration of the State plan.

State plans

Sec. 205: In order to receive funds, a State has to establish a State advisory council, set deadlines for submission of application by institutions of higher education, and submit a State plan to the Commissioner.

In order to be approved by the Commissioner, the State plan must—

Set forth a program for expenditure of funds;

Set forth the administrative organization and procedures;

Provide for using 10 percent of the funds for planning;

Set forth standards and methods for determining relative priorities among eligible projects;

Provide for evaluation of programs and projects, dissemination of evaluation results, and adoption of promising practices;

Provide assurance that Federal funds will not be commingled with State funds, and that there will be maintenance of effort by the State; and

Provide for: making an annual report, affording institutions of higher education with notice and opportunity for a hearing, and not taking State effort into consideration in renewing applications made by local education agencies.

Applications for grants—Conditions for approval

Sec. 206: An institution of higher education may have its application approved by the State education agency only if the application—

Provides for administration of the project by or under the supervision of the applicant;

Sets forth a program for using Federal funds;

Sets forth assurance of maintenance of effort; and

Provides for making an annual report.

Additionally, in order to obtain approval of an application for a grant which is submitted for operational (training/acquisition/implementation) funds, the institution of higher education must have submitted a long-range program plan, extending over a period of at least four years, which describes the present and projected educational needs and problems of the students enrolled in the institution and a schedule for meeting and solving those needs and problems through the implementation of a comprehensive program of educational technology of sufficient magnitude to make a substantial impact on those needs and problems. Further, the institution must submit an annual program plan which must include an indication of the extent to which consideration has been given to the findings and recommendations of the State advisory council and the extent to which research findings have been incorporated as part of the annual program plan.

Payments

Sec. 107: This section contains the usual language permitting the Commissioner to pay States in installments and either in advance or by way of reimbursement. Additionally, it permits the Commissioner to reimburse institutions of higher education for the cost of preparing applications for planning grants, where such application is successfully funded.

TITLE III—GENERAL PROVISIONS

Definitions

Sec. 301: Definitions of words and phrases used in the Act are set forth in this section.

State advisory councils on educational technology

Sec. 302: This section sets forth the requirements for the formation of the State Advisory Council which would have responsibilities over the operation of both Titles I and II of the Educational Technology Act.

National Advisory Council on Educational Technology

Sec. 303: This section sets forth the requirements for the formation of the National Advisory Council which would have responsibilities over the operation of both Titles I and II of the Educational Technology Act.

Research

Sec. 304: This section permits the Commissioner to conduct research and experimental projects in educational technology.

Bureau of Educational Technology

Sec. 305: This section directs the Commissioner to establish and maintain within the Office of Education a Bureau of Educational Technology which shall be the principal agency in the Office of Education for administering and carrying out programs and projects relating to educational technology, including programs and projects for research in educational technology.

Withholding

Sec. 306: This section permits the Commissioner, after reasonable notice and opportunity for hearing, to withhold funds after finding that there has been a failure to comply substantially with any provisions set forth in the plans submitted by the State.

Judicial review

Sec. 307: This section permits an institution of higher education or a local education agency which is dissatisfied with the final action of a State, or a State, which is dissatisfied with the final action of the Commissioner, to obtain judicial review of the proceeding.

Labor standards

Sec. 308: This section provides that provisions of the Davis-Bacon Act shall apply to laborers and mechanics employed on all minor remodeling projects assisted under this title.

Prohibitions

Sec. 309: This section prohibits the Federal government from exercising any control over any educational institution or school system or the personnel thereof, and prohibits any payments for religious worship or instruction.

Administration

Sec. 310: This section permits the delegation of functions under the title and permits the Commissioner to use the services and facilities of any agency of the Federal government or of any other public or private agency or institution in accordance with appropriate agreements.

S. 1190—INTRODUCTION OF A BILL ENTITLED "CHILDREN WITH LEARNING DISABILITIES ACT OF 1969"

Mr. YARBOROUGH. Mr. President, I introduce a bill entitled "The Children With Learning Disabilities Act of 1969." I feel this legislation will make a major contribution to developing educational opportunity for more than 1 million American children with learning disabilities. I request that the bill be appropriately referred.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1190) to provide for special programs for children with learning disabilities, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. YARBOROUGH. Mr. President, only a few years ago it was a common practice to isolate almost all handicapped children. Some were kept within the houses of their parents, others could receive treatment only in institutions—generally located far out in the country. More recently we have seen the rise of special schools and special classes developed within the regular elementary and secondary schools, and the larger specialized institutions have begun programs of education and training which are returning more and more children and adults to useful places in society. One of the most exciting aspects of this evolution in education for handicapped children has been the increased emphasis on the early detection and identification of handicapping conditions. Late last year, I sponsored the Handicapped Children's Early Education Assistance Act, designed to stimulate the development of 75 to 100 model preschool programs across the Nation, so that educational programs for these children would take advantage of their rapid growth potential during the earliest years of their lives. Senators might be interested to know that this new program has attracted, before the guidelines were even printed, over 1,000 inquiries, and the Bureau of Education for the Handicapped has never before had a similar response to a new program.

The legislation I am proposing today will provide an important component in our Nation's efforts to develop educational programs which reduce and avoid children having handicapping conditions. As preschool education programs are demonstrating the value of early educational intervention, the development of programs for children with special learning disabilities will help us avoid the misdiagnosis of children, will help us to stop seeing children with learning problems as "lazy" or "underachievers" or "stubborn."

Children with learning disabilities are just beginning to be recognized by our educators. For years these children—and even the most conservative estimates include from 500,000 to 1½ million children—have slipped through the cracks of educational diagnosis. Recently they have been called by a multitude of names, or lumped into larger heterogeneous groups, so that we may hear them spoken of as having a perceptual handicap, or minimal brain dysfunction, dyslexia, developmental aphasia, and so on.

In developing this legislation, we have looked to the recent report by the National Advisory Committee on Handicapped Children, to the Association for Children with Learning Disabilities, the Council for Exceptional Children, and other experts in education for the handicapped, for advice concerning defining the problem. The definition used in this bill is based on that proposed by the national advisory committee and is as follows:

> "Children with learning disabilities" means those children who have a disorder in one or more of the basic psychological processes involved in understanding or using language, spoken or written, which disorder may manifest itself in imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations. Such disorders include such conditions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia. Such term does not include children who have learning problems which are primarily the result of visual, hearing, or motor handicaps, of mental retardation, of emotional disturbance, or of environmental damage.

Mr. President, the children who will be helped by this bill present discrete learning problems. Very frequently they will appear to be normal in every way, physically and mentally, yet they will have a specialized problem with some aspect of the learning task. For example, they might have a difficulty with the recognition and understanding of information which is in written form, when they could understand that very same information if it was spoken. It is this type problem which has been misunderstood and the frustration of parents and teachers in attempting to teach these children has led to the child developing increasingly greater problems in learning, in emotional adjustment, and even has affected later vocational placement.

The programs which will be supported by my bill will place the emphasis on helping these youngsters where it belongs, not on fancy diagnostic labels, but on an analysis of the learning task, and on the development of special teaching techniques and materials which can be used to find the learning abilities of the child, to employ them, and to work around specific barriers to learning he might have. Coming to terms with these children in designing educational programs is going to help us to learn more about education for every child. It is going to help us to realize that children have individual learning styles and characteristics, and that we are going to have to do more than to pay lipservice to these individual differences. Educators should be able, and will be able, to design special, individualized, approaches to the learning tasks which face children.

We can make this possible by providing support for carrying out a program of research and related activities in the area of education of children with learning disabilities. We must use this research as a basis for programs of professional and advanced training for people who are preparing to teach these children, and we must develop model centers for the evaluation, and education of our children. These centers in turn will assist our State and local educational agencies in making more programs available to children with learning disabilities.

In the years I have been privileged to serve in this great Senate I have had the chance to help develop and see passed many major education bills, the National Defense Education Act, the Elementary and Secondary Education Act, the Higher Education Act, and so on. We have seen the tremendous impact these programs are having on developing and maintaining the American educational system as the world's finest. We have a basic commitment in our Nation to providing educational opportunity for every child. It may surprise you to know that only two out of every five or six handicapped children in this country are receiving the special educational services they need. These figures are drawn from the State education agencies, and they point out how much there is to be done if we are to keep our promise of education for every child, handicapped or not.

There has been much progress in recent years. We have joined the towns and cities, and States in facing this problem. We have passed special programs for training teachers and for supporting research in education of the handicapped. In 1966, we passed legislation creating title VI of the Elementary and Secondary Education Act, a program of grants to the States, a National Advisory Committee on Handicapped Children and the Bureau of Education for the Handicapped within the U.S. Office of Education. That agency is today providing vigorous leadership in developing the national education response to the handicapped child. This recent development has helped us to see and recognize the child with learning disability, to recognize that while not retarded or orthopedically handicapped, his failures in the educational system were just as crippling, just as frustrating to him and to his parents and teachers. Research efforts and pilot programs promise us that many, many of these children can succeed in the basic educational system, if we can help them early enough through specially designed programs, and special tutoring. It is time for us to begin, why lose another year in a child's life? I hope that you will join me in considering this proposed legislation and that very shortly equal educational opportunity can become a reality for children with learning disabilities, and all handicapped children.

Mr. President, I ask unanimous consent to have printed in the RECORD the bill and the section-by-section analysis of the bill.

The VICE PRESIDENT. Without objection, the bill and the section-by-section analysis will be printed in the RECORD.

The bill (S. 1190) is as follows:

S. 1190

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Children With Learning Disabilities Act of 1969."

SEC. 2. Title VI of the Elementary and Secondary Education Act of 1965 be amended—

(1) by redesignating part E of such title as part F and redesignating sections 611 through 615 as sections 612 through 617 respectively; and

(2) by inserting after part D of such title the following new part:

"PART E—SPECIAL PROGRAMS FOR CHILDREN WITH LEARNING DISABILITIES

"RESEARCH, TRAINING, AND MODEL CENTERS

"SEC. 611. (a) The Commissioner is authorized to make grants to, and contracts with, institutions of higher education, State and local educational agencies, and other public and private educational and research agencies and organizations (except that no grant shall be made other than to a nonprofit agency or organization) in order to carry out a program of—

"(1) research and related activities, surveys, and demonstrations relating to the education of children with learning disabilities;

"(2) professional or advanced training for educational personnel who are teaching, or preparing to be teachers of, children with learning disabilities, or such training for persons who are, or preparing to be, supervisors and teachers of such personnel; and

"(3) establishing and operating model centers for the improvement of education of children with learning disabilities, which centers shall (A) provide testing and educational evaluation to identify children with learning disabilities who have been referred to such centers, (B) develop and conduct model programs designed to meet the special education needs of such children and (C) assist appropriate educational agencies, organizations, and institutions in making such model programs available to other children with learning disabilities.

In making grants and contracts under this section the Commissioner shall give special consideration to applications which propose innovative and creative approaches to meeting the educational needs of children with learning disabilities, and those which emphasize the prevention and early identification of learning disabilities.

"(b) In making grants and contracts under this title, the Commissioner shall—

"(1) for the purposes of clause (2) of subsection (a), seek to achieve an equitable geographical distribution of training programs and trained personnel throughout the nation, and

"(2) for the purposes of clause (3) of subsection (a), to the extent feasible taking into consideration the appropriations pursuant to this section, seek to encourage the establishment of a model center in each of the States.

"(c) Payments pursuant to grants and contracts under this section shall be made in accordance with regulations promulgated by the Commissioner.

"(d) For the purposes of this section the term 'children with learning disabilities' means those children who have a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which disorder may manifest itself in imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations. Such disorders include such conditions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. Such term does not include children who have learning problems which are primarily the result of visual, hearing, or motor handicaps, of mental retardation, of emotional disturbance, or of environmental disadvantage.

"(e) For the purpose of making grants and contracts under this section there are hereby authorized to be appropriated $12,000,000 for the fiscal year ending June 30, 1971, $20,000,000 for the fiscal year ending June 30, 1972, and $31,000,000 for each of the succeeding fiscal years ending prior to July 1, 1975."

The section-by-section analysis ordered to be printed in the Record, is as follows:

SECTION-BY-SECTION ANALYSIS OF S. 1190

Section 1 provides that the Act may be cited as the "Children With Learning Disabilities Act of 1969."

Section 2 amends title VI of the Elementary and Secondary Education Act of 1965 (which title may also be cited as the Education of the Handicapped Act) by redesignating Part E thereof (General Provisions) as Part F and inserting a new Part E, being section 611.

Subsection (a) of section 611 authorizes the Commissioner of Education to make grants to institutions of higher education, State education agencies, local educational agencies, and other public and private nonprofit educational and research agencies and organizations and to make contracts with any of such agencies and organizations and with private profitmaking organizations in order to carry out special programs for children with special learning disabilities.

Three types of such programs are authorized:

(1) He may make grants and contracts to support projects for research and related activities, surveys, and demonstrations relating to the education of children with learning disabilities;

(2) He may make grants and contracts to provide professional or advanced training to teachers of children with learning disabilities and to educational personnel who are preparing to teach such children and to provide such training to personnel who are supervisors and teachers of such teachers or who are preparing to become supervisors and teachers of such teachers.

(3) He may make grants and contracts to assist in the establishment and operation of model centers designed to improve the education of children with learning disabilities; such centers shall provide testing and educational evaluation services to children who have been referred to them, develop and conduct model educational programs designed to meet the needs of children with learning disabilities, and assist such other educational agencies, organizations, and institutions as may be appropriate in establishing model programs for children with learning disabilities and in making the services of those programs available to such children.

Subsection (a) requires the Commissioner to give special emphasis to projects designed to promote the adoption of new or improved educational ideas, practices, and techniques in dealing with, and creative approaches in meeting, the special educational needs of children with learning disabilities.

Subsection (b) requires the Commissioner to seek to achieve an equitable geographical distribution, throughout the nation, of programs to train educational personnel to meet the needs of children with learning disabilities and of personnel trained to meet the needs of such children. Subsection (b) further requires the Commissioner to encourage the establishment of a model center for children with learning disabilities in each of the States.

Subsection (c) provides that payments under the section shall be made in accordance with regulations.

Subsection (d) defines the term "children with learning disabilities" as meaning those children who have a disorder in one or more of the basic psychological processes involved in understanding or using written or spoken language. Such disorder may manifest itself in imperfect ability to listen, think, speak, read, write, spell, or do arithmetic. Such disorders include such conditions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include learning disabilities arising primarily from visual, hearing, or motor handicaps, from mental retardation, from emotional disturbance, or from environmental disadvantage.

Subsection (e) authorizes appropriations for fiscal years 1971 through 1975. For fiscal year 1971, $12 million is authorized; for fiscal year 1972, $20 million is authorized; and for each of the fiscal years 1973, 1974, and 1975, $31 million is authorized.

S. 1191—INTRODUCTION OF BILL TO AUTHORIZE APPROPRIATIONS FOR PROCUREMENT OF AIRCRAFT FOR THE ARMED FORCES

Mr. STENNIS. Mr. President, for myself and the senior Senator from Maine (Mrs. Smith), I introduce, by request, a bill to authorize appropriations during the fiscal year 1969 for the procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes.

I ask unanimous consent that the letter of transmittal requesting introduction of this bill and explaining its purpose be printed in the Record immediately following the printing of the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 1191) to authorize appropriations during the fiscal year 1969 for procurement of aircraft for the Armed Forces, and for other purposes, introduced by Mr. Stennis (for himself and Mrs. Smith), was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

S. 1191

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—PROCUREMENT

Sec. 101. In addition to the funds authorized to be appropriated under Public Law 99–500, there is hereby authorized to be appropriated during the fiscal year 1969 for the use of the Armed Forces of the United States for procurement of aircraft in amounts as follows:

AIRCRAFT

For aircraft: for the Army, $62,000,000.

TITLE II—GENERAL PROVISIONS

Sec. 201. There is hereby authorized to be appropriated such sums as may be necessary for the pay and allowance of not to exceed nine persons, including personnel detailed to International Military Headquarters and Military Organizations, at rates provided for under section 625(d)(1) of the Foreign Assistance Act of 1961, as amended.

The letter, presented by Mr. Stennis, is as follows:

THE SECRETARY OF DEFENSE,
Washington, D.C., January 14, 1969.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of proposed legislation "To authorize appropriations during fiscal year 1969 for procurement of aircraft for the Armed Forces and for other purposes." This proposal is a part of the Department of Defense Legislative Program for the 91st Congress, and the Bureau of the Budget has advised, by letter dated January 13, 1969, that enactment of the proposal would be in accord with the Program of the President.

In essence, this proposal would authorize additional appropriations for the procurement of aircraft by the Army to cover the amount of new obligational authority being requested for such purpose in the supplemental estimates for fiscal year 1969 submitted to the Congress by the President. In addition, the proposal would provide authorization for appropriations for certain positions allocated to NATO related agencies currently paid at rates prescribed under the Foreign Assistance Act of 1961, as amended. The need for this authority arises from the decision to transfer the subject costs of international headquarters and organizations from the military assistance budget to the defense budget.

The Committee on Armed Services will be furnished, as in the past, information with respect to the program for which fund authorization is being requested in a form identical to that submitted in explanation and justification of the budget request. Additionally, the Department of Defense will be prepared to submit any other data required by the committees or their staffs.

It is expected that the Armed Services Committees will desire that top civilian and military officials of the Department of Defense be prepared to make presentation explaining and justifying their respective programs as in the past.

Sincerely,

PAUL H. NITZE,
Deputy.

S. 1192—INTRODUCTION OF BILL AUTHORIZING APPROPRIATIONS FOR PROCUREMENT OF AIRCRAFT, MISSILES, NAVAL VESSELS, AND TRACKED COMBAT VEHICLES

Mr. STENNIS. Mr. President, for myself and the senior Senator from Maine (Mrs. Smith), I introduce, by request, a bill to authorize appropriations during the fiscal year 1970 for the procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes.

I ask unanimous consent that the letter of transmittal requesting introduction of this bill and explaining its purpose be printed in the Record immediately following the printing of the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 1192) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, introduced by Mr. Stennis (for himself and Mrs. Smith), was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

S. 1192

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—PROCUREMENT

Sec. 101. Funds are hereby authorized to be appropriated during the fiscal year 1970 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, as authorized by law, in amounts as follows:

AIRCRAFT

For aircraft: for the Army, $941,500,000; for the Navy and the Marine Corps, $2,568,900,000; for the Air Force, $4,406,000,000.

MISSILES

For missiles: for the Army, $1,347,660,000; for the Navy, $865,100,000; for the Marine Corps, $20,100,000; for the Air Force, $1,794,000,000.

NAVAL VESSELS

For naval vessels: for the Navy, $2,698,300,000.

TRACKED COMBAT VEHICLES

For tracked combat vehicles: for the Army, $298,300,000; for the Marine Corps, $37,700,000.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 201. Funds are hereby authorized to be appropriated during the fiscal year 1970 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, $1,822,500,000;

For the Navy (including the Marine Corps), $2,207,100,000;

For the Air Force, $3,594,300,000; and

For the Defense Agencies, $500,200,000.

Sec. 202. There is hereby authorized to be appropriated to the Department of Defense during fiscal year 1970 for use as an emergency fund for research, development, test and evaluation or procurement or production related thereto, $50,000,000.

TITLE III—RESERVE FORCES

Sec. 301. For the fiscal year beginning July 1, 1969, and ending June 30, 1970, the Selected Reserve of each reserve component of the Armed Forces will be programed to attain an end strength of not less than the following:

(1) The Army National Guard of the United States, 404,032.

(2) The Army Reserve, 261,220.

(3) The Naval Reserve, 129,000.

(4) The Marine Corps Reserve, 48,000.

(5) The Air National Guard of the United States, 86,616.

(6) The Air Force Reserve, 50,304.

(7) The Coast Guard Reserve, 17,700.

Sec. 302. The end strength prescribed by section 301 of this title for the Selected Reserve of any reserve component shall be proportionately reduced by (1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at any time during the fiscal year, and (2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at any time during the fiscal year. Whenever any such units or such individual members are released from active duty during any fiscal year, the end strength for such fiscal year for the Selected Reserve of such reserve component shall be proportionately increased by the total authorized strength of such units and by the total number of such individual members.

TITLE IV—GENERAL PROVISIONS

Sec. 301. Subsection (a) of section 401 of Public Law 89–367 approved March 15, 1966, (80 Stat. 37) as amended, is hereby amended to read as follows:

"Funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes to support: (1) Vietnamese and other Free World Forces in Vietnam, (2) local forces in Laos and Thailand; and for related costs, during the fiscal year 1970 on such terms and conditions as the Secretary of Defense may determine."

The letter, presented by Mr. Stennis, is as follows:

THE SECRETARY OF DEFENSE,
Washington, D.C., January 14, 1969.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: There is forwarded herewith a draft of proposed legislation "To authorize appropriations during fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes." This proposal is a part of the Department of Defense legislative program for the 91 Congress, and the Bureau of the Budget has advised, by letter dated January 13, 1969, that enactment of the proposal would be in accord with the program of the President.

This proposal is identical in form with the provisions of Public Law 90–500, providing authorizations for appropriations during fiscal year 1969 as required by section 412(b), Public Law 86–149, as amended.

This proposal would provide for authorization of apppropriations as needed for procurement, in each of the categories of aircraft, missiles, naval vessels, and tracked combat vehicles, for each of the military departments in an amount equal to the new obligational authority being requested for such purposes in the President's budget for fiscal year 1970 (except where the Budget proposed that obligational authority be provided by transfer as in the case of procurement of aircraft and missiles for the Navy and of the aircraft for the Air Force). In addition, the proposal would provide fund authorization in amounts equal to the new obligational authority included in the President's budget for fiscal year 1970 in total for each of the research, development, test, and evaluation apppropriations for the military departments and the defense agencies. Appropriations are also authorized for the Emergency Fund for research, development, test, and evaluation or procurement or production for the Department of Defense.

Title III of the proposal provides for the personnel strengths of the Selected Reserve of each reserve component of the Armed Forces in the number provided for by the new obligational authority for appropriations requested for these components in the President's budget for fiscal year 1970.

The proposal would also continue for fiscal year 1970 the authority now contained in section 401(a) of Public Law 89–367, as amended, for appropriations of the Department of Defense to be made available for the support of the (1) Vietnamese and other Free World Forces in Vietnam, and (2) local forces in Laos and Thailand. The reporting requirements of subsection (b) of section 401 cited above would be equally applicable to the support furnished Laos and Thailand under this amendment.

The Committees on Armed Services will be furnished, as in the past, information with respect to the program for which fund authorization is being requested in a form identical to that submitted in explanation and justification of the budget request. Additionally, the Department of Defense will be prepared to submit any other data required by the committees or their staffs.

It is expected that the Armed Services Committees will desire that top civilian and military officials of the Department of Defense be prepared to make presentations explaining and justifying their respective programs as in the past.

Sincerely,

Paul H. Nitze.
Deputy.

S. 1195—INTRODUCTION OF BILL RELATING TO AMENDMENT OF THE SOCIAL SECURITY ACT

Mr. ANDERSON. Mr. President, I had the great privilege to be part of the movement which created medicare, a program which has already, although less than 3 years old, proved itself as a principal element on which the security of the aged rests. It is the main safeguard of the resources of the aged when illness befalls them. It has prevented poverty for many of our senior citizens. I am proud that the Anderson bills of 1960, 1961, 1963, and 1965 culminated in the enactment of the monumental Social Security Amendments of 1965 and the creation of medicare.

However, pride in past achievements is not enough. The program is a success, but success is not enough. Progress and improvement is what we must continue to seek, and it is in the quest of progress that I come before you in support of legislation to modify medicare.

I am sponsoring the legislation I will describe in major part because of difficulties I anticipated as far back as 1960. When the Kerr-Mills legislation was before us in 1960 and when it was enacted in 1965, I expressed serious reservation about opening the Treasury to whatever degree the States might decide to draw on it by providing medical benefits without limits. This was a very dangerous move, in my view, and has been proved.

When provisions to pay physicians' fees were added to my medicare bill in 1965, I warned that adequate study had not been given to the measure, that pitfalls were likely to arise that were not foreseen—and they have.

Mr. President, I have never been a proponent of spend and spend and tax and tax. I do not intend to start advocating that now. I am completely opposed to increasing the medicare tax rates until we have tried and applied some of the commonsense controls on costs which are available as alternatives.

Unless constructive changes are made, Congress will have no choice but to vote the taxes to raise the additional $43 billion which the trustees now say medicare will require during the next 25 years.

To improve a successful program and to remedy defects in programs which are not so successful, during this Congress, I will seek and support tighter and better legislative and administrative limits on expenditures in our medical care programs.

In our enactment of medicare, we provided that medicare would afford reasonable payments for care which might have been previously underpaid. The key word here is "reasonable." It is imperative that we now spell out exactly what "reasonable" means. It is imperative in part because of the tremendous increase in medical costs in the last 3 years. I am not seeking to place blame for this rise. I am seeking to remedy some of the problems involved in it.

I have joined with Senators AIKEN, MANSFIELD, and PROUTY in sponsoring S. 111. Basically, that bill would limit payments to doctors under both medicare and medicaid to not more than the average Blue Shield payment for the same service when rendered to its own subscribers in a given geographic area. Obviously, the Government should not pay more to doctors for care provided to the low-income elderly and people on welfare than Blue Shield—the "doctors' own plan"—pays them for that same care when it is provided to the working population under 65. This, of course, is not a Government-established fee schedule, but simply a reasonable mechanism for following and adjusting to the predominant pattern for payment for doctors' care in each community.

I am offering a bill today, on behalf of myself, Mr. AIKEN, Mr. MANSFIELD, and Mr. PROUTY, designed to place reasonable limitations on payments for hospital, extended care, and skilled nursing home care under both medicare and medicaid. No one should suffer financially under the provisions of this bill, and, hopefully, no one should profit unduly either. Like the Aiken bill, my bill may not provide the definitive answer to all the problems. But it can be a base from which to inquire and to work out the best possible solutions.

This proposed amendment to the Social Security Act has five major parts. First, in no case would medicare and medicaid pay more for inpatient or outpatient hospital care than is payable to a given hospital by Blue Cross for like services of like duration. This means that, if a Blue Cross plan pays a hospital an average of $60 per day for a total of 15 days' care in a semiprivate room, medicare and medicaid would not pay more than that amount for care in the same type of accommodations. Similarly, if Blue Cross paid $10 to a hospital for an outpatient visit by one of its subscribers, the Government programs would not pay more than that amount.

At present, medicare and medicaid administrators have not established any effective maximum limitations on the amounts they will pay for hospital care. Because of present methods of payment in some cases, we are actually paying more than hospital charges. This amendment would put an end to that. The generous medicare reimbursement formula has led to situations such as that in New York City where I have been told we are actually paying upward of 5 percent more than does Blue Cross for comparable inpatient care.

This does not necessarily represent a criticism of Blue Cross—rather, it illustrates possible shortcomings of the reimbursement patterns established by medicare and medicaid.

Administrative costs are something we all want to minimize. Some of that expense may be avoidable without sacrificing necessary controls. In that connection, under this bill, the Secretary of Health, Education, and Welfare is authorized to pay hospitals under medicare in a given geographic area on a basis and in amounts identical to those of Blue Cross.

This would be done where the local Blue Cross plan's reimbursement formula requires adequate cost finding by its member hospitals and where the Secretary finds that payment on that basis would not result in paying more than would ordinarily be payable under the medicare formula. I anticipate that the Secretary would consult with the Comptroller General of the United States in developing and applying appropriate means of making these relative cost determinations.

Where it does not cost us more to use the Blue Cross formula, we would obviously reduce a lot of the present paper, clerical, and audit requirements now imposed upon hospitals by medicare.

The second major provision of this bill amends the law so as to authorize the Secretary of Health, Education, and Welfare to select part A intermediaries on the same basis as he now chooses part B carriers.

At present, the providers of service, hospitals and extended care facilities, choose the intermediaries. I am told that the fact that these facilities can change intermediaries—virtually at will—inhibits some intermediaries from forthright administration and insistence upon proper control procedures. The reason for this is readily apparent—a facility can simply say, "If you do not play the game our way, we will get someone else who will."

That is all very well and good from the facility's standpoint, but that type of situation is not healthy at all. The provision in my bill will remove the possibility of conflicts of interest and undue pressure inherent in present law.

A third basic section of the proposal is designed to require hospitals to exercise some reasonable self-discipline and proper management with respect to their costs.

Thus, no payment could be made under medicare or medicaid to the extent that a hospital's daily costs in a given year exceeded those of the previous year by more than the annual percentage increase in the Medical Care Price Index for that the geographic or metropolitan area.

The Secretary of Health, Education, and Welfare could allow full payment, despite this limitation, in certain limited and unusual situations. These might include a particular hospital assuming additional responsibilities as a teaching institution or some other marked upgrading change in the character of a hospital. They might include the effects in a given year of any unusual rise in labor costs resulting from unionization of hospital employees who had previously not been organized in that institution or area. But, it is intended that tolerance be shown only in unusual situations and that exception not become the general rule, as has occurred in other aspects of medicare administration.

This provision is not an unreasonable one. For example, the overall Consumer Price Index rose by 4.8 percent from December 1967 to December 1968. On the other hand, the Medical Care Index rose, during that same period, by 6.1 percent. But, the rise in hospital costs, alone, was more than double that of the Medical Care Index.

The last two segments of this bill are essentially "States' rights" provisions. They only come into play if a State decides it wants to use them. They are designed to assure Federal cooperation with a State's efforts to control health care costs and to establish more rational organization of health services. Both are designed to implement recommendations of the Advisory Commission of Intergovernmental Relations.

The first of these provisions provides that medicare and medicaid may not reimburse a hospital or extended-care facility or nursing home for capital expenditures of $100,000 or more for plant or equipment where the expenditure has been specifically disapproved by a State's "partnership for health" agency or other appropriate and qualified planning agencies designated by a Governor. There is no requirement that a State undertake an approval function. This provision simply provides that if a State chooses to attempt to create some order in the expansion of medical facilities, the Federal Government will not undercut them by paying for plant or equipment which the State specifically disapproves.

Two further points need to be made with respect to this planning amendment which, in essence, is the same as that approved by the Finance Committee and full Senate in 1967. First, routine replacement of equipment—even if it cost more than $100,000—would not be subject to the provision. Second, the kinds of planning agencies which are conceived of as "appropriate" are those which have employed or have ready access to personnel qualified to make professional determinations with respect to areawide planning of health facilities and services. Additionally, agencies, other than the partnership-for-health agency, should be broadly representative of all the types of facilities and services directly affected by their decisions, apart from having public membership which is not affiliated directly or indirectly with the providers of health care.

The second States' rights amendment applies only to payment for care provided under the various welfare programs—principally medicaid. Quite simply, it provides that a State may apply such limitations upon payments for health care services as it deems necessary. These controls, if a State chose, would be in addition to those established under the other provisions of this bill.

Mr. President, I believe it is absolutely necessary for us to act quickly to bring added controls to the costs of medicare and medicaid. The present medicaid situation is intolerable. We are not only virtually bankrupting many States and municipalities but gouging more and more billion dollar chunks out of the Federal budget. Unless we move quickly and responsibly, I think we may run out of reasonable alternatives and wind up with direct Federal controls—which none of us really wants.

Mr. President, I ask unanimous consent that this bill be received and appropriately referred and that the text of the bill be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1195) to amend the Social Security Act so as to provide a more uniform, orderly, economical, and equitable method of payment for hospital, extended care facility, nursing home, and intermediate care services under programs established by or pursuant to such act, introduced by Mr. Anderson (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 1195

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) (1) the first sentence of section 1816(a) of the Social Security Act is amended to read as follows: "The Secretary is authorized to enter into an agreement with any national, State, or other public or private agency or organization providing for the determination by such agency or organization (subject to such review by the Secretary as provided for by the agreement but not less often than annually) of the amount of the payments required pursuant to this part to be made to providers of services in any area, and providing for the making of payments under this part by such agency or organization to such providers."

(2) Section 1816(d) of such Act is repealed.

(3) Section 1816(e) (2) of such Act is amended by striking out "to the providers which have nominated it for purposes of this section" and inserting in lieu thereof "to the providers served by it".

(b) (1) Section 1861 (v) of such Act is amended by adding at the end thereof the following new paragraphs:

"(5) (A) Notwithstanding the foregoing provisions of this subsection, the reasonable cost of inpatient hospital services or other services provided by a hospital which are furnished by any provider of services shall not exceed (i) the amount which would be payable for such services by the principal nonprofit prepayment organization insuring against the costs of hospital care in the area wherein such services are provided to hospitals with which such organization has agreements, if the recipient of such services were insured against the costs of such services by such organization, or (ii) if less, the hospital's usual and customary charges to the general public for such services.

"(B) (i) If the principal nonprofit prepayment organization operating in any geographic area usually reimburses hospitals with which it has agreements on the basis of costs for inpatient hospital services provided to individuals insured for such services by such organization, the Secretary shall, when possible, determine the average per diem or equivalent amount paid by such organization to such hospitals for services comparable to the services covered under part A of this title in such area over the one-year period ending not more than 6 months prior to the date such average is determined. The Secretary shall, in determining such average amount, utilize such evaluative accounting and actuarial methods as he deems appropriate and such data (including data provided by such organization) as may be relevant.

"(ii) If any such principal nonprofit prepayment organization operating in any area is an organization which has entered into an agreement with the Secretary under section 1816, it shall be the duty of such organization to provide to the Secretary, under such agreement, such data as the Secretary may request in order to assist him in establishing under this paragraph the average amount paid by such organization for inpatient hospital services in such area. If any such organization fails or refuses to perform such duty under such agreement, the Secretary shall take such measures as may be necessary to terminate such agreement.

"(iii) The average amount paid with respect to inpatient hospital services by the principal nonprofit prepayment organization operating in any area shall be determined by the Secretary not less often than once during each 24-month period.

"(C) Whenever the Secretary determines that payment for inpatient hospital services provided in any area on the basis of the average per diem or equivalent amount paid by the principal nonprofit prepayment organization operating in such area (as determined under subparagraph (B)) would not result in a higher average cost to the Federal Hospital Insurance Trust Fund than if payment were made as otherwise provided in the foregoing provisions of this subsection, then he may make payment for services under this title on the basis of the reimbursement formula employed by, and in amounts identical to those paid by, such prepayment organization in behalf of its own insured members or subscribers for like services of like duration.

"(6) In any case in which a hospital or extended care facility makes, after June 30, 1971, one or more capital expenditures with respect to plant and equipment (other than expenditures for the routine replacement of existing equipment) and a State agency (established or designated pursuant to section 314(a) (2) of the Public Health Service Act, or such other qualified agency as may be designated by the Governor of the State) determines (and so informs such hospital or facility) that such expenditure or expenditures do not conform to the overall plan developed by such agency for adequate health-care facilities in such State or any part thereof, and if the aggregate of such expenditure or expenditures is $100,000 or more, then, notwithstanding any other provision of this subsection, the reasonable cost (as determined under other provisions of this subsection) of any service provided by such hospital or extended care facility shall be reduced by an amount equal to the amount which was included in such reasonable cost (as so determined) and which was attributable to depreciation, interest, or other expense connected with such expenditure or expenditures or the facility with respect to which such expenditure or expenditures were made.

"(7) (A) If, for any fiscal year of any hospital or extended care facility which begins on or after January 1, 1970, the per diem or equivalent costs for non-capital related items of expense claimed by such hospital or facility have increased, over the average per diem or equivalent costs for non-capital related items of expense of such hospital or facility for the preceding fiscal year, by a percentage greater than the average annual percentage of increase reflected by the Medical Care Index (published by the Bureau of Labor Statistics of the Department of Labor) for a 3-year period immediately preceding such fiscal year for the geographic area in which such hospital or facility is located, then, for purposes of determining under the preceding provisions of this subsection the reasonable cost of any services provided by such hospital or facility, there shall be disregarded any amount of the per diem or equivalent costs for non-capital related items of expense which exceeds the percentage of increase so reflected by such Index for such preceding 3-year period.

"(B) The Secretary may exempt a hospital or extended care facility from all or any part of the reduction provided by subparagraph (A) if he determines that the increase in per diem or equivalent costs of such hospital or facility was attributable to unusual circumstances including circumstances which were beyond the control of such hospital or facility."

(2) Section 1815 of such Act is amended by inserting immediately before the period the following: ", and except that no such payment shall be made to any provider which fails or refuses to provide any data requested of it by the Secretary in order for him to make determinations authorized by section 1861(v)".

(3) The amendments made by this subsection shall take effect July 1, 1969.

Sec. 2. (a) Title XI of the Social Security Act is amended by adding at the end thereof the following new section:

"LIMITATION ON FEDERAL FINANCIAL PARTICIPATION IN EXPENDITURES FOR CARE PROVIDED BY HOSPITALS, NURSING HOMES, AND INTERMEDIATE CARE FACILITIES

"Sec. 1122. (a) (1) Notwithstanding any provision of title I, part A of title IV, titles V, X, XIV, XVI, or XIX, in determining the amounts expended by a State as aid or assistance under a State plan approved under any such title (or under part A of title IV), there shall not be counted so much of any expenditure made by the State as payment for inpatient hospital services provided to any recipient of such aid or assistance by any hospital as exceeds (i) the amount which would be payable for such services by the principal nonprofit prepayment organization insuring against the costs of such services, in the area wherein such services are provided, to hospitals with which such organization has agreements, if the recipient of such services were insured against the costs of such services by such organization, or (ii) if less, the hospital's usual and customary charges to the general public for such services.

"(2) (A) (i) If the principal nonprofit prepayment organization operating in any geographic area usually reimburses hospitals with which it has agreements on the basis of costs for inpatient hospital services provided to individuals insured for such services by such organization, the Secretary shall, when possible, determine the average per diem or equivalent amount paid by such organization to such hospitals for services comparable to those provided to recipients of aid or assistance under an approved State plan referred to in paragraph (1) in such area over the one-year period ending not more than 6 months prior to the date such average is determined. The Secretary shall, in determining such average amount, utilize such evaluative accounting and actuarial methods as he deems appropriate and such data (including data provided by such organization) as may be relevant.

"(ii) The average amount paid with respect to inpatient hospital services by the principal nonprofit prepayment organization operating in any area shall be determined by the Secretary not less often than once during each 24-month period.

"(B) The average per diem or equivalent amount paid for inpatient hospital services by the principal nonprofit prepayment organization operating in any area shall, for purposes of paragraph (1), be regarded as the amount which would be payable by such organization for inpatient hospital services in such area, if the Secretary determines that use of such average amount would not result in a higher cost to the Federal Government than if such average were not used.

"(b) In any case in which a hospital, nursing home, or intermediate care facility makes, after June 30, 1971, one or more capital expenditures with respect to plant and equipment (other than expenditures for the routine replacement of existing equipment) and a State agency (established or designated pursuant to section 314(a)(2) of the Public Health Service Act, or such other qualified agency as may be designated by the Governor of the State) determines (and so informs such hospital, nursing home, or intermediate care facility) that such expenditure or expenditures do not conform to the overall plan developed by such agency for adequate health care facilities in such State or any part thereof, and if the aggregate of all such expenditures is $100,000 or more, then, notwithstanding any provision of title I, part A of title IV, titles V, X, XIV, XVI, or XIX, in determining the amounts expended by a State as aid or assistance under a State plan approved under any such title (or part A of title IV), there shall not be counted so much of any expenditure made by the State to such hospital, nursing home, or intermediate care facility as payment for services provided by it to recipients of such aid or assistance as is attributable to depreciation, interest, or other expense connected with, such capital expenditure or expenditures or the facility with respect to which such capital expenditure or expenditures were made.

"(c) (1) If, for any fiscal year of any hospital, nursing home, or intermediate care facility which begins on or after January 1, 1970, the per diem or equivalent costs for non-capital related items of expense claimed by such hospital, nursing home, or intermediate care facility have increased, over the average per diem or equivalent costs for non-capital related items of expense of such hospital, nursing home, or intermediate care facility for the preceding fiscal year, by a percentage greater than the average annual percentage of increase reflected by the Medical Care Index (published by the Bureau of Labor Statistics of the Department of Labor) for the 3-year period immediately preceding such fiscal year for the geographic area in which such hospital, nursing home, or intermediate care facility is located, then notwithstanding any provision of title I, part A of title IV, titles V, X, XIV, XVI, or XIX, in determining the amounts expended by a State as aid or assistance under a State plan approved under any such title (or part A of title IV), there shall not be counted so much of any expenditure made by a State to any hospital, nursing home, or intermediate care facility as payment for inpatient services provided by it to recipients of such aid or assistance as is attributable to a percentage increase in costs for non-capital related items of expense claimed by such hospital, nursing home, or intermediate care facility over the percentage of increase reflected by such Index for such preceding 3-year period.

"(2) The Secretary may by regulations provide that the provisions of paragraph (1) shall be inapplicable in the case of any hospital, nursing home, or intermediate care facility, if the increase in per diem or equivalent costs of such hospital, nursing home, or intermediate care facility is attributable to unusual circumstances including circumstances which are beyond the control of such hospital, nursing home, or intermediate care facility.

"(d) Nothing in this Act shall be construed to prevent or limit any State, in the operation of any State plan approved under title I, part A of title IV, titles V, X, XIV, XVI, or XIX, from imposing any additional limitation on the payments which will be made under such plan to hospitals, nursing homes, or intermediate care facilities providing services to recipients of aid or assistance under such plan."

(b) The amendment made by subsection (a) shall apply with respect to calendar quarters commencing after December 31, 1969.

S. 1198—INTRODUCTION OF BILL TO PERMIT A COMPACT BETWEEN STATES RELATING TO TAXATION OF MULTISTATE TAXPAYERS

Mr. MAGNUSON. Mr. President, I introduce for appropriate reference, a bill to permit a compact or agreement between the several States relating to taxation of multistate taxpayers.

This bill is essentially the same as the one which I introduced in April 1967, on behalf of myself and 18 other Members. My remarks made then are generally applicable now. However, as I shall show in the course of my present remarks, the States have made further substantial progress in attaining uniformity in taxation of multistate taxpayers, progress which I hope will continue through congressional encouragement and support as embodied in this bill.

The bill seeks congressional consent for State compacts which would achieve certain enumerated purposes. Basically, those purposes would be to facilitate proper determination of State and local tax liability, to promote uniformity or compatibility of tax systems, to facilitate the multistate taxpayer's convenience and compliance regarding taxing procedures, and to avoid duplication of taxation.

In addition, the bill would give the States congressional consent to establish appropriate agencies for administration and research.

The compact with which the bill is concerned, the so-called multistate tax compact, has been enacted by 16 States. In two of these States, the compact is made subject to the express consent of Congress. This enactment by 16 States is to be contrasted with the enactment by only four States in April of 1967. Further, 11 other States have become associate members of the Multistate Tax Commission, established under the compact. It is expected that at least 12 other States will enact the compact this year.

The multistate tax compact has for its basic objectives the provision of solutions and additional facilities for dealing with tax problems of multistate businesses. More important in the long run, the compact would establish mechanisms for meeting multistate tax problems on a continuing basis and for solving future problems. The compact deals most immediately with income, capital stock, gross receipts, and sales and use taxation. It provides, also, for certain study, recommendatory, and service features that could be applied to other States and local taxes as well.

One of the principal measures for improvements—that is, simplification of taxpayer compliance and elimination of the possibility of double taxation—in the income tax field is the Uniform Division of Income for Tax Purposes Act. The compact would permit any multistate taxpayer, at his option, to employ the Uniform Act for allocations and apportionments involving party States or their subdivisions. Each party State could retain its existing division of income provisions but it would be required to make the Uniform Act available to any taxpayer wishing to use it. Consequently, any taxpayer could obtain the benefits of multijurisdictional uniformity whenever he might want it. The Uniform Act has been adopted in 25 of the 40 corporate income tax States, either through adoption of the compact or through adoption of the Uniform Act alone. This is to be contrasted with the 16 States which had adopted the Uniform Act in April 1967.

The compact also provides for an arbitration procedure for the settlement of such disputes as may arise. The taxpayers would have the choice of either using the arbitration procedure or pursuing a judicial remedy.

The compact further aids uniformity by providing for the making of advisory administrative rules and regulations applicable to any uniform provisions of statutory law.

A number of reforms already adopted widely would be made universal among the party States by the compact. For example, credits for sales taxes paid to other jurisdictions, provision for a small taxpayer to elect to pay a tax on gross sales in lieu of net income, and relief of vendors from collection of sales or use taxes upon good faith acceptance of an exemption certificate would be assured.

The matter of efficiency of tax audits, with concomitant convenience to taxpayers, long has been a subject of interest. The compact would make single audits possible on a multistate basis, in those States choosing to become parties to a cooperative audit article.

While many of the compact's provisions would be self-executing, some would require the conduct of research informational and implementing activities. For these purposes, the compact would establish a multistate tax commission composed of representatives of the party States having responsibility in multistate tax matters. Although an interstate administrative agency would be new in the tax field, there are already a number of interstate administrative agencies, some with many years of successful operation. The Port of New York Authority which now operates and manages a billion and a half dollars worth of transportation and related public works is the oldest example. It is now 45 years old. Multistate commissions with large numbers of member States are to be found in the fields of education, natural resource development and management, and pollution control. Several compacts have a membership of all or almost all the States. These include the interstate compact for the supervision of parolees and probationers, the interstate compact on juveniles, and the interstate compact on mental health. Accordingly, there would be a considerable body of experience for a multistate tax compact and its commission to draw upon.

The multistate tax compact is a responsible answer of the States to the shortcomings of State tax laws as they affect multistate businesses. It is intended to assure equitable treatment of taxpayers, facilitate their compliance with tax laws, and provide means of avoiding or settling multistate tax disputes while preserving intact the taxing jurisdiction of State and local government.

The compact approach should be contrasted with the approach taken under suggested Federal legislation, discussed in a letter of January 2, 1969, from Mr. George Kinnear, director of the Washington State Department of Revenue and chairman of the Multistate Tax Commission. I concur in the remarks made in Mr. Kinnear's letter.

This bill seeking congressional consent for the multistate tax compact is being introduced on behalf of myself and Senators Allott, Anderson, Bennett, Bible, Burdick, Church, Curtis, Eagleton, Fong, Goldwater, Gravel, Griffin, Gurney, Hansen, Hatfield, Hruska, Inouye, Jackson, Jordan of Idaho, McGee, Moss, Percy, Randolph, Stevens, Tower, Yarborough, and Young of North Dakota.

I recognize that, after hearings by the appropriate committee, modifications may be found to be desirable. However, no matter what the exact form of the consent legislation may be, I feel that the Congress should give sanction and encouragement to the States efforts to solve the problems of taxation of multistate businesses through the compact approach.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record immediately following my remarks, along with the letter of January 2, 1969, from Mr. George Kinnear.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 1198) to permit a compact or agreement between the several States relating to taxation of multistate taxpayers, introduced by Mr. Magnuson (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 1198

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Multistate Tax Compact Act".

Sec. 2. Consent of Congress is hereby given to any two or more of the States of the United States to negotiate and enter into a compact or agreement, not in conflict with any law of the United States, for the following purposes:

(a) To facilitate proper determination of State and local tax liability of multistate taxpayers, including the equitable apportionment of tax bases and settlement of apportionment disputes.

(b) To promote uniformity or compatibility in significant components of tax systems.

(c) To facilitate multistate taxpayer convenience and compliance in the filing of tax returns and other phases of tax administration.

(d) To avoid duplicative taxation.

Sec. 3. The consent of Congress is further given to such States to establish such agencies, joint or otherwise, as they may deem desirable for making effective such agreement or compact, and to amend any such agreement or compact.

The letter, presented by Mr. Magnuson, is as follows:

State of Washington,
Department of Revenue,
Olympia, January 2, 1969.

Hon. Warren G. Magnuson,
Senate Office Building,
Washington, D.C.

Dear Senator Magnuson: As you know our State of Washington, and most of the other states, have been vitally interested in working to find equitable solutions to tax problems of multistate business. We recognize that there are legitimate problems which have arisen in the field of multistate treatment of business taxation; we believe multistate businesses are justified in asking for uniformity, simplicity, and equity in taxation by the states; and we feel that the Multistate Tax Compact is the way to go about solving these problems, through the voluntary, affirmative, and collective action of the states.

We do *not* believe that federal legislation, such as that of Representative Willis in the last session or that which Senator Ribicoff has announced he will propose in the present session, is a proper solution to any of these problems: uniformity, simplicity, or equity.

Its standards of "uniformity" consist of uniform exemptions to a preferred group of taxpayers. Removing a favored group of businesses from taxing jurisdiction may be said to simplify things for those taxpayers whose organization structure or business practices can be adjusted to meet the jurisdictional escape hatches provided for them; it hardly simplifies things for the remaining taxpayers who must pick up the slack of lost tax revenues and still try to compete with their tax exempt competition. This sort of restrictive federal legislation in fact creates new and extensive areas of inequity and nonuniformity as between localized and multistate businesses.

We agree with all who say taxes must be equitable to multistate taxpayers; we believe they must also be equitable to local taxpayers and to local and state governments. We agree that multiple and duplicative taxes must be eliminated; but multistate business must pay its way, its fair share; it is no solution to relieve such business entirely from supporting state and local governments. We agree that tax compliance and reporting should be simplified so as not to hamstring multistate business; the simplification must not be such, however, that it causes drastic shifts in revenue burdens and destroys or handicaps the revenue sources of state and local governments, most of which are already suffering desperate fiscal predicaments.

The State of Washington along with the other 26 states presently joined together in the Multistate Tax Commission are firmly opposed federal legislation of the Willis-Ribicoff kind. We believe such legislation is both unnecessary and inappropriate as a solution for present or future problems in the taxation of multistate business. I will not go into a detailed discussion in this letter except to say that, in addition to our general opposition as a matter of basic philosophy, we find over twenty separate provisions in the most recent versions of proposed federal bills which either narrow the tax base for a preferred group of businesses, exempt them entirely from state taxing jurisdiction, or make state tax collection more difficult, ineffective, and more costly.

The Multistate Tax Compact has already been enacted by 16 states; eleven others have joined the Multistate Tax Commission, created by the Compact, as associate members. Through the Compact methodology the Commission has already accomplished a great deal in its short 16-month existence. Much more can and will be accomplished which the states should be given an opportunity to demonstrate.

The states earnestly desire and request an opportunity to fully apprise the Senate of their achievements, plans, and purposes in this field.

Sincerely,

George Kinnear,
Director.

S. 1205—INTRODUCTION OF A BILL TO CREATE A SUPREME SACRIFICE MEDAL

Mr. HARTKE. Mr. President, I realize that there is no action a Government can take which will adequately honor those service men and women who give up their lives for their country; but certainly an expression of gratitude by the people through their Government to the members of the family of such men and women is altogether desirable and appropriate. To that end, therefore, I today introduce for myself and Senators Bible, Burdick, Byrd of West Virginia, Cooper, Eastland, Fannin, Goodell, Harris, Prouty, Schweiker, Scott, Stevens, Tydings, and Yarborough, a bill to provide for a military decoration to be known as the Supreme Sacrifice Medal which will be presented to the widow or next of kin of members of the Armed Forces who have lost their lives as a direct result of armed conflict.

Those brave men and women who have given their lives in the service of our country are, indeed, this country's greatest heroes and they, and their families, deserve recognition in excess of that currently bestowed. While the Purple Heart is a most cherished and distinguished decoration it does not adequately reflect the heroism and sacrifice of those who lost their lives in battle; nor does it adequately honor those who have lost loved ones as a direct result of armed conflict. Similarly, the gold star pin given to the next of kin is hardly more than a token expression of gratitude to the families of those who have paid the supreme sacrifice.

I am happy to report that this bill has the full support of the American Legion, the Disabled American Veterans, the AMVETS, and the Veterans of Foreign Wars.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred;

and, without objection, the bill will be printed in the RECORD.

The bill (S. 1205) to provide for a medal to be known as the Supreme Sacrifice Medal and to provide for its presentation to the widow or next of kin of members of the Armed Forces who have lost their lives as the result of armed conflict, introduced by Mr. HARTKE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 1205

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is no action a government can take which will adequately honor those men and women who sacrifice their lives for their country; but an expression of gratitude by the people through its government to the members of the family of such men and women is desirable and appropriate. It is, therefore, the purpose of this Act to provide for the striking of a special medal to honor those members of the Armed Forces of the United States who have lost their lives as the result of armed conflict, and to provide for the presentation of such medal to the widows or widowers or next of kin of such members.

SEC. 2. The Secretary of Defense is authorized and directed to provide for the designing and striking of an appropriate medal to be known as the Supreme Sacrifice Medal for presentation to the widows or next of kin of members of the Armed Forces of the United States who, while serving on active duty, lost their lives as the direct result of armed conflict.

SEC. 3. (a) The Secretary of Defense shall make every reasonable effort to locate the widow or the next of kin of each member of the Armed Forces who lost his life on or after August 5, 1964, and whose death occurred under the conditions described in the first section of this Act, and to present the Supreme Sacrifice Medal to such widow or next of kin, as the case may be, of such member.

(b) Upon application to the Secretary of Defense, the Supreme Sacrifice Medal shall be presented to the widow or next of kin of any member of the Armed Forces who lost his life prior to August 5, 1964, under the conditions described in the first section of this Act. Applications filed under this section shall be in such form and contain such information as the Secretary may prescribe.

SEC. 4. (a) The Supreme Sacrifice Medal shall in all cases be awarded to the widow, if living. If there is no widow the medal shall be awarded to one of the following persons, in the order named: (1) the child or children of the former member, (2) the parents of the former member, or (3) the brothers and sisters of the former member.

(b) As used in this act, (1) the term "widow" shall include widower; (2) the terms "child" or "children" shall include stepchild or stepchildren and a child or children through adoption; (3) the term "parents" shall include mother, father, stepmother, stepfather, mother through adoption, and father through adoption; and (4) the term "brothers and sisters" shall include half brothers and half sisters.

SEC. 5. Whoever shall (1) falsely make, forge, or counterfeit, or cause to be falsely made, forged or counterfeited, or aid in falsely making, forging, or counterfeiting the Supreme Sacrifice Medal provided for under this Act, or (2) sell or bring into the United States, or any place subject to the jurisdiction thereof, from any foreign place, or have in his possession, any such false, forged, or counterfeited Supreme Sacrifice Medal, shall be fined not more than $1,000 or imprisoned for not more than two years, or both.

SEC. 6. The Secretary of Defense is authorized to prescribe such rules and regulations as he may deem appropriate for the effective administration of this Act.

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

S. 1207—INTRODUCTION OF BILL RELATING TO REGULATION OF UTILITY SECURITY ISSUES

Mr. METCALF. Mr. President, on behalf of the senior Senator from Michigan (Mr. HART) and myself, I introduce for appropriate reference a bill supported by the Federal Power Commission, to repeal section 204(f) of the Federal Power Act. That is the provision which excludes from Federal Power Commission jurisdiction the regulation of security issues by an electric utility "organized and operating in a State under the laws of which its security issues are regulated by a State commission." The effect of section 204(f), has been to limit Federal Power Commission jurisdiction over security issues to no more than 28 of the 184 major electric utilities.

Mr. President, State utility commissions are not equipped to analyze security issues. A majority of them do not have a single security analyst on their staff. Analysis of security issues is a sophisticated business. It is becoming increasingly complex, as a reading of the testimony Tuesday, before the House Subcommittee on Commerce and Finance, by Chairman Hamer Budge of the Securities and Exchange Commission, indicates. One electric utility has put aside almost 10 percent of its stock for purchase at reduced prices, through stock options, by company insiders. This was done so adroitly that a member of the Commission was completely unaware that he and his colleagues had approved this plan under which the board chairman of the utility, in one transaction, made a windfall profit amounting to more than twice the annual salary of the three Commissioners and their 18 staff members.

When millions of dollars worth of stock are sold to power company insiders at a fraction of the market value, both the stockholder and consumer suffer. The loss of capital, because of the sale at below-market option price, amounts to capital forgone. Capital has to be raised somewhere else. Stock option abuse is one of the reasons why electric utilities last year requested a record high in rate increases.

A case can be made for granting stock options in risk enterprises whose success or failure depends largely on the ability of executives to develop and sell a product or service profitably in a competitive market. Electric utilities are not in that category. They have a monopoly. They sell an essential product. Their revenue is related more to the size of their investment, or rate base, than it is to competition in the marketplace. The law requires that the utilities' rates be sufficient to cover all expenses, including taxes, salaries and emoluments, plus profit. However, utility officials' gain from stock option transactions rarely comes to the attention of the public or the regulatory commissions. Security analysts for investment and brokerage houses, and the utilities themselves, issue voluminous information about security issues, but precious little about stock options and insider transactions.

Requirements for reporting utility officials' stock option transactions are, at best, minimal, and even these limited requirements are sometimes disregarded. The latest example to come to my attention involves Fischer S. Black, president of Tampa Electric. He made a windfall profit of $140,562 through exercise of options on 13,000 shares of stock. He failed to advise the Securities and Exchange Commission that the transaction involved the purchase of securities through the exercise of options. Nor did he advise the SEC as to the reduced cost of the stock to him. An enterprising reporter, Charles Stafford of the St. Petersburg Times—a member of that small but valuable segment of the press corps which reports utility matters on the basis of their own investigation rather than utility press releases—verified and reported the truth about Fischer Black's stock option windfall on Washington's Birthday, appropriately, and I shall insert Mr. Stafford's account at the conclusion of my remarks.

Mr. President, in summary, Senator HART's and my bill is needed to protect utility stockholders and customers. They have no effective voice in the affairs of electric utilities, whose management decides policy, including policy on stock options, through exercise of proxies. The stockholders and ratepayers in most States have no voice before the State commissions, which have no staff to analyze, or even discover, stock option plans. The commission and staff with competence in this field is the Federal Power Commission, which in most cases is powerless to act because of section 204(f), which our bill would repeal.

The authors of the Public Utility Holding Company Act of 1935, Senator Burton K. Wheeler and the late Representative Sam Rayburn, envisioned Federal Power Commission regulation of utility security issues, just as the Interstate Commerce Commission regulates railroad security issues. Section 204(f) was inserted at the instance of the National Association of Railroad and Utilities Commissioners. NARUC will testify on March 10, before the Senate Subcommittee on Intergovernmental Relations, on S. 607, my Utility Consumers' Counsel bill, which would require reporting and publication, among other things, of more information about utility stock option plans. S. 607 would not transfer regulatory responsibility, which largely rests with the State commissions. I shall send a copy of these remarks to NARUC, preparatory to questioning its witness on the administration by the State commissions of the responsibilities it sought and received through section 204(f).

Mr. President, I would refer those who seek examples of stock option abuse by officials of some of the 32 power companies with stock option plans to my remarks in the March 21, 1967, RECORD, beginning on page S 4132. Those remarks also include the text of the Federal Power Commission Opinion No. 433, issued June 30, 1964, denying authority for issuance of common stock, including stock options, for Black Hills Power & Light. This was only the second case involving utility stock options to come before the FPC, because of its limited jurisdiction in this field.

Mr. President, I ask unanimous consent to insert at this point in the RECORD Mr. Stafford's article, "Stock Option Brings $140,562 Bonus," in the February 22, 1969, issue of the St. Petersburg Fla., Times, and the Federal Power Commission's January 2, 1969, report on my bill in the 90th Congress, S. 1355, which is a companion to the legislation I introduce today. I also ask unanimous consent to insert in the RECORD the text of the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, and other matters, requested by Senator METCALF, will be printed in the RECORD.

The bill (S. 1207) to repeal the provisions of the Federal Power Act which exempt from Federal Power Commission regulation the issuance of securities by public utilities subject to certain State regulation, introduced by Mr. METCALF (for himself and Mr. HART), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1207

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That effective on the thirtieth day after the date of enactment of this Act, subsection (f) of section 204 of the Federal Power Act (16 U.S.C. 824c(f)) is repealed.

The article and other matters, presented by Mr. METCALF, are as follows:

[From the St. Petersburg (Fla.) Times, Feb. 22, 1969]

STOCK OPTION BRINGS $140,562 BONUS

(By Charles Stafford)

WASHINGTON.—Fischer S. Black, president of Tampa Electric Company, recently purchased 13,000 shares of his firm's stock under a stock option plan, which, in effect, gave him a bonus of $140,562.50.

The purchase also made Black the second largest individual stockholder among Tampa Electric's officers and directors. Records of the Securities and Exchange Commission (SEC) show he now owns 19,216 shares of the firm's common stock.

Tampa Electric's 1968 proxy statement listed Peter O. Knight, Jr., chairman of the executive committee of the Exchange National Bank of Tampa, as the utility's major stockholder among the officers and directors with 122,934 shares. William C. MacInnes, Tampa Electric's board chairman, held 9,840 shares.

On May 13, 1960, Tampa Electric stockholders granted 10-year options to MacInnes on 24,000 shares and Black on 16,000 shares. The price was set at $17.8125 per share. This 40,000 shares was among 62,000 placed under option for officers and directors and 20,800 shares for key employes at prices ranging from $17.8125 to $26 per share.

Records show MacInnes exercised his option on 5,000 shares prior to the stockholders' meeting of 1965. There is no record he has made any additional purchases. He and Black have until May 13, 1970, to exercise the option on the remaining stock available to them—19,000 shares for MacInnes and 3,000 shares for Black.

At the option price Black would have paid $231,562.50 for the 13,000 shares. He reported the purchase to the SEC on Feb. 5. The closing price for Tampa Electric stock that day on the New York Stock Exchange was $28.625, and the 13,000 shares would have cost an investor $372,125.

The difference in what Black paid for the stock and what he would have had to pay for it in the marketplace, $140,562.50 represented a bonus for him. Critics of the stock option plan call it a "windfall profit."

Black, contacted yesterday in Tampa, said most major companies offer their executives stock option plans as management incentives and that they are generally given in lieu of salary. He said he sees nothing wrong with the practice.

While the option plan is available to officers and other key personnel, he said, all other Tampa Electric employes have an opportunity to buy company stock 15 per cent under the market price.

In his report to SEC, Black simply noted the purchase of 13,000 shares. A portion of instruction 11 of the report form states: "If the transaction . . . involved the purchase of securities through the exercise of options, so state and give the exercise price per share . . ." Black neglected to do so. However, a Tampa Electric spokesman said Black had purchased the stock under the option plan.

"These things are reported in our proxy statement every year," said Black. "There's no secret about it. It's public information."

Black's annual salary as Tampa Electric president in 1967—the latest year on record with the Federal Power Commission—was $59,625. MacInnes' was $80,000.

In 1964, in denying the application for a stock option plan of a company over which it had jurisdiction, the Federal Power Commission listed these objections to stock options:

"First, such plans disguise the extent of managerial compensation and thus make it easy for the top managers to receive excessive compensation. As the staff showed in this case, there is no practical method of accounting for stock options which will give a clear indication of their cost to the company. Over the years, the accounting for costs has been made the foundation of knowledgeable regulatory control. Since there is no disclosure of service costs under these plans in the accounts of the utility, the use of the stock option form of executive compensation distorts the real cost of electric utility services. On the other hand, increases in cash salary payments are immediately evident. Entered into the books of account they are disclosed and understood by investors, consumers and regulatory officials alike.

"Second, stock options usually prefer the top executives and ignore the important role of the lower and middle management group. On a companywide basis, they may create a morale problem for the many which offset their claimed incentive value to the few.

"Third, such plans lead to executive compensation which is often irrational, erratic and unrelated to the performance of the executive, general market trends and the growth of the economy in the company's market area may play a larger role in determining the value of the options than the efforts of the option-holders themselves.

FEDERAL POWER COMMISSION REPORT ON S. 1355, 90TH CONGRESS

A bill to repeal the provisions of the Federal Power Act which exempt from Federal Power Commission regulation the issuance of securities by public utilities subject to certain State regulation

S. 1355 would make the Federal Power Commission's existing responsibilities for regulating securities issuances of public utilities uniformly applicable to public utilities, by eliminating the special exemption of securities regulation granted by subsection 204(f) to some public utilities already under the general regulation of the Federal Power Act. Under present law, public utilities which are subject to FPC regulation in such matters as interstate wholesale rates and accounting practices may nonetheless be exempted from section 204 regulation of their securities: Public utilities are exempted if they operate in the state of their incorporation albeit only a portion of their total operations and if that state also regulates their securities. Public utilities are not exempted if they have no operations in their state of incorporation or if that state does not regulate the securities issue. These distinctions do not seem relevant to any criteria of public policy to justify avoidance of Federal Power Act standards. (A more detailed analysis of the existing exemption is appended hereto.)

Where the present exemption standard applies, state jurisdiction is exclusive, although a second state agency may have concurrent jurisdiction where the utility operates in two states. Under S. 1355 public utility securities issues would still be subject to State commission regulation as is the case of those public utilities under the Public Utility Holding Company Act, but uniform Federal regulation would also apply. This contrasts with ICC jurisdiction of railroad securities which is exclusive, 49 U.S.C. 20(a).

The Federal Power Commission believes that such concurrent jurisdiction would enhance consumer and stockholder protection and preserve the prerogatives of both state and federal agencies without inhibiting in any way the growth and prosperity of the electric industry.

S. 1355 would ensure that the securities issues of all Commission regulated public utilities meet the standards of the Federal Power Act (except members of registered holding company systems) and thereby eliminates any advantages they may now enjoy as a result of variances between State and Federal laws.

The criterion of subsection 204(f) for exemption from uniform national standards does not reflect the realities of marketing public utility securities. Most, if not all, public utilities compete for funds in the national money market. Their securities are traded in the national exchanges. The stockholders and investors in any one public utility's securities are only coincidentally residents of the state in which the utility operates. The physical plant and consumers are often in several states, due to multi-state operations or interconnections. The interests sought to be protected by state regulation, therefore, are not coincidental with the interests protected by a national policy. Indeed, in marketing of securities of public utilities, there is less relationship to the state of operation than in any other aspect of an electric utility's operation, while it is the sole area where the Federal Power Act provides an exemption from uniform national standards for certain public utilities. This exemption was not included in the original Public Utility Act as introduced by Senator Wheeler and Representative Rayburn. (The Appendix traces the origin of this exemption.)

The Public Utility Act of 1935 assigned securities regulation of electric utilities to the Federal Power Commission. Federal and state public utility securities regulation differs from the Federal Securities Act of 1933 and the various state blue-sky laws which are anti-fraud or registration statutes which are primarily for the protection of the would-be investor. Section 204 of the Federal Power Act (and similar federal and state statutes) authorizes approval, disapproval or conditional approval of securities issues of interstate public utilities to protect the company and its consumers as well as the investor.

In reviewing security issues, the FPC considers the capital structure of the company with the view, among others, toward maintaining a balanced debt-equity ratio which will minimize the cost of capital without impairing the ability of the company to weather adverse business conditions.

The Commission's regulations have assisted both the consumers and the utilities. Thus the Commission's requirements for competitive bidding by underwriters in the marketing of utility securities tends to ensure that the public utility obtains the lowest interest rate for debt securities.

FPC procedures are not burdensome; approval of a security issue is generally given in 20 to 30 days, comparable to the time the SEC requires to review the same securities issue under the independent disclosure-type provisions of the Securities Act.

The original purpose of the Federal Power Act to provide effective regulation at the national level for public utilities which sell or transmit electricity in interstate commerce will be furthered by removing the exemption from Commission jurisdiction which 204(f) provides. S. 1355 preserves the concurrent jurisdiction of State commissions and would enhance consumer and stockholder protection. The Federal Power Commission therefore believes the enactment of S. 1355 would be in accord with the public interest.

The Bureau of the Budget advises that while there is no objection to submission of this report the Bureau questions, on the basis of information available to it, whether the proposed change in the regulatory process is needed at this time.

A separate statement by Commissioner Bagge is attached.

Appendix

Origin and Scope of Present FPC Securities Jurisdiction

ORIGIN OF SECTION 204(f)

Subsection 204(f) did not originally appear in the Wheeler-Rayburn bill which became the Public Utility Act of 1935.[1] The original bill provided for State-Federal concurrent jurisdiction, unlike section 20(a) of the Interstate Commerce Act on which section 204 was modeled. The National Association of Railroad and Utilities Commissioners proposed to both the Senate and House Interstate Commerce Committees that section 204 be amended to exclude from FPC jurisdiction the securities issues of public utilities organized and operating in a State under the laws of which its securities issues were regulated by a State Commission.[2] The Senate Committee rejected this proposal and to make the original intent clear, added a subsection 204(f) which would have expressly preserved both State and Federal jurisdiction, explaining: [3]

"Subsection (f) expressly preserves the jurisdiction of the State commissions under State statutes which require Commission approval of security issues."

The Senate passed the bill preserving concurrent jurisdiction but the House Committee on Interstate and Foreign Commerce adopted the NARUC suggestion, which was then accepted in the Conference Committee.[4]

EXTENT OF PRESENT FEDERAL POWER COMMISSION JURISDICTION

Section 204(f) now states that:

"The provisions of this section shall not extend to a public utility organized and operating in a State under the laws of which its security issues are regulated by a State Commission."

Primarily because of the exemption provided by section 204(f) no more than 28 of the 184 major electric utilities are subject to FPC regulation of their securities issues.[5] This number has gone down in recent years as some public utilities have changed their corporate domicile from a State where they had no operations to a State in which they do operate, and have thus exempted themselves from FPC jurisdiction.[6] Seventeen of the 28 utilities are in the four States (South Dakota, Minnesota, Texas, and Iowa) without a State commission with power to regulate securities issues, 10 more are incorporated in States in which they have no operations, and one company is subject to FPC jurisdiction because provisions in its charter exempt it from State public utility regulation. Forty-five more public utilities under general FPC jurisdiction are subject to the Securities and Exchange Commission for their securities regulation as members of registered public utility holding company systems pursuant to the Public Utility Holding Company Act.[7] The statutory standards for authorization of securities issues under the Holding Company Act [8] are for all practical purposes identical to the Federal Power Act standards, although the SEC has sometimes administered these standards differently from the FPC. The exemption appearing in subsection 204(f) of the Power Act was not written into the Holding Company Act.

Under section 204(f), a public utility with operations in several States is exempt from FPC jurisdiction if it is incorporated in one of the States in which it operates. For example, Southwestern Public Service Company, which operates in Texas, New Mexico, Oklahoma, and Kansas, does 75% of its business in Texas, which has no State commission. It is exempt from FPC jurisdiction because it is organized and does some of its business in New Mexico, which regulates the company's securities.

Even apart from the special exemption of subsection 204(f), public utilities have considerable leeway in their financing programs. The securities jurisdiction of the FPC does not extend to normal short-term financing as section 204(e) exempts securities maturing within one year and not exceeding in value 5% of the outstanding par value.

Statement of Commissioner Carl E. Bagge on S. 1355, 90th Congress

S. 1355 would extend the authority of the Federal Power Commission over security issuances to all public utilities by eliminating the exemption presently granted by sub-section 204(f) of the Federal Power Act. At the present time public utilities which are subject to Federal Power Commission regulation in such matters as interstate wholesale rates and accounting practices are exempted from Section 204 regulation of their security issuances if they operate in the state of their incorporation and if that state regulates their security issues.

Section 204 was enacted in 1935 because Congress concluded that some regulatory agency, either state or Federal, should regulate new issues of securities by public utilities in order to protect against abuses such as those which occurred during the 1920's and early 1930's. Congress left to the states the primary authority for such regulation. It delegated such authority to the Federal Power Commission only when it would be difficult for states themselves to discharge this responsibility. It was decided at that time that there was no need for both the states and the Federal Power Commission to have this jurisdiction.

That the situation differs today from that which existed thirty years ago cannot be denied. The changes which have occurred, however, seem to me to make additional Federal jurisdiction of security issuances less, rather than more, necessary. Security analysts employed by investment and brokerage houses disseminate voluminous information to the public. Prospectuses containing complete information must be prepared and submitted to the S.E.C. Certified Public Accountants now audit and certify the financial statements of every major public utility. Investment officers of investing institutions scrutinize all new offerings. Regulation by the Federal Power Commission and the state commissions of accounts provides additional safeguards to the investing public.

There is no record of abuses which must be curbed by the enactment of S. 1355. Existing Federal and state regulation together with the changes noted above have, in fact, proven to be wholly effective in curbing the abuses which were prevalent in the 1920's and early 1930's and in preventing occurrence of similar abuses. The existence of a Federal "regulatory gap" does not itself argue so forcefully for the extension of Federal regulation as to overcome the fact that there exists no abuse which cannot be corrected under existing legislation. Since no need has been demonstrated to support its enactment, I believe that the extension of Federal jurisdiction would be detrimental to the public interest because it would require the use of resources which could be more appropriately spent in other areas of regulation.

Nor is it decisive that public utilities compete for funds in the national money market and that their securities are traded on the national exchanges. Unregulated companies are in a similar situation. Their investors are protected by financial analysts, the Securities and Exchange Commission, state securities commissions, state "blue sky" laws, Certified Public Accountants, and common sense.

My colleagues contend that the enactment of S. 1355 would provide uniform national standards which would thereby eliminate any "advantages" which utilities may now "enjoy" under various state laws. This, however, is inconsistent with the theory that the bill provides concurrent jurisdiction, since, if standards in some states are more stringent than that which the F.P.C. would require, differences in treatment would still exist, absent complete federal preemption.

My colleageus suggest that this bill would permit the F.P.C. to review the capital structure of the utility with a view toward maintaining a balanced debt-equity ratio which will minimize the cost of capital without impairing the ability of the company to weather adverse business conditions. This factor is presently reviewed by the various state commissions, and my colleagues have cited no evidence to demonstrate that state regulation has defaulted in its exercise of this jurisdiction. It should be noted that the purchasers of utility securities are also concerned with this objective and that their influence operates to achieve this objective.

---

[1] H.R. 5423 and S. 1725, 74th Congress, 1st Session, 1935.

[2] Hearings, Committee on Interstate Commerce, U.S. Senate; on S. 1725, 74th Congress, 1st Session. Testimony of John E. Benton, General Solicitor for NARUC, p. 751.

[3] Senate Report 621, 74th Congress, 1st Session, 1935, p. 50. The Committee's proposed subsection (f) read: "The Commission shall not grant any application under this section with respect to any security which is subject, under the laws of any State, to the jurisdiction of the State commission, unless the applicable State laws shall have been complied with." Confidential Committee Print, S. 1725, 74th Congress, 1st Session, May 4, 1935, p. 39, MY of Print.

[4] House Report No. 1318, 74th Congress, 1st Session, p. 28: "Under the statute the requirement of subsection (f) of the Senate bill that applicable State laws must be complied with before Commission approval may be given has been changed to authorize security issues without Federal approval where such issues are regulated by a State commission in which the public utility is organized and operating."

[5] Even 10 of the 28 companies have not acquiesced in the Commission's jurisdiction.

[6] Duke Power Company moved its corporate domicile from New Jersey to North Carolina in 1964. Montana Power Company moved its corporate domicile from New Jersey to Montana in 1961. Puget Sound Power and Light moved its corporate domicile from Massachusetts to Washington in 1960.

[7] 15 U.S.C. 79 *et seq.*

[8] 15 U.S.C. 79g(c)1.

If Congress, moreover, were to decide that there exists a need to impose uniform mandatory competitive bidding requirements in the marketing of all utility securities, such a requirement could better be imposed by legislation which would deal specifically with that problem.

The original purpose of Section 204 of the Federal Power Act was to provide effective regulation of the securities of public utilities. The purpose of 204(f) was to protect against over-regulation. Section 204 has achieved its purpose. Such being the case, I cannot agree that a revision such as the one proposed is at all necessary and hence, I must conclude that it is not in the public interest. Were it otherwise, I would unhesitatingly join my colleagues in their endorsement of this proposal.

S. 1208—INTRODUCTION OF BILL RELATING TO MEDICARE AMENDMENT

Mr. DODD. Mr. President, on behalf of the distinguished senior Senator from New Mexico (Mr. ANDERSON), the distinguished junior Senator from Hawaii (Mr. INOUYE), the distinguished senior Senator from Wyoming (Mr. MCGEE), the distinguished junior Senator from Wisconsin (Mr. NELSON), the distinguished junior Senator from Rhode Island (Mr. PELL), the distinguished senior Senator from West Virginia (Mr. RANDOLPH), and the distinguished senior Senator from Texas (Mr. YARBOROUGH), I introduce for appropriate reference, an amendment to title XVIII of the Social Security Act, more widely known as the Medicare Act.

The basic aim of this amendment is to provide one thorough medical examination annually for all those who qualify for medicare.

At present, this provision is excluded from medicare benefits.

The importance of enacting such a proposal, Mr. President, cannot be overemphasized. Statistic after statistic attests to the fact that better preventive health care would benefit hundreds of thousands of Americans in the older age brackets.

If detected early, a number of chronic ailments, such as glaucoma and diabetes, are relatively simple and inexpensive to treat.

Countless fatalities caused by cancer, heart ailments, and respiratory disease could be avoided each year.

Yearly consultation with a physician would also enable older citizens to be better informed about the symptoms of those ailments prevalent among the aged. It would further acquaint them with available methods of treatment.

It was estimated last year that one out of every seven deaths could be eliminated annually through preventive medicine.

This thought is, in itself, staggering.

But, of course, the effects of preventive care would be felt in other ways.

We might avoid years of human suffering and invaluable personal loss.

We might prolong by decades the years in which individuals could function as productive citizens.

We might eventually reduce the strain which now exists on our limited medical facilities and personnel.

I realize that the cost of a medical examination may be as high as $50 to $75. This is not inconsequential. But in view of the benefits which would result from taking this step, neither is it prohibitive.

In fact, it appears quite likely that enactment of this measure would soon realize an expenditure reduction for the medicare program.

A December 1966 report of the Subcommittee on the Health of the Elderly states:

> The heavy economic and social costs of chronic diseases are preventable to some degree. . . . There is a great need for additional efforts. . . . Early detection appears to offer the most practical approach.

These facts are also supported by the industrial health plans of many corporations which are finding it economical to provide an annual physical checkup for employees. This is merely sound business.

The wisdom of this policy is apparent. The treatment and cure of nearly every disease are easier, cheaper, and more successful when the ailment is caught in its early stages.

It stands to reason that what is good business for private enterprise is good business for the Federal Government.

The facts are irrefutable.

The need is apparent.

The responsibility is ours.

Mr. President, I strongly urge the Senate to give careful consideration to this legislation, and to act favorably upon it at the earliest possible date.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1208) to amend title XVIII of the Social Security Act to provide for the coverage, under the supplementary medical insurance benefits program established by part B of such title, of one routine physical checkup each year for individuals insured under such program, introduced by Mr. DODD (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

S. 1209—INTRODUCTION OF BILL RELATING TO EXTENDED MEDICAL CARE

Mr. BAYH. Mr. President, I introduce for appropriate reference, a bill which would eliminate in certain cases the requirement that an insured individual must first have been admitted to a hospital in order to qualify for extended medical care services, and would expand posthospital extended care services to include therapeutic as well as nursing care under certain circumstances.

In the medicare report dated January 17, 1969, which Members of Congress have received recently, former Secretary of Health, Education, and Welfare Wilbur J. Cohen stressed the fact that all medical costs have risen sharply in the last 3 years. The largest increase of all has been in the prices for hospital care, which have gone up almost 50 percent since the beginning of 1966. Among the many factors which contribute to the spiraling costs of health care, Secretary Cohen pointed out that "Services, especially costly hospital services, are sometimes utilized unnecessarily; that is, they are not medically necessary". It seems to me that one way to encourage reduced hospital usage would be to premit a physician to assign a patient in need of special treatment, but who is not critically ill, directly to a qualified extended care facility without loss of medicare benefits.

It is well known that Public Law 88-97 now provides that in order to qualify for extended care service a person must first have been a patient in a hospital for not less than 3 consecutive days. No doubt in the majority of cases elderly persons who become seriously ill may require hospitalization, but there are certainly many instances in which the illness may not be of sufficient severity to justify hospitalization.

Under these circumstances, it does not make sense to me to require a prior 3-day stay in a hospital for all older patients who are in need of extended care. I fully realize that medicare is not intended to provide mere custodial care for persons confined to convalescent homes. In the case of those elderly who need specialized medical attention but do not require hospital treatment, however, I see little reason to insist in all cases that they must first spend at least 3 days in a hospital.

Procedures would have to be established which would guarantee that a patient's physical condition is such that he would need and could benefit from extended care. However, this objective can be achieved without requiring, as the law does, that persons must first be admitted to a hospital and stay a minimum of 3 days in such an institution. My bill proposes that extended care would be made available to an eligible person only if he has received outpatient hospital diagnostic services, has been certified within 7 days to be in need of extended care, and has been admitted to a qualified extended care facility within 14 days after that need was certified. In my opinion, this would provide adequate safeguard against any lowering of standards or possible abuses. Each patient would have to be certified that he was in need of extended care services by both the hospital and the patient's physician.

Mr. President, this relatively minor change in the law ought to help relieve some of the pressures for space in our hospitals and to reduce total medicine costs. At the same time, it would not reduce the standards for eligibility for care nor would it complicate administration of the act. There is no reason why hospital beds, which are both scarce and very costly, should be occupied by elderly persons even for 3 days, if they can receive adequate care and treatment in extended care facilities. I urge this proposal be given prompt and serious consideration, along with other changes which have been suggested in this important act.

Mr. President, I ask unanimous consent that the bill, which is being cosponsored by 20 other Senators, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1209) to amend title XVIII of the Social Security Act so as to eliminate, in certain cases, the requirement that an insured individual have first been admitted to a hospital in order to qualify under such title for the extended care services provided thereunder, introduced by Mr. BAYH (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1209

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1814(a)(2)(D) of the Social Security Act is amended to read as follows:

"(D) in the case of post-hospital extended care services, such services are or were required to be given on an inpatient basis because the individual needs or needed skilled nursing care on a continuing basis for—

"(i) any of the conditions with respect to which he was receiving inpatient hospital services (or services which would constitute inpatient hospital services if the institution met the requirements of paragraphs (6) and (8) of section 1861(e)) prior to transfer to the extended care facility or for a condition requiring such extended care services which arose after such transfer and while he was still in the facility for treatment of the condition or conditions for which he was receiving such inpatient hospital services, or

"(ii) any condition requiring such extended care services and the existence of which was discovered or confirmed as a result of findings made while the individual was receiving outpatient diagnostic services, or, in the case of an individual who has been admitted to an extended care facility for such a condition, any other condition arising while he is in such facility;".

(b) The first sentence of section 1861(i) of such Act is amended to read as follows: "The term 'post-hospital extended care services' means extended therapeutic and/or nursing care services furnished an individual (A) after transfer from a hospital in which he was an inpatient for not less than 3 consecutive days before his discharge from the hospital in connection with such transfer, or (B) after he has received outpatient hospital diagnostic services, if, after reviewing the findings revealed by such services, his physician and the hospital from which he received such services certify (not later than 7 days after the termination of such services) that he is in immediate need of extended care services, and if he is admitted to an extended care facility within 14 days after the date on which his need for extended care services was so certified."

S. 1218—INTRODUCTION OF BILL TO IMPROVE PAYMENT FORMULA FOR FEDERAL EMPLOYEES HEALTH INSURANCE

Mr. TYDINGS. Mr. President, I introduce, for appropriate reference, a bill to provide that the Government contribution to the cost of Federal employee health insurance plans shall not be less than 38 percent thereof.

From the beginning of the health insurance program in 1960 until 1967, employees paid the full cost of each increase in the insurance premiums. In 1966, Congress provided that the Government should pay some of the increased cost of the insurance by raising the Government's dollar contribution to the plans.

This dollar increase, which went into effect in 1967, brought the Government's share of the cost of the health insurance up to 38 percent for high-option coverage.

Unfortunately, stepping up the Government's dollar contribution in this fashion provides only a temporary solution to the problem of increasing insurance costs.

This year, again, health insurance premiums have been raised. There is no provision in the law for an automatic increase in the Government's share of the premium. The employees are carrying the entire cost of the increase, and the Government's share now amounts to only about 27 percent of the total premium.

I propose, Mr. President, that we fix the Government's share at 38 percent of the cost of the health insurance plans. Then, with any future increase in the premiums, the dollar amount of the Government's contribution will automatically be proportionately increased.

For all Federal employee health insurance programs, the Government now pays $1.62 if the enrollment is for self only, and $3.94 for self and family, plus administrative expenses—except as provided in subsection (b) of section 8906 of title 5, U.S.C., which fixes the Government share at 50 percent for plans for which the biweekly cost is less than twice the dollar amounts mentioned above. My bill would retain those dollar amounts but provide that the Government will contribute either those dollar amounts or 38 percent of the subscription charge of the plan, whichever is the greater.

Basically, this would guarantee that no matter what his plan or how much it may increase in cost in the future, a Federal employee will not pay more than 62 percent of the cost of his health insurance program. Any coverage for which the Government's share is now more than 38 percent will not be altered by this proposal.

Mr. President, this year's increases in the premiums for Government employee health insurance amount to substantial additional payroll deductions.

Mr. President, I ask unanimous consent that a table giving increases in biweekly payroll deductions for the three health insurance programs available to Federal employees in this area be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

INCREASES IN BIWEEKLY HEALTH INSURANCE DEDUCTIONS, 1969

	Self only	Self and family
Aetna:		
High option	$1.62	$4.01
Low option	.65	1.49
Blue Cross/Blue Shield:		
High option	1.09	2.66
Low option	.08	.14
Group Health:		
High option	.43	1.13
Low option	.31	.80

Mr. TYDINGS. Mr. President, although in 1966 we approved a Government employee cost-sharing plan where the Government paid 38 percent to the employee's 62 percent, this year's increases have change the percentages to 27 percent and 73 percent respectively.

In recommending to the Senate the 1966 increase in the Government's share, the Post Office and Civil Service Committee reported that—

> Congress did not intend for the employee to pay a disproportionate share of the cost of the program. This is not characteristic of private enterprise and should not be followed in the Federal program.

And yet, only 3 years later, the employees are paying significantly more than 62 percent which the committee then recommended and which Congress approved.

In addition, Mr. President, I would like to remind my colleagues that last year we provided for precisely the same conversion I now propose—from a fixed dollar contribution to a fixed percentage of cost—for the Federal employees' life insurance program. Rather than having to repeatedly increase the dollar amount of the Government's contribution to the life insurance program, we included a provision in the Civil Service pay bill which fixed the Government's share at 33⅓ percent.

In the interests of efficiency and fairness to Federal employees, I urge that we follow up that sensible change in the payment formula with the comparable change I propose here. So that we need not come back each time health insurance costs go up, and so that Federal employes will not have to shoulder a disproportionate share of those increases between the time they go into effect and the time Congress can provide redress, I move that we change the system of computing the Government's share from a fixed dollar amount to a fixed percentage. And furthermore, I suggest that a reasonable percentage for the Government to contribute is 38 percent.

Mr. President, I ask that the text of the bill be printed in the RECORD following my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1218) to provide that the Government contribution to the cost of Federal employee health insurance plans shall not be less than 38 percent thereof, introduced by Mr. TYDINGS, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

S. 1218

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 8906 of title 5, United States Code, is amended by striking out "is $1.62 if the enrollment is for self alone or $3.94 if the enrollment is for self and family." and inserting in lieu thereof the following: "is the greater of the following:

"(1) $1.62 if the enrollment is for self alone or $3.94 if the enrollment is for self or family; or

"(2) 38 percent of the subscription charge for the plan."

SEC. 2. The amendment made by the first section of this Act shall take effect on the first day of the first pay period which begins on or after the sixtieth day following the date of enactment.

S. 1223—INTRODUCTION OF BILL TO PROVIDE FOR THE ISSUANCE OF A SPECIAL SERIES OF POSTAGE STAMPS IN COMMEMORATION OF THE 50TH ANNIVERSARY OF THE NATIONAL FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN'S CLUBS

Mr. MATHIAS. Mr. President, I rise to introduce a bill to provide for the issuance of a special series of postage stamps in commemoration of the 50th anniversary of the National Federation of Business and Professional Women's Clubs. I am sure that the Members of the Senate are well acquainted with the work of this outstanding organization, but I would like to review some of the highlights of its 50-year history.

In 1917, Secretary of War Newton Baker appealed to the women's colleges and to the YWCA to organize business and professional women as a source of qualified women for the war effort. This initiative led to the founding in July 1919 of the National Federation of Business and Professional Women's Clubs. The goals of the federation were to elevate the status of business and professional women, promote their interests, and foster a spirit of cooperation among them.

The national federation has grown until today its membership numbers close to 200,000. It has federations in each of the 50 States, with approximately 3,800 local clubs. An international federation was formed in 1930, and today represents almost 40 countries.

The national federation carries on many significant activities. Particularly noteworthy are the annual Congress of Career Women Leaders, and the Business and Professional Women's Foundation located here in Washington, dedicated to furthering research relating to the status of business and professional women.

Mr. President, I feel that the 50th anniversary of the National Federation of Business and Professional Women's Clubs is an event worthy of commemoration, and for that reason I am introducing a bill providing for a special commemorative stamp. I have today also written to Postmaster General Blount, urging that his Department take favorable action on the national federation's request for such a stamp.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1223) to provide for the issuance of a special series of postage stamps in commemoration of the 50th anniversary of the National Federation of Business and Professional Women's Clubs, introduced by Mr. MATHIAS, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S.1224—INTRODUCTION OF BILL RESTORNG LIMITED COMMUNITY WORK AND TRAINING PROVISIONS TO FEDERAL LAW

Mr. HATFIELD. Mr. President, I introduced a bill to amend title IV of the Social Security Act to permit States to continue, under certain circumstances, community work and training programs for individuals receiving aid to families with dependent children under State plans established pursuant to such title. I ask unanimous consent that the bill be received and appropriately referred.

The bill would restore limited community work and training provisions to section 409 of the Social Security Act which will help States assure that job training is available to every welfare recipient who might benefit from it.

Under present law the work incentive program has replaced community work and training. However, there are some geographical areas where work incentive "slots" will not be available and in some instances there may not be as many "slots" under the work incentive program as the State could make available if community work and training continued in effect.

Some States, such as Oregon, have conducted highly successful work training programs during the 5 years, 1962 through 1967, that the Community Work and Training Law existed. Thousands of Oregonians received on-the-job experience that enabled them to leave welfare rolls in favor of self-support. I am confident that this experience was shared by other States.

When the law was changed eliminating community work and training, some States, which had not yet had an opportunity to implement the work incentive program, found themselves with no mandatory work program for recipients. Local administrators commented that the lack of mandatory work requirements weakened the entire program. Men who had formerly taken pride in participating in projects that benefited the entire community showed reluctance to expend so much effort when others could do nothing at all and continue to receive their assistance grants.

Community work and training has given many communities new parks, road improvements, and other assets their regular budgets would not have covered. These highly visible projects have been tangible proof to the community and to the recipients themselves that these recipients wanted to work and to contribute something meaningful to community life if only opportunities were made available.

The proposed legislation would permit States to reestablish community work and training programs for those recipients who live in parts of the State where there is no work incentive program operating or for whom there are no work incentive openings available at a given time. Enactment of this legislation will mean that all welfare recipients, regardless of where they live or how many others are in similar circumstances, will have the same opportunities for work experience and will be subject to the same requirements.

The proposed change would not keep public welfare in the work program business permanently. As the work incentive program grows to the point where it covers all appropriate recipients, community work and training would be automatically phased out. Until that time, the change would be a step toward equity and opportunity for those who receive public assistance.

I ask unanimous consent that the text of the bill be printed in the RECORD at the close of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1224) to amend title IV of the Social Security Act to permit States to continue, under certain circumstances, community work and training programs for individuals receiving aid to families with dependent children under State plans established pursuant to such title, introduced by Mr. HATFIELD, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1224

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 409 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(c)(1) Notwithstanding the preceding provisions of this section or the provisions of section 204(c)(2) of the Social Security Amendments of 1967, the preceding provisions of this section shall apply with respect to expenditures with respect to a dependent child or relative with whom such child is living (as specified in section 406(a)) only if such child or relative is residing in an area of the State—

"(i) in which there is not in operation a work incentive program established pursuant to part C, or

"(ii) in which there is in operation such a work incentive program but, because of limitations on the number of individuals who can be accepted under such programs, all individuals referred to such program under section 402(a) cannot be accepted to participate therein.

"(2) Nothing in paragraph (1) shall be construed to relieve any State of the requirements imposed by section 402(a) with respect to referral of individuals to a work incentive program established under part C."

SEC. 2. The amendments made by this Act shall be applicable only with respect to calendar quarters commencing after the date of enactment of this Act.

S. 1229 AND S. 1230—INTRODUCTION OF BILLS RELATING TO TREATMENT OF INDIAN TRIBES UNDER TERMS OF CRIME CONTROL AND SAFE STREETS ACT OF 1968 AND JUVENILE DELINQUENCY PREVENTION AND CONTROL ACT OF 1968

Mr. BURDICK. Mr. President, on behalf of Mr. METCALF, Mr. MCGOVERN, Mr. MANSFIELD, and myself, I am pleased to introduce, for appropriate reference, two bills, S. 1229, amending the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90–351) and S. 1230, amending the Juvenile Delinquency Prevention and Control Act of 1968 (Public Law 90–445).

These amendments simply provide that Indian tribes are eligible to receive direct Federal assistance under the anticrime programs established by the two acts. The Omnibus Crime Control and Safe Streets Act amendment requires that the tribe "perform law-enforcement functions." The need for such treatment arises from the unique legal status of Indian lands within our system of government.

In general, States at the present time do not have jurisdiction over criminal offenses committed on Indian reservations by or against Indians, or over civil causes of action which arise on Indian reservations between Indians or as to which Indians are parties. However, Public Law 280, 83d Congress, as amended, granted to six States—Alaska, California, Minnesota, Nebraska, Oregon, and Wisconsin—with certain exceptions, jurisdiction with respect to criminal offenses and civil causes of action which arise in Indian country within such States.

When the omnibus crime control and safe streets legislation was initially drafted, Indian tribes were inadvertently omitted from coverage under title I. The Senate corrected this oversight by adopting an amendment proposed by Senator Hayden and other Senators which made it clear that Indian tribes were among the local units of government eligible to receive assistance under the new law. Indian tribes were thus made eligible for Federal law enforcement grants on the same basis as other municipalities.

Similarly, the inadvertent omission of Indian tribes from coverage under the Juvenile Prevention and Control Act was corrected, by amendment, thus making Indian tribes eligible recipients of grant funds under the act.

What was accomplished by these corrections, however, was lost in part when the block grant approach was ultimately adopted. Both acts establish a State agency for administration of the programs within the State. In those States which do not have jurisdiction over Indian tribes, it is unrealistic to support the State agency will make appropriate provision for juvenile delinquency and crime control problems on Indian reservations within their borders.

The amendments we offer today insure that the applications of concerned Indian tribes will be placed on an equal footing with those of other local agencies and States. To follow the intent of Congress by providing assistance to Indian reservations and at the same time conform to the concept of block grants it would be logical to treat the Department of the Interior as the eqivalent of a State for purposes of these acts. The Department could get the block grant and divide the money among Indian tribes in the same fashion in which States divide such funds among local communities.

Indian reservations have in recent years experienced the same problems of crime and disorder that have plagued other communities throughout the country. Tribal leaders have, therefore, been anxious to improve their law enforcement systems and methods of dealing with youthful offenders. They have asked the Bureau of Indian Affairs to improve its services and have also used their own funds to supplement the law and order programs of the Bureau. However, both the Bureau of Indian Affairs and the tribes have found their resources insufficient to cope with the problem. As a result, police forces on Indian reservations are now understaffed and underequipped. Funding limitations have also restricted the development of positive approaches to prevent crime and to rehabilitate offenders.

These amendments will be especially valuable in helping tribes implement the provisions of the 1968 Civil Rights Act (Public Law 90–284). Title II of that act guarantees the individual Indian certain basic rights in his dealings with Indian tribes. Safeguarding these rights on a day-to-day basis places new responsibilities on Indian tribes and increases their financial burden. The amendments I offer today will enable the tribes to discharge their responsibilities.

Mr. President, the Bureau of Indian Affairs has made available to me a memorandum which suggests the magnitude of the problem we are discussing. I request unanimous consent that this memorandum be printed at this point in my remarks. I also request unanimous consent that the text of the bills be printed at this point.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the bills and memorandum will be printed in the RECORD.

The bills (S. 1229) to amend the Omnibus Crime Control and Safe Streets Act of 1968 in order to make assistance available to Indian tribes on the same basis as to other local governments; and (S. 1230) to amend the Juvenile Delinquency Prevention and Control Act of 1968 in order to make assistance available to Indian tribes on the same basis as to other local governments, introduced by Mr. BURDICK (for himself and other Senators), were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

S. 1229

A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 in order to make assistance available to Indian tribes on the same basis as to other local governments

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 601(c) of the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90–351) is amended by inserting at the end thereof the following sentence: "For the purpose of making allocations and grants of funds to Indian tribes which perform law enforcement functions, 'State' also means the Secretary of Interior."

S. 1230

A bill to amend the Juvenile Delinquency Prevention and Control Act of 1968 in order to make assistance available to Indian tribes on the same basis as to other local governments

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 410 (1) of the Juvenile Delinquency Prevention and Control Act of 1968 (P.L. 90–445) is amended by striking everything after the comma following "American Samoa," and inserting in lieu thereof "the Trust Territory of the Pacific Islands and the Secretary of the Interior for Indian tribes."

The memorandum, presented by Mr. BURDICK, is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS,
Washington, D.C., September 29, 1967.

To: Area Director, Aberdeen, Albuquerque, Billings, Minneapolis, Navajo, Phoenix, Portland.

From: Assistant Commissioner, Community Services.

Subject: Law and Order Statistical Data, Fiscal Year 1967.

A compilation, review and analysis has been made of field law and order statistical reports for Fiscal Year 1967. The several tables attached reflect, both on an Area and Bureau-wide basis, the incidence of crime and delinquency among Indians on reservations where law and order services are provided by Bureau and tribal authorities.

Crime on Indian reservations is an acute problem. It is one that needs to be clearly recognized along with its disastrous effects upon the reservation community and its members. It is one that seriously retards the growth and stability of the community and the multi-range of social and economic services aimed at assisting Indian people. It is one that deserves the immediate attention of all.

A total of 67,101 offenses were reported during Fiscal Year 1967, which represents an increase of 2,766 offenses over the preceding fiscal year. The total involves 1,585 federal offenses, 2,150 state offenses and 63,336 tribal offenses. A crime rate of 274 offenses per thousand Indian population is reflected. This rate far exceeds the national crime rate in rural America.

The total increase of 2,766 offenses does not itself present a true picture, when in fact the number of tribal offenses increased by 5,679 violations or 9.7%. The variance arises as a result of inaccurate reporting, particularly on state offenses during FY–66. The totals now given for both federal and state offenses in FY–67 provide a more accurate base upon which future correlation and analysis can be made.

Bureau and tribal authorities provide services in geographic areas throughout the country totalling 95,732 square miles of reservation land. We are aware that in many locations the Bureau and tribal programs do not begin to meet the current needs and demands for such services. Yet, in the face of many hardships Bureau and tribal law and order personnel have further extended themselves and the limited resources available to provide increased services. Such efforts and dedication should not go unnoticed.

The crime statistics given present a realistic picture as to the rate, type, frequency and disposition of offenses reported. It identifies offenders by sex and distinguishes between adults and juveniles. In so far as possible comparisons have been made with FY–66. We are sure that both Area and Agency law and order personnel will benefit from a close review of the report. In addition to giving them an insight into the overall program activity, such information will be of value in their discussions and talks with tribal officials, reservation and adjacent community groups and the news media.

Sufficient copies of the report are enclosed for distribution to your Agency Offices.

WILLIAM R. CARMACK.

TABLE I.—TOTAL OFFENSES REPORTED AND OFFENDERS IDENTIFIED, FISCAL YEAR 1967

Area	Offenses reported				Identified offenders						Total identified offenders
					Adults			Juveniles			
	Tribal	State	Federal	Total	Males	Females	Total	Males	Females	Total	
Aberdeen	16,061	271	272	16,604	12,388	3,376	15,764	1,484	714	2,198	17,962
Albuquerque	7,222	36	257	7,515	5,249	1,276	6,525	675	230	905	7,430
Billings	10,129	948	260	11,337	7,709	1,767	9,476	1,358	586	1,944	11,420
Minneapolis	1,042	1	15	1,058	705	71	776	241	49	290	1,066
Navajo	12,422	10	356	12,788	9,605	1,462	11,067	293	19	312	11,379
Phoenix	14,000	13	273	14,286	9,872	2,848	12,720	1,271	402	1,673	14,393
Portland	2,490	871	152	3,513	2,825	632	3,457	406	193	599	4,056
Total	63,366	2,150	1,585	67,101	48,353	11,432	59,785	5,728	2,193	7,921	67,706
Total, fiscal year 1966	57,787	4,710	1,838	64,335	36,491	8,808	45,299	5,280	2,195	7,475	52,774
Percentage of change over fiscal year 1966					+32.5	+29.8	+31.1	+8.5	−0.1	+6.0	+28.3

TABLE II.—FEDERAL OFFENSES AND IDENTIFIED OFFENDERS, FISCAL YEAR 1967

Area	Total Federal offenses recorded	Total unfounded and not cleared offenses	Total cleared offenses	Identified offenders								Total persons
				Adult			Juvenile			Total		
				Male	Female	Total	Male	Female	Total	Male	Female	
Aberdeen	272	87	185	196	32	228	101	7	108	297	39	336
Percentage		32	68			67.9			32.1	88.4	11.6	
Albuquerque	257	197	60	172	16	188	31	3	34	203	19	222
Percentage		76.7	23.3			84.7			15.3	91.4	8.6	
Billings	260	88	172	166	17	183	148	12	160	314	29	343
Percentage		33.8	66.2			53.4			46.6	94.5	5.5	
Minneapolis	15	0	15	14	1	15	8	0	8	22	1	23
Percentage			100			65.2			34.8	95.7	4.3	
Navajo	356	307	49	157	27	184	179	5	184	336	32	368
Percentage		86.2	13.8			50			50	91.3	8.7	
Phoenix	273	80	193	223	24	247	133	12	145	356	36	392
Percentage		33.4	66.6			63			37	90.8	9.2	
Portland	152	54	98	112	11	123	32	7	39	144	18	162
Percentage		35.5	64.5			95.9			24.1	88.9	11.1	
Total	1,585	813	772	1,040	128	1,168	632	46	678	1,672	174	1,846
Percentage		51.3	48.7			63.2			36.8	90.6	9.4	

TABLE III.—FEDERAL OFFENSES MOST FREQUENTLY REPORTED, FISCAL YEAR 1967

Area	Arson	Assault with dangerous weapon	Assault with intent to kill	Assault with intent to rape	Burglary	Carnal knowledge	Embezzlement	Hunting, fishing, trapping, and trespassing	Incest	Larceny	Liquor violation	Manslaughter	Murder	Rape	Robbery	All other	Total	Unfounded	Not cleared	Cleared	Federal prosecution	
																					Authorized	Declined
Aberdeen	5	45	3	1	81	6	1	1	2	47	1	8	4	24	9	30	272	3	84	185	61	124
Albuquerque	4	40			25		4	17		74	47	8	7	15		16	257	44	153	60	11	49
Billings	1	35		3	104	4	1	9		61	2	3	1	19	5	12	260	4	84	172	63	109
Minneapolis	1	2		3	2					2	1	1		2		1	15	0	0	15	4	11
Navajo	3	23			96		6	1	1	141	39		10	24	4	8	356	66	241	49	19	30
Phoenix	2	72	5	4	50			10	2	37	9	8	5	15	4	50	273	11	69	192	36	157
Portland	4	25		4	29	4	1	15	1	41		6	4	4	3	15	152	21	33	98	47	51
Total	20	242	8	15	387	14	13	53	6	403	99	34	31	103	25	132	1,585	149	664	772	241	531
Percentage	1.2	15.3	0.43	0.94	24.4	0.93	0.92	3.3	0.37	26.1	6.8	2.2	2.1	6.4	1.5	8.3		9.4	41.9	48.7	31.2	68.8

TABLE IV.—TRIBAL OFFENSES MOST FREQUENTLY COMMITTED, FISCAL YEAR 1967

Offense	Number	Percentage	Offense	Number	Percentage
Disorderly conduct (includes drunkenness)	34,160	53.5	Malicious mischief	1,038	1.6
Liquor violation	3,370	5.3	Theft	1,006	1.5
Moving traffic violation	2,471	3.9	Resisting arrest	860	1.4
Assault and battery	2,411	3.8	All others	14,157	22.5
Disobedience to lawful order of court	1,521	2.5			
Driving while intoxicated	1,323	2.2	Total offenses	63,366	100.0
Contributing to delinquency of minor	1,049	1.7			

TABLE V.—DISPOSITION OF ADULT TRIBAL OFFENSE VIOLATORS, FISCAL YEAR 1967

Area	Identified offenders			Disposition								
				Guilty			Acquitted			Other		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
Aberdeen	12,038	3,355	15,393	9,297	2,439	11,736	607	238	845	2,149	663	2,812
Albuquerque	5,077	1,260	6,337	4,663	1,105	5,768	183	66	249	231	89	320
Billings	7,543	1,750	9,293	7,228	1,662	8,890	119	33	152	196	55	251
Minneapolis	691	70	761	653	67	720	38	3	41			
Navajo	9,448	1,435	10,883	7,201	897	8,098	909	283	1,192	1,321	272	1,593
Phoenix	9,649	2,824	12,473	8,946	2,599	11,545	388	149	537	315	76	391
Portland	2,713	621	3,334	2,548	576	3,124	32	8	40	135	35	170
Total	47,159	11,315	58,474	40,536	9,345	49,881	2,276	780	3,056	4,347	1,190	5,537
Percentage of disposition by category				81.3	18.7	100	75.3	24.7	100	78.5	21.5	100
Percentage of identified offenders	80.6	19.4	100									

TABLE VI—OFFENSE RATE—ENFORCEMENT STAFFING PATTERN, FISCAL YEAR 1967

	Reservation Indian population	Enforcement officers		Reported offenses	Offense rate per 1,000 population	Enforcement officers per 1,000 population	Enforcement officers per 100 offenses
		BIA	Tribal				
Aberdeen	37,644	53	22	16,604	441	1.99	0.44
Albuquerque	24,682	17	37	7,515	304	1.78	.72
Billings	22,380	21	29	11,337	507	2.23	.44
Minneapolis	2,900	11	------	1,058	361	3.79	1.0
Navajo	110,055	4	177	12,788	116	1.64	1.4
Phoenix	32,916	48	39	14,286	433	2.64	.57
Portland	14,419	30	15	3,513	244	3.12	1.3
Total	244,996	184	319	67,101			
Average					274	2.05	.75

S. 1239—INTRODUCTION OF BILL TO DEDUCT FROM GROSS TONNAGE IN DETERMINING NET TONNAGE SPACES USED FOR SLOP OIL ON BOARD VESSELS

Mr. MAGNUSON. Mr. President, at the request of the Department of Transportation, I am introducing a bill to deduct from gross tonnage in determining net tonnage spaces used for slop oil on board vessels.

I ask unanimous consent that the letter of transmittal and the bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1239) to deduct from gross tonnage in determining net tonnage spaces used for slop oil on board vessels, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1239

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4153 of the Revised Statutes (46 U.S.C. 77) is amended by inserting following subsection (d) the following new paragraph:

"(e) Space occupied by machinery used exclusively to separate, clarify, or purify a ship's own slop oil mixture or tank-cleaning residue and space occupied by any tank or tanks used exclusively for the carriage of such slop oil mixture or residue, but not to exceed a maximum space deduction established by regulations hereunder. The Secretary of the Department in which the Coast Guard is operating shall issue regulations to define the slop oil mixtures or cleaning residue, establish the maximum deductions which may be made, define the manner in which the spaces shall be marked, and as necessary otherwise to carry out the foregoing provisions."

SEC. 2. Section 4153 of the Revised Statutes (46 U.S.C. 77) is further amended by redesignating existing subsections (e) through (i) as (f) through (j).

The letter, presented by Mr. MAGNUSON, is as follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., January 16, 1969.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a draft of a proposed bill, "To deduct from gross tonnage in determining net tonnage spaces used for slop oil on board vessels."

The proposed bill would amend section 77 of Title 46, United States Code to permit the deduction from gross tonnage of a vessel, in determining net tonnage, of certain spaces used for carriage of slop oil mixture and machinery used exclusively to separate, clarify or purify slop oil mixture.

In May and June of 1967, certain amendments to the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, came into effect. These amendments greatly increased the number of areas and zones in which the discharge of oil and oily mixture is prohibited. Thus, shipowners now find it necessary to retain slop oil on board vessels in spaces which would otherwise be available for the carriage of cargo. The provisions of the proposed bill would afford an additional incentive for, and encourage efforts on the part of, shipowners and operators in behalf of the program for prevention of pollution of the seas by oil by omitting from the taxable net tonnage spaces which would not be revenue producing because they would be reserved for the carriage of slop oil and oily wastes.

A similar bill, H.R. 11533, was introduced in the 89th Congress, First Session. It was subsequently decided, however, that since the entire problem of tonnage measurement was under consideration by the Intergovernmental Maritime Consultative Organization (IMCO) on an international basis, the proposal in H.R. 11533 should not be dealt with on a unilateral basis by the United States but should be referred to IMCO for consideration and action.

The United States presented a proposal containing the provisions of H.R. 11533 to IMCO in September 1966. This proposal was approved by the IMCO Subcommittees on Tonnage Measurement and Oil Pollution and Maritime Safety Committee and finally by the IMCO Assembly at its Fifth Session in October 1967. Accordingly, it is now appropriate to initiate the domestic legislation here involved.

It would be appreciated if you would lay this proposal before the Senate. A similar proposal has been submitted to the Speaker of the House of Representatives.

The Bureau of the Budget has advised by letter dated January 13, 1969, that there will be no objection from the standpoint of the Administration's program to the submission of this draft legislation to the Congress.

Sincerely,

ALAN S. BOYD.

S. 1240—INTRODUCTION OF BILL REQUIRING A RADIOTELEPHONE ON CERTAIN VESSELS

Mr. MAGNUSON. Mr. President, at the request of the Department of Transportation, I am introducing a bill to require a radiotelephone on certain vessels while navigating upon specified waters of the United States.

I ask unanimous consent that the letter of transmittal, and the bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1240) to require a radiotelephone on certain vessels while navigating upon specified waters of the United States, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1240

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this act may be cited as the "Vessel Bridge-to-Bridge Radiotelephone Act."

SEC. 2. For the purpose of this Act—

(1) "Secretary" means the Secretary of the Department in which the Coast Guard is operating, and

(2) "power-driven vessel" means any vessel propelled by machinery.

SEC. 3. (a) Except as provided in section 6 of this Act—

(1) every power-driven vessel of 300 gross tons and upward while navigating;

(2) every vessel of 100 gross tons and upward carrying one or more passengers for hire while navigating; and

(3) every dredge and floating plant engaged in or near a channel or fairway in operations likely to restrict or affect the navigation of other vessels—

shall have a radiotelephone capable of operation from its navigational bridge or, in the case of dredge, from its main control station and capable of transmitting and receiving on the frequency or frequencies within the 156-162 MHz band using the classes of emissions designated by the Federal Communications Commission, after consultation with other cognizant agencies, for the exchange of navigational information.

(b) The radiotelephone required by subsection (a) shall be carried on board the described vessels, dredges, and floating plants upon the navigable waters of the United States inside the lines established pursuant to section 2 of the Act of February 19, 1895, 28 Stat. 672, as amended, but not including—

(1) the Great Lakes or their connecting or tributary waters;

(2) the Mississippi River or its tributaries above the rail and highway bridge at mile 234 above Head of Passes, Louisiana; or

(3) the Atchafalaya River above its junction with the Plaquemine-Morgan City alternate waterway.

SEC. 4. The radiotelephone required by section 3 of this Act is for the exclusive use of the master or person in charge of the vessel, or the person designated by the master or person in charge to pilot or direct the movement of the vessel, who shall maintain or cause to be maintained a listening watch on the designated frequency when he is not using it for authorized traffic. The master or person in charge may permit the use of the radiotelephone on other authorized frequencies within the maritime mobile band whenever there is no immediate risk of collision.

SEC. 5. Whenever radiotelephone capability is required by section 3 of this Act, a vessel's radiotelephone equipment shall be maintained in effective operating condition. If the radiotelephone equipment carried aboard a vessel ceases to operate, the master shall exercise due diligence to restore it to effective operating condition at the earliest practicable time. The failure of a vessel's radiotelephone equipment shall not, in itself, constitute a violation of this Act, nor shall it obligate the master of any vessel to moor or anchor his vessel; however, the loss of radiotelephone capability shall be given consideration in the navigation of the vessel.

Sec. 6. The Secretary may, if he considers the radiotelephone required by section 3 of this Act unnecessary or ineffective for the purposes of marine navigational safety, exempt from the provisions of section 3 of this Act any vessel or class of vessels.

Sec. 7. (a) The Federal Communications Commission shall, after consultation with other cognizant agencies, prescribe regulations necessary to specify operating and technical conditions and characteristics including frequencies, emission, and power of radiotelephone equipment required under section 3 of this Act.

(b) The Secretary shall, subject to the concurrence of the Federal Communications Commission, prescribe regulations for the enforcement of this Act.

Sec. 8. (a) Whoever, being the master or person in charge of a vessel subject to section 3 of this Act, fails to enforce or comply with the provisions of this Act or the regulations hereunder; or

Whoever, being designated by the master or person in charge of a vessel subject to section 3 of this Act to pilot or direct the movement of the vessel, fails to enforce or comply with the provisions of section 3 of this Act or the regulations thereunder—

Is liable to a civil penalty of $500 to be assessed by the Secretary.

(b) Every vessel navigating in violation of this Act or the regulations hereunder is liable to a civil penalty of $500 to be assessed by the Secretary for which the vessel may be proceeded against in any District Court of the United States having jurisdiction.

(c) Any penalty assessed under this section may be remitted or mitigated by the Secretary upon such terms as he may deem proper.

Sec. 9. This Act shall become effective January 1, 1970 or six months after the promulgation of regulations which would implement its provisions, whichever is later.

The letter, presented by Mr. Magnuson, is as follows:

The Secretary of Transportation,
Washington, D.C., January 17, 1969.
Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: There is enclosed a draft of a proposed bill, "To require a radiotelephone on certain vessels while navigating upon specified waters of the United States."

The proposed bill would require all foreign and domestic vessels of 300 gross tons and upward and those of 100 gross tons and upward carrying passengers, when navigating in specified areas, and dredges and other floating plants when their operations restrict marine traffic in those areas, to be equipped with short-range radiotelephones for the exchange of navigational information. The areas where voice communication capability would be required include the harbors and bays along the Atlantic, Gulf, and Pacific coasts and those of Alaska, Hawaii, Puerto Rico, and the Virgin Islands collectively known as the Inland Waters of the United States. The requirement would apply on the Mississippi River below Baton Rouge, Louisiana, but would not apply on the rest of the Mississippi system. Nor would it apply on the Great Lakes where, since 1954, bridge-to-bridge radiotelephones have been required under a bilateral agreement with Canada. Bridge-to-bridge radiotelephones would, in the opinion of the Department prove to be of cardinal importance in promoting navigational safety on those waters of the United States upon which deep-draft vessels operate.

Since World War II, short-range (line of sight) radiotelephones have been used with increasing effectiveness on bridges of ships. During the war, it had been found that such radiotelephones were an invaluable aid in multi-ship maneuvering situations where their use allowed ship masters to collaborate on their intended movements. To a navigator already receiving radar information about an approaching vessel in fog, a radiotelephone can supply a positive means of determining that vessel's future movements. In times of good visibility, it can supplement required whistle signals of intent. This improved means of ship-to-ship communication is particularly important when wind conditions prevent whistle signals from being heard or when the volume of traffic is so heavy that whistle signals are sometimes confusing rather than helpful. Since World War II there has been a nearly continuous effort directed toward making the radiotelephone a more useful tool for collision prevention, but neither national nor international agreement has been achieved. During the past two decades, it has become increasingly evident that increased speed capabilities and sizes of vessels and technological advances require additional steps, supplementary to the required whistle signals, to help prevent collision in confined waters. It is well established that a significant factor in many collisions was doubt about intended movements of vessels which the required use of radiotelephones would help to prevent.

Within the United States there have been some limited, voluntary applications of short-range, bridge-to-bridge communications. The concepts and usages of the systems employed are varied; and since they are voluntary systems, assurance that other vessels encountered would be appropriately equipped is lacking. The proposed bill would provide a workable and predictable communications system for those United States waters where its implementation could result in a significant reduction in the hazards of marine navigation. The bill is also a step toward the fulfillment of recommendations resulting from the congressional hearings held at the time of the *Andrea Doria-Stockholm* collision and also those submitted by the Secretary of the Treasury's Tanker Hazards Committee.

Although primarily an aid to and an instrument of navigation, the required radiotelephones would, to some extent, come within the Federal Communications Commission's field of statutory responsibility. Under the proposed bill, authority over technical aspects would be vested in the Federal Communications Commission, and concurrence of the Commission would be required in the establishment of enforcement regulations.

Enactment of the proposed bill would not in itself result in any increased costs in the operating expenses of the Coast Guard. Coast Guard vessels that would be required to have radiotelephones either have the necessary equipment or are programmed for its installation within currently appropriated funds.

It would be appreciated if you would lay this proposal before the Senate. A similar proposal has been submitted to the Speaker of the House of Representatives.

The Bureau of the Budget has advised by letter dated January 16, 1969, that there would be no objection from the standpoint of the Administration's program to the submission of this draft legislation to the Congress.

Sincerely,

Alan S. Boyd.

S.1241—INTRODUCTION OF BILL AMENDING FEDERAL AVIATION ACT OF 1958

Mr. MAGNUSON. Mr. President, at the request of the Civil Aeronautics Board, I am introducing a bill to amend the Federal Aviation Act of 1958 so as to specifically provide that remedial orders issued by the Civil Aeronautics Board in enforcement proceedings may require the repayment of charges in excess of those in lawfully filed tariffs.

I ask unanimous consent that the letter of transmittal, statement of purpose and need, and the bill be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 1241) to amend the Federal Aviation Act of 1958 so as to specifically provide that remedial orders issued by the Civil Aeronautics Board in enforcement proceedings may require the repayment of charges in excess of those in lawfully filed tariffs, introduced by Mr. Magnuson, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 1241

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1002(c) of the Federal Aviation Act of 1958 (49 U.S.C. 1482(c)) is amended to read as follows:

"(c) If the Administrator or the Board finds, after notice and hearing, in any investigation instituted upon complaint or upon their own initiative, with respect to matters within their jurisdiction, that any person has failed to comply with any provision of this Act or any requirement established pursuant thereto, the Administrator or the Board shall issue an appropriate order to compel such person to comply therewith, including an order directing restitution for compensation collected for air transportation, or for any service in connection therewith, which is greater than the rates, fares and charges applicable thereto under tariffs lawfully on file with the Board."

Sec. 2. Section 1007(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1487(a)) is amended to read as follows:

"(a) If any person violates any provision of this Act, or any rule, regulation, requirement, or order thereunder or any term, condition, or limitation of any certificate or permit issued under this Act, the Board or Administrator, as the case may be, their duly authorized agents, or, in the case of a violation of section 401(a) of this Act or an order directing a person to make restitution for compensation collected for air transportation which is greater than the rates, fares, and charges applicable thereto under tariffs lawfully on file with the Board, any party in interest may apply to the district court of the United States, for any district wherein such person carries on his business or wherein the violation occurred, for the enforcement of such provision of this Act, or of such rule, regulation requirement, order, term, condition, or limitation; and such court shall have jurisdiction to enforce obedience thereto by a writ of injunction or other process, mandatory or otherwise, restraining such person, his officers, agents, employees, and representatives, from further violation of such provision of this Act or of such rule, regulation, requirement, order, term, condition, or limitation, and requiring their obedience thereto."

The letter, presented by Mr. MAGNUSON, is as follows:

CIVIL AERONAUTICS BOARD,
Washington, D.C., December 31, 1968.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: The Civil Aeronautics Board recommends to the Congress for its consideration the enclosed draft of a proposed bill "To amend the Federal Aviation Act of 1958 so as to specifically provide that remedial orders issued by the Civil Aeronautics Board in enforcement proceedings may require the repayment of charges in excess of those in lawfully filed tariffs."

The Board has been advised by letter from the Bureau of the Budget dated December 23, 1968, that there is no objection to the transmission of the draft bill to the Congress from the standpoint of the Administration's program provided the draft legislation is submitted prior to January 20, 1969.

Sincerely,

JOHN H. CROOKER, Jr.,
Chairman.

STATEMENT OF PURPOSE AND NEED FOR A DRAFT BILL TO AMEND THE FEDERAL AVIATION ACT OF 1958

Under the Federal Aviation Act, the Board, in its discretion, presently may entertain complaints against violations of the Act, including ones that charges have been collected in excess of those contained in effective tariffs, and may issue orders requiring air carriers to cease and desist from exacting such overcharges. However, the Act does not in terms authorize the Board to also order the carrier to repay the overcharges. The Board requires, therefore, as an incident to the issuance of cease and desist orders and for purposes of granting full relief, the authority to order restitution where charges are in excess of tariff ones.

The bill is not designed to establish the Board as a forum for adjudicating private claims for overcharges. Rather, the Board would retain its present discretionary authority as to whether it should entertain a complaint or leave the complainant to its judicial remedies. However, in circumstances in which the Board does entertain a complaint alleging tariff violations, the Board should be empowered to provide full relief by directing the repayment of any overcharges rather than relegating the complainant to its judicial remedies. For example, such authority is particularly desirable in light of the greatly expanded scope of group travel activities where it is possible that relatively slight overcharges with respect to individual passengers may not justify individual suits by them but where the aggregate amount involved may constitute a sizable sum which would constitute unjust enrichment to the carrier if retained by it. It should be emphasized that the bill does not result in the granting of reparations authority beyond that necessary to provide full relief to passengers and shippers by requiring air carriers to refund charges in excess of lawfully filed tariffs.

The bill amends section 1002(c) of the Act, relating to the entry of compliance orders, and section 1007(a), relating to judicial enforcement of Board orders, in implementation of the proposal.

S. 1242—INTRODUCTION OF BILL RELATING TO EDUCATIONAL TELEVISION AND RADIO BROADCASTING FACILITIES

Mr. MAGNUSON. Mr. President, at the request of the Department of Health, Education, and Welfare, I am introducing a bill to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting.

I ask unanimous consent that the letter of transmittal, and the bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1242) to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1242

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Educational Television and Radio Amendments of 1969".

FIVE YEAR EXTENSION OF CONSTRUCTION PROVISIONS

SEC. 2. (a) Section 391 of the Communications Act of 1934 (47 U.S.C. 391) is amended by striking out "and" before "$15,000,000" and by inserting before the period at the end thereof ", and such sums as may be necessary for each of the next 5 fiscal years".

(b) The last sentence of such section is amended by striking out "July 1, 1971" and inserting in lieu thereof "July 1, 1976".

ONE YEAR EXTENSION OF FINANCING OF CORPORATION FOR PUBLIC BROADCASTING

SEC. 3. (a) Paragraph (1) of subsection (k) of section 396 of the Communications Act of 1934 (47 U.S.C. 396) is amended by inserting "and for the next fiscal year the sum of $20,000,000" after "$9,000,000".

(b) Paragraph (2) of such subsection is amended by inserting "or the next fiscal year" after "June 30, 1969,".

The letter, presented by Mr. MAGNUSON, is as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
January 17, 1969.

The PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: We are enclosing herewith a draft bill "To amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting". (This bill would be cited as the "Educational Television and Radio Amendments of 1969".)

Authority for appropriations to the Corporation for Public Broadcasting expires June 30, 1969. The Corporation is just beginning to make the contributions toward improved public broadcasting service to the Nation which were anticipated when the President proposed the Public Broadcasting Act of 1967. The proposed legislation would authorize additional Federal grants in the amount of $20,000,000 as provided in the President's budget for 1970.

Further consideration must be given to the methods for permanent financing of the Corporation by the Congress, the Executive Branch, and the Corporation.

We should appreciate it if you would refer this draft bill to the appropriate committee for consideration.

We were advised by the Bureau of the Budget on January 14, 1969 that enactment of this bill would be in accord with the program of the President.

Sincerely,

WILBUR J. COHEN,
Secretary.

S. 1243—INTRODUCTION OF BILL TO AMEND THE MERCHANT MARINE ACT OF 1936

Mr. MAGNUSON. Mr. President, at the request of the Department of Commerce, I am introducing a bill to amend the last sentence of section 201(b) of the Merchant Marine Act, 1936, and for other purposes.

I ask unanimous consent that the letter of transmittal, statement of purposes and provisions, and the bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, letter of transmittal and statement of purposes and provisions will be printed in the RECORD.

The bill (S. 1243) to amend the last sentence of section 201(b) of the Merchant Marine Act, 1963, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1243

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201(b) of the Merchant Marine Act, 1936, (46 U.S.C. 1111(b)), is amended by striking out the word "Commission" wherever it appears in the last sentence thereof and inserting in lieu thereof the words "Federal Maritime Commission."

SEC. 2. Section 303 of Reorganization Plan No. 21 of 1950 (64 Stat. 1273) is amended by striking out the words at the end thereof "or of the Maritime Administration".

SEC. 3. Section 301 of Reorganization Plan No. 7 of 1961 (75 Stat. 840) is amended by striking out the words "and to the Maritime Administrator and all other officers and employees of the Maritime Administration".

The letter and statement of purposes, submitted by Mr. MAGNUSON, are as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., December 20, 1968.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: Enclosed are four copies of a draft bill, "To amend the last sentence of section 201(b) of the Merchant Marine Act, 1936, and for other purposes," together with a statement of purpose and need in support thereof.

The Department of Commerce recommends enactment by the Congress of this bill which is included in the legislative program of the Department for the 91st Congress.

We were advised by the Bureau of the Budget on December 6, 1968 that from the standpoint of the Administration's program there would be no objection to the submission to the Congress of this legislation.

Sincerely yours,

C. R. SMITH,
Secretary of Commerce.

STATEMENT OF THE PURPOSES AND PROVISIONS OF THE DRAFT BILL TO AMEND SECTION 201(b) OF THE MERCHANT MARINE ACT, 1936

The last sentence of section 201(b) of the Merchant Marine Act, 1936, provides that it shall be unlawful for any employee of the United States Maritime Commission to be in the employ of any other person, firm, or corporation, or to have any pecuniary relationship with any carrier by water, shipbuilder, contractor or other person with whom the United States Maritime Commission may do business.

Reorganization Plan No. 21 of 1950 abolished the United States Maritime Commission, created the Federal Maritime Board, created the Maritime Administration as an agency within the Department of Commerce, divided the promotional responsibilities of the former United States Maritime Commission between the Federal Maritime Board and the Department of Commerce and gave the regulatory responsibilities of the former United States Maritime Commission to the Federal Maritime Board. Reorganization Plan No. 21 of 1950 provided that the last sentence of section 201(b) should apply to the officers and employees of the Federal Maritime Board and of the Maritime Administration.

Reorganization Plan No. 7 of 1961 abolished the Federal Maritime Board, created the Federal Maritime Commission, gave the promotional functions of the former Federal Maritime Board to the Department of Commerce and gave the regulatory functions of the former Federal Maritime Board to the Federal Maritime Commission. Reorganization Plan No. 7 of 1961 applied the last sentence of section 201(b) of the Merchant Marine Act, 1956, to the officers and employees of the Maritime Administration and of the Federal Maritime Commission.

The provisions of the last sentence of section 201(b) of the Merchant Marine Act, 1936, are more stringent than the conflict of interest statute which is applicable to officers and employees of the Executive Branch in general (chapter 11, title 18 U.S.C.), and this additional stringency in some cases interferes with the efficient operation of the Maritime Administration. Under the restrictions of the last sentence of section 201(b), the Maritime Administration is unable to obtain temporary, part-time, or intermittent services of specialists presently employed in the maritime industry or employed by other firms with whom the Maritime Administration may do business. In addition under the restrictions of section 201(b), Maritime Administration employees are unable through temporary employment in the maritime industry to obtain highly desirable maritime knowledge and experience that would be directly related to their official duties. Chapter 11 of title 18, United States Code does not prohibit such employment.

Legislative relief is needed to permit the Maritime Administration to obtain the services of specialists when needed, and to permit selected Maritime Administration employees to obtain greater or additional experience in the Maritime field and thus to update and improve their knowledge, ability and qualifications. Specific examples of the problems raised by the last sentence of Section 201(b) and the need for additional outside experience are set forth below:

a. An individual is employed as a part-time law clerk in an admiralty law firm which represents shipping companies doing business with the Maritime Administration. His services were needed on a temporary part-time basis to teach a course in admiralty law at the Merchant Marine Academy. He was, of course, not willing to sever his connections with the admiralty law firm, his primary employer, to accept temporary intermittent employment. It was determined that his employment was prohibited under section 201 (b) of the Merchant Marine Act, 1936.

b. An Associate Professor of the Department of Nautical Science, U.S. Merchant Marine Academy, teaches navigation, astronomy and seamanship. He has a Chief Mate's license and last sailed in 1952. He recognizes the need to update his sea experience, most of which was obtained during and after World War II, and he applied for permission to sail as Chief Mate aboard subsidized ships for about nine months in 1964 in order to gain experience on modern ships on which new practices and equipment exist and, to raise his license. Had it been possible to approve his request, he would have been able to revise his course presentation and the additional service would have enabled this teacher to maintain and improve his qualifications in his specialized field. Additionally, the Master's license which he would have acquired would have raised the general level of technical qualifications of the Academy's Department of Nautical Science. This faculty member has a Master's degree. At the time the faculty member made his request, he did not have a commitment for employment with any steamship company. His request was for permission to seek such employment. However, there was no doubt that he would have been successful due to the shortage of licensed seagoing officers. Furthermore, it is sometimes desirable to hire younger members with lower licenses and advance them to higher ranking positions, as circumstances warrant, as their qualifications increase. The only way the desired sea service experience can be upgraded is to return to sea.

c. Another example is an Assistant Professor of Nautical Science who teaches Cargo Handling. He already has his Master's license. In 1963, he requested permission to seek employment in port, aboard vessels with the latest cargo handling devices. Had it been possible to approve this request, it would have enabled the Academy to have one officer with first hand experience in the new hydraulic hatches and it would have enabled the faculty member to become familiar with the latest practice and equipment in Cargo Handling, thereby increasing his value as a teacher of Cargo Handling. Even though this faculty member last sailed as recently as 1956, he believed that his experience was rapidly becoming stale. This was a correct evaluation and it applies even more so to the older officers and employees of the Academy, many of whom have not sailed for 20 years. There is no substitute for first hand, current experience and it is our opinion that certain officers and employees should be given the opportunity to return to sea periodically.

d. A Marine Surveyor, GS–11, in one of the Coast Districts was initially recruited as a Trainee in the college recruiting program. His sea career had advanced his licensed rating to First Assistant Engineer. In order to improve his technical knowledge and at the same time enable him to qualify for a Chief Engineer's license which would materially enhance his effectiveness in day-to-day contacts on the job, he requested one year's leave to accept a seagoing position with a steamship company. This was denied since it was in violation of section 201(b) of the Merchant Marine Act. The identical situation prevailed when a Ship Operations Assistant, GS–11, requested leave to accept a sea position to observe current cargo-loading methods with latest gear, shipboard sailing and working conditions, and at the same time to upgrade his license to Master. This, too, was denied.

e. Another employee who sought permission to return to sea to upgrade his experience was an Operations Specialist. His duties include: advice and assistance to vessel owners and operators in delivery and redelivery requirements; study, analysis and development of comparative cost data on various operations of subsidized lines; direction of the installation, maintenance and use of radiological monitoring equipment and ABC washdown gear; training of marine personnel in the operation of radar and gyrocompass equipment, etc. He was one of the first licensed volunteers (Deck Officer) for the NS *Savannah* assignment. The employee is a graduate of the New York State Maritime Academy and served as an instructor there, as well as at Kings Point during World War II. He was a Naval Officer during this latter period. He has sailed under various ratings up to and including that of 2nd Mate and has been licensed by the Coast Guard as a Chief Mate since 1938. His shoreside experience includes employment as Marine, Port and Stevedore Superintendents, Assistant Wharf Superintendent, Marine Representative and Travelling Stevedore. Returning to sea, even briefly, would have aided this employee in his attempt to remain abreast of current developments in the merchant marine field. As Ship Operations Specialist, the need of staying current in this field is apparent, especially in this period when automation is scheduled, at least in part, on all newly constructed vessels.

f. In 1957 another faculty member, then a teacher of Advanced Steam Engineering with a Chief Engineer's license, desired to upgrade his experience on modern propulsion systems. This faculty member had previously obtained a Bachelor's degree in Mechanical Engineering from Cooper Union and desired to increase his practical knowledge of marine engineering. However, the restrictions of Section 201(b) prevented him from going to sea while on the rolls of the Academy. Therefore, as he was then on active administrative duty as an enrollee in the U.S. Maritime Service, he requested and obtained a release to inactive duty, the equivalent of separation, and accepted employment as a Marine Engineer with Sinclair Oil Company on its tankers. This experience helped him to become one of our best teachers of steam engineering. There is no doubt that the Academy and the Government gained by his action. However, this faculty member now has one year less creditable service, which will reduce his retirement benefits. Should an employee become disabled while not employed by the government, he would not be eligible for civil service disability retirement and in the event of his death his dependents would not be eligible for a survivor annuity.

The last sentence of section 201(b) applies to employees of the Federal Maritime Commission as well as to employees of the Maritime Administration. The draft bill would repeal it only insofar as Maritime Administration employees are concerned. It would still apply to employees of the Federal Maritime Commission.

S. 1244—INTRODUCTION OF BILL MAKING CERTAIN AIR CARRIERS INELIGIBLE FOR SUBSIDY PAYMENTS

Mr. MAGNUSON. Mr. President, at the request of the Civil Aeronautics Board, I am introducing a bill to amend section 406(b) of the Federal Aviation Act of 1958 to make certain air carriers ineligible for subsidy payments.

I ask unanimous consent that the letter of transmittal, statement of purpose and need, and the bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, letter of transmittal, and statement of purposes and need will be printed in the RECORD.

The bill (S. 1244) to amend section 406(b) of the Federal Aviation Act of 1958 to make certain air carriers ineligible for subsidy payments, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

S. 1244

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 406(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1376(b)) is amended by striking out the period at the end thereof, and adding the following: ": *Provided,* That clause (3) of this subsection shall be applicable only to (i) air carriers providing service primarily of a short-haul, local, or feeder nature, (ii) the short-haul, local, or feeder operations of air carriers which received compensation pursuant to clause (3) for such operations conducted within the five years immediately preceding enactment of this proviso, and (iii) the operations of air carriers conducted to, from, or within the States of Alaska or Hawaii, or within a Territory or possession of the United States: *Provided further,* That clause (3) shall in no event be applicable to an air carrier after completion of any consecutive five-year period, whether commencing prior to or subsequent to enactment of this proviso, for which the carrier is not paid any compensation by the Board."

The letter and statement of purpose and need, presented by Mr. MAGNUSON, are as follows:

CIVIL AERONAUTICS BOARD,
Washington, D.C., January 17, 1969.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: The Civil Aeronautics Board recommends to the Congress for its consideration the enclosed draft of a proposed bill "To amend section 406(b) of the Federal Aviation Act of 1958 to make certain air carriers ineligible for subsidy payments."

The Board has been advised by letter from the Bureau of the Budget dated January 15, 1969, that there is no objection to the transmission of the draft bill to the Congress from the standpoint of the Administration's program.

Sincerely,

JOHN H. CROOKER, Jr.,
Chairman.

STATEMENT OF PURPOSE AND NEED FOR A DRAFT BILL TO AMEND SECTION 406(b) OF THE FEDERAL AVIATION ACT OF 1958 TO MAKE CERTAIN AIR CARRIERS INELIGIBLE FOR SUBSIDY PAYMENTS

Section 406(b) of the Federal Aviation Act empowers and directs the Board to make subsidy payments to air carriers certificated to carry mail to the extent that the Board finds a "need" therefore in accordance with the provisions of clause (3) of such section. These subsidies are to be paid in amounts sufficient to enable the carriers to effectuate the policies of the Act. As the air transportation industry has matured, the need for subsidy has declined, and the Board has carefully sought to reduce subsidies to the minimum level consistent with the achievement of Congressional policies. The Board now proposes an amendment to the statute which, in effect, would withdraw subsidy eligibility from trunklines and most other air carriers not now receiving subsidy, and make operations conducted by presently subsidized carriers ineligible for such assistance after a five-year subsidy-free period. The enactment of such a proposal is recommended as a Congressional declaration of policy to alert the industry that carriers are expected to rely upon their own resources rather than upon subsidy assistance. Its enactment would also lessen the administrative work of the Board in passing upon subsidy requests.

Specifically, the Board proposes that clause (3) of section 406 be limited to air carriers engaged in short-haul operations, *i.e.,* the local service carriers; to trunkline carriers who received subsidy for what were essentially local service operations during the past five years, *i.e.,* Northeast Airlines; and to carriers conducting operations to, from, or within Alaska or Hawaii, or within the Territories and possessions. The Board further proposes that all air carriers conducting operations without subsidy assistance for a five-year period be barred from returning to subsidy with respect to their operations.

These proposals are premised on the maturity achieved by the air transportation industry, and the fact that the Board believes that the increase in earnings and the growth in traffic in both interstate and international operations demonstrate that the carriers conducting these operations have reached such a state of self-sufficiency that they should no longer expect direct Government subsidy for such operations, except for certain limited operations. During the 1962–1967 period, the rate of return on investment of the domestic operations of the trunkline industry increased from 3.70 percent to 7.23 percent (excluding investment tax credit), while the international operations of the passenger/cargo carriers rose from 8.20 percent to 12.60 percent. Moreover, during the 1962–1967 period, revenue passenger miles for the domestic operations increased from 31.8 billion to 71.0 billion miles, with those in international operations progressing from 10.1 billion to 23.2 billion miles.

The effect of these amendments would be that interstate and international trunkline carriers, who have operated without subsidy for more than five years, would be made ineligible for subsidy assistance. On the other hand, the local service carriers, the trunkline carrier who received subsidy until January 1, 1968, for local service operations in the New England area, and other carriers conducting operations during the past five years with subsidy assistance would continue to be eligible for subsidy both as to their existing operations and any extension of those operations. Also, the Board would remain free to certificate and provide subsidy assistance to new carriers performing local service or short-haul operations within the fifty States and the Territories and possessions, or conducting operations to or from Alaska and Hawaii.

The Board believes that enactment of these proposals is a desirable and necessary step in reducing subsidy. Making clear to the carriers that they will be unable to return to a Government subsidy in the event that situations develop which cause them to have inadequate earnings should result in a strong incentive for even greater "honest, economical, and efficient management" on their part. Such an incentive would appear to be particularly desirable in view of the dollar magnitude of proposals by a number of the carriers for the acquisition of new equipment.

S. 1245—INTRODUCTION OF BILL AUTHORIZING APPROPRIATIONS TO CARRY OUT PROVISIONS OF THE NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT OF 1966

Mr. MAGNUSON. Mr. President, at the request of the Department of Transportation, I am introducing a bill to authorize appropriations for the fiscal years 1970 and 1971 for the purpose of carrying out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, and to amend the definition of "motor vehicle equipment" in the National Traffic and Motor Vehicle Safety Act of 1966.

I ask unanimous consent that the letter of transmittal, and the bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1245) to authorize appropriations for the fiscal years 1970 and 1971 for the purpose of carrying out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, and to amend the definition of "motor vehicle equipment" in the National Traffic and Motor Vehicle Safety Act of 1966, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1245

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION. 1. This Act may be cited as the "National Traffic and Motor Vehicle Safety Act of 1969".

AUTHORIZATIONS

SEC. 2. There is hereby authorized to be appropriated for the purpose of carrying out the provisions of titles I, II and IV of the National Traffic and Motor Vehicle Safety Act of 1966, as amended (80 Stat. 718, 15 U.S.C. 1381, et seq.), out of the Highway Trust Fund, not to exceed $23,000,000 for fiscal year 1970 and $40,000,000 for fiscal year 1971.

SEC. 3. For the purposes of carrying out the provisions of title III of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 729), there is hereby authorized to be appropriated, out of the Highway Trust Fund, for fiscal year 1970, $10,000,000 to remain available until expended, for planning and design of highway safety research and test facilities including engineering studies and site surveys.

DEFINITION OF MOTOR VEHICLE EQUIPMENT

SEC. 4. Section 102(4) of title I of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 718, 15 U.S.C. 1391(4)) is amended to read as follows:

"(4) 'Motor vehicle equipment' means any system, part, or component of a motor vehicle as originally manufactured or any similar part or component manufactured or sold for replacement or improvement of such system, part, or component or as any accessory, or addition to the motor vehicle, and any device, article, or apparel not a system, part, or component of a motor vehicle, which is manufactured, sold, delivered, offered or intended for use wholly or in part to safeguard motor vehicles, drivers, passengers, and other highway users from risk of accident, injury, or death."

The letter, presented by Mr. MAGNUSON, is as follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., January 16, 1969.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: The Department of Transportation submits herewith as a part of its legislative program for the 91st Congress, 1st Session, a draft of a proposed bill: "To authorize appropriations for the fiscal years 1970 and 1971 for the purposes of carrying out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, and to amend the definition of 'motor vehicle equipment' in the National Traffic and Motor Vehicle Safety Act of 1966."

1. The National Traffic and Motor Vehicle Safety Act of 1966 contained initial authorizations to implement the motor vehicle safety standard provisions in Title I of the Act as follows: $11,000,000 for fiscal year 1967, $17,000,000 for fiscal year 1968, and $23,000,000 for the fiscal year 1969. The Act

also authorized funds to carry out the tire safety provisions of Title I and Title II in the amount of $2,900,000 for fiscal year 1967, $1,450,000 for fiscal year 1968, and $1,450,000 for fiscal year 1969.

The proposed bill would authorize appropriations to continue the implementation of the Act. The bill would change the present method of financing these authorizations from the general fund of the Treasury and would provide that the authorizations come out of the Highway Trust Fund. Section 2 would authorize the appropriation of $23,000,000 and $40,000,000 out of the Highway Trust Fund for fiscal years 1970 and 1971, respectively, for this purpose. The authorizations provided by section 2 will be used to seek appropriations for the operating expenses of the National Highway Safety Bureau, Federal Highway Administration, in carrying out the provisions of Titles I, II, and IV of the 1966 Act. Title I relates to motor vehicle safety standards, including necessary safety research and development; Title II relates to tire safety; and Title IV relates to the National Driver Register.

The authorizations provided in the 1966 Act established a pattern of modest growth during the first three years as the operation of the traffic and motor vehicle safety program evolved. The authorizations requested for fiscal years 1970 and 1971 follow the same general pattern of modest increases. These sums are urgently needed to enable the National Highway Safety Bureau to continue its program under the Act. Existing authorizations for appropriations expire on June 30, 1969. Enactment of section 2 of this bill will, in our view, assure steady and continued improvement in traffic and motor vehicle safety. Failure to do so will mean the end of this effort as a function of the Department of Transportation after June 30, 1969.

The traffic and motor vehicle safety program, though still in the early stages of development, offers encouragement that the toll of human life and injuries resulting from traffic accidents can be reduced. The new energy absorbing steering assemblies now required by Federal standards on all new cars, for example, appear to have reduced fatalities in certain crashes by as much as 70 percent. It has been established that if all cars had such devices, as many as 12,000 lives per year might be saved. Other safety standards under consideration relating to crash prevention properties (braking and steering are examples), crash survivability properties (relative ease of entry into wrecks to remove occupants, for example) offer promise of substantially reducing the carnage and maiming caused by traffic accidents.

The authorization in section 2 of the bill also includes funds for the tire safety program (title II). The major effort in this program is devoted to the development of a uniform quality grading system for motor vehicle tires. Under this system, tires will be graded based on performance with respect to high speed capability, endurance, strength, traction, and tread wear. The initial standard to be issued in fiscal year 1969 will cover passenger vehicles only. During fiscal years 1969 and 1970, it is planned to move our efforts to truck and bus tires and to regrooved and retreaded tires.

The National Driver Register (Title IV) is now being converted to a disc file operation which will enable optional use of the current processing system. State contributions of records to the Register's master file are increasing in volume, and the States are sending an increasing volume of inquiries to the Register. Continued funding is required to convert information submitted by certain States into a form suitable for automatic data processing.

2. Section 3 of the bill authorizes in fiscal year 1970 the appropriation of $10,000,000 out of the Highway Trust Fund to remain available until expended to be used for planning and design of contemplated highway safety research and test facilities, including engineering studies and site surveys. The sum requested is in accordance with the recommendations in the report submitted to Congress pursuant to Title III of the National Traffic and Motor Vehicle Safety Act of 1966, section 302 (80 Stat. 729). The two volume report, entitled "Requirements for Motor Vehicles and Highway Research Test Facilities", submitted on October 7, 1968, outlines a master plan for providing the facilities needed to bring to bear the full potential of modern science and technology on the national goal of reducing deaths and injuries on the Nation's highways.

The primary objective of the master plan is to provide highway safety research and testing facilities by complementing existing facilities, either by expanding installations at their present sites or, when no alternative is available by construction at new locations. The planning will consider the needs of the other agencies within the Department and, through cooperative arrangements with them, will provide for such needs where those needs can be accommodated consistently with the primary purposes of the highway safety research and testing facilities.

The plan depicted in the report to Congress was based on engineering studies and a survey of existing facilities to determine the minimum requirements to carry out the provisions of the highway safety legislation. Two major new safety facilities, a vehicle and highway safety proving ground with certain supporting laboratories and a driving simulation laboratory, will be required in addition to modifications of existing facilities where it is economically feasible to do so and where the facility once modified can become an effective element of the overall required complement of safety research and test facility. The proving ground will be the foundation for the entire facilities program. It will consist of test tracks and supporting laboratories in which a wide variety of test and measurements can be conducted on interrelated problems of vehicle performance characteristics, driver skills, highway design, and other environmental features. The driving simulation laboratory will be used to investigate a variety of driver judgments and risk taking behaviors in a number of realistic and safe simulations of high hazard conditions of actual driving.

The estimate of $10 million for planning these facilities is broken down as follows:

[In millions]

Modification of Existing Facilities: To develop plans and cost estimates for permanent modifications of existing Federal facilities where it is economically feasible and where the facility, once modified, can become an effective element of the overall complement of research and test facilities__	$2.0
Vehicle and Highway Safety Proving Ground: To develop detailed engineering plans and cost estimates for the proving ground, the requirements for which cannot be provided with any existing Federal facility________	6.2
Driving Simulation Laboratory: To develop detailed engineering plans for the laboratory which is a basic requirement that is not available anywhere today________________________	1.8
Total __________________________	10.0

Because the initial motor vehicle safety standards were based, as the Act contemplated, on preexisting standards from design performance criteria, the absence of appropriate laboratories and field testing capabilities did not present a serious handicap at that time. As work proceeds into more complex areas of standards-setting, however, sophisticated facilities are essential. The facilities are needed to support the development of standards relating to present types of motor vehicles. In addition, trends in motor vehicle transportation indicate that, in the course of the next decade or two, substantial changes will occur in motor vehicle design. These changes can result in safer vehicles. To insure this result, however, their introduction will have to be anticipated by performance standards and prerequisite laboratory and field tests. The enactment of section 3 of this bill will provide the authorization necessary to begin planning the modern research and test facilities which are needed if we are to be in a position to insure that the automobiles of the future will be safe ones.

Further authorization of funds is expected to be requested to proceed with construction of highway safety research and test facilities, including modification of existing facilities, upon completion of the necessary planning and designs.

3. Section 4 of the proposed bill relates to the definition of motor vehicle equipment. That term, as presently defined in section 102(4) of the Act, means:

". . . any system, part, or component of a motor vehicle as originally manufactured or any similar part or component manufactured or sold for replacement or improvement of such system, part or component or as an accessory, or addition to the motor vehicle." (80 Stat. 718, 15 U.S.C. 1391(4)).

Among the purposes of the National Traffic and Motor Vehicle Safety Act of 1966 was the intent to have the Secretary of Transportation set minimum safety performance standards for items of "motor vehicle equipment". Section 4 of the proposed bill would broaden that definition to include devices, articles or apparel which, though not directly "a system, part, or component of" or "any accessory of addition to" a motor vehicle, are nonetheless manufactured and sold to the public for the purpose of safeguarding vehicle drivers, passengers, and other highway users from risk of accident, injury, or death.

The primary reason for this proposal is to enable the Secretary to set safety performance standards for motorcycle headgear. These protective devices are now required to be worn by motorcycle drivers and passengers under the laws of 39 States and by the driver but not passengers in one State. This requirement has been included among the Highway Safety Program Standards issued by this department under the Highway Safety Act of 1966 (23 U.S.C. 401, *et seq.*) for State and local implementation of safety programs in areas considered essential to accident reduction. It is, therefore, not unlikely that additional States will enact motorcycle helmet requirements in the foreseeable future.

Unfortunately, because helmets are worn by the driver and passengers and are not part of the vehicle, they do not appear to come within the present definition of "motor vehicle equipment" in the National Traffic and Motor Vehicle Safety Act of 1966. As a consequent, the Secretary apparently lacks authority to establish a uniform Federal safety standard applicable to these articles. In addition, most States do not have research and testing facilities designed or equipped to evaluate the effectiveness of the "crash" helmets presently being marketed. Understandable confusion, therefore, exists among the public, the States and the industry over what constitutes an "approved" helmet.

As a result, there is presently no practical way for a member of the motorcycling public, when purchasing protective headgear, to be sure he is getting a helmet which will in fact provide the protection against injury for which it was intended. The proposed legislation would close this unfortunate gap which exists in the present motor vehicle safety standard laws. It would also have the additional advantage of creating uniformity, thereby eliminating the present situation which requires manufacturers and vehicle operators to conform to differing State standards.

The steadily mounting number of persons who ride motorcycles make this proposal one of immediate significance. Motorcycle registrations nearly quadrupled between 1960 (574,080) and 1967 (1,953,022) and the trend continues. The numbers of dead and injured mirror the increase in the motorcycle population. During the 5 years preceding 1967 motorcycle deaths increased roughly 200 percent.

In 1967 the Secretary of Transportation promulgated a highway safety program standard which called for licensing of motorcycle drivers, establishing and enforcing safety equipment requirements (helmets, eye protection, rear view mirrors), and establishing a motorcycle inspection program. The year 1967 also marked a slight downturn in the national motorcycle death toll of 2 percent, despite an increase in motorcycle registrations of more than 11 percent. It was the first decline in such fatalities in the 6 years for which information is available. Furthermore, during 1967 three States with legislation of the kind required by the standard (New York, Georgia and Michigan) have shown a 26 percent decrease in motorcycle deaths. New York showed the greatest decrease, 42 percent, accompanied by a decrease of 39 percent in recorded accidents involving motorcycles. On the other hand, information indicates that the fatalities in motorcycle crashes are increasing in those States not having legislation required by the standard. Five such States last year averaged a greater than 6 percent increase.

These reports are a clear indication of the effectiveness of the existing standard. We believe that enactment of section 4 of this bill would provide additional future protection against fatalities and injuries sustained in motorcycle crashes by insuring that safety equipment to the motorcycling public meets appropriate safety standards.

The Bureau of the Budget has advised on January 15, 1969 that enactment of this proposed legislation is in accord with the President's program.

Sincerely,

ALAN S. BOYD.

S. 1246—INTRODUCTION OF PATENT REVISION BILL

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, a bill for the general revision of the patent laws, title 35 of the United States Code.

On July 26, 1968, I introduced a predecessor bill, S. 3892 of the 90th Congress. I indicated on that occasion that the measure was the result of extensive efforts to draft a patent bill that might receive general support. The bill reflected a distillation of the various bills and proposals for patent law revision considered by the subcommittee during the 90th Congress.

At the request of various patent bar associations the subcommittee last year deferred the reporting of a bill until this Congress. Meanwhile, S. 3892 was subjected to careful review by those bar and trade associations active in the consideration of this legislation. As a result of this study certain revisions in the legislation have been made. Most significant of the changes is the redrafting of section 102(g) to eliminate the language requiring the applicant for a patent to exercise continuous reasonable diligence leading to the making of the invention available to the public, and the elimination of the 2-year limitation on the proof that may be introduced in a patent invalidity contest.

This legislation has resulted from the studies conducted by the Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary and the report of the President's Commission on the Patent System. Both the subcommittee studies and the Commission report recognized that, while the patent system continued to play a significant role in the economic and scientific progress of the country, the procedures of the system were in need of reform and adjustment to contemporary conditions. Since the submission of the Commission's report and the introduction of the administration bill implementing the report, there has existed considerable difference of opinion as to both the necessity and nature of major changes in the patent system. The bill which I am introducing today would institute desirable, but modest, innovations. In making revisions in this legislation, notably in deleting certain provisions recommended by the President's Commission, I have given great weight to the recommendations of the Commissioner of Patents who has indicated that the principal goals of the President's Commission can be achieved without major revisions in the patent system.

Two major objectives of the Commission, to which I fully subscribe, are the more expeditious examination of patent applications, and improvement in the quality of issued patents. The Commissioner of Patents has informed the subcommittee that within the next few years all patents, except those involved in priority contests or appeals, will be issued within 24 months from the filing of the patent application, and that the average period of pendency of the application will be 18 months. This greater efficiency in the operations of the Patent Office would be accomplished principally by administrative actions, and without the necessity for any significant increase in appropriations or personnel.

This bill does not contain any special provisions relating to the licensing of patent rights, field-of-use restrictions, and the doctrine of patent misuse, such as were proposed by the President's Commission. Although I believe the recommendations of the Commission in this area were generally meritorious, the Department of Justice during the subcommittee hearings strongly opposed the inclusion of such provisions in the patent revision bill. I have been requested to again review the desirability of including this subject in the revision bill. In order to assist me in making a final judgment on this matter I have requested the Department of Justice to indicate whether there has been any change in the position of the Department since the time of the subcommittee hearings.

The Congress has previously determined that the Patent Office should be substantially self-supporting. When patent fees were last adjusted in 1965, it was contemplated that the Office should recover through fees from two-thirds to three-fourths of its operating budget. The Patent Office recovery has already fallen well below this range, and the gap will progressively increase in future years. Certain changes which will become effective upon the passage of this bill will also contribute to a loss of revenue. Therefore, it will be necessary for this Congress to give further consideration to the fee schedule. I have requested the Department of Commerce to furnish the subcommittee with its recommendations as to how the Patent Office income can be increased so as to recover a fair share of its expenditures.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1246) for the general revision of the patent laws, title 35 of the United States Code, and for other purposes, introduced by Mr. McCLELLAN, was received, read twice by its title, and referred to the Committee on the Judiciary.

SENATE JOINT RESOLUTION 59—INTRODUCTION OF JOINT RESOLUTION TO AMEND THE CONSTITUTION TO EXPAND THE RIGHT TO VOTE FOR PRESIDENT AND VICE PRESIDENT

Mr. GOLDWATER. Mr. President, I am today introducing a constitutional amendment which would greatly expand the right to vote in elections for President and Vice President for many millions of our citizens who are presently denied this right by legal technicalities.

The best available statistics—which I have checked out with the Library of Congress—indicate that there are up to 11 million citizens who are of voting age and otherwise qualified to vote but who are disfranchised by residence requirements or their absence from home. According to recent surveys, there are from 5 to 8 million citizens of voting age who were prevented from voting in the 1968 presidential election because of residence requirements and at least 3 million who were prevented from voting in such election because they were away from home and could not obtain absentee ballots.

Mr. President, in order to meet the problem disclosed by these statistics, my amendment would provide, to the greatest extent practicable, that all citizens of the United States shall be entitled by virtue of their national citizenship to enjoy a constitutional right to vote in an election for President and Vice President without regard to residence requirements or where they may happen to be on the day of the election. The only exceptions are made in recognition of the valid interests of each State in having an opportunity before the election to verify that only qualified persons will vote in elections held in that State, and in having a minimum of time to carry out the mechanics of administering a system of absentee ballots. Thus, each State is permitted to require that all voters shall have resided within that State for a period of not to exceed 30 days immediately preceding the election. This will enable each State to establish a close-out date for registration or other qualification for voting in its elections, to be able to prepare its voting lists, where used, and to have a reasonable time to check on the eligibility of its voters. Also, the amendment permits each State to require that applications for absentee ballots be made no later than 7 days immediately preceding the election.

In view of the continuing efforts to achieve electoral reform and the possibility that the electoral college may eventually be abolished, this amendment includes language which will assure that it will remain applicable even if the method of electing the President and Vice President should be changed at some time after the amendment is ratified.

Mr. President, I wish to emphasize that nothing in my amendment will prevent a State from granting more favorable voting opportunities to its residents or former residents. For example, this amendment will not have any effect on the law of my home State of Arizona which permits former residents to vote in presidential elections up to 15 months after leaving the State if they cannot vote in their new States.

Finally, because my amendment will impose on most States a duty to legislate, and because many State legislatures meet only in alternate years, there is a provision in the amendment which would give these States at least a 2-year period to act on any legislation needed to implement the amendment.

In this connection, Mr. President, I wish to state that this is a practical amendment. It is one that the States can live with and administer effectively. Before filling in the details of my amendment, I reviewed the election laws of all 50 States and the District of Columbia to be certain that the requirements set by this amendment would not be impossible for the States to implement.

For example, I wanted to assure myself that the States could provide a special means for voting in presidential elections that would allow persons to vote in such elections but not in local elections. Mr. President, I was pleased to find that a total of 32 of our States have made some form of special provision to enable persons who cannot meet the usual residence requirements to vote in the special case of presidential elections, and that six of these States grant the right to vote in such elections with as few as 31 days residence. Also, 37 States permit special categories of their voters to vote by absentee ballot in presidential elections if application is made up to 7 days prior to the election and 40 States provide that the marked absentee ballots of certain of their voters need not be returned to the voting officials until the day of the election—the same requirements as those which I propose. Since all of these special rules permit voting by absentee ballots by members of the Armed Forces—the type of voters who are likely to be located far from their voting residence—they represent a good test to demonstrate the proven ability of States to operate successfully under similar laws.

In conclusion, Mr. President, the terms of my amendment are adapted from laws already in operation in several of our States. Each of the provisions in my amendment has been tested at the State level and found to be successful and workable. In most States only minor changes will be required. The problem is that not all of our States have afforded the full voting opportunities that some have provided, and not all of these States have both loosened their residence requirements and also extended absentee voting. In fact, had my amendment been in effect for the 1968 election, the total of those citizens who went to the polls to elect a President might well have been increased by more than 15 percent.

Thus, Mr. President, even though our States are to be commended for making considerable progress in this area, the need for a nationwide, uniform constitutional provision on residence requirements and absentee voting is clear.

Mr. President, I ask unanimous consent that there be printed in the RECORD the text of the constitutional amendment which I am introducing, and a summary of the State election laws regarding residence requirements and absentee ballots.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, will be printed in the RECORD, together with the summary.

The joint resolution (S.J. Res. 59) proposing an amendment to the Constitution of the United States providing that citizens of the United States shall be entitled to vote for President and Vice President without regard to excessive residence and physical presence requirements, introduced by Mr. GOLDWATER, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 59

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. The right of citizens of the United States to vote in any election for the choice of electors for President and Vice-President, or for President and Vice-President, shall not be denied or abridged by any State by reason of the failure of such citizens to meet any residence requirement of such State, if such citizens have resided in such State for a period of at least thirty days immediately preceding such election; nor shall the right of such citizens to vote in any such election be denied or abridged by any State by reason of the failure of such citizens to be physically present in such State at the time of such election, if such citizens have complied with the requirements prescribed by the law of such State providing for the casting of absentee ballots in such election. Each State shall provide by law for the registration or other means of qualification of all duly qualified residents of such State who apply, not later than thirty days immediately prior to any such election, for registration or other qualification as qualified voters for such election; and each State shall provide by law for the casting of absentee ballots for any such election by all duly qualified residents of such State who may be absent from their election district or unit in such State on the day such election is held and who have applied therefor not later than seven days immediately prior to such election and have returned such ballots to the appropriate election officer of such State not later than the time of closing of the polls in such State on the day of such election.

"SEC. 2. The term 'State' as used in section 1 includes the District constituting the seat of Government of the United States.

"SEC. 3. The Congress shall have the power to enforce this article by appropriate legislation.

"SEC. 4. This article shall take effect on the date of its ratification; except that if such ratification occurs within the period of two calendar years immediately preceding any election for the choice of electors for President and Vice-President, or for President and Vice-President, this article shall take effect on January 1 of the first calendar year following the date of such election."

The summary is as follows:

ELECTION LAWS OF THE 50 STATES AND THE DISTRICT OF COLUMBIA RELATING TO RESIDENCE REQUIREMENTS AND ABSENTEE VOTING

ALABAMA

Unless otherwise indicated, references are to 1957 Recompilation of Code of 1940 and 1965 Supplement thereto, Title 17.

I. Residence

To Vote One Must Be:

A resident of the state 1 year, the county 6 months, the precinct 3 months.

Those moving to a new precinct may vote in the old precinct for 3 months. (Const. Amend, CCVII; Code T. 17 §§ 12, 14)

(a) Residence is neither gained nor lost by the presence or absence from the State for the following reasons—temporary absence from the State for the following reasons—temporary absence from state with intent to return; being a student at an institution of learning; navigating, engaged in the civil or military service of the state or the United States. (§ 17)

(b) *Special residence requirements for Presidential elections only—None.*

II. Absentee voting

(1) Who may vote absentee

Voting an absentee ballot by mail (for other than military personnel) is limited to persons in the following categories: persons confined to home or hospital because of physical disability (Supp. § 64(24a)), students away at college or university (Supp. § 64(23)); disabled veterans in veteran facilities (Supp. § 64(16)), seamen, sailors, mariners, deep-sea saltwater fishermen (Supp. § 64(24g)).

(2) Applying for absentee ballot

Application should be made not more than 45 nor less than 5 days prior to election (Supp. §§ 64(23), 64(24b), 64(24(h)).

Application for absentee ballot must be in writing, the certificate accompanying the application must be signed by designated person and the affidavit on the absentee ballot must be executed before the designated person as follows:

Class of voter	Certificate accompanying the application must be signed by—	Affidavit on absentee ballot must be executed before—
Physically disabled	Licensed physician before a notary public (supp. sec 64(24b)).	Authority in charge of the hospital, or a notary public (supp. sec. 64(24c)).
Student	Registrar of college or university (supp. sec. 64(23))	Any officer authorized to administer oaths or any officer of the school (supp. sec. 64(23)).
Disabled veteran	Authority in charge of the veterans' facility (supp. sec. 64(23)).	Any officer authorized to administer oaths or before any officer of the facility (supp. sec. 64(23)).
Seamen	Sworn to before the captain of the ship or a notary public or other official authorized to administer oaths (supp. sec. 64(24h)).	Notary public or other officer authorized to administer oaths (supp. sec. 64 (24i)).

(3) Procedure in voting ballot

Absentee voting by mail: The absent voter must execute the affidavit printed on the absentee ballot before an authority in charge of a hospital, nursing home, rest home or sanitarium, or before a notary public. If the voter is confined at home, must execute affidavit before notary public or other officer authorized to administer oaths (Supp. § 64 (24c)).

Absentee ballots must be returned by United States mail to the register of the circuit court (Supp. §§ 64(23), 64(24d), 64 (24j)).

The absentee ballots must be received by the register of the circuit court in time to be delivered by him no later than the time set for closing the polls, to the election officials (§ 64(26)).

Absentee voting in person: So called "absentee" voting is available to businessmen who will be absent because of business on election day. This form of voting involves placing a ballot in a ballot box before the regularly scheduled day and does not permit voting by mail. The voter may present himself to the Board of Registrars of his county at any time not less than 30 days before an election and request his name be placed upon a list of persons authorized to vote by absentee ballot (Supp. § 64(16)). Thereafter, not more than 20 days nor less than 5 days prior to the election the voter may go to the office of the Registrar of his county and complete his ballot and place it in the absentee voter box (Supp. §§ 64(16); 64(23)).

III. Military and other voters in special categories

(1) Who are included in this category

Any qualified elector who is in service as a member of the Armed Forces of the United States, including the Alabama National Guard, the United States Naval and Air Force Reserves, the United States military reserves on active duty for training, and the spouse of such elector who resides with him at his duty station (Supp. §§ 64(16); 64(23)).

(2) Registration

Registration must be made in person. See the discussion above under "Registration".

(3) Absentee voting

Application for an absentee ballot may be made on a FPCA, or other writing. Should be sent to the Register of the county of residence in time to be received not earlier than 45 nor later than 5 days prior to the election (Supp. § 64(23)).

The 1968 deadline for the general election is October 31, 1968.

The marked ballot must be received by the County Registrar not later than the day of the election.

Special provisions are made for voting in municipal elections by members of the National Guard while absent on active duty. (Supp. § 64(24f)).

NOTE.—Persons in this category may also vote in the office of the Register between 20 days and 5 days before election (Supp. § 64(23)).

ALASKA

(References are to Alaska Stats. (Michie) unless otherwise indicated.)

I. Residence—Voter qualification

To Vote One Must Be:

A resident of the state 1 year and of the election district 30 days (Const. Art. V, § 1, Stats. § 15.05.010(4)).

(a) Residence is neither gained nor lost solely because of presence or absence while: employed in the service of the United States or of this State; a student in an institution of learning; an inmate of an institution or asylum at public expense; in a public prison; residing upon an Indian or military reservation; a member of the armed services, or a spouse or dependent of a member of the armed services (§ 15.05.020).

Statutory rules for determining residence are set forth at § 15.05.120.

(b) Special residence rules for presidential elections only: A resident of the State less than 1 year but otherwise qualified to vote may apply to the Secretary of State of Alaska in writing signed by the applicant, not more than 6 months nor less than 4 days before a presidential election for a ballot to vote for President and Vice President (Stats. §§ 15.15.012; 15.15.014).

The Secretary of State will send a ballot and an affidavit to be executed by the applicant. The applicant shall complete the ballot and have the certificate signed by 2 witnesses and mail these to the Secretary of State in an envelope bearing a postmark not later than election day (§ 15.15.014).

II. Absentee voting

(1) Who may vote absentee—Any qualified voter may vote absentee at any election and primary election if he believes: he will be unavoidably absent from his voting precinct on election day, whether in the state or not; he will be unable to be present at the polls because of physical disability, or because of physical inaccessibility of the polling place causing undue travel expense, hardship, or hazard to the voter (§§ 15.20.010; 15.25.090).

(2) Applying for absentee ballot—Application for absentee ballot may be made in person or by mail, or if the voter is disabled, by his personal representative (§§ 15.20.060; 15.20.120).

Application may be made to the deputy or district magistrate in the election district of the voter, or if made by mail, may also be made to the Secretary of State (§§ 15.20.060; 15.20.070).

The time when application must be made depends on the manner of making the request. If the application is made in person, it must be made between 40 days and 1 day before election (§ 15.20.080); if made by mail, between 90 days and 4 days before election (§ 15.20.100).

(3) Procedure in voting ballot—If the vote is cast in person, the voter in the presence of an election official shall mark the ballot in secret, place the marked ballot in the small envelope, place the small envelope in the larger envelope, sign the voter's certificate on the back of the larger envelope in the presence of the election official, and give it to the election official who shall sign as attesting witness (§ 15.20.140).

If a vote is cast upon receipt of an absentee ballot through a personal representative or by mail, the voter, in the presence of 2 attesting witnesses, both of whom are qualified voters, or before an election judge, notary public, commissioned officer of the armed forces, including the National Guard, district magistrate or deputy magistrate, United States postmaster, United States assistant postmaster, or other person qualified to administer oaths, should mark the ballot in secret, place it in the small envelope, place the small envelope in the larger envelope and sign the voter's certificate on the back of the large envelope in the presence of the above officials or persons who sign as attesting witnesses.

The ballot must be returned to the election official who supplied the ballot, or if returned by mail, must be postmarked not later than the day of the election and mailed to the election supervisor of the voter's district (§15.20.150).

III. Military and other voters in special categories

(1) Who are included in this category—Included are: Members of the armed forces while in active service and their spouses and dependents; members of the Merchant Marine and their spouses and dependents; civilian employees of the United States and their spouses and dependents when residing with or accompanying them; members of religious groups or welfare agencies assisting the armed forces and their spouses and dependents.

(2) Registration—Pre-registration is not required of any voter.

(3) Absentee voting—Persons in this category may request absentee ballot on FPCA or other writing.

A husband and wife should make out separate cards.

The application need not be attested to on line 11 of the FPCA.

The completed ballot must be returned postmarked not later than election day.

ARIZONA

(Unless otherwise indicated, references are to Ariz. Rev. Stats. Ann. and 1967 Supp. and to Constitution of 1912.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year and of the country and precinct 30 days (Const. Supp. Art. VII, § 2; Stats. § 16–101).

(a) Residence is not gained by military personnel by virtue of being stationed in the State (Const. Art. VII, §§ 3, 6). Residence is neither gained nor lost by presence or absence while employed in the service of this State or the United States; engaged in navigation; a student at an institution of learning; kept in an almshouse, asylum or prison (Const. Art. VII, §§ 3, 6; Stats. § 16–925).

(b) Special residence rules for presidential elections only: A *former* resident of Arizona who has been properly registered may retain the right to vote for presidential electors in the precinct from which he has moved (but for no other offices) for 15 months after he moved provided he does not become an elector in another State in this period. Votes cast in accordance with this provision shall be by absentee ballot (Supp. § 16–171).

A *new* resident of Arizona who has been a resident of Arizona for not less than 60 days prior to the date of the presidential election shall be entitled to vote for presidential electors, but for no other office, provided he was a qualified elector in another state immediately prior to his removal to Arizona and provided he is qualified to vote in Arizona in all respects except that he cannot meet the usual residence requirements (Supp. § 16–172).

Procedure for *new* residents: Registration is not required for voting for presidential electors under these special conditions (Supp. § 16–173.A).

Application for a ballot must be made in person in the office of the county recorder and must be made within one year of the presidential election (Supp. § 16–173.B).

Upon receipt of the application, the county recorder shall furnish the applicant a request for a proof form which applicant shall forward to the election clerk of his former residence, requesting proof that the applicant was a qualified voter in his place of former residence (Supp. § 16–173.C).

Must vote in person in the office of the County Recorder not sooner than 15 days nor later than the Friday prior to election day (Supp. § 16–174.A).

Ballot must be marked in the presence of the County Recorder in such manner that no one shall see how it is voted. Ballot should be deposited in an envelope and the affidavit on the envelope attested to (Supp. § 16–174).

II. Absentee voting

(1) Who may vote absentee—Those who may vote by absentee ballot include any registered elector who: Is absent, or expects to be absent, from the county of residence on the date of the primary, special or general election (§ 16–1101); because of physical disability cannot go to the polls on election day (§§ 16–1101; 16–1103); because of the tenets of his religion cannot attend the polls on election day (§16–1101); has moved to another state and cannot qualify as an elector in the new state and wishes to vote in the presidential election. Such persons

may vote an abstentee Arizona ballot for 15 months after they move from the state (§ 16–171.B).

(2) Applying for absentee ballot—Voter should obtain an "Application for Absent or Disabled Voter's Ballot" from the County Recorder of the county of residence not earlier than 30 days next preceding the Saturday before any primary, special or general election, execute the forms in duplicate and return them to the Recorder (§ 16–1102.A).

To and including the last Monday before the election the Recorder may permit absentee voting by an elector who by reason of sudden illness is prevented from voting at the polls (§ 16–1102.D).

The recorder may mail the application form with the ballot and determine the sufficiency of the application upon receipt of the voted ballot and executed application (§ 16–1102.C).

(3) Procedure in voting ballot—The ballot may be marked or stamped with an "X" in pen or pencil (§§ 16.835; 16–1106).

Ballot must be marked in secret, the affidavit on the envelope attested to before a notary public and the ballot received by the County Recorder before 6:00 p.m. on election-day (§§ 16–1106; 16–1109).

III. Military and other voters in special categories

(1) Who are included in this category—Persons included in this category are those in the active service of the armed forces or Merchant Marine of the United States (Supp. §16–1101.(C).(D)).

(2) Registration—For such persons, registration in advance is not required. Such persons may complete an FPCA requesting an absentee ballot and mail it to the County Recorder of their county of residence. If the applicant is found not to be registered, the Recorder will forward to him an "Affidavit of Registration" form with the absent voter's ballot (Supp. § 16–1102.E).

Persons in this category may register at any time except the 5 days prior to a primary or general election (Supp. § 16–1108).

(3) Absentee voting—Application for an absentee ballot should be made within the 10 days next preceding the Saturday before a primary or general election (§ 16–1102.A).

Ballot should be voted according to instructions.

Voted ballot must be received by the County Recorder before 6:00 p.m. on election day (§ 16–1109).

ARKANSAS

(Unless otherwise indicated references are to Ark. Stats. 1947 Ann. and 1967 Supp. and to the Constitution of 1874.)

I. Residence

To Vote One Must Be:

A resident of the state 12 months, the county 6 months, the precinct or ward 1 month.

(a) No soldier or marine gains a residence by virtue of being stationed in the State. (Const. Art. 3, § 1 as amend. by Amends. Nos. 8 and 51; Const. Art. 3, § 7; Stats. §3–101).

(b) Special residence requirements for presidential elections only—None.

II. Absentee voting

(1) Who may vote absentee—Any qualified elector may vote absentee in a general election or a primary if he will be unavoidably absent from his voting place on election day or if because of illness or physical disability he will be unable to attend the polls on election day (§§ 3–1124; 3–111).

(2) Applying for absentee ballot—Application for an absentee ballot may be made in 1 of 3 ways: (1) by the voter himself going in person to the office of the county clerk of the county of residence of the voter; (2) by mail; (3) by delivering the application to the clerk's office.

If the application is mailed in it must be received in the office of the county clerk not sooner than 90 days nor later than 1 day before the election.

If the application is delivered to the office of the clerk, the only persons authorized to deliver it are the elector, his spouse, son, daughter, sister, brother, father or mother.

One application may be used to request absentee ballots for both primary elections. The application must be signed by the voter (§ 3–1125).

If the ballot is for a primary election, the voter must specify the party with which he affiliates (§ 3–1111); *Newton County Republican Central Committee* v. *Quinton Clark*, 228 Ark. 965). Party rules should also be consulted as to the eligibility of each individual voter to vote in a particular primary (§ 3–203).

(3) Procedure for voting ballot—Three methods are designated for voting absentee ballots: (1) the voter can go to the clerk's office during regular business hours of any day not earlier than the 15th day before an election, nor later than the 15th day before the election, nor later than 6:30 p.m. on election day; (2) the voter can mail the ballot in time to be received by the county clerk not later than 6:30 p.m. on election day; by delivery of the ballot to the county clerk not later than 6:30 p.m. on election day. Delivery may be made only by the husband, wife, son, daughter, sister, brother, father or mother of the absentee voter (§ 3–1130).

III. Military and other voters in special categories

(1) Who are included in this category—Members of the armed forces and their spouses.

(2) Registration—Registration is not required (Const. Amend. 51(f)).

(3) Absentee voting—A voter may request an absentee ballot on an FPCA mailed to the county clerk within 60 days prior to election. The voted ballot must be completed and returned to the county clerk no later than 6:30 p.m. on election day.

Members of the armed forces may also vote in all elections by writing a letter to the county clerk of the county of residence designating a choice for or against any candidate for office, or proposal or measure. The letter must be acknowledged before a commissioned officer of the armed forces and must be received by the county clerk any time within 60 days prior to the election. Such letter is counted as an official absentee ballot. It must be received by the county clerk by 6:30 p.m. on election day (§ 3–1119).

CALIFORNIA

(Unless otherwise indicated, references are to Elections Code (West's) and 1967 Supp. and to Constitution of 1879).

I. Residence

To Vote One Must Be:

A resident of state at least 1 year, of county at least 90 days and of precinct at least 54 days (Const. Art. 2, 91).

(a) For the purpose of voting no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of this State or of the United States, nor while engaged in the navigation of the waters of this State, of the United States, or of the high seas, nor while a student at any seminary of learning, nor while kept at any almshouse or other asylum at public expense or while in public prison (Const. Art. 2, §4; Art. 20, §12).

For statutory provisions relating to residence for voting purposes see Election Code §§ 14280 to 14292. The law was amended in 1967 to provide that when a woman who is a resident of California marries a man temporarily employed in California in the service of the United States Government she may elect to retain her California residence for voting purposes so long as she does not qualify to vote elsewhere (Supp. §14292).

(b) Special residence requirements for Presidential elections only: New residents of California who have resided in this State for at least 54 days but less than 1 year may vote in Presidential elections only provided that they were qualified electors of the other state prior to their moving to California or that they would have been eligible to vote in Presidential elections of their former state had they remained there and if they meet all the other California qualifications to vote except residence (Const. Art. 2, §1½).

The provisions relating to voting by new residents in presidential elections are set forth in the Elections Code at §§750 to 765. Registration is required (§752). New residents must register during the period beginning on the 90th and ending on the 54th day prior to the Presidential election (§754). The new resident must secure from the County Clerk of the county of his California residence an application form which must be completed in duplicate and returned to the County Clerk who shall transmit a copy to the County Clerk of the applicant's former residence (Supp. §756).

Ballots will be mailed to persons so qualifying as new residents of California not earlier than the 29th nor later than the 7th day prior to election day (Supp. §756).

The new resident shall mark his ballot and place it in the identification envelope and shall sign the declaration on the identification envelope and mail or deliver it to the office of the clerk not later than 5:00 p.m. of the day before election (Supp. §757).

II. Absentee voting

(1) Who may vote absentee—Any one of the following may vote absentee: one who expects to be absent from his precinct on election day; who cannot go to the polls because of illness or other physical disability; who resides more than 10 miles from the nearest polling place; whose religion requires his attendance at church or religious services on election day; who resides in a precinct which is owned or controlled by the United States on the day on which the election is held; who resides in a precinct where there are 30 or less persons registered to vote and the clerk has announced that there will be no polling place open there on election day; military voters (§§ 14620; 14620.5 as amended 1967, Supp. §§ 14662, 14800).

(2) Applying for absentee ballot—A written request for an absent voter's ballot, on letter size stationery, should be sent to the County Clerk of the county of residence or, if a resident of Los Angeles, San Francisco, or Santa Clara counties, to the Registrar of Voters of the county of residence, for statewide or county wide election, or to the County Clerk for municipal elections (§ 14621, Supp. § 14621.5).

Requests for absentee ballots must usually be made not more than 29 nor less than 7 days before election (§ 14621). Applications received by the clerk on or after the 60th day but prior to the 29th day before election will be held by the Clerk and processed following the 29th day prior to the election (§ 14621). Special provisions are made for the ill or disabled and where conditions arise after close of period to apply for a ballot, making it impossible for the voter to go to the polls on election day. Those ill or disabled on election day may request an absentee ballot up to the time the polls close on election day. The Clerk may give a ballot to an authorized representative of the voter possessing a written statement signed by a doctor or official of a hospital, nursing home or sanitorium. The ballot may be voted and returned at any time up to the close of the polls (Supp. § 14800).

Those who find after the closing date for applying for absentee ballot that they will be unable to go to the polls on election day may submit an affidavit to the Clerk requesting an absentee ballot. This ballot may be voted in the Clerk's office or outside and returned before 5:00 p.m. the day before election day (§ 14801).

(3) Procedure in voting ballot—Others must return the voted ballot on or before 5:00 p.m. election day (Supp. § 14662).

III. Military and other voters in special categories

(1) Who are included in this category—Persons included in this category include: Members of the armed forces of the United States or any auxiliary branch thereof; those employed by the United States and serving outside the territorial limits of the United States; those employed by the American Red Cross and serving outside the territorial limits of the United States; those employed as an officer or member of a crew of a merchant vessel documented under the laws of the United States and serving outside the territorial limits of the United States; members of religious groups or welfare agencies assisting members of the armed forces, who are officially attached to and serving with the armed forces; spouses and dependents of the persons enumerated above.

(2) Registration—Registration is required but separate application is not required. Absentee ballot may be requested on FPCA. When such persons apply for absentee ballot, if found by the Clerk not to be registered, an application for registration will be sent at the same time as the absentee ballot (§ 250). Party preference should be stated if the person wishes to vote in the primary election. Application for absentee ballot should be mailed to County Clerk 60 days before election.

(3) Absentee voting—The applicant, before marking the absent voters ballot shall execute the affidavit of registration before the clerk, notary public, commissioned officer, warrant officer, noncommissioned officer of a grade not lower than sergeant, any minister, consul or vice consul of the United States, and return the affidavit of registration in the return envelope (but not in the identification envelope) together with the absent voters ballot enclosed in the identification envelope to the Clerk from whom they were received. These must be received by the Clerk not later than 5:00 p.m. on the day before election day (Supp. § 251).

COLORADO

(Unless otherwise indicated, references are to Rev. Stats. 1963 as amended 1967 and to Constitution of 1876.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year, of the county 90 days and of the precinct 20 days next preceding the election (Const. Art. VII, § 1; Stats. § 49–3–1).

(a) An elector moving to another county in the state within 90 days of election may vote by absentee ballot in his former county. If he moves to another precinct in the same county within 20 days of election may vote in the precinct where registered (§ 49–3–1).

No person shall be deemed to have gained or lost a residence by reason of presence or absence while in the civil or military service of the state or of the United States; nor while a student at any institution of learning (but a student may gain a legal residence under certain conditions); nor while kept at public expense in any public prison or state institution unless the person is an employee or member of the household of an employee of such prison or institution (Const. Art. VII, § 4; Stats. § 49–3–4).

For statutory rules for determining residence for voting purposes see § 49–3–3.

(b) Special residence rules for presidential elections only: Those otherwise qualified who have resided in the state less than 1 year, but at least 6 months, and in the county or city at least 90 days and in the precinct at least 15 days prior to a presidential election may vote in that election (Const. Art. VII, § 2; Stats. § 49–24–1).

Registration is required (§ 49–24–2).

Application may be made for the special ballot not sooner than 90 days before the election nor later than the close of business the Friday immediately preceding the election. Application must be signed by the applicant or a member of his family before an officer authorized to administer oaths (§ 49–24–3).

The county clerk, if he finds the application is in order, will send a special ballot in the same manner as is provided for absentee ballots (§ 49–24–4).

The voter shall mark the ballot in the same manner as is provided for absentee ballots (§ 49–24–6). The counties shall provide new residents' polling places (§ 49–24–7). In all counties in which voting machines are used, the new resident's polling places shall be opened 15 days prior to the presidential election and remain open until the close of business on the Friday immediately preceding the election. Qualified applicants for new residents' ballots appearing in person at the new residents' polling place during this time may cast their ballots on voting machines expressly provided for that purpose during the same time as for absentee voting (§ 49–24–8). In all other respects, the procedures followed by new residents shall be the same as to absentee voting (§ 49–24–9).

II. Absentee voting

(1) Who may vote absentee—Any qualified voter may vote by absentee ballot in any general, primary, or special election if, on election day, he will be absent from his county of residence, or if because of his work he is likely to be absent, or because of serious illness or physical disability, or because of his religious beliefs, he will be unable to go to the polls (§ 49–14–1).

(2) Applying for absentee ballot—Application for absentee ballot may be in the form of a letter giving the necessary facts and signed by the applicant or a member of his family. If a primary ballot is requested, party affiliation should be given.

The request should be filed in the county clerk's office of applicant's county of residence not earlier than 90 days nor later than the close of business on the Friday immediately preceding the election (§ 49–14–2).

(3) Procedure in voting ballot—Ballot must be voted secretly but in the presence of an officer authorized to administer oaths. The executed ballot must be received by the county clerk not later than 5:00 p.m. on election day (§ 49–14–6).

III. Military and other voters in special categories

(1) Who are included in this category—Included in this category are: members of the armed forces while in active service and their spouses and dependents; members of the merchant marine of the United States, and their spouses and dependents; civilian employees of the United States in all categories serving outside the territorial limits of the several states of the United States and the District of Columbia and their spouses and dependents when residing with them or accompanying them whether or not the employee is subject to the civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by Congress; members of religious groups or welfare agencies assisting members of the armed forces who are officially attached to and serving with the armed forces and their dependents (§ 49–4–14).

(2) Registration—Persons in this category must be registered in order to vote but they may apply to be registered at the same time as they apply for absentee ballot and may use the FPCA for this purpose.

Such applications may be made at any time after 45 days following any general election and until 20 days immediately preceding a general, primary or special election (§§49–4–14; 49–14–2; 49–14–3).

(3) Absentee voting—Application for absentee ballot must be made not earlier than 90 days nor later than the close of business on Friday immediately preceding the election (§49–14–2).

Ballot must be marked in secret but in the presence of an officer authorized by law to administer oaths. The affidavit on the return envelope should be subscribed before the officer authorized to administer oaths. The marked ballot must be returned in time to be in the hands of the county clerk not later than 5:00 p.m. on election day (§49–14–6).

CONNECTICUT

(Unless otherwise indicated, references are to Conn. Stats. Ann. 1958, 1967 ed. and Constitution of 1965.)

I. Residence

To Vote One Must Be:

A resident of the state and town at least 6 months* (Const. Art. VI § 1; Stats. § 9–12).

(a) Residence is not gained nor lost while residing in any institution maintained by the state (§ 9–14). For residence of a pauper see § 9–15. A person moving to another town in Connecticut may continue to vote in former town for 6 months (Const. Art. VI § 9).

Connecticut has adopted the Uniform Voting by New Residents in Presidential Elections Act, C.G.S.A. §§ 9–163a to 9–163j.

Former residents: A registered elector who moves to another state may continue to vote in Connecticut for President and Vice President only for 24 months after moving provided he cannot qualify in the new state (§ 9–158).

A special absentee ballot may be obtained from the Town Clerk for this purpose (§ 9–158). Application for such ballot should be made in writing to the Town Clerk of former residence not more than 2 months before the election (§ 9–161).

The voter shall swear to the affidavit printed on the ballot envelope before an election official of his new state (§ 9–160). He shall mark his ballot and place it in the smaller envelope and place that envelope in the larger envelope and return it to the Town Clerk of his former residence (§ 9–162).

New residents: A resident of the town less than 6 months but at least 60 days who is qualified to vote except for residence, may within 30 days prior to election and prior to 5 p.m. of the day before election execute an affidavit before the Town Clerk applying for a special ballot (§ 9–163).

The ballot must be marked in secret in the presence of the Town Clerk and the certification on the envelope completed (§ 9–163e).

II. Absentee voting

(1) Who may vote absentee—Any qualified voter, civilian or military, may vote absentee in any national, state, municipal or special election but not primary election when he is unable to appear at his polling place during the hours of voting for any one of the following reasons:

(1) Absence from state during all of such hours.

(2) Absence from the town during all of such hours because of status as a student in a Connecticut college, university, nurse's training school or other institution of higher learning in Connecticut but located outside his town of voting residence.

(3) Absence from the town of his residence during all of such hours because of temporary place of abode in a town other than the town of voting residence because of membership in a religious community.

(4) Illness.

(5) Physical disability.

(6) The tenants of his religion forbid secular activity (§§9–134; 9–135; 9–137).

(2) Applying for absentee ballot—*Applications for blank absentee ballots may be made* either in person or by mail to the Town Clerk or Borough Clerk of place of residence *not sooner than 45 days before the election* (§ 9–140).

(3) Procedure in voting ballot—The blank absentee ballot shall contain instructions for the voter to follow (§ 9–136).

---

*(b) Special residence rules for presidential elections only.

The voted ballot shall be returned to the municipal clerk inserted in an inner envelope on which is printed a form which the voter must sign (§§ 9–137; 9–138).

The absentee ballot shall be mailed so that it is received by the municipal clerk not later than 6 p.m. of the day before the election, except when the election is held on a Monday, by 12 noon of election day (§ 9–146).

III. Military and other voters in special categories

The Connecticut constitution provides that the General Assembly may provide by law for the admission as electors in absentia of members of the armed forces, the United States merchant marine, members of religious or welfare groups or agencies attached to and serving with the armed forces and civilian employees of the United States, and the spouses and dependents of such persons (Const. Art. VI § 8).

(1) Who are included in this category—Included in this category are members in the active service of the armed forces and all regular and reserve components thereof; the United States merchant marine, members of religious or welfare groups attached to and serving with the armed forces or civilian employment with the United States or spouse or dependent of any such person (§§ 9–25a; 9–26; 9–134; 9–141).

(2) Registration—Persons in this category are required to register to vote but they may register by mail if unable to appear in person (§ 9–26).

Election officials will supply a printed form of Affidavit of Registration which the voter must execute before a commissioned officer in the armed forces, a consul or vice consul or deputy consul of the United States, or a Town Clerk residing in Connecticut (§ 9–26). The literacy of the applicant must be attested to (§ 9–27).

(3) Absentee voting—There is no absentee voting in primary elections. For all other elections, any member of this class, other than the merchant marine, may if absent from their town of voting residence on election day during hours of voting apply on a FPCA in person or by mail to the Town Clerk of the town of his residence not more than 90 days before the election for an absentee ballot (§§ 9–140; 9–141; 9–143).

The ballot must be voted according to instructions and returned in the official envelope supplied by the Town Clerk along with the ballot (§§ 9–137; 9–139).

The voted ballot must be received by the Town Clerk not later than 6 p.m. of the day before the election unless this election is held on a Monday in which event the clerk must receive the ballot not later than 12 noon on election day (§ 9–146).

DELAWARE

(Unless otherwise indicated, references are to Code Ann. 1953 and 1966 Supp. Title 15 and to Constitution of 1897 as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year, of the county 3 months, of the election district 30 days (Const. Supp. Art. V, § 2; Code Supp. § 1701).

(a) No person in the military, naval, or marine service of the United States shall acquire a residence in this state by reason of being stationed here (Const. Supp. Art. V, § 2; Supp. § 1701), nor lose a residence by reason of service elsewhere (§ 1921).

For statutory provisions relating to determination of residence, see Supp. § 4947.

(b) Special residence requirements for presidential elections only: In 1966 the General Assembly by 55 Del. Laws, Ch. 295, § 2 gave initial approval to the addition of a proposed new section 2B to Art. V of the Constitution. The new section provides that the General Assembly shall extend to a citizen of the United States who has resided in this state for at least 3 months next preceding an election but who does not meet the residence requirements in section 2 the right to vote for President and Vice President, but for no other office provided the person was either a qualified voter in another state immediately prior to his removal to Delaware and would have been eligible to vote in the other state had he remained there and provided he meets all the Delaware requirements to vote except residence.

II. Absentee voting

The Delaware Constitution authorizes absentee voting in general elections in certain circumstances (Const. Art. V, § 4A).

(1) Who may vote absentee—A qualified elector who may be absent on the day of a general election because of: service in the Armed Forces of the United States; in the public service of the State of Delaware; requirements of his business or occupation; personal sickness or disability; in the public service of the United States may vote absentee (Supp. §§ 5501; 5503).

(2) Applying for absentee ballot—Those applying on the ground of sickness or disability must file an affidavit with the Department of Elections of their county of residence. Affidavit must be subscribed to before an officer authorized by law to administer oaths, by a person authorized to practice medicine under the laws of this State; must be dated not more than 30 days prior to the general election (Supp. § 5504(a)).

Those applying because of business or occupation must file an affidavit with the Department of Elections of county of residence subscribed to before an officer authorized by law to administer oaths, by his employer, or by the elector himself if self-employed. Such affidavit shall not be dated more than 30 days prior to the next election (Supp. § 5504(b)).

Those who qualify to vote absentee shall not later than 12 noon of the day prior to the election request the Department of Elections of the county of residence for an absentee ballot (Supp. § 5505).

(3) Procedure in voting ballot—The absentee voter shall make and subscribe to the affidavit printed on the voucher envelope, before an officer authorized by law to administer oaths, and such voter shall thereupon in the presence of such officer, and of no other person mark such ballot but in such manner that the officer cannot know how the ballot is marked, and the ballot shall then in the presence of the officer be deposited by the voter in the official envelope. The official envelope containing the ballot shall then be deposited in the voucher envelope, and the voucher envelope shall be securely sealed by the voter. Thereupon the voucher envelope containing the marked ballot shall be enclosed in the carrier envelope received by the voter from the Department of Elections and after the voter has enclosed the voucher envelope containing the marked ballot in the carrier envelope, he shall securely seal the carrier envelope and mail it, postage prepaid, to the Department of Elections of the county issuing the ballot, or if more convenient, it may be delivered to the Department in person, to be received in either case, by the Department of Elections prior to noon of election day and not thereafter (§§ 5510; 5511).

III. Military and other voters in special categories

The Delaware Constitution requires the General Assembly to enact laws for absentee voting under certain conditions (Const. Art. V, 4A).

(1) Who are included in this category—Members of the armed forces or merchant marine of the United States; those serving with the American Red Cross; the Society of Friends; the USO attached to and serving with the armed forces, or one who has received official notice of induction into any such service or who is the spouse of anyone so enumerated (Supp. § 1901).

(2) Registration—Registration is required but may be accomplished in one of several ways.

If, when a person in this category requests an absentee ballot, the Department of Elections finds that he is not registered, it will automatically send him the registration forms to complete (Supp. § 1908).

The applicant may apply in person at the usual time and in addition, in New Castle Kent and Sussex counties, the Department of Elections shall sit at such other times as may be necessary up to 10 days prior to the general election to register persons in this category.

In addition, persons in this category, if absent from the state, may register absentee (Supp. §§ 1901(b); 1906).

Absentee registration may be affected by applying to the Department of Elections of the county of residence, in writing, for an absentee registration form. Such request may be made at any time except the 30 days before the general election is held.

The affidavit should be signed before any commissioned officer of the armed forces or merchant marine or before any other officer authorized by law to administer oaths (Supp. § 1906(b)).

The affidavit, properly completed, should be returned to the Department of Elections of the voter's residence no later than 10 days prior to election day (§ 1906(a)).

The Delaware law also provides for the appointment of Auxiliary Registrars who, by direction of the Governor, shall visit in any year in which a general election is held, the military encampments in this state and in the United States, to register those qualified to vote in Delaware (§§ 1921 to 1932).

(3) Absentee voting—Persons who are absent from the county of their residence on the day of a general election while serving with the armed forces, or in the public service of the state of Delaware or of the United States are eligible to vote absentee (Supp. §§ 5501; 5503).

Those applying because of service for the State or United States shall not later than 12 noon of the day prior to the general election request the Department of Elections of the county of residence for a ballot. Such a request may be made by the voter or anyone acting on his behalf (Supp. § 5505).

The absentee voter shall subscribe the affidavit printed on the voucher envelope before an officer authorized by law to administer oaths and the voter shall then mark the ballot in the presence of such officer but in such manner that the officer does not know how the ballot is marked and deposit the ballot in the official envelope. The official envelope should be deposited in the voucher envelope which should be placed in the carrier envelope, that envelope should be sealed and mailed or delivered to the Department of Elections of voter's county of residence.

The voted ballot must be received by the Department of Elections before 12 noon of the day of the election (Supp. §§ 5510; 5511).

DISTRICT OF COLUMBIA

(References, unless otherwise indicated, are to Code, 1967 ed.)

I. Residence

To Vote One Must Be:

A resident of the District 1 year (§ 1–1102 (2)).

II. Absentee voting

(1) Who may vote absentee—Those who are absent from the District or who, because of physical condition are unable to vote in person at the polling place may vote by absentee ballot (§ 1–1109(b)).

(2) Applying for absentee ballot—Apply to D.C. Board of Elections, District Building, Washington, D.C.

(3) Procedure in voting ballot—No provision.

III. Military and other voters in special categories

(1) Who are included in this category—Members of the armed forces while in active service, their spouses and dependents; members of the Merchant Marine of the United States, their spouses and dependents; civilian employees of the United States in all categories serving outside the territorial limits of the United States and their spouses and dependents, whether or not the employee is subject to the civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by Congress; religious groups or welfare agencies assisting members of the Armed Forces who are officially attached to and serving with the Armed Forces, their spouses and dependents (50 U.S.C. § 1451; 75 Stat. 817 sec. 2(c)).

(2) Registration—Registration is necessary. Those in this category may simultaneously register and apply for both primary and general election ballot by sending FPCA at any time after January 2 for the primary and after May 7 for the general election (50 U.S.C. § 1452).

Application may be made to D. C. Board of Elections, District Building, Washington, D.C. 20004.

(3) Absentee voting—Vote ballots according to instructions and return in time to be received not later than 8:00 p.m. election day.

FLORIDA

(Unless otherwise indicated references are to Stats. Ann. and 1967 amends. and Constitution of 1887 as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year* the county 6 months (Const. Supp. Art. VI § 1; Stats. § 97.041).

(a) A person who has not filled the residence requirements at the time the registration books close but who will fulfill them by the time of the election may register in the 60 days prior to the closing of registration (§ 97.041 (3)).

*(b) Special residence requirements for presidential elections only: Persons who meet all the Florida qualifications to vote except residence and who are registered electors of the state from which they have moved may vote a special ballot for President and Vice President.

Such persons must execute an oath in the office of the Supervisor of Elections not more than 45 days nor less than 30 days prior to the election (§ 97.031(2)).

The Supervisor will then write to the election official of the former residence and request a cancellation of the registration to vote in the former state. Upon receipt of this notice of cancellation the Supervisor will notify the applicant that he may come in and vote for President and Vice President (§ 97.031(3),(4)).

II. Absentee voting

(1) Who may vote absentee—Those who may vote absentee ballot at a general special or primary election include any registered and qualified elector who: due to physical disability is unable without assistance to attend the polls; is an inspector, a poll worker, or other election official who will be working in precinct other than his own voting precinct; because of the tenets of his religion cannot attend the polls on election day; or will not be in the county of his residence during the hours the polls are open on election day (§§ 97.021 (6); 101.62)).

For special rules for military see "MILITARY AND OTHER VOTERS IN SPECIAL CATEGORIES" post.

(2) Applying for absentee ballot—May apply to supervisor of any permanent registration office in person or by mail, for an absentee ballot for any primary, special or general election (§ 101.691).

Such applications should be made at any time during the 45 days preceding an election but not later than 5 p.m. of the day preceding the election (§ 101.62(1)).

(3) Procedure to vote ballot—The elector shall in secret mark his ballot, follow instructions enclosed with his ballot, place only the marked ballot in the plain envelope and return same to the supervisor of the county in which his precinct is located (§ 101.66).

III. Military and other voters in special categories

(1) Who are included in this category—Members of the Armed Forces while in active service, their spouses and dependents; members of the Merchant Marine of the United States, their spouses and dependents; civilan employees of the United States in all categories serving outside the territorial limits and their spouses and dependents when residing with or accompanying them.

Members of religious groups or welfare agencies assisting members of the Armed Forces who are officially attached to and serving with the Armed Forces and their spouses and dependents (§§ 97.021 (15), (16), (17); 101.691).

(2) Registration—Registration is required but special provisions are made for persons in this category to register.

Any person under 21 years of age subject to be called for military duty who has received induction papers, or who is already inducted or enlisted, may be specially registered and the Supervisor shall hold his registration in a re-registration book until he becomes 21 years of age (§ 97.062).

Members of the Armed Forces while in active service and their spouses may register absentee. FPCA requesting absentee ballot will be accepted as a request for absentee registration if the applicant is un-registered (§§ 97.063; 97.0631; 101.692).

There are special provisions for federal employees, military personnel, and the spouses and dependents of such persons, to reactivate registrations which have lapsed (§ 97.064).

For the purposes of executing the registration affidavits oaths may be administered by any commissioned officer in active service of the Armed Forces, any member of the Merchant Marine designated by the Secretary of Commerce, or any civilian official empowered by state or federal law to administer oaths (§ 97.065).

(3) Absentee voting—May apply for ballot on FPCA (§§ 101.691, 101.692).

Vote ballot according to instructions (§ 101.694).

Voted ballot must be received by Supervisor not later than 5 p.m. of the day preceding the primary or general election (§ 101.65 (1)).

GEORGIA

(Unless otherwise indicated, references are to Code Ann. 1964 and 1967 Supp. and to Constitution of 1945, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year, of the county 6 months* (Const. Art. II § 702; Code Supp. § 34–602).

(a) Residence is not gained by reason of being stationed in the State while on military duty (Const. Art. II, § 702).

The word "residence" as used in the election law means "domicile" (Supp. § 34–103 (aa)).

One with less than the required residence in the state may register to vote provided he will acquire such residence within 6 months after registering (Supp. § 34–602).

Statutory rules for determining residence are set forth at (Supp. § 34–632).

(b) *Special residence requirements for Presidential elections only: An amendment to the Constitution ratified by the voters in November, 1966 authorizes the General Assembly to enact a law providing for special residence requirements for new residents in the state to enable them to vote in Presidential elections only. Implementing legislation has been passed to make such provision effective (Const. Supp. Art. II § 703).

VI. Absentee voting

(1) Who May vote absentee—An elector who either (1) is required to be absent from the county of his residence during the primary or election or, (2) because of physical disability will be unable to be present at the polls on the day of the primary or election (Supp. § 34–1401).

(2) Applying for absentee ballot—Any absentee elector or, upon satisfactory proof of relationship, his mother, father, aunt, uncle, sister, brother, spouse, or daughter or son age 18 or over, may apply for ballot. Application must be made in writing (§ 34–1402(a)).

Application shall be made not more than 90 days before the election in which vote to Board of Registrars of county of elector's residence (§ 34–1402(b)).

If the application is made on the ground of physical disability it must be accompanied by a certificate of a licensed physician, hospital administrator, or Christian Science practictioner (§ 34–1402).

(3) Procedure in voting ballot—At any time after receiving the ballot but before the day of the primary or election the elector shall appear before a postmaster of the United States or his assistant in a post office or any commissioned officer of the Armed Forces, if in service, or any consul of the United States, or a registrar or deputy registrar of county of elector's residence, or the registrar or deputy registrar of any college or university.

The elector shall display the unmarked ballot to one of the above named persons and shall then mark it in pen or pencil in the presence of such person but in such manner that the person administering the oath is unable to see how the same is marked and then fold the ballot and enclose it in the envelope printed "Official Absentee Ballot" and seal the envelope. This envelope should be placed in the other envelope on which is printed the form of affidavit of elector. The elector shall fill out and subscribe and swear to the affidavit and the jurat shall be subscribed and dated by the person before whom the affidavit was taken. This envelope should then be sealed and mailed or delivered to the appropriate Board of Registrars (Supp. § 34–1406).

Voted ballot must be received prior to the closing of the polls election day (Supp. § 34–1407).

III. Military and other voters in special categories

(1) Who are included in this category—A resident of Georgia who is temporarily residing outside the state because he is a Member of the Armed Forces of the United States while in active service; Member of the Merchant Marine of the United States; Civilian employee of the United States; Member of a religious group or welfare agency assisting members of the Armed Forces of the United States who is officially attached to and serving with such Armed Forces; or the spouse or dependent of the above.

(2) Registration—Registration is necessary but may be made by mail.

Any absentee applicant, or upon satisfactory proof of relationship, his mother, father, sister, brother, spouse, or daughter or son of the age of 18 or over, may at any time apply to the Board of Registrars of the county of the applicant's residence for a registration card to be mailed to such applicant. The application should be in writing and contain the name and address of the applicant.

Any person in this special category may apply for a registration card or an absentee ballot on a FPCA (Supp. § 34–619).

(3) Absentee voting—Follow same rules as are set forth for other voters above for absentee voting in primary and general elections.

HAWAII

(Unless otherwise indicated references are to Election Laws of Hawaii 1966 ed. and to the Constitution of 1959 as amended.)

I. Residence

To Vote One Must Be:

A resident of the state at least 1 year and of the county and precinct 3 months (Const. Art. II § 1).

(a) Residence is neither gained nor lost because of presence or absence while employed in the service of the United States or while engaged in navigation or while a student at any institution of learning (Const. Art. II § 3).

(b) Special residence requirements for Presidential elections only—None.

II. Absentee voting

(1) Who may vote absentee—Any qualified voter who will be unable to appear at his polling place during the hours of voting at any primary, general or special election because of absence from the island of his residence during the hours of voting (§11–138); illness (§11–132); religious beliefs (§11–133.5); confined at home by illness or physical disability (§11–133).

(2) Applying for absentee ballot—Applicant may apply in person or by mail to the county clerk of his residence for an absentee ballot. Such application should be made not more than 60 days nor less than 5 days if the applicant is within the state, and not less than 10 days if without the state (§11–139).

One request may cover both the primary ballot and the immediately following general election ballot (§11–139).

(3) Procedure in voting ballot—The voter should mark the ballot secretly and place it in the ballot envelope and seal the envelope. The voter should complete and subscribe to the statement printed on the ballot envelope. The ballot envelope shall then be placed in the covering reply envelope and mailed or delivered to the county clerk who issued the ballot.

The voted ballot must be received by the clerk not later than the established closing hour of business on the day before the election (§11–144).

III. Military and other voters in special categories

(1) Who are included in this category—The same rules apply to persons in this category as to other voters with the exception of registration procedures and persons designated before oaths may be taken.

(2) Registration—Registration is not required of persons in military service but such persons shall make and subscribe to an affidavit supplying the same information as is given in the application of registration (§§11–140; 11–141). The affidavit may be sworn to before any officer authorized by law to administer oaths, including commissioned officers in active service of the Armed Forces of the United States, the Coast Guard and any of the Hawaii National Guard services (§11–141).

(3) Absentee voting—Instruction will be sent with the ballot. The same rules apply as for other voters. The voter after marking the ballot shall complete and subscribe to the statement printed on the ballot envelope. The ballot envelope shall then be placed in the covering reply envelope and mailed or delivered to the county clerk who issued the ballot.

The voted ballot must be received by the clerk not later than the established closing hour of business on the day before election (§11–144).

IDAHO

(Unless otherwise indicated, references are to Code of 1948, 1963 rev. and 1967 Supp. and to Constitution of 1889, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 6 months* and of the county 30 days next preceding the day of the election (Const. Supp. Art. 6 § 2).

(a) For the purpose of voting no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of this state, or of the United States, nor while engaged in the navigation of the waters of this state or of the United States, nor while a student of any institution of learning, nor while kept at any alms house or other asylum at the public expense (Const. Art. 6 § 5, Code § 34–403).

(For statutory rules for determining residence see Supp. § 34–1021).

(b) Special residence requirements for presidential elections only*: Idaho has adopted the Uniform Voting By New Residents In Presidential Election Act (Code §§ 34–408 to 34–421).

New residents in the state less than 6 months but at least 60 days may vote for President but for no other office, providing he has all the other qualifications to vote (Const. Supp. Art. VI § 2; Code § 34–408).

A person desiring to vote under these provisions shall be deemed to be registered if within 10 days before the election he executes in the presence of the county auditor an affidavit stating certain facts on which he bases his application to vote (§ 34–409).

The county auditor then is required to mail a duplicate of this affidavit to the appropriate official of the state in which the applicant last resided (§ 34–410).

After the ballots are available, and in no event not later than 10 days prior to the presidential election, the county auditor shall give the applicant a ballot to vote (§ 34–412).

The applicant shall mark the ballot in the presence of the county auditor but in such manner that the official does not know how the ballot is marked. The voter shall put the ballot in an envelope given to him by the auditor for this purpose and seal the envelope. The voter shall sign the certification on the envelope (§ 34–413).

II. Absentee voting

(1) Who may vote absentee—Any qualified elector who is absent or expects to be absent from the election precinct in which he resides on election day, or who will be in the election precinct but because of blindness or physical disability will be unable to go to the polls election day may vote absentee (§ 34–1101).

(2) Applying for absentee ballot—Make written application to the county auditor, the city clerk or other proper officer for an official ballot. Said application shall contain the name of the elector, the precinct where he is registered and his present address, and if for a primary ballot, the party affiliation (§ 34–1102).

(3) Procedure in voting ballot—On marking such ballot the absent or disabled voter shall refold same as before and shall inclose the voted ballot in the official envelope and seal the envelope and mail by registered or certified mail or deliver it in person to the officer who issued it not later than 12 o'clock noon on the day of the election. Ballots shall be marked secretly except where the voter is disabled in which event he may have the assistance of a person of his choice in marking the ballot (Supp. § 34–1105).

III. Military and other voters in special categories

(1) Who are included in this category—The following persons are included in this special category: (1) members of the Armed Forces while in the active service, and their spouses and dependents; (2) members of the merchant marine of the United States, and their spouses and dependents; (3) civilian employees of the United States in all categories serving outside the territorial limits of the United States and their spouses and dependents when residing with or accompanying them, whether or not the employee is subject to the civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by Congress; (4) members of religious groups or welfare agencies assisting members of the Armed Forces and their spouses and dependents.

The terms "Armed Forces" and "members of the merchant marine of the United States" are defined at (§ 34–1118(b) and (c)).

The term "dependent" is defined as "any person who is in fact a dependent" (§ 34–118(d)).

(2) Registration—Registration is required but persons in this category may register for voting at the general election by completing the "Registration and Voting Certificate" which is printed on the back of the ballot envelope.

This certificate shall be certified by any commissioned officer in the active service of the Armed Forces, or by any member of the merchant marine designated for this purpose or by any civilian official empowered by State or Federal law to administer oaths (Supp. § 34–1120).

(3) Absentee voting—Written request may be made by any elector in United States service, or any interested person, not less than 5 days before the general election, containing the name and home address of the elector, address to which the ballot is to be sent, and name of person requesting same (§ 34–1121).

Upon receipt of the absentee ballot the voter shall mark it in secret and seal it in the envelope provided for this purpose. He shall then execute the registration and voting certificate on the back of the envelope before the official designated, see the discussion under (2) Registration above. After which the ballot shall be sent by any available mail service to the county auditor who issued it. Return by registered mail is not required of this class of elector (§ 34–1124).

The ballot should be received by the election official at least 1 day before election day (§ 34–1105).

ILLINOIS

(Unless otherwise indicated references are to Smith-Hurd Ann. Stats. (1965 ed.) and 1967 Supp., Chap. 46 and to the Constitution of 1870, as amended).

I. Residence

To vote one must be:

A resident of the state 1 year, *the county 90 days and the election district 30 days, (Const. Art. VII § 1).

(a) Residence is not lost by reason of absence while on business of the United States or this state, or in the military or naval service of the United States (Const. Art. VII §4; Code §3–2).

Residence is not gained by a soldier, seaman, or marine in the army or navy of the United States being stationed in this state (Const. Art. VII §5).

Inmates of soldiers and sailors homes may acquire voting residence in Illinois (§3–3).

A permanent abode and dwelling place in the precinct are necessary to qualify as a resident to register to vote (§5–2).

*(b) Special residence requirements for presidential elections only—A person who has resided in Illinois less than 1 year or in the county less than 90 days but who has resided in the election district 60 days next preceding a presidential election who otherwise meets the Illinois voting requirements, who is not entitled to vote for president in any other state but who was a qualified elector in another state or county immediately prior to his removal to Illinois or his present county of residence, or would have been eligible to vote in his prior state of residence had he remained there may vote for President in Illinois (§3–1).

Application for a special ballot should be made in person to the county clerk or board of election commissions, as the case may be, in county of residence, not more than 90 nor less than 30 days prior to the election.

The application shall be made in the form of an affidavit signed and sworn to in the presence of the county clerk or clerk of the board of election commissioners (§21–1.01).

The county clerk or board of election commissioners shall forward to the election clerk of the applicant's former residence a request of proof that applicant was a qualified voter immediately prior to his removal to Illinois or would have been a qualified voter had he remained a legal resident of his previous state or county (§21–1.01).

Upon receipt of the requested proof the county clerk or board of election commissioners shall notify the applicant, in writing, that satisfactory proof of eligibility has been received and that he may vote not sooner than 15 days nor later than 3 days prior to the presidential election (§ 21–1.01).

The applicant will be given a special ballot which he shall mark in the presence of the county clerk or board of elections commissioners but in such manner that the election official does not know how he is marking it. The voter shall then place the marked ballot in an envelope, seal the envelope, and execute the affidavit printed on the envelope. The election official will then seal this envelope in a carrier envelope which is also sealed and not opened until it is opened at the polls on election day immediately after the polls are closed (§ 21–1.01).

II. Absentee voting

(1) Who may vote absentee—Any qualified elector who expects to be absent from his county of residence, or who has been appointed a judge of election in a precinct other than the precinct in which he resides, or who because of physical incapacity or the tenets of his religion in the observance of a religious holiday will be unable to be present at the polls on the day of a special, general or primary election at which any presidential preference is indicated or any candidates are chosen or elected for any congressional, state, district, county, town, city, village, precinct or judicial offices or at which questions of public policy are submitted may vote absentee (Supp. § 19–1).

(2) Applying for absentee ballot—Not more than 30 nor less than 5 days prior to the date of the election make application to the county clerk or to the Board of Election Commissioners for an official ballot (Supp. § 19–2).

One applying on the basis of physical incapacity must submit with his application a certificate of a licensed physician, or a Christian Science practitioner who is listed in the Christian Science Journal certifying to the fact that the applicant is physically incapacitated (Supp. § 19–2).

(3) Procedure in voting ballot—The absent voter shall make and subscribe to the affidavits provided for in the application and on the return envelope before an officer authorized by law to administer oaths and such voter shall exhibit the ballot to such officer unmarked, and shall thereupon in the presence of the officer and of no other person mark the ballot but in such manner that the officer cannot see or know how the ballot is marked, the voter shall then refold the ballot, place it in the envelope and reseal the envelope. The officer shall then endorse his certificate on the back of the envelope and the voter shall mail the envelope, or deliver it in person, to the official who issued the ballot to him.

The voted ballot must be received by the official in the proper polling place before the closing of the polls on election day (§ 19–6).

III. Military and other voters in special Categories

(1) Who are included in this category—Any person in the United States Service who expects in the course of his duties to be absent from his county of residence on the day of holding any special, general or primary election at which presidential preference is indicated or any candidates are chosen or elected, or at which questions of public policy are submitted.

For this purpose "Members of the United States Service" means: members of the Armed Forces while in active service, their spouses and dependents; members of the Merchant Marine of the United States and their spouses and dependents; civilian employees of the United States in all categories serving outside the territorial limits of the United States and their spouses and dependents when residing with or accompanying them, whether or not the employee is subject to the civil-service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by Congress; members of religious groups or welfare agencies assisting members of the Armed Forces who are officially attached to and serving with the Armed Forces and their spouses and dependents.

For these purposes, the term "dependent" shall mean a father, mother, brother, sister, or child of voting age who is actually residing with or is accompanying the member of the United States Service and is financially dependent upon the member (§ 20–1).

(2) Registration—For persons in this special category, no registration is required in order to vote (§ 20–1).

(3) Absentee voting—Any elector in this category expecting to be absent from the county of his residence on election day, or the mother, father, sister, brother, husband or wife of the age of 21 or over, of any such elector, may not more than 100 or less than 5 days prior to the day of election apply to the county clerk of the county of the elector's residence for an official ballot (§ 20–2).

Application for such ballot when made by the elector may be made on a FPCA, or on a blank card furnished by the county clerk for this purpose (§ 20–3).

The affidavit and application for ballot must be sworn to before any officer authorized to administer oaths including a commissioned officer in active service of the Armed Forces of the United States, and a member of the Merchant Marine designated for this purpose (§ 20–3).

If an application is made for a primary ballot party affiliation must also be designated (§ 20–3).

If the application is made by a designated relative, an affidavit must be executed by that relative (§ 20–2).

The absent voter shall make and subscribe to the affidavits provided for in the application and on the return envelope for said ballot before an officer authorized by law to administer oaths (or a commissioned officer in the active service of the Armed Forces of the United States or any member of the Merchant Marine of the United States designated for this purpose and such voter shall exhibit the ballot to such officer unmarked, and in the presence of the officer and of no other person mark the ballot in such a way that the officer cannot see or know how the ballot is marked and place the marked ballot in the envelope provided for this purpose and seal the envelope. The officer shall then endorse his certificate on the back of said envelope and the voter shall mail or deliver the envelope to the officer who issued the ballot in sufficient time to be delivered by such officer to the proper polling place before the close of the polls on the day of election (§ 20–6).

INDIANA

(Unless otherwise indicated references are to Burns Ann. Stats. 1949 Replacement and 1967 Supp. and Constitution of 1851, as amended.)

I Residence

To Vote One Must Be:

(1) United States citizen (Const. Art. 2 § 2; Stats. § 29–3426).

(2) At least 21 years of age (Const. Art. 2 § 2; Stats. § 29–3426). Persons who will be 21 on the date of next ensuing election otherwise qualified may register and vote in primary (Stats. §§ 29–3603, 29–3426).

(3) A resident of the state at least 6 months, of the township 60 days and in the ward or precinct 30 days.

(a) No soldier, seaman, or marine in the army or navy of the United States or its allies shall be deemed to have acquired a residence in this state as a consequence of having been stationed here.

No person shall be deemed to have lost his residence in the state by reason of his absence while on business of the state or of the United States (Art. 2 §4).

The statutory rules for determining residence are set forth at Supp. §29–4803.

(b) Special residence requirements for presidential elections only: None.

II. Absentee voting

(1) Who may vote absentee—Voting absentee by *mail* is limited to those in the armed forces category and their spouses; those who will be absent from the State of Indiana because of employment with the federal or state governments, their spouses and dependents; those attending school, college or university or other institution of learning located outside the county of residence and their spouses; those absent from their county of residence because of illness and while they are in a hospital, nursing home or convalescence home; those employed outside the United States, and their spouses and dependents (Supp. §29–4903).

There are special provisions for absentee voting but not by mail for the following:

Those who are ill and confined within their county of residence may vote absentee ballot before a special absent voters board at the place of their confinement (Supp. §29–4923).

Those who will be absent from the county on business may vote before the Absent Voters' Board in the office of the Clerk of the Circuit Court. Such voter must sign application on form prescribed in §29–4903. Such persons may vote not more than 17 days nor later than the Saturday immediately preceding the election (Supp. §29–4923).

(2) Applying for absentee ballot—Application for absentee ballot should be made not more than 30 days prior nor later than Saturday next prior to the date of election (Supp. §29–4902).

Application may be made in person or by mail on a blank furnished by the county election board.

(3) Procedure in voting ballot—The voter shall subscribe to the affidavit on the ballot envelope before any officer authorized by law to administer oaths. The voter shall then in the presence of such officer and of no other person mark the ballot in such manner as the officer does not know how the ballot is marked and then fold it and place it in the envelope supplied for this purpose and mail or deliver it to the county election board in time for such board to deposit it with the election board of the elector's voting precinct before the closing of the polls on election day (§ 29–4909).

The ballot may be marked with pen and ink or lead pencil with any color of lead and it shall have the same force as if marked with a pencil with blue lead (§ 29–4910).

III. Military and other voters in special categories

(1) Who are included in this category—An elector who expects to be absent by reason of his or her membership, or the membership of his or her spouse, or the membership of the head of the household of which such elector

is a dependent member, in the armed services or the merchant marine of the United States; an elector who expects to be absent by reason of his employment, or the employment of his or her spouse, or the employment of the head of the household of which such elector is a dependent, by the federal or state government outside the State of Indiana (Supp. § 29–4903).

(2) Registration—Registration is required but voters who are absent from county of residence while in military or naval service may have the affidavit or form of registration certified to by the company clerk or any commissioned officer (Supp. § 29–3412).

Application for absent ballot may be made on FPCA or other standard form. Upon receipt of such form the clerk of the Circuit Court or Board of Registration shall mail applicant the registration form. Upon return of this form properly executed and certified the applicant shall be registered (Supp. § 29–3412).

If the application for registration is sent to the Secretary of State he shall forward it to the proper clerk or Registration Board (Supp. § 29–3412).

Registration must be made not later than 29 days before any primary or general election (Supp. § 29–3412).

(3) Absentee voting—Application for absentee ballot may be made on FPCA (Supp. § 29–3412) and should be made between 30 days before and the Saturday before election.

The affidavit on the ballot envelope may be executed before any officer authorized by law to administer oaths, or if in the armed services or merchant marine, before a commissioned officer.

The ballot shall be voted in the presence of such officer but in such a way that he will not know how it is marked. The voter shall then fold the ballot and place it in the envelope supplied for this purpose and seal the envelope.

The envelope may be mailed or delivered to the county election board of the county of residence in time to be deposited with the election board of the voter's precinct before the closing of the polls on election day (§ 29–4909).

The ballot may be marked with pen and ink, or lead pencil of any color of lead (§ 29–4910).

IOWA

(Unless otherwise indicated references are to Iowa Code Ann. and 1966 Supp. and to the Constitution of 1857, as amended).

I. Residence

To Vote One Must Be:

A resident of the state 6 months, and of the county 60 days (Const. Art. 2 § 1).

(a) No person in the military, naval, or marine service of the United States shall be considered a resident of the state by being stationed in any garrison, barrack, or military or naval place, or stationed in his state (Const. Art. 2 § 4).

(b) Special residence requirements for presidential elections only: There are none at present but a resolution was introduced in the 1967 session, S.J. Res. 24, to amend the constitution to authorize the legislature to set various residents requirements for voting in various elections. Further action is needed before this proposal becomes law.

II. Absentee voting

(1) Who may vote absentee—Any qualified voter who in the conduct of his business or due to other necessary travel expects to be absent on election day from his county of residence or because of illness or physical disability expects to be unable to go to the polls on election day may vote absentee at any general, municipal, special, or primary election or any election held in any community or independent town, city or consolidated school district (§ 53.1 and Supp. § 53.1).

(2) Applying for absentee ballot—On any day not a Sunday, election day, or holiday and not more than 20 days prior to the date of election may apply to the county auditor, or to the city or town clerk for an official ballot. Such application may be made in person or in writing (Supp. § 53.2). The election officials will furnish forms to be used to apply for the ballots (§ 53.4). The forms are in the form of an affidavit which must be sworn to by the elector (§ 53.5).

(3) Procedure in voting ballot—The voter on receipt of the ballot shall mark it in the presence of the officer administering the oath but in such manner that such officer will not know how it is marked (§ 53.15).

After marking the ballot the voter shall subscribe to the affidavit on the ballot envelope and fold the ballot and place it in the envelope and seal it (§ 53.16).

The sealed envelope shall be mailed or delivered to the auditor or county clerk prior to election day (§ 53.17).

III. Military and other voters in special categories

There is the "Iowa Service Men's Ballot Commission" to prescribe rules for voting by persons in this special category (Supp. §§ 53.45 to 53.52).

(1) Who are included in this category—The term "Armed Forces of the United States" shall mean the army, navy, marine corps, coast guard, and air force of the United States, and for the purpose of absentee voting also spouses and dependents of members of the armed forces while in active service; members of the merchant marine of the United States and their spouses and dependents; civilian employees of the United States in all categories serving outside the United States and their spouses and dependents when residing with or accompanying them whether or not the employee is subject to the civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by Congress; members of religious groups or welfare agencies assisting members of the armed forces who are officially attached to and serving with the armed forces, and their spouses and dependents (Supp. § 53.37).

(2) Registration—Whenever registration is required in order to vote at either the primary or general election the affidavit on the ballot envelope shall constitute sufficient registration (Supp. § 53.38).

(3) Absentee voting—The form of application blank for absentee ballot required to be completed by other voters is not required for voters in this special class (Supp. § 53.39). As to the latter, ballot will be sent upon request in writing (Supp. § 53.40).

Such request may be made at any time prior to the day of the election by the voter and may be made not more than 45 days before an election on behalf of a voter by a spouse, parent, adult brother, adult sister, adult child of such voter residing in the county of the voter's residence. A request made by other than the voter may be required to be made on forms prescribed by the Iowa servicemen's ballot commission (Supp. § 53.40).

The request shall show the residence, including the street address if any, of the voter, the age of the voter, the length of residence in the city, town, or township, county and state and designate the address to which the ballot is to be sent, and in case of a primary election, party affiliation.

The request shall be made to the county auditor of the county of the voter's residence but if the voter makes the request of any elective state, city, town, or county official, the said official shall forward it to the county auditor of the county of voter's residence (Supp. § 53.40).

The voter on receipt of the ballot shall mark it in the presence of the officer administering the oath but in such manner that such officer will not know how it is marked (§ 53.15).

After marking the ballot the voter shall subscribe to the affidavit on the ballot envelope and fold the ballot and place it in the envelope and seal it (§ 53.16).

Any oath required may be administered by any commissioned officer of the Armed Forces of the United States or other persons authorized by the government of the United States to administer oaths (Supp. § 53.44).

The sealed envelope shall be mailed or delivered to the auditor or county clerk prior to election day (§ 53.17).

An alternative procedure is provided whereby any qualified voter in the Armed Forces may personally appear in the office of the county auditor of the county of his residence and there vote an absentee ballot at any time not earlier than 30 days before the primary or general election (Supp. § 53.42).

KANSAS

(References unless otherwise indicated are to Kansas Stats. Ann. 1964 revision and 1965 Supp. and to Constitution 1859, as amended).

I. Residence

To Vote One Must Be:

A resident of the state 6 months and in the township or ward 30 days* (Const. Art. 5 § 1; Stats. § 25–408).

(a) For the purpose of voting no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of the state, or of the United States, or of the high seas, nor while a student at any seminary of learning, or while kept at any almshouse or other asylum at public expense, nor while confined in a public prison (Const. Art. 5 § 3, Stats. § 25–408).

For the statutory rules for determining residence see § 25–407 and Supp. § 25–1108.

(b) Special residence requirements for presidential elections only: Those otherwise qualified who are newly come to the state and have lived at least 45 days next preceding the presidential election in the township or ward in Kansas may vote for president and vice president (Const. Art. 5 § 1).

Registration is not required for such voters. Not more than 25 days prior to such election nor later than 12 noon on the Monday preceding the election make application in the form of an affidavit executed in the presence of the county clerk or election commissioner (§ 25–1802).

The county clerk or election official shall then send a duplicate of the application to the appropriate official of the state in which applicant last resided (§ 25–1803).

If the Kansas election official is satisfied that applicant is qualified he shall give applicant a ballot not sooner than 25 days nor later than the Monday preceding the next presidential election (§ 25–1805).

The applicant upon receiving the ballot shall in the presence of the county clerk or election commissioner mark the ballot but in a way that the official will not know how it is marked. The voter shall then fold the ballot and place it in the envelope and seal the envelope. The voter shall sign the certification on the carrier envelope and give it to the election official (§ 25–1806).

II. Absentee voting

(1) Who may vote absentee—Any qualified elector who is absent from his county, whether within or without the state, upon the day of any primary or general election during the hours the polls are open (Supp. § 25–1101).

(2) Applying for absentee ballot—Between April 1 in any year in which a general election is held and the last Thursday preceding any primary election, or between 90 days before holding any city or school primary election and the Thursday preceding such election, any one entitled to vote may, or any qualified elector of his precinct or voting district in his behalf, may file with the

county clerk an affidavit executed before an officer qualified to administer oaths. The affidavit shall state the precinct, ward, or district or resident street number, if any, where he is an elector, the address to which the absentee ballot is to be sent, and if a primary, party affiliation (§ 25–1104(a)).

In addition, if the voter will be away on election day he may, on Friday, Saturday and until 12 noon on the Monday preceding any primary or general election, he may file with the county clerk an affidavit following the same requirements as for an absentee ballot. The county clerk shall give such applicant an absentee ballot which must be voted and returned to the county clerk before 1 p.m. on Monday preceding the primary or general election (Supp. § 25–1104(b)).

(3) Procedure in voting ballot—The voter shall place his cross mark with ink or black-lead pencil in the square opposite the name of the person for whom he desires to vote. He shall place the ballot in the envelope provided for this purpose and complete the affidavit on the envelope and swear to the same before the attesting officer who shall certify to it. The ballot envelope shall be mailed or otherwise transmitted by the voter to his county clerk.

The ballot must be received by the county clerk not later than 9 a.m. Monday next preceding the date of the primary or general election (Supp. § 25–1106).

III. Military and other voters in special categories

(1) Who are included in this category—For purposes of this act, "Federal services" means active service in the armed forces of the United States; merchant marine of the United States; all categories of civilian employment with the United States outside the territorial limits of the United States; religious groups and welfare agencies assisting members of the armed forces which are officially attached to and serving with the armed forces. "Dependents" includes the spouse, son and daughter of any member of the federal services who reside with and receive more than one-half of their support from such member (§ 25–1214).

These provisions apply to all elections—primary and general (§ 25–1215).

(2) Registration—Those who would be eligible for registration and are otherwise qualified may vote notwithstanding any provision of law relating to the registration of qualified voters (§ 25–1215).

(3) Absentee voting—Request may be made of a FPCA or on a form supplied by the Secretary of State of Kansas (§ 25–1216). Application should be made at least 65 days before the general election and 120 days before the primary.

The ballot should be voted in accordance with instructions and then placed in the envelope supplied for this purpose. Any commissioned officer shall have the authority to attest to the oaths required. This envelope shall then be placed in the carrier envelope which is provided and mailed by the voter to the Secretary of State of Kansas (§ 25–1221).

KENTUCKY

(Unless otherwise indicated references are to Rev. Stat. 1962 and subsequent session laws up to and including 1967, and to Constitution of 1891 as amended)

I. Residence

To Vote One Must Be:

A resident of the state 1 year, the county 6 months, and the precinct 60 days (Const. § 145).

(a) No person in the military, naval or marine service of the United States shall be deemed a resident of this state by reason of being stationed here (Const. § 146).

Statutory rules for determining residence are set forth at § 117.610.

(b) Special residence requirements for presidential elections only: None.

II. Absentee voting

(1) Who may vote absentee—Any qualified voter who expects to be absent from his county of residence on election day (§ 126.140 as amend. Chap. 189 L. 1964).

(2) Applying for absentee ballot—Application, in writing, should be made at any time not less than 20 days before the election to the clerk of the court of county of residence (§ 126.150 as amend. Chap. 189, L. 1964).

Application must be signed and sworn to before anyone authorized by law to administer oaths who is not connected by blood, marriage, or employment to any candidate to be voted on in the election (§ 126.160 as amended Chap. 189, L. 1964).

(3) Procedure in voting ballot—When the absentee voter receives the ballot and the two envelopes he should go before anyone authorized by law to administer oaths who is not connected by blood, marriage, or employment to any candidate to be voted on in the election (§ 126.230, as amended Chap. 189, L. 1964).

The voter shall subscribe the affidavit on the face of the envelope and in the presence of that officer and no one else, mark the ballot but in such a way that no one knows how it is marked. The voter shall then fold the marked ballot, place it in the envelope, seal the envelope, place it in the outer envelope and seal it and write his name across the face of the outer envelope and mail it at once to the county clerk (§ 126.230, as amend. Chap. 180, L. 1964).

Ballots must be received by the county court clerk prior to the closing of the polls on election day (§ 126.250).

Any absent voter who returns to his place of residence by election day may vote in person provided he has not sent in his absentee ballot. If he elects to vote in person he must return his absentee ballot unmarked to the county court clerk who sent it to him (§ 126.290).

III. Military and other voters in special categories

(1) Who are included in this category—"United States Service" means members of the armed forces while in the active service, and their spouses and dependents residing with them; members of the Merchant Marine of the United States and their spouses and dependents residing with them; civilian employees of the United States in all categories and their spouses and dependents when residing with or accompanying them, whether or not the employee is subject to the civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by Congress; members of religious groups or welfare agencies assisting members of the armed forces who are officially attached to and serving with the armed forces and their spouses and dependents residing with them (§ 126.140 as amend. Chap. 189, L. 1964).

(2) Registration—Registration is required but persons in this category will be registered automatically if their application for absentee ballot is accepted.

Any member of this special class while on extended duty may register not later than 20 days before the election provided he possesses the necessary qualifications (§ 117.615 as amended Chaps. 142 and 189, Laws 1964).

Application by person absent from the county of his residence shall be signed and sworn to by the applicant before anyone authorized by law to administer an oath.

(KRS, a new section added by Chap. 189, L. 1964).

Upon receipt of an application for an absentee ballot, if the county court clerk finds the applicant is not registered but is entitled to be registered, he shall mark the records "Absentee Registration". Such registration may be made not later than 20 days before the election. Any person who has been registered in this way is required to reregister in person upon his first return to the county of his residence at a time the books are open.

The oath required of a members of the United States services may be administered and attested to by any commissioned officer in the active service of the armed forces, or any member of the merchant marine of the United States designated for this purpose, or any civilian official empowered by the state or federal law to administer oaths (§ 126.170 as amended Chap. 189, L. 1964).

(3) Absentee voting—Not less than 20 days before the election should apply in writing and by mail to the clerk of the county court of the county of residence for an absentee ballot. The application may be in the form prescribed in the Kentucky Statutes (KRS 126.160) or on a FPCA (§ 126.150 as amended Chap. 189, L. 1964).

Application for absent voter's ballot shall be signed and sworn to by the absent voter before anyone authorized by law to administer an oath provided neither the person so authorized, nor his deputy or employee nor anyone for or with whom he works or with whom he is related by blood or marriage is a candidate to be voted for at the election (§ 126.160 as amended Chap. 189, L. 1964).

The oath required of a member of the United States service may be administered and attested by any commissioned officer in the active service of the armed forces, or any member of the merchant marine of the United States designated for this purpose, or any civilian official empowered by a state or federal law to administer oaths (§ 126.170 as amended Chap. 189, L. 1964).

An absentee ballot may be voted by one who will be at least 18 years of age on the day of the election (§ 126.210 as amended Chap. 189, L. 1964).

When the absent voter receives the ballot and two envelopes, he shall go before any one authorized by law to administer oaths provided neither the person so authorized nor his deputy or employee or anyone for or with whom he works or with whom he is related by blood or marriage is a candidate to be voted for at the election and before him make and subscribe to the affidavit on the face of the envelope and shall in the presence of such officer, and no one else, mark the ballot so as to indicate the way he desires to vote, but in such manner that the officer does not know how he voted. The voter shall then fold the ballot and enclose it in the inner envelope and seal said envelope and enclose it in the outer envelope, then seal and write his name across the face of the outer envelope and at once mail it to the county court clerk (§ 126.230 as amended Chap. 189, L. 1964).

LOUISIANA

(References unless otherwise indicated are to West's Stats. Ann. 1950 and 1966 Supp. T. 18, and to Constitution of 1921, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year, of the parish 6 months, and of the municipality for municipal elections 4 months, and of precinct 3 months (Const. Supp. Art. VII § 1; Stats. Supp. § 31).

(a) Removal from one precinct to another in the same parish shall not operate to deprive any person of the right to vote in the precinct from which he has removed until 3 months after such removal; provided that removal from one parish to another shall not deprive any person of the right to vote in the parish from which he has been removed for district officers to be elected in a district which includes the parish to which he has removed or for state officers whether the parish be in the same district or not, until he shall have acquired the right to vote for such officers in the parish to which he has removed (Const. Supp. Art. 8 § 1);

For the purpose of voting, no person shall be deemed to have gained a residence by reason of his presence, or to have lost it by reason of his absence, while employed in the service, either civil or military, of this state or of the United States; or while engaged in the navigation of the waters of this state or the United States or of the high seas; or while a student at any institution of learning (Const. Art. 8 § 11).

(b) Special residence requirements for presidential elections only: None.

II. Absentee voting

(1) Who may vote absentee—Persons outside the parish of voting residence may vote absentee in any primary, special or general election (Supp. § 1071).

(2) Applying for absentee ballot—Application in writing should be made to the clerk of the district court of the parish of his voting residence for an official ballot. Application by mail should be made during the period beginning 60 days before an election and ending 7 days before the election. Application in person should be made not more than 19 days nor less than 6 days before election. Applications for absentee ballots must be postmarked outside Louisiana and must request that the ballot be mailed to a person outside the state except that for members of the Armed Forces and students at institutions of higher learning in Louisiana and their spouses and dependents requests may be postmarked and ballots sent in Louisiana (Supp. § 1073 A).

(3) Procedure in voting ballot—Beginning 30 days prior to the election the clerk of the court will mail out absentee ballots. If application is made in person, the clerk of the court or civil sheriff in the parish of Orleans will hand the elector a ballot. The elector will then vote his ballot in secret, marking it with a pencil containing black lead.

He shall then fold it and place it in an envelope provided for this purpose. After the voter has sealed the envelope he shall subscribe to the affidavit before any officer authorized to administer oaths (Supp. § 1074).

Those voters who receive absentee ballots by mail should fill in the blank spaces in the affidavit contained in the flap of the envelope and sign it in the presence of any officer authorized to administer oaths. The voter shall exhibit the unmarked ballot to the attesting officer and shall thereupon in the presence of the officer and of no other person and using a pencil containing black lead mark the ballot in such a way that the officer cannot see how it is marked. The ballot shall then in the presence of the officer be folded by the voter and deposited in the affidavit envelope. This envelope should be sealed and placed in the carrier envelope addressed to the clerk of the court of the parish or the civil sheriff of the parish of Orleans. The voted ballots must be received in sufficient time to enable the officials to deliver them to the appropriate voting precinct (Supp. § 1074).

III. Military and other voters in special categories

(1) Who are included in this category—For voting purposes, "United States service" means: Members of the Armed Forces while in active service and their spouses and dependents; members of the Merchant Marine and their spouses and dependents; civilian employees of the United States in all categories serving outside the territorial limits of the United States and their spouses and dependents when residing with or accompanying them, whether or not the employee is subject to civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by Congress; members of religious groups or welfare agencies assisting members of the Armed Forces who are officially attached to and serving with the Armed Forces and their spouses and dependents (Supp. § 1071).

(2) Registration—Registration is required and must be made in person. A registrant whose name appears on the polls of a parish containing cities of 300,000 population or more who is on active military duty as a member of the army, navy, marine corps or coast guard of the United States is allowed 60 days from the date of mailing by the registrar of a notice to show cause why his name should not be canceled from the registration records to request reinstatement.

This request may be made by mail. These provisions also apply to the spouse of a member of the Armed Forces if such spouse is present and resides with such member at or near his place of military duty (Supp. § 240).

(3) Absentee voting—Any registered voter in United States service and his spouse and dependents may apply by mail and vote absentee ballot whether absent from this State or not on election day (Supp. §1071 C).

Application by mail may be made on FPCA to clerk or court or civil sheriff in parish of Orleans not more than 60 days nor less than 7 days before election. Application may be made in person not more than 19 days nor less than 6 days before election (Supp. § 1073).

Upon receipt by the absent voter of the envelope containing the ballot he shall completely fill in the blank spaces in the affidavit contained on the flap of the envelope and shall sign it in the presence of any officer authorized to administer oaths. The voter shall exhibit the unmarked ballot to the attesting officer and shall thereupon, in the presence of the officer and of no other person and using a pencil containing black lead, mark the ballot in such manner that the officer cannot see or know how the ballot is marked, unless assisted as herein provided. The ballot shall then in the presence of the officer be folded by the voter, and in the presence of the officer be deposited in the envelope on the flap of which the affidavit appears. The fact that the absent voter has marked his ballot and enclosed it in the proper envelope and has executed the affidavit shall be certified to by the attesting officer upon the envelope, as indicated thereon. The envelope shall be securely sealed and, if application was made by mail, shall be enclosed in the envelope addressed to the clerk of the court of the parish of Orleans wherein the absentee voter is registered, which likewise shall be sealed.

The envelope containing the enclosures shall be returned by the voter to the officer issuing the ballot within sufficient time to enable the officials to deliver it to the special deputies appointed to deliver the election paraphernalia to the commissioners at each voting precinct (Supp. 18:1074).

MAINE

(References, unless otherwise indicated, are to Rev. Stats. Ann. 1964 and 1967 Supp., Title 21 and to Constitution of 1820, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 6 months next preceding any election, 3 months in city, town or plantation (Const. Supp. Art. II, § 1; Stats. Title 21, § 241.4).

(a) Persons in the military, naval or marine service of the United States, or of this State, shall not be considered to have obtained an established residence by reason of being stationed in any city, town or plantation (Const. Supp. Art. II, § 1; Stats. § 242.4).

The residence of a student at any seminary of learning shall not entitle him to the right of suffrage in the city, town, or plantation where such seminary is established (Const. Supp. Art. II, § 1; Stats. § 242.4).

No person shall be deemed to have lost his residence in this State by reason of his absence from the State in the military service of the United States or of this State (Const. Supp. Art. II, § 1).

"Resident" and "residence" refer to domicile (Stats. T. 21, § 1.35).

For statutory rules for determining residence for voting purposes see § 242.

A married woman may be deemed to have a residence separate from that of her husband for the purpose of voting. Her residence for this purpose is determined as if she were single (§ 242). However, the nonresident wife of a resident serviceman must meet the 6 months requirement before she can become a qualified voter in Maine and if she does not reside in Maine at any time, she cannot become a qualified voter merely by virtue of marrying a Maine voting-resident serviceman (1963–64 Atty. Gen. Rept. 93).

A person who has a voting residence may elect to retain it while he is an employee of a federal agency where he is required to reside on land ceded to the Federal Government by this State, while he is a patient in a Federal institution, and while on duty as a member of the armed forces and national guard (§ 242).

(b) Special residence requirements for Presidential elections only: Maine has adopted the Uniform Voting By New Residents In Presidential Elections Act, 21 M.R.S.A. §§ 281–319.

An otherwise qualified person who cannot meet the usual 6 months residence requirement to vote may vote in presidential election only if he applies on or before 30 days before the election by submitting an affidavit executed before the municipal clerk. Registration is not required for this type of voter. The municipal clerk will mail a duplicate of the affidavit to the appropriate official in the state where applicant last resided (§ 313).

If satisfied that the application is proper, the municipal clerk will deliver to the applicant a ballot for presidential and vice-presidential electors not sooner than 15 days nor later than 1 day prior to the election (§ 315).

The applicant upon receiving the ballot shall mark it in the presence of the municipal clerk but in such manner that the official cannot know how it is marked. The voter shall then fold the marked ballot and place it in the envelope furnished for this purpose; seal the envelope and place it in a carrier envelope. The voter shall sign the certification on the envelope and deliver the sealed envelope to the municipal clerk (§ 316).

II. Absentee voting

(1) Who may vote absentee—A voter who is unable to cast his ballot in the municipality in which he is registered to vote because of: absence from the municipality during the time the polls are open on election day; physical incapacity not adversely affecting his soundness of mind; religious beliefs which prohibit his doing so; unreasonable distance from the polls if he is a resident of a township. A person who is serving a sentence in jail or a penal institution is not an absentee voter (§ 1.1).

(2) Applying for absentee ballot—A completed application signed by the applicant requesting an absentee ballot must be submitted to the clerk. The clerk will send or deliver an absentee ballot to the applicant or to a 3d person designated in the application (Supp. § 1253.2).

(3) Procedure in voting ballot—When an absentee voter is within the State, he must mark his ballot in the presence of one of the following officials: Justice of the Peace, notary public, clerk or deputy clerk of a municipality, dedimus justice or clerk of courts.

When the absent voter is outside the State, he must mark his ballot before any notary public having a seal, any diplomatic or consular official of the United States, the master of a United States registered vessel of 1,000 tons or more (Supp. § 1254.1).

Before marking the ballot the voter must show it to the official who shall examine it to be certain it is unmarked (§ 1254.2). There must be no communication between the voter and the official as to person or party for whom the voter is to vote (§ 1254.3).

The voter shall mark his ballot in such a way as to make it impossible for anyone to see how he voted. He shall then seal the ballot in the return envelope and complete the affidavit on the envelope in the presence of the official; who shall subscribe his name, note his title and affix his seal if a notary public (Supp. § 1254.4).

The voter shall then complete the address on the envelope and mail or deliver it personally or by agent to the clerk of the municipality of which he is a resident (§ 1254.5).

A voter who is unable to mark his ballot because of physical incapacity may request one of the officials listed as an official in the first paragraph before whom an absent ballot may be voted to read the ballot to him and mark it for him according to his instructions. The same official may, at the voter's request, complete and sign the affidavit on the envelope (§ 1254.6).

In order to be valid, an absentee ballot must be delivered to the clerk before 3:00 p.m. on election day in a municipality having more than one voting district and in other municipalities before 5:00 p.m. on election day (§ 1255).

III. Military and other voters in special categories

(1) Who are included in this category—"Members of the armed forces" include: the Army, Navy, Air Force, Marine Corps, Coast Guard, their spouses and dependents, members of the Merchant Marine of the United States, except those employed in the inland waterways, their spouses and dependents; civilian employees of the United States serving outside the territorial limits of the United States, whether or not paid from appropriated funds, their spouses and dependents when accompanying them; and members of religious groups and welfare agencies serving with or accompanying the armed forces and their spouses and dependents (§ 1.16).

(2) Registration—Persons in this class may register at any time by: completing and filing with the registrar an application provided by the municipality stating the information necessary to show his qualification; completing and filing a FPCA; or a blood relative, former guardian or spouse may complete and file with the registrar an application form furnished by the municipality (§ 1302).

(3) Absentee voting—A written request for an absentee ballot from a member of the armed forces, his spouse, a blood relative or his former guardian is sufficient (§ 1306).

The ballot shall be marked in such a way as to make it impossible to see how it is marked. The voter shall seal the voted ballot in the envelope provided for this purpose and write his voting residence in the upper left hand corner of the return envelope, sign his name and have his signature certified as being that of the voter. The signature may be certified by any commissioned officer, noncommissioned officer not below the rank of sergeant or petty officer in the armed forces, or by any diplomatic or consular official of the United States. The voter shall then mail the envelope to the clerk of his municipality (§ 1307).

The ballot must be received by the clerk before 5:00 p.m. on election day (§ 1309).

MARYLAND

(References unless otherwise indicated are to Ann. Code of 1957, 1967 Replacement Volume, 1967 Supp. Art. 33 (Chap. 392 Acts of 1967 repealed the former Art. 33) and to Constitution of 1867, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year preceding election; and of the Legislative District of Baltimore City or of the county 6 months next preceding the election.

(a) In case any county or city shall be divided into different electoral districts for the election of Representatives in Congress, Senators, Delegates or other officers, then he must be a resident of that electoral district 6 months preceding the election. A person who has acquired residence in the county or city entitling him to vote at that election shall be entitled to vote in the election district from which he removed until he shall have acquired a residence in the part of the county or city into which he has moved (Const. Art. I, § 1).

The General Assembly is charged with the duty of enacting laws to punish those who move into an election district or precinct of any ward in the City of Baltimore not for the purpose of acquiring a bona fide residence but to vote in the election (Const. Art. I § 4).

A person who is in the special military category see "MILITARY AND OTHER VOTERS IN SPECIAL CATEGORIES" post, shall be deemed and held to have resided continuously in the precinct in which he resided at the time he first left to become absent and engaged in such service for the entire period he has been so absent and engaged (§ 3–7).

*(b) Special residence requirements for presidential elections only: Maryland has adopted the Uniform Voting By New Residents—see Presidential Elections Act Code Art. 33, §§ 288–301.

A person who is qualified to vote in all respects except for residence may vote for presidential and vice presidential electors and for no other officers if he has resided in the ward of election district at least 45 days next preceding the election (§ 28–1).

A Registrar of New Resident Voters shall be available in every county during normal working hours of the board of election supervisors during the period 25 days preceding any general presidential election (§ 28–2).

The application shall be in the form of an affidavit executed before the registrar (§ 28–3).

The registrar shall mail to the appropriate official of the state in which the applicant last resided a duplicate of the application (§ 28–4).

If satisfied that the applicant is qualified to vote the registrar shall give him a ballot for presidential and vice presidential electors (§ 28–6).

The applicant shall mark the ballot forthwith in the presence of the registrar but in such manner that he shall not know how it is marked. The applicant shall fold the ballot and deposit it and seal it in an envelope supplied for this purpose.

This envelope shall be placed by the voter in a carrier envelope which shall then be sealed. The voter shall sign the certification on the carrier envelope and give it to the registrar (§ 28–7).

II. Absentee voting

(1) Who may vote absentee—The following qualified voters may vote absentee in all elections except municipal elections: those who may be unavoidably absent from the state for any reason on election day; who as a condition of their employment may be required to be absent a distance of more than 75 miles from their place of residence on election day; are full-time and regular students in a bona fide school, college, hospital or similar institution and who are unavoidably absent from the county or Baltimore City where they are registered to vote; ill and disabled persons who submit a certificate from a duly licensed physician attesting to the voters' inability to go personally to the polls to vote (§§ 27–1 to 27–3).

(2) Applying for absentee ballot—Application for absentee ballot must be made in writing and must be received by the appropriate election board not later than 10 days before the election (§ 27–4).

Printed forms for this purpose will be supplied by the election boards (§ 27–5).

The applicant must complete the affidavit and acknowledge it before certain designated members of the boards of elections, notary public or other officer authorized to administer oaths, including any person authorized by federal law to administer oaths (§ 27–4).

If physical disability is alleged to be the reason for absent voting, a medical certificate must be attached to the affidavit (§ 27–5 (2)).

(3) Procedure in voting ballot—Follow the printed instructions which are supplied with the ballots. The ballot may be marked either with pencil or ink. It must be marked secretly and then placed by the voter in the ballot envelope which shall then be sealed by the voter. After sealing the envelope, the voter must then in the presence of a witness fill in the blanks in the "Oath of Absentee Resident" and sign the oath before the witness who must fill in his name, date and position. The witness must be a notary public or other person authorized to administer oaths.

The ballot envelope must then be placed in the return envelope which should then be sealed and mailed. It must be received by the appropriate Board of Supervisors of Elections not later than the closing of the polls on election day (§ 27–8).

In any election other than a primary, write-in votes are permitted (§27–8(f)).

There are special provisions for assistance in voting for those voters who are blind physically disabled (§ 28–8(h)).

III. Military and other voters in special categories

When the election law was re-written in 1967, the provisions which had theretofore been in Art. 33 at sections 242–266 under the heading "Servicemen's Absentee Voting" were apparently deleted. However, special provisions are made in the 1967 law with respect to registration formalities. The new law does not appear to specify whether a FPCA will be accepted as an application for an absentee ballot.

(1) Who are included in this category—Members of any branch of the armed forces of the United States or any component thereof, including those honorably discharged therefrom within 30 days prior to the last registration day prior to an election and his spouse or children; person employed as an officer or member of the crew of any vessel documented under the laws of the United States or enrolled for such employment with the federal government and his spouse and children; a civilian employee of the United States in all categories serving outside the United States whether or not paid from funds appropriated by Congress and his spouse and children; any person serving with the American Red Cross, the Society of Friends, and Women's Auxiliary Service Pilots, and the USO who is attached to or serving with the Armed Forces of the United States outside the United States and his spouse and children.

(2) Registration—Registration is necessary but persons in this category may register by casting an absentee ballot (§ 3–7 (b)).

A person is deemed to have resided continuously in the precinct in which he resided at the time he first left to become absent and engaged in such service for the entire period he has been so absent and engaged (§ 3–7 (b)).

No person's name will be removed from the registry during his service in the Armed Forces of the United States (§ 3–19).

(3) Absentee voting—Any voter who may be unavoidably absent from the State for any reason on election day and any voter who as a condition of his employment may be required to be absent at a distance of greater than 75 miles from his place of residence on election day may vote by absentee ballot (§ 27–1 (a), (b)).

For the procedure to be followed to procure a ballot and vote it, see the discussion earlier under the heading "(VI) Absentee voting".

MASSACHUSETTS

(Unless otherwise indicated, references are to Gen. L. Ann. 1958 and 1966 Supp. Chap. 51 to 53 and to Constitution of 1780, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year* and within the town or district 6 months next preceding the election (Const. Amend. Art. III; Gen. L. Chap. 51 Supp. § 1).

(a) No person otherwise qualified to vote shall be disqualified from voting in the town from which he has removed until after 6 months provided the new residence is also in Massachusetts (Const. Amend. Art. XXX; Gen. L. Chap. 51 Supp. § 1).

*(b) Special residence requirements for presidential elections only: A person who has resided in Massachusetts less than 1 year but who will have resided therein and in the city or town where he claims the right to vote not less than 31 days next preceding the presidential election, or a person not in active military service who lives on land within Massachusetts purchased by or ceded to the United States Government and who will have resided there not less than 31 days next preceding such election may vote in the presidential election (Chap. 51 Supp. § 1A).

No application under these provisions will be received between 10 p.m. on the 32nd day preceding and the day following and election at which Presidential electors are to be chosen (Chap. 51 § 26).

The applicant must complete and swear to the application supplied by the registrar of voters in the city or town of residence. Except in the case of those living on federal reservations, the registrar will send a duplicate of the application to the appropriate election official of the state of applicant's former residence (Chap. 51 Supp. § 1A). Applicants must be able to pass the literacy test (Chap. 51 Supp. § 46).

Those who will be 21 years of age by election day may apply to vote (Chap. 51 Supp. § 46).

II. Absentee voting

(1) Who may vote absentee—Any voter who during the hours that the polling places are open on the day of the biennial election is absent from the city or town where he is a voter by reason of his employment or for any other reason, or who because of physical disability is unable to cast his vote in person (Chap. 54 § 86). Not entitled to vote by absentee ballot is any voter in a penal institution under sentence (Chap. 54 § 86).

Application for such ballot should be made in writing on the form furnished by the state secretary or by the city or town clerk (Chap. 54 § 89).

Members of Peace Corps may vote by absentee ballot.

(2) Applying for absentee ballot—Application for an absentee ballot must be received in the office of the city or town clerk or the registrars of voters before noon on the day preceding the election (Chap. 54 § 89).

(3) Procedure in voting ballot—The voter shall mark the ballot in the presence of an official authorized by law to administer oaths and no other person if he marks it in a place other than where he is registered, or if he applied because of disability he may mark the ballot in any municipality, or if on the high seas may mark the ballot in the presence of the city or town clerk and of no other person, in the municipality where he is registered.

The voter shall mark the ballot and enclose and seal same in the envelope provided for this purpose and execute the affidavit thereon before the designated official. He shall then place this in the carrier envelope and mail it to the clerk of his place of residence (Chap. 54 § 92).

The voted ballot must be mailed or delivered on or before the day of the election (Chap. 54 § 93).

III. Military and other voters in special categories

(1) Who are included in this category—"Federal service personnel" includes persons on active service of the Armed Forces or Merchant Marine of the United States, civilian employees of the United States serving outside the territorial limits of the United States, and spouses, parents or children of, and accompanying or being with, such persons and having the qualifications entitling them to register in the same election district (Chap. 54 § 103B).

(2) Registration—Registration is required but special provisions are made for registering persons in this category.

Any legal resident of the Commonwealth who is included in the definition of "Federal service personnel" and who has the qualifications for voting but who is not currently registered may be qualified upon the personal application of a registered voter of the Commonwealth who is kindred of such resident (Chap. 54 § 103J).

"Kindred" includes a spouse, father, mother, sister or brother of the whole of half blood, son, daughter, adopting parent or adopted child, step-parent or step-child, uncle, aunt, niece or nephew (Chap. 54 § 103B).

Such application may be made not less than 32 days before a state election or 20 days before a city or town election at any time during regular business hours or at sessions held for the purpose of registering voters for such election.

(3) Absentee voting—If the registrars certify that the applicant has all the qualifications except the ability to sign his name and read, he shall be entitled to an absentee ballot, but before the ballot is marked the officer before whom it is marked shall require the voter to sign his name and to read (Chap. 54 § 103J).

Those under 21 but who will be 21 by election day may vote absentee ballot (Chap. 54 § 103).

Ballot should be voted as indicated for civilians but any soldier, sailor or marine without the United States may substitute for the required jurat and transmit with the sealed ballot a written statement in such form as the state secretary shall prescribe setting forth the facts required made by one of his superior officers of a rank in the army higher than a first lieutenant and in the navy higher than a lieutenant of the second grade (Chap. 54 § 101).

MICHIGAN

(Unless otherwise indicated, references are to Comp. L. Ann. 1967 revision and 1967 Supp. and to Constitution of 1964.)

I. Residence

To Vote One Must Be:

A resident of the state 6 months* and of the city or township at least 30 days prior to election (Const. Art. 2 § 1; Comp. L. § 168.492).

(a) Residence is defined in the statutes at §§ 168.11 and 168.758. Special provision is made for former residents of Michigan presently residing in the District of Columbia or former residents serving in the United States Army, Navy, Merchant Marine, Marine Corps or Air Force (§ 168.758).

(b) Special residence requirements for presidential elections only: A citizen of the United States above the age of 21 may vote by absentee ballot for President and Vice President if (1) he has removed from a place in the United States or its possessions to this state, was qualified to vote for President and Vice President at the time of his removal but is no longer qualified to vote in that place, has resided in Michigan less than 6 months and in the city or town in Michigan for not less than 30 days prior to the election, or (2) if he has removed from Michigan to another place in the United States or its possessions, was a qualified and registered voter in Michigan at the time of his removal and cannot yet qualify in the place of his present residence (§ 168.758a (1)).

Application for a presidential ballot must be made by a new resident in person to the clerk of the city or township of present residence not later than 2 p.m. on the Saturday immediately prior to the election. An application for a presidential ballot must be made by a former resident in writing on a prescribed form and mailed so as to reach the city or township clerk of his last place of residence in Michigan not later than 2 p.m. of the Saturday immediately prior to the election. It must include a certificate from the voting officer of the place of present residence stating that applicant cannot vote there because of failure to meet residence requirements (§ 168.758a).

II. Absentee voting

(1) Who may vote absentee—The following may vote by absentee ballot: any qualified elector who on account of physical disability is unable to attend the polls; because of the tenets of his religion cannot attend the polls on the day of an election or a primary; because his duties as an election precinct inspector take him to another precinct; who is 70 years of age or more; who, unless confined in a prison or jail expects to be absent from the town or city of residence during the entire period the polls are open for voting on the day of the election or primary (§ 168.758).

(2) Time to apply for absentee ballot—At any time during the 75 days preceding any primary or election, but not later than 2 p.m. of the Saturday prior thereto, may apply for absentee ballot either in person or by mail. Application may be in the form of any writing, or on application forms provided by the clerk or the city, town or village, or on a federal post card application and must be signed by the applicant (§ 168.759).

In addition, any registered elector who becomes physically disabled or shall be absent from the city or town because of sickness or death in the family at a time when he could not meet the regular deadline for applying for a ballot, may at any time up to 4 p.m. on election day file an emergency absent voter application (§ 168.759b). No applications may be received by the clerk after 2 p.m. on the Saturday prior to the election (§ 168.761).

(3) Procedure in voting ballot—The ballot should be marked in accordance with instructions thereon. Then the voter should fold the ballot so that the face of the ballot is not exposed and so that the numbered corner is visible. The ballot should then be placed in the envelope and the envelope sealed.

The statement printed on the back of the envelope should be executed and signed by the voter. The envelope should be mailed or delivered personally to the clerk before the opening of the polls on election day. The voted ballot must reach the clerk of the town, city or village in which the precinct is located in time to be deposited by him with the proper election board before the closing of the polls on election day (§ 168.764). The emergency absent ballots must be returned to the appropriate clerk in time to be delivered to the polls prior to 8 p.m. on election day (§ 168.759b).

III. Military and other voters in special categories

(1) Who are included in this category—Those in this category include any civilian employee of the Armed Service of the United States outside of the United States or any member of his immediate family outside the United States, or any member of the Armed Services of the United States or member of his immediate family who is a qualified elector of any city or township of this state.

(2) Registration—For persons in this category, registration is necessary but may be accomplished at the same time as applying for absent ballot. The clerk will send both the form for absent ballot and registration form. Both the application for registration and the executed absentee ballot must be received before the close of the polls on election day (§ 168.759a).

(3) Absentee voting—Same as for other voters, see (VI) (3) above.

MINNESOTA

Unless otherwise indicated, references are to Stats. Ann. (1962 revision) and 1967 Supp., and to Constitution § 1857, as amended.

I. Residence

To Vote One Must Be:

A resident of the state 6 months, in the precinct 30 days next preceding the election (Const. Supp. Art. VII § 1).

(a) For purposes of voting, no person shall be deemed to have lost a residence by reason of his absence while employed in the service of the United States; nor while engaged upon the waters of this State or of the United States; nor while a student in any seminary of learning; nor while kept at any almshouse or asylum; nor while confined in public prison (Const. Art. VII § 3). Statutory rules for determining residence are set forth at § 201.26.

(b) Special residence requirements for presidential elections only: Minnesota has adopted the Uniform Voting By New Residents In Presidential Elections Act, U.S.A. § 208.21 et seq.

A citizen who possesses all the other requirements to vote except residence and, where required, registration, may vote for electors for President and Vice President and for no other officer (Supp. § 208.21).

Such a person is not required to register but he must, not less than 30 days prior to the election, make an application in the form of an affidavit executed by him in the presence of the county auditor (Supp. § 208.22). The county auditor shall send a duplicate of this affidavit to the appropriate election of the state of applicant's former residence (Supp. § 208.23).

An application will be accepted from one who will be at least 21 years of age on election day (Supp. § 208.22).

If satisfied that applicant is qualified to vote in Minnesota, the county auditor shall deliver to him not sooner than 15 days later than 1 day to the election a ballot (Supp. § 208.24).

The applicant upon receiving the ballot shall mark it the same way as prescribed for absentee voting, shall enclose the marked ballot in a carrier envelope which he shall then seal. He should then sign the certification on the envelope (Supp. § 208.25).

II. Absentee voting

(1) Who may vote absentee—Any person entitled to vote in any general election, any primary, any city election, or any village or town election where the Australian Ballot System is used, who is absent from his precinct on the day such election is held, or who, because of illness or physical disability or because of religious discipline, is unable to go to the polling place on election day, may vote by mail (Supp. § 207.02).

(2) Time and place to apply for a ballot—At any time not more than 45 days nor less than 1 day before the election the voter should apply in writing subscribed by him to the auditor of the county in which he is a resident for absentee ballots (Supp. § 207.03).

(3) Procedure in voting ballot—The voter shall mark the ballot in the presence of a notary public, United States Postmaster, Assistant United States Postmaster, postal supervisor, clerk in charge of contract postal station, or any officer having authority to administer an oath or take an acknowledgement. The voter shall exhibit the unmarked ballot to such person and then in his presence but in such manner that the official will not know how the ballot is marked, the voter shall mark the ballot, fold it and place it in the "Ballot Envelope" and seal the envelope. The voter should then sign his name on the back of the "Return Envelope" and seal the "Return Envelope." The voter should deposit the Return Envelope in the mail in the presence of the attesting witness or have the witness do it for him (Supp. § 207.08).

The ballots must be received by the judges of election at the voter's polling place before the polls close on election day (Supp. § 207.08 (8)).

III. Military and other voters in special categories

(1) Who are included in this category—Any member of the "armed forces" which includes Army, Navy, Air Force, Marine Corps, Coast Guard, Merchant Marine, American Red Cross, Society of Friends, Women's Auxiliary Pilots, Salvation Army, USO and all other persons connected in any capacity with the Army or Navy of the United States including all civilian employees of the United States Government outside the United States or the spouses or dependents of such persons if actually accompanying such persons and residing with them (§ 207.18).

(2) Registration—Registration is required but may be made simultaneously with the request for absentee ballot. Registration for the primary and general elections may be made by or for any member of the armed forces over 21 years of age or who will attain the age of 21 years on or before the primary or election.

Registration may be made by the member of the Armed Forces for himself or may be made by his parent, spouse, brother, sister, or child over 18 years of age by filing in the office of the county auditor of the county of residence by filing a written application for absentee ballot signed and sworn to (Supp. § 207.19). Application for registration may be made at any time (§ 207.27).

(3) Absentee voting—Application for absentee ballot may be mailed at any time before election by persons in this category. The required affidavit must be executed before a commissioned officer, a warrant officer or non-commissioned officer not lower than the grade of sergeant or its equivalent, or any other person authorized to administer oaths (§ 207.21).

Executed ballots must be received by the county auditor before the closing hours of the polls (§ 207.23).

MISSISSIPPI

Unless otherwise indicated, references are to Code of 1942 Annotated recompiled and 1966 Supplement and to Constitution of 1890, as amended.

I. Residence

To Vote One Must Be:

A resident of the state 2 years and 1 year in the election district.

(a) A minister of the gospel in charge of an organized church and his wife residing with him may vote after 6 months residence (Const. Art. § 241; Code Supp. § 3235).

(b) Special residence requirements for presidential elections: None.

II. Absentee voting

(1) Who may vote absentee—There are no general provisions for voting absentee by mail except for members of the military on active service.

There is so-called "absentee" voting by persons engaged in the transportation service as an actual driver, operator or crewman employed by an authorized common carrier in interstate commerce and whose employment necessitates his absence from the county of his voting residence at the time of a primary or general or special election (Supp. § 3203–11).

(2) Applying for absentee ballot—These persons may not more than 10 nor less than 2 days prior to the election apply in person to the Circuit Clerk of the county in which he resides for an official ballot (Supp. § 3203–12).

(3) Procedure in voting ballot—Upon receiving the ballot, the voter shall mark it in the clerk's office in secret and then place it in an envelope given to him by the clerk and seal the envelope and subscribe the affidavit on the back of the envelope and give the envelope to the clerk (Supp. § 3203–13).

III. Military and other voters in special categories

(1) Who are included in this category—The term "absent voter" includes any citizen of Mississippi who is a member of the United States Army, Navy, Air Force, or any division of the Armed Services; member of the Merchant Marine and American Red Cross; disabled war veteran who is a patient in a hospital; civilian attached to and serving outside the United States with any branch of the Armed Forces or Merchant Marine or American Red Cross; wife of any of foregoing who is absent from the state with her husband.

(2) Registration—Persons in this category must be registered but may register by mail. May obtain from the registrar of the county of residence a registration application to be completed by the applicant and subscribed by him before an officer of the Armed Forces, Merchant Marine, constituted authority or officer authorized to administer oaths. The voter must be registered at least 4 months before the election in which he desires to vote (§ 3196–06).

(3) Procedure in voting ballot—The absent voter, upon receipt of the absent ballot, shall go before a commissioned officer of the Armed Services, or before some other constituted authority or officer authorized to administer oaths and shall present his unmarked absent ballot and shall then vote the ballot and shall then vote the ballot before the officer, but in secret, place the marked ballot in the envelope provided for this purpose, seal the envelope and fill out and sign the printed form of oath and the officer administering the oath shall then sign the attestation clause on the envelope and the certificate of oath (§§ 3196–09, 3196–10).

The absentee voter shall then mail the envelope bearing the marked ballot to the person designated for delivery in the affidavit which the voter completed on the ballot envelope. The person so designated must deliver the ballot envelope still sealed to one of the managers of election between the opening and closing of the polls on election day (§ 3196–11).

MISSOURI

(References, unless otherwise indicated, are to Vernon's Ann. Mo. Stats. (1966 rev.) and 1967 and to Constitution of 1945; as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year* and the county, city or town 60 days next preceding the election (Const. Supp. Art. 8 § 2; Stats., see citations cited under (1)).

(a) Occupants of soldiers' and sailors' homes may acquire a voting residence in Missouri (Const. Supp. Art. 8 § 2).

For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while engaged in the civil or military service of this state or of the United States, or in the navigation of the high seas or the waters of the state or of the United States, or while a student of any institution of learning or kept in a poorhouse or other asylum at public expense or confined in a public prison (Const. Art. 8 § 6).

*(b) Special residence requirements for presidential elections only: A citizen who has resided in this state at least 60 days but less than 1 year who is otherwise qualified to vote may vote for presidential and vice presidential electors but no other officers (Const. Supp. Art. 8 § 2; Stats. § 111.063).

Such persons are not required to register but must make application in person to the county clerk, city clerk, or election authority of the county in affidavit form signed in the presence of the election authority (§ 111.065 (1)).

If satisfied that the application is in order, the election official shall give the applicant a ballot. The voter shall mark the ballot in the official's presence but in such a way that he will not know how it is voted. The voter shall then fold the ballot and hand it to the official who shall deposit it in a special ballot box for this purpose (§ 111.065(2)).

II. Absentee voting

(1) Who may vote absentee—Any duly qualified elector who expects to be absent from the county of his voting residence on election day or who through illness or physical disability expects to be unable to go to the polls (§ 112.010).

(2) Time to apply for ballot—Within 30 days next before the election may apply in person or by mail to the county clerk or the board of election commissioners as the case may be (§ 112.020).

Application may be made on blank furnished by election official or in any other writing (§ 112.030).

(3) Procedure in voting ballot—The voter shall make and subscribe to the affidavits provided on the return envelope for the ballot before any officer authorized by law to administer oaths; the voter shall exhibit the ballot to the officer unmarked and shall in the presence of the officer and of no other person mark the ballot in such a way that the officer does not know how it is marked. The voter shall then put the marked ballot in the envelope supplied for this purpose and seal the envelope. The officer shall sign the certificate on the envelope. The voter shall then mail the envelope to the officer who issued the ballot.

The voted ballot must bear a postmark not later than the date of the election and shall be delivered to the election official not later than 6 p.m. of the day after the day of the election (§ 112.050).

III. Military and other voters in special categories

(1) Who are included in this category—Any person who is a duly qualified elector of Missouri who is absent, or who expects to be absent, from the state or county of his voting residence on military or naval service; the wife of such person when residing with her husband; any member of the Merchant Marine of the United States, or of a religious or welfare organization assisting service men, a civilian employee of the United States Government outside the continental limits of the United States and the spouse of such persons when residing with her husband outside the continental limits of the United States assuming they are otherwise qualified.

(2) Registration—Not required for persons in this category (§ 112.310).

(3) Absentee voting—To obtain an absentee ballot to vote in a general, primary or special election, may apply on a FPCA or any other form of written request to county clerk or Board of Election Commissioners. If application is made to the Secretary of State it will be deemed an application to the appropriate election official.

The application may be made by the voter or by his father, mother, spouse or next of kin (§ 112.320).

The instructions accompanying the ballot should be followed. After the ballot has been marked, the declaration on the back of the envelope should be signed and the signature witnessed by any commissioned officer in active service of the Armed Forces, member of the Merchant Marine designated for this purpose or any civilian official empowered by state or federal law to administer oaths (§ 112.340).

MONTANA

(Unless otherwise indicated, references are to Rev. Codes of Mont. 1947 Ann. 1967 and to Constitution of 1889, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year and of the county 30 days immediately preceding the election.

(a) For the purpose of voting no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the State or of the United States, nor while engaged in the navigation of the waters of the State or of the United States, nor while a student at any institution of learning, nor while kept at any almshouse or other asylum at the public expense nor while confined in a public prison (Const. Art. IX, § 3).

No military person shall acquire a residence in the State in consequence of being stationed here at a military place (Const. Art. IX, § 6).

Statutory rules for determining residence are set forth at Code § 23–522.

(b) Special residence requirements for Presidential elections only—None.

II. Absentee voting

(1) Who may vote absentee—Any qualified elector who is registered and who is absent from the county or who is physically incapacitated from attending the precinct polls on the day of any general, special or primary election may vote absentee (§ 23–1301).

(2) Applying for absentee ballot—Application may be made at any time within the period beginning 45 days next preceding the day of election and ending at 12 noon on the day next preceding the election (§§ 23–1302(1) and (2)).

Application must be in writing and sworn to before a notary public (§ 23–1303). It may be mailed or delivered to the appropriate clerk (§ 23–1304).

(3) Procedure in voting the ballot—The voter upon receipt of the absentee ballot should make and subscribe to the affidavit on the ballot envelope before an officer authorized by law to administer oaths pursuant to the laws of the place of execution and the voter in the presence of such officer and of no other person shall mark the ballot in such manner as the officer will not know how it is voted and in the presence of the officer the voter shall place the ballot in the envelope provided for this purpose and seal the envelope. The officer shall then sign the end of the jurat and affidavit and the voter should mail the envelope to the appropriate city, county or town clerk (§ 23–1307).

The voted ballot must be received by the clerk of the county of residence by 12 noon on the day preceding the election (§ 23–1309).

III. Military and other voters in special categories

(1) Who are included in this category—"Elector in United States service" as used in the election law includes: members of the armed forces while in the active service and their spouses and dependents; members of the Merchant Marine of the U.S. and their spouses and dependents; civilian employees of the U.S. in all categories serving outside the territorial limits of the several states and the District of Columbia and their spouses and dependents when residing with or accompanying them whether or not the employee is subject to the civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by the Congress; members of religious groups or welfare agencies assisting members of the armed forces who are officially attached to and serving with the armed forces and their spouses and dependents (§ 23–1402).

(2) Registration—Registration is required but if the applicant is absent from the state and county of residence it may be made by mailing to the county clerk of county of residence a filled out and signed under oath FPCA (§ 23–1401). Such oath may be administered and attested, within or without the United States, by any commissioned officer in the active service of the armed forces or by any member of the Merchant Marine designated for this purpose or any civilian official empowered by state or federal law to administer oaths (§ 23–1404).

(3) Absentee voting—The county clerk will notify the voter as soon as he enters his name on the official register and will inform him that in order to secure a ballot he must mail at any time within 45 days next preceding the election another FPCA to the clerk of his county of residence (§ 23–1405).

The ballot should be voted in accordance with the accompanying instructions, see above (II) (3) with respect to procedure to be followed by civilians in voting ballots.

The voted ballot must be received by the clerk of county of residence by 12 noon on the day preceding the election (§ 23–1309).

NEBRASKA

(Unless otherwise indicated, references are to Rev. Stats. of Nebraska 1943, Reissue of 1960, and to the 1965 Cumulative Supplement and 1967 Supp. thereto and to Constitution of 1875, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 6 months, of the county 40 days and of the precinct, township or ward 10 days (Const. Art. VI, §1; Stats. §32–102).

(a) Rules for determing residence—No soldier, seaman, or marine in the Army or Navy of the U.S. shall be deemed a resident of the state in consequence of being stationed therein (Const. Art. VI, §4).

Residence is defined as that place at which a person has established his home, where he is habitually present, and to which when he departs he intends to return (§32–107). See also §32–475 for statutory rules for determing residence for purpose of voting.

Special residence requirements for presidential elections only—Nebraska has adopted the Uniform Voting By New Residents in Presidential Elections Act, R.S. 1963 Supp. §§32–1301 to 32–1314.

One who cannot meet the Nebraska residence requirements to vote but who has all the other necessary qualifications may apply to vote for President and Vice President (Supp. §32–1301).

Such persons are not required to register but at least 2 days before the election they should make an application in affidavit form executed in the presence of the county clerk or election commissioner (Supp. §32–1302).

The county clerk should immediately send a duplicate of the affidavit to the appropriate election official of the state of former residence (Supp. §32–1304).

If satisfied that the application is proper the county clerk shall deliver a ballot when available but not later than 2 days prior to the election (Supp. §32–1305).

The applicant shall mark the ballot in the presence of the clerk but in such manner that the official cannot know how the ballot is marked. He shall then fold the ballot in the clerk's presence and place it in the envelope furnished to him by the clerk and seal the envelope (Supp. §32–1306). The voter should then sign the certification on the envelope and give it to the clerk (Supp. §32–1306).

II. Absentee voting

(1) Who may vote absentee—Any qualified elector who because of physical disability cannot go to the polls on election day (§ 32–802) or who will be absent from the county of residence on election day (§ 32–803).

(2) Applying for absentee ballot—Apply in writing signed by the elector to the county clerk or election commissioner of county of residence not more than 90 days nor less than 2 days before the election for an absentee ballot (§ 32–803). If the election is a primary the voter must state his party affiliation (§ 32–803).

(3) Procedure in voting ballot—The absent

voter shall take the ballot to a county clerk, election official or any official having a seal and authorized to administer oaths by the laws of the place where the oath is administered (§§ 32–808, 32–813).

In the presence of that official and no other person, the voter should exhibit the unmarked ballot and then mark it but in such a way that the official will not know how it is marked, fold the ballot and hand it to the official who shall place it in the identification envelope and seal the same (§ 32–808).

The voter shall before the official subscribe and swear to the oath printed upon the identification envelope (§ 32–810).

The absent ballot must be voted not later than midnight of the day preceding election day. If delivered by hand it must be delivered to the county clerk or election commissioner on or before the day of election. If mailed, the envelope must bear a postmark not later than midnight of the day preceding election day, and must actually be received by the appropriate official not later than 10:00 a.m. of the 1st Thursday following election day (§ 32–812).

III. Military and other voters in special categories

Apparently Nebraska laws are considered to be so liberal that special provisions for those in military service are not needed.

§ 32–813 provides that necessary oaths may be subscribed before any commissioned officer, non-commissioned officer not below the rank of sergeant, or petty officer in the armed forces of the United States, or before a member of the Merchant Marine designated for this purpose.

NEVADA

Unless otherwise indicated, references are to Elections Laws 1966 (Title 24 NRS) and to Constitution of 1864, as amended.

I. Residence

To Vote One Must Be:

Continuously resided in this state 6 months and in the precinct 10 days next preceding the day of election (Const. Art. 2 § 1).

(a) No person may gain or lose a residence by his presence or absence while employed in the military, naval or civil service of the United States or of the State of Nevada or while engaged in the navigation of the waters of the United States or of the high seas, or while a student at any seminary or other institution of learning, or while an inmate of any public institution or public prison (Const. Art. 2 § 2; Stat § 293.497).

Statutory rules for determining residence are set forth in §§ 293.490; 293.493; 293.495; 293.497; 293.500.

(b) Special residence requirements for presidential elections only: None.

II. Absentee voting

(1) Who may vote absentee—Any registered voter, if he is, or expects to be (1) absent from the precinct or district in the county of his residence because of the nature of his vocation, business, or any other unavoidable cause; (2) unable because of illness or physical disability to go to the polling place; (3) is in the service of the United States; (4) the spouses and dependents of the foregoing (§ 293.313).

Absent voting is also provided in any precinct where there are not more than 20 voters registered (§ 293.213).

(2) Applying for absentee ballot—At any time before 5 p.m. on the Tuesday preceding the election may apply in person, by mail, telephone or telegraph to the clerk of the county for an absentee ballot (§ 293.315).

(3) Procedure in voting ballot—When an absentee voter receives his ballot he shall stamp and fold it in accordance with the accompanying instructions, deposit it in the return envelope supplied for this purpose, seal the envelope and affix his signature on the back of the envelope in the space provided therefor. The voter shall then mail the envelope (§ 293.330).

The voted ballot must be received by the appropriate county clerk before the close of the polls on election day (§ 293.317).

III. Military and other voters in special categories

(1) Who are included in this category—"Service of the United States" means the Armed Forces of the United States and the auxiliaries thereof, the United States Coast Guard, the Merchant Marine of the United States, civilian employment by the Federal Government beyond the boundaries of the State of Nevada, and religious groups and welfare agencies officially attached to and serving with the Armed Forces of the United States.

(2) Registration—An elector who has not registered to vote in the state or who has registered, but whose registration has been canceled, and who contemplates enlisting in, or has been inducted into, the Armed Forces of the United States may, at any time, appear before the county clerk of the county of his residence and register (§ 293.550).

Any elector of this state who is in the service of the United States and by reason thereof is beyond the boundaries of this state, and who has not theretofore registered, or whose registration has been canceled, may, at any time, request from the county clerk of his county of residence by mail, telephone, or telegram an affidavit of registration (§293. 553).

If the spouse of dependent of one who is in the service of the United States is an elector of Nevada but has not been registered, or his registration has been canceled, and such spouse or dependent is required by reason of **the elector's being in the service of the** United States to reside beyond the boundaries **of this state, the spouse or dependent may register in the same way as provided for** those in United States service (§ 293.555).

Armed Forces personnel must complete the form of affidavit required for registration before receiving an absent ballot (§ 293.320 2).

(3) Absentee voting—Apply for ballot before 5 p.m. of the Tuesday preceding the election (§ 293.315). Follow instructions and same procedure as is indicated above for civilians.

NEW HAMPSHIRE

(Unless otherwise indicated, references are to Rev. Stats. Ann. 1955 as set forth in New Hampshire Primary and Election Laws 1968 issued by the Secretary of State and to the Constitution of 1784, as amended.)

I. Residence

To Vote One Must Be:

An inhabitant of the state.

(a) Statutory definition of residence §§54: 8; 54:10.

(b) Special residence requirements for Preseidential elections only: No provision.

II. Absentee voting

(1) Who may vote absentee—Any voter who is absent from the city, town or place of voting residence on the day of the biennial election or who by reason of physical disability is unable to vote in person may vote absentee (§ 60:1).

(2) Applying for absentee ballot—No provision.

(3) Procedures in voting ballot—The voter should mark the ballot and place it in the envelope supplied for this purpose, seal the envelope and endorse thereon his name, address and voting place and shall mail or have it delivered to the appropriate city or town clerk (§ 60:6).

The voted ballot must be mailed or delivered to the appropriate county or city clerk in time to be delivered to the moderator at the proper polling place prior to the closing of the polls on election day (§ 60:7).

III. Military and other voters in special categories

(1) Who are included in this category—The term "armed services absentee" as used herein shall be construed to mean: (1) members of the Armed Forces while in active service at any time and their spouses and dependents when absent from voting residence on the day of the biennial election. The term "Armed Forces" shall include the United States Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, Public Health Service, and all regular and reserve components thereof; (2) members of the United States Merchant Marine at any time and their spouses and dependents when absent from the place of their voting residence on the day of the biennial election. Merchant Marine is defined; (3) civilian employees of the United States in all categories serving outside the territorial limits of the states and District of Columbia and their spouses and dependents when residing with or accompanying them; (4) members of religious groups or welfare agencies assisting members of the Armed Forces who are officially attached to and serving with the Armed Forces, and their spouses and dependents when residing with or accompanying them (§ 60:17).

(2) Registration—Such persons must be on the check-list but the receipt of the voted absentee ballot in the envelope on which is printed the affidavit, if properly executed, shall be prima facie evidence of the voter's qualifications to become a voter and his name shall be added to the check-list (§ 60:23).

(3) Absentee voting—Application for absentee ballots may be made in any form to the Secretary of State by the absent voter or anyone on his behalf provided his name, service organization, service address and legal residence are given (§ 60:19).

When he receives the ballot, the voter shall display the unmarked ballot to any official authorized by law to administer oaths or to any commissioned officer, non-commissioned officer, or petty officer, in the Armed Forces of the United States, any member of the United States Merchant Marine designated for this purpose, any civilian official empowered by state or federal law to administer oaths (§§ 60:21; 60:16).

The voter shall mark the ballot in the presence of that official and no one else in such a way that the official will not know how it is marked. The voter will then enclose the marked ballot in the envelope supplied for this purpose and seal the envelope. The voter will then execute before the official the affidavit on the envelope and then will place the envelope in the return mailing envelope, endorse thereon his name and voting place and mail the envelope or have it delivered to the Secretary of State of New Hampshire (§ 60:21).

The voted ballot must be received before the close of the polls on election day (§ 60:7).

NEW JERSEY

(Unless otherwise indicated, references are to NJSA Title 19 and 1967 Supp. and to Constitution of 1949, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 6 months and of the county 40 days next before the election (Const. Supp. Art. 2, § 3; Stats. § 19:4–1).

(a) Rules for determining residence—No person in the military, naval or marine service of the United States shall be considered a resident of this State by reason of being stationed in this State (Const. Art. 2, § 5).

Statutory rules for determining voting residence are set forth at §§ 19:4–1 to 19:4–4.5.

(b) Special residence requirements for presidential elections only: or those qualified in all respects to vote except that they cannot meet the residence requirements there are special residence requirements. New residents if they have been legal residents of the county 40 days next before the election and former residents if they were registered to vote in New Jersey but who, because they have moved to another state or county can no longer meet the residence requirements, may vote in presidential elections in New Jersey (Const. Supp. Art. 2, § 3; Stats. Supp. § 19:58–2).

Any person applying for an application form for a presidential ballot shall not later than the 40th day preceding the election swear to and file with the municipal or county clerk an affidavit of residence. The affidavit shall be forwarded by the clerk to the commissioner of registration of the county (Supp. §§ 19:58–7; 19:58–8). Any additional registration is not required (Supp. § 19:58–24).

An application for Presidential ballot shall be made to the clerk of the county in which the ballot is to be voted, in person or by mail not later than 8 days preceding the date of the election.

If the application is made by a former resident, it must be accompanied by a certificate of the appropriate election official of his new state certifying that applicant cannot vote in the presidential elections in the new state because of insufficient residence (Supp. § 19:58–9).

The county clerk will send a presidential ballot and appropriate directions and the procedure in voting is patterned after the absentee voting procedure (Supp. § 19:58–17).

The voter shall mark the ballot, place it in the inner envelope supplied for this purpose, seal the envelope, fill out the certificate attached to the inner envelope and sign his name and swear to the certificate before an official authorized by law to administer oaths in the place where the oath is administered. The voter shall then place the inner envelope with the certificate attached in the outer envelope and seal it (Supp. § 19:58–21).

The sealed outer envelope should then be mailed or delivered to the appropriate county board of elections (Supp. § 19:58–22). The voted ballot must be received by the county boards prior to the time designated for closing of the polls (Supp. § 19:58–25).

II. Absentee voting

(1) Who may vote absentee—"Civilian absentee voter" means any qualified and registered voter of the State who expects to be absent from the State on the day of any election and any such voter who will be in the State but because of illness or physical disability including blindness or pregnancy, or because of the observance of a religious holiday pursuant to the tenants of his religion, or because of residence attendance at a school, college, or university will be unable to cast his ballot at his polling place on election day (§§ 19:57–2; 19:57–3).

(2) Applying for absentee ballot—At any time not less than 8 days prior to the election, a civilian absentee voter may apply for an absentee ballot. Such application must be made in writing, signed by the applicant and state the place of voting residence, the address to which the ballot is to be sent, and the reason the ballot is requested (§ 19:57–4).

The application is made to the county clerk of the county of voting residence (§ 19:57–6).

(3) Procedure in voting ballot—Printed instructions will be sent by the county clerk along with the ballot. He will also send 2 envelopes to be used in returning the voted ballot. The outer envelope will be addressed to the county board of elections which issued the ballot. The inner envelope is designed to have the voted ballot placed in it and sealed (§ 19:57–16). The certificate printed on the ballot envelope must be sworn to by the voter. If the voter claims the right to vote because of physical disability he must include within the outer envelope a certificate of a duly licensed physician or Christian Science practioner certifying to his disability (§§ 19:57–18; 19:57–23).

The ballot envelope for primary ballot will have an additional certificate that the voter intends to vote for the nominees of the party whose primary ballot he votes (§ 19:57–19).

The voted ballots must be received by the appropriate county board before the closing of the polls on election day (§ 19:57–26).

III. Military and other voters in special categories

(1) Who are included in this category—"Military service voter" means any person in the military service, or any patient in any veterans' hospital, located in any place other than the place of his residence who has been in the military service in any war in which the U.S. has been engaged and having been discharged or released from the military service and who prior to entering military service or prior to being admitted as a patient in such hospital was a resident of this State, and who at the time of holding the election is a resident of the U.S. 21 years or older and has not been disqualified by reason of having been convicted of a crime (§ 19:57–2).

(2) Registration—It shall not be necessary to qualify any military service voter to vote by a military service ballot that he shall have been registered to vote in any election district in this State at the time of the election or any other time, if his name has been certified by the county clerk to the commissioner of registration. If the certificate on the ballot envelope containing the voted ballot contains information which would qualify the military voter to vote in the election district if he were registered to vote therein and if the certificate has been properly executed and sworn to (§19:57–25; §19:57–21).

(3) Absentee voting—A voter in this category who is absent on election day from the election district of his voting residence, whether he is within or without the State, or is within or without the U.S. may vote by absentee ballot assuming he is otherwise qualified (§19:57–3).

Such person may himself apply for a ballot or any relative or friend may apply on his behalf (§19:57–4).

If a relative or friend applies on his behalf, the person applying must sign and swear to an affidavit setting forth the facts (§19:57–5).

Application must be made to the county clerk of the county of voting residence (§19:57–6).

Instructions will be sent along with the ballot. They are similar to those set forth above for civilians but oaths may be sworn to before the military voter's commanding officer or the superintendent of the veterans' hospital in which the voter is a patient (§19:57–17).

NEW MEXICO

Unless otherwise indicated, references are to New Mexico Stats. 1953 Ann. and 1967 Supp. and to Constitution of 1911, as amended.

I. Residence

To Vote One Must Be:

A resident of the state 12 months* in the county 90 days and in the precinct 90 days next preceding the election (Const. Art. VII § 1; Stats. §§ 3–1–1; 3–2–51).

(a) No person shall be deemed to have acquired or lost a residence by reason of his presence or absence while employed in the service of the United States, or of the State, or while a student at any school (Const. Art. VII §4).

Residence includes residence upon land privately owned, or owned by the State of New Mexico, any county or municipality thereof, or upon lands originally belonging to the United States or ceded to the United States by the State of New Mexico or any county thereof, or any municipal corporation or private individual, by purchase, treaty or otherwise. A person's residence is that place wherein he legally resided and has his domicile and from which when temporarily absent he intends to return (§ 3–1–1).

*(b) Special residence requirements for presidential elections only: A new resident of the State who immediately prior to his moving to New Mexico was a citizen of another State and who has lived in New Mexico not less than 30 days may, if otherwise qualified, vote in New Mexico for President and Vice President only (Supp. §§ 3–17–2; 3–17–3).

Such a new resident is not required to register to vote but shall at least 30 days prior to the election execute before the county clerk of the county in which he claims residence execute an affidavit. A duplicate of that affidavit is mailed by the county clerk to the appropriate election official of the State of former residence (Supp. § 3–17–6).

The County Clerk will designate a voting place at which votes may be cast for President and Vice President by new residents (Supp. § 3–17–7).

II. Absentee voting

(1) Who may vote absentee—May only vote absentee for federal officials. Any registered qualified elector who cannot be present at the voting division's polling place on election day because of illness, disability or the requirements of his business or profession is entitled to vote absentee for presidential electors or candidates for the United States House and Senate (Supp. § 3–5–21).

(2) Applying for absentee ballot—Application for an absentee ballot may be made in person or by mail to the office of the county clerk in which the applicant is registered not less than 7 days before the election.

(3) Procedure in voting ballot—The elector shall secretly mark his ballot, place it in the official innermost envelope and seal that envelope. The voter shall then fill in, subscribe, and attest to the oath printed on the inner envelope and deliver it or mail it by registered mail to the county clerk of his residence (Supp. § 3–5–24).

The voted ballot must be received by the county clerk not later than noon on the day preceding the election (§ 3–5–28).

III. Military and other voters in special categories

(1) Who are included in this category—The phrase "any qualified elector serving in the military forces of the United States" includes: members of the Armed Forces while in active service, their spouses and dependents; members of the Merchant Marine of the United States; their spouses and dependents; civilian employees of the United States in all categories serving outside the territorial limits of the several states and the District of Columbia, and their spouses and dependents when residing with or accompanying them, whether or not the employee is subject to civil service laws and the federal classification act of 1949 and whether or not paid from funds appropriated by Congress; members of religious groups or welfare agencies assisting members of the Armed Forces who are officially attached to and serving with the Armed Forces and their spouses and dependents (Supp. §§ 3–2–7; 3–14–12).

(2) Registration—The making of an application for or the mailing of an absentee ballot by a person in this category who is not registered but has all the qualifications to vote in New Mexico shall constitute registration for the election for which the ballot is cast (Supp. § 3–14–13).

Also, a qualified elector in this category may execute an affidavit on a form furnished by the Secretary of State giving his father, mother, husband, wife, brother, sister, or any qualified elector of New Mexico a power of attorney to register him (Supp. § 3–2–7).

(3) Absentee voting—Application for ab-

sentee ballot may be made by filing an application with the Secretary of State of New Mexico. The application shall be a letter or post card executed and acknowledged before a person authorized to administer oaths (Supp. § 3–14–14).

In lieu of a letter or post card, the application for the ballot may be made on the FPCA (Supp. § 3–14–15).

The ballots may only be voted for federal officials, President, Vice President, United States Senator and Representative (Supp. § 3–14–20).

The voter shall secretly mark the ballot, place it in the official innermost envelope, seal same. This envelope shall then be placed by the voter in the inner envelope and that envelope sealed. The oath printed on the envelope shall then be filled in and attested to by the voter who should then place this envelope in the outer envelope and mail it to the Secretary of State of New Mexico. Any commissioned officer, noncommissioned officer not below the rank of sergeant or petty officer, member of the Merchant Marine designated for this purpose may administer the necessary oath (Supp. § 3–14–24).

The voted ballots must be received by the Secretary of State before noon on the day preceding the election and in time to be delivered to the appropriate County Clerk before noon of the day before election (Supp. § 3–14–26).

NEW YORK

(Unless otherwise indicated, references are to McKinneys Election Law (1964 rev.) and 1967 Supp. and to Constitution of 1895, as amended.)

I. Residence

To Vote One Must Be:

A resident of the State 3 months* and of the precinct before the election (Const. Art. II § 1 as amended 1966).

(a) For purposes of voting residence is neither gained nor lost by the presence or absence while employed in the service of the United States, navigating student at any seminary of learning, kept at any welfare institution, asylum or other institution wholly or partly supported at public expense or by charity, confined in prison (§ 151).

*(b) Special residence requirements for presidential elections only: If otherwise qualified, may vote if in State 90 days and in the District 30 days before the election (§ 341 and 1964 Op. Atty. Gen. Inf. 156).

Such persons must be registered but there are special provisions for registering them. They must appear personally, irrespective of whether personal registration is otherwise required, at the Board of Elections of the county of residence except in New York City at the borough office of the Board of Elections between August 7 and October 8, 1968 (§ 342).

II. Absentee voting

(1) Who may vote absentee—The following qualified voters may vote absentee:

1. Those confined because of illness or disability.

2. Patients in a veterans' facility.

3. Those unavoidably absent from the county of residence because of:

a. Business—specifically including:

1. Employees of railroads.
2. Employees of airlines.
3. Commercial travelers.
4. Actors.
5. Federal employees.
6. Members of the Armed Forces.
7. Superintendents or teachers employed at schools outside the county of residence.

b. On vacation: The parents, spouses and children of the above may also vote absentee (§§ 117:153a).

(2) Applying for absentee ballot—The general rule is that application must be made by applying in person before the Board of Inspectors of the Election District in which he is a qualified voter. However, § 117.6 lists those who may apply by mail and the listing appears to embrace all those eligible to vote absentee, and their spouse, children or parents accompanying them (§§ 117; 153a).

If the applicant is NOT registered, he must apply on one of the days provided for local registration or before the Board of Central Registration when the board is open. If the applicant is registered, he must apply for the absentee ballot before October 29, 1968—7th day before the election (§ 117.2).

(3) Procedure in voting ballot—Follow the directions accompanying the ballot. Write-in candidates permitted (§ 120).

The voted ballot must be received by the Board of Education not later than Friday before the election, November 1, 1968 (§ 121).

III. Military and other voters in special categories

The declared legislative purpose is to guarantee to every voter in the military forces and to the spouse, parent or child of such voter accompanying him if a qualified voter and a resident of the same election district, the right to vote in all elections (Supp. § 300).

There is established in the Department of State a division to be known as the "Division for Servicemen's Voting" (Supp. § 301).

(1) Who are included in this category—"Military voter" includes a qualified voter who is in active military service of the State or of the United States, including Army, Navy, Marine Corps, Air Force, Coast Guard, including all components thereof, and the National Guard when in the service of the United States pursuant to call as provided by law, and the spouse, parent, child of the foregoing accompanying him if a qualified voter and a resident of the same election district (§ 302).

(2) Registration—Registration is required. May be registered as other voters. A military voter is not required to appear in person to be registered. An application for a military ballot shall constitute personal registration (§ 305.2).

The directors of the Division of Servicemen's Voting shall ascertain from the Armed Forces the names and addresses of each New York State voter and shall transmit this information to the appropriate election district (§ 305.3), and shall also send to each military voter a post card application for servicemen's voting (§ 305.4). These provisions apply equally to the spouse, parent, child of the person in the military (§ 305.11).

(3) Absentee voting—Mark ballot with pen or pencil. Write-in vote is permitted. No other marking of ballot is permitted. After marking the ballot, the voter should enclose it in the ballot envelope and seal the envelope. He shall then sign the statement, with the blanks properly filled in. The envelope shall then be inserted in another envelope which is addressed to the Secretary of State of New York, Division for Servicemen's Voting, Albany 1, New York (§ 307.1).

The signing of the voter's name to the statement constitutes conclusive proof of literacy.

Ballot must be received by the Division no later than noon, November 7. The Servicemen's Voting Division will forward the ballot to the appropriate Board of Elections (Supp. § 307.3).

NORTH CAROLINA

(Unless otherwise indicated, references are to Gen. Stats. of N.C. as amended Sess. L. 1967 ch. 775 and to Constitution of 1868, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state at least 1 year and of the precinct or ward or election district 30 days. May vote in former precinct for 30 days after moving to another precinct in the State (Const. Supp. Art. VI, § 2).

(a) Rules for determining residence—Residence is defined for registration and voting at § 163–57.

(b) Special residence requirements for presidential elections only—A person who possesses all the qualifications for voting except that of residence who has been a resident of North Carolina for not less than 60 days immediately prior to the Presidential election may vote for President and Vice President only (Const. Supp. Art. VI, § 2; Stats. § 163–56).

Such persons must register in person before the chairman of the Board of Elections of county of residence not earlier than 20 days before election day nor later than 5:00 p.m. of the Friday preceding election day (§ 163–73).

The chairman, if satisfied that the application is in order, will administer the oath and give the applicant a special ballot to vote. The applicant shall mark the ballot in the presence of the chairman but in such a way as not to disclose how it is marked and hand the marked ballot to the chairman (§ 163–73).

II. Absentee voting

(1) Who may vote absentee—Any voter who expects to be absent from the county in which he is registered during the entire period that the polls are open on the day of the state-wide election in which he desires to vote, or who, because of sickness or other physical disability is unable to vote in person (§ 163–226).

(2) Applying for absentee ballot—An application for a ballot may be made not earlier than 45 days prior to the election nor later than 6:00 p.m. on Wednesday before the election (§ 163–227).

If a voter unexpectedly becomes ill after 6:00 p.m. on Wednesday and before 10:00 a.m. on Monday before the election, he may apply for an absentee ballot not later than 10:00 a.m. of the Monday preceding the election (§ 163–227(3)).

(3) Procedure in voting ballot—In the presence of an officer authorized to administer oaths the voter shall mark his ballot, fold it and place it in the container-return envelope and seal the envelope, make and subscribe the affidavit printed on the envelope. The officer administering the oath shall then complete the form on the envelope, and the envelope shall be returned to the chairman of the county board of elections who issued the ballot. The voted ballot must be received by the chairman of the county board of elections by 12:00 noon on the Saturday immediately preceding the state-wide election (§ 163–231(b)).

III. Military and other voters in special categories

(1) Who are included in this category—Persons serving in the armed forces of the U.S. including but not limited to the Army, Navy, Air Force, Marine Corps, Coast Guard, Army Nurse Corps, Navy Nurse Corps, the Women's Navy Reserve, the Marine Corps Women's Reserve, the Women's Army Corps, the Merchant Marine, and members of the National Guard and Military Reserve who are absent on active duty on the day of a primary or general election; the wives of men serving in the armed forces of the U.S. residing outside the counties of their husband's voting residence; disabled war veterans in U.S. government hospitals; civilians attached to and serving outside the United States with the armed forces of the U.S.; members of the Peace Corps (§ 163–245).

(2) Registration—If, on application for absentee ballot, the chairman of the county board of elections finds that the applicant is not registered, the chairman shall make a reasonable investigation as to applicant's residence and if he finds him to be a resident of the precinct asserted and that he is otherwise eligible to register and vote, the chairman shall register him (§ 163–249(b)). Upon leaving the service this registration expires and the voter must register in the usual way (§ 16–253).

(3) Absentee voting—In the presence of

any commissioned officer or non-commissioned officer of the rank of sergeant in the Army, petty officer in the Navy, or the equivalent rank in other branches of the armed forces, the voter shall mark his ballot according to instructions, fold the ballot, place the folded ballot in the container-envelope and seal it, make and subscribe the certificate printed on the container-return envelope. The officer witnessing the voter's signature shall then complete the form on the envelope and sign it. The envelope shall then be mailed to the chairman of the county board of elections which issued the ballot (§ 163–250).

Ballots will be counted if received by the chairman of the county board of elections before 3:00 p.m. of the day of the primary or general election (§ 163–251(b)).

NORTH DAKOTA

(Unless otherwise indicated, references are to N.D. Century Code Ann. and 1967 Supp. and to Constitution of 1889, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year, county 90 days and precinct 30 days next preceding the election. May vote in former precinct for 30 days after moving to another precinct in the state (Const. Art. V. § 121; Code §§ 16–01–03; 16–01–05).

(a) Rules for determining residence—No elector shall be deemed to have lost his residence in this State by reason of his absence on business of the United States or this State, or in the military or naval service of the United States (Const. Art. V, § 125). No soldier, seaman or marine in the army or navy of the United States shall be deemed a resident of this State in consequence of his being stationed herein (Const. Art. V, § 126).

(b) Special residence requirements for Presidential elections only—Each citizen of the U.S. who immediately prior to his removal to North Dakota was a citizen of another state and who has resided in North Dakota less than 1 year may vote for Presidential and Vice Presidential electors (Supp. § 16–16–17).

Such a person is not required to register, but not less than 10 days before the election he shall execute an affidavit in the presence of the county auditor applying for a special presidential ballot (Supp. § 16–16–18). The county auditor shall mail to the appropriate official of the applicant's last state of residence a duplicate of the affidavit (Supp. § 16–16–19).

If satisfied that the applicant is qualified to vote, the county auditor will deliver a ballot to him not sooner than 30 days nor later than 1 day prior to the election (Supp. § 16–16–21).

The applicant will mark the ballot in the presence of the county auditor but in such manner that he will not know how the ballot is marked. The voter shall then fold the ballot and seal it in an envelope furnished for this purpose and then enclose that envelope in a carrier envelope and sign the certification printed on the carrier envelope and give it to the county audtior (Supp. §16–16–22).

II. Absentee voting

(1) Who may vote absentee—Any qualified elector who is absent from the county in which he is an elector or who by reason of physical disability, is unable to attend the polling place in his precinct to vote at any general, special or primary election may vote absentee (Supp. § 16–18–01). For special provisions for military voters, see discussion under (VII) post.

(2) Applying for absentee ballot—At any time within 30 days next preceding the election voter may apply to the county auditor of the county, or the auditor or clerk of the city, for a ballot. No absentee ballot may be issued on the day of the election (Supp. § 16–18–05).

The application blank may be obtained in the office of the clerk or it may be requested by mail (Supp. § 16–18–07).

(3) Procedure in voting ballot—The affidavit provided shall be made and subscribed by the absent voter before an officer authorized by law to administer oaths and who has an official seal. The voter shall then mark the ballot in the presence of the officer but in such manner that the officer cannot see the vote. The ballot shall then be folded and deposited in the envelope and the envelope securely sealed, and mailed to the office from which it was obtained (Supp. § 16–18–10).

III. Military and other voters in special categories

(1) Who are included in this category—The following are included in this special category: members of the armed forces while in active service and their spouses and dependents; members of the Merchant Marine of the U.S. and their spouses and dependents; civilians serving outside the territorial limits of the several states and the District of Columbia and their spouses and dependents when residing with them or accompanying them; members of religious groups or welfare agencies assisting members of the armed forces who are officially attached to and serving with the armed forces and their spouses and dependents (Supp. § 16–18–01).

(2) Registration—Pre-registration is not required for any voter in North Dakota.

(3) Absentee voting—A register of military voters is maintained by the county auditors (Supp. §§ 16–18–06; 16–18–12). They will send absent voter ballots to military personnel on active duty without application (Supp. §§ 16–18–06; 16–18–12).

If ballot is not received automatically the voter may request it at any time within 30 days preceding the election (Supp. § 16–18–05).

The ballot should be voted according to instructions and placed in the envelope supplied for this purpose and the affidavit printed on the envelope should be signed by the voter (Supp. § 16–18–09).

It must be returned in time to be canvassed in the proper precinct while the polls are open, or if received too late for that, may be held and canvassed by the county canvassing board at any time prior to the meeting of that board (Supp. § 16–18–14).

OHIO

(Unless otherwise indicated, references are to Page's Ohio Rev. Code Ann. 1960 rev. and 1966 Supp.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year next preceding the election and of the county, township or ward 40 days (Const. Supp. Art. V, § 1; Code Supp. § 3503.01).

(a) Rules for determining residence—No person in the military, naval or marine service of the U.S. shall by being stationed in any garrison, or military or naval station within the state, be considered a resident of the state (Const. Art. V, § 5).

Any person who changes his residence to another county or precinct in the 40 days prior to the election may vote in the former precinct, and if a person moves to another residence within the precinct and registration is required, he may vote in the precinct. (Supp. § 3503.02).

Statutory rules for determining residence are set forth at § 3503.02. Inmates of soldiers' homes for 1 year, if otherwise qualified, have a lawful voting residence in the county where the home is located (§ 3503.03). Inmates of public and private institutions for at least 1 year have a voting residence in the county where the institution is located unless they are only there for temporary treatment in which case their voting residence shall be the one they had on entering the institution (§3 503.04).

The voting residence of a student and his spouse is that which he had at the time immediately commencing his attending such institution unless he establishes a home for permanent residence (§ 3503.05).

One in the armed forces of the U.S. may vote only in the precinct in which he has a voting residence in this state and that voting residence shall be the place in the precinct in which he resided immediately preceding the commencement of such service provided that the time during which he continuously resided in the state immediately preceding the commencement of such service plus the time subsequent to such commencement and prior to the day of election is at least 1 year.

The spouse of the service voter may vote only in the precinct in which he has a voting residence and provided the time of residence in the state prior to leaving for the purpose of being with the service member and the time subsequent total at least 1 year (Supp. § 3511.01).

If the service member or his spouse do not meet the 1 year residence requirement but have resided in the state before leaving for service reasons, they may vote in presidential elections only (Supp. § 3511.01).

(b) Special residence requirements for presidential elections only—A person who has been a resident of this state for less than 1 year may vote for presidential and vice presidential electors and no other officers provided he was either a qualified elector in another state immediately prior to his removal to Ohio or would have been eligible to vote in the other state had he remained there and provided he has all the voting qualifications required by Ohio except residence (§ 3504.01).

Similarly, persons in the armed forces and their spouses who resided in Ohio for less than 1 year before the election and are not qualified to vote elsewhere may vote in the presidential elections in Ohio (Supp. § 3511.01).

Persons qualifying under these provisions are not required to register to vote (§ 3504.02).

The new resident must submit to the clerk of the board of elections of his county of residence a certified statement from the appropriate election official of his former state of residence that he was a qualified voter of that state or would have been qualified there had he remained (§ 3504.03).

Application for a ballot must be made in person to the clerk of the board of elections of the county of applicant's residence during regular office hours not sooner than 40 days nor later than 12 noon on the 4th day before the election.

When applicant receives the ballot he shall immediately go to voting compartment provided by the board and mark the ballot. He shall then place the marked ballot in the envelope provided for this purpose and seal the envelope, sign the statement thereon, swear to and subscribe the affidavit thereon before a clerk authorized to administer oaths and deliver the envelope to the clerk (§ 3504.04).

II. Absentee voting

(1) Who may vote absentee—Any qualified elector who will be unavoidably absent from his polling place on the day of the election due to his entry into a hospital for medical or surgical treatment or who will be unavoidably absent from the county and more than 10 miles distant from the precinct in which his voting residence is located may vote absentee in any primary or general election (§ 3509.02).

Any qualified elector who on account of his own personal illness or physical disability will be unable to travel from his home or place of confinement to the voting booth in his precinct on the day of any general, special or primary election (Supp. § 3509.08).

(2) Applying for absentee ballot—Written application for such ballot should be made to the clerk of the board of election of the county where the person's voting residence

is located upon a form furnished by said clerk not more than 30 days if the applicant is within the United States and not more than 60 days by a person without the U.S. nor later than 4:00 p.m. of the 5th day before election (§ 3509.03).

(3) Procedure in voting ballot—The voter shall mark the ballot without permitting anyone to see his markings, fold the ballot, place it in the identification envelope received from the clerk for this purpose and seal the envelope. The elector shall then fill in the statement of voter on the outside of the identification envelope, sign the statement and in the absence of an officer authorized to administer oaths swear to and subscribe the affidavit thereon. The officer shall then sign and execute the affidavit attesting same. The envelope shall then be mailed or delivered to the clerk from whom it was received.

The voted ballot must be received by the clerk not later than 12 noon of the 4th day before election (Supp. § 3509.05).

III. Military and other voters in special categories

(1) Who are included in this category—This category includes any person serving in the armed forces of the United States, or the spouse of a person serving in the armed forces of the U.S. who resides outside the state for the purpose of being near such service member (Supp. § 3511.01).

(2) Registration—If persons in this category are not already registered, if the facts given on the application for an absent voter's ballot indicate that they are qualified to vote, the clerk will send them a ballot (§ 3511.01).

(3) Absentee voting—Armed service absent voter's ballots may be obtained by applying to the clerk of the board of elections of the county of voting residence. Application may be made in writing in any form provided necessary information is given. Application may be made by the voter or by the father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother or sister of the whole or half blood, son, daughter, adopting parent, adopted child, stepparent, stepchild, uncle, aunt, nephew or niece. The clerk will furnish a blank form to any of the relatives listed who appear in person in his office or who apply in writing. The application must be subscribed and sworn to by the applicant and set forth the required information. If the application is for a ballot to be voted for presidential and vice presidential electors only the applicant must submit to the clerk a certified statement from the appropriate election official of the voter's former residence to the effect that the person was a qualified voter in his former state prior to his removal to Ohio or that he would have been qualified had he remained in such other state until the time of the presidential elections (Supp. § 3511.02).

Upon receiving the ballot, the elector shall fill in the answers to the questions on the face of the identification envelope and write his usual signature in the proper place thereon. He shall then examine the ballot to make sure that there are no voting marks thereon and on being satisfied that there are none, he shall mark the ballot without permitting anyone to see how he has marked it. If there is more than 1 ballot, he shall fold each separately, place them in the identification envelope and seals the envelope. The voter shall then swear to the answers on the identification envelope before a commissioned officer, warrant officer, noncommissioned officer not below the rank of sergeant or petty officer, or other person authorized to administer oaths. The voters shall then place the identification envelope in the return envelope and mail it to the clerk of the board of elections to whom it is addressed (Supp. § 3511.09).

Such voted ballots must be received by the appropriate clerk prior to 12 noon of the day of the election (Supp. § 3511.11).

If, after the 60th day and before 12 noon of the 3d day before a general or primary election, a valid application for armed service absent voter's ballot is delivered to the clerk of the board of elections by a person making application in his own behalf, the clerk shall hand him a ballot and an identification envelope. The voter shall then go to a voting booth in the office of the board and mark the ballot. He shall then follow the same procedure as to sealing the envelope and answering the questions on the face of the envelope and shall swear to the answers before a proper official of the board. He shall then deliver the identification envelope to the clerk.

If a person is discharged after the closing date of registration and he and his spouse meet all the other requirements he may vote prior to the day of the election in the office of the board of his county as set forth above (Supp. § 3511.10).

OKLAHOMA

(Unless otherwise indicated, references are to Okla. Stats. Ann. Title 26 and 1967 Supp. and to Constitution of 1907, as amended.)

I. Residence

To Vote One Must Be:

A resident of the State at least 6 months, of the county at least 2 months, and of the election precinct 20 days next preceding the election (Const. Supp. Art III, § 1).

(a) Rules for determining residence—For the purpose of voting, no member of the Army or Navy of the U.S. shall gain a residence in this State by reason of being stationed here or lose a residence while absent from the State in such service (Const. Art. III, § 2).

(b) Special residence requirements for Presidential elections only—Oklahoma has adopted the Uniform Act for Voting by New Residents in Presidential Elections (Laws 1967, c. 266; Stats. Ann. 1967 Supp. §§ 601 to 614).

Each citizen of the United States who immediately prior to his removal to this State was a citizen of another state and a qualified elector therein, and who has been a resident of Oklahoma for less than 6 months prior to a presidential election is entitled to vote for presidential and vice presidential electors at that election, but for no other officers if he otherwise possesses the substantive qualifications to vote in Oklahoma except for residence (Supp. § 602).

A person desiring to qualify under this act does not have to register but on or before the 15th day immediately preceding the election he shall submit to the Secretary of the County Election Board of the county of his residence an affidavit executed by him before a notary public or other official authorized to administer oaths required in the administration of the laws of Oklahoma relating to absentee voting. The affidavit should be substantially the form set out in the statute (Supp. § 603).

The Secretary of the County Election Board shall mail to the appropriate official of the state in which the applicant last resided a duplicate of the application (Supp. § 604).

If satisfied that the application is in order, the Secretary of the County Election Board shall deliver to the applicant in person or by mail a ballot for presidential and vice presidential electors not sooner than 30 days nor later than 5:00 p.m. prior to the election (Supp. § 606).

The applicant shall mark the ballot in the presence of an official authorized to administer oaths but in a manner that the official will not know how it is marked. The voter shall then fold the ballot in the official's presence and seal it in a plain envelope furnished by the Secretary of the County Election Board. The voter shall then enclose that envelope in a carrier envelope also furnished by the Secretary of the County Election Board and shall seal that envelope. The voter shall then sign the certification on the carrier envelope and deliver the envelope in person or by mail to the Secretary of the County Election Board to be received by that official not later than 5:00 p.m. of the Friday prior to the election (Supp. § 607).

II. Absentee voting

(1) Who may vote absentee—Any qualified elector who swears that he intends to be absent from his county on election day, or who swears before 2 witnesses that he is physically incapacitated through accident or illness may cast an absentee ballot in any statewide special election, primary, run-off primary or general election (Supp. § 326).

(2) Applying for absentee ballot—An absentee ballot may be procured from the Secretary of the County Election Board of the county in which the elector resides not more than 30 days before the election and not later than 5:00 p.m. on Friday preceding the election (Supp. § 326).

Application must be made in writing and transmitted by mail (Supp. § 326a).

(3) Procedure in voting ballot—The voter shall mark the ballot in pencil or in ink by stamp or fountain pen. The ballot shall then be sealed in a blank envelope and the envelope placed in the so-called "inner" envelope supplied for this purpose by the Secretary of the County Election Board at the same time as the absentee ballot is supplied. The voter must complete the affidavit on the inner envelope and if an absent voter, must attest to it before an officer authorized to administer oaths and if an incapacitated voter must attest to it before 2 witnesses. This envelope should be placed in the outer envelope also supplied with the absentee ballot and marked "Official Election Absentee Ballot" and mailed to the Secretary of the County Election Board (Supp. § 326c).

Executed absentee ballots must be transmitted through the U.S. mail and must be received by the Secretary of the County Election Board not later than 5:00 p.m. on the Friday immediately preceding the election (Supp. § 326a).

III. Military and other voters in special categories

(1) Who are included in this category—Any qualified elector who is in the armed forces of the U.S., or in the Merchant Marine of the U.S., or who is a civilian outside the U.S. officially attached to and serving with the armed forces of the United States, or who is the spouse or officially accredited dependent of such person and is absent from the place of his residence by reason of such service (Supp. § 345.1).

(2) Registration—Any person in this category if a qualified elector of the precinct of his or her residence is entitled to vote in any statewide regular or run-off primary, special or general election without being registered (Supp. § 345.1).

(3) Absentee voting—The applicant may himself apply for an absentee ballot in any form of writing including a FPCA or the application may be made on his behalf by a parent, husband, wife, adult child, brother, sister or friend (Supp. § 345.3).

Any oath or affidavit which is required may be taken or sworn to before any commissioned officer of the armed forces (§ 343).

OREGON

Unless otherwise indicated, references are to Election Laws 1967–1969 published by the Secretary of State and to Constitution of 1857, as amended.

I. Residence

To Vote One Must Be:

A resident of the state at least 6 months immediately preceding the election. (Const. Art. II § 2).

(a) For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States, or of this State, nor while engaged in the navigation of the waters of this State, or of the United States, or of the high seas, nor while a student of any seminary of learning, nor while kept at any alms house or other asylum at public expense, nor while confined in any public prison (Const. Art. II § 4).

No soldier, seaman, or marine in the Army or Navy of the United States or its allies, shall be deemed to have acquired a voting residence in the state in consequence of having been stationed here (Const. Art. II § 5).

The statutory rules for determining voting residence are set forth at § 250.410.

(b) Special residence requirements for presidential elections only: A person who is qualified to vote except that he has resided in this state less than 6 months immediately preceding the election is entitled to vote in elections for President and Vice President if he did not vote in such election in another state during the 6 months immediately preceding his request for registration under Oregon law § 247.420 for the purpose of voting for the nomination of such candidates in the presidential primary election of this state or in the regular general biennial election in this state (§ 247.410).

The applicant should appear personally in the office of the County Clerk and request to be registered (§ 247.420). A special registration certificate will be issued which must be surrendered at the time of voting (§ 247.460).

II. Absentee voting

(1) Who may vote absentee—Any registered elector of this State who has reason to believe that he will be absent from the county in which his voting precinct is situated on the day of any general, special or primary election, or whose place of residence is more than 15 miles from the polling place or who is unable by reason of physical disability to go to the polls may vote by absentee ballot.

(2) Applying for absentee ballot—Within 60 days preceding an election but not later than 5 days before the election, the voter may apply to the county clerk in writing and signed by the applicant requesting an absent ballot (§ 253.030).

The voter must personally mark the ballot and not exhibit the marked ballot to any other person. The statement on the ballot envelope must be signed by the voter and witnessed by 2 competent persons who shall affix their names and residence addresses (§ 253.040).

The voted ballot must be received by the appropriate County Clerk not later than 5 p.m. of the day before the election if the ballot is delivered to the voter in the clerk's office and immediately marked and returned and in all other cases not later than the closing of the polls on election day (§ 253.070).

III. Military and other voters in special categories

(1) Who are included in this category—"Service voter" means a citizen of the State of Oregon absent from the place of his residence and serving in: the Armed Forces of the United States; in the Merchant Marine of the United States; as a civilian employee of the United States in whatever category outside the territorial limits of the several states of the United States and the District of Columbia, whether or not paid from funds appropriated by the Congress; a religious group or welfare agency assisting members of the Armed Forces of the United States and officially attached to and serving with the Armed Forces (§ 253.510).

The spouse and dependents of any service voter, temporarily living outside the county or city in which is situated, the last home residence in this state of such spouse or dependents may vote in the same manner as a service voter (§ 253.530).

(2) Registration—Registration requirements are considered satisfied when the voter returns the absentee ballot and the affidavit on the ballot envelope has been properly executed under oath (§ 253.600).

(3) Procedure in voting ballot—Secure a ballot by mailing a signed application setting forth the necessary facts to the County Clerk of the county of voter's residence or to the Secretary of State of Oregon. The application may be made on a post card or in any other writing (§ 253.540).

Printed instructions and transmittal envelopes will be mailed with the ballots (§ 253.560).

The voted ballots must be received by the County Clerk not later than the closing of the polls on election day (§§ 253.560, 253.070).

PENNSYLVANIA

(Unless otherwise indicated, references are to Purdin's Penna. Stats. Ann. 1963 Rec. and 1966 Supp. Title 25, and to Constitution of 1874, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state at least 90 days preceding the election, of the election district at least 60 days immediately preceding the election (Const. Art. VIII § 1, as amended 1967).

(a) One qualified to vote in an election district immediately preceding the removal of his residence to another place in Pennsylvania may vote in his former district for 60 days after moving (Const. Art. VIII § 1 as amended 1967; Code § 2811).

Any person employed in the service of this State or of the United States and required thereby to be absent from the city where he resided when entering such employment, and the city where he resided when entering such employment, and the spouse of such person, may be registered as of the district where he resided prior to entering the service. In such a case residence by street and number is not required (§ 321.).

Statutory rules for determining residence are set forth at § 2813.

No person shall be deemed to have gained a residence by reason of his presence or lost it by reason of his absence, while employed in the service, either civil or military, of this State or of the United States, nor while engaged in the navigation of waters of the State or of the United States, or on the high seas, nor while a student of any institution of learning, nor while kept in any poorhouse or other asylum at public expense, not while confined in public prison, except that any veteran who resides in a home for disabled and indigent soldiers and sailors, operated and maintained by the Commonwealth of Pennsylvania, and who possesses all the qualifications for voting, may gain a residence for registration and voting at the home for disabled and indigent soldiers and sailors.

These provisions are not to be construed as affecting the voting rights of bedridden or hospitalized veterans to choose to vote as absentee electors by the use of veterans' official ballots (§ 2813).

NOTE: These provisions were based on former Const. Art. 8§13. The Constitutional provision was deleted in 1967 but the statutory provision was apparently left in the law.

In the case of one in the United States Armed Services, if when he entered the service—he did not have sufficient length of residence in Pennsylvania to qualify him to vote at that time he may nevertheless be registered to vote at such time as he would have become entitled had he continued to reside in that place (Supp. § 623.20.2(f)).

(b) Special residence requirements for presidential elections only: None.

II. Absentee voting

(1) Who may vote absentee—Any qualified, registered and enrolled elector who expects to be or is unavoidably absent from the Commonwealth or county of his residence during the entire period the polls are open for voting on the day of any primary or election (Supp. § 2602(10); 3146.1(j)) or who is unable to go to the polling place because of illness or physical disability (Supp. §§ 2602(11), 3146.1(k)).

The words "qualified absentee elector" shall not be construed to include persons confined in a penal or mental institution (Supp. § 2602(12); 3146.1(L)).

(2) Applying for absentee ballot—Application for absentee ballot should be made in writing addressed to the Secretary of the Commonwealth of Pennsylvania or to the county board of election of the county where applicant's voting residence is located (Supp. § 3146.2(a)). The application should furnish the information necessary to establish his right to an absentee ballot (Supp. § 3146.2 (b)). The application may be made on forms furnished by the County Board of Elections (Supp. § 3146.2(e) (1)).

Applications for absentee ballots must be received in the office of the County Board of Elections not earlier than 50 days before the primary or election and not later than 5 p.m. of the 1st Tuesday prior to the day of any primary or election. Those who become ill, or who unexpectedly must be absent on election day, may apply at any time prior to 5 p.m. on the day preceding any primary or election by executing an Emergency Application on a form provided by the election officials. If illness is alleged, a supporting affidavit from a doctor should be submitted. If unexpected business is alleged, then the applicant must swear to the facts (Supp. § 3146.2a).

(3) Procedure in voting ballot—At any time after receiving an absentee ballot but on or before the day of the primary or election, the elector shall in secret proceed to mark the ballot only in black lead pencil, indelible pencil or blue, black or blue-black ink, in fountain pen or ball point pen, and then fold the ballot, place it in the ballot envelope marked "Official Absentee Ballot" and seal the envelope.

This envelope shall be placed in the carrier envelope on which is printed the form of declaration of the elector and the address of the elector's County Board of Election. The elector shall fill out, date, and sign the declaration on the envelope. It may be mailed or delivered to the proper County Board of Election (Supp. § 3146.6(a)). If the elector is in the county of residence on election day or recovers from his illness he should vote in person rather than by absentee ballot (Supp. § 3146.6 (b)).

There are additional provisions for assistance for the physically disabled who vote absentee ballot (Supp. § 3146.6a).

The voted ballot must be returned in time to be received not later than 10 a.m. of the 2nd Friday following the primary or November election (Supp. § 3146.8).

III. Military and other voters in special categories

(1) Who are included in this category—A qualified elector who is or may be in the military service of the United States regardless of whether at the time of voting he is present in the election district of his residence or is within or without Pennsylvania and regardless of whether he is registered or enrolled (Supp. § 2602(w)(1)).

The spouse and dependents residing with or accompanying a person in military service of the United States, if at the time of voting such spouse is absent from the State or county of his residence, provided however, that said elector has been registered or enrolled according to law or is entitled under provisions of the Permanent Registration Law to absentee registration prior to, or concurrently with, the time of voting (Supp. § 2602) (w) (2).

Also afforded special treatment but under less liberal provisions than for those in military service are members of the following and their spouses and dependents: the Merchant Marine of the United States (Supp. § 2602(w)(3)); religious or welfare groups officially attached to and serving with the Armed Forces (Supp § 2602(w)(5)); civilian employees of the United States (Supp §2602 (w)(7). All the persons in this category must be qualified electors who are registered or enrolled or are entitled to absentee registration prior to or concurrently with the time of voting.

The significant difference in the rules for persons in this category as compared to the rules for those who are in military service is that persons in military service may vote absentee whether or not at the time of voting they are in the election district of residence or are within or without Pennsylvania but all others to be entitled to absentee voting must be absent from the State or county of their residence at the time of voting.

The spouses and dependents must be residing with, or accompanying, persons in these categories and must be absent form the state and county of residence. "Dependent" is defined as "any person who is in fact a dependent" (Supp. § 2602(y)).

(2) Persons in this category may register as do all other voters or they may avail themselves of the special provisions set forth in the Permanent Registration Act.

They may apply for a registration card. A request for an absentee ballot from any person in this category may be considered as an application for a registration card. The registration commission will send two blank registration cards to be completed and sworn to or affirmed to prior to or concurrently with the time of voting the absentee ballot. The envelope containing such executed registration cards shall bear a postmark not later than the day of the primary or election for which the ballot is being voted (Supp. § 623-20.2(a)).

The status of residence shall remain his home residence from which he is qualified to register. If one in this category has not resided in Pennsylvania or in a particular election district thereof, a sufficient length of time when he leaves for one of the designated activities he shall be entitled to be registered at such time as he would have become so entitled had he continued to reside in that place instead of leaving for one of the designated activities (Supp. § 623-20.2(f)).

(3) Absentee voting—Application for an absentee ballot may be made by persons in this special category at any time before a primary or election (Supp. § 3146.1 (a) to (h); 3146.2(a)).

It may be made on post card application or other form supplied by the Federal Government, or by any post card, letter or other writing addressed to the Secretary of the Commonwealth of Pennsylvania or to the County Board of Election of the county in which his voting residence is located.

In the case of all except a person in military service and hospitalized or bedridden veterans, the application must be signed by the voter. In the case of military electors and hospitalized or bedridden veterans the application may be made over the signature of any person who is familiar with the voting qualifications of the elector (Supp. § 3146.2 (c)).

Detailed information must be supplied as to home residence at the time of entering military service etc. (Supp. § 3146.2). No application of any qualified elector in military service shall be rejected for failure to include on his application any information if such information may be ascertained within a reasonable time by the County Board of Elections (Supp. § 3146.2b).

At any time after receiving the absentee ballot but on or before the day of the primary or election the elector shall in secret proceed to mark the ballot only in black lead pencil, indelible pencil or blue, black or blue-black ink, in fountain pen or ball point pen, and enclose it in the envelope marked "Official Absentee Ballot". This envelope shall be sealed and placed in the second envelope on which is printed the declaration which the elector must fill out and sign. The envelope shall be sealed and mailed (Supp. § 3146.6).

Also, any qualified elector in actual military service who is present in his voting district of residence on any primary, special, municipal or general election day and who has not voted in such election, may apply in person at the office of the County Board of Election of the county of his residence and he may thereupon execute an application for an absentee ballot (Supp. § 3146.7).

If found to be qualified, he will be given an absentee ballot which he should vote in secret and return to the Chief Clerk (Supp. § 3146.7).

Voted ballot which are mailed in must be received by the County Board of Election not later than 10 a.m. of the 2nd Friday following the primary or November election (Supp. § 3146.8).

RHODE ISLAND

(Unless otherwise indicated, references are to Gen. L. 1956, 1967 Supp. and to the Constitution of 1843, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state for 1 year and in the town or city 6 months next preceding the election (Amend. XXIX § 1; G.L. § 17-1-3).

(a) No person in the military, naval, marine, or any other service of the United States shall be considered as having the required residence by reason of being stationed in this state (Const. Amend. XXIV § 4).

The residence and home of any person immediately prior to the commencement of his active service as a member of the Armed Forces or of the Merchant Marine of the United States, or immediately prior to his absence from the state in the performance of services in connection with military operations shall continue to be his residence and home during the time of such service and for 2 years thereafter unless such person shall change his residence by registering or taking other action to vote in another city or town (§ 17-21-3).

The superior court shall hear petitions of persons alleging residence in the state (§ 17-1-4).

(b) Special residence requirements for presidential elections only: None

II. Absentee voting

(1) Who may vote absentee—Electors absent from the state or who by reason of old age, physical disability, illness or for other infirmities are unable to vote in person may vote absentee in the general election (§17-20-1).

(2) Applying for absentee ballot—The voter must obtain from the local board of his city of residence an application form for an absentee ballot the voter must complete and sign either before an officer authorized to administer oaths or before 2 witnesses (§17-20-3).

The application when duly executed shall be delivered in person or by mail so that it shall be received by the local board not later than 5 p.m. on the 21st day before the election (§17-20-3).

(3) Procedure in voting ballot—A shut-in voter may mark and cast his ballot only in the State of Rhode Island, an absentee voter may mark and cast his vote only outside Rhode Island and shall mail same from without Rhode Island (§17-20-12).

Instructions will be sent along with the ballots. The voter should mark the ballot in the presence of an officer authorized to administer oaths and of no other person. Before marking the ballot, the voter shall exhibit it to said official who shall satisfy himself that it is unmarked. The voter shall not let the official know how he marked the ballot. The voter shall then enclose and seal the ballot in the envelope provided for it, and shall execute the oath on the envelope and endorse the reverse side of the envelope. He shall then place this in the carrier envelope addressed to the state board and mail (§17-20-18).

The voted ballot must be received by the proper official not later than 9 p.m. local time on election day (§17-20-13).

III. Military and other voters in special categories

(1) Who are included in this category—Any member of the Armed Forces or of the Merchant Marine of the United States in active service and any person absent from the state in the performance of services intimately connected with military operations.

"Services intimately connected with military operations" includes members of religious groups or welfare agencies assisting members of the Armed Forces who are officially attached to and serving with the Armed Forces, and their spouses and dependents, and the spouses and dependents of members of the Armed Forces and of the Merchant Marines, provided however, that such spouses and dependents shall be residing outside the state with such members of the Armed Forces, Merchant Marine, or members of such religious or welfare agencies (§ 17-21-1).

(2) Registration—Any person in this category who would be a qualified elector except for registration shall be exempt during the period of such service and for 2 years thereafter from registration requirements (§ 17-21-2).

(3) Voting—Members in this category have the option of voting in one of the following ways:

(1) If present in the state on the day of the election he may vote as all other voters.

(2) If outside the state he may vote by absentee ballot.

(3) May cast an official Rhode Island state war ballot.

(4) May cast an official federal war ballot in accordance with the laws of the United States (§ 17-21-4).

Request for a war ballot must be received by the local board not later than 5 p.m. on the 21st day before the election signed by the voter or someone on his behalf (§ 17-21-12).

The voter may mark the ballot on or before election day (§ 17-21-24).

After marking the ballot, the voter shall place it in the official inner envelope and seal the same. He shall fill in and subscribe the oath printed on the envelope and shall then place this envelope in the carrier envelope and mail it to the state board (17-21-25).

The voted ballot must be received by the state board not later than 9 p.m. local time on election day (§ 17-21-28).

SOUTH CAROLINA

Unless otherwise indicated, references are to Code of Laws of South Carolina 1962 and 1967 Supp. and to Constitution of 1895, as amended.

I. Residence

To Vote One Must Be:

A resident of the state 1 year, of the county 6 months, and of the polling precinct 3 months except ministers in charge of an organized church and teachers of public schools and the spouse of any such person may vote after 6 months residence in the state if otherwise qualified (Const. Supp. Art. II § 4; Code Supp. § 23-62).

(a) Temporary absence from the State

shall not forfeit a residence once obtained (Const. Art. I § 12);

For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of this State, or of the United States, or of the high seas, nor while a student of any institution of learning (Const. Art. II § 7).

(b) Special residence requirements for presidential elections only: None.

II. Absentee voting

(1) Who may vote absentee—Students, members of military, and members of National Guard on active duty, see discussion under next heading "Military and Other Voters in Special Categories".

III. Military and other voters in special categories

(1) Who are included in this category—The following are included in this category: members of the Armed Forces of the United States and their spouses; members of the Merchant Marine of the United States; persons serving with the American Red Cross or with the United Service Organizations who are attached to and serving with the Armed Forces of the United States outside of the counties of their residence; members or employees of any department of the United States Government serving overseas; and students (Supp. § 23–442).

Members of the National Guard on active duty (Supp. § 23–400.18).

"Members of the Armed Forces of the United States", "members of the Merchant Marine of the United States" and "students" are defined (Supp. § 23–441). Provision will be made for voting by members of National Guard on active duty (Supp. § 23.400.78).

(8) Registration—Members of the Armed Forces will be registered by mail (Supp. § 23–449.1). Students must register in person (Supp. § 23–499.1).

(3) Absentee voting—Any person in the Armed Forces or his spouse when residing with him may apply for an absentee ballot may submit to any registration board in this State or through the Secretary of State, a request for a ballot together with a sworn statement that he is in the Armed Forces (Supp. § 23–449.1).

Printed instructions will be sent with the ballots. The voter should sign the oath which accompanies the ballot before a notary public of any state, a United States Consul, his commanding officer or any officer authorized by law to administer oaths (§ 23–449.5).

The voter shall mark the ballot and fold it and place it and the completed oath in the envelope supplied for this purpose and mail it in time to be received by the commissioners of election and delivered by them to the managers of election on election day (§§ 23–449.6; Supp. 449.7).

SOUTH DAKOTA

(Unless otherwise indicated, references are to Primary and General Election Law—1966, and to Constitution of 1889, as amended.)

I. Residence

To Vote One Must Be:

A resident of the United States 5 years and of this state 1 year, in the county 90 days and in the election precinct 30 days next preceding the election (Const. Art. VII, § 1).

(a) Rules for determining residence—No elector shall by reason of having changed his residence from one county or precinct to another be deemed to have lost his right to vote at any election in the precinct from which he has removed until he shall have acquired a new voting residence in the county or precinct to which he has removed (Const. Art. VII, § 1).

No elector shall be deemed to have lost his residence in this state by reason of his absence on business of the United States or of this state, or in the military or naval service of the United States (Const. Art. VII, § 6).

No soldier, seaman or marine in the army or navy of the United States shall be deemed a resident of this state in consequence of being stationed therein (Const. Art. VII, § 7).

(b) Special residence rules for presidential elections only—No provision.

II. Absentee voting

(1) Who may vote absentee—Any qualified elector who shall be absent from his home precinct on election day or who shall be unable to attend the polling place in his precinct because of illness or other physical disability (§16.0606).

(2) Applying for absentee ballot—Application should be made in writing at any time after the official ballots have been delivered to the county auditors. The application may be made in a letter or on blanks furnished by the county auditor and must be subscribed by the applicant (§16.0606).

(3) Procedure in voting ballot—The elector shall not earlier than the 15th day preceding such election, before the county, or city auditor or town or township clerk, or other officer having an official seal and authorized to administer oaths privately mark such ballot and fold and place it in the return envelope supplied for this purpose. The attesting official shall then complete a certificate and the voter shall place it in the return envelope and seal the envelope and execute the affidavit printed on the envelope to the official who shall mail or deliver it to the superintendent of the election board of the voter's home precinct (§16.0607).

The envelope must be received in time to be delivered before close of polls (§ 16.0608).

III. Military and other voters in special categories

(1) Who are included in this category—For the purpose of this act, the term "persons in the United States service" shall mean: members of the Armed Forces while in active service and their spouses and dependents; members of the Merchant Marine of the United States and their spouses and dependents; civilian employees of the United States in all categories serving outside the territorial limits of the several states of the United States and their spouses and dependents when residing with or accompanying them whether or not the employee is subject to the Civil Service laws and Classification Act of 1949 and whether or not paid from funds appropriated by Congress; members of religious groups or welfare agencies assisting members of the Armed Forces and their spouses and dependents.

The term "dependent" means any person who is in fact a dependent. The terms "Armed Forces" and "members of the Merchant Marine of the United States" are defined (§16.0610).

(2) Registration—Registration is required. Persons in this category may apply for registration at same time they apply for absentee ballot and may use a FICA.

If the person is not already registered, he may apply to the county or city auditor or clerk of town where he has his legal residence or a registered voter of the state of the same voting precinct may make, in person, make an application in his behalf. Such application may be made not less than 20 days before the election and registration boards shall receive such applications in the case of a primary on and after April 1 before the primary and on and after August 1 before the general election. The application must be made under oath in writing (§ 16.0611).

(3) Absentee voting—Application may be made by the voter or by a registered voter of his precinct on his behalf. Application may be made on FPCA or in other writing to county or city auditor or clerk of town of voter's residence (§ 16.0612).

Upon the receipt of the official ballot, but no earlier than 20 days before election the absent voter in the presence of one of the following persons, any commissioned officer, member of the Merchant Marine designated for this purpose, person in charge of a section, coup or detachment of any of the auxiliary organizations named or any civilian official empowered under state or federal law to administer oaths, shall mark the ballot without revealing how it is being marked, shall then fold the ballot and place it in the return envelope supplied for this purpose and seal the envelope and hand it to the attesting official who shall execute the necessary affidavit and deposit the enevelope in the mail.

The voted ballot must be received by county auditor in time to be delivered to the superintendent of the election board of the home precinct before the closing of the polls on election day (§ 16.0614).

TENNESSEE

(Unless otherwise indicated, references are to Tenn. Code Ann. and 1966 Supp. and to the Constitution of 1870, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 12 months and of the county 3 months next preceding the election (Const. Art. IV, § 1; Code Supp. § 2–201).

(a) Rules for determining residence—Voters are required to vote in the county of their residence except judges, candidates for county and state offices or for Congress may vote in county in which they may be on election day (§§ 2–202, 2–203).

(b) Special residence requirements for presidential elections only—None.

II. Absentee voting

(1) Who may vote absentee—Any registered voter who will be absent from county of residence on election day because of business, occupation, health, education or travel, or who because of sickness or physical disability cannot go to the polls to vote may vote an absentee ballot (Supp. § 1602).

Alternative procedures are available, one provides for voting an absence ballot by going in person to the office of the county election commission prior to the day of the election and voting an absentee ballot, the other provides for voting such a ballot by mail (Supp. § 2–1602).

(2) Applying for absentee ballot—A voter desiring to vote absentee by personal appearance shall present himself at the office of the county election commission within the posted hours not more than 20 days nor less than 5 days before the election and shall fill out an application for a ballot. If found to be in order, the county election commission will hand the applicant a ballot to be voted in its office (Supp. § 2–1603).

The county election commission office shall be open a minimum of 3 consecutive hours each week day including Saturdays between 8:00 a.m. and 6:00 p.m. during the 15 day period provided for absentee voting by personal appearance (Supp. § 2–1603).

A voter desiring to vote an absentee ballot by mail shall request in writing over his signature not more than 40 nor less than 5 days before the election of the county election commission an official absentee ballot. If illness or physical disability is alleged, the application must be accompanied by a medical certificate. If the reason for voting absentee is other than illness or physical disability, the application must be mailed and postmarked outside the county of residence.

(3) Procedure in voting ballot—If the absentee ballot is to be voted before the election in the office of the county election commission, the applicant will mark the ballot in said office in secret, fold it and seal it in the absentee ballot envelope and in the presence of the attesting official complete the affidavit on the envelope, hand it to the attesting official who shall certify to the affidavit and deposit it in the sealed box provided for this purpose (Supp. § 2–1603).

If the absentee ballot is to be voted by mail, the voter shall exhibit the unmarked absentee ballot to the attesting official, mark such ballot in secret, fold the ballot and seal it in the absentee envelope, complete, sign and make oath to the affidavit on the flap of the sealed envelope, and deliver the sealed absentee envelope to the attesting official who shall testify to the affidavit, then seal the absentee ballot envelope in the larger envelope bearing the name and address of the county election commission which issued the ballot to the voter. The sealed envelope must then be given to the voter to mail and it must be postmarked in the same county where certified by the attesting official (Supp. § 2-1604).

An attesting official for one voting by mail shall be: (1) for sick or physically disabled voter, a U.S. postmaster or assistant postmaster or any officer authorized to administer oaths; for a voter residing temporarily within the state of Tennessee a commissioner of elections of absentee voting deputy for the Tennessee county of temporary residence of such voter; for voter residing temporarily without the state of Tennessee a U.S. postmaster or assistant postmaster or a U.S. consul or his assistant (Supp. § 2-1606).

Voted absentee ballot must be received by mail by the county election commission prior to 10:00 a.m. on election day (Supp. § 2-1610).

III. Military and other voters in special categories

(1) Who are included in this category—For this purpose, the term "armed forces" means persons who are members of the armed forces of the United States or members of the Merchant Marine of the United States and their spouses and dependents when residing with or accompanying them; members of any religious group or welfare agency assisting members of the armed forces who are officially attached to and serving with the armed forces, and their spouses and dependents; federal personnel, meaning civilian employees of the United States in all categories serving outside the territorial limits of the several states of the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them, whether or not the employee is subject to the civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by Congress.

The term "dependent" means father, mother, brother, sister or child of voting age who is actually residing with or is accompanying and is financially dependent upon the person who is a member of the armed forces or federal personnel (§§ 2-1616; 2-1702).

(2) Registration—An application for an absentee ballot will be treated as an application for temporary registration by one not registered (§ 2-1704).

Application for registration on the FPCA may be made at any time except that registration is not permitted within 30 days of any primary or general election (Supp. § 2-1704(d)).

(3) Absentee voting—Application must be in writing. FPCA will be accepted. Application must be signed and sworn to before an official authorized to administer oaths or a commissioned officer of the armed services of the United States.

Application must be made to the county election of the county where applicant resides and must be received not earlier than 90 days nor later than 10 days before such election (Supp. § 2-1704).

The voter shall in the presence of the attesting official exhibit the unmarked absentee ballot to the attesting official; mark such ballot in secret; fold the ballot and seal it in the absentee envelope; complete, sign and make oath to the affidavit on the flap of the absentee ballot envelope and deliver the sealed envelope to the attesting official who shall certify to the affidavit and then seal the ballot envelope in the larger envelope bearing the name and address of the county election commission which issued the ballot to the voter. The voter shall mail the sealed envelope to his county election commission (Supp. § 2-1705).

The voted ballot must be received by the county election commission prior to 10:00 a.m. on election day (Supp. §§ 2-1710; 2-1610).

TEXAS

Unless otherwise indicated, references are to Vernon's Ann. Rev. Stats. of Texas, Election Code (1966 revision) and 1967 Supp. and to Constitution of 1876, as amended.

I. Residence

To Vote One Must Be:

A resident of the state 1 year preceding the election, and the last 6 months within the district or county (Const. Supp. Art. VI § 2).

(a) Residence is neither gained nor lost while absent from the State on business of the State or of the United States (Const. Art. XVI § 9; Code Supp. § 5.08).

The statutory rules for determining residence are set forth at Code Supp. Art. 5.08.

(b) Special residence rules for presidential elections only: A person who has been a resident of Texas for more than 60 days but less than 1 year prior to the date of the presidential election shall be entitled to vote for presidential and vice presidential electors but for no other officers if the elector was either a qualified elector in another state immediately prior to his removal to Texas or would have been eligible to vote in such other state had he remained there until such election and if he otherwise possesses the substantive qualifications of an elector in Texas other than residence (Const. Supp. Art. VI § 2a; Code Supp. Art. 5.05a).

It is not necessary to register to vote under the general registration provisions but between the 60th day and the 45th day preceding the election the applicant shall register by making an application to the County Clerk of the county of his residence in the form of an affidavit executed in the presence of the County Clerk (Supp. Art. 5.05a).

A former resident of Texas who has become a legal resident of another state may vote for presidential and vice presidential electors by absentee ballot in the county of his former residence if (1) on the day of the election he will not have resided in the new state long enough to meet that State's residence requirements; (2) the period of time since he ceased to be a resident of Texas is less than 24 months; (3) he otherwise possesses the substantive qualifications of an elector except for residence; (4) at the time he left Texas he was a registered voter of Texas if he was then eligible to register.

The former resident shall register by making a written, sworn application to the County Clerk of the county of his former residence for an absentee ballot for President and Vice President only on a form to be furnished by the County Clerk. The application should be accompanied by a voter registration certification current at the time the applicant left Texas.

If satisfied that the applicant is entitled to vote under this section, the County Clerk shall mail him a ballot and a carrier envelope containing an affidavit. The procedures for voting absentee ballot shall be followed as nearly as possible (Supp. Art. 5.05b).

II. Absentee voting

These provisions are applicable to all elections, general, special or primary (Art. 5.05 Subdiv. 1a).

(1) Who may vote absentee—Any qualified voter who expects to be absent from the county of his residence on the day of election, or who because of sickness or physical disability cannot appear at the polling place in the election precinct of his residence on the day of the election may vote by absentee ballot by either (1) voting by personal appearance in the clerk's office or (2) voting by mail (Art. 5.05).

(2) Time to apply for absentee ballot—Application shall be made not earlier than 60 days nor later than the 4th day before the election (Art. 5.05 sub. 1 and 4).

For those who are sick or disabled, the application for absentee ballot must be mailed to the clerk (Art. 4.05 Sub. (:)

Those who expect to be absent from their county of residence on election day and also during the clerk's regular office hours during the entire period for absentee voting may mail or deliver to the clerk an application for an absentee ballot (art. 5.05 sub. 1(ii)).

(3) Procedure in voting ballot—If the absence is for the day of the election only, the voter should go to the clerk's office during the period designated for absentee voting which shall begin on the 20th day and continue through the 4th day preceding the date of the election (Art. 5.05 Sub. 3).

In the discretion of the clerk, voting absentee in person may also be permitted between 2 p.m. and 8 p.m. on the last Saturday and Sunday, or other Saturday and Sunday of the absentee voting period (Art. 5.05 Sub. 1(i)).

The period for voting in the general election and 1st primary begins on the 20th day before the election. The ballot shall be marked by the voter before a notary public or other person authorized to administer oaths. The voter shall sign his name on the back of the ballot stub, detach the stub from the ballot, fold the ballot and place it in the envelope marked "Ballot Envelope" and seal the same. The voter shall then place the stub and the ballot envelope in the carrier envelope, seal it and sign and swear to the affidavit on the carrier envelope which shall be certified by the notary public or other official before whom the ballot is marked. The carrier envelope shall then be mailed to the county clerk.

The envelope must be postmarked not later than midnight of the day preceding the election and must be received in the clerk's office before 1 p.m. on election day (Art. 5.05 Sub. 4).

The procedure for voting in a run-off election or a 2nd primary is the same as that described above except that the voting period begins not later than the 10th day preceding the election (Art. 5.05 Sub. 4a and 4b).

III. Military and other voters in special categories

(1) Who are included in this category—Any qualified voter who is a member of: the Armed Forces of the United States; the Merchant Marine of the United States; a civilian employee of the United States serving outside the territorial limits of the several states and the District of Columbia; a religious group or welfare agency assisting members of the Armed Forces who are officially attached to and serving with the Armed Forces and the spouse and dependents residing with or accompanying the foregoing.

(2) Registration—If the applicant's official address is outside the county but within the State of Texas, he must be registered in the usual way in order to vote (Supp. Art. 5.05 Sub. 2a(4)(1)).

If applicant's official address is outside the State of Texas, and he is not registered, he will be deemed to have applied for registration when he applies for an absentee ballot on the FPCA. If the clerk finds that the applicant has the necessary qualifications, he will register him (Supp. Art. 5.05 Sub. 2a (4)(2); Art. 5.18b).

(3) Absentee voting—The usual requirement that the application for absentee ballot must be made not more than 60 days before the election does not apply to applications made on FPCA (Supp. Art. 5.05 Sub. 2a(4)).

The voter shall mark the ballot before a person authorized to administer oaths, sign his name on the back of the ballot stub, detach the stub from the ballot, fold the ballot and place it in the envelope marked "Ballot Envelope" and seal the same. The voter shall then place the stub and the ballot envelope in the carrier envelope which shall be certified by the official before whom the ballot was marked. The carrier envelope shall then be mailed to the county clerk and must be postmarked not later than midnight preceding the election and must be received in the clerk's office before 1 p.m. election day (Art. 5.05 Sub. 4).

UTAH

(Unless otherwise indicated, references are to Utah Code Ann. 1953 and 1965 Supplement and 1967 Session Laws and to Constitution of 1895, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year, the county 4 months and the precinct 60 days next preceding the election (Const. Art. IV, § 2).

(a) Rules for determining residence—For statutory definition of resident, see Code § 20–2–12, for statutory rules to determine residence, see § 20–2–14 and Supp. § 20–2–14.

(b) Special residence requirements for presidential elections only—None.

II. Absentee voting

(1) Who may vote absentee—Any qualified elector who has complied with the law in regard to registration and who on the day of election is absent from the county or city of which he is an elector and is not within 20 miles of his voting precinct or district, and any physically disabled elector who is confined in a hospital and any physically disabled elector who is confined any other place and who produces a certificate from a physician, may vote absentee (§ 20–6–1).

(2) Applying for absentee ballot—At any time within the 30 days next preceding the election application may be made to the county clerk, or in the case of municipal elections, to the city recorder for a ballot (Supp. § 20–6–3).

Application must be made in writing on a form furnished by the county clerk (Supp. § 20–6–4).

(3) Procedure in voting ballot—The voter shall make and subscribe the affidavit printed on the ballot envelope before an officer authorized by law to administer oaths and in the presence of such officer and no other person, mark the ballot, but in such manner that the officer cannot see the vote. The voter shall then fold the ballot and place it in the envelope, seal the envelope and mail it (§ 20–6–7).

The ballot must be received by the county clerk or city recorder in time to be delivered to the judges of election of the voting district in which the absent voter resides while the polls are open on election day (§§ 20–6–7; 20–6–8).

III. Military and other voters in special categories

The intent and purpose of the Utah act respecting military voting is "to make it possible for electors of the state in the military service of the United States to vote in county, state and national elections during their absence, by reason of such service, to enable these voters to register more conveniently, and to modify such provisions of the election laws of Utah as might otherwise prevent their participation in said elections. The act shall be construed to apply to municipal, special or school elections (Supp. § 20–17–1).

(1) Who are included in this category—Qualified electors who are: members of the armed forces of the United States while in the active service and their spouses and dependents; members of the Merchant Marine of the United States and their spouses and dependents; civilian employees of the United States in all categories serving outside the territorial limits of the several states and the District of Columbia and their spouses and dependents when residing with or accompanying them, whether or not the employee is subject to the civil service laws and the Classification Act of 1949, and whether or not paid from funds appropriated by the Congress; members of religious groups or welfare agencies assisting members of the armed forces, who are officially attached to and serving with the armed forces, their spouses and dependents (Supp. § 20–17–4).

(2) Registration—Registration is required but persons in this category may be registered by completing the registration and voting certificate printed on the back of the ballot envelope and subscribing and swearing to it before a commissioned officer, warrant officer or non-commissioned officer of no lower in rank than a sergeant, or an officer of equivalent rank of any branch of the military or naval service of the United States, or by some other person qualified to administer oaths (Supp. § 20–17–8).

(3) Absentee voting—Application for a ballot must be in writing, signed by the elector and received by the county clerk not less than 5 days before the election and must state name, home address and mailing address of the elector (§ 20–17–9).

Upon receipt of the ballot, the elector shall mark it in secret and seal it in the ballot envelope provided for that purpose. He shall then execute the registration and voting certificate on the back of the envelope. Special provision is made for those who need assistance in marking the ballot. The ballot shall be sent by any available mail service to the county clerk who issued it. Electors in the military service are not required to return the voted ballot by registered mail (Supp. § 20–17–12).

The voted ballot must be received in time for the county clerk to deliver it to the polls on election day (Supp. §§ 20–17–13; 20–17–14; 20–17–5).

VERMONT

(Unless otherwise indicated, references are to Vt. Stats. Ann. and 1965 Supp. T. 17; 1967 Sess. Laws checked and to Constitution of 1793, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year next before the election and of the town 90 days (Const. § 34; Stats. §§ 62; 63).

(a) The statutory rules for determining residence are set forth at Stats. §§ 64; 65; 66;

(b) Special residence requirements for presidential elections only: A person who has qualified to vote at a general election in a town or city and has removed permanently to another state shall retain his right to vote for electors for president and vice-president, and not otherwise, in the town or city from which he has removed for a period of 15 months after such removal, provided he shall not during such period have become qualified to vote for such electors in another state, and provided that prior to his departure he files with the town or city clerk a written declaration of his intention to retain such residence for such purpose, and his name shall not be removed from the check-list of voters until the expiration of 15 months or until such voter notifies his town or city clerk that he has gained a new residence in the new state whichever is earlier. Such votes shall be cast in the manner provided for voting by absentee ballot (§ 67).

II. Absentee voting

(1) Who may vote absentee—Any legal voter of the state who being in the town of his domicile, by reason of illness, injury or other physical disability, or by reason of religious principles, is unable to attend at the polling place therein or who is necessarily absent from his legal residence, or who is necessarily absent from his legal residence during the hours the polls are open upon the day of any general, local, special or primary election, or special meeting at which a check-list and printed ballot are used (§ 121).

(2) Time to apply for absentee ballot—The usual rule is that the application must be made not later than 9 p.m. of the 4th day preceding such election, the voter may make written application to the town clerk for ballot but if the applicant becomes eligible to vote less than 4 days prior to the election, he may apply not later than 9 a.m. of the day preceding the election, and a voter who is necessarily absent continuously from a date less than 4 days prior to the election may apply not later than 12 noon of the day preceding the election and a voter who becomes ill may apply up to 9 a.m. of the day preceding the election provided he submits an affidavit from a doctor (§ 123).

(3) Procedure in voting ballot—Ballots will be delivered to applicants who state in their application that they will be absent from their residence continuously from a date prior to 10 days before the election. Other applicants should apply in person at the clerk's office for the ballot and the clerk will give them a ballot which the voter should thereupon in the Clerk's office vote the ballot and mark and make out the affidavit on the envelope supplied with the ballot and swear to the affidavit before the clerk (Supp. § 136).

Ballots will be delivered to those who are physically unable to go to the polling place (Supp. §§ 137, 138).

Those who vote the ballot by mail must attest to the affidavit before a notary public or other official authorized to administer oaths.

The voted ballot must be received by the town clerk in time to be deposited by him with the proper election officials before the closing of the polls on election day (§ 139).

III. Military and other voters in special categories

(1) Who are included in this category—Members of the Armed Forces of the United States absent from the town of their domicile (§ 126). "Armed Forces of the United States" for this purpose means the Army, Navy, Air Corps, Coast Guard, Merchant Marine, Army and Navy Construction Corps and members of any organization in the field for aid and assistance to members of the Armed Forces and their spouses and dependents; civilian employees of the United States in all categories serving outside the territorial limits of the several states of the United States and the District of Columbia and their spouses and dependents when accompanying them, whether or not the employee is subject to the civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by the Congress (§ 1).

(2) Registration—In lieu of a registration system, a freeman's oath must be sworn to by the voter. This oath may be administered by an officer authorized by a regulation of the Armed Forces of the United States or other person qualified to administer oaths at any place within or without the territorial limits of the United States (§ 68). It may be submitted along with the voted absentee ballot (§ 135).

(3) Absentee voting—Application may be made by the person in the Armed Forces or by his spouse, member of his family or household (§ 126).

The voter shall mark the ballot and sign and attest to the affidavit printed on the envelope supplied with the ballot. An oath of allegiance to the state and to support the Constitution of the United States must be taken (§ 135).

The voted ballot must be received by the town clerk in time to be deposited by him with the proper election officials before the closing of the polls on election day (§ 139).

VIRGINIA

(Unless otherwise indicated references are to Code (Michie), 1950, 1964 Replacement and 1966 Supp. and to Constitution of 1902, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year, of the county, city or town 6 months, and of the precinct 30 days next preceding the election (Const. § 18; Code § 24–17).

(a) Removal from one precinct to another in the same county, city or town shall not deprive any person of his right to vote in the precinct from which he has moved for 30 days after moving (Const. § 18; Code § 24–17).

No officer, soldier, seaman, or marine of the United States Army or Navy shall be deemed to have gained a residence to vote in the state or in any county, city, or town thereof by reason of being stationed therein, nor shall an inmate of any charitable institution, or a student in any institution of learning be regarded as having either gained or lost a residence to vote by reason of his location or sojourn in such institution (Const. § 24; Code §§ 24–19; 24–20).

A certificate of proof of residence is required in lieu of payment of poll tax (Code § 24–17.2).

For the purpose of registering and voting, the residence of a married woman shall not be controlled by the residence or domicile of her husband (§ 24–21).

(b) Special residence requirements for presidential elections only: None.

II. Absentee voting

(1) Who may vote absentee—A duly qualified voter who will in the regular and orderly course of his business, profession, occupation, or other personal affairs, or while on vacation or during his attendance as a student at any school or institution of learning, be absent from the city, town or from the precinct in which he is entitled to vote, if in a county, and any such voter who may be physically unable to go in person to the polls on the day of election, may vote in any primary, second primary, special or general election by absentee ballot (§ 24–319).

(2) Time to apply for absentee ballot—The voter should apply in writing to the registrar of his precinct not less than 5 nor more than 60 days prior to any primary, second primary, special or general election if the voter is in the continental United States.

Such application shall be made not less than 10 days nor more than 90 days if the voter is in Hawaii, Puerto Rico, the Canal Zone, or in the territory over which the United States has no jurisdiction (Supp. § 24–321).

(3) Procedure in voting ballot—Upon the receipt of the registered or certified letter forwarded by the electoral board, the voter shall not open the sealed envelope marked "ballot within" except in the presence of a notary public or other officer authorized by law to take acknowledgments to deeds, and shall then and there mark and refold the ballot without assistance and without making known the manner of marking same. He shall then and there place the ballot in the envelope provided for the purpose, seal the envelope, and fill in and sign the voucher printed on the back of the envelope in the presence of a notary public or other officer who shall witness same in writing. This envelope, together with the coupon, which must be filled out and signed by the notary public, shall be enclosed within the envelope directed to the electoral board. The envelope shall then be mailed or delivered to the electoral board (§ 24–334).

The voted ballot must be received by the electoral board in time to be turned over to the judges of election on the day of the election (§ 24–340).

III. Military and other voters in special categories

It is the public policy of Virginia to encourage, aid and facilitate voting by her qualified citizens who are now or hereafter become members of the Armed Forces in time of war in all elections for public officers (§ 24–345.1).

(1) Who are included in this category—Members of the Armed Forces on active duty in the military or naval service of the United States who are qualified to vote in Virginia (§ 24–345.2; 24–345.12).

(2) Registration—Members of the Armed Forces are exempt from registration requirements (Const. Art. XVII).

(3) Absentee voting—A written application signed by the voter should be made. No particular form of application is required but it shall be sufficient to state the active service of which the voter is a member, his home address, A.P.O., F.P.O., or other service post-office address, his legal residence and his date of birth (Supp. § 24–345.5).

The same procedure in voting the ballot is followed as for other absentee ballot. The voter must swear to the affidavit printed on the ballot envelope before a commissioned officer (§ 24–345.7).

WASHINGTON

(Unless otherwise indicated, references are to Rev. Code of Washington Ann. 1950, 1965 revision and 1967 Supp. and to the Constitution of 1889, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year, of the county 90 days, and the city, town, ward or precinct 30 days immediately preceding the election (Const. Art. VI § 1; Code § 29.07.070).

(a) For the purpose of voting and eligibility to office no person shall be deemed to have gained a residence by reason of his presence or lost it by reason of his absence, while in the civil or military service of the state or of the United States, nor while a student at any institution of learning, nor while kept at public expense at any poor-house or other asylum, nor while confined in public prison, nor while engaged in the navigation of the waters of the state or of the United States, or of the high seas (Const. Art. VI § 4).

Statutory rules for determining residence are set forth at § 29.01,140.

(b) Special residence requirements for presidential elections only: Those citizens of the United States who became residents of the State of Washington during the year of a presidential election with the intention of making this state their permanent residence who can meet all the qualifications for voting except residence may vote for presidential and vice presidential electors but for no other officers provided they have resided in Washington at least 60 days preceding the presidential election and provided they can no longer vote in the presidential election in the State of former residence.

All voting under this provision shall be by mail and by a special ballot. Insofar as possible, the usual absentee voting procedure will be followed. The new resident must execute an application form and the signed application form must be received by the Secretary of State no later than the day prior to the election concerned. In order to be valid, the ballots must be voted and post-marked no later than the day of the election and received by the Secretary of State no later than the 15th day following the election (Supp. App. 29.1 § 3).

II. Absentee voting

(1) Who may vote absentee—Any duly registered voter may vote an absentee ballot for any primary or election if: he expects to be absent from his precinct during the polling hours on the day of the primary or election; is unable to appear in person to cast a ballot because of illness or physical disability; because of his religious tenets cannot with a clear conscience cast his ballot on the day of the primary or election (§ 29.36.010).

(2) Time to apply for absentee ballot—The voter must apply in writing to his county auditor or city clerk no earlier than 45 days nor later than the day prior to the election or primary. The application must be signed by the voter and may be made in person or by mail or messenger (§ 29.36.010). The city or county registrar will issue a certificate that voter is authorized to vote by absentee ballot (§ 29.36.020).

(3) Procedure in voting ballot—Upon receipt of the certificate authorizing absentee voting, the officer having jurisdiction of the election will issue an absentee ballot (§ 29.36.030). Only the voter himself or a member of his family may pick up an absentee ballot at the election office, otherwise the ballot will be mailed to the voter (§ 29.36.035).

The voter must mark the ballot, then fold it and enclose it in the smaller envelope and seal the envelope. He must then fill out and sign the statement on the larger envelope, then place the smaller envelope containing the ballot in the larger one, seal that, attach postage and mail it.

The voted ballot must be in an envelope postmarked the day of the election or sooner and reach the county auditor on or before election day (§ 29.36.040).

III. Military and other voters in special categories

These provisions should be liberally construed so that all service voters may be afforded an opportunity to fully exercise their voting rights (§ 29.30.900).

These provisions apply only to general elections and not to primaries, special elections or municipal elections (Supp. § 29.39.030).

(1) Who are included in this category—"Service voter" means an elector who comes within any of the following categories: members of the Armed Forces while in the active service, and their spouses and dependents, including students and faculty members of the United States military academies; members of the Merchant Marine of the United States and their spouses and dependents; civilian employees of the United States in all categories, including members of the Peace Corps, serving outside the territorial limits of the several states of the United States and District of Columbia and their spouses and dependents when residing with or accompanying them, whether or not the employee is subject to the civil service laws and the Classification Act of 1959, and whether or not paid from funds appropriated by the Congress; members of religious groups or welfare agencies assisting members of the Armed Forces, who are officially attached to and serving with the Armed Forces, and their spouses and dependents; citizens of the United States and of the State of Washington temporarily residing outside the territorial limits of the several states of the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them.

The term "dependent" means any person who in fact is a dependent.

The terms "Armed Forces" and "Merchant Marine" are defined (Supp. § 29.39.010).

(2) Registration—All voters must be registered, but if the applicant is not previously registered, a properly executed declaration on the back of the absentee ballot envelope constitutes the necessary registration (§ 29.39.140).

(3) Absentee voting—The service voter shall execute the printed declaration on the larger envelope. Then he shall mark the

ballot, fold it and enclose it in the smaller envelope, sealing that and enclosing it in the larger envelope which shall be sealed and mailed to the county auditor whose name and address is printed thereon, by air mail postage to be paid by the addressee unless the laws of the United States provide for air mail transmission of such ballot without charge (§ 29.39.140).

The voted ballot must reach the county auditor on or before election day (§§ 29.39.170; 29.36.040).

WEST VIRGINIA

Unless otherwise indicated, references are to West Virginia Code Ann. 1966 rev. and to the Constitution of 1872, as amended.

I. Residence

To Vote One Must Be:

A resident of the state 1 year, of the county 60 days (Const. Art. IV § 1; Code § 3–1–3).

(a) No person in the military, naval, or marine service of the United States shall be deemed a resident of this state by reason of being stationed herein (Const. Art. IV § 1).

Those moving to a new location within the same county within 30 days of an election may vote in former precinct (§ 3–2–27).

(b) Special residence requirements for presidential elections only: None.

II. Absentee voting

(1) Who may vote absentee—any qualified voter, being duly registered, who by reason of the nature of his employment, business, or on account of other unavoidable causes, expects to be absent from the county on the date of any primary, general or special election, or who by reason of physical disability, illness or injury will be unable to vote in person at the polls, or who is a student attending any college or university, or is the spouse of any such student outside the county wherein he is legally registered to vote, or who is a member of any branch of the armed services of the United States and who expects to be absent on duty on election day from the county in which he is registered, or the spouse or members of his family living with him. For this last class of voter, see (VII) Military and other Voters in Special Categories post.

(2) Application for absentee ballot—The voter should apply to the Clerk of the Circuit Court of the county in which his voting precinct is located for an absentee ballot.

Such application should be made not more than 60 days prior to the election not later than the Saturday next preceding a primary or general election nor after regular business hours on the 3d next preceding the date of any special election (§ 3–3–2).

Application for ballot may be made in person or by mail on a blank to be furnished by the clerk of any Circuit Court. The voter must complete and sign the application and return it to the clerk of the Circuit Court of the county in which he is a qualified elector (§ 3–3–3).

(3) Procedure in voting ballot—Upon receipt of the ballot, the voter shall make and subscribe the declaration printed on the ballot envelope which the clerk will send at the same time as the ballot.

The voter then shall be in the presence of no other person mark the ballot, fold it and place it in the ballot envelope and seal the envelope. The voter shall then mail or deliver the envelope to the officer who issued the ballot.

The voted ballot must be received by the appropriate clerk of the Circuit Court in time for him to deliver it to the election commissioners before the closing of the polls (§ 3–3–7).

III. Military and other voters in special categories

(1) Who are included in this category—A member of any branch of the Armed services of the United States and who in the performance of his duties expects to be absent on election day from the county in which he is registered, or his wife or husband or other member of his family living with such person (§ 3–3–1).

(2) Registration—Registration is required but may be made by mail (§ 3–2–23). Same provisions apply as are set forth for civilian voters at (V) Registration.

(3) Absentee voting—Same provisions apply as are set forth at (VI) Absentee Voting.

WISCONSIN

(Unless otherwise indicated, references are to West's Wisconsin Stats. Ann. 1967 ed. and to Constitution of 1848, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year next preceding the election, and in the election district 10 days (Const. Art. III § 1; Stats. § 6.02).

(a) Those moving from one election district to another in the state within 10 days of election may vote in former precinct (§ 6.02).

No person shall be deemed to have lost his residence in this state by reason of his absence on business of the United States or of this state (Const. Art. III § 4);

No soldier, seaman or marine in the Army or Navy of the United States shall be deemed a resident of this state in consequence of being stationed here (Const. Art. III § 5);

Statutory rules for determining residence are set forth at Stats. § 6.10.

(b) Special residence requirements for presidential elections only—New residents: Any person who would have been a qualified elector on the day of the presidential election had he remained in the state from which he moved and who is qualified to be an elector in Wisconsin except that he cannot meet the residence requirements because he has lived in Wisconsin less than 1 year, may vote for president and vice president but for no other offices.

Such person need not register to vote but should apply to the proper municipal clerk either in person or in writing at any time prior to the election.

The applicant shall swear to an affidavit before the municipal clerk or and officer authorized by law to administer oaths and shall also complete and sign a card saying that he intends to vote for President in Wisconsin and that his voting privileges should be canceled at his previous residence.

The municipal clerk shall then forward the card to the proper officials of the state of former residence and request a certificate from that official certifying to the fact that the applicant would have been qualified to vote in his former state had he not moved.

When the municipal clerk receives this certification, he shall notify applicant that he may vote sooner than 15 nor later than 1 day before the election.

The applicant, voting in person, shall mark the ballot in the clerk's presence in a manner that will not disclose his vote. The applicant shall then fold the ballot and place it in the envelope furnished by the clerk for this purpose, seal the envelope and swear to the affidavit printed on the envelope (§ 6.15).

Former residents—If ineligible to qualify as an elector in the state to which he has moved, any former qualified Wisconsin elector may vote an absentee ballot in the precinct of his prior residence in any presidential election occurring within 24 months after leaving Wisconsin by requesting an application form and returning it properly executed to the municipal clerk of his prior Wisconsin residence. Application must be received in sufficient time for ballots to be mailed and returned prior to the Presidential election (§ 6.18).

II. Absentee voting

(1) Who may vote absentee—Any qualified elector who is or expects to be absent from the municipality in which he is a qualified elector on election day whether by reason of active service in the United States Armed Forces or for any other reason, or who because of sickness, physical disability or religious reasons cannot appear at the polling place in his precinct. Any qualified elector who changes his residence within this state after registration closes, but who fails to change his registration may vote an absentee ballot in the precinct where qualified to vote before moving (§ 6.85).

(2) Applying for absentee ballot—Application for absentee ballot may be made by the voter in writing or in person.

If the application is made in writing, the application, signed by the elector, shall be received no sooner than the 1st of the month 3 months before the election nor after 5 p.m. on the Friday immediately preceding the election.

If the application is made in person, the application shall not be made sooner than the 1st of the month 3 months before the month of the election nor later than 5 p.m. on the day preceding the election (§ 6.86).

(3) Procedure in voting ballot—The voter shall subscribe to the affidavit printed on the ballot envelope either before a person authorized to administer oaths or before 2 witnesses who are qualified electors of Wisconsin.

The voter shall then in the presence of the officer administering the oath or 2 witnesses as the case may be, mark the ballot but in such a way that the observer will not know how he marked it. The voter shall then fold the ballot and place it in the ballot envelope supplied for this purpose. The envelope shall then be mailed or delivered in person to the appropriate clerk.

The voted ballot must be received by the municipal clerk in time for delivery to the polls before the closing hour (§ 6.87).

III. Military and other voters in special categories

(1) Who are included in this category—For these purposes "military elector" includes: members of the Armed Forces of the United States; members of the Merchant Marine of the United Sates; civilian employees of the United States and civilian officially attached to the military serving outside the territorial limits of the United States; spouses and dependents of the foregoing residing with or accompanying them when living outside the territorial limits of the United States (§6.22).

The special voting privileges for persons in this category shall continue for 6 months after honorable discharge but this extension does not apply to spouses and dependents of military electors (§6.22(7)).

(2) Registration—Military electors are not required to register as a prerequisite to voting at any election (§6.22(3)).

(3) Absentee voting—The ballot shall be marked and returned the same as other absentee ballots (§6.22(5), see VI Absentee Voting).

WYOMING

(Unless otherwise indicated, references are to Wyoming Stats. 1957 and 1965 Supp. and to the Constitution of 1890, as amended.)

I. Residence

To Vote One Must Be:

A resident of the state 1 year and in the county 60 days next preceding the election and of the precinct at least 10 days (Const. Art. 6 § 2; Stats. Supp. § 22–118.3).

(a) No elector shall be deemed to have lost his residence in this state by reason of his absence on business of the United States, or of this state, or in the military or naval service of the United States (Const. Art. 6 § 7; Stats. Supp. § 22–118.3).

No soldier, seaman, or marine in the Army or Navy of the United States shall be deemed a resident of this state in consequence of his being stationed therein (Const. Art. 6 § 8; Stats. Supp. § 22–118.3).

For statutory rules to determine residence see Stats. Supp. § 22–118.3).

Persons who move to a new precinct within 10 days of an election may still vote in their former precinct (Supp. § 22-118.3 (j)).

(b) Special residence requirements for presidential elections only: A former resident loses his residence in Wyoming when he acquires a residence in another state except that in a year in which a general election is held, if his Wyoming registration is in force at the time he removes to another state with the intention of making it his home, and if under the laws of the other state, he will be ineligible to qualify as a voter of that state because of insufficient residence in that state he shall be deemed to have retained his residence in Wyoming for the purpose of voting in the general election. Upon complying with the absent voting provisions, such persons will be sent a Wyoming general election ballot which he may vote in the precinct in which he was registered at the time he removed from Wyoming to the other state (Supp. § 22-118.3 (K)(6)).

II. Absentee voting

The following provisions apply to primary, general and special elections to fill vacancies in the office of representative in the Congress of the United States participated in by the voters of a county, district larger than a county, or of the state; municipal primary, general and special elections; bond elections of any county, city or town, school district or high school district (Supp. § 22-118.121).

(1) Who may vote absentee—Any qualified elector who expects to be absent from his county of residence on election day or who is physically unable to appear at the polls of his voting precinct by reason of illness or otherwise or who is a member of the Armed Forces. As to the last category, see (VII) Military and Other Voters in Special Categories post (Supp. § 22-118.122).

(2) Applying for absentee ballot—Request ballot from appropriate clerk in writing, but no particular form is required except that it shall set forth the necessary information.

The request may be made on behalf of the voter by any qualified voter of the same county who shall state that he is acquainted with the elector and knows him to be a qualified elector (Supp. § 22-118.124).

Requests for ballots must be made not more than 40 days prior to the election concerned (Supp. § 22-118.126).

(3) Procedure in voting ballot—The voter upon receipt of the ballot and ballot envelope shall mark the ballot in the presence of any public official authorized by law to administer oaths or in the presence of two disinterested witnesses but in such manner that such persons cannot see the vote.

The voter shall then take and subscribe the affidavit on the back of the envelope before the official or witnesses. The voter shall then fold the ballot and place it in the ballot envelope and seal the envelope. The public official, or witnesses, as the case may be, shall sign the certificate on the ballot envelope. The envelope shall then be mailed to the clerk (Supp. § 22-118.129).

Such ballots must be received by the clerk in time for him to deliver them at or before the opening of the polls on election day (Supp. § 22-118.138).

III. Military and other voters in special categories

The following pertain to primary, general and special elections to fill vacancies in the Office of United States Representative in Congress, participated in by the voters of a county, district larger than a county, or of the state; municipal primary, general and special elections; bond election of any county, city, town, school district or high school district (Supp. 22-118.121).

It is the intent of the Wyoming law that every effort be made to enable military personnel to participate in the electoral process and the state and county selective service boards, all military organizations, the adjutant general, citizens and officers of the state are charged with the duty of cooperating with the election officials in carrying out the intent and purpose of this law (Supp. § 22-118.123).

(1) Who are included in this category—Members of the Armed Forces while in active service and his spouse and dependents; member of the Merchant Marine of the United States and his spouse and dependents; civilian employees of the United States in all categories serving outside the territorial limits of the several states of the United States and the District of Columbia and his spouse and dependents when residing with or accompanying him, whether or not the employee is subject to the Civil Service Laws and the Classification Act of 1949 and whether or not paid from funds appropriated by the Congress; members of a religious group or welfare agency assisting members of the Armed Forces who is officially attached to and serving with the Armed Forces and his spouse and dependents (Supp. § 22-118.122).

(2) Registration—Registration is required of electors in military service and such electors must re-register for each election in which they vote (Supp. § 22-118.130).

However, for electors in military service registration may be made at the same time as voting the absentee ballot from the information given on the ballot envelope (Supp. § 22-118.132; 22-118.141).

(3) Absentee voting—Requests for ballots may be made at any time during the year but not less than 15 days prior to the election concerned (Supp. § 22-118.126).

In other respects, the procedure for other absent voters shall be followed. The clerks are urged to make a special effort to see that ballots received by the clerk on election day from military voters are delivered to the polls (Supp. § 22-118.138).

SENATE JOINT RESOLUTION 60—INTRODUCTION OF JOINT RESOLUTION TO ESTABLISH A COMMISSION ON BALANCED ECONOMIC DEVELOPMENT

Mr. MUNDT. Mr. President, during the 90th Congress, I introduced a resolution to establish a National Commission on Balanced Economic Development. This resolution, Senate Joint Resolution 64, had wide bipartisan support. The Senate Government Operations Committee, on which I serve as ranking minority member, held extensive public hearings under the able chairmanship of the distinguished Senator from Montana (Mr. METCALF), and the resolution was unanimously endorsed by the committee. On October 27, 1967, this legislative proposal to establish the Balanced Economic Development Commission passed the Senate by a unanimous vote and was sent to the House where it was referred to the House Foreign and Interstate Commerce Committee. Unfortunately, the House committee had a backlog of legislation to consider and no hearings were scheduled in the House. The resolution, of course, died with the adjournment of the 90th Congress.

Today, Mr. President, I reintroduce this joint resolution and once again I am happy to say that I have been joined by a large number of cosponsors from both sides of the aisle and from every section of the country. Cosponsoring this resolution are Senators BAKER, BENNETT, BURDICK, COOK, CURTIS, DOMINICK, FANNIN, HANSEN, HARRIS, HRUSKA, JORDAN of Idaho, MCGOVERN, MILLER, PEARSON, PERCY, PROUTY, RANDOLPH, and STEVENS.

In again speaking to the subject of the economic development of our great communities across the Nation, I recall that on February 6, 1967, I expressed the opinion that the Federal Government has an interest and obligation to attempt an objective appraisal of the contributing factors that make for rapid economic development in certain areas of the country and slow economic development and even stagnation in others; population explosions in metropolitan areas and outmigration in rural areas, thus creating serious economic, educational and social problems in both places.

It was with these thoughts in mind that I developed the legislative proposal to establish a National Committee on Balanced Economic Development which I introduced in the Senate on April 6, 1967. It has now been 2 years since I made my original observations and although some progress to bring this critical problem to the forefront in our thinking and some considerations of the national economy have been made, the situation continues to escape practical, sensible, and systematic solution.

In reviewing my remarks on Senate Joint Resolution 64 over the past 2 years, I have found the reasoning behind and justification for a national commission to study the social, demographic, political, educational, and economic factors affecting population shifts and economic development in both the rural and urban areas of America are still valid. I call attention to the CONGRESSIONAL RECORD, volume 113, part 7, page 8518, and volume 113, part 22, page 30359. The following pertinent remarks are particularly significant, and I should like again to share them with those Senators who were present at the time, and also summarize the remarks as background information for our new and distinguished colleagues.

> I am convinced we do not have the luxury of 10, 20, or perhaps 30 years to investigate and start to correct economic and social problems, and find their solutions on a piecemeal basis. Expert testimony given before the U.S. Senate Government Operations Committee confirmed this conviction. The time element is crucial and critical. American patience is running low. It is time to get America going again!
>
> As significant and worthwhile as some of the legislative proposals introduced in the 90th Congress has been in addressing the social and economic problems faced by the citizens of this nation, they unfortunately do not provide for coordination of their specific ends into a significant and systematic program for a national goal. We have reached a decisive crossroads in the 20th Century that demands a sober, honest look at the causes of the social and economic illnesses besetting America, what our future should be, and how best to obtain these goals. We must draw together, in a concrete way, the many aspects of the social, economic, and political factors that come into play in the everyday lives of all our citizens and affect their tomorrow—their security—their dignity as individuals—and above all, their opportunities to live a tranquil and productive life.
>
> To all this, it falls within our purview to reassess the impact and the roles of local, state, and Federal governmental entities sin-

gularly, in their interrelationship, and collectively. We must also reassess the role of the private sector of our economy—this powerful demonstration of our economic freedom—and offer suggestions to that sector to the end that its strength and full potential can be utilized and coordinated with the efforts of our governmental structures in bringing about the social and economic gains necessary to perpetuate our inherent rights and enable this great nation of ours to move forward.

To this end, Senate Joint Resolution #64 (and companion bill House Joint Resolution #900) proposes the establishment of a National Commission on Balanced Economic Development composed of 16 public-spirited individuals from a cross-section of rural and urban communities throughout the United States, plus 4 members selected by the President from among those most qualified by training, experience, or knowledge in the fields pertinent to the Commission's subject matter. The lifespan of the Commission is two years to assure the American people that they are not saddled with another self-perpetuating bureaucracy, but rather a commission that will do its job and dissolve.

How can a country that is fabulously rich and yet shockingly poor . . . that is strong in potential and yet, to a certain extent, weak in results . . . that has unexhausted resources and yet for some is exhausted in opportunities . . . that finds its citizens living in overpopulated areas, and yet has vast unpopulated lands . . . and which is above all a free and democratic society . . . achieve its millennium: The best possible development of its economy and best possible life for its citizens? It is the purpose of Senate Joint Resolution #64 to help find constructive and effective answers to these questions by establishing a National Commission on Balanced Economic Development.

Since the original resolution was introduced and passed by the Senate, I have received over 500 letters from every corner of the United States expressing an interest in the establishment of a National Commission on Balanced Economic Development. These letters have come from educators, local, State and Federal officials, scientists, entrepreneurs, national interest groups, public and nonprofit research organizations, and so forth. Every letter expressed strong support and many have written several pages giving me the benefit of their counsel and advice which I deeply appreciate. At random I have chosen examples of such letters and want to share them with Senators, and therefore ask unanimous consent to have them printed in the Record, in order that they, too, can understand my optimism and confidence that the establishment of a National Commission will reap countless benefits in our understanding and correction of the rural-urban imbalance which has helped to bring financial crises of city governments, financial bankruptcy to many municipal and county governments, as well as threatening the solvency of State governments, in the less populated areas of this land of plenty.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Comments From Federal Agencies

Jonathan Lindley, Deputy Assistant Secretary for Policy Coordination, Economic Development Administration, U.S. Department of Commerce, Washington, D.C., June 19, 1968: ". . . As you so aptly put it, this nation has yet to approach the problem of the city in its totality. The national economy is becoming increasingly characterized by a system of cities. Yet left alone, it is becoming an unbalanced system with the bulk of the growth occurring in a few major urban places. Such unbalanced growth could threaten the stability of the whole system."

Clyde T. Ellis, Consultant to the Secretary, Department of Agriculture, Washington, D.C., August 21, 1968: ". . . Speaking only for myself, I can congratulate you and the other sponsors of this Resolution, and am happy to express my feeling that it would be a good thing and that its passage would be good for the whole country."

George D. Hann, Regional Assistant Commissioner, U.S. Department of Health, Education, and Welfare, Regional Office, Dallas, Tex., August 6, 1968: ". . . You can expect me to do anything I can to further this project . . ."

Harold A. Haswell, Director of Educational Research, U.S. Department of Health, Education, and Welfare, Regional Office Dallas, Tex., August 14, 1968: ". . . I urge the passage of legislation establishing a Commission on Balanced Economic Development as proposed in S.J. Res. 64."

T. W. Taylor, Acting Commissioner, Bureau of Indian Affairs, U.S. Department of Interior, Washington, D.C., August 14, 1968: ". . . Our program of Employment Assistance designed to help Indian people find satisfactory employment, as you know, involves us, and has involved us since 1952, directly in the problem so acutely described in S.J. Res. 64. . . . Consequently, the establishment of a commission whose objectives is to find ways and means that will assist us in furtherance of employment for Indian people has our total support'."

William C. Galegar, Regional Director, Federal Water Pollution Control Administration, U.S. Department of Interior, Dallas, Tex., August 5, 1968: ". . . The distribution of the population is a major factor in the field of water pollution control. I can assure you of our continuing interest in this field. I share your interest in improving the economic balance between urban and rural areas and wish you every success in your efforts to do so through this legislation."

Comments From State and Local Agencies

George Nader, mayor, Chandler, Ariz., January 15, 1968: ". . . As the Mayor of an agricultural community, I am definitely interested in taking steps to create a greater economic balance in the urban-rural sectors . . . I am sending letters to Senator Hayden and Senator Fannin asking them to support your resolution . . ."

Lester Maddox, Governor, State of Georgia, August 10, 1968: ". . . I would be pleased to lend my support to your efforts . . . there is a need for pulling together the fragmented activities of the Federal agencies and departments into more meaningful, coordinated administrative units . . ."

Richard D. Chumney, Deputy Administrator, Department of Agriculture, State of New Jersey, Trenton, N.J., February 9, 1968: ". . . The New Jersey Department of Agriculture is vitally concerned with the total economic development of both rural and urban areas and strongly supports the establishment of a Presidential study commission such as envisioned in S.J. Res. 64."

Arthur L. Ortiz, State Planning Officer, State Planning Office, State of New Mexico, Santa Fe, N. Mex., March 12, 1968: ". . . we wish to support S.J. Resolution 64 . . . we feel that the concept embodied in it is certainly a good one."

Clifford Wright, Ed. D., Director of Curriculum, State Department of Education, Oklahoma City, Okla., August 14, 1968: ". . . I am firmly convinced that the establishment of such a Commission would provide a thorough study of population migration with the objectives of finding and recommending solutions to the urban-rural imbalance. I shall exert my energies to helping in this cause . . ."

Ira E. McConnell, special consultant, fiscal and programs, Oklahoma Public Welfare Commission, August 21, 1968: ". . . There never has been a truly economic distribution of labor and I sincerely hope that your efforts will achieve it. . . . "Someone has said that modern has four basic wants: respect, social justice, economic opportunity, and political voice. It would appear to me that we could plan for the fulfillment of these wants only after obtaining the information which should be made available following the culmination of work such as proposed to be accomplished by a "Commission on Balanced Economic Development."

Ramon Garcia Santiago, Chairman, Puerto Rico Planning Board, Office of the Governor, Santurce 29, P.R., March 19, 1968: ". . . I think it will be very useful to establish a Commission on Balanced Economic Development to study the problem of population imbalances and design recommendations revitalizing areas from where people are emigrating."

Comments From National Interest Groups

James G. Patton, consultant to the board of directors, National Farmers Union, Washington, D.C., February 14, 1967: ". . . I am delighted that you, a conservative, are identifying yourself with the future in developing new city complexes outside the urban centers."

David R. Hunter, deputy general secretary, National Council of the Churches of Christ in the U.S.A., New York City, February 5, 1968: ". . . I am sharing this material (on J. Res. 64, Balanced Economic Development Commission) with my colleagues, particularly in the Division of Christian Life and Mission, and we will relate ourselves to this development in every possible way. The goal is a worthy and much needed one and I trust that it may be achieved."

George Douth, U.S. affairs editor, City East CEPCOR, Inc., New York, N.Y., August 15, 1968: ". . . It is not in the best interest of the nation to have action precede knowledge. The Commission on Balanced Economic Development could contribute immeasurably by disseminating vital information on the rural to urban population shift, generating a more meaningful and enriched way of life for all America."

Comments From Industry

Derryfield N. Smith, executive director, Environmental Development Associates, Consultants for Planning, Research and Management, Dulles International Airport, Washington, D.C., July 9, 1968: ". . . The concept and scope of your excellent proposal are thoroughly justified in view of the apparently aimless drift of the American economy. Since the hearings conducted on your proposal about a year ago, the continued downward spiral of social welfare for all citizens and the lopsided emphasis on unbalanced economic solutions, so clearly pointed out in those hearings, have continued unabated. Today under the increasing urgency of telescoping events it is most difficult to maintain an essential degree of balance and objectivity."

James R. Anderson, Clark & Enersen-Eisson, Burroughs & Thomsen, Architects-Engineers-Planners, Lincoln, Nebr., August 22, 1968: ". . . It is precisely with these problems that you speak of, the rural-urban population shift, stimulating industrial decentralization and the like, that we are faced with daily in developing Comprehensive Plans for communities and counties in South Dakota and elsewhere."

James M. Rice, president, James M. Rice Associates, Industrial Developers & Consultants, Maywood, N.J., April 12, 1968: ". . . The Bill that Senator Mundt has proposed will be of great assistance in taking future national clients out of the cities into the rural areas."

Hans K. Klunder, Hans Klunder Associates, Inc., consultants for New England and New York, Hanover, N.H., January 25, 1968: ". . . Be assured that we in New England will lend our support to programs designed to develop rural areas and therefore help solve urban core problems."

H. M. Conway, Jr., president, Conway Research, Inc., Atlanta, Ga., February 16, 1968: ". . . This is . . . to urge the adoption of S.J. Res. 64, which would create a Commission on Balanced Economic Development. As publisher of the magazine, Industrial Development, we see the opportunity for such a unit to make a significant contribution."

Comments of Distinguished Educators

Faculty members of the following colleges and universities across the nation have endorsed or are favorably inclined toward the basic objectives of this Joint Resolution:

CALIFORNIA

University of California, Berkeley, California—Agricultural Extension Service.

University of California, Los Angeles, California—California College of Medicine (Phyllis Freeman Murphy, Department of Pharmacology).

FLORIDA

University of Florida, Gainesville, Florida—Florida Agricultural Extension Service, Institute of Food & Agricultural Sciences (M. O. Watkins, Director).

ILLINOIS

Northwestern University, Chicago, Illinois—School of Business (Kenneth Gordon, Department of Managerial Economics).

University of Illinois, Urbana, Illinois—Department of Anthropology (Dr. D. B. Shimkin, Professor of Anthropology & Geography).

KANSAS

Wichita State University, Wichita, Kansas—Office of Information Services (George J. Wordon, Director).

KENTUCKY

University of Kentucky, Lexington, Kentucky—Department of Sociology.

MAINE

University of Maine, Orono, Maine—Cooperative Extension Service.

MASSACHUSETTS

Harvard University, Cambridge, Massachusetts—John F. Kennedy School of Government, Institute of Politics (John McClaughry, Fellow).

MINNESOTA

University of Minnesota, St. Paul, Minnesota—Institute of Agriculture (Wilbur R. Maki, Professor & Research Coordinator in Resource and Community Development, Department of Agriculture Economics).

MISSISSIPPI

University of Mississippi, Columbia, Mississippi—School of Law, Legal Institute of Agricultural & Resource Development (Walter E. Chryst, Director of Economic Research).

MISSOURI

University of Missouri, Columbia, Missouri—College of Agriculture (Rex R. Campbell, Associate Professor, Department of Rural Sociology).

University of Missouri, Kansas City, Missouri—School of Education (Calvin E. Gross, Dean).

University of Missouri, Columbia, Missouri—School of Social and Community Services (Hugh Denney, Associate Professor, Department of Regional and Community Affairs).

NEW YORK

State University of New York, Buffalo, New York—Office of Urban Affairs (Gordon Edwards, Director)

NORTH CAROLINA

North Carolina State University, Raleigh, North Carolina—College of Agriculture & Life Sciences, Agricultural Policy Institute (F. A. Mangum, Jr., Associate Director).

OKLAHOMA

Oklahoma State University, Stillwater, Oklahoma—College of Business, Manpower Training Center (Dr. John Sheare, Director).

Oklahoma State University, Stillwater, Oklahoma—Research Foundation (Dr. John Egermeier, Director).

OREGON

Oregon State University, Corvallis, Oregon—Cooperative Extension Service (Ted Sidor, Resource Development Specialist).

SOUTH DAKOTA

Black Hills Teachers College, Spearfish, South Dakota (J. B. Smith, Professor of Geography).

University of South Dakota, Vermillion, South Dakota—Institute of Public Affairs.

TEXAS

Texas A&M University, College Station, Texas—College of Engineering, Department of Highway Economy, William G. Adkins, Head; Texas Transportation Institute; and Industrial Economics Research Division.

OTHERS

Kenneth Gordon, Department of Managerial Economics, School of Business, Northwestern University, Chicago, Ill., August 6, 1968: ". . . The subject indeed is worthy of congressional study, and it is to be hoped the Commission will stimulate work in this area more generally."

George J. Worden, Office of Information Services, Wichita State University, Wichita, Kans., August 9, 1968: ". . . You may be assured that those of us at Wichita State University will lend any support we can to help establish this important commission."

Thomas R. Ford, Chairman, Department of Sociology, University of Kentucky, Lexington, Ky., August 6, 1968: ". . . It is gratifying to learn of your efforts to seek remedies for these problems through the establishment of a Commission on Balanced Economic Effort. We shall be pleased to lend our support to the legislation . . ."

Edwin H. Bates, Associate Director, Cooperative Extension Service University of Maine, Orono, Maine, January 18, 1968: ". . . The concern of many people who are engaged to some degree in trying to bring about desirable changes in both rural and urban areas is the sheer size of the job to be done. The probable costs, though immense, will be small indeed compared to the obvious benefits from balanced economic development. And the costs of continued neglect and absence of corrective action, as you point out, is so frightening and insensible, they can no longer be considered acceptable alternatives."

John McClaughry, Institute of Politics, John F. Kennedy School of Government, Harvard University, Cambridge, Mass., January 5, 1968: ". . . I commend you for your important initiative in this area . . . Our party has sound ideas which will gain us increased support if their importance is brought home to the American People . . ."

Walter E. Chryst, Director of Economic Research, Legal Institute of Agricultural and Resource Development School of Law, University of Mississippi, University, Miss., January 11, 1968: ". . . Your proposal is excellent and extremely timely. . . . there is a growing need to address the problems of Mainstreet . . ."

Calvin E. Gross, Dean, School of Education, University of Missouri, Kansas City, Mo., June 17, 1968: ". . . I am always wary of Federal activities which tend to manipulate the destinies of people, but I am also quite aware that to do nothing also constitutes a policy, and I am therefore more than willing to support your proposal for this Commission . . ."

Fred A. Mangum, Jr., Associate Director, North Carolina State University at Raleigh, Agricultural Policy Institute, Raleigh, N.C., August 7, 1968: ". . . Realizing that urban places serve as the foci of economic growth, much can still be accomplished in promoting development within the economic sphere of these cities as well as job opportunities in completely rural areas. Your bill will be a valuable contribution."

James R. Bradley, Head, Industrial Economics Research Division, Texas A&M University, College of Engineering, August 2, 1968: ". . . I want you to know that our university will cooperate in any way possible. As a land grant university, we are fully aware of the urban-rural imbalance, and we feel that with adequate study, a great deal of corrective action could and should be taken."

William G. Adkins, Head, Department of Highway Economy, College of Engineering, Texas Transportation Institute, Texas A&M University, College Station, Tex., January 10, 1968: ". . . May I . . . commend you for focusing your attenion and energies on this most important subject? . . . I agree that it is most worthwhile that we should develop a well-conceived and well-reinforced national goal to seek a balanced rural-urban society. The Commission you propose and its study task should contribute to this purpose."

Mr. MUNDT. Mr. President, such a spontaneous reaction to proposed legislation does not come too often, and needless to say, it is a rewarding experience to have such important grassroots support from the college campuses to the Federal Government agencies. There is without shadow of a doubt a need to inventory the instruments and instrumentalities at the local, State, and Federal levels that have contributed to the population imbalance that is facing our Nation today. We must also establish priorities as to what can be done first to alleviate the disparity of income and social services that exist from community to community—whether in the rural, less populated areas of the country or in the overcrowded ghettos in the American cities.

But, first, we must systematically analyze the forces that interact to create conditions that deprive many of our citizens the opportunity to live a life that guarantees adequate social services, a livable wage, and an unrestricted opportunity to compete in the free enterprise system that is a hallmark of the American way of life. A National Commission on Balanced Economic Development, made up of distinguished citizens from representative communities and the Federal Government, is an efficient and economical way to ferret out these factors and forces, order the priorities for a national policy to alleviate the population imbalance and uneven economic development of local communities, and make recommendations to the Congress as to the method which is best suited for all segments of our society to enjoy those guaranteed liberties and freedoms which our Constitution provides.

To summarize the basic areas of concern that the National Commission would be interested in, this resolution provides that the Commission make—

First, an analysis and evaluation of the economic, social, and political factors which affect the geographic location of industry;

Second, an analysis and evaluation of the economic, social, and political factors which are necessary in order for industries to operate efficiently outside the large urban centers or to operate and expand within the large urban centers without the creation of new economic and social problems;

Third, a consideration of the ways and means whereby the Federal Government might effectively encourage a more balanced industrial and economic growth throughout the Nation;

Fourth, an analysis and evaluation of the limits imposed upon population density in order for municipalities, or other political subdivisions, to provide necessary public services in the most efficient and effective manner;

Fifth, an analysis and evaluation of the effect on governmental efficiency generally of differing patterns and intensities of population concentration;

Sixth, an analysis and evaluation of the extent to which a better geographic balance in the economic development of the Nation serves the public interest;

Seventh, an analysis and evaluation of the role which State and local governments can and should play in promoting geographic balance in the economic development of a State or region; and

Eighth, an analysis and evaluation of practicable ways in which Federal expenditures can and should be managed so as to encourage a greater geographic balance in the economic development of the Nation.

Thorough analysis of these eight points will be of immeasurable assistance to the Congress and the President in their respective decisionmaking function, which, in the last and final analysis, is to provide equal opportunities and a fair chance for a free people, wherever they live in these United States.

Mr. President, I ask unanimous consent that the text of the Senate joint resolution be printed in the RECORD.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 60) to establish a Commission on Balanced Economic Development, introduced by Mr. MUNDT (for himself and other Senators), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S.J. RES. 60

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF PURPOSE

SECTION 1. The Congress finds and declares that there is a need for more information and understanding concerning the means for achieving a better geographic and population balance in the economic development of the Nation. With a view to providing such information and understanding, it is the purpose of this joint resolution to establish a bipartisan commission to undertake a thorough study and analysis of current geographic trends in the economic development of the Nation, the causative factors influencing the same, the implications thereof in terms of the distribution of population, the effect of government actions in shaping such trends, and the factors, private and public, influencing the geographic location of industry and commerce and the movement of population as an aid in the formation of policy at all levels of government.

ESTABLISHMENT OF COMMISSION

SEC. 2. (a) There is hereby established a commission to be known as the Commission on Balanced Economic Development (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of twenty members to be appointed by the President as follows:

(1) Four members to be appointed from among residents of cities in the United States with a population of at least one million persons.

(2) Four members to be appointed from among residents of cities in the United States with a population of less than one million persons, but not less than one hundred thousand persons.

(3) Four members to be appointed from among residents of cities in the United States with a population of less than one hundred thousand persons, but not less than ten thousand persons.

(4) Four members to be appointed from among residents of towns, villages, and communities in the United States with a population of less than ten thousand persons.

(5) Four members to be appointed without regard to residence or political affiliation from among citizens of the United States who are specially qualified by training, experience, or knowledge in any field pertinent to the subject matter to be studied by the Commission.

(c) In the case of each class of four members described in clauses (1), (2), (3), and (4) of subsection (b), not more than half shall be members of the same political party.

(d) For the purposes of clauses (1), (2), (3), and (4) of subsection (b), the population of any city, town, village, or community in the United States shall be determined upon the basis of data contained in the current decennial census of population taken in the United States.

(e) The Commission shall elect a Chairman and a Vice Chairman from among its members.

(f) Eleven members of the Commission shall constitute a quorum.

(g) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

DUTIES OF THE COMMISSION

SEC. 3. The Commission shall undertake a thorough and objective study and investigation in furtherance of the purposes set forth in section 1. Such study and investigation shall include, without being limited to—

(1) an analysis and evaluation of the economic, *physical, environmental,* social, and political factors which affect the geographic location of industry *and the movement of population;*

(2) an analysis and evaluation of the economic, social, and political factors which are necessary in order for industries to operate efficiently outside the large urban centers or to operate and expand within the large urban centers without the creation of new economic and social problems;

(3) a consideration of the ways and means whereby the Federal Government might effectively encourage a more balanced industrial and economic growth throughout the Nation;

(4) an analysis and evaluation of the limits imposed upon population density in order for municipalities, or other political subdivisions, to provide necessary public services in the most efficient and effective manner;

(5) an analysis and evaluation of the effect on governmental efficiency generally of differing patterns and intensities of population concentration;

(6) an analysis and evaluation of the extent to which a better geographic balance in the economic development of the Nation serves the public interest;

(7) an analysis and evaluation of the role which State and local governments can and should play in promoting geographic balance in the economic development of a State or region; and

(8) an analysis and evaluation of practicable ways in which Federal expenditures can and should be managed so as to encourage a greater geographic balance in the economic development of the Nation.

(b) The Commission shall submit to the President and to the Congress a report with respect to its findings and recommendations not later than two years after the effective date of this joint resolution.

POWERS AND ADMINISTRATION PROVISIONS

SEC. 4. (a) The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this joint resolution, hold such hearings, take such testimony, and sit and act as such times and places as the Commission, subcommittee, or member deems advisable. Any member authorized by the Commission may administer oaths or affirmations to witnesses appearing before the Commission, or any subcommittee or member thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this joint resolution.

(c) The Commission may appoint such staff personnel as it deems necessary in accordance with the provisions of title 5, United States Code, governing appointments in the competitive service, and shall fix the compensation of such personnel in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(d) The Commission may procure such temporary and intermittent services as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $100 a day for individuals.

COMPENSATION OF MEMBERS

SEC. 5. (a) Any member of the Commission who is appointed from the executive or legislative branch of the Government shall serve without compensation in addition to that received in his regular employment, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by him in the performance of duties vested in the Commission.

(b) Members for the Commission, other than those referred to in subsection (a), shall receive compensation at the rate of $100 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

EXPENSES OF THE COMMISSION

SEC. 6. There are authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out this joint resolution.

EXPIRATION OF THE COMMISSION

SEC. 7. The Commission shall cease to exist ninety days after the submission of its report.

ADDITIONAL COSPONSOR OF BILLS

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the names of the senior Senator from Washington (Mr. MAGNUSON) and the junior Senator from New Jersey (Mr. WILLIAMS) be added as cosponsors of the bill (S. 1151) to provide protection for the fish resources of the United States including the fresh water and marine fish cultural industries against the introduction and dissemination of diseases of fish and shellfish, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Michigan (Mr. GRIFFIN), I ask unanimous consent that, at its next printing, the names of the Senator from Utah (Mr. BENNETT), the Senator from Nebraska (Mr. CURTIS), the Senator from Arizona (Mr. FANNIN), the Senator from South Carolina (Mr. THURMOND), and the Senator from Delaware (Mr. WILLIAMS) be added as cosponsors of the bill (S. 103) to replace the National Labor Relations Board with a U.S. Labor Court.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from New Jersey (Mr. CASE), the Senator from Tennessee (Mr. GORE), the Senator from Oregon (Mr. HATFIELD), the Senator from Washington (Mr. JACKSON), and the Senator from Maryland (Mr. MATHIAS) be added as cosponsors of the bill (S. 1033) the Comprehensive Community College Act of 1969.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. COOK. Mr. President, on behalf of the Senator from Vermont (Mr. PROUTY), I ask unanimous consent that, at its next printing, the name of the Senator from New Jersey (Mr. WILLIAMS) be added as a cosponsor of the bill (S. 1102) to amend the National Defense Education Act of 1958 and the Public Health Service Act in order to provide for cancellation of loans pursuant to such acts for service in the Armed Forces, and to amend the Higher Education Act of 1965 in order to provide for payments for such service on loans insured or made pursuant to agreements under such act.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Oklahoma (Mr. HARRIS) be added as a cosponsor of the bill (S. 309) the postal employee-management relations bill.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Nevada (Mr. CANNON) be added as a cosponsor of the bill (S. 1164) to provide for orderly trade in iron and steel mill products by establishing quota limitations on steel imports into this country.

The VICE PRESIDENT. Without objection, it is so ordered.

SENATE CONCURRENT RESOLUTION 9—CONCURRENT RESOLUTION TO OBSERVE "PURDUE UNIVERSITY DAY"

Mr. HARTKE. Mr. President, Purdue University, one of the very fine institutions of Indiana, this year celebrates its 100th anniversary. Established as a land-grant college, it grew out of the first major Federal effort to promote the advancement of American higher education. It has since distinguished itself in service to individuals from every part of the country and has generally enhanced the welfare of the Nation.

I am pleased to join with my distinguished Hoosier colleague, Mr. BAYH, an alumnus of Purdue, in introducing a concurrent resolution calling for observance of May 6, 1969, as "Purdue University Day."

I ask unanimous consent that the full full text of the concurrent resolution be printed in the RECORD.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 9) was referred to the Committee on the Judiciary, as follows:

S. CON. RES. 9

Whereas, Purdue University was organized 100 years ago on May 6, 1869, under the 1869 Acts of the Indiana General Assembly, as a land-grant university pursuant to the 1862 Act, popularly known as the Morrill Act, of the United States Congress and

Whereas, the University was named for John Purdue, a citizen of Lafayette, Indiana, and a principal benefactor of the University and

Whereas, Purdue University was established for the teaching of the agricultural and mechanical arts, and other scientific and classical studies, in order to promote the liberal and practical education of the people of the State of Indiana and the United States and

Whereas in the 100 years since its humble beginnings Purdue University has continued to fulfill its original purposes and has become an institution of national and international reputation for excellence in agriculture, engineering, science, education, technology, and the humanities; and

Whereas Purdue University has prepared thousands upon thousands of Indiana's and the Nation's young citizens for useful service to themselves, to their neighbors, to their communities, States, and Nation; and

Whereas the stature of this great University is a tribute to the vision and effort of all of the citizens of Indiana; and

Whereas the students, faculty, staff, alumni, and friends of Purdue University reaffirm Purdue's dedication to continued distinguished education, research, and service of benefit to all of mankind: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that May 6, 1969, should be observed as "Purdue University Day" throughout the Nation as an expression of the appreciation by not only the people of Indiana but people everywhere for the work of this preeminent university, its continuing record of accomplishments in higher education, and its service to the whole fabric of society.

SENATE RESOLUTION 100—RESOLUTION RELATING TO CONTROL OF AIRLINE HIJACKING

Mr. MOSS submitted a resolution (S. Res. 100) relating to the control of airline hijacking, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. Moss, which appears under a separate heading.)

ADDITIONAL COSPONSOR OF RESOLUTION

Mr. COOK. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Indiana (Mr. HARTKE) be added as a cosponsor of the resolution (S. Res. 30) to amend the Standing Rules of the Senate relative to the Select Committee on Small Business.

The VICE PRESIDENT. Without objection, it is so ordered.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, February 28, 1969, he presented to the President of the United States the enrolled bill (S. 17) to amend the Communications Satellite Act of 1962 with respect to the election of the board of directors of the Communications Satellite Corporation.

NOTICE OF HEARING—SUBCOMMITTEE ON SECURITIES

Mr. WILLIAMS of New Jersey. Mr. President, I wish to announce that the Subcommittee on Securities of the Committee on Banking and Currency will hold a hearing to ascertain the views of Hamer H. Budge, Chairman of the Securities and Exchange Commission, on problems in the securities industry.

The hearing will begin at 10 a.m. on Thursday, March 6, 1969, in room 5302, New Senate Office Building.

NOTICE OF HEARINGS ON SENATE RESOLUTION 78—TO ESTABLISH A SELECT COMMITTEE ON TECHNOLOGY AND THE HUMAN ENVIRONMENT

Mr. MUSKIE. Mr. President, I should like to announce that the Subcommittee on Intergovernmental Relations will hold hearings on Senate Resolution 78, to establish a Select Committee on Technology and the Human Environment on March 4, 5, and 6, and continuing on March 18.

It is the purpose of Senate Resolution 78 to create a forum in the Senate to study the character and extent of technological changes that will probably occur and should be promoted within the next 50 years and their effect on population, communities, and industry. Its purpose is also to recommend policies that would encourage the maximum investment in means of improving the human environment.

Hearings on March 4 will be in room 1114, New Senate Office Building beginning at 9:30 a.m.; hearings on

March 5 will be in room 6226, New Senate Office Building, beginning at 10 a.m.; and hearings on March 6 will be in room 6226, New Senate Office Building, beginning at 9:30 a.m.

Any Senator or other person wishing to testify should notify the subcommittee, room 357, Old Senate Office Building, extension 4718, in order that he might be scheduled as a witness.

NOTICE OF HEARING ON NOMINATION OF ASSISTANT SECRETARY OF COMMERCE FOR ECONOMIC DEVELOPMENT AND HEARINGS ON S. 1072 AND S. 1090

Mr. RANDOLPH. Mr. President, as chairman of the Committee on Public Works, I wish to announce that on Tuesday of next week, March 4, at 11 a.m., the committee will hold a public hearing on the nomination of Robert A. Podesta, of Illinois, to be Assistant Secretary of Commerce for Economic Development.

On Wednesday, March 5, the Subcommittee on Economic Development, under the chairmanship of the Honorable JOSEPH M. MONTOYA, will begin hearings on S. 1072, the Appalachian Regional Development Act Amendments of 1969 and the Public Works and Economic Development Act Amendments of 1969, and on S. 1090, the Regional Development Act of 1969.

The subcommittee plans to hear testimony from the Appalachian Regional Development Commission on March 5, from the Four Corners and Ozarks Regional Development Commissions on the morning of March 6, from the Upper Great Lakes Regional Development Commission on the afternoon of March 6, and from the Coastal Plains Regional Development Commission on Friday morning, March 7. The New England Regional Commission will be heard at a later hearing. Hearings are scheduled to begin at 10 a.m. on March 5, 6, and 7.

Testimony from administration and public witnesses will be received at hearings to be scheduled at a later date.

The views of interested Members of the Senate are, however, most welcome at the hearings scheduled next week. Senators wishing to appear personally at these hearings are requested to call Stewart McClure, professional staff member, on extension 6176.

NOTICE OF HEARINGS ON ELECTORAL REFORM

Mr. BAYH. Mr. President, I wish to give notice that the Subcommittee on Constitutional Amendments will hold hearings on March 10, 11, 12, and 13 on proposals relating to electoral reform. The hearings will begin at 10 a.m. in room 2228, the Judiciary Committee hearing room in the New Senate Office Building. Senators, Representatives, and other persons interested in being heard should contact the subcommittee staff in room 419, Old Senate Office Building.

FISCAL YEAR 1970 MILITARY PROCUREMENT AUTHORIZATION—NOTICE OF HEARINGS

Mr. STENNIS. Mr. President, I wish to announce that on Tuesday, March 18, 1969, Mr. Laird, the Secretary of Defense, will make the initial presentation to begin hearings on the fiscal year 1970 legislation authorizing funds for planes, ships, missiles, tracked combat vehicles, and research and development for the Department of Defense before the full Committee on Armed Services.

Following Mr. Laird's presentation, the Secretaries of the military departments and the various other witnesses necessary in connection with this detailed legislation will be heard.

Secretary Laird's presentation will cover not only the details of the legislation but an overall review of our military posture generally. I should emphasize that this legislation will be considered by the full Committee on Armed Services; at the same time special subcommittees will be appointed to make special studies of certain aspects of this bill as an assistance to the full committee. Although we do not know how long the hearings will last, they will be exhaustive and will require considerable time.

The legislation requests an authorization for funds of over $23 billion of which the major components are as follows:

Aircraft	$7,916,400,000
Missiles	4,026,860,000
Naval vessels	2,698,300,000
Tracked combat vehicles	336,000,000
Research, development, test, and evaluation	8,174,100,000

The foregoing summary represents the request of the previous administration. We do not know at this time what changes will be recommended by the new administration. Revisions as a result of the review currently underway by the new administration will be reflected during the course of the hearings.

I would emphasize, Mr. President, that this $23 billion request will receive the most rigorous scrutiny. The committee will have to be satisfied that all of the requested authorizations are necessary and justified in the interests of national defense.

I would also note that during the course of the hearings a separate period will be set aside for consideration of any recommendations concerning the anti-ballistic-missile issue. We do not expect, however, to cover this matter in detail as a part of the opening hearing.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nominations on the Executive Calendar will be stated.

DEPARTMENT OF DEFENSE

The bill clerk proceeded to read sundry nominations in the Department of Defense.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—DIPLOMATIC AND FOREIGN SERVICE AND THE ARMY

The bill clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service and in the Army which had been placed on the Secretary's desk.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

DEPARTMENT OF AGRICULTURE

Mr. ELLENDER. Mr. President, earlier today I reported from the Committee on Agriculture and Forestry, the nominations of David A. Hamil, of Colorado, to be Administrator of the Rural Electrification Administration for a term of 10 years; the nomination of Richard E. Lyng, of California, to be an Assistant Secretary of Agriculture, and the nomination of James V. Smith, of Oklahoma, to be Administrator of the Farmers' Home Administration.

I have consulted the minority and majority leaders, and I desire now to ask unanimous consent that these nominations be considered at this time.

I wish to inform the Senate that I understand there is objection with respect to consideration of the nomination of Mr. James V. Smith, of Oklahoma. The Senator from Oklahoma desires to make a statement about the nomination and, I believe, to present some material.

As to the other nominations, I do not know of any objection.

The VICE PRESIDENT. The nominations will be stated.

The legislative clerk read the nomination of Richard E. Lyng, of California, to be an Assistant Secretary of Agriculture.

Mr. DIRKSEN. Mr. President, reserving the right to object, heretofore I have made the point that the nominations ought to be printed on the Executive Calendar. In this case, they are not; but I am not unmindful of the fact that we have been out of session for some days and that there has been delay that is not particularly attributable either to the Senator from Louisiana or to the Department of Agriculture. So I will withhold objection in both these cases.

However, I want to reaffirm the point that I am going to insist that no nomination be considered unless they are printed on the Executive Calendar. It is the only way that Members of the Senate can be advised and alerted to the fact that there will be a nomination. They may be interested. They may want to object. They may want to oppose it. But they will have no opportunity to do so unless we abide by the practice of the Senate. So in this instance, there being peculiar situations that do develop, I withhold the objection.

Mr. ELLENDER. Mr. President, I wish to advise the Senate that hearings were held on all of these nominations and as far as we know there were no objections by Senators from States from which the nominees came. The committee was unanimous in its approval of the nominations now being considered.

The legislative clerk read the nomination of Richard E. Lyng, of California, to be an Assistant Secretary of Agriculture.

The VICE PRESIDENT. Without objection, the nomination will be considered and confirmed.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The VICE PRESIDENT. Without objection, it is so ordered.

The legislative clerk read the nomination of David A. Hamil, of Colorado, to be Administrator of the Rural Electrification Administration.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

COMMITTEE MEETING DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

SUSAN B. ANTHONY

Mr. YARBOROUGH. Mr. President, this month, February, we honor some of the greatest statesmen America has produced. Also in this month, we honor one of the greatest pioneers in human equality and justice—Susan B. Anthony, crusader for women's rights.

Susan Brownell Anthony was born in Adams, Mass., in 1820. During her long and fruitful life, she sought to provide women with the same rights as men. Though in her lifetime she never saw her highest aim, universal suffrage for women come about, but she did see many changes, and many injustices corrected.

In the early part of the 19th century, women were not allowed to own property, to vote, or to receive equal pay for equal work. Education was not available to them on the same level as was available to men. Susan Anthony dedicated her life to helping women achieve some of those rights that had been denied them for so many years.

During her long crusade, she was often insulted, jeered, and abused, but she never lost her inspiration and devotion to her cause. It is because of her that women received the vote in 1920, 100 years after her birth; it is because of her fight that women are able to receive a good education anywhere in this Nation; it is because of her that women have equal pay rights, equal property rights, and control over their own destinies.

Susan Anthony was a recognized world traveler as well. She was welcomed by women all over the world as a crusader; she was honored by heads of state of many foreign nations.

Today we honor this pioneer for women's rights. Her fight was not only for women, but should be an example in the struggle for the equality of all men. Every American can benefit by her example in working for freedom, justice, and human rights of all people, all over the world.

PROPOSED EEC TAX ON SOYBEANS

Mr. HARTKE. Mr. President, the U.S. soybean industry is deeply concerned by the proposal of the European Economic Community—EEC—to establish a tax levy on the importation of soybean oil and soybean meal. The EEC is presently considering the imposition of a $60-per-metric-ton internal tax on soybean oil and a $30-per-metric-ton internal tax on soybean meal, which is tantamount to a 30- to 55-percent ad valorem tariff on the U.S. soybean exports to the Community. The immediate effect of this proposal, if enacted, would be to drastically reduce the current level of U.S. exports in soybeans, soybean oil, and soybean meal.

Let it be noted, Mr. President, that during the last marketing year, the EEC purchased approximately 93,000,000 bushels of soybeans and 1,982,000 soybean meal short tons—equivalent to 87,000,000 bushels of soybeans—from the United States. These sales were for dollars and returned approximately $450,000,000 in hard currency to the U.S. economy. During the 1967–68 marketing year these exports to the EEC equaled 35 percent of the total soybeans and 68 percent of the total soybean meal exported from the United States. The tax, particularly as it relates to soybean meal, will reduce consumption within the EEC by approximately the equivalent of 50,000,000 bushels. This reduction, if it occurs, represents the production of 2,000,000 acres of U.S. farmland. Obviously, then, such a reduction in consumption by the EEC would have a most serious impact upon the U.S. soybean farmer and processor.

Certainly this proposal, if implemented, would have an immediate and disastrous effect on the soybean industry in my own State, for Indiana is this country's fourth largest exporter of soybeans and soybean products, outranked only by Illinois, Iowa, and Missouri. Indiana's soybean, soybean oil, and protein meal exports in fiscal year 1968 amounted to $91.1 million and constituted 36 percent of its total exports. Indiana and the above-named States are by no means alone, however, in their dependence upon soybean exports: Arkansas, Minnesota, Ohio, Mississippi, Louisiana, Tennessee, North Carolina, Kansas, Nebraska, South Carolina, and Alabama are also large-scale exporters of soybeans and soybean products.

The apparent objective of this proposal is to increase the cost of margarine so that the EEC members can dispose of 350,000 tons of surplus butter. This butter surplus is chiefly due to French overproduction and has developed because of President de Gaulle's efforts to pacify the French dairy farmer through the granting of high price supports. Other EEC countries, particularly Germany and the Netherlands, also have dairy farmers with butter surpluses, but they have cattle interests as well, who wish to continue using low-cost feed from soybean meal. Thus, the Germans and the Dutch are reportedly divided over the proposal, although their agriculture ministers appear to favor it.

It is my belief, Mr. President, that this proposed tax violates those trade agreements reached in the Dillon and Kennedy rounds which provided for duty-free bindings on imported soybeans and meal. It also very clearly violates article 3 of the GATT which states that internal taxes cannot be imposed in a manner which discriminates against foreign commerce. In addition, section 252 of the Trade Expansion Act specifically directs the President to withdraw tariff concessions from those countries which maintain nontariff barriers, including variable levies, against U.S. commerce.

If the EEC acts on its taxation proposal the United States should promptly institute retaliatory import levies against $450 million worth of Common Market industrial products. Such action would put the Common Market countries on notice that we will not tolerate the imposition of levies that masquerade as internal taxes.

I today call upon my colleagues in the Senate and the House to join with me in voicing our opposition to this taxation proposal, for certainly no one will be the winner if we are forced to retaliate against the implementers of this most improvident tax.

NOTRE DAME'S POLICY ON DISORDER

Mr. BYRD of Virginia. Mr. President, I have before me the text of an open letter written by the Reverend Theodore M. Hesburgh, president of the University of Notre Dame, on the subject of campus demonstrations and disciplinary procedures, addressed to the faculty and students of Notre Dame University and published in the Wall Street Journal.

This statement, in the form of an open letter, by the president of that great institution, is one of the soundest and best that I have read on the subject by a university president.

Last week I inserted a portion of his statement in the Record. At that time I did not have the full text. I do have the text today, and I ask unanimous consent that it be printed in the Record at this point.

There being no objection, the open letter was ordered to be printed in the Record, as follows:

Notre Dame's Tough Policy on Disorder

Dear Notre Dame Faculty and Students: This letter has been on my mind for weeks. It is both time and overtime that it be written. . . . I have tried to write calmly, in the wee hours of the morning when at last there is quiet and pause for reflection.

My hope is that these ideas will have deep personal resonances in our own community, although the central problem they address exists everywhere in the university world today and, by instant communication, feeds upon itself. It is not enough to label it the alienation of youth from our society. God knows there is enough and more than enough in our often non-glorious civilization to be alienated from, be you young, middle-aged, or old.

The central problem to me is what we do about it and in what manner, if we are interested in healing rather than destroying our world. Youth especially has much to offer—idealism, generosity, dedication, and service. The last thing a shaken society needs is more shaking. The last thing a noisy, turbulent, and disintegrating community needs is more noise, turbulence, and disintegration. Understanding and analysis of social ills cannot be conducted in a boiler factory. Compassion has a quiet way of service. Complicated social mechanism, out-of-joint, are not adjusted with sledge hammers.

The university cannot cure all our ills today, but it can make a valiant beginning by bringing all its intellectual and moral powers to bear upon them: All the idealism and generosity of its young people, all the wisdom and intelligence of its oldsters, all the expertise and competence of those who are in their middle years. But it must do all this as a university does, within its proper style and capability, no longer an ivory tower, but not the Red Cross either.

PROFITING FROM THE PAST

Now to the heart of my message. You recall my letter of November 25, 1968. It was written after an incident, or happening if you will. It seemed best to me at the time not to waste time in personal recriminations or heavy-handed discipline, but to profit from the occasion to invite this whole University community, especially its central Councils of faculty, administration, and students, to declare themselves and to state their convictions regarding protests that are peaceful and those that threatened the life of the community by disrupting the normal operations of the University and infringing upon the rights of others.

I now have statements from the Academic Council, the Faculty Senate, the Student Life Council, some College Councils, the Alumni Board, and a whole spate of letters from individual faculty members and a few students. . . . In general, the reaction was practically unanimous that this community recognize the validity of protest in our day—sometimes even the necessity—regarding the current burning issues of our society: War and peace, especially Vietnam; civil rights, especially of minority groups; the stance of the University vis-a-vis moral issues of great public concern; the operation of the University as university. There was also practical unanimity that the University could not continue to exist as an open society, dedicated to the discussion of all issues of importance, if protests were of such a nature that the normal operations of the University were in any way impeded, or if the rights of any member of this community were abrogated, peacefully or non-peacefully.

I believe that I now have a clear mandate from this University community to see that: 1) Our lines of communication between all segments of the community are kept as open as possible, with all legitimate means of communicating dissent assured, expanded, and protected; 2) civility and rationality are maintained as the most reasonable means of dissent within the academic community; and 3) violation of others' rights or obstruction of the life of the University are outlawed as illegitimate means of dissent in this kind of open society. Violence was especially deplored as a violation of everything that the University community stands for.

WHAT WILL HAPPEN

Now comes my duty of stating, clearly and unequivocally, what happens if. I'll try to make it as simple as possible to avoid misunderstanding by anyone. May I begin by saying that all of this is hypothetical and I personally hope it never happens here at Notre Dame.

But, if it does, anyone or any group that substitutes force from rational persuasion, be it violent or non-violent, will be given fifteen minutes of meditation to cease and desist. They will be told that they are, by their actions, going counter to the overwhelming conviction of this community as to what is proper here. If they do not within that time period cease and desist, they will be asked for their identity cards. Those who produce these will be suspended from this community as not understanding what this community is. Those who do not have or will not produce identity cards will be assumed not to be members of the community and will be charged with trespassing and disturbing the peace on private property and treated accordingly by the law.

The judgment regarding the impeding of normal University operations or the violation of the rights of other members of the community will be made by the Dean of Students. Recourse for certification of this fact for students so accused is to the tri-partite Disciplinary Board established by the Student Life Council. Faculty members have recourse to the procedures outlined in the Faculty Manual. Judgment of the matter will be delivered within five days following the fact, for justice deferred is justice denied to all concerned.

After notification of suspension, or trespass in the case of non-community members, if there is not then within five minutes a movement to cease and desist, students will be notified of expulsion from this community and the law will deal with them as non-students.

Lest there be any possible misunderstanding, it should be noted that law enforcement in this procedure is not directed at students. They receive academic sanctions in the second instance of recalcitrance and, only after three clear opportunities to remain in student status, if they still insist on resisting the will of the community, are they then expelled and become non-students to be treated as other non-students, or outsiders.

There seems to be a current myth that university members are not responsible to the law, and that somehow the law is the enemy, particularly those who society has constituted to uphold and enforce the law. I would like to insist here that all of us are responsible to the duly constituted laws of this University community and to all of the laws of the land. There is no other guarantee of civilization versus the jungle or mob rule, here or elsewhere.

If someone invades your home, do you dialogue with him or call the law? Without the law, the university is a sitting duck for any small group from outside or inside that wishes to destroy it, to incapacitate it, to terrorize it at whim. The argument goes—or has gone—invoke the law and you lose the university community. My only response is that without the law you may well lose the university—and beyond that—the larger society that supports it and that is most deeply wounded when law is no longer respected, bringing an end of everyone's most cherished rights.

I have studied at some length the new politics of confrontation. The rhythm is simple: 1) Find a cause, any cause, silly or not; 2) in the name of the cause, get a few determined people to abuse the rights and privileges of the community so as to force a confrontation at any cost of boorishness or incivility; 3) once this has occurred, justified or not, orderly or not, yell police brutality—if it does not happen, provide it by foul language, physical abuse, whatever, and then count on a larger measure of sympathy from the up-to-now apathetic or passive members of the community. Then call for amnesty, the head of the president on a platter, the complete submission to any and all demands. One beleaguered president has said that these people want to be martyrs thrown to toothless lions. He added, "Who wants to dialogue when they are going for the jugular vein?"

So it has gone, and it is generally well orchestrated. Again, my only question: Must it be so? Must universities be subjected, willy-nilly, to such intimidation and victimization whatever their good will in the matter? Somewhere a stand must be made.

I only ask that when the stand is made necessary by those who would destroy the community and all its basic yearning for great and calm educational opportunity, let them carry the blame and the penalty. No one wants the forces of law on this or any other campus, but if some necessitate it, as a last and dismal alternative to anarchy and mob tyranny, let them shoulder the blame instead of receiving the sympathy of a community they would hold at bay. The only alternative I can imagine is turning the majority of the community loose on them, and then you have two mobs. I know of no one who would opt for this alternative—always lurking in the wings.

We can have a thousand resolutions as to what kind of a society we want, but when lawlessness is afoot, and all authority is flouted, faculty, administration, and student, then we invoke the normal societal forces of law or we allow the university to die beneath our hapless and hopeless gaze. I have no intention of presiding over such a spectacle: Too many people have given too much of themselves and their lives to this University to let this happen here. Without being melodramatic, if this conviction makes this my last will and testament to Notre Dame, so be it. . . .

May I now confess that since last November I have been bombarded mightily by the hawks and the doves—almost equally. I have resisted both and continued to recognize the right to protest—through every legitimate channel—and to resist as well those who would unthinkingly trifle with the survival of the University as one of the few open societies left to mankind today. . . .

MAJORITY CONCERN NEEDED

As long as the great majority of this community is concerned and involved in maintaining what it believes deeply to be its identity and commitment, no force within it, however determined or organized, can really destroy it. If any community as a whole does not believe this, or is not committed to it, it does not deserve to survive and it probably will not. I hope we will. . . .

I truly believe that we are about to witness a revulsion on the part of legislatures, state and national, benefactors, parents, alumni, and the general public for much that is happening in higher education today. If I read the signs of the times correctly, this may well lead to a suppression of the liberty and autonomy that are the lifeblood of a university community. It may well lead to a rebirth of fascism, unless we ourselves are ready to take a stand for what is right for us. History is not consoling in this regard. We rule ourselves or others rule us, in a way that destroys the university as we have known and loved it.

Devotedly yours in Notre Dame,
(REV.) THEODORE M. HESBURGH, C.S.C.,
President.

ORDER OF BUSINESS

Mr. SPONG. Mr. President, I ask unanimous consent that I may proceed for 12 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

NEED FOR EARLY FUNDING OF FEDERAL EDUCATION PROGRAMS—IMPORTANCE OF IMPACTED AREAS AID TO LOCAL SCHOOLS

Mr. SPONG. Mr. President, March 1 will soon be upon us. In many school districts this will signal the time for finalizing the budget for the 1969–70 school year; that is, the school year which will begin next September.

As these districts complete their budgetary preparations, most do so with a huge question mark in their figures. That question mark represents the Federal aid which will be available for the coming school year. It may not be removed for months to come.

The need to coordinate the Federal appropriations and allotment process with the school budget process has been widely recognized. A provision for advance funding was included in the Elementary and Secondary Education Act Amendments of 1967. The Study of the U.S. Office of Education, released last year by the House Special Subcommittee on Education, contained an entire chapter on the problem. The Vocational Education Act of 1968 extended the advance funding provisions of the Elementary and Secondary Education Amendments of 1967 to all programs administered by the Office of Education. And, in fiscal 1969, for the first time, an appropriation was made 1 year in advance for title I of the Elementary and Secondary Education Act.

Yet, title I of ESEA is only one program. And, advance funding, of whatever nature, can only be a partial solution. It is perhaps impossible to foresee fiscal and budgetary situations a year or more in advance. It is entirely possible that fiscal considerations could require reduction of the fiscal 1970 appropriation for title I in the same manner that various programs were reduced at the end of the 90th Congress by Public Law 90–218 or that additional resources might permit a higher funding than 90 percent of the fiscal 1969 appropriation which has already been appropriated for title I in fiscal 1970.

Thus, while advance funding can serve a useful purpose and should be utilized, it must, I believe, be coupled with an annual review of appropriations in the months just prior to the beginning of a fiscal year. Under such a system, school districts could at least begin the school year with an adequate understanding of the Federal funds which would be available for that year.

The need for earlier determination of available education funds can be seen in a chart which I am inserting to show that date on which the regular education appropriation has been passed by Congress in each of the past 10 years. Taking into account the fact that educational appropriations have been supplemented every year and that the Office of Education must estimate allotments after passage of the appropriations bill, it is safe to assume that, in at least half of the cases, school districts have actually begun their activities in September not knowing how much Federal funds they would receive for that school year.

I ask unanimous consent that a chart on the subject be printed in the RECORD at this point.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS BILLS, 1959–69

Date	Bill No.	Date bill passed Congress
1969	H.R. 18037	Oct. 10, 1968
1968	H.R. 10196	Oct. 27, 1967
1967	H.R. 14745	Oct. 21, 1966
1966	H.R. 7765	Aug. 17, 1965
1966	H.R. 10586 [1]	Sept. 9, 1965
1965	H.R. 10809	Sept. 3, 1964
1964	H.R. 5888	Sept. 26, 1963
1964	H.J. Res. 875 [1]	Jan. 29, 1964
1963	H.R. 10904	Aug. 2, 1962
1962	H.R. 7035	Sept. 12, 1961
1961	H.R. 11390	Aug. 26, 1960
1960	H.R. 6769	July 30, 1959
1959	H.R. 11645	July 18, 1958

[1] These were special supplemental appropriation bills for the Departments of Labor and Health, Education, and Welfare. In addition, certain educational programs received additional funds in each of the above years under general supplemental appropriations bills. These general supplemental appropriations bills passed after the regular appropriations bills and thus were allocated to local school districts at a later date.

Mr. SPONG. Mr. President, the importance of early funding can also be found in the results of a poll of the school superintendents in Virginia, which I recently conducted. Of 131 school superintendents, 44 mentioned delayed and uncertain funding as a major flaw in Federal education programs. A number of other superintendents mentioned it in evaluations of specific programs.

Here are some of the comments concerning current funding patterns:

> Usually funds and projects are not approved until late January and February. Then all activities must be completed before June 15. This is not ample time to prepare orders of needed materials and have them processed by the companies. Trying to work within these deadlines is most frustrating.
>
> Budgetary planning is sometimes destroyed due to lack of early information concerning receipt of funds.
>
> It would be most helpful if we were advised about our allocation in July or August rather than in January of each year.

In these and many other cases school superintendents pointed to the lack of adequate planning time, the impossibility of hiring qualified personnel and the inability to obtain desired equipment and materials as the unfortunate results of late funding.

While the complaints concerning delayed funding are universal as far as education programs are concerned, certain features of late and uncertain funding have posed particular problems for the impacted areas program.

After California, my State of Virginia receives more funds under the impacted areas program—Public Law 874—than any other State in the Nation.

The impacted areas program is a relatively simple program. Funds are allotted directly to local school districts according to the number of schoolchildren with parents who live and/or work on Federal property.

The program is easily administered. In fact, it has been suggested that the program is so easily administered it is an embarrassment to the Office of Education that so many pupils can be serviced by so few Federal employees.

The program provides a type of general Federal aid for the operation and maintenance of a school system. Funds may, for example, be used for teachers' salaries, to hire specialists or to purchase supplies—whatever may be the district's particular need. As one respondent to my poll said of the program:

> Local board members and administrators are privileged to determine the use of funds and are not restricted by a list of priorities established at the national level.

I do not mean to insinuate that there should be no programs to concentrate on special problems. Indeed, title I of the Elementary and Secondary Education Act has performed well in this respect.

But, other, more recently enacted programs have not replaced the need for impacted areas aid.

Public Law 81–874 is an old program, as far as elementary and secondary educational aid is concerned, having been initiated in 1951. During its first year, the program was funded at slightly over 96 percent of the entitlement provided by the authorizing legislation. With two slight exceptions, 100 percent of the entitlement has been provided every year through fiscal 1968. At this point, I ask unanimous consent to have printed in the RECORD a chart detailing Public Law 81–874 appropriations since 1951.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

PUBLIC LAW 874, AS AMENDED—HISTORY OF ENTITLEMENTS AND PAYMENTS, 1951-68

	Entitlement	Payment	Payment as a percent of entitlement
Fiscal year:			
1951	$29,686,018	$28,501,577	[1] 1
1952	47,815,681	47,815,681	100
1953	57,697,895	57,697,895	100
1954	71,861,047	71,861,047	100
1955	75,287,517	74,918,604	[2] 2
1956	85,895,851	85,895,851	100
1957	111,320,777	111,320,777	100
1958	122,379,829	122,379,829	100
1959	156,847,056	156,847,056	100
1960	184,820,640	184,820,640	100
1961	208,244,128	208,244,128	100
1962	251,330,356	251,330,356	100
1963	264,269,382	264,269,382	100
1964	292,690,225	292,690,225	100
1965	319,250,689	319,250,689	100
1966	369,831,165	369,831,165	100
1967	419,748,036	416,200,000	[3] 3
1968	486,355,000	486,355,000	100

[1] Aid for schools on military reservations, in national parks, and other areas which service students with parents who live and work on Federal property was provided at 100 percent; regular local schools systems servicing students who parents work on Federal property was prorated at 96 percent of entitlement.

[2] Aid for the 1st category of students mentioned in footnote 1 was provided at 100 percent; aid for the 2d category was prorated at 99.5 percent of entitlement.

[3] Aid for the 1st category of students mentioned in footnote 1 and for the disaster relief provisions was provided in full; aid for the 2d category of students was prorated at 98.7 percent of entitlement.

Mr. SPONG. Full funding has not, however, been accomplished without numerous congressional-executive struggles. As a result of these struggles impacted areas school districts have not only had to wait for the regular appropriation bill to learn their anticipated revenue for the year, but they have, seven times since 1960, also been forced to wait for a supplemental before knowing their likely appropriation.

Let me review for a moment the most recent struggle over impacted areas funds—the one which occurred in fiscal 1968.

In October 1967—almost 2 months after most school districts began classes—Congress enacted the regular education appropriations bill, without full funding for Public Law 81-874. About 6 weeks later, just prior to adjournment, provision was made for spending reductions and the Bureau of the Budget cut the amount it planned to allocate for the impacted areas program by $20 million. This meant that school districts—in the middle of the school year—were informed that they would receive only 80-percent entitlement that year for a program under which they had—for 17 years—been able to anticipate about 100 percent of entitlement. Many school districts foresaw real financial problems.

In February 1968, efforts were initiated by Senator FULBRIGHT to provide the $91 million needed to bring the fiscal 1968 appropriation up to 100-percent entitlement. Those who were here undoubtedly remember that the additional money was first included in an appropriation bill which died in conference, then in the second supplemental appropriation bill. Thus, just as the school year was ending, eligible districts learned that the money they had anticipated receiving—and in some cases had spent—had not been appropriated.

As fiscal 1968 neared its end, however, it became obvious that the Bureau of the Budget did not intend to allocate the appropriated funds. It took 2 months' time and more congressional action before the funds were released to the Office of Education for allocation to eligible school districts. Fortunately, Senator ERVIN'S Judiciary Subcommittee on Separation of Powers is investigating constitutional grounds for the withholding of appropriated funds by the executive, and I hope this matter can be clarified.

But we are now in the midst of the school year which fiscal 1969 funds cover. The fiscal 1969 funds already appropriated cover 100 percent of entitlement for federally connected children who attend federally operated schools on military bases or Indian reservations, but only 92 percent of entitlement for those who attend regular schools. Undoubtedly, as a result of the supplemental appropriations required in the 1960's and the large-scale struggle of last year, school divisions have been wary in anticipating funds for fiscal 1969.

Soon, however, Congress will have to determine the funds to be appropriated for fiscal 1970, and, if the advance funding provisions of the 1968 Vocational Education Act are to be utilized, for fiscal 1971. The Johnson administration request for impacted areas in fiscal 1970 represents a sharp cutback and plans for curtailment of the program. There is no request for advance funding.

We have not had a proposal on the matter from the new administration, so we cannot know President Nixon and Secretary Finch's plans for the program.

We are, however, likely to be faced in the near future with the same old timing problems. If full entitlement for fiscal 1969 is provided at a later date, then there may not be time to plan effectively for use of those funds.

If, on the other hand, the funds are not provided, and if fiscal 1970 funds are more severely restricted, Congress moves toward a break with a 17-year precedent in educational funding.

This is a significant diversion from precedent and traditional policy—and it should not be accomplished in an appropriations bill, especially in one enacted after the school budgeting process for the year has been completed.

Perhaps it is time for a major review of a program which has continued in its essential form for 18 years. There are undoubtedly reasons why the program has been so popular and why the modifications which have been made in it have been in the direction of enabling more and more school districts to participate. Perhaps a reexamination of the program can suggest new means by which to attack our educational problems. The Public Law 81-874 approach may, for example, be the one which should be extended to such problems as aid for overcrowded areas. In view of the recent additions to elementary and secondary education aid, as provided in the 1965 legislation and subsequent amendments to it, perhaps it is time to study the relationship between the two programs. Hopefully, the study of impacted areas aid being conducted by the Columbus, Ohio, Battelle Memorial Institute under appropriation provided by Congress in 1969 and scheduled for completion by December of this year, will provide some valuable guidance on the impacted areas program.

At any rate, one of the oldest, the most popular, the most fully funded and the largest of the educational aid programs should not be significantly disrupted and modified in the appropriations process. Such a program—one that has provided as much as 9 percent of the total school budget in some districts—surely deserves a full review by a legislative committee if it is to be curtailed to the extent of budget requests in recent years. In such a hearing, I cannot but believe that the fallacies of the proposed curtailment would be quite evident.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. SPONG. I am delighted to yield to the senior Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, I am glad that the Senator has focused attention on the impacted area program. He has taken a keen interest in this program during the time he has been in the Senate, as have I. I think that what he says is completely accurate, and it needs to be said.

This is a program of 17 years' standing. It is a fair and just program. It has been so recognized by Congress for 17 years. In the last several years, under the administration of President Johnson, funds for the impacted area program have been reduced. However, that action has not brought about a reduction in the budget. Instead these funds, which would go back to the localities without any strings attached, were transferred to other programs to which strings were attached so that the localities could be better controlled by the officials in Washington.

Thus, there has been no saving of money to the taxpayers by what has been done or what has been attempted in the last several years.

I repeat. Funds have been taken from a program which had no strings attached and have been transferred to other programs. The programs that receive the funds do have strings attached. And those strings have been pulled by the officials in Washington.

I ask my colleague from Virginia if he would concur in this general assessment.

Mr. SPONG. Mr. President, I thank my senior colleague from Virginia for his remarks.

The point I wish to emphasize has been stressed on the floor in the past by the Senator from Rhode Island (Mr. PASTORE), by the Senator from Connecticut (Mr. RIBICOFF), the Senator from South Dakota (Mr. MUNDT), the Senator from Arkansas (Mr. FULBRIGHT), and many other Senators who are interested in the impacted areas program.

The point is: if the program is going to be curtailed, it should be done pursuant to a complete legislative review and not through budget requests and other facets of the appropriations and obligation process, especially when the executive branch acts contrary to congressional intent.

We simply must find some means of advising local school divisions of their funds early enough for them to be able to plan effectively for use of those funds.

TRIBUTE TO SUSAN B. ANTHONY

Mrs. SMITH. Mr. President, it is again my privilege to pay tribute to Susan B. Anthony. I can add nothing more than what I said last year on this occasion.

Simply put, she was the original leader and fighter for equal rights for women. She dedicated her life to that cause—and it was a long and illustrious life for it covered a span of 86 years. She had many hardships and heartbreaks—but she never gave up.

She not only is irreplaceable to us for her pioneering fight for equal rights for women—but she is invaluable to us because of the greatly increased stature and dimension that she gave to women and to the reputation of, and respect for, women by her intellect, behavior, and achievements.

Yes, it is a personal privilege for me to pay tribute to Susan B. Anthony for all women—it is even more personal for me because it gives me the opportunity to publicly thank her, for without her I could never have become a Member of the U.S. Senate.

NATIONAL ADVISORY COMMISSION ON LOW-INCOME HOUSING—APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. Pursuant to Public Law 90–448 the Chair appoints the Senator from Texas (Mr. TOWER) and the Senator from Illinois (Mr. PERCY) as members of the National Advisory Commission on Low-Income Housing.

THE U.S. TERRITORIAL EXPANSION MEMORIAL COMMISSION—APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. Pursuant to Public Resolution 32 of the 73d Congress the Chair appoints the Senator from Idaho (Mr. CHURCH) to the U.S. Territorial Expansion Memorial Commission in lieu of the Senator from Oregon (Mr. Morse) retired.

SENATE JOINT RESOLUTION 61—INTRODUCTION OF A JOINT RESOLUTION TO PROPOSE A CONSTITUTIONAL AMENDMENT PROVIDING FOR EQUAL RIGHTS FOR MEN AND WOMEN

Mr. McCARTHY. Mr. President, I introduce, for appropriate reference, a joint resolution proposing an amendment to the Constitution to provide for equal rights for men and women. Joining me in sponsoring the proposed amendment are 41 Senators as of February 27.

Mr. President, the purpose of the amendment is to establish equality of rights for men and women under the Constitution and the Federal and State statutes and to guarantee enjoyment of rights already defined.

Although there has been substantial improvement in the status of women in this century, it was more than 130 years after the Constitutional Convention that the 19th amendment, guaranteeing the right of women to vote, was ratified. The fact that a constitutional amendment was needed to guarantee this right is an indication of the difficulty encountered in trying to make progress.

There was hope that the passage of the 19th amendment would result in general revision of laws and practices so that discrimination against women would end. However, as recently as 1964, Congress found it necessary to include in title VII of the Civil Rights Act, provision to prohibit discrimination on the basis of sex as well as race. This provision prohibits discrimination in connection with employment, referral for employment, membership in labor organizations, and participation in apprenticeship or other training programs. This legislation does not reach to many employment situations which are not covered by title VII, and discrimination against women continues to exist not only with respect to employment opportunities, but also to property rights, inheritance rights, the right to own and control one's earnings, educational opportunity, jury service, and in other areas.

The resolution we are introducing today is the same as the joint resolution that was introduced in the 88th, 89th, and 90th Congresses. Last year the Subcommittee on Constitutional Amendments favorably reported the proposed amendment, and in 1964 it was reported favorably by the Committee on the Judiciary. In its report at that time the committee dealt with the need for adoption of this amendment, and I ask unanimous consent that the report (No. 1558, 88th Congress, 2d sess.) be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

PROPOSED AMENDMENT TO THE CONSTITUTION RELATING TO EQUAL RIGHTS FOR MEN AND WOMEN

PURPOSE

The purpose of the proposed joint resolution is to submit to the State legislatures an amendment to the Constitution of the United States which, if adopted, would insure equal rights under the law for men and women.

STATEMENT

The substantive section of the proposed amendment is quite simple and straightforward. It reads as follows:

"Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex. Congress and the several States shall have power, within their respective jurisdictions, to enforce this article by appropriate legislation."

Senate Joint Resolution 45 was introduced in the 88th Congress by Senator McGee for himself and 35 other Senators as cosponsors. During the past 10 years, the Legislatures of Connecticut, Delaware, Louisiana, Massachusetts, Pennsylvania, and Maryland have adopted resolutions memorializing the Congress to submit this amendment to the States for ratification.

This proposal has been before the Congress since the 19th amendment to the Constitution extended voting rights to women. In recent years, resolutions proposing this amendment were reported favorably by the Committee on the Judiciary in the 80th, 81st, 82d, 83d, 84th, 86th, and 87th Congresses. In the 81st and 83d Congresses, the amendment passed the Senate with a floor amendment, but it was never acted upon by the House of Representatives. In the 86th Congress, the same floor amendment was adopted by the Senate and then the resolution was recommitted to the Committee on the Judiciary upon motion of its principal sponsors. (The provisions of this floor amendment or "rider" are discussed subsequently in this report.)

Adoption of this amendment will complete women's long movement for legal equality. Like the 14th amendment, the restrictions of this proposed amendment apply only to governmental actions. It would not apply to private or to individual action.

The 14th amendment provides a body of case law as to what constitutes "State action" and its precedents will be available for judicial determination of the scope of this amendment.

There remain many well-known vestiges of ancient rules of law which treat women as inferiors. In many States, a woman cannot handle or own separate property in the same manner as her husband. In some States, she cannot engage in business or pursue a profession or occupation as freely as can a member of the male sex. Women are classified separately for purposes of jury service in many States. Community-property States do not vest in the wife the same degree of property rights as her husband enjoys. The inheritance rights of widows differ from those of widowers in some States. Restrictive work laws, which purport to protect women by denying them a man's freedom to pursue employment, actually result in discrimination in the employment of women by making it so burdensome upon employers. Such protective restrictions hinder women in their competition with men for supervisory, technical, and professional job opportunities.

Your committee has considered carefully the amendment which was added to this proposal on the floor of the Senate in the 81st, 83d, and 86th Congresses. Its effect was to preserve "rights, benefits, or exemptions" conferred by law upon persons of the female sex. This qualification is not acceptable to women who want equal rights under the law. It is under the guise of so-called "rights" or "benefits" that women have been treated unequally and denied opportunities which are available to men.

Just as equal protection of the law under the 14th amendment is not a mathematical equality, this amendment does not contemplate that women must be treated in all respects the same as men. Nor does it mean that all legal differentiation of the sexes will be abolished. "Equality" does not mean "sameness." "Equal" rights does not necessarily mean "identical" rights. For instance, a law granting maternity benefits to women would not be an unlawful discrimination against men. As a grant to mothers, it would be based on a reasonable classification despite its limitation to members of one sex.

Nor would the amendment mean that criminal laws governing sexual offenses would become unconstitutional. The public has such an interest in relations between the sexes that the conduct of both sexes is subject to regulation under the police power apart from any considerations of unequal treatment or protective status.

In the past, it has been suggested that this amendment would require equal treatment of men and women for purposes of compulsory military service. This is no more true than that all men are treated equally for purposes of military duty. Differences in physical abilities among all persons would continue to be a material factor. It could be expected that women will be equally subject to military conscription and they have demonstrated that they can perform admirably in many capacities in the Armed Forces. But the Government would not require that women serve where they are not fitted just as men with physical defects are utilized in special capacities, if at all.

Your committee wishes to emphasize one additional fact. The proposed amendment would confirm equal rights under law for *both* men and women. In instances where laws are burdensome to meet solely because of their sex, they would benefit from the amendment. For instance, alimony laws probably could not favor women solely because of their sex. However, a divorce decree could award support to a mother if she was granted custody of children. This would be incidental to the children's support. Matters concerning custody and support of children properly should be determined solely with a view to the welfare of the children, without favoritism to either parent solely because of sex.

Both major political parties have repeatedly supported this proposal in their national party platform. The United States, as a signatory to the United Nations Charter, has confirmed its faith in equal rights of men and women. Nevertheless, we withhold from our women a constitutional guarantee of equal treatment under the law and thus lag behind such countries as Burma, Egypt, Japan, Greece, Pakistan, and West Germany.

An impressive list of women's organizations have recorded their support of this proposal in the past. Among them are the following:

Alpha Iota Sorority.
American Association of Women Ministers.
American Federation of Soroptimist Clubs.
American Medical Women's Association.

Mr. McCARTHY. Many organizations and individuals have worked over the years to secure the adoption of this resolution by the Congress and for submission of the amendment to the States. It is time that the objective of these efforts be achieved and that equality of rights for men and women under Federal and State statutes be assured as a constitutional right.

I do hope that the Senate this year will move beyond action by the committee and face up to this proposition on the floor of the Senate.

Mr. President, I ask unanimous consent that the names of Senators who are cosponsors of this amendment be printed at this point in the RECORD.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

COSPONSORS

Senator Bible, Senator Boggs, Senator Burdick, Senator Case, Senator Cooper, Senator Dole, Senator Dominick, Senator Fulbright, Senator Gurney, Senator Hansen, Senator Hart, Senator Hartke, Senator Hatfield, Senator Hughes.

Senator Inouye, Senator Mathias, Senator McGee, Senator McGovern, Senator Mondale, Senator Montoya, Senator Moss, Senator Mundt, Senator Murphy, Senator Muskie, Senator Nelson, Senator Pastore, Senator Pearson, Senator Prouty, Senator Proxmire, Senator Randolph, Senator Ribicoff.

Senator Schweiker, Senator Smith, Senator Sparkman, Senator Stennis, Senator Stevens, Senator Tower, Senator Tydings, Senator Williams of Delaware, Senator Young of North Dakota, Senator Young of Ohio.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 61) proposing an amendment to the Constitution of the United States relative to equal rights for men and women, introduced by Mr. McCARTHY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. STEVENS. Mr. President, I wish to add my voice in support of the statement that has been made by the lady of the Senate. One of the Alaskans whom I respect greatly had the honor of participating in nominating her on the floor of the Republican convention. I look forward to being able to work with her and with the Senator from Minnesota (Mr. McCARTHY) to achieve the amendment that he seeks to our Constitution, and I am joining with him as a cosponsor today.

The lady from Maine (Mrs. SMITH), with her usual modesty, has paid tribute to Susan B. Anthony here today. And, as Mrs. SMITH has stated, she is a Member of this body because of the dedication of Susan B. Anthony to the fight for equal rights for women. We are all proud to have Mrs. SMITH continue this battle for she proves that Susan B. Anthony's fight was not in vain—and she carries the banner high for all women of America.

Mr. MUSKIE. Mr. President, I am proud to be a cosponsor of the resolution offered by the senior Senator from Minnesota (Mr. McCARTHY) to secure equal rights for women.

This ideal was the lifelong goal of Susan B. Anthony, whose name is synonymous with women's rights. Miss Anthony began her fight for women's suffrage when she was only 17 years old, and now, almost a century and a half later, we have still fallen short in our efforts to secure those rights.

At a time when we are considering broadening the franchise by lowering the voting age, and strengthening it by instituting the direct popular election of the President, it is right that we should insure that those ideals to which we have paid lipservice are guaranteed in fact.

REORGANIZATION OF EXECUTIVE AGENCIES

Mr. McCLELLAN. Mr. President, earlier today from the Committee on Government Operations, I reported favorably S. 1058. I have cleared on both sides of the aisle the unanimous-consent request for its immediate consideration, and I make such request.

The VICE PRESIDENT. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1058) to extend the period within which the President may transmit to the Congress plans for reorganization of agencies of the executive branch of the Government.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. McCLELLAN. Mr. President, this is simply a bill extending the most recent Reorganization Act, which expired a short time ago. The bill would give to President Nixon the same authority that was given to previous administrations with respect to submitting reorganization plans for the executive branch of the Government.

There is no change whatever in the law as it has existed. This bill merely extends the date until April 1, 1971—a period of a little more than 2 years. That is the amount of time requested by the President in the message he sent to Congress on January 30, in which he requested such legislation. The President requested that it be extended for 2 years, and this will provide the full 2-year period.

I ask for a third reading.

The VICE PRESIDENT. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill was ordered to be read a third time, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 905(b), title 5, United States Code, is amended by striking out "December 31, 1968", and inserting in lieu thereof "April 1, 1971".

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE SENTINEL ABM SYSTEM

Mr. SPARKMAN. Mr. President, in the February 23 issue of the Sunday Star appeared a most thoughtful and well-reasoned editorial on the matter of deployment of the Sentinel anti-ballistic-missile system. For the benefit of those who may not have seen the editorial, and also for the purpose of making the editorial a part of the continuing debate on deployment of the Sentinel system, I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SENTINEL—LET'S GIVE IT THE GREEN LIGHT

A bit more than 20 years ago a "great debate" was under way in this country's scientific community.

The question was whether it was possible to build an H-bomb and, if it was possible, whether it was desirable to do so. The opposition arguments ran along several lines: It was not technically feasible to produce an H-bomb. In any event it would be morally wrong for the United States to create this hideous threat to mankind. With our large stockpile of A-bombs, what purpose would be served by arming ourselves with vastly more powerful weapons? Assuming the capability, if we should push ahead with the H-bomb development, would not Russia feel compelled to do likewise? And so on.

This debate continued behind closed doors for weeks and weeks. But then Dr. Edward Teller, sometimes called the "father" of the H-bomb, came up with a "brilliant invention" which settled one aspect of the argument. It *was* technically possible to build the more powerful weapon. Armed with this, proponents took their case to President Truman. Back from the White House came the word: Build it.

The United States can count itself fortunate that it then had a President who was willing and able to make hard decisions. For shortly after we had tested our first thermonuclear device, the Russians successfully tested theirs. Life for us in the 1950s might have been quite a different matter if the Soviet Union, and only the Soviet Union, had had the H-bomb in its armory.

A somewhat similar debate is under way in this country today. But this time the debate has to do with defense. Is it technically possible to develop and deploy an effective anti-ballistic missile system? If the answer is yes, should we get off the dime and start work on a "thin" ABM system, popularly known as Sentinel?

Opposition is mounting in Congress, especially on the part of self-appointed military experts on the Foreign Relations Committee. There is also opposition by some scientists and among some other people who, for various reasons, do not want Sentinel deployed in or near the cities in which they live.

The word from the White House is that the Sentinel system as envisioned in the Johnson administration is under review. It will not be surprising if some modifications are proposed. But there is strong indication that the final decision, expected around the middle of March, will be to push ahead with an ABM system.

It is important to keep in mind what could and what could not be expected from the deployment of a thin system. No one in the present state of the "art" thinks that a thin, or any other system, could provide meaningful protection for the United States in event of a massive first strike by the Soviet Union. Many millions of Americans would be killed and our major cities laid waste. Our shield against this threat has to be the maintenance of an assured capability to strike back on such a scale, after absorbing the initial blow, that the cost to the Russians of a surprise attack would be prohibitive. If this is not an especially reassuring prospect should a Soviet attack come, it is the best that can be offered as of today.

The pro-Sentinel people are confident, however, that a thin system could give very substantial protection in four and perhaps five other situations. They believe, for one thing, that it would provide an important safeguard against the kind of nuclear attack which Communist China is expected to be able to launch by 1975–77.

There has been considerable skepticism concerning any threat from Red China. What this comes down to is a suspicion that the real purpose in proceeding with Sentinel would be for the United States to have at least a start on deployment as a card to play in missile negotiations with the Kremlin, if and when that stage of nuclear arms limitation is reached. But such a purpose, if it exists, would not necessarily be without merit. Our intelligence people know that the Russians have started work on what is apparently a rather primitive ABM system of their own. And Defense Secretary Laird told the Foreign Relations Committee last week that the Soviet Union has begun testing a new and "sophisticated" ABM system. Common sense suggests, or so it seems to us, that the United States would be in a weaker position at the arms negotiating table if the Russians were going forward with a sophisticated ABM program while we were standing still.

The Communist Chinese threat, however, apparently is not something to be lightly brushed aside. Laird, originally one of the skeptics, now says that he has changed his mind, that on the basis of information which has come to him as Secretary of Defense he thinks Peking can have from 15 to 25 nuclear-tipped intercontinental missiles capable of hitting the United States by the mid-1970s. In his last report as Secretary of Defense, Clark Clifford said: "We believe it is both prudent and feasible on our part to deploy the Sentinel ABM system designed to protect against this (the Chinese) threat." Without the Sentinel ABM system, he went on to say, "we might suffer as many as 23 million fatalities from an attack by a Chinese intercontinental ballistic missile force. With the Sentinel, we might be able to hold fatalities to 1 million or less." These informed opinions, coming from two secretaries of defense, impose a heavy burden of proof on those who scoff at the Chinese threat or who are simply against the deployment of the Sentinel, period.

The Sentinel proponents also contend that the thin system would be effective protection in case of an accidental launch of a few missiles against the United States from any source, that for several years after its deployment it could cope with missiles fired against us from submarines, and that it could destroy a missile or missiles fired from an orbiting platform, if this weapon should be developed. The fifth possible benefit would be to provide some protection for our underground ICBMs in event of a Soviet attack, thereby enhancing our strike-back capability.

The Sentinel system, as planned, would consist of long-range Spartan missiles and short-range Sprints placed in some 15 to 20 antimissile complexes. The cost estimate is from $5 to $6 billion, and it might go as high as $10 billion. Congress has already invested about $4 billion in this project, and the request in the 1970 fiscal year defense budget is for $1.8 billion.

Some opponents say it would be better to spend new Sentinel money on rehabilitating slums instead of investing it in what they call an unreliable ABM system. Others profess to fear that for the United States to do what the Russians are doing in missile defense would serve only to escalate the arms race. Further opposition comes from local groups who, without any real basis in past experience, fear a missile complex explosion; still others who say that a site near the city in which they live would invite an enemy attack, and this despite the fact that our major cities in any event probably would be targets. Finally, there are some who simply don't want to give up the real estate (some 200 acres) that each missile complex would require.

Congressional opponents, especially in the Senate, are claiming that they have or will have the votes to block any further appropriation for Sentinel. Perhaps they have. It is always easy for a politician to stand on the side of the angels, to be for spending to aid the poor and against spending for defense, and to capitalize on the apprehensions of many people as they contemplate any enlargement, offensive or defensive, of our nuclear capability.

As a responsible President, however, Richard Nixon cannot indulge in politicking on this question. If he is persuaded, as we think he will be, that our national security requires him to give the go-ahead signal on the Sentinel program, he should grasp that painful nettle—just as Harry Truman did two decades ago. If the legislators want to block the program by refusing to appropriate the necessary funds, let them take the responsibility—and let them also be held accountable for the consequences of what could be a disastrous decision on their part.

S. 1212 AND S. 1213—INTRODUCTION OF BILLS ON SMALL BUSINESS

Mr. SPARKMAN. Mr. President, less than 10 years ago, the first small business investment companies were licensed and began providing equity capital and long-term loans to new and growing small business concerns.

Since March 1959, SBIC's have disbursed more than $1,400 million in some 30,000 separate financing transactions. Statistics compiled by the Small Business Administration have demonstrated that the dollars put out by SBIC's have been extremely effective in fostering the growth and profitability of those 30,000 independent firms.

As a matter of fact, the small businesses helped by SBIC's have fared many times better than all businesses in the economy and, naturally, much, much better than their small business colleagues who, by and large, have not shared in the general economic prosperity of the past decade.

Thus, the Small Business Investment Act of 1958 did create a new financial institution which has taken on the responsibility which we assigned to it and the SBIC program shows that it is possible for a partnership between the Federal Government and the private sector of our economy to work together to achieve a national policy goal.

I remember well that when Congress passed the 1958 act, those of us who served as its sponsors stressed that this was a new type of financial institution undertaking a pioneering task; namely, investing in brandnew or largely unproven small businesses. We realized that the job would not be an easy one. We also knew full well that our design for the SBIC program was tentative and would require reshaping in the light of actual operating experiences.

Several times since 1958, the Congress has responded to the demonstrated needs for changes. Most recently in 1967, we passed a rather comprehensive series of amendments to the 1958 law.

Once again, in 1969, however, our studies have convinced us that SBICs should be enabled to accomplish even more for small business concerns in need of capital and long-term credit in these days of high-cost money which, all too often, is not available for smaller firms.

For that reason, together with Senators BENNETT, BIBLE, BROOKE, CRANSTON, HATFIELD, HOLLINGS, HUGHES, JAVITS, MANSFIELD, MCINTYRE, METCALF, MONDALE, MUSKIE, PERCY, PROXMIRE, TOWER, and WILLIAMS of New Jersey, I am introducing two bills which should greatly improve the operations of the SBIC industry.

Since I shall ask to have explanatory notes printed along with each of these bills, I shall not make any detailed explanation now.

The first of these two bills would amend the Small Business Investment Act in seven respects. Several of the changes are quite minor and technical, but I would like to touch briefly on two of them. This bill would overcome one of the greatest problems faced by the SBIC program—the lack of continuity in the administration and regulation of the industry by the Small Business Administration. We propose to give the Associate Administrator for Investment a stated, 5-year term and have his decisions reviewed only by a three-man Investment Division Board consisting of the Administrator and two other members appointed by the President with confirmation by the Senate. Another section would make unincorporated businesses eligible for a greater range of SBIC assistance and is designed to help those 85 percent of all business firms which are not incorporated.

The second bill brings a more comprehensive change to the format of the SBIC program by establishing a Small Business Capital Bank which would serve as a secondary source of funds for SBIC's. Based on the experiences of the Banks for Cooperatives and the Federal Intermediate Credit Banks, this Small Business Capital Bank would sell its debentures and make loans to SBIC's which meet its credit scrutiny. We believe that this new institution should eventually take over the role of SBA which now lends to SBIC's. We also think that it will bring greater continuity and stability to the important job of lending to SBIC's than SBA can at present with its periodic lack of funds and changing guidelines.

Incidentally, the idea of a capital bank for SBIC's is not a novel one. With several of the same cosponsors, I introduced similar bills in 1964 and 1965. In addition, the concept has been strongly supported by both the Senate and the House Small Business Committees, by ranking officials of the Small Business Administration, and by a number of trade associations.

Taken together, these two bills will go far toward making SBIC's more efficient and more effective channels of equity funds to small business concerns. Together they should also help attract hundreds of millions of additional private dollars to the SBIC program. We are sure that SBIC's do not now have the resources they need to meet the responsibility Congress has given them. These bills will help augment the industry's capital and total assets.

Before concluding, I wish to acknowledge the assistance of the National Association of Small Business Investment Companies in drafting these two bills and in bringing together the background data which support the various proposals. Officials of the Small Business Administration have also helped us greatly in putting together these legislative recommendations.

Mr. President, I ask unanimous consent to have printed at this point in my remarks several documents: first, a brief background paper prepared by NASBIC on the status of the SBIC industry today; second, the text of the bill to amend the Small Business Investment Act of 1958 along with explanatory notes; third, the bill to create a Small Business Capital Bank, along with explanatory notes.

The VICE PRESIDENT. The bills will be received and appropriately referred; terial will be printed in the RECORD. and, without objection, the bills and ma-

The bills (S. 1212) to amend the Small Business Investment Act of 1968, and (S. 1213) to create a Small Business Capital Bank, and for other purposes; introduced by Mr. SPARKMAN, were received read twice by their titles, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 1212

A bill to amend the Small Business Investment Act of 1968

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This Act may be cited as the "Small Business Investment Act Amendments of 1969".

SECTION 2. Title II of the Small Business Investment Act of 1958 is amended to read as follows:

"SMALL BUSINESS INVESTMENT DIVISION AND INVESTMENT DIVISION BOARD OF THE SMALL BUSINESS ADMINISTRATION

"ESTABLISHMENT OF SMALL BUSINESS INVESTMENT DIVISION AND INVESTMENT DIVISION BOARD

"SEC. 201. There is hereby established in the Small Business Administration a division to be known as the Small Business Investment Division. The Division shall be headed by an Associate Administrator who shall be appointed by the President by and with the advice and consent of the Senate. Such Associate Administrator shall be appointed for a term of five years and shall receive compensation at the rate provided by law for other Associate Administrators of the Small Business Administration.

"SEC. 202. There is also hereby established in the Small Business Administration an Investment Division Board. The membership of the Investment Division Board shall consist of the Administrator of the Small Business Administration and two other persons appointed by the President by and with the advice and consent of the Senate. Each member of the Board appointed by the President shall be appointed for a term of six years; except that of the two members first appointed by the President, one shall be appointed for a term of three years and one shall be appointed for a term of six years. Each member of the Board appointed by the President shall serve full time and shall receive compensation at the rate provided by law for Associate Administrators of the Small Business Administration.

"SEC. 203. It shall be the function of the Investment Division Board to oversee, review and approve all actions of the Associate Administrator of the Small Business Investment Division except those actions specifically delegated to said Associate Administrator by the Investment Division Board."

SEC. 3. Subsection 302(a) of the Small Business Investment Act of 1958 is amended by adding the following sentence at the end thereof: "For the purposes of this section and sections 303(b) and 306(a) of this Act, the combined paid-in capital and paid-in surplus of each company authorized to operate under this Act shall consist of the cash consideration received for its common stock, preferred stock and debenture bonds having a maturity of not less than 10 years."

SEC. 4. Subsection 302(b) of the Small Business Investment Act of 1958 is amended by striking the phrase "shares of stock in small business investment companies" and by substituting in lieu thereof the phrase "securities of small business investment companies as described in the preceding subsection".

SEC. 5. Section 303(b) of the Small Business Investment Act of 1958 is amended by striking the second sentence thereof and by substituting in lieu thereof the following sentence: "Debentures purchased by the Administration under this subsection shall be subordinate to any other debenture bonds, promissory notes, or other debts and obligations of such companies except debenture bonds issued by such companies pursuant to subsection 302(a)."

SEC. 6. Subparagraph (2) of subsection 303(b) of the Small Business Investment Act of 1958 is amended by striking the first sentence thereof and by substituting in lieu thereof the following sentence:

"(2) The total amount of debentures which may be purchased and outstanding at any one time from a company which has investments or legally binding commitments of 65 percent or more of its total funds available for investment in small business concerns invested or committed in venture capital, shall not exceed 300 percent of the company's paid-in capital and surplus."

SEC. 7. Subsections 304 (a) and (d) of the Small Business Investment Act of 1958 are amended by adding the words "and unincorporated" after the word "incorporated" in each of said subsections.

SEC. 8. Subsection 306(b) of the Small Business Investment Act of 1958 is amended by striking it in its entirety and by substituting in lieu thereof the following new subsection:

"(b) For the purpose of this section, the combined paid-in capital and paid-in surplus of a small business investment company shall consist of (1) the cash consideration received for securities of such small business investment company as defined in subsection 302(a) of this Act, and (2) for any such company licensed prior to January 1, 1968, the following portions of the funds outstanding from the Administration through the issuance of subordinated debentures as of the effective date of the Small Business Investment Act Amendments of 1967, or on January 1 of each of the following calendar years, whichever is less: (A) 100 percent, during 1968; (B) 75 percent, during 1969; (C) 50 percent, during 1970; (D) 25 percent, during 1971; and (E) zero, during 1972 and thereafter."

SEC. 9. Subsection 308(c) of the Small Business Investment Act of 1958 is amended by adding the following language at the end thereof: "The provisions of such regulations to the contrary notwithstanding, a small business investment company shall be permitted to maintain up to one-third of its assets in loans to or investments in eligible small business concerns without regard to regulations of the Administration relating to (1) overline loans and investments, (2) minimum period of financing and maximum amortization, and (3) purchases of outstanding securities privately or on the open market."

SEC. 10. Subsection 308(f) of the Small Business Investment Act of 1958 is amended by adding the following sentence at the end thereof: "In addition, the Administrator and the Administration shall have the powers and duties set forth in section 7 of the Small Business Act to the end of encouraging and assisting financing by small business investment companies of business ventures designed to combat air and water pollution, to encourage the development of urban rapid transit facilities and to attain other national policy goals."

SEC. 11. Section 308 of the Small Business Investment Act of 1958 is amended by adding the following new subsection:

"(h) Any action by the Associate Administrator for Investment denying an application of a small business investment company for funds under this Act or demanding repayment of such funds shall be subject to appeal to the Investment Division Board at the election of such company."

S. 1213

A bill to create a small business Capital Bank, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—SHORT TITLE, STATEMENT OF PURPOSE AND DEFINITIONS

SHORT TITLE

Sec. 11. This Act, divided into titles and sections according to the following table of contents, may be cited as the "Small Business Capital Bank Act".

TABLE OF CONTENTS

TITLE I—SHORT TITLE, STATEMENT OF PURPOSES AND DEFINITIONS

Sec. 12. Statement of Purpose.
Sec. 13. Definitions.

TITLE II—ESTABLISHMENT OF SMALL BUSINESS CAPITAL BANK

Sec. 21. Establishment of the Bank.
Sec. 22. Board of Governors.
Sec. 23. Executive Director.
Sec. 24. Regulations.

TITLE III—INCORPORATION AND FUNDING OF SMALL BUSINESS CAPITAL BANK

Sec. 31. Incorporation.
Sec. 32. Capitalization.
Sec. 33. Borrowing Power.
Sec. 34. Curtailment of Government Obligations.

TITLE IV—PROVISION OF ASSISTANCE TO SMALL BUSINESS INVESTMENT COMPANIES

Sec. 41. Use of Bank's Funds.
Sec. 42. Standards of Eligibility for Assistance.
Sec. 43. Provision of Loan Funds to Small Business Investment Companies.
Sec. 44. Purchase of Bank Stock by Small Business Investment Companies.

STATEMENT OF PURPOSE

SEC. 12. (a) The Congress hereby finds that there is an increasing need among small business investment companies for funds to increase their operations to the end of providing additional funds to the small business concerns of this Nation in order to promote and facilitate their growth, expansion, and modernization; that this need must be met in the interest of a sound national economy; and that the funds which are presently available to small business investment companies from the Federal Government and from other public and private sources are insufficient to meet this need.

(b) It is therefore declared to be the policy of the Congress and the purpose of this Act to improve and stimulate the national economy in general and the small business segment thereof in particular by establishing a Small Business Capital Bank to serve as a secondary source of funds for small business investment companies in order to enable such companies to provide to the small business concerns of this Nation the equity capital and long-term loan funds which they need for the sound financing of their business operations and for their growth, expansion, and modernization.

DEFINITIONS

SEC. 13. As used in this Act—

(1) the term "Bank" means the Small Business Capital Bank established under section 21 or any branch thereof;

(2) the term "Board" means the Board of Governors of the Small Business Capital Bank.

(3) the term "small business investment company" means a company licensed by the Small Business Administration and operating under the Small Business Investment Act of 1958, as amended;

(4) the term "small business concern" shall have the same meaning as in the Small Business Investment Act of 1958, as amended, and in the regulations promulgated thereunder by the Small Business Administration.

TITLE II—ESTABLISHMENT OF SMALL BUSINESS CAPITAL BANK

Establishment of the Bank

SEC. 21. There is hereby established, as an independent agency of the Government of the United States, a Small Business Capital Bank. The principal office of the Bank shall be located in the District of Columbia, but the Bank may establish such district and branch offices throughout the United States as it deems necessary and appropriate.

Board of Governors

SEC. 22. (a) The management of the Bank shall be vested in a Board of Governors consisting of nine members. The Secretary of the Treasury, the Administrator of the Small Business Administration, and the Associate Administrator for Investment of the Small Business Administration shall serve as members of the Board. The remaining six members of the Board shall be appointed by the President by and with the advice and consent of the Senate. In making such appointments, the President shall have due regard to a fair representation of the public interest as well as of the particular interests and needs of small business investment companies and the special contributions which can be made by such companies to the sound development of the national economy.

(b) Each member of the Board appointed by the President shall be appointed for a term of six years; except that (1) of the six members first appointed by the President, two shall be for terms of two years, two for terms of four years, and two for terms of six years, as designated by the President at the time of appointment, and (2) any member appointed to fill a vacancy shall be appointed only for the unexpired portion of his predecessor's term.

(c) Each member of the Board shall be a citizen of the United States and shall receive the sum of $100 for each day or part thereof spent in the performance of his official duties; provided, however, that such per diem compensation shall not be paid to the Secretary of the Treasury, the Administrator of the Small Business Association, nor to the Associate Administrator for Investment of the Small Business Association. In addition to receiving such per diem compensation, each member of the Board, including the Secretary of the Treasury, the Administrator of the Small Business Administration, and the Associate Administrator for Investment of the Small Administration, shall be reimbursed for necessary travel, subsistence, and other expenses actually incurred in the discharge of his duties as such member, without regard to any other laws relating to allowances for such expenses.

(d) As soon as practicable after the first members of the Board have been appointed as provided in subsection (a), the members shall meet, subscribe to the oath of office, and organize by electing from among the membership a Chairman, a Vice-Chairman and a Secretary. The Chairman, Vice-Chairman, and Secretary shall be elected annually for terms of one year, and shall serve until their respective successors are elected and take office. The Chairman shall preside at all meetings and the Vice-Chairman shall preside in the absence or disability of the Chairman. The Board may, in the absence or disability of both the Chairman and Vice-Chairman, elect any of its members to act as chairman pro tempore. Five members shall constitute a quorum of the Board for the transaction of business, and the Board may function notwithstanding vacancies provided a quorum is present. The Board shall meet at such times and places as it may fix and determine, but shall hold at least six regularly scheduled meetings a year; and special meetings may be held on call of the Chairman or any three members.

(e) Notwithstanding subsection (b), any member of the Board may at any time be removed from office for cause by the President or, if cause exists but the President does not act, by the Congress through impeachment proceedings.

Executive Director

SEC. 23. (a) The Board shall appoint an Executive Director, who shall serve at the pleasure of the Board and shall, subject to the general supervision and direction of the Board as to matters of a broad and general supervisory, advisory or policy nature, and, except as otherwise specifically provided in this Act, be responsible for the execution of the functions of the Board.

(b) The Board shall fix the compensation of the Executive Director, but his annual rate of basic compensation shall not exceed $———. In addition to receiving such compensation, the Executive Director shall be reimbursed for necessary travel, subsistence and other expenses actually incurred in the discharge of his duties without regard to any other laws relating to allowances for such expenses.

(c) The Executive Director shall comply with all orders and directions which he receives from the Board; but as to all third persons his acts shall be presumed to be in compliance with the orders and directions of the Board.

(d) The Executive Director, subject to the approval of the Board, shall employ such personnel (including attorneys, economists, accountants, experts, assistants, clerks, and laborers) as may be necessary to carry out the functions, powers and duties vested in the Board, and fix their compensation, without regard to the civil service laws or the Classification Act of 1949, as amended. All functions, powers, and duties of the Board, except those specifically reserved to the Board itself by this Act, shall be exercised and performed by the Executive Director and may be exercised and performed by him through such employees of the Board as he may designate.

Regulations

SEC. 24. The Board shall prescribe and publish such regulations, and take such other actions, as may be necessary and appropriate in carrying out this Act and in effectively exercising the functions expressly and impliedly vested in it under this Act.

TITLE III—INCORPORATION AND FUNDING OF SMALL BUSINESS CAPITAL BANK

Incorporation

SEC. 31. (a) The members of the Board of Governors shall, under their hand, forthwith execute and file with the Secretary of the Senate and with the Secretary of the House of Representatives articles of incorporation which shall specifically state the amount of the Bank's authorized capital stock and the number of shares into which such stock is to be divided, and all other matters necessary or appropriate to the organization of the Bank and the accomplishment of the purposes of this Act.

(b) The Board is authorized to direct such changes in or additions to any such articles of incorporation not inconsistent with this Act, as and when it may deem necessary or expedient.

(c) Upon the Board's duly making and filing the articles of incorporation, the Bank shall become, as of the date of the filing of such articles, a body corporate, and as such, it shall have power—

(1) to adopt and use a corporate seal;

(2) to have succession until it is dissolved by Act of Congress or under the provisions of this Act;

(3) to make contracts;

(4) to sue and be sued, complain, interplead, and defend in any court of law of equity, as fully as a natural person;

(5) to elect, by its Board of Governors, a Chairman, a Vice-Chairman and a Secretary, and to appoint an Executive Director and other officers and employees, define their duties, require bonds of them and fix the penalty thereof, and dismiss any such officers and employees at pleasure and appoint others to fill their places;

(6) to prescribe, by its Board of Governors, by-laws not inconsistent with law, regulating the manner in which its stock shall be issued, held, and disposed of, its officers elected, its staff appointed, its property transferred, its general business conducted, and the privileges granted to it by law exercised and enjoyed; and

(7) to exercise, by its Board of Governors or its duly authorized officers or agents, subject to law, all such incidental powers as shall be necessary to carry out its functions under this Act.

Capitalization

SEC. 32. (a) The Bank shall be established with an authorized capital of $150,000,000, of which $50,000,000 shall be paid-in capital subscribed for by the Secretary of the Treasury on behalf of the United States, and the remainder shall be provided through purchases of capital stock of the Bank by small business investment companies pursuant to section 44. For the purpose of funding the paid-in capital subscribed for by the Secretary of the Treasury, the Secretary is hereby authorized on request of the Bank to pay to the Bank from the general funds of the Treasury the sum of $50,000,000.

(b) The capital stock of the Bank shall consist of two classes, common and preferred, the rights and preferences of the separate classes to be as specified in the articles of incorporation of the Bank; provided, however, that the authorized capital to be subscribed through the issuance of common stock shall not exceed $100,000,000 and the authorized capital to be subscribed through the issuance of preferred stock shall not exceed $50,000,000.

(c) The common stock shall be available for purchase only by small business investment companies pursuant to section 44.

(d) The preferred stock shall be issued only to the Secretary of the Treasury in exchange for the contribution to the paid-in capital of the Bank pursuant to section 32(a), and such preferred stock shall be redeemed and retired by the Bank from earnings available therefor as soon as possible after the Bank has received a minimum of $50,000,000 in exchange for its common stock.

Borrowing power

SEC. 33. (a) In addition to its authorized capitalization, the Bank shall have authority to obtain funds through the sale to the public of its debenture bonds, which shall bear interest at such rate and contain such other terms as the Board may fix.

(b) The aggregate amount of obligations which may be outstanding at any one time pursuant to subsection (a) of this section shall not exceed $1,000,000,000. The proceeds of the issues of such obligations shall be used only for the purchase of obligations of small business investment companies as provided in section 43.

(c) The Secretary of the Treasury is authorized in his discretion to purchase any obligations issued pursuant to subsection (b) of this section, as now or hereafter in force, and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds of the sale of any securities hereafter issued under the Second Liberty Bond Act, as now or hereafter in force, and the purposes for which securities may be issued under the Second Liberty Bond Act, as now or hereafter in force, are extended to include such purchases. Each purchase of obligations by the Secretary of the Treasury under this subsection shall be upon such terms and conditions as to yield a return at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the making of such purchase. The Secretary of the Treasury may, at any time, sell, upon such terms and conditions and at such price or prices as he shall determine, any of the obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such obligations under this subsection shall be treated as public debt transactions of the United States.

(d) All obligations issued by the Bank shall, to the same extent as securities issued by the United States or its instrumentalities, be deemed to be exempt securities within the meaning of the laws administered by the Securities and Exchange Commission and of section 5136 of the Revised Statutes.

Curtailment of government obligations

SEC. 34. For the purpose of curtailing Government obligations under the small business investment company program—

(1) Effective on the date of the enactment of this Act, funds authorized under any other law for the revolving fund of the Small Business Administration for purposes of the small business investment company program shall be reduced by $50,000,000; and

(2) Effective on the last day of the fiscal year following the year in which the proceeds from the sale of the common stock of the Bank exceed $50,000,000, section 303(b) of the Small Business Investment Act of 1958, as amended, is hereby repealed.

TITLE IV—PROVISION OF ASSISTANCE TO SMALL BUSINESS INVESTMENT COMPANIES

Use of bank's funds

SEC. 41. It shall be the primary function of the Bank to use any funds available to it from its capital account or from any of its other accounts to make direct loans to small business investment companies as provided in section 43:

Standards of eligibility for assistance

SEC. 42. The Board shall promulgate standards to determine the eligibility of small business investment companies for the assistance provided by this Act. In promulgating such standards, the Board shall give consideration to—

(1) the need to promote the development and growth of small business investment companies so as to enable them to make their maximum contribution to productive investment and employment and to the economic stability and growth of the Nation;

(2) the need to make loan funds more readily available to small business investment companies in adequate amounts and on reasonable terms;

(3) the need to facilitate maximum participation of private financial institutions and investors in financing small business investment companies and eligible small business concerns; and

(4) the need to supplement the existing facilities of the United States Government and of banks and other private financial institutions through the program of assistance provided under this Act.

Provisions of loan funds to small business investment companies

SEC. 43. (a) The Bank is authorized to make loans, in the manner and subject to such terms and conditions as may be prescribed by the Board, to small business investment companies which meet the standards of eligibility promulgated by the Board under section 42, in order to provide such concerns with funds needed for their financing activities.

(b) Loans made under this section may be made directly, or in cooperation with banks or other lending institutions, through agreements to participate on an immediate or deferred basis.

Purchase of Bank stock by small business investment companies

SEC. 44. (a) Whenever the Bank advances funds to a small business investment company under section 43, such small business investment company shall be required to become a stockholder of the Bank by investing in the common stock of the Bank.

(b) A small business investment company receiving loan funds from the Bank pursuant to section 43 shall be required to become a stockholder of the Bank by investing in the common stock of the Bank an amount equal to one per centum per annum of the amount of the loan funds so provided by the Bank; provided, however, that the maximum funds so invested by the small business investment company shall not exceed five per centum of the loan funds so provided by the Bank.

(c) The aggregate amount of shares of common stock of the Bank which may be owned or controlled by any small business investment company may be limited by the Board. In no event, however, shall any small business investment company be permitted to own, directly or indirectly, more than 2 percent of the authorized common stock of the Bank.

The material, presented by Mr. SPARKMAN, is as follows:

SMALL BUSINESS INVESTMENT COMPANIES ON THEIR 10TH BIRTHDAY

What's Their Record? In the ten years since the passage of the Small Business Investment Act, SBICs have made over $1.3-billion available to small businesses in some 30,000 separate financings. At the present time, there are 400 active SBICs with resources of about $650-million; these licensees have disbursed an average $150-million a year over the past two years.

The risks inherent in making equity capital and long-term credit available to small businesses—and the pioneering nature of such an institutional undertaking—led to net losses for the SBIC industry during the first six or seven years of its existence. For the past three years, the industry has shown est SBA data (for the fiscal year ending black ink on its P&L statements and the lat- March 31, 1968) indicated an annual rate of return of 6% on private capital in the industry—far better than for any other year to date.

The Small Business Administration has recently evaluated the effectiveness of SBIC financing in promoting sound business growth. Its official report shows that small businesses which have been helped by SBICs have outperformed all the country's businesses by four or five times. In assets, employment, net worth, and profits, these businesses have shown an average annual increase of about 25%. An independent financial analyst, S. M. Rubel, called the performances of SBIC portfolio companies "incredibly impressive."

In addition, SBICs have been able to create new jobs at an unprecedented low dollar cost. SBA data show that a new job is created for each $5,000 of SBIC investment; that's far below the record for other Federal programs. And it must be added that the bulk of SBIC dollars are private; only $250-million of the total $1.3-billion disbursed by SBICs have been Federal funds; the rest (80%) have been private.

We conclude, then: SBICs, as a new financing medium, have made a real impact on the economy; they are beginning to generate some profits for themselves; and they have helped many of their 30,000 portfolio small business firms to hit the profit and growth jackpots.

But, all is not bright on the SBIC scene, despite the remarkably favorable omens cited above.

First and foremost, the industry is not growing—even though there is a tremendous unfilled demand for our assistance and our dollars. Private capital committed to the SBICs hit a high of about $465-million in early 1964. Ever since then, more dollars have left the industry each year than have come into it and the rate of loss has been rising each year. By March 1968, our private capital was down to $342 million, a loss of over 25%. An even greater decrease in the number of active SBICs accompanied the fall in private capital—down from 650 in early 1964 to about 400 today.

Why? A number of reasons. Despite the recent increase in profitability, many SBIC managements have decided they could make a better return on their capital in other, and less risky, pursuits. In addition, the inevitable difficulties of investing in small concerns have been compounded for SBICs which have to operate under laws and regulations which too often are unduly restrictive.

Therefore, we have a situation where the SBIC program hasn't been able to retain the capital it already has, let alone attract the additional several billions of dollars it must have to meet the equity and credit needs of hundreds of thousands of eligible and worthy small business concerns.

What can be done? The industry's trade association, NASBIC, has adopted a four-point legislative program which will remove the obstacles and augment the incentives to profitable and effective SBIC operations. Together, they will guarantee that the SBIC will survive and that all young and growing independent businesses will have access to the capital and long-term dollars they need so badly.

One final question—*Will These Proposals Break Uncle Sam?* Most of the items in the legislative program will not cost the Federal Treasury one cent, since they are designed to clear away present impediments to sound long-range SBIC operations, or will allow SBIC to serve more businesses. Several will involve deferral of tax liabilities for a certain period of time. One would permit SBA to offer incentives for smaller SBICs to join with other lending institutions in participating with SBA in making funds available for public policy purposes. None of these features would result in any substantial cost to the Government.

The keystone of the NASBIC legislative program, moreover, would eventually remove the Federal Treasury completely from the SBIC program by establishing a Small Business Capital Bank to take over SBA's current role of making loans to SBICs. This is crucial to the industry in light of recurrent budgetary crises which have too often cut off the flow of SBA loans just when SBICs need them most.

Not so incidentally—the Government has been making a direct profit on the SBICs throughout the past ten years, even without giving any weight to the increased corporate and personal income taxes paid by the newly-profitable firms and their newly-hired workers. That's the conclusion of an independent analyst who has studied all the direct and indirect costs of the SBIC program. We are certain that the enactment of the NASBIC legislative proposals will greatly increase the Federal Government's profits from the operations of our industry.

Therefore, the answer to this last question is clearly: *No.*

(Background paper: Prepared by NASBIC, December 10, 1968.)

S. —

A bill to create a Small Business Capital Bank, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—SHORT TITLE, STATEMENT OF PURPOSE, AND DEFINITIONS

Short title

SEC. 11. This Act, divided into titles and sections according to the following table of contents, may be cited as the "Small Business Capital Bank Act".

Table of Contents

Title I—Short Title, Statement of Purpose and Definitions

Sec. 11. Short Title.
Sec. 12. Statement of Purpose.
Sec. 13. Definitions.

Title II—Establishment of Small Business Capital Bank

Sec. 21. Establishment of the Bank.
Sec. 22. Board of Governors.
Sec. 23. Executive Directors.
Sec. 24. Regulations.

Title III—Incorporation and Funding of Small Business Capital Bank

Sec. 31. Incorporation.
Sec. 32. Capitalization.
Sec. 33. Borrowing Power.
Sec. 34. Curtailment of Government Obligations.

Title IV—Provision of Assistance to Small Business Investment Companies

Sec. 41. Use of Bank's Funds.
Sec. 42. Standards of Eligibility for Assistance.
Sec. 43. Provision of Loan Funds to Small Business Investment Companies.
Sec. 44. Purchase of Bank Stock by Small Business Investment Companies.

Statement of purpose

SEC. 12. (a) The Congress hereby finds that there is an increasing need among small business investment companies for funds to increase their operations to the end of providing additional funds to the small business concerns of this Nation in order to promote and facilitate their growth, expansion, and modernization; that this need must be met in the interest of a sound national economy; and that the funds which are presently available to small business investment companies from the Federal Government and from other public and private sources are insufficient to meet this need.

(b) It is therefore declared to be the policy of the Congress and the purpose of this Act to improve and stimulate the national economy in general and the small business segment thereof in particular by establishing a Small Business Capital Bank to serve as a secondary source of funds for small business investment companies in order to enable such companies to provide to the small business concerns of this Nation the equity capital and long-term loan funds which they need for the sound financing of their business operations and for their growth, expansion, and modernization.

Definitions

SEC. 13. As used in this Act—

(1) the term "Bank" means the Small Business Capital Bank established under section 21 or any branch thereof;

(2) the term "Board" means the Board of Governors of the Small Business Capital Bank;

(3) the term "small business investment company" means a company licensed by the Small Business Administration and operating under the Small Business Investment Act of 1958, as amended;

(4) the term "small business concern" shall have the same meaning as in the Small Business Investment Act of 1958, as amended, and in the regulations promulgated thereunder by the Small Business Administration.

TITLE II—ESTABLISHMENT OF SMALL BUSINESS CAPITAL BANK

Establishment of the Bank

SEC. 21. There is hereby established, as an independent agency of the Government of the United States, a Small Business Capital Bank. The principal office of the Bank shall be located in the District of Columbia, but the Bank may establish such district and branch offices throughout the United States as it deems necessary and appropriate.

Board of Governors

SEC. 22. (a) The management of the Bank shall be vested in a Board of Governors consisting of nine members. The Secretary of the Treasury, the Administrator of the Small Business Administration, and the Associate Administrator for Investment of the Small Business Administration shall serve as members of the Board. The remaining six members of the Board shall be appointed by the President by and with the advice and consent of the Senate. In making such appointments, the President shall have due regard to a fair representation of the public interest as well as of the particular interests and needs of small business investment companies and the special contributions which can be made by such companies to the sound development of the national economy.

(b) Each member of the Board appointed by the President shall be appointed for a term of 6 years; except that (1) of the six members first appointed by the President, two shall be for terms of 2 years, two for terms of 4 years, and two for terms of 6 years, as designated by the President at the time of appointment, and (2) any member appointed to fill a vacancy shall be appointed only for the unexpired portion of his predecessor's term.

(c) Each member of the Board shall be a citizen of the United States and shall receive the sum of $100 for each day or part thereof spent in the performance of his official duties; provided, however, that such per diem compensation shall not be paid to the Secretary of the Treasury, the Administrator of the Small Business Association, nor to the Associate Administrator for Investment of the Small Business Association. In addition to receiving such per diem compensation, each member of the Board, including the Secretary of the Treasury, the Administrator of the Small Business Administration, and the Associate Administrator for Investment of the Small Business Administration, shall be reimbursed for necessary travel, subsistence, and other expenses actually incurred in the discharge of his duties as such member, without regard to any other laws relating to allowances for such expenses.

(d) As soon as practicable after the first members of the Board have been appointed as provided in subsection (a), the members shall meet, subscribe to the oath of office, and organize by electing from among the membership a Chairman, a Vice-Chairman and a Secretary. The Chairman, Vice-Chairman, and Secretary shall be elected annually for terms of 1 year, and shall serve until their respective successors are elected and take office. The Chairman shall preside at all meetings and the Vice-Chairman shall preside in the absence or disability of the Chairman. The Board may, in the absence or disability of both the Chairman and Vice-Chairman, elect any of its members to act as chairman pro tempore. Five members shall constitute a quorum of the Board for the transaction of business, and the Board may function notwithstanding vacancies provided a quorum is present. The Board shall meet at such times and places as it may fix and determine, but shall hold at least six regularly scheduled meetings a year; and special meetings may be held on call of the Chairman or any three members.

(e) Notwithstanding subsection (b), any member of the Board may at any time be removed from office for cause by the President or, if cause exists but the President does not act, by the Congress through impeachment proceedings.

Executive director

SEC. 23. (a) The Board shall appoint an Executive Director, who shall serve at the pleasure of the Board and shall, subject to the general supervision and direction of the Board as to matters of a broad and general supervisory, advisory or policy nature, and, except as otherwise specifically provided in this Act, be responsible for the execution of the functions of the Board.

(b) The Board shall fix the compensation of the Executive Director, but his annual rate of basic compensation shall not exceed $. In addition to receiving such compensation, the Executive Director shall be reimbursed for necessary travel, subsistence and other expenses actually incurred in the discharge of his duties without regard to any other laws relating to allowances for such expenses.

(c) The Executive Director shall comply with all orders and directions which he receives from the Board; but as to all third persons his acts shall be presumed to be in compliance with the orders and directions of the Board.

(d) The Executive Director, subject to the approval of the Board, shall employ such personnel (including attorneys, economists, accountants, experts, assistants, clerks, and laborers) as may be necessary to carry out the functions, powers and duties vested in the Board, and fix their compensation, without regard to the civil service laws or the Classification Act of 1949, as amended. All functions, powers, and duties of the Board, except those specifically reserved to the Board itself by this Act, shall be exercised and performed by the Executive Director and may be exercised and performed by him through such employees of the Board as he may designate.

Regulations

Sec. 24. The Board shall prescribe and publish such regulations, and take such other actions, as may be necessary and appropriate in carrying out this Act and in effectively exercising the functions expressly and impliedly vested in it under this Act.

TITLE III—INCORPORATION AND FUNDING OF SMALL BUSINESS CAPITAL BANK

Incorporation

Sec. 31. (a) The members of the Board of Governors shall, under their hand, forthwith execute and file with the Secretary of the Senate and with the Secretary of the House of Representatives articles of incorporation which shall specifically state the amount of the Bank's authorized capital stock and the number of shares into which such stock is to be divided, and all other matters necessary or appropriate to the organization of the Bank and the accomplishment of the purposes of this Act.

(b) The Board is authorized to direct such changes in or additions to any such articles of incorporation not inconsistent with this Act, as and when it may deem necessary or expedient.

(c) Upon the Board's duly making and filing the articles of incorporation, the Bank shall become, as of the date of the filing of such articles, a body corporate, and as such, it shall have power—

(1) to adopt and use a corporate seal;

(2) to have succession until it is dissolved by Act of Congress or under the provisions of this Act;

(3) to make contracts;

(4) to sue and be sued, complain, interplead, and defend in any court of law of equity, as fully as a natural person;

(5) to elect, by its Board of Governors, a Chairman, a Vice-Chairman and a Secretary, and to appoint an Executive Director and other officers and employees, define their duties, require bonds of them and fix the penalty thereof, and dismiss any such officers and employees at pleasure and appoint others to fill their places;

(6) to prescribe, by its Board of Governors, by-laws not inconsistent with law, regulating the manner in which its stock shall be issued, held, and disposed of, its officers elected, its staff appointed, its property transferred, its general business conducted, and the privileges granted to it by law exercised and enjoyed; and

(7) to exercise, by its Board of Governors or its duly authorized officers or agents, subject to law, all such incidental powers as shall be necessary to carry out its functions under this Act.

Capitalization

Sec. 32. (a) The Bank shall be established with an authorized capital of $150,000,000, of which $50,000,000 shall be paid-in capital subscribed for by the Secretary of the Treasury on behalf of the United States, and the remainder shall be provided through purchases of capital stock of the Bank by small business investment companies pursuant to section 44. For the purpose of funding the paid-in capital subscribed for by the Secretary of the Treasury, the Secretary is hereby authorized on request of the Bank to pay to the Bank from the general funds of the Treasury the sum of $50,000,000.

(b) The capital stock of the Bank shall consist of two classes, common and preferred, the rights and preferences of the separate classes to be as specified in the articles of incorporation of the Bank: *Provided, however,* That the authorized capital to be subscribed through the issuance of common stock shall not exceed $100,000,000 and the authorized capital to be subscribed through the issuance of preferred stock shall not exceed $50,000,000.

(c) The common stock shall be available for purchase only by small business investment companies pursuant to section 44.

(d) The preferred stock shall be issued only to the Secretary of the Treasury in exchange for the contribution to the paid-in capital of the Bank pursuant to section 32 (a), and such preferred stock shall be redeemed and retired by the Bank from earnings available therefor as soon as possible after the Bank has received a minimum of $50,000,000 in exchange for its common stock.

Borrowing power

Sec. 33. (a) In addition to its authorized capitalization, the Bank shall have authority to obtain funds through the sale to the public of its debenture bonds, which shall bear interest at such rate and contain such other terms as the Board may fix.

(b) The aggregate amount of obligations which may be outstanding at any one time pursuant to subsection (a) of this section shall not exceed $1,000,000,000. The proceeds of the issues of such obligations shall be used only for the purchase of obligations of small business investment companies as provided in section 43.

(c) The Secretary of the Treasury is authorized in his discretion to purchase any obligations issued pursuant to subsection (b) of this section, as now or hereafter in force, and for such purpose the Secretary of the Treasury is authorized to use a public debt transaction the proceeds of the sale of any securities hereafter issued under the Second Liberty Bond Act, as now or hereafter in force, and the purposes for which securities may be issued under the Second Liberty Bond Act, as now or hereafter in force, are extended to include such purchases. Each purchase of obligations by the Secretary of the Treasury under this subsection shall be upon such terms and conditions as to yield a return at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the making of such purchase. The Secretary of the Treasury may, at any time, sell, upon such terms and conditions and at such price or prices as he shall determine, any of the obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such obligations under this subsection shall be treated as public debt transactions of the United States.

(d) All obligations issued by the Bank shall, to the same extent as securities issued by the United States or its instrumentalities, be deemed to be exempt securities within the meaning of the laws administered by the Securities and Exchange Commission and of section 5136 of the Revised Statutes.

Curtailment of Government obligations

Sec. 34. For the purpose of curtailing Government obligations under the small business investment company program—

(1) Effective on the date of the enactment of this Act, funds authorized under any other law for the revolving fund of the Small Business Administration for purposes of the small business investment company program shall be reduced by $50,000,000; and

(2) Effective on the last day of the fiscal year following the year in which the proceeds from the sale of the common stock of the Bank exceed $50,000,000, section 303(b) of the Small Business Investment Act of 1958, as amended, is hereby repealed.

TITLE IV—PROVISION OF ASSISTANCE TO SMALL BUSINESS INVESTMENT COMPANIES

Use of Bank's funds

Sec. 41. It shall be the primary function of the Bank to use any funds available to it from its capital account or from any of its other accounts to make direct loans to small business investment companies as provided in section 43.

Standards of eligibility for assistance

Sec. 42. The Board shall promulgate standards to determine the eligibility of small business investment companies for the assistance provided by this Act. In promulgating such standards, the Board shall give consideration to—

(1) the need to promote the development and growth of small business investment companies so as to enable them to make their maximum contribution to productive investment and employment and to the economic stability and growth of the Nation;

(2) the need to make loan funds more readily available to small business investment companies in adequate amounts and on reasonable terms;

(3) the need to facilitate maximum participation of private financial institutions and investors in financing small business investment companies and eligible small business concerns; and

(4) the need to supplement the existing facilities of the United States Government and of banks and other private financial institutions through the program of assistance provided under this Act.

Provision of loan funds to small business investment companies

Sec. 43. (a) The Bank is authorized to make loans, in the manner and subject to such terms and conditions as may be prescribed by the Board, to small business investment companies which meet the standards of eligibility promulgated by the Board under section 42, in order to provide such concerns with funds needed for their financing activities.

(b) Loans made under this section may be made directly, or in cooperation with banks or other lending institutions, through agreements to participate on an immediate or deferred basis.

Purchase of Bank stock by small business investment companies

Sec. 44. (a) Whenever the Bank advances funds to a small business investment company under section 43, such small business investment company shall be required to become a stockholder of the Bank by investing in the common stock of the Bank.

(b) A small business investment company receiving loan funds from the Bank pursuant to section 43 shall be required to become a stockholder of the Bank by investing in the common stock of the Bank an amount equal to one per centum per annum of the amount of the loan funds so provided by the Bank; provided, however, that the maximum funds so invested by the small business investment company shall not exceed five per centum of the loan funds so provided by the Bank.

(c) The aggregate amount of shares of common stock of the Bank which may be owned or controlled by any small business investment company may be limited by the Board. In no event, however, shall any small business investment company be permitted to own, directly or indirectly, more than 2 percent of the authorized common stock of the Bank.

ESTABLISHMENT OF A SMALL BUSINESS CAPITAL BANK—EXPLANATORY NOTES

PROPOSAL

Establish an independent Small Business Capital Bank with authority to make loans to SBICs, thus serving as a secondary source of funds.

EXPLANATION

If SBICs are to be viable and profitable financial institutions, they must be able to look to a secondary source of financing that would be stable and not subject to radical changes in lending policies and frequent changes in the administration of SBA. In addition, some SBICs might qualify for leverage in excess of that now available to them from SBA.

NASBIC believes that the establishment of such a Small Business Capital Bank is essential to the growth of the SBIC industry and to attract added private capital.

The Bank's original capital will be subscribed by the Federal Government, but this stock will be retired as soon as possible. In addition, the debentures sold by the Capital Bank will carry a default guarantee from the Treasury in order to bring down the interest rate required to sell such debentures.

MAJOR FEATURES

1. *Board of Governors:* 9 men (Secretary of Treasury, SBA Administrator, Associate Administrator for investment, and 6 others appointed by the President for six-year terms), not a full-time Board (Section 22);
2. *Executive Director:* top staff man (Section 23);
3. *Initial funding:* $50 million in preferred stock to be purchased by the Federal Government and offset against SBIC revolving fund at SBA. This preferred stock to be retired "as soon as possible" from the earnings of the Bank (Section 32);
4. *Subsequent capitalization:* up to $100-million in common stock to be purchased only by SBICs which must invest up to 5% of proceeds of loans from Capital Bank in the Bank's stock (Sections 32 and 44);
5. *Sale of debentures:* Capital Bank may sell its debentures to the public with top limit of $1 billion. Such debentures would be given a Treasury "default guarantee" similar to that given to obligations of the Bank for Cooperatives (Section 33);
6. *Repeal of SBA's authority to lend to SBICs:* would occur after Capital Bank had sold $50 million of its common stock to SBICs (Section 34); and
7. *Loans to SBICs:* to be made on terms and conditions set by the Bank's Board to SBICs which meet the Board's standards of eligibility (Section 42 and 43).

S. —

A bill to amend the Small Business Investment Act of 1958

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. This Act may be cited as the "Small Business Investment Act Amendments of 1969".

SEC. 2. Title II of the Small Business Investment Act of 1958 is amended to read as follows:

"SMALL BUSINESS INVESTMENT DIVISION AND INVESTMENT DIVISION BOARD OF THE SMALL BUSINESS ADMINISTRATION

"Establishment of Small Business Investment Division and Investment Division Board

"SEC. 201. There is hereby established in the Small Business Administration a division to be known as the Small Business Investment Division. The Division shall be headed by an Associate Administrator who shall be appointed by the President by and with the advice and consent of the Senate. Such Associate Administrator shall be appointed for a term of five years and shall receive compensation at the rate provided by law for other Associate Administrators of the Small Business Administration.

"SEC. 202. There is also hereby established in the Small Business Administration an Investment Division Board. The membership of the Investment Division Board shall consist of the Administrator of the Small Business Administration and two other persons appointed by the President by and with the advice and consent of the Senate. Each member of the Board appointed by the President shall be appointed for a term of six years; except that of the two members first appointed by the President, one shall be appointed for a term of three years and one shall be appointed for a term of six years. Each member of the Board appointed by the President shall serve full time and shall receive compensation at the rate provided by law for Associate Administrators of the Small Business Administration.

"SEC. 203. It shall be the function of the Investment Division Board to oversee, review and approve all actions of the Associate Administrator of the Small Business Investment Division except those actions specifically delegated to said Associate Administrator by the Investment Division Board."

SEC. 3. Subsection 302(a) of the Small Business Investment Act of 1958 is amended by adding the following sentence at the end thereof:

"For the purposes of this section and sections 303(b) and 306(a) of this Act, the combined paid-in capital and paid-in surplus of each company authorized to operate under this Act shall consist of the cash consideration received for its common stock, preferred stock and debenture bonds having a maturity of not less than 10 years."

SEC. 4. Subsection 302(b) of the Small Business Investment Act of 1958 is amended by striking the phrase "shares of stock in small business investment companies" and by substituting in lieu thereof the phrase "securities of small business investment companies as described in the preceding subsection".

SEC. 5. Section 303(b) of the Small Business Investment Act of 1958 is amended by striking the second sentence thereof and by substituting in lieu thereof the following sentence:

"Debentures purchased by the Administration under this subsection shall be subordinate to any other debenture bonds, promissory notes, or other debts and obligations of such companies except debenture bonds issued by such companies pursuant to subsection 302(a)."

SEC. 6. Subparagraph (2) of subsection 303(b) of the Small Business Investment Act of 1958 is amended by striking the first sentence thereof and by substituting in lieu thereof the following sentence:

"(2) The total amount of debentures which may be purchased and outstanding at any one time from a company which has investments or legally binding commitments of 65 percent or more of its total funds available for investment in small business concerns invested or committed in venture capital, shall not exceed 300 percent of the company's paid-in capital and surplus."

SEC. 7. Subsections 304 (a) and (d) of the Small Business Investment Act of 1958 are amended by adding the words "and unincorporated" after the word "incorporated" in each of said subsections.

SEC. 8. Subsection 306(b) of the Small Business Investment Act of 1958 is amended by striking it in its entirety and by substituting in lieu thereof the following new subsection:

"(b) For the purpose of this section, the combined paid-in capital and paid-in surplus of a small business investment company shall consist of (1) the cash consideration received for securities of such small business investment company as defined in subsection 302 (a) of this Act, and (2) for any such company licensed prior to January 1, 1968, the following portions of the funds outstanding from the Administration through the issuance of subordinated debentures as of the effective date of the Small Business Investment Act Amendments of 1967, or on January 1 of each of the following calendar years, whichever is less: (A) 100 per centum during 1968; (B) 75 per centum, during 1969; (C) 50 per centum, during 1970; (D) 25 per centum, during 1971; and (E) zero, during 1972 and thereafter."

SEC. 9. Subsection 308(c) of the Small Business Investment Act of 1958 is amended by adding the following language at the end thereof:

"The provisions of such regulations to the contrary notwithstanding, a small business investment company shall be permitted to maintain up to one-third of its assets in loans to or investments in eligible small business concerns without regard to regulations of the Administration relating to (1) overline loans and investments, (2) minimum period of financing and maximum amortization, and (3) purchases of outstanding securities privately or on the open market."

SEC. 10. Subsection 308(f) of the Small Business Investment Act of 1958 is amended by adding the following sentence at the end thereof:

"In addition, the Administrator and the Administration shall have the powers and duties set forth in section 7 of the Small Business Act to the end of encouraging and assisting financing by small business investment companies of business ventures designed to combat air and water pollution, to encourage the development of urban rapid transit facilities and to attain other national policy goals."

SEC. 11. Section 308 of the Small Business Investment Act of 1958 is amended by adding the following new subsection:

"(h) Any action by the Associate Administrator for Investment denying an application of a small business investment company for funds under this Act or demanding repayment of such funds shall be subject to appeal to the Investment Division Board at the election of such company."

AMENDMENTS TO THE SMALL BUSINESS INVESTMENT ACT OF 1958 (EXPLANATORY NOTES)

I

Proposal: Provide that the Associate Administrator for Investment of SBA be appointed by the President, subject to Senate confirmation, to serve a five-year term, and that the acts of such Associate Administrator be subject only to review by a three-man Board to consist of the Administrator of SBA and two other full-time Board members to be appointed by the President, subject to Senate confirmation, and to serve staggered six-year terms as members of the Investment Division Board. (Section 2.)

Explanation: Since its inception in 1958, the SBIC program has come under the jurisdiction of eight different SBA Administrators and seven different Deputy or Associate Administrators for Investment. Each of these gentlemen had different ideas on how the SBIC program should be organized, operated and administered with the result that the industry has been subject to frequent and sometimes violent and radical changes in policies and procedures. If the SBIC program is ever to become a viable fourth banking institution as envisioned by the Congress, then it must have greater continuity and stability in its direction and administration.

This bill provides for a fixed five-year term for the Associate Administrator for Investment and Congress is also asked to create a three-man Investment Division Board to consist of the SBA Administrator and two other full-time members to serve staggered six-year terms and to be appointed by the

President, subject to Senate confirmation. Thereafter, all matters relating to policies and administration of the SBIC program would vest finally in this Board, the acts of the Associate Administrator for Investment being subject only to review by the Board.

II

Proposal: Authorize SBICs to issue preferred stock and debt instruments that will qualify as capital for purposes of borrowing from SBA and for determining legal loan limits. Permit banks to purchase such instruments within the limitations of Section 302(b) of the 1958 Act. (Sections 3, 4, 5 and 8.)

Explanation: SBICs seeking to sell common stock in order to increase their private capital are frequently inhibited from doing so due to depressed markets for outstanding stock. Experience indicates that SBICs could more easily increase the funds available to them for financing activities through the issuance of either preferred stock or debt instruments (such as capital notes) which would qualify as capital for purposes of borrowing from SBA and for determining legal loan limits. The investing public would, it is predicted, be more inclined to invest in a preferred stock of an SBIC paying a dividend or in a preferred stock convertible to common stock at some later date. By the same token, such investors would, it is believed, be attracted to an SBIC debt instrument such as a capital note which would pay a guaranteed return plus return of principal at some future date.

The Congress is thus asked to authorize the issuance of such instruments and to qualify them for borrowing SBA funds and increasing legal loan limits.

Section 302(b) of the 1958 Act now permits national banks, member banks of the Federal Reserve System and non-member insured banks to purchase "shares of stock" in SBICs up to 5% of such banks' capital and surplus. It is further proposed that Congress expand Section 302(b) to permit banks to acquire the new types of instruments under the same limitations.

III

Proposal: Begin "third-dollar" financing under venture capital authority with first dollar of private investment. (Section 6.)

Explanation: The present law limits the added incentive for venture capital financing to those SBICs with private capital above $1-million.

The companies most in need of incentives to increase their private capital are the smallest companies. They should be encouraged in this direction by permitting them to qualify for third-dollar financing for each dollar of private capital invested in the SBIC. Such a provision would substantially increase the interest in organizing new SBICs and would encourage the growth of smaller licensees, thus extending the availability of SBIC financing to a much larger number of small business concerns, particularly in areas of the country which at present do not have any SBICs or not enough SBICs to meet local needs for long-term loans and equity capital.

IV

Proposal: Permit SBICs to acquire proprietary interests in unincorporated small business concerns. (Section 7.)

Explanation: Section 304 of the Small Business Investment Act of 1958 permits SBICs to provide equity capital to incorporated small business concerns. Section 305 permits loans to incorporated and unincorporated concerns. This language has consistently been interpreted by SBA to prohibit SBICs from obtaining proprietary or equity interests in unincorporated small business concerns. Eighty-five percent of the business entities in this country are unincorporated and thus denied access to full utilization of SBIC financing. Authorization for SBICs to acquire proprietary interests in such concerns would greatly extend the ability of SBICs to assist small business concerns in obtaining needed funds, particularly venture capital.

V

Proposal: Authorize SBICs to establish special discretionary portfolios up to one-third of their assets for loans to or investments in eligible small business concerns without regard to SBA regulations relating to: (1) overline loans and investments, (2) minimum period of financing and maximum amortization, and (3) purchases of outstanding securities privately or on the open market. (Section 9.)

Explanation: SBICs are restricted rather severely in the types of concerns they can finance. First and foremost, such concerns must qualify as "small business". It has been found that certain other SBA regulations are particularly vexing and not absolutely essential to the proper conduct of the SBIC program. Specifically, limitations on the size of loans and investments that can be made by SBICs frequently are insufficient and detrimental to the sound financing of a small business concern. By the same token, the rather rigid requirements with respect to 5-year minimum financing and 20% per annum amortization of loans can often be unduly restrictive and even harmful to a small business concern.

Present restrictions on SBIC purchases of outstanding securities of small business concerns are likewise regarded as not entirely necessary and unduly inhibitive to the viable operations of SBICs.

SBA and SEC have recently granted approval to some of the larger SBICs to convert to two-tier operations in which the bulk of their funds are freed from all restrictions relating to SBIC financing.

In order to give all SBICs greater flexibility in their operations, to keep present Licensees from converting to two-tier operations, and to encourage the formation of more and larger SBICs, the Congress is urged to authorize a "special discretionary portfolio" for SBICs which would exempt them from present restrictions in the areas indicated.

VI

Proposal: Authorize SBA to give a 90% guarantee on loans and investments made by SBICs in certain public policy areas such as the financing of ghetto businessmen, combatting pollution and stimulating the development of urban rapid transit facilities.

Explanation: Under Section 7 of the Small Business Act, SBA is authorized to participate on an immediate or a deferred basis with banks and other financing institutions up to 90% of the funds advanced to small business concerns. Until recently, SBA as a matter of policy has declined to utilize this authority to assist SBICs in their financing activities. On November 18, 1968 the SBA Administrator announced that he was authorizing SBA 90% guarantees on loans by SBICs to small business concerns in ghetto areas. It is proposed that SBA be given statutory authority to extend similar guarantees to SBIC loans made for other desirable public policy goals such as those relating to efforts to combat air and water pollution and to encourage the development of urban rapid transit facilities and similar programs.

VII

Proposal: Provide appeal to the Investment Division Board on actions of the Investment Division rejecting an SBIC funds application or calling outstanding loans. (Section 11.)

Explanation: Complaints continue to persist that the Investment Division is sometimes arbitrarily calling outstanding SBIC loans or refusing applications for new financing for reasons which are either not stated, not clear or not supported by the facts. In order to provide an element of due process for Licensees in such circumstances, the Congress is requested to provide by statute for an appeal on such administrative actions to the Investment Division Board created under the preceding proposal.

Mr. SPARKMAN. Mr. President, the senior Senator from Utah (Mr. BENNETT), the ranking minority member of the Committee on Banking and Currency, was unable to be present today and asked that I place in the RECORD the statement which he would have delivered, expressing his support for these two bills, had he been able to be present at this time. I ask unanimous consent that his statement be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR BENNETT

Mr. President, I join with the Chairman of our Committee and other members in sponsoring these two proposals to improve the ability of small business investment companies to attract capital and make a greater contribution in financing small business enterprises. This program, which has been in existence for about 10 years, has been a significant force in assisting small businesses to become established and to expand their operations. As is well known, these small businesses represent a great portion of the industry throughout these United States. Despite the successes which this program has had during the past 10 years, it has had many problems. Some of the small business investment companies which have operated under the Small Business Investment Act of 1958 have been unsuccessful, and during the past few years the numbers have dwindled until those remaining of the program today are only the relatively well managed firms. On the other hand, some of the best managed and most successful SBICs have left the program because they have found the restrictions contained in the program too great for the incentives provided. They have thus moved out of the program and have used their funds to finance larger businesses rather than those which most desperately need assistance. One of the major problems which has faced the SBIC program over the years is the inability to secure sufficient capital to carry out the commitment which the authorizing legislation provided. It is recommended now by the industry that a capital bank be established which would eventually do away with the necessity for appropriations. The capital bank would begin as a Federal instrumentality but if successful would become a private institution within a relatively few years. This, I believe, is a desirable end.

Another problem which has been serious is the fact that the administration of the SBIC program has changed rather frequently. New officials have had different views as to how the program should operate, and the industry has been unable to formulate long-range plans uninterrupted by philosophical changes in the program. It has therefore been proposed that the administration of the program be altered so that there would be continuity. This, too, I believe is a desirable end.

As the Chairman has already explained, these proposals contain other amendments which would increase the leverage and make small business investment companies more able to contribute capital to small businesses. Despite my support for these two measures, they contain items which I question. The questions I have, however, can be cleared up, I am sure, when we have hearings and further Committee consideration on the legislation.

As has been evident in several newspaper articles in the past few days, the small business investment company program has been practically nonoperative for months as a result of lack of funds. It is my hope that we will be able to have hearings on these two proposals in the very near future and that we can take the steps necessary to solve the major problems now facing the industry.

S. 1211—INTRODUCTION OF BILL TO REGULATE BANK STOCK TENDER OFFERS

Mr. SPARKMAN. Mr. President, I introduce a bill providing for the regulation of tender offers and exchange offers for, and certain acquisitions of, the equity securities of certain regulated bank holding companies, one-bank holding companies, and banks.

There has long been an anomaly in the armory of Federal banking statutes and regulations. While a most careful review of the credentials of the principals and of the proposed capitalization involved in the organization of a bank is required by Federal banking law, a going bank can be taken over today without the same searching examination by Federal authorities. This void in the statutes has an added urgency today in the face of the news reports concerning anticipated tender offers for major money market banks. I would like to note that this bill has an effective date as of the date of introduction.

I would also like to point out that if enacted this bill would not affect the vast majority of our banks. It is only directed to those banks which have a major effect on our money market. Also, the bill would not affect mergers of banks.

The proposal embodied in the bill which I am introducing today is interrelated with the current legislative proposals concerning one-bank holding companies. Some bills have already been introduced to deal with one-bank holding companies and it is anticipated that the administration will soon proffer similar proposed legislation. At such time as we schedule hearings in the Senate Committee on Banking Currency on the proposed one-bank holding company legislation, I intend to join my bill in these hearings.

I ask unanimous consent that this bill be reprinted in the RECORD, together with the accompanying memorandum outlining its key features.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and the memorandum will be printed in the RECORD.

The bill (S. 1211) providing for the regulation of tender offers and exchange offers for, and certain acquisitions of, the equity securities of certain regulated bank holding companies, single-bank holding companies and banks insured by the Federal Deposit Insurance Corporation, introduced by Mr. SPARKMAN, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 1211

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. (a) "Bank holding company" shall have the same meaning provided for such term in Section 2(a) of the Bank Holding Company Act of 1956.

(b) "Single-bank holding company" means any company (other than a bank holding company) that directly or indirectly owns, controls, or holds with power to vote 51 per centum or more of the voting shares of a single bank or of a company that is or becomes a single-bank holding company by virtue of this Act; and, for the purposes of this Act, any successor to any such company shall be deemed to be a single-bank holding company from the date as of which such predecessor company became a single-bank holding company. Notwithstanding the foregoing, (A) no bank and no company owning or controlling voting shares of a bank shall be a single-bank holding company by virtue of such bank's ownership or control of shares in a fiduciary capacity, except as provided in paragraphs (1) and (2) of subsection (j) of this section, (B) no company shall be a single-bank holding company by virtue of its ownership or control of shares acquired by it in connection with its underwriting of securities if such shares are held only for such period of time as will permit the sale thereof on a reasonable basis, and (C) no company formed for the sole purpose of participating in a proxy solicitation shall be a single-bank holding company by virtue of its control of voting rights of shares acquired in the course of such solicitation. The term "successor" as used herein shall include any company which acquires directly or inderectly from a single-bank holding company shares of any bank, when and if the relationship between such company and the single-bank holding company is such that the transaction effects no substantial change in the control of the bank or beneficial ownership of such shares of such bank.

(c) "Company" means any corporation, business trust, partnership or limited partnership, association, or similar organization, or any other trust, but shall not include any corporation the majority of the shares of which are owned by the United States or by any State.

(d) "Bank" means an institution that accepts deposits that the depositor has a legal right to withdraw on demand and which are insured by the Federal Deposit Insurance Corporation but shall not include any organization operating under section 25 or section 25(a) of the Federal Reserve Act, or any organization that does not do business within the United States.

(e) "State member bank" means any State bank which is a member of the Federal Reserve System.

(f) "District bank" means any State bank organized or operating under the Code of Law for the District of Columbia.

(g) "Person" means any company, or similar organization or individual. When two or more persons act as a syndicate or other group for the purposes of entering into or effecting any of the transactions described in section 2(a) hereof, such syndicate or group shall be deemed a "person" for the purposes of this Act.

(h) "Equity security" means any stock or similar security; or any security convertible, with or without consideration, into such a security, or carrying any warrant or right to subscribe to or purchase such a security; or any such warrant or right.

(i) "Net bank investment" means the shareholders' equity in a single bank and all capital notes, debentures, convertible capital notes and convertible debentures of such bank owned by a single-bank holding company or in respect of which a single-bank holding company is primarily or jointly and severally liable.

(j) For the purposes of this chapter—

(1) shares held or controlled directly or indirectly by trustees for the benefit of (A) a company, (B) the shareholders or members of a company, or (C) the employees (whether exclusively or not) of a company, shall be deemed to be controlled by such company; and

(2) shares transferred after February 28, 1969, by any single-bank holding company (or by any company which, but for such transfer, would be a single-bank holding company) directly or indirectly to any transferee that is indebted to the transferor, or has one or more officers, directors, trustees or beneficiaries in common with or subject to control by the transferor, shall be deemed to be indirectly owned or controlled by the transferor unless the responsible agency making the determination called for by Section 2 hereof, after opportunity for hearing, determines that the transferor is not in fact capable of controlling the transferee.

The application of this Act shall not be affected by the fact that a transaction takes place wholly or partly outside the United States or that a company is organized or operates outside the United States: *Provided, however,* That the prohibitions of Section 2(a) hereof shall not apply to shares of any bank holding company or single-bank holding company organized under the laws of a foreign country that does not do any business within the United States and no banking subsidiary of which is principally engaged in the banking business within the United States.

SEC. 2. (a) It shall be unlawful for any person to make a tender offer for, or a request or invitation for tenders of, enter into any agreement or make any offer to exchange securities for, or seek to acquire or acquire, in the open market, by contract or otherwise, any equity security of

(A) a bank holding company with seven hundred and fifty or more shareholders.

(B) a single-bank holding company with seven hundred and fifty or more shareholders, if the net bank investment of such single-bank holding company constitutes 25 per centum or more of its assets, or

(C) any bank with seven hundred and fifty or more shareholders, which, if consummated, would result in such person owning beneficially, directly or indirectly, more than 10 per centum of such equity security, or which, in the case of a person already owning beneficially, directly or indirectly, 10 per centum or more of such equity security, if consummated, would result in such person increasing his beneficial ownership of such equity security by more than 3 per centum of such equity security in any two-year period, without the prior approval of the responsible agency which shall be

(X) the Board of Governors of the Federal Reserve System, if such equity security is the equity security of (i) a bank holding company, (ii) a single-bank holding company which owns or controls a State member bank of the Federal Reserve System, or (iii) a State member bank of the Federal Reserve System;

(Y) the Comptroller of the Currency if such equity security is the equity security of (i) a single-bank holding company which owns or controls a national bank or a District bank, (ii) a national bank or (iii) a District bank;

(Z) the Federal Deposit Insurance Corporation if such equity security is the equity security of (i) a single-bank holding company which owns or controls a bank which is insured by the Federal Deposit Insurance Corporation but is not a member of the Federal Reserve System (except a District bank) or (ii) a bank which is insured by the Federal Deposit Insurance Corporation but is not a member of the Federal Reserve System (except a District bank).

(b) Upon receiving from a person any application for approval under this section, the responsible agency shall give such person, within 150 days of the receipt of such application, written notice of the approval or disapproval of such application. In the event that any such person is given notice of the disapproval of any application filed hereunder, the responsible agency may, at its discretion, give the applicant notice of the date for commencement of a hearing by it on such application. Any such hearing shall be commenced not less than ten nor more than 30 days after the responsible agency has given written notice to the applicant of such disapproval. The length of any such hearing shall be determined by the responsible agency but it shall afford all interested parties a reasonable opportunity to testify at such hearing. At the conclusion thereof, the responsible agency shall by order grant or deny the application on the basis of the record made at such hearing.

(c) In every case the responsible agency, in determining whether or not to approve any application made hereunder, shall take into consideration the following factors:

(1) the character and financial and business history of the person proposing to make such tender offer, exchange offer or acquisition, including prior competence and experience, if any, of such person in commercial banking and further including the past history of such person in making tender offers, exchange offers and acquisitions or the likelihood of future tender offers, exchange offers and acquisitions of equity securities of others by such person and the effect or potential effect, if any, thereof on any bank or any bank or banks owned or controlled by a bank holding company or single-back holding company and the future business prospects of any such bank or banks;

(2) whether, after giving effect to such tender offer, exchange offer or acquisition, there would be any requirement for a substantial change in the dividend policy of, or any reasonable possibility of any adverse effect on the financial condition of, the bank holding company, single-bank holding company or bank whose equity security is the subject of such tender offer, exchange offer or acquisition, as would in the judgment of the responsible agency result in such bank holding company, single-bank holding company or bank, or any bank or banks which are owned or controlled by such bank holding company or single-bank holding company not possessing capital stock, surplus and undivided profits which are adequate in relation to the character and condition of its assets or prospective assets and other corporate responsibilities and, in the case of a bank, to its existing and prospective deposit liabilities; and

(3) whether approval of such transaction would be detrimental to the depositors or customers of, or the community served by, the bank holding company, single-bank holding company or bank whose equity security is the subject of such tender offer, exchange offer or acquisition or any bank or banks which are owned or controlled by such holding company or single-bank holding company.

(d) The prohibitions in this section shall not apply to:

(1) the acquisition of any equity security of a bank by any person which is a company as defined in Section 2(b) of the Bank Holding Company Act of 1956 and which has registered with the Board of Governors of the Federal Reserve System pursuant to Section 5 of such Act or has received the approval of the Board of Governors of the Federal Reserve System pursuant to Section 3 of such Act;

(2) the acquisition of any equity security of a bank by any person which is a company as defined in Section 2(b) of the Bank Holding Company Act of 1956 and which has submitted an application to the Board of Governors of the Federal Reserve System pursuant to Section 3 of such Act to become a bank holding company if such application is approved;

(3) any tender offer or exchange offer for, or acquisition of any, equity security of a bank, bank holding company or a single-bank holding company made by any person who on February 28, 1969, directly or indirectly owns, controls or holds with power to vote 50 per centum or more of the voting stock of any such bank, bank holding company or single-bank holding company or has on such date the power to control in any manner the election of a majority of the directors of such bank, bank holding company or single-bank holding company or by any person who after February 28, 1969, with the requisite approval or approvals obtained pursuant to this section owns, controls or holds with power to vote 50 per centum or more of such voting stock or has acquired the power to control in any manner the election of a majority of such directors;

(4) the acquisition by any person of any equity security of a holding company, single-bank holding company or bank pursuant to the exercise by such person of subscription rights by their terms issued on a pro rata basis to all holders of any class of securities of such holding company, single-bank holding company, or bank, which subscription rights were acquired by such person in his capacity as such a holder;

(5) the merger of a bank into, or the sale by a bank of all or substantially all its assets to another bank in consideration of which merger or sale the shareholders of such first bank shall receive equity securities of a company which, immediately after the consummation of such merger or sale, shall be a single-bank holding company;

(6) the exchange by the shareholders of a bank of their voting stock in such bank for equity securities of a company which, immediately following such exchange, will constitute a single-bank holding company and of which the shareholders of such bank will hold at least 95 per centum or more of the voting stock issued and outstanding immediately after such exchange;

(7) the acquisition of any equity security by a bank (i) in good faith in a fiduciary capacity, except where such shares are held under a trust that constitutes a company as defined in section 1(c) hereof and except as provided in paragraphs (1) and (2) of section 1(j) hereof, or (ii) in the regular course of securing or collecting a debt previously contracted in good faith;

(8) The merger or consolidation of any bank into or with any other bank or the acquisition by any bank of all or substantially all the assets of any bank; or

(9) The merger or consolidation of any bank holding company into or with any other bank holding company or the acquisition of all or substantially all the assets of any bank holding company by another bank holding company.

Sec. 3. The enactment by the Congress of this Act shall not be construed as preventing any State from exercising such powers and jurisdiction which it now has or may hereafter have with respect to bank holding companies, single-bank holding companies, and banks.

Sec. 4. Any company which willfully violates any provision of this Act or any person who willfully participates in a violation of any provision of this Act shall upon conviction be fined not more than $10,000 or imprisoned not more than one year or both.

Sec. 5. Any party aggrieved by an order of a responsible agency under this Act may obtain a review of such order in the United States Court of Appeals within any circuit wherein such party has its principal place of business, or in the Court of Appeals in the District of Columbia, by filing in the court, within thirty days after the entry of the responsible agency's order, a petition praying that the order of the responsible agency be set aside. A copy of such petition shall be forthwith transmitted to such responsible agency by the clerk of the court, and thereupon the responsible agency shall file in the court the record made before the responsible agency, as provided in section 2112 of title 28. Upon the filing of such petition the court shall have jurisdiction to affirm, set aside, or modify the order of the responsible agency and to require the responsible agency to take such action with regard to the matter under review as the court deems proper. The findings of the responsible agency as to the facts, if supported by substantial evidence, shall be conclusive.

Sec. 6. Nothing herein contained shall be interpreted or construed as approving any act, action, or conduct which is or has been or may be in violation of existing law, nor shall anything herein contained constitute a defense to any action, suit, or proceeding pending or hereafter instituted on account of any prohibited antitrust or monopolistic act, action, or conduct.

Sec. 7. Section 3 of the Bank Holding Company Act of 1956 shall be amended by redesignating subsection (d) thereof subsection (e) thereof and by inserting a new subsection (d) thereof which shall read as follows:

"(d) In considering any application for approval pursuant to this section of any tender offer for, request or invitation for tenders of, agreement or offer to exchange securities for, or acquisition in the open market or otherwise of the voting shares of a bank holding company the consummation of which would result in a company owning, holding, or controlling 25 per centum or more of the voting shares of a bank holding company, the Board shall take into consideration the factors set forth in paragraphs (1) and (2) of Section 3(c) of the Bank Holding Company Act of 1956, but in lieu of taking into consideration any other factors set forth in such Section 3(c), shall take into consideration the factors set forth in [Section 2(c) of this Act]."

Sec. 8. The effective date of this Act is February 28, 1969.

The memorandum, presented by Mr. Sparkman, is as follows:

Memorandum

The bill provides for the regulation of tender offers and exchange offers for, and certain acquisitions of, equity securities of certain regulated bank holding companies, one bank holding company and banks the demand deposits of which are insured by the Federal Deposit Insurance Corporation. The bill would apply only to those bank holding companies, one bank holding company and banks which have more than 750 stockholders. In addition, the bill's purview would extend to a one bank holding company only where more than 25% of the assets of such one bank holding company consisted of its equity investment in a bank.

Under the bill, it would be unlawful for any individual, partnership, corporation or trust, acting alone or in concert, to make a tender offer for, or a request or invitation for tenders of, enter into any agreement or make any offer to exchange securities for, or seek to acquire or acquire, in the open market, by contract or otherwise, 10% or more of the equity securities of any bank holding company, one bank holding company or bank within the purview of the bill, unless approved by the appropriate bank regulatory authority within 150 days after the submission of an application. Any such determination is subject to judicial review.

The Board of Governors of the Federal Reserve System would have jurisdiction in the case of a bank holding company or a one bank holding company owning a State member bank or in the case of a State member bank. The Comptroller of the Currency would have jurisdiction in the case of a one bank holding company owning a national bank or in the case of a national bank or a District of Columbia bank. In all other cases jurisdiction would repose in the Federal Deposit Insurance Corporation.

The bill sets forth certain criteria for approval or disapproval, including the character and financial and business history and prior banking experience, if any, of the person proposing to make a tender offer, the effect of the tender offer on the financial condition and prospects of the banking entity which is the subject of the tender offer and the effect of the transaction on the depositors and customers of such entity or any banking subsidiary thereof.

Among other exclusions, there will be excluded from the purview of the bill any acquisition of an equity security of a bank by any bank holding company which is now or may hereafter be subject to the Bank Holding Company Act of 1956. In addition the bill will not affect the formation by a bank of a one bank holding company.

S. 1214, S. 1215, S. 1216, S. 1217—INTRODUCTION OF BILLS TO IMPROVE THE ADMINISTRATION OF BOTH CIVIL AND CRIMINAL JUSTICE IN THE DISTRICT OF COLUMBIA

Mr. TYDINGS. Mr. President, I introduce, for appropriate reference, four bills designed to improve the administration of both civil and criminal justice in the District of Columbia. They are designed to help relieve the backlogs in the District of Columbia which now deny and delay justice.

The package consists of four proposals, to increase the jurisdiction of the court of general sessions of the District of Columbia, to provide additional judges, to establish better procedures for the selection of judges, and to create a commission to deal with charges of mental or physical disability or judicial unfitness of the judges themselves.

Under my first proposal, the criminal jurisdiction of the court of general sessions would be in three stages. Upon enactment of the bill, the court of general sessions would have jurisdiction to try crimes punishable by less than 15 years imprisonment, thus assuming at once approximately one-third of the criminal caseload of the U.S. District Court for the District of Columbia.

In 1972, the criminal jurisdiction would be increased to offenses punishable by up to 30 years, and in 1974, all local crimes. The thought here is to upgrade the status of the court of general sessions over a period of years with respect to local jurisdiction to the same point, for example, as the supreme bench of Baltimore City and all great cities across the Nation.

There also would be an increase in the court's jurisdiction over civil cases; immediate concurrency with the U.S. district court over local cases involving more than $10,000 and jurisdiction over law and equity actions brought against the government or agents of the District of Columbia.

Over the next 5 years, 15 judges would be added to the court of general sessions, seven immediately, five in 1972, three in 1974, three to the District of Columbia court of appeals—one at each of the stages.

Mr. President, I might caution that even a sharp increase in output will not solve the problem here. The backlogs are too heavy, the flow of new cases too rapid, and the delays too intolerable to expect just better techniques to pull the courts of the District out of their morass.

If the courts are to be models for the Nation, more judgepower along with better administration is needed.

My second proposal would create three judgeships for the U.S. district court to meet needs there while the general sessions court's jurisdiction is being increased. Since that increase would make it unnecessary to permanently increase the number of judges at the U.S. district court, the first three vacancies created by the subsequent death or retirement at the U.S. district court would not be filled.

In other words, the three new judgeships for the U.S. District Court for the District of Columbia, would be so-called temporary district judgeships.

Under my third proposal a Judicial Nominating Commission composed of laymen and lawyers selected by the President and chief judges would screen and recommend persons for appointment as judges.

The President would be free to select from outside the recommended list, but I believe this nominating procedure would speed the selection of judges in the District.

The bill also would create a Commission on Judicial Disabilities and Tenure to investigate and rule on allegations of judicial misconduct and disability. The Commission would be composed of seven members, five appointed by the President and two by the chief judge of the U.S. district court.

My fourth proposal would allow the chief judge of the court of general sessions to request temporary judicial assistance in the form of judges from the U.S. District Court for the District of Columbia.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. TYDINGS. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, in the aftermath of any future civil disorder, caseload demands might well overwhelm an isolated general sessions court.

My goals in advocating court reform here are numerous. I want felony cases tried within 9 weeks after arraignment, as suggested by the model timetable of the President's Commission on Law Enforcement and the Administration of Justice. I want criminal appeals disposed of in less than the 5 months suggsted by the President's Crime Commission. Civil cases here should certainly be adjudicated within 12 months after filing; that is, expeditiously as the median time interval for civil disposition in all the Federal district courts. The bills I introduce today are aimed at achieving these goals through adding judges, improving judicial administration and reallocating the local jurisdiction.

Mr. President, I introduce the bills and ask that they be appropriately referred.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills (S. 1214) to amend title II of the District of Columbia Code to provide for the selection and tenure of judges in the District of Columbia court of appeals, the District of Columbia court of general sessions and the juvenile court of the District of Columbia, and for other purposes; and (S. 1215) a bill to expand the jurisdiction of the District of Columbia court of general sessions, to increase the number of judges of such court and the District of Columbia court of appeals, and for other purposes; introduced by Mr. Tydings, were received, read twice by their titles, and referred to the Committee on the District of Columbia.

The bills (S. 1216) to provide for three temporary district judgeships for the U.S. District Court for the District of Columbia; and (S. 1217) a bill to improve judicial machinery by amending section 292 of title 28, United States Code, to permit the chief judge of the U.S. Court of Appeals for the District of Columbia Circuit to assign district judges of the circuit to the District of Columbia court of general sessions; introduce by Mr. Tydings, were received, read twice by their titles, and referred to the Committee on the Judiciary.

Mr. TYDINGS. Mr. President, these bills have been drafted after consultation with judges, law professors, lawyers, representatives of the Committee on the Administration of Justice of the District of Columbia Judicial Council, and other interested parties in the District of Columbia. This dialog with interested parties has intensified since I became chairman of the Committee on the District of Columbia, but this intensification has been merely a new stage of the consultations and discussions which I have had over the past 3½ years.

My first public discussion of the serious difficulties plaguing the courts of the District of Columbia was in a speech before the Judicial Conference of the District of Columbia on May 25, 1966. The late Senator Robert F. Kennedy was kind enough to place that speech in the Record of that date, and in preparing my remarks today I have reread those comments, now 2½ years old. At that time I noted, among other things, that the U.S. attorney needed additional staff; that the backlogs facing the U.S. District Court for the District of Columbia were staggering and largely unattended; that the court of general sessions was plagued by inadequate facilities, inferior status, and a lack of sound judicial administration; and that a professionl management study of the courts was essential to the better administration of justice.

Many of my comments of May 25, 1966, are as true today as they were then. I must note, however, that a most valuable management study has been undertaken. That study, funded by private sources through my efforts and operating under the general direction of the Committee on the Administration of Justice of the District of Columbia Judicial Council, has already pointed the direction for change in the administration of the criminal caseload of the District of Columbia courts. Using suggestions by the study team, as well as their own initiative, both the U.S. district court and especially the general sessions court have taken steps to improve their operations. Further administrative improvement can bring further improvements in judicial operations, but there is a fundamental legislative restructuring that must be accomplished. It is to this end that the legislation I introduce today is directed.

Let me explain the critical caseload

congestion facing the courts in the District.

The District of Columbia court of general sessions, a court of limited jurisdiction, handles the bulk of the judicial business in the District. Its jurisdiction includes the great volume of work of both a landlord and tenant and a traffic court. Those two areas of jurisdiction account for approximately two-thirds of the court's business. In addition to this volume of cases, the general sessions court handles offenses against the District's municipal ordinances, misdemeanors committed in the District, and civil cases involving $10,000 or less, exclusive of those involving equitable remedies.

The criminal workload of the court of general sessions has steadily increased. In 1964 that court disposed of 6,444 criminal cases; last year, 10,944 were terminated. This increase in workload was not accomplished without an increase in delay and backlog. In 1967 the average criminal jury case was heard 4 weeks after demand for jury trial; at the end of the last calendar year, the court was disposing of its criminal jury cases in an average of 7 weeks. On December 31, 1967, 1,583 criminal jury cases were pending in the court; a year later, 2,372 criminal jury cases were awaiting trial.

Although faced with increasing demands of a growing criminal calendar, the court of general sessions has managed to cut into its civil backlog. The number of civil jury case filings has remained relatively constant during the past 4 years, but a severe backlog had developed between 1964 and 1966. In 1968 the court disposed of 2,372 civil jury cases, substantially more than in any of the preceding 5 years. In fact, the 1,127 civil jury cases disposed of in the last 6 months of 1968 was almost double the number terminated in the same 6-month period in 1967. The court, at the end of 1968, had 3,543 civil jury cases on its ready calendar. The average civil jury case waits 2 years for trial after filing, and that time lag is 3 months longer than what was experienced in 1966.

As part of its overall review of court activity here, the court study team of the Committee on the Administration of Justice of the District of Columbia Judicial Council found that defects in the criminal case assignment system caused the court of general sessions to terminate far fewer criminal cases than could be expected on the basis of the number of judges available and the nature of the cases. The court study team suggested new techniques for assignment of criminal cases. The new procedures have reduced the administrative chaos of the criminal division of the court of general sessions and helped the court enhance its judicial atmosphere. The court study team is now reviewing the operation of the court's civil division. With the implementation of the new criminal assignment procedures and the expectation of new techniques for civil assignments, there is reason to believe that the court of general sessions will be doing in the future a far better job than it has in the past.

During the past fiscal year the U.S. District Court for the District of Columbia has striven mightily to overcome the enormous backlog in both civil and criminal cases that had accumulated over the past several years. The court in the last fiscal year was extremely active in trying cases. In fact, according to the Director of the Federal Judicial Center, Mr. Justice Tom Clark, the active judges have put in more trial days per judge than any other district court in the United States. The hardest working judge here spent 192 days on the bench while the least active, aside from the chief judge who had administrative responsibilities, spent 112 days on the bench. The national average is but 87 days. This real effort by the active judges of the U.S. district court was augmented last year by the assistance of seven senior judges and a large number of visiting judges. The combined efforts of these judges during fiscal 1968 allowed the court to conduct a total of 1,438 trials, 977 of which were criminal trials. The court disposed of 4,628 civil cases, terminating for the first time since fiscal 1965 more civil cases than were commenced during the fiscal year.

In fiscal 1968 the total number of trials held in the district court exceeded by almost 600 the number held during fiscal 1967, when the court tried but 894 cases. In fact, one has to return to the figures for fiscal 1956 to find another year when more than 1,000 trials were conducted in the U.S. District Court for the District of Columbia. Yet, one must note that in each fiscal year from 1950 through 1956, the U.S. District Court for the District of Columbia conducted more than 1,000 trials.

Sincere and conscientious efforts of the district court in the past fiscal year did not, however, relieve the substantial burden of a heavy backlog. The median time for a civil jury trial in the U.S. District Court for the District of Columbia was 29 months, nearly double the 15-month-median time for all district courts. While the court's efforts reduced the median time from the 31-month lag of fiscal 1967, the present median time for a civil jury trial is substantially greater than the 20.7 months which faced civil litigants in the district court in fiscal 1961.

On the criminal docket, at the end of the fiscal year the district court had 528 cases which had been pending for 6 months or more and 15 percent of all the criminal cases had been pending for more than a year. During fiscal 1968, the court was only able to make a small dent in the criminal backlog, terminating 1,791 cases while having 1,756 commenced, leaving 1,374 criminal cases pending on July 1, 1968.

This small advance was made only because the U.S. District Court for the District of Columbia made special efforts at cutting the criminal case backlog. The court had, since October 1967, substantially all of its active judges assigned to the criminal calendar. And, as of April 1, 1968, according to testimony presented last May by Chief Judge Curran before the Subcommittee on Improvements in Judicial Machinery of which I am chairman, the total number of criminal cases on the calendar decreased from 1,448 where it stood on January 1, 1968, to 1,226 and triable cases had decreased to 703 as compared with 969 on January 1. But approximately 400 riot-connected cases flooded the court's docket to balloon the criminal backlog to 1,374 at the end of the fiscal year.

The condition of the criminal docket has drastically deteriorated since the end of fiscal 1968. Between July 1, 1968, and December 31, 1968, 1,152 new criminal cases were instituted, but only 764 criminal cases were terminated, leaving 1,762 criminal cases on the docket of the U.S. District Court for the District of Columbia at the end of the calendar year. The new backlog completely nullifies the small advances made during fiscal 1968, and creates a criminal calendar that assures delayed justice.

Once a court falls far behind in its business, even herculean efforts are insufficient to unclog the dockets. That is the predicament of the U.S. District Court for the District of Columbia. Serious criminal backlog conditions did not emerge there until fiscal year 1965 when the court terminated but 66 percent of the criminal cases filed, leaving 610 cases pending on July 1, 1965. Perhaps a well-planned and implemented crash program at that time, aimed at disposing of criminal cases, would have avoided the subsequent crisis. But such action was not taken and fiscal year 1966 saw the filing of approximately 250 more criminal cases than in the previous year, the termination of 34 fewer cases than in the year previous, and the emergence of a 913 criminal-case backlog at the end of fiscal 1966. It was at this point that I spoke out against the terrible backlog conditions of the district court and that the Committee on the Administration of Justice of the District of Columbia Judicial Council was formed.

In fiscal 1967, however, the slide to crisis continued, with the court terminating only 969 cases while having 1,465 thrust onto its docket. At the end of fiscal 1967, 1,409 criminal cases awaited trial in the U.S. District Court for the District of Columbia, and forced the court to take emergency steps to fight the backlog. The emergency effort included a call for temporary judge help from other Federal circuits which was prompted by Senator ROBERT BYRD's insistence at hearings on District of Columbia Appropriations. But even the strenuous efforts of the court in fiscal 1968 could not have been expected to make the court's criminal calendar current. The prior built-up burdens were just too heavy.

If substantial progress is relieving the backlog of the District's courts is to be made, there must either be a drastic reduction in workload or a vast increase in output. A drastic reduction in cases cannot be expected. The number of criminal cases in both trial courts grows every year. The number of filings in the civil division of the general sessions court have not varied greatly from year to year. Only the civil business of the U.S. District Court for the District of Columbia has shown a steady decline since fiscal 1962; and that decline is attributable in large part to the increase in general sessions civil jurisdiction to $10,000 in January 1963.

If we cannot expect a reduction in cases, can we expect an increased output? The strenuous efforts of the trial courts of this jurisdiction during the past year indicate that diligent efforts produce more case terminations and a better brand of justice. Further improvements can be anticipated as the court study team makes further suggestions and completes its analysis of the courts' operations. Better court administration through modern management techniques will increase judicial output. I firmly believe this and refer Senators to the words of Mr. Justice Clark, speaking to the District of Columbia Bar Association:

> From what I have learned in the last six months as Director of the Federal Judicial Center, I believe that rather than having more judges, we should first try to re-arrange our schedules, tighten up our procedures, strengthen our calendar controls and adapt data processing to our dockets. In so doing, I believe that we can increase our output and decrease our backlog.

Substantial improvements in judicial operations can come through the creation of a circuit administrator's office here, and, in truth, in every Federal circuit. Last session I proposed such a court manager in S. 3062, 90th Congress, second session to relieve the chief judges of many administrative burdens. This concept of a circuit executive officer was endorsed at hearings before the Subcommittee on Improvements in Judicial Machinery by both the Director of the Administrative Office of the U.S. Courts, Ernest Friesen, and the former court executive of the well-administered Superior Court of Los Angeles, Ed. Gallas. I intend to propose this legislation again shortly as part of my proposed Judicial Reform Act for all the Federal courts. Competent professional court managers are needed throughout the Federal judicial system, but they are especially needed in the courts here. The courts here now benefit from a management study team's advice. Further and permanent help could be expected from a managing officer for the circuit.

Better management of judicial business will increase judicial output. But even a sharp increase in output will not solve the problems here. The backlogs are too heavy, the flow of new cases too rapid, the delays too intolerable to expect just better techniques to pull the courts of the district out of their morass.

The President's Commission on Law Enforcement and the Administration of Justice set out a model timetable for the trial of felony cases which is now well beyond the reach of the courts here as presently constituted. That timetable allowed a total of 9 weeks between arraignment and trial. The felony court here, U.S. District Court for the District of Columbia, had more than half of its criminal cases over 3 months old on June 30, 1968. Even the misdemeanor court, the court of general sessions, had stretched its time lag in trying criminal jury cases to 7 weeks at the end of the calendar year.

If the courts of the District of Columbia are to be the models for the Nation, if they are to render swift justice, more judgepower along with better administration is needed. But merely adding more judges without taking a thorough look at the judicial structure here, would be a haphazard approach.

The U.S. District Court for the District of Columbia has jurisdiction unlike any other Federal district court. No other district court has probate jurisdiction. No other district court handles civil cases not founded in diversity or Federal question jurisdiction. No other district court tries offenses other than those against the United States Code. The peculiarly local jurisdiction of the district court here derives from its location in the Nation's Capital. In fact, the U.S. District Court for the District of Columbia did not acquire its present name until 1936; formerly the court of general jurisdiction here was called the Supreme Court for the District of Columbia.

There grew up along side this peculiar Federal district court, local courts which have had a varying history. The Organic Act of 1801 creating the District provided for the appointment of justices of the peace, who were, in truth, carryovers from the system of minor English judicial officers whose sole function was to handle petty claims and offenses. The civil jurisdiction of these justices gradually increased over the years from $20 in 1801 to $50 in 1823 to $100 in 1867 to $300 in 1895. These justices were constituted a court by the act of March 3, 1901 and in 1909 the court was named the Municipal Court of the District of Columbia with civil jurisdiction up to $500. The act of March 3, 1921, enlarged the civil jurisdiction to claims of $1,000, made the court a court of record, and instituted jury trials.

Also, growing up in the District of Columbia was the police court, which in 1870 took the criminal jurisdiction of the justices of peace. The function of this court was solely to deal with petty offenses. Judicial decisions recognized this court as an nonarticle III court, and the court maintained a separate existence to handle minor criminal cases until 1942.

In 1942, the police court and the municipal court were merged, creating a court with exclusive civil jurisdiction over cases involving $3,000 or less and misdemeanor jurisdiction. The expanded civil jurisdiction was designed to channel into the new court more litigation of a purely local nature which had previously been tried in the U.S. District Court for the District of Columbia.

In 1962, the civil jurisdiction was increased to the present level of $10,000 and the court's name was changed to the District of Columbia court of general sessions. The Congress in enacting this jurisdictional change emphasized the desirability of making the relationship, with respect to civil jurisdictional amounts, between the local and Federal courts in the District the same as that relationship between the local and Federal courts throughout the States. See House Report 2137—87th Congress, second session, 1962.

All of the legislative enactments to establish a local-Federal relationship among the courts here have been directed at the civil jurisdiction. The structure of criminal jurisdiction has not been substantially altered since the creation of the police court in 1870 with exclusive jurisdiction over all offenses against the United States not punishable by imprisonment in the penitentiary and all offenses against the laws and ordinances of the District.

Last May at hearings held by the Subcommittee on Improvements in Judicial Machinery, the chief judge of the U.S. District Court for the District of Columbia offered a suggestion for reallocating the criminal jurisdiction. He testified that offenses against title 22 of the District of Columbia Code made up 90 percent of his court's criminal business and he suggested that a new criminal court for the District be created to handle these felonies. Relieving the U.S. District Court for the District of Columbia of title 22 felonies would eliminate that court's calendar problems and make it more nearly like every other Federal district court.

The creation of a third criminal court to stand alongside the district court with jurisdiction of offenses punishable under the United States Code and the general sessions court with its present jurisdiction would exacerbate present scheduling problems. There are but a limited number of attorneys who practice in the criminal courts. Case schedules now break down because lawyers are occupied in the district court when their cases are called in general sessions. The same is true of police officers. If a third criminal court were established, scheduling difficulties would multiply and calendar breakdowns would intensify.

Furthermore, a felony court would not be as likely to attract competent attorneys as judges, because a man going on the bench could look forward only to a steady diet of criminal cases. A new felony court, moreover, would forever condemn the general sessions court to an inferior status. Such status would not be a just reward for a court that has labored diligently to raise the level of justice it dispenses.

I believe the court of general sessions has matured to the point where it can take an increased responsibility for the criminal caseload of the District of Columbia. There has been a steady improvement in both the operations of that court and the caliber of men appointed to its bench. As an advocate of home rule, I further believe that there should be an increasing dichotomy in court jurisdiction here, so that in the not too distant future the local courts will resemble, in fact, the courts of the several States.

Any transfer of jurisdiction would have to be gradual. An immediate shift of all local jurisdiction to the court of general sessions would overwhelm that court and not serve the interests of justice. The court presently has restricted physical facilities and far too few judges to absorb all of the jurisdiction immediately.

We have then in the court of general sessions a tribunal yet unable to take all local jurisdiction but one which is steadily maturing and improving. In that context, I am introducing legislation to transfer jurisdiction from the U.S. District Court for the District of Columbia in stages that will not overwhelm the court but enhance its maturation process and the administration of both civil and criminal justice in the District of Columbia.

The first bill I introduce today provides for a transfer of local criminal jurisdiction in three stages. Effective upon enactment, the court of general sessions would have exclusive jurisdiction over local crimes punishable by fine only or by imprisonment for less than 15 years, or both.

This grant of jurisdiction would give the court of general sessions jurisdiction to try most offenses enumerated in the District of Columbia Code. The court of general sessions, like a State court, would try such offenses as arson, attempted robbery, forgery, grand larceny, unauthorized use of a motor vehicle, and numerous other local offenses. The U.S. district court would retain jurisdiction to try offenses punishable by imprisonment for 15 years or more and would continue to try the most serious offenses, such as homicide, robbery, burglary, rape, and assault with intent to rob, which during the last fiscal year accounted for more than half of the district court's criminal business. By retaining this local criminal jurisdiction and its Federal jurisdiction, the district court would have approximately 60 percent of the criminal caseload it now has.

Effective on July 1, 1972, my bill would expand the criminal jurisdiction of the court of general sessions to local offenses punishable by fine only or by imprisonment for 30 years or both. This grant of jurisdiction would shift robbery, burglary and sex offenses to the general sessions court. During the last fiscal year there were 363 robbery cases and 351 burglary cases commenced in the U.S. District Court for the District of Columbia. The shift of jurisdiction in 1972, consequently, will almost completely relieve the district court of local criminal cases. Thereafter, it would retain jurisdiction only over homicide, kidnaping, and the offense of committing a crime of violence when armed.

Effective July 1, 1974, all local crimes would be brought before the court of general sessions. This gradual transfer of jurisdiction will allow the court to continue to develop and gain recognition, while relieving the U.S. District Court for the District of Columbia of an increasing burden of local criminal jurisdiction. I believe a system of gradual transfer comports well with the comments of Chief Judge Harold Greene of the general sessions court who in a recent speech said:

> A court is not a commodity that can be produced, full-blown, like an electric appliance. A judicial tribunal, to be an effective instrument of justice, must grow in an orderly progression, by measured, natural stages.

Merely transferring the criminal business of the District to the general sessions court would threaten to create a felony court under the cover of enhancing the stature of general sessions. To maintain a balance, that court should receive increased civil as well as criminal jurisdiction. I, therefore, propose to give the court, immediately, concurrent jurisdiction with the U.S. District Court for the District of Columbia over local civil cases involving more than $10,000 and to give the court of general sessions complete equity jurisdiction except against the Government or agents of the United States. This enhanced civil jurisdiction will enable the court of general sessions to avoid the problem of becoming solely a criminal tribunal.

Providing increased responsibilities for the court of general sessions will require the creation of additional judgeships if we are to avoid placing an intolerable burden on the administration of justice by that court. Therefore, I propose the addition of 15 judges, seven immediately, five in 1972 and three in 1974. Further, because increased work at the general sessions level will mean increased work in the District of Columbia Court of Appeals, I propose to add three judges to that bench, one at each of the respective stages. Whether this proposed increase in judgepower is sufficient can only be determined through hearings on this legislation and this issue will, of course, be given full consideration.

In the gradual expansion of the general sessions court, the present plight of the U.S. District Court for the District of Columbia cannot be ignored. Last October the Judicial Conference of the United States sent to Congress a request for additional judgeships which included six additional judgeships for the district court here. That request for help in the district court here carried the following proviso:

> These judgeships are recommended as needed unless the local criminal jurisdiction under Title 22 of the D.C. Code is transferred to another court.

My proposal, of course, provides for such a transfer, but since the transfer would be gradual, not immediate, the request for additional judgeships for the U.S. District Court for the District of Columbia cannot be ignored completely. I propose, therefore, to create three temporary judgeships for the district court. These judgeships could be filed immediately, giving the district court 18 authorized judgeships but, upon the retirement or death of any present active member of the court, his seat would not be filled.

To assure that along with increased responsibilities the court of general sessions will have increased stature, I further propose, as I did last session at the request of the Committee on the Administration of Justice of the District of Columbia Judicial Council, that judges appointed in the future have good behavior tenure with mandatory retirement at age 70, that they be screened and recommended for nomination by a judicial nominating commission composed of laymen and lawyers selected by the President and the chief judges of the affected courts, and that the judges of the article I courts here be subject to removal for misconduct or to involuntary retirement for disability by the processes of a Commission on Judicial Disabilities and Tenure.

The value of good behavior tenure in encouraging highly qualified lawyers to leave lucrative private practice for the bench has been proven. Good behavior tenure has been one of the prime reasons for the general excellence of the Federal judiciary. Such tenure adds to the dignity and independence of the judiciary, and should be provided for the judges of this city's article I courts.

Because the judges of the court of general sessions will take an added judicial burden as a result of the court reorganization, I believe they are entitled to increased compensation. I further believe that as judges their salaries should be tied in some measure to the salaries of Federal judges. I, therefore, propose that the annual salary of an associate judge of the District of Columbia court of general sessions be set at 85 percent of that paid to a U.S. district judge. Under my proposal, the chief judge of the court of general sessions would receive a salary of $500 more than that of an associate judge; an associate judge of the District of Columbia Court of Appeals would receive $1,000 more than an associate judge of the general sessions court; and the chief judge of the District of Columbia Court of Appeals would receive $500 more than associate judge of the court. This pay scale will properly compensate the local judges for their added responsibilities.

In addition to granting good behavior status and a better pay scale to the local judges I propose to further upgrade the local judiciary by establishing a Judicial Nominating Commission and a Commission on Judicial Disabilities and Tenure.

The Judicial Nominating Commission has long been advocated by the American Bar Association and the American Judicature Society as a means of improving the quality of State judges around the country. Where they presently exist, nominating commissions have worked effectively to assure nonpartisan merit selection. The Nominating Commission proposed for the local courts would be composed of seven members: four lawyers and three laymen. The President would appoint the chairman, a lawyer, and all of the laymen. Each chief judge of an affected court would appoint one lawyer. The Commission would recommend five candidates to fill each local court vacancy. Because constitutional requirements dictate it, the President under my proposal would be free to select from outside the recommended list sent forward by the Nominating Commission. But I believe this nominating procedure would speed and improve the selection of judges in the District. Delay in filling vacancies here has been a constant problem. A Nominating Commission could alleviate that problem. My bill specifically provides that the Nominating Commission shall make its recommendations within 40 days after a vacancy occurs.

Mr. President, let me point out that the distinguished senior Senator from Pennsylvania (Mr. Scott) has championed a judicial nominating commission for the entire Federal system. The District of Columbia commission could well be a model judicial nominating commission to test the efficacy of so-called merit selection in the Federal, but limited, context of the District of Columbia.

A Commission on Judicial Disabilities and Tenure would create a mechanism for eliminating the unfit or disabled judge from the local courts. At present, local judges are removable only as Federal judges would be. To believe that the House and Senate at this time in our history have the time to police, through the impeachment process, the local judiciary is just not realistic. Under present conditions, there is no effective means of ridding the local bench of those judges who cannot perform judicial duties because of physical or mental disabilities or who violate the tenor of judicial ethics.

A commission similar to the one I advocate has a sterling record in the State of California and can assure a high level of judicial activity here. The Commission of Judicial Disabilities and Tenure would be composed of seven members, five appointed by the President and two assigned by the chief judge of the U.S. District Court for the District of Columbia. The two selected by the chief judge would be judges of the district court. Among the five Presidential appointees would be two laymen and three lawyers. The Commission would be empowered to investigate allegations of judicial misconduct and disability, hold hearings upon a finding of probable cause, and make determinations of the allegations. Its proceedings would be confidential unless an order of removal or involuntary retirement was issued, or unless a questioned judge released the information after he had been cleared.

The Senate Subcommittee on Improvements in Judicial Machinery has studied for 3 years the need for a removal commission at the Federal level. I introduced S. 3055 last session to create such a Federal commission and the subcommittee held 6 days of hearings on this proposal. I believe a removal commission provides the mechanism for keeping the judicial house in order, and I would not endorse good behavior tenure for the article I judges here unless a removal commission is established.

The last bill I introduce today assures flexibility in handling the temporary caseload demands of the District. It would allow the chief judge of the court of general sessions to request temporary judicial assistance and allow the chief judge of the U.S. Court of Appeals of the District of Columbia Circuit to respond by temporarily assigning district judges to sit in the general sessions court. In the aftermath of any further civil disorder, caseload demands might well overwhelm an isolated general sessions court. Over the past 18 months, the district court here received the real benefit of temporary assignment to Washington of Federal judges from throughout the country. My proposal will assure that the value of the past experiment will not be lost in the reorganization of the District's courts. It will assure that the general sessions court can look to the local Federal courts for help in time of need.

Because my proposals reduce the load of the district court, there will be those who will suggest that my proposals will leave a U.S. District Court for the District of Columbia in 1974 vastly overstaffed. I do not foresee that problem. Mr. President, many informed lawyers have told me that civil cases which could be filed in the district court here are now filed in other Federal districts or in the State courts which surround Washington. A district court here without an intolerable backlog could be expected to draw these cases that are now filed elsewhere. The extent of this business is unclear so that, if after 1974, there appears to be an overstaffed district court here, appointments need not be made to fill vacancies or the number of judgeships could be then reduced.

Even if 1974 finds an overstaffed district court, that would not be an evil. An overstaffed court here could provide the Federal judiciary with a reservoir of talent for use in other clogged districts. Let me remind Senators that the eminent judicial reformer, Chief Justice William Howard Taft, proposed almost a half century ago that a corps of judges be formed to meet critical caseload demands among the districts. Under Taft's plan, a number of district judges-at-large would have been appointed to serve no one court, but to be available for assignment in any district court. Unlike Taft's proposal, it would not be necessary to create new judgeships to form this reservoir of talent; the judicial manpower would exist in the district court here in 1974. And I believe the judges here would be under moral obligation to assist the Federal courts around the country which have responded to their pleas for assistance during this time of critical caseload demands in the District.

Mr. President, it must be stressed that temporary judicial assignments are an inexpensive way of increasing judicial ouput, and making optimum use of judicial manpower. The cost of bringing the 15 visiting judges and their assistants to the district court here during the past 18 months was $44,127. That figure is only about one-half the amount required to fund the annual cost of each Federal judgeship.

Mr. President, the four bills I introduce, along with S. 1067, recently introduced by my good friend the Senator from Nevada (Mr. Bible), are essential to court reform in the District of Columbia. Such reform will not alone eliminate the crime problem here, but without reform the courts will remain unable to provide swift justice. Better administration of justice in the courts here is a central ingredient in any answer to the crime problem.

Mr. President, I plan to hold hearings on these proposals and on other aspects of the crime problem in the District of Columbia. I assure Senators that I shall continue to vigorously investigate the local court and crime situation and be amenable to additional sound suggestions from interested parties.

Mr. President, I ask unanimous consent that my speech of May 25, 1966, as placed in the Record by the late Senator Kennedy, and a speech by the chief judge of the court of general sessions, Hon. Harold Greene, outlining alternatives to the present court crisis, be printed in the Record.

There being no objection, the speeches were ordered to be printed in the Record, as follows:

CRIMINAL JUSTICE IN THE NATION'S CAPITAL

Mr. Kennedy of New York. Mr. President, today the junior Senator from Maryland [Mr. Tydings] delivered a speech before the Judicial Conference of the District of Columbia which is of great importance to all of us who are concerned with problems of criminal justice here in the District.

Throughout his tenure as U.S. attorney in Maryland and as chairman of the Senate Subcommittee on Judicial Improvement, Senator Tydings has had a longstanding interest in problems of criminal justice.

His address today is a comprehensive statement regarding the entire administration of criminal justice here in the District. He details for us the overcrowded conditions in the District of Columbia jail and the lack of many necessary services, and makes seven specific proposals to alleviate these conditions at the jail. He describes the judicial backlog of the district court and the court of general sessions. And he describes the problems faced by the U.S. attorney's office. Finally, he discusses the responsibilities of the bar in the improvement of the administration of criminal justice.

Senator Tydings' carefully documented speech and thoughtful proposals deserve the attention of Members of the Senate. I ask unanimous consent, therefore, that Senator Tydings' address delivered today be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

"CRIMINAL JUSTICE IN THE NATION'S CAPITAL

"(Speech of U.S. Senator Joseph D. Tydings, before the Judicial Conference of the District of Columbia, Wednesday, May 25, 1966)

"It is both a pleasure and an honor for me to be here today with the distinguished bench and bar of the District of Columbia.

"I would like to discuss with you the administration of criminal justice here in the District. While the situation, as I shall point out, is subject to many deficiencies, the administration of criminal justice in the District in some respects is more effective than it is in many jurisdictions handling a similarly heavy volume of criminal work. But while recognizing this, I must emphasize that there are serious administrative problems plaguing our criminal process in the Nation's Capital. Let me outline briefly what they are:

"The District of Columbia Jail, though not as bad in some aspects as pictured by the press, and though managed by competent and able personnel, is an outmoded, overcrowded institution lacking many necessary services.

"The District Court has an intolerable criminal trial backlog.

"There is a pressing need for an enlarged staff for the United States Attorney's Office.

"The Court of General Sessions needs better organization and suffers from both a lack of decent facilities and a lack of judicial coordination.

"There is a need for authority and appropriations for the compensation of appointed counsel in the Court of General Sessions.

"The Bar Association of the District of Columbia has failed to meet its responsibility to oversee the conduct of counsel in General Sessions, and to scrutinize the operations of that Court.

"Let me consider first the problems of the District jail. The accounts in the Washington Post of conditions in the jail were disturbing to everyone concerned about the administration of justice in the Nation's Capital. Therefore my distinguished colleague from Maryland, Senator DANIEL BREWSTER, joined with me in seeking a careful study of conditions at the jail. Senator BREWSTER and I made two visits to the jail, and members of our staffs have followed up by added inspection of the facility and further discussions with jail officials.

"In our study of the jail we were extremely fortunate in having the valuable cooperation and assistance of a special committee of the Junior Bar Section of the District of Columbia Bar Association. Mr. Kevin Charles, chairman of that committee, worked diligently to assure the success of this project. The Junior Bar sent a task force of young lawyers to the jail on April 5, to talk with prisoners and learn first-hand what their complaints were. We have also studied statistics relating to the population of the jail, in order to determine how long and for what purposes people are detained there. My remarks concerning the jail today are an informal report on the results of the study that the Junior Bar, Senator BREWSTER and I began several weeks ago.

"At the outset, let us bear in mind that most of the inmates at the jail have not been convicted of a crime, but are merely being detained pending trial or grand jury action. After conviction, they are transferred to other facilities, unless they are sentenced for 5 days or less.

"The fundamental problem at the jail is overcrowding. Originally constructed in 1875, the jail is designed to house 695 men. But on January 28 of this year, for example, there were 1,202 inmates, or almost 75% more than intended capacity. The crowding in dormitories causes exceptionally cramped conditions, and small cells designed for one inmate are now routinely used for two.

"The recent publicity has encouraged the Department of Corrections to take some steps to reduce the population at the jail. Changes in administration policy have allowed inmates to be moved to the less-crowded facilities at Lorton or Occoquan. As a result the number of individuals housed at the jail has been reduced to less than eleven hundred—still far too many. But this small, though welcome, improvement represents all that can be done by the jail authorities themselves.

"Next, the facilities for recreation and exercise at the jail are totally inadequate. Each cellblock has one small area set aside for these purposes—an area too small to allow any exercise other than aimless shuffling about. The situation is somewhat better during warmer months when the only outside recreation yard can be utilized. Understandably, lack of adequate recreational facilities was one of the most frequent complaints we heard. The psychological problems produced by this crowding without release for energy and tension are extremely serious. As to all these matters, the newspaper accounts painted an unhappy but accurate picture. The Department of Corrections plans to add an additional outside exercise yard, but there is nothing that it can do to expand the indoor facilities.

"Another critical problem concerns medical services. The infirmary of 45 beds is supported by a first-aid clinic and a sufficient operating room for minor surgery. But there are no facilities or personnel for the treatment of emotionally disturbed inmates. The District of Columbia Public Health Department from time to time does send a psychiatrist to the jail to conduct court-ordered tests or to deal with critical emergency cases, but there is no provision for continued treatment or medically-supervised detention. On one of the days that Senator BREWSTER and I were there, we saw two disturbed inmates who had become violent. Jail officials had no recourse but to put them in solitary confinement in hand and leg restraints—a procedure not unlike the 18th century treatment for the insane. Without psychiatric personnel skilled in the proper administration of appropriate tranquilizers or other drugs, corrections officers were helpless to take more enlightened or effective action.

"Other sources of unnecessary tension and frustration are the unreasonably restricted visiting and mail privileges. Inmates' complaints about this seem justified. Only half an hour per week of visiting time is allowed each prisoner, and the visiting list is restricted to family only, and may not include friends. Moreover, the current schedule for visits is restricted to regular daytime business hours, and relatives who work in the day cannot see a prisoner without suffering economic penalty. The effect of this schedule often is to deprive an inmate of any visitors whatsoever.

"With respect to mail privileges, only three letters per week are allowed, and each may be just three pages in length. Frequently the penning of a letter to a friend or relative may be an inmate's only diversion. Prisoners are allowed unlimited "special purpose" communications, which in addition to correspondence to lawyers, include pleas to judges and government officials. This means that public officials often take the place of family and friends as the recipients of tension-releasing communications.

"Since the overwhelming majority of the jail's inhabitants are not convicted criminals but persons awaiting trial—and consequently presumed to be innocent—all the foregoing deficiencies are even more objectionable.

"These then are the major problems of the District of Columbia Jail: overcrowding; inadequate recreational and exercise facilities; inadequate medical and psychiatric facilities; unnecessarily restricted mail and visiting privileges. What corrective steps can be taken?

"It should be clear to everyone that a new jail facility is needed which can incorporate and reflect principles of modern penology. The current structure, almost a century old, is so obsolete that even major remodeling can not make it adequate for present needs. The President's Commission on Crime in the District of Columbia has hired the American Correctional Association to make a complete study of the jail, and that report will be presented shortly by the Commission. It would be premature for us to recommend specific details for the construction of a new jail until the thorough study by these experts is presented for evaluation. However, we can point out certain features that should be incorporated in the new structure.

"The new jail must have sufficient recreational facilities to allow inmates a reasonable amount of genuine exercise, as opposed to the mere opportunity to walk around. It must contain a well-staffed psychiatric clinic for the treatment of mentally disturbed inmates. There must be facilities for rehabilitation and education, so that inmates may learn useful skills and crafts and so that serious educational defects such as illiteracy may be remedied. A work-release program for men serving sentences should be an integral part of the new facility. To make this possible, the jail must have separate quarters to house those inmates who have gainful employment in the community. Not only will such a plan make more productive the time spent by prisoners, but it will also aid their return to a useful place in society.

"Such a jail will be an important element in the fight against crime in the District of Columbia. It will ensure that time spent in jail serves to alleviate rather than aggravate anti-social tendencies that an inmate may have. Senator BREWSTER and I believe that a modern jail is one of the District's pressing needs, and once the Crime Commission has made its report and we have had an opportunity to study its recommendations, we are prepared to press with all our energy for the prompt construction of a new facility.

"But while a new jail is the keystone in any long-term improvement of the existing situation, there are some steps that can be undertaken immediately to provide relief from the problems that plague the present jail. To this end, we have a number of specific proposals:

"1. The District of Columbia Public Health Department must increase its psychiatric personnel in order to provide the psychiatric care now lacking at the jail. With a psychiatrist, a social worker and a clerk headquartered at the jail, supervision of emotionally disturbed inmates will be possible. I have prepared legislation, which Senator BREWSTER co-sponsors, to effect this change, and our bill will be introduced in the Senate later this afternoon.

"2. An additional doctor is necessary to aid the presently overworked medical staff at the jail, and, likewise, we have prepared a bill, also to be introduced this afternoon, to accomplish this.

"3. There should be a unit in the jail for the treatment of special cases. These include inmates not sick enough for confinement in the infirmary, but who require continuous medication or observation. Also included would be emotionally disturbed patients who need close supervision. Jail authorities are willing to convert one of the present cell-blocks into a Special Treatment Unit if they are given the medical technicians to staff such a unit on an around-the-clock basis. We have prepared a bill to authorize the needed personnel.

"4. The medical staff is badly in need of more help to assist in doing case histories and physical examinations for inmates referred to the infirmary. Fourth-year medical students are sufficiently qualified to do this under the supervision of the staff physician, and would themselves gain valuable experience. We have been in communication with both the medical schools in the District and the Department of Public Health, which, with the Department of Corrections, are now considering arrangements to supply this added help to the infirmary. It appears that this can be accomplished without additional legislation.

"5. Visiting and mail privileges should be expanded. At least half an hour a day seems a reasonable minimum, and friends and associates, in addition to relatives, should be allowed to visit inmates. The schedule for visits should include the evening hours in order to maximize the benefits of the privilege. We also recommend that each inmate be allowed to send at least one letter a day. If more personnel are necessary to facilitate these changes, we shall make every effort to obtain the requisite additional appropriations.

"6. Existing habeas corpus procedures for the District of Columbia must be modified. Under present law, the forum for the petition is the district court for the judicial district in which the prisoner is held. When an inmate at the jail files a petition for habeas corpus he must be kept at the jail until the matter is concluded. Usually about 60 prisoners at the jail have petitions on file, often only to prevent transfer to Lorton or Occoquan. We have prepared legislation, also to be introduced this afternoon, to allow the Director of Corrections to keep such petitioners in whatever institution he believes most appropriate, with the proviso that the petitioner will be readily available for appearance in court or consultation with his attorney.

"7. An intelligent program of pre-trial release can keep to the necessary minimum the number of people held in the jail pending trial. Such a program has been in effect in the District under the auspices of the D.C. Bail Project, which will soon come to a complete end. Unless Congress acts quickly to perpetuate the program under Federal auspices, we can expect the overcrowded conditions at the jail to be seriously aggravated. Senator BREWSTER has already made an appeal to the Senate, and I join in urging my colleagues to give the D.C. Bail Project legislation immediate and expeditious attention.

"These seven specific proposals can alleviate some of the immediate problems at the jail. In making these proposals, however, I want to emphasize that the Department of Corrections has done an extremely creditable job in the face of adverse circumstances. It is a compliment to the administration of the jail that our interviewers encountered relatively few serious complaints from inmates. In fact 40% of the 332 prisoners interviewed registered no complaint at all about the jail, even when urged by interviewers to discuss even the most trivial grievances.[1] Many of the men complained about the food; though it may be far inferior to mother's cooking, certainly it is wholesome and nutritious, and sufficient in quantity. We found no evidence to justify the allegation that prisoners are subjected to frequent physical or sexual assaults by other prisoners. The interviewers did not turn up any complaint from an inmate that he had been sexually attacked, and only 6 prisoners thought that homosexuality constituted a problem at the jail. We appreciate that in a jail environment there may be consensual acts of homosexuality, but the editorial charge that the jail is a "brothel" cannot be substantiated.

"On our tours of the jail we found it to be clean, with maximum use being made of the available space and resources. But with severe overcrowding and the other deficiencies we have noted, the present environment of the jail is unduly oppressive and degenerative. It is no great wonder that men subjected to these conditions develop animosity towards society and leave the jail a greater threat to society than when they entered. In particular, I fear this situation is conducive to racial tension, making the jail a fertile ground for recruiting by Black Muslims and other groups which emphasize hatred in race relations. Though the clandestine activities of such organizations are difficult to detect until the festering problems erupt violently into view, we must be alert to conditions that breed unnecessary discontent and encourage these possibilities.

"The deficiencies in the administration of justice in the District of Columbia do not all relate to the jail, however.

"Chief among the District of Columbia's problems is judicial backlog. The most serious backlog is in the United States District Court, as was illustrated by our study of the jail.

"Only prisoners who had been at the jail for over a month were interviewed. The inmates interviewed were all waiting either for grand jury action or for trial before the District Court. One hundred and twenty-eight, or about 39% of those intreviewed, were awaiting action by the grand jury. Of this number, 72, or about 56%, had been waiting from 30 to 60 days, and 40, or about 31%, had been waiting between 60 and 90 days. Sadly enough, we found 16, or about 12%, who had been waiting over 120 days!

"Since March the United States Attorney has had two grand juries working on the indictment backlog. Though there has been improvement, the problem is far from solved. Of the men held in jail for grand jury action on May 16, about 44% had been waiting for more than 30 days.

"The situation with regard to inmates awaiting trial on a felony charge was equally bad. Of the 204 persons interviewed in this category—and let me caution you again that we interviewed only those who had been there for at least four weeks—only 40, or about 20%, had been in jail for less than three months; 86, or about 42%, had been incarcerated between three and five months; and 78, or about 38%, had been awaiting trial for more than five months.

"The District Court's annual spring ritual of assigning 8 or 9 judges to the criminal jury docket is again in progress, but little has been accomplished to reduce the backlog. The jail census as of May 16 shows that 30% of the inmates awaiting trial in District Court have been waiting more than 5 months, with summer recesses fast approaching, there is little prospect that the current jam will be much reduced during the next three months, and a large number of prisoners can look forward to sweltering in jail through the long hot summer without a determination of their guilt while justice takes its annual vacation. Crime, unfortunately, does not take a vacation, and we can look forward to an even more staggering backlog in the fall.

"These statistics indicate that criminal justice is lagging, but the statistics do not indicate solutions. How much of the responsibility for this delay rests with the District Court, and how much comes from other sources?

"One problem is that the current staff of the U.S. Attorney is not sufficient to handle the caseload, and many of his men are burdened with upwards of 70 cases—an impossible load. We applaud and support the efforts of the U.S. Attorney's Office to secure more staff. We hope that the Department of Justice will take immediate steps to provide the manpower necessary for the U.S. Attorney to do his job.

"Second, we know that dilatory tactics on the part of defense counsel can burden the calendar. There is a need for members of the bar to discharge both their duty to clients and their duty as officers of the court, and to recognize the problems that unnecessary delaying tactics pose for the system.

"Third, undoubtedly part of the responsibility rests with the operation and administration of the District Court itself. A professional management study of court business is necessary in order to identify those court practices that are in need of improvement. Such an evaluation of present court-management techniques is essential to any long-term solution of the caseload problem. The Chief Justice of the United States, in his recent speech to the American Law Institute, called for a complete systems analysis of our judicial machinery. I cannot stress too strongly the importance of this kind of approach. While there is a limited study now being conducted in the courts under the auspices of the D.C. Crime Commission, this project is too narrowly confined to meet the whole need. We are confident that the judges of the District of Columbia will follow the lead of the Chief Justice and cooperate enthusiastically in the implementation of a thorough management study.

"Both Senator BREWSTER and I stand ready to support and aid the Judicial Conference of the District of Columbia in a program to identify and eliminate problems in the management of caseload. I realize that the problems of our District Court are not unique. Many courts, both Federal and state, are afflicted with an ever-rising caseload. Indeed, in comparison with other Federal district courts, the record of the district court here is not a bad one. But we must demand more from a court in our Nation's Capital, which should serve as a model for judicial systems throughout the United States.

"Next, let us turn to the D.C. Court of General Sessions. Over the past several months the quality of justice afforded in that court has been vigorously attacked. The court has been charged with being incapable of handling its staggering caseload, and with operating in an atmosphere that cultivates disrespect for law. Disquieting allegations have been made about the quality of defense counsel and the adequacy of the probation office.

"The criminal trial docket of the District of Columbia Court of General Sessions has become reasonably current in the past few months, primarily because additional judges have been assigned to try criminal cases. A jail census on May 16 indicated that only 18 inmates have been incarcerated for more than a month pending disposition of their cases by the General Sessions Court. There is prospect for even more effective dispatch of the Court's caseload as, hopefully, Congress shortly will authorize five additional judgeships for General Sessions.

"Though this additional judicial manpower is needed, the increased number of judges will place a great strain on the already overburdened facilities of the Court. The new judgeships will make all the more pressing the need for a new facility for the Court of General Sessions. Indeed, I know that some judges of the Court believe that a new courthouse would alleviate many of the problems resulting from the lack of a proper atmosphere for the conduct of legal business—problems that now distort the image of the Court as an instrument of justice.

"The present facility hampers the effectiveness of the prosecutorial screening of citizens' complaints. The office used by the Assistant United States Attorneys to screen these complaints resembles a bargain basement counter, not a legal workshop. Yet consultation at the "counter" is a means of eliminating from the judicial process those interpersonal squabbles not worthy of judicial consideration. If present plans for remodeling the quarters for the assistant U.S. Attorneys serving at General Sessions provide for facilities in which to handle this process in privacy and with decorum, the value of the "counter" and the effectiveness of the administration of justice will be enhanced.

---

[1] "To identify the most significant instances of delay and to hear from men who had been in the jail for a period sufficient for them to become acquainted with conditions there, a task force of the Junior Bar Section decided to interview men who had been incarcerated at least four weeks. A total of 332 interviews were conducted, covering about 85% of the inmates in this category. Each inmate was asked to state his three major complaints, though in the rare instance when an inmate had more than three complaints he was allowed to give them all. It is interesting to note that of the men who were interviewed, 80 had no complaint whatsoever, and an additional 55 made no complaint relevant to the jail itself. Of the complaints registered about the jail, ranked in order of frequency, food, recreation, medical facilities, mail and visiting were the most common. Complaints directed to court delay and attorneys were nearly as numerous as those about food and recreation. A complete report and analysis of the interviews will be submitted to the Judicial Conference by Mr. Kevin Charles and his special committee of the Junior Bar Section on June 1.

"But more judges, and remodeled or new facilities for the Court of General Sessions, will not be enough to reshape the image of the Court and make it the model it should be for courts of limited jurisdiction throughout the nation. There is a need for a thorough study and reform of the organization and operation of the Court, which faces a staggering civil and criminal caseload not unlike that facing municipal courts in every major urban center in this nation. Thirteen year ago, a New York City magistrate accurately defined the plight of the judge who serves in a court of limited jurisdiction when he said:

" 'It is obvious that the burdens on a conscientious inferior criminal court judge are many and varied. These burdens are increased immeasurably by the fact that decisions must be made quickly, under constant pressure. . . . Mistakes are inevitable, but a judge cannot worry overmuch about them—there is always the next case to be considered.

" 'It has been said that the inferior criminal courts are the most important tribunals of the land, because they influence for better or worse far more lives than any other court. But this recognition accorded to inferior criminal courts occurs in bar association speeches. It does not result in the adoption of better methods of selecting judicial personnel . . . and the more adequate organization of the inferior criminal courts. Nor does it secure the psychiatric, social work, probation and institutional facilities without which even the best of judges is seriously handicapped. Until a community recognizes the importance of the inferior criminal courts in these terms, it will continue to have an inferior level of performance from its inferior criminal courts.'

"The Department of Justice, the Congress, the Bar Association of the District of Columbia, this Judicial Conference, and the Court of General Sessions itself, must recognize the problems of the Court and seek to foster an enlightened organization for the Court. Probation and social work activities must be reshaped to provide an enlightened basis upon which the conscientious General Sessions judge can act. Beyond this, the judges of the Court must begin to eliminate the notorious lack of uniformity that has been characteristic of the Court's judicial actions. Too often in General Sessions the disposition of a case depends upon which judge mounts the bench. Of course, judges must operate with a great deal of independence and individual discretion, but at least administrative policies, such as the proper judicial treatment of alcoholics under the *Easter* decision, should be worked out by the judges as a court. Unless the judges voluntarily work together to achieve a more consistent administration of justice, criticism will continue and the demand for remedial Congressional action will grow.

"There are other things to be done. Justice demands effective representation by defense counsel. Some attorneys who have appeared in General Sessions do not provide such representation. I am told that subsequent to the enactment of the Criminal Justice Act approximately a dozen competent lawyers who formerly practiced regularly in the Court of General Sessions moved to practice exclusively in the District Court. These men now shun practice in General Sessions because the question has not been settled whether the Criminal Justice Act allows payments to attorneys appearing at General Sessions. At present, an attorney appearing at General Sessions goes unpaid unless he can extract a fee from his client or his client's family. Perhaps, with the inducement of fees under the Criminal Justice Act, more qualified attorneys would appear in General Sessions, and the public, to take one recent example among many, would not be treated to the spectacle of an attorney who appeared for trial in an intoxicated condition. Unless in the near future the Criminal Justice Act is deemed to apply to General Sessions, I will propose appropriate legislation to establish a separate program for that court.

"Assuring that attorneys representing indigents in General Sessions are compensated for their services is not a complete solution to the long-standing deficiencies of counsel in that court. The Bar Association of the District of Columbia must take an active interest in overseeing the practices of its lawyers in General Sessions. Stories of incompetent or inebriated counsel should not have to reach the press in order to reach the attention of the Bar Association. The Bar must be willing to police its own ranks; it cannot restrict its attention to those areas of law that support handsome fees but touch the lives of only a few of this city's residents.

"Furthermore, an increase in the size of the Legal Aid Agency staff is necessary. Currently, its twelve lawyers cover both General Sessions and the District Court. Lately, most of the staff has been working in the District Court, leaving General Sessions short-handed. This is unfortunate, especially since the Criminal Justice Act attracts attorneys to the District Court and away from General Sessions. We understand that a proposal for a minimum of ten more Legal Aid Lawyers whose efforts will be in General Sessions is being prepared for submission to the Office of Economic Opportunity. If a grant is made for that purpose a great step forward will have been taken. In the meantime, however, we urge that the Legal Aid Agency concentrate its efforts in the Court of General Sessions.

"This Judicial Conference is a great legal institution. I know that your primary concern, like mine, is to elevate the standards of the administration of justice in the District of Columbia. I know that you will understand that my comments today are offered in a spirit of constructive criticism.

"There may be some here who would rather not have heard what I had to say. They might have preferred a more humorous, light-hearted speech that ignored our serious problems. But that would have been a waste of your time and mine. The problems I have discussed are, as you well know, real and important, and though the proposals I have outlined today will not be a complete solution, they are at least a beginning. Having begun, we must not rest until the job is finished.

"The forthcoming report of the D.C. Crime Commission, buttressed by the District of Columbia court study that we propose, will be a fertile source of information upon which we can act intelligently to solve our problems. In addition, the committee of distinguished lawyers appointed by this Conference and headed by Mr. Gerhard A. Gesell is studying the courts of the Districts with a view toward improving their operation. The work of this committee, too, will be an important source of new ideas.

"But what is crucial is the active concern and support of you, the Bench and Bar of the District of Columbia. This is your judicial system. With this support of this distinguished assembly, progress and improvement are assured; without it, failure is inevitable. Senator Brewster and I promise to work with you to do the job ahead. Though we have criticized, we shall also cooperate to the end that all of us togethter—Bench, Bar, Community and Congress—will build in our Nation's Capital a system of judicial administration that will be second to none.

"Thank you."

REMARKS OF CHIEF JUDGE HAROLD H. GREENE, GEORGE WASHINGTON UNIVERSITY LAW ALUMNI LUNCHEON, JANUARY 23, 1969

During the past year or two, proposals have been made from time to time for changes in court structure and court jurisdiction in the District of Columbia. I would like to discuss today the policy implications of some of the proposed changes and to suggest a few solutions of my own to the problems that confront our judicial system.

Court reorganization is a topic of significance not only to the courts themselves, but also and especially to the practicing Bar and the community at large. After all, it is the citizens and their attorneys who suffer when the courts are not adequately staffed or organized to operate at optimum efficiency. If an effective organizational structure or the necessary human and material resources are lacking, there are likely to be long delays before cases are reached on the calendar, trials will have to be continued again and again, it will sometimes become necessary to reach unfair settlements because recollections have become stale or witnesses have disappeared altogether, as month after month goes by without a court hearing, let alone a decision.

The community itself suffers most grievously when criminal cases accumulate on the docket, and potential offenders remain at large while the day of the trial approaches ever so slowly. Justice, to be of real service to the public, must be prompt and fast-moving. This is especially true of criminal litigation. The criminal law is most effective as a deterrent when trial and punishment follow swiftly after the commission of the offense. But a great deal of the criticism of the courts today is also due to the fact that the public justifiably objects to interminable delays in the processing of civil lawsuits.

Many of the recommendations for court reorganization stem, at least in part, from the desire to speed the wheels of justice to a more productive pace. Needless to say, I agree wholeheartedly with that goal. And I might add, in passing, that our court has done much in recent months and years to streamline and speed its own processes and procedures so as to gain greater effectiveness. But, as the backlog statistics show, the administration of jutice in the District of Columbia is still in need of improvement. More, much more, needs to be done.

One important recommendation for court reorganization made within the recent past has been that jurisdiction over the so-called local felonies be transferred from the United States District Court either to the Court of General Sessions or to an entirely new tribunal of superior criminal jurisdiction. Another proposal, made by the very distinguished Committee on the Administration of Justice of the Judicial Council under the chairmanship of Mr. Newell Ellison, is that the Juvenile Court be absorbed by the Court of General Sessions. But this is a wholly separate and somewhat specialized topic of such dimensions that time does not permit me to discuss it today.

There appear to be two basic reasons for the movement toward a jurisdictional realignment of the courts in the District.

First, some people believe that what might be called the District of Columbia functions of the federal courts should be transferred to purely local tribunals as part of a general movement toward increased localization of District affairs.

I do not intend to dwell upon the question whether or not such increased localization is desirable. This is essentially a policy or political issue beyond the competence of a judge. I will do no more than to indicate some of the problems that must be faced in any meaningful discussion of so fundamental a change. One issue that immediately comes to mind concerns the role of the United States

Attorney, the United States Marshal, the United States Court of Appeals, as well as that of other federal officials and agencies, in a local court set-up divorced from the federal judiciary. Are they to retain their functions? If not, who and what is to take their place?

Then there is the broader question of the general federal interest in Washington, and whether that interest—which is responsible for extensive federal executive and legislative involvement in District affairs—should be less represented in the judicial realm. At bottom, I suppose, what must be determined is the weight that should be given to the federal concern with criminal and civil law enforcement in Washington as against the principle of greater localization of District affairs.

I pose these issues but, for the reason I suggested earlier, I do not propose to resolve them. But I do venture to say that unless and until those in policy-making authority have made basic decisions on these matters, it is too early to plan for a sweeping and wholesale transfer of judicial authority from the federal to the local courts. The policy question must be decided first. Only if that question is resolved in favor of an overriding local interest can there be a serious discussion of the method by which federal court responsibility for all local law enforcement would be ended.

The other principal impetus for judicial reorganization stems from the desire to find a solution to the all too real problems besetting our courts that I mentioned earlier, particularly the increasing criminal and civil backlogs and the resulting trial delays. Personally, I doubt that court reorganization would, by itself, sufficiently improve the efficiency of the judicial system as a whole so as to bring about a significant reduction in case congestion. As a matter of fact, as I shall explain in a moment, some of the proposals for change, if adopted, might well impede rather than increase effectiveness in law enforcement.

No doubt, the division of jurisdiction between the District Court and the Court of General Sessions causes some loss in efficiency. This is true particularly where the functions of the two courts meet or overlap.

But the overriding and disagreeable fact that must be faced is that the backlog problem cannot be cured by a reshuffle of functions. Someone will still have to hear and decide the steadily increasing number of cases. A shift of functions from one court to another would not increase the total judicial resources but would simply result in a redistribution of burdens without a significant gain in total effectiveness. The only real solution is an increase in the number of judicial, prosecutorial, and other personnel involved in the system as a whole.

That is why I have advocated for some time an increase in the number of judges on our court. Such an increase is more than ever necessary.

The control of crime costs money, and part of that money must be allocated to the courts and the prosecutors' offices which play such a vital role in that control. Speedy criminal and civil justice will be attained only when enough judges, enough prosecutors, enough private trial attorneys, and enough court personnel are available to cope with the caseload. It will not be achieved by a transfer of functions from one overburdened tribunal to another.

Yet there are organizational steps that can be taken, and, indeed, that should be taken. I fully agree with Chief Judge Curran that the District Court is now so overburdened with local criminal litigation that this litigation overshadows and interferes with the remainder of that court's tremendously important activities. District Court judges should not have to spend their time trying local criminal cases to the exclusion of practically everything else. Yet that, unfortunately, has been the situation during the last year or two. Some relief is clearly appropriate. The question is what form that relief should take.

Four possibilities exist in theory and have been suggested at various times.

First, a new criminal court of superior jurisdiction might be established to assume all of the District Court's so-called Title 22, that is local, felony caseload. Second, the District Court's local jurisdiction, criminal, civil, or both, might be transferred in bulk to an enlarged Court of General Sessions. Third, a sufficient number of judges might be added to the District Court to enable that tribunal to cope with its local criminal and civil functions as well as with its purely federal responsibilities. And fourth, some, but not all of the District Court's local jurisdiction might be transferred to the Court of General Sessions initially, leaving for a subsequent time the determination whether more or all of that jurisdiction should likewise be transferred. For reasons which I shall attempt to explain, I favor the third and fourth alternatives, or a combination of both.

Let me consider first the creation of a new, local felony court. I firmly believe that the establishment of such a tribunal would be a mistake; that it would weaken rather than strengthen the District's judicial and law enforcement system.

A totally new tribunal, with totally new personnel, without either physical facilities or experience, would not be likely to provide the District with the kind of criminal law enforcement the city needs and deserves. How long would it take such a court to acquire an adequate court building, a trained probation staff, a well-functioning Clerk's Office, and all the other agencies and personnel that make up a court complex? The courthouse problem alone might require years to solve adequately, when the need is for action, and action now. Moreover, a court devoted exclusively to criminal work of a rather limited and specialized nature would be unlikely to attract top quality judicial personnel.

Furthermore—and this, I think, is most significant—the creation of a new and separate criminal court would serve to exacerbate and to multiply the very problems which right now are the most serious impediments to the efficient operation of our courts. The calendar in General Sessions breaks down most frequently because lawyers, prisoners, police officers, and others, are occupied in District Court when they are needed for cases being called at the same time in our own court. This has been, and still is, the most stubborn of our difficulties and the one that has been least amenable to solution. Literally nothing compares in seriousness with this problem of dispersal of the people who are so often needed in two places at once. If yet a third criminal trial tribunal were to be created, these difficulties would obviously be multiplied rather than diminished.

Then there is the question of prosecutorial screening and the related question of venue. Where and by whom would an individual be charged who might have been involved in a federal offense, such as unlawful assembly on federal property; a local felony, such as assault with a dangerous weapon; and a local misdemeanor, such as carrying a deadly weapon? Which prosecutorial office would make the decision? Where would the trial be held? How much time and effort would be wasted while disagreements among two or three different prosecuting authorities were resolved? Right now, with only two sections of a single prosecutor's office involved, sometime weeks go by before it is finally determined in which court charges are to be lodged.

The trend in sound judicial administration is toward unification and consolidation of courts, not toward proliferation and dispersal. In my opinion, it would be a mistake to establish a new criminal court at the very time when our law enforcement resources should be marshaled and unified rather than dissipated by fragmentation.

Although this is undoubtedly a lesser consideration, there is also the effect on the Court of General Sessions to be considered. That court is a tribunal with existing personnel and expertise which, over the years, has shown its capacity for growth and maturity. Whenever the District Court has been relieved of functions and responsibilities these have always gone to the Court of General Sessions, and the implicit assumption has been that this pattern would continue in the future. The creation now of a new local court of superior jurisdiction would condemn the Court of General Sessions forever to the status of a subordinate tribunal with limited powers. This could not fail but to be felt as a devastating blow to the morale of its personnel, and it would no doubt have the effect of stifling the impetus for reform and improvement which has already produced such excellent results.

It might also be noted, in passing, that if the District Court were to be divested of all its local criminal jurisdiction, there is no reason why it should at the same time retain its other local responsibilities—civil, equity, and probate. If it makes sense for the District Court to abandon completely one phase of local litigation, it is equally appropriate and logical that the court abandon the remainder of its local jurisdiction as well. Yet obviously the transfer to a new court of all local functions now exercised by the District Court would be a tremendous undertaking. Furthermore, such a move, when completed, would be likely to leave the District Court with more personnel than the remaining workload would justify.

In short, for many reasons the creation of a new, separate criminal court is not the answer.

Similar considerations apply to the proposal that the District Court's local jurisdiction be transferred, as such, to the Court of General Sessions. The fact is that the Court of General Sessions with its present restricted physical facilities and limited number of personnel is not in a position to absorb all of that jurisdiction at this time.

Even if those facilities and that personnel could, somehow, be quickly conjured up, I doubt the wisdom of so drastic a step to be taken at one time. A court is not a commodity that can be produced, full-blown, like an electric appliance. A judicial tribunal, to be an effective instrument of justice, must grow in an orderly progression, by measured, natural stages. Furthermore, as I indicated earlier, there is the policy question to be considered whether it is desirable to remove the federal courts entirely from the local litigation scene. Until that policy question is resolved by those having the responsibility to make the decision, a discussion of the means by which a wholesale transfer of the District Court's local functions could be achieved is wholly premature.

That brings us, then, to the two more limited steps which, I believe, provide the route that should be followed. One of these involves the addition of a sufficient number of judges in the District Court to permit that court comfortably to handle both its local criminal and civil jurisdiction and its important federal responsibilities. In a way, this is the simplest and most direct method of achieving the desired result and it has much to commend it for that reason. It may well be, however, that the Judicial Conference of the United States, as well as others, might not favor an increase in federal judicial personnel of the magnitude required, particularly since such an increase would also foreclose, for the foreseeable future, subsequent transfers of local litigation to the local courts. Nevertheless, an adequate increase in the number of District Court judges should, I think, be seriously considered.

If for some reason this method of providing the necessary relief is not considered practical, then the most effective remaining avenue for assisting the District Court would be to move some of that court's jurisdiction to the Court of General Sessions. What I have in mind is a transfer to General Sessions, in the near future, of the lesser felonies, such as unauthorized use of a vehicle, burglary in the second degree, assault with a dangerous weapon, and the like. Such a transfer might well relieve the District Court of some thirty to forty per cent of its local felony caseload, while still keeping the most serious criminal cases in that tribunal. If a transfer of this scope would still not be adequate to permit the District Court comfortably to handle its remaining jurisdiction, two or three judges might be added to the active membership of that court contemporaneously with the transfer of the lesser felonies.

At the same time, in order to avoid a serious imbalance in the jurisdiction of the Court of General Sessions, the transfer of the lesser felony cases should be accompanied by a transfer of at least some civil jurisdiction. This might take the form of raising the civil jurisdiction of the Court of General Sessions from its present $10,000 limit. Personally, I would prefer retaining that limit at the present time but granting to our Court instead some equity power of its own. This equity power could be as broad as the authority to hear all equity cases not involving the United States or its agencies and officials, or it could be as narrow as equity jurisdiction involving suits to which the District of Columbia government or its agencies and officials are parties.

If a transfer of this kind were to take place, it would, of course, require the addition of more judges to the Court of General Sessions. I previously estimated that, at a minimum, five judges would be needed to permit our court to cope with its present caseload. Two of these five judges have thus far been authorized by the Congress, and I am hopeful that the Congress will see fit to grant the remaining three judgeships during the present Session. If substantial felony and some equity jurisdiction were to be transferred from the District Court to General Sessions, at least four to five more judges, in addition to the three presently required, would probably be needed. The precise judicial needs will, of course, depend upon the magnitude of the jurisdictional change.

A transfer of jurisdiction so limited would solve the immediate problems confronting the District Court while leaving open for future consideration, after full deliberation and in the light of experience, the question of whether all local litigation should be vested in the local courts.

Many believe that the problems of our courts are insoluble. They feel that the tide of crime and of civil litigation is mounting so rapidly that it will end up engulfing our historic institutions and procedures. I do not share this pessimistic attitude. Courts by their very nature are more tradition-bound than other institutions of our public life. They have been slow to make use of modern management and administrative methods. Yet it will take only a relatively small expenditure of imagination, energy, and funds to equip our Judiciary to enable it to cope effectively with the litigation that is pressing upon it. I firmly believe that here, in the Nation's Capital, we have the necessary intellectual and financial resources to set an example of the kind of firm, fair, and effective justice to which our people are entitled.

I submit that we can achieve these ends by thoughtful planning, by prudent yet progressive court administration, and by the organization of a judicial system that makes maximum use of available and potential manpower. We, of the Bench and the Bar, must provide the leadership, and if we do, I am certain that the citizens, through their representatives in public office, will provide us with the support and the resources we require.

SENATE JOINT RESOLUTION 62—INTRODUCTION OF JOINT RESOLUTION RELATING TO CREATION OF JOINT SELECT COMMITTEE ON POPULATION AND FAMILY PLANNING

Mr. TYDINGS. Mr. President, today, February 28, 1969, the population on this old planet of ours is going to grow by more than 200,000 people. Across the globe 2 billion people will go to bed tonight without having had enough to eat. Hundreds of millions of people throughout Asia, Africa, and Latin America will move closer to famine and mass starvation. Mr. President, while you listen to this speech, at least one person, probably a child, will die of starvation.

We are accelerating along what former Senator Ernest Gruening has called "the greatest collision course for survival man has faced in his history." The arithmetic of this collision is brutally simple. During the next 30 years, the world population is expected to double from its current level of more than 3 billion to nearly 7 billion people. Instead of a population growing at 2 percent every thousand years, as it has throughout most of man's history, we are suddenly confronted with a growth rate of 2 percent every year. The time it takes to increase the human race by a billion people has plummeted from 1 million years to several decades.

Food production in the developing nations, where most of the projected population increase is expected to occur, cannot keep pace. The per capita production of food throughout the world is declining.

As the Senator from West Virginia (Mr. BYRD) can testify, because both he and I have been to South America to study this problem, per capita food production in Latin America dropped 7 percent between 1961 and 1965. There is 7 percent less food there per person. In Asia the fall was nearly 5 percent over the same period. The Malthusian prediction of massive food shortages resulting from a geometrically expanding population drawing sustenance from an arithmetically increasing food supply is finally being realized on an international scale.

The juxtaposition of stagnating agricultures and exploding populations has trapped the developing countries in a hopeless cycle. They must accumulate capital to buy or produce the fertilizer and farm machinery to provide the increased agricultural output their burgeoning populations require. But because there are so many more mouths to feed each year, capital accumulation in sufficient amounts becomes virtually impossible. As the director of the U.N. Food and Agricultural Organization explained:

> Population stabilization and accelerating the rate of increase of food production in the developing coutries are like two blades of a pair of scissors. Neither can be effective without the other.

To date, this country has concentrated its efforts on providing the starving of the world with food. Principally through the food-for-peace program, the United States exported three-fifths of its entire wheat crop last year to the developing nations to feed hungry and starving people.

However, within the next 5 years, and perhaps before this decade is over, Mr. President, we will have reached the point when our surpluses will be totally inadequate to fill the growing gap between the number of people and the food needed to sustain them.

I strongly believe the time has now come to match our food and agricultural assistance projects with a comprehensive program to help the nations of the third world bring their enormous population growth under control. For, as former Secretary of Agriculture, Orville Freeman, put it:

> The question is not, will growth be slowed, but how? Will it result from declining birth rates or rising death rates, brought about by acute food shortages which must eventually occur if population growth continues unabated?

Will it be slowed by the three horsemen of the Apocalypse, famine, starvation, and pestilence? Any person who has traveled in either Asia or Latin America, outside of the teacup sipping circuit, and had people from the Peace Corps or others take him away from the capital cities, will see children with their swollen bellies, covered with sores, and will realize that this problem is frightful.

I might add that better family planning programs are also a critical need in this country. Too many parents still lack the necessary information to exercise freedom of choice in a matter as important and intimate as family size. And most of these parents are poor, the very people who can least afford unwanted chlidren.

Surveys have shown that low-income parents actually desire fewer children on the average than higher income parents, because they realize the limitations and responsibilities of parenthood. But, unfortunately, they tend to have larger families for the simple reason that they do not have access either to competent information or to the contraceptive devices necessary to enable them to make judgments.

Again we encounter another vicious cycle. The poor lack the information to plan their families. A large number of children requires money for food, clothing, and education that otherwise might have been used to pull that family out of impoverishment. And on it goes, around and around.

It is estimated there are 5 million

women in the United States today who would like to be able responsibly to plan their families if they had access to contraceptive devices and family planning information. Less than 15 percent of them are now being served. That is indicative of the size of the job which remains to be done here at home.

Certainly, our problem is not unlike the problem confronting the rest of the world. Over the next several weeks, I intended to introduce a series of bills designed to reorganize and expand our population and family programs, both domestic and foreign.

If the rest of the Nation is expected to take cognizance of the urgent nature of this problem, the Senate can hardly do less. Therefore, today I should like to introduce a resolution calling for the creation of a Joint Select Committee on Population and Family Planning.

The committee would review and oversee progress in the population programs and implement necessary studies to increase society's capabilities in population planning and control.

I have worked jointly on this proposal for some time with Representative George Bush, of Texas. He introduced a similar proposal in the House of Representatives earlier this week.

To date, our efforts have fallen far short of what is needed. Indeed, the failure of the American Government adequately to deal with this problem is the principal reason for a joint select committee.

It is my hope that this committee will provide a focal point for congressional decisionmaking in this vital area and serve as a catalyst for the complete and comprehensive action the population problem demands.

This is clearly an issue which cannot be abandoned to endless deliberation and debate. The evidence of a problem is too strong. The consequences of inaction are too great. Time is too pressing.

We must act now before history moves the means of solution beyond our reach. For the survival of millions in other nations and the quality of life in our own country are at stake.

Mr. President, if we are going to take the lead with other countries in the world, we must adopt a realistic population program here at home. We must meet our own problems on that subject.

The PRESIDING OFFICER (Mr. Cranston in the chair). The time of the Senator from Maryland has expired.

Mr. TYDINGS. Mr. President, I ask unanimous consent to proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, we are not going to be able adequately to deal with the problems of our cities, the intercity poor—indeed, the problem of our rural poor—until we recognize the relationship of the need for responsible family planning.

The poor mother is just as entitled to the opportunity to responsibly plan her family as any rich mother. If we are going to try to bring some sanity into the population program in the rest of the world, we must take the initiative ourselves, here at home.

Mr. President, in South America, family planning programs are opposed by the Communists. They are opposed by the conservative members of the Catholic Church. They are opposed by nationalists—all, perhaps, for different reasons.

The nationalist position is that we in the United States wish to perpetrate genocide and are trying to limit the growth of their power.

The Communist reason for opposing family planning is that they realize mass starvation could lead inevitably to a toppling of any democratic kind of society, and then they will be able to take over.

The point I want to make, however, is that we are not going to be able to provide leadership, either in Latin America or in Asia, unless we put our own house in order, unless we have a responsible population program at home, and unless we can provide opportunity for responsible family planning for all the citizens of this country without regard to their degree of affluence.

Let me add that, depending on which biologist, agronomist, or writer we read, there will be a massive famine throughout the world, and frightful starvation, disease, and pestilence throughout the underdeveloped areas of the world, beginning in the early 1970's or by the latest in 1980.

My feeling is that the problem of population is greater than that of nuclear energy or any other international problem we face today.

Former President Johnson courageously and forthrightly spoke out on this subject in his Presidential state of the Union addresses, beginning in 1965, but we have not had the administrative leadership to follow up in this area either from the Department of State or from the Department of Health, Education, and Welfare.

As I, former Senator Gruening of Alaska, Representative Bush, Representative Scheuer, and others have stated in hearings held over the past 2 years, the neglect, and failure of administrative leadership in the Department of Health, Education, and Welfare, and in some areas of the Department of State is tragic.

I would hope that Congress will consider these problems and will consider creating a joint committee. It is also my hope that the new administration, whose Secretary of the Health, Education, and Welfare, Finch, I know personally and is sympathetic to the problem, because I have talked to him about it, will take cognizance of this matter and start to do something about it. For time is literally running out.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 62), to establish a joint congressional committee to study and investigate matters pertaining to population and family planning, introduced by Mr. Tydings, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MOSS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HOUSING FOR ELDERLY NEEDS TRAINED MANAGERS

Mr. MOSS. Mr. President, a recent issue of the Journal of Housing—a publication issued by the National Association of Housing and Redevelopment Officials—performed an important public service when it carried several articles related to urban environment of older Americans.

As chairman of the Subcommittee on Housing for the Elderly in the Senate Special Committee on Aging, I was impressed by the sensitive and informative reporting on many matters of direct concern to the subcommittee. I was also pleased to observe that the magazine reported on hearings I conducted for the full Committee on Aging on the subject of "Usefulness of the Model Cities Program to the Elderly." That article was recently reprinted in the Congressional Record at the request of the committee chairman, Senator Harrison A. Williams, of New Jersey.

Another important subject was discussed in an article by Fred Vogelsang, director of special projects for NAHRO. He wrote about a study conducted by NAHRO for the Administration on Aging from September 1967 through June 1968 to evaluate the immediate and foreseeable need for trained personnel to carry out a housing program for the elderly.

Mr. Vogelsang's findings are well worth the attention of the Congress and of local municipal officials and nonprofit sponsors of housing for the elderly. He describes grave shortcomings that must be dealt with if we are to derive the greatest possible benefits from our federally supported housing programs for the elderly and for other age groups. I ask unanimous consent that his article be reprinted in the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

FOR THE AGED: STUDY OF HOUSING MANAGEMENT FOR ELDERLY POINTS UP NEED FOR MORE, BETTER TRAINED MANAGEMENT PERSONNEL FOR ALL LOW-INCOME HOUSING

(By Fred Vogelsang, NAHRO's Director of Special Projects, who reports on a study NAHRO conducted for the Administration on Aging from September 1967 through June 1968 evaluating the immediate and foreseeable need for trained personnel to carry out a housing program for the elderly.)

(NOTE.—"On target!" was the substance of the announcement in October that the goal of doubling the previous year's production of low-income housing units had been reached . . . and passed. It was an occasion for celebration and for recommitment to record-breaking goals for next year, as the No. 9 Journal reported (pages 453–454). To housing authority directors and to housing administrators, however, the next question is a crucial one: are there enough trained, skilled management personnel to operate a doubled output of housing? Are there twice as many training opportunities available to upgrade the skills of currently-employed management personnel? Are there twice as many trained young people stepping into the employment arena each year, equipped to begin a career in housing management?

(NAHRO had the opportunity, this year, to investigate a specialized area of housing management—that of housing for the elderly—to find out what the training needs and the need for trained personnel are now and what they will be by 1980. This study, which is summarized below, indicates recognition that training opportunities and the number of available trained personnel already fall far short of the present need and that, unless major steps are taken at once, the situation will rapidly grow worse. Since the study encompassed housing for the elderly under all public assistance programs and since it was not restricted to that public housing specifically designated for the elderly but included all public housing, it also uncovered the fact that, in terms of staff, public housing is operating under far more stringent limitations than elderly housing under other programs.)

Federal assistance in the provision of housing specifically for elderly persons and families is a relatively new program. It was in 1956 that housing legislation made provision for this kind of housing and for the admission of single elderly persons into public housing. The 1959 year marked the inauguration, via the 1959 housing act, of additional forms of public assistance for elderly housing: the direct loan program under section 202 and the mortgage insurance program under the Federal Housing Administration's section 231.

Although the ensuing years saw an accelerating development of elderly housing under these three programs, there was not, from their inception up until 1965, any coordinated national recognition of the fact that managing housing for the elderly might demand special training or special skills. Ad hoc training activities were carried out along the way—for example, NAHRO's 1962–65 elderly management training institutes under Ford Foundation sponsorship (see No. 2 1965 JOURNAL, page 90)—and in some universities, degree courses in gerontology have included academic training in elderly housing management. On the whole, however, the concepts of special training for elderly housing management and of a specialized career definition for the position of manager of housing for the elderly had not been systematically translated into programs for training.

When the Administration on Aging was created in the Department of Health, Education, and Welfare following passage of the Older Americans Act of 1965, a centralized concern with the need for trained personnel in all programs dealing with the nation's elderly population was officially manifested. One of AoA's early publications—*Guide Specifications for Positions in Aging*, dated 1965—includes, in its list of 14 careers in aging, specifications for a "Housing Manager, Housing for Senior Citizens" and "Housing Services Coordinator, Housing for Senior Citizens." Introductory material in the book describes the need for professional personnel in aging and states that the book "represents the first systematic effort to define a group or set of such positions and to indicate how they relate to one another and to the emerging field of programs and services for the aging."

Under Title III of the Older Americans Act, AoA was authorized to appropriate funds, through state commissions on aging, for, among other purposes, "training of special personnel to carry out . . . programs and activities [for the aging]."

The impetus to come up with a thorough national assessment of training needs came with the passage, in mid-1967, of amendments to the Older Americans Act that, among other sections, authorized the Secretary of HEW to "undertake, directly or by grant or contract, a study and evaluation of the immediate and foreseeable need for trained personnel" to carry out programs for the elderly. To measure this need in the area of management of housing, AoA contracted with NAHRO to carry out a nine-month survey of all rental housing for the independently-living elderly that was built with some kind of public assistance; besides the public housing, 202 direct loan, and 231 insurance programs mentioned, the survey included the senior citizens rural rental housing program administered by the Farmers Home Administration, Department of Agriculture, and whatever housing for the elderly might have been built under Federal Housing Administration Sections 213 (cooperative housing insurance), 221(d)(3) (market and below-market-interest rate), and various state and local housing for the elderly loan and insurance programs.

NAHRO SURVEY METHOD

NAHRO's final report to AoA, submitted in mid-summer 1968, presented analyses and statistics that could be incorporated into AoA's overall survey of personnel training needs covering the whole range of programs and activities designed to serve the nation's elderly population, now and in the next decade, ranging from housing management to geriatric nursing. Upon this survey material, the Secretary of HEW was instructed by the OAA amendments to base a report to the President and to the Congress "of his findings and recommendations . . . including whatever specific proposals, including legislative proposals, he deems will assist in insuring that the need for such trained specialists will be met."

To provide the findings, in the area of housing management for the elderly, upon which such a report could be based and from which recommendations on training needs might be drawn, NAHRO conducted a questionnaire survey during the fall and winter months of 1967–68 of local housing authorities and of sponsors and managers of housing for the elderly built under programs other than public housing.

During this phase of the study, one of the early—and basic—assumptions upon which we had hoped to be able to proceed was demonstrated infeasible and had to be withdrawn. We had assumed that public housing for the elderly could be accurately and thoroughly separated from public housing for other age groups, in order to restrict our findings to the area of AoA's specific interest. It rapidly became clear that if we were seeking to determine how many management persons deal with elderly tenants on a regular basis, we would have to survey the entire public housing program, since elderly tenants often occupy some—or many—units in any project. (This change in approach was proven correct when the final tabulations of the study were in; some 60,000 units were reported occupied by the elderly in projects that are not specifically designated, in whole or in part, to house elderly persons.)

This revised approach, however, allowed us to gain a much broader perspective of training needs in all public housing and these broader findings were reflected in the report submitted to AoA.

One other procedural necessity became apparent at this early stage and was pursued throughout the project, up to and including the handling of the final report. This involved the separate classification of public housing and public housing management methods and staffing from those of housing for the elderly constructed under all the other programs. We wound up, thus, with two simultaneous and corresponding sets of data, reflecting quite different sets of problems and techniques, even though the ultimate objective of housing elderly persons of low and moderate incomes is the same in both cases. These two sets of data were correlated in the final report.

The findings presented below are based upon completed questionnaires describing projects and staffing from all responding local housing authorities that have projects under management and on similar responses from elderly housing projects under the other public programs that satisfy the following four criteria: (1) the project is publicly assisted; (2) the project is designed for independent living (i.e. is not a nursing home or partial care facility); (3) the project houses elderly persons; and (4) the project is either under management or has its management and personnel policies established. From the overall responses (1589 local housing authorities that, among them, manage 88 percent of all public housing units in the country and 1214 projects built under other programs, of which 364 satisfied all four of the criteria applied for this project), national statistics were drawn and patterns of staffing, provision of services, and project type were developed; then, from this total response, a representative sample of just over 200 projects was selected from which to request specific and detailed information about currently-employed personnel. Half the projects in the representative sample are public housing projects managed by local housing authorities, half are projects built under other public assistance programs. A 62 percent response to this final questionnaire had been received by the deadline date and from tabulations, evaluation, and analyses of the information on these questionnaires, a determination of the characteristics of currently-employed personnel (emphasizing training for the job and any further training needed or desired) was made. In addition, selected projects of all kinds were visited, personnel at all levels were interviewed, and personal observations as to management methods and policies were made.

STAFF PATTERNS

The *project manager* position in public housing for the elderly can be defined only very broadly, since some projects are managed by a full-time manager at the project; some by managers who serve as managers of other projects as well; and some by housing authority executive directors who manage all or more than one of the projects in an authority's program. Functional responsibilities vary within these three management set-ups and the variety is compounded by differences in function according to staff size, project size, and program size of the authority. In none of the responses received in the course of our survey was there any indication that the project manager of a housing development designed exclusively for the elderly is in any sense a special or separately defined position. Some authorities do specify certain educational or personal background in dealing with elderly persons if the project manager is to be assigned to a project for the elderly, but this is as close as any lha has indicated it comes toward defining elderly housing management as a specialized profession of its own.

In contrast to public housing projects, most developments built under sections 202 and 231 report that (1) the staff of the project is headed up by a project manager whose total responsibility involves operation of the project; (2) with the exception of very small projects, the manager is employed on a full-time basis; (3) he is supplied with considerably more secondary management personnel than his public housing counterpart. These plus factors, however, are mitigated by certain additional responsibilities or drawbacks: (1) in addition to housing management, he is frequently also the administrator of a centralized dining facility and/or project-located medical services; (2) he does not have the direct recourse to a local housing authority staff or board of commissioners, in whom may rest a body of experience in housing management. (It was reported, during our survey, that groups sponsoring 202 and 231 projects, though well-intentioned and maintaining an intense and serious concern with the day-to-day operation of the project, are generally not experienced enough in housing management to be able to provide much in the way of direct practical guidance to the project manager.)

The provision of *secondary management personnel* to assist the project manager of a public housing project varies both in number and in functional roles, but there are consistently fewer of them than at elderly projects built under the other programs. The fact that the lha frequently maintains a central office staff to handle many of the administrative and maintenance functions, cutting costs by having one person perform the same management function for several projects rather than a separate person performing the same function at each project, accounts to some extent for this difference. One possible exception to this pattern is the maintenance supervisor, a position that is usually filled at each project.

In both public housing and loan and insurance programs projects, heavy emphasis is placed upon the importance of the maintenance supervisor, not only as a technician but as the staff person in whom are centered some of the key tenant relations, management cost, and personnel supervision functions in any given project. It was pointed out regularly that the maintenance supervisor and his staff are in more direct day-to-day contact with tenants—especially elderly tenants—than most other staff persons; that an important element in economic operation of the project relates directly to the maintenance supervisor's ability to correct malfunctioning equipment as opposed to calling in repairmen; and that the maintenance supervisor usually oversees a larger staff group than any other secondary management level staff person. These points of emphasis give rise to some rather definite feelings on the need for training for personnel filling these jobs, as described in the later section of our report on currently-employed personnel.

Because of the broader range of services and facilities that is frequently provided at projects under sections 202 and 231 and because these projects are almost always self-contained entities, rather than components of an overall housing program, a greater number of secondary management personnel to assist the project manager is often found. Food supervisors, medical directors or directors of nursing, social or recreation directors are found at the management level in such projects. In these projects, an assistant manager, usually assigned to assist in administration and business matters, leaving the project manager to handle direct relations with tenants, may play a key role. (This seems to be the reverse of the public housing situation, where, if a project is of the size to warrant an assistant manager, his function is more often related to tenant matters in areas of organization, social and welfare services, and community relations, leaving the manager free for supervising the business of running the project. In some degree, this difference in assistant manager functions seems to be related to the fact that there is a public relations job to be done at the project level in non-public housing projects for which there is no parallel in public housing. Maintenance of low vacancies and relatively low turnover is a key responsibility of project managers at 202's and 231's. In order to carry out what, in some projects, is a full-scale public relations program, involving contact with tenants and guests and families and outside "lead" sources toward potential project residents, the manager must frequently free himself as much as possible from more routine business matters. This is hardly a problem in public housing—and even if it is, it is not performed at the project level but by the executive director of the authority.)

Maintenance and Clerical Staffs are also larger in 202 and 231 projects than in public housing. With no counterpart to the local housing authority that can provide a centralized staff for clerical and maintenance activities, all rent, leasing, bookkeeping, accounting, and project correspondence is carried on by the project clerical staff. With the exception of those very large projects where the maintenance staff is, of necessity, numerous and given direct special assignments, maintenance personnel fall more into the category of handymen who are expected to perform all mechanical, minor repair, and custodial tasks that need to be done.

MANAGEMENT TECHNIQUES

Although the staffing patterns sketched out above already show the great variance that exists in elderly housing management—especially in public housing—depending on community size, project size, housing program size—still other variations of management techniques are being followed as well. One public housing management device in use in San Francisco is described by the housing authority as folllows:

"When our Senior Citizen developments were originally designed, a 2-BR apartment was included for the purpose of engaging the services of a Resident Manager so that the elderly would receive on-the-spot service. The Authority subsequently decided that we would engage the services of married couples as Resident Assistants, acting as independent contractors rather than employees to reside in these projects."

Sponsoring groups of elderly housing under programs other than public housing, not having the practical housing management experience or the management traditions that have evolved in public housing, report in some instances that they have contracted with elderly housing management consultant firms that handle routine management functions for groups of projects, much as a local housing authority manages all public housing projects in a single program.

Still another variation in management concepts in use is that where a housing project for the elderly is just one element in a group of facilities developed by the same sponsor. Such complexes may include facilities all designed for the elderly (hospitals, nursing homes, senior citizens centers, etc.) or may include housing for the elderly as an element of a variety of housing developments, commercial facilities, and the like. In such cases, across-the-board management of maintenance, food service, medical service, housekeeping, and accounting and bookkeeping may be handled by the parent organization on a cost-allocation basis.

Within this group of staff and management patterns, some of them quite new in practice, and within the tight budget limitations of the public housing program and the 202 program, which requires sponsorship on a nonprofit basis, can be seen the kind of efforts that are being made to evolve an effective management device, while keeping the number of staff positions to a minimum, maintenance standards high, and the range of special services broad and closely attuned to the needs and desires of the tenants.

CURRENTLY EMPLOYED PERSONNEL

NAHRO's final report to AoA gave the following description of the "typical" manager currently employed at elderly housing projects. It is drawn from tabulated findings included in the report to form a profile based on the most frequent responses as to individual characteristics. The "typical manager" is: ". . . a man between the ages of 55 and 64, with some college training, probably in an area of business administration. His professional experience is most likely in a commercial field or, if he manages public housing, in housing management. If a public housing manager, he has most likely worked toward this position; if the manager of a project under another program, he has most likely retired from his previous career before before accepting this position." His salary, if he manages public housing, is between $7500 and $8999; if he manages a 202 or 231 project, his salary is over $10,000.

Responses to questions regarding additional training or workshop experience specifically related to the elderly and to understanding the problems of the aged and of aging elicited a positive response from just over one-third of the managers in the representative sample. Some indicated that their additional training included attendance at special courses and workshops at the graduate level at the Universities of Michigan, Iowa, Minnesota, and California at Los Angeles. Others reported attendance at short courses or seminars under diverse sponsorship, including universities; nursing and hospital associations; state and local agencies; and private groups. Other special training reported included field study; national conferences; and training in specialized fields related to aging. It was noted that managers of 202's and 231's achieved special training in areas geared specifically toward the elderly while managers of public housing usually attended general conferences that concerned themselves with housing management problems but not, specifically, with housing for the elderly.

It was reported to AoA that the responses to the NAHRO survey seem to indicate a good deal of confusion as to what exactly constitutes training. Very often, when asked for specifics regarding training directly related to qualifying the person for a position dealing with the elderly, the responder (usually a project manager) included personal experiences, often long-term care of an elderly parent or relative. Former ministers who now manage housing projects for the elderly asserted that continuing contact with elderly parishioners constitutes a form of specific training. Persons with sales, retailing, or similar commercial backgrounds mentioned frequent contacts with elderly persons during these careers. In our comments, we indicated that we felt that all these experiences clearly have the potential of contributing additional capabilities and understanding but that they would seem to be more applicable to the development of a personality and an attitude that might make a person successful in dealing with elderly persons than to the development of the skilled professional competence that is usually understood in the context of "training."

Nonetheless, in analyzing the characteristics reported on our questionnaire responses, it seems that, in lieu of a standardized career preparation for this field and of available trained personnel, many elderly housing sponsors do accept this kind of background as meaningful preparation. Taking into account the salary levels, the fact that the majority of project managers are in the upper middle age bracket and the fact that many of them are retired from long professional careers (ministry, military, as well as commercial), it seems possible that sponsors of elderly housing projects built under 202 and 231 have independently come to the conclusion that the best person available to them at the salary they can pay for a project manager is a man who has had contact with sizable groups of people in an administrative or quasi-administrative capacity. This would seem to indicate recognition of the fact that trained personnel are not currently available to them and, perhaps, that strict standards as to what kind of training they might ideally expect are unrealistic.

This same analysis would not seem to apply in the case of public housing managers. Although their backgrounds, too, are diversified, they seem to progress in a much steadier sequence toward a plateau represented by their current employment situation. Employment as a manager of a public housing project for the elderly is much more likely to be a point of culmination rather than a position taken after the culmination of a former career.

But recognition of the need for additional training among project managers is almost universal, according to our findings. "This is a more complex business each day that passes," wrote one manager. "We need better trained personnel in all phases. I myself would like more training if I could do it while still on the job. Most of us cannot leave our work."

That problem—the time to get training—was frequently mentioned. Other responses included cost and distance as hinderances to achieving additional training.

The survey also inquired as to what kind of training would be most helpful in attaining a better performance in elderly housing management, suggesting a choice among: (1) exchange-of-idea sessions with other managers; (2) conferences on specific practical problems of housing management, i.e. fiscal management; food service; maintenance; provision of social, recreational, and education services; and (3) study sessions on the special needs and problems of elderly persons and the aging process. Most responders checked all three.

Since *secondary management personnel* described in the representative sample response covers a broad range of jobs and functions, our report to AoA grouped all together to give a clearer picture of the subordinate managerial level as a group. Included are assistant managers; leasing and occupancy supervisors; maintenance supervisors; food supervisors; nursing supervisors; social directors. Two-thirds of this group are women and the majority of salaries fall between $6000 and $7499. The greatest number of them are between 45 and 54 years of age and report high school graduation as the highest educational level achieved. Previous experience is widely scattered, as the broad variety of jobs included might suggest. Practically none of these staff persons are currently attending any special training courses or workshops; frequently, additional training was indicated as desirable. In specific areas, such as nursing, food supervision, recreation, the training suggested relates the discipline to the elderly. In the case of assistant managers, additional training desired is much more general but most often related to better understanding of the elderly, as the following partial list of responses demonstrated:

Additional training desired—Assistant manager

Special seminars on management.

Specifics of elderly housing management.

Discussion on management and new approaches to programming for the elderly.

Utilization of new programs and services available for the elderly.

A more complete and updated knowledge of studies and remedies relating to the problems and needs of the elderly.

Special session re: housing management with elderly.

Social sciences and psychology.

Supervisory and control operations.

Community relations.

In-service workshop with other agencies working with the aged.

From reading the tabulations on characteristics of *clerical personnel*, it seemed safe to us to say that clerical employment at housing projects for the elderly is based only on competence to perform a clerical job. Yet project managers responding to the survey indicated strongly that they have much higher hopes for the contribution that their clerical personnel can make toward the successful operation of elderly housing projects. Specific replies indicated that dealing with the elderly; conferring with the elderly; giving assistance to the elderly; handling of the elderly, on the part of clerical employees, could be improved.

This same recognition of the importance of direct contact between staff and tenants was apparent in discussions of additional training desirable for *maintenance personnel*. While a great deal of additional technical training was listed as desirable, responders also would like to improve relations between maintenance personnel and elderly tenants by giving maintenance men better understanding of the elderly and their problems, insights into the psychology of the elderly, and directions in how to relate to the problems of the elderly.

SIZE OF THE TRAINING NEED

The NAHRO survey pinpointed the strongly-felt need for corrective action in elderly housing management, not only in quality, as discussed above, but—just as imperatively—in quantity. Inadequate numbers of staff persons to provide competent and sensitive management was a complaint heard from the majority of elderly projects, regardless of the assistance programs under which they were built. The severest squeeze affects the public housing program, which manages over two-thirds of the more than 320,000 elderly housing units built under the various public programs included in NAHRO's survey. The following table shows just how severe the limitation in staff numbers is, on a comparative basis:

Ratio of employees to units

	Public housing[1]	*Other housing programs*
Full-time:		
Management	1:106	1:35
Full-time:		
Maintenance	1:48	1:30
Full-time:		
Clerical	1:120	1:52

[1] Ratios for public housing are developed from total of all public housing units, both elderly and nonelderly, and upon survey reports of staff for 88 percent of the total program, extrapolated to 100 percent.

Translated into numbers and projected ahead to 1980, our study indicated that the following staff statistics will apply, even if this same inadequate and unbalanced staff-to-units ratio is maintained.

Grant total: Required staff, 1980

[Present staff-to-unit ratios]

Full-time management:	
Public housing[1]	5, 424
Other programs	26, 438
Total	31, 862
Full-time maintenance:	
Public housing[1]	11, 977
Other programs	30, 845
Total	42, 822
Full-time clerical:	
Public housing[1]	4, 791
Ohter programs	17, 795
Total	22, 586

[1] In this table and the one following, the public housing staff-to-units ratio is applied to anticipated *elderly* units only, not to the total anticipated program.

If, as would seem only reasonable, the reins on public housing are loosened enough to enable the program to at least match the current staff-to-units ratio of elderly housing under other assistance programs, the picture would be as follows:

Grand total: Required staff, 1980

[Staff-to-units ratio of nonpublic housing programs applied]

Full-time management:	
Public housing	16, 426
Other programs	26, 438
Total	42, 864
Full-time maintenance:	
Public housing	19, 164
Other programs	30, 845
Total	50, 009
Full-time clerical:	
Public housing	11, 056
Other programs	17, 795
Total	28, 851

NAHRO's report to AoA provided, by contract requirements, a description of the present situation and a statistical projection to 1980; it did not provide an evaluation of the findings or make any recommendations. These are to be made by AoA on the basis of information supplied. The picture the NAHRO survey paints, however, seems to emerge explicitly from the facts themselves: housing the elderly—and, by extension, other low-income groups—only begins with the production of low-rent dwelling units. If the housing development is to remain economically sound and socially productive over its full span of usable years, its operation and management must be placed in the hands of staff persons adequate in number and prepared by training and experience to perform the job with skill and sensitivity. The added push has been applied in the production of housing—and the results have been more than anticipated; to finish the job, an immediate jump in numbers and kinds of training opportunities and from that, a dramatic increase in the number of trained personnel are urgent—first to catch up, then to keep up with the need.

ORDER OF BUSINESS

Mr. MOSS. Mr. President, I ask unanimous consent that I may proceed for approximately 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 100—RESOLUTION RELATING TO AIRPLANE HIJACKING

Mr. MOSS. Mr. President, since the first of the year 16 airliners have been hijacked in midair and their crews forced to change course for Havana. There is bitter frustration in the United States because of these crimes as well as general agreement that the practice must be stopped forthwith. To date, however, none of the many proposals advanced has led very far toward this much desired end.

I firmly believe that nothing will end permanently these acts of piracy except an agreement on the part of Cuba to seize hijackers and return them promptly to the country of origin for trial. I believe that to be truly effective such an agreement must include as signatories all the nations of this hemisphere. And I believe that the appropriate agency through which such an agreement should be consumated is the Organization of American States.

Today, I submit a resolution expressing the sense of the Congress that the Organization of American States be urged to take up this most vexing question at its earliest convenience. An examination of the problem and the proposed solutions will, I think, sustain the logic of involving the OAS.

The ideal solution would be one that we could put into effect ourselves. Weapons detection devices have been discussed widely, but nothing effective has yet been put into use. Guards have been posted on aircraft but, so far, have been unable to stop hijacking probably because they have been unwilling to risk a fight which might severely damage the aircraft. We should continue to study such possibilities, but experience to date does not indicate we can stop hijacking by unilateral action.

The view that speedy and sure return of the hijackers to the United States would end the practice was supported in a January 31 Time magazine article. Time wrote:

> Nonetheless, pilots and psychiatrists concur in an important conclusion. If Castro were to return a single skyjacker to face U.S. justice, the airborne stampede to Havana would soon stop.

The distinguished majority leader had this approach in mind when he suggested February 1 that the administration send representatives to meet with the Castro regime to seek ways of stopping plane hijackings. Senator Mansfield believes approaches could be made to Cuba through the Swiss Embassy, Mexico, or the Bahamas. I strongly support such action.

The New York Times has proposed editorially that persons wishing to go to Havana should be permitted to do so freely. It is pointed out that we have a regular air traffic operation bringing persons from Havana to Florida and that we could easily operate a return trip to accommodate those who prefer life in Cuba to that in the United States. I support his approach also.

However, Carl T. Rowan declared in a column carried by the Salt Lake Tribune on Monday, February 10, that such suggestions have been made and that the Swiss have transmitted them. Rowan wrote:

> The United States has made several proposals designed to get Cuba to agree to extradite the hijackers. But Cuba still plays hard to get. Many months ago, through the Swiss, the United States offered a plan that it hoped would halt hijacking by disgruntled Cubans who want to go home. It suggested that they be permitted to fly back to Cuba on the airlift planes that bring refugees out.

Finally, I support the action taken by Senator Dodd in the introduction of a resolution calling for strengthening the Tokyo Convention or, if that fails, the convening of a special conference.

We should, of course, continue to explore all these avenues to the solution of this problem. Experience teaches us that spectacular actions breed imitators. The practice of seizing flying aircraft has grown rapidly. Undoubtedly, we shall soon witness more tragic and vicious manifestations of air piracy unless it is halted.

It appears that we are dealing—at least in many instances—with unstable individuals. The Time article declares that hijackers are "either criminals on the lam or men who are emotionally disturbed in one way or another," and goes on to say:

> Few psychiatrists or psychologists have ever examined one but they theorize that the skyjacker is making a grand attention-getting gesture that he thinks will forever remove him from anonymity and impotence among the faceless millions of a mass society.

And on this point the Rowan column declared that even if Cubans seriously wanting to go to Cuba to live were accommodated, "there would remain the American screwballs, the crooks, the fadists, and a few people of other nationalities to keep the crazy string of hijackers going."

If psychological attitudes are an important factor in hijacking—and I firmly believe they are—then the return of these individuals to face charges will surely be the most effective means of stopping it.

It is my conviction that the logical agency to gain the acquiescence of Cuba for the return of hijackers is the Organization of American States. The OAS should begin consultations at once with the objective of drawing an agreement obligating the signatories to: First, impound hijacked aircraft landing in their countries promptly; second, extend protection for the aircraft and passengers and assistance in reaching the scheduled destination; and third, arrange for immediate return of the hijackers to the nation of origin for legal prosecution. If successful, such an agreement might then be expanded to other continents.

The United States is presently the prominent victim of this jet-age crime, but there have been several instances of the aircraft of South American nations being forced to alter course and land in Havana. International commerce in the years ahead must rely on a tremendous increase in air transportation. We can no more permit a continuation of this special form of piracy to interfere with free use of the airlanes of the Western Hemisphere than we could permit the original pirates to dominate the sealanes of the world.

In opposition to presenting this matter to the Organization of American States, it will be argued that Cuba is not a member of OAS; that most of the nations of Latin America have broken diplomatic ties with Castro; that the United States cannot sign an agreement with Havana without recognizing the Communist government there to some degree; and that Castro cannot be forced to seize air pirates. In reply, I repeat that we must seek a permanent, effective, and workable solution to air hijacking. There is no assurance that, if Castro did stop the present practice, hijackers would not demand flights to other nations. If an acceptable treaty can be drawn, if the nations of OAS signify their willingness to sign, and if Cuba then refuses, that will be the time to determine our next step. What is essential now is that we make the decision to move through international agreement to stop this nefarious activity, and that we make clear to this hemisphere that such is our resolve.

That original form of piracy—robbery on the high seas—was crushed only through the combined efforts of many nations. For centuries, the laws of nations took cognizance of the status of pirates, even protecting them in a sense by providing that they could not be killed—except in battle—without trial.

It is a remarkable fact that sea piracy in the New World flourished longest in the West Indies. Following 1815, the Encyclopedia Britannica tells us, the anarchy which plagued the Spanish colonies in their revolt against Spain, aided by "the sloth and corruption of Spanish captains-general of Cuba," were favorable to the pirates, so that "the south coast of this island became a haunt of these villains till the British and American Governments were driven to combine for their suppression."

Today, North and South America must combine to suppress air piracy. Mr. President, I believe a logical first step is the passage of a resolution urging the Organization of American States to take up this most vexing matter at its earliest convenience.

I send to the desk for appropriate reference a resolution to accomplish that end.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 100), which reads as follows, was referred to the Committee on Foreign Relations:

S. Res. 100

Resolution on control of airline hijacking

Since scarcely a day passes that an airliner is not hijacked and flown to the Republic of Cuba, and it now appears that unless resolute action is taken the alarming record of 28 hijackings in 1968 will be surpassed in the first three months of 1969; and

Since the epidemic of hijackings includes the airlines of several South American countries; and

Since hijacking has reached such proportions that no passenger or any commercial flight of any nationality headed to or coming from the Caribbean area can be assured of reaching the scheduled destination without a side trip to Cuba; and

Since this not only results in serious inconvenience to the passengers and heavy expense for the airlines, but it could also result in a tragedy in which there was a mammoth loss of both life and property; and

Since the logical avenue of communication on all matters which affect the countries of the American continent is the Organization of American States: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Organization of American States immediately begin consultations on aircraft hijacking with these objectives: (1) to draw a treaty obligating all members to protect aircraft passengers and airplanes hijacked to their country, and furthermore agreeing to arrest all hijackers and arrange for their immediate return to the nation of their origin for legal prosecution, and (2) to arrange for the submission of the treaty to Cuba.

S. 1232—INTRODUCTION OF A BILL TO DECLARE POLICY WITH RESPECT TO CONTROL, REGULATION, AND MANAGEMENT OF FISH AND WILDLIFE BY STATES

Mr. MOSS. Mr. President, on behalf of myself and Senators Bible, Cannon, and Church, I am today introducing a bill to declare and determine the policy of the Congress with respect to the primary authority of the several States to control, regulate, and manage fish and wildlife within their territorial boundaries; to confirm to the several States such primary authority and responsibility with respect to the management, regulation, and control of fish and wildlife on lands owned by the United States; and to specify the exceptions applicable thereto; and to provide procedure under which Federal agencies may otherwise regulate the taking of fish and game on such lands.

A similar measure was introduced in the 90th Congress by my colleague (Mr. Bible), and it was my privilege to conduct Commerce Committee hearings on the bill last year in Salt Lake City, Miami, and Washington, D.C. Additional hearings will be held this year on the measure.

The purpose of this bill is to settle a continuing controversy between the fish and game commissions of the various States and the Federal agencies over who has jurisdiction over resident wildlife species on Federal lands. The proposal of the last Congress enjoyed strong support, having been endorsed in 1967 by officials of various State game departments, including Mr. John E. Phelps, director of the division of fish and game, department of natural resources of the State of Utah.

I offer this measure with the expectation that it will serve to clarify this aspect of intergovernmental relations which has plagued us for many years.

I send to the desk for appropriate reference the bill to which I have referred, and ask unanimous consent that the text of the bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred, and, without objection, the bill will be printed in the Record, in accordance with the Senator's request.

The bill (S. 1232) to declare and determine the policy of the Congress with respect to the primary authority of the several States to control, regulate, and manage fish and wildlife within their territorial boundaries; to confirm to the several States such primary authority and responsibility with respect to the management, regulation, and control of fish and wildlife on lands owned by the United States; and to specify the exceptions applicable thereto; and to provide procedure under which Federal agencies may otherwise regulate the taking of fish and game on such lands introduced by Mr. Moss (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 1232

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act, the term—

(1) "fish and wildlife" means all wild vertebrates (including mollusks and crustacea);

(2) "States" means the several States of the United States;

(3) "land owned or controlled by the United States" includes buildings, and structures, trees, crops, or any flora or plants growing thereon;

(4) "department or agency of the United States" means any department, agency, entity or bureau, commission, or any other official or body created by an Act of Congress having charge over the management or control of lands of the United States Government; and

(5) "State agency" means the department, commission, agency, officer or official which is authorized by State law or constitution to regulate, control or manage fish and wildlife in such State, including an interstate compact body authorized to regulate, control or manage any fish or wildlife.

Sec. 2. The Congress of the United States hereby recognizes—

(1) the necessity and importance of conservation programs of the several States in the management, preservation and regulation of fish and wildlife therein;

(2) that under well-established law set forth in many court decisions, including the Supreme Court of the United States, that the authority to control, regulate and manage fish and wildlife resides and rests in the several States in trust for the benefit of their people independent of jurisdiction over the ownership of land and that it is the primary duty of the States to conserve and protect these resources;

(3) that unless the several States have the unquestioned right and power to manage, control and regulate fish and wildlife within their respective boundaries, that the revenues from the sales of licenses or permits now or to be received by the States for the hunting, taking, capturing or seizing of fish and wildlife will be considerably diminished and conservation programs of the States seriously impaired thereby;

(4) that Congress has in the past vested certain departments or agencies of the United States with responsibilities to conserve and develop natural resources, including fish and wildlife on certain Federally owned lands, but that such responsibilities should be exercised in recognition of the State's authority with respect to fish and wildlife; and

(5) that it is in the best interest not only of the States but also of the Nation that the States have the sole, exclusive, and undisputed legal right to manage, regulate, and control fish and wildlife in accordance with State laws and regulations notwithstanding the ownership or control of the lands by the Government of the United States within the boundaries of the respective States.

The Congress further declares it to be in the public interest that authority to control, regulate and manage all fish and wildlife in or on any land or water within the territorial boundaries of the respective States, including lands owned or controlled by the United States, continue to be vested in the several States.

Sec. 3. The exclusive right and power of the States to conserve, control, and manage fish and wildlife in or on lands and waters within their territorial boundaries for public use and benefit in accordance with applicable State law, are subject to the provisions hereof, recognized, confirmed, established, assigned, granted, and transferred to the respective States.

Sec. 4. This Act shall not be construed as affecting the responsibilities and rights of departments or agencies of the United States to conserve and develop, subject to the provisions of this Act, the natural resources, including fish and wildlife, on lands owned or controlled by the United States within the territorial boundaries of any State or as depriving the United States of the right to protect and preserve its lands from destruction or depredation by wildlife to the same extent and in the same manner permitted to any owner of land by the laws of the State in which such land is located. There is hereby specifically reserved and excepted from the operation of this Act—

(a) All rights and powers of the Congress of the United States to control and regulate the taking of fish and wildlife under any international treaty or convention to which the United States is a party but only with respect to those species of fish or wildlife expressly named in said treaties or conventions.

(b) Any Indian Reservation and any right, privilege or immunity vested in or fect right, privilege or immunity vested in or reserved to any Indian Tribe, Band, or Community or any individual Indian or any Tribe, Band, or Community of Natives of Alaska, or any individual member thereof, with respect to hunting, trapping or fishing or the control, licensing or regulation thereof.

(c) All rights and powers of the United States in and on areas over which the States have ceded exclusive jurisdiction to the United States.

(d) All rights and powers over any species of fish and wildlife coded or granted to the United States by any State.

Sec. 5. No department or agency of the United States shall promulgate or enforce any rule or regulation with respect to the taking of fish and wildlife within the several States unless such rule or regulation is in compliance with, and under authority of, the laws and regulations of the State wherein such rule or regulation is applicable.

Sec. 6. Notwithstanding anything contained in any Act of the Congress or in any rule or regulation promulgated by any Federal department or agency it is hereby declared to be the intent of the Congress that no provision of any Act shall be construed or implemented in any manner as to displace, preempt, or deprive the several States of their primary and historically recognized authority to control, regulate, and manage fish and wildlife in or on any lands or waters within their territorial boundaries, including all lands and waters owned by the United States or in which the United States Government has an interest.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to be permitted to proceed for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. Mr. President, will the Senator yield briefly?

Mr. BYRD of West Virginia. I am happy to yield to the Senator from Kentucky.

S. 1233 AND S. 1234—INTRODUCTION OF RELIEF BILLS

Mr. COOPER. Mr. President, I send to the desk two bills, and ask that they be appropriately referred.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. COOPER, was received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

S. 1233. A bill for the relief of Mrs. Gretel Rieger Micol; and

S. 1234. A bill for the relief of Max Ratibor.

COAL MINE HEALTH AND SAFETY

Mr. BYRD of West Virginia. Mr. President, the tragic coal mine explosion that occurred last November near Farmington, W. Va., has made it certain that this session of the Congress will consider several new proposals for coal mine health and safety legislation. The scale of the Farmington disaster, which claimed the lives of 78 miners, inevitably has raised many questions concerning the adequacy of the present Federal Coal Mine Safety Act.

I am certain that all of us here in the Senate will want to consider carefully any reasonable proposal for more effective health and safety laws. Hearings on the legislative proposals now being submitted will enable us to reach objective conclusions concerning any changes that should be made in the existing act.

My purpose today, however, is to urge all of my fellow Senators to consider every possible way in which our coal mines can be made safer and more healthful for the men who work in them. New and stronger laws, however necessary and effective they may be, provide us only with a means of coping with hazards. I contend that the time has come for us to do more than cope with menaces that can wipe out 78 lives in a single, horrible accident. We can, and must, eliminate these hazards.

The former Secretary of the Interior, Stewart Udall, a forceful advocate of stronger law in this critical area of industrial health and safety, recognized the limitations that are inherent in law. He made that clear at his December Conference on Coal Mine Safety, when he said:

> Even in a coal mine that is a model of compliance with the most rigorous safety regulations that can now be devised, the elements of danger will be present.

The adoption of additional mandatory safety standards may help to curb the threats posed by these elements of danger but will never completely eliminate them. No law can make methane and coal dust less explosive; and no law can remove them from the places where coal is minded. The most stringent laws, however rigorously they may be enforced, cannot assure stability of the rock formations that typically overlie a coal seam. And laws will never protect men fully against the hazards that exist when huge, powerful machines are operated in the confines of an underground mine.

Nevertheless, these hazards can be minimized. How? By developing a better and safer technology for mining coal—a techonology that retains the good features of equipment and methods now in use, and even improves on them. But a technology that also brings health and safety provisions into better balance with productive capability.

The Congress traditionally has sought to promote the development of improved mining technology. In fact, the congressional role in promoting such improvement antedates by three decades the passage of the first coal mine safety legislation. In establishing the Bureau of Mines in 1910, the Congress directed that agency explicity "to make diligent investigation of the methods of mining, especially in relation to the safety of miners." It is time that we renewed this mandate. We must provide the resources that are needed to develop a coal mining technology that is intrinsically safe and healthful.

What is wrong with the coal mining technology we have today? In some respects it is the world's most modern—a result of the intensive mechanization process through which the industry passed after World War II. Spectacular breakthroughs were achieved in coal cutting techniques—breakthroughs that have made the American coal miner by far the most productive mine worker in the world.

These advances, however, did not incorporate methods for dealing with mine hazards, which are intimately related to mining methods. Centuries of exposure to these hazards have obscured this relationship. As a result, coal mining technology has advanced, but in a lopsided way, and 20th-century mines sometimes use 19th-century safety procedures. American coal miners are the world's most productive, but they work in one of the Nation's most dangerous industries.

The hazards of coal mining are linked so closely to the methods used for recovering this fuel that development of proper mining techniques can make the Nation's coal mines significantly safer. But, first we must rid ourselves of the notion that safety and health are "optional extras."

Our energies have been misdirected in trying to cope with hazards that need not have arisen. It is all too apparent that we have failed to keep pace with the dangers of mining, and as a result coal miners are dying today from many of the same causes that killed their fathers, grandfathers, and great-grandfathers many years ago.

The ultimate and lasting solution to this problem lies in the development of a coal mining technology that is intrinsically safe—a technology that has provisions for the health and safety of coal miners built in, rather than added on.

There may well be some astonishment at this proposal. The idea that "coal mines are inherently dangerous" has been repeated often following and prior to the Farmington disaster. Yet, I am convinced that we mine coal in ways that are often needlessly dangerous, and that coal mine hazards can be traced in large part directly to the methods by which coal is mined.

For example, consider the continuous mining machine. This impressive device may be up to 38 feet long, and capable of tearing coal from a solid seam at rates in excess of 8 tons a minute. Its efficiency is in no small measure responsible for the remarkable productivity of the American miner, and many view it as an outstanding example of advanced technology. As it has increased productivity, however, the continuous mining machine has also aggravated some of the most serious health and safety problems known to coal mining.

Because it cuts through coal so rapidly, this machine makes possible the liberation of methane gas at a high rate, thereby increasing the danger of explosions. Because it breaks the coal into such fine particles, it creates more dust, generating an added explosion hazard as well as a threat to the miners' health. Finally, its speed of advance can outstrip the adequacy of methods presently used to support the roof it exposes and to haul the coal that it mines.

Our traditional response to such problems has been to accept them as inevitable, adding safety options to control the hazards whenever possible. Experience has shown us that this approach just does not work. In fact, it has even introduced new hazards while in the very process of minimizing old ones. For instance, the accepted way of coping with the explosive methane liberated by continuous mining machines is to dilute it and remove it from the mine with a rapidly moving current of ventilating air. But the moving air current stirs up and distributes coal dust, actually intensifying the dust-related hazards of explosion and lung disease, such as black lung.

This is no isolated example of a self-defeating cycle. Many of the techniques now used in coal mines are equally dangerous, and cannot in any realistic sense be called modern. Coal mining technology, like so many other technologies in America today, has advanced rapidly on some fronts while falling behind on others. Throughout American industry the growth of technology has, with few exceptions, been characterized by spasmodic and uncontrolled progress toward the goals to which technology is supposed to carry us.

In many cases the resulting side effects have assumed greater significance than the original purpose. Environmental pollution, for example, is an industrial side effect which is becoming almost as noxious as the products of industry are desirable. The ultimate cause of pollution is the failure of technology to provide waste-disposal methods that are as effective as production methods. Similarly, today's coal mining technology fails to guarantee the safety of miners almost as effectively as it guarantees the Nation a supply of low-cost energy.

Why this imbalance in technology? Why has progress in some areas caused unexpected problems in others? Perhaps because many persons believe that technology advances through some mysterious evolutionary process that cannot be controlled or predicted. As a result, technology is allowed to create unforeseen problems, like the dust hazard associated with continuous coal mining machines, and the more widely experienced air pollution problems of our big cities.

The advance of technology can be directed, however. It is necessary only to identify the goals of technology clearly, and to think through implications of the methods chosen to reach these goals. In engineering language this is called "the systems approach." Systems engineering methods have arisen as a response to the chaotic growth of today's technology, and they are designed, in part, to eliminate the undesirable side effects that have accompanied such growth.

Systems engineering was first applied in fields where technological complexity was extreme, such as weapons research and development and space exploration. Using the systems approach, space engineers have gone far toward guaranteeing that their complicated rockets and space capsules will function smoothly. The flight of Apollo 8 around the moon is clear testimony to the advantages of systems engineering. Is it not time that we begin applying it to the age-old process of coal mining?

The Interior Department's Bureau of Mines has, in fact, been carrying out a modest mine systems research program for several years. The basic concept underlying the Bureau's work is that mineral recovery is not a series of separate and unrelated operations, but a single integrated system, of which extracting the mineral, moving it to the surface, and controlling the mining environment are interrelated and interdependent parts. The Bureau's ultimate goal is a kind of master formula which, when applied to a given mineral deposit, would enable an operator to balance alternative combinations of subsystems against one another and come up with the safest and most healthful, and at the same time the most efficient, mining method for that deposit.

Applied to coal mining, such an approach can yield many tangible advantages over the methods used today. For example, before mining even began, the operator would determine how gassy his coal deposit was, and then choose mining equipment and techniques that would minimize the explosion hazard. He would also choose equipment and techniques best suited to the geology of the formations surrounding the coal seam. Thus, from the beginning, safety and health would be considerations equally as important as production.

In the long run, of course, the whole nature of coal mining as we know it today may well be drastically changed. But that change, in a systems-oriented industry, can be planned and carried out in a way that makes sense from both the humanitarian and the economic point of view.

The systems approach can also benefit mines in which operations already are well established. An immediate objective should be to devise techniques of roof support, haulage, ventilation, and other mining procedures that are either wholly compatible with the methods and equipment now used, or would require at most only minor modifications of such methods and equipment. The essential difference is in the approach to the problem. Coal mining must be looked at as a system of interrelated and interdependent functions, rather than a series of separate and unrelated operations. Consequently, if we have a machine that can mine coal at the rate of 8 tons or more per minute, we must consider the implications this machine holds for all the related parts of the mining cycle. We must, for example, find ways to move the broken coal, and the coal dust generated by the machine, more rapidly away from the face of the seam. And we must also develop roof-support subsystems that are more compatible with a rapidly advancing mechanized miner.

By concentrating on this kind of approach, I'm convinced that we can make coal mining, at an existing mine as well as at new mines, far safer and much more healthful, and at the same time increase even more dramatically the productivity of the American coal miner.

A great deal of research and development will be needed, however, before we will be able to mine coal with such truly modern methods. Application of the systems approach requires, among other things, a fund of basic knowledge about the geology and physics of coal and coal-bearing formations—knowledge that is lacking today. It requires the availability of alternate mining methods, more flexible than today's, so that the goal of high productivity can be met without undue reliance on a single type of equipment which, like the continuous mining machine, may have as many drawbacks as advantages in some deposits. The Bureau of Mines is convinced that such requirements can be met—but only with an expanded research effort. I strongly support the allocation of more research funds to the Bureau to pursue this important work.

Highest on the Bureau's list of priorities is research on applying the systems approach to the methane gas hazard. The Bureau contends that several alternate ways of dealing with methane must be developed, to permit maximum flexibility and to free operators from their dependence on ventilation as the sole means of coping with the danger of explosions. For example, draining the coal seams of methane in advance of mining might prove the best method for some of our highly gassy mines. Or the rate at which methane is liberated from a coal seam might be reduced by controlling the pressures exerted by surrounding rock formations—a possibility indicated by the results of recent Bureau research. Another possibility would be the development of ways for making methane chemically inert as it emerges from a coal seam, before it has a chance to explode. Any one of these approaches it should be noted, would be compatible with the methods and equipment now in use.

The Farmington disaster has told us in terms of stark tragedy that research toward goals like these can no longer be deferred. The Bureau should be given adequate funds, not only to conduct research in its own facilities, but also to award research grants and contracts to schools of mining engineering and similar institutions where pools of knowledge and professional talent lie waiting to be enlisted in this urgent enterprise. The Bureau's staff is too small, and the problem too large, to ignore the contributions that can be made by the many excellent academic and research institutions already operating in this field. I have heretofore supported increased funds for coal research, and shall continue to do so.

The coal mining industry can also make a major contribution to the effort. It can send its most creative and skillful engineers to work in Bureau laboratories on a cooperative basis, and it can make its mines available for research and testing that will have to be done in the field. In this way, development of new coal mining systems would become a joint industry-Government venture, and many of the results could be put into practice by industry almost as quickly as they emerged. The Bureau's understaffed corps of scientists and engineers would be supplemented by talented industry personnel who, returning to their companies, would be qualified and ready to adapt systems technology to individual mines without delay.

If these steps are taken, we can look forward to the emergence of modern coal mining systems that can ultimately reduce our reliance on legislation as a cure for ills that will one day cease to exist. Such systems will not, of course, come into being quickly. Several years of concentrated effort will be needed, for we have delayed too long already. But no field of technology has as much to gain from the systems approach as does coal mining with all its hazards.

The highly successful application of systems engineering to the space program has begun to encourage its use in other fields. For instance, the complicated modern problems of data processing are handled by systems, of which the electronic computer is but one of many subsystems. Authorities now are advocating the application of systems engineering to solve the Nation's staggering waste disposal and environmental problems, which are, like the hazards of coal mining, largely the products of a literally unsystematic, highly sophisticated technology.

If we can afford systems that send men to the moon, or process inconceivable volumes of data with superhuman competence, surely we can afford and develop systems that will conserve our most valuable resource—skilled manpower. The cost would be relatively low; especially when we remember that two-thirds of America's energy is supplied by coal, and that coal mining is America's most dangerous major industry. In the current uproar over coal mine safety, there can be no disagreement on the desirability of the systems approach as a solution. Only our willingness to make possible the application of this modern concept remains in question.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALLEN in the chair). Without objection, it is so ordered.

TRIBUTE TO LATE SENATOR E. L. (BOB) BARTLETT

Mr. PELL. Mr. President, I regret very much that when the Senate paid tribute to our late friend and colleague, Bob Bartlett, on Wednesday, February 19, I was out of the country and was unable to join in that tribute.

Even before I came to the Senate, I knew about Bob Bartlett and the very high esteem in which he was held by his colleagues. When I came to the Senate, I soon found that our views and philosophies were very similar. We also shared many common interests and loves—in the oceans, in fisheries, and in the Coast Guard.

He was a man whose views and judgment I valued immeasurably.

I know the grief his death has brought to his lovely wife, his State, and his friends—of whom I count myself one. I wish his wife and all the people of Alaska to know that their grief is shared by all of us here. I know I find myself particularly sad when I realize he is no longer with us.

WOMEN PIONEERS

Mr. METCALF. Mr. President, I am pleased to add my comments to those of the distinguished Senator from Maine (Mrs. SMITH) and the distinguished Senator from Minnesota (Mr. MCCARTHY), about the activities of women over the years in Congress.

Out in the West, women have been pioneers and have shared with the men the hardships of development. The name of "Calamity Jane," of course, is best known all over the world. She was a Montanan. She participated in the hardships and the development of that area.

I was very interested in reading the other day about some of the women who were trying to be jockeys at some of the various racetracks around the country. For example, we hear much talk about Diane Crump, who rode at Hialeah, and Barbara Jo Rubin, who rode at the local racetracks. In addition, we hear much talk about the first women jockeys.

But, Mr. President, we are way ahead of them in Montana. I remember in that old play "The Tavern" when George M. Cohan, in those immortal lines, said, "What's all the shooting for?" I am wondering what all the shouting is about. Back in 1937 Doreta Gilbert rode in a race at Longacres. She came in second. Four men jockeys were ahead of her. One of those four men jockeys was Ralph Neves, one of the most famous jockeys of his day. He finished first. Miss Gilbert was a licensed jockey in Montana even before 1937.

Before Miss Gilbert there was Mother Berry. She lives in Montana now. She is 116 years old. She has been riding races since she was 13 years old. She had to ride a few times under assumed names. I recall that at one time she rode under the name of Jack Williams. She rode on to the track with her silks and smoking a cigar to deceive the regular judges so that she might ride in the race.

Mr. President, women have been so important and significant in the development of the West. The pioneer women in Montana, Wyoming, and the Dakotas lived in sod shacks, raised their children, and worked in the wilderness. They have made a great contribution to the development of the entire western area of the United States.

Today I wish to mention the name of the woman who stands above them all, Miss Jeannette Rankin. I was privileged to represent the First District of Montana, the district which Miss Rankin represented twice. Once she represented it just before we went into World War I. She was one of those persons who voted against the resolution to declare World War I. Then, she was out of Congress for many years. She came back to Montana, ran for Congress again, was elected and voted against our participation in World War II. She was a dedicated woman. She was a woman who believed in peace and pacifism.

She was really the forerunner of the kind of program Mr. Nehru put into operation in India. During Nehru's regime in India, she went out there and met with him and talked with him. She sacrificed a great deal because of her courage and integrity in voting against the admission of the United States into the two World Wars. But in addition to that, she was a woman who believed in freedom for the Indians. She was the first person who started the talk about the need for attention for Indian reservations and Indian citizens. She was a person who was interested in the development of public lands and national parks. She was concerned about Western problems and Western civilization.

I regret very much that the entire history of Jeannette Rankin revolved around this business of her being in Congress twice and voting against our entry into the two World Wars, because she was a dedicated woman in many other areas and she was one of our most outstanding legislators.

We in Montana are proud of the contribution women in all areas have made to the development of our State, ranging from "Calamity Jane," to the women jockeys I mentioned, to the woman who stands head and shoulders above all the rest, Miss Jeannette Rankin, who was one of our great leaders and one of the great leaders of all time.

SUSQUEHANNA RIVER BASIN COMPACT

Mr. TYDINGS. Mr. President, I support the proposed legislation recently introduced by the distinguished senior Senator from Pennsylvania (Mr. SCOTT) granting congressional consent to the Federal-interstate compact for the Susquehanna River Basin.

The compact creates the Susquehanna River Basin Commission, which will develop plans, policies, and projects for the maintenance of water supply and restoration of water quality within the basin.

The Commission consists of the Governors of Pennsylvania, Maryland, and New York as well as a representative of the President of the United States. Each will have an equal vote. There is no veto.

The compact has already been approved by the three States. What is needed now is congressional consent, as required by the Constitution.

More than three-fourths of the basin lies within the State of Pennsylvania. Only 250 square miles of it is within Maryland boundaries. It is, therefore, proper to inquire why Maryland has a full role in the compact and why I strongly support the proposed legislation.

Let me state the answer very clearly. Maryland is a vital part of the Susquehanna River Basin. The maintenance and quality of the Susquehanna flow is crucial to the water resources of my State.

Approximately 80 percent of the fresh water inflow to the Chesapeake Bay comes from the great Susquehanna.

The river basin compact will permit Maryland a measure of control over discharges and withdrawals upriver on the Susquehanna. These greatly affect Maryland's waters. Yet without this Commission, Maryland has no voice or control over action that to a large extent determines her water resources policy. With this commission, Maryland's voice will be heard and her interests represented.

The compact is further evidence of the movement toward the river basin approach for the protection of America's waters. This approach is vital if we are to ever clean them up. Rivers do not respect State boundaries and only by considering them basin wide can any meaningful accomplishments be had.

The Susquehanna compact is similar to the Delaware River Basin compact. It was drafted by representatives of the signatory bodies gathered together in a body called the Interstate Advisory Commission on the Susquehanna River Basin.

My own State of Maryland was well represented on this drafting commission. State Senator William S. James, of Harford County, along with the former director of the State Planning Department, James O'Donnell, and the director of the Department of Water Resources, Paul McKee, contributed their impressive skills to this effort.

Another Marylander was a member of the Commission. He did his work quietly yet with great skill. His name is Marvin Mandel, and he is now the Governor of Maryland.

Mr. President, we who are concerned with the Susquehanna realize that it is essentially an underdeveloped basin. While there are, most definitely, pockets of pollution and areas of industrialization, it is, by and large, in pretty good condition. The heavy hand of man has not yet abused it in his customary manner.

The proposed compact offers us a unique opportunity to prevent the degradation of a river basin. Instead of expending our time, effort, and money on restoring the quality of the waters, we can direct our efforts to preventing abuses. We have the chance to preserve and protect water quality within the Susquehanna Basin. We must not let it pass by.

The compact offers us the vehicle to do this. With the Commission, the water of the Susquehanna and thus the water inflow to the Chesapeake Bay can be clean and healthy.

I urge the approval of the proposed legislation.

TV STATEMENT BY SENATOR BYRD OF WEST VIRGINIA ON BILL TO INCREASE STANDARD TAX DEDUCTION, FEBRUARY 25, 1969

Mr. **BYRD** of West Virginia. Mr. President, on February 25, 1969, I made a statement for television on my bill to increase the standard income tax deduction.

I ask unanimous consent that a transcript of that statement be printed in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows.

Byrd Would Up Tax Deduction

Of all the taxpayers in this country who need a break, those in the lower and middle income brackets need it most. Many citizens elect to take the standard deduction so they can avoid the trouble of itemizing such expenses as doctor bills. But the standard deduction needs to be increased to give meaningful tax relief. The present general standard deduction—established in 1948—allows 10 percent, or a maximum of $1,000. This is not high enough in light of today's cost of living. So, I am introducing a bill to increase this deduction to 14 percent, with a maximum of $1,800. This would also spare additional taxpayers of having to itemize their expenses to get the same tax relief. With all the talk about tax reform this year, I believe that what is equally needed is to give some measure of tax relief to the average taxpayer.

ORGANIZED CRIME AND DRUGS IN WASHINGTON, D.C.

Mr. MATHIAS. Mr. President, the problem of crime in the District of Columbia has become the primary issue of local concern. Most people have assumed that the problem here was simply one of so-called "street crime" and that organized crime had not yet stretched its tentacles into the Nation's Capital. However, two articles published in the Washington Evening Star of February 26 cast serious doubt on this assumption, and I wish to bring them to the Senate's attention.

The first, by John Fialka, quotes Ralph Salerno, one of America's leading experts on organized crime, to the effect that Washington has a serious problem with organized crime. Salerno points specifically to the connections between narcotics and gambling in Washington and the operations of the national crime syndicates. While some of Mr. Salerno's remarks are bound to spark controversy, I think everyone should read them.

The second article in the Wednesday Star, written by Charles Conconi and Winston Groom, is entitled "Heroin: Behind the Statistics on Crime." It is a graphic description of the "hard drugs" problem in the District of Columbia and its relation to the general crime problem. The article describes the complicated international machinery by which the Mafia markets heroin. This network stretches from the hills of Turkey to the streets of the ghetto, and its operations demonstrate that organized crime is "big business" in every sense of the word.

Mr. President, I was critical of the last administration for what I considered insufficient attention to the problem of organized crime. I am gratified that President Nixon and Attorney General Mitchell recognize the seriousness of the problem and have pledged to devote the necessary resources to doing something about it. As the articles in the Evening Star make plain, a vigorous attack on organized crime goes hand in hand with an attack on the problem of street crime.

Mr. President, I ask unanimous consent that the two articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Star, Feb. 26, 1969]

Organized Crime a Problem in District, Expert Says

(By John Fialka)

A specialist in the field of crime syndicates said today that Washington and Baltimore have serious problems with organized crime, especially in the areas of gambling and narcotics.

"You have a problem in Washington. I don't know if the public is aware of it, but certainly the professionals are," Ralph Salerno, a former top New York City detective and now an anticrime consultant, commented after a seminar on crime before a group of businessmen in Baltimore.

Salerno is consultant to the National Counsel on Crime and Delinquency, which has held a number of seminars throughout the country to alert business of the danger of syndicated crime.

Salerno said that the existence of organized crime has a definite connection with the rise of street crimes, a relationship, he added, that has never been given detailed study.

He said that in the slums, the fact that the big numbers operator, the pimp and the dope pusher "make it" and drive Cadillacs, although most are high school dropouts, has a profound effect on youth.

Washington, he said, is becoming a "major narcotics center" and has ties in that way to organized crime. Law enforcement officials have begun to notice that some drugs, primarily cocaine, are being imported into New York from the South, passing through Washington—a reversal of the familiar flow.

The Washington area also has major traffic in illegal gambling that is also tied to crime syndicates in New York and elsewhere, Salerno added.

He said that because the Mafia has been unable to control the supplies of LSD, which can be made locally, and marijuana, which grows almost anywhere, they have gone out of that business. But if police persist in concentrating on the LSD and marijuana areas, Salerno said, they will simply drive out the "amateurs" and establish the market for the "professionals."

PROFIT FROM GHETTO

Salerno poined out that a New York study showed that while the government pumps $33 million into one ghetto precinct in welfare checks, organized crime was taking approximately the same amount back out. The numbers racket alone took out $22 million, estimated conservatively, he added.

Salernc, former supervisor of detectives for the New York City Police Intelligence Unit, said law officials must dry up the sources of narcotics by going after major distributors. He also said that government must take the profit out of gambling and numbers by legalizing and operating government lotteries.

Heroin: Behind the Statistics on Crime

(By Charles Conconi and Winston Groom)

Heroin—a powdered white drug with strongly addictive properties—is not a new street-corner commodity in Washington. But federal and local officials are becoming increasingly convinced that it is an important factor in the city's growing crime rate. In his initial message on the Nation's Capital, 10 days after taking office, President Richard M. Nixon said that the need for narcotics is "a direct cause of much of the District's crime by driving the narcotic user to commit crime to support his habit. Many armed robberies, assaults and bank holdups are directly related to narcotics use."

Four days ago the President reemphasized the point in a memorandum to Atty. Gen. John N. Mitchell directing him to see whether more money will be needed from Congress to cope with this "acute and growing problem." At the same time he told the Bureau of Narcotics and Dangerous Drugs to "concentrate its efforts and channel its available resources to deal with the problem" in the District and in the cities that supply narcotics to Washington.

On Capitol Hill, Washington area congressmen have expressd their concern. Sen. Joseph Tydings, D-Md., has asked judges presiding in Washington courts to consider the possibility of legislation requiring analysis of the urine of persons charged with certain crimes to determine if the accused was on some narcotic and to deny him bail if he was.

Rep. Gilbert Gude, R-Md., recently said "the linkage between the vast portion of shoplifting, housebreaking and holdups and the drug addict is well confirmed."

Metropolitan Police robbery detectives have said that about 30 percent of the suspects arrested in connection with recent bank robberies were narcotics users.

Dr. Murray Grant, District health director, has reported that two-thirds of the men at the Lorton Reformantory and 95 percent of the females at the Women's Detention Center are addicts.

Despite these evidences of rising concern over narcotics and crime, it is unfortunately true that detailed evidence is still lacking of the extent of the city's drug problem and of its precise relation to the crime statistics—especially to crimes of violence like armed robbery.

Deputy Mayor Thomas W. Fletcher, for one, admits that the District lacks any sound statistics on the number of narcotics users in Washington. The figure given in the Crime Commission report and cited by police for heroin users is 1,200. Dr. Grant estimates there are 5,000.

Estimates as high as 12,000 come from other sources, such as Marion Barry, director of Pride, Inc.; R. Rimsky Atkinson, director of the Health Department's narcotics treatment center, and Ernest Dixon, an assistant director of Bonabond, the United Planning Organization addict rehabilitation center.

Whatever the number, the average addict has a $50-a-day habit (Dr. Grant's estimate) and to maintain it he must steal $200 to $500 a day in merchandise and sell it to a "fence."

Using the lower figure of $200 worth of merchandise a day, and a figure of 5,000 users, that puts the cost to the city at $1 million daily.

Officials who discuss narcotics have a common difficulty in deciding whether they are talking about users, abusers, addicts or drug-dependent persons.

The National Institute of Mental Health defines a user as one who takes drugs occasionally ("chipping," as they say on the streets); an addict is one who goes into a severe withdrawal reaction when he is unable to get drugs. It is this desperate state, it is argued, that drives the "hard-liner" to do anything to get heroin.

Because the word addict carries the connotation of an individual who is completely locked into the drug habit, most health and even police officials feel that the word "drug dependent" is probably more useful.

TYPE OF DRUG COUNTS

A major factor in the misunderstanding and unreliability of statistics for the city's drug problem is that even when figures have been compiled there was no attempt to determine whether an individual was using an addictive drug like heroin or was a glue sniffer or a smoker of marijuana, a non-addictive substance.

There is an extensive traffic in mind-affecting chemicals and other substances in the city's "drug" subculture that extends into the most prosperous as well as the poorest neighborhoods.

The varieties are in two general categories—those of medical value that are legal and those of no such value that are illegal.

The legitimate drugs with medical uses, which have been grabbed up by dependent persons and youths experimenting for "kicks," include the amphetamines (pep pills), barbiturates, cocaine, codeine, methaphetamine and morphine. Some of these are addictive, but not all.

In the category of drugs that are illegal and of no medical value are the rarely found opium; the chemical hallucinogens like LSD; marijuana and heroin.

Washington's illegal traffic in drugs is mainly in marijuana, cocaine and heroin. And of these, heroin is the principal target of official concern.

Heroin use creates an expensive dependency that usually can be supported only by crime. More and more, lately, the heroin-dependent criminal seems to be turning from simple larcenies to support his habit and is committing crimes with a gun in his hand.

He is generally younger and, as some former addicts and those who work with addicts maintain, he is nervous, doesn't know how to handle himself or the threat of being without heroin and is consequently dangerous.

It means nothing to the drug-dependent person that most heroin available in Washington is so diluted that his dependency is more mental than physical. He thinks he's an addict, they argue, so he is one.

HEROIN A NEWCOMER

Heroin, for all its publicity, is a relative newcomer to the world narcotics family. Like a number of other narcotic drugs, it is derived from the opium poppy, which is grown principally in Asia Minor.

The addictive properties of the poppy have been known for centuries. Opium use was spread in China in the 9th Century by traveling Arabs. By the 17th Century it had become a serious problem in China and, in 1729, the Chinese government issued an edict against the drug.

In the Western world opium did not become a major problem until the invention of the hypodermic syringe in 1848. That invention, coupled with the discovery of morphine, an opium derivative, in 1816, produced an important pain-relieving combination that was put to great use during the wars of that period of history.

Morphine was the most-used anesthetic during the American Civil War and continued in wide use. It was discovered about the turn of the century that many ex-soldiers and formerly ill persons had become hopelessly addicted to the drug.

In the early 1900s German scientists extracted heroin from morphine, and it was introduced into the United States as a cure for morphine addiction. It didn't take long for the white, off-white or brown crystalline powder to show addictive properties that far exceeded those of morphine. So by the early 1920s the drug was banned by federal statute.

By that time, however, enough people had learned how to use it so that racketeers could establish a lucrative illegal traffic in the drug.

The typical heroin-dependent person today, police and health officials agree, doesn't start by shooting the liquified heroin into his veins. Generally he starts by smoking marijuana. He likes the feeling of great perceptiveness and pleasure that smoking marijuana gives.

A GREATER "KICK"

Somewhere along the line he hears about or is offered a more powerful "kick." Then drugs like cocaine and heroin come into the picture.

Most officials are quick to point out that they don't believe smoking marijuana causes heroin dependency. But, they add, the majority of the heroin-dependent persons admit to having started out with marijuana.

The typical experimenter takes either heroin or cocaine and begins "snorting" or snuffing it up his nose. This gives a fast reaction but eventually it becomes too painful because the powder irritates and burns the nasal membranes.

Then, struggling both for a greater euphoria and for escape, the dependent person goes to liquefied heroin, shooting it into his veins.

The initial reaction to using heroin is unpleasant; the experimenter generally feels sick. A calming period follows, with feelings of ease and comfort and an absence of worries. A feeling of exhilaration is rare and most addicts say they take heroin to stay "normal."

Aside from the multiple health dangers caused by using unclean needles, the heroin-dependent person shooting more and more of the drug into his veins faces the real risk of a drug overdose causing coma and death from respiratory failure.

After a number of years of shooting the drug into any possible vein on the body the dependent person, if he survives all the other deadly dangers of drug dependency, is likely to reach a point where he "burns out" and no longer uses or drives himself to get the drug. Among other things, he has run out of veins on his body to puncture with a needle.

Ernest Dixon of Bonabond says, "Addicts sort of burn out after about 20 years or so on the junk. It's more of a psychological thing; they just get tired. But most of them don't live that long. The mortality rate is about 65 percent. And most of them don't die from narcotics themselves, but from related ills—pneumonia, heptatitis, tetanus. Drugs debilitate you pretty badly."

Almost all of the heroin used in the United States comes from Turkey. According to the Federal Bureau of Narcotics and Dangerous Drugs, most heroin is smuggled out of Turkey by French mobsters from Corsica.

MAFIA LINKS SKETCHED

The Corsicans have connections with the Mafia in New York City, who bring the drugs into the country under any smuggling ruse that can be thought up. Eventually, no matter where it enters the country, most of the heroin ends up in New York City where the Mafia "cuts" it and parcels it out around the nation.

The mobsters generally cut the pure raw heroin twice, using milk sugar. Then it is known as "two-cut" heroin. This dilution is the first of many cuts made before it reaches the user.

Narcotics agents say the drug is cut by nearly every hand it passes through in the intricate underworld distribution process. It has been diluted seven or eight times before it reaches the streets of Washington. The heroin sold here is referred to as "garbage" because profit-greedy distributors and pushers often have cut it with anything available, even cleansers and talcum powder.

It is said that if the typical Washington heroin-user ever got a packet containing more than a small percentage of the pure drug, he would die from an overdose.

As an example of the profits involved, narcotics officials say that a Turkish farmer receives $350 for 10 kilograms (about 25 pounds) of raw opium. That amount produces one kilogram of roughly pure heroin, which then sells for upwards of $20,000. By the time this amount of the cut and re-cut drug reaches its final destination—the user—it sells for more than $225,000.

There are conflicting views of the narcotics organization in Washington itself. One Department of Justice official says that Washington heroin traffic is hardly organized at all. "It is largely a free-lance operation with everybody and his brother in for a small piece of it. There is no place to focus. Even if you arrested every pusher there is no place to focus.

PUSHERS AND DISTRIBUTORS

Federal Bureau of Narcotics agents agree that it is mainly the pushers, often addicts themselves, who handle much of the traffic here. They estimate that there are about 12 major distributors, all non-users, who are involved in some larger money.

But Ernest Dixon says:

"Traffic in narcotics is no small-time operation here. We're dealing with a very sophisticated high-class criminal. It's hard to become a big-time pusher—first you need cash, maybe $10,000 or so—and even then it's hard to get in with the big boys in New York. If you or I tried, or even asked about it, chances are we'd be found floating around in Sheepshead Bay."

At the beginning the heroin user may take about three capsules of the powder, at $1.50 each, three times a day. In his search for the elusive euphoria he increases this to as many as 15 caps three times a day, or about five cubic centimeters a dose.

The relaxing feeling from the drug lasts about four hours and it takes about another two to "come down." Within 18 hours after the shot the dependent person begins experiencing the acute distress of withdrawal and begins looking for another "fix" or shot.

Police say that heroin-dependent persons in the District range from the one who is only "snorting" a few times a week or on irregular occasions, to the "stompdown strung out" ones with daily habits costing more than $100.

The typical pattern is changing. One agent at the Federal Bureau of Narcotics and Dangerous Drugs says "20 years ago we used to have to give an addict a shot so he could stand up in court to be arraigned. Now all most of these guys get is a running nose and a headache."

As the President's Crime Commission reported "the drug available on the street today is generally so far diluted that the typical addict does not develop profound physical dependence and therefore does not suffer serious withdrawal symptoms."

A Metropolitan Police narcotics detective said that in recent years the department has seen few addicts suffering the kind of withdrawal pains "that forced us to delay arraignment while he was taken to St. Elizabeths for treatment . . . we haven't seen any real hard core addicts."

Another change is in the kind of crime engaged in by the user to get money for his habit. While crimes like petty and grand larceny, pocketbook snatching, pickpocketing and burglary have been the traditional crimes of the drug-user, recently he has been increasingly involved in armed robberies.

It is the rapid succession of gunmen rushing into the Seven-Eleven, the High's Store or branch bank, nervously waving a gun and demanding a quick handful of money before bolting through the door, that has most police and city officials concerned.

Most enforcement officials say that for a true picture, the heroin-user's record should be examined to see if he was engaged in criminal behavior before he went on drugs. They point out that the 1967 Crime Commission Report showed that 72 percent of all known heroin-users had an arrest for some other criminal act prior to their first narcotics arrest.

While these statistics do not specify what crimes the addicts committed prior to their first narcotics offense, many law enforcement officials today question how far a reduction of the drug addiction problem will reduce crime since most addicts seem to be the criminally oriented anyway.

CAUTION OFFERED

The Crime Commission offered a similar caution when it concluded that "the simple truth is that the addict or drug-user's responsibility for all non-drug offenses is unknown. Obviously it is great . . . but there is no reliable data to assess properly the common assertion that drug-users or addicts are responsible for 50 percent of all crime."

The main goal of the anti-drug drive, after detection, is rehabilitation. Concerned that most drug rehabilitation programs have been unsatisfactory because the majority of drug-dependent persons return to heroin after completing treatment, local officials are looking with interest at an experiment that has been run in New York City with a cheap substitute drug called methadone.

District officials have decided to try a similar pilot clinic here where the heroin dependent person will come for a daily dose of the synthetic drug. His dependency will be transferred from heroin to methadone.

The patient becomes a methadone addict. He receives small doses at first and, at most, experiences a small "high." He is gradually taken to a plateau with greater doses.

Once there, say proponents of methadone like the city health director, Dr. Grant, he has been given a relatively cheap habit—estimated as costing 10 cents a day—and becomes a useful member of the community who can hold a job and maintain a family. More importantly, if he tries to shoot heroin, the old drug has no effect.

Many narcotics agents and police officials are suspicious of methadone because it results in a lifetime addiction. They point out that morphine once was considered the treatment for opium addiction and heroin was used as a cure for morphine.

Rimsky Atkinson, who operates the Health Department's rehabilitation clinic on 13th Street NW, said he has told Dr. Grant that he believes methadone should be used only as an absolute last step in treatment.

He says there is expensive medical supportive care in administering the drug and warns that because of the very low potency of Washington heroin, most patients will have to be carefully brought to a maintenance level because, as with heroin, an overdose of methadone can kill.

Even though the District has taken a first step in the direction of methadone, there is considerable agreement among city officials that the extent of the problem must be further defined and more accurate systems of gathering information and computing statistics must be devised.

There is general agreement that urinalysis for an arrested person is an important step in identifying the heroin-users, if constitutional problems involved in forcing the test or making the results available to the court are avoided.

But these are only the first steps, officials agree.

With the direction given by the White House and the Justice Department, the Bureau of Narcotics and Dangerous Drugs will be adding personnel to mount a sterner offensive in the District and in those cities that supply the drug to Washington.

Training programs will be set up to improve the detection, apprehension and treatment of narcotic dependent persons. Technical and scientific assistance also will be given to the District.

The rising crime rate has stimulated these measures. Hopefully they will result in a reduction both in crimes and in the human misery behind the crimes.

REMOVAL OF KENNETH S. COOK OF NEW MEXICO FROM HIS POSITION AS CIVILIAN MISSILE SCIENTIST

Mr. ANDERSON. Mr. President, Mr. Kenneth S. Cook, for several years a resident of Alamogordo, N. Mex., and employed by the Air Force at Holloman Air Force Base as a civilian missile scientist, has been removed from his job and retired on the grounds of mental disability. Mr. Cook protested his dismissal and sought a hearing on his case before the appropriate officials of the Air Force and the Civil Service Commission. He argued that the Air Force was the accuser, judge, and jury and that he was convicted without a hearing, without knowing what evidence was presented against him, and without an opportunity to cross-examine witnesses. The Civil Service Commission denied Mr. Cook a hearing on the basis that the regulations did not provide for a hearing on medical disability retirement. However, the Commission was at that time preparing to publish regulations that would provide an opportunity for a hearing on such cases.

My office and others have worked for over a year trying to persuade the Government agencies involved that Mr. Cook was unjustly retired and that the case should be reopened and a hearing held. A review of the civil service files and the information furnished my office by Mr. Cook and others who know him leaves a strong indication that there was a personal conflict of long standing between Mr. Cook and one of his superiors, and that there had been a period of harassment of Mr. Cook leading up to his dismissal.

Several members of the press have become interested in the case and have written articles pointing out that a competent and fine scientist has had his good record and reputation destroyed simply because he incurred the wrath of his military superiors by refusing to sign a report that he honestly felt to be inaccurate and because he criticized what he believed to be wasteful spending.

If this can happen to a person with the background and reputation of Mr. Cook, it could happen to others in Government service.

Mr. President, I ask unanimous consent to have printed in the RECORD a biographical sketch of Mr. Cook and an article entitled "Defense Department Dumps Scientist Who Criticized Extravagance," written by a well-known reporter, Mr. Leslie H. Whitten, of Hearst newspapers, and published in the Boston Sunday Advertiser of February 9, 1969. I recommend this for reading by Senators.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

BIOGRAPHY OF MR. KENNETH S. COOK

Mr. Cook was Hoosier-born and raised on a farm, being born 12 August 1913 near Lebanon, Indiana, in Boone County near Indianapolis. He attended a country elementary school and began a unique record of attending school without missing a class for sixteen academic years. After attending Lebanon High School he attended Earlham College in 1932 at Richmond, Indiana, for one semester. Although he was attending college on a scholarship he was financially unable to continue the year.

After working two and a half years in a machine shop he returned to Earlham College on his scholarship in 1935 and while majoring in Physics and Mathematics was a physics laboratory undergraduate assistant in charge of the College Observatory for three years until graduating in 1938. In 1938 to 1940 Mr. Cook attended the Indiana University Graduate School and while taking a full course majoring in Experimental Physics he was a teaching assistant for the two years. In 1939 he received the Masters Degree with the thesis being, "Examination of the Design of a Cyclotron Electromagnet". At this time the Indiana cyclotron under construction was the second largest in the world and Mr. Cook's assignment was to predict the deuteron output energy and the effect of the fringing field. In 1940 he entered defense work and was a test engineer at Allison Engineering and a sound engineer at RCA, both located in Indianapolis.

In November 1941, Mr. Cook joined the Army Signal Corps Reserve on a direct appointment and was immediately on active duty with an assignment to go to England as an official observer. After World War II began Lt. Cook went to England early in 1942 and after attending the Radar School of the Bury Military College of Science was assigned in the British Army as a regimental radar maintenance officer in the Canterbury District. After this assignment was concluded late in 1942 Lt. Cook returned stateside and at Harrisburg, Pa., activated the 4th echelon maintenance shop, servicing the ground radars on the middle Atlantic Coast.

In 1943 Lt. Cook was attached to the Air Corps and after having activated the first Air Corps Electronic Countermeasures School at Robbins Field, Georgia, he was sent to India as an ECM maintenance officer with the 58th Bomb Wing of B29's. He served as the senior Signal Corps ECM maintenance officer with the 58th Bomb Wing throughout its India and Marianna campaigns. Although not on flying status, Lt. Cook was on one B29 mission serving as squadron ECM operator. After the end of hostilities he returned stateside and because the academic year had already started Lt. Cook elected to stay in service another year. He was assigned at the Signal Corps Engineering Labs as the assistant project officer for the Signal Corps participation at White Sands in extended range tracking of the V–2 firings.

In 1946 Mr. Cook left active duty to teach Physics at North Dakota State College. After one semester he transferred to the University of Connecticut. Here he taught several levels of Physics including "Mathematical Physics" which was the first formal graduate course in Physics taught at the University. He also served on the Faculty Committee on Academic Standards. During the summer of 1949 he worked as a consultant at the Signal Corps Engineering Labs and then accepted an appointment at the Air Force Institute of Technology on the Physics staff. Here he served also as a consultant to the Armament Lab on fire control problems.

In 1950 Mr. Cook transferred to the Ballistic Research Labs where he was primarily involved with the study on the optimum family of field artillery weapons. He made contributions on fragmentation theory, wound ballistic criteria and overall weapon system analysis techniques. Only because of lack of advancement potential he transferred to the Signal Corps Engineering Labs in 1951. Mr. Cook still believes that the original personnel of BRL represented the best group of applied scientists ever assembled. With the Signal Corps he did basic and applied research on the design of ultra low frequency noise cancellation equipment. Acoustical arrays up to 4000 feet long were developed for identifying atomic detonations at long range.

In 1952 Mr. Cook returned to ordnance work as Chief of the Data Reduction and Analysis Section at the Armament Laboratory, Naval Air Test Center. After two years he joined the senior staff at the Air Force Armament Center as an analyst on fire control and overall evaluation. Among several projects such as the rocket collision in interception he reviewed the development of the F100 armament system from its early pessimistic period to its development as one of the best all-around delivery systems. As a member of the USAF Committee for project "Gun-Val", he was involved in analyzing the upgrading of fighter aircraft armament. According to Mr. Cook it is now eight years later, but many of the better present concepts on COIN or Navy LVA systems seem to be reminiscent of proposals considered for Gen Mechling, then CG of AFAC.

In 1956 he left civil service to become vice president of DBM Research Corporation at Cocoa Beach on guided missile R. & D. instrumentation. Then in 1957, Mr. Cook joined North American Aviation as a research specialist on weapon system analysis working principally as the senior technical evaluator on the A3J aircraft. This NAA project on the Navy's first supersonic attack plane introduced many new technical problems, particularly on weapon system delivery. Most of the problems were solved technically. In 1964 Mr. Cook joined the Office of Research Analyses and has been participating in studies on ballistic missile defense.

He is single and his hobbies include several sports, the prime one being shooting in conjunction with hunting. He is rated as a Pistol Life Master, and besides a large general purpose technical library has an extensive ballistic and military science selection. He has a reading knowledge of Latin and German. Since 1954 he has been listed in the American Men of Science.

Mr. Cook is a life member of the American Ordnance Association, the Air Force Association, the Association of the U.S. Army and the National Rifle Association. He is also a member of the Operations Research Society, the Acoustical Society and the American Institute of Aeronautics and Astronautics.

Beside's the above mentioned project reports he has written over fifteen unpublished classified papers on instrumentation, fire control and ballistics.

Defense Department Scientist Who Criticized Extravagance

(By Leslie H. Whitten)

Washington.—The Air Force has drummed out a civilian missile scientist on a mental disability retirement even though the top Air Force psychiatrist said they had no "sound medical basis" in the records to do so.

Still, the case of Kenneth S. Cook, 55, might have been buried in conflicting medical views if he had not charged that his retirement only gathered steam because he refused to change study data critical of a projected multi-billion dollar, pet Air Force weapons system.

The truth of this charge cannot be determined because both the Air Force and the Civil Service Commission have denied the stocky, balding weapons analyst a formal hearing.

They have also refused Cook a hearing on other peculiar gaps in the case which, even in the kindest light, evokes a picture of interagency backscratching plus outright misrepresentation.

For the University of Indiana master of science it has meant loss of his $16,152 a year job, the damaging label "paranoid personality" and the $9000—his life savings and then some—he has spent fighting back.

Worst of all for him, his $297 a month pension cannot possibly cover a court fight—his final appellate battleground. And he is too broke to get medical checkups for a mild diabetic problem.

The Civil Service won't even let him see much of his file, contending that its medical statements—most of which he has gotten through doctors and friends on Capitol Hill—would upset him.

"I'm too dumb to quit," said the World War II Signals Corps officer. Psychiatrists he enlisted to help him fight the bureacuracy agree he should get a job back, but even they call him rigid and obstinate. That's what has kept him going.

The national import of the Cook case lies in mounting charges that the Defense Department is railroading out dissident employees—those who blow the whistle on such things as oil theft in Thailand, phoney deparment figures on aircraft cost, awesome contract frauds.

The Cook case's combination of denial of due process and possible defense cover-up has prompted letters to the Ciivl Service and to others from Sens. Clinton Anderson (D-N.M.), Sam Ervin (D-N.C.), and John McClellan (D-Ark.). Constitutional Rights Subcommittee Chairman Ervin wrote then Civil Service Chairman John Macy:

"It would appear from the record that officials at Holloman Air Force Base (N.M.), displeased with Mr. Cook's policy criticisms of their operations, may have taken advantage of the many loopholes in the laws and regulations affecting the rights of individuals in retirement actions."

Among the many questions raised by the case are:

Why did the Air Force and Civil Service override Lt. Col. Paul Grissom, top Air Force psychiatrist? He wrote that Cook's Air Force psychiatric evaluation reports "do not support the conclusion on any sound medical basis that Mr. Cook was incapacitated for performance of his duties set forth in his job description."

Why did the Air Force, Civil Service and Defense Department insist in letters to Capitol Hill, and in one case to Vice President Hubert Humphrey, that they had thoroughly investigated the case? Calls by Hearst Newspapers to Cook's civilian boss, Dr. Gerhard Eber; the phychological evaluator, retired Lt. Col. Herbert Reynolds; and the medical doctor who initiated the case, Lt. Col. Dwight Newton, brought statements that not one of the agencies' investigators had contacted any of them.

Why did the Civil Service retire Cook without checking out his contention that a clique at Holloman was prejudiced against him? Hearst Newspapers found from a base directory that the military superior with whom Cook clashed lived one door away from Dr. Newton, who as base hospital head put the medical case in motion. Dr. Newton acknowledged that he and the superior, a lieutenant colonel, were friends and that he had once gotten a local district attorney to drop a delinquency charge against the superior's son. Dr. Newton said he had acted in accord with medical ethics in the Cook case.

Why did Civil Service officials assure a House Civil Service investigator that then Civil Service Chairman Macy had interviewed Cook? The two men never met. The nonexistent interview was used as a reason for a committee staffer to recommend no committee action on the case.

Why in a 1968 letter to Vice President Humphrey, did the office of the Air Force secretary assure him Cook's "security clearance was not withdrawn," thus making Cook appear to be a liar for saying it had in his own letter to Humphrey? A "for official use only" Air Force document in 1967 says plainly "on Nov. 22, 1966 . . . Mr. Cook's security was withdrawn."

These are glaring holes among others discovered by congressional probers and by-Hearst Newspapers. All are documented in official files or were confirmed by direct interviews.

As to Cook himself, his ordeal began in 1965 when he was working at Holloman on secret projects relating to anti-ballistic missile defense systems, particularly against submarine-launched missiles.

Listed in "American Men of Science" since 1955, he had come there with a record of more than 15 years as a physics professor and weapons analyst with the military and with North American Aviation.

In March, 1965, his data was ready for printing, but his civilian boss, Dr. Eber abruptly rejected it and indicated that Cook should rewrite it to change it by what Cook said was "180 degrees," according to Cook.

Dr. Eber calls the altering charge "complete nonsense." Reached at Holloman where he still works for the Air Force, he said the Cook data was not in an acceptable form.

In July 1966, Cook's draft of another report on destruction of long-range missiles by using non-nuclear warheads was turned down both by Eber and by Cook's military superior. They refused to forward it to the Pentagon, said Cook. Dr. Eber said the report was not consonant with other Air Force data and thus was not included in the final report.

Whatever the facts of these cases, the conflicts grew between Cook and his military superior. For example, Cook said the officer told him and other subordinates to vote against the judge who handled his son's delinquency case. Cook contended that the superior caused him problems about getting leave when Cook's father was critically ill.

An effort by Hearst Newspapers to reach the superior in Thailand, his present post, failed. The telephone operator said there was no commercial service to the base, some 350 miles from Bangkok.

Cook also said that the superior ordered him to resign or transfer, a charge that Civil Service general counsel Anthony Mondello said was mentioned in the Cook file. Mondello conceded that the superior had not been questioned on this—and several other Cook allegations—as an effort to get to the truth of the clash between the two men.

In October, 1966, Cook wrote a letter over his superiors' heads to Brig. Gen. Ernest A. Pinson at the Air Force's aerospace research office in Arlington, Va. He bitterly complained that his military superior at Holloman was a "farce." The letter was later described at Cook's medical board hearing as "rather bizarre."

In November, 1966, Cook's bosses at Holloman lifted his security clearance and they initiated denial of his in-grade pay increase in December, 1966, according to Holloman records.

Cook's military superior went to Dr. Newton, the base hospital head and the superior's neighbor and friend and made his complaints against Cook, Dr. Newton said. Newton said he sent Cook to Lt. Col. Herbert H. Reynolds, now retired, a psychologist, friend of Newton and social acquaintance of the military superior of Cook. Reynolds evaluated Cook.

Both Newton and Reynolds—who was reached at his job in Ft. Worth, Tex.—said their mutual military and social ties with Cook's military boss did not affect their dealings with the civilian scientist.

Based on the results of the Reynolds examination and an examination of Cook by Capt. Martin Reite, a psychiatrist, an Air Force medical board was convened on Jan. 25, 1967, for Cook.

The board, made up of Reynolds, two psychiatrists and two other doctors, all Air Force officers, said:

"Mr. Cook is suffering from a . . . paranoid personality pattern, chronic, severe . . . should be retired for medical reasons."

Cook, who contends there are 120 separate errors in the medical board summary—which Reynolds said was agreed to by the board unanimously—then began his two-year fight. He consulted civilian psychiatrists.

Dr. George M. Schlenker, of El Paso, said Cook "may be paranoid tinged" but was neither potentially dangerous nor a security risk. He urged the Air Force to find a use for his "talents" and "experience."

Another psychiatrist, Dr. W. Thomas Holman, of Las Cruces, N. M., said he disagreed sharply with the Air Force, saying Cook had the sort of "obsessive-compulsive personality" that drives many "outstanding individuals (to) great feats on behalf of mankind" and is actually a "valuable" trait. He found "no abnormal content of thought" in Cook and urged he be sent back to work, with a pay raise.

The sheaf of medical reports finally was sent by the Air Force to its top psychiatrist, Dr. Grissom, who did not diagnose Cook but said the records "disclose no evidence of a psychotic or severe chronic neurotic condition." The board's diagnosis of "paranoid personality" describes a personality pattern but not a disease, he said.

Cook's superiors split with several of his colleagues in their views.

Dr. Eber, as one example, said the Air Force had been just to Cook. Retired Lt. Col Bob Whitfield, who worked with Cook, said the Air Force "machine-gunned" him. Whitfield said the Air Force had taken advantage of the ease in carrying through a mental disability retirement as compared with a retirement for cause."

"He is a victim of the big machine that rolls over little people," said Whitfield. The Civil Service agreed that it was easier to get people out with a mental disability retirement, but counsel Mondello—who came to the commission after Cook was retired—said the case was handled properly.

Defense Department contentions that they checked out the case carefully leave something to be desired. Assistant General Counsel for Manpower and Reserve Affairs Frank Bartimo said he had "relied" on Deputy Assistant Secretary James P. Goode, of the Air Force who told him the case had been thoroughly investigated.

Bartimo acknowledged that he did not know and could not recollect asking Goode whether witnesses for Cook were queried. And Goode declined to go explicitly into what he had done in the way of investigating.

But Whitfield said neither Goode nor Bartimo's office—nor any defense agency investigator ever asked for his views of the case.

There was a final irony.

Under pressure from Capitol Hill, the Civil Service put through a reform last May that now would give Cook a hearing. But they did not hold up retirement on Cook the four months it would have taken to make him eligible for his hearing, even though the reforms were in the works.

Now the defense agency and the Civil Service who have left Cook with $297 a month—minus hospitalization insurance which Cook says is deducted against his will—advise him to get a lawyer and take it to court. His mother is 75 and he can no longer send her money. His insurance has lapsed.

His case is the sort of precedent-making one that could go all the way to the Supreme Court—at a cost of hundreds of hours in time and thousands of dollars in cash. For these reasons, the advice of the two giant federal agencies appears to be both empty and cruel.

SO MUCH GOVERNMENT ACCOMPLISHING SO LITTLE

Mr. HRUSKA. Mr. President, any of us who are in public life are reminded daily of widespread public dissatisfaction with the increasing role of Government in the lives of ordinary citizens.

This discontent was one of the major factors in former President Johnson's decision not to seek reelection. It was an important reason the voters of America turned to the Republican Party for new leadership in the balloting last November.

The people of the country have responded to that leadership, as evidenced by a recent Gallup poll which showed that 59 percent of the public approves of the way President Nixon is doing his job, while only 5 percent disapproved. It would be my guess, Mr. President, that if the poll were taken today, in the light of Mr. Nixon's successful European trip, the approval figure would be even higher.

Early in February, the National Broadcasting Co. commentator, David Brinkley, broadcast a little essay dealing with the feeling of impatience and restiveness toward Government and politicians. Because it accords so closely with President Nixon's own assessment of the public's attitudes in this area and forms the background against which the President's proposals and courses of actions must be taken, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the item was ordered to be printed in the RECORD, as follows:

GOVERNMENT SPENDING AND THE PUBLIC'S MONEY DISCUSSED BY NBC NEWS' DAVID BRINKLEY

David Brinkley, NBC News Correspoondent, had this to say Monday, Feb. 3, on the NBC Radio Network, about the Government spending the public's money:

"A new book discusses the fact Americans are growing sick and tired of having so much Government accomplishing so little.

"There has been a lot of discussion of the clear fact that the American people are restive and impatient with politicians . . . and with Government in general and the Federal Government in particular. A generalized feeling that Government does nothing but spend money, the public's money . . . while seeming never to accomplish anything . . . that about all it does accomplish is to grow bigger, spend more, interfere in people's lives more, while giving them nothing. And all the while, life in this country steadily deteriorates. It is hard to think of any aspect of public life in America that is not worse today than it was thirty years ago. If the American people are restive and irritable about that, it is hard to blame them.

"As one who has been talking about this for years—after watching the Federal government at close range for half a lifetime—it is interesting to see a new book on the subject. It's by Peter F. Drucker, a professor in the graduate school at New York University. It's called 'The Age of Discontinuity' and it's published this week. Harper and Row.

"He covers a lot more ground than I can even mention in a few minutes here, but he touches a lot of sore spots people probably are aware they have—aware they are sore—but not quite sure why. Here's one point: the most hard-fisted, dictatorial government in the 19th century would not have dared pry into the private affairs of its citizens the way the U.S. Government now pries into ours. In what we like to think is the world's freest society, the income tax collectors routinely demand—and get—full access to every citizen's file cabinet and desk drawer, demanding to know what he's done with every nickel. No 19th century dictator would have dared force the public to fill out all the forms and answer all the questions routinely demanded of Americans, who put up with it like a flock of sheep. A social worker spends 80 per cent of his time filling out forms for the government and 20 per cent of his time doing socal work. The same problem exists for everyone in business and in almost every other occupation. There is simply too much government, and it's always bothering us.

"Drucker makes the point, also, that the Government's performance in dealing with this country's public problems these last 30 years has been absolutely dismal. He wonders if, instead of all the Federal programs, if instead we had done nothing at all, if we'd be any worse off than we are.

"Bureaucracies generally achieve nothing but to spend money and maintain themselves, constantly growing. If most of them disappeared tomorrow, I wonder if anyone would miss them? The American people may slowly be realizing all this. And about time."

MANNY COHEN, A DEDICATED PUBLIC SERVANT

Mr. WILLIAMS of New Jersey. Mr. President, as chairman of the Securities Subcommittee, I have had more than a passing acquaintance with Manny Cohen. During Manny Cohen's 4½ years as Chairman of the Securities and Exchange Commission—the longest term in Commission history—he has been most of all a dedicated public servant.

Prior to his being named Chairman, Mr. Cohen was an SEC Commissioner, Director of its Division of Corporation Finance, and Chief Counsel of that Division, and he has held other important staff positions since 1942. Twenty-six years is a long time. During all of those years Manny Cohen has served the investing public and his country in an outstanding manner. He has served under six President, and I think it is fair to say that Manny Cohen exemplifies the best in the civil service, and indeed the best in Government. He has not hesitated to do what he thought was right and to fight for it whenever necessary. He has taken action in stock exchange matters, mutual fund regulation and other areas—even though it may not have been the popular thing to do. But to view him merely as a fighter is to do him an injustice—because above all he was a skillful negotiator and a realist. During the past few years of incredible market activity, unforeseen growth and burgeoning problems, it has been essential to have a skilled negotiator representing the public interest. Manny Cohen represented his client—the public—with extraordinary skill and vigor.

The financial headlines of our times bears testimony to Manny Cohen's era as Chairman of the Commission—"Texas Gulf Sulphur" and "insider trading," "commission rate structure" and "volume discounts," "give-ups" and "reciprocal business."

Manny Cohen's energy seemed as boundless as his concern for the public. He loved the Commission and he carefully insulated it from politics—and that was not always easy. He would not allow the Commission to be used for partisan purposes. He viewed it as too important for insuring continued investor confidence to be trifled with for political considerations. Even in his resignation he has avoided political comment though he must have been sorely tempted.

Public servants such as Manny Cohen are not the general rule. It is a shame that he leaves the Commission at this crucial time in the history of the securities markets and in the development of SEC regulation. But even in private life I am sure that Manny Cohen will continue to work in the public interest.

I wish Manny Cohen well and commend him for his long, dedicated, and courageous work at the SEC. I am certain that the momentum he has provided will not be diminished during the current administration. We shall do our best to see that it is not. It is the least we can do for Manny Cohen.

THE POLICE AND THE REST OF US

Mr. PERCY. Mr. President, a recent article in Fortune reports that a patrolman's pay in major American cities now averages about $7,500 a year—33 percent less than is needed to sustain a family of four in moderate circumstances in a large city, according to the U.S. Bureau of Labor Statistics.

Moreover, the relative socioeconomic status of the policeman has worsened since the depression. In a special supplement entitled "The Police and the Rest of Us," published in the current Atlantic, Richard Wade, an urban historian at the University of Chicago, points out that the situation has changed considerably from that of 50 years ago when "policemen had an income higher than other trades and there were more applicants than there were jobs."

Now a critical problem has arisen in police forces throughout our country. Not only has recruiting become difficult, but resignations are also growing. Why should a policeman continue to serve his community when the people he serves do not look up to him or his job? Police chiefs everywhere face this problem with their men. There are more than 50,000 vacancies for policemen in the United States.

Furthermore, as the Atlantic article points out, many police have consciously come to look upon themselves as an oppressed minority, subject to the same kind of prejudice as other minorities. Thus the late Chief William H. Parker of Los Angeles explained some of the bitterness of the police as stemming from the "shell of minorityism" within which they live. This view was given eloquent voice in 1965 by the then New York City Police Commissioner, Michael J. Murphy:

> The police officer, too, belongs to a minority group—a highly visible minority group, and is also subject to stereotyping and mass attack. Yet he, like every member of every minority, is entitled to be judged as an individual and on the basis of his individual acts, not as a group.

Clearly, the police appear to be a deprived group, one which feels deep resentment about the public's lack of appreciation for the risks it takes for the community's safety. These risks are not negligible in the United States. In 1967, for example, one out of every eight policemen was assaulted. This rate is considerably higher than in any other developed democratic country.

The belief that police are rejected by the public results, as James Q. Wilson of Harvard argues, in a "sense of alienation from society" which presses the police to develop their own "subculture" with norms which can provide them with "a basis for self-respect independent to some degree of civilian attitudes." Given the assumption of the police that they are unappreciated even by the honest middle-class citizenry, they are prone to accept a cynical view of society and its institutions, and social isolation and alienation can lead to political alienation.

I am proud to bring to the attention of the Senate a private volunteer program aimed at solving an important social problem—the problem of police "image" in the eyes of the public.

Two Illinois-based organizations, the Motorola Communications Division, of Motorola, Inc., and its advertising agency, Griswold-Eshleman Co., have recently launched a public relations campaign solely in the public interest and which does not identify either Motorola or its agency. Its purpose is to portray an accurate image of the policeman. They have produced full-page and half-page newspaper advertisements that show the role of the policeman and the kinds of service they provide to their community. The advertisements are being furnished free to publications throughout the United States.

In addition, Motorola Communications Division is making available their distribution facilities to bring this campaign to the attention of every police chief in the country. The police chiefs will be taking the program to their local newspaper publishers, who I hope, will run these ads as a public service.

This program has been reviewed by the executive committee and board of directors of the International Association of Chiefs of Police. I had the honor of attending their board meeting in Washington recently, and I learned, following the meeting, that the IACP is officially endorsing this program and has commended it highly.

I earnestly hope that publishers throughout the United States will run these ads. I am proud to have had the opportunity to counsel in the development of the program.

LEVI ESHKOL

Mr. NELSON. Mr. President, I wish to express my great sense of sorrow over the sudden and tragic death of Levi Eshkol, Premier of Israel. His loss as an influential voice of moderation and good judgment will be missed by all members of the world community. Certainly, few men have worked as hard as Premier Eshkol to bring about a permanent peace to this troubled area of the world.

Premier Eshkol brought outstanding qualities of leadership to the Israel Government as its head over the past 6 years, and has truly served his nation during his whole lifetime.

Mr. Eshkol came to Palestine in 1913 and quickly directed his energies toward serving the public welfare. When Israel's sovereignty was realized in 1948, Mr. Eshkol was appointed Director General of the Ministry of Defense. He later became Minister of Agriculture and Development and then brought a virtually bankrupt nation to fiscal soundness and economic growth while serving as Minister of Finance for 11 years.

As an architect of the Israel democracy, Levi Eshkol was a man of great vision; as an executive in that Government he provided inspiration and leadership. The Israel people and nation will miss Levi Eshkol, as will his other friends throughout the world.

SBIC LEGISLATION

Mr. PERCY. Mr. President, I have today agreed to cosponsor with the distinguished Senator from Alabama (Mr. SPARKMAN) two bills relating to the SBIC industry. I take the floor at this time to give an explanation of my position on these bills.

Two years ago I sat on the Small Business Subcommittee when the SBIC industry asked Congress to make some major changes in their program. At that time, the industry was not a healthy one, and, it was argued, certain changes were needed to revitalize the industry. I agreed to the proposed changes at that time in the belief that the SBIC program should have an opportunity to prove itself.

Unfortunately, this interim period has not been a true test for several reasons. The past administration did not make adequate funds available to finance the program, and the tax bill which the industry hoped to get through the Congress was not successful. Therefore, I have agreed to cosponsor the two bills today as a way to bring the issue of SBICs before the committee again. I believe that this program has a role to play in our Nation's economy, and I am anxious to learn how we can strengthen the program to do the job that must be done.

During the hearings, I shall keep my mind open to new solutions and suggestions that may be proposed either by the new administration or by other interested citizens. It is my hope that we can together find the way to increase the benefits which SBICs have the potential to offer to small businessmen and prospective small businessmen across our country.

PRAYER FOR LITHUANIAN LIBERATION

Mr. DODD. Mr. President, recently it was my privilege to participate in a luncheon of the Lithuanian American Society of Washington, convened in observance of the 51st anniversary of the establishment of an independent Lithuanian state. The invocation on this occasion was delivered by Msgr. Peter P. Silvinskas, a distinguished Lithuanian cleric who serves as secretary of the apostolic delegation to the United States.

Because I was greatly impressed by the eloquence of his invocation, I asked him to send me a copy of it. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the invocation was ordered to be printed in the RECORD, as follows:

LET US PRAY

The shadows lengthen.
The days grow short.
And the winter of oppression lingers on.

They are not free, Lord.
They are my brothers, but they are not free.
And I wonder—dare I be free?

The better days and the happy times—where have they gone?
Spring came and we thought it would last forever.
But it turned to Winter—
Long, cold—endless Winter.
We never knew Summer and Autumn.

Yet, we must hope.
You have given us reason to hope.
Spring will come again.
Oh, it's so easy to say "no".
Help us to say "yes".

Amen.

UNREST ON COLLEGE CAMPUSES

Mr. YOUNG of North Dakota. Mr. President, people all over the Nation are deeply concerned about the rioting and unrest on the campuses of our colleges. While it is caused by only a small minority of the students, in most cases they have not only been successful in disrupting the educational progress of our great institutions, but they have been successful in giving a black eye to our whole Nation.

Recently a friend of mine, Dr. Clarence A. Bush, of Beach, N. Dak., wrote an excellent letter to the Billings, Mont., Gazette on this and related problems. Dr. Bush is not only an eminent physician but an accomplished person in many other fields of endeavor. Among other things, he is one of the most public-spirited men I have ever known.

His letter is one that deserves nationwide attention. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BEACH, N. DAK.,
February 21, 1969.

The BILLINGS GAZETTE,
Billings, Mont.

SIR: Mr. Drew Pearson, in his column, called attention, most forcefully, to the foolish tendency of University educational disruption by uninformed incapable colored minority, and to the kowtowing of officials to these minority groups. He further pointed out the results which will eventually, or rather sooner, result. They clamor for administration, then start in to destroy the institutions which have welcomed them.

Education is the basis of civilization; courage is the basis of educational progress. The daring to face and teach truth wherever and however it may be found, or at least what in our groping for the ultimate truth we, at the moment, believe to be true.

Pilate's question of Christ, "What is Truth?" is the philosophers' guide through the ages.

Newspapers, and to a lesser extent, radio and television are among, if not the greatest educational influence on Earth today, not in the Sciences, molders of opinion.

As disseminators of news, their responsibility is absolute. As editors of the news, the responsibility is even greater. For by the editing is the import and.impact of the news very largely controlled. I say largely because the ordinary citizen is becoming so aware of the tendency of government and news media to force feed him that both are in danger of losing his respect.

You were guilty of a gross and unfair attempt to slant public opinion in your headline over Mr. William's article on the current trial for the killing of a Montana Marine. Shooting follows Racial Insult. By implication, you made the slain man the aggressor, when facts separated and twisted out of sequence in the article were that he was insolently struck and threatened with violence, declined to fight—though he was no coward—and shot after, not a racial but personal insult was offered by one of his companions.

It is an open question whether Lt. Kramers' remarks were an insult or a mere calling card. How would you describe a man who was dressed outlandishly and carrying a gun, offering to beat up a man wearing the uniform of his country, a man seeking an excuse to commit violence, or lacking excuse, willing to create the opportunity, all of which has been testified. Please use your own language and describe the man as you would, were you the one he accosted and threatened.

It is high time American editors quit crawling—stand for right to all men—regardless of race, religion, national origin, economic or educational status.

If you will dig back in the files of The Saturday Evening Post to around 1935, you will find an article by Rabbi Stephen S. Wise on racial discrimination that was never, to my knowledge, been excelled since the expression of the Golden Rule, "Whatsoever ye will that men should do unto you, do also unto them," and don't whitewash anyone, or downgrade them either.

Many fine editorials appear in your and countless other American newspapers, but there is an increasing tendency to refuse to stand up and be counted, that while not new in journalism is still to be deplored.

Sincerely,

CLARENCE A. BUSH, M.D.

SUSAN B. ANTHONY

Mr. DODD. Mr. President, today we honor Susan B. Anthony, one of the truly great figures in the history of the United States.

When one regards the life of a woman in this country today, it is difficult to imagine the adversity which a woman would have faced in public life only several decades ago. But the years have changed the condition of American womanhood drastically.

When Susan B. Anthony took up the banner of equal rights for women in the 19th century, the American woman was not expected to voice her opinion, particularly not from a public platform.

Propriety of the day dictated the total submission of the girl to her father, of the woman to her husband.

In view of the customary thought of her times, the accomplishments of Susan B. Anthony take on incredible dimensions.

It is primarily to Miss Anthony that we are indebted for the advent of women's suffrage, although this goal was not achieved until 14 years after her death.

The many significant contributions which women have made to this Nation are the indirect result of her valiant efforts.

In a day when a woman's thoughts were not solicited, Miss Anthony was heard in Congress.

In a day when a woman's place was in the home, she carried on her campaign through the United States and many parts of Europe.

In a day when acquiescence earned respect, her dauntlessness attracted the admiration of presidents and queens.

She was a woman whose very name evokes thoughts of courage, justice, and fierce love of freedom in the people of our country.

Her contribution to the advancement of human rights was singular.

Her memory is one of the proudest pages of our history.

PHILIP N. BROWNSTEIN

Mr. PERCY. Mr. President, I am extremely sorry to see a dedicated public servant, Mr. Philip N. Brownstein, leave the Department of Housing and Urban Development. After a distinguished career in Government, Mr. Brownstein has resigned as Assistant Secretary for Mortgage Credit and Commissioner of the Federal Housing Administration to enter the practice of law.

Mr. Brownstein's record of achievements in the critically vital area of providing urban housing for low-income people is particularly outstanding. I am indeed proud to have been associated with him in preparing and executing legislative efforts to meet the goal of offering decent housing to all of our citizens.

Mr. Brownstein has played a key role in developing the concept of a firm partnership between Government and private industry in meeting our housing needs. With expert help from the FHA Commissioner, we passed the landmark Housing Act of 1968, with its major innovations for home ownership and rehabilitation.

Until his recent retirement, Mr. Brownstein was a Federal career official whose service in Washington began 34 years ago. After 9 years with the Federal Housing Administration, Mr. Brownstein left for 2 years' service in the Armed Forces during World War II. He then joined the Veterans' Administration in its newly established home loan program where he served with distinction for 17 years reaching the post of chief benefits officer. In 1963 he was selected by President Kennedy to become FHA Commissioner and had served in that capacity for the past 6 years.

We in Congress who take a special interest in housing matters and who support this newly flourishing partnership are deeply grateful to Phil Brownstein for the vital role he played in the success of our efforts. We wish him well in his new career.

UNJUST CRITICISM OF PROSPECTIVE HICKEL AIDE

Mr. FANNIN. Mr. President, in recent weeks events have occurred that are very disturbing to me and to a great many people in the Nation.

I refer to the unjust character of criticism leveled at an outstanding young man of my acquaintance, Mr. James G. Watt.

To summarize briefly, Mr. President, Jim Watt came to Washington as a legislative aide to my good friend and former colleague, Milward Simpson, of Wyoming. He made an excellent contribution to that office, and upon Senator Simpson's retirement went to work with the Chamber of Commerce of the United States as the top staff employee in the field of natural resources. Here, too, his work was of superior quality, earning him and the chamber the respect of legislators, businessmen, and Government officials.

In the tremendous talent search launched by the incoming Nixon administration it was only natural that Mr. Watt's name should come to the fore as an excellent prospect for an administrative post in the fields with which he had been concerned. He was asked to assist the Secretary-designate because of his experience on Capitol Hill and his familiarity with the subjects to be covered. This he did, Mr. President, and for his pains has been rewarded with unjust accusations and what practically amounts to personal vilification.

The only offense that has been charged to Mr. Watt by his critics is that he effectively represented the views of the organization which employed him. So far as I can determine nobody has denied that. He himself has appeared as a witness—and a very competent one—before legislative committees. The chairmen of these committees—in all cases members of the opposite political party—have commended him for his effective presentations, his expertise and his gentlemanly demeanor.

The problem seems to be that somebody's amendments were effectively opposed by the National Chamber and these folks have undertaken to take out their resentment on the handiest target around, Mr. Watt.

Mr. President, in all the storm of criticism that has been leveled at Secretary Hickel and the possibility of his appointing Mr. Watt to assist him in the administration of the Department of the Interior, there has not one word been leveled against him in terms of his qualification or experience. Not one word.

Additionally the legislative position of the U.S. Chamber in the area of water pollution has been twisted and distorted so as to make it look as if their position is in favor of dirty water.

Mr. President, it is not my concern to defend the chamber of commerce—I am sure they are capable of stating their own case—but I do wish to point out these inaccuracies and errors to set the record straight.

I might say that I am chagrined that more businessmen have not made vocal and effective protests to their representatives, because it appears to me that the only crime Mr. Watt is guilty of is being a representative of the business community—and being a good one.

There is certainly a double standard at work here today, Mr. President. We have had several cases of men like Mr. Watt who have been smear targets because the people or organizations with which they have formerly been associated are deemed to be bad. I, for one, am tired of it. I do not agree with every appointment made so far—I do not expect to—but I will not condemn a prospective appointee without regard to his qualifications simply by his former associations.

We have had people appointed whose former associations, at least in my estimation, would not qualify them for public office. However, I think it most important that the Senate take its responsibility in this area most seriously. I said this last year in our extended debate upon the nomination of a new Chief Justice, and I say it now, that we have many new faces appearing in Government ranks. We cannot categorize nor award carte blanche. Ours is a solemn responsibility, and it must be carefully exercised.

Mr. President, I hope the damage done to the career of a fine young man, exceptionally qualified, is not permanent. I trust those who have opposed him out of peevishness will rethink the insecurity of their logic and be bigger men for it.

In order to put some correct perspective on the record of Mr. Watt and that of the National Chamber, Mr. President, I ask unanimous consent that a letter to the New York Times by Mr. Richard Breault—Mr. Watt's immediate supervisor at the National Chamber—and a recent statement relative to the National Chamber's record of support for legislation to control water and air pollution by Executive Vice President Arch Booth, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CHAMBER OF COMMERCE
OF THE UNITED STATES,
February 17, 1969.

TO THE EDITOR,
The New York Times,
New York, N.Y.

DEAR SIR: Your editorial, "Double Threat", appearing on February 13, 1969, is unfortunate in several respects.

It is grossly unfair to James G. Watt, now serving as a consultant to Interior Secretary Walter Hickel, by characterizing Mr. Watt as a former oil "lobbyist" and implying that he cannot be trusted to serve the national interest.

Your editorial fails to point out that Mr. Watt, while an employee of the Chamber of Commerce of the U.S., strongly supported effective and reasonable anti-pollution laws. Important measures which the Chamber supported, and in connection with which Mr. Watt had a staff responsibility were: the Air Quality Control Act of 1967 and a Water Pollution Control bill that was passed by the House of Representatives in 1968.

The latter bill, which had the endorsement of the State governors, unfortunately became bogged down in the Senate late in the year because of amendments sponsored by a few Senators.

These facts readily available as a matter of public record—were ignored by your editorial.

Besides being unfair, your editorial contributes to an anti-business bias and helps those who are propagandizing that businessmen in general are suspect and should not be entrusted to public office.

The editorial's anti-business innuendo is a disservice to the nation. It can only deter businessmen from serving their government at a time when the nation desperately needs everybody—labor, the churches, minority groups, conservationists, business—everybody to pull together in and out of government if we are to meet successfully the terrific problems we face as a nation.

The time has come to stop stereotyping men solely because their background and experience reflects one aspect or another of American life and to judge each other on his own merits. The nation has suffered far too long from biases that divide groups from one another.

Sincerely,

RICHARD L. BREAULT,
Manager.

STATEMENT BY ARCH N. BOOTH, EXECUTIVE VICE PRESIDENT, CHAMBER OF COMMERCE OF THE UNITED STATES, FEBRUARY 11, 1969

The National Chamber's position on water pollution control legislation has been seriously distorted by recent events as reported by the news media. The fact is that the House of Representatives passed an effective water pollution bill last year—the last time such legislation reached the floor of either the House or the Senate—and the National Chamber strongly supported it. The House-passed bill also had the support of most of the nation's governors.

The House bill would have provided for the financing of municipal treatment facilities, extended federal jurisdiction over oil and hazardous spills, and established laws controlling the discharge of sewage from vessels.

Democrats and Republicans in the House unanimously opposed a Senate amendment that would have given to the Secretary of Interior authority to intervene where a federal department or agency issues a license or permit to a water user. He would have been given authority to control many of the activities in connection with agriculture, irrigation, and industrial and municipal development. This was a deviation from the intent of Congress, as expressed in the Water Quality Act of 1965, and was unwarranted. The National Chamber also opposed the Senate amendments.

Referring to the Senate amendments, a prominent House Democrat, on October 14, 1968, said: "The implications of a basic change in government policy of this magnitude are too great for hasty and ill-considered action at this time. Therefore, this group of Senate amendments should be rejected." A few minutes later, the House, for the second time in eight days, passed, without dissent, an effective and significant water pollution control bill.

Presumably, the critics of the National Chamber's position would also be critical of the combined judgment of the House of Representatives. If this is not the case, then it suggests that some people are playing politics with pollution.

We of the business community are concerned about another implication in the statements reported by the press. It is the implication that the business viewpoint on issues such as pollution abatement is contrary to the interests of the nation. This is a serious implication. It argues that businessmen or others who have represented business interests should not serve in high government posts.

This kind of attitude seems most inappropriate, particularly at a time when political leaders of both major parties are calling upon businessmen to involve themselves more in the complex problems facing the nation and to contribute their resources and knowhow to help solve these problems.

The National Chamber urges President Nixon and his Cabinet to resist in every way pressures that would tend to mute or eliminate the viewpoint of business in the affairs of the Federal Government.

PRIME MINISTER LEVI ESHKOL

Mr. DODD. Mr. President, the entire free world mourns the passing of Prime Minister Levi Eshkol, of Israel.

He was a patriot whose selfless service to his country and his people commanded the admiration even of his foes.

He was a visionary, in the long-line of Hebrew visionaries, who believed in the universal spiritual significance both of the Israel of biblical times and of the reborn Israel of modern times.

He was a statesman who was concerned not merely with the security of Israel, but with the establishment of the conditions for a durable peace between Israel and her Arab neighbors.

Although he showed himself to be a man of iron in dealing with the threatened Arab aggression against Israel, he was also a man of moderation who sought to curb some of the less moderate elements around him.

He was, in short, a great man, a man of many qualities and many accomplishments, a man who truly belongs to the ages.

In the immemorial Hebrew lament for the dead, The Khadish, which Jewish people throughout the world will say for Prime Minister Levi Eshkol, they will be joined by countless people of other religions.

MODERN COMMUNICATIONS FOR ALASKA

Mr. STEVENS. Mr. President, tomorrow is March 1. It will be an important day for Alaska. Tomorrow the bids submitted on the purchase of the Alaska Communications System will be opened and the evaluation process will begin.

The future of Alaska's development, in a very real sense, is dependent on the outcome of this evaluation. Business and economic growth requires reliable communications. In the lower 48 States the public and business take for granted instantaneous, dependable communication.

Alaskans do not, for they cannot.

The Alaska Communications System, operated by the Air Force, provides my State's longline telephone and telegraph service. It is a system that is outdated and overloaded. According to the Senate Armed Services Committee, for over 10 years the Air Force has been unable to make "even minor improvements and expansions to the communications system." Alaska, experiencing what may be the greatest oil strike of the century, Alaska, one of the fastest growing States in the Union, is hogtied by inadequate communications.

Alaska's communications must be modernized at once. We cannot afford to wait 2 years or 3 years or 4 years for some unspecified pie in the sky. Alaska must have modern communications equipment now: direct digit dialing, adequate telex service and adequate, instantaneous, always-available service. We need service between our cities and the lower 48 States—we need service between our cities and the rest of the world.

My predecessor, the late Senator Bartlett, stated when he testified in favor of his bill to authorize the Air Force to sell the Alaska Communications System:

> The ready availability of modern communications at reasonable cost has grown to be a necessity in our private and business lives.

The sale of the Alaska Communications System to a responsible and technically competent company would open the way to the development of the communications facilities we need so badly.

Senator Bartlett's bill to authorize the sale was passed into law without opposition. As the committee report stated:

> All parties of interest are in favor of Alaska Communications System disposal action.

The philosophy behind the law and the proposed sale is clear. Alaska is now a State, no longer a territory. There is no longer any reason why the telephone, telegraph, and other communications systems between our cities and outside should be owned by the Federal Government. It has long been a Government-wide policy—Bureau of the Budget Circular No. A–76—that it should not engage in commercial-industrial activities which private enterprise can furnish in a reasonable manner. With the growth of the Alaska economy in recent years, it is reasonable to believe that a privately owned company could operate the system and do so, over the longer run, with every prospect of having a profitable operation. This belief is strengthened if, as surely should be the case, Government business itself is carried by the system. In the other States of the Union, Government calls are carried on commercial lines. This should be the case in Alaska. It will be to the benefit of the Federal Government, as a customer, to have improved service and lower rates. And assured Government business, as part of the rate base, would go far toward making these lower rates possible.

Both the House and Senate committees in their reports emphasized most strongly the importance of insuring improved service to the people of Alaska. As the Senate committee stated:

> National policy is to assist in the development of Alaska and this bill is consonant with and helpful to that goal.

In line with this national policy, the committee insisted that—

> Transfer of the Alaska Communications System must be carried out in such a way as to serve the interests of the Alaskan citizenry by obtaining firm commitments to improved service and lower rate schedules, and by obtaining a timetable for the implementation of both, as an integral part of any bid proposal action.

The committees also required that in evaluating the bids received, the Air Force must consult with State and local representatives designated by the Governor of Alaska, and the Federal Field Committee for Development Planning in Alaska, and the Federal Communications Commission. Furthermore, the committee said the purchaser must provide continued employment opportunities for Alaska Communications System employees wishing to stay on the job and the Government must provide other job opportunities for career employees wishing to remain in Federal service.

The Alaska congressional delegation met with Secretary of Defense Melvin Laird this week to discuss the sale. The purpose of our meeting was to insist and insure that the bids received would be evaluated with the needs of the people of Alaska uppermost. We emphasized the overall importance of improved service, lower rates, and the guarantee of job security for Alaska Communications System employees.

The Secretary listened to our presentation with interest and knowledge. As a member of the House Defense Appropriations Subcommittee, he has, through the years, followed with concern Alaska's communications problems. The sale of the Alaska Communications System is no new proposition to him. At our meeting Secretary Laird was thoroughly briefed on the present status of the sale. He took close to an hour from his vast responsibilities to discuss with us this matter so important to Alaska. His courtesy, interest and determination to review personally the evaluation of the bids is deeply appreciated. Secretary Laird could not have been more helpful.

Mr. President, I ask unanimous consent that a letter which Representative POLLOCK and I sent to Secretary Laird after our meeting be printed in the RECORD at the conclusion of my remarks. I also ask that the 11 committee findings as detailed in its report on the bill also be printed in the RECORD at the conclusion of my remarks.

Tomorrow, when the bids are opened, we will take the first step toward upgrading Alaska communications. This is true whether or not the bids are acceptable. There is nothing in the act, in the reports or in the legislative history of the measure which requires the Air Force to accept a bid and sell the system to a company which does not fulfill the public service requirements of Alaska.

Under this act, the Air Force has but one commitment and that commitment is to the people of Alaska. The direction the Congress gave the Air Force was to insure modern, efficient, economical communications to Alaskans.

Not only are the people of Alaska dependent on efficient communications in the State, the Defense Department itself must have such service. So, too, must the other Federal agencies which now utilize the Alaska Communications System services. The Federal Government is ACS's largest customer. Its interest and Alaska's interest march hand in hand: both must have modern, upgraded communication facilities, facilities compatible with satellite communications, in Alaska now. We cannot wait.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., February 25, 1969.

Hon. MELVIN R. LAIRD,
Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: We want to express our gratitude to you for taking the time to meet with us on the subject of the sale of the Alaska Communications System and the Comsat satellite earth station proposed for Talkeetna, Alaska. We want to re-emphasize that we have no objection to proceeding with the sale of ACS as outlined by the Air Force subject to the consideration of the following points:

(1) The Department of Defense should review the bid package offered by the Air Force. We have heard reports that the Air Force is not really getting out of the communications business in Alaska, that the package as offered will require needless expensive duplicate installations, added cost to Alaska commercial users and potential violations of the Bureau of the Budget circular A–76, which, as you know, bars "government engagement in Commercial activities which private enterprises can furnish."

(2) The State of Alaska and the Federal Field Committee should be allowed to participate fully in evaluating the bids, as contemplated by Congressional committees in reporting the bill which authorized the sale.

(3) If the bids fail to guarantee upgraded service and ultimately lower costs to the Alaska public, the Department of Defense should acknowledge that it is not obligated or committed to sell ACS. Such sale is not obligatory. The government may, as legislative history makes clear, reject all bids.

(4) The terms of Bureau of the Budget circular A–76 should be followed after the sale. This means that commercial lines will carry government business in Alaska as elsewhere. This also assures that ACS will not be sold to a company inexperienced or undercapitalized. As spokesmen for the people of Alaska we ask you to insist that the purchaser be capable of providing telephone service in our state which is as reliable as that in any of the other 49 states.

(5) We feel you should request the Air Force to extract immediately from each of the proposals the specific commitments and guarantees offered with regard to employees of the ACS and that these extracts be made available immediately to the employees. We have been informed by the prospective bidders that the job benefits will be such as to be acceptable by the employees, but we feel that unless the employees know this immediately many of the very capable and qualified employees with years of experience in Alaska may elect to leave our state.

(6) The State of Alaska and the members of the Alaska delegation should receive a summary and analysis of all bids submitted. Since the legislation authorizing the sale of the ACS provided that the State of Alaska would have the right to participate in the review of all bids and the award to be made to a successful purchaser, it should be pointed out that our concern is that any successful bidder be a substantial company which is satellite oriented. It is difficult to perceive how a total communications system in Alaska could operate without utilization of satellite technology, and we want to insure that this will be part of an ultimate Alaska communications system.

(7) The Defense Department should withdraw its objections to the Communications Satellite application now before the FCC to construct a ground station in Alaska. It is our understanding that your department does not oppose this application and will clarify its position.

Proceeding with the construction of this much needed installation should and would, in our opinion, in no way interfere with the sale of the Alaska Communications System. These two matters are separate and distinct; they need not and should not be confused or intertwined. The confusion of the position of the Department of Defense is amply demonstrated by the attached letters dated January 15, 1969, and January 29, 1969. In the first the Judge Advocate General, as the authorized counsel for the Secretary of Defense, requests the FCC to grant the application to establish and operate a satellite earth station in the State of Alaska. In the second the Assistant Secretary of Defense expresses grave doubts over the ability of the purchasers of ACS to operate if the ground station application is granted.

To summarize our comments to you at the meeting this morning, the specific concerns we have with the invitation to bid furnished by the Air Force to prospective bidders are the following:

(1) The total hardware package is overpriced.

(2) Additional hardware should have been included in the package to make it a viable commercial communication system. That is, the microwave lengths (the TD–2 line of site stations) should have been included.

(3) The Air Force reserved for the government the right to exclude all government traffic from the system, a provision which exists in no other state. All government traffic other than military security information should be included as traffic on the commercial system.

(4) Any bidder should have the right to exclude any portion of the property or equipment in the system and have the appraised value of that portion deducted from the bid.

As indicated in our discussion with you, it is our understanding that Senator Mike Gravel will present his views to you in separate letter.

Cordially,

TED STEVENS,
U.S. Senator.
HOWARD W. POLLOCK,
Member of Congress.

COMMITTEE FINDINGS

The committee favors enactment of S. 223. Its findings are set out below to reflect clearly the conditions and criteria under which the committee understands that any transfer will be accomplished—

1. The present obsolescent telecommunications system in Alaska with its attendant high rates to the general public is a true deterrent to its economic development. National policy is to assist in the development of Alaska and this bill is consonant with and helpful to that goal.

2. Circumstances now make transfer of the ACS from public to private operation both possible and timely. All parties of interest—government and industry—are in favor of disposal of the ACS to a qualified commercial firm. There is a consensus in support of the bill in essentially its present form.

3. The national defense posture will not be impaired by the transfer of the ACS and in fact could be enhanced by subsequent improvements in service by the purchaser 'acting under normal public utility procedures as in other States. Circuits leased to the private operator can be recalled by DOD immediately in any period of emergency.

4. The Government should receive no more (and, of course, no less) than the fair and reasonable value of facilities sold (usually, acquisition cost plus improvements minus appropriate depreciation). There is a real danger of a rapid erosion of existing value to the Government ACS investment if authority to transfer is delayed very long, especially if a private carrier were to be allowed to build and operate a duplicative commercial system.

5. Transfer of the ACS system to a private carrier would not cause any significant change in costs to the Federal Government after the initial recovery of the fair and reasonable value of facilities sold. It will relieve DOD of a commercial activity which the military organization neither desires nor is particularly suited to perform. It will eliminate the need for appropriations to make necessary capital improvements.

6. Transfer of the ACS to a private operator will permit reassignment of military personnel and DOD civilian employees to tasks that are related directly to national defense. Displacement of ACS civilian employees will be minimized through efforts to provide continued employment with the purchaser; in addition, all career and career-conditional employees will be offered another job opportunity with the Government.

7. Transfer of the ACS must be carried out in such a way as to serve the interests of the Alaskan citizenry by obtaining firm commitments to improved service and lower rate schedules, and by obtaining a timetable for the implementation of both as an integral part of any bid proposal action.

8. As to facilities retained by the Government, the Air Force proposes to lease circuits and introduce message-rate charges. This will enable the private carrier to provide service to remote and thinly settled areas at reasonable rates.

9. The 1-year period during which the purchaser may not change rates unilaterally will allow the Federal Communications Commission and the State Public Service Commission to establish procedures for (or specify the applicability of existing procedures to) subsequent proposed rate and service changes as the ACS becomes a regulated enterprise. Any purchaser must obtain all necessary certificates of public convenience and necessity and must comply with the rules and procedures attendant to normal public utility regulations.

10. The Secretary of Defense is required by S. 223 to obtain the advice and assistance of other parties before any transfer is made. Such participation should continue during the entire disposal period and should include, in addition to the Government agencies operating long-lines facilities in Alaska, the Federal Field Committee for Development Planning in Alaska, the Federal Communications Commission, and appropriate State and local representatives designated by the Governor of Alaska to assure consideration of all public interest factors associated with the transfer of the ACS.

11. The committee endorses the Air Force preparation and intention to operate ACS under the industrial fund method if the communications industry does not respond with acceptable proposals after enactment of the legislation.

CHANGE IN GRAZING FEE FORMULA

Mr. JORDAN of Idaho. Mr. President, the people of Idaho are very concerned with the change in a grazing fee formula put into effect by the outgoing administration just 6 days before President Nixon took office.

With 20 million acres in national forests and more than 12 million acres under the control of the Bureau of Land Management in Idaho the concern of our citizens is understandable. Hearings on these fee changes have been held before the Public Lands Subcommittee of the Senate Interior and Insular Affairs Committee. The Interior Committee of the House will hold hearings next week. The concern of the people of Idaho is best indicated by the fact that the Legislature of the State of Idaho—now in session—passed a joint memorial in opposition to the fee increases without a dissenting vote.

Mr. President, I ask unanimous consent to have a copy of the Idaho House of Representatives, House Joint Memorial 3 be inserted in the RECORD at this point.

There being no objection, the memorial was ordered to be printed in the Record, as follows:

House Joint Memorial 3

A JOINT MEMORIAL TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED

We, your Memorialists, the Senate and House of Representatives of the State of Idaho assembled in the Fortieth Session thereof, do respectfully represent that:

Whereas, the range livestock industry is a major industry of the State of Idaho; and

Whereas, the public lands comprise at least two-thirds of the land area of the State of Idaho; and

Whereas, the range livestock industry is dependent upon such public lands for grazing; and

Whereas, the proposed increased grazing fees upon such public lands shall cause great economic hardship and business failures within such range livestock industry.

Now, therefore, be it resolved by the Senate, the House of Representatives concurring, that we most respectfully request that the Congress of the United States direct and require the Department of Agriculture and the Department of Interior to hold in abeyance all increases in the rates to be charged as grazing fees upon the public lands until such time as Congress has had sufficient time to study and review the final report of the Public Land Law Review Commission.

Be it further resolved, that the Clerk of the House of Representatives be, and he is hereby authorized and directed to forward copies of this Memorial to the leadership of the Senate and House of Representatives of the United States, and to the members of the Idaho Congressional Delegation.

CONSERVATION PAYS OFF FOR SOUTH DAKOTA STOCKMAN

Mr. MUNDT. Mr. President, the January issue of Soil Conservation, the publication of the Soil Conservation Service of the United States Department of Agriculture, contains a most interesting and informative article about the profitable conservation practices of my constituent, Mr. Cliff Reyelts, of Britton, South Dakota. Because of its application throughout the agricultural area of our country, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows.

Go-to-Grass Farming Puts Weight on Cattle and Money in Pocket for Dakota Stockman

(By Walter N. Parmeter)

Stockman Cliff Reyelts, of Britton, S. Dak., foresees nothing to equal his conservation grassland program for putting weight on his cattle economically.

During the fall and winter when the range turns hard and crisp, he buys 500 head of 400–500-pound calves. He feels assured that after munching all the silage they can eat, plus a pound of protein supplement a day until the grass comes up, they will reach finishing weight during the summer on pasture alone with little trouble.

TECHNICAL HELP

In putting a large portion of his 1,800 acres to grass, Reyelts used SCS technical help available through the Marshall County Soil and Water Conservation District.

The Reyelts farm and ranch ranges from a sandy to a medium textured soil, mostly on gentle slopes. The home section of land produces silage and winter feed for calves, while the outlying parcels have been planted to grass. Contoured rows, terraces, grassed water-ways, and tree windbreaks complete his conservation program.

After being wintered on silage and supplement, the calves are able to reach weights of 800 to 950 pounds in the next 5 months of grazing.

In early spring the calves are put on 40 acres of crested wheatgrass pasture when it is 6 to 10 inches tall and are kept there until it is grazed down to an average of 3 inches. Then, they are placed on a mixture of smooth brome and alfalfa and rotated from one pasture to another as the condition of the grass permits.

Grazing of brome and alfalfa begins between the time the brome is about 8 inches high until it is in the boot stage. All livestock are taken off when the grass is grazed down to 4 inches. A few days before this the pastures are clipped so the cattle will eat the cut foliage. The clipping prevents the bromegrass from going to seed and evens up the plants for the next grazing period. All brome pastures are rested from 3 to 4 weeks following grazing.

Some pastures are cut for hay. The forage is cut shortly after the heads come out of the boot but before seeds are formed in order to get maximum forage yield of highest protein content.

From middle July to about September 1, Reyelts places the cattle on his 33 acres of warm-season grasses of big bluestem, indiangrass, and switchgrass on Piper sudangrass. Through September and October the livestock are carried on 67 acres of Russian wildrye pasture and native range.

LEGUMES FOR PROTEIN

There are 250 acres of pasture that contain an alfalfa mixture. In the legumes Reyelts keeps bloat losses down by feeding a load of silage in the pastured area each morning. Reyelts believes the additional gain from higher protein legumes more than offsets any losses.

The cattle are watered by wells and three dugouts. Underground plastic pipe and an electric fence permit one well to provide water for seven pastures. Salt blocks are placed in the pastures to encourage more uniform grazing.

Reyelts says, "Fertilizing and killing weeds is my one-two punch to good pasture." Fertilizing the many pastures has become routine. He takes soil samples for chemical analysis and on this basis used 100 pounds per acre of 22–22–0 fertilizer on all of the pastures in 1968.

Weeds can be a problem but Reyelts sprays with 2–4–D where legumes are not planted. Annual weeds in the legume mixture are controlled by clipping.

A CONSERVATION PLAN

Reyelts feels that well-managed pastures are one of the best ways to build and conserve soil. Conservation has been a way of life for him for 30 years. Back in 1937 Cliff's father planted the first windbreak on the home quarter. Since then one-row field windbreaks have been established in an east-west direction every 40 rods across the home section of land. These trees reduce wind erosion, tend to hold the snow on the field for additional moisture, and make attractive wildlife areas for birds, deer, and small mammals.

Terraces are a part of Reyelts' overall conservation plan on the sloping land, and grassed waterways protect the terrace outlets. The terraces also serve as guidelines for planting crops on the contour.

The Clifford Reyelts family, his wife Gladys and their five daughters, approve of the "go-to-grass" program as it not only conserves soil, water, and wildlife but also provides more free time for the family to spend together.

AMERICAN BUSINESS AND THE DISADVANTAGED

Mr. PERCY. Mr. President, before Secretary David M. Kennedy resigned as chairman of the board of directors of the Continental Illinois National Bank & Trust Co. of Chicago and became President Nixon's Secretary of the Treasury, he authored an informative and thought-provoking article appearing in "The Role of Banks in the Urban Challenge."

In the article, entitled "Business Takes a New Look at the Disadvantaged," Secretary Kennedy takes a penetrating look at the urban crisis and cites significant multifaceted efforts that the American banking industry has made to ameliorate the commercial problems of the urban poor.

Due to the widespread interest in increasing both the quantity and quality of private involvement in the pressing social problems of our time, I ask unanimous consent that Secretary Kennedy's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Business Takes a New Look at the Disadvantaged

(By David M. Kennedy[*])

Within our lifetime America has achieved a standard of living for the nation as a whole far beyond the imagination of any reasonable man a generation ago. We are envied and imitated not only throughout the free world but in communist countries as well. We are considered to be the richest nation on earth—a reputation which unfortunately bodes evil as well as good.

We have devised vast and broadly based welfare systems of social security, assistance to the aged, to the handicapped, to dependent children and their mothers, and for health, housing, and education. On top of all this, many new programs within the Federal government have been developed to attack individual segments of poverty. As a result, the Federal government alone is today spending almost $28 billion—15% of its budget—on assistance to the poor. Despite this outpouring of public money—plus billions more at state and local levels—and despite the fact that the number of poor has declined from more than 35 million five years ago to 29 million today, the problem is becoming more rather than less critical. One out of every nine Americans is black, but one out of every three poor persons is black. There are more than 8 million black poor today in the midst of our unprecedented prosperity.

The nation's over-all rate of unemployment is historically low—3.6% of the labor force. Yet 7.4% of our non-white workers are unemployed, well over double the 3.2% average for whites. Meanwhile our non-white population continues to grow more rapidly than our white population, with a birth rate estimated to be about 45% higher for non-whites while the death rate is only 2% higher.

WHAT HAS HAPPENED TO OUR CITIES

The relentless trend mechanization of agriculture has pushed the poor man off the farm and into the city, where he is lured by the anticipation of an exciting life, the chance to earn more money, or at worst, the promise of a bigger relief check than he had been getting. But mechanization has hit the cities too. The demand for unskilled labor has fallen sufficiently to snuff out his ambitions time after time. He is left with only the bigger relief check to keep him in the city, and with it a life of frustration and aimlessness. The resulting boredom and dissatisfaction with his lot has erupted too many times in recent years in militant protest and in the violence in our cities.

---

[*] Chairman of the Board of Directors, Continental Illinois National Bank and Trust Company of Chicago. Address delivered at the Annual Civil Rights Conference, University of Utah—Salt Lake City, Utah, November 22, 1968.

Just before World War I, 2½ million blacks lived in American cities of 2,500 or more persons. About 27% of all blacks in the nation lived in such cities, as compared with 48% of all whites. Now 15 million blacks live in the cities—69% of all blacks in the nation as against 64% for whites. Furthermore, seven million blacks, or two-thirds of the blacks outside the South, now live in our twelve largest cities—excluding the suburbs. In eight of these cities, the proportion of blacks has at least doubled in the past 20 years. Close to 30% of the population of the city of Chicago is black, and the percentage is even higher in Philadelphia, Detroit, Baltimore, Cleveland, and St. Louis. Washington, D.C., is more than two-thirds black. And within the cities the concentration of blacks in specific areas is even more striking. In the 75 neighborhoods that make up Chicago, it is estimated that while 39 are less than 5% black, 11 are more than 95% black.

America's big cities are in trouble—the cities our private enterprise system so proudly built. These same cities now are in danger of being deserted, as industry and home owners alike seek refuge in the relative calm of suburban life where the problems aren't quite so overwhelming. Thus, the tax base as well as the spirit of our urban centers are constantly eroding at a time when demands upon the cities are pyramiding—demands for better education, improved housing, air and water pollution control, safer streets, and a revitalized transportation system which, ironically, while helping the cities, may also make it even easier to flee to the suburbs.

The men who run American industry today can no longer shrug their shoulders and say that the poor are always with us and there is little we can do about it.

Even at this time of tremendous prosperity and minimum unemployment, the poor are sufficient in number and vocal enough to make their discontent known in ways that we find disturbing and upsetting. This display of discontent has been accentuated by the Vietnam war and has sparked a like spirit in our students as they face suddenly in their early adulthood—as we all have in our time—the age-old problem of what to do about inequality and injustice in our world.

Many of our citizens have come to the rather disheartening conclusion that America has failed. I find this attitude inaccurate and uninspiring. It reflects an air of defeatism that is characteristically un-American. Yet, no one can deny that we should have done more as a nation to anticipate and to avoid at least some of the unsolved problems that plague our cities today.

America has become strong in the past because of our willingness to pull together—individuals, businessmen, local government, and the Federal government. We must now find a way to unite again in our efforts to meet the urban problem squarely. Looking forward, we can then make urban America stronger than it has ever been before. We need not drown in despondency.

THE CHALLENGE WE FACE

One of the lessons I hope we have learned, and learned well, is that a simple outpouring of Federal funds is no cure for poverty-stricken areas—even if we ignore the taxpayer's pain. The outgoing administration, which designed these programs, now admits that while we may have learned something, many programs have been wasteful and have, in many cases, aggravated rather than solved the problem. I am quite sure that the new administration will be very critical about the present proliferation of poverty programs scattered throughout so many different government agencies.

Federal programs can help in a constructive way. But I am convinced that they will be most constructive when they are built on the principle of an effective partnership with private enterprise—including more guarantees and less Federal spending. Much of our ability to unravel the urban crisis today falls squarely on the American businessman, who has much at stake in a successful attack on the urban crisis. He is not shirking this responsibility. More often than not, when reminded of the role the free enterprise system has to play in its own self-perpetuation, he is not only willing but eager to do his part.

But urban decay presents a whole set of new problems to the American businessman. More often than not he knows he should do something, but he doesn't know what to do. Each of our large cities presents a pattern of confusion as so many public agencies, church and social welfare groups, educational institutions, corporations, and individuals plunge ahead in often disorganized fashion even with the best of intentions.

It is only within the past twelve months that it may be fairly said that American industry has embraced the urban crisis as the most important challenge it has faced in a generation. I see this in all of the business groups to which I belong and in the meetings of the boards of directors of the industrial companies on which I serve. I see it in forums and conferences sponsored by our great national groups like the Chamber of Commerce, the National Industrial Conference Board, and the Committee on Economic Development. I see it in the specific goals and achievements of the National Alliance of Businessmen's JOBS program and the $1 billion long-term financing commitment by the insurance industry. But I see it also through the eyes of a banker and through the enthusiastic participation of bankers in specific aspects of the urban crisis—I prefer to call it the urban challenge—both nationally and in their local communities.

BANKING BECOMES INVOLVED

On the national scene, the banking leaders of the country came to the conclusion last winter that a new committee should be formed under the joint auspices of the Reserve City Bankers (representing the nation's largest banks) and the American Bankers Association (representing virtually all of the nation's banks). The Chairman of this committee is Donald M. Graham, who is also Vice Chairman of Continental Bank in Chicago. This is a committee consisting of more than forty top bank executives from almost as many of our large urban centers. The purpose to be served by this impressive group is not to set national goals or to seek publicity to show that bankers are good fellows, but rather, as Don Graham has put it himself, a quiet involvement of influential bankers at the local level both through community leadership and through appropriate dedication of banking resources.

We bankers are proud that we helped build the cities of America. We now have a responsibility to contribute positively to the revitalization of those same cities. The Bankers Committee on Urban Affairs has goals in three areas—in employment and education, in housing finance, and in encouraging the development of small business in the ghetto areas. The purpose of the Committee's national organization is essentially to provide an effective clearing house for ideas. In this way, bankers in all major cities can learn what others are doing and pick and choose what is promising in their local situations. No two cities face the same dimensions of urban challenge although they obviously share many common problems. The committee also provides a focal point in bringing its influence to bear on Federal government programs and in keeping abreast of what other national organizations are doing in a way that is more efficient than having individual banks in each city trying to keep on top of a swiftly moving scene.

PROGRESS IN CHICAGO

The surge of energy and enthusiasm growing out of the Bankers Committee on Urban Affairs has already made itself felt in community action throughout many of our cities. Chicago is a case in point. In each of the three areas of banker concentration—employment, housing, and small business—we are making progress, not only in Continental Bank but throughout the city.

JOBS AND JOB TRAINING

Our employment and training goals are closely correlated with those of the National Alliance of Businessmen, headed nationally by Henry Ford II, and locally by James W. Cook, President of Illinois Bell Telephone Company and a member of our bank's Board of Directors. As part of a nationwide goal of 100,000, Chicago employers had a goal of providing 11,000 jobs for disadvantaged persons by next June—a goal which, by the way, has been exceeded on the basis of commitments to date. The Continental Bank has agreed to take eighty of these people on our own payroll. Forty-nine of them are already with us, and our experience to date has been unusually good. Perhaps this is not an accident, because in 1962 we became one of the pioneer companies to work with the Chicago Board of Education in its important program for dropout students. Under the name Double E, which stands for Education and Employment, we counseled with dropout students, employed some under the condition they would continue their schooling, and trained and encouraged them to become contributing members of society. Our experience in this program has been rewarding and beneficial not only to the school officials and the individuals and our bank, but to minority groups in the city as a whole.

The disadvantaged men and women we are now adding to our rolls are people who ordinarily might not meet our minimum standards for employment either because of lack of education, personality traits, bad habits, or even a minor brush or two with the law. We are not aiming, of course, just at putting these people to work. We are trying to make them enthusiastic and productive employees, not only in their initial assignment but in meeting the challenge of better job opportunities along the line as they prove themselves. We have had to recognize that effective recruiting involves developing a rapport with neighborhood organizations and with leaders of the inner city who can let the disadvantaged know what we are trying to do and encourage them individually. We have assisted our supervisors in the development of proper attitudes toward the somewhat different challenge they face in working with these people. Our bank has employed minority people successfully for many years. Yet it is a new step in the supervisor's own responsibilities to be confronted with the disadvantaged man or woman who comes to him under the new program. One of the challenges we are trying to meet in doing a satisfactory job is that of providing adequate training. Again the influence of the Bankers Committee on Urban Affairs has helped in the projects it has undertaken in cooperation with the American Institute of Banking. As you may know, this is the banker's right arm in the conduct of training programs of people who are already in banking.

We at Continental are convinced that the most important part of the urban crisis is a "people crisis." In this instance, the word "crisis" is defined as lack of opportunity, or, more specifically, lack of economic opportunity. In short, the disadvantaged need jobs in order to have the income and security to participate confidently in our society. Aid or gifts are not the answer. Earning a livelihood is vital to their self-respect and the respect of their fellow man. Working for their income is essential. There are some Federal programs in manpower training that are available to help pay the cost of training programs for the disadvantaged. Although Continental Bank has not relied on any of these, nor have Chicago banks generally, such programs (or comparable tax incentives) can be very helpful in many instances.

MORTGAGE LENDING

Federal programs play a much bigger part in what we have done in the housing field than in the personnel field. Helpful Federal Housing Administration guarantees of loans which we make involve both new housing and rehabilitation and provide us with a suitable vehicle to put a great deal more money to work in the inner-city mortgage picture than would otherwise be possible. Here again, we are making some headway.

While Continental Bank has always practiced non-discrimination on mortgage loans, we have felt that this, in itself, was not enough in the present circumstances. We have, therefore, aggressively "more than opened the door" to see what we could do in the way of expanded financing in the black community and in other disadvantaged areas.

Our bank alone is currently committed to more than $55 million in interim construction loans for housing in Urban Renewal Areas, plus more than $5½ million of permanent financing for our own bank's investments. Included in this is $50 million in FHA low-income housing, representing well over four thousand living units. Other Chicago banks are also active in similar programs. We are also involved in $5 million of loans for rehabilitation of existing housing units to help stabilize older neighborhoods and another $5 million for revolving credit loans supporting a thousand new single family housing units in older neighborhoods which are part of urban renewal areas.

To assist local communities in self-help, we have extended lines of credit to the two black-owned mortgage companies in Chicago for warehousing of mortgage loans on single family residential properties. At the same time, we are now involved in a breakthrough on prefabricated housing in Chicago with the blessings and sponsorship of the labor unions. This in itself could be a tremendous factor in a rapid uplifting of blighted areas, possibly resulting in as many as three thousand units per year.

Along with our efforts in housing, we are also financing churches on long-term loans in urban renewal areas. The church is a basic unit of communal living and a prime factor in the stabilization of any community.

Another interesting aspect of public programs at the state government level encourages banks to put more money to work in the inner city. I refer to a program instituted by the State Treasurer of Illinois which, in effect, places something like $100 million in time deposits—which really represent investment money—in banks that show a willingness to put this money to work in the inner city. We are a participant in that program.

AID TO SMALL BUSINESS

One of the toughest urban challenges facing the banks is the assurance of adequate financing to small business enterprises within the inner city. At the national level the Bankers Committee on Urban Affairs has worked very closely with the Federal Government's Small Business Administration and has encouraged the establishment of "Project Own." This is the "brainchild" of Howard Samuels, now head of SBA and formerly influential in the formation of the National Alliance of Businessmen when he was in the Commerce Department. The program just started during the summer of 1968. Again, our bank supplied major impetus to encourage the SBA to take nationwide action to simplify its forms and streamline its approval of loans for customers under its Blanket Loan Guaranty program.

This is a program where the Small Business Administration relies very heavily on the reputation and proven experience of individual banks in granting prompt SBA approval of loans that carry up to 90% Federal government guarantee, rather than duplicating all the work which the bank must do anyway before granting the loan. The purpose of the expanded Small Business Administration program is to encourage a broad expansion of black capitalism and to concentrate on doing it as much as possible through guaranteed commercial bank loans rather than through direct Federal loans.

Only 3% of the more than 5 million full-time business concerns in the United States today are owned by members of minority groups, and the SBA has announced its nationwide goal of increasing the present rate of 4,000 new minority businesses created each year to 20,000 per year by mid-1970 in order to help narrow the entrepreneurial gap between whites and blacks.

There is more to the problem of making loans to inner-city entrepreneurs, however, than just streamlining the SBA loan guarantee program. Three points come to mind.

In the first place, the banks must act cooperatively if any lending program which involves abnormal risk is to be successful. There are alternative approaches as to how the banks get together. One is to set up a pool arrangement, with each bank subscribing its pro rata share. The administration of that pool would be through an autonomous staff which would have full authority to accept or reject loans. Another alternative—the one we have preferred in Chicago—is a more informal arrangement in which the banks pledge their full cooperation and set up an interbank committee to exchange ideas and to keep track informally of the degree of cooperation from each institution.

The interbank committee set up in Chicago to perform this function is headed, incidentally, by the officer at Continental who is responsible for our small business lending. The committee consists of loan officers from eight of the large banks of the Chicago Loop, and from smaller banks qualified to operate under the Small Business Administration blanket loan guarantee program—in all representing banks accounting for more than three-quarters of all Chicago banking resources. Our interbank group includes senior officers of the two black-owned banks in Chicago as well as two of the smaller banks which, in all candor we must admit, had made more than their share of this type of loan prior to this summer. Within our bank we have blacks and whites working side by side on this program.

The interbank committee is concerned not only about loans as such but also about the fact that most small businessmen who would like to apply for a loan in order to get into business do not have enough equity to meet minimal requirements even after the banks reduce their credit standards in a generous but, nevertheless, prudent manner. This is my second point.

Again, the Chicago interbank committee has taken the initiative to bring together various interested groups working on the problem of equity capital. It is studying the alternatives as to whether a small business investment corporation or a community development corporation should be set up, whether an Illinois business development credit corporation should be established, or whether the better route would be through a tax-exempt foundation, following the pattern which is being used with some promise of success in other cities. Regardless of the course of action chosen, there must be substantial black participation in the planning process as well as in the going organization if it is to have any real chance of success.

All of these alternatives point toward the need for public participation, whether through stock purchase or through what amounts to a straight contribution by industrial firms—not just financial institutions—throughout the community. Such an approach to the problem of equity capital also involves the raising of funds within the black community by blacks. The dollars so raised may be small in proportion to the total, but the number of contributors and the feeling of participation that goes with it can be an important key to greater understanding of the free enterprise system within the black community. All of us know that one of the reasons America became great was thrift and the whole savings-investment process. A man with no equity in his home or in his business is risking nothing. His incentive to succeed is much greater if he himself bears a higher responsibility for poor performance—and is rewarded in turn for good performance.

Besides bank loans and equity capital, the third ingredient in an effective small-business-assistance program relates to technical aid to the inner-city entrepreneur. There is an obvious need in many cases, if the owner is to get ahead and if the supplier of equity capital loans and bank loans is to get his interest and principal repaid, for available talent that the new entrepreneur or the expanding entrepreneur can call on when he needs help. I am talking about what is often referred to as a "skills bank" of resource people, where professionals in both black and white communities are available on a consulting basis to help the promising entrepreneurs—an accountant to help him set up proper books and to make a projection of how he expects to come out ahead of the game, a lawyer to help him with problems he probably has never even thought about, an industry specialist in his particular line of work, or a banker who can help him get ready for his loan application.

On a modest basis, some of these services have been available in Chicago—for example, through our Chicago Economic Development Corporation, now operating largely with Federal poverty funds, and the Cosmopolitan Chamber of Commerce, where black and white businessmen have found a common ground over the years. But more than this is needed, so we have been also cooperating in the establishment of a new group of enthusiastic young men—called T.A.P., for Talent Assistance Program—who are willing to spend time helping to advise the prospective entrepreneur. Again, an effort is being made to bring the greatest possible number of black professionals and technicians into the program so there is no feeling that we are "patronizing" in our willingness to help.

Another way big city banks can help strengthen the financial structure of the inner city is their encouragement of the activities of black-owned banks—particularly in states like Illinois where branch banking is prohibited. Some of this can be done through participation with black banks in specific loans. The black-owned bank can profit also through an exchange of personnel with institutions like ours. Also, arrangements can be made to have prospective black officers in those banks train in some of our large institutions.

The twenty black-owned banks of our nation have their own association, the National Bankers Association. This expression of common identity of interest is important to them even though most of them also are members of the broadly-based American Bankers Association. One of the highlights of the recent ABA Convention in Chicago was full attendance at the meeting of the ABA Urban Affairs Committee by the men attending the National Bankers Association Convention. This expression of a willingness to work together toward common goals is already paving the way to cooperative action in the communities involved.

I must mention one more aspect of our efforts to do everything we can to encourage black entrepreneurship. That is the role of municipal government. It almost goes without saying that any dedicated mayor has a keen interest in reversing the decay of his particular city. Certainly Mayor Daley of Chicago is no exception. Mayor Daley has his own program for the disadvantaged entrepreneur in Chicago, called Economic Opportunity in Business, and his people are working hand-in-glove with ours. This ties in very closely with my own responsibilities to the Mayor as chairman of his Committee on Economic and Cultural Development in Chicago. With the Mayor's determination and enthusiasm added to all of our other efforts, we have an excellent example of a great city working together to tackle a problem which requires every ounce of ingenuity and imagination we can muster.

The American businessman has much to gain from a substantial expansion in the standards of living of millions of disadvantaged persons—regardless of what color they may be. This is far more than a question of public service or social conscience. It is a matter of national progress—economic as well as social. Quite apart from the critically needed uplift of human self-respect and self-confidence, the economic growth potential of newly created production and purchasing power in our inner cities is tremendous.

There is no doubt that American industry, including the banks, has spent far too little of its energies and its financial resources to relieve the strains of the inner city. That tide is now turning. We have a great deal to learn—including how best to communicate with people who need our encouragement. But it will be done.

The process is not automatic. Anything worth having is worth working for. I believe blacks and whites can work together, and I know America will be the better for it.

AMERICAN-FLAG SHIPS AND FOREIGN AID CARGOES

Mr. TYDINGS. Mr. President, the well-being of the American merchant marine is of vital concern to all of us.

American shipping contributes to our economic prosperity and is a mainstay of national defense.

It is reported that over 90 percent of equipment in use in Vietnam was transported there by ship, rather than aircraft.

Yet we all know that our merchant marine is in a period of crisis. Changes in ship design, foreign competition, rising costs of construction, all contribute to this situation.

One aspect that is receiving considerable discussion is the effectiveness of Government programs dealing with U.S.-flag carriage of surplus agricultural commodities and foreign aid shipments. The Transportation Institute recently issued a research report concerning this.

In order to encourage careful study of these programs, and without representing myself as an expert on methods of computation involved, I ask unanimous consent that the text of the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[A research report, from the Transportation Institute, Washington, D.C., December 1968]

U.S.-Flag Share of Government Shipments

While the matter of the government's waterborne shipment of Food-for-Peace and foreign aid cargoes is one of primary concern to the maritime industry, it is of equal concern to all American taxpayers, since, of necessity, public funds underwrite the cost of these shipments.

The basis for allocating cargo to American-flag ships versus foreign-flag ships under these programs is embodied in Section 901 (b) of the Merchant Marine Act of 1936 and legal interpretations of P.L. 480—which make clear:

(a) That American-flag shipping should receive a *minimum* of 50 percent of the cargo generated by the government, and

(b) That the minimum 50 percent requirement be computed *separately* for each segment of the industry, i.e., liners, tankers and tramps.

In recent weeks, this issue has been the subject of increasing public discussion generated by the contention by some segments of the maritime industry that the laws have been administered unevenly in terms of cargo allocation. In the course of these discussions, some confusion has arisen based on the fact that different federal agencies involved in various aspects of the program use different methods for measuring their activities. This has led to the erroneous conclusion, in at least some quarters, that the program has been completely effective in assuring each segment of the maritime industry its "fair share" of the available government-generated cargoes.

The research staff of the Transportation Institute has analyzed the data supplied by all federal agencies involved in order to clarify the status of the program and to make possible objective conclusions as to the effective implementation of the law.

The Maritime Administration, the Department of Agriculture and the Agency for International Development all publish statistics on the U.S.-flag percentage of government agency shipments. MarAd's data are on a calendar-year basis and cover all agencies except the Department of Defense. AID and Agriculture, on the other hand, use a fiscal-year base and only concern themselves with their own liftings.

The information supplied by MarAd for calendar 1967 breaks down as follows:

MARITIME ADMINISTRATION SUMMARY OF GOVERNMENT EXPORTS[1]

AGRICULTURE DEPARTMENT

	Total long tons	U.S.-flag tonnage	U.S.-flag percentage
Tramps	6,174,000	1,497,000	24.2
Tankers	3,366,000	1,718,000	51.0
Liners	1,082,000	707,000	65.3
Total	10,622,000	3,922,000	36.9

AID

	Total long tons	U.S.-flag tonnage	U.S.-flag percentage
Tramps	2,036,000	366,000	18.0
Tankers	287,000	86,000	30.0
Liners	2,786,000	1,867,000	67.0
Total	5,109,000	2,319,000	45.4

[1] "All Agencies (except Department of Defense) Summary of Public Law 664 Exports and Imports, Calendar Year 1967," Maritime Administration, Division of Cargo Promotion.

The Interamerican Development Bank also exported 12,000 tons; all carried on U.S.-flag liners. Excluding this, the totals for AID and Agriculture combined are:

	Total tonnage	U.S.-flag tonnage	U.S.-flag percentage
Tramps	8,210,000	1,863,000	22.7
Tankers	3,653,000	1,804,000	49.4
Liners	3,868,000	2,574,000	66.5
Grand total	15,731,000	6,241,000	39.7

The law states that the 50–50 cargo preference provision shall be "computed separately for dry-bulk carriers, dry cargo liners, and tankers." As can be seen, the liner segment was the only one which exceeded the minimum legal requirement for total AID and Agriculture shipments.

If the tonnage carried by liners—approximately 75 per cent of which are subsidized—is excluded, the figure drops to *31 percent* as the U.S.-flag share carried by the largely unsubsidized portion of the fleet—3,667,000 tons out of a total of 11,863,000.

AID's export figures for fiscal 1967 were somewhat more complicated than those of MarAd:

AID EXPORTS (FISCAL 1967)[1]

	Total tons	Tonnage subject to 901(b)	U.S.-flag tonnage	U.S.-flag percentage
Tramps	1,983,377	879,928	468,154	53.0
Tankers	366,014	279,250	141,098	51.0
Liners	2,923,039	2,923,039	1,934,603	66.0
Total	5,242,430	4,082,217	2,543,855	62.3

[1] "Cargo Preference Report, Fiscal Year 1967." AID Office of Procurement, Resources Transportation Division.

Normally, the only discrepancy between this and the AID tonnage figures compiled by MarAd would result from comparing the "apples and oranges" of calendar and fiscal years. In most years the difference would be minor. However, there is substantial percentage difference: 45.4 percent reported by MarAd as opposed to 62.3 percent reported by AID.

The reason for the difference lies in the means whereby the two agencies arrived at their results. The reasoning used by AID was as follows:

The column headed "Tonnage Subject to 901(b)" represents that U.S. tonnage which was *available* at time of cargo movement. The percentage of U.S.-flag tonnage actually carried is figured as a share of this subtotal, rather than of the true total.

AID's position is that Section 901(b) of the Merchant Marine Act—the 50-50 cargo preference requirement—applies only where American ships are available. The agency thus "writes off" the remaining portion of its liftings to foreign-flag vessels before computing the U.S.-flag percentage. As can be seen in the above table on AID exports, even where U.S. tonnage *was* available, AID saw fit to use it for only 62.3 percent of its total shipments.

To be valid, the U.S.-flag tonnage carried should be considered as a percentage of the grand total, not of the subtotal. When this is done, the following results are obtained:

	Total tonnage	U.S.-flag tonnage	U.S.-flag percentage
Tramps	1,983,377	468,154	23.6
Tankers	336,014	141,098	42.0
Liners	2,923,039	1,934,603	66.0
Total	5,242,430	2,543,855	48.5

The 48.5 percent figure is a more reasonable one and, furthermore, is one which is comparable to the 45.4 percent total given by MarAd for calendar 1967.

Again, the U.S.-flag percentage drops considerably if the liner segment is not included. Subtracting those receiving a "double subsidy" leaves a total tonnage of 2,319,391, out of which U.S.-flag tramps and tankers carried 609,252 tons. The percentage then becomes *26.3*, rather than 48.5.

Department of Agriculture liftings are covered by P.L. 480, which governs the disposal of surplus agricultural commodities. The law is divided into two Titles. Title I concerns long-term credit sales and Title II, the "Voluntary Agency Program" portion of the law, concerns free donations of agricultural surpluses to friendly nations on a government-to-government basis. Although an Agriculture Department program, Title II is administered by AID.

The U.S. Attorney and Comptroller-Generals have ruled that the 50–50 cargo preference provision is applicable to Title I of P.L. 480. AID and Agriculture have agreed, in their words, to "maximize" the use of U.S.-flag vessels in carrying out Title II, but there is no formal cargo preference requirement.

For fiscal 1967, the following shipments were made:

UNDER TITLE I

	Total long tons	U.S.-flag tonnage	U.S.-flag percentage
Tramps	5,167,000	1,606,000	31.1
Tankers	4,958,000	2,711,000	54.7
Liners	1,052,000	674,000	64.1
Total	11,177,000	4,991,000	44.7

UNDER TITLE II

	Total long tons	U.S.-flag tonnage	U.S.-flag percentage
Tramps	450,000	156,000	34.7
Tankers			
Liners	636,000	421,000	62.0
Total	1,086,000	577,000	53.2

Title II Agriculture Department shipments constitute the only area where there is no explicit cargo preference and yet this is the only area where more than 50 percent of the total tonnage was lifted in U.S.-flag ships. It also represents the smallest total—only a little over a million tons for fiscal 1967, or about one-fifteenth of the 15,743,000 tons exported by all agencies for calendar 1967.

The Agriculture Department statistics follow the same pattern as do those of MarAd and AID—U.S.-flag tramps and tankers carried 42.6 percent of Title I tonnage and tramps (no tankers were involved) carried 34.7 percent of Title II tonnage. It was the 62.0 percent carried by liners which pushed the Title II percentage over the 50–50 mark.

Most liners receive a daily operating subsidy to enable them to compete with *foreign ships* for *commercial cargo*. The subsidy *is not* intended to enable liners to compete with other U.S. ships for U.S. government cargo. In light of this it is strange that the only segment of the industry which consistently receives more than 50 percent of government generated cargo is the liner segment.

It is equally strange that in spite of the clear language and the intent of the legislation, the other industry segments have not received a *minimum* of 50 percent of government cargo. While tankers have not fared as well as liners, it is the tramps which have really suffered from unfair distribution of government cargo. Regardless of whose figures are used and regardless of whether annual or fiscal periods are used, U.S. tramps do not come close to being allocated at least 50 percent of total tramp cargo. No manipulation or "availability" claims can hide the fact that of this cargo only about 25 percent was carried on U.S.-flag vessels.

The Transportation Institute has furnished later figures on one segment of government cargo, Agriculture Department exports.

AGRICULTURE DEPARTMENT EXPORTS, TITLE I, PUBLIC LAW 480, FISCAL 1967 AND 1968

[In long tons]

	Total tonnage		U.S.-flag tonnage		U.S.-flag share (percent)	
	Fiscal year 1967	Fiscal year 1968	Fiscal year 1967	Fiscal year 1968	Fiscal year 1967	Fiscal year 1968
Tramps	5,167,000	7,765,000	1,606,000	2,081,000	31.1	26.8
Tankers	4,958,000	2,832,000	2,711,000	1,431,000	54.7	50.6
Liners	1,052,000	1,228,000	674,000	733,000	64.1	62.9
Total	11,177,000	11,823,000	4,991,000	4,285,000	44.7	36.2

Note: Fiscal year 1968 figures compiled on basis of quarterly reports published by U.S. Department of Agriculture.

LITHUANIAN AND ESTONIAN INDEPENDENCE

Mr. CASE. Mr. President, we are again reminded of the poignant fate of the once-free peoples of the Baltic States, by the observance this month of the 51st anniversary of the independence of the Republic of Lithuania and the Republic of Estonia. All Americans will understand the deep feelings of those among us whose ties to these subjugated lands remain close and strong. Their thoughts are well expressed in statements I have received from groups in my own State of New Jersey.

I ask unanimous consent that the resolutions of the Lithuanian Americans of Linden, the Lithuanian Council of New Jersey, and the Lakewood Estonian Association be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS UNANIMOUSLY ADOPTED ON FEBRUARY 9, 1969, BY THE LITHUANIAN AMERICANS OF LINDEN, N.J.

Whereas February 16, 1969 marks the 51st anniversary of the declaration of Lithuania as a free and independent republic; and

Whereas Lithuania, the country of our ancestors, once an independent and flourishing republic, recognized and respected by the world's major powers, was invaded and occupied by the Soviet Union in 1940, to this day its people enslaved and subjugated; and

Whereas commemorating the 51st anniversary the feeling of many Lithuanian Americans may well be guided by the words of our President, Richard M. Nixon, expressed in his inaugural speech, that "No man can be fully free while his neighbor is not—to go forward at all is to go forward together"—therefore, be it

Resolved, That we hereby reaffirm our determination to continue to carry on the effort whereby Lithuania once again shall regain her freedom and rightful independence; and

Resolved, That it is our hope that the representatives of our Government will firmly continue to maintain the policy of nonrecognition of the incorporation by force of Lithuania in the Soviet Union; and

Resolved, That the Government of the United States be requested to take appropriate steps through the United Nations and other channels to reverse the policy of colonialism by Soviet Russia in the Baltic States and bring about re-examination of the Baltic situation with the view of re-establishing freedom and independence to these three nations; and

Resolved, That copies of these resolutions be forwarded to the President of the United States, His Excellency Richard M. Nixon; to the Secretary of State, the Honorable William P. Rogers; to the United States Ambassador to the United Nations, the Honorable Charles W. Yost; to the United States Senators of New Jersey, the Honorable Clifford P. Case and the Honorable Harrison A. Williams; to the Representatives of the Twelfth and Thirteenth Congressional Districts of New Jersey, the Honorable Florence P. Dwyer and the Honorable Cornelius E. Gallagher; and to the Governor of New Jersey, the Honorable Richard J. Hughes.

VLADAS TURSA,
President.
MARGARITA SAMATAS,
Chairman of Resolutions Committee.

RESOLUTION

Unanimously adopted at a meeting of American-Lithuanians and their friends living in New Jersey, sponsored by the Lithuanian Council of New Jersey, held on Sunday, February 16, 1969 at St. George's Lithuanian Hall, Newark, New Jersey, in commemoration of the 51st anniversary of the establishment of the Republic of Lithuania on February 16, 1918.

Whereas the Soviet Union took over Lithuania by force in June of 1940; and

Whereas the Lithuanian people are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty which they rightly and deservedly enjoyed for more than seven centuries in the past; and

Whereas the Soviets have deported or killed over twenty-five per cent of the Lithuanian population since June 15, 1940; and

Whereas the House of Representatives and the United States Senate (of the 89th Congress) unanimously passed House Concurrent Resolution 416 urging the President of the United States to direct the attention of the world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples: now, therefore, be it

Resolved, That we, Americans of Lithuanian origin or decent, reaffirm our adherence to American democratic principles of government and pledge our support to our President and our Congress to achieve lasting peace, freedom and justice in the world; and be it further

Resolved, That the President of the United States carries out the expression of the U.S. Congress contained in H. Con. Res. 416 by bringing up the Baltic States question in the United Nations and demanding the Soviets to withdraw from Estonia, Latvia, and Lithuania and be it further

Resolved, That the pauperization of the Lithuanian people, conversion of once free farmers into serfs on kolkhozes and sovkhozes, as well as exploitation of workers, persecution of the faithful, restriction of religious practices, and closing of houses of worship, and be it finally

Resolved, That copies of this resolution be forwarded this day to the President of the United States, Secretary of State William Rogers, United States Ambassador to the United Nations Charles Yost, United States Senators from New Jersey, Members of U.S. Congress from New Jersey, and the press.

LITHUANIAN COUNCIL OF NEW JERSEY,
VALENTINAS MELINIS, *President*.
ALBIN S. TRECIOKAS, *Secretary*.

LAKEWOOD ESTONIAN ASSOCIATION

RESOLUTION

We, Americans of Estonian ancestry, gathered on this 22nd day of February 1969, at the Estonian House in Jackson, New Jersey to observe the 51st anniversary of the Proclamation of Independence of Estonia, and mindful of the fact that the homeland of our forefathers is still oppressed and suffering under the totalitarian rule of Soviet Russia, declare the following:

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the peoples of Estonia, and the other Baltic countries of Latvia and Lithuania, have been forcibly deprived of these rights by the Soviet Russia; and

Whereas the aggressive aims of Soviet Russia have recently again been demonstrated by the invasion and occupation of Czechoslovakia; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of the captive peoples for self-determination and national independence: Now, therefore, be it

Resolved, That we urge the President of the United States, in fulfillment of the provisions of House Concurrent Resolution 416 unanimously adopted by the Eighty-Ninth Congress, to direct the attention of world opinion at the United Nations and at other appropriate international forums to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania; also be it

Resolved, That we urge the House of Representatives of the United States Congress to establish a permanent Special Committee on the Captive Nations to conduct a study of facts concerning conditions in nations under Soviet rule; also be it.

Resolved, That we urge the United States Congress to hold a full debate on the U.S.-U.S.S.R. policies; also be it

Resolved, That we Americans of Estonian descent reaffirm our adherence to the principles for which the United States stands and pledge our support to the President and the Congress to achieve lasting peace, freedom, and justice in the world; also be it

Resolved, That copies of this resolution be forwarded to the President of the United States, the Secretary of State, the U.S. Ambassador to the United Nations, the Governor of New Jersey, the U.S. Senators of New Jersey, the Representatives of the Third and Sixth Congressional Districts of New Jersey, and the press.

Unanimously adopted on the 22nd day of February 1969.

JULIUS KANGUR,
President.
EDA T. TREUMUTH,
Secretary.
JUHAN SIMONSON,
Chairman, Resolutions Committee.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. (Mr. ALLEN in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO TUESDAY, MARCH 4, 1969

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon on Tuesday, March 4, 1969.

The motion was agreed to; and (at 2 o'clock and 18 minutes p.m.) the Senate adjourned until Tuesday, March 4, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 28, 1969:

DEPARTMENT OF THE INTERIOR

Carl L. Klein, of Illinois, to be an Assistant Secretary of the Interior.

Mitchell Melich, of Utah, to be Solicitor of the Department of the Interior.

GENERAL SERVICES ADMINISTRATION

Robert L. Kunzig, of Pennsylvania, to be Administrator of General Services.

DEPARTMENT OF THE TREASURY

Paul W. Eggers, of Texas, to be General Counsel for the Department of the Treasury.

U.S. MINT

Betty Higby, of Colorado, to be Superintendent of the Mint of the United States at Denver.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 28, 1969:

DEPARTMENT OF DEFENSE

Robert C. Moot, of Virginia, to be an Assistant Secretary of Defense.

Roger T. Kelley, of Illinois, to be an Assistant Secretary of Defense.

John S. Foster, of Virginia, to be Director of Defense Research and Engineering.

Charles A. Bowsher, of Illinois, to be an Assistant Secretary of the Navy.

Robert Alan Frosch, of Maryland, to be an Assistant Secretary of the Navy.

James D. Hittle, of Virginia, to be an Assistant Secretary of the Navy.

DIPLOMATIC AND FOREIGN SERVICE

The nominations beginning Robert J. McCloskey, to be a Foreign Service officer of class 1, a consular officer, and a secretary in the diplomatic service of the United States of America, and ending Vincent P. Zavada, to be a consular officer of the United States of America, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on Febraury 17, 1969.

IN THE ARMY

The nominations beginning Gerald F. Feeney, to be captain, and ending Phillip M. Zook, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 7, 1969.

DEPARTMENT OF AGRICULTURE

Richard E. Lyng, of California, to be an Assistant Secretary of Agriculture.

RURAL ELECTRIFICATION ADMINISTRATION

David A. Hamil, of Colorado, to be Administrator of the Rural Electrification Administration for a term of 10 years.

EXTENSIONS OF REMARKS

ADDRESS BY SENATOR MUSKIE AT ALL-UNIVERSITY CONVOCATION, OXFORD, OHIO

HON. LEE METCALF
OF MONTANA
and
HON. QUENTIN N. BURDICK
OF NORTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Friday, February 28, 1969

Mr. METCALF. Mr. President, the distinguished Senator from Maine (Mr. MUSKIE) spoke at Oxford, Ohio, on February 17 at the All-University Convocation. In the direct manner that is so characteristic of him, Senator MUSKIE spoke to the students about a matter that affects them closely—the draft—and he invited his audience to take a hard look at the easy answer seemingly offered by a voluntary army that would either be a substitute for or a supplement to selective service. Senator MUSKIE raised questions which have enjoyed little currency lately but which are fundamental to an intelligent choice of alternatives.

Mr. President, certainly the war in Vietnam and the division in this country over U.S. policy there, precipitated the wide discussion of a volunteer army. Those who would change our policy in the Far East, and I am among them, should look for correction by direct change in that policy and not indirectly, through adoption of a new manpower system.

Those who believe we should amend the draft because the present law is inequitable, and I am among them, would do well to reflect on Senator MUSKIE's observations before deciding what course the Nation should take—a professional army or a citizen army.

I ask unanimous consent that the text of Senator MUSKIE's address be printed in the RECORD.

Mr. BURDICK. Mr. President, I have had the pleasure of reading the remarks which the esteemed Senator from Maine (Mr. MUSKIE) delivered to the All-University Convocation at Oxford, Ohio, on February 17, 1968.

The Senator's comments on the selective service and its widely discussed alternative, the "professional army," are extremely perceptive. I wish, especially, to bring to the Senate's attention Senator MUSKIE's insight into the probable effect of creating a wholly volunteer, professional military force, and I join the distinguished Senator from Montana in asking unanimous consent that the text of Senator MUSKIE's speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR EDMUND S. MUSKIE AT THE ALL-UNIVERSITY CONVOCATION, JOHN D. MILLETT ASSEMBLY HALL, OXFORD, OHIO, FEBRUARY 17, 1969

I am speaking to an audience of college students for the first time since last year's campaign, but I want you to know that the hiatus was not due to unpleasant memories.

On the contrary, some of my most refreshing experiences during the campaign were with college audiences.

Now, during the campaign, this usually was as far in my prepared text as I was able to proceed.

If that heckler in the back row would like to come up and speak for five minutes. . . .

But the campaign is over, and most of the heckling has stopped.

In many ways, it was not a pleasant campaign.

The apathy and indifference of one generation produced a political process that was largely unresponsive to the next.

Emotion-charged issues made accommodation and compromise difficult for some and unacceptable for others.

And for many Americans easy answers were attractive in the face of difficult and complex problems.

Although the campaign is over, I am afraid that the fundamental social and political issues which provoked the divisions remain unresolved. Now we must deal with them.

One issue which is uppermost in your minds is the question of military service and the draft. Many of you feel—and with good reason—that the present system and its procedures are unfair and have little relevance to your goals and motivations. You want to serve your country, but many of you are convinced that there are more productive ways to serve.

On the other hand, in the present state of the world, and for an unpredictable time into the future, America must have an armed force; and American citizens must somehow staff it from among their own numbers.

In other words, American citizens must be prepared to fight for those values they consider worth fighting for; and this will require a military organization staffed by American citizens.

The problem is, "How do we organize it and how do we staff it?" If the solution to the problem need only reconcile the necessity of a military force with the aversion of some to military service and the draft, then a volunteer army is the obvious answer. In other words, we would simply pay enough to attract enough of those who as a consequence would be willing to spend their lives in military service.

But is this easy answer good enough? The easy answers of the past are the root of present dissatisfactions.

In other words, American citizens must be prepared to fight for those values they consider worth fighting for; and this will require a military organization staffed by American citizens.

Are you satisfied with so narrow an examination of this question? Fundamental ideals of equality and justice are at stake. And our democratic traditions and ideals have no small bearing on our answer.

We have not cherished a military force as a hallmark of our society. We have simply recognized it as a necessary function of government, at least for the forseeable future. We have believed that its responsibilities must be limited, and that its position must be subordinate to civilian control.

We have developed this tradition and have insistently maintained it because, out of the experience of mankind, we have come to believe that the preservation of democratic ideals and institutions can be affected by the relationship of the military to the rest of society.

And so we have insisted upon civilian control of the military. The relationship of the ordinary soldier to society is crucial in maintaining such control. Under our present system, his commitment to the military is limited. He will soon be replaced by someone else, and the goal of his military career is the end of his service.

When and if a soldier becomes more concerned with self-perpetuation of the army than with going home, society loses its control over the military.

A volunteer army is a professional army, and the goals of a professional soldier are military.

A professional soldier has a limited relationship to society outside his military career. He has a limited commitment to a civilian life to which he does not expect to return. So long as the professional soldier is part of a larger, citizen army, the problem is limited.

There is still another point.

A volunteer army may be more than professional or mercenary. Its creation may cost us more than civilian control of the military. The entire relationship of military service to our society could be at stake.

Historically, the citizen army of the United States has been a responsibility which all American men have had to face. Not all men have been chosen, and not all men have had to serve. But the distinctions have never been based on race or economic condition. At least, that is what we have intended.

The National Advisory Commission on Selective Service recognized these ideals. Its Chairman, Burke Marshall, said that the Commission's objective was to "Find the means of securing the manpower needed by our national security in a manner as consistent as possible with human dignity, individual liberty, and fairness to all citizens."

That Commission rejected the suggestion that the draft be eliminated in favor of a volunteer professional army.

It concluded that such a system would probably cost too much money and would not provide large enough numbers of men in times of crisis. More importantly, however, it also concluded that such an army could become a mercenary force unrepresentative of the nation.

I want to underscore those last few words—"unrepresentative of the nation." A professional army would attract those who could not otherwise find employment. We would force upon the poor by the use of pecuniary incentive the responsibilities which the affluent could afford to avoid.

It would, in some respects, be comparable to the purchase of substitutes which flourished during the Civil War.

There is more to equality than equal opportunity. Equality also involves an equal responsibility to the society. Should not military service in a democratic society be a responsibility unrelated to economic status?

Black Americans re-enlist in the army at a higher percentage than whites because there is less opportunity for them if they return to civilian life. Could not the billions of dollars which we would spend to create a professional army be better spent equalizing the opportunities of civilian life?

There is one other point involved it seems to me; and that is the uses to which our armed forces may be committed in the future.

If we have a volunteer professional army, made up of those paid to devote their lives to military pursuits, will there be a temptation to use it more freely, or, at the very least, will its use be less inhibited as an instrument of national policy, than that of a draft citizen army?

One lesson I suspect we have learned out of our Vietnam experience—and actually, I think it was embedded in our tradition before, is that a draft citizen army (pulling citizens out of their private lives to bear the burdens and sacrifices of war) imposes, or is more likely to impose, restraints upon the policymakers. The purposes for which it can be used must be such as can command solid and widespread public support.

Such restraints may well be less restrictive in the case of a volunteer professional army. And let us not overlook the possibility that a military action begun with the volunteers may assume dimensions requiring recourse to a draft to meet the emerging manpower needs of an escalating conflict; and we will be back where we started.

There is, of course, another argument for the volunteer professional army which ought to be discussed in the context of the point I have just made. It is the argument that, with a higher level of professional training, and with less turnover in the field (because of the present rotation policy to spread the risks of exposure to combat), the army would be more effective. Such greater effectiveness, it is said, would have enabled us to handle the Vietnam problem with fewer men and possibly to have ended it sooner.

Again the question arises, however—might there not be greater temptations to use such a force?

These are all serious questions we should ponder thoughtfully before opting for the volunteer army as the easy answer to the military service problem.

On the other hand, simply opting for the draft over a volunteer professional army does not automatically satisfy our doubts about its equality and fairness.

The draft, as presently operated, is unfair and unjust.

The draft boards themselves are not representative. Over one-fifth of the members are over 70. Only 1.3 percent are black.

The appeals procedure is sadly inadequate. A draftee seldom knows what his options are, or who to turn to for help and counsel.

The present system of selecting the oldest first disrupts a young man's life from the time he is 18 until he is 26. He faces eight years of uncertainty as to when or whether—he will be called for induction.

Finally, the methods and criteria for selection are not at all uniform, and have questionable relevance to the nation's needs and purposes.

The entire system needs to be changed.

First, 4000 local boards with almost that many different procedures and classifications are unnecessary. We should create regional selective service boards whose members have a better understanding of the problems of their constituents, and who more accurately reflect the region's population.

The boards should be strengthened by the adoption of uniform national standards, more adequate appeals procedures, and a greater effort to inform the draft registrant of his status and the timing of his induction.

Second, all men eligible for the draft should be selected by lottery at age 19, by the fair and impartial random selection recommended by the Marshall Commission.

Finally, when he is selected, the draftee should be allowed to choose among several options for national service—military and otherwise—which have been determined to be relevant to the needs of the nation.

Pre-selection deferments should be limited to strict criteria of health and occupation, but post-selection choices should be as broad as the needs of the country require and the imagination of our young people permit.

There is an enormous force for good among American youth today, and there is no reason why this force should be discouraged by lack of opportunity.

When we broaden the choice of service, we must broaden it for all Americans. We cannot permit an educated elite to escape military service, dooming the poor—black and white—to its limited opportunities.

Developing service alternatives open to all young Americans will require imagination and initiative. Much of that responsibility will be yours.

Alternative national service should be as open as military service. And its tasks should be no less taxing.

Its aims must not be subject to question or doubt. We should not create a haven for draft-dodgers, a program providing for two or three years of fun, or a series of make-work projects.

We have seen the successes of the Peace Corps, the Teacher Corps, VISTA, and some of the programs of the war on poverty. The young people who made those programs successful have not found the going easy. But they have found that a vigorous commitment to real change in the lives of individual people can—bit by bit—bring about a real change for the better in the world.

If young Americans are willing to make this commitment, they should be encouraged.

We believe in the value of the commitment, and we shall encourage you—

To participate in a system of national service which recognizes that military service is only one alternative;

To develop these alternatives;

To make the choice as to how you can best contribute; and,

To help mount a broad attack on the roots of poverty and deprivation at home and abroad.

It is time for all of us, I think, to broaden our perspectives in this area.

Although military security is a major element of national security, the two are not synonymous.

Security comes from the development of a life for all people which affords each citizen the chance to reach his own greatness. It comes from the development of a society where we help one another in a mutual involvement which goes beyond charity.

It is important that we achieve this kind of society, but how we acheive it is also important.

Our aim is to help people of all nations secure this life, but not to secure it for them.

So our efforts must be consistent with our objectives. Our priorities and our policies should be examined and questioned.

Does our national security depend only on our military strength?

Does a volunteer professional army meet the tests of equality and human dignity?

Individual citizens—particularly you young people—must participate in the search for the right answers.

You have questioned the present system and doubted its relevance.

You have seen the effects of apathy and indifference.

The present system has not been satisfactorily changed because those who have objected have never cared enough to suggest alternatives which meet the tests we cannot avoid—tests of equality and justice.

I think we have the makings of legitimate alternatives before us. But we have to make some choices.

The responsibility is to help make those choices is now yours. I hope you will set a better example.

DIVERSITY OF AVIATION INDUSTRY VIEWS ON SOLUTIONS TO AIRPORT/AIRWAYS CRISIS SAID UNHELPFUL TO NEEDED LEGISLATION — SENATOR RANDOLPH URGES SEPARATION OF FLOW OF FAST AND SLOW AIRCRAFT—SAYS MAJOR AIRPORT CAPACITIES WOULD EXPAND

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, February 28, 1969

Mr. RANDOLPH. Mr. President, in a February 20, 1969, letter to Secretary of Transportation John A. Volpe, I expressed the view that nothing in the whole field of transportation is in a more serious status than is in the airport/airways system. Our able Secretary of Transportation, I believe has the same feeling of urgency. And I say here, as I wrote to Secretary Volpe, that distinguished gentleman has the leadership responsibility, and I know he has the courage and the capacity for leadership to match that responsibility.

But, Mr. President, the airport/airways crisis will worsen unless it is attacked frontally—and this means action by Congress on new legislation of major proportions to set up a realistic program for airport expansion and modernization of the airways, meaning especially air traffic control procedures, patterns, equipment and facilities.

I pointed out in my message to Secretary Volpe that I concurred with much set forth in a January 28, 1969, letter to him by the junior Senator from Massachusetts (Mr. BROOKE) and other colleagues concerning air traffic control and safety. It is agreed that we must make for air traffic control personnel those improvements in training, management, and conditions of employment so validly discussed by Senator BROOKE and other colleagues.

Without deprecating in any degree the validity of their recommendations, I called to the attention of the Secretary of Transportation two other large aspects of the problem of the airport/airways system which require attention, namely, the need for:

First. Separating the lines of flow of fast and slow aircraft at major airports, a procedure which probably would do more than any other short-term action to increase airport capacity. The need for attention to this activity grows in importance. It is accentuated by the "unqualified success" of the Eastern Airlines-McDonnell Douglas experimentation with the short-takeoff-and-landing aircraft and related testing of special navigation equipment.

Second. Narrowing the gaps between the extremely divergent positions on program solutions for airport/airways problems by the principal segments of civil aviation—the Air Transport Association, the National Business Aircraft Association, the Airport Operators' Council and the American Association of Airport Executives, and the Aircraft Owners and Pilots Association.

Yes, Mr. President, the various segments of aviation are divided in their positions on legislative programing—emphatic in their opposition to much that has been proposed and much too lacking in parallel thoughts on solutions.

I know from many conversations with colleagues that the Congress is concerned. By the same token, Congress is so confused by the intra-aviation industry differences that it seems impossible to make legislative progress in this vital area of national concern. Position papers by the various users of airports and airport operators and executives give clear warning in advance that testimony by spokesmen for these organizations before congressional committees with aviation and finance jurisdiction would add to the confusion, which has grown even worse than it was a year ago. This is an unfortunate condition at a most inopportune time.

It is my judgment that the widely differing views of the airport operators and executives and those of the airport and airways user groups were not composed adequately in proposals sent to the Congress by the Federal executive establishment last year and thus far this year.

On the other hand, I credit the Senate Commerce Committee with having made a bold and valiant effort last year to have the 90th Congress come to grips with the problem when it reported the best comprehensive—the best compromise airport/airways measure—S. 3641, 90th Congress—possible under the circumstances. But what happened? Few of the parties to the issue were willing to accept compromise and preferred to take potshots at the committee substitute bill. Accordingly, that measure could not even earn a place on the Senate Calendar. In spite of the airports/airways crisis, the 90th Congress experienced frustration of well-intended efforts, and unfortunately, more of the same already is apparent in these early months of the 91st Congress. It is regrettable that there cannot be an arising to confront the mounting crisis.

So, Mr. President, I reiterate a comment I made to the Secretary of Transportation: Congress is in a dilemma created by an aviation industry stalemate growing out of intra-industry positions which have too few common denominators; I will illustrate later by requesting the printing of statements or summaries of position papers of the several segments of the airport operator and user facet of the aviation industry.

Before making the request to have that data printed in the RECORD, I will discuss briefly the need for separating the lines of flow of fast and slow aircraft at major airports.

There continues the congestion due in considerable degree to the practice termed the fast-slow mix.

And at this point I commend a cogent and timely statement by Acting FAA Administrator David D. Thomas, who said:

> I am frequently asked why we cannot land a man in New York at 5 p.m. on a Friday afternoon if we know enough to land a man on the moon. The answer is that we know enough, but we have invested $24 billion in air traffic control and navigation facilities since the Wright Brothers' flight. Perhaps now is the time to invest a few cents per gallon in fuel taxes and a small percentage of the passenger fare to assure our landing at points on this planet at the advertised time.

The fact is that everything has outpaced airport capacity and maintenance and operation of the airways control system except action by Congress on programs to keep pace with the expansion of civil aviation. But Congress needs the assistance of civil aviation in this programing; we are growing weary of having to grope through position paper after position paper in our search for common denominators on a sufficient number of solutions to the problem to justify going forward with the programing that these times require.

Nevertheless, this search must go on. Meanwhile, for reasons which I will explain, I believe that separating the lines of flow of the fast and the slow aircraft is a procedure that should have more attention than it is receiving. I emphasize the earlier assertion that this procedure probably would do more than any other short-term action to increase airport capacity—mainly the capacity of existing airports.

It is recognized that separation of the air traffic flow would not have any real degree of consequential benefit unless the flow separations are carried to the ground at all times, including those times when instrument flying weather prevails. And, admittedly, this would mean separate, independent instrument approach procedures to runways which, in some cases, would be parallel and which might also be laterally spaced less than a mile from each other.

Competent persons tell me that air traffic flow separation need not be projected and postponed as far into the future as some persons declare to be necessary. I am told that it could be done soon after an intensive operational evaluation is made of the procedures involved to insure that there not be derogation of safety. The only real element that is lacking is a decision at a high level in your department to place an ultra-high priority on the intensive operational evaluation.

The fast and slow separation of air traffic flow could be implemented relatively quickly at numerous major airports. It could be done at unexpectedly low costs to the Government and the airport user—costs much lower than would result from ignoring the potentialities of the flow separation procedure and going, instead, to the vastly expensive major construction alternative.

I am not implying that major landing area and major terminal area construction programs can be or should be ignored. There must be much major construction to modernize many airports and to create new ones. And there must be vast procurement and installation of new and modern airways equipment and facilities. But it would seem to be imprudent to move into the major improvements program area without having first explored comprehensively and evaluated thoroughly what can be done and what can be saved by separating the lines of flow of fast and slow aircraft.

Mr. President, I believe resolutely that STOL aircraft can be and will be very much a factor in mitigating if not obviating air traffic congestion in the not-too-distant future. The Eastern-McDonnell Douglas test finding serves to emphasize this probability. STOL equipment will reduce air traffic congestion, and it may be a means of changing airport landing area concepts at very significant cost savings. We should be looking for prudent, safe and sane ways to effectuate these savings because the billions of dollars estimated to be necessary to modernize the airports/airways system may be very elusive dollars.

My communication to Transportation Secretary Volpe included most of the comments on this complex and vastly important subject made here today. Additionally, I appended a summary of five aviation organizations' recommendations and/or objections to programs for solution of the airports/airways crisis. Although the divergent positions are formidable and frustrating, they are nevertheless challenging to those officials with transportation leadership responsibilities.

In closing the message to Secretary Volpe, I wrote:

> If, through exercise of your leadership, you can reduce the gaps that separate the extreme positions and thereby help narrow the differences between the various elements of the airport/airways operators and users, you will have performed a significant service. And you will have aided in making it possible for the Congress to direct a frontal attack on the crisis of the airports/airways system—a crisis that could grow into extremely serious proportions. You have the leadership responsibility. I know you have the courage and the capacity for leadership to match that responsibility. Be assured that I wish to be helpful.

Mr. President, I ask unanimous consent to have printed in the RECORD position papers by, first, the Air Transport Association of America; second, the National Business Aircraft Association; third, the Aircraft Owners and Pilots Association; fourth, the American Association of Airport Executives; and fifth, the Airport Operators Council International, the latter including excerpts from a January 29, 1969, speech by its president, Richard E. Mooney, and an article entitled "AOCI Moves To Fill Leadership Vacuum," published in the January 1969 issue of the magazine Airport World.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

I. THE AIR TRANSPORT ASSOCIATION OF AMERICA POSITION

AIRPORT FINANCING CRISIS: THE NEED FOR A FEDERAL DEVELOPMENT PROGRAM

By now, the nation is well aware that the rapid growth of aviation, combined with inadequate airports and airways facilities, has resulted in severe delays at several of our major airports. The "ripple effect" of those delays has tied up air traffic all across the country and the situation can only worsen as time goes on. It is essential to the health of our air transportation system that a Federal airport development program be enacted as soon as possible. Vastly increased airport capacity is required to meet the present and projected growth of aviation. There is an urgent need for capital expenditures on airports in the neighborhood of $3 billion in the next three years, and $6 billion in the next eight years. The airports themselves will not be able to find this kind of money on their own. It has been estimated that roughly half the amount needed will not be available to airport sponsors from *any* source. Nor will the airlines be able to absorb this vast requirement.

While the federal government, through the Federal Airport Aid Program, has made vital contributions to the development of our national airport system by furnishing "seed" money to assist airport construction, the fact remains that over 80% of the investment in public airports in the last decade has come from local and state sources. Further, the Federal Airport Aid Program expires June 30, 1970, and there is every indication that Congress will not continue to provide any sizeable amount of funds for airports out of general revenues.

On the state and local level, there has been a shift in the financing burden from the general taxpayer to the user. General obligation bonds are being replaced by revenue bonds for airport development purposes. One of the significant features of many revenue bonds, and one which greatly enhances their marketability, is the guarantee by the airlines serving the airport in question to make up in additional payments to the airport sponsor any deficiency in airport revenues which is necessary to enable the airport to pay all the principal and interest on the bonds. The very serious difficulty, however, and one which is not fully perceived by airport operators, is that the airlines cannot expand the practice of guaranteeing local airport bonds to the extent necessary to meet the nation's airport capital requirements over the next several years. The reason is this: The airline guarantee of local bonds is a contingent liability which eats up airline credit at a time when, in order to meet future traffic demands, the airlines, with net worth of $3.1 billion, ordered $10 billion in flight and ground equipment and have indicated that they will spend nearly $2 billion additional for their own facility improvements at airports over the next eight years. The fact is that the airline industry is simply not large enough to bear the burden of their own capital improvements and those of the airports as well.

Airport requirements, as well as those of the airlines themselves, are immense and immediate. What is needed is a Federal program which will provide large infusions of capital quickly. If this is not accomplished, air transportation and the economy which it supports will surely be severely impaired. *No* airport financing program yet proposed would provide the kind of capital needed in the time it is needed, except one. That is the program supported by the Air Transport Association and introduced as a bill (S. 3641) by Senator Randolph in 1968. The essence of this proposal is its "multiplier effect," which puts much more money to work, dollar for dollar, than a straight grant program.

The revenue from the taxes mentioned below would total about $124 million in fiscal year 1970, obviously a drop in the bucket compared to the overall need. But, rather than being quickly used up in the form of direct federal grant, if these funds are capitalized over the life of the new airport facilities, the amount of new capital funds generated becomes quite substantial. Adding a 25% local share to these tax proceeds, and based upon 25-year maturity bonds issued at a 5½ interest rate, it is estimated that this device would permit the issuance of a cumulative total of over *$2 billion* in local airport bonds the first year. These are the mechanics of the program:

1. Revenues are derived from a 2% tax on domestic airline tickets and a $2.00 tax on every enplaning international passenger.

2. These revenues are placed in a trust fund, administered by the federal government.

3. The Secretary of Transportation is empowered to enter into contracts with airport sponsors wherein the federal government would pay installment *grants* each year over the life of an airport bond in an amount up to 75% of the principal and interest.

In conclusion, most knowledgeable persons in the aviation industry agree that a federal airport program is a necessity. But nearly all the proposals set forth so far are quite inadequate. Grant programs, loans and guarantees have been suggested, but none of them is equal to the monumental task before us. The programs supported by the Air Transport Association is specifically designed to meet the need. No other proposal offers so many advantages to so many interests:

To the federal government, the plan means no new burden on the general taxpayer and no burden on the federal budget, nor pressure on the federal debt.

To the airport operator and city government, it means a smaller requirement for local funds—25% instead of 50%—as well as *twenty-five years* of uninterrupted grant payments, absolutely assured.

To the passenger and the community at large, it means a massive upgrading of airport facilities throughout the nation—a more rapid expansion of more facilities than would be possible under any other plan yet devised.

To the general aviation aircraft operator, it means no more competition with airlines for scarce space at major airports as well as modern new facilities built for his exclusive use.

To all aircraft operators, their passengers and shippers, and the economy at large, it means an end to costly congestion and delays, and the beginning of a new era of fast, efficient air transportation.

II. The National Business Aircraft Association Position

PREFACE

In preparing its Policy concerning the development of the National Airport System, the National Business Aircraft Association has aggressively sought the views and the points of agreement with officials representing the FAA, airport operators, state aeronautics departments, scheduled airlines, private pilots, airport executives, aviation manufacturers, "third level" airlines. NBAA has made every effort to include the requirements of others to the degree that they are compatible with those of our membership. We are willing to recognize that business aviation is only one important segment of a huge industry. We are willing to recognize that any segment of aviation which continues to seek a system tailored solely to its own measure will not only fail its objective, but will also be destructive to development of an equitable program.

BASIC PRECEPTS

Business aviation is willing to pay its fair share for use of the facilities for which it has a requirement. In exchange for such payments we gain the right to demand a voice in determining the portion of total system cost that represents our fair share. We also gain a right to a voice in determining the cost and in the composition of those portions of the total system for which we pay.

NBAA insists that a necessary prelude to the imposition of user charges is the identification of both the direct and the indirect beneficiaries of a National Airport System. Once the beneficiaries have been identified, costs should be allocated to them in proportion to the degree of their benefit.

SUMMARY

A $75 million Federal Aid to Airports Program must be continued. Only through federal contribution can the general public and National Defense interests in a national network of airports be represented.

SEVENTY-FIVE MILLION DOLLARS

In Airport User Charges, on an equal rate base, must be paid into an Airport Trust Fund. An across-the-board 1¢ per gallon fuel tax would more than meet this requirement by 1970.

An Airport Trust Fund, composed of federal contributions and user charges, must be administered according to existing eligibility standards, which exclude terminal facilities.

State and local sources of revenue must be protected and increased in order to match the trust fund. Effectively, there would then be available $300,000,000 annually.

This program will produce $2.4 billion over 8 years, meeting the stated requirement for airport landing areas.

III. The Aircraft Owners and Pilots Association Position

The 150,000-member Aircraft Owners and Pilots Association is circulating a pamphlet analyzing and questioning user charges and, obviously, trust funds as means to be employed in financing any airports/airways system improvement and/or development program.

This is the totally extreme "other end" of the spectrum of diverse positions. The other segments of the aviation industry have some areas of agreement, namely, that there should be (1) user taxes and (2) trust funds, but agree only nominally on details.

The summary page of the AOPA pamphlet, "User Charges: Panacea or Pitfall", is as follows:

SUMMARY AND RECOMMENDATIONS

The two fundamental questions are:

1. Is it wise for the Federal Government to undertake programs in selected national problem areas?

2. In the long run, will it be more beneficial to the nation's citizenry to finance Federal Government programs in selected national problem areas by general taxation or by selective taxation in the form of user charges?

AOPA thinks it is wise to undertake such programs and that it is more beneficial to finance them with general tax revenues. This has been the historical pattern in our country and has been successful in achieving progress for our nation and improving the welfare of our people.

However, AOPA believes that the "user charge" issue must be resolved so that energies can be devoted to more productive pursuits. Therefore, AOPA holds and recommends that the Congressional committees responsible for revenue measures should thoroughly explore the entire subject and hold adequate public hearings. If, after full consideration, it is determined that implementation of user charge concepts is proper, wise and beneficial, then Congress should establish broad policies regarding the employment of user charges. In accord with these policies, specific proposals should then be made for each area in which user charges are to be employed.

In its exploration, Congress should include in its consideration the following questions:

1. What categories of programs are appropriate for user charges?

2. What are the criteria for determining public as well as private shares and benefits?

3. What standards should be established for determining cost allocations?

4. What guidelines should be established for administration of user charge programs?

5. What implementing policies and guidelines should be established for general program areas (e.g. transportation)?

6. What implementing policies and guidelines should be established for special program areas (e.g. aviation)?

7. In what ways and to what extent will application of user charges be accompanied by corresponding reductions in general taxation?

8. How will user charge revenues and existing taxes, related to particular programs be placed in individual trust funds for the support of the respective programs on which user charges are imposed?

9. In what way will proper cost accounting for services by type of user and type of service be provided?

IV. The American Association of Airport Executives Position

In the February 1, 1969 issue of Airport Report, official publication of the American Association of Airport Executives, it is reported that the board of directors of that organization, on January 24, 1969, "took the initiative in developing definite recommendations with respect to the improvement and expansion of the nation's airport system," and stated that AAAE was guided by the following criteria:

1. The users should pay for facilities provided; 2, the users should pay in proportion to facilities required; 3, the level of funding must be known and assured to permit proper planning; and 4, the level of funding should increase as user demands increase.

In essence, AAAE proposes three sets of user taxes and, perhaps, two or three separate trust funds, approximately as follows:

1. Establishment of an initial $150 million Federal trust funds, supported by a fuel tax on *all* aviation fuel used by *all* segments of civil aviation, for airfield improvements (runways, taxiways, and related items presently eligible for FAAP assistance). This would be accomplished with "a two-cent tax on all fuels of all airport users." (—But the report does not show that this burden would fall on the airlines with an impact approximately 5 times greater than on all segments and units of general aviation combined.)

2. Establishment of a terminal area development trust fund by imposing a tax on tickets or by making a passenger service charge—primarily on the passengers carried by the commercial carriers, but also including those of the supplementals and the commuter airlines. The levy AAAE suggests is a two and one-half percent increase in the ticket tax, which it estimates "would generate approximately $125 million in 1969." AAAE further suggests that "unless an additional revenue is generated for terminal area development, then a guaranteed loan program or a grant program . . . will not meet the anticipated financing needs."

3. For improvement of the airways system, AAAE makes no specific recommendation as to user charges for support of such improvements, but its report reads: ". . . However, a part of the total cost of the airways system must continue to be borne directly by the Federal Government in view of the extensive military usage of the system. Also, because a significant portion of the amounts derived from a system of user charges must go to airways improvement, the level of user taxation for the airport system has been kept at a relatively low level in AAAE recommendations.

V. The Airport Operators Council International Position Extracted From a January 29, 1969 Speech by Its President, Richard E. Mooney

One problem which cannot wait is the airport financing problem I have mentioned. We know that the nation's airports will require some six billion dollars of additional capital investment in the next five years. All these funds simply cannot be provided in such a short time by the present methods of airport financing. The Congress considered, but did not enact, a program to provide additional capital funds for airports last year because the administration and the various elements of the industry, like the seven blind men of Hindustan, had seven different ideas concerning the nature of the beast.

This year the Airport Operators Council will propose a program which can provide almost 3½ billion dollars for airport and airways modernization, financed entirely by user charges. About half of this would be for airport development. The airport operators would then be able to meet the remaining airport system needs through traditional means of financing.

In general, our plan calls for the establishment of two airport development trust funds, financed by an additional 5 per cent tax on airline tickets and an additional 5 per cent waybill tax on air cargo. This would provide an estimated 1.7 billion dollars over the next five years to be passed on by the Department of Transportation to publicly-owned airports to finance eligible improvements or to repay the principal on bonds issued for that purpose.

We propose further that the bulk of the money, around 1.5 billion dollars, be allocated among the eligible airports of the nation by an equitable need formula written into the law, rather than by cumbersome administrative procedures each year. Such a formula could be keyed to some easily measurable factor such as enplaned passengers.

The remaining funds would make up a Discretionary Airport Development Fund to be allocated by DOT to general aviation and reliever airports in the same manner as the discretionary funds provided by the FAAP legislation with which we are all familiar.

So much for airport needs. We propose that the airways modernization requirements be financed by an Airways Development Fund to be provided by a 4 cents a gallon tax on all aviation fuel, including jet fuel. We estimate that such a levy would yield about 100 million dollars over the next five years from general aviation users and over 1.6 billion over the same period from airline users, for a total of 1.7 billion dollars.

We are now working out the details of this program and we intend to discuss it with other responsible organizations in the industry, as well as with the Department of Transportation. We hope to receive their concurrence so that we can approach Congress with a single voice.

There would be no point, of course, in discussing this plan with those who hold to the principle that they must have everything they need or want provided for them by the taxpayers and that they will pay for nothing. Such an approach is incomprehensible to us and we are sure it will be completely unacceptable to the taxpayers of this nation and their representatives in the Congress.

In addition to the proposal for a National Aviation Planning Commission and the financing program which I have just outlined, AOCI will have other specific suggestions to make to the Congress this year on the subjects of noise abatement, the CAB's authority over air service, tax exemption for state and local airport bonds, modernization of the air traffic control system and other matters related to the orderly development of the airport facilities which are so vital to this nation's trade and economy.

[From Airport World magazine, January 1969]

AOCI MOVES TO FILL LEADERSHIP VACUUM

FIRST DETAILS OF THE AIRPORT OPERATORS COUNCIL INTERNATIONAL'S 1969 ACTION PROGRAM

Aviation is beset with various problems arising from the enormous growth rate experienced in the industry in the recent past and projected to continue far into the future.

Today, the airport—the interface of air transportation—is the focal point of this growth and, in the popular view, appeared to be the "cause" of the congestion which strangled some U.S. major hubs this past summer.

"As inter-city travel by public carriers centers more and more around the airport (with more than six out of 10 U.S. commercial passengers using air transportation), a comprehensive and long-term systems approach for dealing with aviation's growth and its obvious problems is urgently needed," says Richard E. Mooney, President of the Airport Operators Council Int'l. (AOCI) and Director of Aviation of the Massachusetts Port Authority.

"The industry needs an influx of creative leadership to define short- and long-range solutions to its pressing problems and to get on to the task of implementing them. This is what AOCI is doing with a 'goal-oriented' program to meet some of the key problems facing today's airport management and the aviation industry.

"This new leadership direction of the Council is in addition to the traditional AOCI membership information and meeting services.

"The primary objective of the Council," Mr. Mooney notes, "has always been to provide a vehicle for its members to solve their own problems individually through an interchange of background information. In addition, though, the membership is also focusing on broad industry problems and searching for total solutions in the public interest.

"It is only through a continuous interchange of ideas and new concepts among ourselves and with government and other segments of the aviation industry that significant progress will be made toward achieving needed industry goals. Because government and other industry groups are also involved in these broad problems, the Council's aim is to develop viable solutions and motivate the government and industry to action."

In this respect the Council is giving more emphasis to developing and implementing the "goal-oriented programs" referred to by Richard Mooney which involve government and industry. Most of the principal "goals" of AOCI have international connotations as well as U.S. domestic priority:

1. A responsible financing program for U.S. airport expansion and development needs.
2. Improvement in ground access to airports.
3. Increase in airspace and airport capacity to reduce congestion.
4. New airports development for civil air carriers, general aviation and V/STOL use.
5. Control of aircraft noise and limitation of exposure to it.
6. Facilitation of traffic in current and future aircraft in international service.
7. Encouraging development of large capacity, economical V/STOL equipment.
8. Creation of a forum for coordination of near- and long-term planning within aviation and among all transportation modes which interface with aviation.

Implementation of the AOCI "goals" in the U.S. will depend in part on the reactions of the just-installed Nixon Administration, which hopes to alter the direction of current political, economic and social programs.

The recently-convened 91st Congress, whose legislative agenda for aviation grows steadily, must re-assess the role of the public and private sector in future aviation development and financing. A new era is recognized in both branches of government, and AOCI programs will get intensive consideration.

With this situation at hand, AOCI believes the following synopsis of its 1969 Action Program represents the general nature of aviation's current problems and the direction in which partial or total creative solutions which involve the Executive and Congress may be found.

"In addition, though," Mooney notes, "the Council intends to continue a meaningful dialogue both within its membership and with all segments of the aviation industry to attack and muster support for total solutions to these and other problems affecting airports and/or the industry."

1. Financing

Discussion: The capital cost of establishing a national airport system should be shared equitably between the users of this system and the Federal Government, under a Federally-authorized program which provides, in the aggregate, that portion of the airport system cost which cannot be obtained without Federal assistance or quickly enough at the local level to meet the pressing construction needs to handle the dynamic growth in air passenger and cargo traffic.

The Federal Government's share should be appropriated from general tax revenues and should be equal to that proportion of the cost and expense of the airport system which can be justified by the requirements of the military, the postal service and the national interest. The balance of the costs should be collected, based on beneficial use of the system, from the users thereof on an equitable basis.

Both appropriated funds and new or increased Federally-imposed user taxes should be deposited in a new Airport Development Trust Fund, which revenues equitably distributed to public airport sponsors for improvement of existing airports, construction of new airport complexes, and for expansion of general aviation and, particularly, reliever facilities.

Solution: *The Congress should promptly enact legislation to accomplish the above objectives. Likewise the Congress should appropriate funds for the Federal Government's share of airport system costs.*

2. Access

Discussion: The American's preference for having his own wheels under him has led to rapidly increasing vehicular congestion on highways leading to airports as well as on interior access and service roads within airports and in parking lots. This preference applies not only to his own car but to vehicles that act like his own car; viz., the rental car, taxi, chauffeur-driven limousine, and suburban limousine.

The congestion is becoming so repetitive and so severe as to constitute potentially a major constraint on the growth of air transportation and the productivity of government and industry investment therein.

Solution: *The involved Executive agencies should simplify procedures for and expedite the granting of Federal funds to mass transportation, air and highway access projects at critically congested airports, and program a much higher level of research and development funds to develop and test modal innovations and other new systems for both air and ground access improvements.*

3. Capacity

Discussion: The air transportation demand has outgrown the capacity of the present VOR-DME ground-navigation oriented airways and air traffic control and direction system. Congestion due to controller shortage and workload can be temporarily overcome by inserting more controllers into the system but the latter will break down again when the critical points of air-ground communication congestion and radar target density are reached.

The airways and air traffic control and direction system must be reoriented toward automated area navigation control concepts wherein the aircraft is navigated from the cockpit, position reporting is automated, and the controller becomes a monitor managing the system by exception. These techniques are well known to the FAA and to the industry and have been experimentally operated in the EAL-McDonnell Douglas-FAA STOL 188 demonstration flights in the northeast corridor during Fall 1968.

Techniques to increase airport capacity are likewise no mystery but require appropriate R & D expenditures. Solution of the financing problem already discussed and of the noise, facilitation, and planning problems to follow will permit and encourage development of new major and general aviation airports and V/STOL ports as well as the increase in capacity of existing installations. However, until these capacity increases can be achieved various forms of demand restrictions now under consideration by the FAA must be employed to keep delays within reasonable limits.

Solution: *The Secretary of Transportation should request the FAA to expedite the changeover from the present VOR point source navigation system to one which will permit greater utilization of airspace. One such means is the use of airborne computers and cockpit displays to convert the existing navigation information into an area coverage system.*

If VOR accuracy is insufficient to provide ample additional airspace by such means, the FAA should then take steps to program a new navigation system which meets these requirements and arrange for the orderly phasing out of present navigational facilities.

The above should be reflected in the position that the U.S. takes in ICAO since at present there is international agreement that no changes be considered in the navigation system until 1975.

The Secretary of Transportation should have the FAA prepare and submit budget proposals to the Congress to implement the area navigation control concepts and associated airways system revisions.

The Secretary of Transportation should institute a comprehensive long-range Federal research program exploring advanced technologies in airport landing area, airways, air traffic control and air ground direction systems in order to anticipate and provide for future traffic needs in the long term.

The Secretary of Transportation should issue the temporary demand restricting procedures outlined in the pending Notice of Proposed Rule Making regarding congestion (FAA Docket No. 9113).

4. New airports

Discussion: New major airports are needed in many areas to accommodate the surge and growth in air traffic. They are needed in locations accessible to markets requiring increased air service and at sites which are also compatible with airspace availability.

More general aviation airports are needed to facilitate this rapidly growing form of travel and to relieve air carrier airports of locally originating or terminating general aviation travel.

Solution: *Where general aviation airports exist on the periphery of metropolitan complexes they must be improved and modes of expedited access to them tested and implemented to attract general aviation aircraft operators and support services to them.*

V/STOL ports should be developed as close as practicable to city centers, and STOL runways capable of being operated independently of air carrier runways under IFR conditions should be installed on air carrier airports to increase their capacity by relieving air carrier runways of the demand for short haul and connecting general aviation and air taxi traffic.

The actions recommended in the rest of this series of proposals are all geared to achieving the above stated needs. In addition they will make possible the improvement of service and capacity at existing airports.

The FAA should expedite the development of STOL, port specifications, rules for air carrier and air taxi STOL aircraft operations and the provision of independent IFR STOL routes in and out of and within metropolitan areas.

5. Aircraft noise

Discussion: Adverse reaction of the public to aircraft noise is the single greatest deterrent to the development of air transportation and airports. Aircraft noise is created during the take-off and landing phases of aircraft operations while in the navigable airspace. The Federal Government has control over the fight of aircraft while in the navigable airspace and the legislative responsibility to provide for the "protection of persons and property on the ground."

Noise must be controlled at its source through research, certification of aircraft and control of operations from this point of view. Research to effect control of noise at its source should be supported by the Federal Government, and penalties in the design and economy of operation of aircraft must be supported by the users of air transportation.

Solution: *The Executive should direct the publication of realistic rules and regulations by the FAA in implementation of P.L. 90–411. The rules should be drawn so as to achieve specific noise reduction goals, and all aircraft should be required to conform to those rules.*

The CAB should authorize airplane fare adjustments to cover costs of design improvements and operating cost penalties required to suppress noise at its source.

The NASA and DOT/FAA must undertake expedited research to develop technological guides for methods to quiet current and future aircraft and improve aircraft operational procedures.

The DOT/FAA and State Department must request immediate action by ICAO to consider the entire problem of aircraft noise and recommend responsible international aircraft noise certification standards.

6. Facilitation

Discussion: The introduction of 747 and high capacity tri-jet aircraft into service beginning in late 1969 will vastly increase and complicate international air terminal passenger handling and processing problems since traffic will be flowing in much larger groups.

Better and larger international terminal processing facilities will be required, and streamlined processing procedures particularly as respects Federal Inspection services will be mandatory. The Federal Government has already experimented with some streamlined processing, such as the "accelerated inspection system" and should continue.

Solution: *Congress should appropriate funds so that the Federal Inspection agencies can budget and pay for the facilities they require at airports serving international traffic. (Legislation authorizing the Federal Inspection Agencies to do this was passed in the 87th Congress, but so far Congress has not appropriated the funds. The results are an awkward, time-consuming process wherein Federal Inspection facility requirements are presented to airport authorities who must then negotiate them out with the airlines who usually pay for them under existing practice. Compromises in providing necessary space are usually the result.)*

The Federal Inspection Agencies should support and direct adoption of simplified Federal Inspection procedures, use of magnetic passport cards, combining of Federal Inspection Services under one agency, etc. It is suggested also that consolidation of inspection agencies and implementation of streamlined inspection procedures will result in sufficient cost reductions to more than adequately permit inspection fees to cover the cost of inspection services.

Funds should be requested and provided for the increased and expanded operation of DOT's Transportation Facilitation Committee.

7. V/STOL

Discussion: In many cases V/STOL equipment can operate independently in lower airspace and on separate runways at current airports without interfering with or reducing movements of airliner type traffic. Thus, V/STOL equipment can augment capacity of existing airports and assist in relieving congestion. However, present V/STOL aircraft are for the most part so limited in size or economic viability as to make only limited use of V/STOL's ultimate capability.

Solution: *The DOT and NASA (in addition to the airlines and manufacturers) should allocate sufficient research and development funds to support the research needed (similar to the Federal SST development program where the Federal Government takes the lead and is reimbursed by the airlines) to develop high capacity, economically practicable V/STOL aircraft.*

8. Planning

Discussion: No domestic or international industry/government mechanism exists for assuring the "system" development of aviation, so that airspace, ground facilities and aviation technology can be coordinated within itself and with interfacing modes so that the capacity of the parts of the system are kept in harmony.

Solution: *The Office of the President should assist the creation of an independent National Aviation Planning Commission, headed by an outstanding citizen who commands the respect of both industry and government with the continuing task of:*

Coordinating and keeping in step the long-range planning of all segments of the industry: aircraft manufacturers, airlines, airports, general aviation, Federal Executive branches, local governments, to name a few and with other modes of transportation which interface with aviation.

This body, which should be both a forum for discussion and recommended action, should have as some of its objectives:

1. Development of realistic demand forecasts for scheduled passenger and cargo services, as well as for non-scheduled private, corporate and charter services on an international, national, regional, area and community basis.

2. Development of a national scheduled air service pattern suitable to meet the present and future economic and social needs of the country. (An important aspect of this is the contribution to the development of an adequate international air service pattern also.)

3. Development of realistic standards within which air vehicles should be designed to be economically viable and technically compatible with the support systems that can be reasonably provided in the time frame appropriate to the forecast needs, and socially acceptable in the environment within which they must operate.

4. Development of an aviation facilities plan, both technical and economic, suitable to provide the airways and ground facilities necessary to assure an orderly development of aviation growth consistent with the economic and social needs and the compatibility of the air vehicles.

5. Development of administrative mechanisms by which air transportation and other transportation modes can be suitably coordinated to assure the effective fulfillment of the nation's transportation needs including a comprehensive research and statistics program.

SPEAKER McCORMACK ON "ISSUES AND ANSWERS"

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. GALLAGHER. Mr. Speaker, the distinguished Speaker of the House of Representatives made one of his rare television appearances on Sunday, February 23, 1969. He appeared with the seasoned Bill Lawrence, ABC national affairs editor, on "Issues and Answers."

Speaker McCORMACK, a living and lively monument of the viability of the democratic process, spoke knowledgeably on a wide range of current problems. His wisdom, intelligence, experience, and compassionate concern made the half hour fascinatingly educational.

Bill Lawrence introduced our Speaker as "a rich gold mine of information." He is that, and more; Speaker McCORMACK is also a rich and lasting fund of that kind of spirit which has made America the most powerful Nation on the face of the earth. Amidst some of the shrill cries darkening our land, calling the American dream a nightmare, Speaker McCORMACK's words provide a sure and steady beacon of light:

> There is a lot we have to do for all Americans. And while I am talking we are all Americans, without regard to race, color, or creed. I am of Irish descent but I am an American of Irish descent. And we should stress more and more the fact that we are Americans. . . . Because we have got to keep in mind that, unlike other countries, we are not a race, we are a people. And the one thing that enables us to maintain stability and living together, so to speak, is the fact that the great majority of the American people love the Constitution of the United States.

There was indeed a gold mine of information in ABC's "Issues and Answers" of February 23; there was also a rich vein of what has made the American system of representative government work. The Speaker's grace and warmth shed a glow of abiding humanity upon his sound political judgment and informed opinion. This is what had made him so special to us here in the House as well as to all the American people.

It is a privilege for me to introduce the interview in the RECORD. It shows again that JOHN McCORMACK is not only our Speaker, but that he is a powerful spokesman for that which makes us a people:

ISSUES AND ANSWERS, FEBRUARY 23, 1969

(Guest: Representative John W. McCormack (D. Mass.), The Speaker of the House of Representatives.

(Interviewed by: Bill Lawrence—ABC National Affairs Editor.)

The Program is Issues and Answers; I am Bill Lawrence, ABC's National Affairs Editor.

Today our guest is the distinguished Speaker of the House of Representatives, John W. McCormack of Massachusetts, making one of his very rare appearances on T.V. to discuss the state of the Union, the legislative outlook for Congress and to assess the performance of President Nixon in the first few weeks he has been in office.

The Speaker's background covers some of our most interesting history—more than forty years in Congress making laws with seven Presidents, four Democrats and three Republicans, an early protege of John Garner and Sam Rayburn, he rose fast.

He was Majority Leader for several years and the Speaker during most of the Administration of John Kennedy and during all of that of Lyndon Johnson.

He is a rich goldmine of information and he is going to share it with us now.

Issues and Answers is brought to you from Washington, D.C. by the American Broadcasting Company.

Mr. LAWRENCE. Mr. Speaker, President Nixon has now been in office for slightly more than a month. Can we get a preliminary report card from you? How is he doing so far?

Speaker McCORMACK. Well, so far there is not much evidence from my angle that I can give what you call a report card on. The important thing is what his policies will be during the next four years and when he delivers, either in person or in writing, his first message on the state of the union, then we will get an idea, not only on a legislative level, but throughout the country, as to what his broad outlines will be, and his recommendations not only for this year and the second year of this Congress, but for the next four years.

To date, of course, there is not much evidence to make any observation about. However, he did send up the antipoverty message and while he has made recommendations, not transfer of delegation, of two or three of the important activities within the OEO, to other departments, that is nothing but carrying out good democratic policy so, from that angle, why, that is evidence in his favor.

Mr. LAWRENCE. Are you anticipating an early State of the Union Message as such?

Speaker McCORMACK. I have no knowledge. That is a matter for the President to determine and he can do it in person or he can do it in writing. Whichever he wants, he will have the complete cooperation of myself and the Democratic leadership. There is no time limit as to when a new President will render his first message on the state of the union. However, as quickly as possible would be consistent with the Congress knowing his views and his recommendations and knowing what the atmosphere of his administration will be, and enable Congress to get to work more quickly.

Mr. LAWRENCE. A week or so ago we had Senator Mansfield, the Leader of the Senate, on this program. He said that Mr. Nixon's performance so far was excellent. I gather you are not quite as enthusiastic?

Speaker McCORMACK. Oh, yes, I mean I wouldn't apply the word "excellent" to myself. It is human conduct. I would say his actions to date have been satisfactory-plus.

Mr. LAWRENCE. The President left this morning for a quick trip to Western Europe. What do you expect from this visit?

Speaker McCORMACK. Well, as far I know from the information I have, he is going over there to exchange views with the heads of various governments and with others, exchange information I suppose to develop a climate. I think that is a very good move. Whether you should have waited a month or two longer is a matter that I might pass upon, but he has decided and he has the best information, and I assume before he has taken this trip he has had the groundwork done for his visit.

Mr. LAWRENCE. Well, Mr. Speaker, would it have been better, perhaps, if he had laid a legislative groundwork for the Congress to proceed upon before he started traveling abroad?

Speaker McCORMACK. Well, I am not prepared to criticize that. I like to be hesitant of criticism of anyone to begin with, and when a new President takes office he has tremendous responsibilities. I wouldn't make any comment that might be construed adverse or even critical of that fact. As a matter of fact, I hadn't thought of it until you just asked me the question. My answer is, he is going to be gone about eight or nine days and in his judgment he thought the trip was of vital importance and I am willing to accept his judgment as to the visit at this time. Although personally—if he had waited a little longer, I think the timing might be better but still that is just not criticism, but just a thought and comment on my part.

Mr. LAWRENCE. You make the assumption without the knowledge that there has been adequate diplomatic preparation for these talks?

Speaker McCORMACK. Oh, we know that. You and I, we know that before the President goes abroad at least there have been preparations made. I would say on a diplomatic level conversations have taken place. We can draw the inference that they have because they should be done.

Mr. LAWRENCE. Now, starting with Woodrow Wilson and resuming with Franklin Roosevelt, several Presidents have dealt in summitry. What do you think of summitry in general?

Speaker McCORMACK. I am answering your question generally. I think a President should only go to the summit after all of the problems involved have been carefully examined, looked into and discussed on the diplomatic level.

My opinion in just a general way is that the President should go to a summit to consummate something that is pretty well established and agreed upon prior to that on the diplomatic level. Of course when it is done on the diplomatic level, it is only with the knowledge and permission and consent of the President.

Mr. LAWRENCE. But you don't really believe in his negotiating personally?

Speaker McCORMACK. I would hesitate to have the President enter into original negotiations because then he becomes just one of a number of negotiators. I would rather have him go in the position where he would have his independent entity as President of the United States.

Mr. LAWRENCE. Over these years the experiences in summitry have been bipartisan. That is both Democrats and Republicans have engaged in it. Do you have the feeling we have ever achieved very much success in these kinds of talks?

Speaker McCORMACK. Well, I am not prepared to say that we have not achieved success where the diplomatic work has been done beforehand. I think that President Nixon is going to follow that course. That is just my impression, my opinion.

When the time comes to negotiate, where there might be some definite agreements made, that he will rely pretty generally upon the preliminary steps—and when I say "preliminary," they are vitally important—of the work and negotiations being done on the diplomatic level.

Mr. LAWRENCE. Do you think that the President should seek, as many do, an early meeting with the Soviet leaders to discuss, say, nuclear disarmament?

Speaker McCORMACK. Well on that, that is all a question again of the climate. As I view the Soviet Union today, with what is happening, it seems to me that within the Kremlin—they are always hard, but they are extra hard now. I think what we might call for descriptive purposes the hard group has taken over control. When we see the invasion of Czechoslovakia, when we see the threats on West Germany in connection with the election in

West Berlin of the President of their country, when we see in the Soviet Union—more important, to me—the revival of the image of Stalin, and as the image of Stalin becomes revived, the spirit of Stalin becomes revived. And then we go back to the life of Stalin and find out what did that spirit represent. It represented evilness, viciousness, repressiveness of the worst type. We only need to refer to Hungary and what happened there, as an illustration of what the spirit of Stalin is. As I see these things developing, I see a hard situation becoming harder within the Kremlin.

Mr. Lawrence. Here at home, Mr. Speaker, there has been growing criticism in the Congress of the thin antiballistic missile system. Do you share this criticism?

Speaker McCormack. I would rather not get into the question of sharing or non-sharing criticism. The uppermost thought in my mind during my years of service in Congress has always been, what is for the national interest of the United States. When we are considering that we have got to look into the future. We have to realize that the Atlantic Ocean is no longer our first line of defense. We have to realize that if we are going to be prepared we have to be prepared before the fact rather than after the fact.

We were very fortunate in World War II, very fortunate in World War II. After Pearl Harbor it took us three years to recover to an extent where we could take some degree of affirmative on a military level.

We won't have that opportunity again in my opinion. The next world war, if one occurs, will be from 24 to 48 hours and there are only two nations in the world capable of conducting, today, a world war. That is the United States and the Soviet Union. Whether 20, 25 or 30 years from now Red China might, that is another question, but we have to be realists.

I go back not so many years ago to the H-bomb when former President Truman was under criticism for deciding to go ahead with the H-bomb. Supposing we hadn't. We knew that Russia was. Supposing we permitted, by inaction on our part, for Russia to complete that bomb. Do you think they would give us any time to catch up? Not in my opinion.

(Announcements.)

Mr. Lawrence. Mr. Speaker, you said we had to be realistic. Can we really count on a thin $5 billion system or do we have to go for a thick, very expensive system that would protect us against the Soviet Union?

Speaker McCormack. I haven't formed my opinion yet, but I do know one thing, that the dominating thought in my mind is the national interest of the United States. I do know that I never want to see the day where an enemy—without mentioning any particular country—and I will do it; the Soviet Union is our potential enemy today, immediately—would be in a position where they had an offensive military system that could dominate us, that could dominate the situation, and where we were defenseless.

Unlike our situation 20 years ago when we were the most powerful nation militarily, we exercised it as a trust for peace, but the Soviet Union, as long as they are dominated by the Communist ideology, would not do that in the case of ourselves, in my opinion, or any other country.

Mr. Lawrence. Do you see any prospect this year for the tax cut that Mr. Nixon promised in the campaign?

Speaker McCormack. I cannot see it. I think that the surtax has got to be extended. As a matter of fact, I might shock some people listening in. When the surtax was proposed, I thought it should be $20 billion instead of $10 billion so we could take care of our domestic obligations as well as South Vietnam.

Mr. Lawrence. Well, would you favor a tax increase now?

Speaker McCormack. Not at this present time. It is not necessary. I am discussing back two years ago. At this time I don't think that is necessary.

Mr. Lawrence. Do you have any new hope for an early settlement in Vietnam?

Speaker McCormack. That depends upon North Vietnam and, in back of them, the advice they get in whole or in part, or in combination or separately from the Soviet Union and Red China. There is no question about it. Until both of them can get together—until they want to enter into negotiations from an understanding angle, there will be no settlement because where two or more persons are involved, you can't have a one-person settlement.

Mr. Lawrence. What about the draft? Do you see Congress doing anything this year toward the volunteer Army that Mr. Nixon urged?

Speaker McCormack. I cannot see that this year. I am not prepared to say about the future. The one thought in my mind on that would be that we would have to maintain exclusively a powerful professional Army. Now, with our representative government, our democratic institutions of government, and, while I wouldn't expect it to happen, it could be a menace to the very existence of government if we eliminated what has always been a very important element in American life, the citizen soldier.

Mr. Lawrence. In his last Message to Congress, Mr. Johnson recommended a sizable increase in social security. During the campaign Mr. Nixon urged that social security be tied to the cost of living increases.

Do you see any raise in social security this year?

Speaker McCormack. I think there will be.

Mr. Lawrence. How much?

Speaker McCormack. I am not prepared to say that at the present time, but I think there will be an increase in social security. There might also be an increase in the amount that a person can earn who is receiving a non-contributory pension.

Mr. Lawrence. And still get their pension?

Speaker McCormack. That is one way of helping, yes.

Mr. Lawrence. Fifteen years after the historic Supreme Court decision against school desegregation, it is still not an accomplished fact in many places. What more can the Congress do?

Speaker McCormack. Well, the Congress has passed very effective legislation. It is a question of the implementation of that legislation by the Executive Branch in administering the laws that we have passed. I am not saying there is not additional legislation that we might not pass, but we have passed several civil rights bills in the last four or five years, and the last one we passed last year was a very excellent one relating to open housing, and I had quite a lot to do with that in the House, in determining that we wouldn't go to conference, which was vitally important, because if we went to conference the bill probably never would have passed, having the House concur in the Senate amendments.

There is a lot we have to do for all Americans. And while I am talking, we are all Americans, without regard to race, color or creed. I am of Irish descent but I am an American of Irish descent. And we should stress more and more the fact that we are Americans. All groups that make up the American society. Because we have got to keep in mind that, unlike other countries, we are not a race, we are a people. And the one thing that enables us to maintain stability and living together, so to speak, is the fact that the great majority of the American people love the Constitution of the United States.

Mr. Lawrence. How about space, Mr. Speaker, now that we are about to go to the moon? Do we need all this money that we have been voting for space?

Speaker McCormack. Well, I happen to be, be, with former President Johnson when he was Leader in the Senate, the two authors of the bill establishing NASA. I was Chairman of the House Select Committee. I think that there is a clear case made out for it. Whether at a particular time we should, with other necessities confronting us, we should enter into large expenditures—I think landing on the moon is all right, we are pretty well established along that line—but on other planets. But the one thing we always have to keep watch on is the use of outer space for military purposes.

Mr. Lawrence. Do you favor this?

Speaker McCormack. I certainly favor all means that will assure the preservation and protection of the United States of America and of our people that the circumstances and the conditions demand.

Mr. Lawrence. Which might or might not include the use of space?

Speaker McCormack. Well, if another nation is experimenting in the field of space from a military angle, I think we would be remiss in our duty to the people if we did not, as a nation, take steps to defend ourselves in case of attack.

Mr. Lawrence. Mr. Speaker, let's talk a little party politics. We are almost out of time. How do you see the '72 Democratic race shaping up, and do you think your fellow Massachusetts Democrat, Teddy Kennedy, will have a run at it, and will you support him?

Speaker McCormack. Well, I would rather come to the next election first.

Mr. Lawrence. We only have a very few seconds, Mr. Speaker.

Speaker McCormack. I think we are going to have a Democratic House next time. I thought so at the last election. In '72 there is going to be a lot of water go over the dam or under the dam, whatever you want to call it, between now and '72. You cannot underestimate the personality and the character and the qualities of leadership and the profound impression that Senator Kennedy has upon the American people and you cannot underestimate either Vice President Humphrey or Senator Muskie.

Mr. Lawrence. Mr. Speaker, I am not quite clear from that last answer whether you said you would support Senator Kennedy or not.

Speaker McCormack. Well, I said in 1972 we don't know what is going to develop, and I would say that, if Senator Kennedy is a candidate in 1972, he would be a very formidable candidate. I don't think it is wise or friendly to anyone to undertake to answer what he is liable to do in 1972.

Mr. Lawrence. Well, I have a view that he might even wait it out, that he might wait another four years. Has this occurred to you?

Speaker McCormack. Well, that is all the more reason for the answer I gave to your previous question.

Mr. Lawrence. Mr. Speaker, what do you think of this proposal, or this action that the Democratic National Committee has taken in establishing its own kind of policy council that is going to be headed by Vice President Humphrey? Is this a good idea?

Speaker McCormack. I have no objections to it. I think it is all right.

Mr. Lawrence. Your predecessor, Mr. Rayburn, strongly objected to it during the Eisenhower administration and so did Senator Johnson.

Speaker McCormack. I think we should get the view of all interested persons. I wouldn't want to become a part of a group because then I would just become one of many. But I think that—and also on the establishment of the two committees that

Senator Harris has established, of which Senator McGovern is the head of one and——

Mr. Lawrence. That is to kind of restructure the party.

Speaker McCormack. And the chairman of the other committee, I think those are desirable steps.

Mr. Lawrence. What about any chance——

Speaker McCormack. Jim O'Hara—and you couldn't get a better man than either one of them. One thing about Senator McGovern, he certainly showed his loyalty to the Democratic party and Jim O'Hara is one of the finest legislators that I have ever served with, and a great Democrat.

Mr. Lawrence. What prospects do you see for any reform in the Electoral College at this session?

Speaker McCormack. If we are going to get it, we have got to get it now. I think the last election showed the necessity for it. I would like to have, naturally, seen Vice President Humphrey win, but I am most thankful that we didn't have to go into the House.

Mr. Lawrence. Well, it was a close call.

Speaker McCormack. If we went into the House, that could have caused a divisiveness among our people that might have been harmful to the very existence of our institutions of government. I don't say it would destroy, but it would have repercussions that would last or could last for decades to come, and I am for a change in the electoral system, the college system, but I am practical enough to know if we don't get it within these two years, then the chances commence to dim.

Mr. Lawrence. Well, are we going to almost have to go with the plans the President has recommended to get it passed?

Speaker McCormack. Well, I would favor personally the direct election of the President by the people and President Nixon clearly showed that in his message to the Congress the other day. Then he recognizes in that the fact that that probably couldn't be accomplished and he recommended the substitute, the proportional theory.

Now, I would have felt happy if he had recommended the direct election by the people, without the reference to the other—and I don't say this in any critical sense—because then the forces would get behind that, which is the clear way of the meeting of the problem, and if we couldn't do it, then we would be in a better position to bring about a compromise that would be stronger in connection with strengthening the Electoral College.

Mr. Lawrence. Mr. Speaker, you have sat in on these bipartisan conferences with Mr. Nixon, a few of them. Your predecessor, Speaker Rayburn, found it easy to cooperate with President Eisenhower because he was so high above politics.

Speaker McCormack. So did I. My dear friend, Sam Rayburn, and I, and President Johnson, when he was leader. We didn't do that idly when President Eisenhower became President. We decided we were going to assume the role of a political party in the United States, to be constructive and affirmative and to support the President when we agreed with him.

Mr. Lawrence. Is that your same stand now with Mr. Nixon?

Speaker McCormack. Same stand exactly. That is the only proper position for any political party under constitutional government, as distinguished from parliamentary government, to follow.

Mr. Lawrence. Do you find these bipartisan meetings are productive and open to questioning?

Speaker McCormack. Oh, yes.

Mr. Lawrence. You don't have any complaints?

Speaker McCormack. Oh, yes. You can't ask as many questions as you could ask if you were sitting as a member of a committee with a witness before you, but you can ask questions. You can question the member who was there at the time. You have to have a regard for that. If you ask three questions, you might ask one too many, but if you have some pointed questions you can ask them and you have an opportunity of presenting your views.

We had a meeting the other day with President Nixon in connection with his trip abroad. There is plenty of opportunity for everyone there to ask a question or to express their views, and the same way with President Johnson or any other President.

Mr. Lawrence. Thank you very much, Mr. Speaker, for being with us on Issues and Answers.

Speaker McCormack. I am very happy.

CORN PRODUCTION AND THE NATIONAL ECONOMY

Hon. EVERETT McKINLEY DIRKSEN

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Friday, February 28, 1969

Mr. DIRKSEN. Mr. President, I invite the attention of Senators to the first definitive study of the impact of the corn industry on our national economy.

The material which follows is the product of some excellent work by the staff of the Economic Research Service of the U.S. Department of Agriculture. The study was prepared at my request, as a result of an inquiry from the Corn Refiners Association, Inc., the Washington-based trade association for the wet-milling corn industry.

The report used 1967 as the base year for examination. Its findings were surprising even to those of us long acquainted with the production and distribution of corn and corn products. For example, when measured on a final use basis, corn accounted for nearly 1 percent of our gross national product—a total of about $5.4 billion in the year studied.

The impact of corn production and marketing was even more impressive on an employment basis. Some 1,195,000 man-years of employment were involved in 1967 in the growing, transporting, storing, and processing of corn—1.6 percent of all civilian employment in the United States.

The study also reveals that nearly 1 dollar in every 20 spent by consumers on food or beverages is for corn or a corn product.

From the farmer's point of view, corn is ranked fourth in receipts from marketings of farm products, being exceeded by beef cattle, dairy products, and hogs. As might be expected, receipts from the sale of corn in the corn-producing States account for a major share of farm income. A table in the report shows that my home State of Illinois leads the Nation in the dollar value of cash receipts from corn marketings and also in the percentage of total farm receipts attributable to corn.

I ask unanimous consent that the Economic Research Service's study entitled "Corn and the National Economy" be printed in the Record.

There being no objection, the study was ordered to be printed in the Record, as follows:

Corn and the National Economy

SUMMARY

Corn production and marketing involved some 1,195,000 man-years of employment in 1967. This was 1.6 percent of total civilian employment in the United States. This man-year figure indicates employment in processing, transportation, storage, and distribution of corn and its products as well as employment in corn production on the farm and in supplying industries such as fertilizer and machinery.

Corn production accounted for 354,000 man-years—approximately 234,000 on the farm and 120,000 in the supplying industries such as fertilizer and machinery.

Feeding corn directly and as part of a mixed-feed preparation in the production of livestock and livestock products resulted in approximately 552,000 man-years of employment.

Corn processing involved about 91,000 man-years of employment, primarily in the prepared mill feeds and malt liquors industries. Storage, transportation and distribution accounted for some 189,000 man-years, a large part of which was involved in retailing products to the consumer.

Federal Government programs represent the equivalent of about 8,800 man-years of employment, primarily in the corn operations of the Feed Grain program and grading and inspection of corn by ASCS and C&MS respectively. State Agricultural Experiment Stations provided about 500 man-years of employment in corn research.

LIMITATIONS OF THE ESTIMATES

1. The employment data presented here are very rough approximately. It is virtually impossible to isolate the influence of an individual commodity in our complex economy with complete confidence in the results. The basic statistical materials at hand cover entire industries in which corn is only one of many commodities involved. Considerable judgment is involved in allocating that part of employment attributable to corn and its products. These data do, however, indicate the general magnitude of the employment involved. Notes are attached describing the procedure used.

2. The figures represent full-time equivalent man-years of employment. This understates very substantially the actual number of workers involved part-time in the various stages of corn production, processing, etc. For example, the latest estimates indicate that about 1,531,000 farms produce corn, compared with the 234,000 man-years of full-time employment on farms allocated to corn production. Similarly, in the other stages, such as transportation and retailing, corn and its products represent only a small fraction of the wide range of commodities handled.

3. The estimates cover employment directly concerned with corn and its products. It should be noted that employment and purchasing power generated by activity related to corn provides employment and purchasing power in still other industries, such as the automobile industry. We have not been able to measure all such indirect effects, but some rather tenuous estimates indicate additional employment indirectly related to corn production only, amounted to about 180,000 jobs.

4. The data are for the Nation as a whole. It should be noted that in some States, such as Illinois and Indiana where corn accounts for over one-fifth of total cash farm receipts, the impact of corn on the local economies is much greater than for the United States as a whole.

Background materials

In 1967, corn farmers marketed an estimated 2,340 million bushels of corn valued at over $2.6 billion. Receipts from corn constituted 6.2 percent of total cash receipts by farmers from the sale of all farm products. Corn ranked fourth among all farm products in receipts from marketings, being exceeded by beef cattle 24.7 percent, dairy products 13.5 percent and hogs 8.8 percent. In addition, corn producers who participated in the 1967 Feed Grain Program earned price support and diversion payments totaling $730 million. Most of these payments were made by the end of the 1967 calendar year. In the principal corn producing States, receipts from the sale of corn are substantially larger relative to total receipts from farm products, accounting for 26 percent of all cash receipts in Illinois, 21 percent in Indiana, 14 percent in Iowa and Nebraska and 13 percent in Ohio (Table 1).

Consumers in the United States spent about $4.7 billion in 1967 on corn products, nearly 4.3 percent of total consumer expenditures for food and alcoholic beverages.

During calendar year 1967 some 526 million bushels of corn in the form of corn and cornmeal were exported, 22 percent of the total marketed by farmers. The value of corn and corn products moving into final use either domestically or abroad totaled about $5.4 billion, nearly .7 percent of the gross national product. Thus, the share of corn and corn products in our national economy measured on a value or dollar basis is less than one-half that on an employment basis.

Employment associated with corn production

Employment associated with the production of corn, that is, before it moves into the various channels of distribution consists of the direct labor of farm operators, family workers, and hired workers who perform the various operations on the farm, and the labor used to produce and distribute supplies and services used in the production of corn. In 1967, an estimated 234,000 man-years of labor were employed directly in the production of corn (Table 2). Another 120,000 man-years of employment were estimated to be required in industries producing fertilizer, insecticides, tractors and other farm machinery and parts, fuel and other goods and services used in the production of corn.

Employment associated with processing

About 80 percent of the U.S. corn crop is utilized as livestock feed and about 8 percent goes into the production of food products such as cornmeal, corn syrup and alcoholic beverages. Small amounts are used in making industrial alcohol. Taken together these make up the corn processing activity. The activities of storing, processing, and distribution require substantial labor inputs to move the corn or products made from corn through the channels of trade and into the hands of final users.

Employment associated with feeding corn in the production of livestock and livestock products is estimated at about 552,000 man-years. Meat animals are most important in this corn-feed-employment association representing 53 percent of the total. Dairy products, poultry and eggs and other livestock and products represent 30, 13 and 4 percent respectively (Table 3).

Employment associated with the processing of corn and corn products in 1967 is about 91,000 man-years. The bulk of such employment was in the manufacture of prepared mill feed and malt liquors (Table 4).

Employment associated with storage, transportation and distribution

The functions of storing, transporting, exporting, and distributing corn and corn products required an estimated 189,000 man-years of employment in the United States in 1967. Employment in retail trade—retail bakeries, grocery stores, and eating places—accounted for about 101,000 or over 53 percent of the total (Table 5).

TABLE 1.—CASH RECEIPTS FROM MARKETINGS OF CORN, BY STATES, 1967

Dollar amounts in millions]

State	Cash receipts from sale of corn [1]	Percentage of total cash receipts from farm marketings
Illinois	$666.5	26.3
Iowa	475.9	13.8
Indiana	294.4	21.1
Nebraska	238.5	13.7
Minnesota	177.7	9.7
Ohio	164.6	13.3
Missouri	95.7	7.1
North Carolina	63.3	4.9
South Dakota	50.0	5.4
Georgia	48.4	4.6
Michigan	47.6	5.6
Kansas	44.0	2.9
Wisconsin	40.7	2.8
Kentucky	34.6	4.2
Maryland	25.7	7.8
Pennsylvania	23.5	2.7
California	22.9	.5
Virginia	16.1	3.1
Colorado	16.0	1.8
Alabama	15.5	2.7
Tennessee	14.1	2.3
South Carolina	13.0	3.1
Texas	12.3	.5
Delaware	12.2	9.2
Florida	11.2	1.0
New York	8.9	.9
Mississippi	3.7	.4
New Jersey	3.4	1.3
North Dakota	2.5	.3
Louisiana	2.3	.3
Washington	1.8	.2
Arkansas	1.0	.1
Idaho	.9	.1
Arizona	.7	.1
Oregon	.6	.1
Wyoming	.6	.3
West Virginia	.5	.5
Oklahoma	.5	(2)
New Mexico	.3	.1
Montana	.1	.1

[1] Includes loans made or guaranteed by CCC and purchases under price support programs.

[2] Less than 0.05 percent.

TABLE 2.—*Employment provided by corn production, 1967*

Industry:	*Estimated employment (man-years)*
Farming (direct labor)	234,000
Supply and service industries:	
Chemicals, fertilizer, pesticides	24,300
Machinery parts, fuel and electric energy	4,100
Miscellaneous repair services and maintenance construction	22,300
Wholesale, retail trade, railroad and truck transportation	45,700
New machinery (tractor, trucks, other)	18,000
New construction	5,600
Total	120,000
Total number of employees dependent on corn directly and in the supplying industries	354,000

TABLE 3.—*Employment associated with feeding corn in the production of livestock and livestock products, 1967*

Industry:	*Estimated employment (man-years)*
Meat animals	292,800
Poultry and eggs	68,900
Dairy products	166,200
Other livestock and products	23,700
Total	551,600

TABLE 4.—*Employment associated with processing of corn and corn products, 1967*

Industry:	*Estimated employment (man-years)*
Flour, flour mixes and meal	2,400
Prepared mill feed	35,800
Cereal breakfast foods	2,500
Wet corn milling	12,200
Malt liquors	23,300
Distilled liquors and alcohol	15,000
Total	91,200

TABLE 5.—*Employment associated with storing, transporting and distributing corn and corn products, 1967*

Function:	*Estimated employment (man-years)*
Country elevators, terminal elevators and public warehousing	19,800
Transportation	35,000
Wholesaling (corn products)	31,700
Retailing (grocery, restaurant and retail bakery)	101,300
Other (building)	1,300
Total	189,100

Employment associated with Government activities

Activities of the Federal Government provide about 8,800 man-years of employment directly related to corn. Corn research, which includes pest and disease control, biological, production and marketing efficiency, provides about 500 man-years; corn diversion and price support programs provide about 5,960 man-years; grading and inspection provides 2,100 man-years, and Federal crop insurance on corn provides nearly 250 man-years. In addition to Federal employment, State agricultural experiment stations devote about 500 man-years to corn research.

Notes on sources of data and methods used

1. Employment associated with corn production

The estimated man-hours of farm labor used in the production of corn for 1967 are from unpublished estimates of the Production Resources Branch, ERS. Estimated employment in supply industries is based on data obtained from the 1958 Census of Manufacturers and unpublished reports of the Agricultural-Industrial Relations Study, 1958, ERS.

Direct labor requirements for the production of corn in 1967 were converted to man-years by dividing the man-hours of farm labor used in the production of corn by the average annual hours per farm worker for all farm work. Estimated average annual hours per farm worker for all farm work are obtained by dividing the ERS published estimates of man-hours of labor used for all farm work, by SRS published estimates of farm employment.

The producers' value of inputs from the major supplying industries into corn farms in 1958 as obtained from the Agricultural-Industrial Relations Study were converted to total inputs in terms of man-years of employment on the basis of the ratio of total employment to the value of output in these industries as reported in the 1958 Census of Manufacturers. These were then extrapolated to 1967 using indexes of productivity changes in the corn sector and the supplying sectors and indexes of changes in the acreage and production of corn.

2. Employment Associated With Processing Corn

Estimated employment in 1967 in the major industries processing corn was obtained from *Employment and Earnings Statistics for the United States, 1909–67*, BLS, October 1967. Employment in the livestock and livestock products industries was obtained from the man-hour estimates published in *Changes in Farm Production and Efficiency, 1968,* Statistical Bulletin No. 233, USDA, converted to man-years as stated above for corn production. Employment in industries allocable to corn was based on the estimated ratio of value of corn inputs to total grain and other agricultural and non-agricultural inputs into these industries as indicated by unpublished estimates of the 1963 Interindustry Relations Study.

3. Employment Associated With Storage, Transportation and Distribution

A. Country elevators, terminal elevators, and public warehousing:—Total employment in these facilities as reported in the 1963 Census of Business was extrapolated to a 1967 level based on trends in employment in these businesses as shown in *Employment and Earnings Statistics for the United States, 1909–67,* BLS, October 1967.

Corn related employment in country and terminal elevators and public warehousing is assumed to be proportional to the ratio of corn to total grain marketings from farms. Quantity of corn and other grain marketings is from unpublished data from the Farm Income Branch of ERS.

B. Construction.—Construction related employment in the corn and corn product processing industries was obtained by extrapolating a 1963 estimated to 1967 on the basis of the change in the composite construction cost indexes and the change in the output per man-hour indexes for non-farm industries between 1963 and 1967.

New capital expenditures made by corn processing industries for structures and additions in 1963, from the 1963 Census of Manufacturers, were divided by an imputed cost of construction per employee to arrive at an estimate of total employment required for these new capital expenditures. Corn related employment for such construction assumes that employment for construction activities are similar to processing activities mentioned above. Cost of construction per employee in 1963 was estimated by dividing the value of new construction activity, from the 1968 Economic Report of the President, by contract construction employment from *Employment and Earnings Statistics for the United States, 1909–67,* BLS, October 1967.

Composite construction cost indexes are from the *Survey of Current Business,* United States Department of Commerce and output per man-hour indexes are shown in the 1968 Economic Report of the President.

SRS reported a net decrease of 50 million bushels of off-farm grain storage capacity during calendar year 1967. Also, the Inventory Management Division of ASCS indicated that demand for grain storage space declined early in the year because large shipments of grain moved to India. These facts led to the assumption that there was no employment associated with the construction of storage facilities for corn in 1967.

C. Transportation—Estimates of employees engaged in transportation of corn were based on tonnages of corn and corn products shipped as reported in (1) *Freight Commodity Statistics of Class I Railroads for 1965* by the Interstate Commerce Commission, (2) *Waterborne Commerce of the U.S. for 1965* by the Department of the Army, Corps of Engineers and (3) a study of *Changes in Transportation Used by Country Elevators in North Central Region 1958 and 1965,* Marketing Research Report No. 724, Economic Research Service.

In general, total employment attributable to domestic transportation of corn by rail and water was derived by applying an estimate of the ratio of corn tonnage to total tonnage of all shipments to the estimated total number of employees engaged in rail and water transportation.

Trucking employment was based on an estimate of the ratio of truck movement of corn to rail movement as indicated by the study of transportation of corn in the North Central Region.

D. Wholesale Trade—Employment for Wholesale trade in industries associated with corn reported in the 1963 Census of Business for merchant wholesalers, manufacturers' sales branches and merchandise agents was extrapolated to 1967 on the basis of the change in employment reported in *Employment and Earnings Statistics for the United States, 1909–67,* BLS, October 1967.

Proportions of wholesaling employment in specified wholesaling industries dependent on corn were derived similarly to those explained for retailing shown below.

E. Retail Trade:—Total employment in retail establishments depending on corn and related products was based on employment reported in the 1963 Census of Business. The reported employment was extrapolated to a 1967 level by changes from 1963 to 1967 derived from data shown in *Employment and Earnings Statistics for the United States, 1909–67,* BLS, October 1967.

Employment in retail bakeries associated with corn was assumed to be related to per capita consumption ratios of corn flour, corn cereal and corn sweeteners to total flour, cereal and sweeteners derived from *Food-Consumption, Prices, Expenditures,* Agricultural Economic Report No. 138, USDA, ERS. For grocery stores, an estimated percentage of all employees allocated to corn was derived from per capita consumption data and distributions of grocery store sales by commodity groups shown in the *National Food Situation,* USDA, ERS, November 15, 1967. Corn related employment in eating and drinking places is based on ratios of corn product costs to total food costs, food sales to all sales, and food sales to food costs, as reported by the National Restaurant Association and the 1963 Census of Business. Employment in hay, feed and grain stores related to corn and its products is derived from unpublished information of the Farm Income Branch, ESA, ERS.

Liquor store employment related to corn is based on quantities of specified alcoholic beverages consumed per household, per week obtained from *Food Consumption of Households in the U.S., Spring 1965, Report No. 1,* USDA, ARS, and also on information obtained from the Alcohol and Tobacco Tax Division of the U.S. Treasury Department and the Distilled Spirits Institute.

SDS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. RARICK. Mr. Speaker, the anti-everything SDS at its meeting in Princeton, N.J., on February 2, has delivered its manifesto of war for the coming year.

Could not they accomplish a lot if they would harness their energy to make this a better world in which to live? One of our Louisiana students, Mike Connelly, of Louisiana State University, thinks so.

Mr. Speaker, I include the Hartford Times article of February 9, 1969, and a column from the LSU Daily Reveille for February 20:

[From the Hartford (Conn.) Times, Feb. 9, 1969]

How the World Looks to Student Protesters

Adoption of the following resolution was the major business of a meeting last Sunday at Princeton, N.J., of the Students for a Democratic Society.

It is a mixture of Marxist fundamentalism, Maoism, old-fashioned campus pacifism and new rejections of a national system that young people have come to distrust in years of a long and distant war which has been hard for Washington to explain. For readers who will hear more this spring of the SDS and its program, we are printing here their Princeton resolution as it was finally amended and approved.

One of our fundamental tasks as a revolutionary movement is to raise a clear anti-imperialist consciousness in the country and the coin in the movement which, if led by the working class, can defeat imperialism.

We understand that there is a material basis—the uneven distribution of wealth and privilege among the working class of the world—for the allegiance given to American imperialism by the American working class. This material basis is reflected in the anti-communism, racism and alienation from the international proletariat. The necessary crisis in imperialism, which we see approaching, and anti-imperialist struggles such as that of the Vietnamese, the Chinese, the Cubans, will change the material basis of that allegiance. Our task is to strip away its ideological reflections through struggle. The youth movement has the function—as a critical force—of raising issues through struggle, carrying its perspective to young workers, and joining in the actual struggles against the power of the ruling class. We must be certain to use our power as a critical force to make self-conscious, explicit anti-imperialists struggles.

A programmatic way to fulfill this function is to build an organized attack on the ever-increasing state of permanent militarization in this country.

The attempt for world domination by the capitalists has caused anti-imperialist and in some cases explicitly communist struggles, as well as a black liberation struggle in this country. It has also caused, from time to time, struggles on the part of the working people of all color. In order to preserve itself the capitalist class has had to militarize. Because these struggles for liberation will continue to grow, militarization will continue to increase.

The domestic effects of this militarization can be shown not to be in the interests of the people. They affect the people in this society in a class way, that is by hitting harder on white and especially black working class people. By raising the issues in a class conscious way, we can build an attack that will win people to an anti-imperialist movement.

Militarization oppresses in two ways. First it attacks. Its tools are the military, the economic machinery necessary for the military and the police inside the country. Second it utilizes manpower for its ends and in so doing oppresses; this is done through the draft, tracking, and the socialization necessary to insure allegiance.

We can attack the brutal use of police against the people's struggle. The basis for our attack against domestic militarization which comes down heaviest on black people and very specifically on youth (especially young working class youth) is the class nature of the police, police institutes, police in the schools, the courts as well as the socialization which lays the ideological basis for this oppression. Public propaganda which justifies "law and order," laws which allow people to be arrested and held with no trials like Nixon's "preventive arrest" law and the many "investigations" of the movement must all be attacked. Counterinsurgency research and ROTC which serves to oppress our brothers and sisters in Vietnam, the draft, military recruiting and university complicity with imperialism all should serve as targets for our movement this spring.

In our struggles against racism and white supremacy, we must be able to relate militarization to oppression and exploitation of black people. Racism is not an isolated issue. To combat liberalism, we must connect the racist nature of the state with world imperialism.

Our movement must attack racism in unity with the black liberation struggle, which because of its anti-colonial aspect, has made an identification with other anti-imperialist struggles of national liberation throughout the world. Secondly, we must attack white supremacy which has developed out of a real material basis and now prevents working class unity. Thirdly, we support the black struggle which, led by groups like the Black Panther Party, is the sharpest and most immediate instance of the class struggle before us.

The danger in our program against racism, whether it takes the form of fights for black admissions, against university expansion, or for black studies programs, is that it doesn't always raise anti-imperialist consciousness, challenge anti-communism, and the antagonism against the international proletariat. By using the militarization of society as a handle, we can fight racism and raise a clear anti-imperialist consciousness. Therefore, this spring, we should attempt to fight racism in a way which connects it to the domestic effects of this crisis in imperialism and weld the two together. For example, when we attack ROTC or the draft, we not only explain and attack its function as a tool to protect imperial interests, but its racist and class-nature as well as the way it uses anti-communism as an ideological foundation for its use.

In our organizing efforts this spring on working class schools, high schools, junior colleges and the military, we must relate the way militarization oppresses working-class youth of the anti-imperialist struggle. Attacks should be made on the tracking system which serves as a draft board in the high schools. We must understand that in Cardozo High School in Washington, D.C., 80 per cent of the predominantly black graduates are in the military within two years. We must begin to comprehend the racism of a school system in N.Y.C. which enables only 3 per cent of black high school students to accept general diploma—a meaningless piece of paper guaranteeing admission into the U.S. armed forces.

A national action in the spring should be planned as a national focus for the program against militarization. Demands will vary with different types of schools and constituencies.

They should include:

1. Immediate withdrawal from Vietnam as an attack on the U.S.'s role in negotiations.
2. Open admissions to universities for black and third world students.
3. End the surtax.
4. End ROTC and the school's role in imperialism.
5. Free Huey Newton and the Harlem 6 and the Oakland 7.
6. Stop draft assemblies in high schools.
7. Stop counter-insurgency research and police training.

This resolution should be adopted as a set of conclusions come to at this conference, based on both theoretical discussion of the issues and discussion around the way the program can be handled in practice.

[From the Baton Rouge (La.) Daily Reveille]

TWO FINAL WORDS ON YOU-KNOW-WHAT

(By Mike Connelly)

With all of the adverse publicity that the Students for a Democratic Society has received lately, one would think that people would become aware of the chaotic nature of the organization. Unfortunately, this doesn't seem to be the case. Even the IFC's recent speaker on SDS seemed to be going out of his way to keep from criticizing this group that has called for the destruction of our society. A clarification of the real goals and methods of SDS is desperately needed if steps are to be taken to prevent every university in the country from ending up like Columbia.

This clarification was made for me at a recent conference in Washington, D.C. which brought together student leaders from 29 states and over 50 different universities to discuss SDS. I met students from Berkeley, Columbia, San Francisco State and Indiana; all schools where SDS has caused disruption of classes, and sometimes the complete closing of the university. The stories they brought from their campuses both shocked and worried me.

They were stories of beatings and threats of beatings given to conservative students, and tales of the open violence at San Francisco State and Columbia. Stories of harassment of professors and administrators, be they conservative or liberal, who refused to do the bidding of a minority of militant students. They talked of the complete lack of freedom of speech at such places as Berkeley and New York University, where virtually anyone not on the far left cannot speak without being shouted down, humiliated and threatened with physical violence.

The students I met at Washington are starting to fight back on campuses all across the nation. They are conservative, moderate and liberal, and many of them supported some of the things that SDS originally advocated. Now they've seen the utter hypocrisy of an organization that advocates one thing and practices another. They've seen every rule of decency and fair play violated by SDS as it makes it's vicious grab for power. They've become disillusioned with and fearful of SDS, and finally they've become angry and in some cases militant. Who can blame them? I certainly cannot. It's not hard to become disillusioned with an organization who's national leadership opposes American involvement in Vietnam, yet supported the Russian invasion of Czechoslovakia as an internal Russian affair. Inconsistent you say? Not really when you consider that over half of the delegates to SDS's recent national convention were also members of the Chinese Communist Progressive Labor Party.

As a student, I cannot help but favor an increase in student rights, but only if they come with a corresponding increase in student responsibility a word SDS seems never to have heard of. One SDS national officer seems to have summed up their whole philosophy when he said that SDS's goal was to "destroy the establishment in the hope that out of the ruins something better would emerge." Unfortunately he didn't seem to know what the something better might be. I wonder if any SDS members do, or if they even care.

SDS makes a harsh indictment of our system and our society, yet I can make an even harsher indictment of the methods and goals of SDS. I don't have to look far to see many things that need to be changed in our country, our state and in our university, and I'd like to see changed. But SDS and it's program of wanton destruction and chaos are not the answer. Responsible action by all Americans, but especially this generation of students is the answer. Let's turn off the New Left and turn on a brighter new tomorrow through responsible action. We can do it, SDS neither can nor will!

MARYLAND YOUTH ENFRANCHISEMENT

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Friday, February 28, 1969

Mr. TYDINGS. Mr. President, I recently presented to the subcommittee on elections of the Maryland Legislative Council in Annapolis a statement giving my full support to a bill that would lower the voting age in Maryland to 18. The bill would extend suffrage to over 200,000 Marylanders who work, study, or serve in the Armed Forces but who have no voice in electing public officials. It is a sad note that these young people, who contribute so much to our society and who assume many responsibilities, are not able to vote on the issues and individuals that directly affect their lives.

I hope the Maryland Legislature will take the initiative in enfranchising the youth of Maryland and enact the 18-year-old voting age bill.

I ask unanimous consent that the text of my statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR JOSEPH D. TYDINGS IN FAVOR OF REDUCING THE VOTING AGE IN MARYLAND TO 18, PRESENTED TO THE MARYLAND HOUSE OF DELEGATES, SUBCOMMITTEE ON ELECTIONS, FEBRUARY 12, 1969

Mr. Chairman, I would like to endorse the proposal to provide for voting by all citizens over the age of 18. I believe the minimum voting age should be that age level at which the average person of that age group has attained the maturity required to make an intelligent choice from among the various candidates for the leadership of his government.

Although the twenty-one year minimum is traditional in this country, it is not sacred or immutable. Two states, Georgia and Tennessee, long ago reduced the voting age to eighteen; Alaska allows voting at nineteen; and Hawaii at twenty. I believe that the age of eighteen—the age of high school graduation—is a reasonable minimum voting age.

Any decision as to voting age must be arbitrary. But some ages are more arbitrary than others. I believe an examination of the primary arguments for retaining twenty-one as the voting age will show that none of them offer valid reasons against lowering the voting age.

TRADITION

Twenty-one is the traditional voting age in forty-six of the states.

Whatever justification existed for imposing twenty-one as the minimum age a century ago, however, the fact is that today's American young people are achieving physical, emotional and mental maturity at an earlier age than ever before. While the traditional twenty-one year old voting age has remained unchanged, the character of our population has changed dramatically, especially with regard to the education, maturity, and responsibilities assumed by our young people.

Indeed, tradition itself is no reason at all for maintaining the voting age. If tradition were a good reason to maintain a constitutional provision, we would not need this Subcommittee on Elections to review our traditional, but not unchanged or unchangeable Constitution.

We should deal with the facts as they are today. The fact is that most eighteen year olds are as personally qualified to vote as most of their elders. Indeed, in some instances they are more qualified.

OTHER 21-YEAR REQUIREMENTS

Some argue that since the common age for legal majority is twenty-one, the minimum age for voting should be twenty-one. There is no compelling connection between the age set as the minimum for voting and the age set as the minimum for other state-regulated activities, such as the purchase of alcohol or the administration of an estate. The law in each case should be shaped to the subject matter involved.

In the case of voting, the question is whether eighteen, nineteen, or twenty year olds are mature enough to make an intelligent choice in the voting booth for the government leaders who tax them, regulate their lives, and can send them to war. I think the answer is clearly that these young people are as qualified to make such political judgments as most of their elders.

TOO MUCH IDEALISM

Some people argue that lowering the voting age would add to the voting population many whose idealism has not been tempered by practical experience in adult society.

I do not think that we should fear a little idealism in politics. I think we should welcome it.

Moreover, although precise figures are unavailable, the Census Bureau has given me statistics which indicate that more than one of every five Marylanders between eighteen and twenty-one is a full-time wage earner. Many others work part-time while putting themselves through college. Thousands of Maryland boys between eighteen and twenty-one are not only getting practical experience in "adult society," they are getting it in a very hard school—in the jungles and on the battlefields of Vietnam.

OUTSIDE INFLUENCES

The argument is made that reducing the voting age would add to the voting population persons highly influenced by their parents, schools, television, and special interests.

I reject the notion that young Americans are any more susceptible than their elders to parental political influence, political pitchmen, or special interests. My experience, as a Senator speaking to high school and college groups and answering their questions in every corner of the nation, has been that these young people—as a group and as individuals—are as acutely aware of the world as anyone in society.

They know their history and current events; they are earnest and informed; they are skeptical and searching; they are no more likely to be taken in by demogogues than anyone else. As a matter of fact, they are less likely. As for undue parental influence, if eighteen to twenty-one year olds take the advice of their parents on whom to vote for, it will be, if the testimony of many parents is to be believed, the only aspect of life on which parent's advice is the prevailing factor at that age.

If a perfect test could be devised for determining who should be able to vote, so that arbitrary age limits could be eliminated, surely some eighteen to twenty-one year olds would fail it. But, I submit that a far greater percentage of present voters over twenty-one would fail it. Because no such perfect test can be devised, we will have to continue to have an arbitrary minimum age limit. But that age limit should be based on today's realities, not those of a century ago or legalistic concepts developed during the Middle Ages.

HISTORIC EXTENSIONS OF THE SUFFRAGE

All the arguments made against giving young adults the vote have been made against every expansion of the franchise. All of them were made, for example, against the 19th Amendment, which gave women the right to vote.

The tradition of nearly every state was against it.

Other state laws were against it. Women had been legally deprived of certain rights—such as the right to make contracts—for centuries, and, it was argued, this same legal inferiority should be continued in the case of the vote.

Giving the vote to women, it was said, would add to the voting population many persons whose idealism has not been tempered by practical experience. Women would be highly influenced by their parents, schools, and handsome rogues and demagogues.

Women, it was said, would affect elections even though they had little knowledge of, or interest in, local affairs.

Fifty years have now passed since these prophesies of doom, but the Republic still stands. I believe few would argue against the point that our political system is much richer and wiser because of the participation of women in the electoral process.

I think the fears expressed against extending the vote to persons under twenty-one are just as invalid today as these same arguments were a half century ago when they were used against the universal suffrage.

I hope this Subcommittee will recommend a lowering of the voting age, if not to eighteen, at least to some more realistic level than twenty-one.

TAX REFORM: TAX-EXEMPT FOUNDATIONS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. ASHBROOK. Mr. Speaker, the present hearings before the House Ways and Means Committee in the area of tax reform have brought to public attention the subject of tax-exempt foundations, a segment of the private sector which has under its control literally billions of dollars for its operations. The question of whether the original purposes and aims of these foundations have been distorted is a matter presently under review.

On Friday, February 21, 1969, Mr. Robert E. Bauman, secretary of the American Conservative Union, presented testimony relating to tax-exempt foundations which throws light on the intricacies of the issue.

His testimony is of interest because the ACU, which is not a tax-exempt organization due to its political activities, is of necessity alert to possible violations of tax-free organizations competing in the political arena. Mr. Bauman, by way of recommendation, stated:

> We believe that the Congress should enact a complete revision of the tax exemption laws to insure that the original intent of the Congress is preserved rather than perverted. We applaud the statutory concept of promoting philanthropy, charity and education but we do not think the destruction of our political and social institutions as we know them, under the guise of tax exemption, was what Congress originally had in mind.

Mr. Bauman then listed a number of organizations and some of their programs as tax-exempt organizations. Foremost in importance, and the first to appear before the Ways and Means Committee was, of course, the Ford Foundation, some of whose operations have justifiably raised questions in many minds as to possible abuses of their tax-exempt status.

To effect corrective action, the ACU chairman offered a number of recommendations which included a redefinition of qualifications and activities for tax exemption, a new and expanded system of annual reports, a revision of the revocation procedure for groups violating the IRC regulations, and the prohibition against the secret donation of Federal funds to tax-exempt organizations or groups.

As the testimony of Mr. Bauman treats of this all-important issue in an informative and constructive manner, I insert the text of his testimony into the RECORD at this point:

STATEMENT OF ROBERT E. BAUMAN, SECRETARY, AMERICAN CONSERVATIVE UNION

Mr. Chairman and Members of the Committee: My name is Robert E. Bauman and I am representing the American Conservative Union, 328 Pennsylvania Avenue, S.E., Washington, D.C. I am appearing today on behalf of the ACU Board of Directors, of which I am secretary. ACU has a membership of about 15,000 persons who pay dues of $10.00 annually. We have not contacted these members relative to the testimony being given here today.

I wish to express the appreciation of our organization and my own personal thanks for this opportunity to be heard on the subject of possible revision in the Internal Revenue Code relating to provisions covering tax exempt foundations and organizations.

PREFACE

Let me explain the interest of the American Conservative Union in these specific provisions of the Internal Revenue Code. The ACU, founded in 1964, is a national political action and education organization. Our entire annual income is in the form of donations received from our supporters around the country. Because we are a political organization which could be said to "attempt to influence elections to Federal office in two or more states" we are required to file quarterly reports with the Clerk of the House under the Federal Corrupt Practices Act. These reports detail all of our expenditures which exceed $10.00 in amount and we also report all our contributors who give amounts of $100.00 or more. No person may give more than $2,500.00 to us within any one year, and no contributions to our group are deductible for the individual donor. Because we are a political organization we cannot receive corporate checks or donations from a labor union. Since most of our income is in the form of gifts, it is not taxable as ordinary income, but we do file annual tax forms as an unincorporated association registered under the laws of the District of Columbia. This brief resume of our tax status gives you an idea of the restrictions which the Federal law imposes on the ACU and other similar political organizations, whatever their political ideology may be.

The major reason that our organization has an interest in proposed revision of the IRC on the subject of tax exemption for foundations and organizations is that over the five years of our existence we have found ourselves constantly in competition with groups which do have such exemption. I do not mean competition for funds from donors, but rather competition in the political arena of ideas and even candidates.

We believe that the Congress should enact a complete revision of the tax exemption laws to insure that the original intent of the Congress is preserved rather than perverted. We applaud the statutory concept of promoting philanthropy, charity and education but we do not think the destruction of our political and social institutions as we know them, under the guise of tax exemption, was what Congress originally had in mind.

I. THE CONCEPT OF TAX EXEMPTION

The concept of maintaining foundations and organizations as tax-free enterprises relates to the public view that private philanthropy plays an important role in our society. Private philanthropic organizations are able to provide financial aid to areas which government cannot or should not advance. They are, in addition, uniquely qualified to initiate thought and action, and to experiment with new and untried concepts, often dissenting from prevailing attitudes. They are often able to act quickly and flexibly.

Because Americans have viewed private foundations in this manner, the Congress has established generous statutory provisions for tax exemptions of private foundations and tax deductions for contributions to such foundations.

This tax treatment diverts large amounts from the public treasury to private foundations. It is therefore essential that the tax laws insure that these private foundations and organizations put these funds to philanthropic purposes that benefit the public, not to purposes which provide personal advantage to the donor, or which advance partisan political activities and causes.

II. THE LEGAL REQUIREMENTS FOR TAX EXEMPTION

The types of organizations exempt from federal income tax are set forth in section 501(c) of the Internal Revenue Code. This section provides that a corporation, community chest or foundation qualifies for exemption from income tax if it is organized and operated exclusively for religious, charitable, educational, scientific, testing for public safety, or literary purposes, or for the prevention of cruelty to children or animals provided that no part of its net earnings inures to the benefit of any private individual or shareholder, no substantial part of its activities consists of carrying on propaganda or otherwise attempting to influence legislation, and it does not participate or intervene in any political campaign on behalf of any candidate for public office.

The organizations described in section 501 (c)(3) are the most important type of exempt organizations since contributions to them are deductible for income tax purposes.

I think it would be well for the Committee to consider an important distinction at this point. Tax exempt foundations which are endowed by an original donor should not be confused with tax exempt organizations which, while not necessarily endowed, quite often receive almost their entire income in the form of grants from tax exempt foundations. The organizations may also receive general donations from the public at large, as well as dues from members of the organization itself. All these sources of income are tax exempt and deductible for the donors or members. The important link to keep in mind is the enormous amounts of money that are given by foundations to organizations, both of which are tax exempt.

Naturally, the great advantage which tax exempt organizations have over non-exempt groups is the prospective donor's right to deduct from his taxes the gifts he may make. This deductibility feature is a major asset, especially to the tax exempt organizations which solicit donations or membership by mail. When such groups go into the field of politics, their tax exemption is a powerful weapon to use against admittedly political groups they may be opposing.

III. THE PROHIBITION AGAINST LOBBYING AND POLITICS

At this point in my testimony let me restate that the Internal Revenue Code is very clear in prohibiting tax exempt foundations or organizations from devoting a "substantial part" of their activities to carrying on propaganda or otherwise attempting to influence legislation, or participation or intervention in any political campaign on behalf of any candidate for public office.

A. *Lobbying:* The Internal Revenue Code states that tax exempt organizations are permitted to solicit tax free donations from the public or other sources while paying no tax on such income, provided that a "substantial part" or the groups activity is not what is commonly called lobbying for the passage or defeat of legislation. The question then arises what "substantial" means in this context.

In my opinion the "substantial" prohibition in the law does not apply to an occasional statement by a tax exempt group concerning pending legislation which may affect them, whether such a statement is made to inform the public or the legislative body involved. When such statements turn into massive propaganda campaigns including newspaper and other public advertising, publications and letter writing campaigns, the issue of what is "substantial" most certainly does arise.

Let us examine some examples of tax exempt groups which have engaged in such activities and see how they have fared with the Internal Revenue Service which has the legal power to revoke their tax exempt status for such activity.

1. *The Sierra Club:* An important recent example of a tax exempt organization which had its exemption revoked because of activities which the I.R.S. construed as "lobbying" was the Sierra Club.

The Sierra Club has for many years been a leader in the cause of conservation. It had more than a passing interest in legislation affecting the preservation of forests, parks and other natural resources. On June 9, 1966, the Sierra Club ran full page advertisements in *The New York Times* and *The Washington Post,* headlined: "Now Only You Can Save Grand Canyon From Being Flooded . . . For Profit." The ads opposed proposed federal legislation to build two dams at the Grand Canyon.

The following day, the District Director of Internal Revenue in San Francisco wrote to the Sierra Club advising them that the Internal Revenue Service was no longer prepared to extend advance assurance of deductibility of contributions to the Sierra Club. On June 27, 1966, the District Director's office in San Francisco began an examination of the activities of the Sierra Club to determine its continued qualification for deductible charitable contributions and exemption from income tax. As a result, the Internal Revenue Service, in a letter dated December 16, 1966, held that the club was no longer exempt from federal income tax and that contributions to the organization were not tax deductible.

The case of the Sierra Club brings into question the entire area of tax-exempt foundations, the manner in which they achieve exemption, and the pattern of legislative oversight to make certain that they do not violate the conditions of such exemption, and the manner in which such exemption is revoked.

Writing in *The Washington Post* for April 14, 1966, Richard Harwood presents this report of the manner in which the Internal Revenue Service determined that the Sierra Club was engaged in questionable practices:

"At the noon hour on June 9, an excited young assistant bounded into the office of Internal Revenue Commissioner Sheldon Cohen . . . He dropped on Cohen's desk a fresh copy of the *Washington Post*. There, on Page 9, was a boldly worded advertisement addressed to nature lovers of the world . . . Readers were exhorted to write or wire the President, the Secretary of the Interior and Members of Congress in a mass protest against one of the Administration's pet projects: water storage dams in the Grand Canyon. The ad was sponsored by the eminent Sierra Club of California, a tax exempt society of conservationists who have spent the last 75 years defending nature against man . . . It took Cohen only a couple of minutes to get the message from the ad and before the day is out he had ordered his agents in San Francisco to audit the Sierra Club's books. If they found that the club was spending a 'substantial part' of its income for lobbying purposes, it would lose its tax exempt status."

Many observers at the time claimed that the Sierra Club was being singled out as a scapegoat because it had opposed a favorite project of the Administration. This, in the long run, is essentially beside the point. The point is much broader, and significantly more important: is there, or is there not, a systematic method of legislative oversight to assure that tax exempt groups do not engage in lobbying.

2. *The American Medical Association:* Consider the expenditures of other organizations during the same period which the Sierra Club was losing its tax exempt status. The American Medical Association, for example, spent by its own accounting $1,155,935.30, in an effort to defeat the Medicare bill. Newspapers, magazines, and television screens were saturated with anti-medicare ads. The money for all of this came from two sources, the tax free advertising revenues of the *A.M.A. Journal* and other A.M.A. publications, amounting to about $10 million a year, and from the membership dues of doctors, deductible items on their tax returns.

Compared with the A.M.A.'s 1965 outlay for political propaganda and lobbying the Sierra Club's investment of $10,000 on ads in *The Washington Post* and *The New York Times* was minuscule. It was minor in comparison with what other tax exempt lobbies spend in Washington every year to win political battles and influence Congress and the Executive.

3. *The N.R.E.C.A.:* The National Rural Electric Cooperative Association, to cite another example, supported the Grand Canyon dams. It had a $300,000 national advertising budget in 1966 to buy space in such magazines as *Look, Harpers,* and *The Atlantic*. Many of its ads were "institutional," aimed at arousing public support for the co-ops as a necessary element in the American power system. Others were open appeals for Congressional votes. Two months to the day after the Sierra Club ad appeared in Washington, the Internal Revenue Service could have read in the *Washington Star* or *Post* a three-quarter page ad calling on Congress to create a Federal bank for rural electric systems, a proposal opposed by the private power companies.

NRECA paid for these ads, and for the twelve lobbyists it maintains at the Capitol, out of tax-exempt revenues from tax-exempt rural cooperatives, which were created and are directly subsidized by the federal treasury.

4. *The Central Arizona Project Association:* During the year in which the Sierra Club lost its tax exemption, the *Congressional Quarterly,* in its annual report on spending by the Washington lobbies, found that all but four of the 26 biggest spenders in 1965 were tax-exempt organizations, including the Central Arizona Project Association, which spent $74,065.02 in 1965 solely to get Congress to do what the Sierra Club was trying to prevent—build dams in the Grand Canyon.

Neither the Central Arizona Project nor any of the other 23 biggest spending lobbies on the *Congressional Quarterly* list had at that time had their tax-exemptions questioned by the Internal Revenue Service.

The National Education Association is subject to the same provisions as the Sierra Club. Yet, it spent over $79,000 lobbying in Washington in 1965. The American Library Association spent $56,040. The American

Cancer Society spent $29,836. None of them even received a warning from the Internal Revenue Service.

B. *Political Activity by Exempt Groups:* Just as the IRC prohibits lobbying by exempt foundations and organizations it also rules out any partisan political activity and financial support for such actions. Nevertheless, under the guise of education or research many foundations are consistently subsidizing one political viewpoint over another and are giving aid to causes which society in general may well oppose. A law which was never intended to promote partisan political causes at the expense of the taxpayers now does just that. Here are some recent examples:

1. *The Ford Foundation:* A brief look at the largest of the foundations, the Ford Foundation, makes this fact clear. In 1968 the net worth of the Ford Foundation was $3.1 billion and its gift commitments stood at $203.2 million. Were its activities educational and non-partisan, or were they often political and partisan, and did they sometimes have the result of stirring disorder and turmoil?

In 1967, the Foundation approved a $175,000 grant primarily to help a voter registration drive in Cleveland, Ohio, sponsored by the Congress of Racial Equality. Supporters of the Republican mayoralty candidate, Seth Taft, criticized the Foundation for assisting the campaign of Democrat Carl Stokes, who subsequently won by a very narrow margin. It was the general view in Cleveland that the Ford Foundation had materially affected the results of this election by its financial entry into the political arena.

New York City Schools: Last Fall the Ford Foundation helped to finance New York City's school decentralization experiments, including one in Ocean Hill-Brownsville that later became the focus of three city-wide teachers' strikes. Albert Shanker, who was president of the United Federation of Teachers and led the walkouts, accused the Foundation of undermining his union, tampering with the city's public schools, and exerting influence over key Board of Education Members holding Foundation grants.

Black Militants: The Ford Foundation has given substantial financial assistance to Harlem's Intermediate School 201, despite continuous manifestations of anti-Semitism, racism and violence. The plan advocated by the Foundation would have taken New York's present centralized school system under control of a single Board of Education representing all the citizens of the city and substituted for it a "federation" of 30 to 60 autonomous, locally governed school districts.

These districts would be controlled by local parent-dominated school boards with complete authority to hire school personnel, to determine educational policy and allocate funds which they would get from the city. In February, a play by Leroi Jones, convicted of assault in the Newark, N.J. riots, was presented at I.S. 201. It contained the following lines:

"Who murdered the black man?
"Whitey, Whitey."
"Who should we lynch?
"Whitey, Whitey."

Two weeks later the Ford Foundation furnished I.S. 201 an additional $26,000. Buoyed by this support, the local governing board, the Afro-American Students Association and the Afro-American Teachers decided to put on a memorial program at I.S. 201 in honor of the slain Malcolm X. Scheduled participants included H. Rap Brown, LeRoi Jones and Herman Ferguson. Ferguson at that time was under indictment in a plot to murder black civil rights leaders. In the Communist weekly, *The Guardian*, he clearly outlined what he called a "black survival curriculum" for schools. The day would start with a pledge of allegiance, not to the United States but to a red, black and green flag, the banner of Black Nationalism. The memorial meeting at I.S. 201 included descriptions of the United States as "The fourth Reich" and calls to black youth not to fight in Vietnam.

What the Ford Foundation was supporting in the New York schools, many observers believed, was exactly the opposite of the policy of integration which the U.S. Supreme Court has called for. In fact, the New York Board of Rabbis, made up of 900 Orthodox, Conservative and Reform clergymen, criticized the Foundation's school decentralization plan as "a potential breeder of local apartheid."

The New Ford Direction: It is clear that the Ford Foundation conceives of its role not as educational, but as political. In 1962, Dyke Brown, then a vice president with responsibility for public affairs programs, wrote that the Foundation's interest had "shifted from management and public administration to policy and the political process." He added that these programs "tended to become increasingly action- rather than research-oriented," which meant that the Foundation had to be prepared to take certain "political risks." Thanks to the lax supervision by the Internal Revenue Service, such "risks" have been virtually non-existent.

The War on Poverty: During the past three years the Ford Foundation has increasingly cut program commitments to education and increased its contributions to "social action programs." The results of the entry of the Ford Foundation into this field have been commented upon in a recent volume by Special Assistant to the President, Daniel P. Moynihan, *Maximum Feasible Misunderstanding: Community Action in the War on Poverty.*

Moynihan's argument against the community action idea is that it is based on a false theory of social action. This theory holds that the pathology of slum life results from alienation caused by a crumbling social structure. It follows from this view that one solution is to restructure the life of the poor by mobilizing people to work toward common, constructive ends. The theory won support in the Ford Foundation and first took form in the Mobilization for Youth set up on New York's Lower East Side in 1962, financed by the Ford Foundation, the City of New York and the federal government. From there the concept of community action spread to other cities.

In the words of Paul Ylviseker, then of the Ford Foundation, it represented the "social application of the art of jujitsu: of exerting smaller forces at points of maximum leverage to capture larger forces otherwise working against us." *The New Republic* recently noted that "in the outcome it was not always clear who had done the capturing, or whether there were any large forces at work."

Moynihan puts his criticism this way:

"Seemingly it comes to this. Over and again, the attempt by official and quasi-official agencies, such as the Ford Foundation, to organize poor communities led first to the radicalization of the middle class persons who began the effort; next to a certain amount of stirring among the poor, but accompanied by heightened racial antagonism on the part of the poor if they happened to be black; next to retaliation from the white community; whereupon it would emerge that the community action agency, which had talked so much, been so much in the headlines, promised so much in the way of change in the fundamentals of things, was powerless . . . Finally, too much bitterness all around."

Thus, the Ford Foundation built and developed the theoretical basis upon which the community action programs were developed and initiated. Moynihan notes that "Professional persons were too willing by half to see public funds, and tax-free private funds, employed on a vast scale to further what was in effect a political agenda of a fairly small group of intellectuals."

In many instances it may be said that foundations such as Ford, using tax-free funds, helped to create the conditions of serious community disorder and violence which the government, using further tax funds, had to oppose and from which order had to be restored.

The Kennedy Grants: Recently, the Foundation engaged in what may be its most clearly partisan and political grant. In February, 1969, the Ford Foundation awarded eight former aides of the late Senator Robert F. Kennedy travel and study grants totalling more than $131,000.

Kennedy press secretary Frank Mankiewicz, now a syndicated columnist, received $15,692 for a study of Peace Corps projects in Latin America. Advance man Jerry Bruno received $19,450 for a six month analysis of political campaigning. Speechwriter Adam Walinsky was given $22,000 for a review of "community self-determination," with a special emphasis on particular experiments in Eastern European countries. Earl Graves, Thomas Johnston, Dall Forsythe, Joseph Dolan and Peter Edelman also received Ford grants.

Often forgotten is the fact that the Ford Foundation has been very close to the Kennedy family. McGeorge Bundy, now president of the Foundation, was John F. Kennedy's chief White House advisor on foreign affairs. Vice President David E. Bell was President Kennedy's first head of the Budget Bureau. All appearances lead to the conclusion that the Foundation rewards those whose political views it finds acceptable, and ignores those whose views it may oppose. And all of this is done with the acquiescence of the Internal Revenue Service.

Backing for Candidates: Incredibly, the Ford Foundation has now begun to make grants to assist Negroes to run for state and national offices. This is a worthy goal, but it is a clearly political one. Under present Ford Foundation plans, each political trainee will be assigned to a minority-elected politician who will assist the trainees political orientation. The goal set by the Ford Foundation is to increase the number of Negro members of Congress from nine to 30. The project is scheduled to receive $5 million from the Ford Foundation. It will go to the Urban Affairs Foundation of Los Angeles and will be headed by Jack T. Conway, former director of the AFL–CIO's Industrial Union Department. Walter Reuther will be a member of the Board of Directors. Is this not clearly political? Why then, should groups such as the American Conservative Union have no tax exemption and organizations such as the Ford Foundation continue to act with the powerful weapon of tax exemption.

IV. ANNUAL REPORTS OF EXEMPT GROUPS, I.R.S. SUPERVISION AND THE POWER TO REVOKE EXEMPTIONS

The Internal Revenue Code invests the I.R.S. with the power to revoke the tax exempt status of any foundation or organization which has violated the provisions of the Code governing such groups. Seldom is this power used by the Commissioner of Internal Revenue.

Occasionally, the Internal Revenue Service does withdraw tax-exempt status from an organization engaged in political activities. This happened to the Sierra Club. It also happened to the Christian Crusade, headed by Rev. Billy James Hargis in Tulsa, Oklahoma. It happened to H. L. Hunt's Life Line radio program. Yet, the major parties guilty of such activities have completely escaped government scrutiny and penalty. It is the correction of this mis-application of the law which is one of the essential changes needed in the tax laws concerning foundations.

It is little wonder that the I.R.S. finds it difficult to supervise anywhere from 22,000 to 30,000 tax exempt entities which are now required to file annual reports. Even though these annual reports show total figures for such categories as expenditures and receipts, as well as sources of income, the I.R.S. has admitted that most of its time is spent supervising tax producing individuals and corporations, and not those that the law allows to escape taxation.

In 1966 when I.R.S. Commissioner Sheldon Cohen was asked why the tax exempt status of the Sierra Club was revoked while the I.R.S. had not even seen fit to investigate any of the others, the Commissioner was quoted as having said that I.R.S. is limited in what it can do. It checks, he noted, only about 15,000 of the 500,000 returns filed by "charitable" groups each year and spends little time observing the political operation of such groups. The Sierra Club, he said, would never have been investigated but for the advertisements in question. "There are different ways to lobby," said Cohen. "This was so open, so crass that we had to take notice."

It should be noted for the record that the annual reports filed by tax exempt groups are hardly very informative, and some groups which have failed to accurately report their income have yet to receive any I.R.S. scrutiny.

V. RECOMMENDATIONS FOR LEGISLATIVE ACTION

Let me preface any legislative recommendations that the American Conservative Union may make with the statement that the political philosophy of conservatives naturally does not favor unnecessary Federal regulation of any aspect of the individual's life. However, the granting of exemption from Federal taxation to any group is a power of the Federal government created by the Congress itself. We readily acknowledge that Congress has the power and indeed the duty to assure the wise and impartial application of our laws, especially the tax code.

A. *Original Application for Tax Exemption:* We recommend that the IRC be amended to establish a fair yet enforceable application procedure for every foundation or group which applies for tax exemption. This procedure should require full disclosure of all pertinent facts and records and more than just a cursory investigation by the govenment. No application should be granted solely on the supporting evidence of the applicant, but an independent investigation should be conducted to verify the applicants statements of purpose and intentions.

Perjury penalties should be applied and enforced in the courts if subsequent events prove the application statements to be false. Indeed, normal tax laws should be retroactively applied to any exemption applicants who file false applications, once this becomes known after exemption has been granted.

B. *Qualifications for Tax Exemption:* Although the IRC appears to be perfectly clear in stating the categories and types of organizations which presently qualify for tax exemption, we suggest that the existing definitions have been applied rather freely. Perhaps these qualifications should be redrawn with a view to a complete and detailed definition of all prohibited activities, based on the many abuses which have come to light in recent years.

Closely related to the original qualifications for tax exemption as stated in the IRC are the provisions which prohibit lobbying and political activity. We definitely recommend that this section of the law be redrawn to enumerate just what actions are prohibited and to define in the clearest terms possible what is meant by the "no substantial part" phrase. It may be well to drop this relative concept which attempts to measure portions of the activity of tax exempt groups and instead write into the statute an outright prohibition against named activities which constitute lobbying and political activities. Surely the recent record of conduct by many foundations and groups will make it easy to compile a list of specifically prohibited actions in this area.

It should be noted that under the current IRC provisions, when a tax exempt group is adjusted to have violated the prohibitions stated, the only real penalty is the loss of tax exemption with the concomitant loss of income. The Committee might well consider penalties which would retroactively apply the full force of the tax laws to groups which lose their exemption by reason of illegal conduct. Civil penalties might also be considered for those groups whose officers knowingly and willfully violate the IRC prohibitions.

We might also recommend that any tax exempt groups or foundations which feel compelled to engage in any form of lobbying or political activities might be made to thereby subject themselves to the full provisions of the Lobbying Act and the Federal Corrupt Practices Act, or similar statutes which could be made to apply to such activities by already exempt groups.

The Committee might also consider placing a burden on the donor of large amounts of money to tax exempt foundations or groups. Such a donor, who contributes more than a named amount each year, could be required by law to receive from the donee tax exempt group a full report on the group's activities and finances. The tax exempt groups would also be required to prepare such a report for all prospective donors. Should the donor fail to meet such a provision, he could lose the deductability of his contribution.

Before the suggestion is made that this is a harsh penalty to impose on small donors, let me point out that many tax exempt groups which have engaged in political activities prohibited under present law have often received huge donations from other tax exempt foundations. Requiring such a donor-foundation to certify that it has inquired into the full nature of the tax exempt group to which it gives funds is not a great burden but rather would promote full disclosure.

C. *Annual Reports:* The annual reports required by law from each exempt group should be expanded and specifically tailored to meet whatever requirements are deemed necessary to produce a full disclosure of income and expenditures. This annual report should detail the full activities of the reporting group for the year with copies of all pertinent publications and perhaps even publicity received by the group.

A system of assured government scrutiny for these reports, perhaps using the latest computer techniques, should be established and applied impartially to all foundations.

Though I do not know if it is still the I.R.S. custom, at one time the annual reports for each tax exempt group were available to the public only at the various I.R.S. district offices around the country, each group being required to file at their district office. While we have no objection to this arrangement, duplicate copies of all such annual reports should also be available at one central agency in Washington where government experts in such matters should be charged with their thorough examination with a view to revocation or prosecution for perjury.

If it is too great a burden for the I.R.S. to handle such reporting and inspection requirements, perhaps the Committee should consider legislation which would transfer this authority to an agency which is responsible to the Congress such as the Government Accounting Office or the Comptroller General. It might even be well to consider whether foundations and tax exempt groups whose income and expenditures exceed certain minimum figures might be required to file additional copies of their annual reports with the proper Committees of the Congress which should have legislative oversight in such matters.

D. *Revocation Procedure:* In order to put an end to arbitrary and discriminatory revocation of tax exempt status for prohibited activities, we have already recommended a redefinition of the qualifications for the original application for tax exemption and also a much clearer statement of prohibited activities.

In addition to these measures, an established procedure for revocation containing full safeguards against arbitrary actions by the government is essential. This might include an independent tribunal with jurisdiction and specialization only in matters dealing with tax exemption and revocation. Above all, the agency which has the power to revoke tax exemption should be as far removed from politics as possible. The record of I.R.S. actions in some recent cases strongly suggests that the magnitude of the violation of the tax exemption law is not nearly so productive of revocation as is the political character of the tax exempt group involved in the alleged violation.

E. *Prohibition Against Use of Tax Exempt Groups by Government Agencies:* We strongly recommend that any revision of the IRC provisions on tax exempt organizations provide for a complete prohibition against any Federal government agency making contributions to such groups except in well defined cases.

This recommendation is prompted by the revelation two years ago that the Central Intelligence Agency was funneling vast amounts of Federal funds into the National Students Association, certain labor unions and other private organizations.

We believe that as a matter of principle, aside from the tax laws, it is a grave danger to our form of government to permit tax exempt foundations and groups to be employed as fronts for government action, especially when such facts are concealed from the public. Most such grants in the past have been in the area of political activity, which increases the danger to democracy.

It would appear reasonable to believe that a certain number of the presently existing tax exempt foundations are nothing more than conduits or fronts for government funds which are transferred to yet other tax exempt groups to promote aims and goals which have never received the approval of the Congress or the American people.

CONCLUSION

The American Conservative Union believes that all political ideologies should have the same right to compete within the framework of our constitutional system. We strongly oppose the use of the privilege of tax exemption to promote political activities or lobbying of any sort by groups, regardless of their partisan or ideological views.

We believe that the time has come to make this revision of the law and prevent further abuses. Even now ever more political activities are being planned by tax exempt groups and foundations.

The American Conservative Union has faith in the representative nature of the Congress of the United States and we trust that your Committee will exercise its good judgment in accomplishing an equitable revision of the tax exemption laws. In so doing you will be eliminating many of the abuses which always result from the concentration of too much power in the hands of any group. In the Congress resides the true power of all the people, and we know that you will use that power to see that justice is done in this area of the law.

Thank you for the privilege of appearing before your distinguished Committee on this occasion.

SUMMARY OF STATEMENT BY ROBERT E. BAUMAN, SECRETARY OF THE AMERICAN CONSERVATIVE UNION

The witness stated the interest of the ACU in the matter of tax exempt organizations has arisen out of the fact that many such organizations are today engaged in the same activities as are political groups such as the ACU. However, such tax exempt groups have a decided tax advantage over political groups which was not intended by the law and should not be permitted to continue.

The witness stated numerous current examples of tax exempt organizations and foundations engaged both in lobbying and political activities.

Based on the foregoing supported facts, the ACU recommends:

1. A new procedure and redefinition of qualifications for original applicants for tax exemption;
2. a redefinition of the activities prohibited to tax exempt groups;
3. a new and expanded system of annual reports for tax exempt groups;
4. revision of the revocation procedure for groups violating the IRC;
5. prohibition against the secret donation of Federal funds to tax exempt organizations or groups.

PHILIP N. BROWNSTEIN

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Friday, February 28, 1969

Mr. HARTKE. Mr. President, I wish to pay tribute to a man who has recently ended his career as a dedicated and thoughtful public servant. On February 21, Philip N. Brownstein, Assistant Secretary of the Department of Housing and Urban Development and the FHA Commissioner, retired from public service and has now embarked on a second career in private industry.

Phil Brownstein, a distinguished native Hoosier, has played a crucial role in the development of our national housing programs. Through his efforts he has helped to alleviate our pressing urban housing problems. As well, he has done much to help the rural American enjoy the pleasures of home ownership.

Since 1961, with the enactment of the Housing Act of that year, Congress has recognized that Government, standing alone, cannot meet the needs of our citizens who are unable to obtain decent housing without extraordinary assistance. With the establishment of below-market interest rate financing for rental and cooperative housing for moderate-income families we in Congress faced up to our responsibilities. There was widespread apprehension, however, that the Federal Housing Administration with its reputation for conservatism would not vigorously implement the obvious intent of Congress. Happily, though, this was not the case. Phil Brownstein implemented the program with intelligence and drive.

The recent increase in activity under the BMIR program fully justifies the confidence we placed in his dynamic leadership. In 1965, Congress again accepted the proposition that the needs of our low income families could not be satisfied without the assistance of private sponsorship and thus enacted the rent supplement program to meet that need. It is apparent that the growing public acceptance of the rent supplement notion is due in large part to the progressive leadership of Phil Brownstein. In like manner, the expanding partnership between Government and private industry was strengthened with the establishment of the 221(h) program of 3 percent loans to finance home rehabilitation and homeownership in 1966 and the major innovations incorporated within the landmark 1968 Housing Act. And once again it was Commissioner Brownstein whose intelligent administration of these programs has insured their continued success.

Dedicated as he is to our national goal of "a decent home and suitable living environment for every American family," I am especially proud to state that Phil Brownstein is a native of Indiana. After spending his first 9 years of Government service with the FHA, he left for a 2-year tour of duty in the Armed Forces during World War II. Upon his return he joined the Veterans' Administration in its newly established home loan program where he served for 17 years reaching the post of chief benefits officer. For the past 6 years he has served as FHA Commissioner pursuant to his appointment by President Kennedy in 1963.

Phil Brownstein's years in Government service have been fruitful ones. He brought imagination and incisiveness to jobs badly in need of both of these qualities. I trust that Phil and his charming wife, Esther, will enjoy their new endeavors. I hope, as well, that they will have ample leisure time to reflect on their many accomplishments.

WILLIAM H. HEEN, FORMER HAWAII DEMOCRATIC KINGPIN, TO CELEBRATE 86TH BIRTHDAY

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. MATSUNAGA. Mr. Speaker, I am privileged to call to the attention of my colleagues an article which recently appeared in the Honolulu Star-Bulletin describing the "grand old man of March 11, is considered to be the dean of Hawaiian politics. He served 32 consecutive years in the Hawaii Territorial Senate until he retired in 1957. He met his first and last defeat at the polls in 1958, when he ran for the U.S. Senate.

When Judge Heen, as he was affectionately known for many years after he had left the bench, retired from private law practice last June, he had given a total of 43 years of dedicated public service to the people of Hawaii, with 38 of those years being devoted to island politics and the Democratic Party of Hawaii. He also earned an added distinction as the youngest judge—34—to sit on the bench of Hawaii's First Circuit Court.

It was during the 1930's that Mr. Heen, then a practicing attorney, handled his most celebrated case. He served as defense counsel to two of the five accused Islanders in the explosive Thalia Fortescue Massie trial.

As Senator Heen approcahes another birthday in his rich and productive life, I would like to take this opportunity to salute this pioneer in Hawaiian politics. His political philosophy may best be summed by his closing remarks in an interview by Honolulu Star-Bulletin reporter, Tomi Knaefler:

> The only thing is that a politician must do what he thinks is right for the benefit of all the people.

And this William H. Heen has done for the people of Hawaii.

I believe my colleagues in the House will find of interest Mrs. Knaefler's article on this colorful Hawaiian politician, the former island Democratic kingpin, which appeared in the Saturday, February 15, 1969, issue of the Honolulu Star-Bulletin, and for this reason I therefore submit the article for inclusion in the CONGRESSIONAL RECORD:

HEEN, 85, COMPARES POLITICS THEN AND NOW

(By Tomi Knaefler)

Whatever politics in Hawaii was yesterday it's more so today, in the opinion of William H. Heen, a former Democratic kingpin, who is now, at age 85, an armchair observer of Island politics.

Heen was in elected politics for 38 years, including 32 consecutive years in the Hawaii Senate, until his first and last defeat at the polls in 1958.

In a recent I-remember-when interview, he offered this concise commentary of politics today compared with that of his day:

"It costs a lot more to be a candidate today . . . There are a lot more candidates . . And there's a lot more rivalry between and among them.

"It's become quite a field of combat between political rivals. The last Mayor's race, for example, had three Democrats (winner Frank F. Fasi, Herman G. P. Lemke and Kekoa David Kaapu) slugging it out."

Heen, who once spent $15 for campaign expenses (filing fee and pamphlets), is distressed at the high cost of electioneering today.

"It doesn't seem right," he said, "to have all that spending that goes on nowadays for advertisements in the newspapers, television and radio.

"There ought to be a limit on campaign expenditures.

"Back in the old days, we used to shake hands and pass out pamphlets. The Democrats used to hold neighborhood campaign meetings.

"Your editor then Riley H. Allen, used to attend every one of those meetings and he used to give me pretty good coverage.

"But, mostly, the audience at those meetings were women and dogs," Heen chuckled.

Even more remarkable than his $15 election was his 1954 feat when he polled well over 55,000 votes—the highest number ever scored by an Oahu Senate nominee up to then—without making a single campaign appearance.

He had been flat on his back from gall bladder surgery during the entire campaign and was discharged from the hospital a day before the election—"just in time to vote."

Heen served as president of the Senate in 1955, after the Democrats swept in and grabbed control of the Legislature for the first time, and again in 1957.

He retired from the upper chamber in 1958 to run for the U.S. Senate—a decision that was to mark the end of his career in elective politics.

Heen lost the primary race to Fasi, who, in turn, lost the election by a relatively small margin to Hiram L. Fong, who has held that seat since then. Interestingly, Fong won after being in political mothballs following his defeat for a State House seat in 1954, the year of the Democratic take-over.

Heen, in the enviable position of one who no longer has personal ambitions at stake, today views his defeat to Fasi without bitterness, only as a historical fact.

And how does he think Fasi will do as Honolulu's Mayor?

Heen, whose face is amazingly unweathered puffed on one of his daily ration of cigars before replying:

"Well, I hope he can carry through with his campaign promises. He made a lot of promises and it takes a lot of cooperation to get things done in politics as in any other field."

The statement seemed to carry an oblique minor reference to the recent clash and subsequent resolution between the Mayor and Council Chairman Walter M. Heen over the appointment of Robert Way as the City's new planning director.

Walter is Heen's nephew. Walter's father, the late Ernest N. Heen Sr., was Heen's younger brother who also figured in Island politics, including a term in the Territorial Senate and the Honolulu Board of Supervisors and five terms as City-County clerk.

Heen said of his nephew: "He's certainly doing very well for a young man."

From his seasoned perspective, would Heen pick a contemporary Island Democrat as an outstanding political model?

Heen sidestepped the question. He offered instead ratings for the next election that parallel the slate named recently by State Democratic Chairman David C. McClung and promptly slapped down by most of those involved.

Heen's report card ratings include:

Gov. John A. Burns—"He's done well. He's done a good job. He should stay in for another term."

Lt. Gov. Thomas P. Gill—"He's a very able individual; no two ways about that. He's quite a student of government. I'd like to see him in the U.S. Senate. He's a good thinker. He'll do very well in the U.S. Senate.

"If the Democrats back him up solidly and work together, I think he has a very good chance to win over the incumbent (Hiram Fong).

"Fong is a very good campaigner—with a lot of money at his command.

"But, I'll say this. Hiram needs Democratic votes to get re-elected in the same way that I needed Republican votes. If not for my Republican votes, I would never have been elected."

McClung, president of the State Senate—"He's quite able. He's a good leader for the Democratic Party. I'd like to see him get ahead."

As for Hawaii's Democrats in Congress, Heen offered a one-for-all comment: "They're doing well. The records show that. They should go right on with what they're doing."

Heen, originally from Olowalu, Maui, said, "I wasn't born as a Democrat or Republican. I chose to be a Democrat when I learned the difference between right and wrong.

"In the days when the Republicans were in control they dictated the voting to the plantations.

"Of course," he continued with a mischievous smile, "I would never have been elected if not for my Republican supporters."

Heen's smile splintered into a hearty laugh as he added drolly:

"I always said there were intelligent Republicans. My Republican supporters proved that."

Heen entered politics in 1919 by way of the City-County attorney's seat with these feathers already pinned to his cap: A degree from Hastings School of Law in California, five years as deputy county attorney on the Big Island, deputy Attorney General for two years, and two years on the bench of the First Circuit Court as Hawaii's youngest (34) judge.

"When I ran for the City-County attorney's post," he recalled, "I had the support of both the Honolulu Star-Bulletin and the Honolulu Advertiser against Republican incumbent A. M. Brown. Both newspapers felt that my opponent and the sheriff were allowing too much gambling to go on in this town."

He held that post until 1925, when he resigned to enter private practice and to run for the Territorial Senate. That was to mark the beginning of his 32 uninterrupted Senate years. His daughter, Muriel, served as his secretary for the last five sessions.

Heen and Maui's Harry Baldwin were the only Democrats on the 15-member body at first. There was a time when Heen was the only Democratic senator.

"No trouble," said he of his lonely minority. "It caused no great hardship. I used to argue it out with the others."

The late Lawrence M. Judd, who was governor of Hawaii at that time, described Heen as "able and efficient" despite the minority position during an interview shortly before his death.

Heen enjoys reminiscing about the era.

"The late David K. Trask Sr. and I used to work together quite a bit, even though he was a Republican.

"One year we put through a bill to reduce commissions paid to Bishop Estate trustees. We won after fighting it out on the floor, but there were efforts to restore the original commissions.

"When a bill to do that was referred to the judiciary committee, as chairman, I just took that bill, put it in my drawer under lock and key and it never saw daylight again. There was a lot of bellyaching.

"I'm not sure of the exact date, but those fellows managed to get the commissions hiked up again later.

"I still feel that Bishop Estate trustees are paid altogether too much. (They are paid on a graduated scale based on the estate's annual income. Last year, each of the five trustees received $48,726.)

"Even directors of big corporations don't get anything near the amount paid to those trustees," he said.

After quitting politics, Heen, then 75, had no plans to drop out of the work-a-day world. He retired only last June from his long association with the law firm of Heen, Kai and Dodge.

Heen's most celebrated legal case was the explosive Massie case of the early 1930s. He defended two of the five Islanders who Thalia Fortescue Massie, wife of a Navy officer, claimed had raped her.

The case rocked Hawaii and stirred the nation when a jury failed to reach a verdict and one of the defendants was killed by Mrs. Massie's husband, mother and two sailors.

The four were tried for murder, amid an avalanche of outrage expressed on the Mainland, and were convicted of manslaughter. Then Gov. Judd commuted the sentences to one hour in custody of the Territorial High Sheriff.

Judd, who had long refrained from discussing the case, disclosed only two years ago to Chuck Frankel, the Star-Bulletin's assistant to the managing editor, that:

". . . I acted under the heaviest Congressional pressure and against my better judgment. Had I possessed facts of which I learned later, I doubt that I would have commuted the sentences."

Judd had said that tremendous political pressure was upon him to pardon all four, but that he refused, and chose instead to commute the sentences to an hour.

Judd had explained that "punitive legislation against Hawaii was being considered (by Congress) at that time. Had I not acted as I did, I believe that Congress might have changed our form of government and placed us under a commission. In that event, Hawaii might not now be a State of the Union."

Heen said during the interview, as he had said in that jam-packed courtroom of over 35 years ago:

"No question at all. Those boys were innocent.

"That was the same finding of the Pinkerton agency that was brought here by Gov. Judd to investigate the case thoroughly."

Heen's eyes flashed with intensity as he recalled the sensational case. He blew puffs of cigar smoke into the distance.

His normal calm returned moments later as he surrendered thoughts of that past to the past.

He smiled appreciatively when a comment was made on how well he appeared despite the physical strain of taxing major surgery about two months ago in Houston, Tex. A portion of his key artery was removed because of disease and replaced with a nylon graft.

Heen marveled over the skill of his surgeon, Houston's distinguished Dr. Denton Cooley, noting that "I didn't even know that I had been operated on the day after it happened.

"The operation had been postponed several times. So, when I woke up that day, I asked my son, Bill Jr.: 'When is the operation postponed to?' I was so surprised when he said: 'Dad, it's all over—yesterday. . . .' "

The hospital nursing staff described Heen's recovery as "remarkable" in view of his age.

"No problem," said Heen, as he focused instead on his stockinged ankles under treatment for arthritis. "When my ankles don't bother me, I still drive around," he remarked.

The trip to Houston brought back memories for Heen of the 1928 National Democratic Convention in the Rice Hotel there.

He said: "That was the year we nominated Al Smith with Franklin D. Roosevelt as his vice-president.

"I remember going there in my pongee suit, white shoes and paper ilima lei around my Panama hat. Three Texans smiled at me as if I were a freak as I walked down the street. I told them: 'I bet you're smiling at me because you think I'm some kind of freak.'

"We got to talking. They wouldn't believe that I was from Hawaii because they didn't think people here spoke English."

Heen today is content to spend most of his time quietly at home at 1585 Thurston Ave., Makiki, the family's residence since 1908. On week ends are family outings to their Kaaawa beach house.

Hours on end, he pores over the 18 to 20 magazines to which he subscribes. His favorites are Fortune and Business Week.

"These magazines pile up pretty fast," he said, as he related a bargain made with his 8-year-old great-granddaughter, Michele:

"I told her I'd give her 10 cents for every pile she bundled up so they could be taken to an old people's home. When she was through, she had 20 piles. She earned $2," he said with grandfatherly pride reflected all over his face.

His wife, Mercy, joined the chorus of praise for Michele's work. It had relieved Mrs. Heen from the back-bending chore of picking up clutters of magazines from the floor of her strikingly neat home.

Heen is a picture of graceful aging as he sits in his favorite living room chair, warmly surrounded by framed pictures of a host of grandchildren and a diverse collection of art objects collected over the years.

He mourned the pre-Christmas theft of two old porcelain elephants that had long guarded the entry to the house.

"While the elephants are gone, this house, will hold up for many years to come. It's really solid," he said.

The description could well be applied to Heen himself. There is a kind of sturdiness in his fragile form. His droll sense of humor hasn't left him, although a bit of his hearing has.

Heen, who will be 86 on March 11th, is fun to chat with as he discusses today upon a background wealth of yesterdays. And his conversation flits easily from art to people to politics.

And does the grand old man of Hawaii's Democratic Party have any wise words to impart to today's politicians?

"No, no," he said at first and then reconsidered: "The only thing is that a politician must do what he thinks is right for the benefit of all the people."

THRUSTON MORTON, PRIVATE CITIZEN BY CLEAR CHOICE

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Friday, February 28, 1969

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the Extension of Remarks an editorial from the Louisville Courier-Journal entitled "Thruston Morton, Private Citizen by Clear Choice."

Many newspapers throughout the country have published editorials about our former colleague at the time he declared his intention to retire from the Senate and in the closing days of his service. The editorial which I offer today was written after his retirement this year. It states, in part:

> There are things that need doing here in Louisville and Kentucky to which he could give great impetus as a private citizen. It will be interesting to see in what direction his inherited taste for public service, and his long habit of active participation, will lead him in the days to come.

I feel certain that no one will be surprised that Thruston Morton is continuing to contribute his talents to the service of Kentucky and our Nation, and at a later date I shall report on the fields of action in which he has already engaged his abilities and high concept of public service.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THRUSTON MORTON, PRIVATE CITIZEN BY CLEAR CHOICE

In a characteristic gesture, Thruston B. Morton is leaving his place in the United States Senate a bit early in order to give an advantage to his successor, Marlow W. Cook. Morton could doubtless have had the Senate seat as long as he pleased, judging by his record of victories. He decided not to run again this year, but to come home to Kentucky.

There is a loneliness in public life, and Morton admits to having felt it, especially since he moved on to the Senate from the more intimate House of Representatives. He has been at the job of politics ever since 1946. This newspaper, in its editorial endorsement at that time, hailed him as the kind of man who was needed in political life.

He has held an unusual variety of jobs in the ensuing years. He has served in both houses of Congress, as Assistant Secretary of State for Congressional Liaison, as chairman of the Republican National Committee and as chairman of his party's national convention.

ANOTHER HONOR BARELY MISSED

He could well have had still other honors. If the delegates to the 1960 G.O.P. convention had had their way, they would have nominated him as Richard M. Nixon's running mate. Nixon made a personal decision for Henry Cabot Lodge. There are those who believe that the party would have converted a narrow defeat into a victory that year with so adept a campaigner as Thruston Morton in second place on the ballot.

A career as adventurous as Morton's in politics is bound to have had its high and low points. He was the lone member of the Kentucky delegation who supported Dwight D. Eisenhower for the nomination in 1952, and his sense of isolation caused him to withdraw as a candidate for re-election to his House seat. Just this year, he made a bold run for Nelson Rockefeller for the G.O.P. nomination. Once Nixon won at Miami Beach, however, Morton travelled all over the country giving him a full measure of assistance.

Thruston B. Morton, a veteran at 61, can be said to deserve a less rigorous life than he has led for over two decades. He is one of those rare birds in politics who wants to step off the stage while he is still a star. There are things that need doing here in Louisville and Kentucky to which he could give great impetus as a private citizen. It will be interesting to see in what direction his inherited taste for public service, and his long habit of active participation, will lead him in the days to come.

THE CLEVELAND PUBLIC LIBRARY

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. FEIGHAN. Mr. Speaker, the greater Cleveland community is justifiably proud of its exceptional cultural institutions to mention two, the Cleveland Institute of Art and the Cleveland Symphony Orchestra. It is also proud of the Cleveland Public Library. On February 18, the library celebrated its 100 years of service. Today, the Cleveland Public Library is more than a respository of books. It is a modern institution that is alive, enlightening, and educational, and is dedicated to bringing culture, enjoyment, and knowledge in modern ways to all of the greater Cleveland community residents.

As part of the centennial celebration, the Friends of the Cleveland Public Library have compiled a brief history of the library which I would like to share with you. A complete history of the library has been commissioned by the Friends of the Cleveland Public Library which is being written by C. H. Cramer, professor of history, Case Western Reserve University, for publication in 1970 by the press of the university. The history follows:

THE PROUD YEARS: 1869–1969

(By Bernice Bollenbacher, Library Editor, and Fern Long, acting deputy director)

THE FOUNDING YEAR 1869

The Library's founding year offers striking comparisons with the 1969 Centennial Year. The term of the first President Johnson ended in March 1869 in the midst of the bitter Reconstruction Period following the Civil War. In 1969, the second President Johnson has only recently left the White House, and the country is again in a reconstruction period, attempting to solve racial problems similar to those in the wake of the Civil War.

In 1869 the first transcontinental railroad began operations. Today the railroads are liquidating passenger services, conceding the once lucrative business of transporting people to the automobile and airplane.

Protest echoed throughout the land in 1869 as in 1969. Suffragettes, dismayed by the failure of the 15th Amendment to enfranchise women as it presumably did Negro men, intensified their militant campaigns for women's rights.

CLEVELAND IN THE FOUNDING YEAR

Cleveland in 1869, the largest city in the Western Reserve, was recovering from the Civil War and renewing social and cultural activities interrupted during the conflict. It was a yeasty period in the City's history. A great industrial development was emerging from the situation of the City and the energies of its 92,000 people. Case Hall had been opened, and Clevelanders were flocking in for lectures and concerts. Mrs. Solon L. Severance brought her friend, Mark Twain, to lecture on the famous Quaker City cruise to Europe and the Holy Land. Educators meeting in Weddell House founded the Northeastern Ohio Teachers Association. On November 24–25, the first national suffrage convention was held in Case Hall where the American Woman Suffrage Association was organized. Henry Ward Beecher was elected president and William Lloyd Garrison, vice president. Lucy Stone opened the meeting, and Susan B. Anthony attended. Gala social affairs took place in the Cliff House, opened a month before the Library, out on Riverside Drive overlooking the Rocky River valley. Clevelanders drove out by horse and buggy during good weather and by sleigh during the winter months. The Cleveland Academy of Science was reorganized as the Kirtland Society of Natural History, and eventually, the Natural Science Museum in University Circle. Cleveland had seven bookstores—evidence indeed that it was a city of book lovers.

The trades and industries represented in the city directory of 1869–70 as well as many occupations are nonexistent today. Bonnet bleachers, wig makers, coopers, candle makers, wood carvers, saddle and collar makers, sail makers, and bell hangers applied their trades; livery stable operators, spoke and fellow manufacturers, water wheel makers, and hoop skirt tailors flourished.

Around the corner from the new Library, Dr. Erastus Cushing and his son, Dr. Henry K. Cushing, father of the famed brain surgeon, Dr. Harvey Cushing, had their homes and offices on part of the present site of the May Company. Near the Library was the studio of photographer and art dealer James F. Ryder whose photographs of Cleveland are highly prized today. The firm of Rockefeller, Andrews, and Flagler maintained offices in the Case Block, and John D. Rockefeller resided at 424 Euclid Avenue.

Book lovers attending the opening night of the new Library arrived by horsecar and carriage, climbing two long flights of stairs to the third floor of the premises. With its 1,500 square feet adjoining the Board of Education's quarters and some 5,800 volumes, the Library was hailed "a wilderness of books" by a newspaper reporter of the day. "The collection," Librarian Luther Melville Oviatt said, "covered the whole field of literature from grave to gay, from lively to severe."

Patrons had no direct access to the books stored in cases ten feet high, with glass doors. Only Library officials could unlock them. Melville Dewey's Decimal System of Classification was not available until 1876, and Oviatt devised a system of shelf classification. An instance is noted in his *Report of 1869:* "Thackeray's *Vanity Fair* is marked No. 4, Shelf 282, showing that it was the 4th book on the 282nd shelf."

Only one book at a time per family could be borrowed, and the hours of opening were limited: 10–12, 2–5, and 7–9 daily, closed on Sundays and holidays and from August 10 to 31 for inventory. In spite of these restrictions, the new Library was popular, and readers borrowed 65,552 books during the first year, an average of more than 11 borrowers per book.

Among the official speakers during the opening night ceremonies was Mayor Stephen S. Buhrer who praised the Library as "an attractive place of resort for young men, withdrawing them from expensive and vicious amusements." A true friend of the Library, he added, "The tax for the Library should be made five times as great as it is to ensure its complete successfulness," and he predicted a "noble future."

The first Librarian was the son of Nelson Oviatt who was born in colonial Connecticut, coming to Ohio country as a young man. Son Luther was born in Richfield, Ohio in 1821. After graduation from Western Reserve College in Hudson, Ohio, he taught school in Parma, then Cleveland, where two of his students were John D. Rockefeller and Laura Spelman, later Mrs. Rockefeller. Oviatt described young Rockefeller as a poor student and his future wife an excellent one. Oviatt gave up teaching to join Edward Cowles in *The Cleveland Leader*. He left the newspaper to head the Library, resigning in 1875 because of ill health.

Oviatt's successor, I. L. Beardsley, was also a newspaperman, from *The Cleveland Plain Dealer*, and served from 1875 to 1884.

Originally Central High School, this building at Euclid Avenue and East 9th Street became the Board of Education headquarters in 1901, with the second and third floors given over to the Library.

The Library's steady growth demanded more space for books and readers alike and required a permanent building. Many branch libraries built with Carnegie funds far surpassed the Main Library. Altogether, the Main Library changed locations six times between 1869 and 1925 and expanded its present building substantially in 1959.

Foundations of the Cleveland Public Library were built largely by three dedicated people: William Howard Brett, Linda A. Eastman, and John G. White. Brett and Miss Eastman were Librarians; White was a Library trustee.

When Brett became Librarian in 1884, the Library had not kept pace with the growing City. He brought innovative ideas, infectious enthusiasm, and inspired leadership into the organization. The Library became a dynamic institution. Sweeping changes were made as he reclassified books, developed the first dictionary catalog, opened shelves to readers, organized the Blind Division, founded branch and station libraries bringing books to the neighborhoods where people lived and worked.

A new and creative atmosphere developed as Brett opened the doors to children, offering children's rooms and services, storytelling hours, and later services to schools and young people. His actions were sharp departures for the Library. Though Oviatt had written sympathetically of children's reading in his *Report of 1869* his successor, I. L. Beardsley, had taken a dim view of it: "The business of boys and girls from 10 to 18 years of age should be the work of the schoolroom." Beardsley advocated that recreational reading be discouraged. He limited children's "drawings" to one book a week and prohibited their "lingering" in the library.

AN ERA ENDS

Following William Howard Brett's tragic death in 1918, his successor, Miss Linda A. Eastman, brought to fulfillment his dream of a new Main Library. Under her administration the Cuyahoga County Library was established. The Travel Bureau of the History Department, The Lewis Carroll Room for Children, and The Robert Louis Stevenson Room for young people as well as the famous Business Information Bureau were organized. Her retirement after 43 years of service marked the end of an important era.

Librarian Brett was one of the first in the country to stress the importance of library service to children and young people. He established the first library in the world for children only, the Perkins Branch which was located until 1956 at E. 30th and St. Clair.

Home libraries from which borrowers could draw were organized in 1905 in the homes of cooperating parents in districts remote from branch libraries. Librarians and volunteer workers made regularly scheduled visits to these homes where children especially awaited each "Library Day." Young people were the Library's continuing concern, and the Stevenson Room was established at the Main Library in 1925.

Awareness that special groups have special needs consistently influenced the creation of new services by successive administrations of the Library.

For example, the establishment of the Business Information Bureau in 1929 constituted a recognition of the special needs of business and industry located in Greater Cleveland. Research was increasingly becoming a partner of both business and industry and concentration of necessary reference tools in one place supplied a new service which other metropolitan libraries were quick to emulate.

Then, in 1941 another pioneering step was taken when the service to Shut-ins was instituted. Made possible by a special bequest from Frederick and Henryett Slocum Judd, library materials are taken into the homes of people so disabled that they cannot visit the library.

That same year, 1941, saw the establishment of the Adult Education Department, an experiment in special services which proved itself with the years. A 16 mm film library was started in this Department and developed into the largest collection of its kind in any public library in the country. In 1946 the Live Long and Like It Library Club was founded, becoming the first special activity for older people to be undertaken by a public library. Other special projects were initiated by the Adult Education Department; Reading Centers; Project Libros, for Cleveland's Spanish-speaking newcomers; the Books/Jobs Project to help the unemployed and underemployed with vocational training.

REACHES OUT TO BUSINESS

In 1965 Data Processing was introduced in the Library and in the years since several processes have been automated, among them being the computerization of the Library's business activities such as production of payroll, book ordering, financial and personnel reports.

The past and present inevitably point to the future. The great book collections will continue to grow. New media will be employed as they become available, just as were films, recordings and microforms. New services will be created to meet changing patterns of living in megalopolis and the computer will surely be enlisted as an ally of the librarian as the search for information becomes ever more complex.

TRUSTEES OF CLEVELAND PUBLIC LIBRARY

Mr. Lockwood Thompson, President, Mr. John N. Gardner, Mrs. Florence M. Graham, Mr. Arthur B. Heard, Mr. Stanley J. Klonowski, Mr. George J. Livingston, Mr. Robert L. Merritt.

TRUSTEES OF THE FRIENDS OF THE CLEVELAND PUBLIC LIBRARY, INC.

Mrs. Harley C. Lee, President, Ralph M. Besse, Vice President, Robert E. Arnold, Treasurer, Mrs. Varelia H. Farmer, Secretary.

Alfred A. Benesch, Mrs. Hugh Calkins, Murray M. Davidson, Mrs. Robert F. Denison, Cyrus S. Eaton, Jr., Mrs. Alvin N. Fuerst, Mrs. Robert H. Jamison, Evan Lloyd, Peter Reed, Mrs. Ralph S. Schmitt, A. Benedict Schneider, M.D., Mrs. Francis Silver, Mrs. Ralph S. Silver, Herbert Strawbridge, Mrs. Theodore Thoburn, Herman L. Vail.

CHARLES L. DENNIS

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Friday, February 28, 1969

Mr. HARTKE. Mr. President, as a longtime friend of the Brotherhood of the Railway and Airline Clerks—BRAC—I wish to express my pleasure at the recent appointment of BRAC's international president, Charles Leslie Dennis, to the executive council of the AFL–CIO.

I am confident that in the coming years Les Dennis will bring to his new assignment the same farsighted approach that has helped to make BRAC the great union it is today. Since 1963, he has moved his organization forward under its motto, "A Modern Union on the Move." Therefore, it is only natural and fitting that the other leaders of the American labor movement should wish to avail themselves of his counsel and guidance.

Les Dennis has a deserved reputation as one of the most, if not the most, innovative and progressive union leaders in the field of transportation. He is, for example, the chief architect and chairman of the Conference of Transportation Trades, an organization which was created to serve as "a clearinghouse on ideas and as a forum for the exchange of views." This relatively new conference has already placed its mark on the labor scene for at its most recent executive board meeting it mapped out a comprehensive plan to meet those key issues and problems which affect the transportation industry and the men and women who work in it.

Painfully aware of the problems that will continue to plague organized labor if it remains fragmented, he has led the union merger movement. On January 1 of this year, a merger between the BRAC and the Railway Patrolmen's Union was effected, and only recently BRAC merged with the 40,000-member Transportation Communication Employees Union. With that merger, Les Dennis now heads the AFL–CIO's largest transportation union with a membership in excess of 300,000 employed in all modes of transportation. As well, negotiations are currently underway with the Canadian Brotherhood of Railway, Transport & General Workers' Union and, by the end of this year, BRAC may well have a membership of close to 400,000.

Les Dennis' farsightedness in working toward mergers as a means to strengthen transportation unions is borne out by recent events, for this trend has recently been reinforced by the unification of four of our Nation's operating rail unions into the United Transportation Union. The 225,000-member UTU is now the second largest transportation union in the AFL–CIO after BRAC.

Born in Beardstown, Ill., on June 21, 1908, Les Dennis comes from a railroading family. His father, C. E. Dennis, was employed by the Chicago, Burlington & Quincy and the Chicago & North Western Railroads for many years. A son, L. E. Dennis, is currently a Washington-based staff member for the union, and two daughters were formerly railroad employees. Five of his sisters are BRAC members and belong to the C. & N.W. Lodge 679 in Chicago. Altogether, 16 members of the Dennis family are, or have been, affiliated with the railroads.

Les began his career with the railroads as a freight handler for the Chicago & Northwestern in 1928. He became a member of BRAC shortly thereafter and still retains his membership in Chicago's Wood Street Station Lodge 1189. While still an active member of the lodge, he held almost every office from financial secretary-treasurer and local chairman to division chairman. In 1940 he was elected general chairman of the C. & N.W. and held that post for 19 years until he was elected a vice grand president at the Brotherhood's 1959 convention in Los Angeles. First elected to the president's office in 1963, he was reelected without opposition in 1967.

Currently Dennis plays an active role in the Railway Labor Executives Association as chairman of that group's International Affairs Committee and its Railroad Retirement and Unemployment Insurance Committee. In addition, he serves on the general council of the International Transport Workers' Federation. He is vice president of the Eugene Debs Foundation and, as the representative of the AFL–CIO, undertook a mission to Japan in 1963 for the Agency for International Development.

Mr. President, I believe that this brief and necessarily incomplete recitation of the accomplishments of Les Dennis does, nonetheless, give us a fuller knowledge and understanding of this man's work. I am sure that in the years ahead the guidance and influence of Les Dennis will be of major importance to the American labor movement. I commend the AFL–CIO for its intelligent choice of Les Dennis as its newest executive council member.

FREIGHT CAR SHORTAGES

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. ULLMAN. Mr. Speaker, the plywood and finished lumber industries in Oregon and throughout the Western States are plagued by continuing railcar shortages that prevent full marketing of our products. I recently urged the Interstate Commerce Commission to take more effective action in preventing and relieving these shortages.

The ICC has assured me that top priority is being given to the implementation of Public Law 89–430, which establishes penalty per-diem rates for nonowned cars during times of critical shortage. I am hopeful that these provisions can be fully implemented soon.

I would like to bring to the attention of my colleagues one point of view on these recurring railcar shortages. I insert in the RECORD at this point a statement on the subject by Mr. O. L. Stewart, executive secretary and traffic manager of the Southwest Oregon Shipper's Traffic Association, Inc.:

REQUEST FOR INDUSTRY REPORTS ON FREIGHT CAR SHORTAGES

(Statement of O. L. Stewart, executive secretary, traffic manager)

Following are our comments on particular segments of subject study and report:

1. We feel that the Commission is most sincere in their endeavor to improve the ever plaguing problem of freight car shortages, however, we are convinced that the Commission:

A. Lacks the necessary authority to cope with the situation since the railroads are able to tie-up any remedial action thru exercise of the many District, Federal and Supreme courts.

B. The Commission lacks sufficient field staff to adequately police the existing regulatory provisions and any additional or temporary provisional penalties and car service directives.

C. The existing car service orders do not adequately meet today's requirements. For instance, an order such as ICC 1020 dated February 7, 1969, by being general in scope intends to give aid to any railroad owning sufficient boxes to meet their customers requirements. However, by applying to all ownership of boxes, this type order can result in worse car utilization, in that many cars will be returned empty to owners which do not want or need those cars, whereas they could be loaded by some carrier between location of unloading and owner's line.

D. The expounded claim that shippers and receivers prolong the necessary holding of cars for loading and unloading is much exaggerated in most cases such as in Southwest Oregon where the shippers receive cars on one switch and release them on the following switch and seldom hold cars beyond one switch except in some cases where bunching occurs because of the sporadic supply.

Many of the current lost car days could easily be eliminated if the railroads would speed up switch service and movement through the weighing yards. It is very possible that some commodities presently being weighed through scale yards could move under average weight agreements, resulting in reduced rail operating costs in addition to improving car utilization.

E. Many car days are lost because the originating railroad makes car substitutions without approval of shipper who must make provisions with his buyer before he can utilize the substitution, and in some instances, it takes several days to obtain that permission which also can be an additional expense to the shipper.

F. The railroads should not pull any loaded car from the shippers loading dock without a proper bill of lading to insure prompt billing and movement of car. The problem of "No-Bill Cars" is rapidly increasing to the point that some carriers rank it among the top causes of lost car days. "No-Bill Cars" should be placed on demurrage assessment where shipper and receiver is at fault, however, a much faster method of detecting "No-Bill Cars" would eliminate much of the problem.

2. Current practices of shippers and receivers in relation to empty equipment can be greatly improved by backbone enforcement of demurrage charges by both carrier and the policing agencies. Most shippers and receivers will certainly schedule their loading and unloading practices within economic boundaries. The Commission is well qualified and experienced to set the demurrage rates and penalties necessary to eliminate undue hoarding and excessive storage of freight cars. However, there must be no exceptions for long favored commodities such as grain and military movements.

3. Practices of rail carriers, with respect to the assignment of cars to particular industries, is one of the major causes of car shortages and poor rail car utilization. Electronic computers can spell out this factor by comparing car turn around time, revenue earnings, lost car use days, lost mileage and per diem rates on special equipment as compared to general service equipment. However, car acquisition and replacement cost must be accurately determined and costed. Ex Parte 241 revealed some of the abuses and poor utilization of special assigned equipment.

The rail carriers are grossly adding to poor utilization and car use of the mileage per diem cars owned by both private and railroad companies because those cars earn per diem only when they are moving, thus resulting in a railroad being able to hold those cars indefinitely without any compensation to owner or lessee.

The failure of carriers to distribute empty equipment on a reasonable basis cannot be corrected until the ambiguous terminology of "just, fair and reasonable service" is clearly defined (Section 15 (1) Part I, Interstate Commerce Act). In Southwest Oregon, the Southern Pacific Co. and the regulatory agencies have long argued that equal percentage of supply does not mean everyday, or week, but can be reasonable if brought into a fairly equal supply percentage in thirty (30) days. This line of reasoning is unsound in a modern high cost economy, such as today, where an efficient operator can go broke or be forced out of competition while getting only 50% of his requirement, while another operator receives 75% or even 100% supply. This situation also holds true in the need and supply of various types of equipment such as wide door boxes, long and short flats, etc. The shipper which receives the greatest percentage of each type required is enjoying an economic advantage over his competitor which must either, (a) await his requirements, (b) use equipment that is more expensive to load and unload, (c) reduce or increase orders to fit substituted equipment, (d) accept order cancellations for failure to ship on schedule or because wrong type or size car was used, (e) absorb the freight difference in substituting truck for rail shipments wherever possible.

Fair distribution of freight cars can only be assured thru adequate policing by both the state public utility agencies and the Interstate Commerce Commission which have regulatory jurisdiction over such. Railroad management either does not or cannot control the favoritism shown some shippers by the various car clerks and train crews, and in some cases top rail management is well aware of these favoritisms. Many shippers would sue the railroads for commensurate losses if there were adequate precedents or provisions for recovery.

The more promising avenue to apply for relief is provided in section 1(14)(a) of the Act where the Commission could establish more reasonable rules making necessary carrier information available to the shipper with respect to car service so each shipper would know his degree of and/or lack of car supply in comparison to the overall supply. If a shipper could be awarded compensation for delay or lack of car supply in the manner the railroads are allowed demurrage when a shipper holds cars beyond a set period, the railroads would in turn have an incentive to meet their car supply requirements.

In most periods of severe car shortages on the Southern Pacific Co. in Southeast Oregon, we are advised by the Commission that the Southern Pacific either reports no shortages or that they have a high percentage of ownership on line. The problem here is that the SP system is so large and includes such a spread out geographical area in many states, they can have many empties in an area, or on a division, some thousand miles or many days away from an area that is experiencing severe shortages, and in most instances, many empties are confiscated along the route to Southwest Oregon, resulting in fewer cars arriving in Oregon. This results in the first come first served situation where the shippers at end of line are constantly experiencing shortages and inequities in supply.

In some instances the Southern Pacific will indicate sufficient cars on system to meet the requirements in number of empties ordered by shippers whereas the actual accounting would show serious shortages in various types of equipment such as 40 or 50 foot boxes and flats and 40 or 50 foot wide door boxes as the case may be. In other words, if the shipper could use a flat instead of a box or a cattle car for a box, or a 5 foot door for a 10 foot door, the carrier would then have a car to apply against an order. However, we reiterate that even under such a ridiculous accounting, substitutions may be a thousand miles from point of shortage.

The percentage of on line formula in relationship to ownership must be revised and upgraded to accurately determine the number of freight cars on a specific railroad that will be available for loading on that line. The present formula includes loads, empties, cars in trains moving on to and off, or across a particular railroad. Loaded or empty cars destined off line will not be made available for loading by this formula. Also, the report should indicate location of empties and prospective empties by divisions or particular areas.

SOSTA is most alert and responsive in reporting any excessive or out of ordinary accumulation of loads and unloads in Southwest Oregon and/or other areas when either noticed or brought to our attention. Here again is another important factor that requires policing by the regulatory agencies and quick remedial action. The Southern Pacific cannot permit much of this in Southwest Oregon because of track limitations forcing them to keep the lines open or rail operations will practically cease.

4. Totally improved or full equipment utilization can never be achieved under the present abusive and delay causing practices in the holding of both loaded and empty cars in the movement of grain, cotton and other agriculture products. Grain and military are excellent examples of wasteful practices in holding cars at both point of origin and at destination.

DETERMINING CAR SHORTAGES

It is no longer just a matter of determining box and flat car shortages under a broad classification, inasmuch as progress in loading and unloading techniques, coupled with the advent of newer and various types of freight cars installed to meet specific demands of various industries, has compounded and broadened the compilation of information needed to determine extent of shortages by type of cars in relationship to available equipment that can be used.

In addition to determining carrying capacity and number of available equipment, turn around time, car shortages in the various territories, and surpluses of equipment in other territories, it is also necessary to determine the shortages of the types of cars and the surpluses, if any, of the types of cars that can be used in substitution during such emergencies. This information must be compiled and determined by all railroads instead of just Class I carriers. This is presently impossible because of the variations in the many carrier reporting systems and the reporting date used. In addition it is imperative to determine the total number and carrying capacity of freight cars in special assigned service and which is not made available to general service. (This is a large factor in today's shortages.)

If all the necessary information and statistics were available to accurately determine the exact number of cars required to move the available rail traffic and the shortage of such equipment in number and carrying capacity, the remedy and necessary cure would still be just as far away today as in the days of the 1920's because of the policy of equipment interchange of cars between carriers and the existing rules and lack of adherence thereto. Some railroads have contributed to the ownership of required cars to move rail freight while others have chosen to ignore their responsibility to participate in the ownership of a national freight car pool adequate to serve the nation. This has led to a widespread disregard of existing rules and responsibility.

It must be determined and spelled out as to where and to what extent the liability lies in adequate freight car ownership including that of the origin carriers, intermediate or participating carriers and delivering carriers. Which railroads should own cars, number and type of cars each railroad should own and which railroads should be exempt from car ownership and if exempt what should be their contribution in exchange for exempted ownership?

Accurate compilation of freight car shortages at any one shipping point, or in any area, is an unsurmountable task because of the many varied interpretations of car shortages. Some railroads and regulatory bodies have convictions that so called spot shortages are normal and must be expected; some conclude that if a 40 foot flat is accepted, instead of the 50 footer ordered, then the 50 footer was not necessary and no shortage occurred. This holds true in any accepted substitution including the supply of a narrow door box against the order for a wide door box. Some conclude that a total number of cars supplied against a total number ordered eliminates any shortage regardless of time elapse between date ordered and date supplied. A shipper can go several days without one single car and then receive those several days supply on one day, therefore no shortage that week in the railroad's opinion.

Total shortages are not available because some railroads persuade the shippers to stop ordering their daily needs when back-orders pile up. In such instances, a shipper can show only 10 cars ordered whereas he could have ordered and used 50 cars if the daily supply had been available. This makes that carrier car supply look better and reduces the actual number and seriousness of shortage. The real economic injury to the shipper in these instances cannot be fully determined or proven in dollar and cents value, none the less there are losses in loading crew performance, overtime labor to catch up when cars are finally available, additional warehouse costs to store unshipped cargo, and lost business because additional sales cannot be booked for prompt shipment.

The railroads refute these claims by arguing that the orders and production are eventually moved by rail, therefore no actual business was lost. In other words, if we don't haul it today we will haul it next week.

RECORDS OF ACTUAL CAR SHORTAGES

Attached to this report is a breakdown of the number of cars ordered and supplied by types and size of cars. We compiled reports from only thirteen member mills because these same 13 mills submitted all of the weekly reports necessary to compile complete statistics for the entire years of 1966, 1967 and 1968; also, this report on the same thirteen (13) mills indicates the increased demand for the wide door and 50 foot narrow door box cars, and the 50–60 foot flat cars in preference to the 40 footers. The demand for and the ability to substitute the narrow door box and 40 foot flat cars is decreasing each year. Buyers of 4x8 packaged forest products will not normally accept shipment in a narrow door box except when the shipper will give an allowance to cover the additional unloading costs. This results in the shipper being penalized on both additional loading and unloading cost when a narrow door box is supplied in substitution for a wide door ordered. The 40 foot flat car is seldom ordered because of the length required to load the length of lumber ordered and also necessary to meet the minimum tariff weight provisions. Some green lumber mills order any size flat because they are able to meet the weight requirements and/or can reduce the footage ordered, whereas if they waited for all 50 footers they would experience many days of no flats to load and would not receive all their requirements in time to meet their shipping schedules. Their buyers would be forced to buy from an area that enjoyed better car supply; also, there just aren't enough 50 foot flats to meet the demand as indicated by the subject report. The basic reason for accepting any car substitution is the necessity of maintaining a shipping schedule to move production and to meet delivery dates.

Adequate car supply and service would substantially increase the earnings of shipper, carrier and receiver, which in turn would improve the State and Federal Government revenues and insure our Nation against serious rail transportation problems during an emergency or war period.

SOUTHWEST OREGON SHIPPERS' TRAFFIC ASSOCIATION INC.

The following statistics are compiled from reports submitted by the same 13 mills for the years 1966, 1967, and 1968. These reports are submitted weekly by each mill. They are recorded and compiled weekly, monthly and yearly:

	Narrow door 40 ft.	Narrow door 50 ft.	Wide door 40 and 50 ft.	Total	40 ft.	50 to 60 ft.	Any size 40 to 50 ft.	Total
1966:								
Ordered	533	369	13,746	14,648	4	1,202	580	1,786
Supplied	2,016	2,056	8,988	14,208	619	834	(1)	1,453
Plus or minus	+1,483	+1,687	−4,758	−440	+615	−368	−580	−333
Percent supplied	378	557	65	97	1,548	69	----------	81
1967:								
Ordered	553	291	13,352	14,196	14	1,260	423	1,697
Supplied	2,380	696	10,571	13,647	397	810	(1)	1,207
Plus or minus	+1,827	+405	−2,781	−549	+383	−450	−423	−490
Percent supplied	403	239	79	96	2,836	64	----------	71
1968:								
Ordered	355	901	16,321	17,577	21	1,982	646	2,649
Supplied	2,960	691	13,472	17,123	981	1,276	(1)	2,257
Plus or minus	+2,605	−210	−2,849	−354	+960	−706	−646	−392
Percent supplied	834	77	83	97	4,761	64	----------	85

[1] See note (2).

NOTE. (1) More narrow door box cars are supplied than ordered because the mills are forced to accept substitutions of narrow doors in lieu of DD or Wide doors ordered because of railroads inability to supply. The same applies on 50-60 foot flats where 40 footers are substituted.

(2) Some mills order any size flat (40′ or 50′) and accept any size carrier furnished. Size furnished shows under proper heading.

(3) This report emphasizes the shortages of wide door boxes and 50′-60′ flats.

(4) The number of cars shorted were not over ordered or cancelled, but were carried forward as back orders. These mills order daily only the number of cars that they can load daily if supplied. Some mills load on Saturday, Sunday and around the clock in order to catch up back orders when and if cars become available.

(Prepared by: O. L. Stewart, February 18, 1969.)

AMBASSADOR HARRIMAN BEFORE NATIONAL PRESS CLUB

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Friday, February 28, 1969

Mr. MOSS. Mr. President, the return of W. Averell Harriman from Paris marked another milestone in the public service career of one of our most distinguished citizens. On February 5, Ambassador Harriman was the luncheon guest of the National Press Club, where he discussed the outlook for the negotiations taking place in Paris as well as a number of other facets of our relations with Europe.

An excellent report of his luncheon appearance was published in the Baltimore Sun the next day, February 6. I ask unanimous consent that the Sun's report of the luncheon be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TROOP REDUCTION FORECAST SOON—HARRIMAN SAYS STAND BY SAIGON RETARDED EFFORT

WASHINGTON, February 5.—There is a good chance that withdrawal of "some" American troops from South Vietnam can begin "very soon," W. Averell Harriman told a National Press Club luncheon gathering here today.

The 77-year-old New Yorker, whom President Johnson entrusted with the job of getting Vietnam peace talks started in Paris, added that North Vietnam had scaled down its military operations last November in a way that "would have justified removal of some of our troops."

ESCALATED FIGHTING

Such a withdrawal might already have begun but for the retarding effect of Saigon's stand on peace-talks prerequisites and a consequent delay of the Paris parley's start until January 25, he also asserted.

North Vietnam has reversed course in the interim with the result that "the fighting has escalated," he said, adding that he nevertheless hopes for an "early discussion" among the Paris conferees of problems related to the withdrawal issue.

"I think our minimum objectives can be realized, but we better get rid of those people who want to escalate our objectives," he said at a later point after asserting:

"We want to reduce the violence, reduce United States casualties and get the boys headed home."

He added that he hopes this can be done "either by agreement [at Paris] or by mutual example."

Introduced as a "thus-far frustrated man of peace," Mr. Harriman, who was President Johnson's chief agent for Vietnam peace-making from December, 1965, until the Johnson administration's end, said he had been asked by President Nixon to "stay on for consultation for 30 days."

But he does not expect to be "consulted," he said, adding—when asked what he expects President Nixon's projected European trip to accomplish—that "Mr. Nixon has not consulted me since he has been in the White House."

AGREEMENT UNSURE

Nevertheless, "I am going to do all I can to help him on Vietnam," he said. But he took care to limit his support to that field saying that "I'm not sure that I agree with him" on other matters.

Asked about his personal plans, Mr. Harriman, who, with the exception of the period from 1954 to 1958, when he was Governor of New York, has been in federal service almost continuously since 1933, said:

"If my wife and I ever leave Washington again, it will be 'too soon'."

PLANS TO TALK

He is "going to do a certain amount of talking" but has not made up his mind about "writing," he said, for men write their memoirs chiefly to prove themselves "always right" and "I have sometimes been wrong."

But, he added, "I don't care to write a book entitled 'When I Was Wrong.' "

Mr. Harriman's audience included Corneliu Bogdan, Romania's ambassador here, and that moved him to remark that "the Romanian government is among those that have done all they could to get (Vietnam) peace negotiations started."

He added a like tribute to Poland's government and to that of the Soviet Union, which, he said, had "been extremely helpful both in October and more recently when we settled the procedural questions" at Paris.

Mr. Harriman also singled out two fellow occupants of the dais who are his neighbors in Washington—Senator John Sherman Cooper (R., Ky.) and Senator Gale W. McGee (D., Wyo.). The Kentuckian is "my favorite Republican senator," he said, before adding that "perhaps the Senate Foreign Relations Committee will make some sense" now that Senator McGee has been added to it.

Clark M. Clifford, President Johnson's last Secretary of Defense, also was at the head table, and Mr. Harriman asserted he had read the transcripts of Mr. Clifford's telecasts in December and January criticizing Saigon's stand and calling for an early start of American troop withdrawals.

LITHUANIAN INDEPENDENCE DAY

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 19, 1969

Mr. KLUCZYNSKI. Mr. Speaker, on the occasion of the 51st anniversary of the independence of the Republic of Lithuania, that nation's Consul-General, Mr. Petras P. Dauzvardis, in Chicago, made a learned and eloquent presentation of Lithuania's legitimate claims to full partnership in the family of free nations.

In that Mr. Dauzvardis presently resides in my district, it is fitting that I call to the attention of my colleagues his thoughtful and yet poignant statement.

Also included herewith is the memorandum of Secretary of State Rogers to Mr. Joseph Kajeckas, Chargé d'Affaires of Lithuania which Consul General Dauzvardis included in his remarks.

The items follow:

REMARKS OF CONSUL GENERAL OF LITHUANIA, PETRAS P. DAUZVARDIS, ON THE OCCASION OF LITHUANIA'S INDEPENDENCE DAY, FEBRUARY 16

Liberty to a nation is the same as good health to a person; independence to a state is like life itself to an individual.

Thomas Jefferson's memorable statement and the United States Declaration of Independence affirm that "these truths are evident: that all people (nations) are created free and equal"; they are Creator-endowed with certain inalienable rights, among them the right to life, the right to liberty, and the right to the pursuit of happiness—the right to shape their own destiny, the right to self-determination.

These rights are reaffirmed in the United Nations Charter's preamble: ". . . reaffirm faith in fundamental human rights, in the dignity of worth of the human person, in the equal rights of men and women and of nations large and small." The Charter then goes on: Art. 1: ". . . Respect for the principle of equal rights and self-determination of peoples . . ." and Art. 2: "All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state."

Regrettably, not all member-states live up to these noble principles and their own solemn pledges and obligations. One such state is the Soviet Union, which violates not only moral and international law, but even its own treaties. It had with Lithuania treaties of peace, non-aggression and mutual aid. The principles enumerated in the United Nations Charter were part of these pacts, yet the Soviets trampled them underfoot. As she did in Czechoslovakia recently, the Soviet Union invaded and occupied Lithuania in 1940 by military force, and continues to rule, exploit and gradually annihilate the country. At the present time, the Soviet Union is the biggest imperialist and colonial, foreign territory-grabbing power.

President Nixon pictured the Soviet aggression and the occupation and plight of Lithuania and her neighbor states as:

"The forcible incorporation of the Baltic Republics—Lithuania, Latvia and Estonia—into the territory of the Soviet Union, in 1940, will long be remembered as an example of the imposition of totalitarianism upon small and helpless countries.

"The United States has never recognized this act of aggression, and maintains as an official position, that the people of these countries be allowed to determine their own destinies.

"In committing aggression against the Baltic countries, the Soviets violated not only the spirit and letter of international law, but offended the standards of common human decency.

". . . We cannot condone Soviet imperialism, whether in the case of Czechoslovakia or in the case of the Baltic States.

"It is my fervent hope that the brave peoples of Lithuania, Latvia and Estonia—countries with which many Americans have deep and close ties—will again enter the ranks of free nations."

The Lithuanian nation is extremely grateful for this statement as well as for the recent statement of Secretary of State William P. Rogers and other similar expressions by leading American statesmen. Lithuania and the Lithuanian nation hope and wait for realistic support for the just cause of freedom and independence from the great free powers and all freedom-loving governments and peoples.

It is sad to relate that up to now neither the United Nations nor the leaders of free nations have paid more attention to the plight of Lithuania, Latvia, Estonia and other victims of Soviet aggression and imperialism.

It seems that now the time has come to activate the problem of the liberation of the Baltic States, for which purpose there are several ways and means. One such means for discussing the question could be the Resolution adopted by the United States Congress in its 1965–66 session, which reads:

"Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

"(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

"(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples."

Another means is the United Nation's resolution on colonialism and the restoration of independence. This is the method proposed by Professor of International Law, S. Prakash Sinha (of India), based on the said resolution and on the right to self-determination. He terms Lithuania, Latvia, and Estonia as "contiguous colonies" of the Soviet empire. Former British Foreign Minister Lord Home called them "the world's newest Russian colonies." Former United States Ambassador to the United Nations, the late Adlai E. Stevenson described Soviet colonialism as: "The Soviet colonial system is most cruel and oppressive." Which is something we know very well.

The third method is a revolution of sorts; an attempt to secede from the Soviet Union, in accordance with, and to test, its own constitution which states that the right of secession is reserved for each of the Soviet Union's republics.

Probably the most realistic measure would be the first of the above mentioned, since Lithuania *de jure* still is an independent state and therefore has the right to demand that the occupant withdraw from its territory with all its forces and personnel and restore self-government to its people—to the Lithuanian nation.

This is what the free portion of the Lithuanian nation demands, and for which she requests the support and assistance of the free nations and peoples of the world—for the liberation of Lithuania and the restoration of Lithuania's independence.

THE SECRETARY OF STATE,
Washington, D.C., February 11, 1969.

Mr. JOSEPH KAJECKAS,
Charge d'Affaires of Lithuania.

DEAR MR. CHARGE D'AFFAIRES: It is with sincere pleasure that I extend to you greetings and best wishes on behalf of the Government and people of the United States on the occasion of the fifty-first anniversary of Lithuania's independence.

Lithuania's history is distinguished by the courage of its patriots and the fortitude of its people in adversity. These vital qualities of the Lithuanian nation were tested many times during periods of foreign domination, and in 1918 Lithuania took its just place in the community of nations with the proclamation of its independence. The forcible incorporation of Lithuania by the Soviet Union in 1940 frustrated this achievement. In this new time of trial, the Lithuanians have nevertheless shown a determination to maintain their national culture and consciousness. Americans and free men everywhere look with deep sympathy upon the aspirations of the Lithuanian people for freedom and national independence.

The United States Government, by its continued refusal to recognize the forcible incorporation of Lithuania by the Soviet Union, affirms its belief in the right of Lithuania to self-determination.

Sincerely yours,

WILLIAM P. ROGERS.

POLITICAL ACTIVITY OF UTILITY CORPORATIONS—DANVILLE, VA.

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Friday, February 28, 1969

Mr. METCALF. Mr. President, political expenditures by utility corporations are no recent development. They hire advertising or public relations firms to malign candidates they do not like. They transport candidates they do like in company aircraft. Their network of local managers and retained attorneys handle political assignments. They contribute regularly to certain types of political education and action organizations. The costs of most activity of this nature are not reported as political expenditures. They are included as operating expenses, paid for by consumers.

What is new in this field is the increased political activity of the power industry at the municipal level. The aim of this increased political activity is acquisition by the electric power industry, already the Nation's largest, of city-owned electric systems, whose ability to provide their customers with more power at lower cost embarrasses the investor-owned utilities. If this small yardstick of competition provided by the municipals can be removed, the I O U's will be better able to increase their rates and profits. On this point, although I O U profits are at an alltime high—return on their common stock equity averaged 12.8 percent in 1967—they also have pending an alltime record high of requests for rate increases.

Mr. President, I shall review briefly the current situation on political activity of I O U's in the field of municipal government.

The mayor of Detroit has proposed to sell the city's public lighting facilities to Detroit Edison, whose chief executive, Walker Cisler, was the mayor's campaign treasurer. The municipal system in Allegan, Mich., has been acquired by Consumers Power which, despite its name, is an investor-owned utility. Waterville, Ohio, sold its system to Toledo Edison. Northern States Power of Minnesota—an unregulated utility which possibly was miffed because the citizens of Le Sueur, Minn., have again declined to sell their system—is starting sellout campaigns in six other Minnesota cities. There are sellout campaigns in five Ohio cities and towns including Caldwell, which a subsidiary of American Electric Power, a New York holding company, is after.

Danville, Va., owner of one of the oldest municipal systems in the United States, is now in a do-or-die struggle with another American Electric Power subsidiary, the Appalachian Power Co. Here are the facts on that situation.

Danville has generated 90 percent of its own power since it commenced operation in 1885. The issue is whether Danville can continue in the power business or whether the power company will take over the system.

On September 12, 1967, an election was held in Danville putting to the voters the question of whether to issue some $9,000,000 of revenue bonds to add generating capacity to the city system. Officials of the city of Danville say that newspaper, radio, and television were so saturated with propaganda from the power company that it was virtually impossible to have a representative expression on the part of the voters. Nevertheless, out of about 9,000 votes cast, the bond issue was defeated by only 43 votes.

The Danville officials say they estimate conservatively that the power company spent $50,000 in its 1967 propaganda campaign.

The effect of the propaganda was largely intended to lead the people of Danville to believe that the revenue bonds sought to be issued would somehow reduce the ability of the community to provide for the needs of schools, sewers, and other general civic obligations.

The power company in a radio spot announcement asked whether these events were transpiring in "Danville, Va., or Danville, Russia."

Subsequent to the bond election, on January 11, 1968, Danville filed a complaint with the Federal Power Commission, alleging among other things, restraint of trade by the power company in violation of the Federal Power Act. This case remains on FPC's docket but has yet to come to hearing. The Federal Power Commission currently is investigating the charges.

The City Council of Danville, some months ago, announced the holding of another bond referendum election. The date selected for the election was March 18, 1969. Again the power company pulled up its heavy artillery and commenced a barrage of propaganda through press, radio, and television. The propaganda barrage has been so steady during recent weeks that the council has decided to call off the election for the time being.

The council resolved to defer the referendum "until such time as said council may feel that Appalachian's interference has been diminished or obviated and that there exists a proper climate in which the matter can be considered with mature and cool judgment." Further, stated the city council:

> The very important decision of whether Danville shall or shall not expand its electric generating facilities cannot be fairly presented to the voters in an atmosphere charged with emotionalism, half-truths, misinformation, accusations, and recriminations.

One of the newspaper ads run in Danville papers falsely implies that money spent for expansion of the power system denies needed dollars to schools, police, and street improvements. Another attempts to tell the people of Danville that growth of the electric department is a bad thing. Another follows the "home-town folks" theme common to utility ads. "Now Appalachian Has a Danville Address—539 Main Street," reads the ad, by the company which serves no residential customers in the city, no commercial customers, and but one industrial customer.

Mr. President, the activities of the American Electric Power Co. and its subsidiary in Danville provide further proof of the political activities of utility corporations. Such activity was piously disclaimed by Virginia utilities earlier this month, following a discussion of such activity between the distinguished junior Senator from Illinois (Mr. Percy), and Virginia State Senator Henry Howell, who was testifying on S. 607, the utility consumers' counsel bill.

Anyone who has eyes to read and ears to hear knows that utilities are up to their eyebrows in political affairs—with their customers' money. I sometimes ponder the effect of the insistence of utility officials upon denying the truth. A younger and more truthful generation than ours tells it as it is. A substantial segment of that younger generation has become disaffected, because of the perpetuation of myths about our society, myths that are perpetuated by the power industry. Secure from competition and assured large profits, the industry alleges unfair competition, portraying itself as a fullback tackled by the referee. Controlled by relatively few men, the industry contends that its ownership—which implies control—resides among the millions of ordinary stockholders. Sheltered by Government, with market, price, and profit assured, it preaches that it is the essence of free enterprise. Indeed, according to a news story this month, Virginia Electric & Power has taken some 200 Virginia high school students on a trip to learn about the power industry and free enterprise. I cannot think of any industry less versed in the realities of free enterprise than the Government-protected utility monopolies. It was this same utility, Virginia Electric & Power, which bragged, in its report on its 1965 annual meeting, about its successful political activity in gutting the Appalachia bill.

I quote from that brochure the paragraph entitled "Free Enterprise and the Utilities":

> You are all aware of our concern with Federal encroachment in the areas of free enterprise. A real threat of this nature to the electric utilities in the east developed last year. I refer to the Appalachia legislation which, as originally proposed, contemplated federally financed generating plants in the coal fields. VEPCO and other investor-owned utilities cooperated to oppose this with all the energy at their command. I am glad to report that the Appalachia legislation as enacted forbids the use of any of the presently appropriated funds for the construction of electric utility facilities, though the subject of developing mine-mouth plants is to be studied by the Commission provided for by the law. You may rest assured that we will use every proper means at our disposal to combat Federal encroachment . . .

By utility standards, then, Federal assistance toward the development of a region's principal resource is bad—unless the utilities are assured that they, rather than the local people, will control and benefit from it. By utility standards it is noble, and in the best tradition of American free enterprise, for a distant company to spend its customers' money to prevent citizens of a city such as Danville, Va., from providing themselves with their own electricity.

Mr. President, it is about time that some group investigate and analyze the tactics used by the power industry in its attempts to weaken local government.

I ask unanimous consent to have printed in the Record the resolution of the Danville City Council and some of the newspaper ads that have been placed in the Danville papers by Appalachian Power and the New Day for Danville Committee. It is the local front organization for American Electric Power, whose president, Donald C. Cook, wants only a dozen power systems in this country. That would mean the destruction of the efficient, city-owned systems which sell power cheaper than he does.

There being no objection, the material was ordered to be printed in the Record, as follows:

Resolution 69–27

A resolution requesting the corporation court of Danville to rescind and allow the city to withdraw the order of Wednesday the 29th day of January 1969, in the matter of an election to determine whether the qualified voters of the city of Danville shall approve the issuance of $11,000,000 bonds of the city; such order establishing procedures and setting the date for such election

Whereas, by Order of the Corporation Court of the City of Danville a bond election to determine whether the qualified voters of the City will approve the issuance of $11,000,000 bonds of the Electric Department of the City is presently set for March 18, 1969; and,

Whereas, in the judgment of the governing body of the City of Danville Appalachian Electric Power Company has injected itself into the local affairs of the City of Danville to the extent that it appears that the issue of the expansion of the electric generating facilities of the City cannot be submitted to the people of the City of Danville in an unemotional climate where fair consideration can be given by the electorate; and,

Whereas, Appalachian Electric Power Company has heretofore in 1967 injected itself into Danville's local affairs, and at that time disseminated a large amount of propaganda designed to defeat the bond referendum, which activities on the part of Appalachian became the subject matter in part of a petition by the City of Danville to the Federal Power Commission to investigate Appalachian's efforts in engaging in local political issues praying that Appalachian be enjoined or restrained from any such future activity; and,

Whereas, the Federal Power Commission has not as yet ruled upon this part of the petition of the City of Danville; and,

Whereas, Appalachian in the absence of such a ruling is again injecting itself into the local affairs of the people of the City of Danville in even a larger scale than in 1967, having opened an office in the City of Danville and advertised that such office is designed to disseminate information concerning the upcoming bond referendum; and,

Whereas, Appalachian has made public statements both through the press and radio that its purpose in Danville and its office in Danville is to affect the bond referendum; and,

Whereas, it is the judgment of this governing body that with such activities as are being conducted by Appalachian presently and in the absence of a restraining order from the Federal Power Commission that the very important decision of whether Danville shall or shall not expand its electric generating facilities cannot be fairly presented to the voters in an atmosphere charged with emotionalism, half-truths, misinformation, accusations and recriminations; and,

Whereas, it is the judgment of this body that the issue of expanding the electric generating facilities is too important to the future of the City and its citizens to be presented to the voters again in any such atmosphere; and,

Whereas, it is the judgment of this body that this matter should be delayed to provide an opportunity for the Federal Power Commission to take whatever corrective action it may to restrain Appalachian from interfering in the local affairs of the City of Danville.

Now, therefore, be it resolved by the Council of the City of Danville that it does hereby request the Corporation Court of Danville to rescind and allow the City to withdraw its Order of Wednesday the 29th day of January, 1969, In The Matter Of An Elecion To Determine Whether The Qualified Voters Of The City of Danville Shall Approve The Issuance Of $11,000,000 Bonds Of The City, such Order establishing procedures and setting the date for such election, granting leave to said Council to reapply to the Court for an appropriate referendum date in the future at such time as said Council may feel that Appalachian's interference has been diminished or obviated and that there exists a proper climate in which the matter can be considered with mature and cool judgment; and,

Be it further resolved that the City Attorney is hereby authorized and directed to prepare and submit to the Court an appropriate Order to accomplish same.

Approved:

D. L. Arey, M.D.,
Vice Mayor.

Attest:

R. L. Hall,
Clerk.

This is to certify that the above is a true and correct copy of Resolution No. 69–2.7 presented and adopted February 21, 1969.

R. L. Hall,
Clerk of Council.

[From the Danville (Va.) Bee, Feb. 15, 1969]

We Need an $11,000,000 Generator Like We Need Another Hole in Main Street

All over the country cities like Danville which furnish electric service to their citizens are getting out of the power generating business. They still distribute electricity to their citizens and they still make a profit—a much bigger profit than they would make by generating their own power. Meanwhile the voters of Danville are being asked to approve an $11 million bond issue to *add* to the City's power generating capacity. Danville—like those other cities—has many needs: better streets, more schools, stronger police force and fire department, parks and more new industry. All of these call for spending public funds. But what are the voters being asked to approve? A bond issue for a steam generator! Let's put first things first and keep Danville moving.

Vote *no* March 18.

New Day for Danville Committee: John W. Daniel, Chairman—C. A. Carr, Co-Chairman—Glenn E. Hile, Secretary-Treasurer.

[From the Danville (Va.) Bee, Feb. 19, 1969]

Is There No End to Increased Spending? Not If You Vote for an $11,000,000 Bond Debt

The voters of Danville are being asked to approve an $11 million bond issue on March 18 to purchase and install a 65,000 kilowatt steam turbine generator for the City Electric Department. City Hall is calling for approval of this bond issue on the grounds that Danville electric needs are growing at the rate of 6½ per cent per year. What City Hall hasn't told the voters of Danville is that this $11 million is just the beginning. At Danville's present rate of growth—and who's to say it won't increase—the City would need to call for a $13 million bond election to add a 65,000 kilowatt unit in 1975 and a $21 million bond election to add a 100,000 kilowatt unit in 1980. We think the taxpayers ought to know what they have to look forward to.

Vote *no* March 18.

New Day For Danville Committee: John W. Daniel, Chairman; C. A. Carr, Co-Chairman; Glenn E. Hile, Secretary-Secretary.

[From the Danville (Va.) Register, Feb. 18, 1969]

YOU'VE GOT A LOT MORE TO LOOK FORWARD TO

1969	$11,000,000
1972	13,000,000
1974	21,000,000

The voters of Danville are being asked to approve an $11 million bond issue on March 18 to purchase and install a 65,000 kilowatt steam turbine generator for the City Electric Department. City Hall is calling for approval of this bond issue on the grounds that Danville's electric needs are growing at the rate of 6½ per cent per year. What City Hall hasn't told the voters of Danville is that this $11 million is just the beginning. At Danville's present rate of growth—and who's to say it won't increase—the City would need to call for a $13 million bond election to add a 65,000 kilowatt unit in 1975 and a $21 million bond election to add a 100,000 kilowatt unit in 1980. We think the taxpayers ought to know what they have to look forward to.

Vote *no* March 18.

New Day For Danville Committee: John W. Daniel, Chairman; C. A. Carr, Co-Chairman; Glenn E. Hile, Secretary-Treasurer.

TEN GOOD REASONS TO VOTE NO

New Day for Danville Committee, Post Office Box 826, Danville, Virginia.

Don't be a "yes man" for city hall, vote *no* March 18.

[From the Danville (Va.) Register, Feb. 21, 1969]

FOR $11,000,000 THEY PROMISE YOU AN ELECTRIC RATE REDUCTION—SOUNDS A LITTLE PHONY, DOESN'T IT?

We think the Danville City Council has again underestimated the intelligence of the Citizens. In their efforts to get an $11 million bond issue approved by the voters on March 18, they have informally promised to give the City's electric customers a 5 per cent rate reduction—if the bonds are approved. At the same time the Council is warning property owners to get ready for an increased property tax. In the first place, people in the area around Danville who are served by a private power company got a 5 per cent reduction two years ago. In the second place, how much good is a two-year late 5 per cent rate reduction going to do the citizens of Danville if their property taxes are increased by 50 per cent?

Vote *no* March 18.

New Day For Danville Committee: John W. Daniel, Chairman; C. A. Carr, Co-Chairman.

[From the Danville (Va.) Bee, Feb. 17, 1969]

NOW APPALACHIA HAS A DANVILLE ADDRESS—539 MAIN STREET

After being part of the Danville scene for more than 30 years, we assumed that most of the folks in town know who we are and how we operate. Some of the things we have been hearing recently, however, indicate that this isn't true.

So we are opening an Information Center in downtown Danville to give you the opportunity of asking us questions.

We'll be open from 9 a.m. to 5 p.m. Monday through Friday. And if you have a question about electric rates, industrial development, generating facilities or the upcoming bond election, please come by and see us. We're keeping a light in the window.

Danville has good connections.

Appalachian Power Co.

[From the Danville (Va.) Commercial Appeal, Feb. 17, 1969]

APCO OPENS OFFICE

Appalachian Power Company will open an information center in downtown Danville today.

The office, at 539 Main Street, will open Monday through Friday from 9 a.m. until 5 p.m. "indefinitely", said D. C. Kennedy, division manager.

"This office is solely for the purpose of giving the citizens of Danville a convenient source of information about Appalachian, its relationship with the City of Danville and the March 18 bond referendum," he said.

James E. Jones, Appalachian manager for the Danville area, will be in charge of the office and will be there most of the time during office hours, Kennedy said.

Kennedy pointed out that Appalachian first began serving a Danville industry in 1933 when it connected to Dan River Mills. The power company was tied into the City Electric System during World War II and was connected to the city system again in 1960.

He said that presently Appalachian is furnishing approximately 20 percent of Danville's electric needs.

MARITIME OUTLOOK: 1969—ADDRESS BY EDWIN M. HOOD, PRESIDENT OF SHIPBUILDERS COUNCIL OF AMERICA

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Friday, February 28, 1969

Mr. TOWER. Mr. President, it is well known that I have for the past years fought vigorously for a new merchant marine policy that would regain for the United States its rightful place as the world's leader in shipping.

I have just read a most thoughtful address on this subject to the AFL–CIO Trades Department Seminar by Mr. Edwin M. Hood, president of the Shipbuilders Council of America. To share Mr. Hood's cogent remarks on this subject, I ask unanimous consent that the address be printed in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY EDWIN M. HOOD, PRESIDENT, SHIPBUILDERS COUNCIL OF AMERICA ON "MARITIME OUTLOOK: 1969", BEFORE AFL–CIO MARITIME TRADE DEPARTMENT SEMINAR, WEDNESDAY, JANUARY 29, 1969, WASHINGTON, D.C.

It is a high privilege to be invited to participate in your discussion of the maritime outlook for 1969.

No assessment of the future, however. should be made without first recognizing influences of the past. For much too long, the American merchant marine has indeed been an enigma wrapped with inadequacies, frustrations, disappointments and controversies.

Much of the fault, in the more recent past, can be attributed to a lack of national vision and to the attitudes of Administration leaders. One of Winston Churchill's classic remarks describes well this state of mind as affecting the U.S. maritime problem: "They were decided only to be undecided, resolved to be irresolute, adamant for drift, all-powerful for impotency."

The appropriateness of such an evaluation can be measured by a concession made by Vice President Hubert H. Humphrey on January 17, 1969—just three days prior to the end of the Johnson Administration. He said: "We have starved our maritime service—our merchant marine—at a very dangerous time in world history."

This is the same national leader who in late 1965 called for an expanded merchant marine and shipbuilding effort, and who declared in early 1968: "The United States must have a maritime policy if it is to remain as a maritime power."

This is the same spokesman for the national Administration whose leader, President Johnson, promised, in his 1956 State of the Union message to the Congress, "a new policy for our merchant marine"—a promise which had not been fulfilled when the curtain came down on January 20.

While much blame can obviously be assigned to the omissions and failures of the Executive Branch of the Government during the last four years, the various elements of the maritime community are not completely immune from blame for the present precarious state of the American merchant marine. Perhaps there has already been too much publicity about conditions or situations that separate a particular segment from another, and not enough unpublicized effort to bring opposing views and groups together. Plainly, there has not been enough "pulling together" for the common good, and the popular impression of the merchant marine is one largely composed from continuing reports of internecine differences and public squabbles. As a consequence, a much needed groundswell of public support for correction of the nation's serious maritime ills has failed to develop.

Against this background, one is reminded of the opening passage in that memorable poem, *Casey at the Bat:* "The outlook wasn't brilliant for the Mudville nine that day." The last line of the last stanza from the same poem might also be recalled: ". . . there is no joy in Mudville, great Casey has struck out."

On the basis of the dismal and alarming statistics, which have been repeated over and over again it would seem the American merchant marine, whose greatness in yesteryears has been frequently applauded, could well be near the point of striking out. Fortunately, a new opportunity, a new ball game, with a new team and a new outlook, is only seconds into the first inning, relatively speaking.

The new team has surely taken note of the gloomy statistics and the declining trends. The aggressive maritime buildup of the opposing team—the Soviet Union—can no longer be ignored, minimized or wished away. President Nixon revealed in his campaign statement of last September that he has in mind remedial measures far more constructive and far more comprehensive than those of his predecessor.

These include: restoration of the United States as a first-rate maritime power . . . expansion of U.S. exports . . . increasing the carriage of U.S. trade and commerce aboard American-flag ships to 30% (rather than the present 5%) . . . and support of a shipbuilding program in American yards to produce the ships necessary to accomplish these objectives.

The new team—the Nixon Administration—is also pledged to a goal of balance rather than imbalance in connection with international payments. Though there was an improvement in the overall picture for the Fourth Quarter of 1968, it can be safely assumed that the quest for balance will involve a persistent and searching examination of all factors which would potentially create or aggravate a deficit in the balance of payments.

Shipping policies, properly postulated and implemented, could provide considerable impetus on the plus side of the ledger. By carrying more U.S. trade and commerce in American-flag ships, as President Nixon has proposed, instead of in foreign bottoms, a substantial outflow of dollars can be avoided. Studies by independent experts demonstrate that fifty cents of every revenue dollar received in commercial service by U.S. ships is credited as a net gain in balance of payments impact and that U.S. flag shipping contributes about $1 billion annually to the balance of payments.

In addition, a reasonable basis on which some American companies might be convinced that construction of many of their oceangoing ships in American shipyards, instead of in foreign shipyards, would greatly enhance the U.S. balance of payments position while simultaneously improving total shipping capability under the American flag. Over the past 20 years, nearly 1,200 large oceangoing merchant ships have been constructed in foreign shipyards for American companies or their affiliated interests. And, this volume of ship construction abroad, which incidentally is 3 times greater than the number of ships built in American yards for American companies, has intensified the outflow of gold problem by some $6 billion.

I am not implying that the United States should have an absolute monopoly in relation to our shipping and shipbuilding requirements. There will always be circumstances in which American companies, for their own reasons, will have ships built in the shipyards of other countries. There will always be conditions dictating that our Government, for policy reasons, will not require that 100% of our imports and exports be moved in American bottoms.

What I am saying is that through a more optimum utilization of our own shipping and shipbuilding resources in the coming decade, the balance of payments difficulties which have so plagued the country in the past decade can be substantially obviated. This can be done without abrogation of our trade agreements with other nations, without jeopardy to our commitment to preserve freedom for all who seek freedom, and without dilution of our dollars and our own substance. The fiscal integrity of the United States would thereby be strengthened.

That ships are essential to our national security and our commercial interests is a proven historical fact. That our merchant marine must be adequate to our standing as the world's most powerful and leading trading nation should be self-evident. That our shipyards must be among the best in the world there should be little question. Our shipbuilders and our shipowners have the imagination and the know-how to build and operate a shipping fleet second to none.

I have in mind a fleet of utilitarian merchant ships that can be built in American yards at desirable costs and operated—economically and efficiently—under the American flag to produce earnings for our country as well as wages for our shipyard workers and seamen, and profits for both owners and builders.

It is certainly not unreasonable to expect that we can do more in this direction than we have in the past—with government, labor and industry joining in partnership. It can be done so long as the relationship of U.S. ship construction and U.S. flag ship operations to the balance of international payments as well as to the domestic economy and the national security is recognized, understood and elevated in the formulation of national policy.

But, change will not be accomplished overnight. Quite probably, action programs, affecting the merchant marine, reflecting the aspirations already publicly defined by President Nixon—if they are to come to pass—will not get underway until late 1969 or early 1970, and signs of improvement in the nation's maritime posture presumably will not be discernible until a year later. It seems logical to expect, on the other hand, that the Nixon Administration will immediately move to "pull things together."

We, who represent the American merchant marine in its many aspects, should welcome the opportunity presented by a new ball game and by the fielding of a new team. We should strengthen those things that unite us and remove those things that divide us. We should look forward to the future with faith in each other and in the rightness of the importance of maritime strength and adequacy to national security and national well-being. For these are prerequisite to restoration of the United States as a first-rate maritime power.

THE MARINE OF THE YEAR

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Friday, February 28, 1969

Mr. TYDINGS. Mr. President, I wish to share with Senators the accomplishments and qualities of a man who has been named "Marine of the Year."

I speak of Mr. James Merna, of New Carrollton, Md. Mr. Merna received this award at the National Convention of the Marine Corps League in Bridgeport, Conn. He was cited for his distinguished service in helping Vietnam veterans when they return to the United States and for memorializing those who had given their lives for their country.

One of Mr. Merna's greatest achievements was the organization of "Operation Appreciation" which received national acclaim from congressional and military leaders. The project sponsored over 45 recreational and entertainment programs with famous television and athletic personalities for wounded soldiers in hospitals in the Washington area.

Mr. Merna has also coordinated several receptions and welcome-home parades for returning veterans and he maintains a busy speaking schedule to various civic groups throughout the State.

His most recent project has been collecting funds for the construction of a memorial to honor the servicemen of Prince Georges County who have been killed in Vietnam. The war memorial is the first significant memorial in America dedicated exclusively to those who have paid the supreme sacrifice in Vietnam.

In these troubled times we often hear only voices of contention about our commitment of forces in Vietnam and about the Selective Service System. As a result, we often forget the courage and valor of those who are defending our country in Vietnam. But we cannot overlook the continual struggle of life and death that our soldiers wage in the jungles while we at home live in comfort and are asked to make few wartime sacrifices.

It takes men like Mr. Merna to remind us that as our soldiers fight for us, we, too, have obligations to them, obligations to express our gratitude for their sacrifice and courage and to do all we can to help them when they return to the States.

I am proud of Mr. Merna, his outstanding work and his well-earned award. As an example of his efforts, I ask unanimous consent that the text of Mr. Merna's speech to the Prince Georges County Federation of Women's Clubs be printed in the RECORD.

There being no objection, the text of the speech was ordered to be printed in the RECORD, as follows:

NOW, MORE THAN EVER BEFORE, IS THE TIME FOR ALL GOOD CITIZENS TO COME TO THE AID OF THEIR COUNTRY

(Remarks of James E. Merna, Maryland State Commandant of the Marine Corps League before the Prince Georges County Federation of Women's Clubs, Cheverly, Maryland, November 7, 1968)

Mrs. Harns, Mrs. Volberg, Monsignor Brown, and distinguished ladies. Thank you for inviting me, a fellow resident of Prince Georges County, to speak to you today at your Fifty-second Semi-Annual Meeting.

In just a short four days from today, on Monday, November 11th, our Nation will pause to celebrate a special day known as Veterans Day. You may remember when it was more popularly known as Armistice Day. It was at 11 o'clock on the 11th day of the 11th month, exactly 50 years ago on November 11, 1918, that the order was given which silenced the artillery fire that had shattered Europe for 4 years. It marked the end of history's first World War, a war that cost this Nation not only millions of dollars to finance but 116,516 American lives.

With each passing decade and each new war, November 11th became a day to honor all veterans of all wars. So Congress, in 1954, designated the 11th of November as a legal holiday to be known as Veterans Day, broadened to cover all wars and dedicated to the cause of world peace.

Last month, President Johnson issued an Executive Proclamation urging the people of the United States to join in commemorating Monday, November 11, 1968 as Veterans Day with suitable observances. He requested the officials of Federal, State, and local governments, and civic and patriotic organizations, to give their enthusiastic leadership and support to appropriate public ceremonies throughout the Nation. He further asked that all citizens of every age take part in these observances to honor those whose unqualified loyalty and patriotism have preserved our freedom.

Let me simply say, with great pride, that the Prince Georges County Federation of Women's Club, by the graciousness of its invitation permitting a veteran to appear with you today, is a great honor not only for me personally, but for the veterans organization that I represent—the Marine Corps League. More importantly, it is even a greater honor that you bestow today upon each of the 26 million living veterans in the United States. More than half a million of these veterans live in Maryland—80,000 of these former defenders of our great Nation live in Prince Georges County alone. *By honoring one you honor them all.*

We would be remiss and narrow in perspective and vision, however, if we were to limit the commemoration of Veterans Day only to those veterans who have fought so valiantly in *past* wars to preserve America's democracy.

In view of the present situation with our commitment in Viet Nam, I would like to suggest an equally important purpose or reason for our commemoration of Veterans

Day—and that is, to remember, honor, and fully support all of our American servicemen who have fought and died, and who are still fighting to preserve democracy and to contain Communism in the jungles, rice paddies, cities, and villages of Viet Nam.

The war in Viet Nam has directly or indirectly affected each and every one of us, in one way or another. Many of you undoubtedly have sons, husbands, or other close relatives or friends who have served or are now gallantly serving in that beleaguered country that seems so far away to us. Yet, the fight for freedom and liberty in Southeast Asia today has come too tragically close to home to the families of the 29,034 American servicemen killed in Viet Nam to date. 533 of these American heroes were from Maryland. Sixty-one of them were our friends and neighbors from Prince Georges County.

Never before in the long history of our great Nation has it been more important for Americans to stand up and be counted—for us to stand as firm at home as we expect our men in uniform to stand abroad. We look about us and see so much that is disturbing—rampant crime, violence in the streets, frequent burning of the American flag and draft cards, open espousal of our enemies, vile contempt for our leaders, and anarchistic attacks on all our institutions.

These are not simply problems that we read about in the papers or watch on television as something occurring in a distant state or far-away city that doesn't affect or concern us. To prove the point, I would like to cite three recent examples of unpatriotic activities which have occurred right here in Maryland, disturbing instances which threaten to destroy the very fabric of our American Way of Life as we revere it, unless right thinking Marylanders and Americans concern themselves with the problems and take positive measures to correct.

In Carroll County one recent afternoon, a woman walked past a Post Office where a postal employee was lowering the American flag. As he did so, he conversed with a friend, and, the flag unnoticed, dragged in folds on a dirty sidewalk. The woman told the postal clerk he should show more respect for the Stars & Stripes. Both men laughed at her—and the postman said, "What the hell, I don't do this out of respect. They tell me to take it down, I take it down. They didn't say I had to respect it."

A Catholic activist group calling themselves the *Catonsville Nine*, including two priests and three former Maryknoll missionaries, were indicted for burning Selective Service records May 17th in a parking lot outside the Catonsville draft office. "The Government did not prosecute these defendants because of their particular social, political or moral views . . . or because of their feelings about U.S. involvement in Viet Nam," the U.S. trial attorney told the jury. To the contrary, he argued that the only issue in the case was "whether the nine were guilty of damaging Government property, interfering with the Selective Service, and destroying Selective Service records—as charged in the indictment."

What do you think the nine defendants had to say about their actions for which they were brought to trial? "They're proud of it," remarked their defense attorney. "They think it's one of the shining moments of their own personal lives," he added.

Last month the Catonsville Nine were found guilty by the jury as charged.

The emergence of the New Left Movement on the campus of the University of Maryland in College Park.

Basically a college student group, the New Left draws its supporters from a motley variety, including beatniks, hippies, disenchanted individuals, young faculty members and some "overage" students still on the campus. The movement is held together by a bitter hatred of what is called the "Establishment," that is, the institutions of democratic society. This hatred is reflected by intense opposition to the war in Viet Nam, the draft, the ROTC, military recruiting on the campus, and the participation by universities in military research. J. Edgar Hoover, Director of the Federal Bureau of Investigation describes this New Leftist philosophy as "anarchistic and nihilist."

At the core of the New Left movement is an organization known as the Students for a Democratic Society (SDS). Mr. Hoover has alerted the American public to the fact that this group is highly militant and has been chiefly responsible for the New Left's move from a position of "passive dissent" to one of "active resistance." The SDS has been the striking arm of student rebellions, such as at Columbia University in New York City, where violence erupted, including the kidnaping of academic personnel, the seizure of buildings, and the destruction of property. Gus Hall, General Secretary, Communist Party, USA has been quoted by the F.B.I. as describing the SDS as one of the groups the Party "has going for us."

Well, Columbia University isn't the only campus where SDS has been active and destructive. SDS now has an active and growing chapter at your State University and my alma mater, the University of Maryland. The local chapter is reported to have more than 100 members who regularly attend meetings and several hundred sympathizers. **While relatively new, already SDS has done much to contribute to tension on the campus. Last spring SDS cohorts interfered vociferously and bodily with military recruiters at College Park, constantly strive to stir up student dissatisfaction and unrest with the faculty, administration, and other students, and only two weeks ago publicly announced plans for a student strike to take** place on Election Day to express student dissatisfaction at the "absence of alternatives among the presidential candidates." The Prince Georges Sentinel, October 24th edition, featured an article about SDS activities on the Maryland campus.

Yesterday's Washington Post reported an Election Day demonstration in Washington as one of a dozen conducted in major American cities by SDS. There was some violence as usual, demonstrators carrying Viet Cong flags in a rally at the Lincoln Memorial, and all three major Presidential candidates were hung from a goal post in effigy.

These three examples, I believe, offer an insight into some of the dangers confronting us today as responsible American citizens who take pride in our heritage, our institutions, and our Nation under God, as compared to those who would obliterate or overthrow these cherished values at any price. There are other examples of Un-American activities that I'm certain we can all recall—the likes of rabble-rousers like H. Rap Brown who has been indicted by the State of Maryland on charges of arson and inciting to riot in Cambridge in July, 1967. **He's presently free on bond. Protesting G.I.'s and some Army Reservists from Fort Meade balking at being sent to Viet Nam also come to mind.**

I submit to you, dear ladies, that in all the instances cited, the perpetrators of these acts are far from typical or representative of the breed of Americans who have made our country the great Nation and world power that it is today.

Native Marylanders have long distinguished themselves on the field of battle each and every time their Nation called upon them for assistance. Maryland troops in the Revolutionary War saw service from the first skirmish in Boston to the surrender at Yorktown. Prince Georges County supplied its men and materials to General George Washington. Who can forget the bombardment and rout of the British at Fort McHenry during the War of 1812, where waved the Flag that inspired Francis Scott Key to write the Star Spangled Banner? The Battle of Antietam—one of the most bitter battles of the Civil War! The U.S. Admiral in command at Santiago during the Spanish American War when the Spanish fleet was destroyed was a Marylander. In World War I, approximately 75,000 Maryland citizens dutifully served their Nation under arms. Both the 29th and 79th Infantry Divisions fought with distinction in the Meuse-Argonne offensive of 1918. More than ¼ million Marylanders heeded their Nation's call to arms during World War II. The 29th Infantry Division again served with distinction in France during 1944 and 1945. It fought on the Omaha Beachhead in Normandy, and in the advance to the Elbe River. Korea was no exception. Many Marylanders came to the defense of South Korea when it was attacked by North Korea in June, 1950. One of those staunch defenders was our own State Senator Edward T. Conroy from Bowie. He lost a limb and won the Silver Star in the process.

This brings us to the present and Viet Nam, as I mentioned earlier, so many Americans have served and are now serving in a determined effort to deter Communist aggression. Prince Georges County has had a number of its citizens who have distinguished themselves by valor on the battlefields of Viet Nam. Young men like Butch Joeckel from Colmar Manor, for example, who won the Bronze Star this year for heroism as a 20 year old Marine in Viet Nam. Butch was seriously wounded in action by a Viet Cong land mine, suffering the amputation of both legs above the knee. I am pleased to report to you today that Butch has had a remarkable recovery and adjustment, he's been released from the hospital, discharged from the service, got married two weeks ago, and is now back at work with his former employer, the Washington Suburban Sanitary Commission where he is now making a productive and meaningful contribution to society.

The Marine Corps League and The American Legion organized a Welcome Home Parade and Reception for Butch in his hometown on July 6th. Thousands of people turned out that day to express their heartfelt appreciation to this inspiring young man, and untold millions of Americans watched the day's proceedings over ABC national television. Butch has told me and shown me on a number of occasions the beneficial effect this community outburst of appreciation has had on his morale and resultant speedy recovery.

I mentioned to Butch that I would be speaking to the Prince Georges County Federation of Womens Clubs today, and he asked me to convey his best wishes to each and every one of you.

Let us not forget John Clements of Cheverly, another young Marine who earned 3 Purple Hearts in Viet Nam and sustained serious injuries. He is still not able to walk without the aid of a cane and faces additional operations.

How unfortunate it is indeed, that the world hears more about some of our raucous dissenters from the gutter than they do of our Butch Joeckels and John Clements who sacrificed so much at such terrible risk in the noble cause of freedom.

A week ago last Tuesday I was privileged to attend a ceremony at Marine Barracks at 8th and I in Washington at which the Nation's highest award, the Congressional Medal of Honor, was awarded to a resident of Prince Georges County, Marine Captain James A. Graham, of Forestville, Maryland. The award, a first in the history of the County, was made posthumously, because

Captain Graham was killed when he refused to leave one of his seriously wounded men during a fierce enemy attack.

The Secretary of the Navy, in presenting the award in the name of the President of the United States, remarked of Captain Graham, "Although Captain Graham gave his life in battle, he shall continue to live in the minds and memories of his comrades as an inspirational example of courage, duty and sacrifice. For all who knew and loved him, the memory of James Graham will remain a source of pride and strength."

My dear Clubwomen, Captain Graham left us a legacy to foster and cherish—a shining example of unselfish love for his country and his fellow man. He also left behind something very personal and dear to him—a widow Janice, and two small children, son John 5 years old, and a 4 year old daughter, Jenifer. I talked to Mrs. Graham after the ceremony and extended an offer of assistance from the Marine Corps League. With a sense of great pride and much confidence in the future, Mrs. Graham replied, "I don't have half as many problems as I have offers of assistance." She impresed me as a woman who is every bit as brave as her husband was.

I submit to you that we must not forget the Graham family. I would like to suggest that your County Federation or individual Clubs might consider keeping a watchful eye on the Graham family as one of your Americanism projects, to be of assistance to them in any way possible. We owe it to them and can afford to do no less.

I can assure you of one thing, speaking for the Prince Georges County Detachment, Marine Corps League. We are not going to allow to be forgotten such great Americans like Captain Graham, Lieutenant Bill Reilly of Cheverly, Warrant Officer Tom King of New Carrollton, and all of the 61 soldiers, sailors, and marines from Prince Georges County who were killed in Viet Nam.

We are going to build a Memorial in their honor—a permanent tribute to all Prince Georges County servicemen who made the supreme sacrifice in Viet Nam. It will be one of the first and the largest in the Nation exclusively dedicated to Viet Nam war dead. The design is already completed. Our architect is Thomas Kerley of Cheverly. It is expected to cost approximately $35,000. The County Commissioners have issued a Resolution fully supporting this project and have agreed to provide the necessary land for the Memorial. We are presently reviewing site possibilities and expect to annouce a location in the near future.

In the meantime, we are actively seeking to raise the necessary funds to finance the cost of the Memorial. We are calling upon all County organizations and citizens to help us in this task. We would be delighted to have the assistance of the Prince Georges County Federation of Womens Clubs. Perhaps you might consider conducting some bake sales, dances, or related fund-raising activities with the proceeds designated for the Memorial in the name of your fine organization.

In conclusion, let us resolve to rededicate ourselves and to motivate others, particularly our youth, in support of our country and its new Administration. Let us support our fighting men and aid our returning Viet Nam Veterans. Let us support peace by remaining strong. There has never been a great nation without a strong fervor of patriotism. We must emphasize patriotism in the home, in the schools, and in every walk of life. We must encourage respect for our Flag, our history, and our principles of free government. In this way, you will be fulfilling one of the shining moments of your own personal life. Now, more than ever before, is the time for all good citizens to come to the aid of their country!

FRED B. WACHS, RECIPIENT OF OUTSTANDING CITIZEN AWARD OF GREATER LEXINGTON AREA CHAMBER OF COMMERCE

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Friday, February 28, 1969

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an article published in the Lexington, Ky., Herald of January 22. The article announces that the Greater Lexington Chamber of Commerce, at its 86th annual meeting on January 21, had presented the Outstanding Citizen Award to Mr. Fred B. Wachs, president and general manager of the Lexington Herald-Leader Co.

Mr. Wachs received a standing ovation from the crowd of 1,100 which packed the Convention Hall of the Phoenix Hotel in Lexington, and those who applauded were the people of the area who have personally known him and have known his great service to Lexington and central Kentucky.

Honored also was his wife, Jeanne Wachs, who is much admired and loved by the people of Lexington and Fayette County.

It is my honor to have known Fred Wachs almost all of my life. He is a greatly respected newspaperman of Kentucky and is also a citizen who gives his time and service to the best interest of the blue grass section of Kentucky and all of the State. He is always courageous in taking positions upon public issues. He is a loyal friend, and I am very proud that I can present to the Senate and to the readers of the RECORD this story of the deserved award made to Fred Wachs by his fellow citizens.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WACHS IS HONORED BY TRADE BOARD—GRAVES NEW CHAMBER PRESIDENT

Fred B. Wachs, president and general manager of the Lexington Herald-Leader Co., last night received the Outstanding Citizen Award at the 86th annual meeting of the Greater Lexington Area Chamber of Commerce.

Thomas P. Bell, outgoing president of the chamber, presented the award to Mr. Wachs for "50 years of outstanding service and leadership to the people of Lexington and Fayette County" and noted, "I can't think of anyone who deserves it more."

Mr. Bell observed that Mr. Wachs has been an employe of the Herald-Leader Co. more than 50 years and credited the newspaper executive with "giving more of himself to help the community last year—and every year, for that matter—than anyone else I know."

Mr. Wachs received a standing ovation from the crowd of 1,100 who packed the Convention Hall at the Phoenix Hotel.

"God has been good to the Blue Grass," said Mr. Wachs, "and the Blue Grass has been good to me."

He noted that he intends to serve the community in the future as he has in the past and stated he has no plans for retirement.

"I've received a lot of awards," said Mr. Wachs, "and I don't think I deserved most of them. But what little I am and what little I have I owe to my wife."

Mrs. Jeanne Wachs, who accompanied her husband to the meeting, also received a standing round of applause.

The keynote of leadership was continued at the meeting by guest speaker Vince Lombardi, general manager of the Green Bay Packers professional football team.

The football executive, who brought the Packers from a 1-10-1 season to a top-flight team with a .783 win skein, stressed that the qualities of leadership are sorely needed to take America to the victory zone.

Speaking in clipped, precise tones with a touch of an accent reminiscent of his Brooklyn, N.Y., boyhood, Mr. Lombardi compared football and life as "a great game—a game of winners."

The pomp and color of football endure only in the memory, said the Wisconsin coach, but "the will to excel and the will to win are the things that endure."

The qualities that lead to success in football also lead to victory in life, he said, and emphasized the following as requisite for winning:

Hard work to the point of drudgery coupled with resolution and determination.

Leadership, a many-faceted quality comprised of ability plus the capacity and willingness to use it, tempered with truth and character.

"Mental toughness," a rare quality composed of humility, Spartanism, courage and love.

"Heart power is the strength of the Green Bay Packers, any successful organization and America," said Mr. Lombardi, "and hate power is the weakness of the world."

He termed leaders "not born—but made" and said "the measure of each man must be what each does in a specific situation."

The former West Point coach scored today's "new right" sought by the vocal minority of this generation—"the right" that if you don't like the law, break it."

Before freedom, he said, must come duty, respect for discipline and strong mental discipline.

And the battle for the rights of the individual "may have been too well won" in the United States.

This is an "age of heroes," said Mr. Lombardi, and it lends itself to greatness—both in prizes and perils.

But, he concluded, the most serious need facing the nation is a lack of quality leadership and the "test of the century" will be one of strength through wealth and power or strength through spirit and conscience.

New officers for 1969 announced at the meeting were: Jake Graves, president; Morris Beebe, first vice president; Ben Elkin, second vice president, and Bill Winfree, treasurer.

Winners of the outstanding teachers awards were Miss Bettie Jane Tuttle, Clays Mill School, and Sister De Chantal, St. Peter's School.

Mr. Bell outlined progress made by the chamber during 1968:

The beginnings of annexation, which he termed a "touchy subject," but a necessary challenge for the growth of a trade area.

Progress in open housing in Lexington and Fayette County.

A drive for a civic center, "and this is a must," said Mr. Bell.

The revitalization of downtown Lexington through the Urban renewal program.

The growth and beautification of shopping centers in this area.

Improved communication between the chamber and the University of Kentucky, which Mr. Bell called "our most important industry here."

Incoming president Mr. Graves noted that the concept of "greater Lexington is the whole objective of the coming year."

The community, he said, has become a regional trade center and the "greater" concept is necessary for continued progress.

The Rev. Don Herren was master of ceremonies of the program.

ADDRESS BY SENATOR MOSS BEFORE SOCIETY OF AMERICAN FORESTERS

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Friday, February 28, 1969

Mr. METCALF. Mr. President, two recent events in California—oil pollution of the ocean from an offshore drilling rig and the destructive flooding of hillsides used for residences—have emphasized the growing crisis in natural resource management in the United States.

The January issue of American Forests magazine contains an article which discusses several aspects of the resource management issue. It is based on an address by the Senator from Utah (Mr. Moss) before the Society of American Foresters last fall.

Senator Moss, who has been a leader in advocating improved resource management, urged that foresters sit as a "conservation convention" to explore ways and means of extending their multiple-use conservation concepts to the entire spectrum of the growing environmental problems of the Nation.

Because I believe that the remarks of Senator Moss are an important contribution to the conservation dialog, I ask unanimous consent that the address be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONSERVATION AT THE CROSSROADS

(By Senator FRANK E. MOSS)

(NOTE.—In an address before the Society of American Foresters that many regard as a rebuttal to a recent American Forests series by Earle Clapp, Senator Frank E. Moss (D-Utah) urged that foresters sit as a Conservation Convention to explore ways and means of extending their multiple-use concepts to the entire spectrum of environmental concerns in the U.S.A.)

A SENATOR'S CHALLENGE

Multiple use is the concept which has set foresters apart from other resource disciplines. Your profession met its first great conservation challenge when it undertook protection of the one-fifth of our primeval forests which remained uncut in 1920. That was done through sustained yield production—the forests were both used and preserved.

Today this concept must be extended to all of the environment of man. It is therefore natural that we turn to foresters for advice and leadership in the organization of this new, great task.

More Americans every day understand why we must manage the environment. But concepts do not put themselves into effect. The Forest Service was organized to do one job. Something else must be organized to perform the new environmental management task that the population increase and the technological revolution have made essential. My suggestion for that "somehing else" (or part of it) is a Department of Natural Resources. There may be better ideas. That is why—at Philadelphia—I asked the Society of American Foresters to sit as a Conservation Convention to write a basic document to govern natural resource management in the United States of the future.

Senator FRANK E. MOSS.

Gifford Pinchot was forestry's Paul Revere. It is fitting, therefore, that we talk about our national resource structure here in Philadelphia where our Constitution became a reality. Philadelphia also recalls the beginnings of conservation in America. Penn's Woods was Pinchot's home. It was Pinchot who chartered the concept of multiple use and brought it to fruition.

It is this concept which sets foresters apart from members of other resource disciplines. You have taken as your challenge not just the trees but the total environment of forest land. In fact, I see the modern issue as not so much how to "organize" resource agencies as how to extend the discipline and skills of Pinchot's foresters to wider areas of the American environment. What we must achieve is overall "multiple use" and "sustained yield" for all our national resources.

Recall if you will the effort of a New England Republican Congressman, Weeks, to enact a law to permit the federal government to acquire forest lands in the Appalachian chain of mountains. Even today we continue in the eastern United States under the Weeks Law. Pinchot set the stage with the then disputed concept that the forest influenced the water as the water influenced the forest.

"Technical" water experts challenged Pinchot's concept. Pinchot won and what he won was—the Battle For Multiple Use.

But today we all subscribe to the concept that the forest and the grasslands, yes, and even the deserts and the mountains, have multiple resources and thus the potential for multiple uses.

So I am pleased to be talking to foresters in Pinchot's own state, where the Constitution was written, and where the conservation movement was launched.

As in the days when the Constitution was written, these are days of turbulence, turmoil and doubt. We of this generation, new in power, are being called on by our youth to account for our stewardship. One of the things we are asked to explain is the state of our natural resources. We are passing on to the younger generation the greatest goods-producing society in the earth's experience. But to achieve this we have paid a heavy cost in the deterioration of the environment.

As you know, this threatened destruction of man's environment is of mounting concern to the scientific community. This concern was a highlight of the December, 1967 meeting of the American Association for the Advancement of Science in New York.

In a widely publicized statement, Dr. Lamont C. Cole, of Cornell University, reminded us that the 20 percent of oxygen in our atmosphere which we take for granted has been achieved and is maintained by a delicate balance between plant and animal life, and that oxygen would quickly disappear from the atmosphere should all green plants be killed.

He went on to say that, at an increasing rate, we are disrupting the life-giving balance as "grassland is being paved at the rate of about one million acres a year."

Commenting on the impact of this statement, the British weekly magazine *New Scientist* declared the New York meeting "noticeably lacked the spirit of optimism and hope of salvation which the festival is supposed to inspire." And the editorial concluded grimly: "It is not necessarily the more horrific weapons of science which we should fear the most. Unless we come to our senses pretty sharply, we may finally perish, not with a bang but with a whimper."

In March, Dr. Ira N. Gabrielson, President of the Wildlife Management Institute, told the North American Wildlife and Natural Resources Conference that man is playing a highly dangerous game of "brinkmanship" with the earth's natural resources. Dr. Gabrielson particularly criticized the government's failure to look ahead, saying that "the national water pollution control program, for example, is geared more to what occurred yesterday than to what is going to happen tomorrow."

MOST RADICAL REVOLUTION

The population explosion is, of course, one cause of the pressure we are imposing on the habitat of man. But a second influence—perhaps even more important—is that brought about by what Walter Lippmann recently called "the most radical revolution in the history of mankind."

He said: "This revolution is a transformation of the human environment, and of man himself, by technological progress which, beginning about two centuries ago, has now acquired enormous momentum."

Doubtless a significant reason for our inability to keep up with environmental destruction is the prodical original natural wealth of the continent. When the Constitution was written, the Founding Fathers made no mention of conservation.

The closest they came to considering resources was Article IV, Section 3, which says in part, "The Congress shall have power to dispose of and make all needful rules and regulations respecting territory or other property belonging to the United States."

The whole subject of water and land, forest, range, mineral, and recreation policy plus the general environment rests on the general language of the Preamble. Of course, this is the Federal Constitution and the several states have laws and regulations, but, nevertheless, its silence on protection of environment is notable.

But reflect on this. In 1790, we were a nation with such a surplus of land, water, and forest that we didn't feel the need to mention conservation and wise husbanding of our resources. In fact a major issue in 1787 was how to foster and speed the immigration to and the settlement of what was then the West—that five-state area from Ohio into the Great Lakes States.

Reflect, too, on how different are our needs today. The lure of the Great Lakes has brought fully one eighth of all who inhabit North America to live along its shores. Two of the five cities of the United States with populations of a million or more—Chicago and Detroit—and the two largest cities of Canada—Toronto and Montreal—are on the Lakes or their outflow, the St. Lawrence. The waste products of these people and the great industrial complex they have built are killing Lake Erie and threatening Lake Michigan.

As long ago as 1908, Theodore Roosevelt warned the citizens of New York, Pennsylvania and Ohio, to keep the sewage out of Lake Erie's then sweet waters. The wastes that have been poured in since have converted Lake Erie into a dying lake and ecological desert of water. Some officials are hopeful that Lake Erie can be cleaned up, but Secretary of the Interior Udall has wondered whether man has "acted too late." In this case, the machinery of government—man-made and operated—has been impotent effectively to apply technological competence.

Writing recently in *Geo-Science News*, Glenn T. Seaborg observed that we know enough about the environment to reduce drastically the impact of pollution against air and water resources. But he also pointed out that our society has "tended to be deficient in the will to use this knowledge and to pay the necessary costs." I have made a similar point by emphasizing that it is usually necessary to achieve "political" solutions to resource problems before "scientific" solutions can be applied effectively.

But we cannot simply leave nature alone. Otherwise she will not support us. Our need for raw materials is truly tremendous and that need grows yearly. Back in 1952, the President's Materials Policy Commission noted that American consumption of most of the fuels and other minerals had been greater since the beginning of World War I than total world consumption for all the centuries before.

Resources for the Future has stated: "The projections indicate . . . a tripling of requirements for both energy and metals by the year 2000, almost a tripling for timber and almost a doubling for farm products and for withdrawal depletions of fresh water. . . .

"Increasing demands on land space for outdoor recreation, urban growth, highways, airports, and perhaps forests by the year 2000 will far exceed any relief provided by possible reduction in land needed for crops and the amount of new unused land that can be pressed into service . . . and requirements, if each use is counted separately, would add up to 50 million more acres than the country has, and this assumes no increase whatsoever in forest land."

Resources for the Future also tells us that, by the year 2000, demand for domestic forest products is projected at 29 billion cubic board feet with net growth less than half of that.

Thus a new and quite dangerous situation confronts us: If we continue to maintain "economic growth" at what we have come to accept as a satisfactory rate, we may intolerably damage the life-saving environment that much sooner.

AN UNPRECEDENTED CHALLENGE

In the face of that unprecedented conservation challenge, we must ask: Are we organized to meet it? Few have posed this question despite the surge of interest in conservation and despite the expansion of programs authorized by Congress in the past five years.

Not too long ago a friend of mine decided to build a house. He hired an architect who gave him a plan which fit his lot and also pleased his wife. In fact, he was fortunate because both he and his wife agreed this was their dream house on their dream lot. And when it was complete it was what they had envisioned.

But they did have one problem—it took the builder longer than he had planned. As they watched their house go up, the couple was struck by the number of tasks which were not integrated. They noted with dismay how the plumber complained that the plasterers hadn't considered their needs, how the electrician objected to what all the others had done, and so forth. Each specialist had his own priorities and was vexed that no one else cared about them. When the couple queried their builder about this, he said, "It's so hard to get good mechanics; I just try to keep each group happy. But I never try to coordinate them—that would get them all mad."

It follows that in solving our resource management problems, we must have coordination.

I believe that part of the answer—not all, but an important part—of coordinating the use of our natural heritage is the establishment of a Department of Natural Resources in the Federal government. Today, there is no Federal focal point for long-range planning or for the adoption of long-range policy essential to natural resource management under modern conditions.

To remedy this lack, I have proposed a reorganization of the Department of the Interior into a Department of Natural Resources.

In its early years, Interior was a catchall for agencies handling internal problems, but it has evolved into an organization chiefly concerned with management, protection, and administration of natural resources—timber, forage, water, minerals, wildlife, and with the marketing of power and the promotion of recreational opportunities. It now remains for Congress to complete the job of making it a full-fledged Department of Natural Resources. This can be done simply, by taking out of Interior the two agencies which do not relate primarily to resources—the Bureau of Indian Affairs and the Office of Territories—and putting into it agencies, now in other departments, which do relate to natural resources. I have introduced a bill which would accomplish this.

I think Interior is the logical core. Every alternative to my plan which has been discussed also used Interior's present conservation agencies as a nucleus.

This audience is well aware of the dispersion of responsibilities in the Federal organization. For example, three Cabinet-level departments are involved in water resources—the Department of the Army, the Department of Agriculture, and the Department of the Interior. (Until recently there was a fourth—Health, Education, and Welfare, but last year the President transferred the Water Pollution Control Administration from HEW to Interior.)

Coordinated water resource planning has, of course, been advocated for a long, long time. A favorite reference of those of us who are interested in this subject is to Theodore Roosevelt's Inland Waterways Commission, which, in 1908, recommended "prompt and vigorous action" by the State and Federal governments to develop comprehensive plans for all our river basins. But it took nearly half a century before Congress, in 1965, took the national approach and passed a Water Resources Planning Act. The Act established a Council of Cabinet officials—assisted by a very competent staff—to coordinate departmental plans, and to make a biennial assessment of the nation's water supply. It also permits the formation of interstate planning authorities.

The Planning Act represents progress. But the arrangement suffers from several already evident weaknesses. Although the Council can help to reconcile agency differences, it can do little to plan or originate programs of national or regional scope, or to require planning on a river basin basis. And its members are men who have more than full-time jobs managing their own departments, and who also serve on several other high-level committees. Such an arrangement is inadequate today when comprehensive water planning is essential to prevent actual deficiencies over wide areas.

Although the water field offers the outstanding example of dispersed Federal responsibility in natural resources management, similar problems exist in land management and outdoor recreation.

The Federal department which serves more recreation than any other is the Army. Forty-three of their reservoir projects drew over 50 million visits in 1964.

The Bureau of the Budget—which was never assigned natural resource policy functions by Congress—has assumed more and more control by use of its functions on a fiscal policy. There is a vacuum of responsibility in this field, and Budget has rushed to fill it, becoming an unofficial planning agency with constantly expanding influence.

NEW DEPARTMENT URGED

My bill would meet the national coordination problem by assigning to a Department of Natural Resources all major Federal responsibilities having to do with water, electric power, land management, wildlife preservation, outdoor recreation, minerals and fuels, ocean resources and clean air.

It provides for a Secretary of Natural Resources, a Deputy Secretary, and two Under Secretaries, one for water and one for lands.

The Secretary would, of course, have considerable authority to organize his department, but it would be logical to divide the responsibilites of the Under Secretaries as follows:

The jurisdiction of the Under Secretary for Water would include: The Bureau of Reclamation and the Water Pollution Control Administration, both of which are in Interior; the civil works functions of the U.S. Army Engineers; the work of the Soil Conservation Service under the Watershed Protection and Flood Prevention Act; and the power marketing activities of the Bonneville Power Administration and the Southeastern and Southwestern Power Administrations. This Under Secretary for water could also supervise an Assistant Secretary for Oceanography.

The responsibility of the Under Secretary for Lands would be divided into four branches, each headed by an Assistant Secretary.

The Forest Service and the Bureau of Land Management would report to an Assistant Secretary for Land Resources. The National Park Service, the Fish and Wildlife Service, and the Bureau of Outdoor Recreation would report to an Assistant Secretary for Recreation and Wildlife. The Bureau of Mines, Geological Survey, Office of Coal Research, and other agencies and fuels would report to an Assistant Secretary for Minerals and Fuels. The fourth Assistant Secretary would supervise the air pollution abatement program.

In any consideration of a resources department, it must be kept in mind that the authority of the Federal government does not begin to encompass total management of the environment. Traditionally, state and local responsibility is large, not only in water development, but also in management of fish and game, zoning of land, disposal of wastes of all kinds, and air pollution abatement.

So it would be naive to argue that the formation of a Department of Natural Resources would, by itself, solve our problem. It is, however, a key step toward organizing our efforts to meet the mounting challenge.

What are the alternatives? The machinery of policy development and implementation is like the machinery of production. Neither industry nor government can function effectively with dated, obsolete machinery. The mechanism of government is its organization. Moreover, you who are in business know that there is more to a factory than production machines. Basic to success is an affirmative answer to this question: Are you organized to function—to compete? It does little good to have the most efficient saws, the best trucks, the most modern mill, or the finest dry kilns if the company isn't organized to move all the way from the production of trees and their products to effective distribution and sales promotion.

Stripped of the jargon of the specialists in organization, the issue we confront is how to harness our talents to meet the growing national resource environmental crisis.

I want to challenge you to give to this issue of organization the consideration it deserves. It would be a simple matter to pass a resolution on a Department of Natural Resources and be done with it. I suggest that the nation will be better served if you commit the subject to comprehensive analysis before reaching a judgment. What is the best solution to the resource dilemma of America? If my bill is not the answer, what can we do to construct a conservation organization that will provide the raw materials we must have and—at the same time—stop the deterioration of the environment?

Along with others, I sometimes pine for the days when life was simple—when the sheep's fleece could be woven into cloth on the ranch. But we cannot go back to the quiet, pastoral, self-contained society. We are well into the second century of the Industrial Revolution. Its quickening pace calls for America to use its organizational genius to restore its environment. Once our loggers dammed the rivers of our Lake States only to float their logs. Now we dam them for power. We struggle to halt their pollution. Before we understood what we were doing, we cut the forest in Maine and destroyed the spawning spots of a great salmon fishery. Now there is forest management in Maine and they seek to bring back the salmon.

But coordinating private, state, and federal efforts into a cohesive multiple use policy is complicated by the complex web of multiple agencies.

MACHINERY CALLED INADEQUATE

My conclusion has to be that the existing government machinery is not adequate. We are not getting the most for our money and we are not giving our professional people a fair chance to meet the challenge which confronts the nation.

As a matter of fact, it isn't fair to the professionals in the resources field to expect them to meet today's challenge in yesterday's administrative harness.

If you look at the problems, they are not primarily technical. Many of them are organizational and these are the ones I am trying to correct. We know what tools to use. The engineers, the foresters, the water and land use specialists in the Civil Works Division of the Corps, in the Bureau of Reclamation, in the Forest Service and in other agencies know their jobs and know what is needed. Freed of restraints and obstacles that stem from division of authority and interdepartmental restaints, they will be able to apply their expertise with much greater return to the nation and greater professional satisfaction for themselves.

Under whatever names our resource agencies may function in the seventies, eighties, and nineties, more effective organization must mean the opportunity to do a better job. It must mean more professional prestige for all resource people not unlike the extent to which the formation of the Union made the term "American Citizen" mean so much more than merely a citizen of New York or Virginia or Massachusetts.

So I come to Philadelphia in that spirit of constructive revolution to ask you as stewards for America to resolve yourselves into a Conservation Convention. I ask you, as those who started America's conservation revolution in 1876, to help write its Conservation Constitution by 1976. I say the days of conservation warfare have ended. I say the days when we can live under Articles of Conservation like the old Articles of Confederation are numbered. I say that we cannot live with uneasy and ineffective union.

Gifford Pinchot was forestry's Paul Revere, George Washington, and Thomas Jefferson. Who among you aspires to be its James Madison, to write the fundamental instrument that will liberate the energies of the profession to overcome the obstacles to effective conservation?

SPIRITUAL SUMMIT CONFERENCE HELD IN CALCUTTA, INDIA

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Friday, February 28, 1969

Mr. TYDINGS. Mr. President, in October of the past year, a Spiritual Summit Conference was held in Calcutta, India, which has direct bearing on the State of Maryland, as well as on the future of international interreligious understanding and cooperation. The conference was sponsored by the Temple of Understanding, Inc., a nonprofit organization founded in 1960 by Mrs. Dickerman Hollister of Greenwich, Conn., and with offices in Washington, D.C. The organization has purchased 20 acres overlooking the Potomac River, in Prince Georges County, Md., and has plans to construct a building symbolizing the great religions of mankind and devoted to education about them. The art, architecture, sacred music, scriptures, history, and essential beliefs of the various religions will be made available to scholars and the visiting public. The building will be the center for a worldwide educational program using the many media and languages.

At the October meeting in Calcutta, there were outstanding representatives of Buddhist, Confucian, Christian, Hindu, Islamic, and Jewish thought, as well as spokesmen for the Zoroastrian, Shinto, Sikh, Jain, and Baha'i faiths. The conferees, in their addresses, gave outlines of the principles of their faiths, and in many instances explained the relation of their beliefs to some of the many unsolved problems facing the world, including poverty, discrimination and prejudice, population and food supply, the generation gap, and the underlying causes of violence and war.

The prominence and scholarship of those in attendance at the Conference, the fact that they are attempting to establish on the shores of the Potomac what may constitute a United Nations of world religions, and the fact that the purpose of the Temple of Understanding is to relate to contemporary life and problems—rather than being merely a repository of religious knowledge—should make us proud to have been chosen as the site for this much-needed instrument and edifice, dedicated to promote international understanding and good will.

Mr. President, I ask unanimous consent that the declaration resulting from this meeting in Calcutta, together with excerpts from several of the addresses presented at the meeting, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE SPIRITUAL SUMMIT CONFERENCE, CALCUTTA, INDIA, OCTOBER 22–26, 1968

A DECLARATION

1. We, members of the world's religious faiths, with their two-and-a-half billion adherents, assembled in the first Spiritual Summit Conference, under the auspices of The Temple of Understanding, having here demonstrated that inter-religious communication is possible and fruitful, see these factors as significant for the present and for the emerging world of tomorrow.

We see that science, technology, political and industrial forces, with all their powers, have so far not been able, either alone, or in combined effort, to produce the kind of world that all men desire.

We believe it is time for all people and nations, including the leaders of our major secular institutions, to recognize the relevance of the world's religions to the fate of man in the present century.

It is our judgment that the religions themselves must now actively seek increased communication with one another and together speak to our total human community and assist in creating the conditions for the better world. The prejudices and misunderstandings that have stood between us in the past must give way to a climate of understanding and co-operation.

II. Therefore, we challenge the leaders of the several world faiths to take creative initiative in forming a strong international, inter-religious world body. We recognize that the development of such an instrument will require the elevated thought, prayer, study, patience, firm vision and conciliation of many dedicated men and women. But this Summit Conference sees such a Council as a necessity in this 20th Century.

We are aware of developments of Inter Religious communication, as in Ceylon, Japan and other nations. We are convinced that such fine steps should now be developed on a world wide scale. As a move toward this end we instruct The Temple of Understanding to consult with the leaders of the several world religions, looking to the calling of another Summit Conference to weigh the desirability of creating such an interreligious world body and we further recommend that all delegates, leaders and participants to the 1968 Summit Conference receive progress reports.

Further, as a more immediate step, it is our Mandate that the Temple of Understanding implement the guidelines for inter-religious communication, namely: The Academic Community; The Family of Nations; The Private Corporations & Foundations; The Centres of Spirituality and Monasticism; International Youth Organizations; The Communications Media; and that it create pools of information on the world religions and develop facilities to create materials for the mass media.

(This declaration was unanimously approved by the delegates assembled at the concluding session on October 26, 1968.)

SPIRITUAL SUMMIT CONFERENCE: EXCERPTS FROM THE VARIOUS PAPERS SUBMITTED AT THE CALCUTTA CONFERENCE

THE RELEVANCE OF HINDUISM IN THE MODERN WORLD

(By Dr. V. Raghavan, M.A., Ph. D., professor of Sanskrit, University of Madras)

Modern developments have brought the peoples of the world together for good and bad. To make good or bad out of these is solely in our hands. One of the results which should be deemed good or out of which we should still try to derive as much good as possible is the meeting of cultures and the study of the writings and religions of other peoples. The study of Hinduism by those not professing that religion—as also by those who profess it but have come under the influence of the theories and interpretations of the former, may be considered to have had, so far, three phases: The first began with the academic orientalist; and the second was what the missionary cultivated as part of his proselytization. The third is a recent development, indeed a part of a phenomenon which embraces the whole of Asia. It began with the end of the second World War and the disappearance of colonialism and the waking of the several countries of Asia into their new freedom in which they have been faced with problems of developing their economy, industry and production and extending the benefits of the welfare state to as large sectors of their people as possible.

The Hindu standpoint which I want to emphasize is what is perhaps well-known, but would bear repetition. For it is the most fundamental tenet whose relevance has grown in importance today when all religions have met and they have to live together and understand each other. This is neither a slender voice in the chorus of Hindu doctrines nor one of later development. The most ancient and primary expression of Hinduism embodies this as part of the intuition of the first sages. In the first book of the Rigveda, we hear the declaration "The Truth is One, the Wise expound in Diversity; that one Truth they call by different names, Agni and so on. The Vedanta gave this its firm metaphysical basis in the ultimate reality or supreme Being, the One, Absolute, impersonal *Brahman* of the form of Existence, Consciousness and Bliss, *Sat, Chit* and *Ananda*. It is the source of the universe of name and form, which has its manifestation, being and dissolution in it. It comprehends all forms including those personal manifestations, *Saguna Brahman,* through which it reaches out to those who seek it through these forms, because they are easier to grasp. These forms may be any or many but all of them lead to the same one Summit. The Upanishads employ also the analogy of many rivers flowing from different regions and reaching the same one ocean, an illustration which poets and hymnists like the great Kalidasa and Pushpadanta employ.

It is on the basis of one fundamental impersonal being with divine personal forms included in it that Hinduism organized and reduced to understanding all the numerous forms and modes of worship that continuously manifested themselves. The universality and the eternal validity and vitality of Hinduism rest primarily on this fundamental. If Hinduism can call itself *Sanatama Dharma philosophia perennid,* it is because of this truth. There has been a continuous tradition of the philosophy of gnosis among all nations, the Greek philosophers too spoke of the one God with many names. The great relevance of this today is that it provides a key for the great religions to unlock their inner unity and not only understand each other better but also divert their energies spent on criticism or conversion to a common effort against irreligion, pseudo-religion and social, political and national substitutes for religion. The appreciation of this Hindu standpoint is gradually growing for the students of religion and comparative religion all over the world.

THE RELEVANCE OF CHRISTIANITY IN THE MODERN WORLD

(By Rev. Pierre Fallon, S.J., the Vatican Secretariat for non-Christians)

It is certain that religious tolerance has rightly come to be considered as one of the most precious achievements of the modern mind. Here, in India, in a very special manner, intolerance is thought to be incompatible with genuine religiousness.

Is the Christian religion intolerant? And what is its attitude towards religious pluralism? This question is one that does not concern Christians only; it concerns all sincere believers: how to reconcile, without compromise or falsehood, a deep attachment to our religious beliefs and a cordial attitude of respect and fraternal collaboration with men professing other beliefs? How to keep in harmony the healthy and normal desire to share with others that which is for us a source of inspiration and which we firmly believe to be truth of universal value, and that tolerance which is the necessary expression of our respect for the spiritual and personal freedom and dignity of our fellowmen?

In our modern world, this question has assumed a very great importance. Men belonging to different religious traditions come every day into new forms of association; believers, and unbelievers, theists and agnostics and materialists, must meet and collaborate in a thousand ways. The days are past when there was a close link-up, a nearly inseparable unity, between religion and culture, the profession of a particular faith and the social or political appurtenance to a state or community. The "close society" has made room for the "open society"; uniformity of religious belief and practice is no longer imposed by our modern secular societies.

The last Vatican Council has, in an official Declaration on the attitude of the Church to the non-Christian religions, clearly stated that Christians should "through dialogue and collaboration with the followers of other religions . . . recognize, preserve and promote the good things, spiritual and moral, as well as the socio-cultural values found among those belonging to other traditions"; the same Declaration invites us to consider "what men have in common and what draws them to fellowship." The religion of Christ is not out to destroy any of the precious values found in the various spiritual and cultural traditions of mankind.

What are the great problems that beset the minds of men today? The sub-human misery of vast masses of men, and the underdeveloped condition of many regions of the world; the racial hatreds that divide men; the terrible anxiety caused by the possibility of nuclear warfare; the population explosion; the wide-spread dissatisfaction of the youth, the growing attraction of violence. Has religion a vital role to play in the solution of these anguishing problems? Has Christianity any relevance in our modern world context? Do men today still need religion?

If religion is needed by man to keep his Hope alive and to safeguard the respect due to him as a person, religion again is vitally needed by modern man to protect his *freedom*. And, first of all, religion clearly affirms this spiritual freedom against all the doctrines and ideologies based upon determinism. It further educates man to freedom, this freedom having to be conquered through a life-long struggle against the compulsions of passion and instinct. Religious faith alone can free man from all the impersonal forces that enslave his mind and his heart: our modern world, with all the power of mass propaganda techniques, makes it difficult for us to keep mentally and spiritually free. Public opinion, fashion, political ideologies, practical materialism with its commercial idolatry of money, sex and pleasures, these are tyrannical masters; to remain free, we must maintain in our lives a clear awareness of absolute values. Only through being firmly anchored onto the Absolute can we fight successfully against these impersonal tyrannies. I should add, and this takes us even deeper into the very reality of religious life, only through our humble and loving reliance upon divine grace can we possess our souls and minds in freedom.

But, most important of all, *Love* is that which the world requires if the problems that face today have to be solved. Not the sentimental philanthropy of romantic dreamers, not the facile and abstract "love of humanity" preached by philosophers, but the dedicated and self-sacrificing love which only religion can inspire. Men today realize better than before how much all are organically united in the human family, and yet bitter conflicts still set man against man in our modern world. The very individualism of modern society has painfully increased the competitiveness of men. The 19th Century doctrine of "enlightened self-interest" has proved shallow and deadly. If our racial hatreds are to be surmounted, if justice and some equality to be brought about among the people of the world, if our functional and mechanical life is to be made humanly livable, we need more and more men who can love. But love does not come easily to man; without religion, all human loves tend to become selfish and narrow.

I was expected to speak of the relevance of Christianity in the modern world. The things I have said just now are true, I believe, of the Christian religion; they are true also of all the great religions represented here. This is why I have purposely abstained from presenting them as exclusive characteristics of Christianity. To save men from anxiety and despair, to preserve and foster the respect man is entitled to as a person, to help him in his struggle against all that would enslave him, and untiringly to call all men to love, this is the duty of all religious believers, and in the fulfillment of this sacred duty we all must fraternally collaborate.

Is the Christian religion still relevant today? Is the modern man still in need of religious faith? As a Christian priest living in close touch with young Christian people, as a college teacher who has known very personally many students belonging to different religious traditions and communities, I can answer without hesitation that religion has never been as relevant as it is today in this world which is, all around us, searching for a way to more justice, more freedom, more love and brotherhood. In spite of many revolts and denials, in spite of much bitterness and frustration, the youth of our time is hankering for faith, hope and love; I believe that the world that is growing under our eyes is, more eagerly and sincerely than ever before, searching for absolute values. Men, young and old, are in fact more "religious" than men have ever been before. Whether they will or will not find the answer they are now restless to discover may greatly depend upon the manner in which we, believers, not merely teach them our religious doctrines, but bear witness to them through our lives.

THE RELEVANCE OF BUDDHISM IN THE MODERN WORLD

(By H.S.H. Princess Poon Pismai Diskul, president, the World Fellowship of Buddhists)

It should be noted that Buddhism regards the human mind as a compounded phenomenon of various attributes and qualities. Consequently the techniques for development and purification of the mind must likewise be multi-dimensional and varied in accordance with individual needs. Educating the mind to right understanding; guiding speech, habits and profession into harmonious life patterns; cultivation of discipline and energy and meditative stilling of the mind to bring about awareness of subtle thoughts and feelings that normally escape awareness—these are the techniques by which one progresses along the Eightfold Path. This is the practice of Buddhism as originally taught by the Buddha himself.

Now, acknowledging that actions are preceded first by thought and motivation, we see that good and evil originate from the mind. Thus a mind which has realized the Buddhist goals of subduing greed, hatred and egotism while developing kindness, wisdom and compassion is a mind which will have a natural and spontaneous virtue. The need for arbitrary rules of conduct will be greatly lessened and one's goodness will be genuine rather than enforced.

It may be seen that while Buddhism proceeds from a very different set of premises than most other religions, we note a nearly complete agreement as to the standards of ethical conduct: Love, kindness, charity and generosity are universally hailed by all of man's great religions regardless of whatever concept their doctrines are built upon, and Buddhism not only teaches us to be kind; by psychological practices it tells how to achieve the genuine feeling that is kindness. For kindness and compassion, like all other aspects of the mind and this universe, arise through cause and effect.

In our discussion of Buddhism we see it as a system of psychological principles and practices which an individual can apply to the benefit of his own spiritual advancement and emotional well being. Thus the prime value of Buddhism in the modern world is that it shows one a way to happiness and peace of mind regardless of the political and social environment. However, it would be erroneous to assume that the Buddha's doctrine was personal to the exclusion of concern for human relationship and society at large.

The reason for emphasis upon individual development was founded upon the principle that the blind cannot lead the blind; or as the Buddha stated, "One, himself sunk in the mire of greed and delusion, cannot pull another out of that mire." One should first purify oneself to be able to show the way to others.

We can only have a better world when we first have better people. Fear, jealousy, egocentrism, hatred and greed are the original cause of human strife, be it petty crime or global war. Education, legislation and arbitration, while useful countermeasures, will not suffice to penetrate to the core of human motivation and alter one's basic feelings. Buddhism is structured to do just this. In fact such is its primary concern.

Personality cannot be separated from society. While the sum total of personalities determines the character and quality of a given society, conversely society influences and formulates the development of personality. This fact was readily acknowledged by the Buddha. He did not advocate social reforms such as we think of today but did deal directly with the social injustices of the time. Perhaps the best example is the caste system. He did not advocate a social revolution to replace this system, but any person who became a Buddhist ceased to have caste identity and thus was no longer subject to caste regulations. He thereby afforded men and women a way to escape from this social injustice. In similar manner he opposed slavery and elevated the social status of women.

Recognizing that civilizations have flourished under a variety of different political systems and that because of the universal law of change no society or culture will endure forever, the Buddha did not advocate any particular type of government. When speaking of monarchies he said the responsibility lay with the King, and the King should cultivate justice, charity, compassion and virtue both for the prosperity of the nation and as an example for the government ministers and common citizens. A few democratic states existed at the time of the Buddha, and of these he said that they would continue to flourish so long as the citizens could assemble and meet in harmony and would maintain good moral standards.

THE RELEVANCE OF JUDAISM TO MODERN PROBLEMS

(By Rabbi Mordecai Waxman, Temple Israel, Great Neck, Long Island, N.Y.)

It is fair to say that to the problems of contemporary society Judaism offers an approach born of a long and unique history. Its emphasis has always been on man in cooperation with his society and man in the midst of society. Its greatest figures have always been men who labored in the midst of society rather than men who withdrew from it to seek individual holiness. It has doctrines and laws set forth in the Old Testament, the Bible, which have been elaborated and developed in a vast literature in many languages over the course of several thousand years. Because it is the outlook, of the Jewish people which has had the unique experience of living dispersed among other peoples for 2,000 years, almost always under conditions of persecution, without losing its identity or being brutalized by its experiences, it has acquired perceptions and emphases which have been denied peoples living under more normal circumstances. A major theme in its history and beliefs has been an optimism about the world and about the responsibility of men to cope with social circumstances. All of these elements have been combined in an unusual and possibly unique melange of faith, theology, history, culture, peoplehood, law ritual and skepticism.

THE RELEVANCE OF RELIGION IN THE TWENTIETH CENTURY WITH SPECIAL REFERENCE TO ISLAM

(By Dr. Syed Vahiduddin, University of Delhi, India)

What is then wrong with the world we live in? What ails the modern mind? The relevance of religion is brought home most emphatically when it is confronted with the problems of the modern man.

Man has become a problem for himself. Strangely enough, in spite of the fact that technological advances have brought men nearer and nearer, there has been no corresponding growth in men's spiritual relation to one another. Scientific advancement in the sphere of human welfare is nothing compared with man's advance in self-destruction. Death which is a most natural and spontaneous culmination of man's career on earth is artificially invoked by scientific ingenuity and what is accomplished as a matter of course is now brought about as a matter of force. But the question is not only how long a man lives and to what distances in the infinite space he can fly but how he lives in the short span of life granted to him both as an individual and as a nation. Every man has his own term and every nation has its own termination. The question is how an individual (or a nation) disposes of his potentialities within his own temporal frame-work. Two ways are open to him, either to co-operate with God in establishing a meaningful order or betray the purpose of his creation and fall to a state which is worse than that of an animal. If man is created in God's image he should reflect those basic attributes of God which have human relevance, and the principle which should govern human relations should be one of co-operation and goodwill and not that of revolt and resentment. Before the vision of a God who encompasses all that is, the world we know and the worlds we know not, human wrangles and squabbles on petty issues lose all their significance and man is called to know what he is in order to do what he ought to. But Islam takes into full account sex, wealth and the will-tò-power as the main drives of human life and which can take hold of man to the detriment of his spiritual growth.

CONFUCIUS AND THE I-CHING

(By Wei Tat, College of Chinese Culture, Taipei, Taiwan)

Co-operation is a vital need of the present age. It should prevail among classes within a nation, among the nations themselves, and even among the five continents. What has emerged for every thoughtful observer is the fact that no satisfactory solution of the practical problems which harass modern mankind can be found on any other basis than a broadly co-operative one. All other solutions will be partial at their best, ineffectual at their worst. This is true not only of the relations between the different classes, castes, or groups which compose a nation, but also in regard to those between the different nations. We are learning at last that we must share our lives on this planet together. World society must one day become a commonwealth. This is the ideal cherished and taught by the greatest of our sages, Confucius, both in the *Record of Rites* and in the *Book of Changes*. In his commentary on the latter, Confucius envisaged an ideal world state in which sages make their appearance in accordance with the spirit of the times, and all nations harmoniously co-operate with one another and enjoy the blessings of world peace.

THE RELEVANCE OF JAINISM IN THE MODERN WORLD

(By Munishri Chitrabhanu, Divine Knowledge Society, Bombay)

Today man lives in a world which is full of strife and frustration. Commercial values keep gaining precedence. Men seem to be full of greed, envy and pride. Not only do we try to keep up with the Joneses but we try to reach out for their throats. There is a sense of isolation within human beings and hate-spinning ideologies keep gaining more ground. Our different faiths have a common aim "to make us realize the essential brotherhood of man." In practice they make us more aware of the divisions among us.

Why have we all met here today from the four corners of the earth? Not to argue dogmatically over differences, but to break the barriers of racialism and sectarianism—to learn something from each other, to see the same object from one another's point of view so that we can understand each other the better and help each other the better in solving our problems. The goal for each of us is the same, though the approach may be different.

The aim of all religions and philosophies is to seek the freedom of man from the bonds of ignorance and blind faith, from the meshes of prejudices and superstitions and rituals. Religion means freedom. Only when man rids himself of his mundane bonds, does he free himself from the bonds of "Karma". Just as gold attains its pristine purity only when the dross is separated from it, so, too, the soul, only after it has shed all Desire and "Karma" will attain a state of blissful tranquillity and immortality.

MONASTIC EXPERIENCE AND THE EAST WEST DIALOGUE

(By the late Thomas Merton, Monk of the Abbey of Gethsemani, U.S.A.)

Though Catholic monasticism is less frankly contemplative, than in the East, it is in a better position for dialogue with Asia at the moment because of the climate of openness following Vatican II. Christian monasticism has a tradition of adaptation and comprehension with regard to Greek philosophy, and many Catholics realize that this could also apply very well to Hindu and Buddhist philosophies, disciplines, experience. An articulate minority exists. It is ready for free and productive communication. Encouragement has been offered by the Vatican Council.

I speak as a western monk who is preeminently concerned with his own monastic calling and dedication. I have left my monastery to come here not just as a research scholar or even as an author (which I also happen to be). I come as a pilgrim who is anxious to obtain not just information, not just "facts" about other monastic traditions, but to drink from ancient sources of monastic vision and experience. I seek not only to learn more (quantitatively) about religion and about monastic life, but to become a better and more enlightened monk (qualitatively) myself.

I am convinced that communication in depth, across the lines that have hitherto divided religious and monastic traditions, is now not only possible and desirable, but most important for the destinies of twentieth century man.

I need not add that I think we have now reached a stage of (long overdue) religious maturity at which it may be possible for someone to remain perfectly faithful to a Christian and western monastic commitment, and yet to learn in depth from, say, a Buddhist or Hindu discipline and experience. I believe that some of us need to do this in order to improve the quality of our own monastic life and even to help in the task of monastic renewal which has been undertaken within the Western Church.

The point to be stressed is the importance of serious communication, and indeed of "communion," among contemplatives of different traditions, and disciplines and religions. This can contribute much to the development of man at this critical point of his history. Indeed, we find ourselves in a crisis, a moment of crucial choice. We are in grave danger of losing a spiritual heritage that has been painfully accumulated by thousands of generations of saints and contemplatives. It is the peculiar office of the monk in the modern world to keep alive the contemplative experience and to keep the way open for modern technological man to recover the integrity of his own inner depths.

Above all, it is important that this element of depth and integrity—this element of inner transcendent freedom—be kept intact as we grow toward the full maturity of universal man. We are witnessing the growth of a truly universal consciousness in the modern world. This universal consciousness may be a consciousness of transcendent freedom and vision, or it may simply be a vast blur of mechanized triviality and ethical *cliche*.

The difference is, I think, important enough to be of concern to all religions, as well as to humanistic philosophies with no religion at all.

THE RELEVANCE OF THE PROTESTANT BRANCH OF CHRISTIANITY TO THE WORLD TODAY

(By Lowell Russell Ditzen, D.D., L.L.D., Litt. D., director, the National Presbyterian Center, Washington, D.C.)

Let me begin (on the humble side) by mentioning some aspects of Protestantism that I think are *irrelevant* to the new world that is emerging and where we need to understand each other and communicate with each other as never before in human history.

First of all, we Protestants are fragmented into diverse groups with differing emphases in theology and various convictions as to what is of priority in living. According to the World Almanac (1968 edition) there are 229,290,000 Protestants. The Eastern Orthodox branch of Christianity represents 144,820,000, and the Roman Catholics are listed with 595,472,000 adherents.

It will be seen from these statistics that Protestants, though not a majority group, do have a sizable number of individuals within the total Christian community. However, we are broken up into approximately three hundred different denominations and sects.

In my judgment divisiveness and sectarianism are not relevant in the world in which we live. We cannot live in isolation from each other. The forces of technological and scientific advance together with the increased speed of communication and transportation are making us live in a 'global village.' To be rigidly sectarian in such a world can be a hindrance rather than a help to constructive progress.

Another aspect of Protestantism that I would call "irrelevant" has been our failure to appreciate other world religions. All branches of Christianity have been so devoted to our faith, have been so convinced that we had "the light and the truth" that we not alone have been offensive to some other faiths, but we have had blinders on, keeping us from seeing the rich merits, the noble dedications, the high ideals of other world religions.

But now, having confessed some faults—and there are many many more,—let me speak of some aspects of the Protestant heritage and convictions that I think are worthy of being retained as we think of our several world religions.

First of all, one matter that I listed as among our faults may, properly applied, be a source for some of the greatest helpfulness and service to the human family—namely, "the right of the individual conscience." The longer I study history, the longer I live, more widely I travel, and the more friends throughout the world I listen to, the more I am convinced that we go forward more through strong individuals than by any other force. Who can measure the power engendered in the world by Gandhi? Or Buddha? Or Jesus? And the endless circle of great souls that have been inspired by their genius, their wisdom, their love.

The problems of the world cannot be solved alone by conclaves of committees or commissions, however great their military, political or economic power. These often are thought to be the hinges on which the doors of history are swung. It is not so. *It is individuals* who, in freedom of conscience, have come to point the way out of immediate dilemmas, who bring the light that is needed for man's next thrust forward on the road of human progress.

We Protestants believe in this. God speaks "in a still small voice" to individuals of receptiveness. It was so in the life of Moses and Mohammed, and countless ones who follow in their train.

Out of this conviction of individual freedom will come many strange and individualistic voices. But because we all are "stamped within with the image of the Divine" mankind will know which is the voice that speaks the new truth that needs to be heard. This is relevant.

Secondly, Protestantism is relevant, in my judgment, in that it is constantly seeking to keep in balance "belief" and "action." Our Bible has the phrase, "faith without works is dead." This means that we do not alone engage in prayer, in reciting our creeds, in liturgy and in worship, but we are also to engage in works and service for the good of mankind. The latter is to give evidence of the validity and sincerity of our faith.

I must share with you some thoughts of colleagues and old friends in the Protestant ministry to whom I wrote telling them of my assignment to prepare these words for you.

All of them spoke warmly of the validity of our meeting together. The voices were one in declaring that our world religions must face each other, talk to each other, learn from each other so that together they may be a more effective instrument for the service of God and man.

But, as I have tried to indicate to you, about the nature of Protestants, their ideas differed as to what is relevant about us. One emphasized that although we are institutionalized, in our freedom we are not dominated by the institution. In freedom the Spirit of God can lead men to change the institution.

Another said Protestantism's relevance was in its sensitivity to the individual, its emphasis on personal confrontation of man to man, the attempt to express Christ's divine love in human love.

Yet another mentioned "reconciliation" between freedom and order, and also between God's grace and man's sinfulness.

I cite these only to underline how diverse we Protestants are, and how individualistic in our emphases.

But "the spirit" of each of my colleagues bespeaks a concern, a commitment and a lovingness which is the spirit that graces our meeting here.

Iqbal, the poet of India's Punjab, wrote "—the true end of the man of the earth is to love each other."

We Protestant Christians believe that . . . and behind our outward noise and diversity, that longing "to love each other" is in our hearts.

THE PERTINENCE OF ISLAM TO THE MODERN WORLD

(By Dr. Seyyed Hoosein Nasr, University of Teheran, Iran)

The cardinal Islamic doctrine of Unity (*altawhid*) emphasizes the need and the necessity for integration. God is One and so man, who is created in "His Form", must become integrated and unified. The goal of the religious and spiritual life must be the complete and total integration of man in all his depth and amplitude. Modern man suffers from excessive compartmentalization in his science and education as well as in his social life, which through the very pressure of technology tends to disintegrate social bonds and even the human personality. The Islamic ideal of Unity stands in stark opposition to this multiplicity and division, reversing the centrifugal tendencies of man which make him ever more prone to dissipate his soul and energy toward the periphery, and returning the soul to the Center.

Today everyone cries for peace but peace is never achieved, precisely because it is metaphysically absurd to expect a civilization that has forgotten God to possess peace. Peace in the human order results from peace with God and also with nature. It is the result of the equilibrium and harmony which can come into being only through the integration made possible by *tawhid*. Islam has quite unjustly been depicted as the religion of the sword and of war whereas it is a religion which seeks to bring about peace through submission to the Will of God, as the name *islam*, in Arabic meaning both peace and submission, indicates. And this is made possible by giving each thing its due. Islam preserves a remarkable equilibrium between the needs of the body and those of the spirit, between this world and the next. No peace is possible in a civilization which has reduced all human welfare to animal needs and refuses to consider the needs of man beyond his earthly existence. Moreover, having reduced man to a purely terrestrial being, such a civilization is not able to provide for the spiritual needs which nevertheless continue to exist, with the result that there is created a combination of crass materialism and an even more dangerous pseudo-spiritualism, whose opposition to materialism is more imaginary than real. And thus we are faced with the endangering of even the terrestrial life which has come to be cherished as the final end in itself. One of the basic messages of Islam to the modern world is its emphasis on the importance of giving each thing its due, of preserving each element in its place, of guarding the proportion between things and discriminating between the snake and the rope. The peace that men seek is only possible if the total needs of man, not only as an animal but also as a being born for immortality, are considered. To be concerned only with the physical needs of men is to reduce men to slavery and to produce problems even on the physical plane whose solution is impossible. It is not religion but modern medicine that has created the problem of over-population, which religion is now asked to solve, by taking away the sacred meaning of human life itself, if not totally, at least in part.

Likewise of vital concern today is peace between religions. In this domain also Islam has a particular message for modern man. Islam considers the acceptance of anterior prophets as a necessary article of faith in Islam itself and asserts quite vigorously the universality of revelation. No other sacred text speaks as much of the universality of religion as the Quran. Islam, the last of the religions of the present humanity, joins in this domain Hinduism, the first and most primordial of existing religions, in envisaging religion in its universal manifestation throughout the cycles of human history. In the metaphysics and theology of comparative religion, Islam has a great deal to teach to those who wish to study comparative religion on a more serious plane than just collecting historical and philological facts. The reason, in fact, why Muslims have been less interested than followers of other religions in comparative religion in modern times is mostly that they have not found any discomforting theological challenges to Islam by discovering the existence of other authentic and valid spiritual traditions.

SIKHISM AND THE SIKHS

(By Sardar Sher Singh "Sher," principal, Shaheed Sikh Missionary College, Amritsar, Punjab, India)

At present, three problems are taxing, or rather torturing, the conscience of the well-wishers of humanity—the dangers of racial discrimination, poverty in plenty and the future of religion in the modern materialistic, warring and scientific age.

Sikhism is a monotheistic religion and it has no dogmatic conflict with the modern science of cosmology, the age and chronology of the earth, and the discovery of new planets about which Guru Nanak (in the 15th century) anticipated modern scientists. It has no concept of "The Chosen People" because it basically believes in panhumanism and brotherhood. It rejects human discrimination of all categories—racial, social, cultural, religious and economic. It believes that the energy and efforts of men are graceful gifts of God and so their results also belong to the Lord Almighty. This concept purges egoism and egotism. Sikhism believes in the Kingdom of God, that the pure will rule. Its scriptures are non-denominational and universal. The militancy and spirituality of the followers of Guru Gobind Singh are melded together in a sacred symbiosis. It has courage to crush the tyrant but uphold the righteous. Its baptism, *pangat, sangat, langar* and *sarovars* are the ideals of democracy and human equality. It places more emphasis on the merits of a noble deed than on mere theories of creed. It is a practical way of life and is not confounded with the hodgepodge of astounding intellectual exercises. It is a religious synthesis having the noble ideas of other faiths. It believes in the earning of one's livelihood with one's hard labour, "kirt karni" which is its first fundamental because it condemns idleness and exploitation and believes that work is worship. Humility to serve and the spirit to face sufferings and sacrifices for humanity are its essentials. It is the youngest of all the religions of the world. Therefore, it can easily make adjustment with the young times and the younger generations.

RELEVANCE OF BUDDHISM TO WORLD RELIGIONS

(By Venerable Piyananda Maha Thera, president, Buddhist Vihara Society, Washington, D.C.)

What the Buddha taught and spoke to his followers is popularly known as Buddhism. Some call it religion, others consider it a philosophy, still others think of it as both religion and philosphy. It can also be called a "way of life". The Buddha's teachings are guidelines for man's spiritual and intellectual upliftment which are helpful not only in his present life but also in the lives to come and ultimately for the attainment of the "Summum Bonum" of Buddhism, called Nibbana. The Buddha Himself called His teaching "Dhammayinaya," the Doctrine and Discipline.

As a philosophy Buddhism is not merely the love of wisdom or a search for wisdom. It is an encouragement of a practical application of the Buddha's teachings for the cultivation of a better and more useful life until one attains enlightenment and becomes the master over all the forces of evil that keep one bound to the world and its cycle of birth, suffering and death. Buddhism also advocates the search for the truth and purity of mind. It is neither speculative reasoning nor theoretical dogma; nor is it mere acquisition and storage of knowledge. It is the application of knowledge to life; looking into life and not merely at it. It is neither a pessimistic nor an optimistic approach to life even though one can see the qualities of both to some extent in it.

With so much in common between the religions of the world, it is unfortunate that there exist even today such wide gaps of misunderstanding and ignorance of the true meaning of the teaching of the different religions. If the followers of the different religions of the world think less about the infallibility of their own faiths and a little more about the good in other religions there would be greater understanding among the peoples of the world. This is the only basis upon which lasting peace between races and nations can be built. I have attempted to show the relevance of Buddhism to other world religions. Now let us take a glimpse of ourselves and the great problems that confront us today.

We have great religions which speak eloquently about the lofty ideals of man. We have science developed to great heights in every field of human need. We have schools and universities in thousands to disseminate knowledge in abundance. The modern world with so much, with its modern maximum efficiency buildings, television sets and jet planes, with its sputniks and satellites encircling the globe, is subject to unprecedented anxieties. We are witnessing both a psychological and a moral breakdown. Mankind is losing respect for law and order. Crime and violence are increasing and youth is in revolt against the established social order, parental control and discipline. In spite of the great increase in knowledge which is now available to most people and the material progress that has been achieved in the past few decades, there is a sharp rise in crime and in mental imbalance. We are also faced with the ever greater danger today of an atomic holocaust which will result in the total annihilation of the human race. Is this the world we are building with all our spiritual and scientific knowledge? What then is the reason for this gloomy prospect? Where have we gone wrong? With all our intellectual advancement we are still children of emotion, and the question which we must ask ourselves is have we regressed? Where can we now look for guidance and direction?

The one and only solution to this dilemma is Religion. Politics was never the answer to it and never will be. But religion is losing its sway on the people of the modern world. Religion has failed to lift human thought above the mundane. It has preached "Love thy neighbour" yet has conspicuously not done so. It praised poverty; deplored the excessive pursuit of wealth, but man sought wealth and power. It is time that each religion turned to its basic sources and preached what its founders really had in mind. But the chief need today is a united voice of all religions raised against evil and hatred, a voice that will convince mankind that love and compassion must prevail if the human race is to survive.

THE RELEVANCE OF RELIGION—ITS ROLE AND VALIDITY

(By Dr. H. M. Munje, the National Spiritual Assembly of the Baha'is of India, Kanpur)

It was in 1867 that Baha'i'ullah (literally: The Glory of God) sent out His Holy imitations to all the rulers and Religious Heads of the world asking them to unite, in the name of God and for the sake of humanity, and thus, lay the foundation of true understanding of universal harmony of the entire human race.

It is heartening to note that this Conference of ours is in keeping with the Spirit of The Baha'i Faith in this age.

The most important and emergent question of the world today is: A planetary solution for the whole of mankind, for a living peace and justice in action.

The failure of highly vaunted schemes, spiritual despair and heartless intrigues are everywhere evident. What is the disease mankind is suffering from? What are its cures? Can we do something in this?

The importance of statesmanship, the increase of Godless movements and the weakening of the pillars of religion has brought about an unprecedented crisis. Unprecedented because it is a World Crisis, demanding a universal solution on all levels and in all walks of human life.

Indeed, the lessons of two world wars have not sufficed to bring mankind to its senses. We are numbed with fear and do not wish to dwell on the awesome reality of atomic warfare. Philosophies, economic systems and politicians have led us nowhere. It is crucial for mankind to find out whether Religion has the answer. Hence, the question of its relevance to modern society; the economic plight of the world and the injustices we see everywhere. How powerful is religion to revive the failing fortunes of a harassed humanity?

Religion is the greatest instrument for the order of the world and the tranquillity of all existent beings. The weakness of the pillars of religion has encouraged the ignorant and rendered them audacious and arrogant. Truly, I say whatever lowers the lofty station of religion will increase heedlessness in the wicked, and finally result in anarchy.

Religion must be the cause of unity of the entire human race, or else it is not worth the name. It is not religion which separates man from man and divides humanity, but, it is our misunderstanding based on misinterpretation of the Divine Scriptures that had played the havoc so far. Hence, it is obvious that we should come to a Universal understanding and nothing less. Herein lies the realization of the true aims and objects of the Temple of Understanding.

A WORKABLE ELECTORAL COLLEGE REFORM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. RARICK. Mr. Speaker, ever since the November elections there have been numerous efforts to promote a public-opinion stampede to abolish the electoral college.

So far, the crisis peddlers have not been able to arouse much public reaction. It may well be that the American people have become sick and tired of wornout slogans and cliches—mere change for change's sake.

I have not proposed any constitutional amendment to reform the electoral college because I felt the crisis atmosphere was artificial—politically motivated—and that any reform desired by the people could be accomplished in their respective States by their own State legislatures.

There are hundreds of arguments and suggestions on voting reforms but I am satisfied the proposal which best fits the needs of the hour is contained in an article by Mrs. Sara Roddis Jones, first vice president of the DAR, which appeared in the DAR magazine for February 1969.

Mrs. Jones feels we should keep the electoral college. Let the people through their State legislatures accomplish the reform, under the existing constitutional provision.

The article follows:

Let's Keep the Electoral College

(By Sara Roddis Jones)

The uneasiness which arose in 1968 concerning the possibility of the presidential election being thrown into the House of Representatives reopened the door to possible change in the electoral system by constitutional amendment. With Members of Congress apparently ready to give serious consideration to various proposals, it becomes imperative that the American people have a full understanding of what is proposed.

The call for constitutional change was prompted by what proved needless fear that no presidential candidate would receive the required majority of electoral votes. In that case, the election would have been thrown into the House of Representatives where each State has a single vote, irrespective of size. There was, however, the possibility that some States would have no vote had their representation in Congress been equally divided between the two major political parties.

Happily, no such eventuality developed. But even when the existing system gave us a new President legitimized alike by an electoral college majority and a popular plurality, demand for change in the electoral system persisted. Great was the hue and cry for a direct national plebiscite; but there are other proposals which have substantial support built up during the years of quadrennial debate on the subject.

The differences between the various proposals to amend the electoral system are so great that it will be exceedingly difficult to agree on any one method of change. In the more than 180 years this Nation has been in existence under the Constitution, some 200 amendments dealing with the method of electing a President and Vice President have been proposed. Only one, the Twelfth Amendment, which was passed in 1803, has won the approval of Congress and the people.

No single part of the Constitution is more generally unfamiliar to most Americans than the provisions pertaining to the electoral college. There are few, indeed, who remember that the electoral college, as provided for in Article II and the Twelfth Amendment, is one of the many "checks and balances" written into the Constitution.

Most of these "checks and balances," including the first ten Amendments which comprise the Bill of Rights were designed as restraints on Government. Not to be forgotten, however, is the fact that the electoral college was devised as a safeguard for the people themselves. It was placed in the Constitution to protect the voice of the minority from the potential "tyranny of the majority" and is, therefore, not to be lightly discarded.

The above is a partial, if very brief, explanation of why the admittedly cumbersome provisions pertaining to the manner of electing a President were placed in the Constitution. It should be noted, therefore, that the Constitution neither anticipated nor authorized the present bloc system of voting which gives the entire electoral vote of a given State to a single candidate, no matter how tenuous his plurality. It is against this practice that the majority of proposed amendments are aimed.

Under the electoral system, as provided for in the Constitution, the President and Vice President are elected *indirectly* in November by the people of the United States through their *direct* choice of electors in each State. The vote of the electors is actually cast in their respective Capitals in December following the election, but current usage has converted this action into an almost routine ceremony. Thus, there is a general tendency today to regard the electoral college as obsolete.

Before tampering with the constitutional provisions pertaining to the electoral college, however, the American people should first understand what modifications are possible through enactment of laws by the States. Before discarding the electoral college as obsolete, the American people also might do well to study the constitutional method of electing a President. In it they might find a means of regaining control of their destiny as a Nation and of removing some of the pressures, both political and financial, which presently attend the nomination and election of a President.

Present constitutional provisions pertaining to the electoral college reserve to the States both authority and responsibility. This is in keeping with our Federal system. Under Article II, Section I of the Constitution, we find the following:

"Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector."

The prohibition that no Senator or Representative could be appointed as an elector is another of the "checks and balances" found in the Constitution. The exclusion of Members of Congress and Federal officeholders is required by the cardinal principle of separation of powers.

THE GENERAL TICKET SYSTEM

It will be observed, also, that it was the intent of the Constitution to give American voters the same numerical representation in selecting a President as they enjoy in their representation in Congress. This objective has long been thwarted by the application of the unit rule, or "winner-take-all" of the electoral votes to which a given State is entitled. This practice began with the introduction of the general ticket system which has been in use since 1832 [1] and has resulted in a system of weighted voting never anticipated by the Framers of the Constitution.

The rise of the two-party system altered electoral procedures before they had a chance to mature. The majority party of each State was quick to see that it might exert maximum influence in electing a President through consolidation of its voting strength by presenting the voters with a predetermined bloc of electors under what is called the general ticket system. Since a plurality is enough to elect, it follows that the political party winning the majority of the popular votes in a given State also wins the entire electoral vote of that State, no matter how marginal the victory. The result is that the electoral votes of 12 highly populated States can elect a President, no matter how the other 38 States vote.

This "winner-take-all" system also tends to limit campaign efforts to the large pivotal States having the greatest portion of electoral votes. A candidate can carry 38 small and medium-sized States and still lose the election. This is how the system works under the unit method and will continue to work unless it is changed.

No less important to the voter is the fact that the general ticket system has the effect of giving the voter in each State as many votes as his State has presidential electors. Thus, when a citizen of New York pulls a voting lever for the presidential candidate of his choice, he is actually casting a vote for 43 electors. A citizen of Wisconsin, on the other hand, has only 12 electoral votes, and those of some States as few as three. Here is no one-man-one-vote system, but, rather, a system of weighted voting which operates to the disadvantage of the citizens of the smaller States.

Equally important is the fact that the entire minority vote of each State is permanently lost when it is added to the majority vote of the winning electors. Can this be fair?

In an article titled *Congress Faces Electoral Reform,* Lucius Wilmerding, Jr., a constitutional authority, provides a partial answer by quoting a statement made in 1824 by Senator Benton of Missouri:

"To lose their votes is the fate of all minorities, and it is their duty to submit; but *this is not the case of votes lost, but of votes taken away, added to those of the majority, and given to a person to whom the minority is opposed.*" [2] (Emphasis added.)

There is nothing in the Constitution which either sanctions or requires the general ticket system. As the above-quoted Senator Benton once remarked:

"The Constitution . . . in giving to each elector a separate vote, instead of giving to each State a consolidated vote composed of all its electoral suffrages, clearly intended that each mass of persons entitled to one elector should have the right of giving one vote according to their own sense of their own interests." [3]

The general ticket system was in dispute long before our time. Neither authorized nor anticipated by the Constitution, the general ticket system is responsible for the only serious respect in which our electoral system has failed to function with fairness.

How then, one must ask, was it possible for the States, all of whom have the constitutional power to decide how electors shall be chosen, to adopt the general ticket system which operates to the obvious disadvantage of not only the smaller States but of the minority in each of the States? The answer lies in the fact that, as State after State adopted the general ticket system in order to exert its maximum influence, the remaining States had little choice but to do the same.

The popularity of the general ticket system among politicians has been best explained by Lucius Wilmerding, Jr., who wrote:

"The general ticket system enables the majority in each State to impress the minority into its service, puts it into the power of a few to govern the election, and enables the populous States to consolidate their votes and overwhelm the small ones. . . .

"From the point of view of popular rights it seems plain that this system should be swept away; the President should be in fact, as he is in theory, the choice of the people. Who can say, however, whether the ruling politicians in the large States can be persuaded to offer up, on the altar of their common Country, powers which, though neither consistent with the rights of the people, the purity of the Government or the harmony of the Union, serve so mightily to increase their own weight and consequence?" [4]

The general ticket system with its consequent unit rule has been the target of many constitutional amendments proposed in the past. The fact is, however, that no constitutional amendment is required. All that is needed is an Act of Congress to abolish the system.

Also, it is within the power of the States to end the general ticket system since the Constitution vests in them the authority to determine the manner in which electors shall be chosen.

However, the reality of the situation is that no State is likely to abandon the general ticket system without the certainty that all other States will do so at the same time. The State of Florida once considered such action, but on reflection decided that this unilateral action would only penalize its own citizens. For this reason, a constitutional amendment may one day become necessary, even though it carries with it the risk of surrendering to the Federal Government the decision as to how electors are to be selected.

BASIC APPROACHES TO ELECTORAL "REFORM"

Generally, the suggested changes follow four basic approaches. They are: first, *direct national election by popular vote;* second, the *proportional system;* third, the *district plan;* and fourth, the *automatic system* which eliminates the elector but retains the bloc system of casting each State's electoral votes.

Footnotes at end of speech.

The disparity of viewpoint represented by these four basic approaches is indicative of the widespread disagreement as to what machinery should be used to correct alleged inequities in the present system. These widely differing viewpoints also explain why, in the past, it has been all but impossible to obtain the necessary two-thirds vote needed in both Houses of Congress before any constitutional amendment can be sent to the States for ratification. In this matter, there is no political cohesiveness and party position, therefore, tends to dissolve before the needs of the individual States.

DIRECT ELECTION

A few years ago, direct election by popular vote appeared to be the proposal least likely to gain general acceptance. However, present-day emphasis upon "democracy" versus the "republican" form of government established by the Constitution makes it easy to present a case for the election of a President and Vice President by popular vote.

Advocates of the *direct election* plan would abolish the electoral college entirely. It is contended that this method would eliminate the weighting of votes that occurs under the general ticket system. They also insist, with no little justice, that the use of the unit rule or bloc system of voting results in undue concentration by candidates upon winning the electoral vote of large "key" States, whereas popular vote would make every vote equal. Finally, it is asserted the *direct election* method would eliminate the need for a contingent procedure and thus prevent the election of a President who receives a minority of the popular vote.

It now appears likely that the liberals in Congress will line up behind the proposal for a direct national plebiscite. But no one has explained adequately why a plebiscite would be more workable. As has been pointed out elsewhere, it cannot guarantee that one candidate will get an absolute majority; on a contrary, it might encourage a multiplication of minor candidates. Also, no one has explained how, in a direct election, the varied criteria for the voting in each State will be reconciled. Will the whole Country have to give the vote at eighteen because Kentucky does?

Direct election constitutes a drastic method of eliminating whatever weakness may now exist in the present system. An important objection is that it would reduce the role of the States in the electoral system and permit the nationalization of election procedures. Election by popular vote would frankly abandon the Federal Union of States and the Federal principle of representation.

Another little understood reason why election by plebiscite has heretofore seemed unlikely to win necessary support is the fact that the electoral college gives some advantage to the small States. To illustrate: The electoral voting system, it must be remembered, gives an advantage to the small States as against the large. New York, with 41 times as many Members in the House of Representatives as Delaware, has slightly less than 15 times as many electoral votes.

Thus, *direct election* would deprive the small or sparsely populated States of the competitive advantage of having two electoral votes for their two United States Senators. To this one might add that the industrial, highly populated States have a corresponding advantage under the present system—their impact on national elections because of the large bloc of votes they are able to deliver.

PROPORTIONAL PLAN

A less drastic plan is the *proportional election plan*. Numerous variations of this plan have been proposed but they have certain basic similarities. The plan would abolish the electoral college and the office of elector, but preserve the electoral vote of each State as it is today—equivalent to the number of Senators and Representatives each State has in Congress.

The difference comes in the disposition of the vote. Each candidate who polled a fraction of the popular vote would receive an identical fraction of the State's electoral vote. The candidate with the greatest number of electoral votes throughout the Nation would be elected President, provided he received a certain percentage of the electoral vote, usually 40 percent.

If no candidate receives the required plurality of electoral votes, there is usually the further provision that the President would be chosen in a joint session of Congress from the two candidates having the highest percentage of electoral votes.

In the past, the *proportional plan* has won substantial support. A brief summary of the arguments for and against this plan was made in 1963 by a Subcommittee of the Senate Judiciary Committee. The Report states:

"The supporters of the *proportional plan* claim that it would tend more accurately to reflect the popular vote, particularly in so-called "one-party" States; that it would be less likely to produce a minority President; and that it would give the voters a more direct voice in the choice of the President. Moreover, those favoring this method believe that it would act to strengthen the two-party system and eliminate the current tendency of the parties to concentrate election efforts in the so-called 'pivotal' States.

"Those advocating other plans or a maintenance of the present system believe that the proportional plan would enable minority parties to get electoral votes and thereby weaken the two-party system; that the vote would still be weighted in favor of small States and give undue importance to areas with less population; that the States would have less importance as units in the electoral process. In addition, they argue that the *proportional plan* might bring pressure for proportional representation in Congress and, possibly, Federal control over voting standards." [5]

DISTRICT PLAN

The *district plan* is more nearly consonant with the present provisions of the Constitution than any of the other proposals. It would retain the electoral college but bind the electors to vote for a specified candidate. Aimed at the bloc system of voting used today, it would operate to prevent the application of the unit rule under the general ticket system.

The *district plan* would apply the same principles of representation to presidential elections that apply in the election of Congress. Each voter, regardless of where he lived, would vote for two State electors chosen at large and one district elector, thus giving equal weight, based on population, to both urban and rural districts.

As in the proportional plan, an alternative method of choosing a President is provided if no candidate receives a majority vote. In this case, the President would be chosen in a joint session of Congress from the three persons with the highest number of votes.

This summary is based on the resolution introduced in the 90th Congress by Senator Karl Mundt of South Dakota, who has been a leading advocate of the *district plan* to meet the inequities which have been allowed to develop under the present system. Of his plan, he says:

"In my estimation, (the *district plan*) is the only plan proposed which would correct the inequities without making basic changes in our constitutional system. It would correct the unfairness by eliminating the general ticket system. It would correct the uncertainty because it would bind the presidential electors to the winning candidate. It would correct the undemocratic factors because it provides for a greater voice for the larger States should Congress be forced to name the President in the event no candidate wins a majority of electoral college votes." [6]

The *district plan* destroys one aspect of our Federal doctrine by establishing a uniform system of choosing electors. On the other hand, one of the best features of the *district plan* is its retention of the electoral college as a buffer against Federal control of elections. The courts have held that the presidential elector is a State officer performing a Federal function, so this office serves to keep the election machinery under State control where it was placed by the Constitution.

Here it should be noted that the electoral college was created with the intent that the President should be elected by the States. Thus, it cannot be stated too often that it is within the present power of the States to abolish unit rule under the general ticket system. Whether they will do so without constitutional amendment is another question. But the fact remains that the Constitution carefully left the manner of choosing electors to the States. This is fundamental to the principle of federalism and the vital role the States were intended to have in the electoral process.

THE AUTOMATIC VOTE SYSTEM

This brings us to the fourth plan, called the *automatic vote system*. Described as "the most conservative" proposal by its sponsors because it would make the least change from present practices, the fact is that this plan would write into the Constitution the very inequities which are the principal target of the three plans outlined above.

The present system of "winner-take-all" of the electoral votes to which a given State is entitled gives the large States excessive leverage in our presidential elections. It can be stated without fear of successful rebuttal that this was never intended by the Framers of the Constitution. As written, the Constitution makes no provision for the unit rule under the general ticket system, but neither is there any prohibition against it. The practice has been made legal by general usage.

Under this proposal, the electoral college would be abolished but the States would retain the electoral votes to which they are presently entitled. This vote would be turned over automatically and *en bloc* to the winner in any given State, thereby perpetuating the weighted system of voting which obtains under the present system.

President Johnson endorsed this automatic plan in January 1965, pointing out the dangers of unpledged electors. Also, his proposal was directed at the possibility that the election might be thrown into the House of Representatives, where each State has a single vote. Since two of the other plans include similar provisions, we omit mention of this part of the amendment.

The most compelling argument against this *automatic plan* is that its adoption would serve as an obstacle to any meaningful reform, if one concedes that reform is needed. Meanwhile, the *automatic vote* is not consonant with the other provisions of the Constitution. Moreover, the bloc system of voting puts a premium on fraud because the juggling of a few votes can swing the electoral votes of the entire State.

THE POWER IN THE STATES SHOULD BE RETAINED

The amending power under the Constitution is deliberately slow and not to be taken lightly. As one studies the various proposals to amend the electoral provisions of the

---

Footnotes at end of speech.

Constitution, one is struck by the fact that no serious effort has ever been made to make those provisions work. *No constitutional amendment would be necessary were the States to abide by the exact provisions of the Constitution and of their own choice abolish the unit rule.*

It cannot be stated too often that it is within the power of the States, *without constitutional amendment*, to institute that part of the *district plan* which would give every voter the equivalent of three votes for President. These three votes would correspond to his representation in Congress: One vote would be for an elector from his district; the remaining two votes would be for electors chosen at large in the State and correspond to his two Senators.

However unlikely this possibility may seem at the moment, perhaps their own self-interest will one day point the way, since any constitutional amendment regarding the electoral process carries with it the threat of further intrusion of the Federal Government in the rights of the States.

It would seem wiser to continue the States' discretion as to the manner in which electors are chosen. It should be noted, however, that this entire matter is complicated by recent decisions of the Supreme Court in regard to reapportionment of Congressional districts and State legislatures. Nevertheless, when the issues are finally resolved, it would appear that before surrendering further rights to the Federal Government the States should consider most carefully the restoration of their important role in the selection of a President on a fair and equitable basis.

Undoubtedly, there are some parts of the electoral college machinery that need repair and/or replacement, but there is nothing wrong with it beyond the power of the States to remedy. Since the Constitution already provides that each State shall appoint its electors in whatever manner the legislature thereof may direct, it is both possible and desirable for every State to preserve the political effectiveness of all of its areas and for all of its people by having its presidential electors chosen separately by the voters of each Congressional district, with only two to be chosen at large as is presently the case with United States Senators. Such a practice would give every voter in the United States exactly three electoral votes and would end the weighted voting which now obtains.

This procedure would be in keeping with the intent of the Constitution. Moreover, as was once pointed out:

"The constitutional integrity of this Country depends upon the constitutional integrity of its constituent States. One of the last bulwarks of defense for the vanishing rights of the States of the Union is now found in the constitutional provisions which lodge control of elections generally, and of presidential elections particularly, in the several States of the Union." [7]

No less important to the States and to the people is the fact that the Constitution provides the authority, if it does not actually command, the States to assume responsibility for the election of the leadership of the Union which they, themselves, established by ratification of the Constitution. Were they to assume this constitutional authority once more, it would be possible to hope that the balance of power between the Federal Government and the States might be restored. Unless the effort is made, there will be no halt to the trend to increasingly centralized Government and the corresponding relentless whittling away of the right of the States and the people. Responsibility for the course to be taken lies in the hands of the American people. Let's keep the electoral college!

FOOTNOTES

[1] *American Electoral College*, by Roger Lea McBride, page 33.

[2] *National Review*, March 7, 1956, page 9.

[3] Ibid.

[4] Ibid, page 13.

[5] *Nomination and Election of President and Vice President, Hearings*, June 4, 1963, page 108.

[6] Congressional Record, vol. 114, pt. 13, p. 17661.

[7] *Electoral College a Bastion of Freedom*, Manion Forum Network Broadcast, November 20, 1964.

REMARKS OF SENATOR HENRY M. JACKSON AT FRANK S. LAND MEMORIAL BREAKFAST

HON. LLOYD MEEDS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. MEEDS. Mr. Speaker, at this time, as never before, we should certainly recognize the importance to our society of good, strong youth programs. Recently Senator HENRY M. JACKSON spoke to a Frank S. Land memorial breakfast and discussed the values of one of our Nation's great youth organizations, the Order of DeMolay.

Senator JACKSON was himself a member and officer of the Cascade Chapter of DeMolay in Everett, Wash., and has been awarded the DeMolay Legion of Honor.

The remarks made by Senator JACKSON will be of interest to all of my colleagues and an inspiration to those who participate in and recognize the contribution of DeMolay. Therefore, I insert the text of his talk in the RECORD:

REMARKS OF SENATOR HENRY M. JACKSON BEFORE THE FRANK S. LAND MEMORIAL BREAKFAST, EVERETT, WASH., FEBRUARY 24, 1969

Imperial Potentate Hogan, Most Worshipful Grand Masters, Imperial Sirs, my colleagues in government, and Brethren, this Frank S. Land Memorial Breakfast is sponsored each year during the Grand Masters Conference to pay tribute to the accomplishments and the memory of a man who devoted his entire adult life to the ideals and principles of Free Masonry.

During his lifetime, Frank S. Land conceived the idea of having this annual breakfast to bring together the leaders in Masonry and the leaders of government to foster a better understanding of the Order of DeMolay. Following his death, the Shrine of North America honored its Past Imperial Potentate by voting to continue this breakfast as a memorial to Frank S. Land, and as a tribute to this unique organization for young men—the Order of DeMolay.

Too often we honor men, rather than their ideals—their dedication to principles; their service to their fellow men; their contributions to and effect upon society.

As a former DeMolay, Frank S. Land will always be "Dad Land" to me—and his ideals and those of DeMolay are as important to me today (if not more so)—as they were when I first became an active DeMolay in Everett, Washington.

When Dad Land held that first meeting in Kansas City 50 years ago next month, I'm sure that he could not foresee the future—

The growth of this organization that was to be the Order of DeMolay;

The thousands of chapters that would be formed across our nation and around the world;

The hundreds of thousands of young men who would learn and practice principles of honor, integrity, trust, patriotism and fidelity as members of a DeMolay Chapter.

The cardinal virtues of DeMolay are the same as those for a good citizen and a truly gentle man: Filial love—reverence—courtesy—comradeship—fidelity—cleanness—and patriotism.

Virtues too often missing today—not alone among our youth, but in adults as well!!

Virtues a young person should learn in his home, but which he must also find outside the home—in his church, school, and within organizations such as DeMolay.

What a boy knows is what he does. What he is to be, he is now becoming.

Dad Land was a concerned individual—concerned about what those young men in Kansas City would learn, and even more concerned about what they would become. He remained concerned, and fortunately thousands of concerned Masons joined Dad Land to serve as advisors, as "dads" in local DeMolay Chapters throughout our nation.

As we honor the ideals of Dad Land this morning, let us also honor those countless men who joined with him and served so many young men for so long and so well.

All of us in Free Masonry have known the darkness and have been guided into the light. The principles and ideals of DeMolay can bring light into the darkness in the lives of many young men today. How much light? And how many young men in our nation? That depends upon how well we take up the challenge of Dad Land and DeMolay.

As one who is deeply interested and concened—as we all must be—in the future of our great nation: I salute the leadership of the Shrine for their support of DeMolay. They deserve our commendation for their foresight and for their continuing support of this open line of communication between Masonry and the youth of our nation.

In this golden anniversary year of the Order of DeMolay, all of us with any responsibilities or influence within Masonry should urge all of our Brethren to accept a golden opportunity for service—service to DeMolay and our youth. By serving the Order of DeMolay, we can bring the light of principles and ideals into the lives of young men in our home communities and states.

Let us rededicate ourselves to those cardinal virtues of filial love—reverence—courtesy—comradeship — fidelity — cleanness—and patriotism.

What better way can we honor Frank S. Land than by keeping the ideals of Dad Land alive among the young men of today and tomorrow? To bring the ideals of DeMolay into the lives of millions of young men for another 50 years—that is a way in which we can put into practice our concern for the well-being of our nation.

Let us dedicate ourselves to bringing that light of the Order of DeMolay into the lives of the young men of our nation today, and in the years to come.

ASSOCIATION OF AMERICAN COLLEGES POLICY STATEMENT ON FEDERAL RELATIONS WITH HIGHER EDUCATION

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. BRADEMAS. Mr. Speaker, the Association of American Colleges, a national organization of undergraduate colleges of liberal arts and sciences, represents the views of 900 member institutions on Federal policy affecting undergraduate education. Since 1915 the AAC has been an outstanding advocate of ideas to improve the quality of undergraduate education.

January 14 and 15, 1969, the AAC held its annual meeting and adopted a series of resolutions from which was derived a "Statement of Policy on Federal Relations With Higher Education."

Mr. Speaker, the ACC policy statement is addressed to some of the most important issues confronting undergraduate education, including poverty and racial discrimination; the so-called "student unrest" amendments enacted during the 90th Congress; the need to bolster Federal support of international exchange programs and, also, the need for Congress to appropriate money authorized by the International Education Act of 1966; and the question of selective service law.

Mr. Speaker, because this cogent policy statement deserves the close attention of all persons interested in the relationship of the Federal Government to American higher education, I under unanimous consent, insert the statement in the CONGRESSIONAL RECORD:

ASSOCIATION OF AMERICAN COLLEGES—STATEMENT OF POLICY ON FEDERAL RELATIONS WITH HIGHER EDUCATION

1. INTRODUCTION

The policy of the Association of American Colleges is primarily embodied in resolutions adopted by the Association in annual meeting, although the Board of Directors has full power under the constitution of the Association to formulate policy in the interval between annual meetings. Resolutions are presented to the annual meeting by the Committee on Resolutions. Procedures have been established for the Committee on Resolutions to obtain suggestions from the membership at large and from the standing commissions of the Association. Members of the Association are afforded opportunities through public hearings and through floor debate to participate in the formulation of Association policy.

The following statement of policy represents the Association's present position on issues involving the relationship of higher education to the federal government.

2. POVERTY AND RACIAL DISCRIMINATION

The American nation has a duty to provide effective help in overcoming the disabilities of poverty and racial discrimination. Genuine equality of educational opportunity is an indispensable means to that end. The Association of American Colleges therefore recommends as a matter of extreme urgency that the legislative and executive branches of the federal government take immediate action to increase the funding of educational opportunity grants and other programs for the benefit of disadvantaged students and to ensure that both the statutory framework and the actual administration of all programs of federal support for higher education are such as to preclude discrimination against members of racial minorities.

3. SELECTIVE SERVICE

The Association of American Colleges recommends to the President and Congress that prompt and active study be made of the possibility of replacing the present system of selective service with a system of voluntary recruitment.

Meanwhile the Association urges:

(1) that legislation be enacted to amend the existing law by replacing the present system of selection, which requires the drafting of the oldest men first with a system of random selection from the entire pool of eligible men who have not been granted deferment;

(2) that there be no extension of the policy of granting deferment to graduate and professional students on the basis of their fields of study except in the case of narrowly defined fields of specialization in which there is an acute shortage of trained manpower;

(3) that all full-time undergraduate students enrolled in any regular course of study at a recognized institution of higher education be entitled to the same classification under the Military Selective Service Act regardless of whether the course is designed to lead to a bachelor's degree;

(4) that it be made an explicit and binding public policy that no registrant under the Military Selective Service Act shall be so classified as to be liable to induction because of an offense against that Act or any other public law.

4. COLLEGE TEACHERS

Through its several fellowship programs, notably those of the National Defense Education Act and the National Science Foundation, the federal government has contributed significantly to the supply of qualified college teachers. For the future, the Association believes that the federal government should endeavor to coordinate the various graduate fellowship programs of its agencies so as to provide appropriate balance between the scientific and humanistic disciplines, with funding adequate to assure a regular flow of qualified persons into college teaching.

5. TEST OATHS AND ADMINISTRATIVE PENALTIES

The infliction of penalties otherwise than by due process of law and the imposition of test oaths are repugnant to our national tradition and may indeed infringe the constitutional rights of American citizens. The use of such procedures in federal programs of support for educational institutions or assistance to students constitutes unfair and unreasonable discrimination against individuals dependent on such programs. Legislative prescription of such procedures derogates from the right and duty of academic communities to preserve their institutional integrity against any influence that may tend to disrupt it. The Association of American Colleges has publicly emphasized the obligation of its members to uphold the common interest of the academic community and the larger society in the maintenance of peace and order on campus. The Association therefore urges the President and Congress of the United States to eliminate from educational legislation all loyalty oaths, disclaimer affidavits, discretionary powers for public officials to exclude qualified individuals on unstated grounds from participation in federally supported programs, and statutory requirements for the exclusion of qualified individuals from the benefit of such programs on the ground of offenses against public order or institutional regulations.

6. COLLEGE HOUSING

For well over a decade, the federal College Housing Loan Program has made it possible for colleges and universities to keep pace with increased enrollments of students who wish residence on campus to be part of their college experience. The Association urges the continuation of this program on terms that will permit institutions to borrow at low interest rates for renovation, replacement and additional construction, thereby making it possible to hold down the cost to the student of living on campus.

7. INTERNATIONAL EDUCATION

The Association has long supported the federal government's programs for international exchange of students and teachers, since it believes that these programs enhance international and intercultural understanding by offering the participants in them uniquely valuable educational experiences.

For similar reasons it actively supported legislation to give effect to the Florence and Beirut agreements to facilitate the international exchange of educational, cultural and scientific materials. The Association also worked for the adoption of the International Education Act of 1966 which would explicitly authorize support of programs to strengthen and improve undergraduate instruction in international studies.

The Association will continue to press for appropriations sufficient to maintain international exchange programs at levels which will involve significant numbers of Americans and overseas visitors. The Association will likewise continue to urge the Congress to fund the programs authorized by the International Education Act of 1966, especially those programs that affect undergraduate education.

8. EQUALITY OF ACCESS TO FEDERAL PROGRAMS

Diversity of institutional governance is one of the hallmarks of American higher education. Our colleges and universities have thrived and grown whether under public or under private sponsorship, either church-related or non-denominational. Historically, the federal government has looked to every variety of American college and university for research and services. The Association holds it to be a fundamental principle of sound federal legislation and administrative policy that public institutions and private institutions, whether church-related or not, should be accorded equal access to all federal programs. The same principle should apply to representation on advisory bodies and reviewing panels established by government agencies.

9. FINANCING OF HIGHER EDUCATION

The Association of American Colleges, cognizant of the rising costs of higher education, believes that these costs cannot be offset by present methods of public and private funding of colleges and universities. State and local governments and private philanthropy must provide increasing support for higher education; but the federal government must be prepared to make a larger commitment of its resources than it does at present and it must be prepared to commit these resources to different purposes.

Specifically, the Association urges the federal government (1) to expand its program of grants for academic facilities and to ease the matching requirements for such grants; (2) to establish a comprehensive student aid plan that will emphasize grants toward the cost to the individual of obtaining a higher education; and (3) to establish a system of institutional grants for the support of general instruction in colleges and universities.

The Association pledges itself to work through its Board of Directors, commissions, officers, and staff, with other concerned associations toward the early development of specific legislative proposals to these ends, to be presented to the executive branch and the Congress.

The Association of American Colleges approves in principle the statement, Federal Institutional Grants for Instructional Purposes, as approved by the Board of Directors on 4 November 1967, and it commends this statement to the attention of Congress and the executive branch of the federal government as well as to the concerned general public.

10. TAXATION

The major sources of financial support for higher education are state and local appropriations, tuition payments, private philanthropy and corporate gifts, and federal grants and contracts. The Association believes that federal tax policy should continue to maintain the principle that contributions by individuals and corporations to the support of higher education are deductible from taxable income and to accord exemption from federal excise and transportation taxes to colleges and universities, whether publicly controlled or operating as private, non-profit corporations.

Recognizing that the Association of American Colleges remains on record as favoring income tax credit for personal expenditures for higher education, the Association urges its own staff, the United States Office of Education, the Secretary of the Treasury, and other appropriate individuals and organizations without delay to make careful and serious studies of the effects of using tax credit legislation for personal expenditures as a major means of financing higher education.

11. FUNDING, STAFFING, AND STATISTICS

Since 1958, Congress has delegated to the United States Office of Education administrative responsibility for major programs of vital concern to colleges and universities. In order that institutions can make effective use of the funds made available for these programs, it is necessary that funding be not only adequate but also timely in relation to the regular cycles of decision-making on college campuses. Likewise, it is necessary that the Office of Education be adequately staffed to administer these programs.

Therefore, the Association will continue to press for programs affecting higher education to be fully funded at authorized levels. The Association hopes that the Office of Education will continue its policy of full and frank consultation with representatives from colleges and universities and that it will continue to improve its procedures for collecting and disseminating statistical information necessary for sound planning and effective administration at the institutional level.

AMERICAN YOUTH EXCHANGE—TEENAGE AMBASSADORS

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. FASCELL. Mr. Speaker, an article which appeared some time ago in the official publication of the Florida Education Association has recently been brought to my attention.

The article, which was written by a constituent of mine, details the success of an exchange program of students from this country and six Latin American countries. The program is operated under the auspices of American Youth Exchange, Inc.—AYE—which is a chartered, nonprofit Florida corporation.

Under the program, a student from the United States goes to live with a Latin American family for 10 weeks during his summer vacation, while a youngster from South America comes to this country during the school year. Each student lives with a family in the country he visits and is thus able to absorb the customs and culture of his adopted country.

Mr. Speaker, I would like to bring this article by Mrs. Beatrice Peskoe to the attention of our colleagues so that they may learn of the success of this outstanding program:

AYE—TEEN AMBASSADORS

(By Beatrice Peskoe)

A Florida tourist, walking thru the Buenos Aires suburb of Lanus, is startled to come upon the Norland School.

Is he suddenly back in Dade County?

In a way he is.

To Professor Roberto Nouche, director of the new private school, "Norland" means a great deal. It is the name of a high school in Miami where many of his students have spent ten weeks as exchange students in the United States.

It is a salute to the United States, a mark of great admiration for his counterparts here, and affection for the families who hosted his students.

Dr. Nouche's dedication to the idea of student exchange goes deep. He serves as secretary of the Buenos Aires Chapter of American Youth Exchange, Inc., an organization which arranges study abroad at the high school level.

Chartered as a non-profit Florida corporation six years ago, American Youth Exchange was established by four Miami families whose children had studied in various Latin American countries. They saw the benefits of such an experience, and agreed to organize a low-cost exchange program that would provide the same opportunity for students and families everywhere. The guidelines were simple: Make it readily available to qualified students, run it on a reciprocal basis, and keep it low in cost so that families of average means could participate.

AYE has grown to include chapters in 14 states and in six South American countries.

During our summer vacation a U.S. student travels to a country of his choice and is placed with a family having children his own age. In return, a South American youngster comes here and lives with a family for ten weeks during the school term.

This is the key to the program. As a member of the family he absorbs, in a perfectly natural way, the customs and culture of his ten-week adopted country. More than an individual adventure, it is a total family experience.

Misconceptions are shattered. The Latins are surprised to see their new mothers do their own housework and cooking. And, wonder of wonders, not all the food comes in cans. It works both ways. On a sightseeing trip a bus driver, pointing out all the new gadgets on his brand new bus, asks "Do you have buses like this in Argentina?" "Well, no," says our visiting friend, "We have television on ours."

There are also similarities: The cruzeiros have been exchanged for dollars. Our little visitor makes her first purchase and carefully counts out the required amount. After the second purchase she knows precisely what the dollars and cents are, and her joy in spending is alarmingly like that of her Fort Lauderdale sister. Or, take the Brazilian at the school dance. He carries off first prize in the dance contest. For his Samba? Not on your life. It's for the Mashed Potato.

High schools receiving AYE students waive the tuition fees that normally apply to nonresidents. But there is no financial commitment on the part of the school, the student body, or the community. Visiting students are enrolled subject to all regulations, and they must attend school regularly.

Relationships are warm and enduring. Peter was one who created his own special place. Ten weeks went all too fast, and on his last day at school so many friends wanted to wish him well that an assembly was held for proper goodbyes. Peter walked thru the long lines of students shaking hands with the boys and kissing the girls. The friendships continue even now, between Peter at medical school in Colombia and his friends at college here.

Courses vary with the individual and the advice of the school counsellors. If it seemed strange at first that so many Marias were urged to study Spanish "to improve their English" the mystery was cleared up when one Spanish teacher confessed she didn't know how much English Maria had learned, but there was no doubt that Mary had learned Spanish . . . and with accents only a native could teach.

In other ways, too, exchange students bring to their schools a whole new dimension in learning. Take, for example, Chuck Anderson, who played football at South Dade, and spent a summer in Argentina. He made every point-after-touchdown. How could he miss? . . . he was using a soccer kick!

High school students between the ages of 15 and 18 are eligible. Qualifications include passing grades, eagerness to learn, and good health. A strong sense of responsibility is vital, since these young people are, in fact, representing their own country abroad. A letter from Peru: "We go to the Roosevelt School and there are students from all over the world. Yesterday I gave a talk on life in the United States and there were so many questions."

Teachers' recommendations carry great weight in the selection of students. After family attitudes and home environment are measured through interviews final selections are made by the AYE chapter at the local level.

The reciprocal arrangement keeps costs low. Because so much of the living expense is exchanged the only cost to the natural parents is for registration, transportation (at greatly reduced group rates), insurance, and spending money.

Homles Braddock, a member of the Dade County School Board, has said "AYE's exchange program makes good sense. The student, using his vacation time to enrich his own learning experience, also brings back to his schoolmates a deeper interest in world affairs."

Juanita Yanes, a teacher at Chamberlain High, Tampa: ". . . when they come back it's marvelous. Such a big step forward! Their grammar is excellent. . . . I think it's because of the fine families they live with." Miss Gill, at Plant High, Tampa: "The whole program is excellent. It broadens the students tremendously."

Student exchange programs are a practical approach to communication and understanding among our young people. It was a Florida boy who, while walking with his AYE brother in South America, was shaken momentarily at the sight of a crude, scrawled sign "Yanqui go home." His brother put his hand on his arm. "Take me with you," he said.

RASH OF DERAILMENTS POINTS UP NEED FOR TIGHTER SAFETY RULES

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. DULSKI. Mr. Speaker, the mounting rash of railroad accidents and derailments demands tighter safety regulations to protect the American people.

In the past 10 years, the number of accidents and derailments has risen steadily until last year the incidents averaged 450 a month—that is 15 a day—and the average now is approaching 500.

This should be a matter of concern not only to the railroads and their employees but also to the general public which is constantly endangered by the breakdowns in rail equipment and trackage.

The railroads are carrying cargo that in many cases is volatile and otherwise dangerous to the extent that it can threaten human life and property.

Just in the past several weeks, there have been two derailments involving hazardous materials, in Crete, Nebr., and in Laurel, Miss. Both accidents occurred in residential areas and endangered many innocent individuals. There have been several similar derailments in my own Buffalo, N.Y., area in recent years. Such dangerous incidents now are occurring at the rate of eight to 10 a year.

There are safety rules and inspections laid down by the Department of Transportation which it inherited from the Interstate Commerce Commission when it took over the safety responsibility in April 1967.

It is clear that these rules and inspections are inadequate to deal with the problem today. The Federal Railroad Administration has inadequate jurisdiction and insufficient staff. Even now, the staff is deluged with complaints that wait months for attention.

I am studying remedial legislation, but this is a complex area and I want to be sure that recommended changes will do the job that needs to be done.

The transfer of safety supervision from the Interstate Commerce Commission to the Federal Railroad Administration apparently is not a factor in the accident increase, because there was provision for continuity. The former Interstate Commerce Commission staff and regulations went along with the shift.

The increase in the number of accidents has been steady since 1961 and has nearly doubled in that period. In 1962, the average was 240 a month. Last year, there were 5,300 accidents reported—about 450 a month. At the end of the year, the number was running closer to 500 a month.

Mr. Speaker, following is an article from the February 15 edition of Labor newspaper:

DERAILMENTS REACH 450 A MONTH—INJURIES OCCUR IN LATEST ACCIDENTS

Derailments continue to mount. A tabulation by the federal Railroad Administration for the first eight months of 1968 shows 3,587 derailments occurred in that period around the nation—an average of nearly 450 a month.

This figure has been rising steadily in recent years and is now at least 70 per cent above five years ago. An Interstate Commerce Commission tabulation discloses that in 1963 the average of derailments was approximately 260 a month and in 1962 less than 240.

Meantime, the latest reported derailments included these, among others:

Chillicothe, Ill.—12 passengers were injured when five cars of an eight-unit Chicago-to-Los Angeles train derailed west of here. Six of the injured passengers were hospitalized.

New Palestine, Ind.—in the week's most sweeping derailment, all 25 cars, and two engines of a Baltimore & Ohio coal-carrying freight jumped the tracks near here.

Lavergne, Tenn.—26 piggyback cars in a 70-car Louisville & Nashville train left the tracks here, shearing phone and power poles and disrupting utility service.

Wren, Ohio—9 cars of an Erie Lackawanna freight derailed here, blocking highway traffic. Some of the cars smashed into an old elevator.

Anna, Ohio—15 cars of a Baltimore & Ohio freight jumped the tracks near here. An overheated journal was believed responsible. Both Wren and Anna are in the Lima area.

Sandy Hook, Md.—23 cars of a fast B&O freight derailed here, blocking rail and highway traffic.

Klamath Falls, Ore.—48 cars of a 90-car Southern Pacific freight derailed at Chiloquin near here. A brakeman, Theodore Williams of Klamath Falls, was injured and a fire broke out destroying a boxcar loaded with newsprint. Just two weeks earlier, 34 cars of another SP freight derailed near Klamath Falls.

Scranton, Pa.—42 cars of a 77-car Delaware & Hudson freight jumped the tracks near here. Firemen from the town of Moosic were called to the scene because of a threat of fire from leaking fuel oil.

Bryan, Ohio—two cars of a Penn Central freight derailed at the same spot where 16 cars left the tracks a week earlier. In both instances, worn-out journals were blamed.

East St. Louis, Ill.—two cars of an Illinois Terminal Railroad freight derailed near here. A bad wheel on one car was blamed.

On another front, the National Transportation Safety Board announced it would hold a public hearing March 4 at Jackson, Miss., to take testimony on the cause of a serious derailment on Jan. 25 at Laurel, which resulted in a series of explosions and fires involving over 15 tank cars of the Southern freight train. Many persons were injured at Laurel and there was widespread property damage. Also, Board representatives went to the accident scene last week for an on-site investigation.

McKEESPORT LITTLE TIGERS

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. GAYDOS. Mr. Speaker, it is with great pride and admiration that I call attention to the extraordinary national and international accomplishments of one of our local Midget Football teams, the McKeesport Little Tigers.

Not only have they compiled an impressive won and lost record, but the fine training and discipline these boys receive, must certainly be of inestimable value to them and our Nation as they grow into manhood and assume their places in society.

Only by diverting the boundless energies of youth into constructive and competitive channels, can we hope to combat the antisocial attitudes and behavior so prevalent in our country today.

At this point, for the RECORD, I include excerpts from a brochure prepared by the McKeesport Little Tigers:

EXCERPTS

OUR HISTORY

The McKeesport Little Tigers is a midget football team that has been coached by Bill Lickert since 1954. Since Mr. Lickert has coached the team, they have been members of the Allegheny County Midget Football League. Much to the amazement of their competitors, they have managed to cop the championship in that League every year since 1957 with the exception of 1962. This League consists of nine teams in the Allegheny County area.

The Little Tigers have become a nationally known organization. Their win-loss record under Mr. Lickert has been very impressive. They have played a total of 204 games during the last fifteen seasons. These include 191 wins, nine losses, and four ties. Of the last 57 games played 56 have been won, the remaining game was a tie. They have not lost a regular season game since 1962. A win record of 83 out of 88 games in the last six years has been racked up by the Little Tigers while playing all over the nation and now in Mexico.

In addition to their regularly scheduled League games each year, the Little Tigers play a number of exhibition games. These include competition with many out-of-state teams. In the past three years they have played teams from New York, West Virginia, Maryland, Ohio, Florida, Texas, and Monterrey, Mexico.

OUR PURPOSE

The boys playing for this organization are coached with the purpose of the quotation "It is easier to build boys than to repair men."

This team is composed of boys of the ages from ten to fourteen. They have a stripped weight limit of 120 pounds. Skin color, religious belief, or social background do not give a boy a place on the team. Their ability and desire are the essential requirement.

OUR ADULT PERSONNEL

Our adult personnel consists of many people. It does not include just a head coach. We have several assistant coaches. A Board of Directors heads our organization. We have a Secretary-Treasurer, a Business Manager, Publicity and Public Relations workers, Coordinator, etc. These people are all unpaid for their services. This year's list of adult personnel included:

Head Coach: Bill Lickert.

Backfield Coaches: Bob Irwin, Bill Lickert, Jr., Frank Cuda.

Line Coaches: Lou Washowich, Gary Christian, Tony Litteri.

Board of Directors: Dr. J. C. Kelly, Dr. Norman A. Schwartz, Dan Natale, Robert E. Thomas, William E. Lickert.

Business Manager: Jack Baldridge.

Team Physician: Dr. Norman A. Schwartz.

Secretary-Treasurer: Robert E. Thomas.

Publicity: Whitey Klimon.

Co-Ordinator: Maxine McElnavy.

Transportation Consultant: Harvey C. Taylor.

Public Relations: Jim Acton.

OUR TEAM SELECTION, WHERE WE PRACTICE, ETC.

Each year on August 1 the coaching staff meets all boys of the vicinity who are interested in becoming a Little Tiger. This sometimes draws as many as 300 boys. We are permitted in our League to carry only 33 boys, so this involves much observation and cutting down by the coaches. Once the most likely candidates have been chosen, we are privileged to take these boys to Laurel State Park for a week's intensive training.

Our practices are held at Renzie Park in McKeesport. The city gives us permission to use the field there as a practice field. We have our home games in one of three different places—Serra High School field, War Memorial field, or at Renzie Park. The city installs lights for us each year at Renzie Park. These are used for our practices and any of our night games are played under these lights.

Once the team has been selected, the boys practice every evening, Monday through Friday from 6:00 to 8:00. Most games are scheduled on Saturdays.

OUR EQUIPMENT

Our boys are well protected during practice and during games. They have the latest in safety protection as a standard part of their uniforms. We are able to dress our boys in four different sets of uniforms for game play. All necessary equipment both for practice and game use is furnished to every boy. No boy has to provide any portion of his equipment. We have a blaster and a seven man sled for use in our practice sessions.

Insurance protects all of our equipment. We have medical insurance to cover our players, although we have had no serious injuries in our organization.

Throughout the year we have a group of managers who maintain and distribute the equipment. Each year necessary renovation is taken care of by the organization.

OUR FINANCIAL MEANS

The McKeesport Little Tigers is a charitable organization. All of our expenses are met by donations of interested individuals and organizations, by the selling of raffle tickets, and by the efforts of a hard-working mothers club.

With the help of our benefactors we have been able each year to take the boys on a trip at the end of each season for the past thirteen years. We consider these trips to be of great educational value to these boys.

Each year the mothers club accepts some project as theirs for the year. They have provided much of the equipment and uniforms for the boys.

OUR TRIPS SINCE 1956

1956—National Milk Bowl, San Antonio, Texas.

*1957—National Milk Bowl, San Antonio, Texas.

1958—Sunshine Bowl, Daytona Beach, Florida,

1959—Conch Bowl, Key West, Florida.

1960—National Milk Bowl, Pharr, Texas.

1961—National Milk Bowl, Pharr, Texas.

*1962—National Milk Bowl, Pharr, Texas.

1963—Blue Grass Bowl, Lexington, Kentucky.

*1964—Circus Bowl, Sarasota, Florida.

1965—National Milk Bowl, McAllen, Texas.

1966—Optimist Bowl, Hialeah, Florida.

1967—National Milk Bowl, Durham, North Carolina.

1968—Junior Oil Bowl, Port Arthur, Texas.

1968—Junior Bowl, Monterrey, Mexico.

*These games were lost by Little Tigers.

OUR 1966 RECORD—WE WON THEM ALL!

Opponent:	*Score*
Wellsburgh, W. Va	52–0
Columbus, Ohio	34–0
*North Braddock, Pa	44–12
*Freeport, Pa	47–6
*Wilmerding, Pa	40–0
*Fort Cherry, Pa	47–0
*Wilkinsburgh, Pa	46–6
*Lower Burrell, Pa	33–0
*Aliquippa, Pa	27–0
*Penn Hills, Pa	19–13
*Vandergrift, Pa	14–0
Mon-Yough, Pa	33–7
Durham, N.C., Elks	34–6
West Seneca, N.Y	49–13
Monroeville, Pa	55–6
Hialeah, Fla	28–14

* Games are League games, the rest are exbition.

OUR 1967 RECORD—THE WINS CONTINUE!

Opponent:	*Score*
Penn Hills	41–0
West Seneca, N.Y	32–0
*Wilmerding	47–0
Wellsburg, W. Va	36–0
*Monroeville	41–0
*Penn Hills	47–0
*Wilkinsburg	52–0
*Fort Cherry	40–0
*Banksville	34–0
*Aliquippa	35–7
*North Braddock	33–6
*Jeannette	40–0
Hazelton, Pa	33–0
Tonawanda, N.Y	18–7
Durham, N.C., Elks	35–0

* Games are League games, the rest are exbition.

OUR 1968 RECORD—WE WON ALL BUT ONE— TIED THAT ONE!

Opponent:	*Score*
Fort Cherry	34–0
Freeport	33–7
Mon-Yough	25–0
*Monroeville	20–7
*Jeannette	39–0
*Penn Hills	33–0
*Wilkinsburg	45–0
*Lincoln-Larimer	38–6
*Wilmerding	41–0
*North Braddock	32–0
*Fort Cherry	25–0
Randallstown, Md	13–13
Lockport, N.Y	32–7
Vandergrift	33–6
Port Arthur, Tex	26–0
**Monterrey, Mexico	25–0

*Games are League games, the rest are exhibition.

** Just our Little boys played this one.

OUR MILK BOWL GAME

We also are able to provide some limited activities for girls in the same age category as the boys on the team. We have an active group of cheerleaders to help provide enthusiasm at our games. Each year on Veteran's Day we play our local Milk Bowl Game. For several weeks prior to the game girls from 10 to 14 are invited to compete for the title of Milk Bowl Queen. The girl who sells the most tickets to the game is our queen and the next two highest salesmen are attendants. The queen is crowned at the game by the mayor of McKeesport. She is invited to go on the trip with the team at the end of the year, expenses paid.

Our opponent for this game is always an out-of-state team. We are given permission to use an enclosed pavilion at Renzie Park for the three or four days that our guests are in town. The local hospital provides cots and bedding. The organization provides the food, and we have the pleasure of having a retired chef do our cooking for this period of time and also for the week the boys are in camp. If all goes well, we may be able to entertain our Mexican friends for this occasion this year.

OUR GRADUATES

Very few boys trained to play with Little Tigers do not go on to play high school football. We have found that many of them eventually are awarded college football scholarships. We are very proud now to claim some of our alumnae as professional football players. One of our boys is also playing professional basketball.

In the pro ranks at present we list: Jim Bienne—Houston Oilers, former All American at Purdue, Frank Liberatore—Washington Redskins, at present farm team, Bill Miller—Oakland Raiders, Ross Fichtner—New Orleans Saints, Fred Lewis—Indiana Pacers basketball team.

Recent college graduates include: Bob Bazylak—University of Pittsburgh quarterback last year, Rick Litteri—will graduate Lafayette University this year and served as captain of this year's football team there.

There are eight high schools in the surrounding area that have boys on their varsity teams that received training with Little Tigers. Many of them play varsity first string before reaching their senior year.

OUR TRIP TO MONTERREY, MEXICO

This past Christmas season it was our pleasure to play in the Junior Oil Bowl in Port Arthur, Texas. From there the boys were admitted as guests of the Cotton Bowl officials for the New Year's day game in Dallas. We then went to Monterrey, Mexico. There the Little Tigers were welcomed as the first American Football Team in their category to visit. Our smaller boys played a 105 pound weight limit team from Monterrey and won the game 25–0.

We were accepted as "Little Ambassadors" from the United States. We are hoping to develop this friendship even further by having these Mexican boys visit us this fall. Perhaps we will return to Monterrey next year. Upon our return to Pennsylvania we received special resolutions from our Allegheny County Commissioners and from the City of McKeesport recognizing us for the good will created on our Mexican trip.

During our short stay in Monterrey each of the boys had the opportunity to spend a night in a Mexican home. The Governor of Nueva Leon requested an audience with us and welcomed us to his country and state. Our American Consulate in Monterrey said that our visit did more than millions of dollars could have done to promote friendship between Mexico and the United States.

HOUSE OF REPRESENTATIVES—*Monday, March 3, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

O come, let us worship and bow down; let us kneel before the Lord, our Maker. Psalm 95: 6.

O God, our Father, out of the confusion of the world we come with humble hearts to worship Thee. From the things that man has done we come into Thy presence to think of what Thou hast done for man. As we wait upon Thee, renew in us the spirit of wonder and joy and love.

From our worship send us out into this day to be better citizens of our beloved country. Put depth and devotion and dedication into our patriotism. May we not simply salute our Nation's flag and sing our country's songs, but may we shoulder some burden of useful and redeeming service for this land we love with all our hearts. Enlist each one of us in the ranks of those who serve their community and who lift the level of our public life. Thus may we make of our land a fairer place in which our children may live and grow.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, February 27, 1969, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1058. An act to extend the period within which the President may transmit to the Congress plans for reorganization of agencies of the executive branch of the Government.

The message also announced that the Vice President, pursuant to Public Resolution 32, 73d Congress, appointed Mr. CHURCH to the U.S. Territorial Expansion Memorial Commission in lieu of Mr. Morse, retired.

The message also announced that the Vice President, pursuant to Public Law 90-448, appointed Mr. TOWER and Mr. PERCY as members, on the part of the Senate, of the National Advisory Commission on Low-Income Housing.

BOARD OF VISITORS, U.S. COAST GUARD ACADEMY

The SPEAKER laid before the House the following communication from the chairman of the Committee on Merchant Marine and Fisheries:

Hon. JOHN W. MCCORMACK,
The Speaker,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to section 194 of title 14 of the United States Code, I have appointed the following members of the Committee on Merchant Marine and Fisheries to serve as members of the Board of Visitors to the U.S. Coast Guard Academy for the year 1969: Hon. FRANK M. CLARK, of Pennsylvania; Hon. ALTON LENNON, of North Carolina; and Hon. JAMES R. GROVER, JR., of New York.

As chairman of the Committee on Merchant Marine and Fisheries, I am authorized to serve as an ex officio member of the Board.

Sincerely,

EDWARD A. GARMATZ,
Chairman.

THE LATE ROBERT L. MAY

(Mr. HARSHA asked and was given permission to address the House for 1 minute.)

Mr. HARSHA. Mr. Speaker, Robert L. May, 46, assistant minority counsel of the Committee on Public Works and minority counsel of the Special Subcommittee To Investigate the Federal-Aid Highway Program, U.S. House of Representatives, died of a heart attack yesterday at Holy Cross Hospital in Silver Spring, Md.

Mr. May served the Committee on Public Works with dedication and distinction for more than 7 years. Prior to joining the committee staff, he served as assistant general counsel of the U.S. Bureau of Public Roads from 1957 to 1961 and was assistant attorney general of the State of Oregon and assistant chief counsel and chief counsel of the Oregon State Highway Department between 1949 and 1957.

He was born in Newport News, Va., reared in North Carolina, and graduated from Duke University Law School in 1948. Mr. May was admitted to practice law before all of the courts of the State of Oregon, the U.S. District Court for the District of Oregon, and the U.S. Supreme Court. He was a member of the Oregon State Bar Association, the Federal Bar Association, Phi Alpha Delta Law Fraternity, the contracts committee of the department of legal studies of the highway research board of the National Academy of Sciences, the Capitol Hill Club, and a past charter member of chapter 3, Oregon, of the American Right-of-Way Association. He served in World War II and the Korean campaigns, rising to the rank of captain in the Air Force.

Survivors include his wife, Mary Alice "Mickey," and a son, Rodney Hardin May, of the home at 13527 Vandalia Drive, Rockville, Md., a daughter, Robin Lynn May, of Washington, D.C., and a brother, James R. May, of Chattanooga, Tenn.

Mr. Speaker, on behalf of myself and the minority members of the Committee on Public Works, I wish to extend to his lovely wife and family our deep sympathy in the passing of this fine man.

Friends may call at Joseph Gawler's Sons Funeral Home, 5130 Wisconsin Avenue at Harrison NW., Washington, D.C., on Monday, March 3, between 7 and 9 p.m. and on Tuesday, March 4, between 2 and 4 p.m. and between 7 and 9 p.m.

Funeral services will be held at Northminister Presbyterian Church, Alaska Avenue and Kalmia Road, immediately west of Georgia Avenue, one block south of the Maryland State line, Washington, D.C., on Wednesday, March 5, 1969, at 11 a.m. Interment, with military honors, will be at Culpeper National Cemetery, Culpeper, Va., Wednesday, March 5, at 2 p.m.

Flowers may be sent to Joseph Gawler's Sons, Inc., Wisconsin Avenue and Harrison Street NW., Washington, D.C., or contributions may be made to the American Heart Fund.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. HARSHA. I am glad to yield to the distinguished gentleman from Oklahoma.

Mr. EDMONDSON. I am shocked and very saddened by the news of the loss of Bob May. I had the opportunity to get to know Bob well during his services with the Public Works Committee. He was a fine lawyer, a dedicated American, and one who will be missed because of his competence and because of his fine personality by members on both sides of the committee. I certainly join the gentleman in expressing our very deepest sympathy to his family.

Mr. HARSHA. I thank the gentleman.

Mr. ROBISON. Mr. Speaker, like those many others who had the privilege to know and to work with the late Bob May, assistant minority counsel on the House Committee on Public Works, I was shocked and saddened to hear of his untimely death.

Bob May was one of the most knowledgeable persons I have ever met in connection with the work of this committee—on which it used to be my privilege to serve—with his special field of competence relating to the Federal highway program. He was one of those truly dedicated and selfless public servants, of whom we can never have enough, who make this so often unmanageable committee system of ours work; one of those specialists who, though appointed through the majority or minority, are truly apolitical in that they willingly give of their time and talents to legislators on either side of the proverbial "aisle" to the end that good legislation may result.

In addition to which, Bob May was one of the most likable and friendly persons on Capitol Hill, and it does not seem possible that he should no longer be with us.

Mr. Speaker, I know I speak the sentiments of all those Members who, by virtue of their prior service on the Committee on Public Works, knew Bob May, in saying that he will be sorely missed, and I would like, through this medium, to extend my deepest sympathies to his surviving wife and children.

GENERAL LEAVE TO EXTEND

Mr. HARSHA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the passing of Robert L. May.

The SPEAKER pro tempore (Mr. PERKINS). Is there objection to the request of the gentleman from Ohio?

There was no objection.

TRIBUTE TO LEW DESCHLER, PARLIAMENTARIAN

(Mr. McCORMACK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCORMACK. Mr. Speaker, the House is the greatest legislative body in the world. Its ability to function is greatly dependent upon the type of officials we have associated with us in assisting and cooperating with us in the performance of our duties.

One of the most outstanding and beloved members of all time of the high level organization of the House of Representatives, a man who will always occupy the uppermost status in the important position that he has occupied in this body for so many years, is the gentleman about whom I wish to speak. To me he is a man of wisdom, and I know he is to my colleagues; and the new Members, as they come to know him and appreciate him, will feel the same way. He has served under eight Speakers of the House of Representatives in the very important position that he occupies. I understand that one who is seeking a Ph. D. degree must write an original thesis. I would suggest that some time when some scholar is writing such a thesis and is seeking to select a subject which has very rarely been written about, if ever, that he write a thesis about the Parliamentarian of the House of Representatives. In that thesis on the Parliamentarian, and the various ones that have served, they will arrive at the conclusion, I am sure—I know I would if I were writing such a thesis—that the ablest and the most dedicated and the greatest of the Parliamentarians of the House of Representatives is the one whose birthday occurs today—our dear friend, Lew Deschler.

I know I express the sentiments of all Members in wishing Mr. Deschler good health and happiness today and in the future.

TRIBUTE TO LEW DESCHLER, PARLIAMENTARIAN

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I was unavoidably detained, and for a moment or two tardy; therefore I did not have an opportunity to hear all the appropriately kind words of the Speaker in reference to our distinguished Parliamentarian, Lew Deschler.

I simply wish to reiterate and reemphasize from our side of the aisle everything that has been said, not only today, but also in the past, concerning the integrity, the wisdom, and the knowledge of our Parliamentarian, Lew Deschler. I extend to him my best wishes for many years of health, happiness, and continued success.

Mr. HARSHA. Mr. Speaker, will the gentleman yield.

Mr. GERALD R. FORD. I yield to the gentleman from Ohio.

Mr. HARSHA. Mr. Speaker, I thank the distinguished minority leader for yielding to me.

Mr. Speaker, I associate myself with the remarks of the distinguished Speaker and the distinguished minority leader particularly because I have the honor of serving the Sixth Congressional District of Ohio and Mr. Deschler is a former resident of that district. We in Ohio recognize the longtime dedication and the outstanding ability of Lew Deschler. We are extremely proud of him and think he is the finest Parliamentarian the House of Representatives has ever had. His distinguished service has brought recognition and a singular honor to the State of Ohio.

I join with my colleagues in congratulating him on his birthday and wish him many more and many years of happiness and good health.

Mr. FLYNT. Mr. Speaker, it is with great pleasure that I join with other Members of the House of Representatives in extending our greetings to Lew Deschler, the Parliamentarian of this body, on the occasion of his birthday.

Lew Deschler has served as Parliamentarian for many years, so many years that all but two or three Members of the House have never known any other Parliamentarian. He performs his duties and discharges his responsibility in a capable and dedicated manner and certainly deserves to rank as one of the great Parliamentarians of all time.

I wish for him a happy birthday and express the hope that he will serve us for many years to come.

Mr. EDMONDSON. Mr. Speaker, I am sure all Members join enthusiastically in your message of congratulations to our able and distinguished Parliamentarian, Lewis Deschler.

The wise, judicious, and able service of this dedicated public servant has been a hallmark of this body for as long as I have served in it, and Mr. Deschler continues to grow in the esteem of all Members with each passing year.

No individual plays a more important role in maintaining high standards of parliamentary procedure and practice than does our Parliamentarian, Lew Deschler. No man could do a finer job in this exacting position.

Let us hope we are observing birthdays for Lewis Deschler for many years to come.

Mr. CHARLES H. WILSON. Mr. Speaker, for 41 years, Mr. Lewis Deschler has served with honor and distinction as Parliamentarian of this distinguished body. His career of dedicated service to this country is both remarkable and laudable. His is not always an easy task—that of insuring proper order and procedure within this diverse and sometimes volatile body of Representatives. A keenness of mind, an understanding of men, and a skillfully sharpened sense of fairness are among the qualities which Mr. Deschler has brought to his complicated and sensitive position, along with masterful understanding of the intricacies governing our proceedings. Combining his abilities as a learned counselor with a deep understanding of our Government's institutions, he has earned our friendship and respect. It is, therefore, with pleasure, Mr. Speaker, that I salute Mr. Deschler and wish him a very happy and healthy 64th birthday, and offer the wish that he shall have these greetings each spring for many years to come.

Mr. ROONEY of New York. Mr. Speaker, I would like to join with my many colleagues who have paid timely tribute to our outstanding Parliamentarian, Lewis Deschler. The occasion is Lew's birthday, but no mere birthday nor even 41 years of service to the House of Representatives, would by itself engender such an outpouring of affection. No, it is more than that; it is the man himself. For more than two decades, Mr. Speaker, I, like most of us here, have sought his advice and counsel on a host of subjects and always he has responded. But more importantly over the past two decades I have been fortunate enough to count Lew Deschler among my close friends. Happy birthday, Lew.

GENERAL LEAVE TO EXTEND

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this occasion.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SCHOOL SUPERINTENDENTS SURVEY—PART IV

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PERKINS. Mr. Speaker, this is the fourth in a series of reports on the survey conducted by the Committee on Education and Labor of school superintendents throughout the country. As I have mentioned in previous installments, the committee undertook this survey so that we might have the benefit of the experiences of as many of our local school administrators as possible during our consideration of legislation affecting elementary and secondary education.

The previous reports of the tabulations and analyses of the committee survey have appeared in the CONGRESSIONAL RECORD for January 30, page 2257, February 6, page 2991, and February 18, page 3762.

The comments of local school administrators have provided valuable insight into the actual operation of programs, as many of the superintendents have outlined both strengths and weaknesses in the design and administration of Federal aid programs for education. The major weaknesses and problems discussed by superintendents are those related to consistency and late funding.

The problem of late funding was first noted in 1966 by the Special Subcommittee on Education, in its study of the U.S. Office of Education. In a special report on late funding released early in the subcommittee study, the severity of the problem and its causes were discussed as follows:

> The detrimental effects of late funding on the various Federal programs (and especially on those under the Elementary and Secondary Education Act of 1965 and on the several student financial aid programs) have been brought home repeatedly to the subcommittee through its Washington hearings, its series of field investigations, its national survey of local and institutional program administrators, and its day-to-day contacts with the educational community at large. Indeed, of all the problem areas identified and discussed during the course of the subcommittee's study, late funding was perhaps brought up more frequently than any other matter, and the body of comments on it displayed the highest degree of uniformity.
>
> The roots of the problem of late funding are easily discerned. They line in the disparity that exists between the academic calendar and the Federal fiscal calendar.
>
> It was apparent to all concerned that late funding had exerted noticeable effects on the quality of the programs implemented in that first year of experience under ESEA.
>
> The problem of late funding must be solved if the educational assistance programs of the Office of Education are to accomplish the purposes set for them by Congress.
>
> A decision must be made, and made shortly, if the best interests of American education are to be served.

Largely as a result of the 1966 study by the subcommittee under the very able chairmanship of the gentlewoman from Oregon (Mrs. GREEN), an advanced funding provision designed to meet the problem of consistency and late funding was approved by the Congress as part of the 1967 amendments to the Elementary and Secondary Education Act. The advanced funding authority makes possible an appropriation of funds a year prior to that in which funds are to be obligated.

With passage of the Vocational Education Act Amendments of 1968, advanced funding was extended to all education programs administered by the U.S. Office of Education. Considerable progress has been made, therefore, in alleviating the problems at the local level brought about by late funding. Much of the machinery has been put in place for financing of education programs on a timely basis—in time to permit adequate planning at the local level. The advanced funding authority cannot be used for programs carried on under the Elementary and Secondary Education Act, however, unless there is enactment of legislation extending the ESEA within the next few months.

The Committee on Education and Labor has, as I have indicated in the previous reports on the survey, been hard at work in an attempt to secure early consideration of H.R. 514 proposing a 5-year extension of the Elementary and Secondary Education Act. On Thursday, February 27, in my remarks relating to timely funding of education programs on page 4734, I shared with my colleagues statements relative to the need for advanced funding from the testimony presented to the committee this year.

We must recognize that while some progress has been made, the problem is still very much with us. Just a few weeks ago, this was indicated by Dr. E. C. Stimbert, superintendent of schools, in Memphis, Tenn., when he said:

> The funding of Federal programs is tied inescapably to the funding of local programs. Sound financial planning by school systems requires that sources and amounts of funds be known in advance. We appreciate the efforts to achieve advanced and timely appropriations, but we would be remiss if we did not point out that the problem is still with us.

A review of the comments of school administrators responding to the committee questionnaire underscores Dr. Stimbert's statement that indeed the problem is still with us. When asked about the status of funding of the ESEA, 70 percent of the local officials responding indicated that ESEA was underfunded. Of these, nearly one-third went on to discuss their continuing problems with consistency and late funding, as evidenced by the following tables:

PERCENT OF "QUALIFIED UNDERFUNDED" RESPONSES DISCUSSING PROBLEMS OF CONSISTENCE AND LATE FUNDING BY SCHOOL ENROLLMENT AND REGION

		School enrollment				
Region	Total	Under 1,000	1,000 to 4,999	5,000 to 34,999	35,000 to 99,999	100,000 plus
New England	26.6	38.8	25.4	25.0	0	----------
Mideast	43.3	41.5	47.1	35.5	33.3	0
Great Lakes	37.7	35.5	37.5	44.9	100.0	0
Plains	35.5	32.6	38.3	48.0	33.3	0
Southeast	16.2	18.9	15.6	15.2	22.2	0
Southwest	29.4	26.9	34.0	31.5	0	----------
Rocky Mountain	27.5	22.8	36.4	16.6	50.0	----------
Far West	21.1	31.4	25.0	24.6	28.5	100.0
United States	31.9	31.3	34.9	29.5	27.6	14.3

Percent of "qualified underfunded" responses discussing problems of consistency and late funding by State and region

	Percent
New England:	
Connecticut	33.3
Maine	38.8
Massachusetts	25.9
New Hampshire	14.2
Rhode Island	0
Vermont	27.3
Mideast:	
Delaware	0
Maryland	57.1
New Jersey	26.3
New York	41.6
Pennsylvania	52.9
Great Lakes:	
Illinois	26.4
Indiana	30.7
Michigan	40.0
Ohio	44.3
Wisconsin	50.0
Plains:	
Iowa	34.9
Kansas	40.5
Minnesota	55.1
Missouri	25.3
Nebraska	25.0
North Dakota	38.1
South Dakota	47.1
Southeast:	
Alabama	12.0
Arkansas	22.2
Florida	9.0
Georgia	4.5
Kentucky	33.3
Louisiana	14.2
Mississippi	0
North Carolina	18.1
South Carolina	10.0
Tennessee	15.0
Virginia	13.0
West Virginia	12.5
Southwest:	
Arizona	36.4
New Mexico	31.2
Oklahoma	28.8
Texas	29.1
Rocky Mountain:	
Colorado	32.3
Idaho	16.6
Montana	18.5
Utah	3.3
Wyoming	43.7
Far West:	
Alaska	0
California	21.1
Nevada	100.0
Oregon	22.2
Washington	43.6
United States	31.9

The following comments from school administrators demonstrate in still another way the scope and severity of the uncertainities associated with late funding of education programs. The number in parentheses following the city and State represents the school enrollment figure for that school system:

Bennett, Iowa (510): "I have just today (October 23, 1968) received approval for the 1968–69 school year (fiscal 1969). Our school has been in session since August 26, 1968. I have had to watch the number of people I had employed for our E.S.E.A. project to see that none were employed that could not be dropped should our project be rejected. I also had to be certain that our local budget could pick up the salary of these people if no project was approved or if no money is appropriated. The psychological effect on the teachers for these two months is that they may be fighting for a 'lost cause' in planning and carrying out a program."

Veneta, Oregon (1,653): "The value of E.S.E.A., which is really the only program to reach the small district which does not have the personnel to cope with these programs, is greatly limited because (1) there is no way of knowing about the amount available; (2) the actual funds are announced long after the time when responsible planning can be done by the conscientious district seeking to really fulfill the intent of the act.

Camarillo, California: "No doubt there are many ways the Federal Government could assist local school districts in providing quality education. One of the most crucial areas is that of the allocation of funds late in the budget year. Our school district must provide a final budget by the first week in July which means that programs to be developed or expanded must be assured funds several months in advance of this date. In addition, funds should be allocated over a longer period of time so that programs can be planned for the continuing service to children."

Windom, Minnesota (2,024): "In our particular case, the Elementary and Secondary Education Act is underfunded, as it is approximately 50 per cent of what it was two years ago. We have a difficult time in planning year by year as we do not know how much aid we will receive until we are about half of the way through the year in which we need the necessary aid. This year for ex- our school program; but at this point, the our school program; but at this point, the Federal Government still has not specified definite amounts that will be allocated to the States."

Catron County, New Mexico (375): "Yes. I feel the Federal Government is doing its share providing funds. The only suggestion that I have is the funding should come earlier in the year. The way the funds are appropriated now each school must obligate salaries and monies before we are sure we are going to receive them. Our budget hearings are held around April and May and we do not receive Title I monies until September."

Winona, Minnesota (5,500): "Our major concern has been the uncertainty as to that amount of money available and when it will be available. We have what we consider the utterly ridiculous situation of having school start in September and not knowing until October or November what, if any, funds will be available."

Newton, Connecticut (3,246): "The greatest problem confronting the schools in regard to ESEA is the inability to make any long range plans based upon the present funding practice. We do not know from year to year the amount of money we will receive and therefore are unable to perform adequate planning to utilize the money."

Dale City, California (6,481): "In regard to Federal Impact Aid legislation, may I plead that your decisions and apportionments be made early in order to allow school districts to plan their programs."

Torrington, Connecticut (2,260): "The greatest problem at this level of operation concerning federal funding is the knowledge that continuity of funding will prevail. We should know at least 18 months in advance when changes are to occur in the financing of projects so that alternate plans can be made."

North Tonawanda, New York (9,050): "We are in serious trouble with our ESEA projects in this district. We were told at the beginning of the program that 'this is only the beginning' in a context which led us to believe that there would be substantially increased funds in the future. We therefore cranked up a number of worthwhile projects which we have had to curtail We are underfunded in this district by $100,000 in order to carry on our basic programs at a minimum level."

Corona, New Mexico (188): "It is not underfunding so much as the uncertainty of the amount of funds we will receive. If we could know our exact amounts in March or April for the following year then we could make better plans for the use of the funds."

Pittsburg, California (6,200): "Year to year appropriations are the biggest deterrent to the success of a program. Qualified people will not leave good jobs to work in an uncertain one-year program whose future is questionable."

Monroe, Iowa (768): "Our biggest problem is not knowing for sure how much we will receive until after our budget is prepared, contracts offered, etc. Then when our funds are cut, we have to make up the difference. This year we went down from $16,000+ to about $10,500. Yet when final approval was given, it was closer to $9,000. We did not find it wise to cut out any of the programs we had started, so we find ourselves with an extra $7,000 load on the budget. The inconsistencies have caused us to turn our back on Title III. We cannot afford not knowing where we stand."

Maynard, Iowa (700): "How are we expected to run a program when the appropriations are made after we have set our budgets and hired our staff. This year alone the cut was 15% and the cut was made after our budget was set and our staff hired. It is impossible to operate on this kind of planning."

Oglethorpe, Georgia (2,019): "In answer to your first question, I would like very much to see the Federal Government assume a larger share of the budget; but, more than that, I would like to see the Federal Government become a more dependable source of support. Many Federal program allotments have not been approved for this school term until 1/5 of the term has been completed. It is impossible to make the most efficient and effective use of funds where there is no assurance of continuity."

Sunnyvale, California (10,700): "One of the chief concerns about ESEA funding, as well as some other Federal financing, is the uncertainty of the programs and availability of adequte funding. If large sums of money are to be wisely invested in education they must be made available on a basis that assures continuity and makes it possible to plan effectively."

Rogers Public Schools, Texas (550): "The greatest needs concerning E.S.E.A. funds, and all other funds that come from Congress are:

"(a) Consistence and constancy. In the short few years we have had the E.S.E.A. funds, we have been faced with the necessity in mid-summer of having to cancel teacher contracts when federal funds were cut. In late July of 1968, for example, we received word that funds would be cut 15% and for schools to adjust their budgets accordingly. We had to discharge two teachers the latter part of July. That is most unfortunate.

"(b) School administrators need to know in March or April what funds they are going to receive for the following school year, because budgets are made in the spring and personnel is employed in the spring. If we wait until late summer to hire teachers, there are none left. Therefore, when we do not know about federal funds until late summer or fall, it is very difficult for us to plan successfully."

Burlington, Iowa (7,973): "The greatest change I would recommend in P.L. 81–874 and 81–815 is about the same complaint or change I would recommend in all federal programs. We do not know from one year to the next what programs are going to be funded. If we know this year these programs are going to be funded next year, we can plan better."

Franklin, Georgia (1,400): "Have been of substantial value. Can be of even greater value if funds could be used to meet the most pressing education needs of the system and if funds could be firmly committed at an earlier date which would make possible better and more orderly planning."

Gainesboro, Tennessee (1,700): "The recent enactments of Congress furnishing support for elementary and secondary education has been of great value, in this county, in providing more and improved opportunities to our children. The greatest hinderance has been the delay in funding the programs causing the Title I Program to seem a separate part from our regular program. Our regular school is in operation approximately two months before we are able to begin our Title I programs."

Downey, California (18,924): "Recent enactments of Congress have been of substantial help. There does, however, need to be consideration given to lead time for planning projects and dates for funding, etc."

Grinnell, Iowa (2657): "Federal money and amounts should be firmly committed before the beginning of the school fiscal year so that defensible budgets could be made and commitments to teaching contracts could be made with some assurance that they would be funded. The present after-the-fact funding of federal educational projects and the uncertainty thus engendered is frustrating, to say the least."

Norfolk City, Virginia (56,000): "One major factor which helps to reduce potential impact of recent enactments is the lack of a reasonable advanced funding feature. This school system is currently developing its 1969–70 E.S.E.A. Title I program which will begin next September. We begin recruiting teachers in February. The average lead time for purchasing materials and equipment has grown to several months, and in some instances approaches one year. Despite these facts, notification of the actual funds available to this school system under E.S.E.A. Title I will not be made before late spring 1969. An advanced funding feature which would let school systems know the amount of funds available well in advance would assist greatly for better planned and more efficiently executed programs."

Racine, Wisconsin (30,036): "The biggest problem for school administrators that are involved in any federal program is the uncertainty of the funding. We are held up on purchasing and employment of personnel. Our contracts for personnel run generally from July 1 to June 30. If it could be designed that federal programs relating to education could follow pretty much this same time it would be of great help."

Waterloo, New York (2,550): "There is no opportunity for long range planning since we never know how much money will be allocated to our district. For example, at this time we have only an estimate of the amount we will receive for the 1968–1969 school year."

Sylvester, Georgia (4,200): "Definite understanding concerning the funding of the law should be determined at least one year ahead."

Manning, Iowa (869): "With regard to PL–874 and 815. I am satisfied when the present distribution of funds other than the late date that they are determined; this is long past our date to determining the school budget and leaves us in the dark in budgeting our needs."

Tabor, Iowa (700): "The amount of the funds provided by the Federal Government is not really as significant as it total appropriation of that which is proposed. Schools must have definite knowledge of the dollar amount available when the application for these funds is made. This year, application was made in August and to date, we do not know whether or not the programs indicated by the application will be completely funded."

Duarte, California (5,012): "Recent enactments of Congress have provided decliningly less value in supporting education since there continues to be less money. Also, we have not licked the bugaboo of obtaining money before programs need to be planned for and put into effect. It seems incredible that the representatives in Congress of the United States have not realized for so long that you simply must hire teachers in February and March, and April of a given year in order to have them start the year in September. This means that planning for the program has to precede the hiring of teachers which goes back into the previous fall. Getting money at the same time that school opens or two or three months before is a pretty useless gesture at best. Current support of public education from the federal level obviously in all areas it seems has been declining. There have been some fine ideas and thoughts, but these have been so snarled in red tape and delaying actions that I see them as of little value at this point."

New Port, Pennsylvania (1,311): "Recent enactments of Congress furnishing support for elementary and secondary education has been of a moderate value to our school district. We find that each year these allocations to our school district are cut making it necessary to eliminate some valuable projects that we were previously supporting with Federal funds. Due to the way that money is funded by Congress we never know from year to year what our allocations will be, thereby making it impossible to plan sound educational innovations and projects. As an administrator, I find it necessary to plan the programs, facilities for programs, materials for projects and funds for these projects many years in advance, otherwise they are just stop gap projects. I am greatly concerned about stop gap programs. To educate children and to provide a good sequential learning situation we need to know at least a year in advance what funds will be available."

Stamford, Connecticut (20,517): "In Title I, limitation of funds has resulted in a cutback in the program and elimination of new programs or expansion of services. If it were not for similar Connecticut state funds available for services to disadvantaged children, Title I funds would meet less than half our fiscal needs. The most difficult problems are caused by late congressional action causing lack of necessary lead planning time and great instability on the level of local funding for the fiscal year."

Marysville, California (8,825): "One of our greatest needs is to provide continual funding of the educational program so that it can be an ongoing smooth operation. As of this late date, we do not know what will be the funding of various NDEA projects for reading and science at both the elementary and secondary levels."

Northwood, Iowa (1,000): "I prefer that E.S.E.A. funds be handled as they presently are with this exception—that the appropriations be made well in advance of each school year so that adequate planning and arrangements could be soundly completed in the spring preceding each school year."

Bloomfield, Iowa (2,075): "When we first started getting the Title I funds we were to get some $86,000 plus, for this district. We did not receive these funds until sometime in January or February, and it was difficult to try and provide or design realistic programs to spend this much money in less than one year's time."

Union Grove, Wisconsin (710): "Because of increased use by more schools and because of static, or in some cases, reduced appropriations, E.S.E.A. funds available to our school has been substantially reduced. This obviously hampers current programs and makes extremely difficult the budgeting and planning processes. In this latter regard, I should like to recommend in the strongest possible terms that the Congress enact and fund programs in advance of the fiscal years in which they are to operate. Program effectiveness and efficiency is seriously handicapped by uncertainties at the present time when the enactment and appropriations are frequently not known until the program year is under way. To be most effective, these programs should be funded at least two years in advance. I strongly urge that you and your committee support this advanced funding."

Oceanside, California (7,466): "I basically feel the Federal government has made a commitment to provide funds for improving the quality of elementary and secondary education in the United States. The big problem has been a failure to fulfill the commitments that have been made and provide money at a time of the year when it can be used to intelligently set up a program. School district budgets in California operate from July 1st through June 30th. Many times we do not receive approval of Federal programs until after June 30th and thus we are not able to utilize properly the funds that are available."

Clarksburg, Tennessee (405): "The major complaint that I have concerning Federal Aid, is the funding of the money. We, as administrators, are held responsible for utilizing the funds wisely, which we should be. Yet, we never know, until after school has begun, whether we are approved for funds or how much we can depend on. How can we be expected to spend the money wisely, when we cannot even make definite plans or commitments until after schools have begun."

Tenafly, New Jersey (3,300): "Recent enactments in furnishing support for elementary and secondary education have been of great value and we trust that they will be continued and increased. However, I would like to point out—as we have so often—the need for taking action whether it is to increase or decrease federal aid long enough in advance for appropriate plans to be made in the school system. For example, it is very embarrassing for us to employ teachers under the Title I program and then be informed in September that there will be a reduction of a certain percentage of money. Then we have to contact the teachers and tell them that the program will have to be discontinued early, and so forth. I am not complaining about the reductions, I understand why these are necessary; it is the lateness of notification that really bother us."

North Bellmore, New York (4,100): "The local district should know at least six months prior to the beginning of the school year how much money will be given for a particular program. At present we must start programs without any knowledge of the total allotment. Intelligent planning is, herefore, next to impossible."

Burnside, Iowa (606): "One major improvement in the Federal Aid to school program would be to make the appropriations sooner than is now being done. We should know now what we are to receive for the 1969–1970 year and still dont' know what we are going to receive this 1968–1969 year."

Schenectady, New York (12,551): "Recent enactments have been of moderate value to date because of the relatively small amounts and because of authorizations and approvals being made so late in the school year. Larger appropriations together with longer term and earlier commitments could make the value substantially greater."

Lodi, California (10,944): "I'm sure you know that it is very difficult to develop programs when Congress is so late in appropriating funds. Usually we do not know until after school starts in the fall what our appropriations will be. This means that we cannot start our programs with the assurance that they will be adequately funded."

East Meadow, New York (16,500): "An important change that must be accomplished to make present federal aid legislation more workable is to bring the Congressional calendar in line with the school calendar with reference to authorizations, appropriations, and regulations. Full funding of all educational programs already authorized by Congress is required. Uncertainty about the continuation of programs and the amount of money to be granted makes it impossible to adequately and effectively plan grograms and employ required personnel."

Santa Clara, California (24,143): "The recent changes made in P.L. 874 have made the program extremely easy to administer but as a result of Congressional lateness in funding, we find it difficult to budget with any degree of security on a year-to-year basis."

Howard-Winneshiek, Iowa (2,200): "It is underfunded approximately 30% or the amount that it has been cut since the original act was passed. Projects are set up ahead of time and it creates difficult problems when teachers have to be relesaed and orders cancelled because of insufficient funds. Earlier funding and some type of inflationary growth factor should be included in future acts."

In summary, Mr. Speaker, I could continue to cite similar comments of responding superintendents. Many, many more than those I have quoted today expressed concern about late funding and the uncertainties which local school administrators face when working with Federal funds. I could continue to cite statements made before our committee this year which emphasizes that late funding is still very much with us and that it is perhaps the greatest complication in the administration at the local level of federally assisted education programs. Just last Thursday, Dr. Reed P. Wahlquist, principal of Kearns High School in Salt Lake City, Utah, said:

> I believe the ESEA has been perhaps the most dramatic thing that has happened to education in this century.

A comment which reminded me of the response of the superintendent of schools of Lawrence County, Ala., that it is "our considered opinion that ESEA has been of the greatest educational value of any single piece of legislation ever passed by the Congress of the United States."

Dr. Wahlquist indicated that he was most satisfied with the results from expenditures of ESEA funds in his district, and that he preferred the approach contained in ESEA, to the so-called block grant approach. The major problem which Dr. Wahlquist mentioned was the one which I have discussed with you here today, that of late funding. He said:

> One of the problems of many of the Federal programs in the past, Mr. Chairman, is that we have not known until the school year began how much money we were to receive. He then added that "A five-year program that would allow the schools to plan and make proper staffing arrangements would eliminate some of the difficulties in the past of not really knowing and not being able to make up a budget until the school year was well along.

He then stated:

> Prior understanding of what the budget would be, would be a tremendous help.

In conclusion, Mr. Speaker, there is over 3 years of testimony which demonstrates that the problem of late funding must be corrected. It is obvious from the comments of local superintendents that this matter continues to be one of their greatest worries, if not their greatest concern. We have already enacted legislation which makes it possible for education programs to be funded on a timely basis. For this to work, it is imperative that we move to enact H.R. 514 and to extend the Elementary and Secondary Education Act at the earliest possible date.

LEGISLATION TO ESTABLISH NATIONAL ECONOMIC CONVERSION COMMISSION

(Mr. RYAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN. Mr. Speaker, I rise today to support legislation which would establish a National Economic Conversion Commission to study ways in which the American economy can be adjusted and diversified so as to provide more adequately for critical nondefense needs. I have long felt that the creation of such a Commission is an essential step towards directing the productive capacities of our economy towards meeting urgent domestic needs. I first introduced legislation to create an Economic Conversion Commission during the 88th Congress. At that time Senator GEORGE McGOVERN, who sponsored the bill in the Senate, and I hoped that military spending would be decreased sharply, and we recognized the need for conversion planning. Unfortunately, our hope was dashed by the Vietnam war. I have reintroduced identical legislation in every Congress since then, introducing H.R. 647 in this Congress, which was introduced on January 3, 1969. I am delighted at the extent of bipartisan support for this legislation this year and look forward to seeing this Commission, which I have espoused for so long, become a reality.

In discussing H.R. 10608 of the 88th Congress on April 6, 1964, I said that it was "becoming more and more apparent that accumulating greater and greater stockpiles of nuclear weapons in an ever-spiralling arms race does not necessarily bring greater national security." Today, in 1969, I think that statement is even more pertinent. For since 1964 the budget of the Department of Defense has steadily grown until today it surpasses $80 billion. Of course, much of the increase has come as a result of the ill-advised escalation in Vietnam. But part of the increases have also gone to increased research and development programs that look to future arms expenditures.

Despite these expenditures for defense items, however, international tensions are ominous in Southeast Asia and the Middle East, and relations with the Soviet Union are strained and aggravated. Moreover, the security of our society here at home is threatened by deep divisions in our social fabric, deteriorating race relations, and rapidly rotting cities. It is apparent that policies of the past few years—which have allocated billions to arms and leftovers to domestic needs—must be overhauled and reshaped to give emphasis to the multitude of ills that beset our major urban areas and the creation of greater opportunities for millions of poor Americans to share in the abundance of our society.

The current negotiations in Paris have encouraged hopes that the war in Vietnam may soon be ended. Although these expectations have yet to be realized—and the war continues to claim thousands of American and Vietnamese lives each week—we nevertheless need to begin planning for the reallocation of national resources that should follow the conclusion of hostilities in Vietnam.

I have long advocated an end to U.S. military involvement in Vietnam. But an end to war expenditures would not in itself improve our ability to respond to long festering domestic problems unless the resources freed are earmarked for domestic areas. We need to assert now—while the allocation of these resources is still at question—the primacy of domestic needs so that these resources are not simply channeled into the new weapons systems which the Defense Department has already announced it intends to seek. Now is the time to establish the budget priorities which are necessary if we are to launch an effective attack against urban ills, poverty, and pervasive racial discrimination. The establishment of an Economic Conversion Commission, which would investigate ways in which the economy could be adjusted so as to more adequately provide for critical nondefense needs, would greatly facilitate the conversion of certain portions of our industrial capacity from defense-related production to civilian needs that are necessary for solving the problems of our major urban areas.

H.R. 647 would establish a National Economic Conversion Commission in the Executive Office of the President composed of several Cabinet members, including the Secretaries of Commerce, Defense, Labor, Health, Education, and Welfare, and Treasury. Other members of the Commission would include the Chairman of the Atomic Energy Commission, the Director of the U.S. Arms Control and Disarmament Agency, the Chairman of the Council of Economic Advisers, and the Administrator of the National Aeronautics and Space Administration.

The Commission would convene a National Conference on Industrial Conversion and Growth to consider the problem arising from a conversion to a civilian economy, and to encourage appropriate planning and programing by all sectors of the economy aimed at facilitating the Nation's economic conversion capability. The Commission would additionally consult with the Governors of the 50 States to encourage appropriate studies and conferences at the State, local and regional level, in support of a coordinated effort to improve the Nation's economic conversion capability.

Planning would also be required by defense contractors to provide for the conversion of industrial resources now utilized for defense purposes to other areas of public need.

A commission similar to the one proposed today was set up after World War II to study ways in which an economy which was heavily committed to a wartime need could convert to peacetime priorities. With opportunities arising for comparable reductions in arms expenditures when the Vietnam war is settled, now is an especially propitious time to establish a similarly oriented commission.

I urge that the Committee on Interstate and Foreign Commerce hold early hearings on this legislation and that the Congress itself give the creation of this Commission a high priority in the legislative business of this session.

HON. BOB TOOTELL, GOVERNOR OF FARM CREDIT ADMINISTRATION, ADMINISTERS OATH TO SUCCESSOR

(Mr. MAHON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAHON. Mr. Speaker, I was present this morning at a very important ceremony at which Mr. Robert B. Tootell, the outgoing Governor of the Farm Credit Administration, administered the oath of office to his successor, Mr. Ed Jaenke. So Mr. Jaenke now takes over the reins as Governor of Farm Credit, which reins have been very ably held for 15 years by Bob Tootell.

I think most Members know one of the great organizations of this land is the farm credit system. Without the farm credit system and its work in the past 50 years, there would have been far less stability and growth in agriculture than we have had. Farm credit has increased its credit service to agriculture fivefold under the able leadership of Bob Tootell. Of course, he has had a great deal of support from farm organizations and from members of the Federal Farm Credit Board and others.

The farm credit system includes the Federal land banks and associations, the Federal intermediate credit banks and production credit associations, and the banks for cooperatives. Established by the Congress in 1917, and now completely farmer owned, it is a successful mechanism which moves capital to the traditionally capital deficient rural areas from the large cities where investment funds are concentrated. Farmers and their cooperatives presently are using more than $12 billion in credit obtained through this system. But more important, the system sets the pace for other agricultural lenders who tend to follow its example in setting loan terms and interest rates. As a result, all farmers and cooperatives who use borrowed funds benefit.

In my opinion, agricultural progress in my own area would have been much less spectacular if we had not had the credit assistance provided through the farm credit system. I am certain this is also true of all other farming areas of the United States. We are indebted to those men who had the vision and dedication to spearhead the creation of this institution and to those who have managed it so well since that time.

I rise to pay special tribute to Bob Tootell who has made such a large contribution to the welfare of American agriculture and to this system which is so vital to our Nation.

At the same time, Mr. Speaker, I should like to bespeak a successful administration on the part of the new Governor, Mr. Ed Jaenke. May I compliment the Federal Farm Credit Board for selecting Mr. Jaenke, whom I have had the privilege to know, as the new Governor. I am confident that, having inherited this well run organization, he will carry it forward to new accomplishments in the field of farm credit. I know that his previous experience in agricultural activities, including about 8 years as Associate Administrator of the Agricultural Stabilization and Conservation Service of the U.S. Department of Agriculture, will stand him in good stead in his new responsibilities.

BUREAU OF THE BUDGET DEPRIVING THE PEOPLE OF CALIFORNIA OF DISASTER RELIEF

(Mr. SISK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SISK. Mr. Speaker, I wish to call to the attention of the House what I believe to be a shocking situation in which the Bureau of the Budget is depriving the people of California of much needed assistance in the form of disaster relief.

During the past few weeks the people of California have suffered through devastating floods. While the loss of life has been minimal, the losses of property, homes, businesses, and public facilities have been staggering.

As the people of our State go about rebuilding their lives after the unprecedented rains that we have had so far this winter—and as they will do after the floods which are anticipated when the snow melts this spring—the people of California have quite properly looked to the Federal Government for assistance, as have other States of the Union after other disasters.

Day after day, the people tell us that the assistance they are offered through the Small Business Administration is no assistance at all. They tell us that for most of them, all the SBA offers is to guarantee a loan from commercial sources at current exorbitantly high rates of interest.

Few, if any, of them can qualify for direct loans under the stringent guidelines currently in force. I have it on good authority that there is approximately $30,000,000 available in Small Business Administration appropriations which could be used in a meaningful disaster relief program if the Bureau of the Budget would but give its approval.

I am further advised that these policy restrictions were imposed by the Bureau of the Budget as the result of abuses of the SBA program in previous disasters in other areas. While I do not in any way defend the misuse of Federal programs, I am unable to comprehend why efforts have not been made by the Bureau of the Budget to modify these policies in the face of the demonstrated needs in the State of California.

I solicit the active support and assistance of the entire California delegation and of Gov. Ronald Reagan and his administration to convince the Budget Bureau of the need to relax these restrictions in order that thousands and thousands of Californians can be afforded badly needed financial assistance in the form of long-term, low-interest direct Federal loans.

PROPOSED EXTENSION OF FEDERAL EMPLOYEE'S COMPENSATION ACT TO AMERICAN POLICEMEN AND FIREMEN ACTING IN LINE OF DUTY

(Mr. JACOBS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JACOBS. Mr. Speaker, today along with 20 of my colleagues, I have reintroduced legislation to extend the benefits of the Federal Employees Compensation Act to all American policemen and firemen killed or totally disabled in the line of duty whether or not a specific Federal criminal law happens to be involved. In addition this legislation is being reintroduced in the other body by Senator BIRCH BAYH.

Our theory in extending the act is that this is a nation of travelers. The criminal who shoots a policeman or sets a fire that injures a fireman around Indianapolis might have just arrived from Chicago. On the other hand, the would be victim who is protected by Indiana police and firefighters might just be passing through from Los Angeles.

In short, when a public safety officer dies for law and order he is dying for America, and I believe that the American Government has a responsibility to help compensate. No one can say where it might happen next.

If our bill becomes law, and it is gathering more and more support in Congress every day, a widow would receive 45 percent of the monthly wage rate of her deceased husband if she is the sole survivor and such compensation would continue unless she remarried.

If there are dependent children, the widow would receive 40 percent and each child would get 15 percent, up to a total of 75 percent of the monthly wage rate.

In cases of total disability, if there are no dependents, benefits would equal two-thirds of the monthly wage rate. If there are dependents, benefits would equal three-fourths of the monthly wage.

THE PRESS—A BELIEVABILITY GAP

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, many of the Nation's newsmen are upright, responsible journalists, but there are some who do not fall into this category and whose dubious reporting causes the American public to distrust the entire profession.

Most journalists were taught—either in journalism school or during their cub reporting days—that the profession prided itself upon fair, impartial, straight news reporting.

However, with the advent of the theory of "interpretative reporting," scores have taken this to mean editorializing their own opinion in their news stories.

Such cannot present an accurate picture to the American people.

With this dangerous trend now clearly evident at the hands of newspaper, radio, and TV reporters and correspondents, another serious trend has developed primarily within the last 10 years—that of concentration of media outlets in the hands of power-hungry opinion-molding corporations.

While no one needs to name the television, radio, and newspaper journalists who warp the news according to their own views, the public should be made aware of several news corporations, which continue to expend and approach a monopoly in public opinion making.

A prime example of such a monopoly exists here in our Nation's Capitol with the Washington Post Co., which not only controls a newspaper, but also a radio and television station and a national magazine. The Post Co. is threatening further expansion to monopolize the news picture in the greater Washington area.

Mr. Speaker, these are some of the many reasons why the American public has come to discount the believability of news media of the United States.

I include a release from the Publisher's Auxiliary of January 11, 1969, a Washington radio station—WAVA—editorial and a report from the Economic Council Letter of February 15, 1969, and others following my remarks:

[From Publishers' Auxiliary, Jan. 11, 1969]

PRESS INSTITUTE FINDS GROWING DISTRUST OF NEWS MEDIA IN THE UNITED STATES

GENEVA.—Distrust of the news media has been growing in the United States, the International Press Institute has reported, according to an article in a recent issue of the New York Times. The American media, the Institute said, may find it more difficult to regain the public's trust than to overcome the technical and economic problems that beset it.

The press of other countries also has a "communication problem," the institute said in its annual review of press freedom, but it emphasized that of the United States.

The institute is a private organization of newspaper editors of 57 countries, with headquarters in Zurich, Switzerland.

A disquieting development noted in the United States, it said, is the feeling that news media "incite the violence they report" by being present during riots and reporting on them.

The organization commented that this feeling has developed "despite disproof of any direct connection" between the riots and the reporting of them.

The survey, prepared by the Institute's acting director, Antony Brock, a Briton, said that in West Germany, France, Britain, Brazil and other countries the information media had also found itself "both blamed as the real instigators of violence and sometimes, in clashes with police, the object of it."

The media's "loss of acceptance" in the United States was said to have been illustrated strikingly by the riots during the Democratic party convention in Chicago earlier this year in which 34 newsmen were injured.

"Public opinion polls" the survey said, "found wide support for the police action and little for the newsmen, who, it was apparently felt, were as much to blame for what happened as those who struck them."

It was felt in nearly all the countries where reporters were covering riots that they "could expect no protection during violence since they were partly responsible for it," the survey continued.

The Institute also commented on the press in Czechoslovakia, saying that journalists the world over were "indebted to their Czechoslovak colleagues for having so convincingly demonstrated the reality of the cause of the free press" during the last year.

During the period of liberalization before the invasion, the Czechoslovak mass media "were at the forefront, encouraging, criticizing, urging and even leading," the Institute said.

After the invasion, the underground press became the main force of resistance, it went on, and now the press is "bravely maintaining the people's right to decide their own destiny."

The institute found that Greece continued to be the "saddest case among European countries with a free-press tradition."

But "arrests have continued, as has the expulsion, harassment and even mishandling of correspondents whose reporting did not suit the ruling junta."

In Latin America the blackest spots for press freedom remain Haiti and Cuba, the Institute said.

[From WAVA radio, Feb. 24, 1969]

WASHINGTON POST COMBINE: A QUESTION OF EXCESSIVE POWER

Over recent years, the news industry has passed through a revolution of change, which, looking back upon it, has been truly breathtaking. Television, ten years ago dominated by a few VHF stations on a small 13-point dial, has expanded into some 83 channels with UHF.

Radio, which in 1960 was little more than a glorified juke box, has broadened its horizons to include an increasing range of specialized public-service programming, including stations devoted entirely to talk and information, or to all news. The number of competing daily newspapers has shrunk to a point of near non-existence.

As one case, WAVA made its break from the cacophony of spinning records into the beckoning field of solid news as a service to this area in Januray, 1962. It was a long gamble for this station, told then that no one would listen to continuous news on a 24-hour basis; but we made it and your warm response and the subsequent decisions of stations in other cities across the country to begin all-news programming, is testimony enough to its success.

Now the Washington Post station, WTOP, has by an announcement in its newspaper disclosed that it is considering changing its programming to all news. If this move here were by another independent radio station, it would be welcomed in the healthy growth of all-news broadcasting.

In the case of the Washington Post Company's WTOP, however, this has raised a large new question—the huge and growing combined resources of a company which now has acquired and owns Washington's largest daily and only morning newspaper, also one of Washington's three powerful network television stations, also one of its largest FM radio stations, also its biggest news magazine, Newsweek, and Washington's most powerful standard radio station, 50,000-watt WTOP Radio.

In all, these various Post Company media already make 4,900,000 impressions each week on the some 2,000,000 people in greater Washington. Four out of every ten things people read, see, or hear, come from the Post Company. On top of all this, the Post is now moving to publish special localized sections of its newspaper aimed into suburban Virginia and Maryland, a move toward separate local Post editions, which the few remaining local community newspapers acknowledge may be impossible to compete with.

After taking a long breath, you realize that the Washington Post Company not only now dominates the news industry here but is inexorably suffocating its competition. The important issue is not whether one agrees with the Washington Post Company editorially; it is that the nation's capital is steadily losing the availability of diverse news sources and diverse editorial opinion.

As a practical matter, the Washington Post Company, though not by intent, possesses now the raw power of resources to effectively crush anything in its path, including smaller competitors. A laissez-faire day response would have been, "That's tough, Joe." But there is more to it than that.

We have here a developing concentration of power under which the Washington Post Company is establishing an effective monopoly of news control in the nation's capital area—centrally owned news power, the hard daily impact of which ranges through homes and government to indeed being a working catalyst as well on other news organizations here.

It is interesting to note that the Federal Communications Commission has just denied a television license in Boston, WHDH, to the Herald-Traveler Newspaper which had created a similar concentration of power over major news and communications outlets in the Boston area.

The Washington Post Radio change, if made, to all news would carry this corporate giant over the divide to an effective near absolute monopoly of news in Washington. So the time has indeed come for Congress and the people of this area to question the FCC, Justice Department, and Federal Trade Commission, whether on legal and administrative grounds, this is in the public interest.

Politically hazardous as tangling with the Washington Post giant is, further extension of its media power in the nation's capital is not acceptable. At stake here is an issue of the public interest as well as the right of smaller companies to have reasonable protection against monopolistic abuse by the new-day corporate barons of power.

Lest the Washington Post Corporation lose perspective behind its own editorial pledge to justice, it might remember that it is itself not exempt from responsibility—and have the wisdom to recall that "power corrupts, and absolute power corrupts absolutely." If the Washington Post Corporation has grown beyond this realization, then it has got to be challenged and its media separated. The Washington Post Company is being invited to respond to this WAVA editorial.

[From the Economic Council Letter, Feb. 15, 1969]

THE PRESS, RADIO AND TV—"MOST POWERFUL WEAPONS OF THE LEFT"

The wrath of the American people is rising fast. They have been silent while a handful of students led riots and spread disorder and destruction in our colleges, while a handful of peaceniks denounced The United States, burned our flag, and pretended they were concerned about peace. A handful of Negro hoodlums attacked Negroes and Whites, while pretending to speak for all Negroes. But Americans are not the least bit tolerant about the evidence before their very eyes that television, reporters and cameramen grossly distort the stories they are reporting, and distort them to benefit the Left.

The straw that broke the public's back was the reporting of the Chicago convention. A motley mass of protestors, after well-publicized announcements, charged, like an invading army, against a line of Chicago policemen, assigned there by the mayor of the city, to protect the convention delegates.

As the mass media reported it, The New Left protesters were peaceful citizens walking in the park, and the police were Nazi storm-troopers. The TV screen showed the innocent molesters, concerned only with a brave new world. They showed policemen clubbing the protesters. They showed angry members of the Democratic Convention, denouncing the police and on and on, ad infinitum.

It appeared later that some newspapermen had been injured in the riots but it also appeared that some of the cameramen had told the protesters where their cameras would be placed, so that they could stage a bit of action right in front of the TV bases.

ANOTHER VERSION CONCEALED

It would have been extremely difficult for a foreign visitor watching the convention on television to guess that there might have been another version of the nights' violence.

The television reports left out several important things. They did not make clear that the city government of Chicago, the State Government, and several branches of the Federal Government, had received warnings that Hubert Humphrey, his wife and Senator McCarthy and his wife, would be assassinated. Mindful of recent history, Mayor Daley decided there would be no assassinations at the Chicago Convention. And there were none.

The networks also left out the fact that there were State police and other officials and all sorts of Federal Agents there. "Police brutality" is the slogan used by the New Left so the story was concentrated on destroying the police system of our country. The commentators generally avoided also the fact that the New Left organizers had called their allies and followers together, and urged them to come to Chicago to "help."

Mayor Daley asked for time to rebut the slanted reports but the networks refused.

Then one of the staff members of the commission investigating crime in general, wrote—and published—his report on the Convention riots, "proving" that the police had in fact been the real rioters. It is very unusual for staff members of a commission to publish a report before it has been approved or amended by the board itself.

A GANGSTER MOVIE

Here something strange happened. We can only guess what happened, but the open campaign came quietly to an end. Obviously Mayor Daley must have received an overwhelming number of letters from the wrathful American people.

Individually using their own judgment, viewers saw through the slanted reports that appeared to make American elections cheap and vulgar, a sort of gangster movie.

What is even more important, we suspect that the television networks received a similar flood of letters from angry viewers. The networks have been surprisingly quiet about the Chicago doings. The report on the convention, which pretends to be an official report, is still circulating in paperback, and, we are sure, is still being used in the right places to spread the story of American decadence, but on the surface the debate has subsided. You can be sure the same old slogan will rise again if the time appears propitious, but the American people scored a great victory in their angry protest against slanted reporting. It was no part of the plan that the bitter argument should die down. The scenario was too well prepared—Chicago—gangsters—the wild, undisciplined city—Mayor Daley who did not like riots and thought rioters should be arrested and sent to jail—and finally those rows of angry police with upraised clubs.

Propaganda is obviously not based on facts. Neither is it based on lies. They are too easy to detect. It is most often based on old familiar worn-out images which people will not bother to analyze.

Well, for once the well-planned strategy did not work. Without any leadership, without any debate, the people realized this concocted story was false—and very dangerous. And they won—so far.

They won a battle, not a war.

RISE OF THE MASS MEDIA

Television is not the only offender. It is probably by far the most powerful and the most dangerous. But we must not lose sight of the whole picture. Wars are won only by constant watching of the whole chess-board.

The printing press was the principal means of communication (beyond the human voice) from the time of Luther to the 20th Century. Notice certain things about the printed word. It is relatively cheap. Very large numbers of people can buy it. It is easily-moved from place to place and so evades detection. Control is almost impossible. Even the powers of government had limited success in controlling the printing press, until totalitarian governments used their unlimited powers to keep men from communicating with each other.

Newspapers and printed broadsides have always been connected with politics. They succeeded the town meeting or other community meetings as the place where political opinions were shaped and planned.

The Linotype made possible larger printings. The contents changed to appeal to the masses—crime, international gossip and the like. These papers exercised great political influence. (Hearst is charged with bringing about the Spanish-American War), but they also faced plenty of competition.

Then it was discovered that, if a series of pictures taken seconds apart was run off rapidly, it appeared like one moving picture. Crowds flocked to the nickelodeon to watch Greta Garbo and Rudolph Valentino tell the story by their facial expressions while the piano player pounded out accompaniment. Then Warner Brothers brought out the Talking Pictures and movies became imagemakers of a society based on materialism and obsessed by sex—just what is dominant today.

The moving picture substituted the image and the story for words and discussion. At first they were cheap enough to make, but as techniques improved the costs rose and limited the number of people who could start an enterprise. There was competition but competition for audiences of millions was soon reduced to competition between stock ideas.

ADVANCES MADE

After World War I, men who liked gadgets began tinkering with "crystal sets" by which they could hear people talking even in Pittsburgh, without wires. When Al Smith was a candidate for president in 1928, the radio companies succeeded in setting up a radio network reaching as far as Iowa. Listeners in the east could hear every word Smith said, and even the shuffling of the farmers' feet, in the hall, without any wires. Today, we can hear men talk as they circle about the moon.

World War II brought television, which is a combination of moving pictures and wireless. But each new development costs more money to produce. Competition declined. The possibility of control from one or two centers increased.

In 1968 there were 242 million radios in the United States and 78 million television sets. This is power. The number of newspapers is steadily declining. Where is the political power today for influencing public opinion? It is in the movies, the radio and television.

Americans still carry in their minds the long-standing idea of a free press, based on unlimited numbers of newspapers, started by anyone with a little capital. Separately they often had political bias. But in the total market all ideas were represented, or could be represented whenever anybody wanted to start a paper. But the open market in communications, accessible to all, is gone. Therefore, it is gone in political discussion and the making of public opinion.

WHO CONTROLS A MONOPOLY?

As the difficulty of entering a market increases, the industry tends to take the shape of a monopoly or monopolistic competition. Control by a few becomes easy. Those who see the new opportunity grasp it.

Franklin Roosevelt was in office only a few weeks when he announced he would deliver a "Fireside Chat," to explain to the people some of the complexities of the many New Deal programs.

That was the beginning of a trend—which led straight to the slanted politicized reporting of the Chicago convention.

There are still people who think Roosevelt's style was simple, unintellectual, leading nowhere. Nothing could be more foolish. His political writing was brilliant, however many ghost-writers may have helped. If you want a model for his speeches you can find it in Mark Anthony's speech on The Death of Julius Caesar. Not a word is wasted, not a nuance is missed. No slightest opportunity to sway the audience is lost.

How do you talk back to a Fireside Chat? Ask Alf Landon. He knows. But too many Republicans and conservative Democrats were satisfied to talk about "that man Roosevelt," and they lost 35 years in tackling the new communications problems.

In World War II Roosevelt established control over the movies, to get support for intervention in the war and win public admiration for the Soviet Union, and the billions in weapons and other material we were giving them, without any agreement, in return to help shape a "peaceful" post-war world.

The Communists understood the role of communications in politics better than most Americans. Lenin said the Communists would send their pamphlets against the guns of the enemy and silence them. They did.

HIGH RATING

The Soviet strategists still rate the printing press high as a weapon. Every Communist cell is supposed to have a printing press or at least a mimeograph machine and a good supply of ink and paper, so that if the Communists are suddenly outlawed they will be able to work underground.

Communists were deep in the movies in the 30's. After starting their second great attack against the U.S. in 1929, in the East, they moved straight across the Continent to the West Coast. There were several prizes. Some valuable openings for the Senate and the House were obtainable in the Northwest with very little expenditure of time and money. A Senator from Oregon or Washington had a role equal to that of a Senator from New York or Pennsylvania, but elections in the small states were much easier to manage. In the West, they also had their eyes on Hollywood. Ronald Reagan's early political experience was gained fighting the Communists in the Screen Writers' Guild.

Then they always like the pincer's movement. Start out from both ends and crush the center.

Morrie Ryskind was one of those who came east to testify before the House Committee on Un-American Activities, at the risk of his employment. Adolf Menjou was another. We speak often of the honor-rolls that should be drawn up to pay their due to the men and women in the thirties who bravely fought the Soviet master-strategists. A special place should be reserved for those who fought the octopus to keep the movies free of Communist control.

THE INTERLOCK

As the Communists get any sector into their grip, they do what any good military commanders would do. They link it up with the other sectors they have taken over.

They struggled for control of the scenario writers, the actors, the directors, technicians, sometimes through the unions, sometimes outside. They moved their loyal members, their willing collaborators, and dupes they could trust, to the highest positions possible. One always important spot is the personnel office. Another was the always valuable post of administrator to the top man.

Each of these specific areas in motion pictures was linked through the "party" machinery with bridgeheads in radio, in the newspapers, in magazines, in book publishing, in technical reports and journals, and in appropriate government offices.

The thought control machinery of the Communists was as carefully thought out, as specific and definite, as completely prepared for any problem, as the work of National Aeronautics and Space Agency. Nothing was left to chance.

The work of this thought control mechanism in the 30's and 40's was concerned with the familiar Leftist demands for "social goals." It also worked hard to build up American acceptance of World War II, and enthusiasm for the Soviet Union, and the crushing of those who still believed—like Herbert Hoover and John Flynnt—that the Nazis and the Communists should be left to tear each other to bits.

TELEVISION TARGET

The thought-control mechanism was responsible for the incredibly fatuous promises of what we would do and the build up of sentiment for our spending billions on "aid" to the war-torn countries (including a proposal for a billion to reconstruct the Soviet Union).

Then came television. The Communists had a body of men trained to understand and manage communications for their purposes. Television was easy.

The test came in 1954 when Senator Joseph McCarthy aroused the entire country to awareness of the Communist danger in diplomacy, propaganda and the Defense Department. He had a nationwide following. His enemies knew he had to be stopped at the point where he had won his following.

There are many angles to the story including the role of the administration and the surrender of the Senate. But the quick and total destruction of Senator McCarthy's ability to reach the public was the work of the thought control mechanism, centering about television.

Some of the ablest reporters and students of politics in Washington watched in amazement. They could not figure out all the pieces of the interlock, but they knew it was not spontaneous. They had pretty good guesses as to where the headquarters was set up in Washington, and who was behind it.

We must always remember that the Communists are as skillful in winning over dupes and collaborators as they are in organizing. Many of the men who took part in the political assassination of Joseph McCarthy had no idea they were following the Communist blueprint. But they were just as useful—perhaps more useful for all public purposes—than hard core Communists.

TERRIBLE SWIFT SWORD

The ablest observers are still astounded at the speed and completeness with which the job was done. But it was the 25 years of careful building of a thought-control apparatus, out of each new development in communication which made the sudden victory possible.

The center of their effort was the building up of a scenario around the Army—McCarthy Hearings making the Senator's investigation look like a soap opera. The counsel for the Army, Joseph Welch, was a master television director!

The American public knew well that there was dirty work at the cross-roads but they did not see how it was done. For 14 years the thought-controllers have had things pretty much their own way. But the slanted reporting of the Democratic Convention at Chicago was too much. Americans are awake again.

The Behemoth for control of public opinion had been hard at work in the interval. Viewers saw the careful rigging of evidence in the March on Selma, the attacks on the southern police who tried to prevent violence, the more recent riots in the North, the shame of the colleges, the unbelievable campaigns for "peace" as if we compelled the poor Soviet leaders to give up their plans of help their own people because we were so warlike.

This same mechanism has created the myth called "world opinion" which is manufactured largely by American subsidies of foreign newspaper men and other writers.

In Vietnam they have consistently used television to the benefit of the other side. They made a successful issue of the "Buddhist" suicides, though it was obviously all a frame up. Good reporters said the Communists even used corpses for their immolations but the American mass media reported it all as a genuine political and moral crisis.

Not long ago the South Viet Namese police told American television cameramen that Americans were building up riots in Saigon by giving young hoodlums a chance to appear on television. President Hayakawa of beleaguered San Francisco College told the Senate the same thing.

The American people have won a battle, not a war. We have a long way to go, but the revolt of the *quiet* Americans is under way.

[From the Washington (D.C.) Evening Star, Mar. 1, 1969]

RACE RELATIONS TRANSFORMED TO TV ENTERTAINMENT

(By Crosby S. Noyes)

It comes in the middle of a fairly routine shoot-'em-up bit of TV boiler plate, in which most of the shooting happens to be done by a number of highly competent and strongly motivated Negro frontiersmen.

It's a sudden and somehow disturbing feeling that the television industry, like the movies before it, has gone out of the entertainment business and has been taken over, root and branch, by the propagandists.

Somebody out there is trying to tell us something. It almost makes you wonder, while we are all worked up about the "military-industrial complex," whether we might not also take a look at what the entertainment-propaganda complex is up to these days.

It is virtually impossible, of course, to overestimate the propaganda potential of the entertainment industry, once it really puts its mind to a given theme.

Within the lifetime of most of us, we have been successively entertained into hating Germans, Japanese and Russians, loving Russians and Chinese, liking Japanese and some Germans, hating Chinese and re-hating Russians. But this business of international propaganda by the entertainment industry is relative child's play compared to the current effort in the field of social brainwashing, which is a very tricky business, indeed.

Propaganda, by definition, is an effort to shape attitudes and incite people to action. And when it focuses its attention on a problem as complicated and delicate as race relations in the United States, it is not easy to predict exactly what attitudes and what kind of action are likely to result.

It would be one thing if the treatment of the problem consisted simply of platitudes calling for tolerance and brotherly love between the races, but it definitely does not.

Far more often, in fact, it is a matter of dramatizing and exploiting the antagonisms that are assumed to exist between the black and white communities. The content of this endlessly repeated theme, beamed into the living rooms of both communities, involves violence and hatred and sex and all the other things that sell TV shows. And it is being packaged in a racial context that has, or could have, the approximate explosive potential of uranium 235.

If there is such a thing, therefore, as a conspiracy by those who call the shots in the television industry to brainwash the public on the question of race relations, it is a conspiracy of highly questionable wisdom. The intention, no doubt, is the laudable one of promoting reconciliation and harmony. But the unfortunate fact is that the actual result may be quite the contrary. The real problem is of course, that it is hard to propagandize with the same material two different groups which are presumed to be antagonistic to each other. What leads one group to cool it may well incite the other to go on a rampage. Where the antagonism is real, it is no easy thing to please one group without infuriating the other.

In show biz as in real life, to be sure, there is an obligation to tell it like it is. There is plenty of room for social conscience and plenty of reason for changing some of the dramatic stereotypes left over from the past.

But whether problems of prejudice, injustice, resentment and alienation are going to be solved—or even helped—by a concerted deluge of dramatic propaganda is extremely doubtful.

Dignity, after all, is not a quality that can be conferred on anyone by a TV casting director. And whether the image of the American Negro will be much improved by suddenly changing him on millions of television screens from a fall guy to a tough guy remains to be seen.

For the fact is that the American people, for all their susceptibility to propaganda cloaked as entertainment, do have a way of developing a certain sales resistance when the message is laid on hard enough. At the moment, a delicate problem is being handled with what may strike a good many viewers as sledge-hammer finesse. The time for some change in signals—and perhaps some letup in the pressure—may be at hand.

[From the Washington (D.C.) Post, Mar. 2, 1969]

THE DECISIONS AT DUKE UNIVERSITY

I would like to strongly protest the staff-written stories in *The Washington Post* of Sunday and Monday, Feb. 16 and 17, which left the distinct impression with your readers that Duke University capitulated on a series of demands by a group of our black students. The facts simply don't bear this out. This error of impression was further compounded by the headline of your Monday story which went far beyond what the story itself said.

The author of your articles, Mr. William Chapman, admitted to an official of Duke University that, albeit unintentional, there was distortion in his stories to the extent that in capsuling he did not distinguish between *decisions* reached at Duke last weekend and *reports of decisions made earlier*.

The worst thing about such erroneous report is, *not* that in some eyes it makes Duke look weak when it should look strong, but that it gives the illusion of a victory won by confrontation and, therefore, encourages dissidents both at Duke and at other institutions to employ this technique as a means for seeking their goals, be they legitimate or not.

If our colleges and universities are to survive, they not only must understand and solve their problems, including those posed by our students, but they must also make it patently clear that decisions by confrontation will not be permitted. In this effort, we need help and understanding of a strong and honest press. Moreover, in the long run, the problem holds just as much potential danger for the press as it does for our educational institutions.

FRANK L. ASHMORE,
Vice President, Duke University.

THE HUMAN RELATIONS BUNGLERS

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, the legal theory of Brown against Topeka rejecting a denial of freedom of choice because of race has suffered mispromotion to the point that today "freedom of choice" is again illegal. We have receded from preventing forced denial of free choice to the opposite extreme of compulsory refusal of free choice—all seemingly as a dedicated maneuver to satisfy intellectual curiosities and fulfill political promises. Everything today not prohibited is mandatory.

That the forced race ratios and cultural genocide is not working is admitted by the same "full equality" theoriticians as they confess that racial problems are worse now than when they started their full freedom campaign.

Why continue the immoral quest, when experience shows no progress? In fact, if their statistics are correct, the results are worsening. And the taxpayers, induced to buy peace, grow weary of "solutions" that only aggravate the problem.

The rationale for continuing lies between profit for one minority, the profiteers, and guilt-obsessed goals for another already rich minority. To others, the egalitarian promise is but a means of retaining power.

The so-called crisis of our cities can be attributed directly to race forcing—causing productive taxpayers to flee to the suburbs. In sequence, the alibi-seeking politicians are caught without revenue as their centuries old business centers were converted into slums. They dare not admit their fallacy. The problem they have created, they would not solve with continued suffering and taxpayers' dollars with a utopian promise called urban renewal.

In educational endeavors the poor minority resists outside interference as foreign and alien philosophy. Environment is not the sole motivator of man.

Given any forcefully integrated school, immediately the black people—denied their culture—organize and demand a black teacher, a black superintendent, black eating, and restroom facilities as well as the teaching of Afro-American studies.

Yet, the race bunglers—who have made tainted money by legalized blackmail—refuse to concede defeat and demand more stringent racial force laws—and more tax money—if only to prove their point.

So-called civil rights bill after civil rights bill has been passed with little or no promised effect.

How far will the ideologists go before admitting they are wrong?

Have not enough people—white and black—been hurt?

Should not honest sociology try another approach? Twenty-odd years of data and experience—all unfavorable to the present trial and error theories—should convince us that changes are needed desperately.

And the answer is so simple—let the people alone.

Mr. Speaker, I place news clippings from local newspapers at this point in my remarks:

[From the Washington (D.C.) Evening Star, Feb. 27, 1969]

RACIAL RIFT IN UNITED STATES WIDENING, FOLLOWUP STUDY CONCLUDES

Despite progress on a number of fronts, the separation and inequality of blacks and whites in the United States is increasing, an independent, year-later study of the Kerner commission's findings concluded today.

It was a year ago that the National Advisory Commission on Civil Disorders, headed by Illinois Gov. Ott Kerner, warned:

"Our nation is moving toward two societies—one black, one white, separate and unequal."

The new study, undertaken by two voluntry groups, Urban America and Urban Coalition, backed away from such indictments as "white racism," a phrase from last year's report that produced intense controversy. Yet its conclusion was just about as gloomy.

TWO SOCIETIES NEARER

"We are a year closer to two societies—black and white, increasingly separate and scarcely less unequal."

The study, according to an Urban Coalition spokesman, was launched not as an attempt to revive the Kerner commission, but to revive interest in its findings and to assess what has happened since.

At a press conference this morning John W. Gardner, chairman of the Urban Coalition, said:

"We have made a start—but only a start—on what the commission described as 'the major unfinished business of this nation.' But we have not made the total commitment that is so urgently needed if we are to make this a livable society for every American."

The Rev. Channing Phillips, head of Washington's Housing Development Corp. and a member of an advisory panel on the year-later report, called it a document "written by whites for whites." He said this was proper in that it is the white establishment which must listen to the findings of such studies.

The commission, the new report said, had accurately predicted what would happen in the short run—some improvements but none large enough to reverse racial polarization, with increased violence but less massive disorder because of improved police preparations.

DISORDER FEARED

"If the commission is equally correct about the long run," said the study, "the nation in its neglect may be sowing the seeds of unprecedented future disorder and division."

The study, put together by a seven-member team under the direction of Urban America's Donald Canty, found a number of encouraging signs.

Foremost among them were the gains made by Negroes in geting jobs and escaping the poverty bracket. With continued prosperity the key, incomes are up and unemployment down, "even in the hardest to reach places and categories of people," it said.

Also praised were private industry's increasing involvement in the social arena; the success of the National Alliance of Business's JOBS program of hiring the hard-core unemployed; the passage of last year's Omnibus Housing Act and Fair Housing Act; greater awareness by city and state governments of urban needs and problems; evidence of greater black pride self-help movements.

OFFSETTING FACTORS

But these encouraging signs, said the report, are offset by a number of factors: continuing discrepancy in white and black income in the quality of jobs blacks and whites hold; continuing high unemployment among ghetto youth; the failure so far of Congress to appropriate sufficient funds to carry out the big housing act; the fiscal restraints on communities; the fragmentation of citizen groups that want a share of community control.

Moreover, the report listed other areas where conditions not only have failed to improve but appear to be deteriorating.

One is education, where with the exception of a few middle-sized cities, the drive for integration has been stalled by both white and black resistance, and the "small amount of progress" in improving ghetto schools has been "counterbalanced by a growing atmosphere of hostility and conflict in many cities."

Another is welfare, where in the face of unprecedented prosperity, the welfare caseload continues to rise precipitously. The report blamed much of this on continued family breakdown, with 1968 figures showing 35 percent of Negro families in central cities have no father in the home.

POLARIZATION OUTLINED

The report's second part does not deal with specific urban issues so much as it attempts to spell out the polarization question in light of what happened in 1968.

Depending largely on new census data, the report presents the following picture:

Net migration of Negroes from rural areas into the central cities has just about stopped.

The movement of whites from the cities has accelerated since the riots.

Blacks also are moving out of the cities to the suburbs at an accelerated rate, leading not so much to integration but to new suburban ghettos in close-in areas that are not real suburbs at all.

City ghettos are expanding in size but dropping in population density. Even the poorest people are leaving the worst slum tenements of cities like New York and Newark.

Herman Miller, chief of the population division of the Census Bureau, said that up to 1966, whites are leaving the cities at the rate of 140,000 a year. That rate, he added, has jumped nearly a half million a year in the last two years.

[From the Washington (D.C.) Evening Star, Feb. 27, 1969]

RACIAL GAP REMAINS WIDE, DESPITE PROGRESS IN AREA

(By James Welsh)

There has been no evidence of a reversal of the black-white separation in the nation, says a follow-up study of the Kerner (riot) Commission report of last year, and Washington shows a similar pattern.

Events in Washington over the last year have been similar to what the study "One Year Later," sponsored by the Urban Coalition and Urban America, found in the country—that despite progress in many areas there has been a general deterioration in race relations.

Last April's riots proved to be the biggest setback to racial accord in Washington in years. Its residue of bitterness and fear have subsided but have far from disappeared.

At the same time, as the new report said of the nation, police here have gained greater strength, skill and sophistication in heading off disorders.

No accurate figures are available for the movement of blacks and whites in and out of the District, its various neighborhoods and its suburban jurisdiction. The view of many authorities, though, is something like this:

Migration of Negroes into the city has slowed, perhaps to the point where increase in the District's Negro population is represented entirely by natural growth; the events of 1968 led many whites to leave the city; Negro movement to the suburbs in the last several years has been unprecedented; however, a large number of these people find themselves in largely Negro neighborhoods, particularly the close-in areas of Prince Georges County.

Within the city, black political and civic participation is up sharply. Negroes have a significant share of government action. But this has also been accompanied by strident separatist demands by Black Power advocates and considerable conflict among various black interest groups.

Perhaps the most notable progress has come in the area of urban development within the city.

Planners of the Shaw urban renewal project made great strides in 1968, and the Nixon administration has backed its first phase with $30 million. Rebuilding of the riot-torn Seventh Street—within Shaw—will begin this year. Plans also are advancing for the Fort Lincoln new-town project, with racial and economic integration the No. 1 goal.

[From the Washington Post, Mar. 2, 1969]

RACIAL TENSIONS SIMMER IN HARLEM SCHOOLS

(By Susan Jacoby)

NEW YORK.—At Public School 39 in Harlem, seven teachers sit all day in empty classrooms guarded by police. Children who would normally fill the classes are assigned to other teachers.

The seven are all members of the AFL–CIO United Federation of Teachers. They are involved in a dispute with the local elected governing board of an experimental school district in East Harlem. After the teachers defied the board in a controversy over whether schools would be open or closed during the regular holiday vacation, parents had their children transferred to other classes.

The situation at PS 39, with some classrooms empty, children jammed into others that are too small and more than a dozen policemen patrolling the corridors, is a down-to-earth manifestation of the bitter high-level struggle for control of New York's 1.1-million-pupil school system.

The teacher strike that shut down most of the city's public schools for nearly three months last fall was caused by the conflict between groups that control the school system now—the teachers' union and the administrators—and the blacks and Puerto Ricans who are demanding community control of the schools.

SWAHILI VERSUS HEBREW

It is a power struggle with high stakes on both sides. The largely white union feels its very survival threatened by community demands for a voice in hiring and firing teachers. At stake for the blacks and Puerto Ricans is the education of their children, who have fallen further and further behind each year in schools run by the central board of education, and a share of political power over institutions serving their communities.

The racial antagonisms that surfaced during the strike did not end when the teachers went back to work; there is every evidence that tensions are increasing. More than 1300 of the school system's 57,000 teachers had resigned as of December. There were only 1300 resignations during the entire 1967–8 school year.

"The resignations have been coming in very fast since January," says one school official, "and we don't have these recorded yet. What effect this all will have on recruiting new teachers can only be guessed at, but it doesn't look good at all."

Several schools have been the scenes of confrontations when students demanded courses in Negro and Spanish-American history, African history and African languages like Swahili.

The resistance to "black history" on the part of many old-line teachers would be startling if it occurred in Washington, for example, where the teaching of Negro history is scarcely a revolutionary idea. But the New York public school system has a peculiarly ethnic character, shaped by Jewish teachers—more than two-thirds of the total—and Jewish intellectual traditions.

The racial antagonism has been exacerbated by anti-Semitic statements from some blacks and visceral fears of anti-Semitism on the part of the school staff.

Many Jewish administrators contend that Swahili would be a useless subject for a Negro American to study. But Hebrew has been offered as a foreign language in the city's high schools for many years. A strong argument can be made for the premise that Hebrew and Swahili are of about equal use to the average American high school student.

"We don't deny that one of our aims is to impress our own culture on black children," says David Spencer, chairman of the governing board that is responsible for PS 39. "But what's wrong with that? Every other group has done it, if it had the power to do it."

Public school 39 is located in an experimental school district, financed partly by the Ford Foundation, that centers around Intermediate School 201. The IS 201 complex was set up to demonstrate the feasibility of community control, as was the Ocean Hill-Brownsville district in Brooklyn that became the focus of the teacher strike last fall.

Albert Shanker, head of the teachers' union, has called for abolition of the IS 201 and Ocean Hill districts in a plan for school decentralization submitted by the union to the State Legislature. The history of IS 201 is a microcosm of the citywide dispute over community control.

The local governing board consists of ten parents, five community representatives, five teachers and one supervisor. Chairman Spencer, a former elevator operator and youth worker who did not finish high school, is a self-educated man who disputes the union's charge that the proponents of community control are mainly "outsiders" who have no ties to individual black communities.

He has lived and worked in Harlem all of his life and has four children in public schools in his district. A fifth child attends an integrated high school on Long Island under a special busing program.

Spencer became active in school affairs when his wife was president of the Parents Associations at his children's school. He was active in the integration movement before the drive for community control.

PARENTS DO KNOW

Shifting easily between the language of the street and the language of educators, he explains his involvement with the schools. "I believed in integration; I worked for it until it became clear that the white school administration was not going to do anything about integration. Now I believe integration will come eventually, will take care of itself, if we can improve the schools in our own community whether they're all-black schools or not.

"They say, 'What do the parents know? They never finished eighth grade.' Well, the parents do know. They know when their kid comes home without books and without homework, when the kids get left back. They know, and they know nobody but them is going to do anything about it.

"White teachers? About 85 per cent of our teachers are white. Like, I don't care what your hangups or my hangups are. We can get along as long as my kid is learning to read and write."

The governing board has a personnel committee that interviews teachers and supervisors applying for jobs in the district. The committee informs the central board of its choices.

"So far, we've had pretty good luck in getting the teachers we've wanted," Spencer says. "But we think our board should have final authority on this rather than the central board."

A typical question the interviewing committee might ask an applicant is, "What would you do if you found yourself in a classroom without books?"

Spencer explains, "What we want to hear is that the teacher would complain. She can't do her job without books. Too many teachers in the past have kept their mouths shut tight if they found a classroom without proper equipment, because it would make the system look bad. It's up to us, the parents, to see that the teacher has the tools to do her job properly."

Many teachers feel it would be demeaning to have to undergo an interview by parents who lack formal education. Says one white teacher in the IS 201 complex: "I approached the interview with a good deal of apprehension. I was afraid I might be made fun of, asked about my racial viewpoints.

"I was asked if I had previous experience teaching black children. I said no, and they asked how I felt my lack of experience with black people would affect my performance. The questions weren't put in an inquisitorial vein, and I began to find them eminently sensible. Not that there is no tension but these are people I can work with."

The governing board has little official power. Its authority is mainly de facto, wrested from the central board inch by inch and susceptible to being reduced at any time. Spencer and the governing board want formal powers and all-important control of the budget for their district.

The union is opposed to such a plan and is fighting it in the State Legislature in Albany. But the most bitter battles now are being fought in schools like PS 39, tense with antagonisms that continue to disrupt education in the Nation's largest city.

[From the Washington Post, Mar. 2, 1969]

ALEXANDRIA TURMOIL STRAINS OLD SCHOOL TIES—PARENT CRY FOR ORDER AT GW HIGH

(By Richard M. Cohen and Maurine McLaughlin)

"There was discipline when I was going to George Washington," said Joan Clark. "There is none now."

Mrs. Clark's daughter has followed her to Alexandria's George Washington High School, where her husband Jack is president of the Parent-Teachers Association.

With other parents, the Clarks are using the term "discipline" to describe the "missing element" in a school they believe is in trouble. Crime and taxes and discipline in the schools—particularly George Washington—make up a troika of issues in Alexandria's current election campaign for a vacant City Council seat.

George Washington has been, for a generation, a matter of intense pride to the neighborhood it serves—a stable area of modest homes and middle-income families that is now feeling the effects of metropolitan growth, school reorganization, desegregation and an unhurried influx of Negroes.

"We had problems prior to integration but they were dealt with then," Mrs. Clark continued. "Now there isn't any discipline . . . The only thing a child respects is fear.

"Ann Landers, whom I dearly love, agrees with me. You can't be too nice to kids. You can't be buddy buddy with them."

Robert Parlier, George Washington's principal for 1½ years, observes that much has happened since the complaining parents left the school.

"It's no longer the little red schoolhouse they remember," he said. "Maybe there's resentment over integration."

But desegregation alone doesn't tell the story.

"I've never believed discipline was too much of a problem," said Susan Sanders, a leader of the student government. "Any school that's integrated is going to have a problem. It's a group of white kids and black kids who want to be heard. Most of our discipline problem is with white girls."

And then, almost parenthetically, she tells about a meeting between parents and students in which a student referred to George Washington as "our school." The parents met that idea, she said, with bitterness and disbelief: as the parents see it, George Washington is their school.

George Washington High is unusual among Washington area schools, because about half of its 1600 students are children of parents who went there and remember it with affection. When it was built—three stories high and a city block long—in 1932, it was white Alexandria's only high school.

Like most parents, particularly those caught in the turbulence of rapidly expanding metropolitan areas, the Clarks and their 50 or so supporters in the PTA are concerned about the forces pulling youngsters away from the community. That concern has become part of the discipline issue.

"Quite frankly," Parlier says, "some of the parents have lost their kids."

But, Parlier concedes, George Washington and the surrounding Del Ray area have not had an easy time of it. When Alexandria finally closed its Negro high school two years ago, it also revamped school attendance boundaries to achieve racial balance.

George Washington, which was at first supposed to be about 18 per cent Negro, is now conservatively estimated to be 29 per cent black. T. C. Williams High School to the west is about 20 per cent black. Francis Hammond High, still further to the west, has few Negro students.

The boundary changes and the opening of T. C. Williams High took students from the affluent neighborhoods to the south and west. These include children of the Old Town and the new suburbs, many of whom are college bound.

In addition, Parker Gray, the former Negro high school, was redesignated a middle school—meaning seventh and eighth grades—for children who would go to George Washington High. Aging and inadequate, Parker Gray had to be renovated. The work fell behind schedule, and George Washington had to accommodate displaced Parker Gray students.

George Washington went on split sessions last fall, with high school classes in the morning and middle school classes in the afternoon.

"It started," said a dean, "when they brought the Parker Gray kids here. Teachers used to be out in the halls when classes changed and they would watch them until they were cleared." But, he continued, the split session reduced class periods from one hour to 45 minutes, and teachers—anxious to adhere to lesson plans prepared during the summer before they were told of the split session—closed the door and began to lecture at the sound of the bell.

The halls, by most accounts, were noisy. Students were often tardy to classes.

Both schools had to cut extracurricular programs. At George Washington, where there are 46 clubs and a student government that other schools look to as a model, the split session was devastating. Morale sank.

"I got depressed about everything when the Parker Gray students were here," Miss Sanders said. "In the beginning there was just time for classes. I feel that that messed it up. Younger kids just don't treat the school right. Some of the paintings the art club put up were defaced."

Most of the Parker Gray students are gone now; regular sessions have resumed. But emotions have stayed high.

George Washington students, Parlier and his teachers say, have an astounding proprietary interest in the school. For the 60 per cent who end their education here, George Washington is a tradition as firmly imbedded as if the walls were covered with ivy.

Most of George Washington's students, for instance, do not wear their hair long—because the majority frown on the current fad. (Roger Ashby, a long-haired student, was hauled before the honors court and told to trim his hair. "There are just some kids who think it gives the school a bad name," he says.)

But one tradition that has died is the preeminence of George Washington in Alexandria. Now there is the new T. C. Williams High School, $5.5 million worth of glass and air conditioning. There is unquestionable resentment over what is thought to be the City's desire to service the high-income sections at the expense of Del Ray and its neighboring areas.

"It was brought up in this neighborhood—just one block from where I live now," Mrs. Clark says. "I live here because I like it. It hurts me when I see everything going to the west end of town."

Robert McKlveen lives in the Rosemont section, a bit more prosperous than Del Ray, but still within the George Washington attendance zone. He is a graduate of the school and lives in Rosemont, he says, so that his two sons will go to George Washington. He is now a critic of the school.

"It grieves us to see our school—George Washington—going down so, and to see a new 5.5-million school over there," he said, referring to T. C. Williams to the west.

"We in Rosemont are concerned about the school situation because we feel it affects property values. We used to have four members of the School Board living in Rosemont but now two have moved out." McKlveen is Mrs. Clark's brother.

P-TA president Clark says, "The trouble started with the speed of integration forced on both white and black." He says that in visiting the school he has seen "kids running in the halls, using loud, vulgar and boisterous language in the halls."

"What the whole thing boils down to," adds Mrs. Clark, "is that they do not have enough discipline.

"Everything will fall into place if we could get discipline back into the schools."

"The thing that they're complaining about is the thing the world is complaining about," said a teacher who requested anonymity. "So many of the parents went to this school. We have a very active P-TA. It's not a cupcake affair where they come to listen to Mrs. Sidewinder talk about her trip to Haiti.

"The number of fights haven't increased," the teacher, a part-time dean and an 11-year George Washington veteran, continued. "You get two young roosters and they square off over some silly thing."

"There have been kids who have been afraid to come to school," said Miss Sanders. "A lot of the kids just listen to talk. When Martin Luther King was assassinated, the colored kids put the flag down to half mast. A lot of the kids were scared then because they saw all the colored kids together.

"A school," says Henry Ortiz, a senior, "is a school. Actually in the school I haven't seen as much trouble as outside."

There was trouble last fall outside the school, particularly after football games. Last September the school administration threatened to cancel all night games after seven persons were injured in a postgame fight outside the George Washington High stadium. The game, however, was between T. C. Williams and Fairfax County High Schools, and George Washington students think they have been unfairly blamed for the sins of others.

Nevertheless, some observers point out that there is growing tension in the neighborhood between young whites and blacks.

"The area," one said, "has been integrating.

There are tensions in housing and recreation. There are fears of being overwhelmed by the whole racial crisis."

Now Principal Parlier has begun to be more strict.

"They (the school administration) started to tighten up last week," said Travis Payton, a tenth grader. "They send 'em home to their parents. They watch every little thing I do to see if it's right or wrong."

Tardiness now brings immediate action. A behavior clinic (that means staying after school) is now in operation. Students who are late to class more than three times have to see a dean. And the dean sees their parents.

Teachers, administrators and the principal agree that their critics in the P-TA represent about 15 per cent of the parents. But, one added, "they are parents who have a deep-seated interest in their children."

The Clarks, who very much want their children to go to college, fault George Washington High because only an estimated 40 per cent of its graduates go on to college. It used to be, everyone says, 75 per cent.

"I believe that an atmosphere of a school from which students go to college is more conducive to studying on the part of the average student than the atmosphere of a school that doesn't send students to college," Clark said.

The percentage of George Washington's graduates who go on to college has fallen, Parlier admits. But, he says, in past years many of the students simply dropped out when they were 15 or 16. Most of those who graduated went on to college, but too many simply did not graduate. Now, Parlier says, a student cannot leave school until he is 17—very nearly graduation age.

What Clark calls "the speed of integration" has taken a toll at George Washington and it plays a part in the "discipline" problem.

"There are too many old people in the school, too many," said Arthur Funn, a ninth grader. "If you walk into the library they ask you what you want there. No, no, get out of here. Then they say, 'come here you poor boy.' My name ain't boy. My name's not boy. My name's Arthur Funn."

"I'm not sure that many of the teachers have been prepared adequately for integration," one teacher commented.

"That," concedes Parlier, 'is about true. That's a matter of education, too. We started sensitivity training two years ago on the basis of Federal funds and then the funds cut out on us. We only got about 10 per cent of the staff through."

About half of George Washington's teaching staff of 91 is over 50, Parlier estimated. Eight are Negro. "The thing I think is the best description of how they feel is that sometimes they're frustrated." Some of them say, according to Parlier, that they had been teaching, academically oriented kids and "for the past five years I've been teaching other kids."

Meanwhile, discipline in the schools and conditions at George Washington continue to build as a political issue. Clark, a former president of the Del Ray Citizens Association, has formed a committee of parents, teachers and students to investigate the schools.

"The committee," Clark said, "is first investigating the problems of George Washington, but we would like to see it expand to investigate citywide problems and if necessary go into the State situation and . . ."

[From the Washington Post, Feb. 21, 1969]

BLACK POWER STRUGGLE IN CHICAGO SEEN AS TEXTBOOK ON TACTICS

(By D. J. R. Bruckner)

CHICAGO.—A struggle over Black Power which has erupted within the Chicago Metropolitan YMCA could become a textbook on tactics being developed by young aggressive black leaders.

The choice of the YMCA as a target is itself of great significance, since the Y has long been considered by white liberals as a front-line organization in promoting civil rights and black liberation.

But beyond that, the presence of a powerful black caucus within the Y staff, the relations of the Y with the city's power structure, church groups and social organizations and the types of demands made on the Y by the protesters put this struggle on an entirely new map in the area of race relations. The attack was formally launched in December by the Black Consortium and the Committee for One Society (COS), who charged the Y with refusal to comply with demands to "end racism in the YMCA and its operations."

WHITE GROUP

COS is a group of white professional men, led by the Rev. Alvin Pitcher of the University of Chicago Divinity School, which is dedicated to action and instruction against racism in the white community.

The Black Consortium represents 58 militant black groups, ranging from Operation Breadbasket through the Student Nonviolent Coordinating Committee to the Black Panthers. It acts primarily as a center of communications and organization for the groups which belong to it. And, so far, it has shown an impressive ability to marshal its troops for action.

COS and the Consortium are housed in the same building and often coordinate their plans. Both were set up to launch attacks on institutional racism.

The YMCA is an extraordinary target. In Metropolitan Chicago it has 180,000 members and provides services to thousands more. It runs 40 centers there and many smaller centers in outlying areas. In 1963 it started the first intensive job training program in the country for the hard-core unemployed and it has run a citywide street workers program for making contact with and giving help to members of youth gangs.

It runs a large community college which contains a "second change high school," it has a program to set up shops run by gang members in three areas of the city and it is promoting a new program to establish black-owned businesses.

Economically it is a significant force in the city. Its gross annual budget exceeds $30 million. It owns 5 per cent of the hotel rooms in Chicago and employs more than 4000 persons. Its advisory board includes top executives of almost every major business in the area and the top leadership of the city's social power structure.

The Black Consortium and COS met with Y officials twice in December before they issued their public blast at the organization. At the first meeting the two groups presented an eight-page list of demands complete with timetables for compliances, and an elaborate compliance procedure. The two sides differ about what happened at the second meeting.

DEMANDS UNREALISTIC

R. Calvin Lockridge, chairman of the executive committee of the Black Consortium, says officials refused to give the protesters a timetable for change or to discuss meaningfully the changes themselves.

John O. Root, the general executive of the Metropolitan YMCA, says the groups told him they had not come to the meeting to negotiate the demands, but only to receive the Y's acquiescence in them. Root said "some of the demands are unrealistic. In effect, they call for the complete reorganization of the YMCA from top to bottom."

The demands made by COS and the Consortium are sweeping. They demand the Y Board of Managers, its key policy group, be 35 per cent Negro by March 1, and 50 per cent Negro by next year. Similar percentage demands are made for all other boards and committees.

One series of demands calls for a complete restructuring of the staff and all programs to make way for more Negroes, as well as Negro-oriented and devised programs, purchasing procedures and employment patterns.

Another demands new policies on all government-funded programs which would give "the black community" veto power over the programs and which would, in effect, move the Y into a position of support for Black Power drives originated outside the Y. One demand says the Y should disassociate itself from all Model Cities programs until "local citizens have control in each target area."

But the most potent demand calls for establishment of a review committee made up of two Negro and two white Y employes, two Consortium leaders, two COS members and an appointee of the Spanish Action Committee, which would have power to approve or disapprove the Y's efforts to meet all the other demands. Performance records would have to be made up by the Y and presented to the COS and the Consortium for approval.

Officials of the Y agree generally that the key issue is precisely this last demand: They do not want to be monitored by a group which has, they say, no "stake" in the Y organization.

What the Y is doing so far is impressive.

There are now 1160 members of various boards, and 170 of them are Negro, a rise of 30 since last Dec. 18.

Bruce Cole, who is Root's second in command in the Y's central office, says the Y hopes to raise this quota to at least 275 board members by the end of the year, but this is a long way from the goal set by the COS and the Consortium.

When it looks to its constituency, the Y officials say, the organization considers its chief aim at this time to be a program to soften suburban attitudes on race and combat the white racism which pervades some outlying neighborhoods of Chicago.

But the fact is that many of these programs still are meaningless to the Consortium leaders, who contend that, no matter how well intentioned they may be, they are still devised by and are being executed by whites.

The Metropolitan YMCA is scheduled shortly to begin a $2.5-million fund-raising campaign to meet current expenses, and it is always seeking increments to its endowment. Furthermore, some of its funds come from hotels and residences, membership fees and other activities.

Thus, it is peculiarly vulnerable to a variety of attacks from any disciplined group of protesters. COS and the Consortium already have written letters to some board members and Y contributors to demand support for their drive.

[From the Washington (D.C.) Post, Mar. 2, 1969]

STITCHING UP OUR COLLEGES

(By F. Champion Ward)

(NOTE.—This article by the Ford Foundation's vice president for the division of education and research is excerpted by permission from the Foundation's annual report.)

Since the latest "crisis in higher education" is easier to discuss than to understand and since it shows no sign of early abatement, we may expect more punditry on the subject. Prophecy already ranges from the visions of the "relevant" university as co-extensive with the latest set of the Nation's burning problems to plans for better moats, portcullises and halberdiers to defend the ivory tower from the Urban Coalition, the student Internationale, intrusive politicians and the local police.

The comments which follow have a less apocalyptic theme. They rest on these assumptions: that whatever else may be said about the present crisis, it has strained the institutional fabric of American universities and colleges; that strengthening that fabric is now the first order of business if higher education is to make its aims clear and quicken its responses under stress, and that there is, in fact, slack to be taken up and new weaving to be done before the universities and colleges can be either despaired of or successfully defended.

For the crisis has made it clear that unquestioned routines and unthinking loyalties no longer insure the integrity and rational order of academic communities.

Students take nothing for granted, faculty members are distracted from institutional concerns and administrators, trustees and alumni find themselves calling for unity and civility as fragmentation and disruption increases.

SOME STUDENTS ARE HALF RIGHT

Let us examine the present state of the constituent "publics" or "estates" of a university and consider some ways in which each may be reinforced and connected to the others so as to add to the university's tensile strength. And let us begin where the headlines begin, with students.

In spite of the temptation to generalize about them, students remain very different from one another. This is true even of that large minority of affluent heretics called "dissident students."

Some of the latter are so bent on social revolution that they oppose all sanctuaries and all local repairs to existing institutions. Each part of a decaying society, they hold, should illustrate the rottenness of the whole. At least until the Vietnam war is ended, this group will continue to present the universities with problems of sheer security which can no longer be resolved within what is left of the tradition of civility, community and informal administration.

In this encounter, the stakes for the Nation's intellectual life and social progress are very high, for until force can be made to yield to persuasion, there will be a grave danger that university affairs, including the conduct of individual students, will come under an improper measure of control by the political representatives of an alienated public.

A second group of dissidents seeks to improve the universities and colleges, not to demolish them. But many members of this group are so impatient for perfection that no finite amount of reform is likely to be enough for them.

They are outraged by the combination of imperfection and persistence which, like their parents, existing institutions display. And they are too ardent to accept, or even entertain, the sad truth of Spinoza's dictum that "all things excellent are as difficult as they are rare."

Responsive universities can hope to reduce this group, but not to zero. They should assume that a vigilant and reproachful remnant will survive every actual reform, to inveigh against the renewal of complacency which its adoption has induced and to contrast its superficiality with what must still be done.

There remain many students who are critical of their university or college but are not too visionary to be met halfway. They may be half-baked, but in what they have to say about the programs and teaching which they often encounter they are at least half right.

In fact, most of the words which these students employ in saying what their education ought to be come straight from the lexicon of educational uplift with which all college catalogues begin and convocation talks conclude. In the mouths of responsible dissidents, even the demand for "student power" reflects disappointment in the failure of educators to match deed to word rather than a romantic desire to seize the universities.

COMBINING RIGOR, RELEVANCE

These students are asking questions of higher education which are directed to the relation between established disciplines and courses of study and age-old questions of individual fulfillment and commitment, on the one hand, and the world's tensions and demands on the other.

They do not wish to be processed or certified. (Some of them seem not even to want to be taught.) They are irreverent toward established routines and unquestioned goals, and they see in form the natural enemy of sincerity. They want the university to be both liberal and relevant, pure but not detached, involved in the world but not subserving worldly ends.

Judging from such a case as New College, in Florida, which has lived its first years during the period of student unrest, a mixture of courses, teaching and academic organization on which critical students appear to thrive is not beyond contrivance by serious educators.

Nor need such a program sacrifice intellectual rigor to such threats to established practice as "relevance," "student initiative," pass-fail grading and a three-year B.A.

Sharing of academic responsibilities with students can be expected to add to the cohesion of our universities and colleges by engaging the long-term interest and understanding of future graduates. To date, universities which have so involved students appear to have encountered some success and no recorded disasters.

The level of committee discussion is said to have sunk no lower with students present; students have found some tasks onerous or trival and other sobering; and some promising ideas have been saved from indefinite deferment or adopted sooner than they might otherwise have been.

If experience of educational reform, engaging both educators and students, can be pressed to yield its full lessons during the next few years, the strengths and limitations of "student power" as an influence in university communities can be made clear.

The present "dialogue of the deaf" on this subject shows how important it is that the universities and colleges get beyond the state of affairs now obtaining in many places, where conventional programs compete blindly with gypsy encampments (called "free universities") in the surrounding hills. In the end, the yeast and the lump belong together.

FACULTY MEMBERS AS STATESMEN

As students file a new claim to power, some faculties are finding that their own long-held powers have lapsed from disuse.

The need to meet extraordinary and fundamental challenges found some of our most eminent institutions without central faculty bodies of manageable size, established procedures for meeting or open lines of communication to administrators, schools and departments and students.

Torpid and unwieldy senates and distracted professors are not the stuff of which institutional clarity and responsiveness are made, and administrators seeking in time of crisis to share responsibility with faculties (a partnership not always cultivated in time of peace) have found that they could not be sure of a quorum or even of the support of those professors in attendance.

A first corrective is clearly of this structural kind. Faculties should elect deliberative bodies which meet regularly and which have frequent and substantive contact with the administrators of the university in connection with its general policies and educational program.

But will professors exercise or neglect such duties? We are told that they now neglect them, preferring the undisturbed pursuit of personal advancement. Concern for the overall progress and program of the university is left to administrators, in uneasy association with a few faculty wheelhorses whom the departments depute to protect their interests at unavoidable committee meetings.

This problem is complex and deeply rooted in the academic culture. Yet there are signs that it is going to be attacked by some universities not yet convinced that it cannot be solved.

On the theory that strong "institutional men" or "educational statesmen" can be developed by deliberate means, Stanford University proposes to place a number of its best young scholars and scientists in a special status as "University Fellows" for terms of three years to work with academic administrators, faculty groups and others on problems having to do with Stanford's whole program or aspects thereof which are not reducible to departmental or individual concerns.

This is not a device to lure honest professors into "administration" (half of the University Fellows' time will be available for their own work); rather, it rests on the plausible notion that if faculties are to exercise their general powers over university programs, faculty members should actually deliberate about them from a perspective not restricted to their discipline or department. This may require an altered career line for at least some professors.

Another way in which individual faculty members of high competence might extend their powers as statesmen, teachers and researchers would be through the wider use of initial appointments of six or seven years' duration.

Such a period would be long enough so that the professor would not be forced to choose among these faculty roles but could make room in his professional life for serious teaching, contributions to institutional policy and the completion of a solid book or complex piece of research.

An extension of this means of institutional enlistment of faculty members would involve looking upon the whole of a tenured faculty member's career as embracing all of these kinds of contributions and perhaps a period of national or international service as well.

Whatever the merits of these devices, they at least suggest that universities need not yet accept faculty itinerancy and indifference to institutional concerns as faults already beyond repair.

AID FOR ADMINISTRATORS

Much has been written recently about the multiple burdens now borne by university and college presidents. It has been less often noted that presidents now have considerably more help in academic administration than in the past.

Academic vice presidents, provosts and deans of faculties have multiplied as delegates of the president in matters of education and research. At a time of centrifugal tendencies, this development can have a considerable countervailing influence, if the internal structure of universities can be made more responsive to that influence.

Inventive students, faculty statesmen and academic administrators need to be able to finance at least the exploratory phases of educational improvements from institutional funds functioning as a kind of internal foundation. Whether these devices will begin to restore the balance between internal and external concerns remains to be seen, but the interest of some universities in such a restoration is itself promising in view of the many predictions of disintegration now to be heard in the land.

Administrators worried about the indifference of professors to institutional purposes might consider another means of enlistment. Professors and faculties with institutionally advertised expertise in such subjects as architecture, law, urban sociology, economics and management are too rarely consulted by their own university in connection with its administrative decisions.

It is therefore hardly surprising that those decisions are often deplored by members of the faculty who might have taken part in them and who, had they done so, might even have reached the same conclusions.

TAPPING ALUMNI RESOURCES

In general, graduates are now related to their colleges through appeals for support, invitations to reunions and cheering news of campus happenings and achievements. Even in the stronger colleges and universities, alumni activities as now organized often fail either to exploit or to help fulfill the specialized interests and capabilities of alumni as these develop following graduation.

Quite apart from the need to reach graduates for the usual fund-raising purposes, increased interplay between alumni and current students and faculty on the basis of shared intellectual and social interests could toughen institutional fiber in two ways.

By reducing mutual ignorance, it would lessen the chances of alienation between alumni and the current campus. By engaging faculty, students and capable alumni in joint activities having intellectual or educational substance and social value, the institution's current faculty and student body would be reminded of the long-term results of their educational efforts.

And they might, through such exchanges with able and inquiring alumni, make valuable changes in current programs.

In the case of most institutions, such an effort would require better direction and more information and planning than most alumni offices and associations are now able to provide.

ADVICE AND CONSENT

Boards of private universities and colleges have until recently modeled themselves on Aristotle's diety: moving others, they have not been moved. Now, there are stirrings which suggest that this may cease to be true.

The occasion for change appears to be the "generation gap," which has made for a certain uneasiness about the average age and tenure of trustees. In truth, the procedures of trustee selection tend to elevate the age of those chosen, whether by co-option or alumni election.

It usually takes some time to become wealthy, eminent or prudent and to be judged so by those who are already credited with these attributes. Also, it is difficult for recent graduates to become known widely enough to be selected.

Yet it seems clear that recent graduates must be added to boards of trustees if the latter are to understand the words they hear from students and younger faculty, or even wish to hear them. Some boards are pondering ways to infect themselves with the virus of youth without subscribing to the full metaphysic of "participatory democracy."

Potentially more important, if not yet topical, is the question whether the financial and fiduciary roles of boards of trustees and their roles in respect of academic development should be distinguished more sharply than at present, or even separated.

It is tempting to speculate on the possible value to a university if *all* of its constituent publics were to be represented on an All-University Educational Council charged with reviewing and advising upon the evolution of the university's whole program, not distributively, as in the case of visiting committee's, but in the light of the university's history and central purpose, its chosen relationship to its environment and its resources.

Such a body should include graduates who have themselves entered academic and professional life elsewhere, other graduates whose occupations enable them to discuss the university's program in relation to developments in the Nation and the world, representative faculty members, students and trustees.

It would be presided over by the president of the university. It would exercise a kind of "advise and consent" function which tends to be perfunctory or arbitrary when performed as one part of its task by the usual board of trustees or when limited aspects of institutional problems are dealt with in separation from each other.

The deliberations of such a council could arm its university with a body of educational principles and institutional policies which would not have to be conjured up or smoked out in time of crisis because they would already enjoy the understanding, if not the unanimous support, of all of the university's publics.

[From the Washington (D.C.) Post,
Mar. 2, 1969]

The Wright School Decision

Sir: In a letter to The Star a short time after Judge J. Skelley Wright's decision in the infamous case of Julius Hobson vs. the District School Board, Dr. Carl Hansen, et al., I characterized that proceeding as a bald usurpation of judicial power, a misconception of the traditional judicial function and, in a practical sense, a social and political disaster. Subsequent events, in my opinion, have confirmed this judgment.

Now that this judicial monstrosity has been laid to rest, temporarily at least, by a face-saving decision by four out of seven members of the Circuit Court of Appeals, some further comment may be in order.

The Hobson case should have been thrown out by the trial court at the first hearing; it was lackadaisically defended, since a majority of the old school board seemed to favor the plaintiff; the real parties in interest, the citizens and children of the District, were not represented; Dr. Carl Hansen, the superintendent, one of the finest educators in America, found himself in an impossible position, badgered because he believed in ability grouping for pupils and a sensible and gradual approach to the unsolvable problem of integration. In short, the militant liberals were in the saddle, not only among the defendants, but in the judiciary as well.

So the people and the children lost the contrived battle. A decree came down from the trial judge in effect outlawing de facto neighborhood segregation, ordering busing of of students ostensibly to overcome overcrowding in schools (Congress had prohibited busing to achieve racial "balance"), faculty integration, and the end of optional attendance zones (freedom of choice), and last, but not least, abolishing the track, or ability-grouping system. To enforce his order, Judge Wright took over the function of administering policy in the area involved from the school board.

There is no doubt that this outrageous case was a major factor in causing the decline of any real quality education in the public schools of the District of Columbia and that it has contributed greatly to bringing about the present turbulence, infighting and maladministration characterizing the school system. How can any school educate children without recognizing and making provision for differences among pupils in intelligence and ability to absorb learning? The ideal of equality as applied to such factors is simply nonsense.

As to integration, Appellate Judge Bazelon neglected to face up to the fact that the District enrollment is well over 90 percent black and growing blacker by the year. "Residential patterns and the heavy concentration of black children in the District public schools may defy the best efforts of the Board of Education to achieve racially balanced schools," he said. Thus, it appears that this was the purpose of this litigation from the beginning. But the jurist had no answer to the problem of complete or near-complete black resegregation, now in the offing. He did suggest, however, that the long-run solution might be to extend the District school district into the suburbs, which would presumably bring about a better racial mix.

If there is any lesson to be learned from all this, it is that no universal, enforced integration in the schools in Washington (or elsewhere, in my belief) will ever work, and that, ultimately, the nonbelievers will rouse themselves and militantly and effectively demand that the politicians and the judiciary quit tampering with the country's school districts and that the schools themselves be permitted to go back to old-fashioned, traditional concepts that have educated most of our leaders and in a sense helped mightily in making this country great. Education, if mixed up with or subordinated to social objectives, is bound to languish and perhaps perish entirely.

Allen C. Phelps.

[From the Washington (D.C.) Post,
Mar. 2, 1969]

A New Breed of Panther

(By Ross K. Baker, assistant professor of political science, Rutgers University)

The bomb came through the open door of the store front at 321 Hawthorne Avenue at 4 in the morning Nov. 21. Carl Nichols, captain of the Newark Black Panther Party, was standing in front of one of the battered wooden desks that served as the main piece of office equipment in the headquarters. The impact from the bomb threw Nichols over the desk, showering him with phosphorus and breaking his right arm. The panel truck from which the bomb was thrown sped away down the street in Newark's black Central Ward. In the view of the Panthers, another skirmish in their war with the police had taken place.

Nichols received emergency hospital treatment and should have been admitted, but he and his colleagues feared another attempt on his life. Since then, Carl Nichols has moved from apartment to apartment in order to prevent his enemies from finishing the job.

The alleged assailants in the bomb incident, as far as the Panthers are concerned, are two Jersey City policemen who, in their off-duty hours, contrive ways to harass and intimidate the Black Panthers. The police have the license numbers of cars owned by the Panther Party members and tow them away for parking offenses for which other vehicles merely receive tickets. The headquarters are closely watched, and when groups of Panthers leave the headquarters (they believe in the safety of numbers and travel in groups) they are usually followed. With New Jersey's new wiretap law, the restrictions on bugging their phones have also been removed, and the Panthers expect to be tapped.

BOMBING THE POLICE

On Dec. 11, 1967, a group of Panthers was traveling south on the Garden State Parkway toward New Brunswick, where they were to appear before a class at Rutgers. One car blew a tire and as the other two stopped to help, the members found themselves surrounded by half a dozen state police cruisers.

The mishap provided the police with an opportunity to interrogate the Panthers and the three white students who were driving the cars.

The parkway incident was a bloodless standoff, but it demonstrated that between battles, tactical intelligence is diligently carried on by the police.

The Panthers are by no means exclusively on the receiving end. A bomb struck a Jersey City station house early in January and the police concluded that it was in retaliation for the attack on Nichols. Several members of the Panthers were arrested. The Panthers denied that they were involved in the Jersey City bombing. If such a reprisal were, in fact, perpetrated by the Panthers, it would have been at variance with their frequently repeated statements of violence only in self-defense.

Self-defense as a belief, a working principle and an operational code has been stressed by Jerry James, a captain from the Orange branch of the party, who has taken charge of the Newark chapter during Carl Nichols' convalescence.

THE PIG IMAGE

Most of the incidents that the Panthers have found themselves in, here and on the West Coast, have been in response to police attempts at search, seizure or arrest. These police initiatives are considered by the Panthers to be provocation requiring acts of self-defense. The slaying of a police officer in Oakland, Calif., and the wounding of Huey Newton, the Panther leader, occurred in the context of a police search of Newton's car. Given the Panther definition of self-defense, the killing of a policeman is usually regarded as a case of justifiable homicide.

The wings of Panther self-defense, however, extend beyond the Panthers themselves to cover the entire black community. The Panthers claim that police activities within the ghetto are usually repressive and aimed at persecution rather than protection. The black man, according to James, is the target of law enforcement rather than its beneficiary.

James asserts that among the police, indeed, within the entire white community, there is a pervasive presumption of wrongdoing in regard to black men. The assumption is that a black man is never really up to any good. When a black man walks along the street with a coat on a hanger, a radio in his hands or a parcel under his arm, he immediately becomes subject to suspicion. That a black person has purchased an article rather than stolen it is difficult for the police to believe.

The normal courtesy rendered by the most hardboiled police officer to the most blatant white malefactor is the quintessence of cordiality when compared to the suspicious, hostile and brutal treatment accorded to the black man. The police presumption of black criminality has its parallel in the black presumption of police savagery.

The image of the policeman as a pig permeates Panther demonology and is everywhere in Panther writings and dialogue. The mention of the word "police," indeed, is avoided assiduously by the Panthers. James referred variously to the "Newark pigs" and the "New Jersey State pigs." The disdain and hatred of the police by the Panthers extends to the self-proclaimed auxiliaries of the police in Newark, such as Anthony Imperiale's North Ward Citizens Council.

There is a highly touted but dubiously effective hot line that runs from the headquarters of Imperiale's white militant organization to the home of Leroi Jones, the black nationalist poet. The efficacy of this cold war link must be judged by the degree of control that Jones has in restraining black passions and Imperiale in controlling white reaction.

Although Jones is well known to Newark blacks and is on the periphery of the Panther Party, he is often gone from Newark on lecture tours, and local black organizations tend to resent the presence of black celebrities, especially during periods of tension and confrontation.

The appearance of Stokely Carmichael at Columbia University during the student riots was regarded by some black student leaders on the Morningside Heights campus as a publicity stunt. The idea of the hot line, generally regarded as the brainchild of Newark's Police Commissioner Dominic Spina, was actually the idea of a professional "crisis manager" brought in as a consultant on ways to reduce tensions.

Such grandstand plays by well-intentioned or publicity-conscious outsiders rarely produce any lasting benefits.

NAIVETE AMONG WHITES

The resentment toward outside luminaries, experts and mediators who attempt to resolve local conflicts of which they are only vaguely aware, demonstrates the fallacy of a monolithic, Nationwide "black community." It also indicates a high degree of naivete among white leaders who feel that any well-known black leader can simply drop in on any black ghetto and can, by dint of his reputation, force of personality or color, effectively ply his good offices.

This simplistic view of black social organization is the supreme act of condescension.

For the nub of community control is that local people conversant with local issues that precipitate local grievances are the only individuals equipped to produce local settlements or agreements.

Despite the appearance of Nationwide organization, and its attendant roster of celebrities, the Black Panther Party is in reality a loosely connected structure of local chapters concerned primarily with local issues. This is one of the greatest strengths of the party.

There is an unspoken but devoutly pursued code that each local chapter is the best judge of how to cope with conditions in its own city. Despite their national reputations, Huey Newton, Bobby Seale and Eldridge Cleaver of the Oakland chapter have strenuously avoided imposing themselves on other chapters.

The Congress for Racial Equality (CORE) and the Student Nonviolent Coordinating Committee (SNCC) produced a large number of peregrinating prima donnas who, armed with the lustre and renown of national recognition, traveled the length and breadth of America as bearers of Olympian advice from their national headquarters. This facile notion of interchangeable leadership has contributed to the decline of these groups and has raised the Panthers to their currently exalted status within many black communities.

LAND FOR BLACK MAN

There is, to be sure, a national platform consisting of ten points, among which are: land for black men, exemption for black men from military service, black control of black communities and freedom for all blacks currently held in state, local and Federal jails.

This last plank, Jerry James explained, was not for the purpose of turning loose convicted felons but rather is related to another plank which states that black men accused of crimes have the right to be judged by their black peers. The underlying theory here is that only a ghetto resident is competent to judge the circumstances which would prompt a black man to commit a crime. According to Panther analysis, all black men currently serving time are illegally incarcerated.

The issue of land for black men is one which the Newark Panthers, at least, speak about most passionately. Urban renewal is characterized by the Newark Panthers as "black removal." The interstate highway and the construction of new office buildings in former areas of high density housing are tangible enemies of the ghetto resident.

As James put it, "When a black man is thrown out of his house, he never puts his roots down again." Urban renewal is perceived as the work of unresponsive and arrogant bureaucrats who cater to the needs of large corporations, affluent suburban motorists and disciples of beautification. For Jerry James, the new high-rise public housing units in Newark are "vertical concentration camps."

Last Dec. 19, James and a group of Panthers from Newark and Orange went to Washington to protest the routing of Interstate Highway 75 through a black area of Newark. What a curious thing for revolutionaries to do, to protest against a proposed highway! Here were men whose public utterances call for a totally restructured society, a socialist economy and the abolition of capitalism. It is difficult to visualize Lenin visiting the Imperial Ministry of Highways in St. Petersburg to protest against a proposed highway through the proletarian quarters of Moscow.

James would explain this by saying, "We pursue our revolution with a book in one hand and a rifle in the other," and that the Panthers serve an educative as well as an agitative function. There is more to it, however.

Under a rather flamboyant doctrinal overlay, there is a profoundly reformist nature in the Panthers of Newark. It is precisely their fearsome revolutionary image, however, that provides the Panthers with the scare power to exert leverage upon the white establishment.

THE CLENCHED FIST

So far, at least, the Newark Panthers have leaned more heavily on the book than on the rifle. They have been less aggressor than the objects of aggression.

Self-protection is necessarily a passive role. If Mao and Castro were only interested in protecting the Chinese and Cuban peasants, they would still be in the caves of Yenan and the hills of Sierra Maestra. The doctrine, symbolism and style of the Panthers are strongly revolutionary. The black beret, the leather jacket and the clenched fist salute all point to a cohesive, dedicated band of black insurgents bent on the destruction of the system. The actual record of the Panthers indicates otherwise. There has not been a single violent incident involving outsiders and Panthers that has stemmed exclusively from Panther initiative.

The random acts of terror directed against New York policemen last summer were not traced to the Panthers. The deaths of two members of the Los Angeles Panthers at UCLA on Jan. 17 were part of an internal power struggle over leadership of the vocal and articulate black student groups at the university. The tragic events of Cleveland last summer when black snipers led by Fred Ahmed Evans fired on police were likewise not precipitated by the Panthers.

The decentralized structure of the Panthers makes it very difficult to generalize about them as a national party, and the Jersey chapters appear to differ in some aspects, both in style and behavior, from the West Coast groups.

Doctrinal leadership and propaganda emanate from the charter chapters on the West Coast, especially Oakland. The weekly newspaper, the Black Panther, comes from the Ministry of Information in San Francisco. The Newark chapter receives its copies of the paper by air from California and distributes them locally. The newspaper comes on as a strident, inflammatory, scatological, revolutionary tabloid which is quite at variance with the relatively subdued, polite, almost cordial manner that the Newark and

Orange chapter members convey in person. In relations with white people, this is the marked difference between the publication and the Panthers in person. This may, however, depend on who the whites are.

WHO IS A RACIST?

In their denunciation of the existing power structure, the Panthers have put their finger on one of the most crucial components of politics in America: the corporate nature of political power, which decrees that a functional ethnic or economic group can wield decisive power and, indeed, veto political actions by virtue of its political "clout" within the system. Blacks have yet to appreciate their own power and have been excluded from this corporate interlocking directorate of American pressure and veto groups.

One of the standard denunciations of the Panthers is that they are racist. Panther Capt. James, however, went out of his way to deny that the Panthers were racist; that they advocated black supremacy or in any way regarded black men as morally or biologically superior to whites.

"A great many people," James said, "think that the Panthers are racist. We find this belief so absurd, Eldridge Cleaver said, we do not even want to respond to such a charge. We consistently maintain that any Panther who is a racist or is thought to be one is immediately expelled from the party. We are an army of liberation for blacks, but in the process we intend to liberate the poor whites as well."

WHITE STUDENTS AS ALLIES

As for the white student radicals, the Panthers see them as important tactical allies. A cynical reading of this view is that the Panthers regard white student radicals as tools, rather than equal collaborators. James does say that "whites can go places that blacks cannot. If they (the white student radicals) can do this and teach the people or at least begin the process of making them aware of their plight, we can finish the job."

The partnership aspects of a black militant-white militant combination, however, are even more strongly stressed by James.

"All through history, black men in America have assumed that all whites are enemies. Now, however, we find that white college radicals are our allies with whom we can fight the revolution together. We will get black power for our people; they will get white power for their people."

As an example of a black racist organization, James points to the Black Muslims. The Newark Panthers are proud of the defections from the Muslims to the Panthers. One of James's aides is Lt. Shabazz, a former Muslim.

The Panthers espouse none of the religious doctrines which characterize the Muslims. Both groups do put a premium on self-defense: the Muslims on judo and karate and the Panthers on marksmanship. James would probably say that karate is not much use against a man with a machine gun.

The two groups have in common a highly moralistic, almost puritanical code of behavior. Some of the ten rules of conduct for the Panthers are:

No party member can have narcotics or "weed" in his possession while doing party work.

Any party member found shooting narcotics will be expelled from the party.

No member can be drunk while doing party work.

There are also prohibitions against theft and against pointing weapons at anyone but the enemy.

One thing that is very striking about the Panther group in Newark and Orange is that women play a clearly marginal role. The "sisters," as they are called, do have the simulated military rank carried by the men, but they are manifestly the support unit in this black army.

The Central Committee of the Black Panther Party includes only one woman, Kathleen Cleaver, the wife of the novelist and Minister of Information, Eldridge Cleaver.

The attractive young black women in the Newark-Orange group were clearly not as serious or as dedicated as the men. James was careful to post a man with the women when they were talking to outsiders lest the women fail to describe properly the goals and nature of the party.

Despite its display of party paraphernalia and invocation of Panther symbols, the "ladies' auxiliary" is clearly not central to the operation of the group. It is a man's movement and one of its unspoken but salient features is the establishment of the primacy of the black male in the context of a revolutionary movement.

First, and most important, the Panthers are a growing movement. They are receiving considerable attention and support from the young black men and women of the ghettos. They have prospered and expanded at the expense of SNCC, CORE and the Black Muslims. The former group has in fact been merged with the Panthers at the invitation of Stokely Carmichael, who is himself a Panther now.

Second, and this may be applicable only to the North Jersey groups, they are neither as menacing, revolutionary nor aggressive as most whites think. They are victims, to a certain extent, of the very success of the image they hoped to create.

WHAT'S IN A NAME?

It is difficult for any group calling itself the Black Panthers to be regarded by the public as anything but dogmatically racist, singularly revolutionary and uncompromisingly violent. This impression has created the desired amount of fear but it has also caused them to be set upon more unjustly and gratuitously than if they had called themselves, say, the "Black Lemmings" or the "Black Chipmunks." But what they lose in public relations with a largely hostile or fearful white community, they gain in the kind of "scare value" that can wrest concessions from the hated establishment.

An equally important gain is in the respect and admiration they garner among blacks. That a black man can be a panther—a fearless, stalking hunter of lesser animals—is similar in many ways to the image of the Israeli as a soldier or an Irishman as a cop.

It is a case of the last becoming first. For the black man, it is transition from supplicant to stalwart; from peon to paladin. How sweet it is, after centuries of being ridiculed and scorned as a bumbling, feckless object of pity, to be the object of fear and dread.

It might be inferred that this public image of the Panthers as unalloyed militants interferes, to a degree, with their efforts aimed at changes within the system; that it would be difficult for them to present themselves as "responsible spokesmen" of the black community. But this is precisely the image the Panthers hope to achieve, for they see their role as "irresponsible spokesmen" as an infinitely more productive approach. That the Panthers prefer to use threats and menacing gestures is less a commentary on black extremism than it is on the unresponsiveness of whites.

This brings up a third characteristic which again may be peculiar to the Newark-Orange group, and that is the strongly reformist, system-oriented posture which characterizes the Panthers as an operational rather than ideological group.

The Panthers do not seem to spend a great deal of time planning the precise configurations of a postrevolutionary society. In the Newark-Orange group, at any rate, there was disagreement over precisely what revolutionary model the Panthers followed. James said the Chinese. Capt. Lou, who had spent several years in North Africa, said the Algerian, and Lt. Shabazz said the Cuban.

Both the revolutionary paradigm and the tactical requirements leading up to it seem to have been left deliberately vague. Revolutionary planning is apparently less important than the projection of a revolutionary image and style.

If the Panthers are not presently dedicated to the total overthrow of the system, why do they employ revolutionary symbols?

The answer probably lies in the fact that low-keyed deferential appeals by old-style, middle-class black groups are seen as failing to win the substantial, tangible benefits produced by violence. Fearful of black riots, the white community has proven considerably more tractable than it was when petitions, boycotts and sit-ins were used to articulate black interests.

When James talks about the book and the rifle, he appears to be offering a choice between the two. But these Panthers with their power to frighten and enlighten have discovered that the book will receive greater attention when the rifle is in plain view.

THE PRICE OF RESTRAINT

The second question relevant to the thesis of the reformist Panthers is whether or not they will continue to operate within the system. The response to this is that they will exhibit restraint if the system is able to process black demands in a reasonably effective fashion, particularly in law enforcement, urban renewal, education and welfare.

The third question is whether they will continue to seek common cause with certain sections of the white community, notably the campus militants. A partial answer was provided by James when he exhorted the students not to change; to maintain their radical views and carry them on after college and pass them on to future university students. The white militant students are the Panthers' only link to white society. As long as these student groups exist, the Panthers will probably trust them and cooperate with them. The most successful Panther chapters are those with easy access to large universities with substantial numbers of white student radicals.

IF DESPAIR SETS IN

The last question is what the Panthers will do if they give up on the system as unresponsive, unsympathetic and obdurate.

There are several models for the Panthers to follow if despair sets in. They can go the way of the Evans group in Cleveland, engaging in hopeless random acts of violence and terror with predictably tragic consequences, given the asymmetry of strength between them and the forces of law and order. They can indulge in revolutionary cabals and conspiracies like RAM (the Revolutionary Action Movement), which allegedly seeks to assassinate systematically moderate black leaders, or they can opt out altogether like Robert Williams and his Republic of New Africa.

One fact does emerge from this assessment of the Black Panther Party: they are neither the most extreme, the most potentially destructive nor the most negative force to emerge from the hopelessness and squalor of America's black ghettos.

If white Americans dig in their heels and attempt to turn back the clock, black organizations will arise that will make white people long for the day when the angry, articulate Black Panthers acted as spokesmen for black people.

This was stated most eloquently by James as he sat in his apartment on the day he was released from Hudson County Jail. Across his lap was a 16-shot, pump action Remington rifle. "There are madmen in the ghetto," he said, "men who will kill any white on any pretext, and they're waiting for me to fail. They may even hurry the process by killing me. You can't deal with these people. Next to them, the Panthers come off looking like moderates."

PREVAILING WAGES FOR MOTION PICTURE INDUSTRY

(Mr. BROWN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of California. Mr. Speaker, I have today introduced a bill designed to correct a glaring omission in the pattern of prevailing wage statutes administered by the U.S. Department of Labor pertaining to employees working on Government contracts by extending similar protection to workers engaged in the production and processing of motion picture films by private contractors for Federal departments and agencies.

The American motion picture industry represents an important segment of the national economy in the United States, employing several hundred thousand workers in its various branches. Nearly 45,000 well-trained, highly skilled and specialized craftsmen, technicians, professional employees and related or supporting personnel are directly involved in film production activities.

With the exception of the United States, almost every significant film-producing country of the world subsidizes the domestic production of motion pictures within its borders in one way or another. The superior wage rates and favorable conditions of employment that prevail for American film production employees have been successfully achieved without Government subsidies through many decades of strike-free good faith collective bargaining. In recent years, the economic stability of our domestic motion picture industry has been jeopardized because of so-called runaway foreign film production by American producers in other countries overseas where the advantages of cheaper labor costs and cash subsidies or other forms of State aid are available. At the time time, the leverage of the Federal Government's immense purchasing power to affect film production and processing locally has created an additional handicap to the maintenance of fair labor standards in this field. Millions of dollars are spent annually in this country to make films for departments and agencies of the United States with contractors who compete unfairly for such Government business by paying substandard wages and denying the usual fringe benefits, such as health and welfare and pensions, to their employees.

Ever since the 1930's, the passage of laws discouraging substandard labor conditions as an element in competition among business enterprises seeking to obtain Government contracts has been on integral part of our national economic policy. The first major prevailing wage legislation for Government contractors was initiated back in 1931 when the Congress adopted the Davis-Bacon Act. That legislation provided prevailing wage protection for the public works employees whose hours of labor had long been regulated by the so-called 8-hour law made up of statutes enacted in 1892 and 1912 and amended in 1913 and 1917. The Davis-Bacon Act itself was amended in 1964 to prescribe fringe benefits also for laborers and mechanics employed on Federal public works construction contracts.

The Walsh-Healey Public Contracts Act, enacted 5 years after Davis-Bacon, on June 30, 1936, represents the broadest exercise of congressional power in this field. Walsh-Healey prescribed prevailing wages, overtime pay and other labor standards for employees working on all Government contracts in excess of $10,000 for manufacturing or furnishing of materials, supplies, articles or equipment.

Following the development of appropriate machinery and procedures within the U.S. Department of Labor to make reasonable determinations of prevailing minimum wage rates for specific classes of work in given localities and to enforce these and other labor standards prescribed by Davis-Bacon and Walsh-Healey, various other Federal laws regulating employment conditions for employees working on projects performed for or financed by the U.S. Government were adopted during the 1960's.

The Contract Work Hours Standards Act, as title I of the Work Hours Act of 1962 is known, established weekly as well as daily overtime pay requirements for laborers and mechanics on Federal public works and on work financed in whole or in part by the Federal Government.

The McNamara-O'Hara Service Contract Act of 1965 fixed prevailing minimum wage rate and fringe benefit requirements for craftsmen, manual laborers, guards, watchmen, and supervisors in positions having predominantly trade, craft, or laboring experience who are engaged in work under Government contracts to furnish services to Federal agencies.

The National Foundation of the Arts and the Humanities Act of 1965 applied this same prevailing wage principle to projects of productions assisted by grants from the National Endowment for the Arts. Under section 5(k) of that act, the Secretary of Labor is empowered to establish minimum compensation and other specified labor standards for professional performers and related or supporting professional personnel employed on such assisted projects or productions. Laborers and mechanics employed on assisted construction projects are afforded the protection of Davis-Bacon prevailing minimum wage rates and fringe benefits under section 5(l) of that act.

My bill, which seeks to accomplish much the same purpose as H.R. 3849 introduced on January 16, 1969, by my distinguished colleague from California, the Honorable CHARLES H. WILSON, would provide that prevailing minimum wage rates and fringe benefits for workers employed in the performance of any contract or subcontract entered into with the Federal Government for the production or processing of motion picture films shall be determined and enforced by the Labor Department in the same manner as for service employees under the McNamara-O'Hara Service Contract Act of 1965. Since the protection of prevailing wage legislation is already enjoyed by so many other types of employees working on Government contracts it should be extended to American film workers making motion picture films which are such a valuable aid to the conduct of governmental functions in the field of mass communications.

LEADERSHIP OF AMERICAN AIRCRAFT INDUSTRY THREATENED FROM ABROAD

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, my congratulations today go to the consortium of British and French which successfully flew their supersonic transport this past weekend. This achievement came after many serious problems were overcome, but dedication to a program resulted in success and constituted, I might add, a new threat to the leadership in aircraft production now held by American industry.

Likewise there is additional competition, Mr. Speaker, from the Soviet Union which test flew its SST last December and, for all appearances, is determined to become a strong competitor in building airplanes for the world's market.

This, more than ever, demands that we in the United States dedicate ourselves to this program so as to protect the prestige and excellence which now belong to the U.S. aircraft industry. The future of the extensive lead the United States has today in aircraft transport production is at stake, as indicated by the fact that the Boeing Co., today has 122 orders for the American version of the SST as compared to about 70 for the British-French Concorde. This clearly indicates the faith the world's airlines have in American aircraft, but we are faced with the loss of these orders if we do not dedicate ourselves to continued orderly development of the American SST. I should add that 58 of these orders for the U.S. SST are from foreign airlines.

I sincerely trust the administration, after their careful review of the SST program, will call for the continuation of the prototype development, and I urge my colleagues to support this vital program which is essential to the maintenance of American aircraft prestige, vital to our balance of payments, important to American labor to whom it will mean many thousands of jobs, and paramount to the defense of the United States from a military application point of view.

AN IRREGULARITY UNDER THE CORRUPT PRACTICES ACT

(Mr. KYL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KYL. Mr. Speaker, for some time Members of the House have debated the propriety of a number of the mandatory census questions, this especially in light of the revelation that the Census Bureau and other departments of Government sell unpublished materials for commercial interests.

Here on the Hill we also have an example of this kind of business. Under the Corrupt Practices Act every candidate, every party, must file a list of contributors as well as a list of the expenditures made during the political campaign. These records are on file. Now we have enterprising entrepreneurs sending people to the Hill, to the record offices, copying the names of the contributors and selling these lists to solicitors for commercial purposes.

These records are a matter of corrupt practice review and congressional ethics. These reports should be open to the public, completely open to the public, for the purposes of checking on the ethics of politics, but its use for commercial purposes is wrong. I have introduced legislation to void that practice, Mr. Speaker.

LAW ENFORCEMENT EXHIBIT

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WILLIAMS. Mr. Speaker, I regret to observe that with respect to law and order, many criticize; however, few are able to recommend constructive suggestions or measures to encourage respectability and rapport between citizen and police officer.

I am proud to bring to your attention the fact that the Federal Bar Association has taken positive, tangible steps to implement such relationships by sponsoring a law enforcement exhibit. The Law Observance Committee of the Federal Bar Association and its chairman, Mr. Harry D. Shargel, are to be commended for their outstanding work.

I am confident the following information relative to this subject will be of interest to all concerned. If the opportunity of taking advantage of viewing this exhibit presents itself, I cannot encourage your patronage strongly enough:

A law enforcement exhibit first displayed in the Philadelphia area on February 22, 1968, has now, 1 year later, been scheduled for display in Texas and New Mexico during this calendar year. The exhibit is sponsored by the Federal Bar Association's Law Observance Committee.

According to the committee chairman, Harry D. Shargel, the exhibit was first displayed in the Plymouth Meeting Hall, in Pennsylvania on February 22, 1968. It was later placed on display in the Cherry Hill Mall in New Jersey.

During the past year it was displayed in eight other shopping centers in the Middle Atlantic and New England States. It is estimated that the exhibit was viewed by more than 1½ million shoppers. Mr. Shargel said that the Law Observance Committee is engaged in a continuing effort to promote respect for law and those who enforce it. He said there are definite indications that the exhibit serves to enhance the morale and stature of the law enforcement community, and has been a vehicle which promotes public cooperation with law enforcement agencies.

Participating exhibitors include the U.S. Treasury, Department of Justice, Intelligence, and Alcohol, Tobacco, and Firearms Division of the Internal Revenue Service, Federal Bureau of Investigation, Federal Bureau of Narcotics, U.S. Customs, Secret Service, Postal Inspection Service, Food and Drug Administration, and State and local police.

The Law Observance Committee of the Federal Bar Association also sponsors radio and television messages by government officials, community leaders, athletes, and entertainment personalities urging respect for law and law enforcement. It also conducts youth projects and coordination conferences for law-enforcement officials, members of the judiciary, prosecutors, and correction and probation personnel, and educators.

EXTENT OF INVOLVEMENT OF THE FEDERAL GOVERNMENT IN EDUCATION

(Mr. MICHEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICHEL. Mr. Speaker, having just been given permission to extend my remarks in a special order later in the day, I just want to let the Members know the subject of those remarks has to do with the extent to which the Federal Government is involved in education.

As we begin our hearings before the Subcommittee on Health, Education, and Welfare of the Committee on Appropriations, I thought it very appropriate that we have in one place the tables of the actual expenditures for fiscal year 1968, the estimates for 1969, and the projected figures for 1970 in the field of education. Here we will have in one place embodied in the course of my remarks all of the activities to which the Federal Government is a part in the area of education. This is a good compilation for your own personal reference in the future.

EQUITABLE SYSTEM FOR FIXING AND ADJUSTING RATES OF COMPENSATION OF WAGE BOARD EMPLOYEES

(Mr. CUNNINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CUNNINGHAM. Mr. Speaker, I have today introduced a bill entitled the "Prevailing Wage Rate Determination Act of 1969," whose purpose is to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees.

Because the number of wage board employees exceeds 765,000, this bill is of vital concern to one-fourth of all employees of the Federal Government. It directly affects their wages, their own individual rights and obligations as well as the rights and obligations of their union representatives who are bargaining for them and who represent them on the various wage board committees established by this bill.

Basically, my bill is intended to bring order and system out of the chaotic situation which now exists in the Federal Government's procedures for fixing the rates of pay of employees working under the so-called prevailing wage rate system. The information which I have been receiving for some time showed such a great discrepancy between rates of pay for wage board employees performing the identical functions and working in the same community that I found that the presumption of serious inequity and injustice could not be excluded.

This bill would reduce such a possibility of inequity.

While remedying abuses, the bill will preserve, nonetheless, the concept and procedures of the "prevailing wage" system. It thus is not a modification of the wage board system itself but simply a measure to eliminate injustice and inequity by providing new mechanisms to establish basic regulations, to conduct wage surveys, and to adjudicate or arbitrate differences.

The most important single improvement in my bill over the present arrangement is that it will give a statutory foundation to improved procedures for wage board rate determinations. The principal instrumentality provided by the bill to assure that such a policy is pursued is a newly created "standing committee" within the Civil Service Commission, to be known as the National Wage Policy Committee.

Composed of 11 members, the National Wage Policy Committee will have as its Chairman a person who shall be from outside the Federal service and who shall be appointed directly by the President and shall hold no other office in the Federal service during his tenure as Chairman.

To assure that the Chairman is objective, my bill provides that he will serve exclusively at the pleasure of the President of the United States and that his compensation will be $75 for each day spent in the work of the Policy Committee.

In addition, the Policy Committee will have five Federal employee union representatives and five management representatives.

The Federal employee union representatives will be appointed as follows:

Two by the president of the AFL-CIO; and one each appointed respectively by the president of the Federal employee union representing the first largest, the second largest, and the third largest number of Federal employees subject to this act.

The five employer representatives shall be appointed to the National Wage Policy Committee as follows:

Two management representatives will be appointed by the Secretary of Defense, at least one of whom shall be appointed on a rotational basis for a period of 2 years from the Department of the Army, the Department of the Navy and the Department of the Air Force;

One management representative from the Veterans' Administration will be appointed by the Administrator of Veterans' Affairs;

One management representative from the Civil Service Commission will be appointed by the Chairman of the Civil Service Commission; and

One management representative will be appointed, on a rotational basis for a period of 2 years, by the Chairman of the Civil Service Commission from Federal agencies which are leading employers of employees subject to this act.

In addition to establishing the National Wage Policy Committee, my bill will require each Federal department or independent agency designated by the National Wage Policy Committee to establish an agency wage committee, composed of five members. The role of the agency wage committee will be to assure the implementation within the agency of the wage surveys through the functioning of the local wage survey committees.

A most important feature of my bill is the inclusion under its wage rate system of all employees who are now paid from so-called nonappropriated funds. These employees will no longer be considered outsiders to the wage board, or prevailing wage rate, system. They will be assured equity and justice in the same manner as if they were receiving their pay from appropriated funds. Certainly, it is improper that an employee should receive less money for his work simply because his employer or manager draws his checks on a different bank account.

As with all legislation, I realize that this bill may emerge in somewhat different form when it is finally enacted. However, on the basis of my experience, I am sure that the final statute will not be very much different in its essentials than the bill which I introduced today.

MYTHS ON COLLEGE CAMPUS

(Mr. FINDLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, at the convocation ceremony which opened the second semester at 140-year-old Illinois College, Jacksonville, Ill., the institution's president, Dr. L. Vernon Caine, reviewed today's campus scene in the United States and exposed some myths that lie at the heart of student rebellion.

Here is an abbreviated version of Dr. Caine's address, a statement I believe to be a sound appraisal of the difficulties and opportunities in higher education:

STUDENTS ARE RESPONSIBLE

(Address given at opening convocation for second semester, February 10, 1969 by L. Vernon Caine)

We live in times of both greatness and tragedy. Only six weeks ago men for the first time moved out of the vast spaces where the pull of earth's gravity is strongest into the greater pull of another heavenly body, the moon. Three men orbited the moon ten times, then fired acceleration rockets and launched themselves back on the 240,000 mile voyage through space to a firy re-entry into the earth's atmosphere. In six days they traveled half a million miles. Nothing like this ever happened before in the history of mankind.

It was less than eight years ago that Yuri Gagarin of the Soviet Union became the first spaceman. He was launched from Siberia for one trip around the earth. I recall seeing him in England the following summer, a blond, fine looking man, who might well have been a college senior. Something like two years ago he was killed in an automobile accident, and last summer I stood at the Kremlin wall and saw the engraved stone which shelters the ashes of the first man to orbit the earth. Now his epoch-making flight seems tame.

This is but one of man's recent breathtaking advances. Only a few years ago the great crippler, polio, was conquered. Had it not been so, some of you would be dead or crippled. It was in our day, to be exact only year before last, that the first heart transplant took place. When we recall that it was only about 100 years ago that any physician dared open the body cavity, we can see how far medical progress has come.

But there is also tragedy in our day. Crime is increasing at such an alarming rate that there are areas in most of our major cities where people dare not go at night. We are engaged in a war in Vietnam which nobody likes and which piles tragedy upon tragedy. In the Middle East hatred seethes, and that world is on the brink of war. There are more military dictators in South America than there have been in a long time. The world is not safe for democracy, and in spite of communication satellites, greater literacy, rapid universal air service, and all the other trappings of scientific achievement, human freedom is suppressed in many areas of the world and leads a precarious existence in other places.

While all these problems are the concern of the educated community, there is another baffling problem that faces the world, and particularly America. The dream of education as the panacea of the ills of society is proving to be a nightmare. The centers of learning have all too often become centers of disorder and the attitudes of young people have become dangerously volatile. It is hard for older people to understand students refusing to go to high school or college classes unless certain demands are met. Oftentimes these students act as if they were doing someone a favor by getting an education rather than taking advantage of a great opportunity.

I am personally very much disturbed by the change in the public attitude towards young men and women who are going to college. It was only a few years ago that to be a college student was all one needed as a character reference. Not so today. There was a day when if one advertised himself as a college student he could sell magazine subscriptions to even those who did not want any because the public wanted to help college students. But things are no longer this way. Because of the excesses of unthinking and sometimes maladjusted students, the public attitude is tending toward the belief that students are spoiled brats who are ungrateful, disorderly, and often dirty and immoral.

A few weeks ago I attended a black tie dinner given in honor of the new President of the University of Chicago. Two thousand people assembled in the Conrad Hilton International Ball Room. At the head table were such former presidents of the University of Chicago as Kimpton of Standard Oil, Robert Hutchins, and George Beadle, the Nobel Prize Winner. The chief speaker was McGeorge Bundy, head of the Ford Foundation, formerly one of President Kennedy's chief advisers. At about five-minute intervals, a long-haired, bearded young man or a girl absurdly clad, students, all who had infiltrated the dinner, would jump to his feet and chant slogans or begin a tirade of some sort. The student then would break for the exit or be hustled out. Five minutes later another one would take up the same act. These planned disturbances went on all evening. In this distinguished company at an occasion of significance these college students had no sense of decency or appropriateness. What do you suppose the 2,000 guests who were the leading men and women in business, arts, education, science, religion, and all the other aspects of life thought of college students after such a demonstration? None of you would engage in such outrageous conduct, but all too often all college students are judged by extremists such as these. . . .

One of the reasons why the public believes that odd balls and disrupters are much more numerous than they really are has to do with the way some students dress, and especially about hair styles and beards. As a thwarted producer of hair, this subject interests me. I am utterly amazed at the vicious attitude that many older people have towards those who grow beards or fail to visit a barber, or by other means dress for dissent. I use beards as a symbol of off-beat dress. I think of the extra hair as an attempt to be different but really of small consequence, but anything that excites as many mature and rational people as this does deserve some consideration.

I was guest at a dinner at the University of Michigan a year ago. The host at my table was the Dean of the School of Engineering. Some of the visitors mentioned the unkempt appearance of a number of students around the university. The Dean responded by telling about a senior in the Engineering School the spring before who was looking for employment after graduation. This young man, with furry hair, a great beard, and a totally unkempt appearance, stuck his head in the office door just before it was to close for the evening and asked a company recruiter, "May I have an interview with you tomorrow?" The recruiter replied, "Yes, come in sometime in the morning." To the surprise of the recruiter, when the young man came in, he had a haircut and a shave. He had on a good suit, a white shirt, and tie. The recruiter said, "You didn't look that way yesterday. What made you change?" The senior replied, "Nobody with any sense would hire me if I looked the way I did yesterday, and I know you wouldn't."

There is nothing the matter with beards or long hair. Custer had long hair, Jonathan Baldwin Turner and the Yale Band had beards, and so did John Calvin, to say nothing of the Smith Brothers who made those cough drops, but I am quite sure that if some of the bearded ones of today had lived back in those days, they would have been clean shaven and had haircuts so as to be conspicuous. I suspect the point for those who have such distate for the hairy ones is that they regard this as the garb of rebellion. Public opinion is such that it would be difficult for any senior man with more than his share of hair or a girl who was absurdly clad to get a job as a school teacher or in a business. About the only place one can go and continue to dress oddly and find something to do is to graduate school, or if the beard is right, run a Kentucky Fried Chicken outlet.

Colleges these days are more likely to be judged by the looks of their students than anything except their disorders. I am always happy to have visitors at Illinois College because most of what they see they like. I do not understand the appropriateness of any human being under modern circumstances on a college campus looking like Robinson Crusoe or something out of a carnival sideshow.

My concern about rebellion or the looks of rebellion is what it is doing to the enterprise of higher education. If student care for the preservation of this magnificent educational system, which is the envy of the world, and for the subsidies of every sort which are available as at no previous time in human history, it is high time that the overwhelming majority of students whom I observe to be sensible, sensitive, discreet, forward looking, and ambitious see to it that the odd balls, the maladjusted, and the exhibitionists are shown up for what they are and not allowed to represent themselves as leaders or typical of the college population. I can testify from personal experience, some not two weeks old, that the bad image of college students which is growing in this country is reducing support for higher education from corporations, foundations, and individuals, and is severely affecting the legislators of Illinois and other states as well.

I could tell you of several gifts which have come to a certain few colleges of our association rather than to the total association because certain donors are fed up with the actions of students on certain campuses. I am proud to say that no discriminating donor has ever eliminated Illinois College from his gifts, but the whole enterprise is suffering because of public reaction to extremes of dress, bad manners, carelessness, misconduct, and the rebellion of some students and some student bodies. The responsibility of reversing this attitude rests squarely upon the shoulders of every college student. . . .

There are a number of myths and unknown errors which are prevalent on college campuses everywhere about which I wish to speak briefly.

(1) Older people simply do not understand. Is there any student in this audience who seriously believes that ten or twenty years from now he will be less wise or less equipped to cope with life than he is at the present time? If such there be, then he has concluded that learning and experience are worse than useless. Those who talk about generation gaps and try to divide the human family into age categories do mischief to the future of society. Whether we be twenty or fifty, we are all in the same boat. Understanding is not an exclusive attribute of the young.

(2) The myth that relevance is a most important factor in determining what we study. The fact is that education that is too specifically relative is rapidly outdated and some of the most irrelevant things turn out to be the most practical in the long run. How would we have ever gotten to the moon if we spent all our scientific know-how on solving the relevant problems twenty years ago? The here and now is not what is most important. It is the future about which we should be most concerned. What is to be is more important than what is. Dr. Lee DuBridge, who was until a few days ago the president of California Institute of Technology and is now President Nixon's scientific adviser, warns us against education for the moment. He says, "Education is not for today. It is of the past and is for the future." A good case can be made that citizenship in a democracy can be learned as well by studying Plato's Republic as by concentrating on current problems. Shallow indeed would be the education of an art student who studied only Pop or Op or whatever the latest craze is and neglected the old masters and impressionists. Those who preach relevancy are often shortsighted for he who does not know history is bound to repeat it, and he who thinks today's concerns are more important than those of tomorrow will soon find that the world has passed him by.

(3) And this one is probably unconscious, nevertheless real. Ingratitude. If someone were to ask me what is the greatest change I have observed in students generally of recent years, I would have to say it is the decline in gratitude. Most students used to be grateful for the chance to go to college and said so. Not many do today even though many more are receiving much greater assistance. Nothing rewards a teacher or even an administrator like a word of appreciation, but these words are much less common than they used to be.

Though I do not have in mind particularly the disadvantaged and minority groups, the problem is especially acute for them. In some cases ingratitude will seriously affect the educational opportunities which young people of minority groups will have in the future. In several cases young people from deprived background have been brought to campuses with all their expenses paid and with special educational assistance provided and the response too often from some have been demands that more be done and in too many cases riotous destruction of property and insubordination that have shocked the most generous minded people of the community. I am quite aware that there are two sides to the problem of providing opportunities for the deprived and the response that should be made. But there is only one result of ingratitude and that is the weakening of the resolution of those who are going out of their way to help the disadvantaged. In some institutions as well as with individuals who have provided the assistance, the response to ingratitude is "never again."

(4) Instant Utopia—It is very easy to point out the ills of mankind and the mess in which we find ourselves. The maldistribution of wealth, pollution of air and water, the growth of crime, juvenile delinquency, the Vietnamese War, the Middle East Crisis, the population explosion, to name only some of them but enough certainly to depress the stoutest heart. It is easy to speak of the failure of this and previous generations in letting society come to such a pass, but to cure these ills is no small task. Our problems will not cease to plague us in 1970 and most of them will be with our grandchildren in spite of even the promise of what you will do. We should as intelligent citizens realize that there is no dramatic or sudden method of correcting most of our major problems.

It seems to me there are reasons for hope as I look at you who are the present college student generation. If you are not led by sirens into strange backwaters, you have some qualities which at least provide hope for the future. One of them is idealism. It is a wonderful thing that you are dissatisfied with things as they are. Any one who is satisfied with the world in which he finds himself does not deserve to be called a man. But idealism does not have to be divorced from common sense. Idealism should lead neither to renunciation of the world or an attempt to destroy society. There is a good chance that you with your idealism like the knights of old can slay at least some of the dragons that infest the countryside and rescue at least some of those who are beset by evil forces. That you resolve to do so is both commendable and heartening. . . .

There was once a generation of American students whose motto was the evangelization of the world in one generation and another which offered its life to make the world safe for democracy and another with a vast and general concern that Negroes should have equal opportunity to eat at lunch counters and to vote. It is too early to categorize this generation but if what has happened at Berkeley, San Francisco State, Columbia, and Swartmore has set the tone, this will be the dark age of our enlightenment. It strikes me that what we need more than anything else is a renewal of our spirits, a lessened concern for our own shins and comforts and a willingness to face eternal issues. To understand what God has done for us is infinitely more important than our pleasures and fancies. To appreciate the heritage of those who lived and died that we can enjoy the blessings of this rich and free nation is of greater significance than to have our own way. This is a time for sober judgments, honest efforts and noble ambitions lest we bring down upon this nation the awful judgment of the Ruler of the Universe.

There is no detaching our times from the march of history. We are at this end of a long line which stretches back into the dim past. We are also the only link with what is to be. Our responsibility to develop and transit the values that are best and noblest to those who come after us is an obligation which should haunt and challenge us. Our whims and comforts are really no more significant in the long sweep of history than those of the Yale Band, our pioneer ancestors, or those who died in World War II or Korea or Viet Nam. What are we doing with our heritage, our hard earned freedoms and rich opportunities? This is the answer history requires of us. A right answer is suggested in the second verse of the Alma Mater. Let it be our watchword, "May the lamps our fathers lighted lead us ere to heights beyond."

FEDERATING NATO WOULD STRENGTHEN LIBERTY

(Mr. FINDLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, on the occasion of his election to the board of directors of Federal Union, Inc., a nonprofit, educational membership association, Senator MARK O. HATFIELD, Republican of Oregon, called for a federation of NATO nations patterned on the U.S. Constitution. He said this act would yield vast power to the cause of individual liberty "at microscopic not astronomic cost" in taxes. Here is the text of Senator HATFIELD's significant statement:

> President Nixon's trip to Europe has rightly put the accent on the key importance of the free Atlantic community, and on the need of uniting it effectively. This gives fresh urgency to the educational work which the Federal Union association has long been doing and makes me feel the more honored at being elected to its Board.
>
> Study of the immense possibilities which our federal principles offer internationally—especially in revitalizing NATO—have been neglected far too much in our country by government, press, and educational institutions. For 30 years now, Federal Union, Inc.

has been an outstanding exception to this rule. This association and its magazine, *Freedom & Union*, have pioneered in educating the public in this field. Speaking of their leadership, Paul-Henri Spaak, former NATO Secretary General, expressed my own view when he said at Federal Union's Convocation last November:

"I do not know any other example of a comparable activity put at the service of an idea. * * * Those who are in favor of an Atlantic Federation are beyond all question indubitably right. * * * [The members of] Federal Union have fought during so many years in such difficult conditions that one can fully rely on them. One must draw closer to them. Their task is a magnificent one."

Much too long our attention has been concentrated on seeking to strengthen freedom at its periphery instead of its center—in Vietnam, for example, instead of in Atlantica. Whether one seeks in Vietnam to strengthen freedom and peace by any military means, even the complete success of one's policy could not possibly give peace and freedom—and prosperity—anything near the strength they could gain by federation of the Atlantic community.

While we have neglected this fact, the disarray in the Atlantic Alliance has deepened into dangerous disunion—monetary, economic, military, political. Even in face of Russia's invasion of Czechoslovakia, military expansion in the Mediterranean and Mideast—with the darkening threat of nuclear confrontation there—some Atlantic democracies are showing more distrust of each other than of a dictatorship that seems bent now on rehabilitating Stalin. President Nixon's trip to Western Europe could not be more opportune.

Is it not time for all these free people to turn from mutual recrimination to exploration of whether the fault does not lie in the present alliance structure of the Atlantic community rather than in each other? That is what our forefathers did at the Federal Convention they called when the 13 States suffered similar disunion under the alliance of the Articles of Confederation. The far-reaching success of that Convention should encourage us to follow their example now.

No doubt it will take time to achieve federation of the States around the North Atlantic ocean. But the Vietnam way to strengthen peace and freedom has not only taken many years already, but has cost increasingly in lives and billions of taxpayer money. To explore with our allies the Atlantic Union way to incalculably greater power for peace and freedom involves no cost in bloodshed and virtually none in dollars.

As for time—our Founding Fathers, once they called the 1787 Convention, not only worked out our present Federal Constitution but got it ratified and in operation within only two years—by March 4, 1789. Perhaps the historic democracies of Atlantica cannot be federated so rapidly, but who knows, until we try—until we called the proposed Convention to explore the possibilities?

Two things we do know. The sooner we call that Convention, the less time it will take to attain Atlantic Union. Meanwhile, whatever advance we make toward it will strengthen freedom, peace and prosperity far more than we can hope to otherwise and will do this—be it repeated—without bloodshed, and at microscopic instead of astronomic cost to the taxpayers.

The association, founded by readers of Clarence Streit's "Union Now" in 1939, reelected Streit as president, and in addition to HATFIELD, elected as new members of the board Elmo Roper, pioneer pollster, and Jay Cerf, manager of the U.S. Chamber of Commerce international group. Reelected were its chairman, Roy Chipps, secretary of Middlewest Freightways, St. Louis; Melvin Ryder, publisher of Army Times; Mrs. Chase Osborn, District of Columbia, and Attorney Nicholas Doman, New York.

WHY SOYBEANS ARE IN TROUBLE

(Mr. FINDLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, tabular material I will include with these remarks helps to explain why soybeans—just 3 short years ago the wonder crop selling well at home and abroad without a costly taxpayer-financed support program—is today in difficulty.

The most dramatic symptom of trouble is that the value of soybeans in Government inventory and under loans is now higher than corn. A massive carryover of soybeans is expected at the end of this crop year, and the forecast is that Government holdings will be mountainous if the loan rate continues at the $2.50 level for another year.

I sympathize with Agriculture Secretary Hardin, who faces the politically unpleasant task of starting his administration by tackling the question of loan rate for beans. The economics of the question is clear: the rate has to be reduced substantially. The politics of the question is something else. I can testify from personal experience, as recently I proposed publicly that the loan rate be reduced to $2.05 per bushel as part of a program to get beans out of trouble. The reaction from farmers has been mixed. A few applauded vigorously, but most complained, insisting—incorrectly, in my view—that a $2.05 loan rate would mean a $2.05 market price.

In order to understand what must be done to right the soybean ship, it is necessary to understand what has been happening across the country in respect to soybean production and prices the last few years.

Attached are four tables. The first shows conclusively that the loan rate does not fix the market price except when it gets too high.

The second shows that, under the Government-guaranteed $2.50 price, thousands of acres have been cleared and planted to soybeans in the southland. A reduction in the loan rate will remove the guarantee and hopefully discourage speculators from clearing additional areas of timber for this purpose.

The third and fourth charts show how sensitive the pricing of vegetable oils and meals is in world markets, and how essential it is to the continued well-being of American farmers that soybeans be priced in competitive markets and not by Government action.

I. U.S. SOYBEANS—PRICE SUPPORTS AND AVERAGE PRICE RECEIVED BY FARMERS, 1960–68

Year beginning Sept. 1	Support price	Average price received by farmer
1960	$1.85	$2.13
1961	2.30	2.28
1962	2.25	2.34
1963	2.25	2.51
1964	2.25	2.62
1965	2.25	2.54
1966	2.50	2.75
1967	2.50	2.49
1968	2.50	

Source: USDA, FOS, 245.

II. SOYBEAN ACREAGE BY STATES, 1965 AND 1968 AND PERCENTAGE INCREASE, 1965–68

[Acres in thousands]

State	1965 acreage	1968 acreage	Increase in acres since 1965	Percent increase
North Carolina	776	1,053	277	35.7
South Carolina	806	1,015	209	25.9
Georgia	209	520	311	148.8
Alabama	228	576	348	152.6
Southeast	2,019	3,164	1,145	56.7
Kentucky	295	473	178	60.3
Tennessee	732	1,193	461	63.0
Mississippi	1,461	2,120	659	45.1
Arkansas	3,550	3,949	399	11.2
Louisiana	622	1,345	723	116.2
South Central	6,660	9,080	2,420	36.3
Ohio	2,044	2,276	232	11.4
Indiana	2,871	3,014	143	5.0
Illinois	6,021	6,416	395	6.6
Iowa	4,850	5,720	870	17.9
Missouri	3,051	3,591	540	17.7
Minnesota	3,166	3,447	281	8.9
Eastern Corn Belt	22,003	24,464	2,461	11.1
North Dakota	211	198	−13	−6.2
South Dakota	333	337	4	1.2
Nebraska	696	829	133	19.1
Kansas	873	908	35	4.0
Western Corn Belt	2,113	2,272	159	7.5
All other States	1,654	1,969	315	19.0
United States	34,449	40,949	6,500	18.9

Source: USDA, FOS, 245.

III. WORLD EXPORTS—OILSEEDS, OILS, FATS, 1965 TO 1968, AND PERCENT CHANGE, 1965–68

[Amounts in thousands of short tons]

	1965	1966	1967	Forecast, 1968	Percent change, 1965–68
Cottonseed	427	255	158	165	−61
Peanut	1,088	1,196	1,150	1,180	+8
Soybean	1,981	1,936	2,180	2,135	+8
Sunflower	440	790	1,127	1,350	+207
Rape seed	278	357	389	465	+67
Sesame	85	91	90	85	0
Safflower	75	70	65	45	−40
Olive	58	76	79	90	+55
Corn	12	14	10	15	+25
Palm oils	2,408	2,617	2,154	2,113	−12
Industrial oils (linseed, castor, tung, etc.)	798	735	732	662	−17
Animal fats (butter, lard, tallow)	2,411	2,369	2,652	2,750	+14
Marine oils (whale and fish)	819	741	919	950	+16
Total	10,880	11,247	11,705	12,005	+10

Source: USDA, FAS, FFO, 13–68.

IV. U.S. PROTEIN FEED CONSUMPTION, 1965 THROUGH 1968, PERCENT CHANGE FROM 1965 TO 1968

[Year beginning Oct. 1 (1,000 tons)]

	1965	1966	1967 [1]	1968 [2]	Percent change
Soybean meal	10,274	10,820	10,758	10,600	+3
Cottonseed meal	2,563	1,755	1,465	1,950	−24
Linseed meal	284	248	182	200	−30
Peanut meal	108	115	133	125	+16
Copra meal	109	90	117	125	+15
Tankage and meat meal	1,961	2,068	2,059	2,100	+7
Fish meal and solubles	627	827	1,063	1,100	+75
Milk products	729	680	650	660	−9
Grain protein feeds (gluten, brewers, distillers, grains, etc)	2,211	2,235	2,298	2,340	+6

[1] Preliminary.
[2] Based on November indications.

Source: USDA, FDS, 226.

THE PRESIDENT'S HISTORIC TRIP TO EUROPE

(Mr. FINDLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, I am sure I speak for Members on both sides of the aisle in congratulating President Nixon on the success of his European trip.

From all reports it opened a bright new era in relations between the United States and its NATO allies. This development is the most important, and hopefully the most permanent achievement of the President's highly successful tour of major capitals of Western Europe.

During the campaign, Mr. Nixon outlined three objectives of his administration toward Western Europe. First, he promised genuine and meaningful consulation. Second, he promised to "listen more, talk less." And third, he promised to open communications with the Chief of State of America's oldest ally, France. Clearly, as the trip has proven, the important first steps have been taken toward implementing these goals.

No one expects that our relations with Western Europe will be free from political differences or occasional misunderstandings. What is important, however, is for the Europeans to know that the lines of communication are always open and that the defense of Western Europe is, for the United States, paramount.

It is also clear that President Nixon's aim is to give substance and reality to the partnership relationship that has always been NATO's goal, recognizing that the leader-follower relationship so necessary immediately after World War II is no longer appropriate.

PRESIDENT NIXON'S TRIP

(Mr. RUMSFELD asked and was given permission to address the House for 1 minute and to revise and extend his remarks and to include extraneous material.)

Mr. RUMSFELD. Mr. Speaker, while it is impossible in a close time perspective to arrive at a precise evaluation of President Nixon's European trip, it clearly was a success in terms of opening up new channels of communications and demonstrating a sincere desire to seek new approaches to some of the major problems facing the world.

One measurement of the success of foreign policy is the degree to which potential problems are avoided by timely action before they become critical. If knotty situations can be unravelled before they tighten to the point of intractability, foreign policy can be said to have been successful.

Of course, the smoother a nation's foreign policy is working, the fewer the problems and the less the success is noticed.

The purpose of the President's 8-day working trip was limited. It was not to plunge into detailed solutions in longstanding areas of concern. It was to establish a broad framework of understanding that will make future consultation more profitable and more relevant.

Judging from all reports, President Nixon succeeded in that purpose. Not only was he received enthusiastically by the leaders of Great Britain and the Continent, he also was greeted warmly by the people of the nations he visited.

His visit laid the groundwork for fresh foreign policy initiatives regarding the future of Atlantic community relationships, the Middle East and NATO. It is this type of effort that can help to prevent the potential problems of tomorrow.

The most noticeable immediate effect of the consultations was the opening of a new relationship with France. After chilly years of cross purposes, President Nixon succeeded in reemphasizing the basic common interests that can help to unite France and the United States.

President de Gaulle and France apparently welcomed this mature approach to foreign policy and endorsed the success of the consultations by promising a return trip to the United States.

The potential for new directions in our relationship with the European nations, and the rest of the world, in this type of atmosphere is clear.

Through a full renewal of dialog and a willingness to listen, in combination with a commitment to consultation on major decisions, President Nixon has succeeded, in his first 6 weeks in office, in avoiding a tendency to react from crisis to crisis and in moving U.S. foreign policy toward an effort of seeking to avoid problems before they become serious.

War is, in short, a failure of foreign policy. It will be our new President's greatest challenge to find those steps necessary to avoid the failures of foreign policy which have marked world history.

PORNOGRAPHIC PROFITEERS

(Mr. HARSHA asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HARSHA. Mr. Speaker, it is not known precisely how many millions of dollars fall into the hands of pornographic profiteers each year; nor is it known precisely how many millions of dollars society pays for the resultant delinquency, violence, and general criminal damage.

There is, however, reason to suspect that whatever the illicit profits, whatever the dollar cost of resultant crime, the combined sums are small compared to the infinitely greater cost of the awesome damage to the national moral fiber, thought, and conduct.

Not the least aspect of the diabolical manner in which peddlers of pornography move against often unsuspecting youth is that in which they pretend that perversity is normalcy and that those who move against them do violence to freedom.

It is in realization of this increasingly more vicious and costly national menace that, today, I am introducing a bill which would respond to the need and demand for effective, enforceable regulation of the merchants of filth who ply their evil trade through the U.S. mails.

This bill is meritorious for several reasons:

First. It is designed to protect children against these despicable peddlers of moral poison.

Second. It is drafted to conform with recent U.S. Supreme Court decisions.

Third. It does not involve itself in the semantics of what may be considered pornographic.

Fourth. It establishes, clearly and definitely, the materials to be proscribed from mailing to children under 16 years of age and to families of which children under 16 years of age are members.

Fifth. It stipulates that a violator "shall be fined not more than $5,000 or imprisoned not more than 5 years, or both, for the first such offense, and not more than $10,000 or imprisoned not more than 10 years, or both, for each such offense thereafter."

In short, this bill would give our now-legally handcuffed authorities the weapons they need to do a job which badly needs to be done—crack down and rid our society of those of the strange mentality who seek profit by placing in the hands of the young that which the majority of Americans view as, at least, objectionable and obscene.

FREEDOM OF CHOICE—THE FAIR APPROACH TO EDUCATION

(Mr. WATSON asked and was given permission to address the House for 1 minute.)

Mr. WATSON. Mr. Speaker, again today I strongly urge my colleagues to join me in offering a freedom-of-choice resolution relative to school attendance. While many of you outside the South may not be experiencing much difficulty in your respective districts, let me assure you that this is a most serious problem in my area and in most districts of the South.

What could be fairer than freedom of choice? The freedom of every child or patron, white or black, to choose the school of his choice, rather than have the Government compel him to attend a distant school purely for arbitrary sociological reasons is a basic right. We should remember the Supreme Court decisions in this area only prohibited discrimination; they never required, or even implied, that a child must be forced to attend a particular school against his or his parents' wishes.

Since Congress enacted the various civil rights laws, particularly title VI of the Civil Rights Act of 1964, the Department of Health, Education, and Welfare has experienced nothing but constant difficulty in implementing these various pieces of legislation. The guidelines that have been issued by that Department have been far less than clear, reasonable, and equitable in my judgment. Since it was Congress who passed this particular law, it is our responsibility to support my resolution, or some similar one, which is designed to clarify once and for all the congressional intent on this matter. Thereby, we can eliminate the confusing, arbitrary, discriminatory, and illegal guidelines which have been issued during the past several years.

Mr. Speaker, education in South Carolina is experiencing serious, if not ultimately devastating, problems. Not only are we witnessing deterioration of some of our schools academically, but from a disciplinary standpoint also. When a zoning system, or any other plan, compels schoolchildren to be bused away from their homes against their wishes, into another area against their wishes, such is not only against the law but inevitably creates many problems.

The uprisings on our college and university campuses today could very well ignite the simmering and potentially explosive situations developing in many elementary and secondary schools. Administrators and teachers have their hands tied in most instances and were they to speak out on this matter, their jobs or Federal funds would be in jeopardy. Parents are concerned when they see for themselves and hear students report disgusting incidents of reverse discrimination, but they are afraid to do anything about it because their own child might be reprimanded or disciplined.

Somehow, Mr. Speaker, people have got to learn that in order to be befriended, a person must appreciate a friend; in order to be helped, he must appreciate help; that acquisition of rights for some can never be maintained at the expense of denying rights to others. It would appear that many white Americans have been self-victimized by a somewhat psychotic indictment in the area of so-called civil rights, which, unless changed, can result in a deepening of the wedge between the races, as the Kerner report has predicted.

Something can be done to correct this problem immediately and to prevent further irreparable harm, especially to our schools, if we will but have the courage to do so. Let us pass this freedom-of-choice resolution so that educators, teachers, parents, and students alike may once again focus their attention upon the principal task of educating the youth of America, rather than spending most of their time implementing sociological concepts.

EFFORTS BY THE YOUNG AMERICANS FOR FREEDOM TO DELETE THE EFFECT OF A CERTAIN STUDENT ORGANIZATION ON COLLEGE CAMPUSES

(Mr. LUKENS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. LUKENS. Mr. Speaker, it gives me great pride as a member of the National Advisory Board for the Young Americans for Freedom to take part in their drive to delete the effect of a certain student organization on college campuses in our United States.

This organization is known as the National Student Association—NSA—and its stands have, at various times, particularly since 1950, been greatly influenced by Communist and socialist positions. It has on many occasions actually opposed foreign policies of the U.S. Government under both Republican and Democratic administrations while receiving funds from that Government or from organizations enjoying a tax-free status from the U.S. Government.

In order that Members of this body may become better aware of the threat this group has posed and still poses to our country and especially its contributions to anarchy and lawbreaking on college campuses today, I would like to submit under special orders a few observations and facts regarding NSA.

The material follows:

A REPORT ON THE U.S. NATIONAL STUDENT ASSOCIATION

INTRODUCTION

To adequately comprehend the significance of the organization known as the United States National Student Association within the context of the present political crises which confront the nations of the Free World, one need merely consider the enormous amount of influence wielded by student groups in other parts of the world. While the National Student Association may not, at this time, influence popular opinion in this country to the extent that similar associations of university students do in nations like Japan and the developing nations of Asia and Africa, NSA does purport to be the recognized voice of the American intellectual community. Testifying before congressional committees, speaking on behalf of American college and university students at national and international youth conferences, and generally claiming to represent the views and aspirations of American youth, NSA deserves our most serious consideration and study.

Responsible students are becoming aware of the devious nature of NSA and are demanding answer to an increasing number of critical questions:

How and in what way is NSA involved in the more radical "student power" movement on American colleges and universities?

What was (and is) the relationship of NSA with the CIA?

Who does NSA represent . . . and who does NSA claim to represent?

How has NSA become a political front for those groups representing the viewpoint of the so-called "new left"?

How are student "leaders" encouraged to participate in NSA?

How is NSA financed?

What is the significance of the "dual corporation" status which divided NSA into basically two separate corporate entities in August of 1968?

Is there any unique or significant value in NSA's "student government services"?

The purpose of this booklet is to provide answers to these and other questions concerning the U.S. National Student Association. We hope that through this report, those who find themselves faced with the almost monolithic Liberal to Radical bureaucracy which has characterized NSA since its inception will find some practical suggestions for counteracting the grossly disproportionate influence of NSA in American student affairs.

GENESIS OF NSA

In the summer of 1946, twenty-five American students boarded a ship in New York for a voyage to Prague, Czechoslovakia, where they attended the World Student Congress and participated in the formation of the International Union of Students (I.U.S.) along with delegates from thirty-eight other countries. According to the official *History of USNSA*, the American delegation "could see the profound need for a forum of American student leadership, a body through which international representation and information could be maintained," and, upon returning to the United States, constituted themselves as "the Committee for the Chicago Student Conference". Supported by nine (9) of the organizations which had originally organized the American delegation to Prague, the Committee sent invitations to student leaders throughout the United States to attend a meeting at the University of Chicago during Christmas vacation in-order-to discuss the formation of a national union of students in this country.

Students representing about 200 colleges and universities and a number of youth organizations answered the summons and attended the Chicago conference in December, 1946, which culminated in the election of a Continuations Committee which was assigned the task of drafting the organization's constitution and planning a constitutional convention.

NSA's Constitutional Convention was held at the University of Wisconsin in the summer of 1947. In addition to adopting the Association's constitution, the more than 300 delegates approved a budget of $25,000 and passed resolutions supporting the World Student Service Fund and United Nations Day. A proposition calling for "qualified affiliation" with the International Union of Students, which was recommended by the Continuations Committee, was defeated although the delegates decided to continue to investigate the possibilities of affiliation with the IUS.

In 1950, representatives of the National Student Association attended a meeting in Stockholm to discuss "new means of international cooperation." Delegates to the conference, including NSA representatives, agreed that no new international student organization should be formed and indicated that the meeting, which became known as the International Student Conference, "was not intended to be a Western international student organization to counter the IUS." However, the next conference, which was held in Edinburgh culminated in the formation of the Coordinating Secretariat of National Union of Students (COSEC). NSA joined the International Student Conference (ISC) in August of 1964 when the delegates to the 17th National Student Congress adopted the ISC Charter. NSA now claims to have withdrawn from all international involvements.

NSA—A POLITICAL FRONT?

While often masquerading as basically a "student government services" organization, over the years NSA consistently violated its own constitution while taking part in various left of center political activities. Such activities and policy positions increased to the point that NSA became widely considered a sounding board for the minority of "New Left" students.

Apparently to avoid unfavorable action from the Internal Revenue Service, and in an effort to move more openly into the political arena, NSA formally altered its structure in August of 1968. The 21st Congress of USNSA meeting at Kansas State University adopted a "dual corporation" proposal which officially divided NSA into two separate corporate entities. (The Kansas State student body rejected NSA membership in November of 1968 by a vote of 4 to 1.)

Officially, the National Student Association became a "C-4 corporation" which can operate openly in the political arena. The student services division, which retains favorable tax status, is now officially known as the National Student Institute. It should be understood, however, that as a practical matter, there has been no real division. Membership in one division requires membership in the other. There is no separate membership offered.

The following information is taken from a report by Jim Graham, Campus Affairs Vice President of NSA and issued in November of 1968 to various student leaders.

"Through a series of rather complicated legal measures, the National Student Association Congress approved what is known as the 'Dual Corporation Proposal' which divided NSA into basically two separate corporate entities. In the past, the Association was limited by the Internal Revenue Service prohibition against 'carrying on propaganda, or otherwise attempting to influence legislation or intervene in any political campaign.' While NSA previously was limited in political activity, its favorable tax status allowed grants from private foundations without jeopardizing the foundation's own tax-exempt status. In addition, U.S. Government agencies—the Office of Economic Opportunity, the Office of Education, the National Institute of Mental Health—are reluctant to fund organizations which lobby for legislation. Therefore, for these and other reasons (including money for administrative expenses gained from foundation grants and financial transfers from NSA's subsidiary corporation, the National Student Travel Association), it was and is important to retain our old C–3 tax status as a non-political corporation.

"Up until the 21st National Student Congress this past August, there existed no national organization which concerned itself with student political interest. The Congress, at that time, approved a proposal which established a new corporation for the purpose of lobbying on those issues under a C–4 corporate status. This corporation, which includes and is supported by the services division, will become, in name, the U.S. National Student Association. The traditional funded' programs of NSA will retain their favorable tax status and will be known as the National Student Institute. The new C–4 NSA, will also be financially supported by National Regional dues and publications sales.

"The dues for the new Association, *which include automatic membership in the institute,* will remain the same. *The 'services' of the institute would be available only to the members of the National Student Association, and there will be no separate membership offered.* (Emphasis added.)

"In essence, but quite legally, *the two corporations are 'governed' by the same people, i.e., the National Supervisory Board of NSA is the board of directors for the institute and the officers of NSA are the officers of the institute.*" (Emphasis added.)

In further regard to political activities, it should be noted that NSA claims to represent students "in their role as students." Admittedly, some political areas of NSA involvement do relate to the role of students (others do not) althought the majority of American students—if they hold any opinion at all—would probably not agree with the "solutions" proposed by NSA.

These are some of the controversial policies which were adopted over the last several years by the delegates to the National Student Congress of NSA, acting as the representatives of the American student community, NSA:

Has condemned the U.S. government for acts of "aggression against the people of Vietnam;"

Has called for the "liberation" of all Black people in America "by any means necessary;"

Has strongly urged that the House Committee on Un-American Activities be abolished;

Advocates the admission of Red China to the United Nations;

Views Student power as following the line of Columbia and Berkeley;

Has urged cessation of military and/or economic assistance to Spain, Portugal, Republic of South Africa, Nicaragua, Haiti, Paraguay, Guatemala, Peru, Argentina, and Iran—not a single suggestion that the United States take similar action toward a communist nation.

The basic fallacy with NSA's activities is the failure to recognize that there is no discernible American student opinion on many of these issues.

The only type of organization which can ever speak for the American student is one which concerns itself solely with campus problems: a free student press, faculty relations, speakers policies, student housing, etc. Otherwise, it will be another NSA, just another political pressure group.

This is not to say that students should not be involved in politics. Various partisan organizations exist for this purpose such as the Young Democrats, Young Republicans, YAF, SDS, CORE, Campus ADA, etc. But when an organization ostensibly designed to represent students in their capacity as students allows itself to formulate policy decisions concerning wide ranging political issues, it becomes subject to control by one or more of these partisan groups. This is what has happened to the National Student Association, whose policies consistently reflect a revolutionary, left-wing approach to political and campus issues.

It should be understood from the outset that what we are speaking of when we refer to NSA membership is *student government membership*. There are no such things as *individual* memberships in the National Student Association, and students on a given campus are "represented" by virtue of their school's student government membership in NSA—even if they are not cognizant of NSA or its activities.

To sign-up member institutions, NSA rarely goes to the student body for approval, but instead, seems to prefer to deal with a handful of student leaders. The pattern is identical on nearly every campus. Contact is made with one or two student government leaders who then lobby for NSA among the other members of the student government. NSA will next offer to send a national officer to the campus to confer with members of the student government. Generally this NSA representative is a personable, good-guy type, who tends to belie any reports of the radical image. He proceeds to relate, in grand terms, the services NSA is supposed to provide its member schools, never referring to political activities in any significant way. The local student government members are informed of the free excursions that they can have (paid for usually with student body funds) to attend such NSA activities as the two-week-long National Student Congress, Drug Conferences, etc. It's not long before the local student leaders have convinced themselves that NSA is just what they need to bring their school out of the wilderness of parochial isolation into the great society of national and international awareness. By design, the whole process is over in short order, with a school often becoming a NSA member before the student body is even aware that the issue was pending. Opponents of NSA have little or no time to gather information and present their case.

According to Article II, Section A of the NSA Constitution, membership in the Association is open to any institution of higher learning which is recognized by the United States Office of Education or any institution of higher learning whose minimum course is two academic years or more and which teaches courses other than those which are primarily vocational in nature. This of course means that, with the exception of certain technical schools, any college, university, or junior college in the United States could affiliate with NSA.

Since it is technically the student government and not the school itself which may affiliate with NSA, schools with two or more student governments may send two or more delegations to the Association's annual congresses and, thus be counted twice in votes on highly important and sometimes controversial issues. For example, Harvard College, Radcliffe College, and Harvard-Radcliffe Graduate School, and the men's and women's colleges of the University of Pennsylvania are all represented separately at the annual NSA Congress.

In May of 1961, the National Student Association claimed a total membership of 399 colleges and universities. Although actual membership in the Association has fluctuated considerably since the organization was born in August of 1947, NSA has experienced an increasing number of disaffiliations in recent years. The mass exodus of member schools prompted a lengthy debate at the Seventeenth National Student Congress concerning the Association's political entanglements which many student leaders believed were detrimental to the Association's ability to function as a service organization, but a resolution which sought to limit NSA's political activism was defeated and, by October of 1965, NSA's total membership had plummeted to below the three-hundred mark. Since that time, the membership has fluctuated between three hundred and three hundred fifty as schools continue to withdraw while others are induced to join or re-join. Many of the schools withdraw because of the relative ineffectiveness of the Association's programming services or because of NSA's increasingly Radical image, while only a few withdraw for financial reasons.

The following is a *partial* list of the colleges and universities which withdrew from the National Student Association after January of 1961. The list was compiled from the NSA Codifications of Policy.

COLLEGES AND UNIVERSITIES WHICH HAVE WITHDRAWN FROM NSA SINCE 1961

Alderson-Broaddus College (W. Va.).
Allegheny College (Pa.).
Alliance College (Pa.).
Alma College (Mich.).
American University.
Amherst College (Mass.).
Anna Maria College (Mass.).
Antioch College (Ohio).
Arkansas A&M.
Augustana College (Ill.).
Ball State University (Ind.).
Barry College (Fla.).
Bates College (Me.).
Beloit College (Wisc.).
Bennington College.
Berea College (Ky.).
Brandeis University (Mass.).
California Western University.
Canisius College (N.Y.).
Capitol University (Ohio).
Cascade College (Ore.).
Catholic University of America (Wash., D.C.).
Central College (Iowa).
Central Connecticut State College.
Central Michigan College.
Central Washington College.
Charlotte College (N.C.).
Chestnut Hill College (Pa.).
Church College of Hawaii.
City College of New York.
Chaflin College (S.C.).
Clark University (Mass.).
College of New Rochelle.
College of Southern Utah.
Columbia College (S.C.).
Columbia University.
Concordia Collegiate Institute (N.Y.).
Cornell College (Iowa).
Cornell University.
Cottey College (Mo.).

Dartmouth College.
Davidson College (N.C.).
Delaware State College.
Denison University.
De Pauw University.
Diablo Valley College (Cal.).
Drexel Institute of Technology.
Duke University.
Earlham College (Ind.).
East Carolina College (N.C.).
Eastern Nazarene College (Mass.).
Ellsworth Jr. College (Iowa).
Elmhurst College (Ill.).
Fenn College (Ohio).
Fisher Jr. College (Mass.).
Florida A&M.
Friends University (Kan.).
Gannon College (Pa.).
George Peabody College (Tenn.).
George Washington University.
Glassboro State College (N.J.).
Hibbing Jr. College (Minn.).
Hillyer College (Conn.).
Hofstra College (N.Y.).
Hollins College.
Hunters College (N.Y.).
Huron College (S.D.).
Illinois State University.
Immaculata College (Pa.).
Indiana University.
Iowa State University.
Ithaca College (N.Y.).
Jersey City State College.
Kansas State University.
Kansas Wesleyan College.
Kenyon College (Ohio).
King College (Tenn.).
Knox College (Ill.).
Lakeland College (Wisc.).
LeMoyne College (Tenn.).
Limestone College (S.C.).
Long Island University.
Los Angeles State College.
Lynchburg College (Va.).
Maryland State Teachers College at Frostburg.
Maryville College (Tenn.).
Michigan College of Mining and Technology.
Michigan State University.
Milton College (Wisc.).
Milwaukee-Downer College.
Monmouth College (N.J.).
Montgomery Jr. College.
Morris Brown College (Mo.).
Mundelein College (Ill.).
Muskingum College (Ohio).
Nazareth College (Ky.).
Nebraska Weslayan University.
New York University at Washington Heights.
New York University at Washington Square.
Niagara University (N.Y.).
North Carolina State University.
Northland College (Wisc.).
Northwestern University.
Ohio State University.
Oklahoma City University.
Oneonta State Teachers College (N.Y.).
Ottawa University (Kan.).
Otterbein College (Ohio).
Our Lady of the Elms College (Mass.).
Pace College (N.Y.).
Parsons College (Iowa).
Pennsylvania State University.
Pfeiffer College (N.C.).
Phillips University (Okla.).
Philadelphia College of Textiles and Science.
Pikeville College (Ky.).
Polytechnic Institute of Brooklyn.
Pomona College (Cal.).
Portland State College.
C. W. Post College (N.Y.).
Providence College.
Queens College (N.Y.).
Quinnipiac College (Conn.).
Randolph-Macon College (N.C.).
Rice University.
Ripon College (Wisc.).
Rockford College (Ill.).
Rocky Mountain College (Colo.).
Rosemont College (Penn.).
Salve Regina College (R.I.).
Shaw University (N.C.).
Shelton College (N.J.).
Shimer College (Ill.).
Shorter College (Ga.)
Siena College (Tenn.).
Simpson College (Iowa).
Slippery Rock College (Pa.).
South Carolina State College.
Southern Methodist University.
Southern State Teachers College (S.D.).
Southwestern University (Tex.).
Southwest Missouri State College.
Southwest Texas State College.
St. Anselms College (N.H.).
St. Francis College (Pa.).
St. Johns University.
St. Joseph's College (Pa.).
State College at Salem (Mass.).
State College at Westfield (Mass.).
State College of Agriculture and Engineering (N.C.).
State Teachers College (Md.).
State Teachers College of New Hampshire.
State Teachers College of Vermont.
Stern College (N.Y.).
Stone Hill College (Mass.).
Sweet Briar College (Va.).
Tennessee Wesleyan College.
Thiel College (Pa.).
Trenton Jr. College.
Trinity College (Conn.).
Union College (N.Y.).
University of Baltimore.
University of Bridgeport.
University of Buffalo.
University of Colorado.
University of Dayton.
University of Dubuque.
University of Houston.
University of Kansas.
University of Kansas City.
University of Miami.
University of Michigan.
University of Missouri.
University of Nebraska.
University of North Carolina at Greensboro.
University of North Carolina Women's College.
University of Oklahoma.
University of Portland.
University of Rhode Island.
University of Southern California.
University of Texas.
University of Washington.
University of Wisconsin at Milwaukee.
Upsala College (N.J.).
Ursuline College (Ohio).
Utah State University of Agriculture.
Vanderbilt University.
Vassar College (N.Y.).
Virginia State College.
Washington College (Md.).
Washington State University
Wayland Baptist College (Tex.).
Wayne State University.
Weber College (Utah).
Wells College (N.Y.).
Wesleyan University (Conn.).
Wesley Jr. College (Del.).
Western Maryland College.
Westminster College (Utah).
Wheaton College (Mass.).
William Jewel College (Mo.).
Wilmington College (Ohio).
Worcester Jr. College (Mass.).
Yale University.
Yankton College (S.D.).
Yeshiva College.

WHO DOES NSA REPRESENT?

Contrary to what is often represented, students do not belong to NSA; schools do. Ostensibly then, it is an organization of various student governments.

But one important point must be remembered by every student who attends a college or university which is affiliated with the National Student Association—NSA claims to reflect American student opinion and to be the "most representative" student organization in the United States. According to NSA literature, this representation is most direct at the annual National Student Congress of NSA which the association refers to as "the most representative student meeting in the Nation" (See USNSA Handbook, page 21) despite the fact that less than fifty per cent of the NSA member institutions even bother to send delegates to the conclave and few of those "representatives" in attendance are, in fact, democratically elected by their respective student bodies.

It is interesting to note that the preamble to the NSA Constitution begins, "We, the members of the *national union of students* of the United States . . ." (Emphasis added.) It is easily determined from NSA's publications and activities, that it is, in fact, much more than an organization of "student governments."

STRUCTURE OF NSA

NSA is geographically divided into nineteen (19) regions each of which, with the exceptions of the states of New York, Michigan and New Jersey, is composed of more than one state. Michigan and New Jersey constitute individual regions. New York State is composed of two separate NSA regions—the Metropolitan New York Region and the New York State Region which is composed of all the colleges outside the New York City area. The New England Region of NSA (Vermont, New Hampshire, Maine, Connecticut, Massachusetts, and Rhode Island) contained the largest number of member schools in 1968 with a total membership of 36 senior (four-year) colleges and universities out of the 108 eligible institutions of higher learning in the same category.

Once a region has a school membership of 5 schools or 10% of eligible schools, whichever number is smaller, it is empowered to organize as an official subsidiary of the National Student Association. Regions may place representatives on the Congress Steering Committee based upon enrollment at member schools in the region.

Prior to the Sixteenth National Student Congress of NSA, the regional chairmen and vice-chairmen served as voting members of the highly controversial National Executive Committee (NEC). The NEC was responsible for the vast majority of the Association's legislation prior to 1963 and many hailed its dissolution, but it was quickly replaced with a new, smaller body known as the National Supervisory Board (NSB) which is currently the governing body of NSA. The National Supervisory Board members include the non-voting national officers and voting members representing 4 areas, each area composed of several regions. The areas and their representation on the NSB are: Northwest—3 representatives, Midwest—3 representatives, Far West—2 representatives, and Southern—2 representatives.

The National Supervisory Board has the power to enact interim or "emergency" policies for NSA when the need for such arises between meeting of the annual Congress. In addition to the "emergency" powers, the NSB has the authority to (1) enact the time and place of the annual Congress; (2) elect all of the National Advisors; (3) supervise the execution of the policies and programs as determined by the National Student Congress; (4) approve all appointments made by the President to fill vacancies on the Association's administrative staff; (5) suspend or remove, by a ⅔ vote, the National Officers;

(6) fill all vacancies except President among the National Officers; (7) determine and adopt the annual budget. All of these powers, which are enumerated in Article V, Section D, of the NSA Constitution make clear the fact that the NSB has much more power than any previous governing body of NSA.

As explained in the previous section, "NSA, A Political Front?", the Association is now technically split into two separate corporations—the National Student Association and the National Student Institute. For all practical purposes, however, the two organizations are the same, having the same officers, etc.

THE NATIONAL STUDENT CONGRESS AND THE NEW LEFT

Each summer, hundreds of delegates and alternates representing NSA member colleges and universities located throughout the United States travel to the campus of one of the large universities in order to participate in the national legislative convention of the National Student Association known as the National Student Congress (NSC). NSA material states that the Congress has two principal functions: It provides a meeting place for students from every area of the country to discuss mutual problems and ideas, and it is the official decision-making body for the policies and programs of USNSA. NSA claims that the NSC is "the most representative student meeting in the Nation." (USNSA Handbook, p. 21) One might begin to question the representative nature of the annual Congress, however, when it is realized that (1) less than fifteen per cent (15%) of the junior colleges, colleges, universities, and graduate schools which are eligible for membership in NSA actually belong to the Association; (2) less than fifty per cent (50%) of the member institutions generally send representatives to the National Student Congress; and (3) most of the delegates and alternates which "represent" member schools at annual Congresses are not democratically elected by the students whose views and aspirations they purport to represent. This, then, is the National Student Congress: a forum of student opinion representing the views of a few hundred young men and women who, in reality, can claim to represent no one but themselves, since most of them were not democratically elected by their fellow students. The few who are elected by their constituents usually will admit that they did not base their campaigns on the issues which are discussed at the National Student Congress.

In 1964, the delegates to the 17th National Student Congress adopted an amendment to the NSA Constitution which ostensibly provided for the democratic election of delegates and alternates to the annual Congress. Article III, Section E(1) of the Constitution states that: "No more than two members in a delegation may be selected by means other than a democratic election by their entire student body as long as this procedure does not conflict with the constitution and bylaws of the member school." The loophole is, of course, contained in the latter part of the sentence and might be similar to a mythical Supreme Court ruling which stated that every American should be permitted to vote except in those states where law prohibits the exercise of such franchise to certain groups. In view of NSA's purported concern for the civil rights of the individual, it is ironic that the Association should indirectly abrogate the right of a university student democratically to choose who he wishes to represent his views at a national student forum, but apparently the Association is more concerned with maintaining its status as a vestige of the so-called "New Left" than its responsibility as a "representative" of the American student community.

The National Student Congress generally lasts about two weeks with the first week usually devoted to committee and subcommittee sessions, regional caucuses, political caucuses, ad hoc study groups, workshops, and a number of special events (e.g., films, banquets, dancing) all of which vie for the attention of the delegates, alternates, and observers while the final week is generally dominated by the Congress Plenary Sessions which often last long into the night. While the summer Congress may represent two weeks of fun and frolic to some, the Congress and its pronouncements represent something far more serious for others. Writing of the 16th National Student Congress, William C. Wooldridge of Harvard College said: ". . . the Bloomington fiasco was the inevitable result of the Left's attempt to turn NSA into a sounding board for completely unrepresentative political opinions. Chief organ of the militant Left was the *Liberal Bulletin*, published by the Students for a Democratic Society. A typical Liberal effort, strong on emotional appeal (it had no headline with less than three exclamation marks), the *Bulletin* called the desire for 'more facts' indicative of a 'dangerous self-defeating, and unbecoming mentality all too pervasive at this Congress.' Damn the uncertainties; full speed ahead!" (William C. Wooldridge, "Fiasco at Bloomington," ***National Review***, October 8, 1963, pg. 303.) In a flash of insight, the October, 1965, issue of *Moderator* belatedly announced the emergence of the "New Left" as the dominant force in NSA. Following the 1965 NSA Congress, *Moderator* said: "Liberalism, or more properly the New Left, is in the ascendancy within the USNSA. The organization took a turn toward a movement and away from being purely organizational at its Congress this summer." ("Special Report: The National Student Congress," *Moderator*, October, 1965, pg. 29.) *Moderator* served as NSA's house organ.

It is during the initial week of the Congress that delegates meet to discuss the issues upon which they must legislate during the final few days of the Congress. Armed with background papers which have been compiled by the NSA Staff, delegates begin their quest for truth by listening to the resource personnel which have been provided by the Association also. The background papers generally consist of a series of magazine reprints or excerpts from books. These materials reflect a liberal-left point of view and this mode of thought is usually complemented by the various speakers who appear. The Congress is not used as a forum for the exploration of ideas, but as an instrument for political indoctrination.

Reporting on the 20th National Student Congress (1967), Norm Wilky, vice-president of the University of Southern California Student Association, criticized the Congress for being more interested in taking political than holding student government workshops. "I was pretty disillusioned. If a political session looked like it was going to take more time than it was scheduled for, they would cancel the workshop . . . You could look at the people and you knew they weren't typical. They couldn't be. Everybody at CCNY (City College of New York) couldn't look like the delegates they sent." (*The Daily Trojan*, USC, Sept. 13, 1967, pg. 22.)

Both Wilky and USC student body president, Marty Foley, returned from the 20th Congress with changed views about NSA. Both had supported USC membership in NSA the previous spring. Foley said the Congress was characterized by inefficiency. "As long as NSA remains in the condition I saw it at the 20th Congress," he said, "I'm going to do everything I can personally to make sure USC does not join this organization." (*The Daily Trojan*, USC, Sept. 13, 1967, pg 5.)

A report from the *Christian Science Monitor* reflects the attitude of many attending the 21st annual Congress of NSA held in September, 1968 at Manhattan, Kansas. Paul Krassner, editor of the leftist magazine, *The Realist*, described NSA as "spiritual leader of the yippies" and said that the Democratic convention in Chicago would be "the last big confrontation; people will then go underground and take up mild and not-so-mild sabotage." (*Christian Science Monitor*, Sept. 7, 1968.)

NSA'S SERVICES—SCHOOL MEMBERSHIP NO LONGER NECESSARY

Student leaders on many campuses have often been misled into overlooking NSA's radical political activities by the lure of grossly overrated "services" to member schools. For many years NSA encouraged affiliation by offering information to student governments as well as service programs to aid individual students (travel and record discounts, insurance programs, etc.) These programs were available to member schools only.

Time and again NSA uses these supposed services as its principal selling points. When visiting the campus of a prospective member school, NSA representatives deliberately underrate the magnitude of the organization's political involvement. Students are thus "sold" on the supposed "services".

For some unknown reason, NSA recently (Nov., 1968) made available the programs of its Student Services Division to *non-member schools*. (See letter reprinted below.) It is no longer necessary to join NSA to participate in these progams. It remains to be seen, however, whether NSA uses this technique as bait to recruit new contacts for membership promotion.

Much of the information provided to interested student governments has been entirely too theoretical to have any practical application. It should be noted that, in the past, there have been programs (of a non-political nature) that were of unique benefit to certain member campuses, but they have been few and far between.

In most cases, the student government and individual student services programs offered by NSA could be obtained elsewhere (and for equal or even less cost) *and* without the radical stigma attached.

MISREPRESENTATION OF "BENEFITS"

Repeatedly, NSA claims of "benefits" and "services" are misleading and often untrue. Consider travel. Students can fly for ½ fare on seven major U.S. airlines without NSA. Consider records and magazines. Comparable student discount rates can be acquired from Records Unlimited and Educational Services, respectively, without NSA. Consider employment. Jobs can be found through Placement Centers or through either the National Employers Directory Service or the National Employment Services Institute without NSA. Student Travel, an organization based in New York City, provides extensive student travel and student tour service.

NSA FINANCING—THE CIA AFFAIR—AND AFTER

An interesting series of frantic meetings, denials, confessions, charges and countercharges followed the startling revelation in early 1967 that the CIA had been financing the National Student Association for many years. The full facts may never be known, but what is known makes interesting reading; two articles from *The New Guard*, reprinted on the following pages, provide necessary facts for a broad understanding of the issues involved.

Despite the contention that all CIA funds have been terminated, NSA has not been paying rent on its handsome four-story headquarters at 2115 S. St., N.W. in Washington, D.C. The *Washington Post*, on February 16, 1967 reported, "Thanks to the generosity of the Independence Foundation of Boston, a CIA foundation, NSA has a 15 year lease on the building free of rent. In addition, NSA received $20,000 to furnish the building when the lease was signed."

The history of NSA's tax exempt status is rather interesting. NSA first applied for tax exemption as an educational organization in 1949. In a letter dated April 25, 1950, the Commissioner of Internal Revenue refused the requested exemption on the grounds that NSA did not qualify under the law. The ruling held that NSA was not operated exclusively for educational purposes and that "a substantial part of its activities consisted of attempts to influence legislation." To get around this, the 1954 NSA president, James M. Edwards again wrote to the Commissioner on March 26, 1954. Edwards pleaded that "students" had prepared the previous request for exemption "without the assistance of counsel" and that they "were not familiar with the Internal Revenue Service procedure on such rulings." Once again, he requested exemption, but this time he submitted a carefully selected stack of NSA publications all of which emphasized NSA's educational activities and ignored the political activities which the previous Commissioner had found as legal ground to refuse exemption.

Apparently, Edward's letter, which was part of the sworn statement submitted by the National Student Association under penalty for perjury, was sufficiently convincing and, within a few months, the tax exemption was granted.

At present, NSA issues only general and vague financial statements. Funds are received from several government agencies as well as *non-taxable* private foundations. The funds allow NSA to employ a large staff which engages in such projects as: White Racism Studies, Drug Conferences and Drug Studies Programs, Student Power Conferences, Southern Human Relations Projects, "Fasts for Freedom", etc. (See reprints in section entitled "Exhibits" [not printed in Record] for articles explaining some of these projects.)

By inventing projects, many of which are simply vehicles to further revolution in the United States, such as its Student Power Conferences, NSA justifies its requests for special grants. Actually, these monies underwrite NSA's large, radical staff, its administrative expenses, communications and telephone expenses, and travel of NSA personnel to foment revolution. America's middle class subsidizes revolution through federal financing of large parts of the NSA budget (hundreds of thousands of dollars annually). These federal agencies have included the Department of State, Office of Education, Office of Economic Opportunity, National Institutes of Health, and possibly others. Taxpapers also subsidize many tax-exempt foundations which, in turn, give grants to NSA, totaling hundreds of thousands of dollars annually.

NSA AND THE RADICAL STUDENT MOVEMENT

Surprisingly to some, NSA's thin veil of legitimacy disappears as soon as one enters the outer office of the national headquarters in Washington. Just inside the front door is a sign which reads, "F—the Draft" and one entire wall is devoted to an outstanding rendition of the phrase, "Bull Shit"!

An "ordinary" student is appalled by the filth and litter covering the floors and carpeting, the slovenly mode of dress of staff members and the general lack of an efficient, functioning office atmosphere one would expect from a well financed enterprise run by young "representative" collegiates. Such is the real surface image of the National Student Association.

Below that surface, it is difficult to determine just how involved NSA is with the more radical "student power" movements which continue to test their strength around the country. According to *Life* magazine (October 20, 1967) the 1967 annual Congress of NSA mapped out ways "to bring any university which won't cooperate with our desires to a grinding halt."

Later that Fall, NSA held its first National Student Power Conference at the University of Minnesota. NSA President, Ed Schwartz, presented a "working paper" which summarized the tactics for campus revolution. (See the following reprint by Edith Kermit Roosevelt, "What's Behind Student Riots.")

At the conclusion of the 21st NSA Congress (1968) Schwartz, the then outgoing NSA president, "predicted that there would be trouble on any campus visited by Republican nominee Richard Nixon, or Vice President Hubert Humphrey." ("The New Left", memorandum prepared for the Committee on the Judiciary, U.S. Senate, 1968, pg. 99.)

NSA AND THE FRATERNITY SYSTEM

In keeping with its policy of general antipathy to traditional American values and institutions, NSA has taken a militantly anti-Greek stand. The Association's anti-Greek nature has not, however, escaped the attention of fraternity and sorority leaders throughout the United States, nor does it represent an innovation in NSA policy. Thus, the 1952–53 NSA President Richard J. Murphy was able to tell the delegates to the 1953 NSA Congress that the National Pan-Hellenic Council was one of the principal opponents of NSA. Murphy said: "For six years the Pan-Hellenic Council, i.e., the adult council, has not approved of the Association." He accused the Pan-Hellenic Council of circulating "poison pen letters" against the National Student Association. "This is the type of propaganda to which the Association and its officers have been subjected. Such attacks are insidious. Despite the Association's efforts to clear up the situation, no cooperation has been extended by the Council. I have become convinced that these people do not want to become enlightened." (*Minutes*, Sixth National Student Congress, August 1953, pg. 24.)

Eventually widespread criticism of the Association's anti-Greek policies forced NSA to candidly solicit the support of the Greeks. Typical of this subterfuge was a resolution adopted by the delegates to the 11th National Student Congress which consented to recognize "the contribution made by fraternal organizations to campus leadership" and urged a "closer relationship" between such groups and NSA. (*Codification of Policy, 1964–65*, by USNSA, pg. 106). However, NSA defined the type of fraternity it would like to promote on the college campus in its Basic Policy Declaration (BPD) on "Model Educational Practices Standards" under the section dealing with "Restrictive Clauses in Student Social Organizations". The resolution says:

"No incoming group shall be allowed on campus which contains in its constitution and/or by-laws discriminatory clauses with regard to race, color, religion, creed, political belief, or national origin. In the case of existing organizations which do discriminate, the institution and student body should make every reasonable effort to obtain the elimination of such discriminatory practices as rapidly as possible." (*Codification of Policy, 1964–65*, by USNSA, pg. 42.)

In the summer of 1965, a resolution entitled "Discrimination in Membership Selection and Pledge Abuse in Campus Fraternal Organizations" was introduced at the 18th National Student Congress. Once again, the resolution recognized the contributions which the Greeks have made to the American studen community, but the "Fact" section also said, ". . . instances of personal degradation by fraternal organizations across the United States continue to prove harmful to the university atmosphere." The Mandate section of the resolution directed the Association's National Affairs Vice President to conduct surveys of fraternal discrimination, methods utilized to investigate complaints of such practices, and "help given by college and university administrations to chapters of national fraternal organizations which become local organizations". The resolution also directed the NAVP to send copies of the surveys, in the form of a report, to NSA member schools to assist them in establishing "a review date" after which "recognition would be withdrawn from those chapters which have affiliated with national organizations which have discriminatory membership selection". (*Policy Calendar*, 18th National Student Congress, 165, item 485/1–2.) Fearing the reaction that such a directive would initiate among the Greeks, the Congress deleted the Mandate and passed the remainder of the resolution, but the resolution's sponsors then called for a reconsideration of the remaining portions of the proposition whereupon it was defeated. However, much of the resolution that was defeated in 1965 was already contained in a Program Resolution (PR) which was adopted by the delegates to the 1964 NSA Congress entitled "Discrimination in Membership Selection in Campus Fraternal Organizations". The Mandate of the 1964 resolution made almost exactly the same provisions for "review dates", etc. as the aforementioned resolution and was passed by a substantial margin at the 17th NSA Congress. (*Codification of Policy*, 1964–65, by USNSA, pg. 99.)

At the Eighteenth Congress in 1965 NSA urged the "Office of Education in the Department of Health, Education, and Welfare and any other division of the Federal Government involved in the administering and granting of federal funds to write specific regulations implementing nondiscriminatory compliance and coverage under Title VI (Civil Rights Act of 1964) for the following:

1. Off-campus housing approved by any institution of higher learning.
2. Accommodations in houses and dormitories occupied by fraternal organizations.
3. Membership in any fraternal, social, professional, or business organization, club, association, group, committee, which is approved by a college or university."

Prior to and following such regulations by the Office of Education and other appropriate agencies, USNSA urged students to institute research groups into University operations and to serve as "monitors" for infractions of Federal law.

This shocking attempt to interfere into all private groups is strictly forbidden by the Higher Education Act of 1965.

"Sec. 804 (a) Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, or over the selection of library resources by any educational institution.

"(b) Nothing contained in this Act or any other Act shall be construed to authorize any Department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the membership practices or internal operations of any fraternal organization, fraternity, sorority, private club or religious organization at an institution of higher education (other than a service academy or the Coast Guard Academy which is financed exclusively by funds derived from private sources and whose facilities are not owned by such institution.)"

WHAT GREEKS SAY ABOUT NSA

For many years fraternity and sorority leaders have patiently abstained from any overt hostility to NSA, hoping that with maturity NSA would return to the mainstream of American student consensus and abandon its anti-Greek policies. However, time has indicated conclusively that NSA is firm in its determination to destroy the American Fraternity System. Greek leaders have finally resolved to speak out; to point out to members of fraternal groups on the campuses the true nature of NSA and to urge them to work to disassociate their campuses from NSA.

"The Stop-NSA Committee is to be wholeheartedly commended for its constructive and aggressive activity in uncovering the insidious Un-American program of the National Student Association. The NSA is misrepresenting in a most unwholesome manner the true character and aspirations of the majority of America's young citizenry."—Mrs. C. M. Jansky, Past Grand President, Alpha Gamma Delta Sorority.

"The use of front organizations purporting to espouse worthy and idealistic objectives is a technique often employed to further the sinister ends of atheistic communism. On the surface, NSA, to the unwary, might appear to be what its name implies, a voluntary association of college students, national in scope, conducted by its members and delegates in truly representative fashion. However, those who have looked behind its facade of respectability have found strange hands directing it under cover of darkness toward collectivist mastery of group action, sometimes to the exact opposite of expressed desires and plans of the collegians themselves. Without right or power, it pretends to represent those whom it degrades. It falsely denies to fraternities the freedom of association it so loudly proclaims for itself. NSA does not and cannot promote the cause of liberty, for actually it is an implement of slavery."—Sherwood Blue, Past National President, Theta Chi Fraternity.

"It is my firm belief that the principles and programs advocated by NSA are inimical to the best interests of the country and to the fraternity system, and should not be supported by fraternities and sororities."—Beatrice H. Wittenberg, NPC Delegate, Gamma Phi Beta.

"Where specific inquiries have been made from the Chapters, we have advised that they oppose membership in NSA by voting against either gaining or continuing membership in this organization."—Roy C. Clark, Executive Secretary, Acacia Fraternity.

"Once I had hopes that true representatives of the Fraternity System might be able to guide NSA into channels that would make it better represent the majority of the substantial number of students it contended it did represent. I urged fraternity men and women to do this but was disappointed. For many years I have not approved many NSA policies and procedures and see no reason now to change my mind."—Francis S. Van Derbur, Chairman, Interfraternity Research and Advisory Council, Past President, Kappa Sigma Fraternity.

"It is my observation that one of the aims of the NSA is to destroy the American fraternity system. I personally have derived great benefit from membership in my fraternity. To my personal knowledge, many, many others have similarly benefited. In token payment for the benefits derived, I shall continue to serve and fight for the American fraternity system against all its enemies, including NSA. I hope that the undergraduate members of my fraternity will join me in our fight for survival."—John E. Scott, President, Board of Trustees, Fraternity of Phi Gamma Delta.

"In very few specific instances, if any, have I found the aims and objectives of the National Student Association to coincide with those of the American College Greek Letter Fraternity system. After observing the NSA for a number of years I have no hope for a realignment of its activities to more closely coincide with the American College Greek Letter Fraternity system. In every instance wherein my opinion is requested I suggest that the NSA be removed from a campus, or in the instance of a vote for initial acceptance of the NSA my counsel is for a negative vote."—Durward Owen, Executive Secretary, The Pi Kappa Phi Fraternity.

"The more we learn of NSA, the more we realize that it does not really represent the students of America, and that it is strongly influenced by people and organizations whose ideals run contrary to the American free enterprise system. I know of no national fraternity or sorority leaders who support NSA today."—Haldon C. Dick, Assistant Executive Secretary, Phi Kappa Psi Fraternity.

"It has been my observation and experience that NSA does not serve the best interests of fraternities and sororities, nor does it adequately or effectively represent the student body. I would urge strongly that you vote against affiliation with the NSA."—Stewart D. Daniels, Alpha Tau Omega Foundation.

"In the past, NSA has concerned itself with fraternity membership selection and other matters with which it has no authority to deal. A careful investigation of the operations of NSA in the past several years will show that many prominent campuses throughout the country have consistently declined to affiliate with it."—William Forester, Executive Secretary, Kappa Alpha.

"As a national fraternity we would like to ask that you encourage our members not to vote in favor of the referendum. We have found through past experience that the National Student Association does not function for the benefit of college students. All activities engaged in by the Association are and have been in the past for the benefit of certain select individuals. The American college student is merely being used as a front."—Elmer Blumenkamp, Executive Secretary, Theta Xi.

"The organization is controlled by a select group and is not representative of the membership in the organization, and the controlling group is more politically minded than is proper. The group which issues statements in behalf of the organization is self-perpetuating to a large degree and does not reflect the attitude and opinion of the general membership. There is, of course, question as to the democratic nature of the organization. I know that many schools have withdrawn from the organization recently for the above reasons. My recommendation to you would be to oppose the affiliation."—Jack L. Anson, National Secretary, Phi Kappa Tau.

"Most fraternity and sorority leaders oppose affiliation and with good reason. I think the motives of the organization and the quality and direction of its leadership is extremely suspect. I would urge you to give most careful consideration to this question. NSA has proved to be a most disruptive influence with very little to recommend it."—Mrs. Russell Strickland, National Panhellenic Delegate, Delta Gamma.

"This organization is divisive and does not truly work for the best interests of the students in many cases."—Bruce Melchert, Executive Secretary, Tau Kappa Epsilon.

"Alpha Phi believes that the National Student Association as presently constituted is anti-democratic in character and is unrepresentative of the majority of the students in the United States. We are opposed to this organization in its present form."—LaVerne Harvey, Executive Secretary, Alpha Phi.

"I strongly object to not only the National Student Association but any other group or organization interfering with what I call the personal and civil rights of fraternities and sororities which are voluntary membership societies. We don't interfere with the manner which NSA selects or discriminates in connection with its membership, and the NSA should not interfere with the internal policies of fraternities and sororities."—Harold Jacobsen, Editor, the Emerald Sigma Pi, Sigma Pi Fraternity.

"During my 12 years of active national fraternity leadership, I watched closely the activities of NSA, and none of the faults of NSA which I recognized at the outset were corrected during that period.

"One of our young alumnae was among the students who organized NSA. She was amazed to learn recently from authentic reports of its current activities and how far afield it had gone from the purposes and needs which prompted its formation in 1947.

"In my opinion, NSA has by its adoption of policy statements on 'restrictive membership clauses in student social organizations' disregarded the privacy to which voluntary social associations are entitled by our Federal Constitution. The NSA statements seem to deny freedom of choice in membership selection by social groups on the one hand while professing belief in this freedom on the other. Further, it seems to me that NSA is not as interested in representing the ideas of its student membership as it is in trying to direct and control them.

"In view of the many resolutions passed by NSA which favor the extreme leftists elements of this country and the world, I am convinced that NSA is inimical to the existence of private voluntary groups such as fraternities. The freedom for such groups to exist is denied in Communistic, Socialistic, or Totalitarian societies. It is for this reason that I felt during my tenure of office that it was important to alert our membership, both collegiate and alumnae, to the nature of NSA. I have not changed my mind since that time.

"It has been very encouraging to learn of the increasing number of student bodies which we have rejected affiliation with NSA."—Mrs. Robert W. Preston, Past President, Delta Gamma Sorority.

"Nothing that I have read or heard about the United States National Student Association has suggested that it is a healthy, qualified, student organization. Rather, NSA appears constantly to agitate for interference in the affairs of other student organizations. This has been particularly true with regard to American fraternities and sororities, whose freedom of membership selection has been constantly under attack by NSA.

"NSA does not represent a majority of the students in the United States. Its wide range of resolutions, covering nearly all the controversial political questions of the day, brand it as a radical organization, clearly unrepresentative of thinking American students. NSA leaders could more profitably spend their time attending to their daily academic studies and leave the world's problems to those more qualified to solve them."—Julia Fuqua Ober, Past National President, Kappa Delta.

"We have long regarded NSA as an enemy of fraternities and have consistently advised our collegate chapters to oppose NSA affiliation."—Richard R. Fletcher, Executive Secretary, Sigma Nu Fraternity.

"On the basis of careful consideration of the policies endorsed by the United States National Student Association over a period of years, I have become increasingly convinced that this organization does not represent the thinking of the majority of United States students. Judging by the number of schools whose students have voted to withdraw from or not to affiliate with NSA, it appears that students on many campuses share this view.

In my opinion, NSA's recent statement regarding fraternities is indicative of an ambition to interfere with the right of voluntary association guaranteed to us by our Constitution and Bill of Rights, and that in striving to prevent NSA's entrance to a campus or to effect its withdrawal from a campus, fraternity members will be working to preserve not only the Fraternity system, but the whole concept of a free society."—Louise L. Moore, Past National President, Phi Mu Sorority.

"Where student governments are affiliated with NSA, the college administrations seem unaware that they are arbitrarily billing all students for NSA dues and fees. Activity fees are charged on bills sent to the students or to their parents along with tuition charges, etc. A portion of the activity fee goes to the student council and thence as dues to NSA. Administrations do not realize they are forcing students to pay union dues. (NSA describes itself as a union of students). It seems to me that those students who do not wish to be represented in or by NSA could request a refund from the college for amounts involuntarily paid for NSA."—Mrs. George G. Rudolph, NPC Delegate, Delta Delta Delta.

"I was in attendance at the National Association of Deans of Women and Counselors in Philadelphia when the National and International presidents of NSA presented their program and five goals. At that time their third goal was the 'elimination of sororities and fraternities.' "—Violet Whitfield, Past President, Delta Zeta.

"My predecessor in C.F.S.A., Mr. Lewis Bacon, said 'I feel that it is the unanimous sentiment of members of the College Fraternities Secretaries Association that the National Student Association has in the past proved itself not in support of the best interests of fraternities and sororities.' I wholeheartedly agree."—Rex A. Smith, Executive Secretary, Sigma Alpha Epsilon, President, College, Fraternity Secretaries Association.

"We Greeks help our friends and oppose our enemies. The NSA is certainly no friend."—Pete Wacker, Executive Secretary, Delta Sigma Phi.

"I do not like NSA for a number of reasons. One, I think they are liars. They continually try to impress the American public that they represent 'all American men and women college students.'

"I was shocked last year when I learned that SMU had been suckered into becoming a member of NSA. If this is the kind of representation you want—then go ahead and have it. I would check out the current NSA president. Enough said. I wouldn't begin to put on paper what is known about him in the halls of Congress and in other areas here in Washington, D.C." —William S. Zerman, Executive Secretary, Phi Gamma Delta.

"I have never been told by a concerned fraternity member or college administrator that NSA membership was desirable for their institution."—Burton W. Fulsom, General Secretary, Beta Theta Pi.

"If I were a member of the student body at Southern Methodist University, not only would I vote against continued membership in NSA, but I would work actively to get other students to vote against membership in NSA. I could cite numerous resolutions and policy statements of the NSA as my reasons for acting in this manner."—Robert J. Miller, Executive Secretary, Phi Delta Theta.

"It is our impression that USNSA is not truly representative of the majority of the college students in America."—William P. Schwartz, Executive Secretary, Sigma Alpha Mu.

"We can see nothing good about the Association, and most universities are withdrawing from it."—William T. Bringham, Executive Secretary, Sigma Chi.

"My predecessor, Mr. Harold Buchanan, not too long ago said, 'We have been unable to learn of any benefit that would accrue to the members of fraternal organizations by virtue of the affiliation of the student body with NSA.' I concur in this sentiment."—F. Kenneth Brasted, Executive Secretary, Delta Chi.

[A special reprint from the April 1967 issue of the New Guard]

CIA/NSA: THE CENTRAL ISSUE

In all the sound and fury following the revelation that the Central Intelligence Agency has been funding the National Student Association, the central issue has become obscured, sidetracked, clouded. It is not found on the spiderweb conspiracy charts—outlining the tangled relationships between CIA foundations, conduits, and recipients—that have absorbed so much of the attention of the press. Nor is it the CIA's working assumptions, followed since its formation, that the best way to fight communism around the world is through "democratic socialism"—though that is a vitally important second consideration. The central issue and cause for concern is that the Central Intelligence Agency has been meddling in domestic American politics, using its considerable finances and influence to support particular political factions over others.

And that's no way to run a democratic Republic.

The CIA and its apologists in the Administration, the Congress and the communications media have done their best to obscure that fact by constant repetition of the litany that "all the money went for student trips abroad," or variations of that theme. It simply isn't so. The evidence is that the Central Intelligence Agency was not subsidizing individual students, it was subsidizing an entire organization—an organization as involved in national affairs as in international affairs.

We have, to begin with, the admission of the present National Supervisory Board of the National Student Association. After several days of hearing private testimony from present and past officers of the Association, the National Supervisory Board issued on February 17 a detailed statement outlining its relationship to the CIA.

On financial support, it stated: "During the past fifteen years the Association has received considerable funds from the Central Intelligence Agency, which at one point provided as much as 80 percent of NSA's budget. . . ."

We doubt that anyone, after looking over NSA's budgets and operations, would try to maintain that anywhere near 80 percent of NSA's budget, personnel, and effort is devoted to overseas operations. More than half of the current annual NSA budget of $825,000 is devoted to domestic activities such as civil rights projects and conferences on student government.

The National Supervisory Board's statement goes on to admit that in addition to strictly international projects, "*General support was also provided,* including administrative grants and occasional donations to cover NSA budgetary deficits incurred by *both* the National and International departments of the Association" (emphasis added).

That confirms the charges in *Ramparts*—which first blew the cover off the NSA/CIA relationship—that NSA's major conduit for CIA funds, the Foundation for Youth and Student Affairs of New York City, "provided a general administrative grant of up to $120,000 per year and funded projects such as NSA's magazine, *The American Student* . . ."; that "In addition, FYSA could be relied upon to pick up any operating deficit that NSA incurred during the year"; and, again, that "any year-end operating deficits were quickly picked up by FYSA or some other foundation."

The Washington *Evening Star* of February 20 elaborated on one such deficit—a very domestic one—erased by the CIA. It occurred when some University of Chicago undergraduates duped the NSA into buying their nationwide chain of cooperative bookstores, operating in competition with commercial stores. NSA apparently did so without a look at the operation's financial condition, which was very precarious indeed. (The *Star* quotes one person involved as saying that "The accountant didn't know double-entry bookkeeping. He kept all his financial records on the backs of envelopes.") When NSA did learn what it had bought, it found itself faced with a deficit of more than 100 grand.

Most organizations would have had to curtail their other activities in order to pay for such folly, but the NSA had an easier solution. As the *Star* relates: "Faced with the possibility of a huge financial loss, the NSA officers turned to their principal benefactors—the Central Intelligence Agency—and the CIA came up with a needed $140,000 to pay off debts."

That's not all, folks. Only the top officers of NSA, generally, knew that the CIA was the source of their funds. Some explanation of how the deficit was met had to be given to the other members of NSA's National Supervisory Board, and *that* part of the tale confirms what many have long suspected about the mental prowess of NSA leaders.

Again according to the *Star:*

"At the board's next semi-annual meeting, the NSA president explained that he had undertaken some rugged fund raising and managed to pay off all the debts.

"He listed the support he'd gotten from foundations—all CIA fronts—but the total he gave was still $25,000 short of the total needed. The supervisory board members questioned him as to how he got the final $25,000.

"It was all very simple, he explained. One day, while on a train from Philadelphia to Boston, he struck up a conversation with a wealthy Greek rug merchant.

"By the time the train had reached Boston, the rug merchant was so impressed with NSA's work that he simply wrote out a check for $25,000, the president said.

"Nobody questioned the explanation."

Though the NSA's economic wizards were taken in by the University of Chicago undergraduates, they apparently were quite adept in other aspects of the fine art of bookkeeping. *Washington Post* staff writer Andrew J. Glass reported in the February 16 issue of that newspaper that "A source within the NSA hierarchy said CIA funds, funneled to his group through the Foundation, were sometimes diverted from international accounts and used for such domestic student activities as civil rights. Travel allowances for trips abroad were also juggled in order to finance NSA's domestic activities through the CIA's indirect contributions, the source said.

"Most commonly, the NSA's source said administrative funds that came from the CIA were diverted for domestic programs, it was explained."

In speculating over the apparent lack of budgetary supervision by the CIA, it would be wise to remember that by the late 1950's most of the CIA agents acting as liaison with the NSA were themselves former officers of the National Student Association.

The inescapable conclusion is that when a subsidy is given an organization rather than individuals—and a political organization, moreover, with extensive activities both domestic and foreign—it is impossible to separate the subsidy into two different components, labeled "here" and "there." Several final examples should suffice:

The subsidy that came in the form of NSA's handsome four-story headquarters at 2115 S St., N.W., in Washington, D.C. Thanks to the generosity of the Independence Foundation of Boston, a CIA foundation, NSA has a 15-year lease on the building free of rent. In addition, NSA received $20,000 to furnish the building when the lease was signed. The building, of course, serves as headquarters for NSA's national as well as international operations.

The effect an organization's international activities have on its domestic success. Many a college joined NSA because of its wide range of international activities, which could not be matched by other organizations not enjoying the tidy government subsidy. But when those colleges joined, their dues went for NSA's domestic activities too. More importantly, their presence helped NSA perpetrate the fraud that it somehow represented American students. Small wonder, then, that W. Dennis Shaul, NSA president in 1962–63, defended his acceptance of CIA money in part "because it would have a good effect on domestic politics."

The draft deferments, which freed NSA's officers and top staffers not only for international work, but for domestic politics as well.

Ironically, and sadly, the Central Intelligence Agency continued its life-giving subsidy to the NSA at the very time that American students were rejecting the undemocratic, radical organization. As noted in the October, 1966, issue of this magazine, NSA's own convention program last year admitted that "At present about 280 of the 1700 eligible schools belong to [NSA]. This number represents a significant drop in membership from 1961, when about 350 schools belonged to the organization."

We knew we were fighting many policies of the federal government, but few of us suspected how directly we were fighting the government. Somehow we were under the illusion that in America student politics belonged to the students.

[A special reprint from the April 1967 issue of the New Guard]

FLY AWAY WITH THE CIA

(By Phillip Abbott Luce)

(NOTE.—Phillip Abbott Luce was one of the leaders of the New Left until his split with it in January, 1965. He had been editor of Progressive Labor, the monthly magazine of the Maoist group with the same name. In defiance of State Department bans, he organized several student trips to Cuba. He outlines the history of the New Left and his reasons for leaving it in his book, "The New Left.")

The recent revelations regarding the connections established between the Central Intelligence Agency and the National Student Association may cause future generations to believe that all concerned were spiking their coffee with sugar cubes containing LSD. Appropriately enough, this whole happening happened when that monthly magazine of psychedelia, *Ramparts*, blew the whistle on a cozy arrangement whereby the CIA was funding as much as 80 percent of NSA's budget.

With the advent of the Cold War, our State Department decided that it was necessary to engage the "uncommitted youth" wherever possible. State believed that it was inopportune for them to operate as directly as their Communist counterparts, and so they did not openly send young Americans abroad to engage in the propaganda war for men's minds. Instead, State chose the CIA to act as its business agent in this matter. The CIA, in turn, created a group called "Independent Research Service," which was to serve as the spokesman for American youth festivals and meetings taking place in Europe, Asia and Africa.

Unfortunately, the people who were placed in charge of Independent Research were either members of the NSA or equally-inept types. In sponsoring both the NSA and the IRS, the CIA showed strange judgment.

Abroad, the IRS acted as an arm of NSA, and was less than effective in combatting the Communists. At the World Youth Festivals, which are giant Communist circuses, the Independent Research people spent as much time knocking the United States as they did in discounting the propaganda of the Communists. In fact, according to people who saw them in operation at the festivals, they were often about as left-wing as the young Communists they were there supposedly to battle. They were not only often left-wing but almost universally inept.

During hearings before the House Committee on Un-American Activities, held on February 4, 1960, Mr. Charles Wiley had this to say about the IRS and NSA participants at the Vienna Festival.

"I think you can best describe the majority of the non-Communist delegates as boys who were sent to do a man's job. Some of them had read a little of Marx, they knew a certain amount of theory—and I should stress this here—there were notable exceptions, but by and large they knew some Communist theory, they knew nothing of Leninist tactics, and when they were put up against a trained, organized Communist machine they were simply rolled over. The Communists knew the parliamentary tricks, they knew every dirty trick in the book, and these American kids were just completely unable to cope with it."

Mr. Wiley, who is a specialist on communism and has written and lectured extensively on the subject, gives this frightening description of what he saw in Vienna:

"By and large there was a tendency throughout among the American delegates, best covered by the phrase often used, 'Let's not rock the boat,' because everything that was said in defense of the United States of America or the Western way of life was attacked as anti-festival, and the Communist strategy was to call anyone who defended our position, call them disrupters, and therefore most of the Americans let them get away with it."

The congressional investigations of the so-called World Youth Festivals have shown beyond a doubt that they were organized and controlled by the Communists, with the intent of propagandizing the world's youth. These same hearings have also established that the "official" American delegations were controlled by the Communist Party, U.S.A. The top officials of the "recognized" American delegations included such known Communists as Mike Myerson, Jake Rosen, Fred Jerome and Marvin Markman.

Interestingly enough, the young Communists were not allowed to make many of the decisions regarding the "youth festivals." Prior to the 1959 Vienna Festival, the United States was represented at the "International Preparatory Committee"—the organization charged with the preparation for the festival—by Holland Roberts, who was then over 60 years old. Roberts has long been identified with Communist causes.

Still—and this is bizarre—at the Helsinki 1962 Festival, which was the last held to date, the CIA not only sent people from Independent Research, but also allowed various representatives of the NSA to participate actively in the United States Festival Committee. The U.S. Festival Committee was the "official" organizing committee and was headed by Michael Myerson, who was designated chairman and executive secretary. The Federal Bureau of Investigation has since identified Myerson as a member of the Communist Party, U.S.A. And on the letterhead of the U.S. Festival Committee we find these names as part of a "national advisory board."

Kenneth Cloke, National Student Association delegate at the Berkeley campus of the University of California.

Jeffrey Segal, president of the Roosevelt University student body; NSA delegate; chairman of the Student Activities Board.

Mitchell Vogel, NSA delegate; chairman, Students for Democratic Rights; member of the student government executive committee at Roosevelt University, Chicago.

Richard Prosten, NSA coordinator at Roosevelt University.

Bert Weinstein, member of two student-faculty committees, former chairman of the Student Government Civil Liberties Committee and NSA delegate at the City College of New York (CCNY).

And while Independent Research was obviously a CIA operation from its inception (anyone who didn't realize that IRS was controlled by CIA was too naive to be taking European trips), the NSA was definitely a covert operation. This, in itself, raises serious questions about CIA operations in the United States.

According to the people involved, only the very top leadership of NSA knew about the CIA funding of that organization. Leaving aside the political bias of NSA for a moment, it was hardly fair to the general membership of NSA that they be led down the merry road, only to be confronted suddenly with the fact that they have been put on for years by their own leadership. But, just as in the best tradition of the Communists, whom everyone easily castigates for duping students, the NSA leadership effectively duped their membership. No one can really feel sorry for the leadership—after all, they were young men on the make and they made it—but it is a shame that a number of intelligent and hard-working young people were lied to for years, and then suddenly confronted with the fact that they had been involved in a covert CIA operation. The outrage and indignation of the average NSA member is understandable, but there is no justification for the mock anger of some of the leadership.

The recent set of exposures have also given the Communists a field day. Every young American who has visited Europe in recent years is being branded by the Communists as an agent of the CIA. *The Worker* is filled with self-congratulations about always "knowing that the NSA was a CIA front. Danny Rubin, one of the older "students" presently on the National Committee of the CPUSA, wrote in the March 5 issue of *The Worker* that he always was aware of the CIA influence in the NSA, but that "Communists do not share the reaction of some student leaders to the revelations: to quit NSA and see it go under. . . ."

Young Americans for Freedom has long called for the demise of the NSA. The recent revelations of its CIA sponsorship only increase our desire to see those few students who still support this bankrupt organization drop out. The National Student Association is a deadletter organization. Let it be buried quietly, and let us get on with the work of building a student organization truly representative of the American student, and not the CIA, or State Department, or any other parent group.

One argument now being advanced against the NSA/CIA combine is that while the CIA might not have been the right agency to finance the NSA, it is the responsibility of someone in the federal government to do so. The argument goes something like this: "Admittedly the CIA was wrong in financing the NSA. It was too secretive in its operation, and when the truth was learned the whole thing blew up. If the State Department had done it openly, we wouldn't be faced with the same problem."

True, the same problem would not exist, but instead of secret CIA funds being involved we would simply have public State Department funds involved. The problem is not only one of secrecy but of governmental influence. It is naive to believe that the State

Department or USIA would have simply given the NSA, or anyone else, money to finance their operations without some understanding that a "policy line" would implicitly be followed. In the world of real politics, governmental agencies, secret or open, demand a return for their investments. The solution is not merely open funding, but an end to the government trying to buy off students and student organizations.

Private student groups, not responsible to or financed by either the CIA or the State Department, are our best bet, since they can be active without having to conform to governmental antics ("bridge building," etc.). Those young people who gained private funds to travel to Helsinki and Vienna to combat the Communists did a most effective job. They operated effectively because they had both an anti-Communist philosophy and experience in debating and fighting the Communists. They were not interested in being portrayed as "progressive dissenters" from the United States, but in showing a true picture of this country. They were serious anti-Communists, not left-wingers or young men and women on the make.

The Central Intelligence Agency can take care of itself. It has already weathered bigger and better storms, including such foul-ups as the Bay of Pigs fiasco and its failure to learn of the Berlin Wall plans until it was almost completed. The real losers from all of this exposure are the American people and American students in particular. We have all lost some of our freedom and democratic heritage if the CIA is involving itself in our internal politics. Students have lost because they now find themselves deceived by both the government and the National Student Association. The CIA actions recently exposed can only increase the already-heavy trend of students to "drop out" of politics and to look cynically at politics.

All of this could have been avoided had the government not tried to influence students and finance their operations. It could also have been avoided had the business community lived up to its responsibility to the youth of this country and helped to finance needy groups.

In the past weeks I have seen student anger with the NSA/CIA affair turn to resignation and then to cynicism. But the answer is not to turn to LSD, whether it is provided by the CIA or Tim Leary. It's past time we all got angry with the attempts of the government to tell us how to run our lives and our organizations, and the answer is to expand our support of those student organizations that are free from government control and are fighting to retain an independent spirit in this country.

[Reprinted from the Philadelphia Bulletin]

What's Behind Student Riots?

(By Edith Kermit Roosevelt)

Washington.—The revolutionary objective of the overthrow of the American system of government is not concealed anymore in infiltrated and manipulated college and university campus groups. As an instance, instructions on revolution were presented as an objective by Ed Schwartz, president of the National Student Association, at NSA's First National Student Power Conference, at the University of Minnesota, November 17–18, 1967.

Schwartz's extraordinary "working paper" summarizes the tactics already used in virtual insurrections that have occurred at the University of California at Berkeley, San Francisco State College, the University of Wisconsin and other campuses throughout the nation. He gave the NSA president four steps leading to control of the nation's campuses by radicalized students.

1. "Gradual escalation." According to the NSA paper, this means that "Students must be weaned gradually into revolutionary fervor." The NSA president warns, "If the base of support for initial goals is too broad, as fundamental objectives become explicit, campus participation may dwindle. Once that happens, it's all over."

2. "Non-negotiable tactics." NSA instructs student revolutionaries that "the goal is to create a dialectical situation in which the administration is forced to reject seemingly reasonable requests for change in such a manner as to alienate the entire campus." The reason given for avoiding negotiations, such as would take place if reform rather than revolution was the goal of these students, is that "as soon as the first proposal appears negotiable, followers will be lost." What this adds up to is that the radicals want college administrators to become immoderate or reactionary and to alienate the entire student body. A typical "dialectic situation" was the emergence in Germany of the contending totalitarian Nazi and Communist parties with no role being allowed for such moderate groups as conservatives and liberals. This is what every revolutionary group seeks to bring about.

3. "Administration fury." NSA stresses the importance of maneuvering the president of the college or the regents into reacting angrily and slurring the character of the campus groups. The NSA president declares, "Even if your first proposal is not acceptable to many students, the administration's reactions will outweigh their reservations. A slur on the character of any student group within reasonable bounds of respectability is an indirect slap at the entire campus. That should be made clear."

4. "Campus Response." Student workshops are advised by NSA, "if the first move appears too inflammatory, the students may feel that the administration's response is justified. If you can get a few campus 'respectables' or even invulnerables like honors students and Woodrow Wilson winners, you will have a better chance of success."

The NSA paper admits frankly that the goal of revolutionary campus movements are basic changes within the universities, such as "resignation of the president, abolition of board of trustees, elimination of classes." On December 6, at San Francisco State College only 100 organized radicals out of a total student body of 18,500 succeeded in closing down the campus during riots in which fires were set and campus property destroyed.

According to Life magazine of October 20, 1967, the NSA Congress last August mapped out ways *"to bring any university which won't cooperate with our desires to a grinding halt."* At least 40 campuses were selected as targets for revolutionary fervor—including Northwestern, Columbia University, the University of Colorado and Stanford.

On the national scene, *NSA has gone on record in favor of organized resistance to the draft and for supporting "black power" which means the aims of the Stokely Carmichaels "by any means necessary," which does not exclude riot, arson and mayhem.*

There are only some 330 student governments associated with NSA, which comprises less than 15 per cent of the nation's accredited eligible colleges. But NSA members are militant and are being indoctrinated by a number of extremist faculty members and older, trained agitators outside the campuses. While the Central Intelligence Agency says it no longer supports NSA, other government agencies have stepped into the breach. According to the Washington Post of last May 7, a total of $390,000 has been given to NSA by the Office of Economic Opportunity, the Office of Education and the State Department.

Revolutionary campus activities by NSA, the Students for a Democratic Society, W.E.B. DuBois Clubs of America, Progressive Labor Party and other groups are picking up momentum because of the generally permissive attitude of school administrators. A number of administrators plead concern for student personal safety as an excuse for surrendering to intimidation by a small minority of students.

According to David A. Keene, vice president of the Young Americans for Freedom, the riots at the University of Wisconsin on October 18 grew out of the fact that the university over a period of years had *consistently permitted one campus group to impose its desires on another by force.* As an example, he said, two government officials who visited the campus to speak, were unable to complete their presentation and were booed down. The administration failed to order the disruptive students out of the room on the grounds that there would have been danger of violence if they had refused to leave voluntarily.

According to Keene, the radicals then felt sufficiently emboldened to stop the interviews on campus between Dow Chemical Co. and interested students by force if necessary. The University of Wisconsin might have avoided *grim and bloody confrontation between police and student demonstrators if the university administration had taken a stronger stand in the first place and enforced the campus rules fairly and equally.*

The lesson is plain, whether on the nation's campuses or on the streets: We are faced with a breakdown of all laws which protect the rights of each individual in his professional and political life. Administrators in government and in academic life alike must assume their obligations to protect the public.

PRESIDENT NIXON'S TRIP TO WESTERN EUROPE

(Mr. ARENDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARENDS. Mr. Speaker, I have requested this time in order that I might yield to the distinguished minority leader, the gentleman from Michigan (Mr. Gerald R. Ford).

(Mr. GERALD R. FORD asked and was given permission to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I am grateful that the distinguished minority whip has yielded me this time to make some observations concerning the successful trip of our President to Western Europe.

It was my pleasure, along with a number of Members from the other body as well as this body, to be at Andrews Air Force Base when the President left on this mission. It was a bipartisan representation of both Houses of Congress, wishing the new President well as he embarked upon his first trip abroad on behalf of our Nation.

Sunday night a group, again from the other body as well as this body, was at Andrews Air Force Base to express a warm welcome to the new President upon his return. The distinguished Speaker was among those who were at Andrews Air Force Base to welcome the President on his arrival.

I think the fact that Members of both political parties wished him well on his departure and welcomed him on his return is a clear indication that all Americans want us as a Nation to be successful in whatever mission is undertaken by the Chief Executive on behalf of all of us.

It is my observation, based upon watching television, listening to the radio, and reading the papers, that the mission of the President was successful. New lines of communications were opened between the head of our Nation and the heads of state throughout Western Europe. The impression I gained from listening, watching, and reading is that Western European leaders and His Holiness the Pope were impressed with the President's knowledge and his willingness to listen. It seems to me we are warranted in our hope that peace will be achieved.

Mr. Speaker, we are not Democrats or Republicans when it comes to what we want done, not only for Americans, but for all mankind, in the interests of peace.

Mr. Speaker, it was vitally important that we expand our view of the world to place Europe again in the immediate circle of our attention, to bring the problems of Western Europe into fresh focus. This the President has done.

President Nixon also appears to have healed the long rupture in French-American relations, and this, too, is important to the future peace of the world.

Mr. Speaker, it seems to me that President Nixon has accomplished all of the objectives he set for himself when he departed on his ambitious West European tour. I feel certain, Mr. Speaker, that all of the American people view Mr. Nixon's trip as an unqualified success.

Mr. ARENDS. Mr. Speaker, if my 1 minute has not as yet expired, I would like to add a sentence or two to what the minority leader has just said.

Like other Members of this House, I was privileged last night to be at the Andrews Air Force Base when the President of the United States returned from his trip to Western Europe. I was also there when the President left on his trip, along with other Members of this body and of the Senate.

Mr. Speaker, as I stood at Andrews Air Force Base last night I was very, very proud of the President of the United States, not as a Republican President or as a Democratic President, but as the President of the United States.

He has just returned from a valiant effort while abroad in attempting to see if it were possible somehow to cement better relationships among the nations of the world, particularly those in Western Europe. I have the feeling that our President is going to exert every effort toward returning peace and quiet in this great world of ours, so that people and nations might live together in harmony as they are supposed to live.

As we wished the President Godspeed when he left on his trip, so last night we were thankful and grateful that he safely returned from his mission abroad where he had done so much for better understandings.

Mr. Speaker, I trust all Members will cooperate as best they can in lending assistance to the President of all of us that we might have peace on earth and the kind of world that we all want for ourselves and our posterity.

PRESIDENT NIXON'S EUROPEAN TOUR

(Mr. EDMONDSON asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. EDMONDSON. Mr. Speaker, I am sure I speak for all Members on this side of the House in saying that we share the feeling of gratitude that has been expressed by our distinguished minority leader and others for the safe return of the President.

I believe the presence of our beloved Speaker at Andrews Air Force Base last night was testimonial for all of us in this House of the deep and bipartisan feeling of hope with which the trip of the President has been attended.

I am sure that every American feels as the distinguished Speaker and other Members have expressed themselves, that politics in a partisan sense in our country should stop at the water's edge when the President of the United States goes abroad about the business of advancing the interest of our country. He should go with the best wishes and prayers of all Americans.

I personally feel it is a little too early as yet to say exactly what the results of that trip have been, in a substantial way, but let us all hope and pray that they do prove to be tremendous forward steps for America and for peace among the nations. In this regard I am certain there will be no partisanship in the feelings and the prayers of all of us in this body.

THE IMPORTANCE OF PRESIDENT NIXON'S EUROPEAN TOUR

(Mr. RHODES asked and was given permission to address the House for 1 minute, and to revise and extend his remarks and to include extraneous material.)

Mr. RHODES. Mr. Speaker, the President of the United States has just completed a very important trip to Western Europe. Whenever the incumbent of the American Presidency changes, the nations of the world quite naturally have some doubts and perhaps some fears as to what the policies of the new administration may be. It was very important, therefore, that the President personally take to the peoples of Western Europe and to the governments of Western Europe word as to his own intentions, his own philosophy, and the manner in which he looks at the relationships of our country with the rest of the world, and particularly with the nations of Western Europe.

I believe it is even more important, however, Mr. Speaker, that the President was able to take in his person a message from the people of the United States to the people of Western Europe so that those people would be assured that the concern and the feeling of brotherhood which we have always felt for them has not faded, and that we still remember the responsibilities which we have assumed toward them and which they have assumed toward us throughout the years, and that it is our intention to make sure that the ties that have bound us together do not become less, but become even more significant as time goes by.

The people of our country have been pleased with the trip conducted by the President of the United States. They have looked upon this trip as their own trip; they feel that in spirit they were there, and that whatever was accomplished was accomplished in their name. The following newspaper comment certainly seems to indicate a broad identification with and approval of this trip, and the President's actions throughout the journey:

[From the Kansas City Star, February 25, 1969]

THE NIXON POLICY FOR A SOUNDER NATO

In Brussels the President of the United States looked back over 20 years of the brilliantly successful NATO alliance and considered its future. He did not venture into soothsaying. But Richard Nixon did restate and expand on a favorite theme that East and West are "ending a period of confrontation and entering an era of negotiation." In this transition, the President assured our NATO partners, the United States will not seek to go it alone as the colossus of the free world. Instead there is to be full consultation with all other NATO nations in matters of common concern.

This assurance should have brought some relief to the governments and peoples of Western Europe—the West Germans, the British, the Italians and the others, even including the French who have drawn themselves apart from the functioning of NATO. The discussions in prospect between the Americans and the Russians might have been envisioned as a parley of nuclear giants bent on reshaping the destiny of all nations with which they are associated. Now Mr. Nixon has pledged that there will not be such a narrowing of the negotiator's concern on this country's side of the conference table. He thus undertook to dispose of the kind of fear that Charles de Gaulle has actively encouraged.

Mr. Nixon made a strong case of need for consulting with the other members of the Atlantic partnership. He candidly conceded that this course has not always been followed in the past, with the U.S. at times talking but not really listening and then making decisions unilaterally. But he also noted that relationships among the alliance's members have changed, as Europe's war-ruined economies have acquired flourishing health.

In its two decades NATO has succeeded precisely in what it set out to accomplish. As President Nixon observed, the nations that were free 20 years ago remain free today. He could have added that not one inch has been added to the overlordship of Central and Eastern Europe that was established by the Soviet Union at the end of World War II. Most important, in Mr. Nixon's words, "the ultimate crisis that would have provoked a nuclear war has been prevented."

Contributing to this prevention of holocaust has been the nuclear standoff that has come into existence between the only two major atomic powers, the United States and Russia. Now they are in the apparent position of both wanting to work out an accord on arms control to reduce the economic burdens of their weapons rivalry and to avoid its soaring into new and even costlier undertaking. At least partly this is what President Nixon had in mind when he spoke of "an era of negotiation." There may be other opportunities for agreement, too. Indeed, joint U.S.-Soviet efforts to head off another war in the Middle East have the highest possible priority. Washington, as the long-time supporter of Israel, and Moscow, as the supplier of armaments to the Arab states, both have means of applying leverage for the sake of peace in the inflamed area.

Thus there is substance for the upturn of optimism that is evident in President Nixon's address before the NATO council. The world can expect to learn more of the "wide range of issues" that will be explored with the Soviet Union. And the President's journey to Europe already has been justified by his disclosure of an American shift in the matter of consultation which other members of the Atlantic alliance have long waited to hear.

[From the Miami (Fla.) Herald, Feb. 25, 1969]

A LONG STRIDE BY MR. NIXON

The warmth of the welcome being given to President Nixon in Europe seems genuine and there is good reason for it. . . .

He is listening rather than talking. Part of his avowed aim is to start "a new era of consultation—and I mean real give-and-take consultation—between the leaders of the European-American community."

His attitude by itself should get the results he seeks. The timing of the trip and the fact that he is making it say more than words to "our European friends."

The United States is the leader of the Free World, as everyone knows. The new President might easily have invited European chiefs of state to visit him in Washington. Instead, very soon after taking office, he goes to see them in their capitals.

The physical gesture speaks for itself, eloquently.

The handful of leftists who chanted "Nixon go home" at the Brussels airport was outnumbered by several hundred Belgians who turned out to greet Mr. Nixon. Similar scenes can be expected at each stop, and will leave the President unruffled. As he has said, he is sure that 95 per cent of the people favor his journey. He is right in ignoring the noisy minority.

Mr. Nixon is taking the first long stride toward "a new spirit of confidence among our European friends and ourselves." If he can achieve it, the gains will accrue to both shores of the Atlantic and much of the rest of the planet.

[From the Chicago (Ill.) Daily News, Feb. 25, 1969]

COCKED EAR POLICY

The sensitive and sympathetic ear that President Nixon has promised Western Europe is of greater value at this stage of history than a considerable megatonnage of nuclear weapons.

For communication is the first requirement of a Western alliance weakening at the seams. And communication has lately been scarce. Lyndon Johnson made no full-dress European tour during his Presidency. It was June, 1963, when John F. Kennedy visited the continent and proclaimed *"Ich bin ein Berliner!"*

In a sense, light years have elapsed since that visit, radically changing the bargaining position of the President of the United States. Then the United States still seemed the great, invincible bastion of Western power and barrier against a world Communist hegemony.

Subsequent events have exploded the notion that two nations with enough military power could manage the world between them and in that process have signaled what Arthur Schlesinger Jr. proclaims in the current Harper's as "the end of the age of superpowers."

Even as Schlesinger (no pal of Mr. Nixon's) propounds his thesis that the most successful power of the future may well be the one that shows itself most human, the President has taken his hat in his hand and set out to woo the Europe's leaders with attentiveness and quiet good manners. He is not, of course, finding sweetness and light the universal rule on the continent. But we dare say he is doing more with molasses than he could have with vinegar or vetch.

The tests will come toward the end of the week, in West Berlin and Paris. For if the age of sweet reason is dawning for the United States and perhaps even in a vague and uncertain way for Russia, it has not yet noticeably troubled either Herr Ulbricht or Gen. de Gaulle. East Germany has heated up a fresh batch of harassments timed for maximum impression on Mr. Nixon, while de Gaulle is now disclosed as in the midst of a fresh attempt to freeze the United States out of Europe.

However vexing these factors may be, there is advantage in Mr. Nixon's seeing Europe's leaders and Europe's relationships as they are rather than behind bland false faces.

For the new President is moving into a high-stake game in which American resources have dwindled measurably since the time when this nation stood militarily and economically supreme in the world. American power still counts and so does Russian power, but Mr. Nixon must start making arrangements to preserve America's position and interests in a world of peers rather than inferiors or subordinates. If he merely gets a taste of how bafflingly different this will be for a United States accustomed to sitting at the head of the table, the trip will be worthwhile.

[From the Houston (Tex.) Chronicle, Feb. 25, 1969]

NIXON'S EUROPEAN VISIT

President Nixon is taking something of a political risk by going to Europe so early in his administration. Not that the trip isn't timely. It is indeed. The risk comes from the fact that should Mr. Nixon make a blunder during his talks with European leaders, it could cloud U.S. future relations with our European Allies before his administration had a chance to take hold.

It is a tribute to Mr. Nixon's confidence that he has embarked at so early a date on this low-key adventure in personal diplomacy.

He was wise, we think, in making this a "working" trip, free from an excess of pomp and ceremony. To underline this emphasis on work, he chose to leave Mrs. Nixon behind. He intends to make a minimum of public speeches and announcements. As he said on his Brussels stop-over: "I have come for work, not for ceremony; to inquire, not to insist; to consult, not convince; to listen and learn, and to begin what I hope will be a continuing interchange of ideas and insights."

This course is bound to leave a favorable impression on our European Allies, many of whom have begun to see the United States as too powerful militarily and economically, too obsessed with Vietnam and Asia, too unmindful of Europe, and too heavy-handed in the conduct of international diplomacy.

Obviously, it was just such criticism Mr. Nixon had in mind when he told the Council of the North Atlantic Treaty Organization that "the United States is determined to listen with new attentiveness to its NATO partners." And he assured the council that when or if the United States enters into direct talks with the Soviet Union, it will be on a basis "of full consultation and cooperation with our Allies, because we recognize that the chances for successful negotiations depend on our unity."

This eight-day trip will accomplish a number of good purposes. It not only will permit Mr. Nixon to renew acquaintances with European leaders, it also will give the people of Europe a chance to take Mr. Nixon's measure. In the past, he has not enjoyed a favorable political image in Europe. Undoubtedly it will improve—both in this country and abroad—as he practices the good judgment, candor and moderation which has characterized his first month in the White House. Mr. Nixon appears equal to the task.

[From the New York Times, Feb. 26, 1969]

NIXON'S UNASSERTIVE MANNER IMPRESSES HIS HOSTS ON TRIP

(By Max Frankel)

LONDON, February 25.—Richard M. Nixon is quoting freely from Woodrow Wilson as he follows a 50-year-old Presidential trail, around Europe and he is best known here so far for his political association with Dwight D. Eisenhower and his defeat by John F. Kennedy. But the new mold in which the new President is offering himself defies comparison with his more heroic predecessors. The skeptics among his hosts say they are impressed.

The British are impressed not only because Mr. Nixon strikes them as knowledgeable and curious but also because his openness comes as something of a pleasant surprise from his reputation as a cold warrior in the fifties and from his campaign rhetoric last year, they had expected someone less sensitive to change in the world and less flexible in his approach to the Communist nations.

After two days of talks here, Prime Minister Wilson's associates are conceding their surprise without worrying whether they had misjudged their guest to begin with or whether the responsibilities of office had altered him. They say they can share his analyses of the situation in Europe and welcome his "forthcoming" attitude toward East-West negotiations, the subject that dominated much of the conversation in London.

PROMISE IS AFFIRMED

Since many Europeans appear to have been shocked even more than Americans by the Soviet invasion of Czechoslovakia last summer, this drawing together may reflect as much change in the British Labor party as in Mr. Nixon's Grand Old Party. Either way, the President's promise of trans-Atlantic collaboration is being affirmed.

And so is Mr. Nixon's confidence in the timing and style of his journey, despite the public dispute between London and Paris about the future of Europe and the future of the Atlantic alliance and despite the absence of the emotional public tribute that other Presidents have attracted on this side of the ocean.

The President has deliberately been defying the Wilsonian tradition that brought his predecessors here with ringing assertions of New World strength and vision. Mr. Nixon says he has come because it is time for the allies to face "some hard questions" together. But his public definition of the question has been vague and most of his thoughts about the answers remain unformed.

Though skilled in the use of the surprise gesture toward a curbstone crowd or an unexpecting House of Commons, Mr. Nixon has thus far evoked more curiosity than excitement. By and large he has moved swiftly and decorously through his rounds in Brussels and London, bowing with elaborate deference at every handshake (except for today's upright greeting of the Queen) and striking a remarkably unassuming pose.

CANDID AND SYMPATHETIC

Yet up close, on more private occasions, he is described as easy and candid, unfailingly courteous, sympathetic to the difficulties of other nations and reflective about his own.

His task is made easier by the fact that he is neither seeking nor promoting policy agreements. For the moment, he is promoting only himself as a responsible custodian of the West's nuclear might, and seeking only the goodwill that he is willing to show others.

Besides the promise to consult the allies when he enters negotiations with Moscow—a promise that all of them, and particularly the West Germans, wanted very much to hear—Mr. Nixon is offering no commitments, no inspirations, no new agendas for action or even for consultation.

The President has been content to show that he understands that times have changed, that the alliance has helped to prevent nuclear war but needs a more positive function now. He has been content to show that he understands the issues behind years of debate among the allies—debate about the nature of the Soviet military threat in Europe, about the appropriate allied defense posture and about the need to adjust trans-Atlantic relationships now that Europe is prospering.

NO GRAND VISIONS OFFERED

These remain the central qeustions, Mr. Nixon says. But unlike his predecessors in the nuclear age, he has not come here to hold out grand visions or solutions.

Clearly, he shares the view of the Kennedy and Johnson Administrations that Western Europe must unite if it wishes to diminish its dependence on the United States and that it must accept dependence on the American nuclear shield as long as European energies and technologies remain divided into sovereign factions.

This is Western Europe's central difficulty, and Mr. Nixon's predecessors became exasperated with President de Gaulle because he refused to help resolve it. He seemed to favor neither European union nor dependence on the United States.

Mr. Nixon evidently believes that he can find a way around this problem by establishing a more cordial process of consultation with the general, and he is measuring his words as he approaches Paris. He is advertising a desire to let the British manage their own entry into the European Economic Community without coaching or assistance from across the sea. He plans to tell the West German's that he seeks a climate in which they will not feel pressed to "choose" between association with Paris and Washington.

Eventually Mr. Nixon may feel compelled to show his impatience with disunity among the allies and to offer his own formulas for greater cohesion. On this trip, however, he is avoiding the posture of the statesman and betting instead on the dividends of an unusually modest diplomacy.

[From the New York Times, Feb. 28, 1969]

MR. NIXON'S RECEPTIONS

The Italian Communists and their allies are old hands at staging demonstrations, and President Nixon has no reason to take personally the outbursts that followed his arrival in Rome. Nor should Americans infer that the Soviet Union sparked these actions of an Italian Communist party that has gone out of its way for years to display fierce independence of the Kremlin.

It seems obvious that the demonstrations were designed more to embarrass the buffeted center-left coalition of Premier Rumor, in office only two months, than to humiliate Mr. Nixon. Here was an excellent occasion for chiding Mr. Rumor's restless Socialist partners about their grudging support for Italy's continuing role in the NATO Alliance, and the Communists seized it.

The attitude of most Italians toward the visit by the new American President was surely expressed not in the Communist riots but in the enthusiastic welcomes Mr. Nixon received at the airport and along his motorcade route into Rome.

Earlier, an abortive attempt by left-wing students to disrupt the Nixon motorcade failed to tarnish a successful visit to West Berlin. Even with the sharp dispute between East and West Germany over the Federal Republic's plan to elect its new President in West Berlin next week, there was no need on this occasion for anything approaching John F. Kennedy's electrifying "Ich bin ein Berliner" speech in 1963.

All that was required was for the new President to restate the enduring commitment of the United States and its allies to the safety and freedom of West Berlin. This Mr. Nixon did with dignity and without provocation. He must have been gratified at the response.

[From the Newark (N.J.) Evening News,
Feb. 25, 1969]

REDIRECTING NATO

President Nixon's address to the NATO Council in Brussels was in marked, and no doubt intended, contrast with what the council has been hearing from President de Gaulle. Whereas Gen. de Gaulle has stubbornly balked at participation in NATO functions that do not serve his pleasure, Mr. Nixon reaffirmed that U.S. commitment to partnership.

President Nixon took pains, in fact, to puncture two of the general's favorite excuses for chipping at the foundations of the North Atlantic Treaty Organization. To the complaint that NATO pays too much heed to Washington (and, by inference, not enough to Paris), Mr. Nixon expressed determination "to listen with new attentiveness" to what NATO partners have to say. He would also "actively seek the counsel" of these allies on questions affecting world peace and stability—including forthcoming negotiations with the Soviet Union.

President Nixon also rejected President de Gaulle's implication that NATO, which reaches its 20th anniversary this year, has outlived its usefulness. Times indeed have changed, and the military threat from the East—while not eliminated—may not be so great as in 1949. But NATO can turn to added purposes, like sharing "new ideas and new technologies to enrich the lives of our peoples." For this Mr. Nixon would pool brains just as NATO has also pooled arms.

This constructive approach is important to long-range security on both sides of the Atlantic. While it largely carries forward what his predecessors have also proclaimed, Mr. Nixon's message is a well timed reminder that there is little future in the negative, isolationist policy being promoted from Paris. It might even suggest to Gen. de Gaulle that the may find himself alone if he abandons NATO, as the treaty permits him to do after the 20th anniversary.

[From the New York Times, March 2, 1969]

NIXON'S EUROPEAN SUCCESS

President Nixon's successful tour of Europe has opened a vital effort to unite the West for negotiations with the East. The escalating tension over Berlin, which reached a new high point yesterday, casts a darkening shadow over the prospects for broad East-West talks. But the new and more intimate kind of consultation with the NATO allies initiated by Mr. Nixon will be useful whatever the future may hold.

Only a beginning has been made, of course, in these allied discussions. Nevertheless, the progressive estrangement of the United States from its European partners has been halted and perhaps, reversed.

A full assessment of Mr. Nixon's talks with Europe's leaders must await the President's report to the nation, this week and similar accounts by his European partners. West-West as well as East-West issues were covered and here, with France again quarreling with its neighbors, results necessarily were more modest.

Talks were initiated with the Common Market Commission to head off trends toward protectionism on both sides of the Atlantic. Perennial fears in Bonn about American troop withdrawals from Germany were eased. Bonn recognizes more clearly the need for a commensurate German military effort and a long-term agreement to offset U.S. dollar costs. The next move on the international monetary front was explored everywhere.

On the major, long-recalcitrant West-West problems—such as the future structure of NATO, the political union of West Europe and Britain's admission to the Common Market—no breakthroughs were made, or even sought. General de Gaulle's disagreements with his neighbors make little progress possible on these issues at present, despite the reopening of a French-American dialogue. A new climate between Paris and Washington might help to resolve substantive questions, if not with de Gaulle, then with his successors. But two or three years of persistent effort will be needed to determine if this is possible.

Mr. Nixon's European probe confirmed almost universal support among the NATO countries for a cautious American effort at negotiation with the Soviet Union if close consultation with the NATO allies is maintained. Despite the current Berlin pressures and dismay over Czechoslovakia, Europe's leaders believe Moscow is seriously interested in a dialogue with Washington on the nuclear arms race, the Middle East and perhaps other issues.

Mr. Nixon met a disconcerting response to his thesis that delay in opening the strategic arms talks might bring political concessions from Moscow. He was asked in Bonn to link German reunification, too, to the missile talks and his spokesman had to announce that "no conditions would be placed on bilateral arms talks." But even in West Germany, Mr. Nixon found the conviction that an improved climate in Soviet-American relations would reduce the risk of general war and aid the other NATO allies in their own negotiations with Moscow.

For several years now, the West has faced the East in disarray. Bilateral contacts and negotiations have brought scores of high-level meetings between Kremlin officials and those of individual Western countries. But often leaders of other Western nations got little or no information about these talks, let alone opportunity for prior discussion. President Nixon has emphasized now that consultation must be a two-way street, the prerequisite for the unity and common purpose the West will need if broad-ranging negotiations with the Soviet Union are to become reality.

[From the Baltimore (Md.) Sun,
Mar. 2, 1969]

NIXON'S TRIP

The objectives and the results of President Nixon's week-long tour in Western Europe have been kept within proper, modest proportions. Mr. Nixon has, in effect, laid the foundation for substantive foreign policy developments which can be expected later—perhaps even within the next few months. He has made two preliminary but none the less significant points: he has reaffirmed the United Staates ties with its allies in Western Europe and set up his own relationship with their leaders; and he has established himself more firmly, with respect to the American people as well as the people of Western Europe, as the new President of the United States.

Mr. Nixon thus has added to his stature and authority. He has placed himself in position to go on to the next steps and to face the difficult issues with which the world is all too plentifully supplied. An American President possesses great powers and the United States Government is a powerful force, but the confidence and respect of other governments and other peoples are also of first-rank importance.

The continuity of American policy toward NATO, West Berlin, the European Common Market and the Middle East has been reinforced by the President. The flap over President de Gaulle's remarks to the British Ambassador about a Western Europe which would include Great Britain but exclude the NATO command and the United States was kept in perspective by Mr. Nixon, so far as we can judge. At any rate, Mr. Nixon did not permit it to affect his own course in renewing our many old and deeply-rooted associations with France; it is worth noting that these associations go on despite the confusion and resentment in this country over some of General de Gaulle's maneuvers. Disagreement over policy should not be extended to personalities in this case, as both Mr. Nixon and the General tried to make clear.

Major foreign policy issues, of course, ultimately involve the relations between the United States and the Soviet Union. Among the most interested observers of the President's travels, we may be sure, are the Soviet leaders. They know, as we do, that Mr. Nixon's discussions in Western Europe look toward the prospect of negotiations with the Soviet Union on issues related to world peace—nuclear arms and defensive systems, but also such subjects as the Middle East and Berlin. It cannot be said that what Mr. Nixon has done thus far has produced solutions to these long-standing problems. But as a result of his trip he is in a stronger position to take hold of the problems, and this must be considered a net gain.

[From the Boston (Mass.) Globe, Feb. 24, 1969]

ENTER MR. NIXON, MODESTLY

President Nixon set just the right tone for his seven-day West European trip when he told American newsmen before leaving: "I am not going to Europe for the purpose of lecturing the Europeans, of telling them that we know best, and of telling them to follow us. . . . We are going there to listen to them, to exchange views, to get their best information and their best advice as to how their problems should be solved and how world problems should be solved."

For a brand new American President to have flown to Europe with some grand design for its military and political unification could well have had the reverse effect of deepening the already serious division among its member nations, notably England and France, which are currently embroiled in traumatic controversy over what Gen. de Gaulle did or did not say to the British ambassador in Paris early this month concerning European economic and military arrangements.

Mr. Nixon has made no bones, both before and since being elected, about his belief that the United States has neglected Europe badly in its preoccupation with the war in Vietnam. And he has been quite right. So his modest, fence-mending sortie makes sense. It is a mission more therapeutic than substantive, more of listening than of passing out advice.

But if skillfully carried, the President's visitations can lay the groundwork not only for ultimate settlement of intra-European differences but for closer American-European cooperation in the most urgent of all international undertaking—the search for detente between the West and Soviet Russia.

[From the Los Angeles (Calif.) Times, Feb. 26, 1969]

MR. NIXON GETS GOOD MARKS

With his arrival in Bonn today, which will be followed by an appearance in Berlin Thursday and conversations with President De Gaulle later in the week, President Nixon is entering upon the more delicate and difficult half of his week-long journey to Europe.

He does so, however, with the advantage of a favorable momentum built up by the apparent success of his "working" visits to NATO headquarters in Brussels and to London.

Mr. Nixon scored especially high marks in Brussels for his frank discussion with the assembled NATO ambassadors of such matters as the continued stationing of U.S. troops in Europe, and the effect on NATO of projected arms control talks with the Russians.

In words that were music to European ears, the President pledged "full and genuine consultation" with our NATO partners both "before and during" any such negotiations with the Soviet Union.

As he put it, the Atlantic Alliance must begin to "pool not only its arms but also its brains."

In London, Mr. Nixon walked upon more delicate ground by alluding to the "special relationship" between Americans and Britons, and by renewing the pledge of U.S. support for an enlarged Common Market including Great Britain.

While both passages went over big with his British hosts, they will not endear him to De Gaulle, whom he will see Friday and Saturday.

Two subjects are bound to dominate the President's private conversations with West German Chancellor Kurt Georg Kiesinger today: the nuclear non-proliferation treaty and the Berlin crisis.

Mr. Nixon is deliberately putting the emphasis on listening to his hosts at each stop rather than pressing his own views.

In Bonn, this may prove difficult because of the overriding importance of gaining West German accession to the nuclear non-proliferation treaty—a chief aim of which is to see that Germany never has nuclear arms.

For the reluctant Germans, the treaty is a touchy subject in this election year. It is difficult to see, however, how President Nixon can pass up the opportunity to press for early German ratification.

Whatever else happens during the remainder of the week, it is already obvious that Mr. Nixon will not succeed in one of the announced purposes of his trip: to encourage the "strengthening and revitalizing" of the North Atlantic Alliance.

De Gaulle's objective is quite the opposite—a fact which was demonstrated again by his purported maneuver to involve the British in a scheme to supplant NATO.

It would be tempting to conclude that, this being so, Mr. Nixon is going through a futile and irrelevant exercise. This would almost certainly, however, be a mistake.

No one should lose sight of the fact that the promotion of European unity was just one aim—and by no means the most important—of his journey.

The basic purpose is to touch bases with our allies before entering into fundamental negotiations with the Soviet Union—to assure them that their interests will not be neglected.

His assurances on this point apparently are being well received. Meanwhile, there are glimmerings of hope that the Soviet Union will not allow the Berlin crisis to escalate to a point which would threaten the movement toward U.S.-Soviet talks.

If the Europeans could speak with one voice, their influence on these talks would be greater. The fact that such unity is not in sight is unfortunate—but it is primarily, after all, a European problem.

[From the Washington (D.C.) Evening Star, Feb. 24, 1969]

THE PRESIDENT IN EUROPE

President Nixon has taken with him to Europe a sound, realistic point of view that should serve America well in all of his top-level talks through the coming week.

To begin with, as he told reporters before taking off, he is very conscious of how profoundly everything has changed since he first went to Europe on an official mission 22 years ago. The United States was then by far the most powerful country in the world. By way of contrast, our European friends and allies were on their backs, hungry for American help and leadership. Today, however, the script is dramatically different. The once-prostrate free nations, besides being no longer fearful of a sudden Soviet attack, are "infinitely" stronger in terms of both economic and political stability. Consequently, and happily, they do not lean upon America nearly so much as they once did.

With this immense change in mind, the President has emphasized that his visits to Brussels, London, Bonn, West Berlin, Rome and Paris will not be those of a lecturer exhorting the Europeans "to follow us." Instead, he is over there "to listen to them, to exchange views, to get their best information and their best advice" on how to deal not only with the problems they share with us—either bilaterally or multilaterally—but also with the problems that trouble the world at large, in Latin America, in Africa, in Asia, and with special urgency in the ever-explosive Middle East. The agenda is a crowded one, with Mr. Nixon's most important conversations likely to be concentrated on two items of overriding significance: (1) French President de Gaulle's efforts to shatter Anglo-American ties, scrap the Common Market and bring about NATO's dismemberment; and (2) "discussions with our European friends on the possibility and desirability" of a summit meeting with the Soviet Union on such matters as control of nuclear arms and the deployment of antiballistic missile systems.

Quite obviously these and kindred issues are much too big and complex to be dealt with definitively, or even adequately, within the limits of an eight-day round of visits. Mr. Nixon, needless to say, expects no miracle solutions all of a sudden. His objective, rather, is to get things started on promising tracks. To that end, he has undertaken the first presidential tour of its kind since John F. Kennedy's over five years ago. Indeed, for nearly a decade now, there has been no close contact between the White House and free Europe's leaders, especially so in the case of De Gaulle—a fact that has led many Europeans to suspect that America may be embracing an Asia-first or a neo-isolationist policy.

In this context, the Nixon trip is at once pertinent and timely. It marks the beginning of what he hopes will be "a new era of consultation . . . real give-and-take consultation between the European-American community." All of us, Europeans and Americans alike, have reason to share that hope.

[From the Richmond (Va.) Times-Dispatch, Feb. 25, 1969]

EIGHT DAYS IN EUROPE

To outward appearances, President Nixon's trip to Europe has gotten off to a good start.

His reception in Brussels was friendly, his address to the NATO Council was excellent, and—so far, at least—predicted mammoth demonstrations protesting his visit have failed to materialize in England.

Mr. Nixon struck exactly the right notes in his NATO remarks. He did not talk down to our allies, he did not pretend that there are no difficult internal problems plaguing the alliance, and he admitted that the United States had not always proceeded in the most diplomatic manner possible in dealing with our friends in Europe.

He described the basic purpose of his eight-day trip in terms that must have pleased both the people and the leaders of the nations on the itinerary:

"I have come for work, not for ceremony; to inquire, not to insist; to consult, not to convince; to listen and learn and to begin what I hope will be a continuing interchange of ideas and insights."

He pointed out that despite its troubles, NATO has been a "resounding success" from the standpoint of preventing a major war in Europe. He said that "those nations that were free 20 years ago are still free today." This is correct, but it is also unhappily true that on the other side of the iron curtain, efforts to gain a measure of real freedom—most recently in Czechoslovakia—have tragically failed, due to the Soviet Union's military might.

The toughest part of Mr. Nixon's trip lies ahead, as a look at the map below indicates. Tomorrow he leaves London for Bonn, and then on Thursday he flies to the hottest cold war spot in Europe, Berlin. Then it's on to Rome, to Paris, back to Rome for a Vatican visit with Pope Paul VI, and then home on Sunday.

Diplomacy will be put to the test when the U.S. chief executive faces French President Charles de Gaulle, the Western Alliance's thorn-in-the-side, the extreme nationalist whose ties to his former close allies appear to become more tenuous almost day by day.

Incredible as it seems, it may take only a slight unintentional push by the West to send Gen. de Gaulle's France into an alliance with the Soviet Union, according to New York Times foreign affairs columnist C. L. Sulzberger.

De Gaulle is a fanatic on the subject of what he imagines to be Western Europe's too great dependence on the United States. It seems fantastic to suggest that his obsession on this subject could drive him into a pact with Communist Russia, but some other things the general has done seemed unbelievable, too.

Richard Nixon, with his immense knowledge and experience in foreign affairs, may be the man who can deal successfully with the aged French leader. The success of Mr. Nixon's European tour could hinge to an important extent on the results of his meeting with Charles de Gaulle.

[From the Philadelphia (Pa.) Bulletin, Mar. 2, 1969]

Old Slogans, Old Quarrels

In pleading as he has throughout his European trip for an end to "old slogans" and "old quarrels," President Nixon has been properly cautious to assert the role of the United States as that of a participant and not a director in these matters.

He has been properly careful, too, to avoid any suggestion of Anglo-American superiority in the issues of concern to all of Europe. In London, while citing the institutions which English-speaking people share, Mr. Nixon took pains to say that these institutions can be secure only when all nations share a relationship of trust and confidence.

These are ceremonial words, of course, but they have been well received throughout Mr. Nixon's tour.

A major accomplishment of President Nixon's European visit, in fact, has been to allow the decision-makers and others in the nations he has visited to form their own opinion of him unfiltered as it were by the rather dark image created of him by many in the communications media in the United States and abroad.

It is clear, that to a great many people the man they are seeing as President of the United States bears little resemblance to the largely political figure they have come to accept from caricatures of him in the past.

The careful planning and study that went into the President's visit has brought a complimentary reaction, as has his own obvious enjoyment and enthusiasm in his tour.

The obviously warm exchange of greetings between President Nixon and President de Gaulle of France was more than a ceremonial touch. Mr. De Gaulle, 78, and the last of the World War II giants still holding power, has previously evinced a respect for Mr. Nixon that he has not afforded to other leaders in the world today.

Part of the reason for this may be that these two men, despite the difference in their ages, have shared experiences. Each has at times faced seemingly insurmountable obstacles on their political paths. Each has managed to succeed politically after having been virtually counted out. Each has the very clear intent of being counted a greater leader in the history of his respective nation.

The outcome of Mr. Nixon's personal diplomacy will not be known for a long time to come. But it is already clear that as far as Mr. Nixon himself is concerned many of the people in Europe have already brushed aside the "old slogans" and the "old quarrels" which they previously associated with him.

[From the Washington (D.C.) Post, Mar. 1, 1969]

Success of Nixon Trip Proves Critics Wrong

Those who said President Nixon's trip to Europe was premature, that it would be a waste of time at best and harmful at worst, are being proved wrong.

Mr. Nixon set modest goals: to improve the climate of U.S.-European relations, listen, consult and candidly answer candid questions.

He did all of these things—and more—and any time a President achieves more than he says that's good.

The chief dividends are these:

Credibility: Mr. Nixon significantly reduced the credibility gap between the United States and its NATO partners by dealing with direct questions of the NATO Council of Ministers in Brussels with unusual directness. For example, he took a strong stand for keeping U.S. forces in Europe but pointed out frankly that the cost makes political problems at home. The Europeans knew this but would Mr. Nixon admit it? He did.

Numerous NATO council members lauded the freedom with which he answered their questions and his frankness in discussing issues still unresolved within his own administration.

They appraised the President as a reliable no-nonsense spokesman of the United States. One socialist ambassador frankly said that he came to Brussels with "all the usual reservations of the European left toward the President" and departed "impressed by his knowledge and utter frankness."

This is what really improved the atmosphere of U.S.-European relations and paved the way for better cooperation.

Soviet talks: The trip was not premature; it was well timed because it is evident that wide-ranging talks with the Soviets are shaping up sooner than appeared probable, hopefully this summer.

Mr. Nixon paved the way for undertaking them under good conditions by assuring the Europeans that on any matters affecting them he would consult them before and during such negotiations. And that no Big-Power deals would be made behind their back.

The promises had been made before but the Europeans were impressed by the force of the President's commitment, especially his reference to the value of "pooling reins" as well as arms. They want the United States to negotiate with the Soviets but they want to be sure they are closely and continuously consulted. Mr. Nixon said they would be. They believed him. That alone makes the trip worthwhile.

DeGaulle and Britain: The need is to keep this flare-up between Paris and London in perspective. There is no new issue here; there is no new controversy, just an old controversy coming more clearly into the open. And the more visible it becomes, the easier it is to judge it accurately.

Bear in mind that President de Gaulle is against anything he can't dominate. He dislikes the Common Market because he can't dominate it. He took France out of NATO because he couldn't dominate it. He would like to expel all U.S. influence in Western Europe so he can dominate it. These are familiar de Gaulle attitudes and he will expound them so long as he is in office.

De Gaulle outlines his ideas to abandon the Common Market for a larger, loosely formed free trading area to which he offers to admit the British if they will help get rid of NATO and have nothing to do with the United States.

But Britain says no and de Gaulle asserts this proves that Britain is anti-European. The opposite is the truth. All the other members of the Common Market want Britain in it, want NATO, want to keep their ties with the United States. By attempting to thwart the wishes of the other Europeans it is de Gaulle who is anti-European.

Presidents Nixon and de Gaulle have talked. They disagree. So be it.

Mr. Nixon and the other European leaders have talked. They understand each other and got along well. That's good.

[From the New York Daily News, Mar. 1, 1969]

Good Work, Mr. President

President Richard M. Nixon is entering the final laps of his West European tour, but already, it appears that he has accomplished the basic purposes of his mission.

Mr. Nixon set out to mend the fabric of the North Atlantic Treaty Organization, frayed by the neglect of recent administrations.

He managed to infuse new spirit into the alliance and reassure our NATO partners that the U.S. commitment to their defense is no less strong today than it was when the pact was signed 20 years ago.

Wherever he went, the President lost no chance to extoll NATO's past role in thwarting Communist aggression in Europe and the continuing need for its existence.

The best testimonial to the treaty's success can be found in the frantic efforts of the Soviet Union to wreck it. The Reds haven't given up, as evidenced by the attempts of their young yahoos to embarrass or discredit Mr. Nixon during his stops in Rome and Paris.

Nothing would more delight the Kremlin than driving a wedge between America and its friends in advance of any U.S.-Soviet summit talks.

By first consulting with our allies, the President spiked any hopes Soviet leaders held of doing so. The unity of purpose he sought to promote already is being displayed in West Berlin where the USSR has been trying by trick and threat to balk a West German presidential election scheduled for next Tuesday.

Backed by renewed assurances from President Nixon, the Bonn government has announced it will proceed as planned to convene the electors in the Western zone of that divided city, France, Britain and the United States stand together in upholding their right to do so.

There—as elsewhere in the world—allied unity and firmness of purpose are basic to any hopes of dealing successfully with communism.

THE NIXON ADMINISTRATION ATTEMPTING TO SOLVE NATIONAL PROBLEMS

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, the Nixon administration currently is in the process of establishing new mechanisms to help make the efforts of volunteers and voluntary organizations more effective in their attemtps to solve national problems. Like former Gov. George Romney, now Secretary of Housing and Urban Development, I believe we will solve our greatest problems only if there is active commitment and involvement on the part of most of our citizens. Experience has shown there is no substitute for the concern of one person seeking to help another. This kind of concern can solve problems where governments fail. In that connection, Mr. Speaker, the comments on the effectiveness of voluntary action by Edgar M. Foster, executive director of United Fund and Community Services, Inc., Grand Rapids, Mich., are most appropriate and instructive. A letter I recently received from Mr. Foster may be of interest to other Members of this House. The letter follows:

January 27, 1969.

Hon. Gerald R. Ford,
House of Representatives,
Washington, D.C.

Dear Jerry: The sweeping growth of optimism and renewal of confidence in time-proven American methods of problem solving, caused by present attitudes and actions of the Federal Administration, prompts my first letter to you since returning to your constituency. My purpose is to share with you local enthusiasm with Federal reorientation to the essential role of Voluntaryism in America; but, to also express concern about the direction in which the Federal Government may look to secure voluntary resources and strengths needed to solve today's problems of urban living.

National vibrancy and relevancy—a "can-do" approach to the challenge of an unusual proliferation of serious problems—measuring-up to crisis with positive and constructive end-results, can all stem from an effective partnership between the trilogy of Government, Business, and Voluntaryism. Any imbalance, however, in the role played by each partner can enhance chaos, perpetuate crisis, and cause destruction.

Government cannot out-legislate or even out-spend urban crisis all by itself. Business cannot be too heavily leaned upon, pushed or shamed into over-playing its role in programming and implementing sociological reforms and urban renewal. Voluntaryism cannot shrug loose of traditionalism in order to innovate all by itself to solve old "people" problems with new methods. Only a well conceived, expertly managed partnership of all three, from the community level to the national level, will result in solution and progress.

It appears now that a courageous trial and error method has revealed the shortcomings of independent efforts by Government, Business, and the Voluntary sector to resolve the urban crisis. We have learned the essential nature of joint planning, joint programming, joint financing, and centralized management of cohesive and coordinated effort toward better urban living for over two-thirds of all Americans.

"More Legislation" at any level of government is not the whole answer. "More Money" tax dollars or private funds, is not the whole answer. Considering the best of what we have now in legislation, along with the total of dollars now available, a substantial increase in recruitment and application of voluntary manpower, within the framework of a well-managed prgram, can mean most immediate progress.

And, there-in, Jerry, is my concern. I hope the present Administration will not overlook the long-established mainstream of Voluntaryism in America.

United Funds and Community Welfare Councils in every American city involve more than four million volunteers in on-going community betterment efforts. Contrary to the understanding of some, the "United Way" movement in America is not simply a fund-raising technique. It is broad-based and broad range in its approach to building a satisfying way of life for all Americans.

This massive accumulation of "people power" is inclusive of every conceivable walk of life in America. Every race, creed and national origin. United Fund and Community Welfare Council volunteers are chief executives of the most powerful corporations in America—they are professional people, neighborhood merchants, leaders and members of Labor, hourly-rated employees, housewives, unemployed and welfare recipients.

The accumulated knowledge of the causes and problems posed by the urban crisis, possessed by this army of local volunteers, is always extensive and first hand. Planning and programming is "problem solving" oriented. Implementation is carried out with experienced enthusiasm. Results are long range and far reaching.

I must, however, point out the rapidly increasing importance of professional expertise in management of voluntary affairs.

The role of the volunteer has and must continue to change to be relevant to urban problems. Voluntary time, talent, energy and means must now be properly channeled into well conceived programs and directions which will impact the priority of human need and most rapidly eliminate the cause of urban deterioration and resulting crisis . . . as against the traditional comfortable role of a volunteer as the Agency Board or committee members who maintains a good attendance record or as a successful fund-raiser. This requires highly qualified professional management, with an alertness to advancements in administrative methodology, program systems, the newer dynamics of community organization, and available technology for problem analysis and design of solution.

The nation-wide field I am proud to be a member of embraces the career-minded professional expertise required for efficient and highly productive management of voluntary effort—in close partnership with Government and Business. Our so-called "establishment", includes a reservoir of voluntary manpower more than adequate to the challenge of urban crisis. And, although each United Fund, along with Health and Welfare Planning Councils, is purposely autonomous to its own local area, there is a strong nation-wide link permitting an effective national pattern of experienced attack on urban problems. Our National Membership Association, United Community Funds and Councils of America, continuously enhances the ability of one community to dove-tail with others in best possible community betterment efforts.

The mainstream of Voluntaryism we represent is already in partnership with business at every local, regional and the national level. We look forward to an increased opportunity for a closer partnership with Government at every level.

I cannot help but point with pride to your own home town. In the opinion of many across the nation, Grand Rapids is America's proof positive that the only means and method of solving urban problems is by centralized "management" of joint Government, Business and Voluntary effort at the local level. Local (Grand Rapids) results to date and the daily impact of on-going programs, located and carried out in the heart of poverty impacted areas, are reversing the trend toward deterioration in urban living.

As you know by your personal visits and participation, our United Fund and Community Services, Inc. (UFCS) is the single coordinating and administrative body for centralized management of the broadest possible range of community affairs, including established Health and Welfare services as well as new and innovated activities which are relevant to urban conditions.

UFCS is in partnership with the Federal Government, having been designated by the city, per OEO Green Amendments, as the local Community Action Agency. We are a team with HUD in terms of grants for establishment of neighborhood centers. We are in business with HEW as the Area-wide Comprehensive Health Planning Unit. We are a working partner with State Government in Mental Health, and Local Government in the Housing Development Field as well as our Model Cities Grant. The only point in reviewing these facts with you is to emphasize that United Fund and Community Welfare Council involvement means local application of substantial voluntary forces in government funded programs—meaning assurance to contributors and taxpayers alike that public and private programs are in balance and effective, without waste.

The sum of all this, Jerry, is only that we who professionally manage the greatest voluntary forces in America are inspired to offer ourselves and available resources for what help we can be in measuring up to the urban crisis.

Cordially,

Edgar M. Foster,
Executive Director.

NIXON'S ADMINISTRATION DOMESTIC LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, the distinguished American who is responsible for putting together the Nixon administration's domestic legislative program, which is just beginning to unfold, has been a trusted adviser to the President since the early days of the Eisenhower administration. I refer, of course, to Dr. Arthur F. Burns, the Counselor to the President, with whom I have had the privilege of working closely over the past 4 years in the National Republican Coordinating Committee and on other occasions. While reserving the right to differ with some details of the programs which have not yet come to us, I have the greatest admiration and respect for Dr. Burns' mature judgment and practical wisdom. For those in this body who do not know the President's right-hand man, as he has been called, as well as I do, I am placing in the Record several recent articles concerning his competence as an economist and contributions to Government:

[From the Christian Science Monitor, Feb. 25, 1969]

Business-cycle Analyst Returns to Washington in Inner Circle

(By Richard L. Strout)

Washington.—For the first time ever the United States has an official with the title Presidential Counselor—with cabinet rank—Dr. Arthur F. Burns, a noted economist born in Austria who started work at 10 as a house painter.

Dr. Burns' office is in the ancient, General Grant-style Executive Office Building, whose rococo gingerbread columns and balconies are frozen in granite on Pennsylvania Avenue.

Dr. Burns' pleasant, red-carpeted office has huge windows overlooking a quiet street. One has the feeling that its quietude is like that at the center of a hurricane. For this formidably cool figure, with rimless glasses and a striking crop of up-ended hair parted in the middle and breaking over his forehead like a waterfall, is certainly one of the most important men in the new administration, a kind of president-delegate for domestic affairs.

Mr. Nixon has given him the awesome job of coordinating, evaluating, and proposing domestic policies. It is the token of Mr. Nixon's esteem that he has turned such a task over to this cool and deliberate former professor of economics, whose job today far transcends economics: It involves the whole range of home problems that are bothering Americans—cities, race, youth alienation, poverty, taxes.

Musing the other day over where he had come from and how far he had gotten, Dr. Burns recalled that his family had settled in Bayonne, N.J., and that when there was time off from school he had helped his father paint interior, exterior. Dr. Burns proudly feels he was good painter, maybe, ultimately, better than his father. (He weighs that carefully.)

But he liked books. Should he be a painter (his father's desire) or should he strike out for the intellectual life?

He had won a scholarship for a local college. On the final day of high school, yes, June 30 or so, he repeats, he began to wonder. There was a big city across the harbor, and there was a vague report of a big university in it. Maybe he ought to go over there and find out.

So Arthur Burns went over to Columbia University to explore. Whom should he see? He found the place all right and then deliberated: Obviously the way you learn about a college is to talk to the head man—the president. The calm young man presented himself at the latter's office and told the surprised secretaries his errand.

DEAN QUIZZED

Well, the president was not there, so he was sent to the acting head who, in turn, sent him off to Dean Herbert Hawkes.

One wishes one had been there at the interview. Young Mr. Burns asked the startled dean what he had to offer. His questions were keen and his high-school record was impeccable. It was the increasingly curious Dean Hawkes who then began asking questions. One question had not occurred to young Burns before: How did he propose to support himself?

To the young man it was a mere detail. Oh, house painting; everyday jobs. . . . He had no anxiety about that! The dean took a sudden resolution. Too bad the youth had come so late. Scholarship applications were all in. If only he had come a month before; a week even. "Here, take this scholarship application form," he said, "take it home, fill it out, return it by the next mail. Understand?—the next mail. Don't get your expectations up. Return it right away."

Dr. Burns' kind-faced secretary came into his office through one of the massive oak doors with its decorated brass knob and said she had given the visitor an extra 10 minutes and now, really—

Five minutes more, said Dr. Burns. He got a $250 scholarship, and since tuition was only $260 he was all right. He supported himself by whatever job came along—painting, working in the library, anything. No difficulty; he waved it off.

ACCOUNT PIECED TOGETHER

Dr. Burns is reluctant to tell another dramatic story in his past, but it can be but together from the writings of no less a figure than Richard M. Nixon, plus a couple of editorial deductions.

As a student of cycles Dr. Burns was of course conversant with the use of government powers to control the swings of the economy. On Aug. 8, 1953, he became chairman of the Eisenhower Council of Economic Advisers, whose task was to advise the new administration on just such problems.

Dr. Burns is loyal to General Eisenhower, whose service he left in 1956. One can only speculate on the confrontations with rock-ribbed conservative George M. Humphrey, the Ex-Secretary of the Treasury, whose influence on President Eisenhower was so strong.

Some of the mystery is penetrated in "Six Crises," Mr. Nixon's own book. By 1960 Vice-President Nixon was pretty sure of being nominated by the Republicans. Dr. Burns had gone back to New York. Mr. Nixon writes that early in March Dr. Burns called on him. Mr. Nixon says that in January "virtually all economists in the country had been bullish about the prospects of the economy throughout 1960," but not Dr. Burns.

RECESSION FORECAST

In New York Dr. Burns had been watching his mysterious charts as they affected the political prospects of his friends in Washington.

Now he had reached the conclusion that a recession was ahead unless, as Mr. Nixon puts it, "some decisive government action were taken."

Mr. Nixon says he took it up immediately with President Eisenhower and it was thoroughly discussed at the next Cabinet meeting.

Vice-Presidents (as Hubert H. Humphrey was to discover) have limited power in Washington. The Burns recommendations did not prevail, according to the Nixon book, because (A) "several of the administration's economic experts . . . did not share his bearish prognosis" and (B) "there was strong sentiment against using the spending and credit powers of the federal government to affect the economy" short of clear indications of a "major recession."

The sentence above is packed with dynamite. There is not a word of reproach in Mr. Nixon's comment, but President Eisenhower was, in effect, rejecting what now is generally accepted by modern economists. Robert B. Anderson had succeeded the bluff Mr. Humphrey as Secretary of the Treasury—a somewhat more subtle but equally positive personality with the same influence on the President.

Mr. Nixon says he knew "from bitter experience" how "in both 1954 and 1958, slumps which hit bottom in October" had resulted in Republican political losses.

The reporter gets up and goes out of the quiet room, which is a sort of innovative and coordinating lobe of the administration's thinking. Rolled over to the side is a television set; Dr. Burns rarely looks at it, but his staff feels it is a kind of status symbol.

The reporter finds the final chapter of the story in Mr. Nixon's book.

"Unfortunately," Mr. Nixon writes, "Arthur Burns turned out to be a good prophet. The bottom of the 1960 dip did come in October. . . . Jobless rolls increased by 452,000." And he adds laconically, "All the speeches, television broadcasts, and precinct work in the world could not counteract that one hard fact."

Exit GOP hopes. And, as much as anything, that tells why old friend Burns—scholarly, unexcitable, and competent—is installed today in the ancient room on Pennsylvania Avenue.

[From the New York Times, Jan. 24, 1969]

Nixon Names Aide To Help Oversee Domestic Affairs

(By Walter Rugaber)

Washington, January 23.—President Nixon announced today the appointment of Dr. Arthur F. Burns, "a long-time friend and trusted adviser," as Counsellor to the President with major responsibilities for domestic programs.

Dr. Burns, who served as chairman of the President's Council of Economic Advisers during the Eisenhower Administration, has undertaken several advisory assignments for Mr. Nixon. As John Bates Professor of Economic Research at Columbia University and chairman of the National Bureau of Economic Research, he made a fact-finding tour of five European financial capitals for the President last fall.

The appointment, which carries Cabinet rank and therefore makes Dr. Burns the ranking member of the White House staff, came toward the end of a day in which the President concentrated on the nation's urban problems.

A series of developments made it clear that Mr. Nixon was hoping to get off to a fast start in domestic affairs. There were indications that several of President Johnson's Great Society programs might be reorganized.

Dr. Burns said at a news conference that he had submitted reports to the President recommending legislative or executive action in 18 domestic areas.

SINGLE PACKAGE CONSIDERED

Whether the President's domestic proposals will ultimately be submitted to Congress in a single package is undecided, Dr. Burns said.

The question continues in part, he continued, on whether Mr. Nixon delivers a State of the Union Message. If he decides to do so, Dr. Burns said, it will come 30 to 40 days from now.

Earlier today, Daniel Patrick Moynihan, Assistant to the President for Urban Affairs, suggested that a number of major urban programs were under close scrutiny and that some activities now handled by the Office of Economic Opportunity might be transferred to the Cabinet departments.

The White House concentration on urban affairs began with the President's signing of an Executive order to create his Council for Urban Affairs, a formal advisory group made up of Vice President Agnew and seven Cabinet secretaries.

The seven named in the order were John N. Mitchell, the Attorney General; Clifford Hardin, Secretary of Agriculture; Maurice H. Stans, Secretary of Commerce; George P. Shultz, Secretary of Labor; Robert H. Finch, the Secretary of Health, Education and Welfare; George Romney, Secretary of Housing and Urban Development, and John A. Volpe, Secretary of Transportation.

It was the first time Mr. Nixon had used a number of different fountain pens so that the Cabinet members could have them as souvenirs. He wrote small parts of his name with successive pens.

"This is going to be a most unusual signature," the President quipped. "I'm a scrawler." Mr. Finch remarked that the resulting signature looked like Mr. Nixon's first frank as a Congressman.

The President charged in a statement made at the signing that the Government had "responded to urban concerns in a haphazard, fragmented, and often woefully shortsighted manner." He continued:

"What we have never had is a policy: coherent, consistent positions as to what the national Government would hope to see happen; what it will encourage, what it will discourage."

The Urban Affairs Council represents Mr. Nixon's effort to establish a formal channel for domestic advice. It has been compared to the National Security Council's function in foreign policy.

ISSUES DESIGNATED

The new unit's immediate direction was suggested by the issues assigned to 10 subcommittees that were set up during a two-hour, 10-minute session of the council. Dr. Moynihan outlined the smaller groups and their chairmen as follows:

The future of the poverty program and the Office of Economic Opportunity, Mr. Finch.

The model cities program, Mr. Romney.

Minority business enterprise, which embraces, Mr. Nixon's campaign idea of giving Negroes "a piece of the action" through "black capitalism," Mr. Stans.

Welfare, Mr. Finch.

Crime, "the general area," Mr. Mitchell.

Voluntary action, which means coordinating the efforts of agencies such as churches and labor unions, Mr. Romney.

Internal migration, which includes the movement from rural areas to the cities and "possibly" the efforts of Negroes to leave urban slums, Mr. Hardin.

Surplus food programs and nutrition, Mr. Hardin.

Mass transportation, Mr. Volpe.

The tenth subcommittee, assigned to "the transition of the peacetime economy at the end of the Vietnam hostilities," will work, on "standing arrangements" for the reallocation of Government funds in the event of an Asian settlement, Dr. Moynihan said. It will be a "staff committee" headed by Robert P. Mayo, the Budget Bureau director.

Dr. Moynihan said the President has made it plain that the areas with which the subcommittees will deal did not constitute "an exclusive list of concerns" but only the "near-term" issues.

For example, he said, there have been a number of suggestions that aspects of the poverty program be taken out of the O.E.O. The Head Start program might be shifted to the Department of Health, Education and Welfare, he said, and various job programs might go to the Labor Department.

"There has clearly arisen a present disposition in favor of locating in the on-going, established departments those activities which have been developed in O.E.O. and proven successful and can most usefully be moved to the perhaps more peaceful environs of a permanent department," Dr. Moynihan said.

NEW ROLE FOR BURNS: NIXON'S COUNSELOR MAY EMERGE AS SUPER POWER IN DOMESTIC PROGRAMS

(By John Herbers)

WASHINGTON, January 24.—President Nixon seems to have set up a Rube Goldberg contraption in the While House to make sense out of the bigger Rube Goldberg device former Presidents and Congress have created in the domestic departments and agencies. The people in the departments are watching with fascination to see how, or whether, it will work. There is considerable speculation that, in the process, Dr. Arthur F. Burns, named yesterday as Counselor to the President, may emerge as a super power in the Government's vast array of social and economic programs.

Dr. Burns, chairman of the Council of Economic Advisers in the Eisenhower Administration and a long-time friend and adviser to Mr. Nixon, was superimposed on the Council for Urban Affairs that the President set up earlier to oversee programs affecting the cities and to help the President formulate policy in this area.

MANDATE IS BROAD

The council is composed of Vice President Agnew and seven Cabinet members with Mr. Nixon presiding over meetings and Daniel Patrick Moynihan, assistant to the President for urban affairs, as executive secretary.

At its first meeting yesterday, 10 subcommittees were set up to study specific problems such as the poverty program and crime. Earlier, Mr. Nixon said that Mr. Agnew would have broad responsibilities in the area of creating better relations between the Federal and local governments.

Under Mr. Nixon's Executive Order formally authorizing the council, the body was given a broad mandate, including the development of a national urban policy, coordinating Federal programs and fostering decentralization.

According to White House spokesmen, Dr. Burns will be concerned with all these matters and the entire range of domestic problems. He had already been filling this role, it was disclosed, by interpreting and funneling to the President an array of study group reports that Mr. Nixon ordered last year.

A COMPLICATED STRUCTURE

The new White House apparatus presents a number of contrasts. Dr. Moynihan is a former Assistant Secretary of Labor in the Kennedy and Johnson Administrations and has set up a staff dominated by bright young liberal Republicans. Dr. Burns is 64 years old and is generally regarded in Washington as a conservative.

The explanation for so complicated a structure so early in the new Administration lies partly in the advice Mr. Nixon has been getting since he was elected.

One of his study groups reported that one of the main problems the new President would face was what to do about the more than 400 Federal grant-in-aid programs. Congress and previous Administrations, it said, never came to grips with how to coordinate these to eliminate waste and duplication.

The study group, said that Congress had charged the Office of Economic Opportunity, the antipoverty agency, with coordinating programs for the poor, but the agency had become so bogged down with troubles in its own programs that it had never carried out this function, nor had the White House staff.

QUESTION FOR ROMNEY

"The new Administration must endeavor to rationalize this confusion as one of its first orders of business," the group advised the President. It recommended that the role of coordinating be carried out in some manner from the Office of the President.

Senator Edmund S. Muskie, Democrat of Maine, an authority on Federal-state relations, asked George Romney, the new Secretary of Housing and Urban Development, the other day if Mr. Moynihan would be riding herd on the departments and agencies to make them cooperate in carrying out White House priorities, rather than pursuing their own interests.

Mr. Romney said he did not know but seemed to bristle at the idea of Cabinet members' taking orders from Mr. Moynihan. a Democrat with free-wheeling ideas.

Robert H. Finch, Secretary of Health, Education and Welfare, has been mentioned as the possible "czar" of domestic programs under Mr. Nixon because he is so close to the new President and because his department handles such a large scale of the programs involved. But he has said on numerous occasions that running his great sprawling department would be all that he could handle.

It was not clear whether Dr. Burns would assume this overseeing role, but it was clear that he would be in a better position to do so than Dr. Moynihan or any of the Cabinet members. His age and experience and the fact that he is an "in" member of the Nixon team give him the advantage in what is a very tough job for anyone.

From the Nixon point of view, the new domestic White House apparatus was strengthened in both coordinating services and instituting policy, with Dr. Burns acquiring a dominant role in it.

A SCHOLARLY COUNSELOR: ARTHUR FRANK BURNS

WASHINGTON, February 5—The man who will keep tabs on the entire domestic program of the Government for President Nixon could easily be taken at first glance as the epitome of the absent-minded professor. Arthur Frank Burns, whose job bears the new title of Counselor to the President, is 64 years old, gray-haired, pipe-smoking, reflective, carefully spoken, and intellectual. While he has been a professor for about half of his working life, he is not notably absent-minded, and although one's first impression accurately reflects his manner, it does not necessarily reveal his nature or character.

Mr. Burns got where he is not because of his background, which is that of a scholarly economist, but because fate happened to make him swim first into the ken, and then win the confidence and respect of Richard M. Nixon. A relationship that began in 1953 has lasted and flowered.

The President has shown himself strongly drawn toward men he knows well for major positions, other examples being the Secretary of State, William P. Rogers, and the Attorney General, John W. Mitchell.

Arthur Burns is widely respected for his professional competence as an economist but he is not universally beloved as a man.

FAVORS THE LONG VIEW

Some former associates in New York are said to have found him "difficult" to work with. Others who have worked with him frankly dislike him. But of course still others, obviously including Mr. Nixon, think highly of him.

The two men came together in the early days of the Eisenhower Administration. Mr. Burns, then chairman of the Council of Economic Advisers, was impressed with the young Vice President, and Mr. Nixon appreciated the time Mr. Burns was willing to give him.

In those days Mr. Burns—a conservative by most tests—seemed to be almost a flaming liberal in the company of such men as Secretary of the Treasury George M. Humphrey.

The puzzling aspect of the new Burns role is that he is not by experience a manager or expediter, and he is not by inclination an activist. He himself says he is most interested in longer-term questions rather than daily decisions.

"Arthur Burns likes to study things," a friend said recently. "He raises questions. Some people think he is downright ponderous."

This attitude may be reflected in the Nixon "style" as it has emerged so far—a series of directives to Cabinet heads to study various things. A complex system of committees and subcommittees has been erected.

While this may guarantee thoughtful consideration, it is not normally a prescription for rapid action. This is presumably just what the new President wants, though he had pledged to submit a legislative program to Congress in time for action at this session.

CAPABLE OF SWIFT ACTION

Mr. Burns has conceded that his job ranges all the way to helping the President in crisis situations, such as possible riots. How the extra-careful scholar will react in such a situation is one of the great unknowns of the new Administration.

However, Mr. Burns is no Hamlet. He showed in the Eisenhower years that he was capable of action—or at least of advising prompt action—during times of economic difficulty. And he can be a dogged and vigorous defender of his viewpoints.

What no outsider can possibly know, at least not yet, is how much Mr. Burns' personal views will influence the President's decisions on the almost infinite variety of domestic questions. This issue—the role and importance of the White House staff—is a puzzle in every Presidency.

Mr. Burns was born in 1904 in Stanislau, Austria. His family emigrated to the United States when he was a boy and lived in Bayonne, N.J. He worked his way through Columbia and eventually taught at Columbia and Rutgers.

His main fame came, however, from his work at the National Bureau of Economic Research, where he worked with the late Wesley Mitchell on the history of business cycles in the United States. For a long time he was a registered Democrat, though he voted for General Eisenhower in 1952.

He was married in 1930 to the former Helen Bernstein and they have two grown sons, David and Joseph.

Ironically, Arthur Burns found his first tour in Washington during the Eisenhower Administration exausting and often frustrating.

At times he worked on economic problems and reports until three or four in the morning, forgetting everything else, including such hobbies as detective stories and the sports pages.

He became annoyed about the processes of Government, complaining sometimes that decisions were always becoming unstuck. Fifteen years ago he was already complaining that the grind was too much for a man "getting on in years." Now he is at it again.

[From Time magazine, Feb. 7, 1969]

THE ADMINISTRATION

MINISTER WITHOUT PORTFOLIO

Arthur Frank Burns was chairman of Eisenhower's Council of Economic Advisers when he first met Richard Nixon in 1953. Burns made no secret of his admiration for the then Vice President. In March of 1960, after he had returned to his old professorial post at Columbia University, Burns went down to Washington to alert Nixon to his own reading of the economy—based on his knowledge as a top expert on the business cycle. His warning: a recession was under way, and would reach its nadir in October, just before the presidential elections. "Unfortunately," Nixon later wrote in *Six Crises*, "Arthur Burns turned out to be a good prophet. The bottom of the 1960 dip did come in October. All the speeches, television broadcasts and precinct work in the world could not counteract that one hard fact."

Their mutual respect has grown ever since, and now Nixon has given Burns, 64, a job without peer or precedent on the White House staff. As "Counsellor to the President," he will be the only Nixon staffer with Cabinet rank, assuming broad responsibility for shaping the President's legislative program. Burns' mandate reaches into every cranny of domestic policy. He describes the job as an American equivalent of the European minister without portfolio: that is, a top-ranking government official liberated from the bureaucratic burdens of a specific departmental command.

DIDACTIC EVENNESS

Taking over the reports of Nixon's 21 post-election task forces, Burns prepared a fat book analyzing their recommendations. He returned his summary the day after the new President took office. "Nixon was eager to get the machinery started so he could move ahead a little faster once he assumed the reins of government," Burns explains. His next most urgent task is to frame the first proposals that will be sent from the White House up to Capitol Hill for congressional action. In large measure, Burns could thus set the tone of the Nixon presidency.

The responsibility is well placed, for Burns is known as a trenchant economic analyst and a man of formidable composure. His powers of concentration are legendary, his manners ineradicably professorial. His pewter grey hair is parted down the middle. His brown eyes squint slightly through rimless glasses. His voice is somewhat reedy, worn to didactic evenness by 40 years of lecturing. "I regard myself primarily as a scholar interested in government," he says, teeth clenching one of the hundred or more pipes he owns.

FEW CLUES

Politically, Burns characterizes himself as "a moderate Republican," though he was once registered as a Democrat in New York City in order to vote in important primaries. His role on the CEA was essentially apolitical; while he was deeply involved in policymaking. He remained in the background as a confidential adviser to Eisenhower. He is unlikely to be much more visible in his new post.

There are few precise clues to his views, but in the past he has been critical of excess government spending on agricultural price supports, the space program and public works. He is undoctrinaire and skeptical of extreme positions, whether they appear in the "new economics" of Harvard's John Kenneth Galbraith or in the budget-balancing rigidity of traditional Republican economic policy. Though he thinks the present moment is not right for it, he favors a long-term policy of tax reduction.

HEATED DISCUSSIONS

Burns was born in Austrian Poland, came to the U.S. at the age of ten, learned his father's housepainting trade while still a schoolboy in Bayonne, N.J. He toyed with becoming an architect before deciding on economics in his third year at Columbia; his Ph.D. thesis on U.S. production trends began his lifelong study of the business cycle. He is still an amateur architect: he built a garage on his Lake Fairlee, Vt., acreage that also serves as living room, recreation room and studio for his creditable dabbling in oils. He also built a sizable cabin in the woods, "out of shouting distance" from the house, says Wife Helen, so he can be free to work totally undisturbed. One summer neighbor is an old friend and former student, Chicago Professor Milton Friedman, a leader among conservative, anti-Keynesian economists. They often get together for evenings before the fire in what Burns says are "very long, very heated—but friendly—discussions."

Though Burns is primarily an economist, his wider charter at the White House fits his own idea of coordinated government action. "Important though fiscal policy is," he said in a 1965 lecture at the Carnegie Institute of Technology, "it must still be fitted in with other matters of large governmental concern—that is, policies involving gold, the labor market, corporate mergers, education, defense, foreign trade, and so on." As to his new responsibilities, he reflected last week: "I'm a man of reason who looks to the evidence, and I expect every man in the Cabinet to do the same. This is the White House. It will all work—imperfectly."

[From Business Week, Feb. 1, 1969]

At Nixon's Right Hand: Economist Arthur Burns, as Counsellor to President Nixon, Is Likely To Be Tough, Judicious, and Meticulous—Their Closeness Dates Back to Early Eisenhower Days

In a conversion just after John F. Kennedy was elected to the Presidency, Arthur F. Burns expressed a wistful longing for a "Democratic Party with some understanding of finance or a Repubican Party with some imagination."

Now, almost a decade later, Burns has been officially designated as counsellor to a Republican President. Obviously, he is in a position to do something at least about his own party's stance.

There is little question of the closeness between Richard M. Nixon and the first man ever to be officially designated as counsellor to the President. Along with Secretary of State William P. Rogers, Burns is one of a handful of men whose loyalty to Nixon has never wavered. And like Rogers, Burns is a man to whom Nixon has often turned in crises.

Long loyalty. Burns has earned Nixon's trust over a long period stretching back to 1953, when the Columbia University economist was appointed chairman of President Eisenhower's Council of Economic Advisers. In the early Eisenhower days, Nixon was taken lightly by most of the established men in Eisenhower's inner circle. But the scholarly Burns was impressed by the young Vice-President's intelligence, and he made no secret of it—either within the Administration or in the intellectual community.

Nixon has turned to Burns for advice ever since. The most dramatic instance: in 1960, when Nixon broke openly with the Eisenhower Administration and came out for a tax cut to combat the slowdown that turned into the 1960–61 recession. The most recent instance: Burns was Nixon's principal economic adviser during his campaigns for the Republican nomination and for the Presidency.

Stickler for detail. The pipe-smoking Burns brings toughness and judiciousness to his new job. Intellectually, he is known chiefly for his painstaking work on the business cycle, carried on at New York's National Bureau of Economic Research during the 1930s and 1940s. His toughness was celebrated during the Eisenhower years in a series of fights over fiscal policy with George M. Humphrey, Eisenhower's conservative first Treasury Secretary.

If economists fault Burns, it is for a certain ponderousness. In his later years at the NBER, critics say, he failed to give an effective direction to new research beyond traditional business cycle and national income studies. He dropped the reins at NBER in 1957 and moved up to the post of honorary chairman.

Burns' calm, unexcitable approach to the world has come back into style at the White House. Burns knew his staffers at the NBER often became restive with the lengthy review to which their work was subjected. But when charged with this, he replied that "men whose scientific bent is stronger than their conceit realize that their insight is clarified by being compelled to look at their problems from many angles, uncomfortable as the experience is."

This kind of care is appreciated by Nixon. And ever since the 1968 campaign began, the Nixon approach—particularly on domestic problems—has shown the influence of Burns.

Conflicts? Because Burns will be the only White House adviser with Cabinet rank, his appointment has raised many questions about the pecking order in Nixon's policy hierarchy. There has been talk, for example, of potential conflict between Burns and CEA Chairman Paul W. McCracken.

However, these two men are likely to work together harmoniously. For one thing, as Nixon has indicated, McCracken is Burns's personal choice to head the CEA. Even more important is an essential identity of views between the two in the area of most direct concern to the council: keeping the domestic economy on a path of healthy growth. Like McCracken, Burns has been critical of overly expansive fiscal and monetary policy since 1965.

Less certain is the way Burns and Treasury Secretary David M. Kennedy will work together. Although Burns has never come out for changing the price of gold, he has often said that the alternative to controlling inflation "promptly" is "devaluation of the dollar."

During his first press conference, Kennedy had made his noncommittal statement on the usually sacrosanct $35 gold price only at the behest of Nixon's other economic advisers. He was relieved when he could finally state officially that "there was neither need nor reason" for a price change.

For this reason, Kennedy's second gold statement is widely viewed as a defeat for Burns. Yet the conflict between the two men may spring only from the difference between an economist and a banker. As an economics professor, Burns in the past has stressed the search for alternatives to the present monetary mechanism. As a banker, Kennedy has sought to calm markets.

For the future. The final question over Burns is whether Nixon views the post of counsellor as permanent, or essentially a holding operation. The possibility that Burns will succeed William McC. Martin, Jr., as chairman of the Federal Reserve Board has been widely discussed in the Administration, in Wall Street, and at the Fed itself. This, of course, is the kind of decision a President won't even whisper in advance—even if it has been made. So one of the puzzles over Burns won't be solved until Martin retires—January, 1970, at the latest.

[From the Washington (D.C.) Post, Feb. 13, 1969]

NIXON CAMPAIGN PLEDGE, PLAY BIGGER ROLE THAN REALIZED

(By Don Oberdorfer)

On Dec. 12, the morning after they were introduced live and in color on national television, each member of the Nixon Cabinet was given two books of campaign speeches and statements by the man who chose them for their jobs. What Mr. Nixon said in the campaign, they were told, would be the starting point for the policies of his Administration. They were urged to study the details and plan accordingly.

Those who recall the famous FDR pledge in 1932 to balance the budget, and the LBJ promise in 1964 to let Asian boys fight their own wars may be surprised by this recent display of attention to campaign promises. Despite examples to the contrary, thought, promises do count in politics. In this early stage of the Nixon Presidency, the promises of last fall are playing a more important role than is generally realized.

Just about the time the Cabinet was named, Mr. Nixon asked his old friend and adviser, Arthur Burns, to prepare a domestic program for the new Administration. Burns' first move was to study the campaign documents, a 291-page book titled "Nixon Speaks Out" and a 194-page volume titled "Nixon on the Issues," extracting and recording every pledge he could find. He also consulted the Republican National Platform and, as they were received, the confidential reports of the 22 Nixon task forces set up to study specific problems.

On Jan. 6, the day Mr. Nixon had marked on his calendar to begin work on his Inaugural Address, Burns presented him with a blue-covered notebook containing summaries of those domestic proposals that Burns felt deserved early attention. On Jan. 21, Burns placed additional recommendations in the notebook, bringing to more than 100 the proposals for presidential consideration.

Day by day over the past two weeks, Mr. Nixon has plucked these proposals from his notebook to be the basis for directives to his Cabinet officers and principal White House staff advisers. Each directive calls for study and a report back to the President, usually within 60 days.

So far 48 directives have been dispatched, and another 30 or so are under presidential consideration. Taken together, these items are the core of Mr. Nixon's domestic programs, as far ahead as his advisers can see.

About half the directives to date arose from pledges or declarations during the fall campaign. By and large, they call for reorganizing and reordering the work of the Government, with a heavy emphasis on returning money and decision-making powers to the states and the private sector. Early deadlines could bring quick action on specific and modest proposals—for example, the student tutoring corps, the computer job bank, the proposed law against mailing dirty books to children. More deliberate consideration is likely for such costly and complex proposals as tax sharing with the states, urged for quick action, yesterday by Gov. Nelson Rockefeller. At present, the Government does not have the money.

After full consideration, Mr. Nixon may yet abandon some of his campaign proposals—there is already doubt about the plan to provide automatic cost-of-living hikes in Social Security, for example—but the effort to honor the pledges is worthy of note. When and if redeemed by action, the Nixon platform could serve as a small bridge across the credibility gap about politics and government which is so worrisome to some in the new Administration.

To a reporter who traveled America behind Mr. Nixon last fall, the number and extent of his public promises come as something of a surprise. There did not seem too many of much importance at the time.

Most of the attention then went to Mr. Nixon's crowd-pleasing appeals to headlines, his vague if well-remembered pledges to end the war, stop the rise in crime and put millions more on payrolls instead of welfare rolls. Less notice was given the more thoughtful radio speeches and the blizzard of written statements on subjects ranging from cattle to merchant ships. As it turns out, these wide-ranging if sometimes contradictory and sketchy promises are the fine print in the contract that the candidate drew up with the voters last fall. At least, Mr. Nixon appears to think so, and is acting accordingly.

NATIONAL ECONOMIC CONVERSION COMMISSION

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. BINGHAM) is recognized for 60 minutes.

Mr. BINGHAM. Mr. Speaker, as the American people look with renewed hope toward a peaceful settlement of the tragic struggle in Vietnam, we must begin to plan now to cope with the economic consequences of that settlement. It is for this reason that I have today joined with my distinguished colleague from Massachusetts, BRAD MORSE, and 48 other Members, in introducing a bill designed to provide a framework for broadly based conversion planning. An identical bill is being introduced today in the Senate, also on a bipartisan basis, with Senator MCGOVERN and Senator HATFIELD as the principal sponsors, and with 25 cosponsors.

Three times since World War II, Mr. Speaker, we have seen defense expenditures drop: precipitately after World War II, moderately after Korea, and only slightly in the early 1960's. On each of these occasions, changes in the international situation sooner or later reversed the trend, and military budgets went back up to new highs. This has been most recently the case because of Vietnam, which has pushed total spending in the Department of Defense budget alone from $49.5 billion in 1965 to $81.5 billion projected for the coming fiscal year.

This enormous investment in national security has come, inevitably, at the expense of other priorities. There is still hunger in America. There are still millions of Americans who lack decent homes. There is still an inexcusable lack of equal opportunity for many Americans who are poor or from minority groups. We still all too often breathe polluted air, live in ill-planned cities, send our children to inadequate schools, endure unsatisfactory transportation, and suffer our countryside to be despoiled—while 41 percent of Federal expenditures are devoted to defense. How can the cycle be broken? How can some part of these resources now committed to military purposes be redirected to the urgent needs of our domestic society or to bridging the rapidly widening gap between rich and poor nations in the world?

An opportunity to effect this shift may be rapidly approaching. A settlement in Vietnam which would permit withdrawal of a substantial portion of the American military force now present there will free as much as $19 billion in Federal resources within 30 months. If we can insure that these resources—and the additional resources which come from the steady expansion of our total economy—are not simply absorbed by new defense programs, we may finally succeed in breaking the cycle of ever-growing national security expenditures and arrive at a more rational ordering of our national priorities.

If we are to achieve this goal, however, we must begin planning now so that the alternatives are clearly spelled out before the resources become available. For the military-industrial juggernaut has the great advantage which inertia of motion offers to so large a mass traveling at so rapid a pace. In policy terms, heavy expenditures on national security have been with us for so long that it will require a major rethinking of our view of the world, and of the strategic choices before us, if we are to accept their scaling down. In economic terms, too many industries and localities have lived for too long on the relatively simple contract arrangements which defense procurement offers. It is hard for them to contemplate with equanimity a shift in production and markets. They often have exaggerated fears about the possible consequences of a cutback in defense-related spending because they have never been faced with the necessity of examining the alternatives open to them. They thus constitute a powerful lobby for continued high levels of military expenditures, even though more careful study of their options might lead them to even greater prosperity through producing for nonmilitary markets.

The legislation which we are today proposing would help to stimulate just such careful study. Hopefully, it thereby would banish many of the vague fears which currently inhibit meaningful discussion of the alternatives that can become available with a shift of resources away from defense-related production. It would also fill a broader function by continuing the work previously done, in 1965 and 1968, by two distinguished Presidential commissions which sought to define and recommend national policies for a period of conversion from a wartime to a peacetime economy. Finally, it would help attract national attention to the urgency of planning now in this vital area, so that we shall not be caught unprepared for reasoned decisionmaking when the moment of transition is upon us.

The importance of this planning effort has been widely recognized. Two commissions established by President Johnson worked in this area, and President Nixon in his inaugural address promised that—

> We shall plan now for the day when our wealth can be transferred from the destruction of war abroad to the urgent needs of our people at home.

To fulfill that pledge, he has already designated a subcommittee of the new Council for Economic Policy "to advise the President on what, if any, standing arrangements for this transition should be made." A number of studies of conversions problems have been undertaken by the Arms Control and Disarmament Agency, and the Office of Economic Adjustment in the Department of Defense has been dealing since 1961 with the specific economic impact associated with closings of defense installations and other major changes in military outlays.

These are encouraging steps, but they have taken place almost exclusively within the Federal Government. It is now essential that a means be devised to involve State and local governments, and labor and management, in the overall effort of planning for the transition to a peacetime economy. Several States and localities—including my own State of New York—have already begun to plan for conversion to a peacetime economy. Others, and some industries, have become involved through ACDA studies or by having to face a particular local problem. Now the vast majority who have not yet joined in such planning must be encouraged to do so. For only through broadly based collaboration can conversion planning be made fully effective—and only in this way can the consequences of conversion be made fully evident to every American who will be affected.

Mr. Speaker, the legislation which we have today introduced would provide the necessary framework for this planning effort. This proposed National Economic Conversion Act would establish a National Economic Conversion Commission in the Executive Office of the President. The Secretary of Commerce would serve as its Chairman. Eleven other Cabinet officers and agency heads would be designated as members, and the 12 original members would be authorized to add up to six more members at their discretion. These could be chosen either within or outside the Government, and would thus allow the scope of the Commission to be broadened if the designated members should judge this to be desirable.

The Commission, under the terms of the bill, would have five principal tasks:

First, it would be charged with defining appropriate Federal Government policies in the economic conversion field, and with making recommendations on this subject to the President and to the Congress within 1 year.

Second, the Commission would be required to convene a National Conference on Industrial Conversion and Growth, again within 1 year from the date of its creation.

Third, the Commission would consult with the Governors of the States to encourage State, local, and regional studies on economic conversion. To lend weight to its encouragement, the Commission would be authorized to pay up to half the cost of State, local, and regional studies or conferences on this problem.

Fourth, the Commission would bring workers and businessmen into the planning process by consulting with trade and industry associations, labor unions, and professional organizations.

Fifth, the Commission would help to guide conversion planning by defense contractors to insure that the individual firms most directly concerned will be fully involved in preparing for their own economic future. Through these activities, the Commission should be able to attract national attention to the urgency of planning for economic conversion and to help chart a path for the Nation to follow in this vital area.

Members may recall, Mr. Speaker, that a similar proposal for a National Economic Conversion Commission was laid before the Congress in 1963, when it appeared that defense budgets might be turning downward. Hearings were held by the Senate Commerce Committee, at which time a number of specific suggestions were made for changes in the original bill. Many of these recommendations are incorporated in the draft legislation which we are presenting today to the two Houses of Congress. The turnabout in the rate of defense-related expenditures occasioned by our growing commitment in Vietnam sidetracked the bill in its initial incarnation. It is now reborn, to meet a resurgent need.

It may be well to examine in greater detail the role which defense-related spending plays in the economy of the United States. For if we are to beat a significant number of our swords into ploughshares, a major portion of our economy will be directly affected. Federal expenditures on the combined defense, space, and atomic energy programs have accounted for about 9 to 10 percent of the gross national product during the past decade. Defense-related work has absorbed about 10 percent of our total employment.

Even these figures, impressive as they are, partially conceal the impact of defense spending on the economy in some areas of the country. For defense spending has an uneven geographic distribution. In States with a high concentration of military facilities, wages and salaries paid by the major defense-related industries and by the Federal defense agencies have ranged as high as 20 to 25 percent of total statewide personal income. In defense-related activities, two-thirds of total payrolls have tended to concentrate in about a dozen States. And in these and other States, there is further concentration in specific cities or counties, which may be more heavily dependent on the size of the military budget than broader-gage statistics suggest. In such areas, conversion could have a severe impact if there has been no prior planning to meet the consequences of transition.

My own State of New York provides a perfect example of the concentration of defense contracts in a few localities within a State. During the Vietnam buildup, the State's prime defense contracts have increased from $2.2 to $3.5 billion, making New York the second largest defense supplier in the Nation. About 265,000 workers are directly or indirectly involved in defense work. Yet only 25 of the State's 62 counties have defense employment which exceeds 5 percent of their overall factory employment or 3 percent of their total employment; the remaining 37 counties are relatively unaffected by defense spending. One two-county area—Nassau and Suffolk Counties, on Long Island just outside New York City—nevertheless had close to 35 percent of total factory employment and 8.5 percent of total employment in all categories directly involved in defense work. And not only metropolitan areas are involved. Another three-county area, comprising Delaware, Chenango, and Otsego Counties, has only one town with a population which exceeded 10,000 at the last decennial census. Yet 26 percent of its factory employment, and over 13 percent of its total employment, depend directly on defense contracts.

As I noted earlier, New York is also, fortunately, an example of a State where planning has already begun on meeting the problems of conversion. A post-Vietnam planning committee appointed by Governor Rockefeller completed an initial report last December on plans to meet the economic consequences of peace. The committee did pioneering work in gathering data, such as that presented above, on the dimensions of the problem. They stimulated local and regional authorities, as well as the industries directly concerned, to devote serious attention to the question of conversion. And they made specific recommendations for State and local actions both to further the planning process and to prepare for an actual shift in resources away from defense expenditures.

Clearly, Mr. Speaker, there are many other areas throughout the country where this kind of planning effort is sorely needed. The executive agencies which deal with the problem today are equipped to offer only minimal assistance. Thus, new machinery is required. The Commission we have proposed today would offer to State, local, and regional authorities, as well as to the workers and businessmen directly concerned, a much-needed stimulus to, and support for, planning at the level where the impact of conversion is potentially most severe.

The Commission would also, of course, continue the equally vital task of examining at a national level the alternatives which will be open to us when resources are freed by the end of our military commitment in Vietnam. As I noted before, the Cabinet Coordinating Committee which reported to President Johnson last December estimated that a peace settlement which permitted a full withdrawal of troops could lead within 30 months to a drop of $19 billion in the use of real resources for defense purposes. There will inevitably by many claimants for these freshly liberated resources. We will hear proposals for tax reductions, for new defense procurement programs, for reduction in the national debt, and for meeting the urgent needs of our domestic society.

Based on past experience, those of us who would like to see the emphasis placed on improving the quality of life in this country will be hard put to compete with proponents of new military hardware. After all, they will argue, the savings are coming out of the defense budget. Why should not we have the first claim on these resources? And the programs are already there. An ABM system, at a cost of $5 to $10 billion for a "thin" system and between $50 and $100 billion for a "thick" defense—either one of dubious utility at best. An advanced manned strategic aircraft, with a price tag between $8 and $12 billion. Bigger and better offensive missiles; a new generation of tactical aircraft; new types of nuclear submarines and surface vessels. The list is nearly endless, and the budget requirements astronomical.

The Commission which this bill proposes to establish would not make for us the hard decisions on allocation of national resources in the years to come. But it would help greatly in defining the alternatives and in helping to demonstrate to labor and management, to State and local governments, that a shift away from defense spending can produce a better and more prosperous society for us all. It will then be up to us in the Congress, to the President, and to all the American people to reallocate a substantial part of our available resources from instruments of human destruction to programs for human betterment.

I urge my colleagues to give this legislation their careful consideration and their wholehearted support.

Such support has already been demonstrated by a number of my colleagues who have joined with us today in cosponsoring this proposed legislation. They are Representatives Brock Adams, Edward P. Boland, John Brademas, George E. Brown, Jr., Phillip Burton, Daniel E. Button, Jeffery Cohelan, Silvio O. Conte, John Conyers, Jr., John R. Dellenback, Don Edwards, Marvin L. Esch, Leonard Farbstein, Donald M. Fraser, Samuel N. Friedel, James G. Fulton, Jacob Gilbert, William J. Green, Gilbert Gude, Seymour Halpern, Augustus F. Hawkins, Ken Hechler, Henry Helstoski, Frank Horton, Edward I. Koch, Robert L. Leggett, Richard D. McCarthy, Paul N. McCloskey, Abner J. Mikva, Joseph G. Minish, Patsy Mink, John S. Monagan, William S. Moorhead, Richard L. Ottinger, Claude Pepper, Howard W. Pollock, Thomas M. Rees, Ogden R. Reid, Benjamin S. Rosenthal, Edward R. Roybal, William F. Ryan, Herman T. Schneebeli, James H. Scheuer, Fred Schwengel, James W. Symington, Frank Thompson, Jr., Lionel Van Deerlin, and Charles W. Whalen, Jr.

The text of the National Economic Conversion Act, which we have today introduced, is as follows:

H.R. 8042

A bill to establish a National Economic Conversion Commission, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Economic Conversion Act."

DECLARATION OF PURPOSE

Sec. 2. The Congress finds and declares that the United States has during the past two decades made heavy economic, scientific and technical commitments for defense; that careful preparation and study is necessary if wise decisions on future allocations of such resources are to be possible; that the economic ability of the Nation and of management, labor and capital to adjust to changing security needs is consistent with the general welfare of the United States; and that the economic conversion and diversification required by changing defense needs presents a great challenge and opportunity to the American people.

It is the purpose of this Act to provide the means through which the United States can determine the public policies which will best allow such economic conversion.

ESTABLISHMENT OF THE COMMISSION

Sec. 3. (a) There is hereby established, in the Executive Office of the President, the National Economic Conversion Commission (hereafter referred to as the "Commission"), which shall be composed of—

(1) The Secretary of Defense;

(2) The Secretary of Agriculture;

(3) The Secretary of Interior;

(4) The Secretary of Commerce, who shall be chairman of the Commission;

(5) The Secretary of Labor;

(6) The Secretary of Health, Education and Welfare;

(7) The Secretary of Housing and Urban Development;

(8) The Secretary of Transportation;

(9) The Chairman of the Atomic Energy Commission;

(10) The Administrator of the National Aeronautics and Space Administration;

(11) The Director of the United States Arms Control and Disarmament Agency; and

(12) The Chairman of the Council of Economic Advisers.

(b) The Secretary of Commerce shall preside over meetings of the Commission; except that in his unavoidable absence he may designate a member of the Commission to preside in his place.

(c) The Commission may invite additional persons to serve as members of the Commission, either on a temporary or permanent basis, so long as the overall size of the Commission shall in no case exceed 18 members.

(d) The Commission shall have a staff to be headed by an executive secretary who shall be appointed by the President and who shall be compensated at the rate provided for Grade 18 of the General Schedule.

(e) Members of the Commission who are officers or employees of the Federal Government shall receive no additional compensation by virtue of membership on the Commission. Other members of the Commission shall receive compensation at the rate of not to exceed $100 per diem when engaged in the performance of duties for the Commission. Each member of the Commission shall be reimbursed, as authorized by law (5 U.S.C. 73b–2), for travel and subsistence and other necessary expenses incurred by him in the performance of his duties for the Commission.

DUTIES OF THE COMMISSION

Sec. 4. It shall be the duty of the Commission to—

(a) define appropriate policies and programs to be carried out by departments and agencies of the Federal Government for economic conversion capability, which shall include possible schedules of civilian public and private investment, including education and retraining for occupational conversion, associated with various degrees of economic conversion, and the anticipated effects thereof upon income and employment, and to report to the President and the Congress on such policies and programs within one year of the enactment of this Act;

(b) convene a National Conference on Industrial Conversion and Growth, within one year after the enactment of this Act, to consider the problems arising from a conversion to a civilian economy, and to encourage appropriate planning and programing by all sectors of the economy to facilitate the Nation's economic conversion capability;

(c) consult with the Governors of the States to encourage appropriate studies and conferences at the State, local and regional level, in support of a coordinated effort to improve the Nation's economic conversion capability, and make available to the Governors of the States such funds as shall constitute not more than 50 per centum of the total costs associated with the preparation of such studies or the holding of such conferences;

(d) consult with trade and industry associations, labor unions and professional societies, to encourage and enlist their support for a coordinated effort to improve the Nation's economic conversion capability;

(e) promulgate such regulations for the appropriate departments and agencies of the Federal Government as may be necessary for the implementation of section 5 of this Act; and

(f) make such recommendations to the President and to the Congress as will further the purposes of this Act.

INDUSTRIAL CONVERSION CAPABILITY

Sec. 5. (a) Under such regulations as the Commission shall prescribe, each defense contract or grant hereafter entered into by the Department of Defense or any military department thereof, or by the Atomic Energy Commission, shall contain provisions effective to require the contractor to define his capability for converting manpower, facilities, and any other resources now used for specific military products or purposes, to civilian uses.

(b) The Commission shall encourage trade and industry associations, labor unions and professional organizations to make appropriate studies and plans to further the conversion capabilities of their membership.

(c) As used in this section the term "defense contract or grant" means any contract or grant to business firms, government agencies, universities and other non-profit organizations,

(1) which involves—

(A) the research, development, production, maintenance, or storage of any weapons systems, arms, armament, ammunition, implements of war, parts or ingredients of such articles or supplies, or plans for the use thereof; or

(B) the construction, reconstruction, repair, or installation of a building, plant, structure, or facility which the Secretary of Defense or his designee, or the Chairman of the Atomic Energy Commission or his designee, certifies to be necessary to the national defense;

(2) which requires that the number of employees engaged in work under such defense contract or grant, together with employees engaged in work under any other such contract or grant, exceeds 49 employees or 25 per centum of the total number of employees, whichever is greater, at any establishment operated by the contractor awarded such contract or grant; and

(3) which requires at least one year to complete.

POWERS OF THE COMMISSION

SEC. 6. (a) The Commission shall have the power to appoint and fix compensation of such personnel as it deems advisable in accordance with the applicable provisions of title 5, United States Code. The Commission may also procure temporary and intermittent services to the same extent as authorized for the departments by section 3109 of title 5, United States Code.

(b) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment or instrumentality, information, suggestions, estimates, and statistics for the purpose of this Act, and each department, bureau, agency, board, commission, office, independent establishment or instrumentality, is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission upon request made by the Chairman.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 7. Such sums as may be necessary to carry out the provisions of this Act are hereby authorized to be appropriated.

Mr. MORSE. Mr. Speaker, today 48 Members and 26 Senators introduced a bill to create the National Economic Conversion Commission last introduced by 25 Members in 1964. It is our hope that the legislation we support will gear up needed long-range planning which will enable our economy to shift smoothly into peacetime production when the conflict in Vietnam is concluded.

The dimensions of our economic dependence on the huge Military Establishment is now generally recognized. When between 9 and 10 percent of our gross national product, approximately 9 percent of our total labor force, 41 percent of our Federal budget, and about 60 percent of our scientists and engineers are directly or indirectly engaged in defense or defense-related activities, there is a potentially drastic economic problem on the horizon.

I was heartened when President Nixon stated, in his inaugural address:

> We shall plan now for the day when our wealth can be transferred from the destruction of war abroad to the urgent needs of our people at home.

I was even more gratified when the President created a Council for Economic Policy Subcommittee to be chaired by Dr. Herbert Stein, one of whose responsibilities is to initiate policy planning for the conversion of our economy to a peacetime basis.

In a statement delivered on the floor of the House on January 20, 1964, I said:

> Any significant changes in the quantity of character of these expenditures would have an important and potentially unsettling impact on our economy. Yet despite the constantly changing nature of our defense requirements, the rapidly shifting patterns in world politics, and the tremendous growth of our technology, we have devoted very little attention to concrete planning for our long-range economic health.

Two Commissions appointed by President Johnson did some initial work in this area since those words were recorded. However, the Commission we propose would have a broader purpose; drawing on the 11 Cabinet officers and the Chairman, the Secretary of Commerce, it would be charged with making recommendations to the President and the Congress on programs and policies in the field of economic conversion. Furthermore, it would be created to involve participation by the Nation's Governors and labor leaders, as well as industry leaders and associations in planning and discussions of conversion and the consequences of economic change.

Government cannot solve this problem alone, a fact recognized by the Chamber of Commerce of the United States which, in March of 1968 published a useful study prepared by a distinguished panel of business leaders entitled "After Vietnam." They conclude, and quite rightly I think, that unless plans are made now by all parties concerned: our Federal Government, States, localities and the business community, our economy would be needlessly distorted by disengagement.

The complexity of the conversion process is increasingly apparent. We must look not only at the number of military installations, defense contractors, and employees affected, but also at the multiplier effect on our economy as a whole. Housing and service industries will be affected; local requirements for education and health needs; State unemployment compensation systems, all must be reexamined. If we are to attack this problem realistically we need the involvement of every element in our society, which can contribute experience, knowledge, and imagination.

Economic transition is not an abstract intellectual concept, it is a reality for thousands of workers whose jobs would be jeopardized. The Federal Government is deeply involved in the prosperity of many of our communities today and we need to recognize its responsibilities for the predictable and potentially painful transition process which will occur. We can and must assert this responsibility without extending control over the private sector of the economy.

The basic decisions about conversion must be made by the individual business firm, but government has an important role to play in enabling businessmen to make informed, intelligent decisions. By thoughtful preparation we can create conditions which would help them move from economic dependence upon the Federal Government to the economic independence which has traditionally given our economy strength and vitality.

Conversion will involve taking a hard look at the problems confronting our people which require solution. The areas that urgently need the Nation's attentions are manifold: improved transportation systems and facilities, ways of solving urban decay and housing needs, expanded research efforts in health and medical technology, meaningful control of air and water pollution, and development of new sources of power, to name a few.

A number of years ago I proposed that the United States utilize the demonstrated capacity of systems management techniques, initially developed in defense-related industries, in the solution of nondefense, nonspace public problems. I have urged, for example, that the Merrimack River, which flows through the district, which I am privileged to represent, to be regarded as a system, that the solution for its abuse and neglect will only come when the States, communities, industry, and citizens who use it can conceptualize that fact, that it is a system and requires solutions which take into account the diverse uses and needs that the river fulfills.

There are a variety of other problems facing our society which in my view, will be solved only when we take advantage of the successful experience that has been developed by some defense industries. The opportunity for conversion is unlimited.

The Ackley committee report of July 1965, summarized the work that still needed to be done at that time: to improve specific adjustment programs; to improve the coordination of those programs to particular communities; to increase the awareness of the impact of defense activity on the economy; and to find and stimulate new proposals for meeting the opportunities created by the changes in defense needs.

The report of the successor committee established in 1967 by President Johnson also emphasized the demanding task that will confront fiscal and monetary policies when demobilization is undertaken.

The two committees have made a significant contribution to the dialog which has been generated on the conversion problem since the introduction of my bill in 1964. Those efforts illustrate the need for a much broader involvement by industries, organizations, and associations who have a direct interest and vital concern. The bill that is being jointly introduced today does take this approach. It makes every effort to get the people who may be affected involved, and by so doing, to broaden the base of the knowledge and interest which must be applied to solve the problem.

The bill states that the Commission shall encourage trade associations, labor unions, industry associations and professional societies to make plans and engage in studies which would further the conversion capabilities of their respective organizations.

The legislation also requires the Commission to prescribe that the contract entered into by the Department of Defense or any military department, or the Atomic Energy Commission contain a definition by the contractor of his capability for converting his various resources to civilian uses. This concept that is treated here is fundamental to the need which must be faced at the time of conversion. It gives expression to the idea that industry does not want to be dependent upon the Defense Establishment, and subject to its inevitable fluctuations.

In a 1965 report published by Litton Industries I noticed that they are making every effort to reduce their percentage of defense contracting. At that time they had reduced their dependence from its original 100 percent to less than 40 percent. In their last fiscal year they had further reduced this figure to 27 percent of their total business. This business was done by their defense and marine systems branch. This example is an important lesson.

Some efforts have been undertaken in the direction of conversion in the past, but each time since the Second World War that we have begun to grapple with the issue, new military spending has occurred. We are coming to the crossroad again. The long-awaited solution to the Vietnam conflict will place this country in the enviable position among its world neighbors of actually having the resources, the technology and the ability to solve the pressing human problems of its citizens and the environment in which they live.

The possibility of impending peace poses two questions: whether we have the foresight to plan a rational and effective utilization of the resources to become available, and whether we have the will to do so.

We have made extraordinary technological progress in the past decade. Not only has our ability to communicate and to solve problems developed extensively, but our gathering of data has also improved enough to indicate how far we do have to go.

Mr. Speaker, I would urge that economic conversion is of the utmost concern at this time. The time and effort must be undertaken now to have any meaningful effect within this Congress. More is at stake here than a few hundred jobs or a handful of industries. It is time for new directions and new solutions to the problems in 1969. We do not have the pentup consumer demand of the forties credited by some experts for offsetting the predictions that the United States would go into a depression following World War II.

The proper climate must and can be created for a peacetime conversion that will establish new goals and initiatives. The 1960's has been a time for discovery of many wishes and desires unknown but a few years ago. The voyage of the Apollo 8 last Christmas clearly dramatized American technological achievement and potential.

I find it unacceptable that we cannot take the same sort of enterprise and ability and apply it to man's age-old problems of creating a healthy environment, educating his young, and eradicating hunger and disease. The drama and excitement of America is that we have the resources to make the conversion a success, and that the opportunity may soon present itself to begin the task.

Mr. ROSENTHAL. Mr. Speaker, I join today with many colleagues in the House and Senate to introduce a bill to create a National Economic Conversion Commission to stimulate planning for the shift in national resources from the wartime economy caused by Vietnam to a productive peacetime economy when that tragic conflict ends.

To assist in the consideration of this important proposal, I include below the important section of President Johnson's economic report of 1969, released in January, on "Economic Planning for the End of Vietnam Hostilities":

REPORT TO THE PRESIDENT FROM THE CABINET COORDINATING COMMITTEE ON ECONOMIC PLANNING FOR THE END OF VIETNAM HOSTILITIES

In March 1967 you asked the Secretaries of Treasury, Defense, Commerce, and Labor; the Director of the Bureau of the Budget; and the Chairman of the Council of Economic Advisers to form a committee to coordinate the economic planning for the end of hostilities in Vietnam.

As initial terms of reference, you instructed the Committee to

—*consider possibilities and priorities for tax adjustment*

—*prepare, with the Federal Reserve Board, plans for quick adjustments of monetary and financial policies*

—*determine which high priority programs can be quickly expanded*

—*determine priorities for the longer range expansion of programs to meet the needs of the American people, both through new and existing programs*

—*study and evaluate the future direction of Federal financial support to our States and local governments*

—*examine ways in which the transition to peace can be smoothed for the workers, companies, and communities now engaged in supplying our defense needs, and for the men released from our armed forces.*

Vietnam hostilities first became a significant economic influence in the summer of 1965, at a time when the economy was remarkably well-balanced and was in the midst of the longest peacetime expansion in history. The increase in the military budget required for Vietnam complicated the tasks of fiscal-monetary policies. The economy was subjected to inflationary strains. Although the American economic system demonstrated the strength and adaptability necessary to carry the extra load without major disruption and without jeopardizing its fundamental health, the cost of war has been a load for the economy to carry—*not* a supporting "prop." Prosperity has not depended on the defense buildup and will not need high military spending to support it in peacetime. On the contrary, peace will provide the Nation with welcome opportunities to channel into civilian use manpower and material resources now being devoted to war.

SUMMARY OF FINDINGS

A self-contained summary of the findings of the Committee is presented initially under three major hearings. It is followed by more detailed discussion of each major section.

Fiscal monetary policies during demobilization

Sustaining prosperity during the demobilization and seizing the welcome opportunities of peacetime will depend upon the careful and forward-looking management of fiscal and monetary policies. If demobilization should produce a major and rapid decline in defense spending, and if policies were not adjusted, the Federal budget would have an excessively restrictive effect on the economy.

An illustrative pattern of demobilization was developed on the assumption that within 6 months after cessation of hostilities, a genuine peace would be secured and a full withdrawal of troops could be initiated. In such a rapid demobilization, the use of real resources for defense purposes would drop by $16 billion (annual rate in 1968 prices) below the previously planned path over a period of six quarters following the truce and, ultimately, by $19 billion at the end of 10 quarters. If there were no compensating fiscal-monetary policy actions, the Nation could be threatened with a recession similar to that at the end of Korean hostilities.

The magnitude and the timing of the policy adjustment best suited to promote steady and healthy economic growth will depend on the strength of private demand at the time peace arrives and on the specific profile of the defense cutback. The best possible projections of these elements will be needed in order to guide fiscal-monetary policy.

A number of possible compensating measures can be foreseen now. If the current 10 percent income tax surcharge is still in effect when hostilities end, its early expiration (or phasing out) could provide a major offsetting element. A detailed plan to speed up expenditures on established high priority projects should be available for the President's consideration. If further stimulus is appropriate, new program initiatives could be launched. The objectives of the compensating fiscal action should receive the support of monetary policy, but credit conditions probably should not be pushed into a posture of aggressive ease. Meanwhile, the objectives of an improved price-cost performance and balance-of-payments equilibrium should be pursued intensively.

Resources and priorities

The choices among alternative fiscal adjustments during the demobilization period should be guided by longer run priorities. Such priorities should be weighed in advance so that the Nation will be ready to take full advantage of any opportunities to launch important new programs, to strengthen high-priority existing programs, or to reduce taxes.

As revenues expand in a growing peacetime economy, the elbow room in the budget increases. But about one-half of the growth in revenues is preempted by essentially built-in commitments of existing expenditure programs to meet the needs of a growing population and an expanding economy. These commitments are reflected in the estimated "baseline" budget for both defense and nondefense expenditures in fiscal 1972. These estimates assume that the transition to peace is essentially completed by 1972, and that the current 10 percent income tax surcharge and certain excise taxes have expired by that time.

According to the illustrative calculations, the "peace-and-growth dividend"—available for Federal programs above the baseline or for tax reduction—would amount to $22 billion by fiscal 1972, and would increase $7 to $8 billion a year thereafter. The peace-and-growth dividend must be used in order to maintain healthy economic growth, and it can be used constructively.

Some possible uses of the dividend are set forth to illustrate the considerable pressures, demands, and opportunities for Federal efforts in the years ahead. Some liberalization of social insurance and other cash benefits—in part, to keep up with the cost of living—is viewed as a significant claim on the dividend. In addition, the full funding of existing civilian programs to authorized levels would cost $6 billion a year.

Beyond that, a variety of major expansions in existing programs and of new programs are highly eligible claimants. A selection of such items, based largely on proposals which have been made by experts or study groups, adds up to $40 billion a year. And other more ambitious, new proposals, which are currently receiving widespread public discussion must also be recognized. Furthermore, tax reduction merits consideration as an effective way to share part of the dividend broadly among Americans.

It is clear that the Nation cannot carry out all these activities—funding existing programs, undertaking new program initiatives, and reducing taxes—in the next few years from the peace-and-growth dividend;

difficult choices based on a careful determination of priorities will be necessary. But for those objectives placed at the top of society's priority list, progress can be made in a peaceful environment of prosperity and reasonable price stability.

As noted above, our calculations allow for expiration of temporary taxes now in effect. In view of the urgent needs of the public sector, the Committee would not recommend further large-scale Federal tax reductions in the years immediately following the end of Vietnam hostilities.

Policies to assist particular communities and individuals

The economic impact of the war has been broadly diffused among all States and most industries. Only a relatively small number of areas and industries are likely to be specially affected by the demobilization or to encounter significant transitional problems. The Committee recommends certain measures to aid people in those areas and industries, including: community redevelopment assistance, homeowner assistance, and—most importantly—the strengthening of job placement and training.

We also recommend the early establishment of a coordinating group, which might be called the Readjustment Operations Committee, to assume responsibility for detailed planning of Federal readjustment assistance, to work with State and local authorities responsible for demobilization planning, and to coordinate Federal readjustment programs during demobilization.

The steps we propose for readjustment assistance are limited and relatively inexpensive, reflecting our conviction that the maintenance of general prosperity is far and away the major part of the economic problem of the transition. In our dynamic and flexible free market economy, most areas and industries should be able to make a prompt and healthy adjustment so long as the Federal Government promotes noninflationary prosperity.

Looking forward to peace

We also wish to stress the importance of a responsible and responsive fiscal policy during the remaining period of hostilities. Only in recent months, through the enactment of the 1968 program of fiscal restraint, have our Nation's finances become adequately adjusted to the defense emergency situation. Maintenance of appropriate fiscal and monetary policy is absolutely essential both to preserve prosperity and to minimize the problem of transition at the end of hostilities.

FISCAL-MONETARY POLICIES DURING DEMOBILIZATION

Peace may "break out" in any number of ways. For example, hostilities may decline gradually, accompanied by reduced expenditures on armament and manpower. Alternatively, there could be a lengthy armed truce which would permit no significant reduction in our forces in Southeast Asia.

Demobilization scenario

In the calculations underlying this report, defense activities in Vietnam are assumed to continue at essentially present levels until hostilities cease. It is furthermore assumed that, within 6 months after a truce, there will be a genuine assurance of peace and hence the beginnings of a full withdrawal of troops from Vietnam with accompanying cutbacks in other outlays.

An illustrative demobilization scenario developed by the Department of Defense points to the reductions in manpower, materials, and outlays described below. These are the amounts by which defense activities would fall short of the path that they would have followed had hostilities continued.

1. The armed services would decline by about 800,000 persons, averaging 200,000 a quarter starting in the third quarter following the truce and terminating after the sixth quarter.

2. Civilian personnel in the Department of Defense would be reduced by 170,000, also declining smoothly between the third and sixth quarters.

3. As a result of the manpower reduction, military and civilian compensation would be reduced by $7 billion (annual rate) at 1968 pay rates by the end of the sixth quarter.

4. Other operating expenditures (annual rate in 1968 prices) would decline by $4 billion over a slightly longer period.

5. Expenditures for procurement would be reduced by $8 billion over an interval of 10 quarters. This reduction would take longer in order to rebuild inventories held by the Department of Defense.

6. Total real defense spending (annual rate in 1968 prices) would thus be reduced by $8 billion at the end of four quarters, $16 billion at the end of six quarters, and $19 billion at the end of 10 quarters.

This is a rapid demobilization—probably the most rapid that could realistically be assumed. Demobilization may in fact turn out to be smaller or more gradual as a result of any one of at least three developments:

1. A gradual decline in military activity prior to the truce,

2. A long period of uncertainty between the attainment of the truce and the decision for redeployment, or

3. The need to maintain significant residual forces in Vietnam, even in peacetime.

The rapid pattern of demobilization is assumed because it represents the sharpest test of the Nation's ability to adapt to peace—not because it appears most probable. If the Nation is ready to meet the challenge of rapid demobilization, the lesser challenge of a more gradual transition can surely be handled.

The estimated decline in defense expenditures is significantly less than the $20 billion a year currently estimated as the cost of the war. Of resources currently used for Vietnam, $10 billion would be required in other military uses in peacetime.

The reduction in Vietnam outlays during the demobilization will appear as a shortfall from an otherwise increasing path of defense spending. If hostilities were to continue with undiminished intensity, the total defense budget would probably continue to rise at least enough to cover increases in military pay scales and gradual advances in prices paid for defense goods.

A *hypothetical* example is presented in Chart 3 to illustrate the relationship between the paths of defense spending with and without the demobilization. In this illustration, defense purchases are assumed to be $80 billion initially and to be rising at the rate of $1 billion a quarter to cover price and pay increases and to provide for a very modest real growth. In the absence of peace, defense purchases would reach $86 billion after six quarters and $90 billion after 10 quarters. The demobilization scenario above implies that defense purchases would be pulled below this rising path by about $16 billion six quarters after the cessation of hostilities, and by about $19 billion after 10 quarters. The absolute decline from the initial level of $80 billion would be considerably less, reaching $10 billion at the end of six quarters.

Economic impact

The economic impact of the demobilization (and the required fiscal-monetary adjustment) can be most readily appraised by supposing that the fiscal program had been appropriately designed initially under the assumption of continuing hostilities, to promote a balance between aggregate demand and the economy's supply capabilities. In this situation, a major policy adjustment would be required to offset the shortfall resulting from demobilization.

The impact of demobilization on the balance between aggregate demand and the economy's productive capacity has three aspects.

1. The reduced use of resources by the Federal Government, reflected in the decline of defense spending described above.

2. The short-run downward adjustments of inventories by defense suppliers as their production is adjusted to declining orders and falls below deliveries to the Government. The economic impact would occur even before Federal expenditures declined, and would remain significant for only about four quarters after the truce.

3. An increase in the Nation's potential output resulting from the potential additional employment of released military personnel in civilian jobs, where productivity is substantially greater. Some women will withdraw from the labor force when their husbands return to civilian life, and some veterans will return to school before entering the civilian labor force. After allowing for these elements, the cumulative net induced increase in the private labor force is estimated at about 600,000 after six quarters.

This shift toward higher productivity would add about $4 or $5 billion to potential GNP. To absorb this increment, action would be required to add nearly $2 billion directly to total demand. The resulting additional incomes could be expected to generate the necessary additional $2 to $3 billion increment in demand.

With no policy offset whatsoever, the direct shortfall of demand by the sixth quarter following the truce could amount to $18 billion: $16 billion for the real decline in military spending and $2 billion for the direct increment in demand needed to make use of the addition to potential output.

Shifts in the strength of private demand might either reduce or add to this gap, but they would be unlikely to change the picture dramatically. Without compensatory stabilization action, the gap would be multiplied through induced further cutbacks in demand that spread through the private sector. Eight quarters after the truce, the total multiplied shortfall below the potential output of the economy could reach $40 billion. Inaction would thus threaten a recession similar to the 1953–54 experience following the Korean hostilities.

Fiscal-monetary adjustment

The instruments of fiscal and monetary policy must be available for prompt and decisive use to promote noninflationary prosperity and economic growth. These instruments are clearly capable, in principle, of offsetting the restrictive fiscal impact of demobilization. Indeed, an excessive or premature stimulative fiscal-monetary program could overdo the job and generate an inflationary boom. A major challenge will be to determine and carry out a policy adjustment of proper size and timing.

Determining the Magnitude

The above projections merely suggest the general magnitude of the policy requirements during a rapid demobilization. The specific dimensions can only be appraised when peace comes and much more is known about the prospects for private demand, the budget, and the time-path of the military cutback. Nevertheless, some important guides can be provided to the problems and procedures involved in determining the magnitude of the compensating actions.

1. When peace comes, the President and the Congress will need advice based on detailed projections of the GNP, prices, unemployment, and the balance of international payments. Despite the inherent limitations of projections, prudent reliance on quantitative forecasts—carefully weighed and interpreted—is preferable to a policy of wait-and-see, a resort to predetermined rules of policy adjustment, or a simple extrapolation of existing economic conditions.

2. Efforts should begin now to strengthen the quality of statistical information about

the economy's performance—such as those improvements recommended in the budget program for fiscal 1969. Information of this type may be critical in determining the appropriateness of policy during the demobilization.

3. For the same reasons, the Department of Defense should continue intensive efforts to improve projections of military orders and outlays so as to aid economic policy during demobilization. Assessing the time-path of the military cutback will be subject to uncertainties similar to those that were encountered in appraising the initial defense buildup in Vietnam.

4. Flexibility of fiscal and monetary policy decisions will be important to the success of adjustment. Even with the best efforts, gauging private demand and defense outlays will be difficult. During the demobilization, prediction of private spending will be complicated by the substantial psychological impacts of peace on private decisionmakers. It is a safe judgment that Americans will be delighted by peace, but it does not follow that they will therefore spend more, or alternatively that they will save more. Hence a successful transition program—marked by steadiness and stability in the growth, employment, and price performance of the Nation—may require continuing adjustments in the budgetary balance and in the behavior of monetary and credit flows.

5. Fiscal-monetary policies for the transition should take into account the initial economic situation. If the economy is advancing too rapidly when peace comes, the restrictive effect of demobilization should not be entirely offset. If the economy is initially sluggish, the adjustment of stabilization policies should more than compensate for the impact of demobilization.

Types of Compensatory Action

In the event of a rapid demobilization, the required policy adjustment may be large. This extraordinary "dividend" would be fully available to provide for "controllable" expenditures or tax reductions, unlike the normal fiscal dividend from growing tax revenues which must, in part, finance the built-in growth of Federal expenditures. The various types of action which might be undertaken should be considered in advance.

1. If the cessation of hostilities occurs while the income tax surcharge is still in effect, its early expiration (or phasing out) could provide a major element in the required fiscal offset. Acceleration of the currently scheduled reductions in excise taxes on automobiles and telephone service could serve as another element in the fiscal adjustment.

2. There should be available, for the President's consideration, a program of accelerated expenditures that could be initiated on short notice following the cessation of hostilities. These should be confined to high-priority public expenditures which, in any event, would be made in the near future. It is currently estimated that such a program could add to Federal expenditures (at annual rates) by as much as $3 billion in 6 months and $7.5 billion in 12 months following its activation.

3. Decisions on Federal expenditures, as part of the program of fiscal adjustment, should be made in light of the promptness with which various types of outlays will add to total demand. For example, according to our staff studies, some—although not all—Federal grant programs to States and localities involve a significant lag between the expenditure of the funds by the Federal Government and their translation into additional purchases by the recipients. Programs with long lags are not ideal for supporting demand during the transition. In contrast, other Federal programs generate orders or contracts to the private sector which would increase employment and economic activity promptly even before expenditures are incurred by the Federal Government.

4. While the precise assignment of responsibilities between fiscal and monetary policies should be made in full light of the circumstances associated with peace, monetary policy should be expected to play a supportive role to the fiscal program. Credit policies can undoubtedly help significantly to ensure an adequate supply of mortgage credit to meet the needs for additional housing. But placing a heavy readjustment burden on monetary policy would be inadvisable; it probably should not shift toward extreme ease to provide a maximum economic stimulant. For one thing, balance-of-payments considerations are likely to limit, to some degree, the easing of credit. Also, the flexibility inherent in monetary policy makes it a useful instrument to hold in reserve as a means of compensating for deficiencies or excesses that might develop in the fiscal program or for unforeseen developments in private demand.

5. In general, fiscal policy adjustments during the transition should advance longer range national objectives. One basic choice will concern the relative importance in the fiscal program of tax reduction and of increased Federal expenditures. This decision should not be governed by considerations of economic stabilization; various mixes of increased spending and reduced taxes can be equally satisfactory from that standpoint. Rather the choice should depend upon the extent to which the Nation wishes to channel resources from defense uses into the other areas of the public sector. Given the allocation between tax cuts and increased civilian programs, further choices will be required to set priorities among various existing programs and possible new programs. These priorities should be established in advance.

6. In the event that the Administration plans to initiate, during the transition, any new programs which would require major legislation, such legislation might be submitted to the Congress in the near future for discussion and debate and perhaps even for enactment on a standby basis. Thus these programs could be ready when needed.

Other Objectives

In addition to the objective of steady and sustainable growth at high employment, policies during the transition should be directed at the price performance of the economy and the balance of payments.

1. During the transition period, efforts should be redoubled to combat the troublesome inflationary tendencies of a high-employment economy. The efforts could include various measures which have been explored recently by the Cabinet Committee on Price Stability: to strengthen manpower programs, to improve the price performance of particularly troublesome sectors such as construction and medical care, to increase the efficiency of the private economy generally, to minimize any inflationary effects of the Federal Government's own activities, and to achieve, through cooperative efforts, patterns of collective bargaining and of business price determination that are consistent with over-all price stability.

2. Intensive efforts should be made to take full advantage of the opportunities that peace may bring for improvement in the U.S. balance of payments. The direct foreign exchange cost of our military presence in Southeast Asia is now about $1.6 billion a year higher than in 1965. Reduction in this outflow could be reinforced by other measures to yield a more comprehensive solution to our lingering international payments problem.

RESOURCES AND PRIORITIES

Many of the choices that will have to be made during transition should be guided by a longer range view. To build the best bridge to peacetime prosperity, we should know in advance where we want to go when we cross that bridge. The following projections are intended to provide an indication of the resources that will become available in the next few years, and to serve as an aid in making critical choices about the uses of these resources.

The projections are focused on fiscal 1972. They are based on the assumption that the transition will be essentially completed by that time, an assumption that is reasonably consistent with the demobilization scenario if a truce occurs during calendar 1969.

Projections of the private economy

Underlying the post-demobilization outlook are some fairly detailed economic projections prepared by our staff. While the projections are surely not to be regarded as precise forecasts of economic conditions, they provide useful rough indications, on the basis of reasonable assumptions, of what the economic situation might be.

The economic framework was based on an unemployment rate of 3.8 percent and an over-all rate of price increase which gradually declines to about 2 percent a year by 1972. These assumptions represent neither a forecast nor a judgment that these rates will necessarily be feasible or appropriate. Lower unemployment would result in a higher GNP and increased budgetary resources. Greater price stability would also be highly desirable. What combination of price stability and high employment will prove feasible depends upon the success of measures to help reconcile these two objectives.

The time-path of real GNP was estimated, using labor force, employment, and productivity projections supplied by the Bureau of Labor Statistics. On the basis of the projected path of the over-all price index of GNP, the estimated GNP (in current dollars) for fiscal 1972 is $1,100 billion (Table 1).

TABLE 1.—ILLUSTRATIVE PROJECTIONS FOR FISCAL YEAR 1972 AND RECENT EXPERIENCE

[Billions of dollars]

Item	Calendar year 1968, second half[1]	Fiscal year 1972 projected
Gross national product	879	1,100
Federal receipts	185	226
Federal expenditures and dividend	186	222
Baseline expenditures	186	200
Defense purchases	80	73
Other expenditures	106	127
Peace-and-growth dividend		22
Federal surplus or deficit (−)	−1	4

[1] Seasonally adjusted annual rates; preliminary.

Note.—Federal receipts, expenditures, and surplus or deficit are the concepts used in the Federal Government sector of the national income and product accounts.

Detail will not necessarily add to totals because of rounding.

Sources: Department of Commerce and Council of Economic Advisers.

This GNP estimate served as the basis for projecting anticipated Federal revenue in 1972, in line with the assumed growth of incomes. Projected revenues are augmented by scheduled increases in social security taxes, and reduced by the assumed expiration of the current 10 percent income tax surcharge and of excise taxes on telephone service and automobiles. The net result of these calculations is an estimate of Federal receipts in fiscal 1972 of $226 billion.

Next the various components of private demand were projected, allowing for the effect of tax payments on private incomes and assuming that the indicated GNP was in fact achieved. Specific allowances for the impact of the Housing Act of 1968 were incorporated into the projection of residential construction activity. Additional estimates were also made for anticipated State and local government expenditures.

Baseline Federal expenditures

A baseline level of Federal expenditures was then projected.

Defense

Baseline defense expenditures for fiscal 1972 are calculated on the assumption that non-Vietnam programs now funded or approved will be carried out on schedule with no stretchout or cancellation. No allowance is made for possible *new* defense programs. These baseline defense expenditures are consistent with the demobilization scenario outlined earlier. The estimate for defense purchases is $73 billion in fiscal 1972, compared to $80 billion in the second half of calendar 1968. The $7 billion decline is the result of the reduction in spending associated with Vietnam (which amounts to $19 billion at 1968 prices), offset in part by allowances for higher pay scales, some upcreep in prices paid for defense items, and program adjustments following the end of the war.

In constant prices, the baseline estimate for fiscal 1972 is nearly 20 percent below current *real* defense outlays. Compared with the pre-Vietnam average level of 1960–64, *real* baseline expenditures for fiscal year 1972 are roughly 15 percent higher. The calculations of cost increases are necessarily imprecise because the character of defense equipment and programs change markedly over time. After 1972, baseline defense expenditures would move up slowly, mainly to keep pace with rising costs.

Nondefense

Baseline Federal nondefense expenditures rise over time for several reasons. Some gradual increases must be expected in the prices of the things the Government buys, and the pay of civilian Government employees must be raised about in pace with wages and salaries elsewhere. More veterans become eligible for pensions; more Government employees qualify for retirement benefits; a growing population increases the workload of many Government agencies, such as the Post Office Department and the National Park Service; and so on. Social security benefits rise even with an unchanged benefit formula, as more persons become eligible for benefits and as the average past income of applicants rises. As a result, baseline nondefense expenditures will rise nearly $7 billion per year to reach $127 billion in fiscal 1972.

The peace-and-growth dividend

The peace-and-growth dividend may be defined as the additional total demand—over and above normal private demand and baseline Federal expenditures—needed to achieve the specified GNP target. Estimated total demand for goods and services—including that in the baseline Federal budget—adds up to $1,078 billion for fiscal 1972. The difference of $22 billion between the target GNP of $1,100 billion and estimated total demand is the peace-and-growth dividend. It represents the additional total demand that would have to be forthcoming to achieve the GNP target.

For the years following 1972, the annual peace-and-growth dividend may be expected to grow $7 or $8 billion a year, as annual Federal revenues expand by roughly $15 billion and baseline expenditures absorb about half of that growth.

The peace-and-growth dividend can be viewed in another way. Between now and fiscal 1972, the $19 billion decline in defense expenditures resulting from peace in combination with normal revenue growth provides sufficient Federal budgetary resources to cover built-in defense and nondefense commitments, to permit removal of the surcharge, and to allow for a further $22 billion addition to total demand through expansionary policy actions.

The peace-and-growth dividend is thus a rough measure of the resources available for expansionary action. A dollar of this dividend may be "used up" either by a dollar of increased Federal purchases or by a dollar of additional private purchases. The latter could be induced by a reduction in taxes, an increase in Federal transfer payments, or an easing of monetary policy.

An increase in transfer payments or a reduction in taxes of one dollar will generally not increase private spending by a full dollar; to the extent that these instruments are used, the total expansionary fiscal action can be somewhat greater than the peace-and-growth dividend.

The projections implicity assume certain monetary conditions and interest rates. The appropriate Federal Reserve policy may be either more restrictive or more stimulative than assumed, thus affecting fiscal policy requirements.

The appropriated budget deficit or surplus in any given year is determined by the fiscal action needed to support private demand in light of monetary conditions. The above calculations imply a $4 billion surplus (national income accounts basis) in fiscal 1972. Private demand may be either weaker or stronger than assumed, thereby calling for a different budgetary policy. If private demand is weaker, smaller surpluses (or possibly deficits) will be needed, and the peace-and-growth dividend in fiscal 1972 will be larger than $22 billion. Conversely, if private demand is stronger, larger surpluses will be needed and the dividend will be smaller.

Alternative uses of the dividend

The peace-and-growth dividend *must* be used in some fashion if the growth and employment targets are to be achieved. And it surely can be used productively by strengthening valuable Federal programs, enacting tax reduction, and easing monetary policy. Indeed, the problem will be to choose among many worthy alternatives.

There is no limit to the portion of the peace-and-growth dividend that could, in principle, take the form of a lighter tax burden on individuals and businesses. This use of the dividend would contribute effectively to achieving the growth and employment targets. Our national experience from 1962 to 1965 demonstrates the effectiveness of the stimulus from a markedly lightened Federal tax burden. But the use of the dividend to reduce Federal taxes must compete with compelling needs for strengthened and new public expenditure programs. The ultimate national decisions on priorities must focus on the allocation of the dividend between these two basic routes.

Some of the possible increases in Federal expenditures are spelled out below. Two areas of expenditure that would appear to have a significant claim are: increases in benefits needed to maintain standards under social security and related Federal programs, and the full funding of existing programs which are currently operating below authorized levels.

Maintain Standards Under Cash Benefit Programs

The baseline expenditure projections allow for growth in social security and other transfer benefits resulting from an increased *number* of recipients and an increase in the *lifetime earnings* of recipients under the present benefit formula. But they make no allowance for statutory liberalization of benefit formulas under Old Age and Survivor's Insurance, unemployment insurance, Federal retirement, railroad retirement, veterans benefits, and public assistance programs. If, in fact, there were no legislative liberalization, social insurance trust funds would accumulate a substantial surplus, while benefits would shrink in terms of purchasing power. A legislated increase of $4 billion by fiscal 1972 in these benefit formulas would ensure that benefits at least keep pace with assumed increases in the cost of living.

Full Funding of Existing Programs

Several Federal programs, particularly ones adopted recently, are operating below levels authorized by the Congress. To fund these programs fully, thus making appropriations match authorizations, would cost about $6 billion a year as distributed in Table 2. These programs are already making important contributions to the solution of major social and environmental problems, and increasing their appropriations to authorized levels would probably command high priority. Nevertheless, in establishing priorities, the relative value of each of these programs should be weighed against those of new or expanded programs and of tax reduction.

TABLE 2.—*Estimated gap between amounts currently authorized and funded*

[In billions of dollars per year]

Total full cost	6.0
Elementary and secondary education	2.0
Higher education	1.3
Housing and community development	.6
Water and air pollution control	.5
Crime control and prevention	.2
Area redevelopment	.5
Health training and research, etc	.4
Agricultural conservation and adjustment	.5

Source: Bureau of the Budget.

New Efforts in Civilian Programs

A variety of new efforts—entirely new programs or major expansions of existing civilian programs—are also eligible claimants for a share of the peace-and-growth dividend. A review of recent recommendations by task forces or study groups indicates the possible desirability of new domestic programs in the fields of education, health, job and manpower training, social insurance, welfare, urban development, crime prevention, air and water pollution control, natural resource development, transportation, space technology, and science.

Table 3 contains a list of programs that have been prominently and generally discussed recently as desirable to meet the needs of the Nation during the next several years. The table is presented for illustrative purposes only and does not indicate any program priorities. It sets forth quantitative estimates of the expenditures that might take place in each of these programs during fiscal 1972. In many instances, the dollar amounts shown in the table are considerably below the recommendations of recent task forces or study groups. By many standards, the list is incomplete and inadequate. Yet, it totals $40 billion—nearly double the entire estimated peace-and-growth dividend for that year. The clear lesson emerging from this table—and the reason for its inclusion in this report—is that some very difficult choices will have to be made.

New Defense Programs

Depending upon international developments affecting our national security and upon technological changes in weapon systems, added expenditures on new defense programs may be needed. If these are essential to our national security, they must be given a top priority claim on the peace-and-growth dividend. At the same time, it is clear that the possibilities for expansion in the defense area are virtually unlimited, and that utmost efficiency will continue to be needed in budgeting for defense. For illustrative purposes, the staff of the Department of Defense has assembled a package of $6½ billion (annual rate) of expenditures on new DOD programs which may come up for consideration in the next few years. The major elements in the package are expenditures of $2 billion for aircraft development and modernization in connection with major new programs, $0.8 billion for the construction of defense installations and family housing projects, $0.7 billion for shipbuilding and modernization of naval forces, and $2 billion for advanced strategic and general purpose weapon systems.

Major New Initiatives

The proposals listed in Table 3 essentially expand or build upon existing programs. More elaborate proposals have also been advanced as alternatives to this piecemeal approach.

A comprehensive income maintenance plan, such as the "negative income tax," has been widely discussed as a simple and equitable device to assist the poor. A negative income tax that succeeded in making major inroads on poverty while preserving work incentives might cost as much as $15 to $20 billion a year. Such a program would protect people against the ravages of poverty, but it would still need to be reinforced by efforts in housing, health, education, and job training aimed at the long-run sources and causes of poverty.

TABLE 3.—*Illustrative new programs or major expansions of existing Federal civilian programs, fiscal year 1972 (derived from proposals of task forces and study groups)*

[In millions of dollars]

Total expenditures	39.7
Education	7.0
Preschool	1.0
Elementary and secondary	2.5
Higher	3.0
Vocational	.5
Health	3.8
Kiddie-care	.5
Medicare for disabled	1.8
Comprehensive health centers	1.0
Hospital construction and modernization	.5
Nutrition	1.0
Community service programs	.8
Jobs and manpower	2.5
Public jobs	1.8
Manpower Development Training Act	.5
Employment service	.2
Social security and income support	9.5
Unemployment insurance	2.0
Public assistance	4.0
Social security improvements	3.5
Veterans	.3
Economic, area, and other special development programs	2.2
Entrepreneurial aid	.5
Area redevelopment	.5
Rural development	1.0
Indian assistance	.2
Crime, delinquency, and riots	1.0
Violence and riot prevention	.1
Safe streets programs	.3
Rehabilitation of offenders and delinquents	.3
Prevention of delinquency and crime by special measures for delinquency-prone youth	.3
Quality of environment	1.7
Air pollution prevention and control	.1
Public water supply construction programs	.3
Water pollution control and sewage treatment	1.0
Solid waste disposal	.1
Natural beautification, envrionmental protection, and recreational development	.2
Natural resource development and utilization	1.4
Land and forest conservation	.2
Water resources and related programs	.5
Mineral and energy (excluding hydroelectric) development	.2
Natural environmental development	.5
Urban development	5.5
New cities	.5
Land acquisition and financial planning (suburban)	.5
Urban mass transportation	.5
Model cities	2.0
Other urban facilities and renewal	2.0
Transportation	1.0
Airway and airport modernization	.4
Rapid interurban ground transit	.1
Modernization of merchant marine	.2
Motor vehicle and transportation safety research and safety grants	.3
Science and space exploration	1.0
Post-Apollo space program	.5
Scientific research in oceanography, communications, social and behavioral sciences, and natural sciences	.5
Foreign economic aid	1.0

NOTES

Education. The preschool program, an extension of Head Start, would provide full-time preschool education for about 500,000 children. The elementary and secondary education funds would about double the Federal support in that area. The funds proposed for higher education would more than double current Federal support. The vocational education funds would raise Federal support about halfway toward the recommendation of the 1968 Advisory Council on Vocational Education.

Health. The "kiddie-care" proposal would provide health care for needy mothers and infants. Medicare offered to beneficiaries of social security disability insurance on a contributory basis would potentially reach 2.2 million persons in 1972. About 350 additional comprehensive neighborhood health care centers a year could be established for the amount shown. The added funds for health facilities would enable the Federal Government to double the rate of output of such facilities, in line with estimates of national needs.

Nutrition. Nutritional supplements for needy pregnant women, nursing mothers, and small infants account for about $200 million, while the remainder would allow a doubling of existing food assistance programs.

Community service programs. This would provide for expanded daycare centers for children of needy working mothers and for expansion of coordinated services through neighborhood centers.

Jobs and manpower. The funds for jobs in the public sector would permit expansion of about 500,000 jobs to provide public service employment for the chronically disadvantaged; this program would reinforce expansion in education, health services, and urban and area redevelopment. The increase in MDTA training would support expansion of the JOBS program and would reinforce efforts to lower unemployment while improving the Nation's price performance. It would also provide trained manpower for construction. The growth in employment service operations envisions strengthening, decentralizing, and computerizing manpower activities; developing a rural manpower service; and enlarging services to the disadvantaged.

Social security and income support. The unemployment insurance funds would provide for higher benefits, extended benefits during recessions, and aid to the unemployed through retraining and mobility assistance. The public assistance funds could permit revision of benefit standards and extended coverage, or the adoption of a modest new program of income aid with objective standards. The added expenditure could fill as much as 40 percent of the current poverty income gap. Expansion of the WIN program would provide more job and training opportunities for welfare recipients. The social security expenditure could provide a higher minimum benefit for those dependent on social insurance benefits as the main source of income, and liberalization of eligibility requirements for disability insurance, as well as some general improvement in benefit levels.

Veterans. The higher priority recommendations made by the Veterans' Advisory Commission in March 1968 could be instituted with these funds.

Economic, area, and other special development programs. The entrepreneurial assistance program could help minority groups—so-called "black capitalism." Area redevelopment programs would assist growth centers in less populated areas, while rural redevelopment programs would concentrate on small communities, providing community facility development, special housing, and family farm assistance.

Crime, delinquency, and riots. Federal aid to State and local governments could be provided to help prevent violence and riots and permit a higher degree of Federal readiness to cope with such emergencies. The safe streets program funds would be used to work towards the objectives of the National Crime Commission with respect to strengthening the police and courts. Rehabilitation of offenders and delinquents would be pursued by intensive retraining and other services.

Quality of environment. Federal funds for pollution abatement may be required to enforce standards, investigate claims, or abate pollution caused by government or not readily attributable to particular private individuals. Assistance in expanding the Nation's water supply system would provide a small fraction of the $2.5 billion annual requirement over the next 10 years. Provision of more recreational areas near population centers would be made possible.

Natural resource development and utilization. Department of the Interior, Corps of Engineers, and Department of Agriculture programs relating to land, mineral, energy, forest, recreational, and other fields have large backlogs of useful projects, many already planned and authorized but held back for budgetary reasons.

Urban development. Metropolitan development assistance would support improved planning and coordinated advance land acquisition. Each of the programs emphasizes these requirements, whether in new communities, suburbs, or older central cities. The allowances represent only a fractional contribution to the reconstruction and development of the cities.

Transportation. Such expanded investments in the improvement of the principal elements of the Nation's transportation system would serve the objectives of economic development, safety, and national defense.

Science and space exploration. The allowances would permit the science and space agenices to fund some of the research opportunities not covered in the stringent budgets of recent years.

Foreign economic aid. This additional amount would help to meet growth targets in Southeast Asia and under the Alliance for Progress as well as to cover other aid requirements. Even this increase would leave our foreign assistance program below levels of a few years back.

Source: Bureau of the Budget.

An alternative major program initiative would provide guaranteed employment opportunities for persons willing and able to work but unable to find jobs. Depending on eligibility criteria and the techniques of implementation, such a program might cost $2 to $10 billion a year.

Another area of mounting public concern is the financial pressure on State and local governments. As a means of reducing the relative importance of the more onerous State and local taxes, the Federal Government might adopt some general scheme of revenue sharing—such as a return of some personal tax revenues to the States (or localities) or a Federal tax credit for State income taxes. Some suggested plans would cost $5 to $10 billion a year. A specific but more limited proposal along these lines would be the establishment of a trust fund to finance a generalized Model Cities program.

Another major proposal that has much support is the establishment of an Urban Development Bank, which would raise its funds in the private capital market. This institution would lend to State and local governments at reduced cost, thereby relieving the pressure on the market for tax-exempt securities. It would place only a minimal burden on the Federal budget since the interest subsidies would be offset, at least in part, by increased Treasury receipts from reduced use of the tax exemption. But the charge against national resources—and therefore against the peace-and-growth dividend—would be substantial, depending upon the extent to which the Bank finances projects that would not otherwise have been undertaken.

There have also been proposals for replacing the present military draft with a more equitable and efficient method of obtaining the manpower needed for national defense. One such proposal, which might cost $5 to $10 billion a year, would be the adoption of a fully volunteer army. Another would be the establishment of a National Service Corps, in which every young person would be expected to give at least 2 years of service to the Nation either as a member of the Armed Forces or in a civilian assignment that would contribute to the solution of important national problems.

Conclusion

The problems of poverty, human resource development, and the pressing need to improve our physical environment will impose very heavy demands on the Federal budget in the years ahead. The end of the struggle in Vietnam, together with increased tax revenues resulting from economic growth, will make a sizable volume of real resources available to deal with these problems. But, for years and years ahead, the peace-and-growth dividend is dwarfed by the magnitude of the needs. Difficult choices must be made—choices between increased expenditures and tax reductions, between defense spending and nondefense programs, and among competing civilian programs. The above calculations allow for tax reduction from present rate levels through the expiration of the 10 percent surcharge and certain excise taxes. These funds would permit the private sector to engage in extra private consumption or investment above the normal growth of private demand. But in view of the vast and urgent needs for services that can best be supplied through the public sector, we would not recommend further large-scale Federal tax reductions in the years immediately following the end of Vietnam hostilities.

POLICIES TO ASSIST PARTICULAR COMMUNITIES AND INDIVIDUALS

Demobilization will require some shifts in employment patterns—from the Armed Forces to civilian jobs, from defense industries to those producing civilian goods and services, and from one community or area to another. Shifts in the composition of activity will not be new or unusual. They are a regular feature of the highly mobile and dynamic U.S. economy. As technology and the pattern of demand evolve, the free choices of businesses, workers, and consumers operate through markets to shift resources among industries and geographic areas. These movements are largely self-adjusting and do not usually pose major problems either to workers or communities. When support is needed, various Federal agencies stand ready to assist through community development activities, job information and manpower training. The Office of Economic Adjustment in the Department of Defense has been dealing since 1961 with the specific economic impact associated with closings of defense installations and other major changes in military outlays.

The experience of these activities provides a guide for policies to assist in the adjustment problems of those communities and individuals likely to be severely affected by demobilization. Measures to assist in specific adjustments can complement fiscal-monetary policy in producing a smooth, non-inflationary transition.

The magnitude of the readjustment

Under the particularly rapid demobilization scenario assumed above, an estimated 600,000 persons would be added to the private labor force during the six quarters following the truce. In addition, as many as 750,000 civilian employees could be required to shift jobs as defense purchases from private businesses decline. Altogether, an additional 1.3 million workers may seek new civilian employment over a period of six quarters—an average of about 75,000 job shifts a month over and above those normally taking place. The shifts would be unevenly spaced during the period and might exceed 100,000 in some months.

This is a significant—but not enormous—addition to the normal amount of job shifting. To provide perspective, in 1966–67 the average number of layoffs per month in manufacturing alone was about 250,000, and voluntary separations averaged about 470,000 a month, while manufacturing workers were hired at an average monthly rate of 730,000 in 1966 and 640,000 in 1967. While no comparable data exist for nonmanufacturing sectors, layoffs and hirings for the total economy must be far larger.

The figures indicate the dynamism and the normal adaptations of the labor market. While specific problems of dislocation in certain areas will occur, the figures do indicate that the magnitude of the demobilization problem should be manageable if fiscal-monetary policies ensure that overall demand remains strong.

Particular measures to facilitate the structural transitions of demobilization should include community redevelopment assistance, homeowner assistance, and, most importantly, the strengthening of job placement and job training. Efficient planning and implementation of these measures will require the establishment of a coordinating committee.

Readjustment operations committee

A Readjustment Operations Committee should be established in the near future to assume responsibility for detailed planning of Federal readjustment assistance and to work closely with State and local authorities. The Committee should include the Secretaries of Defense, Commerce, and Labor; the Director of the Bureau of the Budget; the Chairman of the Council of Economic Advisers; and the Director of the Office of Emergency Preparedness.

Prior to demobilization, the Committee should be responsible for:

1. Planning for demobilization, including frequent updating of the estimated expenditures required for adjustment assistance,

2. Undertaking and supporting research on characteristics of individual communities likely to require special readjustment assistance and in particular developing a system of "early warning,"

3. Providing technical advice and information for State and local government demobilization planning authorities, and

4. Coordinating an inventory by the Departments of Defense, Commerce, and Labor of the skills and training of defense industry workers and armed services personnel, and of the skill requirements of potential sources of employment in defense-dependent areas.

During the demobilization period, the Readjustment Operations Committee should be responsible for: (1) Coordinating Federal assistance programs to communities and individuals with severe readjustment problems, (2) Identifying areas experiencing, or likely to experience, high unemployment during demobilization, through advance notification by the Department of Defense of impending contract cancellations and military base closings, and through a careful monitoring of economic developments in key areas by the Departments of Labor and Commerce, and (3) Determining, in cooperation with State and local governments, the appropriate size and mix of Federal assistance programs, and recommending specific programs and budget allocations for dealing with the problems of severely disrupted areas.

Funding readjustment programs

The activities to assist a smooth transition will rely mainly on existing programs designed to aid communities faced with structural adjustments or to help workers gain new skills. How much these programs must be expanded will depend upon many factors which cannot be estimated precisely, but the approximate initial size of the programs is shown in Table 4.

TABLE 4.—ESTIMATED 1ST-YEAR COST OF READJUSTMENT PROGRAMS

[Millions of dollars]

Program	Estimated 1st-year cost	
	Low	High
Total cost	120	288
EDA community development assistance	20	50
SBA loans	5	10
HUD homeowner emergency loans	1	3
MDTA training	53	140
Employment service	7	20
Relocation assistance	4	15
Veterans assistance	30	50

Note.—Abbreviations used in this table represent the following: EDA (Economic Development Administration), SBA (Small Business Administration), HUD (Department of Housing and Urban Development), and MDTA (Manpower Development and Training Act).

Source: Bureau of the Budget.

Once hostilities cease or prospects for demobilization appear, supplemental appropriations for readjustment purposes should be sought promptly. All expenditures from special appropriations should be coordinated by the Readjustment Opreations Committee.

When demobilization plans are definitely known, more exact program expenditures should be determined by the Readjustment Operations Committee. Initial appropriations should be at the low end of the estimated range with the understanding that additional funds may be needed. These program supplements should be reserved for uses directly related to the post-Vietnam transition. In addition, funds should be requested to provide returning servicemen with veterans benefits under existing programs and to assist State unemployment insurance programs in cases of high localized unemployment.

Even before demobilization, important permanent improvements should be made in some existing institutions to make them more effective both in the transition to peace and in the long run. The Unemployment Insurance program should be strengthened by increasing coverage, raising benefits, lengthening the possible duration of payments, and improving the financial base of the system.

And minimum standards of vesting of private pension plans should be established, so that as the economy shifts to a peacetime footing, workers can change jobs without losing their benefits.

Assisting defense-dependent areas

One major measure to be coordinated by the Readjustment Operations Committee is Federal assistance for communities that will experience a major decline in employment opportunities due to the closing or curtailment of a defense plant or military base. The possible scope of this task is suggested by the growth in defense employment during the buildup for Vietnam. From 1965 to 1967, 38 local areas experienced increases in defense employment exceeding 5 percent of their total work force. A few of these localities are moderately large metropolitan areas, but some are predominantly rural counties with no urban center exceeding 12,000 population; these rural areas may be especially vulnerable to defense cutbacks during demobilization.

The Federal Government can assist severely affected communities with redevelopment potential to reorient their economies through programs of the Economic Development Administration and the Small Business Administration. Initial-year funds required for these specific purposes might range from $20 to $50 million for the Economic Development Administration and from $5 to $10 million for the Small Business Administration.

These agencies would help defense-dependent communities modernize public facilities, develop industrial sites, convert defense installations to other uses, and otherwise make themselves attractive to new industry.

Assisting displaced individuals

While most of the individuals who lose defense jobs or who are released from military service will be readily employable, some will not possess the required skills, while others will be geographically isolated from job opportunities. Federal programs should be undertaken to ease the impact of demobilization upon the most seriously affected individuals.

Strengthening the Federal Employment Service

Demobilization will greatly enlarge demands on the resources of the Federal-State Employment Service. Prior to demobilization, plans should be made for expanding the staff of the Employment Services offices: to ensure their capacity for handling veterans and laid-off defense workers, to improve the flow of information about job opportunities outside the local labor market, and to station staff temporarily at locations convenient to military personnel about to be discharged. The employment Service may require $7 to $20 million in the first year to provide these activities.

Expanding Manpower Training

Some individuals dislocated from defense employment will need retraining. The preliminary estimate is that $53 million will be needed to prepare about 26,000 servicemen for civilian employment through Project Transition and to train about 20,000 enrollees in other MDTA programs. Further appropriations of up to $140 million may be required for the two programs.

Providing Relocation Assistance

A relocation assistance fund should be established to help low-and middle-income workers move out of defense-dependent communities with inadequate reemployment opportunities. The programs should be administered by the Department of Labor, which should develop general policy on relocation assistance—including eligibility criteria—in cooperation with the Readjustment Operations Committee. The program should provide full grant assistance for workers taking low-income jobs, and a mix of loans and grants for those obtaining higher paying jobs.

Relocation assistance should be available only to individuals directly affected by cutbacks in specified defense-dependent communities. The number assisted could range between 10,000 and 30,000 families, requiring expenditures between $4 and $15 million.

Funding Veterans Assistance

Current programs available to veterans are generally adequate to cover the needs of returning servicemen; however, the accelerated separations associated with demobilization will require additional appropriations for these programs—especially employment consultation services and the educational assistance program. Adequate financing of veterans programs may cost $30 to $50 million a year during demobilization.

Providing Homeowner Assistance

The Federal Government should undertake to prevent a widespread loss of homes in areas suffering temporary unemployment during demobilization. The Department of Housing and Urban Development should establish a program to encourage private lenders to declare moratoria on mortgage payments on homes owned and occupied by individuals dislocated by a defense cutback. When an extension of mortgage payments cannot be obtained, the Department of Housing and Urban Development should be authorized to lend the homeowner funds at a reasonable interest rate to cover mortgage payments. Expenditures of about $2 million should be ample for this program.

GENERAL LEAVE TO EXTEND

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PROPOSED AMENDMENT TO ADMINISTRATIVE PROCEDURE ACT

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. FEIGHAN) is recognized for 20 minutes.

Mr. FEIGHAN. Mr. Speaker, I have introduced a bill—H.R. 1776—to amend the Administrative Procedure Act in order to fill a long-neglected void and greatly to improve the rulemaking process of Government agencies.

Fundamental to wise administrative rulemaking is the provision of an opportunity for the participation therein of persons whose interests may be affected.

This was recognized as a basic precept of the Administrative Procedure Act from the very inception of that seminal, vital legislation. Accordingly that act provides, in section 553, that Government agencies must give public notice of a proposed rule and afford an opportunity to interested persons to participate in the rulemaking process by submitting information and argument concerning the proposed rule. Such persons also are guaranteed the right to petition for the adoption, amendment, or repeal of rules.

Pursuant to that provision organized consumers, and business, commercial, and professional interests of our Nation have been able aggressively to participate in rulemaking. Through their own staffs or through attorneys or lobbyists retained for the purpose they are able systematically to scan the Federal Register for notices of proposed rules that may affect their interests and to present to Government agencies information and argument essential to wise government. The opportunity thus afforded these great interests is our most effective protection against arbitrary dictatorship by uninformed administrative agencies in our increasingly complex Government.

Yet, much rulemaking of our Federal departments, officials, and agencies has a direct impact on persons—notably the indigent—who are quite unable to maintain staffs or to retain lawyers or lobbyists to protect their interests.

For those masses there is no voice in the rulemaking process. For such rulemaking the basic precept of the Administrative Procedure Act has never been carried out.

That is the void that must be filled.

For those voiceless masses—the poor, the deprived, the underprivileged—a voice must be provided. Until that is done, the Administrative Procedure Act is but an imperfect guarantee of liberty. It protects only the strong.

There are numerous agencies whose actions directly affect the rights of the less fortunate members of our society. The Department of Health, Education, and Welfare promulgates regulations pertaining to the administration of public assistance programs. Regulations are myriad in this area and of critical interest to the poor. Included in the public assistance programs are aid to families with dependent children, old age assistance, aid to the totally and permanently disabled, and aid to the blind. There have been several recent examples of the Department issuing rules which vitally affect the indigent. For example, the Department has issued regulations pertaining to the use of declaration forms during the application process for public assistance, pertaining to the assistance of counsel at hearings including the suspension or termination of grants or the denial of an application, and pertaining to the provision of continued assistance during such time as a hearing before the State agency is pending. Last summer, HEW adopted a regulation prohibiting all States from including in their State plans certain types of "man-in-the-house" rules. This regulation was the result of the Supreme Court's ruling in King against Smith. Further, HEW has issued many regulations under the 1967 amendments to the Social Security Act, particularly with regard to the compulsory work program for public assistance recipients which was prescribed by Congress for mothers receiving benefits under the aid to families with dependent children.

Moreover, HEW is charged with the responsibility of promulgating regulations relating to the administration of the social security program, the medicare program, and the medicaid program. Finally, HEW produces school desegregation guidelines and rules for the administration of educational programs in special impact areas where the schools are in whole or in substantial part federally funded.

All of these programs are of critical interest to the poor; yet there is no one who is able to spend adequate time scrutinizing the numerous regulations which have been promulgated with respect to such programs.

Congress established a compulsory work-referral program for categorical assistance recipients in the 1967 amendments to the Social Security Act. The Department of Labor is presently in the process of preparing an elaborate set of regulations dealing with the implementation of this compulsory program. A number of issues critical to poor people are involved in these regulations. There are questions such as to what extent the Department of Labor will prescribe suitable standards for the types of jobs to which individuals are referred, to what extent the Department of Labor will establish satisfactory standards for hearings to determine whether a recipient has refused to accept employment for good cause, and to what extent the Department will establish satisfactory standards for the definition of good cause—refusal to accept a job. An advocate for the poor should be involved deeply in the regulations that have already been suggested in draft form.

The Department of Labor is responsible for adopting guidelines for the enforcement and coverage of the Fair Labor Standards Act, including compliance with Federal minimum wage requirements and overtime requirements. Labor also is responsible for adopting policies with respect to the Manpower Development and Training Act programs which have been funded in virtually every State of the Union for the training of the chronically unemployed.

Recently, the Department of Transportation proposed regulations relating to affording hearings to communities affected by design and location of federally-financed highways. These regulations providing hearings to individuals and groups affected by Federal highway construction, have been opposed by States, construction interests, and certain planners. Few spoke for the interests of the poor at the hearings on the proposed regulations held by the Department of Transportation. However, the neighborhood legal services program in Washington, D.C., made an attempt to protect the interests of the poor, even though they actually lacked the needed time and manpower to fully analyze the proposed regulations. They did prepare an exceedingly impressive letter to Lowell Bridwell, Federal Highway Administration of the Department of Transportation concerning the regulations. A representative of Neighborhood Legal Services also testified at the hearings on the regulations. I consider this an excellent example of the high quality effort on the part of legal aid that commonly could be expected as a result of enactment of H.R. 1776. Unfortunately, the limited budget and exceedingly busy workload do not permit participation in rulemaking on a regular basis.

The Department of Housing and Urban Development administers several programs that affect the poor. HUD establishes model cities standards, Federal Housing Act interpretations and rulings with regard to federally funded public housing across the country, and standards for designation of urban renewal areas, including policies relating to displacement of the poor from urban renewal areas. HUD is charged with administering section 221(d)(3) and rent supplement housing programs. These programs are designed to increase the supply of low-income housing which are purchased through federally insured mortgages of below market rate interest or to subsidize individuals who would be paying more than 25 percent of their income for rent. They have allegedly been stymied in their implementation by purportedly unrealistic criteria imposed by HUD as to "financial responsibility." Of a similar nature, Small Business Administration practices and regulations relating to loans to small businesses in marginal or ghetto communities could be analyzed by an advocate for the poor.

The Department of Agriculture promulgates regulations pertaining to the food stamp programs, and school lunch programs. Their rules have been the subject of criticism by advocates of the poor who allege that certain indexes for the price of food stamps in many rural areas seem unrelated to the family's average expenditures for food. Thus, the poor contend that many families cannot participate in the food stamp program because the price of food stamps is too high and exceeds what they would normally spend for food. Recent liberalizations of the rules have been made but it is necessary for a poor people's advocate to amass considerable empirical evidence to persuade the Department that its standards are still too rigid. Barely explored have been Department of Agriculture policies which affect sharecroppers and small farmers in the South. It has been asserted that Agriculture stabilization boards which at the local level perform Federal regulatory functions relating to the purchase of surplus commodities in Southern States are dominated by planter interests or by officials sympathetic to such interests. The plight of the impoverished small farmer in the South and his relation to Department of Agriculture policy concerning low interest loans to farmers' cooperatives and crop acreage limitations has barely been broadened.

The Office of Economic Opportunity formulates regulations relating to the eligibility for OEO funded programs and activities of community action program employees. OEO recently, for example, extended coverage of the Hatch Act to community action program employees. OEO has made significant changes with regard to the eligibility of program beneficiaries.

The Bureau of Indian Affairs engages in rulemaking which affects the American Indian—a group falling primarily within the range of the Nation's poor.

The Civil Service Commission is charged with a number of functions involving the poor. For instance, it is charged with developing flexible job descriptions in the civil service grades 1, 2, and 3, so that high school dropouts and other long-term or chronic unemployed might be able to perform useful tasks.

This list is not all inclusive, but it serves to show the variety of areas in which rules and decisions are commonly made by administrative agencies without participation of the poor—rules and decisions which directly affect their lives. I believe it is imperative that the indigent be given a voice in protecting their interest.

Accordingly the bill I have introduced, H.R. 1776, would amend the rulemaking section of the Administrative Procedure Act by directing the Attorney General to enter into contracts with, or to make grants subject to appropriate conditions to, the National Legal Aid and Defender Association—or such similar bodies as he may find appropriate from time to time—whereby such an organization with Federal funding to provide for the necessary staff and facilities, may participate in rulemaking on behalf of the poor in a way approximating the participation enjoyed by the great business and other organized interests of our society. Those interests, through their trade associations, their Washington offices, and otherwise, are, in very truth, a part of Government. And so they should be in a democracy. The time has come to assure that the poor man also becomes a part of Government.

In selecting the NLADA for special mention in my bill without excluding the possibility that the Attorney General might select other bodies also to supplement the NLADA's efforts—I have been mindful of the established position of that organization in our national life. For a half century it has been diligent in protecting the rights of the poor. In the face, often, of great adversity it has remained true to its mission. The NLADA includes virtually all legal aid groups, which are traditionally controlled on a local level by a board of trustees composed of attorneys who are members of the local bar association and of local law firms. The NLADA's close ties with national organizations of the bar and its cordial support from many segments of our people give assurance that it can be depended on to assume this additional role with the distinction and the vigor that have characterized so notably its great service to the poor of our Nation for many decades in the past.

I have considered, before introducing this bill, whether it is not possible to depend upon private contributions to provide the requisite funds to the National Legal Aid and Defender Association. But that simply is not feasible. Commendably, private contributions from the bar and from corporate business pay for the present activities of the NLADA in its great legal aid work throughout the Nation. But increasingly the demands for legal aid strain its resources. Never could it secure the means, save from government itself, to carry out the vital function that it would have to serve in order to fill the void in our rulemaking process.

I have considered also the possibility that the void might be filled by some Government office. But no Government agency can provide the aggressive advocacy that is needed. What is needed are the initiative and the independence of a private body, dedicated solely to the interests of the poor. No Government bureau can do the job as efficiently and with the freedom that is essential to courageous, persistent, singleminded devotion to the interests of the poor.

As a full-time employee of the U.S. Government, an agency is likely to become a captive of the bureaucracy, out of touch with the poor, docile, and ineffective.

Moreover, a basic precept of the American legal tradition is the adversary system. Certainly, it would be difficult for one branch of the Federal Establishment to vehemently assert itself against another branch.

The poor people would unquestionably lack sufficient confidence in a representative which is a part of the Government when these people are opposed to action by that very Government. The validity of this statement is particularly evident in the more militant segments of the society. The poor have traditionally had a basic distrust of the Government.

Finally, a Government agency would lack the freedom to innovate and experiment. This has been a constant problem with new programs.

The Administrative Conference of the United States, an independent Federal agency established in 1964 to develop improvements in the Federal administrative process, recently has recommended that a People's Counsel be authorized by statute as a quasi-private corporation modeled after the Public Broadcasting Corporation.

Such an organization would be slightly less objectionable than a Government agency; however, the preceding criticism would still be applicable.

The major advantage of the NLADA approach is its natural broad base for information gathering. Legal aid societies are abundant in each region of the country. They are members of the NLADA. Attorneys, social workers, and community workers employed by the various legal aid societies deal with the problems of the poor daily. It would be an easy matter for these individuals to relay the information to NLADA. Moreover, the local legal aid groups could supply the central office with additional information such as a weakness in Federal enforcement policy or violation of Federal standards in a local jurisdiction.

To establish a vast network for gathering the information requisite for adequately representing the poor, a Peoples' Counsel Corporation would be forced to set up subsidiary offices throughout the country in addition to a central office in Washington. NLADA already has this network. Moreover, NLADA member organiations have the staffs with expertise in the problems of the poor.

Legal aid societies frequently have law reform divisions. Information is funneled from the neighborhood attorneys, social workers, and community workers to the law reform staff. The law reform section eventually makes recommendations to cities, State legislatures, and the U.S. Congress on changes they deem are necessary in the law.

Enactment of H.R. 1776 would merely result in the enlargement of the law reform function presently conducted by the various legal aid groups on a local level. When a proposed rule appeared in the Federal Register, for instance, NLADA would elicit information from member legal aid programs. They, in turn, would contact the staff attorneys and other staff members who work with the poor directly.

It is also logical for the NLADA to represent the poor since, on a local level, generalized knowledge of the interest of the poor can best be determined from an evaluation of a great number of individual cases and problems. This is the inductive method of logic which is commonly recognized by science as the most desirable method of arriving at valid general propositions. The member organizations of NLADA function primarily on an ad hoc individual problem basis. Through the wide exposure of member groups in every poverty area of the country, in contact with local poverty groups NLADA is in a position to establish a general principle concerning the interest of the poor.

In permitting NLADA to represent the poor, one need not even discuss the question of whether it would be closely tied to and identified with the problems of the poor. NLADA has proven itself to be so already. Member organizations are well respected. The typical urban legal services program has contact with thousands of prospective clients each year. Local poverty area residents trust and depend on legal aid societies. Neighborhood offices established in poverty areas have become integral parts of the local community.

For these many reasons, I do not feel a Government or a quasi-private organization could represent the poor as adequately as the NLADA. NLADA and its member organizations already have the necessary diversified structure, a staff with great experience and expertise in the problems of the poor, the confidence of all segments of local communities, a proven ability to protect the poor, and a mechanism for gathering appropriate information reflecting all significant views. Consequently, I must conclude H.R. 1776 is the desired approach. It would indeed be an unfortunate occurrence if another bureaucracy were established to perform this vital function.

To some it might seem that my proposal is novel, even revolutionary. There are, I confess, elements in it of the revolutionary. It is as revolutionary as the spirit of '76.

Our Revolution of '76 was the product of attempted government without the participation of those whose interests were affected. It was an ill-advised King of England and a smug Parliament composed of the landed gentry and the rich merchants of Britain who sought to arrogate to themselves the right to tax the Colonies without affording those Colonies a voice in the decision. Their arrogance fired revolution from the yeomanry of Massachusetts to the planters of South Carolina. And our Nation was born.

May the fiery spirit of '76 never flag in our land. And may we who govern never be guilty of the blindness of those in London who sought to impose big brotherism in the Colonies.

The poor people came to Washington to make it clear that that spirit still inspires. When all is said, the essence of the poor peoples' campaign has been the simple assertion that they, the poor, will be heard in the councils of government. They, no less than the National Manufacturers Association, will play a part in the Government.

And they have the right to be heard.

But that right can be realized only if we heed, and provide the means and machinery to make their participation possible.

It was want of means and machinery that led Sam Adams and the people of Boston to take to the streets in the years before 1776 until Revolution came. Surely, we who inherit the blessings of that Revolution, have the wisdom to provide for the poor man's right to participate in the rulemaking of his Government today. Surely we have the wisdom, lacking in an indifferent British King and a shortsighted British Parliament, to understand that there is a better way than to compel people to take to the streets to voice their aspirations for a better life.

My bill would provide the better way.

FIGURES PROVE CONGRESS HAS BEEN GENEROUS WITH TAXPAYERS' MONEY

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. MICHEL) is recognized for 30 minutes.

Mr. MICHEL. Mr. Speaker, it is fashionable in some quarters to depict Congressmen as pinchpennies, skinflints, misers, scrooges, and tightwads, no matter how much money we authorize or appropriate for governmental programs. Whenever it is suggested that we show a bit of fiscal restraint and display a little financial responsibility, the cries of anguish from the ranks of the spenders would bring tears to the eyes of the stoniest-hearted nickel-nurser in all the land.

This afternoon I want to answer the people who have accused us of being parsimonious and callous. I have some interesting statistics that I am going to insert in the RECORD where all my colleagues can see them. These figures prove that we have been mighty generous with the taxpayers' money.

I have carefully studied the budget that President Johnson submitted shortly before he left office and find that the Federal Government is spending over $5 billion annually on education alone, not counting programs that the Veterans' Administration operates for the benefit of former servicemen.

These programs cover just about every conceivable type of education—prekindergarten, kindergarten, elementary, secondary, college and university, and postgraduate. They include, among other things, vocational education, bilingual education, cooperative education, public service education, consumer and homemaking education, adult education, and teacher education.

They provide funds for construction, remodeling, maintenance and operation, college housing, equipment, libraries, administration, planning, evaluation, guidance and counseling, testing, statistical surveys, scholarships and fellowships, research, curriculum development, educational broadcasting facilities, films, teacher recruitment, and interest payments.

Mr. Speaker, I am sure that a great deal of duplication and overlapping can be found in this field. If we are going to balance the budget for fiscal 1970, we must weed out such duplication and overlapping and save as many millions as possible. I am confident that substantial amounts can be saved without depriving anyone of the needed education.

The tabulation follows:

[In thousands]

	1968 actual	1969 estimate	1970 estimate
Department of Health, Education, and Welfare:			
Office of Education:			
Elementary and secondary education:			
Educationally deprived children	$1,186,873	$1,123,127	$1,226,000
Dropout prevention		5,000	24,000
Bilingual education		7,500	10,000
Supplementary educational services	182,810	164,876	172,876
Library resources	99,085	50,000	42,000
Guidance, counseling, and testing	24,460	17,000	12,000
Equipment and minor remodeling	77,883	78,740	
Strengthening State departments of education	29,457	29,750	29,750
Planning and evaluation			9,250
Total obligations	1,600,568	1,475,993	1,525,876
Higher education:			
Program assistance:			
Strengthening developing institutions	30,000	30,000	35,000
Colleges of agriculture and mechanic arts	11,950	19,191	12,120
Undergraduate instructional equipment and other resources	14,444	14,500	
Institutional sharing of resources			750
Improvement of graduate schools			750
Construction:			
Public community colleges and technical institutes	70,502	83,000	43,000
Other undergraduate facilities	203,478	133,464	87,000
Graduate facilities	33,000	25,577	20,000
Interest subsidization		3,920	10,670
State administration and planning	5,958	7,000	6,000
Administration	4,321	4,833	5,100
Student aid:			
Educational opportunity grants	131,413	133,787	175,600
Direct loans	181,772	193,400	161,900
Insured loans	39,924	71,200	111,187
Work-study programs	133,750	146,050	154,000
Cooperative education			1,000
Special programs for disadvantaged students	35,435	33,800	45,000
Personnel development:			
College teacher fellowships	86,275	70,000	61,469
Training programs	2,500	6,900	10,000
Public service education			3,000
Planning and evaluation			1,000
Total obligations	984,742	976,622	944,546
School assistance in federally affected areas:			
Maintenance and operation	486,355	505,900	300,000
Construction	15,660	74,051	15,167
Evaluation		200	
Total obligations	502,105	580,151	315,167
Vocational education:			
Basic grants	234,082	234,216	234,216
Consumer and homemaking education	14,000	14,000	15,000
Work study	9,998		
Cooperative education			14,000
Innovation			13,000
Curriculum development			2,000
Planning and evaluation			1,000
Total obligations	258,080	248,216	279,216
Libraries and community services:			
Library services	40,073	40,709	40,709
Construction of public libraries	26,997	24,099	9,185
College library resources	24,509	25,000	25,000
Acquisition and cataloging by Library of Congress	5,478	5,500	7,356
Librarian training	8,016	8,250	8,250
University community services	9,755	9,500	9,500
Adult basic education	38,634	45,000	50,000
Educational broadcasting facilities		4,184	5,625
Total obligations	153,462	162,242	155,625
Education professions development:			
Preschool, elementary, and secondary:			
Grants to States		15,000	15,000
Training programs	72,274	80,000	89,500
Encouragement of educational careers			500
Total obligations	72,275	95,000	105,000
Research and training:			
Research and development	73,565	74.976	68,800
Major demonstrations		1,000	5,250
Dissemination	2,846	4,226	7,200
Training	6,164	6,750	6,750
Construction	624	29,581	585
Statistical surveys	314	500	2,000
Total obligations	83,513	117,033	90,585
Department of Health, Education, and Welfare—Continued			
Office of Education—Continued			
Education for the handicapped:			
Preschool and school programs	$14,250	$29,250	$29,250
Early childhood programs		945	3,000
Teacher education and recruitment	24,320	30,250	30,500
Research and innovation	10,794	14,600	18,350
Media services and captioned films	2,796	4,750	4,750
Total obligations	52,160	79,795	85,850
Teacher Corps: Operations and training, total obligations	13,377	20,900	31,100
Education in foreign languages and world affairs:			
Centers, fellowships, and research	15,307	15,165	15,000
Fulbright-Hays training grants	2,706	3,000	3,000
International Education Act			2,000
Total obligations	18,013	18,165	20,000
Student loan insurance fund:			
Operating costs, funded: Loss on insured loans	11	1,656	12,730
Capital outlay, funded: Student loans purchased upon default by student borrowers	2	292	2,458
Change in selected resources			1,200
Total obligations	13	1,948	16,388
Civil rights education:			
Training for school personnel and grants to school boards	8,464	9,250	11,900
Technical services and administration	1,404	1,547	1,850
Total obligations	9,868	10,797	13,750
Higher educational facilities loan fund payment of participation sales insufficiencies:			
Commission on sales of participation certificates	181	48	
Interest on participation certificates	7,281	11,291	11,081
Interest expense to Treasury			645
Administrative expenses	6	5	5
Change in selected resources	39	−2	−2
Higher education construction: Loans to higher education institutions	65,244	78,861	77,963
Change in selected resources	81,187	−73,861	−77,963
Adjustment in selected resources (loan obligations)	1,198		
Total obligations	155,136	16,342	11,729
Promotion of Vocational Education Act, Feb. 23, 1917: Grants to States, total obligations	7,161	7,161	7,161
Research and training (special foreign currency program):			
Institutional development grants for training, research, and study	94	808	4,000
Research in foreign education	80	231	
Total program costs, funded—obligations (dollar equivalent)	174	1,039	4,000
Colleges for agriculture and the mechanic arts: Grants to States, total obligations	2,550	2,600	2,600
Salaries and expenses:			
Executive direction and administration	9,787	10,200	11,251
National Center for Educational Statistics	2,570	2,395	2,580
Elementary and secondary education	6,526	6,434	6,949
Adult, vocational, and library programs	3,841	4,833	4,916
Higher education	4,767	7,545	7,686
Research	3,959	3,932	3,990
Education of handicapped	1,273	2,094	2,342
Educational personnel development	2,417	3,371	3,661
Total obligations	35,140	40,804	43,375
Advances and reimbursements:			
College housing loan program (Housing and Urban Development)	25	26	26
Academic financial status of graduate students (National Science Foundation)	25		
Ryukyuan projects (Defense)	33	165	200
School shelter advisory services (Defense)	185	119	
Civil defense adult education (Defense)	4,137	3,000	3,000
Survey of research activities (National Science Foundation)	175		
Menominee Indians (Health Services and Mental Health Administration)	150	150	150
Followthrough program (Office of Economic Opportunity)	14,972		
Educational and information service research (National Science Foundation)	45		

[In thousands]

	1968 actual	1969 estimate	1970 estimate
Department of Health, Education, and Welfare—Continued			
Advances and reimbursements—Continued			
Neighborhood youth development:			
Public Health Service	$30		
Social Rehabilitation Service	30		
Office of Economic Opportunity	200		
Labor	250		
Children's television workshop:			
Office of Economic Opportunity	50	$300	$300
Public Health Service	15		
Medical care training (Public Health Service)	40		
Forest technology (Agriculture)	5		
Water and wastewater technology (Interior)	8		
Adolescent environments (Labor)	17		
Early childhood development (Office of Economic Opportunity)	175		
Consultative services to non-Federal agencies	140	150	150
Miscellaneous services to other agencies:			
Agency for International Development	1,520	1,935	1,935
Other	14	13	13
Total obligations	22,241	5,858	5,774
Social and Rehabilitation Service: Assistance to refugees in the United States: Education, total obligations	17,813	19,090	20,261
Special institutions:			
Howard University:			
Salaries and expenses:			
General administration	2,891	3,082	3,188
Resident instruction and departmental research	14,596	17,036	18,927
Organized research	3,161	4,000	4,000
University libraries	872	1,178	1,188
Operation and maintenance of physical plant	3,211	2,685	2,892
Auxiliary enterprises	3,133	2,973	2,973
Student aid	2,122	2,198	2,198
Construction:			
Site planning and development	636	337	20
Buildings		9,664	29,870
Total obligations	30,622	45,153	65,256
National Technical Institute for the Deaf:			
Salaries and expenses:			
Operations	376	1,520	3,170
Departmental administration	45	38	38
Construction:			
Planning, land acquisition, and site development		740	1,109
Construction of buildings			13,881
Total obligations	421	2,298	18,198
Gallaudet College:			
Salaries and expenses:			
General administration	900	1,071	1,202
Resident instruction and departmental research:			
Gallaudet College	1,487	1,863	2,130
Kendall School	308	397	545
Organized research	110	143	204
General library	168	194	203
Operation and maintenance of physical plant	699	809	874
Auxiliary services and noneducational expense	714	800	879
Student aid	133	133	133
Construction and related activities	867	1,669	838
Total obligations	5,386	7,079	7,008
Model Secondary School for the Deaf:			
Salaries and expenses:			
Administration and general planning	18	88	152
Development of instructional program	4	245	288
Rental of facilities			45
Construction: Planning, site development, buildings and facilities		100	971
Total obligations	22	433	1,456
American Printing House for the Blind: Educational materials, total obligations	1,150	1,265	1,329
Departmental management:			
Payments to the Corporation for Public Broadcasting, total obligations		5,000	20,000
Office of the General Counsel, salaries and expenses: Departmental program services: Education, total obligations	240	305	315
Advances and reimbursements:			
World Conference on Crises in Education	134		
Library services		75	85
Total obligations	134	75	85
Funds appropriated to the President:			
Appalachian regional development programs: Vocational education facilities, total obligations	$11,879	$14,128	$25,000
Office of Economic Opportunity: Community action programs: Headstart and Headstart Follow through total obligations	323,719	341,933	369,178
Peace Corps, School partnership program, total obligations	321	432	432
Philippine education program:			
School building construction project	9,677		
Textbook projection project	2,564		
Cultural development fund project	3,500		
Assistance to secondary education project		6,154	
Projects being negotiated		2,837	
Total obligations	15,741	8,991	
Department of Defense (civil):			
Department of the Army: Ryukyu Islands, Army: Aid to the Ryukyuan economy: Contribution to the government of the Ryukyu Islands to stimulate a higher level of teachers' salaries, total obligations	1,000	4,153	6,000
The Panama Canal:			
Canal Zone Government:			
Operating expenses:			
Education	11,595	12,753	14,064
Library	260	269	273
Capital outlay, education:			
Improvements and replacements to educational facilities	721	636	397
Improvements to military elementary schools			500
Total obligations	12,576	13,658	15,234
Department of Housing and Urban Development:			
Renewal and housing assistance: College housing; college housing fund; capital outlay, direct loans:			
College housing loans, college service facilities, loans for housing of student nurses and interns	310,480	250,000	210,000
Changes in selected resources	−96,532	−40,000	−45,000
Total operating costs, funded	112,564	161,235	165,240
Total obligations	326,512	371,235	330,240
Limitation on administrative expenses, college housing loans: Payment to administrative operations fund, total obligations	2,275	2,263	1,100
Metropolitan development:			
Fellowships for city planning and urban studies:			
Fellowships grants (program costs, funded)	438	500	550
Change in selected resources	61		450
Total obligations	499	500	1,000
Department of the Interior: Public land management:			
Bureau of Indian Affairs:			
Education and welfare services: Educational assistance, facilities, and services, total obligations	89,559	98,161	113,038
Advances and reimbursements:			
Basic education and vocational training	470		
Indian education for the disadvantaged	8,907	9,000	9,000
Indian education, library service	142		
Indian education, supplementary centers	28		
Indian education, education for the handicapped	30		
Total obligations	9,577	9,000	9,000
Department of State, educational exchange:			
Mutual educational and cultural exchange activities:			
Exchange of persons	29,742	18,722	22,600
Special educational and cultural projects	603	682	1,185
Aid to American-sponsored schools abroad	2,053	1,600	2,000
Cultural presentations	1,575	1,200	1,000
Multilateral organizations activities	406	444	444
Program services	6,804	6,495	5,975
Administrative expenses	2,500	2,282	2,196
Total obligations	43,683	31,425	35,400
Center for Cultural and Technical Interchange Between East and West:			
Operating expenses	1,956	1,941	2,024
Scholarships and grants	3,264	3,319	3,319
Total obligations	5,220	5,260	5,343
International educational exchange activities (special foreign currency program): Exchange of persons, total obligations		1,033	
Educational exchange permanent appropriations: Educational exchange fund, payments by Finland, World War I debt, total obligations	363	377	377

[In thousands]

	1968 actual	1969 estimate	1970 estimate
Department of State, educational exchange—Continued			
Educational exchange trust funds:			
U.S. dollars advanced from foreign governments	$204	$250	$250
Contributions, educational and cultural exchange	58	60	60
Total obligations	263	310	310
Department of the Treasury, Bureau of Accounts: Grants to Eisenhower College, total obligations		2,000	2,000
National Science Foundation:			
Salaries and expenses:			
Support of scientific research:			
Scientific research project support	$170,615	$177,300	$195,000
Specialized research facilities and equipment	18,942	7,000	15,000
National sea grant program	5,000	6,000	10,000
Computing activities in education and research	21,998	17,000	22,000
Institutional support for science	83,245	41,000	74,000
Science education support	124,833	116,100	117,500
Advances and reimbursements: Science education program	1,129	1,150	
Total obligations	425,762	365,550	433,500
Grand total	5,295,224	5,209,773	5,138,802

DESCRIPTIONS OF PROGRAMS

OFFICE OF EDUCATION

ELEMENTARY AND SECONDARY EDUCATION

Educationally deprived children: Grants are made to schools to assist in expanding and improving instruction and ancillary services for children from low-income families, handicapped children, dependent and neglected children, orphans and juvenile delinquents, children of migratory workers, and Indians. In addition, payments are made to State educational agencies for administrative expenses.

Dropout prevention: Grants are made to local school districts for experimental projects in poverty area schools to reduce and prevent dropouts.

Bilingual education: Grants are made to local educational agencies to develop, establish, and operate programs of bilingual education and to provide preservice and inservice training for professional personnel participating in such programs.

Supplementary educational services: Grants are made to States and to local school districts, in association with colleges, private schools, museums, and other educational resources, to develop and establish programs which serve as models for improving and supplementing the regular school curriculum. Examples would include support for science or language teaching centers, mobile laboratories, and planning new ways to extend educational services in central cities, metropolitan regions, or sparsely populated rural areas.

Library resources: Grants are made to States for procurement of library resources, textbooks, and other printed and published instructional methods for use by students and teachers in public and private elementary and secondary schools. These are in addition to Federal support for purchase of school library books from other programs such as those for education of the disadvantaged and supplementary educational services.

Guidance, counseling, and testing: Matching grants are made to States to assist in establishing and maintaining programs of guidance, counseling, and testing in public elementary and secondary schools and public junior colleges and technical institutes.

Equipment and minor remodeling: Grants were made to States for equipment and minor remodeling of laboratory or other space suitable for use in providing education in public elementary or secondary schools while loans were made to nonprofit private schools for similar uses.

Strengthening State departments of education: Grants assist State educational agencies in developing systematic and technically proficient planning and evaluation activities, and in supporting research, statistical, and technical assistance for local school systems.

Planning and evaluation: Funds are made available to the Secretary of the Department of Health, Education, and Welfare for expenses including grants, contracts, or other payments for planning and evaluation of succeeding year activities or projects for any program for which the Commissioner of Education has responsibility for administration.

HIGHER EDUCATION

Program assistance: Grants are made for projects to strengthen faculty and administrative skills, to upgrade curriculum, and for teaching fellowships. Such grants require the establishment of cooperative links between the developing colleges and universities, businesses, or other developing institutions. Grants also are allotted among States for support of instruction in agriculture, the mechanic arts, and related fields at the 69 land-grant colleges. Grants were made in 1968 and 1969 to higher education institutions for acquisition of television and other equipment and minor remodeling of space in order to improve undergraduate instruction. In 1970, pilot grants will be made for sharing of educational resources such as libraries or faculties and strengthening and improving the quality of graduate programs.

Construction: Matching grants are awarded for construction of academic facilities at colleges, universities, junior colleges, and technical institutes. Beginning in 1969, direct loans will be replaced by annual interest grants, to reduce the cost of loans from non-Federal sources for construction of academic facilities. Direct Federal loans for construction were provided through the higher education facilities loan fund during 1968 and 1969. Grants are also made to assist State commissions in administering undergraduate construction grants under this program, and in comprehensive planning of future higher education construction. Technical engineering and other review services are provided for construction projects.

Student aid: Funds are allotted to colleges and universities to provide: educational opportunity grants for financially needy undergraduate students; work-study grants under which wages are provided for part-time jobs during the school year and full-time summer jobs for students who are in need of financial assistance in order to continue their education; and capital contributions to National Defense Education Act student loan funds from which loans are made to graduate and undergraduate students. Advances are made on a matching basis to State and nonprofit private loan insurance funds to guarantee loans to college and vocational students, and payments are made to reduce interest costs for students whose adjusted family incomes fall below $15,000. Grants are made to higher educational institutions to develop cooperative arrangements with private industry or public agencies to provide students employment experience directly related to their college courses. For disadvantaged students, grants and contracts are supported for: the Upward Bound program to motivate high school students to attend college and improve their academic preparation; the talent search program to identify youths with exceptional potential for a college education and publicize available sources of financial aid; and special remedial and other services for enrolled college students to encourage and assist them in continuing their higher education.

Personnel development: Grants are made to institutions for fellowships leading to a doctorate for prospective college teachers, including stipends for individuals and cost-of-education allowances for participating institutions. Grants and contracts with institutions provide full costs of institutes and other training programs, including stipends to individuals, to train college teachers, administrators, and educational specialists. To attract and improve the education of persons entering the service of State, local, and Federal governments, grants are made to institutions to provide public service fellowships, including stipends to individuals and cost-of-education allowances for institutions.

Planning and evaluation: Funds provide for long-range planning of higher education programs, including the implementation of new legislation; and for program evaluations, particularly in the areas of student aid, graduate education, developing colleges, and institutional sharing of resources.

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

Maintenance and operation: Payments are made to assist in operation of schools in areas where enrollments are affected by Federal activities. Under certain circumstances, payments are made to other Federal agencies to make arrangements for education of children where local school districts do not assume responsibility for such children. Arrangements may be made for free public education of children of members of the Armed Forces on active duty not residing on Federal property. The 1970 request is based on legislation to be proposed that will more equitably distribute funds to school districts consistent with the burdens imposed by Federal activities.

Construction: The authorized programs for 1970 will support the following activities:

Assistance to local educational agencies: Grants are made to local districts for school construction, on behalf of increased numbers of children residing on Federal property and/or with a parent employed on Federal property.

Assistance for school construction on Federal properties: Where the local educational agency is unable to provide school facilities for increased numbers of children living on Federal property, the Commissioner of Education is authorized to arrange for construction of schools. Under certain circumstances, the Commissioner may also arrange to provide school facilities on a temporary basis for children of members of the Armed Forces on active duty who do not reside on Federal property.

Payments for technical services: Provides technical and administrative services in connection with the construction of school facilities.

Evaluation: Funds in 1969 provide for studies to evaluate the type of payments, level of funding, and possible legal formula changes to make payments correspond to federally caused burdens upon local school districts.

VOCATIONAL EDUCATION

Basic grants: Matching grants are made to the States for support and improvement of vocational education programs, including the construction and remodeling of vocational education school facilities. Training for gainful employment as semiskilled or skilled workers and for business and office occupations is emphasized. Two-fifths of these funds will be set aside in 1970 for special vocational programs for children from low-income families, the physically and mentally handicapped, and postsecondary courses. In addition, $2,000,000 will be transferred to the Department of Labor for manpower projections and studies which will help State and local officials in planning useful and up to date training programs. Funds are also made available to support the advisory, review, evaluation, and reporting function of the National Advisory Council and the State advisory councils.

Consumer and homemaking education: Matching grants are made to the States for such programs.

Work study: In 1968 grants were made to States for financial support of students from low-income families. These grants have been terminated because of similar benefits provided by the cooperative work and study assistance and by the Neighborhood Youth Corps in-school program administered by the Department of Labor under delegation from the Office of Economic Opportunity.

Cooperative education: Grants are made to States for supervisory and other costs of cooperative study and work programs. Local school districts will arrange with private industry or public agencies for employment experience directly related to student vocational objectives; employers will pay enrollee wages equal to the value of work produced.

Innovation: Exemplary and innovative programs to develop new models for experimenting with alternate approaches for upgrading vocational education programs and stimulating new ways to create a bridge between school and earning a living for young people. In 1970, 106 projects will effect the redirection of State program planning in areas of city ghettos, rural poor, school dropouts, and youth who graduate from high school lacking salable work skills.

Curriculum development: A new program of grants to colleges, universities, and other institutions designed to give assistance to State and local education agencies by development of curriculums for new and changing occupations.

Planning and evaluation: Funds are made available for grants, contracts, or other payments, for planning training programs and conduct of evaluation studies of vocational and technical education.

LIBRARIES AND COMMUNITY SERVICES

Library services: Matching grants are made to the States and territories for the promotion, development, and extension of public library services; interlibrary cooperation; State hospital, prison, and other institutional library services; and services for the physically handicapped.

Construction of public libraries: Matching grants are made to the States and territories.

College library resources: Grants are made to institutions of higher education for acquisition of library books and materials.

Acquisition and cataloging by Library of Congress: Funds are transferred to the Librarian of Congress for comprehensive cataloging of scholarly materials, providing an aid to the efficient management of college and university libraries.

Librarian training: Grants are made to higher education institutions for training and upgrading librarians to staff school, public, and academic libraries.

University community services: Matching grants are made to States and territories for support of higher education extension services which assist local communities in solving poverty, transportation, crime, pollution, and other complex community problems.

Adult basic education: Grants are made to the States and territories for support of basic educational programs attended by persons 16 years and older, who wish to overcome English language limitations, prepare for occupational training and more profitable employment, and participate more effectively in our modern society.

Educational broadcasting facilities: Grants are provided for the establishment and expansion of educational television and radio facilities covering all phases of education from preschool through adult.

EDUCATION PROFESSIONS DEVELOPMENT

Preschool, elementary, and secondary: Grants to States made to recruit and train persons for careers as elementary and secondary teachers and teacher aides.

Training programs: Grants and contracts are supported to meet critical shortages of educational personnel, to improve the quality of teaching at the preschool through postsecondary vocational levels, and for developing and strengthening teacher education programs at the graduate level. Grants and contracts with higher education institutions and State and local education agencies support programs to update and improve the training of personnel such as teachers, teacher aides, supervisors, administrators, counselors, teachers of disadvantaged youth, and educational media specialists. Stipends are paid to participants in these programs.

Encouragement of educational careers: Grants and contracts with higher education institutions, public educational agencies, and other organizations are supported to identify and encourage high school and college students and other capable persons to enter or reenter the field of education.

RESEARCH AND TRAINING

Research and development: Contracts are awarded to educational laboratories and research and development centers, and contracts and grants are awarded to institutions of higher education, States, local educational agencies, and private enterprise. Educational laboratories devote primary attention to the development and validation of curriculums and instructional alternatives for use in the Nation's schools. Research and development centers concentrate on studying such specific problem areas as early childhood learning, teacher education, higher education, problems of the disadvantaged, educational administration, and educational policy. In 1970 research emphasis will be shifted toward minority groups in education, and toward basic research in reading processes, learning, and motivation. Major development efforts will include work on secondary school curriculum systems and the use of television for early childhood education. The amount includes a transfer of $2,000,000 to the National Foundation on the Arts and the Humanities for joint projects involving scholars, practitioners, artists, and writers in the classroom. It also includes $2,000,000 for continuing support of a national study of the educational attainment of the population.

Major demonstrations: Support will be provided for the demonstration of two model approaches to urban education: one, stressing community participation in school program planning and execution, in the Anacostia section, Washington, D.C., will be continued; the second will provide initial assistance for a school in the "new town" setting of the Fort Lincoln community, Washington, D.C.

Dissemination: A network of information clearinghouses is supported to promote efficient transfer of information from research and experimental projects in education to teachers, administrators, scholars, and research personnel. Each clearinghouse selects, evaluates, indexes, abstracts, and disseminates information on current and completed projects in an important area of education—such as teaching of the disadvantaged, teacher training, vocational education, reading, and so forth. Reporting and retrieval services are provided and compilations and analyses are made on research related to selected educational topics. A monthly publication listing all acquisitions is produced and distributed on a subscription basis. In 1970, a newly authorized program will be started to provide—through technical assistance, conferences, seminars, publications, and other information techniques particularly useful for parents, students, teachers, and administrators—information about projects in schools and colleges.

Training: Grants are awarded for the training of manpower to carry out educational research, development, evaluation, and related activities. Awards are also made to develop materials for use in such training programs.

Construction: Grants are made to procure major program equipment items and to construct educational research and development facilities.

Statistical surveys: Contractual studies support the responsibilities of the National Center for Educational Statistics for measuring the progress and status of education in the Nation, and help in developing and applying scientific and technical methods to the collection, processing, and analyses of education statistics. They will include: the collection, compilation, analysis, and dissemination of statistics; work on standard educational terminology and definitions which can serve as the foundation of a comprehensive system of educational information for use in the management and operation of local school systems; and continued research in statistical survey methods and in the development of more efficient sampling techniques.

EDUCATION FOR THE HANDICAPPED

Preschool and school programs: Grants are made to States for expansion and improvement of special classes at preschool, elementary, and secondary levels for children whose mental or physical handicaps make regular classroom activities ineffective or impractical.

Early childhood programs: Grants are made to plan and operate model centers providing educational, diagnostic, and consultative services for preschool handicapped children and their parents.

Teacher education and recruitment: Grants are awarded to support training of teachers, supervisors, speech correctionists, researchers, and other professional and subprofessional personnel for education of the handicapped including physical education and recreation. Grants or contracts may be awarded for new programs which will attract personnel to work in the various fields of education for the handicapped and provide dissemination of information about the special educational programs, services, and resources available.

Research and innovation: Grants and contracts are awarded for the development of new curricular materials, teaching techniques, research and development centers, and other research and demonstration projects including physical recreation and education. Grants and contracts are awarded for the establishment and operation of regional centers to develop and apply the best method of appraising the special educational needs of handicapped children. Grants are also made for model centers to provide diagnostic, educational, and related services to deaf-blind children.

Media services and captioned films: Contracts are made for the acquisition, captioning, production, and distribution of films and other educational media, for conducting research in the use of such materials, and for training persons in the use of the educational materials for the handicapped.

TEACHER CORPS

Teams of experienced teachers and teaching interns are made available to serve, upon request, in schools located in neighborhoods with concentrations of low-income families. Federal grants are made to institutions of higher education for preservice and inservice training of the interns and experienced teachers. Local school districts receive Federal grants for payments of a portion of the salaries of both interns and experienced teachers during their period of service. Cooperative arrangements between the institutions of higher education and local school districts permit the interns to work toward completion of requirements for advanced degrees.

EDUCATION IN FOREIGN LANGUAGES AND WORLD AFFAIRS

Grants and contracts are awarded for institutional research, courses of study, and training of individuals.

STUDENT LOAN INSURANCE FUND

The Office of Education insures loans to college and vocational students in eligible institutions who do not have reasonable access to State or private nonprofit programs of student loan insurance. It is authorized to reinsure loans guaranteed by State and nonprofit private agencies at 80 percent of default by student borrowers.

CIVIL RIGHTS EDUCATION

Training for school personnel and grants to school boards: Special training grants and contracts are awarded to school boards and to training institutions.

Technical services and administration: Salaries and other supporting expenses are paid for those persons in the Office of Education who provide positive assistance to school boards in coping with desegregation problems, and who administer the grants and contracts for special training—see preceding paragraph.

RESEARCH AND TRAINING—SPECIAL FOREIGN CURRENCY PROGRAM

Foreign currencies which are in excess of the normal requirements of the United States are used to support projects which will add to educational and scientific knowledge in the United States. The funds are used for the promotion of education in foreign languages and world affairs by assisting in the support of overseas activities of American institutions of higher education.

COLLEGES FOR AGRICULTURE AND THE MECHANIC ARTS

Grants are for college instruction, including facilities, in agriculture, the mechanic arts, and related fields, and for the training of teachers in these fields.

SALARIES AND EXPENSES

The Office of Education administers programs for support of educational research, elementary, and secondary education, higher education, adult, and vocational education, education of the handicapped, and teacher training. The National Center for Educational Statistics collects, analyzes, and distributes data on the status and trends of American education. Central management and other staff services required in accomplishing the mission of the Office are provided.

SOCIAL AND REHABILITATION SERVICE

Assistance to refugees in the United States, education: Selected training is provided to equip the refugees for employment and resettlement. Loans are made to needy college students.

SPECIAL INSTITUTIONS

Howard University: A private nonprofit institution.

National Technical Institute for the Deaf: A residential facility for postsecondary technical training and education for deaf persons in order to prepare them for successful employment.

Gallaudet College: A private, nonprofit institution providing undergraduate higher education for the deaf, a graduate school offering advanced studies for students interested in the field of deafness, and a research program to provide information about the deaf.

American Printing House for the Blind: Grants are made to this nonprofit institution to support the manufacture of special books and teaching materials which are distributed to all public educational institutions for the blind, as well as to regular public schools in which blind children are enrolled; and provide for staff and other expenses of committees which advise the Printing House relative to administration of the Federal funds.

DEPARTMENTAL MANAGEMENT

Payments to the Corporation for Public Broadcasting: The purpose of this private, nonprofit corporation is to strengthen the quality of noncommercial educational television and radio broadcasting and make such public broadcasting service more widely available across the Nation. Funds are used for strengthening local educational stations, production and distribution of high quality programing, development of an interconnection service, and for corporation administrative expenses.

APPALACHIAN REGIONAL DEVELOPMENT PROGRAMS

Vocational education facilities: Grants are made to States and school districts for the construction and equipment of vocational education facilities for the training and upgrading of potential and existing labor force entrants in skills required in commercial and other vocations.

OFFICE OF ECONOMIC OPPORTUNITY

Headstart and Headstart followthrough: Headstart funds operate child development programs for preschool children. Headstart grants are also made to areas that have no community action agencies. In 1970, greater emphasis will be placed on experimentation through a program of planned variation in Headstart using the followthrough evaluation approach.

BUREAU OF INDIAN AFFAIRS

Education and welfare services: Educational assistance, facilities, and services: The Bureau operates Federal school facilities where public schools are not available or cannot meet the special needs of Indian children. Financial assistance is extended to public schools enrolling Indian children where tax-free Indian lands result in financial problems for the local districts and where other special problems exist that are not covered by Federal impact legislation. Grants are also made to Indian students attending college. In 1970, kindergartens will be established and operated for reservation Indian children by both the public and the Federal school systems. Federal school plans for 1970 include provisions for increased boarding school enrollment, additional kindergartens, upgrading the quality of programs designed to meet the special educational needs of these children, school boards, expanded summer program activities, and initiation of a research and evaluation program.

DEPARTMENT OF STATE

Educational exchange trust funds: U.S. dollars advanced from foreign governments are used to send experts abroad to give foreign nationals scientific, technical, or other training, and to perform technical or other services in this country.

NATIONAL SCIENCE FOUNDATION—SALARIES AND EXPENSES

Support of scientific research: Scientific research project support. Grants are awarded to investigators at more than 450 institutions, principally at colleges and universities.

Specialized research facilities and equipment: Support is provided for major items of specialized scientific facilities and equipment primarily at colleges and universities.

National sea grant program: This supports grants and contracts primarily at academic institutions for training, research, and advisory services concerned with the exploitation of marine resources.

Computing activities in education and research: Support is provided to develop and test alternative methods of providing computational facilities for student use in colleges and universities and continuation of partial support of computational facilities for scientific research.

Institutional support for science: Support is provided to assist in the development and improvement of the science programs of colleges and universities. Included are matching grants for the construction, renovation, and equipping of research laboratories, comprehensive grants to assist developing institutions in achieving a higher level of competence in the sciences and engineering, and grants for graduate and undergraduate education improvements.

Science education support: This provides for programs to strengthen and expand the training and development of scientific manpower, including the following programs: Traineeships and fellowships to graduate students in science, mathematics, and engineering, and fellowships to college and university faculty and foreign senior scientists; institutes for the training of secondary school and college teachers of science and mathematics; and projects directed toward the improvement of secondary school and undergraduate science and mathematics curriculums and supplementary programs to stimulate interest in and secure improvement of teaching and training in the sciences at secondary school and undergraduate levels.

YOUTH INVOLVEMENT ACT AND A BILL TO CREATE AN OMBUDSMAN FOR CONGRESSMEN

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 60 minutes.

YOUTH INVOLVEMENT ACT

Mr. REUSS. Mr. Speaker, the gentleman from Indiana (Mr. BRADEMAS), the gentleman from West Virginia (Mr. HECHLER), and I have today introduced H.R. 8016, the Youth Involvement Act.

This bill is intended to enlist the energy, ingenuity, and enthusiasm of America's youth in public service. It directs Federal agencies to "take all steps necessary to see that their programs are developed, conducted, and administered with the maximum feasible participation of youth"—generally defined as people under 25 years of age.

In recent years the young people of America have, to an increasing degree, dedicated their considerable talents and energies to public service—in the Peace Corps abroad and in rural and urban social programs at home.

Their expanded concern to improve the quality of life has been a refreshing development, following as it has on the materialism and complacency which pervaded the 1950's to the point of quenching the natural idealism and energies of the young.

Young people are no longer "playing it cool"; instead they are involved—and a healthy development this is.

The Peace Corps was the first Federal recognition of this dramatic shift in the mood of American youth. I need not testify to the immense success of this international endeaver.

The Peace Corps was followed by VISTA—Volunteers in Service to America—and other Office of Economic Opportunity programs which, to a large extent, have been operated by young men and women.

Each of these programs has paid handsome dividends. They have trained a cadre of people for a lifetime of public service. The Peace Corps has graduated 21,738 volunteers in its 8 years; VISTA another 11,278.

Finding solutions to the problems which we as a nation face today—problems of poverty, discrimination, poor housing, poor education, poor health—requires a vast number of highly motivated and well-trained people.

But as a nation we are not training nearly enough. Moreover, all too few of the young Americans we do train are willing to make the personal and financial sacrifices which often accompany public service work.

I am convinced that more of the Nation's young people would enter public service occupations if in their formative years they were to experience the often intangible rewards of such service. For example, Peace Corps statistics show that one of every four ex-volunteers goes to work for a government or nonprofit agency.

It is time now to enlarge the Government-created opportunities for our young people to engage in public service.

The National Democratic Party's 1968 platform endorsed this goal, calling for steps "to include youth advisers on all government studies, commissions, and hearings which are relevant to their lives." The platform went on to say:

> Every young person should have an opportunity to contribute to the social health of his community or to humanitarian service abroad. The extraordinary experience of the Teacher Corps, VISTA, and the Peace Corps points the way for broadening the opportunities for such voluntary service. Hundreds of thousands of America's youth have sought to enlist in these programs, but only tens of thousands have been able to serve. We will expand these opportunities.

This, then, is one dimension of the Youth Involvement Act.

There is a second dimension.

The Government must reach down the economic ladder to give the young people of the Nation's ghettos—young people not otherwise able to land part-time or summer jobs—opportunities to work in federally financed jobs.

A job can provide a potential high school dropout with a sense of responsibility, an awareness of his earning power, a sense of self-security, and in some instances with a change of environment which will cause him to value himself and his educational opportunity more highly.

Though the Federal Government has some responsibilities for the employment of the poor youth in the past several summers, much remains to be done to expand and improve these programs.

In addition to well-known Federal job programs like the Neighborhood Youth Corps and the Job Corps, the last administration offered the Nation's youth two major opportunities to be of service to their country and to themselves.

First. The President's Youth Opportunity Campaign. In 1965, the President established the President's Youth Opportunity Campaign to provide summer employment for young people aged 16 to 21 years. The Civil Service Commission asked Federal agencies to hire one youth for every 100 employees nationwide and to hire three youths for every 100 employees in the District of Columbia. In 1967 nearly 100,000 young people were employed through the Youth Opportunity Campaign. They were paid at a minimum wage of $1.60 per hour. Efforts were made to put these young people into jobs where they could learn a skill which could be translated into a permanent job when their formal education was completed.

The program was balanced evenly between the youths chosen on the basis of their scores in a competitive examination and those youths especially in need of a job. Among the latter, top priority was given to young people from families receiving welfare payments.

Second. The President's Council on Youth Opportunity. On March 9, 1967, the President, by Executive Order 11330, established the President's Council on Youth Opportunity.

The Vice President was named to head the Council, which was made up of the heads of 10 Federal departments and agencies—the Departments of Defense, Interior, Commerce; Health, Education, and Welfare; Justice, Agriculture, Labor, Housing and Urban Development, the Office of Economic Opportunity, and the Civil Service Commission.

The Executive order gave the Council responsibility for: Assuring effective program planning for summer and other youth programs of the Federal Government; strengthening the coordination of youth programs and activities of Federal departments and agencies; evaluating the overall effectiveness of Federal youth opportunity programs; encouraging State, local, nonprofit and other private organizations to participate fully in efforts to enhance opportunity for youths.

In less than 2 years of operation, the Council accomplished a number of its objectives—mainly those concerned with summer and part-time youth employment programs.

One of the most successful summer youth employment projects, sponsored by the Council and the National Communicable Disease Center of the Public Health Service, was the employment of 51 youths in city health departments to do jobs at an adult level—working under the supervision of professionals. As a result of this program, 45 of these young people now plan to continue their education; whereas, prior to their participation, only 24 had indicated a desire to continue.

The President's Council established mayor's councils on youth opportunities in cities across the Nation to launch, coordinate, evaluate, and improve local youth opportunity programs.

There are many examples from both government and private experience of what can be accomplished under the Youth Involvement Act.

In education, from New York City to Los Angeles, high school and college students are being employed in their spare time to tutor younger students.

In juvenile delinquency prevention, potential delinquents can be employed in juvenile delinquency prevention programs which benefit both them and their community.

One example is the Twelfth & Oxford Street Corp., made up of members of one of north central Philadelphia's 60 organized street gangs. The corporation began in 1966 with a successful venture in filmmaking, then went on to purchase three tax delinquent properties in the neighborhood which they renovated for rental at low rates to community residents. Plans are now on the drawing board for a restaurant and a teenage record company. During the 2½ years the corporation has existed gang members have devoted much of their energy to the corporation's work and delinquency rates have remained low.

Another example is the Real Great Society, begun on the Lower East Side of New York in April 1965 by several rival gang leaders. The Real Great Society's first major venture was a University of the Streets, operating out of a five-story building on the Lower East Side. Over 50 courses were started, and at its peak the university had over 1,600 active participants, including persons from all over the city as well as youth from the Lower East Side. The Real Great Society has continued to grow, and now the group owns a community center, townhouses, and two apartment buildings which have been renovated by youth with a minimum of adult assistance. Rentals are as low as $80 a month. In addition RGS has designed and constructed vest pocket parks and also operates two restaurants in Harlem.

In public safety, the President's Commission on Law Enforcement and the National Advisory Commission on Civil Disorders have both recommended that local police forces establish positions for community service officers to be filled by young men between the ages of 17 to 21 with the aptitude, integrity, and stability to perform police work.

Community service officers would be apprenticeship policemen—an entirely new type of police cadet working with a police officer. Their duties would be to assist police officers in their work and to improve communications between the police department and the neighborhoods. Last year, the Chicago police department employed 50 youth cadets to help handle citizen complaints of a noncriminal nature such as uncollected garbage and streets and disrepair.

In conservation, the National Youth Conference on Natural Beauty and Conservation, which in 1967 held its Youth for Natural Beauty and Conservation Year, demonstrated in scores of projects throughout the country that teenage youths will involve themselves in conservation and community improvement projects which afford them opportunities for community service.

The real test of any employment program for youth is the amount of responsibility which youths are given. Young people wish to work with adults, not for them. They resent adult takeovers.

A recent experimental program in the Department of Labor could serve as a model under this act for the maximum feasible participation of youth in developing, conducting, and administering a Government program.

At the initiative of management interns in the Department of Labor, the Department established a new program to help the Nation's disadvantaged youth find jobs. The program was administered by management interns in Washington and by local boards of college students in cities throughout the country. Youth were employed to carry out the program as well.

This was a Government program which from inception to finish, from top to bottom, was a youth program. More of such programs could be usefully established.

Our Federal Government has only scratched the surface in employing youth to carry out the Nation's social programs. It needs to create more opportunities for youth participation.

Besides employment, youth can be usefully employed to a greater extent in education, health, recreation, housing, and welfare programs.

The Youth Involvement Act lists 27 programs which directly affect youths or in which the participation of youths would make good sense—programs such as the provisions of child welfare services, the U.S. census, educational television, urban beautification, outdoor recreation, public housing.

The list is not meant to be exhaustive. Many other opportunities exist, if the Government would mobilize itself to employ the Nation's young people.

Let us give the Nation's young people an opportunity to show their talents. They will benefit and the Nation will benefit from their talent, their energy, and their dedication.

The bill follows:

H.R. 8016

A bill to encourage the involvement of youth in federally financed programs and projects

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Youth Involvement Act."

STATEMENT OF PURPOSE

SEC. 2. The Congress of the United States declares that it is the policy of the United States and the purpose of this Act to apply the energy, ingenuity, and enthusiasm of America's youth to the solution of the Nation's social problems by encouraging qualified young people to advise and to serve in federally-financed programs and projects.

EMPLOYMENT OF YOUTH

SEC. 3. The heads of Federal departments or agencies responsible for administering the following programs shall take all steps necessary to see that these programs are developed, conducted, and administered with the maximum feasible participation of youth:

Pilot school breakfast program (42 U.S.C. 1773 et seq.);

National school lunch program (42 U.S.C. 1753 et seq.);

United States Census (13 U.S.C. 1 et seq.);

Child Welfare Services (42 U.S.C. 191 et seq., 721 et seq.);

Educational television (47 U.S.C. 390 et seq., Public Law 90–129);

Elementary and Secondary Education Act programs (20 U.S.C. 241(a) et seq., 821 et seq.);

Handicapped children and youth research and demonstration programs (20 U.S.C. 618);

Higher Education Act (20 U.S.C. 1001 et seq.)

Juvenile delinquency prevention and control (42 U.S.C. 2541 et seq.);

Science youth activities (Public Law 85–875);

Low-rent public housing (42 U.S.C. 1401 et seq.);

Model cities (42 U.S.C. 3301 et seq.);

Neighborhood facilities (42 U.S.C. 3101 et seq.);

Open space land, urban beautification, and historic preservation (42 U.S.C. 1500);

Rental housing for moderate income families (12 U.S.C. 1711 et seq.);

Urban renewal (42 U.S.C. 1450 et seq.);

Outdoor recreation assistance (16 U.S.C. 4601);

Services to American Indian children (25 U.S.C. 452 et seq.);

Community relations service (42 U.S.C. 2000g);

Neighborhood Youth Corps (42 U.S.C. 2731 et seq.);

Youth opportunity centers (29 U.S.C. 31 et seq., 20 U.S.C. 107, 42 U.S.C. 2571 et seq.);

Precollege education in science program (42 U.S.C. 1861 et seq.);

Peace Corps (22 U.S.C. 2500 et seq.);

Community center program (42 U.S.C. 2711 et seq.);

Headstart (42 U.S.C. 2711 et seq.);

Job Corps (42 U.S.C. 2711 et seq.);

Upward Bound (42 U.S.C. 2711 et seq.);

Volunteers in Service to America (42 U.S.C. 2711 et seq.); and

any other program which the President shall from time to time by Executive order designate as coming within the purview of this Act.

ANNUAL REPORT TO CONGRESS

SEC. 4. Within one year from the date of enactment hereof, and annually thereafter, the President shall transmit a report to the Congress on the actions taken by Federal departments and agencies to carry out the provisions of this Act.

DEFINITION

SEC. 5. "Youth" means a person who is twenty-five years of age or under, a person who has completed his formal education within the past three years, or a Federal management intern.

AN OMBUDSMAN FOR CONGRESSMEN

Mr. REUSS. Mr. Speaker, I have today introduced legislation, H.R. 8017, to create a congressional ombudsman. This official would help Members more effectively to serve their constituents who face problems in dealing with the Federal Government.

To the same end, I introduced H.R. 7593 on July 16, 1963, in the 88th Congress, H.R. 4273 on February 3, 1965, in the 89th Congress, and H.R. 3388 on January 23, 1967, in the 90th Congress.

The chief purposes of this bill are to enable Congressmen to help more constituents more effectively in dealing with Federal Government agencies, and to give Congressmen and their staffs more time to work on legislation on great national problems by easing the growing burden of casework. The congressional ombudsman would be appointed by the Congress.

Establishing a congressional ombudsman would not disrupt the existing congressional-constituent relationship. On the contrary, it would strengthen that relationship to the benefit of both parties.

The bill assures this by providing that the congressional ombudsman and his office would exist, like the Legislative Reference Service and the Legislative Counsel, to act only at the request of a Senator or Representative. Only a Member could refer a case to the congressional ombudsman for review.

The bill delimits the types of cases which the congressional ombudsman would review:

> The congressional ombudsman, unless he believes that the complainant has available another reasonable remedy, shall review the case of any person who alleges that, as a result of any action or failure to act on the part of any officer or employee of the United States other than those exempted under section 6 of this Act (a) he has been subjected to any improper penalty or has been denied any right or benefit to which he is entitled, under the laws of the United States; or (b) the relevant proceedings are being conducted in a manner that is unreasonable, unfair, oppressive, dilatory, or inefficient.

The bill further provides that the congressional ombudsman, after completing his review, "shall report his conclusions and recommendations, if any, to the Member by whom the case was referred."

The bill makes clear that no Member would be required to use the congressional ombudsman's services for any case unless the Member so chose. Furthermore, the Member would be at perfect liberty to ignore completely any conclusions and recommendations by the congressional ombudsman.

In no way, therefore, would the congressional ombudsman interfere with the traditional relationship between Members and their constituents.

The congressional ombudsman would adapt to our constitutional system and political traditions the institution of the ombudsman first established in Sweden in 1809. The ombudsman has proved so valuable in protecting the rights of citizens against bureaucratic errors and abuses that the institution has in recent years been established elsewhere. Finland, Denmark, Norway, New Zealand, and Great Britain have set up their own versions of citizen's defenders.

The concept and term "ombudsman" have recently become familiar here in public speeches and the daily press. Interest in the ombudsman at the State and local level continues to grow.

In May 1967, Hawaii passed legislation creating an ombudsman, although an ombudsman has not been appointed yet. Utah has created a legislative investigating committee to act as an ombudsman. Lt. Gov. Mark A. Hogan, of Colorado, serves as a voluntary ombudsman. Michigan's secretary of state has designated one of his staff members as an ombudsman to handle complaints on procedures and policies relating to the State department, California has a multiservice center.

At the county level, in Nassau County, N.Y., the ombudsman's functions are carried out through the office of the commissioner of accounts. Montgomery County, Md., has a public action line which is a kind of telephone ombudsman.

At the city level, Miami, Fla., has a municipal complaint department which performs many of the duties usually assigned to an ombudsman. In New York City, the mayor has established "little city halls" on the neighborhood level to handle citizen complaints. In Boston, Mass., the mayor has established the office of public services, housed in trailers. In New Haven, Conn., Pittsburgh, Pa., and Baltimore, Md., the human relations commissions handle the function. In Denver, Colo., it is the mayor's committee on city-citizen relations, and in San Diego, Calif., the citizens assistance office.

Some 20 to 30 colleges have also adopted the ombudsman system. Among them are the University of Chicago, City College, Columbia University, Stony Brook College, San Jose State College, University of California, at Berkeley, University of Detroit, Eastern Montana College, Michigan State University, University of Texas College of Arts and Sciences, Florida State University, and the University of Kentucky.

At the Federal level, the ombudsman concept is still very much in the study rather than the action stage.

Population growth and movement of Americans from the country into cities and from central cities into suburbs are making our society, and therefore, the citizen's relationship with his government, ever more complex. In addition, his expectations of the quality as well as the quantity of rights and benefits, such as medical care and higher education, are rising. A citizen having a problem with a Federal Government agency may have administrative or judicial remedies. But these are often costly, complex, and even unknown to him. He therefore is likely to write to his Congressman.

Thus population growth and rising expectations of public service are rapidly expanding the Representative's traditional and valuable role as citizen's advocate against the bureaucracy.

Meanwhile, as casework becomes more burdensome and claims an ever larger proportion of each Member's time, his role as a legislator grappling with major domestic and foreign policy issues continues to grow. Such problems demand more time for thought and study and debate. Yet the growing burden of casework allows us less.

Congress would benefit in four ways from having a congressional ombudsman:

First, by reducing the caseload burden on congressional offices, the congressional ombudsman would free time for Members and their staffs to devote more study and thought to legislative and political issues.

Second, the congressional ombudsman could do a better job of protecting the interest of constituents than the jacks-of-all-trades in congressional offices who often find themselves somewhat at the mercy of more knowlegeable administrators. Members lack staffs large enough to have a separate expert in each field of bureaucratic activity. But experts on the staff of the congressional ombudsman would be able to protect citizens' interests faster and better. Prof. Walter Gellhorn of Columbia University reports:

> Experience abroad suggests that an internal critic's review of a closed file often discloses significant materials or raises suggestive questions that might not have come to the fore if the critic had relied entirely (as congressional caseworkers usually do) on the report made by the challenged administrator. Accessibility of the files to an ombudsman's examination seem not to have impaired efficiency or candor. . . .

Third, handling casework on a centralized basis instead of in 535 separate offices would be more efficient and less costly. Gellhorn, after sampling how congressional offices handle casework, concluded:

> Those who cherish the good old ways of doing business . . . are likely to be crushed

> by the weight of the business to be done. . . . Most offices, however, have little slack, either in available personnel or in available space. . . . Unless Congress were to continue to expand its quarters indefinitely, a bursting point must soon be reached.

Fourth, the Congressional ombudsman would have a unique vantage point from which to spot causes of citizen's difficulties with the Federal bureaucracy. Gellhorn writes:

> The implications of the individual case are more likely to be grasped by the congressional ombudsman's staff than by a Congressman's often inexperienced assistants; complaints in the mass may dramatize issues that a seemingly isolated grievance leaves unnoticed.

Congressmen may be able to correct injustices done to those citizens who appeal to them, but the basic cause may go uncorrected while many individuals who do not appeal to their Congressmen suffer injustice.

The text of the bill follows:

H.R. 8017

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Congressional Ombudsman Act".

Sec. 2. The Congress hereby finds and declares that the increasing complexity of the Federal Government has created difficulties on the part of private citizens in dealing with the Government, that there is a clear need for the Congress to be informed of the nature of such difficulties, particularly those of a recurrent nature, in order that remedial legislative action may be taken, and that, under existing procedures, such information is only sporadically available and frequently is inadequately developed or fails entirely to reach the appropriate legislative committees. The Congress further finds that the necessary and proper efforts of its individual Members to deal with these problems have increasingly become so burdensome as to constitute a serious impediment to the discharge of their other legislative duties.

Sec. 3. (a) There shall be an officer of the Senate and House of Representatives who shall be known as the Congressional ombudsmen and shall perform such duties as are prescribed by this Act. He shall be appointed by the Speaker of the House of Representatives and the President pro tempore of the Senate, without reference to political affiliations and solely on the basis of his fitness to perform the duties of his office, for a term which shall expire upon the commencement of the Congress succeeding the Congress during which he was appointed, except that he may continue to act during such succeeding Congress until he has been reappointed or his successor has been appointed. He shall receive the same salary as Members of Congress.

(b) Subject to the availability of appropriations, the Congressional Ombudsman may appoint such assistants, clerks, and other personnel as may be necessary to carry on the work of his office.

Sec. 4. Upon request of any Member of either House of Congress, the Congressional Ombudsman, unless he believes that the complainant has available another reasonable remedy, shall review the case of any person who alleges that, as a result of any action or failure to act on the part of any officer or employee of the United States other than those exempted under section 6 of this Act, (a) he has been subjected to any improper penalty or has been denied any right or benefit to which he is entitled, under the laws of the United States; or (b) the relevant proceedings are being conducted in a manner that is unreasonable, unfair, oppressive, dilatory, or inefficient. The Congressional Ombudsman may, in his discretion, confine his review of the case to the material submitted to him with the request for review, or may make such further investigation as he may deem appropriate. Upon completion of his review, he shall report his conclusions and recommendations, if any, to the Member by whom the case was referred.

Sec. 5. All officers and employees of the United States, except those exempted pursuant to section 6, shall furnish to the Congressional Ombudsman such information regarding their activities within the scope of their official duties or employment as he may require of them, and the Congressional Ombudsman, or any of his assistants, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, records, files, or other documents, and the right to consult directly any officers or employees of the United States without securing the permission of their superiors.

Sec. 6. (a) This Act shall apply to all officers and employees of the United States except the following:

(1) The President;

(2) Members, officers, and employees of the Senate, the House of Representatives or any committee or joint committee thereof;

(3) Judges, clerks, commissioners, referees in bankruptcy, and other officers (other than attorneys as such) and employees of any court of the United States, regardless of whether such court is legislative or constitutional;

(4) Officers and employees of the District of Columbia or any other local governmental unit not under the supervision or control of some other department or agency of the United States; and

(5) Any other officer or employee of the United States whose activities are of such a nature that, in the discretion of the Congressional Ombudsman, the application of this Act thereto would be contrary to the public interest.

(b) For the purposes of this Act, the term "officers and employees of the United States" includes officers and employees of any department, agency, or instrumentality of the United States.

Sec. 7. (a) The Congressional Ombudsman shall make an annual report to the Congress. Such report shall summarize his activities, shall include reviews of those individual cases which, in his judgment, should be brought to the attention of the Congress, and shall set forth such recommendations for legislation or further investigation as he may deem appropriate.

(b) The Congressional Ombudsman may, in his discretion, make an interim report on any occasion when he deems such action appropriate to carry out the purposes of this Act.

(c) Any report of the Congressional Ombudsman pursuant to this section shall be printed as a public document.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Preyer of North Carolina (at the request of Mr. Edmondson), from February 28 through March 8, 1969, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Feighan, for 20 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Michel, for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Reuss (at the request of Mr. Bingham), for 1 hour today; and to revise and extend his remarks and include extraneous matter.

Mr. Matsunaga (at the request of Mr. Bingham), for 1 hour, on March 12, and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Passman and to include extraneous matter.

Mr. Zablocki in two instances and to include extraneous matter.

Mr. Rumsfeld in two instances and to include extraneous matter.

Mr. Saylor and to include extraneous matter.

(The following Members (at the request of Mr. Dennis) and to include extraneous matter:)

Mr. Zwach.

Mr. Bob Wilson in four instances.

Mr. Wyatt.

Mr. Ashbrook in two instances.

Mr. Derwinski in three instances.

Mr. Quillen in four instances.

Mr. Kuykendall.

Mr. Conte.

Mr. Steiger of Wisconsin in two instances.

Mr. McKneally.

Mr. Minshall in two instances.

Mr. Pelly in two instances.

Mr. Bray in three instances.

Mr. Morse.

Mr. Michel.

Mr. Lipscomb.

Mr. Roudebush in two instances.

Mr. Shriver.

Mr. Schwengel in three instances.

Mr. Wyman in three instances.

Mr. Whalen.

(The following Members (at the request of Mr. Bingham) and to include extraneous matter:)

Mr. Rees.

Mr. Ullman in five instances.

Mr. William D. Ford in two instances.

Mr. Macdonald of Massachusetts in two instances.

Mr. Rodino.

Mr. Corman in five instances.

Mr. Jabobs in two instances.

Mr. Ottinger.

Mr. Abbitt.

Mr. Long of Maryland in three instances.

Mr. Dingell in two instances.

Mr. Ryan in two instances.

Mr. Rarick in three instances.

Mr. Helstoski in two instances.

Mr. Brown of California.

Mr. Gilbert.

Mr. Hawkins.

Mr. Brooks in two instances.

Mr. Rosenthal in five instances.

Mr. O'Hara in three instances.

Mr. Stubblefield.

Mr. Hicks in two instances.

Mr. O'Neal of Georgia.

Mr. Pickle in two instances.

Mr. Bingham.

Mr. McCormack.
Mr. Gonzalez in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1058. An act to extend the period within which the President may transmit to the Congress plans for reorganization of agencies of the executive branch of the Government; to the Committee on Government Operations.

ADJOURNMENT

Mr. BINGHAM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Tuesday, March 4, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

546. A letter from the Secretary of the Treasury, transmitting the 13th annual report on the financial condition and results of the operations of the highway trust fund, pursuant to the provisions of section 209(e)(1) of the Highway Revenue Act of 1956, as amended (H. Doc. No. 91–84); to the Committee on Ways and Means and ordered to be printed.

547. A letter from the Secretary of Defense transmitting a report on special pay for duty subject to hostile fire for calendar year 1968, pursuant to the provisions of 37 U.S.C. 310; to the Committee on Armed Services.

548. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting notification of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Air National Guard, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

549. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Federal Communications Commission as of January 31, 1969, pursuant to the provisions of section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

550. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

551. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

552. A letter from the president and chairman, Little League Baseball, transmitting the annual report of Little League Baseball for 1968 and audit of the organization for the fiscal year ending September 30, 1968, pursuant to the provisions of section 14(b) of Public Law 88–378; to the Committee on the Judiciary.

553. A letter from the national secretary-treasurer, Sons of Union Veterans of the Civil War, transmitting a report of the proceedings of the 87th Annual National Encampment of the Sons of Union Veterans of the Civil War, together with a copy of the 1968 audit of the organization, pursuant to the provisions of Public Law 605, 83d Congress; to the Committee on the Judiciary.

554. A letter from the Chairman, Federal Maritime Commission, transmitting the seventh annual report of the Commission for fiscal year 1968, pursuant to the provisions of section 103(e) of Reorganization Plan No. 7 of 1961 and the Merchant Marine Act, 1936; to the Committee on Merchant Marine and Fisheries.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARING:

H.R. 7959. A bill to temporarily suspend the recent increases in fees for grazing of livestock on public lands; to the Committee on Interior and Insular Affairs.

H.R. 7960. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the occupational tax on coin-operated gaming devices for similar new taxes imposed by a State where the operation of such devices is legal; to the Committee on Ways and Means.

By Mr. BARRETT (for himself, Mr. Nix, Mr. Byrne of Pennsylvania, Mr. Eilberg, and Mr. Green of Pennsylvania):

H.R. 7961. A bill to provide a special milk program for children; to the Committee on Agriculture.

By Mr. BERRY:

H.R. 7962. A bill to encourage the employment of Indians in the performance of service contracts entered into by the United States; to the Committee on Education and Labor.

H.R. 7963. A bill to redesignate the Badlands National Monument as the "Badlands National Park"; to the Committee on Interior and Insular Affairs.

By Mr. BRASCO:

H.R. 7964. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 7965. A bill to require contractors of departments and agencies of the United States engaged in the production of motion picture films to pay prevailing wages; to the Committee on Education and Labor.

H.R. 7966. A bill to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of Ohio:

H.R. 7967. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

H.R. 7968. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. BURTON of Utah:

H.R. 7969. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. CASEY:

H.R. 7970. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.R.7971. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

By Mr. DAVIS of Wisconsin:

H.R. 7972. A bill to make it a crime to move or travel in interstate or foreign commerce to avoid compliance with certain support orders, and for other purposes; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 7973. A bill to amend title 38, United States Code, to increase the amount payable on burial and funeral expenses; to the Committee on Veterans' Affairs.

H.R. 7974. A bill authorizing the Secretary of the Army to establish a national cemetery at Camp Parks, Calif., for northern California; to the Committee on Veterans' Affairs.

By Mr. EILBERG (for himself, Mr. Barrett, Mr. Nix, Mr. Byrne of Pennsylvania, and Mr. Green of Pennsylvania):

H.R. 7975. A bill to improve and increase postsecondary educational opportunities throughout the Nation by providing assistance to the States for the development and construction of comprehensive community colleges; to the Committee on Education and Labor.

By Mr. ERLENBORN (for himself, Mr. Ayres, Mr. Dent, Mr. Perkins, Mr. Esch, Mr. Steiger of Wisconsin, Mr. Hansen of Idaho, Mr. Gerald F. Ford, Mr. Saylor, Mr. McDade, Mr. Ruth, and Mr. Wampler):

H.R. 7976. A bill to improve the health and safety conditions of persons working in the coal mining industry of the United States; to the Committee on Education and Labor.

By Mr. FARBSTEIN:

H.R. 7977. A bill to amend section 231(b) of the Trade Expansion Act of 1962 to suspend the benefits of trade agreement concessions with respect to products imported from Poland; to the Committee on Ways and Means.

By Mr. FINDLEY:

H.R. 7978. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. FRASER:

H.R. 7979. A bill to amend title 39, United States Code, to extend to neighborhood improvement organizations or associations the special third-class bulk rates for nonprofit organizations; to the Committee on Post Office and Civil Service.

H.R. 7980. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. FUQUA:

H.R. 7981. A bill to amend title 5, United States Code, to include as creditable service for purposes of the civil service retirement system certain periods of service performed in Federal-State cooperative programs, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GREEN of Pennsylvania:

H.R. 7982. A bill to authorize the Small Buiness Administration to provide financial assistance to certain small business concerns suffering substantial economic injury as a result of the current work stoppages at east and gulf coast ports; to the Committee on Banking and Currency.

By Mr. HALPERN:

H.R. 7983. A bill to provide for the establishment of a national cemetery within the Manassas National Battlefield Park, Va.; to the Committee on Interior and Insular Affairs.

H.R. 7984. A bill to amend title 35 of the United States Code to provide for compulsory licensing of prescription drug patents; to the Committee on the Judiciary.

By Mr. HARSHA:

H.R. 7985. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. HATHAWAY:

H.R. 7986. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

By Mr. HICKS:

H.R. 7987. A bill to permit injured Federal employees to receive the benefits of the Federal employees compensation program notwithstanding they are in receipt of military retired pay, and for other purposes; to the Committee on Education and Labor.

H.R. 7988. A bill to exempt from the manufacturers excise tax on automobiles and parts and accessories tops designed and sold for use to provide sleeping quarters when mounted on an automobile truck body; to the Committee on Ways and Means.

By Mr. JACOBS (for himself, Mr. McCarthy, Mr. Tunney, Mr. Brown of California, Mr. Ichord, Mr. Hanna, Mr. Brademas, Mr. Edwards of California, Mr. Adams, Mr. Kyros, Mr. Corman, Mr. Friedel, Mr. Meeds, Mr. Hicks, Mr. Hamilton, Mr. Edmondson, Mr. Galifianakis, Mr. Hathaway, Mr. Thompson of New Jersey, Mr. Pryor of Arkansas, and Mr. Van Deerlin):

H.R. 7989. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 7990. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7991. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KYL:

H.R. 7992. A bill to amend the Federal Corrupt Practices Act, 1925, to prohibit the copying of certain records by mailing list brokers; to the Committee on House Administration.

By Mr. KYROS:

H.R. 7993. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. LUKENS:

H.R. 7994. A bill to provide for the establishment of a national cemetery within the Manassas National Battlefield Park, Va.; to the Committee on Interior and Insular Affairs.

By Mr. McCLOSKEY:

H.R. 7995. A bill to extend the executive reorganization provisions of title 5, United States Code, for an additional 2 years, and for other purposes; to the Committee on Government Operations.

By Mr. MEEDS:

H.R. 7996. A bill to amend the Agriculture Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture.

By Mrs. MINK:

H.R. 7997. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 7998. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. MORGAN:

H.R. 7999. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 8000. A bill to amend title V of the Merchant Marine Act, 1936, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. OLSEN (for himself and Mr. Daniels of New Jersey):

H.R. 8001. A bill to amend title 5, United States Code, to grant the entitlement to severance pay to certain classes of employees excluded from such entitlement by executive authority; to the Committee on Post Office and Civil Service.

By Mr. O'NEILL of Massachusetts:

H.R. 8002. A bill to amend title 5, United States Code, to establish special requirements with respect to the retirement of air traffic controllers, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PODELL:

H.R. 8003. A bill making a supplemental appropriation to the Office of Education to carry out the Bilingual Education Act for the fiscal year ending June 30, 1970; to the Committee on Appropriations.

H.R. 8004. A bill to amend the Urban Mass Transportation Act of 1964, and for other purposes; to the Committee on Banking and Currency.

H.R. 8005. A bill to establish a Commission To Study the Organization, Operation, and Management of the Executive Branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy; to the Committee on Government Operations.

H.R. 8006. A bill to authorize the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nation's ecological systems, natural resources, and environmental quality, and to establish a Council on Environmental Quality; to the Committee on Interior and Insular Affairs.

H.R. 8007. A bill to establish a Commission on Trading Stamp Practices to provide for the regulation of trading stamp companies, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 8008. A bill to amend the Federal Hazardous Substances Act to protect children from toys or other articles intended for use by children which present any electrical, mechanical, or thermal hazard; to the Committee on Interstate and Foreign Commerce.

H.R. 8009. A bill to amend title II of the Social Security Act to increase the amount of outside income which a widow with minor children may earn without suffering deductions from the benefits to which she is entitled thereunder; to the Committee on Ways and Means.

H.R. 8010. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. POLLOCK:

H.R. 8011. A bill to amend chapter 44 of title 18, United States Code, to exempt licensees from recording sales of ammunition to residents of the State in which the licensee's business is located; to the Committee on the Judiciary.

H.R. 8012. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. RAILSBACK (for himself, Mr. Brock, Mr. Conable, Mr. Cowger, Mr. Erlenborn, Mr. Evans of Colorado, Mr. Hunt, Mr. Lukens, Mr. Meskill, and Mr. Whalley):

H.R. 8013. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

By Mr. RAILSBACK (for himself, Mr. Brock, Mr. Conable, Mr. Cowger, Mr. Evans of Colorado, Mr. Hunt, Mr. Lukens, Mr. McClory, Mr. Meskill, Mr. Thompson of Georgia, and Mr. Whalley):

H.R. 8014. A bill to amend title 28 of the United States Code to provide that any judge or justice of the United States appointed to hold office during good behavior shall retire from regular active service upon attaining the age of 70 years; to the Committee on the Judiciary.

By Mr. RAILSBACK (for himself, Mr. Brock, Mr. Conable, Mr. Cowger, Mr. Evans of Colorado, Mr. Hunt, Mr. Lukens, Mr. Meskill, Mr. Thompson of Georgia, and Mr. Whalley):

H.R. 8015. A bill to amend section 2312 of title 18, United States Code, to permit a person enforcing that section to stop a motor vehicle to inspect the serial number of its body and motor if he has reason to suspect that the motor vehicle has been stolen; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 8016. A bill to encourage the involvement of youth in federally financed programs and projects; to the Committee on Education and Labor.

H.R. 8017. A bill to provide for a congressional ombudsman; to the Committee on House Administration.

By Mr. RIVERS:

H.R. 8018. A bill to amend section 1072(2) of title 10, United States Code, to include a foster child within the definition of dependent; to the Committee on Armed Services.

H.R. 8019. A bill to amend title 37, United States Code, to provide for the payment of uniform allowances to certain persons originally appointed, temporarily or permanently, as commissioned or warrant officers in a regular component of the Armed Forces; to the Committee on Armed Services.

H.R. 8020. A bill to amend title 37, United States Code, to provide entitlement to round-trip transportation to the home port of a member of the naval service on permanent duty aboard a ship overhauling away from home port whose dependents are residing at the home port; to the Committee on Armed Services.

H.R. 8021. A bill to amend title 37, United States Code, to authorize a dislocation allowance under certain circumstances, certain reimbursements, transportation for dependents, and travel and transportation allowances under certain circumstances, and for other purposes; to the Committee on Armed Services.

H.R. 8022. A bill to amend title 37, United States Code, to authorize travel, transportation, and education allowances to certain members of the uniformed services for dependents' schooling, and for other purposes; to the Committee on Armed Services.

By Mr. ROSENTHAL:

H.R. 8023. A bill to prevent the transportation of endangered species of fish or wildlife into the United States to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ROSENTHAL (for himself and Mr. Koch):

H.R. 8024. A bill to amend the National Housing Act to require disclosure of the applicable FHA-approved rent schedule and related information to tenants and prospective tenants of certain FHA-insured multifamily rental housing, and to require a public hearing before approval of any rent increase above the level specified in such schedule; to the Committee on Banking and Currency.

By Mr. ROUDEBUSH:

H.R. 8025. A bill to amend title 10, United States Code, to provide for an American Hero Award Medal to be awarded to the next of kin of members of the Armed Forces who lose their lives as a direct result of injuries or disease incurred in armed conflict; to the Committee on Armed Services.

By Mr. ST. ONGE:

H.R. 8026. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. SLACK:

H.R. 8027. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. STEED:

H.R. 8028. A bill to authorize the Secretary of the Interior to lease certain deposits of minerals in the bed of the Red River in Oklahoma; to the Committee on Interior and Insular Affairs.

H.R. 8029. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. STUBBLEFIELD:

H.R. 8030. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

H.R. 8031. A bill to designate the Okefenokee National Wildlife Refuge as the "Okefenokee Wildnerness"; to the Committee on Interior and Insular Affairs.

H.R. 8032. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. TALCOTT:

H.R. 8033. A bill to authorize the Secretary of the Interior to study the most feasible and desirable means of establishing Monterey Bay, the coastal areas of Santa Cruz, Monterey, and San Luis Obispo Counties, Calif., certain portions of the tidelands, Outer Continental Shelf, and seaward areas of the United States as marine sanctuaries, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. WALDIE:

H.R. 8034. A bill to amend title 5, United States Code, to improve the basic workweek of firefighting personnel of executive agencies, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8035. A bill to amend title 5, United States Code, to provide for the establishment of minimum and maximum age limits governing new appointments of firefighters in the competitive service; to the Committee on Post Office and Civil Service.

H.R. 8036. A bill to amend title II of the Social Security Act to permit a woman to become entitled to full wife's insurance benefits after attaining age 65 even though she became entitled to reduced old-age insurance benefits (or disability insurance benefits) before attaining that age; to the Committee on Ways and Means.

H.R. 8037. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 8038. A bill to provide compensation for civilian American citizens and prisoners of war captured during the Vietnam conflict; to the Committee on Interstate and Foreign Commerce.

By Mr. WOLFF:

H.R. 8039. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

By Mr. ZABLOCKI:

H.R. 8040. A bill to amend title 5, United States Code, to provide for the recrediting of annual leave forfeited as a result of administrative error, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ZWACH (for himself, Mr. Denney, Mr. Goodling, Mr. Langen, Mr. Mayne, Mr. Miller of Ohio, Mr. Nelsen, Mr. Quie, Mr. Reifel, Mr. Thompson of Georgia, and Mr. Wold):

H.R. 8041. A bill to establish the Countryside Development Commission to study the economic problems of rural America; to the Committee on Agriculture.

By Mr. BINGHAM (for himself, Mr. Adams, Mr. Boland, Mr. Brademas, Mr. Brown of California, Mr. Burton of California, Mr. Button, Mr. Cohelan, Mr. Conte, Mr. Conyers, Mr. Dellenback, Mr. Edwards of California, Mr. Esch, Mr. Farbstein, Mr. Fraser, Mr. Friedel, Mr. Fulton of Pennsylvania, Mr. Gilbert, Mr. Green of Pennsylvania, Mr. Gude, Mr. Halpern, Mr. Hawkins, Mr. Hechler of West Virginia, Mr. Helstoski, and Mr. Horton):

H.R. 8042. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MORSE (for himself, Mr. Koch, Mr. Leggett, Mr. McCarthy, Mr. McCloskey, Mr. Mikva, Mr. Minish, Mrs. Mink, Mr. Monagan, Mr. Moorhead, Mr. Ottinger, Mr. Pepper, Mr. Pollock, Mr. Rees, Mr. Reid of New York, Mr. Rosenthal, Mr. Roybal, Mr. Ryan, Mr. Schneebeli, Mr. Scheuer, Mr. Schwengel, Mr. Symington, Mr. Thompson of New Jersey, Mr. Van Deerlin, and Mr. Whalen):

H.R. 8043. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BARING:

H.J. Res. 504. Joint resolution authorizing the President of the United States of America to proclaim September 17, 1969, "General von Steuben Memorial Day" for the observance and commemoration of the birth of Gen. Friedrich Wilhelm von Steuben; to the Committee on the Judiciary.

By Mr. LOWENSTEIN:

H.J. Res. 505. Joint resolution proposing an amendment to the Constitution of the United States relating to the conservation of the natural resources and natural beauty of the United States; to the Committee on the Judiciary.

By Mr. MACDONALD of Massachusetts:

H.J. Res. 506. Joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas; to the Committee on Interstate and Foreign Commerce.

By Mr. QUILLEN:

H.J. Res. 507. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.J. Res. 508. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SANDMAN:

H.J. Res. 509. Joint resolution in honor of Amelia Earhart and Joan Merriam Smith; to the Committee on the Judiciary.

By Mr. SISK:

H.J. Res. 510. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WATTS:

H.J. Res. 511. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. BOB WILSON:

H.J. Res. 512. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HAWKINS:

H. Res. 286. Resolution to abolish the Committee on Internal Security and enlarge the jurisdiction of the Committee on the Judiciary; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

32. By the SPEAKER: Memorial of the Legislature of the State of Arizona, relative to recognition of the grazing rights of the Gray Partners on the Organ Pipe National Monument; to the Committee on Interior and Insular Affairs.

33. Also, memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to tax incentives for businesses to locate in slums and offer job-training programs to the disadvantaged; to the Committee on Ways and Means.

34. Also, memorial of the House of Representatives of the State of Montana, relative to funds for aid to families with dependent children under the Social Security Act; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 8044. A bill for the relief of Anna Gioia Bosco and daughter, Francesca Bosco; to the Committee on the Judiciary.

H.R. 8045. A bill for the relief of Antonino Cioffi; to the Committee on the Judiciary.

H.R. 8046. A bill for the relief of Renato Recine; to the Committee on the Judiciary.

H.R. 8047. A bill for the relief of Rosaria Tallegra; to the Committee on the Judiciary.

H.R. 8048. A bill for the relief of Franciose Toussaint; to the Committee on the Judiciary.

By Mr. BARING:

H.R. 8049. A bill for the relief of Valerie Ann Handford; to the Committee on the Judiciary.

H.R. 8050. A bill for the relief of McCarran Ranch; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 8051. A bill for the relief of Mrs. Antonia Alabiso, Filippe Alabiso, and Giovanni Alabiso; to the Committee on the Judiciary.

H.R. 8052. A bill for the relief of Mariano and Dolores Cabigiosu; to the Committee on the Judiciary.

H.R. 8053. A bill for the relief of Assunta Cacciuottolo; to the Committee on the Judiciary.

H.R. 8054. A bill for the relief of Gennaro Cacciuottolo; to the Committee on the Judiciary.

H.R. 8055. A bill for the relief of Giuseppa Constantino; to the Committee on the Judiciary.

H.R. 8056. A bill for the relief of Antonio Carbone; to the Committee on the Judiciary.

H.R. 8057. A bill for the relief of Bonaventura Di Lorenzo; to the Committee on the Judiciary.

H.R. 8058. A bill for the relief of Salvatore Di Marco; to the Committee on the Judiciary.

H.R. 8059. A bill for the relief of Salvatore Di Marco and wife, Maria Di Marco; to the Committee on the Judiciary.

H.R. 8060. A bill for the relief of Hugh Dyer; to the Committee on the Judiciary.

H.R. 8061. A bill for the relief of Maria Fontana; to the Committee on the Judiciary.

H.R. 8062. A bill for the relief of Vito Gissara and Gaetano Gissara; to the Committee on the Judiciary.

H.R. 8063. A bill for the relief of Andrea Guglielmi; to the Committee on the Judiciary.

H.R. 8064. A bill for the relief of Raffaele Ippolito, his wife, Ada Ippolito, and their children, Giuseppe and Nunzia Ippolito; to the Committee on the Judiciary.

H.R. 8065. A bill for the relief of Elio Lauria, his wife, Miniello Lauria, and their child, Eduardo Lauria; to the Committee on the Judiciary.

H.R. 8066. A bill for the relief of Ippolita Maffei; to the Committee on the Judiciary.

H.R. 8067. A bill for the relief of Assunta Morano; to the Committee on the Judiciary.

H.R. 8068. A bill for the relief of Joaquina Maria Nabais; to the Committee on the Judiciary.

H.R. 8069. A bill for the relief of Giovanni Recupito; to the Committee on the Judiciary.

H.R. 8070. A bill for the relief of Luigi Siano; to the Committee on the Judiciary.

H.R. 8071. A bill for the relief of Raffaele Turri; to the Committee on the Judiciary.

H.R. 8072. A bill for the relief of Domenico Viscariello; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 8073. A bill for the relief of Garzia Antonia Calogero; to the Committee on the Judiciary.

H.R. 8074. A bill for the relief of Mario and Maria Titone; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 8075. A bill for the relief of Juan Guajardo; to the Committee on the Judiciary.

By Mr. BROWN of Michigan:

H.R. 8076. A bill to authorize Col. Helmuth Sprinz to accept employment with the Government of the Kingdom of the Netherlands after his retirement from the U.S. Army; to the Committee on Armed Services.

By Mr. BURKE of Massachusetts:

H.R. 8077. A bill for the relief of Ilse Breitenstein; to the Committee on the Judiciary.

H.R. 8078. A bill for the relief of Adriana Forbes; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 8079. A bill for the relief of Francesco Castelli and Giuseppa Castelli (also known as Giuseppina Castelli); to the Committee on the Judiciary.

H.R. 8080. A bill for the relief of Giovannina Maria Cona and Angelina Cona; to the Committee on the Judiciary.

H.R. 8081. A bill for the relief of John Henry May; to the Committee on the Judiciary.

H.R. 8082. A bill for the relief of Rupert Rodney; to the Committee on the Judiciary.

H.R. 8083. A bill for the relief of Enrico Scalarini and his wife, Giovanna Chiara Scalarini; to the Committee on the Judiciary.

H.R. 8084. A bill for the relief of Luigi Scattarreggia; to the Committee on the Judiciary.

H.R. 8085. A bill for the relief of Dr. Erlinda P. Vidal; to the Committee on the Judiciary.

By Mr. CASEY:

H.R. 8086. A bill for the relief of Marie Thorley; to the Committee on the Judiciary.

H.R. 8087. A bill for the relief of I Ping Yu; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 8088. A bill for the relief of Audrey Jones; to the Committee on the Judiciary.

H.R. 8089. A bill for the relief of Guiseppe Montemaggiore; to the Committee on the Judiciary.

H.R. 8090. A bill for the relief of Angela Puglisi; to the Committee on the Judiciary.

By Mr. DANIEL of Virginia.

H.R. 8091. A bill for the relief of Ramon Cuasito, Jr.; to the Committee on the Judiciary.

By Mr. DELANEY (by request):

H.R. 8092. A bill for the relief of Gregorio Buonocore and Filomena Buonocore; to the Committee on the Judiciary.

H.R. 8093. A bill for the relief of Luigi Gambino; to the Committee on the Judiciary.

H.R. 8094. A bill for the relief of Elmira Tanoy; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 8095. A bill for the relief of Lena S. Tillman; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 8096. A bill for the relief of Dr. Delfin S. Santos and his wife, Mena A. Santos; to the Committee on the Judiciary.

By Mr. HAGAN:

H.R. 8097. A bill for the relief of Salvatore Frisella; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 8098. A bill for the relief of Pietro Di Mino, his wife, Filippa Di Mino, and their minor children, Antonietta Di Mino and Alfonso Di Mino; to the Committee on the Judiciary.

H.R. 8099. A bill for the relief of Dr. Indravaden S. Sanghvi and his wife, Jasu Sanghvi; to the Committee on the Judiciary.

By Mr. HATHAWAY:

H.R. 8100. A bill for the relief of Burrowes Manufacturing Corp.; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 8101. A bill for the relief of Loucas Arvanitis; to the Committee on the Judiciary.

H.R. 8102. A bill for the relief of Ciro Benanti; to the Committee on the Judiciary.

H.R. 8103. A bill for the relief of Paul Disclafani; to the Committee on the Judiciary.

H.R. 8104. A bill for the relief of Gaetano Geranio; to the Committee on the Judiciary.

H.R. 8105. A bill for the relief of Alfio Lagalia; to the Committee on the Judiciary.

H.R. 8106. A bill for the relief of Ciro Lala; to the Committee on the Judiciary.

H.R. 8107. A bill for the relief of Antonino Raimondi; to the Committee on the Judiciary.

H.R. 8108. A bill for the relief of Mr. Epaminodas Triantis; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 8109. A bill for the relief of Andreas Boutsis; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 8110. A bill for the relief of Blagoje Nikola Zlatkovic and his wife, Nevenka Zdenka Zlatkovic; to the Committee on the Judiciary.

By Mr. McCLOSKEY:

H.R. 8111. A bill for the relief of Mrs. Balasan Babakhan; to the Committee on the Judiciary.

H.R. 8112. A bill for the relief of Pilar Sartiaguda; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 8113. A bill for the relief of Dr. Yu Yung Lin; to the Committee on the Judiciary.

H.R. 8114. A bill for the relief of Angelo Russo; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 8115. A bill for the relief of Mrs. Toyo Shota Ikeuchi; to the Committee on the Judiciary.

H.R. 8116. A bill for the relief of Katherine Keiko Aoki Kaneshiro; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 8117. A bill for the relief of Teresa Antonaglia; to the Committee on the Judiciary.

H.R. 8118. A bill for the relief of Angel and Azucena Avila; to the Committee on the Judiciary.

H.R. 8119. A bill for the relief of Guido Barone; to the Committee on the Judiciary.

H.R. 8120. A bill for the relief of Vincenzo Ianni; to the Committee on the Judiciary.

H.R. 8121. A bill for the relief of Carlos Abel Majia-Herrera; to the Committee on the Judiciary.

H.R. 8122. A bill for the relief of Alonso Gonzalez-Palacio; to the Committee on the Judiciary.

H.R. 8123. A bill for the relief of Hector Antonio Rivas-Echeverri; to the Committee on the Judiciary.

H.R. 8124. A bill for the relief of Jacob, Rivka, Eliyuhu, Moshe, Rina, and Ilan Rouach; to the Committee on the Judiciary.

H.R. 8125. A bill for the relief of Javier Salazar-Ruiz; to the Committee on the Judiciary.

H.R. 8126. A bill for the relief of Luis Enrique Sierra-Gonzalez; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 8127. A bill for the relief of Chun Chai Chung, Kyung-Wha Chung, Myung-Wha Chung, and Myung-Whun Chung; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 8128. A bill for the relief of Giuseppina de Magistris; to the Committee on the Judiciary.

H.R. 8129. A bill for the relief of Noemi Sbili; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 8130. A bill for the relief of Zenaida I. Biroq; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 8131. A bill for the relief of Paz I. Cruz; to the Committee on the Judiciary.

By Mr. SANDMAN:

H.R. 8132. A bill for the relief of Dr. Herminia Buni; to the Committee on the Judiciary.

By Mr. SCHADEBERG:

H.R. 8133. A bill for the relief of San Yun Kim and husband, Wan Young Kim; to the Committee on the Judiciary.

By Mr. WALDIE:

H.R. 8134. A bill for the relief of Provvidenza Piscitello; to the Committee on the Judiciary.

By Mr. WATTS:

H.R. 8135. A bill for the relief of Dr. Mohammad Kamali; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 8136. A bill for the relief of Anthony Smilko; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

69. The SPEAKER presented a petition of Gordon Levon Dollar, Springfield, Mo., relative to redress of grievances, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

REVEREND HESBURGH'S LETTERS TO VICE PRESIDENT AGNEW AND NOTRE DAME

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, Rev. Theodore M. Hesburgh, president of the University of Notre Dame, has laid down a series of guidelines to be followed on his campus in the event of student disorders. He has also made an eloquet plea that we avoid overreacting to instances of violence; that we permit the university community to enforce its own rules and make its own adaptations to reasonable suggestions for change.

Few other academic leaders have so effectively articulated the need for a balanced approach. I include excerpts from his letters to Vice President Agnew and the students of Notre Dame University at this point as part of a continuing effort to bring to the attention of my colleagues materials relating to academic disturbances:

[From the New York Times, Feb. 28, 1969]

EXCERPTS FROM HESBURGH'S LETTERS TO VICE PRESIDENT AGNEW AND TO NOTRE DAME

(NOTE: Following are excerpts from a letter from the Rev. Theodore M. Hesburgh, president of the University of Notre Dame, to Vice President Agnew, made public in Washington yesterday, and from an earlier open letter from Father Hesburgh to the Notre Dame students and faculty:)

LETTER TO AGNEW

The best salvation for the university in the face of any crisis is for the university community to save itself, by declaring its own ground rules and basic values and then enforcing them with the widest and deepest form of moral persuasion for the good life of the university, and consequent moral condemnation with academic sanctions for any movement against university life and values—especially violence, vandalism and mob action which are the antitheses of reason, civility and the open society which respects the right of each and all.

When moral persuasion and academic sanctions fail to deter those who show open contempt for the life style and self-declared values of the university community, there should be no hestitation to invoke whatever outside assistance is necessary to preserve the university and its values. However, it is the university that best judges its need for outside assistance and invokes this assistance, much as it would call for help in a three-alarm campus fire. Here the concern is survival against forces bent on destruction.

It is important to see and judge universities today as they really are, not as they appear to be. The bizarre and widely publicized antics of relatively few students and relatively even fewer faculty are accepted as the stereotypes of all students and all faculty, much to the disgust of this widely maligned majority of faculty and students.

The vast majority of university and college students today are a very promising and highly attractive group of persons: They are more informed, more widely read, better educated, more idealistic and more deeply sensitive to crucial moral issues in our times, more likely to dedicate themselves to good rather than selfish goals, than any past generation of students I have known.

GOOD REASON FOR CONCERN

Many of the them are bothered by some aspects of American and world society and current values or the lack of them—with good reason in most cases. They would work very hard. I believe, if given a real opportunity to participate in changing this world for the better. They would also find out how hard this is to do and would quickly discard some of their more naive present solutions to our problems.

Even the most far-out students are trying to tell society something that may also be worth searching for today if they would only lower the volume so we could hear the message.

Anyway, the great majority of our students need better leadership than we or the faculty have been giving them. In a fast changing society the real crisis is not one of authority but a crisis of vision that alone can inspire great leadership and create great morale in any society.

A rebirth of great academic, civic and political leadership, a sharing of some of these youthful ideals and dreams (impossible or not) would be good for our universities and good for America too. It might also help us all remove some of the key problems that underline most of the unrest. The campus is really reflecting America and the world today in hi-fi sound and living color.

Part of the vision I have been speaking of must certainly include law and order. But curiously enough, one cannot really have law and order without another part of the vision: Greater achievement of justice in our times, more compassion for all, real love between the generations. All elements of the vision are interdependent. Moreover, the vision must be whole and real for everyone. Lastly, a measure of humor would help from time to time to break up the deathly seriousness of the present scene.

As to present action, I would make the following two suggestions:

(1) Assume for a few months that the university community—faculty, students, administration and trustees—are capable, in most cases, of laying down their own guidelines and effectively maintaining them in their usual free and independent university style. Things will be messy from time to time but we will make it as universities if we determine strongly to maintain our freedoms and our values. That determination is growing on every campus, every day now. Give it elbow room in which to grow and operate in its own good way.

(2) Where special help is needed, let all assume it will be asked for and given quickly, effectively and as humanly as possible given the provocations that surround the need for such outside help, as a last alternative to internal self-correction. But let it be understood that the university, and only the university, public or private, makes this determination.

If my two assumptions are correct, the crisis will pass without the further requirement of actions other than those contained in my assumptions, especially not repressive legislation, or overreaction in its many forms.

May I conclude with a word of optimism. As Dickens wrote in the "Tale of Two Cities," "It was the best of times and the worst of times." The worst, because many of our best traditions, as universities and as a nation, are under siege. The best of times, because we are going to win this battle, not by repressing the very values of rationality, civility and openness that we are trying to save, but by reinforcing them in our belief, in our lives, in our institutions and especially by using them, and hopefully youth's great vigor and idealism as well, to attack the deeper problems yet ahead of us in our age-long walk out of the jungle into the light.

LETTER TO STUDENTS

This letter has been on my mind for weeks. It is both time and overtime that it be written.

My hope is that these ideas will have deep personal resonances in our own community, although the central problem they address exists everywhere in the university world today and, by instant communication, feeds upon itself. It is not enough to label it the alienation of youth from our society. God knows there is enough and more than enough in our often non-glorious civilization to be alienated from, be you young, middle-aged, or old.

The central problem to me is what we do about it and in what manner, if we are interested in healing rather than destroying our world. Youth especially has much to offer—idealism, generosity, dedication, and service. The last thing a shaken society needs is more shaking. The last thing a noisy, turbulent, and disintegrating community needs is more noise, turbulence, and disintegration. Understanding and analysis of social ills cannot be conducted in a boiler factory. Compassion has a quiet way of service. Complicated social mechanisms, out-of-joint, are not adjusted with sledge hammers.

Now to the heart of my message. You recall my letter of Nov. 25, 1968. It was written after an incident, or happening if you will. It seemed best to me at the time not to waste time in personal recriminations or heavy-handed discipline, but to profit from the occasion to invite this whole university community, especially its central councils of faculty, administration, and students, to declare themselves and to state their convictions regarding protests that were peaceful and those that threatened the life of the community by disrupting the normal operations of the university and infringing upon the right of others.

I now have a statement from the Academic Council, the Faculty Senate, the Student Life Council, some College Councils, the Alumni Board, and a whole spate of letters from individual faculty members and a few students. . . . In general, the reaction was practically unanimous that this community recognizes the validity of protest in our day—sometimes even the necessity—regarding the current burning issues of our society: War and peace, especially Vietnam; civil rights; especially of minority groups; the stance of the university vis-a-vis moral issues of great public concern; the operation of the university as university. There was also practical unanimity that the university could not continue to exist as an open society, dedicated to the discussion of all issues of importance, if protests were of such a nature that the normal operations of the university were in any way impeded, or if the rights of any members of this community were abrogated, peacefully or nonpeacefully.

I believe that I now have a clear mandate from this university community to see that: 1) our lines of communication between all segments of the community are kept as open as possible, with all legitimate means of communicating dissent assured, expanded, and protected; 2) civility and rationality are maintained as the most reasonable means of dissent within the academic community; and 3) violation of others' rights or obstruction of the life of the university are outlawed as illegitimate means of dissent in this kind of open society. Violence was especially deplored as a violation of everything that the university community stands for.

WHAT HAPPENS IF

Now comes my duty of stating, clearly and unequivocally, what happens if. I'll try to make it as simple as possible to avoid misunderstanding by anyone. May I begin by saying that all of this is hypothetical and I personally hope it never happens here at Notre Dame.

But, if it does, anyone or any group that substitutes force for rational persuasion, be it violent or non-violent, will be given 15 minutes of meditation to cease and desist. They will be told that they are, by their actions, going counter to the overwheming conviction of this community as to what is proper here. If they do not within that time period cease and desist, they will be asked for their identity cards. Those who produce these will be suspended from this community as not understanding what this community is. Those who do not have or will not produce identity cards will be assumed not to be members of the community and will be charged with trespassing and disturbing the peace on private property and treated accordingly by law.

The judgment regarding the impeding of normal university operations or the violation of the rights of other members of the community will be made by the dean of students. Recourse for certification of this fact for students so accused is to the tri-partite Disciplinary Board established by the Student Life Council. Faculty members have recourse to the procedures outlined in the Faculty Manual. Judgement of the matter will be delivered within five days following the fact, for justice deferred is justice denied to all concerned.

After notification of suspension, or trespass in the case of non-community members, if there is not then within five minutes a movement to cease and desist, students will be notified of expulsion from this community and the law will deal with them as non-students.

Lest there be any possible misunderstanding, it should be noted that law enforcement in this procedure is not directed at students. They receive academic sanctions in the second instance of recalcitrance and, only after three clear opportunities to remain in student status, if they still insist on resisting the will of the community, are they then expelled and become non-students to be treated as other non-students, or outsiders.

A RESPONSIBILITY OUTLINED

There seems to be a current myth that university members are not responsible to the law, and that somehow the law is the enemy, particularly those who society has constituted to uphold and enforce the law. I would like to insist here that all of us are responsible to the duly constituted laws of this university community and to all of the laws of the land. There is no other guarantee of civilization versus the jungle or mob rule, here or elsewhere.

I have studied at some length the new politics of confrontation. The rhythm is simple: 1) find a cause, any cause, silly or not; 2) in the name of the cause, get a few determined people to abuse the rights and privileges of the community so as to force a confrontation at any cost of boorishness or incivility; 3) once this has occurred, justified or not, orderly or not, yell police brutality—if it does not happen, provide it by foul language; physical abuse, whatever, and then count on a larger measure of sympathy from the up-to-now apathetic or passive members of the community. Then call for amnesty, the head of the president on a platter, the complete submission to any and all demands.

So it has gone, and it is generally well orchestrated. Again, my only question: Must it be so? Must universities be subjected, willy-nilly, to such intimidation and victimization whatever their good will in the matter? Somewhere a stand must be made.

I only ask that when the stand is made necessary by those who would destroy the community and all its basic yearning for great and calm educational opportunity, let them carry the blame and the penalty. No one wants the forces of law on this or any other campus, but if some necessitate it, as a last and dismal alternative to anarchy and to mob tyranny, let them shoulder the blame instead of receiving the sympathy of a community they would hold at bay. The only alternative I can imagine is turning the majority of the community loose on them, and then you have two mobs. I know of no one who would opt for this alternative—always lurking in the wings.

BOMBARDED BY BOTH SIDES

We can have a thousand resolutions as to what kind of a society we want, but when lawlessness is afoot, and all authority is flouted, faculty, administration, and student, then we invoke the normal societal forces of law beneath our hapless and hopeless gaze. I have no intention of presiding over such a spectacle: Too many people have given too much of themselves and their lives to this university to let this happen here. Without being melodramatic, if this conviction makes this my last will and testament to Notre Dame, so be it. . . .

May I now confess that since last November I have been bombarded mightily by the hawks and the doves—almost equally. I have resisted both and continued to recognize the right to protest—through every legitimate channel—and to resist as well those who would unthinkingly trifle with the survival of the university as one of the few open societies left to mankind today. . . .

I truly believe that we are about to witness a revulsion on the part of legislatures, state and national, benefactors, parents, alumni, and the general public for much that is happening in higher education today. If I read the signs of the times correctly, this may well lead to a suppression of the liberty and autonomy that are the lifeblood of a university community. It may well lead to a rebirth of fascism, unless we ourselves are ready to take a stand for what is right for us. History is not consoling in this regard. We rule ourselves or others rule us, in a way that destroys the university as we have known and loved it.

POSTAL PATRONAGE

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. SCHWENGEL. Mr. Speaker, the Keokuk Daily Gate City recently carried an editorial on the subject of postal patronage. This editorial supports the reform advanced by President Nixon and Postmaster General Blount. I, too, support the proposed reforms which they have been advanced, particularly as amplified by Postmaster General Blount in a recent news conference. Having received permission I insert in the RECORD the editorial to which I have referred.

POSTAL PATRONAGE SYSTEM

Some 3,400 new postmasters and rural mail carriers are appointed each year, usually as a result of political patronage. It is the one real area of patronage for members of Congress. For that reason, the announcement that President Nixon and his Postmaster General intend to end the patronage system for selecting postmasters has aroused instant opposition.

The President's statement said that appointments now will be made under open competitive examination, with top qualifiers being appointed. That is the way appointments are supposed to be made now. However, to make sure that political appointees get the jobs, posts are held open until the preferred person is qualified.

Sometimes, that takes so long, the particular post office suffers. Major post offices with receipts in the tens of millions often go without a postmaster for years. It is to fill these posts that Postmaster General Winton M. Blount wants to do away with political patronage. As he says, "There is no valid connection between a man's political beliefs and his ability to deliver the mail."

Agreed. But when he tried to tell it to Congress, he learned that the members had other ideas. If Blount can put his plan across, it should mean greater efficiency and better morale—and perhaps faster mail.

UNIVERSITY OF NOTRE DAME

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. JACOBS. Mr. Speaker, contrary to what some people have hailed as a strictly harsh and simplistic statement of the obvious by the Reverend Theodore Hesburgh, president of the University of Notre Dame, the following communication from Father Hesburgh to the Vice President of the United States is a calm, balanced, and sensible treatment of the conflicts college campuses are experiencing all over the world.

Mr. Speaker, a partial text of the letter follows:

LETTER FROM REVEREND HESBURGH

President Nixon has asked me to give you my views regarding campus unrest and possible action on the occasion of your meeting this week with the governors of the fifty states. The President most wisely states that any action must be consistent with the vital importance of maintaining the traditional independence of American universities.

In the concluding sentence of my recent letter to Notre Dame faculty and students, I voiced my own central concern in the face of our current crisis: "We rule ourselves, or others rule us, in a way that destroys the university as we have known and loved it." Universities, like countries, can be equally destroyed from inside or from outside. The motivation may be different, to hurt or to help, but the result is the same—on our university: mob rule instead of civility, force substituting for reason, tyranny for persuasion, police state instead of the house of the intellect with all its glorious virtues exercised in freedom.

I shall make any comments as brief as possible.

1. The best salvation for the university in the face of any crisis is for the university community to save itself, by declaring its own ground rules and basic values and then enforcing them with the widest and deepest form of moral persuasion for the good life of the university, and consequent moral condemnation with academic sanctions for any movement against university life and values—especially violence, vandalism and mob action. . . .

2. When moral persuasion and academic sanctions fail . . . there should be no hesitation to invoke whatever outside assistance is necessary to preserve the university and its values. However, it is the university that best judges its need for outside assistance and invokes this assistance. . . .

3. It is important to see and judge universities today as they really are, not as they appear to be. . . . The vast majority of university and college students today are a very promising and highly attractive group of persons: They are more informed, more widely read, better educated, more idealistic and more deeply sensitive to crucial moral issues in our times, more likely to dedicate themselves to good rather than selfish goals than any past generation of students I have known. Many of them are bothered by some aspects of American and world society and current values or the lack of them—with good reason in most cases. . . . Even the most far-out students are trying to tell society something that may also be worth hearing today if they would only lower the volume so we could hear the message.

Anyway, the great majority of our students need better leadership than we or the faculty have been giving them. . . . A rebirth of great academic, civic and political leadership, a sharing of some of these youthful ideals and dreams (impossible or not) would be good for our universities and good for America too. . . .

4. Part of the vision I have been speaking of must certainly include law and order. But curiously enough, one cannot really have law and order without another part of the vision: Greater achievement of justice in our times, more compassion for all, and real love between the generations. . . . Lastly, a measure of humor would help from time to time to break up the deathly seriousness of the present scene.

5. As to present action, I would make the following two suggestions:

A. Assume for a few months that the university community—faculty, students, administration and trustees—are capable, in most cases, of laying down their own guidelines and effectively maintaining them in their usual free and independent university style. Things will be messy from time to time but we will make it as universities if we determine strongly to maintain our freedoms and our values. That determination is growing on every campus, every day now. Give it elbow room in which to grow and operate in its own good way.

B. Where special help is needed, let all assume it will be asked for and given quickly, effectively and as humanely as possible given the provocations that surround the need for such outside help, as a last alternative to internal self correction. But let it be understood that the university, and only the university, public or private, makes this determination.

If my two assumptions are correct, the crisis will pass without the further requirements of actions other than those contained in my assumptions, especially not repressive legislation, or over-reaction in its many forms.

FOR CLEAN WATER

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. DERWINSKI. Mr. Speaker, one of the most impressive and important appointments made recently in the executive branch was that of former Illinois State Representative Carl L. Klein as Assistant Secretary of the Interior for Water Conservation.

The Chicago Tribune in a very appropriate editorial Friday, February 28, comments on the soundness of this appointment.

May I add that Assistant Secretary Klein is greatly respected by all of us who have had the occasion to work with him. I believe he will very effectively serve the public interest in the vital area of water pollution.

The editorial follows:

FOR CLEAN WATER

In announcing the appointment of Carl L. Klein as assistant secretary of the interior, Secretary Hickel introduced him as "Mr. Clean Waters of Illinois." Klein, a Chicago Republican, earned the title as the foremost advocate in the state legislature of action to control pollution in Lake Michigan and other waters in this state. Among other things, he was chairman of both the Illinois Water Pollution and Water Resources commission and the Illinois House committee on water resources.

As assistant secretary for water quality and research, Klein will have jurisdiction over the entire federal program of water pollution control and will direct the interior department's water resources research programs. This is obviously an area of vital public concern.

Critics have been quite vocal in charging Secretary Hickel with being something less than enthusiastic toward the cause of conservation. If the secretary's selection of Klein reflects his determination to prove his critics wrong, he has made a worthy appointment. We expect the new assistant secretary to be every bit as energetic and forceful in pursuing the objective of clean water from his vantage point in Washington as he was here in Illinois.

BUSINESS RESPONSE—THROUGH ADVERTISING—TO THE ISSUES OF THE DAY

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. BOB WILSON. Mr. Speaker, I recently had the privilege of attending the American Advertising Federation's Eleventh Annual Government Affairs Conference in Washington, D.C. With the recent attention focused on some segments of the advertising industry, I was pleased that this conference was an important step in promoting a meaningful dialog between industry and Government. I would like to take this opportunity to share the excellent speech of two participants, Norman E. Cash, president of the Television Bureau of Advertising, and Walter E. Terry, chairman of the board of the American Advertising Federation:

BUSINESS RESPONSE—THROUGH ADVERTISING—TO THE ISSUES OF THE DAY

(Presentation prepared by Television Bureau of Advertising to be presented by Norman E. Cash, president)

Thank you for letting us be here on your agenda this morning.

Our time in history somehow associates *size* with *importance*. As this cartoon illustrates, we like to make even *ourselves* larger and, therefore, more important.

We do it in our advertising.

And today we find the same concern over size among some of our most serious businessmen.

So I think it speaks well for us in the advertising business that our largest advertiser is also our most important one and in so many ways illustrates the best that advertising can be. I do *not* refer to General Motors. Nor do I mean Procter & Gamble, proud as we are of them both.

I refer to the Advertising Council whose advertising campaigns last year received some $352 million worth of media time and space, a figure that's some 90% of the *combined* expenditures of both GM and P & G.

I feel it is significant that our country's largest advertiser is the one most *conspiciously* dedicated to the public good.

I say "conspiciously" because I believe almost *all* advertising is for the public good. An ad that presents news of a faster way to communicate is a public service. An advertisement for a new car or a message for an established product . . . all these help meet a *need* and are public service.

And news *of* a public need . . . this too is public service. And this type of advertising . . . that also meets corporate *business* objectives . . . is what I'd like to talk with you about this morning. I speak *not* of charity but of business.

Two years ago, Bruce Palmer of NICB told our Board that "The first business of business is profits . . . but that profits deteriorate in a suspicious, resentful, hostile atmosphere."

The atmosphere in which we do business . . . how much it's changed since this businessman kept his rifle handy by the rear wheel of his wagon. That gun may be a symbol of business responsibility *in those days.*

Calvin Coolidge (in a talkative mood) said "The Business of America is *Business*". Coolidge was updated when Henry Luce said "The Business of Business is *America*".

A blue-sky slogan? I don't think so.

Take, for example, the problem of unemployment and its related problem of help-wanted. Unemployment may sound like a *public* problem, but help wanted is a *business* problem and the two are being brought together . . . for the good of *both*. Watch how one manufacturer uses his advertising skill to combine a social and corporate message into one commercial.

(Roll, General Electric Commercial.)

The need for better lighting to help reduce crime becomes a job with a social challenge . . . and illustrates a concern for people . . . and advertising made it happen.

At the other end of the unemployment scale . . . the hardcore unemployed. Here again business is using advertising to tell many messages in one message.

(Roll, Gulf Watts Service Station Commercial.)

A Gulf message for the ghetto . . . for its stockholders and for its customers.

Both these messages illustrated the growing involvements of business in the environmental problems of urban decay and rural blight, poverty and pollution, schools . . . crime . . . delinquency. This concentrated list is really a cover . . . of a booklet some half million copies of which were distributed after three hours of network TV sponsored by the Institute of Life Insurance.

Here is how their program was introduced.

(Roll, Institute of Life Insurance Commercial.)

The president of Xerox attacked a related problem in their six and a half hours of programming called "Of Black America" when he said, "We believe that understanding the world we *live* in is as much our *business* as the world we work in."

The growing interest in business involvement with our social problems is illustrated by TvB's invitation to address a joint meeting of two important NICB groups: Those involved with public affairs, and those responsible for company contributions. These people are close to senior management too but usually do not share your skills in the use of mass media advertising . . . *advertising* that we believe can help top management meet these new and broader corporate goals.

Often you have assigned your advertising agency responsibility only for marketing your product. Their skills, like yours, can be put to work changing the environment within which your product is marketed . . . but only if you will show them the difference between a *cost*-per-thousand method of evaluating advertising and advertising media . . . and *contributions*-per-thousand . . . which is often more important.

How do these two measures differ? Who, for example, would sponsor a program reaching mainly the unemployed? But there is such a program . . . and public utilities and phone companies sponsor it . . . and it's called "Opportunity Line." Now covering half of America, it is a want-ad of the air . . . aimed at those who can't or don't read the help-wanted ads of their daily newspaper.

When half of such locally produced public service programming is not offered for sale, we believe it is a lost opportunity for the advertiser and the viewer.

Perhaps you saw last month's "Grocery Manufacturer" magazine's article about a local program the Heinz Comany sponsors . . . called "Job Call". Here's a kinescope segment.

(Roll Heinz KDKA-TV Kinescope.)

The budget for that program is from the public relations budget of Heinz, not the regular advertising budget.

Perhaps you saw in the October 6th New York Time Magazine the story of kids and cars . . . an article that showed this poster and containing this Advertising Council ad. The same message has become a television message.

(Roll Advertising Council Take-Your-Keys Commercial.)

The ideas of the Advertising Council can become *your* ideas just as Royal Globe Insurance takes this idea to be their own.

(Roll Royal Globe Insurance Take-Your-Keys Commercial.)

Crime is an obvious expense to insurance companies . . . but *we* pay the premiums. Speaking of crime, this little fellow cost *us* billions last year . . . because we paid this man to catch him. And even this private policeman is cheap when you look at the electronic equipment *he* used . . . equipment we paid for not to stop an enemy invasion, but as part of our private police force of 170,000 . . . which we maintain to keep employee dishonesty at the two-*billion* dollar level . . . because "More thieves break *out* than break *in*" . . . our own employees cost us two billion *business* dollars a year . . . in what they take from our business.

Crime is a business expense when pilferage equals profits . . . as it does for the A & P.

It seems the only ones to have benefited from all this are the criminals . . . and the Pinkerton and Burns stockholders.

Let me bring up one more business and social problem . . . and invite any of you to find a way to communicate it to the American people. This happy man . . . our friendly bookie . . . is our closest link to drugs in our high schools. The two dollar bet with him is his payoff to the police . . . which is his license to underwrite the whole of syndicated crime. How big is his take? Listen to an expert?

(Roll Salerno Kinescope.)

Crime is a concern of business for business reasons. It may become part of our advertising . . . like this message from the Patrolmen's Benevolent Association telling about the policeman who may never walk again thanks to his injury sustained while putting down riots on the Columbia University Campus. Or this ad from the Uniformed Firemen's Association . . . telling how hard it is to put out fires and dodge bricks and bottles at the same time.

This man is a crime fighter . . . by putting up lights on his home. A message sponsored by the Realtors' National Foundation, Inc.

An ad like this . . . with increases like these, can lead to an R. H. Macy Department store ad with this gun control message . . . or a similar one from Abraham & Straus . . . and both for business reasons: If people are afraid to go out on the streets at night, why have branch stores open?

Did you see the cover story in last month's "Nation's Business"? It talked about Operation Shakedown . . . as the underworld comes into the business world . . . and the National Council on Crime and Delinquency in its booklet asks . . . will your business be next?

NCCD, incidentally, offers a series of folders that *we* as advertisers could offer . . . as a public service to our viewers and readers, as a business service to our customers . . . as a profit move for ourselves.

Shoplifting is a crime but even good booklets like these won't impress teenagers until we find a way to let them know the booklets exist . . . perhaps through paid advertisements like this ad in a recent paper.

Your name . . . your corporate name . . . adds importance, adds belief . . . and sponsorship makes it better.

Much of the concern over crime starts with the *need* for more police, for *better* police . . . for more understanding of *current* police. Here are two different messages . . . that could have been *your* contribution.

(Roll Los Angeles Police Force Message.)

(Roll Detroit Police Force message.)

Poverty is another business concern . . . for both social and business reasons.

(Roll Urban America "Kitty" Commercial.)

If poverty could be reduced by one-third, the increase in consumer spending would be 21%.

Education is a busines concern . . . at all levels of education. Here is an ad for the United Negro College Fund . . . a fund to which almost every major corporation donates dollars. We would like to show you a contribution made by the Polaroid Corporation . . . a three-minute commercial run twice on network television . . . and then offered in one minute version for other advertisers. This, to us, is *modern* corporate advertising *proving* corporate concern.

(Roll Polaroid Commercial for UNCF.)

Where can you go to help? Everywhere are messages that need telling, and experts to help. The Urban Coalition knows the cities and their problems, the National Alliance of Businessmen knows unemployment, the National Council on Crime and Delinquency knows crime's costs; but they all need your advertising skills and your advertising budget.

Why should you help? Senator Dirksen gave one reason: "Government can't do it alone." I believe your own business records will give you another reason. And so will your citizenship.

I would like to close this morning by thanking you all for one example of what we can together accomplish . . . you with your advertising skills, and we, the mass media with our audiences.

Hunger in our land of plenty is a business concern . . . a social concern. It also became a personal concern when CBS telecast its report to America.

I call your attention to the folder describing the results. At the top, it says the program "moved the nation to tears". This was the first step.

But at the bottom of the folder is the *real* result: it moved people to *action*.

As people deeply concerned with the business of advertising, as manufacturers and media, how well we *use* our skills may well determine our *right* to advertise . . . and test our belief that the "Business of Business is America".

As individuals, as companies, you have done much to help and we in media have done much too. Together, we believe we can *both* do more.

Thank you.

WHEN THEY DON'T COUNT ON YOU, THEY MAY BE COUNTING YOU OUT

If you want to know what you can expect from your public, perhaps you should first know more about what your public expects from you.

Reported here is the percent and the type of people who expect and wish business, government, education, religion, unions to do more in helping solve these social problems:

[In percent]

	Government	Business	Schools	Religious	Unions
Pollution	89	30	3	5	5
Violence	85	11	20	30	10
Crime	90	12	7	10	7
Education	35	12	84	15	5
Delinquency	50	12	47	45	6
Poverty	82	30	11	25	15

Information comes from the TvB-commissioned R. H. Bruskin and Associates nationwide survey of 2,664 adults between September 2 and October 3, 1968.

TvB's Question: "In your personal opinion, which of these groups should be more involved in helping solve these social problems?"

REMARKS BY WALTER E. TERRY, CHAIRMAN OF THE BOARD, AMERICAN ADVERTISING FEDERATION, SENIOR VICE PRESIDENT D'ARCY ADVERTISING CO., AT THE 11TH ANNUAL GOVERNMENT AFFAIRS CONFERENCE, FEBRUARY 17 TO 19, 1969, WASHINGTON, D.C.

First, let me extend a warm welcome to you all on behalf of the AAF staff, its elected officials, and particularly those who have labored so hard and effectively to bring this conference about.

We hope you will find it informative and productive. The purpose of the conference is to explore advertising issues and projects pertinent to government and to the publics we serve. These issues will be discussed from our industry point of view as well as that of government. It is hoped that this coming together of the government and private sectors will result in a better understanding of each other and hopefully point the way to further government-industry cooperation on matters affecting the public interest.

The effort to develop understanding and cooperation between industry and government is, of course, one of the major objectives of the AAF. And during the past 12 months your Federation has made considerable headway in strengthening its capacity to serve advertising and the public.

For the first time we are meeting in the Nation's Capital with our national headquarters located here. The purpose of the move was to better represent and articulate the views of advertising in the place where decisions affecting the future of our business are made. And we are being listened to. Our views do carry increased weight and—most important of all—increased respect. And we now are in a better position to provide information and service to government than at any time in our history.

Since our last conference, Federation activity on the governmental front has intensified. AAF spoke out strongly against the FTC's recommendations to Congress on cigarette advertising, testified in the Congress against the application of the Fairness Doctrine to advertising, filed comments in the FTC proceeding on co-op advertising, testified in the FTC consumer hearings, and authorizing a filing in the Iowa ad tax appeal to the U.S. Supreme Court.

The AAF Model Law on deceptive practices at the state level has been approved and distributed for introduction within those states where the public is not now adequately protected from such practices.

But, as in the past, AAF is not solely concerned with government relations. Your Federation—through our grass roots strength in the 178 advertising clubs throughout the nation where our over 40,000 members live and work and vote—has active programs and will continue to work in the fields of Education, Public Service and Ethics. A good example of this activity is the Advertising Code of American Business which was developed by AAF and now has been adopted by all of the clubs and over 50 other organizations throughout the land.

But in spite of the many positive steps we and other advertising associations have taken, some of the results of which you will be seeing during the Conference, our critics seem to multiply and become more vocal. You remember the same old list of charges: Advertising stimulates our appetite for things we don't need. Advertising corrupts the English language. Advertising is materialistic. Advertising turns television into a vast wasteland. Advertising is fraudulent. Advertising helps sell products that are shoddy and harmful.

And during the year just past, when the acceptance of and interest in advertisements reached what must be considered a recent high, advertising itself stood accused, among other things, of escalating the incidence of violence in the United States, of encouraging industrial monopoly, of promoting racism, of encouraging the use of lethal weapons among children, and finally, of controlling the outcome of a national presidential election.

Accusations of this sort remind me of the lady in California, who, after nearly three recent weeks of statewide stormy weather, rain, hail, snow, floods and mudslides, was reported to have complained: "We never had weather like this under the Johnson Administration!"

More seriously, over a longer period of time, we have seen an increasing willingness on the part of government to investigate, regulate and control what is loosely identified as "the advertising business." For people like us who work in this field, government intervention—actual or threatened—has become a day-to-day fact of life. And living with threats of this sort, in a business whose political power is, at best, limited, has produced a climate which can hardly be described as "healthy."

During this past year, as you know, Iowa imposed a tax on advertising—as though an advertisement were, in fact, a sale—a claim, incidentally, that even the strongest advocates of advertising have shrunk from making. To tether this beast, advertising, the Iowa legislature has succeeded in imposing what is, in effect, a tax on the expression of free speech. And advocates of the advertising tax are now extending their efforts to other states. This is a most unwholesome prospect for all of us. For when *some* people must pay to exercise a right, that right has been compromised for everyone.

The Iowa tax, threats of government intervention (such as the FCC ruling on cigarette advertising), and the continuing social criticism of advertising, spring from the same source: a gross misunderstanding of the role advertising plays in our society.

Advertising cannot and does not fundamentally change the way that masses of people think and feel about themselves. It might change what they think about a product. Provided the product lives up to the message. But advertising does not create either our social values or our institutions. It only *reflects* them. That is why so much of the criticism of what is collectively called on "Madison Avenue" is actually an attack on society itself.

Does advertising really stimulate our appetite for things we don't need? Or is the right to advertise such products merely part of the right to manufacture and sell them? And further, who should define what we need or don't need—the government—or the people?

Does advertising really corrupt the English language? Or merely use it in many different ways, the way the people who speak it do?

Is advertising materialistic? The man who believes, really believes, that material possessions will make him truly happy deserves our pity more than our legislative help.

Is advertising ruining television at a time when commercials are being included in the film collection of the Museum of Modern Art?

Read what people say about the advertising of their time, and it will tell you how they regard themselves and their society:

"Advertisements contain the only truths to be relied upon in a newspaper," wrote Thomas Jefferson.

"Advertising stimulates such an insatiable hunger for individual acquisition that our society has become unbalanced," said John Galbraith.

Can there be any doubt what John Galbraith would say about a tax on advertising? Or, more importantly, what Thomas Jefferson would say?

As an advertising man who finds himself presented with the unusual opportunity of addressing this Eleventh Annual Government Conference, I wish to make what may seem to be a simple request to government representatives who interest themselves in our affairs and who are attempting to establish values regarding advertising other than those of law and order:

"Treat us as we are, not as you would have us be. Resist the shifting pressures of changing public opinion and treat us with consistency. Give us a fair shake, grant us the respect we have earned, and you will have our support and assistance.

"In short, we ask only for a permanent and earned respect. We recognize that every business has responsibilities to the society in which it operates, and that there is a great need for developing social consciousness on the part of business. We say to you we have assumed *our* responsibilities more so than any other major industry, and if you will allow us to do so we will continue to be dedicated to our responsibilities and the economic development of our great country."

The French writer, Antoine de St. Exupery once wrote that "To be a man, is, precisely, to be responsible."

That, and no more, is what advertising seeks from government. The freedom to be responsible.

This should be a profitable two and a half days for us all, but I would hope that the end of the conference will just mark the *beginning* of a renewed effort to utilize the vast grass roots strength of AAF to advance the advertising profession. We can do this in many ways, including:

1. Developing a strong legislative alertment system in each club to guard against unfair or unwarranted restrictions on the freedom of advertising.

2. Establishing an effective ethics program in each club to promote the highest standards of the advertising profession as epitomized in the Advertising Code of American Business, to implement the new Model Deceptive Practices Act in each state where there do not now exist adequate laws.

3. Maintaining a continuing effort to inform the public, educators and government officials about the positive values and contributions of advertising to society.

4. Developing constructive programs to aid in meeting the major public needs of our communities and Nation utilizing the tools of advertising and marketing.

5. Establishing and maintaining closer ties with the educational institutions of our communities, especially informing young people about the virtues of advertising as a career.

6. Seeking even better communication and idea exchange between our own members and other associations to encourage an all-industry support for worthwhile efforts and to enlist active awareness and backing of AAF in its unique position of representing the interests of all advertising.

For my part, the opportunity to serve as your chairman is a most rewarding experience. The dedicated work of my predecessors and the highly skilled professional staff we now have have made my job a lot easier. The job of all of us is to build on the great strides which AAF has made since last year's conference. And we can begin by getting the most out of this year's fine program and putting it to work for AAF and the industry we serve.

FREEDOM'S CHALLENGE

HON. TORBERT H. MACDONALD

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. MACDONALD of Massachusetts. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conducts a Voice of Democracy Contest. This year over 400,000 school students participated in the contest competing for the five scholarships which are awarded as the top prizes. The contest theme for this year was "Freedom's Challenge."

I would like to bring to the attention of my colleagues the speech of the winner of the Massachusetts competition, Miss Lynn Holoway, who is a resident of my district. I think that both she and the Veterans of Foreign Wars should be congratulated for their efforts in this area.

The contest entry follows:

FREEDOM'S CHALLENGE

(By Lynn Holoway)

We are America's future. Today's young generation will soon be called to lead tomorrow's society. But are we sure that we can fulfill such a responsibility? The challenge is great. It is difficult to imagine a life without the many rights and privileges we enjoy. We think nothing of traveling outside of the United States, working in whatever profession we choose, or criticizing our government when we do not feel that her policies are the best, because few of us have known any other kind of existence. But freedom must not be taken for granted. We have to live for it, work for it, and when it is threatened, fight for it. Apathy will open America to the enemies of democracy, and we shall perish.

I have often felt guilty when I have heard of the hunger, the poverty, and the persecution existing in other countries, or reports of boys not much older than myself who have given their lives for us at home. It has made me wonder what I have done to help preserve freedom. But I think that I am beginning to realize that "freedom's challenge" means the little things, too—things every American is capable of. It is not just words, though, it is "doing." It seems very patriotic to boast of America's greatness, but it is more important to vote conscientiously. It is fine to wave a flag or march in a parade, but all too often patriotism ends there.

Being an American is more than living in this country and reaping the benefits. Each citizen is part of a great wheel that runs a little less steadily with every weak spoke. Our nation is not run by one man or by a hundred men. The President and our Congress are representatives of the thoughts and feelings of the small farmers, the truck drivers, the financial executives, you, and me. They are the echoes of the millions of Americans in our cities and towns. Their power is based on our faith and our support.

America today sometimes rumbles with voices of doubt, of anger, and of fear. It is frightening to hear reports of riots, of racial and political unrest, or of the assassinations of some of America's greatest men; but I think of our fine Olympic athletes, the advances we have made in science and technology, our prosperity, all the aid we have given to foreign nations, the many men who have died at home and abroad for freedom's cause, I know that America, although she may stumble, with all men working together, and the help of God, will not fail.

RETIREMENT OF SAM H. FRANKS

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. SAYLOR. Mr. Speaker, I take this opportunity to call to the attention of this House the recent retirement of Samuel H. Franks from his position as director of the Veterans' Administration hospital in Salt Lake City, Utah.

Mr. Franks has truly served with distinction as a hospital director for the Veterans' Administration.

A native of Liverpool, England, he was first affiliated with the Veterans' Administration shortly after the conclusion of World War II, when he was employed in the then Veterans' Administration branch office at San Francisco, Calif. He was named assistant director of the old Oakland Hospital on April 2, 1952, and 2 years later was named director. He served in that capacity until that hospital was closed and a new facility opened in nearby Martinez.

Following the conclusion of his service in California, he was transferred to the Veterans' Administration hospital at West Haven, Conn., and on February 20, 1966, he assumed the position that he held until the time of his retirement.

Mr. Franks served in the Medical Corps of the U.S. Army during World War II and brought to the Veterans' Administration a wealth of knowledge, a sparkling personality, a keen judgment of individuals, a know-how, and a dedication to the principle, which should motivate all our Veterans' Administration hospitals, that the veteran's care comes first; research, education, and affiliation with the medical school should be placed in a secondary role.

It is only fair to report that Mr. Franks was a troubleshooter for the Veterans' Administration during his period of service and frequently was called upon to correct an individual situation which had gotten beyond the ability of prior administrators to correct.

I first came to know of Mr. Franks' ability when he assumed the directorship of the Veterans' Administration Hospital in Salt Lake City. Older Members of this House will recall that I had to endure some criticism from the press and from the citizens of the State of Utah for bringing to the attention of the public the deplorable conditions which had been permitted to arise in the Veterans' Administration Hospital at Salt Lake City in 1965 and 1966. It was truly a shocking condition and one which was in urgent need of correction. After considerable pressure and publicity on my part, the Veterans' Administration did reassign several employees, reprimand some physicians, and counsel others involved in unfortunate incidents in the hospital which compelled the retirement of the prior director. Mr. Franks moved quickly and firmly to rectify the then existing deplorable conditions and to assure the primacy of veteran's care. In so doing he had to take considerable abuse which would have been better directed at others. Officials in Washington did not always give him the support to which, in my judgment, he had a right to expect.

Mr. Speaker, I have taken this opportunity to call the attention of this House to the yeoman service to Mr. Franks and the appreciation we who have had the opportunity to know of his work feel for his activities. I, along with all others who knew of his dedicated service, wish him the happiest sort of retirement. The public service will miss him.

MEMPHIS CIVIC LEADER GREAT HUMANITARIAN

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. KUYKENDALL. Mr. Speaker, it was my great privilege last month to be one of the participants, along with Danny Thomas, in honoring one of Memphis' leading citizens for his outstanding contributions to humanitarian causes. Sam Cooper is president of the HumKo Products Division of the National Dairy Products Corp., a native Memphian, a respected and beloved member of the community.

Last month Mr. Cooper was honored as the eighth recipient of the Memphis Round Table's Brotherhood Award. No man has deserved the honor more. Sam Cooper has practiced the most precious precepts of brotherhood in his business life and in his community activity. Memphis is a much better community because of Mr. Cooper's untiring contributions to numerous civic projects and when an important city becomes a better place in which people may live, work, play and worship in freedom, our whole Nation is improved by that much.

I would like to note the presentation of the Brotherhood Award to Sam Cooper by including as a part of these remarks in the Record, an article from the Memphis Press Scimitar of February 10, and another from the Memphis Commercial Appeal of February 11, 1969:

[From the Memphis (Tenn.) Press-Scimitar, Feb. 10, 1969]

Danny Thomas To Speak at NCCJ Award Dinner

(By Kay Pittman Black)

Television star Danny Thomas, who frequently makes trips to Memphis to promote the hospital he founded, St. Jude Children's Research Center, was in town today to help promote the humanitarian efforts of the National Conference of Christians and Jews.

Thomas will be guest speaker at 7 tonight at the annual Brotherhood Award Dinner of the Memphis Round Table of NCCJ. Allen Morgan, president of First National Bank, is dinner chairman. The event will be held at the Holiday Inn-Rivermont.

The Brotherhood Dinner pays special tribute to a Memphian who has greatly advanced the cause of brotherhood. Sam Cooper, civic leader and president of HumKo Products Division, will be honored tonight.

Morgan said 1,450 tickets to the $35-a-plate dinner have been sold.

GREAT HONOR

Cooper said today, "This is one of the greatest honors to come to me."

Cooper, who lives at 50 Waring Road with his family, is 58 and a graduate of Humes High School.

Long active in civic affairs, he is on the board of St. Peter's Home and also serves on the board of Methodist Hospital. Until last year he was chairman of the Memphis Federal Reserve Board and this year was asked to serve on the St. Louis Board of Federal Reserve Banks.

CIVIC GROUPS

He is on the Business Committee for the Arts, a national organization, and has led fund drives for the Memphis Arts Council. He has served as president of Shelby United Neighbors, president of Ridgeway Country Club, a director of the Memphis Rotary Club and served on the board of directors of the American Red Cross.

Thomas spent a busy day in Memphis prior to the award dinner. He was to visit St. Jude's, attend a luncheon and visit with friends in Memphis.

Thomas founded the hospital in the late 1950s. Money was raised to build the hospital by various entertainers, including Thomas, who gave benefit shows. The hospital opened in 1962 as a research center for leukemia and other childhood diseases.

OTHER WINNERS

Previous Brotherhood Award winners are Edward F. Barry, 1962; the late Edward J. Meeman, 1963; Abe Plough, 1964; Everett R. Cook, 1965; J. R. Hyde, 1968; Norfleet Turner, 1967; and Frank R. Ahlgren, 1968.

Money raised at the annual dinner is used to promote community relations programs and interfaith workshops.

[From the Memphis (Tenn.) Commercial Appeal, Feb. 11, 1969]

High Praise Accompanies Award

"Brotherhood—what a precious commodity. No one has a monopoly on it and everyone can enjoy it."

Sam Cooper, eighth recipient of the Memphis Round Table's Brotherhood Award, thus expressed his feelings last night after more than 1,400 people gathered at the Holiday Inn-Rivermont to honor him.

Also speaking on the program was entertainer Danny Thomas, making his second National Conference of Christians and Jews recognition dinner address.

Allan B. Morgan, banquet chairman and president of the First National Bank of Memphis, presented Mr. Cooper with the citation.

Other Memphians who have won the award are Edward F. Barry, attorney; Edward J. Meeman, late editor of the Memphis Press-Scimitar; Abe Plough, founder of Plough, Inc.; Everett R. Cook, founder of Cook & Co., cotton company; J. R. Hyde, honorary chairman of Malone & Hyde, Inc.; Norfleet Turner, chairman of the board of First National Bank of Memphis; and Frank R. Ahlgren, retired editor of The Commercial Appeal.

In his introduction of Mr. Cooper, Mr. Allen took the honoree's initials, "C" and "S," and used them to describe him.

"Shortening Champion (Mr. Cooper is president of HumKo Products Division of the

National Dairy Products Corp.), shrewd card player, short chipper, salesman of causes, self-contributor and superlative citizen.

"Sam Cooper is best known to Memphians as a man so dedicated to his beliefs and to the things that have to be done that he assumes a manner of responsibility in getting them done.

"Sam Cooper is a Memphian in the true sense of the word—born, reared and living and working in our city all of his life. "He started at the bottom and he has worked hard and long. He attended public schools here and at the age of 18 he got a job at the old Natural Cotton Seed Products Co., where he worked as office boy, stenographer and as a bookkeeper who had never kept a set of books."

In 1952 when HumKo and National Dairy Products merged he was made president.

"He started his brotherhood work by taking part in a SUN drive in 1960 and he responded with complete dedication.

"My participation in helping make our city a better place in which to live has been a labor of love. It has given me better understanding of brotherhood.

"What greater honor could a man receive? How blessed can a man be?"

Mr. Barry, the former honoree, then introduced Mr. Thomas, a man known to Memphians most importantly because of his connection with St. Jude Children's Research Hospital.

Mr. Thomas entertained the audience with his wit for half an hour, then closed on a more serious note.

"I am very happy today in the knowledge that the people of Memphis realize they are the owners and benefactors of St. Jude."

THE KINGDOM OF MOROCCO

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. BROOKS. Mr. Speaker, the Kingdom of Morocco observes today its National Day, marking the eighth anniversary of King Hassan's accession to the throne and the 13th anniversary of the treaty under which Morocco regained her independence from the French in 1956.

It is appropriate that we mark this important date in the history of one of America's closest friends in the Arab world. While Morocco is a young country she was an ancient country when our Republic was in its youth. Morocco's Sultan Mohammed III in 1778 gave status to American merchant vessels and thereby became one of the first nations to recognize the United States. Our friendship over the years has been reconfirmed by the treaties of 1786 and 1836. The talks in 1943 between President Roosevelt and King Mohammed V, the late father of the present king, reconfirmed our longstanding friendship. Since Morocco regained her independence, our relations have been close.

Today Morocco is working for a better life for its people. King Hassan II gives priority to economic development, and particularly food production, in the allocation of his country's resources. The 5-year plan, 1968–72, calls for broad increases in productivity, which will be translated into higher standards of living for Morocco's 14 million people.

We are proud to be associated in this task with this young country, an old friend. The cause of Moroccan-American friendship is further served by the presence in Washington of Ambassador Ahmed Osman and his charming wife, Princess Lalla Nezha, younger sister of the king.

JUST BIG-BRAINING?

HON. FRANK A. STUBBLEFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. STUBBLEFIELD. Mr. Speaker, with all the charges and countercharges being made as a result of the Federal Communications Commission's proposed ruling to ban cigarette advertising on television and radio, I want to make available to the entire membership of the Congress an excellent editorial appearing in the February 8 edition of the Kentucky New Era of Hopkinsville, Ky.

The articulate thinking set out in this editorial clarifies the FCC's suggestion as a definite, two-sided action. I commend the Kentucky New Era's provocative editorial to all those interested in the cigarette-cancer issue, regardless of whether they consider themselves pro or con the FCC proposal:

JUST BIG BRAINING?

There has to be mixed feelings here on the proposal of the Federal Communications Commission to ban all cigarette advertising from television and raido.

This would be true if this community were not a tobacco-growing area with a sizable economic stake in the raising of the burley that goes into the cigarettes.

But, omitting the local slant and looking at the picture from only a nationwide angle, it's hard to escape a two-sided reaction to the FCC's suggestion. On the one hand the idea does make considerable sense. On the other, there is extreme danger in the precedent.

The FCC points out that it operates in the telecasting and broadcasting fields with the designated purpose of protecting the public's interest. What, it asks, could be more in the public's interest than a step it thinks will improve the public's health.

So, if the government and the people in Washington who speak for it are convinced, as the US surgeon general first charged in 1964, that cigarette smoking injures health and shortens the life of the smoker, it seems logical it should move to curb said smoking. It would seem foolish to do otherwise.

But the FCC would be moving into treacherous waters if it follows its proposal. The step would mark the first time the agency has ordered a ban on the advertising of any commodity the public can buy and consume legally. It is a move toward stifling of news media, a trend of which few Americans approve after seeing the effect of such gags in communist countries.

If the FCC can ban cigarette advertising, what is to prevent it from deciding next that since traffic accidents kill so many people, all ads involving automobiles should be banned from TV and radio? Or that in view of the 1968 assassinations, all news unfavorable to public officials should be kept off the air.

Not to be overlooked is the question of what effect the banning of cigarette commercials would really have on smoking. Obviously, the ban won't stop the puffing. People don't start smoking or smoke more because they see a man on TV wearing a hole in his shoe walking a mile for a certain type of cigarette.

National prohibition proved the fallacy of thinking any government can legislate morals or personal habits. The only answer is improved thinking, and this doesn't come about by government decree.

Actually, we believe there is little likelihood the FCC will ever ban cigarette ads. This week's proposal seems more in the nature of some pressure on the Congress in regard to the health-and-tobacco campaign.

The present law, which requires a health warning to be put on all cigarette packages and equal even if free TV time to offset smoking ads, has definite restrictions against such steps as the ban on advertising. But the law is scheduled to expire next summer.

There is more than an outside chance the FCC's thinking is that it will just show Congress what can happen if the legislative branch of government doesn't extend the existing law or pass a stronger one.

In some circles that's what is known as big-braining.

THE DEMOLAY BOY

HON. FLOYD V. HICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. HICKS. Mr. Speaker, we all are aware of the fine work done by the Order of DeMolay in forming the characters of millions of American boys, so that over the years they have grown up to become among our finest citizens.

We hear much less of the background of DeMolay, of efforts put into this group by the members of the parent Masonic organizations. And we hear even less about why these dedicated men put forth that effort. And very rarely do we have an opportunity to hear that expressed with real eloquence and clarity.

It is my privilege to include in the RECORD, so that others may share it, the explanation of Masonry and DeMolay by Mr. Robert L. Gilmore, Most Worshipful Grand Master, of Puyallup, Wash.:

EXPLANATION OF MASONRY

Frank S. Land, DeMolay and Masonry, truly one for all and all for one.

Frank Sherman Land was born on June 21. 1890, initiated as an Entered Apprentice Mason in May of 1912 and completed the degrees in both York Rite and Scottish Rite Masonry in January 1913. Although he received many honors in the various appendant bodies of Masonry, including that of serving as Imperial Potentate of the Shrine of North America in 1954–1955, no other honor compares with the founding of the Order of DeMolay, for what he did for others has enshrined his name on the records of Freemasonry for all time.

From its founding in 1919 by "Dad" Land, with the original nine members, the Order of DeMolay has had over 3,000,000 young men kneel at its altars and be obligated to those things of reverence, filial love, patriotism, courtesy, cleanness, fidelity and comradeship.

I ask, do these virtues differ from our cardinal virtues and precious jewels?

In these days when our proud nation is faced with riots, premeditated arson, civil disobedience and wild rampages that border on insurrection and anarchy, with a yoke of infamy—of crime born of greed, hate, violence, lawlessness and worst of all by the apathy of otherwise good men, it is with a ray of hope for the future that we look to the young man of high virtue—the DeMolay boy.

He's the fellow between the ages of 14

and 21 who has dedicated himself to God, his country and his parents.

He's the fellow who is privileged to give expression to these virtues in DeMolay service.

He's the fellow who believes in spiritual values and has the courage to live them everyday.

He's the follow we ask to fight for our country when it is in danger, and the measure of his service is the measure of our security (no draft card or flag burner is he).

He's the fellow who reverences mothers, and truly happy with Dad for his pal.

He's the fellow who seeks to serve others and aspires to leadership as prerequisite to good citizenship.

He's the fellow who likes to work and play knowing that work and play make a good DeMolay.

He's the fellow for whom you and I are working, and he will carry on what we have started.

He's the fellow into whose hands we will deliver the fate of our nation and the fate of all humanity.

That's the fellow who is the DeMolay boy, your son and my son.

Our youth groups issue invitation after invitation but enjoy only the visitation of those few dedicated Brothers who serve as Rainbow Dads, Associate Guardians of Job's Daughters and DeMolay Dads. Where are the remainder of our Brothers who profess that our youth is the hope of our future?

The height of human dignity is reached by free men choosing their destiny, humbly mindful of their obligations to their creator and their fellow man.

It is the duty of Masonry to assist in elevating the moral and intellectual level of society: In coining knowledge, bringing ideas into circulation and causing the mind of youth to grow: And in putting, gradually, by the teachings of axioms and the promulgation of positive laws, the human race in harmony with its destinies.

It is my contention that Freemasonry should compete for men's minds and souls by carrying to them a human relations program by which we would teach the duties which all men owe to God, to their fellow men and to their institutions—governmental, religious, educational and fraternal. We must not retreat from the problems of mankind behind the secure bulwalk of our faith, but must be an articulate voice in the arts, religions, in politics, in economics and in education.

My brothers, I trust that those of you who attend DeMolay meetings and witness the school books on the altar and hear the charge, feel as I do, that here is a great bastion for the continued and complete separation of church and state. Must we leave this to our youth or shall we heed the words of Albert Pike:

"The citizen who cannot accomplish the smaller purposes of public life, cannot compass the larger. The vast power of endurance, forbearance, patience and performance of a free people, is required only by continual exercise of all the functions, like the healthful physical human vigor. If the individual citizens have it not, the state must be equally without it.

"It is of the essence of free government that the people should not only be concerned in the making of the laws, but also in their execution. No man ought to be more ready to obey and administer the law than he who has helped to make it. The business of government is carried on for the benefit of all and every co-partner should give counsel and co-operation."

Let us accept and fulfill our obligations to this and future generations by furnishing counsel for the youth groups, attendance at their meetings, transportation when required, and by contributing to their foundations. May each of us so live that he who governs all, looks with favor upon our efforts to inculcate in our youth those principles set forth in the constitution of this Great Republic.

WAR IS ALL THE HORRIBLE THINGS A HUMAN CAN DO

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. SHRIVER. Mr. Speaker, on February 12, 1969, Maj. Vincent Colasuonno, U.S. Air Force, was killed on a combat mission over Vietnam. Major Colasuonno and his family lived in Wichita, Kans., which is in my congressional district. He was a veteran of 17 years service in the Air Force.

Major Colasuonno left behind him a strong and meaningful message on the nature of war which was conveyed through a personal letter to the students of the Church of Magdalen School in Wichita where his children attend classes.

This poignant message about war was carried in newspapers throughout the Nation a few days following the death of this brave American. It was first reported and written by Jackie Helstrom, staff writer for the Wichita, Kans., Beacon.

Under leave to extend my remarks in the RECORD, I wish to call to the attention of my colleagues in the Congress the message left by Major Colasuonno as reported in the Beacon article. I have just returned from a brief inspection trip to Vietnam, and I have learned firsthand of the bravery and commitment of our American military men there. We owe a great debt to men such as Major Colasuonno. Perhaps we can meet a little of that debt by heeding the words of his message to the students at the Church of the Magdalen School.

The article follows:

WAR IS ALL THE HORRIBLE THINGS A HUMAN CAN DO

(By Jackie Helstrom)

"War is all the horrible things a human being can do to another human being because he has not learned to love—rather to hate."

Those words of Air Force Maj. Victor Colasuonno, who fought in Vietnam, and died there last week, have remained behind him in a potent message on the nature of war.

When his letter on "what war is" was read last week to the students at Church of the Magdelan School, whose fourth grade class had received it, some of the students were in tears, others received the shock of reality with solemn silence.

"I'll tell you what war is not," Maj. Colasuonno wrote. "It is not a glamorous, daredevil existence where the 'good guys' always win.

"It is not a fearless fighter pilot jumping into his airplane to shoot down the enemy.

"It is not a game which you plan (and which I played as a child), where you go home to a good supper and a warm bed after it is over.

"War is fought by real human beings, not Hollywood stars—men like your daddy's and perhaps older brothers.

"We all face a moment of truth when we must overcome our fears and do what must be done, no matter how difficult.

"War is a time of tears when we must overcome our sorrow for our fellow comrades and do what must be done, no matter how difficult.

"War is the curse of mankind because he will not listen to God's will. War is the agony of mankind because he will not love his neighbor, because he is greedy and selfish, because he is proud and arrogant, because he covets what his neighbor has and would rather try to take it from him than build it for himself."

With these words Maj. Victor Colasuonno tried to bring home to his young audience the answer to their question: "What is war like?"

Originally from New York, Maj. Colasuonno, 39, was stationed at McConnell Air Force Base before he was sent to Vietnam as an Air Force pilot last June.

While he was there, he had been corresponding regularly with the students at the church school, which his three sons, Kenneth, Bobby and Stephen, and daughter, Patty, attend.

At Christmas, the fourth grade class, of which his son Kenneth is a member, wrote Christmas cards and letters to him.

Some of the boys in the class asked him the question which brought his reply on the nature of war.

The letter was read to the class at the time it was received last month, but circumstances prevented it from being read to the entire school until last week when word of Maj. Colasuonno's death was received.

He was shot down over South Vietnam last Wednesday, and died en route to a hospital in Thailand.

"All of the children, even the little ones were greatly impressed with the letter," said Sister Jane Marie, principal of the school. "The older ones were deeply moved. Some were even in tears."

"Most of them didn't know him," she said. "He was a perfect stranger. But the letter was worded so they knew he was telling the truth.

"It was firsthand knowledge of what war is like."

Sister Jane Marie said she had been discussing with the seventh grade teacher only recently the fact that most of the students thought the war in Vietnam was "sort of a game."

"She was amazed that so few of them took it seriously," Sister Jane Marie said.

"This letter brought home to them something they had never given much thought to before," she said.

If man learns to love, Maj. Colasuonno concluded his letter, "there would be no wars, for man does not hurt what he loves.

"Perhaps your generation can accomplish this—it seems that mine has failed.

"Do not allow adults to teach you to hate—for no reason and against no man."

BALTIMORE SOLDIER DIES IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. LONG of Maryland. Mr. Speaker, Sp4 James Berends, a fine young soldier from Maryland, was killed recently in Vietnam. I wish to commend his courage and honor his memory by including the following article in the RECORD:

CITY SOLDIER, 21, DIES IN VIETNAM—JAMES BERENDS A CASUALTY OF MORTAR WOUNDS

A 21-year-old Southeast Baltimore man has been listed as a combat casualty in Vietnam, the Defense Department announced yesterday. He was the 13th Marylander to die in Vietnam this month and the 23d to die this year.

Spec. 4 James Berends died February 23 from wounds received during an enemy mortar attack. He had been in Vietnam since May 16, 1968.

He was drafted November 6, 1967, and underwent basic training at Fort Bragg.

In Vietnam he was assigned to a communications outfit attached to the 1st Air Cavalry Division.

His sister, Miss Judy Berends, said yesterday that in letters home, he indicated that "he felt he belonged there." She also said "he made the best of everything."

Before he was drafted, Specialist Berends worked on the assembly line of the Fisher Body Division of the General Motors Corporation. He lived at 719 South Decker street.

Besides his sister, he is survived by his parents, Mr. and Mrs. Milford L. Berends; a brother, Ronald Berends, who is a Baltimore city policeman, and another sister, Mrs. Gail Jacobs.

PUBLIC BRAINWASHING IN TV ENTERTAINMENT

HON. MASTON O'NEAL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. O'NEAL of Georgia. Mr. Speaker, Crosby S. Noyes of the Washington Star is a brilliant logician who stays on solid ground.

In the issue of Saturday, March 1, he said exactly what millions of Americans have wished somebody would say about the entertainment world's propagandizing in race relations and the explosive potential it builds up.

Whoever "calls the shots" should consider carefully what Mr. Noyes says about this public brainwashing so obvious to all Americans.

I offer the column for the RECORD:

RACE RELATIONS TRANSFORMED TO TV ENTERTAINMENT

(By Crosby S. Noyes)

It comes in the middle of a fairly routine shoot-'em-up bit of TV boiler plate, in which most of the shooting happens to be done by a number of highly competent and strongly motivated Negro frontiersmen.

It's a sudden and somehow disturbing feeling that the television industry, like the movies before it, has gone out of the entertainment business and has been taken over, root and branch, by the propagandists.

Somebody out there is trying to tell us something. It almost makes you wonder, while we are all worked up about the "military-industrial complex," whether we might not also take a look at what the entertainment-propaganda complex is up to these days.

It is virtually impossible, of course, to overestimate the propaganda potential of the entertainment industry, once it really puts its mind to a given theme.

Within the lifetime of most of us, we have been successively entertained into hating Germans, Japanese and Russians, loving Russians and Chinese, liking Japanese and some Germans, hating Chinese and re-hating Russians. But this business of international propaganda by the entertainment industry is relative child's play compared to the current effort in the field of social brainwashing, which is a very tricky business, indeed.

Propaganda, by definition, is an effort to shape attitudes and incite people to action. And when it focuses its attention on a problem as complicated and delicate as race relations in the United States, it is not easy to predict exactly what attitudes and what kind of action are likely to result.

It would be one thing if the treatment of the problem consisted simply of platitudes calling for tolerance and brotherly love between the races, but it definitely does not.

Far more often, in fact, it is a matter of dramatizing and exploiting the antagonisms that are assumed to exist between the black and white communities. The content of this endlessly repeated theme, beamed into the living rooms of both communities, involves violence and hatred and sex and all the other things that sell TV shows. And it is being packaged in a racial context that has, or could have, the approximate explosive potential of uranium-235.

If there is such a thing, therefore, as a conspiracy by those who call the shots in the television industry to brainwash the public on the question of race relations, it is a conspiracy of highly questionable wisdom. The intention, no doubt is the laudable one of promoting reconciliation and harmony. But the unfortunate fact is that the actual result may be quite the contrary. The real problem is, of course, that it is hard to propagandize with the same material two different groups which are presumed to be antagonistic to each other. What leads one group to cool it may well incite the other to go on a rampage. Where the antagonism is real, it is no easy thing to please one group without infuriating the other.

In show biz as in real life, to be sure, there is an obligation to tell it like it is. There is plenty of room for social conscience and plenty of reason for changing some of the dramatic stereotypes left over from the past.

But whether problems of prejudice, injustice, resentment, and alienation are going to be solved—or even helped—by a concerted deluge of dramatic propaganda is extremely doubtful.

Dignity, after all, is not a quality that can be conferred on anyone by a TV casting director. And whether the image of the American Negro will be much improved by suddenly changing him on millions of television screens from a fall guy to a tough guy remains to be seen.

For the fact is that the American people, for all their susceptibility to propaganda cloaked as entertainment, do have a way of developing a certain sales resistance when the message is laid on hard enough. At the moment, a delicate problem is being handled with what may strike a good many viewers as sledge-hammer finesse. The time for some change in signals—and perhaps some letup in the pressure—may be at hand.

SHORT EDITORIAL ON CRIME

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. BOB WILSON. Mr. Speaker, succinct and directly to the point is an editorial recently broadcast over radio station KSON in San Diego, Calif., by the station's president and general manager, Dan McKinnon. Dan is the son of our former colleague from San Diego, Clinton D. McKinnon, and I take pleasure in sharing his thoughts with the Members of the House:

SHORT EDITORIAL ON CRIME

This will probably be one of our shortest editorials.

Did you know that during 1968, no one received the death penalty for a crime in the United States.

Did you also know that the crime rate in America during 1968 reached its highest point?

Do you suppose there could be a connection between the two?

A COLLEGE LAYS DOWN SOME VALUES

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. MICHEL. Mr. Speaker, the dialog continues on this serious problem of campus disorders around the country and in that regard I was interested to read of the action taken by officials at Brigham Young University to head off the troublemakers before they get started in their efforts to create chaos and disorder.

An article by Jenkin Lloyd Jones appearing in the March 1, 1969, edition of the Washington Evening Star outlines the program at Brigham Young in some detail and I was especially impressed with a statement by the president of Brigham Young, Mr. Ernest L. Wilkinson, in refusing to grant official recognition to the Students for a Democratic Society. Mr. Wilkinson's observation that, "There's nothing in my contract that says I have to be stupid," should be a clue to college administrators all over the country to read the fine print of their own contracts and they may find the same thing to be true in their own case.

I insert the column at this point in the RECORD:

A COLLEGE LAYS DOWN SOME VALUES

(By Jenkins Lloyd Jones)

Things are jumping on a lot of campuses these days, and one such campus is that of Brigham Young University out in Provo, Utah.

The academic process is roaring in high gear. The library teems with students. Twenty-one thousand young people hurry between classes. The field house is packed for basketball. And the able curator of the paleontological museum has hired a helicopter to fly him to a nearby mountain peak so that he may test out a tent of his invention which he intends to use in Antarctica.

Although it is contrary to Mormon morals to indulge in tobacco and liquor, or even tea and coffee, the dourness ends abruptly. Even the earliest "saints" loved to dance and one of the first buildings they put up in Salt Lake City was a theater. So at BYU the polished floor gleams in the ballroom. College theatricals are busy and the television laboratory is stuffed with skit writers and hopeful performers.

There are, incidentally, no pickets at the gate. The president's office is occupied by the president, not an ad hoc committee. There are no unwashed characters presenting ultimata and irreducible demands. And this is not accidental. It is by design.

Last summer BYU President Ernest L. Wilkinson sent a letter to the parents of all prospective students explaining that BYU is a very biased institution—biased in favor of good conduct, fair play and hard work. He pointed out rather bluntly that nobody had to go to BYU and that people with other aims and standards wouldn't be happy during the very short period they would spend in its environment.

"We feel," he wrote, "that to indulge irresponsible student conduct is to abdicate our role as educators, and we intend to be more exacting than ever to assure the maintenance of law and order and the development of Christian ladies and gentlemen on our campus."

Then last Sept. 26, President Wilkinson made a speech to the student body.

"The refusal of past and present students of BYU to yield to mob psychology and your pride in the appearance of yourselves and this campus are qualities for which we salute you. You are here to build, not destroy, this university."

He asked that all who agreed with these sentiments please stand. Apparently everybody did. Then he asked for all who had contrary notions to rise. Nobody did.

Nevertheless, a few weeks later six students who said they represented the Students for a Democratic Society appeared at Wilkinson's office and asked for official recognition.

"The protestations of the SDS that it favors democratic methods," he told them, "stand in sharp contrast to repeated demonstrations where it tries to impose its will on the majority by riot, sabotage and disruption. There's nothing in my contract that says I have to be stupid. Permission refused."

I, personally, have some rather radical ideas about the right of students to be heard in university affairs. I believe that every semester students should be allowed to grade the content of their courses and the effectiveness of their professors on confidential unsigned form sheets, one copy to go to the dean and the other direct to the president.

I remember my own frustration at baloney courses fashioned out of long-dead doctoral theses and delivered by mummies. I can understand the anger that arises when the eminent professor, advertised in the catalog, never emerges from his laboratory while the course he should be teaching is presided over by a graduate assistant who is just two pages ahead of the class.

But these frustrations are not the same as the effort to cannonize pot or free love, to batter down admission standards, to prance naked in student shows or to freeze on the payroll professors who counsel treason and race warfare.

Faculties and administrations which struggle to seek "meaningful dialogs" and "areas of agreement" with outfits that have plainly spelled out their determination to rule or ruin will get A for effort, but F for sophistication. If a college is to survive the cynical assaults of today it has to have the guts to lay down some value judgments.

Old Brigham Young thought he knew a sinner when he saw one. That may be why his namestake university is still happily teaching school.

THE LATE E. L. "BOB" BARTLETT

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. FISHER. Mr. Speaker, the recent death of Senator Bob Bartlett came as a blow not only to his constituency in Alaska but also to the host of personal friends and admirers in the Congress. Having served 14 years as a Delegate in the Congress, prior to Alaska's admission as a State, Bob was universally respected by every Member of this body who knew him. When issues related to Alaska arose, Alaska's delegate was the spokesman for that territory. He was very knowledgeable and all Members, regardless of party affiliation, looked to him for advice and guidance. He established an enviable reputation as a highly dependable source of information when Alaska problems arose.

After serving with great distinction for 7 terms, Mr. Bartlett was elected to the U.S. Senate in 1958, where he continued to serve with the added stature of his new assignment.

Bob Bartlett was a man of tremendous ability, of unquestioned integrity and dedication. He served his State and his Nation well. His loss is indeed a tragic one. I, like scores of others, regarded him as a personal friend who was always cooperative and understanding. I extend to the surviving family my deepest sympathy in their bereavement.

RESOLUTION ADOPTED BY THE SOUTH BOSTON LITHUANIANS CITIZENS ASSOCIATION

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. McCORMACK. Mr. Speaker, in my extension of remarks I enclose a copy of a resolution adopted on February 16, 1969, by the South Boston Lithuanians Citizens Association in their observance of the 51st anniversary of the independence of Lithuania, which resolution I am pleased to enclose in my remarks:

RESOLUTION

By the unanimous vote of the Lithuanian people of Greater Boston assembled in the Auditorium of the South Boston Lithuanian Citizens Association to commemorate the Fifty-first Anniversary of the independence of the Republic of Lithuania on February 16, 1969, the following resolutions were adopted;

Whereas the Greater Congress of Lithuania assembled in Vilna in 1917 to demand freedom from Russia, there elected the Council of Lithuania, which, on February 16, 1918 proclaimed the Independence of Lithuania "in accordance with the recognized right of National self-determination" and asserted its restoration as an independent State, which status was thereafter recognized by all the Great Nations of the World, and marked the severance of ties of bondage by which it had been enslaved since 1795; and

Whereas this action corresponded to the American Declaration of Independence on July 4, 1776 wherein it was stated: That all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the Pursuit of Happiness, and

Whereas Lithuania, the land of our ancestors, enjoyed a free and independent existence from 1919 until June, 1940, when the Soviet Union by chicanery, subversion and force invaded and occupied the country, and still oppressingly rules Lithuania to this day; and

Whereas the United States of America has taken and firmly maintains the only just and honorable position of not recognizing the illegal occupation and rule of Lithuania, Latvia and Estonia by Soviet Russia: and

Whereas this year also marks the 29th year of Soviet occupation and subjugation of Lithuania; and

Whereas His Excellency, Governor Francis W. Sargent of the Commonwealth of Massachusetts and His Honor, Kevin H. White, Mayor of Boston, both have proclaimed February 16, 1969 "Republic of Lithuania Day" and urged all our citizens to observe this day in tribute to the oppressed people of this brave nation: Now, therefore, be it

Resolved; That we again express our appreciation and gratitude to our government for its firm stand in refusing to recognize the fruits of the brutal Soviet aggression and occupation of Lithuania, Latvia and Estonia; and be it further

Resolved, That we urge President Richard Nixon that in his reorganization of the Department of State, he instruct his Secretary of State to include the freedom of Lithuania, and the other Baltic States, as urgent and necessary for the peace as well as that in Vietnam and Asia; and be it further

Resolved, That President Nixon instruct his Ambassador to the United Nations to place the case of Lithuania's independence before the Committee to Abolish Colonialism and the Liberation of Enslaved Nations and to insist that the Committee take positive action to establish negotiations for the freedom of Lithuania with the Soviet Union; and be it further

Resolved, That copies of these resolutions be sent to the President of the United States of America, to the Secretary of State, to our Senators and Representatives in Congress, to our Governor Sargent and Mayor White and to the press; and be it further

Resolved, That we continue to voice our convictions for an early settlement of the Rights of all Lithuanians for independence through the Lithuanian radio and press throughout the year and until our great nation succeeds in obtaining the liberation of Lithuania.

AMERICAN LITHUANIAN COUNCIL OF BOSTON,
EDMUND CIBAS, *President.*
JACKUS SONDA, *Secretary.*

FREEDOM'S CHALLENGE

HON. OTTO E. PASSMAN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. PASSMAN. Mr. Speaker, one of our bright scholars of tomorrow, and incidentally, my constituent, Dan Ellerman, of Winnsboro, La., delivered one of the most heart-warming, patriotic, and inspiring messages I have ever read. So that all of the Members may be privileged to read this magnificent speech on patriotism, I have received permission to insert it in the Extensions of Remarks of the RECORD.

I commend this inspiring address of indeed one of the future leaders to your attention.

Incidentally, this young man won a highly competitive contest for his speech, so it is indeed an honor for me to represent this outstanding young man in the Congress.

The speech follows:

FREEDOM'S CHALLENGE

(By Dan Ellerman)

In James Madison's notes on the signing of the Constitution, we find this entry: "Whilst the members were signing, Dr. Franklin was seen looking toward the president's chair, at the back of which a rising sun happened to be painted, and said, 'I have often and often, in the course of the session, looked at that behind the president without being able to tell whether it was rising or setting; but now, at length, I have the happiness to know that it is a rising and not a setting sun.'"

These optimistic words were much more than just idle talk. They expressed this great American's confidence in a fledgling republic that was to become the greatest nation in the history of the world. The noble men who helped guide our young republic through the dark days that accompanied its inception, left behind them a proud heritage and a challenge—a challenge for those of us who have followed them to keep this democracy of free men alive and strong, inviolate against the hostile threats to its preservation.

This challenge should be especially appealing to young Americans, for we are the ones who are always searching for some goal in life, for a cause to champion. There is no better time than the present for us to begin the important process of preparing ourselves for the responsibilities peculiar to a democratic society.

Education plays a very major role in this preparation. In a democracy such as ours where the masses rule, it is necessary that the masses be educated and enlightened. For instance, during my formative years, I must prepare myself for meeting these responsibilities by acquiring a quality education that will fit me not only for my role as a productive member of society but also for my role as a contributor to the service of my country and my countrymen.

During this time in my life the doors to my mind are open wide, allowing the entry of many varied ideals and ideologies. Take the matter of dissent for example—an issue that has brought forth hot words and heated actions. Dissent is the very basis upon which this nation was founded; but I believe in dissent only within the framework of law; that is, through peaceful assembly and petition and, finally, the ballot box. Concerning dissent, I choose to follow Voltaire's philosophy: "I may not always agree with what you have to say, but I will defend to the death your right to say it!"

The character of a people determines the character of a nation. And I say let this nation be representative of a people who adhere to the precepts of honesty, justice, peace, Godliness, courage, and equality, whether they be dissenters or adherents.

In a nation such as ours, where freedom is a way of life, we often forget that the blessings of freedom are not free, that they must constantly be re-won in each successive generation. Until mankind's dream of a utopian world becomes a reality, democracy will never be without anxious moments.

The greatest danger lies not in the potential threat of an overly-zealous foreign power but in the possibility of downfall through inertia and complacency. We cannot neglect whole segments of our society, leaving them to parasitic welfarism. Instead, through compassion we must provide the avenues by which they may travel upright to a more satisfying life. The home, the school, the church—as well as the government—must be our allies in this noble dream.

If the American people truly prize their freedom, they will not stand idly by and watch their liberty destroyed. Our democracy is not without flaws; but is, in my opinion, the only form of government under which man can walk in the image of the God who created him. Like Thomas Jefferson, I believe this democracy to be, "the last best hope of mankind." I look optimistically to a future filled with promise, the promise of an enlightened, concerned, and active America, a nation that willingly accepts freedom's challenge; an America that will continue to be, as Franklin said, "a rising and not a setting sun!"

MOROCCAN NATIONAL DAY

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. ROGERS of Florida. Mr. Speaker, free nations of the world share a mutual pride in celebrating the independence of a sister nation. Free people all over the world share a common bond.

Today marks the national day of a historic friend of the United States—Morocco.

The friendly relations between Morocco and the United States is one which dates back to the time of our own revolution. And it is one which has grown and flourished.

His Majesty, King Hassan II, has shown that he holds the friendship of the United States in high esteem by sending His Excellency Ahmed Osman and his wife, Her Royal Highness Princess Lalla Nezha, the King's sister, to represent Morocco here.

Since arriving here, the very able Ambassader and his wife have established many friendships and have represented their country well.

I know that all my colleagues will join with me in offering our best wishes to our friends from Morocco on this, their national day.

CONGRESSMAN ABBITT ASSAILS DISTRIBUTION OF PORNOGRAPHIC MATERIALS

HON. WATKINS M. ABBITT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. ABBITT. Mr. Speaker, I have joined with a number of my colleagues in introducing a bill designed to deal with the growing problem of pornographic material in this country.

Not only as a Member of Congress but as a parent and concerned citizen I feel that action in this direction is long overdue. Within recent years we have seen a tremendous growth in the distribution of this material and it is high time that Congress take action to keep obscene materials out of the hands of minors and in keeping minors away from obscene movies.

Under the bill it would be a violation of Federal Law to knowingly sell, offer for sale, loan, deliver, distribute, or provide to a minor in interstate commerce or through the mails, material which is defined as "harmful to minors" under the bill. It would also make it a Federal crime to knowingly exhibit to a minor a motion picture, show, or presentation which falls in the "harmful to minors" category. The bill is patterned after a New York State statute which the Supreme Court has already upheld. In the Supreme Court decision in *Ginsberg* v. *New York* (390 U.S. 629) it was held that a New York statute was constitutional which prohibited the sale to persons under 17 years of age materials defined to be obscene to them even though the same material might not be obscene to adults. It would appear from the Court's decision that this approach to the problem of keeping pornography out of the hands of youth would be constitutional.

Frankly, I believe that the Supreme Court has a good deal of responsibility in this field and because of some recent decisions by the Court, the business of pornographic literature and its associated evils has mushroomed.

It seems to me that in this area there is no question of Congress responsibility. We are charged with protecting the general welfare and if a choice has to be made as to whose welfare is more worth protecting, it would logically be that of our young people. Those who prey on the youth of our country in the sale and distribution of smut should be dealt with to the fullest extent of the law. Frankly I believe that the present laws could be enforced with much more vigor than they now are but this is another problem going back to the attitude of the majority on the Supreme Court. If present laws are not sufficient then a new law of the type now being proposed seems to be a minimum necessity.

I strongly urge that this Congress take action and act immediately in order to get at the core of the problem. It does little good to sit back and view the bad results of actions now being taken against our young people. We need to attack the source of the problem and it should be clear to all concerned where that action should start.

I urge that hearings be called on these bills and that Congress make clear its intent that the fabric of our society shall not be undermined by those who are purveyors of filthy and indecent presentations whether by the written word, pictures, movies, or otherwise.

CAREER POSTMASTERS

HON. MARTIN B. McKNEALLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. McKNEALLY. Mr. Speaker, I am pleased to include in the RECORD an editorial from the Evening News of Newburgh, N.Y., of February 18, 1969. It is written with the skill and perception characteristic of the editorial page of this newspaper. Mr. Maurice Herbert, the editor, has been commenting over the years on the political scene. He about sums up the situation involving patronage and the post office in his concluding paragraph wherein he observes that there is no guarantee that the proposal under scrutiny if enacted will obtain longer than 4 years.

The editorial is as follows:

CAREER POSTMASTERS

The decision of the Nixon Administration to end partisan appointment of postmasters as a major channel of patronage is highly controversial.

This doesn't mean that postmasters are a bunch of misfits. There have been some highly competent postmasters, individuals who may have won their appointments originally on the basis of outstanding political service but who entered upon their duties with all the talent and desire that helped them achieve success in other offices or in party work.

Newburgh's Philip S. Levy, for instance, never looked upon his job as postmaster as a political award; it was a career upon which he entered with particular pride because his father before him had a notable career in the postal service in the same community. Experience and his innate ability produced a highly competent postmaster who surely could excell in any test given to establish an eligibility list. There are others of like stature serving as postmasters. Alas, there are others also with less talent.

Both major parties have used the postmaster appointments as key instruments of local patronage. Under FDR this system was a major means of building a new and powerful political organization.

The Republicans enjoyed only a limited political reconstruction during the Eisenhower years. Many looked to the Nixon administration for steps to strengthen the party, whose strength has dwindled to less than 30 per cent of the popular vote.

The suggested system may be approved in the Congress, where Democrats in power may expect little patronage from a Republican president. But what makes anyone think the Democrats will not throw out any such system when, as and if they get another man in the White House?

NEGRO HISTORY WEEK

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. HAWKINS. Mr. Speaker, Negro History Week has been observed in Los Angeles for a number of years. The special events scheduled are always interesting and informative, and are looked forward to with eager anticipation by the entire community.

The 1969 observance was the occasion for comments by the Reverend James E. Jones, president of the Los Angeles City Board of Education, in which he speaks of the value and purposes of Negro History Week.

I insert the following remarks of the Reverend Jones in the Record:

Negro History Week Events: Reverend Jones Comments on Purposes of Week

The yearly observance of Negro History Week during the month of February presents a special opportunity for Americans of every ethnic origin and background to:

Emphasize both past and present accomplishments of Negroes as individuals and as members of a group.

Recognize the participation of Negro citizens in American life.

Pay particular homage to a group of Americans whose participation in our nation's development began in 1619.

Give proper attention to the Negro's African heritage.

Dr. Martin Luther King once said that "A race that has no past has only a dubious future." The Negro race has a rich and impressive history. Unfortunately, however, and partially due to the fact that textbooks in our public schools until recently have reflected only fragmentary glimpses of the deeds of Negro Americans, there was an appalling lack of knowledge of the achievements and vital contributions of our citizens toward the great progress of our nation down through the years.

For example, many people are aware of the invaluable contributions of George Washington Carver toward the agricultural progress of Dixie, the educational benefits which Booker T. Washington brought to his fellow men, the brilliant oratorical ability of Frederick Douglass and the cultural achievements of Mary McLeod Bethune, founder of Bethune-Cookman College.

But how many of our children of all ethnic groups, or grownups, too, know that Negroes invented such things as the:

Harvesting machine—William Douglas
Telephone receiver—Granville Woods
Gas mask—Garret Morgan
Automatic shoe-lasting machine—J. Ernest Metzellinger
Grooved street car rail—Elbert Robinson
Tabulating machine—Robert Pelham
Therapeutic lamp—John E. Johnson
Fountain pen—William Purvis
Parachute—H. Julian
Refillable fuse plug—Louis Stewart of Los Angeles
Self starter on the airplane—F. Douglas Warner
Daylight moving picture machine—Arthur L. McBeth
Alarm clock—Benjamin Banneker.

Knowledge of achievements like these can be of great inspirational value to children of all ethnic groups and grownups alike. This kind of knowledge prompts pride in ourselves as well as respect from and for others. Today recognition is not necessarily focused on our traditional leaders, but also on our current leaders. Not only those who have excelled, but also the place of the average person in our daily lives.

Volumes of materials are now becoming available concerning the contributions of Negroes. There is a great availability of our successful people to give us an identification. Negroes who have achieved have found the time to return and share successes with each other.

The Negro today is beginning to take his place in the curriculum in a continuing recognition of his role through education. The start has been made. It will expand.

The day will come when these Negro Americans will be recognized in schools of all ethnic backgrounds, through curriculum materials reflecting the true place of the Negro in our history. It will come through a regular inclusion in our educational program.

It is fitting that during the month of February we observe American History Month as well as Negro History Week. Negro history is an integral and inseparable part of American history.

Interest, concern and awareness should be manifested in this important part of our history each day throughout the year.

In schools and colleges, special activities and constant interest will help all pupils and students develop a greater awareness of the role of the Negro-American in this nation's growth, strengthen the understanding that American society is composed of the contributions and interactions of many groups. It will also increase the respect for an appreciation of the dignity and worth of all people.

JOB CORPS GRADUATES OBTAIN MEANINGFUL JOBS IN BALTIMORE AREA

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. LONG of Maryland. Mr. Speaker, I was pleased to note recently, in an article in the Baltimore Evening Sun, that 94 percent of Job Corps graduates returning to Baltimore are being placed in meaningful jobs, most of them in jobs related to their training. Not only that, but after 6 months, 70 percent were still on the job. We should keep in mind that many of these youngsters are only 16 and 17 years old, and it is not unnatural for them to change jobs several times before they settle down to a career. But it is obvious that the Job Corps is providing them with the kind of first-rate training that makes of them desirable employees, not only because of their trade skills but also because they have been equipped with the social skills needed to obtain and keep a decent job. Apparently their attitude and success has had a lot to do with making the Job Corps a desirable training opportunity for other disadvantaged youth in the Baltimore area; applications were up 40 percent in January, right after leave at Christmastime for many undergoing training. I am certain that a great deal of credit also goes to the Baltimore Health and Welfare Council and the Gate-House project.

HUMAN RIGHTS IN THE AMERICAS

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. BINGHAM. Mr. Speaker, the Catholic inter-American cooperation program recently held its sixth annual conference in New York City. The subject of that conference was a most significant one—"Human Rights and the Liberation of Man in the Americas." It is all the more revealing and important because the committee which each year decides the subject of this interfaith conference, and selects the participants, is composed mostly of Latin Americans.

The opening address at this year's conference by the president of the National Conference of Catholic Bishops and Archbishop of Detroit, the Most Reverend John F. Dearden, was particularly inspiring, and I commend it to my colleagues and other readers of the Record:

The Modern Quest for Human Rights

(By Most Rev. John F. Dearden, archbishop of Detroit, President, NCCB)

Twenty years have passed since the General Assembly of the United Nations adopted the Universal Declaration of Human Rights. It took form as humanity's reaction to the ruthlessness of Nazi Germany. In 1948, the memory of the destruction of free institutions and associations and of the callous disregard for human life, man's dignity, freedom and equality, was still vivid. Against this backdrop, the Declaration was drawn up and adopted.

Provoked as it was as a response to a brutal overriding of the rights of the human person, the Declaration has a positive and a ringing tone that is at once timeless and yet timely. It was proclaimed as "a common standard of achievement for all people and all nations . . ." It has raised hopes and expectations. They must not be frustrated.

Briefly and clearly, the thirty articles of the Declaration give expression to the rights that reside in man because of his human dignity. His rights as a person, as a member of society, as a citizen of his nation, and of the international community, are defined. Grounded in his worth and dignity as a person he is seen as the subject of rights that affect every dimension of his existence.

The historical context into which this listing of rights is to be placed, we leave for philosophers and historians to determine. But without descending to particulars, we can readily agree with the observations of former Ambassador Goldberg on this subject: "For those of us whose religious and national traditions have long since acknowledged the rights which all men derive from their divine origin, the basic ideas in the

Universal Declaration are by no means new. But the effort to promote the enjoyment of such rights among all peoples is indeed new, and it is a momentous development in human history." (The Right to be Educated, Forward.)

As we read through the Declaration of Human Rights, we are struck by the wide range of matters with which it is concerned. Beginning with the fundamental statement "All human beings are born free and equal in dignity and rights . . ." (art. 1), it asserts that, "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status . . ." (art. 2) "The right to life, liberty and security of person (art. 3)—"all are equal before the law and are entitled without any discrimination to equal protection of the law." (art. 7) "Everyone charged with a penal offense has the right to be presumed innocent until proved guilty . . ." (art. 11) "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation. (art. 12). "Everyone has the right of freedom of movement . . . (art. 13) "the right to marry and to found a family . . . (art. 16) "the right to own property . . . (art. 17) "the right to freedom of thought, conscience and religion . . . (art. 18) "the right to freedom of opinion and expression . . . (art. 19) "the right to freedom of peaceful assembly and association . . . (art. 20) "the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment . . . (art. 23) "the right to equal pay for equal work . . . (art. 23) "the right to form and join trade unions . . . (art. 23) "the right to rest in leisure . . . (art. 24) "the right to a standard of living adequate for the health and well-being of himself and of his family . . . (art. 25) "the right to education . . . (art. 26) "the right freely to participate in the cultural life of the community . . . (art. 27). "Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized (art. 28)." The listing is long and full and significant.

This is not the time nor the place to trace the different currents of thought that led to the formulation of the Declaration as we now have it. It came about through the collaboration of many persons of good will. What is noteworthy is that the Declaration was accepted as a common standard for all peoples and nations, by all but eight of the member-states of the General Assembly.

It is beyond the purpose of this talk to search out the historical antecedents of the Declaration. But it should be noted that at a meeting of the Latin American states in Chapultepec early in 1945, it was declared that one of the main purposes of the new organization of the United Nations should be the elaboration of a method of protecting human rights. And the responsibility was given to the Inter-American Juridical Committee to draw up a draft resolution. This Declaration was adopted by the American states at Bogota in 1948 prior to the completion of the Universal Declaration of Human Rights. I mention this simply to reflect the particular concern that was felt in this hemisphere for a declaration such as that which was adopted in 1948.

In the Declaration of Human Rights, a pattern is given that is universal in scope. It has enabled persons from every part of the world to find a common and precise expression of rights that they can understand and accept. From the very fact that this formulation exists, it has its impact on people and on governments. At the same time, it has made its influence felt on decisions and working programs of the United Nations and its agencies. And it played a subtle but important role in the legislation and practice of member-states and in the formulation of the Constitution of "new" states. The Declaration is pervasive in its effects. The very fact that it exists provides a measuring stick for the definition and the realization of human rights in every part of the world.

Of itself, the Declaration of Human Rights has no legal binding force. It is, as the Declaration itself declares, simply a "common standard for all peoples and nations". To implement the Declaration, the General Assembly adopted two Covenants, one on civil and political rights and the other on economic and social rights. These in turn are made up of "conventions", such as those on slavery, genocide, the political rights of women, racial discrimination, forced labor, discrimination in employment, the equitable payment of labor, and freedom of association. When ratified by a member-state, the effect is to have the convention become part of the domestic law. But even in these instances of ratification, enforcement rests upon public opinion of the international community and moral pressure that such opinion can generate. Parenthetically in this context, we have good reason for questioning why the United States continues to defer the ratification of at least some of these conventions.

Surely no one would question the validity of the effort to achieve full human rights for all persons. And no one would be so naive as to believe that the adoption of the Declaration of Human Rights would realize this goal of itself. The Declaration stands rather as a charter which sets a goal and at the same time will always be a standard by which we can measure progress. Its value is to a great extent educational and, to some degree, inspirational as well. It helps us to see more clearly the conditions under which the human person is entitled to live. It enables those whose eyes are dimmed by despondency, whose voices are stilled by repression, whose shoulders are bent by injustice to see a glimmer of hope. Man reaches out to his fellowman for mutual support and help. What worth and value one has achieved another aspires to. And when we kindle the fires of hope and set them so clearly within the reach of men, we must not be surprised if they are not content until they have attained them.

And yet as our Holy Father, Pope Paul VI, noted a few months ago: "There is a long road to tread in order to put into effect these Declarations of intention." The road is long and hard. And the goal is difficult of attainment. In all candor, we can look about us and see everywhere too many instances of the violation of basic human rights. To go no farther afield than the United States—a country in which providentially many of these basic rights are part of our law and our tradition—it is evident that we have not solved the problem of poverty. As a consequence, "the economic, social, and cultural rights indispensable for his dignity and the free development of his personality," (art. 22) that are called for so explicitly in the Declaration are not realized in all our people. Further, their right to work is not possessed by those several million Americans who are without employment. Injustices of one kind or another still are found among us. And to the degree that we tolerate their existence, we fall short of the ideals that are set before us in the Declaration of Human Rights.

And what may be said with full truth of conditions here is verified in varying degrees of other peoples as well. We must not gloss over the reality. We need to see it in all its stark grimness. It is only when we begin to measure the reality against the ideals that the Declaration sets before us, that there is hope of improvement. Perhaps more acutely than at any time in the past, men are fired by the desire to have that which is due to them as human beings. It is one of the characteristics of our time. It is as if we held before them a strong and clear image and said, this is what you are entitled to be and to have. And, as is proper, they will never be content until they have achieved that goal.

There are many agencies and institutions that have a role to play in realizing for men the rights to which they are entitled. The state, the Church, economic, cultural and educational agencies all have a part to play in the task. And there is a role, too, that is given to the individual that he cannot shirk.

To a very notable degree in our society, it is the political structure that must accept key responsibility for the achievement of human rights. It has at its disposition the instrumentalities that ensure not only individual, but political, social and international rights as well. Unless it is ordered in such a way that it works unceasingly to realize these rights for its people, it is failing in its responsibilities. And if beyond this it ruthlessly represses and violates these rights, it is false to its trust. It would be superfluous to say that the democratic processes, for all their shortcomings, represent the truly human way through which man can achieve and hold fast to his rights. The association of many persons in the task gives a greater guarantee of freedom.

In the main, the role of the Church in trying to work for human rights will fall within the total social order. After all, human rights may be identified as they are in the Declaration of Human Rights in a very abstract fashion; but they do not exist except in the concrete. And they exist in the main within political confines. But since human rights do involve a value system and since it is the function of the Church to teach values, it has a role to play. And it is all the more important in our time when the realization of these values will be achieved in great part through the political process.

The Church whether explicitly or not has a role in shaping the pattern of society. The values that find expression in the life of the people owe much to the Church. Certainly many of the characteristics that distinguish the United States have religious foundations. "In a very fundamental sense, religion has helped (in Paul Ramsey's terms) provide *directions* but not *directives* to political society." (The Right to be Educated, p. 12) In a more particularized fashion, the Church exercises its influence through helping to shape the individual's value structure and in offering to the individual the inspiration and motivation to help determine the policies of his nation. In a society such as ours, individuals and groups of individuals act politically to influence policies and to shape attitudes. But they do this out of a particular kind of conviction. And not infrequently what motivates them is religious in its origin. For instance, the Catholic who out of religious convictions works toward promoting a more generous foreign-aid program is giving expression to his sense of concern for his fellowmen. In the process, he is inspired by religious motivation to further a political program that has in intent at least a very human goal.

In so many instances, it will be the voice of the Church that will have to censure the political structure for its failures in the area of human concern. Priorities that call for substantial outlays for military armaments when people lack basic human necessities must be protested against. A disregard of the truly human concerns of people will call for strong dissent. St. Augustine reminds us that material goods are permanent occasions of discord between men, while spiritual goods tend to unite men.

And yet while the Church can do much, it will remain true that a truly dynamic effort to achieve human rights will entail a collaboration of many individuals. Everyone must accept responsibility for helping to create the conditions, political, economic, social, cultural, in which all human rights can be respected and promoted. The interdependence of all members of the human community for the realization of the individual's rights, particularly in the economic and social spheres, is becoming more and more clear. We cannot evade responsibility. We are all involved.

Other papers to be given later in this Conference will be concerned with specific areas of concern. For this reason, it is not fitting that I address myself to them. But in the broad context of the quest for human rights, it is not possible to overlook certain basic facts that center in the theme of development. Many things are being done in its name. Much that is good; and much that is harmful. Certainly I would not attempt to justify some of the policies and the procedures of some of our business institutions which directly affect the achievement of rights for great numbers in Latin America. The great reservations that are had by so many in Latin America on the way in which these activities are conducted demand that we pause and re-examine the things that we are doing. The mistrust that has been engendered is due in great part to a concern on the part of those in Latin America that these enterprises are hostile to their legitimate human interests.

Certainly any work, any activity, any program that is undertaken in the name of development must be grounded upon the basic recognition of human rights. Unless they respect these rights and help to promote them and bring them to fuller achievement, they cannot be justified. It is for this reason that development—which is not simply an economic reality, but psychological, cultural, moral and political as well—must be grounded upon the bedrock of human rights. It must find its inspiration in a recognition of these rights. It must be pointed directly toward furthering these rights. And it must constantly work with the people involved to see whether or not a more human existence is being attained through these efforts. This is the touchstone of the worth of development. In reality, the term "development" probably should be qualified in almost all its uses by the adjective "human". Unless it contributes to the advance and the fulfillment of the human person, it has missed its mark.

At the last meeting of the Latin American bishops joined together in Celam in Medellin, there was evident a real sense of Christian awareness of the values that are involved in the progress of their people. A sense of Christian concern impelled them to recognize clearly the realities of the situation, to appraise strengths and weaknesses, and to propose a program of action that will help to achieve for all their people a more human existence. We applaud them for their candor, their honesty, their integrity and their pastoral zeal. And in spirit we associate ourselves with them in their efforts to bring to their people a fuller realization of their human dignity.

In the hard realities of our times, pronouncements and statements come and go in rapid succession. Sometimes they represent a faint, feeble call in the dark night of injustice and inhumanity. They are rarely heeded by those to whom they are addressed; they bring little hope to those in whose cause they are spoken. So often, they are gestures in futility.

And yet, from time to time, something is said or written that quickens the spirit of man. It buoys up his hopes. It gives direction to his strivings. It raises him as a man. Such were the great social encyclicals of Pope John XXIII, "Pacem in Terris" (Peace on Earth), and Pope Paul VI, "Populorum Progressio" (On the Development of Peoples). They have been beacons, lighting the course of the Church in its effort in our time to be of service to all mankind.

Though of different inspiration, the Universal Declaration on Human Rights is, and will continue to be, a high watermark in human advancement. It has set a standard that we must somehow strive to attain. In comparison with its goals, some of our efforts seem puny and futile. The chasm between what is and what ought to be is so wide and so fearsome. But it must be bridged. The many strong hands and sturdy hearts that unite in trying to bring to all men what will make them more truly human are carrying forward a work of God. Many persons of good will have a part in this task. We who share the blessings of our Christian faith bring to the task a special insight and motivation. Our very sharing in the life of God lays upon us a special duty to be involved. The achievement of human rights demands the fire and the warmth and the dynamic strength and the hope of Pentecost. We must set ourselves to the task with courage and with confidence ". . . in the power of the Holy Spirit . . .". (I Peter, 1: 12)

WHY THE ISRAELIS HIT BACK SO HARD

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. BROWN of California. Mr. Speaker, the situation in the Middle East is a matter of grave concern to us all. Miss Carol Kovner is managing editor of Kovnor Publications, Los Angeles, and I have entered several of her firsthand reports on the Middle East situation into the RECORD during past weeks.

The latest article, entitled "Why the Israelis Hit Back So Hard," discusses the reasons behind Israel's retaliatory raids against the Arab States. Special consideration is given to the significance of terrorist attacks on Israel civilian aircraft.

The article follows:

WHY THE ISRAELIS HIT BACK SO HARD

(By Carol Kovner)

The United States is asking, why do the Israelis retaliate so hard, so "out of proportion" to Arab attacks? Why did the Israelis destroy 13 aircraft in Beirut for one dead Israeli and one damaged plane in Athens by Arab terrorists?

Let's try and answer this question. First, some background which the Arab and Communist blocs never mention in their propaganda and the Western Nations seldom take into account when Israeli military actions startle them.

A few months ago an El Al jet passenger liner was hijacked from Rome and kidnapped to Algeria. It took 40 days to get it released. One man was wounded, and the others not treated too gently according to the pilot.

Again, last week on Thursday, December 26th, another El Al passenger air liner was attacked in a foreign airport by Arab terrorists, this time with grenades and machine guns, with the obvious intention of incinerating all civilian passengers on board. The plane was put out of commission, one passenger was killed and several wounded including two stewardesses. Leon Shirden was shot four times in the head. He was on a consultant assignment to the UN in his capacity as a port engineer expert in Haifa. (One of the terrorists on Monday told his questioners he did not intend to kill.)

Both these attacks on Israel's civil aviation were the work of a terrorist organization based in Lebanon, Abba Eban told the Israeli cabinet on Sunday, December 29, the day following the Israeli raid on Beirut airport. The Arab terrorists had come to Athens Airport bent on attacking a plane filled with passengers. It was a miracle there was no massacre. The Lebanese government had come out in support of the attack, while the organs of all Arab governments had heaped praise upon the murderers.

The United States position is that it opposes holding the Lebanese government responsible for the terrorist attack. It noted that the Lebanese government was considered moderate in the Middle East and besides, the two terrorists had been captured and would stand trial. This was conveyed by the American Ambassador Walworth Barbour.

The UN representative, James Russell Wiggins, said in the UN Security Council that Israel's attack on the Beirut Airport would be condemned by the United States, for two reasons. One, the degree of destruction involved and two, the force of soldiers which acted under government orders. He emotionally appealed to Israel to apologize to Lebanon for the attack. He did not ask Lebanon or the Palestinian terrorists to apologize to Israel, for the Athens murder of Leon Shirdan.

Abba Eban countered to these charges in his Cabinet report that it was absurd to claim the terrorists operate in isolation. (Time Magazine proved that they had the support of and protection of host countries in their December 15 edition with a special cover article on Arafat, a leader of the terrorists.)

They operate under the wing of the Arab governments, the Lebanon included, which daily proclaim enthusiastic support, training them in their armed forces, financing them and giving them protection, Eban said.

After the Cabinet meeting, at which the Defense Minister and Chief of Staff also reported, Prime Minister Levi Eshkol said it was clear that the Athens terrorists had operated out of Beirut, that their headquarters for the Popular Front for the Liberation of Palestine is in Beirut and that the announcement of the raid came from Beirut.

Why did Israel strike back so hard destroying $100 million in civil aircraft, half of Lebanon's air freight? (No deaths.) This for one Israeli life and damaged air liner.

It is the accumulation of 21 incidents since August 6 of this year involving Lebanese border crossings by terror gangs at the cost of several Israeli civilian and army forces lives, as well as property damage.

It is the hijacking of her air liner to Algeria by terrorists that are trained in bases in Tripoli, Sidon and Tyre.

It is the raid in Athens that threatens her freedom of air navigation. It is this that breaks the patience of Israel with a so-called moderate neighbor.

There is no other country on earth that is expected to let its neighbors wage war on her while she is told by the United States and other Western nations not to respond in her own defense, and even to apologize.

In Vietnam, the US sent her own soldiers to stop terrorists from invading a country and has fought a bitter, wearisome and bloody war for years in the protection of the right of South Vietnam to live without attacks from the north.

If, for example, a neighboring country sent terrorist raiders into Alaska to sabotage farms and roads and water pipes, and blow up railroads, bus stations and market places, would the US ignore this? If the attacks got to the point where this neighboring country attacked our airlines, trying to blow them up with passengers inside in a foreign airport, would we consider it "unwise" to take action against them, as President Johnson has called the Israeli retaliation in Beirut?

If you try the shoe on the other foot, the picture can sometimes be clearer. A free country cannot stand by and let its citizens be murdered willy-nilly. The US would not take it, why should Israel?

Israeli government circles understood well what the Beirut attack would cost them in

Universal Declaration are by no means new. But the effort to promote the enjoyment of such rights among all peoples is indeed new, and it is a momentous development in human history." (The Right to be Educated, Forward.)

As we read through the Declaration of Human Rights, we are struck by the wide range of matters with which it is concerned. Beginning with the fundamental statement "All human beings are born free and equal in dignity and rights . . ." (art. 1), it asserts that, "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status . . ." (art. 2) "The right to life, liberty and security of person (art. 3)—"all are equal before the law and are entitled without any discrimination to equal protection of the law." (art. 7) "Everyone charged with a penal offense has the right to be presumed innocent until proved guilty . . ." (art. 11) "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation. (art. 12) . . . "Everyone has the right of freedom of movement . . . (art. 13) "the right to marry and to found a family . . . (art. 16) "the right to own property . . . (art. 17) "the right to freedom of thought, conscience and religion . . . (art. 18) "the right to freedom of opinion and expression . . . (art. 19) "the right to freedom of peaceful assembly and association . . . (art. 20) "the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment . . . (art. 23) "the right to equal pay for equal work . . . (art. 23) "the right to form and join trade unions . . . (art. 23) "the right to rest in leisure . . . (art. 24) "the right to a standard of living adequate for the health and well-being of himself and of his family . . . (art. 25) "the right to education . . . (art. 26) "the right freely to participate in the cultural life of the community . . . (art. 27). "Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized (art. 28)." The listing is long and full and significant.

This is not the time nor the place to trace the different currents of thought that led to the formulation of the Declaration as we now have it. It came about through the collaboration of many persons of good will. What is noteworthy is that the Declaration was accepted as a common standard for all peoples and nations, by all but eight of the member-states of the General Assembly.

It is beyond the purpose of this talk to search out the historical antecedents of the Declaration. But it should be noted that at a meeting of the Latin American states in Chapultepec early in 1945, it was declared that one of the main purposes of the new organization of the United Nations should be the elaboration of a method of protecting human rights. And the responsibility was given to the Inter-American Juridical Committee to draw up a draft resolution. This Declaration was adopted by the American states at Bogota in 1948 prior to the completion of the Universal Declaration of Human Rights. I mention this simply to reflect the particular concern that was felt in this hemisphere for a declaration such as that which was adopted in 1948.

In the Declaration of Human Rights, a pattern is given that is universal in scope. It has enabled persons from every part of the world to find a common and precise expression of rights that they can understand and accept. From the very fact that this formulation exists, it has its impact on people and on governments. At the same time, it has made its influence felt on decisions and working programs of the United Nations and its agencies. And it played a subtle but important role in the legislation and practice of member-states and in the formulation of the Constitution of "new" states. The Declaration is pervasive in its effects. The very fact that it exists provides a measuring stick for the definition and the realization of human rights in every part of the world.

Of itself, the Declaration of Human Rights has no legal binding force. It is, as the Declaration itself declares, simply a "common standard for all peoples and nations". To implement the Declaration, the General Assembly adopted two Covenants, one on civil and political rights and the other on economic and social rights. These in turn are made up of "conventions", such as those on slavery, genocide, the political rights of women, racial discrimination, forced labor, discrimination in employment, the equitable payment of labor, and freedom of association. When ratified by a member-state, the effect is to have the convention become part of the domestic law. But even in these instances of ratification, enforcement rests upon public opinion of the international community and moral pressure that such opinion can generate. Parenthetically in this context, we have good reason for questioning why the United States continues to defer the ratification of at least some of these conventions.

Surely no one would question the validity of the effort to achieve full human rights for all persons. And no one would be so naive as to believe that the adoption of the Declaration of Human Rights would realize this goal of itself. The Declaration stands rather as a charter which sets a goal and at the same time will always be a standard by which we can measure progress. Its value is to a great extent educational and, to some degree, inspirational as well. It helps us to see more clearly the conditions under which the human person is entitled to live. It enables those whose eyes are dimmed by despondency, whose voices are stilled by repression, whose shoulders are bent by injustice to see a glimmer of hope. Man reaches out to his fellowman for mutual support and help. What worth and value one has achieved another aspires to. And when we kindle the fires of hope and set them so clearly within the reach of men, we must not be surprised if they are not content until they have attained them.

And yet as our Holy Father, Pope Paul VI, noted a few months ago: "There is a long road to tread in order to put into effect these Declarations of intention." The road is long and hard. And the goal is difficult of attainment. In all candor, we can look about us and see everywhere too many instances of the violation of basic human rights. To go no farther afield than the United States—a country in which providentially many of these basic rights are part of our law and our tradition—it is evident that we have not solved the problem of poverty. As a consequence, "the economic, social, and cultural rights indispensable for his dignity and the free development of his personality," (art. 22) that are called for so explicitly in the Declaration are not realized in all our people. Further, their right to work is not possessed by those several million Americans who are without employment. Injustices of one kind or another still are found among us. And to the degree that we tolerate their existence, we fall short of the ideals that are set before us in the Declaration of Human Rights.

And what may be said with full truth of conditions here is verified in varying degrees of other peoples as well. We must not gloss over the reality. We need to see it in all its stark grimness. It is only when we begin to measure the reality against the ideals that the Declaration sets before us, that there is hope of improvement. Perhaps more acutely than at any time in the past, men are fired by the desire to have that which is due to them as human beings. It is one of the characteristics of our time. It is as if we held before them a strong and clear image and said, this is what you are entitled to be and to have. And, as is proper, they will never be content until they have achieved that goal.

There are many agencies and institutions that have a role to play in realizing for men the rights to which they are entitled. The state, the Church, economic, cultural and educational agencies all have a part to play in the task. And there is a role, too, that is given to the individual that he cannot shirk.

To a very notable degree in our society, it is the political structure that must accept key responsibility for the achievement of human rights. It has at its disposition the instrumentalities that ensure not only individual, but political, social and international rights as well. Unless it is ordered in such a way that it works unceasingly to realize these rights for its people, it is failing in its responsibilities. And if beyond this it ruthlessly represses and violates these rights, it is false to its trust. It would be superfluous to say that the democratic processes, for all their shortcomings, represent the truly human way through which man can achieve and hold fast to his rights. The association of many persons in the task gives a greater guarantee of freedom.

In the main, the role of the Church in trying to work for human rights will fall within the total social order. After all, human rights may be identified as they are in the Declaration of Human Rights in a very abstract fashion; but they do not exist except in the concrete. And they exist in the main within political confines. But since human rights do involve a value system and since it is the function of the Church to teach values, it has a role to play. And it is all the more important in our time when the realization of these values will be achieved in great part through the political process.

The Church whether explicitly or not has a role in shaping the pattern of society. The values that find expression in the life of the people owe much to the Church. Certainly many of the characteristics that distinguish the United States have religious foundations. "In a very fundamental sense, religion has helped (in Paul Ramsey's terms) provide *directions* but not *directives* to political society." (The Right to be Educated, p. 12) In a more particularized fashion, the Church exercises its influence through helping to shape the individual's value structure and in offering to the individual the inspiration and motivation to help determine the policies of his nation. In a society such as ours, individuals and groups of individuals act politically to influence policies and to shape attitudes. But they do this out of a particular kind of conviction. And not infrequently what motivates them is religious in its origin. For instance, the Catholic who out of religious convictions works toward promoting a more generous foreign-aid program is giving expression to his sense of concern for his fellowmen. In the process, he is inspired by religious motivation to further a political program that has in intent at least a very human goal.

In so many instances, it will be the voice of the Church that will have to censure the political structure for its failures in the area of human concern. Priorities that call for substantial outlays for military armaments when people lack basic human necessities must be protested against. A disregard of the truly human concerns of people will call for strong dissent. St. Augustine reminds us that material goods are permanent occasions of discord between men, while spiritual goods tend to unite men.

And yet while the Church can do much, it will remain true that a truly dynamic effort to achieve human rights will entail a collaboration of many individuals. Everyone must accept responsibility for helping to create the conditions, political, economic, social, cultural, in which all human rights can be respected and promoted. The interdependence of all members of the human community for the realization of the individual's rights, particularly in the economic and social spheres, is becoming more and more clear. We cannot evade responsibility. We are all involved.

Other papers to be given later in this Conference will be concerned with specific areas of concern. For this reason, it is not fitting that I address myself to them. But in the broad context of the quest for human rights, it is not possible to overlook certain basic facts that center in the theme of development. Many things are being done in its name. Much that is good; and much that is harmful. Certainly I would not attempt to justify some of the policies and the procedures of some of our business institutions which directly affect the achievement of rights for great numbers in Latin America. The great reservations that are had by so many in Latin America on the way in which these activities are conducted demand that we pause and re-examine the things that we are doing. The mistrust that has been engendered is due in great part to a concern on the part of those in Latin America that these enterprises are hostile to their legitimate human interests.

Certainly any work, any activity, any program that is undertaken in the name of development must be grounded upon the basic recognition of human rights. Unless they respect these rights and help to promote them and bring them to fuller achievement, they cannot be justified. It is for this reason that development—which is not simply an economic reality, but psychological, cultural, moral and political as well—must be grounded upon the bedrock of human rights. It must find its inspiration in a recognition of these rights. It must be pointed directly toward furthering these rights. And it must constantly work with the people involved to see whether or not a more human existence is being attained through these efforts. This is the touchstone of the worth of development. In reality, the term "development" probably should be qualified in almost all its uses by the adjective "human". Unless it contributes to the advance and the fulfillment of the human person, it has missed its mark.

At the last meeting of the Latin American bishops joined together in Celam in Medellin, there was evident a real sense of Christian awareness of the values that are involved in the progress of their people. A sense of Christian concern impelled them to recognize clearly the realities of the situation, to appraise strengths and weaknesses, and to propose a program of action that will help to achieve for all their people a more human existence. We applaud them for their candor, their honesty, their integrity and their pastoral zeal. And in spirit we associate ourselves with them in their efforts to bring to their people a fuller realization of their human dignity.

In the hard realities of our times, pronouncements and statements come and go in rapid succession. Sometimes they represent a faint, feeble call in the dark night of injustice and inhumanity. They are rarely heeded by those to whom they are addressed; they bring little hope to those in whose cause they are spoken. So often, they are gestures in futility.

And yet, from time to time, something is said or written that quickens the spirit of man. It buoys up his hopes. It gives direction to his strivings. It raises him as a man. Such were the great social encyclicals of Pope John XXIII, "Pacem in Terris" (Peace on Earth), and Pope Paul VI, "Populorum Progressio" (On the Development of Peoples). They have been beacons, lighting the course of the Church in its effort in our time to be of service to all mankind.

Though of different inspiration, the Universal Declaration on Human Rights is, and will continue to be, a high watermark in human advancement. It has set a standard that we must somehow strive to attain. In comparison with its goals, some of our efforts seem puny and futile. The chasm between what is and what ought to be is so wide and so fearsome. But it must be bridged. The many strong hands and sturdy hearts that unite in trying to bring to all men what will make them more truly human are carrying forward a work of God. Many persons of good will have a part in this task. We who share the blessings of our Christian faith bring to the task a special insight and motivation. Our very sharing in the life of God lays upon us a special duty to be involved. The achievement of human rights demands the fire and the warmth and the dynamic strength and the hope of Pentecost. We must set ourselves to the task with courage and with confidence ". . . in the power of the Holy Spirit . . .". (I Peter, 1: 12)

WHY THE ISRAELIS HIT BACK SO HARD

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. BROWN of California. Mr. Speaker, the situation in the Middle East is a matter of grave concern to us all. Miss Carol Kovner is managing editor of Kovnor Publications, Los Angeles, and I have entered several of her firsthand reports on the Middle East situation into the RECORD during past weeks.

The latest article, entitled "Why the Israelis Hit Back So Hard," discusses the reasons behind Israel's retaliatory raids against the Arab States. Special consideration is given to the significance of terrorist attacks on Israel civilian aircraft.

The article follows:

WHY THE ISRAELIS HIT BACK SO HARD

(By Carol Kovner)

The United States is asking, why do the Israelis retaliate so hard, so "out of proportion" to Arab attacks? Why did the Israelis destroy 13 aircraft in Beirut for one dead Israeli and one damaged plane in Athens by Arab terrorists?

Let's try and answer this question. First, some background which the Arab and Communist blocs never mention in their propaganda and the Western Nations seldom take into account when Israeli military actions startle them.

A few months ago an El Al jet passenger liner was hijacked from Rome and kidnapped to Algeria. It took 40 days to get it released. One man was wounded, and the others not treated too gently according to the pilot.

Again, last week on Thursday, December 26th, another El Al passenger air liner was attacked in a foreign airport by Arab terrorists, this time with grenades and machine guns, with the obvious intention of incinerating all civilian passengers on board. The plane was put out of commission, one passenger was killed and several wounded including two stewardesses. Leon Shirden was shot four times in the head. He was on a consultant assignment to the UN in his capacity as a port engineer expert in Haifa. (One of the terrorists on Monday told his questioners he did not intend to kill.)

Both these attacks on Israel's civil aviation were the work of a terrorist organization based in Lebanon, Abba Eban told the Israeli cabinet on Sunday, December 29, the day following the Israeli raid on Beirut airport. The Arab terrorists had come to Athens Airport bent on attacking a plane filled with passengers. It was a miracle there was no massacre. The Lebanese government had come out in support of the attack, while the organs of all Arab governments had heaped praise upon the murderers.

The United States position is that it opposes holding the Lebanese government responsible for the terrorist attack. It noted that the Lebanese government was considered moderate in the Middle East and besides, the two terrorists had been captured and would stand trial. This was conveyed by the American Ambassador Walworth Barbour.

The UN representative, James Russell Wiggins, said in the UN Security Council that Israel's attack on the Beirut Airport would be condemned by the United States, for two reasons. One, the degree of destruction involved and two, the force of soldiers which acted under government orders. He emotionally appealed to Israel to apologize to Lebanon for the attack. He did not ask Lebanon or the Palestinian terrorists to apologize to Israel, for the Athens murder of Leon Shirdan.

Abba Eban countered to these charges in his Cabinet report that it was absurd to claim the terrorists operate in isolation. (Time Magazine proved that they had the support of and protection of host countries in their December 15 edition with a special cover article on Arafat, a leader of the terrorists.)

They operate under the wing of the Arab governments, the Lebanon included, which daily proclaim enthusiastic support, training them in their armed forces, financing them and giving them protection, Eban said.

After the Cabinet meeting, at which the Defense Minister and Chief of Staff also reported, Prime Minister Levi Eshkol said it was clear that the Athens terrorists had operated out of Beirut, that their headquarters for the Popular Front for the Liberation of Palestine is in Beirut and that the announcement of the raid came from Beirut.

Why did Israel strike back so hard destroying $100 million in civil aircraft, half of Lebanon's air freight? (No deaths.) This for one Israeli life and damaged air liner.

It is the accumulation of 21 incidents since August 6 of this year involving Lebanese border crossings by terror gangs at the cost of several Israeli civilian and army forces lives, as well as property damage.

It is the hijacking of her air liner to Algeria by terrorists that are trained in bases in Tripoli, Sidon and Tyre.

It is the raid in Athens that threatens her freedom of air navigation. It is this that breaks the patience of Israel with a so-called moderate neighbor.

There is no other country on earth that is expected to let its neighbors wage war on her while she is told by the United States and other Western nations not to respond in her own defense, and even to apologize.

In Vietnam, the US sent her own soldiers to stop terrorists from invading a country and has fought a bitter, wearisome and bloody war for years in the protection of the right of South Vietnam to live without attacks from the north.

If, for example, a neighboring country sent terrorist raiders into Alaska to sabotage farms and roads and water pipes, and blow up railroads, bus stations and market places, would the US ignore this? If the attacks got to the point where this neighboring country attacked our airlines, trying to blow them up with passengers inside in a foreign airport, would we consider it "unwise" to take action against them, as President Johnson has called the Israeli retaliation in Beirut?

If you try the shoe on the other foot, the picture can sometimes be clearer. A free country cannot stand by and let its citizens be murdered willy-nilly. The US would not take it, why should Israel?

Israeli government circles understood well what the Beirut attack would cost them in world opinion, but they feel the terrorists' one aim is to destroy Israel. Unless the governments who harbor them stop them, Defense Minister Moshe Dayan says the commando raids in Beirut, Jordan and Egypt will remain a new dimension in Israeli policy.

RUSSIA TESTING ADVANCED ROCKET

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. ASHBROOK. Mr. Speaker, according to a story in the Baltimore Sun of March 3, the Soviet Union is going right ahead with its testing of an advanced defense rocket for its anti-ballistic-missile system while U.S. officials continue to argue the pros and cons of whether to construct such a system.

It will be remembered that controversy has accompanied the ABM issue for a number of years now, with Congress and the Joint Chiefs of Staff favoring an ABM defense system with former Defense Secretary McNamara opposing it. At one point Secretary McNamara and the Johnson administration sought to persuade the Soviets to agree not to escalate an ABM race. Later, it was judged expedient that we begin work on a "thin" ABM system for defense against Red China. Now, it seems, we are back to debating once again.

The Baltimore Sun article, by Charles W. Corddry, of the Washington bureau of the Sun, states that the Soviet weapon is reported to be able to intercept attacking missiles at distances of about 100 to 450 miles from its launch site. It is believed that the Soviet rocket is comparable with our Spartan interceptor which has been proposed for our ABM system.

I include the above-mentioned item, "Russia Testing Advanced Rocket," from the March 3 issue of the Baltimore Sun in the RECORD at this point:

RUSSIA TESTING ADVANCED ROCKET

(By Charles W. Corddry)

Washington, March 2.—The Soviet Union has been test-firing an advanced defense rocket that appears to be comparable with the long range Spartan interceptor planned for use in America's anti-ballistic missile system.

Authorities who reported this today said the most recent test of the Soviet missile was conducted in mid-February. The weapon is reported to be able to intercept attacking missiles at distances of about 100 to 450 miles from its launch site.

At the same time, the Russians reported to be making equivalent progress on phased array radar like that in the American ABM system. Judged essential for swift detection and handling of several attacking missiles at once, this type of radar has beams that are steered electronically. There are no mechanically rotating antennas.

SEVERAL PROBES GOING

These new intelligence assessments are expected to figure importantly in forthcoming congressional consideration of the anti-ballistic missile question. At least a half dozen committees are investigating this controversial issue.

Questions immediately are raised as to how far the Soviet Union will be willing to go in limiting anti-ballistic missile deployments when Washington and Moscow come to discuss arms limitation.

Regarding the Soviet interceptor missile, it is understood that there have been tests on several occasions at least since last August. There appears to be enough data in hand on the mid-February shot to confirm the suppositions from the earlier tests.

NEW INFORMATION

It is this new information that Melvin R. Laird, Defense Secretary, would appear to have had in mind when he testified before the Senate Foreign Relations Committee February 20 about a new Russian ABM system.

Proponents of the American Sentinel system have said that arms talks with Russia might result in agreement to limit anti-missile defenses to the types needed for defense against China. Some sources question whether that much agreement is attainable, however, on the speculation that Moscow might be unwilling to risk Chinese and other Communist accusations of conspiring with the "imperialists" on the missile defense issue.

AGREES WITH CLIFFORD

In his Senate testimony, Secretary Laird said he agreed with his predecessor, Clark M. Clifford, that the Soviet Union had slowed its "Galosh" missile program around Moscow.

But he added at once that he believed the slowdown was linked with "recent information which we have had on research and development activities in testing of a new sophisticated ABM system."

Mr. Clifford said just before leaving office January 20 that the significance of the "Galosh" slowdown had not yet been determined—a statement that indicates how "recent" Mr. Laird's information is.

DR. JOHN E. KETO: AN OUTSTANDING GOVERNMENT SCIENTIST

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. WHALEN. Mr. Speaker, I wish to take this opportunity to pay tribute to Dr. John E. Keto, of Dayton, Ohio, an outstanding Government scientist who retired on Friday after more than 33 years of service to the Nation.

Dr. Keto was the Chief Scientist of the Aeronautical Systems Division of the Air Force Systems Command, located at Wright-Patterson Air Force Base, Ohio. He was promoted to that position in 1959 while a member of ASD's predecessor, the Wright Air Development Center.

During his career as a public servant, John Keto has earned a national and international reputation for his knowledge, ability, and imagination. His contributions have been in the important areas of research, development, management, and test.

Starting with his early efforts in radar technology, he worked to further the development and application of increased capabilities in such fields as bionics, secondary power sources, electric propulsion, surveillance, infrared, data processing, and micromolecular electronics.

In brief, Mr. Speaker, he has played a key role in the creation and maintenance of American technical superiority in the aerospace field.

There are many John Ketos at Wright Field and at other Government research installations around the country whose devotion to duty and expertise are invaluable to the United States. These men could reap higher monetary rewards outside of Government service but they have chosen not to. In lieu of financial gains, they are satisfied to be a part of maintaining the security of the Nation.

In expressing my admiration for Dr. John Keto, Mr. Speaker, I also honor his associates.

Since I will be unable to be present at this Friday's observance of Dr. Keto's retirement in Dayton, I wish at this time to extend my best wishes to him and his wife.

VOICE OF DEMOCRACY CONTEST

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. HELSTOSKI. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its Ladies Auxiliary conducts a Voice of Democracy Contest.

This year over 400,000 school students participated in the contest competing for five scholarships which are awarded as the top prizes. The theme chosen for this contest was "Freedom's Challenge."

The winning contestant from each State is brought to Washington, D.C., for the final judging and I am most proud of the winning contestant from our great State of New Jersey, for it happens to be a student from my own congressional district. The winning speech was delivered by Miss Barbara E. Marty, 157 Schraalenburgh Road, Haworth, N.J.

Mr. Speaker, I am pleased to include in the RECORD the text of Miss Marty's speech and commend it to the attention of my colleagues in the House.

It always is reassuring to me to read the thoughts of young Americans such as Miss Marty and realize what high regard they have for the freedom we in America enjoy.

The speech follows:

FREEDOM'S CHALLENGE

(By Barbara Marty)

"To see the world in a grain of sand"; your world; my world; our world in which we are free to do as we please. We walk the streets of a great city unhampered by laws dictating our freedom. Our freedom, restrained by the Constitution of the United States, is given to us. Our priceless gift is given, without question, to us. This jewel, coveted by its worth, is beyond limitations. Yet our gift is not a wise one for many. Those who take their freedom and throw it into the muddy gutters and trample its sacred name into the ground, those who abuse it and those who worship it are all equal under its protecting smile.

The right to be free, although given to us, is costly. Many lives have been spent to maintain freedom. The path is difficult and unless the courage to face the obstacles is present, we fail. Victory will not be complete until we no longer have to fight for freedom. Our forefathers fought for their freedom just as we fight for ours and the freedom of others today. When will the time come when man can be assured that his freedom will never be jeopardized? How long will we have to wait to insure absolute freedom for our children and their children? When will our struggles end?

Freedom, its unadulterated, manifest beauty is veiled from those unwilling to sacrifice their worldly wants. The freedom to be free is unalienable yet so many are denied it. The gates are open. All that is necessary is faith in the way of the right, courage to withstand any challenge and prayers in the hope that the Lord will guide us in our quest.

Freedom is like the rapid streams that travel wherever they please. Freedom is a city filled with bustling enterprises. Freedom is a newborn, free to mature into an adult, knowing *only* to be free.

I sit here wondering what it is like not to be free; not to do as I wish; not to be able to plan my life. I think of the many thousands of children who know not of what I speak but who must bear this burden of unknowing grief.

Although numerous, the symbols for the many facets of freedom can be brought to light through the use of the colors of the rainbow. White is the color of purity. Pure is our hope that freedom survives. That this most precious of all rights remains in the palms of our descendants. That they shall guard it as fiercely as we have.

Blue is the color of love and honor; love for our nation; love for the principles on which our nation establishes her beliefs. To honor our laws and revere our Flag are the basis of freedom.

Red, is the color of blood. The blood and toil and sweat that men have given to preserve this freedom is worth more than can be dreamed. Those who would challenge our freedom must face proud warriors who zealously protect what is ours.

Orange is the color of religion. Only by the Grace of our Lord, the "Warden of all men", may we attain our most sought-for desires. The way is hard but our religious codes are worthless without the challenge.

Indigo represents patriotism. We who defend the freedom of our world are patriots. We are loyal to the cause of the end result we seek.

Freedom, in its most pristine form does not exist in our world today. Freedom is only indirectly known. Freedom, our sole great need is beyond our grasp. Therefore, freedom is the most urgent condition for which we must strive. Freedom, at all costs, must be won.

"To see the world in a grain of sand." Walk along the sea one day. Gaze at the majesty of the rising blue waters. Know that freedom is a God-given gift; that we who walk this earth are given, the right, to be free.

TRIBUTE TO MINNIE PEARL

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. REES. Mr. Speaker, in these times of extreme stress both at home and throughout the world, I would like to take a few moments to call attention to someone who personifies the qualities in life which are so sadly lacking in our society of today. I refer to a very gracious lady with the simple name of Minnie Pearl. This is a name that is known and respected wherever the music of America's heartland is played.

In the highly competitive entertainment world, where stars rise and fall with remarkable speed, Minnie Pearl has remained a star of the first magnitude year after year. The reasons for her continued success lie not only with her talents as an entertainer, but also in her philosophy and the consideration she shows to those around her. It is said the power of television is its ability to reveal the true person before the camera. This is the reason Minnie Pearl is a welcome guest in millions of American homes whenever she makes a television appearance.

Minnie Pearl was born in Centerville, Tenn., deep within the wellsprings of Americana. The youngest of five daughters, she grew up in a warm, secure family, and attended Ward-Belmont College before giving any thought to becoming an entertainer. While teaching school she began taking part in amateur theatrical productions and developed the comic style that was to make her a star. She found that one of the great pleasures in life is to hear people laugh, and this encouraged her to enter the entertainment world.

She created her character by taking two of the most classic country names and combining them into a personality who had not existed before. She had only one basic rule for Minnie Pearl to follow, and that was that humor must always be kind humor.

During the years that followed, she continued to develop the character of Minnie Pearl by drawing upon the people she met in her travels. Radio made her a star, but she had the discipline to retain the basic qualities that were to be so vital to her continued success.

In addition to her success in the field of entertainment, she is also actively engaged in the development of an international franchised resturant chain that bears her name, providing employment and economic opportunity for a large number of people. She is also active in charitable causes, never forgetting the obligations to society instilled by her family and community.

Today Minnie Pearl is actually three people—business woman, entertainer, and most important, a devoted wife to Mr. Henry Cannon. Despite her fame and fortune, she continues to live but a few miles from where she was born. It is indeed gratifying to pay tribute to this remarkable lady.

MOSCOW ON TERRORISM

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. DERWINSKI. Mr. Speaker, it is imperative that we recognize the direct relationship between the Soviet Union and the activities of certain groups within the Arab world.

The Sunday Star in a very concise and effective editorial commentary, March 2, points out the involvement of the Soviet Union in the Middle East tension:

MOSCOW ON TERRORISM

Looked at in any light, the Arab terrorist attacks on Israeli passenger jetliners in Athens and Zurich were barbarous crimes, and they have been properly condemned as such by peoples and governments throughout the world.

A striking exception, however, is the Kremlin. After weeks of silence on the subject, it now has come out in defense of the attacks. In a statement issued by Tass, it has accused Israel of "abominable provocations" that have made hit-and-run guerrilla forays—against marketplaces, school buses, farm settlements, planes and the like—quite permissible and "just" in terms of international law. Further, speaking through Pravda, the Soviet leadership has hailed the jetliner shoot-ups as brave work "carried out by patriots." As for Israel's reprisals against terrorist bases, such as those in Syria, they are "bandit-like . . . acts of undisguised aggression."

Thus, in effect, the Soviet government has bestowed its official blessing on Al Fatah and all other Arab guerrilla and commando groups, implicitly encouraging them on to further deeds of violence. To say the least, this is an appallingly poor way to help defuse the Middle East and create a promising atmosphere for Anglo-French-American-Soviet talks aimed at establishing peace there.

But perhaps no one should be surprised that terrorism is endorsed by a system born of it and reared in its omnipresent shadow.

DR. BERTRAM A. BETTS RETIRING AS CHIEF DEPUTY SUPERINTENDENT OF LOS ANGELES COUNTY SCHOOLS

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. LIPSCOMB. Mr. Speaker, on March 6 Dr. Bertram A. Betts is retiring as chief deputy superintendent of schools for the county of Los Angeles after a long and distinguished career.

It is largely due to the outstanding contributions of educators and administrators such as Dr. Betts that we have such a high quality education system in Los Angeles County.

Dr. Betts has been in public education in Los Angeles County since being graduated from La Verne College in 1925. He was principal of the Canyon School in Azusa from 1925 to 1927. He taught at Emerson Junior High School in Pomona from 1927 to 1933 and served for 10 years as principal.

From 1943 to 1945, Dr. Betts was a member of the National Staff of the American Red Cross, serving as director of the Junior Red Cross of the Pacific area.

Dr. Betts pursued graduate study both at Claremont College, Claremont, Calif., and the University of Southern California, and from 1945 to 1946 was engaged full time in doctoral studies at the University of Southern California.

In September of 1946 Dr. Betts joined the Los Angeles County superintendent's staff as special services coordinator, and was appointed assistant superintendent in September 1947. He was appointed chief deputy superintendent January 1, 1967, and served as acting county superintendent of schools from July to October 1967.

In recognition of his eminent contribution to the field of public education and of his personal dedication to the progress of children in learning, he was awarded an honorary LL.D. degree by La Verne College in 1957.

Dr. Betts has devoted his life to working as an educator, administrator, and public servant. We have been most fortunate to have had such an outstanding leader in the Los Angeles County school system.

I am happy to have this opportunity to join in expressing thanks to Dr. Betts, to commend him for his fine record of service, and to wish him a very enjoyable retirement.

COUNTRYSIDE DEVELOPMENT COMMISSION

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. ZWACH. Mr. Speaker, during the past 2½ years, a very considerable amount of time and large number of words have been used in regard to the future role or hope of the countryside.

The present status of our rural areas economically and socially has finally been acknowledged by both political parties. Up to now, each person who has spoken or written on this subject, and of the possibilities of using the countryside forces or assets, have had to do so as an individual and from his individual viewpoint. I believe it is way past time when our best national efforts should be made to define the problem affecting our countryside and to come up with a coordinated set of recommended procedures to make greater use of the people, land, water, highways, fresh clean air, and public facilities already in the countryside. It is for this reason, plus the need to have a common understanding of the problems and opportunities, that I am introducing my bill to establish a Countryside Commission.

This bill sets up a Commission composed of 24 members, to be appointed by the President, from the nominees as presented by the Governors within the geographical areas as are established by the farm credit districts. The life of this Commission is for 2 years or 60 days after making their report.

The countryside is defined in the bill as any land area and people who are not listed within the standard metropolitan statistical areas as defined by the Bureau of the Budget. This would include some 60 million people, a majority of the total small businessmen in the United States, over 3 million farmers, 16,000 cities and villages under 15,000 population, and over 3 million miles of all-weather hard-surfaced roads.

The President has already created a Council on Urban Affairs, whose prime duty is to deal with the acute problems of congestion and overworked public facilities and accompanying problems of our cities. Let us now create a nearly equivalent group of the highest stature to work at finding the solution to those problems besetting our countryside, so that a coordinated and balanced program can be developed.

THE APPA WORKS TO LESSEN ENVIRONMENTAL HARM

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. OTTINGER. Mr. Speaker, growing public interest and concern over the quality of the environment has prompted certain citizens and organizations to stress the importance of enhancing environmental conditions. One such activity which deserves special commendation is the awards program announced last May by the American Public Power Association.

Electric power facilities—distribution and transmission lines, switching stations and the related equipment—have a substantial impact on the esthetic environment of our communities. By making such facilities as attractive as possible, the industry can minimize their adverse impact and contribute to the overall quality of environment. This fact is recognized by the APPA awards program for utility design. Emphasizing multidisciplinary approaches to design solutions, this competition enlists the cooperation of the American Institute of Architects, American Institute of Planners, American Society of Civil Engineers, and American Society of Landscape Architects. A jury consisting of nationally prominent members of these organizations, is meeting today to select winners in the contest.

Among factors to be considered by this panel are: First, community benefits supplied by the project; second, compatibility of the project with environment and city planning; third, adaptation of design to necessary mechanical and electrical equipment; fourth, architectural excellence of design; fifth, landscape development; and sixth, fulfillment of the functional purpose of the project.

Awards will be given next May in the categories of electric utility buildings, generation stations, substations, transmission structures and lines, distribution structures and lines, and other electric utility property.

APPA should be commended on their enthusiastic support of efforts to improve the esthetic appearance of electric facilities. This awards program should focus increased attention on the importance of attractive electric facilities to a community. I would like to insert at this point the APPA press release describing the awards program and announcing the jury:

APPA AWARDS PROGRAM

Four distinguished judges will participate March 3 in a panel to determine winners of the first biennial American Public Power Association "Awards Program for Utility Design." Winners of this competition—the only contest in the Nation emphasizing the importance of beautification of electric utility property—will be announced in May at the APPA annual conference to be held in Washington, D.C.

Awards will be given for projects achieving excellence of design and completed before January 1, 1968, in the categories of electric utility buildings, generation stations, substations, transmission structures and lines, distribution structures and lines, and other electric utility property. Utility managers and participating architect, planner, engineer, and/or landscape architect will receive awards for each winning project.

Participating organizations, which will cosign awards certificates, indicate the multidisciplinary approach to design stressed by this awards program. The American Institute of Architects, American Institute of Planners, American Society of Civil Engineers, and American Society of Landscape Architects, respectively, designated the following jurors:

Francis D. Lethbridge, of the award-winning Washington, D.C., architectural firm of Keyes, Lethbridge, and Condon, is a fellow of the American Institute of Architects and former president of the Washington-Metropolitan Chapter of AIA. His firm has received numerous architectural awards, including AIA First Honor Award and Awards of Merit, AIA Potomac Valley Chapter Biennial Awards in Architecture, and Washington Board of Trade Architectural Awards.

Jeremiah D. O'Leary, Jr., Principal of the Washington Planning and Urban Development firm of Marcou, O'Leary and Associates, is a full member of the American Institute of Planners. He was formerly on the urban studies staff of the Office of Program Policy, U.S. Housing and Home Finance Agency, served as Principal Planner of the Planning Council of the Greater Baltimore Committee, and was a visiting critic at Harvard University. Marcou, O'Leary, and Associates have been consultants for city planning, urban renewal, and model cities programs, in cities throughout the country, including plans in New Orleans, Louisiana, for historic preservation of the French Quarter.

Eugene Weber, District V director for American Society of Civil Engineers, was formerly Deputy Director of Civil Works for Policy in the U.S. Army Corps of Engineers. He received the Exceptional Civilian Service Award, Department of the Army, in 1963; the Rockefeller Public Service Award in 1963; and the Distinguished Civilian Service Award, Department of Defense, in 1964. Mr. Weber is currently engaged in consulting practice in Washington, D.C.

Philip H. Lewis, Jr., Chairman of the Department of Landscape Architecture, University of Wisconsin, participated in the White House Conference on Natural Beauty and on Prince Philip's Conference on the Countryside, 1970. He is the author of numerous articles, books, and reports, and received an award for the best professional paper from the American Society of Landscape Architects Quarterly in 1964. Mr. Lewis was elected to Council of Harvard Graduate School of Design Alumni in 1966. He served as co-chairman of Wisconsin Governor's Conference on Natural Beauty, served on the Hawaiian and New Jersey Governors' Conferences on Natural Beauty, and is presently a member of the American Right of Way Association Committee.

American Public Power Association is a national service organization representing 1,400 local public power systems in 47 States, Puerto Rico, and the Virgin Islands. For further information on the APPA "Awards Program for Utility Design" contact Cathy Lichtenberg, 2600 Virginia Avenue, N.W., Washington, D.C. 20037 (202 333-9200).

SALMON RESOURCES FACE THREAT

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. DINGELL. Mr. Speaker, the February 1969 issue of American Forests magazine carried an article by Mr. William E. Towell describing the threat posed to our salmon fisheries resources by proposed dams on the Middle Snake River. So that my colleagues may be informed of the dire threat posed to our fisheries resources by the proposed dams, I include the text of Mr. Towell's article at this point in the RECORD:

LO THE POOR SALMON: OR IS THIS DAM NECESSARY?

(By William E. Towell)

Conservationists recently were disheartened by the announcement of a three-way agreement between two major northwest power companies and the Department of the Interior on a proposal to seek early Congressional authorization for a multi-purpose dam on the Middle-Snake River between Oregon and Idaho. Assurances that this agreement averted early issuance of a license to build a dam by the Federal Power Commission were only mildly encouraging. Anyway you look at it another dam would spell more trouble for salmon and steelhead trout. These poor fish have an uncontrollable biological urge to spawn in fresh water, to spend part of their life cycle in the ocean and then return to the place they were hatched to spawn and die.

The salmon must undergo unbelievable hardships to carry out its life mission. Its eggs are sought after by innumerable water feeding varmints. Young salmon are prey to every carniverous animal in the river. They must travel hundreds, even thousands, of miles to reach the ocean where they feed and grow to maturity. Then, they must return through polluted bays and estuaries, fight their way upstream against currents of warm and silt-laden waters, sewage discharges, oxygen deficiencies, dams, fish ladders, nets and spears, even clubs, until they reach that one gravel bar high in the mountains where their own life began.

The migration of anadromous fish is itself a mystery, but how they have withstood the obstacles placed in their path throughout the Columbia and Snake River systems is a miracle. One more straw might be more than a "humpback" salmon can carry. Another dam, just one more fish ladder, swift currents below high speed generators, or just a few degrees increase in water temperature could be the final blow to the salmon fishery.

Now that the Pacific Northwest Power Company, the Washington Public Power Supply System and the Interior Department are in agreement, it could mean that another dam on the Middle-Snake River is a probability, almost a certainty. Fortunately, it would be above the mouth of the Salmon River, one of the finest remaining salmon streams in the Columbia River system. Conservationists have fought long and hard to prevent construction of the Nez Perce Dam below the Salmon on the Snake River. But even a dam above the confluence of the Snake and Salmon Rivers could have disastrous consequences.

The proposed High Mountain Sheep Dam would block access to the Imnaha River, another fine salmon stream. It would require a reregulating structure at China Garden below the mouth of the Salmon River, possibly with as much adverse effect as Nez Perce itself.

Either High Mountain Sheep Dam or Appaloosa Dam, another proposed site above the mouth of the Imnaha River, could spell disaster to the salmon fishery.

Frankly, it isn't worth the risk. With all the new developments in thermo-nuclear power, surely some alternative to another dam on the Middle-Snake can be found. In spite of the arguments supporting the efficiency of hydro-electricity for peaking power and all the energy going to waste in a fast-flowing stream like the Snake River, there are some things that are irreplaceable. We cannot afford to gamble any further with the Columbia River salmon fishery.

Few persons realize the beauty and ruggedness of the Middle-Snake River itself. Deeper than the Grand Canyon, this turbulent river flows between steep cliffs and spectacular scenery considered by many to be the most beautiful in the West. It has been proposed as one of the first additions to our new system of National Rivers under a law passed by the 90th Congress. Senators Len Jordan and Frank Church of Idaho have advocated a ten-year moratorium on any more Snake River dams. Any proposal that would rule out further damming of this river would be welcomed.

If the agreement between the Secretary of the Interior and the power companies implies a reprieve or delay in authorization of a dam, as announced, it would be welcomed, but with everyone in accord as to location, either High Mountain Sheep or Appaloosa dams became frightening possibilities. Conservationists hope that the new Congress will act promptly to safeguard this mighty river. There should be *no* more dams on the Snake River. Since salmon cannot speak, we must speak for them.

FREEDOM'S CHALLENGE

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. ROGERS of Florida. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its Ladies Auxiliary conducts a Voice of Democracy contest. More than 400,000 students participated in this contest this year.

I am proud to announce that of the 50 young people who will come to Washington representing their States, John O'Brien, of West Palm Beach, will represent Florida.

At this time I would like to include in the RECORD the speech which Mr. O'Brien wrote entitled "Freedom's Challenge." I think it is a very meaningful speech which will have interest for all of my colleagues:

FREEDOM'S CHALLENGE

America has for all of its history defended its freedom against an onslaught of challengers. Our people fought against the tyranny of King George, who challenged our freedom; the pirates of the Mediterranean, who denied us freedom of the seas; the terror of slavery which denied freedom to so many; the tyranny and oppression of Hitler and the Nazis; and today the growing threat of communism. All of these challenges we have so far met successfully.

But today we face what is perhaps the greatest challenge the world has ever known. It is not a visible challenge, and it does not exist in a foreign country. This challenge exists here at home: It exists in each and everyone of us to some degree. The greatest challenge to freedom in our country today is the apathy of our own people.

There are too many people in this nation who have adopted a "Let George do it" attitude. Today it seems that when there is a piano to move everyone wants to carry the stool. In our country there are too many people who just don't care.

Why is this a challenge? Because of the effects this apathy has brought about. Those age old qualities of love of country and of flag seem to exist no more. The American virtue of patriotism is seemingly going. Today, the American Flag, which for nearly two hundred years has stood for Justice, Equality, and Freedom is now spat upon, torn, and burned. And what hurts most of all, is that the people desecrating the flag are not communists or fascists, but merely misguided young Americans. Our leaders are no longer respected, but are often regarded with hatred; and we wonder why? Because people do not care. The Star Spangled Banner is something they play at the beginning of a baseball game and that's all it is today.

How can we combat this apathy in our country today? There are two courses open to us. The first course of action open to us is this: We must foster patriotism in our nation, by our own example, primarily. We must show that love of country is not something to be ashamed of. We must take the first step. We do not need speeches now, but action.

If we live as true Americans, everyday of our lives, then those around us will certainly learn what a true American really is. If we exhibit the qualities which made this country great, then those around us will learn what qualities we must possess to make this country even greater. However, the process does not stop here. In our schools, from Kindergarten to College, we must assure that a true picture of our country is presented. We must assure that our educational system fosters patriotic activity, and then provides an opportunity for the exercise of that patriotic activity. Our schools must lay the foundation for the construction of good Americans. Once the foundation has been established, it is then our example which will enact the actual construction of good Americans. We must show people what freedom is and how it works. And once this has been done we need never again witness an American destroying an American flag, never again will a soldier, who has risked his life in the defense of freedom, be called a pig or a fascist on his return home. And never again will we witness the obstruction of the president's car in a motorcade.

It is indeed a mammoth task. It will take blood, sweat, tears, and hard work, and perhaps more than anything else it will take time. But it's worth it. The freedom of our country has been preserved against the challenges of the past. I am confident that the American People can meet this new challenge successfully. But only if we act.

Of course, there is always the second course of action, we could just sit back, and look at what is happening in our country today, and we could yawn. The choice is ours.

WANTED: TRUTH IN RENTING

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. ROSENTHAL. Mr. Speaker, I am today reintroducing the Truth-in-Renting Act, a bill that will bolster the bargaining position of the tenant in his negotiations with the landlord. The aim of this legislation is to promote the right of prospective tenants to full and accurate information regarding rental contracts. The provisions of this bill will cover only those apartments contained in multifamily rental housing where the mortgage guarantee insurance is held by the Federal Housing Administration.

I liken a prospective tenant to the consumer who has recently gained a modest degree of assistance in his purchasing activities by the Truth-in-Packaging Act and the prospective borrower who should soon be getting an even break with the enactment of the truth-in-lending bill. Both Presidents Kennedy and Johnson time and time again enunciated that the right to be informed lies at the very heart of a buyer-seller relationship, and it is this principle which underlies my proposed legislation.

It is my conviction that the prospective tenants, as well as prospective purchasers and prospective borrowers, are all well equipped to make economic value judgments, providing they have in their possession accurate, honest, and complete information about the prospective contract.

In brief, this bill will assist prospective tenants, in multifamily rental housing in which the FHA is the insurer of the mortgage, by making it mandatory on behalf of the owner to include in an advisory memorandum attached to the rental application and lease agreement: First, all relevant information concerning FHA-approved rent schedules; and, second, a brief, simple and clear summary of the significant portions of the prospective lease agreement.

The legislation empowers the Secretary of the Department of Housing and Urban Development to set uniform standards governing the information which must be set forth in the advisory memordandum. The bill also provides that where the owner of an FHA-insured multifamily dwelling applies for a rental increase above the FHA-approved rent schedule, a public hearing must be held and the tenants must receive notice of such hearing and be given an opportunity to participate therein.

This legislation, of course, would apply only to properties constructed and mortgages insured subsequent to the date of this act. However, the bill gives the Secretary authority to establish regulations to make the provisions of this act operative for properties presently covered by FHA mortgages.

To highlight the need for immediate enactment of this bill. I would like to describe a dramatic instance of misrepresentation by a landlord that occurred a year and a half ago. A large middle-income apartment complex in my congressional district, insured by the FHA, was completed in the fall of 1964, during a period when there was an abundance of vacant dwelling units. The FHA fixed maximum ceilings for the various apartments after the usual consultation and consideration of costs and operating expenses. In order to compete with other available housing and to obtain quick occupancy of the project, the landlord engaged in an operation which in the used-car industry is known as "lowballing." He advertised the apartments at less than the FHA-approved rental schedule. Prospective tenants were impressed with the reasonable rates. Although they thought they were receiving a "good deal," in the long run the tenants suffered. Prior to signing the lease, they were led to believe that the rents offered were the FHA-approved rentals; therefore, they felt justified in relying on a continuance of these rents after the expiration of their leases. Of course, they understood that there was a possibility for an upward adjustment of their rents at the termination of these leases, but one that would be modest. Having no reason to expect soaring rents, the tenants made extensive investments by furnishing and decorating their apartments, became involved in community life, and enrolled their children in local schools. But when the leases expired, they received the hammer blow. The landlord, as a condition for renewal of the leases, advised tenants that rents would be increased from 31 to 45 percent. He did this notwithstanding the fact that he had told the FHA, in writing, that the increase would be from 10 to 15 percent.

During this period, the landlord, having received less income than anticipated by the FHA schedule, received approval from the FHA for a deferment of payment of principal on the mortgage of these dwellings. Ironically, the FHA, rather than the landlord, was underwriting the initial rent advantage gained by the tenants.

The consequence of this situation, in a nutshell, is this: The tenants, while gaining a momentary advantage on their rents, were faced with totally unexpected 31- to 45-percent rent increases, and many of them found themselves unable to carry this additional financial burden. They were caught between the devil and the deep blue sea—either they had to continue to pay a rent they could not afford or leave the premises, suffering all the attendant expenses and discomforts that such removal causes.

Since that time, the landlord of this apartment complex made the meager concession of offering the tenants time to look for other accommodations. A 1-year lease was offered to those who wanted it. For those who opted to stay, he prorated the increase over 3 years—and by the third year, his 40-percent increase was complete.

The victims of events such as the one I just related are not a group of transients. For the most part, they are people who intend to remain in their new apartments for many years and are people who would provide stability to their community. If they are uprooted from their homes, we are all affected. Should landlords of FHA-insured housing be permitted to mislead tenants into thinking they have a good deal by offering rents far below the FHA ceiling—rents that suddenly soar after the lease expires—we will witness an increase in the flow of middle-income groups from urban areas. If this flight is stepped up, the city will become the home of only the very rich and the very poor.

The problem I have related here is as serious today as it was a year and a half ago. And it is not an isolated local problem. It is neither unique to this 750-family development nor to my congressional district. Within the city of New York there are 93,000 rental units and some 554,000 within the United States that would be covered by the provisions of this Truth-in-Renting Act.

In short, not only the tenant's interest, but the national interest as well, requires a new impetus to provide information to the prospective tenant, information that will enable him to clarify his needs and his priorities when seeking housing.

This bill proposes to cure the inability of the prospective tenant to fully comprehend the terms of the agreement that will bind him under his lease. It requires the owner to supply him with adequate information concerning his prospective tenancy and the contents of the proposed lease. This will enable the tenant to make an intelligent determination as to whether or not the terms and conditions by which he will be bound under the lease are those which he is prepared to accept.

Under current renting procedures for the type of housing covered by this bill, a prospective tenant is usually shown either a model apartment or plans. He is also advised of the rent and frequently told by a renting agent of the terms and conditions of the proposed rental agreement. Upon oral acceptance of the deal the tenant will sign a rental application and offer a deposit. The rental application will frequently bind the tenant to execute a lease, or, failing that, forfeit the deposit. In practice, tenants cursorily examine the rental application and pay even less attention to a long, involved, small-print hard-to-understand lease.

Needless to say, it would require a book the length of "Gone With the Wind" to report in detail the many representations that renting agents have made to prospective tenants to solicit their tenancy. A zealous renting agent, anxious for a commission, frequently makes exaggerated promises and conscious misrepresentations.

Often such leases have automatic rent-escalation clauses and numerous other clauses that could be detrimental to the prospective tenant. This bill requires that a simple summary of the terms and conditions of the lease be affixed to the rental application. The tenant will then have the opportunity to read the summary prior to the execution of the rental application and the tendering of a deposit. Thus, his subsequent decision as to whether or not to enter into a contract with the owner will be based on a critical evaluation of pertinent facts, and their relationship to his needs.

The bill would also provide additional insurance for tenants against unfair and unjustified rent increases by permitting them to be parties to any proceedings by which the FHA approves a rent increase. No increase in the rent above the ceilings set in the rent schedule can be approved by the FHA without a public hearing. This hearing must be held in the community where the property is located, affording an opportunity for all tenants to present their views before the Secretary of Housing and Urban Development or the FHA Commissioner makes a determination.

This proposal is consistent with the proposition President Kennedy set forth in 1962 that consumers not only have the right to be informed, but, equally important, are entitled to be heard in decisions affecting their interest. It is my view that as long as a Government agency, in this instance the FHA, is to make decisions affecting the rights of tenants, then the tenants have an absolute right to participate in the decision-making process.

It is true that rent increases may be justified following increases in municipal and local taxes or increases in the cost of operating the property. Surely no one can complain if such bills, documents, and tax assessments are presented in public hearings. In my judgment, this procedures will promote a favorable landlord-tenant relationship by dispelling suspicions that arise from one-sided participation.

This Truth-in-Renting Act does not in any way handicap the normal opportunities for a landlord and tenant to enter into a contract of lease. Nor is it a step toward national rent control. It does not create hardships on landlords; it poses only simple obligations that can easily be met; will in no way impair the economic viability of their investments. As long as a builder, developer, or landlord seeks the assistance of the Federal Government by way of insurance of a mortgage, we must insist that he and the agency insuring the mortgage provide the tenants with adequate information to balance the scales of the economic relationship.

In summary, I would urge my colleagues to extend to the housing field a praiseworthy trend that has taken place in other areas of consumer concern. "Let the buyer beware" has been rejected as the slogan of the marketplace. It is our responsibility to carry forward the converse of that theme: "Let the buyer know." The enactment of the Freedom of Information Act, which requires agencies of the Federal Government to make available information and records within their possession is evidence of our recognition of the public's right to be informed.

I seek nothing more than to permit a prospective consumer-tenant to make an intelligent decision based on sufficient and adequate information. We must keep in mind that informed choice by a consumer and a prospective tenant lies at the heart of a free and competitive economy.

OTTO OTEPKA: COUNTRY ABOVE POLITICS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. RARICK. Mr. Speaker, the intrigue surrounding Otto Otepka continues to be stranger than fiction.

Why must Otto Otepka continue to suffer for placing his country above partisan politics?

His last remaining appeal is to the American people—by telling them the full story. Otto Otepka has kept faith with his fellow countrymen. Let us hope the American people will not abandon this dedicated civil servant.

Mr. Speaker, I have introduced H.R. 6787 which would protect Federal employees from dismissal or discipline for testifying before a congressional committee. This is the same bill introduced by the then Senator Richard Nixon—S. 1390—in the first session of the 82d Congress.

I include news clippings on the tragic betrayal of Otto Otepka, the text of H.R. 6787, and Senator Nixon's remarks upon introducing S. 1390, as follows:

[From the Chicago Tribune, Mar. 2, 1969]

OTEPKA FINDS WHY JOB DENIED

(By William Edwards)

WASHINGTON, March 1.—On Jan. 21, the day after President Nixon's inauguration, Secretary of State William P. Rogers had already made up his mind that he did not want Otto F. Otepka in the state department.

If Otepka would resign his post, Rogers informed Otepka's attorney on that date, he would help him get a job in private industry. His retention would create too many problems with holdover officials, Rogers contended.

REFUSES TO QUIT

When Otepka refused to surrender in his five-year battle for vindication, Rogers notified him on Feb. 21 that his appeal for reinstatement had been rejected.

These and other heretofore hidden details of his post-inaugural negotiations with the Nixon administration have been revealed by Otepka. He also included them in a record memorandum for his lawyer, Roger Robb, in which he announced his intention to appeal for justice to the federal courts.

Otepka faced another blow in pursuing this appeal, it was learned. Robb, the attorney most familiar with the celebrated case, is under consideration for appointment by Nixon to a federal court of appeals vacancy. If he goes on the bench, he will have to withdraw from the case.

If new counsel becomes necessary, James M. Stewart, head of the American Defense fund, Palatine, Ill., which has already raised $27,000 for Otepka's legal expenses, said the necessary arrangements will be made. He has been deluged with offers of aid since Rogers appeared to end all hopes for Otepka's reinstatement.

OTEPKA IS UNPERTURBED

Unperturbed by a series of setbacks which would have reduced a lesser man to despair, Otepka disclosed the latest chapter in what has been termed by the Senate internal security subcommittee, "The Otepka Tragedy."

It began more than 8 years ago, in December, 1960, when Otepka was asked by Robert F. Kennedy, attorney general-designate, to waive security investigations for a number of state department appointees. He refused.

Otepka was then at the peak of his career as chief of security in the state department. He had received commendations from the Eisenhower administration for outstanding achievements.

A three-year ordeal followed during which he was demoted, put under surveillance, subjected to phone tapping, and finally, in November, 1963, fired for conduct unbecoming a state department officer.

REINSTATED IN 1967

A Senate inquiry branded his treatment "extraordinary and calculated harassment of a loyal and patriotic officer for conscientious performance of his duties." In December, 1967, after four years of hearings, Secretary of State Dean Rusk was forced to cancel the discharge but ordered a severe reprimand, a $6,000 cut in salary, and stripped him of security assignments.

Otepka went on a leave-without-pay basis, refusing to accept clerical duties assigned him. He looked forward to reconsideration of his case under a new administration.

He was fortified in this faith by a number of developments. In February, 1966, Nixon had personally told him he was acquainted with the facts in his case and advised: "Stay in there and fight."

NIXON VOWS ACTION

In October, 1968, Nixon pledged in an interview to "order a full and exhaustive review of all the evidence in this case with a view to seeing that justice is accorded this man who has served his country so long and so well."

Later that month, at a campaign stop in Mt. Prospect, Ill., Nixon was asked by Stewart, the defense fund raiser, about the Otepka case and responded: "I know all about that situation. I will help Otto Otepka after I get into office."

"You can imagine my dismay," said Otepka, "when I was told on Jan. 21 by my attorney, Mr. Robb, that he had been in touch with secretary Rogers and been told that he did not want me back in the office of security."

WORST NEWS WITHHELD

Robb, he later learned, had held back an even more crushing statement by the new secretary. He did not want Otepka back in the state department in any capacity but "offered to assist [Otepka] in locating a position in private industry."

Unaware that he had already lost his case and asked to outline what terms he would accept for a "settlement," Otepka prepared a memorandum which he submitted to Robb on Jan. 24.

In this paper, he acknowledged that his reinstatement as chief of evaluations, office of security, would pose problems because of the retention of Idar Rimestad as deputy under secretary for administration.

Rimestad would be his superior and Rimestad was linked with the long history of harassment outlined by the Senate inquiry.

HE OFFERS CONCESSIONS

Under these circumstances, Otepka said, he would accept a written decision declaring the actions taken against him by Secretary Rusk as "not consistent with the evidence" and restoration to his former position. He would then "immediately avail myself of any appropriate procedures to retire from the government service."

This accommodation was apparently not acceptable to Rogers. It would constitute repudiation of Rusk's actions and confirm the Senate's verdict of "calculated harassment."

On Feb. 22, Robb gave Otepka the bad news—Rogers had never wanted him back in the state department because "his presence would result in objections from some officers and he desired to avoid this problem."

"With no disrespect for Secretary Rogers," Otepka said, "I find his statements that he does not want me in any department job highly prejudicial, grossly unfair and completely uncalled for. It is in violation of civil service law.

"It was President Nixon, not Mr. Rogers, who promised a review of this case and that justice would be done. He also vowed during the campaign that, under his administration, all government employes would be guaranteed fair and impartial treatment by their employers, including the right to confront and cross-examine accusers.

CLAIMS RIGHTS DENIED

"This right was denied me by Secretary Rusk. As a consequence, no evidence went into the Civil Service commission hearings concerning the falsehoods surrounding the tapping of my telephone and the planting of materials in my trash bags, measures approved by high officials as part of a scheme to destroy my career as a security officer.

"Mr. Rogers now says he has reviewed the 'documentation' in my case. He did not mention in his letter whether he made this judgment with the advice and consent of the President."

Commenting upon Rogers' suggestion that Otepka might be granted administrative leave with pay while he pursued his court appeal, Otepka said:

"I want Mr. Rogers to understand that I do not need the government's charity. I desire only simple justice that will right a wrong committed against me and punish the real offenders.

"Instead of observing the impartiality required of a supervisor, Mr. Rogers appears to be behaving like Mr. Rusk and those he inherited from Mr. Rusk who had joined in seeking to oust me by any means, fair or foul.

"I cannot accept Mr. Rogers' offers of assistance. It would be a mistake for me to draw a government salary while appealing to the courts. The department could prevent my public appearances and statements to explain my case to the American people. I am sure the public wants to know why Mr. Rogers is trying to eradicate me and who it is that he is appeasing in the process."

[From the Manchester (N.H.) Union Leader, Feb. 25, 1969]

INTRIGUE IN OTEPKA CASE: ROBB TO BE MADE JUDGE

(By Edith K. Roosevelt)

WASHINGTON.—Otto F. Otepka's attorney, Roger Robb, is being made a federal judge in the latest intrigue to prevent Otto F. Otepka, conscientious security chief, from returning to The State Department where he would be in a position to impede or destroy Red infiltration.

The White House will make the announcement after President Nixon's return from Europe. Robb will then resign as Otepka's attorney and no member of the Robb firm will accept Otepka's case and he will be without an attorney.

Robb only informed his client on Saturday, Feb. 22 of the offer of the Judgeship which he said he intends to accept. However, unbeknown to Otepka, Robb was offered the post in late December last year. This was part of a package deal between President Nixon, Secretary of State William P. Rogers, U.S. Attorney General John N. Mitchell.

The Government Employes Exchange, a newpaper for federal employes published in Washington, D.C., wrote in its Feb. 5 issue that the State Department "has received repeated indications that Mr. Otepka's attorney, Roger Robb, was 'weary of the case' because of the time he had to devote to the Otepka case. The department knows positively that Mr. Robb is personally 'most loathe' to go into a long and time-consuming court fight, the source revealed."

Robb wrote Sidney Goldberg, publisher of the Government Employes Exchange, in a letter dated Feb. 7 denying that his "enthusiasm" for the Otepka case had anything to do with the size of the fee and the ability to pay of this client. (Robb has already received at least $28,000 from Otepka in this case which has been stalled from resolution).

Robb told Goldberg:

"The amount of my compensation has nothing to do with my devotion to Mr. Otepka's cause: In fact, if the need arose I would offer to represent him without compensation."

Otepka estimates that the cost of taking his case through the courts would amount to about $110,000. He has been on leave of absence without pay from the State Department. His movements have been under surveillance by scores of private detectives, FBI agents, CIA operatives and informers as well as a surprising large number of friends in whom he confides. From their reports, a State Department source said that agency officials now believe that Otepka is both financially and emotionally exhausted, and is ready to give up the fight. The difficulty of finding a competent, courageous lawyer free of political ties, will be Otepka's next hurdle if he wishes to continue his fight for vindication and the restoration of his old job.

Thus far, Otepka's legal expenses have been paid by the American Defense Fund, headed by James M. Stewart of Palatine, Ill. Thousands of individual citizens have contributed.

[From the Government Employees Exchange, Feb. 19, 1969]

POWER STRUGGLE LOOMS OVER BEAM, OTEPKA, SONNENFELDT BETWEEN CONGRESS, STATE

A "violent storm" is brewing between the Nixon administration and Capitol Hill over the failure of the President and his Department heads to extend normal consultation courtesies to Senators and Congressmen, this newspaper was informed on February 15. Although the "storm" already encompasses more than one Department, it is becoming sharpest between the State Department and Capitol Hill over the issue of "excessive privilege" as defined by Secretary of State William P. Rogers, the informant said.

The first lightning flashes have already been seen privately in the tone of the letters between Capitol Hill and the White House concerning Ambassador Jacob Dyneley Beam, whom Secretary Rogers is supporting for the position of the next U.S. Ambassdor to Moscow, the source claimed.

The first reaction from the White House to the letters was "pained surprise" that the personnel dossier on Ambassador Beam sent to the President by the State Department did not contain such material on him as that which *The Exchange* had published more than a year ago, the informant stated.

JACOB BEAM

As readers of this newspaper will recall, Jacob Dyneley Beam was the American Ambassador at Warsaw during the outbreak of the notorious "sex and spy" scandals there in 1959–1961. Included in these scandals were Foreign Service Officer Erwin Scarbeck who delivered secret documents to the Polish authorities after he was surprised and photographed naked in bed with his mistress, Urszula Discher. Mr. Scarbeck was subsequently convicted by a Federal court in Washington, D.C. and was sentenced to prison. Ambassador Beam testified during his trial.

Another Foreign Service Officer, Thomas A. Donovan, was also named during the hearings of the Senate Internal Security Subcommittee as having had sexual relations with Polish female intelligence agents. This newspaper reported that, although the State Department wished to re-assign Mr. Donovan immediately to Washington after his "liaison" was discovered, Ambassador Beam arranged with his former Princeton College "old school tie" classmates, Ambassador E. Allen Lightner Jr. and Foreign Service Officer Howard Trivers, to have Mr. Donovan transferred instead to Berlin, Germany, where Ambassador Lightner was chief of mission and Mr. Trivers was his Deputy Chief.

In Berlin, Mr. Donovan was placed in charge of the Eastern Affairs Division, which had supervision over all reporting concerning East Berlin and East Germany. In this role, Mr. Donovan received official documents recording telephonic intercepts by American intelligence officers of telephone conversations made between West Berlin and East Berlin and East Germany.

THOMAS A. DONOVAN

Because of his knowledge that these telephone intercepts were being made, Mr. Donovan went to Communist East Berlin to evade the telephonic monitoring of his own unauthorized telephone calls to Polish friends in Warsaw. These included his "girl friend" and such Polish officials as Jerry Michalowski, then the Director General of the Polish Foreign Ministry and today the Polish Ambassador in Washington, D.C.

During one of these telephone conversations, Mr. Donovan requested Ambassador Michalowski to instruct the Polish Military Mission in West Berlin to issue a visitor's visa to Mr. Donovan without the prior knowledge of American diplomatic officers in Warsaw so that Mr. Donovan could proceed there without their previous authorization. The Polish Military Mission honored the instruction of the Polish Foreign Ministry and issued Mr. Donovan the visa he desired.

When Foreign Service Officer Stephen A. Koczak reported these telephone calls to Foreign Service Officer Howard Trivers and to Ambassador E. Allen Lightner Jr., they accused him of trying to "stab Donovan in the back" and did not convoke any board of inquiry to ascertain the truthfulness of Mr. Koczak's allegations. Instead, they informed Mr. Donovan of Mr. Koczak's reports to them about him. Subsequently, Messrs. Donovan, Trivers, and Lightner destroyed the original pages of the efficiency report they had written in 1961 on Mr. Koczak, forged substitute pages, backdated these and inserted them into his efficiency report as if they had in fact been the original pages. In addition, Ambassador Lightner wrote an "Additional Reviewing Statement" to the effect that Mr. Koczak had read the entire report and had, in the course of interrogation, admitted to "tale bearing" and one instance of "intrigue" against Mr. Donovan. Mr. Koczak has repeatedly denied having made any such admission; he also denies ever having read the altered efficiency report prior to its dispatch to the State Department.

Despite Mr. Koczak's denials, he was fired by the State Department under the procedure of "selection out," a process which denies any formal appeals procedure to officers and does not permit confrontation and cross-examination.

Mr. Koczak's attorney, Marion Harrison, has repeatedly asked the State Department for admission or denial of these facts and, to date, the State Department has refused to comment on them.

SOVIETS BREAK CODES

Another "disturbing item" in the letters of the Senators to President Nixon concerning Ambassador Beam, the source continued, was the charge that the Soviet Union broke the "top secret and secret" codes of the United States by implanting "listening devices" into the bricks ordered from Yugoslavia for the new American Embassy building built in Warsaw during the incumbency there of Ambassador Beam.

ELMER DEWEY HILL

After the Embassy's walls were erected, an "electronic survey" was conducted by State Department security electronics technician, Elmer Dewey Hill, to detect and eliminate any "bugging" devices. Mr. Hill found none. Thus the Soviet and Polish intelligence agencies successfully recorded the reading of the texts of American top secret and secret codes by the code clerks while doing the encoding and decoding. Subsequently, by comparing these with the transmitted messages, the Soviet Union broke the codes. This resulted in the breaking also of the major codes of the United States in messages being sent to Germany, Italy, France, England and Japan. Central Intelligence Agency telegrams and communications were "broken" in the same manner by the Soviet Union, the source revealed.

OTTO F. OTEPKA

Elmer Dewey Hill was subsequently instructed by Deputy Assistant Secretary of State for Security, John Reilly, to "bug", with the assistance of Clarence Jerome Schneider, the telephone and office room of Otto F. Otepka, the State Department's top security evaluator, the source continued. Mr. Hill later denied under oath that he had had this role but when George Pasquale, a friend of Mr. Otepka, obtained an admission from one of the participants, Mr. Hill recanted and admitted he had lied under oath. Subsequently, Mr. Reilly also recanted and both he and Mr. Hill resigned from the State Department.

A lawyer and protege of the late Senator

Robert F. Kennedy, Mr. Reilly subsequently was given a job as a "hearing officer" with the Federal Communications Commission at the same salary he had before.

Mr. Otepka, on the other hand, was demoted and reprimanded by Secretary of State Dean Rusk for having told the truth "without authorization", to the Senate Internal Security Subcommittee.

WILLIAM P. ROGERS

The informant revealed further that Secretary Rogers was very upset about the attempt of the three Senators to influence President Nixon through correspondence to change his mind about appointing Ambassador Beam to Moscow. Secretary Rogers is known to have been personally very critical of the role Mr. Otepka played in cooperating with the Senate Internal Security Subcommittee and for "telling the truth" without authorization. According to the source, Secretary Rogers is of the firm opinion that Mr. Otepka should have refused to answer the questions posed to him by Julian Sourwine, the Subcommittee's chief counsel, on the grounds of "executive privilege", a doctrine which Mr. Rogers espoused and expanded during the Eisenhower administration when he was Attorney General.

As this newspaper reported in its February 5 issue, Secretary Rogers has already vetoed President Nixon's election promise to reexamine the Otto F. Otepka case. On January 21, he informed Mr. Otepka, through intermediaries, that he would not allow Mr. Otepka back as an "active security officer". He also asked Mr. Otepka to indicate to him any other "alternative remedy" on the understanding Mr. Otepka would not remain in security work. Mr. Otepka's terms were communicated to Secretary Rogers through intermediaries, in the form of a memorandum, January 24, ostensibly addressed to Mr. Otepka's lawyer, Roger Robb.

The source revealed that Mr. Rogers chose this course of action in regard to Mr. Otepka because he is aware that the Senate Internal Security Subcommittee is planning new hearings on State Department security. The reinstatement of Mr. Otepka to security work would be hailed by the public and the Senate Internal Security Subcommittee as an admission by the State Department that "executive privilege" could not be invoked by it in forbidding its employees to "tell the truth" during testimony before Congressional Committees. Thus Secretary Rogers could not refuse "authorization" in the future to any State Department employee to testify truthfully and fully under oath on State Department practices.

Regarding Mr. Otepka, Mr. Rogers was reported saying he feared especially that, if re-instated and again ordered to testify under oath, Mr. Otepka would again proceed to tell the Subcommittee the "truth" about the current state of the State Department's security clearance program, including such matters as the disappearance of classified information from the security files of Ambassador Jacob Beam and of Helmut Sonnenfeldt, until January 20 an employee of the Department of State. Mr. Sonnenfeldt, about whom controversy is raging secretly within the intelligence and security communities, was recently appointed by Dr. Henry Kissinger to join him on the staff of the National Security Council located in offices next to the White House.

EXECUTIVE PRIVILEGE

As defined and expanded by Secretary Rogers when he was Attorney General, "executive privilege" is the doctrine that the executive branch of the government has the "right to refuse" to give Congress any document that includes either an advice, a recommendation or a conclusion. These documents therefore include all personnel actions involving the selection, promotion, demotion, transfer, dismissal or reprimand of any federal employee, if such action involves advice, recommendation or a conclusion from or by any federal officer.

Although he admitted as Attorney General that the Constitution did not explicitly give the executive departments such "power to refuse", Secretary Rogers nevertheless contended the executive branch had "an inherent right" to refuse to give testimony or produce records. In fact, he went much further and insisted that Congress could not even pass a law to require or force the executive department to produce such records, and that any such laws already on the books were not binding on the executive branch. In short, under this interpretation by Attorney General Rogers, Congress was impotent versus the "executive privilege", even if it was being invoked to "protect" or to "cover up" or to "white wash" executive actions.

In addition, Secretary Rogers claimed that the so-called independent regulatory agencies, including the Federal Communications Commission, the Securities Exchange Commission, the Federal Trade Commission, the Federal Power Commission, also had the "right" to invoke "executive privilege."

On the basis of this extreme definition of "executive privilege", no Federal employee would have the "right" to "tell the truth" or produce records on any substantive subject unless he had the prior approval or "authorization" from his superiors, the source commented.

CONGRESSIONAL RIGHTS

The doctrine of "executive privilege", as espoused by Mr. Rogers when he was Attorney General and as he is now re-asserting it to President Nixon in the cases of Ambassador Beam, Otto Otepka and Helmut Sonnenfeldt, is expected to lead to a "Constitutional storm and crisis" in the next six months, the source said, "unless President Nixon backs away from this exaggerated claim of executive privilege". Either Secretary Rogers will have to change his point of view radically or the battle between the legislative and executive branches of the Federal Government will become "irrepressible", the source concluded.

H.R. 6787

A bill to amend sections 1505 and 3486 of title 18 of the United States Code relating to congressional investigations

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1505 of title 18 of the United States Code is amended by inserting "(a)" before "Whoever" at the beginning thereof and by adding at the end thereof the following new subsection:

"(b) Whoever as an officer of the United States or of any department or agency thereof causes or attempts to cause a witness, who is a member of the Armed Forces of the United States or an officer or employee of the United States or of any department or agency thereof, to be demoted, dismissed, retired, or otherwise disciplined on account of his attending or having attended any inquiry or investigation being had by either House, or any committee of either House, or any joint committee of the Congress, or on account of his testifying or having testified to any matter pending therein, or on account of his testimony on any matter pending therein, unless such testimony discloses misfeasance, malfeasance, dereliction of duty, or past reprehensible conduct on the part of such witness, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"The demotion, dismissal, or retirement (other than voluntary or for physical disability) of such witness within one year after attending or testifying in such inquiry or investigation, unless such testimony discloses misfeasance, malfeasance, dereliction of duty, or past reprehensible conduct on the part of such witness, shall be considered prima facie evidence that such witness was demoted, dismissed, or retired because of such attendance or such testimony."

SEC. 2. Section 3486 of title 18 of the United States Code is amended by inserting "(a)" before "No" at the beginning thereof and by adding at the end thereof the following new subsection:

"(b) No witness, who is a member of the Armed Forces of the United States or an officer or employee of the United States or of any department or agency thereof, shall be demoted, dismissed, retired, or otherwise disciplined on account of testimony given or official papers or records produced by such witness before either House, or before any committee of either House, or before any joint committee established by a joint or concurrent resolution of the two Houses of Congress, unless such testimony is given or such official papers or records are produced in violation of law, or unless such testimony or the production of such papers or records discloses misfeasance, malfeasance, dereliction of duty, or reprehensible conduct on the part of such witness."

[From the CONGRESSIONAL RECORD, Apr. 26, 1951]

PROTECTION OF COMMITTEE WITNESSES FROM DISCHARGE BY SUPERIOR OFFICERS

Mr. NIXON. Mr. President, on behalf of myself, the senior Senator from Ohio [Mr. TAFT] the Senator from Nevada [Mr. MCCARRAN], the Senator from Nebraska [Mr. WHERRY], the Senator from Kansas [Mr. SCHOEPPEL], the junior Senator from Ohio [Mr. BRICKER], and the Senator from Wisconsin [Mr. MCCARTHY], I introduce for appropriate reference a bill to amend sections 1505 and 3486 of title 18 of the United States Code relating to congressional investigations. I ask unanimous consent that I may be permitted to make a brief statement in connection with the bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred, and, without objection, the Senator from California may proceed, as requested.

The bill (S. 1390) to amend sections 1505 and 3486 of title 18 of the United States Code relating to congressional investigations, was read twice by its title and referred to the Committee on the Judiciary.

Mr. NIXON. Mr. President, I have introduced in the Senate today a bill to make it a violation of law for any officer of the Federal Government to dismiss or otherwise discipline a Government employee for testifying before a committee of Congress.

In the next few days congressional committees will open hearings on our far-eastern policy, the conduct of the Korean War, and the dismissal of General MacArthur by the President. It is essential to the security of the Nation and the very lives of the people, as we look into these vitally important issues that every witness have complete freedom from reprisal when he is given an opportunity to tell what he knows.

There is too much at stake to permit foreign policy and military strategy to be established on the basis of half truths and the suppression of testimony.

Unless protection is given to witnesses who are members of the armed services or employees of the Government, the scheduled hearings will amount to no more than a parade of yes men for administration policies as they exist.

The bill I have introduced is designed to assure any member of the Armed Forces or other officer or employee of the Government who can offer pertinent and constructive testimony that he can speak the truth without suffering the fate of Admiral Denfeld on account of such testimony.

LINCOLN, THE READER

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. SCHWENGEL. Mr. Speaker, the Lincoln group of the District of Columbia, at its annual meeting had the opportunity recently to hear Mr. David J. Harkness present an excellent dissertation entitled, "Lincoln, the Reader."

Mr. Speaker, I have heard and read many fine speeches on the subject of the literary talents of Lincoln and the background of his reading, but none better than this speech given by Mr. Harkness. In addition, there have been many books published on this subject, all of which were very enlightening and give an impressive insight into the character of Lincoln, by way of his association with literature. This is a very fine contribution to the Lincoln literature, and I am inserting it in the RECORD where others many benefit from this magnificent dissertation.

I should add that Mr. Harkness is the director of the department of program planning and library services at the University of Tennessee.

The address follows:

LINCOLN, THE READER

(By David J. Harkness, director of program planning and library services, University of Tennessee, Knoxville)

A famous educator once came to the White House to see President Lincoln in support of a fellow educator who was seeking a government post. "No man," he explained "has plunged deeper into the fountain of learning. Nor come out drier," said Lincoln. Mr. Lincoln once said of a long-winded lawyer: "He can compress the most words into the smallest ideas of any man I ever met," Lincoln, on the other hand, could say more in fewer words than any figure, perhaps, in American history. For instance, he gave us a capsule book review: "For those who like this kind of book, this is the kind of book they will like."

The familiar picture of young Abe Lincoln reading by an open fire reminds us that it is only natural that the man who was noted for his gift of storytelling should have found enjoyment in fictional writing. Three books which tell a story were read and re-read by the youth in Indiana—"Robinson Crusoe," "Pilgrim's Progress," and "Aesop's Fables." Defoes classic held the same fascination for Lincoln that it has had for all boys who love adventure. It is believed that the Second Inaugural Address shows the influence of Bunyan's famous leave-taking of Christian in his great allegory. Lincoln's lifelong interest in telling a story to illustrate a point seems to have sprung from his reading of the fables of the Greek slave. During this same period in Indiana he borrowed a copy of the "Arabian Nights" from a neighbor, David Turnham, and fell under the spell of the Oriental enchantment of Sinbad the Sailor.

Years later Lincoln was to delve into another treasure house of narrative. In 1860 during a stay at a hotel in Bloomington, Illinois, while in attendance at court, it was noticed that he was absorbed in a book while eating his meals. When Julius H. Royce inquired about his absorption, Lincoln replied: "I am reading Homer, the 'Iliad' and 'Odyssey.' You should read him. He has a grip and he knows how to tell a story." In 1864 Lincoln drew Chapman's translation of Homer from the Library of Congress in order to renew his zestful pleasure in this classic. This type of reading no doubt helped mold his style and gave him "the Attic simplicity and Hellenic elevation of his closing and deathless utterances," as Talcott Williams expresses it.

During the New Salem years he read two of Cooper's "Leatherstocking Tales"—"The Pioneers" and "The Last of the Mohicans." Just as the growing lad on Pigeon Creek in Spencer County, Indiana, knew the domestic animals which were a part of every frontier home, and also the wildlife of wood, field, and stream, and was thus better able to appreciate the fables of Aesop, so the man reading a book on the banks of the Sangamon River in Illinois also had firsthand acquaintance with nature in the pioneer environment and was well prepared to re-create the setting of Cooper's novels. Noah Brooks says, "He had seen something of the fast-receding Indian of the American forests, and he had heard, many a time of his father's thrilling escape from the red man's clutches, and of his grandfather's cruel death in the Kentucky clearing; and when he withdrew his fascinated attention from the vivid pages of Cooper's novels, he almost expected to see the painted savages lurking in the outskirts of the forest so near at hand."

As he grew older Abe developed a liking for short stories rather than novels. Rufus Rockwell Wilson says: "Lincoln, an occasional reader of fiction, seems to have preferred the short story to the novel or romance of average length." Howard Haycraft says that William Dean Howells' campaign biography served to establish Lincoln as the first of the countless eminent men who have turned to the detective story for stimulation and solace. Howells made this statement regarding Lincoln as a mystery fan: "The best of his mind is mathematical and metaphysical, and he is therefore pleased with the absolute and logical method of Poe's tales and sketches, in which the problem of mystery is given, and wrought out into everyday facts by processes of cunning analysis. It is said that he suffers no year to pass without the perusal of this author." It is interesting to note that Abraham Lincoln and Edgar Allan Poe were born in the same year and that each suffered a tragically premature death.

Lincoln's law partner, William H. Herndon, was an omniverous reader and often gave Abe books to read. He bought one of the first copies of "Uncle Tom's Cabin" offered for sale in Springfield and it is altogether probable that Lincoln read it in whole or in part. Henry B. Rankin said, "Mrs. Stowe's 'Uncle Tom's Cabin' moved him deeply while reading it." In 1862 the Lincolns drew from the Library of Congress a copy of Mrs. Stowe's "Key to Uncle Tom's Cabin." When Harriet Beecher Stowe called on the President at the White House that year, Lincoln walked toward her with outstretched hands and greeted her: "So you're the little woman who wrote the book that made this great war."

Herndon says that his partner never read a novel in its entirety. He states that while Lincoln began Scott's "Ivanhoe" he did not finish it, and that he refused to read Bulwer-Lytton and Dickens. But Billy may not have been accurate in this statement. While he may not have read "The Last Days of Pompeii" or "Oliver Twist," Oliver R. Barrett was convinced that Lincoln read Dickens' "Pickwick Papers," basing his belief on the President's familiarity with the character of Sam Weller. Certainly the humor in that book is of a kind that Lincoln would have enjoyed. The Library of Congress records show that the "Pickwick Papers" was taken out on the Lincolns' card in 1864 and that Bulwer-Lytton's "The Caxtons" was charged to the President's family in the same year. Once, when speaking of Charles Dickens, Lincoln said: "His works of fiction are so near reality that the author seems to have picked up his material from actual life as he elbowed his way through its crowded thoroughfares." Maybe he was familiar with "David Copperfield" to the extent that he understood what Salmon P. Chase meant when he wrote of the President's "Micawber policy of waiting for something to turn up."

Herndon tells us that at New Salem Lincoln read Caroline Lee Hentz's novels of Southern life, but one wonders if he found them very entertaining. M. L. Houser, commenting on a copy of Mrs. Hentz's "Linda or the Young Pilot of the Belle Creole" in his collection of books which Lincoln read, observed that readers of this novel are "expected to weep over an angelic heroine, a weak father, a cruel stepfather, a designing stepbrother and a hero who twice rescues Linda from death at their first two meetings (and still the villain pursued her)." Houser said that some remark which Lincoln made in a speech indicated a close acquaintance with "Don Quixote" by Cervantes. Wilson says that Lincoln read this classic in the White House, that he gratefully recognized a kindred spirit in the wise and gentle Spaniard and gave many an hour to the adventures of his melancholy knight. Thus the man of many moods—jovial, sad, outgoing, brooding—found reflected in fiction the elements of his own temperament. It is no wonder, then, that Lincoln said: "My best friend is the man who will get me a book I have not read." One day he heard of someone in Rockford, Illinois, twenty miles away, who had a book he wanted to read. Abe walked the twenty miles to Rockford and back. There was no lack of physical energy when he wanted something badly enough—like a book he had not read.

Books were scarce in the sparsely settled woodlands of Illinois, but Lincoln once told one of his friends that he guessed he had "read every book he had ever heard of in that country for a circuit of fifty miles." In a letter to John M. Brockman dated September 25, 1860, Lincoln wrote: "Get the books and read, and study them carefully." He had earlier said, "I shall study and work—and maybe my chance will come.' He was a good example of adult education, based on intensive reading in a variety of subjects—a true product of the library. O. H. Browning, a fellow lawyer, said: "Lincoln was always a learner, and in that respect the most notable man I have ever seen."

Lincoln's great love was the Bible, which he called "the best gift God has given to men." He read it constantly, and his familiarity with its contents far exceeded that of many clergymen. His speeches are filled with Biblical phrases and thoughts. He once wrote to his Louisville, Ky., friend, Joshua Fry Speed: "I am profitably engaged in reading the Bible. Take all of this book upon reason that you can, and the balance on faith, and you will live and die a better man." He frequently read biographies of the founding fathers, including Ramsey's "Life of Washington," Wirt's "Life of Patrick Henry," Flint's "Life of Daniel Boone," Weems' "Life of Washington" and "Life of Francis Marion," and Franklin's "Autobiography."

In his lifetime poetry had a wide audience and books by popular poets became best-sellers. But Lincoln turned to poetry much more than did the average man and his knowledge of it was marked not only by good taste but by familiarity. With him, to like a poem was to memorize it, to recite it, use it, and quote it on repeated occasions. His powers of memory were extraordinary and his ability to recite poetry with telling effect was confirmed by many who heard him. The thoughts and philosophies of the poets were reflected in the President's life and spirit, inspiring and comforting him. Mrs. Lincoln once said to Billy Herndon: "I never saw a man's mind develop itself so finely. Mr. Lincoln had a kind of poetry in his nature." Rankin believed that Mrs. Lincoln's appreciation of the best in literature, and the books they read together in the home, were forceful stimulants to Lincoln's intellectual life.

Lincoln once said, "The things I want to know are to be found in the pages of a book."

Anything that looked like a book was "grist for his mill." From books he could learn the answers to questions which puzzled him or could absorb fine literature written by brilliant men for the entertainment and enlightenment of mankind. In a speech before the Wisconsin State Agricultural Society in Milwaukee on September 30, 1859, he said: "A capacity and taste for reading gives access to whatever has already been discovered by others. It is the key, or one of the keys, to the already solved problems. And not only so. It gives a relish and facility for successfully pursuing the unsolved ones." It is known that Lincoln spent much time in the Library of Congress when he was in Washington, so much so that a fellow Congressman said, "Bah! He is a book-worm!"

Contemporaries of Lincoln in Illinois stated that he usually kept a copy of Shakespeare's plays in his pocket when he was traveling over the circuit and that he read them during spare moments. He could quote long passages from the Bard of Avon. His secretary, John Hay, said that Lincoln read Shakespeare more than all other writers together and that he went occasionally to the theater. He said Lincoln's favorite plays were "Hamlet", 'Macbeth", and the histories, especially "Richard II." He spoke of a time when the President read passages from "Henry V" and "Richard III" to him. He would read Shakespeare for hours "with a single secretary for audience," Hay said. Lincoln seems to have had Shakespearean quotations on his tongue on many occasions. He once said to a delegation which invited him to a Shakespearean celebration by a literary society: "For am I not a fellow of infinite jest?" In all probability Lincoln had a deeper appreciation of Shakespeare than any other statesman of his time. William Dean Howells in his campaign biography wrote: "He is also a diligent student of Shakespeare, to know whom is a liberal education."

Next to Shakespeare, Lincoln liked Robert Burns best. The Railsplitter and the Plowman were much alike, with similar backgrounds of the frontier youth of Illinois and the peasant poet of Scotland. Milton Hay said Lincoln could quote Burns by the hour and James H. Matheny, who served as best man in his wedding, said Abe learned a number of Burns' poems by heart and often recited them. "He found in Burns a like thinker and feeler," he said. Lincoln delivered a lecture on Burns in Springfield on January 25, 1859, at a banquet in Concert Hall celebrating the one hundredth anniversary of the Scottish poet's birth. When he was President he was guest at the annual banquet of the Burns Club in Washington, and when he was asked for a toast to be presented on his behalf he wrote these words: "I cannot frame a toast to Burns. I can say nothing worthy of his generous heart and transcending genius. Thinking of what he has said, I cannot say anything which seems worth saying. A. Lincoln." He especially liked "A Man's a Man for A' That," the poem which is said to have inspired the writing of the Emancipation Proclamation. Lincoln once said, "The better part of one's life consists of his friendships," and certainly Burn's "Auld Lang Syne" was a favorite all his life.

Lincoln's favorite poem was written by a young Scottish poet, William Knox, who died in 1825. In 1831 while living in New Salem Lincoln first saw "Mortality or O Why Should the Spirit of Mortal Be Proud?" in a newspaper. In 1846 he sent a copy to a friend and later wrote: "Beyond all question I am not the author. I would give all I am worth and go in debt to be able to write so fine a poem as I think that is. Neither do I know who is the author." But when he was President he learned the identity of the poet from Gen. James Grant Wilson, a distinguished literary critic of Chicago and himself a Scotsman, who gave him a collection of Knox's poems which contained his favorite. Lincoln ended his eulogy on Zachary Taylor with extracts from this poem. Lincoln showed his liking of Thomas Gray's "Elegy Written in a Country Churchyard" when he said that "the short and simple annals of the poor" summed up his own life. Noah Brooks said that Lincoln liked "all songs which had for their theme the rapid flight of time, decay, and the recollection of early days."

Lincoln's third favorite was Byron. Both were lovers of liberty, for the President dreamed that the slaves might be "forever free" and the poet "dreamed that Greece might still be free." There are evidences of his reading and reciting Byron all through his life. In his brooding melancholy Lincoln was definitely a Byronic type, so naturally he found in the Romantic poet a kindred spirit. He believed in dreams as the forerunners of destiny and could stay with Byron, "I had a dream which was not all of a dream." He liked "Darkness" and "The Dream" and the lines in "Don Juan"—"And if I laugh at any mortal thing 'Tis that I may not weep." Once in a Cabinet meeting when he was chided for his seeming levity in the midst of serious affairs of state, Lincoln remarked that he had to tell a joke now and then to keep from weeping. Another time, after reading a joke to his Cabinet, he said: "Gentlemen, why don't you laugh? With the fearful strain that is upon me night and day, if I did not laugh I should die."

Lincoln liked Longfellow. Both were born in February, both were American to the core, both revered their nation's heritage of freedom and conveyed that ideal to all who read or heard them. Longfellow is the only poet whose writings are known to have moved Lincoln to tears. When his secretary, John Nicolay, read "The Building of the Ship" with the lines "Thou, too, sail on, O Ship of State, Sail on, O Union, strong and great," aloud to Lincoln, he could tell that the poem affected him profoundly. When he reached the last lines he said he noticed the President's eyes filled with tears and his checks wet. Lincoln did not speak for some minutes, but finally said, with simplicity: "It is a wonderful gift to be able to stir men like that." He referred to the Longfellow poem in a speech at Cleveland on February 15, 1861, when he said: "If we do not make common cause to save the good old Ship of the Union on this voyage, nobody will have a chance to pilot her on another."

Oliver Wendell Holmes, the American poet noted for his geniality, humor, and sincere friendliness, was born the same year as Lincoln. The President knew "The Last Leaf" by heart and often repeated a stanza with deep feeling:

"The mossy marbles rest
  On the lips that he has pressed in their bloom;
And the names he loved to hear
  Have been carved for many a year on the tomb."

Lincoln said: "For pure pathos, in my judgment, there is nothing finer than those six lines in the English language." Holmes heard of his admiration of this poem and was greatly pleased. Lincoln also committed to memory the last stanza of "The Chambered Nautilus" beginning "Build thee more stately mansions, O my soul."

Just as he liked Holmes's "The Autocrat of the Breakfast Table" with the delightful poem "The Deacon's Masterpiece, or the Wonderful One-Hoss Shay," he enjoyed the Yankee dialect and homey philosophy of "The Bigelow Papers" by James Russell Lowell. In his famous ode to Lincoln, Lowell summed up the greatness of the man in a grand and fitting epitaph:

"The kindly-earnest, brave, foreseeing man,
  Sagacious, patient, dreading praise, not blame,
New birth of our new soil, the first American."

John Hay wrote of Lincoln: "He read Bryant and Whittier with appreciation." It was William Cullen Bryant who introduced the Illinois frontiersman to the sophisticated New York audience at Cooper Union in 1860. There was a story which went the rounds to the effect that Lincoln said of meeting Bryant: "It was worth the journey to the East to see such a man." Lincoln's faith was reflected in Bryant's poem "To a Waterfowl," for he believed that "there is a Power" which "in the long way that I must tread alone will lead my steps aright." Bryant wrote an elegy titled "The Death of Lincoln," which closes with an appropriate summary of the Great Emancipator:

"Pure was thy life, its bloody close
  Hath placed thee with the sons of light,
Among the noble host of those
  Who perished in the cause of right."

The poems of John Greenleaf Whittier appealed to one who loved rural life and country people. His own youth in Kentucky and Indiana would be recalled to Lincoln as he read "The Barefoot Boy" and the poignant sadness of "Maud Muller" would no doubt strike a responsive chord. Whittier recorded pastoral beauty and faithfully reproduced the daily life of his boyhood home in "Snow-Bound," just as Abe Lincoln once wrote a poem beginning "My childhood's home I see again." Both loved "the common unrhymed poetry of simple life and country ways," as the New England poet wrote in his winter idyl. Lincoln relied on the strength of God to carry him through difficult decisions, "Doing God's will as if it were my own, Yet trusting not in mine, but in His strength alone," as Whittier expressed it in the poem "First-Day Thoughts."

Lincoln read an early copy of Walt Whitman's "Leaves of Grass," for a copy was placed on the law office table in Springfield in 1857 by Herndon. He commended the new poet's verses for their virility, freshness, unconventional sentiments, and unique forms of expression. Rankin said Lincoln frequently picked up the volume and read from it and that he predicted Whitman's poems would be given high rank in the future. Once when he saw the poet pass the White House he said, "Well, he looks like a man," and Whitman once said: "Lincoln is my man, particularly belongs to me." This spiritual kinship resulted in the two greatest elegies on the death of Lincoln, "O Captain, My Captain" and "When Lilacs Last in the Dooryard Bloom'd" the latter "for the sweetest, wisest soul of all my days and lands, and this for his dear sake."

On board a steamer for a visit with the Army of the Potomac, Lincoln read aloud to Secretary of War Stanton and Captain John A. Dahlgren of the Navy from a volume of Fitz-Green Halleack's verses the poem "Marco Bozzaris," which closes with these lines:

"For thou art Freedom's now, and Fame's,
  One of the few, the immortal names,
  That were not born to die."

Without realizing it, Lincoln was reading a eulogy which might well apply to himelf—and reading it to the man who was to say of him, "Now he belongs to the ages."

DIRECT ELECTION OF THE PRESIDENT: EXPLODING SOME MYTHS

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. O'HARA. Mr. Speaker, this Nation and this Congress are now engaged in serious discussion of reform of the method of electing our President.

The House Committee on the Judiciary and the Senate Subcommittee on Constitutional Amendments are now holding hearings on this subject.

In the course of these hearings, witnesses have exploded the strengths and weaknesses of the various proposals.

I personally favor direct popular election of the President. I feel that when the advantages are clearly understood, this plan will prevail in the Congress and will win ratification by the necessary three-fourths of the States.

Mr. Speaker, public opinion polls have indicated that 80 percent of the American people favor direct popular election of the President.

Even so, some Members of Congress fear that such a plan will not win ratification by the necessary number of States. This fear is based on the belief that small States enjoy a special advantage under the present electoral system that would be lost if every man's vote counted equally.

That the supposed advantage is illusion, not fact, was pointed out today in an editorial in the Washington Post.

Title "Case for the Direct-Election Amendment," the editorial points out that the big States—not the small ones—actually have the advantage under the present system. The comparative vote power of individual citizens in different States is unbalanced by "unnatural influences" which would largely be eliminated under the direct election system simply because "one man's vote would count for as much as any others."

The Post editorial also deals with another myth: that direct popular election will result in the proliferation of minor parties. On the contrary, direct popular election will strengthen the two-party system, as the editorial points out, "by removing special incentives to third parties and equalizing all voters throughout the Nation."

Mr. Speaker, I insert the Washington Post editorial "Case for the Direct-Election Amendment," in the RECORD, along with a column by Tom Wicker, of the New York Times, which also deals with the effect of direct election upon the vote power of small State voters:

[From the Washington (D.C.) Post, Mar. 3, 1969]

CASE FOR THE DIRECT-ELECTION AMENDMENT

A strong case for electoral college reform is being built up in the hearings before the House Judiciary Committee and the Senate Subcommittee on Constitutional Amendments. The testimony taken thus far seems to constitute a mandate for change. While there is still much controversy over the nature of the constitutional amendment to be submitted to the states, the rising popularity of direct, popular election of the President and Vice President is impressive.

In a recent session before the House Judiciary Committee, William T. Gossett, president of the American Bar Association, seemed to us to demolish the chief arguments that have been made against a direct, popular election. The first of these arguments is that the smaller states, having an advantage in the present distribution of electoral votes (one for every Senator and Representative) will never give it up. Alaska, for example, has one presidential elector for each 75,389 persons; California, only one elector for each 392,930 inhabitants. Despite the unfairness of this favoritism for small states, it is said, those states will insist on clinging to their advantage.

But this, as Mr. Gossett has shown, is only one side of the coin. The general ticket system, which throws all the electoral votes of a state to the candidate who wins the popular vote in that state, greatly increases the power of the big states to determine the outcome. Some authorities insist that the individual citizen's chance to vote for 40 electors in California and only three in Alaska gives the big-state voter a greater impact on the outcome. John Banzhaf's analysis of voter power, with the aid of computers, indicates that a voter in the largest states has more than two and a half times as much chance to affect the outcome of a presidential election as a voter in one of the smaller states under the present system.

Beyond this is the fact that most of the presidential candidates come from the big states because of the importance of carrying those states in the electoral count. Under a direct-election system, these unnatural influences would be largely eliminated, and one man's vote would count for as much as any others. No doubt this is why the polls show that a direct-election amendment is popular in the small states as well as in the large ones and that it has the support of many small-state Senators and Representatives.

Mr. Gossett was equally forthright in his contention that direct election of the President would have no unfortunate repercussions on the two-party system. Indeed, he insisted that the electoral college, as it now operates, gives a great incentive to third parties. That was very pointedly demonstrated last fall when George Wallace made a strong appeal for votes on the ground that he and his supporters could assume a king-making role by the manipulation of electoral votes if neither of the major parties received an electoral majority.

In a direct election of the President, of course, there would be no electoral votes and therefore nothing to give a third-party candidate influence or standing beyond the actual votes cast for him at the polls. The president of the Bar Association concluded: "Close analysis proves that direct election will actually *strengthen* the two-party system—not weaken it—by removing special incentives to third parties and equalizing all voters throughout the Nation."

One strengthening factor would be the spread of the two-party system to the entire country. "Safe" Democratic or Republican states could no longer be taken for granted because whole states would no longer swing into one column or the other, but the presidential candidate of each would have only the actual votes directly cast for him by the people.

It is well to remember that the proposed amendment sponsored by the Bar Association and many others provides for a run-off election if no presidential candidate should obtain 40 per cent of the popular vote. This would eliminate the necessity for an election ever to be thrown into the House of Representatives. It would also have the effect of eliminating any third party in the run-off, if such a party should gain sufficient strength to deny the leading candidate 40 per cent of the vote, which is highly unlikely.

Mr. Gossett was a member of the Bar Association's committee which made an exhaustive study of the country's electoral problem. His comments should help to lay to rest many of the loose arguments that are being made against a system that would really let the people elect their own President.

[From the New York Times, Jan. 30, 1969]

IN THE NATION: SOME ARE MORE EQUAL, ET CETERA

(By Tom Wicker)

WASHINGTON, January 29.—After the fears aroused by the 1968 election, the time seemed as ripe as it would ever be for fundamental reform of the way in which we elect Presidents. But the time is never really ripe for fundamental reform, and the election effort is in danger of bogging down, for two predictable reasons.

One is that while most members of Congress and officials are for doing something, not enough are agreed on what it ought to be. The Senate subcommittee on constitutional amendments, for example, now lines up about as follows:

Senators Bayh of Indiana and Tydings of Maryland for direct popular election; Senators Ervin of North Carolina and Dodd of Connecticut for proportional division of a state's electoral votes according to its popular votes; Senator Hruska of Nebraska for assigning an electoral vote to each Congressional district; Senator Fong of Hawaii and Thurmond of South Carolina for either the proportional or the district plan; Senators Eastland of Mississippi and Dirksen of Illinois, fluid.

The other major problem is the ironic misconceptions many politicians hold, almost as articles of faith, about direct popular election—which happens to be the only reform plan that has great public support (79 percent in the latest Harris poll on the subject) and that would eliminate all, not just some, of the dangers of the Electoral College system.

These misconceptions, nevertheless, have produced an opposition to the direct voting plan that rests largely on two directly contradictory propositions, neither of which is true—that direct popular voting would damage the interests of the small states, or else that it would damage the interests of the large states. (Neither small nor large states, of course, have any necessary similarity of interests, not even rural or urban; Texas and Michigan are large states with substantial rural interests; Rhode Island and Connecticut are small but urban states.)

NO SMALL-STATE ADVANTAGE

The small-state argument holds no water at all. It is based on the fact that the automatic assignment of at least two electoral votes to every state gives greater proportional representation in the Electoral College to the voters of sparsely populated states. Alaska, for instances, gets one electoral vote for only 75,389 persons, while California gets one for 392,930 persons. This looks good on paper; but in politics Alaska's "advantage" is worth less than Wally Hickel's standing with the Sierra Club. California still casts forty electoral votes to Alaska's three. And anyone who doesn't understand what that means need only count how many Presidential candidates visited Nome or Fairbanks last year.

POPULAR VOTE BENEFIT

In fact, the twelve largest states in the Electoral College could choose a President with 281 votes, no matter what the other 38 states did. And the power of Alaskans and other small-state residents in a Presidential election would be substantially enhanced, not reduced, by direct popular voting. That is because, under the system in which a state popular-vote winner takes all of that state's electoral votes, the ballots of those who supported the loser are completely negated; in popular voting, they would be counted equally with the votes of every other voter in every other state.

This does not mean, however, that the people of the big states would be damaged by popular voting—although it is true that the ability of those states to dominate the

Electoral College (which they have in fact seldom done; witness 1968) would be reduced. These states would remain the major population centers, and Presidential candidates would continue, in Barry Goldwater's phrase, to "hunt ducks where the ducks are." Does anyone imagine that New York and California would not remain the prime hunting grounds of Presidential candidates? Or that candidates and Presidents would not conduct themselves generally in such a manner as to appeal to urban voters?

While urban-based minority groups might lose some of their power over big blocks of electoral votes, is there any longer a justification for that advantage now that the one-man, one-vote rulings are putting an end to rural-dominated state legislatures? *All* minority-group votes would be counted, moreover, under the direct election plan; those of blacks who voted for Hubert Humphrey in Illinois, for example, were negated when Richard Nixon took all that state's electoral votes in 1968.

Neither the small states nor the large states, in short, would suffer from direct voting. The people of one would only become as important as the people of the other—no more and no less.

PILOT AND TWO MARINES KILLED IN ACTION

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. LONG of Maryland. Mr. Speaker, WO1 Normand P. Perron, Pfc. Howard E. Wright, and Pfc. Barry W. Smith, three fine young men from Maryland, were killed recently in Vietnam. I would like to commend their courage and honor their memory by including the following article in the RECORD:

PILOT, TWO MARINES KILLED IN ACTION

Three sons of Maryland residents—a helicopter pilot and two marines—were killed last week as a result of hostile action in Vietnam, the Defense Department reported.

The dead were:

WO1 Normand P. Perron, USA, the 23-year-old son of Mr. and Mrs. Albert V. Perron, of 613 Carolyn road, Glen Burnie, who was killed Wednesday when the helicopter he was piloting was shot down.

Pfc. Howard E. Wright, USMC, the son of William H. Wright, of 6815 Riverdale road, Riverdale, Md. Private Wright was killed in action last Sunday.

Pfc. Barry W. Smith, USMC, the son of Mr. and Mrs. Mehrl O. Smith, of 5806 63d place, East Riverdale, Md., who was killed in action Wednesday.

Mr. Perron, whose father was a career Air Force man, was enrolled in the architecture school of the University of Texas at Austin when he volunteered for the Army in the spring of 1967.

HONOR SOCIETY STUDENT

He had graduated from John Marshall High School in San Antonio, where he was a National Honor Society student, and attended San Antonio College for two years.

Mr. Perron was "always interested in flying," his mother said yesterday. After his basic training he took a year's training at Fort Rucker, Ala., where he graduated last June as a helicopter pilot. He arrived in Vietnam July 1.

He flew both supply and combat missions for seven months, and wrote his parents before his craft crashed and burned last week that he hoped what he was doing was "not in vain."

Mr. Perron enjoyed electronics and designing buildings, his mother said.

He will be buried in Arlington National Cemetery. Funeral arrangements were incomplete yesterday, pending the arrival of his body from Vietnam.

LEGISLATION TO AMEND WAR CLAIMS ACT OF 1948

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. BOB WILSON. Mr. Speaker, I am today introducing legislation to amend the War Claims Act of 1948 to make Vietnam prisoners of war eligible for detention payments provided to World War II and Korean prisoners of war.

Although the sting of the ferocity of Communist treatment of American prisoners of war in Korea had begun to fade with the passage of time, our memories have been dramatically refreshed by recent disclosures of the inhuman treatment of the *Pueblo* crew members at the hands of their North Korean captors. We share the agonies of what they endured in 11 months of captivity, but I know my thoughts and yours turn to the many American servicemen still being held in North Vietnamese prisons today.

According to statistics supplied by the Department of Defense, there are presently 333 known American prisoners of war in Southeast Asia and almost a thousand listed as missing, many of whom are presumed to be in Communist captivity. Although these figures seem small when compared with the staggering casualty statistics of the war, we must not overlook their present and undetermined future.

There are a number of POW wives and families in my district of San Diego, Calif. I have talked at length with some of these ladies in Washington and San Diego and cannot convey the continual anxiety they experience because of their husbands' indefinite or often unknown status. Even in cases where they have had reason to believe that their husbands are alive in Communist prisons, many have had no word in 1, 2, or more years.

Congress must not forget these men. I am pleased that one important bill was approved in 1967, Public Law 90–122, to make it possible for prisoners of war to participate in the benefits of the uniformed services savings deposit program. This is a small recompense indeed. I feel that the POW detention payments provided by the War Claims Act of 1948 and subsequent amendments should be extended to Vietnam prisoners. However, in view of the two decades since the original passage of this legislation I feel that the amounts should be increased substantially and would urge that the amount for inadequate food be raised from $1 per day to $2.50 per day and the payment for inhumane treatment or unauthorized labor, from $1.50 to $2.50 per day. I feel such amounts are realistic in view of the present day value of the dollar.

In consideration of the amount to be paid, I think we should take into account the fact that our Government at the termination of World War II, more than 20 years ago, paid every enemy prisoner in American prisons $2.40 per day. I feel it is not unreasonable for the United States to pay our own POW servicemen or their survivors an amount greater than that authorized for enemy prisoners who were not inadequately fed or treated inhumanely by the United States during World War II.

I would like to explain one additional amendment contained in my bill. Although the number of known civilian prisoners of war, or more accurately internees, is not great, nonetheless, I do not feel that they should be ignored if we are going to update the War Claims Act benefits.

Civilian internees received $60 per month for adults and $25 per month for those under 18 under the old War Claims Act. I again feel that these amounts should be increased and would suggest figures of $75 and $30 respectively.

The need for action on legislation to benefit our often forgotten prisoners of war is imperative, and I hope that favorable action will be taken on my bill.

METROPOLITAN MEMORIAL UNITED METHODIST CHURCH HOLDS ITS CENTENNIAL SUNDAY SERVICES

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. PICKLE. Mr. Speaker, on Sunday, March 2, the Metropolitan Memorial United Methodist Church held its centennial Sunday services. The congregation was honored to hear an eloquent and challenging sermon by Dr. Ralph Sockman, recognized as one of the foremost clergymen of all denominations in this country. I would like to include the description of Dr. Sockman as printed in Sunday's program:

We are honored to have as our guest preacher, Dr. Ralph W. Sockman, recognized as one of the foremost clergymen of all denominations in this country. A native of Ohio, he is a graduate of Ohio Wesleyan and Columbia Universities and Union Theological Seminary, and recipient of over twenty-five honorary degrees. He has the unique record of having served forty-four years in his first and only pastorate, Christ Church Methodist, New York City, retiring in 1961. From 1928 to 1962 Dr. Sockman ministered weekly to listeners throughout this country and Canada on the National Radio Pulpit.

He is currently chairman of the Men's Committee for the Japan International Christian University in Tokyo, and Director of the Hall of Fame for Great Americans. He was most recently honored as recipient of the Gold Medal Award for service to humanity given by the National Institute of Social Sciences.

Mr. Speaker, I was privileged to hear this great preacher on this occasion. Dr. Sockman's sermon, "The End of the Beginning," was a challenge to the congregation as he commented on the Book of Acts—our heritage through Christ, as the Prince, and our future as the pioneering spirit of the present prevails.

As the Metropolitan Church has honored us, I would like now to honor it on the anniversary of 100 years of service to the Nation's Capital.

One hundred years—imagine the impact this great church has made upon the leaders of our country during the last century.

Even today, the church continues spreading its good; one of our own number is minister emeritus. Dr. Edward G. Latch, Chaplain of the U.S. House of Representatives, served many productive years as minister of Metropolitan Church. Dr. James Montgomery and several others have shared this honor.

Mr. Speaker, the accompanying article by Rev. Merrill Drennan is an eloquent illustration of the growth of this magnificent church. I include it in the RECORD, for the benefit of all:

CENTENNIAL CELEBRATION OF METROPOLITAN MEMORIAL UNITED METHODIST CHURCH

Metropolitan Memorial United Methodist Church is celebrating during the year 1969 the one-hundredth anniversary of its founding as the National Methodist Church in the city of Washington. The first church was erected on the southwest corner of John Marshall Place and C Streets, NW., as a result of the action of the General Conference of the Methodist Episcopal Church, which met in Boston in May 1852. Thereafter contributions from persons in the Washington area and throughout the nation were received and on February 28, 1869, the first services were held. General and Mrs. Ulysses S. Grant, Speaker of the House and later Vice President Schuyler Colfax, and Chief Justice Salmon P. Chase and other dignitaries of the federal and city governments attended this service, which was five days prior to the inauguration of General Grant. From 1869 until 1930 the church performed a significant ministry to the residents of the city of Washington and to those who were in Washington employed by the federal government both in the civil service and in the military. The ministers of the church were nationally prominent, and two of them, Dr. John P. Newman and Dr. Frank M. Bristol, subsequently were elected Bishops of the Methodist Episcopal Church while serving Metropolitan Church. Others prominent in the federal government to attend regularly during these years were President William McKinley, Vice President Charles W. Fairbanks, General John A. Logan and Mayor of Washington Matthew G. Emery.

In 1930 due to the previous expansion of the park system adjacent to the United States Capitol, the construction of Union Station, and the general changing of the community from residential to government and business, the congregation of the church elected to relocate in Wesley Heights in the upper northwest section of the city. There on a triangular plot of ground gently arising above Nebraska and New Mexico Avenues opposite The American University, the Sanctuary was constructed and the first services were held February 7, 1932.

The plan of the church is cruciform, following the traditional plan, with a great nave arising from a height of seventy feet from the curb and is surmounted by a fleche or slender spire reminiscent of Saint Chapelle in Paris. The general character is in keeping with the Gothic spirit with a touch of the flamboyant in its traceried windows and detail, symbolical of the eternal flame. Although late Gothic in spirit, a touch of the modern is freely admitted, with the best of the spirit and idealism of the age in which the edifice is erected.

Since the church is the expression in Washington of Methodism of America, it was felt essential that the materials used in it should be drawn from the nation at large. So we find copper from Arizona for the roof; limestone from Indiana for the trim; precast stone from Ohio in the interior; slate from Vermont for the floors; flaggings from Pennsylvania and New York; southern American walnut for the trim; for the open timber roof, redwood from California, the "ever-lasting wood"; steel from Pittsburgh; steel sash from Michigan; and hardware from Connecticut, and so forth.

The nave, chancel, and choir seat nine hundred persons. The choir separates the nave from the tomb altar. The whole treatment of the interior has sought to lead the eye of the worshiper up to the chancel. Here a simple limestone slab carries the Cross, the emblem of the faith. Vases display flowers to remind the worshiper of God's creation and beauty. The candlesticks by their light recall the presence of the Holy Spirit. A stone frame carries the dossal cloth and above the lintel the wall is pierced by a rose window filled with richly colored glass containing the dove in downward flight, symbolizing the descent of the Holy Spirit. Other carvings and symbolic materials are appropriately placed. Also memorial plaques commemorate the services of former members.

Subsequently, a Parish Hall was erected adjacent to the Sanctuary in 1951, with the most recent addition being an enlargement of the Sanctuary consecrated just ten years ago.

Today, under the direction of the Rev. Merrill W. Drennan and his associate ministers, the church has a full program of worship, educational, and social activities ministering to a congregation numbering over 3,000 members. Its service and missionary endeavors reach the community, the nation, and the world. Each Sunday there is attracted a large number of worshipers who are new residents of the community or who are visiting Washington and want to attend the National Methodist Church.

Several of the ministers of Metropolitan Church have served in the chaplaincy of the Congress. Among these are Dr. James Shera Montgomery and Dr. Edward Gardiner Latch, the current Chaplain of the House of Representatives.

The present congregation is indeed grateful for the devotion of all the members in its century of service to the Washington community. They look forward to a second century when in addition to serving its own membership it will be successful in the inspiration and training of Methodist Christians to become witnesses and servants of Jesus Christ to the community. As the world changes, so the church must change its ministry of mission, retaining only those facets of its witness which have proved essential and timeless, and adding that which fulfills the diverse needs of the generations to come. Hopefully, with wisdom and foresight, and God's help, the church can formulate a strategy for service, and provide the bridge by which the church of the grandparents can become the church of the grandchildren.

Mr. Speaker, I would also call attention to a book prepared by the church entitled "A Living Centennial." This publication details the history of the church in enlightening fashion and chronicles the beginnings of Methodism. In my opinion, this book is excellent reading for everyone, whether they be of this faith or another.

"MAD" ON GAMES OF CHANCE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. ROSENTHAL. Mr. Speaker, I testified today before the Federal Trade Commission which is considering a proposed regulation on "games of chance" in the food and gasoline retailing businesses.

I include below my prepared testimony and a poem from the April 1969 issue of Mad magazine which I also read to the Commission. The poem said, in far fewer words than I took, what is wrong with these "games of chance."

The material follows:

STATEMENT OF CONGRESSMAN BENJAMIN S. ROSENTHAL BEFORE THE FEDERAL TRADE COMMISSION, MARCH 3, 1969

Mr. Chairman and Members of the Commission, I appreciate the opportunity to appear here today to discuss the Proposed Trade Regulation on "games of chance" in the food retailing and gasoline industries. These proceedings take on an added sense of urgency in view of the recently announced increases in the wholesale price of gasoline and in view of the spiraling cost of food.

The use of games of chance to bring customers into a supermarket or service station is a practice that has mushroomed during recent years. Based on a week of ad hoc consumer hearings that I held earlier this month in upstate New York, I discovered that it is a practice widely condemned by the consuming public. A significant number of witnesses in Buffalo, Rochester, Syracuse, and Albany testified that supermarket and service station games are fraudulent and expensive. That testimony, taken together with letter received by my Special Consumer inquiry, indicate widespread public dissatisfaction not simply with the mechanics of the games but with their very existence.

My own conclusion is that these games are inherently deceptive. Their use to build consumer traffic would also seem to be legally questionable and morally indefensible. If they were measured by the same legal yardstick we use to determine "obscenity", I am convinced that the Supreme Court would unanimously adjudge them to be "utterly without redeeming social value". For the overwhelming majority of consumers who have never managed to win at "Bonus Bingo" or "Win-At-the-Races" (and whose friends have never won), they are also utterly without redeeming monetary value!

The proliferation of these games suggests to me two things:

First, that a sizable segment of the business community has again demonstrated its apathy towards furthering the public interest. By serving as willing accomplices in the arbitrary and expensive manipulation of consumer choice, food retailers may have unwittingly answered their own question (first posed during the 1966 supermarket boycotts) —"What have we done to make the housewives so angry?"

Second, the use of games of chance to establish customer loyalty is an all-too-familiar example of the breakdown in our "competitive" free enterprise system. Frequently the salient question for consumers in the food or gasoline marketplace today is not whether the prices, goods, and services offered by Safeway are better than those offered by A&P or Humble's better than Sunoco's; but whether Safeway's "Bonus bingo" is more enticing than A&P's

"Three-of-a-Kind." And whether Humble's "Tigerino" is more appealing than Sunoco's "Sunny Dollars". This is hardly free enterprise at its best!

What, then, do we know about these "games of chance"?

We know that they resemble gambling. But personally, if I have to gamble I think I can get better odds in Las Vegas than in a supermarket or gas station.

We also know, or at least have been told, that with some minor exceptions, consumers, retailers, and even suppliers are not completely happy with the games. Consumers, of course, are angry about the deception and cost of the games; gasoline station retailers frequently find that purchase of the games results in a profit-squeeze; and some studies indicate that when the market becomes saturated with games, they are of little or no benefit in increasing traffic.

What then of a solution? I am convinced that the Proposed Trade Regulation fails to meet the principal consumer objections to the games of chance.

The Federal Trade Commission's own staff study indicates that 70% of the consumer complaints directed against the games relate to the belief that they are in some way fraudulent and that they are a significant factor in the high cost of food and gasoline. Apart from the irrefutable disclosures of occasional rigging of prizes, my own view is that consumer charges of fraud and deception are steeped in the simple truism that *too many game players lose*—that the chances of winning are simply too slight! Even if the Proposed Rule is adopted and fully implemented, *the number of winners will not increase and charges of fraud by disappointed consumers will still be heard!*

Nor will the Proposed Regulation combat the second major consumer complaint—that the games add to the already high cost of food and gasoline. To the contrary, by legitimatizing the games by eliminating the threat of further FTC action, the games will probably flourish!

It is apparent to me, therefore, that the only solution to the problem and, indeed, the only way the Commission can promote the consumer interest, is to prohibit the games entirely. By any responsible measure, games of chance have no proper place and perform no useful function, in the American marketplace.

One final thought. If the Federal Trade Commission should declare the games unlawful—or, if they are eventually eliminated by the voluntary actions of suppliers and retailers, then it is incumbent upon some agency of government—preferably the Bureau of Labor Statistics—to report to the American people whether the anticipated dollar savings to retailers are being passed along to consumers in the form of reduced prices.

Games People Play

In Esso's "Tigerama",
  In Mobil's "Safety Pays",
In each and every contest,
  I'm the one who plays.

More give-aways I've entered
  Than I could even name,
But haven't won a penny
  From a single game.

I fall for "Easy Money"
  The food chains advertise,
I've got a million coupons,
  But as yet no prize.

At piling up a fortune
  However, I've a shot,
If only I could match up
  Half the halves I've got.

I clutch with mounting frenzy
  In my hot little hand,
Each perforated promise
  Of a hundred grand.

My contemplated riches
  I willingly would split
With anyone who holds a
  Corresponding fit.

But other almost-winners
  With whom I've tried for pairs,
All find my missing pieces
  Coincide with theirs.

A faint suspicion rises
  (Excuse my hollow laugh!)
That no press ever printed
  Any matching half.

MINIMUM STANDARDS FOR PUBLIC ASSISTANCE

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, as a cosponsor of H.R. 6612—a bill to amend the public assistance provisions of the Social Security Act to require the establishment of nationally uniform minimum standards and eligibility requirements for aid or assistance thereunder—I am concerned that we face up to the deficiencies in our present welfare system and work to correct them.

The plain fact is that the traditional patterns of public welfare in existence in this country today are not adequate or realistic; and in point of fact, public welfare as it is structured and administered today is one of the great failures in Government attempts to meet the needs of people.

H.R. 6612 would provide for national minimum standards of welfare to be applied in all of the States. The Secretary of Health, Education, and Welfare would be given the power to set minimum standards for the amount of aid or assistance given. He would set standards for determining the manner in which other income or resources would be taken into account in determining who is eligible for assistance. Such standards would not be rigid; but would take into account differing requirements of classes of individuals to whom assistance programs apply and the varying cost levels in different geographic areas—but only to the extent that would insure all individuals receive the same net benefit. This policy was recommended in 1966 by the Advisory Council on Public Welfare which was set up by the 87th Congress. President Nixon's task force on public assistance made a similar recommendation. Recently, the Secretary of Health, Education, and Welfare, Robert Finch, endorsed the idea.

Our present welfare system makes no one happy. Though basic approaches to the problems of poverty may vary, philosophical opponents all find common ground for criticism whenever the topic is before us.

In supporting the establishment of minimum welfare standards as a partial solution to the problem, I start from a basic premise: Each individual has the right to be free from starvation, the right not to have his body and mind permanently scarred by early malnutrition. He has a right to a decent education and a decent job, in other words, the right to be given a chance to become a contributing member of society. These rights belong to a person by virtue of his being a human being and an American citizen. His accidental geographic location in one State or another should have nothing to do with these rights.

Yet, under our present system, to whatever extent public assistance helps to obtain these ends, its benefits are unequally applied from State to State. In my own State of Michigan the average monthly "aid to families with dependent children" payment per family for 1965 was $147.09. In Mississippi it was $33.19. The average payment per recipient in Michigan was $35.99. In Mississippi it was $8.16. Michigan ranked 15th in the Nation on level of payments. Mississippi ranked 50th.

This inequality is disturbing. It encourages the movement of families from States with low payments to States with high payments. It encourages the movement from rural areas to urban areas. In Michigan we already have well over 155,000 recipients of aid to families with dependent children. The heavy increase in numbers of persons on welfare rolls in the industrial centers, such as the Detroit metropolitan area is due more to the migration of people into the area, encouraged by present welfare patterns, than a failure of our own public and private efforts to meet the problem.

The measure which we propose would remedy this situation in two ways. It would make payments standard throughout the country and it would make eligibility requirements standard, thereby discouraging migration to a State or area with less stringent requirements.

But there is another aspect to the problem. Many of the States which are making the biggest effort are not receiving a share of the Federal assistance that is proportionate to their effort. As I mentioned before, Michigan ranked 15th in the Nation in the level of welfare payments and Mississippi ranked 50th. However, the rankings are reversed when it comes to the amount of Federal support for each State. Michigan ranked low—36th in amount of per capita Federal grants for public assistance, $12.90, while Mississippi ranked 10th with $21.20 per capita Federal grants for public assistance. These figures begin to fall into a pattern when one looks at the breakdown of total payments under all Federal-State public assistance programs by source of funds. For fiscal year 1965 in Michigan the breakdown was:

From Federal funds	$91, 700, 000
From State funds	77, 800, 000
From local funds	39, 100, 000

In Mississippi, however, the breakdown was:

From Federal funds	$44, 800, 000
From State funds	10, 400, 000
From local funds	200, 000

Looking at similar statistics for other States, it becomes clear that Michigan is making a far bigger effort at the State and local level than are many other States.

The individual welfare recipient should not have the amount of his assistance de-ginning," was a challenge to the congregation as he commented on the Book of Acts—our heritage through Christ, as the Prince, and our future as the pioneering spirit of the present prevails.

As the Metropolitan Church has honored us, I would like now to honor it on the anniversary of 100 years of service to the Nation's Capital.

One hundred years—imagine the impact this great church has made upon the leaders of our country during the last century.

Even today, the church continues spreading its good; one of our own number is minister emeritus. Dr. Edward G. Latch, Chaplain of the U.S. House of Representatives, served many productive years as minister of Metropolitan Church. Dr. James Montgomery and several others have shared this honor.

Mr. Speaker, the accompanying article by Rev. Merrill Drennan is an eloquent illustration of the growth of this magnificent church. I include it in the RECORD, for the benefit of all:

CENTENNIAL CELEBRATION OF METROPOLITAN MEMORIAL UNITED METHODIST CHURCH

Metropolitan Memorial United Methodist Church is celebrating during the year 1969 the one-hundredth anniversary of its founding as the National Methodist Church in the city of Washington. The first church was erected on the southwest corner of John Marshall Place and C Streets, NW., as a result of the action of the General Conference of the Methodist Episcopal Church, which met in Boston in May 1852. Thereafter contributions from persons in the Washington area and throughout the nation were received and on February 28, 1869, the first services were held. General and Mrs. Ulysses S. Grant, Speaker of the House and later Vice President Schuyler Colfax, and Chief Justice Salmon P. Chase and other dignitaries of the federal and city governments attended this service, which was five days prior to the inauguration of General Grant. From 1869 until 1930 the church performed a significant ministry to the residents of the city of Washington and to those who were in Washington employed by the federal government both in the civil service and in the military. The ministers of the church were nationally prominent, and two of them, Dr. John P. Newman and Dr. Frank M. Bristol, subsequently were elected Bishops of the Methodist Episcopal Church while serving Metropolitan Church. Others prominent in the federal government to attend regularly during these years were President William McKinley, Vice President Charles W. Fairbanks, General John A. Logan and Mayor of Washington Matthew G. Emery.

In 1930 due to the previous expansion of the park system adjacent to the United States Capitol, the construction of Union Station, and the general changing of the community from residential to government and business, the congregation of the church elected to relocate in Wesley Heights in the upper northwest section of the city. There on a triangular plot of ground gently arising above Nebraska and New Mexico Avenues opposite The American University, the Sanctuary was constructed and the first services were held February 7, 1932.

The plan of the church is cruciform, following the traditional plan, with a great nave arising from a height of seventy feet from the curb and is surmounted by a fleche or slender spire reminiscent of Saint Chapelle in Paris. The general character is in keeping with the Gothic spirit with a touch of the flamboyant in its traceried windows and detail, symbolical of the eternal flame. Although late Gothic in spirit, a touch of the modern is freely admitted, with the best of the spirit and idealism of the age in which the edifice is erected.

Since the church is the expression in Washington of Methodism of America, it was felt essential that the materials used in it should be drawn from the nation at large. So we find copper from Arizona for the roof; limestone from Indiana for the trim; precast stone from Ohio in the interior; slate from Vermont for the floors; flaggings from Pennsylvania and New York; southern American walnut for the trim; for the open timber roof, redwood from California, the "ever-lasting wood"; steel from Pittsburgh; steel sash from Michigan; and hardware from Connecticut, and so forth.

The nave, chancel, and choir seat nine hundred persons. The choir separates the nave from the tomb altar. The whole treatment of the interior has sought to lead the eye of the worshiper up to the chancel. Here a simple limestone slab carries the Cross, the emblem of the faith. Vases display flowers to remind the worshiper of God's creation and beauty. The candlesticks by their light recall the presence of the Holy Spirit. A stone frame carries the dossal cloth and above the lintel the wall is pierced by a rose window filled with richly colored glass containing the dove in downward flight, symbolizing the descent of the Holy Spirit. Other carvings and symbolic materials are appropriately placed. Also memorial plaques commemorate the services of former members.

Subsequently, a Parish Hall was erected adjacent to the Sanctuary in 1951, with the most recent addition being an enlargement of the Sanctuary consecrated just ten years ago.

Today, under the direction of the Rev. Merrill W. Drennan and his associate ministers, the church has a full program of worship, educational, and social activities ministering to a congregation numbering over 3,000 members. Its service and missionary endeavors reach the community, the nation, and the world. Each Sunday there is attracted a large number of worshipers who are new residents of the community or who are visiting Washington and want to attend the National Methodist Church.

Several of the ministers of Metropolitan Church have served in the chaplaincy of the Congress. Among these are Dr. James Shera Montgomery and Dr. Edward Gardiner Latch, the current Chaplain of the House of Representatives.

The present congregation is indeed grateful for the devotion of all the members in its century of service to the Washington community. They look forward to a second century when in addition to serving its own membership it will be successful in the inspiration and training of Methodist Christians to become witnesses and servants of Jesus Christ to the communtiy. As the world changes, so the church must change its ministry of mission, retaining only those facets of its witness which have proved essential and timeless, and adding that which fulfills the diverse needs of the generations to come. Hopefully, with wisdom and foresight, and God's help, the church can formulate a strategy for service, and provide the bridge by which the church of the grandparents can become the church of the grandchildren.

Mr. Speaker, I would also call attention to a book prepared by the church entitled "A Living Centennial." This publication details the history of the church in enlightening fashion and chronicles the beginnings of Methodism. In my opinion, this book is excellent reading for everyone, whether they be of this faith or another.

"MAD" ON GAMES OF CHANCE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. ROSENTHAL. Mr. Speaker, I testified today before the Federal Trade Commission which is considering a proposed regulation on "games of chance" in the food and gasoline retailing businesses.

I include below my prepared testimony and a poem from the April 1969 issue of Mad magazine which I also read to the Commission. The poem said, in far fewer words than I took, what is wrong with these "games of chance."

The material follows:

STATEMENT OF CONGRESSMAN BENJAMIN S. ROSENTHAL BEFORE THE FEDERAL TRADE COMMISSION, MARCH 3, 1969

Mr. Chairman and Members of the Commission, I appreciate the opportunity to appear here today to discuss the Proposed Trade Regulation on "games of chance" in the food retailing and gasoline industries. These proceedings take on an added sense of urgency in view of the recently announced increases in the wholesale price of gasoline and in view of the spiraling cost of food.

The use of games of chance to bring customers into a supermarket or service station is a practice that has mushroomed during recent years. Based on a week of ad hoc consumer hearings that I held earlier this month in upstate New York, I discovered that it is a practice widely condemned by the consuming public. A significant number of witnesses in Buffalo, Rochester, Syracuse, and Albany testified that supermarket and service station games are fraudulent and expensive. That testimony, taken together with letter received by my Special Consumer inquiry, indicate widespread public dissastisfaction not simply with the mechanics of the games but with their very existence.

My own conclusion is that these games are inherently deceptive. Their use to build consumer traffic would also seem to be legally questionable and morally indefensible. If they were measured by the same legal yardstick we use to determine "obscenity", I am convinced that the Supreme Court would unanimously adjudge them to be "utterly without redeeming social value". For the overwhelming majority of consumers who have never managed to win at "Bonus Bingo" or "Win-At-the-Races" (and whose friends have never won), they are also utterly without redeeming monetary value!

The proliferation of these games suggests to me two things:

First, that a sizable segment of the business community has again demonstrated its apathy towards furthering the public interest. By serving as willing accomplices in the arbitrary and expensive manipulation of consumer choice, food retailers may have unwittingly answered their own question (first posed during the 1966 supermarket boycotts) —"What have we done to make the housewives so angry?"

Second, the use of games of chance to establish customer loyalty is an all-too-familiar example of the breakdown in our "competitive" free enterprise system. Frequently the salient question for consumers in the food or gasoline marketplace today is not whether the prices, goods, and services offered by Safeway are better than those offered by A&P or Humble's better than Sunoco's; but whether Safeway's "Bonus bingo" is more enticing than A&P's

"Three-of-a-Kind." And whether Humble's "Tigerino" is more appealing than Sunoco's "Sunny Dollars". This is hardly free enterprise at its best!

What, then, do we know about these "games of chance"?

We know that they resemble gambling. But personally, if I have to gamble I think I can get better odds in Las Vegas than in a supermarket or gas station.

We also know, or at least have been told, that with some minor exceptions, consumers, retailers, and even suppliers are not completely happy with the games. Consumers, of course, are angry about the deception and cost of the games; gasoline station retailers frequently find that purchase of the games results in a profit-squeeze; and some studies indicate that when the market becomes saturated with games, they are of little or no benefit in increasing traffic.

What then of a solution? I am convinced that the Proposed Trade Regulation fails to meet the principal consumer objections to the games of chance.

The Federal Trade Commission's own staff study indicates that 70% of the consumer complaints directed against the games relate to the belief that they are in some way fraudulent and that they are a significant factor in the high cost of food and gasoline. Apart from the irrefutable disclosures of occasional rigging of prizes, my own view is that consumer charges of fraud and deception are steeped in the simple truism that *too many game players lose*—that the chances of winning are simply too slight! Even if the Proposed Rule is adopted and fully implemented, *the number of winners will not increase and charges of fraud by disappointed consumers will still be heard!*

Nor will the Proposed Regulation combat the second major consumer complaint—that the games add to the already high cost of food and gasoline. To the contrary, by legitimatizing the games by eliminating the threat of further FTC action, the games will probably flourish!

It is apparent to me, therefore, that the only solution to the problem and, indeed, the only way the Commission can promote the consumer interest, is to prohibit the games entirely. By any responsible measure, games of chance have no proper place and perform no useful function, in the American marketplace.

One final thought. If the Federal Trade Commission should declare the games unlawful—or, if they are eventually eliminated by the voluntary actions of suppliers and retailers, then it is incumbent upon some agency of government—preferably the Bureau of Labor Statistics—to report to the American people whether the anticipated dollar savings to retailers are being passed along to consumers in the form of reduced prices.

GAMES PEOPLE PLAY

In Esso's "Tigerama",
  In Mobil's "Safety Pays",
In each and every contest,
  I'm the one who plays.

More give-aways I've entered
  Than I could even name,
But haven't won a penny
  From a single game.

I fall for "Easy Money"
  The food chains advertise,
I've got a million coupons,
  But as yet no prize.

At piling up a fortune
  However, I've a shot,
If only I could match up
  Half the halves I've got.

I clutch with mounting frenzy
  In my hot little hand,
Each perforated promise
  Of a hundred grand.

My contemplated riches
  I willingly would split
With anyone who holds a
  Corresponding fit.

But other almost-winners
  With whom I've tried for pairs,
All find my missing pieces
  Coincide with theirs.

A faint suspicion rises
  (Excuse my hollow laugh!)
That no press ever printed
  Any matching half.

MINIMUM STANDARDS FOR PUBLIC ASSISTANCE

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, as a cosponsor of H.R. 6612—a bill to amend the public assistance provisions of the Social Security Act to require the establishment of nationally uniform minimum standards and eligibility requirements for aid or assistance thereunder—I am concerned that we face up to the deficiencies in our present welfare system and work to correct them.

The plain fact is that the traditional patterns of public welfare in existence in this country today are not adequate or realistic; and in point of fact, public welfare as it is structured and administered today is one of the great failures in Government attempts to meet the needs of people.

H.R. 6612 would provide for national minimum standards of welfare to be applied in all of the States. The Secretary of Health, Education, and Welfare would be given the power to set minimum standards for the amount of aid or assistance given. He would set standards for determining the manner in which other income or resources would be taken into account in determining who is eligible for assistance. Such standards would not be rigid; but would take into account differing requirements of classes of individuals to whom assistance programs apply and the varying cost levels in different geographic areas—but only to the extent that would insure all individuals receive the same net benefit. This policy was recommended in 1966 by the Advisory Council on Public Welfare which was set up by the 87th Congress. President Nixon's task force on public assistance made a similar recommendation. Recently, the Secretary of Health, Education, and Welfare, Robert Finch, endorsed the idea.

Our present welfare system makes no one happy. Though basic approaches to the problems of poverty may vary, philosophical opponents all find common ground for criticism whenever the topic is before us.

In supporting the establishment of minimum welfare standards as a partial solution to the problem, I start from a basic premise: Each individual has the right to be free from starvation, the right not to have his body and mind permanently scarred by early malnutrition. He has a right to a decent education and a decent job, in other words, the right to be given a chance to become a contributing member of society. These rights belong to a person by virtue of his being a human being and an American citizen. His accidental geographic location in one State or another should have nothing to do with these rights.

Yet, under our present system, to whatever extent public assistance helps to obtain these ends, its benefits are unequally applied from State to State. In my own State of Michigan the average monthly "aid to families with dependent children" payment per family for 1965 was $147.09. In Mississippi it was $33.19. The average payment per recipient in Michigan was $35.99. In Mississippi it was $8.16. Michigan ranked 15th in the Nation on level of payments. Mississippi ranked 50th.

This inequality is disturbing. It encourages the movement of families from States with low payments to States with high payments. It encourages the movement from rural areas to urban areas. In Michigan we already have well over 155,000 recipients of aid to families with dependent children. The heavy increase in numbers of persons on welfare rolls in the industrial centers, such as the Detroit metropolitan area is due more to the migration of people into the area, encouraged by present welfare patterns, than a failure of our own public and private efforts to meet the problem.

The measure which we propose would remedy this situation in two ways. It would make payments standard throughout the country and it would make eligibility requirements standard, thereby discouraging migration to a State or area with less stringent requirements.

But there is another aspect to the problem. Many of the States which are making the biggest effort are not receiving a share of the Federal assistance that is proportionate to their effort. As I mentioned before, Michigan ranked 15th in the Nation in the level of welfare payments and Mississippi ranked 50th. However, the rankings are reversed when it comes to the amount of Federal support for each State. Michigan ranked low—36th in amount of per capita Federal grants for public assistance, $12.90, while Mississippi ranked 10th with $21.20 per capita Federal grants for public assistance. These figures begin to fall into a pattern when one looks at the breakdown of total payments under all Federal-State public assistance programs by source of funds. For fiscal year 1965 in Michigan the breakdown was:

From Federal funds	$91,700,000
From State funds	77,800,000
From local funds	39,100,000

In Mississippi, however, the breakdown was:

From Federal funds	$44,800,000
From State funds	10,400,000
From local funds	200,000

Looking at similar statistics for other States, it becomes clear that Michigan is making a far bigger effort at the State and local level than are many other States.

The individual welfare recipient should not have the amount of his assistance de-

termined solely by this factor coupled with the geographic location of his home. Population migration should not be encouraged on this basis alone—which is unfortunately now the case. We should substitute rational market considerations of available jobs and labor force needs and skills for the present diversity in amount of State welfare payments if we are ever to begin to break the iron grip that poverty holds on many of our citizens.

To encourage a rural family with no skills to move to an urban area or State is more than useless, it is cruel and it is dangerous because it arouses expectations that cannot be fulfilled. That family will arrive in the urban area without prior training and without job skills. They will soon discover that the job market is not open to those without skills. They will discover that the supposedly high welfare payments that induced them to migrate in the first place do not go as far as the same amount would have gone in a rural area. More likely than not the resulting frustrations they feel will add them to the large numbers of disenchanted in the already explosive situation in our cities.

STATEMENT OF PAUL W. BRIGGS, SUPERINTENDENT OF CLEVELAND, OHIO, PUBLIC SCHOOLS TO THE HOUSE COMMITTEE ON EDUCATION AND LABOR ON THE ELEMENTARY AND SECONDARY EDUCATION ACT, FEBRUARY 3, 1969

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. BRADEMAS. Mr. Speaker, one of the ablest school superintendents in the United States is Paul W. Briggs, superintendent of schools in Cleveland, Ohio.

Because I think Mr. Briggs' experience in utilizing programs made possible by the Elementary and Secondary Education Act to be of broad interest, I insert at this point in the RECORD, his testimony of February 3, 1969, before the House Committee on Education:

STATEMENT OF PAUL W. BRIGGS, SUPERINTENDENT, CLEVELAND PUBLIC SCHOOLS, CLEVELAND, OHIO, TO THE COMMITTEE ON EDUCATION AND LABOR, UNITED STATES HOUSE OF REPRESENTATIVES, FEBRUARY 3, 1969

Mr. Chairman, members of the committee, I am Paul W. Briggs, Superintendent of Cleveland Public Schools. I appreciate very much the opportunity of appearing before this committee to present testimony regarding the Elementary and Secondary Education Act.

TO ATTACK URBAN CRISIS

This landmark piece of legislation and the added financial support which it has made available have enabled the Cleveland schools to mount an attack of significant magnitude on what I believe is America's number one domestic problem—the urban crisis.

Our strategy in developing programs under terms of the Elementary and Secondary Education Act has been to focus on the major problems in urban living as they relate to education.

Among these major problems are the following: Isolation, poverty, unemployment, and drabness.

The impact of these problems on education is reflected in undermotivation, depressed achievement, excessive dropping out, and continuing misunderstanding and suspicion between groups.

We find the school attempting to teach hungry children, children who perceive no opportunity for themselves in the broader society, children whose associations have been limited only to children similar to themselves.

We have children whose creative talents and tastes in the arts have been sadly neglected, children to whom the wonders of nature remain remote pictures, children whose reading experiences are limited to classroom instruction periods.

In attacking these problems we have used the available resources provided under all applicable Titles and we have applications now pending in the U.S. Office of Education under Titles VII and VIII. Today, however, I should like to discuss especially Titles I and III.

As I move about the city of Cleveland, visiting its many schools and neighborhoods, I am continually impressed with the need for better educational opportunities throughout the city and especially in areas of great poverty and deprivation.

The severity of the problem is compounded by the fact that American education must move into the space age, an age that requires progressively higher levels of competence and skill, supported and reinforced by the best scientific "know how" available. This is an age that demands superior education for all our citizens.

Basic to good education is a sound program of community schools sensitive to and efficiently serving an ever-expanding list of neighborhood needs. Inherent in this space age, though, is a demand for new educational and cultural experiences not now or likely soon to be available at the neighborhood level.

TITLE III—COMMUNITY SCHOOL PROGRAM

In Cleveland we have faced up to this need and with the support of funds provided under Title III we have been operating since October, 1966 a prototype supplementary educational center.

Here in a converted warehouse in downtown Cleveland we bring together each day 500 children from across the city for special instruction in science, in local history, and in music. We have been able to assemble in this center a staff of creative master teachers; and having provided for their use highly sophisticated equipment, there is immediately available a wide range of exceptionally strong learning experiences to be shared by children from throughout the city.

Here children are introduced to the wonders of space in a planetarium which is surrounded by always current exhibits and life size models provided by the National Aeronautics and Space Administration. They take a simulated trip in a submarine to taste the excitement of oceanography.

Their understanding of the heritage of their city is deepened as skillful teachers lead them through a day in early Cleveland in authenticated settings. Their appreciation of good music is enhanced as talented professional musicians perform and patiently explain the music and their instruments. For those with keener interest in music, group and individual instruction is offered by the most outstanding professional musicians and teachers of the area. A climax of the music program each season is the production of an original work composed by the children and produced by them.

Through this prototype supplementary center we have demonstrated the basic soundness of the concept. (The program of the center includes only those activities which cannot be economically or effectively carried out by some other means—in the neighborhood school, in a museum, or through radio or television.) It is now clear that such a center will provide an added dimension of enriched educational experiences which can be shared by the many diverse groups of children that make up the city's population.

At this time we are working cooperatively with the administration of the city of Cleveland to locate a suitable site for the construction of a permanent center which will serve up to 1,000 children daily and thus not only increase the depth of the experience for each child but increase the frequency of pupil-to-pupil association in these shared experiences.

CLEVELAND TITLE I PROGRAM

I should like to turn now to Title I and to our experiences in Cleveland.

The plight of thousands of children in the depressed inner city is the most serious challenge this nation has faced at home during the twentieth century.

Title I has provided resources which have helped schools address themselves to this challenge.

In Cleveland with a school enrollment of 153,000 children, we have 7 per cent of the total public school population of Ohio. But we have more than 30 per cent of the total number of children in Ohio who receive public assistance, and the proportion is increasing. Today more than one-fifth of all the children in Cleveland schools are members of families subsisting at poverty levels.

If schools and schooling are to be relevant, they must do more than teach the literature, history and culture of yesterday or the mathematics, science and economics of tomorrow. They must become the doors of opportunity for the denied, the underprivileged, the underchallenged, the undereducated, and the undermotivated.

Our philosophy in Title I programming is based upon a firm belief in the fairly even distribution throughout society of intellectual capacity and abilities. Long exposure to poverty and its debilitating influences has submerged the abilities and talents of the disadvantaged as they have struggled to subsist.

It is the task of the school to create an environment and to marshal the resources that will discover, develop, define and encourage the abilities and talents of all children to the fullest possible extent.

We have attempted not only to strengthen the learning skills of disadvantaged pupils but also to improve the competence of the school as an institution to identify and respond to the needs of inner-city children.

Mounting programs of the size and scope of those under Title I is not without problems, particularly in a large school system. It required time to establish an organization within the school system to administer the program in a manner that would assure its compliance with the intent of Congress. It was not easy to locate the 700 additional staff members and to prepare them for their new responsibilities. There was no backlog of instructional materials and equipment. Schedules had to be adjusted. Parents and other community leaders had to be consulted and in some instances building alterations were required.

Our analysis of critical needs has indicated that particular attention should be directed to articulation points in the child's movement through school, that is, in the earliest years of his school experience, at the time he moves from elementary to junior high school, from the junior high grades to the senior high, and as he approaches decision points regarding dropping out or continuing on to graduation.

Also, it seems to us that for the greatest long-range benefits, proportionately more resources and efforts should be devoted to younger children.

During the current school year, the Cleveland Title I Program consists of 14 projects being conducted in a total of 72 schools, directly serving 15,000 eligible children. The heaviest concentration of programming is in 20 elementary schools serving the most impoverished areas of the city. Our projects range from pre-kindergarten child development to job development, orientation, and placement for inner-city high school seniors.

They include efforts to improve instruction in reading and mathematics and to identify specific pupil difficulties in these areas. There is a special project for children for whom English is a new language. In both elementary and secondary Title I schools, we have provided tutors—college students who are available for immediate help and support. We are modifying curricula in junior high schools to recapture the interest of students identified as likely to drop out.

For the past three summers, we have conducted large summer school projects which have put educational, recreational, and cultural activities within walking distance of every eligible child in Cleveland.

Our experience with fully operational Title I projects covers a period of two school years. This is not long enough for the accumulation of totally conclusive data regarding the effectiveness of this massive program. It must be remembered that we are attempting to overcome generations of neglect. Furthermore, we are not dealing here with a laboratory type situation which lends itself readily to evaluation techniques. We are engaged in broad field type settings where we cannot control many of the factors that influence results.

However, the data we have been able to gather do indicate a hopeful trend. For example:

There has been a consistent significant gain in reading skill among pupils in our reading improvement projects; boys particularly have shown strong improvement.

Children who have participated in our pre-kindergarten project have performed in kindergarten and first grade well beyond the rates of comparable children without such services.

In a special project for seriously intellectually underdeveloped though not mentally retarded children between 5 and 8 there was an increase in I.Q. of from 5 to 19 points for one-third of the children participating.

Children in remedial mathematics groups have shown significant gain as compared to similar children not receiving such special attention.

At the senior high school level, schools receiving Title I services experienced a 10 per cent decrease in the dropout rate last school year, as compared to the preceding year.

One of our most impressive results has been achieved in our job development project where nine out of every ten participants secured full time employment in Cleveland business and industry.

We will continue to monitor all our Title I projects closely to determine whether such gains are retained and accelerated.

At this point though we find the early returns encouraging.

In an effort to use available monies to produce the greatest yield for children, we have frequently coupled Title I funds with other federal resources, as well as with state and local monies. An example of this approach is in the field of nutrition. Here we used Title I funds, two years ago, to equip a large, modern kitchen in a building purchased with local funds to develop a lunch and nutrition education project for inner-city children. We shall use the resources of the federally supported school lunch program to provide food for the several thousand children who will benefit from this service.

There are other examples. We have used funds available under the Vocational Education Act in conjunction with ESEA funds in extending vocational educational motivation and opportunities. In other instances, we have supplemented ESEA funds with private foundation grants.

Throughout all such efforts our accent and focus are on improved opportunities for children—the children most in need.

COMMENTS EVALUATION

Certain potential long range effects of the Elementary and Secondary Education Act are becoming apparent. Projects and services conducted under provisions of this legislation have enabled schools to examine the creativity, resourcefulness, and readiness for change of staff members who have had new opportunities for leadership functions. In Cleveland, the staff member who this year was promoted and given responsibility for the pre-first grade programs throughout the city came to our attention through her excellent work in organizing and developing our head start and child development project—one of the nation's finest.

Another significant long range benefit that Title I has brought to the schools of Cleveland is an emerging new staffing pattern through which the competencies of more people at various levels of training are being utilized. This includes teacher aides, assistant teachers, tutors, parent educators, home-school liaison aides, technicians, and other expanding classifications. In these roles, many inner-city residents including parents are entering a new relationship and involvement in education. This is good for children and good for their parents.

While our experiences in developing and implementing Title I projects have in general been encouraging, we have encountered some disappointments and frustrations.

Delays in funding have impeded proper planning and staffing. I certainly hope that Congress will provide forward funding so that intelligent planning and orderly implementation of projects can occur. Also with respect to funding, I would urge that appropriations be made at the full level of authorization. In addition, consideration should be given to normal increases in costs such as regular salary increment for staff.

The restrictive character of certain regulations has made it difficult to organize and administer Title I projects in the most educationally sound manner. For example, we are restricted pretty much to the delivery of remedial type services, rather than to a much needed emphasis on prevention.

Last summer we developed a large program in the Arts in an attempt to not only increase the artistic skills and cultivate the interests of inner-city children but also to attack the isolation of groups of children from each other. It was permissible to provide transportation out of the ghetto for inner-city children but not allowable to use Title I funds to bring other children into the center we established so that the benefits of greater association would be possible. This project is described briefly in a recent publication of the U.S. Office of Education entitled "Profiles in Quality Education," containing descriptions of 150 outstanding Title I projects.

We had to discontinue Title I funding of a very rich and exciting camping project because we were serving children in classes from the schools in high poverty areas rather than segregating and selecting only those suffering from serious retardation in academic achievement. Following such procedures is educationally unsound as it ignores the motivation and learning experiences that children gain through association with other more able classmates.

In effect, Title I guidelines lead to setting up a special track system for disadvantaged children.

With respect to the methods of distributing ESEA assistance, we have found the present method followed under Title I to be effective. It has distributed the money in relation to the needs of children rather than in response to the literary skill of proposal writers or the sophistication in grantsmanship of local administrators.

I would certainly hope that any system of distributing federal assistance would include safeguards to insure that funds are distributed in such a way that the money goes where the children are the neediest.

ESEA was enacted by Congress in an attempt "to strengthen and improve educational quality and educational opportunities in the nation's elementary and secondary schools."

The national program that has been established as a result of that act has provided the vehicle with which this nation can move its educational efforts ahead the required giant stride.

It seems to me that we are at the point where we have the experience in planning and program development and have operated a sufficient number of model projects long enough to be ready now to move forward confidently in the productive programs that the national interest demands but which no school system in a big city can alone support.

SPECIAL BULK MAILING RATE FOR NEIGHBORHOOD IMPROVEMENT ORGANIZATIONS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. FRASER. Mr. Speaker, again this year I am introducing legislation to extend to neighborhood improvement associations the use of the special third-class bulk mailing permit.

Thousands of grassroots neighborhood associations throughout the country are currently involved in efforts to maintain and strengthen residential neighborhoods. Virtually every neighborhood in my district, Minneapolis, has its own local community group that promotes public improvements, encourages property upkeep and provides a "watchdog" service for zoning changes. Activities of this type are particularly important in a central city like Minneapolis that must work dilligently to maintain the family-residential character of its older neighborhoods.

With the advent of many new federally funded community development projects, the neighborhood associations have an increasingly important information function to perform. It is vitally important that neighborhood residents are informed about these programs and the neighborhood associations are in a good position to disseminate this information. But current postal regulations tend to limit the communication activities of the neighborhood groups. Under existing law, improvement associations are not permitted to use the special third-class bulk permit which would enable them to mail at the rate of 1.4 cents per piece. They often must use the regular third-class rate of 6 cents per 2 ounces, which causes a real financial burden.

Congress can encourage this worthwhile neighborhood improvement activity in a small but significant way by extending to the neighborhood associations the use of the special third-class permit now available to a variety of nonprofit educational and welfare organizations.

The text of my bill follows:

H.R. 7979

A bill to amend title 39, United States Code, to extend to neighborhood improvement organizations or associations the special third-class bulk mail rates for nonprofit organizations

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4452(d) of title 39, United States Code, is amended by striking out "or fraternal organizations of associations" and inserting in lieu thereof "fraternal, or neighborhood improvement organizations or associations".

A PENETRATING ANALYSIS OF THE MIDDLE EAST

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. PODELL. Mr. Speaker, from time to time our newspaper columnists cut through the confusion and shifting sands of contemporary affairs and strike fundamental truth with a laserlike beam which places a difficult problem in proper perspective. Frank Getlein has admirably performed this service for us with his February 12, 1969, column in the Washington Evening Star, entitled "Why View Israel as a Boy Scout?" Mr. Getlein gets to the core of the Middle East problem and I commend, therefore, his discerning column to this body, the full text of which is as follows:

WHY VIEW ISRAEL AS A BOY SCOUT?

(By Frank Getlein)

The unquestionably growing pro-Arab sentiment among Americans concerned about the Middle East is actually based on a pro-Israel assumption. The way it works is this: When the Arabs behave like bandits, assassins, spoiled children and people whose heads are made out of cement, we don't react against them because, at heart, we don't expect any better. Arabs are, after all, the inventors of assassination from an etymological point of view and famed practitioners of it from an historical one. It isn't that other people don't go in for assassination, it's just that nobody else ever formed a club on that principle.

And they were on pot before this country was even discovered. And they haggle in the marketplace instead of calculating through the check-out counter. And they believe in bribery as a fringe benefit of public service. And they have been ruled, most of them, by "kings" arbitrarily chosen by European powers and who act the part like Alfred Drake in "Kismet" without the voice. And this and that and so much else.

In short, we don't really take the Arabs seriously and, except for oil and common humanity, there is no reason why we should.

With Israel, quite the other way. We expect the Israeli to live up to the law of nations, to behave unto others as they would wish others to behave unto them and, for that matter, as we faintly wish we could afford to behave ourselves.

The trouble with the law of nations, of course, is that it is a very long time since any big nation has actually obeyed it. According to the grand old rule of decorum among the governments of the world, for instance, no Russian government would dream of invading Czechoslovakia, yet who's directing Prague traffic today? No American government would invade Cuba or the Dominican Republic, yet why isn't the popular choice for Dominican rule in office? No British government would have invaded Ireland and left behind a colony of foreigners in the north that is now causing all the trouble there. No French government would have tried to conquer the Vietnamese and so on. Yet all these things have happened.

The reason they have happened is that all those countries doing all those frightful things are major powers. The only way you stop a major power from transgressing the law of nations is by the fact or the threat of a major war. Since nobody wants a major war—except sometimes—big powers pretty well do as they wish and how many divisions does the court of world opinion have?

With Israel, the hope here is that we can impose standards of conduct we don't care to live up to ourselves but admire a good deal for others. The theory seems to be that if we can just make the Israelis obey the Boy Scout Law by force, this will be a big step toward the abolition of force in world affairs.

Fat chance. Under present and foreseeable conditions, force is the only utimate way international affairs can be managed. The dream for the Middle East is that the United Nations can establish and maintain peace if only the Israelis will let it happen.

What needs to be recalled is that the United Nations was doing exactly that before the six-day war. When Nasser, the sheik of Araby, said scram, the U.N. scrammed. The fact that Israel was not wiped out at that moment was due solely to its own prudence.

With that record, it ought to be easy to understand why the Israelis aren't bowled over and all choked up by appeals to the law of nations and the United Nations and the hope of peace in our time.

For Israel, the only hope of peace in its time lies in somehow convincing the dramatic baritones they're surrounded by that it will cost them more to be nasty than it will be to be decent. It would be a wonderful world if this could be accomplished by sweet reasonableness, but so far there has been no faint sign that this can happen.

In child-raising generally, permissiveness is okay, and certainly a lot pleasanter to live with than discipline. The worst results won't happen now, but years later at the Pentagon or Columbia University or Berkeley, and at least the kid will be quiet.

But there are certain things, like setting the house on fire, that the wise parent just cannot allow to be included in the permissive approach. When the child starts to set fire to the house, what you do is you whale the tar out of him and eventually he gets the idea.

Unfortunately, that has to be Israel's foreign policy for now.

"FREEDOM'S CHALLENGE"—ADDRESS BY GAYLE P. EMERY

HON. WILLIAM V. ROTH, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. ROTH. Mr. Speaker, it is always a pleasant experience for me to read the speeches prepared and delivered by young people as part of the annual Voice of Democracy Contest sponsored by the Veterans of Foreign Wars of the United States and its ladies auxiliary.

The winner of the Delaware State contest this year is Miss Gayl P. Emery, the 17-year-old daughter of Mr. and Mrs. Warren Emery, of 637 Carol Street, Dover. Gayle is a senior at Dover High School and plans to continue on to college to study speech and drama.

Mr. Speaker, I would like to insert at this point in the RECORD Gayle's address that she will deliver during the national finals here in Washington this week:

FREEDOM'S CHALLENGE

(By Gayle P. Emery)

In the Broadway musical, *Man of La Mancha,* we discover meaningful expressions which embody Freedom's Challenge.

"TO DREAM THE IMPOSSIBLE DREAM"

Years ago a mere handful of visionary men sought to create a brighter land for their children, a land unique in the history of this world and the memory of mankind. We Americans have always dared to dream the impossible dream and make our dreams a reality. Our poets, our scholars, our religious leaders, our statesmen have pointed the way to the ideals of freedom, equality, and justice. We are the heirs of those sacred ideals. Only through our efforts, our understanding, and our compassion will those dreams become a reality. This dream, this hope is the guiding soul of our nation. For this dream of freedom and equality courageous American soldiers have challenged—and defeated—great tyrranical powers on every major battlefield of this world. In times of oppression, injustice, and discrimination, our forefathers dared to hope for equal rights and opportunities and the chance to be free-thinking men. We can, we must re-accept this challenge, for freedom must be re-born, recreated in the hearts and minds of each man and woman of our generation.

"TO FIGHT THE UNBEATABLE FOE"

America has a reputation for conquering the unbeatable foe—George III, the Kaiser, Adolf Hitler—and we must continue to be dedicated to this ideal of force for freedom. Only when we lose our capacity to fight and lose faith in our ideals will a foe become unbeatable. Faith, without dedication and the will to fight, is meaningless. Today's enemies are within as well as without our beloved nation—riots in the streets, unrest on college campuses, crime at every level of our society, citizens who refuse their glorious inheritance and wallow in soul shrinking apathy. Only through our faith, our dream of equality, our will to fight, and our compassionate understanding, can we triumph over today's challenges. This is a personal responsibility, for when we call ourselves Americans, we pledge our lives, our honor, and our personal destinies to those ideals which have shaped this nation and inspired a watching world.

"TO RIGHT THE UNRIGHTABLE WRONG"

The American national symbol is the courageous eagle, not the cowardly ostrich with his head buried in the sand. Wrongs exist in any society, and this is not a damnation of that society, but any society that ignores these inherent wrongs is truly damned. These offenses comprise America's most immediate challenge. The uneducated must be given greater opportunities for education and training to earn a decent, respectable living, not an eternal welfare check. The unrest on our college campuses must be quieted with a firm demand for a greater respect for person, property, and nation. Racial tension and rioting in our cities must be brought to a halt through expressions and examples of understanding between peoples, and between the people and their government. The bitter and disillusioned senior citizen must be given a vital, creative role and the respect he enjoyed in his prime in this society. In righting these wrongs we will be creating a brighter tomorrow for our children.

"To fight for the right, without question or pause,
To be willing to march into hell for a heavenly cause."

Americans have so often accepted the challenge to fight for the right—every man's right to freedom and opportunity. We want to share the freedom we have enjoyed. Willingly, American soldiers have worked, fought, and died on foreign shores for other men's freedom. Likewise, Americans have died on American battlefields to preserve these freedoms. If we do not accept our challenge today, all these glorious men will have died in vain.

"And I know, if I'll only be true to this glorious quest,
That my heart will lie peaceful and calm when I'm laid to my rest.
And the world will be better for this."

To be able to secure and ensure freedom for other countries we must work to strengthen our freedom within by ridding our nation of those forces which threaten our dreams of freedom and equality. No dream is too impossible, no star is too high to be reached, as long as we remain true to these dreams and work unendingly to attain them. This is Freedom's Challenge; this is our challenge.

Mr. Speaker, amidst all the reports of student radicalism and unrest, all Americans can take pride in the vast majority of young men and women like Gayle Emery who, with quiet dignity and determination, prepare themselves for their future responsibilities as citizens.

I commend to the attention of each Member Gayle's moving speech on "Freedom's Challenge." My good wishes, like those of all Delawareans, are with her as she competes in the national finals.

HON. OLIN E. TEAGUE HONORED BY VFW

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. ROUDEBUSH. Mr. Speaker, once again Members of Congress are to be honored by that great veterans organization, the Veterans of Foreign Wars of the United States. Each year at this time an invitation is extended to each of us to attend the annual VFW congressional dinner. On that occasion, as you know, besides honoring all Members of Congress, one of our Members is chosen to receive the highly coveted VFW Congressional Award.

I am pleased that this year our distinguished colleague, Congressman OLIN E. "TIGER" TEAGUE of Texas, chairman of the House Veterans' Affairs Committee, will be the recipient of the sixth annual VFW Congressional Award. No other Member of Congress has worked so long and so hard—and I might add so fruitfully—for the veterans of our Nation. His unstinting devotion to the well-being of veterans and their dependents is well known to us all. "TIGER" TEAGUE has been chairman of the House Veterans' Affairs Committee for 15 of his 23 years as a Member of this body, a post for which he was eminently qualified and in which he has served with distinction.

He was elected to Congress in 1946, after completing a World War II military career which began as a private in the National Guard in 1939 and was ended after 6 years as a result of wounds received as a combat infantry battalion commander. While leading his battalion from Utah Beach to the Rhine River, he was decorated for valor 11 times and suffered six wounds. He is the most decorated Member of Congress.

In addition to his chairmanship of the Veterans' Committee, "TIGER" has added to his national prestige with his record as chairman of the Subcommittees on Manned Space Flight and NASA Oversight of the House Science and Astronautics Committee. During his 8 years on the committee the United States has regained leadership in space, a comeback which culminated in the historic Apollo 8 moon flight last Christmas.

The commander in chief of the Veterans of Foreign Wars of the United States, Richard Homan, has said of the award made to Congressman TEAGUE:

> The Congressional Award, is the highest honor given by the V.F.W. It was established in 1964. The award was first presented to Senator Carl Hayden, Arizona. The 1965 recipient was Speaker of the House JOHN W. MCCORMACK, of Massachusetts. In 1966 the award was presented to Senate Minority Leader EVERETT MCKINLEY DIRKSEN, of Illinois, Representative WILBUR D. MILLS, of Arkansas, was honored in 1967. In 1968 Senator RICHARD B. RUSSELL, of Georgia, received the fifth award of the VFW.
>
> By awarding this honor to one of our national legislators, the VFW seeks to dramatize the importance of the role of a freely elected legislature to serve the great ends of this Republic, maintaining true allegiance to the United States of America and fidelity to its Constitution and laws, the fostering of true patriotism, maintaining and extending the institutions of American freedom, and preserving and defending our country from all her enemies, at home and abroad.

Mr. Speaker, although the award to our distinguished colleague "TIGER" TEAGUE will be the highlight of the evening, the VFW congressional dinner will highlight other important aspects of this great national organization. The dinner climaxes the VFW's annual 4-day Washington conference of national officers and department commanders. This meeting represents a great opportunity for Members of the Congress to meet with our friends from back home, the officers of this great veterans organization which this year is celebrating its 70th anniversary.

The evening with the VFW also represents an opportunity to extend our congratulations to the 53 young men and women who are the winners of the 22d annual Voice of Democracy Contest. From among their number, five will be chosen national winners and the winner of the first place award will read his winning entry at the dinner. These young people are a credit to their Nation, their States and communities and, especially, to their families.

As is usual, the evening will spotlight a part of our Nation's history to which our military services have contributed. This time the focus will be on World War I and the men who fought for peace at that time. The program, I am sure, will be one befitting the traditions established at these VFW congressional dinners.

I want at this time to extend my congratulations to "TIGER" TEAGUE and to the VFW. This award represents a thank you from the Nation's veterans. In presenting the VFW award to "TIGER" TEAGUE these veterans honor, as well, each and every Member of the Congress. For our part, we shall continue to remember them and their sacrifices.

FORD FOUNDATION—REPRESENTATION WITHOUT TAXATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. RARICK. Mr. Speaker, if taxation without representation is tyranny, then consider, What is representation without taxation?

On February 21, McGeorge Bundy, president of the Ford Foundation and its tax-free billions spent hours seeking to justify the foundation's accumulations and political activities.

Two days later, the same McGeorge Bundy appeared on national television as a political activist to try to defeat the Sentinel antiballistic missile system which our military experts feel essential to the defense of the American people.

Most American people resent any attempt to deprive them of essential safeguards of their lives and property—but more especially they detest the overrepresentation of a powerful organization which does not even pay taxes.

Mr. Speaker, I insert several news clippings on the incredible Ford Foundation and a report by Mr. Harold Lord Varney on "How the Ford Foundation Finances Revolution" from the American Opinion magazine for November 1968 in the RECORD:

[From the Washington (D.C.) Star, Feb. 23, 1969]

BUNDY OPPOSES SENTINEL

NEW YORK.—McGeorge Bundy, president of the Ford Foundation and key adviser on foreign and defense policy for Presidents Kennedy and Johnson, said yesterday that the Sentinel antiballistic missile system "is not needed."

In an interview prepared for Sunday airing on WNBC–TV, Bundy said that a case for the system to meet the future threat of Red Chinese missile weapons "is so far from made that it is much better to wait."

He said it is more important "to get control over the race in strategic weapons, nuclear weapons, which threatens to get out of control. . . ."

"I'm saying that turning that race down is a No. 1 problem and that there is no substitute in dealing with that problem for very strong leadership in the government of the United States," he said.

But Bundy conceded that President Nixon could have difficulty in exercising such leadership.

"There are relations between the Armed Services and the Armed Services committees, the House and the Senate," he said. "There are the famous relationships that General Eisenhower talked about in his farewell address between the interested parties and the contractors.

"There are lots of economic interests which will be affected for better, and some for worse, by a deployment of the Sentinel system. There the President is not wholly a free agent."

Bundy said he believed the real troubles in Vietnam have had "more to do with the lack of effective control, authority and ability to make things happen within the executive branch of government."

He added that he also believes the time is coming when the war could be de-escalated.

"The fact is the situation on the ground has been going relatively well, for us and for the South Vietnamese government, for the last nine months, that it should be possible . . . that we could get on the order of 100,000 to 150,000 men out of there in a year's time and get the cost of the war down by a factor of 20 to 30 percent, even if we don't make serious diplomatic progress," he said.

[From the Washington (D.C.) Post, Feb. 21, 1969]

GRANTS TO R. F. K. AIDES DEFENDED BY BUNDY

(By A. D. Horne)

McGeorge Bundy, head of the world's largest foundation, spent four hours yesterday defending its activities against Congressmen who questioned its tax immunity and its political neutrality.

The Ford Foundation president, principal witness on the third day of the House Ways and Means Committee's tax reform hearings, denied that $131,000 in travel grants presented to eight members of Sen. Robert Kennedy's staff after his assassination last June was "severance pay," as Rep. John W. Byrnes of Wisconsin, the Committee's senior Republican, put it.

Bundy said the grants were made on his own initiative in a spirit of "What can we do to help?" and "are fully justifiable in educational terms."

He conceded that the amounts ($6,390 to $22,000 for periods of from four to seven months) were larger than usual, but explained that most such grants are "salary supplements" for scholars on paid leave.

"The point" with the Kennedy staff grants, Bundy said, was that the eight men "had a special promise." Two of the eight have filed reports, he said, but whether the money was "well spent" could only be answered "several years from now."

He revealed that the Foundation had considered various forms of aid for associates of the Rev. Dr. Martin Luther King Jr. after his assassination last April, and instead had given $8,000 to a group of Atlanta universities to start a historical archive on the work of the civil rights leader.

Bundy also confirmed that Ford had given a $12,000, seven-week travel grant to one of President Johnson's top White House aides, Joseph A. Califano, and he revealed that another Johnson aide, Walt W. Rostow, was "discussing a summer study project" with the Foundation.

What was bothering Byrnes, Rep. George Bush (R-Tex.) and several other Committee members was the specter of the Foundation's $3 billion assets being deployed in political activity. Despite Bundy's denials and assurances, the subject kept recurring:

A $175,000 grant to Cleveland CORE in 1967, he said, was only marginally for voter registration activities that allegedly helped elect Carl Stokes the city's first Negro mayor. The grant was doubled in 1968, with Seth Taft, Stokes' 1967 rival, among its chief proponents, Bundy declared.

Members of Congress have been among public officials whose expenses to attend meetings have been paid by the Foundation. Rep. James A. Burke (D-Mass.) charged yesterday that officials "living high off the hog" on junkets could "influence voting." But Rep. Herman T. Schneebeli (R-Pa.), another committee member, said he had been on a Ford-paid trip to Japan during the Easter recess last year and "I never worked so hard in my life."

Schneebeli said he and seven other House members discussed Okinawa, China and trade problems with groups of Japanese legislators. Six House and eight Senate members have just returned from a similarly Ford-supported trip, he said.

Bundy, the former Harvard dean who served Presidents Kennedy and Johnson as chief foreign policy aide at the White House before taking charge of the Ford Foundation in March, 1966, was also kept busy fending off suggestions that foundations should share in the general tax burden.

"The question is, should some of us be paying taxes while others aren't," said Rep. Martha Griffiths (D-Mich.) in one sharp exchange. And Rep. Rogers C. B. Morton (R-Md.) said he was "very uncomfortable about capital accumulating in any institution that is in a tax-sheltered position. I think it's time to do something about that."

Bundy found little to praise in suggestions by Morton, Byrnes and Rep. Sam Gibbons (D-Fla.) that foundations such as Ford, financed by money that might otherwise have been subject to a 77 per cent inheritance tax, had to assume some tax obligation. Again and again Bundy pictured foundations as alternatives to an ever-growing Government and capable of attempting more innovative programs.

He also rejected a suggestion by Mrs. Griffiths that "the real purpose" for which the Ford Foundation was established was not charity but the Ford family's desire to neutralize 85 per cent of the firm's stock in the Foundation so they could control the company with the remaining 15 per cent.

Bundy told the Committee the Foundation had reduced its holdings of Ford stock (all nonvoting) to 27 or 28 per cent, mostly through sales back to the company. He said it would reduce this further to below 20 per cent by 1971. But he opposed a 1965 Treasury Department recommendation that 20 per cent be made a mandatory ceiling for a foundation's holdings in one company.

Over-all, his prescription for curbing abuses of the tax-exemption privilege lay in "accountability and disclosure." The current patchwork of state regulation is inadequate, he conceded. More information should be required of the foundations, and a Federal agency—possibly the Treasury—should "monitor their activities," he said.

[From American Opinion magazine, November 1968]

HOW THE FORD FOUNDATION FINANCES REVOLUTION

(By Harold Lord Varney)

(NOTE.—Harold Lord Varney is President and founder of the Committee on Pan American Policy, and Editor of Pan-American Headlines. He was formerly the Political Editor for American Mercury magazine, and was also advisor to the Republic of China between 1947 and 1948. Mr. Varney is an American Opinion Contributing Editor and Latin American correspondent.)

Not long before his great career was halted by serious illness, Henry Ford Sr. sat thinking about the future of his infant Ford Foundation. A life-long enemy of the *Insiders* and their Liberal Establishment, Mr. Ford was determined that his vast wealth should not fall into the hands of the Leftist camarilla which had subverted the foundations endowed by Carnegie and Rockefeller. Above all, he was adamant that the Ford fortune should not be used by the forces of the Left to help betray America.

But, how could he safeguard the Foundation after he was gone?

One possible solution occurred to him immediately. When President Franklin Roosevelt had viciously humiliated the heroic Charles A. Lindbergh for his support of the conservative America First movement, it was the Ford Motor Company which had found an important administrative post for him. Ford had long been a hearty admirer of the technical and administrative genius, patriotism, and moral soundness of Colonel Lindbergh. He decided to sound out the Colonel on the possibility of his accepting directorship of the Foundation, with full authority.

It is one of the tragedies of American history that Lindbergh did not immediately accept that offer; for, shortly thereafter, Henry Ford suffered a physical collapse. His heirs, alas, simply didn't understand the potential danger to their country which Leftist management of the vastly wealthy Ford Foundation might represent.

In its official annual statement, the Ford Foundation declares that its objective is "to identify and contribute to the solution of problems of national and international importance." Instead of pursuing this lofty course, the Foundation has been deliberately used to create new problems and exacerbate old ones. It has now made itself the champion of black racism. It has regularly waged war on anti-Communists. It has promoted and subsidized obscenity and pornography in American letters. It has encouraged and financed leaders of the race war which is filling American cities with murder, arson, and lawlessness. It has openly subsidized identified Communist revolutionaries. It has helped to debase American scholarship by exclusive support of research organizations and scholars promoting the propaganda of Marx, Keynes, Pavlov, and Freud as a replacement for classic philosophy in the American tradition.

In short, if we were to try to pinpoint the one organization which has in the last twenty years done most to move America away from traditional principles, the Ford Foundation would be that organization. In doing so, it has poured into Leftist channels the colossal sum of $3.19 billion in grants and commitments.

I

To even begin to appreciate the tragedy of what has happened, one must begin with a brief look at the founding Ford.

It is today difficult to imagine the vast hold which Ford exercised upon the national imagination during the three decades between 1915 and the end of World War II. So great was his popularity that in the early Twenties the opinion polls indicated he could have been elected President in 1924 had he chosen to run. True, he made his share of mistakes—for example, the Peace Ship fiasco of 1915—but, for all that can be made of his bigger than lifesize faults, few will deny that Henry Ford was the epitome of what we call the great American innovator. He was a religious, patriotic, prudent, frugal American genius who built an empire and shared it with the world. Americans loved him for it.

In the sharpest contrast to the pigmies who are now spending his money, Henry Ford was a giant among the architects of progress. He was the father of American mass production—the innovation which made possible today's plenty. Even Lenin, in considering the adoption of mass production for Russia, recognized this fact and coined a Russian word for Fordization to describe it.

And, Ford was a capitalist in the best tradition. With his announcement in 1915 of an across-the-board minimum wage of five dollars a day (the equivalent of about $25 a day in today's funny money) he ushered in the era of highly paid American labor. By innovating to increase the productivity of his workers, he could afford to pay a minimum of two hundred percent more than his competitors. Had Henry Ford done nothing but introduce the concept of assembly-line mass production, and pass the benefit on to his employees, that single contribution to American well-being would have dwarfed the total effect of every government Welfare scheme ever conceived.

Henry Ford scorned the Welfare philosophy so beloved of today's manipulators of his estate. It was he who explained that it was far better for capitalists to create jobs, thereby "helping others to help themselves." His answer to the advocates of government handouts was that "industry organized for service removes the need of philanthrophy." He would have been aghast at the modern spectacle of 800,000 citizens in New York City gold-bricking on the relief rolls in a period of full employment and massive opportunity. Contemporary proposals of a federally guaranteed annual income, detached from productive toil, would have nauseated him.

Nor would he have accepted programs aimed at promoting the Negro Revolution which the Ford Foundation's President McGeorge Bundy has made its central objective. Henry Ford spoke with authority about helping Negroes in the only way which makes sense. At a time when Northern factories and unions were virtually closed to Negro labor, the ultra-conservative Ford opened his giant plants at Highland Park and River Rouge to Negro workers on a basis of full equality with white labor. He believed that the Negro worker of equal ability was entitled to every opportunity enjoyed by the whites, and he did something about it. But, he would certainly have scorned with the most fierce sort of Baptist damnation the kind of hate which motivates the Black racist groups that Bundy is now using Henry Ford's money to underwrite for revolution.

That the fortune which Ford acquired through his enormous material and social contributions to the nation should now be expended to support and promote the sort of programs which he detested is the most bitter sort of commentary on our age. How did it happen?

II

The Ford Foundation, like many similar institutions, was conceived as a device to avoid confiscatory inheritance taxation. When the federal inheritance tax was first instituted by the Insiders in 1916, Ford saw its intent and began to make plans to establish the Foundation. By 1935, of course, Roosevelt's New Deal had expanded the federal inheritance tax to the point where it became both punitive and confiscatory—just as Karl Marx had proposed in the Communist Manifesto. Rates were upped to such a height that the heirs of a businessman of Ford's success faced a tax bite of ninety-one percent. In his case, this would have forced his family to sell control of the Ford Motor Company to pay the taxes.

The exposure of the family-owned firm to manipulation by the Eastern bankers was one thing which Henry Ford was determined to go to the most vigorous extremes to prevent. The Wall Street merger operators had long had greedy designs upon Ford's interests, and he was of no mind to bend to their will. In the early Twenties, when Henry Ford found himself in a serious financial pinch, the Eastern bankers had attempted to entrap him with an offer of finance. The shrewd Ford had spurned the baited trap and had astonished the business world with an unorthodox coup whereby he raised the capital he needed through his dealers. One of his most often-expressed concerns was that, after his death, the Establishment would wrest control from his heirs.

To prevent such a possibility, he instructed his lawyers to transfer eighty percent of his estate, and the estates of his family, to the Ford Foundation in the form of dividend-paying but nonvoting Class A stock. The remaining ownership, in Class B voting stock, would remain in the family, preserving control. This princely endowment of the Foundation was thus primarily a business gambit.

That Ford's untimely physical collapse prevented him from completing his preparations by selecting a directorate for the Foundation which would keep it out of the hands of the Left was the misfortune which opened the doors of the Ford Foundation to the very spoilers Henry Ford most despised. Ford's illness came in 1945. As one of his biographers delicately expressed it, the Ford heirs "arranged" his retirement. He died in 1947.

After 1945, the Ford affairs were in the hands of Mrs. Edsel Ford (Henry's daughter-in-law), Henry Ford II (his youthful grandson) and, to some extent, Ernest Kantzler, Mrs. Edsel Ford's brother-in-law, whom the elder Ford had fired. They were quickly surrounded with new company executives and lawyers, none of whom shared Henry Ford's conservative convictions or his distrust of the Eastern Establishment. The Leftist mafia quickly moved in on the Ford money, grabbing for control of the Foundation.

When the dust settled, the chief administrator of the Ford Foundation was one Paul G. Hoffman, an *Insider* so important that he had been director of the propaganda arm of the notorious Council on Foreign Relations. A committee, including a doctor, a school administrator, and five professors—under the leadership of H. Rowan Gaither—had formulated the initial program of the Foundation to carry it into the netherworld of the Left, and Hoffman moved ahead with near total abandon. Armies of "intellectuals" on fat salaries were put to work drafting programs and guidelines.

The zaniest member of Hoffman's staff, and his chief assistant, was Dr. Robert M. Hutchins, who fairly bubbled with Marxist schemes and declarations so far to the Left that they would have made Gus Hall choke with embarrassment. From 1951, Hutchins was Hoffman's Associate Director at $50,000 a year.

In 1953, a palace revolution of "out" professors won the support of Henry Ford II, and Hoffman and Hutchins were soon replaced. But, unfortunately, they were not detached from the Foundation. They were, in fact, given an outright grant of $15 million for something called a "Fund for the Republic"—to spend as they saw fit.

The causes for which these Leftists spent the Ford Foundation's Fund for the Republic are believable today only in the context of the backwash they created against "McCarthyism." $100,000 was poured down the drain on a study of federal loyalty-security programs, conducted by Walter Millis, a literary hack who was well-known as an enemy of the House Committee on Un-American Activities. $300,000 was spent on a study of the "influence of Communism in contemporary America"—with Communist Earl Browder, long-time National Secretary of the Communist Party, as a key member of the staff. $100,000 was authorized for a study of "blacklisting" on radio and television, to discredit efforts of patriotic organizations trying to keep Communists from propagandizing over America's airwaves. $150,000 was spent on a survey to create propaganda that high school and college teachers were being intimidated by patriotic groups.

An undisclosed amount of Ford money was also spent by the Fund to finance the distribution to schools and community groups of Edward R. Murrow's ghastly propaganda broadside defending J. Robert Oppenheimer, whose security clearance had been lifted after his own admission that he had contributed money to the Communist Party, and then lied about it. $200,000 was offered, and then withdrawn under pressure, to create a television program for Herb Block, the viciously Leftist "cartoonist" of the *Washington Post*. And, at a time when the American Friends Service Committee was devoting itself to a whitewash of Mao Tse-tung's Communist revolution in China, and urging the recognition of Red China, the Ford Foundation (at Hoffman's insistence) presented the Friends Committee with $1,134,000. Ford's Paul Hoffman, of course, had been a trustee of the Communist Institute of Pacific Relations which had been largely responsible for Mao's success.

Space does not permit the listing of all the Hutchins-Hoffman efforts. Suffice it to say that they exhausted that $15 million and then some.

With the Fund depleted, Hoffman married Mrs. Anna Rosenberg and went on to a key post at the United Nations—where he turned over millions in U.S. funds to Castro, approved the spending of American dollars to create a nuclear project behind the Iron Curtain, and otherwise supported Communist interests. Hutchins meanwhile reorganized the Fund for the Republic into a wildly Leftist monster called the Center for the Study of Democratic Institutions, and financed it through some highly curious "private donations and foundation grants." A sample of its heavy-handed anti-Americanism is its recent staging of the Pacem in Terra Conferences in Europe, to create propaganda against American boys fighting and dying in Vietnam. Whether the Ford Foundation still continues to contribute to the ventures of Hutchins' radical Center has remained a carefully guarded secret.

III

Meanwhile, back at the main Ford Foundation establishment, the Division for the Behavioral Sciences was stirring up a rumpus of its own by invading the privacy of jury chambers to obtain evidence with which to blast the American court system. An authorization of $1 million was given to finance the bugging of jury rooms to overhear the talk of jurors. The project, conducted by Professor Henry Kalvin Jr. and Dean E. H. Levi of the University of Chicago Law School, aroused a storm of public indignation when it was exposed by the State Judiciary Committee. It is not surprising that the fatly funded Dean is on record as an outspoken enemy of the House Committee on Un-American Activities, and Professor Kalvin was working with the Comrades to secure clemency for the Communists' Rosenberg atom spies.

Obviously, the exit of Hoffman and his suversive companions were merely a public relations gambit designed to deceive an outraged public.

An ideal successor for Paul Hoffman was found, after a brief interregnum, in the person of Henry T. Heald. A smiler with a knife where Hoffman was a rampaging mammoth, Heald centered the attention of his nine years in the Foundation upon manipulating American universities. Effectively scattering Ford money among key universities and colleges, he succeeded in bringing the academic establishment into the Ford Foundation net. In one staggering gesture, Heald announced the distribution of over $500 million to a select list of academic institutions. Leftist Ferdinand Lundberg recently explained how such grants are used to set educational policy:

"By making serial gifts each year out of income from a perpetual principal fund, the donor can keep prospective worthy recipients sitting around forever, like a circle of hungry dogs, awaiting the next handout. In such an arrangement, prospective institutional recipients are not likely to voice unwelcome . . . ideas."

The corrupting effect of these Ford handouts was recently brought home to this author in the case of a small denominational college in the Midwest which I once attended. The college has a background of fundamentalist Christianity which was hardly reassuring to the "new era" manipulators who dispense Ford money. When it applied for a Ford donation under the Heald regime, it was turned down.

Badly needing funds, the college executives quickly got the point. When Ford Foundation President McGeorge Bundy announced that the fight for Negro "rights" had now become the Ford Foundation's chief concern, they proceeded to streamline the college to impress Bundy and his associates that they were doing something about Lo, the Poor Negro. They even invited Dick Gregory, fresh from jail, to lecture at the college. When Commencement Day approached, they selected Harry Belafonte as the Commencement Day speaker and recipient of an honorary doctorate.

These college administrators have not yet received their Ford Foundation payoff, but it won't be long. One remembers, for example, how quickly the Ford Foundation came to the aid of another college in the Midwest when it moved back the compulsory retirement age to displace the great conservative professor E. Merrill Root.

Of course, Heald continued to keep the Foundation active in such schemes as granting half a million dollars for use by Communist professors in Poland, and providing fellowships for Communists in Italy and for such well-known Reds as the notorious Clinton Jencks. But, as the Heald Administration drew toward its close, forces in the Ford Foundation were restless to assume an even more activist role. The emergence of the New Left, and the encouragement and idolization being provided to the Negro Revolution by the Johnson Administration, suggested to Foundation strategists that Ford should also get into the act. With the federal poverty agencies cutting into its territory by making vast grants to favored organizations and individuals, the Ford group decided that it would simply have to run faster to keep up with the parade. What the Foundation needed was a more vigorously activist president. It found him, in 1966, in the person of McGeorge Bundy.

Since the Ford Foundation is today largely a reflection of the activism of President Bundy, let us look at some of the things that make him tick.

At first glance, McGeorge Bundy would seem to be an appropriate choice for President of the Ford Foundation. He entered public life under President Kennedy with most Americans unaware of the aroma of radicalism about him. He was a member of a distinguished Republican Brahmin family. He was Yale, with all it implies. His first position, after graduation, was on the staff of the Council on Foreign Relations, the nerve center of the Eastern Establishment. A prodigy, like Hutchins, he was Dean of the Faculty of Arts and Sciences at Harvard at the age of thirty-four. From this eminence, he had leapt to Washington and, under Kennedy and Johnson, became the premier figure in the National Security Council. By 1966, when he came to Ford, Bundy carried with him from Washington the aura of a young man of destiny.

But, under the mannered front, and beneath his disciplined dedication to the Far Left, McGeorge Bundy was mostly mush. He swallowed, open mouthed, every fable the professional anti-anti-Communists hand out about the Right. He believed with certainty that collectivism was the wave of the future, and that an ambitious young man should grab a surfboard and ride the crest. Above all, he was an incredibly bad judge of men, as evidenced by the fact that it was he who chose to play host to the "anti-Communist" Fidel Castro at Harvard in 1959.

Still, only once in his career as a White House advisor was he so incautious as to be maneuvered into a position where his subversion could be publicly identified. The results were, however, most distressing. At the height of the Dominican crisis of 1964, when President Johnson was floundering around under the advice of such light-weights as Ambassador John Bartlow Martin and Comrades Pepe Figueres and Romulo Betancourt, Bundy allowed himself to be selected as the man to go to the Dominican Republic to find a solution. He was appointed Presidential Envoy with authority to name a provisional Dominican President. Bundy arrived importantly, with an impressive entourage. "He works fast," one of his public-relations people gurgled to the Santo Domingo Press.

He worked too fast. In the face of the fact that the revolution had been fomented by former President Juan Bosch, a Communist, and that our troops had been landed on the island ostensibly to see that the Dominican Republic did not fall into Communist hands, Bundy chose one of Bosch's own men to be President. He was Antonio Guzman, Minister of Agriculture in the deposed Bosch Administration. Bundy reassured everyone that Guzman was not a Communist, despite the fact that Antonio had only a few weeks before conferred with the Americans as an official representative of Comrade Bosch.

But, there was worse to follow. Thanks to the enterprising research of Washington newsman John T. O'Rourke, it was quickly disclosed that Guzman was even then under investigation for a $75 million theft from the Banco Agricultura, which Guzman had headed under Bosch. As Congress stormed, Antonio Guzman was dropped with an amazing suddenness, and Bundy made an unhappy return to Washington. The measure of McGeorge Bundy's sagacity, of course, was the fact that he was willing to establish Comrade Guzman as President of the Dominican Republic without even a check of his record.

The heat was on.

Just as Alger Hiss had under similar circumstances been spirited out of the State Department and named President of the Carnegie Endowment for International Peace, Bundy was as suddenly named President of the Ford Foundation.

McGeorge Bundy ran true to form. With Communists working among Negroes in every American city, he immediately announced that meeting the interests of the Negro Revolution would now be "the first of the nation's problems" with which the Ford Foundation would deal. Leading the Foundation into the complicated field of Negro agitation and persona, he has poured out Ford money to the whole spectrum of professional Negro agitators. It is not an overstatement to say that, under Bundy, almost any plausible black leader with a plan to encourage Negro intransigence can walk into the offices of the Ford Foundation and come out with a generous check in five or six figures.

Typical of these schemes—and conspicuous because Bundy gave his name to the project—was his use of the Ford Foundation to back "school decentralization" in New York City along lines proposed by black racists. Cooperating with Mayor Lindsay, who sees a rich harvest of Negro votes in the promotion of turmoil between the schools and the neighborhoods, he manufactured what is called the "Bundy Report," calling for virtual abolition of the administration of schools by the City Board of Education. In place of the city-wide Board, Bundy proposed that authority be placed in the hands of thirty to sixty district boards, made up of representatives chosen by racially oriented neighborhood organizations, teacher representatives, and politicians appointed by Mayor Lindsay. Such district boards, composed largely of radicals and politicians, would have the last word on matters of curriculum, school activities, and school administration.

In short, education was to be taken out of the hands of qualified teachers and school administrators and placed at the mercy of neighborhood revolutionaries and hacks belonging to the Mayor's political machine. Bundy soon found himself entangled in a bitter contest with the teachers' union, and (worse for his "Liberal" credentials) condemned by the Board of Rabbis and by the Council of Jewish Organizations in Civil Service, speaking for 26,000 Jewish teachers. Dark rumors spread that McGeorge Bundy was supporting black anti-Semitism and revolutionary racism.

When a bill was introduced in the New York Legislature authorizing the phony decentralization which Bundy had proposed, it met with a cold reception. So, Mr. Bundy decided that he would force the plan through the Legislature by proving its worth—spending a few barrels of cash from the Ford gusher on three "demonstration" projects in New York City—one in Harlem, one in Ocean Hill-Brownsville, and one on the East Side.

The Harlem venture, centered on Intermediate School 201, came to grief first. A "parents' organization," quickly infiltered by subversives and the worst racist troublemakers in Harlem, demanded control of the school. When the non-Negro principal attempted to preserve order he was barred from the building by screaming agitators from all parts of New York City. The subversives then brazenly took over the school and presented in its auditorium a filthy, anti-white play by LeRoi Jones, the professional scatologist. Soon, black terrorist Herman B. Ferguson was brought to the school to speak at a viciously anti-white meeting in honor of Communist Malcolm X. Ferguson, a member of R.A.M., the Communists' secret terrorist organization for Negroes, had earlier been arrested and indicted in Queens on a charge of plotting the assassination of non-Communist Negro leaders and of Senator Robert F. Kennedy. Comrade Ferguson delivered the address while out on bail, awaiting trial.

When Herman Ferguson was rearrested for violation of the terms of his bail, it was revealed that after his initial arrest the Ford Foundation had employed him on one of its projects, and that the terrorist was in fact on the payroll of the Ford Foundation at the time he addressed that meeting of the followers of Communist Malcolm X.

Bundy's demonstration district in Ocean Hill-Brownsville similarly erupted into racial violence. The district superintendent there, a Negro, summarily fired nineteen white teachers and supervisors at the demand of his predominantly Negro "Community Council." This resulted in a strike by the teachers, countered by the setting up of riotous picket lines by Negro revolutionaries. The schools had to be closed down, and pupils deprived of education, while the factions battled. To create this shambles, McGeorge Bundy had paid out $77,000 from the tax-exempt coffers of the Ford Foundation.

But Bundy was soon to get caught at even further Marxist machinations in the Ocean Hill-Brownsville affair when it was disclosed that the moving force behind the Negro rioting there was the nine-times-arrested "Reverend" Milton A. Galamison. For years, Galamison has been fomenting and leading street disorders in Queens and Brooklyn. His ideological commitment is indicated by the fact that he was the keynote speaker at the organizing convention of the Communist W.E.B. DuBois Clubs, set up at the call of Gus Hall, the National Secretary of the Communist Party. The point is that in 1967 Bundy had authorized a Ford Foundation grant of $160,000 to underwrite Comrade Galamison's revolutionary work.

Although Bundy had the support of such Leftists as Mayor John Lindsay, U.S. Commissioner of Education Harold Howe, and State Commissioner James E. Allen, the New York State Legislature tried to kill his program. The teachers' union spearheaded the fight in Albany against Bundy's program and made its case most convincingly. After a bitter debate, the Legislature passed a considerably weakened bill—though it still gave Mayor Lindsay the authority to appoint additional members to the Board of Education, and directed the Board to bring in a report on "decentralization" sometime in 1969.

Nonetheless, Bundy and his black racists wanted things completely their way—or else. They demanded that Governor Nelson Rockefeller veto the weakened bill. Curiously, the fight for a veto was led by Dr. Kenneth B. Clark, a Negro leader who has in the past avoided racial extremism. Dr. Clark's action became more understandable when it was learned that in 1967 Bundy had sent a $700,000 grant from the Ford Foundation to support the Metropolitan Applied Research Center which Clark heads.

Governor Rockefeller, realizing the angry mood of the electorate, declined to veto the law. The full revolutionary commitment of the Bundy-Lindsay strategy was then revealed. Mayor Lindsay announced the names of his appointees to the enlarged City Board of Education: The name of revolutionary

Milton A. Galamison led all the rest. Lindsay, with Bundy's advice, saw nothing improper in appointing this co-founder of the Communist W.E.B. DuBois Clubs—organized to recruit youth for the Communists—to sit in supreme command over the education of the 3 million students in the New York public schools. As I write, teachers in the New York public schools have been out on a protest strike over these matters for three weeks. Of course, people like Lindsay and Bundy don't need to worry. *Their* children are snug in fancy private schools.

Although he suffered a partial setback in this fight in New York City, Bundy's benefactions and subsidies from the Ford Foundation to black racists are expanding in a golden stream. He sent the "moderate" N.A.A.C.P. some $300,000, with $1 million more for its Legal Defense Fund. The "moderate" National Urban League, whose chief (Whitney M. Young) has come out against non-violence and in favor of Black Power, received $430,000—now swollen by $1,415,990 for "fair housing" programs and $155,000 for "New Careers Week" programs. McGeorge Bundy also placed Martin Luther King's Communist-staffed Southern Christian Leadership Conference down for a fat $230,000—the first Ford grant to King in ten years of hate-filled agitation. And, of course, the National Council of Negro Women received another $300,000.

McGeorge Bundy has, of course, given Ford Foundation funds to the black "wild men" with even greater abandon. Floyd B. McKissick, Stokely Carmichael's ally in the Black Power movement, obtained $175,000 for the viciously anti-white programs of C.O.R.E. In 1968 the Ford Foundation disbursed $300,000 more to C.O.R.E. to be expended in Cleveland—apparently to bolster the Administration of Negro Mayor Carl B. Stokes. A brazen admission that the Ford Foundation, despite its tax-exempt status, had chosen to participate openly in Cleveland politics was provided in the Ford specification that the money it gave C.O.R.E. is to be used "for voter education and registration." The kind of "education" that the militant revolutionaries of C.O.R.E. will give to the Cleveland voters can be imagined. In the recent Cleveland riots, for example, it was revealed that Ahmed (Fred) Evans, who shot and killed Cleveland policemen from ambush, had received a grant of $10,000 from the Ford-supported Mayor Stokes' O.E.O. coffers.

Le Roi Jones, whose claim to literary distinction is based on his authorship of such vulgar anti-white diatribes as *The Toilet*—in which the whole action takes place in a privy—was encouraged to go on with such pornography by a Ford Foundation grant of $50,000 to stage racist plays. Later, Jones was arrested in Newark while helping to lead the 1967 riots there. He was heavily armed and mouthing murderous threats.

The A. Philip Randolph Educational Fund, which is the sounding board for Bayard Rustin, had received $45,000 from the Ford Foundation. In 1968, Bundy increased this amount with a second grant of $176,000. This is the organization which is demanding that the U.S. Government contribute $125 billion to the Negro Revolution as an indemnity for slavery. The Ford Foundation's repeated support of the Randolph Fund can only mean that Bundy approves its incredible proposal. Otherwise, the Foundation would certainly have made discontinuance of such agitation a condition for approval of the second grant.

Before attaching himself to the aging Randolph, incidentally, Bayard Rustin had worked for both C.O.R.E. and Martin Luther King. A former member of the Young Communist League, the Ford-subsidized Bayard has an unsavory record including twenty-eight months imprisonment for draft resistance in World War II and a sentence of sixty days imprisonment in 1952 as a sex pervert.

Not only has Bundy used the Ford Foundation to reward Negro hate groups, terrorists, pornographers, and convicted perverts, but he has made generous donations to white organizations which are supporting racial excesses. Among these are $100,000 to support Leftist programs for the National League of Women Voters, $108,000 to support the racial agitation of the National Council of Churches, $35,000 for the anti-anti-Communism of the Anti-Defamation League, $522,000 to the radical National Catholic Conference for Interracial Justice, $100,000 to the American Jewish Congress, $200,000 to the American Council for Nationalities Service, $100,000 to the pro-Vietcong American Friends Service Committee, $162,000 to the Far Left's National Committee Against Discrimination in Housing, and $658,000 for the Red-staffed Southern Regional Council. To further sharpen racial antagonisms in the South, a Ford grant of $600,000 was given to the vicious Lawyers Committee for Civil Rights Under the Law.

It is extremely disquieting to contemplate the grim phalanx of professional racists which these grants have created—all with a nested interest in perpetuating Negro disturbances in our cities. It is little wonder that the Communist *National Guardian* cheered on January 13, 1968: "The [Ford] Foundation plays a key part in financing and influencing all major civil rights groups. . . ."

Still, were Bundy's Ford Foundation benefactions confined to organizations supporting black racism, excuses might be made for him on the ground that he is simply off-center on the matter of race. But, his spending indicates that he is equally anxious to use Ford funds to promote discontent and defiance among non-Negro groups. Note, for example, his support of Walter Reuther's Marxist "Citizens Crusade Against Poverty." This organization is an undisguised attempt to organize Welfare and O.E.O. "clients" into an insurgent voting bloc which could be employed by Reuther for his own devious political purposes. It is designed to be a pressure bloc for Reuther and his comrades to use in their dealings with politicians. And Walter Reuther, one recalls, is the chap who sent home a letter during one of his training sessions in the Soviet Union, signed: "Yours for a Soviet America."

Until the advent of Bundy, the "Crusade" had little luck in extracting money from the Ford Foundation, even though Walter Reuther appointed as its Executive Director one Richard W. Boone, a former Ford Foundation executive. But, among McGeorge Bundy's first acts in 1966 was an allocation of $508,500 for the Crusade. This, it is understood, is only a starter.

Bundy, of course, would not be true to his past as an analyst for the dangerous Council on Foreign Relations if he did not also put Ford money into internationalist propaganda. Some of the wildly Leftist organizations in this field which have received his Ford handouts are the Council on Foreign Relations ($1 million) the Adlai E. Stevenson Institute of International Affairs ($1 million), U.N.E.S.C.O. ($200,000), the United Nations Association ($150,000), the Institute for International Education ($1,625,000), the American Assembly ($166,000), World Affairs Council ($102,000), Congress for Cultural Freedom ($1,500,000); C.E.D., Foreign Policy Research ($275,000); and, the National Committee on U.S.-China Relations ($250,000). . . .

Late in July of 1968, with the radical National Student Association neck deep in promoting revolutionary activities on the nation's campuses, Bundy provided N.S.A. with a Ford grant of $315,000 to "finance the increasing power of college students in educational reform." He added an extra $7,260 to support a special "Black Commission" for N.S.A. And, with the Communists promoting revolution among Mexican-Americans, Bundy also sent a Ford grant in July, amounting to $630,000, to the revolutionary Southwest Council of La Raza—headed by identified Communist Maclovio R. Barraza—for agitation among Mexican-Americans.

But, for sheer gall, Bundy's use of Ford Foundation funds to invade the field of American television tops everything. It is the most cynical program to promote Marxist interests that the Ford Foundation has yet attempted. And, it is the most massive.

When he took over the helm of the Foundation, McGeorge Bundy engaged Fred W. Friendly as Ford's Consultant in Television. Friendly will be remembered as the man who stood at the side of Edward R. Murrow in 1953 and 1954 in the venemous character assassination of Senator Joseph R. McCarthy. When C.B.S. dropped Friendly's contract, Bundy hastened to hire him.

The agency which the Foundation selected for its manipulation of TV programming is the National Educational Television and Radio Center (N.E.T.). Last year, the Ford Foundation poured $6 million into N.E.T. to support a Leftist network of 125 non-commercial cooperating stations. (Its New York outlet is Channel Thirteen, the *New York Times* station.) The Foundation also gave another $7.9 million to the equally Leftist Public Broadcast Laboratory.

N.E.T. now specializes in putting on the air programs of such bad odor that even the "Liberal" commercial networks wouldn't dare touch them. One of these was Felix Greene's monstrous film, *"North Vietnam, A Personal Report."* Greene is a wild British Marxist who is so open about his love of the Comrades that he has even authored a book in praise of Mao Tse-tung. Felix has made a career as a producer of films extolling Red China and Castro's Cuba. Regularly visiting Communist-ruled countries, he is given royal treatment and provided with every facility for making his propaganda pictures. When it was announced that he would exhibit his pro-Vietcong program on N.E.T., thirty-three Members of Congress protested it as an outrage to American soldiers dying in Vietnam. The Ford-funded N.E.T., of course, disregarded their protest and exhibited this Communist propaganda film anyway.

Another touted N.E.T. feature was *"Ninety Days,"* a motion picture purporting to be an objective study of South Africa. After N.E.T. had shown and praised the thing, it was revealed that the film had been produced, and even performed in, by a woman who was a former Secretary of the Communist Party of South Africa, and who had later been deported from Kenya for Communist activity.

Among the favorite subjects of the Ford-funded N.E.T. is kindly Fidel Castro. Two pro-Castro propaganda films have been shown by N.E.T. in successive years. The first was *Report on Cuba*, made by Saul Landau—an activist for the Communist Fair Play for Cuba Committee. The second was *"Three Faces of Cuba,"* an equally phony rhapsody of Castro's "great achievements" in happy Communist Cuba.

For the long-run, however, perhaps the most disquieting feature of the Ford invasion of television is its project to place a communications satellite in space to transmit TV signals for the N.E.T. propaganda network. It is estimated that this will halve the cost of N.E.T. programs. Since the Ford Foundation enjoys tax exemption, and its competitors in the commercial networks must pay taxes, it seems a brazen thing for Bundy to be permitted to use tax-free funds to set up a competing network with halved costs. But, the mind of this man is so overlaid with revolutionary zeal that the thought has no doubt never occurred to him. Let us hope that it soon occurs to Congress.

IV

The story of the Ford Foundation and its revolutionary efforts, of course, leads to the wider question of the place of the foundation in our American system.

Can we permit such enormous centers of wealth to continue to receive tax-exempt status as they move to control American politics and remake our whole social fabric in the most radical patterns? Can we survive as a free nation if American public opinion is to be shaped and controlled by quasi-governmental organizations, backed by vast tax-free fortunes, and serving the interests of any radical ideology?

The fact is that the largest of these foundations, the Ford Foundation, is only one of 100,000 such institutions now seeking to manipulate us all with untaxed wealth. The 595 largest foundations, which were scrutinized recently by the House Select Committee on Small Business, control tax-exempt assets of over $15 billion. This colossal sum has been detached from the otherwise controlled national economy and, in most cases, turned over to an irresponsible rabble of Leftist and Establishment professors and ex-professors who have maneuvered control out of the indifferent hands of its capitalist donors. This foundation bureaucracy is now pouring out vast sums to remake American society in its own Lefist image. And, there is little hope that such foundations will alter their ways, unless compelled to do so by the demand of an outraged American people.

In the case of the Ford Foundation, although three members of the Ford family sit on the Board of Trustees, there has never been any public indication that they are dissatisfied with the off-beat policies of the radical McGeorge Bundy and his administrators. Certainly none of the Ford grandsons publicly share the social concern of the founding Ford. Nor is the fifteen-member Board of Trustees likely to curb Bundy's revolutionary madness. The Board is a carefully picked collection of corporate bureaucrats and former appointees of the Roosevelt, Kennedy, or Johnson Administrations. Their slant on foreign policy is indicated by the fact that eight of the fifteen are also members of the Insiders club of radical internationalists, the Council on Foreign Relations.

With such names as J. Irwin Miller (President of the National Council of Churches), and John Cowles (Publisher of Look), dotting the list, it is obvious that a repudiation of Bundy by Trustee action is most unlikely.

One thing, and one thing alone, could curb the present arrogance of these great foundations. That would be a change in the moral and intellectual climate of America. The radicalism of a Bundy-led Ford Foundation could not survive two weeks if it were not fed by the ignorance of an uninformed public, and by the encouragement of a Washington overrun with collectivists. There are convincing indications that this change of climate is coming. Bundy and his comrades at the Ford Foundation can be counted upon to do everything in their power to halt it.

But, frankly, I don't think they'll succeed. Certainly, if a Congressional committee starts to take a hard look at the Ford Foundation, Mr. Bundy and his crew will be finished in short order. What about it, Senators McClellan, Mundt, and Williams? What about it, Congressmen Mills, Patman, and Broyhill? Will you act, now?

CONGRESSIONAL REFORM OVERDUE

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, congressional reform is long overdue. The Congress has failed to take any action to overhaul its rules and procedures since 1946. We are still using procedures adopted over 20 years ago to make decisions about an annual budget of nearly $200 billion. While the executive branch has been quick to adopt the latest developments in computer technology, the Congress still attempts to get by without automatic data processing equipment.

Failure to implement truly effective reforms will seriously impair our ability to deal with the complex problems of the 1970's, and confirm those critics of our present system who argue for the destruction of our democratic institutions. Certainly the American people deserve more than our past record of inaction.

H.R. 6278 now before the Rules Committee provides the necessary machinery for Congress to regain the ground lost in previous years to the executive branch. The measure has received widespread support in the news media, and I include an excellent editorial from the Appleton (Wis.) Post-Crescent of February 18, at this point as a reminder to my colleagues of the need for action:

CONGRESSIONAL REFORM OVERDUE

Senior Congressmen like the idea of congressional reform, as one Washington columnist sees it, about the same way Winnie the Pooh likes sour honey.

As a result, there has been no major overhaul of Congressional rules and procedures since 1946. As the country has churned ahead at a furious pace over the last generation, Congress has continued to mind its store in the same old way.

Perhaps the best example of failure to get with the times is in the way Congress handles money matters. It has become a tradition in the last few years that appropriation bills for the coming year are never passed by July 1 when the new fiscal year begins. Often months go by until the agencies know what their new budgets will be.

And, incredibly, Congress, which oversees a federal budget of nearly $200 billion, still manages to get along without automatic data processing.

The executive branch has long since moved into sophisticated budget techniques, including new methods of evaluating not only the dollar costs of programs, but also for making judgments on their effectiveness in terms of performance. Congress makes no parallel judgments, even though it has the responsibility for oversight of all federal programs.

A group of young Republican congressmen, including William Steiger of Oshkosh, have chafed at this sad budget situation and at many other outmoded congressional procedures.

So they introduced a modest package of proposals two years ago calling for some improvements in the system. Because the recommendations had originated for the most part with a bipartisan joint congressional committee, there were no major attacks on the seniority system. Most of the provisions merely accomplish elements of house-cleaning that are long overdue.

Among the key proposals:

Requirements for open committee meetings.

Public disclosure of crucial committee votes.

Tighter restrictions on lobbying and more reliable reporting procedures.

Use of automatic data processing by the General Accounting Office and the Legislative Reference Service, both vital tools for Congress in its overseer role.

Mandatory roll call votes on all appropriation bills.

Increased staffing rights for the minority members of committees so that constructive alternative proposals can be developed effectively.

Public notice of committee hearings and provisions for live broadcasting and telecasting.

Establishment of a permanent Joint Committee on Congressional Operations, to continually upgrade Congressional activities.

The history of this bill is not surprising. After passing the Senate early in the 90th Congress by a margin of 75–9, it was referred to the House Rules Committee.

There it languished for 19 months while the Republicans and several Democrats pleaded with the House Democratic leadership to allow the bill to come to the floor under an open rule so the majority could work its will.

The Republicans tried to dramatize the committee stranglehold by using parliamentary delaying techniques during a continuous "long day" that lasted more than 32 hours over Oct. 8 and 9. Only by locking the doors of the chamber did Speaker McCormack put down the Republican "raiders."

The Congressional Reform bill then died a quiet death in the Rules Committee.

This year, the Republicans are picking up where they left off. They are reintroducing the legislative reorganization act in the hopes that enough bipartisan support can be found to pressure the House leadership to allow a bill to reach the floor.

The Republicans have a legitimate right to raise a ruckus about the need to bring the Congress into the 20th Century. And if the senior Democrats don't realize it soon, the GOP is going to have a ready-made campaign issue for the off-year congressional elections in two years.

And that could be more distasteful than sour honey.

SENTINEL SYSTEM CONTROVERSIAL

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. JACOBS. Mr. Speaker, under unanimous consent, I include the following news items:

[From the Washington (D.C.) Post, Mar. 2, 1969]

LAIRD SEEN WILLING TO DROP THICK ABM

. . . The ABM Laird apparently favors is a "reconfigured" verson of the Sentinel system, which had been designed to protect about 15 U.S. cities from threat of a Chinese missile assault.

Laird is said to be leaning toward moving the Sentinel into the countryside to provide protection for offensive missile sites.

Washington Post, February 16, 1969:

Secretary of the Army Stanley R. Resor proposed to his superiors in the Defense Department last fall a massive public relations campaign to counteract scientific and political opposition to the controversial Sentinel system for destroying enemy missiles.

The Resor proposals, outlined in a classified five-page memorandum to then Secretary of Defense Clark Clifford, were a follow-up to a major pro-Sentinel campaign launched in March 1968 . . .

. . . The memorandum was accompanied by a much more detailed, 17-page "master plan" for a "public relations/public affairs program on a country-wide basis."

And this longer memorandum (was) signed by Lt. Gen. Alfred D. Starbird who manages the Sentinel project.

We take you now to the Five Sides Advertising Agency where marketing expert Dr. Strangebird is speaking with the chief:

We're having a little trouble with that new account for Missiles Unlimited, Chief.

Strangebird, if I've told you once, I've told you a billion times the advertising game goes a lot easier if the product will work. Who signed up that account anyway?

I'm not sure, Chief, but I think it was somebody else.

Well, how are we going to handle it?

Well, I thought we might see if Mad Magazine will change its policy just this once and accept a series of ads on the mongoose Missile.

O.K., but what would the ad say? It should have a lot of thrust.

Right! Well, since we were a little late getting off the ground with this one, those inferior scientists who don't work for us are convincing people not to buy—just because the product won't work. The old "Don't-leave-your-family-defenseless" bit just isn't going to work. We'll have to go for some other mass motivational factor—say the profit motive.

But we'll have to make a transition—bearing in mind that it doesn't make any difference what the Mongoose is used for so long as our clients sell it.

I think a series of three Fool Page Ads beginning April first should do it:

[Advertisement No. 1]

"Are you a thinking American?"

"Would you believe you'd be leaving your family defenseless if you don't let us install a brand new Mongoose Missile in your home town?"

[Advertisement No. 2]

"Are you a thinking American?"

"Would you believe you'd be leaving your family defenseless if you don't let us install the '69 Mongoose somewhere else instead of your home town—say out in the country?"

[Advertisement No. 3]

"Are you a thinking American?"

"Would you believe you'd look ten billion dollars thinner if you help send a poor Defenseless Contractor to camp at the door of the Treasury?"

"Is this any way to run the national debt sky high? You bet it is."

What do you think, Chief? If you want to pretend like it's patriotic, we could take the old "my contractor, right or wrong" and run it up the flag pole to see if we can call somebody un-American for not saluting it.

No, Strangebird, I think you've hit it. Call up the account and tell them to relax. We'll stick with them through thick and thin.

AGE DISCRIMINATION IN HEW

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. O'HARA. Mr. Speaker, a recent newspaper article in the Washington Post described the efforts of the Department of Health, Education, and Welfare to recruit qualified women for high positions in that Department. In and of itself, this is a very commendable effort, and I have no doubt that the Department will be able to recruit a great many able women to help it in its important tasks.

According to the newspaper article, the Department originally sent forth inquiries to highly respected women's organizations asking for women "between the ages of 25 and 35." Now, however, realizing that it is "unrealistic" to expect to be able to meet their needs in this very narrow age bracket, the Department has raised its age barrier from 35 to 50. This is, Mr. Speaker, a step forward, but it is a step which falls 15 years short of the standard which the Congress set for private employers. It is a step in the right direction, but it seems to me that we should not allow a Federal agency to take any steps short of full compliance with the spirit and the letter of the law.

The Age Discrimination in Employment Act of 1967 forbids as unlawful the imposition of age discrimination in employment below the age of 65. President Johnson's Executive Order 11141, and President Kennedy's March 1963 memorandum to all Department heads made it perfectly clear that age discrimination is not allowable in Federal employment. Since the Congress has decided that private employers cannot discriminate against workers on the grounds of age, at any point before their 65th year, I think it is obvious that the intent and the thrust of our stated public policy is that Government may not fall short of this mark.

I have written to Secretary Finch, setting forth these facts, and expressing my confidence that he will change this impermissible practice forthwith. I insert the following at this point in the RECORD, the Washington Post news story setting forth the facts, my letter to Secretary Finch, and the texts of Executive Order 11141 and President Kennedy's Memorandum of March 14, 1963:

[From the Washington (D.C.) Post, Feb. 27, 1969]

OLDER WOMEN: AN OPEN DOOR

(By Marie Smith)

The Department of Health, Education, and Welfare has decided not to close the door on women over the age of 35 as potential appointees for high level jobs in the Department.

Word went out from the Department yesterday that women up to 50 years of age would be considered for possible appointments.

The original request, made last week to the American Association of University Women's national headquarters here, was for women "between 25 and 35" and "preferably Republicans."

Jean Hawkins, an assistant to Patricia Hitt, Assistant Secretary of HEW, explained the raise in the age limit this way:

"When we got to thinking about it, we decided we weren't being realistic. A lot of women, like Mrs. Hitt and myself, didn't really get started in a career until their children were grown. And too many at the younger ages are too busy to take jobs."

She added that the 50-year-age limit is not rigid. "If we got a tremendous resume of someone 51 or so, it would not be a detriment to them," she said. Mrs. Hitt is 51. Mrs. Hawkins said she was "under 50" but didn't give details.

Mrs. Hawkins said that so far she has asked only the AAUW for names of women to add to her talent roster, but she will make the same request to other national women's groups, including the National Federation of Business and Professional Women.

During last year's presidential campaign, Mrs. Hawkins served as executive secretary to Mrs. Hitt, who was co-chairman of the Nixon-Agnew Campaign Committee.

Meanwhile, two Republican women, one 49 and the other over 60, are being considered for the director of the Office of Territories at the Department of Interior, a post which carries a GS17 rating and is presently filled by Ruth Van Cleve, a career employe.

They are Elizabeth Farrington, over 60 and a former Congressional delegate from Hawaii, and Louise Bundy, 49, of Albuquerque, N.M.

Mrs. Farrington, who succeeded her late husband, Joseph R. Farrington, in the 83d Congress was the first woman to represent Hawaii when it was a territory, in Congress. She is also a past president of the National Federation of Republican Women and was graduated from the University of Wisconsin in 1917.

Mrs. Bundy, the mother of six children ages 7 to 18, and the wife of a professor of television and speech at the University of New Mexico, is presently working on Capitol Hill in the office of Rep. Manuel Lujan (R-N.M.).

Mrs. Van Cleve, the present director of the Office, is expected to be given another post in the Department. She has worked in the Interior Department since 1950 and was promoted to director of the office in 1964 in former President Johnson's campaign to put 50 women in top level Government jobs.

Meanwhile, Vice President Spiro T. Agnew has added a women to his professional staff. She is Jean Nieman, who will be working with the Youth Opportunities Program to be spearheaded by the Vice President.

Miss Nieman said yesterday the program will be announced in about a month.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 28, 1969.

Hon. ROBERT H. FINCH,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: According to a recent newspaper story, of which a copy is enclosed, the Department of Health, Education and Welfare, which has been searching for women, between the ages of 25 and 35, for appointive office, has now raised the upper age barrier to 50.

I could not fault the Department for raising its cut-off age from 35 to 50, were it not for the fact that age discrimination at any point below age 65 is directly contrary to the formal public policy of the United States, as enunciated by both the Executive and Legislative branches of the Government.

Public Law 90–202 prohibits, as unlawful, arbitrary age discrimination in private employment. That Act, the Age Discrimination in Employment Act of 1967, does not, I realize, include the United States as an "employer" subject to its coverage, but were it the only statement of public policy on the issue, it would still be shocking to find an agency of this Government practicing a kind of discrimination which other agencies of the same Government are actively combatting on the part of private employers.

The 1967 Act, however, is not the only policy guidance available to the Department. Executive Order 11141, signed by President Johnson on February 12, 1964, makes it contrary to public policy for Government contractors to practice age discrimination in hiring and setting conditions of employment. That Executive Order, in describing the context in which it was issued, speaks of "the policy of the Executive Branch of the Government of hiring and promoting employees on the basis of merit alone and emphasizing the need to assure that older people are not discriminated against because of their age and receive fair and full consideration for employment and advancement in Federal employment."

Prior to this Executive Order, a Memorandum was signed by President Kennedy on March 14, 1963, addressed to the Heads of Departments and Agencies, and directing that "Federal appointing officers shall take positive steps to insure that current practice carries out this policy. Older persons", the memorandum continues, "must receive fair and full consideration for employment and advancement in the competitive service . . . With respect to Federal personnel systems outside the competitive service, these same principles are to be followed. All departments wider question of the place of the foundation in our American system.

Can we permit such enormous centers of wealth to continue to receive tax-exempt status as they move to control American politics and remake our whole social fabric in the most radical patterns? Can we survive as a free nation if American public opinion is to be shaped and controlled by quasi-governmental organizations, backed by vast tax-free fortunes, and serving the interests of any radical ideology?

The fact is that the largest of these foundations, the Ford Foundation, is only one of 100,000 such institutions now seeking to manipulate us all with untaxed wealth. The 595 largest foundations, which were scrutinized recently by the House Select Committee on Small Business, control tax-exempt assets of over $15 billion. This colossal sum has been detached from the otherwise controlled national economy and, in most cases, turned over to an irresponsible rabble of Leftist and Establishment professors and ex-professors who have maneuvered control out of the indifferent hands of its capitalist donors. This foundation bureaucracy is now pouring out vast sums to remake American society in its own Lefist image. And, there is little hope that such foundations will alter their ways, unless compelled to do so by the demand of an outraged American people.

In the case of the Ford Foundation, although three members of the Ford family sit on the Board of Trustees, there has never been any public indication that they are dissatisfied with the off-beat policies of the radical McGeorge Bundy and his administrators. Certainly none of the Ford grandsons publicly share the social concern of the founding Ford. Nor is the fifteen-member Board of Trustees likely to curb Bundy's revolutionary madness. The Board is a carefully picked collection of corporate bureaucrats and former appointees of the Roosevelt, Kennedy, or Johnson Administrations. Their slant on foreign policy is indicated by the fact that eight of the fifteen are also members of the Insiders club of radical internationalists, the Council on Foreign Relations.

With such names as J. Irwin Miller (President of the National Council of Churches), and John Cowles (Publisher of Look), dotting the list, it is obvious that a repudiation of Bundy by Trustee action is most unlikely.

One thing, and one thing alone, could curb the present arrogance of these great foundations. That would be a change in the moral and intellectual climate of America. The radicalism of a Bundy-led Ford Foundation could not survive two weeks if it were not fed by the ignorance of an uninformed public, and by the encouragement of a Washington overrun with collectivists. There are convincing indications that this change of climate is coming. Bundy and his comrades at the Ford Foundation can be counted upon to do everything in their power to halt it.

But, frankly, I don't think they'll succeed. Certainly, if a Congressional committee starts to take a hard look at the Ford Foundation, Mr. Bundy and his crew will be finished in short order. What about it, Senators McClellan, Mundt, and Williams? What about it, Congressmen Mills, Patman, and Broyhill? Will you act, now?

CONGRESSIONAL REFORM OVERDUE

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, congressional reform is long overdue. The Congress has failed to take any action to overhaul its rules and procedures since 1946. We are still using procedures adopted over 20 years ago to make decisions about an annual budget of nearly $200 billion. While the executive branch has been quick to adopt the latest developments in computer technology, the Congress still attempts to get by without automatic data processing equipment.

Failure to implement truly effective reforms will seriously impair our ability to deal with the complex problems of the 1970's, and confirm those critics of our present system who argue for the destruction of our democratic institutions. Certainly the American people deserve more than our past record of inaction.

H.R. 6278 now before the Rules Committee provides the necessary machinery for Congress to regain the ground lost in previous years to the executive branch. The measure has received widespread support in the news media, and I include an excellent editorial from the Appleton (Wis.) Post-Crescent of February 18, at this point as a reminder to my colleagues of the need for action:

CONGRESSIONAL REFORM OVERDUE

Senior Congressmen like the idea of congressional reform, as one Washington columnist sees it, about the same way Winnie the Pooh likes sour honey.

As a result, there has been no major overhaul of Congressional rules and procedures since 1946. As the country has churned ahead at a furious pace over the last generation, Congress has continued to mind its store in the same old way.

Perhaps the best example of failure to get with the times is in the way Congress handles money matters. It has become a tradition in the last few years that appropriation bills for the coming year are never passed by July 1 when the new fiscal year begins. Often months go by until the agencies know what their new budgets will be.

And, incredibly, Congress, which oversees a federal budget of nearly $200 billion, still manages to get along without automatic data processing.

The executive branch has long since moved into sophisticated budget techniques, including new methods of evaluating not only the dollar costs of programs, but also for making judgments on their effectiveness in terms of performance. Congress makes no parallel judgments, even though it has the responsibility for oversight of all federal programs.

A group of young Republican congressmen, including William Steiger of Oshkosh, have chafed at this sad budget situation and at many other outmoded congressional procedures.

So they introduced a modest package of proposals two years ago calling for some improvements in the system. Because the recommendations had originated for the most part with a bipartisan joint congressional committee, there were no major attacks on the seniority system. Most of the provisions merely accomplish elements of house-cleaning that are long overdue.

Among the key proposals:

Requirements for open committee meetings.

Public disclosure of crucial committee votes.

Tighter restrictions on lobbying and more reliable reporting procedures.

Use of automatic data processing by the General Accounting Office and the Legislative Reference Service, both vital tools for Congress in its overseer role.

Mandatory roll call votes on all appropriation bills.

Increased staffing rights for the minority members of committees so that constructive alternative proposals can be developed effectively.

Public notice of committee hearings and provisions for live broadcasting and telecasting.

Establishment of a permanent Joint Committee on Congressional Operations, to continually upgrade Congressional activities.

The history of this bill is not surprising. After passing the Senate early in the 90th Congress by a margin of 75–9, it was referred to the House Rules Committee.

There it languished for 19 months while the Republicans and several Democrats pleaded with the House Democratic leadership to allow the bill to come to the floor under an open rule so the majority could work its will.

The Republicans tried to dramatize the committee stranglehold by using parliamentary delaying techniques during a continuous "long day" that lasted more than 32 hours over Oct. 8 and 9. Only by locking the doors of the chamber did Speaker McCormack put down the Republican "raiders."

The Congressional Reform bill then died a quiet death in the Rules Committee.

This year, the Republicans are picking up where they left off. They are reintroducing the legislative reorganization act in the hopes that enough bipartisan support can be found to pressure the House leadership to allow a bill to reach the floor.

The Republicans have a legitimate right to raise a ruckus about the need to bring the Congress into the 20th Century. And if the senior Democrats don't realize it soon, the GOP is going to have a ready-made campaign issue for the off-year congressional elections in two years.

And that could be more distasteful than sour honey.

SENTINEL SYSTEM CONTROVERSIAL

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. JACOBS. Mr. Speaker, under unanimous consent, I include the following news items:

[From the Washington (D.C.) Post, Mar. 2, 1969]

LAIRD SEEN WILLING TO DROP THICK ABM

. . . The ABM Laird apparently favors is a "reconfigured" verson of the Sentinel system, which had been designed to protect about 15 U.S. cities from threat of a Chinese missile assault.

Laird is said to be leaning toward moving the Sentinel into the countryside to provide protection for offensive missile sites.

Washington Post, February 16, 1969:

Secretary of the Army Stanley R. Resor proposed to his superiors in the Defense Department last fall a massive public relations campaign to counteract scientific and political opposition to the controversial Sentinel system for destroying enemy missiles.

The Resor proposals, outlined in a classified five-page memorandum to then Secretary of Defense Clark Clifford, were a follow-up to a major pro-Sentinel campaign launched in March 1968 . . .

. . . The memorandum was accompanied by a much more detailed, 17-page "master plan" for a "public relations/public affairs program on a country-wide basis."

And this longer memorandum (was) signed by Lt. Gen. Alfred D. Starbird who manages the Sentinel project.

We take you now to the Five Sides Advertising Agency where marketing expert Dr. Strangebird is speaking with the chief:

We're having a little trouble with that new account for Missiles Unlimited, Chief.

Strangebird, if I've told you once, I've told you a billion times the advertising game goes a lot easier if the product will work. Who signed up that account anyway?

I'm not sure, Chief, but I think it was somebody else.

Well, how are we going to handle it?

Well, I thought we might see if Mad Magazine will change its policy just this once and accept a series of ads on the mongoose Missile.

O.K., but what would the ad say? It should have a lot of thrust.

Right! Well, since we were a little late getting off the ground with this one, those inferior scientists who don't work for us are convincing people not to buy—just because the product won't work. The old "Don't-leave-your-family-defenseless" bit just isn't going to work. We'll have to go for some other mass motivational factor—say the profit motive.

But we'll have to make a transition—bearing in mind that it doesn't make any difference what the Mongoose is used for so long as our clients sell it.

I think a series of three Fool Page Ads beginning April first should do it:

[Advertisement No. 1]

"Are you a thinking American?"

"Would you believe you'd be leaving your family defenseless if you don't let us install a brand new Mongoose Missile in your home town?"

[Advertisement No. 2]

"Are you a thinking American?"

"Would you believe you'd be leaving your family defenseless if you don't let us install the '69 Mongoose somewhere else instead of your home town—say out in the country?"

[Advertisement No. 3]

"Are you a thinking American?"

"Would you believe you'd look ten billion dollars thinner if you help send a poor Defenseless Contractor to camp at the door of the Treasury?"

"Is this any way to run the national debt sky high? You bet it is."

What do you think, Chief? If you want to pretend like it's patriotic, we could take the old "my contractor, right or wrong" and run it up the flag pole to see if we can call somebody un-American for not saluting it.

No, Strangebird, I think you've hit it. Call up the account and tell them to relax. We'll stick with them through thick and thin.

AGE DISCRIMINATION IN HEW

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. O'HARA. Mr. Speaker, a recent newspaper article in the Washington Post described the efforts of the Department of Health, Education, and Welfare to recruit qualified women for high positions in that Department. In and of itself, this is a very commendable effort, and I have no doubt that the Department will be able to recruit a great many able women to help it in its important tasks.

According to the newspaper article, the Department originally sent forth inquiries to highly respected women's organizations asking for women "between the ages of 25 and 35." Now, however, realizing that it is "unrealistic" to expect to be able to meet their needs in this very narrow age bracket, the Department has raised its age barrier from 35 to 50. This is, Mr. Speaker, a step forward, but it is a step which falls 15 years short of the standard which the Congress set for private employers. It is a step in the right direction, but it seems to me that we should not allow a Federal agency to take any steps short of full compliance with the spirit and the letter of the law.

The Age Discrimination in Employment Act of 1967 forbids as unlawful the imposition of age discrimination in employment below the age of 65. President Johnson's Executive Order 11141, and President Kennedy's March 1963 memorandum to all Department heads made it perfectly clear that age discrimination is not allowable in Federal employment. Since the Congress has decided that private employers cannot discriminate against workers on the grounds of age, at any point before their 65th year, I think it is obvious that the intent and the thrust of our stated public policy is that Government may not fall short of this mark.

I have written to Secretary Finch, setting forth these facts, and expressing my confidence that he will change this impermissible practice forthwith. I insert the following at this point in the RECORD, the Washington Post news story setting forth the facts, my letter to Secretary Finch, and the texts of Executive Order 11141 and President Kennedy's Memorandum of March 14, 1963:

[From the Washington (D.C.) Post, Feb. 27, 1969]

OLDER WOMEN: AN OPEN DOOR

(By Marie Smith)

The Department of Health, Education, and Welfare has decided not to close the door on women over the age of 35 as potential appointees for high level jobs in the Department.

Word went out from the Department yesterday that women up to 50 years of age would be considered for possible appointments.

The original request, made last week to the American Association of University Women's national headquarters here, was for women "between 25 and 35" and "preferably Republicans."

Jean Hawkins, an assistant to Patricia Hitt, Assistant Secretary of HEW, explained the raise in the age limit this way:

"When we got to thinking about it, we decided we weren't being realistic. A lot of women, like Mrs. Hitt and myself, didn't really get started in a career until their children were grown. And too many at the younger ages are too busy to take jobs."

She added that the 50-year-age limit is not rigid. "If we got a tremendous resume of someone 51 or so, it would not be a detriment to them," she said. Mrs. Hitt is 51. Mrs. Hawkins said she was "under 50" but didn't give details.

Mrs. Hawkins said that so far she has asked only the AAUW for names of women to add to her talent roster, but she will make the same request to other national women's groups, including the National Federation of Business and Professional Women.

During last year's presidential campaign, Mrs. Hawkins served as executive secretary to Mrs. Hitt, who was co-chairman of the Nixon-Agnew Campaign Committee.

Meanwhile, two Republican women, one 49 and the other over 60, are being considered for the director of the Office of Territories at the Department of Interior, a post which carries a GS17 rating and is presently filled by Ruth Van Cleve, a career employe.

They are Elizabeth Farrington, over 60 and a former Congressional delegate from Hawaii, and Louise Bundy, 49, of Albuquerque, N.M.

Mrs. Farrington, who succeeded her late husband, Joseph R. Farrington, in the 83d Congress was the first woman to represent Hawaii when it was a territory, in Congress. She is also a past president of the National Federation of Republican Women and was graduated from the University of Wisconsin in 1917.

Mrs. Bundy, the mother of six children ages 7 to 18, and the wife of a professor of television and speech at the University of New Mexico, is presently working on Capitol Hill in the office of Rep. Manuel Lujan (R-N.M.).

Mrs. Van Cleve, the present director of the Office, is expected to be given another post in the Department. She has worked in the Interior Department since 1950 and was promoted to director of the office in 1964 in former President Johnson's campaign to put 50 women in top level Government jobs.

Meanwhile, Vice President Spiro T. Agnew has added a women to his professional staff. She is Jean Nieman, who will be working with the Youth Opportunities Program to be spearheaded by the Vice President.

Miss Nieman said yesterday the program will be announced in about a month.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 28, 1969.

Hon. ROBERT H. FINCH,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: According to a recent newspaper story, of which a copy is enclosed, the Department of Health, Education and Welfare, which has been searching for women, between the ages of 25 and 35, for appointive office, has now raised the upper age barrier to 50.

I could not fault the Department for raising its cut-off age from 35 to 50, were it not for the fact that age discrimination at any point below age 65 is directly contrary to the formal public policy of the United States, as enunciated by both the Executive and Legislative branches of the Government.

Public Law 90–202 prohibits, as unlawful, arbitrary age discrimination in private employment. That Act, the Age Discrimination in Employment Act of 1967, does not, I realize, include the United States as an "employer" subject to its coverage, but were it the only statement of public policy on the issue, it would still be shocking to find an agency of this Government practicing a kind of discrimination which other agencies of the same Government are actively combatting on the part of private employers.

The 1967 Act, however, is not the only policy guidance available to the Department. Executive Order 11141, signed by President Johnson on February 12, 1964, makes it contrary to public policy for Government contractors to practice age discrimination in hiring and setting conditions of employment. That Executive Order, in describing the context in which it was issued, speaks of "the policy of the Executive Branch of the Government of hiring and promoting employees on the basis of merit alone and emphasizing the need to assure that older people are not discriminated against because of their age and receive fair and full consideration for employment and advancement in Federal employment."

Prior to this Executive Order, a Memorandum was signed by President Kennedy on March 14, 1963, addressed to the Heads of Departments and Agencies, and directing that "Federal appointing officers shall take positive steps to insure that current practice carries out this policy. Older persons", the memorandum continues, "must receive fair and full consideration for employment and advancement in the competitive service . . . With respect to Federal personnel systems outside the competitive service, these same principles are to be followed. All departments and agencies are requested to review their policies and practices regarding maximum age limits in other than the competitive service, and to take steps to insure that such limits are established only when absolutely necessary."

The newspaper story quotes a Mrs. Jean Hawkins as saying that the age limit of 50 years is not a rigid one. "If we get a tremendous resume of someone 51 or so, it would not be a detriment to them." Mrs. Hawkins' comments indicate that the Department is refreshingly free of the notion that the fiftieth birthday serves as an absolute and actual barrier to the proper performance of public duties. But by the same token, her comments merely highlight the wholly arbitrary nature of the age limit apparently set in the Department's search for talented women.

There is no information available to me as to whether or not the 50-year mark is also prescribed for the appointment of male aspirants to high position in HEW. If it is, then age discrimination is even broader than I fear. If not, then an additional and equally obnoxious form of discrimination is being practiced by the Department. I would appreciate knowing which is the case.

Politically speaking, it would be tempting to simply assert that this situation arises from an insensitivity on the part of the new Administration to anti-discrimination legislation and policies of the previous Administration. But in all fairness, I doubt this is the case. What has probably happened here is that a requirement has been formulated in innocent ignorance of the requirements of present law and policy. I assume that you will take steps immediately to put a stop to this kind of arbitrary age discrimination by your Department. I would appreciate hearing from you as soon as conveniently possible.

Sincerely,

JAMES G. O'HARA,
Member of Congress.

EXECUTIVE ORDER 11141—DECLARING A PUBLIC POLICY AGAINST DISCRIMINATION ON THE BASIS OF AGE

Whereas the principle of equal opportunity is now an established policy of our Government and applies equally to all who wish to work and are capable of doing so; and

Whereas discrimination in employment because of age, except upon the basis of a *bona fide* occupational qualification, retirement plan, or statutory requirement, is inconsistent with that principle and with the social and economic objectives of our society; and

Whereas older workers are an indispensable source of productivity and experience which our Nation can ill afford to lose; and

Whereas President Kennedy, mindful that maximum national growth depends on the utilization of all manpower resources, issued a memorandum on March 14, 1963, reaffirming the policy of the Executive Branch of the Government of hiring and promoting employees on the basis of merit alone and emphasizing the need to assure that older people are not discriminated against because of their age and receive fair and full consideration for employment and advancement in Federal employment; and

Whereas, to encourage and hasten the acceptance of the principle of equal employment opportunity for older persons by all sectors of the economy, private and public, the Federal Government can and should provide maximum leadership in this regard by adopting that principle as an express policy of the Federal Government not only with respect to Federal employees but also with respect to persons employed by contractors and subcontractors engaged in the performance of Federal contracts:

Now, therefore, by virtue of the authority vested in me by the Constitution and statutes of the United States and as President of the United States, I hereby declare that it is the policy of the Executive Branch of the Government that (1) contractors and subcontractors engaged in the performance of Federal contracts shall not, in connection with the employment, advancement, or discharge of employees, or in connection with the terms, conditions, or privileges of their employment, discriminate against persons because of their age except upon the basis of a *bona fide* occupational qualification, retirement plan, or statutory requirement, and (2) that contractors and subcontractors, or persons acting on their behalf, shall not specify, in solicitations or advertisements for employees to work on Government contracts, a maximum age limit for such employment unless the specified maximum age limit is based upon a *bona fide* occupational qualification, retirement plan, or statutory requirement. The head of each department and agency shall take appropriate action to enunciate this policy, and to this end the Federal Procurement Regulations and the Armed Services Procurement Regulation shall be amended by the insertion therein of a statement giving continuous notice of the existence of the policy declared by this order.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 12, 1964.*

MEMORANDUM ON UTILIZATION OF OLDER WORKERS IN THE FEDERAL SERVICE, MARCH 14, 1963

Memorandum for the Heads of Departments and Agencies:

In the message to the Congress transmitting my recommendations relating to a program for our older citizens, I pointed out that it is the policy of the Federal Government as an employer to evaluate each job applicant on the basis of ability, not age. This policy is intended to assure that the Government obtains the best possible talent from the widest range of choice.

The Federal Government has been an exemplary employer in this regard. There is no age restriction on appointments to competitive positions. However, with older persons constituting an ever increasing proportion of the Nation's work force and with growing evidence that older persons are capable of the highest quality work, Federal appointing officers shall take positive steps to insure that current practice carries out this policy. Older persons must receive fair and full consideration for employment and advancement in the competitive service. Personnel actions should be based, in accordance with merit principles, solely on the ability of candidates to meet qualification requirements and physical standards of the position to be filled.

With respect to Federal personnel systems outside the competitive service, these same principles are to be followed. All departments and agencies are requested to review their policies and practices regarding maximum age limits in other than the competitive service, and to take steps to insure that such limits are established only when absolutely necessary.

JOHN F. KENNEDY.

MR. HICKEL'S DILEMMA

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. DINGELL. Mr. Speaker, the February 1969 issue of American Forests magazine carried an editorial commenting on the nomination of Walter J. Hickel to be Secretary of the Interior. While this editorial was written before the former Governor of Alaska was confirmed and sworn in as Secretary of the Interior, the views expressed on behalf of American Forests continue to have substance. Therefore, under unanimous consent I include the text of the editorial at this point in the RECORD:

MR. HICKEL'S DILEMMA

Mr. Hickel may or may not be confirmed by the Senate when it examines him as to his fitness for the post of Secretary of the Interior later in January. Chances are he will be confirmed, for seldom if ever is a Cabinet appointment denied to an in-coming President. Honeymoons, no matter how brief, are usually the order of the day at such times.

But confirmed or not, there is no denying Mr. Hickel's unfortunate interview, prior to his confirmation and contrary to the explicit instructions of the President-Elect, got him off to a very bad start with millions of conservationists in the United States. There is much to be said for new Secretaries of the Interior being seen and not heard prior to their confirmations.

Right or wrongly conservationists now see Mr. Hickel as the last hurrah of an era that is either gone or soon will be when public domain resources were regarded as the exclusive privateering preserves of special interests.

In his interview, Mr. Hickel indicated he favors business as usual as it has to do with public land and that he is not in sympathy with conservation for the sake of conservation, whatever that means. Conservationists, with some justification, took it to mean he is not in favor of parks, wilderness areas, wildlife refuges and saving open space for its own sake if those things interfere with or get in the way of private development.

Possibly Mr. Hickel didn't mean it the way it sounded. We'll know more later. But conservationists are certainly justified, both in view of Mr. Hickel's own relationships with business interests in Alaska and his own statements, in demanding that the Senate examine him in depth as to his fitness to hold a post where the Secretary has to be the watchdog of the whole public interest and not just part of it.

His whole conservation philosophy, if any, should be laid out on the table for all to see. If indeed he intends to serve as a last hurrah for special interests the public is entitled to know it now. His reported statement that pollution reform standards may be set so high they will discourage new industry has stirred up another hornet's nest. Business as usual as regards the environmental field in general and the pollution area in particular is the last thing the conservation public wants at this particular juncture.

Mr. Hickel should know that times and views have changed in the lower 48 states. Conservationists and most of the public are of the view a Secretary of the Interior should be a tough, two-fisted public servant capable of saying "no" to self-serving special interests every hour on the hour. Specifically this means saying "no" to those people who may want to develop areas set aside for parks, wilderness areas, refuges and similar areas devoted to the whole public interest and not just part of it. This does not mean there isn't plenty of land for other purposes too. There is. But the public interest at all times should come first.

Admitting that businessmen seem to have a special knack for putting their feet in their mouths when it comes to such delicate nuances as the public interest, Mr. Hickel's blooper is certainly a beaut. He should be sweated plenty by the Senate and he probably will be. In all probability he will be confirmed but that will by no means solve the dilemma he now faces with conservationists. Once at his desk he would be well advised to call in the Natural Resources Council of America without delay and take that potent group into his complete confidence with utmost candor.

In this way, the new Secretary, hopefully, if he really flies right, could bridge what is already a sizable credibility gap before it becomes a major one. In this way he could win the support of the people he needs on his side if he intends to fight for all the people and not just some of them.

SAVING ENDANGERED SPECIES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. ROSENTHAL. Mr. Speaker, today I introduce a bill which seeks to protect endangered species of wildlife by prohibiting their importation or interstate shipment. The fight to prevent the extinction of endangered species is a microcosm of the assaults on many fronts against the reckless exploitation of our natural resources.

Lucrative profits to killers of animals is the primary source of danger posed to the conservation of our most treasured resources. Many distinctive species are plundered for purposes of fashion. I hope that public opinion—determined to preserve rare forms of life—will oppose those who advocate that fashion takes precedence over protecting unique animals.

In our naivete, many of us fail to realize the actual costs of choosing a "genuine" alligator handbag or an "authentic" pair of alligator shoes over realistic imitations.

We sacrifice 50,000 alligators annually in Florida alone for such uses—but few shoppers stop to consider this price tag. And alligators are not the only animals facing extinction—over 250 wild species are rapidly disappearing, including the polar bear, the leopard, the cheetah, and the tiger.

We welcome growing public recognition of the plight of sought-after species—which are becoming more rare each day. For our hypocrisy is becoming more and more apparent—if we continue to hail ourselves as champions of conservation we will have to act upon our sweeping promises. In short: we will have to develop new ways to prevent the eradication of endangered species. What is destroyed can never be replaced. We may have to choose between certain leathers and furs in commercial use or the preservation of some species.

My bill would prohibit the importation of endangered species of fish and wildlife or their parts into the United States except by special permit from the Secretary of the Interior for zoological, educational, scientific, and breeding purposes.

My bill would insure that the United States live up to the responsibilities implicit in its role as leader in the conservation of world wildlife.

The passage of my endangered species bill, curtailing this destructive traffic, cannot be put off indefinitely. Time is precious. We must act now.

RHODESIANS CELEBRATE LIBERTY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. RARICK. Mr. Speaker, on November 11, last, the bloodless Rhodesian revolution from Britain was made lasting with the purge of the Union Jack and the hoisting of the new green and white flag of Rhodesia.

Britain, the United States and the U.N. economic blackmail failed, and to be honest—the economics have whiplashed. We need southern Africa more than she needs us.

The economic boycott as an economic weapon served only to hurt people—including U.S. businessmen—and while we were a party at hurting people, the Rhodesians as well as other South Africans were helping their people—unifying their populations.

With the rest of Africa a torment of revolution and chaos—south of the Zambezi River, no African nation has been able to entice its black population to rebel, or join in sabotage of their country under any pretext, whatsoever.

Our hats are doffed to a minority who have kept the peace—progressed their people and restrained their liberties from the colonial intervention of the U.N.

Free people the world over, look to the United States of America. We need only for our new President to repudiate the ridiculous sanctions by Executive order to reaffim our belief in liberty and self-determination.

Mr. Ashton Williams, a Rhodesian tobacco farmer and journalist now visiting the United States of America, gives us his version of the new republic which appeared in the Richmond Times-Dispatch for February 23, 1969, which I include in the RECORD:

RHODESIANS CELEBRATE PURGE OF UNION JACK

(By Ashton Williams)

Happy men and women are dancing again in Rhodesia: "Here's to us—and our Ian!" They sense the end of the three-year impasse is in sight.

Since my forecast in these columns last September that Rhodesia would sever the ties of empire and commonwealth on Nov. 11, 1968, the hoisting of the green and white flag of Rhodesia—purged of the Union Jack—confirms it, and Rhodesia is sovereign, free and established, a nation in being.

For the first time in 173 years, Great Britain is facing realities in Africa. An astonishing change sweeps London's 10 Downing St., where Prime Minister Harold Wilson now refuses to support those of his colleagues who want him to declare categorically there can be no promise of independence for Rhodesia until majority rule for the Bantu is established.

In his completely new approach to the problems of Rhodesia and South Africa, following the fait accompli of Nov. 11, 1968, Wilson has kept the direction of affairs with Prime Minister Ian Smith in his own hands. Gone is the acrid belligerence of 1965: "We shall bring Rhodesia to her knees in a matter of weeks." Instead, a pragmatic Harold Wilson, facing facts, is courageously defending Rhodesia, even fighting her battle in person on the floor of the House of Commons. This dramatic denouement, so recent and so complete, is a political climacteric, unparalleled in British party politics, which thrusts the prime minister back to the world stage as a man of destiny. It also explains why he and Ian Smith so doggedly kept the "on again, off again" talks going, when all hope of compromise seemed utterly impossible. Obviously, these statesmen glimpsed something their colleagues did not. As history proves, the paths of destiny meander through strange mazes and tunnels, bungling as it were, to focus-point and climacteric.

Britain is paying respectful heed to the bankers and industrial leaders of the Western world—the watch dogs of the world's major storehouses—where the basic materials that supply and keep the wheels of America's huge industrial complex turning, the economy rising and balanced, giving life, and bread, and employment to countless thousands on both side of the Atlantic.

These are matters germane to the joyous dancers that spell out messages of hope from London and Washington, proclaiming that the scramble for modern southern Africa's markets is on. It dominates Wilson's change of attitude, coupled with his struggle to increase Britain's share of South Africa's $300,000,000 export market, which nets Britain a juicy 30 percent and goes a long way to protect the pound sterling in South Africa.

But since Britain has imposed an arms embargo on South Africa, her minister of finance, Meneer Jan Haak, warns that unless this is lifted, she might seriously pare that juicy melon, a warning not likely to be ignored.

Through many channels, American industry is making it plain to the Pentagon that it is sheer nonsense to support sanctions against Rhodesia, when they deprive American factories of desperately needed products, America must purchase at premiums of 12½ per cent, often from Russia—like chrome, for instance.

The realities speak with a loud and eloquent voice, which the dancers interpret: sanctions are doomed.

What considerations face Rhodesia now that Wilson has given such clear notice he intends to let Prime Minister Ian Smith's regime have its way?

She can choose to remain outside the commonwealth, like South Africa, or join it. Many practical reasons suggest that South Africa and Portuguese Angola and Mozambique would prefer Rhodesia to maintain an economic and trading tie with the United Kingdom, which could give them, through Rhodesia, a loose connection. Always provided, of course, Rhodesia's sovereign status and separate national entity remains sacrosanct. This mutual concern for each other's independent status emphasizes the possibility, perhaps the certitude, that a defense alliance between South Africa, Portuguese Angola and Mozambique, and Rhodesia is a written document.

It is poetic justice that the Portuguese and Dutch are still masters of the country their sailors discovered so long ago—in 1485 and 1496, respectively—but sheer tragedy that Britain, who could have made Africa the gem, crown and sceptre of a world commonwealth, started its disintegration instead, on the very first day she arrived in Table Bay, in 1795, to rape it, and continued under many regimes—Tory, Whig, Liberal, Labor and what not—to destroy, piece by piece, the paradise they found, and could have inherited by co-operation.

The leadership that Great Britain should have supplied, she denied, the responsibilities she ought to have accepted as a sacred trust, she refused to accept, and sold her birthright and heritage for a mess of potage, chasing the mirage, dominant power, before going down to utter moral and political defeat in Africa, and dishonor, which must be her epitaph in Africa and history.

South Africa, Portuguese Angola and Mozambique and Rhodesia will assume the torch of leadership which destiny, for the second time, has passed to them.

During the last 30 years, particularly during the last 20, these three, the only white-governed nations in Africa, have expanded their economic growth, developed their agricultural resources, built highways, railways and dams, and created an industrial empire, which ranks amongst the world's most important.

Johannesburg and Pretoria, and the satellite towns for hundreds of miles around them, are the most modern, diverse and important, anywhere south of the equator.

Johannesburg, which began as a single house, where gold was found in 1886, is today the largest city the continent of Africa has ever had, with a population approaching 1,600,000. Like Rhodesia, and the Portuguese territories, it has enjoyed unbroken peace and prosperity for almost 65 years. Moreover, during the last 10 years of unrest and anarchy in central Africa, beyond the Zambezi, no African nation has been able to entice its black population to rebel, or join in sabotage of their country, under any pretext, whatsoever.

South Africa and her allies, including German South West Africa, through their policy of building modern houses for their indigenous black populations, are becoming slumless. As a matter of fact, South Africa itself, will probably become the first to achieve that distinction, closely followed by Rhodesia and South West Africa.

The industrial complex, known as the "RAND", is also the location of South Africa's first atomic unit, built outside Great Britain for industrial purposes under Sir Basil Schonland, a born South African, who headed Britain's Harwell Atomic Center, and was also a member of that famous "hush hush" team that developed radar at Cambridge University's Cavendish Laboratory, during the early months of World War II and which made victory in the Battle of Britain possible.

South Africa and her allies come to leadership equipped with all the skills and experience of their advanced civilization, able to speak all the languages of their numerous tribal groups, a communication advantage no other nation, in or out of the commonwealth, can remotely approach.

The deeply divided Commonwealth Conference just ended in London was influenced by the "ghost presence" of Rhodesia and South Africa whose vacant seats powerfully moved the assembled heads of state. Those vacant seats symbolized prosperous Rhodesia and South Africa, silently opposed to the belligerent and vocal Afro-Asian groups calling for the destruction of Rhodesia and South Africa, per se.

There are other strains and stresses in the commonwealth.

Australia, an important member, is striving to prevent her racial stance from reaching the mass-media press, and world agendas, because she bears a controversial label: white Australia.

Indeed, she is the only country in the civilized world whose doors are bolted and barred to Asiatics and the colored races, whether British subjects or not. This anomaly threatens stormy debates to come. It is not likely therefore that South Africa or Rhodesia will permit themselves to be maligned, without pointing an accusing finger: "Why are we branded as racialist, and not Australia? Is Australian territory sacrosanct? If so, on what pretext?"

In the final analysis, history will record that Harold Wilson took the commonwealth and southern African crises into his own hands, to face a divided House of Commons and the nation, and declare to the world that Great Britain had found her soul and won her independence, too . . . and that neither he, nor his country, will bow to blackmail.

The mantle of genius and greatness may be denied Wilson by political partisans, but history will extol his character and courage, and greatness among his peers, in November and December, 1968, and January, 1969, when he reversed his own attitude towards southern Africa. It was he who made the unpopular decisions, and bluntly told his own party members, and the Bantus in England and elsewhere, that, for particular reasons of self-preservation and the protection of the world's food supplies, that he must withdraw all promises of support for any who turn to sabotage, as well as those who proclaim their intention to wipe out white civilization south of the Zambezi River.

It was a towering, changed Harold Wilson who warned them there was no room for mawkish sentimentality to overcrowd an already overcrowded Great Britain—12 million too many—who should be defending the perimeters of the commonwealth. It was Harold Wilson, the statesman, who reminded Zambia, Tanzania and Kenya, that they, too, have obligations to keep the peace, and protect the life and limb and property of all their people.

In these last weeks, which cannot restore British prestige in southern Africa, nor reverse Rhodesia's Unilateral Declaration of Independence (UDI), sovereignty and nationhood, Harold Wilson, the pragmatist, has managed to give Leadenhall and Threadneedle Street a stake again in South Africa's economy and trade, and whatever by-perquisites and diplomatic benefits may accrue and flow from the removal of tension, secrets which only he and Ian Smith at this moment share. It is almost ironic anti climax that after three years, Ian Smith and Harold Wilson, are the only statesmen to survive with enhanced reputations, vis-a-vis Southern Africa.

GILBERT BILL TO RAISE PERSONAL INCOME TAX EXEMPTIONS

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. GILBERT. Mr. Speaker, I have introduced a bill to raise the personal income tax exemption to $1,000. The present $600 exemption is allowed for the taxpayer, spouse, dependent—with limitations—and an additional $600 exemption for a taxpayer or spouse who is 65 or over, and each taxpayer or spouse who is blind. My bill will increase the exemption for all of these categories.

The low- and middle-income taxpayer needs the relief my bill will afford. He is not concerned so much with capital gains and stock options. He is concerned chiefly with the level of personal exemption and the tax rate applying to his taxable income. The last time the exemption figure was revised was in 1948, and the consumer price index has risen by 44.6 percent in that 20 years. The exemption was first provided in the Revenue Act of 1913 and subsequently the 16th amendment was adopted authorizing a Federal tax on incomes. At that time there was a $3,000 individual exemption plus an additional $1,000 for each dependent. When the issue was debated in the House at that time, a prominent Member, who later became Attorney General of the United States, expressed it this way:

> We ought to leave free and untaxed as a part of the income of every American citizen a sufficient amount to rear and support his family according to the American standard and to educate his children in the best manner which the educational system of the country affords.

We are not doing this today when our present tax laws provide only a $600 personal exemption—an amount that does not begin to permit a tax-free subsistence level or income.

The middle-income group pays more than one-half of the total individual income taxes collected, a highly disproportionate burden. Their tax burden is increased because they are contributing to the support of the upper income groups who pay little or no taxes because of preferences under our present tax laws. And add to this the 10-percent surtax that hurts the little taxpayer the most, and which I opposed.

My Committee on Ways and Means is conducting hearings at the present time on overall tax reform. I am taking an active part in these hearings. We are reexamining our tax structure as it relates to tax-exempt organizations, cooperatives, foundations, and wealthy individuals who avoid their fair share of taxes. Certainly tax reform is needed, and I favor the closing of loopholes through which billions escape the Treasury each year.

Mr. Speaker, I shall make every effort to have my bill—and other proposals to ease the tax burden of the low- and middle-income taxpayer—included as a part of any tax reform bill reported out of my committee. And I favor the repeal of the surtax as soon as possible.

AN IDEALIST WHO IS WILLING TO WORK FOR HER COUNTRY

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. ROGERS of Florida. Mr. Speaker, I think we all have a good idea of some of the activities of a small percentage of this Nation's students. Their activities are chronicled on the front page of nearly every paper across the Nation.

But I also hope that we all realize that student demonstrators represent only a small portion of our young people. I received a letter from a former constituent of mine, Eugene M. Fuller, with an enclosed speech written by Miss Judy Brantley.

In his letter, Mr. Fuller said:

> It seems that protestors are heard and seen and we take for granted those that do their part, perhaps not as loud and vocal.

I would like to insert into the RECORD for the information of my colleagues the speech that Miss Brantley, age 17, of Clewiston, Fla., delivered to the Order of Rainbow installation:

YOUR RESPONSIBILITY TO AMERICA

Are you embarrassed to be an American? Too many people just don't seem to care about what is happening in the United States. How many people, when asked to recite the pledge of allegiance—inwardly grumble at the time it takes up and inconvenience it causes? When the national anthem is played—who *really* listens to this great song and is proud to be an American? And how many people today are indifferent to the vast potential which lies inside them, which, if developed—will contribute to America's greatness? America is nothing more than a reflection of the people within.

My purpose today, is to impress upon you, *your* responsibility to America. Until I went to Girls State last summer, I can truthfully say that I was a very poor example of a patriotic citizen. My whole outlook on life was changed in this one week. I met people with deep convictions in God and our country. I was given the opportunity to run for government positions and was honored to become a Senator. We passed bills, debated, and most-important, we learned about our American government by actually having complete participation in it . . . even though this was a mock situation. This one week taught me many important things. It also gave me an unshakable belief in the foundations of our country and the high principles for which our forefathers stood. It awoke in me a funny thing called patriotism that I never realized existed in me before. Patriotism is not necessarily the flag-waving, psalm-singing fanaticism that may come to one's mind. I choose to think it is a deep belief in and responsibility for one's country.

This responsibility to America is what will make our country greater or smaller in the years to come. Every young person in this room is a potential leader of our country. We can make a better America by being better citizens—citizens who are interested in their government and the people who run it. *We* will determine what happens to America and I have faith in the youth of this nation. Never let your idealism become disillusioned by anyone or anything. Idealists who are willing to work will make a better country. We cannot afford to lose this idealism with age . . . a better America lies waiting for us to shape and mold it. Her destiny is in our hands. It will take a lot of work and one-hundred percent participation. Are you willing to give it a try?

TAX LOOPHOLES

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. SCHWENGEL. Mr. Speaker, the Davenport Times-Democrat recently featured an editorial on the subject of tax loopholes and tax reforms. The editorial does an excellent job of expressing the frustration, and even anger of the taxpayers of this country who have been paying their fair share of our tax bill. They are no longer willing to tolerate an inequitable system with loopholes such as now exist. Mr. Speaker, I include this editorial in the RECORD:

PLUG THOSE TAX LOOPHOLES

The ordinary taxpayer no doubt is more than a little disturbed at the stories he reads about rich men who employ tax dodges, tax havens, and the like to avoid paying their fair share.

Twenty-one persons with incomes exceeding $1 million each in 1967 paid no taxes.

One hundred and fifty-five persons with incomes of a mere $200,000 in the same year didn't pay taxes either.

President Nixon has committed the new administration to coming up with a tax reform program. And given the serious inflationary situation existing today, Mr. Nixon probably will have to request Congress to extend the 10 per cent surtax tax into fiscal 1970. But its impact surely will bear heavily on the ordinary taxpayer who has a hard enough time making ends meet under the regular schedule.

The "middle classes" are not opposed to fair taxes but their spokesmen contend that certain provisions of the tax laws unfairly lighten the burdens of others who can afford to pay.

Exemptions have been written into tax laws for specific groups, most of them for plausible or legitimate reasons. Then the need for the exemptions declines or lapses and they become "loopholes" defended by entrenched groups. Many beneficiaries have found tax havens not originally intended.

The granddaddy of all loopholes is the 27½ per cent oil depletion allowance which has been heavily protected by congressmen for oil states. Theoretically the allowance compensates oil men because the oil in the well is being used up (depleted), just as other businessmen take deductions on depreciation of plant and machinery. (Usually they don't explain how their investment in explorations gave them sole title to a natural resource vested in all the people.)

For other business men the depreciation ultimately stops at the end of the facility's normal useful life. For the oil well people the loophole goes on and on, year after year, as long as the well produces. The Treasury Department estimates the cost of the average oil well is recovered 19 times over. Big U.S. oil companies pay much lower tax rates than ordinary corporations.

Congressmen say their mail has been running heavily in favor of eliminating the inequities in the present system. Still, many Washington observers think Congress itself has been the chief obstacle to tax reform.

It seems clear enough that the grass-roots discontent over unequal burdens and loopholes can be ignored only at the peril of the people's elected representatives.

IMMIGRANT WARNS OF MARXIST UTOPIA

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 3, 1969

Mr. BOB WILSON. Mr. Speaker, the following letter to the editor from an anonymous immigrant in San Diego, Calif., touched me very deeply. The writer reminds us of the many blessings and freedoms we in America take for granted and the fact that we must remain constantly vigilant to protect our rights from those who would undermine our Nation both from without and from within.

The letter follows:

EDITOR, THE UNION:

Dr. Herbert Marcuse is an immigrant, so am I.

While he was raised in affluence and coddled as a youth and in his adult years, I experienced biting hunger and hard miserable work as a child and almost starvation as a youth in order to get through college.

Everything that I ever dreamed of and never had before, I found here.

Now, along comes this immigrant who never experienced my miserable sufferings and preaches a poisonous philosophy by claiming I belong to an insane society because I love comfort and conveniences and freedom.

I achieved these goals through work and the American economic system. I have no intention of ever giving up that kind of life.

When I took the Oath of Allegiance I swore to defend this country. Little did I realize then that one day I had to defend it from within.

An immigrant philosopher who should teach the difference between a privilege and a right is trying to pull the rug from underneath the American people whose sons and fathers died fighting a country from where he fled.

They sheltered him and gave him, above all, freedom. He is making $25,000 a year. For that he is teaching the young and gullible how to destroy their father's achievements, their mother's love and their country's innocents, the children.

A revolution is nothing pretty. It is death and tragedy.

A Marxist Utopia is a rotten-at-the-core way of life. I know. I come from there, a Marxist promised land.

Americans, black and white, better begin to realize fast that they have something going good for them here and better hang onto it and appreciate it.

M. C. H.

SAN DIEGO.

SENATE—*Tuesday, March 4, 1969*

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, guide of the years that are past, and hope of the years to come, accept the service of the hearts and minds of all Members of this body "in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity." To this end wilt Thou remove every barrier which separates man from man, class from class, race from race, and fuse us into one mighty body—heart to heart, mind to mind, soul to soul, strong in the Lord and in the power of His might.

In the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, February 28, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

REPORTS OF THE SECRETARY OF DEFENSE AND THE SECRETARY OF TRANSPORTATION—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying reports, was referred to the Committee on Armed Services:

To the Congress of the United States:

In accordance with the provisions of 10 U.S.C. 1124, I am forwarding for the information of the Congress reports of the Secretary of Defense and the Secretary of Transportation on awards made during Calendar Year 1968 to members of the Armed Forces for suggestions, inventions, and scientific achievements.

Participation by military personnel in the cash awards program was authorized by Congress in September 1965. The program has proven successful in motivating military personnel to seek ways of reducing costs and improving efficiency. Tangible benefits from suggestions submitted by the Department of Defense and Coast Guard military personnel and adopted during 1968 totalled over $95,000,000, an increase of nearly 50% over the 1967 figures.

In the relatively short period since the program went into effect, tangible first-year benefits derived from the suggestions of military personnel have reached a total of over $214,000,000.

Of 241,090 suggestions submitted by military personnel during 1968, 37,995 were adopted. Cash awards totalled $1,601,265, of which approximately three-fourths were paid to enlisted personnel at Grade E-6 and below.

The cash awards program for military personnel could be justified solely by the net savings which have accrued to the government since the program was initiated. But the benefits of this program are greater than dollars saved. An incentive and a vehicle have been provided for suggestions which effect economies and increase efficiency. Moreover, military personnel now have the assurance that their ideas will not go unheeded in drab suggestion boxes, but will be carefully screened and considered at the highest policy levels of the government. Under the program, every man has an opportunity to forward his ideas and be rewarded for his effort. It is a good program, a sound and wise investment.

RICHARD NIXON.

THE WHITE HOUSE, *March 4, 1969.*

HEALTH AND SAFETY OF COAL MINE WORKERS—MESSAGE FROM THE PRESIDENT (H. DOC NO. 91–86)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

The workers in the coal mining industry and their families have too long endured the constant threat and often sudden reality of disaster, disease and death. This great industry has strengthened our nation with the raw material of power. But it has also frequently saddened our nation with news of crippled men, grieving widows and fatherless children.

Death in the mines can be as sudden as an explosion or a collapse of a roof and ribs, or it comes insidiously from pneumoconiosis or "black lung" disease. When a miner leaves his home for work, he and his family must live with the unspoken but always present fear that before the working day is over, he may be crushed or burned to death or suffocated. This acceptance of the possibility of death in the mines has become almost as much a part of the job as the tools and the tunnels.

The time has come to replace this fatalism with hope by substituting action for words. Catastrophes in the coal mines are not inevitable. They can be prevented, and they must be prevented.

To these ends, I have ordered the following actions to advance the health and safety of the coal mine workers:

—Increase substantially the number of inspectors, and improve coal mine inspections and the effectiveness of staff performance and requirements.

—Revise the instructions to the mine inspectors so as to reflect more stringent operating standards.

—Initiate an in-depth study to reorganize the agency charged with the primary responsibility for mine safety so that it can meet the new challenges and demands.

—Expand research activities with respect to pneumoconiosis and other mine health and safety hazards.

—Extend the recent advances in human engineering and motivational techniques, and enlarge and intensify education and training functions, for the improvement of health and safety in coal mines to the greatest degree possible.

—Establish cooperative programs between management and labor at the mine level which will implement health and safety efforts at the site of the mine hazards.

—Encourage the coordination of Federal and State inspections, in order to secure more effective enforcement of the present safety requirements.

—Initiate grant programs to the States, as authorized but not previously invoked, to assist the States in planning and advancing their respective programs for increased health and safety in the coal mines.

In addition to these immediate efforts under existing law, I am submitting to the Congress legislative proposals for a comprehensive new program to provide a vigorous and multi-faceted attack on the health and safety dangers which prevail in the coal mining industry.

These proposals would:

—Modernize a wide range of mandatory health and safety standards, including new provisions for the control of dust, electrical equipment, roof support, ventilation, illumination, fire protection, and other operating practices in underground and surface coal mines engaged in commerce.

—Authorize the Secretary of the Interior to develop and promulgate any additional or revised standards which he deems necessary for the health and safety of the miners.

—Provide strict deterrents and enforcement measures and, at the same time, establish equitable appeal procedures to remedy any arbitrary and unlawful actions.

—Recruit and carefully train a highly motivated corps of coal mine inspectors to investigate the coal mines, and to enforce impartially and vigorously the broad new mandatory standards.

—Improve Federal-State inspection plans.

—Substantially increase, by direct action, grants and contracts, the necessary research, training, and education for the prevention and control of occupational diseases, the improvement of State workmen's compensation systems, and the reduction of mine accidents.

These legislative proposals, together with other steps already taken or to be taken are essential to meet our obligation to the Nation's coal miners, and to accomplish our mission of eliminating the tragedies which have occurred in the mines.

These proposals are not intended to replace the voluntary and enlightened efforts of management and labor to reduce coal mine hazards, which efforts are the touchstone to any successful health and safety program. Rather, these measures would expand and render uniform by enforceable authority the most advanced of the health and safety precautions undertaken and potentially available in the coal mining industry.

I urge the immediate adoption by Congress of this legislation.

RICHARD NIXON.

THE WHITE HOUSE, *March 3, 1969.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to section 194 of title 14 of the United States Code, the chairman of the Merchant Marine and Fisheries Committee appointed Mr. CLARK, Mr. LENNON, and Mr. GROVER; Mr. GARMATZ, ex officio member, as members of the Board of Visitors to the U.S. Coast Guard Academy, on the part of the House.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar, beginning with the Department of the Treasury.

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nominations on the Executive Calendar will be stated, beginning with the Department of the Treasury.

DEPARTMENT OF THE TREASURY

The bill clerk read the nomination of Edwin S. Cohen, of Virginia, to be an Assistant Secretary of the Treasury.

Mr. DIRKSEN. Mr. President, I should like to ask the majority leader whether he would put in the Record, in connection with this nomination, the biographical data and the statement that Mr. Cohen submitted. It was extremely full, and I think we should include that information in the Record for an important post.

Therefore, I ask unanimous consent, with the indulgence of the majority leader, that the information that was presented to the Committee on Finance be printed at this point in the Record in connection with this nomination.

The VICE PRESIDENT. Without objection, the material will be printed in the Record.

(See exhibit 1.)

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

EXHIBIT 1

BIOGRAPHICAL SKETCH OF EDWIN S. COHEN

Residence: 104 Stuart Place, Ednam Forest, Charlottesville, Virginia 22901, Tel. 293–7429.

Office: University of Virginia Law School, Charlottesville, Virginia 22901, Tel. 295–5526.

Born: Richmond, Virginia, September 27, 1914.

Wife: Helen Herz.

Children: Edwin Carlin, July 27, 1942; Roger, June 7, 1947; Susan Wendy, August 26, 1952.

University of Richmond, B.A. 1933.

University of Virginia, LL.B. 1936.

At University of Richmond: Phi Beta Kappa; Omicron Delta Kappa; Pi Delta Epsilon; Editor-in-chief, college newspaper; Captain, tennis team; Intercollegiate debating team.

At University of Virginia Law School: Order of the Coif; Raven Society; Notes Editor, Virginia Law Review; Instructor; Phi Epsilon Pi, Frater Superior (1935–1936).

Admitted to bar—Virginia 1935; New York 1937.

Associated with Sullivan & Cromwell, New York, N.Y. (1936–1949). Partner, Root, Barrett, Cohen, Knapp & Smith, New York, N.Y. (1949–1965). Counsel to Barrett, Knapp, Smith & Schapiro, New York, N.Y. (February 1965 to date).

Professor of Law, University of Virginia (1965–1968).

Joseph M. Hartfield Professor of Law, University of Virginia (June 1968 to date).

PRESENT AND PAST MEMBERSHIPS AND POSITIONS HELD IN PROFESSIONAL, SCIENTIFIC, BUSINESS, OR CULTURAL SOCIETIES AND CONFERENCES

Member, Advisory Group to Commissioner of Internal Revenue (1967–1968).

Member of and counsel to Advisory Group on Subchapter C (Corporate Transactions) to Committee on Ways & Means, House of Representatives, U.S. Congress (1956–1958).

In American Bar Association, Section of Taxation: Chairman, Committee on Corporate Stockholder Relationships (1956–1958); Member of Council (1958–1961); Chairman, Special Committee on Substantive Tax Reform (1962–1963); Special Advisor (1963 to date); Member, Planning Committee (1963 to date); Nominating Committee (1967 to date).

In American Law Institute: Special Consultant on Corporations and Member of Advisory Group, Project for Revision of Federal Income Tax Statute (1950–54); Member of Advisory Group, Project for Revision of Federal Estate and Gift Tax Laws (1963 to date).

In Association of the Bar of the City of New York: Former Member, Committee on Taxation; Former Member, Admissions Committee.

Member, Advisory Committee, New York University Institute on Federal Taxation (1968 to date).

Virginia Tax Conference:—Member of Planning Committee (1965 to date).

Lecturer at various law schools (including Columbia, Cornell, Harvard, New York University, Virginia, Yale); at various tax and legal institutes (including Chicago, Missouri, Nebraska, New York University, Southern California, Texas, Tulane, Virginia, West Virginia, William and Mary, Canadian Tax Foundation and Practising Law Institute); and before various bar associations and other organizations.

Member, American Law Institute, American Judicature Society, American Bar Association, New York State Bar Association, Association of the Bar of the City of New York, New York County Lawyers Association, Virginia State Bar Association, American Association of University Professors.

Member, Grand Council, Phi Epsilon Pi (1953–1954); Grand Recorder (1954–1955); Phi Epsilon Pi National Achievement Award.

ARTICLES AND PAPERS PUBLISHED

Substantive Federal Tax Reform, 50 Va. L. Rev. 628 (1964); also printed in 16 Annual Co. Calif. Tax Inst. (1964), p. 711.

United States Taxation of Shareholders in Canadian Investment Companies, Proceedings of Sixteenth Tax Conference of Canadian Tax Foundation (1962), p. 115.

Taxing the State of Mind, The Tax Executive (April, 1960, p. 200; also published under the title:

Tax Avoidance Purpose as a Statutory Test in Tax Legislation, Ninth Annual Tulane Tax Institute (1960), p. 229.

Regulated Investment Companies—Tax Treatment, Tax Revision Compendium of Committee on Ways and Means, Vol. III (1959), p. 1653.

Redemptions of Stock under the Internal Revenue Code of 1954, 103 P. L. Rev. 739 (1955).

The Internal Revenue Code of 1954: Corporate Distributions, Organizations, and Reorganizations, 68 Harv. L. Rev. 393 (1955).*

Corporate Liquidation Code of 1954, 55 Col. L. Rev. 37 (1955), p. 37.*

The Internal Revenue Code of 1954: Carryovers and the Accumulated Earnings Tax, 10 Tax L. Rev. 277 (1955).*

A Proposed Revision of the Federal Income Tax Treatment of the Sale of a Business Enterprise—American Law Institute Draft, 54 Col. L. Rev. 15 (1954).*

A Technical Revision of the Federal Income Tax Treatment of Corporate Distributions to Shareholders, 52 Col. L. Rev. 1 (1952).*

Raising Venture Capital for Small and New Business, Joint Congressional Committee on the Economic Report, Collection Entitled "Federal Tax Policy for Economic Growth and Stability", (1955), p. 673.

Exemptions and Credits of Multiple Corporations: Sections 15(c) and 129, Univ. Southern Calif. Tax Inst. (1953), p. 1.

Income Taxation of Life Insurance Settlements, 32 Va. L. Rev. 582 (1946).

Proposed Taxation of Foreign Income under H.R. 10650, Senate Finance Committee Hearings on Revenue Act of 1962, Part 7, p. 3146 et seq.*

What is Actuarial Soundness in a Pension Plan, Proceedings of Annual Meeting of American Statistical Association, December, 1952.

The Will of Mr. Marital, Eighth Annual New York Univ. Inst. on Fed. Taxation (1950), p. 283.

Estate Planning: The Case of Mr. Burch, Seventh Annual New York Univ. Inst. on Fed. Taxation (1949), p. 659.

Check List for Effective Practice in Your Cases Before the Bureau of Internal Revenue, Sixth Annual New York Univ. Inst. on Fed. Taxation (1948), p. 175.

Restrictive Agreements for Purchase of Stock: Effect on Estate and Gift Tax Valuations, Fifth Annual New York Univ. Inst. on Fed. Taxation (1947), p. 54.

State Income Tax Conformity: Knotty Problems in the Branches of the Federal Tree, Thirteenth Annual Tax Conference, Marshall-Wythe School of Law, College of William and Mary. (December 1968), p. 51.

Book Review: Surrey & Warren, Federal Income Taxation: Cases and Materials 1953, 39 Va. L. Rev. 1019 (Nov. 53).

Book Review: Alfred S. Pellard, Lawyer's Tax Manual, 36 Va. L. Rev. (May 1950), p. 579.

Book Review: Norr and Kerlan, Taxation in France, 7 Va. Journal of International Law 190 (Dec. 1966).

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The bill clerk proceeded to read sundry nominations in the Department of Health, Education, and Welfare.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

Mr. DIRKSEN. Mr. President, here, again, good statements were submitted. I believe it is in the interest of public information to have those statements in the Record, because that is the only way the public can discover what the background of the various nominees is. I ask unanimous consent to have that information printed in the Record.

Mr. MANSFIELD. Mr. President, I join the distinguished minority leader. I make the same request for all nominations up to and through the Department of Defense.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 2

JOHN G. VENEMAN

PERSONAL HISTORY

Age: 43 years old, born October 31, 1925.

Family: Wife, former Nita Baumberger of Modesto, California. Three children, Ann, John, Jane. Resides at Modesto, California.

Education: Attended local schools. Graduated Modesto High School, 1943. Higher education in Business Administration at Arizona State College and University of Texas.

---

* Co-author.

Military Service: U.S. Navy Officers Training Program, (1944–45).

Occupation: Member, California State Legislature.

GOVERNMENT SERVICE

Member California State Assembly: Committee on Revenue & Taxation, Chairman; Joint Committee on Medi-Cal Administration (Medicaid), Chairman; Committee on Social Welfare, Member; Committee on Finance & Insurance, Member; Joint Legislative Committee on Public Domain, Member; State Social Welfare Board, Member; Committee on Fish & Game, Member (1962–1963); Committee on Agriculture, Member (1963–1967).

Stanislaus County Board of Supervisors (1958–1962): Chairman, Board of Supervisors (1960); Chairman, Stanislaus County Highway Advisory Committee (1960).

Stanislaus County Committee for School Organization, Member (1957–1958).

Empire Union School District, Trustee (1957–1958).

Stanislaus County Grand Jury, Member (1956).

COMMUNITY SERVICE AND AFFILIATIONS

First Presbyterian Church of Modesto, Member.

Stanislaus County YMCA, Member Board of Directors.

American Cancer Society-Stanislaus County Branch, Member (1958–1962)

California State Chamber of Commerce and Greater Modesto Chamber of Commerce.

Commonwealth Club of San Francisco.

Empire Lions Club, President (1957).

Modesto Elks.

CIVIC AWARDS

Selected as Outstanding Assemblyman of 1968 by California Capitol Press Corps.

Young Man of the Year, Modesto Junior Chamber of Commerce (1960).

PATRICIA REILLY HITT

Born: Taft, California 1918.

Educated: Kindergarten through high school, Whittier, California; Graduated Whittier Union High School 1935; University of Southern California 1935 to 1939; Graduated with BS Degree in Education; During USC undergraduate years organized and supervised Summer palyground program for one of the Whittier schools, geared to children from pre-school through high school ages.

1940: Founded Delta Gamma Junior Alumae organization for Los Angeles County. Served as first President; Member, USC Town and Gown Junior Auxiliary.

1941: First son born.

1946: Second son born.

1946–1947: Conducted private nursery school in Laguna Beach—Owner-Operator. Presented varied education and recreational programs for pre-school children.

1948–1952: Member, Board of Directors, Corona Del Mar P.T.A. Cub Scout Den Mother and Coordinator and Program Planner for three Cub Packs encompassing 18 Dens sponsored by various organizations.

1950: Founder and Charter Member, Newport Harbor Women's Civic Club; organized for the purpose of studying and assisting city government, to promote recreation facilities for youth and adults, and to further community interests and betterment.

1948–1952: Active participation in Community Chest and March of Dimes projects.

1952–1958: Officer, President of Villa Park School Parent Teacher Organization. Member, Board of Directors of the Orange P.T.A.

1952 to Present: Member, Board of Directors, and Officer of the Assistance League of Orange; Member, Board of Directors, National Assistance League (A philanthropic organization for women to assist on their own community level); Member of Board of Directors, Villa Park Property Owners Association (Self-government unit in an Orange County residential area); Member of the Orange Chamber of Commerce. Special committee organized for a four-year period to study rural-urban relationships; development, planning, annexation, master planning, and make recommendations to the Orange County Board of Supervisors and the Orange City Council; Member, Orange Citizens Committee For Better Schools—organized to conduct studies and make recommendations to the Orange Unified School District Board; Active participation in Community Chest, Heart Association, Red Cross, March of Dimes, YMCA, Boy Scouts.

Chapman College: Member of Board of Governors, Member of the President's Development Committee, Co-Chairman Centennial Year Programming, Founder, first President of Chapman College Town and Gown.

Member, Orange County Trojan League (USC promotion and assistance).

BUSINESS INTERESTS AND INVOLVEMENT

1952 to the Present: Partner of Miller-Hitt Company.

1959 to the Present: Participates as an owner in Reilly Holdings, an investment company of the John B. Reilly family, having investments in an oil tool manufacturing company, the agricultural-chemical field, a memorial park, industrial and commercial property developments, and oil and gas exploration.

CREED C. BLACK

Born in Harlan, Kentucky, July 15, 1925.

Educated in public schools of Paducah, Kentucky. Received B.S. in journalism from Medill School of Journalism, Northwestern University, with highest distinction and with honors in political science, 1949; received Chicago Headline Club's annual award to outstanding Medill graduate. Received M.A. in political science from University of Chicago, 1952.

Served three years in Army during World War II; Bronze Star and Combat Infantryman's Badge for service with 100th Infantry Division in European Theater.

Began newspaper career in 1942 with Paducah Sun-Democrat as reporter while still in high school. Copy editor on Stars & Stripes (Germany edition) after war. Edited college daily during sophomore year at Northwestern. Copy editor for Chicago Sun-Times and Chicago Herald-American in 1949–50. Became editorial writer for Nashville Tennessean in August, 1950, executive editor of Savannah Morning News and Savannah Evening Press, July 1, 1959. Vice President and executive editor of Wilmington Morning News and Evening Journal, June, 1960 to June 1, 1964. Managing Editor of Chicago Daily News, September 1, 1964; Executive Editor February 12, 1968 to present.

Married to former Catherine Davis of Paducah, also Northwestern graduate. Three sons. Residence: 141 Kenilworth Avenue, Kenilworth, Illinois.

Former president of National Conference of Editorial Writers. Secretary and member of Board of Directors of the American Society of Newspaper Editors. Vice President, Northwestern Alumni Association. Member of Sigma Delta Chi, Kappa Tau Alpha, American Committee of International Press Institute, Economic Club, Chicago Press Club, Mid-American Club, Kenilworth Club, Indian Hill Club. Member of Kenilworth Union Church.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The bill clerk read the nomination of Lawrence M. Cox, of Virginia, to be an Assistant Secretary of Housing and Urban Development.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

Under the order previously entered, the following material is printed herewith:

BIOGRAPHICAL DATA, LAWRENCE M. COX

Lawrence Morgan Cox, Executive Director, Norfolk Redevelopment and Housing Authority, Norfolk, Virginia.

EDUCATION

Norfolk public schools and George Washington University.

FAMILY

Born in Norfolk, Virginia, on March 12, 1912. Married to former Ethel Mae Breeden. Two children: Lawrence M. Cox, Jr., Norfolk, and Mrs. B. S. Merritt of Hilton Head, South Carolina.

CAREER

In the construction field from 1931 to 1934. From 1934 until 1937, statistician in the Housing Division of the Public Works Adm. From 1937 until 1940 served as special assistant to the Assistant Administrator of the U.S. Housing Authority.

First employee, as Assistant Director, of the Norfolk Redevelopment and Housing Authority from its beginning in 1940 until named Executive Director in April 1941.

AWARDS

Knight Commander, Order of Merit of Peru, June 3, 1958.

FRATERNITY

Sigmu Nu (college social).

CLUBS

Norfolk Assembly; Princess Anne Country Club, Virginia Beach, Farmington Country Club, Charlottesville, Golden Horseshoe Club, Williamsburg; Cedar Point Club, Nansemond County, Va.; The Harbor Club, Norfolk.

CHURCH

St. Paul's Episcopal Church, Norfolk.

CURRENTLY SERVING

As immediate Past President, Member, Board of Directors, American Society of Planning Officials, 1963—present.

Commissioner, Norfolk Area Medical Center Authority, 1964–present.

Board Member, Norfolk General Hospital; United Communities Fund, Norfolk; Urban Coalition, Norfolk.

The Correspondent for the United States, International Federation for Housing and Planning (Standing Committee on Urban Renewal).

Chairman, International Committee, National Association of Housing and Redevelopment Officials.

Member, Renewal Div., Exec., Committee, National Association of Housing and Redevelopment Officials.

Member, Working Subcommittee of U.S. Conference of Mayors' Committee on Community Development, 1960–present.

Member, National Housing Conference.

Member, Virginia Association of Assessing Officers.

Member, Ex. Committee, Central City Council, Urban Land Institute.

Member, National Trust for Historic Preservation.

Member, Norfolk Chamber of Commerce.

Member, Sons of the American Revolution.

Member, Advisory Council for Virginia Wesleyan College.

Member, Society for the Preservation of Virginia Antiquities.

Member, International Federation and Housing Planning.

PREVIOUSLY SERVED

President, Virginia Association of Redevelopment and Housing Authorities, 1942–1943.

President, National Association of Housing and Redevelopment Officials, 1948–1949.

Chairman, Renewal Div., National Association of Housing and Redevelopment Officials, 1955–1960.

Vice-Chairman, Renewal Div., National Association of Housing and Redevelopment Officials, 1954–1956.

Member, Board of Governors, National Association of Housing and Redevelopment Officials, 1944–1954.

President, American Society of Planning Officials, 1967–1968.

Member, Mayor's Advisory Committee on Establishment of a Medical School in Norfolk, 1963–1967.

Consultant to the United States High Commissioner for Germany, 1949.

Member, four-man mission to Peru under auspices of International Cooperation Adm., 1956.

Consultant to Peru's Presidential Commission on Housing and Land Reform, 1957.

Consultant to Prime Minister of Peru, 1960.

Participant as U.S. Representative, International Seminar on Urban Renewal (32 participants from 22 nations), The Hague, Netherlands, 1958.

Participant, International Congress on Housing and Town Planning, Liege, Belgium, 1958, Philadelphia, Pa., 1968.

Member, American Delegation to the Economic Commission for European International Conference on Building Documentation, Geneva, Switzerland, 1949.

Participant, Princeton University, Urban Land Institute Conference on Central City Renewal, 1967.

Contributor, Study of International Housing Program conducted by Subcommittee on Housing, Committee on Banking & Currency, United States Senate.

Lecturer

Central Business District Seminar Series, conducted and sponsored by the Institute of Government, University of North Carolina, Chapel Hill;

Graduate School of Public and International Affairs, University of Pittsburgh;

Southwestern Legal Foundation, Institute on Planning and Zoning, Southern Methodist Univ., Dallas, Texas;

Virginia Polytechnic Institute, Blacksburg;

Graduate School of Ekistics, Athens Technological Institute, Athens, Greece;

International School of Social Studies, The Hague, Netherlands;

Practicing Law Institute Seminar—Opening Lecturer, New York City;

Downtown Seminar, Univ. of Illinois Graduate School Seminar on Downtown Area Problems;

Graduate Seminar on Housing, Univ. of Virginia School of Architecture, Charlottesville;

Marshall-Wythe Symposium, College of William and Mary, Williamsburg, Virginia;

Graduate School of Planning, Univ. of Virginia;

Graduate School of Planning, Univ. of Cincinnati.

THE SMALL BUSINESS ADMINISTRATION

The bill clerk read the nomination of Hilary J. Sandoval, Jr., of Texas, to be Administrator of the Small Business Administration.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

Under the order previously entered, the following material is printed herewith:

Résumé

Name: Hilary Joseph Sandoval, Jr.

Business: President of Sandoval News Service, Inc. (established in 1919 by H. J. Sandoval, Sr.); wholesale distributors of magazines, newspapers, and books. Director of KINT radio (El Paso); vice-president KPAR radio, Albuquerque, New Mexico.

Home Address: 9917 Fenway, El Paso, Texas.

Date and place of birth: January 29, 1930, El Paso, Texas.

Parents: Hilary Joseph and Dora Sandoval.

Education: Austin High School of El Paso; B. A. degree, University of Arizona; attended Universidad de Mexico, and Texas Tech College.

Marriage date and wife's maiden name: August 11, 1951; Dolores B. Morales.

Children and birth dates: (1) Mary Dolores, February 7, 1953; (2) Irene Roberta, May 3, 1954; (3) Hilary Joseph III, August 13, 1957; (4) George Edward, July 15, 1959; (5) Anthony F., April 1, 1963.

MEMBERSHIPS—CLUBS, PROFESSIONAL AND OTHER ORGANIZATIONS

(1) Rotary Club of El Paso (past director);

(2) El Paso Chamber of Commerce;

(3) Sales and marketing executives international, past president;

(4) Mid-American periodicals distributors assocation, past president;

(5) Past co-chairman, Bureau of Independent Publishers and Distributors (U.S.A. & Canada), approximately 800 local distributors and all major publishers;

(6) League of United Latin American Citizens Council No. 8, president-emeritus.

OTHER ACTIVITIES

(1) Ex-fencing coach: University of Arizona.

(2) Reserve officer; U.S. Army.

(3) Ex-U.S. intelligence agent; counter intelligence corp; served in Carribean area 1952–1953.

(4) Elected chairman of the El Paso County Republican Party Executive Committee: January 29, 1962; re-elected on May 5, 1962;

(5) Area coordinator—International Executive Service Corps. Gives technical assistance to private enterprise overseas. (Financed by private foundations and U.S. Government).

(6) Private pilot.

(7) Small Business Advisory Council, Lubbock, Texas (S.B.A.).

AWARDS

(1) "Sales Executive of the Year", 1963. Presented by SME–International—El Paso Club.

(2) Texas State "Man of the Year" 1968, Air Force Association.

(3) Most valuable member of Lulac District No. 4, 1966–67.

DEPARTMENT OF DEFENSE

The bill clerk proceeded to read sundry nominations in the Department of Defense.

Mr. BYRD of Virginia. Mr. President, I desire to address myself to the nominations in the Department of Defense.

I hope that as the new team in the Defense Department takes over its responsibilities, it will develop a sense of urgency in bringing the Vietnam war to a close. I have not noted a sense of urgency in the past in this regard; but with a new team coming into the Defense Department, I believe that this should have top priority and that a sense of urgency should be developed.

Contrary to what I believe most American people feel, and contrary to the belief that the war is over, the facts show that during the past 7 weeks the United States has suffered 11,000 casualties in Vietnam. The facts also show that since the Paris peace talks began last May, the United States has suffered 70,000 casualties in Vietnam.

I am pleased to note that Secretary Laird and Assistant Secretary Nutter, who will be confirmed today, will leave tomorrow for a week's visit to Vietnam.

I am convinced, Mr. President, that with all the other problems we have in this country, still the No. 1 problem is to bring the Vietnam war to a close. I am concerned about the casualties, and I wish to point out again that in the last 7 weeks the United States has suffered 11,000 casualties in Vietnam.

I endorse the nominations which are before the Senate today, but I express the hope that they will lead to a sense of urgency in the Defense Department in regard to Vietnam.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

Under the order previously entered, the following material is printed herewith:

Dr. G. Warren Nutter

Dr. G. Warren Nutter was born in Topeka, Kansas on March 10, 1923. He was educated at the University of Chicago, receiving an A.B. degree in 1944, an A.M. in 1948, and a Ph. D. in 1949.

He served in the European Theater during World War II as an enlisted man and was later commissioned as a First Lieutenant in the Army Reserve. His decorations include the Bronze Star, the Combat Infantryman's Badge, and three battle stars.

Dr. Nutter is currently Paul Goodloe McIntire Professor of Economics, Chairman of the Department of Economics, and Director of the Thomas Jefferson Center at the University of Virginia. Before coming to the University in 1957, he was on the faculties of Lawrence College and Yale University. During the Korean War, Dr. Nutter served with the Central Intelligence Agency.

Dr. Nutter married the former Jane Calvert Couch in 1946. They now reside in Charlottesville, Virginia with their four children: Coleman, Terry, Anne, and William.

John Luther McLucas

John Luther McLucas was born in Fayetteville, North Carolina, on August 22, 1920. He received a Bachelor of Science degree from Davidson College in 1941, a Master of Science degree from Tulane University in 1943, and a Ph. D. in Physics from Penn State University in 1950.

During World War II (from 1943 to 1946), Dr. McLucas served with the U.S. Navy as an Operations Officer in the radar field.

Upon completion of his doctorate work at Penn State, Dr. McLucas assumed the office of Vice President, Technical Director of Haller, Raymond and Brown, Inc. in State College, Pennsylvania. He became President of HRB-Singer, Inc. in 1957, a post which he held until 1962, when he came into government as the Deputy Director of Defense Research and Engineering for Tactical Warfare Programs in the Department of Defense.

In 1964, Dr. McLucas was named the Assistant Secretary General of NATO for Scientific Affairs. Upon completion of this assignment in 1966, he became President and Chief Executive of the Mitre Corporation in Bedford, Massachusetts, a post which he still holds.

Dr. McLucas has received the DOD Distinguished Service Award, is a fellow of the Institute of Electrical and Electronics Engineers and is a member of the Operations Research Society, the American Institute of Aeronautics and Astronautics, the American Physics Society, the Defense Science Board, the USAF Scientific Advisory Board, and the DIA Scientific Advisory Committee.

Dr. McLucas married the former Patricia Knapp on July 27, 1946, and they have four children: Pamela, Susan, John C., and Roderick K.

BIOGRAPHY OF GRANT L. HANSEN

Grant L. Hansen was born on November 5, 1921, at Bancroft, Idaho. He attended public schools in California and following five years (1940–1945) in the U.S. Navy as an electronics technician and engineer during World War II, he attended Illinois Institute of Technology, and was graduated with a Bachelor of Science degree in electrical engineering. He has also completed advanced studies in engineering and management at UCLA and the California Institute of Technology.

From 1948 until he joined the Convair division of General Dynamics in 1960, Mr. Hansen held engineering and management positions with the Douglas Aircraft Company. During his last two years there, he was assistant chief design engineer for all missile and space systems.

Beginning in early 1948, he was test conductor for the Nike program at the White Sands Proving Grounds and launched several of the earliest Nike research and development vehicles. He was also responsible for design of Nike launch control and test equipment.

He later assumed responsibility for all electrical and electronic engineering for the Nike Ajax, Nike Hercules, Honest John, Sparrow, MB–1, Thor, Thor-Delta, Nike-Zeus, and Skybolt missile and space systems. He also was technical manager of Sparrow flight testing at the Naval Air Missile Test Center, Pt. Mugu, California.

He joined the Convair Division of General Dynamics in 1960 as Chief Engineer for Design and was appointed Vice President and Program Director for CENTAUR in February 1962. On December 1, 1965, he became Vice President of the Convair Division. In this capacity, he is responsible for the launch vehicle programs. These include the CENTAUR upper-stage vehicle program, the Atlas space booster program, and the program for research use of Atlas ballistic weapon system vehicles and advanced launch vehicle programs.

During his career, Mr. Hansen has participated extensively in research and development flight test programs at Holloman Air Force Base, Vandenberg Air Force Base, and Cape Kennedy.

In 1966, he was awarded the National Aeronautics and Space Administration Public Service Award for leadership and exceptional contributions to the management of the Convair effort in developing and operating the CENTAUR vehicle systems.

In 1967, he was honored with a special "recognition award" from the Illinois Institute of Technology Alumni Association for "leadership and exceptional scientific and technological accomplishment" in connection with NASA's Surveyor I mission.

He is an associate fellow of the American Institute of Aeronautics and Astronautics, a member of the Tau Beta Pi and Eta Kappa Nu honorary engineering societies, the National Society of Aerospace Professionals, the American Astronautical Society, and a senior member of the Institute of Electrical and Electronics Engineers.

Mr. Hansen was married on April 21, 1945, to Iris Rose Heyden. They have five children: Allan Lee, Brian Craig, Carol Margaret, David James, and Ellen Diane. The family presently resides in El Cajon, California.

STANLEY R. RESOR, SECRETARY OF THE ARMY

Stanley R. Resor was born in New York City on December 5, 1917. He is a graduate of Groton School, Yale University, and the Yale Law School. He majored in government at Yale, where he received a B.A. degree in 1939 along with a commission as a Second Lieutenant in the Field Artillery Reserve.

During World War II, Mr. Resor interrupted his studies at the Yale Law School to serve with the Army from February 1942 to January 1946. Entering on duty as a Second Lieutenant, he attended the Battery Officers Course and the Officers Advanced Course at the Field Artillery School, Fort Sill, Oklahoma, before going overseas with the 10th Armored Division in 1944. He served in the European Theater of Operations, participating in the defense of Bastogne during the Battle of the Bulge. He was awarded the Silver Star, Bronze Star, and Purple Heart; and his unit received the Distinguished Unit Citation.

Returning to the United States in October 1945, Mr. Resor reverted to inactive status on January 16, 1946. He returned to the Yale Law School and received his Bachelor of Law Degree in June 1946.

Since 1946, Mr. Resor has practiced law in New York City with the firm of Debevoise, Plimpton, Lyons & Gates, becoming a partner in the firm in 1955. Mr. Resor has specialized in corporate law. He is a member of the American Bar Association; the Association of the Bar of New York City; and the New York State Bar Association; the Council of Foreign Relations, Inc.; and the Metropolitan, Chevy Chase, Yale, Links, New Canaan Country and New Canaan Winter Clubs.

On April 5, 1965, Mr. Resor assumed the office of the Under Secretary of the Army. He was sworn into office as Secretary of the Army on July 7, 1965.

Mr. Resor is married to the former Jane Lawler Pillsbury of Wayzata, Minnesota. They have seven sons.

Current as of January 1969.

THADDEUS R. BEAL, UNDER SECRETARY OF THE ARMY (APPOINTEE)

Mr. Thaddeus R. Beal has been nominated to succeed Mr. David E. McGiffert as Under Secretary of the Army.

Mr. Beal, President and Chief Executive Officer, Harvard Trust Company, Cambridge, Massachusetts was born in New York City, March 22, 1917. He received his B.A. degree from Yale College in 1939 (Phi Beta Kappa) and LL.B. from Harvard Law School in 1947 (Cum Laude). He served in World War II as a member of the U.S. Navy, from 1941 to 45, attaining the rank of Lieutenant Commander.

Mr. Beal was admitted to the Massachusetts Bar in 1947. He was an associate and later partner in the law firm of Herrick, Smith, Donald, Farley and Ketchum, Boston, Massachusetts from 1947 until 1956. He joined the Harvard Trust Company in 1957.

Mr. Beal is a trustee of the Cambridge Savings Bank; trustee of Boston Personal Property Trust and director of the Middlesex Mutual Insurance Company. He is a member of the Executive Council, American Bankers Association.

Mr. Beal is married to the former Katharine Putnam. They have four children—Katharine, Thaddeus, Alice and George.

William K. Brehm was sworn in as Assistant Secretary of the Army for Manpower and Reserve Affairs on April 11, 1968. Major General Kenneth G. Wickham, The Adjutant General of the Army, administered the oath of office in ceremonies in the Office of the Secretary of the Army, the Honorable Stanley R. Resor.

Mr. Brehm previously was the Deputy Assistant Secretary of Defense for Land Forces Programs in the Office of the Assistant Secretary of Defense for System Analysis. He was nominated by President Johnson to be Assistant Secretary on March 25 and the nomination was confirmed by the Senate on April 8.

The position of Assistant Secretary for Manpower and Reserve Affairs in each military department was created by the Reserve Forces Bill of Rights and Vitalization Act of 1967, which was designed to strengthen the management structure of the reserve forces in order to make them more effective.

Mr. Brehm was graduated from Fordson High School, Dearborn, Michigan in 1947, and received his bachelor's and master's degree in mathematics from the University of Michigan.

Prior to joining the Department of Defense, Mr. Brehm was corporate Director–Development Planning, at North American Aviation, Incorporated, El Segundo, California. He has previously held positions as Executive Staff Assistant to the Vice President, Planning, at the Convair Division of General Dynamics Corporation, as Design Specialist and later Chief of Operations Analysis at Convair and as Research Associate at the Engineering Research Institute, University of Michigan.

Mr. Brehm resides in Fairfax, Virginia. He is married to the former Dolores Soderquist and has two children.

EUGENE M. BECKER

Mr. Becker was sworn in as Assistant Secretary of the Army for Financial Management on 13 June 1967. In this capacity he is responsible for supervision of Army financial management activities including the Army's program and planning systems.

Mr. Becker was born in St. Paul, Minnesota on 1 September 1930. He graduated from Colgate University (Phi Beta Kappa) in 1952. Subsequently, he received a Ph. D. in Cultural History and Archaeology from Princeton University in 1959. This included study as a Fulbright scholar at the University of Paris.

Mr. Becker had two years of military service with the U.S. Army in Europe from 1954–1956. During this time he was a press analyst for the U.S. European Command Headquarters near Paris.

From 1960–1961, Mr. Becker was the Director of Information on Municipal Securities for the Investment Bankers Association of America. Following this, he served as Assistant Vice President, First National City Bank, New York City, where he specialized in the underwriting and distribution of municipal and government agencies securities.

In 1966 he became Director of the Budget of the City of New York. In this position he was responsible for the design of the City's Executive Capital and Expense Budgets.

Mr. Becker is a Vice President and member of the Board of Trusteees of The Carnegie Hall Corporation, New York City.

U.S. AIR FORCE

The bill clerk proceeded to read sundry nominations in the U.S. Air Force.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

U.S. ARMY

The bill clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask

unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

U.S. NAVY

The bill clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—THE AIR FORCE AND THE ARMY

The bill clerk proceeded to read sundry nominations in the Air Force and the Army which had been placed on the Secretary's desk.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

AUTHORIZATION FOR SECRETARY OF THE SENATE TO RECEIVE MESSAGES, AND FOR REFERRAL OF MESSAGES TO APPROPRIATE COMMITTEES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the President of the United States during adjournment or recess of the Senate until Tuesday, March 11, 1969, and that it be in order for such messages to be referred to the appropriate committees.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 83 and the succeeding measures in sequence.

The VICE PRESIDENT. Without objection, it is so ordered.

NATURE AND CONTROL OF AIRCRAFT ENGINE EXHAUST EMISSIONS

The Senate proceeded to consider the resolution (S. Res. 86) to print a report by the Secretary of Health, Education, and Welfare on "Nature and Control of Aircraft Engine Exhaust Emissions," as a Senate document, which had been reported from the Committee on Rules and Administration, with an amendment in line 5, after the word "with", strike out "section 306" and insert "section 211(b)", so as to make the resolution read:

S. Res. 86

Resolved, That there be printed with illustrations as a Senate document the report of the Secretary of Health, Education, and Welfare, entitled "Nature and Control of Aircraft Engine Exhaust Emissions", submitted to the Congress in accordance with section 211(b), Public Law 90–148, the Air Quality Act of 1967, and that there be printed two thousand five hundred additional copies of such document for the use of the Committee on Public Works.

The amendment was agreed to.

The resolution, as amended, was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–85), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 86 would provide that there be printed with illustrations as a Senate document the report of the Secretary of Health, Education, and Welfare, entitled "Nature and Control of Aircraft Engine Exhaust Emissions," submitted to the Congress in accordance with section 211(b), Public Law 90–148, the Air Quality Act of 1967; and that there be printed 2,500 additional copies of such document for the use of the Committee on Public Works.

At the request of that committee, the Committee on Rules and Administration has amended Senate Resolution 86 to rectify a minor clerical error.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$1,113.44
2,500 additional copies, at $59.24 per thousand	148.10
Total estimated cost, Senate Resolution 86	1,261.54

AIR POLLUTION ABATEMENT BY FEDERAL FACILITIES

The resolution (S. Res. 88) to print a report by the Secretary of Health, Education, and Welfare on "Air Pollution Abatement Facilities," as a Senate document, was considered and agreed to, as follows:

S. Res. 88

Resolved, That there be printed with illustrations as a Senate document the report of the Secretary of Health, Education, and Welfare, entitled, "Air Pollution Abatement by Federal Facilities", submitted to the Congress in accordance with section 306, Public Law 90–148, the Air Quality Act of 1967, and that there be printed two thousand five hundred additional copies of such document for the use of the Committee on Public Works.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–86), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 88 would provide that there be printed with illustrations as a Senate document the report of the secretary of Health, Education, and Welfare, entitled "Air Pollution Abatement by Federal Facilities," submitted to the Congress in accordance with section 306, Public Law 90–148, the Air Quality Act of 1967; and that there be printed 2,500 additional copies of such document for the use of the Committee on Public Works.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$1,047.32
2,500 additional copies, at $74.46 pes thousand	186.15
Total estimated cost, Senate Resolution 88	1,233.47

PROGRESS IN THE PREVENTION AND CONTROL OF AIR POLLUTION

The resolution (S. Res. 87) to print a report by the Secretary of Health, Education, and Welfare, on "Progress in the Prevention and Control of Air Pollution," as a Senate document, was considered and agreed to, as follows:

S. Res. 87

Resolved, That there be printed with illustrations as a Senate document the second report of the Secretary of Health, Education, and Welfare, entitled "Progress in the Prevention and Control of Air Pollution", submitted to the Congress in accordance with section 306, Public Law 90–148, the Air Quality Act of 1967, and that there be printed two thousand five hundred additional copies of each document for the use of the Committee on Public Works.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–87), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 87 would provide that there be printed with illustrations as a Senate document, the second report of the Secretary of Health, Education, and Welfare, entitled "Progress in the Prevention and Control of Air Pollution," submitted to the Congress in accordance with section 306, Public Law 90–148, the Air Quality Act of 1967; and that there be printed 2,500 additional copies of such document for the use of the Committee on Public Works.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$1,412.25
2,500 additional copies, at $103.93 per thousand	259.82
Total estimated cost, Senate Resolution 87	1,672.07

ADDITIONAL COPIES OF HEARINGS ON THE NOMINATION OF WALTER J. HICKEL

The Senate proceeded to consider the concurrent resolution (S. Con. Res. 5) to print additional copies of hearings on the nomination of Walter J. Hickel to be Secretary of the Interior, which had been reported from the Committee on Rules and Administration, with amendments, at the beginning of line 4, strike out "additional" and insert "a compilation of parts 1 and 2 of"; and, in line 6, after "January 15–18," insert "and 18, 20,"; so as to make the concurrent resolution read:

S. CON. RES. 5

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Interior and Insular Affairs five thousand copies of a compilation of parts 1 and 2 of the hearings entitled "The Nomination of Governor Walter J. Hickel, of Alaska, to be Secretary of the Interior" held January 15–18, and 18, 20, 1969.

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–88), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Concurrent Resolution 5 would provide that there be printed for the use of the Senate Committee on Interior and Insular Affairs 5,000 additional copies of its hearings entitled "The Nomination of Gov. Walter J. Hickel, of Alaska, to be Secretary of the Interior," held January 15–18, 1969.

At the request of the Senate Committee on Interior and Insular Affairs, the Senate Committee on Rules and Administration has amended the concurrent resolution to provide for the inclusion in the same volume of the executive testimony of January 18 and 20, 1969, subsequently released to the public and printed as part 2 of the hearings.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

Back to press, first 1,000	$2,242.12
4,000 additional copies, at $333.06 per thousand	1,332.24
Total estimated cost, Senate Congressional Resolution 5	3,574.36

APPOINTMENT AND CONFIRMATION OF ADMINISTRATOR OF SOCIAL AND REHABILITATION SERVICE AND CERTAIN SUBORDINATES

The Senate proceeded to consider the bill (S. 1022) to provide that future appointments to the Office of Administrator of the Social and Rehabilitation Service, within the Department of Health, Education, and Welfare, shall be made by the President, by and with the advice and consent of the Senate, which had been reported from the Committee on Finance, with amendments on page 1, line 4, after the word "the" where it appears the first time strike out "office" and insert "offices"; and in line 5, after the word "Service," insert "Commissioner of the Rehabilitation Services Administration, Commissioner of the Medical Services Administration, and Commissioner of the Assistance Payments Administration, all"; so as to make the bill read:

S. 1022

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That appointments made on or after February 17, 1969, to the offices of Administrator of the Social and Rehabilitation Service, Commissioner of the Rehabilitation Services Administration, Commissioner of the Medical Services Administration, and Commissioner of the Assistance Payments Administration, all within the Department of Health, Education, and Welfare, shall be made by the President, by and with the advice and consent of the Senate.

Mr. **DIRKSEN**. Mr. President, this measure is occasioned by the fact that when we passed on nominations in the Committee on Finance, three of the nominations, of course, were to be confirmed by the Senate. But here was a spot which, in my judgment, was of equal prestige and which should be confirmed by the Senate also, but it took this additional authority to do it.

Mr. **LONG**. Mr. President, on February 17, I introduced a bill to require that future appointments to the Office of Administrator of the Social and Rehabilitation Service within the Department of Health, Education, and Welfare be made by the President by and with the advice and consent of the Senate. The Committee on Finance considered the bill last week and ordered it reported with an amendment requiring that three positions subordinate to the Administrator also be appointed by the President by and with the advice and consent of the Senate. These positions are the Commissioner of the Rehabilitation Services Administration, the Commissioner of the Medical Services Administration, and the Commissioner of the Assistance Payments Administration.

None of these positions were created by the Congress; they were established by a reorganization within the Department of Health, Education, and Welfare in 1967, when the Social and Rehabilitation Service was created. The responsibilities of this agency include major programs under the jurisdiction of the Finance Committee in the Senate and the Ways and Means Committee in the House, including the welfare programs, medicaid, and the maternal and child health programs. The sums involved are huge; the programs of the Social and Rehabilitation Service account for more than five and one-half cents of every general fund dollar estimated to be spent in fiscal year 1970—a total of $8.6 billion. The bulk of the funds are spent on the public assistance programs. The 1970 budget includes about $4½ billion in Federal expenditures for the cash assistance programs, and more than $3 billion for medicaid. If the State and local expenditures are included, more than one-quarter billion dollars will be spent on public assistance every week of fiscal year 1970.

These dollar amounts are not the only indication of the responsibilities of the Administrator of the Social and Rehabilitation Service and the Commissioners of the bureaus under him. For the Administrator is the agency's top official in formulating policy for such important programs as medicaid and the new work incentive program. The administration of these programs has received and will continue to receive the close scrutiny of the Finance Committee and, in the House, the Ways and Means Committee. Our committees will want to have a good hard look at the new regulations issued by the Social and Rehabilitation Service in January, which affect such areas as the work incentive program, day care standards, family planning, eligibility determinations under public assistance, reimbursement under medicaid, provision of legal services to welfare recipients, and the definition of unemployment for welfare purposes. Some of these regulations run counter to congressional intent clearly expressed in the legislative history. By requiring senatorial confirmation of these key policy officials, this bill will give the Finance Committee and the Senate an opportunity to insure that the persons responsible for implementing the law will understand that law and will administer it as the Congress intended.

At present, three agency heads in the Department of Health, Education, and Welfare with stature equivalent to that of the Administrator of the Social and Rehabilitation Service—the Commissioner of Social Security, the Commissioner of Education, and the Surgeon General of the Public Health Service—all require senatorial confirmation. Yet, in fiscal year 1970, the expenditures of the Social and Rehabilitation Service will exceed those of the Office of Education and Public Health Service combined. The committee bill proposes to treat all four agency heads equally by upgrading the stature of the Administrator of the Social and Rehabilitation Service so that he is selected by the President and given the support of the Senate,

In implementing the laws and formulating policy, the Administrator of the Social and Rehabilitation Service must rely heavily on the recommendations of this principal subordinates. Today, two of them—the Chief of the Children's Bureau and the Commissioner on Aging—are nominated by the President with the advice and consent of the Senate. There is no doubt that the public assistance, medicaid, and rehabilitation programs are at least as imoprtant as the programs administered by the Children's Bureau and the Administration on Aging. It was for this reason that the Finance Committee amended the original bill to provide that the heads of the Rehabilitation Services Administration, the Medical Services Administration, and the Assistance Payments Administration also be selected by the President with senatorial support. This amendment will accord equal stature to these coordinate bureau heads.

I am confident that if the Senate approves this bill, the House Committee on Ways and Means will report it to the House. The chairman of that committee has indicated the same sort of concern about the programs dealt with by these offices that I have described to the

Senate. I am sure that he would want to see the greater congressional control over these programs that the bill will make possible.

The committee amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-90), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Original bill.—S. 1022 as introduced required that future appointments to the office of Administrator of the Social and Rehabilitation Service within the Department of Health, Education, and Welfare be made by the President by and with the advice and consent of the Senate.

Committee amendment.—The committee amendment requires that three positions subordinate to the Administrator also be appointed by the President by and with the advice and consent of the Senate. These three positions are: Commissioner, Rehabilitation Services Administration; Commissioner, Medical Services Administration; and Commissioner, Assistance Payments Administration.

GENERAL STATEMENT ON THE BILL

The Social and Rehabilitation Service was established in 1967 by a reorganization within the Department of Health, Education, and Welfare. Its responsibilities are broad, encompassing the Federal welfare programs, medicaid, and programs in the areas of vocational rehabilitation, maternal and child health, aging, and juvenile delinquency. The sums involved are huge; these programs accounted for expenditures totaling $6 billion in 1968. Expenditures of this agency are expected to grow to $8.6 billion in 1970—a 44-percent increase in only 2 years. The bulk of the funds are spent on the public assistance programs. In fiscal year 1970, the budget includes an estimated $4½ billion in expenditures for the cash assistance programs and $3 billion for medicaid. Over one-half billion dollars will be spent on grants for rehabilitation services and facilities, while one-quarter billion dollars will be spent on maternal and child welfare programs under the Social Security Act.

The following table shows 1970 expenditure estimates for the programs of the Social and Rehabilitation Service:

Social and Rehabilitation Service, fiscal year 1970 expenditure estimates

	Millions
Social Security Act:	
Medicaid	$2,971
Work incentive program	163
Other public assistance	4,452
Maternal and child welfare	261
Subtotal	7,847
Vocational rehabilitation	570
Cuban refugee program	83
Aging	28
Mental retardation	22
Juvenile delinquency	10
All other	33
Total	8,593

These dollar amounts are not the only indication of the responsibilities of the Administrator of the Social and Rehabilitation Service and the commissioners of the bureaus under him. For the Administrator is the agency's top official in formulating policy for such important programs as medicaid and the new work incentive program aimed at helping assistance recipients to become economically independent. It is this official whose signature appears below the new regulations issued in January affecting such areas as the work incentive program, day care standards, family planning, eligibility determinations under public assistance, reimbursement under medicaid, provision of legal services to welfare recipients, and the definition of unemployment for welfare purposes.

At present, three agency heads in the Department of Health, Education, and Welfare with stature equivalent to that of the Administrator of the Social and Rehabilitation Service—the Commissioner of Social Security, the Commissioner of Education, and the Surgeon General of the Public Health Service—all are nominated by the President with the Senate's advice and consent. In fiscal year 1970, the expenditures of the Social and Rehabilitation Service will exceed those of the Office of Education and Public Health Service combined. (Office of Education expenditures are estimated at $3.9 billion in 1970; Public Health Service expenditures will be $2.9 billion; estimates for the Social and Rehabilitation Service total $8.6 billion.) The committee bill would end the present anomaly by treating all four agency heads equally. The bill would upgrade the stature of the Administrator of the Social and Rehabilitation Service by having the President select him and by giving him the support of the Senate that his colleagues now enjoy.

Naturally, the Administrator of the Social and Rehabilitation Service must rely heavily on the recommendations of his principal subordinates. There are five such subordinates. Today, two of them—the Chief of the Children's Bureau and the Commissioner on Aging—presently are nominated by the President with the advice and consent of the Senate. The committee feels that the importance of the rehabilitation, medicaid, and cash assistance programs is as great as that of the programs administered by the Children's Bureau and the Administration on Aging. The committee has therefore amended the original bill to provide that the heads of the Rehabilitation Services Administration, the Medical Services Administration, and the Assistance Payments Administration also be selected by the President with senatorial support. Thus equal stature will be accorded these coordinate bureau heads.

The title was amended, so as to read: "A bill to provide that future appointments to the office of Administrator of the Social and Rehabilitation Service, within the Department of Health, Education, and Welfare, and to certain subordinate offices, be made by the President by and with the advice and consent of the Senate."

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON PROPOSED MILITARY CONSTRUCTION, AIR NATIONAL GUARD

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report on the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Air National Guard (with an accompanying report); to the Committee on Armed Services.

REPORT OF THE FEDERAL MARITIME COMMISSION

A letter from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the seventh annual report of the Commission, for the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on Commerce.

REPORT ON THE FINANCIAL CONDITION AND RESULTS OF THE OPERATIONS OF THE HIGHWAY TRUST FUND

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the financial condition and results of the operations of the highway trust fund, dated June 30, 1968 (with an accompanying report); to the Committee on Finance.

REPORT OF THE SOCIAL PROGRESS TRUST FUND

A letter from the President, Inter-American Development Bank, transmitting, pursuant to law, the eighth annual report of the social progress trust fund, dated 1968 (with an accompanying report); to the Committee on Foreign Relations.

ANNUAL REPORT ON LEAD AND ZINC MINING STABILIZATION PROGRAM

A letter from the Under Secretary of the Interior, transmitting, pursuant to law, the seventh annual report on the lead and zinc mining stabilization program for the year ended December 31, 1968 (with an accompanying report); to the Committee on Interior and Insular Affairs.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reason for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

PROPOSED FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to improve the health and safety conditions of persons working in the coal mining industry of the United States (with accompanying papers); to the Committee on Labor and Public Welfare.

REPORTS OF THE ATOMIC ENERGY COMMISSION

A letter from the Chairman, Atomic Energy Commission, transmitting, pursuant to law, its annual report to Congress for 1968 and its supplement entitled "Fundamental Nuclear Energy Research, 1968" (with accompanying reports); to the Joint Committee on Atomic Energy.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives, State of Montana; to the Committee on Finance:

"HOUSE RESOLUTION 5

"Resolution of the House of Representatives of the State of Montana urging elimination of the freeze of funds relating to aid to families with dependent children under the Social Security Act

"Whereas, the Social Security Amendments of 1967 inserted a provision in the Social Security Act known as the Aid to Families with Dependent Children Freeze which limits the federal matching funds for AFDC children, and

"Whereas, this provision of the Social Security Act will work a hardship on Montana and on other states, and

"Whereas, for the fiscal biennium 1969–1971, the state of Montana has found it necessary to budget $600,000 of state funds and $300,000 of county funds to offset the estimated loss of federal funds: Now, therefore, be it

"Resolved by the House of Representatives of the State of Montana, That the Ninety-first Congress of the United States is urged to carefully consider the hardship to the states caused by the 'AFDC Freeze' and eliminate this provision from the law; Be it further

"Resolved, That the Chief Clerk of the House is directed to send a copy of this resolution to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the Director of the Social Security Administration, to the Secretary of Health, Education and Welfare, to the Chairman of the Ways and Means Committee of the United States House of Representatives, and to each member of the Montana Congressional Delegation.

"JAMES R. FELT,
"Speaker of the House.
"THOMAS E. MOONEY,
"Chief Clerk."

A joint resolution of the Legislature of the State of Arizona; to the Committee on Interior and Insular Affairs:

"SENATE JOINT MEMORIAL 1

"Joint memorial urging the President and the Congress of the United States to recognize the grazing rights of Henry Gray, Jack Gray and Robert Louis Gray, doing business as Gray Partners, on the Organ Pipe Cactus National Monument by either ratifying and confirming their right to a lifetime grazing permit on the monument or compensating them for the cancellation of their grazing permit

"To the President and the Congress of the United States of America:

"Your memorialist respectfully represents:

"Whereas, during the year 1917 Bob Gray and his family moved from Texas into what is now known as the Organ Pipe Cactus National Monument, and there purchased range rights, water rights and improvements from persons then living and grazing cattle in the area, all in accordance with the recognized customs, practices and Laws of the United States and the State of Arizona at that time, and all of which grazing land at that time was open range and remained so until the passage of the Taylor Grazing Act in 1934 which Act specifically recognized such grazing rights; and

Whereas, the Organ Pipe Cactus National Monument was established by Executive Order of April 13, 1937 (50 Stat. 1827); and

"Whereas, under the provisions of such Executive Order the lands withdrawn were subject to vested rights which, insofar as surviving members of the Gray family, by then doing business as the Gray Partners, were concerned, consisted of water rights, homestead rights and their range rights and improvements as recognized by the Taylor Grazing Act; and

"Whereas, after considerable negotiations and discussions between Senator Carl Hayden of Arizona and Secretary of the Interior Harold L. Ickes, a firm commitment was made by Secretary Ickes to Senator Hayden that in lieu of condemning their grazing rights or compensating the Gray Partners for their vested rights in the Monument that their grazing and water rights would continue to be recognized by the issuance of grazing permits through the lifetime of the last surviving Gray Partner, which agreement has been recognized and honored throughout the years and grazing permits have been issued by the National Park Service of the Department of the Interior down to and including December 31, 1968; and

"Whereas, in 1966, the Department of the Interior, acting through its Under Secretary John A. Carver, made a firm commitment to the Gray Partners to purchase all of their rights within the Organ Pipe Cactus National Monument, consisting of approximately one hundred sixty acres of fee land, two sections of State of Arizona leased grazing land together with all their improvements, water rights and grazing permit on such public lands for a total consideration of three hundred sixty thousand dollars, which offer was accepted by the Gray Partners by the execution of an Option and Contract dated August 30, 1966. Attempts were made by the Department of the Interior from the date of such option to July, 1968, to obtain the approval of the Senate and House Subcommittees on Appropriations and National Parks, which approval was granted by the Senate Subcommittee but withheld by the House Subcommittee. The aforesaid option has been extended from time to time by the Gray Partners and they have at all times acted in good faith in their dealings with the National Park Service and the Department of the Interior and relied upon the firm commitment to purchase their rights made by Under Secretary Carver; and

"Whereas, notwithstanding these facts, the Assistant Secretary of the Interior under date of July 12, 1968 advised the Gray Partners that their grazing permit on the Organ Pipe Cactus National Monument would expire on December 31, 1968 and would not be continued and that their cattle grazing upon the Monument would have to be removed from the Monument lands by January 1, 1969; and

"Whereas, as a result of this arbitrary action by the Department of the Interior, Senator Carl Hayden introduced in the Senate of the United States S. 3837 authorizing and directing the Treasurer of the United States to pay the Gray Partners the sum of two hundred ninety-two thousand dollars as damages or compensation for the cancellation of their grazing permit; and

"Whereas, it is the considered opinion of the Legislature of the State of Arizona that the Gray Partners have been unjustly, arbitrarily and cruelly treated by the Department of the Interior and the arbitrary cancellation of their grazing permit on the Organ Pipe Cactus National Monument violates firm commitments made by the Secretary of the Interior to Senator Carl Hayden and more recently to other members of the Arizona Congressional Delegation; and

"Whereas, the Legislature of the State of Arizona believes that this unjust and arbitrary action should be rectified and corrected by the President and the Congress of the United States by legislation which would either ratify and confirm the lifetime grazing permit of the Gray Partners or compensate them for the loss of their grazing privileges and property rights on the Monument.

"Wherefore your memorialist, the Legislature of the State of Arizona prays:

"1. That the Congress of the United States enact and the President sign into Law legislation which will either ratify and confirm the lifetime grazing permits of Henry Gray, Jack Gray and Robert Louis Gray, doing business as the Gray Partners, on the public lands within the Organ Pipe Cactus National Monument, or fully compensate them for the loss of their grazing privileges and rights.

"2. That the Secretary of State of the State of Arizona be directed to transmit a copy of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives of the United States and to each member of the Arizona Congressional delegation."

A resolution adopted by the Presbytery of San Jose, of the Synod of the Golden Gate, of the United Presbyterian Church in the USA, praying for the enactment of legislation to protect the rights of farm workers, and so forth; to the Committee on Labor and Public Welfare.

RESOLUTIONS OF THE COMMONWEALTH OF MASSACHUSETTS

Mr. BROOKE presented a resolution of the Commonwealth of Massachusetts, which was referred to the Committee on Finance, as follows:

RESOLUTIONS MEMORIALIZING CONGRESS TO PASS LEGISLATION AMENDING THE INTERNAL REVENUE CODE TO PERMIT HOMEOWNERS TO DEDUCT UP TO $500 A YEAR FOR THE MAINTENANCE, PRESERVATION, AND REHABILITATION OF THEIR HOMES

Whereas, The existing stock of residential property in the cities and towns of America provides the core of the residential resources of our Country; and

Whereas, The creation of new housing can never provide more than a small percentage of the units available in the existing housing stock; and

Whereas, The preservation of this priceless natural and economic resource must be the keystone of national housing policy; therefore be it

Resolved, That the Massachusetts House of Representatives respectfully urges the Congress of the United States to amend the Internal Revenue Code to permit homeowners to deduct up to five hundred dollars a year for the maintenance, preservation and rehabilitation of their homes; and be it further

Resolved, That copies of these resolutions be transmitted by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress and to the members thereof from this Commonwealth.

House of Representatives, adopted, February 13, 1969.

WALLACE C. MILLS,
Clerk.

Attest:

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Mr. BROOKE presented a resolution of the Commonwealth of Massachusetts, which was referred to the Committee on Labor and Public Welfare, as follows:

RESOLUTIONS MEMORIALIZING CONGRESS TO AMEND THE HEALTH PROFESSIONAL EDUCATIONAL ASSISTANCE ACT

Whereas There is a lack of well trained medical professionals in this country; and

Whereas, This problem is particularly critical in central city areas; and

Whereas, There is definite need for action to meet the problem of the lack of well trained medical professionals in central city areas; therefore be it

Resolved, That the Massachusetts House of Representatives respectfully urges the Congress of the United States to amend the Health Professional Educational Assistance Act to provide one hundred per cent reduction of loans for graduates who practice in poor, urban areas; and be it further.

Resolved, That copies of these resolutions be transmitted by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress and to the members thereof from this Commonwealth.

House of Representatives, adopted, February 13, 1969.

Wallace C. Mills,
Clerk.

Attest:

John F. X. Davoren,
Secretary of the Commonwealth.

A resolution adopted by the congregation of the First Wesleyan Church, of Alexandria, Va., expressing approval of the spiritual recognition by our astronauts; ordered to lie on the table.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. RANDOLPH, from the Committee on Public Works:

Col. George D. Fink, Corps of Engineers, U.S. Army, to be a member of the California Debris Commission; and

Robert A. Podesta, of Illinois, to be an Assistant Secretary of Commerce.

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare:

Geoffrey H. Moore, of New Jersey, to be Commissioner of Labor Statistics, U.S. Department of Labor.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN (for himself, Mr. Mansfield, Mr. Scott, Mr. Byrd of West Virginia, Mr. Baker, Mr. Hruska, Mr. Boggs, Mr. Spong, Mr. Cotton, Mr. Goodell, Mr. Randolph, and Mr. Mathias):

S. 1247. A bill to establish the Capitol Guide Service, and for other purposes; to the Committee on Rules and Administration.

By Mr. DIRKSEN (by request):

S. 1248. A bill for the relief of Erman-Howell Division, Luria Steel & Trading Corp.; to the Committee on the Judiciary.

By Mr. FANNIN:

S. 1249. A bill for the relief of Bert N. Adams and Emma Adams; to the Committee on the Judiciary.

By Mr. COTTON (for himself and Mr. Magnuson):

S. 1250. A bill to amend the Federal Aviation Act of 1958; to the Committee on Commerce.

By Mr. PERCY:

S. 1251. A bill to amend title XIX of the Social Security Act to provide that, under any State plan approved thereunder, there shall not be taken into account the financial responsibility of any individual in determining eligibility for assistance under such plan of such individual's blind or permanently and totally disabled child who has attained age 21; to the Committee on Finance.

(See the remarks of Mr. PERCY when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 1252. A bill for the relief of Melvin E. Beers; and

S. 1253. A bill for the relief of Crown Coat Front Co., Inc.; to the Committee on the Judiciary.

By Mr. CURTIS:

S. 1254. A bill to amend section 4063(a) of the Internal Revenue Code of 1954 (relating to exemption of specified articles from the tax on motor vehicles); to the Committee on Finance.

By Mr. THURMOND:

S. 1255. A bill to equalize the treatment of Reserves and Regulars in the payment of per diem; and

S. 1256. A bill to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps; to the Committee on Armed Services.

S. 1257. A bill to permit a taxpayer carrying on a trade or business in the conduct of which ten or less persons are engaged to elect to take a standard deduction, in lieu of itemized deductions, for expenses attributable to such trade or business; and

S. 1258. A bill to amend the Internal Revenue Code of 1954 to provide a 20-percent credit against the individual income tax for certain educational expenses incurred at an institution of higher education; to the Committee on Finance.

S. 1259. A bill to amend title 28, United States Code, to withdraw from courts of the United States jurisdiction with respect to State legislative apportionment proceedings; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 1260. A bill to determine eligibility of ex-servicemen for unemployment compensation; to the Committee on Finance.

S. 1261. A bill for the relief of Miss Lydia C. Gamboa;

S. 1262. A bill for the relief of Dr. Miriam Ehrenkranz; and

S. 1263. A bill for the relief of Dr. Lauro S. Geronimo; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the first above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. Prouty, and Mr. Yarborough):

S. 1264. A bill to amend the provisions of the Public Health Service Act which relate to student loans so as to provide for the making of direct loans to U.S. citizens studying in foreign schools; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the first above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. Goodell, and Mr. Brooke):

S. 1265. A bill to provide for essential development and the relief of congestion at public airports; to the Committee on Commerce.

By Mr. ERVIN:

S. 1266. A bill to further insure due process in the administrative discharge procedure followed by the Armed Forces; to the Committee on Armed Services.

(See the remarks of Mr. Ervin when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 1267. A bill for the relief of George Buentipo; to the Committee on the Judiciary.

By Mr. MONDALE (for himself and Mr. McCarthy):

S. 1268. A bill authorizing construction of certain improvements on the Wild Rice River in Minnesota, in the interest of flood control and allied purposes; to the Committee on Public Works.

(See the remarks of Mr. Mondale when he introduced the above bill, which appear under a separate heading.)

By Mr. INOUYE:

S. 1269. A bill to amend the Military Selective Service Act of 1967 in order to provide that persons between the ages of nineteen and twenty shall be the first to be inducted to meet the military manpower requirements of the Nation, and to provide for the selection of such persons for induction through a random selection system; to the Committee on Armed Services.

(See the remarks of Mr. Inouye when he introduced the above bill, which appear under a separate heading.)

By Mr. McGOVERN:

S. 1270. A bill for the relief of Ma Kei Lok;

S. 1271. A bill for the relief of Kwok Ki Tsang;

S. 1272. A bill for the relief of Chi Keung Wong;

S. 1273. A bill for the relief of Chuen Sang Cheung;

S. 1274. A bill for the relief of Shu Wah Ip; and

S. 1275. A bill for the relief of San Piu Lau; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 1276. A bill to amend title 5, United States Code, to provide for lump-sum payments for accumulated and accrued sick leave where employees die in service and for such payments or, at the option of the employees, credit for retirement purposes upon separation or retirement; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. BAYH:

S. 1277. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on Government Operations.

(See the remarks of Mr. Bayh when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS:

S. 1278. A bill for the relief of Claro R. Francisco; to the Committee on the Judiciary.

By Mr. MONTOYA (for himself, Mr. Boggs, Mr. Dodd, Mr. Dole, Mr. Hart, Mr. Javits, Mr. McCarthy, Mr. McGee, Mr. Stevens, Mr. Yarborough, and Mr. Young of North Dakota):

S. 1279. A bill to provide that any disability of a veteran who is a former prisoner of war is presumed to be service-connected for purposes of hospitalization and outpatient care; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 1280. A bill to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes;

S. 1281. A bill to amend the Uniform Time Act to allow an option in the adoption of advanced time in certain cases;

S. 1282. A bill to amend section 510(a)(1) of the Merchant Marine Act, 1936;

S. 1283. A bill to authorize appropriations for certain maritime programs of the Department of Commerce; and

S. 1284. A bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when

he introduced the above bills, which appear under separate headings.)

By Mr. McGOVERN (for himself, Mr. Hatfield, Mr. Bayh, Mr. Brooke, Mr. Burdick, Mr. Cook, Mr. Cooper, Mr. Cranston, Mr. Eagleton, Mr. Goodell, Mr. Hart, Mr. Hartke, Mr. Hughes, Mr. Inouye, Mr. Javits, Mr. Kennedy, Mr. Mathias, Mr. McIntyre, Mr. Metcalf, Mr. Montoya, Mr. Moss, Mr. Muskie, Mr. Nelson, Mr. Randolph, Mr. Ribicoff, Mr. Schweiker, Mr. Scott, Mr. Stevens, Mr. Tydings, Mr. Williams of New Jersey, Mr. Yarborough, and Mr. Young of Ohio);

S. 1285. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. McGovern when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 1286. A bill to provide for the appointment, promotion, separation, and retirement of commissioned officers of the Environmental Science Services Administration, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself and Mr. Pell) (by request):

S. 1287. A bill to authorize appropriations for fiscal years 1970, 1971, and 1972 to carry out the metric system study; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself, Mr. Javits, and Mr. Stevens) (by request):

S. 1288. A bill to amend section 212(B) of the Merchant Marine Act, 1936, as amended; and

S. 1289. A bill to amend the International Travel Act of 1961, as amended, in order to improve the balance of payments by further promoting travel to the United States, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under a separate heading.)

By Mr. McCLELLAN (for himself, Mr. Dirksen, Mr. Bayh, Mr. Burdick, Mr. Eastland, Mr. Fulbright, Mr. Hatfield, Mr. Kennedy, Mr. Mansfield, Mr. Pell, Mr. Randolph, Mr. Scott, Mr. Tydings, and Mr. Williams of New Jersey):

S. 1290. A bill to incorporate college benefit system of America; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 1291. A bill to provide for an expanded legal services program within the Office of Economic Opportunity; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Mondale when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 1292. A bill for the relief of Vladimir Petrovich;

S. 1293. A bill for the relief of Dr. Asuncion Casolino Berroya;

S. 1294. A bill for the relief of Savitaben C. Bhatt; and

S. 1295. A bill for the relief of Thi Anh Le; to the Committee on the Judiciary.

S. 1296. A bill to amend the Military Service Act of 1967 in order to provide a more equitable system of selecting persons for induction into the Armed Forces under such act, to improve the administration of such act, to authorize a study of the alternatives to the method of providing personnel for the Armed Forces, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Hart when he introduced the last above-listed bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself, Mr. Anderson, Mr. Bayh, Mr. Burdick, Mr. Dodd, Mr. Eastland, Mr. Fulbright, Mr. Fong, Mr. Inouye, Mr. McCarthy, Mr. Metcalf, Mr. Moss, Mr. Pell, Mr. Stevens, Mr. Tydings, and Mr. Yarborough):

S. 1297. A bill to amend the Civil Service Retirement Act so as to permit retirement of employees with 30 years of service on full annuities without regard to age; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself and Mr. Jackson):

S. 1298. A bill to promote the domestic and foreign commerce of the United States by modernizing practices of the Federal Government relating to the inspection of persons, merchandise, and conveyances moving into, through, and out of the United States, and for other purposes; to the Committee on Finance.

(See the remarks or Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE (for himself and Mr. Bayh):

S. 1299. A bill to protect consumers and others against misbranding, false invoicing, and false advertising of decorative wood and simulated wood products; to the Committee on Commerce.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. Cooper, Mr. Scott, Mr. Schweiker, and Mr. Stevens):

S. 1300. A bill to improve the health and safety conditions of persons working in the coal mining industry of the United States; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT:

S. 1301. A bill relating to membership in Indian tribal organizations; and

S. 1302. A bill to amend the Mineral Leasing Act of 1920 in order to provide for public records of oil and gas leases issued under such Act and other instruments affecting title to such leases, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Allott when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. MURPHY:

S. 1303. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 1304. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 1305. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 1306. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1307. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1308. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1309. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California.;

S. 1310. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 1311. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 1312. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1313. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1314. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1315. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1316. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1317. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1318. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1319. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 1320. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1321. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1322. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 1323. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 1324. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1325. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1326. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1327. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 1328. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1329. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 1330. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1331. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1332. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1333. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1334. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 1335. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1336. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1337. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1338. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1339. A bill to authorize the payment of private claims to R. A. Beaver and J. F. Beaver of Blythe, Calif.;

S. 1340. A bill to relinquish and disclaim any title to certain lands situated in Imperial County, Calif.;

S. 1341. A bill to relinquish and disclaim any title to certain lands situated in Imperial County, Calif.;

S. 1342. A bill to relinquish and quitclaim any title to certain lands situated in Riverside County, Calif.;

S. 1343. A bill to relinquish and disclaim any title to certain lands situated in Yuma County, Ariz.;

S. 1344. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1345. A bill to relinquish and disclaim any title to certain lands situated in Yuma County, Ariz.;

S. 1346. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1347. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1348. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1349. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1350. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 1351. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 1352. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California;

S. 1353. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1354. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1355. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1356. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1357. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1358. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 1359. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California; and

S. 1360. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Murphy when he introduced the above bills, which appear under a separate heading.)

By Mr. MILLER:

S. 1361. A bill to amend title II of the Social Security Act to increase the amount of earnings permitted each year without deductions from the insurance benefits payable thereunder; to the Committee on Finance.

(See the remarks of Mr. Miller when he introduced the above bill, which appear under a separate heading.)

By Mr. BOGGS (for himself, Mr. Scott, Mr. Schweiker, and Mr. Kennedy):

S. 1362. A bill to provide federal financial assistance to Opportunities Industrialization Centers; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Boggs when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON (for himself, Mr. Kennedy, Mr. Mondale, Mr. Javits, Mr. Prouty, Mr. Moss, and Mr. Yarborough):

S. 1363. A bill to provide for support by the Teacher Corps of programs in which volunteers serve as part-time tutors or full-time instructional assistants; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. MURPHY:

S. 1364. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of San Bernardino, State of California; to the Committee on Interior and Insular Affairs.

By Mr. GOODELL:

S. 1365. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strikes at the sites of construction projects; to the Committee on Labor and Public Welfare.

By Mr. MOSS:

S. 1366. A bill to release the conditions in a deed with respect to a certain portion of the land heretofore conveyed by the United States to the Salt Lake City Corp.; to the Committee on Government Operations.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 1367. A bill for the relief of Fu Pak Yiu; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey (for himself, Mr. Bayh, Mr. Case, Mr. Dodd, Mr. Harris, Mr. Hart, Mr. Hughes, Mr. Inouye, Mr. Jackson, Mr. Javits, Mr. McGee, Mr. McIntyre, Mr. Metcalf, Mr. Mondale, Mr. Montoya, Mr. Pell, and Mr. Yarborough):

S. 1368. A bill to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. Bible, Mr. Case, Mr. Dodd, Mr. Jackson, Mr. Javits, Mr. McGee, Mr. McIntyre, Mr. Metcalf, Mr. Montoya, Mr. Pell, Mr. Prouty, and Mr. Yarborough):

S. 1369. A bill to amend section 302(c) of the Labor-Management Relations Act, 1947, to permit employer contributions for joint-industry promotion of products in certain instances; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. Bible, Mr. Case, Mr. Dodd, Mr. Inouye, Mr. Javits, Mr. McIntyre, Mr. Metcalf, Mr. Montoya, and Mr. Pell):

S. 1370. A bill to amend section 302(c) of the Labor-Management Relations Act, 1947, to permit employer contributions for a joint committee or joint board empowered to interpret provisions of collective-bargaining agreements; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. Case, Mr. Hart, Mr. Javits, Mr. McCarthy, Mr. Metcalf, Mr. Mondale, Mr. Montoya, and Mr. Proxmire):

S. 1371. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. THURMOND:

S.J. Res. 63. A joint resolution expressing declaration of will of the American people and purpose of their Government to achieve complete victory over the forces of the world Communist movement; to the Committee on Foreign Relations.

S.J. Res. 64. A joint resolution proposing an amendment to the Constitution of the United States providing for the establishment of a Court of the Union;

S.J. Res. 65. A joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; and

S.J. Res. 66. A joint resolution proposing an amendment to the Constitution of the United States relating to the process of amending the Constitution; to the Committee on the Judiciary.

By Mr. TYDINGS (for himself, Mr. Mathias, Mr. Spong, Mr. Byrd of Virginia, Mr. Scott, Mr. Schweiker, and Mr. Randolph):

S.J. Res. 67. A joint resolution granting the consent of Congress to the States of Maryland and West Virginia and the Commonwealths of Virginia and Pennsylvania and the District of Columbia, as signatory bodies, for certain amendments to the compact creating the Potomac Valley Conservancy District and establishing the Interstate Commission on the Potomac River Basin; to the Committee on the Judiciary.

(See the remarks of Mr. Tydings when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. MAGNUSON (for himself, Mr. Javits, and Mr. Stevens):

S.J. Res. 68. A joint resolution authorizing the President to extend indefinitely a period to "See the United States" and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Magnuson when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. MOSS:

S.J. Res. 69. A joint resolution proposing an amendment to the Constitution of the United States providing for the nomination of candidates of political parties for President and Vice President; to the Committee on the Judiciary.

(See the remarks of Mr. Moss when he introduced the above joint resolution, which appear under a separate heading.)

S. 1251—INTRODUCTION OF BILL COVERING SOCIAL SECURITY PROVISIONS AFFECTING THE BLIND

Mr. PERCY. Mr. President, I am introducing a bill today to remove discriminatory provisions of the Social Security Act applying to blind and permanently and totally disabled persons.

At present the Social Security Act, in determining eligibility for the extent of medical assistance to be available to individuals, states that the financial responsibility of any individual for any applicant or recipient of assistance under the act should not be considered unless such applicant or recipient is such individual's spouse or such individual's child who is under age 21; or is blind or permanently disabled.

This means that a blind or permanently and totally disabled person over 21 of no matter what age—whether 30, 40, or even older—is still declared to be a ward of and dependent upon his parents. Only if he can then prove that his parents cannot provide the financial resources to meet his medical assistance needs will he be eligible for Government assistance.

The bill I am introducing today would strike the language declaring that a blind or permanently disabled person is still primarily the financial responsibility of his parents after the age of 21.

Without firsthand experience, it is virtually impossible to appreciate the destructive effects that the relative-responsibility provision of the present social security law has upon the blind and disabled citizens of the United States. The term "citizens" must be used reluctantly and is placed in quotes because the effect of the restriction is to reduce them to the status of second-class members of society. The law, in its present form, groups 82,000 blind citizens together with approximately 600,000 who are totally disabled and subjects all of them to a disparaging discrimination which finds no justification in law, in equity, or in fact. While other full-fledged but needy members of our society who happen to continue residing with their parents after reaching the age of majority are permitted to apply for aid in their own right, the blind and disabled are subjected to the added degradation of having first to demonstrate that their parents are either unwilling or unable to provide for their needs. One could find no clearer case of a law that denies equal rights under the law.

One attribute of a dynamic society is the presence of a sub-culture of persons who are not as well equipped to participate as are the majority. One property which characterizes an enlightened society is the maintenance of facilities intended to enable such handicapped persons to achieve full participation. Blindness is a severe and unique handicap which couples an extreme physical limitation together with the psychologically corrosive impact of an ancient public image of despair and uselessness. The consequences of this false image are not merely inward and emotional; they are real and devastating. Unbelievable social and vocational discrimination still exists; for example, employers frequently deny opportunities to fully qualified and proficient blind workers.

Two indispensible requirements must be met before the handicap of blindness, or any other disability, can be overcome: first, superb vocational training so that job performance can be undeniably above average; and, second, development of a sense of personal confidence and self-respect so that the offensive and degrading burden of public misunderstanding can be surmounted. It is our task—that of every legislator and every responsible citizen—to provide the rehabilitation and support needed to elevate the level of performance and self-confidence of this group so that these requirements might be met.

The ability to perform successfully and to be a contributing member of society is a necessary foundation for the self-respect of a young blind or disabled adult. As he becomes no longer a burden to his family, the improved attitudes and the more wholesome relationship between him and his parents can be expected to result in increased support and encouragement from them. We thus will have provided the conditions under which a seriously handicapped person can aspire to freedom and achievement and can move forward into real independence.

This bill has the full support of the Illinois Federation of the Blind and the American Council for the Blind.

I urge support for this bill and its prompt enactment to correct this glaring inequity and discrimination against blind and disabled citizens within our society.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1251) to amend title XIX of the Social Security Act to provide that, under any State plan approved thereunder, there shall not be taken into account the financial responsibility of any individual in determining eligibility for assistance under such plan of such individual's blind or permanently and totally disabled child who has attained age 21, introduced by Mr. Percy, was received, read twice by its title, and referred to the Committee on Finance.

S. 1268—INTRODUCTION OF BILL AUTHORIZING WILD RICE RIVER FLOOD CONTROL PROJECT

Mr. MONDALE. Mr. President, on September 20, 1968, I introduced S. 4061 of the 90th Congress. That proposal authorized the construction of a dam and reservoir on the Wild Rice River above Twin Valley, Minn., for flood control, general recreation, and allied purposes. Regrettably, S. 4061 was not enacted last year.

One of the heaviest snow coverings in many years now threatens, with the advent of spring, a serious flood disaster in the vincinity of Twin Valley. I am, therefore, reintroducing this proposal today with the cosponsorship of Senator McCarthy. I am very hopeful that it will be considered by the Senate Public Works Committee at the earliest possible date.

As I stressed when S. 4061 was first introduced, authorizations for such projects are ordinarily recommended to the Senate by the Public Works Committee in an omnibus rivers and harbors bill. The project authorized by this proposal was reviewed by the distinguished members of both the House and Senate Public Works Committees and would almost certainly have been included in the 1968 bill, Public Law 90–483. I am, in fact, offering this proposal today only because executive branch delays in submitting essential reports to Congress resulted in the exclusion of the Wild Rice project from the 1968 omnibus bill.

Mr. President, I think it is very important to stress that the essential executive reports were submitted to the Congress late last July. More importantly, those reports viewed this project in a most favorable light. Unfortunately, their receipt in Congress narrowly missed the cutoff point for congressional action on the omnibus bill.

I am very hopeful that the Senate Public Works Committee under the able leadership of my friend, Senator Randolph, will proceed to consider this bill and that construction of the Wild Rice River project, substantially in accordance with the provisions of House Document No. 366, 90th Congress, will be authorized in this session. I do realize that the committee is reluctant to consider individual projects and such reluctance is understandable. Nonetheless, I think the very special circumstances and the very serious problem confronting Minnesotans in this instance warrants exceptional treatment and I hope the Committee on Public Works will view with favor my request for early approval of this bill.

Mr. President, I ask unanimous consent that the text of the bill and brief excerpts from House Document No. 366 be reprinted in their entirety at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and excerpts will be printed in the Record.

The bill (S. 1268) authorizing construction of certain improvements of the Wild Rice River in Minnesota, in the interest of flood control and allied purposes, introduced by Mr. Mondale (for himself and Mr. McCarthy), was received, read twice by its title, and referred to the Committee on Public Works, as follows:

S. 1268

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the project for improvement of the Wild Rice River in Minnesota is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 366, Ninetieth Congress, at an estimated cost of $8,359,000.

Sec. 2. There are hereby authorized to be appropriated such sums as may be required to carry out the provisions of this Act.

The excerpts, presented by Mr. Mondale, follow:

Department of the Army, Corps
of Engineers, Board of Engineers for Rivers and Harbors,
Washington, D.C., March 26, 1968.

Subject: Wild Rice River, Minnesota.

Chief of Engineers,
Department of the Army,
Washington, D.C.:

1. *Authority.*—This report is in partial response to the following resolutions adopted 15 June 1950, 27 June 1950, and 19 July 1950, respectively.

Resolved by the Committee on Public Works of the United States Senate, That the Board of Engineers for Rivers and Harbors, created under Section 3 of the River and Harbor Act, approved June 13, 1902, be, and is hereby, requested to review the reports on the Red River of the North, Minnesota and North Dakota, submitted in House Document Numbered 185, Eighty-first Congress, and prior reports, with a view to determining if the recommendations contained therein should be modified at this time in view of the disastrous floods of April and May, 1950, and in view of the international aspects of the flood problem on which much information may be obtained from Dominion, provincial, municipal and other interests in Canada through the investigations already under way in accordance with Article IX of the Boundary Waters Treaty of January 1909.

Resolved by the Committee on Public Works of the House of Representatives, United States, That the Board of Engineers for Rivers and Harbors be, and is hereby, requested to review the reports on the Red River of the North Drainage Basin, Minnesota, South Dakota, and North Dakota, submitted in House Document No. 185, 81st Congress, 1st Session, and prior reports, with a view to determining whether the recommendations contained therein should be modified in any way at this time.

Resolved by the Committee on Public Works of the House of Representatives, United States, That the Board of Engineers for Rivers and Harbors be, and is hereby, requested to review the reports on the Red River of the North Drainage Basin, Minnesota, South Dakota, and North Dakota, submitted in House Document No. 185, 81st Congress, 1st Session, and prior reports, with a view to determining if the recommendations contained therein should be modified at this time in view of the disastrous floods of April and May, 1950, and in view of the international aspects of the flood problem on which much information may be obtained from Dominion, provincial, municipal, and other interests in Canada through the investigations already under way in accordance with Article IX of the Boundary Waters Treaty of January 1909.

It covers the urgent flood and related water problems of the Wild Rice and Marsh River basins, recognizing their relationship to problems in the Red River of the North basin. Other reports in response to the resolutions will be submitted later.

2. *Basin description.*—The Wild Rice River is an eastern tributary of the Red River of the North in northwestern Minnesota. The river heads at Lower Rice Lake in Clearwater County and flows westerly for about 160 miles, joining the Red River of the North about 30 miles north of Moorhead, Minnesota. In the latter part of the 19th century, local interests constructed a 10-mile-long ditch to divert a part of Wild Rice River floodflows into the adjacent Marsh River. These two streams drain an area of about 1,950 square miles, of which 300 square miles are in the Marsh River watershed. Above the point of diversion, the Wild Rice River drains 1,090 square miles. The lower portion of the basin is a nearly flat lacustrine plain which was the bed of glacial Lake Agassiz. Lacustrine deposits extend to great depths over this plain. Stream slopes average about 4 feet per mile in the upper reaches and about 1 foot per mile in the lower 27-mile reach. Channel capacity immediately upstream from the point of diversion is 3,100 cubic feet per second (c.f.s.). Below the diversion, the Wild Rice River channel capacity ranges from about 2,200 c.f.s. to 2,600 c.f.s. Marsh River channel capacities vary from 940 to about 1,360 c.f.s.

3. *Economic development.*—The population of Norman and Mahnomen Counties, which comprise most of the Wild Rice and Marsh River basins, totaled 17,594 in 1960. The largest communities in the basin are Ada, Mahnomen, and Twin Valley with populations of 2,064, 1,462, and 841, respectively, in 1960. Agriculture, primarily cash crop farming, is the major occupation. Industries are those associated with the processing or marketing of food and kindred products.

4. *Existing improvements.*—In 1954, the Corps of Engineers completed about 39 miles of channel improvement, of which about 15 miles were on the Wild Rice River above mile 27.3 and 24 miles on the Marsh River above mile 20.8. The improved channels are designed to carry flood-flows corresponding to a discharge above the point of diversion of about 3,100 c.f.s. Federal costs have amounted to about $405,000. In 1964, snagging and clearing of a 12-mile reach of the Wild Rice River between miles 15.2 and 27.2 for flood control was completed by the Corps of Engineers at a Federal cost of about $86,600. In 1895, local interests constructed a diversion ditch together with a low concrete weir to divert part of the Wild Rice River floodflows into the Marsh River. In 1906, the State dredged a series of cutoffs on the Wild Rice River between miles 35 and 40 in the interest of flood control. Municipal and private interests have built several small dams for water supply and power, two of which still remain at miles 3.6 and 57.4.

5. *Floods and damages.*—Flooding along the Wild Rice and Marsh Rivers occurs frequently and high flows on these streams aggravate downstream flooding along the Red River of the North. The maximum flood of record in July 1909 inundated the entire community of Ada as well as nearly 100,000 acres of cropland in the Wild Rice and Marsh River basins. Average annual flood damages based on June 1966 prices are estimated at $497,800 of which $292,500 is agricultural, $20,600 is rural road and bridges and $174,700 is urban. In addition, average annual crop damages along the Red River of the North from the mouth of the Wild Rice River to the international boundary are estimated at $1,481,600 and urban damages to the city of Grand Forks, North Dakota, at $710,200.

6. *Improvements desired.*—At a public hearing held by the District Engineer in January 1963, local interests strongly favored multiple-purpose reservoir storage. They particularly desired provision of an assured water supply in anticipation of industrial expansion in the Wild Rice River basin which subsequently failed to materialize. Following the damaging floods of 1965 and 1966, they have urged early construction of a reservoir principally for flood control. They now strongly support the reservoir plan proposed by the District Engineer.

7. *Plan of improvement.*—The District Engineer finds that a reservoir on the Wild Rice River, with the dam located about 1 mile above Twin Valley, for purposes of flood control, recreation, and fish and wildlife enhancement, would constitute the most practical and economically feasible solution to the flood and water-related problems of the Wild Rice River basin and would also provide beneficial flood stage reduction along the Red River of the North. The drain-

age area at the damsite is 888 square miles. The dam would be a rolled earthfill structure about 90 feet high with a crest length of 4,280 feet including the spillway. The spillway would consist of a concrete ogee crest and chute equipped with two tainter gates. A gated low-flow outlet conduit would be combined with the spillway gate pier. The reservoir would provide 47,000 acre-feet of storage of which 39,500 acre-feet would be for flood control and 7,500 acre-feet for sediment reserve to be used as a conservation pool for recreation and fish and wildlife enhancement. The project plan provides for development of three recreation areas for public use, two along the rim of the reservoir and one below the dam.

8. *Economic evaluation.*—The District Engineer estimates the first cost of the proposed dam and reservoir project at $8,270,000 for initial construction and $82,000 for future recreation facilities of which the Federal cost would be $8,155,000 for initial construction and $41,000 for future recreation facilities. The initial and future non-Federal share would amount to $115,000 and $41,000, respectively. Using an interest rate of 3¼ percent and a 100-year period of analysis, the District Engineer estimates the annual charges at $310,200, including $19,900 for operation, maintenance, and replacements of which $7,300 would be non-Federal. The average annual benefits are estimated at $465,300, consisting of $363,700 for flood control, $31,300 for general recreation, $4,000 for fish and wildlife enhancement, and $66,300 for redevelopment effects. The ratio of benefits to costs is 1.3 without redevelopment benefits and 1.5 with these benefits included. The District Engineer recommends that a dam and reservoir on the Wild Rice River, Minnesota, be authorized for flood control, general recreation, and fish and wildlife enhancement essentially in accordance with his plan, subject to certain specified local cooperation. He further recommends that, in accordance with the recommendation of the Director of the Bureau of Sports Fisheries and Wildlife, additional detailed studies of fish and wildlife resources be conducted as necessary, after the project is authorized, and that such reasonable modifications be made in the authorized project facilities as may be agreed upon by the Director of the Bureau of Sport Fisheries and Wildlife and the Chief of Engineers for the conservation, improvement, and development of these resources. The Division Engineer concurs.

9. The Division Engineer issued a public notice stating his recommendations and affording interested parties an opportunity to present additional information to the Board. Careful consideration has been given to the communications received.

VIEWS AND RECOMMENDATIONS OF THE BOARD OF ENGINEERS FOR RIVERS AND HARBORS

10. *Views.*—The Board of Engineers for Rivers and Harbors concurs in general in the views and recommendations of the reporting officers. The proposed improvements are economically justified and the requirements of local cooperation are generally appropriate. The Board notes, however, with respect to the proposed relocation of County Road 36, that the portion of the relocation necessitated by the reservoir development should be constructed to the same design standards as other portions of the relocation, and the additional costs therefor (presently estimated at $7,000) should be borne by the Federal Government as a part of the project costs. Such adjustment would be minor and would have no significant effect on the benefit-cost ratio.

11. *Recommendations.*—Accordingly, the Board recommends the construction of a dam and reservoir on the Wild Rice River above Twin Valley, Minnesota, for flood control, general recreation, and fish and wildlife enhancement, generally in accordance with the plan of the District Engineer and with such modifications thereof as in the discretion of the Chief of Engineers may be advisable, at an estimated cost of $8,359,000 for construction and $19,900 annually for maintenance, operation, and replacements: Provided that, prior to construction, local interests furnish assurances satisfactory to the Secretary of the Army that they will:

a. In accordance with the Federal Water Project Recreation Act:

(1) Administer project land and water areas for recreation and fish and wildlife enhancement;

(2) Pay, contribute in kind, or repay (which may be through user fees) with interest, one-half of the separable cost allocated to recreation and fish and wildlife enhancement, presently estimated at $115,000 for initial development and $41,000 for future facilities;

(3) Bear all costs of operation, maintenance, and replacement of recreation and fish and wildlife lands and facilities, presently estimated at $7,300 annually;

b. Prevent encroachment which would reduce the flood-carrying capacities of the Wild Rice and Marsh River channels below the proposed reservoir;

c. At least annually inform affected interests that the project will not provide complete flood protection;

d. Provide guidance and leadership in preventing unwise future development of the flood plain by use of appropriate flood plain management techniques to reduce flood losses; and

e. Hold and save the United States free from damages due to water-rights claims resulting from construction and operation of the project.

12. The Board further recommends that additional detailed studies of fish and wildlife resources be conducted, as necessary, after the project is authorized, and that such reasonable modifications be made in the authorized project facilities as may be agreed upon by the Director of the Bureau of Sport Fisheries and Wildlife and the Chief of Engineers for the conservation, improvement, and development of these resources.

13. The Board further recommends that, following authorization of the project, detailed site investigation and design be made for the purpose of accurately defining the project lands required; that subsequently, advance acquisition be made of such title to such lands as may be required to preserve the site against incompatible developments; and that the Chief of Engineers be authorized to participate in the construction or reconstruction of transportation and utility facilities in advance of project construction as required to preserve such areas from encroachment and avoid increased costs for relocations.

14. The net cost to the United States for the recommended improvements is estimated at $8,203,000 for construction and $12,600 annually for operation, maintenance, and replacements.

For the Board:

R. G. MACDONNELL,
Major General, USA, Chairman.

S. 1269—INTRODUCTION OF BILL TO AMEND THE SELECTIVE SERVICE ACT OF 1967

Mr. INOUYE. Mr. President, today, I am introducing a bill which would amend the Selective Service Act of 1967. Our continuing need for substantial military forces in the immediate future demands that we devise the most equitable system possible for the induction of men into our Armed Forces.

The present practice of drafting the oldest men first is, in my opinion, most inequitable. This conclusion has also been reached by those studying draft reform proposals. By drafting the oldest men first, we invoke untold hardship on our young men. This system forces them into long periods of uncertainty relative to their draft status and prevents them from making any long-range plans.

My bill proposes that young men be eligible for induction into the Armed Forces for 1 year—the year between their 19th and 20th birthdays. While this bill retains present exemptions—that is, student deferments, hardship deferments, and so forth—it would provide that for the year following the termination of a deferment, young men would be eligible for induction into the Armed Forces. For example, if at age 19, a young man has a student deferment, he would be eligible for induction for 1 year following his college graduation, his dropping out of school, or upon reaching age 24. Following the termination of the other deferments, should the person be otherwise qualified, he would also be eligible for 1 year for induction into the Armed Forces. However, at no time would a person be eligible for induction for more than 1 year except in the case of a declared national emergency.

This bill also proposes to establish a random selection system to be carried out by each local selective service board. It in no way removes any powers of the local selective service boards. The local boards would still be responsible for determining eligibility for induction. Those classified as draft eligible would be placed in a pool from which they would be chosen to serve by a lottery system. The national Selective Service headquarters would still set the quotas for each State and the State headquarters would in turn set the quotas for each local board.

The Senate version of the Selective Service Act Amendments of 1967 suggested that a lottery system be established on a trial basis; however, the final version of the bill, as passed by the House and Senate, prohibited the President from setting up such a system unless specifically authorized by Congress. It is my firm opinion that the lottery system is the most equitable system for determining who is to be inducted into the armed services.

To make the Selective Service System more equitable than it is presently constituted I am introducing this bill and request that the text be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1269) to amend the Military Selective Service Act of 1967 in order to provide that persons between the ages of 19 and 20 shall be the first to be inducted to meet the military manpower requirements of the Nation, and to provide for the selection of such persons for induction through a random selection system, introduced by Mr. INOUYE, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S. 1269

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as a "Military Selective Service Amendments Act of 1969".

SEC. 2. Section 5 of the Military Selective Service Act of 1967 (50 U.S.C. App. 455) is amended to read as follows:

"SEC. 5. (a) (1) The selection of persons for training and service under section 4 shall be made as provided in this subsection from persons who are liable for such training and service and who at the time of selection are registered and classified, but not deferred or exempted.

"(2) Quotas of men to be inducted for training and service under this Act shall be met by the selection of persons from the primary selection group, after the selection of delinquents and volunteers, to the extent that such primary selection group has a sufficient number of qualified registrants in it to meet such quotas. The order of induction of persons in the primary selection group shall be determined by a random selection system carried out by each local board in accordance with such rules and regulations as the President may prescribe. The President is authorized, under such rules and regulations as he may prescribe, to establish a separate and distinct selection system for persons found by him to have special skills essential to the national defense.

"(3) As used in this Act, the term 'primary selection group' means persons who are liable for training and service under this Act, who at the time of selection are registered and classified, and—

"(A) who are between the ages of nineteen and twenty and are not deferred or exempted;

"(B) who, on the effective date of the Military Selective Service Amendments Act of 1969, are between the ages of twenty and twenty-six and who are not on such date in a deferred or exempted status; or

"(C) who, on or after the effective date of the Military Selective Service Amendments Act of 1969, are between the ages of nineteen and thirty-five and were in a deferred or exempted status but are no longer in such status.

Notwithstanding the foregoing provisions of this paragraph, in order to provide for the effective administration of this subsection, the President is authorized, in the case of persons described in subparagraphs (B) and (C) of this paragraph, to postpone, on the basis of age, the inclusion of any such persons in the primary selection group for any period not exceeding four years following the effective date of the Military Selective Service Amendments Act of 1969.

"(4) Unless selected for induction or unless otherwise deferred from induction into the Armed Forces, a person shall remain liable for induction as a registrant within the primary selection group for a period of one year. Any person who is in a deferred status upon attaining the age of nineteen shall, upon the termination of such deferred status, and if qualified, be liable for induction as a registrant within the primary selection group irrespective of his actual age, unless he is otherwise deferred under authority of this Act. Any person who is removed from the primary selection group because of a deferment shall again become liable for induction as a registrant within the primary selection group, if he otherwise qualifies, whenever such deferment is terminated. In no event shall any person be liable for induction as a registrant within the primary selection group for any period or periods totalling more than one year; nor shall any person be liable for induction as a registrant within such a group after he has attained the thirty-fifth anniversary of the date of his birth.

"(5) No order for induction shall be issued under this title to any person who has not attained the age of nineteen years unless the President finds that such action is in the national interest.

"(6) There shall be no discrimination against any person on account of race, color, or creed in the selection of persons for training and service under this Act or in the interpretation and execution of any provision of this Act.

"(7) Notwithstanding any other provision of law, except section 314 of the Immigration and Nationality Act (8 U.S.C. 1425), no person who is qualified in a needed medical, dental, or allied specialist category, and who is liable for induction under section 4 of this Act, shall be held to be ineligible for appointment as a commissioned officer of an armed force of the United States on the sole ground that he is not a citizen of the United States or has not made a declaration of intent to become a citizen thereof, and any such person who is not a citizen of the United States and who is appointed as a commissioned officer may, in lieu of the oath prescribed by section 3331 of title 5, United States Code, take such oath of service and obedience as the Secretary of Defense may prescribe."

SEC. 3. (a) The fifth and sixth sentences of section 6(h) (1) of the Military Selective Service Act of 1967 (50 U.S.C. App. 456(h) (1)) are hereby repealed.

SEC. 4. The amendments made by this Act shall become effective on the first day of the third calendar month following the month in which this Act is enacted.

S. 1276—INTRODUCTION OF FEDERAL EMPLOYEES' ACCRUED SICK LEAVE PAYMENT BILL

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill which would amend the Civil Service Retirement Act to provide that accumulated sick leave of Federal employees can be either credited to the individual's retirement fund for the purpose of computing his annuity or paid in cash for one-half its value at the time of retirement. This bill is similar to three earlier legislative proposals which I have submitted—S. 1661 of the 88th Congress, S. 326 of the 89th Congress, and S. 759 of the 90th Congress.

The purpose of this bill, Mr. President, is to encourage Federal employees to accumulate sick leave until retirement. Under the existing law a Federal employee receives no remuneration for accrued sick leave at the time of his retirement. The majority of Federal employees, who consider earned sick leave like an earned fringe benefit, are not encouraged under the present system to accumulate sick leave, because they know that unused accrued sick leave has no financial value to them at the time of their retirement.

The bill would give the employee two options with respect to unused sick leave at the time of his retirement. The employee might elect to take a cash payment for one-half of the accumulated sick leave or he might have the entire number of accumulated days of sick leave credited to his service time for the purpose of computing his annuity.

A sense of justice, a sense of fairplay, and simple sound management practices augurs well for this measure. Federal employee surveys have turned up considerable evidence that the present policy is encouraging a number of Federal employees to use sick leave in situations where it is not absolutely necessary. Some employees, in their final year of Government service use up to three times as much sick leave as other employees. And why not? After all the straitjacket system we now employ provides precisely the wrong incentives. And that is a situation this bill is designed to correct.

The dedicated and responsible civil servant who does not use his accrued sick leave is the unsung hero and the real loser under the present system. For example, there are many individual employees who have foregone as much as $25,000 worth of accumulated sick leave at retirement time. The Post Office Department reports that employees who retired effective December 30, 1966, had approximately $8,900,000 worth of unused sick leave turned back to the Postal Service by 2,518 employees. The available figures for 11,000 employees who retired in 1965 under a retirement incentive plan lost an average of 885 hours or 110 days of accumulated sick leave. I am sure more current statistics would reflect a sizable increase in the amount of lost sick leave.

The present practice, encouraging absenteeism as it does, contributes to inefficiency and a waste of talent. An employee on sick leave falls behind in his work. The temporary employee who attempts to perform the absentee's duties is frequently less knowledgeable or skilled and consequently does a less effective job.

It is clear, therefore, that both the Federal employees and the Government will be well served by this bill. The employee who has earned sick leave and has not used it will be remunerated at the time of his retirement. The Government which seeks less absenteeism and higher efficiency among its employees, will be able to look forward to thousands of hours of increased productivity.

I ask unanimous consent that this bill be printed in full at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1276) to amend title 5, United States Code, to provide for lump-sum payments for accumulated and accrued sick leave where employees die in service and for such payments or, at the option of the employees, credit for retirement purposes upon separation or retirement, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

S. 1276

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8332 of title 5, United States Code, relating to civil service retirement, is amended by adding the following new subsection:

"(l) If an employee who is separated from the service or who retires on immediate annuity so elects at the time of separation or retirement, the number of days of accumulated and current accrued sick leave to his credit at such time shall be considered creditable service."

Sec. 2. Section 8334(g) of title 5, United States Code, relating to deposits in the Civil Service Retirement and Disability Fund, is amended—

(1) by striking out the word "or" at the end of paragraph (3);

(2) by striking out the period at the end of paragraph (4) and inserting in lieu thereof a semicolon and the word "or"; and

(3) by adding the following new paragraph:

"(5) service credited under section 8332 (l)."

Sec. 3. Section 5581(2) of title 5, United States Code, relating to settlement of accounts of deceased employees, is amended—

(1) by striking out the word "and" at the end of subparagraph (H);

(2) by striking out the period at the end of subparagraph (I) and inserting in lieu thereof a semicolon and the word "and"; and

(3) by adding the following new subparagraph:

"(J) payment for accumulated and current accrued sick leave equal to one-half the amount of the pay the deceased employee would have received had he lived and remained in the service for a period (in addition to any period covered in subparagraph (F)) and equal to the accumulated and current accrued sick leave."

Sec. 4. (a) Subchapter VI, relating to payment for accumulated and accrued leave, of chapter 55 of title 5, United States Code, is amended by adding the following new section:

"§ 5553. Lump-sum payment for accumulated and accrued sick leave on separation or retirement

"An employee as defined by section 2105 of this title or an individual employed by the government of the District of Columbia, who is separated from the service or who retires on immediate annuity under subchapter III of chapter 83 of this title, and who does not elect to receive credit for accumulated and accrued sick leave under section 8332(l) of this title, is entitled to receive a lump-sum payment for accumulated and current accrued sick leave to which he is entitled by statute. The lump-sum payment shall equal one-half the amount of the pay the employee or iindividual would have received had he remained in the service until the expiration of the period (in addition to any period covered by section 5551) of the sick leave. The lump-sum payment is considered pay for taxation purposes only."

(b) The analysis at the beginning of chapter 55, United States Code, is amended by inserting immediately following the item relating to section 5552 the following new item:

"5553. Lump-sum payment for accumulated and accrued sick leave on separation or retirement."

Sec. 5. Section 8348(g) of title 5, United States Code, relating to payment of benefits from the Civil Service Retirement and Disability Fund, shall not be applicable with respect to benefits resulting from the amendments made by this Act.

Sec. 6. The amendments made by this Act shall apply only in the case of employees whose final separation, retirement, or death, as the case may be, occurs after the date of enactment of this Act.

S. 1277—INTRODUCTION OF BILL RELATING TO DEATH BENEFITS FOR STATE AND LOCAL POLICEMEN AND FIREMEN

Mr. BAYH. Mr. President, the 90th Congress enacted legislation—Public Law 90–291—which for the first time provided benefits for law-enforcement officers employed by State or local governments who might be killed or seriously injured while apprehending violators of national law. As a result such officers or their survivors are now entitled to receive benefits comparable to those provided by the Federal Employees Compensation Act—less whatever amounts they receive from their own employers—if they suffer personal injury or loss of life in the line of duty while enforcing Federal laws.

This is an important step forward, recognizing the service rendered to the Nation by these State and local enforcement officers. However, it does not apply to those who make the supreme sacrifice or sustain disabilities while in the process of searching for or arresting persons accused of committing non-Federal criminal acts, nor does it apply to firemen who are injured or killed while on duty. State and local government compensation for these employees varies widely throughout the country because of differences in size and financial ability of the employing jurisdiction.

Consequently, I am introducing for appropriate reference a bill which would attempt to rectify present discrepancies in compensation and would recognize the great service which these individuals perform for the whole Nation as well as to their own communities. This bill would extend Federal Government benefits to all policemen or firemen who might be killed or totally disabled in the line of duty, whether or not a specific Federal law happens to be involved.

This expanded coverage would be justified, it seems to me, because the job of law enforcement and fire protection has in many respects become a national responsibility. Fugitives from justice or persons intent on committing crimes are able to travel around the country much more easily and speedily today than ever before. A person shooting a policeman or an arsonist starting a blaze resulting in fatalities might well have come recently from another State or could quickly flee from one State jurisdiction to another. Likewise, injuries are often incurred by local policemen and firemen while they are protecting interstate travelers who may have interrupted their journey only temporarily while en route elsewhere.

It is truly difficult today to draw hard and fast lines which separate jurisdictional responsibility for public employees who are devoted to protecting the lives and property of all persons without regard to their domicile, place of origin, or final destination. Whenever a public safety officer dies or is seriously injured while protecting his fellow man, his sacrifice and that of his family have been in the interest of the whole Nation. Accordingly, Congress should recognize this national responsibility by helping compensate those who become casualties in the common task of preserving law and order. Our country owes these men no less than a guarantee that neither they nor their dependents will suffer undue economic disadvantage because of physical harm which has befallen them while answering their call to duty.

The benefits which would be made available if this bill were enacted would be identical with those provided by Public Law 90–291, which became law on April 19, 1968, and which was limited only to those officers involved in apprehending violators of Federal law. Perhaps it is not necessary to point out that under this act, as well as my amendment, any benefits which were paid because an employee had lost his life or been disabled would be reduced or adjusted to reflect all benefits received from State or local government compensation systems, except for the amounts which the employee himself might have contributed to the fund. In other words, the Federal contribution would be supplementary to and would be adjusted according to other compensation to which State and local policemen or firemen were entitled. Although the level of payments would be the same as under the earlier law, its scope would be extended to include those not now covered by the provision restricting it to purely Federal jurisdictional matters.

If this bill should become law, a widow who is the sole survivor of a policeman or fireman would be eligible to receive approximately 45 percent of the monthly wage rate of her deceased husband. This compensation would continue as long as she did not remarry. If there are dependent children, the widow would receive 40 percent and each child 15 percent, up to a total of 75 percent of the monthly wage of the deceased. In cases of total disability, the wife's benefits would equal two-thirds of the monthly wage rate if there are no other dependents, but would be increased to three-fourths of the monthly wage if there are dependents.

Mr. President, an identical bill is being introduced in the House of Representatives by Representative Andrew Jacobs, of Indiana, along with more than 20 of his colleagues. I realize that other approaches to this problem have been suggested, among them one which would provide grants to States to supplement local and State compensation systems. The exact procedure by which assistance is extended to the families of public safety officers killed in the line of duty or to those who become totally disabled is basically immaterial. I will support any plan which recognizes Federal responsibility to help relieve the suffering and loss of earning power resulting from deaths or disabling injuries incurred by policemen and firemen, whether or not a specific attributable Federal function or activity can be proven to be involved. Certainly this is an issue which deserves to be studied carefully by the proper committee so that an adequate compensation system can be assured for these victims.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1277) to extend benefits under section 8191 of title 5, United States Code, to law-enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty, introduced by Mr. BAYH, was received, read twice by its title, and referred to the Committee on Government Operations.

S. 1279—INTRODUCTION OF BILL RELATING TO VA HOSPITAL AND OUTPATIENT CARE FOR POW'S

Mr. MONTOYA. Mr. President, I introduce legislation for myself and Senators BOGGS, DODD, DOLE, HART, JAVITS, MCCARTHY, MCGEE, STEVENS, YARBOROUGH, and YOUNG of North Dakota to rectify a situation which has caused anxiety and hardship to many of our American servicemen who were captured by the enemy during wartime.

As a result of the indignities, the suffering, and in many cases, even torture, of being a prisoner of war, many of our veterans have suffered mental and physical damages which even today they carry as scars of those days. But a great inequity has existed in the hospitalization in Veterans' Administration facilities of these men who years later suffer from diseases or injuries which are in truth traceable to those days of wartime imprisonment. These ailments cannot be related as service connected because of the lack of availability of a medical record during that period.

The bill which I have introduced today will grant automatic service-connected recognition for all the ex-prisoners of war of the World War II, Korean conflict, and Vietnam era. When we consider the length of imprisonment of many of our servicemen and the extreme conditions—including death marches, both in Europe and in the Pacific—it is not difficult to understand that even at this late date many of these men may develop one of a host of ailments common to the hardship and conditions of wartime imprisonment.

Treatment in a VA hospital of any man who has been a prisoner of war should be on the same basis of those men who are now classified as having service-connected disabilities. The same rules of admission for treatment—both in the hospital and on an outpatient basis, should govern in the cases of these men.

In numbers, the group is not large. Out of a total of less than 130,000 ex-prisoners, probably less than 115,000 are now living. Many of these already have service-connected disability ratings. However, there are still several thousand of these men who need medical treatment—and I think that it is just and equitable that for admission to VA hospitals all of their ailments should be judged in their favor and an assumption be made that these men deserve service-connected treatment.

Unless a person has gone through the rigors of wartime imprisonment he may not be able to understand how long range the damage can be. Ordinary standards of medical diagnosis cannot apply to former POW's because the extreme hardships and terrible experiences they endured are not generally recorded in detail and cannot be considered or analyzed in later years after imprisonment.

Nutritional deficiencies and mental distress over a long period are important factors which must be considered when assessing long-range disabilities.

I think we should give these men who suffered so much for our country the benefit of all doubt. The actual cost of granting the provisions of this bill would not be large, but it will alleviate a situation that has caused a veteran to delay or not receive treatment of some ailment. We, as a nation, owe these men this consideration. I urge my colleagues to join with me in swift approval of this measure.

Mr. President, I ask unanimous consent that the text of my bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1279) to provide that any disability of a veteran who is a former prisoner of war is presumed to be service connected for purposes of hospitalization and outpatient care, introduced by Mr. MONTOYA (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 1279

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 610 of title 38, United States Code, is amended by adding at the end thereof the following:

"(d) Any disability of a veteran who is a former prisoner of war, upon application for the benefits of this section or hospitalization under section 624 of this title, shall be considered for the purposes thereof to be a service-connected disability incurred or aggravated in a period of war."

SEC. 2. Section 612(e) of title 38, United States Code, is amended by inserting after "veteran" the following: "who was a former prisoner of war and any disability of a veteran".

S. 1280—INTRODUCTION OF BILL TO PREVENT THE IMPORTATION OF ENDANGERED SPECIES OF FISH OR WILDLIFE INTO THE UNITED STATES

Mr. MAGNUSON. Mr. President, at the request of the Department of the Interior, I introduce, for appropriate reference, a bill to prevent the importation of endangered species of fish and wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and authorizing the Secretary of the Interior to acquire privately held land, water, or interests therein within the boundaries of any area administered by him, for the purpose of conserving, protecting, restoring, or propagating selected species of native fish and wildlife that are threatened with extinction.

The purpose of the bill is threefold: First, in order to assist on an international level in the preservation of threatened species, this legislation would prohibit—except for zoological, educational, and scientific purposes, and for the purpose of breeding such species and subspecies for preservation and propagation—the importation of any species of wild mammal, fish, wild bird, amphibian, reptile, mollusk, or crustacean or parts thereof that are threatened with extinction.

Second, in order to assist the States in stopping or reducing illegal traffic in certain protected animals, this section would make it unlawful for anyone to knowingly put into interstate or foreign commerce any amphibian, reptile, mollusk, or crustacean or parts thereof taken contrary to any Federal, State, or foreign laws or regulations. Present law extends this protection only to wild mammals or wild birds or fish or parts thereof.

Third, the Secretary is authorized to acquire by purchase, donation, exchange or otherwise, any privately owned land, water or interests therein within the boundaries of any area administered by him, for the purpose of conserving, protecting, restoring, or propagating any selected species of native fish and wildlife that are threatened with extinction.

These inholdings, privately held land within the borders of any area administered by the Secretary to conserve native American species of fish and wildlife, have proved to be trouble spots. They are a refuge for poachers.

Through this legislation which I today introduce, this Congress, the 91st, has an exceptionally good opportunity to act on behalf of endangered wildlife both in this country and throughout the world.

None of us can be proud of our early record of treatment to wildlife resources. Buffalo were slaughtered by the millions for relatively inconsequential reasons—for their tongues, a food delicacy of the times, for their hides, or just to cut down on the competition with livestock for grass and water. Or to deny meat to Indians. Egrets were driven almost to extinction in a quest for their feathers for use in millinery. Market hunting decimated the numbers of waterfowl. Fish were dynamited from streams and lakes. Generally speaking, the principles of sound wildlife management have come into widespread application only during the period since the end of World War II. In fact, full recognition of the need to preserve endangered species of wildlife did not come until 1966, and even now, additional legislation is desirable and necessary.

Existing Federal statutes or regulations on transporting wild animals in violation of law cover only wild mammals and birds. However, there is a pressing need to extend this protection to reptiles, amphibians, mollusks, and crustaceans. The alligator, a picturesque creature of ecological importance in the Everglades and other areas along the Gulf coast, is being reduced in numbers to the point where survival of the species is threatened. Poachers working illegally even in Federal areas such as the Everglades National Park make their kills in one area and sell the skins in another. Valuable for fashion accessories, the alligator skins command prices which many poachers find worthy of the risk of arrest. The administrators of many State wildlife agencies, especially those banded together into the Southeastern Association of Game and Fish Commissioners, appeal for new statutes to help dry up this nefarious trade and Federal authorities agree. This traffic in interstate commerce most assuredly is the province of the Federal Government.

The legislation that I now place before Congress not only would help stamp out this unsavory problem but extends our concern about endangered wildlife to other parts of the world, working through the International Union for the Conservation of Nature and Natural Resources.

There are demands for creatures, both living and dead. Tropical fish are purchased for private aquaria. Song birds are captured and caged. The products of wildlife are used for fashionable apparel. The hides of spotted members of the cat family and zebras are used for coats and other items of clothing or accessories. Bearskins become rugs or wall ornaments. Parts of elephants are made into novelty items of varying types. Thus, demands are made upon wildlife resources in direct proportion to the prices they can bring.

One of the primary purposes of this bill is to make illegal the importation of endangered species, as determined by the IUCN, into this country. By drying up at least one of the major demand areas, poaching should be curtailed or stopped altogether. The United States, therefore, will be making an important contribution to worldwide conservation of wildlife by the adoption of this proposal.

Many countries—particularly those that are embracing new courses of independence—are undeveloped or underdeveloped. Many of these countries have inadequate laws, or none at all, to protect endangered wildlife. In still other countries, the primary problem bears on an almost nonexistent system for the enforcement of protective statutes and regulations.

The United States leads the world in culture, technology, agriculture, and many other fields of endeavor. It is my opinion that our Nation also must show an enlightened way in the conservation of endangered species of wildlife. Man has stewardship over wildlife—mammals, birds, fish, and other creatures. When in abundant supply, these are for man's use and enjoyment. However, this stewardship also carries with it a responsibility—one of protecting and preserving those species that are in short supply, in danger of extinction.

This legislation which I today propose will give us a fine opportunity to make a significant contribution in this direction at a most modest cost. With ports of entry for endangered wildlife limited in number, the program probably will not exceed $50,000 per year in administrative costs. In summary, benefits of such a program would far exceed the costs.

The third part of the bill would be to amend the Endangered Species Act to authorize the Secretary of the Interior to acquire by purchase, donation, exchange, or otherwise, any privately owned land or water, or interests therein, within the boundaries of any area acquired or reserved under this or any other statute and administered by him, which he finds would further the objectives of the Endangered Species Act. There would be authorized to be appropriated annually not to exceed $750,000 to carry out this program for this section of the bill.

Mr. President, I ask unanimous consent that a communication from the Department of the Interior in which it is stated that they recommend that the bill be enacted be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the communication will be printed in the Record.

The bill (S. 1280) to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The communication, presented by Mr. Magnuson, is as follows:

U.S. Department of the Interior,
Washington, D.C., January 17, 1969.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft of a proposed bill, "To prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes."

We recommend this bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The enclosed proposal is patterned after H.R. 11618 as reported by the Senate Committee on Commerce last October. It reflects entirely all of the points discussed and agreed to with a number of organizations last year who were concerned about the effect of the earlier version on the domestic fur business.

This Department shares the international concern for preservation of threatened species. We support the efforts of the various governments to control the import, export, and transit of such species.

Governments have given protection to those wild animals used for sport and food for centuries. It is only recently that animals have been thought worthy of preservation for their own sake and for the appreciation of future generations.

The Endangered Species Preservation Act of 1966 (16 U.S.C. 668aa *et seq.*), which implements three treaties on animal protection provides the basis for a comprehensive program for the preservation of native species of vertebrate animals in the United States that are threatened with extinction. Additional legislation is needed which would authorize the Department of the Interior to cooperate and participate in the worldwide effort to extend protection and assistance to all endangered species.

The 1940 Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere attaches special urgency to endangered species. The United States ratified this Convention in 1941, and it was proclaimed by the President in 1942. Many of the signatories of the Convention have officially declared to the Organization of American States that certain of their species are in danger of becoming extinct. Enactment of the enclosed proposal is another medium for implementation of this Convention. Also, it would help to save threatened animals of Asia, Africa, and Europe as well.

Many species of animals are endangered because they are in demand for novelty uses, or because their skins provide specialty or decorative wearing apparel. The hides of spotted cats and zebras are in demand as luxury apparel and status symbols. Many species of rare and beautiful tropical fish have been dangerously reduced in numbers to supply an ever increasing market for aquaria fish. Poaching is a lucrative enterprise in Asia and Africa. The developing countries with limited resources and unstable governments find it impossible to stop illegal traffic in protected animals.

The proposal would prohibit the importation into the United States, its territories or possessions, or the Commonwealth of Puerto Rico, of any species or subspecies of fish or wildlife or parts or products thereof which are determined to be threatened with worldwide extinction. The Secretary of the Interior would be charged with making the determination as to which species or subspecies are threatend wtih extinction on a worldwide basis—that is, wherever found. He would make this determination based on the best scientific data available to him after consulting with the foreign country or countries from which the species or subspecies are exported, and, to the extent practicable, with interested persons, including various organizations directly affected by an such determination such as the International Union for the Conservation of Nature and Natural Resources. The Secretary would promulgate by regulation in the *Federal Register* a list of the names of the various fish or wildlife which he finds to be endangered.

The proposal would make it clear that the threat of total extinction must apply to the entire species or subspecies wherever found and not merely to a species or subspecies in a particular country.

The proposal would require that the Secretary publish by regulation this list, together with his finding relative to each species or subspecies that he determines to be threatened with extinction. This will give all interested persons and organization an opportunity to comment on the actual determination. Thus, there would be two opportunities to express views and comments before it becomes final—once in the process of compiling the list, and once when it is published.

The proposal would make the rulemaking provisions of 5 U.S.C. 553 formally known as section 4 of the Administrative Procedures Act applicable to each determination.

The proposal would encourage multilateral arrangements with the United States and other countries to conserve and protect endangered fish and wildlife. It is our intention to place considerable emphasis on the need for such arrangements. The proposal would require the Secretary, through the Secretary of State, to develop and encourage such arrangements whenever possible. It should be emphasized, however, that the legislation does not, and should not, require such multilateral arrangements as a condition precedent to placing any fish or wildlife on the endangered list subject to the prohibitions of this section. Negotiations relative to multilateral arrangements are always quite time consuming. The United States should not be prohibited from acting to prevent the extinction of a valuable resource because we have not been able to consummate such an agreement.

It would authorize the Secretary to permit some importation of endangered species of fish or wildlife for zoological, education, and scientific purposes, and for the purpose of propagating endangered species and subspecies in captivity.

It would authorize the Secretary of the Interior to prohibit imports of endangered species of fish or wildlife and the parts or products thereof into any port in the United States, except at those ports as may be designated by the Secretary of the Interior, with the approval of the Secretary of the Treasury, as ports of entry for vessels or aircraft.

It would require the Secretary of the Interior to issue such regulations as he would deem necessary in carrying out the purpose of this proposal. The Secretaries of Treasury and Interior would be charged with the responsibility of enforcing the regulations and the provisions of this proposal.

The enclosed proposal does not contain any provisions relative to our authority to make arrests. The omission is temporary. We are currently reviewing various statutory provisions of the Department relative to making arrests with the view to making legislative recommendations thereon either by general legislation or on a case-by-case basis. We will make our recommendations known to the Congress before hearings are held on this proposal.

It would establish civil, not criminal penalties.

Present law (18 U.S.C. 43) makes it unlawful for anyone knowingly to put into interstate or foreign commerce any wild mammal or bird, or the dead body or part thereof, or their offspring or eggs, which have been taken, captured, killed, purchased, sold, possessed, or transported contrary to any Federal, State, or foreign laws or regulations. Subsection (a) would rewrite this law to extend this protection to amphibians, reptiles, mollusks, or crustaceans.

This proposal would make it unlawful for anyone to knowingly deliver, carry, transport, or ship by any means or method in commerce for commercial or noncommercial purposes or cause to be delivered, carried, transported, or shipped by any means or method in commerce for such purposes wild mammals, wild birds, amphibians, reptiles, mollusks, or crustaceans or parts or products thereof which were captured, killed, taken, purchased, sold, or otherwise possessed contrary to law or any regulations issued pursuant to such law, or contrary to State law or to foreign law. Similarly, the bill would prohibit the knowing sale in such commerce of such animals. It would prohibit commerce in products which were manufactured from these animals. This latter prohibition would apply only to those who knowingly sold or caused to be sold such manufactured products. Upon conviction, the person would be subject to a fine of not more than $1,000 or imprisonment for not more than 6 months, or both. Any wild mammal, bird, amphibian, reptile, mollusk, or crustacean or part or product thereof which is seized in connection with the violation of this section shall be forfeited, whether there is a conviction or not, to the Secretary of the Interior for disposal by him in an appropriate manner.

This proposal should prove to be of valuable assistance to the States in reducing present commercial traffic in alligator hides that have been taken contrary to State law. It has been found that State laws and regulations are often ineffective in affording protection to this species because many live baby alligators are poached in one State and transported to another. Also hides of illegally taken alligators are often transported from one State to another.

Section 42 of title 18, United States Code, governs the importation of injurious mammals, birds, fish (including mollusks and crustaceans), amphibians, reptiles, and parts thereof into the United States. The section places the responsibility for enforcement jointly in the Secretary of the Treasury and the Secretary of the Interior. However, it contains no provision for arrest of persons committing violations or the execution of warrants or other processes issued by an officer or court of competent jurisdiction to enforce the provisions of section 42. This authority already exists in connection with the enforcement of section 43—transportation of wild mammals or birds taken in violation of State, National, or foreign laws—and section 44—transportation of packages containing wild animals or birds not plainly marked—which is provided under section 3054 of title 18, United States Code. The proposal would amend section 3054 to extend its provisions to section 42.

Section 42 of title 18, United States Code, governs the importation of injurious mammals, birds, fish, amphibians, and reptiles into the United States. The Secretary of the Treasury and the Secretary of the Interior are charged with enforcing its provisions. However, it contains no provision for execution of warrants to search for and seize any property used or possessed in committing violations and retention of seized property pending disposition thereof by the court. Section 3112 of title 18, United States Code, provides such authority for enforcement of sections 43 and 44. The proposal would amend section 3112 accordingly.

Present law (18 U.S.C. 44) makes it unlawful for anyone to ship, transport, carry, bring, or convey in interstate or foreign commerce any package containing wild animals or birds, or the dead bodies or parts thereof, without plainly marking, labeling, and tagging such package. The proposal would rewrite this law to extend this protection to wild mammals, wild birds, amphibians, reptiles, mollusks, or crustaceans, or the dead bodies or parts thereof.

It will provide valuable assistance to the States in connection with their efforts to reduce the commercial traffic in alligator hides that are illegally taken.

Present law (16 U.S.C. 852) makes it unlawful to deliver or knowingly receive for transportation or knowingly transport in interstate commerce or to or through a foreign country any black bass or other fish which has been caught, killed, taken, sold, purchased, possessed, or transported contrary to any Federal, State, or foreign laws. This law does not, however, apply to imported fish. We believe that the United States should assist in reducing commercial traffic in black bass or other fish illegally taken in a foreign country. Subsection (a) would accomplish this purpose by inserting the words "any foreign country" in several appropriate places in section 852 of title 16, United States Code.

Section 852a of title 16, United States Code, requires any package or container of fish transported or delivered for transportation in interstate commerce to be properly marked, described, and addressed. The proposal would afford further assistance in reducing illegal commercial traffic in fish by extending the provisions of section 852a to imported fish.

Section 1 of the act of October 15, 1966 (80 Stat. 926)—commonly referred to as the Endangered Species Act—provides that the purposes of the act are to initiate and carry out a program for the protection, conservation, and propagation of selected species of native fish and wildlife that are found to be threatened with extinction. To assist in carrying out the purposes of the act, the Secretaries of the Interior, Agriculture, and Defense—including the various bureaus and agencies within these Departments—are required to take measures to protect threatened species of fish and wildlife and, where practicable, preserve the habitats of such species in lands under their jurisdiction.

The Secretary of the Interior is charged with the responsibility of determining the species that are threatened with extinction. His determination is made after consulting with the interested States and appropriate scientific groups. The Secretary is then required to publish his findings in the *Federal Register*.

The proposal would amend section 1 of the Endangered Species Act to extend its coverage to include any wild mammal, fish, wild bird, amphibian, reptile, mollusk, or crustacean.

Section 2 of the Endangered Species Act directs the Secretary to carry out a program of conserving, protecting, restoring, and propagating threatened species of native fish and wildlife by utilizing the board authorities—including research, studies, and land acquisition—under the Migration Bird Conservation Act, the Fish and Wildlife Act of 1956, and the Fish and Wildlife Coordination Act. In addition, the section now provides authority to acquire lands for native species of fish that are threatened with extinction. Further, the section authorizes the Secretary of the Interior to use funds under the Land and Water Conservation Fund Act of 1965 to acquire lands pursuant to the purposes of that act. Finally, the Secretary is directed to encourage other Federal agencies to utilize their authorities for the purposes of the act and to utilize other programs administered by him in furtherance of the act.

For the purpose of protecting and conserving threatened native species of fish and wildlife, the proposal would amend the Endangered Species Act to authorize the Secretary of the Interior to acquire by purchase, donation, exchange, or otherwise, any privately owned land or water, or interests, therein, within the boundaries of any area acquired or reserved under this or any other statute and administered by him, which he finds would further the objectives of the Endangered Species Act.

By letter dated January 17, 1969, the Bureau of the Budget advised that there is no objection to the presentation of this legislative proposal from the standpoint of the Administration's program.

Sincerely yours,

Max N. Edwards,
Assistant Secretary of the Interior.

S. 1281—INTRODUCTION OF BILL TO AMEND THE UNIFORM TIME ACT

Mr. MAGNUSON. Mr. President, at the request of the Department of Transportation, I am introducing a bill to amend the Uniform Time Act to allow an option in the adoption of advanced time in certain cases.

I ask unanimous consent that the letter of transmittal and the bill be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter of transmittal will be printed in the Record.

The bill (S. 1281) to amend the Uniform Time Act to allow an option in the adoption of advanced time in certain areas, introduced by Mr. Magnuson, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 1281

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(a) of the Uniform Time Act of 1966 (15 U.S.C. 260a) is amended by striking out all after the semicolon and inserting the following in place thereof: "however, (1) any State that lies entirely within one time zone may by law exempt itself from the provisions of this subsection providing for the advancement of time, but only if that law provides that the entire State (including all political subdivisions thereof) shall observe the standard time otherwise applicable under this Act, during that period and (2) any State with parts thereof in more than one time zone may by law exempt either the entire State as provided in (1) or may exempt the entire area of the State lying within any time zone."

The letter of transmittal, presented by Mr. Magnuson, is as follows:

The Secretary of Transportation,
Washington, D.C., January 13, 1969.
Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: I transmit herewith for the consideration of the Congress a draft bill "To amend the Uniform Time Act to allow an option in the adoption of advanced time in certain cases."

Pursuant to the Uniform Time Act of 1966, the Secretary of Transportation is required to define the limits of each of the eight statutory time zones in the United States. Within the zones as defined by this Department, "Daylight Saving Time" is mandatory from the last Sunday in April to the last Sunday in October, except that any State may, by law, exempt the *entire* State from Daylight Saving Time observance.

In cases in which a time zone line divides a State, that State frequently finds its eastern and western populations in disagreement on the question of whether or not the State legislature should act to exempt it. This is particularly so in those States split between Eastern and Central time (e.g. Indiana, Kentucky, Michigan). Because of the strong economic and communications influence of the Atlantic Coast communities, the observance of Eastern time has been extended considerably further into the Central time zone than it would if the sun alone were the determining factor. The eastern part of a State so split, being at the western extreme of its time zone, experiences later sunrises and sunsets than the rest of its time zone. This is accentuated when the time zone line is further westward than it would be on a solar basis, as is the line between Eastern and Central times (especially in Michigan, Indiana, and Kentucky). To many residents of these areas, this amounts to being on Daylight Saving Time even though it is called *Standard Time*. When they are required by the Uniform Time Act to go on advanced time in the summer, those eastern residents view it as "double daylight time" and overwhelmingly support exemption from Daylight Saving Time. The western population of the same States, being primarily on and observing Central time, is generally satisfied and opposes exemption.

To obviate this difficulty, the Department recommends that the Uniform Time Act be amended to permit, in the case of "split States", the exemption of the entire area of the State lying in a given time zone. (The Act, as so amended, would continue to permit exemption of the entire State.) For example, in Michigan, Indiana, and Kentucky, the eastern populations of those States could be exempted by State action from Daylight Saving Time, as they now prefer, while the western populations of those same States could go on advanced time, for which they have expressed their support. Such exemption authority would afford each "split" State a more flexible means of accommodating the desires of the majority of its population, would promote observance of the established time zones, and would extricate the Department's zone-line-defining function from matters of primarily local concern. Based on this Department's experience in administering this statute and analyzing the situation during the last two years, it appears that no other solution will be satisfactory.

With respect to Indiana, for example, after two attempts by proposed rule making, neither of which was well received, and an attempt to investigate observance of the times now set, the Department favors a decision involving two steps: first, it would issue a final rule based on a proposal to place all but the northwestern and southwestern counties in the Eastern time zone; second, it would recommend this legislation to allow any State having more than one time zone to exempt any of the zones within the State, as well as the entire State, from advanced time. The Indiana State Legislature could then exempt the Eastern time portion of the State from advanced time.

Except in Alaska, which lies in four time zones, the net effect of exempting the eastern part of a "split" State would be to put the entire State on the same time during the summer, and on split times during the winter, rather than on split time for the entire year. To put it another way—the point at which an east-west traveler would observe a time change in that State in the winter would be on the line defined by this Department; in the summer it would be on the eastern boundary of the State.

Before passage of the Uniform Time Act of 1966, the transportation, broadcasting, and other concerned industries were forced to look to thousands of county and community units to determine whether, and on which dates, each unit observed Daylight Saving Time. The 1966 Act (1) provided industry and the public with set dates on which advanced time could be commenced and ended, (2) prevented the widespread "checkerboard" effect caused by local option exercised among adjacent counties and communities, (3) provided the element of certainty, previously lacking, necessary for scheduling and operating continuity, and (4) assured that, in the continental United States, only 60 units (36 States lying entirely in one time zone, plus 24 parts of 12 "split" States) need be considered for scheduling and timetable purposes between April and October.

The proposed amendment would continue the certainty of factors (1), (2), and (3) above, and additionally would likely reduce the number of State units which might be on Daylight Saving Time between April and October. If for example, under the proposed amendment, the State of Indiana were to exempt the Eastern time portion from advanced time, the entire State would be on the same time between April and October, and the total number of State units to be considered would be reduced from 60 to 59. Action by other States conceivably could further reduce the number, by exempting portions of those States, and thereby further ease the scheduling and timetable problems of industry and the public.

The improvements and certainty in time matters brought about by the enactment of the 1966 Act appear to have improved the situation to the point where only a perfecting amendment as recommended herein is necessary to provide for its proper administration. For this reason, the proposed amendment has been drafted so as to limit its effect to the precise situations where local problems have evolved in split States.

The Bureau of the Budget has advised, by letter of January 9, 1969, that there is no objection from the standpoint of the Administration's program to the submission of this proposed legislation to the Congress.

Sincerely,

Alan S. Boyd.

S. 1282—INTRODUCTION OF BILL TO AMEND THE MERCHANT MARINE ACT, 1936

Mr. MAGNUSON. Mr. President, at the request of the Department of Commerce, I am introducing a bill to amend section 510(a)(1) of the Merchant Marine Act, 1936.

I ask unanimous consent that the letter of transmittal, the statement of purposes and provisions, comparative text, and the bill be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, letter of transmittal, statement of purposes and provisions and comparative text will be printed in the Record.

The bill (S. 1282) to amend section 510(a)(1) of the Merchant Marine Act, 1936, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 1282

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 510(a)(1) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1160), is amended (1) by striking out of subdivision (B) before the proviso the words "in the judgment of the Commission, is obsolete or inadequate for successful operation in the domestic or foreign trade of the United States" and inserting in lieu thereof the words "in the judgment of the Secretary of Commerce, should be replaced in the public interest", and (2) by changing the colon after the word "hereunder" where it first appears to a period and striking out everything thereafter.

The material, presented by Mr. Magnuson, is as follows:

The Secretary of Commerce,
Washington, D.C., December 18, 1968.
Hon. Hubert H. Humphrey,
President of the Senate,
U.S. Senate, Washington, D.C.

Dear Mr. President: Enclosed are four copies of a draft bill "To amend section 510 (a)(1) of the Merchant Marine Act, 1936," together with a statement of purpose and need in support thereof and a comparative print showing changes the bill would make in existing law.

The Department of Commerce recommends enactment by the Congress of this bill which is included in the legislative program of the Department of the 91st Congress.

We were advised by the Bureau of the Budget on December 6, 1968 that from the standpoint of the Administration's program there would be no objection to the submission to the Congress of this legislation.

Sincerely yours,

C. R. Smith,
Secretary of Commerce.

Statement of the Purposes and Provisions of the Draft Bill To Amend Section 510(a)(1) of the Merchant Marine Act, 1936

When section 510 of the Merchant Marine Act, 1936, was enacted it defined an "obsolete vessel" for the purposes of the trade-in provisions of that section as a vessel which—

(A) is of not less than one thousand three hundred and fifty gross tons,

(B) is not less than seventeen years old and, in the judgment of the Commission (now the Secretary of Commerce) is obsolete or inadequate for successful operation in the domestic or foreign trade of the United States, and

(C) is owned by a citizen or citizens of the United States and has been owned by such citizen or citizens for at least three years immediately prior to the date of acquisition under the section.

In 1952, however, a proviso was added to this definition which provided that until June 30, 1958, the term "obsolete vessel" shall mean a vessel which—

(A) is of not less than one thousand three hundred and fifty gross tons,

(B) is not less than 12 years old, and

(C) is owned by a citizen or citizens of the United States and has been owned by such citizen or citizens for at least three years immediately prior to the date of acquisition under this section.

This proviso was extended by subsequent legislation to June 30, 1964, at which time it expired.

The difference between the original definition and the proviso is in subdivision (B) of both of them. Subdivision (B) of the original definition requires that the vessel to be traded-in be not less than 17 years old and in the judgment of the Secretary obsolete or inadequate for successful operation in the domestic or foreign trade of the United States. Subdivision (B) of the proviso merely required that the vessel be not less than 12 years old.

The reason for enactment of the proviso was to permit an orderly replacement program for war-built ships all of which were built between 1941 and 1946 and would reach the end of their statutory 20 year lives between 1961 and 1966. The purpose was to avoid such block obsolescence by permitting the trade-in of some of these vessels before they become 20 years of age and some after they reach that age. For that reason the minimum age required for trade-in by the proviso was 12 years and there was no requirement for a finding that the traded-in ship is obsolete or inadequate for successful operation in the domestic or foreign trade of the United States.

Upon expiration of the proviso on June 30, 1964, the original definition again became applicable. The 17 year minimum age is not a problem, because all of the war-built ships were at least 17 years old on the date the proviso expired. The required finding, however, is not clearly consistent with other actions which the Maritime Administration must take in connection with its replacement program.

Under the replacement program for subsidized operators, some of the war-built ships will be operated with the aid of operating-differential subsidy until they are about 30 years of age. Section 605(b) of the Act provides that operating-differential subsidy shall not be paid for the operation of vessels built before January 1, 1946, which are more than 20 years old (or for the operation of vessels built after that date which are more than 25 years old) unless the Secretary of Commerce finds that it is to the public interest to do so. A finding that a ship, say a C–3 is obsolete or inadequate for successful operation in the domestic or foreign trade of the United States at its age of 17 years is not clearly consistent with the finding that it is to the public interest to pay operating-differential subsidy for the operation of other ships of the same type until they are 30 years of age.

The draft bill would amend section 510 (a)(1) to eliminate this inconsistency by striking out the required finding and substituting therefor a finding that the vessel should be replaced in the public interest. This would relate the required finding to the requirements of the replacement program.

Comparative Text Showing the Changes the Draft Bill to Amend Section 510(a) (1) Would Make in That Section

(Deletions enclosed in black brackets; new material in italic.)

Sec. 510(a). When used in this section—

(1) The term "obsolete vessel" means a vessel or vessels, each of which (A) is of not less than one thousand three hundred and fifty gross tons, (B) is not less than seventeen years old and, [in the judgment of the Commission, is obsolete or inadequate for successful operation in the domestic or foreign trade of the United States] *in the judgment of the Secretary of Commerce, should be replaced in the public interest,* and (C) is owned by a citizen or citizens of the United States and has been owned by such citizen or citizens for at least three years immediately prior to the date of acquisition hereunder [: *Provided*, That until June 30, 1964, the term "obsolete vessel" shall mean a vessel or vessels, each of which (A) is of not less than one thousand three hundred and fifty gross tons, (B) is not less than twelve years old, and (C) is owned by a citizen or citizens of the United States and has been owned by such citizen or citizens for at least three years immediately prior to the date of acquisition hereunder].

S. 1283—INTRODUCTION OF BILL TO AUTHORIZE APPROPRIATIONS FOR CERTAIN MARITIME PROGRAMS

Mr. MAGNUSON. Mr. President, at the request of the Department of Commerce, I am introducing a bill to authorize appropriations for certain maritime programs of the Department of Commerce.

I ask unanimous consent that the letter of transmittal, statement of purposes and provisions, and the bill be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, letter of transmittal, and statement of purposes and provisions, will be printed in the Record.

The bill (S. 1283) to authorize appropriations for certain maritime programs of the Department of Commerce, introduced by Mr. Magnuson, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 1283

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That funds are hereby authorized to be appropriated without fiscal year limitation as the appropriation act may provide for the use of the Department of Commerce, for the fiscal year 1970, as follows:

(a) acquisition, construction, or reconstruction of vessels and construction-differential subsidy and cost of national defense features incident to the construction, reconstruction, or reconditioning of ships, $15,918,000;

(b) payment of obligations incurred for operating-differential subsidy, $224,000,000;

(c) expenses necessary for research and development activities, $7,700,000;

(d) reserve fleet expenses, $5,174,000;

(e) Maritime training at the Merchant Marine Academy at Kings Point, New York, $6,164,000;

(f) financial assistance to State Marine Schools, $2,040,000; and

(g) reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental ship operations, $2,000,000.

The material, presented by Mr. Magnuson, follows:

January 15, 1969.

Hon. Hubert H. Humphrey,
President of the Senate,
U.S. Senate,
Washington, D.C.

Dear Mr. President: Enclosed are four copies of a draft bill "To authorize appropriations for certain maritime programs of the Department of Commerce," together with a statement of purpose and need in support thereof.

The Department of Commerce recommends enactment by the Congress of this bill which is included in the legislative program of the Department for the 91st Congress.

We were advised by the Bureau of the Budget on January 13, 1969 that from the standpoint of the Administration's program there would be no objection to the submission to the Congress of this legislation and further that enactment of this legislation is in accord with the program of the President.

Sincerely yours,
Joseph W. Bartlett,
Acting Secretary of Commerce.

Statement of the Purposes and Provisions of the Draft Bill To Authorize Appropriations for Certain Maritime Programs of the Department of Commerce

Section 209 of the Merchant Marine Act, 1936, provides that after December 31, 1967 there are authorized to be appropriated for certain maritime activities of the Department of Commerce only such sums as the Congress may specifically authorize by law.

The draft bill authorizes specific amounts for those activities listed in section 209 for which the Department of Commerce proposes to seek appropriations during fiscal year 1970.

"(a) acquisition, construction, or reconstruction of vessels and construction-differential subsidy and cost of national defense features incident to the construction, reconstruction, or reconditioning of ships, $15,918,000."

Funds authorized to be appropriated under this heading would provide for the payment of construction-differential subsidy and national defense allowances on vessels constructed for service on essential foreign trade routes. In addition, these funds will provide for the acquisition of ships replaced by and traded in on newly constructed vessels and for the expenses associated with placing these replaced vessels in the National Defense Reserve Fleet.

The total authorization requested under this heading is $15,918,000, which together with carry over funds of $101,600,000, will provide a program level of $117,518,000 to carry out the purposes of Title V of the Merchant Marine Act of 1936.

"(b) payment of obligations incurred for operating-differential subsidy, $224,000,000."

The authorization under this heading will provide for payments of operating subsidy to ship operators in order to maintain a U.S. Merchant Fleet in support of U.S. foreign commerce and capable of serving as a naval auxiliary in event of national emergency. Based on studies of foreign costs, present subsidy board regulations provide for payment of operating subsidies to equate the difference between the fair and reasonable U.S. cost of insurance, maintenance, repairs, wages and subsistence of officers and crew, and the estimated foreign cost of the same items if the vessels were operated under foreign registry. The 1970 estimate of subsidy payments will provide financial support for the 14 operators who presently have operating contracts with the Maritime Administration. This level of funding will provide for the continuation of berth services of our foreign commerce. The amount authorized to be appropriated is $224,000,000.

"(c) expenses necessary for research and development activities, $7,700,000."

The research and development projects of the Maritime Administration are designed to improve the competitive position of the American Merchant Marine while reducing the Government's share of costs of its construction, operation, and maintenance.

The 1970 program calls for an expansion of Government-industry cooperative program efforts and will concentrate on advanced shipping systems, development of intermodal transportation, modernization of cargo handling methods, and similar technological advancements.

The major activities are as follows:

Advanced shipping systems.—Provides for long-range research directed at conceptual system approach to cargo movement, which will provide new and more competitive shipping concepts, tools, and systems through analyses of cargo movements from source to destination, market evaluation, and consideration of competing transportation services.

Technological Development.—Research under this activities aimed at resolving maritime problems whose solution will improve the development and operation of ships, ports, feeders and their interfaces. The program relies on the results of engineering studies and the development of prototype hardware in the solution of attendant problems. Data obtained on hardware is factored into Advanced Shipping Systems activity as applicable.

Technology Support.—Directed at increasing the basic knowledge of Marine Science disciplines, improving industry's understanding of existing and ongoing maritime related research, and resolving the attendant economic problems involved in ship operation.

The section dealing with reimbursement of the Vessel Operation's Revolving Fund for losses resulting from expenses of experimental ship operations is no longer required under this heading since provision has been made under a proposed new section (g) shown below to cover this expense.

"(d) reserve fleet expenses, $5,174,000."

Included funding provides for the preservation and security of ships held for national defense purposes, distributed among six active fleet sites. Periodic represervation of hulls, machinery, and electrical components, combined with continuous application of cathodic protection to the bottoms, are methods employed in maintaining the ships for further service.

In fiscal 1970 preservation work will be performed on approximately 626 ships retained for national defense purposes. Custody is also provided for several hundred ships awaiting disposal.

"(e) maritime training at the Merchant Marine Academy at Kings Point, New York, $6,164,000."

Public Law 415, 84th Congress (46 U.S.C. 1126), established the United States Merchant Marine Academy to train cadets for service as officers in the U.S. Merchant Marine. A four-year course is provided, including one year of sea duty designed to qualify graduates for licenses as merchant marine deck or engineering officers. About 200 cadets are graduated annually.

The requested authorization of $6,164,000 contains $2,500 for contingencies of the superintendent of the Academy. Requested funding provides for the payment of not to exceed $475 per cadet annually for the cost of uniforms and textbooks. Provision is also made for reimbursement to the appropriation from other Maritime Administration appropriations.

"(f) financial assistance to State Marine Schools, $2,040,000."

Under the provisions of the Maritime Academy Act of 1958 (72 Stat. 622–624) this program provides for training of cadets at State Marine schools for service as officers in the U.S. Merchant Marine. The program is aimed at a level of graduating approximately 400 deck and engineering officers each year.

The five participating State schools, Maine, Massachusetts, New York, Texas, and California, prepare officers for our merchant marine requirements. Additionally, a nucleus of highly trained officers is provided, to man our merchant ships in times of national emergency.

The funding level of $2,040,000 will provide $1,415,000 for grants to each of the participating State schools and allowances to cadets for uniforms, textbooks and subsistence; and $625,000 for maintenance and repair of training ships loaned to each of the schools.

"(g) reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental ship operations, $2,000,000."

This will provide obligational authority to reimburse experimental operation of the N.S. *Savannah*.

In previous years this authority was a specific provision within the appropriation for Research and Development. In 1970 it is proposed to transfer the N.S. *Savannah* program to the Salaries and Expenses appropriation as a separate activity. Since the authorization bill does not cover the latter appropriation in its entirety the reimbursement to VORF is being shown as a separate heading.

S. 1284—INTRODUCTION OF BILL AUTHORIZING APPROPRIATIONS FOR PROCUREMENT OF VESSELS AND AIRCRAFT AND CONSTRUCTION OF SHORE AND OFFSHORE ESTABLISHMENTS FOR THE COAST GUARD

Mr. MAGNUSON. Mr. President, at the request of the Department of Transportation, I am introducing a bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard.

I ask unanimous consent that the letter of transmittal, a memorandum pertaining to the proposed bill, and the bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, letter of transmittal, and memorandum will be printed in the RECORD.

The bill (S. 1284) to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1284

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That funds are hereby authorized to be appropriated for fiscal year 1970 for the use of the Coast Guard as follows:

VESSELS

For procurement, increasing capability and extension of service life of vessels, $23,684,000.

A. Procurement:

(1) one high endurance cutter;

(2) one coastal buoy tender;

(3) vessel design.

B. Increasing capability:

(1) modify balloon tracking radar for high endurance cutters to improve target acquisition;

(2) install tactical navigational equipment on two high endurance cutters;

(3) increase fuel capacity and improve habitability on 327′ high endurance cutters;

(4) modernize and improve selected buoy tenders.

C. Extension of service life:

(1) Re-engine two ferryboats.

AIRCRAFT

For procurement and extension of service life of aircraft, $11,924,000.

A. Procurement:

(1) six medium range helicopters.

B. Extension of service life;

(1) replace center wing box beam on six HC-130 aircraft.

CONSTRUCTION

For establishment or development of installations and facilities by acquisition, construction, conversion, extension, or installation of permanent or temporary public works, including the preparation of sites and furnishing of appurtenances, utilities, and equipment for the following, $37,788,000.

(1) San Francisco, California: radio station;

(2) Air Station, Brooklyn, New York: barracks, messing;

(3) Base, Boston, Massachusetts: improve facilities;

(4) New London, Connecticut: relocate and consolidate facilities;

(5) Base, San Francisco (Yerba Buena Island), California: improve facilities;

(6) Base, San Juan, Puerto Rico: improve facilities;

(7) Loran Station, French Frigate Shoals, Hawaii: bulkhead;

(8) Air Station, St. Petersburg, Florida: helicopter support facilities;

(9) Base, Mayport, Florida: improve facilities;

(10) Yard, Curtis Bay, Maryland: consolidate and modify buildings;

(11) Various locations: sewage and oil collection; fuel and water catchment systems;

(12) Cape Charles City, Virginia: establish Station;

(13) Houston, Texas: permanent Station;

(14) Kodiak, Alaska: moorings;

(15) Lower Mississippi River, Kentucky and Tennessee: improve facilities for performance of buoyage function;

(16) Various locations: automate light stations;

(17) Various locations: miscellaneous urgent and selected aids to navigational projects;

(18) Academy, New London, Connecticut: library center;

(19) Academy, New London, Connecticut: cadet barracks extension;

(20) Training Center, Alameda, California: enlisted barracks;

(21) Training Center, Yorktown, Virginia: fire station and operations buildings;

(22) Base, Governor's Island, New York: reserve training center building;

(23) Air Station, Mobile, Alabama: synthetic flight training system;

(24) Various locations: public family quarters; and

(25) Various locations: advance planning, survey, design, and architectural services; and acquire sites in connection with projects not otherwise authorized by law.

BRIDGE ALTERATIONS

For payment to bridge owners for the cost of alteration of railroad and public highway bridges to permit free navigation of the navigable waters of the United States, $9,404,000.

The material, presented by Mr. MAGNUSON, follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., January 16, 1969.

HON. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a draft of a bill, "To authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard."

This proposal is submitted under the requirements of Public Law 88-45 which provides that no funds can be appropriated to or for the use of the Coast Guard for the procurement of vessels or aircraft or the construction of shore or offshore establishments unless the appropriation of such funds is authorized by legislation.

The proposal includes, as it has previously, all items of acquisition, construction, and improvement programs for the Coast Guard to be undertaken in fiscal year 1970 even though the provisions of Public Law 88-45 appear to require authorization only for major facilities and construction. Inclusion of all items avoids the necessity for arbitrary separation of these programs into two parts with only one portion requiring authorization.

Not all items, particularly those involving construction, are itemized. Those involving sewage and oil collection, aids to navigation, light station automation, public family quarters, and advanced planning projects contain many different particulars the inclusion of which would have unduly lengthened the bill. As in the past a category has been included for authorization of appropriations for payments to bridge owners for the replacement of bridges found to be presently obstructing free navigation on the navigable waters of the United States.

There is attached a memorandum listing in summary form the procurement and construction programs for which appropriations would be authorized by the proposed bill. In further support of the legislation, the cognizant legislative committees will be furnished detailed information with respect to each program for which fund authorization is being requested in a form identical to that which will be submitted in explanation and justification of the budget request. Additionally, the Department will be prepared to submit any other data that the committees or their staffs may require.

It would be appreciated if you would lay this proposal before the Senate. A similar proposal has been submitted to the Speaker of the House of Representatives.

The Bureau of the Budget has advised by letter dated January 13, 1969, that this legislation would be in accord with the President's program and there would be no objection to the submission of the draft bill to Congress.

Sincerely,

ALAN S. BOYD.

Memorandum: Summary of fiscal year 1970, U.S. Coast Guard Program for procurement of vessels and aircraft and for construction of shore and offshore establishments

VESSELS

For procurement, increasing capability and extension of service life of vessels:

Procurement:	
One high endurance cutter	$15,950,000
One coastal buoy tender	3,100,000
Design of major vessel alteration and replacement buoy tender	300,000
Increasing capability:	
Modify balloon tracking radar for high endurance cutters to improve target acquisition	1,209,000
Modify tactical navigational unit prototype, procure one additional unit, install the units on two high endurance cutters	750,000
Increase fuel capacity, rearrange living and work spaces, improve air conditioning on 327 foot high endurance cutters	1,000,000
New generators and air conditioning on five seagoing tenders, bow thrust units on two tenders, air conditioning on one coastal tender	925,000

Memorandum: Summary of fiscal year 1970, U.S. Coast Guard Program for procurement of vessels and aircraft and for construction of shore and offshore establishments—Continued

VESSELS—Continued

Increasing capability—Continued	
Procure and install propulsion diesel generator sets on two diesel-electric ferryboats at Governor's Island, N.Y.	$450,000
Total	23,684,000

AIRCRAFT

For procurement and extension of service life of aircraft:

Procurement: Six medium range helicopters (HH-3F)	$11,204,000
Extension of service life: Replace center wing box beam on six HC-130 aircraft	720,000
Total	11,924,000

CONSTRUCTION

For establishment or development of installations and facilities by acquisition, construction, conversion, extension, or installation of permanent or temporary public works, including site preparation and furnishing of appurtenances, utilities, and equipment for the following:

Location and project:	
Radio station, San Francisco, Calif.: construct, equip, and furnish receiving station near Point Reyes and transmitting station near Bolinas	$3,230,000
Air station, Brooklyn, N.Y: construct barracks/mess building	1,068,000
Base, Boston, Mass.: dredge, improve utility service, construct boat moorings, and repair piers	1,500,000
New London, Conn.: continue to relocate facilities and construct and furnish station building, construct piers and dredge	1,500,000
Base, Yerba Buena Island, San Francisco, Calif.: construct concrete wharf and rearrange facility	1,014,000
Base, San Juan, Puerto Rico: renovate barracks and administration building; raze obsolete buildings, construct industrial building	1,200,000
Loran station, French Frigate Shoals, Hawaii: replace portions of bulkhead and landing strip	108,000
Air Station, St. Petersburg, Fla.: modernize and construct shop spaces for support of HH-3F helicopters	489,000
Base, Mayport, Fla.: continue project; bulkhead, pier, dredging, boats	407,000
Yard, Curtis Bay, Md.: rearrange, modify, and relocate buildings	920,000
Various locations: Install dockside vessel sewage receiving systems, waste oil collection and disposal, water catchment system protection, fuel storage tank catchment facilities at shore stations and piers	500,000
Station, Cape Charles City, Va.: construct and outfit station	700,000
Station, Houston, Tex.: construct and outfit station	2,442,000

Memorandum: Summary of fiscal year 1970, U.S. Coast Guard Program for procurement of vessels and aircraft and for construction of shore and offshore establishments—Continued

CONSTRUCTION—Continued

Location and project:	
Kodiak, Alaska: construct pier, dredging, storage building	$922,000
Lower Mississippi River: construct main building addition, utilities, equipment, sewage pumping station at Memphis Depot, Tenn.; construct multi-purpose building and related facilities at Hickman, Ky	352,000
Various locations: automate light stations	864,000
Various locations: urgent and selected aids to navigation projects	2,100,000
Academy, New London, Conn.: construct and furnish library center	2,700,000
Academy, New London, Conn.: construct and furnish cadet barracks extension	1,750,000
Training Center, Alameda, Calif.: construct enlisted barracks	2,750,000
Reserve training center, Yorktown, Va.: construct fire station building and operations building	430,000
Base, Governor's Island, N.Y.: construct multi-purpose Reserve training center building	642,000
Air station, Mobile, Ala.: procure a synthetic flight training system, develop site, construct and furnish building to house the system	2,500,000
Various locations: public family quarters	5,000,000
Various locations: advance planning, survey, design, and architectural services, site acquisitions	2,700,000
Total	37,788,000

BRIDGE ALTERATIONS

Cape Fear River (Near Wilmington, N.C.)	1,000,000
Berwick Bay bridge (Near Morgan City, La.)	2,004,000
Calumet River railroad bridges (Near Chicago, Ill.)	6,400,000
Total	9,404,000

S. 1286—INTRODUCTION OF BILL TO PROVIDE FOR THE APPOINTMENT, PROMOTION, SEPARATION, AND RETIREMENT OF COMMISSIONED OFFICERS OF THE ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Mr. MAGNUSON. Mr. President, at the request of the Department of Commerce, I am introducing a bill to provide for the appointment, promotion, separation, and retirement of commissioned officers of the Environmental Science Services Administration, and for other purposes.

I ask unanimous consent that the letter of transmittal and the statement of purpose and need be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter of transmittal and statement of purposes and need will be printed in the RECORD.

The bill (S. 1286) to provide for the appointment, promotion, separation, and retirement of commissioned officers of the Environmental Science Services Administration, and for other purposes, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Commerce.

The material presented by Mr. MAGNUSON, is as follows:

JANUARY 17, 1969.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: Enclosed are four copies of a draft bill "To provide for the appointment, promotion, separation, and retirement of commissioned officers of the Environmental Science Services Administration, and for other purposes," together with a statement of purpose and need in support thereof and a section-by-section analysis of the bill.

The Department of Commerce recommends enactment by the Congress of this bill which is included in the legislative program of the Department for the 91st Congress.

We were advised by the Bureau of the Budget on January 13, 1969 that from the standpoint of the Administration's program there would be no objection to the submission to the Congress of this legislation.

Sincerely yours,

C. R. SMITH,
Secretary of Commerce.

STATEMENT OF PURPOSE AND NEED

Reorganization Plan No. 2 of 1965 consolidated the Coast and Geodetic Survey and the Weather Bureau to form the Environmental Science Services Administration. Subsequent action by the Secretary of Commerce added the Central Radio Propagation Laboratory of the National Bureau of Standards to the new Administration.

In his message transmitting the Reorganization Plan to Congress, the President stated "Commissioned officers of the Coast and Geodetic Survey will become commissioned officers of the Administration and may serve at the discretion of the Secretary of Commerce throughout the Administration".

Pursuant to the new and expanded role of the commissioned officers in the Administration the Secretary of Commerce appointed an Advisory Committee of distinguished and knowledgeable citizens outside the Department of Commerce to review the function of the Commissioned Officer Corps within the Administration; the training and educational needs of the Corps; career planning for the Corps; and the relationship between civilian and commissioned personnel of the Administration.

After detailed study and lengthy discussion the Committee concluded that "a commissioned officer corps offers the best mechanism for increasing the effectiveness of (the Administration) in meeting certain of its worldwide responsibilities in the environmental sciences."

The Advisory Committee also concluded that existing legislation does not clearly define the establishment, responsibilities, duties, procedures, and benefits of the Commissioned Officer Corps, and it made specific recommendations for legislation therefor.

The Committee recommended that legislation be enacted which would be explicit with respect to authority for the operation of the Corps and yet broadly written to allow for administrative operating procedures to be established by the Secretary of Commerce.

The purpose of this Bill is to implement the recommendations of the Advisory Committee and to gather into one comprehensive Act all basic provisions of law that relate to the Commissioned Officer Corps of the Environmental Science Services Administration.

Recognizing the need to ensure orderly growth of the Corps while at the same time maintaining a desirable distribution of rank and experience, the Committee recommended, and this Bill implements such recommendation, that the existing limitation allowing original appointment of officers only up through the grade of lieutenant be revised to permit initial appointment in all grades through captain.

Taking into account the enlarged responsibilities, the projected high percentage of advanced degree holders, the overall professional competence of the Corps, and the need to provide a more attractive career development program in order to retain competent officers, the Committee recommended the existing restriction on the number of temporary promotions be removed. This recommendation has been implemented in this Bill by providing that officers serving in any permanent grade may be temporarily promoted one grade when such promotion is deemed necessary or desirable and in the best interst of the Administration.

The Committee recommended that a clearly defined procedure to be established for the promotion, selection-out, and separation of officers, based on qualifications and merit. The recommendation has been incorporated in this Bill through the provision of specific sections covering promotions, separations, and retirements.

The Committee also recommended, and this Bill provides, a provision for transfer of officers between the Administration and the armed forces. In view of the worldwide responsibilities of the Administration, this Bill also authorizes the President to detail officers to foreign governments and international organizations when such detail is in the interest of the United States.

In consideration of the increased mission, responsibilities and educational requirements imposed on the Corps, and the need to provide a more attractive career development program in order to recruit and retain qualified officers, it was considered necessary by the Committee that a more adequate education and training program be established. This Bill contains provisions for such a program.

This Bill also includes provisions which would put officers of the Corps more nearly on a parity with officers of the armed forces with respect to certain rights and benefits, thereby implementing another recommendation of the Committee.

The Committee recommended that the wartime status of the Corps be clarified. This Bill establishes mechanisms whereby officers of the Corps can be effectively utilized in peacetime and wartime in behalf of the national defense.

The remaining provisions of this Bill are intended to implement the recommendations of the Advisory Committee and to provide general authority relating to the management and operation of the Corps.

S. 1287—INTRODUCTION OF BILL TO AUTHORIZE APPROPRIATIONS TO CARRY OUT THE METRIC SYSTEM STUDY

Mr. MAGNUSON. Mr. President, at the request of the Department of Commerce, I am introducing, for myself and Mr. PELL, a bill to authorize appropriations for fiscal years 1970, 1971, and 1972 to carry out the metric system study.

I ask unanimous consent that the letter of transmittal, the statement of purpose and need, and the bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, letter of transmittal, and statement of purpose and need will be printed in the RECORD.

The bill (S. 1287) to authorize appropriations for fiscal years 1970, 1971, and 1972 to carry out the metric system study, introduced by Mr. MAGNUSON (for himself and Mr. PELL), by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1287

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby authorized to be appropriated for the use of the Department of Commerce during fiscal years 1970, 1971, and 1972, such sums, not to exceed a total of $2.5 million, as may be necessary to carry out the purposes of the Act of August 9, 1968 (82 Stat. 693; Public Law 90–472).

The material, presented by Mr. MAGNUSON, follows:

JANUARY 17, 1969.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed are four copies of a draft bill "To authorize appropriations for fiscal years 1970, 1971, and 1972 to carry out the metric system study," together with a statement of purpose and need in support thereof.

The Department of Commerce recommends enactment by the Congress of this bill which is included in the legislative program of the Department for the 91st Congress.

We were advised by the Bureau of the Budget on January 13, 1969 that from the standpoint of the Administration's program there would be no objection to the submission to the Congress of this legislation and further that enactment of this legislation would be consistent with the Administration's objectives.

Sincerely yours,

C. R. SMITH,
Secretary of Commerce.

STATEMENT OF PURPOSE AND NEED

The Metric System Study Act, approved August 9, 1968 (P.L. 90–472; 82 Stat. 693), authorizes the Secretary of Commerce to conduct a three year comprehensive program of investigation, research, and survey to determine the advantages and disadvantages of the increased use of the metric system in the United States. Section 5 of that statute limited the Secretary, for the first year of the study, to the use of funds previously appropriated to the Department of Commerce. As it is therefore necessary to seek an authorization for appropriations to fund the remaining two years of the study, it is the purpose of this bill to obtain an authorization to appropriate $2.5 million for fiscal years 1970, 1971, and part of 1972 to conclude that effort. It may be noted that the three year period of this study and the termination of the program in the 30 days following submission of the Secretary's final report, at which time the Act expires, would extend slightly into fiscal year 1972. This then is the basis of the request for that part of the authorization bill which relates to fiscal year 1972.

The study is intended to provide factual information concerning the impact on the United States of the increasing worldwide trend toward the use of the metric system. It involves extensive scientific, engineering, and economic investigation and appraisal of U.S. and international measurement practices, with particular attention focused on certain critical areas delineated in the authorizing legislation (P.L. 90–472). This effort will be carried out by the staff of the National Bureau of Standards, by interagency agreement with other government agencies, and to a limited extent by contract with private organizations. Extensive interviewing will be conducted with representatives of industry, science, engineering, education, agriculture, labor and consumer associations.

The $2.5 million sought by this bill includes $1.13 million for fiscal year 1970. Of the latter amount, $550,000 is designated for staff and advisory panels expenses. The central staff will consist of four working branches responsible for (1) Government Affairs, (2) Industrial Affairs, (3) General Public Affairs, and (4) Economic Evaluation. Section 2(5) of P.L. 90–472 requires appropriate participation in the study by representatives of industry, science, engineering, labor and their associations. This will be achieved in major part by advisory panels. The remaining $580,000 will be used to obtain the assistance of other government agencies, universities, and possibly some private consulting firms. The money sought for these services will be expended in studying the impact of the metric system on military and transportation operations, its impact on educational programs in the United States, and for data collection and economic analysis. The remaining $1.37 million sought for fiscal year 1971 and part of fiscal year 1972 is needed to pay for the continued efforts of the central staff, advisory panels, and others to conclude the study and terminate the program by September 9, 1971.

As the Act of August 9, 1968, required the first year of the study to be funded from the regular appropriations of the Department of Commerce for Fiscal Year 1969, and since it has been possible to make only about $330,000 available from this source, the increase sought by this bill for the remaining period of the study is deemed imperative if significant progress is to be achieved within the three year limitation imposed by that Act.

S. 1288—INTRODUCTION OF BILL TO AMEND MERCHANT MARINE ACT OF 1936

Mr. MAGNUSON. Mr. President, on behalf of myself, the Senator from New York (Mr. Javits), and the Senator from Alaska (Mr. Stevens), by request, I introduce, for appropriate reference, a bill to amend section 212(B) of the Merchant Marine Act, 1936, as amended. I ask unanimous consent that the letter transmitting the proposed legislation be printed in the Record, together with a statement of the purpose and need for the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the Record.

The bill (S. 1288) to amend section 212 (B) of the Merchant Marine Act, 1936, as amended, introduced by Mr. Magnuson (for himself and other Senators), by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and statement, presented by Mr. Magnuson, are as follows:

The Secretary of Commerce,
Washington, D.C., December 27, 1968.
Hon. Hubert H. Humphrey,
President of the Senate,
U.S. Senate, Washington, D.C.

Dear Mr. President: Enclosed are four copies of a draft bill "to amend Section 212 (B) of the Merchant Marine Act, 1936, as amended," together with a statement of purpose and need in support thereof and a comparative print showing changes the bill would make in existing law.

The Department of Commerce recommends enactment by the Congress of this bill which is included in the legislative program of the Department for the 91st Congress.

We were advised by the Bureau of the Budget on December 16, 1968 that from the standpoint of the Administration's program there would be no objection to the submission to the Congress of this legislation.

Sincerely yours,
C. R. Smith,
Secretary of Commerce.

Statement of Purpose and Need for the Proposed Legislation

Section 212(B) of the Merchant Marine Act, 1936, as amended, directs the Secretary of Commerce to encourage and promote the development and use of mobile trade fairs displaying American products abroad. The section also authorizes the Secretary to provide technical assistance and support to operators of such fairs and to reimburse them for certain expenses incurred abroad.

Appropriations for the Mobile Trade Fair program under the Merchant Marine Act were authorized by Public Law 87–839, approved October 18, 1962, for a period of three years in an amount not to exceed $500,000 per fiscal year. Public Law 89–66, approved July 7, 1965 extended the appropriation authorization for an additional three year period, expiring on June 30, 1968. Public Law 90–434, approved July 27, 1968, further extended the appropriation authority for one year, through FY 1969, in the reduced amount of $166,000.

The proposed legislation would continue the authority for appropriations for one additional year, through June 30, 1970, and would continue the specific ceiling of $166,000 per annum.

The Mobile Trade Fair Act is one of the tools utilized by the Department of Commerce to promote the sale abroad of U.S. products. In view of the continuing need to promote the expansion of exports to aid our balance of payments, continuation of the Mobile Trade Fair Act is considered desirable.

Comparative text showing the changes in the Merchant Marine Act, 1936 which would be made by the draft bill "To amend Section 212(B) of the Merchant Marine Act, 1936, as amended."

(Deletions enclosed in black brackets; new material in italic.)

Sec. 212(B).

* * * * *

(c) There is authorized to be appropriated not to exceed $500,000 per fiscal year for each of the six fiscal years during the period beginning July 1, 1962, and ending June 30, [1968, and] *1968*, not to exceed $166,000 for the fiscal year ending June 30, [1969] *1969, and not to exceed $166,000 for the fiscal year ending June 30, 1970*. In addition to such appropriated sums, the President shall make maximum use of foreign currencies owned by or owed to the United States to carry out the purposes of this section.

S. 1289 AND SENATE JOINT RESOLUTION 68—INTRODUCTION OF BILL AND JOINT RESOLUTION

Mr. MAGNUSON. Mr. President, the decline of the U.S. balance-of-trade surplus has reached, by common consensus, crisis proportions. While curbing domestic inflation is the single most effective instrument to insure that U.S. goods will remain competitive in foreign markets, it is also essential that the Commerce Committee again explore the adequacy of the export promotion tools presently available to Government to stimulate foreign demand for U.S. goods and to determine whether new or stronger tools are necessary.

Four years ago the Commerce Committee conducted a broad-ranging series of hearings on the adequacy of the U.S. export promotion effort. From those hearings there developed a substantial redirection in many of the practices and criteria employed by the Export-Import Bank in facilitating U.S. exports, particularly to developing countries. In addition, the Department of Commerce, which had been initially hostile to the development of new trade promotion tools, instituted pilot programs designed to test several new export promotion devices. Nevertheless, recent trade figures indicate that it is time to reappraise again the effectiveness of these export promotion activities.

Are we doing what we can to get American industry to focus on export markets? Are we exploiting existing known markets to capacity? Are we seeking to identify potential new markets? Has the merger of economic and commercial foreign service functions improved or diminished the commercial effectiveness of U.S. mission abroad? Is AID sufficiently vigorous in channeling AID funds to U.S. exports? What is the status of research on export strategies?

We need to evaluate the soundness of the new joint export association concept, examine the test programs recently undertaken, and determine the potential for full-scale programing. We need to reexamine the mobile trade fair program, a product of this committee's own search for a wider arsenal of export weapons. We need to study the growth and evolution of trade shows and trade missions, as for example, the desirability of the shift from Government-sponsored trade missions to Commerce Department support of missions sponsored by States or industries. We should determine whether the USIA interpretation of its responsibility for funding trade shows and fairs conflicts with the Commerce Department's interpretation of commercial opportunity and finally, we must review the effectiveness of the U.S. Travel Service program, designed to promote travel in the United States by foreign residents, and consider whether this program should be further expanded.

Today I am introducing a request bill and a joint resolution dealing with our export promotion program. The bill would amend the International Travel Act of 1961 to enable the U.S. Travel Service to expand its programs for encouraging foreign residents to travel to the United States. The joint resolution would extend indefinitely the period to "see the United States" which was created by Public Law 89–235. It would encourage private industry and private organizations "to continue their efforts under the 'Discover America' program to attract greater numbers of Americans and the citizens of other countries to the scenic, historical, and recreational areas and facilities of the United States."

I am pleased that both Senator Javits and Senator Stevens are joining me in introducing the bill and joint resolution today. Senator Javits' active support of these programs in the past is well known, and Senator **Stevens**' future support will be welcome.

Mr. President, Commerce Committee consideration of these two proposals will be coupled with the broad review of our export promotion programs which I mentioned earlier. We hope that by eliminating outmoded programs, strengthening the effective ones, and spurring the development of new promotional devices, we can obtain the maximum benefit, in terms of increased exports, from our trade promotion dollar.

I ask unanimous consent that there be printed in the Record at the conclusion of my remarks, the text of the bill, the letter of transmittal from the Secretary of Commerce, the accompanying statement of purpose and need, and the text of the joint resolution.

The VICE PRESIDENT. The bill and joint resolution will be received and appropriately referred; and, without objection, the bill, joint resolution, letter, statement, and analysis will be printed in the Record.

The bill and joint resolution were received, read twice by their titles, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 1289

A bill to amend the International Travel Act of 1961, as amended, in order to improve the balance of payments by further promoting travel to the United States, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the International Travel Act of 1961 (75 Stat. 129; 22 U.S.C. 2121–2126) is amended by changing the period at the end of clause 4 of subsection (a) to a semicolon, and by inserting after such clause the following:

"(5) upon the application of any State or political subdivision or combination thereof, or private or public nonprofit organization or association, may make grants for projects designed to carry out the purposes of this Act if he finds that such projects will facilitate and encourage travel to any State or political subdivision or combination thereof by residents of foreign countries. No financial assistance will be made available under this clause unless the Secretary determines that matching funds will be available from State or other non-Federal sources and in no event will the amount of any grant under this clause for any project exceed 50 per centum of the cost of such project. The Secretary is authorized to establish such policies, standards, criteria, and procedures and to prescribe such rules and regulations as he may deem necessary or appropriate for the administration of this clause;

"(6) may enter into contracts with private profit-making individuals, businesses and organizations for projects designed to carry out the purposes of this Act whenever he determines that such projects cannot be accomplished under the authority of clause (5) of this subsection;

"(7) may make awards of merchandise manufactured and purchased in the United States to travel agents and tour operators in foreign countries as an incentive for their promotion of travel to the United States by residents of foreign countries. The Secretary is authorized to establish such policies, standards, criteria and procedures as he may deem necessary or appropriate for the administration of this clause."

Sec. 2. Section 6 of such Act is amended to read as follows:

"Sec. 6. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, which shall be available without regard to the provisions of law set forth in 44 U.S.C. 501 and 3702. When so specified in appropriation acts, amounts for printing of travel promotion materials are hereby authorized to be made available for two full fiscal years."

Sec. 3. Section 7 of such Act is renumbered "Sec. 8." and a new Section 7 is inserted to read as follows:

"Sec. 7. As used in this Act, the term 'United States' and the term 'State' are defined to include the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam and American Samoa."

S.J. Res. 68

Joint resolution authorizing the President to extend indefinitely a period to "See the United States" and for other purposes

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested (1) to extend indefinitely the period designated pursuant to the joint resolution approved October 2, 1965 (Public Law 89–235) as a period to see the United States and its territories; (2) to encourage private industry and interested private organizations to continue their efforts under the "Discover America" program to attract greater numbers of Americans and the citizens of other countries to the scenic, historical, and recreational areas and facilities of the United States of America, its territories and possessions and the Commonwealth of Puerto Rico; and (3) to issue a proclamation designating a week in the spring of each year as Discover America Vacation Planning Time, specially inviting American citizens and citizens of other countries to the festivals, fairs, pageants, and other ceremonials to be celebrated in the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico.

Sec. 2. The President is authorized to publicize any proclamation issued pursuant to the first section and otherwise to encourage and promote vacation travel within the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico, both by American citizens and by citizens of other countries, through such departments or agencies of the Federal Government as he deems appropriate, in cooperation with State and local agencies and private organizations.

Sec. 3. For the purpose of the extension provided for by this joint resolution, the President is authorized during the period of such extension to exercise the authority conferred by section 3 of the joint resolution approved October 2, 1965 (Public Law 89–235) and for such purpose may extend for such period the appointment of any person serving as national chairman, or may appoint any individual designated by the board of directors of Discover America, Inc., or its successor organization, as the national chairman of the Discover America program which was established by private industry in 1965 as a nonprofit organization to carry out the purpose of section 1 of this resolution.

The material, presented by Mr. **Magnuson**, is as follows:

January 15, 1969.

Hon. Hubert H. Humphrey,
President of the Senate,
U.S. Senate,
Washington, D.C.

Dear Mr. President: Enclosed are four copies of a draft bill "To amend the International Travel Act of 1961, as amended, in order to improve the balance of payments by further promoting travel to the United States, and for other purposes," together with a statement of purpose and need in support thereof and a section-by-section analysis of the bill.

The Department of Commerce recommends enactment by the Congress of this bill which is included in the legislative program of the Department for the 91st Congress.

We were advised by the Bureau of the Budget on January 6, 1969 that from the standpoint of the Administration's program there would be no objection to the submission to the Congress of this legislation and further that enactment of this legislation would be consistent with the Administration's objectives.

Sincerely yours,

Joseph W. Bartlett,
Acting Secretary of Commerce.

Statement of Purpose and Need

The enclosed draft bill would amend the International Travel Act of 1961, as amended, to:

(1) authorize a matching funds program for projects that are designed to encourage increased travel to the United States;

(2) authorize contracting with private profit-making parties for similar projects;

(3) authorize the awarding of merchandise manufactured and purchased in the United States to travel sales outlets abroad as incentives for their promoting travel to the United States; and

(4) define the terms "United States" and "State", as used in the Act, as including the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam and American Samoa in order that these areas may be included within the purview of the Act.

In order that the United States Travel Service might fully discharge its increased responsibilities under the proposed legislation, the bill would raise the authorized level of appropriations.

In regard to the matching funds program, grants to States, cities and non-profit organizations would substantially increase the amount of money that these entities would devote to promotion of travel from abroad and would improve domestic services for international visitors. Moreover it would greatly increase the volume and quality of materials and services available.

Specific projects could include, but would not be limited to, the following:

1. Preparation of multilingual promotion materials (folders, leaflets, booklets, displays, exhibits, etc.) for use abroad in promoting State and city attractions.
2. Films depicting State, city and regional attractions for use in sales meetings and other promotions overseas.
3. Through matching funds, it would be possible to carry out special missions and promotions overseas with the support of states, cities and regions.
4. It would be possible to feature the West, the South, the open spaces, jazz, country music, etc. by assisting interested groups in worthwhile projects.
5. With present State and city interest in the Canadian market it would be possible to work with these agencies on a joint promotion and possibly distribution of materials in Canada.
6. Seed money would materially increase services in the United States, such as making use of multilingual people and materials in tourist information centers of the cities.
7. Seed money might be used to stimulate nonprofit organizations like COSERV, People-to-People, and others to develop language banks, maintain lists of interpreters and to broaden their host services for foreign visitors.
8. Some financial support, doubtless would be effective in expanding hosting services at airports, terminals and ports of arrival.

In regard to the proposed authority to enter into contracts with private profit-making individuals, corporations, businesses and other organizations for the purpose of attracting visitors to the United States, such authority could be used in the following ways:

1. Producing jointly with members of the diversified travel industry (such as the accommodation and restaurant industry) consumer and travel trade oriented sales promotional materials such as visual aids and points of sale materials.

2. Enlisting jointly with the travel trade the services of recognized promotional talent for the purpose of acquainting the foreign seller of travel with the United States as a top, competitive travel offering.

3. Assisting the sponsors and organizers of conventions, exhibitions and similar events in the United States in making them truly international and therefore, attractive to foreign attendance (e.g. purchase or lease of simultaneous translation equipment).

4. Sharing in the cost of recognition trips to the United States for people primarily responsible in the arrangement of group tours to the United States by members of social clubs and other special-interest organizations (e.g. award to executive secretary of Lions Club of France).

The proposed legislation reflects the Department's growing concern over the inadequacy of our present travel program in view of the increased importance of tourism as a force in both our international affairs and the health of our domestic economy. Immediate action by the Federal Government is required if we are to materially reduce the $2 billion deficit in our balance of payments attributable to the imbalance in the international travel account. The continuation of this imbalance, together with the increased attention being given by foreign governments to travel promotion, calls for a considerably expanded Federal effort to encourage more travel to this country. Our need for such an effort will become even more intense as the jumbo jet and the super-sonic transports open new avenues for low-cost, mass international travel. Already virtually every major firm and trade association in the travel industry has recognized the need, and organizations such as the National Association of Manufacturers, the International Economic Policy Association, and the National Foreign Trade Convention have gone on record in favoring more Federal attention to both the promotional and policy aspects of international travel. The proposed legislation will constitute a major step toward increasing the efforts of the Federal Government in the promotion of travel to the United States as recommended by the President's Industry-Government Special Task Force on Travel.

SECTION-BY-SECTION ANALYSIS

Section 1 of the bill amends section 3 of the Act by adding the following new clauses to subsection (a):

Clause (5) of subsection (a) authorizes the Secretary of Commerce, upon the application of any State or political subdivision or combination thereof, or any private or public nonprofit organization or association, to make grants for projects designed to carry out the purposes of the Act. The Secretary is further authorized to establish such policies, standards, criteria and procedures and to prescribe such rules and regulations as he deems necessary for the administration of the grants program. No grant will be given unless the Secretary determines that matching funds will be available from the State or from other non-Federal sources and in no event will the amount of the grant exceed 50 per centum of the cost of the project.

Clause (6) of subsection (a) authorizes the Secretary to enter into contracts with private profit-making individuals, businesses and organizations for projects that are designed to carry out the purposes of the Act. Prior to entering into such a contract, however, the Secretary must first determine that the project cannot be accomplished under the authority of clause (5) of subsection (a). It is contemplated that the authority contained in clause (6) will only be used when matching funds for a specific project are unavailable or cannot be obtained.

Clause (7) of subsection (a) authorizes the Secretary to make awards of merchandise manufactured and purchased in the United States for the purpose of awarding such merchandise to foreign travel agents and tour operators as an incentive for their promoting travel to the United States by residents of foreign countries. It is contemplated that such an incentive program will be an effective method of increasing the flow of tourism to the United States. The size of the incentive awards will most likely be in proportion to the degree of the individual sales accomplishment. The Secretary is further authorized to establish such policies, standards, criteria and procedures as he deems necessary for the administration of the program.

Section 2 of the bill amends section 6 of the Act by removing the present limitation of $4.7 million annually on appropriations under the Act, provides an exemption to the United States Travel Service from the provisions of 44 U.S.C. 501 and 3702 and authorizes Congress to specify in the appropriation acts that amounts for the printing of travel promotion materials may be made available for two full fiscal years.

Exemption from the requirement that Government printing be done at the Government Printing Office (44 U.S.C. 501) is required since the United States Travel Service, in order to compete effectively in the tourism field with other countries, must produce attractive and sophisticated promotional materials, most of which are produced in several colors and in nine foreign languages, and are complex in design, construction and printing requirements. Because of these unique printing requirements and the fact that the Government Printing Office is not suitably equipped to execute them, the Travel Service has been granted waivers over the years allowing it to have its work done elsewhere. Waivers must be requested on an item by item basis and since requested waivers are customarily approved, the Department believes it would be in the best interest of the Government to exempt the Travel Service from the requirements of 44 U.S.C. 501.

Exemption from the requirement that executive agencies issue written authority for the procurement and payment of newspaper advertising (44 U.S.C. 3702) is also required. This written authority is obtained through the use of an Advertising Order Form SF–1143, which is a cumbersome procedure for the Travel Service to follow since most Travel Service advertising is done by its contractors. The use of this form requires contractors to obtain special authority to place advertising after they have been granted general authority to perform advertising services under the contract.

In addition to that portion of the form filled out by the Government, the publisher of the advertisement is also required to complete certain parts of the form and is also required to attach a copy of the advertisement to the form. These requirements tend to inhibit foreign publishers from accepting advertisements from the Travel Service or its contractors.

Current procedures are far too cumbersome for use in the procurement and payment of international advertising. It is no longer customary in the trade to furnish such detailed invoice information since many firms use automated billing procedures which are not programmed to record the type of information required by form SF-1143. Moreover, it would appear that the regular billing procedure of publishers is adequate for payment and audit purposes regarding the procurement of newspaper advertising.

It is required to have amounts appropriated for printing of travel promotional material available for two full fiscal years in connection with contracts which require the contractor to develop, design, and furnish such material. Because of the nature of the creative work involved and the need to perfect the final product to be used in promoting VISIT USA, the material is not, in every instance, ready for contracting by the close of the fiscal year. Therefore, the cost of printing cannot be obligated against the fiscal year funds used to develop the material, but must be charged against the funds made available in the subsequent fiscal year. Section 2 of the bill would authorize Congress to rectify this situation.

Section 3 of the bill renumbers section 7 of the Act as "Sec. 8." and inserts a new section 7 which includes in the definition of the terms "United States" and "State", as used in the Act, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam and American Samoa. From a balance of payments standpoint, there appears to be no reason why tourism to the territories and possessions of the United States should not also be facilitated and encouraged under the several provisions of the Act.

S. 1291—INTRODUCTION OF LEGAL SERVICES PROGRAM AMENDMENTS TO THE ECONOMIC OPPORTUNITY ACT

Mr. MONDALE. Mr. President, I introduce, for appropriate reference, S. 1291, the Legal Services for the Poor Act, 1969. This act would establish the legal services program as a separate title under the Economic Opportunity Act, double its funds over the next 2 years, and require that it be administered by the Office of Economic Opportunity.

Mr. President, I introduce this measure today in an effort to raise important issues, understanding that it may need to be perfected before it is enacted. The issues addressed are the unique nature of the legal services program among OEO endeavors, and the implications of this special nature for the organization and financing of the legal services effort in the coming years.

The legal services program—LSP—means many things to many people.

To the poor, it means a chance to enjoy equal justice under law, so often denied them because of their inability to pay for services, or because law school training leaves lawyers ill-equipped to deal with the issues that plague their lives. The work of LSP lawyers in forestalling eviction, dealing with consumer frauds, seeing to it that welfare payments are received, not only helps the poor avert tragedies that otherwise might overcome them, but also helps poor people meet some of their most critical needs—for housing, for income, for nutrition, for personal security, and for social justice.

To lawyers, legal services offers a chance to respond to that ancient biblical injunction, "Open thy mouth, judge righteously, and plead the cause of the poor and needy"—Proverbs 31:9. LSP lawyers are the shock troops of the war on poverty, fighting at the cutting edge of social change. LSP lawyers have an opportunity unique among their colleagues to help the poor escape the treadmill of poverty. At the same time, they can enrich and influence the rule of law through development of new principles and practices reflecting the special needs of the poor.

The legal services program addresses some of the most important social issues of our time.

First. Legal services promote social justice: The projects help unify the system of justice in this land, closing the gap between rich and poor in the eyes of the law. About 80 percent of the LSP lawyers' time now is spent providing concrete high quality services poor people need, where they need them, when they need them.

The law reform efforts of LSP lawyers have secured important court decisions and new legislation related to the special needs of the poor. For example, the U.S. Supreme Court decision negating "man in the house rules" recognized the arbitrary nature of this welfare restriction. LSP lawyers were instrumental in removing this plague that so often had forced the poor to barter family life for their welfare checks. An Ohio law relating to consumer protection in housing, and a Michigan law relating to garnishment are other monuments to the effectiveness of LSP lawyers in securing the "equal protection under law" the poor so desperately need.

But legal services does more than provide lawyers for poor people. It helps old institutions of government adapt to the needs of the poor, and create new agencies of justice. The program fosters neighborhood courts, antipoverty investigations by city councils and State legislatures, small claims courts, municipal commissions to regulate predatory business practices, ombudsman offices, and systems for mediation and arbitration of disputes as well.

Second. Legal services promote law and order: The legal services program offers a concrete and peaceful alternative to violence and civil disobedience. Its lawyers are some of the few federally funded personnel in close and regular contact with the most volatile segment of the poverty population, the young men under 25 whose confrontations with the police have been the greatest source of civil violence in the last 3 years. More than one legal service project director, as lawyer and community leader, having gained the respect of the community, has been involved in "cooling it" during potentially explosive situations. LSP lawyers serve an essential function in making the democratic process responsive to the needs of the poor, turning militant demands into phrases effective in communicating with Government officials. In turn, they relate the opinions of Government officials to the poor in language they can understand.

Third. Legal services promote economic development and adequate income maintenance: LSP lawyers are the only large group of OEO-funded personnel with the ability to make significant, skilled contributions to the promotion of economic development through community capitalism.

LSP lawyers provide the legal counseling and drafting necessary to organize these efforts and develop new and imaginative business structures. They provide the management consulting-type services usually performed by the private corporate lawyer for his client. They help residents obtain loans and grants to build, own, and operate housing projects, shopping facilities, factories, and community services not only through OEO, but in model cities and Small Business Administration programs as well. Beyond this, LSP lawyers have direct impact in helping increase the income of individual poor people through their work in obtaining deserved increases in welfare payments, unemployment compensation, and pension benefit programs. They also work to remove job impediments unrelated to the potential productivity of the employee, including racial discrimination, criminal records, or uneven educational background.

Mr. President, the legal services program is critical to democracy in this country.

As former Attorney General Katzenbach observed:

> The poor man is cut off from this society—and from the protection of its laws. We make him, thus, a functional outlaw.

As Clinton Bamberger, Jr., the first national director of the legal services program stated:

> The search for truth and justice which depends upon an adversary system gropes halfblind when there is no advocate for one side of the proposition.

Such a situation cannot be permitted to persist in a democratic society, as these men, among others, have stressed. And it is in part because of the widespread realization of this fact that the legal services program has received such widespread support from poor and rich, professional and nonprofessional alike.

Few, if any of the OEO programs have been more popular. The Harvard Law Review has called neighborhood law offices "the new wave" in legal aid for the poor. Justice Brennan has called legal services "an historic transformation in the role of the lawyer in our society." Edward Kuhn, former president of the American Bar Association, has called it the "greatest project ever undertaken by government and the bar." He also said:

> The Legal Services Program of the Office of Economic Opportunity offers the legal profession its most exciting challenge and greatest opportunity to realize its ancient and honored goal; equal justice for the poor.

In a resolution adopted in 1965 by its house of delegates, the American Bar Association reaffirmed its deep concern with the problem of providing legal services to all who need them. The association further authorized the officers and appropriate sections and committees of the association in cooperation with others, "to improve existing methods and to develop more effective methods for meeting the public needs for adequate legal services;" and to cooperate with OEO in this effort. Since then, the American Bar Association, the National Bar Association, and the National Legal Aid and Defender Association have not only supported, but have been directly involved in assisting to promote the legal services programs.

Recognizing the essential role of legal services programs in alleviating the tensions of the ghetto, the National Advisory Committee on Civil Disorders commended the LSP for its good beginning in meeting the legal assistance needs of the poor. The report of the Commission stated:

> Among the most intense grievances underlying the riots of the summer of 1967 were those which derived from conflicts between ghetto residents and private parties, principally white landlords and merchants. Though the legal obstacles are considerable, resourceful and imaginative use of available legal processes could contribute significantly to the alleviation of resulting tensions.

The report stressed the needs of the poor for litigation, for participation in the grievance procedures and for advocacy of their needs. Calling for an expansion of the program, the report observed that—

> Although lawyers function in precisely this fashion for the middle-class clients, they too often are not available to the improvished ghetto resident.

Lawyers across the country are joining in the effort, as paid staff or in a volunteer capacity. The Washington Post recently reported a large-scale voluntary effort by a group of young lawyers who have urged the administration to endorse a policy encouraging all Government lawyers to volunteer their services to the program.

But perhaps it is the voices of the poor that tell us most about the real meaning of the program. Thousands across the country have echoed the sentiments of a Harlem woman, victimized by an unreliable firm, who suddenly found herself overcharged for furniture: "Who else could I turn to after my furniture had been repossessed and the company began garnishing my pay without notifying me?"

From poor people to professionals; from law school professors to members of the private bar, the success story of legal services has spread far and wide, influencing lawyers, clients, law students, Government institutions, and the very nature of the laws that affect us all.

When a program is both successful and relatively noncontroversial, it is sometimes easy to overlook. This is why I wonder at President Nixon's failure to mention the legal services program in his recent message on the antipoverty program. While I am concerned about several of his recommendations concerning the special emphasis programs of OEO, I will welcome the opportunity to consider, with my colleagues on the Labor and Public Welfare Committee, President Nixon's announced intentions with regard to these programs including Headstart, Comprehensive Health Services, and Foster Grandparents.

But I believe we should also discuss the future of the legal services program, for I believe it presents a unique case.

President Nixon has indicated he believes that the Office of Economic Opportunity should not operate large-scale ongoing programs. I believe this is a judgment we should discuss at length. For while the principle may apply to some special impact programs, I do not believe it can or should apply to the legal services program of OEO.

Mr. President, I believe the legal services program is unlike other programs in its current status and future financial needs. It is to raise the issues of organizational status, and mandate for funds that I introduce this measure today.

Organization of the program: It seems to me that the legal services program differs from the other special-emphasis programs under section 222 of the amended Economic Opportunity Act in at least two ways: First, unlike the educational and health programs, the legal services program does not in my view lend itself to delegation. Second, it seems to me the program no longer meets the test established by section 222 for inclusion in this special designation, and that therefore it ought to be established as a separate but coordinated part of the OEO effort.

My bill provides that the legal services program shall not be delegated. This provision is meant to raise the question of whether "spin off" of the legal service program would stifle the small but growing voice of the poor, and irretrievably damage a program essential to the rule of law in this land.

One major thrust of the legal services program is its advocacy for the poor in formal and informal proceedings challenging implicit or explicit decisions of governmental agencies. There is already question as to whether the program could properly be transferred to some agencies due to potential or actual conflicts of interest. But even with a change in law, I fear eventual weakening or dissolution of the program if it were transferred to any other agency of Government.

Agencies tend toward equilibrium and the status quo. Regardless of good intentions by agency administrators, I fear the program would drown beneath a flurry of restrictive fiats.

My bill also proposes that the legal services program remain part of the OEO effort, but that it do so as a part of the overall program. This is suggested in order to raise for discussion two issues: First, whether the program now meets the tests established in section 222 for "special programs"; and second, whether the needs both of the community action agencies and of legal service program administrators might not better be served by specific legislative endorsement of the program under a separate but coordinated administrative arrangement.

It seems to me that the legal services program no longer meets two of the three tests established under the act for special-emphasis programs. It no longer "involves significant new combinations of resources or new and innovative approaches."

Second, I do not think the current organizational setting of the program is one that will, within the limits of the type of assistance or activities contemplated, most fully and effectively promote the purposes of this title. The program does, in my view, still involve activities which can be incorporated or be closely coordinated with community action programs, but I believe this objective, as well as others, might best be achieved by authorizing the program under a special title as proposed in this amendment.

The way the program now is financed, legal services and the CAA programs threaten each other's potential effectiveness.

Established in 1964, operating across the country, already serving over 1 million persons and indirectly benefiting countless others, the legal services program has long since moved past the initial demonstration phase. It needs massive expansion. Since the program ought not be transferred to any other agency, the question is not whether the program should remain in OEO, but where in OEO it should be located.

The community action title of the act never has been funded at a level sufficient to support large-scale on-going programs. Perhaps it should never be. But since both CAA local initiative funds, and funds for all the special emphasis programs currently are coming from the same source, both CAA and legal service programs must compete against each other for limited resources and both are restricted by the procedure.

A separate title for the legal services program could serve two important functions. First, it might free up funds for local CAA programs. Second, it might enable the legal services program to expand, without, at the same time, having to undercut the overall community action effort.

The new title I propose incorporates my belief that the legal services effort should continue to be operated primarily in cooperation with local CAA's. My bill would not change the existing national-local funding relationships.

Mandate for funds: I believe the legal services program not only should be preserved, but must be expanded.

For the fact is that the demand far exceeds the supply. Every poor person in the country needs legal services. Yet the legal services offices located across the country and in most of our major cities today serve only about one of the 30 who could potentially use their help.

Lawyers in the program are inundated in their success. Whereas few private lawyers see more than 200 clients per year, and most serve less than 100, legal service lawyers average a caseload eight to 10 times that number, serving from 800 to 1,000 clients per year. I have heard firsthand from two former members of my staff who now are in legal service programs the extent of the demand. And they agree with me and many others that the service potential has only begun to be met.

But the service program is only one of the legal services efforts that need to grow and develop.

A national legal service demonstration program is proving that 300 minority group members can be recruited and prepared for entry into law schools. The potential of Upward Bound-type endeavors of this type has been much too limited so far. One cause of this limitation is the unmet need for financial assistance for these minority group law students. I intend to address this problem in the near future. Furthermore, present projects show that topflight lawyers can be involved in special training and experience related to legal services for the poor. The Reginald Heber Smith fellowship program, established in 1967, has only begun to realize its potential for mustering the talent of some of the best of the young lawyers of this land. Started with only 50 people trained and sent to work for 1 year in an LSP office, the program this year received 1,200 applications. One-third of these applicants were in the top quarter of their class; about a sixth were in the top 10 percent; and over 15 percent were law review members. Yet current funding levels will permit only a few of these brilliant young men and women to participate in the program.

My bill specifically recognizes the educational potential of the legal services program to acquaint the poor with their rights, to recruit minority group legal students, and to help professionals engage in legal services programs as well.

My bill also clarifies the current provision concerning the abilities of LSP lawyers to defend the poor in criminal cases. Under my bill, LSP lawyers would clearly have the authority to defend persons in juvenile and misdemeanor cases, but would not ordinarily be called upon to defend the poor in what are commonly known as felonies where the States have a constitutional duty to provide representation.

Finally, my bill specifically emphasizes the opportunity for public services inherent in legal service program participation in economic development activities. If we are serious about community self-determination, and if we mean what we say amout community capitalism, then I think we must expand the potential for legal service lawyer involvement in these activities. LSP programs must be able to retain young men and women with the sensitivity, ability to communicate, and commitment to the community, and these people must acquire the special skills and knowledge necessary for initiation and development of community business endeavors.

I believe the legal services program deserves expansion, and have amended the act to provide for its growth. An amendment to the authorization language provides for a doubling of the current level of funding over the next 2 years.

As former President Johnson observed in a letter to the National Advisory Committee to the Legal Services Program:

> To a great many poor Americans, the law has long been an alien force—the ally of unscrupulous men who prey on their weakness and brutalize their rights as citizens. In many communities, law has lost its stabilizing influence, and instead serves to divide the poor and the better-off, the ordinary citizen and lawful authority. The result is that feeling of helplessness and frustration are increased—leading to unrest and contributing to violence.
>
> The Legal Services Program was created to give the poor the same access to the protection of the law that more fortunate citizens have. It is more than a legal aid program. It is a weapon in our comprehensive attack on the root causes of poverty.
>
> The rights we have secured during two centuries as a democracy must be given meaning for all our citizens—and it is this enormous task that the American bar and the Office of Economic Opportunity have undertaken in the past three years.

Mr. President, this affirmation can and must continue. Legal services must be strengthened and expanded. This measure therefore deserves the attention of both Congress and the executive branch.

I ask unanimous consent to the inclusion in the RECORD of the text of the measure I propose.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1291) to provide for an expanded legal services program within the Office of Economic Opportunity, introduced by Mr. MONDALE, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 1291

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Legal Services to the Poor Act."

SEC. 2. The Economic Opportunity Act of 1964 is hereby amended by:

(1) striking out paragraph (3) of section 222(a) and renumbering the subsequent paragraphs in such section accordingly; and

(2) adding at the end of such Act a new title IX as follows:

"TITLE IX

"THE LEGAL SERVICES PROGRAM

"SEC. 901. It is the purpose of this title to provide a legal services program to further the cause of justice among persons living in poverty by enlisting the support of lawyers and legal institutions and by providing legal advice, legal representation, counseling, education, and other appropriate services to such persons.

"DEFINITION OF LEGAL SERVICES PROGRAM

"SEC. 902. For purposes of this title, the term 'legal services program' shall include, without being limited to, the following:

"(1) local legal services projects, staffed by attorneys to provide the full range of legal counseling and representation to eligible clients;

"(2) projects and activities designed to encourage the entry of minority group members into law schools and the legal profession;

"(3) projects and activities for recruiting lawyers for service in antipoverty and community development programs;

"(4) projects and activities to encourage greater voluntary assistance by private attorneys and the mobilization of other community resources in antipoverty and community development programs;

"(5) developing and coordinating education and information projects and activities to enlist and train professional and nonprofessional personnel for service in legal services projects;

"(6) projects and activities designed to encourage State and local governments to adopt programs to make legal services more available to the poor and to adopt changes in State and local laws and judicial systems of States and localities so as to be more responsive to the needs of the poor.

"ADMINISTRATION

"SEC. 903. The Director shall designate one of the Assistant Directors appointed pursuant to section 601(a) of this Act as Assistant Director for Legal Services.

"FINANCIAL ASSISTANCE

"SEC. 904. (a) The Director may provide financial assistance to public or private nonprofit agencies to develop or carry out legal services programs. The Director shall prescribe necessary rules and regulations governing applications for assistance under this section to assure that every reasonable effort is made by each applicant to secure the views of local public officials and agencies in the community having a direct or substantial interest in such an application and to resolve all issues of cooperation and possible duplication prior to its submission.

"(b) The Director shall make arrangements under which the State bar association and the principal local bar associations in the community to be served by any proposed project authorized by this paragraph shall be consulted and afforded an adequate opportunity to submit comments and recommendations on the proposed project before such project is approved or funded, and to submit comments and recommendations on the operation of such project after such project is approved and funded;

"(c) Whenever practicable, the Director shall make arrangements to encourage applicants for assistance under this title to carry out programs and projects assisted under this title in cooperation with the community action agency in the locality to be served by such program or project.

"LIMITATIONS

"SEC. 905. No financial assistance shall be provided under this title—

"(1) for the defense of any person prosecuted upon a charge of crime punishable upon conviction by imprisonment for more than one year, except in extraordinary circumstances where, after consultation with local officials and the court having jurisdiction and pursuant to regulations adopted for this purpose, the Director has determined that adequate legal assistance will not be available for an indigent defendant unless such services are provided under this title:

"(2) unless a plan setting forth the proposed legal services program to be assisted under this title has been submitted to the Governor of the State, and such plan has not been disapproved by the Governor within thirty days of such submission, or, if so disapproved, has been reconsidered by the Director and, pursuant to regulations adopted for this purpose, found by him to be fully consistent with the provisions and in furtherance of the purposes of this title. This subsection shall not, however, apply to assistance provided any institution of higher education in existence on the date of the approval of this Act.

"(3) unless the services to be provided in a community under such program will be in addition to, and not in substitution for, services previously provided in such community without Federal assistance, and funds or other resources devoted to programs designed to meet the needs of the poor within the community are not diminished in order to provide any contribution required under section 906.

"FEDERAL SHARE

"SEC. 906. Federal assistance under the provisions of this title shall not exceed 80 per centum of the cost of such programs, including administrative costs, unless the Director determines, pursuant to regulations establishing objective criteria for such determination, that assistance in excess of such percentage is required in furtherance of the purposes of this title. Non-Federal contributions may be made in cash or in kind, fairly evaluated, including, but not limited to plant, equipment and services. In valuing in-kind contributed services by an attorney, consideration should be given to the minimum fees suggested by the local and State bar association and the normal fees charged by the attorney for the type of service being provided. In determining the non-Federal contribution under this section, all local cash contributed to any agency or corporation rendering legal service to clients who would qualify under the provisions of this title shall be included, whether such program receives funds under this title or not.

"LEGAL SERVICE PROJECT BOARDS

"SEC. 907. (a) Each Legal Services project receiving assistance under this title shall administer its program through a governing board.

"(b) The Director shall issue rules, regulations, and guidelines regarding the composition, powers, and duties of the governing boards and their relationships with the local community action agencies, local government officials, and employees of the project.

"(c) (1) The Director shall promulgate such regulations relating to the scheduling and notice of meetings, quorums (which shall not be less than 50 per centum of the total membership), procedures, establishment of committees, and similar matters, as he may deem necessary to assure that boards established pursuant to subsection (a) provide a continuing and effective mechanism for securing broad community involvement in projects assisted under this title and that all groups or elements represented on those boards have a full and fair opportunity to participate in decisions affecting those projects. Such regulations shall not preclude any such board from appointing an executive committee or similar group, which fairly reflects the composition of the board, or to transact the board business between board meetings. The quorum requirements for any such committee or group, which shall not be less than 50 per centum of the membership, shall be established by the board.

"(2) The Director shall require, when appropriate, that such governing boards shall establish procedures under which any organization or representative group of the poor which feels inadequately represented on the governing board may petition for adequate representation.

"APPLICABILITY OF OTHER PROVISIONS OF FEDERAL LAW

"SEC. 908. The administrative provisions of title II of this Act, particularly with respect to auditing, reporting, and evaluating procedures, and administrative standards for personnel employed by and the management of projects, shall be applicable to the Legal Services Program authorized by this title to the extent not inconsistent with the provisions of this title. Nothing in this section shall be construed to affect the confidentiality of the attorney-client relationship.

"SUPPLEMENTAL PROGRAMS AND ACTIVITIES

"SEC. 909. The Director may provide, directly or through grants or other arrangements for (1) technical assistance to communities in developing, conducting, and administering programs under this title, (2) technical assistance to state and local government agencies and institutions in developing procedures and analyzing and amending laws so as to be more responsive to the needs of the poor, and (3) training for personnel needed to carry out programs assisted under this title, or which otherwise would serve the purposes of this title. Upon request of an agency receiving financial assistance under this title, the Director may make special assignments of personnel to the agency to assist and advise it in the performance of functions related to the assisted activity; but no such special assignment shall be for a period of more than two years in the case of any agency.

"DEMONSTRATION AND RESEARCH PROJECTS

"SEC. 910. The Director may provide financial assistance for pilot or demonstration projects conducted by public or private agencies which are designed to test or assist in the development of new approaches or techniques that will further the purposes of this title. The Director may also provide financial assistance for research which he determines will contribute to carrying out the purposes of this title.

"PROJECT COMPENSATION AND ALLOWANCES

"SEC. 911. (a) Financial assistance under this title may include funds to provide a reasonable allowance for attendance at meetings of any Legal Services project governing board, neighborhood council, or committee, as appropriate to assure and encourage participation of members of groups and residents of areas served in accordance with the purposes of this title, and to provide reimbursement of actual expenses connected with those meetings; but those funds (or matching non-Federal funds) may not be used to pay allowances in the case of any individual who is a Federal, State, or local government employee, or an employee of any community action agency or Legal Services project, or for payment of an allowance of any individual for attendance at more than two meetings a month.

"(b) The Director shall issue necessary rules or regulations to assure that compensation received by staff attorneys and other professional employees of the local Legal Services project is to assure effectiveness and otherwise be in accordance with the purposes of this title.

"(c) No officer or employee of the Office of Economic Opportunity shall serve as member of a board, council, or committee of any agency conducting a program receiving financial assistance under this title; but this shall not prohibit an officer or employee from serving on a board, council or committee which does not have any authority or powers in connection with a program assisted under this title.

"DURATION OF THE PROGRAM

"Sec. 912. The Director shall carry out the provisions of this title during the fiscal year ending June 30, 1970, and for the four succeeding fiscal years."

LIMITATION OF THE POWER TO DELEGATE CERTAIN FUNCTIONS

Sec. 3. The authority of section 602(d) of the Economic Opportunity Act of 1964 shall not apply to the Legal Services program authorized under title IX of such Act. The Director shall not delegate the program authorized under such title IX to any other Federal agency.

TECHNICAL AMENDMENT

Sec. 4. Section 601(a) of the Economic Opportunity Act of 1964 is amended by striking out "five" in the third sentence of such section and inserting in lieu thereof, the word "six".

AUTHORIZATION OF APPROPRIATIONS

Sec. 5. For the purposes of carrying out programs under title IX of the Economic Opportunity Act of 1964, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1970, the sum of $80,000,000 and for the fiscal year ending June 30, 1971, the sum of $100,000,000, and for each of the three succeeding fiscal years, the sum of $150,000,000.

S. 1297—INTRODUCTION OF BILL REMOVING ALL AGE RESTRICTIONS FROM RETIREMENT AFTER 30 YEARS' SERVICE UNDER CIVIL SERVICE RETIREMENT SYSTEM

Mr. MAGNUSON. Mr. President, I have introduced today a bill (S. 1297) designed to provide an important and desirable improvement to the civil service retirement system by removing all age restrictions from retirement after 30 years.

A sound and reasonably liberal retirement system is one of the mainstays of a career civil service.

Just as the adequate salary schedule compensates an employee during his years of duty status, a satisfactory retirement system provides security at the end of his working span. Otherwise, it would be necessary in many instances for the employee to work until well past the commonly accepted retirement age or to seek employment outside Government service to augment a retirement annuity which is not sufficient for his needs.

Liberalizing the retirement system also provides a sound and humane method of opening avenues to promotion for those who are equipped to assume the responsibilities of employees who are ready and able to retire.

An employee will be ready to retire if he believes that he can afford to take advantage of the opportunity for retirement. It is my belief that if he has already served 30 years, he should be the one to make the decision as to whether he wishes to work any longer.

For this reason, by bill, S. 1297, provides for retirement after 30 years of service regardless of age.

My bill takes advantage of beneficial results we have learned from the military retirement system which is the notable example of retirement after 30 years of service, as well as after the shorter period of 20 years. My bill has the further important objective of encouraging persons who enter the civil service to make it a career.

Some persons might decry removing age restrictions on retiring. Yet the military retirement system is a refutation of their concern over experienced persons leaving the civil service at a relatively early age. Such concern was expressed on behalf of the Civil Service Commission and others who oppose retirement after 30 years' service regardless of age. The military serviceman who may retire at age 38 after 20 or at age 48 after 30 years may represent an even greater investment for the Federal Government. In many instances education and training have been provided at Government expense. This expense is even greater when one considers that the retirement program requires no contribution by the serviceman.

Why should there be greater reluctance to lose the services of a civilian who retires after 30 years of service than there is for the military person? Furthermore, why should this concern be directed only toward persons completing 30 years of service when the same concern is not shown when the civilian's departure is voluntary. The civilian also may be forced to leave the service through a reduction in force and in so doing his period of service still falls short of his potential contribution. Yet it does not seem to cause as much anxiety for opponents of 30-year retirement regardless of age.

It is my considered opinion that apprehension over the Government losing persons by retirement is without sound foundation when there is too little concern over losing thousands of employees each year because the Federal civil service apparently is unable to offer the incentive which would retain these persons on the Government employment roll. I have in mind especially those employees who leave their jobs voluntarily for reasons which are valid to them but which in many instances would not impel them to leave if they were convinced that the Government offers a satisfactory career.

For these reasons, I have introduced my bill to provide for voluntary retirement after 30 years of Federal service and, I wish to emphasize, I shall exert every effort to have it passed in this session.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1297) to amend the Civil Service Retirement Act so as to permit retirement of employees with 30 years of service on full annuities without regard to age, introduced by Mr. MAGNUSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 1298—INTRODUCTION OF BILL ON CHARGING CUSTOM AND QUARANTINE FEES FOR PRIVATE AIRCRAFT AND MARINE VESSELS

Mr. MAGNUSON. Mr. President, I introduce today, for appropriate reference, a bill which would eliminate the highly discriminatory and unnecessarily confusing method of charging custom and quarantine fees for private aircraft and marine vessels after regular hours.

In essence, the present system places an unfair financial burden on the citizen who wishes to travel across the border by private plane or vessel. Not only must he pay a fee not incurred by the land traveler, but also he must undergo the uncertainties regarding the exact amount of his customs payment. Depending on the number of people journeying between two countries, his fee may vary from $65 to $1.

The legislation I introduce today would provide that such inspection fees be eliminated entirely during regularly established hours on Sundays and holidays and that a flat rate be charged for inspection and quarantine services performed during periods other than the regularly established hours of service.

The present regulations were established in 1911—a time when only the wealthy could afford pleasure boats and a period when planes were virtually nonexistent. Today, this has changed. Private planes and vessels used for pleasure and business purposes number in the thousands. The economies of our communities located along national borders depend, to a sizable degree, on this international traffic.

Freedom from these restrictive and confusing charges would increase this traffic. It would provide a reasonable inspection service at the time it is most required—on Sundays, holidays, and during the early evening hours. It would reduce the inordinate amount of paperwork now required under existing law—and at the same time, decrease the expenses incurred in maintaining the present system.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1298) to promote the domestic and foreign commerce of the United States by modernizing practices of the Federal Government relating to the inspection of persons, merchandise, and conveyances moving into, through, and out of the United States, and for other purposes, introduced by Mr. MAGnuson (for himself and Mr. Jackson), was received, read twice by its title, and referred to the Committee on Finance.

S. 1299—INTRODUCTION OF THE DECORATIVE WOOD AND SIMULATED WOOD PRODUCTS ACT

Mr. HARTKE. Mr. President, on behalf of my distinguished Hoosier colleague, Mr. Bayh, and myself, I introduce, for appropriate reference, a bill for an act to protect consumers and others against misbranding, false invoicing, and false advertising of decorative wood and simulated wood products.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1299) to protect consumers and others against misbranding, false invoicing, and false advertising of decorative wood and simulated wood products, introduced by Mr. Hartke (for himself and Mr. Bayh), was received, read twice by its title, and referred to the Committee on Commerce.

S. 1303 THROUGH S.1360 AND SENATE RESOLUTIONS 103 THROUGH 160—INTRODUCTIONS OF BILLS AND RESOLUTIONS RELATING TO OWNERSHIP OF LANDS ALONG COLORADO RIVER

Mr. MURPHY. Mr. President, I wish to speak with respect to a matter that is of great interest to a number of people in my State and the adjoining States of Colorado and Arizona.

Today I introduce a series of bills and Senate resolutions pertaining to the ownership of lands along the lower section of the Colorado River. Over the years, portions of the river have changed course and because of these meanderings, there has arisen a dispute between the Federal Government and private citizens over title to the property. Legislative and judicial solutions to the problem have been sought but to date there has been no final judgment.

Many of these matters are working an extreme hardship on many people living in the area. The bills I introduce today seek to help resolve at least some of the disputed claims legislatively. At the same time, I am introducing with each bill a Senate resolution which calls for the Chief Commissioner of the U.S. Court of Claims to designate, pursuant to section 1492 of title 28 of the United States Code, a trial commissioner to proceed in accordance with the applicable rules to determine the facts as mentioned in the resolutions and to report to the Congress on his findings of facts together with conclusions sufficient to inform Congress whether the demands in question are legal or equitable claims, and the amounts, if any, legally or equitably due from the United States to the claimants.

The bills, Mr. President, involve the Secretary of the Interior and lands under his control. The resolutions, in turn, pertain directly to the bills. I ask unanimous consent, therefore, that the bills, together with the accompanying resolutions, be referred to the Senate Committee on Interior and Insular Affairs which has handled previous measures of a similar nature and which, I feel, should handle these bills and resolutions together.

The VICE PRESIDENT. The bills and resolutions will be received; and, without objection, they will be referred to the Committee on Interior and Insular Affairs.

The bills (S. 1303 through S. 1360) and resolutions (S. Res. 103 through 160), were received and referred to the Committee on Interior and Insular Affairs.

S. 1362—INTRODUCTION OF BILL TO PROVIDE FEDERAL FINANCIAL ASSISTANCE TO OPPORTUNITIES INDUSTRIALIZATION CENTERS

Mr. BOGGS. Mr. President, this Nation faces the paradox of thousands of jobs going begging with no takers—and of thousands of unemployed, underemployed, and employed poor seeking work, seeking better jobs that will permit their families to carve out some share of the American dream.

Congress has taken notice of this dilemma and developed programs to combat it.

But, concurrently with these Federal efforts, another program of job orientation training in short-supply skills and job development has been developing. This began, not here on Capitol Hill, but in the inner city of North Philadelphia. Founded by a Baptist minister, the Reverend Dr. Leon H. Sullivan, it adopted the name of Opportunities Industrialization Centers. It first was backed by $100,000 raised by the minister's congregation.

Since its start in 1964, the OIC approach has spread to 75 cities throughout this country, adapted to the needs of each city and run by people in each city.

The principal difference between the OIC's and the Government's efforts is that the OIC's have sprung from the inner cities which they serve. This gives the citizens of these areas a feeling of identification which other Government-sponsored programs cannot share. It is a people's program which has the support of Government and industry. It is not a Government-initiated program.

From the foundation block of self-help manpower training, OIC has gone on to build and operate a shopping center, an aerospace industry and a garment factory.

Yet only 25 of the 75 centers receive any aid from the Federal Government, that coming in the aggregate of about $5 million from three agencies last year.

It is a credit to the program's vitality that it has surged forward without Federal funds. But when one observes what has been done with such limited backing, it is challenging to imagine what might be accomplished if the OIC effort were recognized by the Congress in more specific legislation, and if funds could be made available to more adequately support the efforts already underway.

As an example of the program's accomplishments, I offer my own city of Wilmington. There, since May of 1968, 130 persons have been placed in jobs. And they are jobs as important to industry as they are to the employees. Money for the program has come from the companies which have hired these people, from private sources, and from the State of Delaware.

While Wilmington is a very small example of a very wide program, it would be a very real help in bridging the gap between inner-city people who desperately need good jobs and our industries who need dependable, trained workers, if congressional recognition and more resources could be made available to this OIC, and others like it.

The bill I propose would formally recognize the OIC program and authorize the Federal Government to contribute to it. Backed by commensurate support from the Appropriations Committees, the OIC's could continue and expand their efforts to bridge this tragic gap.

Mr. President, on behalf of Senators Scott, Schweiker, Kennedy, and myself, I introduce this bill and ask unanimous consent that it be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1362) to provide Federal financial assistance to Opportunities Industrialization Centers, introduced by Mr. Boggs (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 1362

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 222(a) of the Economic Opportunities Act of 1964 is amended by adding at the end thereof the following new paragraph:

"(8) An 'Opportunities Industrialization Centers' program designed to provide comprehensive employment services and job opportunities for low-income persons who are unemployed or underemployed. Such services shall include recruitment, counseling, remediation, vocational training, job development, job placement and other appropriate services. Financial assistance for such services and opportunities may be provided by loans and technical assistance for industrial and commercial development. No funds shall be made available for any program under this paragraph unless the director determines that adequate provisions are made to assure that (A) the residents of the area to be served by such a program plan and operate such center, and (B) the business community in the area to be served by such a program is consulted in its development and operation. The director shall give priority to any program authorized by this paragraph serving residents of an inner-city area with substantial unemployment or underemployment."

(b) The amendments made by subsection (a) of this section shall take effect July 1, 1969.

Mr. SCOTT. Mr. President, I am pleased to join with Senator J. Caleb Boggs, of Delaware, as a cosponsor of his bill authorizing Congress to appropriate funds specifically for opportunity industrialization centers. There are, in more than 70 American cities, OIC's operating as independent organizations—not Government programs. Previously, the Federal Government has participated only indirectly as the result of OIC applications submitted under programs of the

Department of Labor; the Department of Health, Education, and Welfare; and the Office of Economic Opportunity. This bill will make it possible for Congress to consider OIC separately, and to establish a single level of Federal support for this important effort.

The history of OIC, a program based on the philosophy of self-help, is one of continuous growth. The first OIC was started as the private effort of Rev. Leon H. Sullivan in Philadelphia. Reverend Sullivan began by a canvass of the industrial and commercial communities for unfilled jobs. With funds from his congregation, he established classes to train unskilled persons for these specific openings. The OIC in just 5 years has become a comprehensive employment service for low-income persons as well as a training center.

Reverend Sullivan developed a curriculum in communication and computational skills, minority history, consumer education, personal development, job finding techniques, basic education, and others. Trainees enter OIC programs with a desire to help themselves and they can choose classes in typing, welding, drafting, cosmetology, and data processing among others. Participants receive constant encouragement and motivation throughout their training at OIC whose motto is "We Help Ourselves."

The opportunities industrialization centers have proven their invaluable contribution to our communities. I hope Congress will give recognition to this fact with early and favorable consideration of this legislation.

S. 1368, S. 1369, S. 1370, AND S. 1371—INTRODUCTION OF BILLS RELATING TO CONSTRUCTION INDUSTRY WORKERS

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, four bills relating to the health and welfare of employees in the construction industry. Several of my colleagues have joined me in sponsoring the respective bills as indicated on each.

CONSTRUCTION SAFETY

The first bill, to promote health and safety in the construction industry in all Federal and federally financed or federally assisted construction projects, will fill a gap in the scheme of protection presently available for Government contract workers.

Construction is a very hazardous occupation in terms of both the frequency of accidents and their severity. Data for 1966, from the National Safety Council, show that the construction industry had an accident frequency rate of 12.24 per million man hours worked—a rate that was almost twice the all-industry figure of 6.91.

Department of Labor statistics, higher for most industries than those of the National Safety Council, show very high rates in construction, ranging from 20.7 injuries per million man-hours worked for electrical work, to 28.8 for general building, to 24.0 for heavy construction, to 43.9 for roofing and sheet metal work.

Additional evidence of the hazardous nature of construction is found in the data which reflect the severity of injuries. The severity rates, indicating how badly workers are injured, place construction with a higher number of days lost to accidents per million man-hours worked than any industry except mining, lumber, and marine transportation.

In view of these high accident and injury ratios, it is an anomaly indeed that of the three major Government contractors—suppliers, service contractors, and construction contractors—all but construction contracting is covered by protective legislation. Suppliers are covered by the Walsh-Healey Act of 1936, which requires that the prevailing wage be paid, and that work be conducted under safe and healthful working conditions. The other major Government contractors are service contractors, and their employees are similarly covered under the McNamara-O'Hara Service Contracts Act, which requires that the prevailing wage be paid, and that the workers be accorded healthy and safe working conditions.

But the final component of Government contractors, the construction workers, are covered only by the Davis-Bacon Act provisions that require payment of the prevailing wage. There are no requirements that safe and healthful working conditions, also prevail.

This bill simply corrects the exclusion of the construction workers from this legislative pattern by amending the Contract Hours Standard Act—40 U.S.C. 327–332; Public Law 87-581. Section 107(a) requires that no construction contractor or subcontractor may require an employee to work under any conditions that are unsanitary, hazardous, or dangerous to his health or safety. Where the work is either for the Government, or a Government agency, or contracted out by a Government agency, that agency may cancel or withhold payment on the contract until minimum safety and health conditions are met.

Section 107(b) will provide the Secretary of Labor with the enforcement authority to make rules, regulations, issue orders, hold hearings, and make decisions based on findings of fact, or take other appropriate action in accordance with procedures already established in sections 4 and 5 of Walsh-Healey.

Section 107(c) directs the Comptroller General to distribute lists of all firms found by Federal agencies to be in violation of minimum standards, and unless the Secretary of Labor recommends otherwise, such firms are precluded as under Walsh-Healey provisions, from contracts awards for a period of 3 years.

Mr. President, I would like to make clear that this bill—construction safety—is not the occupational health and safety bill, which was also introduced last year. We expect to deal separately with that broader bill which provides a general program of occupational safety and health standards, neither limited to a single industry, nor limited to Government contracts.

I am introducing this bill now because it places Federal construction contracts on the same basis, with respect to health and safety of the workers, as Federal supply contracts and Federal service contracts. This bill, in short, breaks no new ground. It does remedy years of oversight with respect to an important segment of American working men who are subjected to very high work injury and death rates.

JOINT INDUSTRY PROMOTION PROGRAMS

The second bill that I am introducing would amend section 302(c) of the Labor-Management Relations Act of 1947, to permit employer contributions to joint industry product promotion programs.

The history and development of our labor-management relations laws clearly points up the necessity for this legislation, which does nothing more than clarify the intent of Congress first expressed some years ago.

Section 302 of the Labor-Management Relations Act of 1947 prohibits all payments by employers to employee representatives for purposes other than those expressly authorized. The congressional purpose in enacting the section is clear, for all responsible public officials were concerned about the elimination of bribery, extortion, shakedowns, "sweetheart contracts," and other corrupt practices, and to protect the interest of beneficiaries of lawful employer-employee supported funds.

Lawful purposes to which these funds can be put are presently enumerated in section 302. For example, funds for medical or hospital care, pensions for retirement or death of employees, compensation for injuries or illness resulting from occupational activity, unemployment benefits, life insurance, disability and sickness insurance, or similar benefits, and apprenticeship or other training programs were excepted from the provisions in a drafting technique similar to that here proposed.

Recent court decisions, however, have held that employer contributions to product promotion programs administered jointly by trustees representing labor and management are outside the scope of these exceptions to section 302.

It should be emphasized that product promotion plans and collective bargaining about such programs are presently lawful. In fact, there are thousands of such funds in existence today. Many of these are incorporated into collective-bargaining agreements. Many are financed through the collective-bargaining mechanism.

Neither are such programs proscribed by public policy considerations. A recent court of appeals decision stated this clearly, noting that—

> We do not quarrel in the slightest with the laudable objectives of the trust amicably created by labor and management in this case. We sympathize with the efforts to both labor and management to solve a vexing industry problem. But . . . our duty is to rule in accordance with that which the Congress in its wisdom has seen fit to enact . . . the relief sought by the appellants herein must be found in congressional and not judicial action.

It is presently unlawful, however, jointly to administer such programs, and it is my intention to correct that situation with this bill. The bill I propose today merely adds an exception to those already existing in section 302. Furthermore, it removes any possible Government interference with the free collective bargaining process and precludes Government saying to management and labor that they cannot establish programs which they deem to be to their mutual advantage and that we are not against the public interest.

The bill contains numerous safeguards. It provides that contributions must be made to separate funds established to carry out the specifically authorized purposes, and that no assets held by such funds may be used for any other purpose, or commingled with other funds. They may not be used to defray the costs of programs that are employer or labor organization functions. Furthermore, provisions of present laws that require reporting and disclosure of funds are applicable. Additionally, no labor organization or employer shall be required to bargain on the establishment of any such trust fund, and refusal to do so shall not constitute an unfair labor practice.

JOINT INDUSTRY CONTRACT INTERPRETATION

The third bill that I am today introducing also amends section 302 of the Labor Management Relations Act by permitting employer contributions to a joint committee or joint board empowered to interpret provisions of collective-bargaining agreements.

Again, like the joint industry product promotion funds, the establishment of joint boards or committees to interpret provisions of collective-bargaining agreements is not today unlawful. Many such joint boards and committees presently exist as part of the well-developed mechanism to resolve disputes peacefully, and it has been successful.

What will be permitted by the legislation are employer contributions to such programs administered jointly with labor organizations. All this legislation does is permit an exclusion under section 302(c) for establishment of joint funds to support the practice.

The bill will exempt from the present section 302 proscriptions, joint industry efforts to resolve internal disputes by permitting payments intended to be used for defraying the cost and expenses of such efforts. The funds, paid to and held in a separate trust, cannot be used for any purpose other than the interpretation of provisions of collective-bargaining agreements, and to resolve and determine issues arising from disputes regarding provisions of a collective-bargaining agreement. The findings and/or determinations of such a committee or board are, traditionally, binding on all parties concerned.

The need to enact this legislation is essentially similar to the need for the industry product promotion bill, because joint funding for this existing and lawful purpose is precluded due to the literal and narrow interpretation given to section 302 by the courts. The same protections applicable to the joint industry promotion fund exemption are similarly applicable to this legislation.

SITUS PICKETING

The fourth bill, Mr. President, amends section 8(b)(4) of the Taft-Hartley Act to restore to unions in the building and construction industry the right to engage in peaceful picketing at common construction sites where both the means used and the objectives sought are lawful. Employees in all other industries can engage in peaceful picketing at their employment site. A technicality presently denies construction workers their rights.

Specifically, the bill is designed to correct a literal and inequitable interpretation by the National Labor Relations Board and the Supreme Court of section 8(b)(4) of the act in the Denver Building Trades case, which effectively serves to prohibit primary strikes and picketing in the construction industry. The bill merely clarifies the guarantee already written into the act that primary strikes and primary picketing are not unlawful, and confirms, in fact, the intention of the authors of the present law.

The need for the legislation arises from the unique aspect of the construction industry which finds many contractors and subcontractors working together on one site. When a union has a dispute, for example, with a particular subcontractor, the expression of its dispute through a strike or picket line often involves the prime contractor, which the Court has found to be a separate legal entity. Consequently, the union's lawful activity of picketing the subcontractor is viewed as having an object of requiring the contractor to cease doing business with the subcontractor, which is unlawful under the act.

This bill clarifies the present law by recognizing the construction industry realities that all contractors and subcontractors working together on a construction site are engaged in a common economic enterprise, and it permits the scope of lawful union activity to be equal to that presently available in the manufacturing industry. The bill recognizes the fact that, just because different occupations on the same worksite are under the supervision of different subcontractors, there is not an adequate reason to convert primary picketing into a so-called secondary boycott.

This bill does no more than extend the protections presently available to the apparel industry to the construction industry. Already section 8(b)(4) of the act recognizes the unique relationship between contractors, subcontractors, and similar entities engaged in the production of clothing as all performing part of an integrated production process. My proposed bill would merely recognize that this same unique character exists respecting construction contractors and subcontractors involved in a joint enterprise.

This bill has been the subject of long and exhaustive consideration and broad nonpartisan support for almost 20 years. In 1949 President Truman recognized the construction industry problem, and recommended corrective legislation. Similarly, in 1954, President Eisenhower in a message to Congress, recommended legislation in recognition of the construction site problem.

The application of the bill will not extend beyond the project site and will not have any effect outside the construction industry. The bill is limited to labor disputes involving contractors and subcontractors at the construction site. It is not applicable if there is an employer at the site who is not engaged primarily in the construction industry, or an employer whose employees are represented by a labor organization and the issue in the dispute involves such labor organization.

Additionally, the bill makes specific provision for construction projects at military and defense facilities, requiring at least 10 days' notice of intent to strike.

The bill does not permit strikes by unions not duly recognized under section 9 of the act, nor does it permit strikes that are in breach of an existing collective-bargaining agreement.

The bill does not authorize strikes unlawful under the act. It will not require that a man join a union in order to get a job—two provisions in the act outlaw such requirements.

It will not legalize jurisdictional strikes when a rival union is doing the work.

It will not legalize otherwise unlawful strikes for recognition or organization, when the employees are nonunion or represented by a rival union.

The purpose of the bill is simply to reverse the import of the Court decision, and to restore to employees in the building and construction trades industry the rights which are currently available to the employees in every other segment of American industry.

Mr. President, I ask unanimous consent that each bill be printed in the Record at this point.

The **VICE PRESIDENT**. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the Record.

The bills (S. 1368) to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects; (S. 1369) to amend section 302(c) of the Labor-Management Relations Act, 1947, to permit employer contributions for joint industry promotion of products in certain instances; (S. 1370) to amend section 302(c) of the Labor-Management Relations Act, 1947, to permit employer contributions for a joint committee or joint board empowered to interpret provisions of collective-bargaining agreements; and (S. 1371) to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects, introduced by Mr. Williams of New Jersey (for himself and other Senators), were received, read twice by their titles, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 1368

A bill to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Contract Work Hours Standards Act is amended by adding at the end thereof the following:

"Sec. 107. (a) It shall be a condition of each contract entered into under legislation subject to Reorganization Plan No. 14 of 1950 (64 Stat. 1267) that no contractor or subcontractor contracting for any part of the contract work shall require any laborer or mechanic engaged in the performance of the contract to work in surroundings, or under working conditions, which are unsanitary, hazardous, or dangerous to his health or safety. In the event of a violation, as determined by the Secretary of Labor, of any such condition of a contract of a type described in clause (1) or (2) of section 103(a) of the Contract Work Hours Standards Act, the governmental agency for which the contract work is done shall have the right to cancel the contract, and to enter into other contracts for the completion of the contract work, charging any additional cost to the original contractor. In the event of a violation, as determined by the Secretary of Labor, of any such condition of a contract of a type described in clause (3) of section 103(a), the governmental agency by which financial, guarantee, assistance or insurance for the contract work is provided shall have the right to withhold any such assistance attributable to the performance of the contract.

"(b)(1) Sections 4 and 5 of the Act of June 30, 1936 (41 U.S.C. 38, 39) as amended shall govern the Secretary's authority to enforce this section, issue orders, hold hearings, and make decisions based on findings of fact, and take other appropriate action hereunder. Section 554 of title 5, United States Code, shall apply to any adjudication under this section.

"(2) All questions relating to the interpretation and application of the provisions of this section or the standards, regulations, rulings, interpretations, and procedures promulgated by the Secretary, shall be referred to the Secretary for appropriate ruling or interpretation and such rulings and interpretations shall be final and binding upon all agencies of the United States except the courts of the United States.

"(3) Section 104 of this Act shall not apply to the enforcement of this section.

"(c) The Comptroller General is directed to distribute a list to all agencies of the Government giving the names of all persons or firms that the Federal agencies of the Secretary have found to have violated this section. Unless the Secretary otherwise recommends, no contract subject to this section shall be awarded to the persons or firms on this list or to any firm, corporation, partnership, or association in which such persons have a substantial interest until three years have elapsed from the date of publication of the list containing the name of such persons or firms."

Sec. 2. The first section and section 2 of the Act of August 13, 1962, are each amended by inserting "and Safety" after "Hours" each time it appears.

S. 1369

A bill to amend section 302(c) of the Labor-Management Relations Act, 1947, to permit employer contributions for joint industry promotion of products in certain instances

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 302 (c) of the Labor-Management Relations Act, 1947, is amended by striking out "or (6)" and inserting in lieu thereof "(6)", and by adding immediately before the period at the end thereof the following: "; or (7) with respect to money or other thing of value paid by any employer of the construction industry to a trust fund established by such representative for the purpose of a joint industry promotional program: *Provided,* That (a) in relation to a joint industry promotional program such payments as are intended to be used for defraying the cost and expenses thereof are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than for product and product application research and development, product and product application market development, promotion of product and product application with architects, engineers, and Government contracting officials, product and product application public relations, publication of product and product application technical information and data: *Provided,* That no labor organization or employer shall be required to bargain on the establishment of any such program, and refusal to do so shall not constitute an unfair labor practice. (b) Such funds shall not be commingled with any other funds or used in any manner to share expenses or otherwise defray the cost of programs that are employer or management functions or labor organization functions, and that the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust fund as well as the requirements of the Welfare and Pension Plans Disclosure Act (except any which the Secretary determines are not applicable to trust funds of the type to which this clause applies)."

S. 1370

A bill to amend section 302(c) of the Labor-Management Relations Act, 1947, to permit employer contributions for a joint committee or joint board empowered to interpret provisions of collective-bargaining agreements

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 302 (c) of the Labor-Management Relations Act, 1947, is amended by striking out "or (6)" and inserting in lieu thereof "(6)", and by adding immediately before the period at the end thereof the following: ": or (7) with respect to money or other thing of value paid by any employer of the construction industry to a trust fund established by such representative for the purpose of a joint committee or joint board empowered to interpret provisions of collective-bargaining agreements: *Provided,* That (a) such payments as are intended to be used for defraying the cost and expenses of such committee or board are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than the interpreting of provisions of collective-bargaining agreements and to resolve and determine issues arising from disputes regarding provisions of a collective-bargaining agreement, providing that the findings and/or determinations of such committee or board are binding on all parties concerned: *Provided,* That no labor organization or employer shall be required to bargain on the establishment of any such trust fund, and refusal to do so shall not constitute an unfair labor practice; (b) such funds shall not be commingled with any other funds or used in any manner to share expenses or otherwise defray the cost of programs that are employer or management functions or labor organization functions, and that the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust fund as well as the requirements of the Welfare and Pension Plans Disclosure Act (except any which the Secretary determines are not applicable to trust funds of the type to which this clause applies)."

S. 1371

A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8(b)(4) of the National Labor Relations Act, as amended, is amended by inserting before the semicolon at the end thereof ": *Provided further,* That nothing contained in clause (B) of this paragraph (4) shall be construed to prohibit any strike or refusal to perform services or any inducement of any individual employed by any person to strike or refuse to perform services at the site of the construction, alteration, painting, or repair of a building, structure, or other work and directed at any of several employers who are in the construction industry and are jointly engaged as joint ventures or in the relationship of contractors and subcontractors in such construction, alteration, painting, or repair at such site, and there is a labor dispute, not unlawful under this Act or in violation of an existing collective-bargaining contract, relating to the wages, hours, or other working conditions of employees employed at such site by any of such employers and the issues in the dispute do not involve a labor organization which is representing the employees of an employer at the site who is not engaged primarily in the construction industry: *Provided,* That in the case of any such site which is located at any military facility or installation of the Army, Navy, or Air Force, or which is located at a facility or installation of any other department or agency of the Government if a major purpose of such facility or installation is, or will be, the development, production, testing, firing, or launching of munitions, weapons, missiles, or space vehicles, prior written notice of intent to strike or to refuse to perform services, of not less than ten days shall be given by the labor organization involved to the Federal Mediation and Conciliation Service, to any State or territorial agency established to mediate and conciliate disputes within the State or territory where such site is located, to the several employers who are jointly engaged at such site, to the Army, Navy, or Air Force or other department or agency of the Government concerned with the particular facility or installation, and to any national or international labor organization of which the labor organization involved is an affiliate. The notice requirements of the preceding proviso are in addition to, and not in lieu of the notice requirements prescribed by section 8(d) of the Act. In determining whether several employers who are in the construction industry are jointly engaged as joint venturers at any site, ownership or control of such site by a single person shall not be the only factor considered".

Sec. 2. The amendment made by this Act shall take effect ninety days after the enactment of this Act.

SENATE JOINT RESOLUTION 67—INTRODUCTION OF JOINT RESOLUTION FOR REVISION OF THE INTERSTATE COMPACT ON THE POTOMAC RIVER BASIN

Mr. TYDINGS. Mr. President, the joint resolution I introduce today for myself, my Maryland colleague Senator Mathias, and Senators Spong and Byrd of Virginia, Senators Scott and Schweiker of Pennsylvania, and Senator Randolph of West Virginia, would give the consent of Congress to revision of the interstate compact on the Potomac River Basin.

It would also give formal approval to the amendments for the District of Columbia.

An identical measure has already been introduced in the other body on January 3 by Representative Fallon as House Joint Resolution 30.

The compact established the Interstate Commission on the Potomac River

Basin, known as Incopot, which has had a long and useful history of accomplishment in water pollution control, dating back to 1940. At that time some thought was given to the creation of a Commission active in all areas of water resources. However, it was felt that pollution conditions were so critical and that time consuming objections to any such broad agency would be raised that it was decided to limit the Commission's mandate specifically to the area of water pollution abatement. A broadened compact could come later.

The Commission's jurisdiction is thus restricted to pollution control and within that to research and factfinding, the dissemination of information, and the coordination of plans and projects developed by local and State agencies. The Commission is further limited by a section of the compact restricting any signatory body from contributing more than $30,000 per year.

Notwithstanding these limitations, the Commission has contributed significantly to our knowledge of the basin's pollution problems, to public awareness of these problems, and to the necessary cooperation among the basin States.

In short Incopot has served us well.

But the time has come now to upgrade it. We must increase its scope and remove its financial straightjacket.

The increased Federal involvement in water pollution, generally, and in the Potomac Basin, specifically, the growing demand for clean water and a quality environment, the continuing pollution in the river—acid mine drainage in the North Branch, industrial and municipal waste discharges throughout the system, siltation that turns the Potomac brown, are all reasons to require a revision of the compact.

Briefly, the changes would—

First. Enlarge the Commissions mandate to permit it to investigate water and associated land resources questions generally, while maintaining its primary emphasis on pollution abatement. This reflects the sensible view that problems of water quality relate to utilization of the land.

Second. Expand the liaison and coordination function of the Commission. This is necessary because the Federal Government, the States, and private groups are increasingly involved in Potomac Basin water quality control.

Third. Grant the Commission additional authority tc conduct research and issue reports. The new language here is simply more inclusive.

Four. Grant the Commission the authority to comment on the plans—regarding the Potomac—of other agencies, both private and public. Previously, there was no mention of this. The addition is welcome since so many new plans concerning the basin are now beginning to emerge.

Fifth. Remove the present $30,000 ceiling on the annual contributions by the signatories. This would permit, among other things, an enlargement of the annual matching grants from the FWPCA.

The amendments to this compact were submitted to the signatory States upon recommendation of a special committee of the Commission in 1959. They have been approved by all: Maryland, Pennsylvania, Virginia, and West Virginia, as well as by the District of Columbia.

Congressional consent must now be given as required by the Constitution.

In the last Congress, the Water Resources Council, the Corps of Engineers, the Commerce Department, and the Justice Department all notified the Judiciary Committee of their approval of these amendments.

Only the Department of the Interior withheld approval. It did so regarding section (f)(2) of article II of the amended compact which permitted the Commission to review and made recommendations on water quality standards submitted by the States. The Department felt that this section conflicted with the authority of the States and Secretary as established by the Water Quality Act of 1965.

Accordingly, the Department recommended that the resolution include a proviso which states that the consent of Congress does not apply to this particular section.

Last December 20, Mr. Marvin M. Sutherland, chairman of the Interstate Commission on the Potomac River Basin, wrote the distinguished chairman of the Judiciary Committee that the commission, cognizant of Interior's view, had no objection to the withholding of congressional consent to section (f)(2) of article II. Mr. Sutherland is, of course, desirous that with this action, congressional consent can be quickly achieved.

I would like to make clear to my colleagues that the compact amended by this resolution is not the new Federal-Interstate Potomac River Basin compact. It is, rather, the Potomac River Sanitation compact which created the Interstate Commission on the Potomac River Basin. The former compact, written in late 1967 by the Potomac River Basin Advisory Committee, is now only in preliminary draft form. It has not been approved by any of the States nor by the Congress. It places the Federal Government as a signatory/participant to the compact whereas the compact under this resolution today does not.

The new compact would repeal the old compact and abolish the interstate committee established under it. The April 1968 newsletter of the commission recognizes this. It goes on to say, however, that the new compact will not be operational for some time yet. In the meantime, an upgraded commission can play an important role in Potomac Basin affairs. It can serve as an interim coordinating agency, giving the States a single focal point for their efforts in water pollution control. This is particularly important now since so much activity is taking place within the basin.

The Potomac is a river of great beauty and part of our honored heritage. It is, I think, a national treasure. Its pollution is a national disgrace. Those of us concerned with the basin and its waters are encouraged by the efforts now being developed to restore its quality. Part of these efforts are the actions by the States in the basin to seek a revised compact. This demonstrates their commitment to clean water in the Potomac and its tributaries.

I am hopeful the Congress will demonstrate its own commitment by acting rapidly on this joint resolution.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 67) granting the consent of Congress to the States of Maryland and West Virginia and the Commonwealths of Virginia and Pennsylvania and the District of Columbia, as signatory bodies, for certain amendments to the compact creating the Potomac Valley Conservancy District and establishing the Interstate Commission on the Potomac River Basin introduced by Mr. TYDINGS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

SENATE RESOLUTION 102—RESOLUTION RELATING TO RELIGIOUS PRACTICES IN PUBLIC SCHOOLS

Mr. HARTKE. Mr. President, today I submit again the Senate resolution which I have offered to this body in previous Congresses—a resolution expressing the sense of the Senate with respect to religious practice in public schools.

In brief, the resolution recognizes that any public school system may provide a time for "prayerful meditation" when each individual is "permitted to pray as he chooses."

Such a practice, in my judgment, is consonant with the provisions of the Constitution and with its interpretation by the Supreme Court. I ask unanimous consent that the text of the resolution appear in the RECORD.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD.

The resolution (S. Res. 102) was referred to the Committee on the Judiciary, as follows:

S. RES. 102

Resolved, That it is the sense of the Senate that—

(a) notwithstanding the recent Supreme Court decisions relating to the reading of the Bible and the offering of prayer in the public schools, any public school system if it so chooses may provide time during the school day for prayerful meditation if no public official prescribes or recites the prayer which is offered; and

(b) providing public school time for prayerful meditation in no way violates the Constitution because each individual participating therein would be permitted to pray as he chooses, but that such practice is consonant with the free exercise of religion protected by the first amendment to the Constitution.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. SCOTT. Mr. President, on behalf of the Senator from Illinois (Mr. PERCY), I ask unanimous consent that, at its next printing, the names of the Senator from Utah (Mr. MOSS), the Senator from

Maryland (Mr. Tydings), and the Senator from Connecticut (Mr. Dodd) be added as cosponsors of the bill (S. 1179) which seeks to amend the Federal Aviation Act of 1958 to authorize reduced rate transportation for certain additional persons on a space-available basis.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Connecticut (Mr. Ribicoff) I ask unanimous consent that, at its next printing, the name of the Senator from Nevada (Mr. Cannon) be added as a cosponsor of the bill (S. 293) the Reorganization Management Act of 1969.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of my colleague from New York (Mr. Goodell) be added as a cosponsor of the bill (S. 1088), the Veterans Relocation and Assistance Act of 1969.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HATFIELD. Mr. President, on behalf of the Senator from South Dakota (Mr. McGovern) I ask unanimous consent that, at its next printing, the name of the Senator from Washington (Mr. Jackson) be added as a cosponsor of the bill (S. 745) to amend the Agricultural Adjustment Act in relation to a class 1 base quota for dairymen.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, at the request of the senior Senator from West Virginia (Mr. Randolph), I ask unanimous consent that at its next printing the names of the Senator from New Mexico (Mr. Montoya), the Senator from New Jersey (Mr. Williams), and the Senator from Missouri (Mr. Eagleton) be added as cosponsors of the joint resolution (S.J. Res. 7) proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or over.

The VICE PRESIDENT. Without objection, it is so ordered.

SENATE RESOLUTION 101—RESOLUTION TO REFER SENATE BILL TO U.S. COURT OF CLAIMS

Mr. SCOTT submitted the following resolution (S. Res. 101); which was referred to the Committee on the Judiciary, as follows:

S. Res. 101

Resolved, That the bill (S. 1253) entitled "A bill for the relief of the Crown Coat Front Company, Inc.", now pending in the Senate, together with all the accompanying papers, is hereby referred to the chief commissioner of the United States Court of Claims; and the chief commissioner shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code, and report thereon to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States or a gratuity and the amount, if any, legally or equitably due from the United States to the claimant.

SENATE RESOLUTION 161—RESOLUTION TO REFER SENATE BILL 1364 TO U.S. COURT OF CLAIMS

Mr. MURPHY submitted the following resolution (S. Res. 161); which was referred to the Committee on Interior and Insular Affairs, as follows:

S. Res. 161

Whereas there is pending in the Senate of the United States a bill designated as S. 1364 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of San Bernardino, State of California unto Hugh McDowell and Ella B. McDowell, husband and wife; It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to Section 1492 of Title 28 of the United States Code, a trail Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

NOTICE OF HEARINGS

Mr. SPARKMAN. Mr. President, I should like to announce that the Subcommittee on Housing and Urban Affairs of the Banking and Currency Committee will hold hearings on March 19, 20, and 21, 1969, to look into the problems of increasing lumber and wood product prices and the shortage of timber and wood products.

The hearings will be held, beginning at 10 a.m. each day, in room 5302, New Senate Office Building.

Persons desiring to testify before the subcommittee should contact Miss Doris I. Thomas, room 5226, New Senate Office Building, telephone 225–6348.

NOTICE OF HEARINGS ON LEGISLATION TO CREATE A DEPARTMENT OF CONSUMER AFFAIRS

Mr. RIBICOFF. Mr. President, the Subcommittee on Executive Reorganization will hold hearings on S. 860, a bill introduced by the Senator from Wisconsin (Mr. Nelson), to establish a Department of Consumer Affairs, beginning on Monday, March 17, 1969, at 10 a.m. The hearings will be held in room 1318, New Senate Office Building. Anyone wishing further information on the hearings should contact the subcommittee staff in room 162, Senate Office Building.

THE MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY

Mr. MANSFIELD. Mr. President, there is a good deal of talk about colleges and dissent, colleges and opportunity, colleges and size, and colleges and violence. The colleges and universities in Montana have been carrying out their functions to instruct and the students have been carrying out their responsibilities to learn.

In my State, despite our small population, we have an exceptional State university and private college system which I think will stand comparison with the educational institutions of any other State or, for that matter, of any other country.

My purpose in taking the floor of the Senate today is to call attention to the Montana School of Mines, now known as Montana Tech, in which I was given the opportunity, despite my lack of qualifications, to embark on my college career and thereby achieve in Montana schools almost exclusively what education I can lay claim to today.

When I applied for admission at the Montana School of Mines in 1927, I had not completed the eighth grade, I had not attended high school, but, despite this lack of qualifications, I was allowed to enroll at that institution as a special student and, in the meantime, to carry on work to earn high school credits. I can never repay my debt to the School of Mines for the opportunities which it gave to me, for the friendships which I made there or for the kindness which the faculty, without exception, as a whole accorded me at that difficult time.

Today the School of Mines has expanded beyond its basic courses in mining engineering, metallurgy, geology, and petroleum engineering in which it ranks with the greatest mining and technical schools in the world but also into the liberal arts field as well.

Montana Tech is a State-supported institution, a vital segment of the University of Montana system, and its enrollment, while primarily from the Butte and Anaconda area, comes from many nations throughout the world, representing all the continents on the face of the globe.

Montana Tech, as we Montanans know, is a top-ranking minerals industry college with a worldwide reputation. Its graduates in this field are distinguished leaders in the industry or the minerals teaching profession. But, as I have indicated, Montana Tech now has much more to offer. It has an expanded liberal arts program which amounts to an economy-education package. Many families living in the Butte-Anaconda area can only afford an education at Montana Tech. They cannot send their children to Montana State University at Bozeman or to the University of Montana at Missoula, where they must live away from home.

Montana Tech has all the advantages of the large colleges and also offers the benefits of a small college. There is the small student-faculty ratio which substantially increases the availability and quality of Montana Tech education.

Contributing significantly to this quality education are some of the leading professors in this section of the Nation who are dedicated to the challenges at Montana Tech.

Mr. President, the Montana Standard of Sunday, February 23, has put out an excellent supplement which shows, without question, the fine opportunities now presented by that college. Montana Tech is a great school. It is a college with a future and anyone who enrolls in this outstanding institution will have no cause to regret it but will have much cause for satisfaction in the years to come.

I ask unanimous consent that the supplement from the Montana Standard to which I refer be included in the RECORD at this time.

There being no objection, the supplement was ordered to be printed in the RECORD, as follows:

MONTANA TECH: WHAT'S HAPPENING

TECH BUILDING PLANS ABOUND

The roar of construction equipment was heard across the Montana Tech campus this fall as work commenced on several remodeling projects and new buildings.

A new heating plant, which will serve the entire campus, is scheduled for completion by early summer if weather permits. Contractor for the job is Edward A. Bentley of Bentley Construction Co., Butte. The plant was designed by the architectural firm of Walter H. Hinick, also of Butte. Cost of the plant will be $178,742.

The heating plant presently serving Montana Tech is located in the Mill Building. The new plant will have its own building located west of the Petroleum Building.

The college is making plans for more expansion. Remodeling projects which have recently been completed are the renovation of the gymnasium, $68,000; library, $75,000; Metallurgy Bldg., $71,000 and the Petroleum Building, $64,000.

Construction is planned to start on expansion and renovation of the Montana Tech Student Union Building this summer.

The original Student Union Building, built in 1959, will be expanded to house food service facilities, therefore leaving more room in the dormitory which presently houses food service.

According to architect Charles A. Kestle, the new Student Union will have enough dining space to seat 240 persons and up to 400 on a semi-staggered basis. Dining for students on a cash basis, that is students who do not make regular use of the food service, will be about 225 available seats.

There will be a complete kitchen facility, small coffee shop for after-hour use and vacations, and four meeting rooms also suitable for dining. A book store of about 3,200 square feet is included in the plans as is a new game and recreation area and expanded student office space.

Phase one of the plan will be the initial total building plus adequate equipment and furnishings to handle an enrollment at Tech up to 1,000. Other phases of construction will be added as enrollment increases up to 2,000.

The new addition and remodeling will cost an estimated $615,000. Built-in equipment for the food service, coffee shop and others will cost $93,000. Movable equipment and furnishings come to $18,500. Special furnishings for lounges, offices and the games and recreation room is allotted $10,000. The total cost of the project's Phase 1 plan is $737,000.

When completed the building will have about 28,000 square feet of floor space.

The architect says the roof on the architectural drawing is done in Mansard style. He said "Some new contemporary forms and detail are possible within the Mansard system and yet it is compatible with existing roof forms on the campus."

Work is proposed to begin concurrently on the Student Union Building and remodeling of the dorm. The dorm project, at a cost of about $300,000, will double the present capacity of about 130 students.

A new mineral dressing, geology and mining building is in the preplanning stage. The legislature will be asked this biennium to provide funds to design and plan the building. If the funds are awarded during this session of the legislature, then funds will be asked for the actual building of the structure during the next session.

BUREAU OF MINES HAS IMPORTANT ROLE ON CAMPUS

The Montana Bureau of Mines and Geology at Montana Tech constantly has wide-ranging research and other projects under way.

A continuous project, involving the entire staff at the Bureau includes sale of maps, performing mineral and rock identifications, answering inquiries in person or by mail on all matters pertaining to the mineral industry.

The Bureau conducts research on groundwater, clays and shales, bentonite deposits, and does cooperative research with other colleges and universities.

The Bureau also subsidizes many graduate students and others working on projects around the state.

TECH RESEARCH VARIED

Research in many shapes and forms is being conducted by various departments and individuals at Montana Tech.

For one Tech student a study in the area of computer methods brought many honors.

Steve Bauer, now a senior geophysical engineering student at Tech, did research on a computer method for interpreting electromagnetic waves to find and give a rough sketch of what ore deposits look like before they are ever drilled.

Bauer's research is based on radio waves which are affected by an ore deposit. Geophysicists have known for years that these radio waves indicate the presence of an ore body but the waves are affected in such a complicated manner that they could not tell exactly where or how good the ore deposit would be. Many attempts have been made to solve these problems, but with little success until now.

He proposed and investigated a new approach to the problem which is more complicated than previous attempts, but which seems to work well.

To obtain an ore body sketch using the technique developed by Bauer, it takes 260 answers figured on a computer. Each of the 260 computer answers would take 7½ million mathematical calculations. It would take a person about 100 years to get one answer on a calculator or 260 centuries to obtain an ore body sketch.

What makes Bauer's technique practical for industry is that it can be put on a computer many times faster than that of the Anaconda Co. On a faster computer, it would take just a few minutes to obtain the sketch and only cost about $25. The current method of building ore bodies costs several thousand dollars and is not nearly as accurate as the technique developed by the Montana Tech student.

In another research project currently being carried on at Montana Tech, Francis M. Young, assistant professor of engineering science at Montana Tech, was awarded a contract sponsored by the Montana State Highway Dept. and the Bureau of Public Roads. The grant is in the amount of over $15,000 and runs for about 15 months.

Young and Richard B. Rule, II, associate research engineer, are working on a lithified shale project. The objective is to determine changes which shale or clay strata undergo when unloaded as frequently happens in highway construction.

To achieve this, Young and his assistant use various sensors and recorders to detect changes in moisture, density, temperature, conductivity, and horizontal and vertical movement.

Young said, "The ultimate objective of the shale project is to assist in the design and construction of highways throughout the United States which are being built in areas having these poorly supporting shales and clays as a foundation." Young anticipates the information obtained will be utilized in designing highways so they will have a longer life. The research is being conducted in the Highway and Soils Research Laboratory of the Engineering Science Dept at Montana Tech.

The department of mineral dressing engineering at Montana Tech, headed by Donald W. McGlashan, has received a research project from the White Pine Mining Co. for $22,000.

The project involves heats of immersion studies of effects of certain ionic complexes upon chalcocite, a valuable copper mineral. In further evaluation of the effects of these complexes upon separation and recovery of the mineral, zero-point-of-charge instrumentation is being used. This instrumentation demonstrates the effects of ionic constituents of chalcocite through determination of settling rates.

The department also received a grant from the American Metal Climax Foundation to study the recovery and separation of molybdenite. The work is directed for the recovery of molybdenite as a secondary product for the major copper producing industrial groups.

Another project for $4,000 is supported by the Inland Steel Co., concerning the pelletizing of mill scale.

In a continuing research project of the physics department at Tech, a seismograph is maintained and the results sent to the U.S. Coast and Geodetic Survey in Washington, D.C. The station assists in providing needed information about earthquakes, the structure of the earth, the relation of microseisms to storms at sea and on the land. It leads to important contributions to structural engineering. There are now four sensitive seismographs and one accelerograph at the station. On a day when activity is slight from three to six earthquakes may be noted, while on an active day more than 100 may be recorded.

The director of the U.S. Coast and Geodetic Survey has rated the Tech station as one of the most dependable in the United States.

Other research currently being conducted by the physics department include research on rock bursts seismometers installed in the Galena Mine, Wallace, Idaho; research on the theory of sound wave attenuation in dielectric nucleations and growth of alkali halides in aqueous solution and research dealing with the propagation of long-period seismic waves and crustal responses to permanent deformations.

The engineering science department is engaged in investigation of rock breaking by electrical methods, and dynamic loading and its effect on soil characteristics.

The petroleum engineering department is completing the apparatus for research on interfacial tension on two-phase liquid hydrocarbon systems. Clifford Anderson is conducting a theoretical research project on the effect of capillary pressure and production rate of vertical water drive reservoir under the auspices of the petroleum department.

COMPUTER CENTER ADVANCED AT TECH

An outstanding example of advancement in small colleges in the United States is the Computer Center at Montana Tech. According to a recent report by the Engineers Council for Professional Development, the reason for this is only 6 per cent of all U.S. colleges with enrollment under 1,000 have any computers at all.

John G. McCaslin, Computer Center director at Tech, said, "There are not more than one or two, if any, other colleges of our size in the country with as much computer equipment."

In 1964 the first computer was installed at Montana Tech and was the first in Butte designed to fit engineering needs. Since that time, the Center has grown steadily and has served varied needs.

Local high school students are among the many who find value in the Center. Students write their programs and then run them on the computer at the Center. McCaslin reported that the Center has run 700 high school programs from Butte High alone.

Since the first course in computer programming at Tech was offered in 1964, about 500 students have registered for the course. The Computer Center is available for student use at all times during the day and four nights a week. Students involved in advance programming also have access to the computer on weekends.

All alumni and student names and addresses are on punched cards. It is now possible, for example, to make a list of all alumni located in a particular city or state in a matter of minutes. Names of students can be sorted or printed alphabetically, by sex, class or hometown.

Plans are underway to do all registration and scheduling by next fall on the computer. Tech's payroll is run on the computer and takes about 20 minutes.

A $5,260 National Science Foundation Grant to conduct a computer conference for high school math and science teachers was awarded Tech's Computer Center in July. Thirty-three teachers from Montana attended the conference which was held in August. The intention of the workshop was to bring high school teachers to the Computer Center and instruct them in computer programming using Fortran language. When the conference concluded they returned to their schools to teach computer programming to their students. McCaslin said the center has run about 1,000 high school programs for the teachers who attended the conference. High schools from across the state are using the Center at no cost.

Another computer conference will be conducted this summer.

McCaslin has received a NSF grant for $7,495 to conduct it the last two weeks in August.

Although last year's program was only five days long this year's will last two weeks and allow 40 teachers to attend.

When the first basic Model I IMB 1629 was purchased in April of 1964, the Montana Tech Computer Center was established. The computer had a capacity to store 20,000 digits. The Center has experienced continuous growth since that time. In February of 1967, an additional 20,000 digit storage was purchased and connected to the computer and an IBM 407 printer was also installed.

The old Model I computer was sold to the vo-tech school in Helena in June, 1968, and a Model II IBM 1620 was purchased from Montana State University, Bozeman. This new computer increased basic storage from 40,000 to 60,000 digits and has two disk drives, each with two million storage. Consequently, students and faculty are now able to run programs too large for the original computer. The computer is also faster which reduces the time it takes to run programs that are now in use.

Other equipment now in service at the Center includes three key punches, one sorter, a verifier and a collator.

FINANCIAL AID AVAILABLE AT TECH

Montana Tech students received a total of $66,000 in scholarships, fellowships and other financial assistance and awards last spring.

With the addition of the following new scholarship, the awards given in 1969 will be even greater.

Pan American Petroleum Foundation Inc. is awarding an undergraduate scholarship in petroleum engineering to Montana Tech starting in the academic year, 1969–70. This is an addition to the Foundation's present scholarship.

This scholarship will carry a stipend of $700 for the freshman year and increase by $100 annually until the recipient has graduated. In addition, the department of petroleum engineering will receive an annual grant of $300 while the scholarship is in force. A grant of $200 will be made to the recipient's high school. The recipient must maintain a "B" average each year.

Getty Oil Co. presented a $550 scholarship to a Tech student this year. Creighton Barry was the recipient and he was one out of four summer employees of Getty Oil Co. to receive a scholarship. Getty Oil intends to establish regular scholarships to petroleum and mining students at Tech.

The American Smelting and Refining Co. Foundation has made two $750 scholarships available at Montana Tech for the 1968–69 academic year. The recipients of the awards this year were William Charles Rust, junior from Whitehall and Claude D. Huber, junior from Butte. In addition, the ASARCO Foundation is providing the college with a $1,500 grant for purchase of equipment for the metallurgy or mining departments.

The Prudential Federal Savings and Loan Association has made a $350 scholarship available at Montana Tech. The scholarship is for undergraduates in any department.

The Petroleum Engineering department recently was awarded a $500 unrestricted grant by Mobil Oil Co. The department will use the money to provide $250 grants to outstanding sophomore students.

The Cardinal Petroleum Co. presented a $500 unrestricted grant to the petroleum engineering department.

Chevron Oil Co. will give annually a $500 scholarship beginning last November. This year's recipient was Bill Daily, senior in petroleum engineering from Tech. Chevron also gives a $500 unrestricted grant to the petroleum engineering department every year.

In last year's awards assembly, more than $66,000 in scholarships, fellowships, and grants were awarded.

The Butte Rotary Club has established a $400 scholarship to be awarded to a Montana Tech engineering senior on the basis of demonstrated need and scholarship.

The Joseph T. Pardee Scholarship was established by Mrs. Ruby S. Pardee for one or more students in geology or geological engineering. Montana Tech is authorized to determine additional terms and prerequisites for the scholarship.

The AMAX geology scholarship is sponsored by the American Metals Climax Co. foundation and is designed to provide a Tech student with aid for taking a summer field course in geology. Eligibility is not limited to geology students, but upperclassmen are the only students qualified to take the summer field courses.

For the first time in many years, athletic grants in aid were offered this year. Fifty students received such aid for football and basketball, including many out-of-town students who might not have attended otherwise. Funds for this program were sponsored by the Montana Tech Booster Club, formed last year of interested citizens and business leaders of the community.

Financial aid for students is also available under the Economic Opportunity Act which is the college work-study program created in 1964.

DEGREES OFFERED IN SEVEN FIELDS

At Montana Tech, the educational program is designed to identify, prepare and motivate students in engineering proficiency and scientific literacy. Engineering education is built upon mathematics, physical sciences, engineering sciences integrated with humanities and social studies.

The college offers degrees in engineering science, geological engineering, geophysical engineering, metallurgical engineering, mineral dressing engineering, mining engineering and petroleum engineering.

Graduate instructional programs are authorized for geology, geological engineering, metallurgy, metallurgical engineering, mineral dressing engineering, mining engineering and petroleum engineering.

The engineering science department is a relatively new one at Tech. From two-thirds to three-fourths of all engineering curricula contain the same fundamental courses. Consequently, industry has found that engineers trained in one field may change to another field after minimal study. The engineering science curricula maintains the proportion of basic courses but the remaining courses are selected from advanced areas of engineering, science or mathematics which will further prepare the student for the latest developments in technology.

The department of geology offers a highly trained geologist with a somewhat abridged background. Although his work usually deals primarily with geology, his knowledge and understanding of the engineering aspects of the industry allow him to work most effectively in an area where engineering necessity commonly exercises a strong control over operations. Geological engineering is among those engineering fields in which career opportunities are not entirely restricted to men as there are many areas of specialization open to women in the geological field.

Metallurgical engineering has to do with all aspects of metals. This means the field is especially wide. At one end a metallurgical engineer is responsible for devising and conducting processes to extract metal from ores. At the other end the engineer is responsible for the production and fabrication of practically useful alloys from raw materials.

Mineral dressing engineers are concerned with the separation of materials through physical and chemical processes. The education provides a basis for the development of ability to evaluate existing process systems and devise new systems for situations that may be encountered in the future.

Mining engineers design varied systems of men, machines and techniques for efficient and safe extraction of minerals from the earth. Education must have its roots in the art of mining as developed through time and experience, as well as in the world of science which provides him with a continual stream of new knowledge of nature. The objectives of the mining curriculum at Tech is to prepare the student for continual maintenance and improvement of man's physical environment.

The petroleum engineers are concerned with the practical economics of efficiently producing oil and gas. A close liaison with the oil industry is manitained by Tech's faculty and students. Over forty years of combined experience in a wide variety of industrial activity have been compiled by the teaching faculty of the petroleum department.

The broad field of geophysics consists of the study of the earth's crust, the atmosphere, the oceans which surround it, and the properties of all materials found in them. The graduate of geophysical engineering will find many opportunities like working on the space program or probing deep into the earth's crust. There are many career opportunities in Montana, including several seismograph stations to increase oil production. Even small mine operators are using gravity and magnetic methods to locate ore deposits.

TECH GRADS EARN MORE

Montana Tech 1968 engineering graduates are receiving $29 more a month on the average than the national average for engineering graduates.

According to figures from a report, "Trends in Employment of College and University Graduates in Business and Industry," the average salary for 1968 bachelor degree graduates in engineering was $764. The average salary for Tech graduates in 1968 was $793. The $764 represents an over-all increase of $52 per month above the average engineering salary of 1967.

Furthermore of 225 firms surveyed, these firms hired about 38 per cent more B.S. and 32 per cent more M.S. engineering graduates than they did in 1967.

According to a comparison of 14 different degree fields, engineers receive the highest pay. Those with masters degrees averaged $888 dollars a month.

Physicists were the next highest paid with an average monthly salary of $737. Next came chemists, averaging $705. Persons in mathematics-statistics fields averaged $693.

Of the Tech graduates accepting positions in 1968, the average monthly salary was $793, maximum was $900 and minimum was $603.

ENROLLMENT INCREASES

Montana Tech's enrollment reached an all time high of 734 last fall when students registered for fall semester classes.

The student enrollment designates an increase of 24 per cent for the same period last year and a 19 per cent increase over 1966, which held the previous registration record. Tech enrolled 588 students during the same period last year and in 1966 enrollment was 617.

The senior engineering class took a tremendous 70 per cent increase when it leaped from 34 students last year to 58 this year.

Comparing this year's 88 junior engineering students to 63 for last year, indicates an increase of 39 per cent. General students completing their third year at Tech before transferring, bring the junior class to a total of 99.

Although the sophomore class enrollment is lower than last year's, it is compensated by the larger junior and senior engineering classes.

Tech's freshmen class their fall, comprised of engineering and general course students, has an enrollment of 362 and shows an increase of 45 per cent over 1967 when the enrollment was 250.

Dr. E. G. Koch, Montana Tech president, attributes the enrollment hike to efforts of the Montana Tech Alumni Association, the Tech Boosters Club, faculty and staff, and interested citizens of Butte.

Spring enrollment of 689 represented an increase of 26 per cent over spring semester last year.

NEW DEGREES PLANNED FOR MONTANA TECH

Montana Tech is making plans for further educational advancement and the prime objective is to make Tech a fully rounded institution in the Montana University System.

Tech plans to build, upon the foundation of an engineering college, other colleges of science, humanities and arts. The line of thinking is that the educated man must have the opportunity to study in many fields. The engineer and scientist can no longer be ignorant of the impact of his profession on human values. By the same token, the student of humanities and other fields of study are integrated at Montana Tech with the engineering curricula. The graduates of any curriculum would receive a more rounded education.

One of the initial phases of this plan was activated last fall by the initiation of courses in biological sciences and accounting.

The new department of biological sciences, headed by Dr. Elmer E. Gless, is scheduled to get into full swing next fall. This year Dr. Gless is teaching classes in basic biology. However, by next fall a 25 credit core biology program will be inaugurated. The program is designed to prepare Tech students to enter the fields of educational biology, dentistry, veterinary medicine, nursing, medical technology, agriculture, forestry, fish and game, conservation, zoology and botany. In addition to the 25 credit core program, a new course in bio-chemistry will be offered to supplement the pre-professional program at Montana Tech.

Dr. Gless stated that all biology credits taken at Tech will be transferable to other institutions in Montana.

The accounting program is headed by Luke Rivers, a certified public accountant from Anaconda. The program is under a new department of business at Tech. The course is being taught in the evening and is sequential for two semesters. It is hoped Tech will eventually have a business program and until then the courses will prepare students for more advanced study in accounting.

It is hoped degree programs in mathematics and several of the physical sciences will soon be added to the offerings of Montana Tech, together with an inter-disciplinary study program leading to the Ph. D. in mineral engineering.

Students attending Tech can take a variety of courses not related to the engineering fields. There are 13 courses to choose from in mathematics; 9 in chemistry; 5 in geology and 7 in physics. The Department of Humanities and Social Sciences offers four economics courses, English courses, including many literature courses; French, German and Spanish; geography, many history courses and international relations; public speaking, debate, drama and music; philosophy, psychology and sociology. These courses are adequate to fulfill core requirements in other Montana universities or, if the student wishes to remain at Tech will provide an adequate background. Students may also fulfill physical education requirements at Tech.

Eventually it is planned for Tech to offer many degrees including those in the liberal arts. For the present, any student may complete two years and sometimes three years of work at Tech and transfer to another Montana institution and graduate on time.

TECH LIBRARY PROVIDES VARIETY

Montana Tech's library with its vast volumes of reference and research books is vitally used by students and faculty alike. Forty thousand books fill the shelves. During 1968, 2,269 books and 1,156 bound periodicals and documents were added to the library making a total of 3,324 new additions.

The 13 volume "Oxford English Dictionary" is one of the many newly added reference series. A few of the other are the 17-volume "International Encyclopedia," 20 volumes of "Contemporary Authors," 15 volumes of "Encyclopedia of World Art" and the "Harper Encyclopedia of Science," a single volume.

Funds for new materials are from federal grants and library grants on a matching basis.

The library is a depository for federal documents on a selective basis and has extensive files of document series and maps relating to mineral science and engineering.

State documents are acquired through the exchange of Montana Bureau of Mines and Geology and publications. Extensive sets of abstracts and bibliographies in science and engineering provide the basis for literature searches.

Items not available in the library collections are acquired as micro prints or xerox copies.

The library is a member of the Pacific Northwest Bibliographic Center, Seattle, and participates in the increasing emphasis on micro prints. The library now sends more books on inter-library loan to other libraries than it borrows.

In addition to the books that have already been mentioned, there are various others in the fields of minerals industry, and humanities lining the shelves to help students in their studies such as "Selected Works, Granites and Migmatites," by J. J. Sederholm; "The Story of the English Language," by M. A. Pei; "Handbook of Electronic Instruments," by H. E. Thomas; "Illustrated History of the Olympics," by R. Schaap; "The Chemistry of Coal Utilization," by H. H. Lowry Wiley, and "The Art and Craft of Poetry," by L. J. Zillman.

Included in Tech's library is an extensive collection of both current and classic novels.

There are three fulltime librarians and four student assistants who work part-time in the library to assist anyone who may need help in locating research or reference material. Mrs. Loretta Peck, head librarian, is assisted by Mrs. Margaret Greiner, circulation assistant; Mrs. Marguerite Miller, cataloging assistant; and students, Diane Hoar, Virginia Park, Esther Stanford and Carolyn Garrett.

Library exhibits are often displayed to add to the interest of the library. During 1968, the 75th anniversary of the school, an exhibit of early college records, photographs, publications, etc., was displayed to honor this occasion. Class pictures were also included. There also have been displays of oil paintings, pottery, different materials collected in Antarctica, space exploration and historical maps.

EVENING PROGRAM EXPANDED

Evening courses were expanded this year with the initiation of a new program at Montana Tech.

Part-time students and other persons attending evening classes who take less than seven credits paid $60 a semester in fees.

The evening courses are designed to aid persons who want to continue their college education but are unable to do so on a fulltime basis because of work.

Courses being taught this year are Business 101 and 102, two consecutive semesters of accounting. A certified public accountant, Luke Rivers, instructs the courses.

Humanities and Social Sciences 101 and 102, consecutive courses in English composition are taught to enable students to pick up basic English requirements.

English Political and Social History is taught for two semesters.

Mathematics 121, calculus and analytical geometry, is taught this semester and a course in Algebra was offered fall students.

NEW PROFESSORS JOIN TECH FACULTY

Two new professors have joined the Montana Tech faculty this spring semester.

Dr. Larry G. Twidwell, a new professor of metallurgy, comes to Butte from Albuquerque, N.M. where he held a position in the reactor development division of the Sandia Corp. He has also worked for Monsanto Research Corp. as a research chemist in Miamisburg, Ohio.

Dr. Twidwell has earned B.S. and M.S. degrees from Missouri School of Mines and a Ph.D. degree from Colorado School of Mines, Golden, Colo.

Dr. Twidwell, 29, is married and has three children.

Floyd C. Bossard will take the post of assistant professor of mining engineering and will teach courses in environmental engineering and mine ventilation on a part-time basis.

Bossard earned his B.S. degree from Montana Tech and also has an M.S. degree from the University of Cincinnati.

Montana Tech is making plans for further educational advancement. The ultimate goal is that the college will become a fully-integrated university in the higher educational system in Montana.

To help obtain this objective 11 new faculty members joined the staff last fall; many being added to aid the department of humanities and social sciences. Of the 11 new members, five were new positions and six were replacements for faculty that had left.

The faculty members that joined Tech are Dr. Guillaume P. DeVault, associate professor of physics; Dr. Michael J. Doman, assistant professor of physics; Dr. Douglas W. Hilchie, assistant professor of petroleum engineering; Joseph E. Kasperick, instructor in humanities and social science; Terrence D. McGlynn, assistant professor of humanities and social sciences; Dr. William G. Pariseau, assistant professor of mining engineering; Kathleen T. Reynolds, instructor in humanities and social sciences; Dr. Gordon R. Shuck, assistant professor of chemistry; Charles J. Wideman, assistant professor of physics; Dr. Elmer G. Gless, assistant professor and head of the new biological sciences department; and Luke Rivers, assistant professor of business.

TECH BOOSTING ATHLETICS

Athletics and intramural sports have greatly improved at Montana Tech in recent years and offer many rewarding and challenging experiences for those who participate.

The college is currently competing in six sports in the Frontier Conference—Football, basketball, track, baseball, golf and tennis.

The improved football program was reflected this past year with the Montana Tech Orediggers finishing in fourth place in the Frontier Conference, under the first fulltime football coach, Ray Braun.

Next year the squad will get another facelifting and promises to be even better under new head football coach Charles Armey, who replaced Braun recently. Armey came to Montana Tech from North Dakota State University where he was an assistant coach. Last year the football squad numbered 40 players with many of the team members coming from across the state in addition to those from the Butte area.

The basketball program at Tech has also shown improvement but "still has a ways to go," according to Coach Tom Lester. The squad includes 12 varsity members, three from Butte and nine from the other parts of the state. The team looks forward to more improvement in coming years as eight of the squad members are freshman. The squad plays a schedule of 23 games, 11 at home and 12 on the road.

Baseball is another exciting sport at Montana Tech. The team plays 10 conference games during the spring and is coached by Bill Cullen, one of the outstanding baseball coaches in the state. The excitement should be amplified this year with more community and student interest as the result of night games to be played for the first time on the Tech Campus.

Tech also competes in track, golf and tennis in the Frontier Conference.

One of the most important additions to the athletic program was the forming of the Montana Tech Booster and Century clubs. These two organizations, composed of faculty, businessmen and other interested citizens of the community, formed the clubs to help promote Montana Tech.

Membership in the Booster Club is $10 per person while the Century Club membership cost $100. Funds from the Century Club are used only for athletic grants-in-aid. Funds from the Booster Club are used for academic scholarships, Booster Club expenses, publicity and other college purposes. Last year the Century Club provided 50 grants-in-aid to students attending Montana Tech. In addition to these two organizations, the students on campus recently formed a Montana Tech Junior Booster Club to help back the athletic program. Dues are $1. These funds are also used for grants.

Intramural sports for men and women attending Montana Tech have expanded too. The program for women is under the auspices of the Women's Recreation Association (WRA), formed in the fall of 1967. The purpose of this organization is to sponsor activities which are of interest to women students and to provide the leadership in setting up and running the various programs. The organization is advised by Mrs. Margaret Sarsfield, women's physical education instructor.

The women's program includes volleyball tournaments, both men and women mixed and women only; badminton tournaments, doubles and singles; bowling tournament; swimming events; tennis tournaments; handball; and some outing activities. The women also have exclusive use of the gym one night per week for recreational swimming.

In addition to these activities the WRA has organized a drill team called the Kopper Kadettes. They perform at half-time during some of Tech's basketball games. There are 17 team members.

The WRA also sponsors an annual "Volleyball-Softball-Swimming Play Day." Girls from the high schools surrounding Butte are invited to bring teams and compete against other high school teams. "This is to give the girls a chance to meet other high school girls interested in physical activities, especially sports and to become acquainted with the facilities available at Tech," according to Mrs. Sarsfield.

The intramural program for men includes many sporting contests and tournaments too, such as handball, badminton, football, basketball, volleyball, swimming and softball. Several times during the academic school year, one or more of these sports for men and women are being played on the Tech campus. More than 500 students participate annually in one type of intramural program or another.

Assistant professor of physical education and coach, Tom Lester, said, "It's the philosophy of the physical education department that intellectual excellence is reached only through coordinated effort of the mind and body. Therefore, it is the responsibility of this department to provide physical activities which will allow each student to develop to his intellectual capacity. Thus the need for the many varied physical education and athletic programs we are providing for the students at Montana Tech."

THREE SPORTS USE ALUMNI COLISEUM

Montana Tech's $350,000 Alumni Coliseum provides the college and Butte with one of the finest sports facilities in the state.

The Coliseum was completed last fall when the lighting system was erected and the rest of it has been completed since 1966.

The $60,000 lighting system was donated by several groups. The Anaconda Co. provided the drilling of the holes for the lighting poles. The company also is responsible for the design and layout of the lighting system. Westinghouse Electric Corp. donated $5,000 worth of fixtures.

The Alumni Association awarded the contract for framing the poles, mounting the fixtures, wiring and raising the poles to Johnston Electric of Butte.

The lighting provides a three-way system depending on which sport is being contested.

TECH PROVIDES GOOD LOCATION, SMALL POPULATION

Students attending college at Montana Tech have a natural advantage because of Tech's location and because of the small population of the school.

Butte and the surrounding area provide many opportunities for recreation and outdoor fun. Located in a fishing and hunting paradise, many of Tech's students and faculty spend most of their fall weekends hunting. Closeness and friendship abounds at Tech and often students and professors are found taking a hunting or fishing excursion together.

Snowmobiling is the new rage and Tech students get together often for snowmobile parties and other winter events. One of the finest snowmobile race tracks is located near Butte at Elk Park. A lot of students spend their winter weekends skiing at the Butte area trails or the Bridger Bowl in Bozeman.

Because of the relatively small population of Montana Tech's student body, faculty and students often become close friends. It is quite common to find a professor surrounded by several students in the Student Union Building, all enjoying each others company. Since there is a small faculty-student ratio, students will find professors easily available for counseling, advice and just general companionship.

Many students at Tech are interested in minerals industry engineering as a career. Being one of the greatest mining centers in the world, Butte provides opportunities for on-the-job training and close observance of actual industry techniques.

Many of the students find summer employment in Butte and some are able to get part-time jobs during the school year to supplement both their income and their knowledge of mining.

Those who choose to attend Montana Tech, be it for a complete degree or for only a couple of years, will probably find in no other school in Montana, so much closeness, friendliness and activities among the students and faculty.

ACTIVITIES MANY AT TECH

Extracurricular activities are an important part of any college student's life. Many different clubs and activities are available for students at Montana Tech.

Homecoming, an annual event, is one of the biggest fall activities. Days are spent in preparation for the parade and the crowning of the homecoming queen. Each class nominates a candidate and each class prepares a float for competition for prizes in the parade. A football game and dance top off the festivities.

The "M" which adorns Big Butte is usually painted on "M" Day in May. Students in groups paint the big letter and a lunch and dance cap the day.

Several dances are held during each semester in honor of various events and sponsored by different groups.

An intramural athletic program is arranged for students who do not have the time or skill to be on a varsity team. Tournaments and schedules are arranged in basketball, volleyball, swimming, softball and other games.

No matter what each student's interest, there will be a club to interest him. Some of the many organizations at Tech include Camera Club, Associated Women's Students, dramatics club, mineral club, musical organizations and religious groups, and international club for foreign and regular students.

For the Greek-minded, Montana Tech has two fraternities, Sigma Rho and Theta Tau.

Students interested in journalism may work on the student newspaper and yearbook for college credits.

Tech sports a fine speech team and new students are always welcome to join the teams in the various speaking events. The teams travel to many different schools throughout the year to compete in intercollegiate speech events.

The school has a fine photography lab for those interested in photography. A pool room and a student union provide a place for relaxation. And the best food in the world, hamburgers, soft drinks and french fries are served at the Student Union Grill.

PRESIDENT NIXON'S EUROPEAN TRIP

Mr. DIRKSEN. Mr. President, a few days before the President undertook the trip to Europe to meet with the many leaders there, he asked that the joint leadership of the House of Representatives and of the Senate come to the White House so that he might discuss what he had in mind and sort of lay out a kind of road map for the occasion. At that time he stated that as soon as he returned, no matter how arduous the trip might be, he would make a report.

This morning the leadership convened at the White House, and with it there were staff members and also the Secretary of State and the Secretary of Defense. The President made a rather extended and I thought very superb statement of what was involved in the trip and what took place. I think he is to be commended for this and particularly for trying to keep Members of the House of Representatives and the Senate fully informed as these various things unfold. I salute him for a job well done.

Let no one say that it was not an arduous week because anyone could watch it on television and note how he went from place to place, the long hours involved, and how necessary it was to be "on the beam," so to speak, at all times. I think of the 7 hours he spent with President de Gaulle of France, and that was continuous; and the purpose was to develop good will between the two countries.

So once more I salute the President of the United States for a job so admirably done.

PRESIDENT NIXON'S 8-DAY DIPLOMATIC JOURNEY THROUGH WESTERN EUROPE

Mr. SCOTT. Mr. President, the 8-day diplomatic journey through Western Europe which President Nixon concluded Sunday evening deserves America's attention and admiration. The Christian Science Monitor called it "an extraordinarily successful diplomatic tour." The Sunday New York Times, in an editorial entitled, "Nixon's European Success," noted that "the progressive estrangement of the United States from its European partners has been halted, and, perhaps, reversed."

It was obvious from the confidence and care of the President in the words he used and from the reactions of his hosts in each country, that we have a skilled diplomat for our national leader. As a private citizen, Richard Nixon traveled many miles and spoke to many world leaders. The experience and insights he gained and the friends he made have become priceless assets to our Nation since Mr. Nixon became President Nixon. This was proven in recent days, most dramatically. I am confident that the next big test of personal diplomacy, likely from press accounts to be with the Soviet Union, will require and will draw forth from the President this same gift.

Indeed, the trip just concluded set the stage, not only for talks with Russia, but for what a London wire service dispatch appropriately calls "a new style" in American diplomacy which would bring Europe closer to the United States than it has been in many years.

I am tremendously heartened by the skill and success of the President, and I believe the American people are, too. They have a leader and an event to be proud of.

There are those who complain because no pacts were signed, no complex, detailed issues resolved. To them, I suggest they misread the purpose of the trip and failed to understand its limitations. Nobody understands better than the President that long hours of preparation and negotiation by professional diplomats, foreign secretaries, and our Secretary of State, are required before such agreements are concluded.

The President's task was one of reopening dialogs where conversation was shut off and of amplifying communication where it had grown feeble. It was a matter of solidifying our friendship and support where we most logically should have it, among men and nations of common culture and common cause. It was a first task done first, and done very well.

The American people are grateful to President Nixon for bringing us closer to our allies. It was a vital and essential task at this time when we are seeking negotiation rather than confrontation with the Soviet Union.

The new administration is in the midst of assessing and examining the problems which threaten world peace. This was the time to get the views of our friends in Europe whose future is so closely bound to our own. This was the time for the President to get in personal touch with leaders with whom he will have to work so closely in perilous months and years ahead. This was the time to reaffirm our commitment to the Atlantic Alliance, and to forge new ties of trust and confidence between the United States and Europe, where so much is at stake.

The problems with which the President must deal affect our friends in Europe both directly and indirectly. The problems of a divided Germany and Europe, arms limitations, trade and monetary problems, the Middle East and Vietnam peace all are of mutual concern.

The President turned an attentive ear to our friends in Europe and opened new channels of communication. Judging by the response he received, we can count on new understanding and support. We can now look forward with greater confidence as we face the future. For this we can thank the President.

Mr. President, I ask unanimous consent that several newspaper editorials and articles be inserted into the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, Mar. 1, 1969]

PRESIDENT NIXON'S SUCCESSFUL TOUR

President Nixon is back from what must, on almost all accounts, be deemed an extraordinarily successful diplomatic tour. Seldom has an American president more fully succeeded in doing what he set out to do on a foreign swing.

Although time alone will tell what further achievements will stem from the Nixon visit to Western Europe, one thing has already been accomplished. This is to present to Europe what might be termed a "new America," that is, a United States readier to listen to the thinking and the advice of its closest foreign associates.

It is no exaggeration to say that President Nixon's words upon reaching France and greeting French President de Gaulle were masterly. Although speaking for the mightiest land on earth, Richard Nixon underlined not only his respect for the French leader but his eagerness to draw upon President de Gaulle's long experience and unquestioned shrewdness. Nothing could have gotten the Nixon-de Gaulle talks off to a better start than this.

But beyond the rightness of Mr. Nixon's words in London, in Berlin, in Rome, and Paris, there lay something deeper. It was the clear implication on the American President's part that a new day in American diplomacy was dawning. And this day is characterized by less self-assertion and self-assurance on the United States' part.

This change springs from many sources. There is, maybe first of all, the deep national disillusionment with the war in Vietnam. There is the understandable weariness of a nation which for the past quarter-century has borne a many-sided and heavy worldwide burden. There is the rising realization that homeside problems are growing in urgency. And there is the recognition that certain of America's past attitudes have tended to widen the gap between that country and those which, by outlook and interest, should be its closest partners.

It will not be easy for the United States to shift gears on either foreign policy or national outlook. Policies tend to be self-perpetuating and to run in well-worn grooves. A national outlook cannot be significantly altered without serious wrenches. But there can be little doubt but that, at many critical points, American foreign policy does need revision and updating. Nor can there be doubt but that President Nixon sees this need. His words and his attitude during his European swing bore this out.

But it is one thing to see the need for change, and quite another to work out a successful revision of long-standing policies and viewpoints. In short, how can America now continue to play a leading part in the preservation of the free world, yet do so less obviously, less obtrusively, less gratingly? Mr. Nixon has shown that he recognizes the desirability of this. Now must come its implementation.

[From the New York Times, Mar. 2, 1969]

NIXON'S EUROPEAN SUCCESS

President Nixon's successful tour of Europe has opened a vital effort to unite the West for negotiations with the East. The escalating tension over Berlin, which reached a new high point yesterday, casts a darkening shadow over the prospects for broad East-West talks. But the new and more intimate kind of consultation with the NATO allies initiated by Mr. Nixon will be useful whatever the future may hold.

Only a beginning has been made, of course, in these allied discussions. Nevertheless, the progressive estrangement of the United States from its European partners has been halted and, perhaps, reversed.

A full assessment of Mr. Nixon's talks with Europe's leaders must await the President's report to the nation this week and similar accounts by his European partners. West-West as well as East-West issues were covered and here, with France again quarreling with its neighbors, results necessarily were more modest.

Talks were initiated with the Common Market Commission to head off trends toward protectionism on both sides of the Atlantic. Perennial fears in Bonn about American troop withdrawals from Germany were eased. Bonn recognizes more clearly the need for a commensurate Germany military effort and a long-term agreement to offset U.S. dollar costs. The next move on the international monetary front was explored everywhere.

On the major, long-recalcitrant West-West problems—such as the future structure of NATO, the political union of West Europe and Britain's admission to the Common Market—no breakthroughs were made, or even sought. General de Gaulle's disagreements with his neighbors make little progress possible on these issues at present, despite the reopening of a French-American dialogue. A new climate between Paris and Washington might help to resolve substantive questions, if not with de Gaulle, then with his successors. But two or three years of persistent effort will be needed to determine if this is possible.

Mr. Nixon's European probe confirmed almost universal support among the NATO countries for a cautious American effort at negotiation with the Soviet Union if close consultation with the NATO allies is maintained. Despite the current Berlin pressures and dismay over Czechoslovakia, Europe's leaders believe Moscow is seriously interested in a dialogue with Washington on the nuclear arms race, the Middle East and perhaps other issues.

Mr. Nixon met a disconcerting response to his thesis that delay in opening the strategic arms talks might bring political concessions from Moscow. He was asked in Bonn to link German reunification, too, to the missile talks and his spokesman had to announce that "no conditions would be placed on bilateral arms talks." But even in West Germany, Mr. Nixon found the conviction that an improved climate in Soviet-American relations would reduce the risk of general war and aid the other NATO allies in their own negotiations with Moscow.

For several years now, the West has faced the East in disarray. Bilateral contacts and negotiations have brought scores of high-level meetings between Kremlin officials and those of individual Western countries. But often leaders of other Western nations got little or no information about these talks, let alone opportunity for prior discussion. President Nixon has emphasized now that consultation must be a two-way street, the prerequisite for the unity and common purpose the West will need if broad-ranging negotiations with the Soviet Union are to become reality.

[From the New York Times, Feb. 27, 1969]

PRESIDENT'S ATTITUDE HEARTENS WHITEHALL

LONDON, February 26.—The British Government was in a mood of ebullience today over President Nixon's visit. He flew off this morning after 39 hours here.

"I am not given to overstatement," one qualified source said, "but I am bound to say without any qualification that these talks were extremely successful in matter, manner and atmosphere." He then changed his phrase to "enormously successful."

The mood of good feeling was not related to substantive issues. Informants said that Mr. Nixon had conveyed no new policies and sought to reach no conclusions on issues.

It was rather the personal relationships that mattered. One source spoke of a sense of "rapport" that had quickly been established.

Another said:

"The President made us feel our views were wanted and respected. What more can any Government desire from such an opening contact?"

The fact that Mr. Nixon chose to come to Europe so early in his term, before his policies were fixed and bureaucratic patterns frozen, was especially welcomed.

COMPLEX ISSUES DISCUSSED

A participant in the working sessions at 10 Downing Street said that when complex issues of European security were discussed, the President "struggled to understand—went back and asked questions."

"He had clearly read the background documents," he said. "His interest never seemed to flag."

Some detected what they thought was a slight lack of self-confidence—others spoke of modesty. But all the officials, like the private citizens with whom Mr. Nixon spoke yesterday, seemed to feel he really wanted answers to questions.

"I had the sense of a man looking for help in making up his mind," one participant said, "and it was not a fraud."

The President, it was learned, did almost all the talking for the American side in the official Downing Street sessions. Secretary of State William P. Rogers intervened only briefly.

There was great interest here in the role of the President's Assistant for National Security Affairs, Henry A. Kissinger.

In not only the official but also the private meetings, observers said, the President sought Mr. Kissinger's views frequently and relied on him for advice.

Mr. Kissinger arranged an unannounced meeting of editors with the President yesterday. Mr. Nixon spoke to them for about 15 minutes, then stayed for 10 more minutes of questions.

The subject was Western security and the hope of broad negotiations with the Soviet Union. Some present said Mr. Nixon emphasized the need to remain strong but seemed rather strongly hopeful of some agreements with Moscow.

"There is nothing new," one editor said, "but I'm bound to say he did it rather well. He was very articulate, his sentences were well structured and his syntax secure."

Another said the President still seemed very much to be "feeling his way." But this participant said Mr. Nixon had a "better understanding of the political realities of Europe—the desire for independence and détente—than some other Americans who have visited here recently."

[From the Philadelphia Inquirer, Mar. 3, 1969]

NIXON CREDITED WITH EVOLVING NEW DIPLOMACY

LONDON, March 2.—President Nixon's eight-day Euorpean tour was hearlded as a success Sunday and commentators forecast a "new style" in American diplomacy that would bring Europe closer to Washington than at any time since the Kennedy era.

Despite riots in Rome, protests in Paris and disarray in the alliance of Western Europe, Mr. Nixon generally was credited with a personal triumph in his Presidential debut on the international stage.

British commentators predicted there would be a new era in British-American relations. Editorials in Brussels, headquarters of NATO, the North Atlantic Treaty Organization, applauded a fresh American state of mind.

PRAISED BY KIESINGER

West German Chancellor Kurt George Kiesinger commended Mr. Nixon's awareness that the United States must play a leading role in the Western alliance. Italian governmental officials discerned a new style of relations between Europe and the United States.

In Paris, where the cold shoulder has been more in evidence in dealings with Washington, a Foreign Office spokesman predicted "very good results." And President Charles de Gaulle raised a goblet of champagne to French-American friendship.

In Moscow, where anti-Nixon comment has been restrained since his election, Communist commentators said little of the President's trip and focused instead on the way anti-Nixon demonstrations were handled.

TIME NEEDED

Despite Nixon's personal triumph, few officials, newspapers or observers seemed to think his efforts to unify Europe would bear immediate fruit.

"Very likely this is the shape of the Europe Mr. Nixon will have to deal with for the next four or eight year," said Britain's Economist magazine. It described the West European nations as "so preoccupied with their own status-game they can play no effective part in the rest of the world."

"Despite Nixon's efforts to promote European unity," said the Economist, "the Western European capitals will remain disjoined and Communist East Europe may be stuck in a cycle of repression and near explosion."

CHARACTER EVALUATED

London's Evening Standard said: "President Nixon, whatever enigma he may still present, has not turned out to be a monster of conservative depravity. On the contrary, he has emerged after only one month in office as a calm, thoughtful and moderated president.

Most of the British press fell in with this assessment, and 27 Conservative lawmakers sponsored a motion in Parliament praising the President and "his reaffirmation of the special Anglo-American relationship."

Most Belgian newspapers concurred that Mr. Nixon's approach to NATO marked a turn in U.S. policy. But they regretted that it came in the midst of a dispute over the European Common Market, the Western European Union and NATO itself.

In West Germany, headlines highlighted Mr. Nixon's assurance that Washington would not confer with Moscow at Europe's expense, and Nixon's backing of West Germany on the Berlin situation.

Mr. MANSFIELD. Mr. President, will the Senator from Pennsylvania yield?

Mr. SCOTT. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. Lest there be any misunderstanding, let me state for the record that we are all pleased with the success which the President has achieved on his recent visit to Europe.

We appreciate the fact that it was conducted in low key, that there were no promises made—and none anticipated and none demanded—and that it was a matter of understanding and closer cohesion between the people who are allied with us in this time, age, and era.

The President is to be commended for going to Europe when he did and making the contacts he did, representing us with such dignity and, may I say, such distinction in this most difficult period in the affairs of the world.

We are delighted with the success which the President has achieved. We are relieved that he is back with us once again. We hope that this period of flexibility will not be cut too short and that he may be able, on the basis of the groundwork laid, to accomplish much more in the future.

Mr. SCOTT. I thank the distinguished majority leader.

WILL THIS NATION BE DESTROYED BY TAXES?

Mr. SYMINGTON. Mr. President, as we shortly give consideration to a Federal budget which shows that the annual cost of running the Government of the United States is many tens of billions of dollars more than the entire gross national product of any other country of the free world, I would hope we would bear in mind the following facts and figures:

In the past 10 years, Federal taxes in the United States have increased 71.3 percent.

During that same period, local taxes increased 120.5 percent.

State taxes increased 260.9 percent.

Ten years ago, the total tax burden of the average citizen in the United States was 27 percent of his salary.

Today, that average is 34 percent.

Should we not bear in mind an interesting closing line from a recent editorial in the Charleston (W. Va.) Gazette Mail:

> History is littered with the corpses of empires guilty of hubris and felled by its consequences: the overexpansion of manpower and resources.

REASONS WHY THE ABM COULD WELL COST TENS OF BILLIONS OF DOLLARS MORE THAN CURRENTLY ESTIMATED

Mr. SYMINGTON. Mr. President, I ask unanimous consent to proceed for 5 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. SYMINGTON. Mr. President, last August, in debate on the Senate Floor about funds for construction of the Sentinel ABM system, there was the following colloquy between the distinguished majority leader and myself:

> Mr. MANSFIELD. If what the Senator says is correct and it is intended eventually to spend in excess of $6 billion to build a "thin" ABM system, which we were told originally by Secretary McNamara, and since by his assistants, was for defense against China, but which we were told when the authorization bill was before the Senate some weeks ago was in effect for defense against the Soviet Union, does it not seem logical to assume, if that is the case, that $6 billion-plus is just the first installment on a program which could eventually cost this country somewhere in the vicinity of from $50 to $70 billion?
>
> Mr. SYMINGTON. I think it would be more than that. As but one example, take the F-111 planes. The original price on that plane was $2.8 million. I asked last spring what 100 of them would actually cost, and was told $15 million apiece. That is five times higher.
>
> It is already admitted the thick line would cost $40 to $50 billion. Following the same character of extrapolation—and there are other items I could mention—it could cost at least $100 billion.

Some of those who continue to support the production and deployment of this unprecedentedly complicated ABM system have challenged any possibility that the ultimate cost if extended to protect the United States against Soviet Russia as well as China, could be $100 billion; but reasons outlined below show clearly that, based on the record, this "thick" Soviet system could cost tens of billions of dollars more than $100 billion.

The estimated cost for the "thin" China system has already jumped from an original 1967 estimate of $3.5 billion to $5 billion in 1968; and is now closer to $10 billion.

Recent testimony by a high official of the Department of Defense before the Joint Economic Committee confirms that this escalation in the cost of the ABM could well be just the beginning of a continuing series of upward revisions.

This testimony reported the fact that 12 major systems which were developed during the 1950's exceeded their original estimated cost by an average of 220 percent. And if the increase in the estimated cost of this highly complicated Sentinel thick system was nevertheless no more than this average, its cost would be $160 billion.

But the most shocking, and incidentally the most recent, study referred to in said testimony, had to do with a report published by the Brookings Institution. This report said in part:

> During the 1950's, virtually all large military contracts reflected an acceptance by the military agencies of contractor estimates which proved "highly optimistic." Such contracts ultimately involved costs in excess of original contractual estimates of from 300 to 700 percent.

Based on these studies, cited a few weeks ago by the Department of Defense itself in its logical defense of the relatively small additional cost incident to the production of the C-5A transport plane, it is within the range of possibility that the "thin" China system could conceivably cost the American taxpayer over $40 billion; and the cost of the "thick" Soviet system could be over $400 billion.

Let us note in passing, especially to those prone to accept, without question, all new weapons systems proposed by the military, that this latter figure is more than the current national debt.

How can the American people now be asked to bear such a gigantic additional burden in order to finance the production and development of a system whose operational capability its strongest proponents admit may not be adequate to do the job it is designed to do?

As I have often stated previously, I believe in and support, without reservation, the continuance of research and development on this new system, even though during recent years many billions of dollars have been expended on major missile systems that were never even placed into production; that is, were abandoned as obsolete or unworkable before the development work on them had been completed.

Let us note also that, according to Defense Department testimony given the Congress months ago, $4.7 billion had at that time been spent in research and development effort on ground-to-air nuclear systems, including the Sentinel.

This heavy expenditure of our increasingly limited resources on missile systems that never advanced beyond the development stage is unfortunate; and in my opinion is but additional proof of the growing tendency in recent years for military research and development efforts to be directed toward solving theoretical problems rather than producing badly needed modern defense hardware. That in itself is one of the chief reasons why the Soviet Union is currently so far ahead of the United States in so many categories of modern conventional weapons.

Equally unfortunate is the fact that over $15 billion of the taxpayers' money has been invested in missile systems once produced and deployed, but now abandoned, in many cases because in due course it was found they did not work.

Let us hope the above facts will be given careful consideration by those who, along with the multimillion-dollar public relations program apparently organized by the Defense Department to promote the Sentinel, currently support the deployment and production, now, of this ABM system.

In summary, even if the price was not so high, even if deployment of the Sentinel would not promote a new escalation in the arms race, I cannot support the deployment of this weapons system without further research and development because I do not believe, in its present form, it will work. This conviction is supported by many years of practical experience in the electronics industry prior to my coming into Government.

To produce and deploy this defense system now could be a nuclear-space age "followup" to the tragedy that was the maginot line.

Mr. KENNEDY. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am happy to yield to the distinguished Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I want to commend the distinguished Senator from Missouri for addressing the Senate this afternoon, and for bringing to the Members of this body his thoughtful presentation.

The Senator from Missouri brings an extraordinary background to this whole debate on the question of the Sentinel ABM system.

He is a member of the Committee on Armed Services. He has particular responsibility given him by the Senate in the field of national security. He is also a member of the Committee on Foreign Relations and is very much aware of the latest thinking by that committee, and by responsible members of our Government concerning our relations with our adversaries—and our friends—beyond our borders.

Because of his long background and experience in the whole private sector, there are few Members of this body who can speak about the cost of such a weapons system with his background and experience.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have 3 more minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, the Senator from Missouri has addressed this body at many different times on our fiscal and monetary position in the world, and is an authority on that problem. I think he really brings a great wealth of experience, which is extremely important and that the Members of this body should consider the comments he has made with great attention.

I should like to ask the Senator two very brief questions. The first is whether, in reaching the figure of some $400 billion which he has suggested this afternoon, he has included in that figure any expenditures for fallout shelters. I think any kind of presentation which is made in support of a thin, or even a thick, ABM system relates to and is concerned with questions about fallout shelters. I was wondering whether an estimate for the cost of fallout shelters would be included in the $400 billion, or whether such expenditures for fallout shelters, if we were to agree to a thick system, would be an add-on to the $400 billion figure the Senator from Missouri has suggested?

Mr. SYMINGTON. Mr. President, first, I would thank the distinguished assistant majority leader for his kind but undeserved remarks, and add that in this field it is a privilege to follow his leadership and that of others in questioning a system, the expense of which will make it very difficult to handle, problems we have in other international fields, as well as growing problems in the domestic field. Nevertheless, regardless of cost, if I believed this Sentinel system was vital to our security I would be for deploying it now. I do not so believe.

In reply to the distinguished Senator, I reached this possible figure by taking the high additional percentage of the Brookings Institution report; namely, 700 percent. It does not include shelters. Perhaps the most informative lay articles written on the Sentinel subject were those put into the Record by the distinguished senior Senator from Massachusetts on February 19, consisting of 12 articles, in which the estimated cost of the shelters was stated as being $38 billion in total, as I remember. Based on all records of the past I would be surprised if the ultimate cost was not a good deal more than $38 billion. My answer, therefore, is that I did not include shelter cost, and that would add heavily to the cost.

Mr. KENNEDY. My second question, Mr. President, relates to the probability of increased defense budgets that would result from a new round in the arms race, as former Defense Secretary indicated would be the case in his January defense posture statement. It is my opinion that the deployment of either a thick or a thin ABM system would signal such a new round in the arms race, but let us say it is a thick system.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. KENNEDY. I ask unanimous consent for 2 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KENNEDY. I refer to the development of MIRV's, the hardening of IBM sites, the development of a new generation of ICBM's, and so forth. Does the Senator agree with me that this would run into additional expenditures as well, because once we move into an escalation in the arms race, in terms of a thick system, obviously it is going to take additional expenditures of at least hundreds of millions of dollars, and probably many billions of dollars, to make any kind of meaningful progress in terms of our defensive posture as well as offensive posture?

Mr. SYMINGTON. The able assistant majority leader is correct, although I am not opposed to all improvements in our offensive missile systems until we reach proper agreement. But I was a Member of the Senate during the so-called bomber gap of the early 1950's and during the so-called missile gap of the late 1950's. They just did not pan out. So this time I think this Congress should look carefully before deploying this new weapons system. It could mean the expenditure of tens, if not hundreds, of billions of dollars of additional money resulting from mutual escalation of the arms race.

In a statement I intend to put into the Record I present that the cost of running this Government today, the annual cost, is running tens of billions of dollars more than the gross national product of any other country of the free world.

Mr. COOPER. Mr. President, Senator Symington's statement on the enormous burden of costs that a decision to deploy an ABM system would bring to the people of the United States is very important to the Congress and the American people. His experience of over 30 years as an executive in the electronics industry, as Secretary of the Air Force, and as a ranking member of the Senate Armed Services Committee, gives him an expert knowledge of technological matters which few in the Senate can approach.

I know that Senator Symington would agree with me, that if deployment of an ABM system would bring genuine security to this country, he would support its installation no matter how great the cost. But what is at issue in this ABM debate is whether the United States will be made more secure as its proponents contend by deployment, or whether the deployment of the ABM will lead only to a more dangerous nuclear escalation and less security. Senator Symington's contribution on this important issue is of the greatest value.

DEPLOYMENT OF AN ABM SYSTEM

Mr. HART. Mr. President, normally we leave until the end of our remarks the request that there be printed in the Record an editorial, an article, or a letter. Today, I should like to switch the batting order, and ask unanimous consent that there be printed in the Record at this point a letter dated February 25, 1969, from 39 members of the University of Michigan Physics Department, bearing on the subject of the anti-ballistic-missile system.

There being no objection, the letter was ordered to be printed in the Record, as follows:

February 25, 1969.

Senator Robert Griffin,
Senator Philip Hart,
U.S. Senate,
Washington, D.C.

Dear Senators Griffin and Hart: Our government is presently reviewing its plans for the deployment of an anti-ballistic missile (ABM) system, and further argument undoubtedly will be made in the House and the Senate concerning this matter. We are convinced that the deployment of an ABM system would be a grave mistake either as a "thin" system for defense against the Chinese or as part of a more extensive system designed to withstand any form of nuclear attack. We would like you to consider the following arguments on which our case is based.

1. The so-called "thin" system was originally approved by Congress to provide a defense in the 1970's against a light attack by a relatively small nuclear power such as China might be at that time. We do not believe that the proposed system could provide us with this defense. It is relatively easy for the attacker to build penetration aids to fool the defense system. Such aids include multiple warheads, decoys, clouds of metal wire (chaff) to fog the defense's radar, etc. These and other methods are discussed in an article by H. A. Bethe and R. L. Garwin in Scientific American of March 1968. (Copy enclosed.) It would be quite feasible and relatively inexpensive for the Chinese who are developing their offensive ICBM system at this time to incorporate such penetration aids into their system, and surely they would do so, knowing as they do the nature of the defense system they must overcome. For although it is conceivable (barely) that they might be sufficiently unreasonable to attack us with ICBM's (in spite of the full knowledge that we could and would eliminate them as a viable country if they did) it is inconceivable that they would do so without taking the relatively simple and inexpensive steps necessary to make sure such an attack would be effective.

2. Another argument put forward by proponents of a thin ABM system is that it would provide protection against the accidental firing of an ICBM by the Russians. It is argued that $5 to $10 billion is a relatively small price to pay for such protection. Those who argue in this way overlook one very important point. If the United States deploys an ABM system, then the Russians, or for that matter any other nation which considers us a threat, must modify their offensive missiles so as to give them a good chance of penetrating our defense. As we have said, such modifications are relatively easy. The technical advantage is always with the attacker. When such modifications were made (and they would undoubtedly proceed in parallel with our deployment of an ABM system) we would have to contend with the accidental launching of a missile equipped with multiple warheads, decoys, chaff, or whatever it takes to penetrate our ABM system. Thus in the end our cities would not be significantly better protected than they are at present.

It is important to note that the likelihood of an accidental launch by the Russians due to technical malfunction is comparable to the likelihood of an accidental explosion of one of our own missiles. Thus by surrounding our cities with nuclear tipped ABM's we are, if anything, increasing the probability of technical accident, either due to one of our own missiles or due to one of theirs.

Presumably, the chance of an accident on our part is very small. However, the damage it could cause is so great that we would have to consider ourselves in very great danger to want to take such a risk, particularly with a system that is not likely to be effective against the danger for which it is designed.

3. A third argument that we have heard in defense of an ABM system is that it would improve our over-all defense posture. This argument is put forward by those who see the thin system as the forerunner of a more extensive system costing many tens of billions of dollars. The trouble with this argument is that the cost of constructing any ABM system is very great compared to the cost of potential enemy must incur to redesign his offensive system to penetrate our defenses. Thus building an ABM system is a very inefficient way of improving our defense posture. It is too easily rendered useless by improvements in offensive weapons. Thus extensive expenditures by both sides lead to no relative improvement in either's position. Our country can ill afford to waste even $5–10 billion on a thin system, let alone $50–100 billion on the thick system which would be likely to follow.

4. In addition to these arguments, we have great doubts, of a purely technical nature, about the performance of any ABM system. It seems unlikely that a system of this complexity, if ever called upon, will perform with any high degree of success. The technical demands on a defensive system are much greater than those on an offensive or retaliatory system such as we have at present. Moreover, the necessary testing of the proposed system under *realistic* conditions seems impossible and therefore we have very grave doubts about its successful performance.

We hope you are in agreement with us on these matters. We would appreciate any opportunity to discuss this further with you at your convenience. If we can be of any service to you in this matter we would be glad to cooperate.

A copy of this was signed by the following members of the Physics Department faculty, University of Michigan.

C. W. Akerlof, Asst. Prof. of Physics, J. Bardwick, Asst. Prof. of Physics, J. W. Chapman, Asst. Prof. of Physics, C. T. Coffin, Assoc. Prof. of Physics, D. M. Dennison, Prof. of Physics, H. A. Gould, Asst. Prof. of Physics, W. R. Gray, Asst. Prof. of Physics, W. E. Hazen, Prof. of Physics, K. T. Hecht, Prof. of Physics, A. Z. Hendel, Assoc. Prof. of Physics.

L. W. Jones, Prof. of Physics, G. L. Kane, Assoc. Prof. of Physics, S. Krimm, Prof. of Physics, A. D. Krisch, Prof. of Physics, O. Laporte, Prof. of Physics, R. R. Lewis, Prof. of Physics, M. J. Longo, Prof. of Physics, D. I. Meyer, Prof. of Physics, O. E. Overseth, Prof. of Physics, J. J. Reidy, Asst. Prof. of Physics.

A. L. Read, Assoc. Prof. of Physics, A. Rich, Asst. Prof. of Physics, R. T. Robiscoe, Asst. Prof. of Physics, B. P. Roe, Assoc. Prof. of Physics, M. H. Ross, Prof. of Physics, R. Roth, Lecturer in Physics, T. M. Sanders, Jr., Prof. of Physics, R. H. Sands, Prof. of Physics, D. A. Sinclair, Prof. of Physics, K. M. Terwilliger, Prof. of Physics.

R. S. Tickle, Prof. of Physics, J. C. Vander Velde, Prof. of Physics, G. Weinreich, Prof. of Physics, M. L. Wiedenbeck, Prof. of Physics, D. N. Williams, Asst. Prof. of Physics, W. L. Williams, Asst. Prof. of Physics, J. Ward, Assoc. Prof. of Physics, V. Wong, Lecturer in Physics, J. C. Zorn, Assoc. Prof. of Physics.

Mr. HART. Mr. President, the logic of this letter, to me, is irrefutable.

I share the physicists' view that it would be both feasible and inexpensive for either China or Russia to develop penetration aids for missiles which would negate any possible effectiveness of ABM missiles.

I share their view that if the Chinese were foolish enough to launch an ICBM attack on this country they would first develop such aids to make the attack more devastating.

I suspect neither the Chinese nor the Russians are unreasonable enough to launch missiles which would have little chance of reaching targets.

I share the view that the same logic reduces the system's effectiveness against an accidentally launched missile. I am sure that if Russia has missiles that can be accidentally launched, those missiles will be equipped with devices to increase their chances of penetrating an ABM system.

I further share the thought that concern about accidental launching of Russian missiles must be balanced with concern about damage resulting from accidental explosion of any of our missiles, whether they be located near cities or in rural areas.

Moreover, I have the same misgivings as the physicists do about the ability of the system to perform its mission.

I believe there is a military maxim that if the attacker is willing to pay the price, any defense can be beaten. In the case of the ABM system, the price to defeat the defense is minuscule in comparison to the cost of building the defense.

The logic is clear. No ABM system without more research, and probably, not even then.

I urge all citizens opposed to deploying the ABM system to make their views known publicly.

While it may be easy to fool an ABM system with decoys and clouds of metal wire to fog the system's radar, it is not so easy to cut through the decoys and fog put forth by some supporters of the ABM system. Only the support of concerned citizens will insure that logic will pierce the wall of fog and confusion now surrounding this proposal.

Finally, Mr. President, I am asking the Secretary of Defense to comment on this letter. It is a document that I believe should be read thoughtfully by all of us who share responsibility for the decision as to whether we go ahead with the deployment of this system.

The VICE PRESIDENT. The Senator's time has expired.

Mr. McGOVERN. Mr. President, will the Senator yield?

Mr. SYMINGTON. Mr. President, I ask unanimous consent for 2 additional minutes.

Mr. GOLDWATER. Mr. President, I would have to object. My remarks are very brief.

The VICE PRESIDENT. Objection is heard.

EMBARGO ON MEXICAN TOMATOES

Mr. GOLDWATER. Mr. President, a few days ago I referred to the fact that the Secretary of Agriculture placed an embargo on tomatoes grown in Sonora, Mexico. At times there is reason for an embargo, but not in this case. Now we find that the American housewife is the victim. One housewife wrote that the embargo has raised the price of tomatoes to 11½ cents each and that they just sit in the grocery stores getting too ripe; that the housewives will not pay such high prices for a tomato as big as a billard ball.

I ask unanimous consent that an article which appeared in the Wall Street Journal on the whole subject may appear at this point in my remarks, with the hope that the Secretary of Agriculture and the Secretary of State will read it and realize the damage being done to Mexican-American relations.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CURBS ON TOMATOES FROM MEXICO CAUSE U.S. PRICES TO RISE: MEXICAN FARMERS ARE ENRAGED AS THEIR CROPS ROT—FLORIDA GROWERS HAD URGED RESTRAINTS

(By Norman Pearlstine)

NOGALES, MEXICO.—U.S. housewives and Mexican tomato farmers have a common complaint these days.

Neither is happy with the supply of fresh tomatoes in U.S. supermarkets. And they can both look to a common "villan"—the U.S. Department of Agriculture.

The reason: On Jan. 8, at the urging of Florida growers who compete with Mexico to supply winter tomatoes to U.S. markets, the Agriculture Department slapped a set of minimum-size restrictions on all tomatoes sold in the U.S. The chief effect of the complicated restrictions was to cut sharply the imports of Mexican tomatoes—and to drive U.S. prices as much as 30% higher than a year ago.

While U.S. housewives are irked with the price increases, Mexican tomato farmers are enraged as they watch tons of their tomatoes being devoured by cattle or simply rotting in heaps along highways. "The whole of Mexico feels stabbed in the back," says Raul Batiz, a farmer from Culiacan and president of the 20,000-member Confederation of Agriculture Associations of Sinaloa.

For many Mexicans, the tomato situation has begun to assume the proportions of a major international incident. Mexican government officials and newspapers have reacted angrily. Mexico's ambassador to the U.S., Hugo B. Margain, filed a formal protest with the State Department, and newspaper editorials depict the tomato regulations as an example of how the big Yankee likes to push around his diminutive neighbor. One cartoon depicts a large Uncle Sam stabbing a small Mexican farmer in the back. The Mexican bleeds catsup.

GOOD FOR EVERYBODY?

The Florida growers who called for the size restrictions say they can't understand the furor. "If the restrictions were removed, we would have a demoralized, chaotic market in the U.S. within a week," says Jack Peters, manager of the Florida Tomato Committee, a grower group that has authority under Federal law to draw up tomato size, maturity and grade requirements for the Agriculture Department. "What we're doing is good for the entire industry, in Florida and in Mexico."

The disputed regulations provide that mature green tomatoes (those that ripen after they are picked) can't be sold unless they are more than two and 9-32 inches in diameter. Vine-ripened tomatoes must be at least two and 17-32 inches in diameter.

Florida growers contend the regulations aren't discriminatory because they're applied equally to both foreign and domestic tomatoes. But Mexican farmers point out that the regulations are more lenient on green tomatoes—which comprise almost 85% of the Florida crop and only about 10% of Mexico's.

Mexican growers say the size restrictions have barred at least 30% of their crop from U.S. markets this winter, and the figure will rise to about 50% in coming months. Florida growers, meantime, acknowledge that only 15% to 20% of the Florida crop is affected.

SHARP RISE IN PRICES

The effect on U.S. prices is evident. Food stores in the New York area recently have been selling tomatoes for as much as 65 cents a pound, and in Washington and other cities the price runs around 49 cents. A year ago, when bad weather and blight in Mexico had driven prices to what were then considered unusually high levels, the average price was 42.8 cents a pound. Two years ago it was 34.2 cents. (During the summer months, prices are considerably lower because U.S. domestic production increases sharply.)

Albert Conard, secretary-manager of the West Mexico Vegetable Distributors Association at Nogales, Ariz., just across the border from here, warns that if the regulations aren't lifted, tomatoes will soon be selling generally for as much as 69 cents a pound.

The operators of U.S. supermarkets are also unhappy over the size restrictions because they fear they will lose customers as prices rise. "Many women are already leaving tomatoes out of their salads," says the producer supervisor of one big supermarket in Dallas.

Some tomato connoisseurs say rising prices aren't the only reason housewives are reluctant to buy tomatoes. They contend that the artificially ripened tomatoes now making up the bulk of the market aren't as tasty as the vine-ripened Mexican tomatoes that have suffered most from the ban. Kroger Co., operator of one of the largest U.S. supermarket chains, says: "It has been conclusively shown in many marketing areas that consumers prefer the vine ripe type. They have consistently better flavor."

In Mexico, farmers say the ban on small tomatoes has begun to have serious economic impact. Mr. Batiz says almost 15,000 of the 100,000 workers who cultivate tomato fields have been laid off in Sinaloa and Sonora. These two "salad bowl" states produce most of Mexico's tomatoes for export, which in recent years have brought in about $80 million a year. More layoffs are likely, he says.

Many farmers say they fear it will be hard to find financing for next year's planting, and some growers talk bitterly of shifting their purchases of machinery, seed and fertilizer from the U.S. to other nations next year. "The U.S. encouraged us to grow a big crop, using machinery bought in the U.S., and now they're trying to keep us from selling it," says Mr. Batiz.

The U.S. had indeed encouraged expansion of the Mexican tomato industry. Agriculture experts from the U.S. have made periodic visits to the area to offer advice on increasing production, and U.S. funds helped finance an irrigation project that opened up additional hundreds of acres to tomato growing in Sinaloa last year. Exports of Mexican tomatoes to the U.S. have risen sharply from 103 million pounds in the 1956-57 season to a peak of 386 million pounds two seasons ago. Mexican growers had expected, prior to the size restrictions, to ship a record crop this season.

For many citizens of this border city, which is a shopping mecca for U.S. tourists as well as a major gateway for export of Mexican produce, the size restrictions on tomatoes appear to be just another step in a U.S. "plan" to discriminate against Mexico. The tightening last year of restrictions on the amounts of liquor and duty-free merchandise Americans can take home from foreign countries already has caused considerable economic strain here.

"What are you gringos trying to do to us?" complains a waiter in a downtown Nogales restaurant. "You let the Japanese sell all kinds of stuff, but you won't take our tomatoes."

Mario de la Fuente, owner of the Nogales bull ring and a long-time promoter of improved Mexican-American relations, says: "We've been working hard to build good relations down here, and now some jerk in Florida comes along and tells us not to sell our tomatoes. What's next? If this keeps up, in another 10 years we'll be shooting across the line at each other."

ARIZONA'S NEW NATIONAL AIR ACADEMY

Mr. GOLDWATER. Mr. President, last week I introduced an amendment for Senator FANNIN and myself which would provide recognition for the role colleges and universities might have in the overall efforts to solve air traffic control problems.

Everyone knows that the air traffic crisis has reached the urgency stage. Speaking as a friend of aviation with a love for being in the cockpit, I believe we need to look hard at all the different approaches which human ingenuity can devise to solve the logjam in our skies and insure the safety of the public.

This is why Senator FANNIN and I joined as cosponsors of the bill S. 1070, proposed by Senator BROOKE, to establish the Commission on Air Traffic Control. This body will be composed of experts from the aviation field with a duty to study and report back within 1 year on all aspects of air traffic control problems.

One important phase of these problems is the need to increase the numbers of qualified persons who can enter the aviation field as controllers. The plain fact is that while air traffic has been increasing at about 20 percent a year, the professional controller force has remained nearly at the same level. It is here—in solving the education gap—where colleges and universities can make a major contribution.

In order to focus on this means of helping to solve the shortage of qualified personnel in the field of air traffic control and in the entire field of aviation, Senator FANNIN and I have offered an amendment to S. 1070 to provide specific authority for the Commission to study the feasibility of a program of unrestricted Federal incentives to encourage colleges to develop and provide courses in the field of air traffic control and to add two members to the Commission representing the academic world. In this connection, the Commission should certainly give a close look at existing authority in this area such as the possibility that the Federal Aviation Administration could begin awarding scholarships to help fill our emergency needs.

That there can be useful courses in this field at the college level is proven, I am happy to say, by an example happening in my own State of Arizona. Mr. President, there is an entire aviation center now taking shape in the Gila River Indian Reservation area of central Arizona. The proposed name of this academy is the "National Center for Research and Development in Aviation Education and Training"—or to slim it down, the National Air Academy.

This is a fantastic venture, the likes of which has long been needed by aviation. The original idea for the academy came from officials and instructors at Arizona State University, with particular credit for organization due to Mr. Victor Rothe.

The center has been the subject of a U.S. feasibility study by the Economic Development Administration and has been found to be eligible for funding by that agency.

As it now stands, this project will be established and operated as a cooperative effort between the aviation industry, Arizona State University, and the Federal Government. Pursuant to this goal, a nonprofit corporation, the Aviation Research and Education Foundation, has already been established in Arizona.

By 1972 this center is expected to be turning out 2,000 aviation students, with facilities for 1,000 students planned to be ready by late in 1970. At present students in this field are quartered at Arizona State University, where right now they can obtain a degree in aeronautical technology including at least six courses on air traffic control.

Thus, Mr. President, formalized programs on air traffic control can be made available by colleges. Controllers of the future can acquire a solid background for their vocation in a rounded aviation program offered at the university level. For this reason, I believe that our amendment, if adopted, will lead to a practical remedy for helping to solve one major area of the air traffic crisis.

In order to present a complete description of the national center under development in Arizona, I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks an article which appeared in the January-February 1969 issue of the PATCO Journal, by Mr. Victor Rothe, entitled "Arizona's New National Air Academy."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARIZONA'S NEW NATIONAL AIR ACADEMY

Revolutionary educational approach, and proper recognition of aviation skills, are the basis for two and four-year curriculums for air traffic controllers (now being worked out), pilots, aviation technologists and aviation mechanics. Parallel transfer from one specialty to another may be possible.

Recent studies of aviation problems made for the Aviation Center indirectly unearthed a solution for getting new controllers quickly. The FAA could immediately begin to award scholarships in sufficient quantities to fill our emergency needs. It could request proposals from interested junior colleges and universities for a 2-year instruction program for air traffic controllers. FAA could then provide scholarships, where training facilities were acceptable. This would provide a stop-gap measure for more controllers, until more formalized programs in colleges and other teaching areas are available.

At first, it can seem like some dastardly plot. Air traffic is increasing around 20 percent a year, while the professional controller force for the past five years, has remained fairly static. However, the resultant inevitable, yet unforgivable squeeze on controllers is but one serious symptom of an overall ill—a shortage of qualified personnel across the board in aviation.

Each year, not only are there greater demands for more controllers, pilots, aviation mechanics, and technicians of all types, but they have to be more on the ball. Aviation technology is barreling along at supersonic speeds. Transportation air needs are accelerating too. Yet the techniques by which aviation people are trained for their job creak along at a Model T pace, in many ways.

The old pipelines of military trained personnel are drying up. They can't produce the quantity of people needed nor can they train them adequately for the unique demands of modern civil aviation. Various courses for aviation skills have emerged, spurred in part by the GI bill, it is true. But they have not represented a nationally coordinated look at a basic group of problems we face.

WHAT WE DON'T KNOW

In brief, we don't know fully the qualities that make for a good controller, pilot, or aviation man. We don't know fully what the best means are for training them for given positions. And we lack a link-up between aviation industry and the academic world so that what is happening today—not last year or last week—is incorporated into the training in a classroom or in a cockpit.

One solution to the education "gap" in aviation is taking shape now in the Gila River Indian Reservation area of central Arizona. That may seem like an unusual place to locate a "National Center for Research and Development in Aviation Education and Training." But there are no geographical limits to where schools are located today. Here the climate and area is ideal for aviation and flying. Here too, the fact that the Reservation represents a depressed area has allowed funding for the academy by the U.S. Economic Development Administration.

This center will be turning out some 2,000 aviation students by 1972, and is presently handling 750 students, quartered for the time being at the Arizona State University. Two or four years of education in any of the professional fields in aviation, air traffic control included, are being set up now.

Don't think of the Academy as just a massive aviation university, however. It is that—but it is also much more. Looked at one way, it is a "testbed" to determine what are the best ways to teach aviation. Quality of education, not quantity, is the yardstick.

Looked at another way, the academy will become an R&D center, the likes of which aviation has sorely needed. What is new in aviation will be focused, like a Laser beam of light, with great intensity at this site.

Looked at still another way the academy can be viewed as the "place" where the action is in aviation, where exciting new and effective instructional materials and curriculum are being hammered out to meet the unique needs of this field. As people are educated there, new techniques and procedures will be evolved, tested out, and then either discarded or improved.

One of the key drives of the academy is to get industry into the act too. Our early studies showed lack of "dialogue" between the educational institutions and the workaday world. We have found, actually, that aviation manufacturers are more than willing to provide inputs to make our training more meaningful to the actual work outside. In fact, industry has been felt left out in the past, by that artificial wall that sometimes seems to sever the halls of learning from the real world.

The original idea for the academy came from officials and instructors at the Arizona State University. The scope of the project was beyond the resources of the University, of course. But the site was ideal for another reason—the U.S. Economic Development Administration made a study and determined it could lend its support to the great adventure, to the tune of $165,000, matched by $102,000 contributed by ASU and industry.

CONTROLLER CURRICULUM

One aspect of these courses will appeal to new controller types, we are sure. A real nut has been the limited range of training usually afforded controllers. They are able to fit into only one small slot of aviation, and if they burn out, quit, or are medically retired, they have no place to go but to the "outside" to look for unrelated work.

A goal of the academy would be to provide a rounded aviation background that keeps the controller from being trapped careerwise in that "slot."

The competence required of, and the pressures applied to present controllers are great. Educationally, controllers of the future will have to master more skills since the job will probably get more and more demanding.

This problem, coupled with existing ATC problems, is making it hard to get the controllers even now in sufficient numbers as trainees. This is true despite the fact that as far as civil service grades are concerned, the rating of service grades of controllers is relatively high.

There are two ways to tackle the problem. One is to develop technology which reduces the workload on the controller, perhaps lengthening his span of years as controller.

The other is to give him a "broad-base" educational program from the start that will give him "options" in aviation, opening the door to a life-time career in various phases of it.

How best to do this is a curriculum problem to be ironed out when the Academy becomes fully operational.

ACADEMY SHAPES UP

The original U.S. feasibility study concluded that—as a preliminary step—a non-profit membership type corporation, representing all segments of the aviation industry, should be established. It would be instrumental in establishing and operating a national civil aviation training R&D center as a cooperative effort between the aviation industry, the academic community, and the federal government.

Thus was the "Aviation Research and Education Foundation" incorporated in Arizona in March. For initial planning, an interim Board of Directors was appointed with an operational Board of Directors to be elected at the first meeting of the Corporation membership.

A membership drive is presently underway. Members are being solicited from airlines, aerospace manufactures, aviation-related organizations (such as oil companies, insurance companies, banks, and educational institutions), and other organizations with direct or indirect interests in aviation.

The foundation is negotiating a long-term lease for the 1,350 acre Goodyear Auxiliary Airfield on the Gila River Indian Reservation. Plans are to develop the site and flight training facilities, and acquire flight training equipment. The foundation also plans to develop income by subleasing sites and facilities on the airfield to aerospace companies not directly associated with the R&D/training center. Approximately 500 acres are available for this purpose.

The State of Arizona will handle the academic portions of the center and conduct educational R&D programs in cooperation with the foundation and other educational institutions. The dormitories, expected to house 75 percent of the student body (2000) by 1972, will be developed with private capital.

The current plan is for flight training to begin this September. Facilities for 1000 students are expected to be ready by September, 1970.

The Aviation Research and Education Foundation will be guided by a Board of Directors, representing all major areas of aviation. Two major operating groups will be established within the foundation—technical and administrative. Each has three divisions. Technical Operations Group: flight, research and development divisions; Administrative Group: membership, business affairs, and personnel.

After a membership program is developed and officers elected, the Aviation Research and Education Foundation will negotiate a policy and operations agreement between it and Arizona State University.

At the operations level, a Steering Committee, with representation from Arizona State University and the Foundation, will probably guide the implementation of the policy and operations agreement between the two organizations. The Steering Committee will establish priorities for R&D activities and phase such activities into the overall educational program.

Much of the research will be performed within the context of the educational program, without interfering with the program. Teaching and R&D programs will be conducted by teams from both Arizona State University and the Foundation.

Team teaching will be a major form of instruction. The teams will consist of educators (from Arizona State University) and of industry and other instructors (through the Foundation). In this way, the academic and the real world shall blend into one in the classroom.

The educators and industry representatives will also be learning as they teach. Whatever new instruction techniques, materials and systems they help develop, they can take back to their "home bases" for dispersal within their own programs of education.

How to improve curricula—for present and future aviation needs—was one primary concern. Money was limited, and first in-depth studies were limited to mechanics and pilot curricula. The second phase of studies is now underway—with air traffic control a key element for study.

Arizona State University has incorporated some of the results of the studies and now feels it offers decided improvements over present programs for aviation. Our approach was first to break down the job title, as pilot, into its many "tasks" requiring skills and knowledge. Then we studied the tasks—which can develop from one aviation profession to another—in light of how to provide a broad-base aviation education, a broad-base general education, and a special emphasis in one career area in aviation.

Maintenance Technician Task: Basic framework of a curriculum was developed after a detailed analysis of the Allen Study (A National Study of the Aviation Mechanics Occupation); the proposed changes to FAR-147 by the Federal Aviation Administration, a survey of offerings by other schools, and the predicted effects of technological change.

The resultant Academy curriculum includes subjects offered in two year junior or community colleges, and also offers greater technical depth, as well as subjects which meet the general educational requirements for college credit.

Pilot Task: An in-depth analysis of pilot tasks was found to be non-existent, even though it is vitally needed. The University lacked funds to launch its own research studies.

Most of the University's readings, therefore, come through the study of FAR regulations, bulletins, and whatever other literature can give us some insight into these jobs.

The end result was the culling of 52 skills related to the pilot/controller function. These skills were broken down in terms of four basic curricula—four basic options, if you will.

The relationships between the academic and flight portions of the baccalaureate, three-option program, and the maintenance technician program for the proposed aviation training center are:

Option I: Aeronautical Technology. A broad non-flight technical program.

Option II: Professional pilot training.

Option III: Non-flight air transportation management curriculum.

A new *Option IV*, Air Traffic Control, is being formulated.

Clock hours in the proposed curricula are considerably more than required for FAA ground school certification—flight time would be 250 hours (primary and advanced), plus synthetic trainer time. This will lead to a commercial pilot's license with an instrument and multi-engine rating.

The three baccalaureate options are shown under the major heading "Aeronautical Technology." Options I and III are non-flight. The technician program, which provides for an Associate degree in Applied Sciences, will go under the heading "Support Personnel." The "Special Courses" area pertains to short-term, contract-type courses, such as flight training for ROTC students, aviation seminars, etc. A separate baccalaureate option is presently being formulated for Air Traffic Control.

Dropouts benefit from the option concept. Many students will flunk out of one area—for aptitude or attitude deficiencies, or for other reasons. They can drop into some other option at that point, applying their previously acquired credits.

Option flexibility is widespread. For example—a student will be able to drop back to the maintenance technician program and obtain a certificate in the Associate in Applied Science degree level, or become a specialist in one of the technician areas. Conversely, the maintenance technician student can move upward into the Aeronautical Technology area for a Bachelor of Science degree; his previously earned credits would apply toward the degree.

The Air Academy also is forging on another educational wavelength—that of mental adaptability. This quality is becoming crucial in skilled professionals. No matter how well they are taught, once they are in their field, they will find it in a constant state of change, and must have the mental flex to change their thinking accordingly.

I don't have to add that whatever is true in change for the average skilled profession goes double for those in aviation.

There are five separate ways the Academy is planning to meet the needs for flex.

1. General education will not be ignored because of the pressures to teach aviation.

2. Programs will be configured to change on the spot where change is happening "outside" in aviation. Also, the academy will strain to foresee and anticipate changes in aviation, and contour its curriculum to meet these changing needs.

3. Technical and educational subjects will be presented in one organized whole, one smooth flowing educational unit. There will be no offerings of isolated fragments of courses, with the only goal the piling up of the number of credits to graduate.

4. Programs will not only teach technical and scientific matters, but will use developments in these fields—such as computerized, multi-media instruction, and a self-pacing system—to advance its ability to meet the individual needs of students. Part of this goal will also be to breathe new ideas into scientific concept at the school itself.

5. The individual student will not get lost in the shuffle. Higher personal instruction will make him the focal point of training. That means avoiding becoming overly curriculum-centered, process-centered, or teacher-centered.

In the research end, the Academy must be a questioner of what is being done in aviation education, and an innovator. It must find out what it costs to educate properly, and what are the necessary tools and their costs; it must delve deep into the psyshic motivations that make people want to be in aviation, or than can make them good performers in aviation. It must keep its finger on the pulse of new technology always, to gauge its effect on civil aviation; and it must find ways to get students interested in and learning about aviation at still earlier ages.

Something like the Academy has been sorely needed for aviation for decades. Within scant years, solid improvement in aviation education can result. I am only sorry that no immediate remedies are available for the deficiencies in air traffic now coming to a head over the country.

Mr. Rothe has been instrumental in organizing the National Center for Research and Development in Aviation Education/Training (we are sure that name will slim down in time), as a member of Arizona State's Aviation Research and Education Foundation. His forté has been transportation in all its myriad forms, although he presently is associated with the Arizona State University. He was manager of the Aviation Safety Engineering and Research Div. of Flight Safety Foundation, Inc., for six years. Ten years prior to that he specialized in internal combustion machines as instructor with U.S. Army Transportation and Development Command. He is also on the Arizona Atomic Energy Committee.

RE-REFERRAL OF S. 1198 TO COMMITTEE ON FINANCE

Mr. LONG. Mr. President, on Friday, February 28, S. 1198 was introduced and referred to the Committee on Judiciary. This bill relates to taxation by the States of income earned in interstate commerce. It presents an alternative way of dealing with the question of overlapping State tax systems, by permitting them to agree among themselves to provide uniform jurisdictional and apportionate rules.

The other method of dealing with this problem is to impose direct Federal standards on State taxing powers. This other method is reflected in S. 916 which is now pending before the Committee on Finance.

The Congress looked briefly into this general area in 1959 and decided that a full congressional study should be made of State taxing systems. Section 201 of Public Law 86–272 enacted in 1959, and amended in 1961, provides:

> The Committee on the Judiciary of the House of Representatives and the Committee on Finance of the United States Senate, acting separately or jointly, or both, or any duly authorized subcommittees thereof, shall make full and complete studies of all matters pertaining to the taxation of interstate commerce by the States, territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico, or any political or taxing subdivision of the foregoing.

When that bill was referred to the Judiciary Committee, obviously the subject referred to the wording of that statute, which provides that the bill must go to the Committee on Finance.

In light of this statutory jurisdiction over the whole area of interstate taxation and in recognition of the fact that a bill identical to S. 1198 was referred to the Committee on Finance in the preceding Congress, I ask unanimous consent that S. 1198 be rereferred to the Committee on Finance.

The VICE PRESIDENT. Without objection, it is so ordered.

S. 1300—INTRODUCTION OF BILL ON COAL MINE HEALTH AND SAFETY

Mr. JAVITS. Mr. President, I call the attention of the Senate to the special message on coal mine health and safety transmitted the other day, to the House, but at that time the Senate was not open for business.

In his message the President outlined the various administrative steps which have been or shortly will be implemented by the Bureau of Mines to improve conditions in our coal mines to reduce to an absolute minimum the possibility of repetition of the tragic disaster which recently took the lives of 78 miners near Farmington, W. Va. In his message the President also proposed changes in the Coal Mine Safety Act, which are absolutely necessary if the Federal Government, acting through the Secretary of the Interior and the Bureau of Mines, is to have truly effective power to act to improve health and safety conditions in coal mines.

All of these changes, Mr. President, are embodied in the bill transmitted to Congress by the Under Secretary of the Interior, Hon. Russell Train.

I am now pleased, on behalf of myself—and, as I am the ranking minority member of the Committee on Labor and Public Welfare, it is quite appropriate that I should sponsor this measure for the administration—the Senator from Kentucky (Mr. COOPER), who has had a very long-standing concern with this matter of coal mine safety and the health of miners, the Senators from Pennsylvania (Mr. SCOTT and Mr. SCHWEIKER), and the Senator from Alaska (Mr. STEVENS), to introduce for appropriate reference.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1300) to improve the health and safety conditions of persons working in the coal mining industry of the United States, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. JAVITS. Mr. President, the bill would make a number of changes in existing law. Among the most important are the following:

First. The Federal program would be directed at preventing all types of accidents in coal mines, not just so-called major disasters.

Second. Surface coal mines, previously excluded from coverage under the law, would be covered.

Third. The Secretary of the Interior would be given the power to promulgate, by regulation, health and safety standards. Presently the standards are codified in the law and thus legislation is required to improve them. The standards now in the law are those originally enacted in 1952; they have not been updated for 17 years.

Fourth. For the first time, standards for permissible levels of coal dust—the cause of coalworkers' pneumoconiosis or "black lung" as it is more commonly called—would be established. An interim standard of 4.5 milligrams per cubic meter of air would go into effect 60 days after the effective date of the act for most mines and the Secretary would be required to set a date by which the standard would be brought down to 3 milligrams per cubic meter of air. Miners showing signs of pneumoconiosis would have to be given respirators or assigned to work places where the coal dust level was less than 2 milligrams.

Fifth. Pending promulgation of standards by the Secretary, interim safety standards, some of which are considerably stricter than existing standards, would go into effect 120 days after the effective date of the act. The standards would cover ventilation, roof supports, electrical equipment, maps, fire protection, combustible materials, and blasting, among other things.

Sixth. The distinction between gassy and nongassy mines would be ended. All mines would be treated as gassy.

Seventh. Civil penalties up to $10,000 could be assessed against operators who violate health or safety standards. Criminal penalties could be imposed on anyone who knowingly violates or fails or refuses to comply with a withdrawal order.

Eighth. Every underground mine would have to be inspected at least three times per year and the Secretary would be given power to train and appoint qualified coal mine inspectors.

Ninth. State efforts in the field of coal mine health and safety would continue to be encouraged by retention of the provisions relating to State plans and State participation in inspections in existing law.

Tenth. A broad program of research, education and training would be undertaken by the Federal Government. The States would also be encouraged to undertake these activities through Federal grants.

The VICE PRESIDENT. The Senator's time has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may be permitted to continue an additional 5 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, the subject of coal mine health and safety is a matter of national concern. Although there are no coal mines in New York, together with all other Americans I was horrified at the recent disaster in Farmington, W. Va. And, as the ranking minority member of the Committee on Labor and Public Welfare and its Subcommittee on Labor, which has jurisdiction over this area, I feel keenly our responsibility to take swift action to strengthen the hand of the Federal Government to reduce the annual toll of life and limb in our coal mines. Strong measures are necessary, and it is a strong bill that the Interior Department has sent up to us, which I have had the privilege of introducing today. Improvement of coal mine health and safety is clearly a matter of the highest priority for the Congress, and the administration has recognized it as such.

Though it will be obvious to anyone who compares the bill I have introduced today with the bills previously introduced by the Senator from New Jersey (Mr. WILLIAMS) and the Senator from West Virginia (Mr. RANDOLPH), I should like to emphasize that no partisanship is involved in the bill. Improvement of health and safety conditions in our coal mines is a matter for all. What is needed is a law which is as strong and as fair as our legislative skill can devise. It is in that spirit that the administration has transmitted and I and Senators COOPER, SCOTT, SCHWEIKER and STEVENS have sponsored this bill I have introduced today, and I know that that is the spirit which will guide the members of the Subcommittee on Labor, the full Committee on Labor and Public Welfare and ultimately the Senate, as they act upon this important legislation.

Mr. JAVITS. Mr. President, I ask unanimous consent that the President's message and Under Secretary Train's letter of transmittal, together with certain material appended to his letter, be printed in the RECORD as a part of my remarks. The material appended to the Under Secretary's letter includes the text of the bill, a section-by-section summary and analysis, tabular appendixes, and a comparison of the administration's bill, which is hereby introduced, with various other bills dealing with coal mine health and safety which have previously been introduced.

There being no objection, the items requested were ordered to be printed in the RECORD, as follows:

To the Congress of the United States:

The workers in the coal mining industry and their families have too long endured the constant threat and often sudden reality of disaster, disease and death. This great industry has strengthened our nation with the raw material of power. But it has also frequently saddened our nation with news of crippled men, grieving widows and fatherless children.

Death in the mines can be as sudden as an explosion or a collapse of a roof and ribs, or it comes insidiously from penumoconiosis or "black lung" disease. When a miner leaves his home for work, he and his family must live with the unspoken but always present fear that before the working day is over, he may be crushed or burned to death or suffocated. This acceptance of the possibility of death in the mines has become almost as much a part of the job as the tools and the tunnels.

The time has come to replace this fatalism with hope by substituting action for words. Catastropes in the coal mines are not inevitable. They can be prevented, and they must be prevented.

To these ends, I have ordered the following actions to advance the health and safety of the coal mine workers:

Increase substantially the number of inspectors, and improve coal mine inspections and the effectiveness of staff performance and requirements.

Revise the instructions to the mine inspectors so as to reflect more stringent operating standards.

Initiate an in-depth study to reorganize the agency charged with the primary responsibility for mine safety so that it can meet the new challenges and demands.

Expand research activities with respect to pneumoconiosis and other mine health and safety hazards.

Extend the recent advances in human engineering and motivational techniques, and enlarge and intensify education and training functions, for the improvement of health and safety in coal mines to the greatest degree possible.

Establish cooperative programs between management and labor at the *mine level* which will implement health and safety efforts at the site of the mine hazards.

Encourage the coordination of Federal and State inspections, in order to secure more effective enforcement of the present safety requirements.

Initiate grant programs to the States, as authorized but not previously invoked, to assist the States in planning and advancing their respective programs for increased health and safety in the coal mines.

In addition to these immediate efforts under existing law, I am submitting to the Congress legislative proposals for a comprehensive new program to provide a vigorous and multi-faceted attack on the health and safety dangers which prevail in the coal mining industry.

These proposals would:

Modernize a wide range of mandatory health and safety standards, including new provisions for the control of dust, electrical equipment, roof support, ventilation, illumination, fire protection, and other operating practices in underground and surface coal mines engaged in commerce.

Authorize the Secretary of the Interior to develop and promulgate any additional or revised standards which he deems necessary for the health and safety of the miners.

Provide strict deterrents and enforcement measures and, at the same time, establish equitable appeal procedures to remedy any arbitrary and unlawful actions.

Recruit and carefully train a highly motivated corps of coal mine inspectors to investigate the coal mines, and to enforce impartially and vigorously the broad new mandatory standards.

Improve Federal-State inspection plans.

Substantially increase, by direct action, grants and contracts, the necessary research, training, and education for the prevention and control of occupational diseases, the improvement of State workmen's compensation systems, and the reduction of mine accidents.

These legislative proposals, together with other steps already taken or to be taken are essential to meet our obligation to the Nation's coal miners, and to accomplish our mission of eliminating the tragedies which have occurred in the mines.

These proposals are not intended to replace the voluntary and enlightened efforts of management and labor to reduce coal mine hazards, which efforts are the touchstone to any successful health and safety program. Rather, these measures would expand and render uniform by enforceable authority the most advanced of the health and safety precautions undertaken and potentially available in the coal mining industry.

I urge the immediate adoption by Congress of this legislation.

RICHARD NIXON.

THE WHITE HOUSE, *March 3, 1969.*

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 3, 1969.

Hon. SPIRO T. AGNEW,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill, "To improve the health and safety conditions of persons working in the coal mining industry of the United States."

We recommend that this bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

In the past year, the public has become increasingly aware of the health and safety conditions and practices in the nation's coal mine industry. The form of pneumoconiosis known as "black lung" disease and the tragedy of November 20, 1968, at Farmington, West Virginia, which claimed the lives of 78 miners have been the catalyst that aroused the interest and concern of the nation.

While the coal mining industry has made giant strides in its ability to extract the natural resource coal from the depths of the earth, it has lagged behind other industries in protecting its most valuable resource—the miner. It is this resource that the enclosed legislation is designed to protect, both from a safety and a health standpoint.

We have combined in one proposal the necessary machinery for developing and enforcing the protection that the miner needs and has a right to expect. We believe that this combined approach is essential, since health and safety are so inextricably intertwined that they reasonably cannot, and should not be considered as separate subjects. Also, the need for legislative action in both the health and safety field is equally urgent.

History shows that the Federal Government's response to the needs of this industry have been slow and largely brought about only after the occurrence of major disasters. The hazardous nature of mining was recognized by the Federal Government as far back as 1865, when a bill to establish a Federal bureau of mining was introduced. Little more was done, however, until a series of serious coal mine disasters after the turn of the century resulted in the establishment of Interior's Bureau of Mines in 1910 to promote health and safety in the mineral industry, but not to establish and enforce standards.

In 1941, Congress authorized inspections of coal mines to obtain information and make recommendations relative to health and safety, but did not require compliance. After a coal mine explosion killing 111 miners in Illinois in March 1947, Congress requested that the operators and State agencies report to us the extent of compliance with the Bureau of Mines recommendations, but again compliance was not required.

In 1952, 42 years after the public outcry that prompted the creation of the Bureau of Mines and after the occurrence of three disasters between December 1951 and March 1952, which killed a total of 130 men and after no less than 7,301 persons perished in 333 major disasters from 1910 through March 1952, the Federal Government authorized this Department to enforce mandatory safety standards at underground coal mines. That Act, however, was limited to major disasters—those which, as the legislative history observes, kill 5 or more miners at a time—and to mines employing 15 or more persons.

In 1966, the Act was amended to extend its provisions to all mines. Also, in 1966, Congress directed that we conduct a study into the "sufficiency" of the 1952 law.

The enclosed proposal is the result of that study, intensified by the concern over the "black lung" disease and the Farmington tragedy. Our review showed that—

(1) there is no justification for establishing a safety program to prevent only major disasters when the preponderance of evidence shows that most accidents are the non-disaster type—in 1968 there were 309 fatalities of which 221 were of the non-disaster type. Since the Farmington tragedy, 44 miners have died from non-disaster accidents;

(2) the present mandatory standards, which have not been changed in nearly 17 years, are not adequate;

(3) the health of the coal miner is, at least, as important as his safety. Whether a man dies from an accident or an occupationally caused disease should make no difference in the degree of protection provided; and

(4) there is a need to provide reasonable flexibility in the Secretary of the Interior to change standards where there are advances in technology or changed conditions, or where we find existing standards inadequate or difficult to administer fairly.

The enclosed proposal is designed to overcome the above deficiencies in the 1952 Act, as amended, and to make other improvements long overdue. The proposal would apply to all underground and surface coal mines the products of which enter commerce, or the operations of which affect commerce. It would apply to the operators of such mines and the coal mine workers, and would require that both management and labor comply with the standards. Some of its more significant features and reasons therefor are:

INSPECTIONS

It would require as a minimum that every underground coal mine shall be entirely inspected at least three times each calendar year.

MANDATORY HEALTH AND SAFETY STANDARDS

The present Federal Coal Mine Safety Act prescribes mandatory safety standards for underground coal mines but forbids the Department to take account of new technology or to develop responses to minimize the risks inherent in changing mining methods. It also forbids revisions or changes in standards by regulation if they are found to be unclear and difficult to administer fairly.

As far back as 1938, with passage of the Federal Food, Drug, and Cosmetic Act, Congress recognized the necessity of flexibility of response. That Act gave the agency responsible for its administration the freedom to develop and promulgate health and safety standards and to revise old ones as the need became apparent in accordance with prescribed procedures established by Congress.

Other measures enacted during the past decade such as the Aviation Act of 1958, the Water Quality Act of 1965, the National Traffic and Motor Vehicle Act of 1966, the Federal Metal and Nonmetallic Safety Act of 1966, the Clean Air Act of 1967, the Natural Gas Pipeline Act of 1968, and the Radiation Control for Health and Safety Act of 1968, provide this flexibility also.

The proposed bill would authorize the Secretary to develop and promulgate mandatory health and safety standards applicable to coal mines subject to the Act. The standards would be developed in consultation with other Federal agencies, representatives of the States, representatives of the coal mine operators and coal mine workers, and other interested persons and organizations and such advisory committees as the Secretary may appoint. The standards would be developed by taking into account available scientific data and experience gained under previous health and safety standards.

Any proposed standards to which objections are made and on which a hearing is requested would be referred to the Federal Coal Mine Health and Safety Board. After public hearings, the Board would report its findings of fact and recommendations to the Secretary. If the Secretary does not adopt the Board's recommendations, he must publish his reasons therefor. Three additional members would be added to the Board as participants in the review procedure only. At least one of the three must have a background in public health; the others are to be drawn from the general public, but must have a background, either by training, experience, or education, in coal mining technology.

ELIMINATION OF RESTRICTION TO MAJOR DISASTERS

The 1952 Act was designed to control the occurrence of major disasters only—those which, as the legislative history observes, take the lives of five or more miners in a single accident. During 1942–1951 major disasters accounted for 9 percent of the total fatalities in coal mining. The causes of the remaining 91 percent of the fatalities as well as the entire field of health were left outside the scope of the Federal law.

While there have been substantial reductions in major disasters, they have not been eliminated. Between 1910 and the date of the 1952 Act, the nation suffered 333 coal mine disasters that claimed the lives of 7,301 persons. In the more than 16 years since the passage of the Act, we have suffered 24 major disasters with a total death toll of 309, until Farmington, which added 78 more.

The frequency rate of fatalities from the day-to-day type of accidents has not been significantly reduced over the last decade, and as a cause of fatalities this type of accident bulks large. For example, in 1968, 221 of the 309 fatalities were recorded in the "accident" rather than the "disaster" category. In other words, nearly two and a half times as many coal miners died last year in roof-fall, haulage, or other accidents than in the catastrophic type accident that occurred at Farmington.

The proposed bill would require the establishment of standards to prevent "accidents". This term is defined in the proposal to include mine explosions, mine fires, mine ignitions, mine inundations, or injury to, or death of, any person. In addition, the proposal would authorize withdrawals where an imminent danger exists; that is, where the existence of conditions or practices in a coal mine could reasonably be expected to cause death or serious physical harm before such conditions or practices can be abated.

INTERIM DUST STANDARD

Coal workers' pneumoconiosis, also known as "Black Lung", a chronic disease of the respiratory system, results from the long inhalation of coal mine dust mostly less than 5 microns in size. Miners who have pneumoconiosis, a generic term for diseases of the lungs, caused by the inhalation of dusts, often also suffer from emphysema (shortening of breath), and bronchitis, but these complications may not become acute until many years after exposure to frequent breathings of coal dust.

Although much research needs to be done to understand the disease in its totality and its mechanism of action, sufficient information is available to permit the establishment of a preventive program.

Title II of the bill would establish an interim health standard respecting respirable dust in all underground coal mines. The interim standard would become effective 60 days after the operative date of the Act. Sampling of mine atmospheres would be required. Where concentrations of respirable dust in excess of 4.5 milligrams per cubic meter of air exist in an active working place, corrective action must be taken immediately. Persons would be required to be withdrawn from an active working place in which concentrations of dust exceeding 5.5 milligrams per cubic meter of air are found, until corrective action is taken to maintain the concentrations at or below 4.5 milligrams.

Recognizing that there may be some few cases where engineering technology may not permit the application of this standard within the 10-month period, the proposal would authorize the Secretary to suspend application of the standard for an additional period of not to exceed 6 months on a mine-by-mine basis.

Title II would require the Secretary to set a date when concentrations of respirable dust shall not exceed 3.0 milligrams.

Finally, this title would require that, when a miner shows evidence of pneumoconiosis, the operator must assign him either, at the miner's option, to another area in the mine to work where the dust concentrations are not more than 2.0 milligrams per cubic meter of air, or in any area of the mine if the miner wears a respirator, to prevent further development of the disease.

INTERIM SAFETY STANDARDS

The proposal would establish interim mandatory safety standards for underground coal mines. The standards would be effective 120 days after enactment. They would remain in effect until changed or superseded by later regulation. Some of these are now found in the Federal Mine Safety Code which was developed to cope with a particular type of fatal accident that has already been experienced in one or more mines. Some also were included at the specific suggestion of the operators or union representatives, or both. The proposal would establish a series of specific mandatory safety standards covering ventilation, roof supports, electrical equipment, maps, fire protection, combustible materials, and blasting, among others.

GASSY CLASSIFICATION OF MINES

In developing these new standards, no distinction would be drawn between gassy and non-gassy mines. All mines would be subject to the same standards because all underground coal mines are potentially gassy. In the last 16 years there have been 52 gas ignitions or gas explosions in non-gassy coal mines killing 27 people and injuring 54 people. The number of active coal mines which were operated as non-gassy but were classed gassy after 15 years is 26. Enclosed is a detailed discussion of this subject.

PENALTIES

The proposal would provide for the assessment of civil penalties by the Secretary against the operator in the case of violations of the mandatory health or safety standards.

The maximum is $10,000. In making the assessment, the Secretary must consider various factors, such as the past health and safety record of the operator, the appropriateness of the penalty to the size of the business, the gravity of the violation, and the operator's good faith.

Once the penalty is assessed, the person assessed has 30 days to request a review and hearing on the question of whether or not the violation complained of occurred and on the amount of the penalty.

If the operator fails to pay the assessment, the Secretary may request the Attorney General to institute appropriate proceedings in the appropriate district court of the United States. The proceeding in the district court would be a *de novo* proceeding.

The proposal also would provide criminal penalties against anyone who knowingly violates or fails or refuses to comply with a withdrawal order.

INSPECTORS

The Secretary is given authority to appoint qualified people as inspectors. They must, in general, have practical experience in the mining of coal or as a practical mining engineer, as well as a good education. The details of the person's qualifications would be developed by the Secretary in an effort to get the most qualified people. We hope to work with educational institutions and the operators in developing cooperative programs to train selected persons as inspectors and to train others for possible selection as inspectors.

STATE PLAN

The proposal would encourage Federal-State cooperation in this field and provide for the continuance of the State plans as now provided in the amended 1952 Act. State inspectors in States where there is an approved plan will accompany our Federal inspectors, except where there is a need to inspect for an imminent danger and participation by a State inspector would delay the inspection, or in cases where the inspector is not provided promptly, and in cases of spot inspections.

RESEARCH AND TRAINING

The proposal would require that the Secretary undertake a broad-guaged program of health and safety research, studies, experiments, and demonstrations to improve working conditions and practices, prevent accidents, and control the causes of occupational diseases in the mines. We would also conduct studies, etc., on improving communications in a mine and on means and methods of reducing respirable dust concentrations in mines. In addition, the proposal would direct that we improve and expand training and retraining programs for operators and miners. In carrying out these activities, we hope to elicit the cooperation and assistance of the industry and of various educational institutions.

The Administration's primary objective in this proposal is to protect the health and safety of the miner. It is comprehensive, but not novel or drastic. It is designed to meet the known needs of today and tomorrow.

I strongly urge the early enactment of this legislation.

Enclosed is a more detailed discussion of the major provisions of the proposal. We will transmit an analysis of the interim mandatory safety standards in a few days.

The Bureau of the Budget has advised that this legislative proposal is in accord with the program of the President.

Sincerely yours,

RUSSELL E. TRAIN,
Under Secretary of the Interior.

A bill to improve the health and safety conditions of persons working in the coal mining industry of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Coal Mine Health and Safety Act of 1969."

FINDINGS

Sec. 2. Congress declares that—

(a) the first priority and concern of all in the coal mining industry must be the health and safety of its most precious resource—the miner;

(b) the occupationally caused death or injury of a miner causes grief and suffering, and is a serious impediment to the future growth of this industry;

(c) there is an urgent need to provide more effective means and measures for improving the working conditions and practices in the Nation's coal mines in order to prevent death and serious physical harm, and in order to control the causes of occupational diseases originating in such mines;

(d) the existence of unsafe and unhealthful conditions and practices in such mines cannot be tolerated;

(e) the operators of such mines with the assistance of the miners have the primary responsibility to prevent the existence of such conditions and practices in such mines;

(f) the disruption of production and the loss of income to operators and miners as a result of a coal mine accident or occupationally caused disease unduly impedes and burdens commerce; and

(g) it is the purpose of this Act to provide for the establishment of mandatory health and safety standards and to require that the operators and the miners comply with such standards in carrying out their responsibilities.

MINES SUBJECT TO ACT

Sec. 3. Each coal mine the products of which enter commerce, or the operations of which affect commerce, shall be subject to this Act, and each operator of such mine and every person working in such mine shall comply with the provisions of this Act and the applicable regulations of the Secretary promulgated under this Act.

DEFINITIONS

Sec. 4. For the purpose of this Act, the term—

(a) "Secretary" means the Secretary of the Interior or his delegate;

(b) "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or any place outside thereof, or within the District of Columbia or a possession of the United States, or between points in the same State but through a point outside thereof;

(c) "State" includes a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, and Guam;

(d) "operator" means a person operating a coal mine;

(e) "agent" means any person charged with responsibility for the operation of all or part of a coal mine and the supervision of the employees in a coal mine;

(f) "person" means any individual, partnership, association, corporation, firm, subsidiary of a corporation, or other organization;

(g) "miner" means any individual working in a coal mine and includes the agent of the operator;

(h) "coal mine" means an area of land and all structures, facilities, machinery, tools, equipment, shafts, slopes, tunnels, excavations, and other property, real or personal, placed upon, under, or above the surface of such land by any person, used or to be used in, or resulting from, the work of extracting in such area bituminous coal, lignite, or anthracite from its natural deposits in the earth by any means or method, and the work of preparing the coal so extracted, and includes custom coal preparation facilities;

(i) "work of preparing the coal" means the breaking, crushing, sizing, cleaning, washing, drying, mixing, storing, and loading of bituminous coal, lignite, or anthracite, and such other work of preparing such coal as is usually done by the operator of the coal mine;

(j) "imminent danger" means the existence of any condition or practice in a coal mine which could reasonably be expected to cause death or serious physical harm before such condition or practice can be abated;

(k) "accident" includes a mine explosion, mine ignition, mine fire, or mine inundation, or injury to, or death of, any person;

(l) "inspection" means the period beginning when an authorized representative of the Secretary first enters a coal mine and ending when he leaves the coal mine during or after the coal-producing shift in which he entered; and

(m) "Board" means the Federal Coal Mine Health and Safety Board of Review established by this Act.

TITLE I—GENERAL

HEALTH AND SAFETY STANDARDS; REVIEW

Sec. 101. (a) The Secretary shall, in accordance with the procedures set forth in this section, develop, promulgate, and revise as may be appropriate, mandatory health and safety standards for the protection of life and the prevention of injuries and occupational diseases in a coal mine.

(b) In the development of such standards, the Secretary shall consult with other interested Federal agencies, representatives of States, appropriate representatives of the coal mine operators and miners, other interested persons and organizations, and such advisory committees as he may appoint. In addition to the attainment of the highest degree of health and safety protection for the miner, other considerations shall be the latest available scientific data in the field, the technical and economic feasibility of the standards, and experience gained under this and other health and safety statutes.

(c) Mandatory health standards proposed by the Secretary shall be based upon criteria developed and furnished to the Secretary by the Secretary of Health, Education, and Welfare on the basis of research, demonstrations, experiments, and such other information as may be appropriate and in consultation with appropriate representatives of the operators and miners, other interested persons, the States, advisory committees, and where appropriate, foreign countries.

(d) The Secretary shall from time to time publish proposed mandatory health and safety standards in the *Federal Register* and shall afford interested persons a period of not less than 30 days after publication to submit written data or comments. Except as provided in subsection (e) of this section, the Secretary may, upon the expiration of such period and after consideration of all relevant matter presented, promulgate such standards with such modifications as he may deem appropriate. Proposed mandatory safety standards for surface coal mines shall be developed and published by the Secretary not later than twelve months after the enactment of this Act.

(e) On or before the last day of any period fixed for the submission of written data or comments under subsection (d) of this section, any interested person may file with the Secretary written objections to a proposed standard, stating the grounds therefor and requesting a public hearing by the Board on such objections. As soon as practicable after the period for filing such objections has expired, the Secretary shall publish in the *Federal Register* a notice specifying the proposed standards to which objections have been filed and a hearing requested, and shall refer such standards and objections to the Board for review in accordance with subsection (f) of this section.

(f) Promptly after any matter is referred to the Board by the Secretary under subsection (e) of this section, the Board shall issue notice of and hold a public hearing for the purpose of receiving relevant evidence. Within sixty days after completion of the hearing, the Board shall issue a report to the Secretary setting forth findings of fact on such objections and appropriate recommendations thereon and shall make such report and recommendations public. Upon receipt of such report and recommendations, the Secretary may, upon consideration of the Board's findings of fact and recommendations, promulgate the mandatory standards with such modifications, or take other action, as he deems appropriate. In any instance in which the Secretary does not adopt the Board's recommendations, he shall publish his reasons therefor.

(g) Any mandatory standard promulgated under this section shall be effective upon publication in the *Federal Register* unless the Secretary specifies a later date.

ADVISORY COMMITTEES

SEC. 102. (a) The Secretary may appoint one or more advisory committees to advise him in carrying out the provisions of this Act. The Secretary shall designate the chairman of each such committee.

(b) Advisory committee members, other than employees of Federal, State, or local governments, while performing committee business shall be entitled to receive compensation at rates fixed by the Secretary but not exceeding $100 per day, including travel time. While so serving away from their homes or regular places of business, members may be paid travel expenses and per diem in lieu of subsistence at rates authorized by section 5703 of title 5, United States Code, for persons intermittently employed.

INSPECTIONS AND INVESTIGATIONS

SEC. 103. (a) Authorized representatives of the Secretary shall make frequent inspections and investigations in coal mines each year for the purpose of (1) obtaining, utilizing, and disseminating information relating to health and safety conditions, the causes of accidents, and the causes of diseases and physical impairments originating in such mines, (2) developing health and safety standards, (3) determining whether an imminent danger exists in a coal mine, and (4) determining whether or not there is compliance with the mandatory health and safety standards promulgated by the Secretary under this Act or with any notice or order issued under this Act. In carrying out the requirements of clauses (3) and (4) of this subsection in each underground coal mine, such representatives shall make inspections of the entire mine at least three times a year.

(b) For the purpose of making any inspection or investigation under this Act, the Secretary or any authorized representative of the Secretary shall have a right of entry to, upon, or through, any coal mine.

(c) For the purpose of carrying out his responsibilities under this Act, including the enforcement thereof, the Secretary may by agreement utilize with or without reimbursement the services, personnel, and facilities of any Federal or State agency.

(d) For the purpose of making any investigation of any accident or other occurrence relating to health or safety in a coal mine, the Secretary may, after notice, hold public hearings, and may sign and issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and administer oaths. Witnesses summoned shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. In case of contumacy or refusal to obey a subpoena served upon any person under this section, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Secretary or to appear and produce documents before the Secretary or both, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(e) In the event of any accident occurring in a coal mine, the operator shall notify the Secretary thereof and shall take appropriate measures to prevent, to the greatest extent possible, the destruction of any evidence which would assist in investigating the cause or causes thereof.

(f) In the event of any accident occurring in a coal mine, an authorized representative of the Secretary, when present, may issue such orders as he deems appropriate to insure the safety of any person in the coal mine, and the operator of such mine shall obtain the approval of such representative, in consultation with appropriate State representatives, of any plan to recover any person in the mine or to recover the mine or to return affected areas of the mine to normal.

STATE PLANS

SEC. 104. (a) In order to promote sound and effective coordination in Federal and State activities within the field covered by this Act, the Secretary shall cooperate with the official coal mine inspection or safety agencies of the several States.

(b) Any State desiring to cooperate in making inspections required under this title may submit, through its official coal mine inspection or safety agency, a State plan for carrying out the purposes of this section. Such State plan shall—

(1) designate such State coal mine inspection or safety agency as the sole agency responsible for administering the plan throughout the State and contain satisfactory evidence that such agency will have the authority to carry out the plan,

(2) give assurances that such agency has or will employ an adequate and competent staff of inspectors qualified under the laws of such State to make mine inspections within such State, and that no advance notice of an inspection will be provided operators,

(3) give assurances, that upon request of the Secretary or upon request of an operator under section 105(h)(1) of this title, such agency will promptly assign inspectors employed by it to participate in inspections to be made in such State under this title, and

(4) provide that the agency will make such reports to the Secretary, in such form and containing such information, as the Secretary may from time to time require.

(c) The Secretary shall approve any State plan or any modification thereof which complies with the provisions of subsection (b) of this section. He shall not finally disapprove any State plan or modification thereof without first affording the State agency reasonable notice and opportunity for hearing.

(d) Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency, finds that in the administration of an approved State plan there is—

(1) a failure to comply substantially with any provision of the State plan; or

(2) a failure to afford reasonable cooperation in administering the provisions of this title,

the Secretary shall notify such State agency of his withdrawal of approval of such plan and upon receipt of such notice such plan shall cease to be in effect.

(e) No inspection of a mine shall be made by an authorized representative of the Secretary under this title in any State in which a State plan is in effect unless a State inspector participates in such inspection in accordance with such plan, except where, in the Secretary's judgment, an inspection is urgently needed to determine whether an imminent danger exists in such mine, and participation by a State inspector would unreasonably delay such inspection, or where, following due notice, a State inspector is not provided in due time to participate in an inspection, or where a spot inspection is deemed essential by a representative of the Secretary.

(f) Any State inspector assigned in accordance with a State plan, and any independent inspector appointed under section 105(h)(3) of this title, shall be entitled to admission to any mine for the purpose of making any inspection authorized under this title.

FINDINGS, NOTICES, AND ORDERS

SEC. 105. (a) If, upon any inspection of a coal mine, an authorized representative of the Secretary finds that an imminent danger exists, such representative shall determine the area throughout which such danger exists, and thereupon shall issue an order requiring the operator of the mine or his agent to cause immediately all persons, except those referred to in subsection (d) of this section, to be withdrawn from, and to be prohibited from entering, such area until an authorized representative of the Secretary determines that such imminent danger no longer exists.

(b) If, upon any inspection of a coal mine, an authorized representative of the Secretary finds that there has been a violation of any mandatory health or safety standard promulgated under this title, but the violation has not created an imminent danger, he shall find what would be a reasonable period of time within which the violation should be totally abated and thereupon issue a notice fixing a reasonable time for the abatement of the violation. If, upon the expiration of the period of time as originally fixed or subsequently extended, an authorized representative of the Secretary finds that the violation has not been totally abated, and if he also finds that the period of time should not be further extended, he shall find the extent of the area affected by the violation and shall promptly issue an order requiring the operator of such mine or his agent to cause immediately all persons, except those referred to in subsection (d) of this section, to be withdrawn from, and to be prohibited from entering, such area until an authorized representative of the Secretary determines that the violation has been abated.

(c)(1) If, upon the inspection of a coal mine, an authorized representative of the Secretary finds that any mandatory health or safety standard promulgated under this title is being violated, and if he also finds that, while the conditions created by such violation do not cause imminent danger, such violation is of such nature as could significantly and substantially contribute to the cause or effect of a mine hazard, and if he finds such violation to be caused by an unwarrantable failure of such operator to comply with such mandatory health and safety standards, he shall include such finding in the notice given to the operator under subsection (b) of this section. Within ninety days of the time such notice was given to such operator, the Secretary shall cause such mine to be reinspected to determine if any similar such violation exists in such mine. Such reinspection shall be in addition to any inspection required under subsection (b) of this section, or section 106 of this title. If, during any inspection relating to such violation or during such reinspection, a representative of the Secretary finds such similar violation does exist, and if he finds such violation to be caused by an unwarrantable failure of such operator to comply with the provisions of the mandatory health or safety standards promulgated under this title, he shall forthwith issue an order requiring the operator to cause all persons in the area affected by such violation, except those persons referred to in subsection (d) of this section, to be withdrawn from, and to be debarred from entering, such area.

(2) If a withdrawal order with respect to any area in a mine has been issued pursuant

to paragraph (1) of this subsection, thereafter a withdrawal order shall promptly be issued by a duly authorized representative of the Secretary who finds upon any following inspection the existence in such mine of violations similar to those that resulted in the issuance of the withdrawal order under paragraph (1) of this subsection until such time as an inspection of such mine discloses no similar violations. Following an inspection of such mine which discloses no similar violations, the provisions of paragraph (1) of this subsection shall again be applicable to that mine.

(d) The following persons shall not be required to be withdrawn from, or prohibited from entering, any area of the coal mine subject to an order issued under this section:

(1) Any person whose presence in such area is necessary, in the judgment of the operator, to eliminate the condition described in the order;

(2) Any public official whose official duties require him to enter such area; and

(3) Any consultant or any representative of the employees of such mine who is, in the judgment of the operator, qualified to make coal mine examinations or who is accompanied by such a person and whose presence in such area is necessary for the investigation of the conditions described in the order.

(e) Notices and orders issued pursuant to this section shall contain a detailed description of the conditions or practices which cause and constitute an imminent danger or a violation of any mandatory health or safety standard promulgated under this Act and, where appropriate, a description of the area of the coal mine from which persons must be withdrawn and prohibited from entering.

(f) Each notice or order issued under this section shall be given promptly to the operator of the coal mine or his agent by an authorized representative of the Secretary issuing such notice or order, and all such notices and orders shall be in writing and shall be signed by such representative.

(g) Except as provided in subsection (h) of this section, a notice or order issued pursuant to this section may be modified or terminated by an authorized representative of the Secretary.

(h)(1) If an order is made pursuant to subsection (a) of this section, and a State inspector did not participate in the inspection on which such order is based, the duly authorized representative of the Secretary who issued the order shall notify the State mine inspection or safety agency immediately, but not later than 24 hours after the issuance of such order, that such order has been issued. Following such order the operator of the mine may immediately request the State mine inspection or safety agency to assign a State inspector to inspect the mine. The State agency shall then promptly assign a State inspector to inspect the mine affected by such order and file an inspection report with the Secretary and the State agency. The order of the duly authorized representative of the Secretary shall remain in effect, but shall immediately be subject to review as provided in this title.

(2) No order shall be made pursuant to subsection (b) or (c) of this section with respect to a mine in a State in which a State plan approved under section 104(c) of this title is in effect unless a State inspector participated in the inspection on which such order is based and concurs in such order, or an independent inspector appointed under paragraph (3) of this subsection concurs in such order, or participation of the State inspector in the inspection was not required under section 104(e) of this title. If the State inspector does not concur in such order, the operator of the mine, the duly authorized representative of the Secretary who proposes to make such order, or the State inspector may apply, within twenty-four hours after the completion of the inspection involved, for the appointment of an independent inspector under paragraph (3) of this subsection. Within five days after the date of his appointment, the independent inspector shall inspect the mine. The representative of the Secretary and the State inspector shall be given the opportunity to accompany the independent inspector during such inspection. If, after such inspection is completed, either the independent inspector or the State inspector concurs in the order, it shall be issued.

(3) Within five days after the date of receipt of an application under paragraph (2) of this subsection, the chief judge of the United States district court for the district in which the mine involved is located (or in his absence, the clerk of such court) shall appoint a graduate engineer with experience in the coal-mining industry to serve as an independent inspector under this subsection. Each independent inspector so appointed shall be compensated at the rate of $50 for each day of actual service (including each day he is traveling on official business) and shall, notwithstanding the Travel Expense Act of 1949, be fully reimbursed for traveling, subsistence, and related expenses.

(4) An order made pursuant to subsection (a), (b), or (c) of this section with respect to a mine in a State in which a State plan approved under section 104(c) of this title, is in effect shall not be subject to review under section 106 of this title, but shall be subject to review under section 108 of this title.

REVIEW BY THE SECRETARY

SEC. 106. (a) Except as provided in section 105(h)(4) of this title, an operator notified of an order issued pursuant to section 105 of this title may apply to the Secretary for review of the order within thirty days of receipt thereof. The operator shall send a copy of such application to the representative, if any, of persons working in the affected mine. Upon receipt of such application, the Secretary shall cause such investigation to be made as he deems appropriate. Such investigation shall provide an opportunity for a hearing, at the request of the applicant or a representative of persons working in such mine, to enable the applicant and the representatives of persons working in such mine to present information relating to the issuance and continuance of such order.

(b) Upon receiving the report of such investigation, the Secretary shall make findings of fact, and (1) in the case of an order issued under subsection (a) of section 105 of this title, he shall find whether or not the imminent danger as set out in the order existed at the time of issuance of the order and whether or not the imminent danger existed at the time of the investigation, and (2) in the case of an order issued under subsection (b) or (c) of section 105 of this title, he shall find whether or not there was a violation of any mandatory health or safety standard promulgated under this title as described in the order and whether or not such violation had been abated at the time of such investigation, and upon making such findings he shall issue a written decision vacating, affirming, modifying, or terminating the order complained of and incorporate his findings therein.

(c) In view of the urgent need for prompt decision of matters submitted to the Secretary under this section, all actions which the Secretary takes under this section shall be taken as promptly as practicable, consistent with adequate consideration of the issues involved.

(d) Pending completion of the investigation required by this section, the applicant may file with the Secretary a written request that the Secretary grant temporary relief from any order issued under section 105 of this title, together with a detailed statement.

FEDERAL COAL MINE HEALTH AND SAFETY BOARD OF REVIEW

SEC. 107. (a) The Federal Coal Mine Health and Safety Board of Review is hereby established. For the purpose of carrying out its functions under sections 108 and 113 of this Act, the Board shall be composed of five members who shall be appointed by the President by and with the consent of the Senate.

(b) For the sole purpose of carrying out the review functions set forth in section 101 of this Act and matters related thereto, there shall be included on the Board three additional members appointed by the President by and with the consent of the Senate, at least one of which shall have a public health background and the others shall have a background, either by reason of previous training, education, or experience, in coal mining technology. All such additional members shall not have had any interest in, nor connection with, the coal mining industry for at least one year prior to their appointment.

(c) The terms of office of members of the Board shall be five years, except that (1) the members of the Federal Coal Mine Safety Board of Review established under the Federal Coal Mine Safety Act, as amended, who are in office on the effective date of this Act, shall be members of the Board established by this Act and their terms shall expire on the dates originally fixed for their expiration, and (2) a vacancy caused by the death, resignation, or removal of a member prior to the expiration of the term for which he was appointed shall be filled only for the remainder of such unexpired term. A member of the Board may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

(d) Each member of the Board shall be entitled to receive compensation at a rate specified at the time of actual service for grade GS-18 in section 5332 of title 5, United States Code, including travel time and shall be allowed travel expenses, including a per diem allowance in accordance with section 5703(b) of title 5, United States Code, when engaged in the performance of services for the Board.

(e) The Board, at all times, shall consist of one person who by reason of previous training and experience may reasonably be said to represent the viewpoint of operators employing fourteen or fewer employees, one person who by reason of previous training and experience may reasonably be said to represent the viewpoint of operators employing fifteen or more employees, one person who by reason of previous training and experience may reasonably be said to represent the viewpoint of miners in mines employing fourteen or fewer employees, one person who by reason of previous training and experience may reasonably be said to represent the viewpoint of miners in mines employing fifteen or more employees, and one person, who shall be chairman of the Board, who shall be a graduate engineer with experience in the coal mining industry or shall have at least five years experience as a practical mining engineer in the coal mining industry, and, within one year of his appointment as a member of the Board, shall not have had a pecuniary interest in, or have been regularly employed or engaged in, the mining of coal, or have regularly represented either coal mine operators or miners, or have been an officer or employee of the Department of the Interior.

(f) The principal office of the Board shall be in the District of Columbia. Whenever the Board deems that the convenience of the public or of the parties may be promoted, or delay or expense may be minimized, it may hold hearings or conduct other proceedings at any other palce. At the request of an operator of a mine the Board shall hold hearings or conduct other proceedings on an application filed under section 108 of this title, at the county seat of the county in which the mine is located or at any place mutually agreed to by the chairman of the Board and the operator of the mine involved in the appeal or proceeding. The Board shall have an official seal which shall be judicially noticed and which shall be preserved in the custody of the Secretary of the Board.

(g) The Board shall, without regard to the civil service laws, appoint and prescribe the duties of a Secretary of the Board and such legal counsel as it deems necessary. Subject to the civil service laws, the Board shall appoint such other employees as it deems necessary in exercising its powers and duties. The compensation of all employees appointed by the Board shall be fixed in accordance with chapter 53 of title 5, United States Code.

(h) For the purpose of carrying out its functions under sections 108 and 113 of this title, three members of the Board shall constitute a quorum, and official action can be taken only on the affirmative vote of at least three members, except that in any official action involving mines in which no more than fourteen individuals are regularly employed underground the participation of the small mine operators' representative and small mine workers' representative shall be required, and in any official action involving mines in which more than fourteen individuals are regularly employed underground the participation of the large mine operators' representative and large mine workers' representative shall be required; but a special panel composed of one or more members, upon order of the Board, shall conduct any hearing provided for in section 108 or 113 of this title and submit the transcript of such hearing to the entire Board for its action thereon. Such transcript shall be made available to the parties prior to any final action of the Board. An opportunity to appear before the Board shall be afforded the parties prior to any final action and the Board may afford the parties an opportunity to submit additional evidence as may be required for a full and true disclosure of the facts.

(i) Every official act of the Board shall be entered of record, and its hearings and records thereof shall be open to the public. The Board shall not make or cause to be made any inspection of a coal mine for the purpose of determining any pending application.

(j) The Board is authorized to make such rules as are necessary for the orderly transaction of its proceedings, which shall provide for adequate notice of hearings to all parties. The existing rules of the Federal Coal Mine Safety Board of Review shall constitute the rules of the Board until superseded or modified by the Board.

(k) Any member of the Board may sign and issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and administer oaths. Witnesses summoned before the Board shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

(l) The Board may order testimony to be taken by deposition in any proceeding pending before it at any stage of such proceeding. Reasonable notice must first be given in writing by the party or his attorney of record, which notice shall state the name of the witness and the time and place of the taking of his deposition. Any person may be compelled to appear and depose, and to produce books, papers, or documents, in the same manner as witnesses may be compelled to appear and testify and produce like documentary evidence before the Board, as provided in subsection (k) of this section. Witnesses whose depositions are taken under this subsection, and the persons taking such depositions, shall be entitled to the same fees as are paid for like services in the courts of the United States.

(m) In the case of contumacy by, or refusal to obey a subpoena served upon, any person under this subsection, the Federal district court for any district in which such person is found or resides or transacts business, upon application by the United States, and after notice to such person and hearing, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Board or to appear and produce documents before the Board, or both; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

REVIEW BY BOARD

SEC. 108. (a) Within 30 days after receipt of an order made pursuant to subsection (a), (b), or (c) of section 105 of this title, an operator may apply to the Board for annulment or revision of such order without seeking its annulment or revision under section 106 of this title. Within 30 days after the receipt of a decision made by the Secretary pursuant to section 106 of this title, an operator may apply to the Board for a review of the decision.

(b) The operator shall be designated as the applicant in such proceeding, and the application filed by him shall recite the order or decision complained of and other facts sufficient to advise the Board and the Secretary of the nature of the proceeding. The Secretary shall be the respondent in such proceeding, and the applicant shall send a copy of such application by registered or certified mail to the respondent and to the representative, if any, of the persons working in the affected mine. Immediately upon the filing of such an application, the Board shall fix the time for a prompt hearing thereof. The Board shall permit any interested person to intervene in such proceedings.

(c)(1) If the application is made to the Board directly from an order issued under section 105 of this title, the Board shall not be bound by any previous finding of fact by any representative of the Secretary, the burden of proof shall be upon the respondent, and evidence relating to the making of the order complained of and other pertinent matters may be offered by the parties to the proceeding.

(2) If the application is made to the Board from a decision issued under section 106 of this title, the record and the decision of the Secretary shall be received in evidence and the findings of the Secretary included in the decision shall constitute a prima facie case for the issuance of the decision complained of and the burden of rebutting such prima facie case shall be upon the applicant, but either party may adduce additional evidence.

(d) Upon conclusion of the hearing, the Board shall find, with respect to the order or decision, whether or not the imminent danger or a violation of a mandatory health or safety standard existed at the time of issuance of such order and whether or not such danger or such violation existed at the time of filing the application, and shall issue a written decision incorporating such finding therein and affirming, vacating, modifying, or terminating the order or decision issued under section 105 or 106 of this title.

(e) Each decision made by the Board shall show the date on which it is made, and shall bear the signatures of the members of the Board who concur therein. Upon issuance of a decision under this section, the Board shall cause a true copy thereof to be sent by registered or certified mail to all parties and their attorneys of record. The Board shall cause each decision to be entered on its official record, together with any written opinion prepared by any members in support of, or dissenting from, any such decision.

(f) Pending the hearing required by this section for review of an order or decision issued under section 105 or 106 of this title, the applicant before the Board may file with the Board a written request that the Board grant temporary relief from the order or decision, together with a detailed statement giving reasons for granting such relief. The Board may issue a decision granting such relief, under such conditions as it may prescribe, only after a hearing in which all parties are given an opportunity to be heard.

(g) In view of the urgent need for prompt decision of matters submitted to the Board under this section, all actions which the Board takes under this section shall be taken as promptly as practicable, consistent with adequate consideration of the issues involved.

JUDICIAL REVIEW

SEC. 109. (a) Any decision issued by the Board under section 108 of this title shall be subject to judicial review by the United States Court of Appeals for the circuit in which the affected mine is located, upon the filing in such court within thirty days from the date of such decision of a petition by the Secretary or by the operator aggrieved by the decision praying that the action of the Board be modified or set aside in whole or in part. A copy of the petition shall forthwith be sent by registered or certified mail to the other party and to the Board, and thereupon the Board shall certify and file in such court the record upon which the decision complained of was issued, as provided in section 2112, title 28, United States Code.

(b) The court shall hear such appeal on the record made before the Board. The findings of the Board, if supported by substantial evidence on the record considered as a whole, shall be conclusive. The court may affirm, vacate, or modify any decision or may remand the proceedings to the Board for such further action as it directs.

(c) Upon such conditions as may be required and to the extent necessary to prevent irreparable injury, the court may, after due notice to, and hearing of, the parties to the appeal, issue all necessary and appropriate process and grant such other relief as may be appropriate pending final determination of the appeal.

(d) The judgment of the court shall be subject only to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(e) The commencement of a proceeding under this section shall not, unless specifically ordered by the court, operate as a stay of the Board's decision.

POSTING OF NOTICES AND ORDERS

SEC. 110. (a) At each coal mine there shall be maintained an office with a conspicuous sign designating it as the office of the mine and a bulletin board at such office or at some conspicuous place near an entrance of the mine, in such manner that notices required by law or regulation to be posted on the mine bulletin board may be posted thereon, be easily visible to all persons desiring to read them, and be protected against damage by weather and against unauthorized removal. A copy of any notice or order required by this title to be given to an operator shall be delivered to the office of the affected mine, and a copy shall be immediately posted on the bulletin board of such mine by the operator or his agent.

(b) The Secretary shall cause a copy of any notice or order required by this title to be given to the operator to be mailed immediately to a duly designated representative of persons working in the affected mine, and to the public official or agency of the State charged with administering State laws, if any, relating to health or safety in such mine.

(c) In order to insure prompt compliance with any notice or order issued under section 105 of this title, the authorized representative of the Secretary may deliver such notice or order to an agent of the operator and such agent shall immediately take appropriate measures to insure compliance with such notice or order.

RECORDS

SEC. 111. Every operator of a coal mine and his agent shall establish and maintain such records, including records of any accident occurring in the mine, make such reports, and provide such information as the Secretary may reasonably require from time to time to enable him to perform his functions under this Act, shall upon request of any person authorized by the Secretary, permit such person at reasonable times to have access to and copy such records, and the Secretary may compile, analyze, and publish, either in summary or detailed form, the information obtained. All information, reports, findings, notices, orders, or decisions issued under this Act may be published from time to time and released to any interested person and shall be made available for public inspection.

INJUNCTIONS

SEC. 112. The Secretary may request the Attorney General to institute a civil action for relief, including a permanent or temporary injunction, restraining order, or any other appropriate order, in the district court of the United States for the district in which a coal mine is located or in which the operator of such mine has his principal office, whenever such operator or his agent (a) violates or fails or refuses to comply with any order issued under section 105 of this title or decision issued under this title, or (b) interferes with, hinders, or delays the Secretary or his authorized representative in carrying out the provisions of this Act, or (c) refuses to admit such representative to the mine, or (d) refuses to permit the inspection of the mine, or an accident, injury, or occupational disease occurring in, or connected with, such mine, or (e) refuses to furnish any information or report requested by the Secretary, or (f) refuses to permit access to, and copying of, records. Each court shall have jurisdiction to provide such relief as may be appropriate.

PENALTIES

SEC. 113. (a) The operator of a coal mine in which a violation occurs of a mandatory health or safety standard promulgated under this title may by order be assessed a civil penalty by the Secretary which penalty shall not be more than $10,000 for each occurrence of a violation of a mandatory health or safety standard. Each occurrence of a violation of a health or safety standard may constitute a separate offense. In determining the amount of the penalty, the Secretary shall consider the operator's history of previous violations of health or safety standards, the appropriateness of such penalty to the size of the business of the operator charged, the effect on the operator's ability to continue in business, the gravity of the violation of the health or safety standard, and the demonstrated good faith of the operator charged in attempting to achieve rapid compliance, after notification of a violation of a health or safety standard. No penalty shall be assessed under this subsection pending the completion of proceedings for review of an order or decision under this title.

(b) Upon written request made by an operator within thirty days after receipt of an order assessing a penalty under this section, the Board shall afford such operator an opportunity for a hearing and, in accordance with the request determine by decision whether or not a violation of a mandatory health or safety standard did occur or whether the amount of the penalty is warranted or should be compromised.

(c) Upon any failure of an operator to pay a penalty assessed under this section, the Secretary may request the Attorney General to institute a civil action in a district court of the United States for any district in which such person is found or resides or transacts business to collect the penalty, and such court shall have jurisdiction to hear and decide any such action.

(d) Whoever knowingly violates or fails or refuses to comply with any order issued under section 105 of this title or any final decision issued under this title shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than six months, or by both, except that if the conviction is for a violation committed after the first conviction of such person, punishment shall be by a fine or not more than $20,000 or by imprisonment for not more than one year, or by both.

TITLE II—INTERIM MANDATORY HEALTH STANDARDS FOR CONTROLLING DUST AT UNDERGROUND MINES

SCOPE OF COVERAGE

SEC. 201. The provisions of this title shall be interim mandatory health standards applicable to all underground mines until superseded in whole or in part by mandatory health standards promulgated by the Secretary for such mines to become effective after the effective date of section 202(a) of this title, and shall be enforced in the same manner and to the same extent as any mandatory health standard promulgated under title I of this Act. Any order issued in the enforcement of the provisions of this title shall be subject to review as provided in sections 106, 108, and 109 of title I of this Act.

DUST STANDARD AND RESPIRATORS

SEC. 202. (a) Except as provided in subsection (c) of this section, effective 60 days after the operative date of this title—

(1) Each operator shall at intervals prescribed by the Secretary or his authorized representative cause the mine atmosphere to be sampled by a qualified person to determine if hazardous atmospheric concentrations of respirable dust are present in the mine atmosphere. Samples shall be taken by a device approved by the Secretary and in accordance with the methods and at locations prescribed by him.

(2) Each operator shall continuously maintain the concentrations of respirable dust in the mine atmosphere in any active working place at or below 4.5 milligrams of dust per cubic meter of air if measured with an MRE instrument or at or below an equivalent amount of dust if measured with another device approved by the Secretary, and shall take corrective action immediately when the concentrations of respirable dust in such place are in excess of such limit. When the mine atmosphere in any active working place contains concentrations of respirable dust in excess of 5.5 milligrams of dust per cubic meter of air if measured with an MRE instrument or in excess of an equivalent amount of dust if measured with another device approved by the Secretary, all persons, other than those whose presence is required to take corrective measures, shall be withdrawn from, and prohibited from entering, such place, until corrective action has been taken to maintain the concentrations at or below the limit prescribed in the first sentence of this paragraph.

(3) Respirators approved by the Secretary shall be worn for protection against exposures to concentrations of dust in excess of 4.5 milligrams of dust per cubic meter of air if measured with an MRE instrument or in excess of an equivalent amount of dust if measured with another device approved by the Secretary. Only miners wearing such a respirator shall enter or be exposed to concentrations in excess of 4.5 milligrams of dust per cubic meter of air if measured with an MRE instrument or in excess of an equivalent amount of dust if measured with another device approved by the Secretary, and only short-term exposures to such concentrations shall be permitted. Use of respirators shall not be substituted for environmental control measures, unless such use is approved by the Secretary. Each underground mine shall maintain a supply of approved respirators adequate to deal with occurrences of concentrations of respirable dust in the mine atmosphere in excess of the limit prescribed in this subsection.

(4) As used in this section, the term "MRE instrument" means the Gravimetric Dust Sampler with four channel horizontal elutriator developed by the Mining Research Establishment of the National Coal Board, London, England.

(b) Whenever the Secretary determines, upon application of an operator of an underground coal mine, that the application of the dust standard prescribed in subsection (a) of this section within the time prescribed is not feasible from the standpoint of existing engineering technology applicable to said mine, he may suspend, under such conditions as he may prescribe, the application of such standard for an additional period of not to exceed six months.

(c) The Secretary, after taking into consideration available technology, shall prescribe, as soon as possible after the operative date of this title, the date upon which the atmospheric concentrations of respirable dust at each active working place in all underground coal mines shall not exceed 3.0 milligrams of dust per cubic meter of air if measured with an MRE instrument or an equivalent amount of dust if measured by another device approved by the Secretary.

MEDICAL EXAMINATION

SEC. 203. (a) The operator of an underground coal mine shall cooperate with the Secretary in making arrangements for each miner working in an underground coal mine to be given, at least annually, beginning six months after the operate date of this title, a chest roentgenogram by a competent radiologist. The films shall be read and classified in a manner to be prescribed by the Secretary of Health, Education, and Welfare and the results of each reading on each such person shall be submitted to the Secretary and the Secretary of Health, Education, and Welfare, and at the request of the miner, to his physician.

(b) Any miner, who, in the judgment of the United States Public Health Service based upon such reading, shows substantial evidence of the development of pneumoconiosis shall be assigned by the operator, for such period or periods as may be necessary to prevent further development of such disease, to work, at the option of the miner, either (1) in any active working place in a mine where the mine atmosphere contains concentrations of respirable dust of not more than 2.0 milligrams of dust per cubic meter of air if measured with an MRE instrument or not more than an equivalent amount of dust if measured with another device approved by the Secretary, or (2) in an area of the mine containing more than such 2.0 milligrams, or equivalent, provided the miner wears a respirator approved by the Secretary.

DUST FROM DRILLING; FUMES

SEC. 204. The dust resulting from drilling in rock shall be controlled by the use of permissible dust collectors or by water or water with a wetting agent. Persons exposed for short periods to inhalation hazards from gas, dusts, fumes, or mist, shall wear permissible respiratory equipment. When the exposure is for prolonged periods, other measures to protect such persons or to reduce the hazard shall be taken.

TITLE III—INTERIM SAFETY STANDARDS FOR UNDERGROUND COAL MINES

COVERAGE

SEC. 301. The provisions of this title shall be the interim mandatory safety standards applicable to all underground coal mines until superseded in whole or in part by mandatory safety standards promulgated by the

Secretary, and shall be enforced in the same manner and to the same extent as any mandatory safety standard promulgated under title I of this Act. Any orders issued in the enforcement of the interim standards set forth in this title shall be subject to review as provided in sections 106, 108, and 109 of this Act.

GENERAL STANDARDS

Sec. 302. (a) Telephone service or equivalent two-way communication facilities shall be provided between the surface and each landing of main shafts and slopes and between the surface and each working section.

(b) Smoking shall be prohibited underground. No person shall carry smoking materials, matches, or lighters underground. Smoking shall be prohibited in or around oil houses, explosives magazines, or other surface areas where such practice may cause a fire or explosion. The operator of a coal mine shall institute a program, approved by the Secretary, at each mine to insure that any person entering the underground portion of the mine does not carry smoking materials, matches, or lighters.

(c) All accidents shall be investigated by the operator or his agent to determine the cause and the means of preventing a recurrence. Records of such accidents and investigations shall be kept and the information shall be made available to the Secretary or his authorized representative and the State.

(d) Arrangements shall be made in advance for obtaining emergency medical assistance and transportation for injured persons. Emergency communications shall be provided to the nearest point of assistance. Selected agents of the operator shall be trained in first aid and first aid training shall be made available to all miners. Each mine shall have an adequate supply of first aid equipment located on the surface, at the bottom of shafts and slopes, and at other strategic locations near the working faces.

(e) The Secretary may from time to time provide, under such guidelines as he may prescribe, that each operator provide emergency shelters in the mine which have an adequate supply of air and which are equipped with an independent communication system.

(f) The Secretary may from time to time provide, under such guidelines as he may prescribe, that all active underground working places in a mine be illuminated adequately by fixed permissible lighting while persons are working in such places.

(g) Every operator of a coal mine shall establish a program, approved by the Secretary, of training and retraining of qualified and certified persons needed to carry out functions prescribed in this title.

ROOF SUPPORT

Sec. 303. The roof and ribs of all active underground roadways, travelways, and working places shall be supported or otherwise controlled adequately to protect persons from falls of the roof or ribs. A roof-control plan and revisions thereof suitable to the roof conditions and mining system of each mine and approved by the Secretary shall be adopted and set out in printed form within a reasonable period to be established after the operative date of this title by the Secretary by regulation. The plan shall show the type and spacing of supports approved by the Secretary. No person shall proceed beyond the last permanent support unless adequate temporary support is provided or unless such temporary support is not required under the approved roof-control plan. A copy of the plan shall be furnished the Secretary or his authorized representative upon request.

VENTILATION

Sec. 304. (a) All coal mines shall be ventilated by mechanical ventilation equipment installed and operated in a manner approved by the Secretary and such equipment shall be examined daily and a record shall be kept of such examination.

(b) All active underground working places shall be ventilated by a current of air containing not less than 19.5 volume per centum of oxygen, not more than 0.5 volume per centum of carbon dioxide, and no harmful quantities of other noxious or poisonous gases; and the volume and velocity of the current of air shall be sufficient to dilute, render harmless, and to carry away, flammable or harmful gases and smoke and fumes. In bituminous coal and lignite mines, the minimum quantity of air reaching the last open crosscut in any pair or set of developing entries and the last open crosscut in any pair or set of rooms shall be six thousand cubic feet a minute, and the minimum quantity of air reaching the intake end of a pillar line shall be six thousand cubic feet a minute. In anthracite mines, the minimum quantity of air reaching the face of each working place shall be two hundred cubic feet a minute for each man working in the place. In robbing areas of anthracite mines, where the air currents cannot be controlled and measurements of the air cannot be obtained, the air shall have perceptible movement.

(c) Line brattice or other suitable devices shall be installed from the last open crosscut to a point near the face to assure positive air flow to the face of every active underground working place, unless the Secretary or his authorized representative permits an exception to this requirement.

(d) Within three hours immediately preceding the beginning of a coal-producing shift, and before any workmen in such shift enter the underground areas of the mine certified persons designated by the operator of the mine shall examine a definite underground area of the mine. Each such examiner shall examine every active underground working place in that area and shall make tests in each such working place for accumulations of methane with means approved by the Secretary for detecting methane and shall make tests for oxygen deficiency with a permissible flame safety lamp or other means approved by the Secretary; examine seals and doors to determine whether they are functioning properly; examine and test the roof, face, and rib conditions in the active underground working places and on active roadways and travelways; examine active roadways, travelways, and all belt conveyors on which coal is carried, approaches to abandoned workings, and accessible falls in active sections for hazards; examine by means of an anemometer or other device approved by the Secretary to determine whether the air in each split is traveling in its proper course and in normal volume; and examine for such other hazards as an authorized representative of the Secretary may from time to time require. Such mine examiner shall place his initials and the date at all places he examines. If such mine examiner finds a condition which constitutes a violation of a mandatory standard or any condition which is hazardous to persons who may enter or be in such area, he shall indicate such hazardous place by posting a "DANGER" sign conspicuously at all points which persons entering such hazardous place would be required to pass, and shall notify the operator of the mine. No person, other than an authorized representative of the Secretary or a State mine inspector or persons authorized by the mine operator to enter such place for the purpose of eliminating the hazardous condition therein, shall enter such place while such sign is so posted. Upon completing his examination such mine examiner shall report the results of his examination to a person, designated by the mine operator to receive such reports at a designated station on the surface of the mine or underground, before other persons enter the underground areas of such mine to work in such coal-producing shift. Each such mine examiner shall also record the results of his examination with ink or indelible pencil in a book approved by the Secretary kept for such purpose at a place on the surface of the mine designated by the mine operator. No person (other than certified persons designated under this subsection) shall enter any underground area, except during a coal-producing shift, unless an examination of such area as prescribed in this subsection has been made within eight hours immediately preceding his entrance into such area.

(e) At least once during each coal-producing shift, or more often if necessary for safety, the active underground working places shall be examined for hazardous conditions by certified persons designated by the mine operator to do so. Such examination shall include tests with means approved by the Secretary for detecting methane and with a permissible flame safety lamp or other means approved by the Secretary for detecting oxygen deficiency.

(f) Examinations for hazardous conditions, including tests for methane, shall be made at least once each week, by a certified person designated by the operator of the mine, in the return of each split of air where it enters the main return, on pillar falls, at seals, in the main return, at least one entry of each intake and return airway in its entirety, idle workings, and insofar as conditions permit, abandoned workings. Such weekly examination need not be made during any week in which the mine is idle for the entire week. The person making such examinations and tests shall place his initials and the date at the places examined, and if hazardous conditions are found, such conditions shall be reported promptly. A record of these examinations and tests shall be kept.

(g) At least once each week, a certified person shall measure the volume of air entering the main intakes and leaving the main returns, the volume passing through the last open crosscut in each active entry, the volume being delivered to the intake end of each pillar line, and the volume at the intake and return of each split of air. A record of such measurements shall be kept in a book on the surface, and the record shall be open for inspection by interested persons.

(h)(1) At the start of each coal-producing shift, tests for methane shall be made at the face of each working place immediately before electrically operated equipment is energized. Such tests shall be made by qualified persons. If more than 1.0 volume per centum of methane is detected, electrical equipment shall not be energized, taken into, or operated in, such face workings until such methane content is reduced below 1.0 volume per centum of methane. Examinations for methane shall be made during such operations at intervals of not more than twenty minutes during each shift, unless more frequent examinations are required by an authorized representative of the Secretary. In conducting such tests, such person shall use means approved by the Secretary for detecting methane.

(2) If the air at an underground face working, when tested at a point not less than twelve inches from the roof, face, or rib, contains more than 1.0 volume per centum of methane, changes or adjustments shall be made at once in the ventilation in such mine so that such air shall not contain more than 1.0 volume per centum of methane. If such air, when tested at a point not less than twelve inches from the roof, face, or rib, but as near to twelve inches as possible, contains 1.5 volume per centum of methane, all persons shall be withdrawn from the portion of the mine endangered thereby, and all electric power shall be cut off from such portion of the mine, until the air in such face working

shall not contain more than 1.0 volume per centum of methane.

(i) If, when tested, a split of air returning from active underground working places contains more than 1.0 volume per centum of methane, changes or adjustments shall be made at once in the ventilation in the mine so that such returning air shall not contain more than 1.0 volume per centum of methane. Such tests shall be made at four hour intervals during each shift by a qualified person designated by the operator of the mine. In making such tests, such person shall use means approved by the Secretary for detecting methane.

(j) If a split of air returning from active underground working places contains 1.5 volume per centum of methane, all persons shall be withdrawn from the portion of the mine endangered thereby, and all electric power shall be cut off from such portion of the mine, until the air in such split shall not contain more than 1.0 volume per centum of methane. In virgin territory, if the quantity of air in a split ventilating the workings in such territory equals or exceeds twice the minimum volume of air prescribed in subsection (b) of this section and if only permissible electric equipment is used in such workings and the air in the split returning from such workings does not pass over trolley or other bare electric power wires, and if a certified person designated by the mine operator is continually testing the methane content of the air in such split during mining operations in such workings, it shall be necessary to withdraw all persons and cut off all electric power from the portion of the mine endangered by methane only when the air returning from such workings contains more than 2.0 volume per centum.

(k) Air which has passed by an opening of any unsealed, abandoned area shall not be used to ventilate any active face area in the mine if such air contains 0.25 volume per centum or more of methane. Examinations of such air shall be made during the pre-shift examination required by subsection (d) of this section. In making such tests, a qualified person designated by the operator of the mine shall use means approved by the Secretary for detecting methane. For the purposes of this subsection, an area within a panel shall not be deemed to be abandoned until such panel is abandoned.

(l) Air that has passed through an abandoned panel or area which is inaccessible for inspection shall not be used to ventilate any active face workings in such mine. No air which has been used to ventilate an area from which the pillars have been removed shall be used to ventilate any active face workings in such mine, except that such air may be used to ventilate enough advancing working places or rooms immediately adjacent to the line of retreat to maintain an orderly sequence of pillar recovery on a set of entries.

(m) An authorized representative of the Secretary may require in any coal mine in which methane has been found that electric face equipment, except shuttle cars, operated therein be equipped with a methane monitor approved by the Secretary and kept operative and in operation.

(n) Idle and abandoned areas shall be inspected for methane and for oxygen deficiency and other dangerous conditions by a certified person with means approved by the Secretary as soon as possible, but not more than three hours, before other employees are permitted to enter or work in such places. However, persons, such as pumpmen, who are required regularly to enter such areas in the performance of their duties, and who are trained and qualified in the use of means approved by the Secretary for detecting methane and in the use of a permissible flame safety lamp or other means for detecting oxygen deficiency are authorized to make such examinations for themselves, and each such person shall be properly equipped and shall make such examinations upon entering any such area.

(o) Immediately before an intentional roof fall is made, pillar workings shall be examined by a qualified person designated by the operator to ascertain whether methane is present. Such person shall use means approved by the Secretary for detecting methane. If in such examination methane is found in amounts of more than 1.0 volume per centum, such roof fall shall not be made until changes or adjustments are made in the ventilation so that the air shall not contain more than 1.0 volume per centum of methane.

(p) Within 12 months after the operative date of this title, and thereafter, all areas in all mines in which the pillars have been extracted or areas which have been abandoned for other reasons shall be effectively sealed or shall be effectively ventilated by bleeder entries, or by bleeder systems or an equivalent means. Such sealing or ventilation shall be approved by an authorized representative of the Secretary.

(q) Pillared areas ventilated by means of bleeder entries, or by bleeder systems or an equivalent means, shall have sufficient air coursed through the area so that the return split of air shall not contain more than 2.0 volume per centum of methane before entering another split of air.

(r) Where areas are being pillared on the operative date of this title without bleeder entries, or without bleeder systems or an equivalent means, pillar recovery may be completed in the area to the extent approved by an authorized representative of the Secretary if the edges of pillar lines adjacent to active working places are ventilated with sufficient air to keep the air in open areas along the pillar line below 1.0 volume per centum of methane.

(s) Each mechanized mining section shall be ventilated with a separate split of intake air directed by overcasts, undercasts, or the equivalent, except an extension of time may be permitted by the Secretary, under such conditions as he may prescribe, whenever he determines that this subsection cannot be complied with on the operative date of this title.

(t) Immediately before firing each shot or group of multiple shots and after blasting is completed, examinations for methane shall be made by a qualified person with means approved by the Secretary for detecting methane. If methane is found in amounts of more than 1.0 volume per centum, changes or adjustments shall be made at once in the ventilation so that the air shall not contain more than 1.0 volume per centum of methane.

(u) Each operator of a coal mine shall adopt a plan within a reasonable period after the operative date of this subsection to be established by the Secretary which shall provide that when any mine fan stops immediate action shall be taken by the operator or his agent (1) to withdraw all persons from the face workings, (2) to cut off the power in the mine in a timely manner, (3) to provide for restoration of power and resumption of work if ventilation is restored within a reasonable period as set forth in the plan after the face workings and other working places where methane is likely to accumulate are re-examined by a certified person to determine if methane in amounts of more than 1.0 volume per centum exists therein, and (4) to provide for withdrawal of all persons from the mine if ventilation cannot be restored within such reasonable time. The plan and revisions thereof approved by the Secretary shall be set out in printed form and a copy shall be furnished to the Secretary or his authorized representative upon request.

(v) Changes in ventilation which materially affect the main air current or any split thereof and which may affect the safety of persons in the coal mine shall be made only when the mine is idle. Only those persons engaged in making such changes shall be permitted in the mine during the change. Power shall be removed from the areas affected by the change before work starts to make the change and shall not be restored until the effect of the change has been ascertained and the affected areas determined to be safe by a certified person.

(w) The mine foreman shall read and countersign promptly the daily reports of the pre-shift examiner and assistant mine foreman, and he shall read and countersign promptly the weekly report covering the examinations for hazardous conditions. Where such reports disclose hazardous conditions, the mine foremen shall take prompt action to have such conditions corrected. The mine superintendent or assistant superintendent of the mine shall also read and countersign the daily and weekly reports of such persons.

(x) Each day, the mine foreman and each of his assistants shall enter plainly and sign with ink or indelible pencil in a book provided for that purpose a report of the condition of the mine or portion thereof under his supervision which report shall state clearly the location and nature of any hazardous condition observed by them or reported to them during the day and what action, if any, was taken to remedy such condition.

COMBUSTIBLE MATERIALS AND ROCK DUSTING

SEC. 305. (a) Coal dust, including float coal dust deposited on rock-dusted surfaces, loose coal, and other combustible materials, shall not be present in excessive quantities in active underground working places or on electrical equipment therein.

(b) Where underground mining operations create an excessive amount of dust, water, or water with a wetting agent added to it, or other effective method shall be used to reduce such dust to safe limits.

(c) All areas of a mine, except those areas in which the dust is too wet or too high in incombustible content to propagate an explosion, shall be rock-dusted to within forty feet of all faces, unless such areas are inaccessible or unsafe to enter or unless an authorized representative of the Secretary permits an exception. All crosscuts that are less than forty feet from a face shall be rock-dusted.

(d) Where rock dust is required to be applied, it shall be distributed upon the top, floor, and sides of all open workings and maintained in such quantity that the incombustible content of the combined coal dust, rock dust, and other dust shall be not less than 65 per centum, but the incombustible content in the return air courses shall be not less than 80 per centum. Where methane is present in any ventilating current, the percent of incombustible content of such combined dusts shall be increased 1 per centum for each 0.1 per centum of methane.

(e) Subsections (b) through (d) of this section shall not apply to underground anthracite mines subject to this Act.

ELECTRICAL EQUIPMENT—GENERAL

SEC. 306. (a) The location and the electrical rating of all stationary electrical apparatus in connection with the mine electrical system, including permanent cables, switch-gear rectifying substations, transformers, permanent pumps and trolley wires and trolley feeders, and settings of all direct-current circuit breakers protecting underground trolley circuits, shall be shown on a mine map. Any changes made in a location, electrical rating, or setting shall be promptly shown on the map when the change is made.

(b) All power circuits and electrical equipment shall be de-energized before work is done on such circuits and equipment, except, when necessary, a person may repair energized trolley wires if he wears insulated shoes and lineman's gloves. No work shall be performed on high-voltage circuits or equipment except by or under the direct supervision of a competent electrician. Switches shall be locked out and suitable warning signs posted by the persons who are to do the work. Locks shall be removed only by the persons who installed them.

(c) Electrical equipment shall be frequently examined by a competent electrician to assure safe operating conditions. When a potentially dangerous condition is found on electrical equipment, such equipment shall be removed from service until such condition is corrected.

(d) All electrical conductors shall be sufficient in size and have adequate current-carrying capacity and be of such construction that the rise in temperature resulting from normal operation will not damage the insulating materials.

(e) All joints or splices in conductors shall be mechanically and electrically efficient and suitable connectors shall be used. All joints in insulated wire shall be reinsulated at least to the same degree as the remainder of the wire.

(f) Cables shall enter metal frames of motors, splice boxes and electrical compartments only through proper fittings. When insulated wires other than cables pass through metal frames the holes shall be substantially bushed with insulated bushings.

(g) All power wires (except trailing cables), specially designed cables conducting high-voltage power to underground rectifying equipment or transformers, or bare or insulated ground and return wires, shall be supported on well-installed insulators and shall not contact combustible material, roof, or ribs.

(h) Power wires and cables installed in haulage slopes shall be insulated adequately and fully protected against mechanical injury. Power wires shall be insulated adequately where they pass through doors and stoppings, and where they cross other power wires and cables.

(i) Automatic circuit-breaking devices or fuses of the correct type and capacity shall be installed so as to protect all electric equipment and circuits against short circuit and overloads, except on locomotives operating regularly on grades exceeding 5 percent. Three phase motors shall be equipped in such a manner that such motors shall not operate on single phase.

(j) In all main power circuits disconnecting switches shall be installed underground within 500 feet of the bottoms of shafts and boreholes through which main power circuits enter the underground portion of the mine and at all other places where main power circuits enter the underground portion of the mine.

(k) All electric equipment shall be provided with switches or other controls that are safely designed, constructed, and installed.

(l) One year after the operative date of this section—

(1) all electric face equipment used in a coal mine shall be permissible and shall be maintained in a permissible condition, except that the Secretary may permit, under such conditions as he may prescribe, nonpermissible or open-type electric face equipment in use in such mine on the operative date of this title, to continue in use for such period as he deems appropriate after taking into consideration the availability of replacement equipment; and

(2) only permissible junction or distribution boxes shall be used for making multiple power connections inby the last open crosscut or in any other place where dangerous quantities of methane may be present or may enter the air current, except that the Secretary may permit, under such conditions as he may prescribe, non-permissible junction or distribution boxes in use, on the operative date of this title, inby the last open crosscut or in any other place where dangerous quantities of methane may be present or may enter the air current, to continue in use for such period as he deems appropriate, after taking into consideration the availability of permissible junction or distribution boxes and the time required to install such boxes.

(3) A copy of any permit granted under this subsection shall be mailed immediately to a duly designated representative of the employees of the mine to which it pertains, and to the public official or agency of the State charged with administering State laws relating to coal mine health and safety in such mine.

(4) Any coal mine which, prior to the operative date of this title, was classed gassy and was required to use permissible electric face equipment and to maintain such equipment in a permissible condition shall continue to use such equipment and to maintain such equipment in such condition.

(m) All power-connection points outby the last open crosscut shall be in intake air.

TRAILING CABLES

SEC. 307. (a) Trailing cables used underground shall meet the requirements established by the Secretary for flame-resistant cables.

(b) Short-circuit protection for trailing cables shall be provided by an automatic circuit breaker of adequate current interrupting capacity in each ungrounded conductor. Disconnecting devices used to disconnect power from trailing cables shall be plainly marked and identified and such devices shall be equipped or designed in such a manner that it can be determined by visual observation that the power is disconnected.

(c) When two or more trailing cables junction to the same distribution center, means shall be provided to eliminate the possibility of connecting a trailing cable to the wrong size breaker.

(d) No more than five temporary splices shall be made in any trailing cable. A temporary splice in a trailing cable within 25 feet of the machine shall be eliminated before the machine or cable is used on the next shift. Temporary splices in trailing cables shall be made in a workmanlike manner and shall be mechanically strong and well insulated. Trailing cables or hand cables which have exposed wires or which have splices that heat or spark under load shall not be used.

(e) When permanent splices in trailing cables are made, they shall be:

(1) Mechanically strong with adequate electrical conductivity and flexibility;

(2) Effectively insulated and sealed so as to exclude moisture; and

(3) Vulcanized or otherwise treated with suitable materials to provide flame-resistant qualities and good bonding to the outer jacket.

(f) Trailing cables shall be clamped to machines in a manner to protect the cables from damage and to prevent strain on the electrical connections. Trailing cables shall be adequately protected to prevent damage by mobile machinery.

(g) Trailing cable and power cable connections to junction boxes shall not be made or broken under load.

GROUNDING

SEC. 308. (a) All metallic sheaths, armors, and conduits enclosing power conductors shall be electrically continuous throughout and shall be grounded. Metallic frames, casing, and other enclosures of electric equipment that can become "alive" through failure of insulation or by contact with energized parts shall be grounded.

(b) The frames of all offtrack machines and the enclosures of related detached components shall be maintained at safe voltages by methods approved by an authorized representative of the Secretary.

(c) The frames of all high-voltage switchgear, transformers, and other high-voltage equipment shall be grounded to the high-voltage system ground.

(d) High-voltage lines, both on the surface and underground, shall be deenergized and grounded before work is performed on them.

(e) When not in use, power circuits underground shall be deenergized on idle days and idle shifts.

UNDERGROUND HIGH-VOLTAGE DISTRIBUTION

SEC. 309. (a) High-voltage circuits entering the underground portion of the mine shall be protected by suitable circuit breakers of adequate interrupting capacity. Such breakers shall be protected by relaying circuits against overcurrent and ground fault.

(b) High-voltage circuits extending underground shall contain either a direct or derived neutral which shall be grounded through a suitable resistor at the source transformers, and a grounding circuit, originating at the grounded site of the grounding resistor, shall extend along with the power conductors and serve as a grounding conductor for the frames of all high-voltage equipment supplied power from that circuit. At the point where high-voltage circuits enter the underground portion of the mine, disconnecting devices shall be installed outby the automatic breaker and such devices shall be equipped or designed in such a manner that it can be determined by visual observation that the power is disconnected.

(c) The grounding resistor shall be of the proper ohmic value to limit the voltage drop in the grounding circuit external to the resistor to not more than 100 volts under fault conditions. The grounding resistor shall be rated for maximum fault current continuously and insulated from ground by a voltage equal to the phase-to-phase voltage of the system.

(d) High-voltage systems installed underground after the operative date of this title shall include a fail safe ground check circuit to monitor continuously the grounding circuit to assure continuity and the fail safe ground check circuit shall cause the circuit breaker to open when either the ground or pilot check wire is broken.

(e) Underground high-voltage cables purchased after the effective date of this Act shall be equipped with metallic shields around each power conductor. One or more ground conductors shall be provided having a cross-sectional area of not less than one-half the power conductor. There shall also be provided an insulated conductor not smaller than No. 10 (AWG) for the ground continuity check circuit. Cables shall be adequate for the intended current and voltage. Splices made in the cable shall provide continuity of all components and shall be made in accordance with cable manufacturers' recommendations.

(f) If couplers are used they shall be of the three phase type with a full metallic shell, and shall be adequate for the voltage and current expected. All exposed metal on the couplers shall be grounded to the ground conductor in the cable. The coupler shall be constructed so that the ground continuity conductor shall be broken first and the ground conductors shall be broken last when the coupler is being uncoupled.

(g) Single phase loads such as transformer primaries shall be connected phase to phase.

(h) Each ungrounded, exposed power conductor that leads underground shall be equipped with lightning arresters of approved type within 100 feet of the point where the circuit enters the mine. Lightning arresters shall be connected to a low resistance grounding medium on the surface which shall be separated from equipment grounds by a distance of not less than 25 feet.

(i) All underground high-voltage transmission cables shall be installed only in regularly inspected airways or haulageways, and shall be covered, buried, or placed so as to afford protection against damage by derailed trips, trolley equipment, roof falls, and blasts, guarded where men regularly work or pass under them unless they are six and one-half feet or more above the floor or rail, securely anchored, properly insulated, and guarded at ends, and covered, insulated, or placed to prevent contact with trolley and other low-voltage circuits.

(j) Disconnecting devices shall be installed at the beginning of branch lines in high-voltage circuits and equipped or designed in such a manner that it can be determined by visual observation that the circuit is deenergized when the switches are open.

(k) Circuit breakers and disconnecting switches underground shall be marked for identification.

(l) Terminations and splices of high-voltage cable shall be made in accordance with manufacturer's specifications.

(m) Frames, supporting structures, and enclosures of substation or switching station apparatus shall be effectively grounded.

(n) Power centers and portable transformers shall be de-energized before they are moved from one location to another. High-voltage cables, other than trailing cables, shall not be moved or handled while energized.

UNDERGROUND LOW-VOLTAGE CIRCUITS

SEC. 310. Low-voltage power circuits serving three phase alternating-current electric equipment shall include a neutral circuit whether direct or derived, which shall be used as part of a grounding system that will maintain the frame of the equipment and the frames of all accessory equipment at ground potential. Three phase alternating-current electric equipment, including its controls and portable or trailing cable, shall be deenergized automatically upon the occurrence of an incipient ground fault. The ground-fault-tripping current shall be limited by a grounding resistor to that current necessary for dependable relaying. The maximum ground-fault-tripping current shall not exceed 25 amperes.

TROLLEY AND TROLLEY FEEDER WIRES

SEC. 311. (a) Trolley wires and trolley feeder wires shall be provided with cutout switches at intervals of not more than 1,500 feet and near the beginning of all branch lines.

(b) Trolley wires and trolley feeder wires shall be provided with overcurrent protection.

(c) Trolley and trolley feeder wires, high-voltage cables and transformers shall not be located beyond the last open crosscut and shall be kept at least 150 feet from pillar workings.

FIRE PROTECTION

SEC. 312. (a) Each coal mine shall be provided with suitable fire-fighting equipment adequate for the size of the mine.

(b) Underground storage places for lubricating oil and grease in excess of two days' supply shall be of fireproof construction.

(c) Underground transformer stations, battery-charging stations, substations, compressor stations, shops, and permanent pumps shall be housed in fireproof structures or areas. Air currents used to ventilate structures or areas enclosing electrical installations shall be coursed directly into the return.

(d) Welding, cutting, or soldering with arc or flame in other than a fireproof enclosure shall be done under the supervision of a certified person when such work is done in:

(1) the region between the face and a point twenty feet outby the last open crosscut in first mining;

(2) the region between the pillar line and a point one hundred and fifty feet outby; or

(3) the region between the face and gob in longwall mining. Such person shall make a diligent search for fire during and after such operations and shall immediately before and during such operations, at a minimum of hourly intervals, test for methane with means approved by the Secretary for detecting methane. Welding, cutting, or soldering shall not be conducted in air that contains more than 1.0 volume per centum of methane. Rock dust or suitable fire extinguishers shall be immediately available during such welding, cutting, or soldering.

(e) Beginning one year after the operative date of this title, unless fire suppression devices meeting specifications prescribed by the Secretary are used on underground equipment, only fire-resistant hydraulic fluids approved by the Secretary shall be used in the hydraulic system of such equipment.

(f) Deluge-type water sprays, automatically actuated by rise in temperature, or other effective means of controlling fire shall be installed at main and secondary belt-conveyor drives. Such sprays shall be supplied with a sufficient quantity of water to control fires.

(g) Underground belt conveyors shall be equipped with slippage and sequence switches.

(h) After every blasting operation performed on shift, an examination shall be made to determine whether fires have been started.

BLASTING AND EXPLOSIVES

SEC. 313. (a) Black blasting powder shall not be stored or used underground. Mudcaps (adobes) or other unconfined shots shall not be fired underground, except that in underground anthricite mines mudcaps or other open, unconfined shots may be fired, if restricted to battery starting when no methane or fire hazard is present, and if it is otherwise impracticable to start the battery, and in such anthracite mines, open, unconfined "shake" shots in working places and other places in pitching veins may be fired, when no methane or fire hazard is present, if the taking down of loose hanging coal by other means is too hazardous for men working in such places. Except as provided in the next to the last sentence of this subsection, only permissible explosives, electric detonators of proper strength and permissible blasting devices shall be used and all explosives and blasting devices shall be used in a permissible manner. Permissible explosives shall be fired only with permissible shot firing units. Only incombustible materials shall be used for stemming boreholes. The Secretary may, under such safeguards as he may prescribe, permit the firing of more than twenty shots and allow the use of non-permissible explosives in sinking shafts and slopes from the surface in rock. This section shall not prohibit the use of compressed air blasting.

(b) Explosives or detonators carried anywhere underground by any person shall be in containers constructed of nonconductive material, maintained in good condition, and kept closed.

(c) Explosives or detonators may be transported (1) in special closed containers in cars moved by means of a locomotive, rope, or belt, or (2) in shuttle cars, or (3) in equipment designed especially to transport such explosives or detonators.

(d) When supplies of explosives and detonators for use in one or more sections are stored underground, they shall be kept in section boxes or magazines of substantial construction with no metal exposed on the inside, located at least twenty-five feet from roadways and power wires, and in a reasonably dry, well rock-dusted location protected from falls of roof, except in pitching beds, where it is not possible to comply with the location requirement, such boxes shall be placed in niches cut into the solid coal or rock.

(e) Explosives and detonators stored near the working faces shall be kept in separate closed containers, which shall be located out of the line of blast and not less than fifty feet from the face and fifteen feet from any pipeline, powerline, rail, or conveyor; except that if kept in niches in the rib, the distance from any pipeline, powerline, rail, or conveyor shall be at least five feet. Such explosives and detonators, when stored, shall be separated by a distance of at least five feet.

(f) Explosives and detonators shall be kept in separate containers until immediately before use at the working faces.

HOISTING AND MANTRIPS

SEC. 314. (a) Every hoist used to transport persons at an underground coal mine shall be equipped with overspeed, overwind, and automatic stop controls. Every hoist used to transport persons shall be equipped with brakes capable of stopping the fully loaded platform, cage, or other device used for transporting persons, and with hoisting cable adequately strong to sustain the fully loaded platform, cage, or other device for transporting persons, and have a proper margin of safety. Cages, platforms, or other devices which are used to transport persons in vertical shafts shall be equipped with safety catches that act quickly and effectively in an emergency, and the safety catches shall be tested at least once every two months. Hoisting equipment, including automatic elevators, that is used to transport persons shall be examined daily. Where persons are regularly transported into or out of a coal mine by hoists, a qualified hoisting engineer shall be on duty while any person is underground, except that no such engineer shall be required for automatically operated cages, platforms, or elevators.

(b) Safeguards adequate, in the judgment of an authorized representative of the Secretary, to minimize hazards with respect to transportation of men and materials shall be provided.

(c) Hoists shall have rated capacities consistent with the loads handled and the recommended safety factors of the ropes used. An accurate and reliable indicator of the position of the cage, platform, skip, bucket, or cars, in the shaft shall be provided.

(d) There shall be at least two effective approved methods of signaling between each of the shaft stations and the hoist room, one of which shall be a telephone or speaking tube.

MAPS

SEC. 315. (a) The operator of an active working underground coal mine shall have in a location chosen to minimize the danger of destruction by fire or other hazard, an accurate and up-to-date map of such mine drawn on such scale and containing such information as the Secretary by regulation may prescribe. Such map shall show the active workings, all worked out and abandoned areas, excluding those areas which have been worked out or abandoned before the operative date of this subsection which cannot be entered safely and on which no information is available, contour elevations, elevations of all main and cross or side entries, dip of the coalbed, escapeways, adjacent mine workings within one thousand feet, mines above or below, water pools above, and oil and gas wells in such mine. Such map shall be made or certified by a registered engineer or a registered surveyor of the State in which the mine is located. As the Secretary may by regulation require, such map shall be kept up to date by temporary notations, and such map shall be revised and supplemented at intervals on the basis of a survey made or certified by such engineer or surveyor.

(b) The coal mine map and any revision and supplement thereof shall be available for inspection by the Secretary or his authorized representative, by coal mine inspectors of the State in which the mine is located, and by any miner and their authorized representatives and by operators of adjacent coal mines. The operator shall furnish to the Secretary or his authorized representative, upon request, one or more copies of such map and any revision and supplement thereof. Any such map or revision or supplement thereof shall be confidential and its contents shall not be divulged to any person other than those mentioned in this subsection without the consent of the operator of the mine covered by such map, except that such map or revision or supplement thereof may be used by the Secretary to carry out any provision of this Act and in any proceeding, investigation, or hearing conducted pursuant to this Act.

(c) Whenever an operator permanently closes such mine, or temporarily closes such mine for a period of more than 90 days, he shall promptly notify the Secretary of such closure. Within 60 days of the permanent closure of the mine, or, when the mine is temporarily closed, upon the expiration of a period of 90 days from the date of closure, the operator shall file with the Secretary a copy of the mine map revised and supplemented to the date of the closure. Such copy of the mine map shall be certified as true and correct by a registered surveyor or registered engineer of the State in which the mine is located and shall be available for public inspection.

ESCAPEWAYS

SEC. 316. At least two separate and distinct travelable passageways to be designated as escapeways, at least one of which is ventilated with intake air, shall be provided from each mine working section to the surface, and shall be maintained in safe condition and properly marked. Mine openings shall be adequately protected to prevent the entrance into the underground portion of the mine of surface fires, fumes, smoke, and flood water.

MISCELLANEOUS

SEC. 317. (a) Each operator of a coal mine shall comply with State laws and regulations in establishing and maintaining barriers around oil and gas wells penetrating coal beds or underground workings of underground coal mines.

(b) Whenever any working place approaches within fifty feet of abandoned workings in the mine as shown by surveys made and certified by a competent engineer or surveyor, or within two hundred feet of any other abandoned workings of the mine which cannot be inspected and which may contain dangerous accumulations of water or gas, or within two hundred feet of any workings of an adjacent mine, a borehole or boreholes shall be drilled to a distance of at least twenty feet in advance of the face of such working place and shall be continually maintained to a distance of at least ten feet in advance of the advancing solid face. When there is more than one borehole, they shall be drilled sufficiently close to each other to insure that the advancing face will not accidentally hole through into abandoned workings or adjacent mines. Boreholes shall also be drilled not more than eight feet apart in the rib of such working place to a distance of at least twenty feet and at an angle of forty-five degrees. Such rib holes shall be drilled in one or both ribs of such working place as may be necessary for adequate protection of persons working in such place.

(c) Persons underground shall use only permissible electric lamps for portable illumination.

(d) After the operative date of this section, all structures erected on the surface within one hundred feet of any mine opening shall be of reasonably fireproof construction. Unless existing structures located within one hundred feet of any mine opening are of such construction, fire doors shall be erected at effective points in mine openings to prevent smoke or fire from surface sources endangering men working underground. These doors shall be tested at least monthly to insure effective operation. A record of such tests shall be kept and shall be available for inspection by interested persons.

(e) Adequate measures shall be taken to prevent methane and coal dust from accumulating in excessive concentrations in or on surface coal-handling facilities. Where coal is dumped at or near air-intake openings, provisions shall be made to prevent the dust from entering the mine in such quantities as to create a dangerous condition.

DEFINITIONS

SEC. 318. For the purpose of this title and title II of this Act, the term—

(a) "certified person" means a person certified by the State in which the coal mine is located to perform duties prescribed by such titles, except that, in a State where no program of certification is provided, such certification shall be by the Secretary.

(b) "qualified person" means an individual deemed qualified by the Secretary to make tests or measurements, as appropriate, required by such titles.

(c) "permissible" as applied to—

(1) equipment used in the operation of a coal mine, means equipment to which an approval plate, label, or other device is attached as authorized by the Secretary and which meets specifications which are prescribed by the Secretary for the construction and maintenance of such equipment and are designed to assure that such equipment will not cause a mine explosion or a mine fire, or to assure that such equipment will afford adequate protection against specific health hazards;

(2) explosives or blasting devices used in such mines, means explosives or blasting devices which meet specifications which are prescribed by the Secretary; and

(3) the manner of use of equipment or explosives and blasting devices, means the manner of use prescribed by the Secretary.

(d) "rock dust" means pulverized limestone, dolomite, gypsum, anhydrite, shale, talc, adobe, or other inert material, preferably light colored (1) 100 per centum of which will pass through a sieve having 200 meshes per linear inch; (2) the particles of which when wetted and dried will not cohere to form a cake which will not be dispersed into separate particles by a light blast of air; and (3) which does not contain more than 5 per centum of combustible matter or more than a total of 5 per centum of free and combined silica (SiO_2).

(e) "coal mine" includes areas of adjoining mines connected underground.

(f) "anthracite" means coals with a volatile ratio equal to .12 or less.

(g) "high-voltage" means more than 650 volts.

TITLE IV—ADMINISTRATION

RESEARCH

SEC. 401. The Secretary, in coordination with the Secretary of Health, Education, and Welfare, shall conduct such studies, research, experiments, and demonstrations as may be appropriate—

(a) to improve working conditions and practices, prevent accidents, and control the causes of occupational diseases originating in the coal mining industry,

(b) after an accident, to recover persons in a coal mine and to recover the mine,

(c) to develop new or improved means and methods of communication from the surface to the underground portion of the mine,

(d) to develop new or improved means and methods of reducing concentrations of respirable dust in the mine, and

(e) for such other purposes as he deems necessary to carry out the purposes of this Act.

TRAINING AND EDUCATION

SEC. 402. The Secretary shall expand programs for the education and training of coal mine operators, agents thereof, and miners in—

(a) the recognition, avoidance, and prevention of accidents or unsafe or unhealthful working conditions in coal mines, and

(b) in the use of flame safety lamps, permissible methane detectors, and other means approved by the Secretary for accurately detecting gases.

ASSISTANCE TO STATES

SEC. 403. (a) The Secretary, in coordination with the Secretary of Labor and the Secretary of Health, Education, and Welfare, is authorized to make grants to any State in which coal mining takes place,

(1) to conduct research and planning studies and to carry out plans designed to improve State workmen's compensation and occupational disease laws and programs, as they relate to compensation for pneumoconiosis and injuries in coal mine employment; and

(2) to assist the States in planning and implementing other programs for the advancement of health and safety in coal mines.

(b) Grants under this section shall not extend beyond a period of five years following the effective date of this Act.

(c) Federal grants under this section shall be made to States which have a plan or plans approved by the Secretary.

(d) The Secretary shall approve any plan which—

(1) provides that reports will be made to the Secretary, in such form and containing such information, as may reasonably be necessary to enable him to review the effectiveness of the program or programs involved, and that records will be kept and afford such access thereto as he finds necessary or appropriate to assure the correctness and verification of such reports:

(2) provides such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting for Federal funds paid to the State;

(3) contains assurances that the State will not in any way diminish existing State programs or benefits with respect to pneumoconiosis and related conditions; and

(4) meets any additional conditions which the Secretary may prescribe by rule in furtherance of the provisions of this section.

(e) The Secretary shall not finally disapprove any State plan, or modification thereof, without affording the State reasonable notice and opportunity for a hearing.

(f) The amount granted any State for a fiscal year under this section may not exceed 80 per centum of the amount expended by such State in such year for carrying out such programs, studies, and research and no one State may be granted an amount in a fiscal year which exceeds 15 per centum of the amount appropriated for grants to all States for that year.

(g) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1970, and each of the succeeding fiscal years, the sum of $1,000,000 to carry out the provisions of this section.

RELATED CONTRACTS AND GRANTS

SEC. 404. In carrying out the provisions of sections 401 and 402, the Secretary may enter into contracts with, and make grants to, public and private agencies and organizations and individuals.

INSPECTORS; QUALIFICATIONS; TRAINING

SEC. 405. The Secretary may, subject to the civil service laws, appoint such employees as he deems requisite for the administration of this Act and prescribe their duties. Persons appointed as authorized representatives of the Secretary shall be qualified by practical experience in the mining of coal or by experience as a practical mining engineer and by education. Such persons shall be adequately trained by the Secretary. The Secretary shall seek to develop programs with educational institutions and operators designed to enable persons to qualify for positions in the administration of this Act. In selecting persons and training and retraining persons to carry out the provisions of this Act, the Secretary shall work with appropriate educational institutions and operators in developing adequate programs for the training of persons, particularly inspectors. Where appropriate, the Secretary shall cooperate with such institutions in carrying out the provisions of this section by providing financial and technical assistance to such institutions.

EFFECT ON STATE LAWS

SEC. 406. (a) No State law in effect upon the effective date of this Act or which may become effective thereafter shall be superseded by any provision of this Act or order issued or standard promulgated thereunder, except insofar as such State law is in conflict with this Act or with any order issued or standard promulgated pursuant to this Act.

(b) The provisions of any State law or regulation in effect upon the effective date of this Act, or which may become effective thereafter, which provide for more stringent health and safety standards applicable to coal mines, than do the provisions of this Act or any order issued or standard promulgated thereunder shall not thereby be construed or held to be in conflict with this Act. The provisions of any State law or regulation in effect upon the effective date of this Act, or which may become effective thereafter, which provide for health and safety standards applicable to coal mines for which no provision is contained in this Act or any order issued or standard promulgated thereunder, shall not be held to be in conflict with this Act.

(c) Nothing in this Act shall be construed or held to supersede or in any manner affect the workmen's compensation laws of any State, or to enlarge or diminish or affect in any other manner the common law or statutory rights, duties, or liabilities of employers and employees under State laws in respect of injuries, occupational or other diseases, or death of employees arising out of, or in the course of, employment.

ADMINISTRATIVE PROCEDURES

SEC. 407. The provisions of sections 551–559 and sections 701–706 of title 5 of the United States Code, shall not apply to the making of any order or decision pursuant to this Act, or to any proceeding for the review thereof.

REGULATIONS

SEC. 408. The Secretary is authorized to issue such administrative regulations as he deems appropriate to carry out any provision of this Act.

OPERATIVE DATE AND REPEAL

SEC. 409. The provisions of titles I through III of this Act shall become operative one hundred and twenty days after enactment. The provisions of the Federal Coal Mine Safety Act, as amended, are repealed on the operative date of those titles, except that such provisions shall continue to apply to any order, notice, or finding issued under that Act prior to such operative date and to any proceedings related to such order, notice, or finding. All other provisions of this Act shall be effective on the date of enactment of this Act.

SEPARABILITY

SEC. 410. If any provision of this Act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

REPORTS

SEC. 411. Within one hundred and twenty days following the convening of each session of Congress, the Secretary shall submit through the President to the Congress an annual report upon the subject matter of this Act, the progress concerning the achievement of its purposes, the needs and requirements in the field of coal mine health and safety, and any other relevant information, including any recommendations he deems appropriate.

SUMMARY OF THE MAJOR PROVISIONS OF THE INTERIOR PROPOSED FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

I. PURPOSE

The purpose of this Act is to improve the health and safety conditions in the Nation's coal mines by establishing mandatory health and safety standards.

II. COVERAGE

Sec. 3. Under the provisions of this section and under the definition of "Coal Mine" (Sec. 4) both underground and surface mines, as well as all miners working in them would be subject to this Act.

III. HEALTH AND SAFETY STANDARDS

Sec. 101. Under this section, the Secretary would be required to develop and promulgate by regulation mandatory health and safety standards for all coal mines. He would be required to issue mandatory standards for surface mines within 1 year after the effective date of the Act. Interim mandatory health and safety standards for underground mines which would remain in effect until superseded by regulation issued by the Secretary under the authority granted him in this section are provided for in titles II and III of the bill. Standards would be developed by taking into account such considerations as the latest available scientific data in the field, technical and economic feasibility, experience under existing standards, and so forth.

Proposed standards would be published in the *Federal Register* and, unless interested persons object to the standards within a minimum period of 30 days, they could be promulgated finally. If there are objections, the Secretary will refer the standards to the Board for review. After hearings the Board shall make their recommendation within 60 days after completion of hearings to the Secretary and if he does not adopt the Board's recommendation he must publish his reasons therefor.

IV. ADVISORY COMMITTEES

Sec. 102. This section would give the Secretary power to appoint advisory committees to help him carry out the Act's provisions.

V. INSPECTIONS AND INVESTIGATIONS

Sec. 103. Authorized representatives of the Secretary of the Interior would be required to make inspections and investigations in coal mines for the purposes of obtaining information relating to safety conditions, developing health and safety standards, determining whether an imminent danger exists in a mine, or determining whether a mine is complying with the mandatory health and safety standards. No representative (e.g. inspector) of the Secretary could be refused entrance to any mine. There must be at least three inspections of underground coal mines each calendar year, in addition to spot inspections.

This section would give the Secretary authority to hold hearings and issue subpoenas for the attendance and testimony of witnesses and for the production of relevant documents, in effect allowing the Secretary to investigate mine disasters and accidents in a manner similar to that employed by the Civil Aeronautics Board in its investigations of aircraft crashes. In the event of a coal mine disaster, mine operators would be required to preserve any evidence which might be useful in investigating the cause of the incident, and an inspector, when present, may issue appropriate orders to insure persons safety in the mine, and the operator of the mine must obtain the inspector's approval of any plan to recover persons in the mine or to return affected areas of the mine to normal.

VI. STATE PLAN

Sec. 104. Any coal mining State that desires to cooperate with the Secretary in making the inspections required by this legislation may submit a plan to Interior for approval or disapproval of the Secretary. In order to receive approval, the Secretary must be satisfied that the plan (a) designates an appropriate State agency as the sole agency responsible for its administration, (b) indicates clearly that this agency will have adequate authority under State law to carry out the plan, (c) assures that the designated agency has or will employ a staff of competent inspectors qualified under State law to make inspections, (d) provides that the designated agency and State inspectors will not give advance notice to any coal mine operator of the imminence of an inspection, (e) provides that the State agency will promptly assign inspectors as required by the Act to make inspections, and (f) provide for the making of such reports as the Secretary may require.

The Secretary must approve a plan that meets the above conditions and can only disapprove after notice and opportunity for hearing.

No inspection may be made by a Federal inspector where there is a State plan unless accompanied by a State inspector, except—(a) where there is an emergency involving imminent danger, (b) where, after due notice, a State inspector is not provided timely, and (c) where a spot inspection is deemed essential by Federal inspector. State and court appointed inspectors have right to enter mine.

VII. FINDINGS, NOTICES, AND ORDERS

Sec. 105. If an inspector finds that an imminent danger exists in a mine, he would be required to issue an order requiring the mine operator to withdraw all workers from the section of the mine where the danger exists until it is determined by an inspector that the condition no longer exists.

If, upon any inspection, an inspector finds that there has been a violation of a mandatory health or safety standard, but the violation has not created an imminent danger, he would allow the violator a reasonable time to abate the violation. If the violation is not abated by the end of that period and if the inspector does not find that the period should be extended, he would be required to order a withdrawal of all workers from the area affected by the violation.

If an inspector finds a violation of a standard that does not cause an imminent danger, but is of such a nature as could significantly and substantially contribute to any mine hazard, and if he finds that the violation is due to an unwarrantable failure to comply with the standards, he includes the finding in the notice. Upon reinspection at anytime within 90 days after issuance of the notice, an inspector finds a violation of the standard for which the notice was issued or similar standards in the same category, he must withdraw the persons from the mine.

Once a withdrawal order has been issued in the case of an unwarrantable failure, the inspector must issue such an order on subsequent inspections when he finds the existence anywhere in the mine of a similar violation until such inspections disclose no similar violations.

Notices and orders issued pursuant to an inspector's authority would contain detailed descriptions of the conditions or practices which caused the imminent danger or violation and would have to be promptly delivered to the mine operator involved.

Notices and orders may be modified or terminated by the inspector, except under certain circumstances discussed below.

Where a withdrawal order is issued because of an imminent danger and a State inspector did not participate in the inspection, the Federal inspector must notify the State within 24 hours after issuance of the order. After the issuance of such an order without the State inspector present, the operator may request a State inspection of the mine and the State shall conduct it promptly and file a report thereon with the Secretary and the State agency. The withdrawal order, however, remains in effect, but is subject to immediate review.

In States where there is an approved State plan, no order may be issued, in other than imminent danger cases, unless a State or court appointed inspector participates in the inspection, or unless such participation is not required under section 104(e) of the proposal. If the State inspector does not concur in the order, the mine operator, the Federal inspector, or the State inspector may apply to the chief judge of the United States district court for the appointment of an independent inspector, who must be a graduate engineer with experience in the coal mining industry, within 24 hours after completion of inspection. Such independent inspection must be made within 5 days after appointment. The Federal and State inspectors may accompany the independent inspector. If the independent inspector or State inspector concurs in the order, it shall be issued.

Orders issued for mines covered by State plans are subject to review by the Board and not the Secretary.

VIII. APPEALS PROCEDURE

A. Review by the Secretary

Sec. 106. Except in the case of orders issued for mines covered by a State plan, this section provides that an operator notified of an order issued by an inspector under the provisions of the Act may apply to the Secretary for review of the order within 30 days of the order's receipt. The Secretary would be required to investigate and make a finding of fact as to whether or not there was an imminent danger or a violation of any mandatory health or safety standard. Because of the need for prompt decisions in these matters, the Secretary must take action as promptly as practicable. Pending completion of his investigation, the Secretary may, upon application and after a hearing, grant temporary relief from an order issued pursuant to the Act.

B. Federal Coal Mine Health and Safety Board of Review

Sec. 107. The Federal Coal Mine Health and Safety Board of Review would be established to hear appeals. The Board would be composed of persons from all segments of the coal industry and would have the power to subpoena and take depositions.

This section would add three more appointed members to the Board for the purpose of reviewing proposed mandatory health and safety standards. At least one of the additional members must have a public health background and the others must have a background in coal mining technology. The additional members cannot have any interest in, or connection with, the coal mining industry for at least one year prior to appointment.

Sec. 108. An operator may appeal to the Board any order issued by an inspector or any decision issued by the Secretary.

In all appeals to the Board, the operator would be the applicant and the Secretary the respondent. The Board shall not be bound by any findings of fact of an inspector and the burden of proof will be on the Secretary. In the case of an appeal from a decision of the Secretary, the record and decision of the Secretary would be included in evidence while the findings of the Secretary would constitute a prima facie case for the issuance of the decision complained of. The burden of rebutting the prima facie case would be upon the operator although either party would be permitted to offer additional evidence. Pending disposition of an action, the Board could grant, upon application and after a hearing, temporary relief from any order issued by an inspector.

C. Judicial review

Sec. 109. Any decision issued by the Board would be subject to judicial review by the U.S. Court of Appeals for the circuit in which the affected coal mine is located upon application by the Secretary or the operator. The court would only be permitted to hear the appeal on the record made before the Board. The findings of the Board, if supported by substantial evidence on the record considered as a whole, would be conclusive. In addition, the court could grant such temporary relief as might be appropriate pending final determination of the appeal.

The judgment of the court would be subject only to review by the Supreme Court of the United States.

IX. RECORDS

Sec. 111. Every operator of a coal mine would, under the Act, be required to establish and maintain such records and make such reports as the Secretary might reasonably require to enable him to perform his functions under the Act. This would include all accident records which are defined (see sec. 4(k)) to include mine explosions, ignitions, fires, inundations, or injury to, or death, of any person. Access to these records would be open to an agent of the Secretary at all times. The Secretary could publish the information so obtained, from time to time and make it available for public inspection.

X. INJUNCTIONS

Sec. 112. Injunction proceedings may be brought against any operator who refuses to comply with, or interferes with, the Secretary's efforts in carrying out the provisions of this Act.

XI. PENALTIES

Sec. 113. An operator of a coal mine in which a violation of a mandatory health or safety standard occurs could be assessed a civil penalty of not more than $10,000 for each violation.

Upon request of an operator or miner assessed a civil penalty, the Board shall provide a hearing to determine whether a violation occurred or whether the amount of the penalty is warranted or should be compromised.

Anyone knowingly violating or failing to comply with an order issued under the Act would be, upon conviction, punished by a fine of not more than $10,000, or by imprisonment for not more than 6 months, or by both. In the event of a second conviction, however, the penalty would be a fine of not more than $20,000 or imprisonment for not more than 1 year or both.

XII. RESEARCH

Sec. 401. This section would permit the Secretary to conduct such research and educational programs as he feels is necessary for the purposes of carrying out his responsibilities under the Act.

XIII. TRAINING AND EDUCATION

Sec. 402. This section would direct the Secretary to expand and accelerate programs of education and training of operators and miners.

XIV. ASSISTANCE TO STATES

Sec. 403. This section would authorize grants to coal mining states for research and planning studies, and plans to improve State system for paying miners compensation for occupational pneumoconiosis and injuries, and to assist in planning and implementing our State health and safety programs for coal mines.

The grant authority is limited to 5 years from enactment.

Grants can only be made to States with an approved State plan. The maximum amount of any grant is 80 percent of the program costs and no State may receive more than 15 percent of the total of all grants made to all States.

An annual appropriation of $1 million is authorized.

XV. INSPECTORS

Sec. 405. This section establishes the minimum qualifications that an inspector must be qualified by practical coal mining experience or by experience as a practical mining engineer, and by education.

XVI. EFFECT ON STATE LAWS

Sec. 406. This section provides that only State laws less stringent than this Act or those in conflict with this Act shall be superseded.

XVII. INTERIM SAFETY STANDARDS

The proposed standards would, among other things—

Require that all accidents be investigated by the operator or his agent to determine the cause and to prevent future accidents. Records of the accidents and the investigation must be kept and made available to the Secretary or his inspector.

Require that operators establish training and retraining programs for qualified and certified persons.

Prohibit smoking and the use of open lights underground.

Authorize the Secretary to require emergency shelters adequately supplied with air and equipped with an independent communication system. The Secretary would establish guidelines for these shelters, including their locations in the mine.

Authorize the Secretary to require adequate illumination in active underground working places.

Require a roof control plan approved by the Secretary for the face and other active working places as well as the travelways and roadways.

Require the installation of line brattice or other suitable device to assure a positive flow of air to the face workings, unless the inspector permits an exception.

Require pre-shift examinations at all mines within three hours before the shift begins.

Require examinations for methane at least every twenty minutes during a coal-producing shift in face workings of mines where electrically driven equipment is operated.

Require that one year after the operative date of the Act all electric face equipment used in a coal mine shall be permissible and be maintained in a permissible condition. The Secretary can permit mine-by-mine exceptions where nonpermissible equipment is in use and replacement equipment is not available. Mines classed gassy prior to this legislation that are required to use permissible electric face equipment and to maintain it in permissible condition must so continue.

Require the use of permissible explosives and devices and that their use be in a manner consonant with safety.

Require accurate and up-to-date maps showing all active workings, all worked-out and abandoned areas, elevations, escapeways, adjacent mine workings, mines above and below, water pools above, and oil and gas wells in such mine.

Require at least two separate and distinct travelable passageways clearly marked as escapeways which shall be maintained in safe condition. In at least one case in the last eight years, 18 men lost their lives because of inadequate escapeways.

Require a weekly examination of the volume of air entering main intakes, leaving main returns, and passing through the last open crosscut in each active entry.

Require a plan for quick action when any mine fan stops to cut off the power and to withdraw all persons from the face workings.

Provide that adequate measures to prevent methane and coal dust accumulations in excessive amounts on surface coal-handling facilities.

Require operators to institute reasonable measures to insure that the workers not carry smokes, lighters, or matches into a mine.

We understand that, in some cases, management, pursuant to collective bargain agreements, conducts search programs of persons entering a mine in an effort to prevent anyone from carrying one of these articles into a mine and endangering their own lives and the lives of other workers.

Gassy classification

Methane gas, because of its explosive characteristics, presents one of the most serious hazards during coal mining. Methane occurs most often in the coal itself, but may occur in strata below or above the coal seam. When the strata adjacent to the coal are disturbed by the mining operations, the methane migrates into the mine atmosphere.

Explosive mixtures are formed when the methane concentrations range from 5 to 15 percent. The energy required for ignition is minute, for example, frictional sparks considerably less intense than those produced by an ordinary cigarette lighter cause ignition. The ignited mixture produces flame and pressure. The resulting disturbance to the atmosphere, even from a poorly-mixed body of gas, will disperse coal dust from mine surfaces and, if insufficient rock dust is present, a serious coal dust explosion will occur. As shown by the Bureau's records over the past 59 years, most mine disasters are caused by ignition of a localized body of gas. Experiments by the Bureau of Mines[1] show that ignition of as little as 13 cubic feet of methane will disperse coal dust in an entry and cause a widespread coal dust explosion.

Under the present Federal Coal Mine Safety Act, mines are classified by the Bureau either as gassy or nongassy. A coal mine is considered gassy if:

1. A State mining bureau classifies the mine as gassy.

2. A gas ignition or gas explosion occurred in the mine.

3. A sample taken in a precribed way shows 0.25 percent methane or more when analyzed.

Once a mine is classified as gassy, it is never reclassified as nongassy.

These criteria for classifying mines are wholly inadequate. Definitions of the gassy classification vary from State to State, as do methods used by the States to classify a mine. For example, in some States, if a new mine is opened in a coal seam in which other mines nearby have been classified as gassy, the State may classify the new mine as gassy without taking an air sample.

Classifying a mine as gassy after an explosion has occurred is a classic example of "locking the barn door after the horse has been stolen." While such an action helps to prevent future explosions, it does not help those who have been killed or injured.

A third method of classifying a mine gassy requires that air samples be taken and, under the present law, the sample must be taken at a point not less than 12 inches from the roof, rib, or face, and must show less than 0.25 percent methane. If a sample were to be taken closer to the coal face than 12 inches, the atmosphere could contain high percentages of methane without affecting classification. In addition, the amount of ventilation of air passing the sampling point is not specified. Obviously, the quantity of air passing the point will have a direct effect on the methane content of the sample. In practice, this air quantity may vary considerably. If a mine which has adequate ventilation, and therefore is not classified as gassy, were to be sealed for several days it might yield an air sample with a methane content greatly in excess of the 0.25 percent specified in the law.

In some mines where gas generally occurs in small quantities, the mining operation may unexpectedly tap relatively large pockets of methane gas. Experience has shown that such occurrences have caused serious disasters. Unless a sample were taken at a particular moment when this methane was released, the mine would continue to be classified as nongassy. A sample taken properly and at the right time when methane was released from the pocket would show high percentages of gas.

The history of gassy classification

The Bureau of Mines first recognized the distinction between gassy and nongassy mines in 1926.[2] The Mine Safety Board of the Bureau of Mines at that time stated: "The U.S. Bureau of Mines believes that *all mines are potentially gassy;* but for purposes of administration in respect to prevention of explosions and fires the Bureau recommends the following classification:"

In 1926, the Bureau classified mines into 3 types: (1) *nongassy* when all samples of mine air contain less than 0.05 percent methane; (2) *slightly gassy*—a classification that could be determined in four different ways depending on the ventilation and the amount of methane found (one of these four ways included a methane content more than 0.25 percent in a split of the ventilating current); and (3) *gassy*—a classification applied to all other mines.

At that time, according to the Bureau of Mines publication, none of the State mine regulations specifically defined a gassy mine.

In 1941, the Mine Safety Board decided that the use of three classifications was unsatisfactory. The new decision provided only two classes—gassy and nongassy mines. The gassy classification was applied to "any coal mine where methane or any other combustible gas can be detected in amounts as much as 0.25 percent or more, by frequent systematic searches . . .".[3]

The Mine Safety Board also noted that:

"In the 30 years of investigating mine accidents by the Bureau of Mines, it is noteworthy that many serious gas explosions have occurred in mines in which methane had not been reported prior to the disaster."

In July 1945, the standard for determination of a gassy mine was reduced from 0.25 to 0.1 percent methane. But in 1946, this was again increased to 0.25 percent. The Federal Coal Mine Safety Act passed in 1952 retained the 0.25 percent standard but also specified how the sample should be taken.

Justification for the 0.25 percent level does not appear in any of the literature of the Bureau of Mines. A bulletin,[4] published in 1928, noted that the accuracy of a modified Orsat apparatus, which was largely used by field personnel at that time, was 0.2 percent. It is believed by some that the limit of accuracy of the Orsat apparatus influenced the standard which was selected.

Some of the deliberations of the Mine Safety Board in arriving at their decision to adopt the gassy and nongassy classifications are of interest. These are quoted in Appendix A (emphasis supplied).

The important conclusions that can be drawn from these excerpts are that even in 1941 it was thought that:

1. All mines are potentially gassy.

2. By a strict interpretation of the method for taking samples, 99 out of 100 mines would be classed as gassy.

3. The greatest danger of a disaster was in mines classified as nongassy.

4. The increased productivity between 1932 and 1940 in the more highly mechanized mines had increased the explosion hazard.

The greatly increased productivity that has occurred since 1940, when these conclusions were drawn, can only have further increased the hazards.

Additional proof that all mines are potentially gassy is shown in Table 1. Two hundred and ten presently active mines once classed as nongassy were later classed gassy—some after fifteen years of nongassy operation. Table 2 shows that 52 ignitions or explosions of gas have occurred since January 1, 1953, through November 30, 1968, killing 27 persons and injuring 54 in so-called nongassy mines.

Sixty years of experience has shown that a large number of gas explosion disasters have occurred in nongassy mines. In fact, nongassy mines may actually be more dangerous than gassy mines as the classification gives a false sense of security. From this evidence, and the opinion of numerous experts, that all mines are potentially gassy, the elimination of the nongassy classification has been recommended.

XVIII. INTERIM DUST STANDARD

Sec. 201 of the proposal would establish an interim dust standard for active working places of underground mines of 4.5 milligrams of respirable dust per cubic meter of air measured with a specified gravimetric instrument 60 days after the operative date of the Act. If the respirable dust concentrations exceed this standard, the operator will be subject to a civil penalty and immediate action must be taken to reduce the dust concentrations to below 4.5. If the atmospheric dust concentrations exceed 5.5 milligrams of dust per cubic meter of air, the operator must withdraw all persons from that section of the mine and take corrective action to reduce the dust content to or below 4.5.

Sec. 202 of the proposal would require annual chest x-rays of each miner and would require that if there is a development of pneumoconiosis that the operator permit the miner, at his option, to work either at an area where the dust concentration is 2.0 milligrams per cubic meter of air or less or to work in any area of the mine if he wears an approved respirator continuously.

APPENDIX A

"The present definition of a non-gassy mine (called Class I in Decision 3) reads: 'A practically non-gassy mine in which inflammable gas in excess of 0.05 percent cannot be found by systematic search.' If I recall matters correctly, *Dr. Rice wanted to avoid statements that any mine was wholly nongassy, hence the division into classes and use of the word 'practically' in the above definition.*"

"Shall it be assumed that all phases of ventilation and inspection function with reasonable efficiency and continuity, or shall the definition of a non-gassy mine be such as to prevent hazards should one of these fall? This is merely another way of asking where the line shall be drawn. *There is little question that if the rules were made sufficiently strict and the means of search sufficiently accurate, at least 99 mines out of every 100 would fall in the gassy class. The exceptions would be those under light cover with all workings close to a crop line."*

---

[1] Rice, G. S., H. P. Greenwald, and H. C. Howarth. Some Experiments on the Initiation of Coal-Dust Explosions by Gas Explosions. Bureau of Mines Rept. of Inv. 3028, 1930, 9 pp.

[2] Recommendations of the United States Bureau of Mines on Certain Questions of Safety as of Oct. 1, 1936. BuMines Inf. Circ. 6946, 1937, 45 pp., see p. 7.

[3] Mine Safety Board Decision 33. Bureau of Mines Definition of a Gassy Coal Mine. BuMines Inf. Circ. 7153, 1941, 2 pp.

[4] Rice, G. S., Safety in Coal Mining (A Hankbook). BuMines Bull. 277, 1928, 141 pp.

"In the thirty years of the existence of the Bureau of Mines, several hundred explosion investigations have been made by its engineers and in scores of instances the explosion occurred in a mine in which explosive gas had not been found previous to the ignition in question. Moreover, it has been found that although more than 75 percent of the coal mine explosions in the United States in the past 30 years have been initiated by ignitions of explosive gas, on the other hand very few of the major coal mine disasters of this country have occurred in mines known to be very gassy, most of the disasters with exceptionally heavy loss of life have been in so-called nongassy or slightly gassy mines where few if any precautions are taken against gas or even dust accumulations or ignitions."

"In numerous instances mines which give off essentially no explosive gas or possibly very small quantities of gas from the coal measures during normal operation, have become extremely gassy in or near places where extensive falls of overlying material occur through pillar extraction, squeezes, or similar causes. In other cases mines which normally give off little or no gas at ordinary times, suddenly become very gassy in places upon encountering crevices or fissures in the floor, or heaving of the floor, or upon encountering geological faults or dykes or horsebacks."

"The greatly accelerated rate at which coal is broken and removed from the face and new surfaces exposed in connection with mechanized loading has during the past several years greatly increased the hazard of gas ignitions in the coal mines of the United States. From 1932 to the end of 1940 mechanized loading bituminous coal mines have been the scene of mine disasters with aggregate loss of more than 300 lives while similar disasters in nonmechanized loading mines have caused slightly over 100 fatalities; hence mechanized loading mines with their accelerated rate of removal of coal from the face thereby liberating increased quantities of gas and causing increased quantities of coal dust to be thrown into suspension have caused about three quarters of the mine disaster fatalities in the 8 years—1932 to 1940—though the record indicates that they have produced not more than one-third of the coal tonnage."

TABLE 1.—NUMBER OF GASSY MINES ONCE CLASSED NONGASSY (PRESENTLY ACTIVE MINES)

	Number of mines
Number of years operated nongassy:	
0 to 5 years	131
6 to 10 years	35
11 to 15 years	18
15 years	26
Total	210

TABLE 2.—NUMBER OF GAS IGNITIONS OR EXPLOSIONS IN NONGASSY COAL MINES JAN. 1, 1953, TO NOV. 20, 1968

Year	Number of ignitions or explosions	Killed	Injured
1953	3	0	3
1954	5	0	6
1955	3	0	4
1956	4	0	2
1957	5	0	5
1958	3	0	3
1959	3	[1] 9	2
1960	4	2	0
1961	7	0	7
1962	4	[2] 11	6
1963	1	0	0
1964	4	0	6
1965	3	[3] 5	4
1966	2	0	3
1967	0	0	0
1968	1	0	3
Total	52	27	54

[1] No. 1 Mine, Philips & West Coal Co., Robbins, Tenn.; Mar. 23, 1959, 9 killed, 0 injured.

[2] Mine No. 2, Blue Blaze Coal Co., Herrin, Ill.; Jan. 10, 1962, 11 killed, 0 injured.

[3] No. 2-A mine, C. L. Kine Coal Co.; Robbins, Tenn.; 5 kille d 0 injured.

TABLE A.—NUMBER OF UNDERGROUND FATALITIES IN THE NATION'S COAL MINES BY CAUSES AND BY GASSY AND NONGASSY MINES

Causes	Gassy			Nongassy		
	1965	1966	1967	1965	1966	1967
Roof falls	51	45	46	80	71	55
Haulage	23	25	22	12	16	7
Electricity	2	1	5	1	1	5
Machinery	5	4	10	9	8	6
Explosives	1	0	0	0	3	2
Explosions (gas and dust)	14	10	9	5	0	0
Fires	10	0	0	0	3	0
Inundations	0	0	0	0	0	0
Miscellaneous	9	1	3	1	6	1
Total	115	86	95	108	108	76

Note: Classification by causes may differ slightly from published data since the classification for this table was by a different group than that group which compiled the published data.

TABLE B.—NUMBER OF GAS IGNITIONS OR EXPLOSIONS IN NONGASSY COAL MINES AND NUMBER OF PERSONS KILLED OR INJURED, JULY 1, 1952, THROUGH NOV. 30, 1968

Year	Number of ignitions or explosions	Killed	Injured
1952 (6 months)	0	0	0
1953	3	0	3
1954	5	0	6
1955	3	0	4
1956	4	0	2
1957	5	0	5
1958	3	0	3
1959	3	[1] 9	2
1960	4	2	0
1961	7	0	7
1962	4	[2] 11	6
1963	1	0	0
1964	4	0	6
1965	3	[3] 5	4
1966	2	0	3
1967	0	0	0
1968	1	0	3
Total	52	27	54

[1] No. 1 mine, Philips & West Coal Co., Robbins, Tenn., Mar. 23 1959, 9 killed, 0 injured.

[2] Mine No. 2, Blue Blaze Coal Co., Herrin, Ill., Jan. 10, 1962, 11 killed, 0 injured.

[3] No. 2-A mine, C. L. Kline Coal Co., Robbins, Tenn., 5 killed, 0 injured.

TABLE C

The number of the Nation's presently active coal mines which were operated as nongassy coal mines but were subsequently classed gassy are as follows:

There were 131 mines operated nongassy for 0 to 5 years.

There were 35 mines operated nongassy for 6 to 10 years.

There were 18 mines operated nongassy for 11 to 15 years.

There were 26 mines operated nongassy for over 15 years.

MAJOR DIFFERENCES AMONG PROPOSED HOUSE AND SENATE BILLS, 1952 ACT, AND INTERIOR'S PROPOSED BILL

	1952 (as amended)	H.R. 4047, S. 355	H.R. 6504, S. 1094	H.R. 1047	Administration proposal
Authority in Director rather than Secretary of Interior.	Yes	No; authority in Secretary of Interior.	No; authority in Secretary of Labor.	No; authority in Secretary of Interior.	No; authority in Secretary of Interior.
"Imminent danger" definition	Limited to major disasters (5 persons or more).	Any condition or practice leading to death or serious injury.	Any condition or practice leading to death or serious injury.	Any condition or practice leading to death or serious injury.	Any condition or practice leading to death or serious injury.
Qualifications of inspectors	5 years' practical experience in mine.	Leaves to discretion of Secretary.	Leaves to discretion of Secretary.	Leaves to discretion of Secretary.	Establishes minimum qualifications.
Advisory committees	Mandatory advisory committee.	Permissive; silent on membership qualifications.	Permissive; silent on membership qualifications.	Permissive; silent on membership qualifications.	Permissive; silent on membership qualifications.
Issuance of notices and orders for—					
(a) Imminent danger	Immediate withdrawal	Immediate withdrawal	Immediate withdrawal	Immediate withdrawal	Immediate withdrawal.
(b) Standards	Issue notice and could withdraw if did not act in time.	Issue notice and could withdraw if did not act in time.	Issue notice and could withdraw if did not act in time.	Issue notice and could withdraw it did not act in time.	Issue notice and could withdraw if did not act in time.
Gassy, nongassy classification	Distinguishes between types of mines.	No distinction	No distinction	No distinction	No distinction.
Civil penalty:					
(a) Amount (operators)	None	$500 minimum, $10,000 maximum.	$1,000 minimum, $20,000 maximum.	No minimum, $1,000 maximum.	No minimum, $10,000 maximum.
(b) Amount (labor)	do	$25 minimum, $500 maximum.	$50 minimum, $1,000 maximum.	None	None.
(c) Unwarrantablr failure violation.	Yes; could withdraw	None	None	do	Yes; could withdraw.
Mandatory health standard	None	Standard 3 milligrams per cubic meter of air. No date specified to reach.	Standard 3 milligrams per cubic meter of air. No date specified to reach.	Must develop health standard for all coal mines 10 months after enactment.	Standard 4.5 milligrams per cubic meter of air 60 days after operative date of act and 3 as soon as possible.
Review of orders	Provides for review by Director of Bureau of Mines and Board and court.	Provides for review by Secretary and then by Board and court.	Eliminates review by Board	Provides for review by Secretary and then by Board and court.	Provides for review by Secretary or Board except where State plan review is by Board, not Secretary. Court review.

Footnotes at end of table.

MAJOR DIFFERENCES AMONG PROPOSED HOUSE AND SENATE BILLS, 1952 ACT, AND INTERIOR'S PROPOSED BILL—Continued

	1952 (as amended)	H.R. 4047, S. 355	H.R. 6504, S. 1094	H.R. 1047	Administration proposal
Health X-rays	None	Yes	Yes	None	Yes.
Secretary has authority to issue mandatory health and safety standards.	No	do	do	Yes	Do.
Review of Secretary's standards by Board.	do	No	No	No	Yes; on objections of interested persons to Secretary's proposed standards, Board shall review and make recommendations to Secretary.
State plan	Yes	do	do	do	Yes.
Criminal penalties for violation of orders.	do	Yes; $5,000 and 6 months for 1st offense, $10,000 and 1 year for 2d offense.	Yes; $10,000 and 6 months for 1st offense, $20,000 and 1 year for 2d offense.	Yes; $5,000 and 6 months for 1st offense, $10,000 and 1 year for 2d offense.	Yes; $10,000 and 6 months for 1st offense, $20,000 and 1 year for 2d offense.
Number of inspections per year	1	None specified	None specified	None specified	Minimum of 3 per year for each underground mine.
Surface mines	Excluded	Included	Included	Included	Included.
Expanded Board for review of standards.	None	None	None	None	Yes; to 8 members, 1 of which must be a health member.
Right to sue operator in Federal court for death or injury.	No	No	Yes	No	No.
Require all accidents be reported and investigated by operator.	do	do	No	do	Yes.
Financial assistance to States and miners re health and safety payments.	do	do	Yes	do	No.
Coal Mine Disaster Evaluation Center.	do	do	do	do	Do.

Note: H.R. 4295 and S. 467 are bills covering just coal mine health.

H.R. 4295 and S. 467 provide that the Director of the Bureau of Mines administer a coal mine health program which would establish a dust standard of 3 milligrams of respirable dust per cubic meter of air. The bill would direct that a health danger exists if the dust level in any part of the mine exceeds the 3 standard and require the inspector to issue an order causing all persons to be withdrawn from the area. The order shall be subject to review by the Director and the Board in much the same way as orders are subject to review under the present safety act. Court review is also provided.

The bill requires that each operator monitor coal dust level with an approved means and keep records thereof. In bituminous and lignite underground coal mines procedures must be adopted to assure that all coal mined must first be undercut, centercut, topcut, or sheared. The bill woulp establish criminal penalties. The bill would also establish an X-ray program.

Mr. COOPER. Mr. President, I am very pleased to cosponsor the administration's bill on coal mine safety being introduced today by the distinguished ranking minority member of the Committee on Public Welfare and Labor (Mr. JAVITS). At the same time, I would like to note that I reserve my right to suggest amendments and, based on my own experience in this subject matter, to call attention to various provisions of this bill and other bills when they are being considered by the committee.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. JAVITS. Mr. President, I reserve the right to propose amendments also. We will try to fashion a piece of legislation, and I could not think of a better judge of whether the legislation is fashioned correctly than the Senator from Kentucky.

Mr. COOPER. The Senator is very kind. I know that the purpose of the distinguished senior Senator from New York, as the ranking minority member of the committee, is to develop the best legislation to provide for the safety and health of those working in the mines.

I have reviewed the President's proposals and I consider them to be strong and comprehensive measures for dealing with and meeting the increasing problems of health and safety in our coal mines. In his message to the Congress, President Nixon discusses the purpose and scope of this bill:

> These legislative proposals, together with other steps already taken or to be taken are essential to meet our obligation to the Nation's coal miners, and to accomplish our mission of eliminating the tragedies which have occurred in the mines.
>
> These proposals are not intended to replace the voluntary and enlightened efforts of management and labor to reduce coal mine hazards, which efforts are the touchstone to any successful health and safety program. Rather, these measures would expand and render uniform by enforceable authority the most advanced of the health and safety precautions undertaken and potentially available in the coal mining industry.

I am interested in this bill because the State of Kentucky is the third largest coal-producing State in the Nation providing employment and economic livelihood to a large segment of its citizens, but I am also interested in the health and safety of those who work in coal mines. I would like to point out that in Kentucky the Kentucky Department of Mines and Minerals over the years has taken an active lead in conducting inspections of our mines and in providing programs for the education and training of our miners in safety. As I pointed out in my testimony before the Senate Labor and Public Welfare Committee in 1966, the Kentucky department made more inspections of Kentucky mines in 1 year than all the inspections conducted by the Interior's Bureau of Mines in the entire United States.

Coal mine safety legislation has been under consideration by the Congress over the past 11 years. In 1958, and 1959, as a member of the Senate Labor and Public Welfare Committee, I participated in the consideration of coal mine safety bills before that Committee and I had a hand in drafting the bill reported by the Committee in 1960 and which passed the Senate. The House failed to act.

When the Federal Coal Mine Safety Act amendments were considered by the Senate and House Committees in 1965, I testified and presented by views before both committees. When the Senate Labor Subcommittee was marking up the bill, H.R. 3584, in 1966, which was enacted into law, I was invited by the chairman of the subcommittee, former Senator Morse, to meet with the subcommittee in executive session so that my comments on various provisions of the bill, amendments that I offered on coal mining operations and procedures could be considered by the members of the subcommittee.

When the bill was considered on the floor, by colloquy with the manager of the bill, former Senator Morse, I helped to establish legislative history in which Senator Morse stated that the bill, as amended, provided a more effective measure in advancing the interest of mine safety. I mention this history to indicate my long-standing interest on this subject of coal mine safety legislation.

I would hope in the committee's consideration of this bill and other bills that have been introduced that recognition be given to the differing physical characteristics of the large and highly mechanized mines in contrast with the much smaller mines and their differing impact on mine health and safety.

But in conclusion, Mr. President, I want to express firmly that the new hazardous conditions in our coal mines require new remedies if we are to provide for the health and safety of our workers. I shall work and vote for such a bill.

PRESIDENT NIXON'S TRIP OF EUROPE

Mr. THURMOND. Mr. President, President Nixon's tour of the European capitals has inspired the Nation with feelings of pride and of hope. Pride, because we can see that the President has represented the United States with dignity and with a sense of sureness and confidence. Because we can see that, as a symbol of the Nation, President Nixon has been received with warmth and acclaim by both the people and the leaders of the nations that he visited. This is surely a tribute to the President himself, to his character and to his skill.

Mr. President, the other emotion which the President's trip inspires is that of hope. The American people and the people of Europe are anxious for a just and lasting peace—not just peace in Vietnam, but peace in Berlin, and peace in Czechoslovakia. If such a peace is to come about, the expansionist aims of the Soviet Union and her ideological allies all over the globe must be curbed. In such an undertaking, it is important that the President of the United States have the cooperation of the Western European leaders. President Nixon has taken the first step toward the construction of an effective foreign policy by meeting individually with the leaders in Europe. It is too early, of course, for us to know what the results of this trip will be; but to create clear channels of communication where there may have been confusion or misunderstanding can only be an asset to the administration, and thus to the Nation.

President Nixon's trip gives every appearance of having been successful, and this success stirs hope that a firm foreign policy which unites the Western nations will be established and result in the furtherance of freedom, of justice, and of peace.

Mr. President, I commend President Nixon. He has represented our Nation with distinction, and I share with the Nation a feeling of hope for peace and a feeling of pride in our President and in our Nation.

S. 1265—INTRODUCTION OF A BILL ENTITLED "AIR TRAFFIC CONGESTION RELIEF ACT OF 1969"

Mr. JAVITS. Mr. President, on behalf of myself, the Senator from Massachusetts (Mr. BROOKE), and the Senator from New York (Mr. GOODELL), I introduce, for appropriate reference, the Air Traffic Congestion Relief Act of 1969. This is a very comprehensive bill, to deal with a raging crisis, particularly in our large metropolitan areas, regarding inadequate airports. With the jumbo jets on the way, we face the threat of chaos as well as added critical danger. We are all quite aware of the problems confronting aviation today: the need for improved safety; incredible congestion at the major hub airports; inadequacy of terminals, baggage handling, parking and ground transportation; unrealistic scheduling; and lack of many feeder airports in smaller communities.

We are awed by the dimension of these problems—$3 billion by 1972 and $6 billion by 1975 needed for airport development and 1 million air carrier passengers a day—compared with the present 500,000—within 10 years—based on FAA estimates. Yet, despite this knowledge, and the realization that it takes some 7 years to complete a new jetport, we have been putting forward no imaginative program for national airport development and since I come from New York, a major affected area, my interest is very great indeed.

When 12 million enplane annually at New York's three airports, 10 million at O'Hare in Chicago, and over 1 million annually in each of 19 other cities including Seattle, Kansas City, Denver, and Los Angeles, we are certainly dealing with a national problem. By calling this a national problem, I do not mean to imply that it is exclusively a problem to be solved by the Federal Government. Any solution must involve not only Federal and local government, but all levels of government and the entire range of airway and airport users, including airline passengers.

It is time we took the big step forward and united behind a single plan to raise funds for airport development. I propose such a plan today.

It is for these reasons that I am introducing legislation to help meet the urgent present and future needs for aviation operations and permit us to confront the crisis facing our airports and airways.

First. The bill establishes an Airport Development Trust Fund, raised by new user taxes, to channel moneys to develop new airports where needed and to increase the number of satellite or feeder airports.

Second. It requires the establishment of a State agency in each State for public airport planning. The fragmentation of decisionmaking for airport development is nowhere more apparent than in the current controversy in New York State over a fourth jetport. To enable localities to coordinate their efforts in reconciling the scores of political jurisdictions within metropolitan areas, each State would establish an agency or join a multistate agency. Such agencies would be responsible for the drafting and implementation of a plan for aviation development to be approved by the Secretary of Transportation. These plans would include improvement of hub airports, as well. No Federal funds for airport development would be available except under an approved plan. This "plan approval" approach is similar to one used in the Water Quality Act of 1965. It should be stressed that the State agency would be required to give due consideration in its aviation-development plan to the problem of aircraft noise—a major threat to daily life for those residents living near an airport or an established flight path.

Third. The bill establishes the concept of priority airport construction, where air commerce or public safety is threatened by airport traffic congestion and delay. For the first time, the FAA is authorized in the interest of air safety to direct the State either to establish a plan to meet the public's needs or to face the alternative of having available funds withheld on a project-by-project basis throughout the State until priority airport construction is provided for. It places the burden squarely upon the State agency to respond to the airport crisis by developing a plan to provide a safe and efficient airways system.

I am convinced that the mix of commercial jet traffic and general aviation in congested centers must be reviewed. The establishment of a State agency for airport planning in combination with priority airport construction should result in a determination to use the major jetports primarily for the great volume of commercial aviation traffic.

In 1966, two-thirds of airline terminal delays at airports with FAA towers occurred at 23 hub airports. One-third of the delays at these 23 airports occurred at New York's three airports. Thus, New York alone accounted for over 20 percent of all air-carrier delay. At the three New York airports, general aviation now uses 31 percent of the airport capacity and an unbelievable 46 percent of peak-hour capacity. As we channel our efforts toward the major use of jetports for commercial aviation, we will cut operating time—delays cost airlines $28 million a year—and in turn this added efficiency should be able to reduce fares and improve safety.

Fourth. This legislation provides statutory authority to the Civil Aeronautics Board and permits general, affirmative control of airline schedules as a means of alleviating congestion. Although airline scheduling should in the final analysis, be worked out by the carriers—and I recognize that a change in a particular schedule may well require corresponding adjustments throughout the entire system—the authority provided by this legislation would permit the CAB to exert its ultimate right of scheduling to stimulate the carriers to arrive at a reasonable system of voluntary compliance in order to relieve congestion.

Until now the Federal Aviation Act precludes the Board from imposing certificate conditions which "restrict the right of air carriers to add to or change schedules, equipment, accommodations, and facilities for performing the authorized transportation and service as the development of the business and the demands of the public require." The powers conferred by this legislation will permit the Board to exert its influence in achieving remedial carrier voluntary compliance in scheduling practices to relieve airport congestion.

At this point I should like to discuss in greater detail why I believe the moneys to establish the airport development fund should come from user taxes and elaborate upon how the trust fund should be used.

The trust fund would be used first, to pay the difference between 3 percent and the market rate of interest on locally issued bonds; and, second, to pay for the entire Federal aid to airports program in the annual amount of $150 million. This would double the present authorizations of $75 million to the discretionary fund for priority airport construction. Under this interest differential payment plan, $40 to $50 million of Federal grants out of the trust fund support $1 billion of local airport improvement bonds, many have talked of Federal guarantees of local tax-exempt bonds, but I must point out that the Treasury has consistently opposed this approach, though I do not exclude it.

I have always felt that the airways must make a far greater effort to pay their own way. The general taxpayer has too long borne a burden incommensurate with his benefits. The people who want to fly must know they will have to pay; they must know also that the user taxes are being put back into building more airports and making airports more efficient and safer.

The trust fund would be made up first, of a tax of 2 cents on all commercial airline aviation fuel—including jet fuel—which would raise some $100 million; and, second, an increase in the passenger tax from 5 to 7 percent which will raise some $75 million. The 2-percent increase will go into the trust fund, but the 5-

percent base will continue to go into general revenues to pay FAA airway costs.

As far as general aviation is concerned, I believe we must adopt a "satellite" airport system in our metropolitan areas for this purpose. The average cost of general aviation airports is $25 million, as compared with some $750 million to $1 billion for a fourth New York jetport. But I feel that such airports are necessary and that general aviation must be called upon to pay a far greater share of airway and airport development costs. The bill provides a 5-cent tax on all fuels used by general aviation which will raise approximately $22.5 million—still less than 15 percent of its share of estimated FAA airways costs. The receipts from this tax would be placed in the trust fund as well.

The job must be begun now. The day of complete traffic saturation for John F. Kennedy Airport is fast drawing near, and for other major airports. There is an ever-increasing misallocation of the cost-benefit ratio of aviation. This trend has to be reversed. It is not only time for the user to pay his way, but it is time we made sure he is getting his money's worth in efficiency and safety.

Mr. President, in view of the importance of the subject, I ask unanimous consent that the text of the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the text of the bill will be printed in the RECORD.

The bill (S. 1265) to provide for essential development and the relief of congestion at public airports, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1265

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Air Traffic Congestion Relief Act of 1969."

TITLE I—AIRPORT DEVELOPMENT

DEFINITIONS

SEC. 101. As used in this title—

(1) "Secretary" means the Secretary of Transportation;

(2) "airport development" means any work or the acquisition of land or structures for construction or improvement of an airport or for the construction or improvement of facilities for use in relation to an airport;

(3) "public airport" means any airport which is used or to be used for public purposes, under the control of a public agency, the landing area of which is publicly owned;

(4) "public agency" means a State or any agency thereof, a political subdivision of a State or an agency thereof, or a tax-supported organization; and

(5) "State" includes a State, the District of Columbia, Puerto Rico, and the Virgin Islands.

AUTHORIZATION FOR DEBT SERVICE PAYMENTS

SEC. 102. (a) The Secretary is authorized to enter into one or more contracts with any public agency for the payment by the Secretary of reasonable debt service costs in excess of 2 per centum per annum incurred by such agency in borrowing amounts for any project for public airport development which (1) is approved by the State agency or official designated pursuant to section 104 if it has been so designated; (2) is in accordance with the State plan for airport development; and (3) is determined by the Secretary to be in accordance with the national airport plan formulated pursuant to the Federal Airport Act, including any priorities established pursuant to section 4(d) of such Act.

(b) In entering into such contracts the Secretary shall insure that adequate attention has been given to projects for the improvement of terminal facilities, the improvement of transportation to and from airports, and improvement of parking facilities at airports.

(c) Payments pursuant to this section shall be made from the Airport Development Trust Fund established pursuant to section 106.

STATE AIRPORT PLANNING AND PRIORITY AIRPORT CONSTRUCTION

SEC. 103. (a) For the purposes of this title and the Federal Airport Act each State shall designate a State agency or official for public airport planning, and such agency or official shall prepare and maintain a plan for the development of public airports in such State. In the preparation of such plan all possible consideration shall be given to the protecting of the public health and welfare from excessive aircraft noise.

(b) Section 3 of the Federal Airport Act is amended by inserting at the end thereof a new subsection as follows:

"(d) In any area in which the Administrator determines (1) that air commerce is seriously affected (including the effect on public safety) and impeded by congestion and delays in airport traffic, and (2) that the construction of an additional airport in such area is necessary to relieve such congestion and delay, he may establish such priority in the use of funds granted pursuant to this Act to the State or States in which such area is located and from the discretionary fund established pursuant to section 6(b) as is necessary to provide for the construction of such airport as soon as practicable."

(c) Section 4 of the Federal Airport Act is amended by inserting at the end thereof a new subsection as follows:

"(c) Effective for fiscal years beginning after June 30, 1970, no grant shall be made pursuant to this Act (1) for any project in any State in which an agency or official of such State has been designated pursuant to section 104 of the Air Traffic Congestion Relief Act of 1969 unless such project is approved by such agency or official as being in accordance with State plans for airport development, and (2) unless such grant is in accord with any priorities established pursuant to section 4(d) of this Act."

INCREASE IN AUTHORIZATION FOR FEDERAL AIRPORT ACT

SEC. 104. Subsection (d) of section 5 of the Federal Airport Act is amended by striking out paragraphs (7), (8), and (9) and inserting in lieu thereof the following:

"(7) For the purpose of carrying out this Act in the several States, in addition to other amounts authorized by this Act, appropriations amounting in the aggregate to $399,000,000 are hereby authorized to the Secretary of Transportation over a period of three fiscal years, beginning with the fiscal year ending June 30, 1970. Of amounts appropriated under this paragraph, $133,000,000 shall become available for obligation, by the execution of grant agreements pursuant to section 12, beginning July 1 of each of the fiscal years ending June 30, 1970, June 30, 1971, and June 30, 1972, and shall continue to be so available until expended.

"(8) For the purpose of carrying out this Act in Hawaii, Puerto Rico, and the Virgin Islands, in addition to other amounts authorized by this Act, appropriations amounting in the aggregate to $9,000,000 are hereby authorized to the Secretary of Transportation over a period of three fiscal years, beginning with the fiscal year ending June 30, 1970. Of amounts appropriated under this paragraph $3,000,000 shall become available for obligation, by the execution of grant agreements pursuant to section 12, beginning July 1 of each of the fiscal years ending June 30, 1970, June 30, 1971, and June 30, 1972, and shall continue to be so available until expended. Of each such amount, 40 per centum shall be available for Hawaii, 40 per centum shall be available for Puerto Rico, and 20 per centum shall be available for the Virgin Islands.

"(9) For the purpose of developing, in the several States, airports the primary purpose of which is to serve general aviation and to relieve congestion at airports having high density of traffic serving other segments of aviation, in addition to other amounts authorized by this Act for such purpose, appropriations amounting in the aggregate to $42,000,000 are hereby authorized to the Secretary of Transportation over a period of three fiscal years, beginning with the fiscal year ending June 30, 1970. Of amounts appropriated under this paragraph, $14,000,000 shall become available for obligation, by the execution of grant agreements pursuant to section 12, beginning July 1 of each of the fiscal years ending June 30, 1970, June 30, 1971, and June 30, 1972, and shall continue to be so available until expended.

"(10) For fiscal years beginning after June 30, 1969, amounts authorized pursuant to this subsection shall be available for expenditure without further appropriation from the Airport Development Trust Fund."

AIRPORT DEVELOPMENT TRUST FUND

SEC. 105. (a) There is hereby established in the Treasury of the United States a trust fund to be known as the Airport Development Trust Fund hereinafter in this section called the trust fund. The trust fund shall consist of such amounts as are appropriated to the fund pursuant to this section.

(b) There is hereby appropriated to the trust fund out of any money in the Treasury not otherwise appropriated amounts equivalent to—

(1) 100 per centum of the taxes received in the Treasury after June 30, 1969, under the provisions of section 4042 of the Internal Revenue Code of 1954;

(2) Two-sevenths of the taxes received in the Treasury after June 30, 1969, under the provisions of section 4261 of the Internal Revenue Code of 1954; and

(3) 2 cents a gallon for each gallon of gasoline taxable under section 4081 of the Internal Revenue Code of 1954 which is used after June 30, 1969, as fuel in an airplane.

The amounts appropriated pursuant to this subsection shall be transferred at least monthly from the general fund of the Treasury to the trust fund on the basis of estimates by the Secretary of the Treasury of the amounts received in the Treasury under the provisions of such section of the Internal Revenue Code of 1954. Proper adjustments shall be made in the amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(c) It shall be the duty of the Secretary of the Treasury to hold the trust fund, and (after consultation with the Secretary of Transportation) to report to the Congress not later than the first day of March of each year on the financial condition and the results of the operations of the trust fund during the preceding fiscal year and on its expected condition and operations during each fiscal year thereafter. Such report shall be printed as a House document of the session of the Congress to which the report is made. It shall be the duty of the Secretary of the Treasury to invest such portion of the trust fund as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (A) on original issue at par, or (B) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the trust fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt; except that where such average rate is not a multiple of one-eighth of 1 per centum, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 per centum next lower than such average rate. Such special obligations shall be issued only if the Secretary of the Treasury determines that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest. Any obligation acquired by the trust fund (except special obligations issued exclusively to the trust fund) may be sold by the Secretary of the Treasury at the market price, and such special obligations may be redeemed at par plus accrued interest. The interest on, and the proceeds from the sale or redemption of, any obligations held in the trust fund shall be credited to and form a part of the trust fund.

(d) Amounts in the trust fund shall be available, without further appropriation for (1) making expenditures after June 30, 1969, pursuant to section 102 of this title, and (2) carrying out the provisions of the Federal Airport Act after such date.

IMPOSITION OF TAXES ON AVIATION FUEL

Sec. 106. (a) Subchapter E of chapter 31 of the Internal Revenue Code of 1954 (relating to special fuels) is amended by renumbering section 4042 as 4043, and by inserting after section 4041 the following new section:

"Sec. 4042. Aviation Fuel.

"(a) Fuel Used in Commercial Aviation.—There is hereby imposed a tax of 2 cents a gallon upon any liquid (other than any product taxable under section 4081)—

"(1) sold by any person to an owner, lessee, or operator of an airplane used in commercial aviation, for use as a fuel in such airplane; or

"(2) used by any person as a fuel in an airplane used in commercial aviation unless there was a taxable sale of such liquid under paragraph (1).

"(b) Fuel Used in General Aviation.—

"(1) Liquid other than gasoline.—There is hereby imposed a tax of 5 cents a gallon upon any liquid (other than any product taxable under section 4081)—

"(A) sold by any person to an owner, lessee, or operator of an airplane (other than an airplane used in commercial aviation), for use as a fuel in such airplane; or

"(B) used by any person as a fuel in an airplane (other than an airplane used in commercial aviation) unless there was a taxable sale of such liquid under subparagraph (A).

"(2) Gasoline.—There is hereby imposed a tax of 3 cents a gallon upon any product taxable under section 4081—

"(A) sold by any person to an owner, lessee, or operator of an airplane (other than an airplane used in commercial aviation), for use as a fuel in such airplane; or

"(B) used by any person as a fuel in an airplane (other than an airplane used in commercial aviation) unless there was a taxable sale of such liquid under subparagraph (A)."

(b) (1) Section 4041(b) of the Internal Revenue Code of 1954 (relating to tax on special motor fuels) is amended by striking out "motor vehicle, motorboat, or airplane" each place it appears therein and inserting in lieu thereof "motor vehicle or motorboat".

(2) The heading of section 4041 of such Code is amended by striking out "IMPOSITION OF TAX" and inserting in lieu thereof "DIESEL FUEL; SPECIAL MOTOR FUELS".

(3) The table of sections for subchapter E of chapter 31 of such Code is amended to read as follows:

"Sec. 4041. Diesel fuels; special motor fuels.
"Sec. 4042. Aviation fuel.
"Sec. 4043. Cross reference."

(c) (1) Section 6416(a) (2) (A) of the Internal Revenue Code of 1954 is amended by inserting after "special motor fuels)" the following: "or the tax imposed by section 4042(a) (2) (use of aviation fuel)".

(2) Section 6416(b) (2) of such Code is amended—

(1) by striking out the period at the end of subparagraph (R) and inserting in lieu thereof a semicolon, and

(2) by adding after subparagraph (R) the following new subparagraph:

"(S) in the case of a liquid taxable under section 4042, sold for use as fuel in an airplane, if the vendee used such liquid otherwise than as a fuel in an airplane."

(d) The amendments made by subsections (a), (b), and (c) shall apply with respect to fuels sold or used after June 30, 1969.

INCREASE IN TAX ON TRANSPORTATION OF PERSONS BY AIR

Sec. 107. (a) Subsections (a) and (b) of section 4261 of the Internal Revenue Code of 1954 (relating to tax on transportation of persons by air) are amended by striking out "5 percent of the amount so paid for transportation which begins after November 15, 1962" and inserting in lieu thereof "7 percent of the amount so paid".

(b) Subsection (c) of such action is amended by striking out "5 percent of the amount so paid in connection with transportation which begins after November 15, 1962" and inserting in lieu thereof "7 percent of the amount so paid".

(c) The amendments made by subsections (a) and (b) shall apply with respect to transportation which begins after June 30, 1969.

AMENDMENT TO HIGHWAY TRUST FUND

Sec. 108. Section 209(f) of the Highway Revenue Act of 1956 (relating to expenditures from the Highway Trust Fund) is amended by adding at the end thereof the following new paragraph:

"(7) Transfers from trust fund for gasoline used in airplanes.—The Secretary of the Treasury shall pay from time to time from the Trust Fund to the Airport Development Trust Fund the amounts appropriated to the Airport Development Trust Fund under section 106(b) (3) of the Air Traffic Congestion Relief Act of 1969 with respect to gasoline used as fuel in airplanes."

TITLE II—AIR TRAFFIC SCHEDULING

SUBMISSION OF SCHEDULES

Sec. 201. (a) Section 401(e) (2) of the Federal Aviation Act of 1958 is amended to read as follows:

"(2) (A) Each certificate issued under this section shall specify the terminal points and intermediate points, if any, between which the air carrier is authorized to engage in air transportation and the service to be rendered, and such points shall be the specific terminals or airports which are to be used. There shall be attached to the exercise of the privileges granted by the certificate, or amendment thereto, such other reasonable terms, conditions, and limitations as the public interest may require.

"(B) Where the public interest in safe, efficient, and uncongested air traffic requires, the Board may require as a condition of any certificate issued under this section that an air carrier shall submit to the Board a schedule of service between terminal points served. After notice and hearing, the Board may accept or amend such schedule of service, and provide for an effective date and the manner of compliance with such schedule after such date. Such compliance shall be considered to be a term and condition of such certificate. Any amendment to a schedule established pursuant to this subparagraph shall be carried out in the same manner as the original establishment of such

(b) Section 401(e) (4) of such Act is amended by striking out "schedules".

S. 1264—INTRODUCTION OF BILL TO AUTHORIZE DIRECT STUDENT LOANS TO AMERICAN MEDICAL STUDENTS ABROAD

Mr. JAVITS. Mr. President, I introduce, for myself, Mr. Prouty, and Mr. Yarborough, for appropriate reference, a bill amending title VII of the Public Health Service Act to authorize direct student loans to students studying outside the United States at a school of medicine, podiatry, osteopathy, dentistry, or optometry approved by the Secretary of Health, Education, and Welfare. Under the Health Professions Education Assistance Act, American medical, podiatry, osteopathic, dental, and optometric students studying in the United States may obtain direct loans from HEW of up to $2,500 annually. My bill would extend this to Americans studying abroad. No additional funding authorization is required.

Our Nation is short some 50,000 doctors today. Even with projected expansion of medical schools in the United States, the shortage will still be 42,000 in 1975 due to population increases and increased demand. Some 11 percent of American medical students are now in foreign universities because there are not enough medical schools in this country. That a foreign medical education does meet U.S. standards is illustrated by the fact that some 1,600 foreign-educated foreign doctors are "imported" each year and the large number of foreign-educated interns and residents in U.S. hospitals.

The GI bills of World War II, Korean war, and the cold war all extend benefits to eligible veterans studying abroad. Thus, for over a generation the concept of aiding eligible American students attending a foreign school has been well established and operated successfully. It should be pointed out that the authority granted to the Secretary of Health, Education, and Welfare to approve courses of medical study abroad is not intended to establish any new precedent with respect to accreditation of institutions of higher education. This provision is necessary because of the unique nature of study in foreign institutions, and it is anticipated that in exercising this authority the Secretary will consult with appropriate professional and accrediting groups within the United States.

This measure is identical in language to the provision which passed the Senate on June 24, 1968, as part of the Health Manpower Act but was deleted in conference with the House.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1264) to amend the provisions of the Public Health Service Act which relate to student loans so as to provide for the making of direct loans to U.S. citizens studying in foreign schools, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

S. 1260—INTRODUCTION OF BILL TO DETERMINE ELIGIBILITY OF EX-SERVICEMEN FOR UNEMPLOYMENT COMPENSATION

Mr. JAVITS. Mr. President, military personnel—particularly our men who are stationed abroad and on duty in combat areas—have no opportunity to take leave except at the discretion of the military service. In addition, these members of our Armed Forces have practically no opportunity to seek other employment before they are released from active service. This is not true as to their counterparts in Federal civilian employment.

However, 5 U.S.C. 8524 provides that for purposes of determining the eligibility of ex-servicemen for unemployment compensation, any payment for unused accrued leave received at the termination of service is considered to continue the Federal service and to constitute Federal wages during the period after termination of service with respect to which the payment was made.

The effect of this section is to disqualify ex-servicemen from receiving unemployment compensation during the period covered by any payment for accrued leave they may have received upon separation, even if the State law under which compensation is claimed would otherwise permit payment. This provision unfairly discriminates against ex-servicemen since no similar disqualification is imposed on Federal civilian employees.

With the increase in the number of servicemen who will upon discharge be seeking private employment, the problem caused by this disparity in treatment obviously has become more acute. Several committees of the Congress have already begun to consider various measures designed to facilitate the transition from service in the Armed Forces to private employment. Clearly, at the very least, our unemployment compensation policy should insure that ex-servicemen are not discriminated against in obtaining unemployment compensation when they are unsuccessful in obtaining immediate employment upon their discharge.

Therefore, I introduce, for appropriate reference, a bill to repeal 5 U.S.C. 8524. This bill would not compel any State to disregard accrued leave payments received by servicemen in determining eligibility for unemployment compensation; it merely allows the States to decide for themselves whether or not to do so, as in the case of Federal civilian employees. The Department of Labor informs me that the total cost of this bill based on current experience would not exceed $2.5 million per year.

The American Legion recently considered and approved a resolution which would accord discharged servicemen the same rights as Federal employees under unemployment compensation benefits. I understand that my bill will satisfy this American Legion Resolution 308, which provides as follows:

> Whereas, Military personnel released from active duty by the various services receive accrued leave and payment therefore on being terminated from active service, and
>
> Whereas, Military personnel released from active service are prevented from receiving unemployment compensation until after their accrued terminal leave has expired, and
>
> Whereas, Civilian employees on being terminated from governmental service with accrued leave may draw unemployment compensation immediately on termination of employment and before accrued leave has expired, and
>
> Whereas, there are on the order of 600,000 military personnel being released from active duty annually under current situation, and
>
> Whereas, Military personnel, particularly in foreign service and combat service have no opportunity to take leave except at the discretion of the military services and being outside the continental limits of the United States have no opportunity to seek other employment before being released from active service as do their counterpart in the civilian employment, now, therefore, be it
>
> *Resolved, by the American Legion in National Convention assembled in New Orleans, Louisiana, September 10, 11, 12, 1968,* That The American Legion urge the Congress of the United States to amend the Social Security Act to permit military personnel upon separation from the military service to immediately become eligible to apply for and to receive unemployment compensation benefits in the same manner as their counterpart in the civilian employment of the governmental services.

There is clear discrimination with Federal civilian employees because the present section 8524 of title 5 is directly traceable to a similar provision, section 1505 of the Social Security Act, 42 U.S.C., section 1365, which in its original form did apply to Federal civilian employees. In 1960 by Public Law 86–442, section 1, effective with benefit years commencing after April 22, 1960, this provision was repealed, insofar as Federal civilian employees were concerned. But in section 2 of the same bill a special provision was inserted continuing it in effect for ex-servicemen.

The bill was subject to very little debate in either the House or the Senate and although the provision continuing section 1365 in effect for ex-servicemen was added as an amendment by the House committee, neither the committee reports on the bill nor the debates offer any explanation of the difference in treatment accorded under the bill to ex-servicemen and Federal civilian employees.

The purpose of Public Law 86–442, as set forth in the committee reports and on the floor of the House and Senate at the time it was considered was simply to leave it up to each individual State to decide whether or not accrued leave payments would be considered as wages for the purpose of determining eligibility for unemployment compensation. I am informed by the Legislative Reference Service and the Department of Labor that approximately 26 States do not treat accrued leave payments as wages for the purpose of determining an ex-serviceman's eligibility for unemployment compensation. Since unemployment insurance for both ex-civilian employees of the Federal Government and ex-servicemen are administered in the same manner, that is, through the States, I cannot see any reason why this matter should be left to the States in the case of ex-civilian employees of the Federal Government but not in the case of ex-servicemen.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1260) to determine eligibility of ex-servicemen for unemployment compensation, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Finance.

THE 125TH BIRTHDAY OF THE HUNGARIAN ARTIST-PAINTER, MICHAEL DE MUNKÁCSY

Mr. JAVITS. Mr. President, on February 20 we celebrated the 125th birthday of a great artist from Hungary, Michael de Munkácsy, 1844–1900. He came from a modest background, and his father died in an Austrian prison for having participated in the Hungarian War of Independence of 1848–49, led by Louis Kossuth. His talents, realized by his uncle, enabled him to win a scholarship to Budapest and after then, to Dusseldorf, to the famous Art Academy. Here he met the American painter, John R. Tait, who secured for him the first American commissions. Their completion enabled the young painter to move to Paris and win the first prize at the Salon, an international recognition of his work.

Among the most faithful American patrons of Munkácsy were the Wanamaker family and Joseph Pulitzer, himself of Hungarian origin. Wanamaker paid $150,000 for "Christ Before Pilate" in 1881 and half a million francs for the next canvas, "Christ on Calvary." Munkácsy was a critical realist, his message was modern, though the medium was still the traditional Biblical themes. One of his best canvases, "Milton Dictating the Paradise Lost to His Daughters," hangs in the public library of New York and there are about five more Munkácsy paintings in New York, one of them at the Hungarian Cultural Foundation.

Munkácsy's New York connections are many, indeed. Upon his arrival in New York in 1886, Joseph Pulitzer received him with a headline in Hungarian in the New York World. He also painted Mrs. Pulitzer while in New York. At the exhibition of his paintings thousands converged before the canvases and not less than nine New York newspapers commented enthusiastically on them.

The New York Evening Post of November 25, 1886, commented as follows:

> Christ before Pilate is a picture which demands the most serious consideration. To paint such a subject, on such a scale, is to attempt a work of surpassing importance. It is invading the field of the greatest painters our civilization has even seen. Tintoretto,

> Paul Veronese, Raphael, Titian, have painted such subjects, and their marvelous creations still exist . . . Its merits are great enough to insure it appreciation, and judged on its merits, it will meet with the consideration it deserves.

The New York World of November 18, 1886, published an article by James B. Townsend, which contains among others the following evaluation:

> When the few great artists of our age and time shall have won, by lapse of centuries and art periods and by the power of their work, the title of "old masters," as we now understand the term, Michael de Munkácsy, the Hungarian painter, will hold a foremost place among the immortals of the nineteenth century, secured for him by his masterpiece the *Christ Before Pilate* . . .
>
> The work is a grandly conceived one; is majestic in its simplicity and tells its dramatic story through no tricks of art, but simply by genius guiding the hand which created it . . .
>
> It is a work which, like the Madonnas of the old masters, may be viewed and studied alike, and side by side, by the sceptic, the Christian, the Hebrew and the Turk . . .

Today, indeed, it is timely to remember this great painter. His subjects included many of the small people of society, people who suffered, he even painted striking workers. Yet, he was not an agitator, he tried to ennoble man's yearning for freedom and give idealism to the suffering human being.

PRESIDENT NIXON'S TRIP TO EUROPE

Mr. COOPER. Mr. President, the visit of President Richard M. Nixon to Europe in purpose, timeliness, and the manner in which it was conducted, is heartening to the people of our country, to Europe, and to the world. He has carried out the promise he made during his campaign and that he made clear in his eloquent inaugural address that he would directly consult with member nations of NATO in order to achieve a better understanding of our mutual problems and to strengthen joint efforts toward security and toward solution of the issues and situations which endanger our countries.

While we do not know the substance of his talks with our European allies, we know they were pursued by the President with calmness, with candor, and in a spirit of common interest and responsibility. It has been a visit which has laid the foundation for the work which we know President Nixon will vigorously carry on—the strengthening of NATO, a solution of NATO's problems, negotiations with the Soviet Union in a great undertaking to achieve a more stable and peaceful world.

I know that all of us hope that the tense situation in Berlin will not set back this peaceful beginning—for this beginning offers genuine hope of progress toward peace.

CAN NIXON STOP THE ARMS RACE?

Mr. COOPER. Mr. President, the senior Senator from New York (Mr. Javits) has written a most important article in the March 1, 1969, issue of the Saturday Review. His article, entitled "Can Nixon Stop the Arms Race?" is a cogent and lucid discussion of the implications of the ABM issue.

Senator Javits stresses what many of us believe, that President Nixon has, as no other President has had before him—the great opportunity to negotiate a cessation of the mad momentum of the nuclear arms race. Senator Javits takes as his theme President Nixon's declared desire expressed in his inaugural address to be the "peacemaker."

In his forceful and logical way that we have all come to recognize and respect, Senator Javits shows how the ABM issue presents a unique opportunity for the President to move toward his objective through a decision not to deploy the ABM and to actively pursue negotiations with the Soviet Union on a cessation of the nuclear arms race. In a systematic and scholarly fashion, Senator Javits discusses the past Administration's rationale, and persuasively makes the case that not only on technical and strategic reasons, but in the interest of security deployment of the ABM would not be in the U.S. interest. He quotes a remark made by the former Director of the U.S. Arms Control and Disarmament Agency, William Foster, who said:

> We now have a relatively stable situation in which each side has a fairly good idea of other side's capabilities. With the deployment of new weapons systems, however, this situation could become very unstable and possibly dangerous.

In conclusion, Senator Javits wisely commented:

> We cannot allow the range of alternatives open to us to be limited by a concentration in nuclear weaponry if limitation compatible with security can be gained by negotiation.

I ask unanimous consent that the article written by Senator Javits be inserted in the Record at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Can President Nixon Stop the Arms Race?

(By Jacob K. Javits)

"The greatest honor history can bestow," said President Nixon in his Inaugural address, "is the title of Peacemaker." The President clearly recognized—as do most Americans—that without peace in Vietnam, without intensive and successful efforts to avoid conflict in the "tinderbox" Middle East, his Administration will be tarnished in the eyes of the American people and in the sight of history.

But, really critical as are these immediate and obvious challenges to peace, history will probably judge the actions of our Government in the years immediately ahead by another standard—the longer-term prospects for peace as determined by the current decisions we make concerning the nuclear arms race and negotiations with the Soviet Union on the limitation of nuclear missile and antimissile systems. For we are engaged in a massive nuclear arms race and historically arms races almost inevitably have led to mutually destructive wars. Because of the destructive power of nuclear weapons, the very survival of mankind is literally at stake.

Negotiations between the United States and the Soviet Union concerning the limitation of offensive and defensive missile systems should commence shortly. From all indications, both President Nixon and the Kremlin leaders give high priority to these negotiations—and it is long past the time when the momentous issues involved were given the attention they must have.

The setting in which Mr. Nixon has now assumed the Presidency is pertinent. Though partially obscured by the controversy over Vietnam policy, a major debate on many of the key issues relating to national security and the nuclear arms race has been in progress for several years. This debate has centered on the issue of the deployment of the Sentinel anti-ballistic missile system.

A disconcerting aspect of this debate has been that the proponents and opponents of the Sentinel system seldom talked *to* each other, as opposed to talking *at* each other—in both the literal and figurative senses. Now the Joint Chiefs of Staff, representing the professional military viewpoint and strongly supported by leading members of the Armed Services committees of the Congress, have apparently succeeded in convincing the Congress to commit the United States to the construction of a "thin" ABM system. But notwithstanding authorization and appropriation in the last Congress, the Nixon Administration has temporarily delayed further procurement and site location for Sentinel pending departmental and National Security Council review.

Former Defense Secretary McNamara, in his landmark speech of September 18, 1967, brought the issue to public attention and lifted the debate to a new level of sophistication and insight. He explained the dynamics of the "mad momentum" of the arms race and the dangerous cycle of "action and reaction" inherent in the interplay of U.S. and Soviet policy in the nuclear arms field with large risks and expenses but no real gains in security for either side. Two direct consequences resulted from Secretary McNamara's initiative. First, leading scientists of the academic community launched a series of attacks questioning the technical efficacy of the Sentinel system, and also warned of the dangers involved in "destabilizing" the current nuclear "balance of terror." Second, a bipartisan group of liberal and moderate Senators (including this writer), led by Senators John Sherman Cooper of Kentucky and Philip A. Hart of Michigan, offered a series of unsuccessful amendments to various defense appropriations bills, seeking to defer the deployment of the Sentinel ABM system.

Mr. McNamara's successor, Clark Clifford, gave strong support to the position of the Joint Chiefs of Staff and the traditional strategic doctrines which underlie the JCS position. "Others within and without the Government are free to work unqualifiedly for the best of all possible worlds," Mr. Clifford said. "The Secretary of Defense must make certain that we are prepared for the worst. I find this responsibility neither uncongenial nor unrewarding . . . my own deeply held belief in the importance of dealing from strength has not resulted from the past half year alone but stems also from my experience with the Administration of President Truman in the period following World War II."

There is nothing sinister about the view of former Secretary Clifford and the Joint Chiefs of Staff. The pertinent question is not whether Mr. Clifford and the Joint Chiefs were "wrong" or "dangerous" in their views. Their attitudes were certainly the conventional reaction to the thought patterns of their opposite numbers in the Kremlin who still carry the day in Soviet decision-making councils.

But perhaps it is more in the national interest to approach the issue from a broader perspective. "Military strength is not enough," President Nixon said before his election. "We must move away from confrontation in this nuclear age. . . . In short, for arms control to be successful, we must first establish prerequisites and incentives, and this requires a cooperative pursuit of common objectives. We will succeed, first, to the extent that we can convince our adversaries to share our interest in stability and to rely on peaceful, not military, means for effecting change. Second, our success will depend not so much on mutual trust as on mutual knowledge, so that each side can know with reasonable assurance what the other is about."

These words go to the heart of the debate concerning the Sentinel ABM system and closely related questions involving the world strategic environment and the U.S. national security posture in the 1970s. As all those familiar with the ABM debate know, there has been little disagreement on technical questions; the entire controversy has turned on questions of judgment as to the intentions and designs of the U.S.S.R.

The Assistant Secretary of Defense for Systems Analysis, Dr. Alain Enthoven, stated this explicitly when he told the Senate Preparedness Investigating Subcommittee, in explaining the mechanics of the Pentagon's Sentinel decision: "Finally it came down to the single really dominant driving assumption in this whole problem of the NIKE-X defense of cities, and that is: what would the Soviet reactions be?" From the evidence on the public record, it appears that this "single really dominant driving assumption" was decided by professional military technicians, whose horizons quite understandably are circumscribed and conditioned by established, conventional military assumptions concerning the Soviet Union.

My point is not that our military technicians are "wrong" in their assumptions about the Soviet Union. From their vantage point they are not. But what was missing was the dimension suggested by Mr. Nixon's prescription that, in seeking arms control agreements with the U.S.S.R., "we must first establish prerequisites and incentives." Significantly, he stressed the importance of "mutual knowledge" of what the other side is about. This is a step beyond the conventional military approach. Mr. Clifford's decisions to proceed with the development of the MIRV (missiles carrying multiple, independently targeted warheads), to give priority to the construction of the Sentinel ABM system, and to proceed with the acquisition of two new types of nuclear attack submarines, have been questioned in many quarters precisely because they may not entirely meet President Nixon's prescription.

The danger, in my judgment, does not rest so much with the decision to proceed with procurement of these new weapons per se, but with the effect it may have on the prospects for successful negotiations. As President Nixon has noted: "Technology will not stand still for the arms controller any more than it does for the military planner." But the greatest care must be exercised not to launch a new cycle of the arms race before negotiations even begin to prevent this.

Concerning future negotiations to limit offensive and defensive missile systems, President Nixon has indicated that his program will be "based on the assumption that East and West will continue to carry on technological competition . . ." and emphasized that the "initial purpose of arms control is not to deliver a final 'package,' but to establish a framework of consultation which will enable us . . . to cope with the on-rush of technology in a cooperative way."

While the approach suggested by President Nixon is sound and realistic, certain very troublesome questions remain which point up the urgency of getting negotiations started soon. First, there is the danger that the new weapons systems already announced by Mr. Clifford may—if the present hold on procurement and site location is lifted and they go forward—cause a "destabilization" of the nuclear balance. Moreover, the "action/reaction" issue raised by Secretary McNamara has been restated in a candid and highly pertinent way before a Senate subcommittee by the director of Defense Research and Engineering, Dr. John Foster, Jr. In replying to a question concerning the development of strategic nuclear weapons over the past decade, Dr. Foster said that "in each case it seems to me the Soviet Union is following the U.S. lead and that the United States is not reacting to the Soviet actions." The former director of the U.S. Arms Control and Disarmament Agency; William Foster, summed up the case succinctly when he observed recently that "we now have a relatively stable situation in which each side has a fairly good idea of the other side's capabilities. With the deployment of new weapons systems, however, this situation could become very unstable and possibly dangerous."

The second very troubling aspect of the decisions to proceed with new nuclear weapons systems is its staggering cost. While a "thin" Sentinel ABM system has been priced at $5 billion, the "heavy" system requested by the Joint Chiefs of Staff, and supported by some powerful Congressional leaders, is estimated to cost $50 to $75 billion. The replacement of Minuteman II missiles by Minuteman III will cost more than $4.5 billion. Twenty-nine new high-speed Sturgeon class submarines will cost $78,000,000 each, a total of more than $2.25 billion, and Mr. Clifford has estimated that the new "silent" submarines he ordered will cost $150 to $200 million each. In addition, according to Mr. Foster, "three weapons systems which have been suggested but not yet approved bear a price tag, over the next few years, of somewhere between $60 and $100 billions." This is far from a complete list.

The sheer magnitude in dollars of the next generation of nuclear weapons systems doubtlessly will have a braking effect on the arms race. Certainly the economy of even this nation is in no position to absorb expenditures for new weapons in this magnitude, unless we are prepared to become a real garrison state. The American economy is already dangerously overheated. Inflation is rising at a rate of more than 4 per cent a year, and our balance of payments position continues to be adverse. Even more importantly, we have urgent domestic problems—the crisis of the cities and other developments—which require large new federal expenditures in the years immediately ahead—and we are still fighting the Vietnam war.

The apparent eagerness of the Soviet Union to commence negotiations on the limitation of strategic missile systems is related also in considerable measure, I feel, to the almost prohibitive cost of the next generation of these weapons systems.

For these reasons I hope that prudence and moderation will prevail on arms limitation in the Nixon Administration, and also in the Kremlin. There should be no complacency with respect to the nuclear arms race. President Nixon made a most significant distinction at his first press conference when he stated that "sufficiency [of military power] is a better term than either superiority or parity." But he will need all the help and support he can get from the liberal and moderate elements of my own Republican party as well as the Democratic party if he is to seek and to succeed in maintaining some discipline over the defense budget.

During the campaign, Mr. Nixon spoke of the need to "synchronize our national security programs and the search for arms control and disarmament agreements," and, most significantly, he promised ". . . the evolution of a strategic doctrine, stressing the non-belligerent aspects of our national security posture." This is a philosophy that many in the United States will wish to support. If President Nixon succeeds in translating this philosophy into concrete effect, he will have achieved one of the great leadership revolutions of this century. Hitherto, the major departments of the federal government, and the powerful interest groups operating in the national security field, have exerted their energies and skills on a competitive rather than synchronized basis. The results of this *modus operandi* have been unfortunate on many occasions.

A truly synchronized effort in the national security field, including the evolution of a new strategic doctrine emphasizing the nonbelligerent aspects of our national posture, could bring us truly enormous security benefits—more indeed than any of the proposed new weapons systems. But President Nixon can anticipate strong resistance to efforts to synchronize national security programs involving the several agencies and departments concerned. This resistance will come principally from habit and inertia—rather than ideology—although pockets of resistance on strongly held ideological grounds can also be anticipated.

There are ways, I feel, in which the principle of synchronization of efforts in the national security field can be pursued, and there are some non-military, security "trade offs" or options, which could have the dual merit of achieving big security gains while saving billions in weapons expenditures.

A breakthrough in our relations with Communist China could change the entire world security environment, for both the United States and the Soviet Union, and enhance the security of our nation much more than, for instance, the development of very expensive new nuclear attack submarines. The same can be said of attaining a true peace in the Middle East. Similarly, the establishment of viable, new mechanisms for dealing with the recurrent balance of payments and monetary crises of the Western industrial economies could contribute more to the strength and security of the United States than an ABM system—"thick" or "thin."

Then, of course, we always have our urgent domestic problems. Programs that generate breakthroughs on racial problems, inner-city decay, and environmental pollution could help solve the crisis of our cities and add immeasurably to the quality of life in the United States. Their success would significantly raise the morale of our own people, as well as our prestige and influence in the world, and thus directly enhance our national security. The possibilities noted here will be vitally affected by a more judicious deployment of our resources expended for "national security."

In advocating vigorous pursuit of nonmilitary "trade offs," I am not suggesting neglect of our military forces, or anything short of full vigilance along the many points of pressure from hostile sources around the world. Equally, I do not entertain any naïve or wishful thoughts concerning the motives of Moscow and Peking. But there is no need for us to get "hung up" on their motives, or to attempt to adjust our policies to fluctuations in the "morality" of Communist behavior.

We must concern ourselves with advancing our own interests and designs, paying careful attention to Soviet *behavior* (as opposed to its "morality"). The age is such that everyone's motives and purposes are being challenged, even ours. We need to use the whole range of political and diplomatic action open to us to preserve a climate of freedom in the world. We cannot allow the range of alternatives open to us to be limited by a concentration in nuclear weaponry if limitation compatible with security can be gained by negotiation. The nuclear age is such that it is now very much in our national interest to exert considerable energy and resources on programs that can influence the Soviet Union's behavior pattern in ways that help us too. Military competition is only one way of trying to do this, and in a nuclear world it has sharp limitations in terms of safety and efficacy. Mr. Nixon has spoken of "prerequisites and incentives." We must utilize every opportunity to give them real meaning, just as we must be clear as to what we want in return.

In evolving our strategic doctrine we need to assume that Soviet efforts in the nuclear weapons field are essentially reactions to what they see as a U.S. threat. Our policy ought to be one which allows adequately for this possibility. Dr. John Foster's words, quoted above, bear remembering.

Equally, we need not assume that the Soviet occupation of Czechoslovakia and its ultimation to the German Federal Republic may prove to be a one-time aberration from a gradually moderating approach in Eastern Europe. But it is in our interest to make allowance for this possibility.

In short, the task is to seek actively to shape the over-all strategic environment of the 1970s in ways that make possible, encourage, and enhance the kind of evolution in Soviet society and the kind of development of our own policy that are necessary for the long-term prospects for world peace.

S. 1266—INTRODUCTION OF BILL ON MILITARY ADMINISTRATIVE DISCHARGE PROCEDURES

Mr. ERVIN. Mr. President, at least since 1961, I have been concerned about the rights of servicemen, particularly in the fields of military justice and administrative discharges. As the outgrowth of several years of study and investigation, I introduced in the 90th Congress S. 2009, an omnibus bill consisting of five titles.

Title I of that bill sought a comprehensive revision of the procedures employed in the administrative discharge field.

Title II would have established a separate Judge Advocate General Corps in the Navy. This had long been needed and, I am pleased to say, was accomplished by separate legislation enacted in 1967.

Title III was concerned with the administration of justice and the operation of the court-martial system. Most of this title was enacted into law last year as the Military Justice Act of 1968, a comprehensive and long overdue reform and updating of the Uniform Code of Military Justice.

Title IV of the omnibus bill concerned reconstituting the military boards of review and strengthening the procedures so as to make them truly independent appellate courts. Part of this title was included in the Military Justice Act of 1968.

Title V would have created one Board for Correction of Records in the Department of Defense replacing the present separate boards in each military department.

These legislative achievements were important and far-reaching, Mr. President. However, they did not touch on one of the problems most in need of reform, notably the procedures followed by the armed services in adjudging administrative discharges. To meet this need, I am introducing today a proposed code of procedure for the consideration and issuance of administrative discharges based upon fault or culpable misconduct.

The American Bar Association has recognized the need for revision of administrative discharge procedures in order to insure due process and fairplay. At the last meeting of the house of delegates a resolution was adopted setting forth criteria and minimum standards which should be met prior to the issuance of an administrative discharge. Congressman CHARLES BENNETT, who has long been interested in the administration of justice in the armed services, has introduced a bill designed to implement the American Bar Association's recommendations.

I am not wedded to the particular language contained in the bill I am introducing. I am, however, wedded to the proposition that in those areas covered by the bill, legislation is needed. Since bills will now have been introduced in both Houses, it is abundantly clear that this session of Congress will have the opportunity of further reforming the overall administration of justice in the armed services to the end that rights of the serviceman will be protected and due process will be assured.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1266) to further insure due process in the administrative discharge procedure followed by the Armed Forces, was received, read twice by its title, and referred to the Committee on Armed Services.

OBSCENITY AND PORNOGRAPHY

The VICE PRESIDENT. The Senator from Alabama is recognized for 8 minutes.

Mr. ALLEN. Mr. President, we prepare to greet the spring. It is a season for renewal of the human spirit and a time for rededication to the highest aspirations of man.

In our Nation's Capital there are two great heralds of spring. We wait impatiently the annual opportunity to steep ourselves in the incomparable beauty marked by the Cherry Blossom Festival and the equally inspiring sight of countless thousands of boys and girls on their annual pilgrimage to the Nation's Capital.

These two events fill all of us with the sense of keen anticipation and pleasure.

But, Mr. President, I have grave misgivings about one of these events. I am deeply concerned by the widespread display and public sale of lurid pornography in our Nation's Capital.

Most of our youthful visitors will be seniors from high schools from all sections of the Nation. They will be the cream of the crop, idealistic, joyous, alert, brimming over with enthusiasm and charm. They will come with songs in their hearts, innocent and trusting. They will seek only to show their deference and profound respect for the institutions and values of our political and cultural heritage.

Many of these boys and girls will have worked hard to earn the money to pay for their trip to Washington. Many senior classes will have engaged in numerous fundraising projects and some parents will have made personal sacrifices, all for the purpose of providing their children a unique experience, and an opportunity for cultural enrichment afforded by a visit to our Nation's Capital.

Among our youthful visitors may be counted thousands who are proud representatives of the values and traditions perpetuated by churches, Sunday schools, Four-H Clubs, Future Farmers of America, Boy Scouts of America, DeMolay, Key Club, and scholastic groups and organizations of all kinds. Some will come as winners of awards, granted by patriotic veterans organizations and civic clubs. Some will be beauty queens, pageant queens, homecoming queens, and school sweethearts. They will represent youth from cities, hamlets, farms—boys and girls from every walk and station of life. Surely, Mr. President, they are the finest and most cherished asset of our Nation.

Mr. President, they will come and they will see and they will be influenced by what they see. They will gaze in awe at the magnificent monuments erected to honor the memory of Washington, Jefferson, and Lincoln. They will visit the shrine of our illustrious dead in Arlington Cemetery. They will walk the corridors of this Capitol and gaze at us from the balcony of this Chamber.

As they walk the corridors of this stately building they will tread in the footsteps of some of the greatest statesmen and patriots who ever lived and perhaps some may commune with the eternal spirit of the illustrious dead. If so, they may well hear it said, "Well done. Thou hast not departed from the principles of morality and patriotism which it was my pleasure to have instilled in the hearts and minds of your fathers and your fathers fathers."

But, Mr. President, these boys and girls, during their stay in Washington, will be accommodated at some of our commercial hotels. They will walk the streets of this city, and they will be influenced there, too, by what they see and what they hear. Unfortunately, many of these boys and girls will not escape contact with certain revolting aspects of a subculture spawned in this city.

In downtown Washington, D.C., just a block or two from some of our finest hotels, even in the shadow of the White House, they will be enticed by the sight of lurid magazine covers in color, revealing nude men and women, nude teenage boys and girls. They will see hundreds of books and magazines which no self-respecting parents would permit in their homes. Here on prominent display are books on perversion, sadism, and masochism. They will see some of the vilest prurient pornography ever contrived by diseased minds of lascivious subhumans.

Mr. President, the Honorable Lambert C. Mims, mayor of the great city of Mobile, Ala., has seen these things with his own eyes. He was shocked, disgusted, and nauseated by what he saw. His indignation led him to write a letter to Mayor Washington in which he expressed his deep concern.

I ask unanimous consent to have Mayor Mims' letter printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CITY OF MOBILE,
Mobile, Ala., January 8, 1969.
Hon. WALTER WASHINGTON,
Mayor, City Hall,
Washington, D.C.

DEAR MAYOR WASHINGTON: It is with a great deal of stress and tremendous nausea, deep down within that I am dictating this letter from my room here at the Washington Hotel on the corner of Pennsylvania Avenue and 15th Street.

Tonight I visited two newsstands one on 15th Street and the other on 14th Street near this hotel and under the shadow of the White House, and must say that I am indeed appalled at what I have witnessed.

The very first thing that I saw upon entering each of these establishments was magazines with covers in color, showing nude women . . .

A closer look revealed literally hundreds of magazines showing nude men and women and some teenage boys and girls in the nude in all types of suggestive positions with pubic areas and genitals in full view.

As I looked around I saw literally thousands of books filled with every kind of sex novel possible, including books on "How to Commit Unnatural Sex Acts in Over 100 Ways," along with all kinds of books on sex perversion.

Dozens of men, both old and young, and many with foreign features, speaking foreign languages, stood drooling and hypnotized as they stared at the pages. Some foreigners seemed utterly amazed at what they saw and I am wondering just what they thought that very moment about our Great America.

I know that many today are screaming freedom of speech and press under the 1st Amendment to the Constitution, but dear sir, I do believe that our founding fathers, who drafted that sacred document would turn over in their graves if they knew such was being displayed near the hallowed halls where they worked so diligently for that which is right and honorable.

As an American, who loves God and Country, and as a fellow public servant in a city of nearly a quarter million Americans, I am calling on you to put an end to this type of thing in our Nation's Capital.

It is time that men in high places took a definite stand against the purveyors of filth and smut. Don't be afraid to speak out. For our children's sake—let's take action now.

Yours sincerely,
LAMBERT C. MIMS, *Mayor.*

Mr. ALLEN. Mr. President, the conditions described by Mayor Mims are a national disgrace. These so-called newsstands are little more than dens of iniquity dealing in corruption. They are shocking, depressing evidence of inroads of hedonistic worship of the sensual which, if left alone to corrupt our youth, can but turn our Capital into a modern Sodom.

These so-called newsstands are operated by money grabbing, lecherous, bestial, purveyors of filth. But, more, they are licensed by the city. Thus, these pestholes and their trade in corruption are legitimized.

Will we permit the elite of our youth to be victimized and contaminated by lecherous buzzards? Their trade should not be licensed and condoned and thus legitimized in our Nation's Capital. Our youth should not have to wade past these open sewers as a condition and as a risk of a visit to Washington.

Mr. President, I expressed my concern on this subject to the Honorable William B. Lockhart, Chairman of the newly created Commission on Obscenity and Pornography. Mr. Lockhart has assured me that the Commission will concern itself with the problem of sale and public display of pornography in our Capital City.

I ask unanimous consent that the communication from the Commission on Obscenity and Pornography be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMMISSION ON OBSCENITY
AND PORNOGRAPHY,
Washington, D.C., February 17, 1969.
Hon. JAMES B. ALLEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ALLEN: I have your letter of February 6, which I found upon my return from my trip to Washington in which I met with the Obscenity Commission.

I appreciate your calling to my attention the letter from Mayor Mims forwarded to you by Mayor Washington regarding the type of material available in some of the news stands in Washington and elsewhere throughout the country.

I can assure you that the Obscenity Commission also shares your concern. One of the areas under study in an effort to ascertain why the enforcement of obscenity laws is so ineffective in the kind of situation referred to in your letter. We are including in our studies a survey of the enforcement problems with a broad sampling of approximately 400 prosecuting attorneys, and will make detailed studies of the enforcement problems in a number of representative cities in the United States.

You can be assured that the Commission will concern itself not only with the problem of sales, but with the public display of pornography. We do not yet have the solutions but upon our completion of the study of the enforcement problems we hope to be able to come up with a proposal of a more effective enforcement procedures.

Sincerely,
WILLIAM B. LOCKHART,
Chairman.

Mr. ALLEN. Mr. President, I suggest that Congress has an unavoidable responsibility for administration in the District of Columbia and that it cannot wash its hands of this responsibility in this situation.

Congress is not helpless to regulate and stamp out this monstrous evil in our presence. The question is, Are we so indifferent as to do nothing about it? The youth of our Nation must be protected in the cherished right to visit our Nation's Capital without danger of being exposed to such hucksters who pander to sick minds.

I intend to do all within my power to put a stop to this traffic. I am satisfied that the American people are not aware of the extent of this evil in Washington. If it becomes necessary to inform the people of the dangers involved in order to end this abomination, then certainly I intend to do all I can to inform them. If it requires an army of angry parents to put an end to this sort of thing, then I certainly intend to help organize that army. If it requires a crusade of moral indignation to get action—then I would want to assist in that crusade.

If the Supreme Court of the United States says that Congress is powerless to stop this traffic in filth, then I say that it is the duty of Congress to fumigate the U.S. Supreme Court.

If a majority of Congress says we have no right to interfere in this business, then I predict that the people of this Nation will interfere in the business of Congress.

Mr. President, the situation is intolerable. Corrective action must be taken before the annual pilgrimage of our youth to our Nation's Capital begins.

THE DANGEROUS DISPUTE WITH PERU

Mr. MANSFIELD. Mr. President (Mr. STEVENS in the chair), disturbing difficulties have been present for several months in this Nation's relations with Peru. First, there was the expropriation of the properties of the International Petroleum Co. which is owned by U.S. nationals. Then came the seizure of fishing vessels of U.S. registry in line with the insistence of the Peruvian Government on a 200-mile off-shore jurisdiction.

As the Senate knows, the first incident can act to set in motion in early April, the automatic reprisals of the so-called Hickenlooper amendment. This legislation requires a cut-off of all financial aid as well as the benefits of the sugar quota with respect to any nation which, having expropriated the property of U.S. nationals, fails to make provision for just compensation within 6 months.

As for the difficulty involving the fishing vessels, it is a chapter in a continuing problem, not only with Peru but with Chile and Ecuador; these three nations border on the immensely rich fishing resources which occur in connection with the northward thrust of the Humbolt Current. This latest seizure of an American vessel, coming as it does on the heels of the expropriation, has been most unfortunate. It has brought talk of reprisals in this country. In this case, the suggestion is heard that the return of certain Peruvian naval vessels should be demanded—vessels which, ironically, had been previously provided by the U.S. Defense Department.

As I see it, the issue in the case of the petroleum company is not the national right of Peru to expropriate property. That right has been recognized by this Nation for all nations. Nor is the principle of just compensation for expropriated property, apparently, at issue—a principle which this Nation also sustains. The principle of compensation for expropriation has not been denied, according to my understanding, by the Peruvian Government. What is involved in the current dispute is the application of these interlocking principles in the current dispute. How are they to be applied in practical form in the specific case of the seizure of the oil properties? Here there are sharp differences between Peru and the United States.

If these views are not reconcilable on a bilateral basis that does not seem to me to exhaust the possibilities for a rational solution. Certainly, there is the possibility of third party mediation. There are the good agencies of the Organization of the American States which might help to find a reasonable answer to this problem before it is too late. There are the resources of the OAS Secretariat and, indeed, the personal resources of the distinguished Secretary-General of the Organization, Mr. Galo-Plaza. An Ecuadorian, he is also a personification of the inter-American cooperative tradition. Conciliatory assistance from the Secretary-General or from other inter-American sources, it seems to me, should not only be welcomed but sought.

Similarly, Mr. President, the fishing problem needs to be dealt with on the basis of reason rather than reprisal. It ought not to be impossible to recognize the extraordinary interest of all of the Humboldt Current states in these fishing grounds while at the same time working to reconcile that interest with the right of all nations to a share in the general wealth of the world's oceans.

Since the fishing disputes have involved us, primarily, over the years, not only with Peru but with Ecuador and Chile, it may be that a quadripartite conference under the auspices of the Organization of the American States might offer an approach to solution. Indeed, it may be a more practical approach than the attempt to apply, at this time, a general international legal interpretation of territorial waters. Certainly, it would be preferable to try to find at least a tolerable interim solution on that basis rather than to go on exchanging insults, threats, and provocations on a bilateral basis with Peru.

On both these issues, on the question of expropriation as well as the fishing dispute, it seems to me that the urgency is to avoid further provocations or reprisals as between Peru and this country. Unless a degree of comity is restored, each nation in retaliating against the other, is likely to end by damaging itself. In the process, moreover, the inter-American structure—the peaceful tradition of this hemisphere—will be dealt another blow not unlike that of the regrettable breakdown of United States-Cuban relations a decade ago.

It would be my hope that this Nation would take the initiative in seeking to avoid further provocations. It would be my further hope that both nations will make vigorous efforts to ground the charged emotionalism in this dispute. The Governments of Peru and the United States have a responsibility to their own people and to all of the American states to turn off the road of increasingly hostile confrontation.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary and the Subcommittee on Permanent Investigations of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

THAT MILITARY-INDUSTRIAL COMPLEX

Mr. YOUNG of Ohio. Mr. President, the power of the military-industrial complex of which President Eisenhower warned the American people in his farewell statement in January 1961, shortly before he left the Presidency is one of the most serious internal threats facing our Nation. Its demands for more money for more armaments seem endless. Top priority must be given to achieving peace, and to putting an end to our waging an immoral undeclared war in Vietnam. Then $2,600 million now blown up in smoke in Vietnam every month should be used to help Americans here at home, millions of whom are living below the poverty level.

In the last year of the Johnson administration approximately $107 billion was spent responding to the demands of Defense Department officials.

The Vietnam war is costing American taxpayers almost $100 million a day, and the military appropriations for fiscal year 1969 were the most tremendous since World War II. This huge amount was spent on war-related expenditures—past, present, and future. In addition, the ill-advised anti-ballistic-missile system if continued will result in the utter waste of from $50 to $100 billion of taxpayers' money. Unfortunately, during fiscal 1969 only approximately $17 billion was appropriated for the health, education, and welfare of our people and to put an end to hunger in our Nation. Only a small part of that sum was for the millions of poor and underprivileged. For the most part, this $17 billion, a small percentage of the national budget, was spent on education, water and air pollution, public health, and other social welfare programs for the benefit of all Americans regardless of income.

BRUTAL DICTATORSHIP

Mr. YOUNG of Ohio. Mr. President, Americans should know that the Saigon militarist regime of Thieu and Ky is holding behind bars in jails in Saigon, and in some of the 44 provincial capitals in South Vietnam which they control, approximately 45,000 men and women termed "political defendants." These are in addition to approximately 20,000 Vietcong prisoners of war who are the survivors of many Vietcong fighting men previously executed by orders of the Saigon militarist regime.

Those political defendants, so-called, totaling 45,000 men and women, are Buddhists and other civilians termed neutralists. They are arrested and held in jail without trial on suspicion that they have Vietcong ties. It is to sustain in power a brutal dictatorial regime such as this that 4,935 Americans were killed and wounded from last January 1 to January 25, and for which young Americans are dying and being wounded daily in our immoral involvement in the ugly civil war in South Vietnam.

COMMITTEE MEETING DURING SENATE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Subcommittee on Juvenile Delinquency of the Committee on the Judiciary be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER. (Mr. MONTOYA in the chair). Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL FRIDAY, MARCH 7, 1969

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 12 o'clock noon on Friday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1285—INTRODUCTION OF BILL TO ESTABLISH A NATIONAL ECONOMIC CONVERSION COMMISSION

Mr. McGOVERN. Mr. President, I introduce, on behalf of myself and some 31 other Senators, including Senators HATFIELD, BAYH, BROOKE, BURDICK, COOK, COOPER, CRANSTON, EAGLETON, GOODELL, HART, HARTKE, HUGHES, INOUYE, JAVITS, KENNEDY, MATHIAS, MCINTYRE, METCALF, MONTOYA, MOSS, MUSKIE, NELSON, RANDOLPH, RIBICOFF, SCHWEIKER, SCOTT, STEVENS, TYDINGS, WILLIAMS, YARBOROUGH, and YOUNG of Ohio, a bill to establish a National Economic Conversion Commission.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

(See exhibit 1.)

Mr. McGOVERN. Mr. President, at the outset I wish to make reference to the strong bipartisan sponsorship of the bill, both in the development of the legislation and in its presentation here today.

Yesterday Representative JONATHAN B. BINGHAM, of New York, and Representative F. BRADFORD MORSE, of Massachusetts, were joined by 48 of their colleagues in the other body in introducing identical legislation.

Both of those Representatives have been deeply involved in the preparation of the bill and have worked very closely with my office in its drafting.

On the Senate side, the Senator from Oregon (Mr. HATFIELD), who is chief cosponsor of the legislation, contributed greatly both to the revised language of the bill and to our preparations for its introduction.

I think the fact that some 30 Senators joined in cosponsoring the bill is a measure of the wide interest that exists in trying to develop more confidence in our country in adjusting military spending to positive opportunities on the civilian side to the benefit of all of our people.

Nearly 6 years ago I first introduced legislation of this kind, which was very similar to the bill I introduce today. It bore the same title "Economic Conversion Act." That measure was presented to the Senate in October of 1963. It seemed to me at that time there was a promising period in our country to begin thinking about converting some of our excess military production into other purposes.

The Senate was then considering the Limited Nuclear Test Ban Treaty. We had opened up the hot line communication system between the White House and the Kremlin. We had under consideration the possibility of a wheat sale for cash to the Soviet Union. There seemed to be a number of indications that perhaps reductions might be forthcoming in the near future in our military budget, in fact, on December 1963, the Secretary of Defense announced the closing of 26 military installations in the United States, the elimination of some 16,300 jobs in military activities at home and overseas, and a defense personnel reduction of 63,401. For the fiscal year ending in July of 1965 the Congress approved a defense budget nearly $1.5 billion less than in the previous year. The protest in local communities, and in the Congress, was vigorous and sustained, and the only promising avenue of action was to urge that the installations be retained.

The National Economic Conversion Act was drafted to develop a more constructive alternative—careful advance planning to ease the transition from military activities no longer needed for our national defense. This 1963 proposal was cosponsored by 29 of my Senate colleagues and others assured me of their support.

Hearings on the bill were held by the Commerce Committee in 1964, giving exposure to the difficulties created for government, for industries, and for affected communities and individuals, as a consequence of changes in military and space spending.

In the executive branch, President Johnson indicated his interest in the problem through creation, in December 1963, of the Committee on the Economic Impact of Defense and Disarmament with Mr. Gardner Ackley of the Council of Economic Advisers as Chairman.

However, our escalating involvement in the war in Vietnam after 1964 brought a remobilization of military resources which along with the appointment of the Ackley Committee diverted interest from the conversion bill.

If our hopes for an end to the war in Vietnam are realized, we will soon be entering another period in which our economic conversion capability will be severely tested. In fact, the challenge far exceeds the cutbacks which had us so concerned just a few years ago.

The Economic Report of the President transmitted in January of this year, using the assumption that a full withdrawal of troops could be initiated within 6 months after cessation of hostilities, estimated that—

> The use of real resources for defense purposes would drop by $16 billion (annual rate in 1968 prices) below the previously planned path over a period of six quarters following the truce and, ultimately, by $19 billion at the end of 10 quarters.

If we find, as I firmly believe, that serious problems are involved in the conversion process, then it is clear that an end to the war in Vietnam will bring us into sudden confrontation with them regardless of what happens to military and defense spending as a whole.

Furthermore, while many groups are basing their plans on a belief that the war's end will bring sharp increases in other military spending—especially on strategic weapons systems—we may be entering an era of much more careful scrutiny of all military projects, leading to reductions in overall defense spending.

The current controversy over the Sentinel anti-ballistic-missile system is the most prominent case in point. The significance of that issue far surpasses narrow considerations of whether it is technically feasible to locate and intercept incoming enemy warheads. It goes, in fact, to the entire range of assumptions underlying our cold war posture since the end of World War II.

We have, for example, raised the likelihood that Sentinel will, instead of strengthening our security, serve as a new initiative in the action-reaction arms race cycle between the United States and the Soviet Union, eventually undermining the safety of both countries. This and other reasons behind the challenge on the ABM—strategic questions; the glaring disparity between nonmilitary needs and the resources available to meet them; the attention, at long last, to President Eisenhower's warning about unwarranted military-industrial influence; concern about the effects of military research on colleges and universities; inquiries into military foreign aid and military sales abroad; hopes for successful negotiations to limit armaments—all of these considerations apply to a broad range of implements of war beyond the Sentinel system.

These factors indicate that the debate over military budgets will not end when the ABM issue is settled. On the contrary, it is just beginning.

I am convinced that we are moving toward cutbacks in superfluous military might. I believe that ultimately the Congress and the White House will see wisdom in reductions; and that the American people will demand them.

Thus we have two prospects for military curtailment. If they both take place, and if they converge in a relatively brief timespan, the potential for dislocation will be enormous.

In this context, President Nixon has directed that planning be undertaken to determine the shape of military spending after the war, the general and regional economic consequences of Vietnam demobilization, the policies which would best facilitate conversion, and the probable use of the fiscal dividend to be released when the conflict ends. The study will be coordinated by the Council on Economic Policy within the Council of Economic Advisers, and I understand that the various executive departments will prepare individual recommendations.

President Nixon has made an important beginning, and I heartily commend him for it.

Nevertheless, without a strong legislative mandate we will be ill-equipped to handle $16 to $19 billion in reductions, or even cutbacks on the $1.5 billion scale which created the uproar in 1964 and 1965. Conversion capability requires both more depth and more breadth than can be brought by part-time analysis in the higher councils of Government. Our experience since 1963 has solidified my conviction that steps along the lines proposed in the National Economic Conversion Act are necessary if we are to overcome the obstacles and realize the opportunities of successful conversion.

THE CONVERSION PROBLEM

The 1965 report of the Committee on the Economic Impact of Defense and Disarmament is the obvious point of departure for current analysis. But first we must recognize its limitations.

The period in which it appeared differed sharply from the present prospect. Spending on strategic weapons systems and on other non-Vietnam military expenses was relatively constant, ranging from $46 billion in fiscal 1965 to $53 billion in fiscal 1970. The trend was up, and while there were cutbacks in 1967 and 1969, in neither case was the reduction of the sustained kind which creates conversion problems. In fact, the following year in each case brought even greater non-Vietnam spending than in the year prior to the cutback.

The Commission described the period of analysis as "characterized by a roughly stable level of defense expenditures—and, therefore, a significant decline in the share of defense in our gross national product and in employment—together with a sizable shift in the composition of defense spending."

While defense and space industries might not have been major growth segments in the economy, therefore, neither were they victims of sharp reductions. The most prominent characteristic of the period since then has, of course, been the rapid growth in spending on weapons of limited war, military manpower, and other items involved in conventional warfare—up from $103 million in fiscal 1965 to an estimated $28.8 billion in fiscal 1969.

Nevertheless, the Ackley Committee noted that—

> Even when the Nation as a whole is enjoying a fully prosperous economy, certainly communities and many individuals may have serious economic problems and some groups of workers heavily dependent on defense have already been added to the list of those needing such assistance.

The problems associated with conversion, therefore, did exist in the period covered by that study. And it is possible that the Committee's recommendations which would have been adequate to meet that kind of a limited conversion problem. Certainly its proposals would be helpful.

But I am convinced that the magnitude of the problem before us far exceeds the capabilities of their recommendations.

Nor can we extract comfort from the Committee's reference to post-World War II demobilization, which, they said, was extremely rapid and brought no sizable unemployment problem. The most obvious reason is that there were dislocations after World War II, contrary to the picture drawn from a cursory look at employment and economic growth rates.

But beyond this there are at least five major differences rendering comparison useless at best and probably misleading:

First, the war years had seen tight rationing on consumer goods needed for the war effort—tires, gasoline, foodstuffs, and a broad range of other items. This demand was for items that needed no conversion at all—companies went right on producing for the civilian market what they had been producing for the war effort.

Second, release of this stored demand was accompanied by the emergence of new consumer demands which had not existed before, as the frugality and sparse living of wartime stimulated a counterreaction. We became a society of "conspicuous consumption" and we went on a buying spree.

Third, the sophistication of weapons in World War II was not high enough to cause an extremely wide gap between what the military needed and what could be consumed in civilian markets. The jeep, and even the tank, differ much less from automobiles, tractors, and other equipment than does the helicopter or electronic guerrilla detection devices.

Fourth, the war stimulated development and production which was easily convertible to civilian markets. The postwar revolution in commercial air transportation is probably the best example, but there are others.

Fifth, and of vital importance, the problem was not one of conversion but of "reconversion"—returning to the goods which had been produced prior to the war. Suppliers saw war goods as a temporary interruption of their normal operations and they were consequently planning for a return to familiar markets.

But most important, conversion is a problem singularly unsuited for broad generalizations; it must be dealt with in a series of microcosms. What happens to the individuals and groups who are directly affected?

The first are, of course, the industries themselves, and the Arms Control and Disarmament Agency has supplied helpful indications on the prospects for successful diversification in the event of contract cancellations or terminations. Summarizing a study completed in January 1966, entitled "Defense Industry Diversification: An Analysis With 12 Case Studies," it noted that—

> Successful diversification needs the commitment of top management to the program. Such commitment is made difficult by several factors:
>
> There is a discouraging history of failure in commercial diversification efforts by defense firms.
>
> There is doubt that the defense customer wants diversification of these firms.
>
> There is little indication that the owners of defense firms or the financial community wish defense manufacturing to diversify.

In the same study the Agency offered guidelines for diversification planning:

> The ideal time for a defense firm to achieve substantial diversification is the time when its profit potential from defense business starts to dwindle. However, the time lag between deciding on diversification and achieving it is substantial. In this study, the interval between inception and breakeven on an internally developed product was found to be approximately five years. The period from inception of an acquisition program to satisfactory integration of an acquisition into the parent firm is also measured in years.

So the study found substantial differences between what is recommended as the leadtime for successful diversification and the attitudes and plans of industrial management. In this connection, Mr. Bernard Nossiter's recent examination in the Washington Post also has great relevancy. He wrote:

> The shrewd and skillful men who direct large, sophisticated defense firms look forward to a post-Vietnam world filled with military and space business. . . . For them the war's end means no uncomfortable conversion to alien civilian markets. Quite the contrary, and with no discoverable exception, they expect handsome increases in the complex plans and missiles, rich in electronics, that are at the heart of their business.

Without adequate preparation, the conversion certainly will be uncomfortable, probably painful, and in all likelihood almost impossible.

The second group involved in the conversion problem is made up of the employees of the industries involved, and the prospects are illustrated with great clarity by reference to several areas of production associated with Vietnam.

In fiscal 1964, for example, total spending on ammunition was $672,257,000. By fiscal 1968 that figure had increased by some 7 times—to $4.5 billion. We can be assured of massive cutbacks when the war ends.

What, then, will happen to the employees at the Army Munitions Command installations in Grand Island, Nebr., in Texarkana, Tex., or in some 30 other locations around the country. The plant in Grand Island laid off between 7,000 and 8,000 employees at the end of World War II.

The prospects for individual employees depends heavily on their skills and on the aggregate demand for those skills in the community and, more broadly, in the country. In one case, however, the Arms Control and Disarmament Agency, in its study of "Martin Company Employees Reemployment Experiences," found that—

> In a layoff of 6,800 workers in Denver in 1963, those who were reemployed at the time of the survey on the whole suffered a substantial loss in income from wages and salaries. Over half (54%) of the sample sustained a weekly salary loss of at least $25. . . .

What of the communities, the next affected group? The same ACDA also contains information on that score:

> The layoff at Martin slowed down the rate of economic expansion of Colorado, while the expansion of the Denver economy virtually came to a halt. Denver manufacturing employment dropped a full 10,000 jobs between 1963 and the end of 1964, and contract construction employment also declined. . . . It was not until the last quarter of 1965, many months after the survey was completed that a strong upturn took place.

Another case, of direct personal concern to me, was the closing of the Army Ordnance Depot at Igloo, S. Dak., and it shows in rather vivid terms what can result from what might be considered a relatively small reduction in jobs.

The installation employed 530 workers, and the community which it created had a population of about 1,700. There were 50 concessionaires, in such occupations as grocery, drug and department stores, a theater, an airfield, and a cleaning establishment.

With the closing, all of this activity ceased. Igloo, S. Dak., was terminated as a community.

In Edgemont, some 9 miles away and the home of 165 depot employees, the population declined from 1,680 to 1,440 by February of last year. There were 43 vacant homes, and $16,000 houses were selling for $4,750. The assessed evaluation of real estate dropped by $1.5 million. The county took 15 homes for taxes. The net income of some businessmen declined by 50 percent in 1967.

The postmaster of another adjacent town, Provo, described what occurred there in a letter to me:

> Today two more families moved out, one house moved and one more home boarded up, leaving only fifteen families residing here and only five children. . . . Ours was becoming a lively community and now even our grocery store and gas station has folded up the only business remaining is our small Postoffice where the few remaining people congregate. . . . We are dependent on our water supply from the Depot and it is uncertain now whether we will have water in the near future.

As to the future, the State of Connecticut is a good example. Since the beginning of World War II that State has led the Nation in defense contracts on a per capita basis.

At the end of the Vietnam war, Connecticut is expected to lose 50,000 jobs; 5,000 of those will be defense-related jobs in Hartford, and another 5,000 people will probably be thrown out of work there as a consequence of the resulting economic slowdown. With its large helicopter and munitions industries, Bridgeport will follow a similar pattern. Waterbury, New Britain, New London, New Haven, and Stamford will absorb the remainder.

A fourth enterprise which must be concerned with whether conversion can be accomplished is government, and here, again, we can envision serious problems. Hopefully, the dollars released by the war will be diverted to the urgent problems of poverty and nutrition, air and water pollution, the urban environment, housing, and others. But dollars will not be enough; we will also need specialized manpower and experts in a host of fields.

In early February, former Secretary of Health, Education, and Welfare John Gardner told the House Committee on Science and Astronautics that we need more Federal research to deal with housing problems. The president of the Franklin Institute of Science, Athelstan Spilhaus, said we need a "space program" for the cities. Other prominent witnesses testified to the need for focusing scientific attention on the problem.

Much talent will be freed by an end to the war in Vietnam. But will it be able to cope with nonmilitary programs without some transitional training and new orientation? It seems quite possible that, having finally made new priorities in Federal spending a reality, we will find that we cannot put them into effect. Hence, another aspect of the conversion dilemma. The type of analysis which I have made here is by no means exhaustive, nor do I even pretend to understand all the kinds of difficulties which we are likely to confront at the war's end. These examples are, however, sufficient to indicate that anything less than a broad program, involving public and private agencies, will meet nearly as much frustration as the industries, employees, and communities would if they were left completely on their own.

SPECIFIC ACTION NEEDED

The Federal Government does have programs which are quite relevant to conversion capability. The Ackley committee suggested that Federal-State unemployment insurance systems are in point, as are job information and placement services, training and retraining programs, limited relocation assistance, help for communities such as that supplied by the Office of Economic Adjustment in the Department of Defense and the Office of Economic Impact and Conversion under the Atomic Energy Commission. Of special significance is the provision in Armed Services Procurement Regulations allowing costs of long-range conversion planning to be written into contract costs.

The National Economic Conversion Act would build on these existing capabilities, determining whether they are sufficiently authorized and funded and adopting more effective methods.

The National Economic Conversion Commission, made up of department and agency heads, and of public members, would define appropriate policies and programs to be carried out by the Federal Government, including possible schedules of civilian public and private investment and plans for education and retraining for occupational conversion.

It would consult with State officials to encourage appropriate preparation at non-Federal levels, and it would be authorized to contribute up to 50 percent of the costs of studies leading to conversion capabilities.

It would work with trade and industry associations, labor unions, and professional societies, to encourage and enlist their support for a coordinated effort.

Within 1 year after enactment, it would convene a National Conference on Industrial Conversion and Growth, looking to appropriate planning and programing by all the sectors of the economy.

Finally, it would make specific recommendations to the President and the Congress.

Section 5 of the bill is, in my view, of overriding importance. As previously noted, present regulations allow military contractors to write the costs of conversion planning into their contracts. Yet the ACDA reports and other sources disclose that this has not been sufficient to bring most defense and space industries to a realization that such planning must be done.

Because the consequences of these failures can be so serious, not just for the specific company or plant but also for the people and the communities which depend on it, section 5 of the act would require that such planning be undertaken as a condition of contract fulfillment.

The section also recognizes that no Federal agency and no centralized group can possibly deal in a detailed fashion with the myriad of differing specific conversion problems which might arise in thousands of cases across the Nation. The industries, in cooperation with labor locals, community leaders, and others on the scene, are the only groups which can compile enough knowledge, and only they can decide which opportunities are most promising. The problem is decentralized, and so must be the planning and the bulk of the action to meet it.

Preparation for economic conversion will surmount serious problems. It can also bring great opportunities.

It can give defense planners a broader degree of flexibility in weapons production and modification, by eliminating some of the economic and political pressures which complicate their decisions.

It can open the door to the development of more productive and more reliable forms of enterprise.

It can, in the long run, enhance the productive and marketing genius which characterize American industry, reducing costs of production and strengthening our position in international trade.

And it can bring the human, physical, and financial resources no longer necessary to the military into quick focus on the domestic challenges we need so desperately to meet.

We must begin without delay.

The bill (S. 1285) to establish a National Economic Conversion Commission, and for other purposes, introduced by Mr. McGOVERN (for himself and other Senators), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD:

EXHIBIT 1

S. 1285

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Economic Conversion Act".

DECLARATION OF PURPOSE

SEC. 2. The Congress finds and declares that the United States has during the past two decades made heavy economic, scientific and technical commitments for defense; that careful preparation and study is necessary if wise decisions on future allocations of such resources are to be possible; that the economic ability of the Nation and of management, labor and capital to adjust to changing security needs is consistent with the general welfare of the United States; and that the economic conversion and diversification required by changing defense needs presents a great challenge and opportunity to the American people.

It is the purpose of this Act to provide the means through which the United States can determine the public policies which will best allow such economic conversion.

ESTABLISHMENT OF THE COMMISSION

SEC. 3. (a) There is hereby established, in the Executive Office of the President, the National Economic Conversion Commission (hereafter referred to as the "Commission"), which shall be composed of—

(1) The Secretary of Defense;

(2) The Secretary of Agriculture;

(3) The Secretary of Interior;

(4) The Secretary of Commerce, who shall be Chairman of the Commission;

(5) The Secretary of Labor;

(6) The Secretary of Health, Education and Welfare;

(7) The Secretary of Housing and Urban Development;

(8) The Secretary of Transportation;

(9) The Chairman of the Atomic Energy Commission;

(10) The Administrator of the National Aeronautics and Space Administration;

(11) The Director of the United States Arms Control and Disarmament Agency; and

(12) The Chairman of the Council of Economic Advisers.

(b) The Secretary of Commerce shall preside over meetings of the Commission; except that in his unavoidable absence he may designate a member of the Commission to preside in his place.

(c) The Commission may invite additional persons to serve as members of the Commission, either on a temporary or permanent basis, so long as the overall size of the Commission shall in no case exceed 18 members.

(d) The Commission shall have a staff to be headed by an executive secretary who shall be appointed by the President and who shall be compensated at the rate provided for Grade 18 of the General Schedule.

(e) Members of the Commission who are officers or employees of the Federal Government shall receive no additional compensation by virtue of membership on the Commission. Other members of the Commission shall receive compensation at the rate of not to exceed $100 per diem when engaged in the performance of duties for the Commission. Each member of the Commission shall be reimbursed, as authorized by law (5 U.S.C. 73b–2), for travel and subsistence and other necessary expenses incurred by him in the performance of his duties for the Commission.

DUTIES OF THE COMMISSION

SEC. 4. It shall be the duty of the Commission to—

(a) define appropriate policies and programs to be carried out by departments and agencies of the Federal Government for economic conversion capability, which shall include possible schedules of civilian public and private investment, including education and retraining for occupational conversion, associated with various degrees of economic conversion, and the anticipated effects thereof upon income and employment, and to report to the President and the Congress on such policies and programs within one year of the enactment of this Act;

(b) convene a National Conference on Industrial Conversion and Growth, within one year after the enactment of this Act, to consider the problems arising from a conversion to a civilian economy, and to encourage appropriate planning and programming by all sectors of the economy to facilitate the Nation's economic conversion capability;

(c) consult with the Governors of the States to encourage appropriate studies and conferences at the State, local and regional level, in support of a coordinated effort to improve the Nation's economic conversion capability, and make available to the Governors of the States such funds as shall constitute not more than 50 per centum of the total costs associated with the preparation of such studies or the holding of such conferences;

(d) consult with trade and industry associations, labor unions and professional societies, to encourage and enlist their support for a coordinated effort to improve the Nation's economic conversion capability;

(e) promulgate such regulations for the appropriate departments and agencies of the Federal Government as may be necessary for

the implementation of Section 5 of this Act; and

(f) make such recommendations to the President and to the Congress as will further the purposes of this Act.

INDUSTRIAL CONVERSION CAPABILITY

SEC. 5. (a) Under such regulations as the Commission shall prescribe, each defense contract or grant hereafter entered into by the Department of Defense or any military department thereof, or by the Atomic Energy Commission, shall contain provisions effective to require the contractor to define his capability for converting manpower, facilities, and any other resources now used for specific military products or purposes, to civilian uses.

(b) The Commission shall encourage trade and industry associations, labor unions and professional organizations to make appropriate studies and plans to further the conversion capabilities of their membership.

(c) As used in this section the term "defense contract or grant" means any contract or grant to business firms, Government agencies, universities and other nonprofit organizations.

(1) which involves—

(A) the research, development, production, maintenance, or storage of any weapons systems, arms, armament, ammunition, implements of war, parts or ingredients of such articles or supplies, or plans for the use thereof; or

(B) the construction, reconstruction, repair, or installation of a building, plant, structure, or facility which the Secretary of Defense or his designee, or the Chairman of the Atomic Energy Commission or his designee, certifies to be necessary to the national defense;

(2) which requires that the number of employees engaged in work under such defense contract or grant, together with employees engaged to work under any other such contract or grant, exceed 49 employees or 25 per centum of the total number of employees, which ever is greater, at any establishment operated by the contractor awarded such contract or grant; and

(3) which requires at least one year to complete.

POWERS OF THE COMMISSION

SEC. 6. (a) The Commission shall have the power to appoint and fix compensation of such personnel as it deems advisable in accordance with the applicable provisions of title 5, United States Code. The Commission may also procure temporary and intermittent services to the same extent as authorized for the departments by section 3109 of title 5, United States Code.

(b) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment or instrumentality, information, suggestions, estimates, and statistics for the purposes of this Act, and each department, bureau, agency, board, commission, office, independent establishment or instrumentality, is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission upon request made by the Chairman.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 7. Such sums as may be necessary to carry out the provisions of this Act are hereby authorized to be appropriated.

Mr. HATFIELD. Mr. President, 8 years ago when President Eisenhower left office, he warned of the dangers of a growing military industrial complex. Although he spoke from a military background, his warning was largely brushed aside and today we have a military budget which is double that of 1961.

One out of every 10 workers in this country is employed in defense work and our Department of Defense operations are so huge that they eclipse the total planned economy of nations such as France and the United Kingdom. We are faced with the prospect of our economy becoming hopelessly entangled in military activities.

Of course, a sizable portion of our present military budget is being spent on the Vietnam war. Eventually our major role in that conflict will be reduced or concluded and we must plan for that day. This bill provides an effective way to prepare for the transition from a military to a peacetime economy. It specifically calls for an industrial conversion capability on the part of Defense contractors and this provision should help assure that funds expended on Vietnam will not be shifted automatically to other military programs.

I receive considerable mail from across the country calling for increased funding for education, for housing, for new jobs, and for other pressing domestic needs. I sympathize with these requests and I try to reassure these people that the war will be concluded and military spending can be cut so that we can deal effectively with these basic needs on the homefront.

I strongly support the proposed National Economic Conversion Act as a means of achieving that objective, and I am pleased to join Senator MCGOVERN as a cosponsor.

S. 1290—INTRODUCTION OF A BILL TO INCORPORATE THE COLLEGE BENEFIT SYSTEM OF AMERICA

Mr. McCLELLAN. Mr. President, for myself and Senators DIRKSEN, BAYH, BURDICK, EASTLAND, FULBRIGHT, HATFIELD, KENNEDY, MANSFIELD, PELL, RANDOLPH, SCOTT, TYDINGS, and WILLIAMS of New Jersey, I introduce, for appropriate reference, a bill to incorporate the college benefit system of America. I ask unanimous consent that at the conclusion of my remarks the text of the bill be made a part of the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, as requested.

(See exhibit 1.)

Mr. McCLELLAN. Mr. President, our educational system has evolved from the modest one-room, one-teacher schoolhouse to a system which is unparalleled in the world. Our colleges and universities are the strength of that system and of our other institutions as well. From them come the trained graduates who manage and staff our Government, our schools, our churches, our industries, and our professions.

The financial rewards of industry and the various professions have generally exceeded those of higher education at all times in our history. And, yet, retention in higher education of skilled doctors, lawyers, engineers, physicists, and other specialists to teach our young people is essential if we are able to maintain our leadership in the future.

In the early part of this century, Andrew Carnegie resolved to strengthen the higher educational system of this country. He set up a system of free retirement pensions for educators for the purpose of allowing institutions to attract and hold skilled faculties. At that time, pensions were generally a novel concept in the United States. The Federal Government did not have a pension program, neither did most State and local governments, and there were only a few industrial pension plans in existence.

To assist Mr. Carnegie in providing a means to administer the pensions, Congress incorporated the Carnegie Foundation for the Advancement of Teaching in 1906. Mr. Carnegie endowed it with a total of $26 million—$15 million personally and $11 million through the Carnegie Corp., another of his charitable foundations.

It was Mr. Carnegie's hope that earnings from that endowment would be sufficient to provide free pensions; but with the rapid growth of higher education, it became apparent by 1915 that he did not have the resources to personally provide an adequate retirement pension system for all of higher education. The solution to the problem lay in establishing a pension system based on self-help, administered to serve the needs of higher education as the educators best saw them.

Beginning in 1915 and working with a group of outstanding educators, the Carnegie Foundation for the Advancement of Teaching formulated principles for a sound self-supporting pension system for higher education. The principles that were established comprise the basic structure of the retirement system now in effect. Both the institutions of higher education and the educators contribute to the pension system. Accumulated pension reserves have no cash surrender value but remain intact until retirement to provide a lifetime income. The benefits are fully vested in the individual at all times with his ownership protected by a legally enforceable contract. And being vested in the individual, the benefits are freely transferable—portable—with the individual, even if he moves from campus to campus, or in and out of the academic community. The portability of each individual pension plan, moreover, makes it possible for participating schools to employ persons possessing the experience and skill necessary to adequately fill vacancies on their faculties, or to enlarge or create new departments of education. The principles of portability, vesting, and full funding were extremely advanced concepts at the time of their formulation.

At the instance of the Carnegie Foundation for the Advancement of Teaching, Teachers Insurance and Annuity Association—TIAA—was chartered as a nonprofit, life insurance corporation under the laws of New York in 1918, to provide tax-free contributory pensions only for the faculties and staffs of institutions of higher education, without regard to race, sex, creed, or color. The Carnegie Corp., endowed TIAA with working capital, and thus began the first pension system in the United States in which annuity pensions first are fully funded, second vest immediately in the beneficiary; and third, are portable. Those principles guided the establishment of the Federal social security system in 1935; and it should be noted that the President's Committee on Corporate Pension Funds and Other Private Retirement and Welfare Programs recommended in 1965 that principles of vesting, portability, and full funding, which TIAA has provided for more than 50 years for higher education, be incorporated into all private pension plans for industry and labor.

After World War II, TIAA began a detailed study of the effects of inflation on fixed dollar annuities. One of the first findings was that not once during the history of the United States had the dollar remained stable over a period comprising a single individual's working and retirement years. Accordingly, at the request of TIAA working with a commission of educators from throughout the United States, the New York Legislature created college retirement equities fund—CREF—by special act in 1952 as a charitable and education membership corporation to provide variable annuity pensions without regard to race, sex, creed, or color, only for the faculties and staffs of educational institutions. Like TIAA, these pensions, first, are fully funded; second, vest immediately in the beneficiary; and third, are portable. CREF, therefore, was the first to provide a nationwide variable annuity pension system in the United States.

TIAA–CREF is the nationwide pension system for higher education in the United States. Because of its portability and vesting features, it has supplemented and in some cases, substituted for State and local government retirement programs for higher education, where the institutions and their faculties have an opportunity to elect the TIAA–CREF pension system. TIAA–CREF has more than 300,000 annuity contracts outstanding to faculty and staff members of more than 2,000 institutions of education. More than $3 billion in pension funds are represented.

The TIAA–CREF retirement system has proved to be an effective and inexpensive means of providing pensions for higher education. At its heart is a system which has been able to offer precisely equal services and benefits at equal cost to any college and to any participant in any of the 50 States. Its principles of full funding, immediate vesting, and portability between institutions make it a model for all private pension systems. The system has responded to changes in the economy and to the needs of higher education.

The portability and vesting aspects of the pension system of higher education enable faculty and staff members to carry their pensions between participating institutions without loss of benefits. There is no equivalent portability of pensions between industrial companies or between labor unions. Social Security is the only other nationwide pension system providing for full portability and vesting for its participants.

After more than 50 years of operation, the pension system of higher education is now confronted by a threat of taxation by one or more States on the periodic pension contributions of faculty and staff members and their institutions. This is attributable to the vesting and portability provisions of the pension contract. Such contracts are considered insurance products under State insurance codes and subject to multistate regulation and taxation.

It is not necessary here to recount the reasons why public policy provides tax exemption for public and private education. But it is not so well known how widely tax exemption applies to retirement plans and many other types of benefit plans in this country. Neither the Federal Government nor the State governments tax the periodic pension contributions of employers or employees in noninsured benefit plans, public and private. This nontaxed status is true of the pension plans of large national concerns such as A.T. & T., General Motors, and United States Steel—plans centrally administered and covering hundreds of thousands of people employed throughout the Nation. It is true of union-administered and negotiated health, welfare and retirement plans such as those of the United Mine Workers and the Teamsters Union. It is true of church plans. It is true of State teacher retirement systems, the pension programs of Federal civil service and the armed services, and all the other publicly administered pension plans for Federal, State, and local government employees.

Practically all Americans are now covered by private and public tax-free pension plans under which their contributions for retirement purposes are not taxed, and the pension system of higher education should be equally treated. At the present time, neither the States nor the Federal Government are taxing the contributions made to the TIAA–CREF retirement program. Thus, maintenance of the retirement program of higher education from Federal and State taxes gives the colleges and their staff members no special privileges.

Private pension systems are a major element in this Nation's total retirement program. It is the public policy of the United States to encourage the development of private pension systems through favored tax treatment and special legislation because of the important social purposes they serve.

The intent of the proposed charter is to preserve the private pension system of higher education so that it can continue to offer precisely equal services and benefits at equal cost to education in all 50 States, and to protect the principles of immediate vesting, full funding, and portability from fragmentation or unequal treatment under local law.

The proposed charter leaves with higher education the duty of self-help set for them by Andrew Carnegie in establishing their pension system, and it continues in them the responsibility for the management of their pension system as they best see it, within the structures of the proposed charter and the laws of the United States. Nothing in the charter will add to the burdens of Federal, State, or local governments.

If a Federal charter is not granted by Congress, the TIAA–CREF program will increasingly be caught up in the network of multistate insurance regulations and taxation. This would ultimately subject TIAA–CREF contracts and benefit provisions to 50 different sets of insurance laws designed for commercial company operations. It could cut much of higher education off from CREF participation because some States do not now have a category in which the CREF-type variable annuity fits. And, it would impose an unwarranted tax on the benefit plan of private and public higher education, while benefit plans covering the vast majority of working Americans are not taxed at all.

In short, State-by-State controls would destroy the uniformity that now permits effective mobility of educators among institutions throughout the country without loss or alteration of benefits. It would add needlessly to education costs at a time when adequate financing of education is a national concern.

The bill (S. 1290) to incorporate the College Benefit System of America, introduced by Mr. McCLELLAN (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD.

EXHIBIT 1

S. 1290

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

CORPORATION CREATED

SECTION 1. The following persons: William C. Greenough, New York, New York, Henry T. Heald, New York, New York, Theodore M. Hesburgh, South Bend, Indiana, John W. Gardner, District of Columbia, Francis T. P. Plimpton, New York, New York, David Rockefeller, New York, New York, and Logan Wilson, District of Columbia; and their successors, are created and declared to be a body corporate under the laws of the United States of America, by the name of College Benefit System of America, and by such name shall be known and have perpetual succession and the powers, limitations and restrictions herein contained.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in section 1 of this Act are authorized to complete the organization of the Corporation by the selection of officers and employees, the adoption of a constitution and by-laws, not inconsistent with this Act, and the doing of such other acts as may be necessary for such purpose. The constitution and by-laws shall prescribe provisions for the amendment of such constitution and by-laws and any other provisions for the management and disposition of the property and regulation of the affairs of the Corporation which may be deemed expedient.

PURPOSES OF CORPORATION

SEC. 3. (a) The purposes of the Corporation are to aid and strengthen nonproprietary and nonprofit-making colleges, universities and other educational institutions engaged primarily in teaching or research, by causing to be continued and maintained, through its associated educational corporations as hereinafter defined, a system providing retirement annuities or benefits, fixed or variable in whole or in part, and such life and health insurance benefits as the Corporation may deem appropriate, under plans or programs suited to the needs of such institutions and staff members covered thereby, and providing counseling of such institutions and staff members concerning pension and retirement plans and other measures of security, all without profit to the Corporation or any of its associated educational corporations.

(b) In furtherance of the foregoing purposes, the Corporation—

(1) may associate with itself in the manner provided in subsection (c) the existing New York nonprofit corporations known, respectively, as Teachers Insurance and Annuity Association of America and College Retirement Equities Fund, and any other nonprofit corporation which may hereafter become successor to either of said corporations or to all or any part of their operations; and

(2) may similarly associate with itself the existing New York nonprofit corporation known as Trustees of TIAA stock, which holds the stock of said Teachers Insurance and Annuity Association of America; or may acquire said stock by transfer, by merger or consolidation of said Trustees of TIAA Stock into the Corporation as the surviving corporation, or in any other manner not in contravention of the laws of the State of New York; and may thereafter administer said stock in such manner as in the judgment of the trustees of the Corporation will best ensure the continued accomplishment of the purposes of the Corporation and said Teachers Insurance and Annuity Association of America. Such merger or consolidation may be authorized by the Board of Trustees of the Corporation with the consent of a majority of the voting members of the Corporation, and shall comply with the applicable provisions of the laws of the State of New York.

(c) Any corporation referred to in subsection (b) shall be deemed an "associated educational corporation" of the Corporation, (1) in the case of a nonprofit stock corporation, if all the stock of such corporation is held by the Corporation, or by a corporation which is itself associated with the Corporation in any manner herein provided, or (2) in the case of a nonprofit nonstock corporation, if (i) the Corporation is a voting member of such corporation, or (ii) all or a majority of the voting members of the Corporation constitute all or a majority of the voting members of such corporation. The Corporation may effect such association with each or any of said corporations in any manner aforesaid, provided the manner of effecting such association is not in contravention of the laws of the state of incorporation of the associated corporation.

(d) If hereinafter at any time deemed by the Board of Trustees of the Corporation to be necessary or expedient for the accomplishment of the purposes of the Corporation, but only if and to the extent permitted under the laws of the State of incorporation of the other corporation or corporations concerned, the Corporation may acquire any or all of the assets and assume the related liabilities of said Teachers Insurance and Annuity Association of America and said College Retirement Equities Fund, or either of them, or any successor or successors to all or any part of their operations, or may merge or consolidate with one or more of such corporations under the charter of the Corporation as the surviving corporation, and in the event of any such acquisition, merger or consolidation the Corporation may thereafter administer the assets and conduct the operations so acquired, under and subject to applicable State law as provided in section 13. Any such merger or consolidation may be authorized by the Board of Trustees of the Corporation with the consent of a majority of the voting members of the Corporation, and shall comply with the applicable provisions of the laws of the State of incorporation of the other corporation or corporations entering into such merger or consolidation. Nothing herein shall be construed to authorize the Corporation itself to issue any fixed or variable annuity or insurance contract or policy except in the event of an acquisition, merger or consolidation pursuant to this subsection.

ADDITIONAL POWERS OF CORPORATION

SEC. 4. The Corporation shall also have the power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the operations of the Corporation may require;

(5) to contract and be contracted with;

(6) to take by lease, gift, purchase, grant, devise, or bequest from any corporation, association, partnership, firm or individual and to hold, invest, reinvest, dispose of or otherwise deal with any property, real, personal or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the Corporation, subject, however, to applicable state law as provided in section 13.

PRINCIPAL OFFICE; TERRITORIAL SCOPE OF ACTIVITIES; RESIDENT AGENT

SEC. 5. (a) The principal office of the Corporation shall be located in New York City, New York, or in such other place as may be later determined by the Board of Trustees, but the activities of the Corporation shall not be confined to that place, but may be conducted throughout the various states, territories, and possessions of the United States or elsewhere as provided in the Corporation's constitution and bylaws.

(b) The Corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the Corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the Corporation.

MEMBERSHIP: VOTING RIGHTS

SEC. 6. (a) Eligibility for membership in the Corporation and the rights, terms of office, privileges, and designation of classes of members shall, except as provided in this Act, be determined as the constitution and bylaws of the Corporation may provide.

(b) Each member of the Corporation, other than honorary, sustaining or associate members, shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the Corporation.

BOARD OF TRUSTEES; COMPOSITION; TENURE; POWERS

SEC. 7. (a) Upon enactment of this Act the membership of the initial Board of Trustees of the Corporation shall consist of the members of the Corporation as specified in section 1 of this Act.

(b) Thereafter the constitution and bylaws of the Corporation shall prescribe the number, qualifications, powers, term of office, and manner of selection of trustees; the classification of trustees into not more than seven classes so that the term of office of one class shall expire each year; and the place or places for the holding of meetings.

(c) The Board of Trustees shall manage the affairs of the Corporation.

OFFICERS OF CORPORATION; ELECTION; TENURE; DUTIES

SEC. 8. (a) The officers of the Corporation shall include a president, a secretary, and a treasurer, together with such other officers as may be determined by the constitution and bylaws.

(b) The qualifications, powers, duties, manner of election and terms of office of the officers of the Corporation shall be as determined by the constitution and bylaws.

NONDISTRIBUTION OF INCOME OR ASSETS TO MEMBERS; PROHIBITED LOANS

SEC. 9. (a) No part of the income or assets of the Corporation shall inure to any of its members, trustees, officers or employees as such or be distributable to any of them during the life of the Corporation or upon its dissolution or liquidation; nor shall any member, trustee, officer or employee at any time have any personal interest in any property or assets of the Corporation. Nothing in this subsection shall be construed to prevent the payment of reasonable compensation for services rendered or reimbursement of expenses incurred in its service in amounts approved by the Board of Trustees of the Corporation or benefits received as a proper beneficiary of its strictly charitable purposes. No member, trustee, officer or employee, in the absence of fraud or bad faith, shall be personally liable for the debts, obligations or liabilities of the Corporation.

(b) The Corporation shall not make loans to its members, trustees, officers or employees. Any trustee who votes for or assents to the making of a loan to a member, trustee, officer or employee of the Corporation, and any officer who participates in the making of such a loan, shall be jointly and severally liable to the Corporation for the amount of such loan until the repayment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The Corporation, and its trustees and officers as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 11. The Corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENTS OF DIVIDENDS

SEC. 12. The Corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

REGULATION AND TAXATION BY STATES

SEC. 13. The operations and activities of the Corporation and its associated educational corporations relating to the providing of retirement annuities or benefits described in section 3(a), and relating to the providing of group life and health insurance benefits the cost of which is borne in whole or in part by educational institutions referred to in section 3(a), and, with respect to such operations and activities, the Corporation and its associated educational corporations, shall not be subject to regulation or taxation under the laws of any state relating to the regulation and taxation of the business of insurance or fixed or variable annuities, other than, in the case of an associated corporation, its state of incorporation, and, in the case of the Corporation or an associated corporation, any State in which it maintains resident employees or maintains resident agents employed and compensated by it. As used in this section, the term "State" includes the District of Columbia, Puerto Rico, and any territory or possession of the United States, and the term "Agent" shall not include an agent for service of process, or a person who is independently engaged in the business of servicing mortgage or other investments for others and whose services are retained by the Corporation or an associated corporation for such purposes; however, nothing herein shall be construed to affect state laws with respect to real estate or real estate mortgage investments by foreign charitable corporations, nor to exempt any real property of the Corporation or any associated corporation from taxation in any state or subdivision thereof, to the same extent, if any, according to its value, as real property of other corporations organized and operated exclusively for charitable, scientific or educational purposes, no part of the net earnings of which inures to the benefit of any private shareholder of individual.

BOOKS AND RECORDS; INSPECTION

SEC. 14. The Corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, Board of Trustees and committees having any authority under the Board of Trustees; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the Corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

DISPOSITION OF ASSETS UPON DISSOLUTION OR LIQUIDATION

SEC. 15. In the event of dissolution or liquidation of the Corporation, all of its property and assets, after payment of its liabilities and obligations, shall be distributed as the Board of Trustees may determine, to one or more corporations or institutions of the character described in section 3.

REPORT TO SECRETARY OF HEALTH, EDUCATION AND WELFARE; AUDIT OF ACCOUNTS

SEC. 16. (a) The Corporation shall report annually to the Secretary of Health, Education and Welfare concerning the proceedings and activities of the Corporation and its associated corporations for the preceding calendar year. The Secretary of Health, Education and Welfare shall communicate to Congress the whole or such report, or such portion thereof as he shall deem appropriate.

(b) The accounts of the Corporation and its associate corporations shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants and the report of each such audit shall be submitted to Congress in accordance with the provisions of the Act entitled "An Act to Provide for Audit of Accounts of Private Corporations Established under Federal Law", approved August 30, 1964 (78 Stat. 635).

RESERVATION OF RIGHT TO AMEND OR REPEAL

SEC. 17. The right to alter, amend, or repeal this Act is expressly reserved.

LONG-DISTANCE LAW

Mr. McCLELLAN. Mr. President, the increase in serious crimes continues to imperil our internal security. Daily press reports reflect an increasing number of rapes, murders, robberies, and beatings in every major city in the United States. Criminals are now preying on society as never before. Indeed, lawlessness has become a critical national problem.

There is strong public sentiment in favor of more stringent action on the part of the courts of our country. A recent Gallup poll which was released on February 16 of this year indicated that 75 percent of those persons interviewed felt that law courts in the United States are "too soft" on criminals. In comparison to that, a Gallup poll conducted in April 1965, revealed that only 48 percent of the people interviewed expressed the opinion that the courts were "too soft" on criminals. This represents a 27-percent increase in less than 4 years.

Just last year, Congress expressed its concern, as well as its discontent, with prevailing attitudes of the U.S. Supreme Court as expressed by certain decisions in the area of criminal jurisprudence. By an overwhelming majority, Congress passed the Omnibus Crime Control and Safe Streets Act, which was designed to restore the effectiveness of local police and to bring the scales of justice back into balance.

Even though the Congress has spoken and public opinion continues to mount, the Supreme Court seems bent on broadening the area of protection for criminals while further restricting law-enforcement officials in the legitimate performance of their duties.

This fact was amply illustrated just recently by the Court's decision in the case of Spinelli against United States. The Court overruled a conviction of the defendent and held that a search warrant obtained by police officers had been issued on insufficient evidence, although a report from an anonymous informer plus an independent FBI investigation had provided the basis for the issuance of the warrant.

A recent editorial in the Arkansas Democrat, dated February 7, 1969, and an accompanying article by Mr. Karr Shannon very aptly describe the critical issues presented and the effect of the Supreme Court's ruling. I ask unanimous consent that these articles be placed in the RECORD at this point:

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Arkansas Democrat, Feb. 7, 1969]

LONG-DISTANCE LAW

Largely overlooked last week in the flood of words about the Supreme Court's refusal to be drawn into denominational fights about dogma was another one of those 5 to 3 decisions that help crooks.

The court overturned the conviction of a known gambler in St. Louis because it didn't like the way the FBI went about getting a search warrant. An agent tailed the gambler-bookmaker and saw him park in front of the same apartment building four out of five days. The agent saw the man go into an apartment in the building that had two telephones with numbers that were the same as those furnished to the FBI by informants who said they had called them to place bets. The agent put all of this together in an affidavit that he submitted to a St. Louis judge, who, on the strength of it, issued a search warrant. The FBI entered the apartment and found all the evidence it needed to prove the man guilty.

But the majority of the Supreme Court said the local judge was wrong in issuing the search warrant. Justice John M. Harlan said that the affidavit was not written in sufficient detail and that the informant's reliability was not established. So the man went free.

Almost compensating for the bad decision was the tirade it produced. In what was described as a bitter and angry speech, Justice Hugo Black critized the majority opinion for 20 minutes. As he has on other occasions, he accused his fellow justices of trying to supervise local judges from "a thousand miles away." Even Justice Abe Fortas, who usually is wildly liberal on the matter of civil liberties, said that the issuance of the search was justified, as did Justice Potter Stewart.

Local judges simply have to have leeway in these matters. In the first place, if they insist on evidence of guilt, which is what the majority said the judge must have, the officers who gather it will be bound to alert the subject, who will then flee. Secondly, the local judge knows the local officers. A policeman might fool a judge once into giving him a warrant on flimsy pretext but not a second time.

Justice Byron White, who voted with the majority only to avoid a deadlock (Justice Thurgood Marshall disqualified himself), worried from the bench that this majority decision might establish a precedent. He called for the court to make a "full-scale reconsideration" before the justices use it as a guide in future search-warrant cases. We hope that local judges who might be intimidated by the decision got this word. At least some members of the Supreme Court don't believe local law enforcement can be directed from Washington, D.C.

[From the Arkansas Democrat, Feb. 7, 1969]

HIGH COURT TIGHTENS SHACKLES ON POLICE

(By Karr Shannon)

Apparently not content with rulings of recent years that shackle law enforcement while giving the breaks to criminals, the U.S. Supreme Court has tightened the shackles on police and other law-enforcement officers. In upsetting the gambling conviction of William Spinelli, and his three-year prison term and $5,000 fine, the high court, in a decision a few days ago, made it almost impossible for police to obtain search warrants.

The court never semes vitally concerned about the safety of the lawabiding; the emphasis is on the rights of the violators. And the court shows a tendency to clog the course of justice with technicalities.

The indisputable fact that, at the time of his arrest in 1965 by FBI agents, a quantity of horse racing and sports betting tabs were found in Spinelli's apartment doesn't seem to concern the five Supreme Court justices who upset the conviction.

In acting favorably on Spinelli's appeal, the high tribunal held that a search warrant obtained by police for the apartment had been issued on insufficient evidence. The majority ruled that an FBI investigation, even when supported by the word of a "reliable" underworld informant, was not enough to justify searching the apartment of a known bookie.

WHITE'S VOTE SURPRISE

The majority voting for reversal of Spinelli's conviction included, of course, Chief Justice Earl Warren. Those joining Warren were Justices William O. Douglas, William J. Brennan Jr., John M. Harlan—and—of all things!—Byron R. White.

Justice White is certainly "out of character" in this vote. Considered the most conservative of the court's membership, he has normally dissented in cases of this type. And his reason for siding with the majority in the 5-3 vote—in which Justice Thurgood Marshall did not participate—is downright ludicrous. He said he concurred with the Warren group because, among other things, to vote otherwise would have brought about a divided court.

That's one time "Whizzer" White fumbled the ball!

And here's another surprise vote: The liberal Justice Abe Fortas, usually voting with Warren, dissented with Justices Hugo Black and Potter Stewart. Maybe his recent bout with the Senate, in which he failed elevation to the chief justiceship, gave him some second-thoughts.

JUSTICE BLACK'S LOGIC

In his dissent, Justice Black clearly pointed up the dangerous precedent the court's ruling has set. He cited a 1964 decision which he said "went very far toward elevating the magistrate's hearing . . . to a full-fledged trial, where witness must be brought forward to attest personally to the facts . . . " The decision on Spinelli, he added, expands that to almost unbelievable proportions.

"In fact," Justice Black declared, "I believe the court is moving rapidly, through complex analysis and obfuscatory language, toward the holding that no magistrate can issue a warrant unless, according to some unknown standard of proof, he can be persuaded that the suspect defendant is actually guilty of a crime."

Commenting on the decision, the St. Louis Globe-Democrat said:

"Mobsters from Burbank to Boston must be loudly acclaiming the Supreme Court's latest ruling, which extends greater rights to criminals than to law-abiding citizens . . . The court's next step, conceivably, might be a decision that search warrants can be

issued only when suspected lawbreakers send police engraved invitations.”

S. 1296—INTRODUCTION OF BILL TO AMEND THE MILITARY SERVICE ACT OF 1967

Mr. HART. Mr. President, for more than 20 years our Nation has used an inequitable and needlessly disruptive system to draft men into the Armed Forces.

No longer can we justify such a system merely because it succeeds in filling the manpower demands of the military.

In the past two decades the Nation has made considerable progress in extending the concept of equality and due process of law to all citizens; yet, when it comes to the draft, many young Americans are still denied those basic rights.

The case for reform is strong; the call for change clear.

Three presidential commissions, many Senators, including 23 who voted against the Military Selective Act of 1967, numerous educational officials, and citizens of all ages have supported changes to correct the shortcomings of the present draft system.

The Selective Service System should be revised as quickly as possible, first, because justice delayed is justice denied, and second, in its present form the system adds to the feeling of alienation spreading among our youth.

As long as all are not called to serve, we must strive to be as fair as possible in selecting those who are required to serve.

That is not the case today, and our youth recognize that fact.

A process of government which can require a man to disrupt his life for up to 2 years must provide the man with such basic safeguards as the right to counsel.

That is not the case today, and our youth resent that fact.

It is not surprising then that many young men, whose first contact with the Federal Government is through local draft boards, questions a government which uses an unfair and arbitrary system in the name of protecting the Nation's freedoms.

Equally disturbing, the present draft system forces draft-age men to live under a cloud of uncertainty for many years. It is difficult indeed to plan a career or educational program if a person is more vulnerable to the draft as he gets older. The Nation's and the individual's interest would be served by reducing as much as possible the disruptive uncertainty created by a selective service system.

Revision is needed, and to that end I have recently cosponsored an extensive draft revision bill introduced by the senior Senator from Massachusetts (Mr. KENNEDY), but justice also demands we move as quickly as possible to correct as many shortcomings as possible. To that end I introduce today a more limited bill than Senator KENNEDY's in the hope of speedy congressional passage.

My bill would eliminate inequities and uncertainties created by the present law by establishing a prime selection group and reversing the order of call in order to induct younger men first.

The selection group would consist of 19-year-olds who have not secured deferments, men whose deferments have expired and men between the ages of 20 and 26 who are now subject to the draft but have not been called.

Each name would remain in the prime selection group for not more than 1 year. If the selection group could not provide the manpower needed to meet the demand, additional men would be called, selecting first from younger age groups. Therefore, if a man were not called while his name was in the prime selection pool, his chance of being drafted would drop considerably with each passing year.

Men can receive educational deferments for up to 4 years, but at the end of that period are placed in the prime selection group and considered as 19-year-olds for the purposes of draft.

My bill also makes it possible for men to be selected by lottery, which is perhaps the fairest selection method when some but not all must serve.

I think that commonsense dictates such changes. My proposal allows our youth to make plans for their lives with some assurance that their plans will not be interrupted by the draft at age 24, 25, or 26. A small degree of uncertainty remains, but no longer is a man faced with equal vulnerability to the draft for 8 long years.

This part of my bill is the same as S. 3394, which I introduced in the last Congress with the Senators from Massachusetts (Mr. KENNEDY and Mr. BROOKE), the senior Senator from Texas (Mr. YARBOROUGH), and the junior Senator from Minnesota (Mr. MONDALE).

Following introduction of the bill, I sought the views of some college presidents.

Mr. President, because those views are relevant to the bill I introduce today, I ask unanimous consent that letters written by college presidents in response to my inquiry be printed at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HART. Mr. President, but more must be done than just reversing the order of call. The whole classification and selection procedure must be examined in light of our basic concepts of due process of law. The inequities and procedural flaws in the present draft act deprive every 18-year-old male of certain basic constitutional rights.

I believe that the Selective Service System should, as Congress intended, be entirely independent of the military. Until a registrant takes the military oath, he should be treated as a civilian, subject to civilian laws and regulation. In order to preserve the independence and integrity of the Selective Service System, my bill requires the Director of the System and all State directors be civilians. I do not contend that members of the military would be unfair or would not protect the civil rights of registrants, but I believe the Nation would have more confidence in the System if civilians are responsible for calling civilians to military duty.

I further propose that the director of the system be appointed, with the consent of the Senate, for a term of 7 years and that Senate approval be required for each term. Directors more than 70 years old can be appointed for 1-year terms only, also subject to the approval of the Senate.

The National Director has a very responsible position in determining who shall be drafted when all are not needed. In recognition of the importance of his position, I recommended that the Director be paid at level III of the executive pay schedule.

I am a lawyer, as are many Members of this body. Some of you may have been surprised to learn that under present selective service regulations a registrant may not be represented by legal counsel at a personal hearing before the local board. It seems inconceivable to me, and, I believe, to anyone who adheres to the protections afforded by our Constitution, that an individual can be forced to appear before a governmental body—in particular one that can require an individual to place his life in jeopardy—without legal counsel.

Is it not asking too much to expect an 18-year-old boy at a local board hearing to know, let alone understand, the maze of selective service regulations, advisory bulletins and memos, and court decisions affecting draft procedures?

How can we expect this youth, or any layman regardless of age, to have all this material at his fingertips when he appears before the board?

There is no way he can make an effective case for a deferment or exception without having counsel at his side. No other administrative agency can deprive an individual of his constitutional and statutory rights without an attorney. Can we allow Selective Service, an agency that deals with lives and not the cost of electric power or the determination of an airline route, this exemption? The answer is no.

As long as we provide for deferments and exemptions in the statute and as long as we do not need the services of all men between the ages of 18 and 26, it is particularly important that we adhere strictly to all legal protections and benefits granted by law and the Constitution.

My bill specifically provides that every registrant may present evidence and be accompanied by legal counsel at his personal appearance before the local board.

Under present law, the registrant is required to make his own record of local board proceedings. This is unfair. How can anyone argue his case for appeal without the advice of counsel, and at the same time take accurate and detailed notes of the proceedings.

My bill would correct this injustice by requiring the local board, at its own expense, to furnish a record of its proceedings to the appeal board.

The Selective Service System indicates that legal counsel is not needed because registrants are served by the Government appeal agent. Theoretically, the Government appeal agent is available to provide advice and counsel on a registrant's rights to deferments and other classifications. But the appeal agent, even when available, is under a duty to serve two masters.

Parenthetically, the Marshall Commission found that appeal agents are almost totally inactive, and that a great number of appeal agents have checked no files, have seen no registrants, and have made no appeals in years. The agents are not required to be attorneys and they serve without pay. Selective service regulations order the appeal agent to "be equally diligent in protecting the interests of the Government and the rights of the registrant in all matters."

This makes the ordinary attorney-client relationship impossible, and can result in cases where "confidential" conversations between an appeal agent and a registrant are revealed to a local board and used as a basis for a classification. Recently, for example, General Hershey instructed appeal agents to report men they believe are violating draft law to local boards.

My bill abolishes the Government appeal agent system and establishes the position of registrant appeal agent. The registrant appeal agent would advise each registrant of his rights and duties at the time of registration and represent the registrant within the system and on appeal to the courts if the registrant so desires. The registrant appeal agent would be responsible solely to the registrant. The appeal agent would have to be a member of the bar and would be compensated in accordance with his workload. By establishing such a system, we would assure each registrant—including indigents—the advice and representation of legal counsel.

Under present selective service law, a registrant cannot challenge a classification as erroneous unless he is a defendant in a criminal action or unless he is inducted. In other words, decisions of selective service are immune from Federal court review unless one desiring to challenge the decision accepts the stigma of being charged with a criminal violation of the draft law. This applies even if the reason for denying a registrant a deferment is for such reasons as discrimination because of race or unkempt appearance at the hearing. My bill repeals this provision.

My bill also would repeal a 1967 amendment to the law that requires the Attorney General, on the recommendation of the Director of Selector Service, to prosecute a violator of the draft law. If the Attorney General does not follow the request of the Director he must explain his refusal to Congress. This provision is unfounded, unwise, and perhaps an illegal delegation of authority. It has no place in the selective service law.

Finally, my bill would establish a Presidential commission to study the feasibility and desirability of establishing a volunteer army, the feasibility and desirability of national service as an alternative to the draft, and the feasibility and desirability of changing the length of time that volunteers and inducted men are required to serve on active duty and in the Reserves.

President Nixon has proposed elimination of the draft and the building of a volunteer army "once our involvement in the Vietnam war is behind us."

The concept of a volunteer army is an appealing one—attracting such liberals as James Farmer and John Galbraith and such conservatives as Milton Friedman and the junior Senator from Arizona (Mr. GOLDWATER).

The advantages of an all volunteer military force are substantial. Today's unpopular and inequitable draft would be ended and the threat of compulsion eliminated. Fewer recruits would be required and turnover as well as training costs would decrease. Young men could plan their future without having to worry about the disruption military service causes. Business, the professions and educational institutions could select young men on their merits, without regard to draft status.

What are the drawbacks of a voluntary army? No matter how desirable a volunteer military, the question of feasibility still persists. Advocates of draft abolition—which is not to be confused with draft reform—have a difficult burden to meet. They must do more than show the draft creates uncertainty, which it does—prevents career planning, which it does—and operates inequitably with little regard for the rights of the registrant, which it also does. Draft abolitionists must prove also that a selective service system is unnecessary and establish that substitution of a volunteer army would be an improvement. In the short run, even assuming an end to hostilities in Vietnam, I suggest volunteer army proponents will have difficulty proving our military draft unnecessary in the light of world conditions.

Over the long run, the concept of a volunteer army raises further serious issues and questions.

First, given the high rate of black military reenlistments, the volunteer army could become essentially an army of minorities, particularly Negroes. Because of educational advantages, the officer component of such a service would be primarily white. The black enlisted man inclines to make the military service a career because it makes economic sense. While an increasing number of black Americans will come along who meet the educational level for officer, it will make much less economic sense for them to become career officers. Does America at a point in time wish to have enlisted forces made up primarily of blacks and an officer corps made up primarily of white Americans?

Second, where in fact would our officer corps come from? Presently, the military looks to our colleges to provide between 80 and 90 percent of the junior officer corps. Under a volunteer army system, there would be no pressure for a college man to join an officer program to meet his military obligation. It is thus questionable whether or not the necessary numbers and quality of junior officers could be provided.

Third, would a volunteer army not also present a very inflexible military force? Would the Nation be able to meet emergency military obligations with an all volunteer army?

Fourth, do we wish to build a Military Establishment that would on the one hand become a permanent part of our society yet, on the other hand, become rather isolated from that society? Of necessity, the soldier is usually isolated from the vital social struggles of the day: strikes, sit-ins, poverty, urban unrest, and peace movements. Often his only contact with these disturbing elements is as an adversary trying to maintain "law and order"—or as the parent of one who is involved.

Fifth, the cost of an all volunteer military force could present a real problem. Defense Department estimates range from $4 to $20 billion a year. In an October 17 campaign speech, Mr. Nixon estimated that a volunteer army would cost $5 to $7 billion more a year than the present draft system.

Sixth, although our present Selective Service System is in urgent need of reform, the military draft has been the single most democratizing factor in the Armed Forces. The constant movement in and out of the military of citizen soldiers brings to the Army a broad cross-section of American society.

In addition to considering the pros and cons of a volunteer army, the Presidential commission created by title III of my bill would also consider the desirability and feasibility of "national service" as an alternative to the draft.

Why not continue to require every 18-year-old male to register? Upon registration, however, the young man is given three alternatives: First, volunteer for a 1½-year period in the Armed Forces; second, volunteer for a 3-year program of national service. After taking aptitude and qualification tests, the volunteer is allowed to choose a program outlined and approved by a national volunteer service board; or, third, do nothing.

If there are insufficient volunteers to meet our military needs, the needed manpower could be drawn by lottery from a "prime selection group"—those 19-year-old registrants who choose to do nothing. These draftees would then serve a 2½-year term in the Armed Forces. Those members of the prime selection group who were not selected in the lottery would, upon completing 1 year of maximum vulnerability in this group, be placed into a reserve pool where their chances of being drafted would be greatly reduced.

Undoubtedly many legitimate questions and issues can be raised about the whole concept of alternative national service. Could the Government, in fact, provide on a broad-scale, meaningful experience for the young people involved? Would many young people eager to get on in the world merely sit around for 3 years and mark time? What, in fact, would be the true economic cost of the type of alternative national service program just outlined? Would alternative national service have to be severely limited or discontinued during a Vietnam to prevent young men from avoiding the risks of combat?

In sum, while discussion and study of the pros and cons of the volunteer army and alternative national service is important—given the present political realities—no matter what happens in Vietnam—the draft will probably be with us for at least another 5 to 10 years. Thus immediate enactment of my bill—S. 1296—which attempts to put equity and due process into our present draft law is crucial. Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1296) to amend the Military Service Act of 1967 in order to provide a more equitable system of selecting persons for induction into the Armed Forces under such act, to improve the administration of such act, to authorize a study of the alternatives to the method of providing personnel for the Armed Forces, and for other purposes, introduced by Mr. Hart, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

S. 1296

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Selective Service Amendments Act of 1969".

TITLE I—SELECTION FOR INDUCTION

PRIORITY FOR SELECTION

Sec. 101. (a) Paragraph (2) of section 5 (a) of the Military Selective Service Act of 1967 (50 App. U.S.C. 455(a)) is amended to read as follows:

"(2) Notwithstanding the provisions of paragraph (1) of this subsection, in meeting any national quota of men to be inducted into the Armed Forces under this Act, selection of persons for induction to fill such quota shall be made from persons in the prime selection group, after the selection of delinquents and volunteers, to the extent that such group has a sufficient number of qualified registrants to meet such quota. Selection of persons for induction into the Armed Forces from the prime selection group shall be made in a fair and impartial manner, under such rules and regulations as the President may prescribe, and shall be made without regard to the actual age of such persons."

(b) Section 5(a) of such Act is amended by adding at the end thereof a new paragraph as follows:

"(3) As used in this section, the term 'prime selection group' means persons who are liable for training and service under this Act, who at the time of selection are registered and classified, and who are—

"(A) between the ages of nineteen and twenty and are not deferred or exempted;

"(B) between the ages of nineteen and thirty-five and, on or after the effective date of the Selective Service Amendments Act of 1969, were in a deferred status, but are no longer in such status; or

"(C) between the ages of twenty and twenty-six on the effective date of the Selective Service Amendments Act of 1969 and are not deferred or exempted.

Unless selected for induction or unless otherwise deferred from induction into the Armed Forces, a person shall remain in the prime selection group for a period of one year. Any person who is in a deferred status upon attaining the age of nineteen shall, upon the termination of such deferred status, and if qualified, be liable for induction as a registrant within the prime selection group, unless he is otherwise deferred under authority of this Act. Any person who is removed from the prime selection group because of a deferment shall again become a member of the prime selection group, if he otherwise qualifies, whenever such deferment is terminated. Nothing in this paragraph shall prohibit the President from retaining persons in the prime selection group for a period not exceeding one year past the twentieth anniversary of the dates of their respective births if he determines such action is necessary for the effective administration of this Act. In no event shall any person be placed in the prime selection group for any period or periods totaling more than one year."

(c) The last two sentences of section 6 (h)(1) of the Military Selective Service Act of 1967 are hereby repealed.

(d) The amendments made by this section shall become effective ninety days after the date of enactment of this Act.

TITLE II—SELECTIVE SERVICE SYSTEM

APPOINTMENT OF THE DIRECTOR

Sec. 201. (a) Paragraph (3) of section 10 (a) of the Military Selective Service Act of 1967 (50 App. U.S.C. 460 (a) (3)) is amended to read as follows:

"(3) The Director shall be appointed by the President, by and with the advice and consent of the Senate. The term of office for any person appointed to the office of Director shall be seven years or until such person attains 70 years of age, whichever is earlier. The term of office of any person appointed to such office after he has attained the age of 70 years shall be one year. The Director shall be a citizen of the United States. No person may serve as Director while serving on active duty with the Armed Forces."

(b) (1) Section 5314 of title 5, United States Code, is amended by adding at the end thereof a new clause as follows:

"(54) Director of the Selective Service System."

(2) Section 5315 of such title is amended by striking out clause (70).

(c) The amendments made by subsections (a) and (b) of this section shall not apply in the case of the person serving as Director of the Selective Service System on the effective date of this Act.

APPOINTMENT OF STATE DIRECTORS

Sec. 202. Paragraph (2) of section 10 (b) of the Military Selective Service Act of 1967 (50 App. U.S.C. 460 (b) (2)) is amended to read as follows:

"(2) to appoint, upon recommendation of the respective governor or comparable excutive official, a State Director of the Selective Service System for each headquarters in each State, Territory, and possession of the United States and for the District of Columbia, who shall represent the governor and be in immediate charge of the State headquarters of the Selective Service System. A State director must be a civilian who is a citizen of the United States; to employ such number of civilians as may be necessary for the administration of the national and of the several State headquarters of the Selective Service System;".

LOCAL AND APPEAL BOARDS; REGISTRANT APPEAL AGENTS

Sec. 203. (a) Paragraph (3) of section 10(b) of the Military Selective Service Act of 1967 (50 App. U.S.C. 460(b)(3)) is amended as follows:

(1) The first proviso is amended to read as follows: *"Provided,* That no person shall be disqualified from serving as a counselor to registrants because of his membership in a Reserve component of the Armed Forces."

(2) By striking out the two sentences immediately preceding the second proviso and inserting in lieu thereof the following: "No member shall serve on any local board or appeal board for more than fourteen years, or after he has attained the age of seventy years. No citizen shall be denied membership on any local board or appeal board on account of race, religion, creed, color, or sex. There shall be assigned to each local board one or more Registrant Appeal Agents whose sole duty and responsibility under this Act shall be to advise each registrant upon registration regarding his rights under this Act and to provide advice and counsel to any registrant who requests it. A Registrant Appeal Agent shall be a member in good standing of the bar of the State in which the local board to which he is assigned is situated. Nothing herein shall be construed to prevent a registrant from retaining and being represented by counsel of his own choice (at his own expense). The requirement prescribed in the preceding five sentences shall be fully implemented and effective not later than January 1, 1970:".

(3) By striking out the next to the last sentence and inserting in lieu thereof the following: "in case of any appeal by a registrant to an appeal board, the local board shall furnish to the appeal board a complete record of the proceedings of the registrant's appearance before the local board. A registrant shall be entitled to have the advice and counsel of a Registrant Appeal Agent (or other person of his choice, at his own expense) in preparing a memorandum for the appeal board."

(b) Paragraph (4) of section 10(b) of such Act (50 App. U.S.C. 460(b)(4)) is amended as follows:

(1) By amending the second proviso to read as follows: *"Provided further,* That any officer on the active or retired list of the Armed Forces, or any Reserve component thereof with his consent, or any officer or employee of any department or agency of the United States who may be assigned or detailed to any office or position to carry out the provisions of this title (except to the office of the Director; the office of State director, or to offices or positions on local boards or appeal boards, including the position of Registrant Appeal Agent, established or created pursuant to section 10(b)(3)) may serve in and perform the functions of such office or position without loss of or prejudice to his status as such officer in the Armed Forces or Reserve component thereof, or as such officer or employee in any department or agency of the United States:".

(2) by striking out the semicolon at the end thereof and inserting in lieu thereof a period and the following: "Any attorney employed to serve as a Registrant Appeal Agent under this section shall be paid only for the time actually spent by him in advising and counseling registrants, and in no event more than $75 per day;".

PERSONAL APPEARANCE AND THE RIGHT TO COUNSEL

Sec. 204. Section 10 of the Military Selective Service Act of 1967 (50 App. U.S.C. 460 (c)) is amended by adding at the end thereof a new subsection as follows:

"(h) Notwithstanding the provisions of section 13(b) of this Act, each individual shall be afforded the opportunity to appear in person, present testimony or other evidence, and be represented by counsel in any proceeding before the local Selective Service Board having jurisdiction over him."

REPEAL OF DIRECTOR'S POWER TO REQUIRE PROSECUTION

Sec. 205. Section 12(c) of the Military Selective Service Act of 1967 (50 App. U.S.C. 462(c)) is hereby repealed.

TITLE III—PRESIDENTIAL COMMISSION

Sec. 301. (a) The President shall establish a Commission to study and investigate the possible alternatives to the present method of providing personnel to staff the Armed Forces of the United States. The Commission shall be composed of the Secretary of Defense or his designated representative, the Secretary of Health, Education, and Welfare or his designated representative, the Secretary of Labor or his designated representative, a member of the Committee on Armed Services of the House of Representatives appointed by the Speaker of the House, a member of the Committee on Armed Services of the Senate appointed by the President of the Senate, and two citizens from private life to be appointed by the President.

(b) It shall be the duty of the Commission established by this section to investigate:

(1) the feasibility and desirability of establishing an all volunteer army;

(2) the feasibility and desirability of allowing young men to serve in a National Youth Corps as an alternative to service in the Armed Forces; and

(3) the feasibility and desirability of altering the length of time that volunteers and inducted men must serve in the Armed Forces and in the Reserve components of the Armed Forces.

(c) The President shall conduct the results of the Commission's study to the Congress, together with such recommendations as he deems appropriate within nine months after the date of enactment of this Act.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 302. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this title.

The letters, presented by Mr. HART, are as follows:

EXHIBIT 1

THE JOHNS HOPKINS UNIVERSITY,
Baltimore, Md., August 13, 1968.

Hon. PHILIP A. HART,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HART: I very much appreciate your letter of August 5, with its enclosure on S. 3394 to amend the Selective Service Act. This is a subject which has deeply concerned all university administrators in the country for obvious reasons—and especially those of us who are deeply involved in postgraduate and professional education.

My own views on the subject are summarized in the attached article which I wrote last spring at the request of the *Baltimore Sun*. As you will see, my thinking largely coincides with yours. I do hope that you and others will be able to secure active consideration of policy changes along this line early in the 91st Congress.

With all good wishes,
Sincerely yours,
LINCOLN GORDON.

[From the Baltimore Evening Sun, Mar. 18, 1968]

THE GRADUATE SCHOOLS AND THE DRAFT

(By Lincoln Gordon)

The combined effect of the amendments to the draft law adopted by Congress last June and the administrative decisions announced in mid-February will be to concentrate the draft almost entirely, beginning this summer, on new holders of graduate degrees, present first-year graduate students, and present college seniors. Unless remedial action is taken promptly, male enrollments in first and second-year post-graduate and professional courses, except for medicine and dentistry, may be cut by as much as 50 per cent.

The results would be vastly damaging to the universities. They would reverse years of effort to build up the flow of highly trained manpower to levels which are still short of national needs. They would remove a large number of teaching assistants essential to undergraduate programs at a time when undergraduate enrollment is rising from 8 to 10 per cent a year. They would constitute a grossly unfair discrimination against one segment of our young male population.

It is no wonder that university authorities all over the country are deeply worried about this prospect. On March 5, Congresswoman Edith Green, chairman of a special subcommittee on education, read into the *Congressional Record* messages from 65 universities. Many set forth in detail the anticipated losses in graduate enrollments and teaching assistants, with crippling effects on educational programs and school finances. Others emphasize the uncertainties of the present situation, which leaves both students and schools in hopeless confusion in their efforts to plan rationally for graduate admissions, assignment of fellowships, and the manning of courses. College presidents are normally cautious in their choice of words and given to understatement, but these messages speak of "serious damage," "major impact," "incalculable loss," "disastrous consequences," "critical shortages" and even "potential national disaster."

At Johns Hopkins, we foresee the possibility of losing next year up to half of our normal complement of 800 first and second-year graduate students in arts and sciences, and over half in our School of Advanced International Studies in Washington. Teaching by graduate assistants is concentrated in the group most likely to be lost, so that we face a major problem in manning laboratory sciences and language courses for undergraduates. Our plight is neither worse nor better than that of the other few dozen universities, private and state, to whom the nation looks for the preparation of our future scientists and engineers, lawyers and business leaders, teachers and scholars, diplomats and administrators.

The reason for this crisis is an administrative anomaly for which there is no visible excuse. The crisis is *not* created by the ending of automatic deferments for graduate students. That was decided by Congress last June, and university administrators as a group support that decision. The crisis comes from the fact that along with the lifting of graduate deferments, the Administration is maintaining the old and unwise rule of drafting the oldest eligible age group (25-year olds) first; then the 24-year olds, and so on down until the numbers are enough to meet the draft calls.

At present, the average draft age is between 20 and 21, but this results from the large number of older men deferred on account of graduate studies or specialized occupations. Unless the policy is changed, there will be a brusque reversal of the situation in June. Instead of there being no graduate students, the men drafted will be almost all recent, actual or potential graduate students. This is both unfair and harmful to the national interest.

Every responsible body which has reviewed the Selective Service System in recent years has strongly advised a change in the "oldest-first" draft policy. The Burke Marshall Commission; last year's panel chaired by Gen. Mark Clark; the Department of Defense, and the House Armed Services Committee have all been in agreement on this point. And President Johnson, in his message of March 6, 1967, stated that he would issue an executive order to change this rule. Yet, for reasons not made clear, the obvious opportunity to do this last month was passed by.

It would manifestly be unfair to shift simply to a "youngest-first" policy, even though this would best meet the needs of the armed services. Like most of my fellow university presidents, I would prefer some form of national lottery treating all young men alike, but permitting them to postpone induction until they finish whatever phase of their education (high school, college, or graduate degree) they are engaged in when called. I also see great merit in a system of truly universal national service. Either of these reforms would require new legislation, and it would be foolish to expect this from a Congress preoccupied with election-year pressures.

But there are two remedies open for executive action *within the present law*. One would be to treat all newly eligible men, including new college graduates and graduate students ending their first year, *as if* they were 19, and then calling up equal proportions of these men and the actual 19-year olds. The other would be to instruct the draft boards to draw in equal proportions from each of the seven age groups within their pools. This type of action was specifically endorsed by the House Armed Services Committee last year. It would also be enormously helpful to defer the actual induction of draftees who have once been admitted to graduate studies until they have completed a full academic year, so as to avoid pulling them out in midterm. Measures of this type would cut the drop in graduate enrollments to about one sixth, instead of one half—still a serious loss, but one which could be reasonably accommodated especially because it would enable universities to plan adequately for one full year of academic operation.

Some editorial comment has suggested that a possible reason for the failure to take such remedial action is a feeling among some members of Congress that graduate students as a group have been evading their fair share of military service and should therefore now be "punished" as a group. If this feeling does exist—and there is some basis for the charge of evasion in recent years—it surely makes no sense to "punish" the next generation of graduate students for the omissions of their older brothers.

The cost of inaction will be a blow to college as well as graduate education, and a gap in the flow of talented manpower which will take many years to overcome.

LYCOMING COLLEGE,
Williamsport, Pa., December 4, 1968.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR HART: Thank you for your communication regarding Senate S. 3394, an amendment to the existing Military Selective Service Act of 1967.

In order to provide for a more equitable selective system for service in the Armed Forces, we would recommend the following:

(1) Provision for deferment of males who enter college before they are eligible for induction by reason of age until they have completed their undergraduate degrees, provided they make normal progress and complete their degree within four years of matriculation.

(2) Provision for continued deferment of graduate students only in occupations considered essential, or where an interruption in the flow of advanced degree candidates will have a significant, though delayed, effect upon the training and education of youth.

(3) A lottery provision for all physically eligible youth from a pool composed of all 19 year olds, graduates of a two or four year college, and all others deferred for occupational reasons upon the completion of one year of an occupational deferment. (The last provision would make an occupational deferment only a delay until the employer had sufficient time to find a suitable replacement. The current practice in occupational deferments makes it possible for physically qualified persons to escape service in the Armed Forces on a permanent basis).

(4) A provision to permit service of two years in the Peace Corps, VISTA, and other agencies classified as suitable alternatives to service in the Armed Forces when pay, length of service, and social desirability are the equivalent of those in the Armed Forces. This would open alternative service to all persons, regardless of their personal opposition to war.

We believe that these provisions, and any others should operate on the basically sound principle that all persons ought to be committed to the service of their nation in some constructive manner, either in the Armed Forces or through some other socially desirable service to their fellow men.

Respectfully,
JOHN G. DETWILER,
Acting President.

ST. OLAF COLLEGE,
Northfield, Minn., August 12, 1968.
Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: Thank you for your letter of August 5 and the enclosure regarding the proposed amendments to the Selective Service Act.

I heartily concur in the amendments you have suggested. I hope they will be well received in the Senate.

The uncertainties which face young men these days are certainly difficult for the young men involved, but I think they also raise the serious questions with regard to the health of the nation in the long run. While it is necessary to provide needed military manpower, it is also necessary that we have the longer view and do not adopt policies which will make it impossible for us to supply general manpower needs in the future. This is one of my concerns with regard to the rather ruthless manner in which some young men are being taken out of graduate study at the present time. This is not only tragic for them as individuals, but it is most likely a tragedy in many cases for the country as well.

All of this reminds us, of course, that we are talking about one side of the coin. The other side is a strange and complicated circumstance which we call Viet Nam. I guess my basic position is that we should bend every effort to solve the Viet Nam problem even if it involves some loss of face for the United States, and that we should revise the Selective Service system in such a way that it will be adapted to a peace-time situation and not what we hope is a temporary wartime situation.

Thank you again for sharing your proposals with me. The thoughtful exercise of judgment by you men who bear responsibility in the Senate and the House is appreciated by those of us who observe your work and too often only give negative criticisms concerning it.

Yours sincerely,
SIDNEY A. RAND,
President.

ST. MARY'S DOMINICAN COLLEGE,
New Orleans, La., August 12, 1968.
Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: Thank you for calling my attention to your Draft Reform Bill.

After reading it carefully, I wish to state that I concur wholeheartedly with the proposals and the reasons which prompted them. I do hope the Military Selective Service Act of 1967 will be amended accordingly.

Best wishes.

Sincerely,
SISTER MARY URSULA, O.P.,
President.

BOWDOIN COLLEGE,
Brunswick, Maine, August 14, 1968.
Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: Thank you very much for your letter of August 5th, in which you send us your proposal regarding the amendment of the Military Selective Service Act of 1967.

We are very much interested in this. It is certainly a subject of national concern, and one which vitally affects the colleges. It affects the colleges, not only in terms of its impact on them, but also in terms of its impact on the effective training of manpower to meet national needs.

With very best wishes,
Sincerely yours,
ATHERN P. DAGGETT,
Professor of Government,
Acting President.

ARIZONA WESTERN COLLEGE,
Yuma, Ariz., August 14, 1968.
Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: We are delighted with your amendment to the military Selective Service Act of 1967. The Act with your amendment presents a fair and easy-to-understand policy for our young men. We will watch the progress of this amendment with interest.

Sincerely,
GEORGE L. HALL,
President.

THE CLEVELAND STATE UNIVERSITY,
Cleveland, Ohio, August 14, 1968.
Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR HART: I am writing with reference to Senate S. 3394 to amend the Military Selective Service Act of 1967.

As you, Senator Edward Kennedy, and many other thoughtful Americans have so often said, the present Selective Service system is arbitrary, capricious, unfair and inadequate. A number of special studies document what students, parents, teachers and observers from all walks of life already know—that the system badly needs a thorough overhauling along with fresh new leadership. The "draft" is much too sensitive an area to permit even the suggestion that it is to be used as a club to curb dissent. We must have no more such threats from any source.

The provisions of S. 3394 strike me as sensible and proper. The lottery approach fits (or ought to fit) our deepest, most profound convictions about the ultimate equality of citizens in a democratic society. A "system" that protects the wealthy, the advantaged, the clever, and asks those who have the least stake in America to make the greatest sacrifices is no longer tolerable, if indeed it ever was. Nor is there any good reason for continuing a system that exposes our young people to years of continuing "jeopardy." Your proposal would correct this by the simple measure of a defined—and brief—period of "jeopardy."

It may be that in the long haul the nation will require a volunteer army, with salaries and benefits more commensurate with risks. However, in the immediate future your proposal surely represents a long-overdue series of steps in the right direction. The widespread cynicism about the present system affords the most eloquent testimony of all that fundamental changes are essential.

I hope that you and your colleagues will continue to press for revisions along the lines of S. 3394.

Sincerely yours,
HAROLD L. ENARSON,
President.

THE UNIVERSITY OF NORTH DAKOTA,
Grand Forks, N. Dak., August 13, 1968.
Senator PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: Thank you for your letter of August 5 with reference to S. 3394 to amend the Military Selective Service Act of 1967.

In general I like what you propose and I believe it provides a much better system of selection than the original act. I believe, with you, that the military people would much rather get 19 year olds first. I can assure you that those of us in higher education would prefer the drawing of those to be drafted from a prime selection group such as you establish.

Thank you again for this service.

Sincerely,
GEORGE W. STARCHER,
President.

VIRGINIA MILITARY INSTITUTE,
Lexington, Va., August 14, 1968.
Hon. PHILIP A. HART,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HART: I appreciate your kindness in sending me a copy of S. 3394, amending the Military Selective Service Act of 1967. I have read it with much interest, particularly in regard to its relationship to college students.

While I feel that it is desirable to spread equitably the burden of the draft, it is to be hoped that no qualified young man, progressing normally in his academic effort, should be deprived of an opportunity for a college education unless full mobilization conditions exist. It is to be hoped, therefore, that these students accepted for advanced degrees will be permitted to continue into graduate school.

Thank you again for your letter.

With kind regards.

Sincerely,
GEORGE R. E. SHELL,
Major General.

SMITH COLLEGE,
Northampton, Mass., August 13, 1968.

DEAR SENATOR HART: Thank you for your note of August 5, the copy of Senate S. 3394, and your thinking thereon. Certainly your bill is a great improvement on the present unhappy situation. My only comment and hope is that somehow and soon we can move in the direction of a broadly-defined national service of which military service would be merely an important component and in which even young women might be included. Although it is difficult to establish such a policy when a shooting war is going on, there is good reason to start discussing and planning now for such a complicated move, but one which seems to me essential in the light of the idealism and concern of today's young people.

Faithfully yours,
THOMAS C. MENDENHALL.

UNIVERSITY OF MAINE,
Orono, Maine, August 12, 1968.
Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: I have read your letter of August 5 addressed to the former President of the University on the subject of S. 3394, a bill which is intended to improve Selective Service procedures, and I wish to state that I strongly support the reforms you recommend.

I have long felt that the uncertainty in which present procedures place a young man is undesirable and, even worse, unnecessary. Your proposal reduces this uncertainty and at the same time improves fairness, as all young men would be exposed to the same risk during the year that they remain in the pool.

As a person who was born and raised in Michigan, I should like to add parenthetically that I have followed your political career with great interest. I hope that your efforts may be crowned with success in this area, as they have in others.

Sincerely yours,
JAMES M. CLARK,
Vice President for Academic Affairs.

HUNTER COLLEGE,
New York, N.Y., August 12, 1968.
Senator PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: Thank you for sending me your letter of August 1st., with a summary of your bill, Senate S. 3394, to amend the Selective Service Act of 1967. I think the whole Selective Service system stands in need of radical reform, and I feel that your proposals are an intelligent and a constructive beginning.

I hope that they are given rapid and favorable consideration by both the Senate and the House.

Yours sincerely,
Robert D. Cross,
President.

Georgetown University,
Washington, D.C., August 13, 1968.
Senator Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Phil: Thank you for your letter of August 1st in which you notified me of Senate Bill 3394 which you introduced to amend the Military Selective Service Act of 1967. I read with great interest your letter and the accompanying excerpt from the *Congressional Record* of April 26th concerning this Bill.

I was very happy to see that you are taking leadership again in the attempt to bring about the reform of our present draft legislation. I am certain that there is need for considerable reform in this area and that the Bill which you have introduced will move us substantially forward in achieving the needed reform.

I certainly hope that the Congress will act favorably upon this Bill because the effects upon our Nation and especially upon our young people will be very substantial. I need not point out to you how important this will be in its effect upon the colleges and universities of our country.

With best personal wishes, I am
Sincerely yours,
Gerard J. Campbell, S.J.,
President.

Westminster College,
New Wilmington, Pa., August 12, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Thank you for your letter of August 5 and the enclosure.

In many ways your draft bill is a sensible reform and I shall follow it with interest.

Sincerely yours,
Earland I. Carlson,
President.

Westminster College,
Fulton, Mo., August 9, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator: I am thoroughly in favor of your ideas on the Selective Service system.

I am sure that the colleges will be able to exist with this fair system and I would not be too concerned with the walls of the graduate schools. I speak with some feeling inasmuch as my doctoral program was delayed for four years from 1941–45 and I don't particularly have too much sympathy for those who would bemoan a year or two or pay rent to their nation.

Sincerely,
Robert L. D. Davidson.

Northern Illinois University,
DeKalb, Ill., August 9, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Thank you for your letter of August 5, 1968 addressed to President Rhoten A. Smith describing Senate S. 3394. Since President Smith is on vacation I am taking the liberty of replying in his stead.

We are appreciative of your effort to create a more equitable draft law and find a solution to the problems now facing graduate students.

With best wishes.
Sincerely,
John B. Gardner,
Assistant to the President.

Rochester Institute of Technology,
Rochester, N.Y., August 9, 1968.
Hon. Philip A. Hart,
Senate Office Building,
Washington, D.C.

Dear Senator Hart: I appreciate very much your letter of August 5th concerning your bill to amend the Military Selective Service Act of 1967. This is a much needed revision.

Sincerely yours,
Mark Ellingson,
President.

University of Florida,
Gainesville, Fla., August 7, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: You are to be commended for your interest and action in introducing Senate Bill 3394.

Your bill seems to be a very equitable solution to this irritating but necessary problem.

With my kindest regards, I am
Sincerely,
Stephen C. O'Connell,
President.

Kent State University,
Kent, Ohio, August 9, 1968.
Senator Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: I want to acknowledge your letter of August 5 with regard to Senate S. 3394. Taking advantage of your open door for comments, please permit me to say that in my opinion your approach as abstracted in your letter is infinitely preferable to present arrangements. I hope that you and others of like mind are successful.

Sincerely,
Robert I. White,
President.

Haverford College,
Haverford, Pa., August 8, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Thank you for sending me further information on S. 3394. Let me just say at once that I personally support your position on those needed reforms in the Selective Service System. Your own remarks and the words you quote from Senator Edward Kennedy ("The entire draft predicament reflects utter folly") seems just right in describing the inequities that now characterize our approach to who must serve and when. I sincerely hope that you and Senator Kennedy will continue to give strong leadership on this important issue and that you will find growing agreement among your colleagues to support at least the four reforms which your bill tries to bring about.

I hope too that at some point you will give very serious consideration to a proposal such as the one outlined in the attached statement. This was drafted by some of our graduating students last spring. It was sent to our alumni for their approval. The response was overwhelming; about 350 of our 4,400 alumni responded (a remarkable response rate to any mailing!) and all but about 50 approved it. Its purpose is to persuade Congress to recognize alternative forms of service as equivalent to military service. This may require some complicated formula whereby a year of military service is the equivalent of a longer period of non-military service. Former Secretary McNamara advocated such a plan in a speech in Montreal a couple of years ago, but it does not seem to have attracted the full discussion it deserves.

If I may be helpful to you in your efforts on behalf of a fairer draft system, please call on me for that help.

Sincerely,
John R. Coleman.

Alternate Service Resolution

Our national leaders have often affirmed that our national goal is a society in which no man is a helpless victim of poverty, hatred or injustice. They have challenged us to fulfill our national promise through the formulation of creative programs of service to our country. We believe that there is more than one way for citizens to serve the national interest.

The situation today acutely challenges our ability to maintain our ideals and to keep all our goals before us. Riots across the nation, squalor and despair in urban ghettos, poverty in rural America and hunger in developing nations attest to the gap separating our ideals from our accomplishments. Today many young Americans believe that the resolution of these problems imposes a task as important as the resolution of the Vietnam conflict. Yet we sense that military victory in Vietnam has become so urgent a goal of our government that many crucial national goals and values are being dangerously neglected.

Cannot young Americans equally serve their country by dedicating and contributing part of their lives to problems of domestic and international poverty and social deprivation? Must military service be the only definition of national service? Should not a program of alternative national service, for an appropriate period of time, be recognized as equal to military service?

We believe that we can and must provide more voluntary opportunities for young men and women to contribute to their country through social service. We therefore urge the creation of new civilian agencies to carry out a wide range of constructive antipoverty programs including such activities as teaching, community organizing, hospital and public health work, job training, urban redevelopment and other forms of service. We urge as well the expansion of existing programs such as the Peace Corps, VISTA, and the Teachers' Corps, and we urge the recognition of such programs as voluntary alternatives to military service. While recognizing that the autonomy of independent national and international service organizations must be maintained, we urge that their programs be supported and that their expertise be utilized in the administration of new service programs.

It is a credit to this country that among its young adults, regardless of their social, economic or educational backgrounds, are many not only vitally concerned with domestic and or international social problems but also possessed of special training or insight to deal with these problems. Not to allow such people to work toward their solution constitutes a waste of vital resources.

We believe that the policy of alternative national service comes closer to the challenge of a better society which our leaders have articulated. Many Americans seek the opportunity to fulfill these ideals and to serve this nation by working toward the resolution of domestic and international problems of poverty. In an effort to serve the spirit of our nation and to reconcile ideals and reality we the undersigned firmly endorse a policy recognizing national service as an alternative for military service.

Greensboro College,
Greensboro, N.C., August 9, 1968.
Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Thank you for your letter of August 5, and the statement from the Congressional Record. Although Greensboro College is an undergraduate institution, as a college official I certainly see the importance of making provisions for qualified graduate students to continue to the completion of their graduate degree. It is my personal feeling that the Selective Service process should permit students to continue their education as long as they are making adequate and reasonable progress. I think this should apply to undergraduates as well as to graduates and I think the local school officials should be given some authority in determining what adequate and satisfactory progress toward the degree means. Certainly students who are trying to lengthen their residence and those that are not making satisfactory progress academically should not continue to be deferred.

I am sure this letter does not voice any opinion that you have not heard before but I am happy to pass it on and to express appreciation for your letter.

Sincerely yours,
J. Ralph Jolly, *President*.

LaSell Junior College,
Auburndale, Mass. August 9, 1968.

Senator Philip A. Hart,
Senate Office Building,
Washington, D.C.

Dear Senator Hart: Thank you for your letter of August 5th, concerning a more equitable system of the draft. I am not familiar with the details of either current or proposed legislation—partly because I am over age, and partly because I have been associated in recent years with women's colleges.

However, I did serve for five years in the United States Navy (1943–46 and 1950–52). I therefore tend to feel that it is important for all young men to take an active role in service to the nation.

At the same time, I agree entirely that a draft system should be *fair*, that it should apply to *all* equally, and that the elements of uncertainty should be reduced to an absolute minimum.

I do believe that you are especially correct in seeking to make the draft applicable to younger men. I entered the service at 17 years of age, and believe now that it was one of the most fruitful experiences of my life.

Good luck in your important efforts.

Sincerely,
Vincent C. DeBaun, *President*.

State University of New York,
Stony Brook, N.Y., November 26, 1968.

Hon. Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: I thank you very much for your letter of August 5, 1968, in which you describe the legislation you have proposed to amend the Military Selective Service Act of 1967. I certainly agree that draft reform is desirable to improve the present system.

The State University of New York has the largest enrollment of any university system in the United States. Graduate work in the arts and sciences and engineering in this system is concentrated in four University Centers, one of which is located at Stony Brook. Last December I joined with the presidents of the three other University Centers in expressing to the President of the United States our grave concern for the future of American education in light of the discontinuation of Selective Service deferments for graduate students. We asked the President to give primary emphasis in his deliberations to the vital needs for trained intelligence in the defense of our nation and the progress of our society. Those educated with Master's and Ph. D. degrees are the invaluable leaders in many major developments, and we believe that every effort must be made to defer the military service of as many able students as possible until completion of advanced degrees.

I believe that it is the obligation of each citizen to be available for his nation's service. Previously the deferment of graduate students was rightly criticized on the grounds that these deferments more often than not become exemptions from military service. However, the Military Selective Service Act of 1967 now provides that men who have been deferred during their studies shall be considered among the prime group for induction upon completion of their degrees. Thus, the law now has answered the previous objections on moral grounds to graduate deferments.

I can appreciate the reasoning behind your proposal to meet the Department of Defense's recommendations for younger men in military service. Nevertheless, the deferment of graduate as well as undergraduate students is in the interest of the military service, as well as society as a whole. Those who have completed their graduate studies are, by virtue of this training, of increased value to the military services as well as to society. Their advanced training can be utilized in the service at a truly professional level, and this post-doctoral experience advances these men in their professions while they are also being of maximum value to the nation. Indeed the military services themselves frequently assign personnel on active duty to graduate study because of the critical importance of such advanced training to the needs of the services. Thus, I believe post-doctoral (or post-Master's degree) military service best serves the needs and interests of both the armed services and our society as a whole.

There is another reason for restoration of deferments for graduate students to the national interest. We have come to rely heavily upon graduate students in all aspects of university life, especially in research and undergraduate instruction. They are essential to the program of education at all of the best universities in the nation. Undergraduate education will suffer greatly if these graduate assistants are eliminated. Only adequate rules for deferment of this group can avoid serious damage to the work of universities. Again, controls could be instituted, such as those suggested in your legislation, which would insure that graduate assistants would be eligible for induction with the prime age group upon completion of the Ph.D. degree.

In summary, I hope that your efforts to amend the Selective Service Act will indeed spread service equitably among all groups but will at the same time allow the time of service to be postponed until the student has completed any degrees toward which he has been making good academic progress. In this way the time of military service occurs at the point in the student's life when he is apt to be most useful to the nation as well as to benefit most in his own professional development. The present law recognizes the nation's needs for more professionals in health-related areas; I hope future policies will note that our nation has similar needs in other professional areas.

Sincerely,
John S. Toll,
President.

The PRESIDING OFFICER. Is there further morning business?

STILL TOO MANY HUNGRY CHILDREN: A LOOK AT THE SCHOOL LUNCH PROGRAM

Mr. YARBOROUGH. Mr. President, the Select Committee on Nutrition and Human Needs of which I am a member has held several days of hearings on the problems of hunger and malnutrition in the United States, and will have more hearings in the future. The extent to which such problems exist has been documented beyond doubt. Recent testimony before the committee has revealed some startling facts about the effectiveness of the school lunch programs.

On February 20, 1969, Mr. Paul Matthias, director of the South Carolina Council on Human Relations, pointed out to the committee that certain discrepancies exist in the administration of the program in his area. In Beaufort County, S.C., for example, less than half of the 3,987 children from poverty-level families are receiving a free lunch. Two thousand ninety poor children have to pay the full price, bring a bag lunch from home, or not eat at all—which is usually the case. Usually they have nothing.

The tragic thing is, these figures are by no means unique. The committee has heard other testimony that points to the fact that there are still too many hungry, malnourished children in the United States. Somehow, the school lunch program is not being carried out as effectively as Congress intended it to be, largely because of local opposition, local inefficiency, and local failure to cooperate.

Just last year, Congress passed an extension of the school lunch program. I voted for that extension and spoke on the Senate floor in favor of it, opposing efforts to cut out these lunches. The bill approved by the Senate provided an additional $32 million to the States to be matched with State and local funds to assure that no child goes hungry in our schools.

Last year, the Department of Agriculture estimated that there were more than 9½ million boys and girls nationally—nearly 800,000 in my home State of Texas—who must attend school with empty stomachs. Think of it, Mr. President: 9.5 million children in schools in this country every day with no food.

However, the testimony given thus far before the Select Committee on Nutrition and Human Needs indicates that the extent of real hunger and malnutrition may be even greater.

These children are not just temporarily hungry; they are constantly hungry. They are suffering from anemia, rickets, vitamin deficiencies, goiter, and various forms of severe malnutrition because they are hungry. Needless to say, their ability to learn, to grow, to lead normal, healthy lives is greatly affected by their empty stomachs and poorly nourished bodies.

There was testimony before the committee, Mr. President, that by the time a child is 4 years of age, 90 percent of his brain capacity is developed, and if he is poorly nourished or starved up until that time, he will probably be mentally retarded the rest of his life. This is a crying shame, Mr. President.

The select committee also heard testimony which documented widespread infections of intestinal parasites—such as *Ascaris*, or "round worms"—which drain the small amounts of protein and carbohydrates consumed by these children. This means that tens of thousands of diseased and malnourished children are attending our public schools, and are still not receiving the food and other assistance they need to help them build healthy bodies.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. YARBOROUGH. I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, too often it seems as if our educational system is set up to accommodate the schedule of the principals and administrators, rather than the lives of the children. In light of these findings, I think the educational establishment will have to do some searching of itself to see what is good for the children, and not merely what is convenient for the administrators.

These schools should be built and run for the benefit of the children. The schools should be run to educate the children and not to accommodate some administrators.

Mr. President, in the light of these findings, I think that the educational establishment will have to do some searching of itself to see what is good for the children and not merely convenient for the administrators.

It is my hope that the day will come when every school child in this country can have not only a free lunch, but a free breakfast as well. I look forward to the time when a program such as the one operated by School Superintendent B. P. Taylor of San Diego, Tex., will be the rule and not the exception. These children are hungry, Superintendent Taylor has demonstrated that there is no reason why they cannot be fed. He has demonstrated that where there is a will there is a way and that there is no reason why these young children cannot be fed two meals a day.

The school district of Superintendent Taylor is one of the most impoverished school districts in Texas. Yet he has had the will to do this. Every child there is getting two meals a day. And after only 2 or 3 years, the effect on these children is becoming apparent.

The select committee learned that in many cases where the funds are available to provide free lunches for needy children, but discriminatory practices on the local level denied this food to many children eligible to receive it. The committee also heard testimony that some schools were actually "punished" for their noncompliance with the civil rights laws by cutting off their funds for the school lunch program.

Mr. President, I submit that this action is outrageous. It is cruel and inhuman to deprive children of much needed food in an attempt to punish the school system for failures in other areas. In some cases, the free lunch program had been underway for less than a month when it was suddenly discontinued. These children had gotten their hopes up for food for their empty stomachs, only to have them dashed to pieces, and be forced to go hungry again.

When Congress appropriated the funds for the school lunch program, it meant for this money to feed hungry children. In too many cases, however, this money is not being used in places where the money is already available, but adequate, efficient programs are not.

I believe that Congress must continue to appropriate sufficient funds to provide free food for the many poor and hungry children in our country. But, Congress should also insist that these funds be utilized to the fullest extent to provide the nutrition and nourishment missing from the diets of these children. We should take whatever steps that are necessary to see that the school lunch program operates at its greatest potential, and we should continue to seek new ways to feed the hungry children in our country.

When we come right down to it, there is absolutely no reason why every single school child in this country cannot have at least one healthful, nourishing meal a day.

Mr. President, I say there is no reason for not having two school meals a day at least. They should have one at breakfast and one at noon. There is simply no excuse for us to continue to allow the existence of hungry, malnourished children in the United States.

The committee heard evidence relating to some cases in which the buses would pick up the children at 5:30 and 6:30 in the morning in order to get them to school on time. And the school administrators said that it would interfere with schedules if they were to give them breakfast at that time. The children had not had breakfast before they left home.

Asking pardon for a personal reference, I taught school in the rural districts for 3 years—2 years in a one-teacher school 6 miles from a highway or railroad. The grades went from the primer grades through the eighth grade. Most of the children were from the families of tenant farmers.

There is not any reason why our school administrators cannot realize that they are there to give these children a chance in life and not to make the lives of the administrators more convenient. These children should have a nourishing breakfast and lunch at school.

I am hopeful that this session of Congress will respond to what we found in the committee and will take immediate significant and long-range action, action that will extend beyond 1 year, to alleviate the problem of hunger and malnutrition in this Nation, and particularly in the case of schoolchildren.

Insuring an effective, well-managed school lunch program would be a giant step in the direction of having not only more efficient schools, but also a better America.

ORDER OF BUSINESS

Mr. MILLER. Mr. President, I ask unanimous consent that I may proceed for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT NIXON'S VISIT TO EUROPE

Mr. MILLER. Mr. President, the people of the United States are thankful for the safe return of our President, Richard Nixon, from his precedent-setting visit to Europe.

We are also thankful that the trip has been widely hailed as a success in providing a better understanding and climate for future relations between the United States and its NATO allies and trading partners in Europe. Cynical predictions of failure made by a few short-sighted individuals have been shown to have been unfounded.

As the Washington Evening Star commented on its editorial page yesterday:

> President Nixon has reason to feel a deep sense of satisfaction with the mission he has accomplished in free Europe. After eight days of strenuous travel and intensive talks, he has a clearer and surer understanding now of the problems our country shares with its NATO allies. And they in turn have a better appreciation of the American position. To that extent, as the President has said, his trip has generated a new degree of mutual trust. This is all to the good.

No one, least of all the President, expected his trip to solve the problems—they are much too deep and complex for that. To use the words of the Star's editorialist:

> But a promising beginning has been made. He has impressed all the leaders—in Brussels, London, Bonn, West Berlin, Rome and Paris—with his repeated emphasis on give-and-take consultation between them and us. His assurances on that point have allayed fears in many quarters that the United States—which has been preoccupied with Asia and somewhat neglectful of its ties with Europe—might be veering toward a neo-isolationist policy and a go-it-alone approach to the Soviet Union.

For too long, now, the leadership of this country has failed to maintain confidence among our European allies. President Nixon has made a major step in restoring this confidence.

S. 1361—INTRODUCTION OF BILL TO AMEND TITLE II OF THE SOCIAL SECURITY ACT

Mr. MILLER. Mr. President, I introduce, for appropriate reference, a bill to amend title II of the Social Security Act to increase the amount of earnings permitted each year without deductions from the insurance benefits payable thereunder. I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MILLER. Mr. President, the bill deals with the retirement test under the Social Security Act and basically does two things. It increases the annual earnings which a social security recipient may have, without suffering reductions in his benefits, from $1,680 to $1,800. It also provides for a variable exempt amount which in effect would provide a higher annual exempt amount for persons who receive low social security benefits.

Mr. President, I think that, on the whole, the retirement test has functioned adequately throughout the years. It must be remembered, however, that this test of retirement is really a compromise between the principle that social security insurance benefits should be paid only to those suffering a loss of work income and the goal that disincentives should not be created for those who wish to work. The retirement test, as it stands today, prevents the payment of benefits to people with substantial earnings from work, but does not prevent payment merely because a beneficiary has some earnings. It thus does not completely remove incentives to work.

This is not to say, however, that the retirement test cannot be improved. I think there are two areas where improvement can be made, and I have tried to cover those areas in my bill.

The annual exempt amount has been increased from $600 in 1951, when an annual exempt amount was first used, to $1,680 in 1968. Nevertheless, according to the Department of Health, Education and Welfare, since 1955 the exempt amount has not increased relative to earnings and in fact has decreased in periods between statutory increases in the amount. Those statutory increases had the effect of bringing the amount back to about 30 percent of the median earnings of male workers.

Mr. President, I ask unanimous consent to insert in the Record at this point a table prepared by HEW showing the relationship between the annual exempt amount and the median annual earnings of all male workers in covered employment in 1940 and in all the years since 1951.

There being no objection, the tabulation was ordered to be printed in the Record, as follows:

TABLE 1.—COMPARISON OF MEDIAN EARNINGS OF ALL MALE WORKERS IN COVERED EMPLOYMENT WITH EXEMPT AMOUNT OF THE RETIREMENT TEST IN SELECTED YEARS

Year	Median annual earnings of all male workers	Annual exempt amount	Exempt amount as percent of median earnings of all male workers
1940	$935	[1] $179.88	19.2
1951	2,838	600.00	21.1
1952	3,046	900.00	29.5
1953	3,275	900.00	27.5
1954	3,263	900.00	27.6
1955	3,315	1,200.00	36.2
1956	3,546	1,200.00	33.8
1957	3,538	1,200.00	33.9
1958	3,516	1,200.00	34.1
1959	3,783	1,200.00	31.7
1960	3,879	1,200.00	30.9
1961	3,936	1,200.00	30.5
1962	4,132	1,200.00	29.0
1963	4,266	1,200.00	28.1
1964	4,480	1,200.00	26.8
1965	4,680	1,200.00	25.6
1966	4,960	1,500.00	30.2
1967 [2]	[2] 5,250	1,500.00	28.6
1968	5,500	1,680.00	30.5
1969	5,720	1,680.00	29.4
1970	5,980	1,680.00	28.1
1975	7,440	1,680.00	22.6

[1] No annual exempt amount was provided before 1951. The figure shown is 12 times $14.99 the monthly exempt amount in effect through 1950.

[2] Figures for years beginning with 1967 are based on estimates of the Social Security Administration.

Mr. MILLER. Mr. President, HEW has estimated, based upon anticipated increases in earnings in 1969–70, that an increase of the annual exempt amount to $1,800 effective in 1970 would maintain the same relationship that existed in 1968 between median annual earnings and the annual exempt amount. Such an increase of 7 percent is also justified because of the nearly 5 percent increase in the cost of living during 1968 alone. HEW estimates that changing the annual exempt amount from $1,680 to $1,800 would cost 0.05 percent of taxable payroll.

As stated previously, the second part of my bill amends the retirement test by providing for a variable exempt amount. What this does, in effect, is to provide a higher annual exempt amount for people who receive low benefits. Merely increasing the amount of outside earnings a social security recipient may have in addition to social security benefits before he is cut back is not enough. Persons with high social security income do not have to earn as much in order to maintain a reasonable standard of living as do those down at the bottom of the totem pole in social security benefits. Therefore, it is important to give the social security recipient with low benefits a chance to earn more.

For example a person receiving the minimum social security benefits of $660 a year, would be permitted to earn $2,340 without having his social security benefits reduced. On the other hand, one who had $1,200 in social security benefits could earn $1,800 without having his benefits reduced.

This, I think, gets at the problem we are trying to solve by encouraging those who need to earn supplemental income to reach a reasonable level of income to do so without being penalized.

Some objections have been raised concerning this proposal on the ground that it would generally benefit those whose major employment was in noncovered work—Federal employees, for example—and who qualify for low social security benefits through part-time work. It is argued that such persons would get social security benefits, and probably other public retirement benefits, while at the same time being able to work for substantial earnings. My bill meets that objection since it requires not only earnings to be taken into consideration but also other retirement income, such as civil service retirement annuities.

Mr. President, I think that this proposal not only does equity but is aimed at the real problem—a decent level of income for our retired people. I urge early consideration and passage of this bill.

The bill (S. 1361) to amend title II of the Social Security Act to increase the amount of earnings permitted each year without deductions from the insurance benefits payable thereunder, introduced by Mr. Miller, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

Exhibit 1

S. 1361

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraphs (1), (3), and (4)(B) of subsection (f) of section 203 of the Social Security Act are each amended by striking out "$140" wherever it appears therein and inserting in lieu thereof "$150".

(b) Paragraph (1)(A) of subsection (h) of section 203 of such Act is amended by striking out "$140" and inserting in lieu thereof "$150".

(c) Section 203(f) of the Social Security Act is further amended by adding at the end thereof the following new paragraph:

"(8) Notwithstanding the foregoing provisions of this subsection, no individual shall be charged with excess earnings for any month in his taxable year, if the charging of such excess earnings to such month would (because of the application of subsection (b)) result in reducing below $3,000 the total income of such individual derived, during such taxable year, from (A) his earnings and other retirement income plus (B) monthly insurance benefits to which he is entitled under this title. Whenever, because of the application of the foregoing sentence, deductions under subsection (b) are prohibited from being made in the monthly insurance benefit of an individual, no deductions under such subsection (b) may be made from the monthly insurance benefit under this title of any other person on account of the excess earnings of such individual, if the monthly insurance benefit of such other person is based upon the same record of wages and self-employment income as that upon which the monthly insurance benefit of such individual is based."

(d) The amendments made by this Act shall apply with respect to taxable years ending after December 1969.

IMPROVEMENTS IN EDUCATION

Mr. MILLER. Mr. President, education, according to Webster's, is "discipline of mind or character through study or instruction—a science dealing with the principle and practice of teaching and learning."

Random House dictionary says education is "the act or process of imparting or acquiring general knowledge, developing the powers of reasoning and judgment, and generally of preparing oneself or others intellectually for mature life."

As a student, I could recognize the wisdom of these definitions. As a teacher, I was aware that education required constant efforts to bridge the gap between theory and practice in the teaching-learning process. As a Senator, I am concerned with the educational process and education programs, in the full realization that education cannot stand still—for it is the lifeblood of our Republic.

Education involves less reliance on the status quo and more adaptability to changing concepts in a modern, complex society. This is not to say that we should ignore the traditions which have served us well in the past and which have made America great; rather it is to say that we must constantly seek to broaden the areas of the teaching-learning process in order to improve the system and to make the student a better rounded individual in the "now" generation.

I have talked to many educators and have received much correspondence from those interested in improving the educational process. While we, in Congress, can legislate programs and appropriate funds to finance these programs, it still is up to the educator, the teacher, and the administrator to improve their skills in reaching the student, to more fully develop the latent talents of the student.

Recently, I received a letter from an Iowa superintendent of schools who is a fine educator, one who is not satisfied with the status quo and who is very much concerned with the need to make improvements in education. He—Ralph C. Norris, Polk County superintendent of schools—is typical of the many outstanding educators we have in Iowa. I quote from his letter:

> Briefly, we believe that the current unrest among the nation's students and our evident inability to cope with the very violent problems rampant in our land have resulted, in part, from our abject failure to cultivate the full potential of our youth.
>
> Basically, from elementary school through the university, we have stressed the ability to memorize material and repeat it back on

> test or in written reports. Research in psychology and in education has shown, in recent decades, that this approach to education is not only excruciatingly boring to most students, but that it doesn't do much good either. The reason it is such a poor approach is that memorization is a very low-order thinking skill. Much more productive, creative abilities exist in our students' intellects, and means are available to instruct children in the use of these abilities if only we are willing to change our current system.
>
> That system, which has become more rigid and regimented than ever since Sputnik-I twelve years ago, is ignoring 75–80% of the available talent in our youth according to Dr. Calvin Taylor of the University of Iowa. Our concentration on the "academic" talents has caused us to ignore children who are potentially great decision-makers, planners, creative artists and engineers, and communicators. And Taylor has shown that, in this respect, we have deprived black and white students equally.

Superintendent Norris has put into practice his theories through an annual inservice and preservice program called Impact. Project Impact brings together 200 teachers and 2,300 students in efforts to develop the techniques and the methods to effect these changes, to bridge the gap between theory and practice.

According to a 1968 report on the progress of the program, a program, incidentally, wholeheartedly supported by the teachers and the Polk County Board of Education, Impact's major thrust evolves from two key educational concerns: First, the need to "humanize" the process of education; and, second, the need to develop innovative teaching methods which will aid productive thinking and minimize the old reliance on rate learning.

In other words, acceptance of each student as a "thinking being."

Largely through the fervor and dedication of Superintendent Norris and other like-thinking educators, the Impact idea was included as part of title III of the Elementary and Secondary Education Act of 1965. Title III makes Federal grants available to local education agencies for projects stressing the creativity-innovation concept espoused by Superintendent Norris. Additionally, the U.S. Office of Education has instituted a program called Pace—projects to advance creativity in education—to encourage local school boards to take advantage of the title III funds.

Mr. President, this program merits the continued support of the Congress, for it goes a long way to uncorking the bottle which has resulted so long in stifling the creativity of our children. I am confident that when legislation is advanced to continue the program and funding, it will receive the strongest support from the Congress.

> We, as teachers—

Superintendent Norris says—

> are growing rapidly in understanding how to stimulate the student's learning and improve his ability to think. Perhaps a major breakthrough can come in the next dozen years.

If Project Impact continues to receive adequate funding, I believe this major breakthrough will come about.

PRESIDENT NIXON'S EUROPEAN TRIP

Mr. ALLOTT. Mr. President, I wish to take this opportunity to add my words of tribute to President Nixon for his triumphal 8-day European tour concluded last Sunday evening. Although the President has indicated that he will give a full report to the Nation this evening, it is already clear from the elated reports we are receiving from the European capitals that this dedicated statesman has helped immeasurably to renew the long-existing feeling of trust and confidence between the United States and Western Europe.

Yesterday, in what has been described as one of the most difficult missions yet attempted, the United States celebrated the successful launch of Apollo 9 and what this mission portends for the peaceful exploration of space. In a similar way, President Nixon's European tour, acknowledged at the outset as a most delicate and difficult diplomatic voyage, has now launched us on a most hopeful mission of new trust and confidence between the peoples of this country and Western Europe.

Mr. President, Cervantes once observed:

> To be prepared is half the victory.

It seems clear to me that the success of President Nixon's tour was assured not in the capitals of Europe but here in Washington prior to the President's departure. Because of the tremendous amount of preparation and hours of briefings, the President was able to take a retinue of facts rather than preconceptions with him on this trip. This kind of preparation, coupled with an eagerness to listen rather than speak, allowed the President to leave in the wake of his tour the hopeful expectancy of a new trust, which is the legacy of a statesman dedicated to a new world fit for peace.

In this regard, I wish to take this means to commend the President on what was obviously a most outstanding and statesmanlike job. The attainment of peace, like the conquest of space, requires the thoughtful energies and dedication of all of the great leaders and peoples of this country. Certainly President Nixon's tour has helped to create the proper climate of mutual trust and regard for the construction of those fragile footbridges of hope which are so essential today to span the chasms of despair and misunderstanding.

Mr. President, I join with my colleagues in the Senate as well as my fellow countrymen in paying tribute to our President for a job well done.

S. 1302—INTRODUCTION OF BILL RELATING TO FEDERAL RECORDING STATUTE FOR OIL AND GAS LEASES

Mr. ALLOTT. Mr. President, the need for a Federal recording statute has long existed and has become more acute as activity in Federal leases has increased. It is likely that recording provisions would have been made a part of the Mineral Leasing Act long ago but for the fact that the State recording statutes partially filled this loophole. There has, however, been expressed considerable dissatisfaction with the present system because only a part of the record relating to Federal leases is to be found in the county records, and because the filing requirements under the Mineral Leasing Act and the recording requirements of the State involve vast duplication of effort and additional expense.

This matter first came to my attention in July of 1959, during the hearings conducted by the Committee on Interior and Insular Affairs on S. 2181, which later became Public Law 86–294, and was directed at protecting bona fide purchasers of Federal oil and gas leases.

At that time an effort was made to include recording provisions in S. 2181, but the urgency of that bill coupled with the legal intricacies of a recording act rendered it impractical. Since that time I have introduced recording legislation for Federal oil and gas leases in each and every succeeding Congress. I, again, introduce such legislation today. It is my hope that a Federal Recording Act can become a reality in the 91st Congress.

Mr. President, the Bureau of Land Management maintains elaborate records relating to Federal oil and gas leases, but takes the position that these are only proprietary records and are therefore primarily, if not exclusively, for the benefit of the Government. In the absence of a Federal recording statute, both State and Federal courts have had to look to State recording acts to settle disputes where constructive notice was at issue.

Under present regulations, numerous instruments affecting title, royalties, and overriding royalties must be filed at the local land office. This is required for several reasons. The more obvious ones are to insure compliance with the acreage limitations, and to inform the Government as to whom it must look for performance of the conditions of the lease. However, the legal effect of filing at the land office is merely to notify your landlord with regard to certain instruments affecting title or changes in rights to the proceeds. To put the world on notice the instrument must be refiled in the county records.

Unfortunately, "putting the world on notice" may be an empty gesture, since before an assignment is effective as against the Government it must be approved by the Bureau of Land Management, and further, if the assignor has exceeded the acreage limitation, the lease may be subject to cancellation. A problem arises when a lease is sold to a bona fide purchaser whose holdings are in conformity with the Mineral Leasing Act but where the assignor's holdings may have been in violation of the act. Usually such violations arise on account of transactions not of record or if the transactions are of record, they cannot be identified by a title examiner no matter how carefully he may search. It is, therefore, impossible for the purchaser to make certain that his predecessor in title has complied with the acreage limitation, and since the lease may be subject to cancellation due to violation of the acreage limitation, the merchantability of interests in Federal oil and gas leases must necessarily be diminished. This creates a burden on such commerce and thereby limits, to some extent, activity.

One of the objections that has been raised against a Federal Recording Act is that its enactment would require duplicate recordings, at the county recorder's office and at the nearest land office, plus the attendant payment of a duplicate filing fee. It appears to me that this is what is being done now. For example, a simple assignment of an oil and gas lease presents three alternative recording practices.

First, the assignment could be filed at the land office within the 90-day period and subsequent to BLM approval the lease would then be filed in the county office. But, under the rule of *Dame* v. *Mileski*, 340 Pac. 2d 205, there is considerable risk that an intervening assignment could be filed in the county recorder's office, cutting off your rights to the lease.

The second alternative would be to file immediately in the county recorder's office, then file with the BLM within the 90-day period, but to not refile in the county recorder's office upon receipt of the approved assignment. If one is operating under a State statute where filing is not only constructive notice of the existence of the instrument but is also constructive notice of the content of the instrument, the question may then arise as to whether the filing of an unapproved assignment would be effective as constructive notice since there is a patent defect—the lack of BLM approval—on the face of the instrument recorded.

The third alternative would be to file the assignment immediately in the county recorder's office, then file at the land office, and finally to file again in the county office when the approved assignment was received. This, of course, would be the safest technique, particularly in States where State law does not provide for judicial notice of the administrative records of the Federal Government. But, it entails triple filing fees.

Because double and perhaps triple filings are now required in the instance I have just cited, I find little merit in this objection. It is true, of course, that the number of instruments which must be filed in the land office is increased, but not substantially.

A more reasonable criticism would be that a Federal Recording Act may create the requirement to search two sets of records. Such a criticism has as its basis the belief that a Federal Recording Act would not preempt the field. The second paragraph of subsection (f) sheds some light on this subject:

> An instrument affecting title which is not filed pursuant to the provisions of this section shall not affect the rights of any person, association, or corporation acquiring an interest in oil and gas lease or leases in good faith, for a valuable consideration, and without notice of such instrument.

During the 1962 hearings, the question as to whether the language just quoted would be an improper derogation of the State recording statutes was put to the Department of the Interior. The Department responded later by letter. In Assistant Secretary Kelly's August 17, 1962, letter, he stated:

> It is our opinion, therefore, that the enactment of the provision in issue would be a proper exercise of Federal powers since thereby the Federal Government would be pre-empting unto itself the full field concerning recordation of mineral leases and related documents pertaining to the leasing of minerals on the land owned by the United States.

Secretary Kelly cited three cases upon which he based his opinion: *Utah Power and Light Company* v. *United States*, 242 U.S. 389 (1917); *Gibson* v. *Chouteau*, 13 Wall 92 (1871); and *United States* v. *Oregon*, 295 U.S. 1 (1935).

In the Utah Power case the court confirms the principle that "no person can acquire an interest in Federal lands unless the Government gives its consent." The court also held that whatever power a State has with respect to Federal lands, its jurisdiction does not extend to any matter that is not consistent with the full power of the United States to control their use and prescribe the manner by which others may acquire rights to them. Thus, the State may not tax the lands themselves or invest others with any right whatever in them.

In the Gibson case, the Court said:

> With respect to the public domain, the Constitution vests in the Congress the power of disposition and of making all needful rules and regulations. That power is subject to no limitations. Congress has the absolute right to prescribe the time, the conditions, and the mode of transferring this property, or any part of it, and to designate the persons to whom the transfer shall be made. No State Legislature can interfere with this right or embarrass its exercise . . .

This doctrine was reaffirmed in 1935 in the Oregon case, in which the Court said:

> The laws of the United States alone control the disposition of the title to its land. The States are powerless to place any limitation or restriction on that control.

From this it would appear that the Department took the position that a Federal recording act, such as I propose, would preempt the field to the United States. If this is a correct interpretation of its enactment, the necessity of duplicate filing of "instruments affecting title" to an oil and gas lease on Federal lands in the county recorder's office would be obviated.

Projecting ahead, a Federal recording act, such as proposed here, would in time supplant State recording requirements, with respect to Federal oil and gas leases, and examination of both BLM and county records would only be necessary during the transition period. Therefore, this criticism would be valid only during the initial implementation of the act, and would only apply to leases issued prior to the effective date of the act.

In the Department's report on my bill (S. 487 in the 90th Congress), the following comment is made:

> In view of the provisions of the bill relating to inspection of oil and gas leases filed by anybody, we can readily foresee that the land offices will become a hubbub of activity interfering with the normal adjudication of oil and gas leases among other types of public land cases.

It would seem to me that the implementation of Public Law 90–23, providing for publication or the availability of agency rules, opinions, orders, records, and proceedings—sometimes referred to as the Freedom of Information Act—probably renders that argument moot.

While the Department maintains that present records are adequate for proper administration of the Mineral Leasing Act, this conclusion can only be reached by viewing BLM records from the standpoint of the Government's proprietary interest. But these are public lands, and therefore the records concerning them must be public records. All my bill does, then, is merely give to those public records the appropriate status so that they will be considered public records for all purposes. Only one new record would have to be added to the already extensive records maintained by the BLM—a reception journal. In this regard, it was conceded by departmental witnesses in the 1962 hearings, that while they did not believe the reception record was needed by the BLM, it would, nevertheless, be beneficial and useful in their operations.

It seems to me to be an unjustifiable waste to permit these "public records" to continue to be something less than public records in the broader sense, a fortiori, in light of the fact that the bill requires that the system be self-sustaining through the imposition of fees.

The Department has indicated that it did not feel that the Federal recording system could be implemented within the 90-day period specified in the bill. As I pointed out in the 1962 hearings, 90 days was simply a figure arrived at as a reasonable time during discussions with interested parties. The Department suggests a 6-month period for implementation, and in the spirit of cooperation, I have appropriately amended the bill to reflect this suggestion.

Mr. President, the Government has a primary interest in the leasing of Federal lands for oil and gas, and because of this interest it requires that a large variety of instruments not only be filed in the land offices but also reserves the right to approve the purported action effected by those instruments. In other words, the Government does not relinquish its right of surveillance of a lease no matter how many hands it may pass through. By the same token, it cannot dissociate itself completely from the atmosphere which surrounds transactions which arise out of a Government lease. This atmosphere must be healthy if our oil and gas resources on public lands are to be found and developed. In light of our ever-increasing dependence upon foreign sources for petroleum, and the added pressure this dependence places on our balance-of-payments deficit posture, the maintenance of a healthy atmosphere in the field of Federal oil and gas leasing is in the national interest. In my judgment, the enactment of a Federal recording act would further enhance both the Government's mineral leasing program and the attendant atmosphere.

It is for these reasons that I again

introduce my bill providing for a Federal recording system and ask for early consideration.

I ask unanimous consent that the text of the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1302) to amend the Mineral Leasing Act of 1920 in order to provide for public records of oil and gas leases issued under such act and other instruments affecting title to such leases, and for other purposes, introduced by Mr. ALLOTT, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 1302

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920 (41 Stat. 437), is amended by adding thereto a new section as follows:

"SEC. 43. (a) The Secretary of the Interior shall keep and maintain in each local land office of the Bureau of Land Management the public files and records required by this section for instruments affecting title, as hereinafter defined, to oil and gas leases on lands within the respective jurisdictions of said offices, and shall perform the other duties in connection with such files and records as required by the Act.

"(b) 'Instruments affecting title' as used herein means: oil and gas leases; contracts for the purchase or sale of oil and gas leases; assignments and instruments of transfer of oil and gas leases and interests therein; assignments and instruments of transfer of overriding royalties and production payments; mortgages and other instruments encumbering oil and gas leases and interests therein, overriding royalties or production payments; releases and relinquishments of leases, mortgages and other instruments of security; options for oil and gas leases; unit agreements; cooperative agreements; communitization agreements; operating agreements; development contracts; and, any other instrument transferring or encumbering any oil and gas lease, option, or interest therein, or production therefrom.

"(c) The Secretary shall require each local land office as to lands within its jurisdiction to keep and maintain the following records and files, to make the entries therein and thereon, to keep all instruments affecting title in appropriate permanent files and to do such other things as are required by this Act:

"(1) A daily reception record upon which the local land office shall immediately upon the filing of an instrument affecting title enter the day, hour, and minute of filing, showing in such record the serial number of the oil and gas lease or leases affected, and noting on each such instrument the day, hour, and minute of filing. The date of record of such instrument shall be from the date, hours, and minute of filing.

"(2) A serial register with respect to each oil and gas lease and a separate permanent file under the same serial number as the serial register for each such lease. The local land office shall, when an instrument affecting title is filed, immediately enter on the serial register the date of filing, a description of the instrument filed. If any departmental action is taken thereon, the nature and date of such action shall be entered in the serial register when such action is taken. Any such instrument so filed shall be immediately placed in the appropriate permanent lease file; if more than one such file is affected a duplicate of such instrument or appropriate written cross reference by serial number shall be placed in each such lease file.

"(3) Each local land office shall keep and maintain an index by land description wherein the lands are identified by quarter-quarter sections, lots or similar subdivisions, showing each oil and gas lease and the serial number thereof affecting such land.

"(4) If a new oil and gas lease serial number is assigned to all or any portion of an oil and gas lease, the local land office shall make a new serial register and separate permanent file for the new number and make appropriate entry on the serial register for the prior serial number showing the new number and shall also immediately enter the new number in the index by land description.

"(d) The Secretary, after public notice in the Federal Register as to amounts and after a reasonable period of time during which interested parties may submit recommendations, shall fix and establish fees to be charged by local land offices in connection with filing and issuance of certified copies of instruments affecting title. It is the express will of Congress that this section shall be self-supporting as nearly as may be possible.

"(e) Each instrument affecting title which is filed with the local land office, and as to which the prescribed fee is tendered, shall be accepted for filing. The notations with respect thereto shall be made promptly as hereinabove provided.

"(f) Each instrument affecting title filed in accordance with the provisions of this section shall be notice of the existence and content of such instrument from the time of filing: *Provided, however,* That a person acquiring an oil or gas lease or any interest therein shall be charged with notice of only those facts apparent from the instruments affecting title, as defined herein, which are contained in the permanent file applicable to that lease.

"An instrument affecting title which is not filed pursuant to the provisions of this section shall not affect the rights of any person, association, or corporation acquiring an interest in oil and gas lease or leases in good faith, for a valuable consideration, and without notice of such instrument.

"(g) The records and files required by this section to be kept and maintained shall be public records open to inspection during office hours in the respective local land offices or at the storage center to which old, closed, and inactive files may have been sent by a local land office. Upon written request and upon payment of the prescribed fee, the local land office or storage center shall furnish, or permit to be made, an exact copy or reproduction accurately showing such instrument in all details, and the Secretary, or someone delegated by him, shall, upon request, certify that any such copy is a true and correct copy of the original instrument. Any such certified copy shall be prima facie evidence in all courts or administrative agencies but shall not be conclusive and may be rebutted or contested by competent evidence.

"(h) No local land office shall receive an instrument affecting title for filing or make any entry on the records with respect thereto, nor furnish a certified copy of any filed instrument or records pertaining thereto, unless the prescribed fee for such filing or certified copy, as the case may be, shall have first been tendered.

"(i) The provisions of this section shall be applicable to instruments affecting title to oil and gas leases on public lands and acquired lands, or interests therein, under the terms and provisions of the Mineral Leasing Act, of February 25, 1920, as amended (30 U.S.C. 181, et seq.), or under the Mineral Leasing Act for Acquired Lands, of August 7, 1947 (30 U.S.C. 351, et seq.).

"(j) The amendments made by this Act shall become effective after six months after the date of enactment, and nothing herein shall be construed as requiring any instrument affecting title which is executed prior to the effective date of this section to be filed hereunder, nor shall any right be adversely affected for failure to file such prior executed instrument pursuant to this section."

LITHUANIAN INDEPENDENCE

Mr. ALLOTT. Mr. President, two anniversaries this week are worthy of note. The first commands glory, for it is the 51st anniversary of the Declaration of Independence of the people of Lithuania.

The second is hardly cause for celebration, however, for it is 28 years this week, since the fate of Lithuania was sealed and the freedom and independence of millions of other eastern European people destroyed.

For just 23 years, the brave people of Lithuania enjoyed freedom until it was snatched from them by the Soviet Union.

Only last year, this same enemy invaded Czechoslovakia in another act of flagrant aggression.

We in the United States, who so often take freedom for granted, should heed the example of the Lithuanian people. They still cling to the hope that their land will once again be free, even though their every action toward freedom invites persecution.

At this time in our history, when the United States, herself, is locked in a deadly struggle with Communist aggression far from her shores and the same enemy took captive one of our ships off the coast of North Korea and subjected our men to innumerable cruelties, it is well for us to heed and take heart from the spirit of freedom and determination still burning in the hearts of the Lithuanian people.

Would that we could offer some immediate hope or some immediate solution to their enslavement. However, immediate or not, it should be the official policy of this Government, just as it has been the sense of Congress, to free Lithuania from the rule of tyranny. Toward that end we join with Lithuanians everywhere in the celebration of the anniversary of their independence.

PRESIDENT NIXON'S EUROPEAN TRIP

Mr. HRUSKA. Mr. President, together with all Americans I wish to express my gratitude to President Nixon for what he has achieved for all of us in the past week. He has done what he has set out to do in his historic journey to Western Europe. He has succeeded beyond all expectations.

He felt that it was necessary at the beginning of his administration to forge closer ties with our European allies, to get their views, to establish a further basis of understanding and trust as we face our common problems, as we seek peaceful solutions in negotiations with the Soviets on a wide range of subjects. These negotiations can only be conducted from a standpoint of Western unity and Western strength.

There were those who felt that the timing of the trip was unfortunate in view of differences among our allies. But the President found that despite inevitable differences, there were common interests of overriding importance. As he said, there is a "common tradition of freedom, the common desire for progress, the common passion for peace." There is a will to solve problems faced by all in this fast-changing world of the 20th century.

Europe is not only an area of primary security interest to the United States. It is also a great reservoir of talent and ideas, wisdom and experience, on which we can draw. The President made clear that we will do just that.

The peoples and leaders of Europe responded enthusiastically to the President's call for more consultation, for greater mutual understanding. The United States and the President can now look forward with greater confidence as the urgent search for peace is pressed by all men of good will.

All Americans are gratified for a job well done.

PRESIDENT NIXON CONGRATULATED ON SUCCESSFUL EUROPEAN TRIP

Mr. MURPHY. Mr. President, I am sure I speak for Members on both sides of the aisle in congratulating President Nixon on the success of his European trip.

As a Californian, I take special pride in the President's 8-day journey. The entire world was able to witness Mr. Nixon, who has risen from his humble background in Whittier to the leadership of free men everywhere, meet Europe's statesmen with the special grace, dignity and wisdom he portrayed so clearly. Where else but in America could this happen?

Of equal import, it seems to me, based upon watching television, listening to the radio, and reading the newspapers, is that the President established a broad feeling of representing all the people of this great Nation. This is an imperative and fundamental first step in rebuilding an American image which has been so badly decimated, in rebuilding the respect, regard and repute we once enjoyed.

During his campaign, Mr. Nixon presented three objectives concerning Western Europe. He called for constructive consultation. He promised to "listen more, talk less." He said he would open communications with President de Gaulle. The President's trip has established important and meaningful steps toward each of these goals. Hopefully, too, it should serve to reveal whether President de Gaulle can serve as a building block, not a stumbling block, in the formation of a strong and united continent.

It is a tribute to Mr. Nixon's confidence that he embarked at so nearly a date on his low-key adventure in personal diplomacy. And it was important that he personally take word as to his own intentions to the people and leaders of Western Europe.

President Nixon impressed all the leaders he met, in Brussels, London, Bonn, West Berlin, Rome and Paris with his repeated emphasis on frank, give-and-take consultation. He has also impressed the people of our country who looked upon his trip as their own.

Tonight the President will speak on television further on the accomplishments of his 10,000-mile journey, and we await his comments with great interest.

I would like to ask unanimous consent that a Los Angeles Herald-Examiner editorial, which certainly seems to indicate approval of the President's trip and his actions throughout the journey, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PEACE PILGRIMAGE

If you believe the professional pessimists, President Nixon's "working" tour of Allied capitals in Europe was doomed to disappointment even before he took off for Brussels last Sunday morning. He was heading for the wrong places at the worst possible times, they said, and it was impossible for him to avoid stepping on at least one political minefield.

The President's chief risk, in the bleak view of these pundits, was the danger of increasing disunity rather than allaying it. Thus he was almost inescapably bound to become involved in the latest De Gaulle vs. Britain battle over NATO and the Common Market; was threatening to increase East-West tensions by visiting West Berlin; was adding possible further complexity to the Paris peace talks; and, finally, was inviting violent anti-American demonstrations.

There is no doubt that the tour involves political and personal risks for the President. But what the doomsayers have overlooked—or deliberately ignored—is that they are carefully calculated risks. And it is precisely because European unity is in such disarray that the President has given it such priority attention. Quite simply, he had gone forth to examine the problems first hand since the risk of not coming to grips with them as early as possible is the one risk that cannot be taken.

President Nixon, in his own words, has set the best possible tone for his journey. It is low-keyed, modest, conciliatory and even—for the moment, at least—neutral. As he summed it up in Brussels: "I have come . . . to inquire, not to insist; to consult, not convince; to listen and learn and to begin what I hope will be a continuing interchange of ideas and insights."

Such an attitude is both a shield and an invitation. It is a shield which, by its unpretentious declaration of goodwill in the search for peace and cooperation, deflects and shames the efforts of anti-American demonstrators. And it is an invitation which the Allied leaders of Europe, despite their immediate differences and hostilities, should in the long run find difficult to resist.

By personally presenting to Europe the image of a United States determined to talk with its partners instead of at them, President Nixon already has made his trip worthwhile and relegated its potential troubles to secondary importance.

ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. MATHIAS. Mr. President, on February 25, I introduced Senate Joint Resolution 52, a joint resolution dealing with representation in Congress for the District of Columbia. At that time, the distinguished senior Senator from New York (Mr. JAVITS) was on the floor of the Senate and was a cosponsor of that joint resolution. However, through inadvertence his name does not appear.

I ask unanimous consent that at its next printing, the name of the senior Senator from New York (Mr. JAVITS) be shown as a cosponsor of Senate Joint Resolution 52.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MATHIAS. Mr. President, I ask unanimous consent that, at its next printing, the name of the junior Senator from New York (Mr. GOODELL) be added as a cosponsor of Senate Joint Resolution 52.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MOSS. Mr. President, I yield to the Senator from Virginia.

THE NATIONAL DEBT

Mr. BYRD of Virginia. Mr. President, the President of the United States has recommended that the debt ceiling be increased by $17 billion. There is more to the President's proposal, however, than that. He proposes to reduce the debt ceiling, but to eliminate from the ceiling certain obligations of government. Nevertheless, the net effect is to increase the debt ceiling by $17 billion.

I wish to insert at this point in the RECORD the national debt as it has existed at various times:

April 12, 1945, $234 billion.
January 19, 1953, $267 billion.
January 19, 1961, $290 billion.
January 17, 1969, $360 billion.

Mr. President, it will be noted that the net debt of the United States increased $33 billion during the nearly 8 years of President Truman's administration; it increased $23 billion during the 8 years of President Eisenhower's administration; and it increased $70 billion during the 8 years of the Kennedy-Johnson administrations.

Also, I find it discouraging and disappointing that President Nixon at the beginning of his term should ask for such a large increase in the debt ceiling as $17 billion because I remember just 18 months ago when the Senate and the Congress, at President Johnson's request, increased the ceiling by $22 billion and as the result of that spending increased and inflation increased. I think it was a grave error, and the Senate by only one vote, or a vote of 43 to 44, rejected an amendment offered by the Senator from Virginia to reduce the size of that increase.

In connection with President Nixon's proposal, I ask unanimous consent to have printed in the Record an editorial from the Chicago Tribune of February 26, 1969, entitled, "The Age of Gimmickry," and an editorial from the Wall Street Journal entitled, "Bumping the Ceiling."

Mr. President, there is one line I wish to read before having the entire text from the editorial in the Wall Street Journal printed in the Record. The Wall Street Journal takes the view that:

> If the debt ceiling is to be useful, in other words, it should allow the government a minimum of headroom, not the wide leeway the Treasury is considering.

I agree with that statement. I think we should keep a tight rein on the debt ceiling.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Chicago Tribune, Feb. 26, 1969]

The Age of Gimmickry

We sort of hoped the age of gimmickry had passed with the Johnson administration. It was only last week, indeed, that we commended Mr. Nixon's Council of Economic Advisers for recognizing that we can no longer rely on "the easy way of doing things."

And yet, lo and behold, here is the Nixon administration proposing one of the most remarkable bits of fiscal legerdemain that we've encountered since Franklin Roosevelt undertook to persuade us that federal borrowing was not really borrowing because "we owe it to ourselves."

The problem Mr. Nixon faces is real enough. The national debt is now about 362 billion dollars, and it is bound to go above the present temporary debt limit of 365 billion later this year. This is not his fault. It is the result of the failure of Johnsonian gimmickry. Mr. Nixon could have blamed it on the Democrats, asked for a temporary increase in the ceiling, and promised to do better than Mr. Johnson.

But no. The Nixon administration has received a proposal made in 1967 by a commission appointed by Mr. Johnson and directed, ironically enough, by David M. Kennedy, now secretary of the treasury, and Robert P. Mayo, now director of the budget.

The proposal is to reduce [repeat, reduce] the debt limit by 65 billion dollars, making it 300 billion—but at the same time to exempt from this limit the 82 billion dollars in treasury securities held by the various trust funds, notably social security, thus reducing to 280 billion dollars the debt subject to the limit. The argument for this is reminiscent of F. D. R.: namely, that since one government agency owes it to another, it has no effect on the country's economy and should not be regarded as debt.

Reduce the debt limit to 300 billion and reduce the applicable debt to 280 billion, as this would do, and presto! You wind up not only with a lower debt, but also with a comfortable leeway of 20 billion dollars for more borrowing from the public. In addition, anything that the treasury can borrow from the social security trust fund is sheer gravy. It wouldn't even count.

Well, when it comes to easy ways of doing things, this one is hard to beat. The social security fund happens to be running a substantial surplus, at the moment, which means that the administration would have billions of dollars at its disposal without even having to admit that it was borrowing. This is precisely what the Johnson administration had discovered. By using surplus social security funds to finance deficits in operating expenses, Mr. Johnson was able to produce paper surpluses in his budgets for 1969 and 1970. The new method of budget accounting, in which all government funds are lumped together, has made it possible to show a budgetary surplus even while the national debt is going up.

Of course, this is absurd. And in a world already full of absurdities, it may seem consistent to argue that since a deficit is not a deficit, then a debt should not be a debt.

But look a little farther ahead. What happens when, as demands on the social security fund increase, either in the normal course of events or because of a business slowdown, the fund needs its money back? It would be impossible to make restitution without pushing the national debt right thru the ceiling and creating an immense deficit in current accounts. In short, this is a one way street by which the trust funds can be easily drained of their resources while at the same time making it almost impossible for them to get their money back.

Ponzi should be living today.

[From the Wall Street Journal]

Bumping the Ceiling

As a guarantee of governmental economy, the federal debt ceiling has hardly been a total success. Congress has continued to approve administration spending requests, sometimes even raising them, and if the debt pierces the limit, well, the limit is raised.

The subject arises anew because the Nixon administration, through no fault of its own, already finds itself bumping against the debt ceiling. If something isn't done before long, the administration presumably will be forced to the tactics of some of its predecessors, such as stalling on payments due the government's creditors.

What the Treasury is considering is a plan not to merely raise the ceiling once more but to drastically remodel it. The basic idea is to exempt from the debt limit all or part of the $80 billion of Treasury securities that are held by federal trust funds. If that were done, the ceiling could even be lowered and the government still wouldn't hit it for years to come.

While the suggestion may possess a certain logic, the difficulty is that it would sacrifice whatever virtue the debt limit has. Federal debt is federal debt, after all, whether the resulting Treasury issues are sold to the public or stashed away in a trust fund's portfolio. And the only excuse for the debt limit, so far as we can see, is that it's a sporadic reminder—to Congress, the administration and the public—of just where the debt is going.

If the debt ceiling is to be useful, in other words, it should allow the government a minimum of headroom, not the wide leeway the Treasury is considering. Nobody likes bumps, but sometimes they can be educational.

ORDER OF BUSINESS

Mr. MOSS. Mr. President, I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I thank the Senator from Utah for his kindness.

THE WHOLESOME MEAT ACT

Mr. HOLLAND. Mr. President, the Wholesome Meat Act was passed December 15, 1967. Subsequent to the passage of this legislation, the State commissioners of agriculture submitted a resolution, and I introduced an amendment in a form approved in writing by Secretary of Agriculture Freeman, which was adopted by the Agriculture Committee to the Wholesome Poultry Products Act, Public Law 90-492. That amendment would authorize the Secretary of Agriculture to work with State agencies to set up inspection programs to permit the interstate shipment of poultry and red meat inspected in State plants when it has been determined by the Secretary of Agriculture that State standards were equal to or better than Federal standards.

While the Agriculture Committee favorably reported the wholesome poultry products bill with my amendment attached, the amendment was defeated on the floor of the Senate. I attribute the defeat to the fact that much publicity was given to the hue and cry regarding consumer protection and the statement alleging that the adoption of my amendment would mean we in Congress did not desire wholesome meat and poultry. Mr. President, nothing could have been further from the truth. I believe every individual citizen of this Nation desires wholesome food regardless of his economic position and I proposed my amendment to the Wholesome Poultry Products Act in a form which safeguarded the public, since State inspected meat and poultry could be shipped in interstate commerce only when the Secretary of Agriculture had determined that State inspection was equal to or better than Federal inspection.

Mr. President, I bring the matter before the Senate now in order to have placed in the Record an article entitled "Implications of the Wholesome Meat Act" written by D. N. McDowell, secretary of the Wisconsin Department of Agriculture, which appeared in the Winter—1968 quarterly edition of State Government, published by the Council of State Governments, that I hope all Senators will read as it very clearly points up the situation as it exists today with respect to the operation of the Wholesome Meat Act.

There being no objection, the article was ordered to be printed in the Record, as follows:

Implications of the Wholesome Meat Act

(By D. N. McDowell)

The implications of the federal Wholesome Meat Act extend far beyond the interests and concerns of state agriculture and health officials. This is precedent-shattering legislation for all who are concerned about the traditional relationships of state and federal government. In a moment of chaotic emotionalism, Congress passed legislation in an area of consumer protection which affects many municipalities and state governments.

Precedent was shattered because for sixty years Congress had recognized the States' jurisdiction in controlling the inspection of meat that was consumed within state borders. Now Congress has revoked that state control, and it seems entirely logical to assume that federal control in this one area could lead to additional federal controls in other areas.

The federal Wholesome Meat Act was passed December 15, 1967 and the Wholesome Poultry Act was passed in mid-1968. To consider the implications of these two acts, a review of the events leading up to their passage is needed.

Meat inspection began in the United States in 1906 when the first federal Meat Inspection Law was passed. This law, administered by the United States Department of Agriculture, continued from 1906 until 1967 and provided continuous supervision of all slaughtering and processing operation for all meat sold in interstate commerce.

During this time meat slaughtered, processed and sold exclusively within the boundaries of a State was not covered by federal inspection, but came under state jurisdiction.

By 1967 twenty-eight States had mandatory meat inspection programs for meat slaughtered, processed and sold within their borders, while twelve States had limited provisions for state meat inspection. Some of the larger cities in States without meat inspection laws provided municipal inspection programs.

During 1962 the United States Department of Agriculture conducted surveys in all state plants not covered by federal inspection and found very few hazardous plants. But publicity about a few isolated cases brought demands for stronger, more comprehensive control over the Nation's meat supply.

Although not a single hazardous plant was found in Wisconsin, the State passed a meat inspection law in June, 1966. The Wisconsin bill provided for mandatory meat inspection, administered by the State Department of Agriculture, with an effective date of January, 1968 for red meat, and January, 1969 for poultry. Many other States passed similar laws during the mid-1960's.

During 1966 and 1967, the United States Department of Agriculture again surveyed meat plants in selected areas of the Nation. Reams and reams of what many of us in state government considered "scare" publicity resulted. We felt the publicity grossly misrepresented much of the consumer protection efforts of the States involved. In any case, the USDA studies of 1966–1967 resulted in newer, stronger demands for strict federal controls.

Proponents of stronger federal controls argued that the 1960 federal act contained no provision for coordinating federal and state meat inspection efforts. They pointed out that 15 per cent of all commercially slaughtered animals are slaughtered for intrastate commerce, thus coming under state meat regulation. In addition, about one-fourth of all processed sausage meats do not cross state lines.

The result, said proponents of stronger federal controls, is that a significant amount of meat receives either no inspection or inspection that is below federal standards. Yet these products, they said, are intermingled in many retail stores with federally inspected products for sale to "an unknowing public."

They also argued that state laws were not as stringent as federal law in regard to extenders, chemicals and labeling.

Advancing technology has also complicated the inspection process, it was submitted, because adequate inspection of a complex processing line is mechanically and physically more difficult than is the visual examination of carcasses and fresh meat. The act passed sixty years ago, they said, is becoming increasingly inadequate to deal with the problems of today's modern, aggressive industry.

The point brushed aside in all these arguments was that the States were moving to improve their laws to meet current conditions, as reflected in the fact that some eighteen States considered meat inspection legislation in the year immediately preceding the passage of the new federal law in 1967.

TWO INSPECTION PROPOSALS OFFERED

But the publicity generated by the USDA surveys was difficult to combat. The result was that two meat inspection proposals with divergent philosophies were soon introduced in Congress.

One bill would have provided federal assistance to States willing to meet jointly developed federal-state standards, but authority and control would have remained under state jurisdiction. The other bill (which eventually passed) provided for full federalization if States did not conduct meat inspection programs "at least equal to" and "not different" from the federal requirements.

Under the bill which passed, federal law will supersede state authority in all aspects of meat inspection, effective December 15, 1969. One year's additional grace may be provided at the discretion of the U.S. Secretary of Agriculture. The President asked for a $71 million budget to administer the act, but some observers expect the cost to exceed that figure.

Shortly after passage of the sweeping Wholesome Meat Act, the "Talmadge-Aiken Act," designed and passed in 1962 for commodity grading of agricultural products, primarily in the fruit and vegetable area, was called forth, supposedly to ease the burden on the States. Under this act the Secretary of Agriculture was authorized to enter into a cooperative agreement with the States whereby state inspectors would provide inspection at specified plants which could meet federal requirements.

This agreement for meat and poultry inspection (or both) was unusual indeed because it called for the assignment of state employees to the performance of only federal functions at locations which are exclusively under federal jurisdiction. Furthermore it provided reimbursement to the States only up to 50 per cent of state expenditures incurred in federal meat inspection activity.

Perhaps the acceptance of some States of the Talmadge-Aiken agreement can be understood in light of the reaction of their consumers to the earlier adverse publicity, but many States found it difficult under their statutes to negotiate this unusual form of federal-state contract.

Economic pressure was severe, however, on the meat processors and slaughterers. Their retail accounts, trying to remain competitive in the wake of the adverse publicity given state inspection, wanted to advertise "U.S. Inspected and Passed" meat. Since the USDA had neither the money nor manpower sufficient to meet the inspection demands of numerous small packers and processors desperately seeking to retain their retail accounts, a real dilemma developed. Many States succumbed to these pressures and went along with the agreement even though there was no assurance that their small slaughterers would be permitted to remain in business.

ACT POSES ADMINISTRATIVE PROBLEMS

As a result of the "Wholesome Meat Act," most States, including Wisconsin, found themselves in a quandary simply because the federal law did not acknowledge a State's ability to administer a true federal-state program nor did it provide the proper incentive for progressive planning on the state level.

The requirement of "at least equal to" and "not different" means that there is absolutely no alternative under existing law to depart one iota from strict federal meat inspection requirements, even though such departure would be necessary in some areas.

A big problem facing the States' meat industries today is federal interpretation of some provisions of the Wholesome Meat Act, including "retail exemptions" and the so-called "rule of reason."

The "retail exemption" was designed to exempt traditional and usual meat processing activities at stores and restaurants selling directly to consumers, but this has never been satisfactorily clarified. The "rule of reason," which provides for administrative tolerance, a policy directed by Congress to USDA, has not been properly implemented and also needs further and specific clarification.

States also have been deeply concerned about the so-called federal-state cooperative agreements. The law says that these arrangements shall be a cooperative venture, under a federal act, but there is absolutely no place in that federal act to allow for anything different from federal standards or for the States to provide standards "at least equal to" those of the federal government.

So we in the States fail to see where a cooperative agreement is truly "cooperative" when the individual States have nothing to say about the establishment of standards or general procedures.

Under this arrangement we would be merely "glorified" inspectors, supervisors and administrators. We recognize that processors and others will find it advantageous to be able to use the USDA label, as is done under other state-federal cooperative agreements. But in this meat inspection program the interests of the processors, state administrators and others in developing and maintaining a strong program at the state level are completely disregarded. This is strictly a federal take-over, as it is now being iterpreted, and many States have given in, forfeiting completely their traditional rights, especially in intrastate matters. This precedent is dangerous.

Some States have signed cooperative agreements under duress, while others have given in because some segments of the industry felt they had to. At this writing twenty-nine States have requested the federal-state agreement, or the Talmadge-Aiken agreement, or both.

Another important factor in the overall confusion is that even if the States do come up with programs meeting all federal requirements, meat from these state-inspected plants cannot be shipped interstate. Yet foreign meat can enter this country from forty foreign nations with only thirteen U.S. employees supervising the entire foreign program. This is grossly unrealistic, and in view of the millions of dollars spent by the States for meat inspection programs, it is very discriminatory. Even if States elect to continue their own programs after December, 1969, when programs must be "at least equal to" and "not different" from the federal requirements, state-inspected meat still cannot be shipped interstate!

OTHER EFFECTS OF THE ACT

Few American citizens realize the full impact of the Wholesome Meat Act on the economy of their States. For example, most States have meat inspection laws providing periodic inspection of the meat processing plants, but federal meat inspection has traditionally provided for daily or continuous inspection. To provide continuous inspection at low volume slaughter houses is almost prohibitive in cost.

The federal program is designed for larger operations which can justify full-time inspectors. Limited funds and personnel, coupled with the supreme authority and direction given to the federal agency by the Wholesome Meat Act, could conceivably force thousands of small plants out of business. Many small slaughtering plants would not be reached for inspection due to low volume, which would preclude assignment of an inspector to the plant. The limited size of such plants makes it impossible to step up the rate of slaughter or processing to a point where an inspector could be profitably assigned.

As time goes on pressure will be applied continually to improve and upgrade physical and structural facilities in increasingly stricter compliance with federal law. This could conceivably mean major alterations of small plants with respect to such things as eleven-foot heading rails, sixteen-foot bleeding rails, doors of specified widths if used for different types of traffic, totally refrigerated facilities, etc.

The irony of this is that the strict requirements of the federal program might have little bearing on the wholesomeness or quality of the meat products from these small plants.

A small plant operator, who heretofore did custom slaughtering and processing and augmented it through a small retail operation, may not, under the provisions of the new federal law, engage in any sale of meat whatsoever—if his business is to be classed as a custom plant. Custom slaughtering and processing alone will not sustain a business. The alternative under the federal Wholesome Meat Act is to have completely separated facilities which means dual facilities, something very few operators could afford.

The future of state and federal meat inspection in the United States is still very cloudy, simply because extremists, playing up the emotional aspects of "consumer protection," were able to convince the Congress, the USDA and the White House not to put confidence in States and state officials.

Food inspection laws as administered by state and municipal authorities in the United States have long been recognized worldwide for their excellence. The federal Wholesome Meat Act, as it has now developed, is the only food inspection or health program in America which has such a multitude of strings attached and which is now in such chaotic confusion.

Prior to this legislation, most U.S. citizens, including dedicated state administrators, were urging the Administration and the Congress to economize on nonessential programs. Then along came a group who used scare tactics to clamor for this meat inspection program, which was at cross purposes with States willing to cooperate on the matter of meat inspection. They simply did not recognize that the needs and requirements of each State were different.

STATE POSITION MISINTERPRETED

We at the state level have been grossly misinterpreted and have been accused of being against wholesome meat, against regulation and against any departure from the status quo. This is not true! We very much believe in effective meat inspection, but we believe there is a better way, a more practical way, under the concept of "creative federalism." We are not trying to oppose federal legislation per se. However, we see the entire matter in the light of practical, feasible administration. Even many Congressmen now know that there are facets of the federal act which are not workable, and which cannot be made workable. Let us hope the entire Congress will recognize this before it is too late to provide the necessary amendments.

We know that if the federal government takes over state programs, it will, of necessity, be forced to find some way to shut down the myriad of small operators, who simply cannot operate their businesses on a scale large enough to comply with strict federal structural requirements and operating schedules.

This means that hundreds and hundreds of small operators who have clean facilities and who have provided wholesome meat will be going out of business. As their businesses close, the impact will be felt on every Main Street and meat prices will eventually increase.

Should an important segment of this country's economy be placed in the position of allowing only the "big" to stay in business?

We don't think so, that is why so many state agricultural leaders are challenging the arbitrary demands of the federal government. We are trying to be realistic, and we are willing to sit down and develop a feasible, workable and practical program. Certainly we don't have all the answers now, but we know that these answers can be found.

In retrospect, it is easy to see why members of Congress, even though they understood some of the problems facing States, were unwilling to take a strong vocal stand against the Wholesome Meat Act. They simply were unwilling to go against the strong pressures in Washington generated by the wave of "hysteria" which swept across the Nation. This may also apply to some large meat firms which had nothing to lose by remaining silent.

We have been asked: "Have the States given up the search for realistic alternatives?"

To answer this question we must admit that some States have, especially those States with very few small operators. But the majority of the States are still searching. Many, including Wisconsin, have proposed alternatives. This is still a very vital concern to the majority of the secretaries of agriculture in the United States and we hope to find more workable alternatives as time goes on.

We believe firmly that alternative programs can be found and Congressional amendments passed before the full implementation of the Wholesome Meat Act in December, 1969. The Congress, USDA and the States surely can operate in a climate of faith, confidence and understanding, and with an ultimate assurance that the consumer will have a wholesome meat supply.

We are also concerned with the long-range effects of this legislation. We fear that it may not stop with this meat inspection program, but may be only a precedent for federal domination over other areas of state government. All of state government is vulnerable.

Convinced that there is good will at the state level, we urge all state legislators first to evaluate their state laws to assure full protection for their consumers and to provide a safe food supply, and then use the prestige and judgment of their offices to bring about any needed federal corrections or change.

If success is achieved in correcting the federal law and its administrative interpretations then the States can become true partners in meat inspection, not just federally regulated sub-bureaus.

S. 1363—INTRODUCTION OF BILL—STUDENT TEACHER CORPS ACT OF 1969

Mr. NELSON. Mr. President, I introduce a bill entitled "The Teacher Corps Act of 1969," on behalf of myself, and Senators KENNEDY, MONDALE, JAVITS, PROUTY, and Moss, and ask unanimous consent that the text of the bill be printed in the RECORD.

The PRESIDING OFFICER (Mr. HUGHES in the chair). The bill will be received and appropriately referred; and, without objection, will be printed in the RECORD at the conclusion of the Senator's remarks.

(See exhibit 1.)

Mr. NELSON. Mr. President, this legislation would establish a Student Teacher Corps, to recruit thousands of young high school pupils and college students to serve as tutors in schools in disadvantaged areas of the Nation.

The legislation could lead to the recruitment of an estimated 120,000 student volunteer tutors in the coming year, and mobilize this vast untapped reservoir of talent to help lift children out of the relentless cycle of poverty through better educational opportunity.

The legislation also is specifically designed to draw parents and other residents of the community into our local school programs, because we have learned that even the finest educational programs have little impact if they do not reach into the home and the community.

To do this job responsibly and to do it well, this legislation proposes to make the new Student Teacher Corps an integral part of the existing Teacher Corps program, established by the Congress in 1965 and now at work in some 30 cities. The Teacher Corps would provide the leadership and the national focus such a program needs if it is to be successful, but the program would be operated entirely at the State and local level.

PROBLEM IS OUTLINED

It is hardly necessary to outline the problems which many schools face in our inner cities. The Kerner commission stated flatly:

> Education in the slums and ghettos is a failure.

It found that "sheer numbers can overwhelm the teacher," and that inner city children bring with them many special problems with which the schools are not prepared to cope. Because of the complex financial troubles facing our city schools, the financial resources needed to meet this educational crisis are simply not there.

Yet in almost every school system throughout the country, we have a vast resource of capable people, ready and anxious to serve. They are the pupils themselves. Better than anyone else, they understand not only the educational but the cultural and racial problems which their fellow pupils face in trying to obtain an education. And a great many of them are desperately eager to serve society in some meaningful way.

The crisis in our city schools cannot wait for 5 or 10 years while we seek a solution to the financial problems of the cities, and while we seek ways to recruit, train and pay a large new pool of professional schoolteachers. If we are to make any impact on his program right now, it seems to me that the obvious solution is to tap this great resource of young people.

Without setting up any costly and time-consuming new program, we can take these thousands of willing young workers who are already on the scene and put them to work at a job for which they are uniquely suited.

The older pupil can tutor the younger pupil. The student with an aptitude for math can help the fellow student who can't quite fathom it, aided by the fact that both tutor and pupil speak the same language, face similar problems in their educational experiences, and have similar aspirations for the future.

Under this legislation students who provide this valuable service could be paid or receive college credit or both, depending on the circumstances.

The willingness of young people to serve has already been demonstrated by the tremendous response to programs such as the Peace Corps, Teacher Corps, VISTA, and the legal aid programs which have attracted many young law students to work in slum areas.

ACT IS EXPLAINED

The Student Teacher Corps Act would authorize the establishment in every State department of education in the Nation of an office of Teacher Corps activities, reporting directly to the chief State school officer. This State office would organize the student tutor program for the State.

Federal funds would finance the cost of maintaining that office, but its control would be a State responsibility.

The structure of the Student Teacher Corps programs would be patterned after the highly successful Teacher Corps program already at work in our troubled cities. These are the essential elements in that structure:

First. Cooperative planning by the school, the community, and a nearby university.

Second. The use of a team structure, with each team supervised by an experienced teacher.

Third. A preservice training program, with a carefully developed curriculum.

Where we already have Teacher Corps teams at work, the new student tutors would be integrated into that system. Student Teacher Corps teams would also be organized in schools where the Teacher Corps programs have not been able to become established because of its limited funding.

BROAD SUPPORT CITED

The Teacher Corps program has won enthusiastic praise from the National Education Association, the President's Commission on Civil Disorders, from national news magazines such as Life, and from scores of public officials including New York's Mayor John Lindsay.

Senator EDWARD KENNEDY and I introduced the Teacher Corps legislation in the Senate on February 10, 1965. President Johnson endorsed the bill. The bill passed the Congress and was signed into law on November 8, 1965.

The appropriations problem which has plagued many new programs has prevented the Teacher Corps from making its full contribution to easing the educational crisis of this Nation, but to the extent it has been allowed to prove itself, it has won an enthusiastic reception.

EXPANSION IS URGED

The success of the program has logically led to suggestions that it be augmented in various ways.

The President's Commission on Civil Disorders had this to say of the Teacher Corps:

> The teaching of disadvantaged children requires special skills and capabilities. Teachers possessing these qualifications are in short supply. We need a national effort to attract to the teaching profession well-qualified and highly motivated young people and to equip them to work effectively with disadvantaged students.
>
> The Teacher Corps program is a sound instrument for such an effort. Established by the Higher Education Act of 1965, it provides training in local colleges or universities for college graduates interested in teaching in poverty areas. Corpsmen are assigned to poverty area schools at the request of local school systems and with approval of State educational agencies. They are employed by the school system and work in teams headed by experienced teachers.
>
> The National Advisory Council on the Education of Disadvantaged Children, and the National Education Association found that the Teacher Corps succeeded in attracting dedicated young people to the teaching profession, training them to teach effectively in poverty areas, and making substantial contributions to the education of students.
>
> The impact of this highly promising program has been severely restricted by limited and late funding. There are now only 1,406 interns and 330 team leaders in the entire nation. The Teacher Corps should be expanded into a major national program.

In the last session of Congress, the Senate approved an amendment of mine to expand the Teacher Corps by adding the new position of "volunteer teaching assistant," but this new feature was lost in the Senate-House conference. These new recruits would be similar to the regular Teacher Corps men except that they would not be taking course work at a university at Government expense.

There also have been proposals made to recruit adult volunteers, to perform a variety of duties which now fall upon our overburdened and underpaid professional school teachers, and to recruit high school pupils and college undergraduates to serve as tutors. During the 1968 campaign, President Nixon endorsed the student tutor concept.

This proposal, in my opinion, fits squarely into the concept of a Teacher Corps as Senator KENNEDY and I originally developed it and as it has evolved since enactment by Congress more than 3 years ago. The Teacher Corps already has experimented with a number of tutorial programs in New York, Philadelphia, and other cities.

Experience with tutorial programs shows that carefully developed structure is crucial to the success of this concept.

A study by the National Student Association's Tutorial Assistance Center indicates that, in order to be effective, a tutorial program requires a careful selection and training process, enough formal structure to provide continuity of effort, careful coordination of the work of the tutor with the work of the school, and with the parents and the community.

It seems absolutely necessary that the Congress prescribe some basic structure for such a program, and tie it in with a successful, ongoing and closely related program such as the Teacher Corps, if any significant amount of Federal funds are to be appropriated and if the public is to be given any assurance of success.

FUNDS WERE INCREASED

The Senate's judgment of the success of the Teacher Corps was shown here last September 6 when the Senate voted to increase Teacher Corps appropriations to the full $31.2 million recommended by the administration. The bipartisan endorsement given this comparatively new program was particularly impressive, including such Senators as the distinguished Senator from California (Mr. MURPHY) and the distinguished Senator from Arizona (Mr. FANNIN).

The Teacher Corps has earned this broad spectrum political support because it has proven itself to be what it was designed to be—a truly locally controlled program with a rare ability to bring together the neighborhood community, the public school, and the university in a coordinated attack on the problem of inadequate schooling for the children of poverty.

A great deal of credit must go to the imaginative and creative director of the Teacher Corps, Mr. Richard Graham, a former official in the Peace Corps and a former resident of Wisconsin.

VETERANS IN PUBLIC SERVICE

A year ago, when the Johnson administration was developing broad legislation to ease the way for Vietnamese war veterans into public service jobs, the Teacher Corps organized a program in Philadelphia that used the Teacher Corps team structure in the Philadelphia schools and Temple University to provide an opportunity for veterans with high school degrees to study for a B.A. and teacher certification while working with Corps teams in the schools.

The program was so successful that the Office of Education devoted $600,000 to setting up similar VIPS programs in other cities with Teacher Corps teams.

In each of the cities, Chicago, Memphis, St. Louis, Detroit, Philadelphia, New York, Omaha, Miami and Cleveland, the veterans, mostly black, have provided valuable models for the children from inner city homes. The veterans not only find the work with the children satisfying, but are moving toward professional careers few of them had hoped to achieve.

The VIPS program now depends on getting money from the Bureau of Research of the Office of Education or similar pickup funding. Under the proposed legislation the veterans-in-public-service program could become a part of the expanded Teacher Corps.

The Teacher Corps also has pioneered in programs to train college graduates to teach in correctional institutions.

The Teacher Corps can carry out these innovations, successfully, because it has a proven structural system which works—a team of able young interns, working under an experienced teacher, in a program that involves the community and the expertise of the nearby university.

The Teacher Corps remains a small program today—a budget of only $20.9 million for the fiscal year 1969, and a program of about 2,000 Teacher Corpsmen.

To make the most effective use of the National Student Teacher Corps concept, we should combine it with the established Teacher Corps program to create a truly national system, and a truly significant amount of teaching power, to make a really major impact on the poverty area schools of the Nation.

At present, the current Teacher Corps program has basically three kinds of members—apart from administrative staff. It has the team leaders, who are experienced teachers; it has the Teacher Corps interns who have graduated from college and are working toward their teaching certificates and their master's degrees, and it has undergraduate interns who are working toward teacher's certificates and bachelor's degrees.

PROGRAM IS DESCRIBED

The Student Teacher Corps Act of 1969 would add these new roles:

High school tutors: High school and junior high school pupils would be trained at Government expense and would be led by experienced team leaders, who would also be paid at Government expense. However, the high school tutors would not be paid for any work done during school hours. For work done after school hours, they could be paid by the Teacher Corps, or from Neighborhood Youth Corps funds if satisfactory local arrangements could be made.

College volunteer tutors: These would be a carefully selected group of college students, tutoring in poverty area schools. Some would work 15 hours a week or more and perhaps be paid from college work-study funds. Others could serve as little as 3 to 6 hours a week. All would be carefully trained and would work in teams led by leaders chosen cooperatively by the school systems, the university, and the community.

Instructional assistants: Similar to the "volunteer teaching assistants" which I proposed in an amendment adopted by the Senate in 1968, these assistants would be very much like regular Teacher Corps interns except they would not be taking course work at the university at Government expense—except for a brief preservice training period. They would be people of all ages, including housewives working full time, but most of them would be expected to be near college age. They would be paid the regular Teacher Corps rate of $75 a week.

Adult volunteers: Adults who volunteered could also be accepted into the training and tutorial programs. They must agree to undergo a period of training and to work as a part of the tutorial team. They could be compensated for actual expenses only.

As I mentioned earlier, where Teacher Corps teams already exist, these tutorial teams would be integrated with the existing teams. In other schools where the Teacher Corps is not already established, entirely new teams would be set up.

The Student Teacher Corps Act of 1969 provides the means to harness the energy, the idealism, and the untapped tutorial ability of thousands of high school pupils and college students, and at the same time strengthens and improves the existing Teacher Corps program which has been called the best bargain in the Federal educational system.

In its report on the Higher Education Amendments of 1968, the Labor and Public Welfare Committee expressed concern that the Teacher Corps might be treated in the U.S. Office of Education as just another teacher training program.

The committee report emphasized that the Teacher Corps must "not be an ordinary teacher education program." The report said that the Teacher Corps needed "maximum possible independence and visibility if its full potential as a recruiter of new teachers and an innovator in teacher education was to be reached."

This new legislation will help to attain that goal.

Mr. President, the Nation is deeply concerned about its young people. Let us offer them an opportunity to show us the depth of their commitment to the highest principles of citizenship, measured by their willingness to help lift their fellow young people out of the despair of poverty and ignorance. The Nation is also deeply concerned about its educational system. Let us face that problem by harnessing the great untapped potential of youthful manpower which we have all across the country.

I think we will find that we can still believe in our young people.

And I think we will find that young people believe in the ability of education to improve the quality of life in the America of the future.

The Student Teacher Corps Act of 1969 could bring together the young people of America and their parents, teachers and community leaders in a great new effort to help society as a whole. Let us seize that opportunity.

The bill (S. 1363) to provide for support by the Teacher Corps of programs in which volunteers serve as part-time tutors or full-time instructional assistants, introduced by Mr. NELSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

EXHIBIT 1

S. 1363

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Student Teacher Corps Act of 1969".

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act to encourage high school and college students, parents and other community residents to volunteer for service on a part-time or full-time basis as tutors or instructional assistants for children in disadvantaged areas and to provide support by the Teacher Corps of volunteer programs to be carried out by State and local educational agencies and institutions of higher education.

AUTHORIZATION

SEC. 3. (a) Section 511(a) of the Higher Education Act of 1965 is amended by deleting the word "and" at the end of paragraph (1), by deleting the period at the end of paragraph (2) and inserting in lieu thereof a semicolon and the word "and", and by inserting after paragraph (2) the following new paragraph:

"(3) attracting volunteers to serve as part-time tutors or full-time instructional assistants in programs carried out by local educational agencies and institutions of higher education serving such areas."

(b) Section 511(b) of such Act is amended by striking out "$56,000,000 for each of the succeeding fiscal years ending prior to July 1, 1971" and inserting in lieu thereof "$80,000,000 for the fiscal year ending June 30, 1970, and $100,000,000 for the fiscal year ending June 30, 1971".

TUTORS AND INSTRUCTIONAL ASSISTANTS IN TEACHER CORPS

SEC. 4. (a) Paragraph (1) of section 513(a) of such Act is amended by inserting before the semicolon at the end thereof a comma and the following: "and, for such periods as the Commissioner may prescribe by regulation, persons who volunteer to serve as part-time tutors or full-time instructional assistants."

(b) Section 513(a) of such Act is further amended by redesignating paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively, and by inserting after paragraph (4) the following new paragraph:

"(5) enter into contracts or other arrangements—

"(A) with local educational agencies or institutions of higher education, upon approval by the appropriate State educational agency, under which provisions (including payment of the cost of such arrangements) will be made (i) to carry out programs serving disadvantaged areas in which volunteers (including high school and college students) serve in teams as part-time tutors or full-time instructional assistants, under the guidance of team leaders, but not in excess of 90 per centum of the cost of compensation for such volunteers may be paid from Federal funds, and (ii) to provide appropriate training to prepare tutors, instructional assistants, and team leaders for service in such programs; and

"(B) for payment of the reasonable and necessary expenses of the State educational agency in assisting local educational agencies and institutions of higher education in planning, developing, and implementing such programs;".

COMPENSATION OF TUTORS AND INSTRUCTIONAL ASSISTANTS

SEC. 5. Section 514(a) of such Act is amended by inserting after "paragraph (3) of section 513(a)" a comma and the following: "or an arrangement with a local educational agency or institution of higher education pursuant to paragraph (5) of section 513(a),". Such subsection is further amended by deleting the word "and" at the end of paragraph (1), by deleting the period at the end of paragraph (2) and inserting in lieu thereof a semicolon and the word "and", and by inserting after paragraph (2) the following new paragraph:

"(3) a tutor or instructional assistant shall be compensated at a rate agreed to by the local educational agency or institution of higher education carrying out a volunteer program and the Commissioner."

Mr. KENNEDY. Mr. President, I am pleased to cosponsor the Student Teacher Corps Act of 1969, and to join with the distinguished Senator from Wisconsin on this expansion of the Teacher Corps program which we developed originally in 1965.

The legislation which has been introduced today is a logical and constructive extension of the Teacher Corps concept. It will utilize the talents of a responsible and committed group of citizens—including high school students, college volunteer tutors, and adult tutors—to assist in elementary and secondary education. It will enable these persons to participate in one of the most important enterprises of our society, the education of our youth. And it will be incorporated into an existing administrative structure which has proven to be tremendously effective.

Last year, the President's Commission on Civil Disorders noted:

> We need a national effort to attract to the teaching profession well-qualified and highly motivated young people and to equip them to work effectively with disadvantaged students.

It went on to say:

> The Teacher Corps program is a sound instrument for such an effort.

Unfortunately, like so many recommendations of the Commission, full expansion of the Teacher Corps has not taken place. The recent publication by Urban America and The Urban Coalition, "One Year Later," points out:

> The Teacher Corps, which the Commission recommended be strengthened and expanded into a "major national program," remains hampered by late and inadequate funding.

There is great potential for expansion of the Teacher Corps, both with its present programs and with the additional tutoring programs envisioned under the legislation introduced today.

The concept of student tutoring is not new, and for the most part it has been extremely successful. It has benefited both the students who receive tutoring, and those who tutor.

Under the homework helper program in New York City, for example, pupils from high schools in the slums, most of them poor readers and slow learners, have been used as instructors for slow learners in grade schools.

Study of the program a few years back revealed startling and encouraging results. Pupils who participated showed a 6.2-month gain in their reading levels after 5 months. A control group that had no tutoring showed the more usual slum school rate, a 3.5-month gain in the same period.

Surprisingly, perhaps, the tutors improved even more than their pupils. In a 7-month period their mean gain in reading level over their control group was a year and 7 months.

In the development of the Student Teacher Corps, then, I think that it is important to explore further how this can be used not just to attract highly qualified students into teaching, but perhaps also how it can be used to upgrade the skills and the interests of disadvantaged students, including high school dropouts.

In this regard, I would like to note the conclusion of Prof. Robert D. Cloward in his article "Studies in Tutoring," an evaluation of the New York City program which appeared in the Journal of Experimental Education in 1967:

> Clearly, the major impact of the tutorial experience was on the tutors themselves. This finding has implications both for education and for youth employment. Tutorial programs not only can provide older youth in a low income area with gainful employment but can serve to upgrade their academic skills as well. Indeed, the high reading gains made by tutors, many of whom were reading far below grade level at the beginning of the study, raise the intriguing question of whether high school dropouts might be successfully employed as tutors, not just to help underachieving elementary school pupils, but to improve their own academic skills. Attempts to remedy the dropouts' educational deficiencies by placing them in pre-employment training programs have not been notably successful. Having experienced failure and humiliation in the classroom and being alienated from school, these youngsters tend to rebel against learning situations in which they are cast in the role of a student. Assigning tutorial roles to such adolescents might help to make learning enjoyable and profitable for them. Obviously, youngsters who are functionally illiterate cannot be employed as tutors. However, many early-school-leavers read well enough to perform simple tutorial tasks under expert supervision. To the degree that serving as a tutor helps these youngsters improve their own academic skills, many could be rescued from the certainty of a bleak future.

The proposed expansion of the Teacher Corps is consistent with the original conception of the program as developed by Senator NELSON and myself, and I hope that Congress will act swiftly and favorably.

SENATE JOINT RESOLUTION 69—INTRODUCTION OF JOINT RESOLUTION—CONSTITUTIONAL AMENDMENT ON NOMINATING PROCEDURES

Mr. MOSS. Mr. President, events of the past year have served to remind us all of the imperfections of our system of nominating and electing the President and Vice President of the United States. Skilled observers of the American political scene warned repeatedly that the inadequacies of the electoral college provisions of the Constitution could propitiate a major constitutional crisis in the autumn of 1968. That we were spared this ordeal in no way detracts from the necessity of improving the machinery by which we elect our highest executive officers. I commend Senator BAYH and the other members of the Subcommittee on Constitutional Amendments which he leads for their earnestness in studying the election procedures. The record will show that I have contributed recommendations to the subcommittee which I hope will lead to the adoption of measures improving the operation of the Electoral College and the elimination of the hazards now associated with that institution.

PROPOSAL FOR NOMINATING THE PRESIDENT AND VICE PRESIDENT

It is my purpose today, Mr. President, to direct the attention of the Senate to the process by which we nominate candidates for the Presidency and Vice Presidency and to ask this body to consider a proposal which I am now introducing to amend the U.S. Constitution to establish a new nominating system. In the following remarks, I will first indicate the nature of my proposal, and then discuss my reasons for believing that this approach offers benefits to our country which other reform proposals fail to provide.

My proposal for a constitutional amendment dealing with presidential and vice presidential nominations would bring this process within the protection and guidance of the Constitution for the first time. A function which is now conducted solely upon the basis of custom would henceforth be guided by the fundamental law of the land.

The amendment requires each of the major parties to meet in national convention and to select two persons, as well as vice-presidential running mates for each of them, to run for the presidential nomination in a subsequent national primary. Each presidential contender and his vice-presidential running mate would run for the nominations as a ticket in the primary, which would be held for each party by all the States on a single day, specified as the second Tuesday in September of each presidential election year.

A new or minor party could gain access to the primary ballot by presenting petitions bearing the signatures of not less than one-tenth of 1 percent of the total number of votes cast in the prior presidential election.

The candidates receiving the highest number of votes within each party's primary contest would become the nominees for the Presidency and Vice Presidency.

Each State would count the votes cast in its primary election, and would formally submit the results to the Administrator of General Services or other officer designated by the Congress, who in turn would determine the aggregate totals and officially announce the results.

The amendment also provides constitutional guidance in the event of a death, resignation, or disability of one of the candidates either before or after the primary election. In any such situation the national committee of the party would be empowered to select a replacement, with each State's delegation in the committee having one vote.

Mr. President, the basic strength of this approach is that it combines national party conventions and a decisive national primary, thereby bringing into the process of selection both the leadership of our active party workers and the voices of millions of our citizens. Furthermore, the success of this approach has been demonstrated by its effective implementation in the State of Utah. Provisions similar to those which I propose for national use were adopted in my State after it had utilized both the pure convention and pure primary methods of nominating public officials. There is widespread agreement within the State that this hybrid system is a much more satisfactory means of fulfilling this vital political task. I have every reason to believe that it offers even greater benefits to our country.

COUNTRY WANTS REFORM

Mr. President, the need to reform our nominating procedures is not a creature of my imagination; the concern of which I speak today is broadly felt throughout American society. The frustration that many of our citizens voiced last fall over the nominating process was as deep and alarming as the expression of dissatisfaction with the electoral college. Even though the two major party candidates, Richard Nixon and Hubert Humphrey, were the overwhelming choices of the delegates to the Republican and Democratic Conventions respectively, their nominations were challenged by many persons on the basis that neither of these men was the choice of the rank-and-file voters of the country. Partisans of Senator EUGENE MCCARTHY and Gov. Nelson Rockefeller persistently maintained that had a national primary system been in effect, their men would have become the standard bearers of the two parties.

An indication of the depth of dissatisfaction with the nominating process was revealed in the results of a Gallup poll, published on September 22, 1968. The findings showed that 76 percent of the persons interviewed favored substitution of a nationwide primary election for the current convention system; 14 percent expressed opposition to such a substitution, and 11 percent voiced no opinion. Sentiment of this nature apparently persisted through election day; the relatively mild voter turnout rate has been commonly interpreted as a reflection of voter apathy toward our political process. The recent action of the Democratic Party in appointing committees headed by the distinguished Senator from South Dakota (Mr. McGOVERN), and the distinguished Congressman from Michigan (Mr. O'HARA), to examine its own nominating procedures is further evidence of the seriousness of the problem before us.

In considering a possible modification of our nominating procedures we should bear in mind that the current system was not established by the Founding Fathers or by any other single body of men working deliberately and rationally to devise a nominating process of maximum suitability to the needs of our society. Rather, our system has evolved over the years through usage, in conjunction with the continuing development of our political parties. Thus, we should understand that undertaking change in this process is completely consistent with our traditional character of political development; the history of the nominating process is a story of continuing change, of which the foremost characteristic has been the expansion of democratic spirit.

HISTORY OF NOMINATING PROCESS

The first nominating process employed in this country was the congressional caucus, utilized from the 1790's through the election of 1824. The congressional caucus was the first major manifestation of partisan division in the young country, and its initiation of presidential nominations represented a desire of Members of the Congress to extend their influence outside of the Halls of the legislative branch. The use of the caucus as a vehicle for making presidential nominations ceased for a number of reasons, including the fact that this practice was a violation of the fundamental theory of separation of powers. Underlying all of the weaknesses of this procedure was the absence of participation by anyone other than public officials. The only manner in which the general public was represented in the process was indirect, through representation in Congress.

The second period in the history of presidential nominations stretches from 1831 to shortly after the turn of this century. In 1831, a minor party popularly known as the Anti-Masons met in convention to nominate a candidate for the Presidency. Lacking congressional membership, the party logically turned to the convention as a means of presenting a candidate to the country. In the following year the Democrats also held a national convention, and throughout the remainder of that decade and the 1840's, as political parties grew in strength across the country, the national nominating convention acquired its form and procedures.

The convention was viewed as an instrument of democracy, for it removed control of the nominations from members of the Congress and gave it to citizens actively concerned with the work of their respective parties. To exercise influence in the selection of presidential and vice-presidential candidates, a person had only to involve himself in the functions of his party and obtain either a position within its convention membership or a representation of his views within that body.

The third step in the continuing development of presidential nominating procedure occurred soon after the turn of the 20th century, as party leaders began dominating national conventions, leaving little apparent opportunity for rank-and-file citizens to exercise influence. In order to offset the power of the party leaders, primary elections were developed within some of the States for use in nominating candidates for State and local offices as well as for selecting delegates to national conventions and expressing public attitude regarding various potential presidential candidates. Since that time about one-third of the States have held primary elections in conjunction with nominations for the Presidency, in some cases using the primary to choose their convention delegates, in other instances providing the public with an opportunity to express its views on presidential contenders, and in some cases achieving both of these objectives.

(At this point, Mr. GRAVEL took the chair as Presiding Officer.)

Mr. MOSS. Mr. President, it is significant to note that a thread which runs throughout the chronicle of development of our nominating system is the theme of expanding democracy, an increasing opportunity for the influential expression of public opinion on potential nominees. That same intent now underlies contemporary interest in again modifying our nominating process. Virtually all current efforts to amend the Constitution to provide for some new method of nominating our highest executive officers are founded in the strongest and most vital element of the American political conscience—the desire for individual citizen participation in the public affairs of our country.

INADEQUACY OF EXISTING NOMINATING SYSTEM

Let us briefly examine the reasons why people today commonly feel that the current nominating process inadequately involves the general public. First, critics of the existing process often assert that the presidential primaries now held by various States put an excessive emphasis upon fame and fortune as attributes of serious presidential contenders. In order for an aspirant for our highest public office to demonstrate that he has strong popular support, it is now frequently necessary for him to make a successful run through a series of these primaries. Success in the primary route in turn puts a premium upon achieving a high level of public visibility, something which commonly can be acquired only through the expenditure of great sums of campaign money over a prolonged period of time. Few are the effective substitutes for fortune in contending for the Presidency by way of the primary system.

A more serious indictment of the present primary system, however, is the ambiguity of the primaries' results. For any one of a number of reasons, the outcome of a primary election in a State may be totally unique to that particular State. One of the participants may have been extraordinarily well known in that locality, even though he was relatively obscure nationally. Or perhaps only minor contenders for the nomination may have involved themselves in the contest, making its results virtually inconsequential in the final decisionmaking. In addition, frequently primaries in two or three States are held on the same day, preventing candidates from devoting the desired time and effort to one because of deep involvement in one or two other States. When such circumstances exist, as they commonly do, the results of a particular primary election are of dubious value. Nonetheless, the primary may have required the expenditure of a significant sum of money both by the State in administering the primary election and by the candidates in contesting it.

Perhaps the most serious weakness of our current nominating system is that the public's direct participation ceases before the final decisions are made. Whenever a candidate demonstrates through the primaries that he possesses significant support within our society for the Presidency, but subsequently reveals a paucity of strength within the national convention, widespread disillusionment with the nominating process is an inevitable result. Highly disturbing to me is the fact that in such circumstances the public is apt to be quite skeptical about the real legitimacy of the convention's choice.

The fundamental deficiency of our current nominating process is that it purports to give the general citizen influence on the nomination, and then fails visibly to fulfill that promise. There is little value in whipping up public interest in the nominations through a few presidential primaries if in the end the public is going to feel alienated from the results of the nominating process.

The task before us, Mr. President, is to devise a national nominating process which is fully in accord with the prevailing democratic character of American life. It is to meet that objective that the distinguished majority leader (Mr. MANSFIELD) and the distinguished Senator from Vermont (Mr. AIKEN), as well as other Members of this body in the past, have submitted proposals to establish a national primary election by constitutional amendment. Their concern is a worthy one, and I congratulate them for presenting proposals to the

Senate for consideration. But if our work is to be of maximum value to our country, we must consider a number of alternative approaches to solving the challenge which is before us. I would like to explain at this point in my address my reasons for believing that the proposal which I am submitting will best fulfill our Nation's needs.

WEAKNESSES OF NATIONAL PRIMARY PROPOSAL

I am concerned that many people in this country may be advocating the adoption of a national primary simply because on impulse that system would appear to provide the greatest possible measure of democracy. Superficially, it seems as though the primary would fulfill the Nation's needs and eliminate the weaknesses of current procedure. A careful appraisal of the many proposals for a national primary, however, leads me to believe that use of a primary alone would introduce other, but equally disturbing, difficulties into our political process.

To begin with, the national primary very conceivably could lead to a proliferation in the numbers of candidates for the Presidency. In order to avoid having a nominee chosen who received, for example, only 30 percent of the votes cast in a race involving four or five candidates, the advocates of the national primary, including Senators MANSFIELD and AIKEN, suggest that provisions be made for a runoff primary featuring the two highest vote getters among the original candidates. The Mansfield-Aiken proposal calls for a runoff if no candidate obtains 40 percent of the votes cast in the national primary. A serious question arises in my mind, as to the financing of these primary elections. The costs of national politics would increase considerably if candidates were obliged to campaign nationwide in a primary, a runoff primary, and a general election. Added to those expenses, under some proposals for a national primary—not including the Mansfield-Aiken resolution—would be the expenses incurred in a national petition drive to obtain a spot on the ballot.

My greatest concern, however, is that a national primary might threaten the stability of our two-party system, which I believe to be one of the major sources of strength in our political system. I fear, for example, that a profusion of primary candidates would encourage the development of factionalism within the parties; turning American politics ever more than it has become, thus far into a politics of personality. Personality politics is divisive politics marked by bitterness not easily overcome.

Another weakness of the national primary is that it might lead to rampant instability in the followings of the two major parties.

Experience has shown that primary elections at the State level have undermined party followings, as voters have registered in heavy proportions in the stronger of the two parties in order to obtain access to the most significant primary contests. When persons withdraw from the weaker of the two parties, that party is immediately weakened further, and in the long run the overall effectiveness of the party system is reduced as the role of the "loyal opposition" is severely restricted.

Another problem is that the elimination of the national convention, or the removal from it of the selection of the presidential nominee, would imperil the effectiveness of the instruments through which we now formulate and adopt national party platforms. The platforms of our parties have greater value for our system than some people appear to realize. The meetings of the platform committees, both at the convention site and in other cities across the country, provide interested groups with a significant opportunity to present their views on public policy matters to our political leaders. This is the kind of public participation within our parties which we should be trying to facilitate and encourage, not downgrade or abolish. Furthermore, these quadrennial statements of party philosophy and program contribute a great deal to the meaningfulness of our national party activities as viewed by concerned citizens.

Of perhaps greater seriousness is the likelihood that elimination or downgrading of the national convention would virtually deprive the parties of that institution which personifies them to the American people. We know that our national parties even now are undisciplined combinations of State and local party organizations. The only evidence of their existence in national form, that is appreciated and understood by the people, is the national convention. In the absence of the conventions, or in wake of their downgrading, the parties might come to mean little more to the average citizen than labels on ballots and voting machines.

There is also the possibility that a national primary would be an invitation to extremists to enter the race for the Presidency. Such candidates, unrestrained by the normal allegience of a candidate to a permanent party organization, would be free to seize upon the strains and tensions of the times and to offer highly emotional appeals to the public. In a primary featuring multiple candidacies of perhaps 5 to 6 or more citizens, an extremist candidate could gain a sufficient proportion of the votes to win a place in the runoff, or at least to play a very harmful, divisive role.

Mr. President, I am confident that we all agree that we should not take any step in reforming the nominating system in a way which would in turn threaten the continuing vitality of the two-party system. The present party system has been a stabilizing influence upon our politics for more than 100 years. Its contribution to the successful governing of our society has been immeasurably great. The parties have served to shape the electorate, providing it with guidance and leadership, qualities which are essential to the effectiveness of democratic processes in a burgeoning, complex society.

Two eminent political scientists, Nelson W. Polsby and Aaron B. Wildavsky, have made this point succintly in their volume, "Presidential Elections: Strategies of American Electoral Politics":

> Responsible political analysts and advocates must face the fact that party identification for most people provides the safe cognitive anchorage around which political preferences are organized. Set adrift from this anchorage, most voters have little or nothing to guide their choices. Chance familiarity with a famous name, or stray feelings of ethic kinship under these circumstances seem to provide many voters with the only clues to choice. Given the conditions of popular interest and participation which prevail, we would question throwing the future of the party system entirely and precipitously into the hands of primary electorates.

UTAH EXPERIENCE

The experience of the State of Utah with the primary system provides clear evidence of the accuracy of the aforementioned general observations. For many years, Utah political parties determined their nominations solely through conventions. But gradually people came to the conclusion that while this procedure facilitated the exercise of leadership by persons active in the party organizations, it did not allow for sufficient expression of the views of the general citizenry. Accordingly, shortly prior to 1940, Utah adopted the double primary election as a means of making nominations for State office and for seats in the U.S. Congress. Advocates of the primary hoped, thereby, to provide a greater opportunity for meaningful participation by the people in the nominating process. The State discovered rather quickly that the primary approach failed to yield the intended result.

The fundamental difficulty with the primary arose out of the customary American desire to nominate candidates who had established that they were the choices of a majority of the party followers. Because of the likelihood that a race featuring multiple candidacies for a single nomination would fail to provide any candidate with a majority, a runoff election was incorporated within the primary election law. The State's experience with the runoff was unimpressive. There was the possibility that a rather weak candidate, supported only by a small but active minority of people, perhaps motivated by a regional interest or some other type of special interest, could garner enough support in the initial contest to gain access to the runoff. In a runoff featuring two such candidates, each of whom was basically a special-interest candidate, even the runoff failed to provide the people with the broad and meaningful choice which they hoped to obtain in the primary system.

Another problem was that frequently only a few races, perhaps only one contest, required a runoff; in the others, someone receives a majority in the first primary. The result of such a situation was a runoff election of little interest to the voters in general; such runoffs were apt to be decided by special interests in the electorate, such as friends and close supporters of the candidates, interest group activists, or professional politicians. Furthermore, the runoff lost its prestige, and voter participation in this election dwindled, creating grounds for suspicion that runoff results were rarely embodiments of the general will of the electorate. In addition, the runoffs, regardless of the number of offices involved, represented a considerable State expense, but in no demonstrable way contributed to the meaningfulness of the democratic process or to the quality of government.

Utah's experience with a statewide primary thus provided convincing evidence that the primary system does not necessarily yield the most democratic results. Due to the combined factors of the proliferation of candidates in the initial election, the entry of candidates having little claim to broad, statewide support, and low voter participation in the runoff contest, the primaries rarely produced candidates who truly had obtained the support of a majority of the entire electorate. In short, the primary system of nominating candidates for public office delivered less than it appeared to promise to the people.

Convinced of the double primary's weakness, the State of Utah rather quickly abandoned this nominating procedure, in its place devising a hybrid system combining the strengths of party conventions and party primary elections. Conventions held by each party designate two persons to be candidates for nomination to a public office in a subsequent primary election. The voters then have the opportunity of participating in the contest of the party of their choice, determining which of the two persons suggested by the convention for the nomination should receive it. Hence, the hybrid Utah system brings together into one nominating process the leadership of the organized party and the decisionmaking of the voters. It is a system whose results have fulfilled their promise.

CONVENTION-PRIMARY SYSTEM BEST

Mr. President, the general criticisms which I have pointed out previously, together with the illustrative experience of the State of Utah under the primary system, lead me to conclude that proposals to abolish the national nominating conventions and replace them with a national primary election would introduce undesirable characteristics into our national political process. On the surface the national primary unquestionably offers to many people the appearance of a completely democratic nominating system. My own examination of this question leads me to the view that such a confidence in the performance of the primary system is misplaced, and that the Nation would be better served by the adoption of a nominating system which, while granting greater voice to the public, simultaneously provides the public with the leadership of the national party convention.

Mr. President, one of the important prerequisites to the effective evaluation of any nominating system is the determination of the criteria to be employed in the analysis. Professors Polsby and Wildavsky, in their study of presidential nominations, provide us with a set of standards upon which I am sure we would all agree. They assert:

> Any method for nominating Presidents should 1) aid in preserving the two-party system; 2) help secure vigorous competition between the parties; 3) maintain some degree of cohesion and agreement within the parties; 4) produce candidates who have a likelihood of winning voter support; 5) lead to the choice of good men; 6) result in the acceptance of candidates as legitimate.

Submitting my proposal to analysis under these standards, I believe that my recommendation of a primary featuring competition between two candidates chosen by each national party convention to compete for the public's support for the nominations, holds the greatest promise for fulfilling the needs of our country.

I believe that the national convention is too vital to the effective functioning of our political parties to permit it to be discarded. My proposal would pass these six tests precisely because it would retain the conventions and the benefits which accrue to the country through that forum. Specifically, the chief form of identity of the parties would be continued, and its significance undiminished. In addition, party cohesion would be fostered, for conventions represent an opportunity for the party to recover from factional fights, and to rediscover the common purposes and objectives of those persons who cling together under a party banner. By encouraging cohesiveness in the parties, the conventions would continue to serve as a bulwark for the two-party system. And furthermore, the continued involvement of the conventions in the nominating process would serve as a screen, filtering out fringe or extremist candidates who had obtained broad support of the party leaders.

The postconvention primary, as projected in my proposal, would represent a major improvement over our existing procedure because it would introduce into the nominating process a truly meaningful opportunity for popular participation. This structured national primary contest of two men within each party would constitute an equitable proving ground of the candidates' national popular support. Their electibility would therefore be genuinely tested, in a fashion whose advantages are unapproached by our current primaries. And above all, this postconvention primary would increase the people's feeling of the legitimacy of the eventual nominees of each party, and thereby bolster the allegiance of the people to our major parties.

Mr. President, I respectfully urge that the Senate give serious consideration to the improvement of our nominating process. Now is the time to act, while the experience of the past year is still fresh in the minds of the people. The selection of Presidential and Vice Presidential candidates is the first half of the most important democratic exercise in this country. It is the responsibility of the Congress to direct its wisdom and effort so as to maximize the effectiveness of our national nominating process. I am therefore pleased to offer this plan for the consideration of the Congress.

Mr. President, I introduce for appropriate reference a joint resolution proposing an amendment to the Constitution of the United States in the manner I have described.

I ask unanimous consent that the joint resolution be printed in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 69) proposing an amendment to the Constitution of the United States providing for the nomination of candidates of political parties for President and Vice President introduced by Mr. Moss, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 69

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The official candidates of a political party for President and Vice President shall be chosen as provided in this article if the candidates of such political party for President and Vice President, or electors representing such candidates, received at least 10 per centum of the total number of votes cast throughout the United States for all candidates for President and Vice President, or electors representing such candidates, in the most recent previous presidential election.

"SEC. 2. Each political party whose candidates for President and Vice President are required to be chosen in accordance with this article shall nominate two candidacies, each consisting of a candidate for President and a candidate for Vice President, at a national convention convened for that purpose not later than July 1 of each year immediately preceding a year in which terms of President and Vice President expire. Within five days following the final adjournment of any such convention the presiding officer of the convention shall certify to the Administrator of General Services, or such other officer as the Congress shall by law provide, the names of the candidates for President and Vice President comprising the candidacies so nominated.

"SEC. 3. The Administrator of General Services, or other officer provided by the Congress, shall promptly transmit to the chief executive of each State and the District of Columbia (a) the names of the candidates for President and Vice President comprising the two candidacies certified to him by each political party whose candidates are required to be chosen in accordance with this article, and (b) the names of the candidates for President and Vice President comprising the two candidacies chosen by a political party, other than a political party whose candidates are required to be chosen in accordance with this article, at a national convention convened for that purpose, certified to him not later than July 31 of the year immediately preceding a year in which terms of President and Vice President expire, and accompanied by a petition or petitions bearing the signatures of a number of qualified voters equal to at least one-tenth of one per centum of the total number of votes cast throughout the United States for all candidates for President and Vice President or for electors for President and Vice President, in the most recent previous presidential election, and expressing the intention of such voters to support the candidates for President and Vice President of such party.

"Sec. 4. There shall be held in each State and the District of Columbia on the second Tuesday in September of each year immediately preceding a year in which terms of President and Vice President expire a primary election for the purpose of choosing the official candidates of political parties for President and Vice President. The places and manner of holding such primary election shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law make or alter such regulations. The ballots in such primary shall contain only the names of the candidates for President and Vice President comprising the two candidacies of each party transmitted by the Administrator of General Services, or other officer provided by the Congress, under section 3 of this article. Voters in such primary election in each State shall have the qualifications requisite for electors of the most numerous branch of the legislature of such State, and in the District of Columbia such qualifications as shall be prescribed by the Congress, but shall be eligible to vote only for the candidates of the party of their registered affiliation.

"Sec. 5. Within fifteen days after any such primary election, the chief executive of each State and the District of Columbia shall prepare distinct lists showing the number of votes received by the persons comprising each of the two candidacies of each party for President and Vice President, which lists shall be signed, certified, and transmitted under the seal of such State or District to the Administrator of General Services, or other officer provided by the Congress, who shall forthwith open all certificates and ascertain the aggregate number of votes cast for each person by the voters of the party of which he is a candidate. The persons comprising the candidacy which shall have received the greatest number of votes for candidate of a political party for President and Vice President shall be the official candidates of that party for President and Vice President throughout the United States. In the event of a tie vote, the winning candidacy shall be determined by lot.

"Sec. 6. Immediately upon the ascertainment of the names of the official candidates of each political party for President and Vice President, the Administrator of General Services, or other officer provided by the Congress, shall certify the names of such candidates and party to the chief executive of each State and the District of Columbia.

"Sec. 7. In the event of the death, resignation, or disability of a person chosen by a political party to run in a primary election held under this article, or a person determined pursuant to a primary election held under this article to be an official candidate of a party, a national committee of such party shall designate a person to run in such primary election or as the official candiate of such party, as the case may be. For such purpose, the vote of such committee shall be taken by States, the delegation from each State having one vote. A quorum for such purpose shall consist of a delegate or delegates from two-thirds of the States, and a majority of the States shall be necessary to a choice. The District of Columbia shall be considered to be a State for the purposes of this section.

"Sec. 8. This article shall take effect on the 30th day of January following its ratification.

"Sec. 9. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

Mr. MOSS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

STUDY OF THE METRIC SYSTEM LONG OVERDUE

Mr. PELL. Mr. President, Congress last year finally gave its approval to the metric study bill Congressman Miller and I had been proposing for several Congresses. The bill directed the Secretary of Commerce to conduct a comprehensive 3-year study of the advantages and disadvantages of increased use of the metric system of measurements in the United States.

A thorough study of this question, I believe, is long overdue, and I was delighted that the Congress recognized the need by adopting metric study legislation in the 90th Congress.

But, if the directive of Congress is to be followed out, and if the study is to be a meaningful one that can serve as the basis for congressional consideration of future policies, the study must be appropriately funded.

As originally introduced in the Senate by myself and in the other body by Representative George P. Miller in the 90th Congress, the metric study bill would have authorized adequate appropriations for the 3-year study. At this point I would like to extend full credit to Senator Griffin whose interest and effort helped so much to secure the enactment of this bill. Because of the very strong demands for fiscal restraint during the last Congress, however, the act was amended in the other body to require the Secretary of Commerce to finance the study during fiscal 1969 from funds otherwise appropriated for the Department, deleting authority for any additional appropriation.

It is therefore necessary, if the study is to go forward, to authorize an appropriation. The administration has requested such legislation, and the chairman of the Commerce Committee, the senior Senator from Washington, has today introduced a bill to authorize appropriation of up to $2,500,000 for the entire study. I am very pleased indeed to be a cosponsor of that bill.

I would emphasize, as I did during consideration of the metric study bill last year, that this study does not commit the United States to increased use of the metric system. We are, however, confronted with the fact that about 90 percent of the people in the world live in countries using the metric system, and the fact that about 75 percent of world trade is carried on in metric units. We also are confronted with a worldwide trend toward increased use of the metric system. Great Britain is now in the process of converting from the English foot-pound system to metric units. We may soon find ourselves as the only major industrial nation not using the metric system.

We should know what implications these developments have for our foreign trade, and what advantages and disadvantages increased use of metric measurements would have within our own country. The study, if properly funded, will provide answers to these questions. The Congress has directed the Commerce Department to provide answers to these difficult questions; we should now give the Department adequate resources to carry out the directive.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MOSS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1366—INTRODUCTION OF A BILL RELATING TO RELEASE OF CERTAIN CONDITIONS OF A DEED CONVEYED BY THE UNITED STATES TO THE SALT LAKE CITY CORP.

Mr. MOSS. Mr. President, approximately 50 years ago a large concrete "U" was erected on a hillside overlooking Salt Lake City. The U stands for the University of Utah, my alma mater, and I believe it was one of the first such initials put up to symbolize a university.

The Alumni Association of the University of Utah now wishes to reconstruct the U and to light it, but such activity is being blocked because of the fact that—in 1961—this property was conveyed to Salt Lake City Corp. by an instrument of transfer providing for the use of the property only for public park and recreational purposes.

To enable the desired work to be done on this block U, I am today introducing a bill which relates to only about 3.73 acres of this land. The bill releases the terms and conditions in the instrument of transfer which provided for a reversion of title to the United States under specified circumstances. And its passage will give Salt Lake City Corp. a clear fee title to this small portion of the land, thus permitting reconstruction and lighting of the U.

I have carried out rather lengthy negotiations with the Bureau of Outdoor Recreation on this matter seeking to gain the approval of the Federal Government for reconstruction and lighting of the U. The Bureau has been most cooperative but believes that, under the terms of the instrument of transfer, the agency has no authority to approve such use. Unfortunately, no provision was made in the approved program for maintenance of the block U. The U had been there for such a long time that apparently no one paid any attention to the problem at the time the land was transferred.

Salt Lake City Corp. has expressed its willingness to cooperate with the alumni association so that lighting and renovating the block U may be carried forward. I urge the Senate to speedily approve this bill, so that any question about the future of this traditional symbol of my alma mater may be removed.

Mr. President, I send the bill to the desk, to be appropriately referred; and I ask unanimous consent that it be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1366) to release the conditions in a deed with respect to a certain portion of the land heretofore conveyed by the United States to the Salt Lake City Corp., introduced by Mr. Moss, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the Record, as follows:

S. 1366

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that notwithstanding the provisions of the Surplus Property Act of 1944, as amended (50 U.S.C. 1622 (h)), the terms and conditions in the instrument of transfer issued by the United States on November 15, 1961, to the Salt Lake City Corporation, providing for a reversion of title to the United States under specified circumstances, are hereby released only with respect to the following described tract in section 33, Township 1 North, Range 1 East, Salt Lake Meridian, Utah, which contains a large concrete "U" (an emblem of the University of Utah) and which comprises approximately 3.73 acres, more or less:

Beginning at a point N.0°00'40"E., 999.41 ft. and S.89°59'57"E., 3,265.67 ft. from U.S. Military Reservation Monument No. 13, said monument marking the southwest property corner of the Shriners Hospital for Crippled Children, thence:

S.89°59'57"E., 500 ft. along the northerly boundary of Fort Douglas Military Reservation, said boundary being between U.S. Monuments 14 and 15 to the point of intersection of the northerly extension of the westerly boundary between U.S. Monuments 11 and 12; thence 1.0°02'40"E., 325 ft. along the northerly extension of the westerly boundary of the Fort Douglas Military Reservation between U.S. Monuments 11 and 12; thence N.89°59'57"W., 500 ft. along a protracted line parallel with the north boundary of Fort Douglas Military Reservation, said boundary being between U.S. Monuments 14 and 15; thence N.0°02'40"W., 325 ft., along a protracted line parallel with the northerly extension of the westerly boundary of the Fort Douglas Military Reservation, between U.S. Monuments 11 and 12 to the point of beginning.

ROBERTS IN VIETNAM

Mr. MANSFIELD. Mr. President, for almost a year, Michael D. Roberts was in Vietnam as the correspondent of the Plain Dealer. At the end of his assignment Mr. Roberts summed up his conclusions in an article entitled "Vietnam, 1968, Is a Time for Anger."

In blunt language, Mr. Roberts sets forth the reasons for his anger. In brief, his article tells of the futility and frustration of the many in the pursuit of impossible dreams of the few. It is a story of an immense effort on the part of military and civilian agents of this Nation in Vietnam which, despite highlights of gallantry and noble purpose, has not been able to emerge from the quicksands of self-delusion and deception in Saigon.

The year 1968 is, indeed, a time for anger. It is a time that is also tinged with sadness, for the tens of thousands of American and Vietnamese lives which have been forfeited in this barbarous war. In retrospect, so too was 1967 a time for anger and regret, and 1966 and 1965.

What appalls most, Mr. President, is that what Mr. Roberts has concluded at the end of 1968 was concluded in substance by predecessor correspondents in Saigon in preceding years. Indeed, if there is a reassuring link to reason in this sorry situation, it has been the essential accuracy with which a long line of resident American correspondents have perceived the actual state of affairs in Vietnam over the years. One can only hope that Mr. Roberts will be read with greater care and attention than his predecessors.

I ask unanimous consent that the summary article on Vietnam by Michael D. Roberts be printed in the Record.

There being no objection, the article is ordered to be printed in the Record, as follows:

Vietnam, 1968, Is Time for Anger

(Note.—Michael D. Roberts, Plain Dealer correspondent, sums up in this dispatch the overall conclusions he has drawn from nearly a year's service in Vietnam.)

(By Michael D. Roberts)

Saigon.—It is difficult to feel sadness on leaving Vietnam. All the sadness you could muster has long been expended—uselessly, you might add.

The thing you can do is lament the dead and those who are going to die in this place of confused torment.

The feeling most prevalent, though, is anger—not an anger derived from a political philosophy or a fervid moral movement, but an anger based on realism.

This anger is directed at the Vietnamese and American governments and those who represent each in their particular endeavors in the orchestrated mess called the Vietnam war.

And the others—the Vietnamese people and the American soldiers—well, they really have no control over what happens to them, and need an element of luck to duck at the right moment. You can sympathize with them, admire them and wish them luck. After they are dead you may lament them.

A new president will now confront the cursed ways of this war, and if he is not deceived perhaps he can help bring peace to the countryside and joy to the people.

But to do this he must be tough and wise and stop playing "let's pretend" with the South Vietnamese Government (GVN) and recognize what it is and what it has not done.

In many ways the GVN, masked behind its democratic drapery, is as much of a hindrance as the Viet Cong when it comes to joy and freedom for the people.

It is neither responsive to the people it represents nor viable enough to stand on its own. Directed largely by military personalities, the GVN goes its own way and in a carefully masked drama gives us the impression of being democratic. It is a hollow impression.

Most knowledgeable Vietnamese who care enough to be interested will tell you about the great election we forced the GVN to hold in the fall of 1967.

"The election was the biggest fraud," said one student. "It is common knowledge among the people that many soldiers voted twice. That many people long dead had cast ballots is quite amusing to many of us."

But since the election and the writing of a constitution, Americans here have looked upon the evolution of democracy in almost a reverent manner.

"Why, I'm not worried about a coup," said an American adviser in Vung Tau. "They have a constitution now. After the election why should there be a coup? It is a practicing, living democracy now."

The fact that the GVN is a thinly disguised tyranny that closes newspapers with flimsy explanations, harasses those who would dare to speak out in public, and takes from the people in the form of corruption is usually overlooked.

Outwardly, the GVN appears to be laboring to develop a war-torn nation, but inwardly its officials, products of a system that has become part of this nation's blood, continue to grow wealthy from the ways of war, corruption and the American dollar.

LEAVING VIETNAM, GRIEF IS SPENT—ANGER REMAINS

Given peace tomorrow, the GVN would only have to face another armed group preparing to rid the land of oppression.

The oppression comes first, rebellion follows and the Communists fill the vacuum and provide an added spirit, eventually taking the leadership of the entire movement and making it theirs. This is a possible pattern of insurrection.

As long as the GVN continues to treat the people in the present manner communism will always have a point from which to commence.

Legions of naive, ambitious and plainly stupid Americans have unwittingly aided the GVN. Our government attempted a revolution here which was of such magnitude that it became an impossibility from the start because of the character of the people and the nature of the GVN.

Our government, under the impression that American money and men could eventually transform this land into a democratic society, gave the GVN its head. Because of the United States, the GVN had power and we really had no control over this power, which, of course, was ours from the beginning.

Never before has our government fought such a war. In response, it has sent American civilians and leaders of such naive quality that one's teeth grate in frustration.

U.S. AID employes, people who are asked to function in important jobs—jobs that require immense skill and understanding—arrive daily to collect substantial salaries and live in air-conditioned comfort. They arrive without skill or understanding.

Some go to the district and provincial capitals to serve in various advisory roles. Many who are sent to advise are recent college graduates who previously never held jobs and are avoiding military service. Others are former military men, usually retired, who were passed over on the promotion lists.

This is not to say that the civilians who serve as advisers are all inadequate, for there are some outstanding people here, but even they are stymied by the atmosphere and events that take place around them.

One adviser, a young man who is capable and knowledgeable, blames the military for many ills and refuses to mingle with the rest of the men on the advisory team who are all military.

His attitude is one of disgust toward the Army—disgust because the Army seems indifferent toward the Vietnamese people.

"I have as little as possible to do with the military," this adviser explained.

Whether he knows it or not, this adviser is dulling the effectiveness of his particular team. True enough, the military does not exhibit the same zeal as the young adviser, but he refuses to see reality and try to make the team work.

On the other hand, the military often manifests contemps for the civilians, who are sometimes viewed as "do-gooders" with no business to be cluttering up a war zone.

Since the job of fighting this type of struggle is complex, the experience and knowledge of those who have mastered a small part of it is invaluable. But by and large, many of these people give up in disgust at the leadership, which tends to give in to the Vietnamese pressures at nearly every turn.

The matter of corruption alone is of such staggering magnitude that the mind reels when it confronts only a small part of it.

And the Vietnamese people laugh—oh, how they laugh!—at the Americans who are innocent of the corruption that surrounds them. The Vietnamese people know all and see all. They are the last to be fooled by the stories of improvement and progress that we praise the GVN for making. Obviously, we are the first to be fooled.

We have done so much for the Vietnamese that they have simply stopped functioning. We advise on everything, we finance most things and we do the heaviest fighting. The Vietnamese government spends its time talking about how it is not going to talk to the National Liberation Front, a confrontation that will have to take place if there is to be peace.

While South Vietnam's large and questionable army moves about the countryside deploying in maneuvers of eluding and engaging, our military is expected to do more than fight.

The truth is that the military has been asked to do too much in Vietnam. Soldiers are expected to be politicians, good humor men, development specialists, doctors, psychologists and just about everything short of the good fairy.

If you have ever had anything to do with an infantry unit that has seen combat day in and day out, you can understand the ridiculousness of this. Men tense and tired from combat are apt to look upon any Vietnamese with suspicion and ill feeling.

However, the military in Vietnam cannot go uncriticized. Gen. William C. Westmoreland with his vocal optimism, his search-and-destroy methods and his massive use of firepower left the military effort open to the attacks of skeptics.

But in many ways the military has done its primary job in Vietnam. It has killed Viet Cong and North Vietnamese soldiers. It is even getting better at the job. What else does a military do?

The longer you are here, however, and the more closely you examine the enemy and the politics, it becomes increasingly evident that the military operations are superfluous because the "other war" is being fought like a delay-and-withdraw action. Because of the ineptness of the GVN, Viet Cong are manufactured daily.

Our participation in the "other war" has been less than brilliant.

Men were assigned to Vietnam as leaders in this program and came to build personal empires of such bureaucratic magnitude that it took elaborate charts to find out who was responsible for what.

Robert W. Komer, now U.S. ambassador to Turkey and a former Central Intelligence Agency man, came to head up our efforts in this area.

On paper, the way Komer likes things, he had great qualifications. He had good schools behind him, good experience and was generally considered a good administrator. Fine.

But Komer did not listen to his people in the field, many of whom he classified as malcontents when they complained of failures. He would urge them to "get on the team."

A cheery, ebullient sort, Komer told his people to listen to the GVN and do it their way. After all, it was their country.

Komer was fair game for the press which constantly attempted to put him on the defensive at his news briefings. These were almost always concerned with his evaluation system for pacification, a computerized system that analyzed security in the countryside.

"It is the only measurement," he would say in defense. Yes, it was the only measurement that could be worked out on the computer, but there was always the feeling that advisers' reports never quite made it to the final input. Things may not be so good out in the districts, yet by the time Saigon produced the final reports they looked good on paper.

And what about the U.S. advisory system, which has worked so long and so hard with the Vietnamese military and civilian forces?

Despite all the cheering and applause from many American advisers, who must rely upon good efficiency reports for promotion, progress among the Vietnamese armed forces is largely hope and a supply of better American arms.

Since almost all advisers, be they civilian or military, have rather limited tours of duty in specific assignments, their Vietnamese counterparts have gone through a dozen or so.

In many instances the adviser does not advise at all. He sometimes asks, sometimes begs, sometimes cons and most times functions as a line of supply or a communications clerk.

Many Vietnamese commanders, district chiefs and province chiefs have served in the environment of war for so long that it seems impossible that an American officer with no command of the language or, in many cases, no previous combat experience is really going to advise them.

Advisers do not even have the power to control American goods and materials that are sent to help the war-stricken people.

The advisory effort in name has dwindled to the static stage. Vietnamese counterparts have learned to rely too much on U.S. support as provided by an adviser who thinks that he is doing his job by making the aid available. Vietnamese leadership, as bad as it generally is, needs to regain personal initiative.

No one fools the Vietnamese people. When they are helped they know where the help comes from, and our help does not make them view their government with any more respect.

The advisory program needs re-evaluation. It would be the first step in making the Vietnamese realize that the "other war" must be fought by themselves for it is a war in which we are altogether too ineffective.

The problem of the South Vietnamese military is one that will tax the minds of our leadership for some time. The Vietnamese soldier sees how the American fights. He sees the artillery, air strikes and massive helicopter support. He is not interested in fighting without these and where, after we withdraw, is he going to get them?

Westmoreland tried to make the war as easy as possible on the GI. He always said let machines do the job to save men's lives, which was admirable enough. But the South Vietnamese are men, too. Where does their future lie?

The naive Americans are perhaps the most dangerous. They truly believe because they cannot see. The adviser in one seacoast town was oblivious of the fact that the yearly budget was being held back and lent out at a high rate of interest and then, suddenly, spent at a terrific pace at the end of the fiscal year.

"I don't know why they've spent only 20% of the budget in 10 months," he explained to a reporter. "I think it's because they have been having a difficult time getting the books straightened out."

His assistant, younger and more alert, explained later: "It is being lent out at as much as 50% interest on a loan that has to be paid back in 10 months."

"Why didn't you tell your boss?"

"I've told him a couple of times and he refuses to believe me. He says we have to listen to the Vietnamese."

A Saigon official laughed over the lending incident. "At least they are not stealing it," he said.

Americans are naive in other ways.

In a province west of Saigon, an area heavily infested with Viet Cong, the American advisers are quick to extol the virtues of the province chief, who is better than most but still is not beyond applying the con.

Several nights a month, the province chief, buttoned up in his armored car, travels with a musical band to a hamlet where the people are brought together to listen to entertainment and a speech from their leader.

The American leadership views this as quite wholesome. It is just the kind of thing Bob Komer would have in his backyard. The province chief gains prestige through this action because the Americans like it and in turn the GVN is impressed because the United States is much easier to deal with in this particular province.

So on the face of it the rice paddy variety shows are very good. The province chief displays his contempt for the VC by spending the night in the village. On paper it is a brave and bold gesture.

Since most Americans cannot speak Vietnamese, however, they do not realize one thing. The people in that particular hamlet are terrified.

Even though the province chief, who appears to be quite unconcerned about the VC, has set up night ambushes and defensive positions around the hamlet with nearly a battalion, the people fear that his foolishness is simply inviting a Viet Cong attack.

"I have talked with some people from one hamlet," a Vietnamese friend said. "The mothers fear for their babies when the musical show comes. All the people are cold with fright. They wish the colonel would stop trying to impress the Americans."

If you are sitting in Saigon reading reports and evaluating this activity, all would appear quite progressive. The province chief is attempting to pacify his province; he is out showing the flag and he is working. His counterpart seems to be doing well, too.

No one evaluates the people's feelings. Did you ever have a good time while waiting for a mortar attack? This never occurs to the Saigon officials, whose secretaries often enjoy salaries and benefits equal to those of a company commander.

The game goes on.

Most Americans in Vietnam see our effort for what it is, most recognize the GVN as despotic. To discuss this with them in Saigon is old hat; you give an example and they can give you two back.

Westmoreland could never understand the press in Vietnam. He tried to be friends, tried to use public relations to win their understanding.

Westmoreland did not lie. But what he faced in the press corps was an independent agency that could go anywhere in the country and see anything it wanted to and talk to anyone who cared to comment.

The difference between the press and the government was that the press listened to what everyone had to say. It was not that U.S. officials did not tell the truth. It was just that they did not know any differently themselves so they took the word of the GVN or of whoever could identify progress.

But when these same people who talked to the press tried to talk with the government, people like Bob Komer did not always have time to listen. Ambassador Komer wanted to listen only to those things that told of progress. To speak otherwise meant that you were not doing your job.

Barry Zorthian, the former leader of the Joint U.S. Press Mission, another bureaucratic empire of questionable worth, returned home after a long tour in Vietnam and criticized the irresponsibility of the press.

To a degree Zorthian was right. Some poor reporting is coming out of Vietnam. But the U.S. Government accredits as a journalist just about anyone who would like to attend a war.

These persons flock in without any previous journalistic experience. They are accredited as free-lancers.

"Oh, this is my first writing effort," a young man said the other day. "I'm just here to make some money and see a little war."

A beautiful school operator came over to film a documentary, Red Cross girls return to become journalists and even a matronly woman with nothing other to do was accredited. She asked meekly:

"Please can you tell me when the tour is going out to the war?"

And strangely enough, when the free-lancers find out, as most eventually do, that a war does not necessarily make you an Ernest Hemingway and that it takes money to live even in Saigon they can get an assignment from our government that will pay them a few hundred dollars.

They are paid well to write insipid feature stories that neither will see print nor represent good propaganda. Our conception of propaganda is air-dropped leaflets that the Vietnamese use for toilet paper or peanut wrappers.

Yes, Barry Zorthian is right. There is a problem with the press, largely because the government was too timid to keep Vietnam from being a playground for would-be writers.

A lot of good is to be found in Vietnam, mostly good people. Outstanding Americans and equally outstanding Vietnamese labor daily together, endure the hardships and dangers and build binding friendships and mutual respect through their toils.

The men who extend for more duty deserve credit for they discount the odds that are made by the Viet Cong and the politicians. Not enough can ever be said about these people.

Often it is best not to mention the good Vietnamese for their government does not like to hear what they have to say. But they are the victims of politics and the times and they are the ones who suffer the most.

Both governments, reigned over by the single-mindedness of their leaderships, struggle on. The Americans look for progress during their tour so they can come home to a promotion while the GVN leaders immerse themselves in the joys of new-found power, unwilling to face reality.

That the writer has been unfair in his portrayal is acknowledged. He is unfair because he does not have the answers to these agonies, but apparently neither does any of those in power.

But first we have to acknowledge our mistakes before we can correct them. The question is whether our leadership is ready to do so.

That is why anger overcomes sadness in Vietnam.

SENATOR RICHARD B. RUSSELL

Mr. GRAVEL. Mr. President, the National Observer of Monday, February 17, 1969, contains an article entitled "Senator Russell: A One-Man Court Over the Nation's Defense Policies."

As the title implies, the article touches upon the distinguished and influential career of our knowledgeable colleague and dean, the distinguished senior Senator from Georgia (Mr. Russell). It includes many sensitive insights into the feelings of a man whose advice and counsel on matters of national defense have been sought by occupants of the White House for more than two decades. This is no less true today, Mr. President.

The observations of Senator Russell, evolving as they have from his years as a leader in the Senate, have an obvious relevance to the questions facing Congress this year: the nonproliferation treaty, antiballistic missiles, nuclear inspection systems, military expenditures, and our relations with the Communist world.

Mr. President, I ask unanimous consent that the article be printed in the Record, in the hope that Senators may profit, as I did, from reading this unusually perceptive story about Senator Russell.

There being no objection, the article was ordered to be printed in the Record, as follows:

Senator Russell: A One-Man Court Over the Nation's Defense Policies

Washington, D.C.—Sen. Richard Russell, now 71 and at the zenith of his power and influence in Congress, rides to work every morning in the front seat of his chauffeur-driven Lincoln Continental limousine. In the evening, he eats alone in a Howard Johnson restaurant near his apartment.

The limousine and chauffeur are provided by the Government because the Georgia Democrat this year succeeded Carl Hayden as president *pro tempore* of the Senate. He is now third in line of succession to the Presidency after the Vice President and Speaker of the House. The solitary dinners, sometimes at O'Donnell's Sea Food Grill, are standard because Mr. Russell likes his quiet bachelor life, doesn't care for small talk and crowds, and years ago had his fill of the Capital cocktail circuit.

Does he feel more powerful now than he did a year ago? "Well, I get that big automobile now," he smiles. "The doorman at my apartment never paid much attention to me, but he is really impressed with the length of that car. The driver is an impressive looking fellow too."

The senator seemed to be only half joking. He has been the Senate's most influential member for so many years that he barely notices another increment in the substance of his powers. But how important, he seemed to be jesting, can a political figure be if his doorman ignores him, no matter how carefully the White House weighs his judgment and advice?

A ONE-MAN SUPREME COURT

And President Nixon surely heeds the senator's judgment as seriously as President Johnson did. As president pro tem, dean of the Senate, chairman of the Appropriations Committee, ranking Democrat of the Armed Services Committee, which he chaired for 16 years, and unofficial spokesman for the Southern senators, Mr. Russell sits almost as a one-man Supreme Court over the nation's foreign and defense policies.

His qualified support of Lyndon Johnson's Vietnam policy was so crucial, some Senate insiders insist, that if he had withdrawn it in 1965 or later, Mr. Johnson would have had no choice but to fold the war. If President Nixon is now going to lead the United States into an era of negotiations with the Communist powers, the way would be rough indeed without Richard Russell's blessing.

Fortunately, for Mr. Nixon, that blessing should not be difficult to get for a variety of reasons. First, Mr. Russell, as an old-fashioned patriot in the Southern tradition, has always supported a bipartisan foreign policy with the White House in the lead. In the Democratic Congresses of the 1950s, it was Mr. Russell who restrained his Senate colleagues from challenging President Eisenhower's foreign policy—always warning of serious global ramifications if Capitol Hill and the White House split on foreign affairs. Senate Majority Leader Lyndon Johnson was one of those whom Mr. Russell sat on at the time.

Secondly, there is a surprisingly pragmatic cast to the senator's anti-Communist outlook. He vigorously defended the U.S. intervention in the Dominican Republic in 1965, but was among those early opposed to U.S. involvement in Vietnam—supporting Mr. Johnson only because "our flag is committed, our national honor is committed, our prestige is committed, and our whole power for the maintenance of world peace and avoidance of a nuclear war is laid squarely on the line in Vietnam today," he said more than three years ago.

A "CREDIT CARD"—WITH LIMITS

He isn't altogether sanguine about the prospect that the "era of confrontation" with Moscow is ending, as Mr. Nixon suggests. "I wouldn't buy too much on that credit card," the senator observes mildly. "You know, the Cold War has a way of heating up at times."

But sitting at his battered old desk in his cavernous Senate office, the cold afternoon sunlight at his back, the senator yearns for an end to the Cold War. "The people of this earth everywhere are praying for peace and disarmament," he says quietly. "This heavy burden of arms is heavier now than it has ever been in history.

"But it's a paradox. While people everywhere want to avoid any war, the ambitions, the miscalculations, the erroneous judgments of the world's political leaders pose a constant threat to peace."

A light on his telephone blinked at the senator; motioning his visitor to remain seated, he took the call. It lasted only a minute, Mr. Russell listening without expression.

"That was Admiral Moorer," the senator sighed. "He's very enthusiastic about the new Navy plane (the F-14A). He says it's going to be a good one."

A SMALL, SAD SMILE

The news from Admiral Moorer, chief of naval operations, brought a small, sad smile to the senator's mien, coming as it did as a footnote to his remarks about the burden of arms. But after all, Mr. Russell has been getting such calls for 30 years. The admirals, the generals—the Defense Secretaries change—each running a brief sprint in the endless arms race, announcing a new airplane, a bigger bomb, a better submarine or missile.

By this time, though, Mr. Russell has acquired the perspective and the wariness of a long-distance runner, one who senses the futility of an endless race.

"Look, I'm in favor of negotiations. I'm in favor of disarmament," he says, almost rising from his seat. "I'm willing to negotiate to drastic disarmament—not all the way down, but drastically. But only if I know that any potential adversary will do the same."

He waves his arm brusquely over his desk:

"I'm willing to let the Russians come in and inspect my office. I'm willing to open the White House pantry to them if they think they'll find any weapons there. But we must also have the right of observation in their country, either ourselves or by a genuinely neutral group."

A PROSPECT THAT FRIGHTENS HIM

"But," he shakes his head, "I'm truly frightened at the prospect of unilateral disarmament. . . . And from what I understand there is increasing pressure now from the unilateral disarmers. . . . Oh, we'll do business with Russia, finally, somewhere along the line. But we can't negotiate an effective disarmament agreement without inspection that will protect the interest and the security of the United States."

The senator doesn't insist that the United States be "superior" in military strength to the Russians. "We have to have the military strength to enter arms negotiations at least as equals, and maybe in the position that our opponents would have a *suspicion* that we were stronger," he says.

While he has no illusions about the prospects of disarmament in the near future, he accepts the notion that the Soviet Union is gradually being driven to a more responsible position in the community of nations. "The Russian people got a taste of liberty under Khrushchev," he suggests. He spent a month in Russia in the mid-1950s and recalls that "the people were hungering and thirsting for the good things of life that the Free World is enjoying. . . . Khrushchev made a definite effort to appease that demand."

Mr. Russell's views on Communist China have also mellowed to a degree, although he still seems flustered over the commotion he created with his offhand remarks on Dec. 31 to an Atlanta television interviewer. "I think it would be a step for the welfare of this country and the world if we could have some kind of intercourse or exchange with them on some kind of level, even if it was just a minister to China and they had one here," he said then. The Senator now says he "merely reached the conclusion that it would be well for us to have direct means of communication with Red China," backing away from the idea that there should be official diplomatic recognition of Peking.

It's important to President Nixon, though, that Mr. Russell is leaning toward an improvement in Sino-American relations. If and when Mr. Nixon chooses to move that way, he knows the senator will be flexible. In fact, Mr. Nixon knows Mr. Russell to be flexible on most issues. On Vietnam and the Paris talks, for example, the senator is "perfectly willing to accept several solutions less than a complete military victory," even if the ultimate result, following some form of self-determination in South Vietnam, "was not in our own best interests."

This flexibility from the dean of the Senate will be critical to the Nixon Administration in the formulation of fresh foreign and defense policies, certainly as important as the co-operation of Chairman Wilbur Mills of House Ways and Means Committee in designing fresh domestic policies. Says one Nixon adviser about Mr. Russell's Capitol Hill influence: "If he had to, the President could probably run over Russell on any given issue—if he had to. But let's hope he doesn't have to. Russell's reservoir of credit runs so deep that it would cost plenty to match him."

—Jude Wanniski.

PRESIDENT NIXON'S TRIP TO EUROPE

Mr. JORDAN of Idaho. Mr. President, the highly successful 8-day European trip concluded Sunday by President Nixon must be regarded as one of the more promising beginnings accomplished by a new Chief Executive. I think we must go further than to simply evaluate this trip in terms of the abundance of goodwill which was created, although this was certainly an outstanding quality of the journey. Even more significant, however, was the impression of quiet confidence, of willing consultation, of desire for harmony and peace, which President Nixon conveyed to the leaders in Brussels, London, Bonn, West Berlin, Rome, and Paris.

While it is too early to appreciate the full importance of President Nixon's meetings with Charles de Gaulle, it would appear safe to observe that the lines of communication with one of our oldest allies have been revitalized to an extent not witnessed in many years.

It is necessary, also, to reaffirm to our NATO allies our various European commitments and this President Nixon has most effectively done.

Perhaps we are no closer today to the goal of world peace than we were a month ago or a year ago. But President Nixon's European trip is dramatic evidence that world peace remains this Nation's primary consideration and that the neglected art of personal discussion with our NATO allies is reopened in a constructive manner.

MEDICAID

Mr. JACKSON. Mr. President, Mr. Ludwig Lobe, of Seattle, Wash., is a distinguished citizen, a certified public accountant, and a leading expert in my State in the field of medical care.

Mr. Lobe is chairman of the Washington State Medical Care Advisory Committee, a member of the advisory committee of the State's department of public assistance, a member of the Comprehensive Health Planning Advisory Council of Washington and a member of the Governor's Task Force on Vendor Rates.

Recently, Mr. Lobe submitted a statement on the subject of "Medicaid" at a hearing conducted by the Department of Health, Education, and Welfare's San Francisco Regional Office.

Mr. President, I believe Mr. Lobe made some forceful points on the difficulty States are encountering concerning medicaid.

Mr. Lobe, in a letter to me, stated:

> It is unfortunate that the Federal Government starts programs and then asks the states to carry on financially. As you well know, the State of Washington has not the money to effectively pursue a medicaid program for the people on welfare and for those who through sickness become cases in need of help.

His statement is most pertinent to current questions being raised relative to Federal-State relationship. I ask unanimous consent that it be printed in the Record so that Members of Congress might be cognizant of the thought given to this complicated subject by such a contributing citizen of our society as Mr. Lobe.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement Concerning Medicaid

I make this statement as a concerned citizen who, as a Certified Public Accountant and as a member of health oriented public and private agencies, would like to offer some observations and suggestions.

(1) PRINCIPLES OF REIMBURSEMENT FOR PROVIDER COSTS

HEW has promulgated guidelines and procedures concerning reimbursement of "reasonable costs" as required by sections 1814(b) and 1861(v) of the Social Security Act. It has been stated that the formulation of the governing regulations was based on the alleged intent of Congress that principles applied by national organizations and established prepayment programs should be considered. In doing so it seems that the reasonableness has been weighted in favor of the vendors and providers to the possible detriment of the tax paying citizens.

In applying the Medicare principles to Medicaid, the states are faced with expenses which in many instances may violate the states' requirements of "acceptable and reasonable" costs. The principles established for Medicare-Medicaid costs are based in some instances on fictitious amounts:

(*a*) *Depreciation based on asset costs*

Any depreciation at acceptable rates based on actual costs to the provider is a justified expense.

But a depreciation allowance on fully depreciated assets or on assets paid for by private or public funds—in other words—on donated assets, constitutes a violation of the "actual cost principle" which is used in most, if not all, sound business transactions. To grant such depreciation allowance on a "fiction" results in effect in double payment by the governmental agencies or the taxpayers: *Once* when a deduction was taken by the donor in cases of donated assets or when public funds (tax funds) were used or in the case of fully depreciated items when such cost was recovered by prior charges by the provider; the *second* time, when the depreciation reappears as a cost reimbursement in Medicare or Medicaid. If one were to apply the aforementioned principles of depreciation allowance in the preparation of income tax returns, showing part of a fully depreciated as a depreciation expense, the Treasury Department would no doubt consider possible fraud action.

The often-heard statement that depreciation on a fictitious asset amount (which as a depreciated or donated item has a zero basis) secures replacement value cannot be considered seriously. Very few cases are known where the provider has established and used a special fund for this purpose. In most cases the actual monies are used for other purposes than replacement or repairs. When the time of replacement comes along, gifts and grants are usually required together with mortgage loans to effectuate the needed modernization and replacement. These in turn are then again part of the added costs.

I believe that the principles of actual cost established by the Treasury Department and in the accounting of funds will be a true cost reimbursement principle as far as depreciation allowances are concerned.

(*b*) *Interest expense*

There is no logical reason why interest earned on unmingled endowments, gifts and grants and on funded depreciation should not be considered as an offset against expense or as income to be considered in the same relationship as income from services.

(*c*) *Grants, gifts, and income from endowment*

Unrestricted grants, etc., are not now deductions from operating costs regardless of their uses. It stands to reason that this procedure will not raise costs, but it is unexplained why these unrestricted funds should not be used to lower costs; it is equally difficult to understand why a donor must specifically order a restriction that money grants, etc., should be used for operation purposes.

(*d*) *Allowance in lieu of specific other cost recognition*

This item should be eliminated now since two years have passed and hospitals and other health providers should have established an acceptable costing system. In most cases it is nothing else than a profit allowance. Such profit allowance is in direct contradiction to the charitable principles under which tax-exempt institutions work and a covered-up additional profit for the profit-making hospitals.

All the mentioned items of reimbursed cost: fictitious asset values, unused interest, grants, gifts not taken into consideration in computing costs appear as surplus or are being used for unnecessary assets or expenses which may have prestige value. Medicaid should not be forced to pay for any assets or expenses which are not necessary when considered objectively. Medicaid is part of welfare and welfare cannot be more than acceptable minimum.

(2) THE WELFARE GROSS RCC METHOD

The ratio of charges to cost method would be acceptable if reasonable standards in all detail of gross costs would be assured. The objections submitted before apply to this RCC method, too. To put it another way, as long as the costing of care is within acceptable, reasonable, and necessary limits, there is no reason to deny the use of the RCC or any other method. Unfortunately, the very fact that most institutions work on a noncompetitive basis, practically setting charges in a uniform way within districts creates an inclination *not* to cut corners, *not* to use modern business methods, *not* to try to find out how services can be rendered cheaper and better.

(3) COOPERATION AND PLANNING IN THE HEALTH FIELD

(*a*) *Cooperation or the lack of it*

The obvious lack of cooperation between hospitals among themselves and between all other health service vendors and providers is one other reason for the rising costs of all health care and, worse, for the lack of adequate, if any, health care. Dr. Dwight Wilbur, President of the AMA, confirmed in Miami that there is such lack of care for twenty million citizens. Until hospitals, extended care facilities, nursing homes get together and plan toward a better, easier and through this a less expensive way, costs will go up and up ahead of any other cost of living.

The health care providers have to think of the user and not of themselves. They should be accommodating the citizens and not the physicians, the boards, the hospital, the profit system and their own needs for prestige.

(*b*) *The planning for changes*

There seems to be a slow awakening that new ways of care have to be found, that certain hospital functions could be merged: accounting, laundry, laboratories, pooling of labor and others. Business mergers and pools to drive prices down; health care services can do it, too, by accepting some planning in all its detail functions.

There is increased need for health service outside hospitals. Ways can be found to cut costs by having ambulatory patients eat in cafeterias and dining rooms, dismiss them to boarding homes if their own homes are not equipped to take care of them; for instance, single persons living alone who need very little if any actual nursing care. The outpatient service could have physicians (interns) and/or nurses visit patients rather than keep them in hospitals or nursing homes. Meals on wheels have been tried successfully, etc.

(*c*) *The managerial and executive knowhow*

There is a belief among health service providers that only medical men know how to plan and run health service institutions. Nothing in a physician's education prepares him to a managerial or planning role, as hospital administrator with business and executive acumen, unless he puts in a lot of time and a concentrated willingness to learn the ropes of management and planning to the exclusion of his medical profession. There is also a belief that you have to have medical knowledge to plan health services or to manage health institutions.

The good planner, the good executive of any organization knows how to surround himself with experts; I am not sure that this is done in the health field too often.

There is also a disregard of the wishes and needs of the public, of the citizen who, after all, pays the bill of health care through taxes and fees.

I should add that this behavior holds true in many professions which arrogantly believe themselves to be the anointed ones in that field.

It is imperative that everybody becomes interested in public life, including in-health service provision and helps in planning for the need of today and tomorrow.

(4) OVERUTILIZATION OF HOSPITALS

Costs go up for Medicare-Medicaid whenever a patient's stay in a hospital is longer than necessary. Often patients under Medicaid will have to be kept under hospital care by their physicians because their homes are ill-equipped to take care of their needs, which may not even involve nursing or medical care. Rather than chance neglect, the patient stays on. As stated previously, ways can and must be found to change this procedure which is being applied for humane reasons.

Extended care facilities and nursing homes may be too expensive for this kind of patient care and boarding homes or health care on wheels may be the answer.

(5) UNDERUTILIZATION OF ASSETS

Too often hospitals purchase equipment and other assets in order to provide "their" physicians with all services. Modern equipment is complicated and expensive. The depreciation expense based on asset-life is excessive if such asset is only used ten percent of the asset-life time. Much equipment could be used in more than eight hours a day if hospitals and other health services would get together and determine need and assign specialties to the different health care institutions. This holds true especially in big cities with many hospitals, extended care facilities, and clinics.

(6) THE MANPOWER MISUSE

Whenever the suggestion is made that para-medical personnel could be used in clinics, hospitals, etc., the objection is heard that nobody wants to be treated by nonphysicians. Yet, it is true that the medical manpower shortage is extreme and para-medical treatment under the supervision of physicians, is better than nothing. It is equally true that the military has successfully used such personnel not only for battle casualties but in its hospitals and sick call facilities. Voluntary and paid, but little qualified, labor is used in hospitals and nursing homes; qualified well-trained para-medical technicians could be used in many circumstances in hospitals, nursing homes, clinics and physicians' offices. The use of these technicians could conceivably have a major impact on cost of care.

(7) PREVENTATIVE HEALTH CARE

There is not enough emphasis on preventive health care. It is cheaper and more successful to prevent sickness by all known means than to treat sick people. Yet, neither Medicare nor Medicaid have set up a system which would make preventive measures known, easily attainable and available. Much more monies and education of the public and the health provider are needed to render this least expensive health service. Medicaid could well be the provider of preventive health care by larger matching.

(8) THE FEDERAL-STATE RELATIONSHIP

"The Federal Government giveth and taketh away." That should be the leitmotiv of the relationship between the Federal and state governments. Too often well-meaning laws to help the citizens are promulgated, put into effect with Federal funds and a promise by the Federal agencies to provide money, service, and manpower. After a relatively short time of expectation, the initial Federal matching funds become less and the states are forced to take over more of the financial burden in order not to lose Federal funds and not to forfeit the confidence of their constituents. This is exactly what seems to be happening with Medicaid.

A way must be found to distribute the load of funding of health services in all respects in such a way that states can carry the load within their limited taxing power.

Uniform standards for the whole country should be adopted and the Federal Government must provide the greatest part of the funds needed to secure the extension of Medicaid to all those in need. If this Federal cooperation and financial help is not forthcoming, very few, if any, states will be able to provide Medicaid by 1975 as promised to one and all.

In conclusion, let me emphasize that the cost of health care to the individual, to the states, and to the Federal Government must be reasonable if we want to avoid a catastrophic breakdown in our health care. As a nation which prides itself of its riches, its benevolence towards the less fortunate, and its unlimited progress in all spheres of its national life, we cannot afford such a breakdown.

YOUNG WATERFOWLER TRAINING PROGRAM

Mr. BOGGS. Mr. President, James E. Miller, a newspaperman in Delaware, has found great value in the Young Waterfowler training program.

Mr. Miller, executive editor of the Delaware State News in Dover, recently wrote:

> The future life of each young waterfowler will be enriched through participation in this unique program.

Historically, man has found the hunting of wildlife to be a necessity and a source of recreation. In recent years hunting has become more a sport, and the weapons employed have been improved and better suited for the pursuit of wildlife. Unfortunately, an increase in the number of people who hunt has also resulted in tragic injuries being inflicted upon fellow hunters by those who are unskilled in riflery, or are ignorant of regulations imposed upon hunters.

Last year in Delaware, the Department of Interior's Fish and Wildlife Service, in conjunction with the Delaware Wildlife Federation, undertook the Young Waterfowler program of safety training for young hunters. It can be judged as an excellent effort to instill proper hunting habits in youth between the ages of 10 and 16 years.

Almost 200 young people participated in the summer sessions at Bombay Hook Wildlife Refuge. Each weeklong session included not only field training, but classroom work as well. Each student was instructed not only in safety, but was taught conservation and animal identification. The participants were required to pass a written examination.

This program, which comes under the supervision of Interior's Bureau of Sport Fisheries and Wildlife, presently has counterparts in only two other States, New Jersey and Massachusetts.

This attempt to avoid unfortunate accidents, and therefore make the sport more enjoyable, was accomplished in Delaware with a minimum of expense. Instructors for the program were 70 experienced and knowledgeable hunters—all volunteers. With so many benefits and so little expense, I hope this type of program will be expanded to include all the States. I highly commend the endeavors of the Bureau of Sport Fisheries and Wildlife and all those connected with the present program. I eagerly await this program on a national scale.

DR. GODDARD SPEAKS OUT ON THE DRUG ESTABLISHMENT

Mr. PROXMIRE. Mr. President, when Dr. James L. Goddard retired from Federal service last July, many Members of Congress shared with me the sad feeling that this frank, dedicated individual was lost to the public.

Dr. Goddard was an outstanding Commissioner of the Food and Drug Administration from January 1966 to July 1968. He appeared before Senator NELSON's Monopoly Subcommittee on many occasions, during its investigations of the drug industry. At all times he was completely candid, sharing with the subcommittee, with the press, and with the Nation whatever knowledge he had that might help us in the Congress advance the health and welfare of our country.

His willingness to go on record with what he believed was right, I am unhappy to say is not as common in Government as we would wish. That one quality alone would have kept him well remembered by all of us. But Dr. Goddard based his personal beliefs on as much information—facts and figures—as he could absorb and he had a great deal of information about many things.

Following his retirement from the U.S. Public Health Service, Dr. Goddard moved to Atlanta, Ga., to be the vice president for Health Sciences with EDP Technology, Inc., a Washington firm, and has visited this city a number of times on business. It was thought that the "Goddard voice" and all that it could contribute to public awareness was effectively muffled. I am pleased to report that Dr. Goddard remains a public champion, even though he is now in the private sector.

The March 1969 issue of Esquire magazine contains an article entitled "The Drug Establishment," written by Dr. Goddard. I believe this is the first time that anyone has set down in black and white just what the drug industry is all about, who its friends and foes are, and how it gets along with the medical profession and with Government as well.

The article effectively uncovers the inner workings of the drug industry and its relations with the professions and the public. Dr. Goddard also describes the persistent and lonely efforts of my colleague from Wisconsin (Mr. NELSON), to protect the public against price gouging and unsafe drugs.

It is a great pleasure for me to ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE DRUG ESTABLISHMENT: THE MAKERS OF PRESCRIPTION DRUGS ARE CONCERNED WITH A VERY IMPORTANT MATTER: HEALTH (THEIRS)

(By James L. Goddard)

An American buying prescription drugs is like no other American at any other counter of any other store in the country. He does not question the high price of the drug; he does not shop around for a cheaper variety; he does not wait for a sale (because there never are any); and he is usually unaware of the name of the drug he is buying, let alone the name of the manufacturer.

Although he is the consumer, he is not the shopper: he buys (on faith) what his doctor has prescribed. He is like a child who goes to the store with his mother's shopping list, which he cannot even read. He is totally unsophisticated as to the workings of the $5,000,000,000 industry to which he is contributing and which his tax money is already helping to support. The consumer of drugs pays up and takes his medicine. And the Drug Establishment, about which he knows nothing, scores again.

The Drug Establishment is a close-knit, self-perpetuating power structure consisting of drug manufacturers, government agencies and select members of the medical profession. There are connecting links between all of the Establishment's flanks, which keep it thriving and well-protected. And a yawning gulf of ignorance separates the whole Establishment from the public at large.

The Drug Establishment savors its detached position, for it creates an ideal climate in which its members can go about their business—making money—while preserving the myth that they are public-spirited saviors of mankind. Drug companies earn an average eighteen percent return on invested capital compared with eight or nine percent for some three dozen other major industries. Nobody questions the great contribution that the drug companies have made to the nation's health over the years, but a number of people, myself included, have begun to question the justification for the enormous price tag they place on their products.

For example, very few people are aware that, aside from manufacturing and distribution, the cost of their prescription includes a share of the industry's annual $800,000,000 advertising and promotion bill; a portion of the $430,000,000 that major companies claim to spend on research and development (much of which is of questionable value); the fees of a battalion of high-priced lawyers who work to find loopholes in federal drug regulations; as well as such incidentals as political campaigns, including the unsuccessful effort (reportedly $95,000 worth) to unseat the Establishment's lonely foe, Senator Gaylord Nelson.

Even fewer people realize that very often they pay for their drugs twice—once at the drugstore and again at tax time. Part of that tax money is used to pay for government-sponsored research (the results of which are often available free to the drug manufacturers) and to buy drugs for use in government health facilities operated by the Armed Services, the Veterans Administration, and the U.S. Public Health Service.

Heading up the Establishment is the Washington-based Pharmaceutical Manufacturers Association, which represents the 135 big money-makers who claim to produce ninety-five percent of the prescription drugs in the marketplace today. Of these 135 companies, fewer than eighty are major corporations: and of these, about thirty-five set the tone for the whole industry. These include such blue-chip companies as Merck & Co.; Chas. Pfizer & Co.; Eli Lilly and Company; Abbott Laboratories; the Schering Corporation; Smith Kline & French Laboratories; Parke, Davis & Co.; The Upjohn Company; G. D. Searle & Co.; and E. R. Squibb & Sons. Operating on an undisclosed, multimillion-dollar budget in dues paid by the companies (who pass the cost on to you) the P.M.A. is able to present a united front to protect the Establishment's business interests against forays by the public, Congress, or any of the federal regulatory agencies.

An offshoot of the P.M.A. is the National Pharmaceutical Council, a splinter group made up of twenty-eight major manufacturers devoted to the maintenance of the brand-name system, which is basic to the aims—and the success—of the Drug Establishment. Mainly a propaganda organization, the N.P.C. issues policy statements on the importance of doctors' prescribing brand-name drugs in order to eliminate any unnecessary risk for themselves. Use of a catchy, easily remembered brand name in journal advertising directly affects the physician's prescribing habits. and obscures the fact that less costly versions may be available under the generic name of the drug.

The second major group within the Establishment is the scientific and medical community. Theoretically, this should include 300,000 physicians, 96,000 dentists, 120,000 pharmacists, 40,000 medical laboratory technologists, and 89,500 health-related research and development professionals. But it doesn't. In fact, there are only a few thousand Establishment figures to be found throughout the professions, with less than a thousand key medical spokesmen, strategically located researchers, and administrators of medicine and research—who spend most of their efforts maintaining the cordial relationships between industry and government.

The third element, strangely enough, is the government, which supports the Establishment by such devices as using taxpayers' money to buy back from the manufacturers drugs that taxpayers' money helped to develop.

Opposing the Establishment we have Senator Gaylord Nelson (D.-Wis.)—and that's about all. Senator Russell B. Long (D.-La.) is also trying to change the system, but his approach (advocating the inclusion of a drug benefit under Medicare) is different, and he has not been carrying on the same kind of one-man war currently being waged in Senator Nelson's Monopoly Subcommittee. For almost two years now, Nelson—flanked by his legislative aide William Cherkasky and subcommittee economist Benjamin Gordon—has been conducting an investigation into the pricing policies of the Drug Establishment. His efforts have produced some useful headlines, but his subcommittee is investigative, not legislative, his resources are limited (Gordon works practically alone), and the dents that his crusading lance has made in the Establishment's armor are relatively small. One of Nelson's greatest problems is that he is championing the cause of a public that doesn't really know how much it needs a champion.

But the Establishment is always concerned when someone takes an interest in its activities. Ranks are closed, the drawbridge is hauled up, and the vast machinery of defense hums smoothly into operation. Press releases pour out of P.M.A.'s Washington headquarters by the thousand, answering, point by point, the testimony of witnesses critical of the industry (often before the witness has completed his testimony), P.M.A.'s erudite president, C. Joseph Stetler, travels the country defending American business against intrusion by "Big Government," as represented by Nelson's "biased" hearings, telling the "real" story of the pharmaceutical industry's contribution to medical care, and how drug prices have actually gone down despite the enormous funds that the companies pour into research and development. And at each session of the hearings, the majority of the public seats in the huge Caucus Room of the Old Senate Office Building are occupied by Establishment lawyers and company representatives.

The cost of this defense is passed on to you.

The Food and Drug Administration is not, strictly speaking, an opponent of the Establishment, but it functions rather in the capacity of a public "watchdog." Besides approving drugs for marketing on the basis of their safety and efficacy, F.D.A. also inspects marketed drugs for purity and safety and enforces regulations designed to prevent companies from making false and misleading advertising claims. When regulations are breached, the agency's "ultimate weapon" (short of criminal action, brought through the Department of Justice) is the recall. In cases where a product is found to be impure, the compound can be ordered off the market until the matter is cleared up.

Recalls involving impurity or mislabeling are relatively simple, but advertising is the Establishment's shop window to the physician, and any attempt at "tampering" is met with massive resistance. P.M.A. lawyers descended like locusts on the latest F.D.A. proposal to revise the ad regulations, and arguments—both legal and semantic—flew back and forth for months (at your expense).

Keeping a close eye on the F.D.A. is Representative L. H. Fountain (D.–N.C.), chairman of the Intergovernmental Relations Subcommittee of the House Committee on Government Operations. With the aid of two extremely able investigators, W. Donald Gray and Dr. Delphis C. Goldberg, Representative Fountain's task is to make sure the F.D.A. really does work in the public interest. Like the Nelson subcommittee, however, the Fountain subcommittee's role is purely investigative. It does not possess the same powerful sanctions as the appropriations or legislative committees dealing with health matters. The real source of its power is exposure and coercion through the press and public opinion.

The Drug Establishment functions with all the smoothness of an intricate Swiss watch. To find out how it works, and why your prescription costs so much, let us trace the path of a mythical drug through the expensive maze that leads to your medicine cabinet. We shall call it *blythophrene*. It has an airy, genial, "in" sound—just right for an Establishment model.

Blythophrene may first appear at any one of a number of places within the Establishment. It may be a promising chemical entity discovered in a company basic-research project. In this case there are no problems; the company merely patents the compound, informs the F.D.A. that it is an Investigational New Drug and that they plan to follow certain steps to explore its potential, and they are off and running. In another case, it may be the result of research carried out by an independent investigator who makes a deal with the company for the patent rights. From this point, the company's action is the same as before. In a third instance, blythophrene may be the product of government-sponsored research—in which case the process becomes a little more complicated.

To begin with, drug companies own the vast majority of screening and testing facilities that are vital to defining the potential uses of promising compounds—which gives them a virtual stranglehold on the development of drugs in this country. Prior to 1962, the companies routinely made tests on drugs developed by government-sponsored investigators in return for certain rights to the development and marketing of promising drugs.

But in 1962 the Department of Health, Education, and Welfare—in a move designed to prevent the exploitation of publicly funded inventions for private gain—changed its patent policy. All inventions involving federal funds were to be reported to the Surgeon General of H.E.W., who would then decide on the disposition of the patent rights.

The new system broke down, however, partly because of administrative difficulties, but more importantly because the Establishment suddenly closed the door to its screening and testing facilities. John Conner, then president of Merck, Sharpe & Dohme and later Secretary of Commerce, told a 1962 meeting at Johns Hopkins University that the companies would refuse to cooperate in producing drugs developed from government research unless the patent policy was changed to allow them to patent the drugs in the latter stages of their development.

The blockade was so effective that in 1967 H.E.W. was forced to back off somewhat and allow the testing company to patent "new" uses of compounds which it may discover at its own expense without the participation of the government investigator, even "where such new use is within the field of research work supported by the grant."

This is an important loophole, because not all the potential uses of a drug can be determined prior to the screening and testing procedure. For example, if early research indicated that blythophrene might have limited use in the treatment of schizophrenia, but the company, through the screening procedure, discovered that it would also be extremely valuable as a tranquilizer, then blythrophrene could be patented by the company for that purpose.

P.M.A.'s president, C. Joseph Stetler, hailed the move as "a much needed improvement . . . a progressive measure," and there was a sudden upswing in the number of agreements signed between government grantees and pharmaceutical companies.

Problems still exist, however, particularly with compounds of limited uses. Last year, U.S. Comptroller General Elmer B. Staats was called on to evaluate the usefulness of the $53,000,000 public investment in basic drug research between 1962 and 1967, and found that the loss of industry screening services had seriously limited the usefulness of government-sponsored research. He noted the improvement since the 1967 revision and urged the Secretary of H.E.W. to take further steps to resolve the remaining problems.

The result may be that the government will have to back down further and allow the Establishment to reap even larger profits by selling back to the public the results of research that was paid for primarily with public funds.

But let us assume that blythophrene has been born in a manufacturer's lab. That means it is safe in the hands of the Establishment, which now has to consider its future. There is a long period of research and development ahead before blythophrene can make its contribution to the company's profit margin. To save itself a great deal of money, the company tries to interest one of the federal drug-research programs which, if all goes well, will then undertake to do all the research free for the company at taxpayers' expense.

For the purpose of illustration, blythophrene is a catecholamine—a substance that plays an important role in treatment of psychiatric illness. Psychopharmacology is a fashionable field at the moment, and our compound is of great interest to the National Institute of Mental Health, through which most of the government's contribution to psychopharmacological research funds are channeled.

Blythophrene, therefore, finds its way to the New Senate Office Building, and the mahogany-and-leather-appointed hearing room of the Labor-H.E.W., and Related Agencies Subcommittee of the Senate Committee on Appropriations. Here, until the end of 1968, Senator Lister Hill (D.-Ala.) presided with dignity, charm, and an anecdotal memory.

The records show that proper presentation by government witnesses before the subcommittee will pay off, and blythophrene will be a good bet for inclusion in one of the Institute's important programs. The drug company gets a windfall. But it is not alone.

N.I.M.H. is not the only unit within H.E.W.'s Public Health Service that does drug research. Every one of the eight National Institutes of Health, the Division of Biologics Standards (where vaccines, serums, and derivatives of human blood are approved) and the N.I.H. Clinical Center in Bethesda, Maryland, with four thousand inpatients and three thousand outpatients a year, carry out large-scale drug research with public funds. The Department of Defense, the Veterans Administration, and the Public Health Service also conduct research programs that benefit the Establishment.

It is difficult to establish exactly how much of the $1,400,000,000 annual budget appropriated for N.I.H. is used for drug research, but a good example of the kind of service that your government provides for the Drug Establishment with your money is the National Heart Institute's new Coronary Drug Study.

Heart disease is the nation's major killer, claiming a million lives each year. An important cause of the disease is the high fat content of the American diet. The high fat intake is thought to increase the blood levels of a substance called cholesterol, which gradually forms deposits on the artery walls, reducing the flow of blood and resulting, eventually, in a heart attack.

Four compounds that reduce cholesterol levels in the blood are already on the market, and N.H.I. has designed a project to learn whether they can effectively prevent heart attacks. One of the drugs—nicotinic acid—is widely available, but the other three, Premarin, Clofibrate, and Choloxin, are the exclusive property of two Establishment drug firms.

Premarin and Clofibrate are marketed by Ayerst Laboratories, Division of American Home Products Corporation, and Choloxin by Travenol Laboratories, a division of Baxter Laboratories.

Some fifty-five clinics have already joined the National Heart Institute's project, and some 8500 people will ultimately be enrolled. The estimated total cost is $40,000,000, and the results—if positive—will mean vastly increased sales of those drugs.

The companies' contribution? They merely provide the investigators with free supplies of the drugs.

You may be wondering just what the pharmaceutical manufacturers do with the huge sums they claim to set aside for research and development each year. So did the late Senator Estes Kefauver, who couldn't find out when he conducted his famous hearings in 1961 and 1962, and Senator Nelson has had little more success during the two years of his investigation. Much of the industry's own research has to be secret, of course, but Establishment bookkeeping procedures apparently are so circuitous that some company presidents themselves claim not to be able to provide even a generalized breakdown.

Only the Establishment knows for sure how much of its own research makes a genuine contribution to drug development—and its members aren't telling. The Establishment is aware of the interest, however, and in its annual report for 1967 the P.M.A. made an effort to appease the questioners.

The report said that seventy-eight P.M.A. members—the ones that accomplish most of the industry's research—had budgeted $430,900,000 for "R&D Expenditures for Human-use Drugs" during 1967. It even went so far as to define "R&D Expenditures" as "the total cost incurred for all pharmaceutical and medical research and development activity. These figures include the cost of direct salaries, other direct costs, services, routine supplies, and supporting costs, plus a fair share of overhead (administration, depreciation, space charges, rent, etc.) for pharmaceutical research and development."

The report went on to say that of the $430,900,000 total, $374,100,000 was to be spent inside the firms, and $56,800,000 outside.

Of this latter portion, $16,600,000 goes to other companies, private laboratories, and foreign countries. And since as a rule no pharmaceutical company has, on its own premises or as part of its corporation, a clinic or hospital for the human testing on new drugs, this means that only $40,200,000 is available for this most important purpose. Representing a mere 8.9 percent of the Establishment's "research" investment, this pays for research carried out by private practitioners and consultants, and by investigators in medical schools, hospitals, and clinics.

Now, if we take another Establishment claim—that "industry has invested $7,000,000 in research and development costs for every new and significant drug that has reached the public during the past decade"—we find that the 8.9 percent of it that went into human testing comes to $623,000. Compare that to the N.H.I. project just mentioned in which you are spending $10,000,000 on human testing on each of three Establishment drugs. Then remember that if the drugs do perform their function, you will have to pay for them all over again at the drugstore.

The disposition of the bulk of the Establishment's R&D expenditures is impossible to determine. We know that some of the research carried out by pharmaceutical companies is both important and valuable—but we don't know how much. In their efforts to find new drugs, the companies collected thousands of soil samples and plants from all over the world and ran them through a complex screening process for any sign of chemical activity that might be turned into a useful drug. This was a long and costly procedure, and sometimes important new compounds were discovered as a result. However, with up to seventy-eight companies doing this screening, much of it had to be duplicative, and, therefore, wasteful.

Testing new compounds in animals is another important contribution made by the pharmaceutical manufacturers, but again, we do not know what proportion of the overall research figure is allocated for this purpose. And, as I shall explain later, some of this is wasteful.

For the rest, we do not know how much is spent on the salaries of men whose job it is to comb the scientific literature for clues on what the competition is up to. Some of these "clues" can lead to another important activity performed by drug-company chemists. It is known as "molecular manipulation," and it is a means of circumventing competitors' patents.

Let us say that Company A has obtained a patent on a compound with an extremely promising future. Company B (and possibly others) spots the compound's chemical formula in the literature and, not wanting to be left out in the cold, sets to work to come up with something similar. Company B chemists take the chemical formula and attempt to change its structure in such a way that it will perform essentially the same function, but at the same time will not infringe Company A's patent rights. In a few cases, this molecular manipulation will result in an improved drug, but for the most part what comes on to the market is just another "me-too" drug that makes no contribution to medical science at all.

Then there is "phony" research, performed purely for advertising and promotional purposes. This particularly involves the animal studies, and I saw many instances of it while I was F.D.A. Commissioner. In these cases, company scientists carry out "testing" on animals, the results of which can be predicted in advance, merely to flesh out the supporting bibliography that the law states must accompany any promotional or advertising literature in which therapeutic claims are made for the drug. On the surface, these "studies" look genuine, but many of them are performed well after other research has defined the uses of the compound under study.

Useful or not, industry research and development is a legitimate business expense and therefore tax deductible. Besides, by the time blythophrene reaches the marketplace, you can be sure it has absorbed its share of these costs.

Before we get blythophrene into the drugstore, however, there is another element that should be mentioned as an illustration of the way in which the Drug Establishment is self-perpetuating. This is the National Academy of Sciences-National Research Council's Drug Research Board, which maintains "broad surveillance of therapeutic research in all its phases and provides a forum in which the interests and responsibilities of investigative medicine, industry, and government may be reconciled."

The Academy was established by Congress in 1863 as an adviser to the federal government on matters concerning science, engineering, and technology. Like its counterparts in other fields within the Academy, the Drug Research Board is available "for advice to agencies of government and to private organizations with responsibilities related to research on drugs," and its opinions carry great weight in the determination of public policy.

The concept of the Board is an admirable one. Around its meeting tables can be gathered together the best thinking in government, industry, and science. The objective is to produce the optimum opinions about drugs for the health of the nation. The Board has certainly dealt with some fundamental issues in the drug area. Nevertheless, when we move from concept to reality, we see that the Board is composed of the same individuals who work elsewhere in the marketplace. The Board represents not only the best of government, industry, and science; it is, by its very membership, a limited forum in which consensus is developed for the Establishment, and in which the consensus prevails. One illustration comes quickly to mind:

While still Commissioner of the F.D.A., I advocated the publication of a national Drug Compendium that would provide, for the nation's physicians, a single source of information (including prices) on all drugs currently on the market. The listing would include important prescribing information, not only for the brand names marketed by the big Establishment companies, but also the cheaper equivalents that are put out by lesser-known non-Establishment manufacturers, of which there are several hundred. There is no such source available to physicians currently, aside from the Physicians' Desk Reference, which is published annually by Medical Economics. This is far from complete and lists only those drugs whose manufacturers are willing to pay for the inclusion of their products. The companies represented are mainly Establishment companies.

When the Compendium was first discussed with the N.A.S.–N.R.C. Drug Research Board, it met with a degree of acceptance—but not enough to overcome the Establishment's opposition to having its products listed on an equal basis with those of non-Establishment companies. The lack of the Board's unqualified support was a factor in the failure of Congress to act on a bill to establish the Compendium.

In the case of a single drug such as blythophrene, the Board's role is relatively simple. They may be asked, by N.I.H. or the developing company, to evaluate the early research on the compound and provide an assessment of its potential value to medical science. If they decide it has little promise, they will simply say so. If their opinon of blythophrene's potential is high, however, this will be an important factor in the allocation of public funds to blythophrene investigators.

If blythophrene is the product of government research alone, the Board's opinion will arouse the interest of industry in developing a patentable product from the compound.

It's time to get blythophrene to market. And this is where the Establishment comes face to face with the Food and Drug Administration; for, in order to obtain F.D.A. approval, the company that developed the drug must file a New Drug Application that proves that blythophrene is both safe and effective in the treatment of those conditions for which they claim it may be prescribed.

In an effort to impress the F.D.A. with overwhelming evidence that blythophrene should be made available to the public immediately, the company puts together a grab bag containing every scrap of research with human beings that has been done, whether by government researchers, investigators in academic institutions or hospital centers, or industry-supported private physicians who want to do some "research" and who use their private patients as volunteers. Often, as many as forty cartons of "evidence" on a single drug will arrive at the F.D.A.'s Bureau of Medicine. The Bureau is staffed by two hundred physicians, as well as pharmacists and other professional and administrative personnel, whose job it is to sift through this mountain of paper and reach a decision on the drug's future.

Unfortunately, with the emphasis on quantity rather than quality, this is sometimes difficult to do. Time and taxpayers' money are often wasted while the Bureau personnel examine the evidence only to find that important data are missing. The company is then asked to provide the missing information. While Commissioner, I found that too much of the evidence submitted by the companies in support of their New Drug Applications consisted of poorly conceived and badly controlled "clinical studies" that added nothing to the data on the drug's safety and efficacy. I said many times, both publicly and in private discussions with manufacturers, I would prefer to see a few, well-controlled studies, performed by experienced investigators, than hundreds of minor studies, performed on a few patients by private practitioners who are not really suited to that kind of work.

If my suggestion were to be adopted, F.D.A. personnel would be involved in less paper work, they would be provided with all the data necessary to make a speedy, scientific decision—and the drug would reach the public sooner. However, as can be seen by the National Heart Institute's Coronary Drug Project, such studies can be both time-consuming and costly—and the Drug Establishment prefers to leave that kind of risk-taking to the government. At any rate, submissions to F.D.A. based on my suggested concept were very few and far between.

If blythophrene is safe and effective, F.D.A. will approve it for marketing. But while this decision is being made, another battle is being fought on another front. This concerns the wording of the "package insert"—the descriptive material that accompanies each package of blythophrene to the drugstore, outlining the recommended dosages, indications for use, side effects, and contraindications. This, along with the wording of the claims that may be made in advertising material, is also the responsibility of the Food and Drug Administration.

This is extremely important to the pharmaceutical companies, because this is where the money is. They have to convince the physician that this is the best possible product in its field. F.D.A. on the other hand, must make sure that the advertising claims remain within the bounds of scientific evidence.

High-priced lawyers will spend hours in conference with F.D.A. officials, haggling over the wording of promotional material, engaging in semantic arguments as to whether a certain section of government regulations does or does not give F.D.A. the right to limit the company's "freedom" in a certain area. Eventually, at your expense, agreement is reached, and the company is ready to launch blythophrene with a gigantic advertising compaign aimed at the physicians who, they hope, will prescribe the drug freely.

The Drug Establishment's advertising campaigns are among the most impressive in all media. The advertising and promotional budget has been estimated at approximately $800,000,000 per year—or about $3,000 for each physician in the U.S.

The campaigns embrace not only professional journal advertisements (the *Journal* of the American Medical Association leads the field with an income hitting close to $10,500,000 per year), but also convention exhibits, seminars, workshops, closed-circuit television, FM radio, motion pictures, slide shows, golf tournaments, dinners, annual awards, and "detailing." (The detail man is a personal salesman who goes from doctor's office to doctor's office, spending an average of six minutes extolling the virtues of his company's newest or most trusted product, disparaging competitive products, leaving behind free samples, calendars, pens, and other memorabilia.) One company traditionally hands out to every new medical-school graduate a brand-new stethoscope for his very own.

With large sums at their disposal, the advertising agencies that handle pharmaceuticals are among the elite of the advertising and promotion business. Among the most prominent are L. W. Frohlich & Company, who has handled Parke, Davis & Company for years; Donald F. Fitzsimmons, Inc.; William Douglas McAdams, Inc., who shares offices with Medical Tribune and Hospital Tribune; Sudler & Hennessey, Inc.; Paul Klemtner & Company, Inc.; William Esty Company, Inc.; and Robert E. Wilson, Inc. Except for Fitzsimmons and Esty, all are associate members members of the Pharmaceutical Manufacturers Association.

Liberally sprinkled with drug ads that often run to eight four-color pages, the various professional and semiprofessional journals have been willing carriers of the message of the Drug Establishment. Naturally, they find it hard to agree with almost anything said by federal regulatory agencies. This is understandable. The Establishment holds together very well at this point. For example, Dr. John Adriani, chairman of the A.M.A.'s Council on Drugs and one-time adviser to the F.D.A., is a good friend of Dr. Arthur Sackler, eminent New York psychiatrist and former chairman of the board of the William Douglas McAdams advertising agency. Dr. Adriani serves on the Editorial Advisory Board of Medical Tribune. Dr. Morris Fishbein, former A.M.A. president and editor of its Journal, is editor of Medical World News, McGraw-Hill's leader in "mass-circulation" news magazines aimed at physicians and second in advertising revenue.

The Establishment's powerful grip on the physician's reading material is important, not only as a means of putting across its own sales pitch, but also because very often it is the only source of drug information that the doctor has. By assaulting his eyes with thousands of colorful "brand-name" ads, the Establishment can blind him to the fact that, in many instances, cheaper versions of the same drug are available from lesser-known manufacturers.

Establishment propaganda holds that only those drugs produced by "research-oriented, quality-conscious" drug companies can be said to be safe and effective. Anything else—particularly anything made by the smaller, non-Establishment companies—is potentially dangerous.

The facts speak differently, however, because all drugs, whether sold under brand names or generic names, have to meet certain chemical standards set by two national agencies, the U.S. Pharmacopeia and the National Formulary. These standards cannot guarantee equivalency, but they do ensure that the drugs are pure and potent.

In addition, the cheaper "generics" appear to be good enough to pass the rigorous tests laid down by federal agencies, such as the Department of Defense, which form the major part of the smaller firms' market, buying large quantities of drugs on a bid basis. The small companies, with lower production and distribution costs and no advertising or research overhead, often outbid the Establishment firms for such contracts.

There are exceptions, and the F.D.A. is spending additional tax dollars on research to find out whether the costly brand-name products really are better than their cheaper counterparts. But on the basis of the available evidence it can reasonably be said that two drugs, which contain the same active ingredients and meet the same chemical standards required before marketing approval can be given, will act the same way in the human body.

However, when I tried to list brand-name drugs and their so-called "generic equivalents" together in our proposed Drug Compendium, the Drug Research Board balked at the idea. Their opinion—which coincided with the Drug Establishment's view—is that the generic drugs have yet to be proved as good as brand names.

The lengths to which Establishment figures will go to protect the myth of brand-name superiority is perhaps best illustrated by Senator Nelson's confrontation with W. H. Conzen, president of Schering Corporation.

Nelson was particularly interested in the pricing structure of Meticorten, Schering's brand of prednisone, an important anti-inflammatory agent used in the treatment of chronic arthritis, allergies, and skin and eye inflammation. Many versions of the drug are available, and the prices range from Schering's $170 per thousand to $4.53 per thousand for a version manufactured by Upjohn. Many non-Establishment companies have prednisone available in the Upjohn price range.

Mr. Conzen was asked whether the Defense Supply Agency—"which is supplying Walter Reed, where Presidents, Congressmen, and generals are treated"—was getting an inferior product when it accepted the lower-priced prednisone.

"I cannot say whether it is therapeutically equivalent," Mr. Conzen said. "I can say that they are definitely buying a first-class drug which, complies with and meets the tests and standards of the agency, which are very exact."

Yes, but "what is there about Meticorten that makes it worth $170 a thousand, when the government is buying it for $4.50 [and] New York City is buying it for $4.58 a thousand?" Senator Nelson asked.

"Several points," Mr. Conzen said. "One the overwhelming clinical evidence as to the efficacy of our brand unmatched by any other brand or make of prednisone. Second, our continuing research and the contributions which the sale of Meticorten make to enable us to continue to compete in this business as a research-oriented company, which strives for innovation, and plays its part in bringing benefits to the public, which, in terms of health and anything else, are unsurpassed anywhere in the world."

Mr. Conzen, also in his testimony, spoke of Schering's discovery of prednisone in 1954 and the research that his company puts into new drugs of that kind. Actually, between 1953 and 1967,the National Institutes of Health invested a total of $16,498,144 in grants for research on prednisone and its cousin prednisolone. (With annual sales of $1,000,000, one-third of the total U.S. prednisone market, it is unlikely Schering's investment in research is near this figure.)

The government-sponsored research really paid off for Schering. Shortly before the drug was approved for marketing, the results of an important study carried out at the N.I.H. Clinical Center were reported to a meeting of the American Rheumatism Society. This assured the immediate success of Meticorten. The prestige of the National Institutes of Health was put behind the drug; physicians responded by making it the leading seller in the field.

The stock market also responded, and Schering's stock rose from $11 per share to $80.

Mr. Conzen was merely following the Establishment line, memorized and repeated by all Establishment figures when confronted with bothersome questions concerning the high cost of their drugs. Harold Burrows, former president of Parke, Davis & Co., told Senator Nelson: "Our sales policy has to be such as, hopefully, to produce an economic climate in which we will be inspired and encouraged to spend money for research, if the health and well-being of this country and of the world is to be advanced. I think that the ethical pharmaceutical industry, including Parke, Davis, has made a significant contribution in that field and we hope to continue to do so."

The climate is healthy enough; no one will dispute that. Annual reports for 1967 for just a few Establishment companies reveal the state of the industry's health: Merck & Co. had sales of $528,000,000, a net profit of $89,000,000 on an investment of 25.4 percent; Smith Kline & French had sales of $260,000,000, a net profit of $42,000,000 and a return of 26.9 percent; Eli Lilly & Co. had sales of $408,000,000, a net profit of $54,000,000, and a return of 19.2 percent; and G. D. Searle had sales of $133,000,000, a net profit of $27,000,000, and a return of 28.5 percent.

The question arises, therefore: With the nation irrevocably committed to providing broader and better health care for all its citizens, and committed as well to build drugs into that guaranteed health-care system, is it reasonable for this small group of companies to charge prices that return such extravagant profits—especially when the public investment is overwhelming at the beginning (during the research and development stage) and at the end (at the time of purchase for defense and civilian medical-care programs)?

I think that the answer should be No. But the Establishment is firmly entrenched, supported by an unknowing public and a captive medical profession. Until there is strong, organized opposition, the Drug Establishment is safe.

This lack of organization is the major reason for the failure of opponents of the Establishment to make any real headway. Too often we find the various branches of government, which should be looking out for the public interest, fighting among themselves.

There are many examples, but the worst that I can recall during my term as Commissioner involved a dispute between the F.D.A. and Senator Edward V. Long (D.-Mo.). Senator Long, champion of the right to privacy, assigned a staff consultant, Miles Hadley Robinson, M.D., to investigate the F.D.A. Between March and October, 1967, Robinson—quite properly while he was a Senate employee—made several thousand copies of secret F.D.A. documents—with particular emphasis on those concerning a drug called Cothyrobal, submitted for approval by the Vascular Pharmaceutical Co.

Robinson resigned from Long's staff on April 12, 1968. Four days later he appeared at F.D.A. with Louis Mishell, both representing Vascular Pharmaceutical, and requested "a fair decision by F.D.A. on the Cothyrobal application"—meaning approval for marketing.

This was one of the most open examples of conflict of interest that I had ever known, and while Robinson's investigation was going on, Senator Long was making speeches harshly critical of the F.D.A., in the Senate, to the press, and in his home state.

The F.D.A. survived, and Senator Long was retired by the Missouri voters, but this kind of dangerous and unnecessary backbiting is typical of the problems that must be overcome if we are to counterbalance the enormous power of the Drug Establishment If you undermine the public's confidence in its "watchdog," you destroy your main weapon.

The public investment in development of drugs is too large to permit the continuation of a system under which a few companies are allowed to make huge profits at public expense. As we move closer to our aim for quality health care for all Americans, public attention will focus more and more on the Drug Establishment and they will see the need for change. Drugs are a vital health commodity and they must be freely available to all who need them—not just those who can afford them.

The necessary changes could be made within the present system, if the Establishment were willing to cooperate reasonably and rationally. By trimming advertising costs, eliminating unnecessary research, and cooperating, rather than competing, with the government in the development of new drugs, the pharmaceutical industry could deliver drugs to the public at much lower prices—and still make a reasonable profit.

If the Establishment insists on following its present course, however, an awakened public will have no alternative but to demand a system of governmental control.

Under the American system, the likelihood of nationalization is remote—but it is conceivable that as the public investment in the health industry grows larger, the Drug Establishment may well find itself in the position of explaining to Congress why it should not be made into a public utility.

HOPEFUL REPORT THAT COMMON MARKET SOYBEAN TAX WILL NOT BE IMPOSED

Mr. SYMINGTON. Mr. President, farmers in Missouri and throughout the Nation have been deeply concerned about the proposed Common Market tax on soybeans. As presented to the Senate in a talk on February 7, appearing on page 3226 of the Congressional Record for that day, such a tax would be a severe blow to the income of the American farmer.

For this reason, I was glad to get a report from the Honorable George V. Hansen, formerly a member of Congress from Idaho and now Deputy Under Secretary for the Department of Agriculture, reporting that the latest information received by the administration "is that the Council of Ministers is not likely to act on the proposal in its present form. Final action, if any, is not expected to be taken in the immediate future."

We hope that the firm stand taken by the administration and by the Members of the Congress in opposition to this proposed tax will continue to be effective and that our farmers will indeed have access to the Common Market countries for sale of soybeans and soybean oils.

I ask unanimous consent that Mr. Hansen's letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of Agriculture,
Washington, D.C., February 28, 1969.

Hon. Stuart Symington,
U.S. Senate.

Dear Senator Symington: This is with respect to the concern which you have expressed over the European Community's proposal to place a consumption tax on oilseeds and oilseed products.

As you may know, on December 19, 1968, the Commission of the European Community submitted to the Council of Ministers (the Community's Executive Body) its long awaited policy program to reform the agricultural sector, including specific provisions relating to fats and oils. The Commission proposes to introduce a tax of $60 per metric ton on vegetable and marine oils and $30 per ton on meals and to take the initiative in launching negotiations for an international arrangement for fats and oils. Such measures ostensibly designed to stabilize the edible fats and oils market, particularly butter, are in fact designed to plug the hole in the otherwise highly protective wall of their Common Agricultural Policy through which oilseeds and high-protein meals enter duty free without restriction.

We consider this to be the most important trade problem that has arisen in agriculture between the United States and European Community because of the magnitude of our trade in oilseeds and oilseed products—nearly $500 million in 1967/68 and expanding. Impairment of our access to the important European market would have a serious impact on farm incomes and on the U.S. balance of payments. In addition, it is another example of the Community's policy of shifting most of the burden of supply adjustment to third countries through intensification of import restrictions and export aids. We have, therefore, taken an extremely strong position in opposition to the tax.

The U.S. Government has continuously and forcefully warned the European Community that their proposed tax would sharply reduce the Community's imports of oilseeds and oilseed products and would result in a massive impairment of the present access available to American exporters. We made it clear that we could not agree to any action or subscribe to any arrangement which would limit our export opportunities, or deny to us the benefit of concessions negotiated under GATT. We also made it clear that such action would leave us no choice but to retaliate promptly to restore the balance of concessions. You may have seen in newspaper stories the thought that our retaliation might include such important exports as European automobiles, typewriters, office equipment, wines, and similar items that Americans buy from them in large amounts.

What we, in fact, are saying to the European Community is that the enactment of a consumption tax on oilseed products could lead to the most serious trade policy confrontation between the Community and the United States with commercial and political implications extending beyond agriculture.

We will continue to make representations to the Community through all available channels to keep unimpaired our access to Community markets for our oilseeds and oilseed products.

Our latest information is that the Council of Ministers is not likely to act on the proposal in its present form. Final action, if any, is not expected to be taken in the immediate future.

Please let me know if I may be of further assistance to you.

Sincerely,

George V. Hansen,
Deputy Under Secretary.

PRESIDENT NIXON'S TRIP TO EUROPE

Mr. SCHWEIKER. Mr. President, I wish to pay tribute, on behalf of myself and my Pennsylvania constituents, to President Richard M. Nixon on the successful completion of a most valuable trip to Europe.

In an era when international tensions and misunderstandings have created countless crises and endangered international peace, and when the threat of armed conflict looms in many trouble spots around the globe, it is reassuring to know that our President has bridged an important gap of friendship and understanding with our allies in Europe.

Although America and some European nations had some differences over specific policies and actions, we were running the risk of allowing these differences to erode the important bonds of mutual understanding between the nations of the free world. President Nixon has achieved significant advances by recementing this friendship and opening the doors for many mutual discussions on the important issues of our times. As a result of the message of trust and understanding that President Nixon carried to the capitals of Europe, we can look forward to working closer with our European allies on all levels of government, and to widening our channels of communication with them.

The cause of world peace has been furthered by the President, and the praise coming in from around the world to him is well deserved.

TRIBUTE TO SENATOR BARTLETT

Mr. MOSS. Mr. President, the death of a Member of the Senate always saddens us, but our grief is especially great when we lose a Bob Bartlett—a colleague with whom we walked in singular admiration and respect.

Bob Bartlett dedicated his life to two things—helping all people but especially helping Alaskans.

Probably his most outstanding quality was his compassion. He was a warm, generous, and understanding person. When anyone was in trouble, he took those troubles deeply to himself. His efforts to help were unceasing, endless. He made friends as easily as some people make enemies. Bob kept his friends for life.

In his dedication to Alaska, Bob Bartlett built an enduring monument. He spent most of the last quarter century of his life in a drive to win statehood for Alaska, and in helping to guide it through its first 10 transitional years when it changed from a territory to a full-fledged, first-class member of the family of American States.

I think it no exaggeration to say that Alaskan statehood, and the flourishing, progressive place that Alaska has become, are as much due to the dedication of Bob Bartlett as to any other single force or effort.

And ever with Bob as his companion and counselor, devoted to him and to his work and his ideals, was his wife, Vide. She, too, is loved and revered by all who know her.

I have never been more impressed with home-State editorials about the passing of a Member of the Senate than with those on Senator Bartlett. Alaska newspapers speak of the "outpouring of grief" of his Arctic frontier constituency and call him their "most beloved citizen." They say no one was ever as trusted and revered as was he. They refer to their "plateau of devotion" for him and consider him a "man to match the State's mountains."

Those of us who knew him well here in the Senate can understand.

We knew it was a privilege to call him friend and to work with him. He was a sound legislator, and he was solid as a man. He had loyalty, courage, and integrity.

We shall miss him—we shall always remember him. Phyllis joins with me in expressing our deep sympathy to his devoted wife, Vide, and his daughers, Doris Ann and Sue. They can walk with his memory in singular pride.

PRESIDENT NIXON'S TRIP TO EUROPE

Mr. BOGGS. Mr. President, tonight President Nixon reports to the Nation on his tour of Europe, a journey that I am confident returned a missing dimension to the foreign policy of this country.

The President's reception in the capitals of Western Europe was universally warm. While the predictable disturbances were evident in some places, the crowds surrounding the President gave him enthusiastic responses.

The President went to Europe at a trying time, a time of intramural disagreement and a time of surging tension between East and West over Berlin.

Yet his itinerary included apparently agreeable and productive talks with the leaders of the nations he visited, talks which demonstrated a renewed American interest in our oldest alliance.

Mr. President, I believe the President is to be congratulated on his good works in Europe.

A CHILD'S VIEW OF POLLUTION

Mr. TYDINGS. Mr. President, few concerns of mankind today are as important as the preservation of the quality of the environment.

The average American is not fully aware of the gravity of our pollution problem. Not enough people realize that every river system in this country is polluted.

Mrs. Susan Fridy, a teacher at the Catonsville Elementary School, has set a good example for us all in making our pollution problem real for her students. I commend her for her part in the important task of educating our citizenry, young and old, about the serious spoilage of our environment.

A child is often more appreciative of the beauties of nature and more affected by its spoilage, as he loses rivers in which to swim and parks in which to play. I ask unanimous consent that the essays I received from Mrs. Fridy's fourth-grade students be printed in the RECORD. I hope that they will remind us all of the damaging effects of our polluted environment.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

I Am a Fish in Polluted Water

This water I'm in is polluted. Do you know what polluted water can do? Why it can kill fish, birds, seaweed and other water plants. All kinds of life. Even you maybe. So help stop water pollution. Please!!!

The end.

ROBERT POLK.

Fish in a Polluted River

I'm a fish living in a polluted river. People dump many things in here. They put in oil, soap, rubbish and chemicals that harm fish. Many fish die because of that. Many people are trying to stop it. You can help too!

JAMES PUSEY.

Mr. Pollution

One day I was having a terrible time taking my afternoon swim. No one told me to look out for Mr. Pollution. So I didn't think about him. But I didn't think about him. But that was my mistake. And the next thing I knew was Mr. Pollution was after me.

Help!! I yelled no answer. Help! He's got me. And just then a human came to my rescue and killed him. And all the fish and me were saved.

ROBERT EMERY.

Ew! Look at this gooey mess! Wonder what I can do about it? Looks like I'll have to go to the Chesapeake Bay.

(4 Days later):

Well, here I am. Oh no it's polluted too. Looks like I'll have to go to the Atlantic Ocean.

(2 days later):

Good. I got away from that mess. The people pollute like crazy. Hope they don't come here.

CHRIS F. ———.

A Fish Living in a Polluted River

Hello! My name is Seamore and I'm a fish living in dirty water ah! Its so terrible. I'll tell you what its like.

One day I was sleeping peacefully and all of the sudden this nasty smell came to me. I stepped out of the water a bit and I saw plain ordinary people throwing things into my river. Why of all the nasty no-rotten things I yelled at them but they wouldn't listen.

I thought it would be nice to go up to them but then I felt dizzy. I tried to swim I—floated. This is the end—dead—dead—dead.

Bye-Bye cruel world!

RHONDA ROHRS.

If I Were a Fish in a Polluted River

I was swimming peacefully in front of the two rusty old pipes hanging over the waters edge. My Grandad once told me dirt and grimy trash came out of the two pipes, I always believe my grandad but this time I don't know what to believe.

I was still swimming when out came dirt and grimy trash just like my grandad told me! Now someday I can tell the story of the polluted river to my grandchildren.

SUZY L. ———.

Bonnie and Clyde Fish

Hello! My name is Bonnie, Bonnie Fish. My-aaaaachoooooo! What was that?

"A puff of oil, dirt and dust, Bonnie."

Oh thank you, Clyde honey. Now as I started to say, my boyfriend is Clyde Fish. Oh, oh, here I go again, Aaaaachooooo! Same thing, Clyde?

Yes same thing Bonnie. Oh, by the way—should we call off the wedding; move, and then get married?"

Yes, I was thinking of that too.

So we moved and got married. The pollution hasn't reached us yet. Will it be long?

By,

JUDITH SCHNEIDER.

Candy

One day I was swimming home and sitting down to lunch when suddenly a tire fell down. My baby sister was all right so was the rest of the family.

My daddy took a close look—it was a tire but who did that. We made a playpen out of it for my baby sister. A few days later my daddy decided that some kids were doing it. Someone must stop them. Well my daddy had to go to work. My sister was too young. My brother was a scared cat. My mother had to take care of us. So I was left.

I could not go till I was 6 I was 5. My birthday came soon. We were glad we had had a few clunks. The day came I said "Good bye" and gave myself a big jump. I was on a big rock.

Some kids were throwing some things, I said "Stop" and told my story. They promised never to do it again so I left. When I went back my sister was hurt. I told my story, and my parents told theirs. My sister got better and we lived happily ever after.

LORAN MOTE.

GRAZING RIGHTS OF CERTAIN RESIDENTS OF ARIZONA

Mr. FANNIN. Mr. President, on February 25 I introduced for myself and my colleague from Arizona (Mr. GOLDWATER) a bill authorizing the Secretary of the Interior to recognize the grazing rights of Henry Gray, Jack Gray, and Robert Louis Gray.

I ask unanimous consent that there be printed in the RECORD Arizona Senate Joint Memorial 1, urging the President and the Congress to so recognize these grazing rights.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

SENATE JOINT MEMORIAL 1

Joint memorial urging the President and the Congress of the United States to recognize the grazing rights of Henry Gray, Jack Gray and Robert Louis Gray, doing business as Gray Partners, on the Organ Pipe Cactus National Monument by either ratifying and confirming their right to a lifetime grazing permit on the monument or compensating them for the cancellation of their grazing permit

To the President and the Congress of the United States of America:

Your memorialist respectfully represents:

Whereas, during the year 1917 Bob Gray and his family moved from Texas into what is now known as the Organ Pipe Cactus National Monument, and there purchased range rights, water rights and improvements from persons then living and grazing cattle in the area, all in accordance with the recognized customs, practices and laws of the United States and the State of Arizona at that time, and all of which grazing land at that time was open range and remained so until the passage of the Taylor Grazing Act in 1934 which Act specifically recognized such grazing rights; and

Whereas, the Organ Pipe Cactus National Monument was established by Executive Order of April 13, 1937 (50 Stat. 1827); and

Whereas, under the provisions of such Executive Order the lands withdrawn were subject to vested rights which, insofar as surviving members of the Gray family, by then doing business as the Gray Partners, were concerned, consisted of water rights, homestead rights and their range rights and improvements as recognized by the Taylor Grazing Act; and

Whereas, after considerable negotiations and discussions between Senator Carl Hayden of Arizona and Secretary of the Interior Harold L. Ickes, a firm commitment was made by Secretary Ickes to Senator Hayden that in lieu of condemning their grazing rights or compenstaing the Gray Partners for their vested rights in the Monument that their grazing and water rights would continue to be recognized by the issuance of grazing permits through the lifetime of the last surviving Gray Partner, which agreement has been recognized and honored throughout the years and grazing permits have been issued by the National Park Service of the Department of the Interior down to and including December 31, 1968; and

Whereas, in 1966, the Department of the Interior, acting through its Under Secretary John A. Carver, made a firm commitment to the Gray Partners to purchase all of their rights within the Organ Pipe Cactus National Monument, consisting of approximately one hundred sixty acres of fee land, two sections of State of Arizona leased grazing land together with all their improvements, water rights and grazing permit on such public lands for a total consideration of three hundred sixty thousand dollars, which offer was accepted by the Gray Partners by the execution of an Option and Contract dated August 30, 1966. Attempts were made by the Department of the Interior from the date of such option to July, 1968, to obtain the approval of the Senate and House Subcommittees on Appropriations and National Parks, which approval was granted by the Senate Subcommittee but withheld by the House Subcommittee. The aforesaid option has been extended from time to time by the Gray Partners and they have at all times acted in good faith in their dealings with the National Park Service and the Department of the Interior and relied upon the firm commitment to purchase their rights made by Under Secretary Carver; and

Whereas, notwithstanding these facts, the Assistant Secretary of the Interior under date of July 12, 1968 advised the Gray Partners that their grazing permit on the Organ Pipe Cactus National Monument would expire on December 31, 1968 and would not be continued and that their cattle grazing upon the Monument would have to be removed from the Monument lands by January 1, 1969; and

Whereas, as a result of this arbitrary action by the Department of the Interior, Senator Carl Hayden introduced in the Senate of the United States S. 3837 authorizing and directing the Treasurer of the United States to pay the Gray Partners the sum of two hundred ninety-two thousand dollars as damages or compensation for the cancellation of their grazing permit; and

Whereas, it is the considered opinion of the Legislature of the State of Arizona that the Gray Partners have been unjustly, arbitrarily and cruelly treated by the Department of the Interior and the arbitrary cancellation of their grazing permit on the Organ Pipe Cactus National Monument violates firm commitments made by the Secretary of the Interior to Senator Carl Hayden and more recently to other members of the Arizona Congressional Delegation; and

Whereas, the Legislature of the State of Arizona believes that this unjust and arbitrary action should be rectified and corrected by the President and the Congress of the United States by legislation which would either ratify and confirm the lifetime grazing permit of the Gray Partners or compensate them for the loss of their grazing privileges and property rights on the Monument.

Wherefore your memorialist, the Legislature of the State of Arizona prays:

1. That the Congress of the United States enact and the President sign into Law legislation which will either ratify and confirm the liftetime grazing permits of Henry Gray, Jack Gray and Robert Louis Gray, doing business as the Gray Partners, on the public lands within the Organ Pipe Cactus National Monument, or fully compensate them for the loss of their grazing privileges and rights.

2. That the Secretary of State of the State of Arizona be directed to transmit a copy of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives of the United States and to each member of the Arizona Congressional delegation.

WEST VIRGINIAN CHAIRMAN OF INTERSTATE COMMERCE COMMISSION

Mr. BYRD of West Virginia. Mr. President, West Virginians are proud of the fact that a West Virginian, Virginia Mae Brown, is Chairman of the Interstate Commerce Commission.

She is the first woman to be a member of the Commission, the first woman to be its Chairman, and the first West Virginian to hold the position.

An excellent feature article about this capable and charming lady appeared in the Washington Sunday Star, headlined "In Transportation—A Peach of a Gal."

I read this article with interest and with pride. It is an excellent word picture of a woman who has held many positions of public responsibility and who has discharged her duties with distinction.

I ask unanimous consent that the article about Mrs. Brown be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IN TRANSPORTATION—A PEACH OF A GAL

(By Donnie Radcliffe)

CHARLESTON, W. VA.—The flight from Washington lasts only an hour but it is long enough to polish a speech or study a report before the plane begins its descent on that precipitous 982-foot high mountaintop runway.

Other passengers cinch their seatbelts until the discomfort forces their minds aloft. Below is the dreaded 300-foot ravine that is a pilot's final hurdle before wheels can touch ground.

A good-looking, preoccupied brunette in her mid 40s sits near the front engrossed in her thoughts, never noticing the buildings of Kanawha Airport growing nearer.

She has come to West Virginia on the average of every other weekend for the past five years and today, unlike any of those other times, she has come to address the West Virginia Senate.

Usually she has come as Mrs. James V. Brown—"Ginny Mae" to the widowed mother she visits at Pliny, the tiny town some 35 miles from Charleston where the ancestral home sits on 600 acres planted in corn and tobacco.

Always she has come as "Peaches" Brown, the vivacious, brainy West Virginia University law school graduate whose classmates, many of them now among the state's rising politicians, gave her the nickname because "she was a peach of a gal."

And often she has come as Virginia Mae Brown, member of the Interstate Commerce Commission whose business concerns the complex problem of transporting people and goods from one place to another.

"Transportation was always a problem," she muses while strolling to a waiting car, recalling a girlhood in the country.

"But I never thought I'd be in it."

Today, Mrs. Brown is in it like no other woman before her ever has been. On Jan. 1, she moved up to become chairman for one year of the 82-year-old federal agency which regulates the unfeminine industries of railroads, trucking and barge lines, bus companies and pipelines.

They are industries with combined yearly revenues estimated at $25 billion and, in the vernacular of many who work in them, they "ain't no place for a lady."

The $40,000-a-year chairman's job (Congress last month raised the salary from $29,500 and that of the other 10 commissioners from $28,000 to $38,000) means she is the one who will testify before Congress, be the commission's voice, handle its conference and channel its course.

She has no housewifely notions of new brooms or political visions of clean sweeps.

"Our problems don't move or go away in one year," she says with the patience of one who sat through two years and three months of hearings on the largest railroad merger case ever filed with the ICC, the Rock Island merger.

There are, instead, what she calls "a great multitude of areas" and the consumer area dealing with passenger train service and household moving problems is one of her special concerns.

"We've worked very hard in these areas at the ICC and there are problems. So it isn't just a thing for my chairmanship."

Nor is she critical of the one-year term ICC chairmen traditionally serve.

"I've had busy days and nights," she says of the two months since she became chairman, "and it kind of sounds like maybe a year's a-plenty."

There are shortcomings under every system and she has worked them all. But in the years since she left law school to embark on a career of legal and regulatory work, she has found "if you've got good people who want to do the job, actually you can do it."

That career has been a remarkably successful one in which she admits "everything worked along in sequence without me ever applying for a job yet."

President Johnson summoned her to Washington on a March day in 1964 when, as first woman chairman of West Virginia's Public Service Commission, she was "right in the middle of a whole lot of families being without gas—people ill and with babies who were going to end up out in the cold."

She had not wanted to be disturbed, she remembers, but was brought out of that meeting in a hurry.

"The President said 'would you and your husband come to my office tomorrow morning at 10 o'clock'. The answer was 'yes, sir'."

The then 40-year-old mother of two small daughters was one of nearly 1,000 women Johnson appointed to jobs from GS–12 up in his first six months as president.

But her appointment was one which male observers watched with particular interest. Never before had a woman sat on this oldest of all federal regulatory agencies and many wondered whether her sex might work against her in a realm heretofore dominated by men.

"It never seemed to bother her," says her confidential assistant Hildred Hersman who has been near or by her side since Mrs. Brown was legal counsel to former West Virginia Gov. W. W. Baron.

"The fact that she is a woman made her a novelty in this field, sure, but she can see the problems," says her successor on the Public Service Commission, Chairman Boyce Griffith.

As far as Mrs. Brown can see, her sex may have worked to her advantage in at least one instance. She used her feminine eye to coordinate decor in an otherwise government-grim ICC office and completed the job in record time.

"You always got your drapes, your carpets and your walls painted a year or two apart. I said if it couldn't be done together to please pass me by."

Today she wears gay, feminine clothes to match her bright, feminine but tailored office where walls are off-white, carpets red, drapes a combination of both colors and furniture is covered in white imitation leather.

Her home in Alexandria, which she and her attorney-husband recently bought, is equally gay and a welcome change from apartment-living for their active and gregarious daughters Vicki, 13, and Pam, 9.

"I've moved 10 times in my life," Mrs. Brown says, "and I've never had any problems. But that doesn't mean other people haven't."

She knows there are hangups in the moving industry and says the ICC is working to improve them. But she also credits the industry itself with making proposals to help tighten rules.

"You can't do anything by not talking to industry."

Talking, says her mother Mrs. Felix M. Brown, is one thing Ginny Mae has always been especially good at.

"She's just like my father," her mother continues, watching her daughter in an animated conversation with several West Virginia senators. "He could talk forever."

NO FAVORITES

Mrs. Brown, president of The Buffalo Bank at Eleanor, W. Va., is proud of her daughter "but I'm proud of all my children." And she was delighted when Ginny Mae married a law school sweetheart in 1955 with the same last name.

"It made it easier for me not to give her up."

The tall, pleasant, tastefully dressed elder Mrs. Brown kids her daughter about her minihems, threatens "to face all those hems" the next time Ginny Mae goes to Pliny.

She would like to see her daughter back on home ground permanently, says "I'm sure she'll come back some day. But I don't want her to take my job. I'm not ready for the shelf yet."

With Chairman Brown's ICC term due to expire Dec. 31, 1970, there is still enough time to consider the next move.

And this year she probably will be busier than she has ever been as she steers the ICC through what some see as its most hazardous course yet.

A reflective woman who chooses her words but often omits commas and periods, she is apt to detour around hard-pavement stands on whether the ICC, an arm of Congress, should have more policymaking power.

"I think about a whole lot of things about air service and I'm not regulating the air service but to me if you are going to sit as part of transportation you can't block out of your mind what belongs where."

Working with the chairmen of the Federal Maritime Commission and the Civil Aeronautics Board, she says they go over mutual problems that work their way into each agency.

"There was a time when you ran your own agency, but in this day and time we think about problems we don't even have to answer."

One of them is what she calls "coordinated transportation" where train, bus and plane arrival and departure points would be drawn together so travelers could use them with ease instead of harassment.

Transportation, she philosophizes, has been a key to America's growth as a cohesive, powerful nation. Where an individual's transportation was limited, so was his world.

"They've written many songs about living a whole lifetime and never seeing the other side of the mountain. And the basis of that was true, though it isn't now."

Her more immediate concerns, however, are in areas where most women would be lost.

She sees the role of the ICC as one of economic regulation "a role this country needs badly." It fits, she says, with the Department of Transportation's work on planning and research in matters involving safety.

Is she fearful that the Department of Transportation will encroach upon ICC jurisdiction, as some critics fear?

"The ICC supported the legislation, the enactment of a Department of Transportation," she says without hesitation.

"We realized what we were doing. We gave up 432 people in the field of safety and did it in the honest belief that safety had become such a problem in this country in all areas of transportation that the best thing we could do was to consolidate it."

ONLY HINTS

She only hints at any potential threat the department might pose.

"I suppose that every agency watches its own jurisdiction. We're an arm of Congress, they're a member of the Executive Branch and there isn't any problem now. I won't say there never will be, but we're trying to do our job and they're doing their best to get started."

Her legal training was invaluable though not a requisite for her ICC appointment. And transportation, she likes to say, is "a pretty good living" that more people should know about.

Whenever possible she does her part to promote it, encouraging universities and colleges to give transportation courses on a year-round basis.

Former associates in Charleston watch her Washington career closely and teasingly call her "that Washington lady" to which she retorts "I'm that Pliny lady."

A few see her as a future candidate for elected office while others are not so sure.

"She'd be very promising in the political area if she were inclined that way," says Boyce Griffith, "but I think her interest is more in agency work than state politics."

Her mother says Ginny Mae has been approached several times to run for office "but I'm against it. It's what she'd have to go through, you know. Did you ever know a politician that didn't have his name slung in the dirt?"

Chairman Brown remains noncommittal though hails old friends in State House corridors with the zest of a seasoned campaigner.

"When anyone calls me Peaches," she quips, "I know the time of my life it refers to. At the ICC no one calls me Peaches, at least to my face."

At the U.S. Senate Commerce Committee they call her "a fresh viewpoint, not just a good lawyer and a smart woman."

"We're not fooled by the fact that she's a woman.

And at home in West Virginia where she was assistant attorney general of the state for eight years, then the state's first woman insurance commissioner and finally a member and chairman of the Public Service Commission, they aren't fooled by the fact that she is a woman, either.

"I really haven't had time to think about running for an office too much," she says of her career after the expiration of her ICC term in 1970.

"If I'm not busy at the ICC, I'm going to be busy someplace else. And I'm going to be busy all my life."

STRONG CASE FOR RATIFICATION OF FORCED LABOR TREATY—XXII

Mr. PROXMIRE. Mr. President, I believe there is every reason why the Senate should ratify the Human Rights Convention on the Abolition of Forced Labor. The case for ratification of all the human rights conventions is strong but the case for ratification of the Forced Labor Convention is beyond dispute.

There may be some who say that this raises the question of constitutionality. After all, the convention contains a provision outlawing forced labor as a punishment for participation in strikes. Is this not dealing with an area reserved for State regulation? No. As former Secretary of Labor Wirtz has said:

> Just as there is neither Federal nor State power validly to impose forced labor as a punishment for holding and discussing political views in a lawful manner, by reason of the Federal Constitution, there is neither Federal nor State power validly to impose forced labor as a punishment for a legal strike.

In other words, the Convention on the Abolition of Forced Labor demands nothing more than is already guaranteed under the 13th amendment to the Constitution.

Finally, there are those who cynically suppose that conventions such as these do no good. I direct such men to the list of the countries which have ratified this treaty. The name of the Soviet Union will not be found on this list. Of course not, for the Soviets have for years been operating forced labor camps.

Tragically, the name of the United States along with that of the Soviet Union is absent from the list of nations which have ratified this treaty. Mr. President, we know why the Soviet Union cannot ratify this convention. But there is no good reason why the United States cannot. Let us take that course of action. Let us ratify the Convention on Forced Labor now.

DEATH OF PRIME MINISTER LEVI ESHKOL

Mr. SCOTT. Mr. President, the State of Israel lost a valiant leader with the death of Prime Minister Levi Eshkol. I ask unanimous consent that my remarks of February 26, 1969, mourning the passing of the Prime Minister be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

STATEMENT OF MR. SCOTT

The world today mourns the passing of Prime Minister Levi Eshkol of Israel, one of the pioneer builders of the Jewish homeland.

A member of the Israeli government since its establishment as an independent State in 1948, Prime Minister Eshkol long served the people of that valiant Nation. While continually realizing the need to strengthen Israel's deterrent capacity, the Prime Minister has been unrelenting in his efforts to secure the peace that we knew would benefit all in the Middle East and all mankind.

On a recent visit to the United States, Prime Minister Eshkol conveyed to former President Johnson his central concern for peace in his country and for the area of the world in which he lived. He closed his remarks with the Biblical phrase "Peace be to him that is far, and to him that is near."

These are beautiful sentiments coming from one who has long yearned for a true peace for his people. We can only hope that Prime Minister Eshkol will now find the peace he so richly deserves.

RESPONSIBILITY IN SCHOOL DESEGREGATION

Mr. MONDALE. Mr. President, statements attributed to Richard Nixon and some of his supporters during and since his successful campaign for the Presidency led many school officials and other observers of the school desegregation program to believe that less would be required under a Nixon administration than had been true during the preceding administration. I hope I am correct in interpreting the comments recently by the President and Secretary Finch to mean that there will not be any backsliding or equivocation in the school desegregation program authorized by title VI of the Civil Rights Act of 1964.

An article published in the Atlanta Constitution of February 15, 1969, makes clear the great importance of the Nixon administration carrying out the title VI school desegregation program firmly and fairly, as I believe it has been conducted in the past. The article was written by Mr. Reg Murphy, and it makes a great deal of sense. Persons who have been elected to office should have no difficulty understanding the point Mr. Murphy makes in the article—that unless the President and Secretary Finch are firm in their administration of the title VI program, they will "create an untenable political situation for local superintendents, principals, teachers, and moderates who must continue to live in the community."

Mr. President, the article by Mr. Murphy emphasizes a point which is often overlooked in the discussion of the school desegregation program. I hope Members of Congress will take time to read the article, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRESIDENT, HEW MUST BE FIRM

(By Reg Murphy)

"If they are wishy-washy now, they will destroy everything we have worked for in this community," a worried Georgia county school superintendent said.

"Our school board and a majority of our people pretty well accepted the fact they would have to desegregate the school for real. They lost in the district court, and then we lost some money from the schools," the superintendent added.

"After Nixon won, the board members got some new hope. Then they went to a Georgia school boards meeting the other night and heard Gov. Maddox talk about the need to change the decisions in education, and they got real excited. Now they think some kind of lightning is going to strike and they won't really have to desegregate."

As the superintendent talked, it was obvious that he has been under great strain. Trying to guide his schools toward integration, and working with a board which has resisted every step of the way, has been exceedingly difficult. He needs help—the kind of help that only the Nixon Administration and the department of Health, Education and Welfare can give.

The superintendent went on to say that his lawyers have advised there is no way to win the appeal. The lawyers have advised it would take $6,000 of school money to pursue the case to the U.S. Fifth Circuit Court of Appeals in New Orleans and that much more to go to the U.S. Supreme Court.

"We can't afford that—and it would be a waste of money anyway," the superintendent said. "But if these people keep getting new hope we will find ourselves appealing the case."

What worries him more than money, however, is the fact that the community once was resigned to accepting desegregation but now feels it may have another chance to rebel.

"You know," he said, "it's unhealthy for a community to go through this. We need firm help. If they are wishy-washy now, they will destroy everything we have worked for in this community."

The school man's talk sounded very much like the words of the restaurant operators a few years ago. They were ready to desegregate, but needed an outside agency's help. When the public accommodations law was passed by Congress, they had the firm backing they needed. Then they served food to just about everybody who came.

Only in cases where the superintendent can lean on some outside agency can he afford to move for desegregation. As a public official in a Southern county, he would have no future unless he could point to pressure in moving to desegregate the schools.

The job of President Richard Nixon and HEW Secretary Robert Finch becomes clear, then. They must insist that the law of the land be obeyed promptly. They must have firm guidelines which will tell school districts precisely what to expect. And they must cut off funds precisely when they say they will.

Otherwise they create an untenable political situation for local superintendents, principals, teachers and moderates who must continue to live in the community.

It appears that Nixon and Finch have understood only partially their responsibility. They talk about sweet reason. To be sure, that is essential.

They also must be very firm indeed, or they will bring on the political death of a vast number of men who are trying to do the right thing.

ABM AND THE ARMS RACE

Mr. PERCY. Mr. President, the board of directors of Congregation Solel in Highland Park, Ill., has adopted a statement of concern about the ABM program and the nuclear arms race. Because of its eloquence and logic, I ask unanimous consent that it be presented in the RECORD.

I congratulate the board of Congregation Solel, their rabbi, Arnold Jacob Wolf, and their president, Irving A. Hanig.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

In the few short years since Hiroshima, we have watched nuclear armaments multiply and re-multiply to even farther and more awesome limits of destructiveness. It is hard to believe that in so little time the arms race could have already reached the state it has, and that we now find ourselves actually considering whether missiles armed with hydrogen bomb warheads should be placed directly into our community in an attempt to achieve some kind of protection.

Supporters of the "thin" antiballistic missile program which is now being proposed admit that it would not be adequate to protect against a massive attack. They do contend that such a system would nevertheless provide protection against a lesser attack. This view is not shared by many who believe that a determined aggressor with enough capability to produce the type of weapon against which the system is designed would also be able to circumvent the system by attacking in other ways.

In the face of the grave dangers of an inflated economy, we are deeply concerned about making vast expenditures in a program which may well contribute little or nothing to our country's security. The initial cost alone would be $5 billion and if the system is expanded as some have proposed the cost has been projected to from $40 billion to $100 billion. With our nation torn by the crisis of racial conflict, our human and material resources in such tremendous amounts must not be diverted from the urgent domestic needs of our society.

We are deeply concerned about the possibility of an accidental explosion. Despite the reassurance that every conceivable precaution would be taken, the horrible loss of life, which would result if an accident should somehow nevertheless occur, remains a terrifying prospect.

On the basis of our religious and moral convictions, we feel that mankind must bring a halt to the senseless nuclear arms race. We pray that people and their leaders in all nations may be granted the will and wisdom to seek out ways of creating a world safe from nuclear holocaust. Man has reached a stage where in a few months he will walk on the moon for the first time. We pray that he may also be granted the dignity to learn how to walk on the earth as a man.

CONSERVATION QUESTIONS FACING THE NATION

Mr. METCALF. Mr. President, I believe that Americans are becoming increasingly aware that a gross national product defined simply in terms of output is a meaningless concept, that if we are destroying our environment in order to produce this output, then the annual increase in GNP is not a figure of which to be proud, but, rather is a measure of our shameful destructiveness.

I say that I believe Americans are becoming increasingly aware of this elementary truth because I think this has been the case during the Kennedy and Johnson administrations. However, the Nixon administration is still largely an unknown quantity with regard to the urgent conservation questions which face the Nation.

For this reason, I am very much interested in the 34th annual meeting of the North American Wildlife and Natural Resources Conference which opened yesterday in Washington, D.C. Each year this conference is a "watershed" for natural resource experts from all over the North American Continent. This is even more the case this year, as conservationists wait to see what the Nixon administration will do in the areas which so vitally concern them and the Nation. The President, during his campaign and since, and Secretary of the Interior Hickel, at confirmation hearings, have given a great deal of generalized assent to the conservation needs of the Nation. But whether actions will follow words is yet to be determined.

Dr. Ira N. Gabrielson, president of the Wildlife Management Institute and one of the deans of American conservation, defined the dimensions of the problems facing the new administration very clearly in a speech which opened the conference. Dr. Gabrielson urged the new administration "to accept the recent national outpouring of conservation concern as a directive for progress in overcoming the ills that afflict our land."

His speech clearly outlined the problems facing the growing number of Americans sincerely concerned about our natural resources. It will be a checklist for our performance this year. I ask unanimous consent that Dr. Gabrielson's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

CONSERVATIONISTS MUST DO THE JOB

(By Ira N. Gabrielson, president, Wildlife Management Institute, at the 34th North American Wildlife and Natural Resources Conference, Washington, D.C., March 3, 1969)

In his inaugural address, President Nixon remarked that the orderly transfer of authority between Administrations offers proof of democracy's enduring quality. Certainly, in contrast to world headlines about repression of fellow humans, free men can be proud that their people-directed systems of government work as they do.

They work well, no doubt, because free men can express their opinions about national matters. They have every right to expect their government to be responsive to their desires.

Many interesting incidents coincided with the passing of power from the old Administration to the new this year, and I trust that the profound significance of one of them did not elude you.

That incident was the spontaneous national outcry about the future of essential conservation programs. Never before, in my experience, has such strong concern been expressed about necessary efforts to restore and protect the quality of the environment. Those political leaders who apparently did not know or care before should know now that many people have a deep concern about their native land.

All the conservation articles and editorials during the past weeks demonstrate that the communications media are alert to—if not publicly committed to—the necessity of conservation. Do you remember how difficult it was only a decade ago to interest more than a handful of dedicated writers and commentators in conservation?

Times change, and we know for sure now that the public can receive a cram course in conservation in a matter of only a few days. Everyone has learned that conservation is an important governmental responsibility—a concept to be followed, a goal to be achieved. Because of this national conservation interest, the Secretary of the Interior, almost overnight, became the best known member of the President's Cabinet.

This conservation awareness did not develop accidentally. It has matured slowly, and it has been broadened progressively in the past decade, by the enactment of fundamental conservation programs.

It is difficult and perhaps unfair to designate turning points, but credit is due former Secretary of the Interior Fred Seaton, who succeeded in shining a light into his predecessor's dark tunnel of conservation despair. And since then, much appreciation is due to President Kennedy, to President and Mrs. Johnson, to Secretaries Udall and Freeman, and to skilled and conscientious men on both sides of the aisle in the United States Congress.

From this talented leadership and capable support there emerged a vastly improved water pollution control program, certainly one of the most urgent and fundamental of all conservation undertakings. There followed an air quality program, an attack on another environmental problem of far-reaching importance.

The Land and Water Conservation Fund gave impetus to outdoor recreation and land acquisition and development. It encourages agencies to think in terms of where they are going instead of where they have been. It has helped Congress to realize that conservation progress requires both authorizations and appropriations. It is pointless to create new programs if funds are not forthcoming to sustain them.

Approval of the all-important Wilderness Act firmly set forth national policy that the selective dedication of unexploited public lands for the enjoyment and study of their natural character is in the country's best interest. The newer concepts of a wild and scenic rivers system and of national trails follow in the same tradition. So, too, in my opinion, do the recent and largely untested enactments that call for an inventory of the pollution of estuaries and recommendations to assure that their great resource potentials will not be destroyed.

This past decade saw the enactment of other basic conservation programs. One is the imperative probing into the implications of the widespread use of pesticides on fish, wildlife, and other of nature's creatures. The sobering scientific facts uncovered by this research are raising serious questions about the well-being of mankind itself. Unlike a decade ago, when there was more apprehension and speculation than fact, there now is no question that some of the chemicals in common use pose grave threats to animal life.

These past few years have seen a commendable growth of man's interest in the welfare of the creatures that inhabit the earth. The Endangered Species Act set protective actions in motion in this country, and the pending legislation dealing with rare animals throughout the world can lead to even greater accomplishments.

Another basic enactment is the Classification and Multiple Use Act, the nearest thing to an organic act for the Bureau of Land Management, the agency responsible for hundreds of millions of acres of public lands and the immeasurable resources they contain. Unlike the Internal Revenue Service, which collects revenue rather than generating it, the BLM has an unmatched record of developing new income for our national treasury. Yet previous Administrations and the Congress have forced the BLM to operate on a shoestring.

During this period of political transition there is apprehension and curiosity about the conservation philosophy and attitude of the new Administration. Not many personal commitments were made to conservation in the campaign, and party platforms invariably offer more rhetoric than substance.

It is on the conservation successes and failures of past Administrations that I urge the new Administration to build its conservation program. I urge it to pursue a truly national and balanced program, not merely a program based on the erroneous notion that the Department of the Interior is a western agency or that only one or two of its activities are of transcending importance.

The same applies to the important conservation programs administered in the Department of Agriculture by the U.S. Forest Service, Soil Conservation Service, and others. The serious business of protecting and improving the quality of the environment should not be shackled by parochial judgment.

I urge the new Administration to accept the recent national outpouring of conservation concern as a directive for progress in overcoming the environmental ills that afflict our land. I urge it to support those basic programs already underway and to develop new ones to meet demonstration need. I urge the Administration to capitalize on the conservation momentum that already exists.

The federal water pollution control program should be supported without reservation. It should be expanded to deal with oil and thermal pollutants, to regulate discharges from ships and recreational vessels, and to attack acid mine drainage and lake eutrophication. The crucial sewage treatment plant construction grants program, sapped by spending for a tragic and wasteful war and the extravagances of space exploration, operates at only a fraction of its authorized financial horsepower. This program already is a matter of law, but sufficient funds are not being requested to carry it out. Construction costs rise and the unserviced backlog grows more severe. Only a small part of the $33 billion spent for space projects in this past decade, if invested in sewage plant construction, would have overcome this correctable environmental threat.

There are other areas in which to build a responsive and responsible conservation program. Both Congress and the Administration should insist that wilderness designations catch up to the time schedule of the 1964 Act.

The Wilderness Act should be amended so that consideration can be given to unspoiled areas on lands administered by the Bureau of Land Management. It is short-sighted indeed to insist that wilderness exists only on national forests, parks, and wildlife refuges. BLM should be authorized to administer all wilderness and national recreation and other special areas created on its lands.

The Administration and the Congress should seek to make the Bureau of Land Management a resources agency in fact as well as in name. The Administration should reject suggestions that BLM's activities be suspended until the Congress considers the report of the Public Land Law Review Commission. Resource problems on BLM lands need immediate attention. Their correction has been delayed too long already, and public land management should not be frustrated further during the years the Commission's recommendations will be under consideration.

An example of this is the Mining Act of 1872, the antiquated law that surrenders the surface resources of our public land in repayment for the minor scratching that constitutes an acceptable search for sub-surface minerals. That law wastes public resources for the benefit of a few. It interferes with essential resource programs. This hangover from the last century should be replaced by a leasing system that encourages the development of public land mineral resources without impairing other values that are involved.

The new Administration can do many things to construct a positive conservation program. It can require that the various activities of federal agencies be considered with an eye to their impact on private and public land and water resources. The federal highway program exemplifies an activity that can destroy the environment in which people must live and work. While the straight-line concept of highway routing may be less expensive in terms of construction, the cost may be prohibitive in terms of environmental erosion.

Late last year, a recommendation was made to invoke a two-part hearing process so that the public would have an opportunity to comment on highway locations and designs. Highway interests were appalled at the prospect of the people who pay the bills having a voice in determining road location and design. Governors and state road officials saw it as a damper to future highway hopes. Even the incoming Secretary of Transportation, himself a highway man, called the plan an impediment to progress. The changes were approved as policy—not as regulations—on January 17, and I urge the Administration to uphold them.

The conservation challenge of the 1970's does not affect the new Administration alone. Congress also is involved, because only Congress can correct its own deficiencies in organization that frustrate conservation and environmental goals. Committees have overlapping and contradictory functions, and an action by one sometimes offsets the work of another.

The Committees on Public Works, for example, have little understanding of the havoc highway construction can have on human and other resources. The Committees on Agriculture appear insensitive to the effects of stream channeling and drainage on water tables, flood water retardation, and fish, wildlife, and recreation. The Interior and Insular Affairs Committees that pass on national park matters give only passing attention to the national forest programs that occupy the attention of sister committees. The Committee on Merchant Marine and Fisheries authorizes the expenditure of millions for preserving wetlands for migratory waterfowl, and the Agriculture Committees recommend still more millions for wetlands drainage.

New mechanisms and possible new alignments are needed in both the Executive and Legislative Branches to assure that federal and federally assisted programs meet the test of what is best for the environment. At the same time, it is not enough to say that conservationists stand for something good. We must define environmental goals and measure progress toward achieving them. We must be prepared to act, rather than merely to react.

We lack such a yardstick now, but we must have one if we are to keep pace with the tremendous energies for change and development that persist in this country. We need the help of both the Administration and the Congress to achieve this end. We need a national policy stating that environmental restoration and protection is a desirable objective, an objective that warrants uniform efforts of attainment.

I do not suggest a policy calling futilely for the preservation of a few small areas, but a policy calling for the broadest application of conservation ideals, of which preservation is a part, but not a substitute for conservation. Above all we need a coordination of land and water use. We need assurance that development will be orderly rather than disorderly, that it will be compatible with other resource values, and that what is done contributes to, rather than detracts from, the attainment of a pleasing and productive environment for man.

These are the short term and the long range objectives I see for conservationists. One way or another, all of us are engaged in a continuing confrontation with the challenges of population increase, undirected development and massive alteration of the environment. In a collective sense, we are the only conservation army in the field, and we had better recognize this and battle to attain the high ground that must be won.

HUMANITARIAN WORK OF 8TH ARTILLERY BATTALION IN OSAKA, JAPAN

Mr. INOUYE. Mr. President, at a time when the attention of our Nation is focused so intensely on our position in Asia, I feel it is particularly fitting to congratulate the officers and men of the 1st and 2d Battalion, 27th Infantry, and 1st Battalion, 8th Artillery for their humanitarian work with the orphans of Osaka, Japan.

These men have seen fit to support the Holy Family Home in Osaka, an orphanage for abandoned children, with generous monthly donations. For the last 20 years, they have provided hundreds of children with happy lives and the priceless knowledge that someone loves and cares for them.

We can be proud of the humanitarian work the members of these units are doing.

EDWARD WEINBERG, DEDICATED GOVERNMENT LAWYER

Mr. JACKSON. Mr. President, as often happens when there is a change in administrations, some extremely able and dedicated public officers end their Government careers. This is the case with Mr. Edward Weinberg, the former Solicitor of the Department of the Interior. Mr. Weinberg recently left the Federal Government after more than a quarter century of highly constructive and resourceful public service.

A native of Wisconsin, Mr. Weinberg joined the legal staff of the Bureau of Reclamation in 1944. He became Assistant Solicitor for the power branch in 1954 and rose through the ranks to become Associate Solicitor, Deputy Solicitor, and then in 1968, he was appointed Solicitor by President Johnson.

This brief sketch does not reflect the quality of Mr. Weinberg's contribution to the Federal Government over the past quarter century. During his period of service, the Department of the Interior developed from primarily a western-oriented agency into a national department of Government with responsibilities in every State of the Union. These responsibilities affect the daily lives and the future well-being of each of our citizens.

During his service with the Federal Government, Mr. Weinberg performed a highly significant role in complex negotiations between our Western States on water resource problems and legislation over the past decade. Mr. Weinberg made important and constructive contributions to the Lower Colorado River Basin Act, the Columbia River Treaty with Canada, the Hanford project, and the intertie legislation by which the Pacific Northwest and the Pacific Southwest can share in each other's power resources.

Senators will be interested to know that Mr. Weinberg is entering the private practice of law in association with our former colleague, Senator Thomas H. Kuchel, of California. Senator Kuchel has become a partner in the law firm of Wyman, Bautzer, Finell, Rothman & Kuchel. Senator Kuchel and Mr. Weinberg will be associated in the Washington office of that firm.

On behalf of the members of the Committee on Interior and Insular Affairs with whom Mr. Weinberg worked so closely over the years, I extend hearty good wishes both to Senator Kuchel, a former member of the committee, and to Mr. Weinberg.

POLITICS AND POLICY: THE EISENHOWER, KENNEDY, AND JOHNSON YEARS

Mr. PERCY. Mr. President, occasionally a book is published that provides unusual insight into the political process in general, and into the workings of the U.S. Senate in particular. I desire to invite the attention of Senators to such a book. It is entitled "Politics and Policy: the Eisenhower, Kennedy, and Johnson Years," and was written by a former Senate staff assistant, James L. Sundquist. It has just been published by the Brookings Institution.

The volume presents detailed case studies of the conflicts over major domestic legislative policies and how those conflicts were resolved during the administrations of three Presidents—Eisenhower, Kennedy, and Johnson—from 1953 through 1966. Mr. Sundquist follows the case studies with chapters analyzing the response of the two major parties to the issues, the influence of the issues on public opinion and the elections of 1954, 1958, and 1960, Executive relationships, and the internal procedures of the two Houses of the Congress.

As some Senators may remember, Mr. Sundquist served first as legislative assistant and later as administrative assistant to former Senator Clark, of Pennsylvania, from 1957 through 1962.

I ask unanimous consent to have printed in the Record reviews of "Politics and Policy" that were published in the Baltimore Sun and the Washington Evening Star.

There being no objection, the services were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Evening Star, Nov. 25, 1968]

A Book for Today: Surveying Three Administrations

(Note.—"Politics and Policy": The Eisenhower, Kennedy and Johnson Years. The Brookings Institution, 1968. By James L. Sundquist. 560 pages.)

In this thoughtful, comprehensive, and scholarly book, James L. Sundquist of the Brookings Institution surveys and analyzes the legislative performance of the Eisenhower, Kennedy and Johnson administrations in light of the institutional realities of the American political system.

Its appearance at this juncture on the eve of a new administration in Washington is certainly timely, and it is likely to be placed on the reading list of many government officials who must deal with the complex and difficult issues, which are considered here.

The book is divided into two distinct sections. In Part I, Mr. Sundquist presents lengthy detailed and somewhat tedious case histories of the federal government's approach to what he considers the six major domestic issues of the period from 1953 to 1966: unemployment, poverty, education, civil rights, medicare, and the outdoor environment.

In Part II, which is definitely the better half of the book, he provides an excellent synthesis of his findings and a skillful analysis of the two-party system, the electoral process, and the respective roles of the President and Congress in legislative transactions.

The author is fascinated by the cyclical nature of federal legislative activity. He investigates and explains the phenomenon of alternating periods of legislative dynamism and comparative quiescence, which have characterized our political history, with the past 15 years providing a good example. The period began with the Republican party in the ascendancy, witnessed its defeat in the election of 1960, followed by eight years of Democratic dominance, which now seems to be coming to an end.

The Republicans, in keeping with their generally more conservative philosophy, did not care to initiate the kinds of major changes in policy advocated by the Democratic "activists," which reached their apex in 1964–65 in what the author feels were "Triumphs of responsive government."

Sundquist asserts that the voters gave a "mandate to the Democratic party in 1960" for massive federal legislation on various issues. In light of the extreme closeness of the election it is questionable that the election established any such mandate. Nevertheless, during the past eight years in each of the fields under consideration, bold new policies were advocated, vigorously debated, and after various maneuvers and compromises, finally adopted.

Each piece of social welfare legislation had to endure "a long and tortuous course" before it was ultimately enacted. While the author is critical of the slowness of the federal government's response to certain questions, there are other authorities who contend that it is a basic strength of our system that major changes in national policy are considered very thoroughly and deliberately before they are made.

Each of the issues dealt with in the case histories has its interesting facets, but the discussion of the war on poverty is the most intriguing, perhaps because the measure is the most controversial. Unlike many significant national programs, the war on poverty was not the result of strong public demand.

Although primarily associated with the current occupant of the White House, perhaps because it was "peculiarly suited to the personality of Lyndon Johnson," the program had its genesis in the Kennedy administration. Its legislative merits have been seriously questioned, but one must agree with the author that "the political merits of the war on poverty in 1964 can not be denied."

Since that time its popularity seems to have greatly receded and the question now seems to be whether a program which "falls so far short of the presidential rhetoric that launched it will not add the disillusionment of its supporters to the strength of its opponents."

While the author discusses many reasons for the alternating tempo of action on social welfare legislation, his basic thesis, which is hardly new or original, is that there is simply a fundamental dichotomy between "activists" (a word which he prefers to "liberal" since he feels it suggests "both their temper and their pragmatism") and conservatives.

Heretofore each party has had both, with the Democrats having more of the former and the Republicans of the latter, with consequent effects upon the approach of the parties to legislation. He sees, and in fact welcomes, a continuing polarization of the parties, until the Democratic party having purged its conservative (primarily southern) wing will be almost exclusively activist and thus better able to enact new legislation speedily when it attains power.

The result of this would be an approximation of the European parliamentary system, with some vestiges of our present methods, hopefully yielding "the best of both parliamentary and presidential worlds." Although our present system has its defects, we cannot be sure that the polarization which Sundquist envisions and desires would necessarily be successful or in the best interest of the nation.

[From the Baltimore (Md.) Sun, Oct. 27, 1968]

WHY THE FRUITFUL YEARS?

(By Rodney Crowther)

(NOTE.—"Politics and Policy": The Eisenhower, Kennedy and Johnson Years. By James L. Sundquist. 537 pages. The Brookings Institution.)

When the first session of the Eighty-ninth Congress ended in October, 1965, Speaker McCormack called it "the Congress of accomplished hopes." Something had happened in Congress, and in America, that had not happened since the famous Hundred Days of the Early New Deal.

There had been, in fact, an outpouring of social legislation unprecented in scope—a ban on racial discrimination, Federal aid to education, steps to fight poverty, health care for the aged, programs to help the jobless get jobs, clean air and rivers plans and programs to protect and beautify man's natural surroundings.

Some of these things had been urged as far back as Franklin Roosevelt. President Truman had made specific proposals for aid to education, national health insurance, a comprehensive civil rights program. But all had been defeated in Congress.

How did it happen then that in the next three administrations—those of Eisenhower, Kennedy and Johnson—Congress sloughed its indifference to the public welfare and enacted social legislation that had long been only the dream of liberals?

INSIDE VIEW

The answer to how it was achieved is the subject of this lucid, scholarly and competently researched volume by one who participated in many of the legislative struggles which he chronicles.

James L. Sundquist was a staff aide on Capitol Hill during the Eisenhower era, an official in the executive department under Kennedy and Johnson. He writes as one who knows from personal experience how congressional and national politics work. He also writes well: he is one scholar whose sentences are clear, cogent and a delight to read.

The author chose to examine in depth the legislative contests through which Congress moved from a posture of resistance to social and economic change to an out-pouring of programs to deal with long-neglected domestic issues.

He examines the contests during fourteen years from 1953 through 1966 in which the Federal Government for the first time—and on a massive scale—turned its attention to jobs for the unemployed; opportunity for the poor; schools for the young; civil rights for the minorities; health care for the aged; protection and enhancement of the outdoor environment.

MAJOR CONTESTANTS

The first half of his study is devoted to these domestic issues in eight separate chapters. In these we meet the major contestants—the conservatives and the moss-backs who continued to resist change and Federal venture into welfare matters and the "activists" of both parties who pressed relentlessly in Congress and in their party organizations for action.

We meet a parade of conservatives in the Eisenhower years—George Humphrey, treasury secretary, and Maurice Stans, budget director, bent almost solely on reducing spending. On the other hand, there was Arthur Flemming, Secretary of Health, Education and Welfare who battled in the Administration for welfare programs.

The author recounts what happened to the economy in the Eisenhower years, the battle which brought John F. Kennedy to the White House, the slim margin of five votes in the House which stood as his sole majority and stymied his legislative dreams, the shock of the assassination, the subsequent change in the mood of Congress, and the landslide victory of Lyndon Johnson in 1964.

All of this is a fascinating story, and particularly the struggles when Speaker Rayburn and Senator Johnson as Senate majority leader at times resisted and at other times compromised with the "activists"—the men in and out of Congress who pressed for liberal legislation.

The author examines the workings of our political system with a keen eye for the human aspects of the struggles and the arduous work by which social advances are made.

WHAT WAS SOLVED

The second half of his book is devoted to an assessment and description of our political institutions, of the parties' reactions to new ideas and new programs, and the role that public opinion plays in elections.

But did the achievements of the fourteen years ending in 1965 really solve the major social problems of the times? In a brief final word, the author sees the nation once more amid a struggle which is essentially how to make the programs work. The eternal enigma which faced our cavemen ancestors in emergencies—"what to do"—still faces America—what to do about the crises of race and poverty and violence.

"The triumphs of responsive government in 1964 and 1965 leave the need for responsive institutions only more compelling than before," he concludes.

U.S. CIVIL RIGHTS COMMISSION SUPPORTS S. 5, FULL OPPORTUNITY ACT

Mr. MONDALE. Mr. President, the acting staff director of the U.S. Commission on Civil Rights, Mr. Howard A. Glickstein, recently informed me by letter of the Commission's continuing support for S. 5, my proposed Full Opportunity Act.

The Commission's strong, ongoing support, as expressed in Mr. Glickstein's letter, is characteristic of the response brought by reintroduction of the Full Opportunity Act in the 91st Congress. I ask unanimous consent that Mr. Glickstein's letter to me be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. COMMISSION ON CIVIL RIGHTS,
Washington, D.C., February 17, 1969.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: This is in response to your recent letter to former Deputy Staff

Director, M. Carl Holman, concerning your reintroduction of S. 5, the proposed Full Opportunity Act.

You will recall that in 1967, the Commission's Staff Director testified before the Subcommittee on Government Research of the Senate Committee on Government Operations in support of the earlier version of this bill, "The Full Opportunity and Social Accounting Act." As the Commission indicated then, this legislation would prove helpful in several ways: First, in determining the kinds of data needed to judge accurately the social and economic status of minority groups; and second, in enabling us to make better use of data that are available, to answer basic questions concerning social and economic status.

Through the collection and analysis of these data, we would be in a position both to identify more accurately the social and economic needs that currently are unmet and to establish clearer national goals toward which Federal program and policy should be directed.

The Commission continues to support this bill and considers it needed legislation.

Sincerely yours,
Howard A. Glickstein,
Acting.

U.S. MILITARY COMMITMENT TO THAILAND

Mr. McGEE. Mr. President, recently the Washington Post published an exchange between the editors and Mr. Ernest K. Lindley, former special assistant to the Secretary of State, regarding America's military commitment to Thailand. This exchange needs some amplification, because it was left where the public might be confused to the point of believing that many American military men have been committed to Thailand to actively battle insurgents there without a determination that an actual armed attack had taken place. Indeed, the Post wrote that "the Johnson administration acted as if there had been an armed attack without any showing of such a fact."

Mr. President, Mr. Lindley has written another letter to the newspaper, simply stating the facts. He makes it clear that some 50,000 U.S. military men in Thailand are not there for the purpose of assisting Thailand to deal with an insurgency, even though it is incontrovertible that the insurgency is externally directed and supported. Thailand is itself dealing with this insurgency, though a small portion of the U.S. military force there is involved in engineering and logistical support of an ally. The bulk of our forces, however, are in the Air Force and are housed there as part of Thailand's contribution to the defense of South Vietnam.

I ask unanimous consent that a Post editorial answering Mr. Lindley's first letter, along with that letter, be printed in the Record. I further ask unanimous consent that the second letter from Mr. Lindley to the newspaper, which has not appeared in print, also be printed in the Record.

There being no objection, the items were orered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Feb. 13, 1969]

Commitment to Thailand

We are pleased to print elsewhere on this page Mr. Ernest K. Lindley's defense of the Johnson Administration's commitment to Thailand. Our editorial of Feb. 6 did contain an unintentional inaccuracy. We said that "Under the Southeast Asia Treaty, the United States has an obligation to consult with other SEATO members if any one of them should be attacked." We should not have used the word "attacked" in that context. But this does not go to the point of the editorial which was that the stationing of some 50,000 American military men in Thailand has in fact changed the nature of our commitment to that country, and that the right of the Administration to do this under SEATO or any other treaty or agreement is highly dubious.

The SEATO treaty does, as Mr. Lindley points out, contain two separate and distinct sections. Section 1 requires each signatory, in the event of an armed attack, "to meet the common danger in accordance with its constitutional processes." Section 2 deals with subversion—threats "other than by armed attack"—and when such a threat arises the parties are bound to "consult immediately."

Mr. Lindley does not say that Thailand has been attacked in a way that would bring Section 1 into play, although some parts of his letter seem to imply it. What he does say is that "Thailand is the target of externally-directed and supported insurgency." He cites the SEATO Council's concern about the "threat of subversion" in Thailand. But all this clearly points to action under Section 2 which calls for consultation on the measures to be taken.

In other words, Mr. Lindley's own statement of the case seems to us to indicate that the Administration should have acted under the "consultation" part of the treaty. He cites no evidence of an armed attack that would call for the United States to "act" in a way that would involve its armed forces. The grave danger in the situation, as we see it, is that the Johnson Administration acted as if there had been an armed attack without any showing of such a fact.

Mr. Lindley also neglected to mention that former Secretary of State John Foster Dulles, the chief architect of SEATO, did not see in it any obligation for the United States to act single-handedly to save Thailand from subversion. In the hearings on the treaty before the Senate Foreign Relations Committee, Senator Green asked if it would commit the United States to help put down a revolution in Southeast Asia. Mr. Dulles replied:

> No. If there is a revolutionary movement in Vietnam or Thailand, we could consult together as to what to do about it, because if that were a subversive movement that was in fact propagated by communism, it would be a very grave threat to us. But we have no undertaking to put it down; all we have in an undertaking to consult together as to what to do about it.

Ignoring this sensible limitation which Mr. Dulles placed on his own treaty, the Johnson Administration virtually married the defense systems of the United States and Thailand by building immense bases in that country and stationing some 50,000 Americans in uniform there in advance of any attack having been launched and without any approval from Congress. It is this highly questionable use of executive power to change the nature of our military commitments abroad that has aroused grave concern in Congress, and we hope that the Fulbright Committee will give it a thorough airing.

Thailand: Our Treaty, Our Commitment

Your editorial, "Foreign Commitment Review," of Feb. 6, contains—is indeed based on—an important mis-statement of fact.

You speak of the "strange" U.S. commitment to Thailand and go on to say that: "under the Southeast Asia Treaty, the United States has an obligation to consult with other SEATO members if any one of them should be attacked. Thailand is a member of SEATO."

The U.S. commitment to Thailand does, in fact, arise from the Southeast Asia Collective Defense Treaty, which was signed at Manila in September 1954 and approved by the Senate by a vote of 82–1. But there is nothing "strange about it, nor is it an obligation merely to consult." On the contrary, Article IV (1) of the Treaty says: "Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes."

Neither "consult" nor any word of similar meaning appears in Article IV (1). There is an obligation, set forth in paragraph 2 of the same Article to "consult immediately" in the event of a threat to any of the Parties in the treaty area "in any way other than by armed attack." Further, in an understanding set forth in the Treaty, the U.S. limited its obligation to act under Article IV (1) to Communist aggression, but "affirms that in the event of other aggression or armed attack it will consult under the provisions of Article IV, paragraph 2."

At present, Thailand is the target of externally directed and supported insurgency. The SEATO Council of Ministers have expressed repeatedly their concern with the continuing "serious threat of subversion to the Asian member countries"—to Thailand, in particular. And they have reiterated "their determination to do whatever is necessary to assist their ally to eliminate this threat." Should the assault on Thailand become "aggression by means of armed attack," the obligation of the U.S., beyond doubt, would be to "act to meet the common dangers." The obligation does not depend on what is done, or not done, by other signatories to the Treaty. This has been made plain on various occasions, including the joint communique of Secretary of State Rusk and Foreign Minister Thanat Khoman of Thailand on March 6, 1962. The Treaty obligation "is individual as well as collective." And it is similar to our commitments under our other mutual defense treaties in the Pacific and East Asia.

In the event of "aggression by means of armed attack" against Thailand, the nature and scope of the action taken by the United States would, of course, be determined by the U.S. Government. However, our clear obligation under the Treaty would be to take adequate action.

The commitments undertaken by the United States under the Southeast Asia Treaty were understood by the Foreign Relations Committee in 1955 when it urged the Senate to give its advice and consent. In concluding its Report it said:

"The committee is not impervious to the risks which this treaty entails. It fully appreciates that acceptance of these additional obligations commits the United States to a course of action over a vast expanse of the Pacific. Yet these risks are consistent with our own highest interests. There are greater hazards in not advising a potential enemy of what he can expect of us, and in failing to disabuse him of assumptions which might lead to a miscalculation of our intentions."

Under the Eisenhower, Kennedy, and Johnson Administrations there were repeated statements that the U.S. would act in the full spirit of Article IV (1). Many of these antedate the introduction of any significant U.S. forces into Thailand. I doubt that the military tail has wagged the policy dog in this case, but I am prepared to leave that to the Senate investigation and to your own further researchers in the light of this letter.

Ernest K. Lindley.

WASHINGTON, D.C., *February 17, 1969.*
Mr. PHILLIP L. GEYELIN,
The Washington Post,
Washington, D.C.

DEAR MR. GEYELIN: Thank you for publishing my letter about your editorial of February 6 on the U.S. commitment to Thailand and for correcting an important inaccuracy in that editorial. However, your further comment in your editorial of February 13 seems to me to reflect a basic misconception.

You write that "the Johnson Administration acted as if there had been an armed attack (on Thailand) without any showing of such a fact." You say that instead of acting the Johnson Administration should have consulted, in accordance with the paragraph of the Southeast Asia Collective Defense Treaty which applies to subversion. In line with those statements you imply that some 50,000 U.S. military men now in Thailand are there for the purpose of assisting Thailand to deal with insurgency. That is not so.

Although the fact that this insurgency is "externally-directed and supported" has been attested even by Chen Yi, Foreign Minister of Communist China, neither the Thai Government nor our own has ever regarded it as the "aggression by means of armed attack" which would justify a request by Thailand to its SEATO allies to "act to meet the common danger." And I certainly intended no implication that Thailand is now being attacked in a way which would bring into play that obligation under the first section of Article One of the Southeast Asia Treaty.

Most of the U.S. military men in Thailand are in the Air Force. The Army has there a substantial number of engineering and logistical support personnel but no combat units. I am informed that our MAAG personnel—military advisers to the Thai armed forces—number less than one-half of one percent of all our uniformed men in Thailand, and that none has taken part in combat against the insurgency in Thailand.

The Thai Government has repeatedly affirmed that dealing with the insurgency is a Thai responsibility. The statement of May 9, 1968, on the Thai Prime Minister's talks with President Johnson in Washington said that the Prime Minister "also noted that while welcoming foreign assistance in the form of training, equipment, and advice, the Royal Thai Government regarded defeating the insurgency as a Thai responsibility to be carried out by its own forces."

U.S. assistance to Thailand in dealing with insurgency has been limited to training, equipment, and advice. The Thai Government permits U.S. Air Force planes to operate out of Thailand not to combat insurgency in Thailand but as part of its contribution to the defense of the Republic of Viet-Nam and the treaty area generally, pursuant to the obligations which both Thailand and the U.S. undertook when they adhered to the Southeast Asia Treaty.

Sincerely,

ERNEST K. LINDLEY.

HE LISTENED, TOO

Mr. HANSEN. Mr. President, it is appropriate that Senators recognize the efforts of President Nixon to seek greater unity among our European allies, and to give thanks for his safe return from his journey.

Mr. Nixon made this trip without the fanfare normally associated with a trip of this magnitude by a President of the United States. No summit conferences were occasioned by the Nixon trip. Mr. Nixon went to Europe to work. He listened, too—which is an important part of understanding.

All of us hope the President's research, study and discussions with the heads of other states can move us closer to both immediate and long-range goals.

Work can be performed with great publicity. It also can be accomplished quietly. Most of our college students today proceed quietly to studies. A few do not. It is highly possible the quiet ones will have a better effect on the future of the world than will those who destroy and get notoriety in the news.

We can hope that Mr. Nixon's relatively quiet trip will result in the long-range good we expect from the quiet students. We cannot see today how long Mr. Nixon's trip will be remembered. But we can recall some words of a great President of the past, who said:

> The world will little note, nor long remember what we say here.

That was a miscalculation at Gettysburg, and we would do well here to refrain from snap judgments as to the success of Mr. Nixon's European journey.

Much of the mail I have received from constituents in Wyoming, and from other States, in the past few weeks has had a new tone. It reflects a new confidence in the Federal Government. There is a feeling that a calm is spreading across our land. Mr. Nixon's quiet and efficient manner has improved the climate, and it is commendable that he proceeded in this manner through the capitals of Europe.

ST. PAUL DISPATCH SUPPORTS SENATOR MONDALE'S FULL OPPORTUNITY ACT

Mr. MONDALE. Mr. President, I was pleased to read recently in the St. Paul Dispatch an editorial entitled "Poverty War Super Board?" The editorial pointed to something which I, myself, have long been committed to: The need for social accounting as a basis for social planning.

It is indeed difficult for me to understand how we seem to be willing to spend vast sums of money to improve the quality of every American's life; yet, simultaneously seem to have so little interest in analyzing the outcome of our efforts. As the editorial notes: "We haven't developed an overall social planning program to coordinate the efforts" of HEW and HUD. When the funds allocated to these agencies are already critically short, we certainly cannot afford the luxury of overlapping or worse still conflicting programs. Some sense of order and logic is plainly needed.

As John Gardner has remarked, we have the unfortunate tradition of "stumbling into the future." It should be obvious to all of us that if we are to win the war on poverty and realize the goal of full opportunity for every American then it is imperative that we develop a coordinated social plan. This social plan could be embodied in the Presidential Social Report which is outlined in the Full Opportunity Act, S. 5, which I introduced last month.

To formulate such a social report a set of social indicators would be needed. These social indicators would be used to critically and precisely evaluate the quality of American life and thereby enable us to know whether or not we are in reality closing the gap between present programs and urgent social needs. The President, the Congress, and the entire Nation would then be in a position to determine how successful we all were in realizing consciously selected social goals.

The Full Opportunity Act of 1969 cannot guarantee that we will realize our social goals. It is not a panacea. One can say, however, that without the enactment of the Full Opportunity Act we will be forever "stumbling into the future."

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POVERTY WAR SUPER BOARD?

A central weakness in the national war on poverty has been the failure to establish a command headquarters to plan the numerous attacks we're making on social problems.

More specifically, while we wage massive assaults on poverty through both the Department of Health, Education and Welfare, and the Department of Housing and Urban Development, we haven't developed an overall social planning program to coordinate the efforts of these large departments.

To meet this lack of overall planning, Sen. Walter Mondale has introduced a bill to create a social advisory council comparable in purpose to the Council of Economic Advisers. That is to say, the social advisory council would strive to present the governmental agencies with an overall view of social trends and needed adjustments, much as the Economic Council advises the government on shifts in the economy and necessary actions to meet them.

Substantiating the need for such a council, Mondale points out that the nation today lacks "a comprehensive and consistent information base upon which major decisions in social affairs may be made."

While numerous organizations are involved in studying social problems, Mondale argues that "neither the information measured nor the measurers themselves have been sufficiently precise, consistent or systematic to allow rational judgment about the gaps between present programs and urgent social needs, or even to measure satisfactorily the impact of those programs."

It might be argued that either HEW or HUD has the resources now to create such an agency. It might be said also that the newly created Council of Urban Affairs, headed by Daniel P. Moynihan, could serve as an overall social planning agency.

This might be possible, but there is something to be said for striving for a more objective approach through an independent advisory council without direct ties with the operating agencies.

Such a planning and analytical organization above the bureaus could perhaps serve a worthwhile purpose. At least the idea deserves consideration by the Administration and by Congress.

PRESIDENT NIXON'S TRIP TO EUROPE

Mr. MUNDT. Mr. President, the return of President Nixon to this country on Sunday night concludes the first chapter of a new era of relations with our friends of Europe. It is not a new era because the President made the trip, nor because, suddenly, as a result of the trip, there is an important change in handling our relationships with the nations of Europe.

It is a new era because the relationship today of this country with Europe is considerably different from the two decades immediately following the end of World War II.

And I think the President demonstrated, before he went to Europe, as well as while in Europe judging by the press reports, that he has long been aware of the changes which have taken place and that it was necessary for this country's leader to reestablish a dialog with the leaders of European nations.

This he has now done—admirably, in my viewpoint. He has set in motion the apparatus for this country to strengthen our ties with the European nations, not on the formula of the past in which these ties rested—in the main, on our strength to aid them in their protection—but in working together in the many, many areas in which we share the common aspiration of success, progress and liberty for our respective peoples.

The President's trip was particularly worthwhile in this latter respect in that it tends to turn our focus of attention on the positive points of our relationship with Europe and to direct our thinking to closer cooperation, to greater contacts and to a stronger association with Europe.

A number of our Presidents have visited Europe and have left with the people of those nations impressions of what our country is like on the basis of what our leaders are like.

We can all be exceedingly proud of this latest trip by an American President. I am confident that the European estimate of the character and substance of our people is immeasurably higher today as a result of President Nixon's historic visit to the European Continent.

TOWARD A SOCIAL REPORT: OUR PHYSICAL ENVIRONMENT

Mr. MONDALE. Mr. President, you have heard me speak often about the qaulity of American life in connection with the Full Opportunity Act of 1969—S. 5—which I introduced on January 15. It is unfortunate that so vital a matter is so difficult to talk about in a precise manner.

This, of course, points to the urgent need to develop a set of "social indicators" so we cannot only talk meaningfully about the quality of American life but also evaluate our social programs which are designed to improve that quality. Social indicators are also necessary if we are to formulate future social plans. Surely, the quality of American life can be improved faster by intelligently planning for the future rather than blindly stumbling into the future.

While it is difficult to talk about some of the factors associated with a better life, there are other factors which are relatively easy to talk about. The third chapter of "Toward a Social Report," dealing with the physical environment, isolated some of these factors. Specifically, the chapter deals with the pollution of our natural environment and the inadequacies of our manmade environment.

We now have developed, for instance, an air pollution index. We know, for example, that New York has the worst air pollution problem in the country. Merely knowing this, of course, is no help to the asthmatic who must live and work in New York City. If we are to improve the quality of his life we must begin now to act on our present knowledge. Certainly, we can all agree that the quality of this asthmatic man's life will be improved by cleaner air.

Senators need not even look as far as New York City to see the adverse effects of pollution. Today, we do not need the social report to tell us that due to water pollution our very Potomac River is unsafe even for boating 70 percent of the time. It will not be long before we will be able to smell the effects of water pollution without so much as leaving this very Chamber. I am convinced that this would not have been allowed to happen had there been an annual social report even 20 years ago.

Mr. President, "Toward a Social Report" notes that in connection with our manmade environment there is a "more encouraging trend." Whereas in 1960, 84 percent of the housing in this country had been defined as "structurally sound," in 1966, 90 percent of the housing was considered "structurally sound." New and increased housing construction has meant better housing for most Americans.

The social report, however, points to what I consider to be an intolerable situation. I quote from the report:

> Even though the housing stock is improving, racial segregation and other barriers keep many Americans from moving into the housing that is being built or vacated. . . .

Many of our citizens—mostly black—are thus denied a "full share in the benefits of the improvement in the Nation's housing supply." Again we can all agree that structurally sound housing is a necessary condition for a better life. I am sure we can all also agree that we must concentrate our efforts on the eradication of this intolerable situation of racial segregation in housing.

If full opportunity is a birthright of every American, then this effort is imperative. Future social reports can evaluate our present efforts and redirect us where necessary.

Mr. President, I ask unanimous consent that the third chapter of "Toward a Social Report" entitled "Our Physical Environment" be printed in the RECORD.

There being no objection, the chapter was ordered to be printed in the RECORD, as follows:

CHAPTER III. OUR PHYSICAL ENVIRONMENT

ARE CONDITIONS IMPROVING?

In this chapter we are concerned with our physical surroundings: with the air we breathe, the water we use, the housing we occupy, the landscapes we see, and the transportation systems and urban patterns that determine the spatial dimensions of our lives.

THE NATURAL ENVIRONMENT

The natural environment is different for each community. In one community the air is polluted, but the water is reasonably clean; in another the reverse may be true. In a third place solid wastes—expanding graveyards of abandoned cars, or piles of trash—may be the most serious problems. In one place problems are getting worse; in another they are getting better. Programs designed to deal with pollution are as diverse as the problems themselves. Air, water, and land pollution are treated as separate and independent problems; the two Federal agencies with primary responsibilities for air and water pollution are in separate cabinet departments. Many State and local agencies also deal with one pollution problem or another.

To summarize the vast variety of environmental problems and policies we need to consider the interdependence of air, water, and land pollution, and the level and composition of the National Income. The "materials balance" framework provides an approach which can enable us to do this.

The materials balance framework

We start with the fact that the total weight of materials taken into the economy from nature must ultimately equal the total weight of the wastes discharged, plus any materials recycled. This means that a reduction in any one kind of waste, such as particulate matter into the atmosphere, must be accompanied by an increase in some other kind of waste, such as dry solids or solids discharged into waterways, or else by a continual recycling of this material. Except for respiratory carbon dioxide and water, it is technologically possible to stop most of the present discharge of wastes into the air and watersheds. But the result would be an accumulation of solid wastes that might be equally objectionable.

The economy uses almost 1.5 billion tons of fuel each year.[1] The main products of combustion are gaseous oxides or carbon, hydrogen, sulfur, and nitrogen. These plus a portion of the solid ash are normally discharged into the atmosphere. The economy also takes in about another billion tons of minerals and food and forest products. Consumers use these goods in the form they receive them, or further transform them (e.g., by eating), but must sooner or later dispose of the end product, whether it be empty tin cans, "throw-away" bottles, worn-out refrigerators, plastic toys or human excreta.

Thus we can see that the pollution problem will probably increase as the economy grows. If, for example, industrial production tends to grow at 4½ percent per year, it will have increased fourfold by the year 2000 and almost tenfold by 2020. Unless there are changes in technology or the composition of output, the total weight of materials going through the economy, and the wastes generated, will have increased by a like amount. Surely this will not be allowed to happen. The society must continuously recycle more of the materials it uses, or reduce pollution in some other way. Still, this hypothetical projection alerts us to the fact that a new type of natural resource scarcity is emerging.

Since Malthus' time, the possibility of resource scarcity has held the attention of economists and laymen alike. Available evidence today suggests, however, that resource scarcity has not posed a threat to American economic growth over the last 60 years, nor is it likely to over the next 50 years.

The same cannot be said of the new type of scarcity: nature's limited capacity to absorb wastes. The present levels of pollution are serious enough. But unless we develop new technologies of recycling, they could become much worse.

We cannot draw any direct lines from the amount of wastes discharged in an area to the damage done by pollution. Some wastes, such as carbon dioxide, are not usually considered pollutants. In some areas, especially rural areas, the level of pollution may be below the threshold at which it begins to do damage. It is also possible that some parts of the environment can specialize as receivers of waste. Certain land areas and rivers could be loaded with wastes almost without limit, and other areas and rivers kept in good condition for other uses. We must therefore look at each type of pollution in turn, along with its sources, effects, and geographic dispersion.

---

[1] This and the following estimates are from Ayres and Kneese, "Environmental Pollution," *Federal Programs for the Development of Human Resources,* A Compendium of Papers Submitted to the Subcommittee on Economic Progress of the Joint Economic Committee, Congress of the United States, 1968.

Air pollution

In most of our large cities today more wastes are being discharged into the atmosphere than can be dissipated. The result is air pollution. Polluted air can contribute to sickness, disability, and premature death; it can soil and damage buildings and materials of all kinds; it can injure and destroy farm crops and other vegetation; and it can blight our cities and degrade the quality of our lives. In addition, the more distant future holds the ominous possibility of radical changes in climatic conditions.

a. Major Pollutants and Their Adverse Effects

Carbon monoxide is the most important air pollutant in terms of weight emitted into the atmosphere. Generated principally from transport vehicles and combustion processes, it can cause physical and mental impairment, and death.

Oxides of nitrogen and hydrocarbons (from autos and industrial sources) photochemically react to produce photochemical smog, the most irritating effect of which is eye irritation. Smog makes breathing more difficult, especially for those with respiratory diseases, and it has been known to cause serious plant damage.

Sulfur dioxide, from burning of coal and oil, damages vegetation, affects the lungs adversely, and has been associated with an increase in respiratory death rates and cardiovascular ailments among older persons. Sulfur trioxide, from the same source, converts to sulfuric acid in the air and causes corrosion and deterioration of certain fabrics and of steel and stone structures.

Particulate matter, such as lead from auto exhausts, may be directly harmful to human beings. Other particulates may magnify the adverse effects of other pollutants on the lungs, and soil structures and materials. Major sources are ash products of combustion in electric power and industrial production.

b. Air Pollution Levels

Are the levels of air pollution high enough in major American cities to create serious problems? Some idea of the significance of the air pollution problem can be obtained by comparing the actual levels of each type of pollutant in various cities with some standards for air quality, to see if air pollution exceeds an acceptable level.

It should be emphasized here that the best presently available information on air pollution problems is incomplete—hence the tentative nature of the goals. Because of the dire consequences of continued increases in pollution we have to take precautionary measures in the face of information which is not only insufficient but subject to change as our knowledge grows.

Two different sets of tentative air quality goals have been adopted. If the "tentative short range goals" were achieved, most of the undesirable effects now understood would be eliminated. The long range goals set more rigorous standards, since not all of the effects of air pollutants are known, and there is evidence which suggests that still lower levels must be reached to eliminate all of their detrimental effects.

An index of air pollution can be obtained by comparing a city's maximum pollution levels to the tentative air quality standards. There are six major American cities for which the index exists. None of the six cities meets even the tentative short range standards, suggesting that the air pollution problem is quite significant. A comparison of the maximum air pollution levels of the six cities with the long range standards indicates an even worse situation.

TABLE 1.—*Air Pollution Index (1 is barely adequate air; the higher the number the greater the pollution)*

	Based on tentative short range standards
Chicago	2.7
Los Angeles	2.2
Philadelphia	2.2
Washington	1.6
Cincinnati	1.6
San Francisco	1.1

On the basis of less detailed information, the National Center for Air Pollution Control (NCAPC) has ranked 65 metropolitan areas in order of the seriousness of their air pollution problems. The ten with the most serious problems are, in order:

1. New York.
2. Chicago.
3. Philadelphia.
4. LA–Long Beach.
5. Cleveland.
6. Pittsburgh.
7. Boston.
8. Newark.
9. Detroit.
10. St. Louis.

A glance at the major sources of air pollution makes it evident that substantial reductions in air pollution will not be easy. The NCAPC has estimated that energy conversion in the transportation system is the source of nearly 60 percent of all the major air pollutants, and 90 percent of the carbon monoxide. This suggests that a major reduction in the extent of air pollution would require either a substantial limitation in the use of the automobile, or else a type of automobile (like a steam or electric car) capable of generating less pollution.

Less radical and costly changes—such as smaller cars or more extensive use of trains—could, however, make a significant contribution. So would more emission control measures in industry and public utilities. Industrial sources account for 18 percent of all pollutants, and utilities and other energy conversion for another 21 percent. In the case of particulate matter resulting from electric power generation, for example, it has been estimated that rates of emission could be reduced by 80 percent by the year 2000 at a cost of $11 million per year, which is quite small in relation to total production cost.

Water pollution

Water, like air, is often used as a waste receptacle. The accumulation of wastes that cannot be dissipated leads to pollution. The uses of water are more numerous and the relationships more complex than for air. Water which is too polluted to swim in may not be too polluted for fish. Water too polluted for fish may still be suitable for sailing or hydro-electric power generation. The uses of water must accordingly be taken into account before the severity of water pollution can be judged.

In recent years the use of water for recreational purposes has become more important. But the dumping of industrial wastes and municipal sewage into the Nation's waterways has diminished their ability to serve the rising demand for recreational facilities, which require higher water quality. It is necessary, therefore, not simply to maintain but to raise water quality.

The most common standard by which the quality of water is judged is the quantity of dissolved oxygen (d.o.) in it. When considerable quantities of organic materials are dumped into a river, the oxygen-using bacteria in these wastes draw down the level of dissolved oxygen. Since oxygen is necessary to support all forms of animal life, plankton and higher orders of animal life in the food chain, including fish, disappear. The depletion of oxygen also ultimately keeps the oxygen-using bacteria from decomposing the organic substances in the water into their basic chemical constituents, and a septic situation develops. Anerobic or non-oxygen using processes continue to bring about some decomposition of wastes, but these processes produce foul smelling gases.

Though they do not usually cause disease themselves, the presence of those forms of coliform bacteria normally found in the feces of warmblooded animals, including humans, indicates that there is a serious danger of harmful organisms in water. Thus the concentration of fecal coliforms, which normally come from municipal sewage, is another measure of water quality. So is the concentration of synthetic organic compound (from detergents), toxic substances (from herbicides and pesticides), plant nutrients, and specific industrial wastes, such as sediment, dissolved solids, and radioactivity. Industrial processes, and especially the generation of nuclear power, can also cause "thermal pollution" by heating the water and thereby harming fish. The acid drainages resulting from coal mining also make water unsuitable for fish or drinking, yet may make water clearer and more attractive and enhances its usefulness for some industrial purposes.

Some standards for water quality have been determined by a Technical Advisory Committee convened in 1967 to advise the Secretary of the Interior. This committee took account of both recreational and industrial uses, and the danger of polluted water to health. It established different standards of quality for different water uses.

These criteria can be compared with actual measurements of quality to determine where and how often water pollution forecloses certain uses of water. A sample of 25 stations in the Federal surveillance system was drawn, and the levels of dissolved oxygen and fecal coliform observed. Seventeen of the stations reported at least one reading below the dissolved oxygen standard needed for fish and wildlife, and nine stations experienced such a condition more than 5 percent of the time. All of the stations observed had maximum coliform counts above the standard for general recreation use and public water supplies, and 10 had average counts above this standard. The Missouri-Mississippi Basin and the Cuyahoga, Sacramento, Delaware, and Potomac Rivers were unsafe even for boating more than 70 percent of the time. Thus, it appears that many major rivers are in appalling condition much of the time. On the other hand many rivers, particularly in the West, are relatively free of pollution.

The primary sources of water pollution are municipal and industrial wastes. The households of about 125 million people, or almost 90 per cent of the urban population, are connected to sewer systems. Manufacturing wastes are also discharged through the same sewers and produce an organic waste load three times as great as households. Industrial wastes are probably responsible for a substantial part of the water pollution problem.

The extent of treatment of manufacturing wastes is not known, but we do know that sewer systems serving about 104 million people treat the wastes before they are discharged. About three-fifths of these, in turn, have both "primary" and "secondary" treatment, which removes at least 85 percent of the biological oxygen demand of the wastes.

If all municipal wastes were treated and if the effectiveness of treatment were raised to 85 percent, on average, actual municipal discharges into rivers would still be greater in 1980 than they were in 1962, and would have doubled by 2020. If, on the other hand, we raised the effectiveness of all treatment to 95 percent, municipal waste discharges into rivers would probably decline over the next 60 years. But 95 percent treatment goes to the outer limits of present technology, and would perhaps triple or quadruple treatment costs.

One estimate puts the costs of building and operating treatment plants that would remove at least 85 percent of the organic wastes from both municipal and industrial effluents by 1973 at over $20 billion, or $4 to $6 billion a year.

Pollution of the land

Solid wastes are increasing both in variety and in volume. They include, in addition to garbage and ashes, considerable quantities of industrial wastes, old appliances, construction refuse, junked cars, agricultural chemicals, "throw away" cans, bottles, or plastic containers, and even radioactive materials. In an earlier period solid wastes were mainly organic materials that would be degraded over time, but they are now about 65 percent inorganic solids.

In 1966, the Nation disposed of an estimated 165 million tons of solid wastes. This total is expected to grow to about 265 million tons in 1976. Household wastes alone are considerable. Data in the late fifties showed that several cities collected close to four pounds of refuse per capita per day, and this level has since increased. In 1965, the Nation also disposed of about 6 to 6½ million motor vehicles. The burden of junked automobiles is, however, lessened by the fact that much of the material can be profitably reused; in 1965, about 15 percent of the rubber, and at least 90 percent of the steel was recovered from junked automobiles.

The accumulation of solid wastes has almost exhausted convenient landfills in many urban areas.[2] Solid wastes can be transported to rural areas, though at increasing cost. Landfills can also be used to reclaim swamps and marshes for urban uses, although there is evidence that this may have adverse effects on marine life. Filling coastal marshlands also appears to have an impact on fisheries which is not yet properly understood or measured.

Solid wastes also can be (and often are) incinerated, composed, or barged to the sea. This can increase air and water pollution. Indeed, the incineration of certain types of plastics found in solid wastes (especially Teflon, and fluorinated and vinyl plastics) produces chemical contaminants whose physiological effects may be similar to those of phosgene gas, a severe respiratory irritant used in World War I.

The costs of disposing of solid wastes are often considerable. Ayres and Kneese estimated that local governments spend about a billion and a half dollars on collecting and disposing of such wastes. Schools and roads are the only items on which local governments spend more. These costs vary considerably with the level of service provided. A study of refuse collection in St. Louis showed that changing the pickups from the curb to the house doubled costs, and that an increase from two to three pickups a week increased costs by almost a third.[3]

The costs of different methods of disposal and locations for dumps are particularly crucial. Even with present technology, it is possible to prevent great damage to the quality of the environment, if only by hauling the wastes to uninhabited areas. But measures that completely protect the quality of the environment may be so costly they are not worthwhile. A wise policy concerning solid wastes must therefore be based on informed judgments about the benefits and costs of the relevant alternatives in each local situation.

Other environmental hazards

Some problems of the natural environment cannot be described in terms of the flow of materials through the economy. This is true of floods, droughts, erosion, hurricanes, and other natural hazards. Increased meteorological knowledge, better transportation and communication, new dams, irrigation work and drainage systems, and better housing have greatly eased the problem of such natural disasters. Because of these and other protective measures, more people are able to live in disaster-prone areas. However, this tends to increase the population at risk to natural disasters.

Another environmental problem is noise. Noise is not only unpleasant and disruptive, but can also be a threat to health. Clinical evidence shows conclusively that noise can damage hearing. It has been estimated that more than 6 million Americans are subjected to hazardous noise levels at their jobs. Current levels of electronic amplification of music have also been shown to lead to at least temporary impairment of hearing. With increased crowding, electronic amplification of sound, use of machinery, sonic booms and other noises from the transportation system, the average noise level rises each year.

Outdoor recreation

The natural environment is a source of esthetic satisfaction and the setting for outdoor recreation. Vast rural areas are almost totally unspoiled, and even some areas with significant pollution problems can be used for outdoor recreation.

Outdoor recreation is accordingly enjoyed on a wide scale. The Bureau of Outdoor Recreation has estimated the total number of "occasions" of outdoor recreation at 6.5 billion in 1965, or up 50 per cent from 1960. This figure is expected to rise to 10 billion by 1980. The forms of outdoor activity that attract the greatest number of people are walking for pleasure, swimming, picnics, and pleasure driving.

In 1965 there were some 345 million acres of designated rural recreation lands administered by Federal, State, and local agencies, or about 1.8 acres per capita. The Mountain States have 20,000 acres of such land per person, but New Jersey has only .06 acre per person.

The Bureau of Outdoor Recreation has indicated that outdoor recreation rises with income. This suggests that the extremely unequal distribution of public recreation land is a problem, and that the demand for outdoor recreation can be expected to increase as incomes rise.

THE MANMADE ENVIRONMENT

The quality of life obviously depends on the places we live in—our homes and communities.

a. The quantity and quality of housing

When high- or middle-income families build new homes at a faster rate than that at which the population grows, this tends to improve housing for low income people as well. The housing that is vacated by those who move into the new housing is usually sold or rented to families with lower incomes, and the housing these families occupied is usually then taken up by families with still lower incomes. We shall see that this process has led to better housing for Americans at all income levels, but that some Americans have been denied the full benefits of the increase in the housing supply.

The quality of housing has improved substantially in recent years. The 1950 census revealed that 39 percent of the Nation's occupied housing failed to meet minimum standards, in the sense that it was either "dilapidated" or "deteriorating," or lacked adequate plumbing facilities. By 1960 only 16 percent, and by 1966 only 10 percent, of the Nation's housing failed to meet those standards.

Suburban areas had the lowest percentage of inadequate units with center cities second and nonmetropolitan areas the highest. The reduction in the amount of unsatisfactory housing was greatest in nonmetropolitan areas, next greatest in city centers, and least in the suburbs. The improvement, in other words, was greatest in the areas where the need was greatest.

The proportion of overcrowded housing has also declined. In 1950, 16 percent of the housing units were overcrowded, i.e., contained 1.01 or more persons per room. In 1960 the percentage of overcrowded units by this standard had fallen to 12 percent.

Admittedly, the change in the proportion of Americans with substandard or overcrowded housing is in some respects misleading. The minimal standards are too low to have any meaning for the average American, whose housing has exceeded the standards for some time. The unchanging standards also ignore the rising expectations that accompany the Nation's rising standard of living. Still, they do fairly reveal a substantial absolute improvement in the quality of housing for most of those who have lived in the poorest housing.

b. Causes of the improvement

The principal reason for improvement is the constuction of new housing, most of which has apparently been built for middle and upper income families. Between 1960 and 1967, 11.5 million new housing units were started in the United States. Of these, 98 percent were privately owned and 2 percent publicly owned. As was pointed out earlier, new housing construction has helped to elevate the quality of housing available to all.

Urban renewal has provided better housing for some poor families, but its effect has been slight. From the inception of the 1949 housing act through fiscal 1967, urban renewal provided only 107,000 new and 75,000 rehabilitated housing units. Urban renewal projects usually take from 6 to 9 years to complete.[4] As of July 1967, the urban renewal program had demolished 383,000 dwelling units, or more than it had built and rehabilitated. This is due in part to the fact that new construction in many of the urban renewal areas is not yet complete. Urban renewal efforts have not, in any case, been generally designed to add to the housing of the very poor. Of the new units built in urban renewal projects, only 10 percent were low rent public housing. Most of the 636,000 low rent federally administered housing units in existence at the end of 1966 were outside of urban renewal projects. These 636,000 housing units, though dwarfed by the size of the increase in new private housing, have nonetheless made a very important contribution to the housing of the poor.

c. Barriers and inequities in the housing market

Unnecessary barriers and inequities have denied many Americans a fair share of the gain from the increase in the supply of good housing. A lack of access to credit, ignorance of available housing, zoning laws, and above all racial segregation have put many Americans at a disadvantage in the housing market, and limited the extent to which the construction of new housing has added to the housing available to them. Racial segregation in housing, for example, makes it difficult for Negroes to obtain new houses in the suburbs or even the housing vacated by others within the city. Most of the increased housing supply is reversed for white, and blacks are left to compete for such housing as exists in the ghetto. Zoning laws which prohibit apartments, or houses on small lots, can similarly restrict the supply of housing of a kind that the poor can afford.

---

[2] *A Strategy for a Livable Environment.* Report to the Secretary of HEW by the Task Force on Environmental Health and Related Problems, June 1967.

[3] Werner Hirsch, "Cost Functions of an Urban Government; Refuse Collection," *The Review of Economics and Statistics* (1965).

[4] This estimate was made by staff members of the National Commission on Urban Problems. See Anthony Downs, "Moving Toward Realistic Housing Goals," in *Agenda for the Nation,* Kermit Gordon, ed. (Washington: The Brookings Institution, 1968), pp. 141-178.

The importance of these barriers in the case of the Negro is clear. There is an almost total segregation of Negroes in most American cities. Table 2 shows that more than 85 percent of the Negroes in 109 cities would have to move from the block in which they live in order to achieve a random distribution of Negroes and whites over the entire metropolitan area.

The extent of segregation, moreover, is apparently not decreasing. As table 2 reveals, segregation has probably even increased from 1950 to 1960, because of the considerable increase in urban segregation in the South. The exact extent of housing segregation since the 1960 census is not known, but studies conducted since then suggest than there has been little progress since 1960.[5]

TABLE 2.—AVERAGE INDEXES OF RESIDENTIAL SEGREGATION OF THE WHITE AND NONWHITE POPULATION, FOR 109 CITIES, 1940 TO 1960

Year	Total	North and West	South
1940	85.2	85.5	84.9
1950	87.3	86.3	88.5
1960	86.1	82.8	90.7

Source: Karl E. Taeuber and Alma F. Taeuber, "Negroes in Cities," Chicago, Aldine Publishing Co., 1965, table 5, p. 44.

The different income levels of whites and Negroes contribute to the segregated pattern in housing. But race is a far better predictor of where a person will live than is income—or any other attribute. For example, a disproportionate number of Negroes with incomes high enough to afford to live in more prosperous neighborhoods nonetheless live in poverty areas. In 1960 only 12 percent of whites with incomes above the poverty level were living in poverty areas, but two-thirds of all Negroes who had incomes above the poverty line lived in poverty areas. The tendency for Negroes with middle-level incomes to be confined to poverty areas may also help explain the fact, noted in the chapter on "Social Mobility," that middle class Negroes are less likely to be able to pass their status on to their sons than middle class whites.

Racial segregation in housing not only has "social" costs of the sort just described, but also operates as a barrier in the housing market which sometimes denies Negroes their share of the benefits from the increase in the Nation's housing supply. The extent and rigidity of racial segregation in housing suggest that Negroes cannot move into white residential areas without considerable difficulty. To the extent this is true, they are denied access to most of the Nation's housing supply. This in turn would imply that Negroes would have to pay higher rents for comparable housing than whites.

There is evidence that this is often the case. As table 3 shows, in three of the places studied, rents are much higher in mainly Negro neighborhoods than in mainly white neighborhoods with the same percentage of "sound" housing (housing with adequate plumbing, and neither deteriorating nor dilapidated) and the same number of rooms per dwelling. In four other cities, there was probably no meaningful difference in the rent for housing of comparable quality.

TABLE 3.—RENTS PAID BY NEGROES AND WHITES FOR COMPARABLE HOUSING

City	Average monthly rent in median Negro census tract	Average monthly rent in white census tract with comparable housing	Negro rent minus white rent for comparable housing
Atlanta	$37	$38	−1
Baltimore	66	55	11
Detroit	61	60	1
Los Angeles	58	56	2
New York:			
Manhattan	59	61	−2
Brooklyn	60	51	9
Philadelphia	49	40	9

Note: This estimate was provided by Prof. Barbara Bergmann of the Department of Economics at the University of Maryland.

Though the complexity of this problem and the limitations of the data call for caution, these results tend to strengthen the logical presumption that practices which exclude Negroes from most of the housing supply will mean that the pressure of increasing demand by Negroes will force up the prices of the housing they are allowed to occupy. The barrier of residential segregation is particularly important when the Nation's housing supply grows faster than the population: it limits the process by which new housing for the well-to-do can open up better housing for the poor. Since this process is the main source of better housing for the poor, segregation, along with credit, zoning, and other barriers which limit the access of the poor to available housing, are outstandingly important.

CITY SPACE AND URBAN AMENITIES

Most Americans now live in cities or suburbs. Thus the manmade physical environment includes not only the house or apartment, but also that complex of structures, streets, and services we call the city—or the metropolitan area. The geography of the city, and the transportation system that lets the resident move within it or escape outside it, are therefore important parts of our physical environment.

The metropolitan environment is infintely varied. But there is a common problem that links the lives of all the residents of a metropolitan area. This problem is the scarcity of urban space, for which all the residents of a metropolis compete, whether they are buying homes or looking for a place to park.

a. Population and urban space

As we argued earlier, Malthus' dismal prediction that population tends to grow faster than food production has lost its credibility, at least for the economically developed nations. But population growth in the United States is posing new kinds of problems, different from those that were expected. One of these is the scarcity of urban space. The growth and increasing concentration of our population deny us privacy and elbow room. Our increasingly congested cities are already depriving many people of the satisfaction of open space. As cities continue to grow, it will be even more difficult to find a quiet park, an open space, or a secluded beach. This problem may already be serious in such areas as Harlem, which has a sardine-can density of 67,000 persons per square mile.

It is not possible to say for certain whether such crowding degrades the quality of life significantly for very many people. Perhaps only a minority want privacy or open space, or can experience claustrophobia. It is evident from any number of parks and beaches that, just as a few seek secluded spots, so many others congregate wherever the most people are.

Animal experiments have shown, however, that severe congestion tend to increase aggresive behavior, to break down normal mating, nesting, and maternal activity, and to contribute to higher rates of illness and death. There may also be a limit to the congestion that human beings can tolerate.

The number of persons that can be accommodated per square mile without serious crowding depends in part on what might be called the "technology" of urban space. It is possible to build more living space on each acre, by building up rather than out, providing communal landscaping and recreational space, using underground transportation, and the like. There are undoubtedly limitations to the number of people who can live satisfactorily in each square mile—the amount of open space with access to sunlight is inherently limited—but a great deal can be done, through imaginative city planning, to make a congested environment congenial.

b. Urban transportation and space

The scarcity of urban space can also be eased by more extensive use of transportation. The people of a metropolis can have more space simply by traveling farther out, and that is what many Americans have been doing. They have "traded off" the time and money spent in commuting for the open space available in the suburbs. The move to suburban, single family homes on separate lots suggests that many Americans value space and privacy very highly. There are also, of course, other factors that draw many people to the suburbs. This move has to some extent been subsidized by public policy, encouraged by the desire for better schools, and even hurried at times by prejudice against the groups in the central city.

There is an important, if implicit, subsidy for the move to the suburbs in the tax advantages given homeowners. Homeownership is most common where single family dwellings are common, as in the suburbs, and homeowners pay no income tax on the imputed rent (the extra money they would have had to earn and pay in rent to have the same standard of living with an equivalent rented dwelling) on an owner-occupied dwelling. Homeownership is also subsidized through FHA loans and government loans to veterans. Subsidies to rapid transit systems, though not usually so regarded, sometimes also subsidize the flight to the suburbs. The fact that the central city government must provide services to those who work in the city, yet cannot tax their property in the suburbs, has a similar effect.

The patterns of segregation, and even some zoning laws, suggest that a desire to exclude low income and low status groups also accounts for some movement to the suburbs. This exclusion also creates a further monetary incentive for emigration to the suburbs, since the central city must assume the burden of dealing with poverty and other social problems. The suburbanite often enjoys both better schooling for his children and lower taxes as well.

The desire for space and privacy, along with the inducements to suburbanization, have led to "urban sprawl." Metropolitan areas will tend to expand to the point where they grow together. The vision of one sprawling megalopolis reaching from Boston to Washington, comes closer to reality each year.

The collision of metropolitan areas shows the undeniable reality of the problem of urban space. But even then the cities can grow in other directions. If the technology of commuter transportation can be made to improve fast enough, and the quality of city planning and land use can be increased fast enough, the sprawling metropolis can still provide a wholesome environment for man.

UNDERSTANDING: THE KEY TO BUSINESS-GOVERNMENT COOPERATION

Mr. PERCY. Mr. President, on December 12, 1968, Mr. J. M. Roche, chairman of General Motors, made a speech before the Illinois Manufacturers Association on the subject of business-Government cooperation.

---

[5] Reynolds Farley and Karl E. Taeuber, "Population Trends and Residential Segregation Since 1960," *Science* (March, 1969), p. 955.

The Illinois Manufacturers Association has been a progresive force in the State and, indeed, throughout the Nation for contributing to better business understanding of Government and better Government understanding of business. The forum it provided for Mr. Roche to make his speech is just another example of the association contributing to public understanding of important problems.

Mr. Roche in his excellent address made the central point that with the Nation's challenges so great today, business and Government cannot afford to be adversaries but must rather work together to solve problems. He pinpoints as the vital question: Can free Government and free business work together to serve our Nation's greater interest?

His discussion of that question and other insights he brings to bear on the subject of Government-business cooperation are of great interest and importance and, I think, most worthy of further dissemination.

I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

UNDERSTANDING: THE KEY TO BUSINESS-GOVERNMENT COOPERATION

(By J. M. Roche, chairman of General Motors)

I count it as a distinct honor to meet with you tonight, to congratulate the Illinois Manufacturers Association upon your 75th Anniversary.

I am always glad to come to your State because it is my State as well. I was born in Elgin, Illinois, and began my business career in this city. Another reason I am glad to come to Illinois is because General Motors' share of passenger car sales is higher here than in any other State. I like to be among people with that kind of discernment.

Organizations such as yours render important service to both the business community and the nation. You provide an effective means for thousands of businessmen to make themselves heard and help shape the patterns of our national life. I am sure all who value the voice of responsible businessmen join me in wishing you many happy returns.

THE TIME OF TRANSITION

We meet today at the midpoint of transition in the American government—halfway between Election Day and Inauguration Day. In Washington and around our country, it is a time of new thinking, of reassessment, of mustering and reviewing the forces of a free society for the challenges of the coming years.

One item on the agenda of reassessment concerns us most directly: the attitude of the new administration and the new Congress toward business. At the same time it would be well for us in the business community to examine *our* attitude toward government. We can explore what we can do to achieve better understanding that will lead to a more constructive relationship between business and government.

These two important segments of our society—perhaps more than any others—will determine the future of the United States. What they do will surely affect the economic well-being of our people, and our country's position as a leader and stabilizer of the world economy.

ALLIES NOT ADVERSARIES

Business and government can ill afford to be adversaries. So mutual are our interests, so formidable are our challenges, that our times demand our strengthened alliance. The success of each largely depends upon the other.

Today, business and government are each becoming more involved in the affairs of the other.

No businessman today—neither the manager of a large corporation nor the corner druggist—can operate without consideration of government restrictions and regulations. A bill passed in a distant capitol can affect his business as much as a drop in sales or a decision made in his front office. S.E.C., F.T.C., H.E.W. are more than letters of the alphabet to the businessman. Their policies and directives, along with the problems of interlocking directorships, taxes, inspections, government standards and guidelines, and legislative hearings are all part of his business. Moreover, the businessman is now encountering new interest—at all levels of government—in the rights of the consumer, in how much the businessman asks for his products and how much he pays his employes.

It is understandable that the businessman should long for a return to simpler days, to the uncomplicated world of buy and sell we used to know. But the clock of history does not turn back. Government involvement in business today is a fact of life and in appropriate amount it is necessary to the nation's progress.

It is important, therefore, that business begin with an understanding of this fact, and cooperate in all areas where cooperation can help further the nation's interest.

There are many areas, however, in which the responsibilities of government and business are better left separate. We both have an obligation to recognize those areas and to respect them.

It is worth noting that business and government are already working together toward national goals. Business is taking a hand in affairs which were once the exclusive province of local, State, or Federal government.

Talk about effective cooperation between business and government is giving way to action. Only recently we have begun to join in efforts to alleviate urban and social ills which bedevil our society and contradict our prosperity. Business is training and hiring the hard-core unemployed, helping to give minorities a better economic break. Business, with government, is helping to restore, renew, and rebuild our cities and our countryside. We work together to shape our national policy, and to fulfill our public purpose. And there is much, much more for us to do together.

As the challenges to our nation intensify and multiply, we can expect—and should encourage—business and government to draw even closer together. Both the business community and our country stand to gain if we work together—if we come together, not as adversaries, but as allies.

After all, we share many common objectives. We both want a flourishing economy and a prosperous citizenry. We both want a better America with more equal justice and broader opportunities. We both want to maintain honesty in the marketplace: government wants it because it is in the best interest of the consumer, and business because its success depends on satisfied customers.

Business and government have an obligation to communicate and exchange views. We must build an atmosphere of mutual trust and confidence, with each respecting the rights and opinions of the other, so that we may make our free competitive system satisfy the legitimate needs of our people. We should not expect that we will always agree. But we can hope to achieve better understanding.

America's high standard of living is in large part a tribute to American business, and we must maintain public confidence in the practices and products of business. We must strike a proper balance between business activities and constructive government programs.

BUILDING FREE ENTERPRISE

There is much business and government can do together. We can build upon three essentials of free enterprise: incentive, a free market, and management efficiency.

Opportunity for profit is the basic incentive of business—and businessmen need make no apology for seeking it. When we earn a profit, we need not be defensive about it. The reward of profit is the prime reason for being in business.

But every businessman knows there are other incentives. We have all felt, for example, the pride of accomplishment, the satisfaction of helping community and country, of providing opportunities for young people and watching them develop, and the continuing excitement of growing, of doing more, of contributing more. Our incentives are to contribute as well as to earn. These incentives of free enterprise—profit and the less tangible rewards—have achieved the best utilization of man's energy and brains. The government can make a great contribution by keeping these incentives as free as possible from cumbersome restrictions.

If such incentives are the carrot of free enterprise, competition in a free market is the stick. A free market is one where goods can be produced and sold competitively, where success is earned on the basis of customer choice—on merit not presumption—and where the ultimate test of a product is that its value to the customer be greater than its cost.

Government can both increase incentive and improve market conditions if it will simplify regulations, eliminate unnecessary restrictions, develop sensible tax laws, and free industry from political harassment. Government must provide a climate of minimum restraint and maximum freedom consistent with the national interest.

Operating in a free market, with incentives, business must provide the third essential of free enterprise, management efficiency. Competition for profits in a free market demands a high degree of management skill and efficiency. Management efficiency, in turn, assures more and better products, lower prices, higher wages, and greater profits and dividends—all fundamentals of a healthy, growing economy.

Conversely, no economy nor society can long afford management inefficiency, whether it stems from ineptness, lack of incentive, or unnecessary government interference.

GROWTH IN FREEDOM

The United States was born free, wholly new, a young energetic force in the world. For almost two centuries, we have affirmed the value of freedom. We have grown, in freedom, to international greatness. Our manpower, resources, and technology—combined with a reasonable political climate and a free competitive economic system—have made us the envy of every other country.

Yet, the American concept of free enterprise is sometimes questioned at home and often challenged abroad.

Here at home, some men question if this "old-fashioned" system is still what the better-educated, more sophisticated, more financially sufficient society of today really wants. Or can some other system do a better job?

At the same time, throughout the world, other nations, with other systems, aspire to our affluence. Dreaming of a better world, they seek to raise their standards of living. Some are making substantial economic progress. In the markets of the world, America is aggressively challenged by new, vigorous, determined, and capable competition.

This developing challenge is seen in the great growth of imports into the United States. These are in fields where our country was long impregnable, such as steel, automobiles, electronics and electrical equipment. The challenge is also evident in the increasing competition our exports are meeting in world markets. These competitive developments have seriously reduced our favorable balance of trade.

THE VITAL QUESTION

The question upon which depends so much of America's future is this: Can free government and free business—each faithful to its purpose—work together to serve our nation's greater interest. Can we make free enterprise equal to these new challenges?

We can, if we as a people have the will, the unity of purpose, and the determination that has carried our nation through other great challenges.

We must retain what is good in our system, and improve it where possible. We must be ready to throw out what may be bad, but we must take care that we not sacrifice the achievements of almost two centuries of free enterprise. We must not trade proven values for mythical goals—some of which could destroy our system and frustrate the national objectives toward which we aspire.

We businessmen must be prepared to do our part. We start with the firm conviction that free enterprise, not a controlled economy, is our best answer to economic challenge.

We must give freely of our energies, experience, and management skills. We must develop the social awareness and flexibility needed to meet fast-changing situations. Shifting social values and pressures should stimulate—not reduce—our response and summon the finest leadership of which we are capable.

We must bring to the task the same qualities that spell business success—integrity, experience, precision, knowledge responsibility, honesty, and dedication. There is no short-cut; no slap-dash way. The challenges are not short-term. The stakes are no less than the continued improvement of our standard of living and the preservation of American leadership in the world.

As we approach these tasks, perhaps our greatest need is for understanding. We must develop more effective communication among all segments of our society, between labor and management, teachers and parents, business and the consumer, and—in the area that concerns us tonight—between government and business.

UNDERSTANDING—THE KEY TO COOPERATION

The key to cooperation is understanding—of business by government and of government by business. In some respects, the two come together as virtual strangers. And not without reason. American businessmen have grown up in a tradition of non-interference, a tradition now undergoing scrutiny and change.

Once it was not unusual for a government official to take office with a good knowledge of business, often drawn from his own experience. Today young men select their fields early in life and pursue increasingly narrow, more specialized careers in government or in business. With different standards of success, those in one field tend to grow more apart from those in the other.

Misunderstanding is an inevitable consequence of separateness. And many areas of misunderstanding stand between government and business. Tonight, I would mention two examples. One is the imperfect understanding and consequent distrust of bigness in business. The other is the assumption that productivity advance is automatic and a surefire corrective for policies which produce inflation.

THE BUGABOO OF BIGNESS

Bigness—per se—is not bad, as some would have us think. On the contrary, it is constructive and has made possible much of our national economic progress.

We are a big country. We live in a big world. We have big government, big unions, and big business. But some people seem to talk most about—and worry most about—the bigness of business.

Many who deplore the bigness of business mistake economic competition for the predatory life of the jungle, where the big grow bigger as the small grow fewer. This is not the case. The growth of big business has not occurred at the expense of small businesses. As the head of the Small Business Administration has pointed out, a century ago about 300,000 businesses—nearly all small by today's standards—served a population of 29 million. Today 4.8 million serve a population of 200 million. So, while population has grown seven-fold, the number of businesses has multiplied 16 times.

Big and small businesses are mutually dependent. The critics of bigness forget this, overlooking that the big company is also a big customer. General Motors, for example, spends nearly half of its income for the goods and services of more than 37,000 smaller businesses—over three-quarters of whom employ fewer than 100 people. Then, to sell its products, General Motors depends on tens of thousands of additional small businesses—on 14,000 vehicle dealerships and 128,000 other retail outlets.

Big and small business aid and support each other to the benefit of the nation's economy and the individual customer. Small business is frequently the source of new products and new methods. Small business offers imaginative entrepreneurs a range of opportunity for individual initiative. And small business is well able to offer the personal service, special attention, and flexible operation required to meet the increasingly varied demands of the consumer.

BIGNESS AND COMPETITION

Moreover, bigness is often misunderstood as prima facie evidence of monopoly power. But the proof of monopoly is not the size of firms, nor the fewness of firms in an industry. Rather, it is the absence of competition that identifies monopoly.

In the automobile business, for example, competition is the central fact of life. Auto manufacturers compete in product innovations, price, and marketing techniques. The four major domestic companies offer 382 models, and foreign companies offer scores more in the American market.

Yet even the smallest automobile manufacturer is a big company. Automobiles, because of their sheer size and complexity, need large capital investments if they are to be produced in the volume essential to low cost. Their design demands large research and development organizations. Their manufacture calls for extensive facilities and large and skilled labor forces. Their sale and servicing requires a nationwide network of showrooms, service centers, and parts warehouses.

Big companies also exist in many other fields that are highly competitive. In Illinois alone are headquartered 57 of the 500 largest industrial corporations in America. You can be proud of the important contributions they have made to our nation's economic growth.

Those who decry the bigness of private industry fail to consider the unwelcome alternatives.

When government takes over an industry, responsibility only shifts to other hands, to managers bound by political strings and slow to respond to consumer needs. Or when a number of smaller companies are artifically sustained in business, prices tend to rise and value to the consumer drops.

The glum prophets of doom have always predicted—and some still do—that the growth of corporate business must inevitably lead to a massive takeover of power. They envision our country transformed into a corporate state, where the private corporation is dominant. Nothing could be further from the truth. If you question this, just ask some of us who are asked to "visit Washington" regularly.

Both the bigness in American business and the progress of our economy result from our historic freedom to compete. The company that does the best job gives progress to our country. And the people, in turn, by buying its products, give the company its size. America must always have a place for big business if our country is to compete successfully in the widening markets of the world.

PRODUCTIVITY, WAGES AND PRICES

In addition to the myth of dangerous bigness, there is also serious misunderstanding of the concept of productivity and how it applies to wages and prices.

Productivity is a popular word at the bargaining table. And it has a place there. In fact, twenty years ago, General Motors helped give historic recognition to the truth that continuing technological improvement is essential to the progress of all. In 1948, for the first time, our union agreements had a provision for relating wage improvement to the increasing productivity of the country as a whole.

Expanding markets, efficient management, and technological innovation have helped American industry achieve a startling increase in productivity.

But, unfortunately, many people have come to take annual productivity increases for granted, to accept them with the certainty of Christmas coming every December. Surely, the popular logic goes, since productivity never fails to go up every year, a company can afford to lower its prices, or increase wages, or both.

But popular logic fails to remember that the much-discussed annual gain in productivity is only an average. In some years, there is a higher productvity gain throughout the economy; in other years productivity falls short. Some industries achieve more, but others less.

In any case, a fixed increase—whether 3.2% or 2.8% or whatever figure you want to use—is only an average. Much like the size of the average family, 3.7 persons, it is a figure so exact that no parent has ever been able to achieve it. The three is easy. It is that seven-tenths of a person that is hard.

THE ELUSIVE OBJECTIVE

An annual increase in productivity is not automatic, but must be earned, and re-earned, every year. Management each year must take off from a higher base. Each year we must work as hard as we can to be as efficient as we can. Then we must be even more efficient the next year. It is never easy to improve on your best—and do it every year.

Productivity can be adversely affected by many factors: unnecessary work stoppages, resistance to improved technology, low-quality workmanship, absenteeism and poor employe morale—just to mention a few.

Moreover, increased productivity is predicated, not on speed-up, but upon the expectation of a fair day's work from every employe. The objective of technological improvement is to increase the output of the labor force while still maintaining the principle of a fair day's work from every employe.

The illusion that the annual increase in productivity is automatic underlies many hasty and hostile reactions to wage and price decisions.

We cannot have balanced economic growth if inflation is allowed to continue at its current rate. Price stability, equitable wages, and technological innovation are essential to continued economic progress. Our nation enjoyed remarkable growth from 1961 through 1964, with good balance between wages and productivity. But imbalance since then, combined with excessive growth in demand, have produced the inflationary tendencies which now imperil our economy. We have seen our world balance of trade deteriorate in the past few years as we have priced ourselves out of competition in many different lines. We cannot eliminate our balance-of-payments problem, nor long preserve the value of the dollar, unless we balance wages with productivity.

We must find ways to draw the public's attention to excessive wage demands and their implications on prices as vigorously as price changes are emphasized. And we must do so before the fact—not after the wage contract is signed, and its impact on prices becomes inevitable.

These two myths—of increased productivity that is automatic and bigness that is dangerous—are typical of the misunderstandings that better communication can clear up as government and business work more closely together.

THE TASK WE FACE TOGETHER

The constant objective of our concerted efforts should be to protect and preserve the system of free enterprise that is the distinctive hallmark of our national economic life.

Our American system—the profit system, or free enterprise, or capitalism, call it what you will—has produced a far better social product than any other system the world has ever known. It has not achieved a perfect social order, but our constant mission as Americans is to improve it, not to weaken it. History has cast us as builders and not destroyers.

Management's obligation to its stockholders is, of course, clear and primary. Those who own a business expect to earn a profit on their investment. But profits and progress do not compete. Rather, each produces the other.

Mismanaged industry can neither make a profit nor build a nation. Profit provides the funds for growth and progress; growth that in America has underwritten our unmatched system of individual security, opportunity and dignity.

So government's concern with social progress finds an ally, not an adversary, in business. The job of business is to provide the consumer with goods and services at the lowest economic cost. To do this, business innovates, it grows, it creates more economic opportunities. In short, it gives progress to the nation.

Government can and should promote a better business climate—not for the sake of the businessman, not for the sake of the stockholder, nor the worker, nor even the consumer—but for the sake of the nation as a whole. Business wants a better understanding with government, and will continue to work cooperatively to assure our continued progress as a nation.

Americans must always be free to criticize. Criticize, yes, that is our right. But serve also, that is our duty.

A PART FOR EACH, A PART FOR ALL

The better America we must help build summons from each of us a dedication, a compassion, an effort, and a sacrifice. Every American must try to serve by involving himself in the daily work of our society. We must make sure that the legacy of our America is not lost or diminished by our inaction, our indifference, our intolerance, or our indolence.

We must be willing to face the hard facts of what we must do. America grew great because its people were characterized by energy and industry. We had a willingness to work—and a determination to earn.

We live in a challenging age where much can be accomplished—and quickly. We must make the most of our opportunities for creative change. Material progress has given us more leisure time, more time to think, to concern ourselves with things outside our own jobs, our own communities.

Perhaps, to some extent, this has stimulated the discontent that is so evident in our world today. More people want to participate, to involve themselves, to shape events with their own hands.

If we are to be creators of constructive change, we need not only to be involved ourselves, but must be aware of what others are doing. We must see for ourselves, come out of isolation.

The means of communication have never been more available. Never have we had more ways and opportunities to assure the continued confidence of our customers, suppliers, employes, stockholders, the public, and government.

IN SERVICE TO FREEDOM

Tonight, we consider what we can do, with government, to preserve free enterprise. We might keep in mind what Edward Gibbon wrote of the people of ancient Athens:

> "In the end, more than they wanted freedom, they wanted security. They wanted a comfortable life and they lost it all—security, comfort and freedom. When the Athenians finally wanted not to give to society, but for society to give to them, when the freedom they wished for most was freedom from responsibility, then Athens ceased to be free . . . ."

Let us, by our service to our society, assure that no future historian shall ever write that of America. Rather, let him say that America remained free, free because its people so valued their freedom that they gave themselves fully to its service.

RESTORATION OF FORT LARAMIE

Mr. McGEE. Mr. President, Wyoming is proud of its heritage in the history of America, and proud of the landmarks which record the progress of the westering which took place across our prairies and mountains. Among these, the outpost known as Fort Laramie stands out, for it was a trading center, a fort to protect settlers and travelers, and the scene of peace parleys.

Under the direction of the National Park Service, Fort Laramie is being restored and stands today as a significant monument to our past. Last week, the Christian Science Monitor featured Fort Laramie and the historic ride of Portugee Phillips for assistance for the imperiled garrison of Fort Phil Kearny in 1866. Because the article by Charles W. E. Morris tells us much about our Western heritage, I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Christian Science Monitor, Feb. 26, 1969]

WEST RIDES AGAIN AT FORT LARAMIE, WYO.

(By Charles W. E. Morris)

Lying within a big bend of Wyoming's Laramie River near the junction of the North Platte, is old Fort Laramie, one of the West's most famous frontier outposts.

The first fort on this site was established in 1834 by fur trappers and traders and named Fort William. Enlarged some 15 years later and renamed Fort Laramie, it offered protection to the pioneer settlers during the western migration of the wagon trains over the Oregon Trail. It also served as a relay station for the Pony Express and the Overland Stage.

During the years of fighting with the plains Indians, it was also an important base of operations and later the scene of several peace parleys. The western migration had begun a few years earlier following the Louisiana Purchase of 1803. In the spring of 1804 President Jefferson had commissioned Capt. Meriwether Lewis and Capt. William Clark to explore the newly acquired Northwest Territory.

After spending a winter near the mouth of the Missouri, the young explorers and their company, numbering about 40, began the ascent of the river. They wintered in North Dakota, crossed the Rocky Mountains, and descended the Columbia River, and in November, 1806, they reached the Pacific.

After wintering on the coast they began their return journey, reaching St. Louis in September, 1807. In 2½ years they had traversed some 9,000 miles of wilderness. The glowing reports which they brought back spurred the onrush of homesteaders and prospecters, but most of the way led through Indian territory, a fact which was to have violent repercussions.

Located in a prominent spot alongside the access road leading from the highway to the fort is an unusual memorial tablet—a memorial to a horse. It commemorates the amazing feat of endurance of a truly magnificent animal in carrying its rider from Fort Phil Kearny to Fort Laramie, a distance of 236 miles through heavy snowdrifts in subzero weather. It may well be history's greatest ride to seek help.

Fort Phil Kearny, an advanced outpost, was built in 1866 to protect the increasing number of settlers and prospectors moving into the region. The building of the fort in violation of a treaty with the Indians, and the invasion of their traditional hunting grounds, together with the increasing slaughter of the buffalo and game animals, had been watched by the Sioux, Cheyenne, and Arapahoes with growing alarm and anger. Led by their great war chiefs, Red Cloud and Crazy Horse, they had taken to the warpath in an effort to drive the white man from their land.

Woodcutting parties from Fort Phil Kearny that had to drive their wagons some seven miles to the timber were constantly attacked by the Indians, and troops frequently had to make sorties from the fort to rescue them. As the tribes concentrated in the area in ever increasing numbers, their attacks on the isolated homesteads and wagon trains became more frequent.

On Dec. 21, 1866, a woodcutting detachment was attacked on its way to the timber. A force of 81 men under the command of Captain William Fetterman set out to rescue them. His orders, both written and oral, from the fort commander, Colonel Carrington, were terse and explicit. "Relieve the wood train. Under no circumstances pursue the Indians beyond Long Trail Ridge." Fetterman, a brave but impetuous officer, had openly voiced his contempt for the Indians. Disregarding his orders, he pursued a number of retreating warriors, but was led into an ambush where some 2,000 braves were lying in wait. The ensuing fight was desperate but of short duration. Of the relief force there were no survivors.

With his depleted manpower, Carrington could scarcely hope to hold the fort for long against the Sioux and their allies. It was decided to try and get a message through to Fort Laramie. A civilian scout and experienced frontiersman, John 'Portugee' Phillips volunteered to make the attempt. Carrington gave him his own horse, a fine thoroughbred animal, and about midnight, Phillips, bundled in his great buffalo coat, set out in a howling blizzard.

Some miles from the fort he ran into a party of Indians, but was able to shoot his way out of the trap. He reached a way station where he had hoped to get help in sending a message through. But finding no help available, he continued on his desperate journey. Shortly before midnight on Christmas Eve he reached Fort Laramie. On the parade ground the gallant horse sank into the snow and expired.

Phillips staggered into "Old Bedlam" where a gay party was in progress and gasped out the news of the disaster at Fort Phil Kearny before collapsing. In a short time a relief column was on its way to the beleaguered garrison. When they arrived they found that because of the severity of the storm, the

> Indians had remained in their tents and had not attacked the undermanned fort.
>
> Today, as a national monument, Fort Laramie is under the jurisdiction of the National Park Service. A number of its buildings have been restored to their former condition, notably "Old Bedlam," former officers quarters and the scene of most social activities the Cavalry Barracks, Sutlers' Store, and a number of others. Plans call for the ultimate restoration of many more of the buildings and the furnishings of them in accordance with the period of the 1860's.
>
> Somehow the simple memorial tablet to a horse serves to dramatically remind us that man in his conquest of the West had to depend in large measure on his four-footed partner, whose courage, stamina, and devotion made these achievements possible.

PLACE THE BLAME WHERE IT IS DUE

Mr. HANSEN. Mr. President, ever since the crew members of the U.S.S. *Pueblo* were returned to this country, I have been receiving mail from Wyoming citizens concerned about the welfare of these men.

Wyoming people, and indeed citizens everywhere, have been deeply touched by the disclosure of the physical and mental toture these men suffered at the hands of their North Korean captors.

To my knowledge, no charges have been filed against any *Pueblo* crew member. The people of the United States and all of us in the Senate want to insure that the Navy continues to treat these men fairly.

Wyomingites feel that if blame must be fixed on the part of the United States for the seizure of the *Pueblo* and its crew, it must be shared by all in our Government who had anything to do with the *Pueblo's* presence in the waters off North Korea, with her mission there, and with her apparent inability to defend herself from being pirated by the North Koreans.

Among those who share this view is the distinguished and able Senator from Colorado (Mr. DOMINICK), who is a member of the Committee on Armed Services. Senator DOMINICK's statements regarding the responsibility for the *Pueblo* incident were the subject of a recent editorial written by Editor James Flinchum, of the Wyoming State Tribute, at Cheyenne.

I agree with Mr. Flinchum's observation that commendation is due Senator DOMINICK for his willingness to publicly raise some pertinent questions regarding the *Pueblo* incident. These deserve a response from our Government.

I ask unanimous consent that Mr. Flinchum's editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Cheyenne (Wyo.) State Tribune, Jan. 25, 1969]

LET THE SENATE INVESTIGATE

> A public service merit badge is due Sen. Peter Dominick, a World War II fighter pilot and holder of the Distinguished Flying Cross and Air Medal with cluster. The Colorado Republican said yesterday if the Navy persists in persecuting Cmdr. Lloyd Bucher, skipper of the Pueblo, then the Navy's brass ought to be summoned for interrogation by the Senate Armed Services Committee, of which he is a member.
>
> Senator Dominick, who served in the Air Force said: "It appears that the Navy is trying to fix responsibility on the commander (of the Pueblo) for not having fought his way out of an untenable position."
>
> As Dominick made his statements in Washington, in effect accusing the Navy of prolonging the agony this unfortunate officer already has undergone, it was revealed in New York that a three-star Air Force general made the decision against sending U.S. fighter planes to aid the Pueblo while it was under attack by the North Koreans off Wonson just a year ago on the same date.
>
> The Long Island newspaper Newsday said the decision against sending fighters to aid the Pueblo was made by Lt. Gen. Seth J. McKee, commanding general of the U.S. Fifth Air Force in Japan. Newsday said a subsequent review of McKee's decision by then Defense Secretary Robert S. McNamara concluded that the Air Force general had acted wisely.
>
> Despite this, the Navy is persisting in not only formally investigating Commander Bucher, but doing so under circumstances that suggest it considers he did wrong in surrendering the Pueblo. As this newspaper has said previously, how can the Navy pursue such a course when it was apparent that the Pueblo, armed with little more than .50 caliber machineguns, could have resisted only suicidally?
>
> Despite what was reported about General McKee's decision not to send Air Force fighters to assist the Pueblo, the five-admiral Navy court of inquiry which is patently trying Bucher, announced yesterday that it would call no Air Force witnesses at the court of inquiry now underway at Coronado, Calif., because "the court considers it can fulfill its charge without doing so."
>
> As a matter of ordinary fairness, however, if the Navy is to proceed on this matter it ought to summon not only General McKee but also Defense Secretary McNamara and any and all other witnesses whose testimony might have some bearing on his case.
>
> In the meantime it is apparent that the people of America and many of their representatives in Congress are highly disturbed over the Navy's callous treatment of Commander Bucher.
>
> "It's my feeling" said Senator Dominick yesterday "that we should have a hearing before the (Senate) Armed Services Committee to try and fix responsibility on the persons responsible for turning down his (Bucher's) request for equipment and for failing to adopt contingency plans to take him out of a spot into which he had been ordered by the U.S. Navy and the U.S. Government."
>
> The Armed Services Committee not only should investigate the failure to protect the Pueblo when it called for help but also why the Navy is seeking to make Commander Bucher the fall-guy for a tragic occurrence that should not have been allowed to occur—simply because nobody made plans in advance to help this helpless little ship on a most hazardous mission. Is this a cover-up to try and shield those really at fault?

WISE WORDS FROM ENGLAND

Mr. YOUNG of Ohio. Mr. President, it is noteworthy that leading parliamentarians of the United Kingdom including Allstair MacDonald, Stanley Orme, Frank Allaun, and Norman Atkinson, all distinguished Members of the House of Commons, recently issued a statement expressing their hopes in the following language:

> Now that a new American President has been installed millions of British people are hoping he will act to end the terrible and continuing war in Vietnam.

The parliamentarians added:

> We warmly welcome the reopening of the Paris talks and urge the United States to start the withdrawal of her troops from Vietnam and recognize the National Liberation Front as steps most likely to secure peace. As Labour Members of Parliament we would like to pay tribute to all those in your country who have struggled so persistently and courageously to end that war. This seems to us the greatest antiwar movement in this generation. If the fighting stops it will lay the basis for further relaxation of tensions between East and West: in Europe, the Middle East and elsewhere. Vast savings in arms spending could be devoted to other and better purposes. This is something worth working for, both by your people and by ours.

PRESIDENT NIXON'S TRIP TO EUROPE

Mr. BAKER. Mr. President, I wish to speak in appreciation of the manner and the spirit in which President Nixon conducted himself on his just-completed trip to Europe.

The world is waiting anxiously now for the first signs of progress toward understanding and the building of friendship among people and of confidence among nations.

All of our Presidents before him have journeyed far and wide in search of peace, so this role is not unique to Mr. Nixon. But today is a time for success in this role because the people of the world are wary of conflict and the manner in which the problem is approached is critical.

I point this out because the hopes of men of good will everywhere have been dramatically heightened in the past week. What seemed so distant only a few months ago glimmers today in light of the President's efforts to reunify relations with our European allies.

First of all, Mr. Nixon thoroughly prepared himself by studying the sources of contention that have separated us from our friends.

His approach to our allies was one of candor which expressed concern and compassion for their problems and for their point of view. He was never an adversary placing demands on the table.

It is refreshing to note the response he received from this method of diplomacy. Friends who were cautious before are now sparked with renewed determination. Those who were contemptuous are now speaking of a new day.

And from these relationships President Nixon has laid the foundation for what will be the greatest task of his administration—emerging as the peacemaker.

He is off to a good start.

CONTRIBUTION OF MOBILE, ALA., BANKS TO INTERNATIONAL TRADE RECOGNIZED BY PRESIDENTIAL "E" AWARDS

Mr. SPARKMAN. Mr. President, it was gratifying to learn that two banks in Mobile, Ala., received the Presidential Export "E" Award on January 8, 1969. On that day, Mr. Monroe Kimbrell, of the Federal Reserve Bank of Atlanta, presented the Export "E" Emblem to Mr. Robert Bacon, president of the First

National Bank, and Mr. E. Ward Faulk, president of the Merchants National Bank, at a ceremony at the new International Trade Center in the Port of Mobile "in recognition of outstanding contributions to the increase of U.S. trade abroad."

The many and continuing contributions that occasioned these awards are contained in an article in the Port of Mobile magazine for January. I ask unanimous consent that the article be printed in the RECORD following my remarks. I might add to the list, from my personal knowledge, the cooperation rendered to the Senate Small Business Committee in its regional export expansion inquiry by the banking community of Mobile. An expression of this is found in the testimony of Mr. J. W. Oliphant, vice president of the Merchants National Bank, who keynoted the public hearings in Mobile on November 10, 1967. This kind of leadership, provided by these banks in international trade, is an intangible quality which is significant to the progress of the port in many ways.

Winning the Export "E" is a considerable honor, because it is awarded for service beyond the call of duty to customers of a city and region and also to the national interest in strengthening the balance of payments. As I recall, the "E" awards program originated during World War II when it was given for production achievements. It was reactaivated for the export field in 1961 by President John F. Kennedy and Gov. Luther Hodges, of North Carolina, who was serving as Secretary of Commerce at the time. See Executive Order No. 10978 of December 5, 1961.

The names of the two recipient banks convey the fact that they are national in character. The awards confirm that they have now become truly international.

I wish to bring this to the attention of the Senate not only to add my congratulations for a job well done, but to indicate what is happening across the gulf coast and throughout the South. We have great opportunities and a great need to rebuild the prowess of the United States as a trading Nation. We are particularly proud, of course, of the part being played by our region, our State, the Port of Mobile, and the First National and Merchants National Banks in this endeavor.

I shall continue to do all I can to advance these efforts, and to bring the benefits of increasing world commerce to small and large business, and to the positive side of our Nation's balance of payments.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MOBILE BANKS RECEIVE "E" AWARDS

The First National Bank of Mobile and the Merchants National Bank of Mobile were awarded on January 8, 1969—at a ceremony at the International Trade Club at the Port of Mobile—the President of the United States' "E" Award "in recognition of outstanding contributions to the increase of U.S. trade abroad."

Mr. Monroe Kimbrell, president of the Federal Reserve Bank of Atlanta, representing the President, made the awards to Mr. Robert Bacon, president of the First National, and Mr. E. Ward Faulk, president of the Merchants National.

On hand was Mr. Houston H. Feaster, Director of the Alabama State Docks, who received the "E" Award for the Alabama State Docks in 1965, and Mobile's only previous recipient, witnessed the ceremony. The Docks Director added his congratulations to those of the Secretary of Commerce of the United States, the Honorable C. R. Smith, who announced the award earlier in the month.

Both banks have been active in offering foreign banking services since the Port of Mobile was primarily a cotton and lumber port, long before the 40-year-old Alabama State Docks or the Presidential "E" award was ever dreamed of, Mr. Feaster said.

President Eisenhower re-instituted the award for service contributions to the National Export Expansion Program, and in his proclamation reviving the wartime big "E" symbol, the President said in part:

"The 'E' flag that once flew over plants making notable records in war production . . . now will fly over factories contributing significantly to the goals of international peace and prosperity. The United States must, in the best traditions of American competitiveness and ingenuity, push forward with the development and sale of goods in all the markets of the world. An increased level of exports is absolutely essential for a healthy situation in our international balance of payments. Such a healthy situation in turn will enable us to carry out international responsibilities for preservation or freedom. More exports will mean a stronger America; a more prosperous America; and greater assurance of a free world."

The award recognizes the contributions of the two Mobile banks to the growth and development of the Port of Mobile and the flow of Alabama and American Goods and products to overseas markets.

Both banks have gone far beyond the simple financing of exports. They have furnished information that ranged from helping to find overseas markets to the receipt of final payment. Through their network of bank correspondents overseas, they have secured and relayed important information to the exporter, including (1) dependable credit information on foreign firms (2) overseas demands for particular products (3) usual terms of selling or buying and the methods of obtaining payment without undue risk.

They have uncovered the names of responsible firms or individuals who are interested in representing (or acting as agents) American firms.

The Mobile banks' contribution to foreign trade varies from direct loans to exporters and manufacturers to financing secured by documents on particular shipments. They collect funds from abroad directly from overseas banks. They offer acceptance financing to exporters. They forward letters of credit issued by foreign banks to the exporter promptly.

The international banking departments of both banks have been expanded over the years. Each is always eager to work with the exporters, large or small, no matter whether the exporters are only beginning to seek foreign markets or have been long-established in the export trade.

Both banks have had representatives on the Regional Export Expansion Council of Altanta, and later on the Council in Alabama after it was established in 1963. They have encouraged their personnel to participate in the Council's sponsorship of trade forums, seminars and meetings throughout the State and in trade missions abroad, all in the interest of increasing the export of Alabama products.

The First National and Merchants National Banks have always supported the activities of the port and the various service organizations. Their officers and personnel have served as directors and officers of the following organizations: Mobile Port Traffic Bureau, Propeller Club of the United States, Mobile Traffic and Transportation Club, International Trade Club, World Trade Committee of the Mobile Area Chamber of Commerce, Alabama World Trade Club of Birmingham, and the National Defense Transportation Association. The banks are members and are active in the Banker's Association of Foreign Trade, a national banking association consisting of over one hundred forty banks in the United States offering foreign banking services. In addition, a number of foreign banks with offices in this country are members. In this association the Mobile banks have served as directors and officers. The banks are also represented at the National Foreign Trade Council Convention held in New York each year. In addition, the banks hold memberships in the International House, New Orleans, Mississippi Valley World Trade Council, and various world trade associations throughout the south and mid-west.

Foreign trade could hardly be accomplished without the part that commercial banks play. Shippers through the Port of Mobile know this.

REFORM OF ELECTORAL SYSTEM

Mr. MUSKIE. Mr. President, the Subcommittee on Constitutional Amendments of the Committee on the Judiciary is currently holding hearings on the reform of the electoral system. As a cosponsor of Senate Joint Resolution 1, the proposal offered by Senator BIRCH BAYH to substitute the direct election of the President for the electoral college system, I have felt that one of the most significant arguments in its favor is its recognition of the importance of the right to cast an effective vote. This right is now denied all those voters who do not cast their ballot for the candidate who carries their particular State.

However, the right to cast an effective vote—the right to equal representation—will not be completely insured by the substitution of the direct election of the President. For even in this case, those voters who cast their ballots for the losing candidate find themselves without representation in the executive branch of our Government.

The power of the executive branch has grown so much that the opposition representation in the Congress may not be a sufficient check.

Mr. David Fromkin, a New York City lawyer, has raised these questions and suggested a possible answer in a recent issue of Interplay magazine. His proposal for a formal structure of the opposition is worthy of study. I ask unanimous consent that the text of the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LEADER OF THE OPPOSITION: AN AMERICAN LACUNA

(By David Fromkin)

"Only in America . . . ," the familiar phrase begins, but in this case it must read: "Only in America or, if you used a different set of numbers, in Gaullist France." For in no other Western democracy could the candidate of 31,770,231 voters receive supreme power while the candidate of 31,270,533 voters receives no power at all. In theory, the elected President represents all of us. But in years like 1960 and 1968 he really represents less than half the electorate, and the other 30-plus million voters have no one to speak for them in the high places of government: their leader vanishes. For another four years, half the nation has no voice.

The British, in the course of a long constitutional development, have created a role for the leader of the defeated party, a position in which he, too, can contribute on a continuing basis to the thinking and leadership of his country and the shaping of its policies. We, on the other hand, have no use for such a leader. In the United States he raises funds to make up the campaign deficit; then, more often than not, we send him home.

Quite apart from its unfairness—that one man passes into the pages of history and the other out, by the margin of one-half of one percent—ours is a wasteful system. To the extent that our parties fulfill the obligation to nominate their best men for national office, we are wasting the judgment, talent, knowledge and experience that the candidates of the losing party can contribute to public life. Among my personal examples are Wendell Willkie and Adlai Stevenson; everyone will, of course, have his own.

The defeated candidate who decides to resist the tendency of the system—who decides that, even without another political position such as Senator or Governor, he will remain in public life—must support himself and his staff by private means. He goes to a private foundation. He administers a university. He heads a large corporation. He joins a law firm. Whichever alternative he chooses, he is retained by some private interest. His political program must take account of the needs and desires of his employers, clients or donors. His future political availability is limited by the "conflict of interest": was there a single freewheeling client of his law firm who was not dredged up against Richard Nixon in the campaign? The viciousness is in the system itself. We force the leader of the losing party to serve private interests when we should be requiring him to serve the public interest.

The chief defect of the way in which we treat the losing candidate, however, lies in its effect upon the victorious candidate. Ours is the only country in the Anglo-Saxon world whose Head of Government is not checked, balanced and limited by an adversary, a Leader of the Opposition, with whom he is locked in continuous public debate. One reason is that our Head of Government is also Head of State. As the symbol of the nation as a whole, he is to that extent lifted above the leader of the opposite party. This only makes matters worse, for it cloaks him in an immunity that he should not have. The important things the President does nowadays are the life-and-death things done as leader of party and government, the very areas in which he should face constant challenge. In comparison, ceremonial functions of the presidency matter relatively little, although their existence adds to the aura and influence of the office of the presidency and can be misused.

The excessive growth of executive power has been observed throughout the world and almost universally deplored. One need not go far as de Riencourt in *The Coming Caesars* to view with apprehension the growing accumulation of overwhelming power in the hands of one man. There is no one to question the President of the United States, except the newspapermen who do so at his pleasure. He does not submit to congressional inquiry. He may subtly commit us to foreign or domestic conflicts, without our being aware until they and their consequences are upon us. He dominates the media of communication. When he chooses to argue his case to the people, there is no one to argue the case against him: no one equally known, with equal access to communications facilities, with equal prestige, whose job and interest it is to clarify the choices before us, uncover the commitments in process of being made, expose the shortcomings of the President's program, and propose better alternatives.

A GAP IN THE SYSTEM

In the American system of government, there is a gaping hole where there ought to be a Leader of the Opposition.

The congressional leadership of the opposition party cannot fill the need; indeed, it misleads the electorate if it attempts to do so, because the alternative to the President was and will be the nominee of the party in Convention, which often has a different viewpoint from the party in Congress. Moreover, few congressional leaders have the motive or desire to challenge the President, or the national prestige to do so. Nor have they the appropriate status: the adversary of the Minority Leader of the Senate is the Majority Leader of the Senate, not the President. Most important, the congressional leadership does not dominate the news media, as the President does, and cannot argue the case against him to the people. The congressional leadership can neither question nor debate with the President.

On an *ad hoc* basis, as titular head of the Democratic party, Hubert Humphrey apparently hopes to supply some of the needed opposition leadership in the four years to come. As his friend and his countryman, I wish him well. But he cannot supply for himself what the law of the land withholds from him: public recognition, public funds, and a public role. Above all, he cannot compel the President (as the British system compels the Prime Minister) to answer his questions in open debate.

Three steps are necessary in order to fill the gap.

The first necessity is legislation defining the position of Leader of the Opposition (perhaps: "that losing candidate for the Presidency who receives the highest number of popular votes"), providing for his replacement upon death or disability, and establishing appropriate pay and allowances.

Analagous British legislation was enacted 32 years ago. As a Member of Parliament, the Opposition's Leader already received a parliamentary salary. In 1937, the position of Leader of the Opposition was constitutionally recognized for the first time and, for the first time, the Leader of the Opposition was given a salary as such. ("He had supported the constitution in 1936. In return the constitution formally recognized him." A. J. P. Taylor in English History 1914–1945.)

The salary might perhaps be equivalent to the salary of a US Senator. In addition, there would be the expenses of a staff, for without one no political figure can play a major public role. A minimum effective political staff is comprised of: an administrative assistant; a press secretary; a researcher and a speechwriter; and a chief advance man. Also, there would be office rental, secretarial and other clerical expenses.

The second necessity is a forum. Today this means, in effect, frequent access to prime television time. Appropriate legislation should provide for this.

The third and final necessity is an opportunity to publicly question and debate with the President on a regular basis. It is no objection to say we do not have a parliamentary framework for such debate, as do the British. Even in Britain the effective confrontation now occurs on television. The position of the Leader of the Opposition, which developed as a function of the parliamentary system, has transcended that system in this respect.

Therefore legislation enabling—and eventually, a constitutional amendment requiring—a mutual questioning and debate between President and Leader of the Opposition, on television, would round out the new public position of Leader of the Opposition. (Lest this be misunderstood as an anti-Nixon proposal, the amendment would be effective commencing with the next President, not with him.) Perhaps once a year, in early January, the two leaders would question and debate with one another before the assembled nation, clarifying in all due solemnity the state of the nation and the choices before us.

Clearly there are aspects of the British system that we cannot copy. Our Leader of the Opposition is not always, nor necessarily ever, the alternative Head of Government. He need not be, in order to fulfill his most significant function. In Britain there is a dialogue at the pinnacle of power. In America there is only a monologue; this is what should and can be changed. This would enable us to form wiser judgments on public matters, and to bring into play the full range of our private and public institutions (most especially, the Congress) to influence executive decisions conformable to the will and desire of the people as a whole.

The means of accomplishing this would be the means we have used, and used successfully, before. For instance, our solution to the many problems of the securities markets was called the "Truth-in-Securities" Bill, requiring full public disclosure of all pertinent data concerning securities issues, as well as extensive exposition and clarification of the risks inherent in investing in them. Similarly the proposals above might be termed the "Truth-in-Politics" Bill, the idea being to more fully inform the public of the nature and risks of political decisions that are (or are not) being made.

The mechanism is the basic one of Anglo-American jurisprudence: the adversary system. Centuries of experience have taught us that the best way to uncover the truth is to empower a man with a strong personal motive—and adversary—to cross-examine, by right of law. That is why the British have found some counterpoise to an overly-powerful chief executive in an adversary leader, entitled to question him, equally equipped to appeal to the mass of the people, able to uncover the truth where hidden, and with an interest in doing so.

PHILOSOPHICAL FOUNDATIONS

Indeed, the philosophy from which this proposal springs—the proposal to establish a Leader of the Opposition—is the philosophy of the authors of the Constitution of the United States, which in turn derived from the British Constitution as interpreted by Montesquieu (*The Federalist*, No. 47). The authors of the Constitution regarded the accumulation of all powers in one set of hands as tyranny (*Ibid.*), which we in the United States would prevent ". . . by so contriving the interior structure of the government as that its several constituent parts may, by their mutual relations, be the means of keeping each other in their proper places" (*The Federalist*, No. 51). Following Montesquieu, who wrote that ". . . power should be a check to power (*The Spirit of Laws*, Book 11, Chapter 6), they believed that "Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place" (*The Federalist*, No. 51).

Why, then, did they fail to create a constitutional place for one whose interests counterbalanced those of the head of the executive department? They created checks and balances everywhere else, playing off the states against the federal government, the branches (executive, legislative and judicial) against one another, and, within the legislative branch, House against Senate. Of course, they knew that in the ancient world a double (which is to say, divided) executive had frequently been tried and found wanting, and that Montesquieu had written that "Two kings were tolerable nowhere but at Sparta" (*The Spirit of Laws*, Book II, Chapter 6), but there were balancing mechanisms and methods that could have been employed other than direct division of the executive power.

The answer is that they believed that power threatened to accumulate only in the legislative, not the executive, branch. They believed that ". . . the tendency of republican governments is to an aggrandizement of the legislative at the expense of other departments" (*The Federalist*, No. 49). Their solution was to divide the legislative into rival bodies, House and Senate (*The Federalist*, No. 51). Indeed—and it is amusing to read this after all that has in fact happened—so acute an observer as Tocqueville felt that "The Americans have not been able to counteract the tendency which legislative assemblies have to get possession of the government" (*Democracy in America*, Volume I, Chapter 8).

Had it struck the authors of the Constitution that the executive might come to dominate the government, they would surely have established a counter-executive. Indeed, they very nearly did so anyway. As originally adopted, the Constitution provided that the candidate receiving the second largest number of electoral votes for the office of President (in 1968, for example, Hubert Humphrey) would become Vice President. This would have given the President's chief political rival and adversary the second position in the executive branch of the government. The Constitution was in this respect frustrated by the unforeseen organization of political parties, and was amended.

In the light of history and the unexpected growth of executive power, adoption of the proposal to establish a Leader of the Opposition would complete and perfect our constitutional system of government as originally contemplated by its authors.

It would place the President and his policies in perspective.

It would more fully inform the Congress of the President's plans and procedures, enabling it to better perform its constitutional function as a balance to the executive department.

It would more fully inform all of us as citizens and enable us to make our views known at the time decisions are actually being made, rather than later, when it is too late to change them.

It would enable us to better judge and evaluate the Leader of the Opposition and decide whether he deserved a second nomination, for he would have to come out in the open and would have to formulate constructive alternatives. He would tell us at each stage what he would do as President. His role could not be simply a negative one, nor could he wait for four years to then mouth a policy based on hindsight.

It would lead to a more responsible congressional opposition, because the congressional leaders of his party would inevitably be influenced by the Opposition Leader in this respect.

Best of all, it would convert the electoral process into what Adlai Stevenson, following Jefferson, hoped it would become: an educational process. Hopefully, through it, we would become better citizens and make wiser decisions. Continuous dialogue, continuous clarification, continuous information and exchange of ideas would bring us closer to realizing the goals of those who wrote our Constitution.

The time has come to fill the Constitutional void with a Leader of the Opposition.

LET UNCLE SAM DO IT, REALLY?

Mr. HARTKE. Mr. President, our system of government constantly involves the problem of defining who has responsibility for policymaking. We have divided authority between State and Federal Government. And we have divided Federal authority among various departments of Government. These divided authorities sometimes work in competition.

In recent years some State authorities have maintained that policymaking powers have increasingly been taken from their hands by Federal authorities.

A February 25 editorial broadcast by the WFBM stations in Indianapolis, Ind., dealt in specifics with this issue. The editorial directs our attention to how State authorities too easily forfeit their opportunities in policymaking, letting decisions pass to the Federal Government.

I ask unanimous consent that the editorial, entitled "Let Uncle Sam Do It, Really?" be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LET UNCLE SAM DO IT, REALLY?

Some Hoosier politicians delight in condemning the federal government as if it were the agent for a subversive power. We saw a bit of this during the recent General Assembly debate on the Medicaid bill.

But apparently they don't object as much as it might seem to federal involvement in Indiana. Evidence: The fact that legislative leaders have killed the bill to establish a state uniform consumer credit code.

The consumer credit code would have replaced the existing hodge-podge of state laws regarding the granting and collection of consumer credit with a modern, unified code drafted after four years of study by the National Conference of Commissioners on Uniform State Laws. It was endorsed by the Indiana Retail Council, the Indiana State Bar Association, and others concerned about the problems of consumer credit.

The death of this bill is unfortunate. But the thing that really strikes us about this situation is the legislators' reaction to the state and federal relationship involved.

When Congress passed the federal truth-in-lending bill last year, it provided an exemption from federal regulation and control for any state where the Federal Reserve Board determined that state laws were substantially similar to this federal law on consumer credit.

In other words, the federal government would leave alone those states that were willing to do the jobs themselves.

Supporters of the uniform consumer credit code bill believe its passage would have given Indiana the necessary legislation to handle its own affairs in the consumer credit field.

In view of some of the things that have been said about the federal government by members of the present Indiana General Assembly, you might think these legislators would stand up and fight for the uniform consumer credit code.

But not so. And Indiana, therefore, will come under another federal regulation because—and *only* because—it was unwilling to do the job at the state level. Ironic, isn't it?

PRESIDENT NIXON'S SUCCESSFUL TOUR OF EUROPE

Mr. BROOKE. Mr. President, the President of the United States has just returned from a most useful and important European tour. I rise today to commend him for his efforts and his initiative, and to comment briefly on some of the more helpful aspects of his journey.

Upon assuming the Office of the Presidency, Mr. Nixon rightly perceived that our relations with our closest allies were sorely in need of repair. Mr. Nixon's trip was designed, in large part, to indicate to our allies that this Nation understands their concerns and will actively seek their counsel and advice on matters of mutual interest. I believe that this message was made preeminently clear, and was received with confidence by the leaders and peoples of Europe.

But Mr. Nixon's trip must also be seen as an important prelude to substantive discussions with the Soviet Union. No one would deny that many grave issues are outstanding between our two countries, and are in urgent need of resolution. The desirability of limiting the deployment of nuclear weapons without endangering the security of either side is, of course, a primary consideration. But critical tensions in Europe and the Middle East may also be resolved, or at least lessened, through consultations with our allies and the U.S.S.R. The war in Vietnam, too, is a legitimate subject for great power talks.

Mr. Nixon's trip to Europe has laid a solid foundation upon which substantive discussions can now be built. Our Nation, and indeed the entire world, can be grateful for this demonstration of deep commitment on the part of our Chief Executive to the overriding cause of world peace.

PHILIP N. BROWNSTEIN

Mr. MONDALE. Mr. President, there are times when the departure of an individual from Government service should not go unnoticed. Such a departure occurred recently when Philip N. Brownstein resigned his post as Assistant Secretary for Mortgage Credit of the Department of Housing and Urban Development, in which he served as Commissioner of the Federal Housing Administration, to enter the private practice of law.

Phil Brownstein was a career Federal employee, the type of individual we in Congress tend to take for granted. He began his Government career in 1935 with the FHA, studying for a law degree in his spare time. After his discharge from the Marine Corps in 1946, he began a 17-year period of service in the Veterans' Administration. He became Chief Benefits Director of the VA in 1961. In March 1963, he was named FHA Commissioner, and assumed additional responsiblilities when he was appointed Assistant Secretary in the new Department of Housing and Urban Development in 1966.

His service as Commissioner of the Federal Housing Administration and as an Assistant Secretary was simply outstanding. There are several basic characteristics of this service which I think should be emphasized. To begin with, rarely has a public official worked so efficiently with and been so well liked by business, other Government agencies, and Congress. To get along as well as Phil did with these often disparate groups, while always maintaining their respect, is no mean feat.

Furthermore, few high level public officials have had the kind of intimate knowledge of his programs as did Phil Brownstein. This is no reflection on the ability of other high level officials; rather, it is remarkable that a man who must make major policy decisions can know the details of the various programs for which he is responsible. This is especially true when the programs are as complex as those under the jurisdiction of the FHA. But Phil was not just a policymaker; he was an acknowledged expert in the programs he administered.

Even without these other attributes, Phil would have won my unqualified support and respect for the way in which he vigorously fought for low and moderate income housing. When he became the Commissioner of the Federal Housing Administration, the agency had a reputation for only being concerned about suburban housing; when he left, that image had drastically changed, and it was clear that the FHA was extremely concerned with the development of adequate housing for low and moderate income families.

During his tenure as Commissioner, the FHA attempted to coordinate its activities with the VA and other Government agencies. In addition, every effort was made to cut redtape and expedite various housing programs. Accelerated multifamily processing and accelerated subdivision processing are examples of the methods employed by the FHA under Phil Brownstein to accomplish this result.

I suppose the action which best illustrates Phil Brownstein's philosophy is the speech he gave to FHA directors after his appointment as Assistant Secretary. In response to charges that the FHA was indifferent to the housing problems of low- and moderate-income people, he called for calculated risk taking on the part of these officials. He made it clear to them that they have an obligation to contribute to the development of adequate housing in the inner city. And he in effect told them that they should not remain in their jobs if they could not accept such a philosophy.

I will miss Phil Brownstein and so will those who are concerned with the housing situation in this country. I wish him great success in his new career.

THE ROLE OF CONGRESS IN CONSERVATION

Mr. MUNDT. Mr. President, this afternoon I had the opportunity to address the members of the Whooping Crane Conservation Association which is meeting in Washington in connection with the North American Wildlife and Natural Resources annual conference.

As the congressional sponsor of legislative amendments providing for expansion of studies on the whooping crane and the establishment of the endangered species research facility at the Patuxent Wildlife Center, Laurel, Md., I discussed with the association the progress being made at the center.

In addition, I reviewed what I believe is the companion role of the conservation organizations, such as the Whooping Crane Conservation Association, in working with Congress in achieving the many important conservation goals which are of national concern.

Mr. President, since this address relates of the legislative activities conservation and may be of interest to Members of Congress as well as to others who receive the RECORD, I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Mr. Chairman, fellow members of the Whooping Crane Conservation Association, and fellow conservationists—it is a real pleasure for me to join with you this afternoon to discuss with you "the role of Congress in conservation." Through the years I have corresponded with many members of the association and other conservation leaders of the United States and countries around the world. These meetings this week in Washington have given me my first opportunity to discuss some of our goals and aspirations with you.

Conservation decisions made during this session of Congress will be extremely crucial in determining our natural environment for decades to come. These decisions cannot be put off much longer. In the past it has been a matter of conserving water, conserving land, conserving birds, or conserving animals. Now it is also a matter of conserving people who are faced with a fight for survival.

Events of the last few years have aroused not only conservationsts but the entire populace. Many of our citizens, who have long thought that ducks and other game birds were only for hunting, and lakes only for fishing, have noted the deterioration of these great natural resources and have joined the conservation cause.

Herein lies our greatest challenge. It is the duty of conservationists to supervise, coordinate and guide these new recruits. The luxury of an occasional speech—an occasional letter—an occasional paper—an occasional article—belongs to the past. Unless we devote every bit of time and energy possible to conservation, we may end up with nothing to conserve.

To those who keep saying "there ought to be a law!" and think that getting legislation through Congress and approved by the President is like falling off a log, it should be pointed out that such is not the case.

There's a lot of hard work and give and take attached to it. One example is the measure which allows compatible public recreation at national wildlife refuges and national fish hatcheries without interference or damage to primary project objectives. The idea was developed by the Bureau of Sport Fisheries and Wildlife, Members of Congress, and the Secretary of the Interior's advisory committee on fish and wildlife, which consisted of heads of national conservation organizations. The legislative process involved in consideration of the bill took about four years, and it became the "refuges and hatcheries recreation act."

Getting a bill through to establish certain refuges in the Klamath basin, Oregon-California, took over five years after the first bill was introduced. Some of the groundwork for the 1964 Act was laid as far back as 1953. The endangered species preservation act of 1966 had its beginning in an interior legislative proposal dating back to 1958.

In 1968 the role of Congress in conservation included such diverse measures as the Redwood National Park, the Wild and Scenic Rivers Act, a national trail system, and major water resource legislation including the National Water Commission Act.

Please forgive me if I illustrate the role of Congress with a personal experience.

It was back in March of 1963 that I was finally successful in interesting some of my colleagues in the Senate in "The Role of Congress in Conservation of the Whooping Crane." The story is simple—the Bureau of Sport Fisheries and Wildlife had requested $37,000 for propagation studies with sandhill cranes at the Monte Vista National Wildlife Refuge in Colorado. These studies had been considered by the whooping crane advisory committee. The aim was to develop propagation techniques with the relatively abundant sandhill crane for use in a hoped-for-program to bolster the population of the whooping crane.

The House of Representatives, in a tight budget year, and because the only advocate of the cause was the Bureau of Sport Fisheries and Wildlife, cut out the funds. This was the situation when members of the Senate and House Appropriations Committees met in the old supreme court room at the Capitol for the conference on the Interior Department appropriations bill.

Believe it or not, not one letter was received by any member of the House or Senate committee commenting on the possible disastrous results of this cut.

The Bureau was walking the trail alone until I was able to point up to the committee members the results of their ill-considered efforts to save $37,000, and finally the program, meager as it was, was allowed to move forward.

The next year it was not only conservationists who were conspicuous by their lack of interest but some of the staff of the Bureau itself. Anyone familiar with the desperate plight of the whooping crane, or other endangered species, would have been as amazed as I was when, after asking Bureau witnesses at our appropriations hearing, "Is there anything this committee should do about the whooping crane this year?" The response was:

"I would say what we have in our budget should take care of what we are able to."

An answer such as this, indicating that, in the opinion of the Bureau, everything was going well, points up that the role of Congress in conservation is most important.

If the Congress had taken the Bureau at its word, many of the advances made over the past years would not have been possible.

The Congress did not take the Bureau at its word. It continued support for the program by instructing the wildlife service, in report language which I wrote, to "do everything possible to further this work." A year later, Congress accepted my funding amendment of nearly a half million dollars to expand the endangered species program.

As a result, and in spite of that unfortunate response by the bureau witness that everything was all right when it wasn't, we have at the Patuxent Wildlife Center at Laurel, Maryland, the world's leading endangered wildlife species research center.

I am proud of the progress made there by the team assembled by Director John Gottschalk and under the direction of Dr. Ray Erickson. They are on the verge of breakthroughs in many areas which have long baffled scientists, both private and government. We have started down the long road which we hope will someday see the restoration of increasingly large flocks or bands of our most threatened endangered species to the wild.

This much has been accomplished. I feel good when I review our situation today and can see the progress we have made. I feel bad when I review our situation today and think of what might have been.

But for the response I received to my "What can this committee do" plea in 1964, our task would be much easier now.

But for that response, we would have adequate personnel at Patuxent so that we could handle more threatened species.

But for that response, we would have a much needed laboratory, for which plans are already drawn, at Patuxent.

But for that response, we would have had funds to acquire additional, much-needed land at Patuxent.

Why do I point out and stress these facts to members of the whooping crane conservation association and their fellow conservationists? I do so because of my conviction, based on my own experiences, that everyone in this room can contribute to the legislative process, whether you realize it or not, and can help "the role of Congress in conservation."

Department of Interior appropriations hearings in the House and Senate have been or will soon be scheduled. The committees of the two houses will conduct their hearings, weigh the evidence, and make decisions on funding for various conservation programs.

I don't want to imply that I feel that the Patuxent endangered species program is the only, or the most important conservation program to be considered this year. Water pollution, highway construction, additional refuge lands, importation of endangered species from abroad, creation of new parks and, need I add, oil pollution, are but a few of the conservation related issues in which Congress will play a major role this year.

I say to you today, please join with the Congress as never before in the resolution of these issues and problems. Let us, as President Nixon has said, go forward together.

Please devote more time and more effort to the cause. Let your Congressmen and your Senators know what you think the role of Congress in conservation really is.

Don't threaten, but lead the horse to water, and then watch him drink.

I can tell you from personal knowledge that the ranks of the conservationists in Congress is increasing. They will be responsive to reasonable requests. With united efforts from conservationists, the Department of Interior, the Congress, and new recruits among the people at large, we will go forward together.

Many of you, I know, have toured the facility at Patuxent since you have been in Washington. Therefore, I will try to be brief but I refuse to let this opportunity go by without pointing up some of the exciting advancements which have been made since the facility was established.

First, the whooping crane.

We all rejoice in the all-time high census total of 50 wild cranes wintering at the Aransas refuge as contrasted with the record low of 15 whooping cranes some years ago. Forty-four white birds and six young of the year are at the refuge. This record total comes on the heels of two years of successful egg pickups in the northwest territories which have also brought the captive population to a record-high 18 birds.

This is, indeed, a signal accomplishment. However, of more interest to this group, and to us today, is the fact that using sandhill cranes as experimental birds, the Patuxent group has solved bothersome leg problem which has long been a source of trouble in crane propagation. It turns out to be mainly a nutritional matter.

Work is going forward on various breeding experiments. Lights are being used to lengthen the day in one promising series of tests now underway. In addition, great strides are being made in efforts to propagate wild cranes by artificial insemination.

Even more encouraging is the masked bobwhite quail situation.

The stock raised from the four pairs of birds donated to the project by the Levy brothers of Arizona, now totals 31 birds. In addition, 36 birds captured in Mexico are now at the station to enhance genetic values of the production unit. Also, I can report that a problem with internal parasites appears to have been solved.

With any kind of luck, we will be reading of a release of masked bobwhites to the wild and restored range in Arizona in the spring of 1970.

One of the brightest spots is the flock of Aleutian Canada geese. We have now a total of 59 at Patuxent and eight in the hands of private propagators. With a potential of 12 to 15 breeding pairs this year, things look increasingly good for this most threatened species.

Again I can report, that if all goes well, 24 geese reared at Patuxent in 1968 will be released on one or two still undetermined islands in the Aleutians in the spring of 1970 and which we hope will be the nucleus of a new wild breeding flock.

The South American snail kites are doing well.

Nests were built last year and it is hoped that young will be raised this year. There are no disease problems. The Patuxent nutritionist is now working on a diet to substitute for the expensive Florida snails now fed.

Likewise, the Andean condors are doing very well. Facts are beginning to emerge which should be of great help in management of the *California condor* when and if needed.

The seven Federal biologists in the field—two in Hawaii, one in California, one in my home State of South Dakota, one in Arizona, one in Florida, and one in Puerto Rico, are adding materially to knowledge of endangered species.

We are moving into the breeding season for the birds at Patuxent. We are moving into a new era of conservation.

We move forward with full knowledge that the goal we have set for ourselves can be accomplished.

And we can move forward toward the development of a conservation ethic in this Nation that will bring *all citizens to recognize our stake in resource care* as against short-term economic considerations that *too frequently have* governed many of the answers to conservation matters.

This is the crucial test. For if we fail to enlist all of the citizenry, through the example of both leadership and accomplishment, in the great cause of conservation now—when we still have the opportunity to firmly harness the great principles of preserving our resource heritage to the galloping growth that is the population explosion—we may well have written the death notice for presently endangered wildlife species and started down an irreversible trail of destruction and devastation of many of our valued resources, including those upon which life itself is dependent.

Tomorrow's generation is hopeful of having its "finest hour"—the good life of a happy, productive, and progressive society which found that this generation gave more than it got, preserving and enhancing that which we have.

Will today's generation measure up to tomorrow's expectations, by truly experiencing its "finest hour" as the greatest conservationist-minded society in world history?

That is our challenge. I think we can measure up to that challenge. I know that you share with me the conviction that this challenge of our age can be met, and must be met. For conservation today means not only preservation of some species, it represents survival for all.

Do we dare fail this crucial test?

URBAN TEACHERS

Mr. RIBICOFF. Mr. President, it seems of late that any mention of our Nation's colleges and universities is coupled with the fact of the recent student disturbances on some of their campuses. Recognition of the positive, constructive activities being carried on by many of these institutions appears to have faded in the glare of the more spectacular actions of dissidents on campus.

That is why it is particularly encouraging to learn that the 1969 American Association of Colleges for Teacher Education Distinguished Achievement Award for Excellence in Teacher Education has been awarded to the University of Connecticut for the development of a program to educate teachers especially for a city environment.

This program is twofold. A major portion of the student's time is spent in the ghetto area where he observes, interviews, discusses, and teaches. A formal seminar completes the education process. Among the unique features of the program are the following:

Full-time, qualified lecturers representative of the ghetto's informal power structure, who introduce and translate to students the sociological and psychological realities of the ghetto and who serve to articulate and interpret the styles, perceptions, and reactions of the families and people to the students;

Cooperative investments of time and money by local school districts, the State department of education, and the university without outside funding precipitated by the ultimate benefits to innercity education;

Contact with the innercity way of thinking, achieved by onsite residence during the entire program under the general supervision of a housemother-counselor who is a ghetto resident, and a program characterized by discussion and analysis of in-the-street education with inner city leaders and representatives of community organizations, homes, and neighborhood establishments; and

Replacement of the traditional lecture-text-examples approach to methods instruction in the campus classroom by onsite methods instruction dealing with real people, real problems, real materials, and real situations.

I join the American Association of Colleges for Teacher Education in recognizing the University of Connecticut's efforts to make the urban teacher's skills more relevant to the special environment of the inner city. It is my hope that this program will be a guide for a great many more teacher education programs throughout the Nation.

PRESIDENT NIXON'S TRIP TO EUROPE

Mr. MATHIAS. Mr. President, when a President of the United States travels, he carries in his luggage not only the power and prestige of the Presidency, but also the confidence and the hopes of the American people. At no other time are the American people more unified in support of a President than when he stands on foreign soil as the ambassador, not only of his government, but of his people.

This is particularly true in the case of President Nixon's trip to Europe. A large measure of apprehension has been existing between the nations of Europe and the United States. In fact, much of it has been unnecessary apprehension, for the basic natural interests of Europe and America are little changed.

But the mutuality of interest has been obscured to a serious degree, and it took a major stroke to dispel the clouds and mist. The President has delivered that stroke, and the American people should be grateful to him for it.

The trip was a necessity and a duty to be performed. But over and above the discharge of duty, the trip may have substantial dividends that seem subjective now, but which will materialize as time passes. Not only the development of our policy, but the assessment of our policies by others and the response made by foreign powers will all benefit from the climate of mutual consideration and respect that was created by the Presidential trip.

The American people welcome their President home. We are not only grateful for his safe return; we are deeply appreciative of his efforts in the national interest and in the search for peace.

HIGHWAY ROBBERY

Mr. DODD. Mr. President, an area which has long cried out for our attention as legislators is the protection of the American consumer, for this era of easy credit plans and mammoth marketing networks has left him confused and exposed to devastating abuse.

In an excellent article in the January issue of McCall's magazine, Selwyn Raab clearly identifies one aspect of the consumer's difficulties; namely, the problems which an individual can encounter when he attempts to move his belongings from one location to another.

Abuses in the moving industry are many and diverse, ranging from ignored damage claims to gross underestimates.

The McCall's article asserts that statistics and specific cases cited in Interstate Commerce Commission files will show that a family changing residence is almost entirely at the far-from-tender mercies of a vast and complex industry.

The magnitude of this issue is illustrated by an estimate that one out of every four families which employ a moving company later registers a serious complaint.

We must not tolerate such a deplorable situation. Its persistence is inexcusable and unnecessary.

It seems to me, therefore, that it is our clear-cut duty to the American consumer to investigate the situation in the hope that equitable remedies can be found.

As the article suggests, the customer who has been given a serious underestimate should be allowed time to pay the difference and prevent his belongings being placed in storage.

Compensation should be made to the customer for inordinately late delivery.

And perhaps most importantly, some organ for the arbitration of disputes and claims should be established.

I plan to introduce legislation in the very near future, which I hope will serve as a focal point for an in-depth investigation of the moving industry.

In the meantime, I congratulate Selwyn Raab and the editors of McCall's for bringing this significant problem to the attention of the public, and I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HIGHWAY ROBBERY

(By Selwyn Raab)

The agent assured the housewife that her family's possessions could be moved ninety miles from San Francisco to Stockton, California, for $144. He even gave her a written estimate. Instead, when the housewife and her husband arrived at their new home, they were presented with a cash-on-delivery demand for $334. Before the mover would unload the couple's belongings, the husband spent three frantic hours digging up $200 in cash in a strange town. "Don't blame us, lady," the van driver said. "It's the system. It happens to everyone."

A doctor and his wife entrusted their furniture and clothing to a major van line when they moved last summer from Cheyenne, Wyoming, to the West Coast. En route, a fire in the van destroyed or damaged most of the shipment. But the moving company rejected the couple's claim for financial settlement, with the countercharge that the fire originated in a carton "packed by the owner." The only way the doctor and his wife could recoup their loss was through a lengthy lawsuit.

Transferred by his company from Philadelphia to Memphis, a marketing executive thought his family's moving problems were safely in the hands of a nationally known firm. Last July 8, two moving men packed everything in his home, preparing for the move the next day. They never came back. One week later—after a score of frustrating telephone calls to the agent who had booked the move—the executive gave up and hired another company, at a premium price, to complete the move. He was a week late at his new job, and the delay cost him $320 in motel bills.

In Honolulu, the moving-company salesman was polite and seemingly efficient. He estimated that his company could move the household goods of a family of four from Hawaii to New York for $1,909. When the shipment arrived, two weeks late, it had suffered water damage and the C.O.D. bill had soared to $3,378. Because the family refused to pay the unexpectedly high charge the goods were carted off to a warehouse and $67.50, for storage fees, was tacked on the bill.

A New Jersey teacher waited five hours before an overdue moving truck lumbered to a halt in front of his new home. Not only was the driver late and without a helper; he was also drunk. The teacher himself unloaded the van as the driver sat idly in the cab. The job done, the driver handed the startled teacher a ten-dollar bill and roared off.

These stories are not uncommon. About twelve million families (forty million persons) will change homes this year; according to conservative Interstate Commerce Commission studies, one of every four families will have one of these serious complaints:

1. A moving-company agent will underestimate charges to attract business, later demanding higher C.O.D. payment.

2. If there is a dispute over shipping costs, possessions will be rerouted to a warehouse, with storage fees added to the bill.

3. Pickup and delivery will be made at the mover's convenience, not the customer's.

4. During the peak summer moving season, the mover will abandon his customer without notification.

5. Part-time, unskilled laborers will be used instead of experienced moving men.

6. Justifiable claims for lost or damaged property will be ignored.

Most consumer troubles stem from collisions with the van lines' complex system. These lines, the heart of the interstate and long-distance moving business, grossed $700 million of the industry's total $1 billion income in 1968. Though movers are supervised by the Interstate Commerce Commission, they generate more complaints than does any other segment of the industry.

Slick brochures, distributed by the van lines, imply that each is a separate company with a fleet of sanitized, glittering trucks crisscrossing the country. In fact, the lines are networks of cooperatives, rather than giant national concerns. They usually are made up of booking agents and local moving companies, who represent the line in a specific area. (Allied Van Lines, for example, does not own a single piece of moving equipment.)

A typical van-line arrangement in a move from Chicago to Los Angeles works like this:

A Chicago housewife uses the classified telephone directory to select a long-distance mover, a van line. An agent for the line provides her with an estimate of the moving costs and arranges for packing. According to ICC regulations, the cost of interstate shipments is based on weight, distance, and packing services.

On moving day, the agent in Chicago takes care of the first stage of the job by transferring the housewife's possessions, in his own truck, to a warehouse, where they remain until the national company has a van passing through, en route to Los Angeles. Since an average household move is 4,000 pounds, and a long-distance van has a capacity of 16,000 pounds, the national company—without notifying the housewife—may keep her belongings in storage until there are other shipments for Los Angeles. If convenient to the line, the goods could be moved part of the distance, unloaded, and stored in another warehouse, perhaps in Saint Louis, before finally arriving in Los Angeles. The shipping schedule depends more on the needs of van-line traffic than on the housewife's desire for prompt delivery. The only way she could guarantee portal-to-portal transportation in one van would be by paying for "special services."

The agent in an interstate shipment is the only van-line representative the customer deals with. It is the agent who provides the cost estimate and pickup and delivery promises—but he is rarely in a position to fulfill the agreement. He may be hundreds of miles away when the customer gets an unanticipated high bill or runs into some other crisis. For the customer, the situation is comparable to getting a poor haircut at an airport and, on arrival in another city, trying to find someone to complain to.

A title more apt than "agent" for 10,000 van-line representatives would be "salesman," for their main task is to attract customers. In return, they get as much as 20 percent commission of the total bill. In most cities, each van line has several agents, and there is keen competition among them. This rivalry leads to one of the most common consumer complaints: underestimation of shipping costs.

Despite the salesman's promises, an estimate is neither a contract nor a price guarantee. In most moves of more than thirty miles, the customer must pay for the weight of his shipment and service charges. However inaccurate the estimate, at the final destination the customer is required to provide cash, a certified check, or traveler's checks for the full charges before the van driver is legally required to unload. If the customer refuses or is unable to pay immediately, the van line can haul the belongings to a warehouse and add storage expenses to a steadily mounting bill.

Low-balling, the industry term for deliberately underestimating charges to get a moving contract, is outlawed. Theoretically, all agents should arrive at similar estimates for a specific move, since each uses the same arcane formula for determining weight and the moving companies charge almost identical rates. (These tariffs are established through price-fixing agreements among the carriers, not by the ICC or the states.) Yet estimates vary widely, as McCall's discovered in two surveys of the practices of eleven major van lines. None of the agents was aware of the test.

In one fictitious move, three agents were asked to estimate the cost of moving a family from a six-room Manhattan town house to Detroit, providing identical insurance, packing and unpacking services. They were instructed to calculate the cost of packing and transporting everything except the children's toys and five suitcases.

The estimates differed. The lowest was $847. The middle bid was $966. The highest was almost double the lowest: $1,548.75.

Despite these discrepancies, the salesmen used the same techniques, uncoiling a tape measure to gauge the size of furniture, peeking into closets, and roving from basement to attic in their inspection tours. Each assured the potential customer, a housewife, that his estimate was deliberately "high," to spare her the grief of a surprise bill at the delivery point.

"Just think of me as a doctor," one of them said to her as he poked his head into a linen closet. Another asked if her husband's employer was paying for the move. If so, he promised "special" handling, costing $300, an expense he was certain the employer would not oppose. The agent whose appraisal was the lowest emphasized that his bids "always are accurate" and cautioned the housewife against his competitors. "They underestimate so they can get business," he said.

In the second McCall's test, agents for eight companies were requested to arrange a move from a three-room apartment in New York City to Convent Station, a suburb in New Jersey. That, too, is an interstate move, governed by an ICC regulation that requires a visual inspection of the household and a written estimate. Nevertheless, salesmen for five agents violated this rule by offering blind estimates over the telephone, without seeing the apartment. Three said their minimum fee would be $300. The fourth, basing his estimate on the apartment's size, asked for $246. And the fifth offered the bargain price of $188.

Three agents made on-the-scene surveys. One failed to submit a written estimate. His verbal bid was $243.25. The two agents who gave written estimates arrived at different prices: $168.35 and $205.80.

These two experiments graphically indicate the unrealiability of agent estimates. Which van line should a housewife select in this cluster of conflicting bids?

Whenever a householder complains about being charged more than expected, agents are ready with a standard reply: "The customer is at fault. He included hundreds of pounds of furniture not shown to the salesman." Or, "At the last minute, the customer asked for 'accessory services,' which boosted the bill."

While low-balling is illegal, there is no penalty against a carrier if his estimate is far off the mark. Nor is there any ICC supervision at the weigh-in station, where a householder's belongings are put on scales to determine the major cost of most moves of more than thirty miles. At this moment of truth for the mover's estimate, the individual states—not the ICC—are in control.

State regulations customarily require that the van, with a full supply of gas and all its loading equipment aboard, be weighed before each shipment is picked up. After being loaded, the van returns to the scales to determine how much poundage has been added.

Deceptive shippers sometimes tip the scales in their own favor. A retired driver who witnessed cheating during twenty years on the road offers this warning: "There are always some scales where the state inspectors aren't too watchful. Before making a pickup, you weigh in without gas. Then you gas up, load the van with kegs of nails and maybe even a piano. In the winter, you can shovel some snow on the roof. It may not seem like much, but this way you can pick up fifty to a hundred dollars on a single trip."

The customer faces another uncertainty: Will the mover show up on schedule? Charges of being abandoned or stranded on moving day are frequent from June through September, when 60 percent of all moves occur. This is a favorite period for moving, since it is least disruptive for school-age children. It is also the season when van lines are most selective about fulfilling agreements.

A former agent for a national line, now an independent mover in New York's Greenwich Village, tells about his experiences during the peak season:

"Remember, the money in moving is made on distance, not loading or unloading. In the summer months, the lines get all the business they can handle. But agents never say no to anyone, since there's always the possibility of a commission in it for them. You may want to move from New York to Princeton, and you think you have a date set up. To a moving company, that's a pretty short haul, and the line may abandon you for something more profitable, like a nice New York-to-Miami run. Their trucks are busy, and you're just out of luck. They won't even bother to notify you that they're not coming."

A customer who is stranded or whose move is delayed has one method of recovering his loss in time and money: a court suit. He won't get much help from the ICC or from state regulatory agencies, whose vague requirement is that carriers pick up and deliver with "reasonable dispatch."

The relationship of van drivers and helpers to the lines can create problems for the customer. Because most of their business is compressed into four months, many carriers maintain small year-round staffs. While advertisements portray van-line employees as "trained" or "skilled" moving men, drivers are frequently hired for part-time work, and inexperienced laborers are recruited off the streets. This practice produces widespread wails from unwary customers.

A much-traveled faculty member at the University of Massachusetts comments: "We always expect problems. We're surprised that so many moving men don't even know how to take a sofa through a door."

Many carriers hold their drivers responsible for the first $50 of damage in any claim against the company. The lines contend that this makes the drivers more careful. It also encourages them, while loading, to register every piece of furniture or household equipment on their bill of lading as "BE" (bent), "BR" (broken), or "CH" (chipped). Unless the customer is vigilant, he will later have a difficult time proving his possessions were damaged in the move.

Claims are a common problem, especially in interstate moves. According to ICC surveys, one of every four customers, upon unpacking, discovers something is missing or damaged.

An example of how the current claims system can work was cited by a family who moved from Des Moines to Seattle. Three weeks after the shipment was due in Seattle, the family was notified by the line that the van carrying their goods had overturned on the road. Having paid for $9,000 insurance coverage, the family expected an equitable settlement for damages and inconvenience. Two months later, the line made its "final' offer: $900—not $2,500, as the family had requested. The company's apparent arrogance prompted the householder to write his Congressman: "The accident and the resultant massive damage to our furniture is clearly the fault and responsibility of the line. Yet they have, through their deceit and sharp practices, left us with countless damaged and useless items, which they now accept no responsibility for."

The disposition of a claim rests with the line. The ICC requires only that a company acknowledge receipt of a claim within thirty days. The company then has an additional ninety days to settle—for whatever amount it considers satisfactory—or to reject the claim. Even if the moving company is blatantly at fault, the ICC has no power to intervene. Neither do the states. A disgruntled consumer has one recourse—a lawsuit.

Any other nationwide industry with millions of dissatisfied customers might be in trouble. But not the movers. They operate in a framework of federal and state regulations that favor their interests, not the consumer's. And in many areas, usually around big cities, there are no controls at all. By mandate from the ICC, the moving industry has carved out thirty-six "commercial zones," in which movers are virtually exempt from even feeble federal or local control. Bills for these short hauls (less than thirty miles) are usually determined by hourly charges, set by the carriers.

While there is little organized clamor for more rights for the consumer, the major movers have banded together to guard their interests. In Washington, the private watchdog for the billion-dollar-a-year moving industry is the American Movers Conference.

The A.M.C. sees no reason for any substantial changes in the current system. Referring to A.M.C. investigations of consumer outcries, Thomas R. Kingsley, the organization's affable general manager, says: "We have found that the number of justifiable complaints is less than one third of one percent of the total volume of interstate moves. I think it's a good record, especially since our volume of business is increasing each year and the number of complaints isn't."

Kingsley also defends the high proportion of wrong estimates. "It's an educated guess, not a contract," he asserts. "About half of all estimates are higher than the actual charges, but no one complains about these."

Major moving companies provide $175,000 a year for the A.M.C. to function from an inconspicuous brownstone building on O Street, in Washington. An additional $28,000 was raised last year solely for A.M.C. public relations. And the conference, as an autonomous member of the powerful American Trucking Associations, can call on the parent group for help if it runs into serious trouble.

While the American Movers Conference does not maintain active lobbyists, the Trucking Associations earmarked more than $128,000 for that purpose during 1966 and 1967—the nineteenth largest lobby in the capital.

Most moving-industry leaders naturally favor fewer, not more, regulations. They feel the industry is already overregulated. In 1960, however, the last time the ICC took a close look at what was going on in interstate moving, it discovered that the consumer was powerless against abuses. ICC studies revealed that prices were underestimated in 70 percent of moves; that carriers disregarded pickup or delivery commitments 30 percent of the time; and that 24 percent of shipments resulted in claims for damages or lost property.

These 1960 findings, disputed vigorously by the industry, failed to bring about any major reforms. Instead, several mild regulations went into effect January 1, 1967, which now require interstate carriers to: Give twenty-four hours' notice if charges are 10 percent or $25 higher than the estimate. Notify the customer a day in advance if delivery will be late. Provide the customer with a booklet explaining some basic ICC regulations.

So far, these changes have seemingly failed to bring about substantial improvement in long-distance service. Robert L. Rivers, associate professor of transportation and finance at the University of Massachusetts, says: "Nothing has been done to help the consumer. The organization of the moving industry remains the same. It's so loose that it's frightening; everything depends on the conscience of the agent."

After two years of observing the effectiveness of the 1967 regulations, ICC chairman

Paul J. Tierney acknowledges: "There has been measurable progress."

Tierney, however, is optimistic that the ICC can reverse this trend by cracking down hard on profligate movers. This new policy recently led to the filing of criminal and civil charges against six interstate companies. Conviction could result in fines or suspension of licensing.

The ICC's influence extends beyond interstate shipments because many states use its standards as a model. The average householder, however, may have a long wait before help arrives from the ICC. The commission relies on 150 field investigators to police two million household moves yearly, in addition to the millions of other interstate shipments under its jurisdiction. Indeed, the ICC, with its lackluster record, may be the wrong agency to supervise the moving industry. At present, the commission treats household goods like any other cargo, as if a family moving cross-country had problems similar to a commercial firm transporting its product from factory to market. The differences are obvious. A trucking company has to satisfy its commercial clients or lose their accounts. A moving-company agent has little concern about future business from a single displeased client.

There is ample proof that movers can perform satisfactorily, especially when they are closely watched. In spending $250 million a year to move servicemen and their families, the Defense Department expects much higher standards than the ICC. Servicemen have no problem with estimates, as movers compete for Defense Department contracts through competitive bidding and are given assignments by the department itself. A van line with a poor performance record faces automatic elimination from the department's list of approved carriers.

American business is also a good customer of the moving industry. Companies that pay for the transfer of thousands of employees find van lines more accommodating to them than to the average family moving at its own expense.

"These lines know we'll drop them if too many of our employees kick about service," one airline official says. "We constantly move people, and they [the lines] have a good dollars-and-cents reason to please us."

In 1969, the individual householder lacks the protection servicemen and executives of large companies enjoy. Without jeopardizing fair profits for honest moving companies, transportation experts suggest the ICC or Congress or the states could end the era of consumer harassment with three key reforms:

1. Compel carriers to release the customer's possessions when an estimate is wrong and give him sufficient time to pay the difference between the estimate and actual charges.

2. Require van lines to pay financial damages to a customer when pickup or delivery is twenty-four hours late.

3. Establish an ICC ombudsman or arbitration department, with power to investigate and settle claims that are initiated by household shippers.

The machinations of the moving industry are ripe for investigation. The Senate Commerce Committee is planning hearings into consumer complaints sometime in 1969. Predictably, movers have not greeted the prospect with hosannas. At a meeting of California moving executives, Harold J. Blaine, president of the American Movers Conference, warned his colleagues: "It will be catastrophic to our industry if hearings are held by a Senate committee and the consumer complaints aired for the benefit of the communications media. It would take us years to recover from such a stagma. You all know well enough that good news rarely catches up with bad, and such an event will be well nigh a double calamity for all of us."

TEN TIPS

1. ARRANGEMENTS: If possible, avoid moving during the peak season, June through September. The middle of a month is the best time. (This reduces the risk of being abandoned and of late delivery.) Get a written guarantee that your belongings will not be put in storage at any phase of the move. Prospects of loss and damage increase in a warehouse.

2. MOVER: Choose an agent who makes a thorough inspection of your belongings before offering an estimate. (All interstate estimates must be in writing.) In an interstate or long-distance move, don't shop around for the lowest price, since most companies have the same basic rates. There may, however, be substantial savings if you use a low-priced mover for a short "zone" move, as prices are based on manpower and time spent on the job. Estimate an extra hour's charge for the time movers spend traveling to and from their garage.

3. CREDIT: The ICC permits carriers to give anyone with good credit thirty days to pay a moving bill. Agents rarely bring up this subject; but it is your best defense against being cheated. A charge-account move gives you some economic muscle if something goes wrong. Make sure the agent puts the credit arrangement in writing. Instead of credit, the salesman may suggest an installment note, financed by a loan company. Avoid this plan. It is expensive and provides no protection against possible abuses.

4. INSURANCE: The ICC and most states place a carrier's maximum liability at 60 cents a pound for each item. Thus, if a mover loses or damages a $50 radio weighing five pounds, his maximum responsibility is $3 (five pounds times 60 cents). Don't be misled by a mover's claiming to be "bonded" or "fully insured." Check the full-value policy a carrier provides, and make sure it is backed by a reliable insurance company. If the policy seems questionable, obtain additional coverage from an insurance agency.

5. VALUABLES: Movers are exempt from liability for jewelry, negotiable bonds, cash, coin and stamp collections, and other valuables. Transport such items yourself. For possible evidence in a claim dispute, have appraisals made of antiques that will be turned over to the carrier.

6. EXPENDABLES: Sell or dispose of every stick of furniture that would be cheaper to replace than move. Don't forget, you pay for weight and packing services.

7. PACKING: Charges are based on the number of containers used. Watch out for moving men who inflate a bill by half filling containers or by packing everything in sight, including rags and old newspapers. Beware of a mover who wrongly marks cartons and invoices "Packed by owner," thereby providing his company with evidence against you in a claim.

8. REWEIGHING: At your new home, if the weight charges seem exorbitant, have the shipment reweighed before unloading. You will not be charged for this second appraisal if a discrepancy of 100 or more pounds is found.

9. UNLOADING: A mover must place the furniture as the owner directs. Unpacking is included in the price of packing, so don't let the moving men talk you into doing it yourself.

10. PROTEST: If anything goes wrong at the delivery end, do not sign the inventory sheet until you have noted every complaint, such as underestimation, losses, and damaged goods. And on the invoice add a warning: "Subject to further inspection for concealed loss or damage" or "Accepted under protest."

PRESIDENT NIXON'S TRIP TO EUROPE

Mr. GURNEY. Mr. President, I wish to join Senators in commending the President on the complete success of his trip to Europe.

He went to strengthen and revitalize the Atlantic community and that is what he accomplished. He did it by approaching Europe with a remarkable spirit of humility, openness, and willingness to learn.

His aim was to generate "a new spirit of consultation which will result in a new spirit of confidence among our European friends and among ourselves." Judging from the reception given him, the President certainly achieved his objective.

To cite a few examples: According to the London press, President Nixon recaptured the confidence of the British Government and went far toward restoring United States-British contacts following a lapse in the closing weeks of the Johnson administration. The daily sketch said:

> It is clear that the clouded relations towards the end of President Johnson's second term have been swept away already. Now it is back to the happy period of President Kennedy and Mr. Harold McMillan. Indeed, the feeling at Downing Street last night was that it will be even closer.

Another said:

> The President made us feel our views were wanted and respected. What more can any government desire from an opening contact? The fact that Mr. Nixon chose to come to Europe so early in his term, before his policies were fixed and bureaucratic patterns frozen, was especially welcomed.

West Germans were delighted with his "sober pragmatism and his grasp of the issues," and headlined his visit to Berlin: "Rejoining, Confidence, and Congeniality."

His friendly reception in France and the cordial tone of his relations with General de Gaulle cannot but help to improve future negotiations with France, long a thorn in the side of U.S. Presidents.

The consensus everywhere was that Mr. Nixon, by convincing the Europeans of his abilities and intentions, laid a solid foundation for a new era of negotiations.

The old patterns have not worked and Mr. Nixon has attempted to provide an atmosphere of trust in which a true allegiance may yet flourish. By showing his awareness of a changed Europe he paved the way for a realistic approach to the problems that divide Europe today.

Most important, he reestablished America's desire for a close personal working relationship with its European partners. He convinced the people of Europe, who had begun to view the United States as preoccupied solely with Asia, and as tending toward an isolationist policy in the future, that America intends to honor its commitment to its allies and to consult with them before embarking on major policy decisions.

In so doing, he generated a spirit of confidence and trust between the United States and its traditional allies. Mr. Nixon's tour was not meant to offer quick solutions to difficult problems. The great problems of world diplomacy are seldom solved quickly, cheaply, or totally, as the President is the first to realize. But in these last 8 exhausting days, he has taken the first step.

The President deserves the applause of every American for a job well done.

LOS ANGELES HERALD-EXAMINER CALLS FOR PROTECTION OF ENDANGERED SPECIES

Mr. YARBOROUGH. Mr. President, many of our most beautiful and valuable species of wildlife are in danger of vanishing from the face of the earth. Such unique species as the polar bear, the snowy egret, the American bald eagle, and the timber wolf are facing extinction unless immediate action is taken to protect their breeding areas and natural habitats, and to prevent their wanton destruction by poachers and thoughtless hunters.

I have introduced a bill, S. 335, which is designed to protect many of the endangered species of fish and wildlife. My bill would prohibit the importation of illegally taken endangered species of fish and wildlife into the United States, and would prohibit the interstate shipment of any endangered domestic species taken contrary to State law. This bill is an important step in protecting the lives of many of our most valuable species such as the leopards and the American alligator—because the United States is presently the largest market in the world for the illegally taken skins and hides of these animals.

Mr. President, the Los Angeles Herald-Examiner of Sunday, January 26, 1969, contains a series of enlightening articles on the plight of our vanishing wildlife. I ask unanimous consent that these well-written informative articles, "Mystery, Wildness Is Dying," by Peter Mathiessen; "Destroying the Master Plan for Co-Existence," "Africa Never Had It So Bad," and "Bald Eagle in Trouble" be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

NATURE OUR VANISHING WILDLIFE: MYSTERY, WILDNESS IS DYING

(By Peter Matthiessen)

During the first two-thirds of the 20th Century, the term "conservation" has evolved from a static concept of wilderness and wildlife preservation toward a philosophy based on the maintenance, and even the development, of the whole human environment. What began as an effort to protect a part of the nation's priceless wildlife and timberland now encompasses such human factors as waste disposal and urban renewal.

Unfortunately, environmental maintenance has not kept pace with the awesome rise in human population. In the last two centuries, world population has increased more than four times, to an estimated 3.5 billion people. By the end of this century, the figure is expected to exceed six billion. The endless effects of overpopulation have made conservation—or rather its absence—a crucial factor in every serious dilemma of our time.

In effect, conservation has come to mean the protection of man's environment against man. Our gross pollution of land, water, and air has lent credibility to the grim prophecies of widespread world famine in the decades ahead. Yet the national wealth so urgently needed for anti-pollution measures, birth control and environmental research, poverty programs, and sick cities is being applied instead to developing weapons of destruction and the needless spoliation on the human environment.

The new technologies on which man pins his hopes can do much to enhance a deteriorating habitat but they cannot replace it. And if, as seems likely, our environment must further deteriorate before our follies can be brought under control, the old meaning of conservation may become lost. In the bleak light of our man-made perils, with every resource needed for epic solutions, the wild creatures that were the original objects of conservation may be abandoned altogether. Yet failure to take responsibility for the "mere animals" may be an early sign that we are reverting to mere animals ourselves.

These dark speculations are brought to mind by a release from the Office of Endangered Species of the U.S. Department of the Interior that list "78 species of wildlife . . . threatened with extinction in the United States." Like most statistics designed to influence the public, this list is somewhat padded. More than half of the 14 mammals are not "species" at all, but local races or geographic subspecies of creatures quite common elsewhere. The same is true of many of the creatures in the other classes. Some of the fishes, reptiles, and amphibians are threatened only in the sense that their range is extremely restricted.

Still, the high figure—78—is probably accurate enough. If some of these creatures are of doubtful candidacy, there are many others that could be nominated in their place. I think immediately of the golden eagle, prairie and Aplomado falcons, red-cockaded woodpecker, reddish egret, polar bear, fisher, and white-tailed prairie dog. And, since subspecies are to be included, what of the wild mustang, which ranchers have shot down like vermin? Although introduced into the Americas by the Spaniards—or reintroduced, since a native North American wild horse died out during the Pleistocene Age—the mustang has since become a part of the American bone, like the eagle and the prairie dog, the timber wolf and the grizzly bear.

It is ironic that all of our extinct birds, with the exception of the Labrador duck, were once extremely common, whereas no bird historically uncommon and still rare—the whooping crane, ivory billed woodpecker, California condor, and rare songbirds—has yet become extinct. The great auk, passenger pigeon, and Carolina parakeet fell victim to commercial slaughter. But of the many other marketable forms of birds and mammals that were endangered 50 years ago—including the sea otter and bison, the snowy egret and the golden plover—only the Eskimo curlew and the whales have not been restored to safe populations. In effect, the "commercial" species have been replaced on the endangered list by the "predators and pests": the wolves and bears, the hawks and eagles, and the prairie dogs.

The American alligator is the last North American creature whose decline is still attributable to commercial greed. For the rest, the most serious threat is loss of habitat.

Loss of habitat most often comes about through man's interference with the environment, from careless meddling to outright devastation. The introduction of exotic or foreign species, the rainbow and brown trout in western rivers, for instance, and the mongoose in Hawaii, also accounts for the endangered status of certain creatures. Man himself is, of course, an exotic species in North America, whose arrival was for other creatures the ultimate disaster. His pollution of a continent, which has amounted to near genius in its variety and rapidity, is the greatest present threat to North American wildlife.

If the Florida panther disappears, it will be a loss to all Americans who visit the Big Cypress Swamp or the Everglades—even to those who have never seen a panther, or who remind themselves that the cougar as a species still occurs from Canada to the Argentine. Evaporated from the landscape will be that mystery instilled in the quiet air by the hint of a great cat's presence, whether one ever glimpses it or not. Few ask, after all, for a glimpse of God. It is the mystery, the wildness, in our world that is dying and mystery is, by definition, irreplaceable.

DESTROYING THE MASTER PLAN FOR COEXISTENCE

LONDON.—For a billion years nature pursued its master plan of co-existence for all living things—until man came along. There were a few setbacks along the way—a change in climate destroyed the great reptiles and for some other species evolution turned out to be a one-way street to oblivion—but generally as time went by the lion learned to leave a lamb or two for his next meal.

Then came man, the carnivorous predator.

Co-existence was not, and apparently is not, for him. Today, as in the beginning, he is still killing.

It is no longer news that man is quite possibly the only mammal ever deliberately to wipe another species completely from the space of the earth. Since the start of recorded time forms of mammals have become extinct in different parts of the world, and much of this has been man's handiwork.

In the past two centuries, the process has accelerated. Some authorities believe one species of mammal dies out every year. And there are said to be between 250 and 300 "candidates for extinction"—to quote one observer—on the edge of doom.

For example, man annihilated the passenger pigeon which once darkened the skies of the United States, and the horselike quaggas, used to feed native labor in South Africa.

Man takes all the earth as his living space even where it is vital to the existence of other creatures. Where there has been a conflict with his own comfort, desires or greed there has usually been only one outcome.

Today, however, the cautious word from conservationists is that nations as well as individuals seem to be awakening to the fact priceless and irreplaceable natural resources are vanishing. In Africa and elsewhere there is a new awareness that a source of protein has been there all the time waiting to be used and that animals in the wild also represent high income from tourists.

Nepal, in fact, rehoused 22,000 natives so tourists could prowl its rhinoceros sanctuary.

All this is good if belated news for the polar bear, the giant panda, the tapir, the black rhinoceros, the otter, the blue whale and others of what conservationists call "the threatened species."

The campaign to save such species is being intensified and in this connection the Duke of Edinburgh has written a powerful warning in a new book significantly titled: "Vanishing Wild Animals of the World."

Stressing the urgency of the situation the Duke (who persuaded his wife, Queen Elizabeth, to stop wearing her leopard coat to help save the species) wrote:

"The resources of nature are not limitless and now that Man has acquired so many of the powers that used to be exercised by God, we are in grave danger of destroying the very world we live in starting with all the wild things that get in our way."

The Duke is international trustee of the World Wildlife Fund which is spearheading the campaign.

In his survey of the state of wildlife today the author of "Vanishing Wild Animals of the World" has harsh words about the United States, Canada and Mexico.

"The world would be a much richer place if the abounding wildlife resources that existed on the North American continent had been carefully conserved and harvested instead of being nearly wiped out, as happened with the bison, the fur seal and the sea otter to name only three," he wrote. As an example of the profligate waste of an abundant natural resource the story of the near-extermination of the bison probably stands unsurpassed in recorded history.

There were bison in the millions on the ranges when the American West was won. By 1883 there were only 10,000 left and a party of hunters in North Dakota set out to kill them all. And nearly did so! Six years later a census showed only 541 left in the United States—and only then did Congress protect them.

The blue whale, the largest mammal that ever lived, is a spectacular example of humanity coming to its senses—if it is not too late. Thirty years ago there were believed to be 30,000 to 40,000 of them, often 100 feet long and 120 tons in weight, with their tongues alone weighing as much as a full grown elephant.

Now there may be no more than 650 and although they are finally completely protected the question is whether there are too few to meet for mating in the vastness of the oceans.

The Siberian tiger is going fast in China because its bones are alleged to convey physical courage and sexual prowess. The Barbary hyena is down to 400 because the hairs from its mane are regarded as a talisman.

Killing an Arabian Oryx even from a Jeep with an automatic gun is supposed to be a feat of courage so the Fauna Preservation Society rescued some of the survivors and established a breeding colony in Phoenix.

Destruction of forests and demands of pet dealers and zoos are decimating gorillas and orangutans. One dealer in the Amazon exported 480,000 skins of animals in one year, mostly to what "Vanishing Wild Animals of the World" calls "Miami pet dealers." This sort of trade, the author claimed, has nearly decimated wildlife in parts of Peru, Colombia, Venezuela, Brazil and Ecuador.

The koala bear was almost wiped out in Queensland, Australia, with 600,000 killed for their skins in 1927 alone. Now they are safely protected and increasing. But if hunters can slaughter these cuddly little fellows they can shoot anything.

Some species are hanging on tenuously:

The Mangebey monkey has been saved temporarily because of border friction between Kenya and the Somali Republic. The brow-antlered deer may survive in India only because the tribes around it are vegetarians. The numbat, an Australian anteater, has the good luck to live on the security-protected Woomera rocket range. The giant otter of Peru has been saved so far because hostile tribes attack white hunters.

But the douc langur monkey and the kouprey wild ox are becoming casualties of the Vietnam War. The aye-aye monkey of Madagascar led a charmed life because superstitious natives thought its touch meant death. Education has made them less superstititous and it could be goodbye to the aye-aye.

Russia has a good record in conservation and may unwittingly this time, be helping save the black rhinoceros of Kenya whose horn is prized in China and the Far East for its alleged aphrodisiac properties.

According to reports in Africa the Russians are selling ground stag horn as rhino horn and heavily undercutting the Mombasa market price.

This is beginning to make it uneconomic for poachers to kill the black rhino—one plus, at least, for the Communists.

Africa Never Had It So Bad

Johannesburg, South Africa.—As many conservationists see it, Wildlife never had it so bad in Africa.

Once—vast game herds are stalked by poachers, blocked by fences and dispossessed by new dams, missile bases and domestic livestock. Some are killed in the name of scientific game control. Others are afflicted by drought, disease, fires and pesticides.

The black rhino herds of Kenya were depleted over the years by hunters who wanted the horns to be powdered as an alleged aphrodisiac, for sale in the Far East.

Some experts say it has taken man less than 50 years to reduce by two-thirds the migrant wildlife that once roamed East Africa's 700,000 acres of grass and forest land.

In South-West Africa, which is more than twice as big as California, official statistics show more than a quarter million kudu, gemsbok, zebra and ostrich have been killed since 1960. This counts only hides and skins checked at auctions.

Bush fires and chronic poaching threaten an end to Kafue National Park in Zambia as a game conservation territory. During the flood season vast herds of red and black lechwe, a type of buck, come into the green grasslands. From there they are driven to the water's edge by tribesmen who spear them from canoes.

Botswana now licenses not only those whites who hunt for sport, but also tribesmen who kill game for food. This politically unpopular move came after the government discovered that many Africans, equipped with powerful rifles, had turned from subsistence hunting to commercial shooting. One firm bought 600 springbok skins in 1966 and had 10,600 in stock a year later.

Game reserves are not proving a simple answer.

As migration of wild life into reserves increases, so does pressure on the food supply for animals already there. In one year rangers culled 2,900 elephants and 2,000 hippopotamuses from Uganda's Murchison Fallas Park. A hippo can eat 150 pounds of grass a day.

Zambia's game department planned to kill between 3,000 and 6,000 elephants in Luangwa Game Reserve because of over-population was destroying vegetation and causing starvation. At the end of the dry season as many as 15,000 elephants jam the park's 3,200 square miles.

South Africa erected a 10-strand barbed wire fence around most of Kruger National Park in a vain effort to control hoof and mouth disease. Elephants merely walk through the barrier, lions crawl under it, various buck leap it and smaller beasts slip through the wire.

Drought, bush fires and unrestricted shooting in neighboring Mozambique sent thousands of elephants fleeing into the protected Kruger Park. The number increased by more than 4,000 in 1964–67.

The government culls elephant, zebra, impala, buffalo and blue wildebeeste in Kruger Park. Zebra are caught live and sold outside the reserve. Impala and blue wildebeest are shot at night. Elephant and buffalo are immobilized by drugged darts shot from helicopters and removed later when the herd has moved off.

Officials disagree on how game parks should be run. Some want them left as close to their pristine state as possible. Others insist on paved roads so the taxpayer can motor in comfort to view the animals.

Most species in Kruger are so used to cars filled with tourists that many animals panhandle food from visitors. Lions like to stretch out on the sun-warmed asphalt on chilly days. They sometimes walk alongside a slowly moving car as buck graze on the other side of the road. This prevents their prey from getting wind of them.

Bald Eagle in Trouble

Everglades Park, Fla.—The bald eagle, symbol of America's majesty and might, is eating itself toward extinction.

It isn't a high cholesterol count that is slowly killing off the magnificent bird Ben Franklin, Thomas Jefferson and John Adams made the focal point of the great seal of the United States in 1782.

"Unless we take steps to prevent it, pesticides—DDT in particular—will eventually eradicate the bald eagle," predicts Alexander Sprunt IV, the research director of the National Audubon Society.

Florida and Alaska are the last two strongholds of the bald eagle in the United States. Because of Alaska's "superfavorable" habitat, the bald eagle is in no immediate danger of extinction there.

Such is not the case in Florida, where the bald eagle population is now estimated at 200–250 pairs and is still declining. In 1966, Florida had over 300 pairs of bald eagles.

Sprunt, a 40-year-old research biologist, said Florida's bald eagle population is concentrated in four areas—the Everglades National Park, from Lake Okeechobee to Orlando, from Stuart to Jacksonville on the upper East Coast, and from Naples to Tampa Bay on the West Coast.

"The two coastal areas are in great danger," Sprunt said, "because their reproduction rate is way down—less than 30 per cent. They are barely holding their own in the Lake Okeechobee to Orlando area.

"The Everglades National Park has the healthiest bald eagle population in the United States, except possibly Southeast Alaska," Sprunt said.

There are about 55 pairs of bald eagles in the Everglades National Park, according to park naturalist William Robertson. He estimates their reproduction rate is "close to 60 per cent."

To maintain a stable population, Sprunt said eagles must have a reproduction rate of 50 per cent. "This means that half the nests must produce an eaglet each year."

Sprunt said there are four major factors pushing the bald eagle toward extinction.

Sprunt said pesticide pollution and the shooting of eagles by unknowing or uncaring persons are the most serious. The other two causes are habitat destruction and human population pressure.

"Habitat destruction is very prominent in Florida because both people and eagles like waterfront lots," he said. "And as we become increasingly mobile, more and more people are getting into the same areas as the eagles, and eagles and people don't mix."

Sprunt worries most about pesticides in the chlorinated hydrocarbon group, of which DDT is the most common. These are the so-called "persistent pesticides," so named because they have an extremely long life.

"The half life of DDT, for example, is 10 years," Sprunt said. "This means that if one pound of DDT is applied to an acre of ground in 1969, a half pound will still be there in 1979."

Vegetable farmers are the chief users of persistent pesticides in Florida, one of the nation's biggest vegetable producers.

Sprunt said pesticides are being washed in increasing volume into the lakes, rivers, canals and bays that the eagles hunt their primary food—fish.

When DDT is present in the body of eagles, Sprunt explained, it decomposes the harmones in the liver that affect the calcium metabolism of the bird.

"When the calcium metabolism of the female eagle is disrupted, it lays eggs with very thin shells. This causes death through breakage or excessive water evaporation from the egg's embryo," Sprunt said.

The danger of pesticides is compounded, he said, by their annual reapplication. "It has a snowballing effect that will continue to worsen unless it is checked."

TOWARD A MORE REALISTIC INTERNATIONAL TRADE POLICY

Mr. SAXBE. Mr. President, it has long been the policy of the United States to lower import restrictions and to liberalize international trade. The price of such a foreign trade policy is, as stated by Eric White, former Director of GATT, that of "eternal vigilance."

It is time to apply the results of this vigilance and draw attention to the fact that our liberal international trade program is injuring some of our basic industries. These industries require that our country formulate a more realistic trade policy to maintain their position in the domestic market and to promote exportation of their products.

While I realize the necessity of the continuation of a policy of expanding world trade, the industries and commodities injured by this increasing liberalization must be supported by a revised adjustment assistance or a specific, flexible quota system. We must find new approaches to assist domestic activity while following our fundamental goal of ever expanding the position of the United States in world markets.

Secretary of Commerce Stans outlined the situation in his recent statement before the Joint Economic Committee. He said:

> The difficult problems . . . are not those of general principles but of particular cases. The quick growth of imports has presented a severe challenge to a number of domestic industries . . . Our trade policy . . . if it is to be successful must take into account those industries which suffer acute distress from import competition.

We should at this time think, as suggested by Secretary Stans, of amending the Trade Expansion Act of 1962 to provide better adjustment assistance to injured firms, or invoke other restrictive measures such as flexible, and hopefully temporary, quotas.

Among the domestic industries currently seeking protection against imports are those producing steel, textiles, shoes, and chemicals. A substitute for lowered tariffs must be found to keep these as well as many other industries healthy and viable in the face of increasing imports.

International trade problems are not confined to industry import protection. Our trade policy vitally affects agricultural and industrial exports as well.

At present, the European Economic Community—EEC—is contemplating the levy of a heavy internal tax on soybeans and vegetable oil products imported into member countries. Further, canned hams from Common Market countries successfully compete here with those domestically produced because of a $0.22 subsidy received by the foreign exporter. It is our hope that the community will not levy the proposed tax and that they will discontinue subsidies to agricultural exporters. However, if they fail to do this, or where the trade policies or export subsidies of other countries are unfair or discriminatory to our products, we should invoke offsetting export subsidies as well as additional restrictions to their imports. These subsidies and restrictions could then be used as leverage for agreements to reduce or phase out all subsidy supports, tax tariffs, and other trade barriers.

Foreign nations must not be allowed to continue to evade the provisions of the GATT by invoking unfair and discriminatory licensing fees, taxes, duties, or other indirect devices restricting American exports. We must establish restrictive measures against the import products of countries engaging in such practices until agreements can be negotiated to adequately reduce or remove their direct and indirect trade barriers to our exports. American exports cannot continue to be discriminated against by countries who import products freely into our country under our more liberal trade policies.

I do not endorse the quota, market sharing, or export subsidy approach to solve all the complex problems of competing in the international marketplace. However, such import restrictions and export assistance could provide the flexibility necessary for a particular industry or agricultural producer to adjust to foreign competition.

SENATE RESOLUTION 30

Mr. HARTKE. Mr. President, I am pleased to be added as a cosponsor of Senate Resolution 30, submitted by the Senator from Vermont (Mr. PROUTY) on January 21. I have supported this measure before and want to make known my support for it now.

The resolution would confer upon the Select Committee on Small Business the authority necessary for that committee to receive and to report to the Senate bills and resolutions relating to the problems of small business. Transforming this committee into a full-fledged legislative committee will more adequately guarantee that the problems of small business will receive the legislative attention they deserve. The existing committee has made diligent efforts to survey and study the needs of small businesses, but it has not yet been empowered to perform the vital legislative functions that can make such efforts more meaningful.

Legislation affecting small businesses now goes to several legislative committees which have numerous other responsibilities and burdens. The importance of small businesses to our economy and national well-being, as well as the difficult conditions now faced by many small businesses, warrants a legislative committee that can give its full attention to these matters.

CRITICAL PROBLEMS OF AIR TRAFFIC CONTROL

Mr. BROOKE. Mr. President, on January 30 I was joined by 21 Senators in a letter to Secretary of Transportation John A. Volpe, in which we expressed our concern over the critical problems of air traffic control and cited the need for vigorous action to handle the growing volume of air traffic in a safer and more efficient manner.

Since sending this letter to the Secretary, two bills have been introduced on this subject, one by the senior Senator from Indiana (Mr. HARTKE), and one by myself. I invite the attention of Senators to the reply we have now received from Secretary Volpe. I am sure that the Secretary's reply, which offers a detailed statement of the Department's views and efforts to deal with the acute personel and operating problems of air traffic control, will supply much food for thought during the consideration of this legislation.

I ask unanimous consent that the Secretary's letter and our letter of January 30 be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., January 31, 1969.

Hon. JOHN A. VOLPE,
Secretary of Transportation,
Department of Transportation,
Washington, D.C.

MY DEAR MR. SECRETARY: As you know, many members of Congress have become increasingly concerned about the critical problems of air traffic control, from the standpoint of both the procedures and the personnel involved in these critical operations. There is a pressing need for more energetic action to handle the growing volume of air traffic in a safer and more efficient manner.

A matter of central importance is the personnel policy to be followed in this field. As aircraft grow larger and more numerous, and as the control technologies become ever more complex, it is imperative that personnel standards and practices be raised accordingly. More lives are at stake and more complicated tasks must be performed. These decisive facts compel us to improve incentives and working conditions to insure that fully qualified personnel are available at all times to meet the immense demands on air traffic controllers.

We believe that a great deal can and should be done under existing authority to meet the budding personnel crisis in air traffic control. We urge you to take prompt and vigorous measures to insure that this crisis is forestalled, not only by expanding the numbers of air traffic controllers but also by upgrading the standards and conditions of employment. These issues have received much discussion but little action in recent months and we earnestly hope that, in concert with the Civil Service Commission and the operating agencies, you will now take swift and effective action.

Last year more than twenty Senators cosponsored a bill to create a Commission on Air Traffic Control, specifying that the Commission would study and make recommendations concerning the whole range of operating and personnel problems in the air traffic field. Although subsequently a commission somewhat similar in purpose was appointed by Secretary Boyd, it appears to have made little, if any, progress toward proposing viable solutions. The Federal Aviation Agency has seemed to lack either the desire or the initiative to deal constructively with the acute problems of the air traffic controllers who man the systems involved.

We are considering a variety of legislative ideas bearing on these problems and will be in touch with you again in the coming months. But at the outset of your tenure as Secretary, we wished to express both our concern in this matter and our strong desire to cooperate with you in designing and implementing an effective program for air traffic control operations and personnel.

Sincerely yours,

EDWARD W. BROOKE, CLINTON P. ANDERSON, BIRCH BAYH, HENRY BELLMON, WALLACE F. BENNETT, QUENTIN N. BURDICK, CLIFFORD P. CASE, THOMAS J. DODD, PETER H. DOMINICK, THOMAS F. EAGLETON, HIRAM L. FONG, PHILIP A. HART, DANIEL L. INOUYE, JACOB K. JAVITS, LEN B. JORDAN, THOMAS J. MCINTYRE, JACK MILLER, JOSEPH M. MONTOYA, CLAIBORNE PELL, CHARLES H. PERCY, RICHARD S. SCHWEIKER, HUGH SCOTT.

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., February 14, 1969.
Hon. EDWARD W. BROOKE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BROOKE: Thank you for the letter in which you and other members of the Senate expressed concern about the critical problems of air traffic control. The rapid growth of the aviation industry requires a balanced air transportation system. The system needs additional airports and associated facilities, access transportation, more modernized terminal and enroute navigational systems, and more personnel to establish, maintain, and operate the total system.

Your offer of cooperation in designing and implementing an effective program for air traffic control operations and personnel is most welcome as this is a very vital part of our total requirements.

We agree that the best possible working conditions must be available at all times and that there are adequate numbers of trained air traffic controllers who are performing effectively.

There have been a significant number of positive achievements during the past year to improve the pay, training, recruitment techniques, and working conditions of the air traffic controller and to modernize the system.

On December 15, 1968, a new Civil Service Commission standard for air traffic controllers was implemented resulting in a substantial pay raise for 9,234 of our 19,038 controllers. The standard is one of a series which have provided grade raises for large numbers of controllers over the last ten years. In January 1959 the basic salary of a top working level controller was $7,030 a year; in January 1969 the same level controller has a base pay of $14,409. With the addition of possible Sunday, night, and holiday pay and an average of four hours of overtime per pay period, his annual salary can reach a range of $17,062 to $22,178 (see Exhibit 1).

A 1968 National Science Foundation Survey shows that this compares favorably with professional occupations requiring considerably more formal education. For example, the median annual government salary for chemists and biological scientists is $13,500, for physicists, $14,500, and for mathematicians $15,300 (see Exhibit 2).

Another important pay benefit for controllers, which was initiated October 1967, was obtained late in 1968. The Congress, at the Department of Transportation's request, passed legislation providing true time and one-half rates for substantial overtime work performed by air traffic controllers. This precedent setting provision is available only to personnel in positions critical to the daily operation of the air traffic control system.

In the recruitment area, the Federal Aviation Administration is now concentrating on attracting controllers at the grade GS-9 entrance level in contrast to the previously used base level of grade GS-6. In this way we hope to attract the most experienced controllers into the system as rapidly as possible and minimize the time required to reach the full performance level. This recruitment practice will now enable a new controller entering the system to progress to the full non-supervisory level in three years with an annual base salary ranging from $8,462 to $14,409 in high density locations. A recent comparison with career patterns in the Federal Bureau of Investigation and officers in the Air Force (see Exhibit 3) illustrates the controllers opportunity for rapid advancement.

Another important improvement in the past year has been the centralization of training for new air traffic controllers at the FAA Academy. This is to assure that all these controllers are given uniform training in modern training laboratories capable of simulating live air traffic conditions.

Furthermore, the FAA also initiated a pioneer effort in a recent proposal to the CSC. This would permit air traffic controllers who had served in high density facilities to move to less complex facilities without loss of pay or grade. FAA is making this effort to assure that controllers who can no longer bear the strain of high activity work are permitted to complete their careers without loss of grade or prestige. On several occasions FAA has also proposed legislative action to authorize early retirement for controllers.

In addition to innovative pay, recruitment, and training efforts, the FAA has embarked on a comprehensive modernization of its technological efforts to support the controllers in a new National Aviation System. This system provides the most modern and efficient radar and automation equipment and identification systems. This will relieve the controllers of many routine, repetitive tasks and permit them to concentrate more effectively on the decision-making aspects of the job.

We are constantly looking ahead and are working with the aviation industry to determine requirements for the National Aviation System of the future. The extent to which such a program can be implemented is dependent upon available resources. The cost of developing a National Aviation System adequate to meet the increasing amount and complexity of air traffic is presently estimated at more than 1.2 billion dollars over the next five years. To help finance this program, the Administration has proposed legislation which would result in the users of the system paying their fair share of the cost. Secretary Boyd's committee, to which you refer in your letter, is also moving forward. Its primary emphasis, however, is on the air traffic control problems of the 1980's and solutions to these problems.

We regret that we are not able to understand or comment effectively on your observation that the FAA lacks "the desire or initiative" to deal constructively with these problems. Should you have any specific information which would assist in clarifying your views, we would be pleased to comment further.

We are most appreciative of your interest in the challenging problems that confront us and trust we can count on your continued support.

Sincerely,

JOHN A. VOLPE.

EXHIBIT 1.—SALARY DATA FOR FULL PERFORMANCE NONSUPERVISORY CONTROLLERS

I. GS-13—FULL PERFORMANCE NONSUPERVISORY CONTROLLERS (HIGH DENSITY FACILITIES)

	Step 1	Step 3	Step 5	Step 10
A. Compensation excluding overtime:				
Base	$14,409.00	$15,369.00	$16,329.00	$18,729.00
Night (40 percent of time)	576.00	614.76	653.16	749.16
Sunday (40)	554.00	591.20	628.00	720.00
Holiday (8)	443.00	472.96	502.40	576.00
Total	15,982.00	17,047.92	18,112.56	20,774.16
B. Overtime:				
2 hrs. per pay period	348.92	348.92	348.92	348.92
4 hrs. per pay period	1,080.56	1,152.32	1,224.08	1,404.00
8 hrs. per pay period	2,161.12	2,304.64	2,448.16	2,808.00
16 hrs. per pay period	4,322.24	4,609.28	4,896.32	5,616.00
C. Total possible salary (including base pay, premium pay and overtime at the rate of 8 hrs. per pay period	18,143.12	19,352.56	20,560.72	23,582.16

II. GS-12—FULL PERFORMANCE NONSUPERVISORY CONTROLLERS (LESS COMPLEX FACILITIES)

	Step 1	Step 3	Step 5	Step 10
A. Compensation excluding overtime:				
Base	$12,174.00	$12,986.00	$13,798.00	$15,828.00
Night (40 percent of time)	487.00	519.44	551.92	633.12
Sunday (40)	467.00	499.20	530.46	608.80
Holiday (8)	374.00	399.36	424.32	487.04
Total	13,502.00	14,404.00	15,304.70	17,556.96
B. Overtime:				
2 hrs. per pay period	348.92	348.92	348.92	348.92
4 hrs. per pay period	912.08	973.44	1,033.76	1,186.64
8 hrs. per pay period	1,824.16	1,946.88	2,067.52	2,373.28
16 hrs. per pay period	3,648.22	3,893.76	4,135.04	4,746.56
C. Total possible salary (including base pay, premium pay and overtime at the rate of 8 hrs. per pay period)	15,326.16	16,350.88	17,372.22	19,930.24

EXHIBIT 2.—COMPARISON OF GS-13 CONTROLLER 1968 INCOME (FULL PERFORMANCE LEVEL NONSUPERVISORY) WITH 1968 NATIONAL REGISTER OF SCIENTIFIC AND TECHNICAL PERSONNEL

Scientific and technical field	Median salary (all employers)	Median salary (Federal Government)	Scientific and technical field	Median salary (all employers)	Median salary (Federal Government)
Journeyman controller (high-density facility)		[1]$18,200.24	Mathematics	$13,000	$15,300.00
Economics	$15,000	17,000.00	Biological science	13,000	13,500.00
Statistics	14,900	16,200.00	Earth and marine science	12,900	13,400.00
Computer science	14,100	13,700.00	Anthropology	12,700	16,400.00
Physics	14,000	14,500.00	Sociology	12,000	15,800.00
Chemistry	13,500	13,500.00	Political science	12,000	17,000.00
Atmospheric and space science	13,400	13,400.00	Linguistics	11,500	13,500.00
Psychology	13,200	15,500.00	Agricultural science	11,000	10,900.00

[1] Includes 2 hours per week overtime premium pay, step 3, G-S13.

Source: National Science Foundation.

Note: Number of scientists reporting, 298,000.

COMPARATIVE PROGRESSION OF AIR TRAFFIC CONTROLLER FROM ENTRY TO FULL PERFORMANCE (HIGH DENSITY FACILITY) TO NORMAL PROGRESSION OF FBI AND USAF OFFICERS

	GS-7[1]	GS-9 (2d lieutenant)	GS-10 (1st lieutenant)	GS-11 (captain)	GS-12 (major)	GS-13 (lieutenant colonel)
FEDERAL AVIATION ADMINISTRATION						
Normal entry	X	X				
1 year				X		
2 years					X	
3 years						X
U.S. AIR FORCE						
Normal entry		X				
1 year			X			
3 years				X		
4 years					X	
8 years						X
FEDERAL BUREAU OF INVESTIGATION						
Normal entry			X			
2 years				X		
5 years					X	
9 years						X

[1] Additional 6 months required for those who enter at GS-7. Currently recruiting at GS-9, with fallback level at GS-7.

ENTRANCE QUALIFICATION REQUIREMENTS

Federal Aviation Administration, Air Traffic Control, GS-7: 3 years general plus 1 year specialized or high aptitude test rating; or completion of 1 year graduate study leading to master's degree; or other substitutions as published in CSC Handbook X-118, GS-2152 ATCS Series (August 1968).

Air Traffic Control, GS-9: Same as above plus 1 year ATC experience.

Federal Bureau of Investigation, GS-10: LL.B.; or B.S. in accounting or auditing plus 3 years' accounting or auditing experience; or B.S. in 4-year program other than accounting or auditing plus 3 years' executive experience in business or professional capacity.

U.S. Air Force, 2d lieutenant: Academy; or advanced ROTC, or officer candidate school.

GRAZING FEE INCREASES—TESTIMONY BY SENATOR MONTOYA BEFORE U.S. SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. MONTOYA. Mr. President, the grazing fee increases which went into effect in January of this year have been the subject of much discussion. When the increases were first proposed in November of last year, I expressed my great concern over the fact that apparently this decision was not based on a comprehensive consideration of all the factors involved.

I expressed my concern to the Secretaries of the Interior and of Agriculture, respectively, and I also contacted a number of my colleagues here in the Senate and in the House of Representatives whom I knew were also equally concerned. As a result of my inquiry—and I am sure, those of other concerned Senators—the Subcommittee on Public Lands of the Senate Committee on Interior and Insular Affairs held 2 days of hearings on the matter last week.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of my testimony before the subcommittee last Thursday, February 27.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOSEPH M. MONTOYA, DEMOCRAT OF NEW MEXICO, BEFORE THE PUBLIC LANDS SUBCOMMITTEE OF THE U.S. SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS ON PROPOSED INCREASES IN GRAZING FEES, FEBRUARY 27, 1969

Mr. Chairman, Senator Anderson, members of the Subcommittee on Public Lands, colleagues, I appreciate the opportunity to appear before you today to testify on the crucial subject of increased grazing fees on public lands. I need not dwell on the fact that this is a subject of wide and justifiable concern.

You will hear expert witnesses today from the Department of Agriculture and the Department of the Interior, as well as witnesses from the livestock industry, conservation groups, and others who will discuss in detail various aspects of this matter. I will, therefore, not take the time of the Subcommittee to reiterate these details, nor attempt to cover ground which has or will be covered by other witnesses.

I would, however, like to express my own personal concern over the magnitude of the fee increases, and explain briefly the basis of my concern.

Before doing so, I would like to urge prompt action on legislation which is presently pending before the Subcommittee, and which addresses itself to this matter. One of the bills, S. 1063, was introduced by me on February 18, to temporarily suspend the recent fee increases in order to give this Subcommittee, and the Congress sufficient time to study the matter. A second bill, S. 716 was introduced by our colleague from Wyoming, Senator McGee, and to which I am pleased to lend my support. S. 716 would direct the Secretary of the Interior to recognize the cost of the grazing permit involved when determining the amount of the fee to be charged.

Mr. Chairman, I think it is essential to emphatically state from the outset that permittees do not object to paying fair compensation for the use of public lands. There have been some invidious charges made in reference to "special interests"—charges which are untrue, unfair, and unjustified, and are made by a few strongly biased individuals who themselves do not fully appreciate or want to understand all of the facts. The permittees want to pay what is fair, and they want to make sure that all considerations are fully taken into account. Thus, the most important question pending is what is a "fair" fee.

I cannot over-emphasize the importance of the decision which this matter places before this Subcommittee and the Congress. The ultimate decision will have a very fundamental effect upon the future of a great segment of our overall rural economy. As we sit in review here today, let us not forget for one minute that a great migration from the farms to the cities is taking place . . . that we have depressed conditions in the livestock industry . . . that our government is undergoing a growing social awareness and becoming more conscious of the need to provide a favorable climate and the opportunities within which individuals can advance through self-determination.

At the same time, we are also confronted with a decision on the part of the Departments of Agriculture and Interior to move ahead at all costs with an increase in grazing fees which portend potentially serious consequences on these considerations. Indeed, in some instances there are fears—very real fears—that this action, coupled with other rising costs of doing business, could well be the final straw that breaks the camel's back. There is genuine concern that the consequences will drive even more farmers and ranchers away from their lands and rural communities and into the already over crowded cities teeming with social unrest.

Mr. Chairman, I would like to quote directly from the U.S. Department of Agriculture report, dated November 12, 1968, and entitled "Studies, Alternatives, and Recommendations on the Forest Service Grazing Fee Issue." The report states:

"The initial impact of a fee increase would be an immediate rise in the permittee's cost of production. The amount would be directly proportional to the number of AUM's (animal unit per month) permitted. The increased expense would lead to an equal decrease in net income, since ranchers' gross income would not change materially. The reduced net income would be reflected in lower ranchers' expenditures in the local community. The size of the impact would be magnified by the multiplied effect of these expenditures."

The report goes on to state:

"A fee increase plus the loss of the permit value would affect the ranchers and the lending institution in two ways. First, the increased costs without compensating returns would leave the permittee in a much weaker position to pay off his mortgage. Secondly, the loss of permit value would remove an asset previously used as collateral. In either case the permittee would experience difficulty in obtaining future mortgages. A loss of permit value now would leave many permittees with an outstanding debt for an asset that would no longer exist."

The report further refers to the fact that an increase in grazing fees will probably cause a decline in cooperative work in the National Forests. According to the report, the Forest Service range permittees are presently contributing about $1.3 million a year towards installation, construction and maintenance of federally-owned range improvements, and it concludes:

"If cooperative work declines, the Federal Government will bear the burden in some combination of the following ways: (1) increased appropriations for necessary range improvement construction and maintenance; (2) value of federally owned land will decline due to deteriorating rangeland and watersheds; and (3) declining or lowering rates of increase in fee collections due to decreases in capacity and use."

Mr. Chairman, these quotes in and of themselves give us much to ponder over. They bring us right to the core of matter under consideration; what will be the effect of this increase on the permittees, and can such an effect be economically and socially justified.

Mr. Chairman, we in New Mexico—as in other western states—have numerous cattle and sheep ranches, but only a few, if any, of which could be classified as large, corporate-type operations. I fear that these small-to-moderate sized operations may stand to suffer the most from these increases. I have requested detailed information on the permittees in New Mexico from both the Forest Service and the Bureau of Land Management. I want to know exactly who it is that is going to be affected, and to what degree? Will they be able to absorb the level of increase projected, or will this drive them off their farms?

From preliminary information, I have ascertained that a great number of New Mexico permittees are concentrated in the Northern portion of the State. This area is among one of the more under-developed parts of the country. It has no industry to speak of. There is tremendous unemployment. It is populated principally by Spanish-speaking residents who derive at best a meager living from the land. These people graze very few animals by-and-large—maybe five, ten, or—if they're lucky—even 30 head.

In the Carson National Forest, for example, 31 percent of the permittees had permits for 1-to-5 head of livestock; 23 percent for 6-to-10 head; 13 percent for 26-to-50, and only 10 percent had permits for 50 or more head. These relatively few animals provide these people with milk and meat for their families, and a small residual income. I am greatly concerned about the effect of the fee increase on these citizens. Will it cause such grave hardships that it results in social problems of hunger . . . increased welfare rolls . . . and destruction of family life for these individuals?

I cannot foretell whether such results will occur in the immediate future, or in the next two or three years. But, I cannot help but believe that when the contemplated increases go into the fourth or fifth years—and certainly by the time the full increases take effect—the increased cost of permits for these individuals may be unduly prohibitive.

I do know from experience, however, that many problems have been created for these people of Northern New Mexico by Forest Service policies in the past. These past policies have shrunk the number and size of permits upon which a great many individuals have depended for their meager incomes. I have worked with these people and the Forest Service over the years to achieve an acceptable accommodation. I have found local Forest Service representatives in New Mexico to be most understanding and sympathetic of the problems involved. But, the policies have been set elsewhere, and many of the problems continue.

Now, we see another sizable burden placed on them through increased fees. I fully intend to make sure that Congress is well aware of what is happening. I will do all in my power to make sure the right decision is made—divorced from the day to day involvement in which some of these officials find themselves, and which may preclude their seeing the forest for the trees.

In short, Mr. Chairman, we have many economic and social considerations to weigh. We must make certain that the "fair" value that is arrived at, upon which to base the fees—whatever the value may ultimately be—takes into account each and every factor. This includes the cost of doing business for the permittees; the ramifications and implications of considerably higher fees; and, the indirect effect upon communities whose non-farm residents depend heavily upon the business generated by local agriculture.

We are, of course, still waiting for the conclusions and recommendations of the Public Land Law Review Commission which Congress created in 1964. That Commission, as you know, was created "Because the public land laws of the United States have developed over a long period of years through a series of Acts of Congress which are not fully correlated with each other and because those laws, or some of them, may be inadequate to meet the current and future needs of the American people and because administration of the public lands and the laws relating thereto has been divided among several agencies of the Federal Government, it is necessary to have a comprehensive review of those laws and laws and the rules and regulations promulgated thereunder and to determine whether and to what extent revisions thereof are necessary."

I am informed that the forage study is to be submitted by the contractor to the PLLRC sometime in March. It would seem only reasonable and wise to request recommendations from PLLRC as promptly as possible, and to take them into account in our present deliberations.

In closing, I want to again urge the Subcommittee to take action on S. 1063, to temporarily suspend the increases. I am not suggesting indefinite postponement, but only a temporary suspension to permit Congress to more judiciously sift through all of the considerations and alternative recommendations. I also want to again urge prompt and favorable action on S. 716, which Senator McGee has discussed in greater detail.

I might add that I have called upon Secretary of Agriculture Hardin, and Secretary of the Interior Hickel, urging them to temporarily rescind the increases until they, personally—as well as Congress—can more closely study the full range of implications.

Mr. Chairman, I ask unanimous consent to have printed in the hearing record at this point a copy of my letter to Secretary Hickel—a similar copy of which went to Secretary Hardin. I also ask unanimous consent to have printed in the hearing record, at the conclusion of my testimony, the text of my bill, S. 1063.

Again, thank you Senator Church for making this hearing possible. I feel confident the Subcommittee and the full Committee will act in the best interests of all concerned.

ESTONIAN INDEPENDENCE

Mr. GOODELL. Mr. President, during this week many of us have been reminded of the sad plight of the courageous Estonian people. For 51 years ago, on February 25, 1918, the Estonians declared their independence, marking the end of two centuries of suffering under the Russian czars.

This day of independence was a great moment not only for Estonia, but also for the entire world. Within a very short time the Estonians instituted their own form of democratic government under which this little country was able to make enormous economic progress and achieve outstanding educational, artistic, and cultural standards.

At the start of World War II the Estonian people, along with a host of other peoples, witnessed the disappearance of their independence in the flames of world conflagration. In mid-1940 Estonia was overrun by the Red army and in mid-July of that year was annexed to the Soviet Union. Since then, the Estonians have been suffering under totalitarian dictatorships, first under the Communists, then for a while under the Nazis, and since 1945 under the Communists again.

It is ironic, indeed, that World War II, which brought the people of Western Europe liberation from dictatorial tyranny, should have also been instrumental in subjugating Estonia, and other eastern European nations, to the Soviet empire.

It is evident that the exploited and oppressed peoples of Estonia will continue to cling to their ideals and hope of eventual freedom, it is only fitting that on this 51st anniversary of Estonia independence, we in the United States join together to pay tribute to these brave and gallant people.

REFORM SCHOOL CAN ACTUALLY MEAN SCHOOL, NOT CONFINEMENT

Mr. WILLIAMS of New Jersey. Mr. President, it is not often that the New Jersey Education Association has an occasion to call attention to the work of a rural Tennessee judge. It is even more surprising that this judge and former State legislator from a very rural section of Tennessee should happen to be the innovator of a program of this nature. I happen to know Judge Knippers and I happen to know that as a juvenile judge he does not believe that the answer to juvenile delinquency lies in confining these children to a virtual prison. He has, instead, among other things, instituted a unique program for the education and rehabilitation of these misguided young people.

Like Judge Knippers, I have long believed that confinement is not the answer to the growing problem of juvenile delinquency. The fact that most adult criminals have previously served time in a "reform" school should indicate that a new approach is needed if we are really to incorporate these alienated youths into the mainstream of society. I commend the New Jersey Education Association for taking note of this positive approach to the problem and I hope that educational institutions and juvenile courts throughout the country will be encouraged to establish similar programs and to seeking further alternatives.

I therefore ask unanimous consent that the article entitled "Our Changing Schools," published in the New Jersey Education Association's newsletter of February 9, 1969, be printed in the Record.

There being no objection, the newsletter was ordered to be printed in the Record, as follows:

Our Changing Schools

(By Donald S. Rosser, New Jersey Education Association)

"Reform" schools are supposed to convert problem children into law-abiding adults, but often as not they turn out life-long lawbreakers. At least one judge now prefers to sentence delinquent boys—not to a cell—but to a classroom.

The classroom is in a special school instituted by Lawrence County Judge Ottis Knippers in Lawrenceburg, Tenn. It's called Saturday Achievement School, possibly the only one of its kind in the country. Students see "character-building" films, hear talks by civic leaders, and spend Saturday afternoons on field trips.

"Many people are all too willing to stuff the kids away in a training school and forget them," Judge Knippers thinks. "They serve their time and then come back into a society that doesn't want them. Before long, they're in trouble again."

Judge Knippers started the school the day after sentencing a 15-year-old boy who had been raised without a father, whose two brothers had police records, and whose mother worked full time.

"He received no parental supervision," says Judge Knippers, "and knocked around in poolrooms. But he was bright, likeable and appealing—the most personable young shoplifter I had ever seen."

The youth had already served two terms in a state training school. "Everybody in our town knew this boy and his family," Judge Knippers reports. "We knew he wasn't getting help from anybody, but none of us did anything about it. He was a cinch to graduate into big-time crime."

Instead of sending the shoplifter back to reform school, Judge Knippers put him on probation. The next day he called in the court's 15 probationers and—above their groans—announced they would henceforth attend a special class every Saturday.

Saturday Achievement School begins with a serving of hot chocolate and doughnuts. The classroom program generally includes a movie, a talk by a local business or professional leader, and a good lunch. The afternoon field trip has taken the boys through local businesses and factories, on an airport tour complete with plane ride, to the state capital, a zoo, a Civil War battlefield, and even to the Vanderbilt-Kentucky football game.

The judge knew Saturday Achievement School was on the right track when the boys began asking if they could bring along their brothers and friends. The school now even has its own basketball team.

"We hope to increase the enrollment to 60," Judge Knippers says, "and eventually establish a similar program for girls."

One boy who entered the Saturday Achievement School had deliberately flunked three of his high school subjects. "We started tutoring him," reports Judge Knippers. "The following semester he made 100 in math and 97 in English."

Another boy, a 10th grader, increased his reading ability to the 12th grade level and, for the first time, passed all his high school subjects. He became such a good student that he now helps tutor others.

"We're particularly proud of this boy," says Judge Knippers. "He's the one I put on probation for shoplifting."

NRECA LONG RANGE STUDY COMMITTEE RECOMMENDATIONS

Mr. MONTOYA. Mr. President, the gap between available REA electric loan funds and the capital needs of the rural electric cooperatives is increasing at an alarming rate. I am very concerned by the fact that REA will enter the coming fiscal year with a backlog of sound and feasible loan applications which will be the largest in the history of the REA program.

While adequate funding of some Federal programs can be postponed without serious or lasting damage to the program, this is not true of the rural electric program. The use of electricity by our farmers, ranchers and other rural residents is doubling every 7 to 10 years. The Nation's rural electric systems must have the money they need when they need it to heavy-up their facilities and build new facilities to meet this growing demand for electric power. If adequate growth capital is not available, the rural electrics will not be able to fulfill their area coverage utility responsibility in their rural service areas.

All Senators are aware, I am sure, of the outstanding economic and social benefits which the REA program and the rural electric cooperatives have brought to rural America. In my home State of New Mexico, which is well known for its wide-open spaces, only 3.3 percent of our farms and ranches had central station electric service when the REA program was launched in 1935. Last year, about 90 percent of New Mexico's farmers and ranchers were benefiting from modern electric service. This could not have been accomplished without REA low interest, long term loans to rural electric cooperatives.

The rural electric cooperatives are very much aware of the current pressures on the Federal budget and have been working hard to develop a usable means of bringing private capital into the program to supplement the present REA 2 percent interest loan program. A recent issue of the Rural Electric Newsletter, published by their service organization, the National Rural Electric Cooperative Association, carried a summary of a supplemental financing plan which has been developed by the NRECA Long-Range Study Committee.

This blue-ribbon group, composed of rural electric leaders from around the country, devoted much time, energy, and talent over the past 14 months to the development of a blueprint for the future of the Nation's 1,000 rural electric systems, which now serve some 24 million farmers and rural residents in 46 States. My home State is represented on this committee by a longtime rural electric leader in New Mexico, R. B. Moore, manager of Lea County Electric Co-op at Lovington. He also represents the rural electrics of New Mexico on the board of directors of NRECA.

When the committee was established, it was given a dual assignment; namely, to study and define the present and future long range objectives of the rural electric program and to recommend future financing which will enable rural electrics to achieve those objectives. In order to obtain the thinking of local rural electric leaders on these important subjects, the committee held six "open forum" hearings around the country during 1968.

On January 8 of this year, the committee presented its recommendations on future objectives and future financing to the NRECA board of directors, which approved the recommendations and directed that they be submitted to the rural electric membership for action at the 1969 NRECA annual meeting, being held March 16–20 in Atlantic City, N.J.

According to the Rural Electric Newsletter account, the rural electric cooperatives will be voting on a proposal to set up their own self-help financing institution, funded initially by the rural electrics themselves, which would have the capability of attracting additional capital from the private money market to supplement funds available through the present REA 2-percent interest loan program. This self-help financing institution would be owned and operated as a cooperative by the participating rural electric systems. They would capitalize it by subscription to membership and to interest-bearing capital term certificates, based on member investments, open market senior financing through the sale of long-term debentures and other types of obligations would supply the additional funds needed to meet the supplemental financing requirements of member rural electric systems.

Money would be loaned to members for purposes related to their system objectives within their statutory authority. Interest rates charged on loans would be determined by the cost of money in the open money market. Funds obtained in the open market would be blended with funds obtained at lower interest rates from member-investors in the new self-help financing institution.

Those of us who are familiar with the rural electric program are not surprised to find the rural electric cooperatives considering this self-help approach to meeting part of their future financing needs. Since its beginning, rural electrification has been a self-help program, under which the Federal Government has helped rural people to help provide themselves with central station electric service.

The Rural Electric Newsletter story stressed that the new self-help financing institution would serve solely to supplement and not in any way to supplant the existing REA loan program. Continuation of this 2 percent interest loan program at levels needed by the rural electric cooperatives is an essential part of the new financing plan.

I heartily concur with the long-range study committee's finding that the existing REA 2-percent loan program must be maintained and adequately funded for those rural electric cooperatives which must have this low-cost financing in order to be able to continue to furnish adequate electric service to their consumer-members. A trip through rural America today documents the reasons why this is essential. Many rural electric cooperatives are serving in sparsely populated or economically depressed rural areas. The only reason the rural people in these areas have electricity today is because the Federal Government has made available low-cost loans to nonprofit cooperatives organized to provide this service. If the existing REA 2 percent interest program is not funded adequately to meet the needs of these cooperatives, it would not be long before these rural areas would again be without electric service, because no profitmaking commercial utility would undertake to serve them.

On the other hand, there are rural electric cooperatives which, for a variety of reasons, including population growth, and economic development in their areas, and an assured supply of low-cost wholesale power, have achieved sufficient economic stability to be in a position to utilize supplemental financing from a nongovernment source. These cooperatives are to be commended for their expressed willingness to move to higher cost capital as they become financially able to do so.

When the rural electric co-op delegates gather in Atlantic City a few weeks from now, they will be voting on what could well become one of the most significant milestones in the history of the rural electric program. If they decide to move forward with their proposed self-help supplemental financing institution, I stand ready to be of whatever assistance I can to assure the success of this forward-looking proposal. An important way that all of us in the Congress can help is to make sure that the existing REA 2-percent interest loan program is continued and adequately funded. This is crucial to the success of the rural electrics' supplemental financing plan.

PRESIDENT NIXON'S SUCCESSFUL MISSION

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by the distinguished Senator from Hawaii (Mr. FONG) relating to President Nixon's trip to Europe.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR FONG

All America can be proud of the European mission just concluded by President Nixon. We welcome him home with warm gratitude and satisfaction over the resounding success of his first overseas trip since taking office.

I share the general feeling of Americans that President Nixon accomplished what he set out to do; namely, to build stronger ties of understanding and cooperation with our European allies. His candid approach and exchange of views; his forthright answers to questions asked by European leaders; his ability to listen and learn; his promise to consult fully—all these strengthened American-European relations and made a deep impression on those he met.

In extending closer American consultation and cooperation to our European friends, President Nixon also sought the benefit of the wisdom, judgment and experience of the heads of government in the major capitals he visited. He returned with the belief that a climate of trust is being developed—a trust on the part of the Europeans in themselves; a new trust in the United States because channels of communications and consultation have been opened; and a new trust in the future because of a confidence that together the United States and our European allies will be able to develop new understanding with those on the other side of the world who have opposed us.

On the all-important subject of Soviet-American negotiations, about which some of our allies are extremely cautious, President Nixon spoke directly and frankly:

"I have said before that we are ending a period of confrontation and entering an era of negotiation. In due course and with proper preparation, we shall enter into negotiations with the Soviet Union on a wide range of issues, some of which will directly affect our European allies. We will do so on the basis of full consultation with our allies, because we recognize that the chances for successful negotiations depend on our unity."

Furthermore, the President declared that he will not only welcome but actively seek the counsel of America's NATO partners on the questions that may affect the peace and stability of the world, whatever the part of the world in which they arise.

This pledge of extending full consultation on European issues and of seeking active counsel on world-wide questions was warmly received by our European allies. It was, as one report described, "music to allied ears," since the United States has not always followed the course of full consultation and counsel in the past.

It is particularly heartening that President Nixon's visit to Paris has restored an atmosphere of cordiality with our traditional ally, France. We can hope that a new spirit of mutual respect and confidence between our two nations will ease the strained relations of the past several years.

The gracious and sincere reception accorded our President by all the heads of governments he visited was matched by the equally enthusiastic welcome given him by the populace. The heartwarming scenes as he traveled from capital to capital during his eight-day tour completely overshadowed any attempts by unfriendly demonstrators to detract from his visit.

Although he undertook his European tour only about a month after he took office, President Nixon demonstrated his depth of understanding of international affairs, just as he has shown his grasp of domestic affairs. He has refrained from prematurely attempting dramatic breakthroughs abroad, just as he has proceeded in a quiet, orderly manner in dealing with problems on the home front.

The period of his presidency is but a few weeks old, yet already he has, through his leadership capacity, contributed significantly to improving relations with our allies in Europe, just as he has established an atmosphere of cool confidence within our Nation.

We are indeed fortunate to have a leader of his caliber, maturity, and experience to deal with the many issues of the day at home and abroad.

We are all thankful that the President has returned home safely. I am confident that the auspicious start he has made in international diplomacy will be fruitful and productive and will enhance and strengthen the cause of peace in these difficult times.

A commentary on the Nixon trip has been written by Roscoe and Geoffrey Drummond, titled "Success of Nixon Trip Proves Critics Wrong." I include the column, which appeared in the Washington Post last Saturday, in the Record:

"SUCCESS OF NIXON TRIP PROVES CRITICS WRONG

"(By Roscoe and Geoffrey Drummond)

"Those who said President Nixon's trip to Europe was premature, that it would be a waste of time at best and harmful at worst, are being proved wrong.

"Mr. Nixon set modest goals: to improve the climate of U.S.-European relations, listen, consult and candidly answer candid questions.

"He did all of these things—and more—and any time a President achieves more than he says, that's good.

"The chief dividends are these:

"Credibility: Mr. Nixon significantly reduced the credibility gap between the United States and its NATO partners by dealing with direct questions at the NATO Council of Ministers in Brussels with unusual directness. For example, he took a strong stand for keeping U.S. forces in Europe but pointed out frankly that the cost makes political problems at home. The Europeans knew this but would Mr. Nixon admit it? He did.

"Numerous NATO council members lauded the freedom with which he answered their questions and his frankness in discussing issues still unresolved within his own Administration.

"They appraised the President as a reliable, no-nonsense spokesman of the United States. One socialist ambassador frankly said that he came to Brussels with 'all the usual reservations of the European left toward the President' and departed 'impressed by his knowledge and utter frankness.'

"This is what really improved the atmosphere of U.S.-European relations and paved the way for better cooperation.

"Soviet talks: The trip was not premature; it was well timed because it is evident that wide-ranging talks with the Soviets are shaping up sooner than appeared probable, hopefully this summer.

"Mr. Nixon paved the way for undertaking them under good conditions by assuring the Europeans that on any matters affecting them he would consult them before and during such negotiations. And that no Big-Power deals would be made behind their back.

"The promises had been made before but the Europeans were impressed by the force of the President's commitment, especially his reference to the value of "pooling reins" as well as arms. They want the United States to negotiate with the Soviets but they want to be sure they are closely and continuously consulted. Mr. Nixon said they would be. They believed him. That alone makes the trip worthwhile.

"De Gaulle and Britain: The need is to keep this flare-up between Paris and London in perspective. There is no new issue here; there is no new controversy, just an old controversy coming more clearly into the open. And the more visible it becomes, the easier it is to judge it accurately.

"Bear in mind that President de Gaulle is against anything he can't dominate. He dislikes the Common Market because he can't dominate it. He took France out of NATO because he couldn't dominate it. He would like to expel all U.S. influence in Western Europe so he can dominate it. These are familiar de Gaulle attitudes and he will expound them so long as he is in office.

"De Gaulle outlines his ideas to abandon the Common Market for a larger, loosely formed free trading area to which he offers to admit the British if they will help get rid of NATO and have nothing to do with the United States.

"But Britain says no and de Gaulle asserts this proves that Britain is anti-European. The opposite is the truth. All the other members of the Common Market want Britain in it, want NATO, want to keep their ties with the United States. By attempting to thwart the wishes of the other Europeans, it is de Gaulle who is anti-European.

"Presidents Nixon and de Gaulle have talked. They disagree. So be it.

"Mr. Nixon and the other European leaders have talked. They understand each other and got along well. That's good."

DEATH OF AIRMAN RICHARD GOSSELIN

Mr. DODD. Mr. President, there are only a few human beings whose everyday lives are able to touch the lives of others and change them.

It is rare that one can say, with deep sincerity, that he is better for having known an individual.

But it seems that Airman Richard Gosselin, son of State Representative and Mrs. Richard A. Gosselin of Plainfield, Conn., was such a young man.

In a tragic accident in January at Plattsburgh Air Force Base, Richard Gosselin died.

Two letters from individuals who were privileged to know Richard, and whose lives truly felt the impact of his goodness, were printed in Connecticut newspapers. They are a fitting tribute to this fine person.

I ask unanimous consent that they be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Norwich (Conn.) Bulletin, Jan. 29, 1969]

A TRIBUTE TO RICHARD E. GOSSELIN

MR. EDITOR: The late Richard E. Gosselin exemplified some of the best qualities of youth.

A young man possessing an excellent reputation for industry, honesty and integrity.

He was held in high esteem, because he knew how to respect others.

A well mannered boy with a pleasing personality and a high degree of intelligence that permitted him to bridge the much talked about "Generation Gap."

He was a student, doing part-time work at our plant, when I first met him. He discharged his duties faithfully and well; and gained the love and confidence of all who were privileged to know him.

Let us hope his good parents in their dark moments of sorrow, find a degree of comfort and solace in knowing they excelled in their ability in bringing up such a fine boy; and that all of us who knew him long will remember him for his splendid characteristics, the contribution he made in maintaining confidence in our young people, and the fact that he gave his life for his country.

Frank O'Connell,
Hand Craft Textile
Print Co., Plainfield.

[From the Moosup (Conn.) Journal Press, Jan. 29, 1969]

Airman's Death "Personal Loss" Writer Says

Monday, the Journal received the letter printed below from a woman who works at the AFB in Plattsburgh, N.Y., where Airman Richard Gosselin, son of Rep. and Mrs. Richard Gosselin, of Plainfield, lost his life in a tragic accident on the Air Base, Friday, January 17th.

This woman, who knew Richard as she knew other young men stationed at the Base, suffered a great personal loss by his death as is revealed in her letter. The sincere tribute she pays Richard in this letter is straight from the heart and we hope that Richard's parents, brothers and sisters will receive some small consolation that his loss is so keenly felt by her and so many others with whom he "lived" while stationed at the New York base.

"The Editor,
"The Plainfield Newspaper,
"Plainfield, Conn.

"Dear Sir: Last week we suffered a terrible loss here at Plattsburgh Air Force Base—our little friend Richard Gosselin was killed.

"I first met Richie on a Sunday afternoon; he came into the cafeteria: I thought he was a dependent living on base, but he said he was in the Air Force. I could hardly believe it, he looked so young. I told him I would like to have a son as nice as he, so kidding him, I said 'You can marry my daughter and I can be your mother-in-law.' So from that day on he was my friend.

"Richie came in every morning, almost every day—he was the first one to greet us at the door; he would always eat one muffin, drink his coffee and leave. I never once saw the kid with a frown on his face, always a big grin.

"I knew him about two years and during that time he never changed. I'd pass him going to church or he'd be driving a big Air Force truck. Whatever he was doing he always waved and smiled. The kid greeted everyone the same way. We all had troubles but after seeing Richie things seemed gayer like the sun shining bright once more.

"The night before he died he was sitting with his friends so I went over to greet them. I looked at Richie and said 'Your hair is lighter in front. Did you dye it?' Then I glanced at his friend Mike 'Yours is lighter too, did you dye yours? All the guys laughed at them, so I said 'I bet Mike dyes yours and you dye Mike's. What do you use Nice N Easy?' Richie said 'New Dawn.' Then the guys began laughing again. Richie said 'Your turn is coming next. I don't know what I'm going to do but you're going to get it.' So I laughed and went to finish my work.

"The next day I went to work at 2:30 in the afternoon. I went over to greet everybody and there was Richie with his big wide grin, asking me how I was. They all got up and left. Shortly after, one guy came back, pale and shaken, and said 'Little Richie is dead.' I couldn't believe it. I said he was crazy and went on with my work, trying to pull myself together. I tried to think 'it can't be Richie Gosselin.' A few minutes later Mike Scarboro and Sgt. Auerstrom came in walking slowly with their heads down. I went over to meet them. Tears streaming down their faces they said 'Little Richie is dead.' I couldn't talk or help them. I couldn't believe it, so I brought them coffee and I tried to talk to them, to help them. The three of us sat there crying and talking how wonderful he was to all of us.

"Mike said 'Did you know I never believed in God before or Heaven but I know now there's a Heaven because Richie is there and there's God because He wanted him, he was so good.'

"Anyway that evening every G.I. from the barracks came one by one to express their sorrow to us. It was so sad, like a Wake. Not one song was played on the juke box. It was as if everyone knew about Richie and suffered a loss.

"I never met Richie's parents or knew anything about him. I know that they must be wonderful people to have raised such a wonderful son. If he was poor, he never said so. If he was rich, we never knew. No task was too menial for him—he always faced each day with a smile and made a better day for each one of us—even people who didn't know him.

"His favorite song was Abraham, Martin and John. When I hear it I think of the words 'It's so good they die young.' I wonder is he trying to tell us something.

"I hope the people from Plainfield, Conn., are proud of their boy. He was only a little G.I., but he taught us something I will always remember. No matter how bleak the days are or how many troubles we have, show a little bit of consideration for our fellow man and smile. The whole world will surely smile with you as it did with our friend, little Richie Gosselin.

"God bless you and good luck.

"Sincerely,

"Emma Croswait."

(Editor's Note.—Mrs. Croswait added in a postscript that she had just left work and was very tired but just had to write the above letter. She stated that she came originally from Newfoundland and that she had eight children of her own.)

ACIR REPORT ON STATE AND LOCAL FINANCES

Mr. MUSKIE. Mr. President, the recently published report of the Advisory Commission on Intergovernmental Relations, concerning State and local government finance, offers a guideline for developing a more effective and equitable tax system below the Federal level.

This newest report, along with the Commission's earlier study on fiscal balance in the American Federal System, comprise a thorough review and assessment of the needs and the ability of State and local tax sources to respond to ever-increasing demands and costs of government services. I urge all Members to give these reports careful review and consideration in the light of what they propose for action.

A most significant element of their report concerns the experience of Wisconsin with what is called a "circuit-breaker system." Wisconsin has been successful in shielding low-income families, the elderly, and others similarly affected, from the overloading effects of the property tax.

They have done this by granting relief to elderly homeowners on that part of their tax load which is excessive when compared to their income. In the case of the renter, Wisconsin allows similar relief on the assumption that 25 percent of the rent paid is actually for property taxes.

Wisconsin earmarked a part of the revenue gained from a new sales tax in order to reimburse the local governments. Furthermore, they have shown conclusively that it is not necessary to force low-income households through the "property tax wringer" in order to finance local services.

The result of these steps has been to convert a highly regressive tax into a proportional levy. And, it has been done at the price of modest loss to the State treasury. The 1966 cost to Wisconsin State government was only $5 million, or less than 1 percent of the total collected via property taxes. Most significantly, 60,000 low-income families gained some degree of tax relief.

The Advisory Commission report also points out that State income taxes can be broad-based, flat-rate taxes. Wisconsin's experience points out that, even with personal exemptions, they can be made to combine a revenue punch with a reasonable degree of progression. Such personal exemptions can, at the same time, protect the very poor, and can be made to adjust tax liability in view of the size of the family.

In a day and age when we hear a great deal about a threatened "taxpayer's revolt," it is important that our tax systems be made more responsive to the ability of the individual to bear the burden. There is added discussion mounting to provide for "a no-strings attached" system of sharing Federal income tax revenues with the States. Credit against Federal taxes for State income taxes paid and authority for the States and Federal Government to merge their tax collecting mechanisms are matters of immediate concern to the Congress. The significance of the Commission's report is especially notable in view of the unrelenting expenditure demands being placed upon our State and local governments, and the various suggestions already made for meeting those demands.

The characteristics of a "high quality State-local tax system" are recognized by all of us. Such a system is fair. It is convenient. It is simple, and it is productive. I believe that we should take a fresh look at the series of recommendations contained within this report, the related ACIR study on fiscal balance within the Federal system. In the weeks and months ahead, we can anticipate legislative proposals aimed at translating these findings into new public law. This is particularly so if States are to close the gap between increased expenditures and the productivity of their current revenue systems. Consumer sale, and property taxes cannot carry the load alone. How we respond to these proposals may well determine how responsive our State and local governments can honestly be expected to be to growing local needs.

LINCOLN DAY ORATION BY MASSACHUSETTS STATE SENATOR JOHN M. QUINLAN

Mr. HATFIELD. Mr. President, the Middlesex Republican Club of Boston, Mass., the oldest Republican club in the Nation, held their annual Lincoln Day Dinner on February 21, 1969. I was privileged to attend this dinner and hear State Senator John M. Quinlan deliver an oration which was a truly eloquent statement of Lincoln's relevance, wisdom, and counsel for this contemporary time of strife and division in our society. Senator Quinlan served as special assistant to Senator Leverett Saltonstall from 1960 to 1962 and now represents the second Norfolk district in the Massachusetts State Senate. Although that district is politically balanced, Senator Quinlan has won such decisive majorities of the vote in past elections that he ran unopposed in 1968. Because of the pertinence of Senator Quinlan's remarks, I ask unanimous consent that his Lincoln Day oration be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Lincoln Day Oration by Massachusetts State Senator John M. Quinlan

I

"I shall go forward just as fast as I think I'm right and yet not fast enough to wreck the country's cause." He spoke in 1861 as he took the reins of a diverse and unruly nation, a nation suffering paroxisms of anguish, a nation, to many, a paradigm of despair.

He knew the danger in promising more than is achievable.

He knew (and would that the political leadership of our Nation during the eight years of our immediate experience had known) that inflated promises lead to inflated expectations.

He knew the cruelty of raising hopes too high, only to dash them against the rocks of reality.

He knew that exaggerated promises breed impatience with our orderly democratic processes—and engender contempt for our laws—those, wise restraints which keep men free.

He knew that while Moses began the emancipation of his people, he never reached the promised land. It took Joshua to complete the work.

And now, down the arches of the years we hear a voice, patient, powerful, through the stifling Miami heat: "Tonight I do not promise the millenium in the morning. I don't promise that we can eradicate poverty, end discrimination, or eliminate all danger of war in the space of four, or even eight years."

II

It is not that Lincoln felt that Americans—black or white—should complacently tolerate evil, however deeply rooted or long endured. Speaking to the Wisconsin State Agricultural Society, in September of 1859, he said, "Let us hope that by the best cultivation of the physical world beneath and around us, and the intellectual and moral world within us, we shall secure an individual, social, and political prosperity and happiness, whose course shall be onward and upward, and which, while the earth endures, shall not pass away."

That hope which he instilled we sense renewed across myriad nights and days, again from Miami. "As we measure what can be done, we shall promise only what we know we can produce, but as we chart our goals, we shall be lifted by our dreams."

Lincoln regarded universal education—not inflated promises—as the surest path toward that individual, social, and political prosperity of which he spoke.

III

But he felt strongly that with education goes obligation. In 1859 he issued a stern and phophetic warning, not only to a saddened and separating people, but also to those who, in a more materially gifted and sophisticated time, would misuse their education—as a means not of pursuing knowledge and truth, but violence and hate; not of building and lifting society, but destroying and tearing it down; not of joining in, but of dropping out. He warned that education is not a ticket to leisure, but a call to service—not an exemption from the responsibilities of this life, but a preparation for the fulfilling of those obligations which each of us owes our fellow man.

"No country," he warned, "can sustain, in idleness, more than a small percentage of its numbers. The great majority must labor at something productive."

Education equips its beneficiaries with the tools of reason and persuasion. Yet it is the disposition of some of those very beneficiaries to spurn these tools for the tactics of disruption, which we see today threatening all that we have accomplished, and our best hopes for greater achievement. Lincoln saw this in his own time. Did he not say, "I hope I am over wary; but if I am not there is even now something of ill omen amongst us. I mean, the increasing disregard for law which pervades the country—the growing disposition to substitute the wild and furious passions, in lieu of the sober judgments of courts, and the worse than savage mobs for the executive ministers of justice. Whenever this effect shall be produced among us, depend on it, this government cannot last."

In words that thunder down the ages, he warned: "Among free men there can be no successful appeal from the ballot to the bullet, and they who take such appeal are sure to lose their case and pay the cost."

And words echo once more from Miami, "Government can pass laws. But respect for law can come only from people who take the law into their hearts and their minds—and not into their hands."

IV

Lincoln never said—he never felt—and we must never think—that our Constitution and laws serve as a restraint on progress. On the contrary, he felt—and we must never forget—that our Constitution and laws are the very instruments by which the struggle for equal rights, the true American revolution, will be achieved.

In 1856, he cautioned the newly formed Republican party: "In grave emergencies moderation is generally safer than radicalism. As it now stands, we must appeal to the sober sense and patriotism of the people. We will make converts day by day; we will grow strong by calmness and moderation; we will grow strong by the violence and injustice of our adversaries; and unless truth be a mockery and justice a hollow lie, we will be in the majority after a while, and then the revolution which we will accomplish will be none the less radical from being the result of peaceful measures."

"Passion has helped us," he said, "but can do so no more. It will in the future be our enemy. Reason, unimpassioned reason, must furnish all the materials for our future support and defense."

How like the call we heard this past January morning and how equally apt: "In these difficult years America has suffered from a fever of words: From inflated rhetoric that promises more than it can possibly deliver; from angry rhetoric that fans discontents into hatreds; from bombastic rhetoric that postulates instead of persuading. We cannot learn from one another until we stop shouting at one another—until we speak quietly enough so that our words can be heard, as well as our voices."

V

We honor tonight, really, two men, separated by a century of tumultuous history, yet both knowing that the struggle for equal rights is not something which can be won at a single point in time and place for all generations.

Both understanding that the process of welding the Athenians' art of democracy with the Roman's science of government is a dynamic, never-ending process.

Both comprehending the mysterious alchemy by which the miracle of America, of national union, has been forged, across thousands of miles, through invisible cords, stretching into every valley and clearing, guiding us. Binding us all in the face of the worst that the world and our own worst nature might bring against us.

Both living in a time with their institutions caught in a savage cross-fire between uncritical lovers and unloving critics. On the one side, those who love their institutions and tend to smother them in the embrace of death, loving their rigidities more than their promise, shielding them from lifegiving criticism. On the other side, a breed of critics without love, skilled in demolition but untutored in the arts by which human institutions are nurtured and strengthened and made to flourish.

One grew up in a time and place where all was new, and saw and wanted building. The other in an era when renewal is the need.

VI

For us, as Republicans, one of these men is a political forefather to whose wise philosophy we are the proud heirs and whose words illuminate our difficult path. The other is our present leader and the leader of our Nation.

Guided as we are by the spirit of one and by the steady hand of the other, the responsibility is now squarely upon us who have called for lowered voices, to listen to those voices; on us who have called for reasoned debate and orderly dissent, to heed that debate and learn from that dissent.

Dare we—dare we who claim to follow in the footsteps of the man who recognized our Nation's greatest social injustice, turn our backs on the injustice which persists today?

We have promised so much—even without promising irresponsibly. We have so much before us to accomplish, even while undertaking only what is reasonably possible. It will take all our efforts, challenge all our thinking, try all our patience, and test all our courage to meet the commitment which we have made.

Clearly inspired by that voice from a century ago, however, our new President has pointed the way: "What has to be done has to be done by government and people together or it will not be done at all. The lesson of past agony is that without the people we can do nothing: with the people we can do everything. To match the magnitude of our tasks, we need the energies of our people—enlisted not only in grand enterprises, but more importantly, in those small efforts that make headlines in the neighborhood newspapers instead of the national journals. With these we can build a great cathedral of the spirit—each of us raising it one stone at a time, as he reaches out to his neighbor, helping, daring, doing."

STATEMENT AND RECOMMENDATIONS OF THE NATIONAL RECREATION AND PARK ASSOCIATION

Mr. MONTOYA. Mr. President, on January 15, 1969, I introduced S. 18, a bill to exempt the National Park Service from employee limitations that had been imposed by the Revenue and Expenditure Control Act of 1968. I was joined in the introduction of the bill by Senators Anderson, Byrd of West Virginia, Fulbright, Gore, Hart, Hartke, Kennedy, McClellan, McGee, McGovern, Metcalf, Mondale, Yarborough, and Williams of New Jersey. Subsequently, Senator NELSON has also joined us in cosponsoring this measure.

Mr. President, I stated in introducing the bill that under existing expenditure restrictions the National Park Service had ordered all national parks and monuments to be closed for 2 days of every week. I thought then, as I do now, that this action was resulting in false economy where a number of parks were concerned—particularly in the case of Carlsbad Caverns National Park in Carlsbad, N. Mex. Carlsbad Caverns has been a profitable operation for years.

S. 18 was introduced in the interest of the millions of tourists who visit our national parks and monuments each year. It was introduced in the interest of the communities that were affected adversely by the closing down of the parks on 2 days a week.

Recently, a statement and recommendations of the National Recreation & Park Association have been brought to my attention. Aside from a number of recommendations that bear our closest attention, the National Recreation & Park Association also vividly points out the growing need for additional parks and recreation areas in the United States.

Mr. President, because of the enlightening information contained in the statement by the National Recreation & Park Association, I ask unanimous consent that the text of the statement and recommendations be printed in the RECORD. It is my sincere hope that action can be taken soon on S. 18 so that we can begin making full use of these parks and monuments that we already have and begin thinking seriously about needs for additional areas.

There being no objection, the item was ordered to be printed in the RECORD, as follows:

A STATEMENT AND RECOMMENDATIONS OF THE NATIONAL RECREATION & PARK ASSOCIATION

FOREWORD

The statements and recommendations reprinted in this booklet were presented to the Republican Platform Committee on July 30, 1968, and to the Democratic Platform Committee on August 20, 1968.

We presented these statements and recommendations to make known our views on national matters pertaining to parks, recreation and conservation. The questions that followed our presentations indicated to us the concern of distinguished committee members of both parties.

We are pleased with the results attained in the platform planks of both parties and wish to express our sincere appreciation to the many members of the Board of Trustees who participated in this undertaking.

The National Recreation and Park Association will continue to speak out on park, recreation and conservation issues and will make every attempt to broaden the base of communications. We urge your continued support and cooperation.

SAL J. PREZIOSO,
Executive Vice President.

SEPTEMBER 1, 1968.

STATEMENT OF THE NATIONAL RECREATION AND PARK ASSOCIATION

Introduction

The National Recreation and Park Association is a nonprofit organization with concern for leisure opportunities for all people and with concern for the enhancement of the environment and, in general, for parks, recreation, conservation, preservation and restoration.

A 63-member Board of Trustees representing a cross-section of the nation's business, professional and lay community governs the policies of the organization.

Our membership consists of over 15,000 professional and lay leaders throughout the country with interests in Federal, state, county and municipal parks and recreation systems; hospitals and institutions; colleges and universities; the armed forces at home and abroad; zoological parks and gardens; industrial recreation; private and voluntary recreation; and commercial recreation programs and services.

Preamble

Recreation is a basic human need and essential to the national welfare. We believe that the need for recreation programs, facilities and personnel is increasing rapidly due to the continued growth and urbanization of the population and because of the increase in leisure time, improved transportation and higher standards of living.

We believe that it is the responsibility of local communities to provide recreation areas, facilities and services to the people within their political boundaries through public, private and voluntary agencies. We believe that state governments have the responsibility to assist the communities by enacting adequate enabling laws; by providing advisory and information services; and by providing such complementary recreation areas, facilities and services throughout the state as may be needed.

We further believe that the Federal government has the responsibility for developing recreation resources on federally owned lands and to complement state and local programs in full cooperation with the states and their political subdivisions, without assuming responsibilities that properly rest with the states and their political subdivisions.

We believe it to be the responsibility of the executive and legislative bodies of our country to be sure that appropriate and adequate park, recreation, and conservation legislation is enacted and that assistance be given to all agencies and governments interested, concerned and/or responsible for parks, recreation, and conservation to be certain that they have adequate funds, facilities, leadership, programs and services to meet the recreation needs of our people.

Parks, recreation and the Nation

The population of our country today exceeds 200 million; predictions are that by the year 2000 our population will be 300 million.

The work week of our nation has been reduced from a 60-hour work week in 1900 to an average 39-hour work week today. Predictions are that by the year 1975 we will have a 32-hour work week.

Estimates are that participation in outdoor recreation during 1965 increased 51 percent over 1960 with projections of a 65 percent increase by 1980.

Government (Federal, state, county, and municipal) spending for parks, recreation and conservation in 1967 was at an all time high and estimated in the billions of dollars. If expenditures for these purposes by private and voluntary recreation agencies, hospitals and institutions, armed forces, and commercial recreation agencies were tabualted, the total figures would be increased by several billions of dollars. The American public spends 50 billion dollars a year on outdoor recreation pursuits alone.

Examinations and studies reveal a vast shortage of professional leadership; inadequate public facilities, and programs and services, especially in the urban areas; lack of adequate funds among public and voluntary recreation agencies to meet the recreational needs and demands of our people; a gross inadequacy of services for the disabled and retarded; and inadequate facilities and programs in our schools, institutions, hospitals and military installations.

We also find a need to advance the programs of the cultural and performing arts.

Mass public transportation facilities to reach public parks are most inadequate, especially in the large cities of our country.

No one can deny that much has been done in parks, recreation and conservation. However, much more needs to be done if we are to keep pace with our changing environment and society and the recreation needs and demands of our people.

The need for park and recreation facilities and programs is increasing rapidly due to continued population growth, increasing urbanization and mobility, technological advances and a greater public desire for recreation opportunities.

The meaningful use of leisure opportunities is essential to the national welfare. Creative leisure activities affect the moral and physical fiber of this nation.

Recommendations

General

1. We recommend the establishment of a special task force to review the recreational needs of the urban areas and to evaluate existing Federal programs in terms of meeting these needs. Professional consultants and lay citizens, together with top officials of Federal agencies and departments having an authorized responsibility in the urban areas, serving as an advisory committee, should be given the responsibility for this evaluation.

2. We recommend a continuance of programs designed to improve, enhance and protect our environment and natural resources; including but not limited to grants-in-aid to state and local jurisdictions for undergrounding utility and distribution lines, water and air pollution control, the expansion of parks and recreational areas, and highway encroachment controls.

3. We recommend that your leadership give active support and assistance to officials of local government in providing a program of recreational facilities and to be sure that they are equitably distributed throughout the community.

4. We recommend that your Party recognize the urgent need for leadership training in the park and recreation field; that colleges, universities and other training institutions be encouraged to establish practical curricula for supplying such leaders.

5. We recommend that your Party give adequate attention to finding ways and means of further strengthening the efforts of the private, commercial and voluntary recreation agencies to be certain that their vast resources and leadership will continue to make substantial contributions toward meeting the leisure time needs of our people.

6. We recommend that your Party recognize the value of recreation of rejuvenating the body and mind of individuals, the accumulating effect on the public welfare, inducement toward meaningful uses of leisure time, and the advancement of American culture.

7. We recommend that your leadership pledge the Party to promote all forms of legislation which will aid and induce governmental agencies at all levels in acquiring and developing recreational resources for the use and inspiration of the people, the preservation of the unique features and wilderness areas of our country, the beautification of our daily environment, the interpretation of our historic and cultural heritage, and in providing inspiring leadership to aid in the wholesome use of our local, state and Federal recreation resources.

8. We recommend that your Party pledge support for continual and increased amounts of Federal aid to lesser levels of government, to guard against detrimental intrusion of recreation resources and to

broaden the powers of governmental agencies in controlling the character of environment in recreation development areas and projects to the end that orderly and aesthetically attractive regional development may take place; and that the Federal Highway Act of 1966 be amended to permit more beautification and protection of the corridor of scenic highways.

Specific recommendations

1. We recommend that the office of the National Director of Youth Activities be created, centralizing responsibility for youth programs. Among the responsibilities to be undertaken would be the creation of summer youth conservation teams for 15–18 year olds and that, whenever possible, members of these conservation teams be put to work in their own locales, using existing local youth agencies for organization and supervisory work.

2. We recommend that Federal work and education programs be established under a National Service Corps for 18–25 year olds on a year-round basis to assist with park, recreation, conservation, and restoration programs.

3. We recommend that priority be given to the distressing shortage of adequate park and recreation space in the disadvantaged sections of core cities using land and water conservation funds and any other available governmental funds.

4. We recommend that a unified Federal Park and Recreation Department be created. With more than 90 Federal agencies, boards, councils and/or committees responsible for park, recreation, and conservation program services; we see a great need for a centralized approach. With an increase of Federal involvement we have had more and more fragmentation, causing competition among agencies and boards, and duplication and overlaps.

5. We recommend that your Party support and enforce the junkyard control provisions of the Highway Beautification Act of 1966.

6. We recommend that Federal grants-in-aid in adequate amounts and on a matching dollar basis be provided to local communities for demonstration projects to convert overhead electric distribution lines to underground; further, that you support the adoption of policies undergrounding distribution lines at Federal installations and facilities.

7. We recommend that you support the establishment of a Special Roads Fund to provide matching grants to states for the development of scenic road systems and to finance a Federal program for national parkways and scenic roads development.

8. We recommend that your Party pledge itself to seek legislation to permit the disposal of surplus lands at no cost to public bodies for park and recreation purposes.

9. We recommend that you support the principle that military lands be made available whenever possible for outdoor recreational use.

10. We recommend that support be given to create an urban and suburban community forestry program in cooperation with the states to protect, improve, and plant trees in every local community and that the Federal government provide the technical and financial assistance for these programs.

11. We recommend that a task force be created to examine, study and report on the adequacy of indoor recreation facilities and programs on a state-to-state basis and that steps be undertaken, as may be necessary, to improve the appropriateness and adequacy of these facilities.

12. We recommend that special attention be given to the provision of adequate quality leadership, facilities and recreation programs for the retarded and disabled in our hospitals and institutions; and that there be added emphasis to provide quality recreation programs in our military establishments both at home and abroad.

PRESIDENT NIXON'S TRIP TO EUROPE

Mr. COOK. Mr. President, last week, the attention of the entire world was turned to President Richard M. Nixon as he left the confines of our country to visit foreign soil, in the quest for new understanding and trust among the nations of the world.

I think every American must swell with pride at the way our President presented himself during this mission of peace. He left our shores a newly elected leader of this country, on his first foreign visit. His success and acceptance abroad have shown him to be a leader of international stature.

President Nixon displayed affability, judgment, courage, understanding, and diplomacy—sometimes under trying circumstances. He has instilled renewed confidence in our American Government and its motives among people abroad.

On behalf of all Kentuckians, I congratulate President Nixon for a highly successful diplomatic mission abroad.

HISTORY OF DEVELOPMENT OF AMERICAN LEGION

Mr. HATFIELD. Mr. President, the American Legion is celebrating its 50th anniversary this year. On March 15, 1919, the first meeting of what came to be the American Legion was held in Paris, France. The history of the American Legion's foundation and early development during that year deserves the sincere interest of the Members of Congress. The current issue of the American Legion magazine features special articles about the early history of the organization. As a member of the American Legion Capital Post No. 9 in Salem, Oreg., I was intrigued to learn more fully about the events leading to the formation of the American Legion. I ask unanimous consent that these articles be entered in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

THE PARIS CAUCUS: MARCH 15, 16, AND 17, 1919

Exactly 50 years ago this March 15, what turned out to be the first meeting of The American Legion was held in the American Club, 4 Rue Gabriel, Paris, France.

Present were a number of WW1 officers and enlisted men then on active duty overseas, four months and four days after the Armistice of Nov. 11, 1918.

Nobody today knows how many people were present. One vote was recorded on that Saturday, March 15, 1919, as "279 to 72 with many not voting," so there were "many" more than 351 in the hall then. The names of 463 are preserved, but others came and went without registering. It is known that many who were not registered among the 463 were there, for they served on committees. For instance, the late J. Monroe Johnson, of South Carolina, served on several committees but wasn't registered. He was for many years later a prominent national official, one of Harry Truman's political stalwarts in the Democratic party, and a tower of strength in the Legion (where he always removed his political cap and donated abounding good humor, priceless wisdom and impartial influence).

Lt. Col. Theodore Roosevelt, Jr.,[1] son of the 26th President of the United States, had joined with 19 other officers to call the Paris meeting for the purpose of forming a veterans' organization. They connived (chiefly by getting dubious orders written) to bring into Paris officers and enlisted men from as many different military units then in France as they could.

The U.S. high command didn't authorize the meeting. In fact it had to look the other way, because one of the ground rules of that first Legion meeting was most unmilitary. As men from brigadier general to private walked into the hall they shed their rank and debated as equals. (Few if any of the officers were Regulars. Like the enlisted men present the officers were already viewing themselves as civilians-soon-to-be.)

The enlisted men weren't the only ones to enjoy the "no rank here" rule and to abuse it with occasional snide remarks about officers. Even a major would now and then say something on the floor about colonels that he wouldn't repeat outside. Thus, in the second meeting, two days later, the 36th Division's Major Maurice K. Gordon (now a Madisonville, Kentucky, lawyer in his 90's), moved to adopt the name "American Legion." His chief reason was that it was the fifth and last choice of a committee named by "the brass" to recommend a name. Major Gordon's logic was so delightful that the name "American Legion" carried unanimously. When pleasingly plump Sgt. Alexander Woollcott, of later literary fame, objected to the name "American Legion" someone else called him a "fat medico" and he subsided.

But if the delegates had such fun and sport with one another, they were deadly serious about forming a veterans organization that would (1) continue in peace the comradeship that war had thrown them into, and (2) continue in peace the sense of service and dedication to America that in war had led them to offer their lives for their country.

They were determined *not* to create another Grand Army of the Republic or United Confederate Veterans, both of which got into partisan politics after the Civil War.

In this aim, Teddy Roosevelt, Jr. (a leading young Republican) and Bennett Champ Clark (a leading young Democrat from Missouri, later to serve long in the Senate and spearhead the WW2 GI Bill) joined hands together in a non-partisan gesture as early leaders of the embryo Legion.

The March 15 meeting in Paris took much time to do little business. The secretary, the late Major Eric Fisher Wood, of Pennsylvania, took the chair because Roosevelt had already been returned to the States by the Army.

Wood (whose son, Eric, Jr., was to become one of the legendary heroes of the Battle of the Bulge in WW2, fighting on alone to his death when his regiment was overwhelmed and surrendered) explained for what purpose the members of the caucus had been called through the efforts of Roosevelt and his 19 officer friends. That took a long time, as few there yet knew what was up.

Then Bennett Clark took the chair, Wood reverted to secretary, and Captain Ogden Mills moved that committees be named to draw up and submit plans for (1) permanent organization, (2) a constitution, (3) a name, and (4) a later convention in the States in 1919. Mills, scion of a wealthy New York family and later U.S. Secretary of the Treasury, also helped finance the Legion in its difficult formative months in 1919.

With the naming of committees, the March 15 meeting adjourned shortly before 6 p.m. It had been a long day.

On Sunday, March 16, the committees deliberated and prepared their reports, and there was no general meeting.

---

[1] He died of a heart attack as a Brigadier General on the Normandy beachhead one war later.

The second, and final, general meeting of the Paris Caucus assembled in the Cirque de Paris, an amusement hall that had been taken over by the Y.M.C.A., at 9:25 a.m., Monday, March 17, 1919. The only known existing photo of the Paris Caucus (not printed in the Record), is of that March 17 meeting. Bennett Clark called the meeting to order, but as he had to leave on military business the chair was taken by Lt. Col. Thomas W. Miller, then of Delaware and the 79th Division. Of all of those with leading roles at Paris, only Miller is still an active national Legion official 50 years later. He is the National Executive Committeeman for Nevada. In 1968 he became the sixth of the Legion's early founders to be voted the honorary title of Past National Commander, never having been National Commander.

A five-man delegation was sent to wait on President Woodrow Wilson and invite him to the caucus. Wilson was then in Paris for the peace conference. The five-man committee included three brigadier generals, a sergeant and a private. The last two—who worked on the Army newspaper *Stars and Stripes* in Paris—were Private Harold W. Ross and Sergeant John T. Winterich. Both were later editors of the American Legion's magazine, and Ross left it to found, publish and edit the New Yorker magazine until his death. They returned from their mission empty-handed. Wilson would not see them, and writer Laurence Stallings later complained of something aloof in Wilson's character which led him never to visit any of the battlefields or establish any personal rapport with the WW1 Doughboys.

Down through the years, many Legion founders have lodged one complaint about Eric Wood (who was also named an honorary Past National Commander before his death). As secretary, they said, he didn't record half of the salty stuff that was said on the floor on March 17. Perhaps Wood is to be commended for exercising a little judicious censorship in his minutes. There was intense suspicion that the 20 officers under Roosevelt who'd called the meeting had something up their sleeves. From what has come down in history by word of mouth, these suspicions were often expressed in plain language.

Even the Chief of Chaplains of the AEF, Bishop Charles Brent, came to the Cirque de Paris brooding with suspicion. He was already forming a veterans organization called Comrades in Service. But when, on March 17, the caucus approved a preamble not unlike the present Legion preamble, Bishop Brent seconded the motion, said he'd been afraid that an organization without purpose was being formed, and on the spot threw Comrades in Service into the Legion.

Though far from perfect, the reports of the four committees that had worked on Sunday are remarkable for how much they conceived in one day's work that was right, and endured

The present structure of the Legion, with state, territorial and overseas Departments, all enjoying a large degree of self-rule, was fairly spelled out by the 13-man Committee on Constitution. It included Tom Miller, Ross, Winterich and others who for years continued to give the Legion a large degree of leadership. Among the 13 were Lemuel Bolles (later National Adjutant), Milton Foreman of Chicago (also later made an honorary Past National Commander) and Frank A. White, later Treasurer of the United States.

Foreman, a wealthy lawyer (born during the Civil War and a Spanish war veteran), was the "father" of the Illinois Legion. He personally saw to it that no Illinois delegate lacked funds to attend the first national convention in Minneapolis the following November. Without personal contributions to the Legion in 1919 by such men of means as Roosevelt, Foreman, Franklin D'Olier, Mills and others, the Legion might have died, or become an ex-officer's organization. The enlisted men were turned out of the Army with little money in their pockets and often jobless. They hardly had the means to see the Legion through its expensive first year.

The Committee on Constitution in Paris wrote a preamble in one day's work which, though it differed from the final preamble, contained four of the fundamental statements that still endure.

No clear history exists that explains in detail how the Legion became semimilitary in its trappings and titles. The view of Legionnaires from the start was that the Legion is a civilian organization. Military sounding titles and uniforms were not conceived in Paris. The Committee on Constitution proposed that the officers be a president, vice-presidents, a secretary, a treasurer and a board of directors. The substitution of commanders, vice-commanders, adjutants, finance officers and judge advocates came later. The next caucus, in St. Louis in May, drafted a much more detailed proposed constitution, but strangely made no suggestion for national officers at all.

Sometime between May and November, the idea of military sounding titles came into being. The familiar commanders, vice-commanders, etc., were written into the *official* constitution at the first national convention in November without debate or anything on the written record to explain the switch from "president" to "commander." One permanent effect of that change has been that many outsiders have ever since supposed the Legion to be quasi-military—a sort of *bund* to its enemies and a loyal, reserve militia to its friends. The military titles and uniforms obscure the fact that there are only blanks in the ceremonial rifles, and that the Legion's main concern is with selfless and responsible American citizenship and service.

The delegates at Paris completely, and wisely, reversed the majority report of the Committee on Convention, headed by Col. J. H. Graham. The majority report called for selecting representatives to a later convention in the States on the basis of military units. It offered a complex plan whereby delegates should be chosen from battalions, divisions, corps, armies and supply units, etc. The same Major Gordon who sold the name "American Legion" because it was the last choice of the leadership, resisted the majority Convention report by writing a minority report. He urged that another meeting be held in the States to bring off a convention, and that representation be based on the "place of residence," not military units. This tallied closely with the report of the Committee on Permanent Organization, chaired by the same William J. (Wild Bill) Donovan who headed our "cloak-and-dagger" O.S.S. in WW2. Donovan's committee urged that at Paris an Executive Committee be named to go back home and organize locally, then have another caucus with a broader base. It agreed with Gordon's warning not to try to settle too many matters until a more representative meeting could be held, This sat very well with the more suspicious members of the Paris Caucus. The upshot was that in Paris both the Convention and Permanent Organization reports were scrapped. A special committee was given a few hours of recess to bring in a new report. Its report was adopted. The heart of it was that an Executive Committee be named, made up of men from every state. Its members should get local organization going all over the country to supplement work Roosevelt was already doing in the States. Then, in six weeks, a much larger meeting should be held in the States to iron out the problems of calling an official convention, and to make more considered suggestions for permanent organization.

Six weeks still seems pretty ambitious as a target date to have been set in Paris, but the St. Louis caucus was actually held only seven weeks later. By then there were Legion units formed or forming all over the country. (See "St. Louis Caucus.")

If anything is more remarkable than the speed with which the Legion leaped from a groping idea in Paris to a nationwide body in being, it is the enormous amount of ground covered in three days in Paris by a large, unwieldy and sometimes contentious group. The organizational skill of the Legion's founders, as put into practice, may have no parallel in American history. Eight months after Paris, at the time of the first national convention, the Legion had roots all over the country with nearly 700,000 paid up members.

The St. Louis Caucus: May 8, 9, and 10, 1919

The proceedings of the St. Louis caucus of The American Legion fill a book 177 pages long. The Caucus met May 8, 9 and 10, 1919, at the Shubert-Jefferson Theater in St. Louis, Mo. There were 1,108 delegates registered, not a few of whose names were later misspelled when their long-hand was transcribed. Many others have since claimed, some successfully, that they were there but failed to register. Nobody knows how many more than 1,108 actually attended.

The miracle of organization, in the seven weeks since the Paris Caucus, was evidenced by the registration of delegates at St. Louis from every one of the then 48 states except North Carolina, as well as from the Hawaiian Islands and the Philippines. Five lesser veterans organizations that had formed but threw their lot in with the Legion were also represented. A sixth sent a delegate, but he was voted out of the hall because his "veterans organization" was a violent, radical group.

The Caucus showed what it meant by "to combat the autocracy of both the classes and the masses." It assailed Bolsheviks in its second order of business on May 8. On May 10 it stood in silence in the memory of President Theodore Roosevelt, because he had "defied Wall Street and every other combination," in the words of Joseph Healy, a New York advertising representative who still wore the blue of a Navy Seaman.

Thus the Caucus spoke out against both alien radicalism and the special privileges of "moneyed interests."

It covered a lot of other ground. Most important, it set up a nationwide Temporary Joint Committee, empowered to make the embryo Legion operate until its first official convention, which was set for Minneapolis on Nov. 10, 11 and 12, 1919.

To take over the Causus after Teddy Roosevelt, Jr., called it to order, and to head the Joint Committee until November, it elected Henry D. Lindsley. He was a former mayor of Dallas who had been called into the federal government to try to clean up the mess of its ill-conceived, ill-functioning and inadequate programs for the returned veterans.

Lindsley, an excellent choice, was only accepted after Roosevelt absolutely refused the leadership in spite of prolonged clamor from the floor that he be drafted over his objections.

Young Roosevelt knew what he was doing. More than any other man he had conceived the Legion and worked to make the St. Louis Caucus possible. As the son of a former President he was well-connected in every state. By telegram and letter, and in person, he had asked governors, mayors and other leading citizens in every state and major city to call local caucuses of returned WW1 veterans in March and April. The 50-man Executive Committee named at the Paris Caucus (headed by Milton Foreman of Chicago) had joined in this work in person, or by mail to home state friends if they were still in France. From these local meetings across the nation the delegations to St. Louis had been selected.

Only one shadow had marked the almost

universal enthusiasm and idealism of these earliest gatherings in every state. From New Orleans to Minnesota, from California to New York, the suspicion of secret political purpose had had to be met.

The accusation that the Legion was being formed to "deliver the soldier vote," or to "continue the influence of the 'brass' over the enlisted men in peacetime" had haunted Roosevelt's every effort. He met it by enunciating the ideals that at St. Louis were boiled into the Preamble. He met it by urging that the initial local meetings be headed by prominent citizens who were not known for their political activities, but for civic-mindedness. He met it by inviting men of both major parties, and all the former enlisted men of ability he could find, to join in the early leadership.

The delegates at St. Louis were satisfied on the political score. They clamored and demonstrated for Roosevelt to lead them.

But, because he was a nationally prominent young Republican, he told them that the country at large would not believe the political neutrality of the Legion if he should accept. And, he said, if he should now accept at their insistence after having refused, it would only look like "a grandstand play."

To get on with the election of Lindsley, instead, he surrendered the chair to Bennett Champ Clark, Missouri's most prominent young Democrat.

Later, to settle the political question *almost* for all time, the Caucus wrote into its draft constitution an absolute prohibition of the spreading of partisan principles in or by the Legion, or its support of any candidate for office. The motto became "policies, not politics." Elective Legion offices were denied anyone holding or actively seeking an elective public office. (At the Cleveland convention in 1920, an official committee urged a softening of the bar against partisan political activity in the Legion. It thought the Legion could lobby more effectively if it endorsed or condemned candidates for office by name. Under the leadership of James Boyle, of Maine, the committee's proposal at Cleveland was turned down on the floor and it has never come up again.)

For all that happened openly on the floor at St. Louis, an invisible something there did much to insure the speedy local organization of the Legion across the nation. As yet, nothing was official in the states and towns. Some informal state and post groups had formed. But none followed any set plan. They were just local clubs. By the November convention the Legion would have to be official and representative, and have behind it the catch-as-catch-can self-appointed caucuses.

It all happened that way. By November the Legion had 684,000 paid up members, and you can search long in history for another voluntary organization that grew so big so fast.

The invisible thing in St. Louis that helped bring off the Legion as a real thing all over the country was well stated in the history of the Iowa Legion by Jacob A. Swisher that the Iowa State Historical Society published in 1929:

"During the days that the (St. Louis Caucus) was in session, representatives from various states met in separate groups and formulated plans for state organizations which would carry the work forward until . . . the first state convention. The Iowa delegates met at the Planters' Hotel to perfect a temporary state organization."

Many states decided at St. Louis to do what Iowa did. They undoubtedly compared notes, since a number of states followed the same plans, including details not brought up on the floor of the Caucus. Signatures of 15 local veterans on a charter application could establish a post. Posts would get numbers beginning with 1 in each state, strictly in the order of receipt of applications.

Swisher tells of the successful race of Legionnaires from Spencer, Iowa. By Ford, rail and taxi they beat out a special delivery letter from Council Bluffs to Des Moines by a few minutes, snatching the designation "Post 1, Iowa" for Spencer and leaving "Post 2" for Council Bluffs.

For all the business that it conducted, the St. Louis Convention was colorful as well. It was officially proposed that local Legion units be called "billets." A voice from the floor said a billet was a place to sleep and the Legion didn't propose to sleep. Others said they'd already organized "posts." "Billets" was changed to "posts" without further ado.

A small assortment of drunks, crackpots and characters promoting themselves politically showed up. A nut or a drunk (the minutes don't say which) started an incoherent speech from the stage before the sergeants-at-arms threw him out bodily. By the second day, the temper of the majority of delegates took such a threatening attitude toward these jokers that they left or shut up (their antics no longer appeared in the minutes, which are extremely accurate and complete).

Many of the delegates wanted to sponsor policies that were sectional, controversial within the group, or partisan. This threatened to wreck the whole proceedings by the third day. One man put them back on the track.

Early on May 10, a preacher, the Rev. John Inzer of Alabama (later National Chaplain), took the floor and gave a hell-for-leather speech urging them not to feed the baby raw meat lest they destroy the Legion at its birth. Let anything they couldn't agree on await at least a truly representative convention, said Inzer. Don't divide the Legion by urging policies on which Americans from different areas, or of different politics or interests cannot agree. Save them for when your Legion hat is off. When it's on, be for what all good Americans can be for.

That was his gist, but Inzer pulled all the stops of an old-time revival meeting to get it across, and he got it across. Threatened division turned to unity as the delegates finished their business late on May 10 and went home to organize state conventions and local posts. They had established the machinery, clarified their purposes, resolved their differences and the rest would be up to their willingness to act.

THE FIRST NATIONAL CONVENTION: MINNEAPOLIS, MINNESOTA, NOVEMBER 10, 11, AND 12, 1919

The first national convention of the American Legion met in cold weather, with snow in the air, at Minneapolis' Lyceum Theater, on Nov. 10, 11 and 12, 1919, exactly one year after the WW1 Armistice.

Since the May caucus in St. Louis, the accomplishments of the Joint Temporary Committee under Henry Lindsley had moved forward at a terrific pace. So had those of the state delegations at St. Louis who went home and got state caucuses and conventions as well as local Posts going in the late spring and summer months of 1919.

Teddy Roosevelt, Jr., the Rev. John Inzer, and John Herbert, of Massachusetts, spearheaded a group that stumped the country speaking locally to hasten the Legion's grassroots organization. Between May and Novembre these efforts created an organization that sent delegates to Minneapolis representing 684,000 paid up members who'd joined in six months!

On July 4, the first issue of the Legion's magazine had appeared (it was then a weekly). George Ared White started it in New York (a plaque still marks the building on West 44th St.). The Legion soon directed that its magazine be one of general interest to all Americans, rather than a purely fraternal publication. With the recent folding of the Saturday Evening Post, the American Legion Magazine, in 1969, is the only surviving general interest magazine in the United States that was being published in 1919.

Under the leadership of Tom Miller, of Delaware, and Luke Lea, of Tennessee (both of whom had been in Congress before going to war), a charter for the Legion was secured from Congress and signed by President Wilson on Sept. 16.

Thus when 684 delegates assembled in Minneapolis, the foundation work had already been done. It remained to them to sanction what had gone before, refine and polish the programs and work already under way, elect permanent officers for the coming year and look to the future of a going thing.

They gave the Legion its first official Constitution (the constitutions drafted at Paris and St. Louis had no official status). In Article XIV they said: "All acts performed and charters heretofore granted by the temporary organization of The American Legion are hereby ratified and confirmed." The Convention resolved to pay back the $257,000 that 213 Founders had spent or pledged to create the Legion. The baby now stood on its own feet.

Many other actions at Minneapolis related to things and issues peculiar to the times. Yet the meeting laid almost as much groundwork for the future as had the founders. It created an emblem committee and gave it a year to seek a design for a permanent emblem. But the "temporary button design" already in use became the emblem. It set the wheels going for the Manual of Ceremonies, and directed what its tenor should be. (The Chaplain's prayers from the Legion ceremonial manual stand as masterpieces of non-sectarian prayer, equally acceptable to Protestant, Catholic, Jew, Muslim or Buddhist.) It created the Americanism Commission, and declared that the foundation of Americanism is education.

It spelled out the principle that the local Posts should not be the tail of the dog, but that local and statewide activities for community good should be the foundation on which the Legion would stand or fall.

During that first convention, news came that four Legionnaires had been shot down in cold blood by radical IWW's while marching in the Armistice Day parade in Centralia, Washington. Though the anger of the delegates knew no bounds, they staked their faith in combating anarchy through the constitutional processes of law and order, and counseled against those who called for lynch law.

The Legion hired the late Verna Grimm, widow of Post Commander Warren Grimm who had fallen in Centralia, and she was its national librarian in Indianapolis until long after WW2.

A Washington bureau was authorized as a base for legislative activity. Tom Miller and Luke Lea, former Congressmen who had secured the Legion's Charter, were named to be a two-man legislative committee.

Elihu Root (Secretary of State from 1905 to 1909, and a Nobel Peace Prize winner in 1912) proposed a complete new Preamble, but it was rejected in committee in favor of the St. Louis Preamble—and that was adopted unanimously. Hamilton Fish led the movement in Committee to preserve it.

George Brokaw Compton, of New York, and Frank Sieh, of South Dakota, were chairman and secretary of a committee that sucessfully preserved the St. Louis policy to keep the Legion out of partisan politics. Years later, Sieh was the prime mover in starting Legion Junior Baseball, beginning in South Dakota.

At Minneapolis the American Legion Auxiliary was provided for in the Constitution. A committee headed by C. J. Martin, of Kansas, urged that an organizing Auxiliary convention be called "at the earliest practicable moment."

Indianapolis was accepted as the site for permanent national headquarters. Numerous committees which have been changed only in form were set up—such as committees on legislation, veterans employment, and "beneficial legislation."

The latter continues today as the commission on veterans' rehabilitation. Its personal services to veterans, which extend far beyond legislation, were foreseen and set in motion at Minneapolis. The Legion's own future youth programs and its rise as a major sponsor of scouting were foreshadowed by a resolution urging every Post to assist local Boy Scout troops "in whatever manner practicable." A Committee on Military Policy was formed, which endures today as the National Security Commission. A policy on overseas burial of the war dead, except when next-of-kin opt for return, was adopted. It is official federal policy today, administered under U.S. battle monuments and graves registration bodies.

There was still much to be done, but the Legion came out of Minneapolis with its purposes and its organization solid. It elected Franklin D'Olier, later to head the Prudential Life Insurance Co., as its first Nat'l Cmdr., and met in Cleveland a year later with 200,000 more members and action programs going from Washington, D.C. to Main Street.

THE LEGION'S PREAMBLE AND HOW IT CAME TO BE

PREAMBLE TO THE CONSTITUTION OF THE AMERICAN LEGION

For God and Country we associate ourselves together for the following purposes:

To uphold and defend the Constitution of the United States of America; to maintain law and order;

To foster and perpetuate a one hundred percent Americanism;

To preserve the memories and incidents of our associations in the Great Wars;

To inculcate a sense of individual obligation to the community, state and nation;

To combat the autocracy of both the classes and the masses;

To make right the master of might;

To promote peace and good will on earth;

To safeguard and transmit to posterity the principles of justice, freedom and democracy;

To consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

The Preamble to the Constitution of The American Legion has often been ranked among great American documents.

One might suppose that the Preamble is the studied literary effort of many men, sharpened and refined over a period of years—or else the work of some great literary genius or democratic philosopher.

Actually, few documents that combine idealism and simplicity so beautifully are ever consciously contrived. Instead, when the hour is right, and at no other time, they may emerge as the spontaneous expression of people who are sharing with others a complete communion of strong feeling. Then, like the Declaration of Independence, they may spring easily from the heart with little conscious attempt at literary artifice or style.

That was true of the Legion Preamble. The able men who designed it were picked almost at random from among crops of able men who had found an hour when they were all in tune.

Six men did the main work on the Preamble. Three of them were seven weeks, one ocean and half a continent removed from the other three. The first three worked on the Preamble a day. The second three worked on it a night and a day. None of the six ever wrote or contributed to such an enduring document before or after. None dreamed at the time that their work would be found so perfect.

When 13 men were named to draft a tentative Constitution for the Legion at the Paris Caucus, and given one day to it (March 16, 1919), they all sensed a need for an opening statement of purpose. The chairman, Lt. Col. G. Edward Buxton (in peacetime a leading Rhode Island cotton manufacturer), named three men to draft a preamble. He picked Frank A. White, former governor of North Dakota; Redmond C. Stewart, and W. H. Curtiss (the last two officers in the 1st and 91st Divisions). The whole Paris Caucus had spent the day before discussing what purposes they had in mind. There is no record that White, Stewart and Curtiss had any trouble at all in putting together the following, which was adopted with enthusiasm the next day:

"We, the members of the Military and Naval Service of the United States of America in the great war, desiring to perpetuate the principles of Justice, Freedom and Democracy for which we have fought; to inculcate the duty and obligation of the citizen to the state; to preserve the history and incidents of our participation in the war; and to cement the ties of comradeship formed in service, do propose to found and establish an association for the furtherance of the foregoing purposes."

Anyone can find four elements in this temporary statement of purpose that are preserved to this day in the final Preamble. Those were the words that moved Bishop Brent to throw the lot of his own veteran's organization in with the Legion on the spot in Paris. (see page 11).

Seven weeks later, the Committee on Constitution at the St. Louis Caucus drafted the final Preamble. Roy C. Haines, of Maine, was the chairman. To draft a preamble he named a three-man subcommittee consisting of George N. Davis, of Delaware; Hamilton Fish, of New York and John C. Greenway, of Arizona. Fish was the chairman.

Greenway and Davis, the latter a judge, had fought in the Spanish-American War as well as in WW1, Greenway with the Rough Riders. Fish was a captain in WW1, the youngest of the three and the only one surviving today. An All-American Harvard football player in the heyday of the Big Three, he later served many years as a Congressman from New York.

The three had dinner together in St. Louis on May 8, 1919. They discussed a preamble throughout the evening, slept on it overnight and put together the bulk of the present Preamble early next morning. Ten years ago, shortly before his death in Hood River, Oreg., Judge Davis gave this magazine a copy of his rough draft of a preamble that he brought to the subcommittee meeting on the morning of May 9 as a basis of discussion. It is shown here.

What the three had to go on was (1) the Paris preamble of White, Stewart and Curtiss, (2) all the discussions of the purposes of the Legion that had gone on on both sides of the Atlantic for seven weeks and (3) a report to the Paris Caucus on March 15, by Eric Fisher Wood, of the ideas that the younger Roosevelt and 19 friends had had in mind in February 1919, before they called the Paris Caucus.

The thoughts expressed in the Preamble were already almost unanimous among the thousands who were then active in forming the Legion. In fact, on May 10, the Committee on Resolutions reported to the St. Louis Caucus after Davis, Fish and Greenway had completed their work, but before their committee had reported to the Caucus. It offered a resolution of purpose stating the same basic thoughts. That version might have been adopted had not Fish moved to have it set aside because it anticipated the report of the Committee on Constitution, still to come. The Resolutions Committee's statement of purpose was as idealistic as the final document, but it was so clumsily written that it's a good thing Fish succeeded in having it set aside.

Together, Fish, Greenway and Davis had already drafted all the ultimate Preamble on the morning of May 9, except for three phrases. They added two of these at the suggestion of E. Lester Jones of the District of Columbia, who visited them. They were: "To inculcate a sense of individual obligation . . . etc.," and "To safeguard and transmit to posterity . . . etc." When they reported to the full Committee on Constitution, it added "To preserve the memories and incidents . . . etc." The sense of these additions to the subcommittee's work had already been written into the Paris Preamble, but, according to Davis, omitted in their draft until Jones and the whole Committee on Constitution urged that they be preserved from the Paris document.

The whole Caucus at St. Louis adopted the Preamble in a matter of a minute or two, without debate, late on May 10, 1919. The only change since has been the addition of an *s* to *war* in the phrase "associations in the great wars." Until WW2 it was "*the great war.*"

PRESIDENT NIXON'S TRIP TO EUROPE

Mr. CASE. Mr. President, the warm public welcome accorded President Nixon at each of his stops in Western Europe last week attests to the wisdom of his decision to make the trip at this time. While his administration could not be expected to enter into substantive talks with our European allies at so early a date, the President was able to reestablish the importance of Western Europe to the United States and our determination to work in concert wherever possible. The display of good will by and toward our President is a hopeful portent of things to come.

DEFENSE DEPARTMENT CONTRACTS WITH CAROLINA TEXTILE FIRMS

Mr. MONDALE. Mr. President, on February 8, 1969, the Department of Defense awarded $9.4 million in contracts to three Carolina textile firms on the basis of these firms' oral assurances that they would implement "affirmative action" to end discrimination. In taking this action, the DOD completely ignored and bypassed the Office of Federal Contract Compliance—OFCC—the agency charged with coordinating and overseeing the Federal contract compliance program under Executive Order 11246. DOD also disregarded the regulations promulgated under this order, which require that where discrimination is found to exist, a contractor must make a specific commitment, in writing, stating the precise action to be taken by the contractor to remedy discrimination and the dates for completion of such action; the contractor must make such a commitment before he can be found to be in compliance with the Executive order.

Findings of discrimination on the part of these three firms were made by the DOD itself, and a summary of these findings is as follows:

First. Negro male employees were being discriminated against in terms of promotion.

Second. There was discrimination in providing on-the-job training.

Third. Few Negro females were being hired in any capacity, despite the large number of white females being employed by these firms.

Fourth. Craft jobs were held by whites

only; tests used to fill these jobs were not validated and were therefore not shown to be job related.

Fifth. Housing owned by Dan River Mills for its employees was segregated; whites were provided with cottages, Negroes with "shotgun" houses.

As a result of these findings, meetings were held between the Government and each of these firms in January 1969. None of the firms made commitments at these meetings which were sufficient for either DOD or OFCC to recommend approval of their contracts. Nevertheless, Deputy Defense Secretary David Packard thought it appropriate to award these contracts on the basis of the bland, oral assurances of these firms "to do better."

What is particularly disturbing is the fact that since this initial decision, DOD awarded an additional $4½ million in contracts to two of these same firms on February 19 and 20, 1969. Furthermore, between now and March 31, 1969, there is every indication that seven of the eight largest Carolina textile firms will receive an additional $12 million in contracts from DOD.

I have therefore asked the Secretary of Labor to cancel the contracts already awarded to these firms and to direct the DOD not to enter into contracts with any of the eight largest Carolina textile firms until they have submitted a program for compliance with the Executive order satisfactory to him. Unless the recent precedent established by DOD and Deputy Secretary Packard is reversed, the Federal Government's policy against subsidizing discrimination through Government contracts is in real danger.

Mr. President, I ask unanimous consent that the following documents be printed in the RECORD.

First. Press release of February 26, 1969, which outlines this problem in more detail.

Second. My letter of February 11, 1969, to Deputy Secretary of Defense David Packard.

Third. My letter of February 17, 1969, to Secretary of Labor George P. Shultz.

Fourth. The DOD response to my letter, signed by Deputy Assistant Secretary Jack Moskowitz and dated February 25, 1969.

Fifth. A copy of the February 13, 1969, letter from Deputy Secretary Packard to Secretary Shultz, which was included with the above DOD response.

In this letter, Deputy Secretary Packard acknowledges the fact that the three firms to which the DOD already awarded $14 million in Federal contracts: First, do not provide "in detail 'specific goals and time tables for the prompt achievement of full and equal opportunity' as required by OFCC rules and regulations;" second, have not remedied the present effects of past discrimination nor submitted a plan to do so; third, that they have no meaningful plan to assure nondiscrimination in recruiting, selection, promotion and upgrading of employees; and fourth, that some company housing is segregated, but that no plan for prompt desegregation exists.

In addition, Mr. President, I ask for unanimous consent that Executive Order 11246 and section 60–1.20 of the regulations issued under that order be printed in the RECORD. This particular regulation is the one which the DOD has violated in awarding the contracts in question.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

FROM THE OFFICE OF SENATOR WALTER F. MONDALE, FEBRUARY 26, 1969

I have today sent the following wire to Secretary of Labor George Shultz:

"Because the Department of Defense is continuing to award contracts to large Carolina textile firms who are among the most notorious discriminatory employers in the nation, I strongly urge you to take the following steps:

"(1) Cancel the DOD contracts already awarded to J. P. Stevens, Burlington Mills, and Dan River Mills on February 8, 1969, February 19, 1969, and February 20, 1969 because of the failure of these contractors 'to comply with the non-discrimination provisions' of their contracts. Authority for such action exists in Sec. 209(a)(5) of Executive Order 11246.

"(2) Provide that DOD 'shall refrain from entering into further contracts' or extensions of existing contracts with these three firms until you are satisfied that these contractors will comply with the Executive Order banning discrimination in employment by Federal contractors. Authority for such action exists under Sec. 209(a)(6) of Executive Order 11246.

"(3) Exercise the authority granted to you under Executive Order 11246, Sec. 211, and direct DOD not to enter into contracts with any of the eight largest Carolina textile firms until they have submitted a program for compliance with the Order satisfactory to you."

I have taken such action because of the following events.

On February 8, 1969, the Deputy Secretary of Defense, David Packard awarded $9.4 million in federal contracts to three Southern textile mills under investigation for discrimination in employment policies. In doing so, he did not consult with or seek the concurrence of the Office of Federal Contract Compliance, (OFCC), the agency charged with formulating guidelines and coordinating contract compliance.

As a result of findings by a DOD investigating team that these three firms did in fact discriminate against Negroes in hiring, promotion and other practices, assurances to remedy these deficiencies were sought; at this point, neither OFCC nor DOD would recommend approval of their contracts.

Secretary Packard then unilaterally awarded the contracts to these three firms after their Presidents had assured him that they would implement "affirmative action plans" to achieve the results contemplated under the Executive Order.

On February 19, and February 20, 1969, DOD, again by passing and ignoring OFCC, awarded approximately $3½ million in contracts to J. P. Stevens and a $1 million to Burlington Industries. And there is every indication that between now and March 31, DOD will award another $12 million to 7 of the 8 firms involved in a major compliance review of civil rights practices of the Carolina textile industry undertaken by OFCC and DOD in January, 1968.

In response to my letter to Secretary Packard on February 11, 1969 (copies of which are available) asking to be informed of the terms of the assurances given to him by these firms, I received a copy of a letter written by Mr. Packard to Secretary Shultz. In his letter, Mr. Packard admits that the companies to which he has awarded $14 million in DOD contracts

(1) do not provide "in detail 'specific goals and time tables for the prompt achievement of full and equal opportunity' as required by OFCC rules and regulations."

(2) have not remedied the present effects of past discrimination nor submitted a plan to do so;

(3) that they have no meaningful plan to assure nondiscrimination in recruiting, selection, promotion and upgrading of employees;

(4) and that some company housing is segregated, but that no plan for prompt desegregation exists.

However, based on these companies' assurances in effect "to do better", he awarded the contracts. The subsequent contracts to J. P. Stevens and Burlington Industries were awarded on the basis of Secretary Packard's recent precedent.

Mr. Packard implicitly concedes in his letter that no *written* commitments were obtained from these companies. It is also clear that nothing more was obtained than a promise to implement "affirmative action".

Secretary Packard's action, therefore, is in clear violation of the following Regulation issued by the Secretary of Labor under the authority of Executive Order 11246; (copies are on hand)

"*Sec. 60–1.20 Compliance reviews*

"(b) Where deficiencies are found to exist, reasonable efforts shall be made to secure compliance through conciliation and persuasion. Before the contractor can be found to be in compliance with the order, it must make a specific commitment, in writing, to correct any such deficiencies. The commitment must include the precise action to be taken and dates for completion. The time period allotted shall be no longer than the minimum period necessary to effect such changes."

The assurances received by Secretary Packard violate this regulation in three respects:

(1) The commitment was not in writing.

(2) The commitment did not include any "precise action to be taken."

(3) There was no mention of any "dates of completion" for the action to be taken by the companies.

Similar requirements are also contained in DOD's own Regulations.

I believe several issues are at stake here.

1. Whether or not the Federal Government will award contracts to firms engaging in these discriminatory practices on the basis of vague oral promises to try harder;

2. Whether or not DOD will award these contracts in violation of both Department of Labor regulations and DOD regulations.

3. And whether or not DOD will make a shambles of federal contract compliance by bypassing and failing to consult the agency charged with responsibility in this matter, OFCC.

I would like some answers to these questions and I have not yet received them.

This Executive Order is a vital step in a long and continuing struggle to eliminate discrimination in this country. Its purpose is to guarantee our minority citizens a fair shake by government contractors in hiring, promotion, and job training. DOD's actions in the past month may be an ominous sign that the new Administration is not committed to ending government subsidized discrimination.

U.S. SENATE, COMMITTEE ON LABOR
AND PUBLIC WELFARE,
Washington, D.C., February 11, 1969.

Hon. DAVID PACKARD,
Deputy Secretary of Defense,
Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: I am most concerned that the Department of Defense has approved contracts totaling $9.4 million with three Southern textile companies—J. P. Stevens, Dan River Mills, and Burlington Industries.

Under a textile program plan agreed to by the Department of Defense, the Equal Employment Opportunity Commission, the Department of Justice, and the Office of Federal Contract Compliance in January, 1968, OFCC and DOD agreed to review the employment policies of the eight largest Southern Textile firms. The Department of Defense also agreed to consult OFCC and to obtain their concurrence before approving any contracts with these companies.

Essentially, there were three primary complaints against the larger of these companies, including the three involved in the above contracts:

1. Company owned housing for employees was segregated;

2. Few Negro females were being hired, despite the large number of white females employed by these firms;

3. Negro male employees were being discriminated against in terms of promotion.

After an extensive review of these complaints and others, meetings were held between the government and each of the three firms in question in January, 1968. None of the firms made assurances at these meetings which were sufficient for either DOD or OFCC to recommend approval of their contracts.

However, on February 8, 1969, your office announced that contracts with each of these firms were approved on the grounds that the companies had promised "affirmative action" to comply with the Federal Government's regulations banning discrimination in employment on the part of government contractors. Since the terms of the agreements have not yet been announced, I am in no position to determine whether there can be any expectation of compliance on the part of these companies. I would therefore appreciate it if you would inform me as to the content of each of those agreements.

Regardless of the terms of the agreement, I am most disturbed by the fact that these contracts were approved *without* even consulting OFCC, much less obtaining their concurrence. In fact, as of February 11, 1969, OFCC did not even know the terms of the "affirmative action" plan agreed to by these companies.

While the first line of responsibility for enforcement of Executive Order 11246 rests with the contracting agency, it is OFCC's responsibility to establish general government policy for contract compliance and to oversee the contract compliance programs of the various government agencies to assure a consistent policy. OFCC's role in the present case was even clearer, since it was spelled out by the textile program plan agreed to by the Department of Defense. Since OFCC was completely ignored by DOD when it entered into this particular settlement, it was obviously unable to evaluate the terms of this settlement.

I therefore urge you to hold up DOD approval of these contracts for the purpose of informing OFCC of the settlement and seeking their concurrence. One of the primary dangers in the procedure followed by the Department of Defense is that if OFCC *does* object to the settlement, as a practical matter, it can only move to bar these companies from bidding on other federal contracts.

I also urge you to consult with OFCC in the future before approving contracts in which OFCC has expressed an interest. To by-pass OFCC in these matters will cause chaos and confusion in the government's contract compliance program.

Executive Order 11246 clearly reflects the policy of the Federal Government that it must not subsidize discrimination. The textile program plan agreed to by all relevant agencies, (including DOD) to deal with employment discrimination in the textile industry was in furtherance of this objective. Your action in approving these contracts clearly jeopardizes that plan.

Sincerely,

WALTER F. MONDALE.

U.S. SENATE, COMMITTEE ON LABOR
AND PUBLIC WELFARE,
Washington, D.C., February 17, 1969.
Hon. GEORGE P. SHULTZ,
Secretary of Labor,
U.S. Department of Labor,
Washington, D.C.

DEAR SECRETARY SHULTZ: It is my understanding that you have undertaken a complete review of the recent Department of Defense decision to award contracts to three Southern textile firms. As you may know, I expressed my concern to Deputy Secretary Packard about the fact that the OFCC was apparently by-passed in reaching this decision; in addition, I also asked the Deputy Secretary to inform me as to the terms of the agreement reached between these firms and the Department.

I am pleased that you are in the process of reviewing the entire matter. What particularly concerns me is that the Deputy Secretary's action may have disrupted the procedure established to assure that government contractors, such as these three firms, do not practice discrimination.

I would therefore appreciate it if you would inform me as to the role of the Department of Labor and the Office of Federal Contract Compliance, not only in regard to the contracts already awarded to these three firms, but also in regard to contracts presently under consideration between the Department of Defense and the other large textile firms located in the South. I would also like to know what you have learned from the Department of Defense concerning the terms of the assurances obtained from J. P. Stevens, Dan River Mills, and Burlington Industries.

Since it is still unclear as to exactly what procedures were followed by the Department of Defense in this matter and since there has been no disclosure of the terms of the assurances obtained from the three firms in question, it would be helpful if you could supply me with the information requested as soon as possible.

Sincerely,

WALTER F. MONDALE.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., February 25, 1969.
Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: This is in response to your 11 February 1969 letter regarding the Department of Defense equal employment opportunity compliance efforts in the textile industry.

The Department of Defense has conducted this program cooperatively with the Equal Employment Opportunity Commission and the Office of Federal Contract Compliance, Department of Labor. This effort started in January 1968. To date, more than sixty-five textile compliance reviews have taken place and significant progress has been made.

After the completion of the compliance reviews of the facilities of Dan River Mills, Burlington Industries and J. P. Stevens, Defense Supply Agency, the agency responsible for contract compliance operations, conducted intensive negotiations with these companies. The Office of Federal Contract Compliance, Department of Labor and the Department of Justice were consulted and kept fully informed of these negotiations.

The Defense Supply Agency found the affirmative action plans of these companies deficient in specific areas. The Deputy Secretary of Defense discussed these deficiencies with the chief executives of the three companies. They assured him that their companies would implement affirmative action plans to achieve the results contemplated under the Executive Order. On the basis of these assurances, the decision was made to proceed with the pending award. The Department of Labor was consulted before this action was taken.

The enclosed report to the Secretary of Labor by Secretary Packard details these events.

Secretary Packard will receive quarterly progress reports on these companies. These reports will be made available to the Department of Labor and they will be consulted.

It is our intent to fully meet all our responsibilities under Executive Order 11246.

Sincerely,

JACK MOSKOWITZ,
Deputy Assistant Secretary (Civil Rights and Industrial Relations).

THE DEPUTY SECRETARY OF DEFENSE,
Washington, D.C., February 13, 1969.
Hon. GEORGE P. SCHULTZ,
Secretary of Labor,
Washington, D.C.

DEAR MR. SCHULTZ: This is in response to your 12 February 1969 request for a report on the Department of Defense EEO compliance efforts with Dan River Mills, Incorporated, Burlington Industries, Incorporated, and J. P. Stevens and Company, Incorporated.

The Director, Defense Supply Agency is the Deputy Contract Compliance Officer for the Department of Defense and is responsible for contract compliance operations. DSA completed compliance reviews of Dan River Mills facilities on 26 January 1968. J. P. Stevens reviews were completed in August 1968, and Burlington Industries on 23 September 1968. Negotiations between DSA and these companies have been continuous since the time of their reviews. The Office of Federal Contract Compliance has been kept fully informed of these negotiations.

During the negotiations DSA received guidance on the implementation of the 28 May 1968 Rules and Regulations, OFCC policy memoranda, and recent court decisions.

DSA's final position with these companies was discussed at conferences at DSA headquarters level in late January 1969.

The concept of affirmative action is an evolving one. Successful practices, court decisions, and experience define its meaning more clearly. Much knowledge has been gained in the past year. This has resulted in new policy guidance and the need to give contractors an opportunity to react with plans to these changing concepts. This occurred during the textile negotiations and understandably resulted in lengthy negotiations and some misunderstanding between the companies and government officials. These misunderstandings are now dispelled.

Actual results in terms of employment of minority applicants and treatment of employees without regard to race, creed, color or national origin determine whether a contractor is in compliance with the Executive Order. The contractor is in the unique position to decide which is the best method for his organization to achieve these required results.

In my discussions with the chief executives of Dan River Mills, Burlington Industries and J. P. Stevens, the deficiencies found by DSA were discussed. They were in the following areas:

1. The companies do not provide in detail "specific goals and time tables for the prompt achievement of full and equal employment opportunity" as required in Section 60–1.40 of the OFCC Rules and Regulations.

2. OFCC policy and recent court decisions require that contractors remedy the present effects of past discrimination. Acceptable contractor programs to meet this requirement have yet to be formulated.

3. The companies have not provided a meaningful plan to assure fairness and nondiscrimination in recruiting, selection, placement, promotion, and upgrading.

4. There still remains some company housing that is occupied on a segregated basis. A plan for prompt desegregation is needed.

The chief executives have assured me that their companies will implement affirmative action plans to achieve the results contemplated under the Executive Order. I intend to personally monitor this program and have asked for quarterly reports. The first report will cover 1 February 1969 through 30 April 1969. The Department of Defense compliance staff has been asked to keep the Office of Federal Contract Compliance fully informed and to seek the assistance offered in their letter of 6 February 1969.

I plan to keep you fully advised and will consult with you on any further actions.

Sincerely,

DAVID PACKARD.

EXECUTIVE ORDER NO. 11246: EQUAL EMPLOYMENT OPPORTUNITY

Under and by virtue of the authority vested in me as President of the United States by the Constitution and statutes of the United States, it is ordered as follows:

PART I—NONDISCRIMINATION IN GOVERNMENT EMPLOYMENT

SECTION 101. It is the policy of the Government of the United States to provide equal opportunity in Federal employment for all qualified persons, to prohibit discrimination in employment because of race, creed, color, or national origin, and to promote the full realization of equal employment opportunity through a positive, continuing program in each executive department and agency. The policy of equal opportunity applies to every aspect of Federal employment policy and practice.

SEC. 102. The head of each executive department and agency shall establish and maintain a positive program of equal employment opportunity for all civilian employees and applicants for employment within his jurisdiction in accordance with the policy set forth in Section 101.

SEC. 103. The Civil Service Commission shall supervise and provide leadership and guidance in the conduct of equal employment opportunity programs for the civilian employees of and applications for employment within the executive departments and agencies and shall review agency program accomplishments periodically. In order to facilitate the achievement of a model program for equal employment opportunity in the Federal service, the Commission may consult from time to time with such individuals groups, or organizations as may be of assistance in improving the Federal program and realizing the objectives of this Part.

SEC. 104. The Civil Service Commission shall provide for the prompt, fair, and impartial consideration of all complaints of discrimination in Federal employment on the basis of race, creed, color, or national origin. Procedures for the consideration of complaints shall include at least one impartial review within the executive department or agency and shall provide for appeal to the Civil Service Commission.

SEC. 105. The Civil Service Commission shall issue such regulations, orders, and instructions as it deems necessary and appropriate to carry out its responsibilities under this Part, and the head of each executive department and agency shall comply with the regulations, orders, and instructions issued by the Commission under this Part.

PART II—NONDISCRIMINATION IN EMPLOYMENT BY GOVERNMENT CONTRACTORS AND SUBCONTRACTORS

Subpart A—Duties of the Secretary of Labor

SEC. 201. The Secretary of Labor shall be responsible for the administration of Parts II and III of this Order and shall adopt such rules and regulations and issue such orders as he deems necessary and appropriate to achieve the purposes thereof.

Subpart B—Contractors' agreements

SEC. 202. Except in contracts exempted in accordance with Section 204 of this Order, all Government contracting agencies shall include in every Government contract hereafter entered into the following provisions.

"During the performance of this contract, the contractor agrees as follows:

"(1) The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, include apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

"(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

"(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246 of Sept. 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

"(4) The contractor will comply with all provisions of Executive Order No. 11246 of Sept. 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

"(5) The contractor will furnish all information and reports required by Executive Order No. 11246 of Sept., 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contacting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

"(6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of Sept. 24, 1965, and such other sanctions may be imposed and remedies involved as provided in Executive Order No. 11246 of Sept. 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

"(7) The contractor will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of Sept. 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: *Provided*, however, That in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States."

SEC. 203. (a) Each contractor having a contract containing the provisions prescribed in Section 202 shall file, and shall cause each of his subcontractors to file, Compliance Reports with the contracting agency or the Secretary of Labor as may be directed. Compliance Reports shall be filed within such times and shall contain such information as to the practices, policies, programs, and employment policies, programs, and employment statistics of the contractor and each subcontractor, and shall be in such form, as the Secretary of Labor may prescribe.

(b) Bidders or prospective contractors or subcontractors may be required to state whether they have participated in any previous contract subject to the provisions of this Order, or any preceding similar Executive order, and in that event to submit, on behalf of themselves and their proposed subcontractors, Compliance Reports prior to or as an initial part of their bid or negotiation of a contract.

(c) Whenever the contractor or subcontractor has a collective bargaining agreement or other contract or understanding with a labor union or an agency referring workers or providing or supervising apprenticeship or training for such workers, the Compliance Report shall include such information as to such labor union's or agency's practices and policies affecting compliance as the Secretary of Labor may prescribe: *Provided*, That to the extent such information is within the exclusive possession of a labor union or an agency referring workers of providing or supervising apprenticeship or training and such labor union or agency shall refuse to furnish such information to the contractor, the contractor shall so certify to the contracting agency as part of its Compliance Report and shall set forth what efforts he has made to obtain such information.

(d) The contracting agency or the Secretary of Labor may direct that any bidder or prospective contractor or subcontractor shall submit, as part of his Compliance Report, a statement in writing, signed by an authorized officer or agent on behalf of any labor union or any agency referring workers or providing or supervising apprenticeship or other training, with which the bidder or prospective contractor deals, with supporting information, to the effect that the signer's practices and policies do not discriminate on the grounds of race, color, creed, or national origin, and that the signer either will affirmatively cooperate in the implementation of the policy and provisions of this Order or that it consents and agrees that recruitment, employment, and the terms and conditions of employment under the proposed contract shall be in accordance with the purposes and provisions of the Order. In the event that the union, or the agency shall refuse to execute such a statement, the Compliance Report shall so certify and set forth what efforts have been made to secure such a statement and such additional factual material as the contracting agency or the Secretary of Labor may require.

SEC. 204. The Secretary of Labor may, when he deems that special circumstances in the national interest so require, exempt a contracting agency from the requirement of including any or all of the provisions of Section 202 of this Order in any specific contract, subcontract, or purchase order. The Secretary of Labor may, by rule or regulation, also exempt certain classes of contracts, subcontracts, or purchase orders (1) whenever work is to be or has been performed outside the United States and no recruitment of workers within the limits of the United States is involved; (2) for standard commercial supplies or raw materials; (3) involving less than specified amounts of money or specified numbers of workers; or (4) to the extent that they involve subcontracts below a specified tier. The Secretary of Labor may also provide, by rule, regulation, or order, for the exemption of facilities of a contractor which are in all respects separate and distinct from activities of the contractor related to the performance of the contract: *Provided*, That such an exemption will not interfere with or impede the effectuation of the purposes of this Order: *And provided further*, That in the absence of such an exemption all facilities shall be covered by the provisions of this Order.

Subpart C—Powers and duties of the Secretary of Labor and the Contracting Agencies

Sec. 205. Each contracting agency shall be primarily responsible for obtaining compliance with the rules, regulations, and orders of the Secretary of Labor with respect to contracts entered into by such agency or its contractors: All contracting agencies shall comply with the rules of the Secretary of Labor in discharging their primary responsibility for securing compliance with the provisions of contracts and otherwise with the terms of this Order and of the rules, regulations, and orders of the Secretary of Labor issued pursuant to this Order. They are directed to cooperate with the Secretary of Labor and to furnish the Secretary of Labor such information and assistance as he may require in the performance of his functions under this Order. They are further directed to appoint or designate, from among the agency's personnel, compliance officers. It shall be the duty of such officers to seek compliance with the objectives of this Order by conference, conciliation, mediation, or persuasion.

Sec. 206. (a) The Secretary of Labor may investigate the employment practices of any Government contractor or subcontractor, or initiate such investigation by the appropriate contracting agency, to determine whether or not the contractual provisions specified in Section 202 of this Order have been violated. Such investigation shall be conducted in accordance with the procedures established by the Secretary of Labor and the investigating agency shall report to the Secretary of Labor any action taken or recommended.

(b) The Secretary of Labor may receive and investigate or cause to be investigated complaints by employees or prospective employees of a Government contractor or subcontractor which allege discrimination contrary to the contractual provisions specified in Section 202 of this Order. If this investigation is conducted for the Secretary of Labor by a contracting agency, that agency shall report to the Secretary what action has been taken or is recommended with regard to such complaints.

Sec. 207. The Secretary of Labor shall use his best efforts, directly and through contracting agencies, other interested Federal, State, and local agencies, contractors, and all other available instrumentalities to cause any labor union engaged in work under Government contracts or any agency referring workers or providing or supervising apprenticeship or training for or in the course of such work to cooperate in the implementation of the purposes of this Order. The Secretary of Labor shall, in appropriate cases, notify the Equal Employment Opportunity Commission, the Department of Justice, or other appropriate Federal agencies whenever it has reason to believe that the practices of any such labor organization or agency violate Title VI or Title VII of the Civil Rights Act of 1964 or other provision of Federal law.

Sec. 208. (a) The Secretary of Labor, or any agency, officer, or employee in the executive branch of the Government designated by rule, regulation, or order of the Secretary, may hold such hearings, public or private, as the Secretary may deem advisable for compliance, enforcement, or educational purposes.

(b) The Secretary of Labor may hold, or cause to be held, hearings in accordance with Subsection (a) of this Section prior to imposing, ordering, or recommending the imposition of penalties and sanctions under this Order. No order for debarment of any contractor from further Government contracts under Section 209(a)(6) shall be made without affording the contractor an opportunity for a hearing.

Subpart D—Sanctions and penalties

Sec. 209. (a) In accordance with such rules, regulations, or orders as the Secretary of Labor may issue or adopt, the Secretary or the appropriate contracting agency may;

(1) Publish, or cause to be published, the names of contractors or unions which it has concluded have compiled or have failed to comply with the provisions of this Order or of the rules, regulations, and orders of the Secretary of Labor.

(2) Recommend to the Department of Justice that, in cases in which there is substantial or material violation of the threat of substantial or material violation of the contractual provisions set forth in Section 202 of this Order, appropriate proceedings be brought to enforce these provisions, including the enjoining, within the limitations of applicable law, of organizations, individuals, or groups who prevent directly or indirectly, compliance with the provisions of this Order.

(3) Recommend to the Equal Opportunity Commission or the Department of Justice that appropriate proceedings be instituted under Title VII of the Civil Rights Act of 1964.

(4) Recommend to the Department of Justice that criminal proceedings be brought for the furnishing of false information to any contracting agency or to the Secretary of Labor as the case may be.

(5) Cancel, terminate, suspend, or cause to be cancelled, terminated, or suspended, any contract, or any portion or portions thereof, for failure of the contractor or subcontractor to comply with the nondiscrimination provisions of the contract. Contracts may be cancelled, terminated, or suspended absolutely or continuance of contracts may be conditioned upon a program for future compliance approved by the contracting agency.

(6) Provide that any contracting agency shall refrain from entering into further contracts, or extensions or other modifications of existing contracts, with any noncomplying contractor, until such contractor has satisfied the Secretary of Labor that such contractor has established and will carry out personnel and employment policies in compliance with the provisions of this Order.

(b) Under rules and regulations prescribed by the Secretary of Labor, each contracting agency shall make reasonable efforts within a reasonable time limitation to secure compliance with the contract provisions of this Order by methods of conference, conciliation, mediation, and persuasion before proceedings shall be instituted under Subsection (a)(2) of this Section, or before a contract shall be cancelled or terminated in whole or in part under Subsection (a)(5) of this Section for failure of a contractor or subcontractor to comply with the contract provisions of this Order.

Sec. 210. Any contracting agency taking any action authorized by this Subpart, whether on its own motion, or as directed by the Secretary of Labor, or under the rules and regulations of the Secretary, shall promptly notify the Secretary of such action. Whenever the Secretary of Labor makes a determination under this Section, he shall promptly notify the appropriate contracting agency of the action recommended. The agency shall take such action and shall report the results thereof to the Secretary of Labor within such time as the Secretary shall specify.

Sec. 211. If the Secretary shall so direct, contracting agencies shall not enter into contracts with any bidder or prospective contractor unless the bidder or prospective contractor has satisfactorily complied with the provisions of this Order or submits a program for compliance acceptable to the Secretary of Labor or, if the Secretary so authorizes, to the contracting agency.

Sec. 212. Whenever a contracting agency cancels or terminates a contract, or whenever a contractor has been debarred from further Government contracts, under Section 209 (a) (6) because of noncompliance with the contract provisions with regard to nondiscrimination, the Secretary of Labor, or the contracting agency involved, shall promptly notify the Comptroller General of the United States. Any such debarment may be rescinded by the Secretary of Labor or by the contracting agency which imposed the sanction.

Subpart E—Certificates of Merit

Sec. 213. The Secretary of Labor may provide for issuance of a United States Government Certificate of Merit to employers or labor unions, or other agencies which are or may hereafter be engaged in work under Government contracts, if the Secretary is satisfied that the personnel and employment practices of the employer, or that the personnel, training, apprenticeship, membership, grievance and representation, upgrading, and other practices and policies of the labor union or other agency conform to the purposes and provisions of this Order.

Sec. 214. Any Certificate of Merit may at any time be suspended or revoked by the Secretary of Labor if the holder thereof, in the judgment of the Secretary, has failed to comply with the provisions of this Order.

Sec. 215. The Secretary of Labor may provide for the exemption of any employer, labor union, or other agency from any reporting requirements imposed under or pursuant to this Order if such employer, labor union, or other agency has been awarded a Certificate of Merit which has not been suspended or revoked.

PART III—NONDISCRIMINATION PROVISIONS IN FEDERALLY ASSISTED CONSTRUCTION CONTRACTS

Sec. 301. Each executive department and agency which administers a program involving Federal financial assistance shall require as a condition for the approval of any grant, contract, loan, insurance, or guarantee thereunder, which may involve a construction contract, that the applicant for Federal assistance undertake and agree to incorporate, or cause to be incorporated, into all construction contracts paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to such grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the provisions prescribed for Government contracts by Section 203 of this Order or such modification thereof, preserving in substance the contractor's obligations thereunder, as may be approved by the Secretary of Labor, together with such additional provisions as the Secretary deems appropriate to establish and protect the interest of the United States in the enforcement of those obligations. Each such applicant shall also undertake and agree (1) to assist and cooperate actively with the administering department or agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with those contract provisions and with the rules, regulations, and relevant orders of the Secretary, (2) to obtain and to furnish to the administering department or agency and to the Secretary of Labor such information as they may require for the supervision of such compliance, (3) to carry out sanctions and penalties for violation of such obligations imposed upon contractors and subcontractors by the Secretary of Labor or the administering department or agency pursuant to Part II, Subpart D, of this Order, and (4) to refrain from entering into any contract subject to this Order, or extension or other modification of such a contract with a contractor debarred from Government contracts under Part II, Subpart D, of this Order.

SEC. 302. (a) "Construction contract" as used in this Order means any contract for the construction, rehabilitation, alteration, conversion, extension, or repair of buildings, highways, or other improvements to real property.

(b) The provisions of Part II of this Order shall apply to such construction contracts, and for purposes of such application the administering department or agency shall be considered the contracting agency referred to therein.

(c) The term "applicant" as used in this Order means an applicant for Federal assistance or, as determined by agency regulation, other program participant, with respect to whom an application for any grant, contract, loan, insurance, or guarantee is not finally acted upon prior to the effective date of this Part, and it includes such an applicant after he becomes a recipient of such Federal assistance.

SEC. 303. (a) Each administering department and agency shall be responsible for obtaining the compliance of such applicants with their undertakings under this Order. Each administering department and agency is directed to cooperate with the Secretary of Labor, and to furnish the Secretary such information and assistance as he may require in the performance of his functions under this Order.

(b) In the event an applicant fails and refuses to comply with his undertakings, the administering department or agency may take any or all of the following actions: (1) cancel, terminate, or suspend in whole or in part the agreement, contract, or other arrangement with such applicant with respect to which the failure and refusal occurred; (2) refrain from extending any further assistance to the applicant under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from such applicant; and (3) refer the case to the Department of Justice for appropriate legal proceedings.

(c) Any action with respect to an applicant pursuant to Subsection (b) shall be taken in conformity with Section 602 of the Civil Rights Act of 1964 (and the regulations of the administering department or agency issued thereunder), to the extent applicable. In no case shall action be taken with respect to an applicant pursuant to Clause (1) or (2) of Subsection (b) without notice and opportunity for hearing before the administering department or agency.

SEC. 304. Any executive department or agency which imposes by rule, regulation, or order requirements of non-discrimination in employment, other than requirements imposed pursuant to this Order, may delegate to the Secretary of Labor by agreement such responsibilities with respect to compliance standards, reports, and procedures as would tend to bring the administration of such requirements into conformity with the administration of requirement imposed under this Order: *Provided*, That actions to effect compliance by recipients of Federal financial assistance with requirements imposed pursuant to Title VI of the Civil Rights Act of 1964 shall be taken in conformity with the procedures and limitations prescribed in Section 602 thereof and the regulations of the administering department or agency issued thereunder.

PART IV—MISCELLANEOUS

SEC. 401. The Secretary of Labor may delegate to any officer, agency, or employee in the Executive branch of the Government, any function or duty of the Secretary under Parts II and III of this Order, except authority to promulgate rules and regulations of a general nature.

SEC. 402. The Secretary of Labor shall provide administrative support for the execution of the program known as the "Plans for Progress."

SEC. 403. (a) Executive Orders Nos. 10590 (January 18, 1955), 10722 (August 5, 1957), 10925 (March 6, 1961), 11114 (June 22, 1963), and 11162 (July 28, 1964), are hereby superseded and the President's Committee on Equal Employment Opportunity established by Executive Order No. 10925 is hereby abolished. All records and property in the custody of the Committee shall be transferred to the Civil Service Commission and the Secretary of Labor, as appropriate.

(b) Nothing in this Order shall be deemed to relieve any person of any obligation assumed or imposed under or pursuant to any Executive Order superseded by this Order. All rules, regulations, orders, instructions, designations, and other directives issued by the President's Committee on Equal Employment Opportunity and those issued by the heads of various departments or agencies under or pursuant to any of the Executive orders superseded by this Order, shall, to the extent that they are not inconsistent with this Order, remain in full force and effect unless and until revoked or superseded by appropriate authority. References in such directives to provisions of the superseded orders shall be deemed to be references to the comparable provisions of this Order.

SEC. 404. The General Services Administration shall take appropriate action to revise the standard Government contract forms to accord with the provisions of this Order and of the rules and regulations of the Secretary of Labor.

SEC. 405. This Order shall become effective 30 days after the date of this Order.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *September 24, 1965.*

EXECUTIVE ORDER NO. 11375: AMENDING EXECUTIVE ORDER NO. 11246, RELATING TO EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the United States Government to provide equal opportunity in Federal employment and in employment by Federal contractors on the basis of merit and without discrimination because of race, color, religion, sex or national origin.

The Congress, by enacting Title VII of the Civil Rights Act of 1964, enunciated a national policy of equal employment opportunity in private employment, without discrimination because of race, color, religion, sex or national origin.

Executive Order No. 11246 of September 24, 1965, carried forward a program of equal employment opportunity in Government employment, employment by Federal contractors and subcontractors and employment under Federally assisted construction contracts regardless of race, creed, color or national origin.

It is desirable that the equal employment opportunity programs provided for in Executive Order No. 11246 expressly embrace discrimination on account of sex.

Now, therefore, by virtue of the authority vested in me as President of the United States by the Constitution and statutes of the United States, it is ordered that Executive Order No. 11246 of September 24, 1965, be amended as follows:

(1) Section 101 of Part I, concerning nondiscrimination in Government employment, is revised to read as follows:

"SECTION 101. It is the policy of the Government of the United States to provide equal opportunity in Federal employment for all qualified persons, to prohibit discrimination in employment because of race, color, religion, sex or national origin, and to promote the full realization of equal employment opportunity through a positive, continuing program in each executive department and agency. The policy of equal opportunity applies to every aspect of Federal employment policy and practice."

(2) Section 104 of Part I is revised to read as follows:

"SECTION 104. The Civil Service Commission shall provide for the prompt, fair, and impartial consideration of all complaints of discrimination in Federal employment on the basis of race, color, religion, sex or national origin. Procedures for the consideration of complaints shall include at least one impartial review within the executive department or agency and shall provide for appeal to the Civil Service Commission."

(3) Paragraphs (1) and (2) of the quoted required contract provisions in section 202 of Part II, concerning nondiscrimination in employment by Government contractors and subcontractors, are revised to read as follows:

"(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

"(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin."

(4) Section 203(d) of Part II is revised to read as follows:

"(d) The contracting agency or the Secretary of Labor may direct that any bidder or prospective contractor or subcontractor shall submit, as part of his Compliance Report, a statement in writing, signed by an authorized officer or agent on behalf of any labor union or any agency referring workers or providing or supervising apprenticeship or other training, with which the bidder or prospective contractor deals, with supporting information, to the effect that the signer's practices and policies do not discriminate on the grounds of race, color, religion, sex or national origin, and that the signer either will affirmatively cooperate in the implementation of the policy and provisions of this order or that it consents and agrees that recruitment, employment, and the terms and conditions of employment under the proposed contract shall be in accordance with the purposes and provisions of the order. In the event that the union, or the agency shall refuse to execute such a statement, the Compliance Report shall so certify and set forth what efforts have been made to secure such a statement and such additional factual material as the contracting agency or the Secretary of Labor may require."

The amendments to Part I shall be effective 30 days after the date of this order. The amendments to Part II shall be effective one year after the date of this order.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 13, 1967.*

TITLE 41—CODE OF FEDERAL REGULATIONS, CHAPTER 60

SUBPART B—GENERAL ENFORCEMENT; COMPLIANCE REVIEW AND COMPLAINT PROCEDURE

§ 60–1.20 Compliance reviews.

(a) The purpose of a compliance review is to determine if the prime contractor or subcontractor maintains nondiscriminatory hiring and employment practices and is taking affirmative action to ensure that applicants are employed and that employees are placed, trained, upgraded, promoted, and otherwise treated during employment without regard to race, creed, color, or national origin. It shall consist of a comprehensive analysis and evaluation of each aspect of the aforementioned practices, policies, and conditions resulting therefrom. Where necessary, recommendations for appropriate sanctions shall be made.

(b) *Where deficiencies are found to exist, reasonable efforts shall be made to secure compliance through conciliation and persuasion. Before the contractor can be found to be in compliance with the order, it must make a specific commitment in writing, to correct any such deficiencies. The commitment must include the precise action to be taken and dates for completion.* The time period allotted shall be no longer than the minimum period necessary to effect such changes. *Upon approval* of the Contract Compliance Officer, appropriate Deputy or the agency head *of such commitment, the contractor may be considered in compliance, on condition that the commitments are faithfully kept.* The contractor shall be notified that making such commitments does not preclude future determinations of noncompliance based on a finding that the commitments are not sufficient to achieve compliance. (Emphasis added.)

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS, INCLUDING MINORITY, INDIVIDUAL, ADDITIONAL, AND SUPPLEMENTARY VIEWS, DURING ADJOURNMENT

Mr. KENNEDY. Mr. President, I ask unanimous consent that all committees be authorized to file reports, including minority, individual, additional, and supplemental views, during the adjournment of the Senate from the close of business today until noon Friday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL FRIDAY, MARCH 7, 1969

Mr. KENNEDY. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until Friday, March 7, 1969, at 12 o'clock noon.

The motion was agreed to; and (at 3 o'clock and 1 minute p.m.) the Senate adjourned until Friday, March 7, 1969, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 4, 1969:

DEPARTMENT OF THE TREASURY

Edwin S. Cohen, of Virginia, to be an Assistant Secretary of the Treasury.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

John G. Veneman, of California, to be Under Secretary of Health, Education, and Welfare.

Patricia Reilly Hitt, of California, to be an Assistant Secretary of Health, Education, and Welfare.

Creed C. Black, of Illinois, to be an Assistant Secretary of Health, Education, and Welfare.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Lawrence M. Cox, of Virginia, to be an Assistant Secretary of Housing and Urban Development.

SMALL BUSINESS ADMINISTRATION

Hilary J. Sandoval, Jr., of Texas, to be Administrator of the Small Business Administration.

DEPARTMENT OF DEFENSE

G. Warren Nutter, of Virginia, to be an Assistant Secretary of Defense.

John L. McLucas, of Massachusetts, to be Under Secretary of the Air Force.

Grant Hansen, of California, to be an Assistant Secretary of the Air Force.

Stanley R. Resor, of Connecticut, to be Secretary of the Army.

Thaddeus R. Beal, of Massachusetts, to be Under Secretary of the Army.

William K. Brehm, of Michigan, to be an Assistant Secretary of the Army.

Eugene M. Becker, of New York, to be an Assistant Secretary of the Army.

IN THE AIR FORCE

Maj. Gen. Selmon W. Wells, FR3991, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general, under the provisions of section 8066, title 10, of the United States Code.

Maj. Gen. Duward L. Crow, FR18061, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general, under the provisions of section 8066, title 10, of the United States Code.

The following officer to be placed on the retired list, in the grade of lieutenant general, under the provisions of section 8962, title 10, of the United States Code:

Lt. Gen. Bertram C. Harrison, FR1425 (major general, Regular Air Force), U.S. Air Force.

IN THE ARMY

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in the grade of lieutenant general:

Maj. Gen. Charles Allen Corcoran, O31721, U.S. Army.

The following-named officer to be placed on the retired list, in the grade of lieutenant general, under the provisions of title 10, United States Code, section 3962:

Lt. Gen. William Frederick Cassidy, O18354, Army of the United States (major general, U.S. Army).

The following-named officer for appointment as Chief of Engineers, U.S. Army, under the provisions of title 10, United States Code, section 3036:

Maj. Gen. Frederick James Clarke, O20572, U.S. Army.

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade of lieutenant general:

Maj. Gen. Frederick James Clarke, O20572, U.S. Army.

IN THE NAVY

Rear Adm. Robert L. Townsend, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

Rear Adm. Vincent P. de Poix, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

The following-named officers of the Naval Reserve for temporary promotion to the grade of rear admiral, subject to qualification therefor as provided by law:

LINE

Alban Weber.
Frederick A. Wiggin.
John B. Johnson.
Michael Lorenzo.

MEDICAL CORPS

Eugene Cronkite.

SUPPLY CORPS

Harland E. Holman.

Vice Adm. Andrew McB. Jackson, Jr., U.S. Navy, for appointment to the grade of vice admiral on the retired list, pursuant to title 10, United States Code, section 5233.

Vice Adm. John M. Lee, U.S. Navy, for appointment as a senior member of the Military Staff Committee of the United Nations, pursuant to title 10, United States Code, section 711.

IN THE AIR FORCE

The nominations beginning John S. McNeil, to be major, and ending Walter W. Young, Jr., to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 17, 1969.

IN THE ARMY

The nominations beginning Claude M. Adams, to be colonel, and ending John A. Swanson, to be captain, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 17, 1969.

HOUSE OF REPRESENTATIVES—*Tuesday, March 4, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord is my defence: and God is the rock of my refuge.—Psalm 94: 22.

O God and Father of us all, who art the creator and the sustainer of all mankind, we pray that our lives may be built not upon the shifting sands of superficial spirits but upon the firm foundation of a fruitful faith in Thee.

As we pray, reveal to us Thy glory, make known Thy wisdom, and awaken in us a greater desire for goodness, truth, and love that our affections may be purified, our ambitions refined, our minds cleansed, and a right spirit be renewed within us. Ennobled by Thy presence, may we be, for our generation, channels through which Thy kingdom may come and Thy will be done on earth.

We pray for our Nation that our people may grow in a sense of responsibility, may cultivate the spirit of good will, and may dare to be pioneers in brotherhood sustaining the hands and hearts of all who venture to end strife and to bring in peace.

In the name of Him who said, "Love one another," we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

APPOINTMENT AS MEMBERS OF THE BOARD OF VISITORS OF THE U.S. MERCHANT MARINE ACADEMY

The SPEAKER laid before the House the following communication from the chairman of the Committee on Merchant Marine and Fisheries:

FEBRUARY 28, 1969.

Hon. JOHN W. MCCORMACK,
The Speaker, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: Pursuant to Public Law 301 of the 78th Congress, I have appointed the following members of the Committee on Merchant Marine and Fisheries to serve as members of the Board of Visitors to the U.S. Merchant Marine Academy for the year 1969: Hon. THOMAS N. DOWNING, of Virginia; Hon. JOHN M. MURPHY, of New York; and Hon. CHARLES A. MOSHER, of Ohio.

As chairman of the Committee on Merchant Marine and Fisheries, I am authorized to serve as an ex officio member of the Board.

Sincerely,

EDWIN A. GARMATZ,
Chairman.

THE LATE HONORABLE ROSS RIZLEY

(Mr. BELCHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BELCHER. Mr. Speaker, I am very sad to announce that a former Member of this House, Ross Rizley, passed away in Oklahoma City last night at 12:45.

After leaving the House, Ross was Solicitor of the Post Office Department, Assistant Secretary of Agriculture, and Chairman of the Civil Aeronautics Board; and for the past several years he has been a Federal district judge in Oklahoma City.

I intend to take a special order next week, at which time any of the Members who want to eulogize Mr. Rizley will have the opportunity to do so.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, the news of the loss of Ross Rizley is tragic news indeed for Oklahoma and for all who knew and who loved this wonderful man.

In the earliest days I spent in Washington, Ross Rizley and his family were among the kindest and most hospitable of all the people I met.

I certainly grieve at hearing of his loss, and I join the gentleman in extending my deepest sympathy to his family.

Mr. BELCHER. Mr. Speaker, as I said, I will take a special order next week, at which time every Member will have an opportunity to speak.

THE TRIBUTE TO SENATOR JOHN C. STENNIS

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, it was my great pleasure and privilege, along with other members of the Mississippi congressional delegation, to attend the splendid tribute to Senator JOHN C. STENNIS held last evening in Jackson, Miss.

The occasion was an appreciation dinner honoring Senator STENNIS for his long and extraordinary service to his State and to his Nation during the past quarter of a century, and for the promise of greater future service in his new capacity as chairman of the Senate Armed Services Committee.

The list of national political and military dignitaries who traveled to Mississippi to demonstrate their appreciation of Senator STENNIS was a lengthy, impressive one. Participants in the formal program following the dinner were Secretary of Defense Melvin Laird, Senators RICHARD RUSSELL, of Georgia, and MARGARET CHASE SMITH, of Maine, the ranking Democratic and Republican members of the Senate Armed Services Committee, and Congressman L. MENDEL RIVERS, of South Carolina, chairman of the House Armed Services Committee.

Also taking part in the program were Mississippi's senior Senator, JAMES O. EASTLAND, her Governor, John Bell Williams, and her Lieutenant Governor, Charles L. Sullivan. Mr. Bob Morrow, chairman of the appreciation dinner, was also a participant.

Among the many distinguished guests were a number of Senators and Congressmen, members of the Joint Chiefs of Staff, the chief noncommissioned officers of the major service branches, representatives of the National Aeronautics and Space Administration, and the astronauts, and many, many more.

The event was a glorious and fitting tribute to Mississippi's Senator JOHN STENNIS.

IS THIS IGNORANCE OR TOO MUCH LEARNING?

(Mr. SIKES asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, students and professors who are now protesting against what they call military abuse of science will do well to realize that military research is necessary insurance for America's safety for tomorrow. The efforts to build a political force among scientists to promote research for peaceful pursuits—as opposed to military research—may very well play into Communist hands by helping to weaken our Nation's defenses.

It is also worthy of note that a substantial part of the operating costs of the average major educational institution today is paid by the U.S. Government through research grants. At least a significant number of the professors and students who are protesting the Pentagon influence in science are making their living from the same funds which they are protesting.

The protestors call ill-advised and hazardous such projects as the antiballistic-missile system, the enlargement of America's nuclear arsenal, and the development of chemical and biological weapons. Failure in any of these fields would be a direct invitation for widescale Communist aggression. In case of chemical and biological defense, it has been revealed that the Russians have a capacity seven or eight times as great as that of the entire free world—a very dangerous picture.

It would be interesting to know of the amount of participation by these same protestors in patriotic organizations which stand up for America.

PEARL HARBOR ATTACKER INVITED TO U.S. NAVAL ACADEMY

(Mr. WOLFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WOLFF. Mr. Speaker, last night Gen. Minoru Genda, of the Japanese Navy, spoke at the Naval Academy at Annapolis despite the fact that he played a major role in planning the dastardly attack at Pearl Harbor 28 years ago.

The general is now embarking on a speaking tour of the United States in which he will repeat time and again how the inhuman attack on Pearl Harbor was planned. He is undertaking this speaking tour as a guest of the U.S. Government.

Mr. Speaker, I cannot understand the kind of mentality that welcomes to the United States a man responsible for the deaths of thousands of Americans in a surprise act of war. General Genda's visit to the United States is a stinging, inexcusable and vicious affront to the families of the men who died at Pearl Harbor.

While I do welcome current friendly relations with Japan, I also feel that an open-armed welcome for General Genda is quite unnecessary and a flagrant breach of trust with the memory of the men who died at Pearl Harbor.

Accordingly, I am today writing to the Secretary of State to urge that General Genda's visit and speaking tour be ended promptly to minimize the insult and hurt to the families of the men killed at Pearl Harbor and all the veterans of World War II.

Mr. SIKES. Mr. Speaker, will the gentleman yield?

Mr. WOLFF. I am glad to yield to the gentleman from Florida.

Mr. SIKES. Mr. Speaker, I find myself in full agreement with the sentiments expressed by the distinguished gentleman from New York. Many of us here remember Pearl Harbor and we neither understand nor approve this invitation to a man who was instrumental in bringing death and sorrow to so many of the American people.

Mr. WOLFF. I thank the gentleman.

CHANGE IN DEBT CEILING

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. VANIK. Mr. Speaker, in accordance with the President's message on February 24, 1969, Treasury officials will tomorrow recommend a debt ceiling plan which would exclude $82 billion of Government debt to the trust funds from the Federal debt and thereby make it appear that a $17 billion increase in the Federal debt ceiling looks like a reduction of the debt ceiling to $300 billion.

The Congress of the United States must never sanction the kind of fiscal fraud which would let the American people believe that the debt ceiling was being reduced to $300 billion when the proposal in truth is an increase in the debt ceiling to $382 billion. This kind of debt juggling assaults the fiscal integrity of the country and will fool no one. The proposal is a sham which would undermine the public confidence.

The $82 billion debt to the trust funds is money which the Federal Treasury owes these trust funds. It has to be paid back—every dollar of it. It represents the obligation of the Federal Treasury to pay back funds which were loaned to the Treasury by the social security fund, the highway trust fund, and the unemployment insurance fund. These funds bought bonds and obligations of Treasury with these special funds.

If these trust fund debts are to be excluded from the Federal debt, the Government has lost its capacity to be a fair and honest trustee—and perhaps we should in a more positive way insure the integrity of these trust funds and the obligation for their full and complete repayment.

I hope this Congress will vigorously oppose these efforts to obscure the Federal debt by excluding $82 billion in public obligations from the debt ceiling.

ACTION NEEDED ON VIETNAM

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, the continued attacks by the enemy throughout South Vietnam are taking an increasing toll of American lives. We are told that during the first week of the offensive, over 300 U.S. soldiers were killed. A heavy toll in civilian casualties, and allied forces, must also be taken into account.

The silence here at home from the advocates of the U.S. bombing halt was to be expected. These protestors urged that the United States stop the bombing as a sign of good faith so that peace talks could begin. Well, the bombing was halted, the talks begun, and the enemy continues its killing indiscriminately.

The Vietcong chief negotiator at Paris, Tran Buu Kiem, yesterday said the attacks are part of a new Communist offensive to strengthen their position.

Thus far the only American response has been a few protest notes and guarded public statements.

The parents and friends of our men in Vietnam have a right to know what they may expect from our Government to protect the lives of our troops. The bombing halt has allowed the enemy to reenforce and resupply its troops throughout South Vietnam, and especially in the area in and around the DMZ where heavy fighting occurred yesterday. That restraint on the part of the United States may have been a necessary risk to get the peace talks started, but we are certainly under no obligation to continue this one-sided restraint in the face of new offensive action by the other side.

The President has announced a TV news conference for this evening to discuss foreign policy. His trip to Europe will of course be a primary topic, as it should be. From all indications, the President's trip was a success and should lead to better communications between our Western allies. It is my hope however that the President will announce the action this Government will take in response to the new Vietcong offensive.

The number one foreign policy concern of the United States is clearly the war in Vietnam. It is there that 300 Americans were killed last week. It is there that 35 marines were killed or wounded at the DMZ just yesterday. The war is clearly not of President Nixon's making, and we all realize he has been in office only 6 weeks. It is the nature of the Presidency, however, and his responsibility as both Commander in Chief and foreign policy director, to take whatever steps are necessary to insure that our men are given every measure of support needed until such time as they can be returned home.

The Nation will be watching and listening this evening, as will North Vietnam.

PRESIDENT NIXON'S EUROPEAN VISIT

(Mr. CONABLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONABLE. Mr. Speaker, by all available measures President Nixon's European tour must be adjudged a success. The President exhibited a confidence, a realistic approach, and a relaxed and friendly attitude that were warmly accepted. Most important, I believe, is that he avoided any semblance of a credibility gap; he did not promise the impossible, nor did he raise hopes beyond our capacity to deliver. Nothing could be more important as a first step in deserving the confidence of our allies, as well as the confidence of our own citizens.

I was particularly impressed with the note the President struck in Brussels. In saying that NATO must "replace the unity of a common fear with the community of shared purpose," he recognized that the role of the organization must evolve to meet changing needs. NATO should not require an immediate external threat to remain a viable organization. Too many common problems exist for advanced societies—problems of urban blight, of congestion and pollution—on which cooperation and a sharing of ideas are needed.

As the President noted:

> The tie that binds Europe and America is not the contemplation of danger. The ties that bind our continents are the common tradition of freedom, the common desire for progress, the common passion for peace.

Hopefully, these common ties have been drawn a little tighter as a result of President Nixon's visit.

NEW LIFE BREATHED INTO NATO

(Mr. PIRNIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PIRNIE. Mr. Speaker, President Nixon's trip has breathed new life into NATO.

In recent years, until last summer in fact, NATO had seemed to be losing vigor. France had withdrawn from military participation and some members seemed to be doing no more than going through the motions of participation.

The Soviet invasion of Czechoslovakia in August brought about a new awareness of the danger to Western Europe from the East:

But many NATO nations still harbored doubts over the willingness of the United States to use its tremendous power in support of its European allies. Doubts were also raised over whether we would take full account of their views, especially in relation to United States negotiations with the Soviet Union.

Addressing the NATO Council last week in Brussels, President Nixon went a long way toward putting these fears at rest when he said:

> The United States is determined to listen with a new attentiveness to its NATO partners, not only because they have a right to be heard, but because we want their ideas. And I believe we have a right to expect that consultation shall be a two-way street . . . I pledge to you today that in any negotiations directly affecting the interests of the NATO nations, there will be full and genuine consultation before and during those negotiations.

The President's strong assurances coupled with his private conversations with leaders of NATO nations have—by all available accounts—instilled new life and confidence into the Atlantic partnership. For this reason alone President Nixon's trip must be regarded as an outstanding success.

WORKING TRIP OF PRESIDENT NIXON

(Mr. ADAIR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADAIR. Mr. Speaker, President Richard M. Nixon returned to the United States Sunday evening from a working trip to Europe—a trip that emphasized his remarks to the NATO Council:

> I have come for work, not for ceremony; to inquire, not to insist; to consult, not to convince; to listen and learn.

I speak today in gratitude to President Nixon for making this arduous journey so early in his administration—less than 6 weeks after his inauguration as President of the United States.

This initiative by the President dramatized his strong desire for peace and the continuing importance of our alliance with the NATO countries in maintaining the peace. As the President said:

> As NATO enters its third decade, I see for it an opportunity to be more than it ever has been before: a bulwark of peace, the architect of a new means of partnership and an invigorated forum for new ideas and new technologies to enrich the lives of our peoples.

I would like to compliment the President for bringing new vigor to our NATO alliance, for focusing on the ties that bind our continents together—"the common tradition of freedom, the common desire for progress, the common passion for peace."

PRESIDENT NIXON'S TRIP TO EUROPE

(Mr. McCLORY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCLORY. Mr. Speaker, I want to join in the statement just made by my colleague, the gentleman from Indiana.

Mr. Speaker, the President of the United States has returned from a most successful journey to Europe. It is encouraging to me that one of President Nixon's first major decisions in office was to go to Europe and to visit with our friends.

Indeed, some questioned the advisability of such a trip so early in a new administration. I think the wisdom of that important decision is now apparent.

The world in which we live today is a turbulent one. The speed with which international crises confront and overwhelm us can be startling. To meet the many great challenges and tasks facing us, we must engage in discussions with many world leaders.

But, as President Nixon has long maintained, before we discuss matters affecting international security, we must first talk to our friends. In this sense, the President's early trip to Europe for conversations with our allies was timely and wise.

Although nothing dramatic was anticipated from this journey, I think that a great new spirit has emerged, a spirit of trust, a spirit of mutual confidence, and a spirit of friendship with the nations of Western Europe.

All those who search and pray for peace among nations must take heart from the leadership of President Nixon. I am confident that citizens of many lands would wish to join me in saying thank you, Mr. President.

PRESIDENT NIXON'S TRIP TO EUROPE

(Mrs. MAY asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Mrs. MAY. Mr. Speaker, President Nixon's trip to Europe was not marked by great claims before it began. It was not marked by great claims during the trip itself. It has not been marked by great claims since his return.

This is perhaps the most significant aspect of the trip itself. It signifies that President Nixon not only favors quiet diplomacy—but that he practices it. He has made it quite clear, at the same time, that our allies need not fear that the United States will be dealing on matters of concern to them without full consultation. And he had made it clear that this consultation will not be merely a perfunctory informative function.

This combination of quiet diplomacy and close consultation with our allies will go far to foster that most important of all qualities in diplomatic affairs—the quality of trust. When nations deal with their vital concerns, it is important that they trust those with whom they talk.

Our allies must know that we understand their interests and their concerns, and that we value partnership highly enough to strengthen it with candid, forthright, and responsible discussion.

Mr. Speaker, President Nixon, both by his trip and by his dignified handling of it has earned the respect and gratitude of the Congress and of all the people of the United States.

PRESIDENT NIXON'S TRIP TO EUROPE

(Mr. BERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BERRY. Mr. Speaker, I want to join with my colleagues in commending President Nixon on his trip to Europe. He has reaffirmed our partnership with our European allies by going to Europe to consult with them, to listen to them, and to search with them for answers to the critical problems we face together.

By his action the President has earned admiration and friendship in Europe. He has also earned our gratitude for his efforts. The world is too big, too turbulent, too fraught with crisis for America to do everything alone. The problems we face are of such magnitude that we and our NATO allies must consult and work together.

> The purpose of this trip—

The President told the NATO Council—

> is to help encourage that process, to seek ways to keep the relationship between America and Europe in tune with the times.

I am confident that President Nixon by his actions has helped to create a climate of confidence that will lead to greater cooperation between the United States and its NATO allies in the months ahead.

PROUD OF PRESIDENT

(Mr. THOMSON of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. THOMSON of Wisconsin. Mr. Speaker, as a Member of this body I am especially proud today of the President of the United States. President Nixon through his visit to Europe has dramatized his great concern for peace and for the institutions that help to keep the peace.

NATO is an alliance and President Nixon has personally made it clear to our alliance partners that they will be treated as partners. We will consult with them and we will expect them to consult with us.

Through the President's trip to Europe he sought to encourage the process of cooperation, which is essential to keeping the alliance abreast of the times. I am confident that the President's initiative is a step not only toward a closer partnership with Europe—but toward the peaceful world to which we all aspire.

PRESIDENT NIXON'S TRIP TO EUROPE

(Mr. DERWINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DERWINSKI. Mr. Speaker, I am sure that all Americans are proud of the manner in which President Nixon carried out the visit to Europe from which he has just returned.

By making this trip so soon after assuming his high office, the President has demonstrated a keen awareness of the problems we face in Europe and the need to revitalize NATO and establish closer relations with our European allies.

By his personal conduct and example, the President demonstrated an objective and statesmanlike approach, which was well received by European leaders.

While it is too early to know all of the results of his trip, we already know that he won respect for America through his frankness and friendliness. A further result should be a strengthening of the will of NATO countries to stand firm against Communist pressure—an important step in keeping and maintaining the peace.

CONSTITUTIONAL AMENDMENT TO PROVIDE FOR THE ELECTION OF PRESIDENT AND VICE PRESIDENT

(Mr. SKUBITZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SKUBITZ. Mr. Speaker, on February 7, 1963, I introduced a constitutional amendment providing for the election of President and Vice President. I thought it was a good joint resolution. Unfortunately, the chairman of the Judiciary Committee did not share my views. At any rate, no action was taken upon it.

Well, times have changed. The last presidential campaigns and the election made it abundantly clear that reform was necessary.

Today I am reintroducing my proposal.

I do hope the committee will consider it along with any other proposals which have been or may be introduced. This Congress would be derelict in its duty if it failed to take affirmative action this year.

PRESIDENT NIXON'S TRIP TO EUROPE

(Mr. EDWARDS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. EDWARDS of Alabama. Mr. Speaker, a new and promising era in our relations with our European friends has been launched by President Nixon.

His 8-day journey to five European capitals and the Vatican has given that relationship a new basis of trust.

This new-found confidence has resulted in part through the President's personal contact with European leaders and through his frank and open discussions with these leaders of our common tasks, problems and opportunities.

However, a most significant contribution to this renewed sense of confidence between old friends was the fact that the President in undertaking the journey reaffirmed to Americans and Europeans alike that this Nation is firmly committed to the Atlantic Alliance and that it fully recognizes the interdependence which exists between the two Atlantic continents.

In the uncertain world of today it is of vital importance that confidence mark the relationship between the Western allies. The President's journey has reestablished this necessary element.

PRESIDENT NIXON'S TRIP TO EUROPE

(Mr. MORSE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MORSE. Mr. Speaker, a new dialog has been opened with our European allies, as a result of President Nixon's working trip to Europe.

The President's trip, so soon after his inauguration, demonstrated not only his concern for peace, but also both his and America's continuing concern for the strength and revitalization of the Atlantic Alliance. At a time when the Nation's preoccupation in foreign policy is the Vietnam war, it was both timely and appropriate for the new President to indicate to Europeans and their leaders that the United States realizes the importance of its relationship with the Atlantic community.

The President gave specific evidence of his concern for working with our allies in Europe. In his remarks to the Council of the North Atlantic Treaty Organization, President Nixon said:

> I shall not only welcome but actively seek the counsel of America's NATO partners on the questions that may affect the peace and stability of the world, whatever the part of the world in which they arise.

President Nixon has placed great emphasis upon the development of machinery for crisis prevention, saying in Brussels:

> NATO was established as a preventive force—and NATO can be credited with the fact that while Europe has endured its share of crises in these past 20 years, the ultimate crisis that would have provided a nuclear war has been prevented.

I am grateful to the President and I compliment him upon taking this initiative to revitalize the dialog between the United States and Europe. I think the keynote of the future was indicated in his remarks upon returning to Washington when he stressed a partnership between ourselves and our European allies. The close partnership that we all hope will grow out of the President's trip can make a significant contribution to the development of new strategies that will help to assure security and peace in the decades ahead.

CONGRATULATIONS TO PRESIDENT NIXON ON HIS EUROPEAN JOURNEY

(Mr. McEWEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McEWEN. Mr. Speaker, the President has returned from a triumphal journey. During his 8-day visit to five capitals and the Vatican, he won enthusiastic response from our traditional friends and allies. He did this, not by throwing about the great weight of American power, but by opening his heart and mind to the hearts and minds of the European peoples and leaders. He did this by recognizing the renewed importance of Western Europe in world affairs, in confirming our commitments to the Atlantic Alliance, in drawing on the reservoir of experience, wisdom, and good will present in that area so vital to our national security.

Our relationship to Europe has always been a matter of special concern to all Americans. Before the trip there was a great deal of handwringing about the future of this relationship. But the President put this matter in proper perspective. He highlighted the positive and constructive aspects of this relationship, and assured that it will continue and improve. His emphasis on consultation is the essential key of the President's success now and in the future.

I congratulate the President on this major achievement in the opening days of his administration.

VFW ENCOURAGES YOUTH TO SPEAK FOR DEMOCRACY

(Mr. EDMONDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDMONDSON. Mr. Speaker, the Veterans of Foreign Wars have made many great contributions to our country, and all Americans are indebted to the members of this great organization.

The VFW continues to serve America in many ways, and one of their finest programs is the national speech contest in which young men and women are encouraged to "speak for democracy."

I have just had the opportunity to meet Oklahoma's winner in this contest, Charles Mayer, of Muskogee, and he is a fine representative of the young people of Oklahoma who are constructive forces in their community and in the country.

I am proud to salute the VFW on continued sponsorship of this great national contest, which benefits young men and women in every State and strengthens our country in the process.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives.

MARCH 3, 1969.

The Honorable the SPEAKER,
U.S. House of Representatives.

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 3:45 p.m. on Monday, March 3, 1969, and said to contain a Message from the President concerning the health and safety of the coal mine workers.

Sincerely,

W. PAT JENNINGS,
Clerk.

HEALTH AND SAFETY OF COAL MINE WORKERS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-86)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on Education and Labor and ordered to be printed:

To the Congress of the United States:

The workers in the coal mining industry and their families have too long endured the constant threat and often sudden reality of disaster, disease and death. This great industry has strengthened our nation with the raw material of power. But it has also frequently saddened our nation with news of crippled men, grieving widows and fatherless children.

Death in the mines can be as sudden as an explosion or a collapse of a roof and ribs, or it comes insidiously from pneumoconiosis or "black lung" disease. When a miner leaves his home for work, he and his family must live with the unspoken but always present fear that before the working day is over, he may be crushed or burned to death or suffocated. This acceptance of the possibility of death in the mines has become almost as much a part of the job as the tools and the tunnels.

The time has come to replace this fatalism with hope by substituting action for words. Catastrophes in the coal mines are not inevitable. They can be prevented, and they must be prevented.

To these ends, I have ordered the following actions to advance the health and safety of the coal mine workers:

—Increase substantially the number of inspectors, and improve coal mine inspections and the effectiveness of staff performance and requirements.

—Revise the instructions to the mine inspectors so as to reflect more stringent operating standards.

—Initiate an in-depth study to reorganize the agency charged with the primary responsibility for mine safety so that it can meet the new challenges and demands.

- —Expand research activities with respect to pneumoconiosis and other mine health and safety hazards.
- —Extend the recent advances in human engineering and motivational techniques, and enlarge and intensify education and training functions, for the improvement of health and safety in coal mines to the greatest degree possible.
- —Establish cooperative programs between management and labor at the *mine level* which will implement health and safety efforts at the site of the mine hazards.
- —Encourage the coordination of Federal and State inspections, in order to secure more effective enforcement of the present safety requirements.
- —Initiate grant programs to the States, as authorized but not previously invoked, to assist the States in planning and advancing their respective programs for increased health and safety in the coal mines.

In addition to these immediate efforts under existing law, I am submitting to the Congress legislative proposals for a comprehensive new program to provide a vigorous and multi-faceted attack on the health and safety dangers which prevail in the coal mining industry.

These proposals would:

- —Modernize a wide range of mandatory health and safety standards, including new provisions for the control of dust, electrical equipment, roof support, ventilation, illumination, fire protection, and other operating practices in underground and surface coal mines engaged in commerce.
- —Authorize the Secretary of the Interior to develop and promulgate any additional or revised standards which he deems necessary for the health and safety of the miners.
- —Provide strict deterrents and enforcement measures and, at the same time, establish equitable appeal procedures to remedy any arbitrary and unlawful actions.
- —Recruit and carefully train a highly motivated corps of coal mine inspectors to investigate the coal mines, and to enforce impartially and vigorously the broad new mandatory standards.
- —Improve Federal-State inspection plans.
- —Substantially increase, by direct action, grants and contracts, the necessary research, training, and education for the prevention and control of occupational diseases, the improvement of State workmen's compensation systems, and the reduction of mine accidents.

These legislative proposals, together with other steps already taken or to be taken, are essential to meet our obligation to the Nation's coal miners, and to accomplish our mission of eliminating the tragedies which have occurred in the mines.

These proposals are not intended to replace the voluntary and enlightened efforts of management and labor to reduce coal mine hazards, which efforts are the touchstone to any successful health and safety program. Rather, these measures would expand and render uniform by enforceable authority the most advanced of the health and safety precautions undertaken and potentially available in the coal mining industry.

I urge the immediate adoption by Congress of this legislation.

RICHARD NIXON.

THE WHITE HOUSE, *March 3, 1969.*

AWARDS MADE DURING 1968 TO MEMBERS OF ARMED FORCES FOR SUGGESTIONS, INVENTIONS, AND SCIENTIFIC ACHIEVEMENTS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Armed Services:

To the Congress of the United States:

In accordance with the provisions of 10 U.S.C. 1124, I am forwarding for the information of the Congress reports of the Secretary of Defense and the Secretary of Transportation on awards made during Calendar Year 1968 to members of the Armed Forces for suggestions, inventions, and scientific achievements.

Participation by military personnel in the cash awards program was authorized by Congress in September 1965. The program has proven successful in motivating military personnel to seek ways of reducing costs and improving efficiency. Tangible benefits from suggestions submitted by the Department of Defense and Coast Guard military personnel and adopted during 1968 totalled over $95,000,000, an increase of nearly 50% over the 1967 figures.

In the relatively short period since the program went into effect, tangible first-year benefits derived from the suggestions of military personnel have reached a total of over $214,000,000.

Of 241,090 suggestions submitted by military personnel during 1968, 37,995 were adopted. Cash awards totaled $1,601,265, of which approximately three-fourths were paid to enlisted personnel at Grade E-6 and below.

The cash awards program for military personnel could be justified solely by the net savings which have accrued to the government since the program was initiated. But the benefits of this program are greater than dollars saved. An incentive and a vehicle have been provided for suggestions which effect economies and increase efficiency. Moreover, military personnel now have the assurance that their ideas will not go unheeded in drab suggestion boxes, but will be carefully screened and considered at the highest policy levels of the government. Under the program, every man has an opportunity to forward his ideas and be rewarded for his effort. It is a good program, a sound and wise investment.

RICHARD NIXON.

THE WHITE HOUSE, *March 4, 1969.*

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present for legislative purposes.

The SPEAKER. Evidently a quorum is not present.

Mr. EDMONDSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 18]

Albert
Ashbrook
Ashley
Baring
Bell
Betts
Bingham
Blatnik
Boland
Bow
Brasco
Broomfield
Brown, Calif.
Burton, Calif.
Cahill
Camp
Cederberg
Celler
Clancy
Clark
Clausen,
  Don H.
Clay
Cohelan
Colmer
Conte
Cramer
Culver
de la Garza
Dickinson
Evans, Colo.
Fascell
Foley
Ford,
  William D.
Fraser
Frelinghuysen
Gallagher
Gray
Hamilton
Hanna
Hébert
Hicks
Holifield
Howard
Hull
Ichord
Jarman
Jones, N.C.
Karth
Kirwan
Kleppe
Landrum
Lennon
Lipscomb
Lloyd
Long, La.
Mize
Morton
Murphy, N.Y.
Nelsen
Nix
O'Neill, Mass.
Patten
Pettis
Poage
Powell
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Quie
Rhodes
Ronan
Rooney, N.Y.
St. Onge
Scheuer
Stanton
Stuckey
Symington
Talcott
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Wold

The SPEAKER. On this rollcall 348 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMEND SECTION 301 OF THE MANPOWER DEVELOPMENT AND TRAINING ACT

Mr. DANIELS of New Jersey. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 497) to amend section 301 of the Manpower Development and Training Act of 1962, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. STEIGER of Wisconsin. Mr. Speaker, reserving the right to object——

The SPEAKER. Is the gentleman from Wisconsin a member of the committee?

Mr. STEIGER of Wisconsin. I am.

The SPEAKER. The gentleman from Wisconsin reserves the right to object.

Mr. STEIGER of Wisconsin. Mr. Speaker, though I have reserved the right to object, and I shall not object, I have done so in order to give the gentleman from New Jersey time to explain this very brief bill.

Mr. DANIELS of New Jersey. I shall be pleased to do so.

Mr. Speaker, H.R. 497 is essentially a technical amendment to the Manpower Development and Training Act of 1962.

Last year, an amendment to the law included provisions bringing American Samoa and the Trust Territory of the Pacific Islands under the act on the same basis as Guam and the Virgin

Islands. When the Senate took up similar legislation, another amendment to the act was adopted setting a funding floor of $750,000 for each State, with a provision setting a $100,000 floor for these four territories.

However, the Senate, in offering this amendment, made a drafting error which had the literal effect of giving the Trust Territory of the Pacific Islands the same floor as the rest of the States—$750,000 instead of the $100,000 that was intended.

It was clearly not the desire of the committee that any one of these areas, some of which are quite sparsely populated, should have funds reserved for it in amounts beyond those which are available for other territories similarly situated.

This bill was reported by the full Committee on Education and Labor unanimously with complete bipartisan approval.

I urge all my colleagues to support H.R. 497.

I might further say that this bill was approved favorably, unanimously, by the House Education and Labor Committee, and it has bipartisan support.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I suggest that the gentleman from New Jersey ask that the House consider the bill in the House as in the Committee of the Whole, so that some of us may have an opportunity to speak on this bill or matters pertaining to job training.

Mr. DANIELS of New Jersey. Mr. Speaker, as I explained, this is a very simple bill. I am surprised the gentleman from Iowa is raising any objection, because this is an economy move, which will save $650,000.

Mr. Speaker, I aks unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

The SPEAKER. The Clerk will read the bill.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Manpower Development and Training Act of 1962, as amended, is further amended, by striking from the first sentence of section 301 of said Act the words, "the Virgin Islands, Guam, and American Samoa", and inserting in lieu thereof the words, "the Virgin Islands, Guam, American Samoa and the Trust Territory of the Pacific Islands."

SEC. 2. The amendment made by the first section shall be effective as of October 24, 1968.

Mr. SCHERLE. Mr. Speaker, I move to strike the last word.

Mr. Speaker, under the Manpower Development and Training Act, a grant of $100,000 has been made to test "what happens to the attitudes of Government employees and their performance on the job when their employer provides child care" or "complete babysitting services."

The employer in the case of this experiment is the Department of Labor. Room 1200 at that Department now serves as a day care center. It is operated by the National Capital Area Child Day Care Association and cares for 27 children of Labor Department employees who pay fees of $1 to $22 a child per week, depending on their income.

Many families, using this center, have incomes well above any poverty level. Participating in this day care center are children of families who earn over $12,000 a year and pay $17 weekly, while children of families whose earnings are over $15,000 pay $22 per week or $4.50 a day.

Any child of a Department of Labor employee between the ages of 2½ and 6 is eligible to use the center, which is well stocked with play equipment, its own fenced-in playground on the lawn, and a staff which includes a director, two teachers, six aides, and visiting social work and psychiatric consultants.

The association director says that experience with other day care centers shows that parents work better when they know their children are getting good day care. I am sure that is true in this case. The Labor Department's day care center has been open since October, and that Department is now asking MDTA to double the grant for next year in order to take care of twice as many children—a funding of $200,000.

The concept of day care centers as places where parents can leave children while they work has been advanced by many who see it as a way to get people off of relief rolls and onto payrolls. To the extent that a day care center performs this function, it could be very valuable. But to spend the taxpayers' money simply to care for children in order to test the attitudes of the parents seems ludicrous, especially when a $100,000 price-tag is attached.

This is especially true when you consider the fact that the Agriculture Research Center at Beltsville has a preschool nursery and receives no Federal funds. The cost of that program is supported by the workers themselves at fees ranging between $15 and $18 per week. At the Labor Department, only about 10 percent of the families pay an equivalent fee. There are 16 children in the Agriculture care center, which has been operating since May 20, 1968, long before the MDTA grant was bestowed upon the Labor Department in October 1968.

The program at the Agriculture Department has two teachers who have had nursery school experience. Dr. Brooks, treasurer of the Agriculture Day Care Center, said:

> We have received several calls from other Government agencies who want to establish a center. Oddly enough they want to build them with federal funds. We did this thing on our own and are doing very well.

The Agriculture project was initiated with money provided by their Employes' Welfare and Recreation Association which provided enough funding to renovate a Government building into a child day care center.

At the Labor Department the fees assessed against the parents of the children based on income is clearly inadequate. If we truly seek to study the reaction of employes to a day care program for their children, it would be less costly and more efficient to study the Agriculture program, especially considering the fact that it has been in operation for a longer time. Beyond this, I raise the question of why $100,000 is necessary to make such a study, and to operate such a center. The results, in many instances, are known in advance. Of course, many employees would be pleased with a day care center for their child supported by the taxpayer.

I have always supported the goals of MDTA, but I believe that the function of the Congress does not end with passing legislation and providing funds. The oversight function continues, and it is our responsibility to see to it that the programs we approve are conducted in a manner of which we approve, without waste and needless expense.

Last year, I pointed out the fact that an official audit by Iowa's State Auditor Lloyd Smith revealed that the Iowa State public safety program received $4,518 under the MDTA for an on-the-job training program which was substantially a "paper" program. Several Department employees, listed as trainees for the 8-week course, said they did not receive any instructions. Most of the workers listed were veteran employees, many of them in supervisory positions. The MDTA program was designed primarily to assist private firms and Government agencies to finance the recruiting and training of hard-core unemployed. Considering expenditures such as these, the program has not been fulfilling its function. There are many others scattered throughout America.

It is because I believe in this program that I am disturbed about evidence of waste and inefficiency within it. As the ranking minority member of the Select Subcommittee on Labor I hope that we will be able to oversee the operation of all MDTA programs. Only in this way can we assure its success. The example presented here of waste in the conduct of a study of a Federal-financed day care center is only one. It must be corrected, and those who conduct the MDTA program should know that we in the Congress intend to pursue our role as overseers of the manner in which public funds are spent.

However, the bill on the floor today, H.R. 497, reflects economy; therefore, I would ask for unanimous acceptance of this legislation.

Mr. GROSS. Mr. Speaker, I move to strike the necessary number of words.

Mr. Speaker, I am well aware of what this bill contains. I simply wanted a few minutes to discuss an incident in the job training program, which is the nature of this bill.

Mr. Speaker, I wish to call attention to the almost unbelievable performance of certain officials of the Labor Department in giving a $146,900 contract for training jobless people in the Pittsburgh area to a firm that exists only on paper, that gave as its address an alley, and that is controlled by a man who has been on the

Federal Housing Administration's "warning" list since the 1950's.

The firm located in the Pittsburgh alley is Manufacturers Service & Installation Co., owned by Investors Acceptance Corp., whose president is Marco Scoratow.

The Labor Department was in such haste to obligate the public's money in building a record of achievement in the field of jobless training that it could have made only the most meager investigation of Scoratow if, in fact, it made any investigation at all.

As they, themselves, admit, they had from last October, when Scoratow applied for this job training contract, until February 11—nearly 5 months—to look into this man's background before signing the contract.

Had they bothered to ask a few questions here is some of what they would have found:

Scoratow got into hot water with the Federal Housing Administration back in 1954. The FHA tells me that his home improvement companies were employing such unethical practices on projects insured by the agency that the homeowners defaulted or refused to pay on jobs worth over $10,000. The interest on those bad loans has, today, run the Government's loss to approximately $20,000.

The FHA office in Cincinnati, Ohio, became so incensed at Scoratow's methods that it put him on the "Precautionary Measures List"—a warning bulletin sent to all banks and lending institutions to use extreme caution before approving any loan for projects in which Scoratow or his firms were involved.

The Cincinnati office, in notifying its Washington headquarters of the action, stated that Scoratow's practices "resulted in the most irregular operations of any dealership in our jurisdiction during the history of this office."

Scoratow, the FHA tells me, had operated "under at least 40 or 50 different corporate names," and the irregularities it accuses him of include sales misrepresentation, incomplete work, kickbacks, nondelivery of materials, and ineligible use of proceeds.

A partial listing of Scoratow's companies includes Stuart Homes, Custom Made Windows, Ronna Nursery, Allstate Lumber & Supply Co., which was founded and dissolved in 1 year—1961—Altoona Wholesale Furnace Co., Everlast Building Products Co., Charmwood, Inc., and the House of Marbet of Huntington, W. Va., and Charleston, W. Va.

His current center of operations, the FHA states, appears to be Investors Acceptance Corp., of Munhall, Pa.

This company, Mr. Speaker, also has offices in Pittsburgh; Richmond, Va.; Cleveland, Ohio; Tampa, Fla.; and Dallas, Tex., and claims it is registered to do business in 30 States. In other words, Scoratow is all over the map.

Two years ago, Scoratow asked the Cincinnati FHA office to take him off the "Precautionary Measures List." Cincinnati referred his application to the FHA in Pittsburgh, which was more than reluctant to remove his name.

I am informed that, due to pressure from a Member of Congress, the Washington FHA office urged Pittsburgh to remove his name if Scoratow would agree to make up the $20,000 loss to the agency caused by his prior activities.

Scoratow, I am told, agreed to this condition but, when payment was sought, backed down with the claim that he thought he would be responsible only for future losses to the FHA.

He is still on the FHA's "Precautionary Measures List" today.

Mr. Speaker, I agree completely with one FHA official who believes this Labor Department contract with Scoratow "stinks."

I hereby call upon the Labor Department to immediately void this contract.

I have learned that the Department has belatedly issued some sort of stop order in connection with this contract, but that is not enough. It should be canceled, and canceled today.

Further than that, the need for a prompt investigation of the Department's methods—or, more likely, its lack of method—in awarding these jobless training contracts is painfully obvious.

These training programs are sprouting like mushrooms all over the country, and unless I am completely mistaken, even a halfhearted investigation will turn up many more cases in which they were awarded with little or no investigation of the contractor.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and read the third time, and passed.

A motion to reconsider was laid on the table.

CALL FOR INVESTIGATION OF FRAUDULENT SALES PRACTICES BY MAGAZINE SUBSCRIPTION SALES COMPANIES

(Mr. ROONEY of Pennsylvania asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. ROONEY of Pennsylvania. Mr. Speaker, last week I called attention to the magazine subscription sales rackets which are victimizing thousands of American consumers in communities all across the United States. In conjunction with my remarks then, I introduced a resolution calling for a Congressional investigation of the deceptive and fraudulent sales tactics employed to secure $150 magazine subscription orders from the unsuspecting.

There is a compelling need for Federal legislation to halt these deceptive sales practices. Certain unscrupulous companies operate behind a guise of integrity they have acquired by pledging to uphold the subscription sales industry's voluntary code of ethical business practices. In reality, however, they flaunt this self-regulatory code because in practice it is woefully ineffective and virtually unenforceable.

In addition to calling for congressional investigation, I asked the Federal Trade Commission to reopen an investigation of magazine subscription sales practices it conducted several years ago. From that investigation resulted the subscription sales industry's self-regulating code, administered by an industry organization known as Central Registry.

A reopening of the FTC investigation to review administration and application of the industry code would document its failure to clean up offensive and fraudulent sales practices.

In seeking renewal of the FTC investigation, I also invited individual members of the Federal Trade Commission to comment on my statement. I am pleased to report that I already have received comments from several individual Commissioners.

Commissioner A. Everette MacIntyre has advised me that he will seek to have the FTC consider this matter during its meetings this week.

Commissioner Philip Elman, who cast the one dissenting vote in May of 1967 when the FTC approved the voluntary code of industry "self-regulation has not been effective and is not adequate to protect consumers from being victimized."

He states flatly, "what is needed here is effective policing and enforcement action by Government. The kind of flagrant hard-core consumer fraud practiced by some magazine subscription sales companies and by other firms as well—for example, encyclopedia sales companies—should be stopped by firm and expeditious regulatory action."

In fact, Commissioner Elman describes how he, himself, was the victim of the deceptive sales techniques of an encyclopedia salesman prior to his appointment to the FTC. If an American consumer of the stature which qualifies one for appointment to the Federal Trade Commission can fall victim to such fraud, then what chance does the average consumer have to defend himself?

The magazine subscription sales industry's voluntary code is ineffective partly because it is solely voluntary. Many offending subscription sales companies are not associated with Central Registry and make no pretense of subscribing to a code which provides for ethical sales practices. On the other hand, a number of those which subscribe to the code merely ignore those code features which interfere with their sales activities.

I am pleased to report also that certain subscription sales agencies are anxiously observing the course of developments resulting from public exposure of fraudulent sales activities within the industry.

A great deal of this exposure has occurred within the circulation area of the Easton, Pa., Express newspaper's public service feature, "Action! Express." So anxious was one agency, it contacted both the Easton Express and my office in a "fishing expedition" for information prior to my remarks in this Chamber last Wednesday.

The caller identified himself as "Mr. Reynolds of the National Bureau for Research, Inc.". Certainly, one would expect an organization with a name such as the National Bureau for Research to be engaged in a research program of some moment—possibly, because of the caller's obvious interest in sales frauds, in research designed to protect the American consumer.

Well, I am a firm believer in the philosophy that one fishing expedition deserves another. It was in that vein that my staff asked the Library of Congress for information regarding the nature of research conducted by the National Bureau for Research. When the Library of Congress could not produce an answer, the same question was put to the Better Business Bureau here in Washington.

As it developed, the National Bureau for Research is a collection agency for a magazine subscription sales company. The parent company is Franklin Readers Service. The purpose of the collection agency is to badger consumers for their subscription payments after the consumer has discovered he was victimized and attempts to cancel his obligation. The Better Business Bureau was not aware of any research conducted by the organization. But it was aware that the National Bureau for Research was ordered in October of 1968 by the magazine industry's Central Registry to suspend sales activity which violated the self-regulatory code. Whether the code violation actually has ceased was not known by the local Better Business Bureau.

This brings me to yet another point. The Central Registry has no enforcement penalty at its disposal except to levy a fine which cannot exceed $5,000. A $5,000 fine can hardly be considered an effective deterrent to fraud, if a subscription sales company is producing a multimillion-dollar gross income by fraudulent sales techniques.

An effective deterrent will be found only in strong Federal controls and even stronger enforcement of such controls. It will take stiff penalties to back up the controls—injunctive relief, the threat of jail sentences for major company officers for serious or repeated violations, and possibly withdrawal of a Federal license to engage in sales activities if other measures do not end deceptive sales practices.

Measures of this nature are warranted to clean up the magazine subscription sales industry, the encyclopedia sales industry, and others like them whose practices have harmed not only respectable organizations within their own industries but also tended to tarnish the images of some of the most respected names in the direct selling fields.

FEDERAL TRADE COMMISSION,
Washington, D.C., February 28, 1969.
Hon. FRED B. ROONEY,
House of Representatives,
Washington, D.C.

DEAR MR. ROONEY: This is to acknowledge your letter of February 27, 1969, with which you enclosed copies of a wire you sent to the Chairman of the Federal Trade Commission and a copy of a statement you made on the floor of the House of Representatives about activities in connection with the solicitation of magazine subscriptions.
is made the subject of Commission discus-
I shall undertake to see that this matter
sion and consideration at its meetings next
week.

With best wishes and warm personal regards, I am

Sincerely,

EVERETTE MACINTYRE.

FEDERAL TRADE COMMISSION,
Washington, D.C., February 28, 1969.
Hon. FRED B. ROONEY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROONEY: This will reply to your letter of February 27, 1969.

The use of blatantly fraudulent techniques by sellers of magazine subscriptions is apparently widespread. There is no question that something should be done about it.

I share your conviction that industry self-regulation has not been effective and is not adequate to protect consumers from being victimized by those magazine subscription sales organizations which are engaging in the kind of practices you describe. In May 1967 the Commission approved the industry's voluntary Code over my dissent. Effective enforcement of such a Code would require that the awesome regulatory powers of government be turned over to private judicial prosecutors, and judges. It seemed to me then, and subsequent experience under the Code confirms my view, that self-regulation either would pose these dangers or would be illusory, providing no real protection for consumers.

What is needed here is effective policing and enforcement action by government. The kind of flagrant, hard-core consumer fraud practiced by some magazine subscription sales companies and by other firms as well—for example, encyclopedia sales companies—should be stopped by firm and expeditious regulatory action. More stringent remedies than now exist should be made available to the enforcement agencies. For example, Congress and the State legislatures should consider enacting legislation authorizing the Department of Justice and the States Attorneys General to seek effective relief in cases of hard-core fraud, to obtain monetary judgments or judgments holding a defendant liable to a particular person or classes of persons, to impose a receivership on a defendant where necessary to preserve the firm's assets for the benefit of aggrieved consumers, and to seek criminal penalties where appropriate. These ideas are set out at somewhat greater length in my separate statement which accompanies the Commission's Report on the proposed Deceptive Sales Act of 1968, H.R. 15354 and S. 3065. A copy is enclosed for your consideration.

It should be emphasized that an administrative policymaking body like the F.T.C. has only a limited role to play in this area. The problem is not one requiring extensive, expert analysis of the economic and social consequences of novel or evolving business practices but is one of policing practices which are manifestly fraudulent and illegal and which affect large numbers of consumers. Enforcement should be vested in the investigative and prosecutorial arms of government and the development of a coordinated Federal-State appproach to the problems should be strongly encouraged.

Although government action is essential to protect those too poor or timid to seek to vindicate their rights, individual consumers should also be provided with the legal means for defending themselves. Private damage remedies should be provided for aggrieved consumers and Congress should enact a strong Door-to-Door Sales Act, permitting the consumer to rescind within 72 hours any contract for goods or services made with a door-to-door selller. In this connection, I might note that prior to my appointment to the Commission I was victimized by a fast-talking encyclopedia salesman who induced me to enter a "sale" contract on a Saturday, ostensibly the last day of the alleged "sale". Only later did I discover that the "sale" price was in fact the regular price for this encyclopedia.

The need for strong legislation is manifest and immediate. I hope that your efforts to protect the nation's consumers from this kind of hard-core fraud will bear fruit in the present session of Congress.

Sincerely,

PHILIP ELMAN.

[From the Washington (D.C.) Post, July 4, 1968]

DOOR-TO-DOOR SALES SPUR DEMANDS FOR TOUGHER CONTROLS

(By Peter Winterble)

"We've done nothing wrong . . . lots of people just like to call the police and make trouble for our kids," said Edward Courdy over the telephone from South Hackensack, N.J.

Courdy is manager of a group of 120 young salesmen and saleswomen for the Interstate Publishers Service of Kansas City, Mo. They sell magazines.

Before arriving in South Hackensack, Couroy and his 120 charges were in the Washington area selling magazines door-to-door. You may have been visited by one, or maybe four or five. They're very efficient.

Besides selling magazines here, they elicited more complaints to the Better Business Bureau, the police, and local government officials than has any other door-to-door firm in recent years.

In addition, they have at least indirectly caused a speedup in the reexamination and revision of ordinances governing door-to-door selling, and prompted calls for the Metropolitan Washington Council of Governments to draft a model ordinance.

The Interstate firm operated here for about three weeks, and caused complaints largely in Fairfax, Montgomery and Prince George's counties.

The complaints ranged from a "feeling of outright intimidation" to misrepresentation by salesmen in opening comments.

One woman in McLean said a neatly dressed, well-spoken Negro salesman gave her the sales pitch for the magazines, and when she refused, he "immediately got very upset and said I obviously didn't like Negroes and that I was opposed to them getting a better education and that I refused to help them get ahead in life."

The woman, slightly frightened, spent nearly $100 on subscriptions she neither wanted nor needed.

Subtle variations were used in opening comments by many of the salesmen, who announced that they were working for an anti-poverty program, "one of President Johnson's programs," or for college "points."

Douglas W. Tindal, managing director of the Better Business Bureau here, said he called in a representative of the Interstate firm, Donald Scott, after receiving many complaints about the firm. Tindal told Scott he would notify the publishing industry's self-regulatory organization, the Central Registry, if Interstate continued to receive complaints.

Tindal said, "Scott insisted there must be some misunderstanding . . . he said his 'kids' weren't like that, and he promised he would hold a meeting with his salesmen to find out the nature of the complaints."

The next day more complaints about Interstate were filed by irate citizens and Tindal notified Central Registry.

The Central Registry, which operates on funds from all major publishers in the country, requires magazine selling firms to post substantial bonds with the Registry, depending on the size of the selling firm.

When the Registry receives complaints, it investigates them and can take action against the selling firms by either requiring the firm to forfeit all or part of its bond, or by dropping the firm from the Registry altogether.

The Registry also requires member selling firms to notify the Better Business Bureau upon arrival in an area where magazines are to be sold.

The Interstate company employs only Negro salesmen and women, and Edward Courdy said, "the trouble is, is that the white suburbanites just didn't like to have colored kids selling in their neighborhoods."

"There is absolutely no truth in any of the complaints," he added. "Our kids are good, clean, humble kids. We've got letters of recommendation to prove it."

Montgomery County's ordinance, for example, is so weak that E. W. Bucklin, Director of Licenses and Inspections, at one point called it a "license to steal."

Interstate salesmen were partially stopped in Prince George's County by an ordinance in effect since March, 1967, that is stronger than most in its registration requirements.

Henry P. Stawinski, who administers Prince George's Licensing Bureau, said nine Interstate salesmen were refused license applications because they lacked proper identification.

Fairfax County's ordinance, now being studied by the County attorney's office for possible revision, requires registration of solicitors, but cannot prohibit anyone from soliciting.

Arlington and Alexandria both require fingerprinting and police checks on solicitors, and Arlington also requires bonds of up to $1000 to be posted by the firm on the salesmen's behalf.

Salesmen in Washington must post $500 bonds, are fingerprinted, and must submit to police checks.

Fees for the licenses themselves run from $2 in Prince George's County to $60 in Washington.

Police officials in the area seek two basic points in law relating to solicitors: (1) Required fingerprinting, photographing and a records check of every solicitor, and (2) a waiting period of up to two weeks on soliciting permit applications.

The waiting period, says Col. James McAuliffe of the Montgomery County police, would deter the fly-by-night salesman, while offering little difficulty to the permanently established Fuller Brush or Avon salesman who works in the area where he lives.

Montgomery County will hold a hearing July 17 on its proposed stronger solicitation ordinance, and changes will be proposed also next month in Prince George's County's law. Fairfax County's attorney and prosecutor are preparing a stronger ordinance to be discussed by the Board of Supervisors.

The proposed Montgomery ordinance, covering only door-to-door salesmen, would require:

Fingerprinting of all applicants.

Annual physical examination of all solicitors for public health reasons.

Posting of a $1000 surety bond by all salesmen.

Wearing of a solicitor's badge by all salesmen.

Some officials say if the Council of Governments developed a model ordinance, the law would benefit both homeowners and legitimate solicitors.

[From the Waukegan (Ill.) News Sun, Nov. 4, 1968]

Laws Needed To Regulate Solicitors

(By Joe Manning)

The knock-knock of your friendly door-to-door salesman will probably continue to plague Lake County housewives because laws covering solicitors are too weak, or non-existent, and penalties result in nothing more than knuckle-rappings.

Waukegan has no effective ordinance protecting residents against the onslaughts of high-pressure door-to-door salesmen and, in Lake County villages having ordinances, arrests are seldom made for violations.

"We can't stop them from soliciting," said Waukegan Police Sgt. Jack Dunn. "We had an ordinance and we made an arrest on it but they beat us in court. That made the ordinance null and void," he said.

Persons selling door-to-door are asked to register in Waukegan, "and if they want to do it right, they should register," said Dunn.

States Attorney Bruno W. Stanczak said that as far as the county is concerned, "We don't have a solicitation law. He said that through "implied powers" for the state; village and cities have the right to enact ordinances covering door-to-door salesmen.

Waukegan Corporation Counsel Murray Counzelman said that cities have the right to regulate peddlers—because this is a power specified in the Illinois Municipal Code—but villages and cities have difficulties controling solicitors (sellers who don't bring their ware with them.)

In the solicitor category would be virtually every objectional door-to-door salesman. Housewives don't seem to mind brush salesmen or persons who have wares on display to sell.

But as any "man-of-the-house" who happens to open the door to a magazine salesman can verify, the magazine salesman, or woman, is pretty sneaky.

One of the best pitches is given by attractive young girls who say that they can win a trip to Europe if you "vote" for them. Of course one votes for them by subscribing to the magazines they are selling.

Other "attractive" offers tell how cheaply a resident can subscribe to five or six magazines for five or six years. The low weekly rates they suggest can mushroom into a tidy sum by the end of the contract date. Who reads five or six magazines a week anyway, but if one tells the saleswoman he would prefer to not subscribe to six magazines, he is accused of "not broadening your horizons."

Salesmen who give things away are another story and a wife can find herself stuck with a "$40 photo album" or a 16-lb. dictionary, all for pennies a day—for years.

Pity the man whose wife has no sales resistance. The "lady-of-the-house" is forced to take the brunt of salesmen week-after-week who attempt to sell her things she doesn't really need or want.

Fox Lake solicitors are required to register once a year. The fee is $10 and persons who will be going from door-to-door are "mugged" and fingerprinted.

Police in Fox Lake report arrests for violations have been few and far between. The ordinance has never been tested in court because violators forfeit bond.

Libertyville police have begun a policy of requiring door-to-door solicitors to register every day that they plan to be in neighborhoods selling. There is no fee to register.

If the solicitors in Libertyville collect money from housewives they are required to take out a village license.

In North Chicago no arrests have been made under the city's ordinance "for some time," according to Police Sgt. Robert Millimaki.

He said the ordinance has held up in court but it hasn't been tested in some time and most violators forfeit bond.

North Chicago Ptlm. Donald Borrow said that persons are required to register if they wish to solicit door-to-door. He said that the individuals as well as businesses are "checked out" before they are let loose on the streets of North Chicago.

In Antioch solicitors are required to register with the police station and wait three days while the salesman and the organization are investigated. An investigation fee is $5.

In all Lake County communities the most protection that police can provide residents are the requiring of registrations and fees which might deter the less intrepid salesman.

After that it's up to the person who answers the door and as one desk sergeant said, "A big dog helps."

[From the Fort Lauderdale (Fla.) News, Dec. 27, 1968]

Theft Often Magazine Selling Byproduct

(By Larry Thompson)

A countrywide crackdown by law enforcement agencies aimed at itinerant magazine salesmen suspected of expanding their operations into theft and forgery has led to the arrest of a 23-year-old New York woman by Dania police.

Arrested and charged with entering a Dania house without breaking with intent to commit petty larceny is Delphia Jones of Jamaica, N.Y.

Police charged her with theft of checks from the home of Mr. and Mrs. John H. Bartley, 795 NW 12th Ave., on Dec. 20:

Miss Jones went to the Bartley home to sell magazines under the name of a Kansas City, Mo., publishing firm, police said.

When no one answered the door, the saleswoman tried the door and found it open, went in, and lifted some checks bearing Mrs. Bartley's name, police charged.

Miss Jones is held in Broward County jail in lieu of $1,500 bond pending trial in Court of Record.

Police in Ft. Lauderdale said they have a warrant for the arrest of a Yugolsav woman who has been involved in a similar incident.

Plantation police reported the arrest of four magazine sales solicitors found operating without proper police identification cards. Pompano Beach police recorded seven arrests on like charges.

Hollywood police report eight arrests on charges of violating a city ordinance forbidding solicitation after dark.

Detective Paul Arena of the Ft. Lauderdale police said most of the magazine sales solicitors are on the "up and up."

"It's the small percentage which makes a bad name for the business," he stated.

Slick operators take much the tack as Miss Jones is accused of, Arena said.

"They find an empty house with a door open and go in and pick up checks, identification or any other valuable items they are capable of carting off without being detected.

"They use the checks in conjunction with the stolen identification and negotiate the forged checks into cash, then blow the scene,' Arena said.

Lt. Gene Bigney of the Ft. Lauderdale detective division said it is impossible to estimate the amount lost by unwary subscribers who give cash or personal checks to bogus magazine solicitors.

"It must be in the thousands each season," Bigney said.

He said there are at least 50 magazine sellers working in the greater Ft. Lauderdale area. There are many more working in the rest of the county.

Bigney said the magazine sellers work as crews for a crew manager who in turn is supervised by a crew supervisor. In many cases, neither the supervisor nor the manager know much about the field personnel they hire. All are hired for work in a specific area, then are let go.

"They usually stay in an area about two to three weeks, then move on," Bigney reported.

Arena and Bigney advised residents visited by a magazine solicitor to make sure they are dealing with legitimate salesmen.

"Each solicitor should have an identification card issued by the local police department. If there is any doubt, a phone call to your detective bureau can save a lot of trouble," Arena said.

Bigney urged prospective magazine subscribers to refrain from paying for subscriptions with cash.

Unscrupulous solicitors use many different ruses to obtain money dishonestly, police said. In addition to the check theft method, some use a charity "donation" plea and others have been known to use racial bias as a wedge in inducing prospects to sign subscription forms and hand over cash or checks made out in the solicitor's name.

Bigney said some Negro solicitors when turned down inquire, "Is that because I'm colored?" This, he added, sometimes changes the prospect's mind.

If cash or personal checks are given for payment, the solicitor can keep the money since the magazine company is not in a position to keep track of such transactions, police said. When the subscriber fails to receive the magazine and complains, the company only can say it has no record of the subscription, police noted.

The current crews of solicitors are operating under at least two different publishers' names. One is the International Publishers Service T.P., Inc. of Kansas City, and the other is called Local Readers Service, police reported.

Police pointed out that officials of the magazine solicitation companies cooperate fully with police in attempting to ferret out the dishonest agents.

"There is nothing wrong with door-to-door solicitation if the party involved has a proper identification card and will accept checks made out in the name of the parent firm," Arena said.

CERTIFICATION OF MOTOR VEHICLE MECHANICS

(Mr. GIAIMO asked and was given permission to address the House for 1 minute and to revise and extend his remarks, and to include extraneous matter.)

Mr. GIAIMO. Mr. Speaker, I have today reintroduced a bill to establish a program for the voluntary certification of motor vehicle mechanics by the Secretary of Transportation and to assist the States in establishing programs for the compulsory licensing of auto mechanics.

I have been concerned for some time, that the consumer is not getting his money's worth and is not receiving adequate service from the auto repair industry. No matter where the consumer turns for repairs today, he is at the mercy of the auto mechanic and in many instances runs the risk of being "taken."

At a time when we are all concerned with consumer protection and automobile safety, there is increasing evidence of nationwide dissatisfaction with the quality and cost of automobile repairs.

Auto repairs and maintenance are costing the consumer an estimated $20 to $25 billion annually. Overcharging, needless repairs, and the necessity of having faulty work redone accounts for a high percentage of this cost.

By taking advantage of their apparent expertise, and lack of customer knowledge, unscrupulous repairmen bilk thousands of unsuspecting automobile owners yearly. I want to mention just a few of the deceptive practices used by this type of repairman.

A prospective customer is advised that only minor repairs are needed to, let us say, the carburetor. The customer is later called, after the part has been removed and dismantled, and told that he needs a new or perhaps a rebuilt carburetor. In some instances the old carburetor is cleaned up and replaced at the cost of a rebuilt one. In any case the owner ends up paying two to five times the original estimate, for unnecessary work.

In another example, a customer brings his car in to be fitted with new tires. He is told that a "free" brake check is being offered this week as a promotional gimmick and he might as well take advantage of it. Upon returning to the shop to pick up his car the customer is presented with a bill for, not only new tires, but a brake job. If he questions the need for new brakes the repairman may show him a set of badly worn linings alleged to have come from his car. In many cases these linings do come from the customer's car, but because he lacks knowledge in these matters the customer is unable to determine if they actually needed replacing.

Other repair shops counting on the customer's lack of knowledge, consider women fair game and a good source of revenue. A typical practice is to advise women that the family car is about to break down or is dangerous to drive unless repaired immediately. After performing a routine tuneup or making a minor repair the mechanic presents her with an exorbitant bill.

Another example is that of the repairmen who install rebuilt parts and then bill the customer for more expensive new parts.

Mr. Speaker, these fraudulent and deceptive practices, while serious, are only part of the reason I have proposed this legislation. The untrained or unqualified mechanic who, while honest, is incapable of doing skilled or even adequate work, is the other reason.

Mechanics who lack proper training, or fail to keep abreast of new designs in the auto industry, create many problems for the consumer. An improper diagnosis of a mechanical problem may require repeated visits to the shop, unnecessary added expense, and a great deal of inconvenience.

Even when the problem is correctly diagnosed an unskilled mechanic incapable of making the proper repairs may compound the problem. Not only is this costly for the consumer, but it may endanger his safety and that of his family.

Mr. Speaker, it is not my intent to indict an entire industry for the misconduct or lack of skill of a few. However, the evidence supports the fact that these practices are common in every area of the country and are due either to untrained and unqualified mechanics or to outright fraud. My bill would provide protection, not only for the consumer, but, for the many reputable auto repair mechanics who suffer from the bad image created by the disreputable segment of the industry.

The purpose of my bill is the voluntary licensing of auto mechanics who meet certain standards as prescribed by the Secretary of Transportation. It would also encourage the States to enact compulsory programs of licensing auto mechanics and provide grants to those States to aid in carrying out such programs. The mechanics who avail themselves of these programs and meet the standards for certification would be able to hold themselves out to the public as reputable, skilled craftsmen. The individual car owner would then be able to determine whether he is going to a qualified mechanic and would also be provided with official channels through which he could press complaints.

The certification of good mechanics by the Department would also serve to encourage the less skilled either to upgrade their skills or to get out of the business.

Mr. Speaker, I want to emphasize that I have introduced this bill in order to generate study and discussion of this very real problem. It is in no way a final solution to the situation, but rather a beginning.

LITHUANIAN INDEPENDENCE

(Mr. DANIELS of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DANIELS of New Jersey. Mr. Speaker, on February 16, we observed the 51st anniversary of Lithuanian independence. Following my remarks, I will include a very excellent resolution adopted by a very large group of citizens of the State of New Jersey of Lithuanian extraction.

Mr. Speaker, on this great occasion it is well to remember the cause of the people of this nation, a nation small in size but great in courage and patriotism. Their national existence has been swallowed up by aggressive international communism. Yet, such is the tenacity of the Lithuanian people that they too will know the blessings of freedom at some future time when the yoke of tyranny is withdrawn from their necks.

I might also add, Mr. Speaker, that America is peopled by persons who come from every corner of the world. But there are no people who can lay claim to being better Americans that those who came, or whose ancestors came, from Lithuania.

Hardworking, God-fearing, and devoted to America's traditions, the Lithuanian-descended community has contributed much to this Nation. I hail all of the sons and daughters of Lithuania on this 51st anniversary of Lithuanian independence.

The resolution follows:

Resolution by Lithuanian Council of New Jersey

(Unanimously adopted at a meeting of American-Lithuanians and their friends living in New Jersey, sponsored by the Lithuanian Council of New Jersey, held on Sunday, February 16, 1969 at St. George's Lithuanian Hall, Newark, New Jersey, in commemoration of the 51st anniversary of the establishment of the Republic of Lithuania on February 16, 1918.)

Whereas the Soviet Union took over Lithuania by force in June of 1940; and

Whereas the Lithuanian people are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty which they rightly and deservedly enjoyed for more than seven centuries in the past; and

Whereas the Soviets have deported or killed over twenty-five per cent of the Lithuanian population since June 15, 1940; and

Whereas the House of Representatives and the United States Senate (of the 89th Congress) unanimously passed House Concurrent Resolution 416 urging the President of the United States to direct the attention of the world opinion at the United Nations and at other appropriate, international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples: Now, therefore, be it

Resolved, That we, Americans of Lithuanian origin or descent, reaffirm our adherence to American democratic principles of government and pledge our support to our President and our Congress to achieve lasting peace, freedom and justice in the world; and be it further

Resolved, That the President of the United States carries out the expression of the U.S. Congress contained in H. Con. Res. 416 by bringing up the Baltic States question in the United Nations and demanding the Soviets to withdraw from Estonia, Latvia, and Lithuania; and be it further

Resolved, That the pauperization of the Lithuanian people, conversion of once free farmers into serfs on kelkhozes and sovkhozes, as well as exploitation of workers, persecution of the faithful, restriction of religious practices, and closing of houses of worship; and be it finally

Resolved, That copies of this resolution be forwarded this day to the President of the United States, Secretary of State William Rogers, United States Ambassador to the United Nations Charles Yost, United States Senators from New Jersey, Members of U.S. Congress from New Jersey, and the press.

VALENTINAS MELINIS,
President.
ALBIN S. TRECIOKAS,
Secretary.

COAL MINE SAFETY

(Mr. MOLLOHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MOLLOHAN. Mr. Speaker, I wish to bring to the attention of my colleagues the hearings which are presently taking place before the House General Subcommittee on Labor and the Senate Subcommittee on Labor on coal mine safety. These are important hearings on vital legislation. Coal is a crucial resource in this Nation's economy and we will continue to need this resource for many years to come.

More U.S. bituminous coal—552 million tons—was consumed in 1968 than in any year since 1948—566 million tons.

In 1968 coal produced more than half of the Nation's electricity—52 percent. This required about 293 million tons of coal. Another 93 million tons of coal was used in 1968 to produce coke, mostly used to make steel. Other industries used 98 million tons of coal in 1968. Exports of coal last year amounted to 52 million tons. In addition, 16 million tons were sold on the retail market. Because of that, it is of highest priority that we make the occupation of coal mining safe for our men, much safer than it is today.

Mr. Speaker, it is heartening to note that the reaction to the plea for legislation for safer mines has been singularly constructive. On last Thursday I listened to the testimony of representatives of both industry and labor and was impressed by the cooperative and positive approach to mine safety.

For instance, Stephen Dunn, president of the National Coal Association, an association of coal mine operators, stated their opposition to fines or penalties being applied to the individual miner or supervisor, suggesting that such penalties, if applied, should be applied only to the coal mine operators, because the safety conditions in the mines were the responsibility of management. Likewise, Mr. Dunn called for tighter qualifications for mine inspectors. The mining industry is also prepared to propose stronger safety requirements on equipment and detection devices.

Most heartening is the evidence of the industry's willingness to suggest stronger standards of inspections. Coupled with this is a pledge to propose additional programs to the Bureau of Mines for research in the control of pneumoconiosis.

The mining industry has pledged to make the health and safety of their employees the first priority within the industry. Their testimony before the Senate subcommittee is representative of their good faith.

VFW CONTEST WINNER

(Mr. GETTYS asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. GETTYS. Mr. Speaker, my constituent Miss Sally R. McMurdo of Camden, S.C., is the winner this year for the State of South Carolina of the Voice of Democracy contest conducted by the Veterans of Foreign Wars of the United States and its Ladies Auxiliary.

Sally is in Washington this week to compete with contest winners from the other 49 States for one of five scholarships to be awarded as the top prizes.

I am proud of Miss McMurdo and am pleased to insert her splendid speech in the RECORD. She is an outstanding young American of whom we can all be proud.

The speech follows:

FREEDOM'S CHALLENGE

(By Sally R. McMurdo, Camden, S.C.)

As the flame of liberty flickers and fails, America is challenged to rekindle and refresh the ideals of freedom. To accept the blessings of freedom's fire, we must also accept the task of keeping the "eternal vigilance" that "is the price of liberty." Liberty, unlike an eternal flame, can die if its fire is not revived by the dedication of its future constituents, the American youth. Freedom's challenge, then, is to restore, to maintain, and to extend liberty to all men.

The first step in the challenging revival of liberty is to reestablish the concrete values of freedom. To do this all Americans, young and old, should delve into the history of our nation to understand why freedom is so precious. It is, therefore, the American youth who must restore the patriotic spirit by their interest in the past, present, and future of liberty.

When the challenge of resurrecting the ideals of freedom has been fulfilled, Americans must accept the second challenge, that of guarding liberty. We must be "watchmen in the night," jealously screening the purity of freedom against deterioriating ideas and adverse principles. Countless patriots became martyrs to maintain the American cause of equal rights and self-government. Many of these men were inspired by Patrick Henry's famous *Call to Arms* which advocated that liberty was more precious than life. Henry, like all opponents to tyrannical England, served in his life to guard the principles and rights of free men. As one of the sentries at the threshold of the nation of America, Patrick Henry was acutely aware of the meaning of liberty and the price of peace. Today, as America is at the threshold of world prominence, we are challenged to be guards at freedom's gate. John F. Kennedy was an example of the modern patriot in the fight for freedom. His immortal words, "Ask not what your country can do for you, but what you can do for your country", are a challenge to all citizens to give their lives to protect liberty. Apathy is the enemy of freedom and must be guarded against by all free people if liberty is to be preserved.

The final challenge to Americans is to communicate to the world the idea of liberty and equality. It is not enough that we love and enjoy freedom; we must be disciples of independence. The loyalty of Thomas Jefferson to the cause of freedom created a document that is applicable to America and the world. Although the Declaration of Independence was the first and most eloquent statement of the American creed, it has also been an inspiration to enslaved nations of all times. France, from America's example, received the motivation to create a democracy. Abraham Lincoln, as the Civil War president, was an advocate of the common rights of humanity. In his actions he accepted the challenge of freedom and fulfilled his obligations to liberty. By the wisdom and perseverance of Americans such as Lincoln and Jefferson, the ideals of freedom were spread universally. As America's future constituents, the youth of today are challenged to be like these wise men of liberty by being ambassadors of freedom. The vision of liberty is theirs to project to a sightless world.

Freedom is a light to cherish. As God recharges our lamps so that we may see before us, we must restore, guard, and extend a healthy flame for all the world to see. The burden of maintaining an eternal fire of liberty will be passed on to the American youth. The adolescent generation today will be charged with adult responsibilities tomorrow. We, as children of freedom, will need to pay the price of eternal vigilance if the world is to know independence and justice. The task of renewing, maintaining, and spreading the principles of freedom is massive. In comparison, however, the multiple benefits of freedom are far more grand. Therefore, the privilege of freedom endows us with the challenge to restore yesterday's freedom today, to guard the liberty of today for tomorrow, and to spread throughout the universe an eternal flame of freedom.

THERE EXISTS TODAY A CAMPUS REVOLT MUCH MORE SHATTERING THAN THOSE CURRENTLY IN VOGUE AND IN HEADLINES

(Mr. PICKLE asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. PICKLE. Mr. Speaker, there exists today a campus revolt much more shattering than those currently in vogue and in headlines. It is an individual revolt climaxed by the most drastic of actions.

I refer to the startling, but little-known fact, that the third leading cause of death of college students is suicide. Approximately 1,000 college students across the Nation commit suicide each year; an additional 9,000 try; 90,000 threaten. These figures are published in the January–February issue of World, published by the Health Services and Mental Health Administration.

The article explains how Federal grants are used to curb the climb of these horrifying statistics, and reach the individual. I place this article in the CONgressional Record and call your special attention to the results of the Emotional Crisis Center at the University of Texas in Austin:

Suicides on Campus

A bright English major at a large Eastern University suddenly begins to shun her friends and shut herself in her room. She refuses to attend classes and stops working on the school newspaper. Boys continue calling for dates, but she always declines.

The girl is showing personality changes often seen in the suicidal college student, and she needs help fast.

Behavior of this type is occurring much too frequently on college campuses throughout the country, says Dr. Edwin Shneidman, Chief of the Center for Studies of Suicide Prevention at the National Institute of Mental Health.

About 1,000 college students out of 2.6 million commit suicide each year. An additional 9,000 try to take their lives, and 90,000 threaten. These figures probably are low, due to inaccurate reporting and concealment. But suicide is known to be the third leading cause of death in the college population.

Psychiatrists, psychologists, school officials and others concerned say it's time to find out what factors are responsible for the high suicide rates.

With this in mind, the U.S. National Student Association, with a grant from NIMH, held the first national conference on student suicide last November. Drawing participants from 40 colleges and universities and several Federal agencies, they met for three days in Silver Spring, Maryland.

Their aims were to get more accurate information on the problem of student suicide, to arouse greater awareness among academic institutions of their own responsibility for dealing effectively with the problem, to learn about preventive measures currently in use which might be generally adopted, and to recommend programs to national organizations concerned with student suicide.

Dr. Shneidman keynoted a panel discussion with an appeal for an effort to alert the public to symptoms of suicidal tendencies in themselves and others, and to break down the phychological restraints against seeking help.

Students on a college campus, Dr. Shneidman says, should be encouraged to look at suicide prevention as they do fire prevention. "When you open a closet door and smell smoke, you don't just shut it and walk away." In detecting suicidal tendencies, he said, "the word is 'change'—if a boyfriend, girlfriend or roommate displays a change in behavior or attitude, you ought to take a second look."

Out of group discussion came the larger question: Why do college students who are favored with intelligence and financial backing and who can look forward to a secure future, commit suicide at a much greater rate than others their age?

The answers are still not clear, and Dr. Shneidman says they may never be fully known. But he suggests that college students, many of whom are away from home for the first time, face a different set of problems than their high-school classmates who entered the working world after graduation.

College students, he says, must cope with their awakening sensuality in a strange environment without many of the controls they would have at home. In addition, they constantly face competition that is much keener than that faced by their peers outside college. And grades come less often than paychecks, making the rewards fewer and farther between.

Dr. Richard H. Seiden told about his study of suicides at the University of California. He found that those who killed themselves were better-than-average students but "they doubted their own adequacy, were dissatisfied with their grades and were despondent over their general academic aptitude."

Why do students who are doing well become so worried? Dr. Seiden suggested that they set "Olympian" standards which are impossible to meet.

The students most likely to commit suicide, Dr. Seiden's study showed, are in the academic fields that require deep sensitivity, such as literature and language. English majors led the list of suicide victims at Berkeley.

Often the suicidal student is a "social isolate" whose only important activity is studying. One example cited was a student who was not missed until his body was found in his room more than two weeks after he killed himself. He had no friends to check up on him, but roominghouse neighbors finally did when they noticed his mail piling up.

Dr. Seiden's study contradicted the common academic belief that students kill themselves during exam periods. He says the danger period for student suicide was found to be the start, not the finish, of the school year.

The conferees sought to answer such questions as, What should a student do when a friend threatens to kill himself? And what are the suicidal signs to look for?

Leslie Lovell, staff counselor at the Emotional Crisis Center at the University of Texas in Austin, says he thinks their program has significantly reduced the number of suicides on campus. Among a student body of 30,000, there has been only one known suicide since the center opened in January, 1967. The number could have been between 5 and 10, based on the statistical expectation of 15 suicides a year for each 100,000 students at U.S. colleges.

During 22 months of operation, the center received 13,000 calls for help, intervened in 15 suicide attempts and extensively counselled 1,200 students who called attention to their problem with a telephone call.

Lovell said the University of Texas has been planning a crisis center for several years prior to August, 1966 when student Charles Whitman climbed a tower on campus and shot 46 people, killing 15. Subsequent to this tragedy, the center was opened and it now has a highly effective program.

The center does not limit itself to major problems, he added. It is willing, for example, to aid students upset over small matters such as not being able to get football tickets for parents.

He says the center's impact can be measured by its heavy use and by increased voluntary patronage of the University's conventional mental health services. "The center has done a lot to reduce student reluctance to admit they need counseling or psychiatric help," he said.

While the University of Texas facility is probably the most ambitious undertaking of this type, other schools also reported good results from similar programs.

A staff psychologist at the University of Southern Florida in Tampa, with 13,000 students, said that school has had only three known suicides since it opened in 1960. The school does not have a 24-hour crisis facility but operates in the dormitories satellite mental health units that are open until 10 p.m.

Similarly, Southern Colorado State College has a program called "Help Anonymous," open from 7 p.m. to midnight and manned by faculty members and senior psychology students.

At the University of California at Los Angeles and San Fernando Valley State College, students will run "panic centers" during examination week to console worried students with refreshments, games, or consultation.

Authorities feel such innovations might go a long way toward alleviating the suicide problem on campuses. But more ideas and experimental projects are needed.

Dr. Shneidman said he would consider the conference a success if just a few more schools develop an institutional awareness of the problem. He and a panel of three other suicidologists presented studies and statistics, but all agreed that the time has come for a shift away from emphasis on such studies. They felt this approach is important, but has its limits.

All four urged the individual approach—the personal, clinical, case-by-case attention which will result in wider recognition of pre-suicidal signs.

REPRESENTATIVE ST GERMAIN INTRODUCES BILL TO INCREASE PERSONAL INCOME TAX EXEMPTIONS

(Mr. ST GERMAIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ST GERMAIN. Mr. Speaker, the necessity of bringing tax relief to the average American taxpayer is a matter of top priority during this session for many Members of Congress. I would like to add my voice to the growing chorus demanding tax changes by introducing again a bill to increase the personal tax exemptions from $600 to $1,200.

Last March I originally introduced legislation to raise the personal income tax exemptions. Since that time the American taxpayer has been hit with the 10-percent surcharge and a sharp rise in the cost of living. Increasing the exemption figure is now more urgent than ever. The low and middle income wage earners are overtaxed and I am deeply concerned that they get fairer tax treatment.

From the enactment of the Revenue Act in 1913 until 1939 the personal exemption was always at least $1,000. Originally the idea was to leave untaxed a large enough part of every American's income to care for his basic needs and those of his family—food, clothing, housing, education. It is more than obvious that the present exemption figure no longer fulfills that purpose.

During World War II the exemption was dropped to $500, and when the figure was raised to $600 in 1948 the increase was supposed to compensate for the dollar's loss in purchasing power. Following that same reasoning, and considering how the costs of medical care, housing, food, clothing—the essentials of life—have climbed in the intervening 21 years, there can be no question but that a raise in the exemptions at this time is more than justified.

Last year when the Congress was asked to approve the 10-percent surcharge, I said then that the people who would be hardest hit by the increase would be those who could least afford it. The fiscal situation facing the country, however, was so serious that I felt obliged in good conscience to cast my vote in favor of its passage. There was no opportunity at that time to vote for closing certain tax loopholes which I considered a preferable way of raising revenue. Tax reforms were supposed to come at some later time. I believe that we can now wait no longer to ease the burden on the average American taxpayer.

If these loopholes which enable too many large corporations and well-to-do individuals to avoid their share of tax payments were done away with, then enough revenue could be obtained to balance off the increases in the personal exemptions which I propose.

In simple justice it is time to do all in our power to resolve existing tax inequities. Raising the personal exemptions would be a step in the right direction. It would significantly affect the people who need it most; secondly, the need for more revenue will force fast action in closing the loopholes and tax dodges which, though unwarranted, somehow continue to remain in our tax laws.

YOUTH FARE

(Mrs. MINK asked and was given permission to address the House for 1 minute.)

Mrs. MINK. Mr. Speaker, I have today introduced a bill which authorizes air transportation at reduced rates for youths between the ages of 12 and 22 years, to all persons who are bona fide full-time students at an accredited institution of higher learning, to all persons over 65 years of age, and to all uniformed servicemen on authorized leave.

This bill is necessary in order to give guidance and direction to the Civil Aeronautics Board which is presently conducting hearings on the matter of youth fares. It has been charged that these youth fares which now allow youths between the ages of 12 and 22 years to travel at reduced rates on a standby basis, are discriminatory.

I believe that public policy on this matter ought to be clearly stated in the Federal Aviation Act. The Government of the United States must encourage our young people to avail themselves of air transportation, particularly when this travel is necessitated by their engaging in educational pursuits. Our young people matriculate at institutions far removed from their homes. The cost of education is rising sharply. The Federal Government has adopted many programs to assist these students through loans and grants to make possible their education. It would be inconsistent policy to help them pay their way to school, and at the same time exact from them full charges for necessary transportation. A policy which would enable these students, more easily to return home to visit with their families during weekends and recesses, I believe would be supportive of the Government's recognition of the importance of maintaining this family relationship.

The charge of discrimination, furthermore, I believe is without substance. Youth fares are not mere reductions of fares that other regular passengers pay. They are indeed a totally different class of fares. They are granted students currently on a space available basis; when all reserved seats are filled, then a student may be accommodated on a standby basis at a reduced fare.

Like the military personnel today, who receives a similar fare dispensation, the youth must wait until the entire aircraft is sold, before he receives his ticket. Thus the youth, like the military personnel does not receive the same class of service as a person who is seated on a confirmed reservation basis.

Beyond the provision for all youth up to age 22 years, and all youth engaged in fulltime academic pursuits, my bill also includes the military personnel on authorized leave, and all persons over the age of 65 years.

All of these groups of persons included in this bill are special categories of persons who are not in the full income producing sector of our economy and therefore I believe are deserving of this special consideration. By providing them with this reduced fare, we are encouraging their travel, and fulfilling a unique service to these persons whose special situations are deserving of this recognition.

I urge my collegues of this House to join with me in helping our youth, our students, our servicemen, and our elderly secure this privilege by permanent legislation.

AND THEY GAVE ME FREEDOM

(Mr. KAZEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. KAZEN. Mr. Speaker, in these days of student unrest, when freedom in a democracy is abused and misunderstood, it is most refreshing to see that many of our youth still consider freedom a most precious gift, a challenge to youth to prove their worth.

Miss Joyce C. Rathmann of 3834 Southwest Military Drive in San Antonio, Tex., an area of Bexar County that lies within the 23d Congressional District of Texas, which I am privileged and proud to represent, was this year's winner in the Lone Star State of the Voice of Democracy contest sponsored by the Veterans of Foreign Wars of the United States and its Ladies Auxiliary.

I congratulate Miss Rathmann on her winning speech and I am deeply moved by her strong sentiments toward peace and love for our fellow man. I commend the reading of this speech to my colleagues:

ECHOES OF THE CHALLENGE

In 1776 a trivial band of men fought, died, and won the most esteemed of all gifts, "freedom." They called it The United States of America, land of prosperity, new destiny for all. From generation to generation they passed the dream, ablaze with the light of hope, and so they gave it to me and I opened my hands to it.

Every morning I wake, I am called by the dare, as is each citizen of our democracy. It cries to me to prove my worth, show my worth, show my strength and seize it before it flees from my life. Again and again, I stand proud and accept with courage because it is all my own duty, to feel the problems around me and to answer them.

Maybe Chicago's riot did not concern my home and family, but it did concern another human, and in my small way I can stop these occurences with quiet work, talking to other teenagers, discussing controversies in such a way that they will see that violence is the wrong path. By a good, strong set example I can get people to try harder. Problems as large as eras of hate between races cannot be solved in a one night's battle, but only through a slow paced understanding within people's hearts. My job is to play down this hate—associate with people of all races and nationalities and by this staunch model bring others to my side in converting for a nation of peace. I can help start institutions which would encourage public discussions of government problems. I can stand up and speak out when an issue arises, because I care what happens. My judgment will be as informed and as intelligent as is within my power to achieve, so that I will someday be able to select the citizen most capable of assuming the responsibility of a public office.

I am marching out to this war, a city with weeds of hate beginning to grow and I have to pull them out. I'm trudging through blustery streets of disconcern and it is my liability to bring home love and understanding. To become rapt in uprisings and to stir in bits of peace, I have to work with patience to teach the misguided and underprivileged. If I fully reply to my challenge, any participation in the democratic government will be real to me. My battle will be here on an individual basis working with friends at school and in the community.

I die when I myself have grown so totally involved that I have been given to peace, love and honesty; when there are no more flag-spewn coffins returning from Vietnam or racial assassinations; when there is no longer a disinterested voter; when the overwhelming "yes" has resounded from all our lips; when our congress, courts, businesses and schools give everyone a refined liberty perfect in all ways; and the day when every man says I am *the* American and goes forth involving himself with fervor.

And with each solitary step I take I've won. I will have given the contagious lover of my country to everyone. I will not have left men's images of life become tired. I will have reached out and received a hundredfold because everything I personally put into it has renewed itself over.

The first men gave a lost cry in the blackness of an almost endless night and brought about millions of thundering replies. My answer to this challenge is of having a firm compassion and love for my fellow man, the striving for the ultimate happiness and accomplishment we owe each person and the dedication of my life for a greater world.

NARCOTIC ADDICTION AND REHABILITATION ACT NEEDS BROADENING AND STRENGTHENING

(Mr. GUDE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUDE. Mr. Speaker, yesterday, I traveled to Alderson, W. Va., to visit the Federal Reformatory for Women and particularly to investigate progress of the program under the Narcotic Addiction and Rehabilitation Act of 1966 at that institution. The implementation of this act is showing promise of helping to correct a serious national social problem and to strengthen greatly our fight against crime in which the drug addiction problem is deeply involved. I believe, and I would hope, that the Administration will do everything in its power to broaden and strengthen this program.

Drug addiction is a problem which has confounded man for centuries. Despite his efforts in the medical and social sciences, he has not yet found the panacea. Every drug addict faces a horrible, tough struggle before he can again participate in our American society as a free man, making a positive contribution. Recent reports of success of the Methadon treatment in resolving the problem of drug addiction has raised hope that this is the answer, but, I would caution that at one time heroin was used as a cure for morphine addiction. I would also caution those in authority that in Washington many of our addicts are addicted psychologically not physiologically. We could run the risk of truly addicting some individuals to Methadon without really getting to the root of their problem.

We certainly should expand our narcotic rehabilitation facilities in Washington—Methadon can be used as one tool in such an expanded program but not as an across-the-board treatment for all addicts. I have studied the drug addiction problem in depth, and it seems to me that our State Department should turn its attention to those nations, some of which are our friends, producing a great deal of opium which finds its way into illegal channels in our country. At the same time, I support the Justice Department in expanding its attack against the organized crime rings which funnel the narcotics through these channels to the user. Stopping the material at its source is one answer, and breaking the back of organized crime is another.

Also, I strongly urge that at all levels of government and the private sector we use the tool of prevention particularly with young people that have a hang-up that marihuana and harder drugs are the glamorous road which some of their peers and unscrupulous adults lead them to believe. We must show them that this is the path to a living nightmare.

IT'S TIME TO DECIDE: WHO RUNS THE COLLEGES?

(Mr. SCOTT asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous material.)

Mr. SCOTT. Mr. Speaker, I am sure that the vast majority of the Congress is concerned over the disruption of normal activities on our college campuses. We have witnessed the takeover, however temporary, of administrative offices of no fewer than 20 of our major colleges.

Let me share a lead editorial of the Richmond Times-Dispatch concerning these riots, and calling for an end to the jellyfish attitude of school administrators.

The article accuses the deans of "caving in" to outrageous demands of anarchists. It describes the situation, now so unhappily familiar, taking place around our country, where "punks," waving red flags and shouting praises to Ho Chi Minh, occupy and destroy buildings, ridicule police, and disrupt the process of learning for those genuinely interested in an education.

The Nation was made great by constructive forces, by those who have built our great universities and other institutions. The leaders of these institutions are called, the establishment, and the rioters would destroy existing facilities without having any constructive substitute. If these "students" are not attending our colleges to obtain an education it would seem reasonable to expel them so that the real students can realize the purpose for which the institutions were created.

The entire editorial, from the February 18 Richmond Times-Dispatch is inserted in the Record at this point:

It's Time To Decide: Who Runs the Colleges?

The time has come for an end to the jellyfish attitude of college administrators who are caving in to the outrageous demands of anarchists and Communist stooges on the campuses of American universities.

The chaos-producing permissiveness of today's society is nowhere better illustrated than on riot-torn campuses where punks who take over college administration buildings, destroy or threaten valuable records, and physically prevent other students from attending classes, are treated with kid gloves. They ought to be thrown out of college—and fast! And where actions justify it, they ought to be criminally prosecuted.

At every educational institution wracked by violence, some misguided students—who otherwise are good citizens on the campus—are caught up in the excitement and join the demonstrators against "The Establishment." It is pathetic that these young men and women are so blind as to follow the lead of hoodlums whose interest is not in education but in disruption.

After they get through destroying America's educational system, they will turn their attention to destroying America, period.

They wave red flags of communism and shout "Ho Chi Minh." They occupy president's offices on the campuses, tear up college property, write filthy words on the walls—and then come out to be greeted by concessions on the part of weak-kneed college administrators!

When police are called to restore order, they are greeted with the young anarchists' favorite word (excepting a certain four-letter one): "Pig!" The word is more descriptive of the disgraceful behavior of the protestors.

The wild demands of the radical fringe, if granted, would kill higher education in this country. It is asinine to think that students can hire and fire professors, decide on curriculums, throw out grading systems, decide who will pass and who will fail, and otherwise run the institutions, without the result being total chaos.

Furthermore, the vast majority of Americans are totally fed up with the implication that there's something terribly wrong with "The Establishment" and that it must be dismantled to the radical students' satisfaction.

"The Establishment" is the dedicated men and women who built the universities which the riotous gangs are attempting to tear down. "The Establishment" is the parents who have sweated through years of hard work to send their children to college. "The Establishment" is the society in which dissent, no matter how vigorous, is lawful as long as it is peaceful and does not violate the rights of others. Let the disrupters try dissenting in one of the Communist countries whose flags they sometimes defiantly wave!

Sure, institutions of higher learning can be improved. Fair-minded, patriotic young men and women on many campuses are working harmoniously with college administrators to make education more meaningful in the lives of these youths. The overwhelming majority of today's students are in the group which constructively seeks to bring about justified changes, not only on the campuses but in American society generally.

But the destructive minority—the blackmailers, the property destroyers, the enemies of basic American principles on which this nation was built and must stand—this wrecking minority has been tolerated too long.

If higher education is to exist in meaningful form in this country, the cancer of violence, so foreign to an academic atmosphere, must be dealt with as any other cancer. Cut it out before it wreaks total destruction.

FUNDAMENTAL EVALUATION OF ABM SYSTEM NECESSARY

(Mr. PODELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PODELL. Mr. Speaker, I believe that actions taken at this time by the Department of Defense to deploy the Sentinel ABM system should be halted.

In my opinion, no sound technical or military argument has been advanced for proceeding with deployment. Many of the Nation's most eminent scientists have advised that the proposed ABM system, no matter how much money may be expended, would prove worthless. They have pointed out that, although the radar and missile components of the system have been successfully tested, they have not been subjected to test under actual combat conditions. Realistic evaluation of the system is impossible except under actual bombardment by nuclear weapons. They see no dependable basis for assuming that in the present state of technology, an ABM system, with all its intricate and interdependent electronic components, would actually function as intended in a nuclear attack.

Even if the completely successful operation of an ABM system were assured, it could be defeated during an enemy attack. An enemy might choose to dispatch enough offensive missiles to overwhelm the defense. And he can employ decoys and dummy warheads in company with his missiles in order to overload and confuse the system's radars. If the radars are unable to track and discriminate between real and apparent warheads, the defense could easily waste its ABM missiles on deceptive objects.

Let us remember that only one nuclear missile needs to get through the ABM system to completely destroy its target. Because of the fantastic devastation which just one hydrogen bomb can inflict, a system that cannot provide a foolproof defense is virtually no defense at all.

The official price tag on the Sentinel ABM system is $5 billion. I agree with those military experts who say that it would, in all probability, cost twice that much. This conclusion I base on the fact that the final costs of weapons systems apparently have a way of amounting to double or triple the original estimates of the Department of Defense. By now this phenomenon has become almost predictable. I feel certain that it would prove to be the case with the Sentinel ABM system.

Furthermore, if a thin ABM system were deployed, it seems reasonable to assume that at some time in the near or distant future, the Pentagon would find a rationale for its expansion into a thicker system. This would involve the expenditure of untold additional billions.

The deployment of an ABM system by the United States could cause a dangerous escalation of the arms race which it is in the interest of this country and the whole world to avoid. Should the Russians respond to our ABM deployment by upgrading and increasing their offensive weapons, we would undoubtedly follow suit. This is the action-reaction phenomenon that former Defense Secretary McNamara warned us against. The end result of this process would be the growth of the weapons arsenal of each side, but their relative strengths would probably remain essentially the same. The security which we seek through an ABM system would have eluded us.

U.S. COLONIALISM—WARREN COURT STYLE

(Mr. RARICK asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, man continues to divide the world. We have two Vietnams, two Koreas, two Chinas, two Germanies, two Africas, two societies—and now the Warren court has served notice it judicially recognizes two U.S.A.'s—43 self-governing States and seven colonies.

In the case of Allen et al. against State Board of Election, the Supreme Court has decreed that the people in the States of Alabama, Georgia, Louisiana, Mississippi, South Carolina, Virginia, and parts of North Carolina must be denied equal protection of the law and cannot enact or amend election laws until approval is first gained by a lawsuit in the District of Columbia or approved by the U.S. Attorney General.

Can any thinking American conceive of a more dictatorial fiat than that where the people of a minority of States beg for approval of their laws?

Equal rights—voting rights—one man, one vote—yet the same unelected bureaucracy that gives lipservice to such phrases has with this decision denied the civil rights of every citizen in the seven States.

What a mockery of the Constitution, article 4, section 4, which provides:

> The United States shall guarantee to every State in this Union a Republican form of government.

Nor can any thinking American sustain the factual findings of the ivory tower crowd that there was no evidence of discrimination in the other 43 States—why then the demands for open housing, civil rights, and antiriot bills?

Why have 500,000 Americans fled northern cities in the past year?

The honorable findings of fact seem prima facie ridiculous.

The Supreme Court has done its best to redivide the Union into two Americas. Seven, once regarded as States, are now disfranchised—returned to colonies, occupied by judicial order, or as labeled by Justice Black, "conquered provinces." Seven colonies containing U.S. citizens deprived of equal rights accorded their fellow citizens of sister States.

Yet, those citizens of the southern colonies now without full rights are subject to equal taxation and to supply their sons for military service.

The true victims of this judicial move to perform cultural genocide will not be the people of the South—for they have proven their forbearance and perseverance. Promotion of sectionalism and division of the United States can but, if allowed to continue, undermine the purpose for which the Republic was founded and eventually destroy the constitutional Republic itself.

What is discrimination? Equality? Why are governments formed among men?

Mr. Speaker, I include Justice Black's dissent from the Court's opinion following my remarks, along with an article from the Washington Evening Star of March 3, 1969:

[Supreme Court of the United States—Nos. 3, 25, 26, and 36.—October Term, 1968]

Richard Allen et al., Appellants, *v.* State Board of Elections et al.

(On Appeal From the United States District Court for the Eastern District of Virginia.)

J. C. Fairley et al., Appellants, *v.* Joe T. Patterson et al.—Charles E. Bunton et al., Appellants, *v.* Joe T. Patterson et al.—Clifton Whitley et al., Appellants, *v.* John Belliams et al

(On Appeals From the United States District Court for the Southern District of Mississippi.)

[March 3, 1969.]

Mr. Justice Black, dissenting.

Assuming the validity of the Voting Rights Act of 1965, as the Court does, I would agree with its careful interpretation of the Act, and would further agree with its holding as to jurisdiction and with its disposition of the four cases now before us. But I am still of the opinion that for reasons stated in my dissenting opinion in *South Carolina* v. *Katzenbach,* 383 U.S. 301, 355–362 (1966), a part of § 5 violates the United States Constitution. Section 5 provides that several Southern States cannot effectively amend either their constitutions or laws relating to voting without persuading the United States Attorney General or the United States District Court for the District of Columbia that the proposed changes in state laws do not have the purpose and will not have the effect of denying to citizens the right to vote on account of race or color. This is reminiscent of old Reconstruction days when soldiers controlled the South and when those States were compelled to make reports to military commanders on what they did. The Southern States were at that time deprived of their right to pass laws on the premise that they were not then a part of the Union and therefore could be treated with all the harshness meted out to conquered provinces. The constitutionality of that doctrine was certainly not clear at that time. And whether the doctrine was constitutional or not, I had thought that the whole Nation had long since repented of the application of this "conquered province" concept, even as to the time immediately following the bitter Civil War. I doubt that any one of the 13 Colonies would have agreed to our Constitution if they had dreamed that the time might come when they would have to go to a United States Attorney General or a District of Columbia Court with hat in hand begging for permission to change their laws. Still less would any of these Colonies have been willing to agree to a Constitution that gave the Federal Government power to force that one Colony to go through such an onerous procedure while all the other former Colonies, now supposedly its sister States, were allowed to retain their full sovereignty. While *Marbury* v. *Madison,* 1 Cranch 137 (1803), held that courts can pass on the constitutionality of state laws already enacted, it certainly did not decide to permit federal courts or federal executive officers to hold up the passage of state laws until federal courts or federal agencies in Washington could pass on them. Proposals to give judges a part in enacting or vetoing legislation before it passed were made and rejected in the Constitutional Convention; another proposal was made and rejected to permit the Chief Justice of this Court "from time to time [to] recommend such alterations of and additions to the laws of the U. S. as may in his opinion be necessary to the due administration of Justice, and such as may promote useful learning and inculcate sound morality throughout the Union . . . ." See my dissenting opinion in *Griswold* v. *Connecticut*, 381 U. S. 479, 514, n. 6 (1965).

It seems to me it would be wise for us to pause now and then and reflect on the fact that the separate Colonies were passing laws in their legislative bodies before they themselves created this Union, that history emphatically proves that in creating the Union the Colonies intended to retain their original independent power to pass laws, and that no justification can properly be found in the Constitution they created or in any amendment to it for degrading these States to the extent that they cannot even initiate an amendment to their constitution or their laws without first asking the permission of a federal court in the District of Columbia or a United States governmental agency. I would hold § 5 of the 1965 Voting Rights Act unconstitutional insofar as it commands certain selected States to leave their laws in any field unchanged until they get the consent of federal agencies to pass new ones.

[From the Washington (D.C.) Evening Star, Mar. 3, 1969]

Justices Curb Seven States on Election Law Shifts

The Supreme Court today told seven Southern states they will have to come to Washington to get government or court approval any time they alter their election systems.

By a vote of 7–2, the justices broadened the 1965 Voting Rights Act to protect Negroes against discrimination that goes beyond their right to register and to vote.

The decision extends the protection to such changes as switching some officials to appointive officers instead of elective officers, changes making it harder for independent candidates to run, or requiring officials to be elected in at-large balloting rather than by districts.

However, the court said it would not nullify elections previously held in violation of the new decision. Specifically, it refused to set aside a series of local elections in Mississippi conducted without advance clearance for the methods used then.

Today's ruling involves a requirement of the 1965 federal law that states which had in the past discriminated against Negro voters could not put into effect new voting procedures without first proving they are not discriminatory.

The advance clearance may be obtained from the U.S. attorney general, or the U.S. District Court in Washington.

The requirement applies only to Alabama, Georgia, Louisiana, Mississippi, South Carolina and Virginia, and to parts of North

Carolina. The coverage was determined by past practices of discrimination and thus did not affect northern states.

Southern states had argued, in a series of cases which the high court decided today, that the advance clearance requirement only involved election changes that specifically involved the right of a citizen to register to vote and his right to cast his ballot.

Chief Justice Earl Warren, rejecting that argument today, said the requirement applies to "all action necessary to make a vote effective."

It reaches "any state enactment which alters the election law of a covered state in even a minor way," Warren said, in that a voter's rights are affected if an office which had been filled by election was made appointive.

In addition, Warren said, a voter's effect might be altered if he casts his vote as a citizen of an entire county or a complete state instead of as a resident of a district, because he might be in the majority in the district but be in a minority in the county or state.

INDEPENDENT STATUS

Finally, Warren found, a switch of procedures to limit a citizen's right to run for office as an independent could be affected if this right were limited according to the person's past party affiliation.

Mississippi made all three types of changes in its election laws in 1966.

A fourth type of change, affected by today's ruling, was made in Virginia. The change barred voters from using a gummed sticker as their method of casting a write-in vote. A group of illiterate Negroes had said this was the only way they could vote, and Virginia had insisted that it could control the way in which write-ins were cast.

The high court also settled today a series of important procedural issues on the voting rights act.

FACULTY INTEGRATION

The court agreed to consider the Justice Department's demand that public school teaching staffs be desegregated by specific racial ratios.

In a bid for a ruling that would have impact in the North as well as the South, the department contended that fixed numerical standards are "the appropriate yardstick" to determine if faculty segregation has ended.

The 5th U.S. Court of Appeals ruled last August that school boards need only make a "good faith and effective effort" to desegregate teaching staffs.

In a test case against the Montgomery County, Ala. school board, the lower court said school officials must be given flexibility to consider whether teachers are available, and to take account of "sound school administrative procedure."

This decision upset a federal judge's earlier order requiring the Montgomery County board to begin working toward a racial breakdown so that the faculty of each individual school reflected the same ratio of white-to-Negro teachers in the entire school system.

That would have meant a 3-to-2 white-Negro ratio in every school faculty.

Without a standard like that, the Justice Department argued in its appeal to the high court, it will be "difficult, if not impossible," to insure that segregated faculties will ever be completely desegregated.

CITIZEN SUITS

It ruled that private citizens have a right to go to court to challenge changes in Southern election laws and that they may do so in any federal district court near their home.

It held that challenges to election law changes may be filed in special three-judge courts, which would speed those cases to the Supreme Court directly after the first decision, instead of sending them through the slower process of review by the U.S. courts of appeal.

Finally, it decided that Southern states must follow "some unambiguous" and distinct method when they notify the attorney general that they have changed their laws and are seeking his reaction.

Though the main part of the high court decision drew dissents only from Black and Harlan, Justices Thurgood Marshall and William O. Douglas refused to go along with the court decision, applying the requirements to future elections only.

THE CRISIS IN BIAFRA

(Mr. FEIGHAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. FEIGHAN. Mr. Speaker, with my fellow citizens, I have watched with increasing horror the unceasing civil strife in Nigeria. The loss of human lives has reached disastrous proportions, with starvation causing an estimated 2.5 million deaths thus far.

The Nigerian Government and the Biafrans are no closer now to agreement than when the Ibos chose on May 30, 1967, to become a sovereign state. The intense fighting between the two factions continues, and every day brings added suffering to their peoples without the slightest regard for human dignity. It is appalling to me that even a divided nation would permit the starvation of thousands of innocent children as an implement of war.

The indifference of the Nigerian and Biafran officials to the humanitarian aspects of this conflict is, however, a tragic fact. And while the foremost considerations of the African factions are military and political, the United States must concentrate on the humane and moral aspects of this conflict.

The political complexities involved in the conflict are great. Certainly my colleagues will concur that our government has taken every possible precaution not to escalate our participation in the hostilities. Our interest here is first humanitarian and our responsibility is not to pass judgment on the political implications involved, but to aid the relief of the diseased, starving, and neglected.

To date, the United States has contributed over $31.4 million to relief efforts in the form of surplus food, medical supplies, and transportation of equipment. There is so much more that can be done, however. Nigeria normally undergoes a significant food shortage at this time of the year, but partially because of turbulent conditions throughout the country, the lack of sufficient nourishment is becoming much more critical.

Negotiations for increased airlift operations are in a state of limbo, with neither faction willing to concede the necessary air and surface corridors to bring food to their people. If our present efforts to bring relief to Biafra are not effective, we must look to alternative, more workable methods of assisting these people.

Mr. Speaker, the humanitarian aspects of the problem are a legitimate cause of concern for the entire world community. The United States, as I have said, can and must do more, and accordingly I have joined several of my distinguished colleagues in sponsoring a resolution which calls for significant increases in the amount of surplus food stocks, relief moneys, aircraft and other vehicles of transportation available to the several Biafran relief agencies. The resolution also urges the U.S. Government to solicit the cooperation of other nations in this humanitarian effort. Every avenue must be explored to effect meaningful aid to these people.

It is my hope that immediate steps can be taken to eradicate the agonizing torture that our African neighbors have been forced to endure.

FOREIGN DIRECT INVESTMENT CONTROLS

The SPEAKER pro tempore (Mrs. CHISHOLM). Under a previous order of the House the gentleman from Iowa (Mr. CULVER) is recognized for 10 minutes.

Mr. CULVER. Madam Speaker, my colleague, Congressman JOHN TUNNEY, made an important statement yesterday before top chemical industry executives and Government officials at the monthly luncheon of the Chemical Forum. He discussed the Government controls and restrictions placed on American foreign investments and the detrimental effect the controls will have on the U.S. balance of payments by reducing foreign earnings and weakening the competitive position of American business in the world market.

Because of its significance I want to make the full statement available to the Members of Congress, and, under unanimous consent, place it at this point in the RECORD:

President Johnson issued Executive Order 11387 on January 1, 1968, establishing controls on certain types of U.S. capital investments abroad, in addition to restricting capital investments already in existence.

The "temporary" measure was instituted under the authority of the Trading With the Enemy Act of 1917 and with 1950 proclamation of a national emergency pursuant to that act, accordingly, the Office of Foreign Direct Investments was established in the Department of Commerce to implement the restrictions, and regulations published in the Federal Registry of January 3, 1968. The OFDI was given a goal of improving the balance of payments by $1 billion for the year 1968.

Last year, the Deputy Director of the OFDI rendered a status report in which it was admitted that "it is becoming increasingly apparent that some of the other measures designed to improve our balance of payments deficit in 1968 will not meet their targets, therefore," the report continues, ". . . we will have to learn to live with the regulations or some effective substitute, for at least a few years, this will be unpalatable for many U.S. companies which have assumed that investment controls may be lifted sooner, but I would not think corporate planning could be built on that assumption."

I have introduced H. Con. Res. 85 and 86 declaring that the continued restraints and controls on American investment abroad constitute an unwise and harmful economic policy and calling upon the President of the United States to end such controls at the earliest possible date.

It has been gratifying that my resolution has received the bi-partisan sponsorship of 42 republican and democratic members of the House. Without attempting to set forth the economic and monetary factors in studied detail, there are sound and basic reasons which have prompted my introduction of this legislation.

I would comment first upon the effect the program has on our foreign relations.

The requirement that partly-owned foreign subsidiaries must send a large share of their profits to the United States plays into the hands of those who are so quick to paint the picture of American foreign enterprise as one of exploitation of other people, in other countries.

The introduction of mandatory controls did, in effect, announce to all countries that our American companies abroad are in fact aliens subject to the laws and regulations of the United States. We, therefore, must expect a considerable deterioration of the investment climate abroad for the U.S. companies. We may also expect retaliatory controls from the foreign governments.

It is well known that though host countries recognize the need for foreign investments, they also have shown some concern lest foreign investors dominate their economies or follow policies contrary to those laid down by local authorities. The administration's program for controls of direct investment have given evidence that their concern is not unwarranted, the assurances of local management that companies intend to be good citizens ring hollow in view of the official U.S. view expressed in the mandatory program that the operations of these companies must be conducted subject to the overriding needs of U.S. Foreign Economic policy.

The basis for the charges of "American Economic Imperialism" and the threat that such interference in local jurisdictions poses to the future of affiliates of American companies will remain as long as the mandatory controls remain. American companies will be accepted abroad only if they can demonstrate that they intend to be good corporate citizens. The present program makes it difficult to make that pledge in good faith.

Additionally, controls on free investment abroad diminish the competitiveness of American companies in the international marketplace. Foreign investment controls can be justified only as a short-term expedient in a monetary crisis. I strongly maintain that such short term has now expired, and that controls on investment flows will ultimately worsen our balance of payments by reducing foreign earnings, and increasing payments on foreign borrowings. The continuation of foreign investment controls on American enterprises abroad runs counter to the long range economic and foreign policy interests of the United States.

A sound foreign economic policy is a fundamental element in our country's international affairs and the conduct of our foreign affairs is facilitated and ameliorated by the flow of trade and investment between nations.

International investment among nations serves to reinforce ties of friendly relations and has in fact been a dominant force for world prosperity and economic growth in the post-war era. It has been the consistent policy of this country to remove the barriers to friendly and beneficial intercourse between nations. No one can deny that U.S. private investments abroad have been economically beneficial for the United States as well as the countries whose economies have been stimulated by our foreign direct investments. Foreign investment has consistently been a "plus" in our balance of payments picture, returning more capital than it has drained off. For instance, the U.S. private foreign investments between 1950 and 1966 totaled $39 billion. These investments returned $58 billion to the United States during the same period. The present controls, if allowed to continue, have the effect of "killing the goose that lays the golden egg." The fact that such investments, and their earnings, are easily identifiable and readily restricted is no excuse for misdirected, arbitrary tampering that can and will lead to future deterioration of the U.S. private sector position in the world economy.

Our foreign investments have contributed materially to the U.S. balance of payments as a result of the return flow of earnings as well as through the creation, preservation, and servicing of export markets. These foreign investments have been a major factor in the U.S. balance of trade since 25 percent of our exports are to United States overseas affiliates and subsidiaries. We cannot afford to jeopardize the benefits of world-wide trade and investment developed with such great difficulty by this nation over the past forty years.

The foreign direct investment controls were part of a package designed to reduce the overflow of U.S. capital during the international monetary crisis associated with the devaluation of the British pound and the run on gold. This emergency crisis is behind us. Present controls are misapplied because they curtail direct investment, a segment of U.S. capital flow which historically produces a balance-of-payment surplus, as opposed to attacking segments of outflow from which there is no positive return to the U.S. balance of payments, most important of which is U.S. defense expenditure abroad. Since the controls do not deal with the basic causes of the U.S. deficit, they will cure nothing.

In seeking to staunch the flow of a "minus" item in the payments balance equation—the outflow of capital—the controls are sure to weaken one of the "plus" items, represented by our exports. The control of the export of capital will operate to reduce the export of capital goods, the machinery of production in which we excell. Many ventures abroad require an American concern to invest a share, which is often added to other shares and spent largely in the U.S. for the equipment needed to tool-up. Such new or expanded ventures abroad will be in the market for less of our goods as a consequence of these controls. The controls are so devised that even the export of American raw materials and semi-manufactured goods to subsidiaries abroad are curtailed. Because inter-company trade accounts are limited under the controls American affiliates abroad will not be able to expand as rapidly as the market opportunities allow—but their foreign competitors will.

An extremely inequitable aspect of the mandatory program is that it especially hurts those companies who cooperated with the government in 1965–66 during the voluntary phase. The companies voluntarily sent the vast majority of their overseas profits home, often delaying or drastically curtailing needed reinvestment in plant and equipment for their foreign subsidiaries. Under the present mandatory program, 1965–66 is used as a base period to calculate allowable investment and repatriation rate of profit in the future. The effect of this is to repay cooperation with penalties.

The controls will achieve a short-term reduction in investment outflow for which the U.S. will pay in later years in terms of reduced inflow dividends and royalties from, and exports to, subsidiaries and affiliates aboard. Thus the controls have the effect of mortgaging the country's future inflows that could be reasonably expected from an uninhibited outflow of direct investment capital based on rational, economic decisions.

Another serious danger lies in hampering the competitiveness of U.S. firms in the international market place. U.S. firms—and in particular small and medium sized ones—are prevented from grasping investment opportunities that their counter-parts in most other industrial countries can take. As these opportunities are lost to U.S. firms, and lost permanently, their present share of some foreign markets will be diminished, with a corresponding reduction in U.S. capital inflow from current levels.

Many prominent international economists say that foreign direct investment restriction inherently leads to the necessity of establishing full inconvertibility, resident and nonresident, of the U.S. dollar. Such a policy does not appear to be the intent of the U.S. Government at present, but it will be forced into this policy (or a devaluation of the dollar) because of the failure to attack the real causes of the deficit and because of the inevitable outflow of capital from the United States my non-residents. Furthermore, restriction breeds restriction, and efforts to police one set of restrictions must ultimately lead to more comprehensive currency controls.

Under the present program, U.S. companies are forced to increase their borrowing abroad. This has an immediately harmful effect on the balance of payments since foreign lenders are to one degree or another disinvesting in the U.S. (which means a current balance of payments outflow) to secure the funds to lend the U.S. firms outside the U.S. At present, interest rates in the Eurodollar market in Europe are low, but these rates will rise as Europe deflates its economy, and at the same point the spread in the cost of funds between the U.S. and Europe will sharply widen. This will greatly speed the outflow from the U.S. of funds held by foreigners.

To be frank, these controls are of doubtful intellectual honesty. Under these controls, U.S. firms are urged to borrow to the hilt in order to finance their investments anywhere, and in Europe in particular, with parent company guarantees if necessary. These loans will have to be repaid, and some of the guarantees may have to be invoked, causing one of two results. If the controls are still in effect, the repayment will have to come out of firms already thin investment quotas and thus borrowing today mortgages a company's investment future; if the controls are not in effect at repayment time, there will be some repayments if for no other reason than to strengthen the equity base of foreign operations that have expanded with an over-reliance on borrowed funds. This might have a sharp and sudden negative effect on the balance of payments at that time.

Lastly, the foreign direct investment program is of dubious legality. Its legal framework is a 1917 law plus the declaration of a national emergency dating back to the Korean war in 1950—both of which were originally enacted for completely different purposes. Some prominent legal personages question the legality of the program without specific enabling legislation or supervision by Congress, even though these controls are as fundamentally important to our economy as taxing policies.

Working closely with private organizations, such as the fine cooperation I have received from James G. Morton of the Manufacturing Chemist Association, and with all parties concerned with the future U.S. place in the world economy. I look to passage of my resolution to establish congressional interest and concern in this area and to express the sense of Congress that these controls should be eliminated at the very first opportunity.

Otherwise we face the possibility of destroying in one fell swoop, the U.S.'s own efforts for the past 40 years, and more recently those of many other countries, to establish a worldwide system for the unimpeded flow of goods and services. Free movement of goods is a direct corollary of free movement of capital—first there has to be production in order for there to be commerce, and in order to have production capital is needed. Suffice it to say that much of the prosperity of the world in the last 20 years has been the result of dismantling barriers to the free movement of capital and goods.

If the Federal Government, without hearings or congressional action, is able to reach so far into your businesses as to control the location, type, and extent of investment, then our free enterprise system will soon be neither free nor enterprising.

AFL–CIO CALLS FOR END TO TAX LOOPHOLES, REPEAL OF 7 PERCENT INVESTMENT TAX CREDIT

The SPEAKER pro tempore. Under previous order of the House the gentleman from Wisconsin (Mr. Reuss) is recognized for 10 minutes.

Mr. REUSS. Madam Speaker, on February 21, 1969, the AFL–CIO Executive Council issued a statement on tax reform calling for the elimination of tax loopholes, and urging especially repeal of the 7 percent investment tax credit and the provision allowing accelerated depreciation on new construction. Other loopholes mentioned in the statement are the oil-depletion allowance, tax-free interest on State and local bonds, the unlimited charitable deduction, and the hobby farm dodge.

On January 29 I was joined by nine of my colleagues—Mr. Meeds, Mr. Rees, Mr. William D. Ford, Mr. Moorhead, Mr. Adams, Mr. Bingham, Mr. Brown of California, Mr. Edwards of California, and Mr. Zablocki—in introducing H.R. 5250, the Tax Reform Act of 1969, which would close off these and other loopholes and bring in some $9 billion in additional revenue. Subsequently, Mr. Blatnik, Mr. Karth, and Mr. Helstoski introduced identical bills, and Mr. Gibbons introduced an identical bill, H.R. 7585, for himself and 14 cosponsors—Mr. Conyers, Mr. Long of Maryland, Mr. St. Onge, Mr. Farbstein, Mr. Podell, Mr. Byrne of Pennsylvania, Mr. Thompson of New Jersey, Mr. Mikva, Mr. Eilberg, Mr. Yatron, Mr. Rosenthal, Mr. Vigorito, Mr. Koch, and Mr. Nedzi.

I commend the AFL–CIO tax reform statement to my colleagues, as follows:

Statement by the AFL–CIO Executive Council on Tax Reform, Bal Harbour, Fla., February 21, 1969

The basic inequities in the federal tax system can be simply stated:

1. Many of the wealthiest individuals in the United States pay not one single cent in federal income taxes. BUT

2. Many of the poorest individuals in the country, who live in what the government defines as poverty, are forced to pay federal income taxes.

In the opinion of the AFL–CIO Executive Council this is a reprehensible situation, which must be corrected. We can no longer tolerate a double standard of taxation, which heaps an unfairly great part of the burden of running the federal government on the shoulders of America's middle-income families, many of whom are trade unionists.

We insist America must achieve a standard of tax fairness and we are therefore pleased that the House Ways and Means Committee has announced its intention of conducting a full-fledged tax reform investigation.

Major reform of the federal tax structure has been talked about for many years. Yet on April 15, 1969, those who receive billions in capital gains from stock-market and real-estate transactions, from tax-free interest on state and local bonds, from oil- and other unjustifiable mineral-depletion allowances, and from other forms of unearned income, will still enjoy special tax shelters. Some will use their "foundations" and family trusts as tax-dodging schemes, and tax loopholes will still be a major crop of many operators of large farm enterprises. The transfer of large sums by gift and at death will still be accomplished by evasions that make taxation based on ability to pay a sham. Fast depreciation will provide real estate operators with tax-free bonanzas, which are also major factors in the rise of land costs and rents. Some wealthy individuals will don the mantle of philanthropy, but they will use the unlimited charitable-deduction loophole and the federal government will honor their pledges.

In 1967, 21 individuals who reported incomes above $1 million and 155 who reported incomes of $200,000 or over, paid not a dollar of federal income tax.

In contrast, some 2½ million persons whose incomes fell below the government's "poverty line" paid $100 million in federal income taxes.

These loopholes of special privilege for wealthy people and corporations take their toll of the public's confidence in the federal income-tax structure. They are also expensive in dollars.

Just three major loopholes—capital gains, exemption of state and local bond interest, and tax windfalls to oil, gas and other mineral operations—cost the Treasury approximately $7 billion in 1968.

The 7 percent tax credit for investment in machinery and equipment produces over $2 billion for corporations. Moreover, this special tax privilege contributes to difficulties in the money market and adds to upward pressures on interest rates.

Most of these loopholes have developed over a quarter century of horse-trading for special privileges, frequently under the guise of promoting or encouraging an activity in the national interest. Unfortunately, the costs of these special privileges in terms of dollars, equity, wastefulness and taxpayer confidence have far outweighed any benefits.

Yet despite this sad record, it is becoming increasingly fashionable in some circles to advocate additional tax loopholes for wealthy people and corporations, in the guise of panaceas for virtually every national ill that can be identified. There is talk of adding new tax gimmicks for real-estate operators, many of whom are now more accurately considered in the business of constructing tax shelters rather than shelters for people. And there are tax forgiveness proposals ranging from those which supposedly would provide incentives to industry for on-the-job training and inner-city industrial development to those which would encourage gold mining.

Those who make these proposals would further reward those who already more than adequately share in America's affluence, and use as their excuse, the plight of those who are today in trouble because they do not have their fair share.

We view such schemes as haphazard, costly and wasteful approaches to meeting the nation's goals. Tax forgiveness has the same impact on the federal budget as a direct expenditure.

Yet, through such gimmicks, the federal government relinquishes budgetary control to the wealthy investors and businesses who reap most of the benefits. When a privileged few are provided shelters that enable them to avoid their fair tax share, others must reach deeper into their pockets.

We believe that the nation's interest cannot be served through tax forgiveness schemes or other forms of "no-strings" federal aid that are not subject to the Congressional scrutiny of specific programs, whose funds must be used in line with national priorities, under federal performance.

The Congress and the new Administration must assign top legislative priority to substantial and thoroughgoing reformation of the federal income-tax structure.

We call for:

1. Elimination of the loopholes of special tax privilege for wealthy families and corporations.

2. A minimum tax on all income over a total which would provide protection for legitimate small investors but which would require at least some tax payment from those whose huge incomes are now preferentially taxed or totally tax-exempt.

3. Removal of the impoverished from the federal income-tax rolls.

4. Reduction in the relative tax burden for low- and moderate-income families.

5. Rejection of proposals for new tax loopholes, which would provide additional benefits for wealthy people and businesses and create even more inequities in the federal tax structure.

6. Unequivocal dismissal of all proposals for a federal retail sales tax. Whether such proposals are called "value-added" taxes or offered clearly as a tax on consumer, the effect is the same—those who can afford it least, bear the brunt of the burden.

7. Repeal the provision of double depreciation on all new construction, except low- and moderate-rental housing, and the 7% tax credit for business investment in machines and equipment.

THE ZAMBEZI—ANOTHER RED FRONTIER

(Mr. RARICK asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, while our Government continues to enforce economic sanctions against friendly Rhodesia, that tiny nation continues its valiant struggle against invading Communist terrorists.

During my visit to Rhodesia in December 1967, I personally inspected captured Communist weapons—weapons of death and destruction which bore Russian and Red Chinese markings.

An up-to-date report on the terrorist situation reveals that the millitant terrorists continue to enter Rhodesia from Zambia, with the full blessings of the Zambian Government.

The British claim that terrorist activity is a result of Rhodesia's declaration of independence, but this report shows that acts of Communist terrorism existed long before that declaration.

Mr. Speaker, I think our colleagues will find this report of great interest, and I include it following my remarks. I only regret that the Record is unable to reproduce pictures of the captured Communist weapons—in many instances the same weaponry killing U.S. soldiers in South Vietnam. The report follows:

Zambezi—Red Frontier

It was November 25th, 1965, and James Chikerema, self-styled Vice-President of the Zimbabwe African Peoples' Union, was speaking over Zambia Radio: ". . . take your bows and break the Government of Ian Smith and all his robbers, because it is true they are robbers, thieves. Take your bows, your axe, your spear and smash that Government. If blood spills, even if blood is shed, that Government must be broken . . ."

Less than a month earlier, Rhodesia's Minister of Law and Order, Mr. Desmond Lardner-Burke, had been talking to the British Prime Minister, Mr. Harold Wilson, in London.

"I'd like to have a chat with you some time about communist infiltration into Africa," said Mr. Wilson.

"Why?" asked Mr. Lardner-Burke. "Surely your intelligence organizations like M15 can advise you better than I can?"

"No, I don't think so," said the British Prime Minister. "I feel you know more about communist infiltration than we do."

Rhodesia certainly does. It declared itself independent just 14 days before Chikerema's broadcast. By that date, more than 80 communist-trained terrorists had already entered Rhodesia, and been caught and charged.

All were armed with sophisticated weapons of Chinese, Russian or Czech orgin and were intent on creating chaos in Rhodesia.

This fact alone indicates the fallacy of statements made by Mr. Wilson and his colleagues that the infiltration of terrorists is solely due to Rhodesia's declaration of indepence.

Certainly in the past two years, infiltration by terrorists has been stepped up. An explanation for this can best be given by a published statement of the Organization for African Unity (the O.A.U.).

AIMS OF THE O.A.U.

It reads: "We cannot compromise with any white government, extreme or liberal—or agree to multi-racial nonsense. We are determined to destroy all vestiges of white civilization. The rivers of Zimbabwe (Rhodesia) are to turn red with the blood of white tyrants and their children."

The O.A.U. has clearly set out its aims to destroy civilization in southern Africa.

Yet its most vociferous spokesmen come from countries which can hardly be said to have stable governments—or democracy.

Rhodesia is not alone in having to face external threats, for there have been similar terrorist incursions into South Africa and South West Africa, Malawi and Moçambique—all sponsored by the O.A.U. with the backing of communist countries.

Holding camps for terrorists who have been trained in Cuba, North Korea, Algeria, Red China and Moscow have been established in both Tanzania and Zambia. Terrorists captured in the Zambezi Valley have confirmed that they stay in these camps for several months, waiting for supplies and ammunition before infiltrating into Rhodesia.

President Kaunda of Zambia has consistently denied his country is aiding terrorists, yet on March 30th, 1968, Reuter-Associated Press reported from New York that Mr. Reuben Kamanga, Zambia's Foreign Minister, had told African United Nations delegates that "Zambia is supporting guerrilla warfare in Rhodesia."

However, Rhodesia's Secretary for Law and Order, Mr. A. M. Bruce-Brand, said in his report for 1967: "the unity of purpose by persons of all races in Rhodesia in combating the terrorist menace has been one of the happier outcomes of these subversive attacks. The invaluable informaion and assistance given to the security forces by the local population has assisted in the hunt and capture of many of these terrorists." Rhodesian Africans, living within the country's borders, are playing a vital role in catching terrorist infiltrators crossing the Zambezi River. This has been clearly shown by evidence presented in court during terrorist trials.

According to an Associated Press report from New York on April 15th, 1968, Mr. Kamanga was quoted as saying: "Reports reaching us indicate that the Rhodesian African masses are accepting the Smith régime." The report added that Africans in Rhodesia have always been relatively prosperous when compared with their neighbours to the north, and their lack of enthusiasm towards anti-white revolution probably grows out of a desire to be left in peace to attend to their own affairs.

On April 27th, 1968, the Rhodesian Prime Minister, Mr. Ian Smith, said: "I have information, which I am satisfied is conclusive, proving they [Zambia] are aiding and abetting terrorists coming through Zambia."

TWO CENTERS

The Rhodesian Government has named two main holding centers for terrorists in Zambia. One is Nkomo Camp—formerly known as Ndhlovu's Farm—in the Chungu River Valley, about 16 miles north-west of the Zambian capital city of Lusaka, on the old Mumbwa Road. Another base is Lithule Camp on Dube's Farm, about 20 miles from Lusaka on the King Edward Mine Road. This farm is owned by a Rhodesian-born African, Dube Phiri.

President Banda of Malawi, well known for his anti-communist views, said on December 12th, 1967: "I do not want to be a subject of Genghis Khan II in Peking." Dr. Banda has reason to feel this way. In 1964 he revealed that the Chinese Embassy in Dar-es-Salaam, Tanzania, had offered £18 million if his country would recognize the Red régime. Dr. Banda refused, and subsequently discovered that several of his Ministers were involved in a plot to depose him.

One of them, Henry Chipembere, former Minister of Education, was jailed for three years in Malawi before the country became independent after allegedly threatening to murder "1,000 white men, women and children". Chipembere, the son of an Anglican clergyman, is now working in Tanzania as a schoolteacher.

He and groups of well-trained terrorists, armed with communist weapons have made several attempts to enter Malawi, but each time Dr. Banda has thwarted their efforts.

Dr. Banda recognized that the O.A.U. was behind the terrorist incursions when he said on September 17th, 1965: "For me, African unity has no meaning while Tanzania is harbouring rebels against the Malawi Government . . ."

Of the Chinese communists he said: "I have no intention of being second or third, or even first fiddle, playing in a Chinese orchestra. Not only am I not going to be a player in that orchestra, I have no intention of being an audience, either."

Dr. Banda is one of the few African leaders to reject communism. He has publicly pinpointed terrorist training camps in Tanzania.

COMBINED CLEAN-UP

The Rhodesian Army, Air Force and Police, together with units of the South African Police, have combined to clean up terrorist incursions from Zambia.

On July 4th, 1964—some 16 months before Rhodesia became independent—Mr. Petrus Oberholtzer, a 45-year-old father of seven children, was killed by a group of African terrorists who called themselves "the Crocodile Gang".

Subsequent court proceedings showed that the terrorists were members of the banned Z.A.N.U. and were recruited in Zambia for infiltration into Rhodesia for sabotage purposes.

Mr. Oberholtzer was stopped at a road block and attacked with stones, knives and petrol bombs. His wife, Johanna, and her three-year-old daughter, Elizabeth, were rescued by a passing motorist from their wrecked car, while the gang was trying to set alight.

According to statements made by the accused, they were approached in Zambia and told to organize themselves for entry into Rhodesia. They were told that if they "did well" they would be sent for "further education".

The court was also told that it was the gang's intention to commit sabotage in Rhodesia. Among the exhibits were notes written by the gang to be left at the scene of their crime. One read: "Ian Smith beware. Crocodile group on confrontation . . ." Another read: "Crocodile group will kill all white men in Zimbabwe. Confrontation. Clever white men shall go before he loses his life."

On September 24th, 1964, Mr. Farewell Roberts and his wife were in the lounge of their home, Dube Ranch, near the Botswana border, when their dog started barking. Outside were six men armed with machine-guns about to attack the Roberts home. Despite their superior numbers, they dropped their weapons, turned tail and fled.

HIDING IN KOPJE

All except one of the group were later captured. Two were arrested by an African detective who tracked them over 60 miles of rough terrain and finally caught them hiding in a kopje.

On April 30th, 1966, in the Sinoia area, seven terrorists were killed in an engagement with security forces. The gang had entered from Zambia some two weeks before. They were armed with Russian and Chinese weapons and one of them was found to be carrying a notebook containing details of lectures given at Nanking Military College in November and December, 1965.

On May 17th, 1966, a European farmer and his wife, Mr. and Mrs. Viljoen, were found murdered. Two months later two members of the gang involved in the Viljoen murder were tracked down and killed in an engagement.

During 1966 some 20 terrorists were killed and others were captured.

At least 25 terrorists were killed in 1967, and others captured, and so far this year more than 100 have been killed by Rhodesia's security forces.

These incidents offer classic examples of an attempt to implement Mao Tse-Tung's dictum that political power grows out of the barrel of a gun. They follow the patterns set in Malaya and South Vietnam, where the communist insurrections started with attempts to break down rural administration by subversion supported by selective terrorism.

Fortunately for Rhodesia the Government acted quickly and arrested many of the key men who were instigating the subversion. The recent terrorist attacks have all been mounted from outside the country.

In order to achieve its present calm, Rhodesia has had to adopt severe legislation, similar to that implemented in Malaya during its emergency, when there was a mandatory death penalty [1] for carrying arms, and restricted residence or detention orders were imposed on suspected terrorist supporters.

The final defeat of the Malayan communists justified that Government's resort to strict legislation, and similarly the improved situation in Rhodesia justifies this Government in its efforts to maintain internal law and order. For instance, there were 4,910 cases under the Law and Order (Maintenance) Act in Rhodesia in 1964 and the prisons were almost full to capacity. By way of contrast, there were only 317 cases under this Act during 1967 and the prison population has decreased by between 25 and 30 per cent, since 1964.

---

[1] On 24th September, 1968, the Minister of Law and Order, the Hon. Mr. Desmond Lardner-Burke, announced the abolition of the mandatory death penalty in Rhodesia.

Mr. Wilson and his Government would have the world believe that terrorists entering Rhodesia are really "freedom fighters"—simply seeking what is justly theirs.

This gross misinterpretation of the facts, for purely political reasons, is designed to mislead world opinion in general and British public opinion in particular.

Propaganda of this nature contained in statements made both inside and outside the "Mother of Parliaments" would now appear to have been accepted at face value by the United Nations.

Part of the Security Council resolution imposing comprehensive mandatory sanctions on Rhodesia and urging U.N. members to give "moral and material" assistance to the Rhodesian people's "struggle to achieve freedom and independence" was reportedly noted with satisfaction by Ambassador Marof Achkar of Guinea. Mr. Achkar, head of the U.N. Apartheid Committee, said on June 4th, 1968, that this paragraph meant that for the first time the U.N.'s highest body had approved a guerilla struggle in Rhodesia, as well as assistance by individual States to "freedom fighters".

Protestations by the British Government that it does not condone the use of force, ring hollow.

A former United States Secretary of State, Mr. Dean Acheson, referred to the latest United Nations sanctions resolution as an international conspiracy instigated by Britain and blessed by the United Nations "which was aimed at the overthrow of a Government of a country that has done us [the U.S.] no harm and threatens no one".

Mr. Acheson was speaking to the American Bar Association on May 24th, 1968.

"The point is, however, that the highly theoretical and imaginative threat [to peace] was not posed by Rhodesia, but against her. From this premise, only the most Humpty Dumpty reasoning could move to the conclusion that Rhodesia should be punished by international action."

AFRICAN SOLDIERS

A British newspaper, *The Guardian,* which has consistently adopted an aggressive line against Rhodesia—including advocating the use of force—sent its own man up to the fighting area.

In *The Guardian* of April 26th, 1968, John Worrall wrote that nearly half the Zambezi defence line against terrorists from Zambia is manned by about 1,000 Rhodesian African soldiers.

Worrall said that he was invited to talk privately to anyone he liked. Closely questioned, a grizzled African sergeant-major with 14 years' experience, who had fought terrorists with the British in Malaya, said: "I don't like terrorists. Most of us would kill them all and not take prisoners if the officers would let us."

Worrall asked why and received the answer: "I am fighting for Rhodesia. It is my home." Worrall then said: "But aren't they coming to free you from the whites?"

The African replied: "They say that, but they are bad men. They come with Chinese grenades and guns and the people are frightened of them. I am sorry for some of them, but this communist thing is no good for Rhodesia."

Worrall asked if he was taught this and the answer was: "No. I'm an educated man and can think for myself. I've seen the world and fought communists in Malaya. But I don't go in for politics. None of us do. We are soldiers doing a job!"

He added that the army had a great deal of help from the tribesmen. "They are frightened and upset by the guerrillas, that's why they tell us where to find them."

Mr. Bruce-Brand has revealed in his annual report that subversion was adopted by African nationalists in Rhodesia for the first time in 1957—eight years before UDI—as a method to achieve "political" objectives.

EASIEST MEANS

"Subversion as a means of attack on the western nations by international communism has been amply demonstrated in other parts of the world," said Mr. Bruce-Brand.

"Political agitators and demagogues seeking to obtain political power had ample opportunity of learning the lesson that the communist tactics of violence and subversion were the easiest means of achieving political objectives."

Rhodesia—and the rest of the world—has seen in many nations the emergence of political parties whose financial and other support emanates from communist sources.

It was Lenin who preached that the Western nations could be defeated by attacks on the boundaries of the Western colonial empires.

The ingenuity of this type of attack is obvious in retrospect. The intention was that communism in the long term would succeed without firing a shot. Other people would do its work.

Who are these other people? Rhodesia has maintained—and still maintains—that Zambia's broadcasts of incitement to violence in Rhodesia are aided and and abetted by the British Government.

The Zambian Government supports the campaign of incitement. The British Government renders massive aid to Zambia. And yet Mr. Arthur Bottomley asserted in the House of Commons on May 24th, 1966: "There is no truth in allegations that the British Government has supplied transmitters to carry Zambian broadcasts to Rhodesia."

Even if this statement were true (and the Rhodesian Government takes leave to doubt it), what Mr. Bottomley cannot deny is that his Government has poured millions of pounds into Zambian Government coffers; that the Zambian Government has spent vast sums on its radio services; and that these services do carry the incitement propaganda.

Rhodesia is aware that a few British M.P.s made strong protests and, as a result, "sick" broadcasts from Zambia have been reduced to occasional outbursts.

MILITARY ACTION

On May 12th, 1966, President Kaunda was quoted by the British Broadcasting Corporation as saying of Rhodesia: "The only answer to the problem is military action. Blood has got to be spilt."

Certainly blood has been spilt, but it has mostly been the blood of Africans—Africans who were inspired by a communist dream which turned into a nightmare when they found themselves face to face with the black and white defenders on the Rhodesian side of the Zambezi.

President Kaunda has called on Britain for military aid, and Mr. Wilson had talks with him in London recently. Meanwhile two of Zambia's neighbors, Malawi and Botswana, have both condemned terrorism and have made it plain to the British Government that they will take no part in sanctions against Rhodesia.

President Kaunda is obviously being pressured by the more militant members of his ruling United National Independence Party; and his outbursts against Rhodesia no doubt help him to divert attention away from his country's growing economic problems.

It is no secret—except perhaps to the British Government—that Zambia's cost of living has soared, largely as a result of the country's attempts to re-route its imports and exports along the unreliable northern and eastern road routes. The resultant self-inflicted chaos has led to anomalous situations such as the export of copper by air, and Zambia being compelled to agree to a communist Chinese offer to build a £100 million railway because the World Bank and the Western nations consider it uneconomic.

Rhodesia realizes that newly emergent countries have their problems. After all it is only 80 years ago that Western civilization first came to Rhodesia. Despite that country's harbouring of terrorists, the Rhodesian Government has offered to help Zambia out of its muddle.

Rhodesia's Prime Minister, Mr. Ian Smith, has admitted that there are many ways by which he could make things difficult for Zambia.

But this has not been Rhodesia's policy. "We have gone out of our way to assist traffic passing through this country, even at times when perhaps it was difficult for us—when we could have used these facilities ourselves," said Mr. Smith.

He said Rhodesia had offered to open the Feruka refinery, purely for Zambian fuel, and has even offered transport facilities through Rhodesia.

"These don't seem to me to be the actions of a Government which is bent on undermining the Zambian economy," said Mr. Smith.

A clear insight into how terrorists are recruited was given by an anonymous terrorist to Musesa Kazembe, an African journalist, who worked formerly in Malawi and Rhodesia.

Writing in *The Guardian* on April 8th, 1968, Kazembe gives the lie to Zambia's claim that it is not involved in terrorist acts against Rhodesia.

The terrorist tells how he joined the Zimbabwe African National Union in Rhodesia, because he was promised "liberation" and a socialist programme to follow "victory".

He volunteered to go for training to Red China, and he was routed through Malawi in November, 1963, to a military training camp at Mbeya, Tanzania.

With 34 other Africans, he was flown via Cairo to Shanghai, from where the whole party was transported to a rural camp a few miles from the city.

The terrorist described in detail his training in weapons, physical exercise, shooting and sabotage. Although they had never been to the country, the Chinese instructors apparently had a first class knowledge of roads and bridges in Rhodesia.

After three months the trainees were split into groups, and introduced to guerilla warfare, machine guns, bazookas, anti-tank mines and grenade launchers.

Two months later they were told to sleep in the bush near the camp and had to practice walking at night "to avoid the enemy."

The terrorist said that when he worried about being killed on his return to Rhodesia, the Chinese told him: "Don't worry. Once you start the revolution, they won't be able to control it. It will destroy everything that stands in its way."

During the last four months at the camp, terrorists were taught how to interrogate Rhodesian villagers about troop movements, or the habits of white men on nearby farms.

NEVER GOT THERE

The terrorists flew back to Tanzania by the same route, and were placed in a camp outside Dar-es-Salaam. From there they were sent to a Zambian transit camp, near Lusaka.

One night the terrorist and his colleagues were given arms and told they were leaving for Rhodesia. But this terrorist never got there. He was approached by Peter Mutandwa, who administers oaths in the Zimbabwe African National Liberation Army, as it is called.

Mutandwa told the 26-year-old terrorist that he was to go to Cuba for further training. He never reached Cuba either. Instead the terrorist who was once bound for Rhodesia got an "overseas scholarship" and is now in Britain.

He told Kazembe that he does not have confidence in the military leadership and organization. He admitted to being a Maoist, and still wants to see "a real rebellion" in Rhodesia.

He says that when he feels the time is ripe he will return to fight, and, if necessary, to die.

Kazembe's interview shows clearly that communists are actively engaged in promoting subversion, not only in Rhodesia but throughout southern Africa. Indeed, this terrorist revealed that half of the original group of 35 were to be sent to South Africa.

Kazembe records that some of the group which left Zambia on that occasion were killed by Rhodesian security forces, and several others were captured.

After brainwashings in China, terrorist groups are armed in Zambia and infiltrated into Rhodesia with instructions to destroy installations and kill as many whites and blacks as they can.

An unarmed and elderly African headman, Jotham Mkhandhla, was shot dead in a terrorist ambush at Lupane, 110 miles north-west of Bulawayo, on November 20th, 1966. Local villagers later joined police to track down the terrorists, six of whom were arrested.

Rhodesia is aware that for the past five years members of the banned Z.A.P.U. and Z.A.N.U. have been trained in para-military techniques, demolition and general sabotage in communist countries.

CAMPS ARE KNOWN

Since the Sino-Soviet split and Z.A.P.U. and Z.A.N.U. are going separate ways. Z.A.P.U.—who favoured the Russian brand of communism—has sent Africans to Algeria, North Korea, Cuba, and Russia for training. Z.A.N.U., who aligned themselves with Red China, have been trained in that country.

All trainees are brought back to Tanzania or Zambia, where they collect supplies and weapons.

The Z.A.P.U. camp is known by Rhodesian authorities to be at Morogoro, where it is run with the assistance and knowledge of the Tanzanian Government and the O.A.U. Liberation Committee. The Z.A.N.U. camp at Intumbi Reefs, near Mbeya, is administered in a similar fashion.

Certainly Rhodesia has no doubt that countries to the north of her are actively encouraging and harbouring terrorists.

Yet in spite of all this, Rhodesia has not fired one single shot in anger—except to guard her own borders from outside aggression.

As the Rhodesian Secretary for Law and Order says: "The infiltration of Rhodesia by trained terrorists, and the massing of others on our borders, increased substantially during 1967. The untiring efforts and devotion to duty of the security forces have, however, prevented this communist-inspired terrorism from achieving its declared objectives of creating chaos and a complete breakdown of law and order within the country. We shall not relax."

The Prime Minister, Mr. Smith, has shown that his Government has gone out of its way to avoid a confrontation with Zambia.

On April 27th, 1968, he said: "In spite of what Zambia has done to help terrorists, in spite of the incredibly stupid, inflammatory and inaccurate remarks made by Zambian political leaders, we have never changed our attitude."

TOO MUCH REGULATION

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, last year when the antigun bills were before Congress, there were a number of us who warned that the enactment of any of the pending bills would result in growing bureaucracy, escalating costs, and harassment for the people. We warned also of redtape and recordkeeping which would speedily become a monstrosity. The ink was scarcely dry on the anti-mail-order bills which were passed before these predictions began to materialize into actuality.

There is an additional serious factor which also was anticipated. It appears to some of us that the departments of the Government already are exceeding the letter of the law by requiring dealers and purchasers to follow procedures which in effect add new teeth to the laws and expand their provisions.

Dealers throughout the Nation are protesting vehemently the amount of paperwork and recordkeeping required, particularly in the sale of ammunition. Many of them have found it difficult to get adequate information on what is expected of them but that does not alter the burden which has been placed upon them.

All of this is only the beginning. Congress should recognize the danger which exists when new bureaucratic procedures are imposd upon the public and should take action now to correct some of the damage which has been done. This is particularly needed in ammunition sales. The amount of recordkeeping and regulation required in ammunition sales defies all the rules of logic and surpasses any legitimate need. A number of bills have been introduced to restrict this by deleting shotgun shells, rifle ammunition, and .22-caliber rimfire ammunition, and I am joining as a cosponsor.

TRIBUTE TO ROBERT S. TOMASO

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, I rise today to pay tribute to Robert S. Tomaso who died on Monday, February 24, 1969, in Chicago. The loss of Robert Tomaso, a genuine friend and a great humanitarian, is a tremendous loss to me personally and to hundreds and thousands of Chicagoans as well.

His countless friends fondly called him "Bob." They respected his civic and charitable contributions, they admired his sincerity and dedication to his fellow men, and above all, they loved his friendly spirit and his warm heart which encompassed all that he did and brought happiness to all who knew him.

Mr. Speaker, the Seventh Illinois Congressional District, which I am honored to represent, has indeed lost one of its outstanding public servants and community workers. Robert S. Tomaso, first ward superintendent of the department of streets and sanitation for 20 years, was a city employee for 43 years. Before serving with the first ward, he was 31st ward superintendent for 12 years. Altogether he served as ward superintendent for 32 years.

On February 24, 1969, the Chicago Daily News referred to Bob as "the man who kept Chicago's Loop clean." He headed the men who swept, plowed, salted, and cleaned the Loop streets and sidewalks. He was so proud of his office, located on the riverfront, that he became a pioneer in improving the appearance of the Chicago riverfront. This he accomplished by building a huge patio at the river's edge, by painting the concrete red, white, blue, and green, and by installing picnic benches where office workers could eat their lunches in the afternoon. He designed his own first ward blue flag, which flew proudly over his office each day, alongside the flag of our country.

The fine example he set of waterfront beautification is being followed by others. New buildings on the riverfront now in the process of construction are being equipped with patios and picnic areas along the river's edge. When the dedication of his patio took place, Bob said:

> I am so proud of my Department. I want people to know we are here and to know we are keeping Chicago spic and span!

Robert Tomaso was small in stature but large in accomplishments. He was the son of immigrant parents who raised six daughters and six sons. He came from a typical, lovable, hard-working family, and made a deep imprint on our city, for he was a loyal, dedicated civil servant of the people, and was an indefatigable worker for all civic and charitable causes.

He served as a member of the Joint Civic Committee of Italian Americans and on the lay advisory board of Villa Scalabrini, the Italian old people's home. He was a tower of strength during the last 15 years in promoting the patriotic Columbus Day parade held each year in Chicago and served superlatively as its finance chairman.

Each year he was responsible for a gigantic golf day, sponsored by the Ward Superintendents Association, and under his direction this was also one of the outstanding events in our city.

In 1967 the Italian Government named him an honorary Knight of the Republic in recognition of his charitable work, his service to his fellow man, and his service to his country.

Thousands of people gave tribute to Bob Tomaso and paid him their last respects at his wake. They included directors and members of associations such as the Michigan Boulevard Associates, the Wabash Avenue Council, the Michigan Avenue Council, the State Street Council, the Chicago Central Area Committee, members of the city council, members of the State legislature, public officials from both the Republican and Democratic Parties, as well as coworkers, friends, and acquaintances from all over the city and State. He was loved by everyone because they knew of his genuine desire to help people.

I knew Bob Tomaso for over 30 years, and no man could have had a better friend. No man could have been more dedicated to another human being than Bob was to me. The loss of Bob Tomaso leaves not only a great emptiness in my heart, but a great void in my community which perhaps will never be filled.

I know that throughout America there are many Bob Tomasos—in every town, in every city, and in every hamlet. The time has come for us to talk about the men who are doing so much in their own respective communities to build

America and not to destroy America. We are giving too much time and too much publicity to the people who are bent on destroying the country we love. Let us stop being negative and become more positive. The immigrants have built America. The sons of immigrants are carrying on in that same spirit.

Robert Tomaso, as the son of an Italian immigrant, leaves a shining record of his devotion, his ability, his helpfulness, and his generosity. He gave distinguished service in the best interests of the people. Through his active, untiring efforts, prestige and honor have been reflected on Americans of Italian descent and on their countless contributions toward the building of a better America.

Bob Tomaso shall be missed not only by myself, but by his friends, his colleagues, and indeed, by all the people he served so well. I want to extend my deep sympathy to his lovely sisters, to his wonderful brothers, and to his courageous wife, Theresa. I know in extending my sympathy that I speak for the hundreds and thousands of his friends who knew him, who loved him, and who will always cherish his memory.

ANNUNZIO PRAISES SENATOR HART FOR JOINING INSURANCE PROBE

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, the February 25 edition of the Chicago Tribune reported that the Senator from Michigan (Mr. HART) was asking for an investigation of the fantastically high insurance rates being charged Chicago's ghetto merchants.

I am happy that Senator HART has joined me in expressing concern over this problem which has seen insurance rates in the ghetto area of Chicago increase as much as 300 percent since last April's riots.

As I stated to Members of the House 2 weeks ago, I have asked Secretary of Housing and Urban Development Romney to look into the situation surrounding the high rates and to determine what can be done. Senator HART has indicated he will also ask Mr. Romney to review the matter and I welcome the Senator's help in this area.

It is clear that the 1968 Urban Property Protection and Reinsurance Act, which was designed to help businessmen obtain insurance at reasonable rates, has failed, at least as far as its operation in Chicago is concerned. However, I feel strongly that we can make the act work and, to this end, I welcome the support of all the Members of both Houses of Congress in my fight to protect the interests of small businessmen.

PRESIDENT NIXON'S EUROPEAN TRIP

(Mr. GUDE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GUDE. Mr. Speaker, on embarking on his European trip, President Nixon emphasized that he was not seeking to settle all the world's problems in 8 days. He said:

> The problems we face are too complex and too difficult to be settled by what I would call showboat diplomacy.

Yet I am convinced that it was precisely because he began his diplomatic mission with such modest ambitions that it achieved so much.

The low key, sensible, and businesslike attitude with which the President conferred with his foreign counterparts in the various capitals, paved the way for future contacts of a similar kind. In establishing a sense of trust for American policy and intentions, the President constructed the framework under which further substantive consultations can take place.

Mr. Speaker, I wish to commend the President for the success of his trip and the calm and deliberate way in which it was carried out. The trip was indeed becoming to a great power.

MACHIASPORT—NEW HAMPSHIRE SENATE CALLS FOR FREE TRADE ZONE

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, with all other Members of both parties from New England, I have supported the dramatic concept of a free trade zone in Maine. This unanimous support from the governmental leaders of the six New England States reflects the area's urgent needs. We need lower oil prices, especially for heating fuel. Oil costs in New England are generally the highest in the Nation. The severity and unprecedented snowfall of this winter, in particular, bring this forcibly home. New England has no refinery. All fuel, in effect, is imported into our region.

Beyond the mere cost of fuel, however, the establishment of a free trade zone in Maine would open an almost unlimited range of economic opportunities for a section of the country which is both one of the most beautiful areas and one of the most stricken by poverty.

As a measure of the urgency of this subject to the people of my State, I offer at this point in the RECORD a copy of a formal resolution adopted by the New Hampshire Senate. I commend the senate for taking this action and pledge my fullest support for bringing their wishes into being at the earliest possible moment. The resolution follows:

RESOLUTION RELATIVE TO A FREE TRADE ZONE AT MACHIASPORT, MAINE

Whereas application has been made to the United States Government to establish a Free Trade Zone at Machiasport, Maine and

Whereas establishment of a Free Trade Zone in Maine would provide new opportunities for New Hampshire businesses and

Whereas interest has been expressed by Occidental Petroleum Corporation in establishing an oil refinery in a Free Trade Zone at Machiasport for the refining of imported oil and

Whereas establishment of an oil refinery in a Free Trade Zone at this location could result in lower oil prices and bring about substantial savings to New Hampshire citizens and users of oil products, be it

Resolved, That the New Hampshire Senate endorse the establishment of a Free Trade Zone at Machiasport, Maine and urge the federal departments and agencies responsible for passing on this application to give prompt approval; be it further

Resolved, That copies of this resolution be forwarded to United States Senators and Members of Congress from New Hampshire and copies also be forwarded to the departments of the federal government having jurisdiction in this area.

Senator GEORGE GILMAN.

Attest:

WILMONT S. WHITE,
Clerk of the Senate.

NASHUA TELEGRAPH HITS CAMPUS DOWNGRADING OF ROTC

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, on February 19, my colleague the gentleman from New Hampshire (Mr. WYMAN) and I placed in the RECORD, on page 4004, a copy of a letter we sent to the Secretary of Defense expressing our deep concern over the attitude being shown toward the ROTC by a number of colleges and universities.

This position has gained considerable support with the press and the public.

I wish at this point to include the text of a recent editorial which appeared in the Nashua, N.H., Telegraph. I commend it to every Member. The editorial is absolutely right when it points out that our regular military academies cannot turn out sufficient numbers of officers for our defense. As it states completely accurately:

> It has been the "Rotsies" at Harvard, Yale and Dartmouth and other sponsoring colleges who have helped provide the leadership for our military forces for years.

The editorial follows:

WEAKENING THE OFFICERS CORPS

The action of the Harvard faculty of Arts and Sciences earlier this week in voting to withdraw academic credit for all courses offered in the Reserve Officers Training Corps program will probably shut off a much-needed source of Army and Navy officers. If the Harvard Corporation approves the request to terminate faculty appointment of ROTC instructors and end free allocation of space for the program, we don't believe the Army or the Navy will continue the program as an extra-curricular activity.

The Harvard faculty acted at a meeting attended by representatives of three student committees. The Students for Democratic Society was not represented. Members of this group had disrupted a similar faculty meeting several weeks ago, which led to its cancellation.

The radical students of the SDS sought to ban ROTC from the campus altogether. The Harvard faculty didn't go this far. It indicated it would be willing for ROTC to remain on a nonacademic basis. Few students would enroll, if this came to pass, making it uneconomical for the Army to continue the program. Only 150 students were enrolled when the program enjoyed full status.

If Harvard were the only university downgrading ROTC, it hardly could be said that national preparedness is threatened. But other Ivy League colleges have taken similar action and the trend may spread, fanned by anti-Vietnam sentiment, which is especially strong among most faculty and some student groups.

If the prevailing mood of the world had been peaceful for the past three decades, the anti-military bias would be more understandable. But, with recurring conflicts and the need to continuously conscript our youth, it remains immperative that training be provided to give capable leadership to our forces. West Point and Annapolis cannot turn out all of the officers needed for the military establishment. ROTC and other reserve programs have met this need very well.

The willingness of some colleges to institute degree-level courses in Afro-American studies, bowing to the shrill insistence of the SDS and other groups, makes us very sure that they are not unsympathetic with the aims of SDS which loudly opposes ROTC.

Afro-American studies may not be anachronistic at a liberal arts college, but neither is an education in the science of warfare. It has been the "Rotsies", at Harvard, Yale and Dartmouth and at other sponsoring colleges who have helped to provide the leadership for our military forces for years.

Our ability to maintain ourselves as a powerful and independent nation assures for the professors, and the SDS, the freedom to institute Afro-American studies, and all kinds of academic disciplines, but, now, the same freedom ironically provides the climate to boot ROTC off the campus.

"CAP" RETIRES

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, after a lifetime of deeply devoted service to the farm families and rural residents of Texas, a very fine gentleman, the Honorable Lester J. Cappleman has now retired. As State director of the Farmers Home Administration, no community was too small, nor any ranch too remote for "Cap" to visit during these years, in his constant concern that FHA, or its predecessor, the Farm Security Administration, or FSA's predecessors, give maximum effective assistance through the many programs entrusted to these agencies by Congress. "Cap" as he is affectionately known to millions of people throughout the Southwest, was a champion of small towns and the rural way of life, and through his efforts the labors of farm families have been eased in a thousand ways, from helping to acquire the proper kinds of equipment to the most efficient use of home gardens and canning procedures.

"Cap" is a great believer in harnessing the will to work with every technological advantage our economy can provide so that the family size farms and ranches of Texas will produce food and fiber in the greatest possible abundance.

May I say that in my opinion "Cap" could not have sustained the tremendous drive and energy he has put forth over the years if he were not both a deeply religious and a deeply patriotic individual, because "Cap" saw beyond the chores of each day to the great final objective—a society of free liberty-loving Americans enjoying the fruits of the earth without fear or stint, leading the way for all nations to know that America's free enterprise system is the best and most rewarding that mankind, with the invocation of God's help, has been able to devise.

The measure of this man's accomplishment is not easily taken because the record of moneys expended under his direction cannot conceivably picture the plain and simple good that has been done. In many parts of Texas a youngster can drink pure water because "Cap" helped provide an adequate water system—or a new family is able to support themselves with dignity because "Cap's" people, his county and home management supervisors throughout the State are superbly trained.

Set forth herewith is the text of a telegram I sent to Lester J. Cappleman on his last day of service, February 28, when he was saluted by his associates and friends at a well deserved dinner in his honor:

> You have been my friend and honored associate in projects too numerous to mention for more than 40 years. Your dedicated and constructive service to the farm families and rural residents of our great State has given them a better way of life with the full dignity and freedom of our democratic society. Your retirement is a great loss to the agency and programs you have so splendidly and vigorously championed. Our consolation is that you have built so strongly and so wisely that future generations will also reap a sure harvest of substantial benefits. You have my deepest thanks on behalf of your thousands of good friends in east Texas and best wishes for every continuing success.

Mr. Speaker, not only the people in Texas, but Americans everywhere, can take pride in what this man has done for his fellow citizens and the betterment of his country. I take special pride in saying Godspeed to that very distinguished State director, the Honorable Lester J. Cappleman, and to my dear friend "Cap."

AFL–CIO STATEMENTS ON THE NATIONAL ECONOMY AND TAX REFORM

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, on February 21, 1969, at its mid-winter meeting, the AFL–CIO Executive Council issues statements on the state of the national economy and on tax reforms. These statements are inserted in the RECORD and commended to all the Members whether they agree with them or not. In a few pages, the executive council clearly defines the tremendous economic issues plaguing the country today.

The statement on the national economy sets forth the dramatic impact that high interest rate policies can have on the real income of working men and women. The temporary surtax, the recent historical rises in prime interest rates, the increase in FHA and VA rates, coupled with the paradoxical continuance of the investment tax credit, cannot help but increase prices and unemployment—and deter economic activity where it is most needed, for example, in residential construction.

The council pointed out that during the period 1960 to 1968 workers earnings have increased by 31 percent yet real wages by only 11 percent. This, during a period when after tax business profits have skyrocketed 91 percent.

The council is also rightfully concerned about the trend toward economic concentration through the recent prolific growth of conglomerates and one bank holding companies.

In its message on tax reform, the council not only urges the closing of the glaring loopholes and tax advantages which give self-defeating tax breaks to upper income brackets, but also makes overall recommendations designed to instill in our tax laws equitable treatment for those in the lower income brackets.

Mr. Speaker, I repeat that not all of the Members will agree with the AFL–CIO Executive Council's conclusions, but the statements are must reading for those who want to understand and appreciate the economic issues of the day.

The two statements follow:

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON TAX REFORM, BAL HARBOUR, FLA., FEBRUARY 21, 1969

The basic inequities in the federal tax system can be simply stated:

1. Many of the wealthiest individuals in the United States pay not one single cent in federal income taxes. BUT

2. Many of the poorest individuals in the country, who live in what the government defines as poverty, are forced to pay federal income taxes.

In the opinion of the AFL–CIO Executive Council this is a reprehensible situation, which must be corrected. We can no longer tolerate a double standard of taxation, which heaps an unfairly great part of the burden of running the federal government on the shoulders of America's middle-income families, many of whom are trade unionists.

We insist America must achieve a standard of tax fairness and we are therefore pleased that the House Ways and Means Committee has announced its intention of conducting a full-fledged tax reform investigation.

Major reform of the federal tax structure has been talked about for many years. Yet on April 15, 1969, those who receive billions in capital gains from stock-market and real-estate transactions, from tax-free interest on state and local bonds, from oil- and other unjustifiable mineral-depletion allowances, and from other forms of unearned income, will still enjoy special tax shelters. Some will use their "foundations" and family trusts as tax-dodging schemes, and tax loopholes will still be a major crop of many operators of large farm enterprises. The transfer of large sums by gifts and at death will still be accomplished by evasions that make taxation based on ability to pay a sham. Fast depreciation will provide real estate operators with tax-free bonanzas, which are also major factors in the rise of land costs and rents. Some wealthy individuals will don the mantle of philanthropy, but they will use the unlimited charitable-deduction loophole and the federal government will honor their pledges.

In 1967, 21 individuals who reported incomes above $1 million and 155 who reported incomes of $200,000 or over, paid not a dollar of federal income tax.

In contrast, some 2½ million persons whose incomes fell below the government's "poverty line" paid $100 million in federal income taxes.

These loopholes of special privilege for wealthy people and corporations take their toll of the public's confidence in the federal income-tax structure. They are also expensive in dollars.

Just three major loopholes—capital gains, exemption of state and local bond interest, and tax windfalls to oil, gas and other mineral operations—cost the Treasury approximately $7 billion in 1968.

The 7 percent tax credit for investment in machinery and equipment produces over $2 billion for corporations. Moreover, this special tax privilege contributes to difficulties in the money market and adds to upward pressures on interest rates.

Most of these loopholes have developed over a quarter century of horse-trading for special privileges, frequently under the guise of promoting or encouraging an activity in the national interest. Unfortunately, the costs of these special privileges in terms of dollars, equity, wastefulness and taxpayer confidence have far outweighed any benefits.

Yet despite this sad record, it is becoming increasingly fashionable in some circles to advocate additional tax loopholes for wealthy people and corporations, in the guise of panaceas for virtually every national ill that can be identified. There is talk of adding new tax gimmicks for real-estate operators, many of whom are now more accurately considered in the business of constructing tax shelters rather than shelters for people. And there are tax forgiveness proposals ranging from those which supposedly would provide incentives to industry for on-the-job training and inner-city industrial development to those which would encourage gold mining.

Those who make these proposals would further reward those who already more than adequately share in America's affluence, and use as their excuse, the plight of those who are today in trouble because they do not have their fair share.

We view such schemes as haphazard, costly and wasteful approaches to meeting the nation's goals. Tax forgiveness has the same impact on the federal budget as a direct expenditure.

Yet, through such gimmicks, the federal government relinquishes budgetary control to the wealthy investors and businesses who reap most of the benefits. When a privileged few are provided shelters that enable them to avoid their fair tax share, others must reach deeper into their pockets.

We believe that the nation's interest cannot be served through tax forgiveness schemes or other forms of "no-strings" federal aid that are not subject to the Congressional scrutiny of specific programs, whose funds must be used in line with national priorities, under federal performance.

The Congress and the new Administration must assign top legislative priority to substantial and thoroughgoing reformation of the federal income-tax structure.

We call for:

1. Elimination of the loopholes of special tax privilege for wealthy families and corporations.

2. A minimum tax on all income over a total which would provide protection for legitimate small investors but which would require at least some tax payment from those whose huge incomes are now preferentially taxed or totally tax-exempt.

3. Removal of the impoverished from the federal income-tax rolls.

4. Reduction in the relative tax burden for low- and moderate-income families.

5. Rejection of proposals for new tax loopholes, which would provide additional benefits for wealthy people and businesses and create even more inequities in the federal tax structure.

6. Unequivocal dismissal of all proposals for a federal retail sales tax. Whether such proposals are called "value-added" taxes or offered clearly as a tax on consumer, the effect is the same—those who can afford it least, bear the brunt of the burden.

7. Repeal the provision of double depreciation on all new construction, except low- and moderate-rental housing, and the 7% tax credit for business investment in machines and equipment.

Statement by the AFL–CIO Executive Council on the National Economy, Bal Harbour, Fla., February 21, 1969

The economic outlook for 1969 is clouded by uncertainty about the degree of slowdown during the course of the year and the policies that the new Administration will pursue.

The pace of economic expansion is already slowing down and the government's brake on economic growth may be going too far. Moreover, its emphasis on slowing residential construction, while maintaining special tax subsidies for business investment, is misguided. Interest rates have soared to unprecedented heights. There is danger of rising unemployment.

Some slower economic pace was to be expected this year after the 5 percent real expansion of 1968, the seventh consecutive year of economic growth. The temporary surtax, adopted in 1968, is withdrawing about $11 billion a year from consumers and business, to pay for part of the increase in military spending. The hold-down on government expenditures, ordered by Congress last year, has placed a lid on the amount of additional funds the government can put into the economy's spending stream. The increase in Social Security taxes, effective January 1, is withdrawing about $1½ billion a year from employees and a similar amount from business, to pay for improved Social Security benefits. In addition, the buying power of the average worker's weekly take-home pay increased only slightly last year, after accounting for taxes and the 4.2 percent rise in living costs.

On top of these dampening developments, new restrictive government measures have been imposed in the early weeks of 1969:

The prime interest rate that the commercial banks charge their richest customers and best credit risks was raised to an unprecedented 7 percent—an effective prime rate of over 8 percent, because of the banks' requirement that such borrowers maintain an interest-free deposit. This boost in the prime rate is raising interest rates all along the line—to medium-sized and small businesses, to home-buyers, farmers, consumers and the government. Some new federal securities have been floated, in recent weeks, at the highest interest rates in over 100 years. These high costs for borrowed money are being built into the price structure, from manufacturer to retailer and consumer—to the profit of the banks and other lenders. In addition, these high interest rates, accompanied by the Federal Reserve's squeeze on bank credit, threaten a sharp slow-down of economic activities.

The government increased the interest rates on FHA and VA mortgages from the high 6¾ percent rate of early January to 7½ percent—an effective rate of 8 percent, when insurance is included. This peak rate on government-backed mortgages, on top of the excessive rates for builders' loans, is boosting the cost of homes, which the homebuyer is required to pay for the entire term of the mortgage. These costs are narrowing the home-buying market. A slow-down of residential construction is threatened, instead of the vast home-bulding expansion that is needed.

Moreover, there have been statements by some officials of the new Administration—as well as by business spokesmen—that a substantial rise of unemployment may be required to achieve greater price stability.

The notion that there is an inevitable, mechanical trade-off between inflation and unemployment is economically false and loaded with social dynamite. Advocates of this Neanderthal view have never explained how a million additional unemployed can possibly reduce such price pressures as physicians' fees, hospital charges, auto and property insurance rates, which have risen sharply in the past decade. Yet a rise in unemployment would hit the most vulnerable workers hardest—the most recently hired, the least skilled, particularly Negroes, other minorities and young workers.

Furthermore, relative price stability can—and must—be achieved without a growing army of unemployed. Expanded manpower training programs, an effective nation-wide employment service and reduction of bottlenecks can help. But most essential to achievement of relative price stability is lower profit margins and reduced profit rates of return on investment.

Indeed, the inflation of recent years has been largely a profit inflation. Profits skyrocketed between 1960 and 1966, and after a dip in 1967, they moved up again last year. *Business Week* (February 8) reports: "In 1968, U.S. corporations earned more money than they ever did before in a single year—thanks in good part to sharply rising prices."

Business profits have soared, far out of line with other major types of income. Between 1960 and 1968—

After-tax profits skyrocketed 91 percent;

Dividend payments to stockholders soared 84 percent;

But the weekly, after-tax take-home pay of the average non-supervisory worker increased only 31 percent and, in terms of buying power, merely 11 percent.

These trends are creating economic and social imbalances. An increased share of the nation's income has been shifted to profits. And the profit-laden corporations are continuing to boost their investments in new and improved plants, machines and equipment—after a 100 percent rise between 1960 and 1968—although industry's operating rate is only about 84 percent of existing productive capacity. This situation, which has been contributing to inflationary pressures in recent years, threatens to create a future gap between the economy's rapidly growing capacity to produce and lagging demand for goods and services.

1. The AFL–CIO Executive Council insists that full employment must be the nation's primary economic goal. The government's tax, expenditure and monetary policies for an adequate rate of economic growth should be supplemented by manpower training measures and a federal program to create jobs for the remaining hard-core unemployed and under-employed in providing needed public services.

2. Residential construction must be sheltered from the ravages of the credit-squeeze and unprecedented interest rates.

The 7 percent investment tax credit should be repealed—to curb the flow of available funds into business investment and provide additional funds for home-building.

The provision of double depreciation should be repealed on all new construction, except low- and moderate-rental housing.

The Secretary of the Department of Housing and Urban Development should direct FNMA (Fannie Mae) to assist low- and moderate-income housing, at the lowest possible interest rate.

The development of the new form of government security, authorized by the Housing Act of 1968—government-backed mortgage bonds—should be speeded up, to attract new investment funds into housing.

3. The government's monetary policy should be eased at the first signs of a general economic softening and rising trend of unemployment. Moreover, a thorough Congressional review of monetary policy is needed—for the development of a policy that is in the best interest of the nation and the American people, rather than merely the banks and other lenders.

4. The trend of unemployment in the months ahead and the level of military expenditures should be key factors in deciding whether the temporary surtax should be terminated in mid-year, phased out or continued.

A rising trend of unemployment in the coming months would be a strong reason to terminate this temporary tax or to begin to phase it out. If the surtax is continued for another six months or a year—or if part of it is maintained—the surtax rate should be applied to income that is now excluded from federal taxation, as a result of the major loopholes for capital gains, oil and mineral depletion allowances and income from state and local bonds.

5. Reform of the tax structure is long overdue—to eliminate loopholes of special tax privileges for wealthy families and business, to establish a minimum tax that will end tax avoidance and to reduce the relative tax burden on low- and moderate-income families.

6. A substantial rise in the buying power of wages, salaries and fringe benefits is needed to provide wage and salary earners with a fair share of economic progress and to strengthen the consumer foundation of the national eonomy.

The lag of real wages and salaries must be ended. Rapidly rising productivity and great business profits make possible substantial improvements in workers' earnings, within the context of a relatively stable price level.

7. Rising business profits should be based on an expanding sales volume, rather than on swollen profit margins at the expense of consumers and workers—to curb pressures on the price level and to provide an improved economic balance between wages, profits, dividends and other forms of income.

8. We are disturbed by the accelerated rate of economic concentration in the past few years—including conglomerate mergers and one-bank holding companies—and the impact of this trend on the national economy. We urge the Congress and appropriate government agencies to make the facts fully known to the public and to curb the adverse impacts of this trend.

LET'S REFORM FEDERAL DEBT

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, this House soon will be taking up President Nixon's proposal to revise Federal debt accounting and to change the ceiling on the national debt. The Detroit, Mich., News has quite accurately pointed out that this proposal is part of the "unified budget" reform package formulated under President Johnson. This high-level Commission in my opinion did a fine job in a very technical area. The Detroit News in an editorial dated March 1 emphasizes that the Nixon plan to add Government agency borrowings to the public debt while excluding trust fund purchases of U.S. securities would provide better control of agency borrowings. As the Detroit News makes clear in its editorial, the entire Kennedy Commission budget and national debt reform package was put together to enlighten and not to confuse or deceive. I am pleased that the Detroit News has urged Congress to endorse the proposed national debt accounting changes. The editorial follows:

[From the Detroit News, Mar. 1, 1969]

LET'S "REFORM" FEDERAL DEBT

It's that time of year again. With the predictability of the seasons, the administration in Washington is requesting a change in the ceiling on the national debt. This time, however, President Nixon wants a change as part of an overall reform of federal financial reporting. It should be approved by Congress.

Some two years ago, a commission was established under the Johnson administration and charged with reforming the methods of presenting the federal budget and various other financial reports. The commission was chaired by the present secretary of the treasury, David Kennedy.

This commission recommended the "unified" budget, replacing the administrative, national income and cash budgets. By defining a comprehensive budget, the commission was able to simplify government reporting and, at the same time, eliminate the administrative temptation to choose the budget which put it in the best light. This had been occurring with alarming frequency.

The commission also advised changes in the calculation of the national debt to concentrate on debt issues outstanding to the public. It recommended the exclusion of special debt issues held by the government's own trust funds, such as the social security and highway trusts. This is the reform President Nixon is requesting from Congress.

The national debt stands at $363 billion, bumping close to the $365 billion ceiling. Government trust funds hold $80 billion; the public holds $283 billion. If the trust fund amount is excluded from the ceiling, the Nixon administration would suggest lowering the ceiling to about $300 billion. It would also add to the "public" debt some $11 billion currently outstanding on special government agency issues. That would eliminate the loophole of "going around" the debt ceiling by issuing debt through agencies rather than directly through the treasury.

If we combine the $283 billion now in the "public" portion and the $11 billion "agency" debt, the new total would be $294 billion, subject to a new ceiling of $300 billion. Then, counting on the planned budget surpluses over the next fiscal years, this total public debt could fall as low as $280 billion. The government debt held by the trust funds would be reported but would not count under the ceiling.

The reform involves no subterfuge; it provides better control by including agency issues. It is part of a reform package recommended under a Democratic administration and now endorsed by a Republican administration. And it may end the monotony of annual trips to raise the debt ceiling. We think Congress should welcome the change with open arms.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KLEPPE (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. LENNON (at the request of Mr. EDMONDSON), for today, and the remainder of the week, on account of the death of his mother).

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. EDMONDSON) to revise and extend their remarks and include extraneous matter:)

Mr. CULVER, for 10 minutes, today.
Mr. REUSS, for 10 minutes, today.
Mr. RYAN, for 1 hour, on March 26.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. EDMONDSON and to include an address.

(The following Members (at the request of Mr. DENNIS) and to include extraneous matter:)

Mr. ASHBROOK.
Mr. NELSEN in two instances.
Mr. MCKNEALLY.
Mr. ROBISON.
Mr. STEIGER of Wisconsin.
Mr. BROTZMAN in four instances.
Mr. AYRES.
Mr. BOB WILSON.
Mr. WOLD.
Mr. HORTON.
Mr. ZWACH.
Mr. EDWARDS of Alabama.
Mr. MCCLORY.
Mr. HOSMER in two instances.
Mr. ANDERSON of Illinois in four instances.
Mrs. DWYER in four instances.
Mr. DERWINSKI in two instances.
Mr. MCCLURE.
Mr. BROYHILL of Virginia in three instances.
Mr. TAFT.
Mr. HAMMERSCHMIDT.
Mr. SMITH of California.
Mr. SHRIVER.
Mr. ANDREWS of North Dakota.
Mr. LANGEN.

(The following Members (at the request of Mr. EDMONDSON) and to include extraneous matter:)

Mr. BIAGGI.
Mr. RODINO.
Mr. SHIPLEY.
Mr. FRASER.
Mr. LONG of Maryland in two instances.
Mr. HAYS in two instances.
Mr. EVINS of Tennessee in three instances.
Mr. JONES of Alabama in two instances.
Mr. EILBERG in two instances.
Mr. DINGELL in two instances.
Mr. MONAGAN in two instances.
Mr. MILLS in two instances.
Mr. GONZALEZ in three instances.
Mr. ROGERS of Florida in five instances.
Mr. JOHNSON of California in two instances.
Mr. RARICK in four instances.
Mr. THOMPSON of New Jersey.
Mr. CABELL.
Mr. GAYDOS in three instances.
Mr. OLSEN.
Mr. WOLFF in three instances.
Mr. DIGGS.
Mr. EDMONDSON in two instances.
Mr. VANIK.

ADJOURNMENT

Mr. EDMONDSON. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 21 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 5, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

555. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a report relative to exports of significant defense articles for the period January to June 1968, pursuant to the

provisions of Public Law 90-269; to the Committee on Foreign Affairs.

556. A communication from the President of the United States, transmitting amendments to the budget and proposed supplemental appropriations, pursuant to the provisions of the Budget and Accounting Act, 1921, as amended (H. Doc. No. 91-85); to the Committee on Appropriations and ordered to be printed.

557. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on the actions of the Department to develop a school desegregation program in the North that is equal in size and scope to its program in the South, pursuant to the provisions of the Labor-HEW Appropriation Act of 1969; to the Committee on Appropriations.

558. A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to improve the health and safety conditions of persons working in the coal mining industry of the United States; to the Committee on Education and Labor.

559. A letter from the Director, U.S. Information Agency, transmitting the annual report of the Agency on its activities under section 401 of the Federal Property and Administrative Services Act of 1949, pursuant to the provisions of that law; to the Committee on Government Operations.

560. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States under the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 8137. A bill to amend title IV of the Social Security Act to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

By Mr. ANNUNZIO:

H.R. 8138. A bill to amend the Interstate Commerce Act with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property; to the Committee on Interstate and Foreign Commerce.

H.R. 8139. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8140. A bill to amend section 3402 of title 38, United States Code, to provide for the recognition by the Administrator of Veterans' Affairs of the Italian American War Veterans of the United States for the prosecution of veterans' claims; to the Committee on Veterans' Affairs.

By Mr. ASHBROOK:

H.R. 8141. A bill to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers; to the Committee on Interstate and Foreign Commerce.

By Mr. BELL of California:

H.R. 8142. A bill to further promote equal employment opportunities of American workers; to the Committee on Education and Labor.

By Mr. BIAGGI:

H.R. 8143. A bill to facilitate the entry into the United States of aliens who are brothers or sisters of U.S. citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 8144. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. BROTZMAN:

H.R. 8145. A bill to amend the Federal Aviation Act of 1958 to authorize reduced-rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H.R. 8146. A bill to amend section 4063(a) of the Internal Revenue Code of 1954 (relating to exemption of specified articles from the tax on motor vehicles); to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 8147. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 8148. A bill to strengthen the penalty provisions of the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 8149. A bill to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers; to the Committee on Interstate and Foreign Commerce.

By Mr. CORBETT:

H.R. 8150. A bill for the elimination of health dangers to coal miners resulting from the inhalation of coal dust; to the Committee on Education al Labor.

H.R. 8151. A bill to prohibit political influence with respect to appointments, promotions, assignments, transfers, and designations in the postal field service, to revise the laws governing the appointment of postmasters and rural carriers, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CUNNINGHAM:

H.R. 8152. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. DANIELS of New Jersey:

H.R. 8153. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. DORN:

H.R. 8154. A bill to amend title 10 of the United States Code to provide pensions for widows of certain retired members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

H.R. 8155. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 8156. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. EDWARDS of Alabama:

H.R. 8157. A bill to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income; to the Committee on Ways and Means.

By Mr. ESHLEMAN (for himself, Mr. Saylor, and Mr. Fulton of Pennsylvania):

H.R. 8158. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. FISH:

H.R. 8159. A bill to amend section 837, title 18, United States Code, to prohibit certain acts involving the use of incendiary devices, and for other purposes; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 8160. A bill to amend the provisions of the Public Health Service Act relating to the construction and modernization of hospitals and other medical facilities by providing separate authorizations of appropriations for new construction and for modernization of facilities, authorizing Federal guarantees of loans for such modernization and Federal payment of part of the interest thereon, authorizing grants for modernization of emergency rooms of general hospitals, and extending and making other improvements in the program authorized by these provisions; to the Committee on Interstate and Foreign Commerce.

By Mr. GIAIMO:

H.R. 8161. A bill to establish a program for the voluntary certification of motor vehicle mechanics by the Secretary of Transportation, to assist the States in establishing programs for the compulsory licensing of motor vehicle mechanics, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 8162. A bill to amend the Railroad Retirement Act of 1937 to provide that employees who terminate their railroad employment before completing 10 years of railroad service may apply for and receive a refund of the railroad retirement taxes which they have paid; to the Committee on Interstate and Foreign Commerce.

H.R. 8163. A bill to amend section 501 of title 38, United States Code, to provide that under certain conditions, service on the Mexican border before World War I may be included in determining whether a veteran meets the service requirements applicable to the payment of pension; to the Committee on Veterans' Affairs.

By Mr. GUDE:

H.R. 8164. A bill to amend title 39, United States Code, to prohibit the mailing of unsolicited sample drug products and other potentially harmful items, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HELSTOSKI:

H.R. 8165. A bill to provide for the construction of a new Veterans' Administration hospital in southern New Jersey; to the Committee on Veterans' Affairs.

By Mr. HORTON:

H.R. 8166. A bill to amend title 10 of the United States Code so as to provide for the awarding of Supreme Sacrifice Medal to relatives of members of the Armed Forces killed in Vietnam; to the Committee on Armed Services.

By Mr. KAZEN:

H.R. 8167. A bill to amend the Internal Revenue Code of 1954 to increase the personal income tax exemptions from $600 to $1,200 and to allow a deduction for certain expenses of higher education; to the Committee on Ways and Means.

By Mr. KEE:

H.R. 8168. A bill providing for Federal railroad safety; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLOSKEY:

H.R. 8169. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

H.R. 8170. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mrs. MAY:

H.R. 8171. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 8172. A bill to amend the Communications Act of 1934 to make certain nonprofit colleges and universities eligible for grants for noncommercial educational broadcasting facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. MINISH:

H.R. 8173. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mrs. MINK:

H.R. 8174. A bill to amend the Federal Aviation Act of 1958 to authorize reduced-rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

By Mr. MONTGOMERY:

H.R. 8175. A bill to amend title 39, United States Code, with respect to the mailing of certain publications of State departments of agriculture as second-class mail; to the Committee on Post Office and Civil Service.

By Mr. NATCHER:

H.R. 8176. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 8177. A bill to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to agriculture; to the Committee on Education and Labor.

H.R. 8178. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PODELL:

H.R. 8179. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member died, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

H.R. 8180. A bill to increase educational opportunities throughout the Nation by providing grants for the construction of elementary and secondary schools and supplemental educational centers, and for other purposes; to the Committee on Education and Labor.

By Mr. RARICK:

H.R. 8181. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for tuition expenses incurred in providing elementary and secondary education; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 8182. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. ROYBAL:

H.R. 8183. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 8184. A bill to amend the Social Security Act to establish a national system of minimum retirement payments for all aged, blind, and disabled individuals; to the Committee on Ways and Means.

H.R. 8185. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. ST GERMAIN (for himself and Mr. Button):

H.R. 8186. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. SCHERLE:

H.R. 8187. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SHRIVER:

H.R. 8188. A bill to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans.; to the Committee on Banking and Currency.

By Mr. SMITH of Iowa:

H.R. 8189. A bill to regulate and prevent multiple taxation of certain kinds of income; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 8190. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for the fiscal years 1970, 1971, and 1972; to the Committee on Interstate and Foreign Commerce.

By Mr. STEIGER of Arizona:

H.R. 8191. A bill to amend title VII of the Elementary and Secondary Education Act of 1965 in order to authorize bilingual education programs in certain schools for Indian children; to the Committee on Education and Labor.

H.R. 8192. A bill to provide a program for an Operation Bootstrap for the American Indian in order to improve conditions among Indians on reservations and in other communities, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 8193. A bill to amend chapter 61 of title 18, United States Code, relating to lotteries to exempt deer-hunting contests; to the Committee on the Judiciary.

H.R. 8194. A bill to amend chapter 207 of title 18 of the United States Code to authorize conditional pretrial release or pretrial detention of certain persons who have been charged with noncapital offenses, and for other purposes; to the Committee on the Judiciary.

H.R. 8195. A bill to amend title 38 of the United States Code to provide that veterans who are 70 years of age or older shall be deemed to be unable to defray the expenses of necessary hospital or domiciliary care, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 8196. A bill to amend section 620 of title 38, United States Code, to extend the length of time community nursing home care may be provided at the expense of the United States; to the Committee on Veterans' Affairs.

H.R. 8197. A bill to amend title 38, United States Code, to increase the amount payable on burial and funeral expenses; to the Committee on Veterans' Affairs.

H.R. 8198. A bill to amend title 38 of the United States Code in order to provide for the payment of an additional amount of up to $100 for the acquisition of a burial plot for the burial of certain veterans; to the Committee on Veterans' Affairs.

By Mrs. SULLIVAN:

H.R. 8199. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. THOMPSON of New Jersey (for himself, Mr. Perkins, Mr. Dent, Mr. Carey, Mr. Hawkins, Mr. William D. Ford, Mr. Hathaway, Mrs. Mink, Mr. Gaydos, Mr. Rodino, Mr. Boland, Mr. Joelson, Mr. Moorhead, Mr. Minish, Mr. Patten, Mr. Howard, and Mrs. Heckler of Massachusetts):

H.R. 8200. A bill to improve and increase postsecondary educational opportunities throughout the Nation by providing assistance to the States for the development and construction of comprehensive community colleges; to the Committee on Education and Labor.

By Mr. THOMSON of Wisconsin:

H.R. 8201. A bill to amend title 38 of the United States Code so as to extend to veterans of Mexican border hositilities the same benefits enjoyed by veterans of periods of war; to the Committee on Veterans' Affairs.

By Mr. TUNNEY:

H.R. 8202. A bill to require oil emulsifiers to be registered and labeled and to require the establishment of safe tolerances for the use of oil emulsifiers; to the Committee on Interstate and Foreign Commerce.

By Mr. UDALL:

H.R. 8203. A bill to provide for the establishment of the Hohokam Pima National Monument in the vicinity of the Snaketown archeological site, Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WHALLEY:

H.R. 8204. A bill to amend title 10 of the United States Code so as to provide for the awarding of a Supreme Sacrifice Medal to relatives of members of the Armed Forces killed in Vietnam; to the Committee on Armed Services.

By Mr. BOB WILSON:

H.R. 8205. A bill to designate the Interstate System as the "Eisenhower Interstate Highway System"; to the Committee on Public Works.

By Mr. CHARLES H. WILSON:

H.R. 8206. A bill to establish a sonic boom damage fund to provide for the payment of damages caused by sonic booms; to the Committee on the Judiciary.

H.R. 8207. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

By Mr. WOLFF:

H.R. 8208. A bill to amend the Public Health Service Act to provide for a comprehensive review of the medical, technical, social, and legal problems and opportunities which the Nation faces as a result of medical progress toward making transplantation of organs, and the use of artificial organs a practical alternative in the treatment of disease, to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs, and for other purposes; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.J. Res. 513. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.J. Res. 514. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PODELL:

H.J. Res. 515. Joint resolution creating a Select Joint Committee on Population and Family Planning; to the Committee on Rules.

By Mr. ROGERS of Florida:

H.J. Res. 516. Joint resolution proposing an amendment to the Constitution of the United States permitting the offering of prayers and the reading of the Bible in public schools in the United States; to the Committee on the Judiciary.

By Mr. SKUBITZ:

H.J. Res. 517. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.J. Res. 518. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.J. Res. 519. Joint resolution to request the President to negotiate with the Mexican Government for the purpose of setting up a joint United States-Mexican Commission to investigate the flow of marihuana, narcotic drugs, and dangerous drugs between the United States and Mexico; to the Committee on Foreign Affairs.

By Mr. WOLFF:

H.J. Res. 520. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H. Con. Res. 155. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ANNUNZIO:

H. Res. 287. Resolution to abolish the Committee on Internal Security and enlarge the jurisdiction of the Committee on the Judiciary; to the Committee on Rules.

By Mr. BELL of California:

H. Res. 288. Resolution expressing the sense of the House of Representatives with respect to establishing an all-volunteer military force; to the Committee on Armed Services.

By Mr. REID of New York:

H. Res. 289. Resolution to abolish the Committee on Internal Security and enlarge the jurisdiction of the Committee on the Judiciary; to the Committee on Rules.

By Mr. RODINO:

H. Res. 290. Resolution, U.S. aid for Iraqi Jews; to the Committee on Foreign Affairs.

By Mr. ROSENTHAL:

H. Res. 291. Resolution to abolish the Committee on Internal Security and enlarge the jurisdiction of the Committee on the Judiciary; to the Committee on Rules.

By Mr. WOLFF:

H. Res. 292. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

H. Res. 293. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

35. By the SPEAKER: Memorial of the House of Representatives of the State of Massachusetts, relative to amending the Health Professional Educational Assistance Act; to the Committee on Interstate and Foreign Commerce.

36. Also, a memorial of the Legislature of the State of Massachusetts, relative to the amounts of minimum monthly payments under the Social Security Act; to the Committee on Ways and Means.

37. Also, a memorial of the House of Representatives of the State of Massachusetts, relative to income tax deductions for homeowners; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 8209. A bill for the relief of Genaro M. Quodala; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 8210. A bill for the relief of Edward J. Contino; to the Committee on the Judiciary.

H.R. 8211. A bill for the relief of Giuseppe and Vincenza Giacalone; to the Committee on the Judiciary.

H.R. 8212. A bill for the relief of Vincenzo Napolitano; to the Committee on the Judiciary.

H.R. 8213. A bill for the relief of Dionysios and Dimitra Papadopoulos and minor son, Alexandros Papadopoulos; to the Committee on the Judiciary.

H.R. 8214. A bill for the relief of Antoinetta Rinaldi Zimbelli; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 8215. A bill for the relief of Giovanni Scianna; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 8216. A bill for the relief of Santino Badalamenti; to the Committee on the Judiciary.

H.R. 8217. A bill for the relief of Salvatore Bivona; to the Committee on the Judiciary.

H.R. 8218. A bill for the relief of Mariano and Dolores Cabigiosu; to the Committee on the Judiciary.

H.R. 8219. A bill for the relief of Maria Cavallo; to the Committee on the Judiciary.

H.R. 8220. A bill for the relief of Anna Criscuolo; to the Committee on the Judiciary.

H.R. 8221. A bill for the relief of Angels DeGuzman; to the Committee on the Judiciary.

H.R. 8222. A bill for the relief of Vincenzo Gallina; to the Committee on the Judiciary.

H.R. 8223. A bill for the relief of Lucia Guido; to the Committee on the Judiciary.

H.R. 8224. A bill for the relief of Francesca Mauro; to the Committee on the Judiciary.

H.R. 8225. A bill for the relief of Ralph A. Passidomo; to the Committee on the Judiciary.

H.R. 8226. A bill for the relief of Domingo Quintans; to the Committee on the Judiciary.

H.R. 8227. A bill for the relief of Anna Fiumefreddo Lembo and Giovanni Lembo; to the Committee on the Judiciary.

H.R. 8228. A bill for the relief of Lucia Vasquez; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 8229. A bill for the relief of Consuela R. Rullan; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 8230. A bill for the relief of Nayagam Josinath Hillary and his wife, Nirmala Mercy Hillary; to the Committee on the Judiciary.

H.R. 8231. A bill for the relief of Nickolas George Polizos; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 8232. A bill for the relief of Yoshiko Ishizawa; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 8233. A bill for the relief of Chester Stona; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 8234. A bill for the relief of Dr. Aristol Coronel Sandoval and Dr. Alicia Calicosa Sandoval; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 8235. A bill for the relief of Rocco Vernisi; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 8236. A bill for the relief of Mr. Andrea Ripepi and Mrs. Concetta Ripepi; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 8237. A bill for the relief of Enrico Capobianco; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 8238. A bill for the relief of Marco Vaira; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 8239. A bill for the relief of Giovanni Lavorato; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 8240. A bill for the relief of Charles Verbeke; to the Committee on the Judiciary.

By Mr. MOLLOHAN:

H.R. 8241. A bill for the relief of Dr. Aguedo Avaricio Retodo, Jr., and his wife, Amelia Retodo; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 8242. A bill for the relief of Giuseppe Sebastiano Saglimbeni; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 8243. A bill for the relief of Antonio Nuccio; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 8244. A bill for the relief of Rachel F. Fuentes Arrogante; to the Committee on the Judiciary.

H.R. 8245. A bill for the relief of Carmela Lina Buttice; to the Committee on the Judiciary.

H.R. 8246. A bill for the relief of Nguyen Thi Thu Cuc; to the Committee on the Judiciary.

H.R. 8247. A bill for the relief of Isaac Destin; to the Committee on the Judiciary.

H.R. 8248. A bill for the relief of Joseph Graham; to the Committee on the Judiciary.

H.R. 8249. A bill for the relief of Sylvia Cavada Guzman; to the Committee on the Judiciary.

H.R. 8250. A bill for the relief of Mrs. Amathine (Amentine) S. Hernandez and her children, Viviane Marie Nidaud and Jean Michel Arbonel; to the Committee on the Judiciary.

H.R. 8251. A bill for the relief of Edwin Halle Harris; to the Committee on the Judiciary.

H.R. 8252. A bill for relief of John Sellars Lyle; to the Committee on the Judiciary.

H.R. 8253. A bill for the relief of Teruko Morino; to the Committee on the Judiciary.

H.R. 8254. A bill for the relief of Yu Yuet Moy; to the Committee on the Judiciary.

H.R. 8255. A bill for the relief of Fabian Tolete and his wife, Pas D. Tolete; to the Committee on the Judiciary.

H.R. 8256. A bill for the relief of Marie Claudy Xavier; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 8257. A bill for the relief of Kimiko Nakandakari Kline; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 8258. A bill for the relief of Adelio F. Villaruel; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 8259. A bill for the relief of Renato Benvenuto; to the Committee on the Judiciary.

H.R. 8260. A bill for the relief of Pasquale Di Meglio; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

70. By the SPEAKER: Petition of Percival E. Jackson, Brookville, N.Y., relative to revision of the Military Code; to the Committee on Armed Services.

71. Also, petition of Vladimir Marsani, Rome, Italy, relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

FANNIN ON GUIDELINES

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, March 4, 1969

Mr. THURMOND. Mr. President, yesterday's edition of the Charleston News & Courier contains a fine editorial praising the work of the senior Senator from Arizona (Mr. Fannin). The editorial points out that he has no sectional ax to grind on the subject of civil rights. Yet the editorial quotes our colleague as saying that 5 years after the passage of title VII, the Civil Rights Act of 1964, no less than 22 agencies are involved in enforcing it. The editorial praises Mr. Fannin for his objective attempt to show how the enforcement of guidelines has resulted in complicated sets of conflicting guidelines. The editorial goes on to point out that the enforcement by guideline is not confined to the Equal Employment Opportunity Commission. This tendency, says the News & Courier, is apparent in other agencies such as the Federal Trade Commission, which issues rules and regulations having the weight of law even though not authorized by the Legislative Branch.

Mr. President, I am proud that the Charleston News & Courier has recognized the work of the Senator and has given publicity to his efforts. I ask unanimous consent that the editorial, entitled "Guideline Law," published in the Charleston News & Courier of Monday, March 3, 1969, be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Guideline Law

Inasmuch as he is neither a Democrat nor a Southerner, Sen. Paul J. Fannin, R-Ariz., has no sectional ax to grind on the subject of civil rights. So when he takes aim at Title VII of the Civil Rights Act of 1964 creating the Equal Employment Opportunity Commission what he says is well worth hearing.

Today, five years after passage of the act, no less than 22 agencies are involved in enforcing it. Sen. Fannin, presenting a bill in the Senate aimed at eliminating the confusion such a bevy of agencies creates, explains matters thus:

"I have found companies which have been inspected by the Equal Employment Opportunity Commission and have been told to take certain actions to comply with Title VII of the Civil Rights Act. After taking these measures, the same company has been visited a few days later by representatives of the Dept. of Defense and given an entirely new set of requirements to insure compliance with the executive order on equal employment. Later, the Office of Federal Contract Compliance, under the Dept. of Labor, has visited the same plant and given the company still another list of requirements. The Dept. of Justice has then become involved to scrutinize further the company's affairs. And finally, state and local agencies, where they exist, may also get into the act. . . .

"It has become apparent that none of the agencies, including the (Equal Employment Opportunity) Commission, has evidenced an inclination to carry out the will of Congress. Relying on Executive Order 11246, the policies and practices of these agencies are governed, not by what Congress has established as law, but by their own concept of social progress."

The federal tendency to base enforcement on guidelines instead of on law obviously is not confined to the Equal Employment Opportunity Commission. It is apparent also in enforcement of Title IV of the act, Desegregation of Public Education. It also is apparent in other agencies, such as the Federal Trade Commission, which issues rules and regulations having the weight of law even though not authorized by the legislative branch.

That branch, and that branch only, has the power to put an end to time-consuming and costly harassment coming not from the law but from executive orders and agency guidelines which promote social theories beyond the limits of legislative intent.

SCIENCE PLANNING

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. MILLER of California. Mr. Speaker, on February 12 our distinguished colleague, the gentleman from Connecticut (Mr. Daddario), chairman of the Science Subcommittee of the Committee on Science and Astronautics, gave the annual Ferguson Lecture at Washington University in St. Louis.

A part of Mr. Daddario's lecture dealt with future science planning and possible governmental organization for science policy. These remarks seem to me particularly timely, and I include in the Record the portion of the lecture which dealt with this matter:

Science Planning

One thing we can do when money is short is to manage it better—get more out of it, make it last longer.

This very issue—getting more bang for our science buck—is receiving intensified scrutiny right now at all levels of government.

For the most part it is in the form of surveys and reviews looking toward revised or innovated administrative mechanisms. Reorganization of Federal science management in the executive branch may well be the result. You have all heard some distant thunder in this regard in the form of varying proposals for a new Department of Science—or something similar.

While no decisions in the arena appear to be imminent, the matter is no longer just an exercise in rhetorical dialogue.

At this point I should like to stress that we on the House Committee on Science and Astronautics intend to become very much involved in the fact-finding and informational processes which eventually will lead to changes in government structures for the support of science. This is part of our charter and our mission as an integral part of the Congress of the United States. We would, in my view, be derelict to undertake less.

By the same token, perhaps a special caveat should be added to the effect that undue haste in this effort could prove abortive and leave us with something less effective than what we now have.

Science and education for science, it seems to me, are something like a countryside of natural shrubs and wildflowers—the total effect of which, though apparently disorganized, is somehow remarkably elegant and beautiful. What we are trying to do is preserve and promote the growth of this countryside. But we must do it by assuring ecological necessities such as adequate but not too much water, prevention of erosion, sufficient minerals, appropriate fauna and the like—not by trying to remake it into a formal garden according to the plan of a single landscape architect.

Perhaps this sounds simple, but my guess is that it will not be simple at all.

COMMITTEE ACTION

As we on the Science Committee of the House begin our inquiry into government organization for science, we are trying to throw out a fairly comprehensive dragnet for information.

Hence we have underway pro and con analyses of the various possibilities in the Science Policy Research Division of the Library of Congress. We are having informal discussions with the Committee's Panel on Science and Technology. We are holding frequent sessions, in camera, with the Research Management Advisory Panel of our Science Subcommittee. We are in liaison with officials of the President's Office of Science and Technology, both incumbents and those who have served in the past. We are seeking assistance through frequent exchanges with the National Academy of Sciences and the National Academy of Engineering. And we are endeavoring to secure additional inputs from industry, the academic world and the non-profits.

When we have completed our planned excursions into these fields and have reviewed the materials accumulated, hopefully we shall be in a position to make constructive suggestions leading to a better deal for Science.

Meanwhile, it may be useful to draw the curtains of speculation and to describe the various elements of the organizational ferment now in progress.

MOTIVATIONS

Just what are the motivations behind it?

Undoubtedly there are many motivations, but these tend to stand out most prominently.

The first of these is simply a matter of organizational neatness. Many competent and concerned persons, in Congress and out, believe that it would be beneficial from the standpoint of good government if science and technology could be dealt with as one bureaucratic entity. Presumably this would make it easier to handle the science budget and assess its management.

A second motivation is a rather strong belief in some quarters that a Department of Science or some unified science agency could exert a more effective and dependable priority lever on behalf of regular funding. As a visible and permanent agency, they aver, Science itself would be something with which Congress would have to deal individually each year in the appropriation process. As such it could neither be ignored nor—with watchful patrons in the House and Senate—seriously curtailed.

A third motivation is the growing conviction that Federal support of Science should be able to show tangible evidence that it is proving effective in the solution, or partial solution, of the serious social problems with which the nation is faced. I would be less than candid if I did not recognize that a considerable groundswell of such feeling is presently running through the Congress. In the months ahead it may well increase.

AREAS OF CONCERN

From an organizational point of view, studies of the Federal science structure seem to be concentrated in a few theaters, some specific and some general.

One of these is the Executive Office of the President and, particularly, the Office of Science and Technology. The Office of Science and Technology, whose functions have never been wholly clear nor distinguishable from those of other organizational units within the Executive Office, is a major target of review.

A second area includes the National Science Foundation plus the other more or less "pure" science agencies such as the Atomic Energy Commission, the National Institutes of Health, the National Aeronutics and Space Administration, the Bureau of Standards and the Environmental Science Services Administration.

Another group whose science activities are being critically reviewed consists of the many mission-oriented departments and agencies which have a strong stake in research and development or in scientific and technological education. The Departments involved are those of Agriculture, Commerce, Defense, Health, Education and Welfare, Housing and Urban Development, Interior, Labor, Post Office, State and Transportation. The agencies include the Federal Communications Commission, the Federal Power Commission, the Office of Economic Opportunity, the Office of Emergency Planning, the Smithsonian Institution, the Tennessee Valley Authority, Arms Control Administration, the Veterans Administration—plus the Library of Congress.

Finally, an area that is frequently overlooked by those outside the government though rarely by those in it—is the Bureau of the Budget. The appropriate central administrative responsibility, where science is concerned, of the Bureau has become a matter of great interest and some controversy in recent years. Without question the Bureau's hand in the control of Science spending is influential—and it is of special interest since the Bureau is the only operational agency of government which is organized to consider all Federal science activities as a functional whole. Beyond this, the Bureau has sufficient resources to permit a continuing overview of science activities and sufficient authority to make its determinations stick. These factors, added to certain questionable elements concerning the Bureau's competence to assess the relative values of science—within itself and vis-a-vis other programs—make the Bureau's role in the future a particularly important one.

APPROACHES

As one approaches the science organization task, a host of questions immediately begin a clamor for attention. None of them is easy to answer. None can be ignored. Each is prefixed by the words "should we?"

For example.

Should we undertake to study science organization primarily, or exclusively, from an administrative point of view with administrative reorganization our goal?

Should we identify our major problem areas, group them as to priority, and proceed to organize science support from this Base?

Should we consider Science alone or operate on an interdisciplinary theme—that is, expand our inquiry to include such other fields as education and cultural affairs?

Should we separate academic science and graduate education from their sister fields: applied research, development, technology, secondary and undergraduate education?

Should we be concerned with scientific manpower and/or engineering training as a necessary tool of our society?

Should we become involved with the sticky problems of science information handling and exchange?

Should we expend effort upon the study and utilization of Federal science laboratories, their missions, reorganization or centralization?

Should we concern ourselves with possible new Federal mechanisms designed solely to determine priorities and allocate funds accordingly?

These are a few of the questions we must face.

LEADING CURRENT POSSIBILITIES

In spite of the fact that such questions cannot now be answered with assurance, several rather specific plans for Federal science organization seem to have gained currency.

Among them, the following five appear to have the most substance at the moment.

(1) A prototype Department of Science, Education and Cultural Affairs. This would be a cabinet-level organization designed to consolidate eight existing Federal units.

The National Science Foundation.

The National Aeronautics and Space Administration.

The Atomic Energy Commission—minus its weapons development which would be shifted to Defense.

The National Institutes of Health.

The Environmental Science Services Administration.

The National Bureau of Standards.

The Bureau of Higher Education from Health, Education and Welfare.

The National Foundation for the Arts and Humanities.

The composition of such a Department would be based on organizations whose development and exploitation of science is the major objective, whose principal operation is not a routine program and which, in cases of transferral, would be drawn from agencies whose mission is not precisely dependent on the science unit transferred.

(2) A corollary of the foregoing would be a cabinet-level Department of Science and Higher Education.

It would draw together essentially the same groups listed, but its functions would be defined in a less sweeping fashion and would omit any responsibility for cultural development *per se*.

A still more watered-down version of the cabinet-level concept would be a Department of Education and Research whose functions would consist mainly of those now performed by the National Science Foundation, the Office of Education, and the Foundation for the Arts and the Humanities.

(3) A loose confederation of the agencies listed in the first plan has also been proposed.

This is sometimes referred to as the "GSA for Science" plan—with reference to the link of logistical services now provided the various agencies of government by the General Services Administration.

As I understand it, this plan conceives of a centralized administration of the agencies involved, with common operations as to general administration, budget and accounting procedures and the like—but with no overview or authority as to mission, priorities, program development or operational activities.

(4) Another plan would be the establishment of a statutory Council of Advisers on Science and Education.

Under this arrangement the Council would be established by Congressional action (in contrast to the Office of Science and Technology which originated through Executive reorganizational authority subject to Congressional veto.) Its members would be full-time Presidential appointees or brought from existing Federal agencies.

The function of the Council would be to provide a continuing service to the President in respect to policy matters on science and technology, education and their multiple interrelations. A further role of the Council would presumably be to help meet the needs of Congress for understanding the facts and position of the administration relative to national goals in these matters. In short, it would concern itself with matters now concerning the Office of Science and Technology and possibly some of those affecting the Federal Council for Science and Technology—plus central policy issues faced by the Federal government with respect to education.

(5) The fifth contender at present seems to be the revamping of the Office of Science and Technology.

The thought here is to broaden and strengthen the Office of Science and Technology through the medium of a specific Congressional charter and mandate. It would become, under this plan, a coordinator of Federal Science support, a priority-setter and an evaluator of results. In effect, the Office of Science and Technology would thus play a more influential and hard-nosed role than it has up to this point.

CONCLUSIONS

Clearly, a myriad of arguments on both sides exists with regard to each of these proposals. I cannot discuss them here and, in any case, given my present inadequate state of knowledge, it would be premature to attempt.

I have, however, reached certain conclusions with regard to some of the ramifications of the Science organization issue which I would like to submit to you.

I do, for example, consider the general policy which exists on this question—as I described it earlier—to be valid still. In other words, I do not believe an overall Science czar or a single super-bureau created to govern all Federal science endeavors is the answer to our problems.

It is, in my opinion, too early to act on the proposition of a cabinet-level department, even one composed only of those agencies whose principal reason for being is academic science or education. We do not yet have sufficient information on the probable effects and potential of a Science Department to consider formal action. The many elements involved, moreover, are probably still too diverse, too diffuse and too ill-defined to permit the emergence of a logical proposal along these lines.

In order not to be destructive of our society and some of its most useful institutions and mores, we should not, I think, limit our organizational considerations to science alone. As the ecologists are beginning to convince us, we live in an inter-related world where each facet has its impact upon every other facet— difficult to trace as it may be. This I believe to be true of science and technology as well. It must not be nurtured or used independently of or without regard for the lessons taught by the social sciences, the arts and the humanities—as well as the general processes of education.

The mere creation of more advisory groups which have no responsibility for overseeing and assessing what may result from their advice, nor any answerability to the public through its elected officials, fails to elicit much enthusiasm from me. Whatever organization structure we come up with eventually must be responsible in more than one sense of the word. In sum, it should be not only capable but it should have to account for its particular stewardship of the scientific endeavor.

Whatever is done ought, in my view, to be done through positive legislation. This route will give Congress an opportunity to study, debate and be exposed to all the issues. I recognize that this is often an arduous and frustrating procedure in many instances. But I submit it is worthwhile—for it results in Congressional understanding, continuing interest and patronage to a degree that executive orders and reorganizations rarely, if ever, achieve.

Finally, the stakes are such that we should begin to make definite plans and take positive action just as soon as sufficient information is at hand and competent analysis made. I do not know when this point will be reached, but it should not exceed two years.

UNIVERSAL MAN

HON. GEORGE McGOVERN

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Tuesday, March 4, 1969

Mr. McGOVERN. Mr. President, recently the Minister of the Embassy of India, Dr. Purnendu Banerjee, delivered a commencement address at Berry College in Georgia. Dr. Banerjee took for his theme the life and work of the great Mahatma Gandhi. As a student of this remarkable historical figure, Dr. Banerjee made a number of observations that I think will be of interest to Members of Congress.

I ask unanimous consent that his address be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

UNIVERSAL MAN

I am deeply grateful to you for having honoured my country by inviting me to give the commencement address, this afternoon to the graduates of Berry College, Georgia.

The theme of my talk is "Universal Man". I thought that it would be appropriate to discuss and understand the life and work of Mahatma Gandhi—a universal man—particularly this year when we are celebrating it as the Centenary Year. You may recall that the United Nations Educational, Scientific and Cultural Organisation has called upon all member countries of the United Nations to celebrate this year as Gandhi Year.

Mahatma Gandhi is known as a symbol of love, non-violence and truth. He belongs not to India alone but to the whole world. He belongs not to our generation alone, but to posterity as well. In him we see an image of our higher selves. His impact on human evolution will be found more and more significant as the centuries roll by.

The ideals for which Gandhi stood have been known to mankind since times immemorial. Between 2,000 and 1,000 B.C., the oldest religious thoughts in history were written in India. They were the Vedas—the first philosophical outpourings of the human mind. Following the Vedas came the Upanishads and then the two great popular Epics—the Mahabharata and the Ramanyana and, then the Bhagvad Gita. In all these philosophic and literary writings the concept of non-violence was present and was considered a superior ethical virtue. Lord Buddha—500 years before Christ—preached total commitment to tolerance and to the non-violent way of life. The conversion of the great King Asoka of India from the Law of Conquest to the Law of Piety was another example of the ideal of love, non-violence and truth. Gandhi obtained spiritual strength from this tradition and drew inspiration from Christianity and Islam. "The Sermon on the Mount", said Gandhi, "went straight to my head". And he records his delight in the verses which begin "But I say unto you that ye resist evil: but whosoever smite thee on thy right cheek turn to him the other also". The essence of what Jesus taught crystallizes in the two great commandments of "complete love of God" and "unfailing love of one's neighbour." He found in Tolstoy and Thoreau, fuller expression of the spirit of non-violence.

Thus the ideals of love, non-violence and truth are as old as the mountains. Gandhi nourished the spirit of these old truths by personal experimentation. Gandhi's life was an experiment with non-violence and truth. He was the first thinker in human history to extend the principle of non-violence from the individual to the social and political plane. No leader within our memory balanced so beautifully and so perfectly within himself the dynamic responses to the challenge of the human spirit and to the challenges of material life at the same time. He entered politics for the purpose of experimenting with non-violence and establishing its validity. His faith in non-violence arose from his inalienable love of mankind. This love of mankind is the main aspect of the Gandhian Trinity—the two others being non-violence and truth. All these three put together constitute an invisible force that incessantly works for the good of mankind.

Living amidst the dazzling success of our machine age civilization, modern man is insensitive to universal unity. Hate, suspicion and fear are seizing the minds of men. Gandhi's teachings were intended to bring love where hate dominated, trust where suspicion existed and courage where fear prevailed. He lighted the path of mankind with his message of "universal brotherhood". Gandhi's principles have universal and eternal validity. His heart was incapable of making any discrimination. He absorbed into himself the finest in every culture and civilization known to us. The welfare of all was his aim. He preached this gospel throughout his life by word and deed.

Gandhi used Love to solve difficult problems. As an instrument he considered it more efficient and lasting because Love eliminates fear, anger, pride and all other devisive emotions and attitudes. It is important that we be tolerant and change our outlook to accommodate others' viewpoints, for truth appears in fragments and can be perceived from different angles of vision. Tolerance and understanding are equally important in international relations. Conflict of ideas bring about chaos and unrest. The more a nation keeps its mind open, the better it is for international understanding. He said, "I do not want my house to be walled on all sides and my windows to be stuffed. I want the cultures of all lands to be blown about my house as freely as possible".

Gandhi's patriotism or nationalism was quite consistent with his love of mankind. It was the same as humanity. He recognized that in the present day world nationalism must not be in conflict with progressive internationalism. No nation can stand in isolation and remain unaffected by what is going on in other parts of the world. He said once "My notion of freedom for India is not isolated independence but healthy and dignified inter-dependence. My nationalism, fierce though it is, is not exclusive, not designed to harm any nation or individual . . . Our nationalism can be no peril to other nations inasmuch as we will exploit none, just as we will allow none to exploit us. Through independence we will serve the whole world". This exceptional moral approach distinguishes Gandhi from many past and present leaders.

The view of universal brotherhood leads naturally to the adoption of non-violence as the best method in human relations—national and international. He defined non-violence as "love in action". According to him, non-violence is the law of our species as violence is the law of the brute. The spirit lies dormant in the brute and he knows no law but that of physical might. The dignity of man requires obedience to a higher law, to the strength of spirit. If non-violence is the law of our life, we have to work it out in daily life deliberately and ceaselessly. In the struggle for India's independence he insisted that we should adopt civilized methods of sacrifice and non-violence. Many people today, have adopted the Gandhian method of non-violent resistance for achieving liberty and social justice.

Gandhi believed that true democracy can be the only outcome of non-violence because in the absence of it the weakest will be denied the same opportunity as the strongest. Nor can there be real freedom in the face of violence and force. The human society being a living organization must change but it should do so in a healthy and constructive manner. The way modern society and the nations of the world are moving is like a diseased and sick person full of discrimination, appalling poverty, hunger and lack of opportunity. But this sickness is impossible to cure by force. Violence on the part of the masses will never remove the disease and establish social justice because violence is a disease in itself. Success born of violence has been short-lived. Violence leads to greater violence. It is possible by non-violent means to secure redress of the wrong. Gandhi believed that the weapon of Truth, if firmly grasped and purposefully used, could lead to peaceful changes without resort to violence.

The law of non-violence can be extended to the domain of economics through the introduction of moral values in regulating economic relations between man and man. Economic equality is the master key to non-violent independence. A non-violent system of society is clearly an impossibility so long as a wide gulf exists between the rich and the poor.

And what is true of families and communities is true of nations. It is incorrect to say that non-violence can only be practiced by individuals and not by nations. There is no reason to believe that there is one law for families and another for nations. Assuming the fundamental unity between all peoples and classes, Gandhi rejected the inevitability of violent confrontation and clashes between nations. Thereby he offered the alternatives of a genuine doctrine of co-existence which has become the most significant guideline in world affairs today. The development of nuclear weaponry has imposed upon us an obligation to rethink and recast our ways of settling international disputes through peaceful negotiation. We know that in a nuclear war, there would be neither victors nor vanquished and the living could only envy the dead. Gandhi realised that the essential conditions of existence demand co-existence.

There is a further quality without which no truly non-violent movement can be built. It is compassion—not simply sorrow for the suffering man but identification with him. Gandhi was one who if he were able, would have wiped every tear from every eye. Nowhere in our time, have we known a man with greater compassion for his fellowmen. When he could not give any clothes to the needy, he reduced his own to the barest minimum. When the removal of untouchable slums was one of his great missions, he made his home in one.

Gandhi's love for the poor and the downtrodden and his belief in non-violence were deep and boundless, as was his affection for all mankind. However, these feelings were subservint to a much deeper faith in truth and righteousness. His truth was neither dogmatic nor exclusive. According to him non-violence and truth are so closely intertwined that it is practically impossible to distinguish and separate them. Non-violence is the means and truth is the end. He did not believe that a noble end could be achieved by ignoble means. To him means merged in the end, and the end sanctified rather than justified the means. Truth to him was God and there was no way to find God except through tolerance and non-violence.

Gandhi founded no religion; to him the key to inter-religious unity lay in equal reverence for all the religions. These, then, are the universals in Gandhi which are part of the experience of all of us. These universals take on greater meaning as we try to study and understand them against specific situations. Gandhi's life today is like a Pole Star in the political firmament of the world. The light which shines out of his life is universal and eternal. It is the light of love and peace which represents something more than the immediate future. It represents the living truth. The eternal man was with us, with his eternal truth reminding us of the right path, deterring us from error and inspiring in us new hope. The future of our world is unpredictable. There is increasing crisis, intolerance and embitterment. And yet the great principles of love, non-violence and truth will always guide mankind. The ordinary people who form the larger majority of every nation—the unsophisticated—find in Gandhi something familiar, something they have always felt deep within themselves right. Gandhi justifies their faith in man and in God.

DISTINGUISHED GSA ADMINISTRATOR RETIRES

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. JONES of Alabama. Mr. Speaker, the citizens of this Nation are fortunate to have many people of great capabilities and dedication who devote their energies to public service.

I want to salute and commend one of the most capable and most dedicated public servants I have ever known, Lawson B. Knott, Jr., who retired as Administrator of General Services last week after more than 30 years of the highest type of Government service.

I have been closely associated with Lawson Knott for many years, and I can think of no administrator who has exhibited greater integrity, keener judgment, and more devotion to the public interest.

Mr. Knott, a native of North Carolina and a graduate of Duke University, came to the General Services Administration from the Department of Defense in 1956 after 21 years of Government service in various legal and administrative positions relating to real property management.

He served as Deputy Commissioner, Public Buildings Services, from early 1959 until his appointment as Deputy Administrator of GSA in November of 1961.

Lawson served as Acting Administrator of General Services from November of 1964 until his appointment as Administrator by President Johnson in June 1965.

As Administrator, he established a distinguished record in the many and diverse activities charged to General Services, the central management agency for the Federal Government.

He has discharged his responsibilities in a manner which reflects the greatest credit on his endeavors.

Among the most notable of his responsibilities was the providing of efficient working quarters for other agencies of the Government. This put him in the business of building or renting offices and facilities throughout the country. The GSA building activities alone run to more than a billion dollars a year.

He was also charged with the purchase, distribution, and efficient use of many thousands of items of supplies from paper clips to automobiles. This activity involves nearly $2 billion a year.

One of his additional responsibilities as Administrator of GSA was the management and disposal of the Government's strategic and critical materials stockpiles. This purchasing and selling operation also runs into a billion dollar figure.

Lawson Knott's responsibilities did not end there. He was also charged with the selling of surplus Government real estate and equipment, providing the communications and transportation, managing the National Archives and Records Services, and other administrative activities.

In all endeavors he compiled an enviable records of economy and efficiency.

He has served the people of this Nation well, and I want to commend him for his notable service as he retires.

I would also like to wish Lawson Knott and his family good luck and happiness in the coming years.

FREEDOM IN THE BALTIC STATES

HON. EDWARD W. BROOKE

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Tuesday, March 4, 1969

Mr. BROOKE. Mr. President, I speak today on a matter of grave concern to all Americans: The oppressed peoples of the Baltic States of Lithuania, Latvia, and Estonia.

Fifty-one years ago, the Baltic States attained their independence. Since the Soviet invasion of 1940, however, the Baltic States have suffered the denial of political freedom. But while this policy of repression continues, we may be assured that something even more powerful will prevail: The yearning for freedom which these people so courageously sustain. This desire of freedom-loving peoples to exercise the full rights to which they are entitled cannot be forgotten, given up, or crushed, even after decades of captivity. Rather, the compelling promise of free thought and expression will burn from within these nations and will triumph.

Our own freedom must never be taken for granted; the millions who do not share our rights must ever be a sign of the long road that lies ahead, the road to freedom and opportunity for all.

We must show these patient peoples that they are not alone in their plight, that our hearts are with them and our hopes are high for their eventual liberation. Let us pray that the leaders of the Soviet Union recognize the human longing which has produced the hopeful changes in Czechoslovakia. Despite the harsh restrictions on change in Eastern Europe, we do not give up the hope that the nations of Eastern Europe, and especially the Baltic States, will move away from totalitarianism and toward true self-determination.

In these critical times, it is fitting that we reaffirm our commitment to the ideals of freedom and reinforce our will to help all men free themselves from political, economic, and social oppression. As we commemorate the tragic loss of independence for Estonia, Lithuania, and Latvia, we must look to the day when full freedom will be restored to these persevering peoples.

In recognition of these peoples, and their love of freedom, I ask unanimous consent that resolutions passed by the American-Latvian Organizations in Boston, and by the American-Lithuanian Council of Boston, be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION

Adopted by all American Latvians in Greater Boston assembled to commemorate the 50th Anniversary of the independence of the Latvian Republic, John Hancock Hall, Boston, Massachusetts, November 16, 1968.

Whereas, the year 1968 marks the 50th Anniversary of the proclamation of independence of the Baltic nations. Lithuania declared her independence on February 16, Estonia on February 24, and Latvia on November 18, 1918; and

Whereas, the attainment of independence for the three Baltic States in 1918 is a memorable event in the political and national history of all three of these nations and has served to prove how fruitful the ideals of freedom are; and

Whereas, twenty-eight years ago, June, 1940, the Soviet Union violently invaded and occupied Latvia as well as the other Baltic States, and, thereafter, in violation of the generally accepted principles of international law, purported to incorporate them into the USSR; and

Whereas, the government of the Soviet Union, through a program of deportation and resettlement continues its efforts to change the ethnic character of the population of the Baltic States; and

Whereas, the subjection of the peoples to alien domination and exploitation constitutes a denial of fundamental human rights, is contrary to the charter of the United Nations and is a serious impediment to the promotion of world peace; and

Whereas, the government of the United States maintains diplomatic relations with the government of the free Republic of Latvia and has consistently refused to recognize her seizure and forced annexation to the Soviet Union; and

Whereas, the House of Representatives and the Senate of the United States of America adopted the H. Con. Res. 416 calling for free Baltic States: Now, therefore, be it

Resolved, That the Senate and House of Representatives of the United States of America request the President of the United States to bring the question of liberation of Latvia and the other Baltic States before the United Nations and ask the United Nations to request the Soviet Union:

1. To withdraw all Soviet troops, secret police, colonists and all control from the Baltic States;

2. To return to their homes all Latvian exiles and deportees from Siberia, prisons and slave-labor camps in the Soviet Union; and, be it further

Resolved, That the United Nations conduct free elections in Latvia under its supervision and bring to a trial by an international court all Russian communists who are guilty of crime against the people of Latvia.

We express our appreciation to the President and the government of the United States of America for their strong resistance to communist aggression anywhere in the world. We believe that under the leadership of the United States of America and with the support of the nations of the free world, the injustice perpetrated by the Soviet Union since 1940 will be rectified, and self-determination, and freedom and independence will be restored to the Baltic States.

On behalf of the American-Latvian Organizations in Boston.

L. O. REITERS,
Chairman.

RESOLUTION

By the unanimous vote of the Lithuanian people of Greater Boston assembled in the Auditorium of the South Boston Lithuanian Citizens Association to commemorate the Fifty-first Anniversary of the independence of the Republic of Lithuania on February 16, 1969, the following resolutions were adopted;

Whereas the Great Congress of Lithuania assembled in Vilna in 1917 to demand freedom from Russia, there elected the Council of Lithuania, which, on February 16, 1918 proclaimed the Independence of Lithuania "in accordance with the recognized right of National self-determination" and asserted its restoration as an independant State, which status was thereafter recognized by all the Great Nations of the World, and marked the severance of ties of bondage by which it had been enslaved since 1795; and

Whereas this action corresponded to the American Declaration of Independence on July 4, 1776 wherein it was stated: That all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the Pursuit of Happiness, and

Whereas Lithuania, the land of our ancestors, enjoyed a free and independent existence from 1919 until June, 1940, when the Soviet Union by chicanery, subversion and force invaded and occupied the country, and still oppressingly rules Lithuania to this day; and

Whereas The United States of America has taken and firmly maintains the only just and honorable position of not recognizing the illegal occupation and rule of Lithuania, Latvia and Estonia by Soviet Russia; and

Whereas this year also marks the 29th year of Soviet occupation and subjugation of Lithuania; and

Whereas His Excellency, Governor Francis W. Sargent of the Commonwealth of Massachusetts and His Honor, Kevin H. White, Mayor of Boston, both have proclaimed February 16, 1969 "Republic of Lithuania Day" and urged all our citizens to observe this day in tribute to the oppressed people of this brave nation: Now, therefore be it

Resolved, That we again express our appreciation and gratitude to our government for its firm stand in refusing to recognize the fruits of the brutal Soviet aggression and occupation of Lithuania, Latvia and Estonia; and be it further

Resolved, That we urge President Richard Nixon that in his reorganization of the Department of State, he instruct his Secretary of State to include the freedom of Lithuania, and the other Baltic States, as urgent and necessary for the peace as well as that in Vietnam and Asia; and be it further

Resolved, That President Nixon instruct his Ambassador to the United Nations to place the case of Lithuania's independence before the Committee to Abolish Colonialism and the Liberation of Enslaved Nations and to insist that the Committee take positive action to establish negotiations for the freedom of Lithuania with the Soviet Union; and be it further

Resolved, That copies of these resolutions be sent to the President of the United States of America, to the Secretary of State, to our Senators and Representatives in Congress, to our Governor Sargent and Mayor White and to the press; and be it further

Resolved, That we continue to voice our convictions for an early settlement of the Rights of all Lithuanians for independence through the Lithuanian radio and press throughout the year and until our great nation succeeds in obtaining the liberation of Lithuania.

AMERICAN LITHUANIAN COUNCIL OF BOSTON
EDMUND CIBAS, *President.*
JACKUS SONDA, *Secretary.*

RIOTS AT UNIVERSITIES MUST BE STOPPED—STUDENTS' RIGHT TO AN EDUCATION MUST BE GUARANTEED

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. EVINS of Tennessee. Mr. Speaker, lawlessness is a poor substitute for education and the concern of the Governors of our Nation over the violence on our campuses is commendable and understandable.

Not only are our Governors concerned—we are all concerned—the Nation is concerned over the efforts of a very small minority to disrupt education in many of our colleges and universities.

The freedom to pursue an education is a vital part of the concept of pursuit of happiness set out in the Declaration of Independence as a guarantee—the unalienable right to life, liberty, and the pursuit of happiness.

Students have a right to attend the school of their choice and this right should be enforced. Students uninterested in education should not be permitted to interfere with the education of those who are interested.

In this connection, I place in the RECORD an editorial from Life magazine calling for a return to law and order on our campuses.

The editorial follows:

LIBERATING THE CAMPUS FROM "LIBERATORS"

"Without the law," says Reverend Theodore M. Hesburgh, president of Notre Dame, "the university is a sitting duck for any small group from outside or inside that wishes to destroy it, to incapacitate it, to terrorize it at whim."

Educators like Hesburgh have now begun to blow the whistle on student lawlessness. The sound came loud and clear through a new din of turmoil. At the University of Wisconsin, student agitators turned on water hoses and fire alarms, forcibly blocked their peers and professors from attending classes, and scratched their message to the university—"Shut It Down"—into the paint of the Wisconsin state governor's automobile. At North Carolina's Duke University, "Black Is Beautiful Week" ended in pitched battles between policemen spraying and flinging tear gas and students wielding clubs and the occasional bicycle chain. The spring term at San Francisco State College opened to the blast of a terrorist bomb that injured a watchman and knocked out 18 windows.

But there were also signs of growing university impatience with such tactics. National Guardsmen were called in to restore order at Wisconsin and placed on alert at Duke, San Francisco State's Acting President S. I. Hayakawa told newsmen "you're darned right" that large contingents of cops would be a campus fixture for the new term, and California's troubled Berkeley campus will also be policed by state highway patrolmen and sheriff's deputies. Ronald Reagan has ordered his men to enforce order "at the point of a bayonet, if necessary."

A new phase seems to have begun in dealing with students violently disrupting U.S. campuses to express their grievances. Campus lawbreakers have always been a very small minority, but university administrators feared that stern repression would turn them into a majority. They were also inhibited by knowing that agitators often had the sympathy of a sizable faculty minority. Themselves sympathetic to at least some of the student demands, administrators have been lenient in punishing the guilty and slow to take unpleasant steps to restore order. A measure of their permissiveness is that of the tens of thousands who took part in last spring's violent demonstrations at Columbia University and elsewhere, the National Student Association reported that only 124 were expelled. What now appears to have changed many administrators' minds is their realization that on some disturbed campuses the continued existence of a functioning university is at stake—and that is far more important than any specific student grievance.

Student dissidents, who in recent years made many gains in their demands for university reform and have had some influence on national attitudes on the draft and on Vietnam, are now primarily campaigning for Black Studies programs. At a number of universities (*e.g.,* Cornell, Yale) where there was a genuine will on both sides to reach a solution, this demand has been met. But at Berkeley, when the administration announced acceptance of the Black Studies program the student Third World Liberation Front had been striking for, the student front pronounced itself supremely uninterested, and switched to demands for a Black-Latino-Amero-Asian-American Indian Studies program instead. When the president of City College of New York emerged from the administration building to announce to 100 Negro and Puerto Rican students "affirmative answers to all their demands," they barreled past him without listening, kicked in the door of his office, and spent several hours littering the carpeted floor with cigarette butts and sampling his office liquor supply.

Such student tactics are not legitimate dissent; they should plainly be labeled coercion and totalitarianism. "Participatory democracy," the slogan of Students for a Democratic Society, is hardly an accurate description of the S.D.S. silencing of a South Vietnamese diplomat (who was doused with water) when he answered an invitation from other students to speak at New York University this winter. When teen-aged Luddites seize, vandalize and close down university buildings, they say they are "liberating" them. They have similar double-talk to describe assaulting and beating students, hurling incendiary bombs into the homes of professors, disrupting and forcibly preventing entrance to lectures, vandalizing library books and student records, and arson.

Though these outrageous acts must be punished if the authority of the university community is to be reestablished, anger is not the best guide. At least 12 state legislatures are debating punitive bills that would cut off student lawbreakers' scholarships; in California no fewer than 20 separate bills, and in Wisconsin a dozen, have been proposed to penalize guilty students, "investigate" universities and fire lenient chancellors and presidents. Withdrawing scholarship aid is unequal punishment, singling out some students for extra penalty when their unlawful acts are fully subject to existing criminal legislation, and hurting only poor students without really affecting offenders from well-to-do homes.

Instead, the university community should itself act to end the leniency and overprotectiveness that permit troublemakers the luxury of being, in the words of University of Denver Chancellor Maurice Mitchell, "martyrs thrown to toothless lions." The universities could begin by withdrawing student status and legal protection from students who continue to use spoiler tactics (which should be clearly enumerated in advance). This is not a matter of stifling the right of dissent. Rather, it would restore the open procedures, rational debate and respect for others' rights that are necessary if academic freedom and avenues of effective dissent are to be maintained. Announcing that students who do not respect this distinction henceforth would lose their academic standing, Notre Dame's President Hesburgh put the point succinctly by saying that such students "will be suspended from this community as not understanding what this community is."

Happily, most students are neither sheep nor idiots. Given more discriminating guidance by university authorities, they will surely grasp the point that student dissent—which made many important gains on campus, and has more to make—can only suffer if allowed to degenerate into these mindless "confrontation" tactics. Father Hesburgh, a wise and sympathetic Catholic educator who worries about just that happening, is again worth quoting when he points a truer path for student dissent: "God knows, there is more than enough in our often nonglorious civilization to be alienated from, be you young, middle-aged, or old. But understanding and analysis of social ills cannot be conducted in a boiler factory. Complicated social mechanisms, out-of-joint, are not adjusted with sledgehammers."

SALUTE TO MOROCCO AND HER KING

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. DIGGS. Mr. Speaker, the Kingdom of Morocco celebrated on March 3 the eighth anniversary of King Hassan II's succession to the throne in 1961. As chairman of the Subcommittee on Africa, House Foreign Affairs, I believe it is fitting that we should salute Morocco, with which the United States has long enjoyed friendly, warm relations.

Located at the northwest corner of Africa, Morocco is the closest African country to the United States. In large part its history has been shaped by its geographic location, only 8 miles from Europe across the Strait of Gibraltar. In 1778 an ancestor of the present King ordered recognition of U.S. ships, beginning the long history of close relations between our two countries. One of our oldest treaties, that of 1736 with Morocco, was renewed in 1836 and remains in force today.

Upon regaining her independence, Morocco embarked on a social and economic development program, today embodied in the 5-year plan—1968–72. That program calls for total public investment of $1 billion over the 5 years, with emphasis on agriculture, education and tourism. I am proud that the United States is associated with Morocco in its own extensive efforts to bring a better life to its 14 million people.

In saluting Morocco and her King today, I should like particularly to note that Moroccan-American relations are ably advanced by the presence in Washington of Ambassador Ahmed Osman and his charming wife, the Princess Lalla Nezha, younger sister of Hassan II.

ADDRESS BY HON. THOMAS S. KLEPPE AT THE COLORADO GRAIN & FEED DEALERS ASSOCIATION MEETING IN DENVER, COLO.

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. BROTZMAN. Mr. Speaker, on February 24, 1969, our distinguished colleague, the gentleman from North Dakota (Mr. KLEPPE), addressed the luncheon meeting of the Colorado Grain & Feed Dealers Association in Denver, Colo.

His speech is an excellent commentary on the problems facing the agricultural industry today and, I, for one, have found his comments and suggestions to be of great assistance in bringing a better understanding of the plight of the American farmer.

Mr. Speaker, having received permission, I insert the text of Representative KLEPPE's speech in the RECORD.

The speech follows:

EXCERPTS FROM REMARKS BY REPRESENTATIVE THOMAS S. KLEPPE

It is a great privilege to meet with members of the Colorado Grain and Feed Dealers Association and their associates from neighboring states who are here today.

When my good friend and colleague, Congressman Don Brotzman called to extend your kind invitation, I was more than happy to accept for two reasons. First, this will make it most difficult for Don to turn me down when I invite him to speak in my own District in North Dakota. Second, this meeting provides me with an opportunity to discuss agricultural interests which I share with members of your organization.

My indoctrination into the grain and feed business came about at an early age. My father operated a country elevator at Kintyre, North Dakota, and back in the "threadbare" thirties, you didn't hire an extra hand if there happened to be an able-bodied son around the house. It is my recollection that the wages were relatively modest and the hours, especially at harvest time, could make you mighty late for the country dance.

In the drought years—and we had more of those than bountiful ones—the work load was lighter—almost as light as the shriveled grain which came to the elevator. I know that many of you went through similar experiences back in the 1930's. When nature lays a drought on top of a depression, you really wind up on the losing side of the war against poverty.

Last fall, as I campaigned throughout my district, I stopped at many country elevators. I made it a point to check their card prices from day to day. No. 2 Hard Spring wheat was bringing around $1.07 a bushel and barley 50 to 60 cents. When you consider that today's dollar is worth only about 40 cents in relation to the 1939 dollar, this meant that wheat and barley prices were actually at about the same levels as they were 30 years ago.

I made some further calculations, based on Department of Agriculture figures. They showed, for example, that a 40–49 horsepower tractor, which cost a North Dakota farmer $4,300 in 1964, carried a $6,000 price tag in the autumn of 1968. To put it another way—with $1.37 wheat in 1964, it took 3,038 bushels to buy such a tractor. Just four years later, it took 5,600 bushels—84% more.

In 1964, it took 5,733 bushels of barley to buy this tractor. Just four years later, it took 12,000 bushels!

These figures dramatically show what is happening to the farm economy. They show that inflation hits farmers hardest of all. Caught between declining prices for everything they sell and soaring costs for everything they must buy, farmers are in the tightest economic squeeze they have known since the 1930's.

Inflation doesn't just happen. It is caused—caused by in large part loose Federal fiscal policies, by uncontrolled deficit spending and a ballooning national debt. The current inflationary binge has been accompanied by the highest interest rates since the Civil War. Farm debt has doubled since 1960 and the rising interest rates have made this burden more than three times as heavy to carry.

Since Government policies cause inflation, only a change in those policies can halt it. The mushrooming growth of big government can and must be controlled.

As businessmen who deal with farmers every day, you are acutely aware of the problems confronting agriculture. Moreover, I am sure you will all agree that while it is comparatively easy to diagnose the malady, it is enormously difficult to prescribe effective treatment.

It's no time for hasty remedies or bandaid application. Fortunately the new administration has some much-needed time to reexamine and reassess present farm programs. The one-year extension of the Food and Agriculture Act of 1965 by the 90th Congress was primarily designed to permit this. It would be my hope that the administration's farm program recommendations could be sent to Congress next January, with congressional hearings commencing immediately thereafter. It would be desirable to have new legislation enacted as early in 1970 as possible, certainly no later than April or May.

Considerable revision is obviously required for several of the basic commodity programs, as is clearly indicated by their failure either to control production or insure satisfactory market prices. I personally believe parts of the 1965 act, including domestic wheat certificate payments, should be retained. It might be simpler to submit a new bill, incorporating parts of the old legislation, rather than to seek changes through a long series of amendments.

I believe we should take a new look at a land retirement program.

I think also that greater emphasis must be placed upon market expansion and development, both at home and abroad. The search for new industrial uses for agricultural products should be stepped up.

Last session I introduced and this year have re-introduced legislation which would lock up in the hands of farmers themselves, rather than in CCC inventory, a Strategic Grain Reserve of 300 million bushels of wheat, 500 million bushels of feed grains and 75 million of soybeans. I hope that consideration will be given to this approach. Clearly this is not, of itself, a solution. It would, however, impart some immediate strength to grain and soybean prices. It would serve as a stop-gap until long-range programs have an opportunity to take hold.

I favor an extension of the Great Plains Program and have introduced legislation to extend it, with additional funding. This is basically aimed at applying conservation practices to entire units, with special emphasis upon converting land unsuited for sustained crop production into permanent grass. To date, more than 31,500 farmers and ranchers have entered into cost-sharing agreements, covering 57,279,220 acres, under the Great Plains Program.

Virtually everyone seems to agree that

farmers need additional bargaining power but there appears to be no general consensus as to what form this should take. It is an area which I believe the new Administration will thoroughly explore. I would strongly oppose any plan which would make government the final arbiter in bargaining between farmers and buyers of agricultural commodities. Obviously a bargaining mechanism which might work satisfactorily for walnut growers would not necessarily be adaptable to wheat and some other commodities which are produced by hundreds of thousands of farmers in all parts of the Nation.

While large and small farmers share some of the same problems, the problem of underemployment is largely restricted to the small operator. I would like to see more off-farm employment opportunities for small farmers—jobs which would permit them to remain on the land and still make a decent living. This concept has been tested on a limited scale for many years but more concentrated effort is needed. It takes much more than good intentions to bring industry into rural areas. It has been done in a number of instances, however, and I think more can be done. This may require tax incentives and perhaps even outright subsidies.

I would like to see, as I am sure most farmers would, a greater percentage of agricultural income derived from the market greater market demand which, in turn, would increase free market prices. I hope higher farm prices will stem from increased demand, rather than strict, mandatory controls on production.

In conclusion, I would emphasize again that there are no quick or easy solutions to the Nation's farm dilemma. We are confronted not by a single problem but by a multitude of problems. They vary by area and by commodity. Both social and economic problems are intertwined and it is often difficult to separate them.

By now, surely, we must have just about exhausted the non-solutions for agriculture's ills. We need, for a change, programs which have at least a reasonable chance of succeeding—of improving farm income and at the same time insuring continued production of an adequate supply of food and fiber.

It seems to me that the time has come for all of the general farm organizations, the various commodity groups and those in the allied agricultural industries such as yours to attempt to reach some broad agreement on America's farm policy of the future. Without some general consensus from all these groups which are so directly concerned, it is going to be extremely difficult, if not impossible, for this Administration and the Congress to come forward with an agricultural program which is both genuinely workable and widely acceptable.

I might add it will be impossible to win from an increasingly city and urban-oriented Congress approval of any program which fails to meet this double test. This is the challenge which confronts agriculture and the agir-business community. We must meet it or be overwhelmed by it.

PRAYER IN THE PUBLIC SCHOOLS

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. ROGERS of Florida. Mr. Speaker, I am today reintroducing my proposed amendment to the Constitution which would permit the offering of prayers and the reading of the Bible as part of the program of any public school in the United States.

I first introduced this legislation in 1963 when the U.S. Supreme Court issued its decision which held that the establishment clause of the first amendment to the Constitution is violated by prayers in the public schools of our Nation, and I have introduced this legislation every year since.

The reference to God in the Pledge of Allegiance, the Star-Spangled Banner, and in the ceremony preceding the opening of sessions of courts and Congress should serve as an impetus to this Congress to restore the rights of our schoolchildren to share in the spiritual heritage of our Nation. I am sure there are a great many of my colleagues who share my concern over this situation, and I am hopeful that action on this amendment can be taken this session.

THE HOWARD UNIVERSITY BOYCOTT

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. EDWARDS of Alabama. Mr. Speaker, as demonstrations, protests, boycotts, and violence continue on college and university campuses across the country, I believe it is important to recognize that the real destroyers represent only a tiny minority of students.

For every militant leading others into senseless violence there are hundreds of others who want to continue their education and who want to preserve, not ruin, their schools.

One student who has had the courage and constructive attitude to speak out in favor of moderation is Henry C. Tribbitt, a student at the Law School of Howard University.

Mr. Tribbitt, who is from Mobile in my congressional district, has written, mimeographed, and distributed a statement to his fellow students in this regard. I believe it is worthy of the close attention of all of us and of the country as a whole. I include it at this point in the Record:

Let Us Return to Classes

February 25, 1969.

To: My fellow students, Law School of Howard University.

From: Henry C. Tribbitt.

The hottest place in Hell is reserved for good men who, in the face of crisis, purport to remain neutral. Grave issues face us today. We must make a choice of whether or not we will examine truth or get lost in rhetoric and meaningless syntax. The issue is: do we intend to be lawyers or outlaws?

Why are we out of classes? Certainly we are not outside of the classroom in order to learn the law. Why are we here at Howard in the first place? Certainly we were not directed to come here against our will? We chose to attend here presumably to obtain a legal education because that is what we wanted.

But we cannot obtain a legal education by staying out of class. When the problem is placed in proper focus we can see that we are not doing what we travelled miles to do. We are not accomplishing what we have made many personal sacrifices to accomplish.

We (you and I) have the same goals. Our interests are the same. We should not be sidetracked into irrelevancies and collateral issues. Today marks the second week we have been out of classes. During this time the faculty has, in fact, made many concessions at our behest. What do we seek now? Blood?

A legal education is a privilege. To practice law is a privilege. But a legal education is also a responsibility. It is a venture that has matured to us only over many years of work and study. Are we to throw all this away on rhetoric and meaningless syntax?

I submit to you, my fellow students, that this is folly. In my case it was necessary for me to practically give away more than $4000 worth of household goods and dispose of a house in a few days, all of which it took me six years to acquire, in order that I could study the law here.

I did this willingly because I wanted to be relevant to the black community. Now I am told that to be relevant I must, on the strength of ill-defined glittering generalities, forsake the only useful service I could possibly render to my fellow man.

You and I owe a certain duty to ourselves, our parents, wives, husbands, friends, families, as well as to our respective communities from which we came. My community is Mobile, Alabama. The people there know me as their friend. They trust me and they take pride in the fact that a man known as one of them will one day in the near future (1970) graduate as a lawyer from Howard University. They are relying upon me to complete this three-year program so that I might return to my community where over 30,000 blacks live with only two black lawyers to serve their legal needs.

If ever there was a time when black people need articulate spokesmen that time is now. If ever there was a place where effective spokesmen were essential it is in the communities from which you and I have come and where you and I plan to return. You know the conditions that exist there. The knowledge you and I acquire here is precisely for the purpose of alleviating those conditions. But that knowledge presupposes that you and I attend classes.

There is no room for dispute that many inequities exist in this world. Nor is there any substantial question as to inequities here at Howard. But does one behead a dandruff patient to cure the dandruff?

I submit to you, my fellow students, that we have put ourselves in this kind of situation without recognizing that it is essentially negative and destructive rather than positive. No compromise can come out of it. This country was built on compromise. Continued progress for all of us demands that there be a middle ground.

Howard is your school. Howard is my school. Howard is a part of me. I love Howard because I know that my school is also the school of Spottswood Robinson, Charlie Houston, and is the dream of John Mercer Langston. Many dedicated barristers have devoted their lives to Howard. It has been built with the blood, sweat, and tears of black men who wanted to render an unscented service to the black man.

It is for us to improve the legacy they left us, not to destroy it. A little reflection tells us that continuation of the boycott does not serve that legacy but can only destroy it. I entreat you to consider all of the facts and return to reason. Your future and mine lies in the balance.

We need not close our eyes to what is wrong at Howard. Nor should we hesitate to work by productive means at every opportunity to correct problems. But can we count as productive the loss of a year of work and study? Must we become sacrificial lambs? If so, then for what purpose?

The black community needs each and every one of us as lawyers, not as boycotters: as the promoters of progress in the solution of problems, not as barriers to progress. The needs are in the home communities from which we come and I believe we ought to keep that in mind.

While we list all of the wrongs of Howard let us not forget the corresponding rights. Howard accepts young blacks in law school when no other school in this country will do so. Howard does not require a LSAT score. Many of us would never have been in law school if this were not the case.

Remember, it takes only one moment to destroy what it takes a lifetime to build. A majority of Howard students benefit from at least tuition scholarships without distinction to honor students. The primary requirement is a passing average. Howard today is an accredited law school. But how long will this be so if this boycott continues?

If classes cannot be held more than 100 black students who are in line for graduation in Spring will not reach the black community where they are needed so desperately. And I remind you, as I have said, that two lawyers serve more than 30,000 blacks in Mobile, Alabama.

The continuation of this boycott can serve no useful purpose. Should we stay out of class for the rest of this year nobody on the faculty will be hurt, even financially. On the contrary, they will only have less work to do.

We can't demand a penny of our tuition back because if a contract has been breached we are clearly the party in default. But in this case our greatest default would be to ourselves and to our brothers who look to us for leadership in the difficult days ahead. I admonish you to use your head and to think carefully. A man does not tear down his own house simply because the roof has a leak. I cannot see that any useful purpose will be served should we close the doors of Howard University for future black students. To build constructively we don't tear down the old: we doggedly preserve the existing opportunities and build on them.

When I consider that I am the son of a lowly washerwoman who earned 50 cents a day with nine children to support, and that now I am in law school where more than $2,000 has been invested for my education thus far, I want to ask serious questions about obstructions that appear.

No one would contend that all is well at Howard University or in the United States generally. But it is for us to seek change that is meaningful in a constructive way. And opportunity for constructive change does exist if we can keep from turning it into destructive force.

Those of us who love this country in spite of all its faults, measuring it against other nations, can appreciate the words of C. J. Vinson more than 14 years ago when he stated in the case of *Dennis* v. *United States*, 341 U.S. 494, 501:

"(Whatever) theoretical merit there may be to the argument that there is a 'right' to rebellion against dictatorial government is without force where the existing structure of government provides for peaceful and orderly change. We reject any principle of governmental helplessness in the face of preparation for revolution, which principle, carried to its logical conclusion must lead to anarchy."

Conceding as we must that we have real and substantial complaints with Howard I submit to you that as law students and prospective members of the bar we must seek positive solutions to these problems within the legal system that we have avowedly dedicated our lives to. Our continued presence here attests to this proposition. If we short circuit the legal system how can we sell its merits to others?

In conclusion, therefore, I hope to see you in class with me on Wednesday, February 26, 1969, at 8 a.m. so that we can be about the business of being relevant. By preparations to mend broken lives, and to bind up the wounds of recent days, we should proceed now to get on with the work and the study which we have freely chosen as the first stage of our vocation.

STUDY LOOKS TO WYOMING COAL RESOURCES

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. WOLD. Mr. Speaker, electrical power is the physical mainstream of the technology that provides Americans with the highest standard of living in the world and allows so many amenities of life to an ever-growing number of our citizens.

Economists, in fact, use per capita consumption of electric power as a prime measure of the comparative standards of living among the nations of the world. Its importance is emphasized by estimates that per capita consumption of electric power by citizens of the United States will double by the year 1985.

The United States currently has abundant resources to fuel plants generating electric power, but I would propose the caveat that our resources of petroleum and oil shale, even, are not inexhaustible. There are strong grounds also to suspect that atomic power may not be completely desirable in all instances for the production of electrical power.

There are, however, in my district, the great State of Wyoming, tremendous reserves of fossil fuels in the form of bituminous coals and lignites. Increasingly they are being utilized to provide the fuel for generation of electric power.

I have just received a copy of the Basin Electric Cooperative's report for January 1969 giving an outline of what is happening in the area of coal power generation.

I include the article, "Study Looks to Wyoming Coal Resources," in the RECORD, at this point:

STUDY LOOKS TO WYOMING COAL RESOURCES

Expectations that the Wyoming and Colorado members of Basin Electric will require an increasingly greater proportion of the power produced by the Cooperative's thermal generating plants led the Board of Directors to authorize R. W. Beck and Associates to make studies of coal resources in Wyoming as an initial step in determining potential sites for future generating facilities. The action was taken at the regular Board of Directors meeting December 12.

Vast quantities of sub-bituminous coal are known to exist in Wyoming. Strip mining is carried on near Gillette for a plant partially owned by Rushmore Electric Power Cooperative, one of Basin Electric's Class A members.

Engineers note that the sub-bituminous coal has a higher Btu content per pound than the lignite burned in the Basin Electric first unit. For example, lignite averages about 6700 Btu's per pound compared to about 8500 Btu's per pound for sub-bituminous coal.

In announcing the action of the Cooperative, James Grahl, general manager, noted that rapidly growing power requirements of member cooperatives in Wyoming and Colorado make a thorough investigation of the economics of locating generating units of more than 400,000 kilowatts in that area very important to the long range power supply plans of Basin Electric.

"In addition to R. W. Beck's investigation, we are engaged in studies with our member power supply cooperative in that area—Tri-State G & T Association—which serves 12 Wyoming rural electric cooperatives. The lowest cost, most efficient power supply for these systems, as well as for the entire membership of Basin Electric, depends upon our pooling the requirements of these rural systems which serve in sparsely settled western areas. Such pooling of requirements has permitted us to build the largest lignite-burning unit constructed in the country to-date, and has made feasible the 400,000 kilowatt unit scheduled for operation at our North Dakota power station in late 1974.

"For our third, and subsequent generating units, we feel it necessary to study locations in Wyoming because of the substantial growth in power requirements being experienced by member cooperatives in that section of the region and because of the presence of very large and important coal deposits there which could benefit power users throughout the region."

Availability of an adequate supply of water for cooling purposes in large generating plants is an essential element in determining feasible site locations. Basin Electric has taken under consideration, therefore, a study of ground water resources in Wyoming, including analysis of "drilling logs," to determine ground water availability. Cooling towers which require less water for cooling purposes of a generating plant add to the cost of such a plant and diminish the desirability of a site which would require them. Such factors are weighed against the cost of longer transmission lines if the plants are located further from the load centers. These are elements of studies being made by Basin Electric.

BROTZMAN INTRODUCES LEGISLATION TO AUTHORIZE YOUTH FARE RATES ON AIRLINES

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. BROTZMAN. Mr. Speaker, today I am introducing legislation to enable young people, the aged, the handicapped, and military personnel to travel at reduced fares on the Nation's airlines.

A recent decision by an examiner for the Civil Aeronautics Board, which is currently under review by the full Board, would eliminate the present airline youth fares.

It is my opinion that the Congress did not intend to proscribe reduced airline fares such as that for youth in its prohibition against unjust discrimination in the Federal Aviation Act of 1958. Regardless of how the CAB rules, we need to settle this matter legislatively. I believe that the standby system is important to our young people for two reasons. First, it makes it feasible for many of them to maintain family ties despite great geographical separation during college years. And second, it enables them to add to their educations by travel which normally they could not afford.

The bill which I am introducing today will, for the first time, specifically authorize the CAB to extend half-price fares to youth and the other groups mentioned above, on a standby basis during offpeak travel hours. This is enabling legislation. It should be emphasized that the airlines are not required to put these reduced fares into effect. But, there will be clear legislative basis to do so.

REPORT TO CONSTITUENTS

HON. MARK ANDREWS

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. ANDREWS of North Dakota. Mr. Speaker, it is my custom to send regular reports to my constituents regarding my activities in their behalf as well as on the events in Congress. Such a report is being mailed today, and under unanimous consent I submit the report for inclusion in the CONGRESSIONAL RECORD at this point:

"ALL INCOME IS SUBJECT TO TAX"

That's how the U.S. Revenue Code starts out—but the next dozen pages list the deductions, exclusions, exemptions, special rules and special exemptions which have been added over the years until now only about 50% of income is subject to tax.

According to outgoing Secretary of the Treasury, Joseph Barr, there are 155 persons with incomes of over $200,000 a year who have paid no tax whatsoever, and of these 155, there are 21 with annual incomes of over $1 million, and yet they pay absolutely no tax.

The alternatives for our Government, I believe, are tax reforms—or a tax revolt by the low and middle income taxpayers who bear the brunt of the costs of running this nation.

With the encouragement of President Nixon, the House Ways and Means Committee has started public hearings on tax reforms—hearings every citizen should follow closely.

One of the reforms to be considered is the proposal to levy at least a minimum tax on individual incomes of those wealthy persons whose income is now tax-exempt for various reasons under the law. Another of the first tasks of the Committee will be to simplify the income tax computation, eliminating as much as possible the complicated and confusing 150 page instruction booklet that must necessarily accompany tax forms sent out at the present time.

Tax reform legislation will not be realized quickly, but we can all be happy that the task has at least begun—after being postponed for far too long.

FOOD FOR THE NEEDY

The recent action by USDA Secretary Hardin to provide free food stamps to the hungry poor people in South Carolina is just a start and all indications point to massive action to rub out hunger and malnutrition in the nation—a move long overdue in our land of plenty.

This should, hopefully, mean more money spent on food for the poor than on the red tape and paper work that have in the past used up far too much of the welfare dollar.

The day Vince Lombardi took over the direction of Washington's hapless "Redskins" professional football team, he told a meeting of Congressmen and outstanding Boy Scouts about the importance of "commitment" as a key to success in athletics, as well as in Scouting.

Commitment is an essential factor of good citizenship, too, as our form of government depends on the dedication and interest of the people and by the people so that it can indeed function for the people.

Meeting Coach Lombardi with me is Paul Collins, son of Mr. and Mrs. Kenneth Collins of Fargo, who was one of 15 leading Scouts selected to make that fine organization's annual "Report to the Nation."

It is an important part of my job as your Representative to keep you informed of my activities on your behalf in the Congress. Therefore, I send weekly reports to the radio stations in North Dakota's 1st District and a number of these stations (listed below) carry them on a regularly scheduled basis. Other stations, of course, include portions of the report on their regular news broadcasts.

KOVC, Valley City, Monday, 2:05 p.m.
KDLR, Devils Lake, Saturday, 11:25 a.m.
KBMW, Wahpeton, Sunday, 11:45 a.m.
KQWB, Fargo, Sunday, 8:15 a.m.
KEYJ, Jamestown, Wednesday, 6:35 p.m.
KGCA, Rugby, Monday, 6:00 p.m.
KMAV, Mayville, Monday, 5:25 p.m.
KNDK, Langdon, Sunday, 1:25 p.m.
KGPC, Grafton, Tuesday, 1 p.m.
KDAK, Carrington, Saturday, 2:30 p.m.
KILO, Grand Forks, Monday, 6:15 p.m.

At a time when a minority of our young people are shouting their intolerance of our government, I am very proud of my association, as a member of the Board of Advisors of the Presidential classroom for Young Americans, which was initiated and approved by the White House.

This nonpartisan, non-profit organization is bringing high school students to Washington in groups of up to 350 to observe for one week the operations of our government. Every high school in the country has been invited to participate in this program which is designed to give members of the senior class an opportunity for in-depth study of how our government functions, to challenge them toward personal involvement by showing them what the Government is doing in various fields, to encourage dedication to and understanding of the American system, which all too often seems remote, bureaucratic and inaccessible to today's young people.

The first of 5 classes started February 22nd and these young people from all over America are having wide open sessions with government, press, and organization leaders. This direct involvement of our students with their government is certainly one of the best ways to let young America know that they can be heard and participate in the affairs of their country.

The bi-partisan Board of Advisors includes Justice Thurgood Marshall of the Supreme Court, Senators Howard Baker and Mark Hatfield, General William C. Westmoreland and Mrs. Scott Carpenter, wife of the astronaut as well as others.

State Treasurer Bernice Asbridge made a point about money matters while in Washington attending President Nixon's Inaugural. As the most recent example of a woman's success in North Dakota politics, I am sure this very able lady will inspire others to take a more active interest in government.

Prior to the start of the 91st Congress, I visited several Central and Latin American countries on a mission for the State Department, and had the opportunity of visiting an area that will have a great future impact on our wheat farms in North Dakota, the International Crop Improvement Center at Chapingo, Mexico—one of the largest wheat breeding nurseries in the world.

Besides contributing significantly to agriculture in Mexico, the U.S. trained plant breeders have wisely used the ideal weather year-round low labor costs and many new dwarf and semi dwarf wheat varieties have resulted. These are all being made available to our experiment stations and wheat breeding companies.

SMALL WATERSHED DEVELOPMENT AIDS LINCOLN, ARK.

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. HAMMERSCHMIDT. Mr. Speaker, Arkansas and the Nation are the beneficiaries of small watershed development under Public Law 566. These Federal-State-local cooperative ventures bring out the best in the land and afford broader opportunities to the people.

Some 250 watersheds in Arkansas have been found suitable for development under Public Law 566. In many cases, the flood retention reservoir is structured to yield other benefits, including a dependable source of municipal and industrial water.

A number of projects have been completed in our State, and in the case of Lincoln, Ark., there is now enough experience to constitute evidence of some of the benefits derived from this program.

The January edition of Soil Conservation carried an article entitled "Water for a Thirsty Town Pumps New Life Into Economy of Watershed Community." In the belief this article will interest many of my colleagues in the Congress, I include it at this point in the RECORD:

WATER FOR A THIRSTY TOWN PUMPS NEW LIFE INTO ECONOMY OF A WATERSHED COMMUNITY

Add abundant pure water to a thirsty town and you will get instant economic growth and opportunity, according to business and civic leaders of Lincoln, Ark.

Water-short Lincoln turned the valve on a new water source from a Public Law 566 multiple-purpose lake in January of 1964.

"The town started growing immediately," Mayor Roy Jackson asserts, "and with 2 million gallons of good water a day from the new source, it kept on growing."

The Lincoln water system was fed until recent years by a spring which produced about 100,000 gallons a day. This gave the little town's water subscribers an average of about 200 gallons daily—inadequate in view of the service stations, restaurants, and other businesses that required several thousand gallons a day each.

In 1960 the Washington County Soil and Water Conservation District and other sponsors were working on a watershed protection and flood-prevention project for the Muddy Fork of the Illinois Creek watershed, in which Lincoln is located. The plan, authorized in 1961, contained provisions for a multiple-purpose water supply and flood-detention lake, with Lincoln paying for the easements and extra cost of construction over and above that needed for flood detention.

For 2 years, water users had to eke by on what they could get. During the dry summer of 1962, volunteer firemen lived in constant fear of an outbreak and Water Manager Jack Cox had to restort to tank trucks to keep Lincoln alive.

Rains started filling the new lake before New Year's Day of 1964, and water at last filled the thirsty pipes of the Lincoln water system.

C. C. Karnes was contracting officer for the sponsors during the construction of the lake, and as an officer in the Bank of Lincoln has kept his hand on the strengthening pulse of the town's economic growth.

"The changes are visible to the naked eye," Karnes says, "because we do not have a lot of empty stores and buildings staring at us now. We have had about 20 new or expanded businesses since we obtained our new water supply—not counting industries.

"Our bank assets have grown by more than $2 million since the new water went into our pipes—most of it in new deposits.

"Upwards of a million dollars worth of new homes—nearly 100 houses—have been built or are under construction. The expanding benefits of these new homes touch building supply houses, appliance dealers, grocery stores—in fact all of our businesses.

"The largest industry to be attracted is a new food processing plant. It will employ 225 people at first, and eventually 450.

"This one industry will use eight times as much water in its operations each day as the town's total supply before the watershed project," Karnes said.

Probably one of the best indicators of Lincoln's growth since 1963 is the Lincoln School District tax assessment. In 1963 it was $2,405,634. Now it is $3,021,376.

THE PRESIDENT'S TRIP

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. McCLORY. Mr. Speaker, the public reaction to President Nixon's European visit has been uniformly favorable. Editorial comments of the various communications media have been generally fair and constructive.

One of the thoughtful editorials on the success of the President's trip appears in today's Chicago Tribune, which follows:

THE PRESIDENT'S TRIP

Mr. Nixon was wise to set modest goals in his trip to Europe and to listen rather than to dictate. His open and friendly manner seems to have made a good impression, so much so that kind words came even from those who speak for the usually chilly President de Gaulle of France.

The President's principal intentions were to get acquainted with the heads of state with whom he will be dealing; to give assurances that the United States intends to cooperate and not to dominate; and to make it clear that, much as he may hope to establish concord with the Soviet Union, he will make no deal with Russia over the heads of his European allies.

Whether the flaccid North Atlantic Treaty organization will be reinvigorated in consequence of Mr. Nixon's journey is for the future to establish. His emphasis on the solidarity of the alliance was symbolized in his selection of Belgium as his first stop, for it is there that NATO headquarters was moved when French hospitality ran out. We should know shortly whether the alliance will disintegrate, for the treaty was signed to run for 20 years and the terminal date is next month unless the members extend their commitments.

Mr. Nixon's trip also had the intended effect of showing Europe that, no matter how deeply we may be involved in Vietnam, the concerns of Europe are very much on America's mind.

The President's warm reception by street crowds was not lessened by communist-inspired disorders in Rome. It is standard operating procedure for the Reds to turn out their claque whenever there is the possibility of embarrassing the United States.

These unassuming travels need not be trumpeted as some vast triumph, such as Franklin Roosevelt misrepresented his trips to Teheran and Yalta to be. We can be thankful that no grandiose designs were meditated or hatched. These personal excursions into diplomacy have been uniformly unfortunate in the past, and this time, at least, there will be no bitter fruits over which to repine.

CINCINNATI POLICE CAPTAIN THOMAS DIXON AND DISTRICT FOUR OFFICERS WIN AMERICANISM AWARD

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. TAFT. Mr. Speaker, on March 20, for the first time in the history of the award, an entire Cincinnati police unit will receive the American Legion's Americanism Award. The honor goes to the men of Police District Four whose outstanding police-community-relations program, under the direction of Capt. Thomas Dixon, has earned the respect and admiration of all.

The following summary, which was prepared by Cincinnati Post & Times-Star reporter, Graydon DeCamp, describes the achievements and work of Police District Four's outstanding men:

CINCINNATI POLICE-COMMUNITY RELATIONS PROGRAM

Much of the success of Cincinnati's Police-Community Relations program is directly attributable to Capt. Thomas Dixon and the men of the Police District 4, which he commands. The program was first tried in District 4, as an experiment. This district consists, in large part, of neighborhoods where urban renewal, changing racial balance in population, and ghetto-like conditions have bred unrest. It is where Cincinnati's only major racial disturbances began. It was a high crime area. It has become the lowest crime area.

Capt. Tom Dixon became commander of the district in January, 1967, about six months after the district had begun a pilot Police-Community Relations program under joint sponsorship of the Cincinnati Police Division and the National Conference of Christians and Jews.

His district's success with the program has been phenomenal. The main thrust was at winning the children (although open discussion meetings with adult citizens has played a large part).

Capt. Tom Dixon and his men undertook such projects as speaking programs in schools, organizing competitions with the help of the city's Recreation Department and providing prizes for winners, trophies, and certificates. Capt. Tom Dixon arranged to have 300 District 4 Police T-shirts distributed to youngsters who wanted to play baseball or basketball but who were unable to find, or get on, regular organized Knothole or Little League teams. They arranged a series of awards for a summer program in music competition, giving 28 awards and aiding in formal presentations. Capt. Tom Dixon and his officers helped conduct a "patriotism, law and order" program at Longview State (Mental) Hospital's children's unit, and have conducted similar programs and poster contests at every school in the district—the district has 28 schools.

The result of all this has been the affection, admiration, and loyalty of almost every school child in the district. On numerous occasions, whole schools of children have marched on the District 4 stationhouse, bearing signs saying such things as "Thank you Capt. Dixon and District 4 Police." Students from Samuel Ach Junior High School showed up en masse last Christmas and gave each officer a bag of candy.

Whenever Capt. Tom Dixon visits the Longview School, youngsters crowd around, cling to his arms, wear his cap. They love him.

A veteran detective in District 4 says, "It's a pleasure to come to work for Capt. Tom Dixon."

The accolades for Tom Dixon and District 4 come from many sources outside the Police Division. The National Conference of Christians and Jews have given him an award for outstanding leadership in promoting the cause of good will. He has received the Syrian Shrine Temple National Police Week Award for service to the community. The Cincinnati Citizens' Crusade has honored him for outstanding promotion of patriotism among young people.

When he received the Shrine Award—at the Shrine Circus in mid-1968—Capt. Dixon received far greater applause from the 15,000 in the audience than did any of the circus acts they had paid to see. When receiving the Grocery Manufacturers' Representatives award last year, at a dinner attended by 450, Capt. Dixon's acceptance talk was interrupted eight times by applause—twice for standing ovations.

Capt. Tom Dixon and the men of his District 4 were nominated for, and chosen to receive, the 1969 American Legion Americanism Award. It will be presented to him March 20th. This is the only time this award has gone to an entire police unit.

SOME THOUGHTS ON THE ABM DEBATE

HON. EARLE CABELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. CABELL. Mr. Speaker, much has been said in the past and even more will be said in the coming months concerning the installation of an anti-ballistic-missile system.

Both Houses of the Congress will debate the authorization and funding of this highly controversial system.

Unfortunately, the debate will become clouded with emotionalism and the real meat in the need for such a defensive installation might became submerged.

One of the most knowledgeable men in the country on such subjects is Gen. Ira C. Eaker, USAF, retired, and he has written a brief treatise on the subject which I hope every Member of the Congress will read. This paper was released for publication on March 2 and I am including it in the RECORD at this point:

SOME THOUGHTS ON THE ABM DEBATE

(By Ira C. Eaker)

In the current ABM (anti-ballistic missile) controversy ideological passion threatens rational analysis. It appears that the average citizen, whose interest is primary, should now become informed and take a stand.

The opponents of the Sentinel ABM say that it will not be fully effective; it will be obsolescent when installed; and it will start a new round in the arms race.

Testimony before congressional committees indicates that while the Sentinel can be effective against one missile, such as an accidental launch which could trigger a full nuclear exchange, or against small numbers of missiles such as the Chinese may have in their arsenal in the early 1970's, it could be saturated by a large-scale ICBM attack such as Russia could mount.

Although the Sentinel system as now being deployed cannot stop all the missiles Russia could launch, it will be capable of destroying many of them. The former Secretary of Defense, Mr. McNamara, told Congress that the Sentinel might save 60 million U.S. lives. It can also provide considerable protection for our own retaliatory ICBM forces.

Admittedly the Sentinel will be obsolescent when installed, since science and technology will by that time know how to produce a more effective anti-missile system. The Spitfire fighters which saved London in the Battle of Britain, were also obsolescent, since better fighters, like the U.S. Lightning, were already on the drawing board. But weapons on the drawing board never deterred any enemy nor won any battles.

Our own Minutemen and Polaris missiles were obsolescent before installation was completed since better missiles, Minutemen II and III and Poseidon, had already been developed. These are now being installed. A similar upgrading of the Sentinel can also be expected.

The prime purpose of the ABM system, as indeed of all defense weapons, is to deter war. It appears obvious therefore that if the Russians have an ABM system and we do not, the credibility of our deterrence is diminished. What the far left intellectuals think of the effectiveness of the ABM system is not material: It is what the men in the Kremlin think about it which is important. Obviously they believe it effective or they would not have spent billions to install such a system.

Who are the opponents of the Sentinel ABM system? They are the peace-at-any-price politicians, unilateral disarmament advocates, pacifists, far-left scientists and self-styled intellectuals.

These are the same people who assured President Kennedy that there were no Russian missiles in Cuba because Russian leaders had told us there were none there. These are the same men who advised Mr. McNamara that the U.S. should unilaterly disarm as an example. Russian leaders, needing to increase the standard of living for their people, obviously would seize a welcome opportunity to scale down their weapons outlays.

Instead, as Secretary of Defense Laird recently disclosed, Russia has been spending about four times as much as the U.S. on strategic weapons. Those who now oppose the ABM system assured President Johnson that peace would soon come when he stopped bombing North Vietnam. Instead 10,000 Americans and 15,000 South Vietnamese have been killed since the bombing halt.

Any concerned citizen, confused by the present ABM controversy, may find a valid position through this analogy. If, in the days of the Old West, the bad men had worn bullet-proof vests, while the marshals had no such protection, obviously the bandits would have been more likely to challenge the peace officers.

Now, with Red fleets moving into the Mediterranean and Indian Ocean, with Russian missiles going onto launch pads in Egypt, with the Kremlin giving Cuba a nuclear laboratory and sending more than 100 nuclear scientists to Havana and with the renewed threat to Berlin, prudence suggests that the U.S. peace keepers reach for their bullet proof vests—the best ABM system current technology can provide.

TRIBUTE TO AVERELL HARRIMAN: DEDICATED MAN OF PEACE

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. EVINS of Tennessee. Mr. Speaker, I rise to pay tribute to one of the great public servants of our time, the Honorable Averell Harriman—industrialist, philanthropist, Governor, Assistant Secretary of State, Ambassador and negotiator for world peace.

Averell Harriman has lived a wonderful, dedicated, selfless life—a full life of service and usefulness.

As we all know, his most recent contribution to world peace was his success in getting the Paris negotiations with North Vietnam underway in an effort to achieve an honorable settlement to the Vietnam conflict. Averell Harriman is an experienced, skilled negotiator who fully understands the vital importance of negotiations for peace in the nuclear age.

This great diplomat and public servant began his career of public service during the depression of the thirties in the Roosevelt administration. He became Ambassador to Great Britain and Russia and through the years, his knowledge and understanding of international problems involving Russia and the United States were invaluable to our Nation.

In 1961 Ambassador Harriman was Assistant Secretary of State for Far Eastern Affairs and Under Secretary for Political Affairs from 1963 to 1965.

Averell Harriman is a dedicated American—a devoted champion of peace. America is indebted to this wonderful man for his life of service.

All of us wish him the very best of good luck and success as he relaxes following his strenuous tour of duty in Paris.

MRS. B. W. SHAPER, CHICO, CALIFORNIA'S MOST WORLD-MINDED CITIZEN

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. JOHNSON of California. Mr. Speaker, the Gen. Douglas MacArthur Scholarship Committee sponsored "The Most World-Minded Citizen Award." This was an endeavor to find someone in the Chico State College service area who had promoted international understanding and who had provided direct assistance for international students at Chico State College. Mrs. B. W. Shaper, who was sponsored by the League of Women Voters, won this honor over two other candidates.

Mrs. Shaper worked for the YMCA in France and England many years ago. She was also a charter member of the local chapter of the United Nations Association of United States of America, being its first secretary. She has supported UNICEF since the early 1950's and has given speeches locally and in Redding in support of UNA-USA.

She was involved in the first efforts to bring international students to Chico in the 1950's. She and her husband have always had a student in their home and have encouraged others in their family to do so also. They have never missed a function given for the international students.

Mrs. Shaper has always bought tickets and sold them as well for the previous seven international dinners. Last year, Mrs. Shaper saw to it that Rotary Club provided tickets for students, American and international, who could not otherwise have afforded it.

The winner is a member of the Women's Club of Chico and has been active with the League of Women Voters. She has been National Items Study Chairman of the league for the past 10 years, directing the study of foreign trade, East-West relations, and China-United States relations. She is also a member of the Unitarian Church of Chico.

The three applicants for the award were evaluated by a screening committee with representatives from the following groups: Chico Chamber of Commerce, Chico Ministerial Union, American Field Service of Chico, United Nations Association of Chico, Chico State College Alumni Association, Chico State College Faculty Senate, Chico State College Associated Students and Students' International Club.

At this point I would like to share with my colleagues an editorial which appeared in the Chico Enterprise Record "Merited Honor in a Field of Promise":

MERITED HONOR IN A FIELD OF PROMISE

In one sweeping gesture tomorrow night, the Mid-Valley area will pay off a long list of debts to one of its leading citizens.

The payoff will come when Chico's Mrs. B. W. Shaper is presented with the first annual "Most World Minded Citizen" award during the International Dinner sponsored by the General Douglas MacArthur Scholarship Foundation at Chico State College.

In making the presentation to Mrs. Shaper, the scholarship foundation will in effect be playing a proxy role for people and organizations of the entire nine-county service area of the college who for many years have paid homage to the Chico woman but could never come up with the proper vehicle for a formalized honor.

The foundation's "Most World-Minded Citizen" award is uniquely appropriate as the proper vehicle of honor for Mrs. Shaper.

This is because it requires a concept as broad as "the world" to truly represent the far-ranging interests and endeavors of the tireless and compassionate Mrs. Shaper.

Education in general has never had a better "lay community" friend than the Chico woman. The "international student" field—a relatively new realm in American education—has been a matter of special interest with her. She participated in initial efforts to bring foreign students to Chico in the early 1950s and she and her husband—a retired educator—have provided a home for many international students over the years.

As chairman of the National Items Study Program of the Chico League of Women Voters for a decade, Mrs. Shaper has promoted interest and participation in fields of importance concerning America's posture and programs in world affairs and international relations.

Yet perhaps it has been her ceaseless work on behalf of the United Nations—the primary "international endeavor" of the past 2½ decades—which has most marked Mrs. Shaper as the best-qualified person to receive the first annual "Most World-Minded Citizen" award.

Through good times and bad, Mrs. Shaper has softly but firmly explained and supported the principles and programs of the United Nations. A key to the success of Mrs. Shaper in this effort may be the fact, for example, that while she has never been able to convince The Enterprise-Record that the U.N. embodies the unity, strength and authority to fully accomplish its awesome goals, she has managed to dispel doubts from our mind that the U.N. does indeed represent the hopes of mankind for world peace and understanding—and that if the U.N. did not presently exist, then some organization just like it would have to be invented to provide the peoples of the world with a meaningful forum of potential.

In her determination to continue to fan the flickering flame of man's hopes for peace and understanding and in the gentle persistence of her endeavors to apprise all of us of the need for compassion, Mrs. Shaper truly is exemplary.

The MacArthur Scholarship Foundation is to be commended for providing the appropriate vehicle of honor for this outstanding person. We join the foundation in paying tribute to Mrs. B. W. Shaper as the "Most World-Minded Citizen."

Mr. Speaker, tickets for the International Dinner were sold out in advance. This "sell-out" was indicative of the feeling of pride and cooperation which exists between the college and the community in respect to the international students program.

The Chico Enterprise Record stated "It seems likely that if true peace and understanding ever are to be established throughout the world, that happy circumstance will be based chiefly on the principles involved in the international students program at Chico State College and its helpmate, the MacArthur Scholarship Foundation.

"Education surely is the key to the future. Thus when a dinner dedicated to the matter of international education draws a turn-away crowd, the future is indeed a bit brighter."

Mr. Speaker, I would also like to share with you and our colleagues a letter from Mrs. Shaper addressed to Mrs. Vonnie Eastham:

February 2, 1969.

Dear Mrs. Eastham: You were so much a part—in every way—of this honor which came my way—that I want to thank you once again. Through the years your interest was always a part of our endeavor and you have continued so earnestly in the MacArthur Scholarship group that you deserve the honor and gratitude of all of us who want this effort to grow.

I truly feel very humble and very grateful. It did not seem quite real the other night—more as if I was moving in a dream of some sort!

The very lovely standard is here on my desk now to help me absorb the idea! I have never thought of any reward in regard to this work—just a never ending hope that the "brotherhood of man" can become the ideal for all peoples! In my inner soul I am sure it will for I know "the eternal path" is upward—only just now we humans move so slowly up that path! But there are many ways to the top of the mountain and some day we will all get there!

Always most sincerely,

Helen S. Shaper.

PRESIDENT NIXON IS TO BE CONGRATULATED

HON. H. ALLEN SMITH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. SMITH of California. Mr. Speaker, President Nixon is to be congratulated on the success of his trip to Europe.

Clearly, if the United States is to be successful in any negotiations with the Soviets, it is essential to consult our allies who are most immediately concerned. Any other course would only result in misunderstandings, which would be seized upon by the Soviets.

The establishment of the closest possible rapport with our partners in the Atlantic Alliance was necessary. According to all reports, the President met with full success in accomplishing this primary task.

Reports indicate that the leaders and people in the countries visited were all impressed by the President's sincerity, realism, and pragmatism. All seemed pleased at the prospect of mutual participation in solving the problems that face the Western World, so vital to the security of all.

The wisdom of undertaking this task and the beginning of the new administration is obvious. Already the key problem of Germany and Berlin is in the forefront, and there will be many others involving the Soviets and our European allies. The groundwork laid by the President in his trip will now serve him in good stead.

SALUTE TO FFA ORGANIZATION

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. ZWACH. Mr. Speaker, the week of February 15 to 22 was proclaimed as National FFA Week. This nationwide association of 14- to 21-year-old boys enrolled in vocational agriculture now has 450,000 members. These students are from over 9,000 high schools.

Minnesota ranks high in both number of members and in excellence of their projects. My home State has 13,645 Future Farmers of America and 274 local affiliated clubs. The Sixth District of Minnesota has over 5,000 members of the total State membership. There are 66 high schools which have an FFA chapter and the largest club, with 173 members, is located at Canby.

I have been especially pleased with the ability of the FFA program of activity to provide sufficient challenge and opportunity for farm boys to gain meaningful experiences that will be useful in later life.

In addition to their classroom work, the FFA chapters may select extra outside projects for community or self improvement and I have summarized a few of these projects in the community beautification field within the Sixth District to give my urban colleagues a small but accurate view of this great rural farm youth program.

The chapter at Atwater planted 500 tree seedlings on the highway right-of-way to screen the city dump. At Ivanhoe, 400 trees were planted as a beautification project to screen a salvage company's operations. The Danube chapter installed traffic safety signs and placed six trash cans in approved areas of the community. Morgan has a community project in the establishment of a roadside camping park. The Appleton FFA chapter has an annual rose plant sale and they also planted 200 evergreen trees.

The Redwood Falls chapter has started a tree "Hall of Nations" in which at least one tree of every nation is now growing, while at Tyler, a tree that was presented to a member of the chapter by Mrs. Lyndon Johnson has been planted at the new swimming pool. The Echo chapter also is engaged in a tree planting project of a community benefit nature.

In those projects designed to be useful for the propagation of wildlife, the chapters at Walnut Grove, Crosby-Ironton, Franklin, Litchfield, Hector, Appleton, Graceville, Redwood Falls, and Buffalo Lake are all outstanding.

In the field of forestry, three chapters in Minnesota have planted over a million seedlings with Clinton, Monticello, and Tyler all reporting success in this area this year.

Each chapter makes an activity report at the annual meeting of the State association and from scanning these reports, one receives a most hopeful feeling for the welfare of our Nation's future. Confirmation of this becomes stronger as we note the statewide project of helping to finance the construction and activities of a camp for young handicapped people in Minnesota. This facility is known as Camp Courage and is located in the Sixth District.

FFA boys have had a continual project of gleaning cornfields after they have been mechanically harvested. While hampered with problems of a late harvest and wet fields, still they picked up the dropped ears, shelled and dried the corn and finally turned the proceeds over to Camp Courage.

I join with the Governor of Minnesota in saluting the boys, their advisers, and instructors who have produced such examples of industry, good will, and community betterment.

THE COMPREHENSIVE COMMUNITY COLLEGE ACT OF 1969

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. THOMPSON of New Jersey. Mr. Speaker, I introduce today the Comprehensive Community College Act of 1969, a bill to improve and increase post-secondary educational opportunities throughout the United States. I am pleased that 16 of my colleagues have joined in sponsoring this legislation.

One of the more remarkable developments in American education in the past 20 years has been the growth of the 2-year community colleges. Since 1960 the enrollment in community colleges has increased 15 percent each year. Today, there are almost 1,000 such colleges, serving nearly 2 million students. One-third of all students entering a higher education program start in a junior college. The future growth of such colleges is inevitable.

The community college has shown that it is admirably suited to fill a great need in education today. Increasing numbers of Americans believe that postsecondary education is necessary to enable them to realize their full personal potential, and to improve their future economic and social position. The 2-year community college offers opportunities and advantages which are different from those of a 4-year college, and which are well-suited to the needs of many young people. The cost to the student is low; the college is close to his home; the college's administrative arrangements are flexible; the curriculum is timely.

Some students enroll at a 2-year college to prepare for transfer to a traditional 4-year college. But many young people do not wish to pursue a professional and academic course of study; they wish to prepare for a technical or a semiprofessional career. Community colleges can provide the training these students want and need. They offer business courses, including training in data processing, office skills, and real estate sales; they offer programs related to the medical profession, including dental assistance, laboratory technology, and nursing; they train students in areas related to engineering, including architectural drafting, and specifications writing. In addition, one of the fastest growing areas of study in the community colleges is public service, including law enforcement, fire protection, social work, and city management. In short, these community colleges are offering courses of study which respond to obvious needs of our economy, our society, and many of our young people. The principal sponsor of this bill in the other body, the distinguished junior Senator from New Jersey, summed it up by saying that the community colleges were adding a fourth "R"—relevancy—to the traditional three "R's."

The community colleges, for all of their different features, share one characteristic with the traditional institutions of education; they are struggling to keep their physical and teaching capacities ahead of their enrollment. The recent Carnegie Commission on Higher Education recommended the building of 500 new community colleges within the next 5 years to meet the growing demand for this form of education. Thirteen major cities in America do not have a community college within their city limits. Twenty-five major cities have only one. If we wish to update and strengthen our commitment to expanding educational opportunities for our young people, I believe that we should focus our attention on assisting our community colleges. The Comprehensive Community College Act of 1969 does just this.

This bill authorizes Federal assistance to the States for the purpose of strengthening, improving, and developing comprehensive community colleges. Briefly, it calls for the establishment of a Bureau of Community Education within the U.S. Office of Education. This Bureau would administer all Federal programs relating to community colleges. Ten million dollars would be authorized for fiscal year 1970, to be used for payments to the States to develop or update a State comprehensive community college plan. Six billion dollars would be authorized over the following 3 fiscal years to help implement the State plans.

The State plans would set forth a master plan for the improvement, development, and construction of comprehensive community colleges, including the development and implementation of comprehensive curriculum programs; provisions for the training of faculty, administrators, and other necessary personnel; a tuition-free admissions policy, or adequate financial aid programs; policies and procedures to insure that Federal funds would not supplant existing State and local funds.

Eligible State institutions would include those legally authorized within a given State to provide postsecondary education, and which admit as regular students high school graduates or persons 18 years of age or older.

A National Advisory Council, composed of those competent and interested in comprehensive community colleges, would be established to advise the Commissioner with respect to criteria for evaluating the State plans, the administration of the act, and means of improving the operation of the act.

Lastly, the bill directs the Commissioner to study all Federal programs affecting comprehensive community colleges to determine the extent of duplication of assistance provided under this act, and to recommend action for terminating any such duplication.

Mr. Speaker, I hope this legislation will stimulate thought and discussion about the role of the community colleges in American education. It seems certain that these 2-year colleges will increase in number, and I believe it is incumbent upon those concerned with education to consider whether the Federal Government should not provide assistance to this movement. Legislation such as I introduce today will offer financial aid, and will also establish a broad unifying Federal interest in the postsecondary educational opportunities present in the community colleges. Although 2-year colleges participate in some present Federal education programs, they take part in only six of the 24 institutional support programs administered by the Office of Education. Although 2-year colleges have one-third of the postsecondary student enrollment, community colleges get only 4 percent of the national defense student loan funds, 6 percent of the educational opportunity loans, and 15 percent of the college work-study assistance. These figures dramatically show that community colleges are still the stepchildren of Federal education programs.

Community colleges are now serving important educational needs, and it appears inevitable that the demand for the special features offered by such colleges will continue to increase. Just as the Congress has considered, debated, and enacted legislation supporting education at the elementary and secondary and college levels, I believe it is time we turn our attention to the community colleges. The expansion of opportunities for quality education for all our children must remain a matter of top national priority; the Comprehensive Community College Act of 1969 will help insure that it does.

FREEDOM'S CHALLENGE

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. SHRIVER. Mr. Speaker, Miss Jane Byerley, of Valley Center, Kans., has been named winner in the State of Kansas in the annual Voice of Democracy Contest sponsored by the Veterans of Foreign Wars of the United States and its ladies auxiliary.

The VFW and the ladies auxiliary are to be highly commended for their leadership and initiative in encouraging high school students throughout the Nation to participate in this worthwhile competitive program.

The contest theme of this year was "Freedom's Challenge." Under the leave to extend my remarks in the RECORD, I include the winning speech of Jane Byerley and congratulate her for an excellent job:

FREEDOM'S CHALLENGE

(By Jane Byerley of Kansas)

In the constitution of the United States, four freedoms are guaranteed to the people of our country: freedom of speech, freedom of press, freedom of religion, and freedom of peaceful assembly. In addition to these, four more rights were expressed by President Franklin D. Roosevelt in his message to Congress, January 6, 1942, when he started, "In the future days, which we seek to make secure, we look forward to a world founded upon four universal, essential, human freedoms. The first is freedom of speech and expression. The second is freedom of every person to worship God in his own way. The third is freedom from want. . . The fourth is freedom from fear. . ." It is through the recognition of these rights that freedom presents her three-fold challenge to those who would reap her benefits.

First of the challenge's three parts is the challenge to recognize our rights and freedoms as Americans. To defend our freedoms we must know and understand them. Each of us, as Americans, must recognize, not only our specifically enumerated rights, but also other rights basic to our country's principles, such as the right to vote, the right to operate under the system of private enterprise, and the right to follow the trade of our choice. "America, land of opportunity" can only be kept so if we, her citizens, *recognize* these opportunities.

Freedom's second challenge to Americans who would defend her, is the challenge to educate themselves. Only through education can our country keep its democratic principles, its well-informed citizenry, and its constant industrial advancement from becoming stagnant.

Thorough knowledge is essential for a nation of responsible citizens. Our country's backbone is its people. We are the people behind the votes. We are the people behind industry's machines. We are the people behind the census reports. It is we, the people of the United States, who established our Constitution, and who made our country what it is today, and we did it through believing in the individual and his role in government. Now it is we, the people, who must accept freedom's challenge to educate ourselves so that America may remain what our forefathers created, a country of responsible individuals who used their rights and used them *intelligently*.

The third of Freedom's challenges is, perhaps, the most difficult. It stems from the challenge to recognize our rights, and to educate ourselves that we *may* exercise our rights, but it goes far beyond these. It challenges us to actually *use* freedoms. It challenges us to speak out against apathy, to express an opinion, to act as a responsible *individual*. It challenges us to worship as we please, not once a year, but to really *use* this freedom. The challenge dares us to stand *for* something, and not merely *against* everything, to make people realize that *peaceful* assembly is *not* unlawful, or irrational, but a law of our land, and a measure included in our Constitution to *protect* our people.

Lastly, our Freedom challenges us to exercise our opportunities to be good Americans, to be proud of the chance to stand for our flag's appearance, to be happy to thrill to the "Star-Spangled Banner," and to support the American ideals we believe in.

Today's world is said to be sick with apathy, to be soured by dissenters, to be torn by distrust. Perhaps this is true. But to answer this, I tell you, our nation was founded on individualism. It was based on people, and we as individuals must prepare to answer Freedom's challenge. We must *recognize* these, our freedoms and rights. We must *educate* ourselves in the workings of our land, and the world. And, finally, we must accept her greatest challenge. We must *live* as Americans. Then and *only* then can we remedy our sick society.

THE FORD FOUNDATION'S CANCER

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. SHIPLEY. Mr. Speaker, Chicago has been host to A.A.C.T.E. and N.S.C.T.E. conventions. Educational foundations entered into the discussions of these programs. Dr. George S. Reuter, Jr., spoke on the subject "The Ford Foundation's Cancer," which indicates that even worthy organizations and projects often have undesirable features. Whether one agrees or not with the present issue, all should agree that it is desirable to carefully study the principles involved. I thus would like that the RECORD carry my extended remarks to include Dr. Reuter's address:

THE FORD FOUNDATION'S CANCER

(By Dr. George S. Reuter, Jr.)

INTRODUCTION

Probably no single book in recent history has done more to stir up Europe than one written by the young French author and editor, J. J. Servan-Schreiber. Over one million copies were sold in Europe in less than a year after publication—an all-time record. The book zeroes in on the emerging crisis in Europe. It argues that Europe is slowly dying even though it is more prosperous than at any time in history. It undertakes to document the case that Europe is slipping farther and farther behind in the race for technological progress. It sounds a loud and clear call for mobilizing the economic forces in these countries to meet the rising challenge that threatens to turn them into satellites of the American industrial machine.

Probably no educational foundation has caused more concern in the area of educational administration than the Ford Foundation's grant to the Ocean Hill-Brownsville Demonstration Project. The Project is committed to a range of educational innovations in the classrooms and in school administration. Ocean Hill, the focal point of the teacher strikes, is a border area between the slum districts of Brownsville and Bedford-Stuyvesant, some miles from downtown Brooklyn. Less than a fifth of its adult population was born in New York City; less than a third completed high school; only two-fifths have lived in the area as long as five years; and more than half the households subsist on less than $5,000 a year.

Ford Foundation entered the disputed area via the concept of decentralization. A panel headed by McGeorge Bundy, President of the Ford Foundation, drew up the first decentralization plan in 1967. Mayor John Lindsay of New York City made a slight modification and the plan subsequently was simplified for legislative purposes by New York Education Commissioner James Allen and the Board of Regents. The plan provides for the transferring of most of the administrative powers to some 30 smaller local school districts with their own community boards.

THE SCIENCE OF EDUCATIONAL ADMINISTRATION

Those professionals in the area of educational administration are carefully trained. They have known for many years the necessity of strong central administration. Others, who do not have the training or experience, have urged for years weak central administration. Just as the Articles of Confederation failed because of weak central powers, so do decentralized schools. The Constitution of the United States reduced the weak phases of the former document, so has strong democratic central administration given to all parties the most efficient school program.[1] But the critics never die.

Many of the same non-thinkers opposed integration under the guise of opposing the elimination of "neighborhood schools." The fight was difficult, but most thinking Americans now realize that the "neighborhood school" concept in the cities died in the 1800's. Modern residents of cities have their relatives and close friends outside the neighborhood, many attend church and clubs in various sections of the city, and they shop in shopping centers miles from where they live, hence there is no real identity with the immediate neighborhood. The less affluent shows even less concern for the neighborhood concept.

The other factor one must consider is the age in which we live. This age has imposed upon us the task of re-thinking our nature and our role in civilization. We are experiencing what appears to be a conspiracy against reality. We are caught up in a wave of insistent demand to cure every conceivable evil, either real or imagined, right now. We demand instant magic. The protestors, the activists, the nihilists are the newsmakers.

THE DEFECTS IN THE FORD FOUNDATION'S PROGRAM OF DECENTRALIZATION

1. The proposals will play into the hands of the "extremists" and hinder good administration.

2. The present administrators would be subjected to the wishes of the "lunatic fringe" under the name of community control.

3. The plan will destroy the well-planned and established tenure system.

4. The abolition of the present system of civil service examination in addition to state certification requirements would reduce the quality of the staff and result in the return of the "spoils system" of patronage.

5. The United Federation of Teachers has had inferior leadership through the years to that of the Chicago Teachers Union—both locals of the American Federation of Teachers—but they are correct in opposing the Ocean Hill-Brownsville Demonstration Project.

6. The side argument which has emerged in the debate over big-city school decentralization involves around the term "teacher accountability." The non-educators often contend that teachers will try harder if they are under the control of localized school boards instead of being mere units in a huge administration, but research shows the theory is false.

7. Decentralization and teacher accountability do not go to the root causes of low learning-expectation. It is not because teachers are bad people with bad middle-class attitudes that they frequently have low achievement expectations for ghetto children.

8. The Jews have been the best friend the Negroes have had yet this project is fostering anti-Semitism. The Puerto Ricans have also received great compassion from the Jews. The philosophy of one blood[2] must be expanded—not discarded.

9. White teachers and administrators in ghettos are as good in New York and Chicago as anywhere else.

CONCLUSIONS

New York City is currently spending $1,272,456,000 for education and $1,346,000,000 for welfare, which demonstrates the compassion of the people for their people. A vital difference between Servan-Schreiber and reality in one realm and the Ocean Hill-Brownsville Demonstration Project and reality in the other realm exists. The Ford Foundation made a great contribution to education with the Arkansas Experiment in Teacher Education, but they are creating a cancer in good educational administration at the present time. Human talent is the one commodity which no society can afford to waste. Therefore, the free flow of human talent and ideas without regard to national origins should be permitted and encouraged. To allow human talent to seek that environment where it can be most productive strengthens the individual and at the same time strengthens his nation and the free world.

There are times, though, when we feel that human nature thrives only on crisis and feeds only on violence. Every age has had its prophets of doom. The end of the world has been forcast in every generation. And, we have our share of the exponents of despair today. We tend to consider it normal for a spirit of pessimism to prevail. But, by what inflation of the vanity do we think we are the generation chosen to see the end of the world that was born many years ago.

Our society, our nation, and our economy are fundamentally sound. Instinctively we feel our basic strength. The American people have an inherent commitment to steady progress. The goal of equality will not be reached by thinking that riots are unavoidable or that they will cease when every Negro wrong has been righted and when every white heart has been cleansed of prejudice and selfishness. The blacks will be in the majority of 14 of our major cities in ten years and they will have good leadership then. Mankind must work to solve current and future problems, but the educational administrator—not a foundation or social reformer—must provide the leadership in educational matters. Decentralization is a cancer in public education that the Ford Foundation is currently fostering.

---

[1] George S. Reuter, Jr. and Helen H. Reuter, *Democracy and Quality Education*, Cambridge: Educational Research Association of the U.S.A., 1965.

[2] George S. Reuter, Jr., August M. Hintz, and Helen H. Reuter, *One Blood*, New York: Exposition Press, 1964.

In closing may I remind you of the words written early in this century about a world power then at the zenith of its development:

> "The tumult and the shouting dies;
> The captains and the kings depart;
> Still stands Thine ancient sacrifice,
> An humble and a contrite heart.
> Lord God of hosts, be with us yet,
> Lest we forget—lest we forget!"

PRESIDENT EISENHOWER AND THE FEDERAL AID HIGHWAY ACT OF 1956

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. BOB WILSON. Mr. Speaker, today I am going to talk briefly about a great Federal program and the great man who inaugurated it. The program I refer to, is the Federal Aid Highway Act of 1956, the man—Ike Eisenhower. The creation of the Federal Highway Trust Fund was, undoubtedly, the most important development in highway financing in the history of this Nation.

Let me go briefly into the historical background of the present great highway policy.

In 1806 the Federal Government began construction of the National Pike or Cumberland Road. By 1819 the road extended 131 miles from Cumberland, Md., to Wheeling on the Ohio River. By 1819, also, Pennsylvania had completed a surfaced highway from Philadelphia to Pittsburgh. The Nation was probably on the brink of a great highway expansion when in 1830 the steam locomotive demolished its superiority over the horse-drawn vehicle and captured public interest as the ideal instrument of long-distance transportation.

Soon the resources of the country were being devoted to the construction of railroads. Highways entered into a "dark age" until almost the turn of the century. What little road building was done, was left to local governments. Often under a system whereby citizens could "work out the road tax."

Just before the turn of the century, a "good roads" movement began to make progress. This movement was spearheaded by farmers wanting to get out of the mud and railroad interests looking to roads as feeds to their lines. The movement spread rapidly, particularly after the automobile appeared. By 1917 all States were participating in the highway function.

Thus we had a confusion of Federal, State, county, township and other systems, all participating in roadbuilding. As you crossed a State line, or even went from county to county within a State, the quality and type of highway varied in a dozen different ways. There was little, if any, coordination nationally.

Then came President Eisenhower's Federal Aid Highway Act of 1956, at which time the whole program was drawn together. It was given purpose. It was given an aim. Interstate highways were recognized as Federal rather than State responsibilities. This was the key that unlocked the problem of overlapping jurisdictions.

The most important point about this act is that it functions on a pay-as-you-go basis and its cost is paid for by highway users. No revenues from general taxes, such as the income tax, are used to finance Federal aid for highways. And the permissible rate of use of the funds is geared to anticipated trust fund revenues. This maintains the program on the required pay-as-you-go basis.

Using President Eisenhower's own notes, Vice President Nixon presented the concept of the act to the Governors' conference on July 12, 1954. He said that President Eisenhower was convinced that the Nation's highway system was obsolete and quite inadequate. President Eisenhower's notes said:

> It is obsolete because in a large part it just happened. It resulted from Indian trails, cattle trails and arbitrary section lines. It has never been completely overhauled. It has never been planned to satisfy the need 10 years ahead.
>
> We live in a dramatic age of technical revolution through atomic power and we should recognize that the pace is far faster than the simpler revolutions of the past. Look at the prospects in population. In 1870 the population of the United States was 38½ million. In 1970 it is estimated that it will reach 200 million. Our population growth is one of the wonders of the world.

The President specifically called for a grand plan for a properly articulated highway system that solves the problems of speedy, safe transcontinental travel.

This the act has given us. Our network of interstate highways has also become one of the world's wonders.

The United States is a nation on wheels. Among its 195 million people, 100 million drivers operate some 75 million cars. Fifteen million buses and trucks travel 880 billion miles a year. There is a vehicle for every 2.2 persons. Four out of every five persons old enough to drive have a driver's license. The United States is indeed a nation on wheels.

But the act has given us more, much more than this. Our network of roads has bound the Nation together as never before in our history. It has made us one people. It is nothing now for a man or woman to jump into a car in Maine and take off for California. We are not so much Californians or Texans or New Englanders, we are Americans. We know the whole of this country. The easterner no longer thinks of South Dakota as somewhere in the sticks. He knows he can get there quickly and safely over the Interstate Highway System.

You perhaps have been wondering why I have taken up your time in telling you what must be obvious to all of you. Well, I have a reason and a very good one. I am today introducing legislation to name this great interstate network the Eisenhower Interstate Highway System. As our great and beloved former President recuperates at Walter Reed Hospital, I hope the Congress can move expeditiously to thank him for his foresight that has done so much to bring us all together.

BROTZMAN INTRODUCES PROFESSIONAL AIR TRAFFIC CONTROLLER BILL

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. BROTZMAN. Mr. Speaker, on February 27, I was pleased to join with the distinguished gentleman from Maryland (Mr. FRIEDEL) in introducing legislation to establish certain requirements with respect to air traffic controllers.

In 1958, the Congress enacted into law the Federal Aviation Act which provided, what then was believed to be, the necessary tools for the Federal Aviation Administration to establish a sound air traffic control system. However, events and the times have outdistanced the FAA program. The bill which is being introduced today will amend the 1958 act to insure the development of a safer and more efficient air traffic control system and a competent and highly qualified air traffic controller.

Air traffic in the United States is rapidly approaching a critical stage. Competent air traffic controllers are in short supply. Many controllers are working mandatory overtime hours and their resources are being so overtaxed that their efficiency necessarily suffers. It is becoming increasingly difficult to attract new men of high caliber who possess the skill and stamina necessary to function in this delicate and essential occupation.

Last fall I was able to visit the FAA air traffic control center at Longmont, Colo., in my district. There I had an opportunity to not only see the problems facing the air traffic controller, but to visit with some of the men now involved in this highly specialized profession. I was particularly interested in the unique aviation safety problems faced by the Denver area controller. The mountainous terrain is a special problem in Colorado and constitutes an added danger to flights and as one controller put it so well, is a "nerve-racking frustration to the air traffic control system." Of course, added to this problem of terrain is the fact that there is a lack of trained personnel and up-to-date equipment which is facing almost every major airport in the country.

The problem at the Denver air traffic control center was outlined in a letter I recently received from one of the controllers. He said, in part:

> Recent changes in staffing at the Federal Aviation Administration's Denver Air Route Traffic Control Center presents alarming threats to an already overburdened air traffic control system. Understaffing of all facilities was of real concern to you last year, since funds were voted to hire additional controllers, which will complete their training in 3 years. We were told part of these funds were used to pay overtime, and hiring of new trainees has been curtailed.
>
> On October 7, 1968 the Denver Center was started on a scheduled 6 day work week. The shift complement at that time was 52 con-

trollers on the day watch, 47 controllers on the evening watch and 15 on the midnight shift. After the overtime bill was passed to become effective November 17, 1968, F.A.A. Denver Center cut the controller complement, to be effective the same date, to 50 for the day shift, 45 for the evening shift, the midnight shift remained at 15 men; eliminated the scheduled 6 day work week and instigated irregular scheduled overtime, whereby a sixth day was to be worked 3 weeks out of 4.

This gave minimum man power coverage, allowing for occasional annual leave and if a controller was ill and on "sick leave", the controllers could still manage "sector coverage." However on December 27, 1968 a Denver Center order was issued stating the F.A.A. was out of funds. All scheduled overtime was to be stopped. Controllers that had been assigned to temporary duty as supervisors for the assistant controllers were reassigned to control duty. Those controllers assigned to the training room to train the new controllers on radar, etc., were called back to the control boards.

Effective January 6, 1969 the new staffing for the 3 shifts has been cut to 46 on the day shift, 42 on the evening, and 14 on the mid shift. This cut back is critical! We are starting shifts with bare minimum staffing, men feel obligated to try to work when they are physically unable. Sectors (areas) that are decombined now have to be worked by one man instead of the 2 men that are needed. Sectors that have 3 men at the peak periods are now worked with 2 men.

The controllers were told in a meeting Monday January 6, 1969 with the Facility Chief, that the Bureau of the Budget has not released the money that was alloted for the extra expense of the new time and ½ bill and the Denver controllers would be expected to work on a "call back" basis from 9 A.M. to 1 P.M. on their first day off if needed. (*The cut back in staffing in Denver is also being put into effect nation wide.*) The controllers will not be paid overtime on the "call back" work, but will be given compensatory time at the rate of one hour off for one hour worked. This not only defeats the entire overtime bill, but call back overtime has proved entirely unfeasible prior to October, for if a man is not scheduled to work, he usually makes other plans and is not available. The Watch Supervisors were making 19 or 20 calls before they could find one controller that could come in to work, and there is certainly no indication that call back will work now, especially for such a short period of time. (It's not worth dirtying a shirt). In the meantime traffic and tensions continue to build.

The bill introduced today clearly defines the job of the air traffic controller and directs the Secretary of Transportation to establish procedures for rating air traffic controllers. The Secretary also is directed to implement and carry out a program to assure that all certified air traffic controllers will be required to perform duties which are as nearly practicable equal, and thereby preclude the necessity of high density, low density, or similar classifications of air traffic control areas. The bill also establishes a schedule for air traffic controller compensation and regulations governing overtime. Hours ordered or approved in excess of 40 hours a week are designated as overtime work and shall be compensated at a premium pay scale.

If we are to have air transportation that stays on schedule and at the same time meets proper safety standards, the country must, without further delay, develop the facilities and the manpower which will make it possible to manage safely and efficiently our rapidly accelerating air traffic flow. This legislation will assist in the development of those facilities and manpower.

RETIREMENT OF DR. ARTHUR L. RUDOLPH

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. JONES of Alabama. Mr. Speaker, a distinguished citizen who has contributed his considerable talents and energies to our Nation's space and missile efforts has recently retired in Huntsville, Ala., and I want to commend him for his achievements and his dedication.

I refer to Dr. Arthur L. Rudolph, who was born in Stepfershausen, Germany, nearly 63 years ago. He became associated with Dr. Wernher von Braun as a member of the Peenemunde team and came to this country with more than 100 other rocket experts at the end of World War II in 1945.

With the other German experts he helped in construction and tests of the V–2 rocket system at White Sands Proving Ground, N. Mex., and in the development of the Hermes II missile.

Dr. Rudolph and most of the other German scientists moved to Huntsville, Ala., nearly 20 years ago when the Army established its missile and rocket research operation at Redstone Arsenal. He was technical director of the Redstone missile system, director of the research and development directorate of the Army Ballistic Missile Agency, and project director for the Pershing missile system.

The Pershing was a simple and highly reliable missile which could be used by soldiers. The outstanding reliability of the Pershing reflects great credit on Dr. Rudolph's insistence on attention to detail at the component, assembly, and system levels.

In the early 1960's Dr. Rudolph transferred to the National Aeronautics and Space Administration's Office of Manned Space Flight in Huntsville. In August 1963, he was appointed manager of the Saturn V launch vehicle program where he demonstrated outstanding managerial and technical competence in directing that program through the first two Saturn V launches.

The fantastic thrust capability of the Saturn V makes it one of the most phenomenal development tasks in history. The Saturn V, of course, is the launch vehicle for our Nation's major space explorations.

Dr. Rudolph's unusual talents in the field of mechanical engineering were recognized when he received an honorary doctorate of science from Rollins College of Florida. He was among the first of the German rocket scientists to receive an honorary degree in this country.

He became a citizen of the United States November 11, 1954. He has recently retired and continues to live in Huntsville where he remains available to both the Army Missile Command and the National Aeronautics and Space Administration for consultation.

I commend him on his outstanding achievements in our Nation's missile and space programs, and I wish Dr. Rudolph and his family every happiness in their future years.

THE PRESIDENT BACK HOME

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. AYRES. Mr. Speaker, as I watched the television screen during President Nixon's European trip, I felt a sense of confidence, pride, and gratitude. I am sure that everyone who watched the President representing our country abroad felt as I did. He was eloquent, dignified, direct, courteous and, as a result of his trip, our European allies are reassured of this country's continuing interest in their problems. The erosion of our European alliances has been impeded. While there are still vast problems facing us in Europe, at least a beginning has been made toward seeking their solution. In addition to other congratulatory statements received by the President, I would like to add my personal "Well done, Mr. President."

I insert at this point an editorial from the Washington Evening Star of Monday, March 3:

The President Back Home

> President Nixon has reason to feel a deep sense of satisfaction with the mission he has accomplished in free Europe. After eight days of strenuous travel and intensive talks, he has a clearer and surer understanding now of the problems our country shares with its NATO allies. And they in turn have a better appreciation of the American position. To that extent, as the President has said, his trip has generated a new degree of mutual trust.
>
> This is all to the good. It does not mean, of course, that any important interallied issue has been resolved, or that everything will be smooth sailing from this point on in what Mr. Nixon calls the European-American community. But a promising beginning has been made. He has impressed all the leaders—in Brussels, London, Bonn, West Berlin, Rome and Paris—with his repeated emphasis on give-and-take consultation between them and us. His assurances on that point have allayed fears in many quarters that the United States—which has been preoccupied with Asia and somewhat neglectful of its ties with Europe—might be veering toward a neo-isolationist policy and a go-it-alone approach to the Soviet Union.
>
> The President has effectively cleared away such suspicions. Besides reaffirming American commitments in such vital areas as the defense of free Berlin—now menaced once again—he has left no room for doubt that the United States will be in close touch with its allies before, during and after any negotiations with the Kremlin on arms control and other crucial matters affecting the peace and freedom of the world. Mr. Nixon's trip, for that reason alone, may be hailed as a success.

LAST CHANCE TO SAVE THE PRIVATE COLLEGE: A SPECIAL REPORT ON THE FINANCING OF HIGHER EDUCATION, PREPARED FOR THE AMERICAN CONSERVATIVE UNION BY ROGER A. FREEMAN

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1969

Mr. ASHBROOK. Mr. Speaker, those of us in the American political spectrum who count ourselves as conservatives have long believed in the cardinal principle of the limitation of government power over the individual citizen. This basic concept of maximum personal freedom has been repeatedly proven correct as the Federal Government has sought to assume greater powers and control over almost every aspect of our existence.

Thus it was that even many liberals found acceptable President Nixon's 1968 campaign advocacy of a new and greater role for the private sector in solving our national problems of poverty, urban decay and education, to mention but a few.

I have always believed that the Government can be effective by doing all possible to permit private initiative and knowledge to work its will without bureaucratic restrictions and unnecessary "guidelines."

In his new book on government and politics, "The Age of Discontinuity," Peter F. Drucker challenges the long held belief that Government is the agency for the solution for all our problems. He asserts that about all the Federal Government has ever succeeded in doing well has been the waging of war and the inflation of our currency. In all other areas it has shown a remarkable inability to set priorities or effectuate its announced policies.

I mention the foregoing because I, as a member of the House Committee on Education and Labor, have long been concerned with the financial plight of higher education in America and what can be done about the problem consistent with the conservative philosophy of government.

Toward a solution of this problem, I requested the staff of the American Conservative Union, of which I am national chairman, to explore possible solutions to the problem of financing higher education. Mr. Frank S. Meyer, the distinguished author and editor of National Review, and a member of the ACU board of directors, subsequently commissioned a study of the higher education problem by Roger A. Freeman, one of the most authoritative experts in the field of education.

Mr. Freeman has a long and distinguished record of achievements in the field of education and particularly, its financing problems. The author of several books on public finance, intergovernmental relations and educational topics, Mr. Freeman is now a senior staff member of the Hoover Institution on War, Revolution, and Peace at Stanford University in California.

He served the two Presidential Commissions which studied public school financing during the last 30 years, and was director of research for the Education Committee of President Eisenhower's Commission on Intergovernmental Relations. He also served as a special consultant on school finance to the White House Conference on Education, and as a member of the White House staff during the Eisenhower administration.

The author of the special ACU study, Mr. Freeman, was also chairman of the Committee on Financing of Public Education of the National Tax Association, and served on the advisory board of the Tax Institute. He is the former chairman of the State and Local Government Advisory Commission to the U.S. Census Bureau. He was vice president of the Institute of Social Research in Washington, D.C.

Mr. Freeman's conclusions are twofold: he calls for tax credits for private donations to private colleges and universities, and, second, tax credits for certain individuals who pay college tuition for themselves or their relatives or others. These solutions appropriately come within the jurisdiction of the House Committee on Ways and Means, which this month will begin an extensive reexamination of the possible reform of Federal tax laws.

I sincerely commend this excellent study by Mr. Freeman to those thoughtful people everywhere, who sincerely wish to solve our national problem of higher education with a minimum involvement of the Federal Government.

The special study prepared for the American Conservative Union follows:

LAST CHANCE TO SAVE THE PRIVATE COLLEGE

(By Roger A. Freeman)

IS THE PRIVATE COLLEGE ON THE WAY OUT?

From its beginings more than three hundred years ago, and for a long time thereafter, the growth of higher education in the United States was supported largely through the initiative and generosity of individuals and voluntary organizations. This has been in contrast to the situation in European countries, where most institutions of higher learning were founded by a ruler and still are run by government. To a European young man or woman, higher education generally means attendance at a nearby state university. Americans enjoy a broad choice among many hundreds of colleges and universities, private or public, offering a wide diversity of programs to suit every need, ideology or wish for specialization. To be sure, state systems of higher education have sharply expanded for over a century, but even today almost two-thirds of America's 2,230 colleges and universities are independent and not under direct governmental control.

In view of the 1,409 private institutions with their 2.1 million students, the question, "Is the Private College on the Way Out?" may seem strange or even appear paradoxical. Have not our institutions of higher learning for years been swamped with applications from millions of aspiring young men and women competing with each other for the limited, if increasing number of available spaces? Has not the tuition skyrocketed? Have not the finances of private colleges and universities been rapidly growing to a point where today they spend $7.5 billion a year? And is it not all but certain that the pressure to get into college will continue unabated for many years, and that institutional fees and income will keep climbing at a good pace?

The answers to these questions are all in the affirmative. It is also true that in the past few years only a handful of private universities have "gone public," i.e. preferred to be taken over by the state rather than closing their doors: Wayne University, Temple University and the universities of Kansas City, Houston, and Buffalo are among the best known institutions which have lately sought shelter under the state's wings. But the trickle of the 1960's may soon turn into the flood of the 1970's. Hundreds of private universities and colleges will be faced with the alternative of going out of business or giving up their identity and independence and merging into the state system.

The crisis in private higher education did not come unexpectedly. At the 1960 convention of the Association of American Colleges, President Louis T. Benezet of the Claremont Graduate School and University Center predicted: "We may expect to see the monumental construction of state university metropolises on the one hand, and on the other the disappearance of most of the private colleges—perhaps in a state junior college system, or possibly into mental hospitals, another growing public need." Subsequent developments proved that Dr. Benezet and many of his colleagues were not just crying "wolf," that they were not merely telling tales of woe and painting a bleak future in an effort to touch the heart and tap the pockets of prospective donors. The truth is that the wolf is now at the college door, ready to swallow Little Red Ridinghood.

A feature story in *Newsweek*, December 11, 1967, "Cost Crises on Campus" concluded: "The time may be coming when all but a few of the strongest private institutions will have gone public," and an article by Duncan Norton-Taylor in *Fortune* for October, 1967, "Private Colleges: A Question of Survival," found that "America's private colleges and universities are living with a formula for bankruptcy—charging students less than the real cost of their education while desperately dipping into capital funds to make up the difference." Its forecast: Time is running out for private colleges and universities. Many—maybe even most—will be swallowed up by the various state educational institutions within a few decades.

Fortune formed its conclusion after surveying twenty of the country's wealthiest institutions including Yale, Cal Tech, Stanford, Pomona, Dartmouth, and Carleton. If they are in trouble, then it is obvious that most of the other 1390 privately controlled colleges and universities in the United States are worse off. When Ford Foundation President McGeorge Bundy told the assembled presidents at the American Council on Education's annual meeting in October, 1967, that colleges and universities "are faced with imminent bankruptcy" he was not telling them something they did not know. What is still uncertain and controversial is what if anything can be done about it.

The consequences of doing nothing and letting the apparent trend take its course *are* certain: an end to diversity and freedom of choice in higher education for all but a few selected students, a virtual state monopoly by state-controlled institutions, and a huge additional burden on the taxpayers who may—or may not—be willing to shoulder it.

To be sure, such an outcome is not inevitable. The crisis can still be prevented or, at least alleviated, *if* an adequate rescue operation for independent higher education is devised and carried out *now*. But there are not many avenues by which this can be done, and time is running short.

THE DECLINE IN PRIVATE HIGHER EDUCATION

Independent higher education has been on the losing end for about 15 years. Historically until 1951, more students enrolled in privately controlled colleges and universities than in state and city institutions. But only one student out of every four in the enrollment added since 1951 has gone to a private college. By the fall of 1967 more than twice as many students were in public institutions than in private, and sometime during the 1970's the latter will be lucky to keep one-fourth of the total enrollment. Their share could well slide lower.

Most of the financially well-endowed, "prestige" universities and colleges are likely to survive, and will be able to offer a high caliber education to students who either are from rich families or possess extraordinary talent and can get a sizable scholarship. Most other students will have as little choice in higher education as they have at the elementary-secondary level. They will attend a state college close to their home.

What is the reason for the relative decline of private higher education when there is allegedly a shortage of college space, when eager high school seniors compete for an insufficient number of openings? The truth of the matter is that there is no *over-all* shortage of college spaces, that the total supply is adequate.

There is admissions pressure on state institutions which charge their students on the average between 10% and 15% of the cost of their education. A business which offers its goods or services at a fraction of cost is likely to face a greater demand than it can meet. Also, it will soon go bankrupt unless its owners (in this case, the taxpayers) are willing and able to subsidize it generously. Over the past eight years, while national income grew 61% and state tax revenues doubled, state appropriations for higher education more than tripled. But this is just a beginning. The City University of New York, which insists on remaining tuition-free, lowered its admission standards in 1967—preparing to admit *all* New York City high school students by 1975.

The great private universities in the Ivy League as well as other name colleges are swamped with four to five times as many applications as they can handle. This will continue as long as, for policy reasons, they set their charges at one-half or less of their costs, far below what the market would bear. But many other private colleges could accommodate more qualified students than apply, and open the academic year with unfilled spaces although they too charge the students less than the cost of their education. Their administrators feel that they cannot afford to boost tuitions to the level their expenses require, for fear that they would be pricing themselves out of the market.

THE TUITION GAP

The reason for this anomaly is the "tuition gap." Tuition at independent colleges and universities which used to average 3 times as much as at governmental institutions now runs more than four times as high. And the "gap" is widening every year, contrary to projections of the United States Office of Education, which showed it narrowing.

In 1964, tuition at state colleges averaged $185, at private colleges $807; at universities the charges at public institutions averaged $268, at private ones $1200.[1] Fees have since gone up, but much more at private than at public institutions.

The governing boards of state institutions are determined to keep charges low, at a declining percentage of the cost, and many aim at making public higher education as free as elementary-secondary education. This imposes a heavier penalty for attending a private college than many students and their families can afford.

The reason for the relative decline in private higher education is obvious and Chancellor Lawrence A. Kimpton of the University of Chicago once expressed it succinctly: "It is hard to market a product at a fair price when down the street someone is giving it away for free."

Private colleges may have to offer much to the student who seeks a particular kind of education in terms of ideology, religion, specialization, mentality or atmosphere. Their trustees have broad discretion, being responsible only to themselves, their supporters and students, and to the purposes and goals for which the institution was established. They are not under the control of or accountable to a legislature or to other elected or appointed public officials. This gives them a high degree of flexibility.

But for the purpose of obtaining a bachelor's, master's or doctor's degree, an independent institution has nothing to offer that the student cannot get for less at a state university. Many private colleges, faced with vacant spaces, have tended to lower their admission standards, and some threaten to become havens for young people who are more amply endowed financially than intellectually. Moreover, as financial pressure increased, many private colleges have been unable to keep up with salary increases at state institutions. At the professorial level a state college now pays on the average over $1,000 a year more than a private liberal arts college. This is bound to be reflected, sooner or later, in the caliber of the faculty which private colleges are able to attract and keep. Who will then wish to pay *more* for a *lower quality* education?

HOW TO BRIDGE THE FINANCIAL GAP

The U.S. Office of Education reports that public colleges and universities spent $2,442, and private institutions $3,102 per student in 1965–66. That includes many outlays which cannot properly be charged to instruction. But, even so, it is obvious that there is a huge gap between the cost of higher education and the fees students are charged for it. How do colleges bridge the gap?

Public institutions make up the difference from state appropriations and other governmental subsidies. Just in the past eight years state appropriations for higher education have jumped from $1.4 to $4.4 billion.

But only a handful of private colleges receive a state subsidy or are likely to get one. With state funds always smaller than the aggregate of all budget requests, state institutions lay a prior and preemptive claim to whatever state appropriations become available for higher education. To be sure, it would often be much cheaper for the state's taxpayers to encourage students by a small subvention to attend a private college than to accommodate them at a state institution. A few states do, in fact, provide scholarships for students at private colleges, in recognition of the resulting savings to the state treasury and the extra burden borne by these students and their parents.

It would also often be less expensive for the state to keep a struggling private college alive and growing through a minor financial contribution than to take it over or let it close its doors and shift the students to a state college. This however raises the possibility or likelihood of increasing state influence and eventual control.

Even more ominous is the dark constitutional cloud which hovers over the issue of state subvention of private educational institutions. It involves the question of separation of church and state. The United States Supreme Court has interpreted the First Amendment to the U.S. Constitution as meaning that no tax funds may be allocated for the general support of educational institutions with religious ties. But two-thirds of all private colleges and universities are church-connected. A legislature could of course decide to subsidize only the remaining one-third of the colleges which are secular. But that would be tantamount to offering a reward for severing church ties and thus to a penalty on the exercise of religion. This, state legislatures are relucant to do. It appears therefore that the prospect of state subventions offers little hope to independent educational institutions.

Private colleges and universities bridge the gap between the cost of instruction and the charges made therefor from endowment income and current gifts. But the growth in endowments has not kept pace with the soaring costs of college operation. Under the pressure of urgent needs colleges aim their fund drives more at monies they can currently spend than at endowments whose principal they cannot touch. Half a century ago endowments accounted for three-fourths of all gifts to higher education, today they account for only about one-third. Endowment income now totals less than 5% of all revenues and is so highly concentrated in a few name institutions that it plays an insignificant and often purely nominal role in most other colleges.

Private giving to higher education has been increasing about 10% per annum, which is a respectable rate of growth and now totals about $1.5 billion a year. American generosity for education—and for other purposes—is a marvel and the envy of the rest of the world. But even such great generosity does not seem to be able to keep up with soaring needs. Recently, a new method of college fund-raising, the dramatic "multi-year" campaign has not succeeded in closing the financial "gap," except temporarily and in a few institutions. Most colleges now live from hand to mouth.

The first of the modern campaigns was Harvard College's $82.5 million drive in 1957, while Stanford's *Pace* campaign was the first to surpass $100 million. All are exceeded by Yale's current 10-year goal of $388 million. But not many of the 1,409 private colleges and universities have a chance of raising commensurate funds. They face large deficits and just hope for the best.

HELPING HIGHER EDUCATION THROUGH FEDERAL INCOME TAX CREDITS FOR DONATIONS

Donations to higher education are highly concentrated in two ways:

(a) The bulk of the gifts goes to well-known prestige institutions with the crumbs left for the others;

(b) Most of the total amount of gifts from individuals comes from wealthy persons and families. Small contributors account for only a small share of the aggregate.

This is probably inevitable under our present federal tax laws. The Internal Revenue Code permits an individual to donate to higher education, and to deduct from his income for tax purposes, up to 30% of his income, a corporation up to 5% of its profits. But most taxpayers give nothing to higher education and those who donate give only a small fraction of their allowable contribution—except for some persons in the highest income brackets. Under our progressive income tax scale, with rates ranging from 14% to 70%, high-income persons can shift up to 70% of the cost of their gift to the U.S. Treasury. Moreover, by donating property which has gained in value over the years, they can avoid paying a capital gains tax. So their gift may in the end cost them little, if anything.

But taxpayers in the lower brackets find that up to 86% of their donation comes from their own pockets. And since it is so much more expensive for them to donate, not many of them do. Only a small fraction of the ten million college graduates and of another ten million persons who attended college for from one to three years are regular contributors to their alma mater or to any other college—although they paid only part of the cost of their education while they attended and most of them derive substantial material benefits from the education they received or the degree they were given.

Footnotes at end of speech.

The undesirable consequences of the high concentration of voluntary giving—from a few wealthy individuals and families and to name colleges—are too obvious to require much explanation. It is much healthier for a college to get 10,000 contributions of $100 each, and get them on an annually recurring basis, than to receive a $1 million gift from a rich individual.

Voluntary support of higher education could be placed on a far broader foundation, with millions of new contributors making regular annual donations, by a change in the Federal tax law which has been repeatedly suggested in recent years but has not yet been approved by Congress: *to permit deduction of a donation from the income tax itself rather than merely from the tax base* (*adjusted gross income*). A proposal to permit a 100% tax credit (i.e. a direct offset against tax liability) up to $100 to individuals and $5,000 to corporations was submitted to the Senate Labor and Public Welfare Committee in May, 1963, by President John A. Howard of Rockford College on behalf of an ad hoc committee of college and university presidents.[3] Several bills to implement the plan were introduced in the 88th and succeeding Congresses but no further action has so far been taken. Only the Indiana Legislature authorized in 1966 a 50% tax credit for donations to higher education.

If a donation up to a ceiling of $100 (or preferably a somewhat larger amount) were deductible from the federal income tax liability itself it would give taxpayers the choice of sending $100 to the federal tax collector or to the college of their choice. This would cause millions of alumni and others to make regular annual donations to higher education, and huge amounts of new money would flow to the colleges, public and private, for general operating purposes and for scholarships. Small colleges would then more equitably participate in the gifts and the existing imbalance would gradually be reduced. Federal income tax credits for donations to institutions of higher learning could well bring about a most significant advance in college finance and help save many institutions which otherwise may not be able to survive.

UNCLE SAM TO THE RESCUE?

In such a way, the federal government could assist effectively in the financing of higher education by granting income tax credits for voluntary donations. But many persons have for years pinned their hopes for easing the financial pressure on academe—and focused their efforts—on getting federal appropriations. The national government, they say, is the country's most powerful tax gatherer and ought to bear a fair share of the cost of education. This argument sounds quite persuasive, though it is made somewhat shaky by the fact that the U.S. Treasury has taken in less than it spent in 34 out of the past 39 years, for an aggregate deficit of almost $360 billion. But huge deficits have not kept the federal government from offering a generous financial solution to almost every problem placed at its door, whether the problem be domestic or foreign, genuine or contrived, a proper federal concern or not. Does not higher education rate at least as much consideration as most other demands?

Federal funds for higher education have jumped from $1 billion in 1960 to over $4 billion in 1967. The United States Treasury is now the source of close to one-half or more of the income of such large private institutions as Princeton, Stanford, California Institute of Technology, and University of California at San Diego. But half of the federal money, about $2 billion, goes for research grants and contracts, more than 90% of it to 5% of all institutions of higher learning which leaves the remaining 95% of the institutions relatively poorer off than they were before. It "makes the rich richer and the poor poorer" and has led to a "brain drain" from the small colleges as well as a "flight from teaching" to research. Most of the other half of the federal funds for construction grants and loans, student aid, and for the support of various peripheral services. Almost none is earmarked or can be used for the general support of instruction, for faculty and staff salaries.

To be sure, there have been numerous suggestions over the past 30 years for general institutional support by the national government. But no such program has been adopted *or* was ever recommended by a President, considered by Congress or is likely to be authorized.

As mentioned earlier, two-thirds of the private institutions are church-connnected and thereby, under the U.S. Supreme Court's interpretation of the First Amendment, ineligible for subventions from a public treasury, local, state or federal. If Congress were to enact a program of federal support only to *public* higher education it would sound the death knell of most private institutions.

Congressional opinion appears to be split down the middle: Many members will not vote for grants to higher education if they *ex*clude private colleges and about as many oppose grants if they *in*clude nonpublic institutions. The resulting stalemate means that federal appropriations for the *general* support of colleges and universities are unlikely to be authorized. The chances are that federal funds for higher education will remain fragmented, minutely earmarked for multitudes of special programs and projects, and closely directed and controlled by the Washington agencies that parcel them out and supervise their spending.

The threat of tightening control of education by the government has aroused doubts about the advisability of expanding federal grants among many who would otherwise support them. Even such a strong advocate of federal aid as Clark Kerr, while president of the University of California, said:

"A university's control over its destiny has been substantially reduced. [Federal funds] . . . commit some of the university's own funds; they influence the assignment of space; they determine the distribution of time as between teaching and research; to a large extent they establish the areas in which a university grows the fastest; almost imperceptibly a university is changed." (*Los Angeles Times*, Oct. 13, 1963)

This parallels the findings in the school field of the Educational Policies Commission of the National Education Association and the American Association of School Administrators in a report issued in the summer of 1967:

"Perhaps the most serious consequence of the ESEA (Elementary and Secondary Education Act of 1965) has been the shifting of power of decision in education from the state and local level to the federal level of government. . . .

"Federal specification of categories also militates against the organic integrity and essential unity of the educational enterprise, to the detriment of the educational program and the individual child." (*Federal Financial Relationships to Education*, EPC–NEA, 1967)[4]

Controversies over the issues of church and state, and over the undesirability of federal control have obstructed broad *direct* federal support of education for many years, and will probably continue to do so. But the national government could avoid those roadblocks and give aid *indirectly* by helping those who now provide much of higher education's income to support the institutions more adequately. By assisting students and their families with paying tuitions, the government could open a promising avenue to an effective college aid program.

THE BURDEN OF TUITIONS

Putting their offspring through undergraduate colleges now places a heavier strain on the finances of most college families than it ever did—often more severe than buying a home and a car simultaneously. Former United States Commissioner of Education Harold Howe reported at congressional hearings that the cost to undergraduates of tuition, board and room, etc. in public institutions of higher learning soared from an average of $850 a year in 1940 to $1,560 in 1965, and in private institutions from $1,100 to $2,370. What Commissioner Howe did not mention is that the rates of increase—85 percent and 115 percent respectively—were less than those of consumer prices—125 percent—and of the simultaneous growth of 320 percent in per-capita disposable income.

If income has grown three times as fast as the cost of college attendance why is the latter so many families' greatest financial worry? For the simple reason that prior to World War II a family might have called itself fortunate if it managed to put one son through college but it now tries to enable all of its sons and daughters to acquire a higher education. College enrollment equalled 15% of the 18-to-21-year-old population in 1940 and now runs at 48%, headed still higher. A higher education used to be privilege, but it now has come to be regarded as the birthright of every young man or woman unless he or she lacks even the minimum required intellectual endowment. With job specifications and hiring practices demanding ever higher educational attainment of applicants, it is essential that all young people who are qualified by intelligence and aspiration to be given the opportunity to acquire a higher education.

The total cost of four years at an undergraduate school may now run from $8,000 to $20,000. Multiplied by the number of children, this presents many families with a staggering problem.

Sending its children to college of course imposes no financial hardship on a wealthy family. Nor is attendance an insuperable task for a student from a low-income family who, if otherwise qualified, is eligible for a scholarship. Several hundred thousand scholarships are now being sponsored by the states, the colleges and private donors. The national government offers another half million scholarships to low-income students. A scholarship combined with a loan and work-study helps many needy, aspiring young men and women of low means to overcome the financial obstacles. No one is denied access to higher education solely by inability to pay the necessary costs.

But students from a middle-income background and their families often can raise the required funds only with great difficulty, while they are ineligible for federal aid and many other scholarships. They fall between two extremes. Although they account for the majority of the student body at most institutions, they are hardest hit by the inadequacies of the present system. An official study at the University of California at Berkeley in 1967 (conducted by David Bradwell & Associates) found that students from middle-income families are financially worse off than those from either rich or poor backgrounds.

The federal income tax code adds to the troubles of middle-class college families. It grants relief to taxpayers by permitting them to deduct from the tax base such major outlays as mortgage interest, state and local taxes, charitable contributions, medical expenses, and casualty losses. But it denies consideration of what sometimes is the biggest item of family expenditure and the cause of the greatest headache: the cost of attending college.

All students are now able to borrow sizeable amounts to pay for their education through a variety of public and private loan programs by the availability of loan guarantees to students who would not otherwise be regarded as good credit risks. On the whole, borrowing is a sound way to finance part of a

---

Footnotes at end of speech.

college education because it stretches the cost over a larger number of years than the four or five years of attendance. Most students can expect to earn during their working lives a higher income with a college degree than without. Why should they not reimburse the college for part of the cost they caused? A student who is reluctant to invest in his own education—and to borrow for it—has a very doubtful claim to be assisted by others or by the public treasury.

Borrowing is an adequate answer for some students, particularly for many attending a low-tuition state college. But for others it is not. Some graduates choose careers such as teaching which, though essential, are not necessarily highly lucrative. Girls may be gainfully employed for only a few years and then spend the next 20 or 30 years raising a family. An educated mother may be invaluable to her children but this does not help pay back a large debt incurred during her college years.

Effective tax relief could be given to college families, particularly those in the middle income brackets, by according them tangible recognition on their federal, and state, income tax for the special burden they bear. This would continue a long-established American tradition of aiding education by tax abatement. The "spillover" effects of higher education, that is the benefits which accrue to society in general, also justify benefits to those who incur the heavy outlays. This would shift at least part of the cost of future tuition boosts to the public treasury and also help to ease the colleges' financing problem.

Hundreds of bills were introduced in Congress during the 1950's and early 1960's permitting tax deductibility of college expenses or additional exemptions for college students and their families. They all suffered from the same shortcoming: the progressive tax scale would have bestowed the most substantial benefits to high income families and given little to those in the lower brackets. Nor did flat tax credit plans seem to provide an acceptable distribution of benefits between high-tuition and low-tuition institutions. A new formula was needed to allocate benefits more equitably.

In 1963 when I was asked by the Senate Labor and Welfare Committee to testify on President John F. Kennedy's recommendations for federal aid to education I conceived of a method of aiding higher education that allocated the benefits more fairly: federal income tax credits for tuition and other educational expenses on a graduated or sliding scale.

The new plan quickly found broad acceptance in both Houses of Congress and its sponsorship extended over the whole range of the political spectrum. During a congressional debate in 1963 it was called the Humphrey-Ribicoff-Goldwater-Keating bill—a unique designation. Ten days after I first advanced the proposal Senator (the former Vice President) Hubert Humphrey announced in the Senate that he had introduced a bill to implement it:

"The sliding tax credit schedule provides a sensible and workable system of federal assistance that helps every student, indirectly helps both public and private institutions, and does so in a manner that in no way interferes with individual or institutional freedom or policies. This bill, providing for a declining tax credit for expenditures on tuition, fees, books, and supplies mitigates the distortion found in the large majority of bills that rely on tax deductions, additional exemptions, or non-variable tax credit. . . .

"While this tax credit proposal would not solve all the financial problems related to higher education, it would represent a significant contribution well within our national means. It would provide this assistance in a manner that avoids any argument about federal control of education and also the nagging question of church-state relations. Moreover, it would provide this aid without having to expand the Federal bureaucracy to administer the program.

"Support in the Congress has been growing for this general approach to the problem of federal aid to higher education. I know the appropriate committees in both Houses are giving these proposals careful scrutiny and consideration. I hope that the Administration will consider seriously requesting such legislation from the Congress." (*Congressional Record*, vol. 109, pt. 8, p. 10254.

The plan came up for congressional action three times and commanded a clear majority on each occasion. But it was not enacted when "the Johnson Administration used every ounce of influence it could muster" and "snapped the whip and lashed Senators in line against the proposal" (citing reports from U.S. News and World Report of February 14, 1964, and the Washington Star of March 14, 1966). Key legislators were told by Presidential Assistant W. Marvin Watson "that 'they were through' at the White House if they backed the Ribicoff plan." Mr. Watson ". . . emphasized that he was speaking for the President who . . . was prepared to deal them out of all Federal patronage and projects if 'you cross him on this vote'." (The New York Herald Tribune, March 10, 1966.) Even some of the bill's sponsors were forced to reverse themselves and vote against it on Senate votes in February, 1964, and March, 1966, so that the plan was defeated by a narrow margin. On April 14, 1967, the Senate adopted the tax credit plan by a vote of 53 to 26. But again President Johnson subsequently succeeded in preventing final enactment.

However, support for the sliding scale tuition tax credit plan has gathered such broad support in both Houses of Congress, in the public and among the colleges—as evidenced by a resolution of the Association of American Colleges—that eventual enactment appears likely.

WHAT TUITION TAX CREDITS WOULD DO

The Ribicoff-Dominick plan, so named after its leading sponsors, Senator Abraham Ribicoff, Democrat from Connecticut, and Senator Peter Dominick, Republican from Colorado, would permit anybody who pays for tuition, fees, books, and supplies for a student at an institution of higher learning—whether the payer be the student himself, his parents, or a benefactor a tax credit of 75% of the first $200, 25% of the next $300, and 10% of the next $1,000. Thus a credit of $175 would be allowed for expenses of $300 (58%) and a credit of $325 for expenses of $1,500 (25%). The scale is weighted in favor of low-tuition institutions where it wipes out much or most of the tuition cost. The credit starts tapering off from an income of $25,000 on and vanishes at $57,500.

The Treasury Department estimated that the cost of the Ribicoff-Dominick plan would initially be $750 million a year, gradually rising to $1.3 billion. Sixty-two percent of the credits would accrue to beneficiaries with an income between $3,000 and $10,000; 91% to persons whose income is under $20,000. (This gives the lie to the misconception that tax credit plans benefit the rich.)

The Ribicoff-Dominick tax credit plan offers little or nothing to the rich, little or nothing to the poor, and aims at easing the future college burden—the inevitable tuition boosts—of the great majority of students who come from families "in between." Most students from families whose income is so low that they pay little or no income tax are probably on a scholarship. The granting of tuition tax credits would not only free more scholarships for needy students (because students from lower-middle income families would no longer need them), it would also stimulate many thousands of benefactors to donate scholarships for which they would receive credit on their income tax.

If it were still held desirable to make direct tax credit benefits available to people who pay no income tax, the tax credits could be made "absolute": a potential recipient of an educational tax credit would compute his income tax, including his tuition tax credit, and if his return winds up with a final net credit it would be paid to him by the Internal Reserve Service like a net credit from overpayment on the income tax.

WHO OPPOSES EDUCATIONAL TAX CREDITS AND WHY?

As mentioned before, President Johnson strongly opposed educational tax credits and was able, by using his power to the utmost, to prevent Congress from enacting them. The Department of Health, Education and Welfare, which administers most federal grants to education, and the Treasury Department both used their influence against the granting of tax credits, as did several special interest groups and their Washington lobbyists.

Earlier, the claim that tax credits would benefit rich people was refuted. It has also been said that to grant tax credits in higher education would be unfair to persons who have no college expenses. That is like saying that the presently allowable tax deductions for medical expenses, casualty losses or state taxes are unfair to persons who incur no such outlays. It has even been claimed that tax credits would be inequitable because they provide no direct benefits to persons who pay no income tax. That is like saying that, for example, the 1964 tax cut was unfair to low-income persons who pay no income tax because they did not benefit from the cut; or that exemptions and deductions are unfair to persons whose income is wholly tax exempt—e.g. derived from social security, unemployment compensation or public assistance—because they cannot take advantage of them. Such arguments are specious and contrived and need not be taken seriously.

Some object to tax credits because they would open another loophole in the Internal Revenue Code. This would be a valid argument if the federal income tax were otherwise comprehensive. The fact is, however, that at the present time, out of a total personal income of $625 billion at least $350 billion escape taxation through deductions, exclusions, exemptions and credits. Contrary to a widely believed myth, most of that tax-free income goes to middle- and low-income groups. Compunction about an educational tax credit as a danger to the integrity of our income tax is like worrying over danger from a sexy book to the virtue of a prostitute. The concern is somewhat belated, to put it mildly. A tax credit for business investment was newly authorized in 1962 and Presidents Kennedy and Johnson have recommended tax credits for political contributions. Do business investments and political contributions really merit greater consideration than education?

Some object to educational tax credits because they would cause a revenue loss to the Treasury and boost the federal budget deficit. Strangely though, many of the same people are in the forefront of the groups which press for higher federal expenditures for education and other purposes. They are concerned about the budget deficit only when it is proposed to aid education by *reducing taxes*, not when it comes to *increasing expenditures*. They know that direct federal support could go only to *public* colleges while tax credits would benefit *public and private* institutions alike. When the argument is analyzed, it becomes obvious that what the objectors are opposed to is not just tax credits which would benefit private education, but private education as such. They believe—though some of them are reluctant to admit it—that education is a governmental task and that private institutions which give the student a choice and may offer curricula of their own choosing, not controlled by government, are somehow divisive.

Uniformity in government-directed education—as in most other services—is the true goal of large and powerful groups in this country. There exists a widely accepted philosophy that government should provide an ever-widening range of services without a direct charge to the consumer—and then raise the funds by taxes or deficit financing and inflation.

State colleges and universities need and demand sharply enlarged funds to take care of their soaring enrollment, to attract and keep faculty, to increase the number and amounts of scholarships. They could raise a substantial part of the needed money through tuition boosts. But they keep their charges and fees deliberately low partly as the most effective method of driving the private colleges out of business and attaining a near-monopoly for government-controlled higher education.

The tuition and tax credit questions in higher education therefore cannot be viewed in isolation. They are part and parcel of a far broader struggle between those who would steadily enlarge government and have it take over most individual and family responsibilities and those who fear loss of precious freedoms under such a system. A trend, toward growing government involvement, would in the future, as it has in the past, gradually reduce the area of liberty, of individual freedom and responsibility and enlarge the area of coercion.

Through direct financial support of institutions, governmental control of education could and would be continuously tightened while the granting of tax credits would strengthen the decision-making power of individuals and families, and the independence of the governing boards of the institutions. Tax credits are just one battleground in the greater struggle over the issue whether government should be bigger and have more power—or whether it should be restricted to those areas in which individuals cannot act adequately or effectively.

That the alignment in the fight over educational tax credits is not entirely along the ideological division between the advocates and opponents of bigger government is due to one fact: the history of the fight over federal aid to education, and the continued presence of the church and state question make it appear unlikely that federal support for the operation of colleges and universities—or elementary and secondary schools—can be enacted, at least for many years ahead. Protagonists for the private and church-connected institutions are sufficiently powerful to prevent authorization of grants exclusively to public schools and colleges. But they are not strong enough to obtain such support for their own schools, at least as long as the present court interpretation of the First Amendment remains unchanged.

Those who believe in maintaining—or restoring—the widest possible freedom of choice in education and a broad diversity of institutions and offerings naturally favor tax credits as the most promising and most effective method of attaining their aims.[4] Some of those who, at heart, favor bigger government, but despair of obtaining federal support for public institutions unless commensurate benefits are made available to nongovernmental schools are willing to compromise: they may not approve of *direct* federal support of private educational institutions, but they are willing to accept the principle of tax credits as an indirect means of aiding education by assisting its supporters. The coalition between the two groups has given tax credits a clear majority in the Congress and is likely to carry them to victory if the new president ceases to follow President Johnson's policy of opposition to the proposal.

There is not much time left. Many or most private colleges and universities are fighting for survival and must be given help within the next years. Failing to get such aid, many will be forced to close their doors. None of the concern that is now widely expressed for the fate of private colleges, nor of the crocodile tears being shed for their impending demise, are of much avail unless a rescue operation is mounted *now*. And none of the measures that have been suggested for saving private higher education promise to aid it as effectively as federal income tax credits for donations and for tuition and other expenses.

FOOTNOTES

[1] There is however not much difference in board and room charges between public and private institutions.

[2] See: John A. Howard, *Financing American Education*, published by the American Conservative Union, 1965.

[3] One ironic note: It has been just a few years since many academic "liberals" used to wax enthusiastic not only over federal money but about the "progressive" influence which the national government could thereby exert over the parochialism of state and private campuses and their backward if not outright reactionary boards of trustees and administrators. The presence of Uncle Sam was just what was needed to cut down the power of alumni and donors. But when they realized, in the past two or three years, that much of the government-sponsored research aimed to strengthen the defense of the United States, activist student movements, supported by vocal faculty groups, turned into the most articulate and violent opponents of federal control or influence.

[4] A Citizens National Committee for Higher Education, consisting of college and university presidents and others interested in higher education was formed in January, 1964, "to conduct research into and propose ways and means of increasing the flow of national income into higher education." It views tax credits for donations and college expenses as the most promising immediate way of strengthening higher educational finances and favors the Ribicoff-Dominick bill and related proposals.

JOHN SCOTT, OF LAFAYETTE, IND., COURIER-JOURNAL, EXAMINES TECHNIQUES OF PRESIDENTIAL ELECTION "ANALYSTS"

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. BRAY. Mr. Speaker, last November, just a few days before the election, Mr. John Scott, editor of the Lafayette, Ind., Courier-Journal, had some fun with political pundits and analysts and their "election predictions." Following is Mr. Scott's "Editor's File" for November 2, 1968, from the Lafayette Courier-Journal:

SEARCH IMAGINATION FOR CLUE TO NATURE OF TUESDAY'S VOTE AND STATE OF NATION

(By John Scott)

In the closing days before a presidential election, political observers seek out a "typical town" in America. They try to examine this community, then project their findings into a national pattern so they can forecast with reasonable inaccuracy how the election will not come out.

It was inevitable that they would finally get around to Imagination, Indiana, a quiet community, nestled inside a bend of the Wabash River. Imagination, Indiana, has voted for the winning candidate in every presidential election in this centruy except 1908, 1916, 1924, 1936, 1944, 1952, 1956 and 1964.

In 1952, Imagination voters went for the Prohibition candidate. In 1956 there was a dead heat between Dwight D. Eisenhower and Duke Snider of the Brooklyn Dodgers, whose maternal grandmother was born in this township. (Duke led the National League in Home Runs in 1956.) Except for those two elections, Imagination, when it has not been correct, always has voted for the leading loser.

In this year of computer projections, pollsters have had an exciting time in Imagination because 166 absentee ballots already have been cast by citizens who will be out of town next Tuesday. These men and their wives are members of TDA (Tax Dodgers Anonymous) who will be holding their annual meeting in the Grand Bahamas on Election Day.

On the basis of these 166 votes, observers project that Richard Nixon will win the national election by a 7–5 margin over Hubert Humphrey, with George Wallace a strong third. Seventeen of the absentee ballots were again cast for Duke Snider.

There are curious forces, however, that may have influenced the 166 voters this year. One is the activities of the community's only Yipple, Timothy O'Yoder, who is highly regarded by some of the younger businessmen in the area because of his national image.

During the Democratic National Convention, O'Yoder suffered scalp lacerations and was interviewed on national television by Sideburn Van Okra. Young businessmen in Imagination claim that the publicity has helped the town's industrial development program because nobody had ever heard of the place until the Democratic convention.

O'Yoder himself has been very active in the local campaign attempting to get people not to vote for anybody. He has also launched a campaign against police brutality in Imagination. Although the community has only one part-time law enforcement officer, he works a full-time day shift at the Soybean Processing Plant. O'Yoder accuses the officer of being part of the Military-Industrial Complex because Soybean Oil is used to lubricate the release mechanisms on the aircraft that drop Napalm. He also alleges that the town's part-time constable re-opened one of his head cuts when O'Yoder picketed the PTA at the high school the night the FBI man gave the speech on drugs. (O'Yoder says that he has never taken drugs himself but that he thinks they are less dangerous than the driver-training program at the high school.)

Although the TDA group has come under fire for planning this year's trip during election week, the chairman explained that Imagination's airport has only a small dirt landing strip and 87 single-engine airplanes are required to get the group to O'Hare Field in Chicago. "This requires advance planning and split-second timing," explained the group's chairman, Ayr Fleet.

Another factor that may influence the election here Tuesday is the battle for township commissioner between Joe Socrates and Ed Zybricki. Since the community has strong ethnic origins, local Democrats, concerned about Spiro Agnew being the Republican vice presidential nominee, Socrates decided to balance their ticket by nominating of Zybricki, a great grandson of General Zybricki, the famous Polish Indian fighter. As a result, all of the billboards here ignore the presidential candidates. "Vote Ethnic! Win with Muskie-Socrates" say the Democrats, and the Republican signs say simply "Vote for Spiro Agnew and General Zybricki's Great Grandson"!

This past week Scotty Wrestlin, the New York reporter, was in Imagination, attempting to capture the national trend in this quiet little town, a cross-section of mid-America where the homes are modest but well-kept and where the ghetto consists of only one house, the home of Timothy O'Yoder, a colonial mansion that O'Yoder made over into a model slum the year he inherited the AT&T stock.

Scotty Wrestlin, looking for a trend, became diverted by a local conflict-of-interest charge against Joe Socrates, the Democratic candidate. The local weekly paper charged that Socrates has been speculating in Soybean Futures and, if elected, will be in a position to influence the price of Soybeans by raising the Township Cartage Tax at the silo. Socrates could not be reached for comment because he is with the TDA group in the Grand Bahamas.

One of the television networks is making a documentary on Imagination. It will be called "Typical, USA" and will be shown nationally if Nixon wins by the 7 to 5 margin. The presence of the TV crew has stirred up a great deal of excitement in town and truckloads of props have been unloaded here all week. These include cracker barrels, pickle jars and an old-time bar complete with player piano. Plastic cobwebs have been attached to the street light posts and the cocktail lounge at the hotel has been completely demodernized. The Happy Hour Special Double Martini will not be served during the video-taping. "They only drink beer in America's Heartland," chuckled Sideburn Van Okra, the network commentator assigned to the production.

Ed Zybricki, the Republican candidate for commissioner, has refused to cooperate in the television show. He says it's a waste of time because neither Nixon nor Humphrey will carry Imagination. "Furthermore," shouted Zybricki, "if those television crews get in front of my pickup truck, it will be the last pickup truck they ever get in front of."

"They won't be the only thing that's run down in Imagination, Indiana," said Timothy O'Yoder, leering through his latest lacerations.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, I am pleased to call the attention of my colleagues to the position statement adopted by the Association of Research Libraries at its recent midwinter meeting here in Washington, supporting the creation of a permanent National Commission on Libraries and Information Science as provided for in my bill, H.R. 908.

The association states:

This Commission, properly located within the Federal Government, could be extremely helpful in advising the President, the Congress, the Federal agencies, and the many other state and private institutions on the priorities and measures required to establish and carry out a long-term program for the improvement of library and information services.

At this point in my remarks, I include the full text of the ARL statement:

POSITION STATEMENT OF THE ASSOCIATION OF RESEARCH LIBRARIES' FEDERAL RELATIONS COMMITTEE ON THE REPORT OF THE NATIONAL ADVISORY COMMISSION ON LIBRARIES*

Since the members of the Association of Research Libraries have long been directly concerned with the Nation's library and information needs, they were heartened by the action of the President of the United States in September, 1966, in appointing the distinguished National Advisory Commission on Libraries, chaired by President Douglas M. Knight of Duke University, to survey the library needs of the Nation and to make appropriate recommendations for action. The ARL now strongly supports the basic recommendations appearing in the Commission's recent summary Report.

During the last two decades a number of powerful social, technical, economic and intellectual forces have led to a mounting need for basic improvements and changes in library and information services throughout America. The postwar involvement of the Federal Government in scientific and technical research, the rapid expansion of education at all levels, the need for better international understanding, the so-called information explosion and the potentials of technology are but some of the forces at work.

In response to these widespread needs and expectations, the Federal Government has increasingly sought ways to improve and strengthen library services for all the people. The result has been a sequence of important Federal legislation, beginning with the Library Services (and Construction) Act of 1956. Today Federal involvement, stemming from a variety of legislative acts, is the responsibility of a great number of departments and agencies throughout the governmental structure.

The Report of the National Advisory Commission on Libraries defines the scope of the national need and proposes a responsible mechanism for reviewing and coordinating the present wide range of critically important Federal efforts in support of libraries, as well as for the effective planning of any future efforts which may be undertaken. Further, it will assist in coordinating these Federal efforts with those of the States, the universities, the library associations and of many other institutions and organizations.

The Association of Research Libraries agrees that the most important measure which can be undertaken, and which should be undertaken immediately, is the establishment of a distinguished, well staffed and continuing Federal review, coordinating and planning mechanism. The ARL fully supports, therefore, the Advisory Commission in its proposal that the Congress and the President establish a permanent and influential National Commission on Libraries and Information Science. This Commission, properly located within the Federal Government, could be extremely helpful in advising the President, the Congress, the Federal agencies, and the many other state and private institutions on the priorities and measures required to establish and carry out a long-term program for the improvement of library and information services.

The ARL equally supports the Advisory Commission in its recommendation that the Library of Congress, in full recognition of its generous services and potential, be officially designated and supported as the National Library of the United States and that it be provided with a distinguished public board of advisors.

Similarly, the ARL endorses the Commission's recognition that there should be certain changes within the Department of Health, Education and Welfare to enable the U.S. Office of Education to carry out the present and future library responsibilities assigned to it by the Congress.

The Association of Research Libraries, which consists of institutional representatives of seventy-nine major university libraries, privately established research libraries, and certain of the great Federal libraries, stands ready to assist and cooperate to the fullest in thus moving American libraries into a new era of national service.

ROBERT VOSPER,
Chairman.
WILLIAM DIX.
STUART FORTH,
BENJAMIN POWELL.
RUTHERFORD ROGERS.

---

*This position statement was adopted by the ARL membership, on January 26, 1969, as the official statement of the Association on the Report of the National Advisory Commission on Libraries.

A STEP IN THE RIGHT DIRECTION

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. NELSEN. Mr. Speaker, having served in the past both as chairman of the Republican task force on the civil service merit system and as a member of the Hatch Act Commission, I have been pleased to note the widespread public support for the President's efforts to abandon patronage as a basis for employment in the postal service. One such indication of the broad support Mr. Nixon has in this matter is provided by recent editorial comments of Kenneth Anderson, publisher of the Cottonwood County Citizen & Windom Reporter, Windom, Minn. I include the editorial for the RECORD at this point in my remarks:

A STEP IN THE RIGHT DIRECTION

President Nixon in a few short weeks in office has given every indication that he plans to put the federal government on a business-like basis.

One of his first steps in that direction was to announce that postal affairs will be divorced from politics.

Henceforth, if Congress approves, postmasters will get their jobs through a merit system rather than as a political plum.

This action will be popular with everyone but postmasters and politicians.

For too long post office appointments have hinged more on who you knew than what you knew. It probably explains better than anything else why the post office department is in such sad shape today.

Mr. Nixon's move had to be a tough decision. When you head a party that has been in office for only eight out of the last 36 years, then there has to be a lot of party faithfuls waiting in the wings for appointments.

The fact that these appointments will not be made is a great credit to the man in the White House who is not playing politics with the welfare of his country.

As a non-supporter of President Nixon, we would be the first to admit that he is doing a fine job. If he can restore some fiscal sanity and business judgment to the federal government, then he deserves the support of all Americans.

Certainly the removal of the postal political patronage system is a step in the right direction.

THE NIXON TRIP

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. McCLURE. Mr. Speaker, the Nixon trip to Europe was like a breath of fresh air. The objectives were kept within the realm of possibility and therefore achieved. Our relationship with France has again taken on the warmth that always characterized it in the past. Britain gave the President a memorable reception. And even the official gifts to the Pope were apparently in good taste.

It is a good beginning and ranks as probably the biggest diplomatic achievement of the decade. We have now demonstrated our willingness to listen, and our image is that of the "friendly ally." We must next turn our attention to demonstrating that as leader of the free world, we are in fact capable of leading.

So, I think that the President must make his first agonizing reappraisal. I think he must take note of the fact that as the conferees in Paris continue to talk on and on, American men continue to give their lives on the battlefield. If the enemy is willing to negotiate, let them offer some sort of proof immediately. If not, let them face the consequences that Ambassador Lodge spoke of last week.

President Nixon has the momentum. He has seized the initiative. I hope and pray he will use this opportunity to end the Vietnam war, regardless of the means that must be employed in achieving it.

LETTER FROM DISTRICT RESIDENT REGARDING HOME RULE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, recently I received a letter from a Negro resident of the District of Columbia who expresses quite well the fears I have heard from literally hundreds of District residents, that his city may be turned over to militants in the event home rule legislation is enacted here.

As I was most impressed with the sincerity of the writer, I forwarded his letter to the President of the United States for his consideration in connection with any legislative proposals he may be planning for the District. I include the text of the letter, deleting the name of the writer to prevent harassment, at this point in the RECORD, together with a copy of the transmittal letter I sent to the President today:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 5, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Recently, I received a letter from a Negro resident of the District of Columbia, which I sincerely believe should have been addressed to you as the man most concerned with the government of the District of Columbia. As you will note, the writer once favored home rule for the District, but today he is pleading that his city not be turned over to militants.

As I feel my Colleagues in the Congress should know the content of the letter, I have placed a copy in the Record today, deleting the name of the writer to protect him from harassment.

You may be interested to know that the writer is representative of literally hundreds of District of Columbia residents, both black and white, who have communicated with me by letter or by telephone calls or personal visits in my office, to express their deep fear for the future of their city.

Their petitions have gone largely unheeded by previous Administrations, and it is their sincere hope that they will be heeded this year.

With warmest regards, I am,
Yours respectfully,
JOEL T. BROYHILL,
Member of Congress.

FEBRUARY 12, 1969.

Hon. JOEL BROYHILL,
House of Representatives,
Rayburn Building.

DEAR CONGRESSMAN BROYHILL: I am a Negro, a resident of D.C. and one of the few older natives of the city. I have been and am still alarmed at the widespread acts of violence and crime that are constantly being committed in the City. I have at one time felt that "Home Rule" should be granted the District of Columbia but have always had certain reservations because of it's Federal city status. I have never felt total and complete "Home Rule" would be feasable. D.C. is very unique in being a city that belongs to all the people of the country since it is the Capitol city and there should be some form of Federal involvement by those representatives of the people.

Recent events have made me feel any transition, at this time would only give the City to the militants. I not only say this in fear but in deep feeling for the city I have so long lived in. There is not one clear thinking person who would not make such a statement at this time. There is much factionalism and intimidation in the politics of the people who would eventually be elected to positions of power. I could hardly think of any election that would not and I again say, *at this time,* be tainted with all types of factions moderate and militants. They would be so emotionally filled until common sense and reasoning could not prevail. The winner would, without a doubt, be one of the most militant or he who could shout the loudest. Any clear thinking moderate would definitely be defeated.

I am asking that you and all the members of the Congress who are involved in District matters, give serious thought to any bill that proposes "Home Rule" for the District of Columbia, in view of the chaotic and unsettled condition of our community. This is not the time to experiment.

Sincerely yours,
——— ———.

PARTIAL REMARKS OF HYMAN BOOKBINDER, WASHINGTON REPRESENTATIVE OF THE AMERICAN JEWISH COMMITTEE, FEBRUARY 28, 1969, AT THE AMERICAN JEWISH COMMITTEE'S KERNER ANNIVERSARY LUNCHEON

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. BRADEMAS. Mr. Speaker, as we mark the first anniversary of the publication of the Kerner Commission report, I want to draw to the attention of my colleagues the most thoughtful and penetrating remarks of Mr. Hyman Bookbinder, Washington representative of the American Jewish Committee, delivered on February 28, 1969, at the American Jewish Committee's Kerner anniversary luncheon.

Under unanimous consent I insert at this point in the RECORD the text of Mr. Bookbinder's remarks on this occasion:

PARTIAL REMARKS OF HYMAN BOOKBINDER, WASHINGTON REPRESENTATIVE OF THE AMERICAN JEWISH COMMITTEE—FEBRUARY 28, 1969, AT THE AMERICAN JEWISH COMMITTEE'S KERNER ANNIVERSARY LUNCHEON

It is impossible to quarrel with the conclusion reached in "One Year Later," the assessment just released of the nation's response to the Kerner Commission Report: "We are a year closer to being two societies, black and white, increasingly separate and scarcely less unequal."

The past year has seen some positive actions taken, in both the public and private sectors, but there is little ground for satisfaction. For the most part, the findings of the Kerner Commission were soon forgotten and the recommendations largely ignored.

The Commission called for many things. It called for better understanding, for better communications, for better programs. But, above all, it called for "a commitment to national action—compassionate, massive and sustained, backed by the resources of the most powerful and the richest nation on this earth."

LITTLE PROGRESS MADE

A year later, it is clear and it is tragic that America has failed to make such a commitment, has been unwilling to assign the resources needed to save the society that makes those resources possible.

It was Lyndon Johnson's tragedy—in my judgment, one he could have and should have avoided—that he felt he could not embrace the challenge of the Kerner Report at the very time he was struggling with Congress for approval of his substantially more modest proposals in education, housing, health, and the poverty program itself. I sympathized then, and still do, with his problems. But he should have hailed the Kerner Report and he should have told the American people the unvarnished truth—that they would have to approve massive Federal efforts to solve the urban crisis.

Now it is Richard Nixon who must face up to the challenge. It is true, as the President has said, that money alone won't solve it. It is true that local and private and volunteer forces must be more fully mobilized.

MASSIVE INVESTMENT OF PUBLIC RESOURCES ESSENTIAL

But the biggest truth of all is that without a massive investment of public resources, none of the other remedies will work.

The United States *can* afford to implement the Kerner Report. There need only be the will to do so. What is needed is an assessment of the nation's present and forthcoming economic potential—and a decision to allocate whatever portion of that tremendous economic resource is needed to eliminate poverty and blight in the United States over the next generation.

I do not claim to be or to have the final word on what our resources are and what our needs are. But I know that both are colossal. I have checked most of the available knowledge—and I have concluded that we can do what must be done by allocating only a small part of our *increased wealth* in the next two decades. This is why: *The aggregate growth dividend in 1969 prices over the next twenty years will be 10 trillion dollars. We could commit ourselves now to a 20-year one-trillion dollar investment to save America—and use only 10% of the increase in our total GNP over the next generation. A trillion dollars would permit an average additional investment of fifty billion dollars a year—and that amount is clearly and urgently needed.*

America's economic power is tremendous. If we do not botch it up, our economy can continue to grow at rates which would make possible any reasonable national objective.

During the last eight years, our Gross National Product, after adjusting for price changes, increased almost 5% a year. In the following projections, I am assuming a very modest increase of only 4% per year over the next 20 years: *In 1969 prices, our GNP would grow from $910 billions this year to $1.350 trillions in 1979—and to just under $2 trillions in 1979!*

If the present $910 billion rate remained unchanged for the twenty years, the aggregate GNP would be *$18.2* trillion. But at the reasonable 4% growth projection, the aggregate will actually be over *$28 trillion*—which means a $10 trillion *"growth dividend."* Present tax rates would yield $2 trillion more in Federal revenue and $1 trillion more in State and local revenues.

ORDERING OF PRIORITIES

The question, then, before the American people is simply this: "Are we willing to assign one-tenth of our projected increase in living standards over the next twenty years in order finally to eliminate poverty and urban blight and all of the social consequences that flow from it? Are 88% of us willing to grow richer at a slightly slower rate so that the poor among us can stop being poor?"

We've heard much about "re-ordering our national priorities." We must choose between fighting in Vietnam and fighting hunger in America, we are told; we must choose between putting a man on the moon and putting more men here on their feet. In my judgment, the real choice is even more basic than that. Over the next decade or two, Americans must choose between three cars in almost everybody's garage and three meals for every child; between five-week vacations in the Caribbean and clean air in New York or Washington the year round. To put it colloquially, and mixing metaphors, how long can we live "high on the hog" without winding up "in the soup."

LONG-TERM COMMITMENT ESSENTIAL

We need nothing less than a 20-year commitment—because the problems of inherited poverty will require a full generation of cure. In 1968, there were almost a million children born into poverty—and unless we help them overcome their educational, their housing, their health, their employment disadvantages, they may well be the parents of other poor children twenty years from now.

If the Kerner Report teaches us anything, it is that the multifaceted complex of problems called "poverty" or "the urban crisis" requires a multi-faceted, inter-related, long-term plan. It needs a social "systems" approach, one to dwarf all previous "systems" approaches.

I find it incredible that a nation which can embark on a ten-year co-ordinated, rounded, multi-billion-dollar program to put a man on the moon, or a ten-year multi-billion-dollar program to build a national highway network, does not find it appropriate to develop a comprehensive multi-faceted long-term plan to save America from internal decay.

To save America from foreign attack, this nation develops a combined defense system, goes to the Congress, and without too much difficulty gets a 60 or 70 billion dollar defense appropriation. But when it comes to our domestic crisis, we have dozens of isolated proposals, separate programs, innumerable Congressional actions—reflecting vested interests in the agencies as well as the Congressional committees—that too frequently overlap and even conflict with one another.

The new Urban Affairs Council is a good beginning. What they must do, however, is develop a total strategy for meeting our great domestic crisis. They must determine what we must do in every important field in five years, in ten years, in twenty years. They must tell us what it will take—and then we as a people must make a decision. Of course no master plan can be cast in concrete. There must be flexibility; there must be readiness and capacity to adjust to changes. But let's know what our housing needs are, what our health needs are, what our manpower needs are—and let's have the programs developed to achieve maximum meshing and co-ordination.

Even with all the resources and determination imaginable, our urban crisis will not be solved in a year or two, or even five. All the more reason, then, for a solid and lasting commitment to be made now—inspiring confidence among our poor and our minority groups that we are finally on our way.

In my judgment, as I have indicated, the job will take at least twenty years—and at least a trillion dollars in that period over and above what we are doing now and what would be the normal increase in governmental functions due to increased population.

ADDITIONAL FEDERAL RESOURCES SUGGESTED

Here are some illustrations of how additional Federal resources could be put to work:

National standards for welfare payments—at least $5 billion a year.

Public employment programs for 1 million persons—$5 billion a year.

Head Start year round for every poor child—another $2 billion a year.

Greater support to education at all levels—at least $7 billion more.

Health programs, especially for the poor—need about $4 billion more.

Housing and Urban Development and Model Cities—at least $5 billion.

And then there are needs in transportation, in water and air pollution, in economic development, in crime and delinquency—and so much more. An integrated attack on urban blight could co-ordinate all of these needs—public employment, for example, in anti-pollution and similar programs.

Too often, in recent years, we have made promises and embarked on programs—only to starve them and bring on disillusionment. It is outrageous that at this time there is a gap of six billion dollars between the levels authorized for a wide range of programs in the social and economic areas and the amounts actually appropriated.

Much of our present difficulty, as the Kerner Report warned us, stems from the gap between promise and performance. There are those who say that we must promise less. I'm afraid that advice is too late—and not too good in the first place. There is only one right way to close the gap: to increase our performance.

FACILITATION OF THE ENTRY OF ALIEN BROTHERS AND SISTERS OF U.S. CITIZENS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. BIAGGI. Mr. Speaker, I am introducing today a bill to facilitate the entry into the United States of aliens who are brothers and sisters of U.S. citizens. This legislation would affect any otherwise admissible alien who had filed a petition for a visa on the basis of this kinship with the Attorney General before July 1, 1966. Entry would be permitted under the "immediate relative" clause of our immigration law, without—in the language of that legislation—"regard to the numerical limitations in this act." Immediate relatives now include spouses, minor children and—as broadened by the 1965 amendments—parents of U.S. citizens.

This bill, popularly referred to as the Italian Immigration Act, received support in both the House and Senate last year. It is a temporary measure, designed primarily to absorb the huge waiting lists of Italians who have been waiting for years to join their brothers and sisters in this country. And, may I add, it is a measure of some urgency. They wish to rejoin them in the flesh, not in wooden boxes.

The existence of the long waiting list of Italians seeking visas in this category is directly attributable to the inequities of the national origins quota system, which Congress recognized in 1965 as both discriminatory and inefficient, and acted to abolish. Under this system, which had been in effect for more than 40 years, the number from each country which could enter the United States annually was based on the origins of the U.S. population at the time of the 1920 census. This meant that more than 70-percent of the total annual quota from the non-Western Hemisphere countries was allotted to Great Britain, Ireland, and Germany. It also meant that many allotted visa numbers went unused, since they were not redistributable. Great Britain in 1965 used less than half of its allotted quota of 65,361. At the same time, countries with low quotas developed enormous waiting lists. Italy in 1965 had a waiting list of more than 200,000 in excess of its allotted quota of 5,666.

The 1965 amendments to the Immigration and Nationality Act were designed to correct the evils of this system. National origins has been replaced as the basis of entry by a seven-point preference system aimed first at reuniting families; and second, at attracting professional talent and needed skilled labor. Under this system, visas are distributed according to this seven-point order of preference categories, with a certain percentage of the total allotted to each category. They are available on a first-come, first-served basis, with no more than 20,000 for each country, and no more than 170,000 for all the non-Western Hemisphere countries together.

This system went into effect in July of 1968. It was preceded, as prescribed by the 1965 amendments, by a 2½-year transitional period during which unused numbers from each prior year were pooled and made available to oversubscribed countries in order to absorb the long waiting lists which these countries had built up. This mechanism generally accomplished its purpose, although here, in articles on this subject, there is always a parentheses: "(except for Italy)." For the Italians, the waiting list still remains, and because of it, Italian brothers and sisters receive little more equitable treatment under this new system designed allegedly to reunite families than they did under the old national origins quota system.

The brothers-and-sisters preference category ranks fifth in the seven-category system, behind unmarried children of U.S. citizens; spouses and unmarried children of permanent U.S. residents;

professional and exceptional talent; and married children of U.S. citizens. This low point on the preference scale, combined with the long waiting list, means that the 20,000 national quota includes comparatively few brothers and sisters. To illustrate, in February 1969—this month—visas are now being issued to Italians who filed on the basis of being brothers and sisters of U.S. citizens prior to January 1, 1958. For most other countries, visas in this category are currently available. In fiscal 1968, 5,979 Italians entered in the brother-and-sister category. As of January 1, 1969, approximately 70,000 Italians were waiting for visas in this category.

It is abundantly clear that the system is not working here, and that the reason for this is that the Italian waiting list in this category, huge before enactment of the 1965 amendments, was unabsorbed by the transitional pooling and is unabsorbable under the new system which admits, as fifth preference, a total of 40,800—plus any unused numbers from higher categories—brothers and sisters for the entire non-Western Hemisphere. The legislation which I am introducing would eliminate this waiting list, it would allow immediate entry to all otherwise admissible aliens who had filed prior to July 1, 1966, and it would then, as a result, permit the proper functioning on the intended first-come, first-served basis of the present system, a system intended primarily to reunite families.

In brief, this legislation is intended to correct a technical malfunctioning of our complex immigration system. It is intended to implement the congressional intent of the 1965 amendments. And, most importantly, it is intended to allow my countrymen abroad to rejoin their brothers and their sisters in this country.

Thank you.

THE LOSS OF A LAKE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert into the CONGRESSIONAL RECORD an excellent editorial appearing in the Washington, D.C., Star of Friday, February 28, 1969, entitled "The Loss of a Lake."

It is hard to believe that a situation of this kind could be going on. Yet it is. The editorial follows:

THE LOSS OF A LAKE

For years we Americans have watched the gradual erosion of some of our finest natural resources with appalling equanimity. The unfortunate remarks of Secretary of the Interior Hickel about "conservation for conservation's sake" was an accurate reflection of an indifference far too widespread.

We are on the verge of one result of our indifference so catastrophic that it may stir all of us to action—the people, the Congress, the appropriate government agencies and even those who profit from pollution of natural resources. A recent report reminds us that we are about to lose Lake Erie.

The loss of one of the Great Lakes is no small thing and the process was not accomplished overnight. All along the American shore of the lake, for over a century communities have been pouring raw sewage into the water either directly or by way of the rivers. In addition, the great industrial complexes centered on Detroit and Cleveland have contributed their special mix of chlorides, acids, cyanides, oils and other industrial pollutants every hour of the day every day of the year, in steadily increasing volume and lethalness for almost as long.

In biological terms, the lake, which was carved out by glaciers only 12,000 years ago, has aged 15,000 years in the last half century. The Cuyahoga River, one of the great tributaries of this pollution, has the distinction of being the only body of water classified as a fire hazard, for its oily surface periodically bursts into flames.

The traditional delicacies of the lake, the Northern Pike, the Blue Pike, the sturgeon and the cisco are long gone, replaced by scavenger fish such as suckers and carp. The wild duck, another old resident, is going fast, the victim of pollution.

Ironically, the products of sewage treatment plants are even worse for the lake than raw sewage. The phosphates and nitrates so produced have fertilized huge growths of algae which in turn have devastated the oxygen content of the water. If this oxygen depletion has proceeded far enough and if it is not reversed—which to many experts seems unlikely—a "biological cataclysm" may take place at the bottom. A thin covering of ferric iron will decompose releasing millions of tons of past waste now buried there. At that point the lake will be virtually useless for any purpose.

It is not true that when you've seen one Great Lake you've seen them all, nor is it any consolation that four remain. Lake Erie must be saved if possible. If it cannot be saved, its loss must initiate an adequate program to save what is left of this country from its inhabitants.

CLARENCE ALLEN SALUTED AS RIVER CHAMPION

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. EDMONDSON. Mr. Speaker, I hope one day the people of Oklahoma and Arkansas establish an honor roll bearing the names of the many dedicated men who devoted literally years of their lives to making the dream of navigation of the Arkansas River a reality.

Such an honor roll would be long and impressive. Men along the Arkansas River dreamed for years of navigation to Tulsa. In the years immediately following World War II they set about making the dream come true.

One of these men who is seldom mentioned in tributes of river pioneers is Clarence C. Allen, of Tulsa, an artist and ardent civic worker. In the early years of the Arkansas River effort, Mr. Allen was staff artist for the Tulsa Daily World. The World editor at the time was the late Newt Graham, one of the three or four men most directly responsible for the Arkansas project.

Mr. Graham called upon Clarence Allen to translate ideas into visual presentations. Mr. Allen modestly states that he was selected by Mr. Graham because "it cost him nothing." In fact, Mr. Allen's talent in presenting the Arkansas story made a direct and strong contribution to selling the project—a sales job many thought impossible.

Mr. Speaker, I am pleased to have this opportunity to pay tribute to Clarence Allen, one of the great unsung heroes of the Arkansas River battle. Mr. Allen recently retired as staff artist and cartoonist for the Tulsa Tribune, but he has not retired from his role as Arkansas River booster and civic leader. The people of eastern Oklahoma know they can count on Clarence 100 percent.

THE 1968 HOUSING ACT AIDS MINNEAPOLIS RESIDENTS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. FRASER. Mr. Speaker, one of the most significant actions of the 90th Congress was the passage of the 1968 Housing Act. This legislation, enacted into law only last August, is already having a significant impact in communities throughout the country. The following story in the February 26, 1969, Minneapolis Star tells how this new legislation is affecting my district:

HOUSING ACT CHANGE GAINS CITY $2 MILLION

(By Al Woodruff)

Revisions in the U.S. Housing Act last year by Congress have enabled Minneapolis to make loans and grants of $2 million to homeowners with low income to repair and rehabilitate their property.

The number of loans and grants made to city residents is the highest in the nation, said Robert Purcell, assistant director of the housing authority.

In addition, under a part of the law added last year, the Minneapolis Housing and Redevelopment Authority has permitted 14 persons with low incomes to purchase homes in the city with federally subsidized, Federal Housing Authority (FHA)-guaranteed loans.

Under the loans and grants procedure for repair and rehabilitation, persons with annual incomes less than $3,000 may apply for such loans or grants to bring their homes up to meet city housing codes or standards of the housing authority.

MAXIMUM GRANT

Grants of up to $3,000 may be made, Purcell said. Until the law was amended, at the instigation of Rep. Donald M. Fraser, D-Minn., and Sen. Walter F. Mondale, D-Minn., the maximum grant was $1,500.

Loans of up to $14,500 for each dwelling unit also may be made for repairs under the program at a simple interest rate of 3 percent and repayable over 20 years.

In some cases owners have been able, with the help of the housing authority, to refinance their mortgages to borrow funds for repairs and at the same time reduce their monthly payments by nearly one-half, Purcell said.

Loans and grants are made only in those parts of the city that are either in urban renewal projects or in the federally assisted code-enforcement areas.

Examples of such urban renewal areas are those located in the near Northside, Seward and St. Anthony neighborhoods of the city, he said. Code-enforcement areas are in Como

South and soon will be in the Model Neighborhood area in South Minneapolis and the Jordan area.

MORE U.S. FUNDS

Grants for rehabilitation of dwelling units totaling $400,000 have been made to 260 applicants and loans of $1.6 million have been made to another 375 applicants. Another $100,000 is expected shortly for the city's loan and grant program from the U.S. Department of Housing and Urban Development, Purcell said.

In the citywide program of subsidized, FHA-guaranteed loans, known as FHA-235, 10 families who formerly were tenants have bought homes and another four families in the near North Side urban renewal area have signed purchase agreements to buy new three-bedroom homes on lots claimed by urban renewal.

Persons looking for houses are assisted by the housing authority's relocation counselors.

Generally, to be eligible for the subsidized, FHA-guaranteed-mortgages, families cannot have a gross income that is more than 135 percent of the gross income of a similar family living in public housing.

In Minneapolis this would mean a family of three or four can have a gross income of $6,750; a family of five or six, $8,100, and a family of seven or more, $9,450.

Homes may be purchased under the FHA-235 program anywhere in the city.

The maximum mortgage is $17,500, and the downpayment cannot exceed $200, which means that the seller must pay all closing costs.

PAYMENTS CUT

Monthly payments for the mortgage, taxes and insurance are reduced to one-fifth of the family's monthly income. The minimum interest rate on the mortgage is one percent.

Mrs. Katherine Holmberg, a relocation counselor for the housing authority, said this means that a family of four with an income of $348 a month buying a home for $17,700 with a down payment of $200 would make monthly payments of $85.35.

The federal government would pay an additional $73.41 to the mortgage holder, the maximum subsidy at the one percent interest rate.

The average subsidy to the families that have been helped by the FHA-235 program is $50 a month, Mrs. Holmberg said.

"Subsidy of home ownership is not a new idea," she said.

"Through income tax deductions for mortgage interest and real estate taxes, families who could afford to buy homes have had a generous subsidy for 20 years or more. This has favored the middle- and upper-income families.

"Today's high interest rate make it almost impossible for low-income families to become homeowners under FHA mortgages. The 1968 change in the housing law removes this inequity by reducing down payments and monthly mortgage payments. It allows the large family with inadequate income for good rental housing to find an adequate home under an insured mortgage. This privilege should be in the reach of all families."

COUNTRYSIDE DEVELOPMENT COMMISSION

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. LANGEN. Mr. Speaker, the economic opportunities of rural areas and small towns must be improved if rural America is to survive. That is why I have joined with some of our colleagues in cosponsoring a bill to establish a Countryside Development Commission. This bill is designed to explore every possibility for the encouragement of sound economic growth and development in the countryside.

The industrial world must be made aware of the fact that rural areas have much to offer them. The human and other natural resources are in such abundance that industry should look to such areas for future expansion and location. One of the purposes of the Commission would be to communicate these facts to industry and guide our towns and villages in putting their best foot forward to attract such development. This proposed Commission would bring to light the many opportunities and possibilities for improving the economies of rural communities that are not now apparent.

It has been my longstanding contention that achieving adequate farm income comprises the first necessary step in solving rural problems, and we must continue to work for better commodity prices. But we must also look at the total countryside picture and utilize our valuable resources to the best advantage. The Countryside Development Commission would take us a giant step toward the realization of our full potential.

PAN AM'S CONTRIBUTION TO THE "VISIT U.S.A." PROGRAM

HON. WAYNE L. HAYS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. HAYS. Mr. Speaker, I was pleased to learn of an enterprising endeavor that will assist foreign visitors to this country. Pan American Airways has published a booklet which will provide inside information much desired by foreigners traveling within the United States.

The pamphlet, called "Pan Am Makes the Going Great to the U.S.A.," is available in French, German, Italian, Japanese, Portuguese, and Spanish, as well as English. There is plenty of information on what to see and where to go, but the emphasis is on preparing visitors for getting along in a new environment.

An explanation of the American currency system, complete with illustrations, is designed to get visitors off on the right financial foot. Another useful chart shows typical prices for everything from meals to dry cleaning. There is a description, too of American tipping practices, one of the most misunderstood of American customs.

Other sections explain American eating and drinking habits, including what goes into a dry martini. There is also information on shopping, climate, weights and measures, telephone, telegraph, and mail service. A two-page map indicates major roads, cities, and points of interest. Road and traffic signs are explained, too. A section on accommodations covers everything from hotels and motels to camps and accommodations for young people.

A booklet is being offered without charge to Pan Am customers in 50 countries by direct mail, and will soon be available at Pan Am sales offices around the world. It is part of Pan Am's contribution to the "Visit U.S.A." program. Also, the airline is offering maps of 10 leading U.S. cities in six languages, and maintains a Visitors Hospitality Center in the Pan Am Building in New York City.

Mr. Speaker, I think Pan Am has done a wonderful job here in promoting the "Visit U.S.A." concept and is to be congratulated on this latest contribution, in addition to its considerable efforts in the past to attract visitors to this country.

TWO STATE GI'S DIE IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. LONG of Maryland. Mr. Speaker, Sgt. Richard L. Shuck and Sp4. Franklin B. Gilbert, two fine young men from Maryland, were killed recently in Vietnam. I wish to commend their courage and honor their memory by including the following article in the RECORD:

TWO STATE GI'S DIE IN VIETNAM: SEABROOK, HAVRE DE GRACE MEN ARE CASUALTIES

Two more soldiers from Maryland have been killed in the war in Vietnam, the Defense Department reported yesterday.

They were identified as: Sgt. Richard L. Shuck, 21, of Seabrook, who died from wounds he received last Monday. Sergeant Shuck served in Company D, 135th Infantry, 4th Infantry Division. Spec. 4 Franklin B. Gilbert, 20, of Havre de Grace, who died after the helicopter in which he was a crew chief crashed near Long Thanh last Saturday.

Specialist Gilbert, who served in the 1st Squadron, 19th Cavalry, 1st Air Cavalry Division, graduated from Havre de Grace High School in June 1966. He was drafted a year later and assigned to Vietnam in June, 1968. He was due home in four months.

LETTER HOME

In his last letter home he told his mother that the soldier sent to replace him had been shot February 1. "I'll never see him again," he wrote. "He was hurt pretty bad and they sent him to Japan.

"Mother, I'll never forget Vietnam," he added, "It's made a big impression on my mind."

His mother, Mrs. Mildred E. Keithley, of Havre de Grace, said Specialist Gilbert was concerned about the growing racial tensions in the United States, while Negro and white soldiers fought together in Vietnam.

PLAYED FOOTBALL

Specialist Gilbert played halfback on the varsity football team in high school, where he was elected "best personality" his senior year.

Ten years ago he received a merit award from Henry J. Loeblein, mayor of Havre de Grace, when he was a patrol leader on a school bus that was involved in an accident.

"He was only 10 years old," his mother said yesterday, "and he laid the driver down because he was hurt bad and he kept the children under control until help came."

In addition to his mother, Specialist Gilbert is survived by a brother, SFC Lloyd H. Gilbert, who is stationed at Fort Meade.

His father, Lloyd Gilbert, who was known as Babby, died when he was an infant.

Sergeant Shuck, a graduate of Central Senior High School in Seat Pleasant, planned to attend Prince Georges Community College on his return home. He was due to leave Vietnam in June.

Before he was drafted in June, 1967, he worked as the assistant manager at the Thom McCann shoe store at the Penn-Marr Shopping Center in Forestville, Maryland.

"HATED" THE WAR

He rose to the rank of sergeant within his first year of service, his sister Bonnie Shuck said yesterday, but he wanted to leave the Vietnam war. "He hated it," she said. "He didn't want to be over there. He wanted to be home. But he made the best of a terrible situation."

He is survived by his parents, Mr. and Mrs. Paul F. Shuck, of Seabrook, Md., his sister Bonnie and another sister, Vicki Shuck, and two brothers, Mike Shuck and Mark Shuck.

HOW MUCH ELECTORAL REFORM?

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. ULLMAN. Mr. Speaker, in the debate over electoral reform much of the argument in opposition to a direct popular election of the President has centered on the issue that the smaller States would not approve such a change because of the advantage they enjoy under the present system. However, I have long believed that the smaller States are deceiving themselves if they believe that they actually gain political leverage in presidential politics by having a disproportionate number of electoral college votes. Anyone who watches presidential campaigns realizes that the candidates focus their efforts on the larger, more populated States, regardless of the apportionment of the electoral college. My State, Oregon, is considered one of the smaller States, and according to this argument should be opposed to a direct popular election. However, throughout my campaign I mentioned the possibility of replacing the electoral college with a direct popular election and received overwhelming support for the idea.

An editorial appeared in the February 27 edition of the Christian Science Monitor encouraging Congress to make a complete change in our presidential election system now, without fear of obstruction from the smaller States. I include this editorial in full in the CONGRESSIONAL RECORD:

HOW MUCH ELECTORAL REFORM?

The case for revising the method by which the United States selects its president is tremendously strong. The question at this moment is whether the most widely recommended reform—direct, popular election—could be agreed upon by Congress and the states in time for 1972.

President Nixon, in his special message to Congress, usefully calls attention to this time factor. No one wants another near brush with the disaster of deadlock as almost happened last year. Mr. Nixon enunciates a change which, by administration calculation, is least likely to stir resistance and delay. He proposes simply that the electoral vote in each state be allocated according to the popular vote won by each presidential candidate. He would make the electoral count automatic—abolishing the individual electors (and any prospect that they could vote their individual whims). And he would make a 40 percent plurality sufficient to elect a president; if no candidate won this much, there would be a runoff election, featuring the two top candidates.

The President says he is not "wedded" to any particular reform. Public opinion polls show that 80 percent of the nation's voters favor direct, popular-vote election of the president. So do the Chamber of Commerce of the United States, the American Bar Association, and a number of other organizations. But there is apprehension that in Congress some legislators from the smaller states would vote against this plan as eliminating the weight these states carry under the Electoral College system (each state gets two statewide electoral votes representing, in effect, its two senators).

Is it better to risk all, now when tempers are keen for revision, by attempting a complete switch to popular election, or is it safer to accept merely a modification of the electoral system, so as to have something on the books by 1972? The country should ponder this carefully.

Resolutions are pending in House and Senate for all shades of change. Any constitutional amendment requires approval by a two-thirds majority in both House and Senate, then ratification by the legislatures of three quarters of the 50 states. The requirement is, intentionally, tough and searching.

We should keep in mind what the reform is intended to accomplish: First, to assure that no third-party candidate can deadlock the election as threatened last year and thus initiate a hectic period of wheeling and dealing for electoral votes or send the election into the House of Representatives. Then, that it never happen again that the Electoral College gives the election to one candidate when another candidate has won the popular vote.

The time for tailoring an effective constitutional amendment is at hand.

CAPT. ANTHONY S. PAGONI

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. MONAGAN. Mr. Speaker, one of the most distinguished soldiers of my home city of Waterbury, Conn., has just retired after 20 years of service with the U.S. Air Force.

Capt. Anthony S. Pagoni started service in 1942 in the enlisted reserves and retired January 31, 1969, as a captain. At the time of his retirement he received the Distinguished Flying Cross and the Air Medal.

Captain Pagoni's career ranged from Oklahoma to Wiesbaden, Germany, and from Mississippi to Bien Hoa, Vietnam. His range of activity included acting as an instructor, testing fighter planes, and supervising safety and flight operations.

His career has been an outstanding example of devotion to duty and I want to express the appreciation that his fellow citizens feel for his service and to wish him every success and happiness in his retirement.

I include herewith an article on Captain Pagoni's retirement which appeared in the Waterbury American on February 26:

CITY NATIVE HONORED BY AIR CORPS

Capt. Anthony S. Pagoni, a Waterbury native, has received the Distinguished Flying Cross and Air Medal with seven Oak Leaf clusters.

The medals were awarded for his action in Vietnam on Feb. 29, 1968. The citation reads in part: "On that date, Capt. Pagoni was flying in support of a friendly force that was engaged in heavy contact with hostile forces. While preparing to mark the target area, he observed eight friendly personnel in the target area, and prevented a major accident. Capt. Pagoni then directed combat support missions against the hostile positions."

Pagoni was born in Waterbury Sept. 28, 1920, son of the late Salvatore and Filomena Pagoni. He attended Crosby High School, Post College, and the University of Maryland.

He entered the Air Corps on Oct. 2, 1942, and was discharged in 1945. He was recalled to active duty for the Korean conflict in 1951, when he served as an instructor pilot for jet aircraft.

Pagoni, discharged Jan. 31, is not sure about his future plans.

DEPARTURE OF DR. PACKER IS LOSS TO POSTAL SERVICE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. DULSKI. Mr. Speaker, it was a great disappointment to me when I learned of the resignation of Dr. Leo S. Packer as Assistant Postmaster General for Research and Engineering.

Dr. Packer was the first man to occupy this position in the Department, and he has served with great distinction in a demanding assignment.

The research and engineering activity of the Department is off on the right track, it seems to me, and I had hoped that Dr. Packer would be able to continue to give his professional experience and leadership to the program he has charted.

Dr. Packer came to the Post Office Department in 1966 with outstanding credentials and experience in the private sector. He was previously in charge of specialized Government research and development contracts at the Xerox Corp. Prior to that he headed the instrumentation section at Cornell Aeronautical Laboratory in Buffalo, N.Y., and also the space and defense division of Bausch & Lomb, Inc., in Rochester, N.Y.

Dr. Packer's task, upon accepting this newly created sub-Cabinet post, was to reorganize the Department's neglected and inadequate research and engineering activities. He was to obtain for them the stature and the backing which is required, if the Department is to deal adequately with today's and tomorrow's mail load.

In looking ahead to the critically needed modernization of the postal service, I was much impressed by the practical approach which he gave to his assignment. He was not looking for "gadgets" or high-sounding procedures, but rather he was seeking realistic answers not only for now but also for decades ahead.

During the first formative years of the Bureau of Research and Engineering, Dr. Packer can be credited with building a purposeful professional spirit in postal technology activities. He initiated a vigorous recruiting program to bring into the Bureau qualified engineers and technicians from private industry, government, and the academic community. Not only were manpower growth objectives satisfied in a timely fashion, but the quality and competence of the new personnel speak well for the future of postal engineering.

Early in 1967, Dr. Packer organized the Research and Engineering Advisory Council—REAC—a group of nationally respected engineers, scientists, and leaders of industry and business, to act as an advisory "Board of Directors" for the Bureau of Research and Engineering, with direct access to the Postmaster General. This council is responsible for many constructive and imaginative recommendations for expanding and accelerating technology programs for the Post Office Department. Most of the recommendations have been carried out or are in process of being carried out. Some of the most advanced thinking and expertise in the country have been applied to the difficult problems of postal technology—with a potential of very important results in the future.

Dr. Packer is credited with initiating and pushing several important new programs that had not been conceived or implemented in previous years. A considerable step forward in standards for mail to achieve compatibility with postal processing machines was taken recently, with the support of Congress and of the business community. We now have published standards for Government-generated mail and we are moving rapidly toward meaningful standards for business-generated mail.

Also, during the past year, optical character reading machines have achieved a dramatic improvement in performance effectiveness and have become operational in several large cities. An imaginative research program to develop future generations of automatic address reading equipment is now being carried out.

A very promising new program to develop a fully automatic mail processing system involving code indications on mail, which can be read at high speeds by relatively inexpensive readers, is in the early stages of development. If successful, this approach can revolutionize the sorting and distribution of mail, particularly in large cities.

It is unfortunately true that modern industrial engineering techniques have not been applied to improving the operation and working environment of post offices throughout the country. Recognizing this deficiency and the immense potential for improvement of postal operations and efficiency, Dr. Packer greatly expanded the industrial engineering staff and turned its emphasis to field operations. These engineers are now operating in the field, conducting technical studies and suggesting required improvements. With the cooperation and support of postal headquarters and field management, the industrial engineering program is expected to expand rapidly and show tangible short-term results.

To improve the construction engineering work of the Bureau, Dr. Packer brought in several outstanding managers and engineers. He developed modern management and control techniques, and sought to upgrade the effectiveness of the regional engineering branches in the field. By providing technical support, manpower assistance, and funding when needed, the Bureau of Research and Engineering has encouraged the field engineering branches to assume larger responsibilities and upgrade their competence. This will permit the process of decentralization to provide more responsive technical support in the field—a necessary requirement for applying modern concepts and techniques to solve problems in the field.

In less than 3 years, Dr. Packer led the Bureau of Research and Engineering to a status of established professional credibility. The scientific, engineering, and business people of the private sector are much more aware than ever before of the problems and opportunities of postal technology. Some of the outstanding research and development firms in the country are under contract to the Post Office Department.

With relatively modest expenditures for postal technology, we are beginning to see significant results and improvements, and I am confident that more dramatic and substantial developments will come from the long range programs now being pursued. Although technology is not the only ingredient in improving the postal service, it is an indispensable one. I feel that the Bureau of Research and Engineering, created by Congress two and a half years ago, has made splendid progress under Dr. Packer's direction. We now have a strong foundation for the future.

But we must still recognize that the Post Office Department faces a crisis in handling the mail. Its basic system is outdated, its facilities are outmoded, and it is hampered on all sides by archaic rules and limitations in its effort to make corrections.

What is needed is a major overhaul of the Department such as I have proposed in H.R. 4, the broad postal reform bill which I introduced on the opening day of the 91st Congress.

Dr. Packer warrants our sincere gratitude for his contributions to the betterment of the postal service. It is to be regretted that he has left before the shackles could be released by law and the Department given the authority to carry out realistically the responsibilities it has been assigned.

JOBS PROGRAM ATTACKS THE PROBLEM OF HARD-CORE UNEMPLOYED

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the Record, I include the following article from the District Fifty News, February 25, 1969:

Jobs Program Attacks the Problem of Hard-Core Unemployed

Today's chronically unemployed, unlike those of the 30's, are not merely the victims of an economic cycle. They are the permanently poor. Their plight is accentuated rather than eased by America's growing affluence. They sink deeper into the sediment of society while scores of millions of their neighbors are productively employed and thousands of new jobs are created each day. Their situation does not get better with the passage of time. It gets worse.

Hard-core poverty is a heavy burden for the country. Each year billions of dollars are lost in income and spent on welfare because of unemployment. But there is a greater cost, a human one.

Lacking job skills, work experience, education or social acceptance, the hard-core unemployed remain jobless and hopeless. And so do their children. And their children's children.

For these people, the American dream—that everyone with a strong back and a willing heart can get a job and progress to the limit of his ability—is a hollow one. Its echoes produce human despair and are a primary cause of the physical deterioration of our cities.

The urban crisis intensifies during the summer when schools close and millions of young people throng the streets of the inner-city with no constructive outlet for their energies. Many of these youth are poor, many are Negro or other minority group members, and they are trapped in the heat and the squalor of the nation's ghettos.

The seriousness of the problem has led government and business to explore new roads to manpower use. The National Alliance of Businessmen—the JOBS program—is a major step in this effort.

In the past year, thousands of private firms working with the Alliance have successfully hired and trained hard-core people for work previously performed only by those already educated and trained.

But the Alliance is a continuing effort, for thousands upon thousands of hard-core unemployed people, whose potential is just as great, still lack the opportunity to use and develop their ability. Six out of seven jobs in the United States and the knowledge and ability to train people for these jobs exists in private industry.

With this in mind, the President proposed a partnership between government and business, a partnership joining industry resources for hiring and training and government resources for identifying and locating the unemployed to fill these jobs.

Many who are presently unemployed can become productive members of our economy by simple changes in existing entry level standards. But many others require special programs in recruiting, training, counseling, etc., which add substantially to normal industrial personnel costs.

To underwrite these costs, Congress has appropriated funds to reimburse industry for the extraordinary costs of hiring and training the hard-core. The mechanism is a simple contract with the Department of Labor. The National Alliance of Businessmen has a single purpose: to solicit, recruit for, and fill, jobs in the business sector for the hard-core unemployed.

Providing jobs and training for the hard-core unemployed will not by itself end poverty in this nation. Employment is only part of the answer for disadvantaged and minority groups. But it is an indispensable part of the final solution, and with the cooperation of local union members working along with the disadvantaged members of the program, helping to instill confidence and self-respect, the program will succeed.

Underscoring the importance attached to the Alliance program, President Richard Nixon announced an important meeting to be held in Washington next month to chart plans for an intensified effort in the coming year. In a telegram to District 50 President Elwood Moffett, Mr. Nixon said, "I invite you to join with members of my cabinet, chief executives of America's leading companies, State Governors, Mayors of the Nation's largest cities and national labor leaders in an important meeting with NAB Executive Board members. I look forward to having you join personally in this vital effort."

District 50 has cooperated fully with the goals of the JOBS program and will continue to work on this important goal in the year to come.

COMMUNITY COLLEGE LEGISLATION

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. EILBERG. Mr. Speaker, yesterday I and four of my colleagues representing the city of Philadelphia in the Congress of the United States introduced a bill which will greatly increase the availability of postsecondary education to all segments of the population by establishing a program of Federal grants to the States for the purpose of strengthening, improving, and developing comprehensive community colleges.

The community college is as much a social movement as it is an educational enterprise. It is perhaps closer to realizing the concept of a "people's college" than any other institution in the United States. The community college continues to demonstrate that it is best equipped for the job of expanding educational opportunity in this Nation. Its low cost to students, flexible admissions arrangement, strong counseling and advising services, and varied educational programs are responding to the lack of relevance in traditional education. Yet the Federal Government has failed in its duty to encourage these colleges to expand their efforts even though they represent almost one-half of the institutions of higher learning and enroll about one-third of all students pursuing a higher education.

Some people will no doubt ask why we need yet another program to provide Federal aid to education. The reasons are legion. There are 13 major cities in the United States without a single public community college within their city limits. In addition to the problem of inadequate 2-year college space, we face the imbalanced allocation of Federal resources from existing programs. Out of the 24 institutional support programs administered by the Office of Education, junior colleges take part in only six. Community colleges are last in line when funds are released because they must compete with the monolithic multiversities. An even greater imbalance exists in individual assistance allotments. Although 2-year colleges represent about one-third of the student population, their share of student aid funds is dangerously low. Community colleges get only 4 percent of the national defense student loan funds, 6 percent of the educational opportunity loans, and 15 percent of the college work-study assistance. To add insult to injury, there is no bureau or division within the Office of Education which is specifically charged with administering existing programs and developing new ones for the plethora of community colleges in this country.

The pace of knowledge has accelerated so quickly in the past few years that the world we live in no longer views a high school diploma as terminal. It demands continuing education. It pressures the Nation's youth to seek at least 2 years of college in order to survive. But how can they survive if now, when their need is greatest, this additional education is farthest from their reach. How can they get started when institutions judge them wholly on past performance and completely disregard future potential? How do they finance their higher education when we set an arbitrary standard of ability over need? And how do we demonstrate the necessity of a 4- or 5-year investment in a college education when the curriculum offered is so often irrelevant to their needs?

The answer to these questions can be found in part in the community college. The community junior college seems to be made for the job of extending and expanding opportunities for education beyond high school. The curriculum offered grows out of the needs of society and the community, and out of the personal and social requirements of the students. It is designed to fill personnel requirements in fragmenting professional fields; provide a new trust in urban education; and provide the key to open doors to new careers. These institutions have demonstrated their ability to respond to society's changing needs in ways that bring improvement to the communities they serve.

The example of the Philadelphia Community College points this out quite well. It was established in 1965 on the premises of the old Snellenburg Department Store and in that first year enrolled 1,200 full- and part-time students. In September of 1966 enrollment had grown to 3,200, in September of 1967 to 4,600, and in September of 1968 to 6,000. In September of 1968, there were openings for some 1,500 freshmen and some 2,500 applications for these openings. Dr. Allen T. Bonnell, president of the school estimates that at the beginning of the next school year there will be openings for some 1,800 new students and applications for these openings will total about 5,000. The school has rapidly outgrown its original campus. Negotiations are now underway for a second campus but Dr. Bonnell estimated that there will be a need for a third campus before these negotiations are completed.

The Philadelphia Community College offers a wide range of programs; some designed to prepare students to go on to other institutions to complete their college education; some oriented toward occupational training and an associate degree in applied science; some toward technical careers in subject areas such as engineering, human service careers such as police and fire protection as well as teaching. Over one-half of those students who graduate move immediately into full-time employment.

In addition, the school operates several special education programs such as one for employees of the city's department of licenses and inspections. Here 25 employees at a time are instructed in the importance of their jobs and how they should be carried out in the urban environment in which they work.

The Philadelphia school has a full-time faculty of 180, 80 part-time faculty members, and 125 support staff. About 20 percent of the full-time students enrolled are from minority groups and 30 percent of the part-time students.

Certainly, the Philadelphia Community College is serving an essential need of the city. It could do more. The bill which we have introduced yesterday will help achieve this end for the Philadelphia Community College and others like it across the country.

There is much enthusiasm throughout the country for this bill. This in itself should be sufficient mandate for us to extend this program to community colleges across the country. We must take our commitment to this effort every bit as seriously as we have those to elementary and secondary education as well as vocational and higher education.

A HOUSE DIVIDED: NIXON'S CHALLENGE

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. WYATT. Mr. Speaker, Lincoln's Birthday is a traditional day for political speechmaking throughout the Nation. Much of this speaking is devoted to recapitulation of the words and deeds of this great President who saved the Union. This annual tribute keeps the torch of Lincoln's greatness burning in the heart of every American as a living flame.

Out of the vast bulk of rhetoric and praise delivered on this last Lincoln Day, however, has come what I believe is a truly outstanding speech. Oregon Secretary of State Clay Myers, a brilliant young public servant from my State, delivered this address at the Curry County Lincoln Day dinner. It is titled "A House Divided: The Agony of Lincoln, the Challenge of Nixon." In it he has shown the similarities between the problems faced by President Lincoln and those, today, which face our President Nixon.

Mr. Myers' speech succeeds in applying the legendary greatness of Lincoln to the problems faced by this Nation and its President today. It is a clear and incisive effort showing the lessons of our past as applicable to our Nation's future. I would like to present Mr. Myers' address at this time and commend to my colleagues as an excellent presentation of the challenge faced by our 37th President:

A HOUSE DIVIDED: THE AGONY OF LINCOLN, THE CHALLENGE OF NIXON

(By Clay Myers, secretary of state, Curry County Republican Central Committee, Lincoln Day Dinner, February 14, 1969)

It is entirely fitting that we should gather here tonight to honor and pay tribute to the memory of Abraham Lincoln. By any measure or standard, he was one of the truly great men this country, or any other country, has produced, in any age.

His life, his accomplishments, his remarkable writings, have inspired succeeding generations, here and abroad, as have those of few other men in world history. Though he was the absolute epitome of an American, his extraordinary qualities have had relevance and meaning to people generally, regardless of nationality, race or religion.

Abraham Lincoln's simple virtues—his honesty, his dry wit, his humility and his plainness—all typify the American spirit, and reaffirm to us that those qualities are to be admired and emulated particularly in a modern and sophisticated society.

Anecdotes about his life—when he fought and beat the village bully; how he studied and pored over borrowed books by firelight; how he rose from humble origins to lead his nation—have become part of our basic folklore. And through these stories, we transmit the moral and ethical values of our culture to our children.

Abraham Lincoln's importance to this nation is abundantly demonstrated in the Lincoln Memorial in Washington, D.C., where his great, brooding presence is captured and preserved in that statue, which seems so paternal, so wise and strong and, at the same time, so hauntingly sad.

There was a deep sorrow about Lincoln, and only a moment's reflection explains why. It was the agony of Lincoln that the great man of peace, that grave, gentle spirit, was a "war president."

By the time Lincoln moved into the White House, the dark issue of slavery had already torn the nation asunder, hopelessly dividing the people, pitting father against son and brother against brother.

He had foreseen the crisis and said so in a speech in Springfield, Illinois, on June 16, 1858:

"In my opinion, agitation will not cease until a crisis shall have been reached and passed. A house divided against itself cannot stand. I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or its advocates will push it forward till it shall become alike lawful in all the States, old as well as new, North as well as South."

Lincoln was nominated on the third ballot in the 1859 Republican National Convention as a compromise candidate, after his favored and more politically popular opponent, William Seward, adopted a hard-line Abolitionist position.

His election had been virtually assured a month earlier when the Democrats had broken themselves apart on the slavery question at their convention. Though Lincoln won by a margin of about 500,000 votes over his next opponent, Stephen A. Douglas, Lincoln was still a minority president since there were four candidates in the race, and the combined total of the other three far exceeded his 1,800,000 votes.

But he was never given a chance to pull the nation together. Scarcely three months after Lincoln took the oath of office, Fort Sumpter was fired upon, and the cruel war between the states began.

Throughout those long and bloody years of the Civil War, until he fell mortally wounded by the assassin's bullet in Ford's Theater the night of April 14, 1865, Lincoln's foremost thought was to preserve the Union.

Lincoln despised slavery as an abomination among men, and there was no question about his position on the controversy, though he had avoided a blatant abolitionist stance. However, it was secondary in his mind to preservation of the Union, as became abundantly clear in his message at the time of the Emancipation Proclamation:

"My paramount object is to save the Union, and not either to save or destroy slavery. If I could save the Union without freeing any slave, I would do it; if I could save it by freeing all the slaves, I would do it; and if I could save it by freeing some and leaving others alone, I would also do that."

Lincoln was struck down before his remarkable leadership could be applied to reuniting the North and the South into a cohesive nation. But there is no doubt that had he lived, it would have been his first order of business and his over-riding preoccupation.

And had he lived, he would have approached the task with a practical and realistic attitude. He said once:

"I am for the people of the whole nation doing just as they please in all matters which concern the whole nation; for that of each part doing just as they choose in all matters which concern no other part; and for each individual doing just as he chooses in all matters which concern nobody else."

Now, a little more than 100 years later, another United States President finds himself with a divided nation, with a people torn by controversy and suspicion.

In many ways, President Richard Nixon faces problems that are nearly as divisive and dangerous, and certainly far more complex in nature, than those confronted by President Lincoln when he took office.

Our nation, wracked by internal conflicts and hostile factions, suffered shock after shock during 1968, certainly one of the worst years in our history. Any other country with a less elastic system of government could not possibly have survived intact after such upheavals.

It was, and still is, a time of extraordinary stress, when opposing points of view seem rigid and unbending, and the national temperature has been pushed up to the fever level.

A "generation gap" has pitted age against youth, in virtually every conceivable area, from the campus to the courthouse.

The Black Revolution, with its attendant problems of poverty, the urban ghetto and unemployment, seems to have widened the breach between the Negro and Caucasian segments of our population.

The war in Vietnam has provoked an emotional and intellectual division among our people that is without parallel in our history.

These are just three of the crises that are dividing our house today as President Nixon assumes the reins of government. Each relates to the other; each has ramifications and implications far beyond the perimeters of its own area.

Let us examine each for a moment in an attempt to understand where we and the Nixon administration are at this point in time.

Hopefully, the issue of the Vietnam war is past its peak, especially if the delegates to the Peace Conference in Paris begin to make some headway in their talks.

But, without question, this has been the nation's most unpopular war—if war, indeed, can ever be popular—while its staggering cost has been magnified by our pressing domestic needs.

There are signs that the South Vietnamese are beginning to assume a larger role in their own defense, and that the time may not be too distant when substantial numbers of our forces can be brought home.

Any prolonged delay, or sudden flareup in the conflict, however, will arouse and antagonize the deep resentment and division among our people about our presence in Southeast Asia.

In order to keep those factions quiescent, President Nixon will have to show evidence of steady progress toward peace. If talks bog down badly, there will be increased pressure to resume the fighting at a heightened level.

The Black-White issue is interwoven with the very roots of this nation, though few concerned themselves with it, as such, until just this last decade.

The first slaves were brought to the North American continent about 350 years ago in 1619. The subjugation of the Black man has been perpetuated—physically, culturally and economically—until it culminated in recent years in violent outbreaks, loss of life and vast destruction of property.

As Lincoln was plagued by the abolition question, so Nixon must deal with desegregation of the schools, enforcement of open housing laws, expanded vocational opportunity and general Black militancy.

President Nixon did not receive the support of most Blacks during the election campaign, and now many of their leaders, even including such moderates as Roy Wilkins, National Director of the NAACP, will be watching carefully to see whether the President intends to move forward in the whole Civil Rights area, or whether he will tacitly allow the status quo to continue.

Black spokesmen have said that the President does not have much time in which to move. The "grace" period will run out very quickly, and if positive action does not occur, we could well see a White-Black confrontation in the streets and suburbs of our cities that will make what has happened up to now look like child's play.

The conflict between the younger and adult generations is one President Lincoln never encountered. It has been produced by a radical revolution in our system of standards and values since the end of World War II.

The implications of this dilemma are profoundly serious and far-reaching, for a sizable part of a generation, now in our high schools and on our college and university campuses, has become alienated from the adult population.

These young people appear thoroughly disillusioned with many of our traditional democratic processes, particularly since thousands of them tried to work through those processes in the Eugene McCarthy campaign last year, and failed utterly and miserably.

These youngsters oppose the draft; they scorn careers in business and the professions; they protest our presence in Vietnam; and they are seeking a greater voice in their own education.

To a greater or lesser degree, these are all movements which break with tradition; and adult resistance to some of these changes has stimulated counteraction that is frequently expressive and violent.

The overwhelming point—one which is frequently missed—is not what dismay or confusion the adult generation may be undergoing now because of the attitudes of youth; but rather what will happen in just a few short years when those under the age of 25 will be in the absolute majority in this nation?

Will it signal, for example, the end of our traditional two-party political system? It well could, if present signs are any accurate indication. Recent surveys have shown that more youngsters consider themselves to be independent politically than identify with either the Democratic or the Republican parties.

Here again, President Nixon has his work cut out for him. It is no secret that he was not the choice of youth in the recent presidential election, certainly not, at least, in the number and with the fervor that McCarthy and Senator Kennedy attracted them. Nor has President Nixon shown substantial evidence that he can arouse and motivate the idealism and patriotism of youth the way President Kennedy did.

As a political figure, Mr. Nixon was not able to do it in the past. As President of the United States, he must be able to do it in the future.

The plain fact is that President Johnson first antagonized many of the youth of this Nation and crystallized their rebellion against the government.

Now President Nixon must find a way to win them back into the mainstream of our society, and renew their faith in this Nation and its fundamental principles.

It seems clear, then, that there are some remarkable parallels here, some close similarities that should evoke thoughtful evaluation and considered action.

Both Lincoln and Nixon assumed office during periods of critical disunity and dissension.

For Lincoln, it was too late. The charge had already been set and the fuse lighted. He was powerless to snuff out the burning and prevent the explosion, however much he personally desired to do so.

For President Nixon, there may yet be time; though some perhaps would argue that again the forces in motion are on an irreversible course, that too much hate and alienation has developed for any reconciliation to occur.

But perhaps it is not too optimistic to say that he has some time yet—a little time—to develop programs and to present a philosophy that can draw this nation and its disparate parts together again.

Certainly he knows, better than anyone else, the enormity of the task that lies before him. His inaugural address, which was studied in its caution but moving in its hope and determination, revealed that knowledge. And his slogan, "Forward Together," demonstrated his understanding of the challenge, as well as his resolve to meet it squarely.

Let us remember now that, whatever his desire and good intentions, President Nixon cannot achieve this monumental goal unaided.

If ever a leader needed the support and help of his people, it is President Nixon in this critical hour.

Let us recall the agony of Lincoln and his "House Divided," and let us have sufficient insight to recognize that President Nixon is similarly troubled.

Without the conscious goodwill and effort of the American people, he will surely fail, and the chasms among us will widen and deepen as each day passes.

With our support, even with the best that is within us to contribute, it is still problematical whether these wounds can be bound up.

Let us begin here and now to change our attitude, and to curb our bickering and carping criticisms about each other. Let us begin to stress the positive similarities among us.

Let us bury old prejudices and turn our faces toward the hope of a new time and fresh beginning.

Let us live together in this favored House, in unity and harmony, working together toward a fulfillment of our founding fathers' vision of what we might become.

Let us remember daily that the best man among us cannot lead if we are not prepared to follow, and instead go off willfully in different directions.

Let us do this, you and I, so that "this nation, under God, shall not perish from the earth."

AMERICAN ASSOCIATION OF MUSEUMS PROPOSES TAX CHANGE TO HELP RELIEVE FINANCIAL PLIGHT OF MUSEUMS

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. RODINO. Mr. Speaker, I would like to call to the attention of our colleagues the most significant testimony of Mr. Kyran M. McGrath, director of the American Association of Museums, before the House Ways and Means Committee on February 26.

As we know, the committee is holding hearings on tax reform proposals and Mr. McGrath has directed his testimony to the need for a change in section 170 (b) of the Internal Revenue Code to extend to museums the same treatment by which certain other charitable and publicly supported organizations now benefit under these provisions covering charitable contributions.

It seems to me to be highly inequitable and unrealistic that under present law individuals making contributions to museums are not eligible for the additional 10 percent deduction from their adjusted gross income which applies to gifts to churches, hospitals, educational organizations, governmental units, and publicly supported charities. So I strongly endorse the proposal to specifically include museums in this category.

The need for such a change was brought most vividly to my attention on February 10, when the Newark City Council voted to close the city's library system and Museum of Art on April 1 for budgetary reasons.

It is appalling to envision a city of the importance and character of Newark with no museum or library facilities available to the public, and I find it incredible that budget cuts in this vital area were even considered.

I immediately explored the possibilities for Federal aid on an emergency basis, but unfortunately found no assistance available. There are no existing programs to aid museums, and all funds for fiscal year 1969 under the Library Services and Construction Act have already been committed. Fortunately, the aroused reaction of the citizens of Newark and the surrounding communities who use the museum and library facilities appears to be having an appreciable impact, for at a subsequent meeting the council stated it will make every effort to find the necessary funds to avoid closing these facilities so essential to the educational and cultural life of Newark and its surrounding communities.

I would like at this point, Mr. Speaker, to include Mr. McGrath's testimony in the RECORD:

TAX-REFORM-CHARITABLE ORGANIZATIONS

(Statement of Kyran M. McGrath, director of the American Association of Museums, before the Committee on Ways and Means, House of Representatives, February 26, 1969)

The American Association of Museums was founded in 1906 to promote the goals of museums as cultural and educational centers in America. I am Kyran M. McGrath, director of the organization. The Association represents over 1,000 museum members, in addition to approximately 3,500 individuals, plus some libraries and corporations.

It is virtually impossible for some of the country's most needy museums to qualify under section 170(b).

I am here today to represent one group of charitable organizations which has suffered under current Revenue laws relating to charitable contributions. Under Section 170(b) of the 1954 Code, individuals may deduct an additional 10% of their adjusted gross income for contributions made to a select group of charitable organizations—a group limited to churches, hospitals, educational organizations, government units, and publicly supported charities. Despite recent attempts by Congress (in the Revenue Act of 1964) to broaden the latter category, current Treasury Regulations make it virtually impossible for some of the country's most needy museums to qualify for this special treatment. Treasury Regulation, Section 1.170-2(a)(3), for example, defines an "educational organization" as "one whose primary function is the presentation of formal instruction and which normally maintains a regular faculty and curriculum and normally has a regularly enrolled body of pupils or students in attendance at the place where its educational activities are regularly carried on." Thus, "a recognized university which incidentally operates a museum is an educational organization," but a museum with an active program of education is not.

Similar obstacles are raised by the Treasury Regulations in their definition of "publicly supported" organizations; Section 1:170(b)(5), for example includes all amounts received by an organization from a governmental unit, but excludes most substantial donations by individuals or families when determining whether an organization is "publicly supported." This gives State and Federal Governments the uncontradicted power to determine which organizations qualify for the additional deduction. For example, militarily useful organizations are encouraged while privately supported museums, providing a clear, public function, are forced into increasingly difficult financial plights.

Newark Museum of Art operating funds threatened with city cutoff.

In Newark, New Jersey, we see an example of the dependence of the municipally supported Newark Museum of Art for governmental and private support. Last week, the City Council of Newark deleted an appropriation item from the city's budget which would have provided the museum with $780,306.00. These funds would have met the museum's operating needs. If the City Council fails to reconsider its decision, the museum will be unable to operate unless alternate money is provided on an emergency basis by the state legislature or through private sources. With the discrimination against museums which are unable to meet the complex formula required by the IRS for that additional 10% charitable deduction, there is little likelihood of receiving this alternate funding from private sources. The Newark City Council is scheduled to reexamine its decision March 11th, and this point hopefully will become moot as to 1969. However, the problem will remain to haunt the Newark Museum of Art, as well as museums in other cities which are under constant financial pressure. Private contributions are necessary for the continued existence of museums and the benefits they offer the public. These contributions should be encouraged by public officials.

Museums demonstrate their true public character when their doors are open and their treasures continually made available to the public.

We believe this situation represents a grave misconception of the functions served by museums in our society. From their inception, most American museums have had an educational as well as a cultural mission. In recent years, museums have devoted more and more of their resources to this educational responsibility, often in spite of severe financial distress. This strong educational function should not be denied simply because museums do not grant degrees, or because they fulfill education necessities which most schools are not equipped to handle. Nor should museums be denied their true public character when their doors are open and their treasures continually made available to the public.

Propose that museums specifically be added to the list of charitable organizations in the select group designated by section 170(b).

With this situation in mind, we should like, with the Committee's permission, to make a specific proposal concerning future applications of Section 170(b) of the 1954 Code. We propose that museums specifically be added to the list of charitable organizations in the select group designated by Section 170(b). By museum we mean those organizations, regardless of how they are founded or continued, which meet prescribed standards of accreditation and which primarily serve public cultural and educational needs. We recommend that a different concept of what constitutes an educational or public organization be employed in the Treasury Regulations pertinent to this area. Specifically, we ask that the true cultural and educational public benefits of legitimate museums throughout the country be accorded their proper status and recognition by the Federal Government. The denial of an additional ten percent individual deduction is discriminatory against museums as a class. But the imposition of an *additional* limitation prohibiting an individual from taking any deduction at all until his contribution exceeds 2% or 3% of his adjusted gross income would likely be financially devastating to America's museums.

Preserve the deductibility feature at the fair market value of donated objects.

A particularly onerous proposal, as far as museums are concerned, would be the limiting of charitable deductions to the taxpayer's tax basis (usually the cost) for the item. This proposal strikes at the heart of museums, as the present treatment has been instrumental in providing museums with the cultural treasures which they preserve, interpret, and present to the public at large. Not only would museums continue to be hampered in their ability to obtain funds for operations, but their most vital functions of preservation, interpretation, and exhibition would be threatened. Again, such a proposal stems from a basic misconception of the public and educational services performed by museums. The very essence of a museum is its ability to preserve and display in an intelligible fashion the artistic, historic, and scientific heritage of the society in which we live. To weaken or destroy the museums' ability to perform this service would be tantamount to weakening the cultural and educational foundation on which our society rests.

And lest it be thought that the situation in Newark is unique, I would particularly note in closing Mr. McGrath's significant comment that:

> The problem will remain to haunt the Newark Museum of Art, as well as museums in other cities which are under constant financial pressure. Private contributions are necessary for the continued existence of museums and the benefits they offer the public. These contributions should be encouraged by public officials.

HEADS OR TAILS, RUSSIA WINS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. DERWINSKI. Mr. Speaker, when we as a nation face the complications in the world today, the obvious root of all problems is the belligerence of the Soviet Union and the determination of Communists to achieve world control.

Our State Department, by its bungling policies over the years, has contributed to the growth of Soviet power and the growth of Soviet influence.

This is effectively pointed out in the following Chicago Tribune editorial, Friday, February 28:

> HEADS OR TAILS, RUSSIA WINS
>
> For a foreign policy which is supposedly designed to obstruct the spread of communism, ours has been remarkably beneficial to the Soviet Union.
>
> Take, as an example, our imports of nickel and chromium, both of which we consume in enormous quantities and have to buy almost entirely from other countries.
>
> Not even Canada can supply all the nickel we need, so we have had to get some from other sources—including, in past years, some American-owned mines in Cuba. When Fidel Castro expropriated the mines, we blacklisted Cuban nickel and turned increasingly to the Soviet Union, which produces large amounts of the metal on land seized from Finland. Russia gladly sold us the nickel; and the higher it was able to push the prices, the gladder it was.
>
> It now turns out that Russia has been getting nickel from Cuba and reselling this to us along with its own. The treasury department has reacted by banning the importing of certain types of nickel believed to be Cuban—and the result, we suppose, will be even higher prices for genuine Russian nickel.
>
> And while Russia is benefiting from our anti-communist attitude toward Castro, it is benefiting also from our opposite attitude toward Rhodesia, where we have joined the Communists in a boycott of The Ian Smith government. We formerly got a large part of our chromium from Rhodesia, but, because of the boycott, we now buy increasing amounts from good old guess who—the Soviet Union.
>
> It is bad enough when one foreign policy conflicts with our economic well-being, but when two opposing foreign policies both help Russia at our expense, it is time to wonder if something isn't wrong.

LETTER FROM SPORTSMEN'S CLUB

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. NELSEN. Mr. Speaker, I recently received a letter from Mr. Hartwig Swenson, president of the Gibbon Sportsmen's Club. I believe his feelings on the Gun Control Act of 1968 reflect those of thousands of others across the Nation.

For the reference of the Members, I include his letter in the RECORD at this point.

> GIBBON SPORTSMEN'S CLUB,
> *Gibbon, Minn., February 11, 1969.*
>
> From: The Gibbon Sportsmen's Club, Gibbon, Minnesota.
>
> To: Congressman ANCHER NELSEN, Washington, D.C.
>
> DEAR SIR: We, the sportsmen of Gibbon, Minnesota, whose membership is now over 500 strong, are very much concerned about the Gun Control Act of 1968 as it affects firearms and ammunition in the State of Minnesota.
>
> Our club as a group opposes the proposed laws in regard to gun registration for law abiding citizens and sportsmen. We feel that our Constitutional Rights are being infringed upon. Under the Constitution, we were given the right to bear arms to protect our homes and property, plus the right to use our firearms for hunting.
>
> This new Gun Control Law is placing undue pressure on the sportsmen and also the law abiding citizen. We realize that crime is completely out of hand in our State and in all other States. To pass a law that would require all citizens to register their guns, would in our opinion, not stop the rise of crime. The criminal, who in the past stole his guns and ammunition to commit crimes, will continue to do so, regardless of any law passed.
>
> As it appears now, the only people who will feel the force of this law and who will have to pay additional money to have this law enforced, will be the sportsmen as a whole.
>
> We agree something drastic must be done to stop this terrible rise in crime in our State. We also realize that it is the criminal element in our society which is causing the major concern to all law enforcement agencies.
>
> It is our combined request and opinion that you, as our duly elected officers of our government do everything in your power to take the pressure off the sportsman and law abiding citizens in the State of Minnesota, and place the burden where it belongs, on the criminal elements in our cities and towns.
>
> It was our vote which placed you into office to represent us. We are contacting every Sportsmen's Club in Minnesota to help fight against this gun registration law. Our combined forces will total to many thousands of members.
>
> It has also been proposed to raise the price of hunting and fishing licenses in our State. As sportsmen, we understand that all our wildlife and fishing areas are in danger.
>
> Our lakes and streams are being polluted with filth from careless persons through industry. Our wetlands are slowly being drained away. Most of our upland birds are gone. Still we are required to pay millions of dollars through license fees to combat this condition. This, plus a proposed additional fee on gun registration has every sportsman wondering just when all will end.
>
> We propose that you, our official spokesman in government propose and help pass laws that will make it impossible for anyone with any criminal record to buy, steal or carry any deadly weapon. If the punishment is made severe enough and if the laws of our State back up that punishment to the full extent of the law, we are sure that most of the pressure now being placed on sportsmen and law abiding citizens will turn and have the pressure placed where it belongs, on those who willfully disobey our laws.
>
> We don't need new laws. We need to have the laws we have enforced.
>
> Sincerely,
>
> HARTWIG SWENSON,
> *President.*

TWO MARYLAND YOUNG MEN DIE IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. LONG of Maryland. Mr. Speaker, Sp4c. James W. Leaf and Sp5c. Robert W. Hartsock, two fine young men from Maryland, were killed recently in Vietnam. I wish to commend their courage and honor their memories by including the following article in the RECORD:

> TWO MORE MARYLAND GI'S DIE IN FIGHTING
>
> The Department of Defense announced yesterday the names of two Maryland servicemen killed in Vietnam February 23.
>
> They were:
>
> Spec. 4 James W. Leaf, the husband of Mrs. Mildred A. Leaf, of 81 Carrollview avenue, Westminster.

Spec. 5 Robert W. Hartsock, of Route 1, Flintstone, an Allegany county community near Cumberland.

Specialist Hartsock's divorced wife, Mrs. Grace L. Hartsock, said yesterday that the Army told her the 24-year-old dog patrol scout was killed during a Viet Cong mortar attack Sunday.

She said Specialist Hartsock was stationed north of Saigon with the 25th Infantry Division.

Specialist Hartsock's only child, a boy named Dion Eric, will celebrate his sixth birthday Saturday, Mrs. Hartsock said.

The Cumberland native, who enlisted in the Army in August, 1967, was due to come home from Vietnam this May, Mrs. Hartsock said.

Besides his former wife, from whom he was divorced last April, and his son, Specialist Hartsock's survivors include his parents, Mr. and Mrs. Kenneth Hartsock, of Cumberland; a sister, Mrs. Rita Trail, of Artemas, Pa., and a brother, R. Frederick Hartsock, of Flintstone.

Specialist Leaf's uncle, Vernon Leaf, Sr., of Reisterstown, said yesterday that the 20-year-old medical corpsman had been in Vietnam since the fall of 1968. The Mount Airy native had attended schools in that Carroll county community and in Reisterstown before enlisting in the Army.

He is survived by Mildred A. Leaf, his wife; his parents, Mr. and Mrs. R. Frank Leaf, of Reisterstown; an older sister, Grace L., and an older brother, Donald, both of Mount Airy.

FIREARMS LOBBY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert in the CONGRESSIONAL RECORD a letter dated June 17, 1968, signed by J. Elliott Corbett on the official stationery of the National Council for a Responsible Firearms Policy at 100 Maryland Avenue NE.

This letter makes very plain that that private lobby group does not seek responsible controls on firearms. Their purpose is not to restrain and prevent possession of firearms by drunks, felons, fugitives, narcotics addicts, and other unsuitable persons. On the contrary, this lobby seeks to strip law-abiding citizens of their right to have firearms for legitimate sporting and defense purposes.

American sportsmen, hunters, collectors, and target shooters should know that one of the early steps in the program of this group is the outlawing of handguns, and other body blows to the rights of law-abiding and responsible citizens and sportsmen as indicated in their letter which I now insert in the RECORD:

NATIONAL COUNCIL FOR A RESPONSIBLE FIREARMS POLICY,
Washington, D.C., June 17, 1968.

DEAR MISS: Thanks for sharing your views. We are now supporting the President's Bill which provides stringent restrictions on rifles and shotguns. We shall also get behind the Tydings Bill which provides for national registration and licensing if the states do not act within six months and a year respectively.

I personally believe handguns should be outlawed and provided the substance for such a bill to Senator Percy and Congressmen Conyers about a week ago. Our organization will probably officially take this stand in time but we are not anxious to rouse the opposition before we get the other legislation passed.

It would be difficult to outlaw all rifles and shotguns because of the hunting sport. But there should be stiff regulations. The day may come in this country when police are issued weapons for 24 to 48 hours when tracking down armed criminals. This is what they do in Britain.

Don't give up on us. We thought the handgun bill was a step in the right direction. But, as you can see, our movement will be toward increasingly stiff controls. Thanks for writing. Hope you are circulating the petitions and encouraging letters to Congress.

Yours sincerely,
J. ELLIOTT CORBETT, *Secretary.*

TIME EDITOR IN CHIEF ADDRESSES CLEVELAND PUBLIC LIBRARY CENTENNIAL BANQUET

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. MINSHALL. Mr. Speaker, the Cleveland Public Library has stepped proudly into its second century of service to our metropolitan area. We in Cleveland are proud of possessing one of the nation's most outstanding libraries, second only in size to the New York Public Library. It pioneered in adult education services, in audio-visual facilities, in branch library services, and in special services to the blind and handicapped. It launched one of the earliest programs of service to shut-ins and patients in hospitals.

We also take great pride in the fact that one of the alumni of the Cleveland Library is the distinguished Librarian of Congress, Dr. L. Quincy Mumford.

The centennial banquet, at which I was honored to be a guest, held February 18 by the Cleveland Library, had as its principal speaker, the distinguished editor in chief of Time magazine, Mr. Hedley Donovan. His thoughtful remarks are so appropriate I would like to share them with my colleagues on Capitol Hill:

CLEVELAND PUBLIC LIBRARY CENTENNIAL DINNER, FEBRUARY 19, 1969

(By Hedley Donovan)

I am very much complimented to have a part in this Centennial celebration.

In my business, on somewhat similar occasions, say a magazine is celebrating its fiftieth anniversary, one is never quite certain whether to say Many Happy Returns. When we send out letters soliciting subscriptions to our magazines and books—some of you may have received such a letter once or even twice—the number of orders, in relation to the total mailing, is called the Return, and the higher that percentage the happier we are. On the other hand, when it comes to newsstand sales, Returns are unsold copies; some of you, by passing a newsstand and thoughtlessly failing to buy one or more of the Time Inc. publications, may have contributed to a kind of Return we do not enjoy.

In the library business, however, I take it Returns are a completely good thing, always welcome, sometimes even stimulated by kindly reminder. So I can indeed wish this library Many Happy Returns, and I offer warmest congratulations to the staff, the trustees, the city officials and all the Cleveland citizens who have built this notable institution.

I was once briefly a Library Trustee myself, in a Long Island suburb. It was the first Board of Trustees of any kind that I had belonged to. Before joining, I had pictured the board meetings as cozy evenings where a few cultivated men and women sat around and talked about books. My fellow trustees were cultivated all right, and you know of course what we did talk about—money.

I believe I was asked here, however, not as a failed trustee, but because of a quite special bond between Time Incorporated and the City of Cleveland. This city was the headquarters of our company for two crucial years of its early life. It was the mid-1920's, that brash little sheet *Time* was just barely beginning to catch hold, and its young editors found all kinds of encouragement here in Cleveland, from readers who told them first hand they were doing a good job, from several advertisers, from a bank and a printer who were willing to bet the magazine might last. The encouragement went so far, in one case, that a very pretty Cleveland girl agreed to marry the young circulation manager of *Time*, Roy Larsen; Mr. Larson is now chairman of our Executive Committee, and his very pretty wife Margot still thinks rather well of *Time*.

Henry Luce, after the Cleveland years of *Time*, always talked of this city as a second home town. I am sure that is one reason *Time* was proud to come here shortly after the war, and serve as co-sponsor, with the Cleveland Council on World Affairs, for a three-day public forum on U.S. foreign policy. In the years since those sessions in 1947, Cleveland and *Time* have both talked a good deal about U.S. foreign policy. I propose that this should also be our subject for the next few minutes.

There have been some changes in the roll-call of our biggest foreign policy problems:

How to de-escalate Viet Nam—22 years ago de-escalate was not even a word in our vocabulary, and neither was Viet Nam;

How to defuse the Middle East—22 years ago the Middle East was French and British responsibility, mainly British, and Israel was a name in the Bible;

How to negotiate a renewal of our defense treaty with Japan, which expires next year, and to smooth the way for that, should we give them back Okinawa?—which 22 years ago might not have been a very popular idea with various Americans who had just been to a good deal of trouble to take Okinawa;

How to revitalize NATO, or has it served its time?—and how to treat with the only World War II leader still in command, that great and maddening man Charles de Gaulle;

And speaking of the General, must we overhaul the whole international monetary mechanism?

And what can we do for the pitiful children of Biafra?

And how do we negotiate some nuclear arms limitation, or should we, with the Soviet Union—which about halfway through this 22 year period acquired the capability of killing half of us, more or less, on half an hour's notice—that was an option previous Americans never had to concede to a foreign government, although, to be sure, we can still kill Russians even more definitively, or as Winston Churchill once said, we can "make the rubble bounce."

And so on. You know the whole long list.

We look out on this world of 1969 as a deeply confused country. It is easy to say that it is the cruel question of Viet Nam that has got us so mixed up. Our public life has been dominated by Viet Nam ever since we began the bombing of the North four years ago this month, and then sent Marine combat units ashore at Danang in March '65. It is the longest war in American history, not the biggest but probably the most complicated, and surely the most divisive. Now, very slowly and very ambiguously, this strange war seems to be running down. No wonder we ache and grope.

But I believe the causes of our confusion go much deeper than Viet Nam. Indeed the Viet Nam experience—vivid as it has been, important as it has been—has in a sense masked a more fundamental change in the underpinnings of American foreign policy. That change, very simply, is the loss of a working consensus, for the first time in the lives of any of us in this room, as to what we think America means in the world and to the world.

Look back for a moment at two aspects of American history. One we know mainly from reading about it in books, the other we ourselves have lived.

For generations, as many volumes in your library confirm, we Americans believed we were God's elect. John Adams wrote that it was the design of Providence to use America for the "illumination" and "emancipation" of all mankind. Thomas Jefferson proposed that the Seal of the United States should show the children of Israel led by a pillar of light. The notion of America as the chosen people was one of his favorite themes; this very urbane man could say: "God led our forefathers as Israel of old." He called us "the world's best hope," and we hear echoes of that when Abraham Lincoln, amidst the anguish of the Civil War, called us "the last best hope of earth." And all the way to the 1890's, that great historian George Bancroft, trained at Harvard, Heidelberg and Gottingen, believed to the end of his long life (as another historian has written of him) that American history was really "the story of the wonder-working of the hand of God in the American forest." It is hard to imagine any Harvard Ph. D., or Yale or Stanford either, looking at it just that way today.

Yet well into the 20th century, the belief persisted. The debate over our entry into World War I, 1914 to 1917, can be read as a clash between men who believed it was enough for America simply to stand here in its goodness, as example and beacon, and more militant men who believed America must carry its truths across the oceans.

Somewhere after the first World War, we lost that serene confidence that God's hand was especially upon us; the war itself came to seem a mistake and a failure, something America had never felt about its other wars; it was generally a time of rising sophistication and cynicism; the traditional religious beliefs were weakening; the memories of the frontier were fast receding; increasingly large blocs of the American population lacked any ancestral share in the classic chapters of American history; for Americans who did still have faith in the God of their fathers it was hard to believe that the spreading of the urban industrial landscape could enjoy quite the same divine favor as the crossing of the Continental Divide.

And if anything of the old idea of the Chosen People had survived the 1920's, the Great Depression of the 1930's surely did not help it.

Now for a large, literate democratic society once to have held so strongly such a righteous and spacious view of itself, and then in a few years to lose it, should be a profoundly unsettling experience.

But we never really had the experience. For at just this moment Americans were confronted with Adolf Hitler.

Starting in the late 1930's, more and more of the most thoughtful people in America, in government, in the churches, in business and banking, in the universities, were increasingly preoccupied with the threat of totalitarianism in Europe and Asia. The very people who might have been most concerned with the loss of the old sense of the American mission, and most concerned to find a new one, were spared that search. The Nazis and the Japanese militarists did not require us to think about the uses of liberty, or about deep meanings of America. They required us to defend ourselves, and that was meaning enough.

If the defeat of the Axis Powers had led to a stable peace, the once-postponed search for the modern American mission might have started soon after the war. But Stalin, almost overnight, took the place of Tojo and Hitler. The Cold War was on. Once more we believed ourselves to be holding a worldwide line against tyranny. Once more we were relieved of asking ourselves what else is America all about. We fought a tough, costly war in Korea.

The Cold War eased some in 1953, after Stalin's death and after the Korean truce, and then it eased some more around 1963. The autumn before, the Soviets had started installing missiles in Cuba, the most blatant thrust they ever made outside their own sphere of influence, and John Kennedy very coolly stared them down and eased them out. By the summer of 1963, President Kennedy was making his highly conciliatory American University speech and laying the groundwork for the nuclear test ban treaty.

But once again, just as one set of foreign dangers seemed to be receding, still another crisis, perceived as a major danger to ourselves and our allies, came to dominate our thinking about foreign policy. This of course was Viet Nam.

Let us be a little optimistic and say that Viet Nam is somehow resolved by the end of this year. That will mean that we have gone through a thirty-five-year crisis—from the rearming of Nazi Germany, starting in 1935, through World War II, through Korea and the Cold War, through Viet Nam. It means that all Americans in their forties, fifties and sixties, most of the leadership generation, have spent most or all of their adult lives with a view of an embattled, endangered America.

What if, almost all of a sudden, there were no acute external danger?

Some of the young dissenters on our campuses might be unmoored if there were no Viet Nam, but so might many of their elders, and perhaps more seriously. You know some of the public-spirited lawyers and bankers of downtown Manhattan who have served both Democratic and Republican administrations through many of these days of danger; they have their counterparts in Cleveland and other cities; and then there are the industrialists, diplomats, military men, labor leaders, Congressmen, university and foundation officials—the Establishment if you like; even editors are sometimes mentioned. Mature and responsible men with a lifetime crisis-oriented view of American foreign policy might be suddenly dis-oriented.

Now there are skeptics who say it will never be allowed to happen. Old-fashioned Marxists, new-fashioned New Leftists, would argue that it was no coincidence that the Cold War came along just as World War II ended, or that Viet Nam came along just when the Cold War was letting up a bit. According to this view, if the American people are now sick of Viet Nam, something else will be cooked up, maybe the Middle East, because the American "military-industrial complex" needs its war orders, the universities need their Pentagon research contracts, the Colonels need their chance to make General, and so on. This is a kind of devil theory of American history, even more naive, and less attractive, than the God theory I spoke of earlier.

I am optimistic enough to think we may soon lack an external crisis, and we will then face a kind of internal crisis of the American spirit. Who is America; what are we all about?

There seems to be fairly widespread agreement on a few things that we are not. During last year's Presidential campaign, one sentiment regularly uttered by all candidates was: "We cannot be the world's policeman." Nixon said it, Humphrey said it, Rockefeller, McCarthy, everybody said it. I don't think I heard anybody advocate that we *should* be the world's policeman, and there were times when it seemed not too attractive even to be a policeman for New York or Chicago.

Senator McCarthy also cautioned us against trying to be the world's judge or the world's confessor. Senator Fulbright has warned us against "the arrogance of power." Objection noted.

Many people say "No More Viet Nam." In fact it is hard, even if you wanted to, to think up another situation very much like Viet Nam. But there are plenty of other voices, McGeorge Bundy for instance, warning us not to over-react to Viet Nam, not to retreat into isolationism, or neo-isolationism. Yet in the kind of world we live in today, isolationism in the sense of the 1920's or 1930's is utterly impossible; it becomes a meaningless thing to warn against Fortress America, Fortress Cleveland—there are no such things anymore, and everybody knows it.

Indeed much of the old vocabulary for arguing about our role in the world has become obsolete. Balance of power, power vacuum, co-existence, confrontation—I'm afraid journalists no less than politicians keep using these tired old tags as a substitute for studying things as they really are. It is very hard work, of course, to figure out how things really are.

Cold War may not be a very useful expression anymore; nor is containment. I doubt if it clarifies our thinking to keep talking of "The Free World," embracing as it does so many kinds of societies and degrees of freedom, down to zero; nor does it help to call it "The Anti-Communist World," for not all of it is all that anti; we simply mean the non-communist world, and when we say that 118 countries belong to it, we haven't really said a great deal.

"The Communist World" is certainly not an entity either; there are now three big branches—Russian, Chinese, East European; and some sub-species—Yugoslav, Cuban, Viet Cong. We miss our old clear-cut enemies. Ho Chi Minh is not Hitler. I sat across a table from Kosygin one morning last winter and listened to a couple of hours of attacks on America, but it was all very calm and bureaucratic, like an argument with somebody from the Gas Company. The only mushroom clouds Americans remember are in photographs of our own explosions.

Then there are the tidy-minded people who try to lump together all the underdeveloped countries as "The Third World." I once heard some Indian journalists interviewing a group of Brazilian businessmen. I've had trouble ever since with the Third World concept.

The real world is fantastically diverse, and getting more so. We should rejoice in that and stop trying to fit it all into a few old and outdated boxes.

But this, of course, is part of our difficulty in defining America, for what we think *we* are is necessarily something we perceive in comparison with other nations. Once we defined ourselves essentially by contrast with the European monarchies, then as champion of democracy against the mid-twentieth century totalitarianisms. It gets harder to define America against all of today's rich variety of national societies, the many kinds of governments and political philosophies that abound in this world of 1969.

Nor is there any firm point of reference within our own domestic political dialogue. I do not know of anything that could be called a Republican view, of the American position in the world as of 1969. Surely one of the greatest accomplishments open to President Nixon would be to shape a modern concept, post Thomas Jefferson, post Hitler and Stalin, post Viet Nam, of America's place in the world.

To arrive at such a concept, there are, I think, four or five basic questions on which the President and the country must come to some agreed view:

1. *Do we have a moral obligation to share our wealth with other peoples?* I vote that we do. Our foreign aid programs are always being advocated as "enlightened self-interest." Congress and the public are told that the real purpose is to stop communism, etc. I think we can also afford to help other peoples simply because it's right.

2. *Do we ask that America be emulated?* Do we consider America still some kind of model? My own vote would be that our political system and our economic system are two of the greatest works of modern man. Let us continue to think of them that way, let us make them work even better. They will continue to exert great influence in many parts of the world, and we need never try to ram them down anybody's throat. We are not, however, an all-purpose example. We can hardly ask to be regarded as a model in the matter of racial justice. Almost equally shameful, in my view, is the abuse of our environment and our shoddy aesthetic standards. These uglinesses of the American spirit and landscape hurt us all over the world, and deservedly so.

3. *Are we still willing to fight?* When, where, for whom and what? You and I can list some places and governments we would not want America to fight for; I'm not sure we want President Nixon or Secretary Rogers to read off their list out loud. Are there still causes for which we should be ready to burn up most of the Northern Hemisphere? I think the nuclear deterrent does still deter; the assumption that there are situations in which we would use these weapons is still some assurance we will not have to use them. But this condition may not last much longer. We may be passing into a period where the technology is so volatile, and the missile and anti-missile production response and counter-response so relentless, that the weapons themselves are becoming, as the experts in this frightful subject put it, "destabilizing." So should we take a chance on some arms limitation agreement with the Russians, or should we take our chances with the arms? I myself vote for a try at the agreement. This delicate and dangerous decision is upon the Nixon Administration right now.

4. *As we move about the world, and act in the world, do we think of ourselves as the United States Government or as individual Americans?* My own belief is that we appear before the world far too often and too obtrusively as the U.S. Government. This is a paradox because here at home, we believe—or most of us do—that the American government is something much less than the American people, indeed that the chief aim of government is to help create conditions in which we as individuals can achieve our highest possibilities. The overseas expenditures, embassies, alliances of the U.S. Government seem to me less promising, for the long run, than the overseas activities of individual American students, doctors, businessmen, engineers, painters, basketball players. And our official policies should of course give full encouragement to the private foreign citizen for trade, travel, study in America. You have a lot of experience with this here in Cleveland. So when we ask what does America mean in the world, surely a part of the answer is that the Cleveland Orchestra is going to give concerts in Japan next year; and a Cleveland man named Jesse Owens has taught sprinting to youngsters in India; and Case Western Reserve has trained thousands of foreign teachers, doctors, engineers; and Republic Steel is digging iron ore in Liberia; and TRW is building the vehicles for the world's first commercial satellite network.

No. 5 Fifth and finally, if we have become too tactful to call ourselves the last best hope of earth, and a little uncertain, in any case, whether we really are, and if we are no longer on 24-hour Red Alert in a permanent world crisis, *can we still find some way to invest American with a touch of the heroic?* Old-fashioned patriotism has been in a long decline; the very idea of country has been eroding, and not just because of Viet Nam. America as a way of thinking about things does not have the same force with out children that it had with us and our fathers. When I was growing up two or three states west of here, in Minnesota, I could hear the Great Northern whistles at night, the trains bound for immensely romantic American places—like Montana; I especially longed to see the Rocky Mountains. The other day I heard of a Connecticut school where the whole sixth grade is going to spend Easter vacation in Rome; not a fancy private country day school and not a Catholic parochial school either, just ordinary twelve-year-olds in a suburban public school. Now we all like the idea of our children moving with so much ease and freedom in this richly interesting world that spreads all around them, and as I was saying a moment ago, the individual American learning, working, traveling all over the world is surely a big part of what we want America to mean in the world. Yet we must recognize that this growing cosmopolitanism clashes with many of our older ideas of country. And patriotism, in spite of all the follies committed in its name, has been a powerful organizing principle in human affairs, certainly so in this country; it has gotten a lot of work done, and added an extra dimension, even a nobility, to many lives. I do not know that "mankind" or "humanity" are yet capable of evoking comparable efforts or loyalties or personal satisfactions. So the question remains: can we find contemporary and civilized ways to love America? I pray we can.

You will have noticed that I came here tonight with more question than answers. I would plead, Mr. Chairman, that this is the spirit in which one approaches a library, and perhaps by extension, one can come with very large questions to the centennial of a very great library. For a great library keeps for us the highest values of the past, and holds for us at least a part of the knowledge that can unlock the doors of the future.

I thank you again for allowing me to join in this centennial. I wish for your city and its great cultural institutions a full share in working out for our time the meaning of the American community, among ourselves and amidst the nations.

RESOLUTION ON DAIRY PRODUCT IMPORTS

HON. MARTIN B. McKNEALLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. McKNEALLY. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I am pleased to include the following resolutions adopted by the New York Holstein-Friesian Association at its annual meeting at Kiamesha Lake, N.Y., on January 28, 1969, reaffirming its resolution of last year in support of the dairy import bill as recommended by the National Milk Producers Federation:

Whereas: The New York Holstein-Friesian Association at its Annual Meeting one year ago recognized the need for enactment of the Dairy Import Bill as then sponsored by Senator Proxmire and others into law by the Congress of the United States and signified its support for this Bill by an appropriate resolution, and

Whereas: This Bill has not been enacted into law, and

Whereas: The threat to strength, stability and price levels of domestic markets for dairy products imposed by large surpluses of dairy products in foreign countries continues to exist and is likely to exist to the same or greater degree in 1969, and

Whereas: Dairy product import quotas established by administrative actions under presently applicable laws presently provide some protection to milk producers in the United States but do not provide adequate long range safeguards;

Therefore be it resolved: That the New York Holstein-Friesian Association at its Annual Meeting at Kiamesha Lake, New York, on January 28, 1969, reaffirm its resolution of last year in support of the Dairy Import Bill as recommended by the National Milk Producers Federation and instruct the Secretary to so inform the appropriate Senators and Members of the House of Representatives representing New York State in the Congress of the United States.

BLACK OR ELSE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, a friend and constituent of mine, Mr. Stan Stanton of Arlington, Va., has called my attention to an article which appeared in the Washington Daily News in February 1969, which he requested that I include in the RECORD.

The article, which is written with great humor, is one of the best commentaries to date on the ridiculous demands being made by militant students in our colleges today.

I am, therefore, pleased to comply with Mr. Stanton's request that it be inserted at this point in the RECORD:

BLACK OR ELSE

The story is told again and again. The vast majority of students at this or that college are apathetic about the demands and demonstrations of the militants. Then the police or the National Guard or both are called in and right away thousands of previously uncommitted students, whites and blacks, team up with the raging minority. The fuzz and the troops are as great red flags to a herd of bulls. Now here's my plan to defuse the disrupters. Give 'em what they're crying for, give it to 'em till it's coming out of their ears, and give it to the vast apathetic majority, too.

Use the police and the Guardsmen to enforce gigantic Black Studies programs, with classes to be conducted from dawn to dusk. Attendance to be compulsory for All students, regardless of race, creed, color, shape, disposition, or personal preference.

Police to drive students into classrooms and keep them there until all are able to recite, letter perfect, the complete text of Frantz Fanon's "Black Skin, White Masks." Students who fail this test must pay a forfeit. The forfeit being to memorize the collected speeches of H. Rap Brown. While students are thus penned up, soul food may be sent in from the outside by the Ford Foundation, or any other broad-minded and willing organization, but there will be absolutely no cooking in the classroom.

Compulsory Swahili sessions from 7 a.m. to noon, dealing with origins of Swahili, comparative studies in the vernacular of Pygmy tribes on the Ituri, Swahili dialects of Lamu, Swahili dialects of Mombasa. . . .

One p.m. Translation class. (Any student who takes more than six days to translate the complete plays of LeRoi Jones into Swahili will be strung up by the thumbs in the campus-quadrangle.)

The Swahili sessions will be followed by a lunch period. Recordings of the Students for a Democratic Society screaming "Fascist Pig!" and "Oink!" will be piped into the cafeteria: the volume will be the maximum made possible by modern electronics, and there will be no let-up.

Afternoon sessions will be devoted to "Black Physics," "Black Geometry." "Black Chemistry," "Black Astrophysics," "Black Dianetics," etc., etc. There will also be courses in African basketweaving, African fabric weaving, African Zib-Zib Dancing, African Naga-Naga Singing, and African mah-jongg.

Night sessions will be given over to "Black History." A minimum of five hours of African pre-history will be required; conscientious objectors to this lengthy session will be promptly bayonetted. Courses in Black American history will include "How Blacks Founded the Saturday Evening Post," "How Blacks Built the Railroads and To Hell with the Irish," "How Blacks Founded the Chase Manhattan Bank and other Institutions," and "How Blacks Invented the Steam Engine Decades Before the Russians."

Students must take 76 hours of history tho any student wishing to translate the Quotations of Chairman Mao into Swahili will be allowed to substitute this endeavor for any one of the pure Black courses.

All students who refuse to disrupt basketball games will be immersed in a bath of rotten eggs.

On campuses where revolts are already in progress, crews of brick layers will be sent to Administration Buildings occupied by defiant students. These brick layers will proceed to wall up all doors and windows while indulging in dialogue of this nature: "Did you ever see anything like the way this new plastic mortar dries? One minute it's a new pudding, and the next minute it's hard as marble. Why, the only way to get thru a brick wall like this is to blast. I wonder if there's any dynamite in the dean's desk. I shouldn't think so, would you, Paddy? . . ."

If my modest proposals don't cause thousands of moderate students to run screaming from the very sight of those frenzied disrupters . . . why, I'll be one mighty chagrined student of human nature.

ABOLISH THE HOUSE INTERNAL SECURITY COMMITTEE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. ROSENTHAL. Mr. Speaker, I introduce today, with several colleagues, a resolution to abolish the House Internal Security Committee—HISC—and transfer its legitimate functions to the Committee on the Judiciary.

Whether as HISC or HUAC, the Committee on Internal Security has outlived its usefulness. As HUAC, its ambiguous mandate has been abused; it has been used as an excuse to trample on the constitutional rights of many individuals and to deface the principles of justice vital to our democracy. As HISC, the prospects are for more of the same.

This committee has a sorry record of encroaching on the constitutionally protected rights of individuals—a problem that would not arise if its few relevant and necessary functions were carried out by the Judiciary Committee. Although the committee work has been lacking in substantive results—unless its supporters wish to refer to HUAC's excessive expenditures as results—it has succeeded in taking advantage of the publicity engendered by its controverssial inquiries. By any standard other than publicity value, this committee has been an outright failure.

On February 18, House Resolution 89, to change the name and extend the jurisdiction of HUAC, was passed. At that time, I was unavoidably out of town and was paired against this resolution. Today I urge my colleagues to vote with me to abolish this committee.

THE KNOWN IMPERATIVES ARE STILL THE CONTROLLING ONES

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. ROBISON. Mr. Speaker, on last November 14, the distinguished president of Cornell University, James A. Perkins, delivered the following address before the National Industrial Conference Board in New York City.

President Perkins' examination of the causes for the disarray that many have noted in our institutions, and his rational discussion of why some of the conventions we have lived by may be in temporary disrepute, as well worth our consideration. In the midst of the growing public concern over the more obvious signs of unrest one sees on American campuses, I was also particularly struck by his suggestion that—

> If the university is where much of the present unrest in this country and elsewhere was born, or first articulated, it is also the place where much of it will be resolved.

Such a resolution will, obviously, not come easily. Nevertheless, if—as Mr. Perkins reminds us—the overriding moral imperative of the university, as well as of society, is the growth and maturing of the individual, it could well be that our great universities—as our chief centers for rational inquiry and dispassionate criticism—will be where so many of the answers we seek will be found.

Lastly, Mr. Speaker, I was moved by President Perkins' concluding thought that—

> The known imperatives are still the controlling ones.

And his restatement of that which we have always known though sometimes forgotten, viz:

> Knowledge *is* better than ignorance, love *is* more important than hate, compassion *is* greater than distrust, concern *is* more constructive than detachment, and our common humanity *is* more central to our future than our differences.

Under leave so granted, Mr. Perkins' remarks are now set forth, as follows:

THE UNIVERSITY AND THE NEW PRIORITIES

(By James A. Perkins)

It is a measure of our changing times that university administrators who may have expected, as I did, to lead an educational revolution, now find they are participating in a social revolution as well. Few occupational groups in this country have undergone such rude awakenings as college and university presidents, and few have had to spend so much of their time trying to ferret out the causes of the national malaise. We may not have all the answers—but I promise you we have been asked all the questions!

This, then, is the topic to which I address myself in this message. I must begin with a statement of principle that is the basis of all that follows.

Social stability in a democracy or a university is the product of a consensus about social priorities and moral responsibilities. If people agree on what is important and what is right, they will support their institutions and observe the etiquette necessary for social cohesion. Where there is no consensus on the ends and means, both our institutions and our social discipline will be in disarray.

Today in the United States and in other parts of the world we are in disagreement on these matters. As a result, our social structure is in disrepair, and the conventions we live by are in disrepute. Most serious of all, the institutions that are committed to freedom and rationality and that rely on a high degree of civil discourse in the conduct of their affairs, are shaken to the core.

So it is imperative that we understand the sources of our trouble if we are to deal successfully with the great tasks that clamor for attention.

In the years after the war, from roughly 1945 to 1960, this country achieved a consensus about its basic priorities and responsibilities. The assumptions on which we built our major domestic and foreign policies were understood and accepted by most of the nation.

Our first priority was to forestall a third world war. Our second was to prevent another widespread economic depression. I think many of us may have forgotten how large these two fears loomed in the minds of adults who had gone through the experiences of the thirties and forties. Almost all our national decisions during the postwar period were governed by our determination to secure a peaceful world and to build a strong economy.

In terms of our immediate objectives, the policies we evolved to deal with these two priorities were successful. Our strategy of mutual deterrence, combined with remarkably creative measures in both the economic and cultural areas of international affairs, let to the prospect of a *détente* with Russia that, at least until the invasion of Czechoslovakia, seemed to open up the possibilities of understanding. We stopped talking about bomb shelters several years ago, and we have lately come very close indeed to a nuclear nonproliferation treaty. The doomsday clock that pointed one minute to midnight has been set back a full five minutes. We have secured a margin of survival.

On the domestic side, the whole of our social legislation during the New Deal era of the thirties had laid the groundwork for our belief that once the war was over we would be able to stabilize the economy through a partnership between government and private industry. In fact, the ideals and goals of the welfare state—which held out full employment and a rising GNP as objectives that were as desirable as any government-based programs for the public good—were so widely accepted throughout both business and government that considerable progress was made toward these goals in a remarkably brief time. By the beginning of the sixties, fears of a major depression had subsided, the general affluence had spread beyond our most optimistic predictions.

Yet all was not well. Just as we thought we were beginning to bring our first two priorities under some kind of control, two other concerns were rising to the surface. The first was the matter of justice for the Negro, made indelible by the Supreme Court's desegregation decision in 1954. The second was a deepening concern over the quality of the life we had evolved. Since 1960 these two concerns have been given increasing priority in the public mind; at times they seem to take precedence over everything else we do.

These two new concerns have been in part produced and in part aggravated by our preoccupation with measures to prevent another war and another depression. Not only did our concentration on these first two priorities blind us to many domestic ills that had been festering among us for years, but the steps we had taken to deal with these priorities actually generated new problems for which most of us were totally unprepared.

"The quality of life" was not a topic of much conversation in the forties and fifties. But now we have discovered that our conception of what makes for quality in life has been consistently bruised by the means we have used to achieve our overriding priorities. During the days of the so-called balance of terror, for example, we were prepared to drive our civilization underground as a contribution to securing our strategic posture. We invested considerable energy, you may remember, in devising backyard bomb shelters and a style of life to fit them.

But even worse, we had to convince ourselves that we were in fact prepared to make a nuclear attack on Russia in order to make the system of deterrence credible. We had to make our enemies believe in our irrationality in order to make the system work—and this posture of irrationality was bound to have a profoundly unsettling effect on a democratic society that is founded on belief in the ultimate rationality of man.

When the strategy of nuclear deterrence was placed in the reserve position, we chose instead to deter aggression, in the first instance, by fighting limited wars at the perimeters of Russia and China. We then found ourselves, however, involved in conflicts in which we had neither friends nor enemies and to which we felt no strong national commitment. The price of this policy, unforeseen at the time of its adoption, has been such a division of the American people that it has all but destroyed the consensus we so painstakingly constructed during the previous twenty years. And with the erosion of our consensus we are alarmed by the rise of an extremism that is no longer held in tight check by agreement at the center.

Furthermore, under the strategy of either central or limited warfare we had to create a large and powerful military establishment which depended upon widespread industrial support and the drafting of our young into military service. The very scale of the effort required has frightened a large section of our population embracing all age groups. These people fear a military establishment that seems to have irresistible requirements of its own, cutting across many of the indispensable requirements of individual freedom and democratic style.

Turning to the domestic front, it is clear that the energy we have spent on building the industrial system has, to be sure, satisfied many of our needs and wants. But it has also profoundly affected the quality of our life. In the name of full employment and a burgeoning economy, we have made the necessities of technology the determinants of some of our most crucial decisions and values. The result is that we are now faced with polluted air, land, lakes, and rivers; the displacement of many thousands of both blue and white collar workers by machines; the exhaustion of some of our most precious natural resources; and the widespread destruction of the balance of nature, for which we may have to pay dearly in the years to come.

The cause of domestic justice has suffered as well. For the most part, our priority preoccupations simply blinded us to the problems of the Negro and the poor white. Social reform and humane concern bypassed the ghetto and the rural slum and followed the worker of the New Deal into the suburbs. The very successes of this reform have finally served to illuminate the glaring inequities of it. The more widely affluence is enjoyed, the more conspicuous is the poverty it has not touched. The better and more universal education has become at all levels, the more clearly we see where and whom it has failed. The more prevalent is productive employment, the more restless and frustrated the remaining unemployed.

The central fact of our current malaise is that the older generation is still largely preoccupied with world stability and productivity while the new generation is largely preoccupied with justice and the quality of life. My generation is proud of its accomplishments and feels that it has been given scant credit for the success of its revolution. The restless members of the new generation accept these accomplishments as given and are frustrated by our apparent blindness to new matters on their minds.

Of course, this division is not absolute along generational lines. Justice and life's quality have always been on the American agenda. These concerns first brought our ancestors to this country; they became the guideposts of our Declaration of Independence and Constitution and they have been an essential yeast in our democratic system. The point is that these concerns have lately been grossly neglected—and we are now paying the price.

And yet, no matter where we begin, the truth is that we cannot exclusively abandon ourselves to the struggle for equal rights or to the renewal of our environment. For they will not yield to solution if we are at war or if we cannot pay for the measures that are essential to solve them. We have to keep the peace and we have to keep the economy strong. Neither of these priorities will take care of itself. If anything, each will require increasingly sophisticated attention.

But it is equally obvious, I hope, that we slacken our efforts to solve the pressing problems of race, poverty, and environment at our peril. It is no longer possible to conduct this nation's affairs, domestic or foreign, with any kind of equilibrium if these problems are not attacked on a massive scale.

As we do so, however, we must face the hydra of large scale and large organization. Technology does not flourish in a basement workshop, and a national economy cannot be monitored from the perspective of the city. Both technology and the welfare state require organization of large and formidable dimension. And they have brought with them the rise of the national and international corporation and the national labor union, not to mention the shift of power and responsibility from the city and states to the federal government. One unhappy result of organization on such large scale was the fear, particularly on the part of the young, that large organizations would dehumanize and thwart the individuality of those who became part of them.

But the problem remains, because large-scale effort is required to tackle our current problems of quality and justice, for they are national as well as local. We must now recast and enlarge the scope of the assignment that lies ahead of us. It is no less than the development of doctrines and policies that will embrace careful attention to all four priorities in appropriate masure. This means that all our policies, both domestic and foreign, must be subjected to new and more complex tests to determine how they affect the public interest. It also means that the organizations and methods we have evolved for the conduct of our public and private affairs must be reexamined in the light of our new balance of imperatives. Finally, it means that we must develop a new style of leadership capable of inventing new concepts, new organizations, and new arrangements to deal with our current problems. These new leaders must possess wide vision, more flexible attitudes, even a harder realism, and perhaps a greater compassion for the individual and his proper fulfillment—which is, after all, the essence of our human purpose. The demands on these men and women will push our notions of human capacity to new limits.

The assignment for the remainder of this century is vast—but we must get to it because the problems to be resolved will not go away. As a born optimist, I have little doubt that we will solve them. But I am realist enough to know that doing so will take all we've got. Let me talk a bit about what this involves.

First, we are going to have to strike a new balance in the allocation of our resources between domestic and foreign affairs. We may well not be willing to support another Vietnam as long as our cities are in their current state of disrepair. We will have to emphasize other means of keeping the peace, relying more on economic development and less on military assistance, more on support for international agencies and less on anti-ICBM's, more on political flexibility in our relations with China and less on confrontation with potential enemies, more on nuclear agreement and disarmament and less on nuclear buildup. The gap between the rich and the poor nations may well be a more explosive problem than the gap between the East and the West—and it is conceivable that this gap could be handled with a quarter of our defense budget.

At home we may have to invest less in consumer goods and much more in rebuilding our cities, in providing advantages for our disadvantaged, and in creating a livable environment. Shifts in public policy and individual priorities will have to be made. Social investment will have to balance the demands for productivity—even if productivity has to be curtailed. And yet we know that on many occasions industry has discovered that social investment in people has led to increased productivity rather than reduced performance. Corporate aid to education during the last two decades, while in the short run a reduction in profits, may in the medium run be the most productive investment of all.

This is not to say that restraint in our exercise of overseas power and consumer prerogatives may not face the gravest of obstacles. The world structure of over 120 nation states involves serious elements of instability. As the greatest world power, the United States will be confronted with unremitting calls to keep the peace everywhere. To resist all these calls will, at times, seem callous. As consumers we equate the possession of things not only with an advancing standard of living, but also with an indispensable relief from hard physical labor. But broad education, decent living, a healthy environment, and a chance to grow and live are also essential elements in a proper definition of a true standard of living. A rearrangement of our personal values must be a part of our salvation.

All of our institutions must now turn their full attention to the great task ahead—to humanize our lives and thus to humanize our society. The corporation will have to conceive of itself, as many do now, as more of a public service institution with a wide range of social responsibilities. The unions will have to become less stiff-jointed in their preoccupation with job security, the afterglow of a depression of thirty-five years ago. Government will have to be remodeled to deal with twenty-first-century problems with something better than our eighteenth-century arrangements. The recent party conventions cannot be the optimal style for a great people to elect great Presidents. And what will be the role of the American university in all this? From an admittedly parochial point of view, it seems to me that our universities are and must be at the very center of our reforms; that, if the university is where much of the present unrest in this country and elsewhere was born, or first articulated, it is also the place where much of it will have to be resolved. There are several reasons why this is so.

First, the university is society's chief center for rational inquiry and dispassionate criticism. In a society with an insecure focus and irrational extremes, the university, protected by its leathery doctrines of institutional autonomy and academic freedom, is an essential haven for the careful rethinking of our social problems. There is no other institution where creative thought can be so easily brought to bear on these problems without the grinding necessity of justifying both the thought process and the solution by instant reference to what *is* rather than what *might be*.

Second, the university has the range of talents required to deal with the many facets of our current problems. Just think of the range of expertise required to rethink our posture towards the sale of military aircraft to Peru or to develop sound notions as to how to deal constructively with the ghetto! Where else can proposed solutions be subjected to such rigid scrutiny?

Third, the new leadership must be educated by and create its new frame of reference in our universities and colleges. The six million students will rise to nine million by the middle of the next decade. Outside of the family, it is the university that provides the most important contacts between the generations. Most are in their late twenties before they finish their formal education, and many go directly into work that carries considerable responsibility. Their habits of mind, their sense of priorities, their codes of behavior, their attitudes toward their fellow men have been formed by then, and their stamp on the course of national affairs for the next generation will be unmistakable if not crucial.

Finally, the university has an obligation to try to be what society must become—an open, rational, self-disciplined, and essentially humane community, where differences are respected or at least tolerated, but where, to use Northrop Frye's elegant phrase, "Concern prevents detachment from degenerating into indifference."

From this foundation, the university has a great obligation to work with society on the difficult task of reordering its priorities and remodeling its institutions to deal effectively with our great new purposes. It is an assignment not only of social development but of the blending of knowledge and purpose that must infuse those who will graduate to work at our new assignments.

This is a staggering prospect in itself, but it does not complete the roster of university responsibilities. The university must concern itself with problems that go beyond our current priorities, old and new, and help prepare the next generation to deal with matters we can only dimly see and some we cannot see at all. Who in the 1930's could have anticipated the full impact of the population explosion? It is just as well that we had university professors interested in problems of demography. If relevance to the then current scene had been the sole criterion, we would now be trapped in the dark without a flashlight. Few in the 1930's anticipated that a thorough understanding of the USSR would be a condition of a peaceful world in the 1950's and 1960's. Few in the 1940's realized that a firsthand knowledge of the remote countries of Southeast Asia could be a critical asset in a $30-billion-a-year war. Few considered research on these areas relevant or worth the attention of a university.

Relevance too narrowly defined can be a trap to destroy our capacity to deal with the future. Relevance ignored can destroy the chance to have any future at all. The university's commitment to the pursuit of knowledge is the best guarantee that neither the present nor the future will be too heavily discounted. Somewhere in the ether of pure, unbridled research lie the seeds of the next decade's and the next century's crucial priorities. The university is the one place where our unseen priorities have a chance to be anticipated, where exploration can be carried on without deadlines or stop signs, without legislative pressure, without the necessity for solving some current problem. We can call this legitimized boondoggling if we wish, but my reply is that we haven't had enough of it in recent decades or we would not be caught so short today in the current crucial issues.

But concern for our priorities, old, new, and unforeseen, does not by any means exhaust the total responsibilities and opportunities of a university education. A great deal of university effort is spent on matters that have only an indirect bearing on problems of social advance and public affairs.

The university has become the home for the artist and the musician, the poet and the writer, the historian and the linguist, the chemist and the archaeologist. Much time must be spent in understanding history and culture, not only our own but that of other peoples as well. And creativity in the arts and sciences proceeds from the search for the true and beautiful without which man's nature would be truly impoverished.

For, after all, the whole purpose of the human exercise is to make it possible for every individual human being to grow to his own fullest dimension. It is the growth and maturing of the individual that is the overriding moral imperative of both the university and society. And who can doubt that the known imperatives are still the controlling ones? Knowledge *is* better than ignorance, love *is* more important than hate, compassion *is* greater than distrust, concern *is* more constructive than detachment, and our common humanity is more central to our future than our differences.

Some of these moral imperatives may represent matters of faith rather than human characteristics with which we are familiar, but can anyone really believe we have any choice other than to act on the assumption that they are true for us?

YOUTH GROUNDED

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. OLSEN. Mr. Speaker, in response to my efforts here in the House to urge the Civil Aeronautics Board to reject Examiner Arthur S. Present's decision against airline youth fares, I have received many, many letters in my office. These letters are not only from students, but from parents, college professors, and a cross section of our population. I have yet to receive a single letter endorsing the recent CAB decision.

In recent weeks I have inserted a number of editorials and articles on this subject from papers across the Nation. Today I place the following articles in the RECORD:

Tulane University, "Up, Up and Awry";

Arizona State University, State Press, "Airline Youth Fares May Cease," "Standby Fare Question Still Classes as Mystery";

Kent State Stater, "Something Extra";

Tufts University Observer, "Elimination of Youth Fare?";

University of New Hampshire, the New Hampshire, "Youth Discrimination"; and

Indiana State University, Statesman, "Airline Youth Fares Elimination Reviewed," "Youth Grounded."

The articles follow:

[From Tulane University]

UP, UP AND AWRY

Many students may not know of the imminent death of airline youth fares. We didn't until we received notice from a conscientious Congressman—Arnold Olsen (D-Mont.).

Rep. Olsen informs us that Civil Aeronautics Board Examiner Arthur Present has ruled the youth fare elimination, considering it "discriminatory" to adult passengers who must pay full fare. Unless overturned by a hearing of the full board, the decision will take effect shortly.

The Hullabaloo believes that Present has missed the point entirely. His decision would lead to the grossest sort of economic discrimination against students as well as great hardship and inconvenience. Olsen urges interested parents and students to write to him at the House of Representatives and so do we.

[From Arizona State University, Feb. 6, 1969]

AIRLINE YOUTH FARES MAY CEASE

(By Patricia Carr)

The days of airline youth fare may be numbered, according to a Civil Aeronautics Board (CAB) examiner.

Examiner Arthur Present claims youth discounts are "unjustly discriminatory" against passengers paying full fare and should be abolished. He feels that since persons between the ages of 12 and 21 have the same physical characteristics as adults, they should pay the same fare.

A federal court-ordered investigation was started by a complaint by National Trailways Bus System and by TCO Industries Inc., formerly Transcontinental Bus System Inc. A long study by the CAB resulted in an 83-page decision by Examiner Present.

American Airlines, originators of the youth fare program, most vigorously opposed the recommendation.

F. J. Mullen, American's vice president in charge of marketing, said the lower rates gave young people an opportunity to see their native country.

Another spokesman for American said the airline believes such fares are constructive and should be continued.

The supervisor of American Airlines at Sky Harbor said ticket sales will drop considerably if the recommendation is passed by the CAB.

Examiner Present did rule that youth fares were reasonable in cost. Even though use of the fares has sharply increased since the program began, no airline has reported a loss from them.

A CAB council will review the fare question on Feb. 21 to determine whether those under 21 must pay full fare.

[From Arizona State University, Feb. 6, 1969]

STANDBY FARE QUESTION STILL CLASSED AS MYSTERY

(By Ted Ledingham)

The Civil Aeronautics Board (CAB) decision regarding youth fares is still a mystery to the Phoenix offices of the major airlines, State Press inquiries disclosed.

"We have been watching the teletype for the decision," said Lon Cooper of American Airlines, "but so far we have heard nothing."

CAB examiner Arthur Present claimed youth discounts are "unjustly discriminatory'" against passengers paying full fare and should be abolished.

A CAB council was to have reviewed the fare question Friday to determine whether those under 21 must pay full fare.

American Airlines is optimistic for the continuation of standby fares, said Cooper.

"If they were to be discontinued, there would be profound repercussions, as we have similar programs for the military and the clergy," he explained.

John Kozma, district sales manager of Air West, said if the youth fares were ruled discriminatory and abolished, "it would be a pretty good indication that the days of other special fares would be numbered."

[From the Tufts University Observer, February 4, 1969]

Elimination of Youth Fare

Youth fare discounts for airline travel will be discontinued this month unless the Civil Aeronautics Board overrules a decision by one of its examiners.

Although the law permits discounts to stimulate specific segments of the population to travel by air, the CAB examiner claims that age alone is not valid distinction between passengers.

Moreover, the examiner rejected contentions that the youth discounts are essential in spurring air traffic by young people who could not ordinarily afford it.

The advent of the youth fare also helped the airlines to fill seats which would otherwise remain vacant. This permits the airlines to more efficiently utilize its facilities and depend less on government subsidies.

Unless the CAB is convinced of the advantages of keeping youth fares, these discounts will not exist when we leave for spring vacation.

[From Arizona State University]

Standby Status May Crashland

One glimmering privilege granted today's student may soon be extinguished if the Civil Aeronautics Board upholds a decision by Examiner Arthur Present to eliminate half-fare standby tickets for persons under 21.

In Present's 83-page decision, he judged the special fare discriminatory to adult passengers. If accepted by the five-member Board tomorrow, youth fares will be dropped in 30 days.

But there's one voice in Washington that has already spoken out against this unfair ruling. Representative Arnold Olsen (D-Mont.) has charged that elimination of airline youth fares would encourage young people to resume illegal hitch-hiking practices and attempting long, unsafe car trips.

The charge that the youth fares discriminate against regular passengers is ridiculous. How can permitting a young person to fly half-fare on a seat that would otherwise go empty be considered discrimination?

Other arguments have also been presented in favor of retaining the present system. Most passengers over 21 are restricted by personal demands or schedules from flying standby and a change to include all age groups on standby fares would mean general havoc for the reservation system.

A spokesman for American Airlines has stated that the half-price youth fares are constructive and ticket sales would drop considerably if the recommendation is passed by the CAB. The revenue loss resulting from elimination of the existing regulations could mean increased fares for all passengers.

We wonder if Examiner Present realizes that present youth fares also contribute substantially to the cause of education. The system has been an important factor in easing the travel burden of college students. Travel alone is a form of education and thousands of young Americans—students and non-students—have been able to see much more of their country through the youth fare program.

On the local level, too, we have seen the parallel example of special prices to encourage young people to attend cultural programs. Yet there has not been complaint from other patrons at such events.

Strict, imprudent application of the so-called "non-discrimination" ruling, if passed tomorrow, would threaten half-fare tickets for youngsters, military personnel, and other special fare categories now provided.

We hope the Civil Aeronautics Board takes a closer look at Examiner Present's decision, and then rescinds it.

If upheld, there will be so much lost and nothing gained.

[From the Kent Stater, Feb. 25, 1969]

Something Extra

Last Thursday, The Stater said in an editorial that the Civil Aeronautics Board (C.A.B.) was going to re-evaluate its ruling on the projected abolishment of youth-fare airline tickets.

The C.A.B. hearings begin tomorrow, February 25. In Thursday's editorial The Stater urged students to convince the Board that youth-fare should be continued. We said that the Board must be made aware that youth fare passengers do not receive the same services as full fare passengers.

They must receive evidence that students across the nation are upset. The Stater now has in its possession a petition, begun at Princeton University, which is available for student signatures.

The petition reads:

"We, the undersigned, are distressed by the recent announcement that proposes to terminate half-fare airline travel. We believe that the service afforded half-fare passengers is not 'substantially similar' to full-fare service. Therefore, we believe that the half-fare rates are not discriminatory. We request that the Civil Aeronautics Board net eliminate the half-fare rates."

Those who would like to add their name to the petition may do so in The Stater office, 100 Taylor.

For those who want to take more direct action, Western Union offers a 90 cent "Opinion Telegram." The 15 word telegram should be addressed to: The Civil Aeronautics Board, Mr. John H. Crooker, Jr., Chairman, 1825 Connecticut Avenue, N.W., Washington, D.C.

Wire today, or the airlines may be forced to charge present youth fare passengers "something extra"—full fare.

[From the University of New Hampshire]

Youth Discrimination

There are many disadvantages to being young. If you are under twenty-one you can't drink and you can't vote. Car insurance rates are higher. You're more likely to be drafted.

But, in all this discrimination there is a time when we are happy to be young—when we buy a plane ticket. Simply by proving we are under 22 we can fly anywhere in the country for half or two-thirds fare. Now, we may even lose that.

Arthur S. Present, a member of the Civil Aeronautics Board (CAB), has asked the CAB to eliminate the airline youth fare because it discriminates against older passengers who must pay full fare. If this decision is upheld by the CAB it will go into effect within 30 days.

Representative Arnold Olsen (D-Montana) is waging a strong battle against passage of the Present proposal. He has built an impressive argument showing that no one will benefit from a discontinuation of youth fares.

He says, "A change to include all age groups in the revenue loss resulting from elimination of the existing regulations could mean increased fares for all passengers; and that present youth fares contribute substantially to the cause of education.

"Thousands of young Americans," he continued, "have been enabled by the youth fare to see much more of their country. They have benefited from the current youth fare arrangement, and it has not been at the expense of full-fare passengers because space available seats are empty seats."

Although allowing persons of a certain age group a special discount is, in a sense discriminatory, it aids a particular group, not hurts them. Elimination of youth fares would be a disadvantage to everyone.

[From the Indiana Statesman]

Airline Youth Fares Elimination Reviewed

Representative Arnold Olsen (D. Mont.) today charged that elimination of airline youth fares would "encourage thousands of young people to resume the illegal and dangerous practice of hitch hiking or to attempt long, exhausting automobile trips, frequently in unsafe vehicles."

He argued that no one would benefit from a discontinuation of youth fares.

Olsen said a Civil Aeronautics Board (CAB) ruling against the half-fare standby tickets for persons under 21 "failed to combine prudence and justice, the compatible format necessary to formulate any dictate of society, according to Oliver Wendell Holmes."

Examiner Arthur S. Present, author of the CAB ruling, judged the special fare discriminatory to adult passengers. If upheld by the five-member Board, youth fares will be dropped in 30 days. In a letter to CAB Chairman John H. Crooker, Olsen asked that the Tuesday decision be reviewed and rescinded.

"I fail to see how permitting a young person to fly half fare on a seat that would otherwise go empty discriminates against regular passengers," Olsen asserted.

Continuing, Olsen argued that "prudent justice in this situation would be influenced by the facts that most passengers over 21 are restricted by personal demands or schedules from flying space available; that a change to include all age groups in the standby fares would mean havoc for the reservation system; that the revenue loss resulting from elimination of the existing regulations could mean increased fares for all passengers; and that present youth fares contribute substantially to the cause of education."

"Persons under 21 cannot vote," he continued, "persons under 25 cannot serve in Congress; persons under 62 cannot receive Social Security retirement benefits; persons under 35 cannot be President of the United States; persons over 21 cannot enter our military academies; and persons over 18 cannot serve as pages in the U.S. Congress. In each of these cases there is some age discrimination."

Olsen said he does not argue that all these regulations should be changed. "There are prudent considerations supporting some of them. However, I do argue that there is equally prudent support for retention of the student fares."

Urging continued emphasis on education, Olsen cited the air fare as "an important factor in easing the travel burden of thousands of college students. I believe it has been in the spirit of the increased attention our government has given to improve education in the last ten years. On the local level, too, we have all seen the parallel example of special prices to encourage young people to attend cultural events."

"Further," Olsen went on, "travel alone is a form of education. Thousands of young Americans—students and non-students—have been enabled by the youth fare to see much more of their country. They have benefitted from the current youth fare arrangement, and it has not been at the expense of full-fare passengers because space available seats are empty seats."

Concluding, Olsen asserted that "strict, imprudent application of the non-discrimination ruling would threaten half-fare tickets for youngsters between 2 and 12 years of age (reservations can be made for such tickets), for military personnel and several other special fare categories now properly and prudently provided by the airlines."

Olsen called upon the Congress and the nation's parents and young people to assist him in carrying his protests to the CAB.

YOUTH GROUNDED

Many Indiana State University students may be affected by a recent Civil Aeronautics Board recommendation that airlines' youth fares should be ended. Unless the Board decides to review the decision of its examiner, the ruling will become effective Feb. 21.

To date, students use the reduced rates to travel to and from their homes, business and vacation. Spokesmen for Allegheny and Trans-World Airlines told The Statesman that several thousand Indiana students take advantage of the reduced fares with no reported loss to the airlines.

The examiner's rash decision is subject to review by the Board. In the past, the CAB has upheld youth fares as a legitimate way to promote airline traffic. The examiner's rationale rests on the premise that "equality is paramount."

The Statesman believes that discounts are needed to not only fill empty seats both on existing planes and the larger planes that will come into operation soon but also it permits already financially-burdened students an opportunity to travel at decent rates.

The current youth-fare case was triggered by complaints from several bus companies who fail to appeal to youth.

We encourage all students who oppose this infringement on their opportunity to travel via youth fares and the serious attack on an airlines right to fill its planes to contact the Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20009 and voice their protest against this unfair decision. It is important that this be done within the next 30 days so that a new hearing will be set, otherwise the ruling will automatically become law.

UKRAINIAN PATRIOTISM REGENERATED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. RARICK. Mr. Speaker, stepping up the persecution of Ukrainians by the Soviets can only be interpreted as increased activity by the brave Ukrainians to escape their Communist bondage and regain their freedom.

Catholic priests are being arrested, synagogues are being burned, and every totalitarian device is being employed by the Soviets to inflict genocide on Ukraine culture.

Communism is crumbling—as those who know and have lived under communism work unceasingly to free themselves.

Mr. Speaker, I include clippings from the Ukrainian Catholic Daily for February 27, 1969, so our colleagues can be apprised of the terror being perpetrated against the brave Ukrainians:

ARCHBISHOP WELYCHKOWSKY ARRESTED IN LVIV—NEW WAVE OF PERSECUTION SWEEPS OVER UKRAINIAN CATHOLIC CHURCH

PHILADELPHIA.—According to reports received from reliable sources, the Soviet police (MVD) on January 27, 1969, arrested in Lviv Most Rev. Wasyl Welychkowsky, Ukrainian Catholic Archbishop of Lviv. The Archbishop had gone to confess a woman in her home. Police agents followed him to the woman's home and arrested him. The Archbishop was then taken back to his apartment where a thorough search was made. When the Archbishop was being taken away, members of the sick woman's family heard one of the agents say: "You'll never see him again."

On the same day a host of other Ukrainian Catholic priests were arrested. Their names have not been disclosed as yet.

It is said that about a month and a half before the Archbishop's arrest he was visited by a man, who called himself a tourist. The man spoke French and said he was a priest. He told Archbishop Welychkowsky that he had come with a tourist group and had instructions from the Vatican to find out about the activities of the underground Ukrainian Catholic Church in Ukraine. The man said that he would need to have the information recorded on paper.

It soon turned out that the man was no tourist, but an agent of the MVD. Following Archbishop Welychkowsky's arrest he was shown the written notes which he had made for the "tourist."

Following the arrest of the Archbishop, searches and arrests were made in the homes of other Ukrainian Catholic priests in Lviv and in other West Ukrainian cities.

In Stanislaviv, members of the Communist Party, on instructions from the MVD, gave out lists of instructions to Ukrainian nuns. The instructions warned the nuns not to attend Masses, receive priests in their homes, baptize children, or persuade people to go to confession.

Failure to comply with the instructions would bring three years imprisonment and the loss of all civil rights.

POCHAYEV SYNOD

Last fall a synod of the Ukrainian Orthodox Church was held in Pochayev. The Orthodox priests, who are under the jurisdiction of the Moscow patriarchate, complained that the underground activities of the Ukrainian Catholic priests make it difficult for them to carry out their activities among the people. They made a joint appeal to Moscow to help them in liquidating the Ukrainian Catholic Church in Western Ukraine. The reply came immediately: "By 1970, the 100th anniversary of Lenin's birth, the Ukrainian Catholic Church will be completely crushed."

In addition, an Orthodox bishop arrived in Western Ukraine from Kiev, and in a meeting with the Orthodox priests attacked them for not having liquidated the Catholic Church in the 30-year period of their activity. The bishop then handed out small tokens of encouragement to the Orthodox priests: watches, clothing, and money.

KILLER OF STEPAN BANDERA LIVES IN THE UNITED STATES, BONN REPORTS

BONN, GERMANY.—A Soviet assassin convicted in 1961 of slaying two Ukrainian emigre leaders with a poison gas gun has been released from prison, and a West German magazine says he is living in the United States.

The West German Justice Ministry confirmed that Bogdan N. Stashinsky, 37, was released from prison two years ago after serving five years of an eight-year prison term and left West Germany. The ministry said he was eligible for release because he had served two-thirds of his sentence.

LIFE IN DANGER

The ministry said he was allowed to leave West Germany because his life was in danger here. It would not say where he went.

The Hamburg weekly magazine Stern reported in its current issue that Stashinsky and his wife went to the United States, accompanied by Central intelligence agents.

"He was met by agents of the U.S. intelligence service CIA and immediately taken to the United States in a military plane," the magazine said.

LIGHT SENTENCE

In October, 1961, the West German Supreme Court sentenced Stashinsky to eight years for the killings in Munich of Ukrainian nationalist leaders Lev Rebet in 1957 and Stepan Bandera in 1959.

Stashinsky, who turned himself in, said he had killed on orders of the Soviet secret service with pistols that sprayed potassium cyanide and caused instant death.

UKRAINIAN MYSTERY: LIBRARY FIRES—ARCHIVE DESTRUCTION LINKED TO STRUGGLE OVER NATIONALISM

WASHINGTON, February 19—There was an explosion, and then a fire. Historic collections of Ukrainian and Jewish archives were destroyed as the blaze swept through a 17th-century monastery library in Kiev, capital of the Soviet Ukraine.

An obscure paragraph in a local Kiev newspaper, Kyivska Pravda, reported the destruction last November of the Church of St. George in the Vydubetsky Monastery, along with its priceless Slavic and Hebrew manuscripts.

Strange coincidences attach to this event, which otherwise could have been only a tragic but routine incident. The same night, Nov. 26, 1968, another mysterious fire was reported to have destroyed the Great Synagogue in the Ukrainian port of Odessa, destroying a library of Jewish documents.

And the fire at St. George's Church was the second time in recent years that archives of Ukrainian history had been destroyed by a large fire of obscure origin.

In the first fire, in 1964, documents on Ukrainian history and culture were destroyed in the library of the republic's Academy of Sciences.

POLITICAL IMPLICATIONS RAISED

To Ukrainians living in this country and Canada, and to many analysts of Soviet affairs, the fires have political implications of national minorities under Soviet Russian rule.

Cultural and religious suppression of the Jews of the Soviet Union has been widely noted through the years. The Ukrainian nationality and heritage has been a more intermittent target of the Kremlin's drive for cultural assimilation.

Starting with the arrests and secret trials of dozens of Ukrainian intellectuals in the autumn of 1965 there is mounting evidence of a Soviet police drive to clamp down on dissident writers and teachers whose calls for cultural freedom are blended into their pride in the Ukrainian national heritage.

Soviet spokesmen often denounce this interest in the prerevolutionary culture as "bourgeoise nationalism," anti-Soviet and subversive. The existence of nationalist dissent in Ukraine is cited by Western analysts as one of the main reasons why the Kremlin decided to occupy Czechoslovakia last August and reverse the liberalization movement in Prague, before its effects spread across the Carpathian Mountains to the western Ukraine.

It is this context that gives the fires of Nov. 26, 1968, their political overtones, for irreplaceable archives of the Ukrainian heritage and that of Jews settled in Ukraine were reported to have gone up in smoke. Exactly what manuscripts were destroyed in Odessa is not yet known here.

ARCHIVES FROM JEWISH CENTERS

The Hebraic collections of the Vydubetsky Monastery consisted mainly of archives from two Jewish institutions that were closed in 1933–34, the Vinchevsky Hebrew Library and the Scientific Research Institute of Hebrew Proletarian Culture of the All-Ukrainian Academy of Sciences.

These institutions had over 150,000 volumes in their libraries when they were liquidated. The collections were transferred to the Vydubetsky Monastery in 1934.

The Slavic collection included Ukrainian archives from the Czarist and Hapsburg past, when Ukraine was divided between Russian and Austro-Hungarian rule.

The collection contained some of the manuscripts that had escaped destruction when, four and a half years earlier, the library of the Ukrainian Academy of Sciences in Kiev was set afire.

The Odessa synagogue fire originated from a short circuit in an adjoining matzoh bakery, according to a report from Moscow released by the Soviet Embassy in Washington. The Vydubetsky Monastery fire is under investigation, the Ukrainian press agency said.

But the first fire, on May 14, 1964, was acknowledged by officials in Kiev to have been arson. A library employe named Pohruszhalsky was tried in Kiev in August, 1964, sentenced to 10 years imprisonment on a court finding that he was emotionally unbalanced.

The official version was that he had set the blaze in anger over a feud with the chief librarian.

George Luckyj, professor of Russian and Ukrainian literature at the University of Toronto, was in Kiev at the time and witnessed the fire.

He wrote this description in the academic journal Problems of Communism, published by the United States Information Agency.

"Standing in a crowd of rather apathetic spectators," Mr. Luckyj wrote in a recent article, "I was struck by the magnitude of the blaze (it was still burning the next day). When no word about this disaster appeared in the local press, I talked to some Ukrainian writers who told me that they thought the fire was an act of sabotage, but they had no answer as to who might be the saboteur."

Many months later an anonymous pamphlet reached the West, one of the first of the so-called "underground" documents to be smuggled out of the Soviet Union, describing the trial and charging that the arson had been a deliberate maneuver of the Soviet secret police, the KGB, to wipe out archives that could have been a rallying point for Ukrainian nationalist sentiments.

Among the manuscripts destroyed were records of Ukrainian folklore, literature and history, including documents of the short-lived anti-Soviet Ukrainian regime of 1918–19.

The library of the Academy of Sciences, in downtown Kiev, had the largest collection of Ukrainian writings known to exist. "A portion of those archives was not even catalogued yet so that no one knows what there was and exactly what burned," the underground pamphlet said. "They are lost forever to history."

Whatever was left when the fire was extinguished was moved to the Vydubetsky Monastery near bluffs overlooping the Dnieper River.

CONGRESSMAN FRANK HORTON CALLS FOR SUPREME SACRIFICE MEDAL FOR FAMILIES OF MEN AND WOMEN KILLED IN VIETNAM

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. HORTON. Mr. Speaker, it is my privilege to introduce legislation today which establishes the creation of a Supreme Sacrifice Medal for presentation to the survivors of American service men and women who have lost their lives in Vietnam.

This medal is dedicated to the next of kin of sacrificed heroes as an expression of tribute and sorrow from a grateful Nation. This medal is designed to be displayed in the home or place of business as a reminder that our Nation is aware of the terrible sacrifice that families and loved ones make in shouldering the burden of their loss.

Retroactive to December 1961, this award in no way detracts from any personal honors or decorations which may be awarded to deceased servicemen and women who have responded above and beyond the call of duty.

Enactment of this legislation would be an important expression of the high esteem that Congress holds for those at home who pay the high cost of a cold war in Vietnam.

THE AMERICAN LEGION: THE FIRST 50 YEARS

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. BRAY. Mr. Speaker, March 15–17, 1969, will mark the golden anniversary of the founding of the American Legion. On those dates, 50 years ago, in Paris, France, a caucus of World War I veterans, responding to the idea of Col. Theodore Roosevelt, Jr., met and laid the foundation for what is now the world's largest veterans organization, with 2.6 million members in 16,300 posts scattered throughout the United States and 28 foreign countries. A special commemorative stamp is being issued by the Post Office Department to mark this event. The Legion itself is giving, as a gift to the Nation, a permanent lighting system for the Tomb of the Unknowns in Arlington Cemetery.

What is that mystical thing, that special bond created among those who have worn their country's uniform? What drew those men together in 1919? Shakespeare's Henry V, exhorting his soldiers before the battle of Agincourt, spoke what were probably the noblest words ever written to describe it:

> He that outlives this day, and comes safe
>   home
> Will stand a tip-toe when this day is named,
>   . . . he'll remember with advantages
> What feats he did that day . . . we in it
>   shall be remembered;
> We few, we happy few, we band of brothers;
> For he today that sheds his blood with me
> Shall be my brother. . .

So the "band of brothers" met in Paris in March 1919. The guns of "the war to end all wars" had been silent for only 4 months. Less than 2 years before, on June 13, 1917, a grimy English Channel steamer had landed the first of what was to be 2 million American soldiers in France: 177 men, headed by a tall, slim, cold-eyed major general named John J. Pershing.

March 1919—the first year of what all hoped and, at that time, had reason to assume was perpetual peace, but no man knew that it was only the beginning of a 20-year armistice. Behind the "band of brothers" were the green fields around a sleepy little village in Picardy called Cantigny; the surrounding plots of forest had sheltered 90 German artillery batteries. On the night of May 3, 1918, the 18th Infantry of the American 1st Division, soon to get its immortal name of "Big Red 1," was hammered with 15,000 rounds of artillery. Two hundred died; 600 were wounded or gassed; long lines of Doughboys stretched back to the rear, led like blind men, hands on shoulders of the man in front.

At Chateau-Thierry and Belleau Wood the French were just beginning to dig up the first of thousands of brass machine-gun cartridge cases from their fields and orchards; they would swear the metal tainted the fruit for years afterward. The grass was soon to come up again on hill 231, overlooking the Marne at Varennes, where the German 5th and 6th Grenadiers had smashed themselves to bits against McAlexander's 38th Infantry Regiment.

Soissons lay gloomy and gray under the last few weeks of the French winter. On July 18, 1918, the French General Magnin had wired the American troops that "You rushed into the fight as to a fete."

An American Army and American air-power had been born at St. Mihiel. As the first caucus got down to business in Paris, the rusting wreckage of Lt. Frank Luke's Spad still marked the spot where the Texas Balloon Buster, who had racked up 14 victories in 8 days, and five of them in 8 minutes, had made his last stand. Shot down and confronted by a German patrol, the wild and undisciplined flying genius had shot it out rather than be taken prisoner, and died with a Colt .45 in his hand.

The Meuse-Argonne was quiet that March of 1919. Hill 223 had been a wasp's nest of machineguns, but "every time a head came up, I knocked it down," said corporal, later sergeant, Alvin York. Returning from the hill with his bag of German prisoners, York's battalion commander ordered him to report directly to the brigadier. "Well, York," said the astounded General Lindsay, "I hear you have captured the whole damned German army." "No, sir; I only have 132."

The men who met in Paris in 1919 to found the American Legion could not foresee that within 50 years the ranks of their Legion comrades would be swelled by veterans of three more wars. Their love for their country, their belief and faith in its ideals, and their hopes for its future had been forged and strengthened in the fiery crucible of World War I that had dragged the United States for all time into the position of major world power. Whether they knew the direction their country would take in the years to come, no man knows. But we can be sure that they knew of the latent potential strength and possibilities that lay within the "band of brothers" and, so, as the preamble to the Legion constitution states, they determined that "For God and Country we associate ourselves together for the following purposes." Let us reflect on this preamble, for within its phrases and what they mean lie the objectives and forces that have made the American Legion the powerful and moving force for good that it has become.

> To uphold and defend the Constitution of the United States of America.

What could be more fitting for an opening phrase? Our country stands upon its Constitution, that document termed by the great English statesman Gladstone "the most remarkable work known to me in modern times to have been produced by the human intellect, at a single stroke—so to speak—in its application to political affairs."

> To maintain law and order.

This is one of the eternal truths of our American Republic, and it was cited in President Thomas Jefferson's eighth annual message to Congress when he said: "Love of liberty, obedience to law, and support of the public authorities, a sure guaranty of permanence of our republic."

> To foster and perpetuate a 100 percent Americanism.

This idea is one often scorned in some circles. It is charged that there is no such thing as Americanism, let alone "100 percent," but to those who carp, and mock, and criticize, I would respond in this fashion: It is true that our country is a melting pot, of all races, creeds, and nationalities. But it is also true that this has been distilled into something found only in America; it is a national will, a national ethic, a national goal. It shows itself in a country that goes all out and at the expense of much blood and treasure to defeat its enemies, then turns right around and feeds these same one-time enemies and helps them regain their place in the community of nations. It is manifested in that country whose citizenry gives voluntarily more of their private time and resources in attempts to do good for others than any other country on earth. Yes, it is real, and, yes, certainly, it is worth fostering and perpetuating.

> To preserve the memories and incidents of our associations in the Great Wars.

"We band of brothers." That mystical bond and kinship felt among men who have worn their country's uniform, and have borne the weight of its battles, is like nothing else on earth. Those who have seen the face of war are also those most eager and dedicated to preserving the peace they have helped to secure.

> To inculcate a sense of individual obligation to the community, State and Nation.

"Individual obligation"—something all too often cast aside today, trampled in the dust by the new theories that the individual is neither responsible for nor owes his community, State, and Nation anything, but that society collectively both owes the individual all, and is morally guilty of whatever transgressions the individual commits. This is a sentiment totally alien to all enlightened concepts of human nature. Restoration of this sense of individual obligation is what the country needs now more than at any other time in its history.

> To combat the autocracy of both the classes and the masses.

Dictatorship, despotism, can come like thieves in the night, under banners that proclaim, falsely, equal justice and liberty and prosperity for all. It is not restricted to one certain political creed, this danger; is not confined to one social or economic class alone, and not to be found in another. The danger is demagoguery in all forms, that rends a nation, divides its people, fills them with fear and foreboding, and then sees them turn to the first mountebank and charlatan who promises them relief from their troubles. All have a role to fulfill; none has a right to impose tyrannical rule on the rest.

> To make right the master of might.

None need fear the power of another if those who wield it do so only in the name of what is right, and at the call and plea of those who are oppressed. When a country is granted power, it also takes on the solemn obligation to use it only for honorable causes and in defense of the rights of free men.

> To promote peace and good will on earth.

No nobler objective could be cited, and, sadly enough, at times it seems that nothing can be farther from achievement by mankind than good will among all and the blessings of peace. But it is a goal to be kept eternally fixed and worked for, and never to be forgotten.

> To safeguard and transmit to posterity the principles of justice, freedom and democracy.

If these principles, strong and untarnished and shining, can be passed on to future generations, then that generation which has gone before will know their work was well done, and their duty to those who come after them has been faithfully and conscientiously carried out. If these principles endure, then so does the Nation and its people. If they fail, then the Nation and people decline and ultimately fall. And a sacred trust will have been betrayed.

> To consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

When men band together, no matter what the reason and no matter what the bond, they take upon themselves responsibilities and duties that make this very association an outstanding and special thing. "Mutual helpfulness" is a simple term, but as is so often the case with simple and uncomplicated statements, it speaks more truth then volumes of empty rhetoric.

SO THIS IS THE AMERICAN LEGION AFTER FIFTY YEARS

Fifty years have gone by, and the men of three more wars—World War II, Korea, and now Vietnam—have joined the ranks begun by their comrades-in-arms who went "over there." Cantigny, Soissons, the Marne, Chateau-Thierry, the list has lengthened to include Pearl Harbor, Guadalcanal, Halfaya Pass, Anzio, Salerno, Omaha Beach, St. Lo, Okinawa, Tarawa, Pusan, Inchon, the Chosin Reservoir, and the newest additions of the Rock Pile, Da Nang, Khe Sanh, Plei Me, and the Mekong Delta.

The American Legion represents some of the finest of America's sons; its ideals, goals, and objectives reflect the highest strivings of our Nation; its role in our Republic's life has a value that can never be calculated. With its first 50 years of service "to God and Country" behind it, the American Legion and the country it serves can look ahead with confidence to many more years of the Legion playing a significant and important role in the life of the Nation.

RACE AND VIOLENCE IN WASHINGTON STATE

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. PELLY. Mr. Speaker, "Race and Violence in Washington State" is the title of a 65-page study produced as the result of a 6-month, statewide survey of racial tensions. The study was effected by the Washington State Commission on the Causes and Prevention of Civil Disorder.

The commission originated with Gov. Dan Evans' Advisory Council on Urban Affairs. The council directed Secretary of State A. Ludlow Kramer to form a 19-member commission which first met in May 1968, and completed its work in December 1968. The study was turned over to Governor Evans on February 26, 1969.

Mr. Speaker, the specific goals assigned to the commission were—

To educate a cross section of the public, black and white, and public leaders in particular, about the potential for racial disorders in the State.

To describe, as the Kerner Commission largely failed to do, what actions—public and private—citizens have taken to prevent civil disorders from occurring.

To set down a list of recommendations for additional action at all levels of public and private endeavor.

To cultivate a greater sense of determination in public officials and private individuals to make substantial positive exertions that racial peace and justice require at this time in history.

I believe, Mr. Speaker, that the commission's report is of concern to all Americans and for this reason I submit, under unanimous consent, for printing in the RECORD excerpts of the report prepared by the Seattle Post-Intelligencer's Hilda Bryant:

RACE AND VIOLENCE IN WASHINGTON STATE

In this report we are concerned with the causes and prevention of racial (i.e. black) disorders and the wider matter of racial violence.

The Commission believes that there is a complex chemistry in the causes of civil disorders and terrorism. Some causes are underlying causes, some are contributory, and some are the trigger or spark of disorders.

Basic to the underlying causes is long-term, pervasive exclusion of those who are different from white middle-class America. This exclusion, which is founded in both racial and cultural discrimination, has become rigidified and institutionalized over time, permeating the social, economic, political, legal and education life of America.

Other underlying causes are black poverty and the black poverty culture, a psychologically debilitating environment which originated in white exclusion and whose present makeup is still conditioned in part by white discrimination.

Another underlying cause is the presence of large numbers of poor and underemployed blacks in a segregated and confined area, particularly when the grouping is not entirely by choice; when the area is, in other words, a ghetto. The situation is worsened when such people are unable to participate in city-wide economic, educational, recreational, social and governmental life.

Among other causes of disorder, some more important than others, are:

Awareness of the exclusion referred to above.

Lack of understanding of the machinery of the democratic system and the possibilities for change within it.

Failure of government to provide firm, bias-free police service in the ghetto, police service that has the confidence of the ghetto.

Lack of availability and equality of justice before the law and the courts such as disparity of bail requirements, sentencing, parole procedures and unavailability of good legal service.

Legitimization of violence in the rhetoric of black extremism, a loose-tongued, loose-minded apologia which is self-defeating to the real interests of black people as white racism is to the interests of whites. (Black extremism, of course, should not be confused with the positive attitude of black pride.)

Overselling of the potential of government programs aimed at ending poverty, with resulting frustration and cynicism.

Rising expectations brought about by the real gains in civil rights and in economic conditions, which heighten a sense of urgency and a feeling of impatience, thereby resulting in increased frustration.

The unintentional and sometimes irresponsible glorification and advertisement of riots by the media, particularly television and radio.

Boredom and lack of constructive outlet for energies of the young.

Rumors, which spread false alarms and increase tensions in both white and black neighborhoods.

Weather, as when hot, muggy days and nights tend to bring ghetto people living in close quarters out of their houses—uncomfortable and irritable—and onto the streets.

The ambivalence and confusion with which the majority in society react to black language and acts of violence. White people's sense of support for certain black goals and their sense of guilt for society's past injustices, sometimes prevent them from responding with consistent firmness to destructive acts by criminal elements in the black community. On the other hand, whites often are inconsistent in distinguishing constructive militancy from criminality.

Finally, like the Kerner Commission, we did not find evidence of organized agitation playing a role in causing major civil disorders. However, there seems little question that it has played a role in individual criminal acts in our state and there is no discernible obstacle to its also playing a role in civil disorders in the future.

By organized agitation, we do not mean a large conspiracy; there is no hint of that.

What we do mean is organized criminal activity which falsely parades in the guise of civil disobedience and civil rights; that, of course, must be recognized for what it is and dealt with accordingly.

CAUSES PRESENT

While we have avoided major disorders so far, the Commission has found ample evidence of riot causes in the state and in some ways the situation is deteriorating rather than improving.

The overall economic position of black people in Washington State is slowly improving, but the difference is so small between our cities and those that have had riots as to be nearly negligible.

Granted that white and black citizens in Washington have a higher personal income than most citizens elsewhere. But the disparity between the races—the comparison of standards of living—in many ways may be as productive of racial resentment as absolute deprivation.

All the attendant features of poverty which make up the poverty culture—crime, low employment, extreme examples of bad housing, health backwardness and educational difficulties—are present in Washington, however one may quibble with matters of degree.

Further, the element of white discrimination is not missing. On the other hand, it should not be surprising that some black people, who suffer real discrimination often enough, should sometimes misconstrue encounters with white people.

What was significant in the Commission's field trips and hearings was that most instances of discrimination seemed to derive as much from the victim's economic and cultural position as his race. It would seem that many in today's society and some of society's institutions are economically and culturally prejudiced as much or more than they are racially prejudiced.

Black people suffer most from this prejudice because most blacks, by American standards, are poor. Moreover, since most are poor, even those who are not are often assumed to be and are treated accordingly—which is not so with whites.

The most damaging aspect of discrimination against the black poor is its institutionalization by an unwitting society.

Most of society's policies are designed according to middle class standards of equality which result in demanding more of ghetto residents than they are able to give and provide less protection and help than they deserve.

It is our judgment that Civil Service test requirements for some jobs seem too high and unachievable for persons otherwise qualified. The same is true of many private job standards. It is unhealthy for society to exclude its culturally different. In fact, the Commission discovered a great many handwringing officials who want to hire more of the poor, especially the black poor, but are held back by job profiles.

Theoretically the law makes only "equal" demands on the poor (black) in other ways. The law of wage garnishment is applied evenly but only the poor are likely to experience it. In Washington State's concept of "equal" justice, a creditor may garnish the wages of a debtor before the courts have even rendered a judgment in the case.

Similarly, the tenant in Washington State may not refuse to pay his rent even if the landlord fails to keep up maintenance of the apartment; under the law the landlord has no obligation to perform that maintenance. In all common law, this is perhaps the only instance where legal obligations are not mutual.

The most pervasive and critical catalytic cause of civil disorders, of course, is tension between certain residents of the ghetto and the police. In most of the Washington cities visited by the Commission, police-ghetto relations are the single most common source of complaints and agitation.

The white police are the most tangible symbol of white power in the ghetto, and as such, no matter how competent and sensitive they might be, bear the brunt of black resentment. They are the pressure point of confrontation.

There undoubtedly are a certain number of racist officers in the police departments of Washington State. The Commission heard too many respected black citizens with no axe to grind make too many specified charges of police brutality, rudeness and callous indifference to totally disregard them.

Testimony was also heard concerning policemen who conduct searches without a warrant—and not merely in cases where the search is made incidental to a lawful arrest. Plainly, lower-class ghetto residences are not respected to the same degree as white, middle class residences elsewhere.

It is extremely difficult under the present structure of complaint procedures in all Washington cities visited by the Commission to ferret out prejudiced policemen and have them suspended.

One reason that more ghetto residents are more dissatisfied with the police than are other people is that the high crime rate in the ghetto brings the police and local residents into more frequent—almost necessarily unpleasant—contact.

The dilemma is complicated by the differing cultural outlooks of most policemen, who are white, and most ghetto residents, who are black. The police are charged with enforcing the law, but the middle-class morality standards of behavior of society are sometimes confused with the law itself.

Many in the white middle-class, for example, take a more tolerant view of traffic violations than does the law and a less tolerant view of personal demeanor and attire. Unfortunately some policemen not only identify with these standards but try to enforce them in the ghetto. Others, recognizing that their outlook and those of the ghetto differ, are unsure as to what kind of enforcement to maintain and err on the side of nonenforcement.

How to strike the balance? The white, middle-class policeman in the black, lower class ghetto is confounded. Police and ghetto dwellers in most Washington cities' ghettos have reached a point where communication is nearly impossible on some matters.

THE DANGERS POSED

The Commission concludes that sufficient preconditions do exist in Washington State to cause major civil disorders. In the past certain arms of government and business have made notable progress in dealing with the root and secondary causes of disorders. But the swelling chorus of black indignation and threats has not been stilled.

Some of the violent actions of late, particularly in Seattle, clearly are the planned work of certain extremist blacks. Much has been made of the fact that these extremists avowedly employ terrorism against policemen, firemen, stores and apartment houses as an alternative to rioting.

The terrorist element even has stated that the era of riots is over, at least for a while, and have hinted at "guerrilla warfare." But if there are not riots, it will not be because the extremists have turned to "guerrilla warfare." In truth, the terrorism of recent months does not preclude open civil disorders, for while the extremists may not start a civil disorder themselves, others may.

Indeed, the Kerner Commission found no evidence in the major race riots of the East that the initial incident or incidents had been planned. What the extremists do manage, besides their separate crimes, is to contribute to an atmosphere of violence which can encourage and sustain mob action, and that they are doing.

Daily tension and sporadic incidents might at any time develop into full-fledged riot. It might be an isolated outbreak. It might also, however, be encouraged by news of similar outbreaks in other cities. Minor strife in Washington usually increases at those times major violence takes place elsewhere.

For example, Seattle, Spokane, and Tacoma all had small disturbances and civil disruptions in the days of April 1968, following the assassination of Dr. Martin Luther King, Jr., when sizable riots were occurring in the

East. Incidents of arson, false alarms and transit vandalism shot up noticeably in Seattle, Tacoma, Spokane and even Yakima had riot scares communicated from Seattle.

Indeed, it was reported by many officials in Washington cities outside of Seattle that if a riot occurred in their respective localities it probably would come, by contagion, after one had started in Seattle.

Certain blacks repeatedly told representatives of this Commission that white society only learns from violence. The truth is that if riots or terrorism were ever effective instruments of remonstrance, they aren't today. At the very most, they are swords that cut the wielder (and his neighbors) more than his reputed antagonist. Indeed, civil disorders represent the single most dangerous threat to the long term advancement and liberation of poor people, particularly the black poor, in a country overwhelmingly middle-class and white. Instead of forwarding the cause of the black poor, civil disorders threaten to disrupt and retard the numerous efforts that blacks and their white allies have undertaken in the ghetto.

Not only would a riot in, say Seattle or Tacoma, probably result, as in Newark and Detroit, in far more black injuries and deaths and property damage than whites, would suffer, but it very likely would threaten to loose the violence of some whites who are racist and alarmists.

Indeed, both city officials and black leaders in Yakima confessed to the Commission that their primary fear was not of a black riot, but of white vigilantes who might stage a "preventive attack" on local blacks after a word of a riot elsewhere. Similar qualms were voiced in other cities.

THE IMPORTANCE OF ATTITUDES

Attitudes, factually based or not, are often the reality with which we must deal.

Overt bigotry is present in Washington State, but the more widespread problem is prejudice which is subtle, and sometimes, therefore, more cruel. The basis is lazy thinking, a combination of ignorance, over-generalizations and indifference.

The Commission found that the prejudice of individual whites does not represent the most serious obstacle to the black advance. What does is institutionalized prejudice, the cementing of the middle-class values into the economic and governmental structure in ways which effectively discriminate against the disadvantaged blacks. Industrial seniority systems in unions, once used against employers, now effectively keep down blacks, as does recruitment by referral, though they may not be overtly discriminatory, nor even viewed in that light by many union members.

Similarly, prohibitions against hiring anybody with a criminal record is effectively prejudicial to graduates of the ghetto.

The Commission also must report it found ample evidence in Washington State of a developing black bigotry which already is nearly as much a threat to progress as is white bigotry.

Just as the terrorism of the Ku Klux Klan and other open, radical rightest movements prosper until decent opinion rallies against them, the black counter-bigots must be confronted now by people of all races.

To a large extent the ideology of black racism is imported. Many otherwise well-meaning persons have been seduced by its half-truths, overgeneralizations, and false absolutes. Moreover, just as some non-racist whites have defended the outright bigots as "honorable men," there are blacks who excuse the excesses of the black bigots on the ground they are building black "pride."

A racial generalization the Commission repeatedly encountered, that "violence is all that white people understand," is a slur that attributes the stupidity of a faction or a race to the whole and is unwitting parody of remarks made by white bigots. Indeed, it sometimes appears that the black racists merely have turned white racist arguments on their heads.

THE SILENT MIDDLE

Perhaps there is a tendency to overestimate the influence of the extremists. A University of Washington study of Seattle's Central Area showed that most blacks there tended to consider their "leadership" to be the established moderates, not the extremists. Such ordinary citizens found Seattle a cold city, but found whites in the Central Area friendly. They seemed afraid both of neighborhood hoodlumism and excesses of the police.

What the special studies of the Kerner Commission most graphically demonstrate is the variety of opinion among both blacks and whites—the point confirmed by this Commission's analysis of Washington State, and the truth that confounds the demogogues and racists.

There is a vast overlap, however, of well-meaning whites and well-meaning blacks. They disagree on some points of analysis and proposed solutions. But they both have a stake—and an obligation—in fending off the extremes.

Those blacks who believe in violence and those whites who believe in repression make the headlines. But if both races are to progress, the silent middle will have to raise its voice.

GHETTOIZATION

Washington's cities since World War II have been recipients of the last major wave of "immigrants" in this country. These immigrants, Negroes, have moved within our own nation. Their reasons for coming to Washington were the same as the European immigrants and Easterners who preceded them, the search for opportunity, economic achievement and an escape from social injustice.

Though in-migration still continues, most of the present growth in the black community is from natural increase. However, three-fifths of blacks in Washington were born elsewhere. Half of these immigrants came from the South, the others mostly from Eastern and California cities.

They overwhelmingly tend to settle in cities forming clusters of blacks in single areas, effectively ghettos. East-Pasco is all black, Seattle's Central Area has shifted from one-quarter to three-fifths black and Tacoma's Hilltop area is following the same pattern.

Recent open housing legislation enacted nationally and locally will aid to some degree in breaking down patterns of residential segregation. However, there are other problems that contribute to the segregation that must also be dealt with. According to the Seattle Urban League, they are:

Limited choice confined to approximately 3 houses compared to the white buyer's choice of 20.

Equal treatment offered by only four per cent of realtors.

Unpleasantness or strain involved in two of three contacts.

Twice as many false starts as the white buyers; i.e., cancellation of arrangements.

Lack of preferred housing the Negro buyer can afford. The majority of houses made available to Negroes are in the $20,000 to $40,000 range, the majority of buyers are looking for houses in the $15,000 to $25,000 range.

The conclusion reached by the National Advisory Commission on Civil Disorders apply to this state. They found that although the incomes of both blacks and whites have been rising rapidly:

"Negro incomes still remain far below those of whites. Negro median family income was only 58 per cent of the white median in 1966.

"Negro family income is not keeping pace with white family income growth. In constant 1965 dollars, median non-white income in 1947 was $2,174 lower than median white income. By 1966, the gap had grown to $3,036."

A Central question regarding income is that of parity. When will Negroes or other minorities make as much money as their white counterparts? The answer is: not for a long time. Negroes have such a low level of income now that even if the rate of increase in income for Negroes were three times that for whites, it would take 10 years to reach parity, and an increase rate as rapid as that is unrealistic.

It would appear that if Negro income is to be increased through more education for Negroes, money to pay for that education will have to be found. The Negro today is in a bind, admonished to seek higher education and then denied the resources necessary to obtain that education.

CRIME

In Seattle, the census tracts that make up the Central Area have the highest crime rates in the city and would have so even without race-related crimes.

Says the Kerner Commission: "Within larger cities, person and property insecurity has consistently been highest in older neighborhoods encircling the downtown business district.

"High crime rates have persisted in these inner areas even though the ethnic character of their residents continually changed."

The same pattern essentially has been true in most Washington cities. One distinction does exist. Negroes who had prospered enough to acquire other housing found it very difficult, if not impossible, to leave these areas because of residential segregation.

Therefore, the Negro who possesses the resources to seek a more secure environment for his family is forced by discrimination to remain amidst the chaos of the ghetto.

In short, the greatest victims of crime are the poor and disadvantaged residents of the ghetto. There is little applause for this crime in the black communities of Washington. Residents have been frightened by the rise in crime and have become indignant about what they feel to be a lack of police protection in their neighborhoods.

This raises a double problem. The residents of the Negro communities are insecure because of the existence of high crime rates, but also, they, like their white counterparts, have abrasive relationships with the police whenever they come in contact.

This combines with a feeling of a double standard of justice and helps to erode police-community respect.

HEALTH

In Washington, the infant mortality rate among Negroes is approximately 2.5 times that of Caucasians. In 1967, the rate among whites was 17.8 infant deaths per one thousand live births. The rate among blacks was 42.8 deaths per one thousand live births.

This represented an increase in the mortality rate for blacks over the last decade, while the rate for whites decreased over the same period.

The ratio of tuberculosis, as between the white and Negro population gives further evidence of the poor health conditions of residents of the ghetto. In Seattle, the incidence of tuberculosis among non-whites was 2.4 times that of whites in 1967.

We must examine our medical system in order to determine why health care remains unobtainable. One problem is lack of information about services available among those who need care. Knowledge about free immunization clinics, dental services, charity hospitals and consultation services does not reach many of the people who desperately need these services.

Lack of professional sensitivity to the problem is another reason services don't reach the poor. The physician who travels from his suburban home to his suburban clinic or his downtown office rarely witnesses the critical needs of the vast number of people who either are not able or not inclined to come to him.

Our health professional schools have not done enough to train members of cultural and racial minorities and at present, there are only four Negro dentists and only 19 Negro physicians practicing in our state.

EDUCATION

The State of Washington may well take pride in the quality of its public education system which, by almost any standard, is one of the best in the nation. A National Education Association publication shows Washington first in the number of students passing the Armed Forces mental test and second in the median years of education completed by students for 1966.

The schools, then, prepare a majority of students to become successful members of society. But this has not been true for many minority group members.

Tests given at schools in Seattle with enrollments of over three-quarters Negro point out the disparity in the educational attainment of these students when compared to other students in the city.

Washington Junior High School in the ghetto, shows achievement scores far below the mean for the city.

The following table, using selected pupil indices for 1967–68, is illustrative:

Grade 8:	Washington Junior High	City Mean
Reading	23	62
Spelling	34	54
Language arts	16	41
Arithmetic computation	19	36

The lack of achievement in education by Negroes is further illustrated by the scarcity of Negro students attending college. The University of Washington last spring estimated black enrollment at only .005 per cent when the black population of the state is 2.0 per cent. Recent recruiting efforts by the University have tripled the Negro enrollment at the school but Negroes still make up only .015 per cent of the total.

This past year, 90 per cent of the new teachers entering a major school district in the state requested that they not be assigned to schools with black students. The fears of teachers and their lack of training in teaching the disadvantaged adds to the problems of educating the ghetto youth.

ORGANIZING FOR ACTION

To establish equality of opportunity will necessitate a state-wide commitment, with county and municipal governments setting up new organizational apparatus and providing new leadership, and with the private sector doing the same.

Tax reform is needed to provide more money, to remove tax inequities and to provide tax incentives that will aid in, rather than impair the economic progress of the ghetto.

We would point especially to the State Board Against Discrimination as a State operation in need of reorganization. The considerable accomplishments of the Board to date have come in spite of its structure, rather than because of it. Clearly, more staff are needed to handle present functions, particularly in the area of complaints.

The Commission believes that the only agency capable of functioning as an over-all coordinator of anti-poverty efforts in the state is the State Office of Economic Opportunity. If necessary it should fund its OEO in order to manage this function.

We recommend that the state establish an office in Washington, D.C. to serve an information and liaison role with the federal government. An office in the national capital would provide the state with fast, thorough information on legislation and policies of the national government and also would give the state greater influence on the shaping of such laws and policies.

We indorse the concept of an ombudsman in state government officially designated to hear complaints against the state by private individuals. The ombudsman would possess a staff to investigate charges made against decisions of the state or its employees.

We recommend that the legislature allocate block grants of money to cities and communities to improve law enforcement, the delivery of services, the protection of human rights and the development of the economic resources of depressed areas.

We recommend that the State Liquor Control Board adopt a regulation prohibiting discrimination in the use of a state liquor license.

Such a regulation would include the use of a license by a private club when the club does not factually open its membership, regardless of race or religion.

The State Board Against Discrimination should be empowered to help implement this regulation by investigation, with subpoena power, to make its findings available to the Liquor Control Board, and to make recommendations relative to the acquisition or retention of particular liquor licenses.

As a corollary, we recommend that any organization officially sanctioned by any higher institution of the state, such as a university fraternity, be prohibited from factually denying membership because of race or religion.

We recommend that counties develop employment programs for both minority groups and disadvantaged young people.

BUSINESS AND LABOR

We recommend the establishment of Urban Coalitions of business in metropolitan areas.

We recommend the establishment by labor unions of Urban Action Teams to focus the efforts of unions on the problems of the disadvantaged.

EMPLOYMENT

We would like to believe that adequate recruitment and training alone is sufficient to bring about higher black employment. But it isn't. Most businesses and unions profess policies of non-discrimination, but many companies and unions are still effectively segregated.

Consequently, we recommend that the state and local government require all businesses and unions under contract or sub-contract to those governments or supplying services to such governments, or enjoying government licenses, meet a reasonable standard of racial integration established by state and local anti-discrimination boards.

Companies and unions failing to meet those standards would fail to acquire contract or licensing cooperation from the governments.

We also recommend that the state appropriate funds for county and municipal governments to employ and train the disadvantaged.

We further recommend that the State Department of Commerce and Economic Development expand its work with the private enterprise sector and the minority groups to assist in the development of entrepreneurial skills in businesses among minority racial groups in Washington.

We recommend legislation which will prohibit the garnishment of wages prior to the entry of judgment and the increase of wage exemptions to enable debtors to maintain an adequate standard of living.

We recommend that the State Department of Employment Security be provided with funds and work with the State Banking Association to create a less restrictive program to provide fidelity bonds for those formerly prevented from working.

We recommend that government and private employers' testing and interviewing procedures be re-examined to eliminate cultural bias.

HOUSING

We concur in the recommendation of the Urban Affairs Council that the importance and scope of housing be recognized through the establishment of a State Housing Agency.

We urge that one of the chief functions of the new Housing Agency should be to promote the establishment of non-profit development corporations to construct quality low-cost housing for the poor both inside and outside the ghetto.

Furthermore: The state should assist non-profit housing corporations in rehabilitation and new construction by endowment of a state low-cost revolving fund of at least $5,000,000.

We recommend that the state, through the proposed new housing agency or the Planning and Community Affairs Agency, actively encourage the founding of multi-racial New Towns in Washington State.

We recommend the Legislature approve the State Insurance Commission's program, authorized by the Federal Housing Act of 1968, to make property insurance for residential and business properties in potential disorder areas available to all.

We urge the passage of a law to provide expeditious processing of complaints against landlords who delay making needed repairs. A housing code is a necessary antecedent to such a law.

EDUCATION

Several school districts in the state have begun to take impressive steps toward solving the problems of cultural deprivation and other bad effects of segregation. Both Seattle and Tacoma have embarked on plans to integrate the schools. Their efforts to date have not been entirely successful, several schools experiencing difficulties in their first encounter with integration.

The shock of black meeting white, poor meeting affluent and the motivated meeting the unmotivated is a most natural and predictable occurrence.

Other schools have experienced more serious occurrences. The political activities of students in school are properly the province of the officials, teachers and students of those schools. However, unlawful occurrences in and around schools are the concern of everyone. The steps necessary to prevent unlawful activities in and around schools should be taken at once.

We must, however, recognize the difference between unlawful acts and those acts which are purely political. The existence of a Black Student Union with open membership in a school represents an opportunity for dialogue between students. It is not an unlawful act.

Non-disruptive demonstrations by students are not unlawful acts. Situations such as these are best handled by students, faculty and administration. We believe that individual schools should exercise their autonomy and continue to determine school policy.

Integration should continue.

We recommend that all school districts, with the financial aid of the state, establish programs that will result in the meaningful integration of all schools by the fall of 1970.

The question of the relevance of present education must be answered. We recommend the establishment of a think tank designed to bring experts in various fields together for the purpose of improving educational policies and programs.

Regardless of what other steps are taken there must be the immediate inclusion of the role of the black American in the history of this country, and of Washington State, utilizing both primary and secondary sources.

We recommend that the teacher education programs at the state colleges and universities be altered to include training in teaching the disadvantaged.

We recommend that a tax reform proposal

be adopted which will eliminate the necessity for yearly school levy elections for operating funds.

We recommend the establishment of a State Scholarship Program for economically disadvantaged young people.

SOCIAL WELFARE AND HEALTH

We urge that the next Legislature make the following reforms in state assistance law:

(a) Raise the wholly inadequate $325 limit on funds a family may receive (very large families should get more.)

(b) Make permanent the current temporary exemption of earned income of children in determining family assistance allotments.

(c) Provide more funds for those on welfare to attend to medical needs and to dental needs in particular.

(d) Provide stipends for day care and transportation for those in job training.

We strongly indorse the health recommendations of the Urban Affairs Council and, in particular, those calling for local health departments to hire the poor to work with the poor; for a state law requiring fluoridation of the water; for a State requirement of socio-cultural sensitivity training of all students of medicine; for more recruitment of Negroes by the medical profession; for a State-sponsored educational-informational program to acquaint the poor with medical services which are already available.

MEDIA

We recommend that each metropolitan newspaper, magazine, radio or television station employ at least one reporter to specialize solely on problems of the core city.

The Commission recommends that newspaper, magazine, radio and television station ownership develop training programs of their own in cooperation with academic institutions for potentially qualified black reporters.

Not nearly enough is being done in this key area. However, while blacks must obviously not be excluded from reporting in the ghetto, the criteria for assignment of personnel in black communities must be based on the abilities and qualities of the people for the job—regardless of color. If a white reporter can do the best and most honest job in the ghetto, he should be assigned there. If a black reporter can do the best job in the white community, that should be his job.

People need not only to be told what is happening but why. When children between the ages of nine and 12 are out in the streets of Seattle throwing rocks and creating problems both whites and blacks must have that story developed not only as an event but as part of an overall picture.

We strongly recommend that newspapers pay careful attention to headline writing as an aspect of their racial coverage.

We recommend that if it is not already a formal policy, the media indentify no person by race in a story unless it is absolutely necessary to the understanding of that story.

We recommend the media, particularly radio and television, pay greater attention to the thousands of blacks and whites across this state who are working to further racial harmony and progress.

POLICE

We recommend that police departments renew their efforts to eliminate every trace of prejudiced behaviour and that they enforce this policy with stiff penalties for violations.

Further, we recommend the establishment of "sensitivity training" in each police department and for every level of officer, to inculcate a true understanding of cultural differences between the races and the ability to distinguish behaviour that is illegal from that which is merely non-conforming.

We recommend that whenever probable cause exists that a policeman has committed an assault upon a citizen, the matter to be referred first to the courts for appropriate legal action, rather than being settled by internal discipline alone.

Only when the law is fairly applied to all citizens alike, policemen and black militant, can extremists' attempts to justify illegality be answered.

We believe it should be the publicly stated and explained policy of the police to assign patrols to any given area in direct proportion to the crime rate and population density of the area.

Policemen attending social events where alcohol is consumed ought not to have their firearms with them. This rule should be established publicly and firmly enforced.

Another policy of more than ordinary public concern is the "warning shot." Employed by policemen after a verbal command to halt has been given a fleeing person, the warning shot is fired in the air to afford the person a chance to stop.

Supposedly, it is only to be used when a felony has been committed, when the fleeing individual is thought to be the felon and when he has not responded to the verbal command to halt.

Where allowed, the warning shot is left largely to the discretion of the police officer.

Unfortunately, in practice the warning shot tends to be used occasionally when individuals are suspected only of a misdemeanor and when the policeman is not absolutely sure the person fleeing is the guilty party.

Consequently, this Commission adopts the position held by most administrators—with Seattle as a major exception—and the International Association of Chiefs of Police, that the warning shot should not be allowed.

The citation has much merit from all points of view, and not just for use in mass arrests. We recommend those police departments which have adopted the citation and recommended it to others.

We would like to see, in highly populated areas, more beat patrolmen.

We concur in the International Association of Chiefs of Police's view that any acceptance or gratuities by policemen is unprofessional and should be firmly prohibited.

The Commission heard many complaints, earlier reported, of police payoffs, particularly in Seattle. The undeniable existence of prostitution, dope and gambling in the Seattle ghetto, at least, tends to feed this popular belief.

We recognize the difficulty of enforcing some laws. We would say only that we believe it is within the power of the police to keep a successful vigilance against the vices mentioned above in residential areas, at least, and that includes most of the ghetto.

We recommend that each police department in our major cities employ an attorney, part time or full time, as appropriate.

We recommend the hiring of more black policemen. Pre-professional training with adequate pay is especially needed to help blacks qualify in the present police Civil Service tests.

Greater advantage should be taken of the armed services military police program which allows an early release for those men going into civilian police work.

We also indorse the concept of lateral-entry into police department leadership positions.

We recommend that policemen be encouraged to seek higher education in police-related fields through the state's colleges. Encouragement would include free tuition and pay promotions if not rank promotions for successful completion of coursework.

FIRE DEPARTMENTS

We recommend that every metropolitan fire department study and implement the Kerner Commission's detailed suggestions on planning, training and equipment needs as related to civil disorders.

We also recommend that all metropolitan fire chiefs be brought into policy planning at the state level for civil disorders.

THE QUALITY AND EQUALITY OF JUSTICE

We recommend that judges, like other public officials, undertake programs of sensitivity training including confrontation and dialogue with ghetto residents.

We also recommend that sensitivity training and poverty law be provided in the law schools, and integrated into the curriculum to prepare a broader base of the legal profession to meet poor, black clients with deeper understanding.

Law students should be encouraged to assist in poverty area legal programs as part of their practical legal education. While juries obviously cannot be given sensitivity training, it would be quite proper for the juror's handbook to include a section devoted to helping the average juror understand the culturally different.

We recommend the adoption of city and county public defender systems to handle the criminal cases of the poor.

As regards civil cases, we urge stronger Bar Association, state and city financial support for the operation of OEO Legal Services program. Salaries of attorneys need to be upgraded to keep competent personnel.

We recommend that the coroner's jury system be revised to allow a legal representative of the deceased or his family to participate in the hearings, to ask questions, to present evidence, etc.

We further recommend that the jury be picked in the ordinary way that petit juries are selected in Superior Court.

Finally, we recommend that the State Judicial Council should study the advisability of retaining or abolishing the coroner's jury.

We believe that bail procedures should be set up so that any person who resides within the community and is not accused of committing a crime of major violence against a person, is presumed ready and willing to appear at the court proceedings.

We recommend that the State Board of Prison Terms and Paroles be authorized by statute to extend its jurisdiction to all courts, on all levels, in the state. Uniform parole and probation practices, properly funded and administered by properly trained personnel would be available to all persons.

WHAT YOU CAN DO

(NOTE.—This excerpt from the civil disorders report is directed to the individual citizen of the State of Washington.)

We urge every citizen to involve himself personally in the improvement of race relations and the advancement of equal rights.

Advises one Office of Economic Opportunity organization in Seattle:

"If a volunteer approaches his service as a learning experience rather than as an offering of his superior material or educational advantages, the voluntary act becomes a sharing of mutual concern rather than a one-sided bestower-receiver relationship."

There must be personal relationships developed between individuals if understanding is to develop between the races.

Personal encounter may be called for. Seattle's East Madison YMCA operates a Crisis in Black and White program to encourage Caucasian and Negro families to exchange visits and views. Rev. Mineo Katagiri's "Friendly Town," also in Seattle, is a similar experience. The Council of Churches sponsors dialogue sessions.

If you are a businessman you can contribute significantly to lowering black unemployment by getting into any of the programs operated by the National Alliance of Businessmen, the Chamber of Commerce, Seattle Opportunities Industrialization Center or the Multiservice Center. Hold your next job opening for a black.

Anyone can help develop Green Power for blacks by investing in one of the black cooperatives in the State. Housewives can start an investment club to invest in black-owned businesses.

Are you a banker? How fair are your loan policies for people living in the ghetto?

Can you offer a summer or a part-time job? The Multiservice Center, the Central Area Youth Association, "Rent-A-Kid," or the OEO can surely find you eager help.

Are you an officer of a charity or social organization? You might consider making an effort to get a black young person into your office to learn administration and other skills with a future.

In the housing field, how committed are you to multi-racial living? Perhaps you live outside the ghetto and have a moderately priced house. Would you list it with the Urban League's Operation Equality?

Get the facts on what really happens to property values when a black family moves in. Talk to your local realtors and let them know how you feel. Get a petition circulated through your neighborhood as was done in Bellevue, advocating open housing.

You might start a scholarship fund, designating support for a disadvantaged youth with a record of risk in his background.

Does your church operate a summer camp? Is there a scholarship for disadvantaged youth? Or you could contribute to Community Campership Committee (Seattle) or the YMCA.

Perhaps you want to get deeply involved on the human level. Adoption agencies need parents and foster parents.

Most of the great accomplishments of this country were effected by individuals working together cooperatively without coercion. The best hope of peaceful racial progress may lie with the energies of the average citizen of good will.

MEMBERS OF THE COMMISSION

The study commission instructed to study the causes and prevention of civil disorder in the state consisted of 19 members. They were:

Secretary of State A. Ludlow Kramer, Chairman; J. D. Braman, Mayor of Seattle; Warren Chan, Judge, Superior Court, State of Washington; Goodwin Chase, Chairman of the Board and President of National Bank of Washington, Tacoma; William H. Cowles, III, President and General Manager, The Spokeman-Review, Spokane; The Very Reverend John A. Fitterer, S.J., President, Seattle University.

Ronald L. Hendry, Prosecuting Attorney, Pierce County; Donald J. Horowitz, Attorney, Seattle (Mr. Horowitz originated the idea of this Commission and made the initial contacts with Governor Dan Evans and Secretary of State Kramer which resulted in its formation.)

Charles B. Brink, Dean of School of Social Work, University of Washington; John M. Larson, Mayor, Yakima; Joseph McGavick, Chairman, Washington State Board Against Discrimination; W. Lester McIntosh, President Central Area Committee for Peace and Improvement, Seattle; Louis H. Pedersen, Secretary-Treasurer, Pierce County Central Labor Council, AFL-CIO.

Charles Z. Smith, Judge, Superior Court, State of Washington; David G. Sprague, State Representative, 37th District, Seattle; Mrs. Robert J. Stuart, Past National President League of Women Voters; The Rev. Jack M. Tuell, Pastor First United Methodist Church, Vancouver; William P. Woods, Chairman of the Board and President, Washington National Gas Company; Charles B. Zittel, Chief, Tacoma Police Department.

Staff members included:

Bruce K. Chapman, Seattle, executive director of the Commission. (Chapman is the author of The Party That Lost Its Head, and The Wrong Man In Uniform and is a former editorial writer for the New York Herald Tribune.)

Frank D. Raines Deputy Director for Research. (As Secretary Kramer's Administrative Intern in 1967, Raines was responsible for much of the research for the Governor's Committee on Constitutional Revision).

Editorial assistance for the report, "Race and Violence In Washington State," was provided by 11 part-time staff members. A special study of the racial disorders of Seattle's Central Area in July, 1968, was produced by Seattle Municipal League and is included as Appendix B in the Report.

MID-AMERICA INDUSTRIAL DISTRICT HAS DRAMATIC SUCCESS STORY

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. EDMONDSON. Mr. Speaker, this morning the members of the Oklahoma congressional delegation had the opportunity to view a film which does an outstanding job of telling the story of what may be the most successful Federal-State-local economic development venture in the Nation.

The film tells the story of the transformation of a World War II munitions plant, the Oklahoma Ordnance Works, into the highly successful Mid-America Industrial District.

When the ordnance works was abandoned after World War II, Oklahomans began to seek ways to utilize the 10,000-acre site south of the city of Pryor, Okla. Considerable discussions and negotiations in the State capital and in Washington led to the creation in 1962 of the Oklahoma Ordnance Works Authority, an independent State trust, which purchased the ordnance works from the Federal Government with $1.7 million in private loan money.

Under the capable leadership of Gene Redden, a member of the authority and administrator of the property, the mammoth job of clearing was started. The job was complicated by the fact that the structures were permeated in many cases with gunpowder, and were of heavy construction. The job was started, and during the first years the operating costs and loan payments were made with money made selling salvage materials.

When Congress created the Area Redevelopment Administration, the Oklahoma Ordnance Works Authority immediately saw the promise this program held, and filed the first application for public works loan and grant funds received by ARA.

In December of 1963, the application was refiled with the Economic Development Administration. Approval of a $1 million grant and $477,000 loan to the authority came in August 1966, and President Johnson came to Pryor to break ground for the project. At this point, the Federal-State cooperative effort began to move at full speed.

All work is now complete, and the film Mr. Redden showed the Oklahoma delegation this morning shows the finished result. There are four separate industrial parks on the property, so that industries of different types with different needs may have different services.

The parks are served by hard-surface streets and roads; water lines which can carry up to 25 million gallons of water per day; a sewage collection and disposal system which can collect and treat up to 10 million gallons of any type waste—a claim which can be made by few, if any, similar industrial park developments.

What are the results? Twelve industries are now located on the parks at the Mid-America Industrial District. They employ 785 hourly workers with an annual payroll in excess of $4 million. Capital investment is $15,900,000. The Pryor area, largely as a result of the initiative furnished by the Oklahoma Ordnance Works Authority, now has 20 industrial plants employing 1,538 hourly workers. Mr. Redden advises me that expansion plans now on the books will increase this total by more than 300 in the next 24 months, and he believes total employment at the district—which will become even more attractive with the completion of the Arkansas River navigation project—10 years from now will be in excess of 5,000. That will mean the size of the city of Pryor will be at least doubled.

Mr. Speaker, this success story is the result of farsighted men in Oklahoma and Washington who had an idea and turned it into a success. Russell Hunt, of Tulsa, has worked tirelessly on this project since the time it was only an idea. He was named chairman of the Oklahoma Ordnance Works Authority when it was created, and still holds that post.

Mr. Redden has been with the authority since its creation, as has another member of the board of trustees, Burke Webb, of Oklahoma City. Robert H. Breeden, director of the Oklahoma Industrial Development and Parks Department, is a member of the board, and Philip H. Viles, of Claremore, represents the Grand River Dam Authority on the board.

Mr. Speaker, we owe these gentlemen a salute for providing the initiative, effort, and energy to create this success story at Pryor. It is one of the finest examples of local, State and Federal cooperation, making constructive use of a Federal program, that I have seen anywhere.

CONFRONTING THE CUBAN ISSUE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. ASHBROOK. Mr. Speaker, with the nonproliferation treaty a subject of current debate, a nuclear agreement between Havana and Moscow signed on January 8, 1969, should be given serious consideration. Ostensibly for oceanographic and meteorological research, Cuba's new endeavor is being aided by the Soviet Union which is supplying not only scientific material but also technicians. According to John F. Lewis, coordinating editor of the American Security Council's Washington Report, there are now a total of 231 top Russian scientists now serving in Cuba, with 222 more due to arrive at the end of this year. In addition, an estimated 300 scientific specialists in all fields of advanced research have settled in Cuba from the Communist satellites in Eastern Europe.

Cuba's aspirations in the nuclear field make it all the more imperative for us to consider what steps we should take regarding the increasing Cuban threat to our security. My good friend, Meldrim Thomson, reminded us of this urgent issue in an editorial in the Manchester, N.H., Union Leader of February 10. In addition to offering a number of recommendations, Mel directed our attention to an article on Cuba by Dr. Bernardo Figueredo, formerly office manager in Cuba's leading law firm of Lazo y Cubas and now residing here in the United States. We are fortunate in having knowledgeable sources such as Dr. Figueredo who will not let us forget that a very real danger faces this Nation not many miles off our Southern shores. No longer can we afford the luxury of letting the Cuban question drift unattended by an aimless and directionless foreign policy.

We can begin a positive program of coping with the Cuban threat by persuading our allies to joint in a trade quarantine of Cuba. It is indeed ironic that we have joined in military alliances with nations which in turn carry on trade with Cuba as usual. It seems to me that this is a sensible first step in eventually returning that beleaguered island to its rightful owners—the Cuban people.

I insert in the RECORD at this point the above-mentioned editorial by Meldrim Thomson, Jr., along with the article by Dr. Bernardo Figueredo entitled, "The Other Side of Cuba."

[From the Manchester (N.H.) Union Leader, Feb. 10, 1969]

A NIXON DOCTRINE URGENTLY NEEDED

When President Kennedy junked the Monroe Doctrine during the Cuban missile crisis, he deprived the Americas of a mighty international doctrine that had effectively guarded the New World for more than a century against the piratical intrusions of Old World nations.

Even worse, President Kennedy, because of what many believe to have been a secret agreement made with Khrushchev, at the time of the missile crisis, consigned millions of helpless Cubans to a living death of slavery under Castro by preventing Cuban Freedom Fighters from organizing in the United States.

From the missile crisis we have reaped a full blown conspiracy to frock Castro in the spurious robes of a benefactor of mankind while, in the admonitory words of Dr. Mario Lazo, great Cuban lawyer and tireless worker for Cuban freedom, he holds a dagger in the heart of America.

Evidence of a concerted effort to dupe Americans into believing that Castro is the essence of bearded benevolence in the pearl of the Antilles, is graphically told and its insidious propaganda eloquently refuted in the important article appearing today at the top of the back page by Dr. Bernardo Figueredo, formerly of Havana and now living in Oxford.

On December 28th Dr. Figueredo noted an article appearing in a New Hampshire paper entitled "A Full Decade of Castro" by Richard Spong, a professional columnist whose work is distributed by Editorial Research Associates of New York City. The identical article, excepting only the first two paragraphs, appeared on December 26th in the Wilkes-Barre Record (Pennsylvania) as an editorial.

Dr. Figueredo was office manager in Cuba's leading law firm of Lazo y Cubas before he was compelled to flee from Cuba with his wife and three children, leaving behind all of their worldly possessions.

He and his wife have started life anew in New Hampshire where they have applied for American citizenship. They know first hand, as few people in our state do, that there never can be any compromise with tyranny, no matter what guise it wears. As an intelligent and concerned student of the Cuban and American scenes, Dr. Figueredo has had the courage to speak frequently of the menace to us of a Communist Cuba.

In the presidential campaign of 1960 Richard M. Nixon had an opportunity to speak out against the Castro evil which by then was apparent to American leaders, but for political reasons best known to him he remained silent.

Now as President, Nixon has an opportunity to take positive action against the continuing and deepening menace of Castro.

One of his first official acts should be to repudiate all secret agreements with Russia that might have been made during the missile crisis. He should make it clear that our government will not in the future, interfere with the activities of Freedom Fighters when they in no way violate any laws of our country.

And, most important of all, President Nixon should announce his own protective doctrine for the Americas—a doctrine to supplant the discarded Monroe Doctrine.

He should tell the world that under no circumstances will the United States tolerate the existence of atom or hydrogen missile bases in any part of the New World.

Such a Nixon Doctrine would make it clear to all that the United States means to live in peace by eliminating the danger of having an atomic holocaust ignited in the New World.

DEADLY BENEFITS OF CASTRO GOVERNMENT: THE OTHER SIDE OF CUBA

(By Dr. Bernardo Figueredo)

In the Dec. 28, 1968 issue of a local newspaper I read an article by Mr. Richard Spong titled "A Full Decade of Castro," and a few days later I received a photo-copy of an editorial titled "Castro's Tenth Anniversary" taken from a newspaper of Wilkes-Barre, Pa., which circumstances would be of little significance were it not for the fact that excepting the two opening paragraphs of Mr. Spong's article, the rest of his article and the Wilkes-Barre editorial are exactly alike.

It seems that, in the best of the cases, somebody is copying someone, which would be a very ugly thing; or it could be a concerted propaganda in favor of Castro, which could be a very grave thing.

But—be it just a coincidence or a concerted effort—that is a fine example of the type of propaganda, based on half-truths and distorted facts, that is being carried throughout the United States (perhaps with the hope that in many places there is no one who knows, or who dares to expose, the other half of the truth) with the purpose of alienating the friendship and the trust of the American people in favor of Castro-communism in particular and communism in general. And that might be very dangerous, for a friendly and unsuspecting people is an easier prey than an alert people. Remember, Khrushchev's dictum "We will bury you" has not yet been written-off from communism's blueprint for world conquest!

I answered at length Mr. Spong's article and the local newspaper published my answer in its Jan. 3, 1969 edition—for which courtesy I am most grateful to it—and for that reason I am not going to reproduce my answer fully. However I want to comment on two or three of the supposed benefits that, according to Mr. Spong's article and the Wilkes-Barre editorial, the Castro regime has bestowed upon the Cuban people. But before doing that I feel it is my duty to correct one gross misstatement contained in those writings.

MORE MISSILES

There are in Cuba, today, more missiles than during the so-called 1962 Cuban missile crisis, with a striking capability that poses a real threat to large areas of this country (to the north as far as Washington, D.C.). Therefore, Castro's Communist Cuba, in its 10th anniversary, is not, as Mr. Spong and the Wilkes-Barre editorial say, a thorn in the flesh of the United States, but a veritable dagger dangerously aimed at the heart of this country.

And, by the way, the foregoing constitutes a flagrant breach of the "Kennedy-Khrushchev" agreement: You remove the missiles from Cuba and we will see that Castro is not molested.

And now let us examine some of the benefits, namely, "jobs for almost everybody throughout the year" and "free of charge, education at all levels (including textbooks) . . . electricity, local telephone service . . . and a funeral."

CASTRO'S JOBS

To say that in Castro's Cuba there are jobs for almost everybody without exposing the miserable compensation paid for those jobs and the inhuman exploitation of the workers by the government (which controls all the jobs) reveals either a lack of knowledge of the real situation or a willful design to mislead the readers.

Before Castro all the workers had the 44 hour week with payment equivalent to 49 hours; enjoyed one full month vacation, with pay, for every 11 months of work; they were paid time and half for any work in excess of 44 hours a week, and could not be dismissed, except for the causes specified in the law, after a six-month trial period.

Today, under Castro, workers must work 12 hours a day in order to be paid the equivalent of 8 hours, and must devote most of the off days and holidays doing "voluntary work" (which means for free) for the government.

HERDED LIKE CATTLE

Castro's regime is relying more and more on "voluntary work." Whenever it is needed, the government literally herds hundreds and thousands of workers who are transported like cattle in trucks to where they are needed, and there they are subjected to an inhuman exploitation which is tantamount to slavery by any standard.

Public elementary education was free before Castro (including textbooks and free breakfasts). The tuition at public high schools was as low as $12 per academic year and at the state universities (there were 5) the average was $60 per year. In addition to that, 15 per cent of the total number of students enrolled was admitted entirely free of charge, and there was no distinction as to race, creed, economic or social standing or political sympathies. Today the students are indoctrinated rather than educated (one compulsory subject is hating the U.S.A.), and the minute anyone shows any lack of enthusiasm toward the regime, out he goes.

Electricity and local telephone service are not free. Electricity is rationed but must be paid for. What is free is the use of public telephones. But whoever uses them must be extremely cautious, because there is always a G2 agent eavesdropping.

FREE FUNERALS

And as to funerals, well, that is the very least that Castro could give to the Cubans after underpaying them and over working them to death.

The other benefits—a banquet for wedding guests, tickets to sport events and the use of public bicycles (?)—are really so ridiculous that they do not deserve any further comment at this moment.

But this point is that even accepting those "benefits" as such, the showing of the Castro regime, after 10 years of absolute rule, at the cost of destroying the Cuban nation physically, politically, economically and socially, is a very poor one indeed.

On the other hand, the Cubans would gladly pay for all the things they could have before Castor (today everything is rationed), and are most willing to exchange the few free things that Castro has given them for all the rights and freedoms he has snatched from them, such as freedom of expression, freedom of assembly, freedom of worship, freedom of movement, the right to FREE elections, and the most cherished of all freedoms, that of being a FREE nation, for one of the achievements of Castro-communism has been to transform Cuba into the first Soviet satellite in the Americas.

THE BOUNDARY LINE

Those freedoms—the lack of which the Castro panegyrists avoid mentioning—are precisely the boundary line between living as "slaves" under a dictatorship or as "human beings" in a democracy. And those are the freedoms that disappear the minute communism captures any place, for communism and freedom are incompatible.

But even assuming that Castro has brought some benefits to some part of the Cuban population, the fact is that he is a dictator. He has been 10 years in power. By election and reelections? No. The free elections he promised time and again during the struggle against Batista (and which were the main goal of said struggle) have never been held. He introduced communism in Cuba by sheer deceit and has remained in power by ruthlessly suppressing any form of opposition.

REJECTED BY MAJORITY

The majority of the Cuban people struggled against Presidents Machado and Batista the very minute they became dictators, and just because Castro is a dictator, he is rejected by the majority of the Cuban people. Why then do not those self-styled panegyrists instead of praising Castro on this tenth anniversary in power, tell him "Stop, Fidel, step out and let the Cuban people freely elect their own leaders and their form of government?"

And if conditions are so good in Cuba according to Castro's propaganda, why are the Cubans so desperate to leave the island, which is much easier to say than to comprehend? For Cuba had never been a land of emigrants but of immigrants, and never before, not even during the depression of the 1930s, or during the dictatorships of Machado and Batista, had there been such an appalling exodus.

Furthermore those who leave Cuba have not only to endure countless inconveniences and humiliations, but do so at the price of relinquishing everything they possess—I repeat, everything—to the Castro regime. And at this point I ask you: Would you be willing to leave your country under such circumstances? And perhaps you would say: "No, unless some unendurable situation compels me to do so."

FLIGHT CONTINUES

Yet, since Castro took over, more than 600,000 Cubans have abandoned the island; about 4,000 are leaving regularly every month by means of the Freedom Flights; over 1,300,000 have already applied for permission to leave the country, and an average of 100 leave each month through clandestine means, using anything that floats. And all that out of a population of 7.8 million people. Apparently 10 years of intensive propaganda have not been enough to convince the Cubans that they are living in a paradise:

And if the Castro-Communist regime has been so beneficial, why the need of the 2,400,000 members—out of a population of 7.8 million people—of the "Comites para la Defensa de la Revolucion," that is to say, "Committees for the Defense of the Revolution," charged mainly with spying on their neighbors?

KNOCKING AT DOOR

This country has always been ready, no matter the price, to help other countries preserve their freedom, in Europe, in Asia and other parts of the world.

But how about preserving your freedoms? Do not think that communism is still 90 miles away. It is knocking at your door. Do not be deaf to those knocks. Answer them by fighting Communism.

The place is here and the time now. Do not wait until the "Comites para la Defensa de las Revolucion" knock at your door! Fight now. Later it might be too late!

P.S.: At this writing I read in the newspapers the details of the most recent mass escape to freedom: That of 81 Cubans to the U.S. Naval base at Guantanamo.

Those who succeeded told stories of up to 100 persons who recently failed to make it over the six-foot high fence encircling the Base. But they keep fleeing. . . .

And Willis Jessie, who hijacked a plane last August and fled to Cuba with his three-year-old daughter, has returned to the U.S.A.! West Virginia Congressman Ken Hechler, who negotiated Jessie's release, said: "Jessie decided almost immediately upon arriving in Havana last August that he would rather risk prosecution as a plane hijacker than have his three-year-old daughter raised in a Communist land."

VIRGINIA RADIO STATIONS APPEAL TO FEDERAL TRADE COMMISSION

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, as most Washington area residents are aware, radio stations WAVA-AM and WAVA-FM, in Arlington, Va., have for some years operated a special news format completely different than the programing of other area radio stations.

United States Transdynamics Corp., which owns the WAVA stations, took a long gamble in 1962 by converting to an all-news format over advice that no one would listen to continuous news. But not only the response in Washington but the subsequent decisions of stations in other cities to begin similar broadcasting is testimony of their success.

Now the Washington Post Co., which during the past few years has acquired the Washington Times-Herald newspaper, radio stations WTOP-AM and WTOP-FM, television station WTOP-TV, and Newsweek magazine, with economic power that can only strangle any competition, intends to move into the all-news programing field via its radio stations.

The owners of WAVA have protested to the Federal Trade Commission, Mr. Speaker, against the intent of the Washington Post Co. to force this small news broadcaster into competition with a conglomerate broadcaster which will inevitably result in its failure. I have joined their protest, and I ask permission to insert a letter I have addressed to the Commission as well as an editorial broadcast recently by the president of WAVA, at this point in the RECORD:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 12, 1969.

HON. PAUL RAND DIXON,
Chairman, Federal Trade Commission,
Washington, D.C.

DEAR MR. CHAIRMAN: As you know, I have long been mindful of the problems of small business, the preservation of which I consider vital to a free and competitive business society. Especially in this era of increasing economic concentration, its problems have been compounded, and the importance of the role of the Federal Trade Commission as an arbiter of commercial conduct has correspondingly increased.

In this connection, it has come to my attention that an application for a complaint has been filed with the Commission by United States Transdynamics Corporation, 1901 N. Fort Myer Drive, Arlington, Virginia against the Washington Post Company. I have read that application for complaint and commend it to your attention. While I have understood that the Washington Post Company was a dominant force in local news and broadcasting media, I am disturbed to learn that it now assumes what is quite clear to me to be a predominant position in the market area that it serves.

It does not seem to me that it could be seriously argued that the Washington Post Company attained its apparent ability to restrain and perhaps to foreclose competition in the mass media market as a natural consequence of a superior product, business acumen or historic accident. I do not believe that this power to intimidate or to curtail competition which the Washington Post Company possesses was thrust upon it. Rather, I am of the opinion that it was obtained by plan and design. Foremost in this growth pattern, there should be considered the acquisitions by the Washington Post Company of the Washington Times Herald, radio stations WTOP (AM) and WTOP-FM, television station WTOP-TV and Newsweek magazine. These acquisitions give rise to the irresistible inference that the Washington Post Company embarked some time ago upon a course of action calculated to accomplish a monopoly power.

Now we find that the Washington Post Company through its radio stations WTOP (AM) and WTOP-FM expects to duplicate a specialized all news format created and developed in this area by United States Transdynamics Corporation for its radio stations WAVA (AM) and WAVA-FM. In doing so, the inevitable result will be that this small news broadcaster will be unable to compete with the conglomerate broadcaster, and the Washington Post Company's share of the market will be additionally increased.

I take the position that at some point the Washington Post Company's arrogation of economic power must be interdicted and that that point has been reached. It would be ironical if the Washington Post Company, which professes to be the nation's social conscience, were permitted to move forward without legal fetter to eliminate its competitors one by one as its history reveals it has been doing.

Within the broad ambit of the authority invested in and entrusted to the Federal Trade Commission, I am confident that there are remedies available that you can and should invoke.

Before the competitive injury is accomplished, I would respectfully request that the application for a complaint made by the United States Transdynamics Corporation receive your early and studied consideration. Please favor me with an early report of the action which the Commission intends to take in this matter.

With best wishes, I am,

Sincerely,

JOEL T. BROYHILL,
Member of Congress.

[WAVA editorial, February 24, 1969]

WASHINGTON POST COMBINE: A QUESTION OF EXCESSIVE POWER

Over recent years, the news industry has passed through a revolution of change, which, looking back upon it, has been truly breathtaking. Television, ten years ago dominated by a few VHF stations on a small 13-point dial, has expanded into some 83 channels with UHF.

Radio, which in 1960 was little more than a glorified juke box, has broadened its horizons to include an increasing range of specialized public-service programming, including stations devoted entirely to talk and information, or to all news. The number of competing daily newspapers has shrunk to a point of near non-existence.

As one case, WAVA made its break from the cacophony of spinning records into the beckoning field of solid news as a service to this area in January, 1962. It was a long gamble for this station, told then that no one would listen to continuous news on a 24-hour basis; but we made it and your warm response and the subsequent decisions of stations in other cities across the country to begin all-news programming, is testimony enough to its success.

Now the Washington Post station, WTOP, has by an announcement in its newspaper disclosed that it is considering changing its programming to all news. If this move here were by another independent radio station, it would be welcomed in the healthy growth of all-news broadcasting.

In the case of the Washington Post Company's WTOP, however, this has raised a large new question—the huge and growing combined resources of a company which now has acquired and owns Washington's largest daily and only morning newspaper, also one of Washington's three powerful network television stations, also one of its largest FM radio stations, also its biggest news magazine, Newsweek, and Washington's most powerful standard radio station, 50,000-watt WTOP Radio.

In all, these various Post Company media already make 4,900,000 impressions each week on the some 2,000,000 people in greater Washington. Four out of every ten things people read, see, or hear, come from the Post Company. On top of all this, the Post is now moving to publish special localized sections of its newspaper aimed into suburban Virginia and Maryland, a move toward separate local Post editions, which the few remaining local community newspapers acknowledge may be impossible to compete with.

After taking a long breath, you realize that the Washington Post Company not only now dominates the news industry here but is inexorably suffocating its competition. The important issue is not whether one agrees with the Washington Post Company editorially; it is that the nation's capital is steadily losing the availability of diverse news sources and diverse editorial opinion.

As a practical matter, the Washington Post Company, though not by intent, possesses now the raw power of resources to effectively crush anything in its path, including smaller competitors. A laissez-faire day response would have been, "That's tough, Joe." But there is more to it than that.

We have here a developing concentration of power under which the Washington Post Company is establishing an effective monopoly of news control in the nation's capital area—centrally owned news power, the hard daily impact of which ranges through home, and government to indeed being a working catalyst as well on other news organizations here.

It is interesting to note that the Federal Communications Commission has just denied a television license in Boston, WHDH, to the Herald-Traveler Newspaper which had created a similar concentration of power over major news and communications outlets in the Boston area.

The Washington Post Radio change, if made, to all news would carry this corporate giant over the divide to an effective near absolute monopoly of news in Washington. So the time has indeed come for Congress and the people of this area to question the FCC, Justice Department, and Federal Trade Commission, whether on legal and administrative grounds, this is in the public interest.

Politically hazardous as tangling with the Washington Post giant is, further extension of its media power in the nation's capital is not acceptable. At stake here is an issue of the public interest as well as the right of smaller companies to have reasonable protection against monopolistic abuse by the newday corporate barons of power.

Lest the Washington Post Corporation lose perspective behind its own editorial pledge to justice, it might remember that it is itself not exempt from responsibility—and have the wisdom to recall that "power corrupts, and absolute power corrupts absolutely." If the Washington Post Corporation has grown beyond this realization, then it has got to be challenged and its media separated. The Washington Post Company is being invited to respond to this WAVA editorial.

JOHN STEWART SPEAKS FOR DEMOCRACY

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. BROTZMAN. Mr. Speaker, a young friend of mine, John P. Stewart, of Brighton, Colo., came to Washington today to participate in the final judging of the annual Voice of Democracy Contest of the Veterans of Foreign Wars of the United States.

His speech was judged best from among the entrants from Colorado—and upon reading it I can understand why. It is a moving and eloquent statement of pride in our Nation and what it stands for.

Sometimes, Mr. Speaker, I think we have to be reminded that not all of our young people believe in the destruction of our Nation and its heritages. Some days it does seem that way. But I happen to know that John Stewart's appraisal of what America means is the rule, rather than the exception.

So that all of the Members may get to know John Stewart and his very refreshing outlook, I am herewith submitting a copy of his speech for reproduction in the RECORD:

FREEDOM'S CHALLENGE

(By John P. Stewart)

I stood in our National Cemetery in Arlington. The view was one of peace and beauty. All was calm. I first noticed the green, rolling hills and the rows and rows of almost identical white tombstones, each marking the identity of an American soldier, in all probability a young man, a soldier who had fallen as he fought to preserve his country's freedom.

After a short walk I stood directly in front of the Tomb of the Unknown Soldier. I watched with keen awareness the precision of the immaculately dressed Marine as he marched forward, clicked his heels, turned and in the same flawless motion retraced his steps, back and forth, hour after hour, guarding a tomb symbolic of all who have made the supreme sacrifice for their country.

Many feelings went through me as I watched the awesome sight. I recalled the dramatic history of our country, the supreme sacrifices of our forefathers. I thought of our heritage and how grateful I was to be an American. I thought of our vast and glorious country from the shores of the Atlantic to the blue peaceful waters of the Pacific. I thought of our flag, the immortal stars and stripes. I realized then that I would willingly give my life for any of the many principles and freedoms it represents. I knew that my feeling of patriotism is as strong as that of any of these young men. I knew that I must never falter in protecting the priceless privileges and opportunities of our country.

And then, to break the stillness of that hallowed place, a bugle sounded "Taps" as I had never before heard it played. In solemn tribute two of my friends placed a wreath on the marble slab of the Tomb. It was an emotional experience for all who watched.

I turned to walk away and I saw several rows of freshly dug, open graves, awaiting the bodies of more young men who had seen another challenge and had given their lives to meet it. No one could walk away from such a setting without a definite determination to preserve our freedom at any price.

Life continues. History is made. The past can never be forgotten. Perhaps the same questions will be asked year after year. But each time the answers are different. The conditions under which these questions were asked yesterday present an entirely new solution today. We, as young men and women, must try to find these new answers. Our nation's destiny is held in our hands. The challenge we face is greater than it has ever been before. Our future depends upon the stability of the individual to adequately and firmly face up to his great responsibilities.

I personally want to become involved. I want to help those less fortunate than I. I want to perpetuate the rights of speaking, worshiping, and learning. There is no greater challenge than this—the concern we must have for our fellow men.

We all must strive for the betterment of humanity. We must work for the benefit of the individual. We must stand taller than we have ever stood before. Because we are reaching out toward new frontiers. Our challenge no longer deals with the conquests of this world alone. But it concerns unfathomed mysteries of outer space. It has become evident today that the knowledge we can have in science and technology is unlimited. We realize now that the barriers in reaching for the impossible grow smaller each day. We must not falter in attaining greater knowledge in every field of human endeavor, in all the areas of American conquest.

These were among my thoughts as I stood in reverence in our National Cemetery at Arlington. I knew that I too had an intense desire to make my small mark by proving that I, as a young man with a will to try, would uphold, protect and preserve this unique life, our American way of life. This is freedom's challenge!

FOUNDATION TAX LOOPHOLES SHOULD BE CLOSED BY CONGRESS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. EVINS of Tennessee. Mr. Speaker, our Select Committee on Small Business has done landmark work in the exposure of tax avoidance abuses by many foundations.

The gentleman from Texas (Mr. PATMAN), chairman of our Foundations Subcommittee, deserves commendation for the effective pioneering work by this committee.

In this connection, and because of the interest of my colleagues and the American people in tax reform, I place in the RECORD my recent newsletter entitled: "Congress Investigates Tax Evasion Tactics of Many 'Charitable' Foundations."

The newsletter follows:

CONGRESS INVESTIGATES TAX EVASION TACTICS OF MANY "CHARITABLE" FOUNDATIONS

As the Committee on Ways and Means continues its investigation and hearings on tax abuses and reform, the effective and productive work of our House Small Business Committee is playing an important role. For the past six years the Foundations Subcommittee of the Small Business Committee—which I am honored to serve as Chairman—has conducted detailed and exhaustive investigations and studies into the use of foundations for tax evasion and avoidance.

My friend and Colleague, Representative Wright Patman of Texas, Chairman of our Foundations Subcommittee, was the first witness to testify in the current tax reform hearings. He outlined the results of the hearings and investigations of the House Small Business Committee, documenting instances in which foundations, operating under the guise of charity, are being used to avoid income taxes and estate taxes by shifting assets to foundations where they remain in the control of a few persons and are not being used for charities.

The Small Business Committee has made thorough studies of almost 600 of the 30,000 foundations in the United States. These studies showed that the assets and economic power of these foundations are expanding enormously. Assets of these 600 foundations were 50 percent greater in 1966 than 1962—up from $10.2 billion to $15.1 billion. Receipts have increased from $560 million to $1.3 billion during that period—and disbursements were only half the total of receipts.

These foundations invested in private companies, gobbled up small businesses, dealt in stocks and securities, in land and in many other fields of investment—and they paid no taxes while reaping great profits.

PRACTICES BROUGHT TO LIGHT

Some of the practices brought to light by the Small Business Committee investigations include these:

Foundations are used to perpetuate family control of large business. One foundation in California owns 53 percent of its "parent company" which in turn owns one-fifth of the land area of populous Orange County surrounding Los Angeles.

One wealthy individual made substantial contributions to a "health" foundation, deducting his contributions on his income tax return. He then proceeded to control the investment of his "contributions" through the foundation and used these tax exempt funds for his personal benefit—tax free.

Another foundation built its assets from a half-million dollars to $28 million by operating as securities dealer, banker, money broker, business broker, buyer and lessor of real property and recipient of gifts resulting from business deals.

Many foundations have acquired small businesses, such as service stations, and leased them back to the former owners—thus increasing economic concentration and weakening the small business community.

Some foundations spend more in foreign nations than in the United States despite the many opportunities and needs for charity at home in impoverished areas. One foundation spent almost $18 million abroad in a single year and $10.9 million at home—while spending $5 million to finance its elaborate offices and headquarters.

Many foundations fritter away their donations on useless projects that do not fall within the scope of charity or relevant education. One foundation, for example, expended funds to finance studies on the "origin and significance of the decorative types of medieval tombstones in Bosnia and Herzegovina," research into an ancient Roman cult, and studies on rural Europe in the Middle Ages, among others.

One firm was established to advise attorneys on the tax avoidance possibilities of foundations.

These are but a few examples—detailed studies of such abuses and tax evasion fill volumes. Certainly many foundations are legitimate and worthwhile and the investigation of the Ways and Means Committee should not become an assault on all tax-free foundations.

However, the use of foundations for purposes other than charity, education and philanthrophy must be made subject to federal income and estate taxes. Many foundations are simply "fronts" for big business enterprises which pay no taxes while small businessmen and other Americans pay through the nose.

Congress must take action to close these loopholes.

DESIGNER OF U-2 QUESTIONS AMERICAN AIR SUPERIORITY IN FUTURE

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. BRAY. Mr. Speaker, a recent news story has quoted the great aircraft designer, Kelly Johnson, as saying that the United States is making a great mistake if it goes ahead with the new Navy F-14A and the Air Force F-15. These planes are only in the design stages now, but Mr. Johnson feels they will be outstripped by Soviet combat aircraft by the time they are built and flying.

In other words, in his view, we are planning to start off with planes that are already behind those of the Soviet Union.

The following story from the New York Times of February 20, 1969, tells just who Kelly Johnson is, and cites his arguments for his point of view:

DESIGNER DOUBTS NEW PLANES WILL GIVE THE UNITED STATES CONTROL OF AIR—LOCKHEED'S JOHNSON FEARS RUSSIAN FIGHTERS WILL OUTFLY F-14A AND F-15

One of America's foremost aircraft designers asserted yesterday that two new fighter planes the United States now had on the drawing boards could be outmoded by superior Soviet planes long before they fly.

Clarence L. (Kelly) Johnson, a vice president of the Lockheed Aircraft Corporation and designer of some of America's most successful planes, suggested that a fighter be developed that could fly faster and higher than any that the United States now planned.

Mr. Johnson was in New York to receive the 1969 Billy Mitchell Award from American Legion Post 743. He was cited for aviation contributions reaching from the P-38 fighter of World War II to the U-2 and SR-71 high-altitude aircraft that have played significant reconnaissance roles since then. He also designed the F-104 fighter plane.

The Lockheed engineer-executive, an intense man of 58, was interviewed in Lockheed's 42d-floor suite in the Chrysler Building.

"There hasn't been a true air-superiority fighter developed by this country since 1958," he declared.

The Pentagon has recently moved ahead with two fighter projects—the Navy's F-14A and the Air Force's F-15. But Mr. Johnson questioned whether they would give the United States total air superiority during the nineteen-seventies.

PERFORMANCE A SECRET

The F-14A is a carrier-based craft that the Navy recently ordered from the Grumman Aircraft Engineering Corporation, and hopes to have in service by about 1972. The Air Force recently took steps to begin development of the F-15, which would be lighter and faster than the Navy plane, and would be in service about 1975.

Performance goals of both planes are classified. But according to military sources their top speed would probably be 1,400 to 1,600 miles an hour. Maximum combat altitude would be about 60,000 feet.

It may be, Mr. Johnson said, that neither plane will be able to cope with Soviet fighters of the mid-seventies.

The best existing Soviet fighters, he said, already can outclimb and outmaneuver present United States fighters, and by the time the two new American craft come along, the Russians would almost certainly have improved planes.

"I think we need a new fighter for air superiority, beyond the F-15, that can go at least Mach 3 [three times the speed of sound, or about 2,000 miles on hour] and be able to operate up to 80,000 or 90,000 feet," he said.

"I'm sure the other side will have a plane that can operate up this high, and I don't think we should let the enemy have this airspace all to himself."

JAMES FARMER: UNTOUCHABLES REVOLUTION HEIR

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 1969

Mr. RARICK. Mr. Speaker, when it becomes politically profitable for national leaders to utilize violent revolutionary agitators to exploit the citizenry then the American people should begin asking why and start making demands of their own.

And so the untouchables—bipartisan—and without valor continue to congregate in an unelected bureaucratic establishment to further their punitive attacks against the American people.

The untouchables parade adds up to one objective—danger to the lives, liberties, and property of our people.

Mr. Speaker, under unanimous consent

of the House, I submit the Herald of Freedom, Zarephath, N.J., for March 7, 1969, and several articles for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Herald of Freedom, Mar. 7, 1969]

JAMES FARMER

"If you can't beat 'em, join 'em," goes the old saying and President Nixon is giving his opponents the opportunity to do just that. His supporters are ignored for jobs with the new administration while his political enemies get the offers. While some have turned down proffered positions, others have searched their souls and found it possible to accept a job under the man whose election they actively opposed and to whose political party they do not belong. One of the newest in this bi-partisan bevy is James Farmer who spent his working career helping to bring about the black revolution, now in progress, and furthering the Communist-socialist take-over of the United States, now in its advanced stages.

On Lincoln's Birthday, February 12, 1969 the appointment of the first Negro to a high position in the Nixon Administration was announced. James Farmer, the grandson of a slave was named to the position of Assistant Secretary of Health, Education and Welfare for Administration on the birthday of the Emancipator. The last two words are important for through them is evaded the necessity of having this appointment submitted to the Senate for its consent. This would presumably take Farmer out of the field of policy-making and thereby out of the reach of the Senate questioners. However, Robert Finch, Secretary of HEW has stated that Farmer would have "considerably upgraded status" and a powerful voice in planning a reorganization of HEW. Farmer will have "a voice across the department," according to Finch.

James Leonard Farmer was born January 12, 1920 in Marshall, Texas, the son of James Leonard Farmer and the former Miss Pearl Marion Houston, a school teacher. The elder Farmer was a college professor at Wiley College in Marshall, the first Negro in Texas to hold a Ph.D. degree (from Boston University) and a scholar who read Aramaic and Greek. The son graduated from Wiley College at the age of eighteen with a B.S. in chemistry. He had planned to become a doctor but, upon discovering he could not stand the sight of blood, switched to the ministry. He attended the School of Religion of Howard University in Washington, D.C. and obtained his B.D. degree in 1941. He was never ordained as a Methodist clergyman because the Methodist Church in the South was segregated and, according to Farmer, he did not see how he could "honestly preach the Gospel of Christ in a church that practiced discrimination."

Farmer was an activist from his student days. He was active in the Christian Youth Movement, having been vice-chairman of the National Council of Methodist Youth and the Christian Youth Council of North America. In 1942 with a group of students at the University of Chicago he organized the first chapter of CORE, Congress of Racial Equality, which developed out of the Committee of Racial Equality previously established. Although CORE was staging sit-ins back in those days it did not receive national publicity until it was supported by the Kennedy Administration in the Freedom Rides into the South. This put it on a paying basis and Farmer was able to receive a salary of $11,500 per year as National Director, a post he held from 1961 to 1966.

Upon graduation from college with his Divinity degree, Farmer went to work for the left-wing Fellowship of Reconciliation, serving as race relations secretary from 1941 to 1945. From 1946 to 1948 he was a union organizer for the Upholsterers' International Union. From 1948 to 1950 he was a lecturer on race and labor problems. From 1950 to 1954 he was student field secretary of the League for Industrial Democracy, a Fabian-socialist organization. From 1954 to 1959 he served as international representative of the State, County and Municipal Employees Union. From 1959 to 1961 he was program director for the N.A.A.C.P. and in 1961 returned to CORE where he remained until 1966. During this time he was also a commentator on radio and television programs sponsored by the United Auto Workers in Detroit. Current Biography 1964 states: "He also lectured extensively and wrote for many publications, including Crisis, Fellowship, World Frontiers, and Hadassah News."

In July 1966 he went to work for the State of New Jersey. The N.Y. Times of July 6, 1966 stated:

"James Farmer, former national director of the Congress of Racial Equality, has been hired as special consultant on adult illiteracy for New Jersey's antipoverty program.

"Mr. Farmer broke angrily with the Office of Economic Opportunity, the national antipoverty agency, over the weekend when he charged that it had failed to support the new Center for Community Action Education, an organization he headed in the belief that it would be backed in its first year with $860,000 in Federal money. . . .

"A spokesman for the state program said there was no connection between Mr. Farmer's break with the Federal Office of Economic Opportunity and his appointment by New Jersey. . . .

Mr. Farmer is expected to work nearly full time for much of July and August at a consultant's fee of $80 a day."

Since 1966 Mr. Farmer has taught at Lincoln University in Oxford, Pa., and the New York University School of Education. He also joined the Education Affiliate of the Bedford-Stuyvesant Development Corporation, set up to plan an educational complex. Bedford-Stuyvesant is a focal point of the black revolution. The late Robert Kennedy set up a private corporation "to revitalize the Bedford-Stuyvesant section of Brooklyn," organized in December 1966. The N.Y. Times of April 2, 1967 described the Kennedy operation:

"The Kennedy project, organized last December, set up two corporations to channel foundation, government and private funds into a concentrated program to improve slums.

"One group—the Development and Service Corporation—is made up of prominent bankers, businessmen and lawyers who will provide managerial and fiscal advice. . . .

"The other—the Renewal and Rehabilitation Corporation—was to be made up of community leaders. . . .

"Eight businessmen and civic leaders were also announced yesterday as directors of the Development and Services Corporation.

"The other new directors are C. Douglas Dillon, former Secretary of the Treasury; David Lilienthal of the Development and Resources Corporation; Andre Meyere of Lazard Freres & Co.; George S. Moore, president, First National City Bank; William S. Paley, board chairman, Columbia Broadcasting System; Benno E. Schmidt of J. H. Whitney & Company; Thomas J. Watson Jr., president of the International Business Machines Corporation, and Roswell L. Gilpatric, former Deputy Secretary of Defense."

(Six of the eight directors are members of The Council on Foreign Relations and one is a partner in a Rothschild Banking firm.)

With such a good revolution going, everyone wants to get into the act. Farmer thought his popularity in the Bedford-Stuyvesant area was such that he could be elected to the Congress of the United States from that area. He ran as a registered Liberal on the Republican ticket but supporting the Democratic presidential candidate, Humphrey. He got only twenty-five percent of the votes, losing to another Negro, Mrs. Shirley Chisholm who ran as a Democrat. But Farmer won in the long run as he now has a better government job than Mrs. Chisholm.

In taking his new position which will pay him $36,000 per year, Farmer told newsmen that taking a position with the Nixon Administration "was a very easy decision" because he felt he had a choice between criticizing from the outside or an opportunity to "get inside and try to influence the course of events." He has said that he will continue to work for the same ideals and causes he has always supported, so it will be of interest to the people of the United States to know what these are.

U.S. News and World Report tells us that: "'Freedom rides,' protest sit-ins, massive demonstrations, and jail are all part of James Farmer's background in the nation's civil-rights movement.

"But, he says, there is a 'great need for some people to get on the inside and to try to have some influence.' "

The N.Y. News of Feb. 17, 1969 quotes Farmer as follows: "I sympathize with many of the demands which are being made and the things that the youngsters, the beautiful youngsters, are groping for, but I don't always agree with the tactics which are used. I discuss those tactics with them in private and sometimes modify them." The article states further:

"Asked about his duties, Farmer said he had received assurances from his immediate boss, Secretary Robert Finch, that 'I'd be heard and that I'd be listened to.' He added that he will be one of Finch's chief advisers on urban affairs and that he will try to lead qualified blacks toward government service."

Farmer has been associated with CORE from its inception, having been one of its founders. Current biography 1964 describes his activities:

"As national director of CORE, Farmer not only plans projects but also participates in carrying many of them out. He was one of the original Freedom Riders and, like most of the group, he spent forty days in jail in 1961. . . .

"As a result of his imprisonment in Plaquemine, Farmer was unable to take part in the March on Washington on August 28, 1963. . . . CORE was one of the organizations sponsoring the March on Washington . . .

"On the housing issue CORE has sent squads of Freedom Dwellers to try to obtain homes for Negroes in all-white communities, has staged sit-ins against discriminatory rental agents, and has organized rent strikes to force slum landlords to improve dilapidated buildings."

In the CONGRESSIONAL RECORD of May 25, 1961 Sen. James Eastland stated:

"Mr. President, the agent provocateurs who have descended upon the southern States in the name of 'peace riders' were sent for the sole purpose of stirring up discord, strife, and violence. 'Peace riders' is a revered Communist term, an old Communist technique. The movement was masterminded and directed by an organization known as the Congress of Racial Equality, called CORE. This organization is the war department of those who sell hate, collect donations, and sow the seeds of discord in this country. Since its inception, its creed has been lawlessness and its tactics have followed the pattern set by Communist agitators the world over. . . .

"Mr. President, since CORE has started directing its operations into the southern areas of the United States, other leaders in organized labor have joined the directorate of CORE. Foremost among these is Walter P. Reuther. Reuther has spent years trying to obtain respectability since those days in 1934 when he and his brother worked in an industrial plant in Russia. The words that they transmitted back to the United States in a letter which appeared in the August 14, 1948, issue of the Saturday Evening Post are well worth repeating today. The letter ended with the statement: 'Carry on the fight for a Soviet America.'

"Mr. President, that is what CORE is doing today. It is carrying on the fight for a Soviet America. . . .

"Mr. President, the Subcommittee on Internal Security of the Committee on the Judiciary, by special resolution, has been instructed to investigate the Communist conspiracy in our country and the administration of the Internal Security Act. From investigation and examination of the facts and records there can be little doubt, in my judgment, but that this group is an arm of the Communist conspiracy. They are agents of worldwide communism, who sow strife and discord in this country."

Now that the pot of strife and discord is bubbling nicely, CORE has gone on to a new objective. In a recent column Willard Edwards stated:

"Twenty-four hours before he came to Washington last week to become the Nixon administration's highest ranking Negro official, James Farmer attended a New York meeting where 'a new United States Constitution' was named as the long-range goal of the Congress of Racial Equality (C.O.R.E.)

"As the founder of C.O.R.E., Farmer sat beside Roy Innis, national director, and added his indorsement of a program for racial restructuring of American society. . . .

"Innis, who cited Farmer's continued ties to C.O.R.E. as an adviser who will be frequently consulted, said Nixon's appointment of Farmer was 'the best thing he has ever done.'

" 'We are calling for a new U.S. Constitution,' he declared in summarizing C.O.R.E.'s new long-range program. 'A new social contract is needed to help guarantee peaceful co-existence between the two races . . .' "

Another group which is working on the disruption of America is the Students for a Democratic Society (SDS). This was spawned by the League for Industrial Democracy which lists Farmer as a Vice President and for which he was student field secretary, going about the country recruiting college students for this Fabian-socialist organization. Clark Kissinger, former president of SDS, states in New Left Notes:

"In 1959, the Student League for Industrial Democracy (SLID) changed its name to Students for a Democratic Society. As the youth arm of the League for Industrial Democracy (LID), SLID could trace its origins back to the founding of the Intercollegiate Socialist Society in 1905. . . . Throughout much of its history it maintained a close relationship with the Young People's Socialist League (YPSL), the youth arm of the Socialist Party."

(In 1966 LID had to sever its official tie with SDS to protect its tax-exempt status.)

The Fabian Society began in 1883 in England to develop and promote Socialism. The Fabians aided the Russian Bolsheviks long before the "Revolution" in 1917. In 1907 the Fabians played host to Lenin and his Bolshevik followers. George Bernard Shaw sent the following message to his fellow members of the Fabian Society on the occasion of the Society's diamond jubilee in the fall of 1946: "The only message I have for the moment is that the Fabian Society, having made Russia a great Fabian state, has now to make Wallace succeed Franklin Roosevelt as President of the United States." This did not come to pass fortunately although the Communists and fellow-travellers worked hard for the election of Henry Wallace who ran on the Progressive Party ticket in 1948.

The Alabama Legislative Commission to Preserve the Peace cited the SDS as subversive stating:

"We conclude from the foregoing evidence that Students for a Democratic Society has as its aim the overthrow, by violence and subversion, of the institutions of our society and our society and our government; that its aim is identical with that of the Communist Party, U.S.A., and the various splinter communist groups; that it has actively and overtly conspired with known communist groups in this purpose and has attempted, and is attempting, to prosecute this course of action.

"We further conclude that Students for a Democratic Society has received, and is receiving, aid and financial support, knowingly, from communist groups; that it is under substantial direction and control of one or more communist groups."

In Report No. 10, February 11, 1969, the Joint Legislative Committee on Un-American Activities of the State of Louisiana published the following Conclusions after an investigation of the S.D.S.:

"1. Students for a Democratic Society is a part of the New Left and is spearheading the New Left Movement to disrupt the campuses of educational institutions throughout the U.S.A.

"2. Although SDS in its incipiency refused membership to Communists, it has since dropped this clause from its constitution and will now accept anyone for membership who will further the disruptive and anarchistic principles and activities of the Organization.

"3. That SDS has close contacts with such organizations as The Southern Student Organizing Committee, Student Non-Violent Coordinating Committee, Communist Party USA, Young Socialist League, Socialist Workers Party, Progressive Labor Party, and a number of other groups. . . .

"8. The Committee feels that there is no place in the educational system and institutions of learning in the State of Louisiana for 'The Students for a Democratic Society' and urges that all institutions of learning thoroughly investigate and consider the aims of The Students for a Democratic Society should they receive applications for a chapter charter of this organization."

James Farmer has been on the board of the directors of the American Civil Liberties Union (ACLU), and the Americans for Democratic Action (ADA) and is listed as a Sponsor on the letterhead of the National Committee for a Sane Nuclear Policy, Inc. (Sane). He was a member of the National Executive Board of the American Committee on Africa and a recipient of the John Dewey Award of the L.I.D. He was vice chairman of the Liberal Party of N.Y. County 1954 to 1961. He is listed on the Advisory Committee of M-REIT (Mutual Real Estate Investment Trust) "established to invest in housing open to all." He was listed on the board of directors of a similar company called Modern Community Developers, Inc. of 7750 Roosevelt Blvd., Philadelphia, Pa. Besides pushing integration these last two organizations hoped to make money.

That Farmer is a trouble maker there can be no doubt. Two incidents have been publicized in which Farmer spread false and malicious stories to inflame his hearers. During the Harlem riots in 1964 Farmer met with other Negro militants and claimed he personally saw a policeman shoot a Negro woman who had only asked for information, stating that she was shot in the groin and wound up in the hospital. Investigation revealed that no such incident occurred but the desired damage was done before it was found that Farmer had lied. Another incident involved a New York policeman who had shot a Negro boy who attacked him with a knife. Police Lt. Thomas R. Gilligan filed two libel suits in connection with the case, one against Martin Luther King and others (including Farmer) and one against James Farmer alone which charged that Farmer "in the presence and hearing of other persons said that the slain youth was shot in cold blood" and that Gilligan "must be charged with murder." Another charge was that Farmer said that "information has come to me that Thomas Gilligan is presently in a mental institution receiving treatment," a statement for which there was no basis in fact.

Farmer has been arrested many times in connection with his civil-rights activities. He, like his co-worker Martin Luther King, seems to be almost immune to punishment, however. Congressman John R. Rarick, a former state district judge in Louisiana before being elected to Congress, issued warrants for the arrest of Farmer who had been cited by Rarick for contempt of court. Another Louisiana judge also cited Farmer who, according to Congressman Rarick, "later scoffed at both citations."

Farmer makes liberal use of the Communist cry of "Police Brutality" to rouse his followers. He has been quoted as stating: "I do believe police brutality in this city (New York), Mississippi and other such places should be an issue placed before the United Nations." Although he claims to be "non-violent," CORE has cooperated with and Farmer has gone out of his way to praise the Deacons for Defense, an armed Negro group. He was an early advocate of a Negro third party which blossomed in the form of the Freedom Parties in the South which try to usurp the role of the legitimate Democratic Parties. A news article contained in the report of hearings before the Senate Internal Security Subcommittee entitled "Communist Youth Program" stated that Farmer had felt bold enough to threaten the President of the United States:

"Negro Civil Rights Leader James Farmer today threatened a second nationwide march on Washington unless President Johnson orders Federal marshals and FBI agents to protect voting rights demonstrators in Selma, Ala. . . .

" 'The President has not lived up to our expectations in Selma,' Farmer said. 'We have to keep up pressure even to keep our friends honest.' . . .

" 'I consider our Nation is facing a grave constitutional crisis,' he said. 'The Federal Government has not lived up to its responsibilities.'

"He said the Government must bear responsibility for attacks on three white ministers in Selma and the Federal court also must bear responsibility for its refusal to issue a court order restraining State police from turning back Negro marchers.

" 'This was encouragement to hooliganism.' Farmer said. . . .

"He compared the Alabama State troopers to white mercenaries he saw on a recent trip to the Congo Republic.

Farmer's use of the word "hooliganism" is interesting as it is not generally used in this country but is used in the USSR. The crime wave which swept through Russia before the Communist take-over was known to Russian sociologists as "Hooliganism." The Russian writer, Menshikov, stated: "All over Russia we see the same growth of 'Hooliganism,' and the terror in which the Hooligans hold the population. . . . The police are agonizing in the struggle with crime—a struggle which is beyond their strength. . . . It is not only degenerates who enter upon a life of debauch and crime; already the average, normal masses join them. . . ." This described the conditions which led Russia to fall prey to the Communists . . . it sounds menacingly like conditions existing at the present time in the United States.

Farmer was divorced from his first wife in 1946 and married Lula Peterson, a white girl from Chicago, in 1949. She was a graduate of Northwestern University and met Farmer at a CORE meeting in 1945. They have two daughters, Tami Lynn, age 10; and Abbey Lee, age 8; and they live in an apartment complex behind City Hall in New York at 165 Park Row. Farmer has been described as "an old line Norman Thomas Socialist and pacifist" but his activities and associations are not that respectable; he has called himself "Outside Agitator No. 1." He is also an intellectual and an eloquent and persuasive speaker. These things add up to danger when combined in the person of an important unelected bureaucrat.

[From the Washington Post, February 17, 1969]

Farmer Calls for Slum Aid—Expects Nixon Will Support CORE's Plan

(By Robert C. Jensen)

Negro leader James Farmer said yesterday that he had "every expectation" that the Nixon Administration "will support" a billion-dollar-a-year legislative proposal pushed by CORE to promote "black capitalism" in the Nation's slums.

Farmer referred to legislation to create a national Community Development Bank that would guarantee and float loans to local development banks to finance business enterprises through Community Development Corporations in the city slums and poor rural areas.

Farmer is the founder and longtime director of the Congress of Racial Equality. He was chosen last week to be assistant secretary for administration in the Department of Health, Education and Welfare. He spoke yesterday on the CBS interview program "Face the Nation," carried here by WTOP.

Farmer noted on the program that President Nixon had spoken approvingly of various "black capitalism" programs for economic development during the campaign.

The Community Development Bank program, which was first proposed by CORE, has been introduced by a number of Senators and Representatives. It is being pushed most actively in Congress by Republican members. The cost is estimated to be $1 billion a year for the first two years.

Farmer, who will take office about April 1, will be the highest ranking Negro in the Nixon Administration.

He comes as a registered member of the Liberal Party in New York, who ran unsuccessfully for Congress on the Republican and Liberal tickets and who endorsed the presidential candidacy of Democrat Hubert H. Humphrey.

He said his main job at HEW will be recruiting qualified members of minority groups for important Government positions. He said he expected to have a strong staff at HEW that would handle the administrative details of his job, "while I concentrate on other things."

Farmer also said he expected to be "the prime adviser" to HEW Secretary Robert Finch on urban affairs and that he would be in liaison with the Urban Affairs Council in the White House and with Daniel P. Moynihan, the President's adviser on urban affairs.

The longtime civil rights leader said he did not think his acceptance of a post in the Nixon Administration would hurt his credibility with Negroes, who were overwhelmingly opposed to Mr. Nixon's election.

"I don't think I am an ambassador from the Administration to the black community," Farmer said. "I would put it the reverse way and say that I am an ambassador from the black community to the Administration—perhaps a little of both."

Farmer said he was not named to his post to win Negro voters to the Nixon Administration. "This is not one of my job descriptions at all," he said. He added that "I have made no commitments of campaigning for anyone yet."

But Farmer said if the Nixon Administration's "performance is meritorious, as far as the black community and other minority communities are concerned, then there will be a larger segment of those communities voting for the Administration."

He said he supported most demands being made by minority students at colleges for ethnic studies. But "I don't always agree with the tactics which are used," he said.

He indicated that he favored cutting off Federal scholarships and grants to students convicted of breaking laws during demonstrations.

"I think that anyone who breaks the law has to expect to suffer the consequences," Farmer said. "This has always been my belief, even the times I broke the law deliberately in Mississippi and elsewhere, when I went to jail for it. I did not say 'don't arrest me.' ".

However, Farmer added that he thought each case must be considered on its own merits and the law should be enforced with "some flexibility."

[From the Chicago Tribune, Feb. 17, 1969]

Farmer Backs Campus Goals—But He Frowns Upon Student Tactics

(By Glen Elsasser)

Washington, February 16.—James Farmer, the highest ranking Negro in the Nixon administration, said today he sympathized with many demands black students were making on the nation's campuses, but not with their tactics.

In an interview on the television program, Face the Nation, the former national director of the Congress for Racial Equality said, "It is terribly important that official America and unofficial America understand the kinds of demands which are being made by the black community now."

PREFERS BLACK TEACHERS

Farmer, who last week was named assistant secretary for administration of the department of health, education, and welfare, said until recently the movement among Negroes was toward integration—color blindness. But the emphasis now, he observed, is on ethnic cohesiveness.

In the new departments of black studies, established on many campuses as a result of protests, Farmer believes it would be better that the classes are taught by blacks because of the polarization between blacks and whites in our society.

Farmer made it clear that protesters on the nation's campuses must face the consequences of breaking the law, including the loss of government financed scholarships. However, he said, "Each case must be decided on its own merits."

The most critical problems facing the Nixon administration, Farmer said, were the cities, improving the quality of education, and making sure that welfare reaches the poor and helps them get out of poverty.

Altho he received the support of the Republican party in an unsuccessful attempt for election to the House of Representatives from Brooklyn, Farmer said he was a member of the Liberal party in New York and not a registered Republican. He indicated he would take office here around April 1.

In his new job, Farmer said his major tasks would consist of recruiting qualified minorities, coordinating community action programs financed by the department of health, education, and welfare, and advising HEW on urban affairs.

HOUSE OF REPRESENTATIVES—*Wednesday, March 5, 1969*

The House met at 12 o'clock noon.

Rabbi Chaim B. Seiger, Baron Hirsch Congregation, Memphis, Tenn., offered the following prayer:

O continue Thy loving kindness unto them that know Thee; and Thy righteousness to the upright in heart.—Psalms 36: 11.

קודשא בריך הוא, שכינתה ומלכותה, מליא כל ארעה ויו יקרה.

"May the Holy One, blessed be He, His divine presence, and His kingship abide in this place and fill this land."

O L-rd, Author of our lives and Giver of our wisdom, we seek Thy blessing. Let us do the right with loving kindness. Let us do the right with pride in our deeds and not in ourselves. Let us guide with courage that the hand of the wicked drive us not away. May we be the instruments of freedom and truth.

O G-d, as all men are precious unto Thee, so may they be precious unto us. As Thou seekest the good for all Thy children, so may we. May we prize highly and protect carefully the gifts of conscience and principle that were handed to us from Sinai through Lexington and Concord. May we transmit these values and virtues to our children that they become their possession. Accept our service that we may achieve; that through us man may know an additional measure of freedom and security.

Upon the President and Vice President of these United States, upon this body of distinguished leaders, grant Thy blessing as spoken in the Psalm:

"O continue Thy loving kindness unto
them that know Thee;
And Thy righteousness to the upright
in heart.
Let not the hand of the wicked drive
them away and give them to drink
of the river of Thy pleasures."

May you mark these men of integrity and behold their uprightness for the future of these men shall be peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill and concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1022. An act to provide that future appointments to the office of Administrator of the Social and Rehabilitation Service, within the Department of Health, Education, and Welfare, and to certain subordinate offices, be made by the President, by and with the advice and consent of the Senate; and

S. Con. Res. 5. Concurrent resolution to print additional copies of hearings on the nomination of Walter J. Hickel to be Secretary of the Interior.

APPOINTMENT AS MEMBERS OF THE U.S. GROUP OF THE NORTH ATLANTIC ASSEMBLY

The SPEAKER. Pursuant to the provisions of section 1, Public Law 689, 84th Congress, as amended, the Chair appoints as members of the U.S. group of the

North Atlantic Assembly the following Members on the part of the House: Mr. Hays, Chairman; Mr. Rodino, Mr. Rivers, Mr. Clark, Mr. Brooks, Mr. Arends, Mr. Bates, Mr. Findley, and Mr. Quie.

RESIGNATION FROM COMMITTEES

The SPEAKER laid before the House the following resignation from committees:

Hon. John W. McCormack,
The Speaker of the House,
U.S. Capitol, Washington, D.C.

Dear Mr. Speaker: I hereby submit my resignation as a member of both the Committee on Armed Services and the Committee on House Administration.

Respectfully yours,
Charles E. Chamberlain.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

ELECTION TO COMMITTEE

Mr. GERALD R. FORD. Mr. Speaker, I offer a privileged resolution (H. Res. 294) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 294

Resolved, That Charles E. Chamberlain, of Michigan, be and he is hereby elected a member of the standing committee of the House of Representatives on Ways and Means.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RABBI DR. CHAIM B. SEIGER

(Mr. KUYKENDALL asked and was given permission to address the House for 1 minute.)

Mr. KUYKENDALL. Mr. Speaker, the beautiful and inspiring invocation this day was delivered by Rabbi Dr. Chaim Seiger of Baron Hirsch Synagogue in Memphis, Tenn.

In every community there are a few leaders who stand far above the crowd. Dr. Seiger is one of these. He is a man of vision who sees a better Memphis and a better America, under God, for all our people. He is a man of compassion whose dedicated service to humane causes has brought about greater charity, greater spiritual understanding among all the people of our city.

Dr. Seiger is the senior rabbi of Baron Hirsch Temple, the largest orthodox Jewish congregation in the United States. He is a graduate of the Rabbinical Seminary of America and holds degrees from City College of New York City and Columbia University. He is the holder of the Prime Ministers Medal from the State of Israel for his humanitarian work among the people of Israel, from where he has just returned.

It is a privilege to count Dr. Seiger among those whom I represent from the Ninth District of Tennessee, but even more important it is good to have him as counselor and friend. I wish to express my thanks to him, and I know I speak for the whole House, for coming to us this morning with his words of wisdom and spiritual uplift.

PRESIDENT NIXON'S REPORT TO THE PEOPLE

(Mr. ARENDS asked and was given permission to address the House for 1 minute.)

Mr. ARENDS. Mr. Speaker, last night the American people had opportunity to see and hear our President make his report to the people on his recent trip abroad. I have no doubt that millions across the country watched and listened. And I have no doubt that they were impressed, not only with the extent and depth of our President's knowledge but also with his complete frankness and sincerety.

To make certain that in his report to the people he would provide answers to all the questions they might want answered, President Nixon used an hour-long press conference rather than a carefully worded prepared text in making his report. He wanted to make certain that he reported to the people not what he might want them to hear, but what the people wanted to know, and what the people were entitled to know.

What this country has so sorely needed is a national leader in whom the people can have implicit confidence. To command confidence one must have confidence in himself and take the people into his confidence.

Last night we were privileged to see and hear such a man. I congratulate President Nixon on a sterling performance. He did not avoid or evade difficult questions, nor did he dodge or duck issues. He confidently took the people completely into his confidence.

THE UNITED NATIONS AND THE MIDDLE EAST

(Mr. BROWN of California asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BROWN of California. Mr. Speaker, the Middle East has replaced the Balkans as the tinderbox of the world. At any moment, a minor border incident could escalate into a full scale renewal of hostilities. Every day increases the chances of such a disaster. As time passes possibility becomes probability and, if the situation is permitted to continue indefinitely, probability becomes certainty.

Once escalation starts, who can say where it will end? Three times already we have been lucky—if any war can be spoken of as good fortune—because the great powers were not ensnared and apocalypse did not follow. A fourth time would push luck.

Indeed, considering the new Soviet presence in the Mediterranean, confrontation in a fourth Middle Eastern war would almost be a certainty.

The continued existence of mankind requires that peace, and not war, become the normal state of affairs in the Middle East. A first logical step toward that goal is to deny nations likely to be combatants further means with which to wage war.

In simple terms, arms shipments to the Middle East must stop.

I do not say that America alone should cease sending arms. Nor does it mean that the United States should renege on agreements to sell warplanes to Israel. Peace will not result by rendering Israel incapable of self-defense.

By the same token, arming Israel and the Arab nations indefinitely is not the answer either. If the cold war has taught us nothing else it should have taught us that an arms race is no substitute for disarmament.

Suspension of arms shipments into the Middle East should be a keystone of American diplomacy. And the most fruitful course of action to achieve that objective is to refer the problem to the United Nations.

Such a move holds several distinct advantages over bilateral talks. First, bilateral talks could not include all potential arms suppliers. Second, bilateral agreements necessarily aim to cut flows at their source permitting the use of third parties to transship arms. A U.N. agreement would not suffer from this loophole.

Third, use of the U.N. as the implementing body would act to strengthen that organization's influence in the Middle East, making the United Nations better able to effect a lasting settlement. Fourth, acting through the United Nations would tend to decrease the possibility of a United States-Soviet confrontation. It would also decrease the possibility that any Middle Eastern nation would undertake some new adventure in the hope of receiving direct support from one of the great powers. And, finally, taking a long-range view, using the United Nations in this way may provide a precedent for the future cutting off early arms races in explosive areas, discouraging unilateral action or involvement by outside powers, isolating trouble spots and avoiding global ramifications.

It is to achieve these ends that I am introducing a resolution making it the sense of Congress that the President be requested to refer the Middle East armament question to the U.N. Security Council. I have been joined by 10 cosponsors, as follows: Daniel E. Button, Shirley Chisholm, John Conyers, Jr., Emilio Daddario, Henry Gonzalez, Augustus F. Hawkins, Robert Kastenmeier, Robert Leggett, Lionel Van Deerlin, and Gus Yatron.

It must be remembered, however, that halting the Middle Eastern arms race only treats a symptom; it does not attack basic causes.

Admittedly, some causes are beyond reach. Many remaining are difficult and complex. But "a journey of a thousand miles begins with one step" and world peace demands that America make that first step.

We are not without tools, and the best tool is the United Nations.

Middle Eastern nations long have been beset by more than their share of disease, ignorance, and poverty. These are major sources of frustration and of smoldering discontent. In the Middle East such frustrations are often directed outward. Until progress can be made toward alleviating these curses, little chance exists of lasting peace in the Middle East.

It is well within American interest that there be peace in the Middle East, and it is also in our interest that resources be allocated to help the Middle East. Yet direct bilateral aid would inevitably draw the United States into further Middle Eastern conflicts and I do not doubt that other powers would also soon become involved.

Once again the Middle East would become a battleground for the great powers. Nothing would have been gained, indeed, much may be lost. One answer is by multilateral aid through the United Nations. There would be no direct American involvement and the United States would not shoulder the entire burden of a development program.

From an economic point of view, much can be gained by using the politically neutral and technically competent United Nations development program. Long-range, integrated plans are easier to implement through an international agency; economics is not wholely sacrificed to politics, long-term change not sacrificed to short-run impact.

To assure that development plans are truly regional and to give due consideration to needs of the affected nations, I suggest that the U.N. establish an Economic Development Commission for the Middle East.

Like comparable commissions in other regions of the world, the Middle East Commission would be a planning body composed of representatives from all interested nations in the region. In this way Middle Eastern nations would find themselves compelled to cooperate for their own good. Hopefully, from this small overlapping of interests, a somewhat better overall climate will bloom.

Therefore, as a companion measure to the arms race resolution, I am also introducing a second resolution urging the President to act so that our representative to the United Nations proposes formation of a U.N. Economic Commission for the Middle East. I am being joined in introducing this resolution with the following nine cosponsors: DANIEL E. BUTTON, SHIRLEY CHISHOLM, JOHN CONYERS, JR., EMILIO DADDARIO, HENRY GONZALEZ, AUGUSTUS F. HAWKINS, ROBERT KASTENMEIER, ROBERT LEGGETT, and GUS YATRON.

The resolution has another major intent. It suggests that all American aid to the Middle East be channeled through the U.N. development program.

Of all the socioeconomic problems in the Mideast, the plight of the Arab refugees ranks as the most pressing. Settlement of their status is often regarded as a prerequisite for peace. The exact political nature of such a settlement must, of course, be worked out by the parties to the dispute. And I would again emphasize that no outside group of nations should seek to impose any settlement, on any issue, on Middle East countries.

The United States and the United Nations can ease difficulties surrounding a settlement by removing major economic stumbling blocks. Through the UN development program Arab States can be given financial assistance in resettling refugees. At the same time, Israel can be aided in paying compensation to those Arabs who lost holdings in Israel.

All these measures have valuable secondary effects. They increase both the prestige and the potency of the UN. Certainly, the United Nations which commands respect and consideration as a real force in the world has a much better chance of achieving peace in the Middle East.

Indeed, peace in the Middle East must be a basic element of U.S. foreign policy. Our commitment to the continued existence of Israel is firm. There can be no question of that.

From a purely pragmatic point of view, in order to uphold this commitment, it is obvious that no solution is possible in the Middle East without, at least, some accommodation of the legitimate interests of the Arab States. I firmly believe that the best way for the United States to pursue a reasonable and equitable policy is to utilize the United Nations as the primary instrument for achieving peace, tranquillity, security, and justice for all the peoples in this unhappy region.

A FAIR SHAKE FOR THE MIDDLE CLASS TAXPAYER

(Mr. KOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOCH. Mr. Speaker, I am deeply concerned with the gross inequities which have accumulated over the years in our Nation's taxing system.

The middle class, largely dependent on wages and salaries, bears the main burden of the system's inequities. The middle class citizen pays more taxes because he does not have the resources, nor the opportunity, to invest in and reap the artificial benefits of complicated real estate ventures, orange groves, cattle herds, airplanes and the other esoteric luxuries of the tax-conscious upper class.

Because of the growing disillusionment concerning the tax system's fairness, we are, it is predicted, on the edge of a taxpayers' revolt, not based on a refusal to pay taxes but based on a feeling that the middle class is paying the taxes of wealthier individuals who have mastered the many artifices of tax avoidance.

This crisis causes me to focus on one of the more glaring points of discrimination in the tax code, which particularly prejudices the middle class urban taxpayer. A homeowner or owner of a cooperative apartment are both permitted income tax deductions for property taxes paid on their house or apartment and interest paid on the house or apartment mortgage. These deductions are allowed as exceptions to the general rule that personal or living expenses are not deductible. Tenants, on the other hand, get no such tax deductions.

This arbitrary discrimination in favor of homeowners operates to the particular disadvantage of the city dweller where renting is the rule and homeowning the exception

I believe it is time to place the ordinary tenant on an equal footing with homeowners by permitting the tenant a comparable tax deduction for that part of his rent that pays for the property taxes and mortgage interest levied on his apartment building.

I wholeheartedly support and am sponsoring legislative measures to close the tax loopholes through which the wealthy escape, leaving the middle class to pay the bill. When the day comes that everyone pays his fair share of the taxes needed, those of us now bearing the major burden will pay less.

It is only fair that while closing these loopholes which favor the wealthy who need help the least, this Congress should provide some tax deductions which benefit middle class urban tenants who need help the most.

ANNUNZIO URGES NAMING OF ENRICO FERMI NUCLEAR ACCELERATOR

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute, and to revise and extend his remarks and include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, in the 90th Congress, and again in the 91st Congress, I introduced legislation to provide that the nuclear accelerator at Weston, Ill., be named "The Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi.

I can think of no recognition more appropriate than this to honor the memory of one of the world's greatest atomic physicists whose experiments resulted in the first self-sustaining nuclear chain reaction ever to take place.

Thirty years ago last December 10, Dr. Enrico Fermi received the Nobel Prize for physics from the hands of the King of Sweden. The discovery meriting this prize was the existence of new radioactive elements produced by neutron irradiation, and the related discovery of nuclear reactions brought about by slow neutrons. A whole new field of science and technology was opened by these discoveries.

But Fermi did not return to Italy with his prize. The Fascist racial laws of 1938 which affected his wife and her relatives, deeply offended his sense of fairness. So he fled to the United States where he arrived on January 2, 1939. He found his first refuge in Columbia University. Later he was to work at the University of Chicago, at Los Alamos and back at Chicago where he died on November 28, 1954, shortly after his 53d birthday.

Once the rumor spread that Fermi would stay in the United States, several universities made him excellent offers. He chose to join Columbia University where he had personal acquaintances. He and his fellow physicists Rosetti, Segre, and Amaldi had worked there.

During those 16 years from December 1938 to November 1954, he was to earn the gratitude and admiration of the entire free world for his brilliant contributions to nuclear physics and development of the atomic bomb. I know that today some people, particularly university students, decry research in aid of the military. I wish they could but realize how much Fermi's research, his discoveries, his application of his knowledge for the defense of his adopted land derived from his personal knowledge of an oppressive and regimented society.

Enrico Fermi as an example for our modern students, however, is the subject of another occasion.

At the end of his life in America, Professor Fermi was honored as the first recipient of a new award that Congress authorized under the Atomic Energy Act of 1954 for "especially meritorious contribution to the development, use, and control of atomic energy."

A few brief weeks later, Fermi was dead.

Dr. I. Rabi wrote in tribute of Professor Fermi that he was one of those rare personalities in the history of physics whose gifts included great talent for theory and experiment.

As such—

Wrote Dr. Rabi—

> he was of the great line of Archimedes, Galileo, Newton, Benjamin Franklin and Henrich Hertz.

Chairman Strauss of the Atomic Energy Commission praised Professor Fermi as "the true architect of the atomic age," and announced that the special AEC award would thereafter be known as the Fermi Award.

Emilio Segre, his longtime associate, wrote of Fermi that:

> He gave to science all he had and with him disappeared the last universal physicist in the tradition of the great men of the 19th century, when it was still possible for a single person to reach the highest summits, both in theory and experiment, and to dominate in all fields of physics.

Now, 14 years later, the Nation has had ample opportunity to realize the full debt of gratitude and appreciation and recognition that it owes to this giant among those other giants who include da Vinci, Avogadro, Galvani, Grimaldi and Galileo.

It is time that we do so.

Because of his brilliant research into the nature of the innermost secrets of the atom; because of his ingenious and productive use of those new tools of research, radioactive materials, the nuclear reactor and the particle accelerator; because of his wartime contribution to the atom bomb project; because of his extraordinary example of intellectual excellence; because of these and many other excellent reasons, we as a nation owe it to him to commemorate his achievements not in an exhibit, or with a sterile monument but with a working tool of scientific research that can and will enable man to further extend the frontiers of knowledge.

For these compelling reasons I introduced last year a bill to name the 200-Bev particle accelerator to be built at Weston, Ill., the Enrico Fermi Nuclear Accelerator.

At the opening of this 91st Congress I reintroduced that bill as H.R. 391.

Today I would further show why this proposed recognition of Professor Fermi is timely, appropriate, and deserving of favorable action by a grateful Nation's legislature.

To do so, I would first say something more of Professor Fermi's life and achievements, then highlight the purpose and nature of the 200-Bev machine. I hope you too will see the compelling force and logic of dedicating this new tool of science to Enrico Fermi.

SOME THOUGHTS ON ENRICO FERMI AND PARTICLE PHYSICS

From his early days in Italy as an experimental physicist, Enrico Fermi was fascinated with the minute particles of modern physics. Neutrons, electrons, protons and, later, the heavier particles provided him with means to ask questions of nature, and his observation of his experiments gave him many answers which he could record for posterity. Some of these particles he obtained from electrical apparatus. Some from a piece of radium that flung off speeding particles that he could use for his experiments. As an experimenter with these nuclear particles, he naturally was interested in design and use of sources for them. His interest in accelerators, then, and his success in using them to probe for the secrets of nature alone would be ample reason to dedicate the Weston accelerator to his name.

The Nation's more immediate reason to commemorate Enrico Fermi is, as many high school students now learn, his achievement in leading the team of scientists and engineers who built and brought into operation the first nuclear reactor which demonstrated a controlled nuclear chain reaction. While the story of this remarkable achievement, which took place at the University of Chicago, has been well recorded for history, it is pertinent to recall briefly its highlights for, without proof that the chain reaction among uranium atoms could occur, there would have been no atom bomb, and no Manhattan project.

The principal fact of science which underlies use of atomic energy, whether it be for peace or for war, as a continuing source of energy or as an explosive, is the fact that under certain conditions atoms of uranium and plutonium will fission, or split apart, with the release of energy. The physical mechanism for practical release of this fission energy is the chain reaction which Fermi demonstrated. With hindsight, his demonstration may seem simple, even primitive in comparison with the sophisticated and elegant devices of this day that employ the chain reaction. But at that time the outcome was far from sure for many practical unknowns could have prevented attainment of what in theory was possible.

I would like to begin the story of Fermi's part in the conclusive demonstration of the nuclear chain reaction with the year 1939. In January 1939, the famous nuclear physicist Niels Bohr visited the United States, only a few days after Fermi had fled from Italy. Fermi already had established himself at Columbia University. The cyclotron there promised to be a powerful new tool for new experiments in nuclear physics. At the time, Fermi was without doubt the greatest expert on neutrons.

Fermi had hardly arrived in the United States when the discovery of fission of uranium took place. The famous Bohr brought the news with him. Upon arriving in New York, Bohr hurried to Columbia University to discuss the new discovery with Fermi.

Fermi saw directly that in so violent a nuclear reaction, neutrons might be released too. If the arrangement were such that the emitted neutrons could produce further fissions, the process might become multiplicative. If circumstances were favorable enough, a chain reaction might be obtained. This was shortly before Bohr and Fermi were to open the Fifth Washington Conference on Theoretical Physics. In that brief time Fermi and a graduate student quickly modified experimental apparatus to confirm Bohr's news. At the conference the next day Fermi was able to speak of the fission process with the conviction of personal experience.

By the time Fermi returned to Columbia the next day, Fermi knew what questions he wanted to answer. Were neutrons emitted in the fission of uranium? If so, in what numbers? How could these neutrons be brought to produce further fissions? What other processes might compete for these neutrons? Could a chain reaction be developed. Fermi began to answer these questions in a letter of February 16, 1939, to Physical Review on the fission of uranium. That spring he gathered together his research group, including Walter H. Zinn, Leo Szilard—a Hungarian scientist who had come without benefit of a faculty appointment to work with Fermi, and Herbert L. Anderson, his gifted graduate student and future associate.

Fermi and his group continued their neutron work at Columbia until the summer of 1942 when they moved to the University of Chicago to work more closely with the new Manhattan project. In May of that year the decision was made to build one or more full scale nuclear reactors to produce the artificial element of atomic number 94 at a cost of $25 million. This decision was made in anticipation that Fermi would successfully demonstrate a chain reaction in Chicago.

During the summer of 1942 Fermi planned the construction of a small reactor capable of a chain reaction of a few hundred watts energy output. As his plans evolved, he realized that such a novel and possibly dangerous experiment should not be carried out in the heart of one of the Nation's cities. That September it was decided to move Fermi's reactor—or pile—from the squash court of the university's Stagg Field to the Argonne Forest Preserve. But this move was plagued with troubles. Labor disputes delayed the completion of a building at Argonne. Rather than lose time, Fermi thought that he could assemble his pile at Stagg Field before space would be ready in Argonne. He convinced Arthur Compton of the University of Chicago that the experiment was safe.

Not daring to seek approval from either the Army, which by then had taken over administration of the atom bomb project, or from the university administration, Compton took it upon himself to authorize Fermi to go ahead.

Time was short. General Groves had appointed a special committee to review Compton's entire project at Chicago, which included Fermi's work. The situation was critical. Unless the review committee could be convinced to share Compton and Fermi's optimism, the work of the reactor might be wasted. By recruiting all available help, Fermi and his team set about the arduous task of machining 40,000 blocks of graphite, and assembling them with blocks of uranium metal and oxide into the necessary form.

The review committee was convinced. Thanksgiving, 1942. Fermi was not ready.

The committee returned to Chicago on December 2. The pile was finished the night before. At 9:45 on the morning of December 2, Fermi began to withdraw the first of the control rods that governed the pile. Before noon he was able to invite Compton and a committee representative to witness the final phases of the experiment. Finally, at 3:20 p.m., Fermi's instruments indicated a self-sustaining nuclear chain reaction had been attained.

The review committee was convinced. Based on its recommendations, the Manhattan project decided to build with the utmost speed and highest priority the plutonium production reactors that were to cost $100 million.

Writing of this experiment some 20 years later, Eugene Wigner, one of the participants, said:

> Do we then exaggerate the importance of Fermi's famous experiment? I may have thought so sometime in the past, but do not believe it now. The experiment *was* the culmination of the last doubts in the information on which our further work had to depend had a decisive influence on our effectiveness in tackling the second problem of the Chicago project: the design and realization of a large-scale reactor to produce the nuclear explosive plutonium. This objective could now be pursued with all the energy and imagination which the project could muster.

Fermi stayed at Chicago until the next spring when his group moved out to what is now the Argonne National Laboratory. He continued on with his work. Within 2 years of the Stagg Field demonstration, the initial power run of the first plutonium production reactor began. The time was a few minutes after midnight on September 27, 1944. The place was the Manhattan District's Hanford Works in the State of Washington. Fermi was there to supervise and check the operation.

Fermi's work with the Manhattan District did not stop here. Leaving the scenes of his monumental accomplishments, he went to Los Alamos where he turned his powerful mind to the question of a thermonuclear bomb. Someday I hope the history of his contribution to that mighty item in our Nation's armory can be adequately acknowledged.

In August 1945, Japan surrendered and thus ended the Second World War. The scientists at Los Alamos, Fermi included, began thinking of peacetime research. Fermi was still on leave of absence from Columbia University, but just at that time the University of Chicago began to organize its Institute for Nuclear Studies, which later was to become the Fermi Institute for Nuclear Studies. The university repeatedly offered Fermi the directorship, but he was interested in research, not administration. He resolutely refused. Fortunately Prof. S. K. Allison, a distinguished and a very able administrator and a good friend of Fermi, was appointed director of the institute and Fermi then joined as a research scientist. And at the new institute would be a large and powerful synchrocyclotron, which was being built across the street from the old squash court at Stagg Field. This machine was built with the idea that Fermi would be the principal user.

Fermi returned to Chicago on January 2, 1946. While waiting for the synchrocyclotron to be finished, he again worked with neutrons at the Argonne Laboratory, using its reactor as a source. This period at Argonne marked the end of his investigations on neutrons which traced back to his initial work in Rome.

Fermi formed a new group of young pupils, many of them returning from Los Alamos. At Chicago he was active in all seminars and in many discussions. Often, with a single remark, he sowed the seeds of further discovery. For instance, Maria Mayer in reporting an experiment inspired by Fermi generously acknowledged his assistance.

Meanwhile the stage was readying for the last period of Fermi's research. Meson physics was opening and Fermi immediately recognized its importance. Since the new Chicago synchrocyclotron promised a powerful artificial source of mesons, Fermi's experimental talents turned in this direction.

The new machine began operations in the spring of 1951, and he and his group soon were publishing new discoveries. He did his last experiment in 1953, and his paper on "Scattering of Negative Pions by Hydrogen" of that year concluded his experimental work. Thereafter, Fermi spent more and more time helping his students by discussion and frequently lending a hand in their experiments, but never again to the extent that would allow him to admit that the work was his own.

Thus freed from the demands of experimental work, he could consider the possibility of working together with the Indian scientist Chandrasekhar on problems of astrophysical interest, related to his long standing interest in cosmic rays. His new colleague was later to write of Fermi's intuitive insight into nuclear physics:

> During all my discussions with Fermi, I never failed to marvel at the ease and clarity with which he analyzed novel situations in fields in which, one might have supposed, he was not familiar and, indeed, was often not familiar prior to the discussion. In the manner in which he reacted to a new problem, he always gave me the impression of a musician who, when presented with a new piece of music, at once plays it with a perception and a discernment which one would normally associate only with long practice and study.

Chandrasekhar also gives us this further insight into Fermi's magnificent feel for nuclear physics and the psychology of his inventive genius. Fermi had described to him how he came to make the discovery which Fermi thought was the most important one he had made, when he was working with neutrons in his early days in Italy. This is Fermi's account:

> One day, as I came to the laboratory, it occured to me that I should examine the effect of placing a piece of lead before the incident neutrons. And instead of my usual custom, I took great pains to have the piece of lead precisely machined. I was clearly dissatisfied with something: I tried every "excuse" to postpone putting the piece of lead in its place. When finally, with some reluctance, I was going to put it in its place, I said to myself, "No! I do not want this piece of lead here; what I want is a piece of paraffin." It was just like that: with no advanced warning, no conscious, prior, reasoning. I immediately took some odd piece of paraffin I could put my hands on and placed it where the piece of lead was to have been.

Mr. Speaker, these few but telling insights into Fermi's work, these evidences of his genius, when coupled with the lasting and vital significance of what he accomplished for this country constitute the necessary and sufficient reasons, as our mathematical friends would say, to dedicate the Weston machine to the memory of Enrico Fermi.

THE PURPOSE OF THE 200-BEV. ACCELERATOR

Consider the purpose of the new accelerator and the questions that our scientists can put to nature with its energetic particles. Dr. Robert R. Wilson, director of the project, looks at the many particles discovered through use of less energetic particles. That nature thereby revealed is more complex than first expected, he reminds us, is a challenge rather than a disappointment. In building higher energy machines to study these complexities, all kinds of exciting and fundamental discoveries have been made. Not only have various new particles been observed, but also new physical laws have been discovered while old ones have been observed to be violated. In previous studies of the nucleus—where Fermi was a masterful leader—physicists were able to understand why the stars shine and how matter is made.

Dr. Wilson eloquently reminds us that pure science, the search for understanding, is as important for its effect on the minds of men as it is for its eventual contributions to his standard of living:

> Man's effort to achieve a better comprehension of the world in which he lives will continue to have a profound effect not only on his philosophy, not only on his well-being, but also on his whole social organization.

What are some of the questions that scientists can put to nature with the new machine when it is finished? These fortunate men will be in the same happy situation as was Fermi when the Chicago synchrocylotron came on-line in 1951. Dr. Wilson lists some of these questions:

> Which, if any, of the particles that have so far been discovered, is, in fact, elementary, and is there any validity in the concept of the "elementary" particles?
>
> What new particles can be made at energies that have not yet been reached? Is there some set of building blocks that is still more fundamental than the neutron and the proton?
>
> Do the laws of electromagnetic radiation, which are now known to hold over an enormous range of lengths and frequencies, continue to hold in the wave length domain characteristic of subnuclear particles?

These are some of the questions that scientists in nuclear physics would explore. There is good reason to believe that they can be clarified by experiments. Although these are questions that appear to be the "right" ones to investigate, the best questions have undoubtedly not yet been asked. Only further experiment with the Batavia machine will give us the insight to ask them. Nature in the past has always surprised us. It is probable, as our scientists take the step up to the 200-Bev. machine, that more surprises await.

Enrico Fermi were he with us today

would be chaffing impatiently to ask these questions of nature and to interpret her answer.

Enrico Fermi was a great experimentalist. He had a deep and intuitive insight into nature. Working with the Weston machine will demand the greatest insight and ability to see in the experimental returns new relations, new facts that can escape the comprehension of the less gifted. Above all, Fermi was a great teacher. The full return on the Nation's pending investment in the Weston accelerator will be realized only as its scientists can emulate Fermi in his ability to teach, to simplify, to lay out for their students and associates the strange beauties of the worlds of the atoms.

Mr. Speaker, I have laid out my reasons why the new 200-Bev. accelerator should be dedicated to Enrico Fermi and I hope that you and our fellow Members of Congress will give your support to H.R. 391.

EX-AMERICAN HANDLES MOB MONEY IN SWITZERLAND

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the New York Times on Sunday, March 2, 1969, published a story entitled "Ex-Bootlegger Manages Money in Swiss Banks for U.S. Mobs." The story refers to one John Pullman, who was associated for many years with Meyer Lansky, described as "reputedly the most powerful non-Italian associate of the Mafia." According to the story, Mr. Pullman has renounced his U.S. citizenship and now lives in Switzerland where he manages the flow of millions of dollars from organized crime in America in and out of coded Swiss bank accounts.

For the past few months the House Committee on Banking and Currency has been looking into the use of foreign banking facilities operating in jurisdictions with strong secrecy laws as a device for aiding and abetting various schemes which are violative of American law. The case of Mr. Pullman is but another chapter in this sordid story. The committee is not only concerned about the activities of organized crime, but also the use of these foreign banking facilities by an ever-growing number of Americans who are breaking our laws. One estimate of the resulting tax loss to the United States runs into hundreds of millions of dollars. Secret bank accounts make it virtually impossible for American law-enforcement authorities to bring violators to justice.

As previously announced, I will introduce legislation which seeks to limit the use of the secret foreign bank device.

The above referred to article from the New York Times is included at this point:

EX-BOOTLEGGER MANAGES MONEY IN SWISS BANKS FOR U.S. MOBS

(By Charles Grutzner)

A 67-year-old former bootlegger who renounced his United States citizenship sits behind a desk in Switzerland and manages the flow of millions of dollars from organized crime in America into and out of coded Swiss bank accounts, according to Federal officials.

The money mover has been identified by Federal investigators here as John Pullman, who was associated for many years with the racketeer Meyer Lansky after the repeal of Prohibition. He is said to know how the profits of gambling, loan sharking and other rackets are poured into secret Swiss accounts and come back as "clean" money.

The cleansed profits, which sometimes return to their American depositors as loans from their own secret Swiss accounts, are then invested in legitimate businesses and real-estate purchases here, the authorities say.

Pullman's operations in Lausanne do not violate any Swiss law. No charges are on file against him in the United States, but several government agencies here keep informed about his visitors and his trips between Europe and Canada.

Although Pullman keeps out of subpoena reach by his voluntary exile from the United States, Federal investigators have traced some of his transactions that involve American banks and brokerage houses and several Swiss banks.

United States Attorney Robert M. Morgenthau, when asked about Pullman's role in international finance, said:

"John Pullman was for years a courier for the mob. Now he handles their investments for them through Swiss bank accounts."

Mr. Morgenthau, interviewed in the Federal Court House at Foley Square, declined to be more specific about Pullman's activities because the former bootlegger is involved in an investigation into the real ownership of some of the funds in the coded Swiss bank accounts.

"Until recently this form of bank dealing had been a safe operation for organized criminals," Mr. Morgenthau said. "We have turned up some promising information we are not yet ready to disclose.

"We know that several Swiss banks are wholly or partially owned by Americans, some of whom have ties with organized crime. These banks maintain accounts running into millions of dollars with New York banks and brokerage firms."

RAN RUM WITH LANSKY

From government sources here, in Canada and in the Bahamas, some of Pullman's background has been pieced together. Pullman, who was born in Russia, Sept. 19, 1901, first came to the attention of American law-enforcement authorities as a member of Lansky's rum-running and bootleg-liquor distribution operation. He was sentenced in 1931 to 15 months in the Federal reformatory at Chillicothe, Ohio, for violation of the National Prohibition Act. So far as is known, that was his only conviction.

As Lansky, reputedly the most powerful non-Italian associate of the Mafia, expanded his gambling operations into the casinos of Florida, Louisiana, Nevada and Cuba, and into real estate, night clubs and other enterprises, Pullman moved up in racketeer circles with him, the authorities said.

Pullman, who has a sallow complexion, blue eyes and a prominent nose, stands 5 feet 6 inches tall and weighs about 155 pounds. His hair, once brown, has turned gray.

Early in their association, Pullman, who is known to his American associates as Jack, is said to have impressed Lansky with his mathematical aptitude and sharp mind for business dealings.

On Lansky's recommendation, according to government sources, he became a courier for the illegal "skim" from the proceeds of legal gambling in Las Vegas. Eventually he became banking technician for other members of organized crime, the sources said. He traveled frequently to Switzerland and became a solicitor of new accounts for several Swiss banks.

Pullman became a naturalized American citizen in 1943 in Chicago. But five years later he assertedly found it advantageous to travel on a Canadian passport. He went to Canada, obtained landed immigrant status, and then obtained Canadian citizenship.

By 1964 he was a permanent resident of Lausanne, where, the authorities said, he established associations with Swiss lawyers who set up Liechtenstein trusts and companies in Panama and elsewhere through which money is shuttled for the benefit of the real owners.

He could not be reached yesterday for comment.

There is no legal limit on the amount of money a traveler may take out of the United States, and some of the racket profits are taken in cash by couriers to the Swiss banks.

Much of the money is funneled to Swiss banks through dummy corporations, a system that is regarded as safer than using couriers, in part because it is devious enough to make it difficult for tax agents and other government investigators to trace.

On the return route, when the money comes as a loan from a racketeer's own anonymous Swiss account, the borrower-lender takes an income tax deduction on the interest he pays on his borrowing. But he avoids tax payments on the interest accruing to his Swiss account.

The "clean" money is often used for investment in legitimate businesses here. In some cases, where the legitimate businessmen may already be in debt to loan sharks, they have no choice but to accept a known or suspected racketeer as a partner.

In other cases, the legitimate businessmen do not know that their new partners are members of organized crime until they start using underworld practices to harass competitors, bribe public officials or siphon off company funds.

The Internal Revenue Service would like to learn whether Pullman knows the whereabouts of the fortune of the late Mafia boss Vito Genovese, estimated by one Federal official at $30-million. Genovese's visible estate, like those of other bosses of organized crime that the Government has sought to tax, shows only the minimal amount he had acknowledged as legitimate income.

WATCHED BY FBI

The Federal Bureau of Investigation kept Pullman under close surveillance when he was in Florida, Las Vegas and other cities. The Canadian Royal Mounted Police shadows him on his visits to Canada, which coincide, officials said, with excursions by leaders of organized crime to this country to Toronto, where Pullman's brother-in-law has law offices.

According to official sources, on one such visit, Pullman was told by an associate that Lansky was seriously ill. Mr. Pullman is said to have chuckled and remarked:

"I've got 250 grand of the little guy's money that I haven't banked yet. So, I'm not going to get hurt."

According to investigators Pullman has risen from an underling in Lansky's bootleg business to a position of power from which he directs the fortunes of the underworld.

Records in the Registrar General's office in Nassau, the Bahamas, show that Pullman was president and holder of 2,000 shares of stock in the World Bank of Commerce, organized there in 1961.

Federal agents say that Pullman, who has become wealthy in his own right, moves in international society and acts as social guide, as well as financial technician, for American racket bosses when they visit Europe.

THE ST. LOUIS GLOBE-DEMOCRAT SPEAKS OUT AGAINST HIGH-INTEREST RATES

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, last week I charged Federal Reserve Board Chairman William McChesney Martin with being the most costly public official in the history of the world.

Since that time, Mr. Speaker, many people from many sections of the country have written me expressing support for this viewpoint and stating their firm opposition to the current high level of interest rates.

Mr. Speaker, indicative of this sentiment is an editorial from the St. Louis Globe-Democrat of Friday, February 28. The editorial states:

> Interest rates are much too high. They should be brought down as soon as possible. If they are increased again, we predict the increase will be self-defeating.

Today, the American people are paying billions of dollars in excess interest charges due to the mistaken policies of Mr. Martin and the Federal Reserve Board. In fact, since 1951, when Mr. Martin became Chairman, the American people have paid nearly $250 billion in excess interest charges on public and private debt.

Mr. Speaker, I place in the Record a copy of the editorial from the St. Louis Globe-Democrat:

High Interest Could Bring Recession

Rep. Wright Patman of Texas, perennial foe of high interest rates, may have overstated the case when he warned Federal Reserve Board Chairman William McChesney Martin about skyrocketing interest rates.

But we believe that Rep. Patman was expressing what many middle-income and lower-income Americans have felt for some time when he admonished Martin that people won't be able to afford the high interest on loans if the rates keep going up.

Chairman Martin, bankers and other money managers talk about "tightening credit" and "cooling off the economy" but do they really know what the effect of higher interest rates is having on many Americans who must pay these exorbitant interest costs?

Unless people can borrow money at decent interest rates, there is a real possibility that sky-high interest charges could bring on a serious recession, if not the depression that Patman predicts.

The threat of ever-higher money costs puts a dark cloud over the future.

It would be better to put on wage-price controls and lower interest costs than to allow interest rates to spiral to the point where the home-building and construction industries would be crippled.

President Nixon had better use his influence to stop the planned increase in the prime lending rate that Eastern banking houses reportedly are on the verge of announcing. If he doesn't, the same big money interests in the East which opposed his nomination could be instrumental in sending our economy into a tailspin.

Interest rates are much too high. They should be brought down as soon as possible. If they are increased again, we predict the increase will be self-defeating.

The reaction will be so strong that emergency measures may be necessary to head off a dangerous recession.

AFL–CIO EXECUTIVE COUNCIL ON THE UNIFORM CONSUMER CREDIT CODE

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, on February 17, 1969, at its midwinter meeting, the AFL–CIO Executive Council adopted a statement outlining its objections to the Uniform Consumer Credit Code. This code, which was paid for mainly by the credit industry, is a proposed model State law which is currently undergoing a heavy pressure campaign for its passage in the various State legislatures.

The AFL–CIO Executive Council's principal objections to the code center on the high maximum interest rates permitted—up to 36 percent a year; the provision for rates of interest as high as 10 percent on first mortgages; the provision for garnishment of up to 25 percent of wages; and the general attitude on the part of the code's supporters that it should be adopted as a package, regardless of whether it is an improvement over existing State laws.

Because it represents 13 million members and their families, the AFL–CIO statement cannot be taken lightly. The AFL–CIO has been joined by other prestigious consumer organizations such as the CUNA International and the Consumer Federation of America in its opposition to the proposed code as it now exists.

The council's action was not the result of any precipitous judgment. It is accompanied by a detailed analysis of the code and its more salient provisions. This is also included in the Record at the end of these remarks.

I congratulate Mr. Meany and the AFL–CIO Executive Council on an exceptionally fine statement and commend it to the Members of Congress.

The above-mentioned material follows:

Statement by the AFL–CIO Executive Council on the Uniform Consumer Credit Code, Bal Harbour, Fla., February 17, 1969

We have carefully examined the Uniform Consumer Credit Code, a "model state law" which has been prepared for introduction in the 47 state legislatures meeting in 1969.

UCCC would repeal and replace virtually all existing state laws relating to consumer credit. Sponsored by the National Conference of Commissioners on Uniform State Laws, it is offered for adoption as a "package," without amendment. The sponsors urge immediate enactment, despite the fact that the Code is a lengthy, complex, and sweeping legislative proposal. The public has had little opportunity to evaluate either its general impact or its specific provisions.

The Code is not essentially a "consumer statute" but seeks to compromise consumer and creditor interests. While it would make a number of desirable reforms in behalf of the consumer, which should be supported, it also contains serious drawbacks from a consumer point of view.

For this reason we cannot endorse the Code in its present form for enactment as a uniform law throughout the United States.

Our principal objections are as follows:

(1) We are shocked by the extraordinarily high finance charge ceilings authorized by the Code, ranging from 18 to 36 percent per year for installment loans and credit, and believe that they would inevitably result in exhorbitantly high credit costs for borrowers and credit buyers.

(2) We cannot concur in the excessive rate of 10 percent per year, which would be permitted on first mortgages.

(3) We are dissatisfied with the provisions on wage garnishment which could, if care is not taken, result in reduction of existing protections for wage earners in a number of states. We cannot in any case endorse a "take" by creditors as high as 25 percent of a person's wages.

(4) We are alarmed at the general repeal contemplated by the Code of present state consumer credit legislation regardless of whether it is superior to Code provisions or covers subjects not covered in the Code.

The possible impact of Code enactment would vary in each of the 50 states. Each state will need to make a careful assessment of its existing legislation in comparison with Code provisions.

In states with a large body of existing legislation, state AFL–CIO central bodies will probably find it best to reject the Code and instead seek improvements in their present laws, borrowing good features from the Code where appropriate.

In states with little or very deficient legislation, state central bodies may find it advisable to start with the Code as a working basis, but should seek amendment of its worst features.

In any case, precipitous enactment of the Code on an "as is" package basis should be rejected, as well as deviant forms, containing even worse features, which are likely to be introduced in some of the legislatures.

At the national level, the AFL–CIO staff will render whatever assistance it can to state bodies in connection with UCCC. We will also pursue abatement of consumer credit evils through federal legislation, wherever it is possible and appropriate. The door should not be shut on consumer credit reform through federal action. Enactment of federal minimum standards in the consumer credit field may in fact be necessary to reach the states in which reform is most needed and where creditor lobbies are most likely to succeed in blocking it.

Background Statement on Uniform Consumer Credit Code

The Uniform Consumer Credit Code (UCCC) is a type of "model state law" developed by the National Conference of Commissioners on Uniform State Laws. It was officially promulgated by the Conference on July 30, 1968, and subsequently endorsed, on August 7, 1968, by the American Bar Association. The Code has been in process since 1964, although much of the final text was prepared in 1968 to take account of the Federal Consumer Credit Protection Act, which was signed by the President on May 29, 1968.

Since the original text was released, the Code has undergone additional revisions. The current version of the Code is the "Revised Final Draft, November 1968," published in December 1968.

UCCC is designed as a replacement for virtually all existing state laws relating to consumer credit. Present laws on such provisions as maximum finance charge rates, (including usury rates), disclosure, licensing, administration and enforcement would be repealed. The one major exception to general repeal would be in the case of "supervised financial institutions"—such as banks, savings and loan associations, and credit unions—which receive deposits as well as make loans, although the new rate structure would apply to them as well as to other creditors.

Because the Code is designed as a uniform law, to be enacted in the same form in every state, it is offered as a "package" for adoption in its entirety, without amendment. Code sponsors are seeking blanket endorsement of the Code, regardless of any deficiencies and drawbacks.

The Code was not developed as a "consumer statute," as such, but rather seeks a "balance" of consumer and creditor interests. The principal "trade-off" appears to be in the form of high finance charges for creditors in exchange for restrictions on some of the more bloodthirsty techniques by which creditors can enforce repayment of debts plus more comprehensive enforcement procedures than now apply under many types of credit statutes.

Present indications are that the compromise is unlikely to be satisfactory to all groups. The Code has drawn support from various segments of the credit industry, but coldness from others (notably the American Bankers Association). No known support has come from consumer groups. The major exception in the consumer community was an endorsement by the Special Assistant to the President for Consumer Affairs and the President's Committee on Consumer Interests. But the Code has come under heavy fire from the Consumer Federation of America, representing 136 consumer-oriented organizations. To date it has been opposed by at least three important state consumer organizations—the Association of California Consumers, the Consumers League of New Jersey, and the Pennsylvania League for Consumer Protection—as well as by the Massachusetts Consumers' Council, an official consumer representation body.

Although Code sponsors have sought immediate, wholesale endorsements of their work, and immediate enactment in the 47 State legislatures meeting in 1969, the general public has had little time to gain an understanding of the Code or to develop knowledgeable criticism. The possible impacts would, of course, vary in each of the separate 50 states. Study and criticism will be a continuing process, and common sense dictates a rejection of precipitous enactment.

For states which already have a large body of consumer credit legislation, covering both cash loans and retail sales credit, enactment of UCCC may represent little if any gain in consumer protections and in fact is more likely to result in a net loss. Such states should be extremely critical of UCCC and probably will find it best to reject the Code altogether in favor of continuing improvements in their existing statutes.

On the other hand, states with little or very deficient consumer credit legislation could find that UCCC represents a net gain, in the sense that almost anything would be better than what they have. Even in such situations, a cautious approach is advisable. As indicated in the more detailed comments that follow, finance charge ceilings authorized under UCCC are extraordinarily high for types of credit other than for small loans, and the Code has other drawbacks.

Clearly, an important motivation for urging speedy enactment is the hope of forestalling further federal action in the field of consumer credit. An immediate and announced goal of the Conference is to gain exemptions of state credit laws from applicable provisions of the newly enacted federal Consumer Credit Protection Act. Under the federal law, state laws with "substantially similar" provisions may be exempted from federal requirements for disclosure of the cost of consumer credit and from federal requirements limiting the amount of wages that may be garnished. Further possibilities of federal entry into the consumer credit field could come out of the prospective study by the newly authorized National Commission on Consumer Finance which was set up by the Consumer Credit Protection Act with instructions to make a study and recommendations by January 1, 1971. Also specific federal bills may be expected in the field of credit insurance and in door-to-door credit sales, at a minimum.

MAJOR POINTS ABOUT THE UNIFORM CONSUMER CREDIT CODE

Maximum charges

1. The Code repeals all existing laws setting maximum rates on consumer loans from banks, credit unions, small loan companies and repeals general usury rate statutes (important primarily in mortgage lending). Maximum rates for retail sales are also repealed including finance charge ceilings set for automobiles, for general retail sales, home repair services and for revolving credit. Existing finance charge ceilings for most creditors would be replaced by uniform ceilings patterned on existing rates for small loan companies, the highest-rate legal lenders in the credit market. In effect, the small loan company rates would become an "umbrella" for all creditors, both for cash loans and for sales credit. The new ceilings would thus raise the legally permitted rates of charge for cost creditors in most states. For most types of consumer credit, except first mortgages, the effective ceilings would be 36% on the first $300, 21% on the next $700 and 15% on the remainder over $1,000. Ceilings on store revolving credit are set at 24% on the first $500 and 18 percent on the remainder. (See Attachment I for more detailed outline.)

2. Over and above the maximum rate ceilings, the Code permits additional charges for official fees and taxes, and for insurance—property, liability, credit life, and credit accident and disability. These provisions follow the lines of the Federal Consumer Credit Protection Act, which defines "finance charge" in such a way as to permit their exclusion from the finance charge for disclosure purposes. A number of current small loan laws require the lender to include most of these charges in the finance charge, although extra charges for credit life insurance are now generally permitted. The "additional charge" system provides an additional source of revenue to creditors, since the "extras" can be included in the amount of the loan or credit and a finance charge computed on top of them.

3. In addition to charges for official fees, taxes, and insurance, the Code allows "extras" for "other benefits." This provision, although presented as being in conformity with the federal act, actually opens up what could be a dangerous loophole for "tie-in" charges and purchases to be required by the creditor as a condition of extending credit. The Code nowhere makes a flat prohibition of "tie-in" sales, except for limitations on compulsory purchase of various types of insurance.

4. The Code properly requires that a rebate of finance charges be made to the credit buyer or borrower who pays off the credit balance in advance. The rebate is calculated according to the "Rule of 78". Unfortunately, where graduated rate ceilings are used, as under the Uniform Consumer Credit Code, the Rule of 78 provides the creditor with a windfall of unearned credit charges and a corresponding shortfall to the consumer. The "Revised Final Draft" attempts to deal with the problem, not by eliminating the windfall, but by authorizing alternative calculation of the finance charges in such a way as to "legitimize" the windfall. This point will require more analysis and explanation, but some idea of the problem can be obtained by the summary comparisons shown in Attachment II, based on tables appearing in the explanatory text ("Official Comment") of the Code.

Insurance

UCCC insurance provisions are written within the framework of the Model Credit Insurance Act developed by the National Association of Insurance Commissioners and now in effect in a number of states. Although some of the more disreputable creditor practices in the sale of credit insurance are prohibited, UCCC does nothing to deal with fundamental problems of overcharges for credit, life, accident and health policies documented by the Senate Antitrust and Monopoly Subcommittee in its 1967 investigative hearings. These hearings disclosed widespread profiteering by creditors on the sale of high-priced insurance, paid for in its entirety by borrowers.

Kickbacks, commissions, and rebates from insurance companies and creditor-owned insurance subsidiaries have built a system of "reverse competition" encouraging the sale of insurance at highest possible rates. UCCC forbids charges beyond the legal maximum permitted by the Commissioner of Insurance but does nothing to reduce them further. Lenders' profits on insurance are specifically protected.

Disclosure provisions

The sections on disclosure are largely a duplicate of the provisions of the Federal law which contains extensive requirements relating to items of cost of the credit provided, including a statement of the annual percentage rate. Both credit contracts and credit advertising are covered. The principal problem about the disclosure provisions is that since all existing state legislation on disclosure is repealed, any disclosure requirements other than the ones copied from the federal law would disappear. Disclosure statutes may, for example, require disclosure of a buyer's rights under the law, make detailed specifications as to contract forms, or other matters. In effect the federal specifications would substitute for existing requirements rather than add to them. In addition, the disclosure provisions could be rendered ineffective by the fact that specific administrative authority for issuing regulations to interpret the disclosure requirements in the Code is not provided. In particular, the decision as to what is "conspicuous" is left to the courts for determination, on a case by case basis.

Restrictions on contract provisions

1. Credit Sales

The UCCC makes a commendable attempt to prohibit or restrain certain types of contracts and contract provisions which are notoriously unfair to credit buyers, but it does not go "all the way."

a. Holder in due course

The Code knocks a hole in the onerous "holder-in-due course" doctrine under which a finance company which has bought a credit contract for a retailer is held free of all responsibility to the original buyer and is legally entitled to collect monthly payments from the debtor, regardless of fraud in the original contract, overcharges, defects in the product or other failure in the seller's duties.

The Code would prohibit sellers from taking a "negotiable instrument" in connection with consumer credit contracts. A subsequent buyer of the paper (the "holder") would not qualify for "holder in due course" status if he had notice of the seller's violation. However, no provision is made for labeling consumer paper as such and no penalties attach to the "holder" even if he does take paper illegally procured by the seller.

The Code also invalidates agreements whereby the borrower waives his legal defenses against a subsequent holder ("assignee") of a credit contract. Two Alternatives are provided. Alternative A, which subjects assignees to buyer's defenses, is definitely superior to Alternative B, which requires notice by buyer to assignee of defenses within three months. Even under Alternative A, certain limitations are placed on the liability of the assignee.

b. Balloon contracts

The Code discourages the writing of "balloon contracts," but does not prohibit them. It merely specifies that the buyer shall have the right to refinance a balloon payment "without penalty" in any case where the balloon is more than twice the average of earlier scheduled payments. Current state laws that deal with balloon payments usually prohibit them.

c. Security for contract

The Code makes certain restrictions on the security that may be taken in a credit sale. In general the seller may not take a security interest in property of the debtor other than in the goods which are the subject of sale. Exceptions are allowed to permit a security interest in goods on which services are performed or in which goods sold are installed. Also a security interest in land may be taken if goods are affixed to it or improvement services performed on it. The debt must be at least $300 in the case of security interest in goods and at least $1,000 in the case of a security interest in land. These provisions are definitely a step in the right direction, but the $300 and $1,000 limits have been criticized as too low.

d. Add-on sales

The Code reforms but does not eliminate "add-on" sales whereby a buyer's current purchases are permitted to be taken as security for earlier purchases on which payments have not yet been completed, and vice-versa (earlier purchases become security for later purchases). Situations have occurred in which default on the most recent purchase have occasioned loss to the buyer of the entire set of purchases. The Code provides that a buyer's payments must be allocated to the goods in the order which they were bought and the security interest terminated in each item as the debt on each is paid off.

A question remains as to whether "add-on" sales should be prohibited in their entirety. A consideration against such prohibition in the Code as presently written is that multiple separate sales could result in multiple high-charge contracts under the graduated rate structure.

e. Wage assignments

UCCC prohibits wage assignments as do a number of existing state laws. This is a desirable reform. A wage assignment is an agreement which provides that the creditor can take part of a worker's wages directly from his employer if the debt is not repaid when due. Under UCCC an assignment of earnings may not be taken unless the employee is free to revoke his authorization of the assignment.

f. Referral sales

Referral sales are prohibited. A desirable reform. Referral selling is a racket whereby the buyer is persuaded to sign a contract by a promise that he can recoup the purchase price in whole or in part by supplying other customers to the seller.

g. Attorney's fees

Two alternatives are provided: (A) prohibits agreements providing for payment of attorney's fees by the borrower and (B) limits attorney's fees to 15 percent of the unpaid balance. Alternative (A) is clearly superior, particularly since "reasonable expenses" are allowed to the creditor in realizing on his security interest in case of the borrower's default.

h. Confession of judgment

This is prohibited. A desirable and important reform. A debtor who "confesses judgment" signs away his legal rights to challenge the validity of the debt.

i. Blank spaces and contract accelerations

Two notable omissions in the Code are (1) the failure to prohibit blank spaces in contracts (a common requirement under existing state legislation) a source of easy fraud on the debtor (2) the failure to curb the creditor's unrestricted right to require immediate payment of the unpaid balance of the debt thereby precipitating a debtor's default. Unilateral acceleration by the creditor should be restricted to cases in which substantial default has actually occurred.

2. Loans

Restrictions on loan agreements are less extensive than those for sales. Provisions on balloon payments, wage assignments, attorney's fees, and confessions of judgment are the same. But no restraints are put upon the rights of holders in due course or on rights of assignees. "Supervised lenders" (licensed lenders and supervised financial institutions) may not take a security interest in land unless the debt is over $1,000 but other lenders may do so. Again, the $1,000 cut-off has been criticized as too low.

Restrictions on Creditor Collection Practices

1. Deficiency Judgments

The UCCC makes a limited attack on deficiency judgments. It provides that a seller who repossesses or takes back goods that were the subject of sale (or other security for the debt) may not also obtain payment for the "deficiency" between what the goods sell for and the unpaid balance of the debt. However, this provision applies only where the cash price of the sale was $1,000 or less, thus being of no effect for larger purchases such as new cars. No restraint on deficiency judgments applies in the case of cash lenders.

2. Wage Garnishment

UCCC would restrict garnishment along the lines of the Federal Consumer Credit Protection Act which limits garnishment to 25% of disposable earnings or the excess over $48 per week (30 times the federal minimum hourly wage) whichever is less. In UCCC the minimum exemption is improved to $64 (40 times the minimum wage), but the 25% figure remains unchanged.

In addition UCCC would prohibit garnishment before judgment and would prohibit employers from firing workers on account of garnishment. Federal law forbids firing on account of garnishment for "any one indebtedness" and makes no special provision for garnishment before judgment.

The principal immediate problem presented by UCCC is whether its 25% limit and basic exemption amount would replace more favorable provisions under a number of existing state laws, for example, laws which provide a 10% limit or which do not permit garnishment at all. A "savings clause" is included in the Federal statute for such situations, but not in the text of the Code.

In the most recent published edition of the Code (Revised Final Draft, November 1968) the "Official Comment" has been rewritten to disclaim any intent to undercut existing laws which provide additional protections to wage-earners. However, the fact remains that the statutory language does not in itself accomplish this result.

A further technical difficulty presented by the Code is that its garnishment provisions cover only situations in which the garnishment has arisen out of a transaction covered by the Code (generally, debt characterized either by installment repayments or by the imposition of a finance charge). Garnishment arising out of debt not covered by the Code, such as service credit (doctor bills and utility bills), would not be affected.

Even assuming the most favorable interpretations of the Code, only modest improvement is made over the Federal provisions which will go into effect July 1, 1970. More comprehensive action on garnishment is needed, either to abolish garnishment altogether, or to severely restrict its application.

Contract cancellation rights

UCCC includes a section on "home solicitation sales" giving buyers a three day period in which to cancel a credit contract for goods or services bought from a door-to-door salesman.

The objective of this provision is obviously desirable, but specific points will need to be examined for possible improvements. The provision for a 5% cancellation fee has been particularly criticized.

An additional section, relating to buyer's cancellation rights in the case of a credit sale or loan secured by the buyer's home, is incorporated from the Federal Consumer Credit Protection Act.

Administration and enforcement

Administration and enforcement is centered in a single Administrator who is given fairly impressive powers in the form of authority to issue "cease and desist" orders, to obtain injunctions and temporary injunctions from the courts, to bring suit for civil penalties, and to recover overcharges in behalf of debtors. Debtors are also given certain rights of bringing private suits.

Licensing requirements are included for all "supervised lenders" and their assignees (i.e. lenders who charge more than 18 percent per year on loans). These provisions would cover lenders presently licensed under state small loan laws and could have the effect of requiring licensing of at least some high rate lenders in the second mortgage market. Licensing provisions are considerably less stringent than those usually applicable to small loan licensees under much existing legislation. No license would be required for lenders charging less than 18 percent per year.

No licensing is required in the credit sales field, either for retailers or for sales finance companies which buy their paper. They are subject only to registration requirements. A number of states currently have licensing requirements for sales finance companies, and in some states retail dealers (especially automobile dealers) must be licensed for credit operations. These laws would be repealed by UCCC. Licensing requirements involve important powers to suspend or revoke the license of an enterprise to continue in business and can provide an important protection against shady operators in the credit field, as well as in securing general compliance with the law.

Apparently the main weapon in the Code against shady operators in the credit sales field would be recourse by the Administrator to the courts for an injunction against "unconscionable" conduct.

Another notable omission is rule-making power for the Administrator. He is prohibited from issuing regulations except where specifically authorized by the Code to do so. (These relatively few authorizations are nowhere summed up in a list.) It is evidently intended that the Administrator may issue regulations to correspond to those which will be issued by the Federal Reserve Board, assuming the state were to be exempted from the operation of the federal statute with respect to disclosure requirements. However, rule-making powers in the section of the Code dealing with disclosure do not appear sufficient to accomplish this result.

ATTACHMENT I

FINANCE CHARGE CEILINGS UNDER UNIFORM CONSUMER CREDIT CODE

1. For retail sellers:
    - Installment credit: *
        - 36% on first $300.
        - 21% on next $700.
        - 15% on excess over $1,000.
    - Revolving credit:
        - 2% per month on first $500 (24% per year).
        - 1½% per month on excess over $500 (18% per year).
2. For licensed lenders and supervised financial institutions (small loan companies, finance companies, commercial and industrial loan banks, credit unions):
    - Loans and revolving loan accounts: *
        - 36% on first $300.
        - 21% on next $700.
        - 15% on excess over $1,000.
3. Other lenders:
    - a. 18% per year.
    - b. Mortgage loans are exempt from certain key provisions of the Code if finance charge is 10% or less. This is intended to result in an effective ceiling of 10% on first mortgages.

*Alternatively, a rate of 18% is authorized if the yield would be larger.

(NOTE.—The Code further provides for an escalation of effective ceilings in accordance with rises in the Consumer Price Index. This is done through increasing the sizes of the loan to which the higher rates apply. For example, if the CPI increased by 10%, and $300 to which the 36% rate applies would go to $330 and the 21% rate would apply up to $1,100 instead of $1,000.)

ATTACHMENT II

CREDITOR'S EARNED INTEREST CHARGES ON LOAN OF $1,50

Month No.	Normal computation[1]	Rule of 78[2]	Alternative permitted in revised final draft[3]
1	$27.50	$32.66	$31.38
2	26.06	29.85	29.05
3	24.60	27.14	26.67
4	23.13	24.43	24.25
5	21.63	21.72	21.77
6	19.67	18.99	19.24
7	17.52	16.28	16.66
8	15.33	13.57	14.03
9	13.10	10.86	11.34
10	10.83	8.15	8.59
11	8.19	5.42	5.79
12	4.12	2.71	2.91
Total[4]	211.68	211.68	211.68

[1] Based on month by month application of 36 percent per year on 1st $300, 21 percent on next $700, and 15 percent on balance over $1,000.

[2] Based on distribution of total finance charge according to rule of 78.

[3] Based on recasting of charges at flat annual rate of 25.10 percent, corresponding to 36 percent on 1st $300, 21 percent on next $700, and 15 percent on balance over $1,000.

[4] Rebate due if loan is paid off after 5 months (the addition of charges for months 6 to 12):

Normal computation	$88.76
Rule of 78	75.98
Alternative under revised draft	78.56

PERMISSION TO FILE REPORT ON H.R. 33—PROVIDING FOR INCREASED PARTICIPATION BY UNITED STATES IN INTERNATIONAL DEVELOPMENT ASSOCIATION

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the House Committee on Banking and Currency may have until midnight Saturday, March 8, 1969, to file a committee report on H.R. 33, a bill to provide for increased participation by the United States in the International Development Association, and for other purposes.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Speaker, reserving the right to object, what is the bill that is the subject of the gentleman's request?

Mr. PATMAN. It is the bill, H.R. 33, a bill to provide for increased participation by the United States in the International Development Association. The bill was passed in committee in the last session, but did not pass the House or Senate. The vote was 30 to 2 and there is very little opposition to it. The Secretary of the Treasury made a very fine statement on the need for this bill.

Mr. GROSS. What is the purpose of the bill, if the gentleman will explain briefly?

Mr. PATMAN. It supplements the fund of the International Development Association. Our part will be $480 million, or one-third each year.

Mr. GROSS. In other words, dig into the taxpayers' pockets for some more money for foreign aid; is that it?

Mr. PATMAN. It is something that will help the taxpayers, that is true.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

NEW LAW NEEDED FOR WAGE BOARD EMPLOYEES

(**Mr. EDMONDSON** asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. EDMONDSON. Mr. Speaker, today I have introduced a bill entitled "The Prevailing Wage Rate Determination Act of 1969."

This bill is intended to bring order and system to the process of fixing rates of pay for the Federal Government's 765,000 wage board employees who work under the prevailing wage rate system, and I believe it is necessary legislation.

The bill does not tamper with the basic concept of the prevailing wage system. It does seek to eliminate injustice and inequity which have occurred under the system by providing new mechanisms for establishing basic regulations, conducting wage surveys, and adjudicating and arbitrating differences.

For the Federal wage board employee, this bill means each employee doing a specific kind of work will receive the same pay that every other employee doing the same work under the same prevailing wage determination is receiving. Numerous instances have been called to my attention in which different wages are paid workers on identical jobs in the same community.

I believe this bill is essential to guarantee fair and equal treatment to all wage board employees, and I hope action is taken on this matter in this Congress.

PROPOSAL TO INCREASE THE PERSONAL EXEMPTION TO $1,200

(**Mr. DANIELS** of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIELS of New Jersey. Mr. Speaker, yesterday, March 4, 1969, I introduced a bill in the House, H.R. 8153, to raise the personal exemption for persons who pay Federal income taxes from $600 to $1,200.

Many Members of this House will recall that on the opening day of the Congress I reintroduced my comprehensive tax reform bill. The purpose of this bill is to provide for a redrafting of the Internal Revenue Code to provide a "break" for middle income taxpayers. It is clear that this reform is long overdue.

It is good to see the House Ways and Means Committee giving serious consideration to the whole tax structure of this Nation. While we may not get all that we want—in terms of tax reform—it does seem as though some readjustment is in the offing.

Thus, if we do revise our system it seems clear that we now can justify an increase in the personal exemption from $600 to $1,200 a year. Clearly, the $600 figure no longer reflects the cost of keeping one's body and soul together for a single year.

Mr. Speaker, it is with this in mind that I have drafted this bill. I hope that when we do get reform of the tax structure we can immediately raise the personal exemption to a figure which more accurately reflects today's high cost of living.

Mr. Speaker, the middle income taxpayer is becoming very disturbed about the fact that he is bearing more than his share of the tax load. And his complaints are justified. It is time that this Congress set about these inequities in the law.

Thus, I hope that we can enact my bill before the end of this session of the Congress. There is a limit to the patience of the American taxpayer and the limit to this patience is rapidly being approached.

JUSTICE DEPARTMENT MAY BE OVERSTAFFED

(**Mr. JOELSON** asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOELSON. Mr. Speaker, I have noticed that the Attorney General will require attorneys in the Department of Justice to report in writing every 12 minutes for the next 6 months how they are occupying their working hours. I suggest that he forget it, because it is an insult to the dedicated attorneys in the Justice Department and a fat waste of time.

I understand that the Attorney General seeks to justify his edict on the ground that it is necessary to prove to Congress that he needs more attorneys. Well, I am a member of a subcommittee of the House Appropriations Committee which handles the appropriations of the Justice Department, and the practice could have the opposite effect on me. If the attorneys have time every 12 minutes to engage in this type of nonsense, I might come to the conclusion that perhaps the Justice Department is overstaffed.

CLAIMS FOR UNEMPLOYMENT COMPENSATION FOR EX-SERVICEMEN AND FEDERAL CIVILIAN EMPLOYEES

(**Mr. KASTENMEIER** asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KASTENMEIER. Mr. Speaker, I am today reintroducing two bills to effect changes in the treatment awarded claims for unemployment compensation for ex-servicemen and Federal civilian employees.

The first involves the difference in the treatment of payments for military accrued leave. Present law requires the mandatory postponement of unemployment compensation benefits for ex-servicemen during the equivalent length of time covered by military accrued leave. Federal civilian employees, however, are exempted from this requirement and are not barred by Federal law from receiving unemployment compensation benefits for the period following the separation from employment to which payments of Federal civilian terminal leave were allocated. Their eligibility is governed by the applicable State unemployment compensation law in the State in which they apply for benefits. Most States disregard lump-sum annual leave payments.

Many servicemen who serve 2 years on active duty often do not, or cannot, use all or even a major part of the 60 days of leave time they are entitled to during their service. They get paid a lump sum instead. In the case of a private, first class, the lump-sum payment for 30 days' accrued leave time would be $137.70, or a month's pay, less taxes and social security.

If he is not able to locate employment immediately and seeks unemployment compensation, he will find that Federal law now requires him to wait out the 30 days he was paid for as a private, first class. He is not eligible for unemployment benefits until that period has run its course.

My bill would amend the law to provide servicemen the same treatment for military accrued leave as that now provided Federal civilian employees. It is hard to understand how this situation developed in the law, but Congress should put an end to it, especially in view of the far lower pay scale of the 2-year servicemen. This situation was first called to my attention by a constituent, Paul Crocker, of Madison, Wis.

The second bill would affect the method used in assigning wages of Federal civilian employees and servicemen. At first, it would appear that existing law favors the serviceman. For unemployment compensation for ex-servicemen, Federal military wages are assigned to the State in which the ex-serviceman first establishes a claim for benefits following his last separation from Federal service. On the other hand, Federal civilian wages are generally assigned to the State in which the worker had his last official station in Federal civilian employment prior to filing his initial claim.

The difference in wage assignment frequently complicates administration because an ex-serviceman also may have worked as a civilian for the Federal Government. For example, military personnel may work off-duty hours in a post exchange. This could result in assigning his Federal military wages to the State in which he filed a claim, and his Federal civilian wages to the State in which his last official station in Federal civilian employment was located.

The method of assigning Federal military wages is preferable to that in effect for the assignment of Federal civilian wages. Assigning wages to the State in which a claim is first established achieves substantially greater administrative simplicity. It makes it possible for an ex-serviceman to file a first claim in the State in which he wishes to seek work. His claim need not be processed through relatively cumbersome interstate benefit arrangements and the payments to which he may be entitled are made much more expeditiously.

It seems clear to me that these two conflicts in the law are inequitable to the serviceman and should be corrected. A technical description of these two bills follows:

Difference in provisions of title XV of the Social Security Act relating to unemployment compensation for Federal civilian employees and ex-servicemen; and

Methods of handling lump-sum payments for Federal civilian terminal leave and military accrued leave.

The first significant area of difference is in regard to the treatment of lump-sum payments for Federal civilian terminal leave and military accrued leave. Originally, sections 1505 and 1511(f), title XV, of the Social Security Act, provided equal treatment for both types of leave payments. The original requirement postponed both UCFE and UCX benefits for the period following the separation from employment to which payments of Federal civilian terminal leave or military accrued leave were allocated.

Since Public Law 442, 86th Congress, approved April 22, 1960, repealed section 1505 of the Social Security Act, the provisions of the applicable State unemployment compensation law govern the effect of Federal civilian terminal leave on claims for UCFE benefits. However, section 1511(f) of title XV requires that section 1505, even though repealed with respect to payments of Federal civilian terminal leave, shall continue to apply in connection with lump-sum payments of military accrued leave. This results in mandatory postponement of UCX benefits during the period covered by military accrued leave. The repeal of subsection 1511(f), title XV, of the Social Security Act would permit the same treatment for military accrued leave as that accorded to terminal leave related to Federal service.

METHODS OF ASSIGNING WAGES TO STATES

Section 1504 of the Social Security Act requires that Federal civilian wages be generally assigned to the State in which the worker had his last official station in Federal civilian employment prior to filing his initial claim. Exceptions are made, first, when the individual worker in employment subject to the unemployment compensation law of the State in which he is living when he makes his initial application for USFE benefits, provided such State is not the State of his last official station, and second, when his last official station was outside the 50 States or the District of Columbia. In such cases, his Federal civilian wages are assigned to the State in which he is living when he initiates a claim. For UCX purposes, Federal military wages are assigned to the State in which the ex-serviceman first establishes a claim for unemployment benefits following his last separation from Federal military service.

The difference in wage assignment frequently complicates administration because an ex-serviceman also may have worked as a civilian for the Federal Government. For example, military personnel may work off-duty hours in a post exchange. This could result in assigning his Federal military wages to the State in which he filed a claim, and his Federal civilian wages to the State in which his last official station in Federal civilian employment was located.

It is the Department of Labor's position that the method of assigning Federal military wages is preferable to that in effect for the assignment of Federal civilian wages. Assigning wages to the State in which a claim is first established achieves substantially greater administrative simplicity. It makes it possible for an ex-serviceman to file a first claim in the State in which he wishes to seek work. His claim need not be processed through relatively cumbersome interstate benefit arrangements and the payments to which he may be entitled are made much more expeditiously.

PILOTS UNIONS MOVE IN DIRECTION OF CONGRESSMAN FASCELL'S "STOP HIJACKING" PLAN

(Mr. FASCELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, I was delighted to learn that the executive council of the AFL–CIO, meeting last week in Bal Harbour, Fla., has urged the International Federation of Air Line Pilots Associations and all concerned governments to take positive steps in order to stop further hijackings of private and commercial aircraft.

Specifically, the executive council has urged that the above parties spare no effort to reach an international accord under which no government would permit planes of its nationals to fly to any country which provides sanctuary for hijacked planes or for their hijackers.

Also last week, Mr. William M. Masland, North Atlantic vice president of the International Federation of Air Line Pilots Associations, was quoted as saying in New York that his organization may act to deter all types of illegal interference with passenger aircraft, and that this issue will be taken up at the association's annual meeting in Amsterdam March 20–27.

Mr. Speaker, I would like to applaud these actions and to point out that they, in effect, endorse the course which I had suggested in my resolution, House Resolution 218. The text of the resolution, which urges a three-step approach to the solution of the problem of aircraft hijacking, follows:

H. RES. 218

Resolved, That it is the sense of the House of Representatives that—

(1) the President of the United States urge the governments of friendly countries, particularly the Governments of Canada, Spain, and of the free countries located within or on the periphery of the Caribbean Basin, to suspend air travel to and from, and the extension of aircraft landing and service privileges to, any country which, in the case of a hijacking of an aircraft, fails to return within forty-eight hours to the country of its registration, the hijacked aircraft, its crew, its passengers and the person or persons responsible for the hijacking; and that

(2) the President advise the governments of such friendly countries of the readiness of the United States Government to participate in an international conference designed to formalize the arrangements referred to in paragraph 1 above; and, finally, that

(3) the President direct the United States representative in the International Civil Aviation Organization to propose that the said Organization sponsor and support a protocol to the Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft providing for the prompt return to the country of its registration of all hijacked aircraft, their crews and passengers, and the person or persons responsible for the hijackings.

FEDERAL MEDIATION FOR NATIONAL AIRLINES STRIKE

(Mr. PEPPER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEPPER. Mr. Speaker, one purpose of Congress in establishing the National Mediation Board is to assist carriers and unions engaged in a dispute over rates of pay, rules, and working conditions to resolve their controversy without the need for recourse to strikes, lockouts, or other self-help. The mediatory efforts of the Board are an essential means to that end. By mediation, hopefully, self-help may be avoided. At the least there would be no resort to self-help until mediation proves futile. Yet in the current dispute between the International Association of Machinists & Aerospace Workers, AFL–CIO, and National Airlines, Inc., over the rates of pay, rules, and working conditions of National's mechanical, stores, and related employees represented by the IAMAW, the Board is wholly defaulting in discharging the statutory responsibility with which Congress has entrusted it.

The facts are simple. National recognizes the IAMAW as the collective bargaining representative of its mechanical, stores, and related employees. On August 25, 1966, National and the IAMAW entered into a collective bargaining agreement prescribing the rates of pay, rules, and working conditions for these employees. In accordance with that agreement and section 6 of the Railway Labor Act, National and the IAMAW on October 31, 1968, exchanged notices of the changes each desired in the prevailing rates of pay, rules, and working conditions. Negotiations between the two took place on November 12, 13, 14, 15, and 18, 1968. Negotiations recessed on November 18. Negotiations were resumed and deadlocked on December 9, 1968. On December 16, 1968, National made an application for the mediatory services of the Board. On December 23, 1968, the Board docketed the application "as our Case No. A–8497", and stated that a "mediator will be assigned to mediate this dispute." But the Board has failed to assign a mediator to the dispute at any time thereafter.

The Board's failure to assign a mediator to the dispute is inexcusable. Section 5, first, of the Railway Labor Act imposes a mandatory duty upon the Board. It requires that the Board "shall promptly put itself in communication with the parties to such controversy, and shall use its best efforts, by mediation, to bring them to agreement." The Board does not begin to use its "best efforts" when it does not even assign a mediator to help compose the differences between the parties.

The Railway Labor Act can work only if the National Mediation Board performs its duty to mediate. Without mediation, in the statutory words, there can be no effort "to bring about an amicable settlement through mediation"; there can be no "final required action" by the Board to "at once endeavor to induce the parties to submit their controversy to arbitration" if mediation fails; there can be no presidential establishment of an emergency board if arbitration is refused; and there can be no exhaustion of the statutory procedure allowing the carrier and the union to resort to self-help. The Railway Labor Act does not prohibit a strike by a union. It only forbids striking during the course of exhaustion of the act's procedures. Where the Board violates its duty to mediate, it brings the statutory scheme to a standstill, precluding a resolution of the dispute through mediation, arbitration, or emergency board factfinding, or a resolution of the dispute by resort to self-help.

There is only one alternative to the conclusion that the Board has defaulted in its duty to mediate. That alternative is that the Board erred in its action of December 23, 1968, by which it docketed National's application for mediation services and stated that a "mediator will be assigned to mediate this dispute." Conferences between the company and the union terminated on December 9, 1968. If the Board erred in docketing the company's later application for mediation services and assigning a mediator in accordance with it, the Board should correct that error by vacating its action in docketing the application and by withdrawing its proffer of mediation. Vacation of docketing and withdrawal of the proffer to mediate would effectively mean that no "request for or proffer of the services of the Mediation Board" had been made within the 10-day period following the termination of conferences. Under section 6 of the Railway Labor Act the parties would, therefore, be free to resort to self-help forthwith. The statutory standstill caused by the Board's inaction would be dissolved, and the path would be opened to final determination of the dispute.

The plain upshot, therefore, is that the Board must either fish or cut bait. It must either get into the dispute and mediate it, or it must withdraw from the dispute and allow the parties to settle it by self-help. The Board cannot just continue to do nothing. Its inaction leaves the parties and the dispute in limbo. Congress did not establish the Board to frustrate settlement. It must either get in or get out. Whichever way it jumps, it must get off the fence, and promptly.

HOMAN AWARD PRESENTED TO CONGRESSMAN OLIN E. TEAGUE

(Mr. BURLESON of Texas asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. BURLESON of Texas. Mr. Speaker, I am sure all you join in extending congratulations to our able and beloved colleague, OLIN E. TEAGUE. On last evening, March 4, the Veterans of Foreign Wars presented to our distinguished colleague, the Homan Award, the highest honor which this great organization can bestow on a recipient. As was determined by the VFW, no worthier choice could have been made than this man, who is so dedicated to high public service, and I am certain all of you agree with me it was indeed a choice well made.

In response to this high honor, our colleague, "TIGER" TEAGUE, addressed the VFW with inspiring words which should be heard across our land.

Mr. Speaker, I include the speech of Congressman TEAGUE as a part of the RECORD of this date:

REMARKS OF HON. OLIN E. TEAGUE, DEMOCRAT, OF TEXAS, CONGRESSIONAL DINNER, VFW, WASHINGTON, D.C., MARCH 3, 1969

Commander Homan, my colleagues in Congress, distinguished Medal of Honor recipients, Voice of Democracy winners, Ladies and Gentlemen, I receive this award in all humility and gratitude. Thank you very much.

I want to make it very clear I receive it, in the fullest meaning of the word, as a *Member* of Congress and not simply as an individual.

There are in this audience tonight hundreds of Members of both Houses of Congress who have made this award possible—and there are many other Members who could not be with us tonight—who should share this credit. After all, if it were not for the support and votes in the Committees and if it were not for the support and votes in the Congress as a whole, all of the dreams and ideals we share together would turn to dust.

We have made accomplishments in the veteran field for a single reason: We have a responsive and sympathetic Congress. Last year we passed 500 million dollars in new veteran benefit legislation with only two dissenting votes. Not one single time has Congress ever rebuffed the Veterans Affairs Committee on any reasonable request which we have brought before it.

The Congress is most nonpartisan when it comes to the welfare of our veterans and servicemen. I have found in my quarter century in Congress that political partisanship is not a factor when we consider the welfare of those who serve. I would like to express a special word of thanks to our great Speaker, the Honorable John McCormack, and to the distinguished minority leader, the Honorable Gerald Ford, who have done so much to preserve this bipartisan concept.

I want to take a few minutes to make one point which I deeply believe and that is: *We live in a wonderful country*. And the United States with all its turmoil, with all its problems, is a great, good and generous nation. And we ought to remind ourselves of this more often.

I am saying this because we have, as a nation, shown a tendency in recent years to downgrade ourselves and to downgrade our institutions. We have been flooded with the criticisms of a quite small, but highly articulate, minority, so that we are becoming a nation of intellectual pessimists. We have come to accept the castigations of our critics without question and too often refuse to believe the evidence of our daily achievements.

There are still a lot of problems in America but there are a lot more things that are right with America. Our system demands that we seek out and identify our problems. It is true that there are some who still suffer the indignities of inequality and the shame of injustice. We must forever and with all our energy continue to seek to correct these injustices and inequalities. We must always strive to improve the quality of life for all our people, but sometimes it seems to me that we become so engrossed in these problems, so centered on what is wrong, that we seldom acknowledge what is right.

We have a free society in this country. It is the freest society in the world. We are several million light years ahead in the area of freedom compared to those countries which espouse the causes of Communism—countries which are often held up as examples by some who riot on our college campuses and on our streets, claiming we don't have freedom enough.

As a people, we have more freedom of action, more freedom of speech, and more freedom of choice than any other people in all of history. As a nation we have more freedom of religion than have the citizens of any other nation. We have no State establishment of religion; our people worship as they see fit, without interference or hindrance, or they can refuse to worship at all, if faith has been denied them. But, of course, there are those who, in the *name* of freedom, would tear from the God-oriented majority of our people the right to express our belief in the Almighty in any public or official way. This again, to me, is the opposite of freedom.

Others, who suffer loss of freedom, can tell us much. All of us in Congress get requests practically every day from people wanting to come in to the United States, but I know of none who have ever received a request from anyone to get out!

Anytime you become discouraged with your country, you need only to travel a little, away from Washington and across the breadth of this magnificent land. You'll find a vibrant, thriving, bustling, vital people, concerned about our problems—yes—but driving ahead, producing, learning, working, worshipping, and playing. You will find that we, as a people, not only have more of the good things of life, we have more time to enjoy them. We are better housed, better clothed, better fed, better educated, in better health, and enjoy the finest communication network and the greatest transportation and distribution systems ever developed by man.

It is time for us, as Americans, to hold our heads high—to take pride in the civilization we have built upon this continent—to take pride in the freedoms we have created—and to be determined to protect those freedoms in every way we can, with every means we have available. We must believe in ourselves *more.*

We might take a lesson from the brave astronauts who so fervently believe in themselves and our space program. Surely one of the great benefits we can gain from the magnificent achievements of our space program is to show more confidence and take more pride in ourselves as a nation. I was at Cape Kennedy yesterday for the launching of Apollo Nine. This ten day experiment is just in its second day and if all goes well, we will all turn our thoughts to the Moon landing. Surely we can draw a little on the courage and confidence of America's astronauts who carry our flag into outer space. I sometimes hear sincere people question the value of the space programs, even to the point of recommending that they be virtually discontinued. I say to you in all earnestness, can we seriously suggest that America lay aside the mantle of space leadership and leave man's greatest adventure to someone else? We all know that this cannot be. Therefore, if brave astronauts circle the earth in preparation for the future, we here, and particularly those of us in the Congress, greatly concerned about the nation's strength and prestige, about this nation's leadership and her future, must continue to do our part.

Let us face our problems. Let us also recognize our progress and our greatness.

As St. Paul says in his second epistle to the Corinthians—and I paraphrase here—"We must strive to show our selves servants of God, with great fortitude in trials, distress, difficulties and . . . riots, with hard work . . . with innocence, knowledge, patience and kindness, *wielding the weapons of justice with right hand and left, whether we are honored or dishonored, spoken of well or ill.*"

To those who abuse their freedom by seeking to impair the rights of others, and by deriding us for our virtues, I would like to paraphrase the epistle:

"We are called imposters, and yet we are truthful . . .

"We are called sorrowful, and yet we are rejoicing . . .

"We are called poor in spirit, and yet we are enriching many.

"We are said to have nothing, and yet we have *everything.*"

Let's keep it that way. Let's speak, more often, of what is right with America.

Once more—on behalf of all my colleagues in Congress and myself—thank you for what you have done here tonight. Good night, and God bless you.

SPLASHING SOME COLD WATER ON "THE NUKES ARE IN HOT WATER"

(Mr. HOLIFIELD asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. HOLIFIELD. Mr. Speaker, some of my colleagues may have read the article entitled "The Nukes Are In Hot Water" which appeared in a recent edition of that esteemed technical journal, Sports Illustrated. In a writing style characteristic of journalism's earlier and more flamboyant days, the author of this lurid piece imputes almost unspeakable motivations to the Atomic Energy Commission and the Nation's "blind" and "greedy" electric utilities. Their alleged crime: a conspiracy to desecrate our aquatic environment through "thermal pollution," that is, changes in the normal temperature of waterways caused by discharges of waste heat from nuclear power plants using the water for cooling—or condensing—purposes.

I am not at all sure of the technical qualifications of the article's author, one Mr. Robert H. Boyle, but I am confident of one thing—his article was misleading, unfair, and riddled with inaccuracies. I was at first tempted to ignore the ill-informed essay, but since this is at least the second time that Sports Illustrated has published an article by Mr. Boyle on this general subject I thought perhaps it was time to clarify the record in this respect. The fact that the article has been inserted into the RECORD by others would seem to suggest that at least some of my colleagues may have taken Mr. Boyle's utterances at face value.

Let me illustrate the errors of Mr. Boyle's ways with several flagrant examples. First, the article would suggest to all but the most perceptive reader that the potential problem of so-called thermal pollution is confined to nuclear powerplants. In fact, this characteristic is not peculiar to nuclear plants; it is a problem which in varying degrees is shared by all thermal electrical generating facilities no matter what their fuel source—coal, oil, gas, or uranium. Parenthetically, I might add that, as to air pollution, the converse is not true—nuclear plants release none of the air pollutants characteristic of conventional thermal generating plants, such as sulfur compounds and hydrocarbons.

The one sentence in the Boyle article that does indicate the thermal effects problem is shared by fossil plants strongly implies that the Federal Power Commission regulates the thermal discharges of these plants. That is simply not true. The fact of the matter is that there is no Federal agency which licenses and regulates conventionally operated steam powerplants, either from the air pollution standpoint, the thermal pollution standpoint, or the standpoint of overall public health and safety. In rare cases—as, for example, where the operator of such a plant desires to use the reservoir of an existing or proposed hydroelectric development as the source of cooling water for a thermal plant—FPC can condition its approval upon adequate thermal effects controls, but this is the exception, not the rule.

Second, Mr. Boyle's article implies that the fishkill which occurred in early 1963 at Consolidated Edison's Indian Point nuclear station on the Hudson River was caused by thermal pollution. The fact of the matter is that the fishkill was not caused by thermal discharge. Rather it was caused by a combination of the trapping effect of a partially enclosed dock—built to receive fuel for an oil-fired superheater at the same site—and revolving mechanical equipment associated with the cooling-water inlet to the reactor facility. There is some reason to believe that the then existing approximately 4–5° Fahrenheit difference in temperature of the water at the intake possibly may have attracted fish to the sheltered, semienclosed dock area from colder areas of the river during the winter months; however, there is not a shred of evidence that thermal discharge was the proximate cause of this or any other fishkill that may have occurred at the installation. Officials of the AEC, the U.S. Fish and Wildlife Service, and the New York Conservation Department, not to mention officials of Consolidated Edison itself, all confirmed this conclusion when the staff of the Joint Committee on Atomic Energy investigated this matter.

I might add, Mr. Speaker, these same experts told the committee that Consolidated Edison has gone to great lengths to correct the situation that gave rise to the 1963 fishkill, and that a great deal of success has been achieved in this respect. Among the corrective steps which Con Ed has taken are removal of the metal pilings—or "curtains"—around the dock which tended to make the area a seeming natural sanctuary for the fish; installation of improved screens at the point of water intake to keep larger fish out; enlargement of the aperture of the intake to reduce the velocity of the water at this point; and extension of a bulkhead so that heated water emanating from the plant is discharged farther downstream. The latter measure greatly reduces the recirculation—by tidal flow—of this heated water with the water entering the plant at the point of intake, and has resulted in a reduction of the temperature of the water at the intake from approximately 5° Fahrenheit above the ambient river temperature to 1° Fahrenheit or less above ambient river temperature.

It may be that some fish, small in number and in size, continue to get caught in the mechanical equipment associated with the Indian Point intake. However, under present technology this is a problem that to one degree or another is common to all plants which draw their cooling water from the river, bay or ocean on which they are located. Unfortunately, it is a price we have to pay for having electricity readily available in our homes and offices.

It may be of interest to Mr. Boyle and others to see what the Federal Water Pollution Control Administration has said on the matter of fishkills from thermal pollution. I asked Commissioner Moore of the FWPCA about it last year when he testified before the joint committee. He said the FWPCA had no record of any fishkill ever having been caused by thermal discharges from a nuclear powerplant. Subsequently I asked Commissioner Moore to submit a letter to the joint committee listing all fishkills known or believed to have been caused directly by so-called thermal pollution from electrical generating facilities. The FWPCA's response, which I include at this point in the RECORD, indicated that since 1962, 10 such fishkills have been reported, all caused by conventionally fueled powerplants:

U.S. DEPARTMENT OF THE INTERIOR,
FEDERAL WATER POLLUTION CONTROL ADMINISTRATION,
Washington, D.C., May 17, 1968.

Hon. CHET HOLIFIELD,
House of Representatives,
Washington, D.C.

DEAR MR. HOLIFIELD: This is in response to your request to Commissioner Moore for additional information for the record following his appearance before the Joint Committee on Atomic Energy, May 1, 1968. You ask for additional information on a fishkill which Mr. Moore testified had occurred on a Texas River as the result of thermal discharges from a conventionally fueled steam power plant and for a list of all fishkills known or believed by the Federal Water Pollution Control Administration to have been caused directly by so-called thermal pollution from electrical generating facilities. Mr. Moore is out of the city and has asked me to provide this information which I am pleased to do.

The thermal fishkill to which Mr. Moore referred occurred on or before June 15, 1967, in the Guadalupe River below the Central Power and Light Company generating plant at Victoria, Texas. The only record of this fishkill known to us is contained in a memorandum under letterhead of the Texas Parks and Wildlife Department, copy of which is enclosed. Please note that at the end of the fourth paragraph the author states that, "In checking the river water temperature on June 20th, 100 yards below the outlet it was 105 degrees which is still not low enough for fish life to survive." Our research scientists have assured me that the kinds and durations of temperatures reported in this memorandum would be fatal to indigenous fish.

The Federal Water Pollution Control Administration has maintained a national inventory of Fishkills by Pollution since 1962 which consists of a compilation of such kills reported to it by cooperating State and local water pollution and conservation agencies. Since 1962 our inventory contains ten fishkills reported to have been caused directly by heated discharges from electrical generating facilities, all being conventionally fueled. We believe the number of such fishkills to be somewhat higher because the majority of the States are reluctant to and do not report fishkills unless there is a positive proof of the cause and fishkills are not always reported even when the cause is known. A case in point is the above thermal fishkill in the Guadalupe River in Texas which, please note below, was not reported to the FWPCA for inclusion in our inventory of Fishkills by Pollution although one at the same location (Victoria, Texas) was reported. The recorded incidents of fishkills where the cause was directly identified as heat discharges from electrical generating facilities follows:

Date	State	Stream or lake	Nearest town or county	Degree of severity	Number of fish killed
Aug. 6-8, 1962	Pennsylvania	Raystown Branch, Juniata River	Saxton	Heavy	3,441
Aug. 11, 1962	Missouri	Discharge Canal to Montrose Lake	Ladue	do	(1)
Sept. 7, 1963	Illinois	Rock River	Rockford	Light	
May 28, 1964	Texas	Unnamed stream	Victoria	do	
Aug. 19, 1965	Pennsylvania	Schuylkill River	Reading	Moderate	1,000
Aug. 20, 1965	Ohio	Greater Miami River	Montgomery County		11,250
Jan. 19-22, 1966	do	Ohio River	Toronto	Light	200
Sept. 2, 1966	Pennsylvania	Schuylkill River	Philadelphia	Heavy	50,000
Jan. 1, 1967	Ohio	Sandusky River	Sandusky County		300,385
Jan. 17, 1967	do	Sandusky Bay	Erie County		78,750

[1] Several thousand.

Please let me know if we can serve you further.

Sincerely yours,
JOHN T. BARNHILL,
Deputy Commissioner.

A number of people seem to suffer under the misconception that nuclear powerplants are presently free from all regulation from the standpoint of thermal effects. This is by no means true, and Mr. Boyle's article in no way helps to dispel this misapprehension. Quite the contrary. Presumably through oversight, Mr. Boyle neglected to mention the fact that nuclear powerplants, as well as other types of steamplants, must comply with applicable water quality standards, including temperature standards, adopted by the States and approved by the Secretary of the Interior pursuant to the Water Quality Act of 1965. It is my understanding that the standards proposed by nearly all of the 50 States have been approvd by the Secretary and are now effective. The owners of plants whose hot water discharges violate such standards can be summoned to court by appropriate State water pollution control authorities—or, if State enforcement actions are inadequate, by Federal authorities—and required to abate the pollution or to effect modifications to the plant to bring it into compliance with applicable standards.

Thus, contrary to the mistaken belief prevalent in some quarters and fostered by Mr. Boyle's article, significant steps already have been taken to combat thermal pollution. The question now is not what ought to be done, but what more ought to be done. One suggestion—one with which I concur—is to complement existing legislation by requiring that Federal agencies which license or otherwise approve activities involving liquid discharges into waterways assure themselves, prior to issuance of the license or approval, that the proposed activity has been reviewed and approved by appropriate State water pollution control authorities. At least as to those activities subject to Federal approvals, this will add an important ounce of preventive medicine to the curative measures already available.

Finally, I believe it is quite unfair to say, as Mr. Boyle does, that "AEC apparently is not interested in preventing thermal pollution." In its own operating programs, the AEC has long recognized the role of thermal effects as a potential problem associated with central station electric generating plants. As part of its research and development programs, both in reactor development and technology and in the biomedical areas, the AEC supports a sizable program to investigate the effects of various environmental conditions, including thermal, on aquatic life. With respect to discharges into waters from installations owned by or operated under contract for the Commission, the Commission does, of course, comply with all applicable laws and directives and recognizes that it must, in that connection, deal with thermal effects of plant discharges.

When it comes to the exercise of the Commission's regulatory authority and jurisdiction over private companies, however, as distinguished from the Commission's powers to control its own operations, the Commission is without statutory authority to take thermal effects or other nonradiological matters into consideration. In other words, while the Commission can—and does—encourage its licensees to comply with applicable water quality standards, it cannot force them to do so—for example, by suspending or revoking their licenses. Proposed legislation is now pending that would expand the AEC's legislative authority in this respect. In the past the Commission has taken the position that legislation providing for Federal regulation of thermal effects should apply across the board, that is, to both fossil-fueled and nuclear plants, but that if Congress chose to regulate only nuclear plants from the thermal effects standpoint the Commission has or is prepared to obtain the technical expertise necessary to carry out this additional regulatory responsibility.

Meanwhile, the AEC cooperates with the Department of the Interior's Fish and Wildlife Service by obtaining its expert advice and recommendations on all projected nuclear power facilities which would be dependent upon water resources for coolant purposes. In addition to its comments on the radiological health and safety aspects of the proposed facility, the Service also makes recommendations on nonradiological matters, including the thermal effects of the discharge of coolant water in the marine environment. I understand that since January 1968 the Service has routinely obtained the Federal Water Pollution Control Administration's concurrence in their reports to the AEC. Upon receipt of these reports copies are sent to the license applicant calling to his attention the Service's recommendations concerning potential nonradiological effects upon the environment. In addition, copies are distributed to various State and local agencies which might be interested in it.

Typically, the Fish and Wildlife Service reports urge that the applicant cooperate with the Fish and Wildlife Service, the FWPCA, and State agencies in developing their plans and designs for the facility, and that the applicant's ecological programs to measure the effect of the plant upon the environment be planned in cooperation with the appropriate Federal and State agencies. They further recommend that, if these preoperational investigations show that heated water discharges from the plant would be significantly detrimental to fish and wildlife and the environment, plans should be made to reduce the temperature of the effluent to acceptable levels. In a few cases the Service has noted that cooling towers or other facilities should be constructed if needed to insure protection of the environment.

In any event, as I noted above, these plants are fully subject to the water quality standards adopted in the jurisdiction in which they are located, and can be shut down upon court order if operated in a manner which violates such standards. That the adoption of these standards is having its intended effect may be gathered from the fact that water cooling tower systems are being built in conjunction with a number of nuclear power plants now under construction.

Mr. Speaker, I hope the foregoing will help to sort out fact from fiction in these matters. It is clear that as we move toward the 21st century we are going to have to produce more power to keep up with our soaring demands, and we are going to have to do it in such a way as to minimize the effects on our environment. It is equally clear that constructive steps are being taken to help insure that we achieve our twin goals of clean waters and abundant, economical, and reliable electric power.

DRAFT REFORM BILL

(Mr. MIKVA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. MIKVA. Mr. Speaker, in June of 1967, the 90th Congress enacted the Military Selective Service Act of 1967. I was not a Member of this body at that time, but if I had been, I would have sought then, as I do now, a more equitable solution to the problem of the draft system.

In 1967, the Congress and the Nation made a wide-ranging and thorough investigation of the draft laws and the Selective Service System. This system was found wanting in many respects; it leaves many young men uncertain for 8 years as to their vulnerability to the draft; it places an unequal burden on the underprivileged who can not afford a college education; and it deprives draft registrants of many basic constitutional rights of due process.

Three Presidential commissions recommended broad-scale changes; leaders of the military recommended changes; leading educators recommended changes; many Members of Congress recommended changes; and the public at large voiced its desire for reforms and revisions. In the face of all this discontent with the draft law, Congress merely extended with minor changes the existing law.

During the interval since the passage of the 1967 act, even more criticism has been heaped upon the draft law and the entire Selective Service System. President Nixon has indicated that he will submit legislation to the Congress to reform the draft system. Senators KENNEDY and HART, two of the outstanding leaders of the Senate, have already introduced bills to reform and revise the draft law. Many Members of this House have introduced their own bills to reform the Selective Service. The call for reforms is clear.

I am pleased to introduce a companion bill to S. 1296, a bill that Senator HART of Michigan introduced in the Senate yesterday. Senator HART's credentials hardly need stating in this Chamber. Suffice to say that he has championed the cause of those seeking reform in governmental institutions that malfunction. I am honored to be associated with him in introducing this bill. Senator HART was one of the early critics of the 1967 law. He predicted many of the complaints that would be leveled against the Selective Service System.

Both Senator HART and I feel that this Congress can enact our proposals with deliberate speed. Most of our proposals have been already considered by Congress and the Presidential commissions. We are not asking for a total revision of the entire Selective Service System and the draft law; we are pointing at the most glaring inequities in the present law in the hope that this Congress will remedy many of the problems.

The time for action is now at hand. We must live up to our commitment to the youth of this Nation to make the draft system as equitable as possible. As Senator HART said in introducing his bill:

> The inequities and procedural flaws in the present draft act deprive every 18-year-old male of certain basic constitutional rights.

We must not perpetuate the System merely because it has done an adequate job in staffing our Armed Forces.

As much as I oppose the war in Vietnam and as much as I would like to see us withdraw our troops, I am too much of a realist to think that the need for inducting men into our Armed Forces will disappear overnight. If a volunteer army is feasible and if we can assure ourselves that such an Army would not be a threat to our democracy, I would be in favor of a volunteer army. In my bill I propose that we make a study of the feasibility of such a volunteer army. But any such reform will take time, and right now every male between the ages of 18 and 26 must live with the uncertainties and inequities of selective service.

I would, however, be remiss in not expressing my grave concern over the unrest and violence that has entered so many of our Nation's campuses. I represent a district that embraces the University of Chicago. I am very proud of the university and its student body and it is certainly one of the leading academic institutions in the world. But I have been made painfully aware of the unrest and feeling of alienation that has gripped many of the Nation's campuses. Reform of the Selective Service System will not bring an end to this unrest, but it will demonstrate that the Congress can respond to legitimate complaints with relevant and timely action.

Let us examine the operation of the Selective Service System.

When a young man reaches the age of 18, he must register with his local draft board. For most men this is their first official contact with the Federal Government. At present, it is far from the standard of procedure that government ought to have for its citizenry. Even worse is the substance of that contact.

Fortunately, it is not difficult to find the direction that reform of the system must take. We have the advice of Presidential commissions and of extensive legislative hearings in 1967.

Title I of my bill would follow the practically unanimous opinion that the burden of the selective service should fall upon 19-year-olds. Under the present system, men under 26 are called, oldest first. This creates great uncertainty for men who have started their careers and their families. Most 19-year-olds have not yet begun careers and are less settled in their lives. If 2 years of service is necessary, for most men it will be less disruptive at the age of 19 than at the age of 25. Moreover, the military leaders feel that they can better train and make better use of 19-year-olds than of 25-year-olds.

My bill would create a prime selection group from which draftees would be selected. The prime selection group would consist of, first, 19-year-olds; second, men between 19 and 35 whose draft deferments have ceased; and third, registrants between 20 and 26 who are not deferred or exempt on the date of enactment. A registrant would be in the prime group for not more than 1 year. In order to allow the President flexibility in administering the act, the prohibition against selecting draftees by lottery—added by the 1967 act—would be repealed. If a registrant were not selected during his 1 year in the prime group, his chances of serving would be greatly diminished; he would most likely be called only in times of national emergency when the number of registrants in the prime group is not sufficient to meet the need of the military.

I hope that by making a registrant vulnerable for only 1 year and by drafting 19-year-olds first, we can eliminate many of the uncertainties and inequities that plague all draft-age men. Only by a fair and impartial selection process can we choose who must serve when not all are needed. I believe that reform along the lines contained in my bill will promote such fairness and equity in the system.

But reform in the order and method of selection is not enough. The procedures of the Selective Service System itself must be overhauled. The Selective Service System, which has the responsibility and duty to select which physically able civilians must serve, must be completely independent of the influence and judgment of the military. Until a registrant takes that traditional step forward, he is a civilian and entitled to all the rights and privileges of civilians. In order to make crystal clear that the military is not exercising an undue influence over the selection process, my bill would prohibit any member of the Armed Forces from serving as a National or State Director of the Selective Service System. I recommend this, not because I feel that the military has actually taken over the system by placing its own personnel in high positions in the administration, but because I think we will all have more confidence in the working of the system if we know that civilians are making the decisions as to who shall serve when not all are needed.

Under my bill the Director would be appointed by the President by and with the advice and consent of the Senate for a term of 7 years, or until he reached 70, whichever came first. Men over 70 would serve, but only for a term of 1 year. The 7-year term is appropriate to take the appointment out of partisan politics. The position of Director is so important in my mind—both because of his tremendous responsibilities and because all Americans must have confidence in his integrity and judgment—that I think it is high time that we provided him with a salary commensurate with his ability and responsibility. My bill would place the Director at level III of the Executive Pay Schedule. I do not think that $40,000 is an exorbitant salary for an individual with such awesome responsibility.

Under the present law, members of the local boards and appeal boards are limited to terms of 25 years and cannot serve past the age of 75. I believe that their terms should be no longer than 14 years, and that once past the age of 70 they should be required to retire. These individuals do a remarkable job. I am familiar with the members and work of the local boards within my district. They have performed their duties conscientiously and with distinction. They are unpaid volunteers who receive little recognition for the devoted service that they perform. The only time we hear of the local board members is when a registrant has a complaint. I feel that it is asking too much to have these men feel that they are obligated to serve for 25 years; 14 years of devoted service is more than the country has the right to request. I feel that a term of 14 years is long enough.

Mr. Speaker, I have practiced law for many years in Chicago. It is distressing to me that under present law registrants can never be represented by counsel when they appeal before their local boards on a classification hearing. I have represented clients in civil and criminal courts and before all types of local, State, and Federal administrative agencies. Not once was I denied permission to represent my client. Not once did I have to leave my client to his own resources in arguing his case before a governmental agency. Yet the Selective Service System, by regulation, prohibits an 18-year-old boy from being represented by counsel when his life may literally be at stake.

The statute is over 40 pages long; the regulations are quite lengthy and technical; the Selective Service periodically issues dozens and dozens of memorandums and other information to the local board. How is an 18-year-old boy expected to read and digest material that an experienced attorney might have difficulty with? If the Congress feels that each registrant should be drafted without exception, then we should do away with deferments and exemptions altogether. It is interesting to note in passing that Congress changed the name of the draft law from the Universal Military Training Act to the Military Selective Service Act precisely because service is not intended to be universal.

As long as Congress provides for deferments and exemptions, each registrant should have the full benefits of the statute and the Constitution. He must be allowed to present his case for a deferment or exemption with full vigor and this frequently requires an attorney. It is only fair that he have the right.

Adding insult to injury, the registrant, under present regulations, is not only denied the right to be represented by counsel at the hearing, he is required to make his own record of what occurs at the hearing. Thus, he is required to present his case for a deferment in an intelligent manner, and at the same time he is expected to take accurate notes to make a record for appeal.

My bill specifically provides that each registrant may present evidence and be represented by counsel at any personal appearance before a local board. Moreover, the local board is required, at the expense of the Government, to make a record of the proceedings and furnish this record on appeal.

The Selective Service System argues that a registrant does not need to be represented by counsel because of the Government appeal agent system. A Government appeal agent is assigned to each local board and in theory the appeal agent is available to advise the registrant of his rights and help him make an appeal. I say in theory because the Marshall Commission found that most Government appeal agents never see any registrants. They are unpaid volunteers who are not sought out by registrants.

In general, appeal agents rarely appear at the local board and most registrants are unaware of their existence. But perhaps this is for the best, since the Government appeal agents are required to serve two masters. They are also responsible to the local board. Under a directive from the Director of the System, the Government appeal agent is required to appeal a classification if he thinks it disadvantageous to the Government. Even worse, the agent is supposed to put on record any information that he may obtain from the registrant that might indicate he should not be deferred. Thus, a registrant may in confidence impart information to the agent and then find out that this information is the basis for denial of his request for a deferment. What respect will an 18-year-old boy have for his Government when he learns that the Government agent specifically assigned to help him actually turns out to be his enemy? What respect should we give such a procedure?

I propose that a registrant appeal agent be assigned to each local board. The registrant appeal agent would be responsible to the registrant alone. He would be required to provide each registrant with advice as to classification at the time of registration, and would be available to provide advice and counsel to the registrant at any point within the classification process.

This service would be available to indigents as well as to the more affluent. Nothing would prevent a registrant from employing counsel of his own choice. In order to assure that the advice will be meaningful, my bill requires that each appeal agent be a member in good standing of the bar of the State in which his local board is situated. Registrant appeal agents would be paid by the Government on a basis of $75 for each full day of work.

The 1967 amendments did not improve upon the then existing law, but they did add two amendments that are repugnant to my sense of due process. One 1967 amendment prohibited judicial review of a registrant's classification or processing by the Selective Service System except as a defense to a criminal prosecution. This strikes me as basically unfair. A registrant may have a valid ground for appeal of classification, but he cannot make his case until he is indicted for violation of a statute. It is not impossible to imagine a case where a registrant might be denied a deferment because of race or because of his unkempt physical appearance. Must he be denied the protection of the courts even in obvious cases of prejudice? The answer must be no. My bill would repeal this prohibition on judicial review.

The second 1967 amendment I object to is the one that requires the Department of Justice either to prosecute violators of the act upon the request of the Director of the Selective Service System, or to report to Congress why it did not prosecute. This most likely is as illegal a delegation of authority as ever came down the pike.

The Director of the Selective Service is in no position to determine whether a criminal violation has occurred. The Attorney General is the only officer who can institute a prosecution, and I have more faith in the experience and expertise of the Federal prosecutor than I do in the Director of Selective Service to determine what constitutes a criminal offense. My bill would repeal this highly questionable and vindictive provision.

The last point of my bill would establish a Presidential commission to study and investigate the desirability and feasibility of an all-volunteer Army, the desirability and feasibility of establishing a National Youth Corps as an alternative to service in the Armed Forces, and the desirability and feasibility of altering the length of service of members of the Armed Forces. The commission would consist of the Secretary of Defense; the Secretary of Health, Education, and Welfare; the Secretary of Labor; a member of House Armed Services Committee; a member of the Senate Armed Services Committee; and two private citizens. The President would be required to submit to Congress within 9 months the results of the commission's study along with any recommendations for changes.

I hope that the study will produce a satisfactory alternative to the selective service as we now know it.

In the meantime, I am confident that if my bill is enacted in the near future, many of the harsh inequities and uncertainties that exist in our present draft laws and Selective Service System would be eliminated.

Mr. Speaker, I include a section-by-section summary of the Selective Service Amendments Act of 1969:

Section-by-Section Summary of Selective Service Amendments Act of 1969

Short Title—Selective Service Amendments Act of 1969

PRIORITY FOR SELECTION

Sec. 101. (a) Provides that Selection of persons for induction will be made from the Prime Selection Group (after the selection of delinquents and volunteers) in a fair and impartial manner (under rules and regulations established by the President) without regard to actual age, to the extent that such group has sufficient numbers to meet military service requirements.

(b) Provides that the Prime Selection Group will be made up of men who are:

(1) between 19 and 20 and not deferred or exempted;

(2) 19 or over and who are deferred after the effective date of this Act and whose deferments end before age 35;

(3) between 20 and 26 on the effective date of this Act and who are not deferred or exempted.

Requires that in no case shall any registrant be placed in the Prime Selection Group for a total period longer than one year.

(c) Technical, conforming amendment.

(d) Provides that these amendments will be effective 90 days after the date of enactment of this Act.

APPOINTMENT OF THE DIRECTOR

Sec. 201. (a) Provides that the Director of the Selective Service System shall be appointed by the President with the advice and consent of the Senate for a term of 7 years, or until age 70, whichever is earlier. The appointment for a person over 70 shall be for only one year. The Director may not be a member of the Armed Forces.

(b) Provides that the Director shall be paid at Level III of the Executive Pay Schedule.

(c) Exempts present Director from these provisions.

APPOINTMENT OF STATE DIRECTORS

Sec. 202. Requires each State Director to be a civilian and provides for the employment of civilians in the administration of the Selective Service System. Although it does not expressly prohibit the detail of members of the Armed Forces to the Selective Service System, it removes the language that expressly provides for such detail.

LOCAL AND APPEAL BOARDS; REGISTRANT APPEAL AGENTS

Sec. 203. (a) (1) Technical provision, maintaining present authority for members in the Reserves of the Armed Forces to act as counselors to registrants.

(a) (2) Provides that no member may serve on a local or appeal board for more than 14 years, or after age 70. It also provides that no one can be denied membership on either a local or appeal board because of race, religion, creed, color or sex. It also provides for the assignment to each local board of a Regstrant Appeal Agent who is responsible solely to the registrant. This appeal agent shall advise each registrant of his rights on registration and provide counsel if the registrant so desires it. The appeal agent must be a member in good standing of the State bar in which his local board is located.

(a) (3) Requires the local board to furnish a complete record of the registrant's appearance before the local board to the appeal board. It also provides that the registrant may have the advice and counsel of a Registrant Appeal Agent in preparing memoranda for his appeal. It also repeals the statutory prohibition of judicial review of a registrant's classification or processing except as defense to a criminal prosecution.

(b) (1) Technical, conforming amendment assuring that the Director and State Directors may not be members of the Armed Forces.

(b) (2) Provides that Registrant Appeal Agents shall be paid $75 for each day of work spent advising and counseling registrants.

PERSONAL APPEARANCE AND THE RIGHT TO COUNSEL

Sec. 204. Provides that registrants may appear in person and present evidence and be represented by counsel before the local board.

REPEAL OF DIRECTOR'S POWER TO REQUIRE PROSECUTION

Sec. 205. Repeals the requirement that the Department of Justice either prosecute violators of Military Selective Service Act upon the request of the Director of the Selective Service System or report to Congress reasons for not prosecuting.

PRESIDENTIAL COMMISSION

Sec. 301. (a) Establishes a Presidential Commission to study the possible alternatives to staffing the Armed Forces. The Commission shall consist of the Secretaries of Defense, of Health, Education, and Welfare, of Labor, a member of the House Armed Services Committee, a member of the Senate Armed Services Committee, and two private citizens.

(b) Provides that the Commission shall investigate the establishment of an all volunteer army, the establishment of a National Youth Corps as an alternative to service in the Armed Forces, and the altering of the length of time of service in the Armed Forces.

(c) Provides that the President shall submit the results of the Commission's study to Congress within nine months after the enactment of this Act.

AUTHORIZATION FOR APPROPRIATIONS

Sec. 302. Authorizes to be appropriated such sums as are necessary to carry out the provisions of Section 301.

AEC BUDGET REQUEST

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the Record, and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, there is a serious hitch developing in the atomic power program.

Nuclear electric stations are not keeping schedule with projections. Delays are occasioned in construction and because of unpredicted safety problems, but the economics of generating power through employment of the atom is bringing a new hesitancy on the part of utilities.

The Atomic Energy Commission itself has admitted that stores of low-cost uranium are so short as to be cause for concern. Chairman Glenn T. Seaborg has said that at the current official price of $8 a pound, economically recoverable uranium reserve total only 148,000 tons. A price rise to $10 a pound would expand reserves to about 200,000 tons but still leave supply below demand, he said.

Dr. Seaborg also said that the cost of building a nuclear plant has arisen to highs of $200 per kilowatt of capacity from lows of about $90 per kilowatt in the mid-1960's.

The latest word on the accomplishments of the civilian reactor program to an important extent subsidized by this Government is that Niagara Mohawk Power Corp.'s atom plant under construction near Oswego, N.Y., will produce electricity costing about 50 percent more than the cost of power from a coal-fired plant in the same area. Despite this disparity and the question of uranium supply, AEC has asked for another $137 million to conduct the civilian power reactor program in the next fiscal year. To me it is indisputable evidence of the need for a thorough study of the AEC's entire nonmilitary activities before permitting the expenditure of another dollar of Federal funds for this purpose.

In the 90th Congress, I introduced a resolution calling for investigation of the AEC's civilian reactor program. Twenty-six of my colleagues introduced identical resolutions. On January 3, of this year I introduced House Joint Resolution 83, for the same purpose, and I would hope that—particularly in view of the above data which I have quoted from the AEC—the House will quickly adopt this measure.

Mr. Speaker, one of the most persuading testimonies on the need for such an investigation was presented by Brice O'Brien, general counsel of the National Coal Association, to the San Diego chapter of the American Nuclear Society on January 21 of this year. Mr. O'Brien has stated very succinctly how the AEC is overselling atom power to the American public without justification.

My colleagues will find Mr. O'Brien's paper highly informative. Mr. O'Brien, who is not an engineer, resorts to no jargon that might be confusing to a reader of limited technical knowledge. Long established as an outstanding tax lawyer, he has become a thorough student of the atom's subsidized incursion into the electric generating field. In consequence, he has appeared before numerous scientific and engineering groups interested in obtaining more objective reports on AEC activities than are otherwise available. His address follows:

Remarks of Brice O'Brien, General Counsel, National Coal Association, to the San Diego Chapter, American Nuclear Society, January 21, 1969

As I speak to you tonight, I have some knowledge of how Daniel felt in the lions' den—but I've faced this situation on previous occasions, and I have come to the conclusion that I actually do have something to contribute to your thinking. There has been such an "oversell" of atomic energy that many people have lost sight of some rather fundamental facts of life in considering the energy picture of the future.

Let me make it clear at the outset that we are not trying to halt the development of atomic power. Whether or not the Government was justified in making the huge effort which brought the atomic power industry into existence is, at this late stage in the game, relatively immaterial. We recognize that atomic power is here, *perhaps* to stay. More about the *perhaps* later.

We are trying to show people why atomic power will not grow any faster than—if as fast as—the rate now forecast by AEC. If we are correct—if atomic power takes no more than half of the electric utility market by the end of the century—the coal industry has a very bright future. Unfortunately, the oversell of the atom has led many people to the erroneous conclusion that the coal industry is on the way out. Even the AEC says that isn't so, but the message too frequently gets lost in the glamor surrounding the atom.

What are some of the fundamental facts which have been lost sight of? Let's start with the supply of coal. I'm sure many of you are convinced that we must push atomic power as fast as possible to avoid running out of coal. It is, of course, true that reserves of coal are finite, and if civilization survives long enough, eventually we will run out of coal—but the question is, how soon? We are producing a little over half a billion tons of coal per year in the United States. How much do we have left?

I have brought with me for distribution a 1968 release by the U.S. Geological Survey, showing coal reserves on a state-by-state basis. The Geological Survey thinks we have about 3,200 billion tons and that we can recover about half of that amount, or 1,600 billion tons. Remember, this compares to our present production of a little over half a billion tons per year.

Of course, some of that coal will be more expensive to produce. But even on that point, the Bureau of Mines concluded a few years ago that about 220 billion tons of coal can be recovered, with today's technology, "at or near" present costs. If the technology improves, then, of course, greater quantities will be recoverable at the same cost level.

As the years go by, we expect very substantial increase in coal production—and this naturally will decrease the reserves in terms of remaining years of supply. Well before the end of this century we expect to double our coal production. But even if it doubles and then doubles again, our coal reserves have to be measured in centuries, not in years.

Unlike uranium, the distance of coal from the market is important from a cost standpoint—and it will remain important unless, at same time in the future, long distance transmission of electricity becomes extremely low cost, or we develop low cost methods of converting it to liquid or gaseous fuel. The Geological Survey shows the coal reserves by states, and you will notice that some of the western states are in particularly good shape on this—such as Colorado, Montana, New Mexico, North Dakota, Utah and Wyoming. Already long distance transmission of electricity is making some of those coal reserves available to the West Coast. I'm sure you know that construction of coal-burning plants to send electricity to California is well under way, as far east as New Mexico.

The coal industry does have some problems. For example, much of the western coal is located in areas where it is difficult to find the water supply necessary, with today's technology, to make electricity. In such cases, it will be necessary to take the coal to water, by unit trains or coal pipelines. Eventually, in the distant future, it is reasonable to anticipate new methods of generating electricity, which will require less water. There are several such methods which show promise, but as you know most of the Government's energy research funds have been devoted to atomic power during the last 20 years, to the neglect of these possible new methods of generating electricity with coal.

Another serious problem for coal is the demand that sulphur oxide emissions be curtailed or eliminated. Most of the western coal has a low sulphur content, so the problem will not be as severe as in many areas of the East. We are hopeful that a practical solution to this problem is only a couple of years away. In fact, one method of removing sulphur from the stack emissions is incorporated in a plant which is already operating, and another method of doing so is being installed in a plant now under construction. We expect the cost increase for sulphur removal will be about a dollar per ton of coal burned, or somewhat less than that, but it is a bit too soon yet to get dogmatic about such estimates. The various processes for removing sulphur are discussed in some detail, with cost estimates, in the recent report of the President's Energy Policy Staff on "Considerations Affecting Steam Power Plant Site Selection." As that report notes, some of the processes being worked on may even break even after credit for sale of byproducts.

We are encountering a few problems with respect to manpower—a problem not uncommon with other industries. In our case, it was complicated for a while by the oversell of atomic power, but our companies are now finding it possible to convince young men that the atom isn't going to run coal out of business and that coal offers a good long-range future, with the highest basic wage rate of any major industry.

One more feature of the coal industry is worth spending a couple of minutes on. For 80 years the coal industry was plagued with overcapacity, because it didn't cost much to open a new mine. When the country needed 200 million tons, we had mines capable of producing 400 million tons. When our market got up to 400 million tons, we had mines capable of producing 600 million. The result was that nobody made any money, except in wartime periods of accelerated demand. In addition, this situation caused a great deal of labor strife, because lack of profits imposed a necessity to try to hold down costs. As the U.S. Supreme Court noted, the history of the coal industry was written in red ink and blood.

As late as 1962, the Atomic Energy Commission in its Report to the President took note of this situation. In the Appendices, page 16, there was the following perceptive comment:

"The coal industry is an important national asset and is expected to supply increasing energy requirements during the remainder of the century, even under conditions of a rapidly growing nuclear power industry. The coal industry cannot be expected to expand to do this under subnormal profit conditions. The industry's need for capital is unlikely to be satisfied by either investors or lenders if returns on capital continue at such low levels. It seems from the foregoing that any real evaluation of the future of coal prices should start not from present depressed prices but from a current figure of perhaps $5.25 per ton, a figure that includes taxes and a profit that may be sufficient to attract the capital required for future expansion."

We still haven't hit that $5.25 per ton figure, on the average for steam coal, but I do want to point out that AEC's 1962 prediction about the coal industry being forced to make some profit is being borne out. Part of the reason can be ascribed to the threat of atomic power. It is no longer cheap to open a new coal mine. Today, you have to spend a lot of money buying some pretty expensive equipment. This equipment, of course, has increased productivity—we produce about 19 tons per man per day in the United States, compared to something like three or four tons per man per day in the rest of the world. Without the high productivity, we couldn't pay the wages we do and still compete with other forms of energy. But it means you have to invest quite a bit of money to open a new mine. A few years ago all the propaganda about atomic energy scared our people to death, before we realized that somebody is going to have to find a great deal of uranium even to keep the atom going. As a result, new mines have not been opened on speculation, and we have gotten rid of excess capacity. You know, just to maintain capacity, you have to open about 20 or 25 million tons per year in new mine capacity, because a mine is calculated to last 20 or 25 years. In order to expand capacity at the rate necessary to meet the nation's demands for coal, this means you have to open new mines each year with capacity of 40 or 50 million tons. At $5 to $10 per ton of annual capacity, that means a lot of new capital every year—almost half a billion dollars a year. That might not be much money to the oil industry, or to the AEC, but it is a lot of money to the coal industry. For several years new mines have been opened only with a long-term, guaranteed market for most of the output. The result is that, today, our capacity just about equals our market. Our industry is making a few dollars, for a change—not an exorbitant amount, but at least a return on investment. There is no point in hollering at the coal industry for this situation—it is purely and simply a result of the free enterprise system. If a man can't get at least 5 per cent return on investment in a coal mine, he would be a fool to invest in it, because he can put it in common stocks and do better.

I don't mean to say that we will never again be a "moving target." We have some pretty sharp brains in the coal industry. Right now I don't think it would be sensible to forecast a decline in the cost of coal, faced as we are with the necessity of sulphur removal and problems of that sort which are going to cost money. In the long run, however, I see no reason why the coal industry's history of productivity achievement cannot be continued, and perhaps it can be continued to the point where costs will be reduced in spite of the problems confronting us. But the utilities never again will be able to rely on the "spot purchase" market—where they used to wait and buy coal on a month-to-month basis from the cheapest bidder. From now on, and they know it, they are going to have to enter into long-term coal contracts if they expect to have coal available when they need it. And this has a connection with the possibility that atomic power plants will be late coming on line—the utilities that have not entered into long-term coal contracts are going to have trouble finding additional coal available when they need it.

I'd like, now, to turn my attention from the coal industry to atomic power. Let's take a short glance at today's picture of competition between the two.

A coal-burning plant ordered today will cost about $135 per kilowatt of capacity. With a plant factor of 80 per cent, and with a 14 per cent carrying charge, this gives a capital carrying charge of about 2.7 mills per kilowatt hour. The average cost of bituminous coal delivered to utilities has been about 25 cents per million Btu, and coupled with a heat rate of 9,000 Btu per kwh, this gives us a fuel cost of 2.25 mills/kwh. When we add operation and maintenance of 0.3 mills, we wind up with a total cost for coal power of about 5.25 mills per kwh.

A nuclear plant ordered today will cost about $170 per kw, for a capital carrying charge of about 3.4 mills per kwh. With $8 per pound yellowcake, 88 cents per pound of yellowcake for conversion to feed, $26 per unit of separative work, $90 per kilogram for fabrication, 10 per cent carrying charge on fuel inventory, $40 per kilogram for reprocessing, and a plutonium value of about $8 per gram, the anticipated fuel cycle cost for the light water reactor is about 1.8 mills/kwh. Adding .42 mill for operation and maintenance, it appears to us that atomic power from plants being ordered now, if they work as well as expected, will cost about 5.62 mills/kwh.

We know, of course, that it is possible to juggle these figures to reach almost any result you want—primarily because the atomic costs are still merely forecasts, and when there is no experience to rely upon you can write your answer first and then work backward. We know, too, that the atomic proponents are forecasting that fuel cycle costs will go down a great deal in the years ahead—due primarily to mass production and the "learning curve." Recent events, however, have indicated that the atomic fuel cycle costs may go upward, not down, even if these plants work as well as expected—because many companies have been trying to "buy into" the nuclear business with loss leaders, and they are rapidly reaching the point where they must charge enough to make a profit or else get out of the game. Further, we believe there will be a very substantial increase in the cost of uranium within a few years after reactors ordered today are put into service.

As indicated, our computations lead us to believe that, on the average, a coal plant is nearly .4 of a mill per kwh ahead of atomic at this stage. If sulphur control adds nearly a dollar a ton to the cost of using coal, that will wipe out the difference. Thermal pollution will add to the cost of using coal, too—but it will add 50 per cent more to the atomic costs because the atomic plants emit about 50 per cent more heat to the water than a coal-burning plant. The "guesses" (according to AEC's "Current Status and Future Technical and Economic Potential of Light Water Reactors") are that control of thermal pollution will add about .24 mills/kwh to the cost of atomic power, so coal's advantage here should amount to about .08 mills/kwh.

What of the future as far as competition goes? Well, we in the coal industry do not consider the light water reactor to be a permanent competitor, because we believe it will be impossible to find enough low-cost uranium to meet the scheduled growth of atomic power through the end of this century, if we have to rely on light water reactors. Without the development of a competitive breeder reactor, we believe that atomic power is doomed to be merely a passing curiosity in the annals of history. To explain the reasons for that belief, it is necessary to repeat some rather well-known figures about yellowcake reserves and yellowcake consumption.

In the last couple of years the AEC has reduced rather substantially anticipated yellowcake requirements by reducing the tails assay of the enrichment plants and by upgrading anticipated performance from future fuel cores. Even so, AEC estimates (page 11, "Forecast of Growth of Nuclear Power, December 1967") that the average light water reactor will need .69 of a ton of yellowcake per megawatt for start-up and will have net requirements of .13 of a ton per megawatt per year, if plutonium is recycled. Figured over a 30-year lifetime, that comes out to about 4.6 tons of yellowcake per megawatt of light water reactor. AEC expects we will have some 734,000 megawatts nuclear by the end of the century. If we do, and if it is all light water, that capacity means we will have to produce over 3⅓ million tons of yellowcake for these reactors alone.

A quick look at known reserves of yellowcake, together with "estimated additional," shows that such a quantity means. As far as "known" reserves are concerned, it depends on what definition you are reading—but they are somewhere under 200,000 tons. Counting some by-product sources, AEC postulates that about 380,000 tons of uranium reserves are "reasonably assured" at a cost of $10 per pound. AEC also estimates another 480,000 tons of possible additional reserves in this price category, if they can be found. In addition, AEC estimates another 700,000 tons in the $10 to $30 price range. When we add all these together, we come up with possible uranium resources in the price range of $30 per pound of 1,560,000 tons. That's not a very large amount—it is less than half the amount we would need to feed the atomic power plants built between now and the end of the century, if they were all light water reactors, and if AEC's projections of atomic growth turn out to be correct.

It is true that AEC estimates we have a great deal more uranium in the crust of the earth, if price is no object. But in the light water reactor, price is an object. There is no use talking about uranium costing more than $30 per pound of yellowcake if it is going to be used in non-breeder reactors, at least in the U.S. Every dollar added to the cost of a pound of yellowcake amounts to about 0.83 of a cent per million Btu in terms of competitive coal. If coal and atomic power are competitive, at current prices, at about 24 cents per million Btu for coal, then a $30 per pound price for yellowcake would make coal competitive at 42 cents per million Btu. There isn't any point in speculating about higher prices—coal isn't going to cost any more than that in the United States for an extremely long time to come.

Before I leave this subject of uranium reserves, let me refer to an argument that has been thrown at me a hundred times. Fifty years ago we were running out of oil and gas, I am told, but we still have a lot of it—won't the same be true of uranium? Maybe it will be. I don't know, and nobody else knows—only time will tell. But I want to point out that gold, which sells for $35 an ounce (not $8 a pound) is found throughout the crust of the earth and in the oceans. Nevertheless, it is found in such dilute quantities that it cannot be produced profitably for $35 an ounce. In the 1962 Report to the President, the AEC estimated that about 99 per cent of the earth's uranium reserves are in such dilute quantities that they will cost from $100 to $500 a pound to produce. The AEC may have been wrong in 1962, or they may have been right. Time will answer that question. But I point out to you that a great search for uranium has been under way for almost three years now, and we still don't hear any boasting about what has been found—the boasting is still confined to the number of holes that have been drilled. I find it amusing to note that nobody finds a thousand tons of yellowcake anymore—they find 2 million pounds of it. Makes it sound more impressive, doesn't it? How long does this go on before we get realistic about reserves?

For the foregoing reasons, we take it for granted that the atomic power industry cannot long survive without a breeder. Now, then, as to the breeder. How much is it going to change the picture?

Well, of course, there are a few problems in the way right now. I'm sure you are all familiar with the materials problems. Apparently it will be many years before we even know what causes these problems, and it will probably be a very long time before we know what to do about them. Until we do, we just aren't going to get the kind of fuel exposure necessary for a really successful breeder. In addition, of course, we are faced with the fact that the "alpha" problem is worse than anticipated. So from the purely technological standpoint, it seems to us that the successful "breeder" is quite a long way off yet.

From the standpoint of economic competitiveness, the breeder seems to be even further away. As I read the situation, the AEC hopes to build about three subsidized demonstration breeders, and after they are in operation—sometime in the 1980's—AEC thinks it will be possible to offer to industry breeders with a total power cost of under 7 mills a kilowatt hour. About four mills of this will be made up of capital cost—some $200 per kw or more, with slightly over 2 mills for fuel cycle cost, and the rest representing operation and maintenance other than fuel. From that point forward, AEC hopes, mass production will bring the cost of power down. But there's the joker. How are you going to get mass production of a machine that can't compete with coal?

I think this is the biggest problem overlooked by the proponents of the breeder—the fact that mass production economies cannot be achieved for the breeder until it can compete with coal. The breeder may very well be economically competitive in the high fuel cost areas of the world, such as Europe and Japan, within the next 15 or 20 years. But in the United States the situation is greatly different. In Europe and Japan the breeder will compete with fossil fuel costing $12 and $15 a ton, but with our abundant supply of low-cost coal the breeder in the U.S. is going to have to compete with $6 to $8 per ton coal. I think this is one reason why other countries are dashing ahead into the actual construction of experimental breeder reactors—they can use such machines even if the power produced is high cost power. In countries like that, the breeder has to compete primarily with nonbreeders, and the high cost of uranium will drive nonbreeders to the wall in the next 15 or 20 years. But in the U.S. the breeders are going to have to compete with low-cost coal for a very long time into the future, and even after the Government has spent billions of dollars to promote them I think it is very questionable whether they will be able to make the grade until that distant day when our reserves of low-cost coal are approaching exhaustion.

There used to be a rather widespread impression that we won't have to worry about shortage of uranium once we perfect a breeder, if that breeder can afford to use high-cost uranium. Even if a breeder with a short doubling time is developed, there will be a need for large quantities of newly-mined uranium for a long period of years—long enough to phase out all existing light water reactors and to put the entire breeder system on a self-sustaining basis. During that transition period, the existing light water reactors will have to compete with foreign light water reactors and with breeders for the uranium available. There will not be one yellowcake price for breeders and a lower one for nonbreeders. There will not be one yellowcake price for foreign light water reactors and a lower one for domestic LWR's. Under these circumstances, I find it very difficult to understand how utilities can afford to keep ordering light water reactors at the rate forecast for the next 15 years—and in fact I believe that they will not do so. I believe that within a few years the growing understanding of the uranium reserve situation will result in a definite slowdown in the rate of growth of light water reactors, with industry adopting a policy of waiting for the development of successful and reliable breeder reactors. This falling off in LWR orders should come, in my opinion, about five years from now, because by then I think it should become apparent that new reserves of uranium will not be readily available at the low cost needed to compete with coal in the United States.

We in the coal industry have never objected to Government research in the energy field—and that, of course, includes Government research in atomic energy. We do, however, believe that coal is being discriminated against in the allocation of this research effort, and we believe more attention should be paid to the development of more efficient methods of producing electricity from coal. We have little doubt that systems like MHD could be developed more quickly and much more cheaply than the breeder reactor, and we believe such systems would be of more benefit to the consumer and to the environment than the breeder would be.

There are some other Government policies in the atomic program to which we do object, however—so far, without much success. For example, we think the Government's policy with respect to the uranium stockpile is wrong. AEC has announced its intention to dispose of this stockpile at $8 a pound, a figure which will not recover any part of the Government's cost of interest. There is no reason why Government shouldn't recover its cost of interest, by compounding that interest from average date of acquisition to date of sale. The Government realized a net profit of $2 billion from the disposal of the silver stockpile, and we see no reason why it shouldn't at least break even from the disposal of the uranium stockpile.

We have objected, without success, to the extension of that part of the Price-Anderson Act which exempts utilities and reactor manufacturers from liability to the public for the damages in excess of $560 million. We feel that any utility which doesn't have confidence that $560 million will cover the damage simply should not build the plant, and we further feel that the public is being deprived of a safety incentive by the elimination of financial responsibility for accidents.

We have also supported the idea that AEC's regulatory functions should be made separate and independent from its promotional functions. The law directs AEC to promote the use of atomic power as fast as it can, and at the same time it directs AEC to regulate power plants to protect the public safety. In this way, the law imposes upon AEC a conflict of interest. As atomic power plants fail to perform up to expectations, and as the difficulty of meeting coal's competition rises, we think it is only human nature to expect industry to bring pressure on AEC for permission to do some corner-cutting. Historically, one of the problems with Government regulation has been that a regulatory agency tends to become a captive of the industry it is regulating. The danger is much more serious here, where the regulatory agency is charged by law with promoting. The public is entitled to the protection of an independent regulatory agency.

Our most bitter complaint, however, deals with what we call the "oversell" of the atom. I think you are familiar with what I am talking about—the predictions that atomic power will transform the earth into Paradise. Since we started complaining about this, there has been some easing-up, but even yet we find the AEC discussing, as though they were just around the corner, agro-industrial centers and blooming deserts.

I realize, of course, that predictions like that make it easier to sustain appropriations of billions of dollars a year. I submit, however, that the "oversell" of the atom harms the national economy. It tends to cause people to overlook some of the very serious policy questions involved in the direction of our atomic program. Moreover, it jeopardizes the future availability of the energy which our country will need—both atomic and fossil. It jeopardizes the future availability of atomic energy, because it results in increased construction of nonbreeders which waste scarce fissile material. It jeopardizes the future availability of fossil energy, because it shakes the confidence of the investors who must decide whether to take the capital risks required to make fossil fuels available. It also increases the difficulty of attracting necessary manpower to the coal industry.

Everything atomic automatically makes headlines, and even though AEC frequently states that the use of fossil fuels will have to continue to increase, such statements are frequently drowned out by the fanfare for the atomic glories to come. In this manner, members of the public and of Congress are frequently misled into believing that atomic energy will soon make our fossil fuels obsolete.

I don't believe this "oversell" of atomic power is justified. In the first place, there is considerable doubt at this time whether the light water reactors will ever produce power as cheaply as low-cost coal. At best, the nonbreeder will be able to reduce the cost of power slightly—not enough to revolutionize our way of living, by any means. As to the breeder, I find it difficult to see how the cost of power can ever become lower than about 4 mills per kilowatt hour, even if the fuel cycle boils down to almost nothing. But even if the breeder could some day produce 2 mill power—a figure which I find incredible even for the long-range future—would it really revolutionize our way of living? For many years Bonneville Power Administration sold power at 2 mills (notice I said "sold," not "produced"), and it didn't cause drastic changes in the national way of life.

Why not? Let' see what 2 mill power really amounts to: That's 60 cents a million Btu, in terms of heat. We are still delivering coal for about 25 cents a million Btu. How is 2 mill power going to change so many things? Oh, of course I know that if an atomic plant could produce electricity for 2 mills, it probably could produce just plain heat for about half of that—but that would still be about 30 cents per million Btu, and heat at that price isn't going to revolutionize the economy. It won't make the deserts bloom—at least not until the necessity of producing additional sources of water becomes so overpowering that we are forced to devote a very large part of our total resources to that task.

On the subject of desalting, let me quote from my testimony of September 19, 1966, before the Senate Interior Committee, with respect to the subsidy for the dual-purpose plant to furnish water to the Metropolitan Water District:

"Man must, of course, have water. But it must be the cheapest water available . . .

"Why, then, is this plant proposed? In my opinion, it is being proposed as the result of considerable salesmanship, and perhaps some arm-twisting, in a premature attempt to give a semblance of reality to the optimistic predictions about what will happen in the distant future. I do not believe that the 27 cent figure, as high as it is, truly reflects the full costs of the water to be produced in the MWD plant . . .

"It isn't merely money and uranium that is being wasted here. It is also time, attention and talent which is badly needed in other areas. Money allocates resources, and we believe the allocation of this amount of resources to the obtaining of high cost water from desalting will be injurious to the programs that should be given higher priority in the water field. Those programs involve water management, water transportation, water conservation, and reclaiming of water. In some few instances, none of these alternatives will be available, and the only solution to requirements for water will be furnishing high cost water through desalting. But in those instances the quantity of high cost water which will be useful will be much smaller than the amount to be produced at the MWD plant. And conventional fuels are, of course, the least expensive source of heat for small plants . . .

"The MWD plant will involve a nonbreeder. . . . Even if desalting on a large scale must some day be paid for by mankind, the energy to do it will have to be furnished by breeder reactors of the future or by plants using fossil fuels. There is little chance that the vast quantities involved could be supplied from yet-to-be-discovered supplies of low-cost uranium, if used in a non-breeder."

You may wonder why I am repeating my remarks of more than two years ago, since the MWD project has fallen on its face in the meantime. The reason I do so is that Commissioner Ramey hasn't given up yet—he is still trying to force somebody, somewhere, to build a nonbreeder to furnish high cost desalted water, even though it is now readily apparent that nonbreeders will never produce water at a bearable cost. Commissioner Ramey doesn't care about the cost—he just wants to see this thing work, whether it is worth it or not. I quote to you from a speech he made at the Symposium on Nuclear Desalination in Madrid, Spain, on November 18, 1968:

"We must cut through the underbrush of economic criteria, opportunity rates of interest, and priorities on capital, and face up to the need of full-scale first-generation demonstration plants."

Let me read that to you again . . . What is he saying? I think he is saying, "Who cares whether it is worth it or not; let's build it." That kind of thinking could get us into some real trouble, if carried far enough. You know there has been a lot of talk about building a huge dual-purpose atomic plant in the Middle East, to help settle the troubles between Israel and her neighbors. I think such a plant would unify them all right—they would join hands in opposition to the United States, in retaliation for saddling them with such a white elephant.

After all, what is to be proven by the construction of a huge desalting plant which is known from the beginning to be uneconomic? We already know that atomic power plants will produce heat. We already know that heat can be used to desalt water, at high cost. High cost water can be useful in small quanities—but for the next 20 years high cost water will not be useful in huge quantities. So why build these plants? I do not believe that taxpayer funds should be used to help build a $700 million monument to the memory of James Ramey.

Another policy area of interest to us is the question of how the Government gets out of the uranium enrichment field. This is going to be a serious problem in the near future, and this year Congress is expected to consider ways and means of turning the existing three plants over to a private enterprise. That is going to be complicated by the AEC's long-term contracts to do the enrichment for the rest of the world. We sympathize with AEC's efforts to restrict the number of members in the atomic bomb club, but I hold the personal conviction that other countries will build their own enrichment capacity no matter how attractive our price may be. We are, of course, interested in the price to be paid by industry for the existing three plants, but to us the primary objective is to have Government announce as soon as possible that no more Government funds are going to be spent on enrichment capacity—either in expanding existing facilities or in constructing new facilities. From now on this job should be left to industry—and we think there is a reasonable chance the Congress will feel the same way.

I hope you have the patience to bear with me while I dscuss one further item of policy. It is my personal conviction that, by encouraging the construction of nonbreeder reactors, we are running the risk that we are "feeding the seed corn to the hogs."

As the members of this group know, the only fissionable material found in nature is U–235, which constitutes 7/10 of 1 per cent of natural uranium. This is the only material we have to use as the "trigger," or "seed corn," for starting breeders. There is no fissile material in thorium.

In using this limited fissile material in light water reactors, rather than saving it to start breeders, we are running the risk of incurring an extremely heavy economic penalty for future generations. Everyone seems to assume that, when breeders are developed, we will start breeders with nonbreeder plutonium and fill the void with additional nonbreeders. That might happen if we find unlimited quantities of low-cost uranium, but it cannot happen if the cost of uranium rises substantially—because the nonbreeders will be unable to compete with low-cost coal. When and if that happens, the additional breeders will have to be started (if at all) with U–235. The cost of that U–235 will be important.

AEC believes that in 1988 we will have 333,000 megawatts of nuclear capacity. If so, and if it all operates at 80 per cent plant factor, the 1988 production of plutonium will be 66,600 kilograms. If the total in-core and out-of-core plutonium inventory of the breeder is 4 grams per kilowatt, we will be able in 1990 (two years after the plutonium is produced) to start 16,650 megawatts breeder capacity. If the growth of nuclear capacity is to reach the rate forecast by AEC, that will be far short. At that time, to reach the forecast growth, it will be necessary to add about 29,000 megawatts nuclear. Everyone seems to think the balance of 12,350 megawatts to be installed at that time will be light water reactors—but that won't be the case, because uranium will be too high cost for the construction of additional light water reactors. After all, light water reactors, like breeder reactors, will have to compete with low-cost coal in the United States. The balance of the projected growth of nuclear will have to be in the form of breeders started with U–235.

Now, it has been said that the cost of U–235 will be immaterial to a breeder. That would be true if the excess production of plutonium amounted to 10 percent of inventory per year—in other words, a compound doubling time of about seven years. If you are realistic, you will agree with me that such a machine will not be in operation during this century. With a longer doubling time, the cost of the inventory is very important. If we waste so much low-cost uranium in light water reactors that we have to start breeders with U–235 from $100 a pound uranium, instead of $20 a pound penalty on future generations.

Let me give a theoretical example of what may happen. The 333,000 megawatts of light water reactors which are supposed to be in operation in 1988 will, during their 30-year lives, use the U–235 from about 2 million tons of yellowcake. Only half of this will be truly wasted, because the plutonium produced will start about half as many breeders as could be started if the U–235 were conserved to start breeders. Therefore, we will have needlessly increased from $20 to $100 a pound the price humanity will have to pay for one million tons of yellowcake. Figure that out—the penalty under such circumstances will be $80 a pound, $160,000 a ton, for a total of $160 billion. Now that is quite a gamble. Suppose it actually turns out that way? What is the possible pay-off—the amount, if any, by which we reduce the cost of electricity with light water reactors. Gentlemen, I don't like the odds. I think we are doing what Commissioner Ramey wants us to do with desalting plants—we are clearing away the underbrush of economic criteria.

Back in 1962, in the Report to the President, AEC expressed some concern about whether the breeder would be available in time to use low-cost uranium. At that time, they thought the light water capacity in 1980 would be 40,000 megawatts, and they reached the conclusion that the advent of the breeder would probably be "timely" in respect to uranium reserves. Now that the 1980 capacity of light water reactors is forecast at 150,000 megawatts, the advent of the breeder is no longer "timely." It is probably too little and too late. We can't speed up the breeder. We can accomplish the same purpose—and I think we should—by slowing down construction of the wasteful nonbreeders.

Thank you for bearing with me.

COHN-BENDIT SHOULD BE DENIED VISA

(Mr. COLLIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLIER. Mr. Speaker, I take this time to call the attention of the Members of this House to a report which came through the wire service from Frankfurt, Germany, yesterday. This report reveals that Daniel Cohn-Bendit, leader in the widespread French rioting last year, has applied for a visa to the United States. A spokesman for the U.S. consulate stated that his application had been sent to Washington for consideration.

Cohn-Bendit has frequently described himself as an anarchist, although this was not entirely necessary in the light of his known activities.

It is reported that Danny the Red has stated that he has invitations to speak at Georgetown University here in Washington and at the University of California in Berkeley.

I have written the State Department indicating my unalterable opposition to approving this man's application for a visa and I am seeking to learn whether the invitations to speak on these two college campuses are from individual students or student groups or official university sources.

I trust that all of my colleagues in this House will join me in asking that Cohn-Bendit's application for a visa be denied by the State Department.

AMERICA MUST MAINTAIN ROLE AS MARITIME NATION

(Mr. KEITH asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. KEITH. Mr. Speaker, America's role as a maritime nation has depended for over two centuries not only on its ships, but also on the men who sail them. To maintain this tradition of quality leadership at sea demands new thinking regarding maritime education.

It has been 10 years since the Maritime Academy Act was passed providing a subsistence amount to qualified students of not more than $600 per year. Since that time salaries and other educational costs have largely doubled while the student subsidy has remained the same. It is becoming increasingly difficult for young men of good background and excellent scholarship to attend our maritime academies for the full 4 years. These students attend class 11 months of the year. They are, therefore, not able to work in the summer months to pay their costs as many other college students do.

May I also point out that many of those who now graduate from the State academies with this excellent training find jobs in fields other than the merchant marine. Their education has been subsidized at taxpayer expense with no guarantee as to where and how the graduate's skills will be used.

For these reasons, Mr. Speaker, my six colleagues and I are filing this bill that contains two important provisions. First, it raises the amount of subsistence to $1,000 per student per year. This is a modest increase of $400 per year. Second, it requires the student to repay the loan over a 10-year period should he decide to enter a vocation other than the merchant service of the United States. This provision is similar to the National Defense Education Act.

This bill represents over 2 years of research and discussion with authorities on maritime education and law. Despite this lengthy drafting period, we recognize that the end product is not a perfect bill. There are those who frown on placing the U.S. Merchant Marine Academy at King's Point under the obligations this bill provides. I hope that objections such as these will prompt full and free discussion when the bill is heard in committee. From such an exchange of ideas we can produce legislation that will properly recognize the importance of our maritime education program.

Preeminence in maritime education has been ours through our Federal and State academies. We desperately need to encourage more young men to enter the merchant marine service while at the same time affording the taxpayer the knowledge that we are trying to give him true value on his investment.

I hope the bill will receive early consideration, as the need for improvement in our maritime education program is long overdue.

Mr. Speaker, I include after my remarks, a copy of the bill:

A bill to amend the Maritime Academy Act of 1958 to require repayment of amounts paid for the training of merchant marine officers who do not serve in the merchant marine or Armed Forces

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Maritime Academy Act of 1958 (46 U.S.C. 1385) is amended to read as follows:

"REPAYABLE ADVANCES

"SEC. 6. (a) The Secretary may make grants to each academy or college with which he contracts under section 4 if such academy or college agrees to use the funds so granted to make, on behalf of the United States, repayable advances to its students, subject to the conditions provided for in subsection (b). Such repayable advances shall be made at a rate not in excess of $1,000 per academic year and shall be used to assist in defraying the cost of uniforms, books, and subsistence for such students.

"(b) (1) Each repayable advance shall be evidenced by a note or other written obligation which provides that it will be repaid to the United States in equal installments over a period beginning nine months after the date on which the student ceases to pursue his course of instruction at the academy or college and ending ten years and nine months after such date, except that (A) installments need not be paid during any period, not in excess of four years, he is serving in a licensed capacity aboard an American-flag vessel operating under the laws of the United States or in the Armed Forces of the United States, and (B) such advance shall be canceled for service in a licensed capacity aboard an American-flag vessel operating under the laws of the United States or as an officer in the Armed Forces of the United States at the rate of one fourth of the total amount of such advance for each qualifying period of such service. Such a repayable advance shall be made without security and without endorsement, except that, if the recipient is a minor and the note or other evidence of obligation executed by him would not, under the applicable law, create a binding obligation, either security or endorsement may be required. For purposes of subparagraph (B), 'qualifying period of service' means eight months of service in the case of service irn a licensed capacity aboard an American-flag vessel operating under the laws of the United States, and twelve months of service in the case of service as an officer in the Armed Forces of the United States.

"(2) The liability to repay any repayable advance shall be canceled upon the death of the person receiving the advance, or if he becomes permanently and totally disabled as determined in accordance with the regulations of the Secretary."

SEC. 2. The first proviso of section 12 of the Act of March 4, 1915 (46 U.S.C. 601 is amended by inserting before the colon at the end thereof the following: "or regarding repayment of a repayable advance made under section 6 of the Maritime Academy Act of 1958.

SEC. 3. Section 216 of the Merchant Marine Act, 1936 (46 U.S.C. 1126), is amended by adding at the end thereof the following new subsection:

"(g) Funds paid by or on account of a midshipman at the United States Merchant Marine Academy shall be deemed to constitute a repayable advance to such midshipman and such funds shall be deemed to have been paid at the rate of $1,000 per academic year. The provisions of subsection (b) of section 6 of the Maritime Academy Act of 1958 shall be applicable to repayable advances referred to in this subsection to the same extent as such subsection (b) applies to repayable advances made under such section 6."

SEC. 4. The amendments made by this Act shall be applicable with respect to students who matriculate at a maritime academy or college after the date of enactment of this Act.

SMALL BUSINESS ADMINISTRATION LOAN POLICIES REQUIRE IMMEDIATE REVISION TO MEET THE REALISTIC NEEDS OF DISASTER VICTIMS

(Mr. TALCOTT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. TALCOTT. Mr. Speaker, most of my congressional district is, and has been, declared a disaster area due to the extraordinary rainfall and floods.

It was the intent of Congress that the Small Business Administration provide loans to disaster victims. The Johnson administration led the public into believing that Federal funds would be available for loans to small businesses damaged or destroyed by natural disasters.

Most businessmen who have applied for Small Business Administration disaster loans have been told that they are not eligible or that there is no money available. This is a gross misrepresentation by the Federal Government. It is cause for great frustration and disillusionment to the devastated small businessman trying to dig his business out of the mud and to rehabilitate himself.

Under present conditions the Small Business Administration disaster loan policy is a disaster.

In May 1968, the Small Business Administration administratively denied low-interest loans to any victim who could arrange a private loan at the higher going rate of interest or who had any asset which could be converted to cash. Small Business Administration policy practically requires the businessman to sign a pauper's oath before he can participate in the Small Business Administration disaster relief program.

The Johnson administration revised its SBA loan policy and procedures because of the budgetary strictures. The Johnson administration got in a budgetary bind so it cut the heart out of the SBA. So the small businessman who is devastated by disaster is receiving no help.

The SBA revised its procedures administratively to deny loans; it could now well revise its procedures to grant loans.

In a declared disaster, SBA should grant low-interest loans to all defined disaster victims to the full extent of their documented loss—less, of course, insurance entitlements. SBA loans should be made to all declared victims, regardless of their business or personal assets or their ability to borrow privately.

SBA loans are not grants; all loans are repaid.

A declared disaster is a disaster to every victim of flood. All disaster victims need help.

The more financially responsible the disaster victim, the more likely he will repay the SBA the full amount of any loan.

SBA loans must be prompt and uncomplicated by redtape. The simpler the procedure and the fewer the prerequisites for qualification, the more helpful the SBA loan program will be to the disaster victims.

The present 3-percent interest SBA loan is unnecessarily low. Even small businessmen who suffer great disaster do not ask such low-interest-rate loans in today's interest market.

Interest at 2 percent below the FHA interest rate would satisfy the disaster victims, and not cost the Federal Government so much during periods of high interest rates. The current FHA interest rate is 7½ percent. Under my proposal, the SBA interest rate would be 5½ percent.

An alternate interest rate could be a rate equal to the Government's cost for borrowing money during the year of the loan—currently approximately 5⅝ percent.

Either interest rate would be appreciated by the bona fide small businessman.

Neither interest rate would cost the Government more than it is required to pay to borrow the money.

An SBA policy of providing 5½-percent interest rate loans for the full amount of the net loss of a declared disaster victim would put the SBA back in the disaster relief business, be most helpful to the disaster victim, and cost the Federal Government very little other than the administration of the program.

Mr. Speaker, many disaster victims in my congressional district have experienced similar frustrations and disappointments with the Farmers Home Administration—FHA.

Numerous disaster victims in the business of farming were led to believe that the FHA could be of assistance with low-interest-rate loans only to discover that FHA had no program that was useful to them in their plight.

My proposals for SBA could have similar application to FHA.

Mr. Speaker, I urge all Members to join me in advocating my proposals to the Small Business Administration, the Bureau of the Budget, the Small Business Committee, and the Farmers Home Administration.

HOW NEW IS THE "NEW LEFT"?

(Mr. HARSHA asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HARSHA. Mr. Speaker, in consideration of the manner in which the self-styled "new left" seems determined to compound the problems of disorder, disruption, and violence which it has visited upon many of the Nation's institutions of higher education, it has occurred to me that the "new left's" pattern of performance and modus operandi is not really new at all; rather, that both are really as old as, at least, the classic pattern of agitation, propaganda, and revolution set down long ago by such experts on revolution as Marx and Engels and Lenin and Trotsky.

My consideration of this matter which, today, so gravely concerns this Nation, was greatly implemented by my discovery that many of the so-called new left's complaints and demands and charges with reference to campus and academic matters are, at least, 35 years old; I have discovered that, at least, there is a striking similarity between some of the current complaints and demands and charges and some of those set down, way back in 1934 by a Cambridge University student named Donald Maclean—better known today as a British foreign officer and identified Soviet agent.

I would find cause to doubt that any of this will come as news to Communists, but I do believe that it may come as news to many of my congressional colleagues, even as it did to me; I also believe that this will come as news to many students who, in consideration of this and related facts, may determine that they have been tempted to follow a leadership and an ideology which, in reality, is quite contrary to their interests as American students.

For these reasons, with particular reference to consideration of the possible need for congressional efforts to help seek remedy and relief from the present campus situation, I submit, here, the full text of the March 7 edition of my regular weekly report to my constituency.

REPRESENTATIVE WILLIAM HARSHA ASKS: HOW NEW IS THE "NEW LEFT"?

President Nixon, Vice President Agnew, and the Nation's governors have now lent their voices to mounting expressions of growing concern over the continuing wave of disorder and violence on campuses across the country.

This is an encouraging development; particularly to those Americans who appreciate the following:

This obnoxious phenomenon began in this country in 1963.

It quickly demonstrated itself to be a part of an international pattern.

It turned from demand to disorder and from disorder to violence.

Its leaders proved themselves to be the agents for an ever-vocal minority which screamed for "peace" and "freedom" and "liberality" and "tolerance" while imposing the converse upon the majority.

Their followers proved, at best, an oddly-mixed bag which, for varying reasons, were satisfied to travel under the straggly banner of the so-called "New Left."

It is, however, becoming increasingly apparent that this "New Left" is being manipulated by youth groups and cadres of the "Old Left"; the Communist Party's W.E.B. DuBois Clubs, the Socialist Workers Party's Young Socialist Alliance, and the more-recently-formed Peking-oriented Progressive Labor Party.

We have no more authentic source for support of this statement than the publication of the radical Students for Democratic Society, New Left Notes, which has admitted that such groups are vying for control of SDS itself.

There is, in short, no cause to doubt that the "Old Left" seeks to use the "New Left" for the "Old Left" objective of building cadres for the furthering of its own revolution.

I would ask members of this so-called "New Left", with all its claim to non-conformity, how new their demands really are? How non-Communist-serving their misconduct is?

For example, I would ask them to identify the authorship of an expression of complaints and charges and demands which, as posted in a campus publication, has come to my attention:

It complains of "an unsuccessful attempt . . . by . . . (University) authorities to ban a Free Speech meeting."

It complains that "Anti-War articles in two college magazines were censored."

It complains of "the capitalist, dictatorial character of the University . . ."

It charges "economic exploitation of the student," and "reactionary valueless teaching on every faculty."

It demands: "Complete freedom of speech and action . . . student control of college magazines without interference from the authorities . . . The right to use college and university lecture rooms for all political discussion on lectures . . . A share in the control of tutorial fees and of college and lodging-house charges . . . Representation on the Appointments Board . . . The abolition of petty restrictions . . ."

I am confident that it will come as no surprise to "New Left" activists that these complaints and charges and demands were in behalf of the "Federation of Student Societies" at England's Cambridge University, nor that they were published in the student organ, *Granta*.

I am, however, confident, that "New Left" activists will be surprised to learn that the publication date was not February, 1969, but March, 1934, (March 7, 1934, to be exact)—35 years ago!

They were contained in a letter to the Editor from a member of the Cambridge University Socialist Society which the writer identified as "a section" of the school's "Federation of Student Societies."

The author of the letter was Donald MacLean. In the event that any of the "New Left"-oriented has been too busy demonstrating to read pertinent history, let me offer this brief but vital identification of Donald MacLean:

In 1951, Donald MacLean, and a colleague, Guy Burgess, fled to the Soviet Union with British and American secrets in what became known, and officially admitted, as the Great Spy Scandal of the Foreign Service.

Four years later, Vladimir Petrov, a defected Soviet spy, gave vibrant testimony to what had been strongly feared and suspected: Donald MacLean and Guy Burgess were long-time Soviet agents.

So much for the "newness" of the "New Left" and its campus demands. Let undergraduates be alert to the possible nature of the spinners of webs into which they might be drawn.

H. R. GROSS: THE TAXPAYERS' FAVORITE MR. "YES" ON WATCHDOGGING THE TREASURY

(Mr. HALL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HALL. Mr. Speaker, for over 20 years our distinguished colleague from Iowa, the Honorable H. R. Gross, has been leading the uphill struggle against wasteful Government spending. His unyielding and uncompromising position has certainly earned his place as the number one "watchdog of the Federal Treasury." The savings he has accomplished are not capable of computation, but a conservative estimate would place them well into the millions of dollars.

I have had the pleasure to work side by side with this relentless crusader for the taxpayers' pocketbook. His successes are accomplished through diligent research and study. I know of no Member of Congress that labors so consistently, so long, and hard.

A biographical profile of this amazing legislator has been skillfully written by Robert E. Bauman in the February 22, 1969, issue of Human Events. It is entitled "H. R. Gross: The Taxpayers' Favorite Mr. 'No'." Many Members will remember Practicing Attorney Bauman as a former aide to Republicans in the House.

Mr. Speaker, I insert this article into the Record at this point:

H. R. Gross: The Taxpayers' Favorite Mr. "No"

(By Robert E. Bauman)

(Note.—Mr. Bauman spent several years as an aide to Republicans in the House. He is a former National Chairman of Young Americans for Freedom. Currently a Maryland lawyer, Mr. Bauman also serves as Secretary of the American Conservative Union.)

During the delivery of his last State of the Union speech before a joint session of Congress on Jan. 15, 1969, soon-to-be ex-President Lyndon Baines Johnson glanced up at "The President's Gallery" in the House Chamber and was dismayed to see tears in the eyes of his beloved First Ladybird. Later, LBJ told reporters at the National Press Club, he had asked his wife what the tears were for.

"They were tears of fear," she told him. The reaction was their 19-month-old grandson, Patrick Lyndon Nugent, was waving his baby bottle around, causing Mrs. Johnson to fear "it would slip and hit H. R. Gross right on the top of the head." A bit ruefully, LBJ added, "I guess she felt that every Congress should have one H. R. Gross. I guess she wanted to preserve him."

Presidential solicitude for his personal welfare was no doubt a surprise to Rep. H. R. Gross. But the veteran conservative who has represented Iowa's 3rd Congressional District since 1949 was safely out of range of little Lyn's brandished bottle. He was not even in the Chamber. "I didn't go to that love-in," said Rep. Gross. "I've got better things to do."

Of the thousands of members of Congress Lyndon Johnson has known since he came to Washington in 1934, what made him single out this recalcitrant Republican from Iowa as he bade farewell to Capitol Hill?

Harold Royce Gross (universally known to friend and foe as "H.R.") has become accustomed to such critical distinction almost since the day he first took his oath of office in the House more than 20 years ago. With tightfisted determination, he built a reputation as a fighting conservative who never misses a chance to promote ethics in government, insist that Congress live up to its own rules and—most important—save the taxpayers from being fleeced.

A constant reminder of his philosophy is a framed quotation that sits on a table in the lobby of his office. It states: "Nothing is easier than the expenditure of public money. It does not appear to belong to anybody. The temptation is overwhelming to bestow it on somebody." Next to it is a photo of a Rockwell, Iowa, swimming pool with the caption: "Constructed without *any* Federal funds, 1967."

To meet Rep. Gross gives no hint of the emotions he has aroused in politicians from President down to precinct worker.

Small in stature (only five feet, six inches and 135 pounds), he has a stern visage that infrequently breaks into a relaxing grin—a blend of a small-town-banker-about-to-foreclose and Buster Keaton's mischievous but deadpan self-composure. A square and determined jaw, drooping eyelids that give him a slightly sleepy look, thinning grey hair, garnished with eyeglasses and a pipe, Gross could easily pass for anybody's uncle.

In private, Rep. Gross is soft-spoken, as gloriously uncomplicated and matter-of-fact as the 400,000 Iowans he represents in Congress. He talks fluently and forcefully about his background and beliefs, always with a strong sense of conviction, bordering on self-righteousness. On the Floor of the House he can be abrupt and biting, his voice rising to just the degree of indignation appropriate to his target, personal or legislative.

When Democrat Wayne Hays (Ohio) tried to interject a word in favor of a 1964 pay raise proposal, for instance, Gross acidly remarked: "Does the gentleman, who is a pretty good spender in his own right of the taxpayers' money, think he can make a contribution at this time?" Hays burned, but Gross, momentarily at least, managed to block the measure.

Gross' sarcasm also swept over Rep. Frank Thompson (D.-N.J.) and other liberal House Democrats who were trying to double the federal subsidies for American artists last year.

Bluntly condemning the proposed increase as "twaddle," Gross proclaimed that if the $135 million were voted he would send a cable "to the Marines at Khe Sanh"—then under Communist siege—and tell them "what wonderful progress is being made here at home. . . ." The Democrats lost that one too.

Gross' taste in clothes, like his politics, is conservative. It runs to suits in grey or dark blue set off by neckties considered fashionable at local meetings of the VFW, American Legion, the Elks and the Masons, in all of which he holds membership. Working late at his office typewriter, as he often does, one expects to see galluses on his shirt sleeves and perhaps a green eyeshade.

A Presbyterian, Gross enjoys fresh water fishing for relaxation, and has been known to have a drink or two at the very few Washington social gatherings he and his wife, Hazel, attend. Says Gross, "I've never owned a tuxedo and my wife has no ball gown. We don't need them."

Lyndon Johnson in particular has many reasons to remember H. R. Gross; the Iowan's determined effort to ferret out the facts in the Bobby Baker affair; his successful battle to stop the nomination of Hubert Humphrey's crony, the scandal-tinged Max Kampelman, as president of the D.C. City Council; his constant exposure of waste and graft; his unrelenting use of the rules of the House of Representatives as a tool to cut, hack, and prune millions of dollars from "Great Society" legislation.

Johnson, in fact, hardly had time to savor his 1964 presidential victory before Gross managed to pounce. During House debate on the bill appropriating the extra funds necessary to accommodate the color broadcasting equipment, the Iowa curmudgeon asked the pertinent question: "Is there any way, at the time the inaugural [ceremonies are] being carried out, that we can somehow picture the federal debt in living color?"

Indeed, every occupant of the White House during Rep. Gross' tenure in Congress has had reason to be wary. The Iowa Republican acknowledges that he had "differences of opinion" with Presidents Truman, Eisenhower, Kennedy and Johnson, and expects the same may be true with President Nixon ("though that depends on him," Gross adds with a smile).

Sharp-tongued and quick-witted, Rep. Gross arrives in the House Chamber each day before the session begins at the stroke of noon. As the chaplain's daily prayer ends and the Clerk reads the journal of the previous day's proceedings, Gross sits, grim-faced and thoroughly prepared for anything that might happen.

Though only party leaders have assigned seats in the House, Gross has by now acquired what has become "his seat," at the end of the Republican leadership table, three rows from the front and strategically located on the center aisle which divides the Democrats and the Republicans. From this spot, directly in front of the rostrum and the Speaker of the House, Gross cannot fail to be recognized—unless by intention.

Throughout a typical daily session of the House, Gross will often be on his feet, offering amendments and asking questions about bills, although he usually already knows the answers himself. If ever a surprise bill is called up, it will automatically invite Gross' closest scrutiny. He refuses to rest until he is confident that nothing has been put over on the American taxpayer.

As a result of his keen watchdog abilities, Gross was instrumental last year in blocking a bill that would have jumped congressional retirement benefits by a whopping 33⅓ per cent. Gross discovered that the pension hike plan, which, if it was to be considered at all, should have been before the Post Office and Civil Service Committee, had been transferred to the Foreign Affairs Committee. The actual title of the bill, he disclosed, referred to Foreign Service retirement benefits, but didn't carry a single word about gigantic congressional pension increases. The pension boost, further, was deviously put under the heading, "other purposes." Largely due to Gross' roar of indignation about this pigskin-under-the-jersey move, the bill was flattened.

Gross was unsuccessful this year in stopping congressmen from padding their pockets with the taxpayers' money. But when Congress handed itself a hefty salary hike two weeks ago—raising the annual salaries for legislators from $30,000 to $42,500—it was not through inattention of the Iowa lawmaker.

Under somewhat peculiar procedures established by Congress in 1967, federal pay hikes for congressmen, top government executives and judges were to be formulated by a special commission. Based on the commission's findings, the President was to submit his own pay proposals to Congress—which LBJ did on January 15. These recommended pay hikes, in turn, would automatically go into effect within 30 days unless either the Senate or the House decided to veto them.

Most lawmakers loved the whole arrangement. Under it, they didn't have to initiate, debate or really be held accountable for the pay hikes. They could always blame the commission or the President rather than themselves for setting whatever salaries they might receive. Furthermore, they were well aware the procedure gave little time for the foes of any pay raise proposal to muster strong opposition within the 30-day period.

Iowa's economy crusader, however, was not willing to let his colleagues get off so easily. He first put House members on the spot in 1967 when he came within a whisker of defeating the commission procedure through a rollcall vote. When LBJ submitted his pay proposal this January, Gross immediately put veto measures before the Post Office and Civil Service Committee and the Rules Committee, hoping the House would get a chance to strike down the pay raise before it went into effect on February 14. After both committees killed his proposal; i.e., wouldn't let it come to the floor for a vote, the majority of the House felt certain they were now home free and wouldn't have to face any rollcall test on the pay raise. Thus, they seemed to be in a very enviable position which would permit them to receive a pay hike while being able to tell economy-minded voters back home that they had no chance to block it. But they hadn't fully reckoned with Gross' bag of tricks.

As the House turned from the issue of the pay raise and routinely voted to adjourn for the Lincoln Day recess beginning on February 7, Gross suddenly objected on the ground that a quorum wasn't present. Gross' objection forced a rollcall on whether the House should adjourn.

The Iowan's purpose was clear: since the pay hike would take effect during the recess, all those voting for adjournment were, in effect, voting to let the pay raise bill go through. The adjournment motion carried 241 to 125, but Gross had finally managed to force each lawmaker to take some sort of stand on the pay raise issue.

This kind of dedicated and constant vigilance keeps every member of the House on his guard, trying to guess what Gross may do. Says one Northern liberal, attesting to Gross' effectiveness, "I've attended many committee hearings when the chairman will study a bill and make sure we can answer the knotty questions Gross will ask. Many times items will be dropped before the bill hits the floor because of him."

What gives Rep. Gross such undeniable leverage is his mastery of the parliamentary rules that govern the conduct of the U.S. House of Representatives.

Without hesitation, he can summon from the rule book motions that automatically give him another five minutes to speak (this motion—"to strike the enacting clause" in bill—must be offered in writing, so Gross always carries a printed copy in his pocket).

Perhaps most frequently, Rep. Gross will object to a "unanimous consent request," the parliamentary device which permits the House to conduct so much of its business without formal recorded votes. So often did Rep. Gross invoke the rule which required "an engrossed third copy" of a bill once it is passed (which meant, printed with all amendments that had been adopted) that the Democratic leadership had the House rules amended to eliminate the requirement. Subsequently, a federal minimum wage bill was passed by the House and only later was it discovered that the incorrect wording of one of the amendments had dropped thousands of people from coverage under the law.

There are hundreds of other rules governing Congress which have allowed Rep. Gross to stall or stop the legislative process. He has mastered them all, and by his unrelenting presence, assures that they will be used to the fullest. To the delight of conservatives, his precious knowledge is almost always utilized in defense of conservative principles.

Not without cause, most liberals, and even some "sophisticated" conservatives, whether in Congress or in the fourth estate, have only a haughty disdain for Gross and his "obstructionism." They view his work on the House Floor as "negative, reactionary, a thwarting of progress."

Redbook magazine once called Gross "one of the 10 worst members of Congress," and in 1954 *Life* ranked him on the "Neanderthal Right" with such notables as the late Sen. Joe McCarthy of Wisconsin, former Senators Bill Jenner of Indiana and John Bricker of Ohio.

Life had the creator of *Pogo*, Walt Kelly, depict a band of Capitol Hill conservatives as so many willful children impeding the progress of the legislative school bus by their antics. Rep. Gross was pictured as a kid with a slingshot sitting next to the driver. He values the cartoon highly, mostly due to what he terms the honor of being included with such "great names out of the past."

In a 1965 *Newsday* story, entitled "Congressman No," the Democratic majority leader of the House, Rep. Carl Albert of Oklahoma, took a different view. He conceded that Gross made his life more difficult, but added that he considered him "a charming person of integrity and conscience." Said the Democratic leader, "He has long been a symbol of economy and undoubtedly has saved many millions of dollars over the years."

What started Rep. Gross on the path to his unchallenged title of "watchdog of the Congress"? In a recent interview the Iowa lawmaker said he well remembers the day during his first term when he objected to a Senate-passed "housekeeping" bill which contained certain "goodies" for the Senate side. Even before this, Gross says, he had the "uneasy feeling that things had been getting by the House that shouldn't have."

The bill on which he decided to take his first stand was inconsequential. Unfortunately for Gross, it was being handled on the House Floor by the late Rep. E. E. Cox of Georgia, famous for his sulphurous temper.

The Georgian, then in his 80s, had only a few years before attempted to clout the current dean of the House, the late Adolph Sabath of Illinois, with an inkwell. If Cox had so little concern for the welfare of a fellow Democrat, he had none at all for the freshman Republican congressman from Iowa who challenged him on that long-forgotten day in 1949.

So challenged, Cox was furious. In a stroke of genius, Rep. Gross resorted to what has become a familiar tactic in his bag of legislative devices—he made the point that a quorum of the House was not present. During the rollcall (which requires the attendance of at least a majority of the full House membership of 435) Cox crossed over to Gross and "gave me a short sermon about comity between the House and Senate," according to the congressman.

When the quorum ended, Cox restated the need for "comity" with the Senate, calling for the immediate passage of the housekeeping bill. Rep. Gross rose to his feet, objecting again, and questioned whether this bill constituted "comity" or "comedy," though in any case he doubted it would amuse the taxpayers. At that, recalls Gross, "Cox hit the ceiling, and took my hide off in short strips."

From that day forward, Rep. Gross has made it his business to know exactly what goes on in Congress, regardless of alleged "comity" towards any individual or group.

Seventy years ago, June 30, 1899, Harold Royce Gross was born on a farm near Arispe in southern Iowa. He recalls that his family was poor but "my father worked hard and he was a money-maker." Young H. R. milked cows and worked in the fields when he wasn't attending rural schools.

"Those were the days of horsepower all right," he remembers. "My father worked so hard he didn't have much time for the family. My mother was the one person who had the most influence on me as a boy." Gross remembers that his father and mother were both Republicans ("everyone was in Iowa, then"), but it was his mother who took a sustained interest in politics.

Somewhat regretfully, Gross says, "I don't brag about it, but I never finished my second year in high school. I guess I'm one of the original 'drop outs' and I don't recommend it to anyone." The year was 1916 and Pancho Villa, the Mexican revolutionary bandit, was terrorizing Americans living along the Texas border. Gross recalls wistfully, "I was 17 years old and I was tired of farming. I wanted to get out and see the world. I was adventurous."

As times change, the path taken by a 17-year-old Iowa "drop out" in 1916 was not to any latter-day Hippie haven. Instead, he "ran away from home, lied about my age and joined the U.S. Army. To this day, Army records show my birthdate as 1898." He was immediately transferred to the Mexican border where he served under the command of soon-to-be Gen. John J. "Black Jack" Pershing.

In 1917, when the United States entered the First World War, the young lad from Arispe, serving in the First Iowa Field Artillery, AEF, was among the first soldiers to be sent to France. His unit saw combat action at Chateau Thierry, and in the Meuse-

Argonne Valley campaign, some of the fiercest battles of the war.

Recalling those days, Rep. Gross noted that he has not been out of the United States since he returned from France in 1919, "unless you can call a fishing expedition 40 miles into the Gulf of Mexico last year a trip abroad." Chided about his constant opposition to congressional "junketing" overseas, Gross said, "I just might take a trip one of these days to see the places I've been, but it'll be at my own expense."

In 1919 Gross entered the University of Missouri School of Journalism as a special student. Because he lacked a high school diploma, he could not attain a degree, but he was allowed to audit the courses. There he met the late Scripps-Howard columnist Lyle Wilson, who later recalled Gross as "an opinionated, slightly built, hard-nosed fellow," a description of Gross that Wilson later said didn't need changing much with the passage of time.

From 1921 to 1935, Gross held various jobs as reporter and editor for Iowa newspapers. Ironically, one of his journalistic heroes was that great debunker of small town America, H. L. Mencken, whose own biting wit was not unlike the famous Gross sarcasm: "Any comparison between Mencken and myself is odious," says Gross. "Mencken had a great intellect," he adds modestly.

In 1929, on the day before his 30th birthday, the young editor was married to Miss Hazel E. Webster of Cresco, Iowa, "a fine Iowa farm girl who has been of tremendous importance in my life," says the congressman. Now an attractive gray-haired grandmother, smartly dressed and vivacious, Mrs. Gross has supported her husband throughout his sometimes stormy political career.

They have two sons, Phil, 36, an attorney with the Securities and Exchange Commission in Washington, and Alan, 32, who is making a career in the U.S. Air Force. Both are married and Alan has a young son.

"When I first ran for Congress we had two little boys to take care of," remembers Rep. Gross, "but my wife worked the typewriter at home. As soon as the boys were old enough, she accompanied me in almost all my campaigning." Mrs. Gross shares her husband's belief and is one of his strongest defenders.

When Gross was one of the few congressmen to object to giving Mrs. Jackie Kennedy Onassis a government pension ("She certainly doesn't need it.") Mrs. Gross commented, "I don't care if it does defeat him, he's absolutely right." Gross was re-elected afterwards with a bigger majority than ever.

Within six months after his marriage, the Great Depression was upon the land. Nowhere did it have a more damaging effect economically than on the farms and the farmers of the Midwest.

Rep. Gross still speaks with undisguised passion about the plight of Iowa farmers during the Depression. He recalls seeing crops, livestock and land sold at public auction, to satisfy mortgage claims and debts. "Why, they would take everything but the farmer's wife and children, including the shirt off his back," Gross recalls.

Iowa has always had a strong tinge of prairie radicalism in its politics, beginning in the 1870s when, with much of the Midwest, Iowa was swept by the Grange movement and the Populist and Greenback parties. The same underlying economic inequities that plagued the farmers before the turn of the century gave rise to the National Farmers Union which flourished during the Depression.

It was this "radical" group, demanding help for the farmers from the federal government, which attracted the young H. R. Gross. "Hogs were selling at 5¢ a pound; $5 a hundred," he recalls. "You can't understand what they did to the farmers and I grew up as a farmer. Farmers were taking an awful beating." Rep. Gross notes that the National Farmers Union "of that day was far different from the left-wing group it has become today."

"I'll always fight for the farmer," says the Iowa Republican. "Agriculture is the basic industry of America. New wealth comes from the soil, and I think the farmer should be able to get his fair share. The farmer is the only businessman who is forced to buy on a closed market with fixed prices, but must sell his products on an open market where supply and demand determine the price. I don't want government regulation of price supports, but we can't permit our farm economy to collapse."

In 1933. with the Depression at its worst, the Democrats swept to power and, for the first time in memory in Iowa, they took control of the governor's chair and both houses of the state legislature. Gross was then the editor of a National Farmers Union newspaper. He recalls how, even though the Democrats were in control, Iowa farmers got the "short end of the stick."

On the first day that the new Iowa legislature met in Des Moines in 1933, a bill was introduced allowing banks and insurance companies to declare a moratorium on all payments to their depositors and policyholders, the majority of them farmers. Within 24 hours it was passed and signed into law.

"I raised unshirted hell with those politicians in my newspaper," Gross said. "Especially when it took them more than a month to call a moratorium on the forced sales of the farmers' land. Meanwhile, almost every farmer who was behind in his debts lost his land and even his chattels."

Within a year, "Charlie" Gross, as he was called in those days, was to be given the chance that would propel him into politics and the U.S. Congress. In 1934, radio station WHO in Des Moines, the state capital, went on the air, and Gross was the first news director and newscaster.

"I was billed as 'the fastest tongue in radio,' because of my rapid-fire 'Walter Winchell' delivery," says Gross. "I was supposed to give the news, but I guess a little opinion crept in."

As sportscaster and staff announcer, a young fellow from Tampico, Ill., read the commercials for Gross' daily news program. His name was Ronald "Dutch" Reagan, now the governor of California. To this day the two are close friends.

For the next six years the powerful 50,000 watts of WHO broadcast the voice of the Iowa crusader for farmers' rights, "Charlie" Gross. Gross' words beamed out over some of the richest and best farm land in the nation. (Not until 1965 was a greater share of Iowa's income to be produced by industry rather than by farming). In the 1930s, the great majority of the Iowa voters lived on farms or in small towns. To them, Gross' words, chattering daily out of the old Atwater-Kent radio on the kitchen shelf, were good as law.

"I was accomplishing Rule No. 1 in politics," says Gross. "I was becoming known all over the state of Iowa."

In 1940, without consulting Republican party leaders, Gross did an unheard-of thing. He filed for the GOP nomination for governor against the incumbent Republican, George A. Wilson, just ending his first two-year term. "I had no money and no organization, but the people knew me," says Gross.

In a rough-and-tumble primary, the party leaders "to a man" openly broke the party's tradition of neutrality and opposed Gross. They fielded a third candidate (who got 20,000 votes) in order to drain away his rural support. Even so, "the fastest tongue in radio" came within 16,000 votes of unseating the Republican governor of Iowa. Gross did carry a majority of Iowa's 99 counties, most of them rural. While Republican leaders were shaken, Gross' problem was more acute: He was out of a job, having resigned to make the race for the nomination.

From 1940 through 1944 Gross served as a news commentator for station WLW in Cincinnati, Ohio, and, for a time, at WISH in Indianapolis, Ind.

For most of his life, Gross made his home in Waterloo, Iowa, a trading and packing center for the surrounding agricultural area. With 36,000 citizens, Waterloo was already a big town by Midwestern standards when Gross moved there after the First World War. Today its size has doubled. Waterloo is the county seat of Black Hawk County, named after the local Indian tribe which had to be subdued by force in the famous Black Hawk War of 1832, a war in which young Abe Lincoln fought.

Iowa, more than any other state in the Union, has come to typify small-town and rural American life. Not only did composer Meredith Wilson immortalize "River City, Iowa" (actually Mason City) in his Broadway hit musical *The Music Man*, but it was at Nashua, in 1864, that the Rev. William S. Pitts was inspired by a small brown painted frame church to pen the words of the hymn, "Come to the church in the wildwood, come to the church in the vale. . . ." Thousands of Protestant congregations all over America have since lustily repeated the invitation in song.

Both of these typical American towns are located in the heart of north central Iowa in Gross' 3rd Congressional District. Dotted by many small towns with tree-shaded streets and neat frame houses, most of the rolling countryside is one long stretch of verdant farmland. Iowa contains more than 25 per cent of the nation's "Grade A" soil, and of this almost 98 per cent is used for farming. The 3rd district produces corn, soybeans, cattle, hogs and dairy products.

But not even this tranquil part of America was immune from post-World War II labor strife. At the Rath Packing Co. in Waterloo in 1948, one of the most violent strikes in Iowa's history took place. The Republican governor, Robert D. Blue, was forced to send in troops to restore order. The incumbent 3rd district congressman, Republican John W. Gwynne, was ending his seventh term in Washington, and his reputation with the labor unions was not favorable.

In the 1948 Republican primary H. R. Gross filed against Rep. Gwynne. "I had decided to show a few people who had opposed me for governor in 1940," Gross said. "Most of my support came from the rural areas, but I've never hidden the fact that the old American Federation of Labor union gave a $1,000 contribution to my campaign."

Gross still proudly carries in his wallet a yellowed newspaper clipping encased in plastic, containing the Chicago *Tribune* editorial endorsements for the 1948 general election. The editorial strongly backs Dan J. P. Ryan, Gross' Democratic opponent, with the stern admonition that a little-known candidate, H. R. Gross, had accidentally won the Republican nomination for Congress and what's more, was suspected of having strong "leftist tendencies."

Says Gross with a laugh, "Willard Edwards and Walter Trohn of the *Tribune* still kid me about my 'leftist tendencies'."

Republican leaders had also branded Gross as a "radical leftist' 'in the 1948 primary, but when he won they closed ranks and he was elected in November by a 20,000-vote majority. The same election saw Gross' 1940 opponent for governor, George Wilson, go down to defeat in his try for a second term in the U.S. Senate.

Since 1948 Rep. Gross has continued to pile up large majorities at the ballot box, always running well ahead of the rest of the ticket. Only in 1964 did he have a close call. He won by only 419 votes out of the 166,000 cast, but he still led the Republican ticket. In 1968 his majority was a comfortable 43,000 out of 157,000 votes.

Today H. R. Gross is the dean of the Iowa delegation in Congress. In terms of service, he outranks all but 46 other members of the House and ranks seventh in seniority among House Republicans. Since 1963, to the despair of the liberals, he has served on the prestigious House Foreign Affairs Committee, and now ranks second in seniority among Republicans on the House Committee on Post Office and Civil Service, whence he can keep an eye on the federal bureaucracy.

Gross' statistical record in Congress indicates that he has been one of the most conservative and faithful members in either party.

He has responded to 95 per cent of the rollcalls during the last 20 years (many of which he demanded himself).

The Americans for Constitutional Action (ACA) gives him a cumulative rating of 97 per cent conservative in his voting:

The American Conservative Union (ACU) in its Democratic margin of victory score (DMV) reveals that Gross has voted with the majority of his GOP colleagues on 96 out of a possible 99 key rollcalls since 1961. This clearly indicates that Gross and a majority of his Republican colleagues agree on most major issues.

Conversely, the AFL–CIO, COPE and the liberal Americans for Democratic Action (ADA) often give Gross scores of zero, on the same legislative record. "But," notes Gross, "I've always had the support of rank-and-file labor."

Rep. Gross sees no inconsistency in his continuing fight for the rights of the farmers "or any individual citizens." He has observed that opposition to accumulation of excessive power in the hands of big government is fully compatible with his battles of yesteryear against economic interests that showed little concern for the rights of individuals. "I don't think I have changed," says Gross. "Some others may have changed, but I haven't."

Rep. Gross' conservative philosophy draws the standard liberal complaint that he is negative and not "constructive." Sneers one liberal, "the list of issues he's opposed in one form or another would all but comprise the legislative record of each Congress he's attended."

Gross views it differently: "I believe you can be tremendously constructive on behalf of the people of this country by opposing the destruction of America and the freedom of its citizens."

Gross concedes that a conservative's views are "essentially negative," since they propose the limitation of government as a constructive good. He agrees with *National Review* columnist Frank Meyer, who wrote, "If eternal vigilance be the price of liberty, then eternal 'no' to encroaching government is its watchword." Thus Gross is not particularly disturbed by the epithet that he is the "Abominable No-Man of the House."

As they are translated into concrete actions, Rep. Gross' political ideals have been mightily aided in Washington by his perseverance in searching for the truth. He readily admits that he receives tips from many sources, the press, sympathetic government employes and, occasionally, a congressional colleague who doesn't have quite the taste for battle that Gross has.

"I get all these tips, but the hard part is checking them out to be sure before I speak." Gross pores over thousands of pages of print each week, reading public documents that many congressmen have never seen. He finds such publications to be a gold mine of information about wasteful government spending, excess federal employes and just plain wrongdoing.

He has also turned up a number of major scandals, including many facts in the Bobby Baker case, corruption in the foreign aid program, the Adam Clayton Powell affair, the granting of federal bank charters as political favors and even proof that the late Bobby Kennedy authorized wiretapping as attorney general, a fact Kennedy had denied vehemently, in effect calling FBI Director J. Edgar Hoover a liar.

Minor details do not escape the Iowa congressman. He was just as concerned to discover that the then secretary of the interior, Stewart Udall, was planning to pay $600,000 for Arizona land assessed at only $9,000, as he was when he found that the National Bureau of Standards was willing to spend $44,700 for one stainless steel flagpole which Gross estimated could be purchased for $820.

In each Congress, Rep. Gross has sponsored bill number H.R. 144 (the number of units in a gross), which provides for the systematic reduction of the national debt. He has been a strong critic of LBJ's policy toward Rhodesia, which he views as unnecessary aid for the "leeching British," who will not help the U.S. in Viet Nam.

One of his pet projects has been cutting the foreign aid program. In one day in September 1967, the House agreed to a number of his amendments with the net effect that $588.8 million was cut from the foreign aid bill. His amendment barring any U.S. aid to nations trading with the North Vietnamese was also adopted.

Gross has certain "pet peeves" that "turn him off" completely. The reason he insists on so many quorum calls, he says, is because he believes that "a congressman's duty is on the House Floor," not in the gym or junketing abroad. He is especially critical of the "Tuesday to Thursday clubbers," that wandering band of East Coast congressmen who spend three days a week in Washington and the remainder in their nearby districts in New York, Boston, or Philadelphia.

Says Gross, "Congress isn't a part-time job, it's a full-time responsibility." Often, his own homework includes stacks of bills and reports and each weekend he takes home the "calendars" of private and consent bills, studying them for problems until late at night.

Asked how he can afford to spend so much time on the House Floor away from his office, Gross explains that he has an excellent staff, headed by his veteran administrative assistant, Bob Case, 46, who has been with him since 1953. "Besides, I get in early and stay late if need be." Eventually, Gross' constituents in Iowa are pleased and he says proudly, "I know of no instance in which my district has suffered because of my activities in Washington."

This seems to be a valid claim. For example, in 1968 Gross' campaign literature used the theme, "Now we see how right he's been." It included a list of the principles supported by the congressman "for 20 years in Washington." Gross campaign auto bumper stickers bear the simple legend, "H. R. Gross, the Man of Principle."

An illustration of how powerful the respect for Rep. Gross is in his home state occurred in April 1968 at the Iowa Republican Convention.

More than two-thirds of the 3,480 delegates from every precinct in Iowa rebelled against a handpicked slate of delegates to the Miami Beach GOP National Convention. Suspending the rules, they replaced a delegate at large with none other than H. R. Gross, once considered a party "maverick," and in 1968 a vocal Reagan for President supporter. "We really took them apart," recalls Gross. He left it to others to observe that this was an impressive personal tribute from the Republicans of Iowa for their own "H. R."

Gross' party support seems to cut across any ideological lines. Though he hardly feels at home with the liberalism of some few Iowa Republicans, Gross has been staunchly supported by his fellow Waterloo resident, Jack Warren, the GOP state chairman. In 1964, Warren, as a GOP delegate at San Francisco, voted for William Scranton over Sen. Goldwater. But, says Gross, "Jack has been one of my firmest supporters, right up to the hilt."

Those outside Iowa who know of H. R. Gross react to him in much the same manner as do his colleagues in Congress. They either like him or can't stand him, but few have no opinion at all.

Gross acknowledges that he gets thousands of letters from outside Iowa each year, many of them as the result, he notes, of news stories about him appearing in *Human Events*. When he announced in late December 1968 that he would move to bar Adam Clayton Powell from the House at the opening of the 90th Congress, even if no one else did, he was flooded with approving mail.

Reaction has not always been so favorable. When Gross forced a rollcall vote on a federal pay raise bill which was then narrowly defeated by the House, threatening phone calls to his home produced an FBI guard until the hotheads cooled off.

The attitude of his House colleagues is just as divided. Gross is no respecter of party lines in his opposition to what he considers wrong. One Western Republican on one day was praising "good old H. R." for tearing into a Democratic bill, and the next day was heard to refer to Gross as "an old s.o.b." because he had blocked consideration of the Westerner's pet private bill.

Gross is accustomed to all this. "Sometimes it gets to you, but I decided long ago when I started in this business that I wasn't going to win a lot of friends in Washington or attain any leadership posts. You can't aspire to leadership and do the things I feel I must do."

Yet even in the tough arena of the House of Representatives, Rep. Gross has won an unusual measure of affection. Even the reporters in the Press Gallery know that his acid quips will liven up the legislative stories they must file each day.

On his birthday a few years ago, one congressman after another arose to pay tribute to the little man from Iowa who had caused them so much "trouble" over the years. So florid did the praise become that Gross, embarrassed by it all, blushed a deep scarlet and retired to the rear of the Chamber, somewhat misty-eyed, some noticed. Today, most members of Congress agree with the observation of one who said, "it would be a pretty dull place without H. R. to keep us on our toes."

What lies ahead in the 91st Congress for H. R. Gross, now that a Republican once again sits in the White House? Will he support President Nixon, or will he oppose him?

In the first session of the 83rd Congress (1953) during President Eisenhower's first term, Rep. Gross (like many other conservative Republicans) voted against Ike's proposals 25 out of 34 times. In the second session of the same Congress, he opposed Eisenhower more than 50 per cent of the time. Says Gross, "What I said then still goes. I'm not going to repudiate my past votes. I'm never going to toss my convictions overboard."

Rep. Gross, puffing quietly on his pipe in his office in the Rayburn House Office Building, told this writer that he is "hardly very hopeful about the future of this country. The Republican party, lacking strong leadership, has tended to drift to the left. I believe that unless President Nixon takes drastic action, we may face a serious national and international economic crisis within a very short time."

"There is no reason Nixon cannot cut the budget rather than retain the 10 per cent surtax. But," the Iowa congressman wryly notes, "that's rather negative, isn't it; not very constructive letting taxpayers keep their hard-earned money?"

About Congress as an institution, Gross feels that the American people are perhaps far ahead of their representatives on such issues as reduced federal spending and ethics in government. "The people want a change but we don't seem to have the political courage to give it to them," he observes.

Though Rep. Gross certainly doesn't look or act his 70 years, he was asked if he might be considering retirement at the completion of his present term in Congress. Smiling that slow, sly smile of his, the man *Time* magazine called "the conscience of the House," let the words out slowly and emphatically: "I have no plans for retirement."

For many, hearing that statement will be a great relief. For others, it will mean only further anguish. In any case, one must conclude any study of the life and work of H. R. Gross with the impression that, until the very last rollcall, he will be true to the Iowa state motto:

"Our liberties we prize, our rights we will maintain."

TIME FOR ACTION NOW, MR. PRESIDENT

(Mr. HALL asked for and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. HALL. Mr. Speaker, the Constitution says the Congress of the United States raises and supports the armed services and determines policy therefor. On last October 31, 1968, the then Commander in Chief announced a bombing halt over agressive North Vietnam. Most of us stopped wherever we were and prayed for its success in our own way.

That halt and the so-called peace talks were predicated upon mutual reciprocity, and it was stipulated that any and all means would be resumed toward throwing the aggressors out of the freedom-loving country of South Vietnam, if good intent and faith on the part of either side was breeched. Many of us predicted at the time that the peace overtures were "phony," and that, as in the case of Korea, our men would continue to be slaughtered, the enemy would build up its logistical capability and sinews of war, and that we would undergo military reprisals for our peace overtures. With the entire world wanting and aching for peace, it was indeed difficult to insist on honor, freedom, and able and successful immediate conclusion of hostilities.

Mr. Speaker, it is reported today that through a series of savage attacks by North Vietnamese Regulars through the demilitarized zone and others from inconceivably allowed sanctuaries, 30 American lads pressed into service in a nondeclared, no-win war have been sacrificed. Now, over 32,300 have been killed in action. Over 200 more of our men have been wounded. Minimum intelligence and indeed the carefully read news media reports indicate direct and restored rail, barge, and truck lines to the front through enemy territory. Now armored tanks charge us from sanctuaries. This is augmented by continual trade by our allies with North Vietnam. The harbor of Haiphong is crowded by vessels of our so-called allies and the entire military-industrial complex of North Vietnam has been recouped and restored since our ill-advised bombing halt. This has cost untold military lives. Why, oh why, Mr. Speaker, were we so naive as to think that if we got in bed with the Communist cobra, tiger, or bear, that we would escape without being badly bitten? Furthermore, the expected diversions around the world are obvious in the Near East, in Peru and Africa, in Cuba, and again in the form of a Berlin blockade. These are obviously for the purpose of dispersing the strength and forces of the only free nation capable and willing to assist its neighbors and who have the will remaining to combat aggression from either within or without, by the Communist power play and conquest.

Mr. Speaker, I for one say it is high time we girded on our own armor of truth and will, faced the aggressor in a four-square manner and made good our commitment to the men in the field by resuming our bombing, if necessary to bring the Communist aggressor to his knees for a plea for peace. We have other important options and can help by closing the Port of Haiphong, by eliminating sanctuaries to the aggressor in South Vietnam. With the U.S.S. *Pueblo* affair, the diversions and now the obvious post-Tet aggressions in Saigon as well as in Danang and from the Laotian border at A Shau, we can do no less. I compliment the President on his statement last evening and call upon him as the Commander in Chief to maintain general civilian control, perhaps even continue peace talks; but, to let the military win the war in South Vietnam by whatever contingency operation is necessary in the shortest possible time with the least additional loss of life and drain upon the U.S. taxpayers so that we can turn control completely back to the South Vietnamese, our SEATO allies, and bring our men home. The Communist aggressors have asked for it, our President has been most forebearing and patient and now the American people want an end to this bogged-down war of gradualism by whatever is the best option. Let us now give the aggressor what he deserves.

HEW WILL STUDY EFFECT OF VIOLENCE ON TV

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, we have just had the Secretary of Health, Education, and Welfare, appear before a committee of the Interstate and Foreign Commerce Committee. I thought the House would be interested to know that in answer to a question which I proposed to him, the Secretary said the Department of Health, Education, and Welfare, will undertake a study of the effect on the American public of violent shows and scenes on TV.

I believe all of us feel and know that undoubtedly this violence that is portrayed on TV does affect the high crime rate in America. Certainly there is an increasing rate every year in this country. Something is going to have to be done.

I commend the Secretary for saying he will undertake this study. It will begin, the Secretary hopes, within about 2 weeks. It is necessary that something be done about the amount of violence being shown on TV in this Nation today.

MRS. S. E. BARTLEY

(Mr. ROBERTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROBERTS. Mr. Speaker, I am sorry to have to report this morning that Mrs. S. E. Bartley, the younger sister of the late Speaker Sam Rayburn, passed away late yesterday in Bonham. She had been ill for many months, and I wanted to let my colleagues know that she has now passed away.

Miss Meddie Bell, as she was affectionately known, was a great lady and a warm personal friend of mine. Her gentility and charm were a constant source of inspiration to our beloved Speaker and to all who knew her. We wish to extend our most sincere sympathy to her son, Federal Communications Commissioner Robert T. Bartley, and her sister, Mrs. W. F. Thomas, who survive.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ROBERTS. I am delighted to yield to the distinguished Speaker of the House.

Mr. McCORMACK. Mr. Speaker, I am very sorry to learn of the death of Mrs. Bartley, the sister of our late beloved Speaker and my dear and valued friend Sam Rayburn.

Mrs. Bartley enjoyed more than the usual close family ties with the late Speaker. She was one of the sweetest ladies I have ever met and had a beautiful outlook on life and an understanding mind in relation to her fellow human beings that was an inspiration for all others to follow.

Since the death of our late Speaker, my dear and beloved friend—I wish he were here with us today—Mrs. McCormack and I have kept very close to Mrs. Bartley, telephoning her with some degree of frequency because of our deep respect and friendship and to let her know that the memory of her dear brother, the late Speaker, is always uppermost in the minds of Mrs. McCormack and myself.

I extend to the loved ones of Mrs. Bartley the profound sympathy of Mrs. McCormack and myself in their bereavement.

Mr. ROBERTS. I thank the distinguished Speaker.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. ROBERTS. I am delighted to yield to the gentleman from Louisiana.

Mr. BOGGS. I should like to join in the statements made by the gentleman from Texas and the distinguished Speaker of the House of Representatives.

Mrs. Bartley was indeed a lovely lady, one whom Mrs. Boggs and I had the pleasure of knowing for a great many years. I am saddened beyond words to hear of her passing.

I am saddened to know of the passing of any member of the Rayburn family. It is a very great family.

I know the gentleman in the well, Mr. Roberts, has been proud to have been associated so closely and so intimately with Speaker Rayburn and the other members of the family.

I join Speaker McCormack in expressing to her family our heartfelt sympathy.

Mr. ROBERTS. I thank the distinguished gentleman from Louisiana.

Mr. Speaker, the funeral will be at 10 o'clock Saturday morning.

PRESIDIO "MUTINY" TRIALS: A TEST OF MILITARY RULES AND JUSTICE

(Mr. BINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BINGHAM. Mr. Speaker, recent coverage of the naval inquiry into the capture of the U.S.S. *Pueblo* greatly overshadowed equally important proceedings taking place concurrently in California involving military rules of conduct and the civil rights of American men in uniform. I refer, of course, to the trial and sentencing of the first four of 27 American soldiers accused of "mutiny" for taking part in a sitdown protest against the shooting of a fellow prisoner and what they considered intolerable living conditions at the Presidio stockade.

The sentence meted out to Pvt. Nesrey D. Sood, the first of the accused to complete trial, was 15 years at hard labor, forfeiture of all pay, and eventual dishonorable discharge. Three other men have subsequently also been convicted, and have received sentences ranging from 16 to 4 years at hard labor, dishonorable discharge, and forfeiture of pay.

In view of the nonviolent nature of the protest and other factors, these sentences appear almost incredibly harsh. It is difficult to imagine that these men are not being used by the Army as "examples" to deter any further protest behavior of this kind by members of the Armed Forces.

The United Nations declared 1968 as the International Year for Human Rights, but our efforts to insure basic human rights whenever and wherever they may be in danger must not be allowed to wane with the passing of 1968. Few areas of American life pose greater potential for denial of basic human rights than the Armed Forces, and there is particularly pressing need to continue to seek and expand protections for the human rights of the man in uniform.

The Congress last year made some long overdue changes in the system of military justice expanding the rights of defendants in military cases. Presumably the attorneys for Private Sood and other men will not fail to appeal the decisions to the civilian Court of Military Appeals, and I hope that the court of appeals will take special efforts to reassess not only the question of guilt or innocence, but also the appropriateness of the sentences.

Additional trials and possible sentencing of men accused of participation in the Presidio sit-down deserve to be carefully watched by Members of Congress as indices of whether we have adequately "civilianized" our system of military justice, and whether we have yet provided adequate safeguards for the human rights of our men in uniform. I hope my colleagues in the Congress will join with me in a continuing evaluation of the rules of conduct involved in this case, and the appropriateness of the sentences handed out at both original and appeals levels.

CONTINUED VIOLENCE AGAINST SOUTH VIETNAM

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, President Nixon last night warned North Vietnam that the United States would not tolerate a continuation of the violence against the cities in South Vietnam that led to "heavy casualties among American troops." The President carefully avoided commitment to any specific course of action, saying only that he would very soon decide on "an appropriate response."

It is certainly deplorable, Mr. Speaker, that the other side in Vietnam has chosen to undertake this latest round of attacks, which have cost the lives of many innocent Vietnamese civilians as well as of American troops. The President's concern at the continuing high rate of American casualties is certainly shared throughout the Nation. Since the Paris peace talks technically opened on May 10 of last year, over 9,000 American soldiers have died in Vietnam and over 30,000 have been wounded. The 300-plus deaths in battle last week in the wake of North Vietnamese-Vietcong offensive sounded a particularly tragic note.

In the face of this situation, and of these appalling statistics, it is tempting to suggest that the appropriate response lies in a stepped-up American military effort. This has been the standard response of our policymakers for 5 years. If we will just put in a few thousand more American troops, they told us time and again, we can win on the battlefield. Or if we bomb the North. Or if we adopt more aggressive search-and-destroy tactics. Or if we introduce new weapons systems. There has always been a military panacea dangled before our eyes. And since we are, as a nation, impatient with the inconclusive, we have been all too ready to succumb to the allure of a quick solution supposedly attainable through direct action.

But it has not worked. Neither the troops, nor the bombing of the North, nor the new weapons and new tactics have succeeded in producing a military resolution of the dismal conflict in which we are so deeply mired. When President Johnson halted the bombing of North Vietnam, we were first given reason to hope that the lesson had finally been learned by our policymakers. Finally, it seemed, we were prepared to admit officially what a number of us had been saying for some time—that only a political solution could end this war, and that such a solution could only be achieved by gradually scaling down both the overall level of the fighting and, most importantly, the level of American participation.

Mr. Speaker, I do not wish at this point to go into the overall effects of the South Vietnamese political, economic, and social structure which have flowed from the massive American presence in that shattered country. Suffice it to say that those effects have not been entirely beneficial. My concern today is with the international consequences of our presence there as they relate to the prospects for solution and to the choices which presently confront President Nixon.

I still believe, as I have said on many previous occasions, that we must shift more of the responsibility both for the war and for the political future of South Vietnam to the Vietnamese themselves. For in the end, it is among Vietnamese—Saigon, Hanoi, NLF, and other groups which constitute a significant part of the South Vietnamese population—that the fate of Vietnam must, and will, be settled. Only when these elements become engaged in negotiating the political future can we look with any real hope to eventual settlement of the conflict. Meanwhile, our presence in force in South Vietnam is a prop to the present government in Saigon and, at the same time, an obstacle to the kind of Vietnamese bargaining process from which a final settlement must emerge. Our massive military force is also a sore temptation to our own commanders, who often seem to believe their own arguments that military solution is still possible. Even before the latest North Vietnamese-Vietcong offensive, for example, our forces were suffering about 200 deaths each week, a rate which suggests a fairly high level of American military activity, even though the other side was initiating little fighting. Indeed, reliable reports indicate that we did, in fact, substantially step up our operations in the area around Saigon, using for this purpose forces released from the corps areas farther north by the general diminution in fighting there. Which should they be judged the initial offensive, and which the response?

Thus, I would urge the President not to permit the latest North Vietnamese-Vietcong actions to divert us from the course we have been pursuing—solution in Vietnam through negotiations rather than through military means. For the North Vietnamese-Vietcong offensive is itself most readily explainable in the negotiating context as an effort by the other side to prove that their military credentials in the bargaining process are still intact. From the viewpoint of the other side—a viewpoint which we must always make a special effort to understand—this may have been made particularly necessary by the relatively low level of activity they maintained in recent months while we seemingly continued a high level of operations. This evident contrast was reinforced by a spate of recent reports from Saigon suggesting that we were approaching a military victory. While we cannot know for sure, it would appear logical to assume that North Vietnam and the Vietcong felt compelled to demonstrate once again that they retain a substantial capability for offensive action, and that military victory is still effectively precluded as a rational goal for our side.

In consequence, we should intensify our efforts to make the negotiating process more fruitful. As I have suggested, the most useful American contribution at this point lies not in more force, but in less force—in a scaling down of the level of the fighting and of our own participation. Specifically, I would urge that the President take four immediate steps. First, he should announce plans for withdrawal of a specified number of American troops during the coming year. Second, he should order that American troops participate in search-and-destroy operations only when these are directly concerned with the protection of American installations. Third, he should instruct our negotiators in Paris to resume serious contacts with the other side, including secret sessions which have apparently been in suspense since our team was changed nearly 2 months ago. And, fourth, consideration should be given to proposing an immediate cease-fire, continuation of which would be contingent on its observance by both sides, since this is the only course that can substantially reduce the casualties which are of such deep concern to all of us.

Beyond these first steps, as I noted earlier, we must move the entire subject matter of negotiations more directly into the area of ultimate political settlement, which Saigon has so far refused to discuss. Here, "compromise" will be the key word; it is also the sticking point for our allies in Saigon. Inevitably, the position of those presently holding the reins of government in South Vietnam will be threatened by any compromise solution. Equally inevitably, they can be expected to resist our efforts to achieve such an outcome. It is unreasonable to expect that we can satisfy the current South Vietnamese Government as we pursue our search for a negotiated solution—or, indeed, that we should feel bound to do so. Recent calls by Vice President Ky for resumed bombing of the north clearly indicate the kind of approach he would like to follow. But, as we have learned from our own sad experience, this road leads only to a dead end. We must, therefore, stand firm, and refuse to grant Saigon a veto power over our efforts to achieve the negotiated settlement which alone can lead us to peace in Vietnam.

TRIBUTE TO THE LATE LEVI ESHKOL

(Mr. ANDERSON of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDERSON of California. Mr. Speaker, I rise today to join in mourning the passing of Levi Eshkol, the Prime Minister of Israel. Mr. Eshkol has led his nation since 1963 for almost one-third of her life. Before that he had served in the Israel Cabinet as Finance Minister and as Agriculture Minister. His term as Prime Minister saw the fruition of his economic planning and the stability of the Israel economy.

Prime Minister Eshkol, the third in the history of Israel, was known as a man who could draw together dissident factions within his party and his nation with the voice of reason and conciliation. During his term, the State of Israel moved forward with the deliberate stride of a nation with the determination to achieve the highest possible goals.

Levi Eshkol was, in many ways, the embodiment of the modern Israel. He immigrated to Israel in 1913 from his native Russia and became a farmer in a kibutz, which he founded. An early member of the labor movement, he continued to remain active in union and labor affairs throughout his life, as a member of the Israel Labor Party, known as Mapai, in the Knesset, and as a Minister in the Government.

His ties with the workers and farmers made him a true representative of the people of Israel. Like all Israelis, he was actively involved in the struggle for independence in 1947–48 and was one of the organizers of the Israel defense forces which have so brilliantly defended that valiant nation three times in the 20-year history of Israel statehood. The nation he saw grow and mature became a home for the downtrodden of Europe and the homeless Jews of Africa and Asia.

Levi Eshkol's dedication to his country and his people shall serve as a living inspiration not only for the leaders of Israel but also for the leaders of other nations who are striving to make their countries free, independent and strong. The loss of this great statesman shall be sorely felt in Israel and shared by free men and nations throughout the world.

PAN-AMERICAN DAY CELEBRATION

Mr. FASCELL. Mr. Speaker, I offer a resolution (H. Res. 295) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 295

Resolved, That the House of Representatives hereby designates Monday, April 14, 1969, for the celebration of Pan-American Day, on which day, after the reading of the Journal, remarks appropriate to such occasion may occur.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE OIL COMPANIES ARE A FOURTH LEVEL OF GOVERNMENT

(Mr. PODELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, today it has been announced that the Justice Department would allow the merger of Atlantic-Richfield Oil Co. and Sinclair Oil Corp., the 10th and 11th largest oil companies, respectively, in the United States. The new firm founded will be the country's sixth largest oil company. A civil antitrust suit is theoretically kept alive because the Justice Department continues to oppose Atlantic-Richfield's acquisition of Sinclair's crude oil refineries and its marketing system in the Midwest and Rocky Mountain States. Yet to all intents and purposes, this merger will now become an established fact. Once spliced, this knot will not be undone.

So another milestone is passed, Mr. Speaker, in the formation of a fourth level of government in this Nation. The oil companies have tightened the noose another notch that they have so securely placed around the neck of the American public.

On all levels these colossal petroleum companies have thrown a shadow across the life of the Nation and the world. Through the 27½-percent oil depletion allowance, they are making a mockery out of the Nation's tax system, fastening an ever-increasing burden upon the lower and middle income taxpayer.

They drill for oil anywhere they choose to, disregarding the beauty of our land and the balance of our environment. The disaster that even now continues in the Santa Barbara Channel off the California coast is but the latest atrocity perpetrated upon the ecology of America.

They have an economic hammerlock upon the cost of energy in most areas of the country, prohibiting the entry of any new source of fuel that might lower prices even the slightest amount for the average person who drives. Blockage of the free trade zone in Maine at Machiasport is only the most recent and classic example. Now, after one administration had filed an antitrust suit to block a merger which tightens and consolidates their death grip, the present administration allows that merger to gain de facto recognition. Of course the oil industry gains, and its profits will again soar. Only the people lose. Only the drivers of cars and commuters will be the poorer for this.

Mr. Speaker, I protest the action of the Justice Department in allowing this fait accompli by the oil companies involved. It would be fascinating indeed to find out how much each of these companies paid in taxes over the past few years. It would be revealing in the extreme to discover what fair share they have paid into the National Treasury to merit such consideration as they have now received.

Too much power and wealth are being concentrated in too many hands. Too many powerful hands have too many strategic grips upon the windpipe of hundreds of millions of Americans.

MORE ON THE F-111

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, in the

Congressional Record of February 20, 1969, as an extension of remarks, I took occasion to express my views on the F–111 aircraft. My remarks were prompted by the announcement in the Washington Post on February 14, 1969, that the 11th F–111 had crashed somewhere in the Nevada area.

This morning's Washington Post announced the loss of yet another F–111. By letter of February 24, 1969, my distinguished colleague from Texas's 12th Congressional District replied to my remarks, and also inserted his reply in the Congressional Record of that date.

In response to his letter I have now spelled out my views more fully in a letter to the distinguished gentleman from Texas so that the Record will be complete. I am inserting my remarks as an extension of these remarks.

My letter to our distinguished colleague follows:

Hon. Jim Wright,
U.S. House of Representatives,
Washington, D.C.

Dear Jim: Your letter of February 24th concerning the F–111 aircraft is greatly appreciated. From the facts cited, I gather that you draw two basic conclusions: first, that compared to the experience with other fighter aircraft, the comparative accident record of the F–111 is not unfavorable; and second, that based on the testimony of the pilots who have flown the F-111, it has proven to be an outstanding aircraft.

Let me assure you that I am not unmindful of either the statistical information you have provided or the enthusiastic reports on the aircraft by those associated with the program. The trade literature has been replete with material of this kind, much of which has found its way into the *Congressional Record.*

In looking at the accident record of the F–111 it is necessary to go beyond the comparative statistics and examine the causes in detail. You are certainly familiar with this whole story (so admirably summarized by Senator McClellan in the *Congressional Record* of September 27, 1968), and I will not repeat it here. Let me only say that so far as I can determine, only one of these losses has been due to pilot error. Others are attributable to such causes as: "structural failure of speed brake; weapons bay gun caused fire; control lost due to jamming by sealant tube or to broken actuator rod; failure in the control system." Potentially, of course, the most serious defect showed up during a fatigue test in August 1968 when a crack developed in the steel fitting which sustains the movable wings, a finding which led to the temporary grounding of all F–111's pending further investigation.

No one can say whether this potentially critical weakness in the F–111 might have been obviated if the civilian leadership in the Department of Defense had followed the recommendation of the Air Force Source Selection Board which would have provided a titanium fitting for this purpose, a recommendation subsequently concurred in by all the senior Air Force and Navy officers involved in the source selection. In overriding the recommendation of the Air Force Selection Board, it was argued, *inter alia,* that the use of titanium for this purpose represented an unacceptable technological risk. The same was said with respect to the proposed use of thrust reversers in the rejected design. Yet both of these developments were subsequently proven out.

Little purpose would be served by reciting here the whole sorry history of this misbegotten aircraft. The "Sad Story of the TFX" has been set forth on frequent occasion over the course of the past 5 years, with the speech, under that title, by Senator Curtis in the *Congressional Record* of October 3, 1968 being the most recent example. Let me only note that in assessing blame for this fiasco, there is no need to point the finger at any particular source; there is plenty to go around. From the deferral by the Eisenhower Administration of the original TFX program proposed by the Air Force in April 1960; through the decision to enforce "commonality" in an Air Force and Navy fighter, and disallowal of the Navy's proposed Missileer for fleet air defense; through the source selection process which reflected a management philosophy which placed too much emphasis on cost and too little emphasis on performance; to the situation we find today, in which a former Secretary of the Air Force, Senator Symington, has suggested in a speech carried in the *Congressional Record* of October 8, 1968 that serious consideration should be given to cancelling the entire F–111 program;—this entire history can only lead one to the conclusion that something is wrong in the way we are handling the development and production of military aircraft.

Let me only say for myself that I have absolutely no doubt that if the original 1960 Air Force and Navy proposals to develop the TFX and the Missileer had been approved, we would be far better off on all counts than we are today. We would have had superior aircraft, at an earlier time, and at less cost; and we would have been able to buy more of them. It seems inexcusable to me that we should fritter away precious development leadtime through managerial ineptitude at the same time that we pay lip-service to the importance of staying ahead in the technological race. The advances made by the Soviet Union in new aircraft during this period that the United States has been bogged down in the F–111 must be of concern to all of us, with Senator Symington again leading the way in pointing out the dimensions of the predicament in which we find ourselves.

Nor do I intend to explore at length your favorable assessment of the F–111 based on the testimonials of the men who have flown the aircraft. I am not at all surprised that these men would be enthusiastic about the plane, or that Senators Cannon, Muskie, and Goldwater, and Congressman Robert Price and yourself should be impressed with their testimony. The only thing that would have surprised me is if they had not been enthusiastic. No one questions the proposition that the F–111 has many characteristics that represent a marked advance over other fighters for the deep interdiction role under all conditions of visibility. But as suggested above, there is likewise no doubt in my mind that the state of the art would be even more advanced today, and operational capabilities would be greater, had we pursued other paths of development.

I would remind you also that it is hardly to be expected that the Air Force would wish to convey any impression other than a favorable one toward the F–111. "What else is there to buy?" For the present, it is either the F–111 or nothing. This same disposition was previously demonstrated in Congressional testimony by the Navy prior to cancellation of the F–111B, despite the known Navy objections to the program during the entire course of its development. I would fully expect that Air Force witnesses would do likewise during the upcoming hearings, and I need not tell you that it is sometimes necessary to evaluate such testimony in the light of the known constraints under which officials of the executive branch are required to testify. In this connection, I would call your attention to the *Congressional Quarterly* of February 16, 1968, in which it is reported that the Air Force was under instructions, according to a Defense Department source, "not to bad mouth the F–111A, probably because of the Air Force's responsibility for the basic design of the over-all F–111 system and (Air Force Secretary Harold) Brown's role in pushing the proposal through the Defense Department. There's a lot of discontent about the Air Force plane that you just won't hear in public."

Just a final word in connection with the culpability of the contractor in the case of the F–111. Because a judgment of this kind is essentially a subjective matter, pursuing the question further would serve little purpose. I have no doubt that you have read the article that appeared in the September 30, 1968 issue of *Barron's* entitled, "General Dynamics Owes the Nation an Accounting." The essential conclusion of the article was that "by brazenly overselling the virtues of the airplane to shareholders as well as to the U.S. public, and by ignoring its palpable defects, corporate management may have overstepped not merely the bounds of propriety but also the confines of the federal securities laws." In inserting the article in the *Congressional Record* of October 7, 1968, Senator Symington expressed his agreement.

In this reply I have taken occasion to refer to certain members of the United States Senate. As you are well aware, others, in both Houses, who have opposed the F–111 since its inception could have been cited. While I recognize your own great personal interest in this matter (witness your many insertions in the *Congressional Record* through the years of material reflecting favorably on the F–111), I am sure you would not want to leave the impression that the many distinguished Senators who have opposed the F–111 have done so because—to use your expression—they are "headline-hungry politicians." Their concern for national security is no less genuine than your own, and I assume that you had no intention of suggesting that opposition to the F–111 is politically motivated.

Normally, I would consider a letter such as this to be a completely personal matter. However, inasmuch as you saw fit to insert your letter to me in the *Congressional Record,* I am doing likewise so that the exchange will be complete. It would be my hope that this exposition of our differing views may help to throw further light on the issues involved in the F–111 so that the Congress and the public may be in a better position to judge the correct course for the future.

In view of the foregoing, I feel that there is no need for me to retract my prior statement although should I be convinced to the contrary I will be most happy to do so.

With all best wishes,
Sincerely,
Bertram L. Podell,
Member of Congress.

PODELL CALLS FOR ABOLITION OF HUAC'S SUCCESSOR COMMITTEE—HOUSE COMMITTEE ON INTERNAL SECURITY

(Mr. PODELL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, I have today introduced a resolution to abolish the House Committee on Internal Security as I was unable to get the floor to submit this resolution on February 18, 1969, when the fate of the former House Un-American Activities Committee was being debated. My reasons, Mr. Speaker, for seeking to abolish HUAC's successor—

House Committee on Internal Security—are as follows:

My reasons derive from the very character of our Government. Congress has the duty to establish by law an order of rights and of obligations corresponding to those rights. The executive branch has the duty to enforce obligations by apprehending and prosecuting those who violate the rights of others. The judiciary has the duty to protect rights by determining in the light of known, standing laws whether violations of rights have occurred and by imposing penalties on those guilty of violating the rights of others.

Our Constitution carefully separates the legislative, executive, and judicial powers to insure that people will be governed impartially by laws of a general character. The separation of powers is meant to guarantee that people are secured in their rights against arbitrary abuse of power. In No. 47 of the Federalist, James Madison declared:

> The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny.

Our legal order of rights and duties must be maintained ultimately not by force primarily but by the people's consensus regarding the nature of rights. It is precisely against this consensus among the American people that the Communists aim their attack in order to bring people to see things differently and thereby to give rise to what they call "revolutionary consciousness."

The Un-American Activities Committee from its beginning sought to counterattack by exposing Communist propaganda activities. It strengthened itself for the counterattack by taking over powers which are executive and judicial. The Internal Security Committee which replaces HUAC is sure to do the same.

The committee seeks to absolve itself of the charge that it concentrates legislative, executive, and judicial powers in its own hands by disclaiming any purpose of punishing individuals. It claims only the purpose of exposing subversive activities. It has, in fact, punished many individuals. It has punished them by causing them to suffer community rejection and loss of jobs. Nor is the committee justified by the fact that one or several or all of the individuals punished may have been Communists. It is not the function of Congress to punish anyone. The Constitution forbids legislative punishment—punishment by a so-called bill of attainder. Nor is anyone to be penalized except for violating a general, standing law. The committee exercises its subpena power to compel the appearance of individuals in order, it says, to gage the need for additional internal security legislation; it, therefore, compels individuals to appear before it without reference to any existing statute, that is to say, arbitrarily. Arbitrary, legislative punishment subverts our Constitution—the separation of powers and the Bill of Rights—and it could not be an effective defense against internal subversion from other quarters.

Congress has provided the Justice Department and the Federal courts with legislation such as the Espionage and Sabotage Act and the Atomic Energy Act adequate to maintain our internal security. The Attorney General has necessary authority to proceed on the basis of standing law against anyone who acts overtly to destroy the United States. And the Federal Bureau of Investigation has authority to investigate espionage, sabotage, and other subversive acts against the United States.

The chairman of the Internal Security Committee stated a few days ago that he intends "to make a study of revolutionary violence within this Nation," and that the committee intends to investigate Students for a Democratic Society. The committee will not be performing any service that the FBI is not performing better and in a fully lawful manner. In discussing the 1961 FBI appropriation last year before a House subcommittee, Director J. Edgar Hoover said that the Bureau was zeroed in on the following kinds of activities and groups, among others: the Communist Party, U.S.A.; demonstrations protesting U.S. intervention in Vietnam; Students for a Democratic Society; the WEB DuBois Clubs of America; white hate groups; Klan-type organizations; the Minutemen; militant black nationalist groups; racial disturbances; and espionage.

Last summer, Mr. Hoover reported to Attorney General Clark about what went on at an SDS convention at East Lansing, Mich. Speaking of a closed-door workshop, Mr. Hoover said:

> The participants discussed various devices which might be developed for use in planned attacks on Selective Service facilities and in connection with other forms of violent demonstrations. They explored the use of combustible materials and the various types of bombs which could be devised to destroy communications and plumbing systems of strategic buildings.
>
> They even discussed the finer points of firing Molotov cocktails from shotguns, as well as similar forms of so-called defense measures which could be used in defiance of police action.

On the record, it seems to me that the FBI is well able to keep our Government informed about threats to our internal security.

But the Committee on Internal Security is incapable of defending us against the Communist assault on the consensus of the American people regarding the nature of rights. This consensus is the ultimate support of our Constitution and of our legal order. It has its existence in the minds of the people. We do better, I believe, to place our confidence in people's sense of values than in a legislative commmittee that seeks to make itself into prosecutor, judge, and jury. Speaking of the separation of powers, George Washington wrote to the Marquis de Lafayette:

> That these Powers . . . are so distributed among the Legislative, Executive, and Judicial Branches, into which the general Government is arranged, that it can never be in danger of degenerating into a monarchy, an oligarchy, an aristocracy, or any other despotic or oppressive form, so long as there shall remain any virtue in the body of the People.

THE SAGA OF KLEINDIENST'S STOPWATCH

(Mr. DINGELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DINGELL. Mr. Speaker, so far this month at the Department of Justice things have broken about even. They have lost a major petroleum merger case, but have gained a new time recording system. It is not clear which of these is the more appalling; but since I will have extensive remarks in the near future concerning the Atlantic-Richfield-Sinclair merger suit, I will, at this time, confine my remarks to an analysis of the handiwork of Deputy Attorney General Richard G. Kleindienst, the new stopwatch approach to measuring productivity of professional personnel.

Mr. Kleindienst has circulated a memorandum to each of the attorneys employed by the Department of Justice requiring them to report their activities by 12-minute segments. Attached to the memorandum is a 10-page document entitled "Instructions for Preparation of Time Sheets," a form denominated "Department of Justice Deck Sheet," a second form denominated "Department of Justice Attorneys Daily Time Summary," three pages entitled "Division and Subunit Code Sheet," one page entitled "Civil Cause and Action Codes," and seven pages of "Activities Dictionary."

Mr. Kleindienst's master plan for achieving greater efficiency is both complex and ingenious. It would require each attorney to write down the "case matter" or other items for which he had spent each 12 minutes of his day. A separate computation is to be made for matters taking less than 12 minutes, which Mr. Kleindienst calls "de minimis time" and in his instructions he recommends—

> That you keep a tally of such items on your desk sheet, and enter the total in the de minimis time box recorded in hours and tenths; i.e., 1½ hours is 01.5, 2 hours is 02.0, 24 minutes is 00.4, etc.

On the identification of what the individual lawyer is doing, Mr. Kleindienst's instructions, while voluminous, seem to me to be of limited comprehensibility, which is to say, I cannot tell what the gentleman is talking about. Consider, if you will, the following: There is a five-digit identification for the division and subunit in which the attorney is employed, a two-digit identification system for the type of litigation on which the attorney is working and a seven-page list of three-digit codes showing the precise nature of the activity such as "correspondence—legal," and "requesting, guiding, and directing investigations."

Despite the use of 10 digits of identification, there still appears to be a certain amount of ambiguity in such items as No. 931, "Special assignments" and No. 972, "Processing routine cases and/or matters." Again, it is not clear what distinguishes No. 202, "Conducting own investigation activities" and No. 921, "Conducting own investigations." It is difficult to be critical of the drafter of the list as he has evidently made a sincere effort to be helpful to the members of the bar employed by the Department of Justice. As an example, in item No. 307, "Preparation of pleadings," the accompanying parenthetical material helpfully points out that pleadings means complaints, answers, indictments, and so forth.

Frankly, while I commend the inclusion of this item, I must say that it would appear to raise some questions about the personnel policies of the Department. I would have hoped that it was entirely unnecessary to point out to the distinguished practitioners at the Department the meaning of the word pleadings. Let me add that I am not being critical of the competence of the Department of Justice lawyers—quite the contrary; I feel that we are most fortunate in having dedicated and expert lawyers serving us in the Department of Justice.

Frankly, it seems to me that this is the sort of situation to which one could easily take affront were it not so comical. Mr. Kleindienst's memorandum is said to apply to all Justice Department attorneys, including himself and the Assistant Attorneys General. He apparently did not have the temerity to include Attorney General Mitchell in his definition of "all," even though the memorandum did underline the word.

Many portions of the instructions are clearly eligible for an award for excellence in bureaucratise, which is to say, utter turgidity. Consider the following:

> In breaking down your day's work into reportable units, if you work on different matters, cases, and non-case oriented or mass case handling activities during the day, report each and enter the activity and time. If on the other hand you are performing like activities for different cases and matters of an identical type, and there are eight or less, report them separately, but if there are between nine and 36, list the proper identifying numbers in an uninterrupted series. If there are over 36, call the function a mass-case handling function.

In terms of practical application, this stopwatch approach to greater efficiency from professional staff members, the mind boggles. While the presence of Mr. Kleindienst inter alia would make it difficult to commend the White House on the outstanding nature of all its appointments, still one must concede that there have, indeed, been thoroughly outstanding individuals named to some key positions. One such example is Assistant Attorney General for Antitrust Richard McClaren. Consider, if you will, our Mr. McClaren ensconced at his duly impressive subcabinet desk analyzing the proposed merger of the U.S. Widget and the General Snooze Corp.—applying, as his position requires him to do, the rather involved criteria of section 7 of the Clayton Act, considering the various, allegedly anticompetitive factors involved in the merger and all the myriad, relevant aspects which will affect the economic future and industrial destiny of thousands of people and millions of dollars.

Assistant Attorney General McClaren, to this point, is in compliance with "Instructions for Preparation of Time Sheets," pursuant to Mr. Kleindienst's instructions, he has identified the activity he is performing on the appropriate time line in the form that the Deputy Attorney General has thoughtfully provided for that purpose. He, likewise, has indicated here the nature of the activities by the dictionary's code. This took some thought, of course, since it was not clear whether he was "Requesting, guiding and directing investigation," item 201; "Conducting own investigation activities," item 202; or performing item 203, "Review and analysis of investigation reports." Further, as the day wore on, Mr. McClaren noted that he seemed to be both "Reviewing work performed by U.S. attorneys," item 110; and work "Performed by or in legal divisions and offices," item 111. Furthermore, there was a doubt in his mind as to whether perhaps what he was really doing was item 306, "Researching, analyzing legal-factual problems and developing solutions."

You can imagine the mounting consternation encountered by Mr. McClaren as he slowly realized that if he were to stay in compliance with the memorandum as he "performed some other activities on the same item," he was to add them. What was worse, he discovered that when he stopped working on that item and was interrupted, as the telephone seemed to do, from time to time—item 103, "Extended telephone contact—legal"—he was required to note the time this took place and "draw a vertical line down through the appropriate column to the appropriate time line." He then discovered that he had to identify the next item on which he had started working in the same manner. Only because of Mr. McClaren's substantial intellectual capacity, was he able to devote as much time to the problems of U.S. Widget as he was to Mr. Kleindienst's timetable. I think he deserves all our commendations.

If this is an economy move, or an attempt to attain greater efficiency, this, too, presents some interesting problems. There are currently employed by the Department of Justice 2,076 attorneys—as of January 27, 1969—the Department gives me the figure of $16,500 as its best estimate of the average annual salary. For a 50-week year, this is $330 a week. A 5-day week brings this to a daily pay of $8.25 an hour. It will, Mr. Kleindienst assures us, take not in excess of 15 minutes a day to fill out the form. I am informed by a number of those who will have to do the reporting that half an hour understates the time involved. But, in the sense of charity one should exhibit when dealing with a new administration, let us accept for the purpose of computation Mr. Kliendienst's figure. The wage for 15 minutes is $2.06. This multiplied by the number of employees, 2,076, gives a daily cost of $4,276.56. The weekly cost would be five times that or $21,382.80. The annual cost would be 52 times this or $1,111,905.60 unless, of course, one prefers to accept the estimate of those employees who say it would be double this or $2,223,811.20.

Nor is this the limit of the enormity of the Department of Justice turning itself into some sort of time-study analysis apparatus. If there are to be mounds of reporting forms, 2,076 each day, clearly then someone at the highest level must read them. It is unthinkable that one would require an Assistant Attorney General to complete a form which would be analyzed by a GS-7. Thus, one may anticipate in the near future an Office of Time Research or, perhaps logically, an Assistant Attorney General for Personnel Timekeeping Practices.

The vast number of vital problems facing our society today—it is, I think, clear that the very able lawyers employed by the Department of Justice can best serve our people if they are not burdened with this type of sophomoric nonsense. If there are a few incompetent or unproductive attorneys on the staff—fire them—do not burden the entire agency in this manner.

If Mr. Kleindienst and his colleagues will provide the leadership, the imagination, and the flexibility demanded by our present circumstances, they will, I am sure, discover, in short order, that their loyal employees will rise to the occasion.

Mr. Speaker, because of its importance and interest to the Members of the House, I place the "Instructions for Preparation of Time Sheets" and the accompanying documents in the RECORD following my remarks, together with two articles on this subject from the Washington Post of March 2 and March 5:

INSTRUCTIONS FOR PREPARATION OF TIME SHEETS

I. TIME RECORDING DESK SHEET

Use of this form is optional but is recommended for the purpose of accuracy. If you can record all required time in your Attorneys Daily Time Summary Sheets without using this form, please disregard it.

When you start working on a case, matter or other item, identify the item on the appropriate time line and indicate the activity you perform in the column provided for that purpose. Activity must be indicated here either by dictionary code or verbal description. If you perform some other activities on the same item, please add them. When you stop working on this item or are interrupted, note the time this takes place and draw a vertical line down through the first column to the appropriate time line. Then identify the next item you start working on in the same manner. Similarly identify the activity and repeat the process throughout the day, keeping track of your time as you go.

If you are working outside of your office or where you do not have the desk sheet available enter such time and activities when you return. Note the times you take leave or perform functions which are classified as de minimis time (which will be defined later on). If you do any work in hours other than the hours indicated on the desk sheet, enter that information in the spaces provided at the bottom of the sheet. At the end of the day, using this sheet as an information source, as well as your daily diary, case files, tickler cards, or other materials you use, complete the Daily Time Summary. Summarize all time so that there is only one line taken on the Daily Time Summary for each item. When your Daily Time Summary is prepared, destroy the desk sheet.

II. ATTORNEY'S DAILY TIME SUMMARY

The following instructions are geared to the various reporting boxes and columns on this form:

1. *Attorney's Name.*—Last name first.
2. *Attorney's Identification Number.*—enter the 6 digit number which is your Employee Identification Number for payroll purposes. It is on the Statement of Earnings which accompanies each pay check.
3. *Organization.*—Enter the 3 digit code which indicates your Division. In the next box for sub-unit, enter the code indicating same. Leave the District box blank. Codes are on an attached sheet.
4. *Date.*—Enter the year, month and day in that order. February 25, 1969 is written as : 69 : 02 : 25 :

5. *Page.*—Enter a 1 in the page box if your daily time record is a single sheet. If more sheets are needed, number them in consecutive order as each page is begun. Staple multiple sheets together.

6. *Leave Time.*—If you take either annual or sick leave during any day when you are working, enter the time in the appropriate box. If you take leave of either type for an entire day or longer, instruct your secretary, or the stenographer who handles your typing, to enter the information at the top of the sheet and put 8 hours of leave time in the leave box. All leave is to be recorded in whole hours and entered with a decimal preceding the last zero. 2 Hours, is 02.0, 4 hours is 04.0, ten hours is 10.0, etc.

7. *De Minimis Time.*—These are minor interruptions or minor functions which if recorded as time applied to cases or matters would result in an excessive amount of recording of minor items. Such things as a short telephone call, checking a citation, looking up a name in Martindale, or another lawyer coming in for a short discussion of one of his cases are in this category. As to time, the general rule to apply is anything of less than 12 minutes duration is de minimis time. It is recommended that you keep a tally of such items on your desk sheet, and enter the total in the de minimis time box recorded in hours and tenths; i.e., 1½ hours is 0.15, 2 hours is 02.0, 24 minutes is 00.4, etc.

8. *Identification Column.*—On each case and/or matter, if it has come in from the field and is identified by a complaint number if criminal, or a claim number if civil, identify it by that number. If the file is identified only by a DJ File Number, enter that. If there is a choice, enter the complaint or claim number. If the activity is oriented to a specific case or matter and there is no identifying number to use, please indicate that on the back of your timesheet and put a checkmark in the "Remarks" column.

Whatever number is used, the first digit must be written in the column farthest to the left so that all empty spaces in the column are to the right of number: 39745 is written

3	9	7	4	5					

If the activity is either non-case oriented or mass-case oriented, simply draw a horizontal line across this column in the space in which the time and activity is entered. A non-case oriented function is one such as doing general research on a subject, making legislative recommendations, performing administrative functions, or training other attorneys. A mass-case oriented function, on the other hand, is one such as reviewing each day a large number of civil cases which are being handled in the field, or handling a large group of similar cases or matters such as Section 2410 Tax liens, or small civil claims, or reviewing groups of foreclosures on private homes. The dictionary of activities which is provided lists non-case oriented and mass-case oriented functions, all of which are coded with a 3 digit code beginning with nine, which go into the activity column. As a general rule, if you are working on groups of cases like this at a rate so that over 36 would be handled in an 8 hour day, call the function a mass-case handling function. As work is done on differing individual cases and matters where the work is in excess of 12 minutes duration, the case or matter is to be identified by number and the time and activity filled in on each. However, there is a middle ground between these two situations. An attorney could be processing Dyer Act cases and find that no single one takes up a great deal of time. If on his desk sheet at the end of the day he finds that he has performed essentially the same activities for each of those cases, and there were ten of them, and the total time is 2.5 hours, he is to list the complaint numbers in a series on his Summary Time Sheet and indicate the total time spent on the last line of the series.

"In breaking down your day's work into reportable units, if you work on different matters, cases, and non-case oriented or mass case handling activities during the day, report each and enter the activity and time. If on the other hand you are performing like activities for different cases and matters of an identical type, and there are eight or less report them separately, but if there are between nine and 36, list the proper identifying numbers in an uninterrupted series. If there are over 36, call the function a mass-case handling function."

9. *U.S. Code—Title—Section.*—The next two columns identify criminal cases and matters by type. Enter the Title and Section of the U.S. Code for the offense alleged, or for the most representative offense if there is more than one. Do not enter U.S. Code numbers for definition or other non-substantive sections of the Code.

10. *Civil—Cause of Action Code.*—Enter the appropriate cause of action code from the code sheet provided.

11. *Agency.*—This column applies only to cases or matters identified by Civil Cause of Action Codes 92 and 93—civil claims. It is necessary that those be further identified by referring agencies which are coded on the Civil Cause of Action code sheet. Leave this column blank for any other type of item.

12. *Type.*—In the next column please indicate whether each item which is identified by a claim, complaint or DJ file number is a case, matter, or appeal by entering a 1, 2, 3, respectively on the proper line.

13. *Line No.*—In this column enter the number of the horizontal lines on the sheet in which the entries appear in consecutive order from the top. If six items are listed whether they be cases and/or matters, non-case oriented activities, or mass case oriented activities, the respective lines would be numbered one through six. However, if on line two you should start the series of ten Dyer Act cases which took 2.5 hours described in the Identification Section, then list the ten complaint numbers on line 2 and the next nine lines, and on each of the lines on which a complaint number of the series appears enter the number 2 in the line number column. Enter the time spent on the series and the activity on the line on which the series ends. Do not break up a series by other items in the time sheet. The line number for the first entry below the series is 3, the next 4, and so on.

DEPARTMENT OF JUSTICE TIME RECORDING DESK SHEET

Date ....

Time of day (10th of hour in parenthesis)	Case, matter, or other item	Activity
9:00(0)		
9:12(2)		
9:24(4)		
9:36(6)		
9:48(8)		
10:00(0)		
10:12(2)		
10:24(4)		
10:36(6)		
10:48(8)		
11:00(0)		
11:12(2)		
11:24(4)		
11:36(6)		
11:48(8)		
12:00(0)		
12:12(2)		
12:24(4)		
12:36(6)		
12:48(8)		
1:00(0)		
1:12(2)		
1:24(4)		
1:36(6)		
1:48(8)		
2:00(0)		
2:12(2)		
2:24(4)		
2:36(6)		
2:48(8)		
3:00(0)		
3:12(2)		
3:24(4)		
3:36(6)		
3:48(8)		
4:00(0)		
4:12(2)		
4:24(4)		
4:36(6)		
4:48(8)		
5:00(0)		
5:12(2)		
5:24(4)		
5:36(6)		
5:48(8)		
6:00(0)		

Use box below for work done during other hours of the day

(Enter beginning and ending time of work done on each item to nearest 10th of hour)

Time of day	Case, matter, or other item	Activity

14. *Activity.*—A dictionary of activities has been provided identified by 3 digit codes. Enter the code which exactly or substantially fits the activity you have performed. If you have performed more than one activity on the item, list additional codes on the lines below in the code column. When using additional lines for activity codes, draw a vertical

line through the identification column from the identification number of the case or matter to the line on which the last activity code for it appears. When using additional lines, be sure to skip a line before making the next item entry to prevent confusion. Non-case oriented and mass case oriented activities all begin with a code of which 9 is the first digit. Where you enter this code there should be no claim, complaint or DJ file number in the identification column. A horizontal line is to be placed in the appropriate space instead.

15. *Time.*—Enter the total time spent on each case, matter or mass case oriented or non-case oriented item in hours and tenths. Two hours and 24 minutes is entered here as 02.4. Three hours exactly is entered as 03.0. Ten hours exactly is entered as 10.0. The only exception to entering time per each item is when entering the time for identical work function recording in series.

16. *General.*—When you have completed your time sheet entries for the day, add up all of the time including leave and de minimis time and enter the total in the appropriate box at the bottom of the sheet. If it appears that this does not cover your complete day, take a few minutes to go back over your diary, the desk sheet, and your files and have your secretary review her notes to find what was omitted. Each day's time sheet will be collected by noon of the following day.

If you are in travel status, or conducting a trial or for some other reason performing functions where you do not return to your office in the evening, take some blank time sheets with you and some of the desk sheets if necessary and record the time when you have finished for the day. Bring your completed time sheets with you when you return to the office, if you are going to be out for more than 1 week, mail the completed time sheets for the week to your secretary each Friday evening. Record total time in hours to tenths; i.e., 08.2, 08.0, 10.5, etc.

17. *Travel Time.*—Report travel time under code 905 of the activity dictionary where per diem is payable whether it is caused by one or several cases or no particular case, as such time is to be reported as a separate non-case oriented activity in any event. However, time spent on short local trip or trips to nearby cities to handle a specific trial, or conduct an investigation on a specific case, should be counted as part of the indicated substantive activity. This should only be done if it is a regular part of your activities, and no per diem is paid. The same applies to waiting time in court.

18. *Remarks.*—It is understood that the dictionary as presently written may not cover all activities of all attorneys and there may be other areas where the reporting procedures established will not properly relate to the work done. In all such instances put a check mark in the remarks column and write your remarks on the back of your time sheet. We would also appreciate having any suggestions you might wish to make or observations on the entire procedure as you report your time. "Other Activity" categories and codes have deliberately been excluded from the dictionary so that areas where the dictionary might be insufficient will be pinpointed.

Because of the multiplicity of such activities please indicate in your remark recommendations of additions or changes in the dictionary whether or not the activity to be reported is frequent and recurring. Ultimately, "other activity" categories will be established but they will be limited to infrequent and non-recurring items. Also, put a large check mark in the upper left hand corner of any time sheet containing a remark and advise the clerk collecting them not to include that time sheet with others which do not contain remarks.

Your Division's administrative officer will advise you of who to contact in the Division if you have any questions.

Report 2-606

DEPARTMENT OF JUSTICE

ATTORNEYS DAILY TIME SUMMARY

Attorney name	4 Attorney ident. No. 9	Organization 10 Div. 12	Organization 13 Sub. 14	Date 15 Yr.	Date 17 Mo.	Date 19 Day	Page No. 21 22
		 Dist.					

	48 Code		50	51 Time 53		
Leave time	0	1	1			
De minimis time	0	1	0			

Identification 23 DJ File No. Complaint No. Claim No. 33	34 Criminal U.S. Code Title	36 Section 39	40 Civil Cause of Action Code 41	Agency 42 44	45 Type 1. Case 2. Mat. 3. App.	46 47 Line No.	48 50 Activity	51 53 Time	Remarks
							Total time (all types)		

Record all time in hours to the nearest tenth. 2 hours and 24 minutes is recorded 02.4. Where activity codes are used indicating non-case oriented functions or mass case processing, draw a horizontal line through the first column in the appropriate space.

DIVISION AND SUBUNIT CODE SHEET

DIVISION

035 Deputy Attorney General
131 Tax Division—Washington

See footnotes at end of table.

SUBUNIT

----
01 Deputy Assistant Attorney General—Appeals and Settlements
02 Deputy Assistant Attorney General—Criminal and General Litigation
03 Criminal
04 General Litigation [1]
05 Appellate
06 Review
07 Deputy Assistant Attorney General—Refund Litigation
08 Court of Claims
09 Administrative
10 Litigation control unit
11 Research and digest unit
12 Refund trial No. 1
13 Refund trial No. 2
14 Refund trial No. 3
15 Northern and Eastern units of litigation section
16 Southern and western units of litigation section

DIVISION AND SUBUNIT CODE SHEET—Continued

DIVISION		SUBUNIT	
132	Tax Division—Field	01	Refund trial No. 2—Fort Worth Office
141	Civil Division—Washington	01	General claims
		02	General litigation
		03	Court of claims
		04	Appellate
		05	Patent
		06	Torts
		07	Fraud
		08	Judgment and collections unit
		09	Admiralty and shipping
142	Civil Division—Field	01	Admiralty field office—New York
		02	Admiralty field office—San Francisco
		03	Customs—New York
		04	Foreign litigation unit
148	Civil Division—Office of Alien Property	------------	
151	Land and natural resources [2]	01	General litigation—water resources
		02	General litigation—other
		03	Land acquisition—title
		04	Land acquisition—condemnation
		05	Appellate—seabed resources
		06	Appellate—other
		07	Indian claims
161	Criminal division	01	Administrative
		02	Administrative Regulation Section—Immigration and Naturalization Unit
		03	Administrative Regulation Section—Selective Service Unit
		04	Appellate
		05	Fraud
		06	General crimes
		07	Legislative and special projects
		08	Narcotics and dangerous drugs
		09	Organized crime and racketeering—labor unit
		10	Organized crime and racketeering—gambling, liquor and narcotics
		11	Organized crime and racketeering—other
171	Civil rights division	01	Administrative
		02	Assistant for title VII litigation
		03	Planning and coordination
		04	Assistant for title VI litigation
		05	Eastern litigation
		06	Central litigation
		07	Northeastern litigation
		08	Southern litigation
		09	Western litigation
181	Internal security division	01	Appeals and research
		02	Criminal
		03	Registration
		04	Civil
211	Antitrust division—Washington	01	Administrative
		02	Director of Operations—Office
		03	Director of Policy Planning—Office
		04	General litigation
		05	Special litigation
		06	Special trial
		07	Trial
		08	Appellate
		09	Economic
		10	Evaluation
		11	Judgment and enforcement
		12	Foreign commerce
		13	Public counsel and legislation
212	Antitrust Division—Field	01	Chicago office
		02	Cleveland office
		03	New York office
		04	Philadelphia office
		05	Los Angeles office
		06	San Francisco office
021	Office of Legal Cousel	------------	
055	Pardon attorney	------------	
075	Board of parole	------------	
095	Board of immigration appeals	------------	

[1] Indicates State and local unit.

[2] A small number of field personnel are included in appropriate subunits.

(NOTE.—In those instances where your subunit code has not been designated, report under the appropriate division code only.)

CIVIL CAUSE OF ACTION CODES

01 Civil penalties and forfeitures involving violations of laws relating to ship inspection and documentation

02 Civil penalties and forfeitures involving violation of laws relating to obstruction to navigation

03 Civil penalties and forfeitures involving violation of laws relating to water pollution

04 Admiralty

05 Civil penalties and forfeitures involving

violation of laws relating to ship safety
08 Contract actions, other than negotiable instruments
12 Negotiable instruments
16 Frauds—referred to U.S. Attorney by Fraud Section of the Civil Division
21 Frauds—other than above
24 Enforcement—including mandatory injunctions
26 Narcotic Addict Rehabilitation Act
28 Forfeitures
33 Lands—other than condemnation
36 Land Condemnation
40 Patent
44 Penalties
48 Tax Actions other than Lien and Foreclosure suits under Title 28 USC 2410
51 Tax Actions—Lien and Foreclosure under 28 USC 2410
55 Torts suits in which United States is plaintiff
56 Torts suits in which United States is defendant
57 Torts suits other than U.S. plaintiff/defendant
60 Veterans' matters
62 Judicial foreclosure by government
65 Claims for damage to government property other than that included in 66
66 Claims for damage to government owned ships, cargoes and other maritime property
68 Enforcement of foreign judgment
72 Habeas Corpus
75 Civil Rights Act of 1964
76 Application for Executive Clemency
81 Naturalization proceedings—other than cancellation of Naturalization suits
84 Cancellation of Naturalization
88 Miscellaneous action
91 Claims for conversion of Government property other than ships, cargoes, or other maritime property

In addition to the cause of action code, for claims coded "92" or "93" only, enter the referral agency code in "Agency" column.

92 Claims for civil penalties and forfeitures referred by
  010 Department of Agriculture
  560 Federal Communications Commission
  680 Interstate Commerce Commission
93 Claims (excluding Tort Claims) referred by
  010 Department of Agriculture
  123 Army and Air Force Exchange Service
  540 Civil Service Commission
  652 Federal Housing Administration
  620 General Accounting Office
  812 Small Business Administration
  400 Treasury
  830 Veterans' Administration
94 Mortgage foreclosure where United States is Lienor
95 Judicial foreclosure by government
97 Injunction suits under Agriculture Adjustment Act
98 Injunction suits under Packers and Stockyards Act
99 Injunction suits under Perishable Agricultural Commodities Act

ACTIVITIES DICTIONARY

I. CASE AND MATTER ORIENTED ACTIVITIES

A. General—At any stage of proceedings

Code Activity
101 Correspondence—Legal
102 Conference—Legal
103 Extended telephone contact—Legal
104 Liaison with press and civic associations
105 Liaison with "client" Federal Agencies
106 Liaison with State and local agencies
107 Interstate compacts and similar intergovernmental matters
108 Liaison—Interdivisional
109 Counseling and advice to U.S. attorneys and others
110 Review of work performed by U.S. attorneys
111 Review of work performed by or in legal divisions and offices
112 Settlement negotiations and conferences
113 Settlements—Preparation of memoranda or correspondence
114 Considering or evaluating offers in compromise
115 Preparation of reports

B. Investigative

201 Requesting, guiding, and directing investigations
202 Conducting own investigation activities
203 Review and analysis of investigation reports
204 Grand Jury investigation
205 Counseling investigators—Extradition and other activities

C. Preparation

1. Litigation Oriented Activities

301 Contact with complainants
302 Locating, selecting, and interviewing witnesses
303 Processing agency's requests for litigation
304 Processing requests for authority to dismiss indictments
305 Researching, analysing and reporting on specific points of law
306 Researching and analysing legal-factual problems and developing solutions
307 Preparation of pleadings (complaints, answers, indictments, etc.)
308 Preparation of memoranda of law
309 Preparation of trial briefs
310 Attendance at arraignments
311 Attendance at Grand Jury presentments

2. Nonlitigation Oriented Activities

320 Reviewing title evidence
321 Preparation of preliminary title opinion
322 Preparation of final title opinion

D. Pretrial and motion practice

401 Preparation of documents in support of or opposition to motions addressed to pleadings
402 Preparation of documents in support of or opposition to motions addressed to the merits
403 Argument of motion
404 Taking of depositions
405 Other discovery proceedings
406 Pretrial hearing, conference, or argument

E. Trial

501 Trial before U.S. Commissioner
502 Jury trial—Federal court
503 Nonjury trial—Federal court
504 Jury trial—State or local court
505 Nonjury trial—State or local court
506 Miscellaneous hearings
507 Preparation of documents necessary to conduct of trial (requests to charge, etc.)
508 Preparation of exceptions to Commissioner's reports and briefs
509 Preparation of exceptions—Other
510 Analysis and summarization of testimony, evidence or records

F. Posttrial motion practice

601 Preparation of documents
602 Argument

G. Postjudgment collection activities (civil judgments and fines)

701 Negotiation—Reaching agreement with debtor as to amount, method of payment, installments, etc.
702 Servicing—Time spent reviewing accounts including requests for changes in repayment conditions, contacting debtors and determining future efforts
703 Evaluation—Determine whether debts should be compromised or closed as uncollectible
704 Conduct of Supplementary proceedings against debtor, his property, or his legal interests

H. Appellate

801 Reviewing opinions of lower courts and recommending whether or not appeal should be taken
802 Preparing memoranda to the Solicitor General recommending for or against appeal to Federal or state appellate courts, for filing briefs *amicus curiae* and petitions for rehearing *en banc*
803 Preparing memoranda to the Solicitor General recommending for or against certiorari
804 Preparing petitions for writ of certiorari or jurisdictional statements
805 Preparing briefs in opposition to petitions for certiorari or motions to dismiss or affirm
806 Preparing briefs on the merits in court of appeals cases
807 Preparing briefs on the merits in state appellate court cases
808 Preparing briefs on the merits in Supreme Court cases
809 Reviewing briefs in opposition to petitions for certiorari or motions to dismiss or affirm
810 Reviewing petitions for certiorari or jurisdictional statements
811 Reviewing briefs on the merits—any court
812 Preparing or reviewing petitions for rehearings *en banc* in Court of Appeals cases
813 Preparing or reviewing any appellate documentation other than that specified above
814 Preparation for oral argument
815 Arguing appeals in any Federal appellate court
816 Arguing appeals in any State appellate court
817 Preparing responses to bail applications, requests for stays, requests for extensions of time, miscellaneous motions and other procedural steps ancillary to the appeal
818 Conferring with other offices and divisions on appellate policy positions

II. OTHER ACTIVITIES

A. Noncase oriented

1. Nonlegislative

901 General administration—Reports, budgetary functions, PPBS, Personnel, etc.
902 Supervising—Work planning, assigning and follow-up of work done by subordinate attorneys, coordinating with other sections, and other duties associated with the orderly performance of the professional staff
903 Review of and reply to citizen, congressional, White House, or other non-agency inquiries
904 Other correspondence—legal and nonlegal
905 Travel (covering periods for which per diem is payable)
906 Conferences—legal and nonlegal
907 Responding to inquiries from, maintaining liaison with, and counseling other Federal agencies
908 Analysis and comment on proposed rulings, policy positions, recommendations for prosecution, regulations, and other actions of Federal agencies
909 Advising U.S. attorneys or other Department attorneys on policy and procedure
910 Liaison with State and local agencies
911 Liaison with press, civic, and professional organizations
912 Delivering speeches and speech preparation
913 Preparation of handbooks, manuals, and other instructional or descriptive materials
914 Training attorneys and others
915 Attending training sessions
916 Professional development—keeping current with legal publications and changes in the law

917 Researching and analysing legal-factual problems and developing solutions
918 Preparation of legal memoranda, prosecutive or otherwise
919 Contact with complainants, actual or potential
920 Requesting, guiding and directing investigations
921 Conducting own investigations
922 Review and analysis of investigation reports
923 Counseling investigators and other nonattorneys
924 Interviewing, report preparation and other activities re Civil Rights Community Observation function
925 Consultation, conferences, site inspection and other activities re Civil Rights Community Counselling function
926 Preparation of formal opinions of Attorney General
927 Preparation of intra-departmental opinions
928 Preparation of informal opinions
929 Review of Executive orders, proclamations, regulations, and similar items
930 Review of departmental regulations, orders, and similar items
931 Special assignments

2. Legislative

950 Liaison with Congress, BOB and other agencies, and divisions re legislation.
951 Review of pending or proposed legislation
952 Preparation of reports on legislation
953 Appearance before committees
954 Drafting of proposed legislation and supporting materials
955 Preparation of testimony for hearings
956 Consulting with noncongressional advisory bodies

B. Mass case oriented functions

960 Conferences—Legal and procedural
961 Review of work performed by U.S. attorneys
962 Review of work performed by divisions
963 Attendance at arraignments
964 Attendance at grand jury presentments
965 Attendance at U.S. Commissioner's trials
966 Processing of unnumbered preliminary matters by subject
967 Negotiation of judgment or fine payment methods, installments, amounts, etc.
968 Servicing of judgment or fine payment accounts, contacting debtors and determining future efforts
969 Evaluation of outstanding judgments for closing as uncollectible
970 Processing section 2410 tax liens
971 Evaluating and processing requests for authority to dismiss indictments
972 Processing routine cases and/or matters (specify type by entering title and section if criminal, or cause of action if civil in proper column on timesheet.)

[From the Washington Post, Mar. 5, 1969]

Justice To Take Time To Brief Timekeepers

(By Eve Edstrom)

The Justice Department will spend 1575 attorney hours, beginning today, to explain its new system for making more efficient use of its attorneys' time.

That system—by which Justice attorneys have been told to clock themselves at 12-minute intervals—was said to involve procedures that would take less than 15 minutes of each attorney's daily time.

To explain the system, 90-minute sessions have been scheduled to brief the 1050 attorneys involved.

"That's 1575 man hours," one attorney told The Washington Post yesterday. "And each attorney earns between $8 and $10 an hour. Just figure what this ridiculous system is costing taxpayers even before it has begun."

A memorandum, announcing seven 90-minute sessions so that all attorneys can attend, was circulated yesterday and signed by Leo M. Pellerzi, assistant attorney general for administration.

Pellerzi, according to Deputy Attorney General Richard G. Kleindienst, was a chief author of the time-recording plan that Kleindienst ordered effective Monday.

But Pellerzi yesterday shied away from taking credit for the time sheet system that Sen. Sam J. Ervin (D-N.C.) has described as "nitpicking of the nittiest kind."

Pellerzi said that the plan is patterned after one that has been used by Interior Department attorneys since 1967. But an Interior spokesman said it has no elaborate 12-minute time sheets.

Pellerzi appeared piqued that news accounts about the foot-long time sheet, which breaks each day into 12-minute periods from 9 a.m. to 6 p.m., did not note that attorneys were told to "destroy" the sheets after transcribing their activities onto a summary form.

He emphasized the time sheets are not devised to evaluate an attorney's performance or to keep tabs on him. For example, he said it is recognized that some attorneys do their best thinking while "gazing out of a window."

This presumably will be recorded as time spent working on a case because the Justice Department's coded dictionary for attorney activities to be listed on the form does not include such items as window-gazing.

Pellerzi said the information gathered from the time system is needed so the Justice Department can give "creditable" information to Congress concerning the Department's needs.

But just when the Department will be able to do this was left up in the air yesterday.

Kleindienst said the coded information eventually would be fed into a computer, but the Department probably would have to ask Congress for additional money to do this. He said he recognized "no useful purpose" would be served if the time sheets wound up as so many pieces of paper in a closet.

Pellerzi said he thought Justice division budgets could absorb the cost but that it would take a few months before the system shook down and the information could be computerized.

This might not be before the summer, he said, and would not provide a fair test because legal work is affected by judicial recesses. Therefore, the next fiscal year could be six months old before any results of the plan are known.

[From the Washington Post, Mar. 2, 1969]

Justice Puts Stopwatch on Its Lawyers

(By Eve Edstrom)

Justice Department attorneys have been told to clock their work at 12-minute intervals under an elaborate time-recording plan ordered by Deputy Attorney General Richard G. Kleindienst.

The plan is attached to a memorandum carrying Kleindienst's signature. It reinforces Kleindienst's reputation as a "Mr. Tough," who was said to have made more enemies than friends when he managed President Nixon's Western regional drive for Republican Convention delegates last year.

Justice Department attorneys were incredulous Friday when they received the memorandum, ten pages of attached instructions for keeping tabs on their daily doings, a "dictionary" of 125 coded numbers to describe their activities and sample time sheets—one of which is more than a foot long.

The instructions are so complex—24 minutes is to be recorded as 00.4, or example—that one attorney said "this is the most complicated case ever assigned to me by the Department."

Kleindienst refused to discuss the memorandum with The Washington Post yesterday. In response to a query, his secretary, Trixie Landsberger, reported that Kleindienst said, "I did not authorize the release of the memorandum and prefer that it not be quoted in The Washington Post."

In the memorandum, dated last Thursday, Klendienst said, "The intention is not to use time records as a pressuring device."

Instead, he said, it is a way "to assist the individual attorney in developing a better perspective over the use of his time as relative to Department goals."

". . . The long-term effect, if time is accurately recorded, will be a relief of individual pressure through provision of adequate personnel and resources to handle our work," Kleindienst said.

But one attorney sputtered that the "long-term effect will be to drive us right out of the Department. This is an insult to our integrity."

BEGINS MARCH 10

Kleindienst said the time-recording plan would begin March 10 for all—"all" was underlined—Justice Department attorneys here including himself and the Assistant Attorneys General. The offices of U.S. Attorneys will be included at a later date, he said.

The time-recording procedures, he said, will take less than 15 minutes each day, and the daily time sheets will be collected by the following noon. Attorneys on out-of-town assignments will mail their time reports each Friday night .

The attached instructions note that there may be "minor" interruptions, such as short telephone calls, during the work day. Such interruptions are called "de minimis time"—anything that takes less than 12 minutes.

It is recognized that listing such interruptions "would result in an excessive amount of recording."

ON TIME SUMMARY

Even so, it is "recommended" that each attorney "keep a tally of such items" and then enter a total in hours and tenths—1½ hours is 01.5—in a "de minimis" time box.

That box is included on the attorney's daily time summary, which is the one to be collected by the Justice Department. But that summary is to be based on a "time-recording desk sheet" which breaks the day into 12-minute intervals, beginning at 9 a.m. and ending at 6 p.m.

Use of the 12-minute form is "optional but recommended for the purpose of accuracy." Activities performed are to be listed in the various time slots and if work is interrupted, "note the time this takes place and draw a vertical line down through the first column to the appropriate time line.

DAILY TOTAL

"Then identify the next item you start working on in the same manner," the instruction sheet says." Similarly identify the activity and repeat the process throughout the day, keeping track of your time as you go."

At the end of the day, items on the desk sheet are to be summarized so that each activity represents only one line on the form that is to be collected.

"If it appears that this does not cover your complete day, take a few minutes to go back over your diary, the desk sheet and your files and have your secretary review her notes to find what was omitted," the instructions continue.

The time summaries will include several numbers. An attorney must list his six-digit identification number. The three-digit code indicating the division for which he works and the two-digit code for the sub-unit. These code sheets are also attached to the memorandum.

In addition, the year, month and day is to be listed by number, along with numbers for criminal or civil cases and coded dictionary numbers for activities—104, for example, is liasion with press and civic associations.

If there is no identifying number for a specific matter, the attorney must note this on the back of his time sheet and place a check mark in the "remarks" column.

CONGRESSMAN HALPERN INTRODUCES LEGISLATION TO DOUBLE THE PERSONAL EXEMPTION FOR INDIVIDUAL TAXPAYERS AND THEIR DEPENDENTS

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. Halpern), is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, now that the House Ways and Means Committee is conducting full-scale hearings on the broad topic of tax reform, I am confident that many of the inequities in our existing tax system will be brought into balance.

However, I have long believed that effective tax reform must be a two-way proposition. Not only must we close loopholes and eliminate preferential treatment in our tax laws, but we must liberalize the deduction and exemption provisions for our overburdened taxpayers, as well.

Last month, I introduced a broad tax reform package designed to correct blatant inequities in existing tax laws. If this legislation were enacted, it would bring at least $15 billion additional into the Treasury, and would make unnecessary further extension of our present 10-percent surcharge.

In addition, we would still have several billions for an equitable spread of tax relief.

Mr. Speaker, one of the most direct and just ways to lighten the tax load for low- and middle-income families is by doubling the personal and dependent exemptions.

It is for this reason that I am today introducing a bill to give the American taxpayer a break by doubling the $600 exemption allowed for the individual taxpayer and each of his dependents.

This legislation would permit the taxpayer to deduct $1,200 each for himself, his spouse, and his dependents, as well as increasing to $1,000 the additional exemption available to the blind and to the aged.

The original purpose of the $600 personal income tax exemption was to provide the taxpayer with sufficient untaxed funds to sustain himself and his family. However, since the time when this provision was enacted, the cost of living has more than tripled, and yet the exemptions for the taxpayer and his dependents have remained the same.

It is ludicrous that current estimates set the poverty level at $3,000 a year, while our tax laws seem to indicate that a person is expected to live on $600 a year and can support a family for $600 per person. It is obvious that the $600 exemption is hardly more than a token.

Meaningful tax reform must not only eliminate existing gaps in the law, but must also broaden the base for allowable deductions and exemptions so that they are consistent with today's social and economic realities.

Therefore, I urge that the Ways and Means Committee, to which this bill will be referred, take immediate action. In all fairness to the American taxpayer we can afford to do no less.

REFORMS IN SOCIAL SECURITY SYSTEM

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. Farbstein) is recognized for 15 minutes.

Mr. FARBSTEIN. Mr. Speaker, I have today introduced legislation to provide for sweeping reforms in the social security system and to correct the injustices in the medicaid and aid to families with dependent children programs. My object in introducing this legislation is to make these programs more capable of meeting human needs. The social security system should not only provide our elderly with an adequate level of benefits, protected against inflation, but should encourage—and not discourage—those in good health, who can and want to work, to do so.

To achieve these objectives, one bill I have introduced would, first, increase monthly benefits by an average of 35 percent and provide a minimum monthly benefit of $100 for an individual and $150 for a married couple; maximum benefits payable to disabled widows and widowers would also be increased; and, second, to provide for an automatic increase in benefits to compensate for any increase in the cost of living.

As a result of the sad experience of a retired constituent, I have also introduced legislation to authorize the payment of interest on long-delayed—6 months or more—of social security benefits. It must be remembered that the beneficiaries of this system are receiving a return of moneys contributed in part by them.

I have received a number of letters from constituents regarding the policy of the Government toward payment of interest on overdue social security benefits. These were not monthly payments which were overdue in terms of a few days, but of payments which were months, and on occasion, years late in being corrected.

One constituent of mine retired in 1965 and applied for social security benefits. She was told that a reexamination of her file revealed that she was also entitled to widow's benefits for the period of 1943 to 1946, a period during which she had inquired about benefits but which had been erroneously withheld. She then—in 1965—received a check from the Social Security Administration for the amount owed her for more than 20 years. I believe she should receive interest on this amount. She would have to pay the Government interest if she were overdue in paying them.

To correct injustices under the medicaid and ADC programs, I have also introduced legislation to eliminate restrictions placed on Federal contributions to State medicaid programs and eliminate compulsory work training for those on welfare.

Earlier in the 91st Congress, I introduced H.R. 5978 to eliminate population restrictions on aid to families with dependent children.

These three restrictive features of current law impose an unjust hardship on the poor, especially in New York. These features were passed, I believe in haste, and hopefully, the Congress will assert its better judgment and repeal them.

PLUGGING TAX LOOPHOLES

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. Reuss) is recognized for 15 minutes.

Mr. REUSS. Mr. Speaker, on January 17 outgoing Treasury Secretary Joseph W. Barr revealed that in 1967 there were 21 persons with incomes of more than $1 million who paid no Federal income tax whatever. He warned that there would be a "taxpayer's revolt" if the loopholes that allowed these millionaires and other wealthy persons to escape taxation were not closed.

On January 29 I was joined by nine of my colleagues, Mr. Meeds, Mr. Rees, Mr. William D. Ford, Mr. Moorhead, Mr. Adams, Mr. Bingham, Mr. Brown of California, Mr. Edwards of California, and Mr. Zablocki in introducing H.R. 5250, the Tax Reform Act of 1969, which would close off 13 of the most notorious loopholes and bring in some $9 billion in additional revenue. Subsequently, Mr. Blatnik, Mr. Karth, and Mr. Helstoski introduced identical bills, and Mr. Gibbons introduced an identical bill, H.R. 7585, for himself and 14 cosponsors, Mr. Conyers, Mr. Long of Maryland, Mr. St. Onge, Mr. Farbstein, Mr. Podell, Mr. Byrne of Pennsylvania, Mr. Thompson of New Jersey, Mr. Mikva, Mr. Eilberg, Mr. Yatron, Mr. Rosenthal, Mr. Vigorito, Mr. Koch, and Mr. Nedzi.

On February 5, the House Ways and Means Committee and the Senate Finance Committee made public the Treasury Department's tax reform studies and proposals, and included there were a number of case studies showing in detail exactly how selected millionaires were able to reduce their tax bill to zero—pages 89 to 95 of the committee print. Newsweek magazine did a story on these millionaire nontaxpayers in its February 24 issue, and I commend it to my colleagues:

How To Make Millions and Pay Not a Cent

A loophole, in military parlance, is a small opening in the walls of a fortress that permits a defender to fire upon besiegers without unduly exposing himself. To the rich man, the tax loophole is a means of defending his fortune and income from the depredations of raiding tax collectors. To the tax collectors and many ordinary citizens who have no loopholes of their own, it is an abomination.

Whatever the viewpoint, it is a plain fact the under the current U.S. tax code hundreds of thousands of wealthy taxpayers find loopholes that substantially lower the income taxes they would otherwise have to pay. Files of the Internal Revenue Service for 1967 show that there were scores of people with incomes in six figures who paid no income tax at all because of legal loopholes, and some of these were millionaires. At straight rates and without loopholes, by contrasts, the tax on an unmarried person with a bare-subsistence income of $1,700 was $117.30, almost 7 per cent of his income.

In the Treasury's eye, a loophole is any special privilege enjoyed by some taxpayers but not by all. And in this sense, there are many loopholes, such as the double personal exemption ($1,200 instead of $600) that may be taken by any person over 65 years of age, that are not necessarily controversial. But there are dozens of other loopholes that concern the Treasury. They fall generally into two main categories.

One category is the provision for lower-than-normal tax rates on income derived from certain special sources. Half of any capital gain made on an investment that is held by a taxpayer for six months or longer, for instance, is exempted completely from taxes; the remaining half of the gain is taxed at the regular rate that the taxpayer would pay on normal income up to a maximum of 50 per cent. In effect, the maximum tax on such gains, then, is only 25 per cent. Another area the tax code smiles on is income from mineral ventures—a person can freely pocket 27½ per cent of his total take from gas or oil wells as a "depletion allowance" before even thinking about calculating his tax. Then there is the interest from state and local bonds—all tax-free even if the bond owner receives millions a year from such sources.

The second main category of tax privilege is created by special methods of accounting permitted in certain industries. These methods, wonder of wonders, enable individuals engaged in such fields as real estate and part-time cattle breeding or fruit growing to report a loss for tax purposes while actually making millions. A high-bracket taxpayer can buy a herd of breeding cattle, for instance, and immediately deduct his total outlay plus most of his anticipated expenses over the next year. Since his cattle yield no income, the whole expense becomes a tax "loss" which he can use as a deduction against his ordinary income. What's more, when he sells his herd, the resulting profit is treated as a capital gain, on which he pays a maximum tax of only 25 per cent. The same kind of accounting gimmickry can also help those who engage in railroad-car leasing, airplane leasing or oil-tanker operations.

The losses in tax revenues to the Federal government through the loopholes are huge. The Treasury estimates that the low rate on capital gains costs between $5.5 billion and $8.5 billion annually. The tax exemption on interest paid by local bonds costs $1.8 billion, the depletion allowance for oil and gas deprives the government of $1.3 billion and the real-estate tax shelter takes away an added $750 million in potential revenue.

Some of the loopholes, to be sure, were consciously adopted by Congress—the low capital-gains tax was installed to encourage job-creating, long-term investment. But others, such as farm and real-estate "losses," are simply clever abuses of the tax code that were unforeseen by the lawmakers. And whatever their origins, the effects of the dodges on the tax returns of the very rich can be stunning. Here are four recent cases from the files of the Internal Revenue Service.

Case 1: Taxpayer "A" reported a whopping total income of $8.2 million. But $6.9 million of the income qualified as a capital gain. Half of this, about $3.4 million, was, of course, tax-free under capital gains provisions, so his taxable income was cut to $4.8 million. Enter a loophole picturesquely called the "Philadelphia nun clause"—so named because it was originally adopted to let a wealthy Philadelphia Mainliner who had become a nun give away all the income she received from family trusts without paying taxes on it. The clause has been subsequently interpreted to let taxpayer "A" do the following: he contributed to charity some property he had bought cheap but which was now worth $5.1 million. This let him avoid a capital-gains tax on the rise in the property's worth. It also gave taxpayer "A" a $5.1 million "unlimited charitable contribution" deduction that he could then apply against his $4.8 million taxable income. The deduction, of course, was $300,000 greater than the income. Result: no taxable income and no taxes.

Case 2: Taxpayer "B" had a total income of $1.3 million. But $1.2 million of it came from a capital gain. As with taxpayer "A," half of this gain—$600,000—was tax-free, reducing "B's" taxable income to $700,000. But "B" had interest charges totaling $600,000 on loans he had borrowed to finance his massive investments—investments that he hoped would also produce handsome capital gains. Such interest charges, like the interest on the average homeowner's mortgage, are deductible. Together with local taxes, medical expenses and other normal deductions, taxpayer "B's" interest charges reduced his taxable income to exactly $2,386. After taking certain other small credits, he paid a tax of $383.

Case 3: Taxpayer "C" had a total income of $2.3 million. Part was capital gains, the deductible portion of which reduced taxable income to about $1.9 million. Against this, taxpayer "C" had a 27½ per cent oil and gas depletion allowance of $900,000, which brought taxable income down to $1 million. Taxpayer "C" also had a farm "loss"—most of it resulting from a heavy investment in new breeding cattle—of more than $800,000. This "loss," together with nearly $200,000 in normal personal deductions, reduced taxpayer "C's" taxable income to zero.

Case 4: Taxpayer "D" had total income of $1.4 million—most of which was a capital gain from the sale of real estate. The deductible part of the capital gain reduced taxable income to $800,000. The gimmick in real-estate operations, however, is that owners, after deducting all operating expenses from the flow of rental income, can take whopping additional "depreciation" write-offs. The theory of depreciation is to permit the owner of any asset that can wear out to recoup his investment over what is judged to be the asset's useful life. Due to the peculiarities of real estate, however, depreciation write-offs allowable for tax purposes can far outstrip a building's actual current profits. Thus, though a real-estate man is pocketing hard cash income from a property, he is running up a bookkeeping "loss" for tax purposes. In taxpayer "D's" case, his depreciation write-off produced a "loss" of almost $900,000. This more than covered the remaining $800,000 in taxable income that he reported. The taxes paid by taxpayer "D": zero.

These examples from IRS records, though extreme, typify the kind of protection available to wealthy citizens with skilled tax advisers. Not all wealthy individuals, of course, take advantage of one or more of these legal loopholes. But enough do to give Washington an increasing incentive for tax reform.

ROONEY QUESTIONS CONFLICTING INTERESTS OF MAGAZINE SALES COMPANY OFFICIAL AS AIDE TO MARYLAND ATTORNEY GENERAL

The **SPEAKER**. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ROONEY) is recognized for 15 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, for the third time in 8 days I feel obliged to invite my colleagues' attention to a most serious problem of consumer deception by unscrupulous magazine subscription sales companies.

In prior statements I have discussed fraudulent sales practices, the obvious failure of the industry's voluntary self-regulation code, investigations into magazine subscription sales frauds being conducted by the staffs of the respective attorney general of Pennsylvania and New Jersey, and the reactions of several members of the Federal Trade Commission to my conviction that FTC and congressional committee investigations are warranted.

It is commendable that the attorneys general of Pennsylvania and New Jersey have launched investigations into consumer complaints of magazine subscription sales frauds. It is commendable that attorneys general of such other States as Massachusetts have carried out over a period of time programs to alert private citizens to the deceptive sales tactics of certain magazine sales companies.

But I find it deplorable that an aide to the attorney general of Maryland, whose office has reported receiving complaints of magazine subscription sales frauds, should appear at an informal hearing in New Jersey representing a sales company whose methods are being investigated and seek to cloak his company's sales practices in the respectability associated with his public office.

I refer to the appearance of Donald H. Noren, special assistant attorney general of Maryland, at a hearing called by the New Jersey Office of Consumer Protection to explore consumer complaints against the International Magazine Service. In attendance was the president of International Magazine Service, accompanied by his attorney, Donald H. Noren, who also happens to be secretary of International Magazine Service. Also present were Deputy Attorney General Douglas Harper, of New Jersey, who is investigating magazine sales rackets in his State, and Deputy Attorney General Ben Kirk who is in charge of a similar investigation in Pennsylvania and who attended as an observer.

Another in attendance was the editor of "Action! Express," a public service feature of the Easton, Pa., Express newspaper, whose exposure of magazine sales frauds in Pennsylvania and New Jersey has prompted the two States' investigations.

It was in this setting that Mr. Noren, secretary and counsel for a firm which was a subject of the informal proceedings, made reference to his public role as a member of the staff of the Maryland attorney general.

It is my opinion these public and private business activities of Mr. Noren are clearly incompatible, particularly if the former is used in defense of the latter. It is significant, too, I think, that Mr. Noren's private law firm, Kramer & Noren, shares the same Baltimore address as International Magazine Service, serves as collection agency for International Magazine Service, and issues collection notices under a letterhead bearing the special assistant attorney general's name. I should like to include in the RECORD a copy of a collection letter issued by the firm of Kramer & Noren, over the signature of Mr. Noren's law partner, Gilbert Kramer.

I find it interesting, too, that Maryland Attorney General Francis Burch recently told "Action! Express," his office had received several dozen complaints about International Magazine Service and that these were referred to IMS and the subscriptions subsequently canceled. I cannot help but wonder whether these cancellations were made to avert what might be an embarrassing investigation of magazine subscription sales deceptions in Maryland. Under these conditions, can a Maryland consumer expect a fair shake when he carries his complaints to the State house?

All of this, Mr. Speaker, lends gravity to the urgent need for thorough investigation of the magazine subscription sales industry in this country. And all of this has prompted me to write to the Maryland attorney general to invite his comments on the compatibility of Mr. Noren's public and private business involvement. I would like to insert a copy of that letter in the Record, as well.

In addition, and for the information of my colleagues, I would like to include in the Record a sampling of New Jersey consumer complaints about sales methods used by International Magazine Service and copies of several newspaper articles which will indicate the concern of a number of State attorneys general about magazine subscription sales practices:

March 3, 1969.

Hon. Francis Burch,
Attorney General of Maryland,
Annapolis, Md.

Dear Mr. Attorney General: Information which has just come to my attention prompts me to seek your comment regarding what appears to be incompatible positions of public and private activity by a member of your staff.

I am advised that Mr. Donald H. Noren, a member of the Kramer & Noren law firm, Suite 101, N2520 North Charles Street, Baltimore, Md., 21218, recently appeared at an informal hearing conducted by the New Jersey Office of Consumer Fraud in Newark, N.J. Mr. Noren appeared in a dual role as attorney for the President of International Magazine Service and as the Secretary of I.M.S.

Also present at the hearing were Deputy Attorneys General Douglas Harper of New Jersey and Ben Kirk of Pennsylvania, the latter as an observer. I am advised that during the course of this hearing, Mr. Noren, whose company International Magazine Service has been the subject of numerous consumer complaints in New Jersey and Pennsylvania identified himself as a member of the Attorney General's staff for the State of Maryland.

Further I am advised that your office informed "Action Express" a public service feature of the Easton, Pa. Express newspaper recently that your office also received a number of consumer complaints about International Magazine Service and that these complaints were referred to I.M.S. which in turn cancelled the subscriptions.

I would appreciate your comment on this information with particular reference to the compatibility of Mr. Noren's public position on your staff and his private position with International Magazine Service. In this regard I am enclosing a copy of a letter bearing the letterhead of Mr. Noren's law firm.

This letter is a fine example of the high-pressure collection tactics being used by magazine subscription sales companies after consumers discover they were duped by deceptive magazine sales techniques and attempt to cancel the subscriptions. It is precisely this type of high-pressure sales and collection practices being investigated now by the Attorneys General of New Jersey and Pennsylvania. Also, it is precisely the type of practices I have urged both the Federal Trade Commission and the House Interstate and Foreign Commerce Committee to investigate.

With kind personal regards I am

Sincerely yours,

Fred B. Rooney,
Member of Congress.

Baltimore, Md.,
January —, 1969.

Mrs. ——— ———,
Phillipsburg, N.J.

Re International Magazine Service.

Contract No. ———

Amount past due, $33.50, including charges and costs.

Balance in full, $177.50.

The above claim, describing your account with our client, has been forwarded to this office for collection.

We are advised that you have been requested repeatedly to pay this indebtedness, but that up to this time you have not done so.

Our instructions are to recover the above sum by appropriate legal action; however, we are communicating with you in order to afford you an opportunity to make direct payment.

You are urged to immediately remit, by check or money order, either the balance in full, or the amount past due, as detailed above.

Either method of payment should be made within five (5) days from the date hereof. Such compliance is obviously to your advantage since it will avoid further legal action.

Please use the self-addressed envelope which is enclosed for your convenience, and return this letter to assure proper credit on your account.

All inquiries relating to your subscription and account balance can best be handled by direct inquiry to the creditor.

Very truly yours,

Gilbert Kramer,
Attorney at Law.

January 15, 1969.

Dear Sirs: Please help me to cancel a magazine contract. I have been receiving magazines for a few months. I thought I was signing to enter a Sweepstakes and as it ended up I had signed a contract at almost $7.00 a month. If I were to pay the contract in full it would add up to over $200. I am receiving threat letters in the mail and it is beginning to be a nuisance. I must be receiving every magazine there is and I think anyone who would knowingly sign a contract such as this would be crazy. Please help me. I haven't read any of the magazines. The name of the company is: International Magazine Service, 2520 N. Charles St., Baltimore, Md. 21218.

Sincerely yours,

Mrs. ——— ———.

Stewartsville, N.J.

Phillipsburg, N.J.,
January, 13, 1969.

Action! Express,
Easton, Pa.

Dear Sir: I am really ashamed to admit it, but I, too, am a sucker victim of the magazine racket to the tune of $180.00.

I am a widow on Social Security and a very small pension, and I have Medicare.

My story—my phone rang one morning, 7/3/68 to be exact, as I lay in my bed ill, advising me that I had won a subscription to several magazines, and that they would send their representative around.

In 15 minutes my doorbell rang insistently, and I put on a robe and went down to my door to answer the constant ringing. A young man stood there and told me that I had won and I could name the magazine, and then asked for my signature.

I told him that I did not have my glasses and could not read. He then "read to me" what I was to sign, hence my signature.

Several days later I received several telephone calls to check on the magazines named. I explained that I was a widow on Social Security and could not afford the $6.00 per month which I learned I was committed to, that I was over 65 and a 5-year subscription was too long.

I was told by the person (a female) that I should try paying and if I could not meet the payments, I was to advise them. This I have done and received word that I was committed and must pay.

The name of the company is International Magazine Service, 2520 N. Charles St., Baltimore, Md. 21218, monthly payments of $6.00 for 30 months. I have paid 6 months for $30.00, but did not make the Jan. 1st payment. It still has 2 years of payments, and I have refused the last magazines.

I tried to have them stopped at the Post Office but was informed that I would have to refuse them which I have done.

Incidentally it says that my order is secured by a $6000 bond deposited with Central Registry.

Thank you for any advice.

Sincerely,

——— ———.

Dear Action: Just read your column from L.S.R. of P. Burg who was trick in to buying magazines. I was one of those people too. But they asked me where I get my most news from so I said only kiddingly the Bible so she said you won. No more then I hung up a man came and told me to sign and I would only have to pay a small charge for handling. I told him I didn't want them and he said they could not cancell them. So I payed. Its now been a year and I cannot afford it because three in the family were in the hospital and we have to pay that and a lot of Drug bills. I have called them and begged them to cancell them. She told me she wouldn't and couldn't. She said if I didn't pay she would attach my husbands wages. I didn't want that so I payed. Now I can't pay any more because I can't. Can you take action. I know another woman they did that on. I had to pay $112.00 but I told them I couldn't, so now they made me pay $78.00. The name of the magazine is International Magazine Service.

Thank you.

Mrs. ——— ———.

Neshanic Station, N.J.

Dear Sir: I read your article on "Don't be a Sucker" and that meant me too. I too was called on the phone in Feb. stating my name was chosen for the lucky one. I was supposed to get 5 different magazines if I'd answer a question. I said—what is this, a gag? She said no—Just answer the question—where do you get the most ads from? and I said the paper—Then she named the magazines I'd be getting and also a free sub. to anyone I chose to give it to. I told her I did not want any magazines. But she said I'd get them regardless. Then she said—only 58¢. Not saying at first—(a wk.) But she meant a wk. and I thought a month. Well, she had me so confused. A very short time a man appeared at my door—I didn't leave him in—said he came direct from Allentown. (I said in this short time?). He said oh—I was just passing by so I stopped. I told him I did not want the magazines. He said "oh it's too late now" they already telegramed the order to Baltimore. He said sign your name. I didn't want to. He said you have to sign. I said why? That is to protect you from higher prices and any time you want to change any magazines we will do so. I was so confused again so like a fool I signed. When I got into the house I looked at it and here it said.

"Read carefully before signing" in fine print. "This offer is subject to approval by verifier. After signing by subscriber, it is understood and agreed this will constitute a contract, which is subject neither to change nor cancellation and on which you must make monthly payments.

Now why didn't he tell me to read it instead of the answers he gave me?

Then he wanted me to give him $5 in advance. I said I didn't have that kind of money. So he said Mind if I pay it? I said no. So he said well $3.00 a month. I was so upset I couldn't sleep for wks (afraid to tell my husband as he really would tear into me). I'm paid til Oct. What shall I do? I'm so afraid they will make trouble for me if I don't pay. It's called International Mag. Service, 2520 N. Charles St., Baltimore, Maryland, Tel. 301-243-6971.

I've written letters to them telling them to discontinue the magazines. But they said they can't.

Please help me sir. Tell me what to do. To pay or to forget it. I'm in a terrible nervous state and I need that money for Dr. bills and etc. They even asked me where my husband works.

——— ———.

Phillipsburg, N.J.

[From the Easton (Pa.) Express, Jan. 24, 1969]

Inquiry Is Ordered in Pennsylvania Into Magazine Sales Fraud

Harrisburg.—Atty. Gen. William C. Sennett of Pennsylvania today ordered an investigation with a view to prosecuting those who had secured magazine subscriptions in this state by misrepresentation, trickery and fraud. Some of the gullible ones were tricked into signing contracts for as much as $180 worth of subscriptions by assurances that the signature was simply an agreement to pay 39 cents a month for "handling charges."

The attorney general assigned two deputy attorneys general, Richard Goldberg and Ben Kirk to prepare a report for use in court based on the documentary evidence supplied the state, at its request, by Action! Express.

The announcement that the investigation had been launched followed a conference between Sennett and Mrs. Virginia H. Knauer, director of the Pennsylvania Bureau of Consumer Protection at which a study was made by the Action! Express material.

Mrs. Knauer told Action! Express, "The attorney general feels that there is more than sufficient evidence to warrant prosecution. His attitude is that Pennsylvania intends to use every resource in its power to put a stop to this sort of misrepresentation, trickery and fraud practiced on its citizens. And the attorney general wants you to know that we are all grateful to Action! Express for bringing this to our attention."

Meantime Deputy Atty. Gen. Paul Krebs, of New Jersey's Bureau of Consumer Frauds, had investigators in the Phillipsburg area interviewing Jersey citizens who had been victimized by the magazine racket salesmen, to collect testimony for a scheduled appearance in court for an injunction to end such activities in New Jersey.

[From the Stoughton (Mass.) Chronicle, Aug. 22, 1968]

Consumer News From Attorney General Elliot Richardson

Magazines are sold in many fraudulent ways. Last week I discussed the "boiler-room" operations wherein telephone solicitors offer prizes of "free" magazines—prizes which end up costing a great deal of money. But there are also varieties of deception in which a salesman comes to your door and deceives you right before your eyes.

One of the oldest of these schemes—and one which victimizes an untold number of persons—involves the line, "I'm working my way through college." Don't be taken in by it. Many of these "students" earn more than $200 per week and go to a college campus only to sell more magazines.

Just as fraudulent is the salesman who tells you he's working on a point system and will win a college scholarship if he earns enough points. The only points he's earning count not toward his education but toward a company bonus.

As consumers become more sophisticated, so do the schemes used to separate them from their money. In one new scheme, a magazine salesman begins by asking his prospective customer if he's interested in civil rights. If the customer says he is—and most do—then the salesman is quick to tell him a unique way in which he can help the civil rights movement—by buying magazines.

If the customer buys his magazines, the salesman says, the proceeds go to a scholarship fund for young Negro men and women or a subscription is sent in the customer's name to a Negro university.

But no such scholarship fund exists. And a Negro university has yet to benefit from a customer's decision to buy magazines. The civil rights movement isn't the only cause or organization used by unscrupulous magazine salesmen. The names of Father Flanagan's Boys Town, the Kennedy Youth Opportunity Program and the Chelsea Soldiers' Home have also been used and used successfully.

There are three questions which I urge you to ask yourself when you are approached to buy magazines:

1. Do you really want or need the magazines? Remember, the cost may run to $90 or more.

2. Is the person at your door a real salesman for an existing company? Insist upon identification and check with the local police or Better Business Bureau if you are doubtful.

3. Will your purchase really benefit anyone but the salesman and his company? A call to your local Better Business Bureau or the headquarters of the organization the salesman claims to represent may save you both money and trouble.

Next week, I will discuss how the purchase of a swimming pool can cool you off in the summer, but give you a financial headache in the fall. Meanwhile, if you have a consumer problem, write to Attorney General Elliot Richardson, Consumer Protection Division, State House, Boston, Mass. 02133.

[From the Minneapolis (Minn.) Star, Jan. 9, 1969]

Distributors Agree to Police Salesmen

Five magazine distributing companies, all subsidiaries of Cowles Communications Inc., have agreed not to use certain deceptive and misleading sales and collection practices, Atty. Gen. Douglas M. Head said Wednesday.

The five are Mutual Readers League Inc., Civic Reading Club Inc., Home Reference Library Inc., Home Reader Service Inc., and Educational Book Club Inc., all with headquarters in Des Moines, Iowa.

(Gardner Cowles, chairman of Cowles Communications, Inc., is an uncle of John Cowles Jr., president of the Minneapolis Star and Tribune Company; but there is no corporate connection between the two companies.)

Head said his consumer protection unit has received many complaints on magazine sales practices and he would try voluntary policing on a trial basis. He left open the possibility of court action if the system doesn't work.

He said the companies have agreed to tell their salesmen not to:

Falsely represent that the buyer will receive something for nothing.

Attempt to evoke sympathy of faking illness or handicap.

Misrepresent the terms of the subscription contracts.

Say that a subscription will cost more if purchased directly from the publisher.

Misrepresent to a customer that the document he is signing is not a contract.

Threaten to garnishee wages, send letters implying that they are court or governmental orders, falsely threaten court action or demand improper "late charges" to collect subscription fees.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Frelinghuysen (at the request of Mr. Gerald R. Ford), for the week of March 3, on account of official business.

Mr. Broomfield (at the request of Mr. Gerald R. Ford), for the week of March 3, on account of official business.

Mr. Betts (at the request of Mr. Gerald R. Ford), for the week of March 3, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Halpern (at the request of Mr. Brotzman), for 5 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Anderson of California) and to revise and extend their remarks and include extraneous matter:)

Mr. Farbstein, for 15 minutes, today.

Mr. Reuss, for 15 minutes, today.

Mr. Rooney of Pennsylvania, for 15 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Edmondson in two instances.

Mr. Talcott and to include extraneous matter.

Mr. Hall and to include extraneous matter.

Mr. Randall.

(The following Members (at the request of Mr. Brotzman) and to include extraneous matter:)

Mr. Burke of Florida in four instances.

Mr. Hogan.

Mr. Fulton of Pennsylvania in five instances.

Mr. Kuykendall.

Mr. Scherle.

Mr. Conte.

Mr. Snyder.

Mr. Bob Wilson.

Mr. Harvey.

Mr. Riegle.

Mr. Collier in two instances.

Mr. Gross.

Mr. Hosmer.

Mr. Brock.

Mr. Watson.

Mr. Whalley.

Mr. Pollock.

(The following Members (at the request of Mr. Anderson of California) and to include extraneous matter:)

Mr. Rooney of Pennsylvania in five instances.

Mr. Bingham.

Mr. Biaggi.

Mr. Long of Maryland in three instances.

Mr. Green of Pennsylvania in four instances.

Mr. GONZALEZ in three instances.
Mr. ABBITT.
Mr. DELANEY in two instances.
Mr. RIVERS.
Mr. EILBERG.
Mr. RARICK in four instances.
Mr. MOORHEAD in two instances.
Mr. FULTON of Tennessee.
Mr. ECKHARDT.

SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1022. An act to provide that future appointments to the office of Administrator of the Social and Rehabilitation Service, within the Department of Health, Education, and Welfare, and to certain subordinate offices, be made by the President, by and with the advice and consent of the Senate; to the Committee on Ways and Means.

S. Con. Res. 5. Concurrent resolution to print additional copies of hearings on the nomination of Walter J. Hickel to be Secretary of the Interior; to the Committee on House Administration.

ADJOURNMENT

Mr. ANDERSON of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Thursday, March 6, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

561. A letter from the Comptroller General of the United States, transmitting a report on practices followed in adjusting Federal grants awarded for construction of academic facilities, Office of Education, Department of Health, Education, and Welfare; to the Committee on Government Operations.

562. A letter from the Under Secretary of the Interior, transmitting the seventh annual report on operations under the act of October 3, 1961, to stabilize the mining of lead and zinc by small producers on public, Indian, and other lands, pursuant to the provisions of section 8 of that act; to the Committee on Interior and Insular Affairs.

563. A letter from the Postmaster General transmitting a draft of proposed legislation to provide that appointments and promotions in the Post Office Department and postal field service be made on the basis of merit and fitness; to the Committee on Post Office and Civil Service.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 or rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. STAGGERS (for himself and Mr. SPRINGER):

H.R. 8261. A bill to amend the Federal Aviation Act of 1958, as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ASHLEY:

H.R. 8262. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ASHLEY (for himself, Mr. BETTS, Mr. MICHEL, Mr. ROSENTHAL, and Mr. ZABLOCKI):

H.R. 8263. A bill to amend the Federal Water Pollution Control Act, as amended, relating to cooperation by other Federal departments and agencies to control pollution, and for other purposes; to the Committee on Public Works.

By Mr. BENNETT:

H.R. 8264. A bill to amend the Internal Revenue Code of 1954 to permit individuals receiving civil service retirement annuities to elect to have income tax deducted and withheld from their annuity payments; to the Committee on Ways and Means.

By Mr. BRAY:

H.R. 8265. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. BROWN of Michigan (by request):

H.R. 8266. A bill to permit the establishment and operation of certain branch offices by the Michigan National Bank, Lansing, Mich.; to the Commmittee on Banking and Currency.

By Mr. BROWN of Michigan:

H.R. 8267. A bill to amend the Internal Revenue Code of 1954 to increase the deductions allowable for expenses of medical care of persons over age 65; to the Committee on Ways and Means.

By Mr. BURKE of Florida:

H.R. 8268. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities, to establish standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by recipients of grants, awards, and contracts from the United States, to encourage the study and improvement of the care, handling, and treatment and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities, and to otherwise assure humane care, handling, and treatment of laboratory animals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 8269. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the committee on Post Office and Civil Service.

H.R. 8270. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

H.R. 8271. A bill to provide for a national cemetery in the area of Broward County or Dade County, Fla.; to the Committee on Veterans' Affairs.

H.R. 8272. A bill to amend title XVIII of the Social Security Act to remove the present limit on the number of days for which benefits may be paid thereunder to an individual on account of posthospital extended-care services; to the Committee on Ways and Means.

H.R. 8273. A bill to amend title 38 of the United States Code to provide that travel allowances paid to veterans traveling to and from Veterans' Administration facilities shall in no event be less than those paid to employees of the Federal Government traveling on official business; to the Committee on Veterans' Affairs.

By Mr. COLLIER:

H.R. 8274. A bill to amend the Internal Revenue Code of 1954 to allow a deduction to a taxpayer who is a student at a college for certain expenses incurred in obtaining a higher education; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 8275. A bill to amend the Federal Hazardous Substances Act to protect children from toys or other articles intended for use by children which present any electrical, mechanical, or thermal hazard; to the Committee on Interstate and Foreign Commerce.

By Mr. DELANEY:

H.R. 8276. A bill to amend the Internal Revenue Code of 1954 to allow a deduction against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DONOHUE:

H.R. 8277. A bill to amend the Federal Hazardous Substances Act to protect children from toys or other articles intended for use by children which present any electrical, mechanical, or thermal hazard; to the Committee on Interstate and Foreign Commerce.

By Mr. DUNCAN:

H.R. 8278. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 8279. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

By Mr. FARBSTEIN:

H.R. 8280. A bill to amend title II of the Social Security Act to permit payment of interest on certain delayed payments of benefits and assessment of interest against certain unrefunded overpayments; to the Committee on Ways and Means.

H.R. 8281. A bill to amend title XVIII of the Social Security Act to permit payment thereunder, in the case of an individual otherwise eligible for home health services of the type which may be provided away from his home, for the costs of transportation to and from the place where such services are provided; to the Committee on Ways and Means.

H.R. 8282. A bill to amend title II of the Social Security Act to increase monthly benefits (with subsequent cost-of-living increases), to provide higher widow's and widower's benefits, and to increase the amount of earnings counted for benefit and tax purposes; to the Committee on Ways and Means.

H.R. 8283. A bill to amend titles IV and XIX of the Social Security Act to eliminate certain restrictions and limitations on programs of aid to families with dependent children and medical assistance; to the Committee on Ways and Means.

By Mr. WILLIAM D. FORD:

H.R. 8284. A bill to amend the Federal Aviation Act of 1958 to authorize reduced-rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Tennessee:

H.R. 8285. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. FUQUA:

H.R. 8286. A bill to provide for a survey by the Secretary of the Army of Black Creek, Fla., for flood control and related purposes; to the Committee on Public Works.

By Mr. GONZALEZ:

H.R. 8287. A bill to carry out the recommendations of the Joint Commission on the Coinage; to the Committee on Banking and Currency.

By Mr. HALPERN:

H.R. 8288. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. HOLIFIELD (for himself and Mr. Price of Illinois):

H.R. 8289. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. HOSMER:

H.R. 8290. A bill to permit retired personnel of the Armed Forces to receive benefits under chapter 81 of title 5, United States Code, relating to compensation of Federal employees for work injuries; to the Committee on Education and Labor.

H.R. 8291. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. JACOBS:

H.R. 8292. A bill to provide for the issuance of a special postage stamp in honor of the late Dr. Martin Luther King, Jr.; to the Committee on Post Office and Civil Service.

By Mr. KASTENMEIER:

H.R. 8293. A bill to amend title XV of the Social Security Act with respect to the assignment of wages for purposes of unemployment compensation for Federal employees; to the Committee on Ways and Means.

H.R. 8294. A bill to repeal section 1511(f) of the Social Security Act so that in determining eligibility of ex-servicemen for unemployment compensation their terminal leave shall be treated in accordance with State laws; to the Committee on Ways and Means.

By Mr. KING:

H.R. 8295. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on paper industries machinery; to the Committee on Ways and Means.

H.R. 8296. A bill to provide for the orderly marketing of articles imported into the United States, to establish a flexible basis for the adjustment by the U.S. economy to expanded trade, and to afford foreign supplying nations a fair share of the growth or change in the U.S. market; to the Committee on Ways and Means.

By Mr. KLUCZYNSKI:

H.R. 8297. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. KUYKENDALL:

H.R. 8298. A bill to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein; to the Committee on Interstate and Foreign Commerce.

By Mr. McDADE:

H.R. 8299. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments and annuity and pension payments under the Railroad Retirement Act of 1937 shall not be included as income for the purpose of determining eligibility for a veteran's or widow's pension; to the Committee on Veterans' Affairs.

By Mr. MIKVA:

H.R. 8300. A bill to amend the Military Selective Service Act of 1967 in order to provide a more equitable system of selecting persons for induction into the Armed Forces under such act, to improve the administration of such act, to authorize a study of the alternatives to the method of providing personnel for the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. MIZELL:

H.R. 8301. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

By Mr. MOSS (for himself and Mr. Brown of California):

H.R. 8302. A bill to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOSS (for himself, Mr. William D. Ford, Mr. Halpern, Mr. Cabell, Mr. Fish, and Mr. Koch):

H.R. 8303. A bill to amend the Federal Cigarette Labeling and Advertising Act with respect to the labeling of packages of cigarettes, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER:

H.R. 8304. A bill to amend the Older Americans Act of 1965 to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

By Mr. PODELL:

H.R. 8305. A bill to establish a National Commission on State Workmen's Compensation Laws to undertake a comprehensive study and evaluation of State workmen's compensation laws, and for other purposes; to the Committee on Education and Labor.

H.R. 8306. A bill to establish a National Commission on Libraries and Informative Science; to the Committee on Education and Labor.

H.R. 8307. A bill to amend title II of the Social Security Act so as to provide that the definition of the term "disability," as employed therein, shall be the same as that in effect prior to the enactment of the Social Security Amendments of 1967; to the Committee on Ways and Means.

By Mr. POLLOCK:

H.R. 8308. A bill to amend the Alaskan Statehood Act, Public Law 85–508, July 7, 1958, 72 Stat. 339, to provide for additional time for the State of Alaska to select public lands; to the Committee on Interior and Insular Affairs.

By Mr. PUCINSKI:

H.R. 8309. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. QUILLEN:

H.R. 8310. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

H.R. 8311. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. RANDALL:

H.R. 8312. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8313. A bill to expedite the interstate planning and coordination of a continuous Lewis and Clark Trail Highway; to the Committee on Public Works.

By Mr. REUSS (for himself, Mr. Brademas, and Mr. Hechler of West Virginia):

H.R. 8314. A bill to encourage the involvement of youth in federally financed programs and projects; to the Committee on Education and Labor.

By Mr. RHODES:

H.R. 8315. A bill to amend chapter 61 of title 18, United States Code, relating to lotteries to exempt deer-hunting contests; to the Committee on the Judiciary.

By Mr. RIEGLE (for himself, Mr. Ashley, Mr. Bingham, Mr. Brown of Michigan, Mr. Buchanan, Mr. Byrne of Pennsylvania, Mr. Collins, Mr. Cramer, Mr. Edwards of California, Mr. Friedel, Mr. Gonzalez, Mr. Halpern, Mr. Hicks, Mr. Horton, Mr. Hosmer, Mr. Howard, Mr. Hungate, Mr. Kluczynski, Mr. Leggett, and Mr. McCloskey):

H.R. 8316. A bill to amend chapter 55 of title 10 of the United States Code to extend to mentally retarded or physically handicapped dependents of certain members and former members of the uniformed services the special care now provided to similarly afflicted dependents of members on active duty; to the Committee on Armed Services.

By Mr. RIEGLE (for himself, Mr. McClure, Mr. McKneally, Mr. Mikva, Mr. Ottinger, Mr. Podell, Mr. Pollock, Mr. Quie, Mr. Railsback, Mr. Rosenthal, Mr. Roth, Mr. Stokes, Mr. Taft, Mr. Whalen, Mr. Whitehurst, and Mr. Bob Wilson):

H.R. 8317. A bill to amend chapter 55 of title 10 of the United States Code to extend to mentally retarded or physically handicapped dependents of certain members and former members of the uniformed services the special care now provided to similarly afflicted dependents of members on active duty; to the Committee on Armed Services.

By Mr. ROSTENKOWSKI:

H.R. 8318. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer who rents his home or apartment to deduct all or part of his rent payments; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 8319. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more; to the Committee on Ways and Means.

H.R. 8320. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 8321. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 8322. A bill to amend the Federal Aviation Act of 1958 to make it unlawful for any person not an air carrier to acquire control of an air carrier unless the Civil Aeronautics Board determines that such person is engaged primarily in the business of transportation or a related business; to the Committee on Interstate and Foreign Commerce.

H.R. 8323. A bill to amend the Federal Aviation Act of 1958 to make it unlawful for any person to acquire control of an air carrier without the approval of the Civil Aeronautics Board, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ZWACH:

H.R. 8324. A bill to assure the purity and quality of all imported dairy products for the purpose of promoting the dairy industry and protecting the public health; to the Committee on Agriculture.

By Mr. BIAGGI:

H.R. 8325. A bill to provide for the issuance of a special postage stamp as a tribute to the effective services of homing pigeons for the Armed Forces of the United States in World War I. World War II, and the Korean conflict; to the Committee on Post Office and Civil Service.

By Mr. DENT:

H.R. 8326. A bill to provide that household appliances be conspicuously marked to show the foreign country of origin, and for other purposes; to the Committee on Ways and Means.

By Mr. GARMATZ:

H.R. 8327. A bill to increase the amount authorized for the acquisition of land in Maryland under the Endangered Species Preservation Act of October 15, 1966; to the Committee on Merchant Marine and Fisheries.

By Mr. KEITH (for himself, Mr. BROOKS, Mr. CLARK, Mr. ST. ONGE, Mr. POLLOCK, Mr. MORTON, and Mr. LEGGETT):

H.R. 8328. A bill to amend the Maritime Academy Act of 1958 to require repayment of amounts paid for the training of merchant marine officers who do not serve in the merchant marine or Armed Forces; to the Committee on Merchant Marine and Fisheries.

By Mr. JACOBS:

H.J. Res. 521. Joint resolution authorizing the President to proclaim annually the week including February 14 (the birthday of Frederick Douglass) as "Afro-American History Week"; to the Committee on the Judiciary.

By Mr. PEPPER:

H.J. Res. 522. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BROWN of California (for himself, Mr. BUTTON, Mr. CONYERS, Mr. DADDARIO, Mr. GONZALEZ, Mr. HAWKINS, Mr. KASTENMEIER, Mr. LEGGETT, Mr. VAN DEERLIN, Mr. YATRON, and Mrs. CHISHOLM):

H. Con. Res. 156. Concurrent resolution on the arms race in the Middle East; to the Committee on Foreign Affairs.

By Mr. BROWN of California (for himself, Mr. BUTTON, Mr. CONYERS, Mr. DADDARIO, Mr. GONZALEZ, Mr. HAWKINS, Mr. KASTENMEIER, Mr. LEGGETT, Mr. YATRON, and Mrs. CHISHOLM):

H. Con. Res. 157. Concurrent resolution on a Commission for Economic Development of the Middle East; to the Committee on Foreign Affairs.

By Mr. CELLER:

H. Con. Res. 158. Concurrent resolution recognizing the 26th anniversary of the Warsaw ghetto uprising; to the Committee on Foreign Affairs.

By Mr. BINGHAM:

H. Res. 296. Resolution to abolish the Committee on Internal Security and enlarge the jurisdiction of the Committee on the Judiciary; to the Committee on Rules.

By Mr. HELSTOSKI:

H. Res. 297. Resolution to abolish the Committee on Internal Security and enlarge the jurisdiction of the Committee on the Judiciary; to the Committee on Rules.

By Mr. PODELL:

H. Res. 298. Resolution to abolish the Committee on Internal Security; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 8329. A bill for the relief of Francesco Davi; to the Committee on the Judiciary.

H.R. 8330. A bill for the relief of Francesco Gammauta; to the Committee on the Judiciary.

H.R. 8331. A bill for the relief of Santo Gammauta; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 8332. A bill for the relief of Mrs. Calogera Carollo and Raffaela Carollo; to the Committee on the Judiciary.

H.R. 8333. A bill for the relief of Giacomo Mangano; to the Committee on the Judiciary.

H.R. 8334. A bill for the relief of Carlo Randazzo; to the Committee on the Judiciary.

H.R. 8335. A bill for the relief of Giuseppe and Grazia Semeraro; to the Committee on the Judiciary.

H.R. 8336. A bill for the relief of Giuseppe Vallone, and his wife, Carmela, and their children, Rosaria, Maria, and Salvador; to the Committee on the Judiciary.

By Mr. BURKE of Florida:

H.R. 8337. A bill to authorize and direct the Secretary of the Treasury to cause the vessel *Moby Dick II*, owned by Richard R. Campbell, of Hollywood, Fla., to be documented as a vessel of the United States with coastwise privileges; to the Committee on Merchant Marine and Fisheries.

By Mr. CAREY:

H.R. 8338. A bill for the relief of Thellma Enriquez; to the Committee on the Judiciary.

H.R. 8339. A bill for the relief of Mrs. Moh Cheng Yuen Yuan; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 8340. A bill for the relief of Martin Foster; to the Committee on the Judiciary.

By Mr. CORDOVA:

H.R. 8341. A bill for the relief of Dr. Francisco Dominguez Lopez; to the Committee on the Judiciary.

By Mr. DELANEY (by request):

H.R. 8342. A bill for the relief of Marie Therese Le Gallou Clerambault; to the Committee on the Judiciary.

H.R. 8343. A bill for the relief of Mario Ocampo-Ramirez; to the Committee on the Judiciary.

H.R. 8344. A bill for the relief of Victor del Rosario, Cynthia del Rosario, and Vernon del Rosario; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 8345. A bill for the relief of Ancia Machan Apostol; to the Committee on the Judiciary.

H.R. 8346. A bill for the relief of Carlota de Veyra; to the Committee on the Judiciary.

H.R. 8347. A bill for the relief of Nilda R. de Castro; to the Committee on the Judiciary.

H.R. 8348. A bill for the relief of Erlinda R. Manzano; to the Committee on the Judiciary.

By Mr. HELSTOSKI (by request):

H.R. 8349. A bill for the relief of Antonio Calascibetta; to the Committee on the Judiciary.

H.R. 8350. A bill for the relief of Abdel Qader Shihadeh; to the Committee on the Judiciary.

By Mr. McCLOSKEY:

H.R. 8351. A bill for the relief of Edith C. H. Yang and three children, Julia Chen, Dorothy Chen, and Samuel Chen; to the Committee on the Judiciary.

By Mr. McKNEALLY:

H.R. 8352. A bill for the relief of Helene Bilhart; to the Committee on the Judiciary.

H.R. 8353. A bill for the relief of Alfredo Federico Pizzi, Lidia Palmira Pizzi, and Lawrence Pizzi; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 8354. A bill for the relief of Joao Crespo; to the Committee on the Judiciary.

H.R. 8355. A bill for the relief of Rita Maria da Silva Costa Bettencourt and her minor children, Victor Manuel Costa Bettencourt da Silva and Mario Costa Bettencourt da Silva; to the Committee on the Judiciary.

H.R. 8356. A bill for the relief of Mario DeNicola; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 8357. A bill for the relief of Federal Food Service, Inc., and Ira Gelber Food Service, Inc.; to the Committee on the Judiciary.

H.R. 8358. A bill for the relief of Jeptha P. Marchant and Joseph A. Perkins; to the Committee on the Judiciary.

By Mr. RHODES:

H.R. 8359. A bill for the relief of Sein Lin; to the Committee on the Judiciary.

By Mr. WIGGINS:

H.R. 8360. A bill for the relief of Roland S. Uyboco; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

72. The SPEAKER presented a petition of Josef Theissig, Eicherscheid, Germany, relative to redress of grievances, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

NOW IS THE TIME FOR ALL GOOD CITIZENS TO COME TO THE AID OF THEIR COUNTRY

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. LONG of Maryland. Mr. Speaker, on November 7, 1968, Mr. James E. Merna, Maryland State commandant of the Marine Corps League, was the guest speaker at the 52d semiannual meeting of the Prince Georges County Federation of Women's Clubs in Cheverly, Md. Under unanimous consent I submit Mr. Merna's most interesting address, and an article describing it, for inclusion in the RECORD, as follows:

MARINE LEAGUE OFFICIAL URGES MORE PATRIOTISM

James E. Merna, Maryland state commandant of the Marine Corps League, told the Prince Georges County Federation of Women's Clubs last Thursday that "Now, more than ever before, is the time for all good citizens to come to the aid of their country."

Merna said that "never before in the long history of our great nation has it been more important for Americans to stand up and be counted—for us to stand as firm at home as we expect our men in uniform to stand abroad."

Merna cited as "disturbing" the problems of "rampant crime, violence in the streets, frequent burning of the American flag and draft cards, open espousal of our enemies, vile contempt for our leaders and anarchistic attacks on all our institutions."

These are not "simply problems that we read about in the papers or watch on television," Merna said. He cited instances of draft record burning and disrespect for the American flag in nearby counties.

Merna had sharp criticism for the "New Left movement" at the University of Maryland and for its major organization, Students for a Democratic Society (SDS).

"While relatively new, already SDS has done much to tension on the campus," Merna stated. He mentioned instances where SDS members interfered with military recruiters, sponsored student strikes and stirred up student dissatisfaction with the university faculty.

On the credit side, Merna lauded Prince Georges County's outstanding veterans, such as Marine Capt. James A. Graham of Forestville, who was recently posthumously awarded the Congressional Medal of Honor; the 61 county residents killed in Vietnam; State Sen. Edward T. Conroy of Bowie, who lost a limb and won the Silver Star in Korea; and Butch Joeckel of Colmar Manor, who lost both legs in Vietnam and came back to make a "remarkable recovery and adjustment."

Now, More Than Ever Before, Is the Time for All Good Citizens To Come to the Aid of Their Country

(Remarks of James E. Merna, Maryland State Commandant of the Marine Corps League before the Prince Georges County Federation of Women's Clubs, Cheverly, Md., November 7, 1968)

Mrs. Harns, Mrs. Volberg, Monsignor Brown, and distinguished ladies. Thank you for inviting me, a fellow resident of Prince Georges County, to speak to you today at your Fifty-second Semi-Annual Meeting.

In just a short four days from today, on Monday, November 11th, our Nation will pause to celebrate a special day known as Veterans Day. You may remember when it was more popularly known as Armistice Day. It was at 11 o'clock on the 11th day of the 11th month, exactly 50 years ago on November 11, 1918, that the order was given which silenced the artillery fire that had shattered Europe for 4 years. It marked the end of history's first World War, a war that cost this Nation not only millions of dollars to finance but 116,516 American lives.

With each passing decade and each new war, November 11th became a day to honor all veterans of all wars. So Congress, in 1954, designated the 11th of November as a legal holiday to be known as Veterans Day, broadened to cover all wars and dedicated to the cause of world peace.

Last month, President Johnson issued an Executive Proclamation urging the people of the United States to join in commemorating Monday, November 11, 1968 as Veterans Day with suitable observances. He requested the officials of Federal, State, and local governments, and civic and patriotic organizations, to give their enthusiastic leadership and support to appropriate public ceremonies throughout the Nation. He further asked that all citizens of every age take part in these observances to honor those whose unqualified loyalty and patriotism have preserved our freedom.

Let me simply say, with great pride, that the Prince Georges County Federation of Womens Clubs, by the graciousness of its invitation permitting a veteran to appear with you today, is a great honor not only for me personally, but for the veterans organization that I represent—the Marine Corps League. More importantly, it is even a greater honor that you bestow today upon each of the 26 million living veterans in the United States. More than ½ million of these veterans live in Maryland—80,000 of these former defenders of our great Nation live in Prince Georges County alone. *By honoring one you honor them all.*

We would be remiss and narrow in perspective and vision, however, if we were to limit the commemoration of Veterans Day only to those veterans who have fought so valiantly in *past* wars to preserve America's democracy.

In view of the present situation with our commitment in Vietnam, I would like to suggest an equally important purpose or reason for our commemoration of Veterans Day—and that is, to remember, honor, and fully support all of our American servicemen who have fought and died, and who are still fighting to preserve democracy and to contain Communism in the jungles, rice paddies, cities, and villages of Vietnam.

The war in Vietnam has directly or indirectly affected each and every one of us, in one way or another. Many of you undoubtedly have sons, husbands, or other close relatives or friends who have served or are now gallantly serving in that beleaguered country that seems so far away to us. Yet, the fight for freedom and liberty in Southeast Asia today has come too tragically close to home to the families of the 29,034 American servicemen killed in Vietnam to date. 533 of these American heroes were from Maryland. Sixty-one of them were our friends and neighbors from Prince Georges County.

Never before in the long history of our great Nation has it been more important for Americans to stand up and be counted—for us to stand as firm at home as we expect our men in uniform to stand abroad. We look about us and see so much that is disturbing—rampant crime, violence in the streets, frequent burning of the American flag and draft cards, open espousal of our enemies, vile contempt for our leaders, and anarchistic attacks on all our institutions.

These are not simply problems that we read about in the papers or watch on television as something occurring in a distant state or far-away city that doesn't affect or concern us. To prove the point, I would like to cite three recent examples of unpatriotic activities which have occurred right here in Maryland, disturbing instances which threaten to destroy the very fabric of our American Way of Life as we revere it, unless right thinking Marylanders and Americans concern themselves with the problems and take positive measures to correct.

In Carroll County one recent afternoon, a woman walked past a Post Office where a postal employee was lowering the American flag. As he did so, he conversed with a friend, and, the flag unnoticed, dragged in folds on a dirty sidewalk. The woman told the postal clerk he should show more respect for the Stars and Stripes. Both men laughed at her—and the postman said, "What the hell, I don't do this out of respect. They tell me to take it down. They don't say I had to respect it."

A Catholic activist group calling themselves the *Catonsville Nine,* including two priests and three former Maryknoll missionaries, were indicted for burning Selective Service records May 17th in a parking lot outside the Catonsville draft office. "The Government did not prosecute these defendants because of their particular social, political or moral views . . . or because of their feelings about U.S. involvement in Viet Nam," the U.S. trial attorney told the jury. To the contrary, he argued that the only issue in the case was "whether the nine were guilty of damaging Government property, interfering with the Selective Service, and destroying Selective Service records—as charged in the indictment."

What do you think the nine defendants had to say about their actions for which they were brought to trial? "They're proud of it," remarked their defense attorney. "They think it's one of the shining moments of their own personal lives," he added.

Last month the Catonsville Nine were found guilty by the jury as charged.

The emergence of the New Left Movement on the campus of the University of Maryland in College Park.

Basically a college student group, the New Left draws its supporters from a motley variety, including beatniks, hippies, disenchanted individuals, young faculty members and some "overage" students still on the campus. The movement is held together by a bitter hatred of what is called the "Establishment," that is, the institutions of democratic society. This hatred is reflected by intense opposition to the war in Vietnam, the draft, the ROTC, military recruiting on the campus, and the participation by universities in military research. J. Edgar Hoover, Director of the Federal Bureau of Investigation, describes this New Leftist philosophy as "anarchistic and nihilist."

At the core of the New Left movement is an organization known as the Students for a Democratic Society (SDS). Mr. Hoover has alerted the American public to the fact that this group is highly militant and has been chiefly responsible for the New Left's move from a position of "passive dissent" to one of "active resistance." The SDS has been the striking arm of student rebellions, such as at Columbia University in New York City, where violence erupted, including the kidnaping of academic personnel, the seizure of buildings, and the destruction of property. Gus Hall, General Secretary, Communist Party, USA, has been quoted by the F.B.I. as describing the SDS as one of the groups the Party "has going for us."

Well, Columbia University isn't the only campus where SDS has been active and destructive. SDS now has an active and growing chapter at your State University and my alma mater, the University of Maryland. The local chapter is reported to have more than 100 members who regularly attend meetings and several hundred sympathizers. While relatively new, already SDS has done much to contribute to tension on the campus. Last spring, SDS cohorts interfered vociferously and bodily with military recruiters at College Park, constantly strive to stir up student dissatisfaction and unrest with the faculty, administration, and other students and only two weeks ago publicly announced plans for a student strike to take place on Election Day to express student dissatisfaction at the "absence of alternatives among the presidential candidates." The Prince Georges Sentinel, October 24th edition, featured an article about SDS activities on the Maryland campus.

Yesterday's Washington Post reported an Election Day demonstration in Washington as one of a dozen conducted in major American cities by SDS. There was some violence as usual, demonstrators carrying Viet Cong flags in a rally at the Lincoln Memorial, and all three major Presidential candidates were hung from a goal post in effigy.

These three examples, I believe, offer an insight into some of the dangers confronting us today as responsible American citizens who take pride in our heritage, our institutions, and our Nation under God, as compared to those who would obliterate or overthrow these cherished values at any price. There are other examples of Un-American activities that I'm certain we can all recall—the likes of rabblerousers like H. Rap Brown who has been indicted by the State of Maryland on charges of arson and inciting to riot in Cambridge in July, 1967. He's presently free on bond. Protesting G.I.'s and some Army Reservists from Ft. Meade balking at being sent to Vietnam also come to mind.

I submit to you, dear ladies, that in all the instances cited, the perpetrators of these acts are far from typical or representative of the breed of Americans who have made our country the great Nation and world power that it is today.

Native Marylanders have long distinguished themselves on the field of battle each and every time their Nation called upon them for assistance. Maryland troops in the Revolutionary War saw service from the first skirmish in Boston to the surrender at Yorktown. Prince Georges County supplied its men and materials to General George Washington. Who can forget the bombardment and rout of the British at Fort McHenry during the War of 1812, where waved the Flag that inspired Francis Scott Key to write the Star Spangled Banner? The Battle of Antietam—one of the most bitter battles of the Civil War! The U.S. Admiral in command at Santiago during the Spanish American War when the Spanish fleet was destroyed was a Marylander. In World War I, approximately 75.000 Maryland citizens dutifully served their Nation under arms. Both the 29th and 79th Infantry Divisions fought with distinction in the Meuse-Argonne offensive of 1918. More than ¼ million Marylanders heeded their Nation's call to arms during World War II. The 29th Infantry Division again served with distinction in France during 1944 and 1945. It fought on the Omaha Beachhead in Normandy, and in the advance to the Elbe River. Korea was no exception. Many Marylanders came to the defense of South Korea when it was attacked by North

Korea in June, 1950. One of those staunch defenders was our own State Senator Edward T. Conroy from Bowie. He lost a limb and won the Silver Star in the process.

This brings us to the present and Viet Nam, where, as I mentioned earlier, so many Americans have served and are now serving in a determined effort to deter Communist aggression. Prince Georges County has had a number of its citizens who have distinguished themselves by valor on the battlefields of Viet Nam. Young men like Butch Joeckel from Colmar Manor, for example, who won the Bronze Star this year for heroism as a 20 year old Marine in Viet Nam. Butch was seriously wounded in action by a Viet Cong land mine, suffering the amputation of both legs above the knee. I am pleased to report to you today that Butch has had a remarkable recovery and adjustment, he's been released from the hospital, discharged from the service, got married two weeks ago, and is now back at work with his former employer, the Washington Suburban Sanitary Commission where he is now making a productive and meaningful contribution to society.

The Marine Corps League and the American Legion organized a Welcome Home Parade and Reception for Butch in his hometown on July 6th. Thousands of people turned out that day to express their heartfelt appreciation to this inspiring young man, and untold millions of Americans watched the day's proceedings over ABC national television. Butch has told me and shown me on a number of occasions the beneficial effect this community outburst of appreciation has had on his morale and resultant speedy recovery.

I mentioned to Butch that I would be speaking to the Prince Georges County Federation of Womens Clubs today, and he asked me to convey his best wishes to each and every one of you.

Let us not forget John Clements of Cheverly, another young Marine who earned 3 Purple Hearts in Viet Nam and sustained serious injuries. He is still not able to walk without the aid of a cane and faces additional operations.

How unfortunate it is indeed, that the world hears more about some of our raucous dissenters from the gutter than they do of our Butch Joeckel's and John Clements' who sacrificed so much at such terrible risk in the noble cause of freedom.

A week ago last Tuesday I was privileged to attend a ceremony at Marine Barracks at 8th and I in Washington at which the Nation's highest award, the Congressional Medal of Honor, was awarded to a resident of Prince Georges County, Marine Captain James A. Graham, of Forestville, Maryland. The award, a first in the history of the County, was made posthumously, because Captain Graham was killed when he refused to leave one of his seriously wounded men during a fierce enemy attack.

The Secretary of the Navy, in presenting the award in the name of the President of the United States, remarked of Captain Graham, "Although Captain Graham gave his life in battle, he shall continue to live in the minds and memories of his comrades as an inspirational example of courage, duty and sacrifice. For all who knew and loved him, the memory of James Graham will remain a source of pride and strength."

My dear Clubwomen, Captain Graham left us a legacy to foster and cherish—a shining example of unselfish love for his country and his fellow man. He also left behind something very personal and dear to him—a widow Janice, and two small children, son John 5 years old, and a 4 year old daughter, Jenifer. I talked to Mrs. Graham after the ceremony and extended an offer of assistance from the Marine Corps League. With a sense of great pride and much confidence in the future, Mrs. Graham replied, "I don't have half as many problems as I have offers of assistance." She impressed me as a woman who is every bit as brave as her husband was.

I submit to you that we must not forget the Graham family. I would like to suggest that your County Federation or individual Clubs might consider keeping a watchful eye on the Graham family as one of your Americanism projects, to be of assistance to them in any way possible. We owe it to them and can afford to do no less.

I can assure you of one thing, speaking for the Prince Georges County Detachment, Marine Corps League. We are not going to allow to be forgotten such great Americans like Captain Graham, Lieutenant Bill Reilly of Cheverly, Warrant Officer Tom King of New Carrollton, and all of the 61 soldiers, sailors, and Marines from Prince Georges County who were killed in Viet Nam.

We are going to build a Memorial in their honor—a permanent tribute to all Prince Georges County servicemen who made the supreme sacrifice in Viet Nam. It will be one of the first and the largest in the Nation exclusively dedicated to Viet Nam war dead. The design is already completed. Our architect is Thomas Kerley of Cheverly. It is expected to cost approximately $35,000. The County Commissioners have issued a Resolution fully supporting this project and have agreed to provide the necessary land for the Memorial. We are presently reviewing site possibilities and expect to announce a location in the near future.

In the meantime, we are actively seeking to raise the necessary funds to finance the cost of the Memorial. We are calling upon all County organizations and citizens to help us in this task. We would be delighted to have the assistance of the Prince Georges County Federation of Womens Clubs. Perhaps you might consider conducting some bake sales, dances, or related fund-raising activities with the proceeds designated for the Memorial in the name of your fine organization.

In conclusion, let us resolve to rededicate ourselves and to motivate others, particularly our youth, in support of our country and its new Administration. Let us support our fighting men and aid our returning Viet Nam Veterans. Let us support peace by remaining strong. There has never been a great nation without a strong fervor of patriotism. We must emphasize patriotism in the home, in the schools, and in every walk of life. We must encourage respect for our Flag, our history, and our principles of free government. In this way, you will be fulfilling one of the shining moments of your own personal life. Now, more than ever before, is the time for all good citizens to come to the aid of their country!

WITHHOLDING LOCAL WAGE TAXES FROM FEDERAL EMPLOYEES

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. GREEN of Pennsylvania. Mr. Speaker, on January 6, I introduced H.R. 2076 which, simply stated, would require Federal agencies located in cities which have a local wage tax to withhold that tax from the paychecks of Federal employees.

For many years, my father, who preceded me in the House of Representatives, was the sole sponsor of this legislation. When I was elected to succeed him, I introduced this bill in each of the last four sessions. In February 1967, the Ways and Means Committee, to which this bill has been referred, published written statements of support from my colleagues, as well as from representatives of local government and Federal employee organizations. I am also happy to say that I think the need for this legislation is quite clear.

The experience in my own city reveals the disadvantages of the present system. First, it has been estimated that the city loses approximately $2 million each year in uncollected city wage taxes because of the difficulty in billing and collecting individually from thousands of Federal employees who live in Philadelphia or work in Federal agencies within the city limits.

Second, the cost of maintaining this separate billing procedure within the city government has been conservatively estimated at a quarter of a million dollars annually.

Third, the present system has worked no end of inconvenience and hardship on Federal employees. Each quarter, they face a substantial city wage tax payment. The computation must be done by the individual and, in many cases, late payment charges only add to the cost and confusion. Some forestall or avoid paying the tax temporarily only to find that the city inevitably demands an accounting, often at a time when backpayments have grown to substantial proportions.

Fourth, with the passage of time, Philadelphia's experience has become the experience of many American cities which have resorted to the city wage tax for local municipal income. The fact that the problem is becoming more widespread has brought the support of the National League of Cities to this bill. It has indeed become a matter of national interest.

For these reasons, I therefore, urge the quick approval of your committee and the ready agreement of both Houses of Congress. Although I realize that renewal, housing, poverty, transportation, and other matters are of the first urgency in our concern for our cities, I also believe that savings amounting to over $2 million are substantial, considering the difficult fiscal problems which confront our municipalities. If anything, passage of this legislation is already long overdue.

GROUND ALL TFX F-111A'S AND START MAJOR INVESTIGATION

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. PODELL. Mr. Speaker, yesterday, 85 miles north of Nellis Air Force Base, Nev., another F-111A aircraft crashed while on a routine training mission. This is the second crash in less than 3 weeks, and the 14th to crash since the flight testing program was begun in January of 1967.

Mr. Speaker, no major elaboration is necessary. Everyone in this Chamber knows the truth of this aircraft, the men who created it and the company which is supposed to be building it.

I have already sent telegrams to the

Secretaries of Defense and the Air Force, requesting that every one of these flying death traps be grounded. But this is still not enough. This is just a beginning.

At this point, I wish to formally request that a full and major investigation be instituted by the Congress of the United States into the entire TFX F-111 program. By this I mean all aspects.

We are making a great hue and cry over matters such as the *Pueblo* and the M-16 rifle. Vast hearings occur on similar matters. Yet this vast program has stretched out over the lion's share of a decade, consumed and is consuming billions of dollars, and is going strong today. Yet we have not gained a single tangible thing from it.

The plane is not flying in combat, where it should have been long since. Indeed, they are useless even for test flights in the hands of experienced pilots.

I do not think that my call for these planes to be grounded pending further investigation is an unreasonable request. In fact, the record of crashes, backed up by this recent calamity, is ample proof that something is drastically wrong.

The Nation has a right to ask why it cannot place a front line plane into the hands of our military after the better part of a decade has elapsed and billions upon billions have been spent.

Mr. Speaker, in World War II, with their country crashing down around their ears, the Germans designed, built, and mass produced new weapon system after new weapon system. Many were exceedingly intricate. It is a burning shame to me to have to hold up such an example, but it is true. The people and enterprises responsible for the TFX should be made to explain to the U.S. Congress why this situation is now so disastrously in being.

A TIME TO THINK

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. ROSENTHAL. Mr. Speaker, yesterday was a day of silence on many university campuses and in the country's scientific laboratories. Scientists were questioning the military orientation of much of their Government contract work, and the predominance of that work itself in the scientific community.

Nicholas von Hoffman, the astute social critic of the Washington Post, describes in this article, "A Time To Think," what caused the scientists to hesitate:

[From the Washington (D.C.) Post, Mar. 5, 1969]

A TIME TO THINK

(By Nicholas Von Hoffman)

PHILADELPHIA, PA.—The University of Pennsylvania was shut down. No classes. No labs. People were walking around the criss-crossing sidewalks of the academic quadrangle with buttons on their lapels reading "Stop ABM," and others which said "March 4—Think."

This morning inside Irvine auditorium hundreds and hundreds of students listened to Barry Commoner, professor of biology at Washington University, give them a topic to do their thinking on:

"The ominous paradox of the modern world brings us together here. All of us—students, scholars and scientists—are joined by a powerful bond. We share the frightful task of seeking humane knowledge in a world which has, with cunning, perversity, transformed the creative power which knowledge generates into an instrument of catastrophe."

He spoke about instantaneous atomic annihilation, about the accidental melting of the polar ice caps and the flooding of the world about the chemical warfare people killing sheep in Utah, about the strange and sickening deaths of insects, fish, flowers, cows, dogs and humans.

"My generation has become numb to the frightful meaning of what we have done. We can speak in the calm tones of the statesman of the choice between a war that kills 50 million or one that kills 100 million. The very effort to apply logic to a situation which is in its entirety totally inhumane is a confession of our own humanity," he said in words spoken and heard in urgency.

NO DEFENSE

If there is numbness in Washington there is urgency here and on every other major campus. It is an urgency that cannot be quieted by anti-demonstration laws. It comes out of the day-to-day business of a university, out of learning and knowing.

When you know, really, precisely, exactly and technically know, there is no defense against the bomb, the black and yellow signs on the walls pointing to the bomb shelter in the basement become a form of incitement to do something while there still may be time.

"One has always been led to believe that the way to proceed is to approach seats of power and have a dialogue," said Gino Segre, a young professor of physics here, "but I think what's happening is a gradual disillusionment in the assumption that the most effective way to work is behind the scenes. Nothing happens, so you have to ask yourself if this tactic hasn't become increasingly unsuccessful."

Yesterday on a number of campuses around the country, the Union of Concerned Scientists held research stoppages, but here the doubting took clearer form and extended beyond ABM and the immediate destruction of everything to a general questioning of what the university is about.

GENERAL REVULSION

"I've just turned 30," said Segre. "I've written a lot of articles, I've just gotten tenure, I have three children and I've done what my parents expect of me. I've been a good boy, so the question is what do I do now? I think I represent a typical young scientist who's lived off Government fellowships. And now my feeling is a general revulsion at doing something abstract when America is going to the dogs."

This university's administration has responded to these feelings by calling off classes to make time available for reflection. In addition to speeches by such famous men as Barry Commoner and physicist Ralph Lapp, there are dozens of seminars on the question of how the work that goes on here can be made useful to a needy world.

David Goddard, the university's provost, says he was surprised at the breadth of faculty support for his day of recollection. It came, he reports, from deans and administrators as well as from all sections of the faculty, the humanities and social sciences as well as the physical and life sciences.

"I decided if they were going to have these meetings anyhow, we didn't want them to compete with regular classes and make a contest out of this. So I gave permission to the deans of the various schools to close for a day," Goddard explains.

A NATIONAL EXAMPLE?

Some of the liberal faculty here feel that the university's attitude is an alternative to demonstrations and strikes. They point out that the school ended its recent sit-ins by negotiations between students and the administration, but the provost isn't so certain that Pennsylvania can be a national example:

"We didn't have to call the police; no student was disciplined. We're very proud of this, but this business of trying to make ourselves a national model for other places to follow is very foolish. How can I predict that, if we had a demonstration tomorrow, it wouldn't be violent? A lot of our success is damn, sheer luck."

Luck or not, it does show that somebody at Pennsylvania is more perceptive and flexible than people at places which view sit-ins as an occasion to draw the line and meet force with force. Goddard is dubious about the efficacy of the police in a situation where, as he says, "The students feel we've got something hidden in the basement. They don't trust me, they don't trust the president, they don't trust the faculty . . . and the faculty itself is deeply concerned over military escalation and the drawing off of funds needed for the cities."

What neither Goddard nor anybody else can answer is the question of how long these days of meditation will suffice. Letting people spill out what's in their guts ultimately is no substitute for action.

PRESIDENT NIXON'S TRIP TO EUROPE

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mrs. DWYER. Mr. Speaker, President Nixon has been careful to avoid claiming any instant benefits from his European trip but the fact is inescapable that both its timing and its execution was a masterpiece of diplomacy.

The keynote of the trip was a mature assessment of reality, and the realities of today's world take the measure of the maturity of any President, and of his Government.

President Nixon demonstrated in these visits the quiet thoughtfulness, the willingness to listen to others, that is the mark of responsibility. There is no doubt that he impressed the world leaders with whom he spoke.

This quality of responsible restraint, of careful cooperation, of decisions thoroughly considered from all angles, set the tone for his journey. And this tone will go further than any immediate accomplishment possibly could.

The Congress, Mr. Speaker, and indeed all Americans, owe President Nixon a heartfelt "well done."

HONORS FOR THE COMMUNITY NEWSPAPERS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. WOLFF. Mr. Speaker, weekly, hometown newspapers are a vital communications element in thousands of communities across the Nation. In my congressional district there are more than a score of these fine publications that do an excellent job of keeping community residents advised of local activities and the actions of officials at various levels of government. We are justly dependent on these weekly newspapers and look forward to receiving them each week.

On Long Island there is a chain of five weeklies owned and operated by Community Newspapers. These papers serve the communities of Glen Cove, Roslyn, Port Washington, Manhasset, and Great Neck and are widely read. They are also well-produced, well-written newspapers adhering to the highest journalistic standards.

In fact, in recent competition conducted by the New York Press Association the Community Newspapers walked off with a host of awards including three first-place awards.

In acknowledging these just honors the Community Newspapers carried an editorial that actually passed the honor onto the newspapers' readers and advertisers. This editorial is further evidence of the community spirit and service demonstrated by the Community Newspapers and under leave to extend my remarks I wish to include that editorial in the Record at this point:

HONORS FOR YOU ALL

This newspaper and its sister publications in the Community Newspapers group have been honored with several awards, including three first-place plaques, in the annual statewide contests of the New York Press Association. We're delighted, of course, and hope the honors reflect our constant effort to offer readers the best newspaper possible.

But the laurels belong just as much to you, our subscribers and advertisers, without whom a good community newspaper cannot flourish. So, congratulations to you all!

UKRAINE'S RIGHT TO BE FREE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. RARICK. Mr. Speaker, the tragic plight of the captive nations' refugees is an ever-present reminder that until these victims of Communist aggression and U.S. appeasement are permitted to return to their homelands in freedom and honor, there will be no peace in our world.

Words, flattery, high-sounding rhetoric, and unfilled promises only rekindle false hopes to an already suffering people.

In my earnest endeavor to truly help the escapees from Communist domination to gain some voice to reach the world conscience, I wrote the U.S. State Department asking that our Government place on the agenda of the United Nations Organization the issue of self-determination in the Soviet Union, especially urging free elections for the people of the Ukraine.

By a purusal of State's replies any discerning reader can readily detect the hypocrisy of our dual policies in matters of state, and the hopelessness of attempting to attain any diplomatic victory to free any people in bondage through the United Nations Organization.

My simple request for action produced such gobbledygook as—

Concerning the Baltic States, "speeches and statements"; for Rhodesia—sanctions and boycotts. The Ukraine, a voting member of the United Nations Organization—"an integral part of the U.S.S.R." Rhodesia, the country in Africa to which oppressed blacks escape the self-governing tyranny of its neighbors to the north—"a threat to international peace."

Mr. Speaker, I include my correspondence with State, along with the gist of an address by Mrs. Slava Stetzko, wife of the former Prime Minister of once-free Ukraine Republic, as follows:

JANUARY 30, 1969.

Hon. WILLIAM P. ROGERS,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: I respectfully request appropriate action necessary to place on the agenda of the United Nations the issue of self-determination in the Soviet Union.

Further, I request the Department of State prepare a resolution requesting that the people of the Ukraine and other nations under Russian domination be given free elections, supervised by the United Nations.

Thank you for your kind attention.

Sincerely,

JOHN R. RARICK,
Representative in Congress.

DEPARTMENT OF STATE,
Washington, D.C., February 11, 1969.

Hon. JOHN R. RARICK,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN RARICK: I have received your recent letter concerning certain aspects of United States policy on the issues of self-determination in the Soviet Union and free elections in the nations under Soviet domination.

As you are aware, it is the policy of the United States not to recognize the forcible incorporation of the Baltic States by the Soviet Union. We have consistently sought to implement this policy, both by continuing to extend recognition to the representatives in the United States of the last free Baltic governments and through speeches and statements made on appropriate occasions at the United Nations and elsewhere. In this manner the U.S. has attempted to direct the attention of world opinion to the just aspirations of the Baltic peoples for self-determination.

On the other hand, the Ukraine and other non-Baltic republics within the Soviet Union have been considered as integral parts of the Soviet Union by the United States ever since diplomatic relations between our countries were initiated. It would not be in the interests of the United States to propose any measures at the United Nations which could be construed to be an attempt to dismember another member state. Such a proposal would undoubtedly be attacked by the Soviet Union as an unwarranted interference in its internal affairs. A large number of countries—by no means limited to communist states—would support the Soviet position.

The United States recognizes the Warsaw Pact countries as independent nations, although they are dominated or heavily influenced by the Soviet Union. Throughout the years the United States has repeatedly brought to the world's attention the fact that the peoples of these nations yearn to be free of Soviet domination and to control their own destinies.

We intend to continue on this course. We must realistically recognize, however, that in present circumstances it would not be helpful to the cause of these peoples and nations to precipitate a voting confrontation in the United Nations over their status. The likely result of such a confrontation would be to prejudice the standing of those who hope for restoration of the right of self-determination for the peoples of Eastern Europe, as well as the ability of the United States to continue to advocate their cause most effectively.

I hope that the above will be helpful to you in your consideration of this problem and that you will not hesitate to call on us again if we can be of further help.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

FEBRUARY 18, 1969.

Mr. WILLIAM B. MACOMBER, Jr.,
Department of State,
Washington, D.C.

DEAR MR. MACOMBER: I certainly thank you for your prompt and informative reply to my inquiry concerning the Ukraine and Byelorussia.

However, your correspondence does raise further questions in my mind, and I am hopeful that you will be able to supply satisfactory answers.

I can appreciate the attitude of the Department of State in considering the Ukraine and Byelorussia as integral parts of the Soviet Union (even though no formal agreement to that effect was ever reached), and that regarding them otherwise in the United Nations might be construed as an attempt to dismember a member state.

This being the case, however, it would certainly seem justifiable to regard them as integral parts of the Soviet Union in the structure of the UNO and to disallow them separate votes.

Second, you express the assessment of the State Department that my previously submitted proposal would be attacked as an unwarranted interference in the internal affairs of the Soviet Union, and I gather the State Department considers such an attack in the UN to be a very formidable weapon, and one which would enjoy the support of many countries—not all communist.

It would certainly seem, therefore, that the same objection could be made concerning the situation of Rhodesia, and that the United States' attitude should be to severely denounce, rather than to support, the boycotts and sanctions against Rhodesia. One would expect, also, that the same countries would support our position.

I will appreciate having your early response to these questions.

Thank you for your attention.

Sincerely,

JOHN R. RARICK,
Representative in Congress.

DEPARTMENT OF STATE,
Washington, D.C., March 4, 1969.

Hon. JOHN R. RARICK,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN RARICK: I am pleased to respond to the questions which my earlier letter raised in your mind.

As you know, the United Nations membership of Byelorussia and the Ukraine stems from a wartime agreement made by Marshall Stalin, Prime Minister Churchill and President Roosevelt. At the Yalta Conference in February 1945, the Prime Minister and the President agreed to support a Soviet proposal at the forthcoming United Nations Conference at San Francisco that these two Soviet republics be admitted to original membership in the United Nations. Subsequently, the two republics were accepted as original members at the San Francisco Conference in April-June, 1945. Byelorussia and the Ukraine could only be deprived of their membership through the expulsion and suspension procedures laid down in the Charter, which are subject to a veto by any of the five permanent members of the Security Council. Any move to expel the two Soviet republics would presumably be vetoed by the USSR.

With respect to your second question, the situation of Rhodesia and that of Ukraine and Byelorussia in the United Nations are not analogous. Sanctions against Rhodesia cannot be construed as interference in the internal affairs of a state because Rhodesia is not an independent state and has not been recognized as such by any government. The United Kingdom is the universally recognized legal sovereign authority in Rhodesia and in that capacity requested United Nations assistance in ending a rebellion in a British colony through the imposition of economic sanctions.

In invoking sanctions against Southern Rhodesia, where a racial minority has seized power illegally in an attempt to perpetuate its domination over the vast majority of the inhabitants, the Security Council has sought to assist the United Kingdom in dealing with a situation that, in the Council's judgment, creates a threat to international peace and stability in Africa. Denied an effective political voice in Rhodesia, the African majority may increasingly turn to violence as the only practical means to bring about movement toward majority rule and an end to racial discrimination.

I hope that this information answers your questions concerning portions of my previous correspondence and that you will call on us again if we can be of further help.

Sincerely yours,

William B. Macomber, Jr.,
Assistant Secretary for Congressional Relations.

Wife of Former Ukrainian Premier Sees End of Soviet Empire Near

Washington, D.C., March 5.—Mrs. Yaroslav Stetzko, wife of the former Ukrainian Prime Minister, today predicted that the breakup of the Soviet Union's hold on Eastern Europe was fast approaching.

Addressing the Washington chapter of the American Friends of Anti-Bolshevik Bloc of Nations, meeting at the Mayflower Hotel, Mrs. Stetzko called the Soviet Union a "Colossus on feet of clay." She branded the Soviet invasion of Czechoslovakia as a move to conceal the inner weakness of the Soviet Union and a "desperate attempt to keep the Czech example from igniting the explosive situation in Soviet-dominated Ukraine."

Mrs. Stetzko blasted the Czech "intervention" as "a brutal act of naked Russian imperialism, which testifies to the total bankruptcy of so-called socialist internationalism."

Referring to the situation in her native Ukraine, Mrs. Stetzko said that "Soviet terrorist acts such as the imprisonment of Ukrainian authors and other thought leaders, the almost frantic attempt to destroy the Ukrainian cultural heritage, and the systematic effort to stamp out the use of the Ukrainian language are evidence of Moscow's terror at the swelling revolutionary spirit in Ukraine.

"Led by the young and by the workers, the whole Ukrainian nation is resisting Soviet Russian domination," Mr. Stetzko said. "It is no longer possible for Moscow to ignore the demands of *this* generation of Ukrainians for the right to secede from the U.S.S.R. that the Soviet Constitution grants to Ukraine."

Mrs. Stetzko pointed to the Soviet Union's growing involvement in the Arab world as "an attempt to counterbalance its faltering hold on Eastern Europe by bringing Russia's frontier to the Mediterranean Sea. Every Russian Tsar dreamed of warm sea ports for the Russian Navy," she said. "Breshnev is trying to put his missile firing submarines within cruising distance of what Churchill called 'Europe's soft underbelly'."

Mrs. Stetzko is in the United States in connection with the celebration of the 25th anniversary of Anti-Bolshevik Bloc of Nations, Inc., of which her husband is World President.

Mr. Stetzko, who makes his home in Munich, served as Prime Minister of the short-lived Ukrainian Republic which was established in 1941. Shortly after assuming office, he was arrested by the Gestapo and imprisoned in the Nazi concentration camp at Sachsenhausen, until 1944.

REMARKS BY SENATOR MARLOW W. COOK TO THE NATIONAL ASSOCIATION OF COUNTY OFFICIALS REGARDING MALNUTRITION

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. TALCOTT. Mr. Speaker, it was my privilege to attend the principal luncheon of the National Association of County Officials during the association's national convention in Washington on March 4, 1969. I was particularly proud to be honored by the NACO along with Senator Moss, of Utah, Senator Cook, of Kentucky, and Congressman Clausen, of California, for our interest and contributions to county government.

County officials throughout the United States could be the most influential group in America, if they would assert their power. They are closest to the people, so they have the power of knowledge and understanding. They are also subject to the closest public scrutiny—a key to responsible, responsive public service.

Senator Marlow W. Cook, of Kentucky, demonstrated a perceptive understanding of one of our critical domestic problems—malnutrition of a significant portion of our citizens amid plenty. Our farmers can easily produce enough of the right kinds of food for all nutritional needs of all our citizens.

County, State, and Federal officials must work together to ameliorate malnutrition.

I urge every Member of the Congress to read Senator Cook's address to the NACO officials. The Senator's suggestions are excellent:

Remarks by Senator Marlow W. Cook, to the National Association of County Officials Regarding Malnutrition

Senator Moss, Congressman Talcott, Congressman Clausen, Ladies and Gentlemen, with the following words, Senate Resolution 281 of the 90th Congress began:

Whereas it has been demonstrated that every American does not have the food, medical assistance, and other related necessities essential to life and health; and

Whereas surveys conducted by Government agencies and responsible groups of citizens show that, in spite of America's abundance of food, fiber and other resources, our Federal food programs fail to reach many of the citizens lacking adequate quantities and/or quality of food, which may result in the lifetime impairment of children mentally and physically, and in unnecessary disease, suffering, and premature deaths among both young and adults; and

Whereas restricted use of programs authorized by Congress, reversion of funds, division of responsibility and authority within Congress and administrative agencies, unwise regulations and other obstacles impede and frustrate efforts to banish starvation and want for necessities among desperately disadvantaged poor within our nation.

With this preamble, the Senate by enacting S. Res. 281, proceeded to establish the Select Committee on Nutrition and Human Needs to investigate and report its findings with the goal of alleviating these disgraceful conditions in our country.

I have chosen to discuss this most crucial problem with you today because of the implications hunger and malnutrition in such a rich nation as ours hold for all Americans. There has never been a national mandate to eliminate hunger in America and if such a mandate is to come about, we must discuss the problem with national groups such as N.A.C.O. and take the message back to our communities all across this land that hunger and malnutrition in such an affluent society is a national disgrace and can no longer be tolerated.

The existence of hunger and malnutrition in America has now been well documented by the House Education and Labor Committee, the Senate Subcommittee on Employment, Manpower and Poverty, the Office of Health Affairs of the Office of Economic Opportunity and other groups and agencies. They find that as many as 10,000,000 Americans may be suffering from these conditions.

The credit for uncovering and focusing attention on this problem must go to those individuals and groups, among them Senators Joseph Clark and Robert Kennedy, and John Stennis, who, in various ways, began to awaken Americans to the existence of hunger and malnutrition. Tribute should also be paid to the C.B.S. documentary, "Hunger in America", shown in 1968, and to concerned individuals such as Robert Choate, who have followed the whole inquiry from the beginning.

All these developments led to the creation of the Senate Select Committee on Nutrition and Human Needs, which is funded and authorized to continue and complete its activities by the end of the year. You may ask, why the concern over this problem? Some have said hunger will always be with us. I say, we simply cannot accept this state of affairs for a number of reasons, the most prominent of which is medical. While very few Americans are actually starving in the traditional sense, they are nevertheless being ravaged by the more subtle destruction of malnutrition. It is incontrovertible that malnutrition causes bad eyesight, cracked skin, goiter, bad teeth, mental retardation and many other physical ailments. Malnutrition among very young children may bring about a condition of mental retardation which will severely limit their ability to compete for an adequate share of the resources available in our society. Think how many young lives are permanently impaired as we merely authorize still other studies and fail to take positive action.

There is not uniform agreement among the members of our Committee as to how we could best proceed from here. Even though I am the first to admit that as a newcomer to the Senate and the work of the Committee, I am no expert, it does seem that the existence of hunger and malnutrition in America has already been well documented. I grow impatient with continued medical testimony about conditions which are the result of malnutrition. I am willing to concede this and then get on about the business of cutting bureaucratic red tape and altering any and all regulations which keep our federal programs from meeting the needs of the people they were designed to assist. As a former President once said, "Justice cannot await too many committee meetings."

Robert Choate, probably the most outstanding expert on the deficiencies of existing programs of the federal government, has outlined well the current status of them and the people they were designed to serve. He says that at least 90 to 95 percent of the American population eats adequately through the services of the private sector. Current responsibility for meeting the food needs of the other 5 percent lies between the Departments of Agriculture, H.E.W. and the O.E.O. and its local counterparts. The welfare division of the H.E.W. extends its benefits to only 9 out of 27 million poor of the nation. The health division of H.E.W. has paid almost no attention to malnutrition in America while studying malnutrition in 33 foreign countries. Under the education division little or nothing has been done to instruct the recipients in proper nutritional practices. And, believe me, without this vital educational program, a large portion of whatever resources and energy the government is giving the undernourished is wasted. To illustrate the primitive state of nutritional practice among the poor, let me read to you from an excellent study of an isolated Appalachian community which we shall call Hollow Creek. The author tells of his observations of Hollow Creek's country store and its customers.

Pop flows freely on Hollow Creek. Youths drink eight or ten bottles a day. The tiniest youngster can gulp down a king-size bottle in minutes. The selection is a thoughtful and unhurried decision. You lift one large hinged lid and peer inside. Diet Rite, Dr. Pepper, Tab, Mountain Dew. You drop the lid, lift the other lid and examine the contents of the other half of the cooler. Seven-up, Coca Cola, Grape, Orange. The crimped top of the pop bottle is lifted on an opener nailed to the wall; the top clatters into a cardboard box on the floor, and the customer takes a deep, long pull from the bottle. Then, accompanied by his silent children, he walks over to examine the delicacies on the metal bakery shelf. "Have a cake if you want", the head of the house says. Like flickers of spring lightning, young fingers snatch the cookies and cakes from their resting place and tear off the clear plastic covers. The craving for the sting of carbonated beverages and the lingering sweetness of the little cakes and assorted fruit bars is constant.

A first reaction, as you sit on the feed bags and watched the performance day after day is, "Why do they waste money on that junk?"

The answer is clear when you stay long in Hollow Creek. A bland diet—green beans and cabbage in the summer, fried pork, corn bread, black coffee, meal after meal. Surplus commodity meat—pork and bean—extracted from its shiny cans and fried in bubbling lard grease in black fry pans. "Taters" swimming in clear grease. Adequate, but all the blandness and grease! It leaves a disturbing unfilled sensation, a nagging, evasive hunger. Tobacco won't satisfy it. But pop and cake will—for a time.

This is typical and certainly indicates that not only proper food but nutrition education must be supplied the needy.

There are currently six national food programs. Many of these serve more middle class recipients than poor recipients.

The two programs which are family oriented are the Commodity Distribution and Food Stamp programs. County governments, as we all know, are involved in both. Under the Commodity program the federal government pays for food and delivers it to the county warehouse. The county pays for the warehousing and distribution. In 1968, 1,239 of the nation's 3,100 counties participated in the program servicing 3.2 million recipients at a cost of $150 million.

The Food Stamp program was instituted in the 60's to make better use of the retail food industry and to better serve those with regular but low income. In 1968, 1,666 counties of the nation's 3,100 were under this plan which benefited 2.6 million recipients at a cost of $185 million.

The programs run by institutions include the School Lunch program, the extended School Lunch program, the Breakfast program and the Milk program. Also, under Title I of the Elementary and Secondary Education Act many children in low income areas are fed.

But let us look at the effectiveness of these efforts. As of December, 1968, it is estimated that only 6 million of the nation's 27 million poor are under Commodity or Food Stamp programs.

Over 500 of the nation's counties are not under either the Commodity or Food Stamp Plan. This failure is a dual responsibility of both federal and local units.

At present if a family depended upon the commodity package for its total food supply, it will run out before the month is out even with careful handling.

Commodity warehouses are seldom open more than once a month. As a result the packages are so large they can often not be carried by aged or infirmed recipients. Few of the Commodity programs are designed to help infants. And remember, as we said earlier, these young children are the ones in whom malnutrition may well result in a life of retardation.

The School Lunch program is currently benefiting effectively 2 million of the 7 million poor children in America. It is not used to demonstrate good nutrition practices even to those it reaches. The U.S.D.A. prohibition against for-profit catering has prevented service to schools without cafeterias, many of which are located in slum areas of our cities.

The Food Stamp program helps only those poor with regular but limited income. Studies indicate the formula for the average food stamp user requires between 37 and 50 percent of his limited income to buy food as compared with 17 percent of the average middle class families' income which is spent for food. In addition, the food stamp beneficiary can only expect his stamps to provide ⅔ of the food he needs for the month. The food stamp user must participate every month to stay in the program. While the average middle class housewife buys food once a week and the food stamp participant buys once and it must last the entire month.

Under current regulations Commodity and Food Stamp programs cannot exist side by side in a county. Since the Food Stamp program as currently administered does little for the abject poor, they suffer in those counties which only employ that program. These programs would be more effective if they were allowed to supplement each other. In addition, the stamps should be available to purchase non-food items such as soap and clothes and such self-help items as seeds for gardening.

I recommend the following measures be taken immediately to help eliminate conditions of hunger and malnutrition in America before more young lives are stunted; before more older lives are lost through disease related to failure to receive the proper nourishment:

(1) Free food stamps be made available on a temporary basis until the formula of the program can be adjusted so that from 37 to 50 percent of incomes are no longer required to purchase even an inadequate amount of food.

(2) That the funding of the Emergency Food and Medical Program of the O.E.O. be expanded to supplement the Commodity and Food Stamp efforts. This program, although severely limited by its budget, has been working well in Kentucky and other states.

(3) That food stamps be issued twice a month.

(4) That at the earliest possible date local community action agencies receive additional funds and staff to teach nutrition and food economy to local beneficiaries of government food programs.

These recommendations would not eliminate the hunger and malnutrition in existence in America, but would, I am convinced be the minimum stop gap measures we need to protect the health and lives of these unfortunate Americans *NOW* until we can reevaluate and make our programs more responsive.

The issue is clear. Our duty is obvious. Just as it has been said that there is no Republican or Democratic way to solve the problems of the cities, I say to you this is not a partisan issue, but a responsibility which all Americans must assume. When the cause is just it must be pursued by liberals and conservatives alike. To hesitate in attacking the greatest disgrace of this decade, or even worse, to continue to ignore it, would be to play a cruel hoax on a segment of our society which deserves, at the very least, the opportunity to be physically fit to compete in our free enterprise system.

INSIDE LABOR—MAFIA'S MAUSOLEUM

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. HOGAN. Mr. Speaker, the fight on organized crime goes on and on, but there are few in this Nation who fully realize the tremendous efforts of the Federal Bureau of Investigation in pursuing this fight. By way of tribute to J. Edgar Hoover and the men and women who make up the Federal Bureau of Investigation, I would like to insert in the Record the following material by the well-known newspaper columnist, Victor Riesel. This material provides dramatic facts and figures showing the effectiveness of the efforts of the Federal Bureau of Investigation in combating organized crime in this country.

The material follows:

Inside Labor: Mafia's Mausoleum—Top Federal Crime Authorities Report Chicago Crime Syndicate Controls All Nation's Mobs

(By Victor Riesel)

Washington, D.C.—Now that the circus is over and Vito Genovese is just another mound in the ground, time has come to rip some of the nonsense from the chronicling of the Mafiosi.

Old hands in the Justice Dept., if ever they talk, will tell you that while the old killer may have been the "boss of bosses," he governed only by permission of the Chicago crime syndicate, which has been and still is the mob of mobs.

It's been so since Al Capone, he of the scarred face, died of syphilis in the once chi-chi part of Miami.

Certainly the Federal Bureau of Investigation knows that if the Chicago crime combine can be cracked, the entire network of La Cosa Nostra families can be ripped up so that many unions, thousands of legitimate businesses, universities, big cities and lonely highways can be free of the gun, the knife, the acid.

But just as there no longer is a boss of bosses, there seems to be no Chicago crime syndicate chief. There was a long stretch under the self-exiled Sam Giancana, who fled to Mexico in 1966. There are those inside the government who say flatly, "you'd be positively, definitely right if you'd report that he had far more power than Vito did, but because of the inside awe of the Chicago crowd, Sam never was put to the test."

Little Sam was succeeded by Sam Battaglia, compared to whom steel alloys are like putty. But this Sam, too, is out of circulation—doing a 15-year term for extortion. Then came the new boss of the mob of mobs, little known in the East, unknown in the West, John (Jackie) Cerone. Now he's under indictment on a gambling charge.

I report this strange moment in La Cosa Nostra so that it will be noted during congressional appropriation time.

This is the moment for the big push—and such pushes take money, lots of it.

How did it happen that the mob of mobs and many of the syndicates it secretly dominated are leaderless?

The FBI and a handful of crusading U.S. and regional district attorneys did it—mostly without wiretaps.

It will be easier now that the "A.G.," John Mitchell, has decided to give his people the electronic weaponry to match the Mafia's weapons. Not the least of these are payoffs totaling some $2 billion annually, according to Ralph Salerno, easily the best-informed civilian authority on the Cosa Nostra—and the most courageous too.

Even without wiretaps or electronic eavesdropping, the FBI dug up the evidence to convict 290 hoodlums and Mafiosi during the 1968 fiscal year. This topped the bureau's 1967 record of 206.

Some of the boys netted by J. Edgar Hoover's FBI have been around a long time.

There is, for example, John Roselli, a real moving picture type. Literally, he is out of the black shirt, snap-brim hat Al Capone days. In fact, he was one of Scarface Al's lieutenants. Last December, he was convicted in Los Angeles Federal Court of participating in a major illegal interstate gambling operation.

Roselli is a true veteran. Back in 1943, he and six other fashionable hoods were convicted on charges of violating federal laws by using their influence in the old International Alliance of Theatrical Stage Employes to extort a million dollars from Hollywood producers and exhibitors. Shades of the mob, not a few of whom left this earth rather explosively!

During the year, the FBI got the evidence to hit several of the alleged members of the combine's high command. One is New England boss Ray Patriarca, convicted of conspiring to violate the interstate transportation statute by force and violence, including murder. He got five years.

There is Carlos Marchello, once identified by a U.S. Senate committee as the chief of the mob in the South. He was convicted for attempting to assault an FBI agent. He got two years.

There is that Cosa Nostra fellow in San Diego, Calif. According to the testimony of a Los Angeles police captain at a California organized crime hearing, he has "long been . . . considered by us to be the executioner for the Mafia on the West Coast." He has been convicted of violating federal laws.

And so it goes from coast to coast. In New Haven, for example, labor racketeer Ralph Tropiano and some muscular friends were convicted in federal court on charges of violating federal antiracketeering laws. They used force and threats to take customers from competing firms with a garbage-collecting company in which they had an interest.

With a real appropriation now, the Justice Dept. might just about topple the mob and leave its legendry to Kirk Douglas and Lee J. Cobb in the good old movies.

The point is, who in Congress now will stand up and fight for such monies? And who, just who, is seeking to slash the funds?

PRESIDENT NIXON'S EUROPEAN TOUR

HON. J. IRVING WHALLEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. WHALLEY. Mr. Speaker, I would like to join those who have paid tribute here today to the arduous and successful trip of the President of the United States. I know that as he looks back upon the conversations he has held in Europe he must have a sense of accomplishment and of a difficult task performed well. All indications are that he was well received and that a new note of amity and rapport has been added to our relationship with our NATO allies.

The President wisely stressed that he had come to work, to inquire, and to consult. He was not there to persuade or insist.

President Nixon told the NATO Council:

> The United States is determined to listen with a new attentiveness to its NATO partners, not only because they have a right to be heard, but because we want their ideas. And I believe we have a right to expect that consultation shall be a two-way street.

The President's initiative so soon after taking office is in keeping with his theme of speaking softly and facing the issues directly. I am confident that his leadership will enable the United States to move forward together with its allies in a successful search for peace and security.

WELL DONE, PRESIDENT NIXON

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. KUYKENDALL. Mr. Speaker, under permission to extend my remarks in the RECORD, I would like to include the following editorial from the Nashville Banner lauding the accomplishments of President Nixon on his European trip. I second the sentiments expressed in this editorial, which follows:

WELL DONE, PRESIDENT NIXON—AND WELCOME HOME

President Nixon's working trip to Europe was a plus for the United States all the way—restorative of national prestige, introductive of policy views firm and coherent, and productive of respect and confidence. He imparted the qualities for these at every stop, and his home-coming is to a nation proud of a mission magnificently performed.

It was historic, in magnitude and achievement; and to the host countries abroad must have been the more remarkable for the fact that it was a newly-inaugurated Chief Executive thus measuring to unsurpassed dimensions of maturity in leadership.

To the President it was a self-assigned responsibility—beyond the call of immediate duty; but assumed with initiative addressed to solution of international problems high on the priority list.

As a realist, Mr. Nixon was and is aware that these will not be solved overnight. But as a man of reason, he also knows the essential factor of mutual confidence for unity and understanding prefatory to meaningful clasp of hands across the sea. He clasped those hands, at Brussels, London, Bonn, Rome, and Paris—and, unquestionably, the sincerity of his message was transmitted.

The handshake was with more than Heads of State, with whom he consulted, to listen and discuss questions of policy moment. To the populace of those lands he personified, in words and contact, a President of the people—an image of friendship neither fawning nor patronizing, but with respect of a human being for other human beings.

He is that, with no affectations of infallibility; but with the sobering realization of awesome responsibility—and determination to fulfill, both in domestic and in foreign affairs, a covenant of trust. Thus his language gets down to cases, whether confronting a problem at home, or issues vital to Free World security, and it registered all over Europe. The tone of his message, for strength and judgment along any avenue to honorable peace, could not have failed a hearing even though the Iron Curtain—where the question of meaningful summit negotiations is pending.

No man could have carried more superbly the burden of such a mission; nor wrought of it a better total accomplishment.

There are areas of individual national responsibility—the internal political and economic affairs that are sovereign to each—and on these he did not trespass. On the other hand, there are multilateral interests requiring maximum attention by the community of Free World powers, and in behalf of these he sought the full measure of enlightened action in concert.

Notably, he did not re-embark his nation on the futile course either of banker to the world, or of universal policeman. He did not seek to acquit the United States of shared obligations for peace-making and peacekeeping; but he underscored the fact that difficulties or crises confronting civilized society were for the components of that society to solve together.

Where reason goes hand-in-hand with courage, it gains an audience—of men or nations of good will. It gains respect, and can unify. It identifies its possessor with the highest qualities of statesmanship; and cements friendship predicated on understanding and trust. It is addressed by President Nixon—not to secret covenants, but to open accord openly arrived at.

He adhered to that on a working trip whose signs of success vastly outweigh needling aspects of Communist-begotten resentment and opposition.

The United States takes due note of the substantial plus side—the distinguished record of its chief spokesman who, at any point, did not falter or default. The nation welcomes him home.

PRESIDENT NIXON'S EUROPEAN TRIP LAUDED BY CONGRESSMAN VANIK

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. VANIK. Mr. Speaker, I want to take this opportunity to congratulate President Richard M. Nixon and Secretary of State William P. Rogers on the high purpose of their recent grueling trip throughout Europe. These steps initiated by the President and the Secretary of State will help stabilize our relationships with our oldest and most important allies. The mission has also brought great hope that America may proceed in the cause of peace and world understanding.

We applaud the President's efforts to gain better understanding from our European allies of our needs to develop better working relationships with the Soviet Union so that nuclear holocaust can be avoided. For this goal of peacemaking, the President deserves every support and our every possible assistance. A good first step has been taken on a continuing and long voyage toward peace. The American people pray for the success of these endeavors.

CHARLES MAYES SPEAKS FOR OKLAHOMA YOUTH

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. EDMONDSON. Mr. Speaker, a young Central High School student from Muskogee, Okla., Charles Mayes, was recently the winner of the statewide Voice of Democracy contest sponsored by the Veterans of Foreign Wars.

The text of Charles' oration, "Freedom's Challenge," is worthwhile reading, and reveals a fine understanding of the individual responsibility that is indispensable in a free society.

I am very proud of this speech by my young fellow-townsman, and the text of the speech follows:

FREEDOM'S CHALLENGE

(By Charles Mayes, Muskogee Central High School, Muskogee, Okla.)

"Freedom is an indivisible word. If we want to enjoy it, and fight for it, we must be prepared to extend it to everyone, whether they are rich or poor, whether they agree with us or not, no matter what their race or the color of their skin." Wendell Willkie spoke of liberty that is not divided, or not given to special groups. Americans must have the preparation necessary to balance individual freedoms, so that all will be equal in the use of their freedoms.

Freedom's challenge works on a person-to-person basis. It is very human indeed. Our forefathers penned the freedoms that we are guaranteed today. Although external conditions in America have changed, we should still have this vital relationship and responsibility of a man's concern, love, and respect for his peers.

In this country, who are one's peers? In speaking in the terms of freedom, who are a man's peers? These equals are those who also have been given inalienable, or God-given rights. They are the people who are around us every day. Freedom's challenge says to us "Let them have their freedoms also."

In school, students must not neglect one big part of their education. This is learning to live with others successfully. Student government and the understanding of rules helps young people become more aware of their rights as well as restrictions. Sometimes students think that there are too many "don'ts" as they come up through the grades, but finally realize that they can accomplish their goals through present established principles of organization. Unfortunately, some students dissent to the point that they disrupt the freedom of the person next to them.

Just how big are we as human beings? It has been said that, "We measure ourselves by the responsibility we shoulder successfully." In this case, we measure ourselves by how successfully responsible we are for our rights. American's rights are numerous, so our responsibilities are just as numerous.

We are allowed to speak up against governmental actions without the "iron-hand" of a dictator stopping us. The press, radio, and television media enjoy a large share in freedom. Our government can be legally petitioned. This country's religious values and freedom of religion emphasize this person-to-person freedom.

What then are our responsibilities to the next fellow? Use some common sense! If a person yells "Fire!" in a crowded theater just to cause trouble, tells damaging lies about other citizens, or incites riots he has overstepped his freedom. These things do hurt those who are equal to him. This hurt takes freedoms from others and makes them unequal in rights. Not only this, but the one who has infringed later loses a part of his liberties also. Liberty and American society would finally cease to exist if this person and others like him would continue unshackled to abuse their neighbor's rights. Like a chain reaction it would sweep the nation! We must be very careful to meet our challenge.

J. Edgar Hoover said, "Indulgence and materialistic selfishness are eroding the tried and true American traditions of honesty, integrity, and fair play." In business relationships the "New Morality", or doing whatever one thinks best in a situation, may be popular. Cheating and taking unfair advantage of people's feelings and freedoms is the thinking of the unfair person who does not measure up and respond to his rights.

Charles Kingsley, a notable English writer, said, "There are two freedoms—the false, where a man is free to do what he likes; the true, where a man is free to do what he ought." I have been speaking about the true freedom. This valuable freedom is workable and experimental, yet it does carry responsibility.

The freedoms in our Constitution are not just words on an old, worn piece of parchment. These freedoms are ideas that will enable us to have a better life; but a better life only if we will make freedom a living spirit within us. Yes, and with God's help, a living spirit through each person's concern. As the sociologist, Reagan Brown, put it "In each of our hands is a part of our neighbor's destiny."

INCREASING THE SOCIAL SECURITY EARNINGS LIMITATION

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. FULTON of Tennessee. Mr. Speaker, today I am sponsoring legislation to provide relief and preserve the personal and financial integrity of thousands of persons over age 65.

This bill would increase the outside earnings limitation for social security beneficiaries from the current $1,680 to $3,000. At present a beneficiary may earn up to $1,680 without any loss of benefits. From $1,680 to $2,800 the loss is one dollar in benefits for every two dollars of outside earnings. Beyond $2,800 the loss is dollar for dollar.

Mr. Speaker, when I came to the Congress more than 6 years ago, the outside earnings limitation stood at $1,200, and they said it could not be raised. But we did. In 1965 we increased it to $1,500. That was supposed to be the limit. But in 1967 we increased it again to its current $1,680, and I believe that if we put ourselves to the task we can raise it even higher.

For many, many Americans today, age 65 simply is not a realistic full-time retirement age. But the social security program, as it currently functions with its outside earnings limitation, serves as a dissuader to active and able persons who wish to maintain gainful activity to supplement their incomes commensurate with their earning ability and to continue to contribute to society through their talents and abilities which have been developed and perfected over their working years. I believe these persons, with their vast knowledge and experience should be encouraged to continue and contribute to our society as well as to their livelihood. This legislation will permit them to do so and society will benefit.

MAGAZINE SALESMEN IN FAIRFAX COUNTY, VA., HAVE VARIED POLICE RECORDS

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, in other statements in this Chamber on Wednesday, February 26, and today, I commented at length on fraudulent practices of magazine subscription sales companies.

At the present time, there are more than a dozen magazine subscription sales companies actively working the Washington metropolitan area. Some of these are reputable organizations whose activities seldom produce consumer complaints. Some are highly disreputable organizations whose activities pose an almost constant burden to local law enforcement agencies.

In some instances, not only are their sales techniques fraudulent but also the caliber of their personnel pose a very real threat to the public welfare.

Magazine salesmen, primarily representing the "cash only" type of subscription sales organizations, have been plying their wares in neighboring Fairfax County, Va. Reporter Anthony J. Sterago of the Globe Newspapers, weekly publications serving a number of communities in Northern Virginia, reported in an article published February 27, 1969, that many magazine salesmen who have been canvassing the county in recent weeks have long and varied police records.

If they were ex-convicts who have gone straight, there would be no cause for concern. But with no guarantee this is the case, the fact they are engaged in door-to-door sales solicitations poses a hazard to the lives and property of every person they encounter. The sales practices condoned by the companies they represent are sufficient reason to doubt any reliable screening of personnel was carried out before these ex-convicts were sent into local communities to gain access to the homes of unsuspecting consumers. Under unanimous consent, I submit Mr. Sterago's account of this situation for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Globe Newspapers, Feb. 27, 1969]

LITTLE POLICE CAN DO—MANY SOLICITORS FOUND TO HAVE POLICE RECORD

(By Anthony J. Sterago)

Fairfax County housewives are being plagued by the door to door magazine salesmen, some of whom have extensive criminal records, and the police are helpless to do anything about it, said a police official.

Some residents of the Mount Vernon area were robbed of money from their homes after a visit by a magazine solicitor. Two housewives in the Annandale area were intimidated to a point where they were forced to take a magazine subscription in order to get rid of the solicitor.

Another woman in the Dranesville area was shocked when a solicitor approached her in her garden and indicated surprise to find her home. He told her that she was never home during that hour. Her home had been robbed on three previous occasions.

These are only a few examples of people who told of their problems with magazine solicitors in recent interviews with the Globe.

The ironic thing about these incidents is that the Fairfax County police are powerless to do anything about them.

According to the local ordinance the only requirement is that a solicitor drop into police headquarters, fill out an application, get fingerprinted, and he's free to "pester" the citizens at will. After the solicitors have registered and police send away for a criminal record check on the individual, the report comes back weeks after the solicitor leaves the area.

Last June Supervisor Harriet Bradley told the Fairfax Board that "20 percent of those roaming the county have FBI records several pages long."

She said, "something should be done about this situation," and other board members agreed. That was eight months ago and as yet nothing has been done, but refer it to the county attorney's office.

In the meantime a survey of some of the criminal reports indicated that many of the solicitors have past records that include major felonies such as armed robbery, auto theft, burglary, breaking and entering, forgery, and even murder.

For example, so far this year 103 solicitors have been registered at police headquarters.

One fellow from Florida in 1967 was given a 2 to 6 year sentence for auto theft. Then in November 1968 he was arrested for attempted breaking and entering. This man sold magazines in the county in January.

A three-page record exists on another criminal who since 1955, and up to May 1968, has been charged with armed robbery, stolen auto, parole violation, investigation of robbery, breaking and entering with intent to steal and others. This man had the run of the county during the Christmas holidays selling magazines.

In 1968 nearly 600 solicitors registered to sell subscriptions or wares to Fairfax County housewives. Also, last year Fairfax County Police Chief William Durrer told the Board of Supervisors that "burglaries have almost doubled since 1964 when 1,503 cases were reported."

From January to October 1968 "we have registered 3,422 cases on our books with the largest number of these being house burglaries."

"There is no way as far as the present ordinance dealing with solicitors is concerned," he continued "that we can combat the invasion of the criminal who hides behind the legitimate business of the door to door salesman. Our application merely calls for a few details about the individual such as description of the car, name, address, name of company and details about the vehicle," he said.

Neighboring jurisdictions ferret out such information as whether the persons had ever been convicted of a crime and the nature of the violation. Also, the applicants are required to wait a certain period of time before receiving permission to work throughout the territory and, then even pay a $5 fee for filing the application.

Most jurisdictions require a $1,000 bond be posted and charge a fee for the permit. Fairfax County has none of the deterrent factors in their ordinance and as a result get many solicitors with criminal backgrounds.

Some of the lovely looking young ladies with innocent faces who have been preying on the housewives also have records; in one instance one gal was charged with conspiracy to commit fraud on the West Coast, and prostitution as well as forgery. Another lady had been charged with grand larceny in stealing an auto in 1967 and later with prostitution.

Fairfax County's legal department heads, both the Commonwealth Attorney Robert Horan and Board Attorney Donald Stevens, maintain, in spite of the criminal element that is allowed to solicit in the County under the present ordinance, the county can do nothing about it until the general assembly approves enabling legislation.

The county passed the present ordinance in 1958; however, since that time other jurisdictions in Northern Virginia have invoked strict regulations and have the situation well under control.

Arlington County passed one in 1961 and according to an official in the police department hundreds of solicitors have been denied permission because of criminal backgrounds. "We have a folder at least three inches thick," said one official. "We have enough problems with breaking and entering as it is without allowing more criminals in."

Another jurisdiction official said that magazine companies have issued instructions to just bypass our area because of the tight restrictions.

Col. Durrer said that in view of the lack of personnel to keep track of all these people who are given permission to solicit in the county the only other thing "we can do is request the housewives to follow a few simple instructions."

He said that anyone going door to door must register so that's the first question you ask. Ask him to give you his name and then call the police department and find out. Don't let him into your house until you're sure he is registered. "Remember," said the Colonel, "because they are registered still doesn't mean that he is cleared by us and that he is an honest upright citizen, because, we don't know any more about them than you."

If you let him in then don't let him out of your sight and don't allow them to use any facility in your house or apartment. One woman in the Annandale section allowed a solicitor to use the bathroom and he stole $5 off the dresser.

Next get a good description of the person and when he leaves see if he leaves in an automobile.

If he does then get the license, if possible.

"At present," said the police chief, "that's about all we can do until the general assembly allows us to pass stricter enforcement regulations.

"Within the next few months many solicitors will be making their rounds in the county and alert citizens can assist the police in doing a job the local ordinance will not allow," he concluded.

WORTH HEEDING

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. HARVEY. Mr. Speaker, I want to bring to the attention of the Members a series of recent articles and editorials which have appeared in the Port Huron Times Herald, Port Huron, Mich., in recent weeks. I feel that F. Granger Weil, president and editor of the newspaper, has directed a valid challenge to this Congress in commenting that the "year of the big crackdown—on organized crime—is long overdue."

I agree with him. I agree also with the sound positions taken by our colleague, the Honorable RICHARD POFF, as highlighted in the article by Victor Riesel entitled "New Strategy Proposed for Nixon."

I hope that this Congress will act effectively in a continuing effort to eliminate organized crime. The articles follow:

CRACKING LA COSA NOSTRA: NEW STRATEGY PROPOSED FOR NIXON

(By Victor Riesel)

WASHINGTON, D.C.—If La Cosa Nostra went public and paid dividends, it'd be the hottest security on the stock exchange—which it already is invading. At this moment the LCN (the FBI's acronym for it) is more prosperous—and brutal—then ever.

It's zeroing in on a network of airports through which pass some $20 billion worth of air freight (some seven billion at New York JFK alone). The 24 organized crime syndicates control hundreds of millions of dollars worth of garbage collection businesses in New York, New Jersey, Michigan, and at least three other states—all now under intense investigation.

It has infiltrated a network of local unions—not all in the AFL–CIO—which now are being probed by several Justice Department strike forces and the "new" Labor Dept.

LCN has increased its real estate holdings, according to federal authorities, by "tens of billions of dollars."

The Mafia has prospered, I believe, despite the FBI's most intense attack on the mob since Al Capone, because of Congressional restriction of funds for investigative lawyers, because of Congressional refusal to pass key legislation aimed directly at organized crime, and because of White House restrictions on the use of wiretapping and electronic eavesdropping.

Now that the policy has been reversed for the first time in years, the people have a running chance for an even fight.

It may have been overlooked generally, but Deputy Attorney General Richard G. Kleindienst did say the other day that in the use of wiretapping "the interests of the private individual" must be balanced "against the interest of society trying to protect itself against organized crime."

Now the klieg lights, with all their heat, must be turned on the Congress, which has the chance to join with some of us who do take the Cosa Nostra as a personal insult and public injury.

One of President Nixon's colleagues, a "special ideas" adviser on counter-attacking organized crime, Virginia's Congressman Richard Poff, has introduced a series of bills which could crack the Cosa Nostra and its fraternal mobs.

Dick Poff's proposals are imaginative, innovative, and would hit the hoods like a division of Patton tanks.

First, he would create a Joint Congressional Committee on Organized Crime. Thus, unlike Sen. McClellan's racket-busting operation, so much overburdened by other probes, there would be a committee not dependent on the dedication of just one senator.

"Such a committee," says Representative Poff, "would be able to perform one function inappropriate to the responsibilities of the executive branch, that of informing the American people, by clear and convincing evidence, of the nature, scope, and threat of organized crime to the nation's security."

Thus there would always be a central anticrime office to which to go, instead of awaiting a probe-a-decade in the image of Estes Kefauver and John McClellan's dramatic hearings.

Congressman Poff also appears to have at least a partial answer to those businessmen who come to me privately during my travels and in fear, sometimes in tears, asking what can we do to keep the mob out of our legitimate industry.

One of Mr. Poff's bills would make it illegal for the investment of money made illegally. It's as simple as that. And he would apply the antitrust laws to businesses in which investors have put money on which they have not paid any income tax. Thus, the Sherman Act could be applied, since obviously the nontaxable money gives the shady investor the "edge" the mob loves so much over the legitimate industrialist who pays taxes.

"These proposals, if they become law," says the soft-voiced Virginian, "will not result in any dramatic convictions but will give a handle to federal investigators. Certainly these will give them jurisdiction for probes which would lead to a full understanding of the nature and dimensions of organized crime."

This the bills would do by giving the government people the warrant to search the cash flow from gambling, narcotics, white slavery, loan sharking and muscling of contractors and unions.

There is much more in Mr. Poff's arsenal of proposals. But for the moment, as President Nixon's advisers, including of course FBI Director J. Edgar Hoover and the stern Attorney General John N. Mitchell, prepare anticrime strategy for the White House, there is one suggestion which could crack the spine of the meat hook Mafia.

Mr. Poff proposes a law which would give a judge the power to add up to 20 years to the sentence of a convicted racketeer, after the trial.

There would be a post-trial hearing. During this procedure the judge would determine the convicted one's leadership status inside La Cosa Nostra or any other organized mob. Then the jurist could add a consecutive term to the original sentence—all based on the prisoner's Mafia record.

All this now is in Congressional hands. The public will get what it demands, which will be a measure of what it deserves. Let's see if the Congress buries these bills as deeply as the Mafia does its victims.

CRIME CRACKDOWN IS LONG OVERDUE

Vic Riesel, whose column on this page today continues his campaign against big-time crime in America, believes this may be the year organized crime hits the skids.

We trust he is right. The year of the big crackdown is long overdue.

Congress has declined to approve heavy increases in appropriations for the anti-Mafia campaign. This might prove to be very expensive economy if the crackdown fizzles for lack of funds.

Those fighting the criminal element in this country should be given every advantage. They should have every modern instrument of crime detection. Crime bosses, for whom money is no object, have anything they want, everything they can dream up, build, buy or steal, to help them in their law-breaking. The forces of law should have no less.

That means equipment and manpower, and the right to use them. It means a reasonable break for the people, whose interests should be the prime consideration.

Accomplished crooks are not bound by any civilized rules. The people fighting them should at least have both hands free.

It would be refreshing for government to put some real heat on criminal syndicates this year. Then it would have less time for harassing legitimate business which has occupied so much of its attention these last few years.

CIVIL WAR LOOMS: MAFIA LEADERSHIP IS FULL OF HOLES

NEW YORK.—For us of the anti-Mafia mafia, this is the best of all seasons and the worst of all sessions. La Cosa Nostra's "National Commission" is as full of holes as some of those is caused to depart this earth laden with lead and cement.

For the first time, the crime syndicate is on the run—what with two of its board members dead, at least four either convicted or under indictment, one with a heart that's bad even for a Mafiosi, one, the grandee Mike Miranda, aged, and another under seige in his Southwest home.

Mostly they are the white-haired men of the untouchable generation. And so, according to the knowledgeable federals and other intelligence sources, they are reaching across the generation gap for a young leader—allegedly the 52-year-old Thomas (Tommy Ryan) Eboli. And so to him a kiss on both cheeks.

Until the other day, Mr. Eboli reputedly deferred to the wishes of the late Vito Genovese, who thought of "Tommy" as a son and an "underboss," according to the authorities. Vito, dubbed by Thomas Dewey as "King of the Racketeers" when Frankie Costello was prime minister, was obviously a man to cultivate.

His wife always carried "$50,000 to $60,000" and once said "how should I know how much, I never counted." And Vito could always draw on cash in bank vaults in New York, New Jersey, Monte Carlo, Paris, Switzerland and Naples.

Now Vito is dead like the others he allegedly wiped out, Tony (Bender) Strollo, boss of New York's Greenwich Village rackets, and Murder Inc.'s Albert (the Executioner) Anastasia, just to mention two.

But the succession won't be as simple as one of our White House transitions. Tommy Eboli may never have run into King Henry IV, but nonetheless will learn, as have the National Commission elders, that uneasy lies the head that wears a crown.

There' s going to be gunfire. With the commission's powerful men and syndicate chiefs all the way from San Diego to Chicago, from Philadelphia to Boston and New York, the younger generation, a not so lean but awfully hungry lot, will give "Tommy Ryan" Eboli no surcease.

The underworld will burn brighter than a university building as the local mobs fight for pieces of the action—not only gambling but the labor rackets. The money in seizing unions may not be as heavy as in gambling, but it's safer and more "legal." There are now tens of millions in small local treasuries. There are billions in pension funds. There is easy money in the trillions which will be spent on urban renewal and model city construction in the coming decades.

Until Vito Genovese died in a prison hospital, he was the syndicate's one-man supreme court. He controlled much of the waterfront rackets. His men moved into construction unions such as the hod carriers. And someone should take a long look at Baltimore, as well as the New York suburbs. Vito's dons and underbosses, some by way of concessions meted out by Tony Bender (who died in a car crushed in a junkyard press), moved into powerful sections of Teamsters locals.

And there is the territory of the alleged Genovese Pennsylvania underboss, Russell Bufalino, who traveled with Vito and whose car Vito used to move to and from the notorious 1957 syndicate cookout conference in New York. He is a big man in ladies' garments and has "muscled" hard for his territory in Northeastern Pennsylvania.

On Dec. 5, 1968, FBI agents arrested Bufalino and an accomplice. They were charged with conspiring to transport a quantity of stolen television sets valued at $25,000. As an old newsboy, I tell you one doesn't easily give up juicy routes.

So this is the best of all seasons for those who have fought the Mafia, be they of the press, the pulpit, the universities, the FBI or the Organized Crime and Racketeering Section of the Justice Dept. The mob's on the run. Its high command is shredded. Its new leader soon will be under assault.

But soon this could be the worst of all seasons. It will be grim, says Ralph Salerno, until recently the New York Police Dept.'s top Mafia specialist, if the politicians don't learn there's clout in the pursuit of the Cosa Nostra.

"Organized crime is getting disorganized. Just look around the country and you'll see what you've never seen before—Cosa Nostra's bosses and underbosses are being indicted and imprisoned. We sneaked up on them before they realized it. The old fellows got tired.

"It is the end of an era. But now the attack will have to be different. We could wrap up the fight on the Mafia in ten years. They are only some 2,000 men. But we need the scientist and sociologist now, especially to dig the mobs out of the ghetto, and from the billions in welfare and antipoverty money."

And there are those who say that a new Labor Dept. policy is vital. It must change its policy from an ambling curiosity over what's happening on the labor racket front. It must demand that its investigative staff be jumped from the meager 175 probers it has to cover a nation. It must move quickly when there are allegations that the mob is moving into unions (as can be seen from current and scheduled trials) and when the syndicate sets up its own dummy labor fronts.

With such help the private anti-Mafia mafia could make this the best of all decades.

NONPROLIFERATION TREATY A TROJAN HORSE?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. RARICK. Mr. Speaker, the full text of the Nonproliferation Treaty will be found in the CONGRESSIONAL RECORD for February 27, 1969, at page 4743. A review of the treaty provisions will be disappointing to those who hold great expectations of its being an instrument of peace.

As usual, public hearings were held and testimony taken—but the public was not permitted to be heard. That the U.S. people have been denied any voice in the consideration of this treaty is evidenced by the reported refusal to permit Mr. Benjamin Ginzburg to testify.

Is the Government's policy now to reject testimony which may be contrary to predetermined conclusions and preconceived ideologies?

But then, no treaty or agreement is better than the honor of the signatories. The Soviet Union only enters into treaties which are to her advantage. To the Communists treaties are unilateral; for if the terms prove an obstacle to their international objectives, they merely repudiate the treaty.

In this regard, I include a compilation of the treaties and agreements broken by the Soviet Government following my remarks, along with a news clipping from the Chicago Tribune for March, 1969, covering the forbidding of a citizen to be heard; a copy of Mr. Ginzburg's rejected testimony, the Manion Forum broadcast for February 16, 1969, and a statement by Gen. Thomas A. Lane:

[From Congressional Record, Apr. 19, 1967]

Treaties Repudiated by Soviet Russia

II. POST-REVOLUTION TREATIES AND AGREEMENTS

A. Bilateral

1. Treaties

None.

2. International Agreements Other Than Treaties

Roosevelt-Litvinov agreements (arrangements relating to the establishment of diplomatic relations, nonintervention, freedom of conscience and religious liberty, legal protection and claims), effected by exchange of notes at Washington, November 16, 1933. (Department of State Publication 528.) (Comment: It is considered that the Soviet Union has violated various terms of these arrangements.)

Agreement relating to the procedure to be followed in the execution of letters rogatory, effected by exchange of notes at Moscow, November 22, 1935. (EAS 83.)

Lend-lease agreement (preliminary agreement relating to principles applying to mutual aid in the prosecution of the war against aggression) between the United States and the U.S.S.R., signed at Washington, June 11, 1942. (EAS 253.) (Comment: It has considered that the Soviet Union has violated terms of this agreement.)

Agreement relating to prisoners of war and civilians liberated by forces operating under Soviet command and forces operating under United States of America command, signed at Yalta February 11, 1945. (EAS 506.) (Comment: This was a part of the understandings reached at the Yalta Conference; it is considered that the Soviet Union has violated terms of these understandings.)

B. Multilateral

1. Treaties

Treaty providing for the renunciation of war as an instrument of national policy (the Kellogg-Briand Pact), signed at Paris August 27, 1928. (TS 796.) (Comment: It is considered that the Soviet Union has violated this treaty.)

Charter of the United Nations, signed at San Francisco, June 26, 1945. (TS 993.) (Comment: It is considered that the Soviet Union has violated various terms of this charter.)

Treaty of Peace with Hungary, signed at Paris February 10, 1947. (TIAS 1651.) (Comment: It is considered that the Soviet Union has violated this treaty.)

Treaty of Peace with Rumania, signed at Paris February 10, 1947. (TIAS 1649.) (Comment: It is considered that the Soviet Union has violated this treaty.)

Treaty of peace with Bulgaria, signed at Paris February 10, 1947. (TIAS 1659.) (Comment: It is considered that the Soviet Union has violated this treaty.)

Convention relative to the treatment of prisoners of war, dated at Geneva August 12, 1949. (TIAS 3364.) (Comment: It is considered that the Soviet Union has violated this convention.)

2. International Agreements Other Than Treaties

Universal Postal Union Convention, signed at Stockholm, August 28, 1924. (Superseded.) (TS 708–A; 49 Statutes at Large 2741:)

Universal Postal Union Convention, signed at London, June 18, 1929. (Superseded.) (46 Statutes at Large 2523.)

Universal Postal Union Convention, signed at Cairo, March 20, 1934. (Superseded.) (49 Statutes at Large 2741.)

Universal Postal Convention, signed at Buenos Aires, May 23, 1939. (Superseded.) (54 Statutes at Large 2049.)

Atlantic Charter of August 14, 1941 (Declaration of principles, known as the Atlantic Charter, by the President of the United States of America and the Prime Minister of the United Kingdom), as reaffirmed in the Declaration by United Nations (see below) to which the U.S.S.R. adhered. (EAS 236.) (Comment: It is considered that the Soviet Union has violated the principles affirmed in this charter.)

Declaration by United Nations, signed at Washington January 1, 1942 (EAS 236.) (Comment: See above; it is considered that the principles of the Atlantic Charter as reaffirmed by this declaration have been violated by the Soviet Union.)

Moscow agreements of November 1, 1943 (declarations of joint policies, United States, United Kingdom, U.S.S.R., Conference of Foreign Ministers). (Department of State Bulletin, Nov. 6, 1943, pp. 307–311.) (Comment: It is considered that the Soviet Union has violated understandings relating to Germans charged with certain crimes.)

Cairo Declaration of December 1, 1943, to which the U.S.S.R. adhered August 9, 1945, pursuant to the Potsdam Protocol (see below):

Statement of joint understandings on future military operations against Japan: statement of purpose that "Korea shall become free and independent."

Department of State Bulletin, December 11, 1943, pp. 412–413. (Comment: It is considered that the Soviet Union has violated understandings set forth in this declaration.)

Teheran Declaration of December 1, 1943 (declaration on cooperation in war and peace, United States/United Kingdom, and U.S.S.R., with declaration regarding Iran. (Department of State Bulletin, Dec. 11, 1943, pp. 409–410.) (Comment: It is considered that the Soviet Union has violated understandings set forth in this declaration.)

Protocol on the zones of occupation in Germany and the administration of Greater Berlin, signed at London September 12, 1944, United States, United Kingdom, U.S.S.R., and France. (Also amendments signed Nov. 14, 1944 and July 26, 1945.) (TIAS 3071). (Comment: It is considered that the Soviet Union has violated understandings set forth in this protocol.)

Armistice agreement with Rumania, signed at Moscow September 12, 1944. (EAS 490.) (Comment: It is considered that the Soviet Union has violated this agreement.)

Armistice agreement with Bulgaria, signed at Moscow October 28, 1944. (EAS 437.) (Comment: It is considered that the Soviet Union has violated this agreement.)

Agreement on control machinery in Germany, signed at London November 14, 1944, United States, United Kingdom, U.S.S.R., and France. (Also amendment signed May 1, 1945.) (TIAS 3070.) (Comment: It is considered that the Soviet Union has violated this agreement.)

Armistice agreement with Hungary, signed at Moscow January 20, 1945. (EAS 456.) (Comment: It is considered that the Soviet Union has violated this agreement.)

Yalta agreements (protocol of the proceedings of the Crimea Conference), signed at Yalta February 11, 1945. (Department of State press release 239, March 24, 1947: "Foreign Relations," the Conference at Malta and Yalta, 1945, p. 975 ff.) (Comment: It is considered that the Soviet Union has violated understandings set forth in the Yalta protocol.)

Declaration regarding the defeat of Germany and the assumption of supreme authority with respect to Germany by the Governments of the United States, the United Kingdom, and the U.S.S.R., and the Provisional Government of the French Republic; declaration made and released at Berlin June 5, 1945. (Department of State Bulletin, June 10, 1945, pp. 1051–1055.) (Comment: It is considered that the Soviet Union has violated this Declaration.)

Potsdam agreements (protocol of the proceedings of the Berlin (Potsdam) Conference, United States, United Kingdom, and U.S.S.R., and proclamation defining terms for Japanese surrender, United States and United Kingdom, with later U.S.S.R. concurrence); protocol concluded August 2, 1945; proclamation signed July 26, 1945. (Department of State press release 238, March 24, 1947 (protocol); Department of State Bulletin, July 29, 1945, pp. 137–138 (proclamation); Foreign Relations Conference of Berlin (Potsdam) 1945, vol. II, p. 1478 ff.) (Comment: It is considered that the Soviet Union has violated these agreements.)

Four-power agreement on certain additional requirements to be imposed on Germany, done at Berlin September 20, 1945. (Department of State Bulletin, Oct. 7, 1945, pp. —.) (Comment: It is considered that the Soviet Union has violated this agreement.)

Moscow agreements of December 27, 1945 (report of the Foreign Ministers meeting, United States, United Kingdom, and U.S.S.R.), signed at Moscow December 27, 1945. (Department of State Bulletin, Dec. 30, 1945, pp. 1027–1032.) (Comment: It is considered that the Soviet Union has violated these agreements.)

Moscow agreements of April 23, 1947 (report of Council of Foreign Ministers regarding German prisoners of war), done at Moscow April 23, 1947. (See Department of State Bulletin, June 26, 1949, p. 824.) (Comment: It is considered that the Soviet Union has violated these agreements.)

Quadripartite (Berlin Blockade) agreement of May 4, 1949 (agreement relating to the lifting of restrictions imposed since March 1, 1948 on communications, transportation, and trade with Berlin), dated at New York May 4, 1949. (TIAS 1915.) (Comment: It is considered that the Soviet Union has violated this agreement.)

Council of Foreign Ministers communique regarding communications, transportation, and trade between Berlin and Western Zones of Germany and between Eastern and Western Zones, made and released at Paris, June 20, 1949. (Department of State Bulletin, July 4, 1949, pp. 857–858.) (Comment: It is considered that the Soviet Union has violated the understandings set forth in this communique.)

[From the Chicago (Ill.) Tribune, Mar. 1, 1969]

Czech Invasion a Taboo Topic on Capitol Hill

(By Willard Edwards)

Washington, February 28.—The forbidden word on Capitol Hill is "Czechoslovakia." It is considered bad form in the best congressional circles, if not faintly treasonable, to recall Russia's invasion of that suffering nation only six months ago.

This attitude, popularized by President Nixon and prevalent among both Democrats and Republicans, prompted the Senate foreign relations committee this week to a virtually unprecedented action.

After brief hearings, falsely labeled public, the committee, in closed session, decided not to hear opposing witnesses and rushed approval of the nuclear nonproliferation treaty by a 14–0 vote.

The testimony thus suppressed would have warned against a pact with the Soviet Union which could be interpreted as tacit acceptance of Russia's attempt to stamp out freedom in Czechoslovakia.

Several of these witnesses had informed the committee of their wish to appear and furnished advance copies, when requested, of their testimony. All had intended to cite the invasion and occupation of Czechoslovakia as a major reason for refraining at this time from a partnership with Russia in any agreement.

The committee preferred to act in the mood set by President Nixon at a Feb. 6 press conference, when he was asked how the situation had changed since he opposed ratification of the treaty during his campaign for the Presidency.

GIVES REASONS FOR CHANGING VIEW

It had changed, Nixon replied, because the Russians had substantially reduced their occupying forces in Czechoslovakia and "also in the sense that the passage of time tends somewhat to reduce the pent-up feelings that were then present with regard to the Soviet Union's actions."

Some committee members, emerging from the closed hearing room where they had joined in this forgive-and-forget sentiment, privately confessed themselves a little embarrassed when told that a second student had burned himself to death in Prague as a protest against Russian brutality.

Pent-up feelings, it seemed obvious, had not been reduced in Czechoslovakia.

The committee's excuse for curtailing the hearings, confining them to government witnesses in support of the treaty, was that "public witnesses" had had their day at hearings last July [before the invasion of Czechoslovakia]. Why bring them back to clutter up the record with a repetition of the arguments they advanced at that time?

One of the opposition witnesses, barred from an appearance, was Benjamin Ginzburg, former research director for the Senate subcommittee on constitutional rights, an acknowledged expert on scientific and political subjects.

On Feb. 6, when he heard that the committee would hold hearings on the treaty, Ginzburg wrote Chairman J. W. Fulbright [D., Ark.] requesting permission to testify. In reply, he was told to submit a copy of his testimony. He prepared a scholarly draft listing some of the dangers he glimpsed in the treaty.

SEES INDORSEMENT OF INVASION

One of them was the implied indorsement of "the rape of Czechoslovakia" which seemed, to Ginzburg, "confirmation of our worst fears about the character and aims of our proposed treaty partner, the communist government of the Soviet Union."

On Feb. 18, when Secretary of State William P. Rogers was the first witness in support of the treaty at the committee hearings, Ginzburg asked when he was scheduled to testify. He was informed that no "public witnesses" [nongovernment] were contemplated.

"This creates a new type of public hearing," he protested in a telegram to Fulbright, "a public hearing that does not hear the public." There was no reply.

Ginzburg then appealed to all 15 committee members in a message noting that the purpose of a hearing was to give all sides an opportunity to be heard. He could not believe, he said, that "members of the greatest deliberative body in the world will want to set a precedent of excluding the public from a so-called public hearing." The only response was the committee's vote to end hearings and send the treaty to the Senate floor for debate next week.

There, a small group of senators, including Barry Goldwater [R., Ariz.], will violate the "Let's Forget Czechoslovakia" rule. They will note the invasion as convincing evidence that Russia remains a relentless foe of freedom and that ratification of the treaty will dignify its brutal policies. Their voices, at this writing, do not appear powerful enough to prevail.

STATEMENT OF BENJAMIN GINZBURG, PREPARED FOR THE FOREIGN RELATIONS COMMITTEE OF THE U.S. SENATE ON THE NON-PROLIFERA- witnesses" [nongovernment] were contem- MITTEE

Mr. Chairman, my name is Benjamin Ginzburg. I am a resident of Arlington, Virginia. I am a retired civil servant, my last post being that of Research Director for the Senate Subcommittee on Constitutional Rights. I have a background of extensive study and writing in both scientific and political subjects.

I am here to speak against ratification of the Non-Proliferation Treaty. I deplore the treaty ratification drive pursued by Administration leaders, who seem to be oblivious of the recent confirmation of our worst fears about the character and aims of our proposed treaty partner, the Communist government of the Soviet Union. These recent confirmations have been provided by the Soviet invasion and occupation of Czechoslovakia, and by the revelation of the barbarous treatment inflicted on our Pueblo sailors by the Soviet puppet regime of North Korea.

The invasion of Czechoslovakia constitutes a hideous crime against a people struggling to regain their freedom. But it is more than an isolated criminal act. It is a clear notice to all concerned that the brutal dictatorial clique which usurped power in Russia and in the satellite states of Eastern Europe has not changed its character. The government of the Soviet Union is stil addicted to the same murderous brutalities that characterized the regime under Lenin, under Stalin and under Khrushchev.

We of the West who hunger for peace and have faith in the ultimate goodness of man have tended to assume that the Communist rulers are inevitably moving towards freedom and humanitarianism, and we have believed that we can further this wished-for development by treating the Communists as a civilized government and joining with them in compacts and common undertakings. It is on the basis of this attitude—an attitude which does credit to our good sentiments but not to our sense of reality—that the Nuclear Non-Proliferation Treaty was negotiated and given a preliminary signature.

Today, however, the eyes of everyone should be opened to the sober truth. Not only are we preparing to enter into a treaty with a notorious treaty breaker, but the treaty itself is seen to be a product of the union of Communist machiavellianism and our own sentimentality. It puts our security—and the security of the Western world—into a straight-jacket, while placing no real restrictions on the Communists, even if for once they should choose to honor the treaty provisions.

Last summer, when the Communist rape of Czechoslovakia was perpetrated, our political leaders on both sides of the aisle decided to postpone bringing this treaty to the floor of the Senate for a vote on ratification. In my opinion they should have had the courage to throw the treaty out then and there.

Today some of the same political leaders are so misjudging the temper of the American people that they imagine that the shock of outrage has worn off, and that we can all go back to the state of pre-Czechoslovakian innocence with regard to the treaty. In particular, President Nixon, who urged postponement of action last summer, now asks for immediate ratification. He dismisses the revelation of Soviet perfidy furnished by the Czechoslovakian invasion with the bland observation that "the passage of time tends somewhat to reduce the pent-up feelings that . . . were present [last summer] with regard to the Soviet Union's actions."

I am appalled at this cavalier treatment of the Czechoslovakian episode. Even if the invasion were to be judged simply as an isolated criminal act, can it be deemed wise to pardon an action which directly contradicts the solemn pledge of the contracting parties—the pledge to "refrain from the threat or use of force against the territorial integrity or political independence of any State?" Certainly, even on that assumption, there should be no pardon without some sign of repentance and reparation that would attempt to demonstrate the peaceful character and intentions of the Soviet Government.

But I repeat, the invasion of Czechoslovakia is more than an isolated criminal act, it is a confession of an abiding criminal character on the part of the gang of Communist rulers. It calls to mind all the internal and external atrocities committed by this gang—the concentration camps and the extermination of the Kulaks; the seizure of the Baltic states; the partnership with Hitler which unleashed World War II and all its horrors; the imposition of Communist rule, through subversion and military force, on the peoples of Eastern Europe, including the freedom-loving people of Czechoslovakia; the totally unprovoked war on South Korea, which cost us so much blood and treasure to put down; the treacherous suppression of the Hungarian freedom fighters; the export of Communist tyranny to Cuba and to Vietnam; and so on and so forth. It calls to mind all these infamous deeds, and tells us that the Communists are still intent on their hideous dream of world domination, and that they stand ready to use any and all means—without being restrained by the principles of international law or the dictates of humanity—to further their power and their dream.

The story revealed by the current inquiry on the seizure of the Pueblo adds a sorry postscript to the Czechoslovakian confession of Soviet criminality. Yes, I know that the Pueblo was seized and its sailors were tortured, not by Soviet Russia but by the government of North Korea. But, gentlemen, I cannot separate the puppet government of North Korea from the gang that pulls the strings in Moscow. The so-called Premier of North Korea, Kim Il-Sung, at last reports, still holds a captain's commission in the Russian army. The whole Pueblo operation was conducted for the benefit of the Soviet Government, exactly as was the case with the North Korean invasion of South Korea in 1950.

We cannot let the Communist gang in Moscow get away with the pretense that the actions of North Korea were the actions of an independent government. This pretense certainly should not fool us now, at a time when the Soviet Government itself promulgates the doctrine that it can intervene at will in the affairs of Communist states. Our government asked the help of the Soviet Government in the Pueblo affair, but that help was not forthcoming. It was not forthcoming because the rulers in Moscow—who do not hesitate to use the same methods of brutal torture to gain their ends—saw no reason to interfere with the actions of their puppet when these actions served the interest of Communist power.

I have dwelt on the revelations of Communist character because without them we cannot understand what we are getting into through the Non-Proliferation Treaty. If we look at the treaty through awakened eyes, what do we find?

We find, first, that the professed aim of the treaty is to stop the proliferation of nuclear weapons to those states that do not now possess them, and thus to cut down the risks of nuclear conflagrations. But does the treaty give us a reasonable assurance of accomplishing this aim? No. In the first place, neither France nor China (both of whom possess nuclear arsenals) is party to the treaty. Thus there is nothing to stop these powers from furnishing nuclear weapons and know-how to non-nuclear states. It is true that those non-nuclear states who adhere to the treaty bind themselves not to create or acquire nuclear weapons. But with two great powers able to provide such weapons, the non-nuclear signatory states will have nothing but their consciences standing in the way of acceptance of such weapons, and the non-nuclear states who are not signatory to the treaty will have nothing at all standing in the way of acquiring nuclear weapons and nuclear know how.

Furthermore, the scientific process of making nuclear weapons (particularly the process of accumulating weapons-grade plutonium) has become so simplified that it can be carried on even in countries adhering to the treaty without being detected by the treaty's inspection system. Mr. William Foster, the former director of the U.S. Arms Control and Disarmament Agency, has admitted this fact.

In view of this new case of developing nuclear weapons, many presently non-nuclear states are likely to embark on nuclear programs in order to protect themselves against the ever present danger of nuclear blackmail by nuclear powers. Even when nuclear technology was far more complex and costly, the government of France decided to develop its own nuclear force in order to protect itself against possible Soviet nuclear blackmail. It did not want its people to be forced to adopt Bertrand Russell's doctrine of "better Red than dead."

Our own government, which vividly remembered the nearly successful effort on the part of the Soviet Government to level a nuclear trigger against us by sneaking missiles into Cuba, has considered the fear of nuclear blackmail so reasonable that it has offered a certain measure of protection against it. It has pledged that we, using the machinery of the United Nations, would come to the aid of non-nuclear states signing the Non-Proliferation Treaty, when they are threatened or actually invaded by states using nuclear weapons. Unfortunately, Soviet Russia has not promised to forego the use of its veto power in the United Nations Security Council in such cases. This means that should such an actual or threatened attack occur, the only help that a blackmailed state is likely to get is that which Uncle Sam, acting alone, would give; that is, if he accepts the role of world policeman, which has been so bitterly attacked by our pacifist internationalists.

Why should our government be eager to ratify a treaty which opens up a Pandora's box of fears and uncertainties? I can well understand the Soviet Union's strong interest in the treaty. This interest is based not on the desire to do good for the world, but rather on the cynical and sinister calculation of weakening the defenses of the free world and thus facilitating the Communist drive for world domination.

To illustrate this fact, let me recall an episode in the early stages of drafting the treaty. Our government in 1965 desired to insert a provision that would permit us to assist a united European defense organization in building a nuclear force of its own. The provision would have satisfied the longing of our European allies to participate in their own nuclear defense and not to have to rely entirely on the promise from Washington to use our power of mass retaliation should Europe be attacked. It would not have increased the risk of aggressive nuclear war, since the agreement of all the members of the defense organization would have been required for pulling the nuclear trigger and this would have been forthcoming only in the most dire emergency. On the other hand, the existence of such a joint European nuclear force would have served notice on the Soviet Government that it could not count on any hesitation of Washington to use nuclear weapons in defense of Europe, since Europe would in any case be ready to defend itself.

But the Soviet Government said "Nyet" to our government's proposal, and the matter was dropped.

In recent weeks the Soviet Government has demonstrated a suspicious overeagerness to procure ratifications of this treaty. Thus the press has reported a sudden Soviet offer to make various concessions on political matters to West Germany (including the withdrawal of the right claimed by the Soviets to intervene in West Germany as a hostile state under World War II clauses of the United Nations Charter), in exchange for West German ratification of the non-proliferation pact. The press has also reported vague Soviet promises to help the United States on Vietnam and other matters as a quid pro quo for our ratifying the treaty. President Nixon appears to have taken note of these promises when he stated that he intended henceforth to pursue a policy of cooperation rather than confrontation with the Soviet Union.

Surely it passes comprehension that the Communists should be offering bribes to secure the adoption of a treaty which is supposedly for the universal good of all nations. But the tactic makes sense when we realize that German and American ratifications are all-important in furthering the Communist aim of weakening and ultimately destroying the European alliances of the United States. In plain words the tactic is a "come-on" game to lure us and our friends to our own destruction. I shall forego discussing the atrocious technical details that are found in the treaty. These faults are well covered in the previous hearings by this committee and in the observations made by the Minority Reports. Faults of detail can be corrected by revision. My contention is that the whole scheme of the treaty is wrong and irreparably wrong. The treaty is in fact nothing but a Communist trap—a trap that takes advantage of our laudable interest in peace and in the abatement of the risks of nuclear war in order to have us promote the interest and power of Communist imperialism.

We are living in an age that calls for clear thinking and firm nerves. We have to be particularly careful not to let the itch to do something for peace involve us in misguided action that in fact worsens the risk of war. The treaty involves us in misguided action because, among other things, it is founded on the false proposition that the greatest risk of nuclear war comes from new nations developing nuclear weapons, rather than from the Communist powers, Russia and China, who already possess stocks of nuclear armaments.

Acceptance of the treaty would mean that while we fiddled around with a futile scheme to prevent new nations from acquiring nuclear weapons, the Communists would be accomplishing the real aim of the treaty, which is to so weaken our defenses that they, the Communists, could more easily start nuclear wars, or secure their objectives, as Hitler used to do for so many years, by threats without a fight. The end result of our being thus hoodwinked by the Communists could be frightfully disastrous for us and for the world.

Of course it is desirable that we find a way of stopping the proliferation of nuclear weapons to states that do not already possess them. But let us wait for a proper time and for a method for tackling that problem that does not facilitate the Communist aims of world domination.

Posterity will never forgive us if we fall for the modern version of the Trojan Horse—which is what the Non-Proliferation Treaty really is. I pray that this committee and the whole body of the Senate vote down the treaty and show the world that good sense still reigns in the United States of America.

[From the Manion Forum, South Bend (Ind.), Feb. 16, 1969]

BEWARE OF COMMUNISTS BEARING GIFTS: RED TREATIES ARE MODERN-DAY TROJAN HORSES

(By Dean Clarence E. Manion)

Again and again, in one form or another, many wise men have said that in the records of the past you are sure to find the prologue of the future. Now, as the present time becomes ever more turbulent and uncertain, I am sure that everybody would like to get a peep at that prologue. We haven't time here today to dig for the entire moving picture, so let us settle for a small but significant segment of the ancient past that has emerged into prologue time and time again.

Two thousand years ago the Roman poet, Virgil, was telling his countrymen to "beware of the Greeks, particularly when they are bearing gifts." (Aeneid—Book II) Virgil's warning climaxed his classical story about the destruction of the ancient and powerful city of Troy which the Greeks had finally accomplished 1,000 years before Virgil was born.

He recounted how the people of Troy had successfully defended themselves and their city against the attacking Greek army for ten long and bloody years. Finally the Greek commander let it be known that he had given up the seige and was taking his forces home. But before their departure, and as a sporting gesture of tribute to the valor of the city's defenders, the Greek soldiers constructed a mammoth wooden horse and left it in front of the unbroken gates of Troy with their congratulations and best wishes to their Trojan enemies.

When the last of the Greek soldiers had marched away and disappeared, the people of Troy carried the big horse into their city and staged a wild victory celebration. That night, after the revelers had subsided into silence and sleep, the big wooden horse quietly disgorged a small company of Greek soldiers who threw open the gates of Troy for the immediate entry of the Greek army which had suddenly returned. The great city was burned and all but a handful of its brave citizens were slaughtered.

That was the sad end of Troy and of the Trojans. The impregnable fortress which could not be taken by frontal assault had been subverted and destroyed by a hypocritical gesture of friendship.

The historical recollection of this ancient piece of perfidy has been everlasting. Nevertheless, the lesson that it taught has been continuously ignored. In one succeeding century after another, Trojan horses have galloped out of the past into the prologue of the future while one Troy after another was being subverted and destroyed.

Vergil described the fate of what was then ancient Troy in the context of what was his own contemporary city of Rome in the last century before Christ. Now, 2,000 years after Vergil, Americans would do well to update and paraphrase the Latin poet's warning.

Today, Vergil would be telling us to beware of our Communist enemies, particularly when they are bearing treaties of mutual diplomatic recognition, mutual trust, mutual disarmament and reciprocal "non-aggression." The modern Trojan horses are the treaties which Communist governments have managed to have emplaced in practically all of the remaining free countries of the world. The only Communist purpose for these "pacts" and "agreements" is to throw open the gates of each free country for its invasion and destruction by the implacable Communist conquest.

It is in the ironical nature of the Communist Trojan treaty that it always gets where it is by the consent if not by the invitation of the host country. It's inevitable object is the proliferation of Communist influence in the area of its emplacement and in this respect the most prolific of all of these Red exportations is the Communist embassy.

which comes into a free country as a result of that country's diplomatic recognition of a Communist government.

Writing in the *Harvard Business Review* a few years ago (January, 1964), J. Edgar Hoover said:

"FBI experience is that official personnel form the backbone of Soviet-bloc espionage in the U.S. A Soviet defector has estimated that from 70 to 80 per cent of Soviet officials in the United States have some type of intelligence assignment."

That would mean that from 70 to 80 per cent of all Communist diplomats in this country are actually Communist spies.

Bear in mind that if and when the ordinary underground Soviet agent is apprehended in this country, he is subject to legal prosecution and punishment, but if the spy turns out to be attached to the Soviet embassy, or is a part of the Soviet delegation to the U.N. in New York, he is automatically entitled to diplomatic immunity, so the worst that could befall him would be expulsion from the country. This means that he can work without the risk of interrogation or confinement in case he is caught.

DIPLOMACY USED AS CLOAK

In all cases where they employ it, the Communists use diplomacy to get goods and concessions from free countries that the Communist countries need in order to survive, and as J. Edgar Hoover has said, at least 70 per cent of Communist "diplomacy," so-called, is used to steal information from free countries that the Communists can not otherwise obtain.

The Reds have never made a serious attempt to conceal this perfidious purpose of their diplomatic relations with free countries. Long before the Communists had come to power anywhere in the world, Lenin was teaching them that "promises, like pie crusts, are made to be broken." (Collected Works Vol. 9, P. 290–291, Proletarian Number 20, 1905)

They have applied this wicked principle blatantly throughout the past fifty-one years, while they have expanded the foothold that Lenin and Trotsky stole from the first democratic government of Russia (November 7, 1917) into a Red slave empire that now dominates much more than a third of the world.

One of the earliest victims of the Communist "pie crust" treaty policy was and is Lithuania. This very day (February 16) in all free countries the resident Lithuanians are celebrating their ancient nation's "4th of July"—the 51st anniversary of the restoration of Lithuanian independence. Ironically, there is no such celebration taking place inside Lithuania itself, which is now held captive in the clenched fist of Soviet Communist tyranny.

How did Lithuania's national independence disappear into Soviet Russia? The process began with the emplacement inside Lithuania of a Soviet Trojan horse. Like the ancient Greeks at Troy, the Soviets had first tried force on Lithuania and failed. Then on July 12, 1920, in Moscow, the Soviet government and the newly independent Lithuanian government signed a treaty which recognized the sovereign independence of Lithuania. The United States extended official recognition to independent Lithuania in July of 1922. That recognition has continued ever since and free Lithuania has an embassy in Washington today.

The Communist government was having plenty of trouble at home during the 1920's, but at the same time it was trying desperately to export its Trojan horse treaties to all countries that would accept them. Lithuania accepted one of these—a "mutual nonaggression pact," so-called, in 1926, and still another, a "mutual assistance pact" in October, 1939. The Soviet Red army was on the border of Lithuania then, having just invaded Poland from the west as a part of Stalin's secret deal with Adolf Hitler.

In June, 1940, the Soviet forces arrested the lawful government of Lithuania and converted the country into a Soviet colony. The pretext for this wanton destruction of Lithuanian liberty was the Soviet charge that the Lithuanians were violating its treaties of friendship and peaceful coexistence with Soviet Russia. Any similarity between the sound of this allegation and the neighing of a Trojan horse was pure coincidence, of course.

The United States immediately denounced this Soviet rape of Lithuanian independence as an unlawful and intolerable violation of the principles of civilization—but that was our last official word or action on the subject.

How does our Government manage to reconcile its continued official recognition of the independence of Lithuania with our continued recognition of the same Soviet government that unlawfully destroyed Lithuanian independence? And in view of this disillusioning Lithuanian experience, why have all of our Presidents from Franklin Roosevelt to Lyndon Johnson continued to bind this country into the same kind of Trojan horse trades with the Kremlin that resulted in the ruination and colonial captivity of Lithuania?

In between its broken Lithuanian treaty of 1920, and the almost immediate destruction of its August 3, 1968, treaty with Czechoslovakia, the 48-year record of Soviet pie crust diplomacy stretches into a long unbroken line of perfidy that disgraces the judgment of every government, including our own, that has dared to deal with Russia during that time.

COLBY ANALYSIS STILL VALID

In 1920, at the very beginning of the Kremlin's brazen venture into the field of international relations, Bainbridge Colby, our Secretary of State, correctly appraised the undependable nature of every Communist government and firmly stated our official policy of refraining from recognizing or attempting to negotiate with any of them. Here is just a part of that official statement:

"The responsible leaders of the existing Communist regime in Russia have freely and openly boasted that they are willing to sign agreements . . . with foreign powers while not having the slightest intention of observing such undertakings. This attitude of dishonoring their voluntary obligations they base upon the theory that no agreement with a non-Bolshevist (non-Communist) government can have any moral force for them. They have not only avowed this as a doctrine, but they have exemplified it in practice. It is their understanding that . . . the maintenance of their own Communist rule (in Russia) mut continue to depend upon the occurrence of revolutions in all other great civilized nations including the United States; revolutions which will overthrow free governments and set up Bolshevist (Communist) rule in their stead." (Statement of Bainbridge Colby, Secretary of State, in a formal reply to an inquiry by the Italian Ambassador concerning the reasons for U.S. refusal to recognize Soviet Russia, August 20, 1920.)

Judged by the cold record of what has happened since it was made, this 1920 statement by Secretary of State Colby is the most prescient paper ever published by the American State Department. The poisonous practices of Soviet diplomacy have lived up to the letter of this expert prognosis for 48 years, now going on 49. If the United States had persisted in its 15-year adherence to the policy of diplomatic quarantine that this paper declared against Communist governments in 1920, the world would have been spared the choleraic epidemic of irrational revolutionary turmoil and terror that now afflicts every country on earth, including our own.

Like the Greeks at Troy, the Communists have never been able to break through the gates of morally and legally established civilized life by direct frontal assault. They must get in by subterfuge, by selling Trojan horses of cultural and commercial interchanges and "coexistential" peace.

Franklin Roosevelt bought the big one when he broke our diplomatic quarantine in order to recognize the Kremlin in 1933. Now the big drive is on to break the quarantine on Red China and Cuba. Unfortunately, President Nixon seems to be catching Johnson fever since he moved into the White House. He now wants the Senate promptly to ratify the nonproliferation treaty, which amounts to an agreement between the United States and Russia to keep other countries, other *free world* countries, that is, from acquiring atomic weapons. The President says he now prefers "conferences to confrontations with the Communists."

That is a fine figure of speech, but the record shows that it is a suicidal foreign policy. Let's remind the President that the Communists have never won a confrontation and have never lost a conference. We need a whole chorus of Vergils now to warn the President and the Senate to beware of Communists bearing gifts.

Hopefully, we may expect that at least one U.S. Senator will read the full 1920 Colby statement to his colleagues and into the record before they accept and bed down any more Communist Trojan horses. The truth about Communists and about Communism will make us free if *we* can once more make it entirely respectable to preach that truth.

Statement by Maj. Gen Thomas A. Lane

Washington.—In debate on the Johnson pay raises for the federal elite, Majority Leader Mike Mansfield asked, "Are we mice or are we men?" The majority showed they were mice in the way they went after the Johnson cheese!

Now we have a new measure to test the qualities of the senators. The vote will have special significance for Republican senators because the Johnson Non-Proliferation Treaty has been indorsed by President Richard Nixon.

While Democrats held the White House Republicans were free to vote their convictions on important policy issues. They could all be patriots. Now that they are receiving guidance from the White House, Republican senators must decide whether the party or the country comes first. Will they compromise their convictions to accommodate the White House influence?

The Non-Proliferation Treaty is a good test because the issue is so clear-cut and because President Nixon has come down on the wrong side of it. The national interest calls clearly for rejection of the treaty.

This treaty is a fraud upon the American people. It pretends to serve peace; but it increases the prospect of war by disarming the West without corresponding restraint of the Communist powers. The central Soviet objective in this treaty is to deny nuclear weapons to West Germany. Secondary targets are Japan, India and Israel. The treaty does not disarm any Communist powers.

This treaty provides specifically that the signatory powers shall not do what the Soviet Union did in Czechoslovakia. We have long known that the Soviet Union regards these treaties as scraps of paper to mislead the ever-trusting West. How can American leaders, in the face of such a breach of the treaty before it is signed, pretend that such immoral contracting helps the cause of peace? It is clear that they strike these postures only to deceive the American people and not with any expectation of restraining Soviet aggression.

What aberration of political strategy dictated the Nixon commitment to this treaty on the eve of his trip to Europe? Why didn't he wait to talk with his allies before taking the leap? His action signals to Europe more plainly than words could do: "I am standing with Britain against the interests of the continental allies." Who told the President that this action would help him to heal the rift in the Atlantic Alliance?

Free Europe is now a weak aggregation of independent and competing powers. It has a potential to become through union a superpower matching the United States and the U.S.S.R. Soviet leaders fear this development and do all they can to prevent it. They prefer to have weak neighbors. And how could they hold their satellites with a free superpower next door?

Britain also fears the unification of continental Europe. For 400 years, the cornerstone of British policy has been the balance of power, the division of Europe. So Britain works assiduously to stir the jealousies which will be a barrier to union. In this matter, Britain is in league with the Soviet Union.

But European unity would serve U.S. interests and the cause of peace. A strong Europe and a secure Europe. It will not need the billions of dollars which the United States has been pouring out to protect a weak Europe. No longer will the people of Europe be under the threat of conquest and dependent upon U.S. protection.

Why then is the United States playing the lackey of Britain and the dupe of the Soviet Union? Why doesn't it listen to the allies who are standing face-to-face with the Soviet threat? West Germany has opposed this treaty and surely will not sign it. Does President Nixon propose to join Britain and the Soviet Union in condemning West Germany? He does so when he indorses this treaty.

The Non-Proliferation Treaty was a pending issue of international policy which offered President Nixon opportunity to demonstrate that grasp of foreign policy which he had claimed and the people had allowed. It gave him a signal occasion to correct the Johnson error and fulfill the people's hopes. His blundering approach to Europe in this matter, his adherence to the dogmatic Johnson pursuit of detente, do not augur well for U.S. success.

If President Nixon is going to be so easily led by Britain, he is not going to be respected by France and West Germany. He will encounter the very obstacles to allied harmony which effectively stymied the Kennedy and Johnson administrations.

The Senate must save the President and the country from such a disaster. It must reject the Non-Proliferation Treaty and invite the President to try some new initiatives in foreign policy.

MR. LAIRD TAKES OVER

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. HALL. Mr. Speaker, the Air Force & Space Digest in its March issue pays tribute to one of our colleagues who has recently moved across the river to become this Nation's ninth Secretary of Defense. In the article, "Mr. Laird Takes Over," written by Claude Witze, our new Secretary is depicted as a wise and wary executive who is cautiously feeling his way to develop and man an organization which will attain and maintain a superior military position for the United States.

It is most significant that at this time, when the "rows" and problems of previous Secretaries remain to be resolved, that such an experienced and able man who has been trained and tested in the ways of Congress should take over the reins of our Department of Defense. This most fortunate choice of President Nixon assures the Nation that our defense posture will receive the attention and consideration that it needs and demands.

It is with a sense of pride of having been associated with Mel Laird that I recommend this article to my fellow Members of Congress and insert it in the CONGRESSIONAL RECORD:

MR. LAIRD TAKES OVER

(By Claude Witze)

When Richard M. Nixon was sworn in as thirty-seventh President of the United States on January 20, 1969, he had already filled ninety-nine top policy-making and administrative posts in his new Administration. Thirty-five of these were positions in his own Executive Office. Only nine were in the Department of Defense.

At this writing, more than three weeks later, Mr. Nixon's Secretary of Defense, Melvin R. Laird, still has fifteen prestigious vacancies in the Pentagon. Of the thirteen policy-making jobs that have been filled there, six went to appointees who served in the previous Administration.

This kind of a kickoff makes it difficult to evaluate the ball game. A new team is supposed to come in with new players as well as plays. But Mr. Nixon and Mr. Laird have indicated, in the instances brought up so far, that they are going to reevaluate a lot of old decisions as well as old job-holders.

That this is not an unreasonable idea, in view of the Washington climate these days, is evident in any day's headlines. The local press which sometimes works almost as hard to make news as to report it, senses a lot of political winds and says they are blowing toward the Pentagon. There are howls of protest, if a good example is needed, being heard against the decision of the previous Administration to proceed with construction of the Sentinel ABM system.

Now, Mr. Nixon and Mr. Laird both are on record as favoring a strong defense posture for the United States, an idea they have shared with many of their predecessors. Clark Clifford, who stepped aside on January 20 as Defense Secretary, delivered a swan song to Congress, in which he evaluated the threat to the United States.

"The most significant development of the past year," Mr. Clifford said in his message to the Hill, has been a change in Soviet strategic posture. He reported a "large increase in deployments of hardened, land-based ICBMs." He said that by the end of 1969 the Russians will have deployed more than 1,000 ICBMs.

At another point, the retiring Secretary said work on the only known Soviet ABM complex, at Moscow, has been slowed down, "apparently because of technical difficulties, rising costs, and system inefficiencies." He also reported that our "thin" ABM system, as proposed and started, is for a defense against the Chinese threat, adding that "we are equally convinced that such a defense against the Soviet threat is not presently attainable."

What Mr. Clifford had to say about Soviet missilery and our own ABM goal is widely understood and has been well publicized. The part of his posture statement that has been ignored, in Congress and the press, is his highly accurate definition of our dilemma. Mr. Clifford, basically an attorney with a high level of knowledgeability about national security, said bluntly that "no single defense issue in recent years has engendered greater controversy than the question of deploying an ABM defense."

The Nixon Administration's inheritance of this row, on top of the malaise that has grown out of the war in Vietnam, explains fully the effort of the President and his Secretary of Defense to move with caution, listen carefully, and retain the services of selected men from the previous Administration. Congress, after all, is still controlled by Democrats. Only the White House was captured by Republicans.

At his second press conference, Mr. Nixon said he does not "buy the idea" that our early ABM effort is anything but part of the nation's many moves to achieve an acceptable posture. ABM will add to our over-all defense capability, Mr. Nixon said, and that posture is under examination. He considers both the Defense and State Departments as part of our machinery to ensure peace.

All of this came almost within minutes after Mr. Laird disclosed that work is temporarily suspended on the ABM system. And, in turn, the Laird announcement followed, only by a matter of hours, notification from the House Armed Services Committee that it is blocking site acquisition for the Sentinel ABM program.

It is not necessary to belabor the issue. The Johnson Administration, when Robert McNamara was Defense Secretary, made the basic decision to go ahead with a "thin" ABM. Mr. Nixon and Mr. Laird, who favor a strong defense posture, are being asked to defend the decision in the face of rising criticism.

Only fools would try to predict how this debate will be resolved. The halls of Congress already are resounding, and it is not without significance that Secretary Laird came from Congress. He had been there since 1952 and had been a prominent member of the House Appropriations Committee.

On this committee, he drew assignments to two subcommittees. The first was defense. The other was the Subcommittee on Labor, Health, Education and Welfare, and Related Agencies.

Now, if Mr. Clifford is right, that the "division of opinion" on ABM can be traced in large part to differences between those who fear the threat and those who fear the "social costs," Melvin R. Laird should be able to see both sides of the question.

In this connection, the House Appropriations Committee report on the Fiscal 1967 Defense Appropriation Bill includes a lengthy statement of minority views, signed by Mr. Laird, along with Glenard P. Lipscomb and William E. Minshall, two other minority members of the subcommittee. The statement laments the trend in weapons development under the Democrats and warns that US options, in the face of the nuclear threat, have been reduced.

To reverse the situation, Mr. Laird and his confreres declared, four things are needed:

1. A more objective and realistic assessment of the threat coupled with a thorough reevaluation of our foreign policy.

2. A return to greater participation by and acceptance of military judgment in what are predominantly military affairs.

3. A more aggressive pursuit of research and development, especially in the area of advanced weapons.

4. A reassessment by the Congress of its own role in the area of national security.

That was in 1966, when Mr. Laird subscribed to these tenets.

At his confirmation hearing before the Senate Armed Services Committee, Mr. Laird said his new responsibility is to maintain, economically, the superior military position of the United States. This is necessary, he said, in order to negotiate from strength with the Soviet Union.

He agreed with President Nixon that we are leaving an "era of confrontation" and entering one of negotiation with the Russians. He spoke out against arms parity with Russia and said it is important "that the United States maintain a superior position."

It was only a few days later that President

Nixon announced that "sufficiency" was a better term than "superiority," and the Defense Secretary hastened to agree with him. To Mr. Laird's credit, he pointed out that "sufficiency" is not a new word. It was used in the Eisenhower Administration, and used well by Donald Quarles, who was then Secretary of the Air Force.

There is no reason to believe Mr. Laird has fluctuated widely in his opinions. He is, in fact, a veteran Congressman, who recognizes how checks and balances work in this government. And he is surrounding himself, slowly, with the men who can help the most in keeping the balance.

The choice of Dr. John S. Foster, Jr., to continue in his position as Director of Defense Research and Engineering, is one of the most significant of such decisions. Dr. Foster, much earlier in this decade, testified on Capitol Hill in opposition to the nuclear test-ban treaty. He said it entailed a number of military risks.

He was, presumably, the top technological adviser to the previous Defense Secretary when the decision was made to go ahead with the ABM. He believes ABM is technologically feasible.

There are other examples in the still-incomplete Pentagon roster of administrative appointments. Stanley R. Resor will continue as Secretary of the Army, and Robert C. Moot retains his post as Assistant Secretary of Defense (Comptroller). Both should be of assistance in dealing with a Democratic Congress.

So will Barry J. Shillito, who has been promoted from Assistant Secretary of the Navy for Installations and Logistics to Assistant Secretary of Defense for Installations and Logistics. Before going to the Pentagon, Mr. Shillito was president of the Logistics Management Institute, a think-tank organization created to serve the Pentagon.

David Packard, the new Deputy Secretary of Defense, clearly was hired for his management capabilities, and they are so impressive that they swept aside what Mr. Packard himself called "an impossible conflict-of-interest problem." There still are some grumblings about the compromise that put the appointee's massive stock holdings in escrow, but Mr. Packard already is handling an equally massive job.

Mr. Packard has been assigned responsibility for a complete review of the Defense Department's program and budget. Secretary Laird has made it clear this review will look at many 'items" and do so "not only as to decreases but also as to increases." The Sentinel was included in that list, along with the Air Force C–5 transport, the Navy's new F–14 fighter, USAF's FB–111, and a number of other pieces of equipment, down to the Main Battle Tank and Navy shipbuilding.

As we go to press, the only USAF civilian appointment is that of the new Secretary, Robert C. Seamans, Jr. (see page 40). An Undersecretary and four Assistant Secretaries are yet to be named.

Like Mr. Laird, Dr. Seamans is inheriting a long list of unanswered questions. The deferrals have been piling up for several years. Robert McNamara built much of his reputation on the decisions he made; yet Clark Clifford, in his final message, put the emphasis on a number of decisions that had not been made.

The Fiscal 1970 budget, Mr. Clifford reported, is restricted by the financial situation. "We have eliminated, stretched out, or deferred less essential projects and activities," he wrote. At the same time, there are new programs that Mr. Clifford held to be of "great importance to our future security," and funds are sought for some of them.

One is the advanced manned strategic aircraft (AMSA), down in the budget for an additional $77 million to let USAF proceed with a request for proposals. AMSA is only one of the issues facing the new Administration, as defined by Mr. Clifford.

President Nixon recently paid a visit to the Pentagon and made a little speech to the employees. He paid high tribute to the men in uniform, those of the armed services who have heard so little praise since 1961. The President noted that there are people who think we need a Department of Peace because, by their lights, we have a Department of War.

This, says Mr. Nixon, is not true.

"This is the Defense Department," he said, "and without it we could not negotiate for peace. This is an integral part of our peace forces in the world."

Negotiating for peace will be a critical part of the Nixon Administration effort. Its success in this effort will come, in a major part, from the Defense Department.

CONGRESSMAN BURKE'S BIAFRA WARNING MUST BE HEEDED

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. SCHERLE. Mr. Speaker, I have just recently read a most interesting editorial in the Sun-Sentinel newspaper of Fort Lauderdale, Fla., which praised the observations of one of our colleagues, the Honorable J. HERBERT BURKE on his recent factfinding mission to Nigeria and Biafra.

After reading Congressman BURKE's remarks on the subject and the subsequent editorial, I feel that his comments make much sense as we watch this internal African civil war broaden day by day.

I hope each of you will take the time to read this excellent editorial written by Mr. William Mullen, editor of the Sun-Sentinel and then read the report issued by Congressman BURKE following his mission to this new battle zone:

[From the Fort Lauderdale (Fla.) Sun-Sentinel, Feb. 25, 1969]

BURKE'S BIAFRA WARNING IS ONE TO BE HEEDED

(By William Mullen)

Rep. J. Herbert Burke, R-Fla., was named to the House Foreign Affairs Committee in the 91st Congress, and although he has been on that job barely more than a month, it could prove to be a fortuitous assignment—if his counsel is heeded.

Mr. Burke is a sophomore congressman, young by seniority standards, but he already has shown a quick grasp of foreign policy issues, as evidenced by his observations—and warning—on the civil war in Nigeria, returning from a fact-finding mission there only last Tuesday.

He fears the United States might become involved in another Vietnam-type war in that African troublespot, and his concern is not without foundation.

The congressman reports that Russia and Great Britain are supplying sophisticated arms to Nigeria, while France is assisting the break-away government of Biafra.

The United States is in the middle, caught there by humanitarian efforts to help feed what the world has been told are "starving Biafrans."

Congressman Burke has a different view. He regards the plight of the Biafrans more a matter of malnutrition from not eating proper food than having no food at all.

But because of the "starving Biafran" image, the U.S. has given Nigerian leaders the impression that it is pro-Biafran through furnishing cargo planes to carry supplies for the Red Cross.

This attitude could lead humanitarian considerations into becoming serious political problems for us, Mr. Burke feels.

We suspect he is correct. For a number of leftwing groups are urging greater U.S. involvement, a condition that could confront us with the choice of siding with Nigeria and the Russia-Great Britain coalition on the one side, or with France on the other. The third alternative is that both sides might condemn the U.S. for too little or too much activity, which would be a propaganda bonanza for Russia for its imperialistic efforts in Africa.

Said Mr. Burke: "Our administration must proceed with extreme caution in this war, for at the rate the major powers are supplying arms and getting involved, we could be confronted with an African style Vietnam.

"There is no doubt in my mind that these major powers are building up forces on both sides to take advantage of the rich oil deposits in the Biafran held regions, but I really wonder if these nations understand the tremendously explosive elements in this war."

Mr. Burke recommends that the matter of feeding the Biafrans be a responsibility of the United Nations, which would seem to be a proper function for that organization, supposedly dedicated to preserving world peace.

But with Russia on the Nigerian side of the question, we doubt that the U.N. will rush in where all but American angels fear to tread.

The Congressman also noted that world church organizations are urging the U.S. to increase its help to Biafra.

To us, this is the height of irony. For one of the groups is the World Council of Churches whose president, Dr. Akanu Ibiam, happens to be a Biafran.

Essentially, the WCC asks the U.S. to intervene in what is purely a civil war. Yet this same organization has adopted resolutions severely condemning U.S. intervention in Vietnam, which its leaders regard as a civil war and, therefore, none of our business.

Although the South Vietnamese are not portrayed as starving, they are in the same boat as the Biafrans in seeking to preserve their independence, too. We're not supposed to help them, but we are expected to aid the Biafrans, which could get us in the same predicament deplored in South Vietnam.

Mr. Burke is to be commended for his analysis of the Biafran situation. His presence on the House Foreign Relations Committee augurs well for the American people.

BURKE REPORT ON BIAFRA-NIGERIAN WAR

The humanitarian efforts exhibited by our country in the Nigerian-Biafran war could lead our country into a military involvement if the administration is not extremely careful to separate humanitarianism from politics.

I have just returned from a seven day Congressional mission to the battle zones in Africa where we met with Colonel Odumegwu Ojukwu, Biafran Head of State and General Yakubu Gowon, Head of the Nigerian Federal Government, during the first official Congressional fact finding mission into that area.

After talking with these leaders on both sides and touring the war zone, I feel our administration must proceed with extreme caution in this war for at the rate major powers are supplying arms and getting involved we could be soon confronted with an African style Vietnam.

Our administration must find means to end the rapid arms buildup and bring both sides to the peace table before it is too late. I saw direct evidence of sophisticated arms being used as Russia and Britain are supplying the Nigerians and France is supplying the Biafrans.

There is no doubt in my mind that these major powers are building up forces on both sides to take advantage of the rich oil deposits in the Biafran held regions, but I really wonder if these nations understand the tremendously explosive elements in this war.

I feel Biafra will fight until the last man for they feel they are literally fighting for their lives and freedom, having charged the Nigerian leaders with the crime of genocide. On the other hand General Gowon and other Niegerian leaders are determined to keep the country unified. Gowon gives the impression that he is a modern day Lincoln who is trying to keep Nigeria together as one nation, no matter what it takes.

Nigerian leaders take the attitude that tne United States is pro-Biafran since we have furnished cargo planes to carry supplies for the Red Cross.

We started our Congressional mission February 15, by flying to London where we were briefed by two Members of Parliament and Representatives from the Red Cross. From there we flew to Lagos, the Capitol of Nigeria, where we met with Nigerian leaders on Tuesday and Wednesday.

To get into Biafra we had to leave Nigeria so were driven by car to the nearby country of Dahomey and Uli Airport. It was about a sixty-mile drive and once at the airport we could see the huge amounts of supplies stockpiled for eventual flight into Biafra by the International Red Cross.

We met with officials of Dahomey who informed us they are allowing mercy flights of supplies into Biafra.

Since there are no commercial routes into Biafra, we were loaded onto a cargo plane along with ten tons of dried, unrefrigerated fish sent to Biafra by Scandinavian countries through the Red Cross. We flew in pitch darkness and after three or four hours the pilot landed on what I later saw was a plain asphalt road.

I understand that most flights are made in total darkness since a Nigerian fighter pilot keeps patrolling the skies looking for these supply runs.

Once on the ground, we were driven into the interior of the country and spent the night sleeping on cots in a government building. The next day we met with Col. Ojukwu, the Biafran leader, and other leaders of the country.

The Biafrans strike me as very intellectual, proud and industrious people who will fight to the last man. I was to find out that many of them had been educated overseas and had come back to educate their own people.

Through our conversations the Biafrans gave the impression that they are deathly afraid of total genocide should they quit fighting. They don't seem to believe Nigerian officials who say they will give all Biafrans amnesty if they stop fighting.

When in Nigeria I specifically asked officials if they were bombing civilian areas and they told me absolutely not, but when I toured Biafra I saw direct evidence of bombed and strafed churches, market places and even one bomb crater dangerously close to a hospital.

In the hospitals I toured I saw wounded children, women, and older people and the hospitals were filled to capacity. It was a pitiful sight and I must admit the Nigerian officials were either distorting the truth or General Gowon does not know where their attacks are being made.

The publicity that had been made about the starvation in regard to the Biafrans tends to be more a case of malnutrition caused from not eating proper food rather than having no food at all, but the supplies appear now to be reaching the Biafrans.

On leaving the country, our mission telegrammed President Nixon and offered our views to the Administration on the war.

In my opinion the conflict will get much worse, not better and Nigeria will probably never again be united. The cracks created by the bitterness of war are too wide to be healed by talk of unification.

TIME EXTENSION FOR SELECTION OF FEDERAL LANDS IN ALASKA

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. POLLOCK. Mr. Speaker, today I have introduced a bill that would extend the time allowed the State of Alaska to make its selection of Federal lands for a period of time equal to that time the State is unable to select lands because of direct or indirect action on behalf of the United States. Under the Alaskan Statehood Act of 1959 the State of Alaska was given 25 years to select a total of 103,350,000 acres. In this total is 400,000 acres of U.S. forest lands and 400,000 acres of land adjacent to communities for recreational areas and community centers. The remaining 102,550,000 acres are to be selected from other public lands.

The State is now prohibited from any selection under the Statehood Act because of a land freeze imposed by former Secretary of the Interior Udall. The bill I have introduced today would extend the 25 years Alaska was granted an amount of time equal to that time that we are barred from making our selection. This bill is in keeping with the spirit of the 1959 Statehood Act allowing Alaska 25 years of actual selection time.

Also, Mr. Speaker, one other provision contained in this bill is an extension of time for the selection of mineral lease lands, to correspond with the time permitted for land selection. The State has been unable in the time granted by Congress to select its mineral lease lands because most of the land in Alaska is unsurveyed and its mineral potential unknown. Therefore, the State of Alaska needs an additional period of time in which to make a wise and informed selection.

ISSUANCE OF A STAMP COMMEMORATING THE ROLE OF THE ARMED SERVICES' HOMING PIGEONS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. BIAGGI. Mr. Speaker, I wish to express my support for the issuance of a stamp commemorating the role of homing pigeons used by the Armed Forces.

For courage and tenacity, the homing pigeon has no equal among animals. To look at these birds, one would not think that they were particularly adapted to the job of delivering vital communications during wartime.

Yet the homer has always been bred for strength and speed; it has the mysterious power to deliver a message and return immediately with a reply.

Probably the most famous pigeon in U.S. Army history was "Cher Ami," which, according to battlefield records, carried the message that saved the Lost Battalion in World War I.

When the bird reached its loft it was found that one leg was shattered and that a machinegun bullet had pierced its breast. The bird has been mounted and is now preserved in the National Museum.

Ever since 43 B.C., when Brutus, besieged by Mark Antony, communicated with a relief force by homing pigeons, such birds have been used by armies as agents of communication.

In the siege of Paris in 1870–71, French pigeons flying into the beleaguered city with messages proved such a menace to the success of their tactics that the Germans trained hawks to bring them down.

During the defense of Verdun in 1916, pigeons proved their worth; no less than 5,000 birds were pressed into service. Each message was sent in duplicate so that if one bird was unfortunate enough to be hit by enemy fire, vital information could still be carried through by its mate.

It was during that historic action that a pigeon performed a feat that won him an everlasting place in the annals of war. The pigeon was the last one remaining with Major Raynal, defender of Fort Vaux.

Through an atmosphere thick with the yellow and green of poison gas, an atmosphere through which no airplane could penetrate, and amidst continual shellbursts, the bird made his way to clearer air and then sped for headquarters. Within an hour, relief was on its way. Verdun was saved.

It has been said that the defense of Verdun saved the war. If this is so, then the remarkable pigeon that carried the life-saving message was one of the heroes of that war.

Our military communication units realize the vital importance of the homing pigeon. During both World Wars, pigeons made a record of 90 percent message effectiveness.

The military history of these feathered messengers is long and honorable. I believe it is high time that we signified our understanding of the value of their efforts in behalf of the armed services.

Homing pigeons have been with us in peace and war. It is even rumored that one of the Pilgrims smuggled a pair of pigeons to Plymouth. If some pigeon strutting along the Capitol Grounds seems extra cocky, do not be surprised, because he may be a descendant of a Mayflower pigeon. I strongly support the issuance of this commemorative stamp honoring the homing pigeons of the armed services.

BILL INTRODUCED TO PROVIDE A $2,500 TAX DEDUCTION FOR CERTAIN EXPENSES OF HIGHER EDUCATION

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. DELANEY. Mr. Speaker, I believe there is general agreement that college education is an ever-increasing necessity for our young people in today's highly industrialized and complex society. The vitality and future greatness of this country depends on the trained minds of its youth, and we must do everything possible to help them to be educated in the colleges and universities of their choice.

However, because of spiraling inflation, a growing number of our low- and middle-income families are finding it impossible to meet the costs of higher education for their children. Many families with two or more children of college age find it necessary to defer higher education for the younger children until the older ones have graduated. As a result of financial pressures, many students with ability are being forced to discontinue their education.

To help relieve this burden, I am today offering a bill which allows a taxpayer to deduct up to $2,500 for actual costs of tuition and fees paid to an institution of higher education in providing an education for himself or his dependents.

Our tax laws recognize the importance of tax relief for investment in new plants and equipment, and I think it is past time to give similar consideration to investment in the education of our youth.

Also, it is vital that we stimulate within our educational system diversity and competition, which are the hallmarks of our democratic society. Many are growing increasingly disturbed by the trend which compels more and more of our students to attend public institutions because of the great expense of attending non-tax-supported colleges and universities. Further, a number of private institutions are being forced out of business because of their inability to cope with soaring operating costs. My proposal would create a more competitive environment for private colleges, and enhance diversity in education.

The difficulties faced by private educational institutions in competing against those which are tax supported are clearly shown by statistics of the U.S. Office of Education. In 1900, 62 percent of those enrolled in colleges and universities attended private institutions. By 1920 this enrollment had leveled off so that it was almost evenly divided between private and public institutions, and this situation was sustained until 1950. However, by 1960 private college enrollment dropped to 43 percent of the total, and in the current school year it is only 31 percent.

My bill would aid in arresting this trend, and enhance investment in private education. Passage of this legislation would strengthen our educational system, and provide necessary tax relief to the heavily burdened taxpayer who is making such a great financial sacrifice to provide a necessary education for his children.

BOAT POLLUTION LAWS: NEWEST POLITICAL PHONY

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. SNYDER. Mr. Speaker, as one who strongly supports antipollution laws and regulations, I believe a column by Zack Taylor, boats editor of Sports Afield magazine points our attention in the right direction.

The column follows:

BOAT POLLUTION LAWS: NEWEST POLITICAL PHONY—PART I

(By Zack Taylor)

The effluent from our bodies that often ends up in the waters around us is no longer merely a conservation concern. More than fish and game are endangered. Bacteria and viruses nurtured in human intestines are presently killing people in significant numbers. Public health officials predict the death toll will rise. Far in the future they foresee a time when our very existence may be at stake.

I want to quickly establish my opinion of the situation's gravity. I want no letters describing the Boats Editor as soft on pollution.

On the contrary, I know my life and the lives of my children are threatened by the filth clogging our waters. And I'm willing to do everything in my power to correct the situation.

But, I am not optimistic about the outcome. Much (though not all) boat antipollution legislation being considered or enacted throughout America is cheat legislation. Laws have been proposed or already passed whose sole purpose is to make it *appear* that legislators are coming to grips with the pollution problem. Much boat anti-pollution legislation includes laws that are smoke-screens, intended to lull us into feeling something is being done. All they do is deal insignificantly with an insignificant portion of the problem while major pollution sources go unchecked.

A TYPICAL EXAMPLE

After this month, New York State will flatly forbid any marine toilet to discharge into any waters in the state, including harbors and sound. The only acceptable device (a complicated and dangerous incinerator is also approved) will be a holding tank in which wastes are stored aboard a boat. When the holding tank is full the boat is to proceed to a pump-out station—usually a gas dock—where for a fee the excrement will be pumped into municipal sewage treatment plants.

At first glance this seems utterly reasonable. Anything that stops pollution even in a small way is good. Many other states have adopted similar laws. Some require other waste treatment devices which will be discussed next month. I last moored the *Sports Afield Wanderer* at a place where a local ordinance prohibited flushing a boat toilet within municipal boundaries. It was just as well. Coliform counts had reached such deadly proportions that the beaches in the immediate area were closed to swimming. The pollution, however, came from homes, not boats. And local legislators obviously knew this as they made no effort to enforce their boat-pollution legislation. This pattern is repeated everywhere and it is your first clue that this boat antipollution law, like most (but by no means all) boat-pollution laws are phony.

Sensitive nostrils will begin to smell a rat in the Empire State when I tell you that in all of Long Island Sound there are no pump-out stations. Perhaps one or two, to serve the hundreds of thousands of boats, either resident or transient, through the Sound. Lake Champlain has none; the barge canals have none. The state has only a handful.

I called the shipping editor of *The New York Times* and asked if oceangoing vessels using the port of New York had holding tanks for the wastes produced. "No," he said. "What goes down the toilet, goes overboard." It would appear legislators in Albany have thus closed the port of New York to international shipping. But, of course, they have not. An aircraft carrier visiting the city may contain 5000 men. Do you think Albany legislators will cause the U.S. Navy to redesign their vessels to incorporate holding tanks? Or will they make you and me redesign ours? Will the posh new liner, *Queen Elizabeth,* be fined for dumping sewage into New York waters or will we? (In actuality it is probable almost no one will be fined very often. The enforcement branch of the state's Department of Navigation is manned by only three officers.)

I am singling out New York State because its actions are recent. Actually its governor has fought pollution as hard as any man in the land.

THE REAL POLLUTERS

Suppose that the legislators do make the law stick. (Probably they will rescind the order—for the simple reason that they themselves know it is impractical, a phony.) Let's say the new *Queen Elizabeth* is redesigned to permit her to discharge her waste into the municipal sewer system of New York; or your boat is. Eleven sewage outlets there pour what is flushed down toilets in New York City's homes, hospitals and slaughter houses into adjacent waters. Eight of them do not treat the effluent in any way. It flows raw—1.3 *billion* gallons daily of it—into the Hudson and East Rivers. One outlet is on the west side where cruise liners, naval ships and visiting vessels from other lands dock. If these boats complied with the legislature's smokescreen law, their sewage would flow into the river unchanged as before. It would merely go on a slightly longer journey.

Well, that's New York City, a problem in itself. The rest of the state, along Long Island Sound and in the upstate lakes and rivers cannot present as bleak a picture. Does this seem reasonable? I am sorry to report it is not.

Governor Rockefeller, fighting for his bond issue for funds to combat pollution, named 2100 pollution sources (industrial plants) and 1167 communities as the state's major polluters. Boatmen in New York can think about the following as they wander about this summer seeking a place to dump their refuse. The Albany Health Department once got tough with Utica, a notorious upstate polluter. They gave the city exactly four years to put in treatment plants—or else! Know what year that was? 1936! In the past 24 hours, Utica has sent 15 million gallons of untreated sewage into the Mohawk River. Solons in the state capital are even now grappling with the problem of cutting off the terrible threat to health caused by pleasure boats—in the water only four months a year and unoccupied 90 percent of the time. It is indelicate but literally true that when they presently leave their meetings to relieve themselves, what comes out flows substantially unchanged into the Hudson River. Albany, along with most other river communities, has facilities for little or no treatment. If the law holds, it will permit the waste of millions to flow unchecked. The waste of boatmen, so insignificant in amount it cannot usually be measured, will be stopped.

U.S. government installations can move with dictatorial rapidity to solve problems. On army camps, federal housing areas, storage depots, airfields and so forth, there is no municipal hassling, no voters to worry about, no comparative cost problems. Executive Order 11288 stated: "We (i.e. federal installations) will clean our own house." Know what the U.S. Army's hoped-for date to accomplish Executive Order 11288 is? 1972!

SMOKESCREEN LAWS

Why haven't boaters been allowed at least as much time as the U.S. Army to get their homes in order? Partly because their situation offers a convenient way for politicos to get headlines. The representative or senator attacking boat pollution becomes known as a foe of pollution while taking no political risk. If the state's industry is regulated on pollution it fights back or threatens to move away. Voters are suddenly faced with the loss of jobs. For legislators to ungrade or initiate treatment plants, get projects in motion for separate storm and home sewer lines, strengthen enforcement agencies and so forth, requires bond issues or higher taxes—both risky. Rockefeller put his political future on the block to campaign for antipollution money. Fortunately he won. This magazine over the years has chronicled the downfall of many other political leaders less fortunate.

Look around you. Industries continue to foul the air and water everywhere. Former Secretary of Health, Education and Welfare, John Gardner, estimated that industry pours at least twice as much organic material into U.S. streams as the sewage of all municipalities combined. I'll bet you can name plants in your area that foul the air or water. You and I can see them. State or federal inspectors apparently can't, or won't. The National Association of Manufacturers, industry's own spokesman, says that business is spending about one percent of our gross national product on cleaning its nest—about $150 million annually to do a job that by all estimates is measured in the many billions. What does industry in general spend on other areas? While antipollution measures get an average of one percent, research and development costs average eight percent ($9 billion), new plant construction absorbs $64 billion (42 percent), and advertising generally runs more than 10 percent of the gross product ($18 billion last year).

The nature of men and industries is such that neither will move until forced. Lawmakers everywhere are forcing boaters and looking the other way where industrial complexes are concerned.

FEDERAL FAILURE

We can not claim any greater progress on the municipal level. And for this we must all accept blame. Congress last year was authorized to spend $450 million to help cities build adequate treatment plants: It actually gave the cities $203 million. Some 33 states have said they need more money than the $203 million will provide. On the basis of federal-state cost sharing, Ohio could match $27 million but will get $8.8 million. Tennessee could match $9 million, it will get $4 million. Maryland could absorb $20.6 million but will receive $3.3 million. It is far too simple to merely condemn legislators as weaklings or procrastinators. The problems are immense. New York estimates it needs $1.7 billion to clean itself up. The state (thanks to the aforementioned battle by Mr. Rockefeller) has $1 billion available for matching grants. At a 50 percent federal-state cost sharing, New York could easily absorb more than the original $450 million appropriated for *all* states, much less than the $203 million actually appropriated. New York State will receive $14.5 million in federal funds to help build treatment plants. A drop in the bucket.

An even more ominous note has been sounded by Walter Hickel, nominated as this is written as Secretary of the Interior in the new Nixon administration. In this position he would be charged with leading the fight for clean air and water. At his first news conference in December he stated: "You can't have one water standard for the whole country. If you set water standards so high, you might hinder industrial development." It does not sound as though Mr. Hickel, a millionaire Alaskan developer, offers much light on an issue which is no longer a question of jobs vs. fish (where the fish always lose), but a matter of jobs vs. human life.

My own state of New Jersey has just passed a whopping bond issue. Money is slated for education, highways, transportation, public housing, hospitals and other areas. Despite the fact the state's air and water are among the most dangerously toxic in the land, no money will be borrowed to cleanse them.

"We are not even holding our own," Dr. Martin Goldfield, director of the state's crack health lab in Trenton, told me. "We can only expect more of the same. More hepatitis. More encephalitis. More beaches closed. More kids mysteriously ill. Of course, less fish and game."

New Jersey does not have a statewide boat antipollution law as yet. But one is under discussion. Will it be passed? Probably. What beneficial effect can it possibly have? Almost none.

Next month: what boaters should do to stop polluting.

BILL FRANCE AND SEMON E. KNUDSEN—PIONEERS IN AUTOMOBILE SAFETY

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. RIVERS. Mr. Speaker, under leave to extend my remarks in the Congressional Record, I include the text of some very touching words of Semon E. Knudsen, president of Ford Motor Co., on which occasion he presented the William S. Knudsen trophy to Bill France and the Talladega Speedway at the Union Pure Oil pre-Daytona 500 program, at the Americano Beach Lodge, Daytona Beach, Fla., on Saturday, February 22, 1969.

William France is president of NASCAR. Automobile racing is the No. 2 sporting event in America. Countless thousands of people witness stock car races over the length and breadth of America almost every week, winter and summer. The safety and the benefits to the motoring public are manifold from these races. At least two of the giant manufacturers sponsor and contribute directly to many of the participants of NASCAR racing. Stronger bodies, better brakes, improved tires, seatbelts, safety bars for police and highway patrol cars are some of the direct benefits that have resulted from sport car racing. Better engines, better spark plugs, better gasoline are but a few of the things that the public have received as a result of this sport. The automobile in America aggregates over 75 million in number. It is an absolutely indispensible part of the American way of life. The fact that it is a safe and vital part of our economy and of our absolute existence is in no small measure attributable to the manufacturers and NASCAR working hand in hand to produce better cars for the richest and most affluent nation in the history of this civilization.

Mr. Speaker, America owes a great debt to the ingenuity of the automobile industry. It owes a lot to the name of Knudsen and it owes a special word of thanks to one Bill France who saw the dream of American supremacy in the automobile industry—a dream he lived to realize.

The remarks of Mr. Knudsen follow:

> I'd like to thank Union Pure Oil, Bill France, and NASCAR for the opportunity to participate in tonight's wonderful affair. Like the rest of you, I'm looking forward to an exciting day tomorrow.
>
> It's interesting to me that as we await tomorrow's Daytona 500 with its anticipated crowd of nearly 100,000 spectators, we can reflect that not too many years ago, stock cars were performing here on the old beach course.
>
> Many of you here tonight can remember the sport of stock car racing in its infancy. You know of the work and devotion that have gone into its development until today it ranks as a major league attraction.
>
> Few men who labored to get the wheels of stock car racing into motion in those years following World War II would have had the foresight and imagination to envision a huge complex such as the Daytona International Speedway with its packed grandstand and crowded infield. How many in those early days could foresee $200,000 purses and 200-mile-an-hour speeds?
>
> One of the few, of course, is our host tonight—Bill France. And true to the pattern he has set over the years, Bill isn't one to sit back and enjoy his handiwork. As big and successful as Daytona is, there is another project well under way with which I think most of you are familiar.
>
> This is the construction of a new 2.6-mile track at Talladega, Ala. The first race is scheduled to be run on this new superspeedway on September 14. And from what I've been told, the new track at Talladega will produce the fastest speeds ever seen on a banked oval.
>
> Most of us in the automobile industry look upon new developments in stock car racing—such as the construction of the Talladega Speedway—with considerable interest. To repeat what I have said many times before—open competition provides an automobile company with a showcase second to none for displaying its products.
>
> I feel it is appropriate to offer tangible evidence of our interest in this new track, from whose success we in the auto industry stand to gain. Therefore I would like at this time to present to Bill France and the Talladega Speedway the William S. Knudsen Trophy.
>
> Named in honor of my father, the trophy is to be the permanent possession of the Speedway. Inscribed on these plaques will be the names of the winning drivers in the annual fall 500-mile race. A replica of the trophy will be given to the winning driver.
>
> Bill, on behalf of Ford Motor Company, I want to wish you every success with your new speedway. I hope to be on hand myself to present the William S. Knudsen Trophy to the winner of the first Talladega 500.
>
> And I know everyone in this room joins with me in wishing you and the drivers a safe and successful 500-mile race tomorrow.

ALAMEDAN CREDITS POLICE WITH SAVING HIS LIFE

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. MILLER of California. Mr. Speaker, in these days when our police departments are frequently in the center of controversy in regard to their peacekeeping duties, it is too often forgotten that these men in their daily routine are also involved, on innumerable occasions, in situations where their service is of the most vital personal nature. One such incident recently occurred in the city of Alameda, which is part of my district, and was reported in the Alameda Times-Star, the hometown newspaper.

On this occasion, the immediate and skillful response by members of the Alameda police force prevented a near tragedy and resulted in saving the life of one of the city's citizens when other assistance was not forthcoming.

It is refreshing to see that Mr. Joseph Parker, the recipient of life-saving aid, has shown his gratitude by requesting the Alameda Times-Star to bring to the attention of the citizens of Alameda this example of the humane concern on the part of the police department for the people it serves. Also, it is in keeping with the policy of balanced, responsible reporting that this newspaper and its publisher, Abe Kofman, would comply with his request.

I want to take this opportunity to salute the members of the Alameda police department who were involved in rendering assistance to Mr. Parker, as well as the entire police department and, at this point in the RECORD, submit the following article setting forth the details of this incident.

ALAMEDIAN CREDITS POLICE WITH SAVING HIS LIFE

(By Michael Ackley)

A 48-year-old Alameda man who feels that he owes his life to the Alameda Police Department has asked the Times-Star to convey his thanks to the officers who helped him in his hour of need.

Joseph Parker, 1710 Jay St., and his wife, Isabel, came to the Times-Star to tell of a night of frantic efforts to seek aid, and of the life-saving of Alameda policemen.

Parker said that around the middle of last November he began to feel ill, but thought that his sickness would pass. Instead his condition became worse until, the night of Nov. 15, he fell into a coma. Mrs. Parker's efforts to revive him were of no avail, and at about 1 a.m. on Nov. 16 she began to make a series of telephone calls to physicians.

One doctor after another refused to come to her residence. One went so far as to say that if Parker had been in the coma for the hours before Mrs. Parker tried to obtain medical help he could wait a few more hours until morning.

In desperation Mrs. Parker called the police department. Two officers immediately were dispatched. They thought of carrying the tall, heavy Parker down his front steps in a chair, but rejected the idea, fearing that they might drop the man.

A radio call brought a third car with a stretcher. The officers carried Parker down stairs and put him into a neighbor's car for a rapid trip to Oakland's Highland Hospital.

The diagnosis at the hospital was acute pneumonia. Doctors told Mrs. Parker that a delay of a few more hours would have cost her husband his life.

Parker was in a coma for 27 days as doctors fought for his life. The physicians had little hope for him because antibiotic treatment seemed to be failing, but the turning point did come and he returned to consciousness. His total hospital stay ended last week.

"I'd like to extend my personal thanks to those three officers who came to my aid," Parker said, "No words can express my gratitude for their actions.

"It is indeed a pleasure to live under the jurisdiction of such a thoughtful and competent police department."

Mrs. Parker seconded her husband's sentiments.

PLUG LOOPHOLE IN ARMED SERVICES HANDICAPPED PROGRAM

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. RIEGLE. Mr. Speaker, today I am introducing legislation which seeks to plug a loophole in the armed services "handicapped" program.

Under present law, we now provide financial assistance for certain contracted health-care benefits to severely mentally retarded or physically handicapped dependents of active duty members of the uniformed services. However, the statutes do not provide for continuance of this care if a member is killed while on active duty or upon that member's retirement. Thus, Mr. Speaker, at a time of greatest financial need when the breadwinner loses his life in service to his country—or retires after a life career, this urgent medical assistance for his dependent is cut off.

I would also stress that this is the only medical benefit provided for dependents of active duty members which is cut off upon the death or retirement of that member. It is ironic that routine benefits such as doctor visits, flu shots, vaccinations, hospital care, and so forth are presently covered, while care for mental retardants and the physically handicapped—which is most expensive and a great financial burden for those people to carry—is the one medical benefit that is denied.

Mr. Speaker, the bill which I am introducing today would, therefore, extend to mentally retarded or physically handicapped dependents of first, a member of a uniformed service who was killed while on active duty; and second, of former members of the uniformed services, the special care now provided to similarly afflicted dependents of members on active duty. I believe that this is a deficiency that must be corrected so that the urgently needed medical assistance for mentally retarded and physically handicapped dependents can continue.

The Department of Defense has estimated that the additional cost for the extension of this program would be about $5.5 million a year. This is a modest price to pay for the great financial relief that such an extension would bring to these deserving people.

Mr. Speaker, 34 of my colleagues have joined me in bipartisan support of this measure, and I am hopeful that additional sponsorship will follow.

MAURICE H. STANS

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. GREEN of Pennsylvania. Mr. Speaker, last year I had the privilege of serving as chairman of the Census and Statistics Subcommittee of the House Post Office and Civil Service Committee. The experience impressed upon me the important role that statistical data plays in American life.

Social welfare legislation we pass in Congress is, in fact, based on the data compiled by the Bureau of Census. We use our social indicators to describe problems and to seek solutions to them.

In the past year there has been considerable discussion about information collected by Census and their possible invasion of privacy.

On February 27, Secretary of Commerce Maurice H. Stans testified before the Joint Economic Committee. He closed his statement with a defense of the need for census data. I thought it would be helpful to my colleagues to read his statement which follows:

EXCERPT FROM STATEMENT OF MAURICE H. STANS, SECRETARY OF COMMERCE, BEFORE THE JOINT ECONOMIC COMMITTEE ON FEBRUARY 27, 1969

OTHER MATTERS

With your permission, I wish to outline two matters of policy which come within the range of interest of your Committee and which are of great concern to the Department of Commerce.

The first is the preparation for the Nineteenth Decennial Census in 1970. A somewhat synthetic issue has been raised as to whether the Census questions constitute an invasion of the people's entitlement to privacy. The contra factor is modern Government's needs for accurate information as a basis for reaching economic and social judgments.

The second is the development of minority business enterprise, with both the Government and the business community providing assistance. The President has asked the Commerce Department to take a leading role in this area.

THE 1970 CENSUS

The Joint Economic Committee has for many years shown close interest in the statistical activities of the Bureau of the Census, the Office of Business Economics, and other Government agencies, and has made constructive suggestions for their improvement.

Consequently, I feel sure that this Committee will share my concern over the growing support for proposals that threaten to do serious damage to the quality of some of our most basic demographic and economic statistics. I refer to proposals that would sharply limit the number and nature of questions people would be required to answer in the 1970 Decennial Census.

It is easy to understand why there should be a certain amount of annoyance over being asked to fill out questionnaires. Nevertheless, it is both inappropriate and unfortunate that this is contended to be an invasion of privacy.

Actually, the 1970 Census will be, for most people, less burdensome and no more invasive of privacy than previous Decennial Censuses. For the first time, about three out of five families will receive and be able to return their questionnaires by mail without ever seeing a census enumerator. Most families will be able to fill out their questionnaires in about 15 minutes. The total number of questions will be about the same as in 1960 and *less* than were asked in 1950 or 1940. A limited number of questions will be asked of every household. Most of the questions, however, will be asked of only one household in four, selected on a random basis. As has always been the case, answers given the Census Bureau will be strictly confidential and cannot be published or given to any other Government agency except in the form of statistical totals.

The Decennial Census is the one occasion when we try to get complete information on certain key characteristics of our population and the homes our people live in. This is vital information for all levels of government, down to local school districts, if they are to carry out their responsibilities intelligently.

The American people have always regarded the Decennial Census as one of the least onerous obligations of citizenship. They have cooperated willingly and taken great interest in the results. I believe it would be an extremely disturbing development if this spirit of cooperation should, as a result of a fallacious challenge, be undermined.

MINORITY BUSINESS ENTERPRISE

In regard to the development of minority business enterprise, President Nixon stated in his Inaugural Address that we must draw into the solution of our socio-economic problems all the strength of our Nation. Government and private enterprise will need to act together in dealing with these problems. Capitalism and private enterprise must present challenging opportunities for minority groups as well as for those who are in the mainstream of our national economic life.

One aspect of our urban problem is the separation of those in our minority groups from involvement in the country's principal economic activities. There are many different ways of tackling this problem but one of the most promising is to assist them in setting up their own business enterprises.

OTTO OTEPKA—STATE DEPARTMENT BACKLASH

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. RARICK. Mr. Speaker, Otto Otepka refuses to be silenced or compromised at any price. And, in the meantime, millions of Americans are beginning to wonder what part of the promised cleanup at State is denying Otto Otepka his former position.

Mr. Speaker, I include pertinent news articles following my remarks:

[From the Manchester (N.H.) Union Leader, Feb. 28, 1969]

SENATOR NIXON FAVORED PROTECTING WITNESSES

(By Edith K. Roosevelt)

WASHINGTON.—When he was a young senator, President Richard M. Nixon introduced a bill designed to protect government officials who supply information to congressional committees when asked to do so.

This same bill has now been introduced by Rep. John R. Rarick (D-La.). In introducing his bill on Feb. 17, Judge Rarick indicated that the bill would be effective in exposing security risks by protecting government officials like Otto Otepka from departmental reprisals.

Otepka, a former State Department security chief, was ousted from his job after answering questions truthfully on lax security procedures, before the Senate Internal Security Subcommittee.

Although Nixon promised during his campaign to thoroughly reexamine the Otepka case and see that justice was done, Secretary of State William P. Rogers has refused to reinstate Otepka in his old job. Otepka is now preparing to take his case to the courts as soon as he finds a new lawyer.

OFFERED JUDGESHIP

The Manchester Union Leader and The Vermont Sunday News reported exclusively that Otepka's lawyer, Robert Robb, had been offered a judgeship on the Appellate Court of the District of Columbia.

Rarick believes that by reintroducing his bill, real insight will be provided on the attitude of the so-called "new Nixon" towards the doctrine of executive privilege and national security matters. The bill makes it a violation for any officer of the federal government to dismiss or otherwise discipline a government employe for testifying before a committee of Congress.

Nixon introduced his bill on April 26, 1951, a few days before the hearings on our Far Eastern policy, the conduct of the Korean War, and the dismissal of Gen. Douglas MacArthur by the President.

Nixon said in introducing his bill on the Senate floor:

"It is essential to the security of the nation and the very lives of the people, as we look into these vitally important issues, that every witness have complete freedom from reprisal when he is given an opportunity to tell what he knows.

TOO MUCH AT STAKE

"There is too much at stake to permit foreign policy and military strategy to be established on the basis of half truths and the suppression of testimony.

"Unless protection is given to witnesses who are members of the armed services or employes of the government, the scheduled hearings will amount to no more than a parade of 'yes men' for administration policies as they exist."

Nixon pointed out that in the past, reprisals had been carried out against witnesses employed by the U.S. government who told the truth before Congress. His measure (S. 1390) was designed to correct this situation, he said.

"The bill I have introduced is designed to assure any member of the armed forces or other officer or employee of the government who can offer pertinent and constructive testimony that he can speak the truth without suffering the fate of Admiral Denfeld on account of such testimony."

Rarick's bill (H.R. 6787), which is the same as Nixon's, has been referred to the House Judiciary Committee.

Liberty Lobby, a populist oriented, activist organization in the national Capital, is urging its more than 200,000 subscribers to support the "Nixon-Rarick" bill by a massive letter writing campaign to the President and the Congress.

[From the Chicago Tribune, Mar. 4, 1969]

NIXON'S STATE DEPARTMENT CLEANUP STILL MISSING

(By Willard Edwards)

WASHINGTON, March 3.—A high ranking state department officer was found fuming in his office last week. He had just been informed by friends on Capitol hill that their entreaties on his behalf for promotion to a higher post had been rejected by William P. Rogers, secretary of state.

The officer was a veteran with an exceptional record, held back from promotion to higher levels under Democratic regimes, everyone agreed, only because he never concealed his Republioan party affiliations.

The office to which he aspired was held by a Democrat of little experience but with powerful political connections under the Johnson administration.

With a Republican administration now in power, influential G.O.P. senators and representatives urged Rogers to remedy this inequity. He sent back word that it seemed politically unwise to remove the Democratic incumbent.

The major cause of the officers indignation, however, was not this rebuff to his hopes. What irked him was a postscript by Rogers in his vote to the sponsoring member of Congress.

"You will be happy to know," Rogers wrote, "that we are retaining Mr. ——— in his present post and are well satisfied with his performance.

"That was a meaningless statement and the secretary must have known it," the officer remarked. "I am a career civil service officer and the secretary can not touch me without filing charges of misconduct and proving them. He can refuse to promote me but he cannot demote or remove me."

This incident, plus many of similar nature, is being cited by disgruntled Republicans who have discovered there is not going to be the "house cleaning" in the state department promised by Nixon in a campaign talk broadcast from Dallas last Oct. 13.

PLEDGES STATE DEPARTMENT CLEANUP

"I want a secretary of state that will join me in cleaning house in the state department," Nixon said at the time. "It has never been done. . . . It wasn't done even during the Eisenhower administration.

"There are some good men in the state department and I know who they are. The routine men that have been the architects of the past, they will have other assignments and we are going to bring in new men with a fresh approach."

Coupled with his words nine days earlier, in an interview at Williamsburg, Va., in which he promised to see that "justice" was accorded to Otto F. Otepka, Nixon's "house cleaning" pledge led to gloomy forebodings in the department. There was even speculation that Otepka, the demoted security officer who has been waging a five-year battle for vindication, might be one of the "good men" Nixon had in mind.

When Nixon won the Presidency and announced Rogers as his pick for secretary of state, 77 state department officers wrote out their resignations. But when Rogers announced that Idar Rimestad would be retained as deputy undersecretary for administration, the resignations were never submitted to the White House.

"ARCHITECTS OF PAST" SEEM SECURE

The "architects of the past" began to realize they were safe in their jobs. Their delight over this development was climaxed by Rogers' disclosure Feb. 21 that he had rejected Otepka's appeal for reinstatement. He said he saw no reason to cancel the penalty (demotion, reprimand, and removal from security assignments) imposed upon Otepka by his predecessor, Dean Rusk, for giving frank testimony to a Senate subcommittee about lax security in the department.

"The Otepka case has stirred up a hornet's nest across the country," said Rep. Ed Derwinski (R., Ill.), a member of the House foreign affairs committee. "I'm getting a burst of indignant mail about it.

"I'm going to insist that our committee question him about it and also about what he's doing to check security in the department. That's the first duty of a new secretary of state."

Meanwhile, reports are gaining currency here that Rogers is only an interim secretary of state and will be appointed to the Supeme court when a vacancy is created in June by the resignation of Chief Justice Earl Warren.

[From the Government Employees Exchange, Mar. 5, 1969]

ROGERS-ROBB "DOUBLE TALK" UPSETS NIXON'S STRATEGY

A series of "blunders" committed through "doubletalk" by Secretary of State William P. Rogers and Roger Robb, the Attorney for Otto F. Otepka, has imperiled the Capitol Hill strategy of President Nixon to appease simultaneously the "hard" and "soft" factions of the Republican party, a high official in the Department of Justice informed this newspaper on February 28.

Under this strategy, until President Nixon could "feel his way pragmatically" through the solution of the Vietnam war, Mr. Rogers was supposed to play the "sophisticated role" of appeasing the "doves" while the Secretary of Defense, Melvin Laird, was to appease the "hawks," the source said.

The Attorney General, John N. Mitchell, and the Department of Justice were supposed to appease both groups by "selected" appointments to the bench, the source commented.

"SACRIFICE" OTEPKA

In keeping with this arrangement, President Nixon and Secretary of State Rogers had agreed it would be necessary to "sacrifice" Otto F. Otepka, the former chief Security

Evaluator of the State Department seeking reinstatement, to the "liberals," the source said, by not re-examining his case and reinstating him to his job, a position from which he had been ousted by Secretary of State Dean Rusk. "It's too bad Otepka didn't work at the Pentagon," the source commented. "There he could have been reinstated without any trouble."

However, to keep Mr. Otepka's Senate supporters happy by saving them embarrassment, it was also agreed that the President would nominate at a very early date in the future Roger Robb, Mr. Otepka's Attorney, as a judge on the U.S. Court of Appeals for the District of Columbia. Under this arrangement, Mr. Robb would have to resign as Mr. Otepka's Attorney the moment his nomination was sent to the Senate for confirmation.

ROBB APPOINTMENT

Mr. Robb's appointment to the court was expected by all parties to be approved without delay because of the "high esteem" in which he was held by the Senate Judiciary Committee, the source said.

OTEPKA COMPENSATION

To compensate Mr. Otepka for his "sacrifice" to the Nixon cause of concurrent appeasement of both the "hard" and "soft" lines in the Republican party, Secretary Rogers had worked out a tentative "deal" with a major private corporation in the "aerospace industry" to hire Mr. Otepka at a salary almost double he would be receiving as Chief Evaluator at the State Department.

THE BLUNDERS

The first "blunder" committed by Secretary Rogers, the source claimed was that neither Mr. Otepka nor his lawyer, Roger Robb, was informed about the details of the prospective private industry job. Instead, in a January 21 personal meeting, Secretary Rogers merely informed Mr. Robb that he did not wish Mr. Otepka to return to the State ment at all and would arrange for his employment in private industry.

The second "blunder" was then made by Mr. Robb, who did not reveal to Mr. Otepka that he had had a personal meeting with the Secretary Rogers, the source said. Instead, Mr. Robb stated that "third parties" told him that Secretary Rogers had indicated he did not wish Mr. Otepka to retun to the State Department as an "active security officer."

These two "blunders" were compounded by a third "blunder," committed by Secretary Rogers, who, on February 19, informed Mr. Otepka that he had "concluded your case had been fully and exhaustively litigated within the Executive branch of the Government in accordance with the applicable provision of law and the regulations of the Department of State and the Civil Service Commission."

According to the source, when Secretary Rogers signed the letter of February 19 he was under the impression that Mr. Robb had correctly communicated to Mr. Otepka both his own offer to find a job in private industry for Mr. Otepka and that Mr. Robb would be nominated to a judgeship.

THE FIASCO

Both these impressions were wrong, and when Mr. Otepka and Mr. Robb had a "confrontation" on February 22, it became clear to both that a "fiasco" was imminent, the source said. The "fiasco" was further increased by the fact that both President Nixon and Secretary Rogers had left the country on their European diplomatic tour and could not be reached immediately.

In the meantime, news had begun "leaking out" from the Department of Justice and the Senate Judiciary Committee that Mr. Robb's name would be sent to the Senate for confirmation immediately following the President's return to Washington.

On February 25, the nationally syndicated columnist, Edith Kermit Roosevelt "broke" the story of Mr. Robb's imminent appointment to the Appeals Court in a copyrighted report published in the *Manchester* (*N.H.*) *Union-Leader*.

CHAOS LOOSE

"All chaos has broken loose now," the top official at the Department of Justice stated to this newspaper.

"Something will be done to patch the matter up," he added. However, President Nixon's strategy of keeping both the "hard and soft liners, both the 'hawks' and 'doves' happy, has suffered a serious setback," he concluded.

[From Human Events, Mar. 8, 1969]

ROGERS REJECTS OTEPKA APPEAL

"If Robert Finch is Richard Nixon's Seventh Crisis, then William P. Rogers must be his Eighth," is the way one Capitol Hill commentator put it last week. For not only has Rogers conspicuously failed to clean out the State Department, as Nixon promised would happen under his Administration, but the secretary of state has now lowered the axe on Otto Otepka, the State Department security expert who was given a raw deal by the Democrats and whom Nixon promised to aid at least three time during the 1968 campaign.

Rogers' stinging rebuke to Otepka came in a letter dated February 19—just prior to the secretary of state's leaving for Europe with President Nixon. In this letter, Rogers rejected Otepka's appeal for reinstatement as a high-ranking security officer in the department.

"Having carefully reviewed the documentation," Rogers wrote Otepka, "I have concluded that your case has been fully and exhaustively litigated within the executive branch of the government in accordance with the applicable provisions of law and the regulations of the Department of State and the Civil Service Commission."

Rogers, in effect, then told Otepka he could give up or take his case to court. Otepka's only consolation was that the department indicated it would grant leave pay for a short while if he decided to make a court appeal—which Otepka, by the way, says he intends to do.

The shabby treatment of Otepka by Rogers comes as another disappointment to Nixon supporters who were under the definite impression that the Nixon Administration would deal far more kindly with Otepka than did the Kennedy-Johnson regimes.

No fewer than three times during the campaign did Nixon agree to give a sympathetic look at the Otepka case—and in each instance he indicated a partiality toward the man, though he claimed he would not prejudge the evidence.

On April 9, 1968, in a letter to an Otepka supporter he wrote that he intended "to see that justice was done to the man who served his country so long and so well."

On October 4, Nixon told Chicago *Tribune* columnist Willard Edwards: "It will be my intention to order a full and exhaustive review of all the evidence in this case with a view to seeing that justice is accorded this man who has served his country so long and so well."

In late October, James M. Stewart asked Nixon in Mount Prospect, Ill., to "Please help Otepka." According to Stewart, who heads the American Defense Fund which has helped defray Otepka's legal expenses, Nixon replied: "I will—you'll just have to wait until I get into office."

When Nixon went to the Inaugural Ball held in the Smithsonian Institution, he reiterated his pledge to try to help Otepka. If he supports Rogers' decision—which he apparently does—then he has clearly gone back on his campaign pledge.

The failure to accord Otepka justice will be a great black mark on the Nixon Administration. Otepka, as most *Human Events* readers now know (see Feb. 17, 1968, issue for full story), was a top security officer for the State Department during the Eisenhower-Nixon Administration, but he ran into trouble when he refused to go along with efforts of the Kennedy regime to place people in important jobs without proper security clearance. Not only were people with highly questionable backgrounds getting crucial assignments, but at one point Harlan Cleveland, our current ambassador to the United Nations, asked Otepka "if there were any prospects for the reemployment of Alger Hiss in the United States government." Hiss had been convicted of perjury for denying his role as a Soviet espionage agent.

As the Democrats began to lower the security standards at State, Otepka was demoted, then locked out of his office, denied access to his files and placed in isolation. A secret tap, he learned, had been placed on his phone. He was lied about and at least three State Department witnesses—after being threatened with perjury by the Senate—felt compelled to alter their testimony before the Senate Internal Security Subcommittee (SISS). Otepka, by the way, always told the truth. He was subjected to what the SISS called "extraordinary, calculated harassment because he attempted conscientiously to carry out the national security program."

After accusing Otepka of criminal conduct, the State Department, subsequent to lengthy hearings, could conclude that Otepka's only "crime" was his deliverance of "two memoranda and [an] investigative report" to the duly constituted Senate Internal Security subcommittee. And all of this material, by the way, was delivered only after it had been requested by the subcommittee and only for the purpose of proving that he had not lied in sharply disputing statements made by his superiors.

For this "crime," former Secretary of State Dean Rusk demoted Otepka and removed him forever from security duties. Observers say he probably would have fired Otepka, but realized he had too much support on the Hill.

If the Nixon Administration refuses to come to this man's aid, it will have consequences far beyond the plight of Otepka himself, who has already gone into debt to defend his reputation. Surely the failure to reinstate also signifies a continued lowering of security standards for government, a policy that can only imperil the nation's safety. Equally as important, it tells good, decent Americans—who tell the truth and do their duty—that there really is no room for them in the U.S. government. Both Rogers and Nixon are in a position to change all this with one executive order.

[From Human Events, Mar. 8, 1969]

NIXON OPPOSED TRUMAN ORDER

There's an interesting sidelight to that Otepka decision of last week. In turning over three pieces of paper to the Senate Internal Security subcommittee—the only "misdeed" the State Department ever encountered on Otepka's part—Otepka was accused of violating a March 13, 1948, Presidential Directive which forbids anyone in the executive branch of government to turn over to those outside the department documents relating to the loyalty of government employees. President Truman issued the order because federal workers were feeding derogatory information on key Democratic appointees to congressional investigating committees. (Otepka, by the way, did not turn over information to SISS for any purpose other than to prove that he—not his superiors—was telling the truth. The papers contained information in the public domain and did not contain loyalty or security information in the proper sense of that term. Thus he feels he did not violate the Truman order.)

When Truman issued his directive, William P. Rogers was then chief counsel of the Senate Committee on Expenditures in the Executive Department and taking part in an investigation of an accused Communist. Rogers, according to those who knew him, denounced the Truman order as an effort to impede proper investigation by the Congress.

Richard Nixon, who was then a member of the House Committee on Un-American Activities, also denounced it. When Nixon became a California senator, he introduced S. 1390, a piece of legislation which would have effectively repealed the Truman order. In the April 26, 1951, *Congressional Record*, Nixon urged adoption of his measure by saying: "I have introduced in the Senate today a bill to make it a violation of law for any officer of the federal government to dismiss or otherwise discipline a government employe for testifying before a committee of Congress." That was Otepka's only "fault," so why won't Nixon now come to his aid?

A SENSIBLE CHANGE IN THE DEBT LIMIT

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. CONTE. Mr. Speaker, the question of the debt ceiling receives periodic attention. In fact, we read about how the Federal Government seems continually to be asking for an increase in that famous ceiling. On February 26, 1969, the Berkshire Eagle of Pittsfield, Mass., ran a fine editorial on this very subject. I recommend that it be included in the Record because of the importance of the problem both from a fiscal and from a pragmatic point of view:

A Sensible Change In the Debt Limit

The fellow who regularly goes on the wagon every New Year's Day and just as regularly falls off it a week later is doubly pathetic. He not only hasn't kicked the habit; he also suffers the ignominy of having tried and failed.

The federal government's annual charade with the debt ceiling is somewhat similar. Every year Congress solemnly sets a new ceiling which is supposed to last forever. And every time a new year with its new budget rolls around, the ceiling has to be lifted again.

But now comes President Nixon with a proposal for a whole new approach to debt-ceiling ritual—an approach that seems to make good sense. In a message to Congress he has asked that the ceiling be made to apply only to that part of the federal debt which is held by the general public—thus eliminating from the total the large quantities of government bonds held as investments by federal "trust funds," most notably the Social Security Administration.

For all practical purposes these trust funds are money which the government owes to itself and, to that extent, can reasonably be excluded from the debt ceiling. Furthermore, excluding them would substantially erase the need for perennial lifting of the ceiling: It is the trust fund debt, currently rising at the rate of about $10 billion a year, which has made it necessary to increase the total debt limit even in years when the over-all budget is in balance. Under the President's proposed accounting system a debt limit of $300 billion (as compared to the present statutory limit of $365 billion) could be put into effect with reasonable assurance that it would last for many years.

One could easily argue, to be sure, that a better approach would be to forget about trying to set limits altogether since there is not the slightest evidence that setting a limit has ever had a deterrent effect upon increasing the debt. But this is a fact which neither Congress nor the public likes to acknowledge. If nominal debt ceilings are a political necessity, as they apparently are right now, the Nixon proposal at least makes them less nonsensical.

BURKE BILL WOULD PREVENT FUTURE TRAGEDIES

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. BURKE of Florida. Mr. Speaker, in November of 1968, the mercy killing and suicide of an elderly couple who resided in my congressional district, shocked not only the people of my area but the entire Nation itself and served to illustrate the urgent need for national reform of our medicare and private insurance programs.

Floyd F. Slusher, who lived in Hollywood, Fla., fired a bullet into the head of his 81-year-old bed-ridden wife and after killing her, he then took his own life with a bullet from the same gun. This tragedy spotlighted the attention on the thousands of our "forgotten people" who, like the Slushers, can become paupers overnight when long illnesses attack one or the other.

Floyd Slusher, who was 74, was a proud man. He paid all of his bills promptly as they became due, but after paying a bill of $1,943, he saw his life savings dwindle to a meager $1,600. And, he faced more expenses if he was to give his wife, to whom he had been married for 49 years, the custodial hospital attention she so badly needed for the arthritic condition and pain that had made her a hopeless cripple.

Mr. Speaker, I can easily see how the life savings earned by the work and sweat of so many other elderly Americans can be completely wiped out with one illness and how thousands of other families might wish to end their lives, at a time when they should be enjoying their twilight years, because they find themselves paupers and without hope, unwanted charity cases, in a society which fails to recognize their plight. How easy it is for them to suddenly find their funds gobbled up by the high cost of today's medical and hospital care and the constant depreciation of the value of the dollar which they carefully saved for their retirement.

Today, I have, therefore, introduced legislation which I hope will prevent future occurrences of tragedy such as that which happened to Mr. and Mrs. Slusher. My bill would remove the present limit on the number of days for which medicare benefits may be paid thereunder to an individual on account of post-hospital extended care services.

Certainly, it is our responsibility to strive to bring about national reform in our medicare and private insurance programs. It is our responsibility also to insure for our older citizens a more independent and sound economic future—not by words or by plaudits, but instead by our deeds, to show our respect for the contributions they have made in their younger years to making our country strong.

LAUNCHING OF THE SS "HONG KONG MAIL," NEWPORT NEWS, VA.

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. PELLY. Mr. Speaker, our colleague from Virginia (Mr. Downing) called for a meaningful maritime policy in a speech at Newport News, Va. The occasion was the launching of the SS *Hong Kong Mail* on February 8, 1969, at the Newport News Shipbuilding & Dry Dock Co.

Since so many Members want a maritime program that will meet the needs of the United States, I include hereinafter the text of Congressman Downing's speech:

Remarks of Honorable Thomas N. Downing

For someone who was born and reared just a few blocks away from here, this is a moment of understandable pride for me. This is my hometown and I will always feel at home in it.

We build ships here—good ships and the whole world knows it. And when a good ship goes down the ways. As the *Hong Kong Mail* will, in a few minutes, it carries with her the hopes, prayers, and best wishes of the thousands of men and women who gave her life.

I feel a definite kinship with everyone who does business with this shipyard because it says to me that they too, have recognized what we here in Newport News have known all along that this is the greatest shipyard in the world.

It is a pleasure to be here today and to join in welcoming Worth Fowler and his associates to this yard once again. This is the fourth time in less than a year that one of the American mail line ships has been launched here. And I know that he and his vice-president, Ted Sommer, Bill Baptie, chief of the planning division, and designer Jim Henry are as proud of the occasion as I am. The fifth and final cargo liner in the present contract the SS *American Mail*, will be launched here in the middle of April. That will make five in one year, a record of great shipbuilding accomplishment—and a justification of the faith and confidence of the American mail line.

All five of these ships will continue the great tradition of this line in plying the established trade routes which are so vital to the continued development of American business and industry. It is imperative that we maintain these trade route services. It is imperative that our country do all it can to maintain them. If we do not, other nations will move in; the American flag would continue to disappear in the harbors of the world; and we would continue along the part to oblivion as a maritime nation that we, for some unknowing reason, seem destined to follow.

The maritime life of this Nation is dependent on a great partnership; a four-way cooperative effort among the shipping companies, the shipbuilders, the men who man them on the high seas, and the Federal Government.

I find no fault generally with the first three members of this quartet. But the same is not true about the Government. We have no meaningful maritime policy today. This lack of concern on the part of the Government is nothing new. Not since Franklin Delano Roosevelt has any President of the United States made a significant contribution to the U.S. flag merchant marine.

This has not been the fault of the representatives of the people. The maritime leadership in both Houses of the Congress has shown the way and has drawn the support from both sides of the political aisle. Unfortunately we have been rebuffed by President after President. It was with dismay that I read in the budget most recently submitted that once again our Government proposes to subsidize new ship construction at a rate which will not even keep pace with the retirement rate of our over-aged merchant vessels.

I call upon our new President as I have called upon his three immediate predecessors to reverse this trend; to follow the leadership of the Congress; and to give this Nation a shipbuilding program which will relieve the dreadful situation in which we find ourselves; that of being at the mercy of other nations of the world to carry our international commerce.

As a nation, we cannot survive on 8–10 new ships a year. At a bare minimum, we must have a program of 35–40 ships for a number of years to come. Mr. Fowler and his company and other progressive operators have demonstrated their willingness. Mr. Holden, Mr. Ackerman and the men and women of this great yard have proven their capability. We have enough men on the bench now to man the vessels if they were available, and the youth of this Nation is earger to join the ranks if they can be guaranteed the berths.

I beseech President Nixon to act now. There is no call for this administration to waste time drafting a maritime policy. A policy has already been drawn. It has the endorsement of the leaders of the industry, of labor, and of the Congress. It is a simple yet far-reaching policy. It calls for a new strong status for the Federal Maritime Administration. It provides for the complete revitalization of our merchant fleet. It prescribes a start on the building program that is a necessity. It calls for the institution of an intensive program of technological advances. It demands that we follow the lead that we have already established in nuclear propulsion.

Our future on the oceans of this world should not represent the wishes of any one man be he shipworker, shipbuilder, operator, Congressman, or even President. Our future should do one thing. It should satisfy the needs of the United States of America.

I dislike mentioning Russia in order to promote a cause, whether it be maritime or space, but I tell you most sincerely that unless we get started on an effective maritime program right now, that country will be the number one maritime country of the world by 1975. For many reasons, well known to you, this cannot be allowed to happen.

The maritime need is paramount. The SS *Kong Kong Mail* will help to fill this need. It is neither the beginning nor the end, and we must not rest until we have achieved that end.

CONGRESSMAN JOSHUA EILBERG CONTINUES HIS FIGHT TO PROTECT THE AMERICAN CONSUMER

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. EILBERG. Mr. Speaker, today I have introduced legislation which would amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, and thermal hazards. This legislation would amend the section of the act relating to "banned hazardous substances" to permit the Secretary of Health, Education, and Welfare by regulation to eliminate from interstate commerce any toys or products intended for use by children which have electrical, mechanical, or thermal hazards.

In effect, the categories of toy hazards which the present legislation provides protection against are limited to two: pressurized and flammable. I think our children deserve much more protection than that. By adding the additional categories of electrical, mechanical, and thermal we can attack a number of hazards, including, but not limited to, sharp or protruding edges, fragmentation, explosion, strangulation, suffocation, asphyxiation, electrical shock and electrocution, heated surfaces, and unextinguishable flames.

The need for this legislation is quite evident. Of the nearly 56 million children under the age of 15 in the United States, more than 15,000 of them each year die from accidents at a rate of 28 per 100,000 population. This figure is higher than the death rate recorded for cancer, contagious diseases, heart diseases, and gastroenteritis combined.

More than half of the children who died as a result of accidents in 1966 were preschool children between the ages of 4 and 5 years. Another 17 million children annually are injured severely enough to restrict normal activity and require medical attention. The frequency and types of deaths and injuries resulting from hazardous toys designed for children is shocking. At the present time, the National Safety Council does not act as a clearinghouse for toys sold on the interstate market. No systematic review of such toys is carried out by the Council of Toys before they are placed on the market.

The legislation I have introduced today will, I hope, stimulate industry to put its house in order and to take appropriate steps to see to it that the toys they put on the market are safe. The children of America will appreciate their efforts and ours when we pass this legislation.

TRIBUTE TO CYRUS VANCE

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. MOORHEAD. Mr. Speaker, selfless duty on behalf of one's government is a common virtue in this most imperfect time.

But there are a few men, usually giants in comparison to the rest of us mortals, who personify duty to country. Cyrus Vance is one of these.

It is a good thing that Cy Vance does not decorate his automobile with travel stamps of all the countries to which he traveled, searching for that elusive prize, world peace. There, certainly, would be little visibility for driving.

For the past 8 years, Mr. Vance has served three Presidents in the rather crucial role of "troubleshooter." His passport reads like a history book, Cyprus, the Dominican Republic, Vietnam, Paris.

He is home now after waging a long, grudging but fruitful campaign at the peace tables in Paris.

But for how long will this restless giant of a man stay a private citizen? How long can men like Cy Vance and Averell Harriman stay away from the fever spots of the world?

Like the diplomat-statesmen that they are, they will stay away from the battle until a concerned President seeks the experience and wisdom of a titan. And then it is repack the bags and off to who knows where?

But I am sure if the price of remaining a public citizen is world harmony, Cy Vance will gladly meet the ante and stay in New York working as a lawyer.

Recent articles in the Washington Daily News and the Washington Post pay tribute to Cyrus Vance. In recognition of his dedicated service to his country, I would like to introduce these articles into the CONGRESSIONAL RECORD and salute my friend with a heartfelt, "Well Done":

CYRUS VANCE, TROUBLESHOOTER FIRST CLASS

In a unique way, Cyrus Vance has been a master of all trades in the complicated business of troubleshooting for this Government at home and abroad. He has helped put out fires in Detroit and Washington, helped avert a war between Turkey and Greece over Cyprus and struggled for a settlement in the Dominican Republic, just to mention a few of the tasks he has deftly carried out. Now, with ten tedious months of Vietnam negotiations in Paris behind him, Cy Vance has returned home.

In each of the situations in which Mr. Vance has been thrust he was "the President's man," a man former President Johnson could rely on to keep an eye on things for him, and a man in whom he had complete confidence. That was the way the Paris assignment started out, though it soon was apparent that Mr. Vance was on pretty much the same frequency as his official co-equal, W. Averell Harriman. Though Mr. Harriman was the ranking member of the delegation, and as such the principal spokesman for the United States during the negotiating sessions, Mr. Vance took over when Mr. Harriman wasn't there.

Mr. Vance was most effective as a catalyst in getting staff views to the surface for discussion in staff meetings. And his intimate knowledge of official Washington, acquired during six and a half years in the Pentagon and because of his close relationship with Mr. Johnson, made him best suited to present the Paris delegation's view to Washington, which he did on frequent trips home.

Much of what Mr. Vance did in Paris and during the discussions in and out of government that led to the decision to limit the bombing of North Vietnam may never really surface. There are probably dozens of high-level diplomatic conversations that he participated in that proved important in many ways. Dedicated and discreet, we would know nothing of his contribution if it were left to him. Someday perhaps he will write a book—but not, we would hope, at the expense of foreclosing his further usefulness—for it is inescapable that the Government will find a need for his troubleshooting talent again.

Hopefully, his return from Paris to a private law practice in New York only ends another chapter in his distinguished public career.

NOBODY KNOWS THE TROUBLE HE'S MENDED

"Willing to go and able to move fast," is how one reporter led a profile of Cyrus R. Vance, and in times of trouble it is the description of the sort of man governments look for.

Mr. Vance, who just retired from the Paris peace talks, has answered the bell for virtually every foreign and domestic crisis in the past eight years. He has acted as White House troubleshooter in Cyprus (tempting nobody knows how many composing rooms to name him Cyprus Vance), the Canal Zone, the Dominican Republic, Detroit, South Vietnam and way stations, and all this while serving either as Secretary of the Army or Deputy Secretary of Defense.

Mr. Vance has earned the nation's gratitude a dozen times over, and he has earned a rest from the incessant diapering of crises that has been his lot since he came to Washington. But troubleshooters who can move fast—and act wisely after they get there—are rare. No one in the business of watching the world's chronic disposition toward self-destruction thinks he'll stay on the shelf very long.

ABM DISPUTE ANALYZED

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. HOSMER. Mr. Speaker, for the information of the House Republican Conference and generally for the Members of this body, I am issuing the following document tomorrow:

MARCH 6, 1969.

From: Representative CRAIG HOSMER, Chairman, Committee on Nuclear Affairs.
To: House Republican Conference.
Subject: Analysis of the ABM dispute.

This is a somewhat oversimplified summary of the current ABM deployment issue.

Current strategic thinking holds that nuclear *deterrence*, i.e., dissuading another nuclear power from deciding to settle things once and for all by a surprise nuclear attack calculated to break your back militarily, depends upon your own:

Assured Destruction Capability, defined as the adequacy of your retaliatory strikeback force to survive such a first-strike and hurl back on the attacker's homeland an amount of destruction it is unwilling to accept. It may also depend on your own:

Damage Limitation Capability, defined as active and passive measures you take in advance to limit your overall damage from surprise attack to such extent that the attacker may be discouraged from a decision to strike.

United States assured destruction capability consists of 1000 Minuteman and 54 Titan II ICBMs in the continental U.S., 41 Polaris submarines and various strategic bomber aircraft.

United States damage limitation capability has consisted of various passive civil defense programs and active measures against aircraft attack such as NIKE and the Continental Air Defense Command, assisted by such early warning installations as BEMEWS and DEW Line. At the present time we do not have an active capability for defense against ICBM attack.

The *Sentinel System* has been proposed as an ABM measure. It consists of long range *Perimeter Acquisition Radar* to detect ICBMs and guide nuclear tipped *Spartan* missiles above the atmosphere to destroy them. As a back-up *Missile Site Radars* and *Sprint* short range missiles would finish off any ICBMs penetrating the Spartans.

Former Defense Secretary McNamara proposed the Sentinel System in a very limited context and almost wholly as a damage limitation measure to deter a Red China attack on U.S. cities when they are expected to have ICBMs sometime in the 1970's. He felt the China capability would be too limited to hurt our Minuteman very much, so they would choose to hit cities. In fact, he inferred that the Soviets would have insufficient punch to wreck our retaliatory strike back force, they know it, thus are deterred anyway, and it would be a waste of money to deploy Sentinel for Minuteman protection.

Many people believe McNamara was dead set against Sentinel for any purpose. When he was ordered by Johnson to deploy it because of election year political pressures, he did so with the weakest possible rationalization. And, he deployed it in metropolitan areas where he calculated public opposition would be aroused. He fully expected these shortcomings to combine to kill off Sentinel.

And, as we have seen, they have brought Sentinel construction to a halt, although R&D continues.

The gut issues being decided while the freeze on Sentinel construction is on are:

(1) Shall Sentinel be abandoned?

(2) Shall Sentinel continue in a damage limitation role vs. the China threat?

(3) Shall Sentinel be shifted from damage limitation functions vis-a-vis cities to our Minuteman sites for protection of our assured destruction retaliatory force?

In the later role it would assume a burden as to the Soviet threat rather than the Chinese threat and its rationale would be based on the *assured destruction* aspects of deterrence rather than its *damage limitation* aspects.

The next logical question is:

Will the $X billion to be spent buy more *assured destruction* if spent for:

(a) Sentinel;

(b) Site hardening and other Minuteman improvements;

(c) More Minutemen;

(d) More Polaris submarines;

(e) The Navy's Seaborne Anti-Ballistic Missile Interception System (SABMIS);

(f) Other alternative assured destruction measures?

Undoubtedly these are the questions Secretary Laird is wrestling with right now.

My own preference is for either Sentinel or SABMIS because either introduces a significant new and additional factor into the potential attacker's calculations of the degree of retaliatory damage he might suffer from taking the initiative.

Besides, should we go ahead with ABM plans, and should disarmament talks with the Soviets be initiated, going ahead with plans will give us something to bargain with that isn't hardware already in being.

"THE KERNER REPORT: ITS IMPLICATION FOR EDUCATION"—A SPECIAL EDITION OF THE ILLINOIS SCHOOLS JOURNAL

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. BRADEMAS. Mr. Speaker, March 1, 1969, marked the first anniversary of the publication of the report of the National Advisory Commission on Civil Disorders, headed by the distinguished former Governor of Illinois, Otto B. Kerner.

The spring issue of the Illinois Schools Journal, published under the auspices of Chicago State College, is devoted to a consideration of this historic document and, in particular, its implications for education. I wish to congratulate Chicago State College and its president, Milton Byrd, for this fine contribution to public discussion of the Kerner report.

Included in the issue is an article which I prepared, entitled "A Congressman's Perspective." On February 22, 1969, I incorporated most of this article in an address before a luncheon gathering in Chicago marking the first anniversary of the Kerner report. The text of that address was printed in the CONGRESSIONAL RECORD of February 26, 1969, beginning on page 4708.

Other contributors to the current issue of the Illinois Schools Journal are: former Governor Kerner, now judge of the U.S. Court of Appeals; Edwin C. Berry, executive director of the Chicago Urban League; Paul W. Briggs, superintendent of the Cleveland public school system; Joseph Rosen, district 10 superintendent of the Chicago public schools; Bernard Spodek, professor of early childhood education, University of Illinois, Urbana; Mark Upchurch, english teacher at Englewood High School, Chicago; and Jerome Reich, professor of history, Chicago State College.

The consensus of opinion of the contributors is that American education has so far failed to respond adequately to the recommendations and urgent needs set forth in the Kerner report.

Mr. Speaker, I wish to include at this point in the RECORD the text of several of the articles appearing in this special edition of the Illinois Schools Journal:

THE CURRENT CRISIS IN URBAN EDUCATION—RECOMMENDATIONS FOR A PARTIAL SOLUTION

(By Otto Kerner)

One of the problems of living in a complex society is that every component is affected by, and in turn affects, many other components. So it is with education. The crisis in urban education is but part of a bigger crisis, the megalopolis crisis. Total solution for the educational component cannot be achieved until the principal ills of the megalopolis have been met—the geographic strait jacket on Negro housing, the deterioration of city neighborhoods, the increasing discrepancy between the metropolitan tax base and the need for inner-city services, the consequent rising urban budgetary deficiencies, transportation problems, and the growing loss of job opportunities open to ghetto dwellers.

Should we then throw up our hands and, as some people have suggested, declare the urban educational crisis an insoluble one, unmanageable until these other evils have been eradicated? Assuredly not. Partial solution of the urban educational problems is possible despite the continuance of overall urban problems, and such solution in itself provides material assistance in the alleviation of other metropolitan ills. Better education of the disadvantaged means their greater effectiveness in job-finding—and smaller welfare rolls; a better educated and more highly skilled inner-city work force means smaller incentive for industry to move out of the city. We will need, however, to remember at all times the multi-faceted nature of the problem, both as a goad and as a sober reminder. Within a crisis-ridden, urban framework, educational progress is slow and painful; the more this framework can be strengthened, the faster the educational breakthrough will come about.

Where do we start?

Establish goals and determine roadblocks. I suggest that the first order of the day is to determine goals and priorities in urban education. Fortunately, the task is not as difficult as it would have been three or four years ago. At that time the civil rights ideology was pressing on educational questions, causing considerable confusion as to real goals. Since then, a number of facts have emerged. One major one came out of that monumental report of the U. S. Office of Education, "Equality of Educational Opportunity." The authors found that racial balance within schools was one of the few factors that materially aided pupil improvement. Thus, since low achievement of disadvantaged children is *the* most pressing problem of urban schools, desegregation is becoming as much an educational tool as a civil rights principle.

A second fact to emerge is that *desegregation and quality schooling* are not interchangeable terms; the first does not insure the second.

I believe that a consensus is being reached on educational goals that from now on the highest priority should be given to the development of high-quality, high-achievement educational systems in the cities. This goal is not only worthy of our best and united efforts but one that will require them!

The second step will have to be a candid assessment and delineation of each city's successes and failures in meeting urban educational problems. Purpose—to improve educational strategy.

In general, our failures are painfully obvious. One is the high dropout rate; almost one-third of the city children who start high school never finish. Another is the poor effectiveness of city schools with Negro children, who generally show lower achievement levels than white children of the same age. The successes have been less obtrusive but no less real—the rise in teacher qualifications, the increasing enrichment of the curricula, the greater attention to pupils with special skills and special problems, the decreases in class size, etc. Some attempts to establish causation for both successes and failures undoubtedly have to be made. But I would hope that none of us would fall into the easy error of ascribing the educational failures to the educators and the educational successes to the critics.

Let me now outline a few of the strategies I think we should follow in pursuing our overall goal.

Develop flexibility of approach. Although there is a great deal of recent and on-going study of educational techniques, it is clear that there is not now a given formula for educational success. Instead, we have a series of open-ended probabilities, such as "better teachers make for better students"—but what is a better teacher?; or "integrated classes raise the accomplishment levels of Negro pupils"—but how much integration? etc.

Lacking sure-fire guidelines, it becomes necessary for all those concerned with education to abandon rigid doctrinaire approaches in favor of innovative and pragmatic ones. Perhaps we need to use the approach of the medical researchers and the attempts by experimentation to find cures for diseases whose basic causation has not yet been determined. I have been particularly struck with the dangers of a too-ready acceptance of various explanations for non-achievement of Negro pupils. For example, several acute observers of the educational scene have recently suggested that the high rate of absenteeism among male Negro youth may be due not to lack of motivation, as is commonly supposed, but simply to boredom. These youngsters find the normal classroom atmosphere and classroom techniques pallid and uninteresting in comparison with the excitement of the streets. The solution may lie, therefore, not in attempting to develop a motivation which may well be there but latent but instead in attempting to arouse interest. Reading skills could be developed from books on jujitsu instead of standard readers; arithmetic skills might be built on solutions of simulated problems of the quartermaster and ordnance departments of the army, or the supermarket.

In a number of school districts and communities just this kind of approach has been adopted. However, if all educators are expected to develop and carry out such techniques, the purpose of such experimentation must be well understood and approved by the community in general and by the press in particular. Experiments that prove unsuccessful cannot be utilized as the basis for horror articles by professional critics of the educational establishment. The job of defusing irresponsible criticism is one which the entire community must undertake, particularly influential laymen whose disinterest is patent.

Utilize outside resources. I suspect it would be difficult to find an educational principle more widely accepted—or more honored in the breach! The reasons for this latter condition are not hard to find. It is one thing to sit down and write glowingly of the vast opportunities for first-hand learning experiences that outside institutions—business, governmental agencies, cultural organizations, etc.—can offer. It is quite another matter to carry out this mandate, to develop the relationships which make it possible, and to initiate and complete the lengthy and difficult arrangements necessarily precedent to such educational enrichment. Weary school administrators must often wish they could change places with their armchair quarterbacks.

Nevertheless, fully acknowledging how difficult it is to establish such arrangements we are still left with the necessity of doing it, and perhaps for the very reason they are difficult to establish, i.e., that the growth in complexity of our culture and the acceleration of the rate of change throughout society make it a greater imperative than ever that children gain as much knowledge as possible of these complexities and these changes.

Let me suggest a partial solution, the delegation of such activity to outside sources themselves, leaving only the co-ordinating function to the educational administrators. Thus, the local chapter of the League of Women Voters might be called upon to arrange for visits of school children to various governmental agencies; local and state chambers of commerce might be invited to schedule visits to factories and businesses; conservation groups might be tapped to sponsor unusual field trips. The range of such experience is limited only by the resources of the community itself and the imagination (and time!) of the school superintendent.

To write meaningfully of urban education without mentioning money is a condition which I hope one day can be achieved. But not yet. There is no question in my mind that the urban schools (and the rural ones) need more money. The question is from what source and how much. I have grave doubts that much more assistance can be obtained from the cities themselves or the states; most of them have already tapped available sources of revenue up to the danger point. This leaves only the federal government as the final resort—and this gives rise to the anti-federal aid group.

The question of how much more money will be an event more difficult one to solve since educational need must be matched against the myriad of other demands on the federal purse. The people of the country themselves will have to decide whether they are willing to pay higher taxes to obtain high-quality education. My own feeling is that they would make such an affirmative decision providing they are assured that educational monies will be wisely and prudently spent. School administrators throughout the country must therefore take immediate steps to provide such assurances. Once this is done, the rest of us can assume our share of the burden to assure the United States the kind of education needed to provide full and complete opportunities for all its people.

EDUCATION AND THE BLACK COMMUNITY—WHITE AMERICANS NEED TO BE REEDUCATED

(By Edwin C. Berry)

The *Report of the National Advisory Commission on Civil Disorders*[1] (Kerner Report) was a landmark in the history of the United States and in black and white relations.

In terms of education it was an imaginative report which touched upon many of the basic needs for the education of the ghetto child, the poor black child.

The report succinctly and concisely documents the increasing racial separation in Chicago and other Northern school systems which has served as one of the most efficient means by which inferior education has been inflicted on black children.

However, beyond the devastating effects of this rigid segregation and its resulting slum shock which dwarfs the desires and dreams of ghetto children, there is another basic point which was missed in the Kerner Report.

While I am in favor of Head Start and enriching programs for children in the ghetto—they certainly need them—also basic to the whole problem is the education of those who are in allocating roles like school boards and state legislators.

What we need is a gigantic head start program for all the white middle- and upper-class decision-makers in our society. These people do not understand or perhaps in some cases do not care what happens to the children of poverty who are black.

Our black ghettos must be looked at as latter-day domestic colonies. Negroes in this city are fenced in and they must live in areas which have been designated for their occupancy. The decisions about what goes on within the colony are made from without the colony. The colony is characterized by absentee ownership; the merchants and the landlords live outside, and they come in, take out the colony's small wealth, and do not reinvest it, but spend it outside.

Those within the ghetto are sitting ducks for every kind of exploitation known to man; the shoddiest of merchandise is sold here and credit sharks prey upon the people. Discrimination takes many forms. These people earn less money and pay a color tax for the houses they live in unless they happen to live in a controlled area such as the compounds we call housing projects.

These compounds are triple ghettos—ghettos of race, poverty, and human misery. Those who are incarcerated in the ghettos under present circumstances are not even allowed to build their own compounds because of the discrimination that is practiced in the building trade unions in our society.

The world that is related to the ghetto student by the school has no meaning or basis of reality to the student, for this is not what he sees as part of daily life. The middle-class values taught in the schools belong to a world he has never known. This is just not a realistic approach to education.

And to top it off, many of the individuals who are engaged in meaningful work, and with whom he comes in contact frequently, are not residents of his community, but come in as daytime missionaries or social workers to assist the student and his family.

---

[1] (New York: Bantam Books, 1968.)

There are too few role models for the ghetto student to pattern his own life by—people who look like him who have achieved.

Decision-makers will have to come to grips with these realities. They will have to take a good look at themselves. After all, this whole business of what we do with the poor and the black has to do with our will. What do we will to do?

I am writing this article at a time when Apollo 8 has just returned from the moon. We have found a way to conquer the universe. We found a way, regardless of how expensive and intricate it was, because we had a will to do so. With this same fierce and precise determination, we can conquer the problem of education and training for the survival of poor and black people.

We have the power in this society to determine the people who are going to be equal and those who are going to be more equal than others and those who are going to be subjugated. We determine this by a simple formula—whom do we educate?

Those whom we educate and who know best how to fit into the cultural milieu of American life are those who will be more equal and will have the most and the greatest opportunities to make it.

The poorly educated will be subjugated and can only look forward to welfare dependency, prison, or an early death.

The Kerner Report recommends improved, quality education in the ghetto. I believe this should have top priority. However, I have never been able to get too excited about the idea of combat pay. It isn't referred to in that way in the report but is talked about as incentive pay or more pay for those who would work in the ghetto. I don't think that is the answer, although I'm in favor of our teachers being well paid—better paid than they now are. I don't think inadequate salaries keep good teachers out of the ghetto and I don't think black kids keep them out either. It is my opinion that school conditions keep good teachers away from ghetto schools—overcrowded classes, neighborhood surroundings, few or no parking lots (often nonstudents puncture tires and damage automobiles).

It is a terrible thing to expect teachers to teach in schools where children have so many needs, educationally and physically, which they have no way of meeting; for instance, the school lunch program. In a school that has no lunch program and no lunchroom, the kids go hungry.

In the speech, *Hunger, U.S.A.*, it was cited that "nutritional anemia, stemming primarily from protein deficiency and iron deficiency was commonly found in percentages ranging from thirty to seventy percent among children from poverty backgrounds." [2]

Sensitive teachers would rather not face this problem day after day because they have no way to feed five hundred hungry children without a lunchroom and without a lunch program.

We can also make use of the empty classrooms in our school system, and in this case my primary objective is not integration, although I'm in favor of integration. However, if we have empty classrooms on one side of town and children who need them on another, it just makes sense to use the classrooms that are available. This is where we run into a great deal of difficulty, a lot of argument, and where the will of those who run the schools and those who support the schools gets flabby.

They say, "Well, yes, we ought to educate these little black children, but we run into a lot of trouble with the people in this district if we do."

Then they cite cases where foolish people have raised questions and have been very unpleasant not only to the school board in picketing and petitioning them, but also to the children who actually went to school.

But the decision-makers and these foolish adults need these little black children very badly to purify the soul of America. Any time adults like those on the North side of Chicago would come out to picket little children going to school in the fourth, fifth and sixth grades, we really need to improve our education system.

Here I would agree with the Kerner Report where it places some stress on adult education. Some of those white adults really need to be educated into the basic and primary concepts of what American democracy is all about. They certainly did not learn it at the time they were in school. These same adults also need to learn about the accomplishments and contributions of black people to this society.

The Kerner Report recommends the recognition of the history, culture and contribution of minority groups to American civilization. We in the Urban League have recommended this in terms of integrating the true facts about black people throughout the curricula.

Ghetto children need the support and the knowledge that there has been some accomplishment by black people. White children in segregated neighborhoods need this perhaps even more. If we go back to the basic concept stated so well in the Kerner Report that the main problem is white racism, then it would indicate that those schools in the segregated white community need black history more than the black children themselves. What we're asking for here is nothing very unusual—just the honest teaching of history in America.

Another basic factor in this whole problem of educating the black and the poor is the matter of jobs and income. In the final analysis, the way kids become educated really becomes a function of income. Some people may have difficulty seeing it this way, but it is inevitable that where incomes are decent, where people have the opportunity to have some leisure and can think of things other than being hungry and cold, they do have the time to think of an additional thing like, "How are my kids doing in school?" They have an opportunity to visit the PTA; they can talk to principals and teachers and begin to learn what the school's goals are.

The parents of poor black children, or of poor children of any color, must have improved income status in order that they can send their kids to school in good health. They must have enough money so that the home is a decent place with simple things like adequate heat, enough food, enough bathrooms, and the children can visit doctors and dentists when needed. Hungry kids in our city eat peeling, lead-filled paint, and they become brain-damaged or die. We can and we must eliminate this menace.

While looking at the need for improved income status for blacks, we must not overlook the education field itself. We need a great many more black people in positions as principals or above where the money and where policy is made, and a great many more blacks in technical jobs. At last count, in Chicago, we had twenty-five black principals out of a total of five hundred and twenty-five. There's nothing fair about that with more than half of the school population being black.

Here in Chicago, we don't have too much of a quarrel with the number of black teachers in the system. We're up to thirty-five or thirty-six percent. However, we have too few black teachers who are fully certified. We have a large number of teachers, some white, but mostly black, who have been teaching as full-time basis substitutes for several years.

Our school system must move very rapidly to establish an honest, just and fair method of certifying these teachers, giving them tenure and allowing them to earn the amount of money they should be earning. And, while this may sound harsh, those who are not qualified to teach everybody, are not qualified to teach black children.

If I were running everything in the world, and choosing all the teachers, the first thing I would want to know before inquiring about how many degrees she had, or how much pedagogy she had learned in graduate schools, would be Does the prospective teacher love children? This means loving all of the children all of the time—when they are good and when they are mischievous; when they are dirty and when they are clean; on rainy days and on sunshiny days. Only after establishing that the teacher loved children would I want to know whether she can read and write.

I agree with my friend Ted Sizer at Harvard University when he says the most important ingredient in terms of public education is what he refers as the personality of the teacher. In personality, he includes everything about the teacher: attitude, demeanor, understanding, etc. This is important and in this scientific age we ought to be able to find a way to get the kind of people who are truly interested in teaching. It is an extremely challenging and often slow-to-reward profession.

There is no question that more participation in the education process by parents is needed and the Kerner Report encourages this. A good many parents of the ghetto, who are unlettered, have been looked upon, in the past, as having nothing to contribute. It has been my experience and my observation that the parents of children in ghetto areas are very interested in their children receiving a good, decent education, even though they may not be able to define all of the elements that go into a good education.

Black parents are interested in their kids, and they are demanding now that their children be treated humanely. Black parents have not always been well received by our schools; we've even gone through a period when the schools were locked up. In the past, schools that belong to the people, paid for with tax funds, where parents' most precious possessions were deposited all day, had unlisted phone numbers.

To the credit of our present General Superintendent of Schools, James Redmond, every school phone number is listed in the telephone directory so that anyone can contact the schools.

"Local control," "maximum participation," "community involvement," are suddenly scare phrases on the American scene. In the affluent neighborhoods of our American cities, Chicago included, the wealthy white people always had local control of their schools. It is only in the poor districts that people did not have the opportunity to voice their concerns regarding the education of their children. Certainly they need more local control than they have ever had before and this should not be scary. It is just plain American democracy and plain human decency.

The only way to evaluate the school system is to hold it accountable to the community for the end product. In any manufacturing program, the standard becomes the end product and what will it do. Take a color television set, for instance. Regardless of the amount of money invested in the research, technology and production of it, there is only one thing that sells the set—does it work? The same thing applies to an automobile, to Apollo 8. If it won't work, then it is no good.

In Chicago we spend, without some of the extras, 360 million dollars a year in education. A good many of our finished products cannot do the basic skills of reading, writing, arithmetic that our schools have guaranteed they will teach our kids in twelve years. A great many of our people who managed to master those skills did not learn the skills of living with others in a democratic and decent society. We must reevaluate. We cannot continue pouring money into a program that is producing an end product that doesn't work. Just as important as reading, writing and arithmetic, is a fourth R, relations—getting along with others.

---

[2] Benjamin E. Mays, delivered to the Chicago Urban League Principals' Conference, May 28–30, 1968, Chicago, Illinois.

The future of American society, and certainly the future of the cities, depends to a very large degree on how our educational system operates and how it is focused—how we use the resources (far too little) which we now have, and how we will use the additional resources, particularly financial resources, that we may gain for city schools from state and federal aid.

To provide quality education for all of our children and especially for those who have been most denied, we must gain a great deal of federal and state support. Our cities do not have the money. Cities these days do not have access to their own tax wealth and property taxes—an agrarian concept, coming out of the ages when most wealth was measured in land and acreage.

Right now we give money to suburban areas where there is a lot of wealth and less drainage on that wealth for police and welfare programs than there is in poor districts. It is not enough to give so much money per pupil for days of attendance. The poorer districts need more money and the richer districts need less. Maybe some wealthy districts won't get any state aid because they are already paying as much locally as they need to pay. There are a couple of lawsuits now pending in the courts, one in Detroit and one in Chicago, designed to challenge our tax apparatus as it relates to education. I believe the challenge will be successful.

The most essential factor to the implementation of the Kerner Report recommendations for education is money. There is a line somewhere in the report which states that money isn't everything. I have to agree with that, but in terms of education of the poor and the black, money is the one thing we haven't tried, I think we ought to try money once.

We will never achieve a truly civilized society until all of the children belong to all of the adults and all of the adults feel a responsibility for all of the children—until we who are able to send our children to private schools feel that we have a major responsibility to the public schools because all of the children are ours. If we can ever get to this point, then many of the items I've written about here will be solved.

THOUGHTS ONE YEAR LATER—REVITALIZED EDUCATIONAL SYSTEM A NECESSITY

(By Paul W. Briggs)

It was just one year ago that the United States Commission on Civil Disorders came out with its much discussed report. Unfortunately, this report has still been much more discussed than read. Yet it serves as another major landmark in America's move to truly become one nation indivisible.

As we look back one year to what the Commission wrote and forward to what seems to lie ahead, certain things are absolutely clear. It should be stated at the outset that I write this as an educator with certain basic convictions. A first conviction is that none of the solutions to the problems of urban America and the racial turmoil that racks our land can be solved without a much improved and revitalized school system in every major population center of the nation, and a second is that without this revitalized education for every youngster, whatever his circumstances may be, none of the multiple other problems can be solved.

The urbanization of America has proceeded with such rapidity that within a short span of less than fifty years we have moved from an agrarian nation to one dominated by large cities. Few guidelines were available to educators and city planners during this comparatively short period of shift from the farm to the city.

We did not have a pattern to follow, experience to call on, or public officials and educational architects with expertise in city and educational planning. Nearly every public facility proved to be inadequate before it was completed. Public transportation fell short of public needs, streets were too narrow for the flood of new cars, lots were too small for adequate homes, single garages failed to meet the needs of our two-car families, and schools proved to be inadequate in every respect.

Our schools were built early in the development of cities, generally on small sites, with little provision for play areas, expansion, or parking. In most cities, the oldest schools as well as the oldest homes are to be found in the center of the city. These were the first homes to be abandoned in a mass exodus when suburbia got under way.

The twenty-five year exodus to suburbia resulted in an abandonment of city leadership and in neglect of all city functions and particularly education. The central city soon became a vacuum to be filled by large numbers of people suffering from many kinds of disadvantagement. Metropolitan areas developed around the city—dependent on the city but separate in government and education from the city.

The decrease in city population did not result in a comparable decrease in school enrollment. On the contrary, school enrollments in the major population centers boomed while city populations dropped. In Cleveland, for instance, from 1950 to 1965 the city population dropped 130,000 while school enrollment increased by 50,000.

Changing city neighborhoods crowded old schools to over-capacity with children possessing problems demanding a new kind of education—education that was not available in either quality or quantity. Around the city new schools were built, each an attempt to outdo the other. These new schools attracted many to leave the city.

Realistic financial support for city schools was not forthcoming. Classes got larger, inner-city kindergartens had long waiting lists, and in many cases, children in the inner city attended half-day sessions. Lack of funds kept city school systems from making needed building additions and alterations or even from replacing old equipment. Libraries were closed to make more space available for classrooms and to save money. Greater financial burdens of city government left a smaller percent of the local tax dollar for education.

The long neglect of the education of urban children is beginning to show. Many of those whose recent acts threaten the domestic safety and tear at the roots of the American democratic system are the products of yesterday's inadequate and neglected inner-city schools. The greatest unused and undeveloped human resource in America is to be found in the deteriorating cores of American urban centers.

The effectiveness of our response to the challenge of developing and using this resource can make the difference in whether America survives and flourishes or flounders and decays.

I should like to call your attention particularly to my own city of Cleveland, a city which last summer suffered devastating civil disorder and where a few years ago it was necessary to use two hundred policemen to open one of our large high schools.

In Cleveland, during the summer of 1964, we were building schools under armed guard. The preceding school year had been marked by controversy, by charges and countercharges as groups in the community sought to influence decisions of the Board of Education. Violent street fights and rock throwing had been followed by demonstrations and sit-ins in the Board of Education office building.

Our city is one in which extremes of affluence and poverty are to be found, but where poverty is spreading at an alarming rate. It is a city characterized too much by isolation—racial, ethnic, religious, social, and economic. It is a city whose daily newspapers list column after column of good jobs waiting to be filled, while the unemployment rate in the inner city is among the highest in the nation. Let us look more cloesly at one section of Cleveland's inner city, the Hough area, which was the location of the riot of 1966.

Hough is an area of about two square miles—bordered on the east by University Circle with its rich complex of cultural institutions, unsurpassed in America. To the west lies Cleveland's industrial heart. On the north and south are two main thoroughfares traveled most heavily at the beginning and end of the business day as people from other sections of Cleveland and from the eastern suburbs move into and out of Cleveland's central business district.

Hough clearly demonstrates the phenomenon of flight and abandonment. Its population is about sixty thousand and represents a virtually complete turnover since 1940. Rare, indeed, is the recent graduate of the high school serving Hough whose father or mother also attended the same school.

Once a favored residential area where the great family names of Cleveland were to be found, Hough today has acres of dilapidation. Forty years ago more than ninety percent of the homes in Hough were owner-occupied. Today fewer than ten percent of the residents are home owners.

The exodus from Hough was rapid. As the former residents left and were replaced by families with large numbers of school-age children, the schools were completely inadequate to serve the thousands of new children. In the decade of the 1950's the enrollment of schools serving Hough more than doubled. Moreover, it was not uncommon for a Hough school in that period to experience a one hundred percent turnover in enrollment.

Today, ten elementary schools, seven of them built since 1954, serve an area for which three were adequate prior to World War II.

The new population of Hough came largely from small towns in Appalachia and from the rural South. They were people seeking new opportunities for their families. They had left their former homes to escape poverty and the burdens of discrimination. They were unprepared for the perplexing demands of urban living and Cleveland was unready to assimilate them into the mainstream of the city's life.

In the search for opportunity, frustration was encountered; aspiration was blunted; and despair replaced hope.

Since 1950, Hough has probably been the most studied and restudied community in America. Sociological surveys and high-priced analyses have followed each other in rapid succession.

The people of Hough, encapsulated in desolation, have apparently not been materially aided by the studies and grandiose schemes which seem to be devices to avoid action.

HOUGH—A STORY OF DETERIORATION

Delinquency—Up 300 percent since 1940.

Population Density—Almost 300 percent greater than city as a whole.

School Enrollment—Up more than 100 percent since 1950.

Unemployment—Same as city in 1940; more than 200 percent of city rate in 1967.

Public Welfare—Up 700 percent since 1950 in both number of cases and proportion of total expended in Cleveland.

Income Level—Down 12 percent since 1960 while for city as a whole up 16 percent.

Out of School Youth—Rate 200 percent greater than city average.

But what about the child of the ghetto? It is he whom we must save for we cannot afford to lose this generation of young Americans.

If this child of despair is a young adult, there is a better than fifty percent chance that he is a high school dropout. He is not only unemployed, but unemployable, without salable skills. Neither of his parents went beyond the eighth grade. Preschool or nursery school was out of the question when he was four, and when he was five he was placed on a kindergarten waiting list. At six he entered school; but could only attend for half a day because burgeoning enrollment required relay classes in his school. During his six years in elementary school, he attended four different schools because the family moved often, seeking adequate housing for the six children. When he got to high school and wanted vocational training, none was available.

The family was on relief and he couldn't afford a good lunch at noon because Cleveland schools were not participating in the federal hot lunch program and the price of the lunch was seventy cents.

Of his few friends who had graduated from high school, none had found jobs and they couldn't afford to go to college.

Here he is now, discouraged and without hope—economically incompetent at a time in life when traditionally, young Americans have entered the economic mainstream as job holders.

A younger brother, age nine is now in the fourth grade. He attends a new school, opened in 1964. Though he lives one mile from Lake Erie, he has never seen it. He has never taken a bus ride, except when his class at school went on a field trip. The family still does not subscribe to a daily newspaper. The television set is broken, and there is no money to have it repaired. His mother has never taken him downtown shopping.

He has never been in the office of a dentist and has seen a physician only at the local clinic when he injured himself playing in an abandoned house in the neighborhood.

At home there are no books. His toys are secondhand. His shoes are too small and his sweat shirt, bought for twenty-five cents at a rummage sale, bears the insignia of a suburban school.

Each morning he looks forward anxiously to the free milk he gets at school because there is no breakfast at home.

He can't study well at home because the loud blare of rock-and-roll music from the bar up the street disturbs him. There are nine saloons in his rather compact neighborhood. The screaming police siren is a very familiar sound to him for he hears it regularly in his neighborhood, where the crime rate is Cleveland's highest.

These boys both have better than average intelligence, but they are the victims of neglect and are lost in the maze of statistics. Their plight and that of the thousands like them in America's ghettoes can certainly be considered the most pressing unattended business on America's agenda.

Teachers and parents in our inner city have strong feelings and concerns about education and its role in the inner city. They are unanimous in their high evaluation of Title I programs: Head Start, reading improvement projects, and increased health services among many others. All agree that a nutrition project—with breakfast for the children is not only desirable but necessary.

Likewise all would like to see more trips outside the neighborhood to reduce the isolation and give the children a greater sense of being Clevelanders, rather than only children of Hough.

As long as the problems of the Houghs in America remain unsolved, the cities of this nation are in deep trouble.

The city in America has too often been an environment that is inhospitable to the traditional American ethos. The fact is though that this is a nation of cities and that within each of these cities there are many distinct racial and ethnic groups, and it is just as clear that each of these groups must learn to live together or forfeit the promise of "America the Beautiful."

It is to the cities of America that we must demonstrate the validity of the proposition that "all men are created equal—endowed with certain inalienable rights—life, liberty and the pursuit of happiness," that respect for the dignity of every man is an inherent concept.

Most of those who have glibly proposed quick and easy solutions for the city's problems have viewed these problems from afar. They often speak from the platform of non-accountability for action.

The problems of the ghetto are problems arising out of poverty, unemployment, isolation, inadequate housing, overcrowding, family disorganization, and, yes, inadequate schools.

The problems are manifested by relief and low average income, by unfamiliarity with the city at large and a feeling of not belonging, by deteriorated and dilapidated houses, by littered, uncared for streets and by large numbers of idle adults and young adults, especially men.

The crime rate is high. Store rooms are deserted and boarded up. First-class goods and services are difficult to find. The businesses that exist are mostly marginal operations.

No thoughtful person suggests that the schools alone can solve the problems of the ghetto. Likewise, though, it is quite obvious that none of the basic problems will be solved without the involvement of an adequately supported, revitalized school system.

We have tried to improve the quality of instruction in each of our Cleveland schools, to decrease racial isolation of Cleveland children, and to build bridges from the school to the job market. It is absolutely clear that the schools must extend further downward through programs such as Head Start and further upward by attracting more adults to full-time day and evening high school classes. Likewise, the schools must stay open longer hours and become visible community centers. Summers can no longer be periods of inactivity. For instance, in Cleveland there has been a tenfold expansion in summer programs in the last four years.

In 1964 only two Cleveland high schools offered vocational courses. Today vocational courses are available in all sixteen of our high schools. There has been a three hundred percent increase in vocational classes during the past three years. We have found in Cleveland that the dropout rate from vocational courses is significantly less than for students who are enrolled in general education courses at the high school level. These courses must be expanded both qualitatively and quantitatively and move aggressively into providing the greatest job potential for our students.

We have established a prototype Supplementary Educational Center where children from various sections of the city come together daily to study space, the heritage of Cleveland, and good music.

In Cleveland schools last year we served 11,261,486 cartons of milk to children and 2,428,102 hot lunches were served in our secondary schools. We are presently planning for the expansion of the federal school lunch program to our elementary schools.

Last year we opened libraries in more than one hundred of our elementary schools to bring books into the lives of city children.

In the field of curriculum development, several hundred Cleveland teachers have been working on projects to update our curriculum and to make its content truly relevant. We can no longer adopt textbooks which do not depict the pluralistic nature of the American society. One of the most important things the schools can do is be sure that high school graduates get jobs. In the Cleveland schools there is a special job development service for inner-city high school graduates which over the past two years has placed ninety-five percent of our school graduates who want to begin work on a job with Cleveland business and industry. The cooperation of Cleveland business and industry has been exceptional as they have opened their doors to give the most disadvantaged youngster real opportunity. Simultaneously, the rate of college admissions among inner-city graduates has been increased by seventy-five percent.

A thread that must run through all efforts to improve schools is more effective communication. Parents must be more actively involved in the education of their children. Administrators, supervisors, teachers, clerical workers, and custodial employees must be aware and sensitive to the needs of people in the communities they serve. The school can no longer be an island separate from the community it serves, but must be a center of activity, conversation, and concern for the entire community family.

The decades of neglect, of abandonment, of too little spread too thinly have accumulated awesome deficits which cannot be overcome in one step. Much yet needs to be done. A partial list of some programs that must either be established or expanded in every urban center would include: a twelve month school year, new school buildings that are attractive, functional, and flexible; bigger libraries in all schools; procedures to make the new technology available for the education of children; sex education in elementary as well as secondary schools; new services for the physically and the emotionally handicapped; vastly increased health services; large scale recreational facilities so that every child can walk to a supervised playground, gymnasium, and swimming pool; a full-scale program in nutrition including breakfast for the inner-city child; massive increases in vocational and technical courses in comprehensive high schools; new work-study opportunities; financial aid for the high school graduate who does not qualify for a scholarship but needs assistance to go to college; rehabilitation opportunities for the dropout and the potential dropout; new partnerships with industry as we reclaim the dropout and prepare him for today's jobs and tomorrow's; expanded follow-up for the graduate; adult education classes to combat illiteracy and to update job skills; and modern management techniques in the operation of our schools.

It is not right that in America there should be a great gap between what is invested in the education of the child of despair and in that of the child of affluence.

I would suggest that in determining a fair level of expenditure to support the education of the ghetto child, we use as a yardstick the amount spent on educating his counterpart in the city's most advantaged suburb. For Cleveland, the application of this standard would result in an increase of more than $70,000,000 in our operating budget.

While the schools of the inner city must be improved, there must also be simultaneous massive action on other fronts:

New jobs must be created and all citizens must have unhampered access to them.

Plans for on-the-job advancement for minority group workers must be accepted.

The concept of the *Plans for Progress* must be more widely accepted and more fully implemented.

Government agencies must be examples of equal employment opportunity at all levels.

In the field of housing, the subsidizing of segregation is unacceptable. Decent housing for low-income families should be made available in all sections of the city and not merely in the inner-city areas.

The number of public housing units needs to be greatly increased and concepts in public housing that will provide open space and attractiveness ought to be encouraged. In addition, as public housing estates are planned, provision must be made for school support. Currently we receive only $25 per child living in public housing. Our cost per child is $480.

The new comprehensive health and social

service center idea is a step in the right direction.

We must find ways to create in the inner city and throughout the city the neighborliness of small town America augmented by the rich array of health and welfare services and the cultural and civic resources that can only be developed and supported in the great urban center.

Concern for people must transcend the boundaries of political subdivisions and all persons in the great metropolitan complex must be helped to see themselves as fellow citizens, each respectful of the rights and the dignity of the other.

As we move toward the solution of our problems, care will be needed to avoid the empire building, community fracturing, agency competitions, and duplication of services and functions that have caused the failure of so many previous projects.

If our efforts tomorrow are to be more than exercises in futility, our attention and resources must be directed at helping people solve their problems, rather than dissipated in jurisdictional squabbles between agencies.

A new dimension of cooperation among the schools, the city, the state, and the federal government must be developed. The guidelines and regulations for such cooperative ventures must be flexible enough and realistic enough to permit the delivery of services to people with the least possible delay.

Just one year after the Commission on Civil Disorders filed its report, we have seen both signs of greater hope and signs of greater despair. Dr. Martin Luther King's dream has not yet been realized, but there is a growing awareness that either America will exist as one nation which will be a family of all people or it will not be a nation at all.

The National Commission on Civil Disorders signaled the end of the era of research, study, and analyses and one would hope that now, one year later, the nation is committed to moving forthrightly and dramatically to meet the needs of each of its citizens.

As we approach the two-hundredth anniversary of this country, we shall either succeed in the challenge of making this one nation or past achievements will have meant nothing.

THE NATIONAL LAWYERS GUILD

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. RARICK. Mr. Speaker, the documentation surrounding the citation of the National Lawyers Guild as a subversive organization by the U.S. Attorney General and the subsequent rescinding of the designation raises serious questions of aggravated dereliction of duty to inform our citizenry of dangerous Communist activity.

The then U.S. Attorney General Herbert Brownell, Jr., in 1953, delivered several public addresses stating:

> It is because the evidence shows that the National Lawyers Guild is at present a Communist dominated and controlled organization fully committed to the Communist Party line that I have today served notice to it to show cause why it should not be designated on the Attorney General's list of subversive organizations.

Subsequent facts are found in footnote 12 of the opinion of the Supreme Court of the United States in *Dombrowski* v. *Pfister*, 380 U.S. 479, 14 L. Ed. 2d 22, 85 S. Ct. 1116, April 26, 1965.

The provocative question remaining unanswered is, how could Attorney General Brownell be so sure he was right while his successor, Attorney General William P. Rogers, surrendered Brownell's stand by rescinding the order and abandoning any action to retain the notorious National Lawyer's Guild on the Attorney General's subversive list.

So that our colleagues may have the pertinent data, I include the following documents with my remarks: Footnote 12 from Dombrowski against Pfister; extracts from Brownell speeches to the American Bar Association and AMVETS; Brownell citation; motion to dismiss William P. Rogers, and Guild citation in HCUA Guide:

[In the Supreme Court of the United States, No. 52, October term, 1964]

JAMES A. DOMBROWSKI ET AL., APPELLANTS, *v.* JAMES H. PFISTER, ETC., ET AL.

(On Appeal From the U.S. District Court for the Eastern District of Louisiana, April 26, 1965.)

FOOTNOTE 12

[12] Although we hold the statute void on its face, its application to the National Lawyers Guild is instructive. In 1953, the Attorney General of the United States rescinded a proposal to designate the organization as subversive. His proposal was made under revised regulations, promulgated under Executive Order 10450 to comply with *Joint Anti-Fascist*, establishing a notice and hearing procedure prior to such designation of an organization. 18 Fed. Reg. 2619; see 1954 Annual Report of the Attorney General, p. 14. The Guild brought an action in the District Court for the District of Columbia attacking the Executive Order and the procedures. A summary judgment in favor of the Attorney General because of failure to exhaust administrative remedies was sustained on appeal and this Court denied certiorari, *National Lawyers Guild* v. *Brownell*, 96 U.S. App. D.C. 252, 225 F. 2d 552, cert. denied, 351 U.S. 927. After a Hearing Officer determined that certain interrogatories propounded to the Guild should be answered, the Guild brought another action in the District Court, *National Lawyers Guild* v. *Rogers*, Civil Action No. 1738–58, filed, July 2, 1958. On September 11, 1958, the Attorney General rescinded the proposal to designate the Guild, 1958 Annual Report of the Attorney General, p. 251. On September 12, 1958, the complaint was dismissed as moot at the instance of the Attorney General, who filed a motion reciting the rescission and stating that the Attorney General had "concluded that the evidence that would now be available at a hearing on the merits of the proposed designation fails to meet the strict standards of proof which guide the determination of proceedings of this character." The present federal statutes provide that the Subversive Activities Control Board may not designate an organization as a Communist front without first according the organization the procedural safeguards of notice and hearing. Subversive Activities Control Act of 1950, § 13, 64 Stat. 998, 50 U.S.C. § 792. See *Communist Party* v. *SACB*, 367 U.S. 1.

EXTRACTS FROM ADDRESS BY ATTORNEY GENERAL BROWNELL BEFORE THE AMERICAN BAR ASSOCIATION, AUGUST 27, 1953

The purpose of designating an organization as subversive is solely to alert the security agencies that the group involved is permeated with Communists and fellow travelers so that where it appears that a government employee is a member this factor may be taken into account in determining whether he is a security risk.

The designation of an organization is now preceded by the most thorough investigation and study of all the evidence. Where the evidence indicates that an organization is not what it outwardly claims to be, but is in fact and sympathy aligned with the Communist movement, then it is my responsibility as Attorney General to make that fact public. Uninformed loyal citizens must have the opportunity of disassociating from such groups at the earliest possible time, for continued activity in such groups may render them ineligible for Government employment. And this applies to every type of organization. Lawyer groups have not been exempt from infiltration by the Communists, and where this has occurred, I will make no exception for them.

We have been studying evidence that the National Lawyers Guild be included in the list of subversive organizations. Because this organization originally attracted some very well-known and completely loyal American citizens including many colored members who found it would admit them (at a time when our American Bar Association failed to do so), I have conducted the study with great care. I am now prepared to make this determination public.

It has been clear that at least since 1946 the leadership of the Guild has been in the hands of card-carrying Communists and prominent fellow travellers. On every major issue since then it has steadfastly followed the Party line and its programs and actions have been consistent with it, excepting only those issues so notorious that their espousal would too clearly demonstrate the Communist control. It has become more and more the legal mouthpiece for the Communist Party and its members, and it has consistently opposed all laws or investigations which have sought to curb or expose Communist activity in the United States.

It is because the evidence shows that the National Lawyers Guild is at present a Communist dominated and controlled organization fully committed to the Communist Party line that I have today served notice to it to show cause why it should not be designated on the Attorney General's list of subversive organizations.

EXTRACT FROM ADDRESS BY THE ATTORNEY GENERAL TO AMVETS, INDIANAPOLIS, SEPTEMBER 5, 1953.

In this (loyalty) security program, the Attorney General is required to maintain a list of organizations designated as subversive. The purpose is solely to alert the various government agencies that a designated organization is permeated with Communists and fellow-travelers. Where it appears that a government employee is a member of such an organization, this factor may be taken into account in determining whether he is a security risk.

Thorough investigation and study of evidence precedes the designation of an organization. When the evidence indicates that an organization is in fact and sympathy aligned with the Communist movement, then it is my responsibility as Attorney General to move to designate it as subversive and to make that fact public.

Publication of the fact makes it possible for uninformed loyal citizens to disassociate themselves from such groups at the earliest possible moment. Continued activity in such groups could render them ineligible for Government employment.

The most recent group upon whom notice of proposed designation was served is the National Lawyers Guild.

The evidence is clear that at least since 1946, the leadership of the National Lawyers Guild has been in the hands of card-carrying Communists and prominent fellow-travelers. It has become more and more the legal mouthpiece of the Communist Party and its members. It has consistently opposed all laws or investigations by which the freedom-loving people of this country have sought to curb or expose Communist activity in the United States.

We charge that the Guild is dominated and controlled by the Communists and fully committed to the Communist Party line. Shortly it will be specifically charged that:

(1) The Guild and its affiliated chapters were initiated, proposed and organized under the direct supervision of the Communist Party of the United States.

(2) The Guild and its affiliated chapters are being and have been utilized by the Communist Party and its members to indoctrinate members of the legal profession for the purpose of securing support for and sympathy with the policies, objectives and program of the Communist Party, and thereby to serve as the legal arm of the Communist Party.

(3) From 1946 until the present, the Guild and its affiliated chapters have closely followed, supported, and paralleled the policies and programs of the Communist Party.

(4) From 1946 until the present, the National Lawyers Guild and its affiliated chapters have substantially followed, supported, and paralleled the foreign policy of the Soviet Union and opposed the policy of the United States when in conflict with that of Soviet Russia.

(5) From 1946 until the present, the executive officers or persons performing the duties of executive officers, have included past or present members of the Communist Party and individuals with a substantial record of Communist front membership and activity. Such individuals have directed, supervised and dominated the policies, programs and activities of the National Lawyers Guild.

As an organization, the National Lawyers Guild has interceded in practically every major case involving the Communist Party, its officials and its front organizations. In every instance, these intercessions were on behalf of the Communists. It interceded for Gerhardt Eisler, Communist international agent convicted of passport fraud and contempt of Congress. Eisler, like Thompson, was one of those who fled after conviction. You all recall his spectacular appearance as a stowaway aboard the Polish motorship *Batory*.

To name a few more cases in which the Guild, as an organization, interceded, there was that of Carl Aldo Marzani, who was convicted of concealing Communist affiliations while employed by the Federal Government; John Howard Lawson and Dawson Trumbo, Hollywood screenwriters convicted of contempt of Congress; disbarment proceedings against the contemptuous lawyers who represented Party leaders in Smith Act cases, and the case of the atomic spies, Julius and Ethel Rosenberg.

One of its members appeared as defense lawyer for Valentin Gubitchev, the Russian charged with spying against the United States in the Judy Coplon case. This member based many of his questions on notes passed to him by a representative of the Soviet Embassy, who was sitting at his side during the trial. This Russian official was the Second Secretary of the Embassy, Yuri Novikov, who in January of this year was declared persona non grata by the State Department for engaging in Soviet espionage with Otto Verber and Kurt Ponger. Both Verber and Ponger subsequently pleaded guilty to espionage.

I would like also to give some examples of how the Guild has followed the Communist Party line. In 1950, the "Daily Worker" attacked the New York City Board of Education trial of a school teacher accused of being a Communist. The "Lawyers Guild Review" reports a resolution by the Guild deploring continued attacks upon intellectual freedom of students and teachers.

Over the years, the Communist Party has attacked Mr. Hoover as "chief of the national thought police," and has called for a halt to the FBI's efforts to fight Communism. In resolutions the Guild has opposed what it called the Gestapo activities of the FBI and demanded removal of Mr. Hoover.

Following the Communist line, they attacked contempt citations upon the contemptuous Communist leaders' attorneys; various committees of Congress investigating Communism; the European Recovery Plan; the Smith Act prosecutions; the non-Communist affidavit of the Labor-Management Relations Act, among others.

IN THE MATTER OF THE PROPOSED DESIGNATION OF THE NATIONAL LAWYERS GUILD PURSUANT TO EXECUTIVE ORDER NO. 10450

To: National Lawyers Guild.

Please take notice that pursuant to Title 28, Chapter I, Part 41, Section 41.1 et seq. of the Code of Federal Regulations with respect to notice, hearing, and designation of organizations in connection with the Federal employee security program, there are set forth hereinafter a statement of the grounds upon which it is proposed to designate the National Lawyers Guild as coming within the purview of Executive Order No. 10450 and interrogatories with respect thereto.

STATEMENT OF GROUNDS

(1) The National Lawyers Guild, hereinafter referred to as the NLG, was proposed and initiated under the direction and supervision of the Communist Party and members of the Communist Party of the United States of America, hereinafter referred to as CP, USA.

(2) The NLG has been utilized by the Communist Party and Communist Party members to indoctrinate members of the legal profession for the purpose of securing support for and sympathy with the policies, objectives, and programs of the Communist Party and to serve as a legal arm of the Communist Party.

(3) From 1946 up to and including the date of this statement, the NLG has substantially followed, supported and paralleled the policies and programs of the Communist Party.

(4) From 1946 up to and including the date of this statement, the NLG has substantially followed, supported and paralleled the foreign policy of the Soviet Union and opposed the policy of the United States when in conflict with that of the USSR.

(5) The membership, officers and persons performing the duties of officers in the NLG, do include and have included persons who were and are acknowledged leaders, functionaries, officials and members of the Communist Party and individuals with a substantial record of membership in or activity on behalf of organizations designated by the Attorney General under Executive Orders 9835 and 10450. From 1946 up to and including the date of this statement, such individuals have directed, supervised and dominated the policies, programs and activities of the NLG.

(6) The NLG has cooperated with and rendered support to the programs and activities of organizations designated by the Attorney General under Executive Orders 9835 and 10450.

(7) Members and officials of the NLG were advised by a number of prominent individuals who have resigned from the NLG that, at least since 1939, the Communist Party and its members were seeking to dominate the policies, programs and activities of the NLG. No official action has ever been taken by the NLG to prevent such domination and control by the Communist Party or its members.

(8) The programs, policies and activities of the NLG, since its inception, have been consistently reported with approval in Communist publications such as the "Daily Worker", "New Masses", and "Political Affairs".

(9) Financial contributions have been solicited or received by the NLG from organizations which have supported the CP, USA, from individuals who are or have been members of the CP, USA and from the CP, USA.

[Civil action No. 1738–58, U.S. District Court for the District of Columbia, Civil Division—Motion of defendant William P. Rogers to dismiss the complaint as moot]

NATIONAL LAWYERS GUILD, PLAINTIFF, *v.* WILLIAM PIERCE ROGERS, ATTORNEY GENERAL OF THE UNITED STATES, DEFENDANT

The plaintiff herein, a voluntary unincorporated bar association, was served notice on August 27, 1953, that the then Attorney General proposed to designate it as an organization coming within the purview of Executive Order 10450. Thereafter, on September 16, 1953 the plaintiff filed notice of contest. On November 17, 1953, pursuant to regulations established by defendant, the organization was served with a Statement of Grounds and Interrogatories.

Subsequently, the interrogatories were amended and the plaintiff was granted an extension of time in which to answer. Commencing on November 30, 1953, the plaintiff instituted a protracted legal attack on Executive Order No. 10450 and the procedures promulgated thereunder. The order of this Court on November 23, 1954 granting the Government's motion for summary judgment was sustained on appeal and the United States Supreme Court denied plaintiff's petition for certiorari on May 7, 1956 and a petition for a rehearing thereon was denied on June 11, 1956.

On June 14, 1956, the plaintiff filed a purported reply to the Statement of Grounds and again requested the then Attorney General to withdraw or modify many of the amended interrogatories. A public hearing was offered the plaintiff and a hearing officer appointed to determine the propriety of the amended interrogatories. The hearing was held on April 22, 1957, and after the submission of briefs by parties, the hearing officer submitted his recommended decision to the Attorney General on August 23, 1957. Exceptions by the parties were filed by October 8, 1957.

After an exchange of correspondence between plaintiff and defendant regarding the status of the case the present action was filed on July 2, 1958.

This Department has not only been actively considering the above recommendations of the hearing officer, but also reappraising the entire case in view of the nonavailability, due to death or other causes, of some of the witnesses considered important to establishing the Statement of Grounds. However, a history of nearly five years of judicial and administrative proceedings has made a summary decision impossible. There is insufficient foundation for the plaintiff's allegation in the complaint that the defendant has unreasonably delayed disposition of this matter, as a reference to the record herein indicates any delay in reaching a hearing on the merits of this matter is largely due to procedures pursued by plaintiff.

A comprehensive analysis of the case has been completed and the defendant has concluded that the evidence that would now be available at a hearing on the merits of the proposed designation fails to meet the strict standards of proof which guide the determination of proceedings of this character. Accordingly, the defendant has rescinded the proposed designation of the plaintiff under Executive Order No. 10450 and has so notified the plaintiff in a letter dated September 11, 1958 a copy of which is attached hereto as Exhibit A.

Wherefore the defendant prays the Court to dismiss plaintiff's complaint as moot.

ORAN H. WATERMAN,
ANTHONY F. CAFFERKY,
DEWITT WHITE,
Attorneys, Department of Justice, Attorneys for Defendant.

GUIDE TO SUBVERSIVE ORGANIZATIONS AND PUBLICATIONS

* * * * *

NATIONAL LAWYERS GUILD

1. Cited as a Communist front. (Special Committee on Un-American Activities, House Report 1311 on the CIO Political Action Committee, March 29, 1944, p. 149.)

2. Cited as a Communist front which "is the foremost legal bulwark of the Communist Party, its front organizations, and controlled unions" and which "since its inception has never failed to rally to the legal defense of the Communist Party and individual members thereof, including known espionage agents." (Committee on Un-American Activities, House Report 3123 on the National Lawyers Guild, September 21, 1950, originally related September 17, 1950.)

3. "To defend the cases of Communist lawbreakers, fronts have been devised making special appeals in behalf of civil liberties and reaching out far beyond the confines of the Communist Party itself. Among these organizations are the * * * National Lawyers Guild. When the Communist Party itself is under fire these offer a bulwark of protection." (Internal Security Subcommittee of the Senate Judiciary Committee, Handbook for Americans, S. Doc. 117, April 23, 1956, p. 91.)

STATEMENT OF ZIVORAD KOVACEVIC, SECRETARY GENERAL, LEAGUE OF YUGOSLAV CITIES, BELGRADE, YUGOSLAVIA

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the CONGRESSIONAL RECORD the excellent statement made by Zivorad Kovacevic at the annual meeting of the Panel on Science and Technology of the Science and Astronautics Committee of the U.S. House of Representatives in February.

Mr. Kovacevic serves as the Secretary General to the League of Yugoslav Cities, in Belgrade, Yugoslavia. He is editor in chief of the review Opstina—Municipality—and author of numerous articles and papers in the field of local government, urban problems, and public administration.

The Science and Astronautics Committee was pleased to welcome Mr. Kovacevic as guest panelist for the panel's meeting on science, technology, and the cities. His presentation is outstanding and deserves wide circulation in the RECORD.

The statement follows:

STATEMENT OF ZIVORAD KOVACEVIC, SECRETARY GENERAL, LEAGUE OF YUGOSLAV CITIES, BELGRADE, YUGOSLAVIA

Dr. KOVACEVIC. Thank you.

Mr. Chairman, members of the Science and Astronautics Committee, distinguished guests, it is a great honor for me to participate in your deliberations. May I stress at the very beginning how valuable and thoughtful is the manner of this committee, which has been practiced already for 10 years, to select the most important problems facing not only this country but the whole world community, and to discuss them together with a permanent panel composed of outstanding scholars and with guest panelists from different parts of the globe.

This very practice is a reflection of an urgent need for an organic link, an understanding and influence between science and politics, between scientific and professional communities and the Government—particularly its policymaking legislative branch.

If I have understood my task correctly, it is not to pass judgment or draw conclusions. I would not even presume to do so before a gathering of such prominent experts, coming from regions which have long since passed the stages of urban and industrial development that my country is currently going through.

Neither will I attempt to sum up the whole discussion. Instead, I should like to point to and comment upon some crucial questions discussed here which, in my opinion, deserve our full attention.

The first is: To what extent are we able to forecast future changes, and on that basis to plan and actively influence further developments?

It would certainly be a mistake to suppose that the fairly elaborate methodology of prediction affords a clear and definite idea of the future for which we are planning. But there is no doubt that the analysis of development and general trends can help us a great deal in finding our bearings. It should also be mentioned that the mere extrapolation of past tendencies would present an oversimplified and even dangerous method, in view of the qualitative changes that future development will certainly bring.

It is also true, although it makes it paradoxical: We can better rely on global, long-term and qualitative estimates—and they are even more valuable from the standpoint of a general planning conception—than on attempts of a quantitative assessment of future phenomena, even for a comparatively short period of time. The further one goes down into partial breakdown of each variable, the more the unpredictability increases.

Let us mention a few of the clearly discernable tendencies of future development. In the near future, it seems to me that the most distinctive features of the most advanced societies, and first of all this country, will be general or almost universal urbanization, the prevalence of automation in industry, and a revolution in the system of information. These characteristics mark the advent of the "post industrial society," to use the term coined by Daniel Bell. This is an important qualitative change.

First, instead of the physical expansion of productive capacities, the basic factor of progress will become the system of education, the expansion of scientific knowledge, and the production of technological innovations.

Second, the greater part of economic activity will be transferred to the service sector, which means vital changes in employment patterns. The domain of public services and public investments will assume primacy.

Third, the difference between intellectual and manual labor will disappear, or at least be drastically reduced. However, not by a rapprochement, but by the abolition of routine work. Until now creative work has been for the most part the privilege of the intellectual elite.

In the post-industrial society, it will be possible to turn over all *routine* work, both manual and intellectual, to machines. Man will retain all the *nonroutine* jobs, manual and intellectual. Consequently the conditions for creative work social and cultural activity, will be dominant in the coming era, and it is in keeping with such criteria and such a way of life and work that the cities must be organized.

Some of the consequences of these changes may already be predicted with considerable accuracy: The increase of social and physical mobility, of leisure, of recreation and secondary dwellings, the development of the living and working cycle within considerably broader special limits, et cetera.

Therefore we may expect, as Dr. Revelle noted, that some traditional functions of the cities will be, and have already been, steadily decreasing in importance, such as the cities being the centers of manufacture, of trade, of transportation and even of finance. The major role will not be that of processing or exchanging goods, but rather that of exchanging information.

If one looks in that way, the widespread use of checks and credit cards is more the exchange of information about money, than an exchange of money itself. These tendencies must also influence the future pattern of city location and of the whole city planning.

In connection with the first question, we might note the following: We are planning and building static, stable and lasting structures for a society which is constantly and rapidly changing. Are we thus making choices for future generations which may well have different needs, a different scale of social and cultural values?

The superiority of an urban environment, precisely the large city—and I am deeply convinced of their superiority in spite of growing fears that most of the cities will ultimately stifle and dehumanize us—all lies in the greatly increased freedom of choice and opportunity as regards work, social contacts, assortment of goods and services, education, culture and recreational activity. Therefore we must establish the conditions insuring that these values become a still more dominant feature of the highly advanced urban environment.

In other words, freedom of choice must be planned.

Do not the present plans tend to be too much all-embracing, too rigid and unnecessarily detailed? Is not everything in our plans too clearly defined, with too little left to the future, to the unknown and to the choice of the coming generations who will be bringing new experiences and establishing new domains of values and of life itself?

This is why planning should be flexible and open-minded. In fact, by planning we should not attempt to solve future problems, but to react today in a manner which still leaves a certain amount of option open—that is, not to plan a city but moving continuum, a process in the sense of dynamic systems and structures.

The third question not much discussed here refers to our attitude to the preservation of spiritual, cultural and physical continuity with the past, while planning for the future. It is certain that past development largely determines future progress, often in such a manner that it sets almost insurmountable obstacles in the way of an adjustment to new functions—for instance, rapid transit transportation.

But this heritage is at the same time one of the noblest challenges to the city of the future.

The urban creations must over pass the momentary utilitarian purpose that motivates them. This is the lesson we should learn from our ancestors. The city is the environment in which the highest values of man's spirit are reproduced. These beauties and monuments and symbols, which were defended here by Congressman Fulton, make people happier and give them a sense of identification with, a pride of and a loyalty to the city. They help the people to like the city as a natural and healthy environment to live in, and not only to bear it as an office and service center.

The next question is: Can we assure the necessary comprehensiveness of approach to planning in an age of increasing specialization?

Modern technology requires increasingly specialized study in dealing with the individual problems and domains of activity. Education, the organization of research work and the very methodology of planning are adjusted accordingly.

However, as noted by Dr. Vink at the United Nations seminar held 2 years ago in Amsterdam on "The Future Patterns and Forms of Urban Settlements," this is imposing a danger to our very progress. He said, "We are digging ourself in, and our holes are getting so deep that we are losing sight of what others are doing. In many cases we do not even understand their vocabulary."

It is however likely that the very technological revolution will call forth an inverse tendency: a break with traditional, narrow specialization which inevitably leads to partial optimization of individual functions. This means that scholars with a more generalized knowledge will again be needed. More than that, the emphasis should be put on the integration of specialists themselves and their specialties in general.

One view cannot suffice in itself, nor can one function—not even such significant ones as transportation or housing—become all-important, and no discipline can presume to be all-embracing. The focus on man as the alpha and omega of planning precludes in principle a fragmentary and isolated approach. However, educational systems at all levels have failed to take this consideration into account. As stated in the Declaration of Delos: "They have dealt with parts of man—his health, his nutrition, his education—not with the whole man, not with the man in the community."

I believe that Dr. Doxiadis and his ekistics as an overall science of human settlements offer the right answer, primarily as an approach. The problem is not one dimensional, just one of many problems facing us today. The whole of our life is at stake, our civilization, the future of our children. Therefore, it may not be observed, analyzed, attacked and solved partially. We need an overall synthetic, should I say a philosophical approach.

However, one witnessess everywhere a complete functional separatism in governmental, planning and scientific orientation and organization. It was properly stressed here that the planning practices are heavily physical-design oriented, and social scientists have never been able to match well with the physical planners. We need instead a social and societal planning in the sense that John Dyckman spoke about it—social engineering and social technology, as Mr. Michael stressed yesterday—maybe even a synthesizing profession of planning of total environment. We need not only interagency cooperation on all levels, but also broader national and social goals defined.

This leads us to another aspect of the same problem. The relationship between centralized and decentralized functions in the sphere of planning. In other words, how to reconcile the needs for broadly based uniform policies and action on a national and regional scale with democratic planning, the inevitable adjustments required by local environments, and giving the citizens an opportunity to influence decisively the process of planning.

In Yugoslavia we are faced with a very real problem—how to assure the necessary coordination of policy and action and decisionmaking concerning matters of common interest for the whole country, under the conditions of broadest centralization of functions and vigorous local autonomy. It seems that it is necessary to make certain general decisions and to chart the basic lines of development policy on a broader national plan. This may be true, for example, of the location of power sources and national highways, large-scale urban renewal programs in this country, or the subsidizing of housing for low- and moderate-income families, as well as a certain system for the coordination of national policy and individual programs.

The need for some decisions within a broader framework should not affect the role of the municipality and the value of local government. There is a close interconnection between democracy and the industrial-urban way of life. Through the democratic process, the contrasting views and interests of experts, politicians, and the individual strata of the population are harmonized and integrated.

There is no solution that is so scientifically well founded, or any decision that is so politically opportune that it could and should be reached outside of this process, or eventually substituted for it. That, at the same time, gives a realistic dimension to all of our plans and beautiful conceptions.

The increasingly conspicuous need for more broadly-based planning raises the next question of an adequate political territorial structure of government. Namely, one may well ask whether the development of cities, the creation of urban regions and the need of regional planning have not come in conflict with the present often extremely fragmentary structure of government.

The regional approach and use of rare technical means are feasible only in communities of a certain minimum size—one could say considerably larger than most of the 38,000 French municipalities or 100,000 units of government in this country.

We cannot have one scale for the community itself and the other for the governmental, problem-solving machinery. This machinery is a means to an end, not an end in itself. We have to change.

The fractionization of governmental jurisdiction preserves the old approaches and leads to inadequate solutions. Congressman Podell properly pointed out that the problem transcends the city itself. Everybody must support the solution of the problems of the cities—suburban dwellers included—recognizing the cities as central function nodes of an urban system net.

The problem is not easy to solve primarily because of many vested interests, but it is a needed prerequisite to further action. Of the many solutions, one in my opinion deserves particular attention: that is a kind of federation of local government on a metropolitan level with a distribution of duties according to the hierarchy of functions. In this respect, Yugoslavia with only 500 municipalities, is in a better situation and represents undoubtedly an exception in Europe.

As a rule the municipality in my country consists of a city with its environs, so that urban sprawl did not exceed administrative limits, which, of course, considerably facilitates planning and development control. As the municipalities are fairly large, they are divided into neighborhood units as local governing communities, through which the citizens deal with their everyday needs and influence the policy of the municipalities. These neighborhoods should also be the basic units of urban planning; that is, to provide for the most important joint facilities and institutions—the elementary schools, outpatient clinics, the most important shops, et cetera.

Many of our cities have had interesting results in this respect. But the other group of planners considers that the rigorous application of this concept could actually limit the freedom of choice, which certainly goes beyond the neighborhood unit. Anyhow, the drafting of a well-founded priority list of needs to be satisfied, beginning with the neighborhood unit to the urban region (conurbation) is certainly an important problem.

On the other hand, not even the national framework is always broad enough for political decisionmaking, particularly in Europe. This is why an institutionalized political superstructure like the Common Market is becoming necessary.

One of the key problems of a statistical nature in decisionmaking is a profitability of investments in urban development from the standpoint of the national economy. At the aforementioned seminar in Amsterdam, the point was strongly made that expenditure on urban infrastructure was a sound economic investment, and ought to be regarded as such, rather than as a social provision which brought a few economic benefits.

This is not only wishful thinking, but also largely the real state of affairs. Alen Campbell, the American political scientist, corroborates this view with data showing that the expenditures of local governments represent the most dynamic sector of the entire U.S. economy, both public and private.

However, even if it is true that the billions spent on urban development in the future are sound investments, the question may certainly be raised whether the present generation should also pay for things that future even more affluent generations may require. If lack of capital or the fear of placing too great a strain on the present urban population should tend to restrict heavy investment, then a possible answer might be the reserving of certain areas for future needs.

These, Mr. Chairman, were a few questions that seemed to me particularly important in the panel meeting. There are, of course, other questions of equal importance. I leave them generously to Mr. Michaelis, and hope he will deal also with those I have raised today.

It has taken 200,000 years for humanity to reach its first billion and only 100 years for the second. The world population today is 3.7 billion and it is expected that this number will be between 6 and 7 billion in the year 2000. If the trend continues the world population will be doubled in the next 10 years.

This presents a challenge that is unprecedented in the history of mankind. But we have good reason to believe that none of these challenges are beyond our capacity to respond. Today much depends upon us. We find ourselves in front of the decisive choice. We have to formulate the strategy and create perspectives for the future. The time is short, the future so near, and the future generations are already with us.

The natural environment will not be able to survive any more without positive action which would safeguard it. The limitation of living space of our time imposes the process of active, continuous planning. The success of this planning, for man, from man, and now already for their descendants, could open the way into a new urbanized society, the society of peace.

CHIEF RAYMOND SICKELS RETIRES

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. WOLFF. Mr. Speaker, in this era when our police are too often the unjust targets of insults, it is a welcome change to have a policeman justly honored.

Thus it is that I was gratified when the Kensington, N.Y., village board of trustees and many community residents joined recently to honor Chief Raymond Sickels, who retired after 31 years of service in Kensington.

On the occasion of Chief Sickels retirement Kensington Mayor Samuel D. Bass, presented the chief with a certificate:

> In grateful acknowledgment and in recognition of distinguished service and sacrificing efforts in behalf of the community and invaluable contributions to the welfare of the Village.

As a Kensington resident I would have been present myself to honor Chief Sickels were it not necessary for me to be in Washington. Having lived in the community for many years I know of the great and continuing service provided by Chief Sickels.

It might fairly be said that the thousands of local police officials across the country are deserving of recognition such as that bestowed on Chief Sickels. The retiring chief is himself a symbol of the type of responsible, able and selfless service provided by policemen throughout the country.

I know my colleagues join me in acknowledging the fine service provided by local police forces throughout the country as epitomized by Chief Raymond Sickels.

THE BLACK REVOLUTION AND THE JEWISH QUESTION

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. ROSENTHAL. Mr. Speaker, I have been very disturbed at the outbreak of "hate broadcasts" and the spread of "hate literature." Our society—pluralistic and democratic—is based on the ability of groups with widely different cultural and religious beliefs to live together peacefully. When this mutual respect breaks down, the very foundation of our society is threatened.

An article by Earl Raab, appearing in the January 1969 issue of Commentary magazine, provides excellent background to the forces behind Negro anti-Semitism—an ominous challenge to the viability of our democratic process.

The text of the article follows:

The Black Revolution and the Jewish Question

(By Earl Raab)

(Note.—Earl Raab is executive director of the Jewish Community Relations Council of San Francisco. He has taught at the University of California and San Francisco State College, and has written widely on issues of intergroup relations.)

About a half-century ago, Louis Marshall, the eminent constitutional lawyer who was also president of the American Jewish Committee, said firmly: "We do not recognize the existence of a Jewish Question in the United States." That distasteful phrase, "The Jewish Question," evoked the European model: the political uses of anti-Semitism. Marshall made the statement precisely because he saw that the Jewish Question in the political sense was coming alive in the United States. It did, and preoccupied the domestic Jewish consciousness for the next quarter of a century.

For the past quarter of a century, there has been no serious trace of political anti-Semitism in America. Any suggestion today that "it could happen here," has had an antique flavor and would be widely branded as phobic, paranoid, and even amusing. There is the old joke about three men who were asked to write an essay about the elephant. The Englishman wrote on "The Elephant and the British Empire," the Frenchman on "The Elephant and Love-Making," the Jew on "The Elephant and the Jewish Question." But we have learned a great deal about the Jewish Question, and if the subject of the essay were Western democracy instead of elephants, the joke would no longer be a joke. The potential for political anti-Semitism, aside from its special interest to Jews, turns out to be a particularly useful vantage point from which to examine the state of the general society. And responsible people are again having to deny nervously that there is a Jewish Question in America. The American Jewish community's concern with its own security may be coming full circle.

From the end of World War I to the beginning of World War II, the American Jew's defense efforts were increasingly keyed to political anti-Semitism, as distinct from garden-variety discrimination. Political anti-Semitism may be defined as the attempt to establish the corporate Jew as a generalized public menace, the implication being that some official public remedy is called for. The same distinction has been made between "objective" and "subjective" anti-Semitism, "concrete" and "abstract" anti-Semitism, and the real Jew and the mythical Jew as target. But by whatever names, and whatever the relationship between the two kinds of anti-Semitism, Jews know the difference. Not getting a particular job is one thing. A pogrom is another.

Political anti-Semitism did not become serious in America until about 1920. In that year the staid Christian Science Monitor carried a lead editorial entitled "The Jewish Peril." A few years later, a book called The International Jew: The World's Foremost Problem had a run of half a million copies. The articles in that book—"The Scope of Jewish Dictatorship in America," "Rule of Jewish Kehilla Grips New York," and "How the Jewish Song Trust Makes You Sing"—and many others of a similar bent had already received wide distribution in Henry Ford's national newspaper. And Henry Ford, it must be recalled, was not a Los Angeles mail-order crackpot. In 1923, at the height of his anti-Semitism fulminations, Collier's reported that he led all other possible candidates, including the incumbent President, in its national Presidential preference poll. Other straw polls agreed. William Randolph Hearst announced that he was prepared to back Ford for that office. The KKK during the same period had a membership which blanketed at least a quarter of all white Protestant families in America. And at one point in the 1930's, someone identified about 150 organizations whose primary business was the promotion of political anti-Semitism. Father Coughlin, who reprinted the Protocols of the Elders of Zion in his national newspaper, had a regular radio audience of millions.

To these seemingly mass assignations with anti-Semitism, the organized Jewish community responded with a program based on the image-of-the-Jew theory of anti-Semitism. At the national B'nai B'rith convention in 1930, Sigmund Livingston said that the necessity was "to educate the great mass in the truth concerning the Jew and to demolish the foibles and fictions that now are part of the mental picture of the Jew in the public mind." The Jewish community mounted what must certainly have been one of the most prolific mass educational programs of all time. Yet anti-Semitic activity and popular support of avowed anti-Semites were at their height when summarily cut off by America's bitter embroilment with the world's arch anti-Semite.

A few short years later, America seemed to emerge from the war as a nation in which the Jewish Question was miraculously dead. American Jews, of course, felt that the war had been fought—and won—around the Jewish Question. Maybe they believed that other Americans felt the same way. Maybe they believed that other Americans were responding en masse to the revelations of the Holocaust. In any case, political anti-Semitism seemed stripped of any respectability; indeed, anti-Semitism became one of the cardinal political sins. The nation was even able to sustain a major red-baiting demagogue who carred Cohn and Schine on his hip and flirted with anti-Semitism not at all. Israel was established. Stalin died. American Jews settled down to a new security.

At the same time something else was happening in the country. The Jewish Question was apparently being supplanted by the Negro Question. And the defensive energies and apparatus of the Jewish community moved from one to the other. At least, that is the way it turned out. A surface theory relating to Jewish security rationalized the move: Equal opportunity for one means equal opportunity for all. But no one examined this dubious axiom very closely. America seemed to be approaching a state of perfectibility: The nation's great flaw, slavery, was being brought to account; democracy was marching to fulfillment, and the Jewish community obviously belonged on such a march, whatever the reasons. Several motivational streams in Jewish life merged at this point, as they never had before: the instinct for self-preservation; the religious ethic invoking the prophetic tradition; and the political program—liberalism—for which so many Jews had developed a special secular affinity. On this level, the Jewish community found itself with a coherent and organic position.

Of course, this preeminent concern with civil rights swiftly and inevitably became a predominant concern with the needs and aspirations of the Negro community. After the FEPC principle had been established in the North, the laws that were passed and the court cases that were pressed had less and less direct application to the security of the Jews. The Jewish Question became more and more remote. But the Jewish community remained deeply and comfortably involved.

However, after little more than a decade, this first stage in postwar developments, the Civil Rights Revolution, began to change character. The second stage reflected the shift from the goal of equal opportunity to the goal of equal achievement, from civil rights to the war against poverty, from the Civil Rights Revolution to the Negro Revolution. The shift should have been quite predictable. Equal opportunity is not equal achievement, except for those who are equally equipped to compete. An enclase population now existed whose cultural and educational "equipment" had been comprehensively stunted for generations. The American society, moreover, had deliberately created this enclave population. For the impoverished and uneducated immigrants to America equal opportunity had been enough, because other societies had depressed them. In their minds, America owed them no more than the opportunity, and the gradualist road to parity which all emerging groups have traveled. But America owed the Negroes more than opportunity. The battle-cry of the Negro Revolution was not opportunity, but parity in the economy as well as in the society, starting with an instant end to poverty. Toward that goal, the demands were not just for equal treatment, but for compensatory treatment on a kind of reparations basis.

For the Negro community, this stage was a logical extension of the Civil Rights Revolution. But for the organized Jewish community some adjustment was required. The apparatus of the Jewish community committed itself to the campaign against poverty, and throwing the slogans about equal-opportunity-under-the-law into the attic, began to look for a role in that campaign. Consideration of Jewish security became even more remote.

There were only a few years of war-against-poverty innocence before the third stage set in. It quickly became apparent that the billion-dollar anti-poverty programs were not suddenly going to turn history on its head; and with that realization, the Negro Revolution began to be overlaid by the Black Revolution. Since New Deal days, at least, Americans have subscribed to the social engineering fallacy: Any problem can be solved if only we devise enough programs and spend enough money. The fallout of the massive anti-poverty programs of the early 1960's created a salaried black bureaucracy in the ghettos and undoubtedly helped a number of individuals up the ladder—but finally these programs were more effective in raising expectations than mass standards of living. The goal of instant parity seemed more desirable and further away than ever. Against the background of such frustrations, and other frustrations provided by society, there has developed a new kind of reactive pattern in the black community, and in the white community as well. It is as a result of these new patterns that the Jewish Question makes an abrupt re-entry on the American scene. Not a matter of searching for anti-Semites under the bed, this perception that the Jewish Question is back comes from what we have, since Louis Marshall's time, learned about the nature of anti-Semitism and about the nature of the conditions under which it flourishes.

THE "VULNERABILITY" OF THE POPULATION

There are three obvious conditions that coincide to produce a period of political anti-Semitism: the kind of political and social instability which makes anti-Semitism useful; a political leader who is willing to use it; a mass population that is willing to embrace it.

It is the belief in an "unwilling" American population, in the obsolescence of anti-Semitism as a cultural form in America, which gives Jews their greatest sense of security. Yet it is this belief itself which is obsolete.

To begin with, one does not have to be an anti-Semite in order to engage in or support anti-Semitic behavior. This proposition contradicts the "image of the Jew" theory of anti-Semitism. It contradicts the tendency to reify anti-Semitism, to conceive of it as a little mental package tucked away in a corner of the brain, waiting for the proper stimulus to bring it, full-blown, to life.

About six years ago, a Jewish couple in San Francisco was terrorized for over a year by a juvenile gang. The incident was described across the country as a shocking case of anti-Semitism. There were insulting phone calls every night between midnight and dawn. The couple ran their business from their home and could not have an unlisted number. Anti-Semitic slogans and swastikas were painted on their home. Garbage was left at their door. The torments were constant and cruel, and the middle-aged couple lived a year of hysterical fear. Finally the police caught a handful of teenage ringleaders. The investigation of these young men, their background, family, psychology, was thorough. No particular "anti-Semitic" history was discovered. The families were bewildered and provided no clues. There were no anti-Semitic organizations, insignia, pamphlets, or cartoons found hidden in the woodpile. The group had exhibited no special anti-Semitic proclivities.

The story of their year-long sport was further revealing. It had started casually with anonymous phone calls being made rather widely and at random. The game proved to be most fun with this couple because they responded with lively anger and fear. The game became increasingly intense. But for many months these teenagers did not invest their tricks or insults with any suggestion of anti-Semitism. Only well into the year did they discover that anti-Jewish comments added new life to the sport, drew even more heated and fearful responses. It was then that they began to concentrate on anti-Semitic references.

In short, the evidence indicates that these young men did not engage in tormenting activity because they possessed some quality called anti-Semitism. Rather, they committed anti-Semitic acts because they were engaged in tormenting activity. They were not cruel out of anti-Semitism, but anti-Semitic out of cruelty. During the 1930's anti-Semitism was generally understood to be a tool of repressive politics, but it was also thought that the use of this tool was possible only because a large mass of people were anti-Semitic in the first place, held unusually negative attitudes toward Jews and had become ideologically committed to these attitudes. But the behavior of this juvenile gang gives us a different analytical perspective: Willing to engage in a certain type of behavior, they did not reject anti-Semitism as an instrument.

It is possible, of course, to say that if there were no historical or cultural reservoir of differential feelings and images about Jews, anti-Semitism could never be used as an instrument. But that is something like saying that if my grandmother had wheels, she would be a cable car. First of all, it is not very likely that one of the most stubborn cultural conventions of Western civilization for well over a thousand years will erode very quickly, even though a process of erosion may already have started. The French Revolution did not succeed in obliterating the cultural continuum of anti-Semitism, but only invested it with new secular forms. The Russian Revolution did not eliminate anti-Semitism, and neither did a dramatic fresh start in a New World. This generationally-transmitted reservoir of cultural anti-Semitism is, again, not best conceived of as a mass of little dark corners in the minds of individuals, but rather as a *common* reservoir of beliefs built almost ineradicably into our literature, into our language, into our most general cultural myths. All of us, Jews as well as non-Jews, have some taproots into the common reservoir. It is further sustained by real-world conditions which will not disappear swiftly: Jews as marginal, minority, visible, alien—in the Diaspora, and perhaps even in the Middle East.

But what about the reported drop in the level of this reservoir of familiar negative stereotypes (or "Folk Anti-Semitism," as they are collectively called)? Charles Stember has demonstrated what is apparently a spectacular decline in the holding of such stereotypes between the 1930's and the 1960's, as evidenced by poll data.[1] The findings are valuable, but as Stember points out, they require some independent evaluation of their actual meaning: "[Our findings] do not always tell us whether [anti-Semitism] has changed in prevalence or only in overtness." The reservoir may indeed have dropped somewhat, but how much of this reflects the fact that anti-Jewish stereotypes may be less fashionable, or less salient to express at this time?

After all, these attitude changes did not take place over a thirty-year period. They dropped rather suddenly—after, not during, the war. The American people were asked by one poll or another in every year from 1937 on whether they thought anti-Jewish feeling was increasing in the country. About a quarter of the people thought so in 1937. The figure rose steadily until 1946, when over half of the people thought anti-Semitism was increasing. In 1950, a poll recorded that only 16 per cent thought so. The American people certainly didn't seem to undergo any ideological revulsion against anti-Semitism because of their war against Hitler. In 1940, asked what groups are a menace to America, 17 per cent named the Jews; by 1946 the figure had risen to 22 per cent, and by 1950 it had dropped to 5 per cent. Stember suggests that in these recent years the Jews have been less in the consciousness of America, either unfavorably or favorably. To stretch the imagery, this may speak of a quiescent rather than an emptying reservoir.

One of the difficulties in measuring the total level of such feelings at any given time may be the change in their forms of expression. One study found that postwar college graduates had apparently divested themselves to a considerable degree of the traditional and unsophisticated Shylock image of the Jew. But these college graduates were just as likely as others to believe that Jews were "clannish" and "aggressive." Or again, according to Stember, "the belief that Jewish businessmen are dishonest has become markedly less current during the past 20 or 25 years. It has largely been replaced by the notion that they are merely shrewd or tricky." He goes on to say: "Even this less extreme image is less widespread than the belief in Jewish dishonesty once was, although only a minority of the population reject it outright."

The last clause is perhaps all that counts for any reappraisal of the potential of political anti-Semitism. Whether the reservoir of folk anti-Semitism has dropped in fact or only in appearance, it is still immense. Whether it is a matter of Jewish aggressiveness, Jewish clannishness, Jewish shrewdness, or whatever, the great majority of Americans still hold to some pattern of differentiating, and negative, stereotypes about Jews. And there is scarcely an American who does not know what these stereotypes are, even if he does not profess to hold them. The instrument is there, readily available in our culture. The juvenile gang in San Francisco had no difficulty plucking it out when they had use for it, although the level of their folk anti-Semitism had previously been no greater than that of other Americans.

There is a parallel in political anti-Semitism. Father Coughlin's movement, after a certain point, became explicitly and overtly anti-Semitic. Yet the surveys found little difference in anti-Semitic beliefs between his followers and the rest of the American population. A recent comparison between a group of right-wing letter-writers and a sample of the national population found minuscule differences in gross levels of folk anti-Semitism (Jews have faults, are shady, are shrewd and tricky), but significant differences between them when the questions took on political dimensions (Jews are Communists, have too much power, are stirring up the Negroes).

However, it is not just that there is no automatic correspondence between folk anti-Semitism and political anti-Semitism. The point is greater than that: Given our common cultural background, there is not necessarily much of a relationship between anti-Semitism of any kind and support of an anti-Semitic movement. Only 20 per cent of Coughlin's supporters said they would back a campaign against Jews; but the other 80 per cent were in fact openly backing a campaign against Jews in their support of Coughlin. For them anti-Semitism was apparently not a salient reason for supporting Coughlin, but they were willing to support him for other reasons, and his anti-Semitism did not bother them. Similarly, many observers of the German scene before 1933 reported that the Nazis were supported by large numbers who were not anti-Semitic. And today? Asked in a recent poll whether they would support or oppose a congressional candidate who was running on an anti-Jewish platform, one-third of the American population said that they would neither support nor oppose him for that reason; his anti-Jewish program would be a matter of indifference to them. In this way it is possible to be anti-Semitic without being an anti-Semite—at least any more of an anti-Semite than anyone else.

Thus as far as the "vulnerability" of the population is concerned, the key is not the level of anti-Semitic beliefs, but the level of resistance to political anti-Semitism. The question is not whether people dislike Jews more or less, but whether they are against the violation of democratic rights for Jews—or anyone else.

---

[1] See *Jews in the Mind of America*, Basic Books, 1966.

There is much evidence to suggest that the American public's level of commitment to the abstract principles of democratic procedure is not reassuringly high. The democratic commitment in America consists more of loyalty to institutions, groups, and systems which support democratic procedure, than of an internalized set of beliefs. When that loyalty is shaken, so is the democratic commitment.

The work of Philip Converse and others indicates that integrated belief systems are probably restricted to the "talented tenth" of the American population, and disappear rapidly as we move down the educational ladder. Among the mass of people, no comprehensive ideology, good or bad, is operative. Political ideas do not exist in any large scheme of consistency or even of compatibility. The "why" of their connection, one to the other, is missing. The nature of political thinking is geared to the concrete rather than to the abstract. Converse points out that this condition is not "limited to a thin and disoriented bottom layer of the lumpenproletariat [but is] immediately relevant in understanding the bulk of mass political behavior."

This painful situation explains why the sophisticated concepts of the democratic process cannot stand much of a strain. It also explains how so many people could support Coughlin's anti-Semitic platforms without themselves being anti-Semites. In the light of his findings, and discussing the Nazis, Converse writes: "Under comparable stresses, it is likely that large numbers of citizens in any society (and particularly those without any long-term affective ties to more traditional parties) would gladly support ad hoc promises of change without any great concern about ideological implications."

To say that the large public does not consist of ideologues is not to say that it is feckless or foolish. The American public demonstrably has a strong sense of its own basic democratic rights, and has no reluctance to assert itself with respect to those rights. This is the strong popular spine on the body of our republic. It serves us well in most situations. But the application of abstract and ideological democratic principles to the matter of balancing these rights under stress calls for conceptual skills, historical perspective, and wide-based integrated belief systems which are very far from being prevalent in this country. Thus, the bulk of the data indicates that massive numbers of Americans who presumably have a ritual attachment to the concept of free speech and would reject any gross attempts to subvert it, do not understand or care much about the fine points of that concept when the crunch comes, when hard-core dissenters intrude upon their sensibilities. The American people would reject any gross attempt to subvert religious freedom, but almost half of them say that if a man doesn't believe in God, he should not be allowed to run for public office. And a majority of them, while jealous of due process, would rather throw away the book and resort to the whip when dealing with sex criminals.

In short, American democratic institutions have flourished because some people understood them, and the rest of the people were loyal to them. This loyalty is based on an inertia of investment in the country, the system, and the traditional political structure. At times mass dislocations of such loyalty have occurred, usually spinning off new and "extremist" political movements.

"EXTREMISM" AND THE JEWISH QUESTION

"Extremism" is a crudely descriptive term for a movement which advocates or engages in undemocratic behavior. Extremist movements are, in fact, movements of disaffection. They are created by and addressed to people who as a group feel that they have just lost or are about to lose their grasp on something important to them; or those who feel that something important they have never had but want is just outside their grasp. In both cases, there is attached to this sense of substantive deprivation, a sense of power deprivation. This felt deprivation, accompanied by major social dislocation, and sharply shifting expectations, succeeds in breaking up many traditional loyalties. Without an attachment to the traditional system, and without an extended ideology, the common democratic commitment is subject to undemocratic subversion.

None of these conditions predestines the emergence of political anti-Semitism; they are just the risk factors, the conditions under which political anti-Semitism is more likely to appear. The final ingredient is a political movement which actually takes this road. As we have seen, modern political anti-Semitism does not rise from a grass-roots demand, nor do most supporters of mass anti-Semitic movements seem to care much one way or another. However, though its followers are not necessarily ideological, a deviant and radical political movement is. Concomitantly, its leaders, and especially its "intellectuals," are ideologues, and transfer their own integrated belief systems to the movement.

The internal logic of these belief systems typically requires a conspiracy theory, with all its moralistic, absolutist trappings. If the opposition is only wrong, if the "mess" we are in is only the result of mistakes, then a remedy can be found within the traditional political structure. But if the opposition is evil, and the "mess" a result of evil deliberately and conspiratorially done, both a sharp deviation from the political structure and a repressive closing down of the democratic marketplace are morally legitimized.

Again, people may not be primarily attracted to a political movement because of its conspiracy theory, but many have no intellectual barriers to such ideas. About a quarter of our national population, in sample, recently agreed with the classic formulation: Much of our lives is controlled by plots hatched in secret places. The percentage agreeing grows as the educational level drops. And a conspiracy theory does serve an expressive purpose for people caught in frustration.

Conspiracy theories are basically abstract in nature. The conspirators, in order to serve the purpose, must be largely distant, hidden, faceless, kabbalistic: The Elders of Zion, the Kremlin, the Wall Street Bankers. But since most minds are geared to the concrete, it becomes helpful to connect these abstractions to a visible body of people. The development of a conspiracy theory adds yet another risk factor for political anti-Semitism. There is a mountain of literature prescribing the mythical Jew as the ideal target for a well-turned conspiracy theory.

But the initial point is this: in the light of the last half-century of experience and research, it is appropriate to say that the Jewish Question is already being raised again in America. In a malaria-prone country, the malaria question would be said to exist if the familiar breeding swamps were merely building up. Political anti-Semitism, the Jewish Question, does not relate in the short range to folk anti-Semitism, nor to the prevalent state of any set of images or feelings toward Jews. In America, the Jewish Question is substantially the same as the Question of the Democratic Society. Mendele Mocher Seforim wrote: "The Jewish Question—that's the wide canal which drains all the impurities, all the dirt and mud and sewage of man's soul." The release of democratic restraints, the substitution of jungle for law, of conspiracy theory for reason, of confrontation for negotiation, of hyperbole for politics, of repression for social progress—that is the Jewish Question, as it has come to have special meaning for modern society. These are the issues around which the only effective fight against political anti-Semitism can take place. They are alive again today, and therefore the Jewish Question is coming to life again.

THE BLACK REVOLUTION AND THE JEWISH QUESTION

On one side, there is growing a mass movement of disaffection among the black population: a volatile constituency with a well-justified sense of general deprivation, and of specific power deprivation, characterized by low levels of education, systematic belief, and commitment to abstract democratic principles. "Mass movement" usually denotes some formal cohesion: A structure and a formal system of affiliation, which people can join or around which fellow-travelers can gather; or, alternately, a charismatic leadership with whom a following can identify. As yet the black mass movement of disaffection possesses neither. Indeed, while black people are, of course, distressed, dissatisfied, and have the bitter knowledge that they are relatively deprived, most of them have not yet been jarred loose from traditional loyalties to the political party structure or the system in general. At least so the polls, as well as the recent voting patterns and the repeated failures to organize in the ghetto areas, indicate. Also, all the objective indices testify that the aspirations of the great bulk of black people are primarily instrumental, built around a simple desire to get into the chrome-plated American system. But to be effective a mass movement does not need to be, and never has been, a "majority" of any population. Color and population concentration, in this case, provide a built-in system of affiliation and communication which can substitute for more formal organization. And within that system, there is stirring a genuine movement of disaffection, still disjointed, but with certain common expressive and extremist currents that are swelling, especially among the young.

The theme of the first postwar stage in race relations was equal opportunity. Out of the progress and frustrations of that stage came the theme of the next: anti-poverty. Out of the progress and frustrations of that stage came the third: Black Positiveness. And on the edge of Black Positiveness has emerged the phenomenon of Black Expressivism.

A sharp distinction has to be drawn between Black Expressivism and Black Positiveness. It has become a standard anti-poverty theorem that Negroes have to be given control of their own bootstraps if they are going to be asked to lift them. In order to join the American parade, the Negro community has to find its own identity, and shake itself loose from the degradation and self-degradation of the past. This is Black Positiveness, power, pride, dignity, as preface to economic integration. In addition, an obvious piece of political realism had to come to the fore: The black community was not going to be able to take a serious part in American pluralism until it established its own political strength and instruments. It had to shake loose from the coalitions long enough to do that. The corollary is that the political society would not otherwise respond to the needs of the Negro community. This is Black Positiveness, and Black Power as preface to political integration.

There is another face to Black Positiveness, more symbolic and less clearly instrumental, but still related to an ultimate goal: The black man should feel wholly like a man. The road to that goal in America has always been through the achievement of an instrumental position in the economy and the polity. But America has made a point of depressing the status of the Negro, in itself—and the black community now became interested in elevating that status in itself—especially since the instrumental access to status was obviously not going to be instant. This involved a subtle shift in emphasis. Thus, the demand that black history be taught in the schools was grounded in solid instrumental theory: It has educational utility, not only for the white student, but for the black student, whose sense of confidence and self-worth is related to motivation and achievement. But in the last few years the burden of this demand shifted from well-disposed educators and liberals to the young black people themselves. Educational theory aside, they wanted the symbolic fullness of their identity established here and now, for its own sake.

Expressiveness involves yet another subtle shift, however. All the above demands can, and have been, invested with anger and high emotion, but the passion is goal-directed. When a demand is made, or an act committed primarily to vent anger or frustration, then we enter into the realm of expressive behavior. The line is often murky. What about the further demand that black history be written only by blacks and taught only by blacks? At what point is that demand primarily an extension of black pride, and at what point is it primarily an expression of anger and hostility toward the white establishment? In any given situation, the line is often difficult and fruitless to draw. But it is nevertheless a significant line, between politics and anti-politics. In its logical extreme, the pathology of expressive public behavior was revealed in the Old South when lynchings rose as the price of cotton went down, and in Old Europe when massacres of Jews took place in the wake of the Black Plague.

Expressive politics may be defined as the externalization of internal frustrations, bearing little direct relation to the solution of the problems which caused the frustrations. The chief function of such politics is to provide emotional release; and, at its peak, its currency is a kind of hyperbolic, hypersymbolic language. "Racism" became an affective epithet—with an eager assist from the writers of the Kerner Commission Report—and lost its meaning. The growing use of "pig" as the definitive heart of the language, as in "racist pig" or "fascist pig," further revealed the exclusively expressive nature of this latest stage in the movement. Impetus came from a black intellectual class, whose orbit grew rather swiftly as many college administrations made extraordinary efforts to bring black faculty members, black students, and special black programs to the campuses.

Recently a black instructor at a state college told 2,000 students at a rally: "We are slaves and the only way to become free is to kill all the slavemasters," identifying the President, the Chief Justice, and the governor of the state as slavemasters. He also told them: "If you want campus autonomy and student power and the administration won't give it to you, take it from them with guns." That is expressive talk *par excellence*. Everyone knows who has most of the guns and all of the tanks. But in urban high schools and ghetto areas around the country, more and more young people are adopting the expressive mode. They are not ideologues, like the state college instructor; they are more often frightened, angry, personally desperate young people for whom the schools and most other social institutions are irrelevant prisons.

In some cases, what was once personally expressive behavior born out of such conditions, has become politically expressive behavior. What would once have been known as delinquency is now invested with political significance. Black expressivism exists on many levels but is now coalescing into an "expressive movement"; this movement is buried and growing within the larger black community, and developing all the appurtenances thereof, including common language, symbols, heroes, and a conspiracy theory.

Expressive politics has always frightened the Jewish community. Before the Civil War Rabbi Issac Mayer Wise warned the Jews against the Abolitionist movement. He approved of its goals, but was afraid of its nature. The same point is currently being made for the Jews by the kinds of expressive anti-Semitism that are emerging from this black expressivism. This is not the folk anti-Semitism which the black population shares with the white population. It is, rather, the abstract and symbolic anti-Semitism which Jews instinctively find more chilling. Negroes trying to reassure Jewish audiences repeatedly and unwittingly make the very point they are trying to refute. "This is not anti-Semitism," they say. "The hostility is toward the whites. When they say 'Jew,' they mean 'white.'" But that is an exact and acute description of political anti-Semitism: "The enemy" becomes the Jew, "the man" becomes the Jew, the villain is not so much the actual Jewish merchant on the corner as the corporate Jew who stands symbolically for generic evil. "Don't be disturbed," the Jews are told, "this is just poetic excess." But the ideology of political anti-Semitism has precisely always been poetic excess, which has not prevented it from becoming murderous.

The surveys which generally show that the reservoir of folk anti-Semitism among Negroes is, if anything, a little lower than that among their fellow Americans, are irrelevant for the reasons given above. The relevant fact is that "the movement" is developing an anti-Semitic ideology. On one coast, there is talk about how the "Jewish establishment" is depressing the education of black students. On the other coast, a black magazine publishes a poem calling, poetically of course, for the crucifying of rabbis. "Jew pig" has become a common variant of the standard expressivist metaphor. On this level, there are daily signals.

Then, too, "Third World" anti-Semitism is becoming more of a staple, at least among the ideologues where it counts most. Jewish schoolteachers in New York were told in one tract that "the Middle East murderers of colored people" could not teach black children. At the last national convention of the Arab students in America, Stokely Carmichael, the main speaker, admitted that he had once been "for the Jews" but had reformed.

Of course, many middle-class blacks are horrified by all this. But on the community level, where the pressure is, they are likely to say that it would not do for them to attack such manifestations, because it would seem to be an attack on the militant movement itself (this reaction throws another light on the ability of a movement to be anti-Semitic without a corps of anti-Semites). They are likely to say that these manifestations are "only symbolic," without understanding that symbolic anti-Semitism is the most frightening kind. Or they might explain that these attitudes are not widely reflected in the black community—which is, to complete the circle, irrelevant.

But how dangerous, finally, is the anti-Semitic ideology being developed by this growing black movement? If the movement is destined to be relatively powerless, should it be a source of major concern? More particularly, if this movement is pitted so directly against the white majority in the country, does that not render its anti-Semitism still less dangerous? Such questions ignore the fact that this movement has already succeeded in reintroducing political anti-Semitism as a fashionable item in the American public arena—with what consequences no one can yet tell. It would, moreover, be a repetition of old mistakes to think that if a black movement uses political anti-Semitism, anti-Semitism must therefore be rejected by anti-black whites. One propaganda effort during World War II was designed to reduce anti-Semitism among Americans by linking Nazism and anti-Semitism, and then attacking Nazism. An evaluation reported that the campaign increased hostility toward Nazism without reducing hostility toward Jews. And we have seen that the American public fought bitterly against Hitler during the war, without apparently altering its attitudes toward Jews.

However, there is another, more problematical area of concern that might be anticipated if the expressive black movement continues to grow. The black community is on the verge of a major political breakthrough. A good number of cities are soon destined to be numerically controlled or heavily dominated by their Negro populations. These are the cities in or around which most American Jews live, and in which their business and public lives are largely conducted. If the expressive black movement, with attendant political anti-Semitism, continues to grow, its effect on Jewish lives will be incalculable. (Incalculable also might be the effect on American foreign policy in the Middle East of a prevailing anti-Israel sentiment in important political centers.) There will, of course, be an intensification of the upward-mobility conflict that is already becoming a visible part of the Negro-Jewish complex. (As one Jewish teacher plaintively told the New York Times: "We don't deny their equality, but they shouldn't get it by pulling down others who have just come up.") More generally, the political structure in these cities is going to be under considerable strain. There is the possibility of a classic marriage, a manipulative symbiosis, between the privileged class and the dis-privileged mass—in this case a WASP class and a black mass—in these cities: the kind of symbiosis which existed in the 1920's between respectable Republican leaders and the KKK, and which permitted a temper of repression and bigotry to flourish. The anti-Semitic ideology developing in the black movement would be eminently suited to such purposes. Some have suggested that the edges of this possibility are actually peeking out in New York City. Certainly, whatever the outcome, this face of the black expressive movement is there for the Jewish community to contemplate with justified concern.

THE WHITE BACKLASH AND THE JEWISH QUESTION

Of course, on the other side, there is a white population which exhibits, from its own vantage point, the same dangerous characteristics: a volatility, with broken loyalties; a sense of general deprivation and of power deprivation; relatively low levels of education, systematic belief, and commitment to abstract democratic principles—a population, in short, both extremist and expressive in tendency. This is the more traditional backlash pattern, which has produced America's major anti-Semitic movements of the past.

These movements were involved in preserving something which seemed about to be lost. When successful, they were typically a strange marriage between members of the upper and lower economic strata who were protecting different interests together. Economic concerns were often present, but the decisive bond was a set of symbolic issues. The critical element of the mass support was some kind of status deprivation and alienation: a disappearing way of life, a vanishing power, a diminishing position of group prestige, a scrambling of expectations, a heart-sinking change of social scenery, a lost sense of belongingness. In the 1920's, the backlash of traditional rural Protestantism, losing its hegemony in the nation, provided this element. The census of 1920 reported that for the first time in American history urban dwellers were in the majority. The cities were taking over the nation; new kinds of people were taking over the cities; the small-town dweller, whether staying behind or coming to the big city, was apt to feel in the back-waters. KKK leader Hiram W. Evans complained that the "Nordic American today is a stranger in a large part of the land his father gave him." In the 1930's, the depression-bound people who supported Coughlin were not only interested in some aspects of social change, but also threatened by other aspects of social change. Coughlin, in the classic mode of fascism, wanted to create a revolution within the symbolic bounds of a traditional way of life. In both decades there were massive dislocations, large sections of the population being torn away from their traditional political loyalties, and therefore from ritualistic democratic constraints to which they had no deep ideological commitment.

We are now faced with more massive dislocations than we have experienced since the 1930's, and perhaps since the Civil War. Just as there once was a nativist (Protestant) backlash against the emergence of immigrant (Catholic and Jewish) economic advancement, cultural imperialism, and political power in the cities, so we now have a white backlash against similar Negro advances in the cities. The breakdown of "law and order" that is attendant upon such periods is itself a status-shaking, power-dwindling experience. Policemen have consistently been the most conspicuous vocational presence in every major backlash movement in American history. It is not that they differ all that much psychologically or otherwise from the rest of the non-elite American population, but that they are on the front lines of the conflict. Many white citizens feel that they are getting short shrift in schools, law enforcement, and city hall generally because of black power. Certainly, they don't approve of the concept of "compensatory" treatment for blacks. And they can expressively wrap around this issue all of their angry feelings about the frustrating decline of American status in a new world and the apparently losing battle of the citizen against bureaucracy and taxes.

The Birch Society, more Liberty League than Coughlin, has never seriously attempted to exploit the white backlash, or to get in touch with mass America at all. McCarthyism was a kind of false pregnancy, although serving fleetingly to reveal the potential for undemocratic repression which lies in a large mass of the American public. George Wallace was, at least for a time, the Pied Piper of repression, tuned into the large and ideologically soft underbelly of white America. His low November vote outside the South was comparable to the low vote that Coughlin's candidate Lemke received at a time when Coughlin's movement was booming. Many blue-collar people who had given their genuine expressive approval to Wallace when the pollsters came around, or when he came to town, voted instrumentally when they went, hand on pocketbook, into the booths.

Of course, Wallace has shown no evidence of raising the Jewish Question, but some parallels have been drawn between him and Huey Long. Huey Long never raised the Jewish Question either, although it was not that unrespectable in his time to do so. But Huey Long never quite made the transition from Louisiana demagogue to national ideologue before he was killed. And among his top staff people was Gerald L. K. Smith, one of the nation's most committed ideological anti-Semites. Coughlin's full belief system, his conspiracy theory, his political anti-Semitism, emerged fully only midway in his career, after bitter disappointments. What might have developed in the Long movement, with Smith at his elbow, is of course incalculable. It is a matter of record that George Wallace similarly had in the background of his campaign last year speech writers, advisers, and organizers who have openly engaged in political anti-Semitism. This did not make George Wallace an anti-Semite, nor destine him to be one, but it made a number of Jews uneasy. And, Wallace aside, it is only reasonable for the uneasiness to accumulate as the risk factors do. History often finds its own man. Even Coughlin has begun to publish a magazine again, after twenty-six years of silence.

THE JEWISH COMMUNITY AND THE JEWISH QUESTION

Between those two forces, between those two harbingers of the Jewish Question, lies an increasingly bewildered and fragmented Jewish community. A few short years ago, there was a kind of coalescence of religious, political, and defense impulses among the Jewish leaders, who were massed on the civil-rights front, with their constituency trailing securely and benignly behind. Today, a different situation is suggested by recurrent vignettes such as one described in a recent JTA news dispatch, dateline New York:

"The rabbi of the East Midwood Jewish Center in Brooklyn sharply rebuked a crowd who booed and jeered Mayor John V. Lindsay this week as the mayor attempted to address an audience in the temple on the dispute between the teacher's union and the largely Negro Ocean Hill-Brownsville school district. . . . The mayor was shouted down when he said that both sides in the dispute were guilty of "acts of vigilantism." Rabbi Harry Halpern took the microphone and declared, "As Jews you have no right to be in this synagogue acting the way you are acting. Is this the exemplification of the Jewish faith?" Shouts of "yes, yes" were the answer. Some members of the audience belonged to the congregation, and others were members of the community at large which is white, middle class, and predominantly Jewish.

In the same dispatch, the JTA reported that "the national body of Conservative Jewish Congregations expressed concern this week that recent statements by some Jewish groups and individuals have tended to equate the entire Negro community with anti-Semitic slurs voiced by a few black militants. . . . The board also urged Jews 'not to react to limited extremism with our own extremism.' "

In the conglomerate, the Jews of America seem to be in a new ambivalent position. No one in his right mind has ever called the Jewish community monolithic. But with all its formlessness, the Jewish community has in recent memory always had a prevailing public stance—in the parlors as well as in the agency offices—with respect to certain kinds of issues: the Birch Society, fair employment practices laws, fair housing laws. Today it is symptomatically difficult to find a prevailing public stance with respect to such current issues as police review boards, neighborhood-controlled schools, Black Student Unions.

It would be a misreading of the situation to suggest that all the Jewish community needs is to pull up its moral socks. The Jewish involvement with the plight of black America cannot simply be seen as the religious or liberal imperative for social justice. There is, more clearly than ever before, the legitimate and independent Jewish imperative for self-survival. Of course, this self-survival, given the nature of the Jewish Question, could be seen validly—if somewhat remotely—as identical with the survival of the democratic social order. And this period may be another perilous episode in that recurrent dilemma of modern society: The problem of separately pursuing social (economic) justice and a democratic social order without despoiling either. Western history has a long record of failures in that quest, and, not surprisingly, the Jewish Question has more often than not been in attendance.

But there are more concrete implications. The Black Revolution is spurring the Jewish community—and America—into a renewed understanding of pluralistic politics. The fresh Jewish stirrings are not primarily a backlash reaction, although there is some of that. There is most significantly a turning inward; in a real sense, a regrouping. There is a new tendency to ask seriously a question which has only been asked jokingly for a number of decades: "Is it good for the Jews?"

Alfred de Grazia has well described the spirit of the age of rationalistic mass democracy which was set in motion by the Enlightenment, and which came to a certain rhetorical fruition in America:

"Beginning in the nineteenth century there might be no interests apart from the interests of the mass of people, however cloudy such a concept might be. An equally accepted but opposite belief was that the individual, a solitary wayfarer in life and politics, could govern himself without belonging to any cohesive groups. The two beliefs might be simultaneously held, for they are psychologically, if not politically, consistent. In the individualism and utilitarianism of Benthamism, all interests break down. Little thought goes to the mass authoritarianism or majoritarianism that was the inevitable denouement. Whereas the mass public had never before been seriously regarded as the active agent in legislative processes, the People was now sculptured into a massive monolithic interest group."

Official segments of the Jewish community seemed to embrace precisely this concept when the Golden Age set in after World War II. Negroes were to pursue a just society not primarily as Negroes, which they merely happened to be, but as Americans along with fellow-Americans. Jews were to pursue a just society not primarily as Jews, which they happen to be, but as Americans, along with fellow-Americans. And so forth: A salvation army of Americans with identical moral concerns was marching together. The language was not all that clear, of course. Jews were told that "civil rights" was good for them, which indeed it was. But it was told in passing, as a corollary to the main image of all-Americans-marching-morally-together. The image became increasingly fuzzy as the 1950's yielded to the 1960's, and many Jews suffered traumatic shock when the Negroes detached themselves from the marching army and said, "Wait a minute, we've got a different interest here, a different drummer and a different pace."

There was the religious language also: The prophetic traditions and the Jewish moral imperatives were invoked. The Christian clergy invoked their own, as did, no less fiercely, the humanist liberals. But there has always been a certain uneasy ring of truth in the pejorative use of the term "do-gooder." If a do-gooder is someone who is primarily and exclusively motivated by moral concerns in the political arena, he is more often than not a mischief maker. Politics is not identical with morality, which does not mean that politics need be immoral. To be sure, politics at its best is the negotiation of conflicting group interests within the constraint of rules which are morally based. But the distinction between morality as a political constraint, and morality as a central engine of political action, is a crucial distinction. To put it another way, the do-gooder is the evangelist who knows what is best for everybody. When the Negroes, seizing their own identity, said: "It is only we who really know what is best for us," they brought everyone up short, and they brought the Jews back for yet another look at their own group identity in America.

In 1927, in the middle of the debate as to whether Jewish Welfare Federations should merge with general Community Chests, Morris D. Waldman told a national conference: "I am constrained to believe that the existence of separate Protestant, Jewish, and Catholic Federations . . . is not going to retard brotherhood. Because I am thoroughly convinced that if the universal brotherhood will ever come, it will not come in the form of a fraternity of individuals, but as a brotherhood of groups. . . . The group will-to-live is at least as strong as the individual will-to-live. . . ."

The Jewish community's independent group will-to-live is being reasserted in response to the reemergence of the Jewish Question in America—as well as in Eastern Europe and in the Middle East. Less and less, as one consequence, will the public affairs agenda of the Jewish community be the same as that of the black community. This is not a matter of withdrawing support from those generic items on the black agenda which must be on the common American agenda and in which the Jewish community has a strong derivative stake—most notably, the rapid reduction of ghetto poverty. There may, however, develop sharper differences as to the point at which the rate of reduction is to be increased "at any cost" or "by any means whatsoever." The maintenance of a democratic rule of law is essential to Jewish survival. Nor is it just a defense against extremism which will finally protect that social order. If the Jewish community has in the past had a special concern with greater participation by the ghetto population in civic affairs, as a means of strengthening the democratic fiber, it must also now have a special concern with greater participation by the white lower-middle-class population still in and around our cities. These are people of the "common democratic commitment" who are not horned and leprous bigots, but who have troubles of their own, a dignity of their own to maintain, and a growing sense that they are being left out. As Irving M. Levine has said: "Our rightful transfixion on Negroes has developed into a 'no-win' policy, hardening the lines of polarization between white and black into a reality that could blow the country apart. To change this white reaction, some of the brilliance which articulated Negro demands will have to be similarly developed to speak to and for lower-class America."

But there are other items which may more poignantly illustrate the temper of a new agenda. For example, there is a liberal movement toward the public-funded privatization of the public school system, starting with neighborhood control and ending with any group of parents—or an institution of their choice—being able to set up a school to which their children can go at public expense. The consequences of such a development, with its potential for racial, ethnic, and religious separatism, may call for independent evaluation by the Jewish community. In most cities new ethnic and racial competition for various public boards and posts is developing. Eventually, the Jewish community may be required to act more politically as a community if it is to hold its own in such competition. The point is not the abandonment of universal values, but the development of a more self-conscious focus of group interest.

The Jewish Question is alive again because the American political structure and its traditional coalitions are in naked transition. The common democratic commitment trembles within both the white and black populations. New kinds of political configurations are in the making. The past quarter century turns out not to have been, as some envisioned, the passageway to some terminal American Dream. It has been the staging-ground for some as yet indistinct future American design. The Jews, somehow in trouble again, need to make their own particular sighting on that future.

BIG BROTHER COMES TO WASHINGTON

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. PODELL. Mr. Speaker, from time to time we are able to pause in our labors and pass from the solemn to the lighthearted, from the heavy to the humorous, from the possible and necessary to the incredulous and bizarre. Such moments lighten a legislator's heart, if not his burden. Just such an example has been lusciously served up to us through the good offices of the Department of Justice.

It seems that the Gods in their wisdom have commanded the highly educated and skilled legal professionals at that agency to clock themselves on time sheets at 12 minute intervals during the course of their working day. This in addition to performing the services so many need so badly. It is heartening to know there is such fervent trust on upper levels for these public servants. It pleases me to know that from now on we shall know all about their work habits. It soothes me to be enlightened regarding their luncheon times and other personal mannerisms and ways in which they perform their assigned duties. Perhaps next they will be required to report in detail on their outside activities as well.

As one peruses the responsibilities of the Department of Justice, its list of major requirements and duties is truly impressive. They range from enforcement of civil rights legislation to prosecution of those engaged in national criminal conspiracies. Yet I am certain their performance of these duties has up to now been hindered because of their lack of attention to reporting daily activities on 12-minute timesheets. I am confident their new attention to this profound activity will work wonders in their performance of the Department's responsibilities. It certainly shows the intelligence, farsightedness, and profoundness of thought of the estimable gentlemen who now dominate the command post of that agency of Government.

How dare any critic compare such behavior to the gestapo, Cheka, OGPU, or MVD. How unfair to unjustly accuse selfless patriotism. No. Such unselflessness belongs in the countinghouse of one Ebeneezer Scrooge of the estimable firm of Scrooge & Marley, or in George Orwell's "1984."

A pause here for a prolonged and heartfelt shiver.

I eagerly await the latest breathless scene from act 1 of the Justice Department "Follies of 1969" or "How I Ceased Being Efficient and Learned To Love the Timesheet."

INTELLECTUAL "SNOBS" HIT BY EDUCATOR

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. WOLFF. Mr. Speaker, the National Schools Committee for Economic Education met last month in Atlantic City, N.J. Although I was unable to attend the meeting I have since been made aware of an excellent talk given by Dr. Paul A. Miller, of Cincinnati, in which he made certain cogent points relating to education and employment.

Dr. Miller's address was brought to my attention by the committee's president, Morgan S. A. Reichner, a constituent of mine residing in Oyster Bay, N.Y. I feel that a news story about Dr. Miller's speech, as it appeared in the Atlantic City Press, is well worth my colleagues' attention as it relates to the design of education in the United States.

Under leave to extend my remarks I include that news story in the RECORD at this point:

[From the Atlantic City (N.J.) Press, Feb. 18, 1969]

INTELLECTUAL "SNOBS" HIT BY EDUCATOR

(By Paul Learn)

The nation's school administrators were advised Monday to get rid of their "intellectual snobs" and "put sweat and callouses back into education."

Dr. Paul A. Miller, superintendent of Cincinnati, Ohio, schools, said, "Education sometimes, though erroneously, is broken down into education for those who are going to work and education for those who are going to be gentlemen. There are those who would say that education becomes a career to avoid callouses and sweat of the work-a-day world."

Dr. Miller spoke at a meeting of the National Schools Committee for Economic Education, Inc., in the Claridge Hotel at which 11 teachers and industrialists were honored for their efforts to promote economic education in the United States.

The meeting was held in conjunction with the 101st annual convention of the American Association of School Administrators here.

Dr. Miller said the schools put too much stress on academics and not enough on "the basic principle of learning while earning."

PAST 50 YEARS

"For the past fifty years at least," he said, "we have tended to put off the work relationship until all of the learning is complete.

"Fundamentally, this is in error. Education and economics both have been caught up in the knowledge revolution. New math, new science, new English, new language and even new economics have been devised with great and disproportionate emphasis on the academic aspects of the subject matter involved; and far too little laboratory-connected, certainly very little of the earning-learning relationships as part of it."

School executives should move more of that laboratory-earning work down to the high school and elementary levels, the Cincinnati educator added.

He said, "The learner's life has been divided half and half; the first to academic learning, the last half to earning. In my judgment the learning-earning relationship should be turned 180 degrees with earning-learning related from kindergarten throughout life."

A WORKBENCH

"Furthermore," said Dr. Miller, "learning has been isolated to take place in a sterile incubator called school and earning has been isolated to take place in some separated unit of the business world."

"There needs to be in every classroom a workbench; in every home a work-experience; in every workshop a learner's bench and in every business, a classroom," he said, adding: "To succeed in our venture to make economics relevant—workbooks and workbenches must be inseparable."

BERLIN—THE UNITED STATES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1969

Mr. RARICK. Mr. Speaker, so that the present diplomatic gymnastics over Berlin and free Germany may be readily understood as far as the U.S. guilt involvement, I commend to our colleagues the Dan Smoot Report for March 3, 1969, entitled "Berlin."

Of particular interest to our colleagues will be Mr. Smoot's concluding remarks:

> What should the U.S. do?
>
> We should negotiate a peace treaty with the government of West Germany, recognizing it as the lawful government of all Germany, and imposing no restrictions on German sovereignty—leaving the nation unhindered to rearm for its own defense as it pleases.
>
> Our own diplomatic and military resources should be devoted to the defense of our own country.

Under unanimous consent I submit Mr. Smoot's report for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Dan Smoot Report, Mar. 3, 1969]

BERLIN

On the occasion of President Nixon's visit to West Berlin, communist behavior once again gave us an irritating reminder of an unpleasant subject: the isolation of West Berlin deep inside communist-held territory. How did it happen?

In November, 1943, aboard the U.S.S. *Iowa*, enroute to Tehran for a meeting with Joseph Stalin and Winston Churchill, President Franklin D. Roosevelt had a conference with Harry Hopkins and the Joint Chiefs of Staff. They discussed, among other things, the postwar division and occupation of Germany. President Roosevelt predicted that Germany would collapse suddenly and that "there would definitely be a race for Berlin" by the U.S., Great Britain, and the U.S.S.R. The President said: "We may have to put the United States divisions into Berlin as soon as possible," because "the United States should have Berlin." Hopkins and Roosevelt's military advisers agreed unanimously.[1]

Some 17 months after this conference on the *Iowa*, the collapse of Germany came; and the "race for Berlin" became one of the strangest operations in military history.

In the closing days of World War II, the American Ninth Army was rolling toward Berlin, meeting little resistance. Some twenty or thirty miles east of Berlin, the German nation had concentrated its dying strength and was fighting savagely against the Russians.

Our Ninth Army could have been in Berlin within a few hours, probably without shedding another drop of blood; but General Eisenhower suddenly halted our Army. He kept it sitting idly outside Berlin for ten days while the Russians slugged their way in, killing, raping, ravaging. We gave the Russians control of the eastern portion of Berlin—and of *all* the territory surrounding the city.

After we pulled out of eastern Germany in 1945 to let the Soviets have unquestioned control of that area, the Soviets expelled nine million Germans from their homes. It was a time of horror, old men starving on the roads, young girls raped in broad daylight on the streets and in boxcars by gangs of Soviet soldiers.

All of this occurred because we refused to do what would have been easy for us to do—and what our top leaders had agreed in 1943 that we must do: take and hold Berlin and surrounding territory until postwar peace treaties were made.

Who made the decisions to pull our armies back in Europe and let the Soviets take over? In *Crusade in Europe* (published in 1948), Eisenhower took credit for helping make the decisions. When he entered politics four years later he denied responsibility, saying he had merely acted as a soldier, obeying orders.

Who made the decision to isolate Berlin 110 miles deep inside communist-controlled territory without any official mention of, or written agreements of any kind concerning, access routes by which the western powers could get into the city?

On July 2, 1961, The New York Times published the second of two articles by Arthur Krock, discussing the "incredible zoning agreements among the Allied conquerors of Nazi Germany" that placed "Berlin 110 miles within the Soviet zone and reserved no guaranteed access routes to the city from the British and American zones by road, rail, water, or airways."

Mr. Krock concluded, as must anyone who studies the record that Joseph Stalin and international communism were the sole benefactors of the zoning agreements, Mr. Krock said he could find no explanation for the obvious fact that the United States government "became a party to the witless travesty on statecraft and military competence" reflected in the agreements on postwar Germany.

After saying as much, Mr. Krock then gave the explanation, which he himself apparently did not understand. He found the explanation in an article by Dr. Philip E. Mosely, then Director of Studies of the Council on Foreign Relations. The article was published in Foreign Affairs, quarterly magazine of the CFR. Here in essence is the story:

The agreements for the postwar division of Germany were worked out by the European Advisory Commission, composed of representatives of the U.S., the U.S.S.R., and Great Britain. The U.S. Representative was John G. Winant, U.S. Ambassador to Great Britain during World War II. Winant's political adviser was George F. Kennan, member of the Council on Foreign Relations, who for years has been touted as America's leading expert on Soviet affairs.

Winant did not cavil at the idea of leaving Berlin isolated 110 miles inside communist-held territory; but he did feel that there should be guaranteed access routes for the western powers to get to the city. Kennan told Winant that it would offend the Soviets if we insisted on specified and guaranteed access routes, because they would think we did not trust them. Moreover, Kennan argued, the very fact that we agreed on four-power occupation of Berlin was tacit agreement that all powers had undeniable right of access to the city.

Winant apparently was influenced by Kennan, but not entirely sold. He drew a map, depicting his ideas for the division of Germany, placing Berlin 110 miles inside the Soviet zone. Following Kennan's advice, he did not recommend that the western powers insist on guaranteed access corridors to the city; but he did sketch in corridors that he thought should be established.

Because of bureaucratic rivalry, or inefficiency, in Washington, Winant never received authorization to submit his proposal to the European Advisory Commission. Therefore, the British representative on the Commission made a proposal: setting Berlin deep inside the Soviet zone, and giving the Soviets 33 per cent of all productive resources of Germany, but keeping for England the greatest industrial areas.

Roosevelt and his military advisers rejected the British proposal. During the Second Quebec Conference (1944), Roosevelt sketched out on a small-scale map *his* idea of occupation zones in Germany. Roosevelt's map reduced the Soviet zone to 22 percent of pre-war Germany, and divided Germany into three zones—British, American, and Soviet, all three zones meeting in Berlin. Negotiations were then deadlocked, because the British and Soviets did not like Roosevelt's suggestion.

George F. Kennan broke the deadlock by going directly to Roosevelt and persuading him to give up his plan, in favor of the fantastic arrangements which the Soviets wanted: Berlin buried inside the communist zone with no access routes for the western powers agreed upon, or even mentioned.

In 1948–1949, the Soviets (to draw attention away from Asia where communists were taking over China) blockaded all roads, railways, and canals leading from the western zones of Germany into Berlin.

Harry Truman has been much praised for breaking that blockade with a fantastically expensive airlift; but the airlift was basically wrong. That was the time for us to decide whether to stay in or get out of Berlin. If our decision was to stay in (as, *at that time*, it should have been), we should have established a fully-adequate *land corridor* to Berlin by the use of military force, if necessary.

There can be no doubt in the mind of any well-informed person (and could not have been any real doubt in 1948) that the Soviets would have given way without armed resistance, because we had both right and might on our side. Our prestige and strength were so infinitely superior in 1948 that the Soviets could have done nothing but agree to whatever reasonable land corridors we demanded.

After the Soviet blockade of Berlin had achieved the communist purpose—of drawing attention away from Asia; of making further heavy drains on the economic resources of America; and of showing the world that the U.S. government was afraid of a head-on clash with the Soviets even when the whole world knew that America was in the right—the Kremlin lifted the Berlin blockade. The great internationalist propaganda machine in the United States proclaimed our "magnificent victory."

In June, 1949, the United States, the U.S.S.R., England, and France formally reaffirmed the old agreement about a four-power occupation of Berlin, but again avoided saying anything about access routes for the West to get to Berlin—an action, on our part, which now seems as incredible as the original Kennan-CFR decision to set the city up as a breeder of war and tensions.

For ten years after the Berlin airlift, the Western powers sat, waiting for the Soviets to make the next move. Khrushchev made it in 1958.

On November 27, 1958, the Kremlin delivered to our ambassador in Moscow a "note" announcing Soviet aims with regard to Berlin. The note filled approximately ten full columns in *The New York Times*. Nine and one-half columns contained nothing but Soviet lies and propaganda. About 5% of the text was devoted to an announcement of the Kremlin's plan for Berlin.

---

[1] *Foreign Relations of the United States: Diplomatic Papers: The Conferences at Cairo and Tehran; 1943*, U.S. State Department, 1961.

The plan was that *West Berlin* be declared a separate political entity (a "free city") and disarmed, except for a minimum police force, which would be used primarily to suppress anti-communist activity. All foreign troops would be withdrawn—which meant British, French, and American, but not Soviet, since Soviet troops are not stationed in West Berlin. The government of the "free city" of Berlin would be under the general supervision of the United Nations; but the communist government of East Germany would control all trade and traffic and means of entry into the city. The Kremlin note said:

"If this proposal is not acceptable to the United States Government, there is no topic left for talks on the Berlin question."

Every subsequent Kremlin statement concerning Berlin reaffirms this basic, inflexible plan.

On June 14, 1961, the Kennedy administration (through Mike Mansfield, Democrat leader in the Senate) suggested a Berlin plan—which, in effect, accepted the Kremlin plan but incorporated East Berlin as part of the proposed "free city."[2] American public opinion was hostile to the Mansfield suggestion, and it was dropped. But President Kennedy skillfully used the "Berlin crisis" of 1961 "as a lever" to force congressional approval of a long-range foreign-aid bill and other measures claimed to be necessary for resisting international communism.[3]

What is President Nixon likely to do, if anything, about Berlin?

When one realizes that the Berlin situation was created by a member of the Council on Foreign Relations (which has been virtually the invisible government of the United States since the outset of World War II[4]), it is not comforting to know that President Nixon's most important appointed adviser (Henry Alfred Kissinger) is a CFR member, as was the President himself a few years ago.

What should the U.S. do?

We no longer have any business defending or promising to defend any part of Europe against anyone. Defending Berlin is a job for Germans, not Americans. Germans are an able, industrious people—more soundly prosperous, in some ways, than we are. Surely, a nation which, in two world wars, fought the might combination of allied powers as Germany fought, can now defend itself.

With or without the consent of any of our World War II allies, we should negotiate a peace treaty with the government of West Germany, recognizing it as the lawful government of all Germany, and imposing no restrictions on German sovereignty—leaving the nation unhindered to rearm for its own defense as it pleases.

We should repudiate the nuclear nonproliferation treaty, give the Germans a reasonable time to prepare their own defenses, and then withdraw our military aid and presence from all of Germany, exerting whatever diplomatic pressures available to persuade France, Great Britain, and the Soviet Union to do likewise. What the Germans decide to do, or can do, about the division of their land and their capital city is not our business, as long as they commit no aggression against us.

Our own diplomatic and military resources should be devoted to the defense of our own country.

---

[2] "A Third Way On Berlin," speech by U.S. Sen. Mike Mansfield (Mont. Dem.), CONGRESSIONAL RECORD, vol. 107, pt. 8, pp. 10328–10334.

[3] "Berlin Propels Foreign Aid Through Committee in House," article by Robert E. Baskin, *The Dallas Morning News*, Aug. 2, 1961, Sec. 1, p. 1.

[4] For history of the Council on Foreign Relations' manipulation of American policy, see *The Invisible Government*, by Don Smoot (1962), available from The Dan Smoot Report, Inc., P.O. Box 9538, Dallas, Texas 75214; $1.00 pocketbook, $4.00 for clothback edition.

HOUSE OF REPRESENTATIVES—*Thursday, March 6, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

To this end we toil and strive, because we have our hope set on the living God.—1 Timothy 4: 10.

O God, our Father, who hast called us to walk in Thy way and to live with love in our hearts, grant unto us the steady assurance that although we forget Thee Thou dost not forget us, and that notwithstanding the fact we let Thee down Thou dost never let us down. May Thy spirit abiding in us through all our changing moods sustain us in every right and good effort.

Bless Thou the young people of our land. Let not the undue license of a few limit the due liberty of the majority. Strengthen our youth that they may have full regard for the rights of all their fellows. Help them to use their freedom to discover themselves at their very best, to find creative channels for their restless endeavors, and to live and labor for justice by all, good will among all and liberty for all.

In the name of Him who was true to Himself, to others, and to Thee, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

RESIGNATION FROM THE MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER laid before the House the following resignation from the Mexican-United States Parliamentary Conference:

MARCH 5, 1969.

Hon. JOHN W. MCCORMACK,
Speaker, U.S. House of Representatives,
The Capitol,
Washington, D.C.

DEAR MR. SPEAKER: It is with deep regret that I must take this opportunity to submit to you my resignation as a Member of the United States delegation to the Mexico-United States Interparliamentary Conference for 1969.

I appreciate your understanding and acceptance of this resignation from the Conference. With deepest regrets,

Sincerely,

JAMES HARVEY,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

APPOINTMENT AS MEMBER OF THE MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86–420, the Chair appoints as a member of the U.S. delegation of the Mexico-United States Interparliamentary Group the gentleman from Arizona (Mr. STEIGER), to fill the existing vacancy thereon.

FARM GROUPS OPPOSE HIGH INTEREST RATES

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, farm and rural groups are deeply concerned about the rising burden of high interest rates.

Farm people, particularly, depend on credit to finance their seasonal operations and the high interest squeeze is creating severe problems in rural areas all over the Nation.

Mr. Speaker, this week I received copies of resolutions from two important farm groups in North Dakota expressing concern over this problem and demanding that the Federal Reserve move to bring down interest rates.

Mr. Speaker, I place in the record a resolution from the North Dakota Farmers Union adopted on February 25, 1969, and one from the Production Credit Association of Grafton, N. Dak., adopted on February 15, 1969:

RESOLUTION OF THE NORTH DAKOTA FARMERS UNION, ADOPTED FEBRUARY 25, 1969

We view with alarm the continued draft to higher interest rates on borrowed money. This is one of the biggest increases in costs of production for farmers.

Government policies need to be reviewed and reformed to prevent further rises in interest rates. We recall that most farm depressions of the past have been signaled by a tightening of credit, advancing interest rates, and a failure on the part of public officials to note these signals of danger promptly.

We recognize with appreciation the excellent service which the district and central banks for cooperatives have provided to farmer owned cooperatives. We appreciate that the whole Farm Credit System and the Farmers Home Administration have been of great value in helping farmers.

The continued rise in interest rates by the Federal Reserve Board has not only increased the National Debt, but is rapidly moving the money into the hands of money lenders.

We urge Congress to take immediate action to change the tight money policy of the Federal Reserve Board.

PRODUCTION CREDIT ASSOCIATION,
Grafton, N. Dak., February 21, 1969.

Congressman WRIGHT PATMAN,
Chairman of the House
Banking Committee,
Washington, D.C.

DEAR CONGRESSMAN PATMAN: The following resolution was adopted at the stockholders Annual Meeting of the Production

Credit Association of Grafton, North Dakota, on February 15, 1969:

"We view with alarm the continued drift to higher interest rates on borrowed money. This is one of the biggest increases in costs of production for farmers.

"Government policies need to be reviewed and reformed to prevent further rises in interest rates. We recall that most farm depressions of the past have been signaled by a tightening of credit, advancing interest rates, and a failure on the part of public officials to note these signals of danger promptly.

"We recognize with appreciation the excellent service which the district and central banks for cooperatives have provided to farmer-owned cooperatives. We appreciate that the whole Farm Credit System and the Farmers Home Administration have been of great value in helping farmers.

"The continued rise in interest rates by the Federal Reserve Board has not only increased the National Debt, but is rapidly moving the money into the hands of money lenders.

"We urge the United States Congress to take immediate action to change the tight money policy of the Federal Reserve Board."

We feel this resolution should be brought to your attention.

Sincerely,

ERVIN SCHUMACHER,
President, Board of Directors, PCA.

NIXON ADMINISTRATION GIVES SPECIAL TREATMENT TO BONDS IN FEDERAL RESERVE PORTFOLIO

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the Nixon administration is proposing a change in the definition of the public debt whereby the securities held by Government agencies—such as the social security trust fund—would not be included in the calculations of the total debt.

The Federal Reserve System through its Open Market Committee holds more than $52.1 billion worth of Government securities. Yet, the Nixon administration does not plan to exclude this whopping sum from the national debt as it will the securities held in the various trust funds.

Mr. Speaker, the logic is absurd. If the bonds held in the trust funds are to be excluded, then every rule of common sense would hold that the bonds held in the Federal Open Market Committee portfolio, likewise, be excluded from the debt.

Why should the bonds in the Federal Reserve be treated in this special manner?

Of course, the $52.1 billion should be canceled now and totally excluded from the debt. These bonds have all been paid for at least once and should be retired.

But, the Federal Reserve continues to charge the Treasury interest—to the tune of more than $2.2 billion annually—on these bonds. From this huge interest income, the Federal Reserve finances its far-flung operations without congressional appropriations and without audits by the General Accounting Office.

The Nixon administration, for some reason, has decided to ignore these $52.1 billion worth of bonds. I trust that President Nixon will explain why these bonds were not excluded from the debt as were the funds in the trust accounts.

Mr. Speaker, I place in the RECORD a copy of an editorial from the Washington Post of Monday, March 3, outlining the new Nixon debt concept:

THE DEBT-CEILING GAME

President Nixon's new version of the debt-ceiling game does not satisfy those economy-minded legislators who see restraints on borrowing as the key to reduction of Federal spending. Nor does it satisfy the realists who view the debt ceiling as a phony pretense of economy signifying nothing. This group would rather abolish the debt ceiling as a time-wasting device, and we are inclined to share that view. But with Congress seemingly wedded to the debt ceiling, for political purposes, the Nixon proposal appears to be a salutary compromise.

The absurdity of the present arrangement is sharply illustrated by the facts the President has laid before Congress. Budget surpluses are expected for the fiscal years 1969 and 1970. But even if those surpluses should prove to be somewhat larger than was estimated in the January budget, the President told Congress, the existing debt limit will have to be raised nevertheless. The reason is that the volume of Federal bonds held by the Government's trust funds, such as Social Security, is rising at the rate of about $10 billion a year. In other words, an arbitrary debt ceiling must be raised to allow for an increase in Government debt which is automatic under the law.

What possible value is there in requiring Congress to make a debt-ceiling adjustment each year in order to allow the trust funds to function as the law contemplates? The Administration proposes to relieve Congress of that useless and unnecessary chore by eliminating the trust funds from the debt that must be covered by the "ceiling." There is logic in this proposal, for after all the bonds held by the trust funds are debt which the Government owes to itself. If this recommendation is accepted, the ceiling will apply only to the debt held by the general public.

Senator Williams complains that the proposal would make it appear that the debt has been reduced when it has not. For the unsophisticated, that may be true. But the confusion or deception involved is minor compared to the flimsy pretense that the existing debt ceiling, which must be jacked up every year, is a useful brake on spending.

The substantial virtue of the Nixon proposal is that it would, in the absence of an emergency, eliminate the need for further adjustment of the debt ceiling for the next few years. That would relieve members of Congress of the unwelcome obligation of repeatedly voting to raise the debt ceiling. Incidentally, the idea of eliminating the trust funds from the debt to which the ceiling applies comes from the bipartisan Commission on Budget Concepts appointed by President Johnson and headed by David M. Kennedy, now Secretary of the Treasury. It is not a gimmick to deceive the public but a well-founded fiscal concept which has substantial advantages for Congress until it can bring itself to complete abandonment of the debt-ceiling game.

BANKING AND CURRENCY COMMITTEE MEMBERS INTRODUCE INDEPENDENT CREDIT UNION AGENCY BILL ON BIPARTISAN BASIS

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, on January 3, 1969, I introduced H.R. 2, which provides for an independent Federal agency for the supervision of federally chartered credit unions.

Because I had been working on this idea and drafting the legislation prior to the start of this Congress and wanted to introduce it the first day the Congress was in session, it was not possible to contact all the Banking and Currency Committee members, many of whom I knew would want to cosponsor the legislation.

However, because of the widespread interest and support for this legislation, I have reintroduced the bill today, along with 23 other Democratic and Republican members of the Banking and Currency Committee.

The legislation introduced today is identical to H.R. 2. Since the introduction of H.R. 2, it has been widely discussed among credit unions and the board of directors of every State credit union league that has met in recent months has endorsed H.R. 2. The Co-op League and the Consumer Federation of America also have endorsed the legislation.

The more than 12,000 Federal credit unions in this country have rendered a great service and it is fitting that they should be given a regulatory agency that is not stashed away in a corner of our Government as the Bureau of Federal Credit Unions is at present.

As I have said so often, this bill is not designed to criticize the Bureau of Federal Credit Unions but, rather, to reward it for an outstanding job and to upgrade the Bureau to a position where it rightfully belongs.

Mr. Speaker, because of the widespread support for H.R. 2, I urge my colleagues throughout this body to introduce companion legislation, and, with unanimous consent, I place a copy of this bill with the names of its sponsors at this point in my remarks:

H.R. 8445

(Mr. Patman (for himself and Mr. Barrett, Mrs. Sullivan, Messrs. Reuss, Ashley, Moorhead, Stephens, St Germain, Gonzalez, Minish, Hanna, Gettys, Annunzio, Rees, Galifianakis, Bevill, Griffin, Hanley, Brasco, Chappell, Widnall, Mrs. Dwyer, and Messrs. Halpern, and Cowger) introduced the following bill:)

A bill to amend the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Section 2 of the Federal Credit Union Act (12 U.S.C. 1752) is amended by striking out paragraphs (2) and (3) thereof and inserting:

"(2) the term 'Administrator' means the Administrator of the National Credit Union Administration;

"(3) the term 'Administration' means the National Credit Union Administration; and

"(4) the term 'Board' means the National Credit Union Board of Governors."

SEC. 2. The Federal Credit Union Act is further amended (1) by changing "Director" to read "Administrator" each place it appears therein; (2) by changing "Bureau of Federal Credit Unions" to read "National Credit Union Administration" each place it appears therein; and, (3) by changing "Bureau", each remaining place it appears, to read "Administration".

SEC. 3. Section 3 of the Federal Credit Union Act (12 U.S.C. 175a) is amended to read:

"CREATION OF ADMINISTRATION

"SEC. 3. (a) There is hereby established in the executive branch of the Government an independent agency to be known as the National Credit Union Administration (hereinafter referred to as the 'Administration'). The Administration shall consist of a National Credit Union Board of Governors (hereinafter referred to as the 'Board'), and an Administrator.

"(b) The Board shall consist of nine members to be appointed by the President, by and with the advice and consent of the Senate. In selecting the members of the Board, the President shall designate a Chairman and a Vice Chairman who shall serve as representatives at large. In making his selection of the remaining members, one from each of the seven Federal credit union regions, the President shall receive and give special consideration to the nominations submitted by credit union organizations which are representative of a majority of the credit unions located in the region for which a Board member is to be appointed. The persons so appointed as members of the Board shall be selected on the basis of established records of distinguished service in the credit union movement.

"(c) The term of office of each member of the Board shall be six years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and (2) the terms of office of the members first taking office after the date of enactment of this Act shall expire, as designated by the President at the time of appointment, three at the end of two years; three at the end of four years; and three, including the Chairman and Vice Chairman, at the end of six years. Terms of office shall be on a calendar year basis. No member shall serve more than two full consecutive terms of office.

"(d) The President shall call the first meeting of the Board, and thereafter the Board shall meet on a quarterly basis, and at such other times as the Chairman or the Administrator may request, or whenever one-third of the members so request. The Board shall adopt such rules as it may see fit for the transaction of its business and shall keep permanent and complete records and minutes of its acts and proceedings. A majority of the voting members of the Board shall constitute a quorum. The Board shall advise, consult with, and give guidance to the Administrator on matters of policy relating to the activities and functions of the Administration under this Act. The Board shall render an annual report to the President for submission to the Congress, summarizing the activities of the Administration and making such recommendations as it may deem appropriate. Each report shall propose such legislative enactments and other actions as, in the judgment of the Board, are necessary and appropriate to carry out its recommendations. The members of the Board shall be entitled to receive compensation at the rate of $75 for each day engaged in the business of the Administration pursuant to authorization by the Chairman, and shall be allowed travel expenses including per diem in lieu of subsistence as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

"(e) There shall be an Administrator of the National Credit Union Administration who shall be appointed by the President, by and with the advice and consent of the Senate. The Board may make recommendations to the President with respect to the appointment of the Administrator. He shall be the chief executive officer of the Administration which shall be a full time position in the executive department at level IV of the Executive Schedule (5 U.S.C. 5315). The Administrator shall serve at the pleasure of the President."

SEC. 4. (a) All functions, property, records, and personnel of the Bureau of Federal Credit Unions are transferred to the National Credit Union Administration created by this Act.

(b) The Director of the Bureau of Federal Credit Unions in office on the date of enactment of this Act shall serve as acting Administrator of the National Credit Union Administration pending the appointment of an Administrator in accordance with section 3 of the Federal Credit Union Act as amended by this Act.

OPPRESSION IN UKRAINE

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, while some affluent Americans scoff at any Communist menace, and others use their freedom to urge coexistence with Communist tyranny, the subjugated people of the Ukraine cry out to warn us of the impending danger to free men the world over.

Ukrainians are terrorized by the Soviets as they struggle for their day of liberation.

The Ukrainians have never been a warlike people. No one should fear their having self-determination—yet, the Russians do because they have never been able to destroy the Ukrainian's goal of freedom, his belief in God, nor his pride in his culture.

In II Corinthians, 6: 9, we read:

> We are as unknown, and yet well known; as dying, and behold we live; as chastened, and not killed.

The ABN—Bulletin of the Antibolshevik Bloc of Nations—for March 1968, carried several messages directed to us, the free men of the West. I include the following passage, including the list of the martyred political prisoners who aspired to the day of a free self-governing Ukraine:

ABN CONDEMNS COEXISTENCE WITH TYRANNIES

The present world political situation is characterised by moral weakness on the part of the Free World in relation to world Communism and Russian imperialism.

The major political circles of the Free World consider Communism and Russian imperialism from the view-point of the dangerous illusions they hold. Although the Russian Bolshevist dictatorship celebrated the 50th anniversary of its existence last year, the leading politicians in the Free World are still not able to grasp its essence and to contemplate it realistically.

In particular the connexion between Russian Bolshevist party interests with those of Russian nationalism and imperialism, the forcible nature of the Russian empire and the resistance of the subjugated nations to the Communist dictatorship and Russian domination are important facts which the leading political circles in the Free World do not want to see. They are all the less ready to draw the practical consequences from them in their own interests!

A policy, however, which is built on illusions and ignorance of facts can only lead to failure and catastrophe. The last 50 years of Russian Bolshevist dictatorship and the present world political situation are a sorry confirmation of this realisation.

Soviet Russia rules and exploits the overwhelming majority of Europe and a large part of Asia as well. The Russian Bolshevist empire (the Soviet Union with the so-called satellite countries), which has come into existence and is kept together only by brutal force, is the largest colonial power in the world. This colonial empire is so strong that it threatens the freedom of the whole world.

The Soviet Russian rulers in their efforts to expand can draw on the support not only of the economic potential of the subjugated nations and countries, but in most cases also can count on the help of other Communist dictatorships.

Even if at the moment various examples of tensions and quarrels between the Russian and Chinese Communists—mainly on account of imperial antagonism—exist, Red China is in many respects in conformity with Soviet Russia against the Free World. The Chinese Communist rulers often give instinctive help to the Soviet Russian party and state, to whom they owe their seizure of power on the Chinese mainland.

Even in the present rivalry between Moscow and Peking for the leadership of the Communist world movement, most Communist parties in the world are moreover orientated towards Moscow, from where they receive their directives.

The Communist parties directed from Moscow are the fifth column of Russian imperialism. Through them Soviet Russia has the chance to interfere constantly in the domestic affairs of other states and to influence their policies. The most important tasks of these parties are: to strive to bring about a trend in foreign policy friendly to the Soviet Union, to promote social tension, to disturb the economy, to destroy the traditional moral and social order, to propagate Russian Bolshevist ideology and constantly to provoke unrest, so that the conditions necessary for a take over of power by the Communists are created. Even if they do not reach these goals, they perform the cause of Russian imperialism a valuable service.

Soviet Russia is in constant attack against the Free World. Everywhere it is causing unrest, everywhere exploiting political and social tension. Although it is always invoking the principle of non-intervention, it intervenes everywhere, complicates the position, and diverts the attention of world public opinion onto minor questions.

The Russian Bolshevist dictatorship promotes, together with other Communist dictatorships, Communist subversive actions and guerilla warfare in the countries of Latin America, provokes race-riots in the USA through its agents, as well as demonstrations against the USA in various Western European countries. In Asia and Africa it agitates against the former colonial powers, although it is itself the greatest colonial power in the world.

Leading politicians and public writers, political experts and commentators in the Free World are inclined to regard all these phenomena as internal affairs of the countries concerned and thus to ignore the Russian Bolshevist initiative in them! Nothing which might disturb the illusion of 'peaceful coexistence' with the Russian Bolshevist imperialists, aggressors and mass-murderers, does this circle want to become aware of nor does it want to allow public opinion to become aware of! Otherwise they would have to admit the unreality of their own 'realistic' policy and uncover their lack of ability, if not their dishonesty, and leave the stage. And this they do not want to do.

The Russian Bolshevist 'coexistence' swindle has become an axiom of world politics! It is completely clear that a swindle can only serve those who thought it up and not those who believe it to be true. A swindle can only profit those who employ it systematically and not those against whom it is employed.

Authoritative political circles in the Free World have already sunk so low that they not only recognise and respect all previous conquests of Soviet Russia in silence, that they not only leave every initiative in world politics to Moscow, but they also view the Soviet Russian colonial empire as it is described in Russia's lying propaganda!

The Russian Bolshevist dictatorship could be satisfied with its conquests up to now and with its foreign policy. Unfortunately it is not. It is constantly striving to conquer more and more new countries, to rule over more and more new nations, to extend its influence over more and more new areas. Even the assumption, that the Russian Bolshevist rulers would at least refrain from a 'hot' war, in consideration of their 'coexistence' propaganda, has shown itself to be an illusion.

Soviet Russia has for years been waging an aggressive war against the Free World, without bearing the international responsibility for it and thus the risk connected with it! The native Communists in Vietnam would not have been by themselves without the help of the Soviet Russian empire in a position to fight against the military strength of the USA. They are supported, not as one might expect from the geographical position by Red China, but above all by Soviet Russia. But the USA does not consider it necessary to break off diplomatic relations with Moscow, although it is fighting a war against them in Vietnam!

The role too of Soviet Russia in the present Near East crisis should be no secret to any politically clear-thinking person. Moscow is stirring the Arabs up against Israel, is delivering them arms and promising them help in case of war. But when at last it came to a war between the Arab states and Israel, Moscow limited itself to only diplomatic and propaganda help. This did not allow Russia to avoid Arab defeat, but nevertheless Russia was able to increase its influence in some Arab states considerably.

The Russian Bolshevist rulers succeeded in doing what the Russian Tsars had failed in: penetrating with the Russian navy into the Mediterranean and drawing wide areas of the Near East into the Russian sphere of influence. The consequences of this development are still unforeseeable.

Soviet Russia continues its policy of expansion without a break. In comparison the Free World limits itself at the most to defence measures. Their leading political representatives are anxious to appease the Russian Bolshevist oligarchs with further concessions, to 'assure peace'!

Soviet Russia is at the moment striving, through an international atomic nonproliferation treaty—despite the principles of sovereignty and equality of nations and states—to create for itself a privileged position in the world! Only the Russian Bolshevist empire and the USA may have thermonuclear weapons—in accordance with the wishes of the Soviet Russian rulers. They are also demanding the privilege of inspecting the atomic industries of other countries. Such a right to inspection would give them the chance to carry on economic espionage through their agents in countries outside their own sphere of power, and to hinder the development of local nuclear industries.

The Russian Bolshevist rulers are already appearing as impudent as if they alone, together with the representatives of the USA, were entitled to force their will on all nations and states in the world, and to make decisions on the fate of the whole world!

Naturally they are prepared to recognise the USA as their partner in world politics, but only as long as they cannot realise their own plans for world conquest.

Only cooperation between the nations of the Free World and the nations subjugated by Soviet Russia and Communism can save the world from the danger of a Russian Bolshevist aggression for all time.

The danger of Russian Bolshevist aggression will always exist as long as the Russian Bolshevist colonial empire exists. This empire can, if an atomic war is to be avoided, only be destroyed with the help of the peoples subjugated and exploited there.

The constant resistance of the subjugated nations against the foreign rule of the Russian Communist dictatorship and colonial exploitation is a reality in world politics. Some nations have only this circumstance to thank for the fact that they are still free. The resistance of the subjugated nations hinders the expansion of Soviet Russia and forces the Bolshevist rulers to make concessions in their sphere of power.

The Free World must make no further concessions to the Russian Bolshevist rulers and their vassals, above all in its own interests it must not recognise that conquests, render them neither political, diplomatic, economic nor any other help and refuse any form of cooperation with them. In addition the governments of the Free World should declare their solidarity with the efforts of the subjugated nations and support politically their efforts in their fight for the re-establishment of the freedom and the independence of their national states. In this governments of the Free World could invoke the principles and resolutions of the United Nations, also recognised by Russia, and demand their observance.

The revolutionary resistance of the nations subjugated by Russian imperialism and Communism shows the nations of the Free World the way towards the rescue of freedom and the assurance of progress.

Central Committee, Anti-Bolshevik
Bloc of Nations.

Ukrainian Prisoners of Conscience in U.S.S.R.

The following are brief data on a number of Ukrainian political prisoners presently incarcerated in the Soviet Union. This information is based on letters and documents smuggled out of the U.S.S.R. recently, above all on a manuscript collection of various materials about the prisoners, compiled by a Ukrainian journalist, Viacheslav Chornovil, himself arrested as a result and sentenced to 3 years hard labour in November 1967. His White Book has recently been published in Ukrainian under the title "Lykho z rozumu" ("Woe from Wit").

All the prisoners were condemned on the grounds of Article 62 of the Criminal Code of the Ukrainian SSR which states:

"Any agitation or propaganda with the intent to undermine or subvert the Soviet regime, participation in certain specific and particularly dangerous crimes against the State, dissemination with the same intent of slanderous inventions against the Soviet State and its social system, as well as distribution, preparation or possession with the above aim of literature with such content are punishable by the deprivation of freedom for terms from six months to seven years or banishment for terms from two to five years. The above actions, if committed by persons previously convicted for serious crimes against the State or for crimes committed in time of war, are punishable by imprisonment for terms from three to ten years."

Some of these prisoners have been mentioned in the Western press. Most of them are students, writers, lecturers and Ukrainian cultural leaders, who have been tried by the regime for "anti-Soviet activities", such as the reading and distribution of books and magazines published in the Western countries, the addresses of the late Pope John XXIII, former President Dwight D. Eisenhower at the unveiling of the Taras Schevchenko monument in Washington in 1964, and demanding recognition of Ukrainian language and culture in Ukraine, true equality for the Ukrainian nation in international relations, real sovereignty and independence of Ukraine.

I. RECENT UKRAINIAN PRISONERS OF CONSCIENCE IN U.S.S.R.

Viacheslav M. Chornovil: Born in the village of Yerky in Cherkasy region, Ukraine, on December 24, 1937, journalist, literary critic and associate of the Ukrainian Academy of Sciences. In 1960 he graduated with honours from the University of Kyiv with a degree in journalism. He is the author of many articles and scientific works. He also wrote two major books concerned with the imprisonment of fellow writers in Ukraine: "Recidivism of Terrorism or Justice" and "Woe from Wit" ("Lykho z rozumu"). The latter book was smuggled out of Ukraine and published by the "La Parole Ukrainienne" Publishing House in Paris. Having refused to act as a witness for the state at the closed trials of fellow writers, he defended them by writing letters and tracts on their behalf to the Soviet government. On August 3rd, 1967, the Secret Police made a search of Chornovil's apartment taking away several old books, personal letters and notes. On August 5th, he was arrested by KGB and has since been kept in isolation. In late November, 1967, V. Chornovil was sentenced at a closed trial to 3 years of hard labour.

Viacheslav Chornovil is married and has a three year old son, Taras. His wife, Olena, practises medicine.

II. UKRAINIAN PRISONERS OF CONSCIENCE CONDEMNED IN 1966

1. Yaroslav B. Hevrych: Born in the village of Ostapye, Ternopol region, Ukraine, on November 28, 1937, student at Kyiv Medical Institute. He was arrested in August 1965, tried and sentenced on March 11, 1966, at a closed trial in Kyiv, to 5 years of hard labour for "anti-Soviet nationalistic propaganda and agitation". His sentence was reduced to 3 years after he appealed to the Supreme Court of the Ukrainian SSR. He is presently serving his sentence in Camp 17-a, in Yavas, Mordovian ASSR, USSR.

2. Ivan A. Hel: Born in the village of Klitsko, Lviv region, Ukraine, locksmith and a student at the Evening School of the University of Lviv. He is married and has a 4 year old daughter. He was arrested on August 24, 1965, and sentenced at a closed trial on March 25, 1966, in Lviv, to 3 years of hard labour for "anti-Soviet agitation and propaganda". He is presently serving his sentence in Camp 11, in Yavas, Mordovian ASSR, USSR.

3. Bohdan M. Horyn': Born in the village of Kniseli, Lviv region, Ukraine, on February 10, 1936, literary and art critic. In 1959, he graduated in Philology from the University of Lviv. He worked as a research associate of the Lviv Museum of Ukrainian Art and wrote many articles on art and literature. He was arrested on August 26, 1965, and sentenced on April 18, 1966, at a closed trial in Lviv, to 4 years of hard labour for "anti-Soviet propaganda". He is presently serving his sentence in Camp 11, in Yavas, Mordovian ASSR, USSR, where he contracted an illness of the eyes threatening the loss of his sight.

4. Mykhailo M. Horyn': Born in the village of Kniseli, Lviv region, Ukraine, on June 20, 1930, psychologist, brother of Bohdan Horyn'. He graduated from the University of Lviv and worked as a psychologist in a laboratory of industrial psychology. He is the author of many works on psychology and literature and a participant in professional conferences. He is married and has a three year old daughter. He was arrested on August 26, 1965, and sentenced on April 18, 1966, at a closed trial in Lviv, to six years of hard

labour for "anti-Soviet propaganda and agitation". He is presently serving his sentence in Camp 1 and 11, in Yavas, Mordovian ASSR, USSR. In December, 1966, he was imprisoned in the camp jail for "writing and distributing anti-Soviet literature and speeches", and in 1967 all visiting privileges were denied him.

5. Dmytro P. Ivashchenko: Member of the Writters's Union of Ukraine, lecturer of Ukrainian literature, candidate of philological science. He worked as a lecturer of Ukrainian literature at the Lutsk Pedagogic Institute (Volynia, West Ukraine). He is married and has several children. He was arrested in August 1965, and sentenced in January 1966, by Volynia Region Court to 2 years of hard labour for "anti-Soviet nationalistic propaganda and agitation". He is presently serving his sentence in Camp 11, in Yavas, Mordovian ASSR, USSR, where he is suffering from rheumatism.

6. Sviatoslav J. Karavanskyi: Born in Odessa, Ukraine, on December 24, 1920, poet, linguist, journalist and translator. During World War II, he served in the Red Army. After his unit was encircled and routed by the Germans he escaped to Odessa. There he cooperated illegally with the Organisation of Ukrainian Nationalists and was persecuted by the Rumanian security police. After the recapture of Odessa by the Soviet Russian army he was arrested and tried on February 7, 1944, by a Soviet military court and sentenced to 25 years of hard labour for "connections with the Ukrainian underground." Upon being freed from the Soviet concentration camp in December 1960, he returned to Odessa where he worked on translation of various books from English into Ukrainian. He translated the well-known novel "Jane Eyre" by Charlotte Bronte. On March 4, 1965, Karavanskyi's apartment was searched. He protested against this invasion of privacy and also against the various arrests of fellow writers. He presented a memorandum to the Polish and Czecho-Slovak Consuls in Kyiv in which he protested against the Soviet nationality policy in Ukraine and arrests of Ukrainian intellectuals. On November 13, 1965, Karavanskyi was re-arrested in Odessa and sentenced by the Prosecutor-General of the USSR, M. Rudenko, without any trial, to 8 years and 7 months of hard labour, that is to serve the rest of the previous 25 year sentence. He was incarcerated, on two occasions, in solitary confinement for periods up to ten days, for writing letters from the concentration camp to various Soviet authorities protesting against his arrest and imprisonment without trial. On October 8, 1966, he was imprisoned in the camp jail for a period of 6 months. During his imprisonment, Karavanskyi went on hunger strike 5 times, each time up to 10 days duration. In 1967, all visiting privileges were denied him. He is presently serving his sentence in Camp 11, in Yavas, Mordovian ASSR, USSR.

7. Eugenia F. Kuznetsova: Born in Shostka, Sumy region, Ukraine, on November 28, 1913, chemist. She was a research worker in the chemical laboratory of the University of Kyiv. She was arrested on August 25, 1965, and sentenced on March 25, 1966, at a closed trial in Kyiv, to 4 years of hard labour for "anti-Soviet propaganda and agitation". She is married and has children. She is presently severely ill serving her sentence in Camp 6, in Yavas, Mordovian ASSR, USSR.

8. Olexander E. Martynenko: Born in Nova Horlivka, Donetsk region, Ukraine, engineer. He worked at Kyiv Geological Institute. He was arrested on August 28, 1965, and sentenced on March 25, 1966, at a closed trial in Kyiv, to 3 years of hard labour for "anti-Soviet propaganda". He is presently serving his sentence in Camp 11, in Yavas, Mordovian ASSR, USSR.

9. Mykhailo S. Masiutko: Born in Chaplyntsi, Kherson region, Ukraine, on November 18, 1918, poet, literary critic, teacher. In 1937, at the age of nineteen, he was arrested and sentenced to 5 years of hard labour for "counter-revolutionary activities". In 1940, he was released and vindicated. He served in the Soviet Army during World War II and was awarded a medal. He is married and had to support his 73 year old mother. He was arrested on September 4, 1965, in Feodosia, Crimea, Ukraine, and sentenced on March 23, 1966, at a closed trial in Lviv, to 6 years of hard labour for "anti-Soviet propaganda". In camp he has been severely ill and operated. Forced to work immediately after the operation, his sutures came apart. In December 1966, Masiutko was put into the camp jail for a period of 6 months for "writing and distributing anti-Soviet articles" in the camp. He is presently serving his sentence in Camp 11, in Yavas, Mordovian ASSR, USSR.

10. Valentyn Y. Moroz: Born in Kholoniv, Volynia region, Ukraine, on April 15, 1936, historian. He was a lecturer of modern history at Ivano-Frankivsk (Stanyslaviv) Pedagogic Institute (West Ukraine). He is married and has a 5 year old son. He was arrested in August 1965, and sentenced in January, 1966, in the Volynia Region Court, to 5 years of hard labour for "anti-Soviet propaganda". He is presently serving his sentence in Camp 11, in Yavas, Mordovian ASSR, USSR. In December 1966, he was put into the camp jail for a period of six months.

11. Mykhailo D. Ozernyi: Born in Verkhnie Synievydne (Synevids'ko Vyzhnie), Lviv region, Ukraine, in 1929, teacher, translator. He was teacher of German language and Ukrainian language and literature in Ripyansk, Ivano-Frankivsk region. He is married and has two small children. He was arrested in August 1965, and sentenced on February 7, 1966, in Ivano-Frankivsk, to 6 years of hard labour for "anti-Soviet propaganda". His sentence was reduced to 3 years by the Supreme Court of the Ukrainian SSR. He was serving his sentence in the early part of 1967 in Camp 11, in Yavas, Mordovian ASSR, USSR. At present his whereabouts are unknown.

12. Mykhailo H. Osadchyi: Born in Kurmany, Sumy region, Ukraine, on March 22, 1936, journalist, poet, literary critic, lecturer and translator. He was a member of the Communist Party since January 1962, also a member of the Journalists' Union of Ukraine. He worked as Associate Professor in Journalism at the University of Lviv and was an editor of the University paper. He is married and has one son. He was arrested on August 28, 1965, and sentenced on April 18, 1966, at a closed trial in Lviv, to 2 years of hard labour for "anti-Soviet agitation". A collection of M. Osadchyi's poetry entitled "Moon Fields" was published in 1965, but was confiscated and destroyed by the KGB. M. Osadchyi is presently serving his sentence in Camp 11, in Yavas, Mordovian ASSR, USSR. In camp, authorities removed a collection of poetry that he was translating into Ukrainian—poems of Garcia Lorca and Baltic poets.

13. Anatol O. Shevchuk: Born in Zhytomyr, Ukraine, on February 6, 1937, writer. He worked as a linotypist in Zyhtomyr. He is married and has a 6 year old daughter. He suffers from a heart ailment and acute rheumatism. He was arrested on May 23, 1966, and sentenced on September 7, 1966, at a closed trial, to 5 years of hard labour for "anti-Soviet propaganda and agitation". He is presently serving his sentence in Camp 11, in Yavas, Mordovian ASSR, USSR.

14. Opanas E. Zalyvakha: Born in Husyntsi, Kharkiv region, Ukraine, on November 26, 1925, artist. In 1960, he graduated from Leningrad Art Institute. He was arrested in August 1965, in Ivano-Frankivsk and sentenced in March 1966, at a closed trial, to 5 years of hard labour for "anti-Soviet propaganda and agitation". He is presently serving his sentence in Camp 11, in Yavas, Mordovian ASSR, USSR. The camp authorities have confiscated his paints and have refused him the right to paint in his free time.

III. UKRAINIAN POLITICAL PRISONERS SENTENCED DURING 1944–63

1. Kateryna Zarytska: Born in 1914, wife of M. Soroka. An organiser and worker of the Ukrainian Red Cross during World War II. She was sentenced in 1947 to 25 years of imprisonment. Presently she is detained in the Vladimir prison (east of Moscow).

2. Odarka Husiak: Born in 1924, arrested in 1950 for membership in the Organisation of Ukrainian Nationalists (acting as courier). She was sentenced in 1950 to 25 years of imprisonment. Presently she is detained in the Vladimir prison.

3. Halyna Didyk: Born in 1912. An organiser and worker of the Ukrainian Red Cross during World War II. She was sentenced in 1950 to 25 years of imprisonment. She is presently serving her sentence in the Vladimir prison.

4. Dr. Volodymyr Horbovyi: A Ukrainian lawyer, citizen of Czechoslovakia, was sentenced in 1947 without a trial of any kind and imprisoned merely on "special order" of the Soviet Russian secret police. The main accusation levelled against Dr. Horbovyi was his activity as a defence lawyer prior to World War II in former Poland. He defended before Polish courts Ukrainian nationalist leaders, Stepan Bandera, Yaroslav Stetsko, and others.

A few years ago, while in No. 5 concentration camp, in Lepley, Mordovian ASSR, Dr. Horbovyi wrote a letter to Khrushchev, pointing out that the USSR is violating UN Declaration on Human Rights in imprisoning him without a trial. Dr. Horbovyi also censured the USSR's breach of the United Nations Charter and of other international standards. He defended the rights of Ukrainian political prisoners in Soviet concentration camps. However, he received no answer either from Khrushchev or his successors, Brezhnev and Kosygin. The KGB sent him several times to Kyiv and Moscow to be interrogated by KGB chiefs. There he was promised his freedom and life in comfort if he would renounce his Ukrainian patriotic views, but he preferred imprisonment in honour. The KGB went even so far as to compel his wife to publish a letter denouncing her husband and the ideas he stood for. Dr. Horbovyi is serving now his 20th year of incarceration and hard labour in the camps of the Dubravno Camp Administration in the Mordovian ASSR.

5. Yuriy Shukhevych: Son of Lieut.-General Taras Chuprynka (nom-de-guerre of Roman Shukhevych), Commander-in-Chief of the Ukrainian Insurgent Army (UPA) which fought both against Nazi Germany and Soviet Russia during the last war, and carried on a guerilla warfare against the renewed occupation of Ukraine by Communist Russia for several years after the World War II ended. Yuriy Shukhevych was born in 1933, arrested in 1948, at the age of 15, and sentenced to 10 years of impisonment for "connections with Ukrainian underground". In the spring of 1956, he was released. In the autumn of the same year Y. Shukhevych was again arrested and at the request of the Prosecutor General of the USSR M. Rudenko, he was sentenced to 2 years in prison. On the day of release from prison in 1958, he was re-arrested for "anti-Soviet propaganda" in prison cells and sentenced to additional 10 years of hard labour. He is serving his sentence in the camps of the Dubravno Concentration Camps Administration in the Mordovian ASSR, USSR.

6. Mykhailo Soroka: He was arrested in 1940, and sentenced to 8 years in prison. After his release in 1949, Soroka returned to Lviv where he was arrested and exiled to Krasnoyarsk region in Siberia for the same "crime." Upon return to Lviv in 1951, he was vindicated for the 1940 sentence. In 1952, M.

Soroka was arrested again on grounds of belonging to subversive organizations which allegedly existed in the forced labour camps and again sentenced to 25 years of imprisonment. Altogether this Ukrainian patriot spent 7 years in Polish and 24 years in Soviet Russian prisons.

7. V. Duzhynskyi: An artist, sentenced in 1957, to 10 years for hanging the flag of the Ukrainian Zaporozhian Cossacks, who fought for Ukrainian independence in the XVI–XVIII century, in the Lviv theatre. He is presently serving his sentence in Dubravno system of camps in the Mordovian ASSR, USSR.

8. S. Virun: Presently serving his sentence in Dubravno camps, Mordovian ASSR, for organizing the Ukrainian Workers' and Peasants' Union in Lviv, which tried to formulate a programme for more political and social freedom for Ukraine within the framework of the Soviet Constitution. He was sentenced in 1961 to 11 years of hard labour. Born in 1932 in Lviv region, Communist Party propagandist.

9. L. Lukyanenko: Presently serving his sentence in Dubravno camps, Mordovian ASSR, for organizing the Ukrainian Workers' and Peasants' Union in Lviv. He was sentenced in 1961, to 15 years of hard labour. Born in 1927 in the village of Khrypivka, Chernihiv region, in Ukraine, graduate of the Faculty of Laws of Moscow University, Communist party propagandist, expelled from the CPSU in connection with this case.

10. Ivan O. Kandyba: Born in 1930, in the village of Stolno, Volodava district, Pidliashia region of West Ukraine, presently in Poland, graduate of the Faculty of Laws of the Lviv University, a lawyer. Sentenced in 1961, to 15 years of hard labour for attempting to organise the Ukrainian Worker's and Peasants' Union in Lviv, which tried to formulate a programme for more political and social freedom for Ukraine within the framework of the Soviet Constitution. Presently serving his sentence in Dubravno camps, Mordovian ASSR.

11. Oleksandr S. Libovych: Born in 1935 in Hlidno, Bereziv district, Lemky region (presently Poland), Ukrainian agriculturist, graduate of Lviv Agricultural Institute, sentenced in 1961 to 10 years of hard labour for organising the Ukrainian Workers' and Peasants' Union in Lviv. Present whereabouts unknown.

12. Vasyl S. Lutskiv: Born in 1935, in the village of Pavliv, Radekhiv district, Lviv region, Ukraine, manager of the village club of Pavliv. Sentenced in 1961 to 10 years hard labour for organising Ukrainian Workers' and Peasants' Union in Lviv. Present whereabouts unknown.

13. Yosyp Y. Borovnyskyi: Born in 1932, in Sianik (Sanok), Lemky region (presently in Poland), graduate of the Faculty of Laws of the University of Lviv, member of the CPSU (expelled from the Party in connection with this case), prosecution investigator in Peremyshliany district, Lviv region, Ukraine. Sentenced in 1961 to 10 (later reduced to 7) years of hard labour for participation in the Ukrainian Workers' and Peasants' Union which had as its final aim the achievement of Ukrainian independence by legal means. Presently incarcerated in Mordovian ASSR forced labour camps.

14. Ivan Z. Kipysh: Born in 1923, in the village of Hludno, Bereziv district, Lemky region (at present in Poland), Ukrainian, militiaman from Lviv. Sentenced in 1961 to 10 (later reduced to 7) years of hard labour for participation in Ukrainian Workers' and Peasants' Union. Presently serving his sentence in Mordovian camps.

15. Bohdan Harmatiuk: Born in 1939, construction engineer. Sentenced in March 1959 to 10 years of imprisonment for participation in the "United Party for Liberation of Ukraine" in Stanyslaviv, West Ukraine. Presently Mordovian camps.

16. Yarema S. Tkachuk: Born in 1933, turner. Case as above.

17. Bohdan I. Tymkiv: born in 1935, student of Lviv Forestry Institute. Case as above.

18. Myron Ploshchak: Born in 1932, worker. Case as above.

19. Ivan V. Strutynskyi: Born in 1937, secondary education, conductor of a factory's amateur chorus. Case as above. Recently released.

20. Mykola Yurchyk: Born in 1933, worker. sentenced in March 1959 to 7 years hard labour in the same case as the above prisoners. Recently released.

21. Ivan Konevych: Born in 1930, worker. Case as above. Recently released.

22. Ivan Teodorovych Koval: Young worker from Lviv. Sentenced in December 1961 to be shot for the formation of the organisation under the name of "Ukrainian National Committee" (UNK), whose aim was independence of Ukraine. The sentence was carried out.

23. Bohdan Hrytsyna: Young worker from Lviv. Sentenced in December 1961 to be shot, together with I. Koval, in the case of the "Ukrainian National Committee". The sentence was carried out.

24. Volodymyr Hnot: Locksmith from Lviv. Sentenced to be shot in December 1961. The sentence was later commuted to 15 years of imprisonment. Presently serving his sentence in Mordovian camps (sentenced in the "Ukrainian National Committee" case).

25. Roman Hurynii: Born in 1939, worker at the secret factory in Lviv, P.O. Box 47, sentenced in December 1961 to be shot (the case of the "Ukrainian National Committee"). The sentence was commuted to 15 years of imprisonment. Presently serving his sentence in Mordovian camps.

26. Hryhoriy Zelymash: Collective farmer from Lviv region, sentenced in the "Ukrainian National Committee" case in 1961 to 15 years of imprisonment. At present in Mordovian camps.

27. Oleksiy Zelymash: Collective farmer, brother of Hryhoriy, sentenced in "Ukrainian National Committee" case in Lviv in 1961 to 12 years of imprisonment. At present in Mordovian camps.

28. Melykh: A philologist from Lviv, graduate of Lviv University, sentenced in the "Ukrainian National Committee" case to 15 years of imprisonment. Serving his sentence in Mordovian camps.

29. Vasyl Kindrat: Young boy, sentenced in 1961 in the "Ukrainian National Committee" case in Lviv to 13 years of imprisonment, after which he lost his mind.

30. Kyrylo: Sentenced to 12 years of imprisonment in 1961 in the "Ukrainian National Committee" case.

31. Mykola Mashtaler: Sentenced to 10 years of imprisonment in 1961 in the "Ukrainian National Committee" case.

32. Stepan Soroka: Worker, sentenced to 15 years of imprisonment in 1961 in the "Ukrainian National Committee" case.

33. Pokora: Worker, sentenced to 12 years of imprisonment in 1961 in the "Ukrainian National Committee" case.

34. Iovchyk: Sentenced to 15 years of imprisonment in the "Ukrainian National Committee" case in 1961.

35. Myn'ko: Sentenced to 10 years of imprisonment in 1961 in the "Ukrainian National Committee" case.

36. Tehyvets': Sentenced to 12 years of imprisonment in 1961 in the "Ukrainian National Committee" case.

37. Mykola, Melnychuk: Sentenced to 10 years of imprisonment in the "Ukrainian National Committee" case in 1961 in Lviv.

38. Khomiakevych: Sentenced to 12 years of imprisonment in the "Ukrainian National Committee" case in 1961.

39. Bohdan Skira: From Lviv region, serving his sentence in the Mordovian concentration camps. Details unknown.

40. Dmytro Verkholiak: Medical student. Imprisoned in Mordovian concentration camps.

41. V. Levkovych: Imprisoned in Mordovian concentration camps. Some time ago he was released but immediately afterwards arrested again on KGB request.

42. A. Hubych: Imprisoned in Mordovian concentration camps.

44. Y. Dolishnyi: Presently serving his sentence in Dubravno camps of the Mordovian ASSR. He was sentenced for demanding, together with other Ukrainian intellectuals from Karaganda, Kazakhstan, a Ukrainian school for their children. His colleagues were also sentenced along with him.

45. M. P. Lytsyk: Sentenced at a closed trial of Lviv region court on 12th April 1961, and presently serving sentence in the Mordovian camps.

46. O. V. Volodyniuk: Sentenced at a closed trial of Lviv region court on 12th April, 1961, and presently serving his sentence in the Mordovian camps.

47. Yu. Sachuk: Sentenced at a closed trial of Volynia region court in Lutsk on 10. 9. 1963, and presently serving his sentence in Mordovian camps.

(Note.—The above list is by far not comprehensive, as names of hundreds and thousands of other Ukrainian political prisoners are not known at present. Thus, the assertions of Soviet Russian leaders that "in the Soviet Union at present there are no facts of trials for political offences" (see Khrushchev's speech at the 21st Congress of the CPSU, Pravda 28. 1. 1959) do not correspond with the truth.)

Letters and parcels (up to 22 lbs. in weight) with food articles may be sent to the prisoners in the Mordovian camps from abroad at the following address: USSR, Moscow, p/ya. 5110/1 Zh Kh, (followed by the prisoner's name).

Recent Documentation: Frightened Moscow Attacks—Soviet Government's Protest Note Against Our Action

On November 16, 1967 the Assistant Minister of Foreign Affairs of the USSR, S. P. Kozyrev delivered a note with the following text to the Canadian Ambassador in Moscow R. A. D. Ford:

"On November 7th, the day on which the Soviet people celebrated the 50th anniversary of the Great October Socialist Revolution, a demonstration hostile to the Soviet Union was organised in front of the Embassy of the USSR in Ottawa. Its organisers were the members of the Bandera and other anti-Soviet groups, which cooperated with Hitler during World War II and today have found refuge in Canada".

Hundreds of young people, born in Canada after the end of World War II—according to the Government of the USSR—are collaborators of Hitler, since it was mostly young people who took part in the Ottawa demonstration.

"For this purpose, the chieftain of the Bandera movement and a war criminal, Y. Stetsko, had been imported from West Germany, who gave special instructions to the participants of the uproar".

As is well-known, Yaroslav Stetsko was an inmate of the Nazi concentration camps for many years.

"The provocation before the building of the Embassy of the USSR was staged at a time when a reception honoring the 50th anniversary of the October (Revolution) was held. The crowd of hooligans blocked the entrance to the embassy and scattered leaflets. The guests who were arriving for the reception were insulted and bottles of paint and other objects were thrown at them."

The note does not name any Western ambassadors who had been insulted or at whom bottles of ink, etc. had been thrown.

"The windows of the embassy were broken; the walls were bespattered and attempts made to set the building on fire".

The note does not give the number of the millions massacred by the Russians as the result of the October Revolution, or the seas of blood spilt by the Russian executioners of the victims of the Ukrainian and other subjugated peoples.

"The same day an anti-Soviet provocation was also organised in front of the General Consulate of the USSR in Montreal.

"The USSR Embassy in Canada had drawn the attention of the Canadian Government to the preparations for such provocations many times, and has insisted that appropriate measures be taken to prevent such uproars, which are not in keeping with normal diplomatic relations among states. The Soviet side has also warned the Government of Canada in this matter through the Canadian Ambassador in Moscow. However, the circumstances show that the Canadian authorities did not use any means they should have used to ensure the normal flow of business and immunity of the embassy which stem from the generally accepted norms of hospitality and are in the interests of the development of Soviet-Canadian relations. Furthermore, there is every reason to state that the preparation and holding of this provocation proceeded with the obvious connivance of Canadian official authorities. In fact, the organisers of the provocation had at their disposal not only the organs of the press but also Canadian radio and television which for several days gave wide publicity to the hooligan actions being prepared against the Soviet Embassy. As a matter of fact, even during the uproar the Canadian police remained inactive, citing 'the absence of directions'."

The Kremlin wrongly accuses the government of Canada of having some type of relation to the demonstration. This is a clear, typically Russian lie. Moscow would like to see a government of a free country, in which every freedom of the individual is guaranteed by law, using clubs or Chekist nagant revolvers to disperse the demonstrators.

The demonstrators' anger is clear to all civilized people, when the fact that, for the least expression of free thought, the creators of cultural values are suffering in Siberia or in lunatic asylums.

For the Chekist terrorists, objective information is loud publicity. On the other hand the Chekist murderers are silent about the fact that anti-Vietnam, pro-Communist hooligans in a contemptuous way insulted the Prime Minister of Canada himself in front of the Parliament and the Canadian police did not arrest them.

But why is "the greatest power on earth" complaining so much? Is it because the idea of freedom is breaking up the prison of nations and is spreading throughout the world? This is where the reason for their fear is to be found.

The note further states: "The Soviet Government lodges a firm protest with the Government of Canada in relation to the said hostile and provocative actions against the USSR Embassy in Ottawa and the General Consulate of the USSR in Montreal. The responsibility for the material and political consequences of these actions rests fully with the Canadian Government, which cannot be evaluated in a way other than the failure of the Canadian party in its obligations, which are called for by the Vienna Convention on diplomatic relations.

"Taking into consideration the regrets on this occasion expressed by the Foreign Affairs Minister in his letter of November 8, 1967 to the USSR Ambassador, the Soviet Government feels, nevertheless, that the Minister's letter on this question is unsatisfactory, because it essentially makes an attempt to remove the blame from the Canadian authorities for the provocations organised against the Soviet Embassy."

The Chekists cannot understand that in a free, democratic country the government neither organises nor calls to a demonstration, but a free citizen, making use of his democratic rights, does it on his own initiative. And there is no democratic country where the government prohibits a citizen to do so. The Chekists have "forgotten" how many anti-Vietnam demonstrations against President Johnson they have initiated in the USA, but the government of the USA, as well as that of Canada is tolerating such demonstrations. But the Chekists were annoyed when among others young demonstrators pointed to their crimes. The young people were born or reared in Canada and they cannot be labelled Nazis or collaborators of Hitler.

The Chekist note continues: "The Soviet side demands severe punishment for the instigators and the participants of the anti-Soviet provocation and full compensation for material damages sustained by the Soviet Embassy. The Soviet Government awaits that the Canadian authorities will use the necessary means to create normal conditions for the activities of Soviet institutions in Canada".

We ask in earnest: How did the Chekist government answer to the proof of the Supreme Court of the Federal Republic of Germany that upon direct orders from Premier Khrushchov and Minister Shelepin the Head of OUN, Stepan Bandera and Prof. L. Rebet were murdered on the free German soil,—and to the third planned murder, that of Yaroslav Stetsko?

All this had been proved in court as well as by the U.S. Senate Judiciary Committee.

Why are the Chekists silent?! Why is the West silent?! Stepan Bandera also died for the freedom of the West. And the murder of Symon Petliura and Col. Evhen Konovalets?! All this has also been documented. Why is the West silent? The U.S. Judiciary Committee also included its own evidence. We are waiting to see what the Free World will present to the terrorists and murderers from Moscow!

SOMEONE HAS BEEN CAUGHT RED-HANDED

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HECHLER of West Virginia. Mr. Speaker, someone has been caught red-handed. The United Mine Workers Journal issue of March 1, 1969, contains an article which purportedly quotes statements that I allegedly made. These alleged quotations are a completely false and total fabrication.

The United Mine Workers Journal states that it obtained the quotations from a "friend with a long memory and a good filing system." I believe that this "friend" ought to have the guts to step forward and identify himself. If it is true that he works on Capitol Hill, I pity the office in which he works because that kind of memory and that kind of filing system would produce complete chaos within a congressional office. I doubt whether he has the intestinal fortitude to identify himself.

FALSE AND MALICIOUS FABRICATIONS

The United Mine Workers Journal article purports to quote from the April 1959 issue of Pageant magazine which included a story on "How To Get Elected to Congress." The Pageant magazine article does contain some quotes from me which are my "10 rules for campaigners," including such items as:

> Pay attention to the average person, be true to your own personality, be constructive and campaign cleanly, turn every attack on you into an asset—couple an immediate answer with your own constructive approach to the problem.

The United Mine Workers Journal states without qualification that what I said in April 1959 was:

> First you pop off to get attention, regardless of the merit of your ideas. Then you pose as the champion of the average man against the interests. . . . The truth of your statement or the merit of your argument has nothing to do with your response or your conduct.

In its desperate efforts to discredit me because of my fight for coal mine health and safety legislation, the United Mine Workers Journal has falsely fabricated ideas which I have never expressed, never entertained or ever dreamed of. The enormity of this deliberate attempt to defame my character is clearly apparent from the following text of the telegram which I have sent to W. A. Boyle.

Mr. Speaker, I ask unanimous consent to include this article from the United Mine Workers Journal, as well as the complete text of the April 1959 article from Pageant magazine—along with statements in the Congress by Senators John F. Kennedy, Hubert H. Humphrey, and Estes Kefauver—and also the text of a telegram which I have sent to Mr. W. A. Boyle, president of the United Mine Workers of America.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The material referred to follows:

TEXT OF TELEGRAM FROM REPRESENTATIVE HECHLER TO UMWA PRESIDENT BOYLE

MARCH 6, 1969.

W. A. BOYLE,
President, United Mine Workers of America, Washington, D.C.

Page 13 of the March 1, 1969, issue of the United Mine Workers Journal contains a false and malicious article signed by Rex Lauck and entitled "Ken Hechler's credo is Revealed." This article purports to quote what are alleged to be "Hechler's own ideas" as allegedly expressed in the April, 1959 issue of Pageant magazine. The United Mine Worker's Journal article concludes: "That explains much about how this man Hechler operates. Shades of Joe McCarthy!"

I trust that you are aware of the fact that the article in the United Mine Workers Journal is worded in such a fashion as to be designed to defame my character. Thousands of readers of the journal, including a large number in my Congressional District, are being fed these deliberately falsified statements which bear no resemblance whatsoever to anything I said in the Pageant article, or anything I have ever either said or thought before or since the appearance of that article.

Even if you should remove the direct quotation remarks and present this material as a paraphrase instead of an allegedly direct quote, the entire article in the journal is false, malicious and designed to defame my character.

I trust you do not condone the printing of such malicious misinformation by a man listed on the masthead of the journal as "assistant editor." I demand an immediate apology for this false quotation, attribution and characterization in the article, and the opportunity to present my views on health and safety legislation in a future issue of the journal as well as a reprint of the April, 1959, Pageant article.

The cause of health and safety legislation is far bigger than any personal differences which may have arisen between us. We cannot afford to continue to divide the forces supporting effective action to clean up the coal mines, protect the safety of thousands of coal miners and prevent the occurrence of black lung. We must seek out and welcome new recruits in this fight instead of condemning those who may not have carried the battle as long as others. Only through the aroused conscience of millions of Americans can effective legislation and sound administration be obtained. Over 40,000 coal miners in West Virginia alone are determined to obtain the protection they have failed to enjoy, and without which they will continue to suffer the risk of being burned, buried, crushed or gassed.

I appeal to you to declare a moratorium on these personal attacks and issue a call for all forces to join in a cooperative effort to win the fight still ahead of us.

Representative Ken Hechler.

[From the United Mine Workers Journal, Mar. 1, 1969]

Ken Hechler's "Credo" Is Revealed

(By Rex Lauck)

We found it hard to understand the reasoning behind Rep. Ken Hechler's sudden attacks on the *United Mine Workers* and its leadership until a friend with a long memory and a good filing system called our attention to an article in the defunct *Pageant* magazine.

In its April, 1959, issue the magazine described with Hechler's consent: *How To Get Elected To Congress.*

The following quoted sentences are Hechler's own ideas, not something somebody else said about him. He advised:

"First you pop off to get attention, regardless of the merit of your ideas.

"Then you pose as the champion of the average man against the 'interests.'

"Then after you are rebutted, no matter how strong the facts against you you reply at once as the single, 'lonely campaigner' seeking the sympathetic support traditionally given the underdog.

"The truth of your statement or the merit of your agrument has nothing to do with your response or your conduct.

"Finally, you adopt the imaginary 'we' as the shining knight defending the oppressed people against imaginary brutalities of the 'interests.' "

That explains much about how this man Hechler operates. Shades of Joe McCarthy!

[From the Congressional Record, Apr. 15, 1959]

How To Get Elected to Congress

Mr. Kennedy. Mr. President, in the April issue of Pageant magazine there appeared an article entitled "How To Get Elected to Congress." This is a story of a campaign by Ken Hechler which resulted in his election to Congress from West Virginia's Fourth District.

I was privileged to visit West Virginia during the campaign and, in a small way, to participate in it. I was impressed, as the author of the article was obviously impressed, with the vigor, the dedication, and the ability of the college professor who decided he wanted to take an active part in the political life of the country rather than merely teach others about it.

Ken Hechler proved it is no obstacle to start without widespread support and the handicap of only a brief residence in the community is not insuperable. He proved that strength of character and an interest in the people who make up the constituency are more persuasive than opposition jibes.

I commend this article to all persons interested in political science and I congratulate the voters of West Virginia upon their wisdom in electing Ken Hechler.

[From the Congressional Record, Mar. 24, 1959]

How To Get Elected to Congress

Mr. Humphrey. Mr. President, there were a good many highly interesting political campaigns last fall. One in particular was that of Ken Hechler, who was elected to Congress from West Virginia's Fourth District, Ken Hechler, in winning, had to overcome the distinct handicap of having lived in the State for little more than a year when he announced as a candidate in the Democratic primary against two native-born sons.

The story of Ken Hechler's campaign to victory appears in the April issue of Pageant magazine. It is fascinating reading and should give encouragement to others who have wanted to take an active role in politics.

Last Saturday it was my privilege to address the Democratic Women's Day program in Charleston, W. Va. I always enjoy visiting the Mountain State. It is truly a lovely part of our country, and its people are warm and generous. West Virginia can be proud of the men and women who have represented the State in the Congress throughout the years. They can take special pride in our colleagues, Senator Byrd and Senator Randolph, and of men in the House such as Representative Ken Hechler.

I ask unanimous consent, Mr. President, that the article from Pageant magazine entitled "How To Get Elected to Congress" be inserted at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

"HOW TO GET ELECTED TO CONGRESS

"(By Howard Cohn)

"There is a theory that college teachers are cloistered, impractical men. Like theatrical critics who write no plays and book reviewers who write no books, they are suspected of being head-in-the-clouds idealists who could never successfully practice what they preach.

"It is easy to visualize, then, the smiles that creased the faces of seasoned politicians in West Virginia early last spring when a lanky, effervescent political science professor named Ken Hechler, who had lived in the area only a year and had never run for office in his life, boldly declared himself a candidate for the Democratic nomination for Congress in the State's Fourth Congressional District.

"The skeptical smiles have since disappeared. For the professor is Representative Hechler now, as the result of what one veteran newsman called "the shrewdest personal electioneering I've seen in 23 years of campaign coverage."

Mr. Hechler went to Washington, where he is now starting his 2-year term, despite the absence of many of the qualifications practical politicians clutch closest to their hearts. He was a stranger in a section of the State where residents take deep pride in local ancestry. He was a plain-looking, bespectacled bachelor of 44 with no pretty wife or adoring children to parade before the television screens. He entered the primary against two native-born sons without the backing of any local politician and lacking the support of organized labor, which is a power in West Virginia Democratic circles.

"Opposing Hechler in the general election was a two-time Republican Congressman who was also a distinguished obstetrician. Dr. Will E. Neal had been bringing West Virginia babies into the world for more than 50 years. 'I delivered the voters,' the incumbent Representative would remind his campaign audiences. 'It is up to you to deliver the votes.'

"Because Hechler overcame all of these handicaps—and even managed to turn some into assets—it is safe to say that if he ever finds time to teach another class in political science, the front-row seats will be filled with hard-bitten politicians anxious to absorb knowledge from a person who proved that his theories about winning elections are as valid as their rules ever were.

"Ken Hechler—he never uses his baptismal name of Kenneth—says that the incredible idea of his running for Congress probably took root in the give and take of teacher-student discussions that have always featured his college classes.

"He had come in January 1957 to Marshall College in Huntington, W. Va., as a substitute for a political science professor who was taking a one-semester leave of absence. Hechler's arrival was greeted with interest because he already had a sturdy and rather picturesque reputation in academic circles.

"Born in Roslyn, N.Y., of parents who were and are staunch Republicans, Hechler received his bachelor's degree from Swarthmore College in 1935, and a master's the following year from Columbia University in New York. His master's thesis, titled "Will Roosevelt Be Re-elected?" is remembered at Columbia both for its great over-all length—350 typewritten pages—and the brevity of its final chapter, which contained the single word: 'Yes.'

"In 1937 Hechler became an instructor in political science at Columbia. A friendly, informal man, he made a practice—which he continued throughout his teaching career—of developing unusual stunts to enliven his subject matter. One of his most popular gimmicks was making phone calls to leading political figures which his classes could overhear by means of an amplifier hooked onto the telephone.

"While teaching at Columbia, the young instructor earned a Ph. D., making him Dr. Hechler, and went on to aid Judge Samuel Rosenman, Franklin Roosevelt's principal speech writer, in compling several long volumes of F.D.R.'s public papers and addresses. Hechler already had left the party of his parents to become a confirmed Democrat.

"Hechler entered the Army as a private at the outbreak of World War II, earned a commission in the tank forces, and eventually became a major and combat historian in the European Theater of Operations. After the war he taught at Princeton where, again, his classes were tremendously popular. There followed, in succesison, jobs as a researcher-writer on President Truman's White House staff, associate director of the American Political Science Association, and research director for Adlai Stevenson's 1956 Presidential campaign.

"It was with this varied and impressive scholarly background that Hechler accepted his temporary assignment at Marshall, a medium-sized, State-supported college in southwestern West Virginia. When surprised friends asked why, Hechler replied that he had wanted for a long time to savor life in a small community. In his White House job, he had prepared briefs on every area the President planned to visit. West Virginia, with its mountainous scenery and natural resources, had struck him as a State with an undeveloped, potentially great future.

"Hechler quickly became a student favorite at Marshall. Though Dr. Hechler in class, he was usually "Ken" outside.

" 'He was,' says a fellow faculty member, 'the type of professor students consider a regular guy. But while he may have won some of his popularity with gimmicks, once he served breakfast in class—he never forgot his role as a teacher. The students really worked for him.'

"Hechler's cardinal principle as a political science instructor was to try to make his students active participants in the processes of government, regardless of which party they supported. 'You are in politics whether you like it or not,' he'd say. 'If you sit it out on the sidelines, you are throwing your influence on the side of corruption, mismanagement, and the forces of evil.'

" 'But as I urged my students to become

active politically, my conscience started to bother me because I was not participating very directly myself.' HECHLER says, 'I liked Huntington and its people and had decided to settle in the city permanently. When a few students started suggesting—some laughingly and some seriously—that I should run for Congress, I brushed off the idea. Actually, though, I began to find the notion pretty appealing.

" 'I had been on the fringes of politics, except for the war interval, for almost 20 years without ever once experiencing the excitement that only a candidate for elective office can have. I felt I knew the congressional ropes because of my work in Washington, I had firm political ideas, and I frankly thought that I could be a valuable servant to the people of West Virginia if given the opportunity. Besides, I was intrigued by the possibility of seeing how well some of the theories I stressed as a teacher would work in a real campaign."

"But under the pressure of earning a living, these thoughts almost faded from HECHLER's mind in the autumn following the end of his teaching semester at Marshall. Settling down in Huntington as he had said he would, he served as a public affairs commentator on a local weekly television program. More important financially, he completed a book he had been writing about the dramatic crossing of the Ludendorf Bridge at Remagen, Germany, which gave Allied troops their first foothold on the east side of the Rhine in World War II.

" 'The Bridge at Remagen,' published late in 1957, was an immediate success. A movie option was taken on it and it was sold to network television. With money coming along in sizable amounts, HECHLER began thinking again about politics. West Virginia was slated to be an important State nationally in the 1958 elections. There were two Senate seats at stake, in addition to the State's six seats in the House of Representatives.

"HECHLER began suggesting to friends and local politicians that he might want to run for a House seat. They said the idea was crazy. Then, late in March 1958, with the primaries 4 months off and election day more than 7 months away, the Huntington Advertiser listed him as a possibility for the race.

"HECHLER reviewed the situation briefly. He had lived in West Virginia only 14 months. He was barely known outside Huntington. No one, except for a few students, had shown any interest in seeing him run.

"The day after the newspaper speculation appeared he gave the Advertiser a statement. 'I never sat on the fence on any issue in my life and don't intend to start now," he said. "Sure I plan to run for Congress. That is definite. I will file for the Democratic nomination in the August primary.'

"The Fourth Congressional District of West Virginia sprawls over 10 counties in the western part of the State and touches both the Ohio and Kentucky borders. It is a diversified region of heavy and light industrial plants and a large farm population. Huntington, with some 90,000 residents, is by far its largest city and generally favors the Democratic line, but the district as a whole usually has gone Republican.

"No sooner did he announce his intention to make the race than HECHLER proceeded to startle the district again by displaying the tireless energy of a professional basketball player. He was up every morning at dawn, rarely went to bed before midnight. In the long hours between, he toured every cranny of the 10 counties, ringing doorbells and stopping at stores, plants, on street corners to introduce himself to voters.

" 'Like everyone else,' says Robert Burford, Democratic chairman of Cabell County, where Huntington is located, 'I hadn't given KEN a chance for the nomination. Then one day in Charleston, I dropped in to chat with one of our candidates for State office. "Who in hell is this HECHLER?" he asked me. He went on to say that KEN had been dropping into creeks and hollows of his home county that no candidate for anything had bothered to visit in years. For the first time it dawned on me that he might win.'

"In some respects HECHLER was the prototype of the old-fashioned political campaigner. He toured the district in an attention-getting, red-and-white convertible covered with bold lettering announcing his name and candidacy. He had a campaign song to the tune of "Sugar in the Morning" that was as delightfully corny as campaign songs have been for generations. Sung usually by four Marshall coeds, it went in part:

"Put your 'X' on the ballot,
And if you do your part,
You'll have a darned good Congressman,
Who's for the young at heart."

"There was no sense of conformity, however, in other HECHLER maneuvers. 'I had always felt from my studies,' he says, 'that a candidate could win a good many more votes by stressing his own virtues than by leveling personal attacks on the opposition's character.'

"HECHLER not only refrained from attacking his opponents personally—he praised them. He described his two foes in the primary as 'good, fine Democrats.' In the general election HECHLER termed Republican Dr. Neal 'an honest man of conviction. I respect him for his principles, even if I may not always agree with what he stands for.'

"HECHLER also took pains to stress his virtues in unique ways. By passing out hundreds of free copies of his book, 'The Bridge at Remagen,' he emphasized that he was an author of note. He ran newspaper ads carrying letters of praise from Harry Truman and former members of the White House staff to indicate his familiarity with national affairs. He referred again and again to his primary campaign as 'the lonely battle' to point up the fact that he was running without any organized support, to win the sympathy he figured would be given an underdog. He produced character references showing that he had compiled a splendid war record and was an assiduous churchgoer.

"The college professor who had launched his campaign without a prayer of success won the Democratic primary by carrying 7 of the district's 10 counties.

" 'And you know what he did the next morning?' says one surprised Huntington politician. 'Why, he was standing outside a factory at 5 o'clock in the morning, thanking men who were reporting for work for voting for him and asking for support in the general election.'

"By winning the primary, HECHLER now had the backing of the regular Democratic organization and organized labor. He responded by forgetting his 'lonely battle' to go straight down the line for the entire Democratic ticket.

"Politically, HECHLER was a professed liberal Roosevelt-Truman Democrat who spoke frequently on the need to elect Democrats to cure 'the Republican recession.' And he still had a number of new tricks to unveil. He had campaign cards printed on the cheapest stock available. Printed under his name was the notation: 'The recession makes it tough to print a better card.'

"When campaign funds ran low, he bought 10-second television spots instead of the 5-minute shows Dr. Neal was putting on. 'We can't afford more television time,' HECHLER would tell audiences solemnly in the few seconds at his disposal, 'but I hope you'll vote for me anyhow.'

"The maneuvers brought appreciative smiles from the electorate. They also brought the kind of retaliation HECHLER expected and almost welcomed.

"Early digs that he was a Johnny-come-lately, suitcase politician became more strident. In contrast to HECHLER's courteous references to Dr. Neal, the Republicans made it a point to misspell his name at times as 'Heckler,' and one GOP campaign song ran in part:

"Visitor Hechler, we've been thinking,
What a State we'd really be,
If all the New York office seekers
Came to save us just like thee.'

"Replied HECHLER sweetly: "Isn't it wonderful that we live in a country where we are able to circulate such poems about our present and prospective public officials?'

"Late in October, a Republican woman member of the State legislature leveled the bitterest attack yet. Asserting in a statement 'that New York already has 43 Congressmen; why should we give them another one?' She charged that HECHLER had been sent to West Virginia by Americans for Democratic Action, the extreme left wing of the Democratic Party, to run for Congress.

"HECHLER answered with a paid newspaper advertisement. He was not, he said, a member of ADA, and no individual or group had sent him to the State to run for Congress or any other purpose. Moreover, he expressed deep regret that the lady, 'who was not herself born in West Virginia,' had seen fit 'to make statements which becloud the real issues.' He also managed to weave in the Biblical commandment: 'Thou shalt not bear false witness against thy neighbor.'

"HECHLER believes that his statement caused the attack against him to backfire into one of the most effective issues of his campaign.

"Undaunted, the Republican leadership saved their heaviest ammunition until 4 days before the election. Now it was the Governor himself, Republican Cecil Underwood, who called a press conference to cut HECHLER down to size.

"An investigation had shown, said the Governor, that campaign literature for HECHLER and copies of his book had been stuffed into surplus food packages the State distributed to the needy. Calling this 'the most despicable display of political chicanery I've ever seen,' the Governor said that 'anybody who would play on the hardship of our people for his own benefit isn't worthy of West Virginia citizenship.'

"HECHLER still feels badly about this particular attack. He thinks it was pretty rough politics of the sort that keeps too many capable people from seeking public office. But publicly, the would-be Congressman again treated observers to the value of the nice-guy, high-level reply.

"First of all, HECHLER disclaimed responsibility for putting campaign literature in food packages. Then he said that the Governor was a very fine gentleman who unfortunately had stooped to using words thrust in his hands by mud-slinging ghost writers. Finally, he brought out an autographed picture Underwood had given him before he entered the congressional race. 'To Dr. HECHLER,' read the inscription, 'with appreciation for intellectual leadership you are giving to West Virginia—Cecil H. Underwood, Governor.'

"HECHLER spent most of election night and morning sweating out the returns at the Democratic county headquarters in Huntington. For several hours the race seesawed, but around midnight HECHLER forged into the lead. The professor from New York who had launched his campaign with little more than his own ballot to count had received more than 60,000 votes and won by 3,500.

"After the election, HECHLER was back on the road again. Now the signs on his convertible had been changed to read: "DR. KEN HECHLER—Your Servant in Congress," and he was busy thanking voters and asking them about their problems. "He's the only successful candidate I know who spent as much time seeking out people after the election as he did during the campaign," says County Chairman Burford.

"Excluding money he would have earned if he had been working rather than campaigning, HECHLER figures the election cost him about $5,000–$6,500 for the primary in which he did not receive a single financial contribution, and another $1,500 in personal expenses for his battle against Dr. Neal.

"He considers that the money was well spent for what he terms 'the most exciting adventure of my life.' And now that he has won his seat in Congress, he says that the campaign taught him nothing that differed very greatly from what he had observed in his years as a political science professor.

"'Sure you need luck to win an election, and I had my share of it,' he says. 'But I believe more strongly than ever that, whatever the odds against him, a candidate has his best chance of winning by waging a clean campaign; by anticipating and taking advantage of attacks which are made by the opposition and by remaining honest to himself and his personality.'

"HECHLER says his goal now is to be an effective representative for the people of West Virginia's Fourth District. 'After what he showed us as a candidate,' says Burford, 'we're expecting he'll prove to be quite a Congressman.'

"Ken Hechler's 10 rules for campaigners

"1. Pay attention to the average person.

"2. Be true to your own personality.

"3. Be constructive and campaign cleanly.

"4. Turn every attack on you into an asset. Couple an immediate answer with your own constructive approach to the problem.

"5. Remember—your most effective workers are under 20 (they're enthusiastic) and over 60 (their word is respected).

"6. Avoid "strategy meetings" that cause dissension, waste time.

"7. Venture forth around the district every day. Don't be "deskbound."

"8. Don't tie your hands with job promises.

"9. Don't promise the moon to pressure groups.

"10. Be able to laugh at yourself and enjoy it."

Mr. KEFAUVER. Mr. President, I join with the distinguished Senator from Minnesota (Mr. Humphrey) in congratulating Representative KEN HECHLER and to commend the fine article about him published in Pageant magazine. It was most fitting that Mr. HECHLER be recognized in this fashion, because he represents what a real citizen should be in this country of ours. KEN HECHLER, before he was elected to Congress from West Virginia, gained widespread recognition as a stimulating and outstanding professor in the field of political science.

Throughout his teaching career, he used the vivid device of making phone calls to leading political figures which his classes could overhear by means of an amplifier hooked onto the telephone. This was an effective method of breathing life into issues of the day and bringing political leaders and students into close contact.

Time and again, he pounded home the basic lesson of good citizenship to his students in many classes:

"You are in politics, whether you like it or not. If you sit it out on the sidelines, you are throwing your influence on the side of corruption, mismanagement, and the forces of evil."

Then KEN HECHLER took his own advice and ran for office himself. His honest and forthright campaign won the respect of the voters in his district—and won him the seat he now holds. I have known KEN HECHLER personally for many years. His is an example of citizenship that is well worth the praise of his constituents, his fellow citizens all over America, and of his colleagues in Congress.

BEYOND RHETORIC: THE NEED FOR AN ALL VOLUNTEER MILITARY

(Mr. BROWN of California asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BROWN of California. Mr. Speaker, for the millions of young American men, the prospect of conscripted military service looms as the most important shaping factor in their future lives.

Perhaps no other issue has been subjected to as much speculation and rhetoric over the past few years than the question of military manpower policy. Along with continuing criticism of the current Selective Service System, there has been new and timely debate over feasibility of an all volunteer military.

Yet, too often, arguments critical of such reforms are couched in vague terms of "maintaining national security" and the "need to relinquish certain freedoms so that overall national power can be insured." I agree that national security must be the ultimate objective of whatever we do here in Congress, but I strongly disagree that draft reform and conversion to an all volunteer military would be any greater a threat to national security than is the present military manpower procurement system.

When the Selective Service Act was extended in 1967, I was greatly disappointed by the lack of any real change. While there seemed to be general agreement that improvements should have been made, there was no extended drive to bring about substantive change.

I felt then—as I do now—that it is of paramount importance to bear in mind the fact that any reform of the administrative—or operational structure of the system cannot remove the stigma of involuntary servitude—which is the essence of military conscription.

During the 1967 floor debate I said that:

> We should stop and ask ourselves if our primary consideration is not our foreign policy and methods by which that policy can best be furthered. The draft, which was once a temporary measure, has been transformed to a permanent system of military procurement. Initially designed as a necessity to meet the threat of a national emergency that called for the mobilization of a massive land army, we are seeing its metamorphis into an efficient machine designed to meet the long-range needs of a continuing policy of intervention and occupation within the framework of limited warfare.

The situation has not changed. The draft still channels young men into and out of various occupational and study plans. The military-industrial complex still counts on its adventures receiving support because of the steady-flowing stream of men it can mobilize at any given time.

Today I call for a new military manpower policy. It is imperative that we go beyond rhetoric. Action must be taken to end the draft as soon as possible. Indeed, draft reform must be enacted, but today's prime task is for more radical change from a conscription-based military to an all-volunteer army. Backing for such a move comes from many sources, from both parties, from President Nixon, and from constituents in my congressional district.

Therefore, today I am introducing a bill, the Armed Forces Improvement Act of 1969, which provides for the early transition to a full voluntary military manpower procurement system by further improving, upgrading, and strengthening the Armed Forces of the United States.

This bill offers a 5-year program designed for an orderly transition from a conscription procurement system to a volunteer army along with significant changes in the draft mechanism over the interim period. The bill establishes a timetable for conversion, calls for a lottery draft, and proposes major increases in military pay scales.

If the bill were passed this year, the conversion period would follow this pattern:

First. On July 1, 1971—or 2 years after passage—all enlisted personnel would receive a pay boost averaging an over-100-percent increase, and draftees would get a 25-percent hike;

Second. On July 1, 1972—or 3 years after passage—warrant officers and certain commissioned officers would receive the pay raise, and draftees would get another 25-percent increase;

Third. On July 1, 1973—or 4 years after passage—all other officers would get the pay boost, and draftees would receive another 25-percent increment;

Fourth. On July 1, 1974—or 5 years after passage—the Selective Service System would lose all powers of induction, and all draftees still in service would receive a final pay increase bringing them up to parity with all other enlisted personnel. Draft registration would continue, and the induction process could be reactivated in time of emergency through congressional action.

Over the transition period, the Selective Service System would be required to select persons "in a fair and impartial manner" as determined by a random selection system under rules and regulation prescribed by the President.

The major argument raised against a volunteer army is the prohibitive cost associated with putting the system into effect. Figures made available by the Pentagon set the total cost for an increase in pay sufficient to attract a volunteer force from $4 billion to $20 billion. Such a wide fluctuation in costs estimates can lead one to question the accuracy or thoroughness of Defense Department studies made on the subject. I would be inclined to accept the estimates of cost prepared by Dr. Walter Oi, professor of economics at the University of Washington. Dr. Oi's analysis, which appears in the CONGRESSIONAL RECORD of March 9, 1967, was based on research he did while serving as a consultant for a year with the Department of Defense. Dr. Oi figured that budgetary payroll costs for the military services would have to be raised by $4 billion per year in order to attract a volunteer force. This additional $4 billion figure did not take into account the higher cost during the transition period nor the savings that would result from lower personnel turnover and an increased use of civilians in noncombatant positions.

It is clear that, although the Pentagon has the responsibility for providing an efficient means of acquiring essential manpower and to utilize and motivate its manpower in the most effective ways possible, it has neglected to fulfill this vital function. Former Assistant Secretary of Defense for Manpower, Thomas D. Morris, admitted at a 1967 symposium on the Selective Service System that a vacuum exists in DOD research on manpower problems. Mr. Morris, in outlining areas where improvements could be made, stated:

> We have long taken for granted the need for research in the field of military weapons, and we readily accept the necessity for programs running from 5 to 10 years to design, test and perfect an operational weapon system. We use the best talent that can be found anywhere in our society for this purpose. We encourage maximum imagination and innovation. The manpower field, no one can deny, is as important, if not more important than any other aspect of our military strength. But I recently found in checking expenditures made for research and development that for every dollar spent on manpower research, we are spending $300,000 on weapons or weapon-related research.

There has been no serious effort by the Pentagon to meet the challenge of retaining its trained personnel, and as long as the draft is in effect and the number of available young men is at a record high, DOD will continue reluctant to innovate new techniques to attract and retain service personnel. Without the draft as a crutch, the Pentagon would be forced to utilize its manpower in a more productive and efficient manner with a corresponding decrease in the costs of military operations.

Since 1957 the Pentagon has had available for study and implementation the excellent recommendations of the Defense Advisory Committee on Professional Technical Compensation—more familiarly known as the Cordiner report. One of the major points stressed in the report was the retention factor with respect to the training and development of a skilled force able to make an effective contribution to the operation of the military services. The report recognized the problem as one of increased personnel retention on a selective basis rather than increased procurement of manpower.

Figures I have seen indicate that in a normal year the armed services will see 500,000 men leave the military. Out of a total force of between 2,700,000 to 3,200,000 men, this means that one out of every six is dissatisfied enough with military life to seek elsewhere for career opportunities. A great part of the blame for such a tremendous turnover in personnel can be traced to the draft. It is only reasonable to assume, and statistics seem to reflect the fact, that men coerced into military service are the first to leave when their enlistments expire. They, in turn, are replaced by other reluctant draftees or "draft motivated" enlistees. The training cycle is endless, and the cost of training and developing countless recruits who will never utilize the training provided is a heavy burden on the American taxpayer.

The Cordiner report accurately assessed the situation when it pointed out:

> As supervisory personnel devote less time to actually doing the things incapable of accomplishment by the inexperienced personnel under them, they can devote more time to constructive thinking and operational planning . . . Only when this is possible will we have management of all echelons of organization necessary to increase operational effectiveness.

This statement impressed me as good sound business advice that can just as easily be applied to the operation of the Military Establishment as to a giant corporation.

It is even more important, however, to think in terms of our national security in this area. It is vital for us to develop and retain skilled technicians to operate the complex weapons and systems we depend on for our defense. These technicians would also serve as a well-trained nucleus we could expand upon in the event of mobilization. It will not be possible to achieve this goal as long as we continue to pay our servicemen substandard wages and fail to provide incentives and challenges to make the military an attractive and rewarding career.

Those who oppose abolishing the draft through the use of a professional army have voiced the fears that a standing mercenary force would pose a threat to our democratic society. It is not necessary to detail the fact that our present officer corps is composed almost entirely of professionals and has been for most of our history. The replacing of a conscript army with one made up of volunteer professional soldiers would not mean the lessening of any of the civilian control now exercised. If necessary, perhaps additional safeguards could be devised so as to effectively prevent any danger from this type of standing army. Finally, I would say that there is nothing more undemocratic or alien to our traditions than the present system of forced military service.

REPRESENTATIVE DULSKI PROPOSES FREE MAIL SERVICE FOR ALL SERVICEMEN

(Mr. DULSKI asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DULSKI. Mr. Speaker, I am today introducing legislation to provide free letter mail service for all servicemen in oversea assignments.

This is one of the recommendations which I made to the Committee on Post Office and Civil Service as a result of an onsite inspection and investigation which I made last December of the postal systems of the U.S. Armed Forces in Europe.

The committee approved my report for printing during its executive session today.

I am more convinced than never that all servicemen overseas should have free letter mail service, not just those assigned to combat areas. Present law permits free letter mail service only to servicemen assigned to combat areas.

Servicemen have no choice on their assignments and all should be entitled to free mail service while stationed outside the 48 States.

The House approved similar legislation in 1967 as part of the postal rate and pay bill, but the broad servicemen's mail provision was deleted during the House-Senate conference.

During a visit to Army and Air Force installations in Europe in December, many servicemen asked me why they do not have the free mail privilege the same as men in combat. I think they should. And I am convinced that the extension of this service would be a great morale booster for our servicemen.

My bill also provides for an increase in the maximum dimensions of parcels shipped under the parcel airlift—PAL—program.

Both PAL and the space-available mail program—SAM—are proving of great value in providing efficient and economic mail service for our servicemen abroad.

The PAL program could be of even greater benefit to our servicemen, however, if the present limit on dimensions was eased. I believe the present maximum of 60 inches, length and girth combined, should be increased at least to 72 inches.

It is difficult to place 30 pounds within the limit of 1 cubic foot—60 inches, girth and length combined—unless the density of the object is extremely high.

My bill also would provide statutory authority for airlifting second class time-value publications to all servicemen stationed overseas. Present authority is discretionary with the Secretary of Defense.

The following members of my committee have joined in cosponsoring this bill: Robert J. Corbett, of Pennsylvania; David N. Henderson, of North Carolina; Arnold Olsen, of Montana; Dominick V. Daniels, of New Jersey; Robert N. C. Nix, of Pennsylvania; James M. Hanley, of New York; Charles H. Wilson, of California; Richard White, of Texas; Glenn Cunningham, of Nebraska; Albert W. Johnson, of Pennsylvania; Daniel E. Button, of New York; James A. McClure, of Idaho; Donald E. Lukens, of Ohio; and Lawrence J. Hogan, of Maryland.

MIXING REGULATIONS FOR BARGES

(Mr. KUYKENDALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. KUYKENDALL. Mr. Speaker, yesterday I introduced a bill to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption.

The need for this amendment was developed in hearings before the House Interstate and Foreign Commerce Committee last year. Briefly, unless this modernization is adopted, water carriers will be obliged to break up large efficient tows to avoid mixing regulated and unregulated commodities. This will cancel the efficiencies of the present large tows, and cause an increase in water transportation costs, to the detriment of the public.

Heavy pressure of business last year prevented the committee from acting on this legislation. Chairman HARLEY O. STAGGERS requested that the ICC postpone action on the matter until this year so that the committee would have time to act. A similar letter was sent to the Commission by the Senate Commerce Committee. The postponement was granted and expires July 1, 1969.

The amendment has the united support of shippers, farmers, the grain trade, labor, ports, State industrial development commissions, manufacturers of varied type, and regional development organizations. In particular, the Memphis and Shelby County port commission, of my district, is wholeheartedly in favor of this amendment.

A single argument raised against the measure is that the Congress should wait until much larger issues involving the general equity of transportation legislation are resolved. Discussing this problem, the Senate Committee on Commerce, in its favorable report on the bill in 1967, said that "this legislation is justified on its own merits and that action should not be postponed to await the accomplishment of all changes at once."

I agree with that conclusion. The legislation deals with a barge line operational matter. As the New York Journal of Commerce said in an editorial of October 10, 1967:

> The larger issues of competitive equality, rail rate deregulation, and the like should be explored in full detail on their own merits, but the editorial concluded it did not "make much sense to delay a perfectly valid and quite minor bill affecting barge operation until the whole question of rail rate deregulation is finally decided.

It is time to resolve this relatively minor issue in favor of the public bodies, the shippers, farmers, and others, who have long urged it.

THE CONGRESS: A SYMBOL OF ALL THE ILLS THAT BESET US

(Mr. KYL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. KYL. Mr. Speaker, the frustrations of the people of this Nation are caused by many factors—hot war and cold war, high prices, high taxes, lawlessness, gnawing social and moral problems. It is not my purpose to discuss those factors.

I speak, instead, of a different, serious situation which is rapidly becoming the symbol for all the ills that beset us. That symbol is the seeming self-serving attitude of the Congress at a time when American people are asked to make sacrifices economically and otherwise.

The House of Representatives is the heart of our free government. It is a primary institution of free government. When faith in the Congress is shaken, all other institutions of our Republic become insecure.

We can argue and rationalize that what we have done is right and proper. We can argue that a baseball player receives more compensation than does the Congressman who writes laws. The significant difference is that the Member of Congress is paid by tax money. We can argue that the increase in salary costs each citizen less than 2 cents a year. We can argue that the responsibility of the job calls for a premium compensation. We can argue that the costs of living and doing business in Washington is burdensome and it is. It is much more difficult to defend free refrigerators. It is much more difficult to defend the high income of nonmember officials of the House.

But all this neglects the most basic consideration. When we choose to compete for public office, we know what we should expect. When we become Members, we accept the responsibility to put the welfare of the House and the welfare of the Nation above our own interests. Part of that responsibility dictates that we not only do what is right and avoid doing what is wrong, but that we also avoid doing those things which seem wrong to the majority of the American people.

I am deeply concerned. This body will shortly vote on raising the statutory debt limit. This body will soon vote on retaining a 10-percent surtax. In appropriation bills we will ask segments of our population to sacrifice in face of priority national needs.

Is it not then our responsibility to set an example for those we represent? Is it not time to declare a moratorium on further escalation of salary and emoluments for ourselves and the officers of this body?

I would like to undo some of what has been done. I will certainly oppose, as completely as possible, any further actions which so obviously undermine the people's respect for this House and the free government it represents.

LIMITATION ON FOREIGN TRAVEL FUNDS FOR MEMBERS OF CONGRESS

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DUNCAN. Mr. Speaker, I have today introduced a resolution that provides that no Federal funds will be available to pay for the expenses of foreign travel of any Member of the House after he has been defeated for election to a seat in the House of Representatives or for any Member of the House after the adjournment sine die of the last session of the Congress if he is not a candidate for reelection.

In just a little over 4 years since I have been in the Congress thousands of dollars have been spent for unnecessary travel by Members falling in this category. In view of the fact that the House and its committees do not usually meet after the November elections such travel cannot be of benefit to our Government. In sum and substance such travel is nothing but a free vacation paid for by the taxpayers.

My reason for introducing this resolution at this time is to avoid directing it at any one individual because no one knows now who will not be a Member of the next Congress.

INJUSTICE IN FEDERAL TAX TREATMENT OF U.S.S. "PUEBLO" CREW

(Mrs. MAY asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Mrs. MAY. Mr. Speaker, I would like to bring to the attention of the House what appears to be a serious injustice in the Federal tax treatment of the crew of the U.S.S. *Pueblo*.

I recently received a letter from the father of one of the crew members whose home is in Richland, Wash. This letter, from Mr. W. K. Alexander, succinctly states the problem, and I quote from it as follows:

> There is one matter concerning the *Pueblo* situation I would like to bring to your attention. You recall that Congress passed legislation, about a year ago, authorizing "hostile fire pay" for the crew during their captivity. Somehow, we were led to believe that all pay they received during captivity would not be subject to income tax. I believe this is normal for prisoners of war, and I understand this is true for the men who are Vietnam prisoners. Apparently the Navy also had this impression since they did not withhold any taxes from the back pay the men received when they got home. It would seem in keeping with the spirit of the previous legislation that tax exemptions be granted to these men to cover the period thev were in captivity.

Immediately upon receipt of Mr. Alexander's letter, Mr. Speaker, my office initiated a number of inquiries to the Department of the Navy and the Internal Revenue Service. As I understand the situation, it is this:

By special action the Congress made available to the crew of the *Pueblo* the $65 per month hostile fire pay for the time the crew was in captivity by the North Koreans. This is the same hostile fire pay that is made available to servicemen in Vietnam.

With regard to income tax, servicemen serving in Vietnam and contiguous waters do not pay income tax. By Presidential directive, Executive Order No. 11216, dated April 24, 1965, Vietnam and contiguous waters are designated as a combat zone so that servicemen there would be entirely exempt from paying income tax if they are enlisted personnel. They receive a $500 per month exclusion if they are officers. But since North Korea is not technically designated as a combat zone, the crew of the *Pueblo* will be required to pay regular income tax on their pay, including their hostile fire pay, during the time they were held by the North Koreans.

I have also learned that the Bureau of Naval Personnel did not withhold income tax from the pay of the crew of the *Pueblo*, and it appears that now the crew members, unless this situation is corrected, will be forced to produce the cold hard cash to pay the Internal Revenue Service.

Mr. Speaker, I bring this to the attention of the House because I believe my colleagues and the American people should know about it. It is my own opinion, which I trust a great many individuals will share, that the crewmembers of the *Pueblo* should enjoy the same exemption from Federal income tax as do those servicemen who receive similar hostile fire pay and who are serving in the combat zone as defined by the Executive order I have cited.

I am told, Mr. Speaker, that neither the Department of the Navy or the Internal Revenue Service has any means at their disposal to correct this apparent injustice. I am, therefore, having legislation drafted which, if enacted, would provide the *Pueblo* crew with the tax benefits I strongly feel they deserved while they were in captivity.

It is my understanding that the *Pueblo* crew has been granted 120 days after their release by the North Koreans to settle their tax with the Internal Revenue Service. Time is, therefore, of the essence if Congress is going to move to correct this inequity.

POSTAL OBSCENITY BILL

(Mr. HUNT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. HUNT. Mr. Speaker, the dissemination of obscene materials is on the rise, and with disturbing permissiveness. My constituents in the First District of New Jersey have received in the mail and forwarded to me more pornographic material since the first of this year than in the entire 2-year period preceding.

I have seen some of this filth and no reasonable man would consider it anything but obscenity which deals with sex in a manner appealing to prurient interest. This, in essence, is the definition ascribed to the word time and again by the Supreme Court, and yet there is ample evidence to show that the peddlers of smut and pornography are thriving in their dirty business. In 1968 alone, postal authorities received over 168,000 formal complaints from recipients of obscene mailings. Most of these complaints were from the parents of school-age children. Thus, one might conclude that what is "obscenity" and what is not has not been made very clear at all.

The postal obscenity statute—18 U.S.C. 1461—was designed to prohibit the use of the mails to disseminate obscene materials, and section 1462 of that title, to prohibit the transportation of such materials in interstate and foreign commerce. In the fiscal year ending June 30, 1967, there were 354 convictions in cases relating to postal obscenity and in the fiscal year just past, ending June 30, 1968, there were only 263 such convictions.

Notwithstanding these statistics and the efforts on the part of the Post Office Department to keep obscene materials out of the mails, the persistent and blatant use of the mails and interstate commerce suggests the need for more decisive legislation, specifically with respect to the distribution of such materials to minors and families with minor children. In recent years, the limitations on the freedoms of speech and the press have been virtually abandoned, even to the extent there is now a whole new spectrum of "symbolic" freedoms which, needless to say, is clouding what is already a murky issue.

In *Roth* v. *United States* (354 U.S. 476 (1957)), the Supreme Court held:

> The portrayal of sex, e.g. in art, literature, and scientific works, is not in itself sufficient reason to deny material the constitutional freedoms of speech and the press.

Then, in *United States* v. *Klaw*, (350 F. 2d 155 (1965)), the Court said:

> Material is "obscene" if to the *average person*, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest, if it is utterly without redeeming social importance . . . (and) if it is characterized by patent offensiveness . . ." (emphasis added.)

I do not believe that the provisions of existing law, construed as they have been and applied within the context of the standards of the adult community, which in repeated decisions of the Court have extended, beyond reasonable limits, the constitutionally protected freedoms of speech and the press, provide adequate safeguards to insure against the corruption of the morals of our youth by those who prey upon their very youthfulness and curiosity. And to the extent the Court allows leeway in the portrayal of sex in art, literature, and scientific works, it will be extremely difficult to define criteria so as not to offend the exercise of the freedoms of speech or the press while at the same time denying the aura of intellectual respectability to publications, motion pictures and the like which are "utterly without redeeming social importance" and are "patently offensive."

Therefore, Mr. Speaker, I am, on behalf of myself and the gentleman from Ohio (Mr. WYLIE), introducing a bill to prohibit the dissemination through interstate commerce and the mails of obscene materials to persons under the age of 18 years and to persons who have minor children residing with them, and to restrict the exhibition of movies or other obscene matter to minors.

REORGANIZATION ACT

(Mr. FINDLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, I have today introduced legislation to extend the executive reorganization provisions of title 5 of the United States Code for a period of 2 years. Similar legislation has been introduced by other Members of the House. Passage of this legislation will implement the President's recommendation for a 2-year extension of the Executive Reorganization Act.

This legislation expired on December 31, 1968. Republicans in the 90th Congress opposed President Johnson's request for a 4-year extension. A 2-year bill did pass the House last year, but was never reported from the Senate Committee on Government Operations.

Reorganization authority has been given to the President in various forms since 1932 and it would appear entirely appropriate that the new President have this important measure to reorganize portions of the executive branch to promote greater efficiency and economy.

COMMEMORATIVE STAMP FOR NATO ANNIVERSARY

(Mr. FINDLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, I have introduced today legislation providing for the issuance of a special postage stamp in commemoration of the 20th anniversary of the negotiation of the North Atlantic Treaty.

This treaty was signed at Washington on April 4, 1949, and became effective for the United States on August 24, 1949. As a result of this treaty the North Atlantic Treaty Organization was formed. Behind the NATO shield the nations of Western Europe have grown and prospered. Their security and integrity have been maintained by this treaty, the most far-reaching and probably the most successful of any peaceful defensive initiative in the history of the Western community.

It is entirely appropriate that this signal anniversary be commemorated through the issuance of a special postage stamp.

SCHNITTKER ON SOYBEANS

(Mr. FINDLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, the man who was Under Secretary of the U.S. Department of Agriculture when the Department took the ill-fated steps 3 years ago that led to today's difficulty for soybeans has had some second thoughts since he left office.

The man in question is John A. Schnittker. Because of his high position, second only to Secretary Freeman, and further, because he served previous to that as chief economic planner for Mr. Freeman, Mr. Schnittker obviously had an important role as coarchitect of what is now known as Freeman's folly. He can hardly disclaim responsibility.

If Mr. Schnittker had any reservations about the wisdom of raising to $2.50 the price support on soybeans 3 years ago, or permitting soybean planting on diverted acres, or the action of the Department in calling for more production of soybeans, he kept them carefully within the confines of the Department of Agriculture.

Others, myself among them, warned at that time that these steps would quickly put the wonder crop of yesterday in serious surplus trouble. Our warnings were not heeded by Mr. Schnittker and his comrades, and Freeman's folly was carried out.

It is interesting to note that Mr. Schnittker is now out of office and—who knows—perhaps now able to say what he really thinks expresses a sharply different view.

He calls for a substantial reduction in the loan rate on soybeans. Too bad his foresight was not as good as his hindsight. In any case, as an interesting footnote to agricultural political history, here is a Reuters dispatch from Decatur, Ill., dated March 4. I congratulate Mr. Schnittker on his newfound—or newly voiced—wisdom. I agree with what he is reported to have said except for his appraisal of market price resulting from a loan rate of about $2 a bushel.

Here is the text of the Reuters dispatch:

> SCHNITTKER SUGGESTS $2.15 SOYBEAN SUPPORT
>
> DECATUR, ILL., March 4.—A 1969 soybean loan support price of $2.15 a bushel was suggested here today by former USDA Under-Secretary John A. Schnittker.
>
> He told a university group here that the new administration can either continue the $2.50 support to protect farm income or lower the support price to reduce the surplus and build markets for the future. He said:
>
> "For my part I am with the second group. My study of this problem before I left the USDA January 20 convinced me that for the years just ahead it will require an average market price for soybeans of very little above $2 per bushel to keep the soybean economy in balance.
>
> "This appears to call for a national average support price in the area of $2 per bushel. Perhaps this could be reached in two steps—$2.15 in 1969 and $2 in 1970.
>
> "But the important step is to test the functioning of the market price system when we have the opportunity and not to rely on luck to pull us through.
>
> "Unless this is done and barring some new and unpredictable event like a world crop disaster, a soybean surplus will become the new albatross of the farm economy—like potatoes in the 1950s and corn in 1961."

AMENDING SUBMERGED LANDS ACT

(Mr. BUSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BUSH. Mr. Speaker, today I am introducing a bill which would amend the Submerged Lands Act to make it clear, that for those States which came into the Union with submerged boundaries of three marine leagues, that their boundary shall be measured from their historical coastline.

This action has been necessitated by the Supreme Court decision of Monday, March 3, 1969, wherein the Court held that the coastline is to be considered as it "exists currently or at any time in the future."

It seems to me that this decision can only cause a great deal of confusion, since the Court has reversed itself from its 1967 position, and since the coastline of Texas, the primary State affected by the decision, is receding and has been substantially modified by extensive erosion since it came into the Union in 1845. It looks like Texas will be open for further encroachment upon its seaward boundary in the future.

The location of the boundary as it existed in 1845 has been agreed upon by the State and the United States, so it would be much simpler for all concerned if this boundary were adopted. While I am not clear as to why the Court reversed itself, it seems to me that the bill I am introducing will offer a fair solution to the problem—it will give Texas back this submerged land that this decision took away. This amendment is wholly in keeping with the basic philosophy of the Submerged Land Act which confirmed the States' claims to their historical boundaries.

LOCAL HISTORY AND 200TH ANNIVERSARY OF AMERICAN INDEPENDENCE

(Mr. THOMSON of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. THOMSON of Wisconsin. Mr. Speaker, in today's lexicon are "confrontation," "disadvantaged," and "the establishment." In their impassioned misuse they are the blades of a present assault on order, the basis of justice, and they frustrate the achieving of their purported goal, equity. Equity is defined as "justice according to natural law or right." If eternal vigilance is liberty's price, then it may be observed that while the principle of equity may be learned, the substance of equity can only be earned in the imperfect world. Our national experience is the witness; it provides its own definitions. Over the centuries people of the old order struggled to reach a new world where they might work for equity. In the vanguard were often older men—not the young men—and so the examples of fathers became the code of their sons.

May I suggest, Mr. Speaker, that the first American establishments, so-called, were on the traditional scenes: a frail lean-to braced against hostile New England winds, an earthen dugout against Great Plains heat and chill, a desolate mountain camp on a lawless route to the Pacific.

Here were the "confrontations," too, Mr. Speaker: historic, beyond count, unceasing. Consider the pillagings of prejudice: Mormons in desperate flight to the Great Salt Lake; the red man's trail of tears to banishment in Oklahoma; slavery's degradation.

There were the deadly scourges in ambush, cholera, smallpox, "lung fever," dysentery, childbearing mortalities, natural disasters, economic evils, and human impositions, drought, floods, and blight; financial depressions and worthless currencies; land frauds and other deceptions. All these afflictions "confronted" our countrymen from the continent's eastern rim to the western shore, and out of them the "disadvantaged" of yesteryear built the greatest Nation, the best society with all its present weaknesses in human history.

The tumult on college campuses, it is said, is a "search for identity." Identity, it appears to me, is found in purpose. And the pursuit of purpose, guided by self-discipline, is the history of our Nation, in its responsible aspects. It is most enlightening to note the views of S. I. Hayakawa, acting president of San Francisco State College, in a recent issue of U.S. News & World Report, who testified recently before the House Special Committee on Education. Said Dr. Hayakawa:

> Today we are dealing with a whole generation of youngsters who know about "democracy" as a slogan. But they don't know a lot about its operational requirements—the patience, the tedium, the long debates and compromises needed to arrive at democratic decisions . . .
>
> The promise of democracy is never a guarantee that you will get your wishes. It's a promise that you will have a chance to state your wishes and try to argue other people into supporting you . . .
>
> People who major in English and drama and philosophy often are people who are uncommitted. They are still in the process of finding themselves.
>
> Youngsters who go into, let's say, nursing or chemistry or zoology know who they are. They know they are going to become nurses or chemists or zoologists. They're not floundering around with an "identity problem."
>
> Quite a few social-welfare students tend to go along with the activists. But, on the whole, the people who want to become chemists, scientists, conservationists, nurses, businessmen, and so on, are not involved.

Mr. Speaker, I direct particular attention to Dr. Hayakawa's next observation. He said:

> Strangely enough, our history department seems peculiarly immune to activism—it is functioning almost 100 percent. I had thought history was one of the liberal arts, but apparently it is a more intellectually sturdy discipline at San Francisco State.

Mr. Speaker, a grassroots experience with local history—wellspring of national history—nourishes the spirit and enterprise of our people. For this reason, I introduced in the 90th Congress House Concurrent Resolution 628, which I am again introducing in the House. It calls for recognition by the Congress of the important role of local historical societies as a base for research and publication of county or regional histories, in a contribution to the observance of the 200th anniversaries related to our Declaration of Independence. The resolution calls, as before, for a 10-year observance, 1973–82, on which, Mr. Speaker, I shall submit further remarks at an appropriate time.

LEGISLATION TO ASSIST OUR VETERANS

(Mr. ROGERS of Florida asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, I am today introducing legislation which would provide for the equalization of the retired pay of members of the uniformed services who retired prior to June 1, 1958, and whose retired pay is computed on laws enacted on or after October 1, 1949.

Basically, this bill would permit recomputation of retired pay as a percentage of current active duty pay.

This system of calculating retired pay as a percentage of active duty pay was the rule for more than 100 years until 1958 when the Congress changed the rules and provided that retired pay would be geared to the cost of living and would not be recomputed on the basis of subsequent increases in active duty pay.

I believe that the Federal Government has a more, and indeed, a legal commitment to those who retired prior to the 1958 law, some of whom served in two wars and the Korean conflict.

I am also introducing legislation to establish a national cemetery for southern Florida. This cemetery would be located in either Palm Beach or Broward County.

I am hopeful that early consideration can be gained on both of these measures.

CONGRESSIONAL COMMITTEES ARE SLOW ON NEEDED CRIME CRISIS ACTION

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, congressional committees are moving too slowly on the crime crisis. We are beginning our third month in session and much anticrime legislation has been introduced. In the meantime, the crime rate continues high, and except for occasional breaks, the rise in crime continues unabated.

Here in Washington, increased police patrols and strong statements from the city's judges may be responsible for a small reduction in armed robberies in February. But it will take more than 1 month to indicate a trend, especially since February was 1 week shorter than January which hampers statistical comparisons.

What is significant is the fact that the daily average of armed robberies for February is 21 per day, almost double the 11-per-day rate for February of last year.

Mayor Washington is to be commended for placing more police officers on the streets. The judges are to be commended for their public stand in favor of stiffer penalties for repeat criminals and especially those who commit additional crimes while out on bail for previous offenses.

Hearings should begin at once in the House on pending legislation. A blitz is needed. I have introduced legislation to provide for additional assistant U.S. attorneys, additional judges, and additional personnel in the District Bail Agency. Legislation of this kind is badly needed now. The backlog of cases increases as each day goes by without action. There are other important bills which others have sponsored. I have also proposed a mandatory minimum sentence for the commission of a crime by an individual out on bail for a previous offense. All of these matters require hearings in the House so that action can be taken early in the session.

I call on Chairman EMANUEL CELLER, of the House Judiciary Committee, and Chairman JOHN MCMILLAN, of the House District Committee, to begin hearings on crime legislation at the earliest possible time. Here in this city alone, over 20 armed robberies, each one a felony involving a threat on the life of an innocent citizen, occur each day.

AMENDING CONSTITUTION RELATING TO ELECTION OF PRESIDENT AND VICE PRESIDENT

(Mr. WYLIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WYLIE. Mr. Speaker, today I am introducing a joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President.

Following the last election, almost everyone agreed that the time has come to eliminate the antiquated electoral college system of electing a President and Vice President. Yet there seems to be no consensus as to a method which would replace it. Resolutions calling for direct popular elections, district plans, proportional plans, modifications of the present system eliminating an electoral college, as well as others, have been introduced in Congress.

The popular vote plans seem to have the most support. Yet in his message to Congress on February 24, President Nixon said he doubted if "any constitutional amendment proposing abolition or substantial modification of the electoral vote system could win the required approval of three-quarters of our 50 States by 1972."

For this reason, which is borne out by many others, my resolution suggests that the various States be given a choice. It would provide that the States could choose any one of four plans. One would provide for electoral vote by district. A second is a proportional plan. Another would provide for direct popular vote and a fourth would be basically what we have now with elimination of the office of elector.

In each case, 40 percent of the vote would be required for election with a provision for a runoff election prescribed by Congress between the two highest candidates.

It seems to me the plan is completely fair. It gives the States a choice and we must receive approval from three-fourths of them. Congress does not run the risk of being charged with forcing a plan on the States at a time when the urgency for a change in our present selection mechanism is so obvious. It would provide an opportunity for reflection and debate. Yet, Congress would be accepting its obligation to provide a vehicle for necessary change. I have given the idea considerable thought and trust it deserves yours.

LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I have taken this time for the purpose of asking the distinguished majority whip the program for next week.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, the program for next week is as follows: Monday is District day, but there are no bills. There is no program for Tuesday.

Scheduled for Wednesday are committee funding resolutions from House Administration and H.R. 33, to provide for increased participation by the United States in the International Development Association, and for other purposes. This latter bill is subject to a rule being granted.

We hope to consider the limitation on the national debt ceiling the following day, Thursday. That measure is also subject to a rule being granted.

Mr. GERALD R. FORD. Could the gentleman from Maryland give us some indication of what those resolutions are and when they will be scheduled?

Mr. FRIEDEL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Maryland.

Mr. FRIEDEL. We hope to bring the resolutions to the floor of the House next Wednesday. These are the ordinary resolutions for funds to enable the committees to function. That is all they would be.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. I wonder if I might ask the gentleman from Louisiana if it is proposed to consider the two bills to which he has referred in the order in which he listed them. It seems to me that we would be well advised to consider the debt ceiling increase before we throw another half billion dollars into a foreign-aid handout by way of IDA, which is a subsidiary of the World Bank. Would it not be better to consider the debt ceiling first and then see whether it would be in order and prudent to toss another half billion dollars to the four winds?

Mr. BOGGS. There is a necessity for the program to be presented, whether we consider the debt ceiling before or after the measure to which the gentleman has referred. A practical matter is involved. The bill that would establish a limit on the debt ceiling is still in committee and has not yet been reported. Thursday of next week would be the first practical time that we could take it up.

We are going to have a large legislative program ahead of us, and I think it is essential that we dispose of our legislative business as soon as we can.

Mr. GROSS. I have no quarrel with that. In fact, I would like to see a full program of business transacted each week so that we will not be here this entire year. But at the rate we are now going apparently it is the program that we have our Christmas tree in the House Chamber this year. I agree with the gentleman. I want to see the business transacted as fast as possible. I am speaking only of the order in which these measures would be called up.

Mr. BOGGS. I said to the gentleman that it is a practical impossibility to get the debt ceiling measure before the House before next Thursday.

ADJOURNMENT TO MONDAY, MARCH 10, 1969

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today that it adjourn to meet on Monday next.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

IMPROVING PROCEDURES TO SETTLE TRANSPORTATION STRIKES

(Mr. PICKLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PICKLE. Mr. Speaker, 2 years ago I introduced a bill designed to give us an improved method for settling strikes in the transportation industry. Today I am introducing a similiar version of the same measure in the hopes that it might be a basis for consideration of legislation that will prevent our country from being tied up in serious strikes that affect the transportation industry.

The bill which I introduce today amends section 10 of the Railroad Labor Act, as amended—45 U.S.C. 160. It preserves the present procedures up to and including the Mediation Board. The Mediation Board is still empowered to give notification to the President if a dispute between a carrier and its employees is not adjusted under earlier provisions of the act, and if, in the judgment of the Mediation Board, such dispute threatens substantially to interrupt interstate or foreign commerce so as to deprive any section of the country of essential transportation service.

Beyond the Mediation Board, the approach I have taken in this bill is to provide the greatest possible amount of flexibility for arriving at a solution to a serious dispute. It empowers the President with a wide range of alternatives so that he may tailor the remedy to suit the dispute.

If the President receives a notice from the Mediation Board that a dispute exists which threatens "substantially to interrupt interstate or foreign commerce to a degree such as to deprive any section of the country of essential transportation," the President may proceed under either of two broad approaches.

First, if he determines that the national health, safety, or defense are immediately threatened, he may give the parties 10 days notice that he will proceed under the procedures of seizure, arbitration, or congressional relief. The President is empowered to invoke any combination of these remedies, and at this notice stage, it is not necessary that the President notify the parties as to which of these steps he ultimately will take.

If the nature of the dispute is such that it does not meet the test of "depriving a section of the country of essential transportation service," the President still is authorized to proceed with Emergency Board procedures.

In the event he elects to go this route, the President may:

Create an Emergency Board. First, size and membership of the Emergency Board is the choice of the President. Second, the Emergency Board must report within 60 to 120 days of appointment. Third, if instructed by the President, the Emergency Board report will contain findings of fact and/or recommendations for settlement.

After the findings of facts and recommendations have been given to the President, the President, first, hold the Emergency Board report for 30 days cooling-off; and, second, after cooling-off, the President may return dispute to Emergency Board for 30 days consideration and for their recommendation on whether to proceed under the additional steps of arbitration, seizure, or congressional remedy.

At this point, I would note that the President is not bound to follow the recommendations of the Emergency Board as to whether to proceed with seizure or arbitration, or a combination thereof. He may make his own independent judgment.

Also, I would point out that if the Emergency Board procedure is exhausted without a settlement having been reached, the flow of procedures does not at this point require the strict finding of a threat to the national defense, health, or safety.

I think it is important that this bill not contain such bottlenecks. If we truly are going to address this problem, then we should have a procedure which, with proper safeguards, will enable the steps to follow one another, leading ultimately to a final solution.

Mr. Speaker, as I have indicated earlier, there are two methods by which the President might call for the remedies of seizure, arbitration, or congressional relief. The first is to go immediately into them upon the finding of a national emergency; the other is to go through further mediation in an Emergency Board, and then have the dispute progress on to the steps mentioned.

I would like now to explain some of the details of what is involved in these separate alternatives:

A. SPECIAL BOARD (ARBITRATION)

First. Parties have 10 days to select members and procedures; if they fail to do so, President performs this function.

Second. The Board is composed of five members; three public, one labor, and one management.

Third. The Board has from 60 to 120 days from appointment to report.

Fourth. The Board has power to make a settlement binding on the parties for a period of the Board's choice, but less than 2 years.

B. SEIZURE OF THE CONCERNED CARRIERS

First. Management of carriers is continued by the Secretary of Commerce.

Second. All corporate activities continue as in the normal course of business.

Third. Working conditions remain the same unless the President imposed the Emergency Board recommendations.

C. CONGRESSIONAL REMEDY

If the President elects to proceed under the provisions of this subsection, "he shall transmit to Congress such recommendations for legislation as he may determine are required."

As a further point of flexibility, the bill provides that if an Emergency Board has made a recommended settlement of the dispute that the President may invoke those recommendations as the interim working conditions, pending the time required to exhaust the procedures of arbitration, seizure, or congressional relief.

The rationale throughout this bill is to give the greatest possible amount of flexibility to handle any conceivable situation which might have developed as a result of earlier bargaining among the parties.

Frequently, we hear criticism by one party or their opponent to the effect that some onerous burden is needed to "make collective bargaining work." I believe that this bill contains such responsibilities, and I further believe that with such procedures in the law, the parties will be able to reach their own agreement before it becomes necessary to enter such harsh alternatives.

Mr. Speaker, we have reached a point in this country where we cannot have a national transportation strike. Regardless of whether management or labor thinks they are right in the dispute involved, there are bigger and more paramount interests involved; namely, the public's interest.

The bill I propose provides for Emergency Board consideration if the strike threatens to interrupt essential transportation services but also goes further.

I view this bill as one to protect the system of collective bargaining. Last year the Congress was faced with literally arbitrating a dispute that faced the country.

The Congress ought not be put in a position, strike after strike, of making a determination of who is right and who is wrong. Or even making a settlement, except as provided in this bill.

If we are going to protect collective bargaining, it seems to me that we must lengthen the bargaining, but at some point we must make a final determination. Some may call this mediation to finality, and there may be others who will say that it smacks of compulsory arbitration. I say it is a means of allowing other possibilities for settlement so that perhaps neither management nor labor will know at every point what might happen to whom.

It is my hope, Mr. Speaker, that my colleagues will join me in this legislation. I do not profess to have all the answers in this sensitive, complicated, and almost unanswerable area, but we must find a better answer than we have today.

I think the framework for such will be found in the bill I have introduced.

PREVAILING WAGE RATE DETERMINATION ACT OF 1969

(Mr. STEED asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. STEED. Mr. Speaker, I am introducing today the Prevailing Wage Rate Determination Act of 1969.

This measure is aimed at bringing about a more equitable system for establishing and adjusting the rate of compensation for more than one-fourth of the civilian employees of the Federal Government—the 765,000 wage board employees.

The bill leaves intact the basic concept of the prevailing wage system. Its aim is more practical and effective machinery for the determination of wages in this field.

Everyone with a specific skill should receive pay similar to that of every other employee doing the same type of work covered by the prevailing wage determination. The bill gives foundation in law for improved procedures.

Chief instrument for bringing about advancement is creation of a standing committee within the Civil Service Commission to be known as the National Wage Policy Committee.

This 11-man Committee will include a Chairman appointed by the President from outside the Federal service, five Federal employee union representatives, and five management representatives.

In addition, the bill calls for establishment of an agency wage committee of five members by each department or agency designated by the new National Wage Policy Committee, to assure the implementation of the wage surveys.

Included in the wage rate system will be all employees now paid from so-called nonappropriated funds. They should not be penalized because their employer or manager draws his checks from a different account.

This bill is vital for fair consideration of all wage board employees. I trust and believe its principles will be adopted.

MODERNIZING INTERSTATE COMMERCE ACT WITH RESPECT TO BARGELINES

(Mr. ECKHARDT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ECKHARDT. Mr. Speaker, today I introduce a bill to modernize section 303 (b) of the Interstate Commerce Act so the bargelines in the inland rivers may continue to assemble bargeloads of different commodities in a single flotilla and thus maintain efficiency of performance.

The need for the legislation arises out of technological innovations among the barge carriers, primarily economies of scale made possible by larger and more powerful towboats introduced by the bargelines over the past 10 years. Application of the present wording of the section would prevent the mingling of regulated and unregulated commodities in a single flotilla and hence the optimum utilization of the new and more economical towboats.

The relief provided in the proposed legislation would delete a sentence defining a flotilla of barges as a single vessel. If this sentence is deleted, a barge would be considered a vessel. Bargeloads of different commodities could then be mixed in a single tow without restriction. The legislation also provides for the deletion of a clause referring to the custom of the trade of 1939. Commission interpretations since 1939 have rendered this clause unnecessary and it is therefore deleted.

Identical legislation was introduced in the last session and received very widespread public support. Shippers, farmers, the grain trade, manufacturers of various types, labor, four State industrial development organizations, and a variety of regional industrial development organizations united in support of the bills. In addition, the Departments of Agriculture, Justice, and the Department of Transportation testified in favor of the measure. The ICC said it had no objection to the measure.

I believe the time has come to modernize the archaic language of the section so that the barge industry can continue to offer efficient and economical service with its improved equipment.

HON. ALBERT RAINS TO SERVE AS ALABAMA NATIONAL DEMOCRATIC COMMITTEEMAN

(Mr. BEVILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEVILL. Mr. Speaker, my good friend and constituent, the Honorable Albert Rains, of Gadsden, Ala., has been selected to serve as Alabama's new national Democratic committeeman.

For 20 years, Congressman Rains served in the U.S. House of Representatives with much distinction. His intense dedication to the principals of good government and his knowledge of the legislative process has insured him a place of honor in the annals of the U.S. House of Representatives.

As a Member of this distinguished body, Mr. Speaker, Congressman Rains worked diligently for programs which would improve the quality of urban life. His expertise on urban renewal and housing was the guiding force behind practically all of the significant legislation passed in this vital area. Indeed, Congressman Albert Rains left a legacy of accomplishment which can now be seen in the high level of residential construction and positive programs for assisting our urban areas.

Albert Rains was known in the Congress as an articulate spokesman, a knowledgeable parliamentarian and one of the ablest floor managers of difficult legislation. It was common knowledge, Mr. Speaker, that Congressman Rains' sponsorship of a bill would automatically create 20 additional votes for it.

Congressman Rains, a native of De Kalb County, Ala., was elected to the 79th Congress and to the nine succeeding Congresses. He served as chairman of the Housing Subcommittee and was a ranking member of the House Committee on Banking and Currency.

Every housing bill enacted since 1955—up to the time of his retirement—was imprinted with the stamp of his political skill.

At the time of his retirement, from Congress 4 years ago, Congressman Rains stated that he was ready to "have a few years in private life." His decision to serve as national committeeman for the Democratic Party of Alabama was based on the belief that he could be of service to his people.

Mr. Speaker, I know that Congressman Albert Rains will excel in this new position as he did so while serving in the Congress of the United States.

NATIONAL CIRCLE K WEEK

(Mr. BUCHANAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BUCHANAN. Mr. Speaker, by proclamation of the President of the United States, March 2 to 8 has been designated as National Circle K Week. Circle K, sponsored by Kiwanis International, is the largest college service organization in existence composed of 775 clubs with more than 15,000 members. Twenty-one of these clubs are located within the Alabama district of Circle K International, and it is my pleasure to pay tribute to the fine young men of my State who are members of this significant organization, as well as to their dedicated advisers.

Presently, with so much unrest and disruption on the college campuses of our Nation, it is refreshing to participate in the promotion of an organization which seeks to develop leadership for tomorrow while it creates a better college or university community today.

While the news media publicizes the antics of a small minority of today's college and university students, the patriotism and citizenship of the majority goes unheralded and unsung. Circle K, as a representative of that majority, is to be congratulated for encouraging and promoting the following ideals:

To give primacy to the human and spiritual rather than to the material values of life.

To encourage the daily living of the Golden Rule in all human relationships.

To promote the adoption and the application of higher social, business, and professional standards.

To develop by precept and example, a more intelligent, aggressive, and serviceable citizenship.

To provide through Circle K clubs a practical means to form enduring friendships, to render altruistic service, and to build better communities.

To cooperate in creating and maintaining that sound public opinion and high idealism which make possible the increase of righteousness, justice, patriotism, and good will.

Mr. Emmett S. Blocher, Jr., of Samford University in Birmingham is currently serving as lieutenant governor of division II of the Alabama district of Circle K International, and I take this opportunity to commend him on the outstanding job he is doing in his place of responsibility.

PUT UP OR SHUT UP AT PARIS

(Mr. WYMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYMAN. Mr. Speaker, continuing attacks by North Vietnam and the Vietcong upon South Vietnam and Americans in South Vietnam can no longer be disregarded. Whether in cities or in rural areas, it cannot be said that the guerrillas lack direction or control from North Vietnam. The equipment they are using is sufficiently heavy and sophisticated to prove the contrary.

Continuing meaningless and ineffective negotiations with a bland-faced enemy while he kills Americans with material supplied from ports and trails given immunity from air attack during supposedly meaningful negotiating is to accommodate in ignominy. Unquestionably it is an accommodation of treachery. It does not keep faith with the brave men fighting against aggression in South Vietnam, while the talking fruitlessly drones on.

Confronted by more than 400 Americans killed last week alone, with over 2,500 Americans wounded last week, the President should tell North Vietnam and the world powers, that unless there is truly meaningful negotiation, and fast, at Paris, the United States has no choice but to proceed to destroy the bases and sources of supply to the enemy that enables him to kill Americans while America seeks an honorable peace. The President should make it clear that this time and in this event neither Hanoi's airstrip nor Haiphong's docks will be given sanctuary, and that the new administration in America is prepared to take whatever steps are necessary in the face of continued doubletalk in Paris to destroy the military capability of North Vietnam and the Vietcong.

There is no apparent alternative that will produce a truly negotiated settlement in Paris that is compatible with honor and does not amount to a sellout. Just since the talking at Paris started, we have lost nearly 10,000 American lives and countless wounded. Vietnam now has killed within a few hundred American lives of the Korean war, almost 33,000. This cannot go on. Continuing the muddling, tongue-in-cheek diplomatic table games at Paris can no longer be justified. The November 1968 elections were a mandate for a different policy in Vietnam. They were not a mandate for surrender or a sellout.

It is time for the new American President to lay it on the line at Paris. It is the responsibility of this Congress to support him when he does. This is the only way to get this war over with and quickly. I urge such action without further delay.

REFUSAL OF DEPARTMENT OF AGRICULTURE TO OBEY FEDERAL COURT ORDER

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. TUNNEY) is recognized for 15 minutes.

Mr. TUNNEY. Mr. Speaker, I would like to call the attention of my colleagues to a situation which is hardly believable. It involves a refusal by an agency of the U.S. Government to obey an order of a Federal court, an order to do nothing more than make food available to hungry people in California. An act that would not seem to need a court order in the latter part of the 20th century.

Let me briefly state the details. On December 30, 1968, the U.S. District Court, Northern District of California, issued a statewide court order binding upon certain State officials and the Department of Agriculture. The order unequivocally requires the Secretary of Agriculture to immediately institute a Federal food program in every California county presently without such a program. Approximately 16 counties involving one-half million low-income people are affected. The court order was based upon the Department of Agriculture's admission that there was substantial hunger in the California counties without food programs and that these hungry people would suffer "immediate and irreparable harm" unless they immediately received the benefits of a Federal food program.

On January 28, the State filed an affidavit in Federal court charging the Federal Government with "frustrating" the implementation of the court order and with adversely affecting counties that now wish to comply with the court order.

On February 4, 1969, a three-judge court denied the Department of Agriculture's motion to stay the continuance of the court order. In addition, the court stated that the effect of the court order was as "the plaintiffs—the hungry of California—Contend."

On March 1, 60 days had elapsed since the court order, although the Department of Agriculture admitted to the court that it could implement the court order within a day, it has failed to implement the court order in any fashion at all. Secretary Hardin's refusal to comply with the court order has gone beyond substantive noncompliance. He has even refused to submit a plan relating to future compliance.

The State of California has indicated its full willingness to comply with the court order. The affected counties have announced a willingness to cooperate with the Department of Agriculture should it attempt to comply with court order.

If the Department of Agriculture is unwilling to help the poor, perhaps it is the wrong agency to administer the program. If their interests lie elsewhere, then the Department of HEW could take over the food programs and provide for the needs of the disadvantaged.

In a country such as ours we cannot allow a person to go without food, to see his children hungry, because he is unfortunate enough to be out of work in the wrong county. Humanity should not follow county lines.

If the Department of Agriculture thinks it has a valid case, what is lost by feeding the hungry while it appeals the court order? There are established procedures to follow in our judicial system. If you do not agree with a decision you have the right to appeal it to a higher court. You do not have the right to simply ignore it.

This is a strange example for an administration that is allegedly dedicated to law, order, and justice. Are we to believe that the Department of Agriculture feels it is above the law?

I have written to Secretary Clifford Hardin today to ask him to explain his Department's actions, or more appropriately, inaction.

Mr. WALDIE. Mr. Speaker, will the gentleman yield?

Mr. TUNNEY. I am glad to yield to the gentleman from California.

Mr. WALDIE. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from California and commend him for bringing this to the attention of the House and I hope to the attention of the Secretary of Agriculture. It may be entirely possible that the Secretary is not even aware of what could be no more than bureaucratic bumbling where the people in the administration of the Department are so entwined with the rules and regulations of the Department that they forget those rules and regulations are designed not to hamper but, rather, to assist in the rendering of assistance and aid to people such as the hungry in California and throughout the Nation. Perhaps because of his bringing of this matter to the attention of the House and the country the Secretary of Agriculture will have this called to his attention. I simply cannot believe that the Secretary of Agriculture would be so shortsighted as not to recognize the wisdom of the suggestion you made that in the interim, while he is appealing what he might consider or what his attorneys in the Department might consider to be an unfair court order, he could still give this desperately and much-desired relief to the people of this country who are hungry.

Mr. TUNNEY. Mr. Speaker, I want to thank my friend from California for his remarks. I also find it unbelievable that the Secretary of Agriculture has personal knowledge of it. On the other hand, there have recently been a number of newspaper articles which have indicated what the problem is in California.

For instance, there was a recent editorial in the New York Times which suggested the problem that existed in California. There is also an article written by the columnists Novak and Evans that indicated this problem exists.

As a matter of fact, a couple of weeks ago Secretary Finch was accosted in the old Federal Office Building in San Francisco by a group of the hungry demanding immediate action on the court order. Secretary Finch indicated that he would bring this personally to the attention of President Nixon before his trip to Europe. However, to date there has been no word from the President or the Secretary.

Mr. WALDIE. If the Secretary is personally aware of it—and I presume there will be a response to the communications you addressed to him—if he has been personally aware of it and is relying on the legalistic position that apparently the Department has taken through its attorneys, then I think this is an untenable situation and I will be pleased to follow the gentleman's leadership in attempting to remedy this matter.

Mr. TUNNEY. I thank the gentleman.

FREE WORLD SHIPPING TO NORTH VIETNAM

(Mr. CHAMBERLAIN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CHAMBERLAIN. Mr. Speaker, I have just been advised by the Department of Defense, that during February, 10 more free world-flag vessels steamed into North Vietnamese ports. These included six ships flying the flag of the United Kingdom, two the flag of Singapore, and one each of Cypriot and Japanese registry. This brings the total for 1969 so far to 23, or five more than during the same period in 1968.

Such news as this is disturbing enough by itself, but it becomes appalling and intolerable when placed beside the information also just released that during the week February 23, through March 1, 453 American soldiers gave their lives in support of our efforts in defense of South Vietnam.

The appearance of a Japanese-flag vessel should be a matter of particular concern, for while the Japanese Government has cooperated since mid-1965 in helping to remove vessels under its registry from such traffic, there have been recurring reports in recent months indicating that there are those in Japan eager to expand trade with North Vietnam whether the fighting stops or not. I would point out that in May of 1968 a Japanese-flag ship was also in North Vietnam, but until last month there have been no other Japanese arrivals noted. In view of the cooperation of the Japanese Government in the past in these matters I would strongly urge that the administration make every effort to insure that there is no further increase in this traffic.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. TUNNEY, for 15 minutes, today.

Mr. BROWN of California, for 1 hour, Wednesday, March 26.

Mr. EDWARDS of California, for 1 hour, Wednesday, March 26.

(The following Members (at the request of Mr. DANIEL of Virginia) and to revise and extend their remarks and include extraneous matter:)

Mr. HOLIFIELD, for 30 minutes, on March 11.

Mr. RYAN, for 1 hour, on March 19.

Mr. BELCHER (at the request of Mr. BROTZMAN), for 45 minutes, on Tuesday, March 11, 1969, and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. DULSKI in four instances.

Mrs. GREEN of Oregon in five instances and to include extraneous matter.

(The following Members (at the request of Mr. BROTZMAN) and to include extraneous matter:)

Mr. SPRINGER in two instances.
Mr. FINDLEY.
Mr. BROYHILL of Virginia in three instances.
Mr. BROWN of Ohio.
Mr. BEALL of Maryland.
Mr. KING in five instances.
Mr. PETTIS.
Mr. GROSS.
Mr. ASHBROOK in two instances.
Mr. BROCK.
Mr. BUCHANAN in two instances.
Mr. STEIGER of Arizona.

(The following Members (at the request of Mr. DANIEL of Virginia) and to include extraneous matter:)

Mr. BIAGGI.
Mr. RODINO.
Mr. LEGGETT.
Mr. LONG of Maryland in two instances.
Mr. REUSS in eight instances.
Mr. FRIEDEL in two instances.
Mr. O'HARA.
Mr. VANIK in two instances.
Mr. HELSTOSKI in two instances.
Mr. BLANTON.
Mr. ROSENTHAL in five instances.
Mr. RYAN in three instances.
Mr. RIVERS.
Mr. GONZALEZ in three instances.
Mr. MINISH.
Mr. MARSH in two instances.
Mr. RARICK in four instances.
Mr. MURPHY of New York.
Mr. GRIFFIN.
Mr. FLOOD in two instances.
Mr. CAREY.
Mr. ECKHARDT.
Mr. STOKES in six instances.

ADJOURNMENT

Mr. DANIEL of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until Monday, March 10, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

564. A letter from the Director, Contract Administration, Department of the Navy, transmitting a semiannual report for the period July 1 to December 31, 1968, on military construction contracts awarded on other than a competitive basis to the lowest responsible bidder, pursuant to the provisions of section 804, Public Law 90-408; to the Committee on Armed Services.

565. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third- and sixth-preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DULSKI: Committee on Post Office and Civil Service. Postal systems of the U.S. Armed Forces-Europe, 1968 (Rept. No. 91-29). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROYBAL: Committee on Foreign Affairs. Special study mission to East and Southeast Asia (Rept. No. 91-30). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 8361. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. ADAMS:

H.R. 8362. A bill to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDREWS of Alabama.

H.R. 8363. A bill to provide that the reservoir formed by the lock and dam referred to as the "Jones Bluff lock and dam" on the Alabama River, Ala., shall hereafter be known as the Robert F. Henry Reservoir; to the Committee on Public Works.

By Mr. BELCHER:

H.R. 8364. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. BIAGGI:

H.R. 8365. A bill to provide for meeting the manpower needs of the Armed Forces of the United States through a completely voluntary system of enlistments, and to further improve, upgrade, and strengthen such Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. BLANTON:

H.R. 8366. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 8367. A bill to amend the Internal Revenue Code of 1954 to impose additional limitations on tax-exempt foundations and charitable trusts; to the Committee on Ways and Means.

By Mr. BROOKS:

H.R. 8368. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. BUSH:

H.R. 8369. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 8370. A bill to amend title II of the Social Security Act to increase all benefits thereunder by 20 percent, and to provide that full benefits (when based on attainment of retirement age) will be payable to both men and women at age 60; to the Committee on Ways and Means.

By Mr. COLLINS:

H.R. 8371. A bill to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 8372. A bill to require the establishment, on the basis of the 19th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes; to the Committee on the Judiciary.

H.R. 8373. A bill to improve the judicial machinery by providing for Federal jurisdiction and a body of uniform Federal law for cases arising out of aviation and space activities; to the Committee on the Judiciary.

By Mr. DENNEY:

H.R. 8374. A bill to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 8375. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,500 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. ECKHARDT (for himself, Mr. Blanton, and Mr. Kyros):

H.R. 8376. A bill to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein; to the Committee on Interstate and Foreign Commerce.

By Mr. EILBERG:

H.R. 8377. A bill to amend the Federal Hazardous Substances Act to protect children from toys or other articles intended for use by children which present any electrical, mechanical, or thermal hazard; to the Committee on Interstate and Foreign Commerce.

H.R. 8378. A bill to amend section 336(c) of the Immigration and Nationality Act, to the Committee on the Judiciary.

By Mr. FINDLEY:

H.R. 8379. A bill to extend the executive reorganization provisions of title 5, United States Code, for an additional 2 years, and for other purposes; to the Committee on Government Operations.

By Mr. FREY:

H.R. 8380. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FRIEDEL:

H.R. 8381. A bill to establish the second Monday in November as Veterans' Day; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 8382. A bill to amend title 10, United States Code, with respect to crediting certain service of females sworn in as members of telephone operating units, Signal Corps; to the Committee on Armed Services.

H.R. 8383. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

H.R. 8384. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits; to the Committee on Ways and Means.

H.R. 8385. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 8386. A bill to amend the Internal Revenue Code of 1954 to allow a depreciation deduction for the wear and tear of real property used as the taxpayer's principal residence; to the Committee on Ways and Means.

H.R. 8387. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

By Mr. HANNA (for himself, Mr. Langen, Mr. Brown of California, Mr. Corman, Mr. Smith of Iowa, Mr. Pettis, Mr. Carter, Mr. Waldie, Mr. Blanton, Mr. Watkins, and Mr. Patman):

H.R. 8388. A bill to amend the Communications Act of 1934 in order to prohibit the broadcasting of any advertising of alcoholic beverages; to the Committee on Interstate and Foreign Commerce.

By Mr. HANSEN of Idaho:

H.R. 8389. A bill to amend chapter 44 of title 18, United States Code, to provide that such chapter shall not apply with respect to the sale or delivery of certain ammunition for rifles or shotguns; to the Committee on the Judiciary.

By Mr. HASTINGS:

H.R. 8390. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HATHAWAY:

H.R. 8391. A bill to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products, and by improving the quality of potatoes and potato products that are made available to the consumer; to the Committee on Agriculture.

H.R. 8392. A bill to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HELSTOSKI:

H.R. 8393. A bill to improve and increase postsecondary educational opportunities throughout the Nation by providing assistance to the States for the development and construction of comprehensive community colleges; to the Committee on Education and Labor.

By Mr. HUNT:

H.R. 8394. A bill to amend title 10 of the United States Code so as to provide for the awarding of a Supreme Sacrifice Medal to relatives of members of the Armed Forces killed in Vietnam; to the Committee on Armed Services.

H.R. 8395. A bill to give the President authority to alleviate or to remove the threat to navigation, safety, marine resources, or the coastal economy posed by certain releases of fluids or other substances carried in oceangoing vessels; to the Committee on Merchant Marine and Fisheries.

H.R. 8396. A bill to prohibit officers and employees of the United States from dumping or permitting the dumping of dredgings and other refuse materials into any navigable water; to the Committee on Public Works.

By Mr. HUNT (for himself and Mr. Wylie):

H.R. 8397. A bill to amend title 18, United States Code, to prohibit the dissemination through interstate commerce or the mails of obscene materials to persons under the age of 18 years, and to restrict the exhibition of movies or other obscene matter to such persons, and for other purposes; to the Committee on the Judiciary.

By Mr. JACOBS:

H.R. 8398. A bill to amend title 18 of the United States Code to provide Secret Service protection to any person within the United States who is the subject of national controversy of sufficient intensity to pose a danger to such person's life; to the Committee on the Judiciary.

By Mr. JOHNSON of Pennsylvania:

H.R. 8399. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments shall not be included as income for the purposes of determining eligibility for a pension under title 38; to the Committee on Veterans' Affairs.

H.R. 8400. A bill to increase the personal income tax exemption of a taxayer and the additional exemption for his spouse from $600 to $1,000, and to increase the exemption for a dependent from $600 to $1,000; to the Committee on Ways and Means.

By Mr. LONG of Maryland:

H.R. 8401. A bill to amend the Internal Revenue Code of 1954 to allow income tax deductions for certain payments to assist in providing higher education; to the Committee on Ways and Means.

By Mr. MAYNE:

H.R. 8402. A bill to designate the Interstate System as the "Eisenhower Interstate Highway System"; to the Committee on Public Works.

By Mr. MILLER of Ohio:

H.R. 8403. A bill authorizing the Secretary of the Army to establish a national cemetery in the southeastern quadrant of Ohio; to the Committee on Veterans' Affairs.

By Mr. NIX:

H.R. 8404. A bill to amend title IV of the Social Security Act to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

By Mr. PETTIS:

H.R. 8405. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. PETTIS (for himself, Mr. Johnson of California, Mr. Lloyd, Mr. Waldie, Mr. Don H. Clausen, Mr. Baring, Mr. Leggett, Mr. Utt, Mr. Gubser, Mr. Hicks, Mr. Hawkins, Mr. Charles H. Wilson, Mr. Miller of California, Mr. Burton of Utah, Mr. Bob Wilson, Mr. Edwards of California, Mr. Lipscomb, Mr. Anderson of California, Mr. Wyatt, and Mr. Talcott):

H.R. 8406. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. PHILBIN:

H.R. 8407. A bill to equalize the retired pay of members of the uniformed services retired prior to June 1, 1958, whose retired pay is computed on laws enacted on or after October 1, 1949; to the Committee on Armed Services.

H.R. 8408. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

H.R. 8409. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. PODELL:

H.R. 8410. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. POLLOCK:

H.R. 8411. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. PUCINSKI:

H.R. 8412. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally or partially disabled in the line of duty; to the Committee on the Judiciary.

By Mr. RIVERS (for himself, Mr. Fascell, Mr. Randall, and Mr. Zablocki):

H.R. 8413. A bill to amend title 10, United States Code, to prescribe health care cost-sharing arrangements for certain surviving dependents, and for other purposes; to the Committee on Armed Services.

By Mr. ROGERS of Florida:

H.R. 8414. A bill to equalize the retired pay of members of the uniformed services retired prior to June 1, 1958, whose retired pay is computed on laws enacted on or after October 1, 1949; to the Committee on Armed Services.

By Mr. ROYBAL:

H.R. 8415. A bill to amend the Civil Service Retirement Act to extend to employees retired on account of disability prior to October 1, 1956, the minimum annuity base established for those retired after that date; to the Committee on Post Office and Civil Service.

By Mr. ROYBAL (for himself, Mr. Adams, Mr. Annunzio, Mr. Bell of California, Mr. Brown of California, Mr. Conyers, Mr. Corman, Mr. Diggs, Mr. Edwards of California, Mr. Evans of Colorado, Mr. Halpern, Mr. Johnson of California, Mr. Leggett, Mr. Madden, Mr. Rees, Mr. Rogers of Colorado, Mr. Sisk, Mr. Talcott, Mr. Teague of California, Mr. Tunney, Mr. Udall, Mr. Van Deerlin, Mr. White, Mr. Wiggins, and Mr. Charles H. Wilson):

H.R. 8416. A bill to establish the Interagency Committee on Mexican-American Affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RUPPE:

H.R. 8417. A bill to amend the Federal Water Pollution Control Act, as amended, relating to cooperation by other Federal departments and agencies to control pollution, and for other purposes; to the Committee on Public Works.

H.R. 8418. A bill to amend the Internal Revenue Code of 1954 to increase the personal income tax exemptions of a taxpayer from $600 to $1,000 over a 4-year period beginning with 1970; to the Committee on Ways and Means.

By Mr. ST GERMAIN:

H.R. 8419. A bill to amend the Internal Revenue Code of 1954 to provide that any unmarried person who maintains his or her own home shall be entitled to be taxed at the rate provided for the head of a household; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 8420. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 8421. A bill to provide for the detail of Foreign Service officers to private institutions and organizations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SEBELIUS:

H.R. 8422. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to permit advance payments to wheat producers; to the Committee on Agriculture.

By Mr. STAGGERS:

H.R. 8423. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. STEED:

H.R. 8424. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

By Mr. TEAGUE of California:

H.R. 8425. A bill to amend title 5, United States Code, to provide that the civil service retirement coverage may be waived by employees covered by retirement policies or plans of private insurers; to the Committee on Post Office and Civil Service.

By Mr. VANIK:

H.R. 8426. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. WIGGINS:

H.R. 8427. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 8428. A bill to provide for the early transition to a full voluntary military manpower procurement system by further improving, upgrading, and strengthening the Armed Forces of the United States, and for other purposes; to the Committee on Armed Services.

H.R. 8429. A bill to amend section 3203, title 38, United States Code, to liberalize those provisions requiring the discontinuance of aid and attendance allowances for certain veterans during hospitalization at Government expense; to the Committee on Veterans' Affairs.

By Mr. BROYHILL of Virginia:

H.R. 8430. A bill to amend title 5, United States Code, to provide that the civil service retirement annuity of an employee retiring after the effective date of a cost-of-living annuity increase but eligible for retirement on that effective date shall not be less than his annuity if he had retired on that effective date, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BURLISON of Missouri (for himself and Mr. Gray):

H.R. 8431. A bill to establish Tower Rock (Rock of the Cross) National Historic Site in Perry County, Mo., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BUSH:

H.R. 8432. A bill to amend the Submerged Lands Act to establish the coastline of certain States as being for the purposes of that act, the coastline as it existed at the time of entrance into the Union; to the Committee on the Judiciary.

By Mr. DENNEY (for himself and Mr. McClure):

H.R. 8433. A bill to amend the Internal Revenue Code of 1954 to provide that a farmer shall have until March 15 (instead of only until February 15 as at present) to file an income tax return which also satisfies the requirements relating to declarations of estimated tax; to the Committee on Ways and Means.

By Mr. DULSKI (for himself, Mr. Corbett, Mr. Henderson, Mr. Olsen, Mr. Daniels of New Jersey, Mr. Nix, Mr. Hanley, Mr. Charles H. Wilson, Mr. White, Mr. Cunningham, Mr. Johnson of Pennsylvania, Mr. Button, Mr. McClure, Mr. Lukens, and Mr. Hogan):

H.R. 8434. A bill to amend title 39, United States Code, to provide additional free letter mail and air transportation mailing privileges for certain members of the U.S. Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ECKHARDT (for himself, Mr. Davis of Georgia, Mr. Burton of California, Mr. Conyers, and Mr. Podell):

H.R. 8435. A bill to suspend the equal-time requirements of section 315 of the Communications Act of 1934 for certain candidates for nomination to the office of President, to provide for television debates for such candidates, and to afford the States a uniform means of selecting and instructing delegates to the presidential conventions of the major political parties to the end that the people will be more directly and equitably represented in the selection of party candidates, that the political processes of the Nation will be more orderly, meaningful, and informative, and that the inordinately high cost of seeking presidential nomination will be reduced; to the Committee on Interstate and Foreign Commerce.

By Mr. FINDLEY:

H.R. 8436. A bill to provide for the issuance of a special postage stamp in commemoration of the 20th anniversary of the negotiation of the North Atlantic Treaty; to the Committee on Post Office and Civil Service.

By Mr. FRIEDEL:

H.R. 8437. A bill to amend the Railway Labor Act in order to remove certain restrictions on the selection of carrier representatives and labor organization representatives on the National Railroad Adjustment Board; to the Committee on Interstate and Foreign Commerce.

By Mrs. GREEN of Oregon (for herself, Mr. Ayres, Mr. Brademas, Mr. Burton of California, Mr. Carey, Mr. Clay, Mr. Dellenback, Mr. Erlenborn, Mr. Esch, Mr. Hathaway, Mr. Perkins, Mr. Quie, Mr. Reid of New York, Mr. Scherle, Mr. Scheuer, Mr. Steiger of Wisconsin, Mr. Stokes, and Mr. Thompson of New Jersey):

H.R. 8438. A bill to extend the time for filing final reports under the Correctional Rehabilitation Study Act of 1965 until July 31, 1969; to the Committee on Education and Labor.

By Mr. HALEY:

H.R. 8439. A bill to amend the Internal Revenue Code of 1954 to require the capitalization of certain costs incurred in planting and developing citrus groves; to the Committee on Ways and Means.

By Mr. HALPERN (for himself, Mr. Donohue, Mr. Fish, Mr. Joelson, Mr. Reid of New York, and Mr. Robison):

H.R. 8440. A bill to amend the public assistance provisions of the Social Security Act to require the establishment of nationally uniform minimum standards and eligibility requirements for aid or assistance thereunder; to the Committee on Ways and Means.

By Mr. KOCH:

H.R. 8441. A bill to authorize the Secretary of State to reimburse municipalities within the United States for certain revenue losses incurred by them as a result of the ownership of property by tax-exempt foreign governments or international organizations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MILLS:

H.R. 8442. A bill to amend the Internal Revenue Code of 1954 to make clear the tax treatment intended for certain special reserves under group contracts in the case of life insurance companies; to the Committee on Ways and Means.

By Mr. MINSHALL:

H.R. 8443. A bill to amend chapter 44 of title 18, United States Code, to strengthen the penalty provision applicable to a Federal felony committed with a firearm; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 8444. A bill to provide that certain aircraft may travel between the Unied States and Canada and between the United States and Mexico without requiring the owners or operators thereof to reimburse the United States for extra compensation paid customs officers and employees and immigration officers and employees; to the Committee on Ways and Means.

By Mr. PATMAN (for himself, Mr. BARRETT, Mrs. SULLIVAN, Mr. REUSS, Mr. ASHLEY, Mr. MOORHEAD, Mr. STEPHENS, Mr. ST GERMAIN, Mr. GONZALEZ, Mr. MINISH, Mr. HANNA, Mr. GETTYS, Mr. ANNUNZIO, Mr. REES, Mr. GALIFIANAKIS, Mr. BEVILL, Mr. GRIFFIN, Mr. HANLEY, Mr. BRASCO, Mr. CHAPPELL, Mr. WIDNALL, Mrs. DWYER, Mr. HALPERN, and Mr. COWGER):

H.R. 8445. A bill to amend the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions, and for other purposes; to the Committee on Banking and Currency.

By Mr. PICKLE:

H.R. 8446. A bill to amend section 10 of the Railway Labor Act to settle emergency transportation labor disputes; to the Committee on Interstate and Foreign Commerce.

By Mr. REUSS:

H.R. 8447. A bill to coordinate national conservation policy by establishing a Council of Conservation Advisers, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROGERS of Florida:

H.R. 8448. A bill to provide for the establishment of a national cemetery in either Palm Beach or Broward County, Fla.; to the Committee on Veterans' Affairs.

By Mr. STAGGERS:

H.R. 8449. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H.R. 8450. A bill to amend section 111(a) of title 38, United States Code, to increase the rate of reimbursement of travel authorized Veterans' Administration beneficiaries, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 8451. A bill to amend title 38, United States Code, to authorize increased benefits for veterans requiring regularly scheduled hemodialysis; to the Committee on Veterans' Affairs.

By Mr. WOLD:

H.R. 8452. A bill to provide for the establishment of a national cemetery in the State of Wyoming; to the Committee on Veterans' Affairs.

By Mr. CEDERBERG:

H.J. Res. 523. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. DEL CLAWSON:

H.J. Res. 524. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. O'HARA:

H.J. Res. 525. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.J. Res. 526. Joint resolution proposing an amendment to the Constitution of the United States to provide a single 6-year term for the President and 3-year terms for Members of the House of Representatives, and to provide for the direct election of the President and the Vice President; to the Committee on the Judiciary.

By Mr. ROTH:

H.J. Res. 527. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.J. Res. 528. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WOLD:

H.J. Res. 529. Joint resolution providing for the designation of the year 1969 as "John Wesley Powell Centennial Year"; to the Committee on the Judiciary.

By Mr. WYLIE:

H.J. Res. 530. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H. Con. Res. 159. Concurrent resolution expressing the sense of Congress with respect to reducing the balance-of-payments deficit by encouraging American industry and the American public to ship and travel on American ships; to the Committee on Merchant Marine and Fisheries.

By Mr. HELSTOSKI:

H. Con. Res. 160. Concurrent resolution, Biafra: The need for an immediate ceasefire; to the Committee on Foreign Affairs.

By Mr. THOMSON of Wisconsin:

H. Con. Res. 161. Concurrent resolution commemorating the bicentennial of the American Revolution; to the Committee on the Judiciary.

By Mr. DUNCAN:

H. Res. 299. Resolution to express the sense of the House of Representatives with respect to travel at Government expense by Members of the House who have been defeated, resigned, or retired; to the Committee on House Administration.

By Mr. RODINO:

H. Res. 300. Resolution authorizing and directing the Committee on Interstate and Foreign Commerce to conduct a study and investigation of magazine sales promotion practices; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

38. By Mr: OLSEN: Resolution of the House of Representatives of the State of Montana requesting Congress and particularly Montana's congressional delegation to enact legislation to reinstate the silver dollar as a minted coin; to the Committee on Banking and Currency.

39. Also, a resolution of the House of Representatives of the State of Montana urging elimination of the freeze of funds relating to aid to families with dependent children under the Social Security Act; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BIAGGI:

H.R. 8453. A bill for the relief of Vincenzo Cangialosi; to the Committee on the Judiciary.

H.R. 8454. A bill for the relief of Dorotea Caporrimo; to the Committee on the Judiciary.

H.R. 8455. A bill for the relief of Antonio Fontana; to the Committee on the Judiciary.

H.R. 8456. A bill for the relief of Maria Gambino; to the Committee on the Judiciary.

H.R. 8457. A bill for the relief of Michele Grech and his wife, Concetta Grech; for the Committee on the Judiciary.

H.R. 8458. A bill for the relief of Vincenzo Laezza; to the Committee on the Judiciary.

H.R. 8459. A bill for the relief of Mrs. Mary E. O'Rourke; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 8460. A bill for the relief of Ekaterina Pyramidou and Evanthia Pyramidou; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 8461. A bill for the relief of Anna Maria and Giuseppe D'Ignoti; to the Committee on the Judiciary.

H.R. 8462. A bill for the relief of Giacomo and Santa D'Ignoti: to the Committee on the Judiciary.

H.R. 8463. A bill for the relief of Antonio Grillo; to the Committee on the Judiciary.

H.R. 8464. A bill for the relief of Chung Sang Hung; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 8465. A bill for the relief of Bessie Williams; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 8466. A bill for the relief of Luzviminda Pelina; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 8467. A bill for the relief of Jaim Roisman; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 8468. A bill for the relief of Coronacion Banas Bongalos; to the Committee on the Judiciary.

H.R. 8469. A bill for the relief of Dr. Rodelio Lim; to the Committee on the Judiciary.

By Mr. HANSEN of Idaho:

H.R. 8470. A bill for the relief of 1st Lt. Jackie D. Burgess; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 8471. A bill for the relief of Angelo Carusotto; to the Committee on the Judiciary.

H.R. 8472. A bill for the relief of Amalia Lopez; to the Committee on the Judiciary.

H.R. 8473. A bill for the relief of Bonifacio Lopez; to the Committee on the Judiciary.

H.R. 8474. A bill for the relief of Renato Di Popolo; to the Committee on the Judiciary.

By Mr. HELSTOSKI (by request):

H.R. 8475. A bill for the relief of John Demakopoelos (also known as Short Dimos); to the Committee on the Judiciary.

H.R. 8476. A bill for the relief of John Marousiodis; to the Committee on the Judiciary.

H.R. 8477. A bill for the relief of Konstantinos Protopapas; to the Committee on the Judiciary.

H.R. 8478. A bill for the relief of Georgios Sxinas; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 8479. A bill for the relief of Luzinette T. Lima; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 8480. A bill for the relief of Sister Consolata (Licia Bianconi); to the Committee on the Judiciary.

H.R. 8481. A bill for the relief of Sister Innocenza (Natalina Zerlotin); to the Committee on the Judiciary.

By Mr. McCULLOCH:

H.R. 8482. A bill for the relief of Dr. Teodorico Gemil Exconde and Dr. Teresita Jarin Exconde; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 8483. A bill for the relief of Giuseppe DiStefano; to the Committee on the Judiciary.

H.R. 8484. A bill for the relief of Alessandro La Pietra; to the Committee on the Judiciary.

H.R. 8485. A bill for the relief of Elena Monteza; to the Committee on the Judiciary.

H.R. 8486. A bill for the relief of Wong Wah Sin; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 8487. A bill to amend the act of June 27, 1918, relating to certain reversionary interests of the United States in certain real property in the State of Montana; to the Committee on Interior and Insular Affairs.

By Mr. OTTINGER:

H.R. 8488. A bill for the relief of Angelo Di Sisto and his wife, Carmela Di Sisto, and their children, Mario and Guiseppine Di Sisto; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 8489. A bill for the relief of Carlos Priego Reyes; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 8490. A bill for the relief of Giovanni Battista Bartalone; to the Committee on the Judiciary.

H.R. 8491. A bill for the relief of Salvatore Carollo and his wife, Antonina Carollo; to the Committee on the Judiciary.

H.R. 8492. A bill for the relief of Vincenzo La Bella; to the Committee on the Judiciary.

H.R. 8493. A bill for the relief of Malka Laufer; to the Committee on the Judiciary.

H.R. 8494. A bill for the relief of Joseph Shiu Kun Luk, also known as Joseph Chao Chun Luk; to the Committee on the Judiciary.

H.R. 8495. A bill for the relief of Rosario Panzarella, his wife, Antonina Panzarella, and their infant daughter, Giacinta Panzarella; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 8496. A bill for the relief of Francesco Rando; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 8497. A bill for the relief of Byung Il Chang; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 8498. A bill for the relief of Max Ansellem; to the Committee on the Judiciary.

H.R. 8499. A bill for the relief of Lesley Dawson; to the Committee on the Judiciary.

H.R. 8500. A bill for the relief of Clarence Gillett; to the Committee on the Judiciary.

H.R. 8501. A bill for the relief of Erlinda Rojas-Perez; to the Committee on the Judiciary.

H.R. 8502. A bill for the relief of Amelia Rufino; to the Committee on the Judiciary.

H.R. 8503. A bill for the relief of Louella Rufino; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 8504. A bill for the relief of Marie de Jesus Goncalves de Maia; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 8505. A bill for the relief of Fred Fawzi Kahale; to the Committee on the Judiciary.

By Mr. SEBELIUS:

H.R. 8506. A bill for the relief of Dr. Pio Albert Pol y Zapata and his wife, Dolores S. Alvarez de Pol; to the Committee on the Judiciary.

By Mr. WATSON:

H.R. 8507. A bill for the relief of Nikandros Rondogiannis; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

CHAIRMAN TEAGUE RECEIVES HIGH HONOR FROM VFW

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. DULSKI. Mr. Speaker, the Veterans of Foreign Wars of the United States held its annual congressional dinner on Tuesday evening and a feature was the presentation of the VFW's Congressional Award to our esteemed colleague, the Honorable OLIN E. TEAGUE, of Texas, chairman of the House Committee on Veterans' Affairs.

This coveted award was presented "for outstanding service to the Nation" and was in recognition of his important work as chairman of the Veterans' Affairs Committee and as ranking member of the Committee on Science and Astronautics.

Chairman TEAGUE was presented with a plaque and also with a $1,000 check. He immediately announced he would donate the check to a scholarship fund at Texas A. & M. University.

National Commander in Chief Richard Homan of Sugar Grove, W. Va., presided at the delightful affair.

Vice President SPIRO AGNEW spoke and referred to the current attack on the ROTC in some of our colleges and universities. Said Vice President AGNEW:

> I am concerned not just about Vietnam. I am concerned about a more subtle problem on college and university campuses and I have serious doubts about universities that want to remove accreditation from the ROTC on the grounds that it is not relevant.
>
> I can't think of anything more relevant than preserving, protecting the Constitution.
>
> Dissension can take place with lawful persuasion, not destruction.

Special guests were the 53 semifinalists in the Voice of Democracy Contest and first announcement was made of the five winners: First, Miss Debra George, 17, Cheyenne, Wyo.; second, Robert Pondillo, of Youngstown, Ohio; third, Dan Ellerman, of Winnsboro, La.; fourth, William Jockheck, of Redfield, S. Dak.; fifth, Bruce Seaman, of Aiea, Hawaii.

Also present were several of the Nation's Medal of Honor winners. The program included a special salute to World War I veterans.

Following is the text of the response of Chairman TEAGUE upon receiving the Congressional Award:

REMARKS OF CHAIRMAN OLIN E. TEAGUE AT VFW CONGRESSIONAL DINNER

Commander Holman, my colleagues in Congress, distinguished Medal of Honor recipients, Voice of Democracy winners, ladies and gentlemen, I receive this award in all humility and gratitude. Thank you very much.

I want to make it very clear I receive it, in the fullest meaning of the word, as a Member of Congress and not simply as an individual.

There are in this audience tonight hundreds of Members of both Houses of Congress who have made this award possible—and there are many other Members who could not be with us tonight—who should share this credit.

After all, if it were not for the support and votes in the Committees and if it were not for the support and votes in the Congress as a whole, all of the dreams and ideals we share together would turn to dust.

We have made accomplishments in the veteran field for a single reason: We have a responsive and sympathetic Congress. Last year we passed 500 million dollars in new veteran benefit legislation with only two dissenting votes.

Not one single time has Congress ever rebuffed the Veterans Affairs Committee on any reasonable request which we have brought before it.

The Congress is most nonpartisan when it comes to the welfare of our veterans and servicemen. I have found in my quarter century in Congress that political partisanship is not a factor when we consider the welfare of those who serve.

I would like to express a special word of thanks to our great Speaker, the Honorable John McCormack, and to the distinguished minority leader, the Honorable Gerald Ford, who have done so much to preserve this bipartisan concept.

I want to take a few minutes to make one point which I deeply believe and that is: *We live in a wonderful country.*

And the United States with all its turmoil, with all its problems, is a great, good and generous nation. And we ought to remind ourselves of this more often.

I am saying this because we have, as a nation, shown a tendency in recent years to downgrade ourselves and to downgrade our institutions.

We have been flooded with the criticisms of a quite small, but highly articulate, minority, so that we are becoming a nation of intellectual pessimists.

We have come to accept the castigations of our critics without question and too often refuse to believe the evidence of our daily achievements.

There are still a lot of problems in America but there are a lot more things that are right in America. Our system demands that we seek out and identify our problems.

It is true that there are some who still suffer the indignities of inequality and the same of injustice. We must forever and with all our energy continue to seek to correct these injustices and inequalities.

We must always strive to improve the quality of life for all our people, but sometimes it seems to me that we become so engrossed in these problems, so centered on what is wrong, that we seldom acknowledge what is right.

We have a free society in this country. It is the freest society in the world.

We are several million light years ahead in the area of freedom compared to those countries which espouse the causes of Communism—countries which are often held up as examples by some who riot on our college campuses and on our streets, claiming we don't have freedom enough.

As a people, we have more freedom of action, more freedom of speech, and more freedom of choice than any other people in all of history. As a nation we have more freedom of religion than have the citizens of any other nation.

We have no State establishment of religion; our people worship as they see fit, without interference or hindrance, or they can refuse to worship at all, if faith has been denied them.

But, of course, there are those who, in the *name* of freedom, would tear from the God-oriented majority of our people the right to express our belief in the Almighty in any public or official way. This again, to me, is the opposite of freedom.

Others, who suffer loss of freedom, can tell us much. All of us in Congress get requests practically every day from people wanting to *come in* to the United States, but I know of none who have ever received a request from anyone to *get out*.

Anytime you become discouraged with your country, you need only to travel a little, away from Washington and across the breadth of this magnificent land.

You'll find a vibrant, thriving, bustling, vital people, concerned about our problems—yes—but driving ahead, producing, learning, working, worshiping, and playing.

You will find that we, as a people, not only have more of the good things of life, we have more time to enjoy them.

We are better housed, better clothed, better fed, better educated, in better health, and enjoy the finest communication network and the greatest transportation and distribution systems ever developed by man.

It is time for us, as Americans, to hold our heads high—to take pride in the civilization we have built upon this continent—to take pride in the freedoms we have created—and to be determined to protect those freedoms in every way we can, with every means we have available. We must believe in ourselves *more*.

We might take a lesson from the brave astronauts who so fervently believe in themselves and our space program. Surely one of the great benefits we can gain from the magnificent achievements of our space program is to show more confidence and take more pride in ourselves as a nation.

I was at Cape Kennedy yesterday for the launching of Apollo Nine. This ten-day experiment is just in its second day and if all goes well, we will all turn our thoughts to the Moon landing. Surely we can draw a little on the courage and confidence of America's astronauts who carry our flag into outer space.

I sometimes hear sincere people question the value of the space programs, even to the point of recommending that they be virtually discontinued.

I say to you in all earnestness, can we seriously suggest that America lay aside the mantle of space leadership and leave man's greatest adventure to someone else? We all know that this cannot be.

Therefore, if brave astronauts circle the earth in preparation for the future, we here, and particularly those of us in the Congress, greatly concerned about the nation's strength and prestige, about this nation's leadership and her future, must continue to do our part.

Let us face our problems. Let us also recognize our progress and our greatness.

As St. Paul says in his second epistle to the Corinthians—and I paraphrase here—"We must strive to show ourselves servants of God, with great fortitude in trials, distress, difficulties and . . . riots, with hard work . . . with innocence, knowledge, patience and kindness, *wielding the weapons of justice with right hand and left, whether we are honored or dishonored, spoken of well or ill.*"

To those who abuse their freedom by seeking to impair the rights of others, and by deriding us for our virtues, I would like to paraphrase the epistle:

"We are called imposters, and yet we are truthful . . .

"We are called sorrowful, and yet we are rejoicing . . .

"We are called poor in spirit, and yet we are enriching many.

"We are said to have nothing, and yet we have *everything*."

Let's keep it that way. Let's speak, more often, of what is right with America.

Once more—on behalf of all my colleagues in Congress and myself—thank you for what you have done here tonight. Good night, and God bless you.

WAR

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. LONG of Maryland. Mr. Speaker, M. Sgt. Mack C. Boblett, Sp4c. Terrence L. Snyder, Lance Cpl. Joseph M. Van Daniker, Sp5c. Harold D. Biller, Sp4c. Joseph F. Bauer, Jr., Lt. William J. Christman, and Pvt. Lee V. Silver, seven outstanding young men from Maryland, were killed recently in Vietnam. I wish to commend their courage and honor their memory by including the following article in the RECORD:

SEVEN MARYLANDERS DIE IN VIET WAR

Seven Maryland servicemen died in Vietnam between February 17 and February 27, the Defense Department announced yesterday.

They were:

M.Sgt. Mack C. Boblett, of the Air Force, the husband of Mrs. Naomi Boblett, of 8903 Deborah street, Clinton.

Spec. 4 Terrence L. Snyder, of the Army, son of Mr. and Mrs. Mark E. Snyder, of 8219 Belair road, Baltimore.

Lance Cpl. Joseph M. Van Daniker, of the Marine Corps, son of Mr. and Mrs. George H. Van Daniker, Sr., of 415 Barksdale road, Joppatowne.

Spec. 5 Harold D. Biller, of the Army, son of Mr. and Mrs. Arthur A. Biller, of 12727 Hathaway drive, Silver Spring.

Spec. 4 Joseph F. Bauer, Jr., of the Army, husband of Mrs. Marcella J. Bauer, of 8304 Berkwood court, Baltimore.

Lt. William J. Christman 3d, of the Marine Corps, husband of Mrs. Barbara J. Christman, of 102 James street, Gaithersburg.

Pvt. Lee V. Silver, of the Army, son of Herman J. Silver, of 2635 Round road, Baltimore.

FLARE EXPLOITED

Sergeant Boblett, 40, was killed February 27, when a flare he was holding exploded in his hand.

A native of Stanford, W.Va., Sergeant Boblett had been in the Air Force for 21 years. During his career, he had been stationed in Bermuda and Panama, in addition to the United States. He had been in Vietnam since November 30, 1968.

His wife, Naomi Boblett, to whom he had been married 18 years, said yesterday that Sergeant Boblett enjoyed his work in Vietnam, because he loved to fly. "He said that he was doing his little part there," she added.

In addition to his wife, Sergeant Boblett is survived by his four children, Mackie, 16; Becky, 15; Sally, 13 and Robin, 7; three brothers, Jack B., of Seattle, William B., of Chicago, Mason B., of Brandywine, Md.; and two sisters, Mary Alice La Flamme, of Hartford, and Mrs. Sidney Burns, of Tonawanda, New York.

Specialist Snyder, 21, was a native of Allentown, Pa., and spent his early years in that state before moving to Maryland with his parents. A graduate of Perry Hall High School in 1965, he attended college for three years before being drafted into the Army in 1968.

The only son of Mr. and Mrs. Mark E. Snyder, he was sent to Vietnam in December of last year. An infantryman, he was killed on February 26 during a fire fight.

In addition to his parents, Specialist Snyder is survived by Mrs. Marlin Bailey, his maternal grandmother, of Baltimore.

Corporal Van Daniker, 19, a native of Baltimore, had been in the Marine Corps slightly over a year when he was killed by hostile rifle fire north of Saigon February 23.

A 1967 graduate of Edgewood High School, Harford county, he received two purple hearts after his arrival in Vietnam last July. In October, 1968, he was wounded and, two months later, he was temporarily put out of action with shrapnel wounds in the leg.

He will receive a full military burial at Dulaney Valley Cemetery in Baltimore county. Corporal Van Daniker is survived by three brothers, George H., Jr., 17, James Thomas, 14, David Allen, 7; two sisters, Catherine Louise, 10, and Linda Teresa, 6, in addition to his parents.

Specialist Biller, 21, a Harrisonburg (Va.) native, was graduated from Wheaton High School in Montgomery county in 1965. After attending the University of Maryland for a year, he enlisted in the Army, and received his basic training at Fort Dix, New Jersey.

He was finishing his second tour in Vietnam when he died February 25 from wounds received from an anti-tank mine that exploded under a military vehicle he was driving.

His 15-year-old sister, Patsy, said that he was about to request a third tour of duty when he was killed.

Specialist Biller is survived by his parents, another sister, Mrs. Brenda Smith, 19, and a brother, Arthur A. Biller, Jr., 17, all of Silver Spring.

HAGERSTOWN NATIVE

Lieutenant Christman was killed February 22 during a fire fight in Quang Tri province. He had been in Vietnam three months.

The 23-year-old Hagerstown native lived most of his life in Gaithersburg and was graduated from high school there. He attended Potomac State College, Keyser, W. Va., and Concord College, Athens, W. Va., before enlisting in the Marine Corps.

After graduating from Officers Candidate School at Quantico, Va., he was sent to Vietnam, where he served as a platoon commander.

His wife, Barbara Jo, said yesterday that Lieutenant Christman was known as a football player, serving as captain of his high school team and the team at Potomac State College. He was also president of the senior class at Concord College.

In addition to his wife, to whom he was married in 1967, Lieutenant Christman is survived by a 9-month-old daughter, Julie

---

STATEMENT OF REPRESENTATIVE JOEL T. BROYHILL OF VIRGINIA IN SUPPORT OF HIS BILL TO PROVIDE THAT THE CIVIL SERVICE RETIREMENT ANNUITY OF AN EMPLOYEE RETIRING AFTER A COST-OF-LIVING ANNUITY INCREASE BUT ELIGIBLE FOR RETIREMENT ON THAT EFFECTIVE DATE SHALL NOT BE LESS THAN HIS ANNUITY IF HE HAD RETIRED ON THAT EFFECTIVE DATE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. BROYHILL of Virginia. Mr. Speaker I am today introducing legislation to correct an inequity in present civil service retirement provisions. My bill will make a needed change in the annuity computation in connection with the automatic cost of living adjustment provisions of the law.

Under certain circumstances, an inequitable and anomalous situation does result through the application of this provision. When an increase is determined, it is made applicable to all persons on the roll for a certain month, but not to those who come on the roll in subsequent months. For example, a most recent such change was a 3.9-percent increase in benefit rates for persons who were on the roll in April, with the first increase being payable for the May checks. Those who retired in May and thereafter received no such increase.

Such a procedure has very undesirable effects insofar as both the Government and the members of the plan are concerned. A person who retires just after the effective date but who could have retired before it will receive less because he worked longer than if he had retired earlier.

This same situation can prevail for persons retiring not only several months, but even up to as much as 1½ years after the effective date—until the increased service and probably larger high-5-year average wage more than offsets the cost-of-living adjustment. Certainly it seems a most inequitable retirement system that pays a person a lower pension for working longer. Then, too, it seems unfair that knowledgeable people will retire before the effective date of a cost-of-living increase so as to obtain a larger pension, whereas unknowledgeable people will not do this and will be penalized.

The Government, too, is adversely affected by this provision. When an effective date for a cost-of-living adjustment is announced, many people who expected to work for several months in the future would forthwith retire and would not complete the particular work projects on which they were engaged. It seems poor personnel management procedure to have retirements precipitated in this manner instead of being done in an orderly fashion.

My bill provides a "notch" provision guaranteeing that an individual's pension will be at least as large as if he had voluntarily retired just before the effective date of the last cost-of-living adjustment. The individual would, of course, have to be eligible for retirement on that date. My bill would provide equity to all members of our civil service pension program and will improve personnel management of the Government.

THE ABM COMES TO TOWN

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. HELSTOSKI. Mr. Speaker, of greatest interest today, outside our continuing involvement in Vietnam, is the proposed Sentinel anti-ballistic-missile system.

Because of this widespread discussion of the proposed ABM system, both among community groups and in the press, I feel that a very objective article should be brought to the attention of my colleagues in this House.

Mr. Peter Moldauer, a senior physicist in the Reactor Physics Division of the Argonne National Laboratory, has written an excellent article on this subject entitled "The ABM Comes to Town," and which appeared in the January 1969 issue of the Bulletin of the Atomic Scientists.

Mr. Speaker, because of the timeliness of this subject, I include the article of Mr. Moldauer at this point in the RECORD, as follows:

THE ABM COMES TO TOWN

(By Peter Moldauer)

After many months of debate and after a year of important decisions by the Defense Department and Congress, the Army is now acquiring sites throughout the United States for the deployment of the Sentinel anti-ballistic missile (ABM) system. The concept of an ABM defense against an intercontinental ballistic missile (ICBM) attack on the United States has undergone many changes over the past decade. Only recently has it become clear that the Army intends to locate most of the Sentinel sites with their thermonuclear warheads within or adjacent to large metropolitan areas. What are the implications of this development for the continuing ABM controversy?

AREA VERSUS POINT DEFENSE

Development of the first ABM, the Nike-Zeus, was started in 1957, but was cancelled as obsolete before production was far advanced. In the early sixties, development of the Nike-X was begun. This system incorporated the Nike-Zeus missile, the short range, high acceleration Sprint rocket, and a new multifunction array radar (MAR) which is capable of tracking several targets simultaneously. All of the Nike concepts were "point defense" systems, capable of defending only the immediate vicinity of each installation.

In September 1967, the Defense Department announced its intention to deploy the Sentinel ABM system, which was described as a modified Nike-X, whose main function was to provide "area defense." Each Sentinel site would provide a defensive umbrella for an area of some hundred thousand square miles, including the cities contained in that area. This capability was to be provided by the Spartan, a three-stage solid fuel rocket with a range of several hundred miles, carrying a megaton-sized thermonuclear warhead with which to destroy incoming ICBMs high above the atmosphere. An additional aid to "area defense" was to be the installation of a chain of perimeter acquisition radar (PAR) sites along the Canadian border which would detect, identify, and track missiles coming in over the North Pole, as soon as they rose above the horizon. Additional tracking and missile command functions were to be provided by missile site radar (MSR). Two-stage Sprint rockets with a range of perhaps 30 miles and carrying a nuclear warhead of several kilotons were to provide additional point defense of missile sites, radars, and other strategic sites such as ICBM installations.

The intention of deploying Sentinel as an area defense system, rather than for point defense of cities, was emphasized repeatedly in Congress. For example, in November 1967, before the Subcommittee on Military Application of the Joint Committee on Atomic Energy, Dr. John S. Foster, Jr., Director of Defense Research and Engineering, replied to a question by Senator Albert Gore regarding the capability of the Sprint missile ". . . to protect a given city . . ." with the following statement: "It is not the intention of the Sentinel deployment to provide that kind of coverage for cities." Again in July 1968, in a debate in the House, Representative Robert Sikes of Florida, floor leader for the Sentinel appropriation, made it clear that "These sites will be some distance away from centers of population. . . ."

SENTINEL IN THE CITY

Nevertheless, in its first list of potential Sentinel sites to be surveyed, the Army, on November 15, 1967, identified 10 locations, six of which were metropolitan areas with populations in excess of one million. Later this list was expanded to include 15 prospective sites, of which eight are population centers of a million or more, two have populations of half a million each, and two others are military bases. Recent site acquisition activities in at least three of these areas—Boston, Chicago, and Seattle—have made it apparent that Sentinel launch facilities are to be located within 20 miles or less of the centers of population of the various metropolitan areas.

These facts make it clear that as presently envisaged, point defense of cities and military installations is a substantial and probably a major aspect of the Sentinel system deployment, and that considerations of area defense have been relegated to a secondary role.

An area defense system has been described in the following way. Each Sentinel Battery defends an oval area surrounding it, and the entire country is covered by such overlapping ovals. Even if the density of Sentinel sites were increased in the more populated areas there would be no good reason for locating the Spartan missiles with their huge megaton warheads in metropolitan areas. In fact, in an area defense set-up there are many reasons for locating ABM sites away from population centers. Land acquisition would be easier and cheaper and site security problems would be simplified. It would also be easier to arrange the overlapping oval protection areas in such a way that important targets, such as big cities, are protected by three or possibly four ABM bases. This is not the case for the proposed city-centered sites. Another consideration arises from the fact that high altitude nuclear explosions from either attacking or defending missiles can interfere with the operation of the radars that are essential to the operation of the Sentinel system. Maximizing the distance between MSR sites reduces the likelihood that adjacent radars will be blacked out simultaneously. On the other hand, the present list of Sentinel sites includes some rather closely spaced cities (Boston and New York, Detroit and Chicago, San Francisco and Los Angeles). It appears likely that radars in such nearby sites might suffer similar interference problems, thus reducing the effectiveness in protecting both adjacent cities.

SENTINEL AND SAFETY

But surely the most important factors that must be weighed against any advantages of metropolitan siting are considerations of safety. A Sentinel site contains a thermonuclear warhead in each of its rockets. Each Sprint warhead has an explosive force which may be close to that of the Hiroshima bomb. The explosive force of the Spartan warhead is at least 100 times greater. If such a warhead were accidentally exploded on the ground or in underground storage vaults, it would deposit deadly amounts of radioactive fallout over hundreds of square miles of the surrounding areas. Depending on atmospheric conditions and wind, fatal doses could be deposited as far as 50 miles away. In a densely populated region such an accident would produce hundreds of thousands of casualties. In addition, a ground explosion of a Spartan warhead would cause complete destruction of buildings within a radius of several miles and could start fires and cause body burns at distances of some tens of miles.

In order to avoid such catastrophies, nuclear warheads are protected from detonation by an elaborate set of interlocks and safety devices which must be opened by specified commands from several sources before the weapon is armed for detonation. Nevertheless, there is no such thing as absolute safety, and as both the Department of Defense and the Atomic Energy Commission point out in *The Effects of Nuclear Weapons* ". . . there is always the possibility that, as a result of accidental circumstances, an explosion will take place inadvertently, although all conceivable precautions are taken to prevent them. Such an accident might occur in areas where the weapons are assembled and stored, during the course of loading and transportation on the ground, or when actually in the delivery, e.g., an aeroplane or a missile."

The possibility of such an accident is bound to be increased by the fact that a Spartan rocket and its warhead must be made fully operational and ready for firing within seconds, while in the case of bombs or ICMBs, at least several minutes should be available for the procedure of releasing the various interlocks and safety devices, and for the checks and verifications that accompany these procedures. Does the final authorization for the arming and firing of the ABM nuclear weapons come from the Commander-in-Chief, or may it arise directly from an electronic radar signal which is interpreted as indicating the arrival of hostile intercontinental ballistic missiles? How wide is the margin for error? Several years ago, it was said that the Strategic Air Command was put on alert by radar signals caused by migrating birds. These signals were misinterpreted as indicating approaching bombers. In those days there was time for checking. But now there is a mere 10- or 15-minute interval between the first sighting of an incoming ICBM on the PAR radar and the missile's impact on its target. This leaves little leeway for verifying radar information. Might it happen that Sentinel rockets could be armed and possibly fired by radar signals arising from meteors or from artificial satellites? Devices that are intended to permit detonation of the weapon only at specified altitudes or following acceleration are, of course, also subject to possible malfunction.

Though the probability of accidental nuclear explosion is surely very small, if it should occur in a populated area it would have such catastrophic consequences that a decision to build Sentinel sites close to large cities must be based on only the most compelling tactical reason: a decision that the area defense capabilities of Sentinel would be insufficient to provide the desired level of protection for cities if the Spartan rockets were located at a safer distance of, say, 100 miles away. Apparently, therefore, a major consideration in the proposed Sentinel deployment is its point defense capability for cities by means of long-range Spartan and perhaps also short-range Sprint rockets. How valuable is such an objective in relation to its risks?

EFFECTIVENESS OF SENTINEL

At present the United States and the Soviet Union have assured destruction capability against one another. By means of its force of some 1,000-odd nuclear-tipped ICBMs each of the two main powers is capable of inflicting more than one hundred million deaths on the other and virtually eliminating the opponent's productive capacity. Only the ICBM sites themselves, and the roaming nuclear submarines, are "hardened" to withstand such an attack and are capable of retaliating in kind. The resulting stalemate of "mutual deterrence" has so far succeeded in keeping the peace.

No one has seriously proposed a defensive system capable of withstanding a nuclear ICBM attack in force. In recent testimony before Congress, Secretary of Defense Clark Clifford was quoted as follows: "The ability to protect ourselves from unacceptable damage from a numerically large and technically advanced missile force such as that of the Soviet Union is not yet technically feasible." Nor does it appear likely that such a defense will soon be feasible. Both the United States and the Soviet Union can be expected to overcome any ABM defense by offensive measures that are simpler and cheaper than the ABM system. Since each ABM can incapacitate at most one incoming ICBM, the attacker could saturate the defense by building and firing more missiles than the number of defending ABMs. The attacker could also use a variety of "penetration aids" to fool the defensive system or to cause the system to malfunction.

What is important is the realization that the power of nuclear weapons is such that in most cases only one weapon needs to get through to each target city to assure its complete destruction. Thus an ABM system which is 90 per cent effective against ICBMs is likely to provide no meaningful defense at all.

A RATIONALE FOR ABM DEFENSE

Therefore, ABM systems may be no more reliable means of protection than mutual deterrence and may in fact be dangerous by upsetting the balance of deterrence. Nevertheless, there may be justification for a weak or "thin" ABM defense against the threat of an "undeterrable" nuclear attack. This danger might arise if a small country, or even a nongovernmental group, were to obtain the use of nuclear weapons and missiles for the purpose of blackmailing one of the major powers into acquiescing to their demands. Such a government or group might not be subject to deterrence by any threat of nuclear counterattack. (Communist China has been widely mentioned as one example of such a power. It seems questionable, however, whether China would risk the destruction of its vast population by a weak attack against the United States.)

A reasonable motivation for the deployment of an ABM system might then be stated as follows: "Let us construct a sufficient defense against nuclear attack so that any adversary capable of overcoming this defense, either by numbers of attacking missiles or technical sophistication, must necessarily control a sufficiently large population and productive capacity that he would be effectively deterred by the threat of American nuclear retaliation." How does the Sentinel system now being deployed meet such a requirement?

First of all, a relatively weak power wishing to blackmail the United States would have at its disposal means of delivering nuclear weapons that are much cheaper than ICBMs. Weapons can be smuggled into the country and concealed for later detonation by radio signal. They can be hidden in the holds of ships and exploded in ports of call. In addition, a more powerful nation has at its disposal delivery by intermediate-range missile from submarines or by fractional orbital rocket (a low trajectory intercontinental rocket). Sentinel's effectiveness against either of these latter methods is problematical. Obviously, taken by itself Sentinel would seem to be a rather futile defensive gesture. It would have to be supplemented by other security measures not currently contemplated.

If a weak power wished to blackmail the United States with the threat of ICBM nuclear attack, it could find targets with an appropriate "price" in all parts of the country. Not only large metropolitan areas, but also smaller cities, natural resources, dams, etc., are possible targets. Moreover, large nuclear explosions set off at ground level almost anywhere in the country are capable of incapacitating large areas with radioactive fallout. The requirement is therefore clearly for an area defense system of high effectiveness, providing protection for virtually the entire country. As we have seen, however, the proposed Sentinel system is not the optimal one for area defense. It also appears to have some significant holes. For example, Raleigh, North Carolina, and Albuquerque, New Mexico, are each more than 400 miles from the nearest proposed Sentinel site.

RATIONALE FOR SENTINEL?

Since the proposed Sentinel system is acknowledged to be ineffective against a major attack, and since it appears to be conceived so as to be less than fully effective against the threat of a weak attack, perhaps the intention of its deployment plan is to provide partial protection against either contingency. As has already been pointed out, in the nuclear age partial protection is most likely to be no protection at all. It is difficult to believe, therefore, that a concept of partial protection against several contingencies would warrant the introduction into our cities of warheads that are 100 times more powerful than the Hiroshima bomb.

Perhaps, then, the Sentinel deployment is intended as a first step in the eventual construction of a "hard" ABM defense against Soviet attack, if that should ever become feasible. Senator Richard Russell made this point in October with the argument that ". . . if we ever intend to procure an antimissile system, we should start at least to produce a prototype so that we can discover the weaknesses that always develop, however exhaustively we may have researched the system before we deployed it."

One wonders whether this recognition of possible defects may not extend also to the safety mechanisms. Are we to risk our major cities in an effort to discover the weakness of the system? In this connection it seems remarkable that Washington, D.C., is not on the Pentagon's list of prospective Sentinel sites. Surely no area is more in need of protection. Yet the nearest proposed site is some 200 miles away.

In the absence of any indication of the feasibility of a defense against a major nuclear ICBM attack it would seem to be highly questionable to spend billions of dollars in the construction of a "prototype" that might endanger our major cities. No argument has been put forward that would seem to justify the present headlong rush to plan nuclear rockets in our cities.

KEEP IT UP, MR. PRESIDENT

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. SPRINGER. Mr. Speaker, we have heard many remarks commenting on the success of the President's European journey.

I want to associate myself with my colleagues who have applauded this extraordinary visit.

I did not lightly choose the word "extraordinary." I believe the trip has resulted in some substantial accomplishments.

The President met with Allied leaders, some old friends, some new, with whom he will be working in the months and years ahead. In this sense he has established a personal relationship which in many ways did not exist before.

As a new administration, the President is now engaged in a wide-ranging review of United States-European policy. Such a review would be incomplete without actively seeking the experience and judgment of our European partners. He received their views and this was very much to our benefit.

Beyond that it was important to acknowledge, given a new administration, to Americans and Europeans alike that we are firmly committed to the Atlantic alliance and fully recognize the interdependence which exists between our two Atlantic continents. That the President's trip certainly did.

Finally, I believe the trip has served the cause of peace. The search for peace in a divided world is a tremendous job. We must constantly work at it. But the job cannot be done by us alone. We need help—especially from our friends. From the reaction of our European allies to the President's trip, the chances are now better that we can count on their active assistance.

These, as I said at the outset of my remarks, are important achievements. I wanted them to show on the record. And I want to add my congratulations to those of many Americans who, as they watched their television, felt pride at the dignified, forceful, and persuasive manner in which our President conducted himself in the capitals of Western Europe.

In reporting on his journey to the American people on nationwide television, the President kept his promise to keep the country informed in the area of foreign policy. The Washington Daily News, in its editorial of March 5, rightly called his press conference a "spectacular." That it was in terms of an honest, forthright, and intelligent presentation to the Nation as to the problems confronting us and our approach in attempting to solve them. I include that editorial as a part of my remarks for the information of my colleagues:

THE PRESIDENT'S TV SPECTACULAR

In the past the White House on occasion has pre-empted prime television time only to come up with no improvement over the regulatory scheduled programs. But last night's hour-long live news conference by President Nixon was a spectacular in a class by itself.

He started off by saying he thought he'd created some new trust between himself and European leaders as a result of last week's trip. At the end of the hour he had created a good deal of trust between himself and the American public.

He spoke with enormous candor and detachment, in the rational, unemotional manner of a tremendously well informed professor of international affairs.

And he conveyed the impression of a man eager to be conciliatory, whether with the Russians, our great rivals in the postwar era, with Gen. de Gaulle, who has given us a hard time inside the Atlantic Alliance, or with Peru, which has seized an American-owned oil field and a fishing boat.

No matter how well briefed and prepared the President was, it was a risky business going on live to answer questions—when a provocative phrase or an off-the-cuff impression could have blown a high-level confidence or angered some friendly or hostile chief of state. Yet he made it without a visible mistake.

We got the impression of a President trying hard to understand the interests and outlooks of foreign governments in order to heal up differences. Mr. Nixon laid out the "ambivalence" of Soviet interests in Vietnam and the Middle East, for example, instead of blasting the Russians as warmongers. He tried to puzzle out Viet Cong motives for their current offensive. Still, he said he will hold out for solid steps and firm guarantees when it comes to making peace in Vietnam or the Middle East or arms control talks with the Russians. The Nixon open hand of conciliation promises to have a firm grip, not a limp wrist.

Anybody hoping for literary eloquence had to be disappointed. Nothing stirring, nothing hammy. Just lawyer's prose, and straight from the shoulder. Keep it up, Mr. President.

SAN LEANDRO, CALIF., MORNING NEWS WINS AWARDS

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. MILLER of California. Mr. Speaker, having been an ardent reader for many years of the Morning News published in San Leandro, Calif., which is in my congressional district, it gives me a great deal of pleasure to call attenton today to a recent event whereby this newspaper received some well-deserved recognition. At the annual California Newspaper Publishers Better Newspaper Contest, the Morning News not only took a merit award in the field of general excellence for newspapers with up to 15,000 circulation, but also took a second-place award among all California newspapers, including the largest of them, for best editorial or series of editorials.

The editorials for which the Morning News won the merit award dealt with the subject of narcotics use and narcotics peddling—an increasingly serious problem in this country today and one of great concern to the parents of our young people. These articles reflect the policy of responsible journalism practiced by what may be called a hometown newspaper, primarily concerned with the interest of the individual citizen in the community it serves.

The community newspaper has long been a tradition in the United States and it continues to be a bulwark of independent thought. Unfortunately, more and more frequently today we see the disappearance of the smaller daily newspapers as they strive to compete with those of much larger circulation. Oftentimes, a community is deprived of the benefits of contending viewpoints by being in a one-newspaper area.

This newspaper is published by Mr. Abe Kofman who also publishes two other newspapers; namely, the Times-Star in Alameda, Calif., and the News Register in Fremont, Calif. Each of these papers measures up to the high journalistic standard to which I pay tribute today.

Mr. Kofman has made it a policy to give generous amounts of space in his papers to publicizing worthwhile local community endeavors. As an example, his three newspapers recently received a service award from the National Foundation of the March of Dimes in recognition of their contribution to that organization's efforts.

My congratulatons go to Mr. Kofman and his staff, and to City Editor Bob Kreiner and Journalists Mary McAllister and Bill Hurschman of the San Leandro Morning News who collaborated in writing the award-winning series of editorials. They may take justifiable pride in having demonstrated the quality of these hometown newspapers and in having contributed to the preservation of this bastion of independent thought and expression.

BELL AND HISTORY DAY IN FREDERICK

HON. J. GLENN BEALL, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. BEALL of Maryland. Mr. Speaker, Frederick, Md., a city just 45 miles from this Capitol Building, is planning this year to sponsor the second annual "Bell and History Day" on Saturday and Sunday, April 26 and 27. Those of you who have some knowledge of Frederick realize that it is truly one of the Nation's most historic cities. Some of our most famous forefathers were born and lived in Frederick and a number of significant events have taken place there in years past.

Since Frederick is so close to our Nation's Capitol and since the drive there is such a beautiful and pleasant one, I would urge my colleagues and residents of this area to spend one of the two dates mentioned above in Frederick for this occasion. I think you will certainly enjoy it.

Mr. Speaker, I would like to insert in the RECORD at this point some additional information on the events to take place on Bell and History Day which was sent to me by Mrs. Myron Randall of Frederick, one of a number of gracious Frederick ladies who are involved in the planning for this event:

Historic Frederick, Maryland will open its treasures from the past on April 26 and 27 in a showcase of history for the people of Maryland, the District of Columbia, and surrounding areas. The city of "The Clustered Spires" will hold its second annual *Bell and History Day* to acquaint the public with the historical landmarks and monuments which have added so much to our country's heritage.

At least ten of Frederick's landmarks will be included on bus and walking tours. Beginning at the Francis Scott Key Hotel in downtown Frederick, those attending will have a chance to visit the home of Barbara Fritchie who was made famous in Whittier's poem, the home of Roger Brooks Taney, the grave of Francis Scott Key, Rose Hill Manor, the Hessian Barracks, Court House Park and vicinity, the Historical Society Home and Museum, Steiner House, Visitation Convent gardens, and the museum of the state's oldest volunteer Fire Company, Independent Hose Company No. 1.

Marking each day will be the ringing of the bells from the spires of downtown churches which form the "Cluster". In addition, the committee is working on other special events for the two day celebration, which will be held each afternoon from 1 to 4. Residents in costume will act as hostesses and guides during the tours. Tickets will be available at a nominal fee on the days of the festivities.

The committee planning the events is comprised of local business men and citizens interested in promoting Frederick's historical past. General chairman is Mrs. Charles Sanner, and she is being assisted by Mr. Richard R. Kline.

H.R. 5837: A BILL TO AMEND THE IMMIGRATION AND NATIONALITY ACT

REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. MURPHY of New York. Mr. Speaker, the Immigration and Nationality Act of 1965 abolished the old national origins system of immigration and replaced it with a more equitable system. However, one result of the new law was to discriminate, unintentionally, against Ireland and certain other northern European countries. As a result Irish immigration has been seriously curtailed in recent years.

In order to change this trend, I introduced H.R. 5837 on February 3 of this year which would correct the present deficiencies in the immigration law which now unfairly restrict Irish immigration. The Irish contribution to the growth and development of our country has been considerable, and I believe my bill will help give proper recognition to this contribution by removing barriers to future Irish immigration.

Under leave to extend my remarks in the RECORD, I include the text of my bill:

H.R. 5837

A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201 of the Immigration and Nationality Act (8 U.S.C. 1151) is amended by adding at the end the following new subsection:

"(f) Notwithstanding the numerical limitations in subsection (a) of this section and in section 202(a), if any fiscal year beginning after June 30, 1968, the total number of immigrant visas made available to immigrants from any foreign state under paragraphs (1) through (6) and paragraph (8) of section 203(a) was less than three-fourths of the average annual number of such visas made available to immigrants from such foreign state under this Act during the ten-fiscal-year period beginning July 1, 1955, there shall be made available to immigrants from such foreign state an additional number of visas for the succeeding fiscal year equal to the difference between the number of visas made available to them in the preceding fiscal year and three-fourths of such average number, except that the number of such additional visas made available in any fiscal year to immigrants from such foreign state shall not exceed ten thousand. The additional visas authorized by the preceding sentence for immigrants from such foreign state shall be made available as follows:

"(1) Forty per centum of the additional visas shall be made available to immigrants entitled to a preference status under paragraph (1), (2), (3), (4), or (5) of section 203(a), except that no more than 8 per centum of the additional visas may be made available to immigrants entitled to a preference status under any one of such paragraphs.

"(2) Thirty per centum of the additional visas plus any visas not issued under paragraph (1) shall be made available to immigrants entitled to a preference under paragraph (6) of section 203(a).

"(3) Thirty per centum of the additional visas plus any visas not issued under paragraph (2) or (3) shall be made available to immigrants who are not entitled to a preference under section 203(a).

In the case of immigrants entitled to a preference under paragraphs (1), (2), (3), (4), (5), or (6) of section 203(a), the additional visas authorized by this subsection shall be issued in the order in which a petition in behalf of each such immigrant is filed with the Attorney General as provided in section 204. In the case of immigrants not entitled to a preference under section 203(a), such visas shall be issued in the chronological order in which such immigrants qualify. The provisions of section 212(a)(14) shall not apply to the determination of an immigrant's eligibility to receive any visa authorized to be issued under this subsection."

THE RIGHT TO VOTE FOR 18-YEAR-OLDS

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. O'HARA. Mr. Speaker, I am proud to reintroduce today my proposal to amend the Constitution of the United States to extend the right to vote to those 18 years of age and older. I hope this very important proposal will receive prompt and favorable consideration by this body.

The young people of America have vigor, imagination, and intelligence. High school graduates of today are often better trained than college graduates of a generation or two ago. The recent technological advances in travel and mass communications expose our young people earlier and more often to the important issues of our time.

Mr. Speaker, I believe that 18 is a particularly good age at which to begin the exercise of the franchise. Most 18-year-olds have just completed courses in civics. They have been exposed to an organized study of our Government. They know how it works and in many cases have ideas on how it could work better. Granting them the right to vote at this point in their lives gives them a chance to direct their youthful energy to constructive ends and may help establish a lifetime pattern which will help raise the depressingly low percentage of voter turnout in election after election.

We hear much today about "participatory politics." Our political parties have pledged themselves to making their proceedings more responsive to the will of the people. We in Congress are working to abolish the electoral college and to establish a procedure for the direct election of the President and Vice President. Again, our goal is to insure that the will of the people will govern.

If full participation in our political process is to be more than a high sounding ideal, I believe we must extend the franchise to those between the ages of 18 and 21. These 10 million Americans have the ability and the experience to make sound judgment.

Mr. Speaker, I believe that reason and good sense require that they be given the most precious political right in a democracy—full and unencumbered access to the ballot box.

THE ABM—A HUMOROUS COMMENTARY THAT AIN'T FUNNY

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. LEGGETT. Mr. Speaker, opposition to the Sentinel anti-ballistic-missile system is growing. This last week myself and a number of my colleagues joined in a 2½-hour exposition of the ABM on the floor of the House. Grave doubts have been raised about the antimissile program—doubts about both its cost and effectiveness. The proponents of the Sentinel have done nothing to relieve these doubts, and, in fact, the conflicting statements by the Department of Defense and Secretary Laird have reinforced my long held belief that the Sentinel ABM program is a total waste of at least $10 billion in sorely needed funds.

This wasteful boondoggle is serious business, but as in many serious matters, a humorous commentary may often strike very close to the true nature of the problem.

For the information of my colleagues I would like to submit for the RECORD a recent commentary by Arthur Hoppe, the noted San Francisco columnist:

SAVE THE WORLD AND $90 BILLION

(By Arthur Hoppe)

Good news! It looks as though we're going to build that Anti-Chinese-Ballistic Missile System after all.

As you know, it's going to be only a cheap, shoddy, $5 billion or $10 billion system suitable only for shooting down cheap, shoddy Chinese ballistic missiles.

Needless to say, Anti-Chinese-Ballistic-Missile fans everywhere are elated.

For one thing, this means a tremendous saving to the taxpayers. You see, to build a system designed to shoot down expensive, sophisticated Russian ballistic missiles would cost up to $100 billion. And many experts say it wouldn't work anyway.

Of course, they also say an Anti-Chinese-Ballistic-Missile System won't work either. But it's a clear saving of more than $90 billion for a system that won't work. And you can't sneeze at that.

True, some penny-pinchers may grumble: "Why spend $10 billion for a system that won't work?"

The answer was provided by Defense Secretary Laird: An unworkable Anti-Chinese-Ballistic-Missile System will give us a terrific bargaining point with the Russians at the upcoming nuclear arms talks.

"Hi, there, Mr. Kosygin. Boy, wait'll you see the terrific deal we've worked out for you."

"I can hardly wait, Mr. Nixon."

"Well, to show our good faith, we stand ready to abandon our new $10 billion Anti-Chinese-Ballistic-Missile System. How about that?"

"Big deal."

"In return, all we ask is that, to show your good faith, you tear down that new Anti-American-Ballistic-Missile System you've almost got completed."

"You mean you want to make it safe for your missiles to attack us?"

"After all, we're making it safe for Chinese missiles to attack us. How's that for a terrific bargaining point?"

"Oh, swell. All we need is for those Maoists to wipe you out first. Hoo-boy! What a black eye for us in international Communist circles."

"Well, don't forget, we Americans have carefully avoided building a $100 billion Anti-Russian-Ballistic-Missile System. Indeed, you have my personal assurance that your missiles will always be safe in making an attack on us."

"Thank you. Look, I'll speak frankly. The system we've got is only a cheap, shoddy, 10-billion-ruble system suitable only for shooting down cheap, shoddy Chinese ballistic missiles. Your own generals have repeatedly said it won't stop your expensive, sophisticated American missiles."

"Great! Then it'll be an even swap. You junk your Anti-Chinese-Ballistic-Missile System and we'll junk ours. We can then look forward to the dawn of a new era of mutual trust in which Chinese missiles will be safe in making an attack on either of us."

You can't help feeling that at this point the negotiations may well break down.

Let's just hope this doesn't lead to World War III before we get our cheap, shoddy, $10 billion, unworkable Anti-Chinese-Ballistic-Missile System installed so that it won't work. You'd hate to lose that saving of $90 billion.

THE TRAGEDY OF ROBERT MORRIS

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. FLOOD. Mr. Speaker, the celebration of the birthday of George Washington always brings to mind other heroes of the War of American Independence. Among these Robert Morris, of Pennsylvania, played a key role as the financier of the new government for the formation of which the Declaration of Independence was the fundamental act of union that for the first time used the term, the United States of America.

Robert Morris was one of the 56 signers of this Declaration as he also was of the Constitution of the United States. He was a close friend of Washington and of other founders of our Government and rendered services of the highest importance to the cause of liberty.

An intensely interesting article by Hugh P. Williamson, of Fulton, Mo., on Robert Morris' dealing especially with the tragedy that finally overtook him was published in the March 1969 issue of the magazine of the Daughters of the American Revolution. This fine organization, through its magazine and work in the field of national defense, form a potent force for the safeguarding of the great heritage that made our country powerful.

The indicated article follows:

[From Daughters of the American Revolution magazine, March 1969]

THE TRAGEDY OF ROBERT MORRIS

(By Hugh P. Williamson)

Robert Morris was one of the authentic heroes of the American Revolution. Without his unceasing and skilled labors as financier for the young Republic, the new government would certainly have collapsed long before victory was achieved. His importance was fully equal to that of George Washington, a fact which was generally recognized and which was recognized by Washington himself. But it was this man who spent three years, six months, and ten days in debtor's prison, with apparently no effort whatever on the part of his former associates, or of any other person or groups of persons, official or unofficial, to free him. There is probably no instance of such base ingratitude in the annals of any country at anytime.

The story of this patriotic, heroic, high-minded man should be remembered so that it will not have a parallel in our own or in future times.

Robert Morris was born January 20, 1735, in Liverpool, England. His mother died soon thereafter, his father removed to the State of Maryland in the American colonies, and the child was raised by his maternal grandmother. He came to Philadelphia, Pennsylvania, in 1747, and in 1750, at the age of fifteen, was apprenticed as a clerk to Charles Willing, Merchant. His father died soon afterward, bequeathing to his son about $7,000.00. The boy was left alone in the world, far from kindred, family, and friends, but his was a dauntless spirit, and the times were opportune.

I shall not here attempt to follow in much detail the phenomenally rapid rise in business of the energetic, keen-minded, ambitious Robert Morris. His story has had many duplications in this country. Through meticulous attention to detail, through hard work which knew no limitation of hours, through a keen understanding of the business process, and through absolute integrity. Morris very quickly became an indispensable part of the Willing firm.

Morris began his business career with a completely successful and highly profitable maneuver, done in the absence of Thomas Willing, which consisted in "cornering," for his employer, the wheat market in Philadelphia, at a time when he was sixteen years of age! This first spectacular business success was a prelude to many which were to follow. In 1757 he was made a full partner in the Willing firm. And very soon management of it was vested almost solely in him when Willing became mayor of Philadelphia. Under the management of Morris it became the largest and wealthiest export and import business in the colonies.

On March 2, 1769, Morris was married to Mary White, daughter of Thomas White, wealthy lawyer and Philadelphia aristocrat. They became the parents of four children, three boys and one girl, and had a most harmonious and happy life together. Thus, on the eve of the Revolution, Morris was highly affluent and a great force in the business life of the colonies. He lived in a mansion on a beautiful estate with a growing family and a charming wife. The powerful, influential men of the city and beyond were his friends and associates. He was forty-one years of age, in the prime of life, in the full tide of his power. All of this had been accomplished in twenty-six years. The orphan boy from Liverpool had done exceedingly well!

I have said that Morris was the prototype of many highly successful businessmen which this country was to produce. This statement is not literally true, because the vast majority of these men gave an absolute and single-minded attention to business which excluded all other matters and things from their lives. This was very far from being true of Morris, who had two contemporaneous careers, one in business and another in public affairs.

In 1765, Morris was Chairman of a committee of five Philadelphia merchants formed to resist enforcement of the Stamp Act; he was an active member of St. George's Society for Assistance to Englishmen in Distress; he became vice chairman of the committee of Safety, of which Benjamin Franklin was chairman. As a result of his successful efforts for defense, Morris was elected to Congress on November 3, 1775, one of seven members from Pennsylvania. The following December he was chosen one of a committee to establish a Continental Navy, a truly mammoth assignment! Early in 1776, he was appointed Chairman of a Secret Committee to import arms and gun powder for the Army. On August 2, Morris signed the Declaration of Independence, although reluctantly. Early in December, warned that British troops were advancing on Philadelphia, Congress fled to Baltimore, appointing Morris, George Clymer of Pennsylvania, and George Walton of Georgia, to assume charge of government affairs in Philadelphia. With the disappearance of his two colleagues, Morris was left in sole control. He now began to act, in reality, as Secretary of the Treasury for the colonies, although without this title. A short time thereafter he was appointed Superintendent of Finance, which, in simple terms, meant that he was the financier of the Revolution, a crushing and apparently impossible task. Peter Whiteside, a business associate, described the difficulties: "The finances of the country are in perfect chaos." He enumerated other evils: "Prejudices of the people, some in favor of paper money, some against it, the violence of party feeling, the effect of envy and malice to combat, etc."

I shall not attempt to go into the innumerable details involved in financing the Revolution; in keeping his own business operating; in meeting domestic problems; in warding off the attacks of his personal enemies; and in the thousand problems incident to his position. Of the way in which he met these problems, the historian Carol Botta, in his *History of the War of Independence of the United States of America*, writes:

> If the charge imposed on Morris was ponderous, the talent and firmness with which he sustained it, were not less astonishing. He was not slow in substituting regularity for disorder and good faith in the room of fraud. . . . To him it was principally owing that the armies of America did not disband and that the Congress instead of yielding to an inevitable necessity, recovered the means not only of resisting the efforts of the enemy, but even of resuming the offensive with vigor and success. Certainly the Americans owed and still owe as much acknowledgment to the financial operations of Robert Morris as to the negotiations of Benjamin Franklin or even to the arms of Washington.

In September 1781, Morris was appointed Agent of Marine to supersede the countless boards, committees, and agents previously charged with Marine affairs. Of this he wrote:

> I shall undertake the task, however contrary to my inclinations and inconsistent with the many duties which press heavily upon me.

As a result of the unremitting labors of Morris, the Bank of North America was incorporated December 31, 1781. This was followed by the establishment of a national mint, and the financial structure of the new nation began to take definite form with benefits to the nation which were almost immediately felt.

On December 13, the nation celebrated the great victory at Yorktown which had occurred on October 23, 1781, and which, practically speaking, ended the Revolutionary War, although formal peace did not come until September 3, 1783.

The ending of the war did not bring a surcease of problems to Morris. By 1782 the national debt was twenty-seven million dollars, a staggering sum for those times. Morris made loans in Paris and Amsterdam. He received a gift of six million livres from King Louis of France. The financial problems were either met or pushed ahead. On January 24, 1783, Morris tendered his resignation to Congress. He had carried the nation to victory and had met the most pressing and immediate post-war financial problems. Into this herculean effort he had put at least a million and a half dollars of his own money, none of which was ever returned to him. His health was failing under the heavy burdens which he bore and had borne for many years, he could no longer have any confidence in Congress, or work with it. He could not see his way clear to continue.

His resignation met with as much criticism and calummy as had his administration of the position! Even Washington mildly reproached him for leaving his work unfinished. Only Alexander Hamilton, of all his associates, appeared to understand the reasons for Morris' resignation.

It may here be noted that one of the bright phases of the Revolution was the warm friendship between Washington and Morris, both of whose efforts were vital to success. Through all of the stresses and strains which they endured there is no evidence of acrimony or lack of sympathy between these two. There was indeed the most close cooperation, and there is evidence that on at least one occasion Washington changed his military strategy at the suggestion of Morris. When in Philadelphia, the Washington's always stayed in the Morris home, and members of the Morris family were guests at Mt. Vernon when they traveled in that vicinity.

Following his retirement from public office, a retirement which was to be very temporary, Morris, with unabated vigor gave attention to his long neglected personal affairs. He began by enlarging the scope of the commercial enterprises of the firm of Willing and Morris, sending ships to China in 1784, and reaching out for trade in other directions.

The Morris home was large and splendid, filled with beautiful furnishings and staffed by well-trained servants. It was the place where distinguished persons from abroad as well as people of importance in the colonies, who came to Philadelphia, were entertained. There are in existence many descriptions of the place, and of the life which went on in it.

Had Morris continued on this course all would doubtless have been well, but he did not. This period marked the beginning of the first great epidemic of land fever sweeping the United States, and Morris became deeply infected by it. The one weakness in his financial acumen was perhaps a too great optimism. Having a profound belief in the coming greatness and growth of the United States he reasoned that if he bought cheap land he could later sell it at a much higher price as population increased. Accordingly he now began to travel extensively, buying large tracks of land in Pennsylvania, Virginia, Georgia, western New York, and hundreds of lots in Washington, D.C. as well as in other places. The total amount of these purchases ran into millions of acres. Had Morris been able to wait for a quarter of a century, these would have doubtless paid large profits, but he had overbought and was forced to sell as well as to buy. Under these circumstances, some few of these investments proved to be profitable but a majority of them did not. He was further crippled financially by the poor selection of a partner, who proved to be a man of no business judgment and no moral integrity. The gloom of inevitable financial failure deepened and thickened.

Meanwhile he had renewed his political activities in the state and nation. In 1786, he was chosen as one of six men to represent Pennsylvania at a national constitutional convention. Benjamin Franklin was one of this number. A constitution was later adopted and Robert Morris was one of the signers. He made the nominating speech for George Washington for President of the new nation. On the way to his inauguration in New York Washington stayed for a night in the Morris home, and was accompanied by him to New York. Soon after Morris was elected a United States Senator from Pennsylvania. His six years in the Senate were as constructive and distinguished as had been all of his previous public services. At the end of this period he determined to retire, a determination which appears to have been largely due to increasing financial embarrassment. Early in May 1790, he writes his wife:

"The bitterest moments of my present life are those in which I contemplate you as the partner of misfortunes of which I am not only the victim, but in some degree perhaps culpable in not having guarded better against them."

And now, with demonic fury, evils began to descend upon Robert Morris. Banks in which he had funds in large amounts failed; partners in his real estate ventures deserted him; creditors pressed for payment; holdings were foreclosed and sold, including his splendid house on Chestnut Street in Philadelphia. He was now a virtual prisoner at his country home. Debtor's prison loomed before him. The amount of his debts totalled $2,948,711.11! On the evening of February 14, he catalogued his few remaining possessions: Bedding and clothing, two bales of nankeen, a quarter cask of wine, some bottled wine, a part of a barrel of flour, coffee, a small amount of sugar, a parcel of old books and newspapers, materials for a steam engine (an invention in which he had been interested), a microscope, an old chariot in Richmond, a share in the Library Company, a share of stock in the Bank of North America, and his father's old, worn-out gold watch, from which he did not wish to part if he could avoid it.

The following day, by due process of law, he was committed to the Prune Street Debtor's Prison in Philadelphia, where he was to remain for three years, six months, and ten days (1798–1801).

This prison was not the typical squalid, filthy, depressing jail typical of the times, but was pleasing in appearance, clean and comfortable. He was not humiliated by the treatment which he received nor by his surroundings. His wife and daughter were almost daily visitors and often brought his meals, which they ate with him. And he had distinguished visitors: Alexander Hamilton, Gouverneur Morris, and on one occasion the great Washington himself. There were others, among them Samuel Breck, who wrote:

"I visited that great man in the Prune Street debtors' apartment, and saw him in his ugly whitewashed vault. In Rome or Greece a thousand statues would have honored his mighty services. In America, republican America, not a single voice was raised in Congress or elsewhere in aid of him or his family."

Morris was allowed a great deal of freedom, he indulged in light exercise, was cheerful and optimistic, but certainly there was always the consciousness that he was in jail, that he was a prisoner, that he was restrained, all of which must have been highly irritating to a person of sensitivity.

Even while Morris was in prison Thomas Jefferson considered him for his Secretary of the Navy. "If," as he said, "He could get from confinement," which he could not.

During this time no action was initiated by any persons, official or unofficial, to free Morris from imprisonment. Certainly the Congress of the United States could have done this very easily. The Legislature of Pennsylvania could have done it. Either Washington, Jefferson, or Alexander Hamilton, with their almost god-like power, could have effected his release. One or more newspapers of the era could have initiated a movement to effect his release. Apparently some of these people sympathized with his situation but there is no indication that anyone ever did anything!

On April 4, 1800, the Federal Bankruptcy Act was passed, which provided that: "A man (in debtor's prison) could be adjudged a bankrupt and thereupon be released." On August 21, 1801, Morris was released. He was sixty-six years old, and penniless. Of his situation at this time, Eleanor Young, in her book *Forgotten Patriot*, writes:

"Although saddened by his prison experience, Robert Morris remained unbroken. A spirit like his could not be entirely quenched by the indifference of his friends, the treachery of those he trusted, or the slights of a nation he had helped create. Often, however, he was low-spirited."

Morris made repeated efforts to find employment. He received some encouragement from people who were in a position to aid him, but nothing materialized. Help did come from Gouverneur Morris, a very astute lawyer, who found a flaw in the title to one of the many land investments of Morris and who out of this situation, in some obscure manner, procured an annuity of fifteen hundred dollars per year to be paid to Mrs. Morris. This enabled Robert Morris and his wife to live in modest comfort in a small house in Philadelphia on the east side of Twelfth Street, between Market and Chestnut. There the financier of the Revolution resided with his family for four years. He interested himself in small domestic details, and took great joy in his children, his grandchildren, and old friends who came to call. His tumultuous and harried life thus came to a conclusion on a note of calm and contentment. Only a truly great nature, tolerant and wise, could have obtained this degree of philosophic tranquility. On May 8, 1806, he died, calm and lucid to the last. A few days later he was buried in the family vault in Christ Churchyard.

The tragedy of Robert Morris remains inexplicable. How a man whose services to his country were so great and so widely known could have been so forgotten and neglected, we today cannot understand. But in this fact there is a lesson for us, which is that we, as individuals, and as a nation, must not fall into the same error. And this applies not only to persons whose service is to the nation, but equally to those whose service is to their state, county, city, or neighborhood. If we do this as a result of the shameful episode in our national life which we have been considering, then the tragedy of Robert Morris will not have been in vain.

TAX REFORM

HON. RAY BLANTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. BLANTON. Mr. Speaker, I am today introducing two companion tax reform bills. The primary objective of my first bill, H.R. 8366, is to increase the present $600 personal exemption to $1,200, thereby relieving to a great extent the tax burden now placed on the average taxpayer. Its companion bill, H.R. 8367, would place a 20-percent tax on private, tax-exempt foundations. This foundation tax excludes churches and church organizations.

Since first entering the Congress, tax reform has been one of my major endeavors, and I feel that the present statutes permit wealthy individuals to abuse the tax-exempt privilege bestowed upon foundations by the Congress. My measure would eliminate built-in loopholes which now enable these individuals to conceal and hoard enormous quantities of wealth by placing their assets within these foundations.

I adamantly feel the average taxpayer

should not be penalized by assuming this tax burden to compensate for the non-taxable income now lost from these multi-million-dollar foundations. These institutions should be treated as any other big business.

While I recognize that my reform measures will not correct all the inequities in our present tax structure, I sincerely believe it is the first step in eliminating the flagrant abuse of conflict of interest and establishing a realistic basis of equality for the taxpayer.

I urge the immediate consideration and approval of these tax reform bills by my colleagues of the 91st Congress, as it is the inherent responsibility of the Congress to legislate measures creating equal treatment under the law for all American citizens.

ARIZONA JOINT MEMORIAL ON GRAY PERMIT SITUATION

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. STEIGER of Arizona. Mr. Speaker, the joint memorial of the Arizona Senate printed below demonstrates the arbitrary actions of an executive branch Department, the Department of the Interior, and the adverse effects these kind of actions have upon U.S. citizens.

In order to rectify this situation, I have introduced H.R. 7162.

The joint memorial follows:

SENATE JOINT MEMORIAL 1

Joint memorial urging the President and the Congress of the United States to recognize the grazing rights of Henry Gray, Jack Gray and Robert Louis Gray, doing business as Gray Partners, on the Organ Pipe Cactus National Monument by either ratifying and confirming their right to a lifetime grazing permit on the monument or compensating them for the cancellation of their grazing permit

To the President and the Congress of the United States of America:

Your memorialist respectfully represents:

Whereas, during the year 1917 Bog Gray and his family moved from Texas into what is now known as the Organ Pipe Cactus National Monument, and there purchased range rights, water rights and improvements from persons then living and grazing cattle in the area, all in accordance with the recognized customs, practices and Laws of the United States and the State of Arizona at that time, and all of which grazing land at that time was open range and remained so until the passage of the Taylor Grazing Act in 1934 which Act specifically recognized such grazing rights; and

Whereas, the Organ Pipe Cactus National Monument was established by Executive Order of April 13, 1937 (50 Stat. 1827); and

Whereas, under the provisions of such Executive Order of the lands withdrawn were subject to vested rights which, insofar as surviving members of the Gray family, by then doing business as the Gray Partners, were concerned, consisted of water rights, homestead rights and their range rights and improvements as recognized by the Taylor Grazing Act; and

Whereas, after considerable negotiations and discussions between Senator Carl Hayden of Arizona and Secretary of the Interior Harold L. Ickes, a firm commitment was made by Secretary Ickes to Senator Hayden that in lieu of condemning their grazing rights or compensating the Gray Partners for their vested rights in the Monument that their grazing and water rights would continue to be recognized by the issuance of grazing permits through the lifetime of the last surviving Gray Partner, which agreement has been recognized and honored throughout the years and grazing permits have been issued by the National Park Service of the Department of the Interior down to and including December 31, 1968; and

Whereas, in 1966, the Department of the Interior, acting through its Under Secretary John A. Carver, made a firm commitment to the Gray Partners to purchase all of their rights within the Organ Pipe Cactus National Monument, consisting of approximately one hundred sixty acres of fee land, two sections of State of Arizona leased grazing land together with all their improvements, water rights and grazing permit on such public lands for a total consideration of three hundred sixty thousand dollars, which offer was accepted by the Gray Partners by the execution of an Option and Contract dated August 30, 1966. Attempts were made by the Department of the Interior from the date of such option to July, 1968, to obtain the approval of the Senate and House Subcommittees on Appropriations and National Parks, which approval was granted by the Senate Subcommittee but withheld by the House Subcommittee. The aforesaid option has been extended from time to time by the Gray Partners and they have at all times acted in good faith in their dealings with the National Park Service and the Department of the Interior and relied upon the firm commitment to purchase their rights made by Under Secretary Carver; and

Whereas, notwithstanding these facts, the Assistant Secretary of the Interior under date of July 12, 1968 advised the Gray Partners that their grazing permit on the Organ Pipe Cactus National Monument would expire on December 31, 1968 and would not be continued and that their cattle grazing upon the Monument would have to be removed from the Monument lands by January 1, 1969; and

Whereas, as a result of this arbitrary action by the Department of the Interior, Senator Carl Hayden introduced in the Senate of the United States S. 3837 authorizing and directing the Treasurer of the United States to pay the Gray Partners the sum of two hundred ninety-two thousand dollars as damages or compensation for the cancellation of their grazing permit; and

Whereas, it is the considered opinion of the Legislature of the State of Arizona that the Gray Partners have been unjustly, arbitrarily and cruelly treated by the Department of the Interior and the arbitrary cancellation of their grazing permit on the Organ Pipe Cactus National Monument violates firm commitments made by the Secretary of the Interior to Senator Carl Hayden and more recently to other members of the Arizona Congressional Delegation; and

Whereas, the Legislature of the State of Arizona believes that this unjust and arbitrary action should be rectified and corrected by the President and the Congress of the United States by legislation which would either ratify and confirm the lifetime grazing permit of the Gray Partners or compensate them for the loss of their grazing privileges and property rights on the Monument.

Wherefore your memorialist, the Legislature of the State of Arizona prays:

1. That the Congress of the United States enact and the President sign into law legislation which will either ratify and confirm the lifetime grazing permits of Henry Gray, Jack Gray and Robert Louis Gray, doing business as the Gray Partners, on the public lands within the Organ Pipe Cactus National Monument, or fully compensate them for the loss of their grazing privileges and rights.

2. That the Secretary of State of the State of Arizona be directed to transmit a copy of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives of the United States and to each member of the Arizona Congressional delegation.

WESLEY BOLIN,
Secretary of State.

STEEL IMPORTS AND THE 130,000 JOB OPPORTUNITIES LOST FOR U.S. STEELWORKERS

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. PETTIS. Mr. Speaker, for myself and 19 western colleagues, I have today introduced the steel import quota bill, the Iron and Steel Orderly Trade Act of 1969. We join many Members of this body who have previously introduced or cosponsored similar legislation.

The purpose of this bill is to provide for the orderly marketing of steel mill products imported into the United States and to afford foreign supplying nations a fair share of the growth in the U.S. market while at the same time advancing our national security by promoting a strong and healthy domestic steel industry.

The western portion of the country has been experiencing a much greater rate of importation of steel products than the national average—28 percent as compared to 17 percent. This 28 percent represents 2,600,000 tons of steel which could have been produced by domestic mills, much of it by western steel producers. The western region of the United States consumes only 9 percent of national consumption, hence this 28-percent import factor has a severe impact in the West. I think we should keep in mind the need for the establishment of regional quota concepts so there will be equitable relief for the various producing and consuming regions of the United States.

The January 14, 1969, announcement by the Department of State that certain steel industries in Europe and Japan have written voluntary letters of intent to limit steel shipments to the United States for a 3-year period—from 1969 to 1971—is a restraining arrangement that is helpful. However, I strongly feel that we should proceed with the introduction and enactment of the Iron and Steel Orderly Trade Act to bring all steel-producing nations under an orderly marketing plan.

May I add that the total importation of steel import products to the United States in 1968 was just short of 18,000,000 tons—an enormous quantity. This is a one-third increase over the 1967 import figure and it represents 130,000 lost job opportunities for American steelworkers. It is really no wonder that the United Steelworkers and the steel companies are working side by side in an effort to find an equitable answer to this vital problem.

THE VOLUNTARY MILITARY MANPOWER PROCUREMENT ACT OF 1969: AN ENDORSEMENT

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. BIAGGI. Mr. Speaker, I rise to endorse with all the vigor at my command and to urge upon my congressional colleagues favorable consideration and prompt passage of the Voluntary Military Manpower Procurement Act of 1969.

For years the Congress and the country have wrestled inconclusively and, it can be fairly said, unsuccessfully with the problem of obtaining equitably the military manpower required for the defense of the United States. Less than 2 years after the passage of the last largely futile attempt at selective service reform—the Military Selective Service Act of 1967—the United States again and still finds itself tormented and perplexed over how to go about the manning of the national Defense Establishment. A poll conducted recently by Louis Harris tends to show how much at a loss the American people are with respect to this major national issue.

One commanding fact of public opinion—

Harris says—

> is that no alternative plan seems capable up to now of replacing the present draft, in the view of a majority.

But, I submit to you, Mr. Speaker, there is such a plan—the Voluntary Military Manpower Procurement Act of 1969. In essence, this proposed bill would terminate the draft, increase the monthly rates of basic pay of enlisted member of the Armed Forces by $100, and establish a joint congressional committee to study and investigate the effects on our Reserve Forces of adopting a voluntary system of military manpower procurement. Most importantly, this bill provides mechanisms for the reintroduction of selective service in the event that such a step should prove necessary. In other words, this bill recognizes that all the problems that may be associated with the reestablishment of a voluntary military establishment probably are not foreseeable, and thus it prudently creates what might be called a safety valve.

We are all aware, Mr. Speaker, that the Department of Defense is currently studying the concept of a voluntary military establishment, presumably with the idea in mind of making a possible transition to such a system at some time in the future. However, the Nation has waited long enough—much too long, in fact—for a truly basic resolution of the selective service dilemma. Moreover, no amount of study can substitute for that which has been so obviously lacking in all discussion and debate of military manpower procurement to date. I am referring, of course, to hard, practical experience.

The Voluntary Military Manpower Procurement Act of 1969 would give the United States this hard, practical experience in a contemporary setting. And it would, as I pointed out earlier, provide a safety valve or, as one might put it, a "fail safe" system for reintroducing the only kind of military establishment compatible with both the responsibilities and principles of a democracy that is a leader among the nations of the world—a voluntary military establishment.

IRONS' SELECTION AS OUTSTANDING JUNIOR OFFICER: A TRIBUTE TO CUMBERLAND

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. BUCHANAN. Mr. Speaker, less than a decade ago the Cumberland School of Law was acquired by Samford University and moved to its present location in Birmingham, Ala.

Since that date the Cumberland School of Law has emphasized excellence in its graduates. One of Cumberland's recent graduates, Capt. William L. Irons, has been selected by a board of officers as the outstanding junior officer of the command at the Air University, Maxwell Air Force Base, Ala.

Captain Irons, the son of a distinguished Samford professor of history, Dr. George V. Irons, was selected from over 350 eligible junior Air Force officers. Captain Irons' achievements while on active duty with the U.S. Air Force for only 2 years reflect great credit on Samford University and its fine faculty in the Cumberland School of Law.

With the unanimous consent of my colleagues, I include that story which appeared in the Dispatch, Air University's newspaper in the RECORD as an extension of my remarks:

UNDER NEW AWARDS PROGRAM, TOP JUNIOR OFFICER CHOSEN BY COMMAND

Capt. William L. Irons, a judge advocate assigned to the 3800th Air Base Wing, is the Outstanding Junior Officer of Air University for 1969.

Announcement of his selection was made by Lt. Gen. A. P. Clark, commander of Air University, during a banquet at the Maxwell Officers Open Mess Tuesday night.

Captain Irons, a native of Birmingham, Ala., becomes the first officer so honored by Air University. He was named the command's top junior officer under a newly initiated awards program.

A graduate of the University of Virginia and Samford University, he entered the Air Force two years ago. He is a member of the Federal Bar Association, the Alabama and American Bar Associations, and is admitted to practice before the U.S. Court of Military Appeals, the highest military court, and the Supreme Court of Alabama.

Guest speaker at Tuesday night's banquet, hosted by the Maxwell-Gunter Junior Officer Council, was Lt. Gen. John W. Carpenter, III, Air Force Deputy Chief of Staff for Personnel.

In making the announcement of Captain Irons' selection, General Clark said that the command's Outstanding Junior Officer is an excellent example of the model junior officer. He pointed out that the captain was one of 12 officers, of the approximately 350 eligibles assigned to the command, nominated for the award.

The three other finalists in the contest were 1st Lt. Bruce O. Creller of the 3825th Support Group (Academic); Capt. William G. Eager, III, of the Aerospace Studies Institute; and Capt. Meredith W. Watts, Jr., assigned to the Academic Instructor and Allied Officer School.

Captain Irons was transferred to Maxwell in August 1968 following an assignment at Gunter AFB. Prior to that time, he was assigned to Whiteman AFB, Mo.

He serves as an officer in the Maxwell Chapter of the Reserve Officers Association and is an active member of the National Judge Advocate's Association. He founded the Roscoe Pound Chapter of the American Trial Lawyers Association and has received several letters of appreciation from the President of the National Foundation for his efforts in that area.

He is the winner of the scholarship to Valley Forge, Pa., to work on a Congressional Medal of Honor project for the U.S. Air Force at the Archives Building, Medal of Honor Grove, at Freedoms Foundation.

He founded a new charitable corporation within the State of Alabama which will establish educational scholarships at leading colleges and universities throughout the state. He also established an annual scholarship award at his alma mater, Samford University.

He has been selected to appear in "Who's Who in Alabama" and "Distinguished Personalities of the South," a biography honoring America's leaders.

DANGER IN DISARMAMENT

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. FINDLEY. Mr. Speaker, one of America's alltime great foreign correspondents and political analysts, Edgar Ansel Mowrer, writing for the Bell-McClure syndicate recently warned of pinning hopes of peace on disarmament agreements of which the Nuclear Nonproliferation Treaty is an example.

Mr. Mowrer, who will retire this spring after more than 42 years as world affairs chronicler and commentator, had this to say:

HISTORY SHOWS PEACE PACTS LEAD TO WAR, NOT PEACE

(By Edgar Ansel Mowrer)

Those Americans of both parties who are ready to weaken NATO to obtain a Nuclear Nonproliferation Treaty, which leaves every nation but the United States at the mercy of the Soviet Union, seem to have forgotten fairly recent history.

I am referring to the naval disarmament negotiations of the early 1920s and above all to the so-called Baruch Plan for the international control of atomic energy offered by the United States in 1946.

The Harding administration accepted a naval agreement that encouraged Japan to believe that by destroying the American Pacific fleet, it could create the Greater East Asian Co-prosperity Sphere with no further serious interference by the United States.

Yet so little was President Hoover aware of this possibility that he persuaded the major nations to "outlaw war" altogether. This encouraged Hitler's intended victims, chiefly Britain and France, to believe that they need not match Germany's monstrously efficient military preparations.

A LESSON IGNORED

The coming of World War II and Pearl Harbor induced some of us to hope that our American leaders had seen the light: just as the life of individuals in anarchy is "nasty, brutish and short," so the history of sovereign nations living in international anarchy is a series of wars interrupted by periods of insecure peace.

We were wrong. In 1946 a victorious America that had exclusive possession of the "ultimate weapon" voluntarily offered to give it up and transfer control over all atomic developments for war or peace to an international agency. This "Baruch Plan" was adopted by the UN Atomic Energy Commission and by the UN General Assembly, with only the communist minority dissenting. The Soviet Union, thanks to gullible American friends of Russia, was already well along with plans for a nuclear weapon of its own.

Russia's refusal was fortunate for the world. Unless all nations relinquished sovereignty to the world government, the international control commission would be paralyzed. Each signatory nation would remain free to wage conventional war as before, and when war came, to seize whatever atomic materials it could lay hands on and transform them into atomic weapons.

NO BAR TO BOMB

This led Chester Barnard, a member of the American Committee that wrote the original Acheson-Lilienthal Report upon which the Baruch Plan was based, to concede that the plan "does not prohibit the use of atomic bombs once war breaks out." The issue was "solely a difference in the speed with which we attempt to make ourselves less vulnerable."

Today's U.S. nuclear disarmers know all this. In the past, multiple national sovereignty has always led to wars which the inevitable killings and devastation were powerless to prevent. But, they claim, two countries in possession of the ability not only to blot out each other but most of the rest of mankind, will observe effective restraint while working toward that "general and total disarmament" sought by the Kennedy administration. The Nuclear Nonproliferation Treaty is a first step—even if Germans, Israelis, Indians and other exposed nations claim discrimination.

Unhappily, experience points to the probability that any such treaty will encourage aggressive nations not to observe the peace but to seek what they want either by nuclear confrontation or by classical wars. Moreover it is all but inconceivable that such countries will sincerely accept the kind of international inspection necessary to make disarmament effective.

PAX ROMAN

The world's outlook would be black if there were not another historical way. This is by establishing what historians call the "Roman peace" which exists when one power or group of powers is visibly superior in strength to any possible aggressor.

The disarmers believe that nuclear weapons have made such military preponderance valueless since the weaker side will possess the ability to destroy the stronger even while it is itself destroyed.

Fortunately, this situation is not necessarily permanent. Some leading scientists believe that an Atlantic Community wielding virtually unlimited economic strength could by a combination of antimissile missiles and other new techniques (laser-maser, etc.?) achieve safety for itself while nipping further aggression in the bud.

Certainly, as between expecting a change in human nature leading to effective disarmament under a world state, and an attempt to achieve security through economic, scientific and military preponderance, the latter is more promising.

HALPERN PROPOSES TWO BILLS TO PROVIDE RELIEF TO HOMEOWNERS

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. HALPERN. Mr. Speaker, for too long, the American homeowner has been the forgotten man—except when it comes to paying taxes. He is the backbone of our Nation, the pillar of our communities, and yet he has no organized national lobby or pressure group through which to make his demands felt in the Congress. This places him at a decided disadvantage, and, as a result, his basic rights and needs are all too often neglected.

I think that it is high time we gave the homeowner the recognition and the assistance that he should have. Toward this end I am today introducing two bills to provide much needed, long overdue tax relief to the Nation's homeowners.

One bill would provide up to $1,000 a year income tax deduction for moneys expended on home repairs and improvements.

The other bill would extend the depreciation allowance to homeowners of one-family homes similar to the deduction now granted to owners of multifamily dwellings and commercial properties. It would allow a prorated tax deduction based on the original cost and the estimated useful lifetime of the property.

Mr. Speaker, any financial benefits that accrue to the American homeowner benefit the entire Nation as well. Enactment of the legislation I propose would pay dividends in a short while to every level of government. Not only would this give justified and much-needed tax relief to those who own a piece of this country, but it would provide effective incentives for home beautification and community preservation.

In addition, if homes are kept in good repair the results will be felt throughout the country. Industry will prosper, more jobs will be available, home values will be enhanced, neighborhoods will be improved and greater tax revenues will be realized.

Home deterioration is a progressive blight. A repair that goes undone one year may cost twice as much to correct in the second year, and four times as much in the third year.

Eventually, if regular periodic maintenance work has not been carried out, there comes a point where the cost of repairs becomes so prohibitive as to be impossible. From that point on, creeping blight becomes rampaging blight.

The Bureau of the Census in 1960 reported that only 74 percent of all the housing in America could be deemed to be in sound condition.

Since then, there has been a steady increase in the costs of home maintenance. We can hardly hope that the rate of deterioration has decreased. In fact, we can safely assume that the dilapidation has spread.

The $1,000 deduction could be an effective way of stopping the spread of home dilapidation and community deterioration.

And the depreciation allowance which I am today proposing, would give the homeowner the same break now granted to the owners of income-producing property. Why should there be any differential? Surely the taxpayer who invests in home property has the same taxes, overhead, and maintenance problems as a commercial property owner.

Mr. Speaker, I urge my colleagues to join me in support of this legislation.

MAGAZINE SUBSCRIPTION SERVICE OWNER SUBPENAED BY PENNSYLVANIA ATTORNEY GENERAL

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, the fraudulent sales practices of magazine subscription sales companies operating throughout the country have produced firm, positive action in the Commonwealth of Pennsylvania today.

I am pleased to include in the RECORD for the information of my colleagues a news release issued this morning by the office of Pennsylvania Attorney General William C. Sennett.

The Pennsylvania attorney general outlines some of the specific deceptive tactics which have produced scores of complaints in Pennsylvania. They are similar to the complaints being registered against subscription sales organizations across the country.

The above-mentioned follows:

Attorney General William C. Sennett announced today that the Pennsylvania Bureau of Consumer Protection has issued a subpena on a Harrisburg operator of a magazine subscription service.

The subpena, signed by Sennett, was served on Edwin Johnson, owner of Home Reader Service of Harrisburg.

"We have received numerous complaints regarding Home Reader Service, such as high pressure sales tactics, false offers of free gifts, misleading contacts and frequent and disturbing notices for payment once a subscriber falls behind in payments," Sennett said.

"Perhaps the most serious problem is that the contract does not comply with the Pennsylvania Goods and Services Sales Installment Act and furthermore, that it violates the provisions of the recent state consumer protection legislation," Sennett added.

Mrs. Virginia Knauer, Director of the Capital Bureau of Consumer Protection, reported that the subpena was served by J. C. Scruggs, special agent, on Johnson at his office today.

The subpena calls for Johnson's presence before Benjamin F. Kirk, Deputy Attorney General at the Harrisburg office of the Bureau of Consumer Protection on March 20.

At that time Johnson will be questioned regarding his firm's selling practices. He is also being requested to bring along certain records.

The subpena was issued under the auspices of Pennsylvania Act 386, signed by Governor Raymond P. Shafer in December, 1968, which prohibits unfair or deceptive sales practices.

"The cases on file in our bureau reflects the fact that many of these complainants are young people or the elderly," Sennett said.

"I should like to remind all Pennsylvanians that a contract such as this magazine contract is not binding unless a person is 21 years or over. I mentioned this because many of the magazine complainants are minors.

ED WIMMER DISCUSSES INVESTMENT TAX CREDIT

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. REUSS. Mr. Speaker, Ed Wimmer, president of Forward America, Inc., and public relations director of the National Federation of Independent Business, Inc., discussed the 7-percent investment tax credit in a recent radio broadcast. I commend the text of this broadcast to my colleagues:

In recent months, and particularly in the past few weeks, we have heard or read one statement after another from men in high places, that inflation is undermining the foundations of our economy, and leading swiftly to possible price controls, wage controls, and other governmental actions which could alter the entire structure of our society.

These possibilities are not exaggerated, so it behooves all of us to listen and examine any proposal that might aid in getting us back on the right track, and not go on until, as Karl Marx predicted, we end up neck deep in monopoly-socialism.

On the causes and effects of inflation, one might take any facet of the subject and spend a whole day merely penetrating its potential for disaster, but right now our time is limited to 14 minutes, which will be confined pretty much to a tax proposal that could, in one way or another, touch every person in this audience.

I am talking about the 7% investment tax credit for which our National Federation of Independent Business, Inc. fought so hard, and which we argued would be an incentive for family farmers, small businessmen, and other property owners to repair, modernize and better equip themselves in the competitive struggle, and, at the same time, upgrade their properties.

Thousands of independent businesses were among the people and corporations that did take advantage of the tax credit, and the modernization which resulted unquestionably saved a great many smalls from being forced out of the competitive race. Materials costs, labor and taxes had risen to such heights that persons of small means needed something to motivate them into taking risks, and it has been our contention since 1947, that no war on blight, on run-down homes or apartment rental properties, factories, wholesale houses, stores, or whole communities, would ever be a success if it were left to the government, or if some kind of tax incentive motivation wasn't offered to get private enterprise into the picture on a broad scale.

With inflationary pressures now heating up the economy to a point of extreme danger, Congress and officials of the Federal Reserve, Treasury Department, and leading authorities in almost every walk of life are searching for any means of cooling off the economy, and the 7% investment tax credit has come into the line of fire, led by some of the most stalwart defenders of those who would be hurt the most.

Congressman Henry Reuss (Wis.) is one of these men, and he says the investment tax credit has built up inflationary pressures in the capital goods sector of the economy, caused largely by the excessive spending of bigger businesses that are trying to avoid rising costs before they really need to expand and modernize their plants and equipment.

Mr. Reuss expressed a belief that the family farmer, small business, housing, and state and local governments have been hit so hard by high interest rates, tight money, and other depressing factors, that little if any good can be accomplished by retaining the tax credit. He said in a letter to our office, however:

"In your commentary you oppose repeal of the 7% investment tax credit on the grounds that repeal would be harmful to small independent businesses. Treasury Undersecretary Walker in testimony before the Joint Economic Committee last week confirmed to me that small businesses presently are getting only a very small percentage of the tax benefits that flow from the investment tax credit. Furthermore, as I indicated in my recent letter to you, it is possible to retain the credit for bona fide small businesses, and I think this will be done if the credit is repealed."

Here is how the tax credit could work for the independent, as we wanted it to work and as it strengthened those who were able or could be induced to accept its challenge. And may I repeat, whatever your job, whatever your profession, business or other occupation, what Congress and the Administration, the states and municipalities do about taxes, interest rates, and prices, will affect your pocketbook and the future of those little ones we all love so much.

So, let us do some analyzing of the proposal I have been discussing, and which Mr. Reuss and his colleagues will be weighing in the critical weeks ahead.

A small retailer with a federal income tax bill of $2,000, for example, invests $1500 in new fixtures with a useful life of say, eight years. His tax credit would be $105 which isn't much but it is an incentive; with interest rates, overhead, taxes and other inflationary and competitive pressures closing in on him from all sides.

A professional man, on the other hand, with a tax bill of $6,000 can invest $12,000 in equipment, air conditioners, et cetera, and under the tax credits passed by Congress in 1962 and upheld in 1967, enjoy a savings of $747. A garage with a $7,000 tax bill could invest $7500 and deduct a tax credit of $350, while a corporation with a tax bill of $5,000 might spend $30,000 with a trade-in of $15,000, on equipment with a life span of eight years, and deduct $1,050.

What bothers Mr. Reuss and others who have confronted this issue under present inflationary conditions, is the condition which he has not only emphasized in the following letter, but also in his remarks before Congress. He writes:

"As the legislation is now written, the credit is not limited to expenditures of from $25,000 to $50,000, as you suggest. For example, a firm spending $1,000,000 in new equipment during a year would have a tax credit of $70,000 on a tax bill of $205,000. We are therefore talking about big tax breaks for very large firms."

On the floor of the House, the Wisconsin Congressman declared:

"We are subsidizing business to create excessive investment at a time when, to restrain inflation, we are imposing restrictions on consumers, in the housing industry and on the social programs of federal, state and local governments."

Mr. Reuss could prove his case, I am sure, just as he has proven to the full satisfaction of any reasonable, informed person, that those of us who have been insisting that the 10% surtax and high interest rates have not only harmed the family farmer, small businessman, and those least able to borrow or meet their obligations, but instead of reducing inflationary pressures, have increased them.

Small businesses and family farmers are closing out all over this country, because they cannot make it under present monopolistic, competitive conditions, credit restrictions and over-burdening taxation, and when Mr. Reuss declared in his opposition to the Pentagon's potential $100,000,000,000 antiballistic missile system boondoggle, that what this country needs most is to focus its "financial and scientific power on enabling mankind to live the good life," he wrapped up our whole problem in a nutshell.

This country, the overwhelming majority of the people, this Congress and past Congresses, and the past and present administrations have gotten us into the fix we are in in Vietnam, in the migration of our farm families to God knows where, into one crisis after another in our cities and towns—because too many listened to too much talk about treatment of effects instead of appeals to get at the root of our problems. We used billions of dollars worth of salves on our cancerous slums, billions to bulldoze millions out of slum areas, to create more slums, because we spent pennies on prevention, pennies on taking the slums out of people before taking people out of the slums.

On the agricultural front, we subsidized huge corporate farming with tax advantages that made taxless farming a profession in the United States. We treated the monopolies that rigged farm prices, controlled whole markets and drove 5,000,000 families off the land since 1950, by circuitous routes that passed up the real issues; and we let a handful of banks, corporate combines, chains and conglomerates flaunt our antitrust laws, our tax laws, and our traditions of fair play that we practiced only on the football field, baseball diamond, and basketball court.

There are enough men in Congress in this year of 1969, however, who know we cannot continue our past course and not end up in chaos, whose voices are going to be heard. There are economists, publishers, commentators, federal agency officials, governors, and men with great concern over events who are now speaking up from the ranks of labor, farm organizations, business and professional groups such as our own; educational institutions, from the stock exchanges, Securities and Exchange Commission, in military circles and men deep in the new Administration who with enlightened support from the grass roots can return us to the social, economic and political sanity the whole world is crying for.

A simple investment tax credit of 7% may be a small thing to talk about with all that is going on around us, but if it motivates 100,000 smaller enterprisers to put some light and color into their operations, or make themselves a little more efficient, it is important because saving one small business is important to this country; because keeping one school bus filled with happy farm children is important, and because we cannot permit blighted properties to take on more blight, and because the Federal Government cannot meet this or any other major issue without the private initiative of private citizens, generated on the widest possible front.

During the past several months, we have won Congressional victories on many issues that are going to help halt the liquidation of a large number of independent enterprises. There have been decisions handed down by the courts that will wipe out discounts, tax evasions, discriminatory practices and acts of unfair competition that, while far from our ultimate goals, will lead to conditions more favorable to family farming and the chance of young people again striking out on their own.

As a result of continuous efforts of so many organizations, publications, commentators, economists, et cetera, and high minded men in Congress and government agencies, we are witnessing a study of the whole farm problem, and the tax structure, for the first time in our history. The conglomerates, chain stores, oil depletion allowances, trading stamp companies, games and other market practices are all coming under the full spotlight of investigation. Consider the spotlight on the big foundations, bank-holding companies, our unbelievable mistakes in foreign policy, the industrial-military-labor-government complex President Eisenhower spoke of in his farewell address, and above all, I urge you not to overlook the principal challenge now staring all of us straight in the face: the rejection of society by an overwhelming number of our young people who, silent or vocal, have indicated a deep yearning for a cause, unaware that the cause is the times in which they live.

The gentleman from Wisconsin, Mr. REUSS, whom I have quoted this week, is one among many of our lawmakers who are as deeply concerned about the future as you or I, for they are on the scene where great decisions must be made which could determine the course of our nation for generations to come.

A tremendous responsibility must rest in part on the shoulders of every enlightened citizen in this country, and the fewer there are who carry the burden the more uncertain the future.

TWENTY-THIRD ANNUAL CUYAHOGA COUNTY BAR ASSOCIATION MERIT AWARDS LUNCHEON

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. FEIGHAN. Mr. Speaker, February 19 the Cuyahoga County Bar Association held its 23d annual Public Servants Merit Awards luncheon.

At the annual Public Servants Merit Awards luncheon the persons selected for the particular year are saluted and each presented with a Certificate of Merit. The merit awards are based on long and faithful service, devotion to duty, unfailing patience and courtesy, and helpfulness to the public and to the members of the bench and bar of this county.

The plan, to award deserving public servants, was inaugurated by Raymond D. Metzner, a past president of the Cuyahoga County Bar Association, 1947–48, and has been followed continuously every year since its inception.

Five court attachés were selected by the association this year for their outstanding service to the public and the legal profession and have spent a total of 200 years in the city and county offices:

Samuel J. Durante, presently with the legal service, intake department of the Cuyahoga County juvenile court, has a long career in social service work, having been a caseworker with the Cleveland welfare department from 1933 to 1937, with the Cuyahoga County welfare department from 1937 to 1942, a caseworker, part time for the American Red Cross home service from 1941 to 1942 and full time from November 1945 to May 18, 1946.

On May 19, 1946, he became a probation officer for the Cleveland municipal court and remained in said post until September 3, 1963, when he was appointed to his present post.

He is a graduate of the Chicago Law School and received his LL.B. degree in June 1932. He attended Northwestern University for 2 years of prelaw. He took special courses at Yale University, School of Alcoholic Studies, and also took courses at Western Reserve University, School of Applied Social Sciences.

He served in World War II with the U.S. Army 118th Radio Intelligence Company attached to the 3d Army, European theater of operations.

Tom S. Dwyer, assignment commissioner for the court of appeals, has served the courts for 32 years, having been a probation officer in municipal court for 7 years assigned to war veterans, bailiff for 3 years for the then Common Pleas Court Judge Burt W. Griffin and his present post which he has held since 1947. Prior thereto, he was a member of the Cleveland Fire Department for 2 years and was 7 years a deputy county treasurer and paymaster.

Widely known as an announcer at boxing and wrestling exhibitions, he served as a member of the boxing and wrestling commission and as boxing commissioner in 1926 to 1932 he introduced rules that still endure, and as an announcer, he announced the first boxing show in Cleveland which was broadcast over a national TV network.

He was a sergeant of engineers in the 37th Division in World War I and served overseas. He has been on the managerial staffs of the campaign committees of many successful candidates.

He is married to the former Florence Kodidek, who holds the position of chief administrative officer for the general administration of the data control center for the city of Cleveland.

Sylvester J. Koniarski, deputy clerk, assigned as night auditor in the title bureau, in the office of Emil J. Masgay, clerk of courts, has been in that position since September 1950. His service dates back to July 1, 1936, when he was first appointed to the county clerk's office, as deputy clerk, by John J. Busher, who was then clerk of courts. He can justly be proud of his work record, inasmuch as he has, consistently, never missed a day at work in 20 years.

He is active in ward politics, having joined the Seventh Ward Democratic Club on January 2, 1921, when he was 21 years of age and remained a member until 1963, when he transferred to the Sixth Ward Democratic Club, where he is presently a member.

He is a graduate of St. John Cantius School and was graduated from the Polish National Alliance College, now known as Alliance College, Cambridge Springs, Pa., in 1919.

Eva M. Peterlin, deputy clerk in the probate court, has the distinction of having worked in practically all of the departments of the probate court. Her first position was as a clerk-typist with the city of Cleveland, Department of Health, Bureau of Vital Statistics, to which she was appointed on October 13, 1924. She remained in that position until March 15, 1927, when she was appointed to a position in the probate court and has remained there since, becoming deputy clerk in January 1956.

A gracious and charming person, who is zealously devoted to her work, she is blessed with five nieces, two nephews, and is a grandaunt to nine grandnephews and three grandnieces, all who adore her. She makes her home with her older sister, Mary Ivans, and brother-in-law, Frank Ivans. She enjoys doing needlework and a good game of cards.

Max A. Silverberg, presently deputy bailiff of the Cleveland municipal court since October 16, 1932, and a deputy clerk 1 year prior thereto, equally holds the distinction of having served in practically every branch of the bailiff's department; namely, in the office of said department, bailiff to the jury commission, in the field for 15 years, in all the courtrooms in which civil and criminal cases are heard, as referee in courtroom No. 1, and for the last 6 years assigned to courtroom No. 3, known as the motion room.

A lawyer since 1925, he attended Adelbert College, Western Reserve University, and was graduated from Cleveland Law School in 1923. He recalls some fond memories as a newspaperboy and his membership in the Council Educational Alliance on East 38th Street and Woodland Avenue. He and and his wife, Edith, are the proud parents of two sons, one of whom is a pharmacist and the other a captain in the the U.S. Army Reserves and employed in the Defense Department, and a daughter who is a registered medical technologist, and they also have four grandchildren.

Highly popular among lawyers for his generous and kindly assistance, he is equally helpful to the public. During World War II, he helped in the formation of the rationing boards in the county and served as clerk in rationing board No. 1.

Already hailed for their distinguished public service were the following recipients of the awards in the years listed below:

1947: Frank T. Kelly, P. E. Knowlton, George Martin, R. E. Mollenkopf, Guy L. Spencer, and Charles Tonsing.

1948: William B. Dillon, Sadie L. Drake, Thomas F. Flynn, James M. Kelsey, and Edward T. Murray.

1949: Olcott M. deRosset, Helen M. Finucan, Anna Mary Harrington, James A. Lavelle, and Charles Sovish.

1950: Thomas A. Albertson, George P. Heidt, Anna Mae Lahiff, Lillian G. McGinty, John F. Ray, and Ellis V. Rippner.

1951: Frank R. Love, Charles T. Murphy, Ann Tobin, Walter G. Whitlatch, and Fred H. Wilker.

1952: David C. Brown, Marie Friebolin, Edward L. Hilliard, John E. McCracken, James F. Meade, and Raymond E. Smith.

1953: Lottie Bialosky, Paul DeGrandis, C. A. Dunham, George A. Froelich, and Kenneth V. Wilson.

1954: Grace A. Berger, Dominic C. Demorbus, Peter P. Mokris, Harry T. Shannon, John B. Sheller, and Harry J. Walker.

1955: Fred W. Bocke, Lucy C. Cunneen, William L. Gibson, William Schroeder, and Carl Yedlicka.

1956: Helen S. Beck, Bruce J. Boutall, Robert Fasciano, Winnona L. Hampton, and Nathan Suid.

1957: Joseph A. Cachat, Alma A. Lucht, Robert J. Miller, Merle S. Norris, and Beth Parker Zack.

1958: Jacob Bendau, Bernard A. Bingham, Eugene A. McCabe, Anthony E. Patton, and Lucille D. Ungvary.

1959: Harry W. Arnold, Louis B. Schram, Norma L. Stoll, Walter G. Sykes, and Elmer J. Whiting.

1960: Helen R. Auslander, E. Dana Brooks, Leo G. Chimo, Frank E. Dempsey, and Ruth E. Littman.

1961: Frank J. Claffie, Edward DiLeone, Eva Kanzeg, Elisabeth Morrison, and Ralph J. Simon.

1962: Elizabeth Bertram, Lewis W. Blackman, George H. Callister, Helen Long DeGrandis, and Myron T. Moses.

1963: Lavina Brock, Leo Catalano, Andrew C. Lillie, Raymond C. Noonan, and Leota Steever.

1964: William A. Franz, James A. Green, Raymond C. Johnson, Walter A. Morsefield, and Anne Sheboy Neeson.

1965: Peggy DeTemple, John T. Donnelly, Henry G. Primosch, Marie Turner, and Lucile B. Yaeger.

1966: Sam J. Berman, Walter A. Dorsey, Erwin W. Falch, Maude H. Maddie, and Anne E. Spisak.

1967: Ray C. Basel, Harry L. Bral, David M. Kikstadt, Bernadette Quigley, and Leonard D. Smolinski.

1968: J. Frank Hoban, Joseph A. Kader, Harriet M. Kwarciany, Martin F. Murphy, and Joseph S. Pietrafese.

SALUTE TO THE SEABEES

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RIVERS. Mr. Speaker, Wednesday, March 5, marked the 27th birthday of an organization to which we owe a great debt of gratitude. I refer to the U.S. Navy's construction battalions, well known as the Seabees.

Their accomplishments are many. They have been indispensable in every war we have fought since their inception. We owe them the highest sort of tribute.

In this connection, I would like to insert at this point in the RECORD an article which aptly describes the Seabees. I refer to the column entitled "The Rambler," which appeared in the Evening Star on Wednesday, March 5.

The article follows:

THE RAMBLER SALUTES THE SEABEES

(By John McKelway)

Man came around and deposited a great deal of material on the Rambler's desk involving the Seabees, the construction battalions of the United States Navy.

It seems that today the Seabees are celebrating their 27th birthday and, try as he might, the Rambler could see no reason not to celebrate the birthday.

This is a good outfit, according to a grizzled Marine the Rambler talked to, and it is true you rarely hear of what they do, so why not mention a few things?

What they do do is furnished by the public relations department of the Seabees and while it does show our deep commitment in Vietnam it does seem time some of their accomplishments might be published. At least the Rambler has never seen a breakdown on what the Seabees have been up to. He found the following interesting:

If lined up together, quoting from some of the Seabee material, "all the warehouses, administration buildings, troop housing, repair shops and other structures built by Navy Seabees in Vietnam would fill 800 football fields."

This, of course, is the sort of stuff that all branches of the armed forces ought to be armed with and the Rambler can't resist repeating it here.

Some others:

If all the housing facilities constructed by the Seabees in Vietnam were converted into a hotel covering one city block, that hotel would rise twice as high as the Empire State Building.

The Seabees have set enough "instant airfield" matting to cover the whole Los Angeles International Airport, including its runways terminals, parking lots and aircraft maintenance buildings.

They have paved enough open storage area to provide every home in the State of Delaware with a super-sized patio. (This is the sort of information the Rambler should check out—at the moment, he is too tired. But he believes it.)

They (again the Seabees) have built enough fuel-storage area to send the average American motorist on 47 round-trips to the moon. (Whew!)

They, with the rock provided by Navy Seabee quarries and crushers in Vietnam, could have built an 8-foot-high, one-foot-thick wall around South Vietnam's entire borders.

(On reading this the Rambler's first reaction was that perhaps this might have been done in the first place. But he gathers somebody turned it all down in favor of air power.)

And the Seabees have constructed so many vehicle and aircraft maintenance facilities that if built into a single complex it would make a service station nearly four miles long and capable of handling 1,500 cars at a time.

(There are stretches in the United States that appear close to that but let us emphasize that the Seabees have had nothing to do with it.)

But on a serious note:

There have been 52 Seabees killed in combat, while another 700 have been wounded in action, some more than once.

The Seabees are constantly at work building bridges, wells, electrical and sanitation systems and farm-to-market roads.

They have opened five rock quarries and the product goes into something of a superhighway from Da Nang to Khe Sanh.

In three months, during one period, the Seabees came up with accommodations equivalent to a city of 50,000, after a call to get Army and Marine Corps units out of the monsoon mud.

Richard Tregaskis, author of "Vietnam Diary," called the Seabee Teams: "The hottest troops in this war."

Well, it might appear that the Rambler has been taken in by all this. He has. But you know the type. The guy with the cigar moving his bulldozer into a sloppy mountain of mud, deadpan. You can see him around Washington.

During a war they are not vastly different. Only a few of us really understand what they are doing. But they do it and in an impressive sort of way.

So Happy Birthday to the Seabees. They've got a recruitment program going, naturally, and the war might be easier to take so long as you're building. Something, anything. Not killing.

The Rambler salutes.

THOMAS G. MASARYK, FIRST PRESIDENT OF THE CZECHOSLOVAK REPUBLIC

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. STOKES. Mr. Speaker, today is the birthday of Thomas G. Masaryk, first President of the Czechoslovak Republic, which will be in observance throughout parts of our country by Americans of Czechoslovak parentage.

Mr. Masaryk, a teacher, a philosopher, and an advocate of freedom for the Czechoslovak people was elected President of the Republic in 1918 and reelected in 1920, 1927, and 1934, before resigning in December of 1935. Czechoslovakia was then an infant of democracy, guided and sponsored by the United States of America. Under the leadership of President Masaryk, this country became closely identified with our basic democratic principles.

Czechoslovakia was first crushed under the Nazi imperialism, and was later subjected to the tyranny of Soviet Communist domination of her land. For the second time, Czechoslovakia is in bondage under the iron heel of the Soviet Kremlin.

In keeping with the traditions of this country in giving recognition to other ethnic leaders who have valiantly fought the cause of liberty, I urge all of the citizens of our great Nation to join in the observance of this day. Let us accord full honor to this great fighter for human decency and freedom, and hopefully look forward to the day when the people of Czechoslovakia will again be able to practice the great principles of a democratic nation.

CAR INSURANCE DENIED—HOME LACKS TIDY TOUCH

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. GREEN of Pennsylvania. Mr. Speaker, during the first session of the 90th Congress my distinguished colleague from New Jersey (Mr. CAHILL) and myself began a colloquy on the problems posed by the multibillion-dollar automobile liability insurance industry.

Since that time I am pleased to report that there has been considerable interest in the problem. The House Judiciary Committee undertook a survey of the cancellation and renewal practices of companies. Its report, in turn, led to the full-scale probe of automobile insurance currently being conducted by the Department of Transportation. What is more, a number of States, including my own, have moved to protect the public more against malpractice and the highly questionable procedures employed by many companies.

Despite this activity, we have made little progress. Company procedures are still shrouded in mystery. Premium costs, particularly in large cities, are still high. And the company methods for evaluating the risk potential of their insurees is extremely unfair and seems to have little connection with an individual's driving skill.

Mr. Speaker, I think the following article, which appeared in this morning's Washington Post, makes this point all too well:

CAR INSURANCE DENIED—HOME LACKS TIDY TOUCH

(By Mary Ann Seawell)

A bewildered Kensington man has complained to Maryland officials that his automobile insurance was canceled because an investigator felt his house was filthy.

The man, Noel C. Thornton, a bachelor, admits, "I haven't got the woman's touch, but I keep the place neat." In addition, he fails to see the connection between the appearance of his house and his ability to drive.

Thornton, 39, who came to this country from Northern Ireland seven years ago, and now works at a service station, gives this account:

After buying a second-hand car from a friend late last year, he applied to All-state Insurance Co. for insurance. He was given a policy with National Emblem Insurance Co. of Roanoke, a subsidiary of Allstate.

In January, a man who identified himself as an inspector for Allstate came to Thornton's 1½-story frame and brick house. Thornton says he was in the middle of a decorating project, that he had just taken up the dining room rug and was preparing to tile the dining room and kitchen.

"My settee needed recovering and I needed a rug in the living room . . . My two dogs were chewing bones on the floor," he says.

Ten days later Thornton received notice that his auto insurance was cancelled. No reason was given. Thornton wrote the company asking the reason and received, in part, the following reply:

"As you may know, many insurance companies, under certain circumstances, conduct routine investigations to assist them in selecting and retaining an average group of policyholders. In your case, it is alleged that your house is filthy. For this reason, it was determined that we could no longer carry your insurance."

Thornton, of 4204 Brookfield dr., complained to the office of Maryland Insurance Commissioner Newton Steers, who said the case is being investigated.

Spokesmen for Allstate and National Emblem could not comment on the case. James Kelly, regional underwriting manager for the firms, issued this statement:

"Under Maryland law, when an insurance company cancels a policy, the applicant has the right to ask the company for the reason for the cancellation. When the company gives that reason in writing, the law protects the company from any lawsuit that might allege that the reason was libelous.

"Our attorneys have advised me that in any further discussion of this matter or this type of matter the company has no protection of this sort. Therefore I can make no further comment."

Thornton says he was turned down by ten other automobile insurance companies after the cancellations but now has obtained a policy with another firm at a higher cost.

EARL F. HAYES 1968 OAK CLIFF, TEX., MAN OF THE YEAR

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. TEAGUE of Texas. Mr. Speaker, Mr. Earl F. Hayes, an outstanding businessman, developer, and civic leader, has been named Oak Cliff Man of the Year. I am inserting below an account of his unusual achievements which appeared in the Oak Cliff Tribune.

Not included in the Oak Cliff Tribune account is a current project undertaken by Mr. Hayes to help returning war veterans obtain employment. He has financed this effort from his personal funds and has succeeded in placing literally hundreds of veterans in the Dallas area in jobs.

It is remarkable that a man who has achieved high success in the business world could take time to concern himself with the problems of returning servicemen, but this is an indication of Mr. Hayes' compassionate character.

The article follows:

EARL F. HAYES, 1968 MAN OF THE YEAR

Earl F. Hayes bought the Avis franchise at Love Field a number of years ago for $58.

The fact that there weren't any other bidders was ample proof that car rentals around the airport weren't a very lucrative business at the time. And the competition was very formidable from No. 1.

But a man of unusual perception and keen business acumen, Earl Hayes believed that only the sky was the limit for commercial aviation. And that busy and impatient travelers would rent automobiles in great numbers at major airports.

Now Earl Hayes is a franchised Avis dealer all over Texas in the bigger towns and cities and one of the most important stockholders of the parent company.

A man of unbelievable drive and energy, Earl Hayes has no patience with inefficiency or with dull people. When he tackles some project, he is an insuperable ally or a powerful enemy should he be opposed.

Because of his intensity and drive, Earl Hayes has made friends and enemies. Few people who know him well have neutral feelings about the automobile tycoon.

But even his worst enemies will admit that Earl Hayes has been good for Dallas and Dallas has been good to Earl Hayes. Not only has Hayes tackled the really big assignments with regularity, there is very little quarrel with his performances. And despite health problems, Hayes stays deeply involved in the elite circle of top Dallas builders. Dydamic men, as the late Uncle Bob Thornton called them.

And those in political and city affairs are keenly aware that Earl Hayes is one of the few men of Oak Cliff who puts his money where his mouth is. He comprehends that city building and civic affairs and cultural excellence are expensive. He pays his share as few men in Oak Cliff are prone to do.

Earl Hayes may have put together the most affluent business empire ever built by a single Oak Cliff business man. His holdings are not only highly diversified, but far flung. Nearly every phase of his business operations nets him a handsome return.

From the automobile business—and the physical plant and land accumulated for the Chevrolet operations is worth a small fortune—Earl Hayes has branched out into one of the major Avis stockholders, airport parking, car leasings, limousine service, real estate, land development, apartments, industrial parks, insurance, stocks and bonds, finance. The breadth has long since transcended the Dallas city llimts in many other cities.

The only serious reverses along his mad dash to affluence came during the Eisenhower administration and this was to influence his politics profoundly. From a staunch conservative, Earl Hayes became an unapologetic Democrat who supported Lyndon Johnson and the other nominees of the party with vigor and with funds.

Earl Hayes managed Joe Pool's tough campaign against Jim Collins and had accepted the post again before Pool's untimely death. But he likewise backed liberal Democrats and the national ticket.

A tough-talking, no-nonsense infighter, Earl Hayes plays the game of politics with vigor.

During the days when it was expedient to retrench, many employes of long standing were severed as Earl Hayes was forced to cut back. Some of these onetime Hayes executives are still bitter enemies. But most have made business successes of their own, undoubtedly as beneficiaries of the training in his organization.

After he graduated from Harvard's School of Business, young Robert Hayes was groomed to become his father's trusty right hand. And although the younger Hayes has shown increasing political and social independence, as a business partner he has gradually taken much of the burden from his father.

Suffering a severe heart attack as a relatively young man, Earl Hayes has been forced to pace himself very carefully. At times he has found it necessary to leave the business for months on end. In recent years he and Mrs. Hayes have vacationed at a villa in Italy, leaving behind the pressures of business.

Among other accoutrements of wealth and health, his office includes a modern kitchen with well-stocked larders. Tasty luncheons are prepared and served up to a dozen or more visiting friends, dignitaries or business acquaintances at frequent intervals.

There is a quiet office where Earl Hayes can nap or rest in a motorized bunk which is gentle therapy for poor circulation in his legs. Included are full baths and dressing rooms for himself and Bob.

With a tendency to be rotund at times, Earl Hayes has carefully watched weight and diet and has remained a very trim man since his attack. The Heart Fund has been one of his principal charities and civic endeavors as a result of his experience.

The Earl Hayes home in Kessler Lake Estates is probably the most lavish ever built in the community. Furnishings come from exotic lands around the globe including many Mayan relics. The investment must exceed $300,000.

And although he received some early criticism for organizing Red Bird Industrial Park around some longtime personal land holdings, this has proved to be unfair comment. As chairman of Red Bird Park he has been one of the most devoted and energetic developers of the industrial complex which will eventually pour hundreds of millions of dollars worth of resources and payrolls into the community.

Only last year, Earl Hayes and James Dycus, an earlier man of the year, made several trips to the midwest and spent hundreds of hours trying to land a major factory for the district. Their spadework might still pay off in a 1,000-man payroll one day. And already Red Bird Park has made a substantial contribution to Oak Cliff's economic health.

Born and reared in Aurora, Missouri, Earl graduated there from high school. After a course at Draughon's Business College, he began his business career as office manager for the Willis Overland distributorship in Springfield, Missouri.

In six years he progressed to Sales Manager of that firm. Later he left to become a Willis Overland car distributor in Kansas City, Missouri.

Next he became associated with Willis Overland factory, attaining the position of regional organization manager.

In 1931 he became a district manager of the Chevrolet Motor Division in Oklahoma City. By 1938 he was national sales promotion manager for Chevrolet.

In May of 1945, he purchased a thirty per cent interest in Roy Hill Chevrolet Company in Oak Cliff and in 1949 he bought out two partners and formed Earl Hayes Chevrolet Company. Since that time, the dealership has grown to be among the country's largest Chevrolet dealerships and is the No. 1 Chevrolet truck dealership.

The Earl Hayes Foundation was chartered in 1950 to accumulate and administer funds for the charitable activities of the family.

In 1951 he organized Earl Hayes Rents Cars & Trucks. In the years 1952 through 1955 he purchased Avis franchises in Dallas, Fort Worth, San Antonio, Austin, Midland-Odessa and Lubbock. And he has set a fast pace for his competitors in these seven cities in vehicle renting and leasing.

In 1953 he secured his state insurance license and formed Earl Hayes Insurance Agency to handle needs of friends and customers of the Chevrolet company and affiliated enterprises.

In 1954 Oak Cliff Life Insurance Company was formed, primarily to write creditor life insurance in connection with automobile notes discounted by the Earl Hayes Chevrolet Company. This company was sold in 1967.

In 1963 Earl Hayes was among the organizers of Red Bird Industrial Park, currently the fastest growing planned industrial area in Dallas. He now serves as chairman of the board of that corporation.

In early 1964 he secured the Valet Parking franchise from the City for ten years at Love Field Airport. Besides rendering a service to customers of the airport, the Valet Parking service has increased the overall parking revenue received by the city.

Only last month he won the parking franchise in Houston.

Earl has been Oak Cliff Chamber president, Dallas New Car Dealers president, chairman of Oak Cliff Christian Church, chairman of the Central Highway Committee, Dallas Chamber vice president, Heart Fund chairman, Oak Cliff Kiwanis president and has held an endless string of less glamorous jobs.

He takes his turn at fund-raising and the civic challenges which require sweat and time in addition to money.

While his life is steeped in controversy, no one can honestly deny that he has been a giant among Oak Cliff community builders.

PRESIDENT NIXON'S TRIP TO EUROPE

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. BROCK. Mr. Speaker, President Nixon has just returned from a triumphant journey to Europe. The success of his mission can be measured in many ways: by the surging crowds of friendly people who flocked to greet him in each of the nations he visited; by the strongly favorable impression he made on the leaders of the free world community; and by the new sense of purpose and life which he has infused into NATO.

Less apparent on the surface is another achievement which may outweigh the others in the long run. President Nixon has emphasized the importance of planning and prevention—the role of NATO and our European friends in organizing together to forestall crises rather than be confronted by them at the last moment when they have taken on ominous proportions.

By consulting with the leaders of free Europe, and proving to them that America can be a good listener as well as a good leader, President Nixon has strengthened European friendship and European respect for our country and the man who leads it.

I would like to add my expression of gratitude to the many that President Nixon has already received for an outstanding diplomatic success.

FASCELL CITES NEED FOR BILINGUAL EDUCATION

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. FASCELL. Mr. Speaker, bilingual education is of increasing importance in the United States, not only to train our citizens in other languages, but to teach English to those who have come to our Nation, as well. In my own congressional district, where so many of those who fled Castro's Cuba now live, instruction in English is vital. Similarly, a knowledge of the Spanish language would be valuable for many native-born citizens of south Florida who come in frequent contact with Spanish-speaking persons on a business or social basis.

The need for bilingual education, however, is not confined to any one State or area of our country. The need is nationwide. Increasing trade and travel between the United States and other countries make it more necessary than ever before that our citizens be able to converse with our neighbors on this ever smaller, increasingly interdependent planet.

As chairman of the Inter-American Affairs Subcommittee of the Foreign Affairs Committee I am especially aware of this need in our own hemisphere where four separate languages are spoken. If we are to fully understand one another and strengthen the bonds of friendship among the American countries, we will have to pay increasing attention to language instruction in Spanish, Portugese, and French.

In view of these needs, I was heartened to take note of recently reported possibilities that a Spanish-American citizen may be chosen to become a special assistant for bilingual education to the U.S. Commissioner of Education. I hope that a well-qualified educator who is widely respected in this field will be chosen for the job.

In the meantime, for the benefit of my colleagues, I include in the RECORD an editorial on this subject from the Diario Las Americas newspaper of Miami, Fla. It reports on current developments and declares that the apparent intention to choose a qualified Spanish-American for this post "deserves applause and backing."

The article follows:

BILINGUAL EDUCATION IN THE UNITED STATES OF AMERICA

It is a statistical fact that in the United States of America, with the exception of groups of foreign ancestry of one or two generations living in the country, English is almost the only language spoken. That is, generally speaking, the Americans only know their own language. This limits considerably the possibilities of a cultural, political, economic, commercial and social closeness of the United States with other nations of the world, especially those in our hemisphere, almost all of them Spanish speaking, and with which the United States shares a common destiny.

In this great American nation there are more or less fifteen million Spanish-speaking persons, the ranks of which are formed to a great extent by immigrants from Spain or Latin America, or their descendants. There also are, of course, many Americans who, of their own free will, without any ethnic ties whatsoever with Spain or Latin America, speak Spanish. The presence of these fifteen million bilingual inhabitants, who speak English and Spanish, gives Spanish a very significant importance in the United States.

In the Washington Evening Star recently was published the news that the Secretary for Health, Education and Welfare, Mr. Robert H. Finch, "is looking for a Spanish-American to serve as Special Assistant to the Commissioner of Education, Doctor James E. Allen, Jr." The mentioned information adds that Secretary Finch "made the announcement at a news briefing recently, and said that the post would carry the title of Special Assistant to the Commissioner of Education for Bilingual Education."

Surely the Federal Government is thinking about bilingual education not only in order that the children and youths of Spanish origin may learn English, but also so that children and youths from English-speaking families may also have the opportunity to learn a foreign language which, because of the geographic position of the United States and its extraordinary ties with Latin America, should be the Spanish language.

May this important office of the Executive Power wisely choose the American citizen of Spanish origin to fill the post of Special Assistant to the Commissioner of Education for bilingual Education. The measure mentioned by Secretary Finch, that tends to support the job of Commissioner Allen Jr., deserves applause and backing. When bilingual education is generalized in the United States of America in a good percentage of the population, this great Nation will derive from it great advantages of a political, cultural, commercial, economic, and social nature.

BLACK LUNG DISEASE

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. McCARTHY. Mr. Speaker, one of the most serious hazards to the health of our working population has begun to receive the attention it has long deserved. I speak of pneumoconiosis, otherwise known as black lung disease. This so-called occupational disease has long plagued the coal miners of America. We have too casually accepted as the price for coal mining the crippling and shortening of life of thousands of miners.

Fortunately, there are those who recognize that there should be no such term as "occupational disease." Representative KEN HECHLER has led the fight to pass necessary legislation requiring that measures that will eliminate this disease be taken.

He has also pushed for a strengthening of the mine safety regulations that would go far to reduce unnecessary toll from mine accidents. Employee safety should be the first consideration of every coal operation.

I include two editorials appearing in the New York Times on February 25 and March 5, respectively, on this subject at this point in the RECORD for the information of my colleagues. The gentleman from West Virginia (Mr. HECHLER) should be highly commended for his forthright and energetic action on this problem.

The editorials follow:

[From the New York Times, Feb. 25, 1969]

COAL MINERS' REVOLT

The wave of wildcat strikes by West Virginia coal miners makes it plain that action on mine health and safety cannot wait. The strikers are seeking stronger state laws, but action at the Federal level is even more urgently needed. It required the loss of 78 lives in the Farmington mine disaster last November to get the Johnson Administration moving on these issues.

The Bureau of Mines has traditionally been more concerned about the economic health of the coal industry than the personal health of the miners. Only in the last four months under the leadership of John F. O'Leary, its new director, has the bureau begun to make surprise spot checks and crack down on mines with dangerous conditions.

Similarly, the Department of Labor had long been reluctant to use its powers under the Walsh-Healey Act to prescribe working conditions in mines which sell directly to the Federal Government. The United Mine Workers, to its lasting discredit, has been more interested in protecting jobs by keeping marginal mines open than in protecting the health of its members. This U.M.W. attitude had a good deal to do with the Labor Department's pussyfooting. The union has even attacked Representative Ken Hechler of West Virginia for what it regards as his excessive crusading against "black lung" disease and other health hazards affecting miners.

But after the Farmington tragedy, Willard W. Wirtz, the retiring Secretary of Labor, finally imposed stringent safety and health standards for mines selling coal to the Government. These standards were to have gone into effect this month, but George P. Shultz, the new Secretary of Labor, suspended them for ninety days. He argues with considerable warrant that he needs the time to determine whether the proposed regulations are "workable, administrable and sensible." But an even better guide to that judgment would have been to install the new rules and let enforcement experience show if revision was needed.

Secretary Shultz points to the inconsistency between the Labor Department's proposed regulations and the less stringent standards called for in a Johnson Administration bill prepared by the Bureau of Mines. But this is not a convincing rationalization: rather it is fresh confirmation of the Mine Bureau's traditional torpor and pro-industry bias.

Given that sorry record it is good news that Secretary of the Interior Hickel is moving away from his original intention to fire the dynamic Mr. O'Leary and replace him with a traditionalist. It is time for the miners to stop losing. The record of their defeats is written in blood.

[From the New York Times, Mar. 5, 1969]

PROGRESS ON MINE SAFETY

The Nixon Administration has wisely responded to the growing public pressure for reform of the dangerous conditions in the nation's coal mines. The Coal Mine Health and Safety Bill which Secretary of the Interior Walter J. Hickel has presented to a House subcommittee was in some respects stronger than the bill recommended by the Johnson Administration last year. Controls on coal dust are more stringent and standards for mine electrical equipment and for protection against cave-ins are more comprehensive.

Secretary Hickel has also joined Representative Ken Hechler of West Virginia in opposing the previous efforts of the United Mine Workers and of many owners to separate the health and safety sections of the bill. Since miners are dying both from poor safety conditions and from occupationally-caused disease, there is no excuse for even contemplating their consideration as separate issues.

Good as the Administration bill is, however, it can be improved in two important ways. When a mine owner appeals a Government inspector's findings of health or safety violation, the burden of proof should be on the owner rather than on the Government. The statute should establish a minimum as well as a maximum fine for violations instead of leaving the penalty to the discretion of the director of the Bureau of Mines. In the past officials of the bureau have often been supine in enforcing safety laws.

If the House Committee on Education and Labor and its counterpart in the Senate resist lobbying pressures and put through a strong law, there will still remain the problem of administering it effectively. The Administration has apparently decided to retain at least for now John O'Leary Jr., the new and aggressive head of the Bureau of Mines. Doubts about the long-term prospects for a revitalization of the bureau would greatly diminish if Mr. O'Leary were appointed on a permanent basis.

Meanwhile, in West Virginia, a State Senate committee refused to go along with the progressive bill to liberalize the state's Workmen's Compensation Law passed last week by the lower house of the Legislature. As a result, the wildcat strike of miners is spreading. It is a scandal that thousands of ex-miners suffering from "black-lung" disease have never collected any workmen's compensation. It is an even worse scandal that so many legislators are openly reluctant to rectify this injustice.

THE VISIT OF THE PRESIDENT OF DAHOMEY

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. LOWENSTEIN. Mr. Speaker, this city and Nation are honored this week by the visit of President Emile-Cerlin Zinsou, of the Republic of Dahomey.

Dr. Zinsou is the first head of state to come to the United States since President Nixon took office. He brings with hin. the greetings of a friendly people and of a courageous government, whose decision to permit Red Cross relief flights into Biafra has won the gratitude and admiration of men of good will everywhere.

Those who have known Dr. Zinsou through the years cannot help but feel that Dahomey is a wise and fortunate land to have so talented and compassionate a President. Physician, journalist, and experienced participant in world affairs, he serves his people and the international community with unusual scope and vision. His discussions with President Nixon, Secretary Rogers, and with many Members of the House and Senate have given Americans invaluable insights about his country and about the problems and points of view of independent Africa.

He will leave the United States with the respect and best wishes of all who have come in contact with him.

Dr. Zinsou will be especially remembered in Congress for his graciousness and patience during his visit to this building. We know much more now than we did about the hopes and needs of Dahomey, and indeed of West Africa generally, and many will view these hopes and needs with new understanding and sympathy.

THE WRIGHT SCHOOL DECISION

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, a resident of the District of Columbia who is a retired attorney at law, Mr. Allen C. Phelps, wrote a letter to the editor of the Washington Star which was published on February 27.

Mr. Phelps believes the subject of his letter, the decision by Judge Skelly Wright in the case of Julius Hobson against the District of Columbia Board of Education, should be investigated. He has asked that I bring his letter to the attention of the Members of this House, and I therefore welcome the opportunity to insert the text of the letter, in full, at this point in the RECORD:

THE WRIGHT SCHOOL DECISION

SIR: In a letter to The Star a short time after Judge J. Skelley Wright's decision in the infamous case of Julius Hobson vs. the District School Board, Dr. Carl Hansen, et al., I characterized that proceeding as a bald usurpation of judicial power, a misconception of the traditional judicial function and, in a practical sense, a social and political disaster. Subsequent events, in my opinion, have confirmed this judgment.

Now that this judicial monstrosity has been laid to rest, temporary at least, by a face-saving decision by four out of seven members of the Circuit Court of Appeals, some further comment may be in order.

The Hobson case should have been thrown out by the trial court at the first hearing; it was lackadaisically defended, since a majority of the old school board seemed to favor the plaintiff; the real parties in interest, the citizens and children of the District, were not represented; Dr. Carl Hansen, the superintendent, one of the finest educators in America, found himself in an impossible position, badgered because he believed in ability grouping for pupils and a sensible and gradual approach to the unsolvable problem of integration. In short, the militant liberals were in the saddle, not only among the defendants, but in the judiciary as well.

So the people and the children lost the contrived battle. A decree came down from the trial judge in effect outlawing de facto neighborhood segregation, ordering busing of students ostensibly to overcome overcrowding in schools (Congress had prohibited busing to achieve racial "balance"), faculty integration, and the end of optional attendance zones (freedom of choice), and last, but not least, abolishing the track, or ability-grouping system. To enforce his order, Judge Wright took over the function of administering policy in the area involved from the school board.

There is no doubt that this outrageous case was a major factor in causing the decline of any real quality education in the public schools of the District of Columbia and that it has contributed greatly to bringing about the present turbulence, infighting and maladministration characterizing the school system. How can any school educate children without recognizing and making provision for differences among pupils in intelligence and ability to absorb learning? The ideal of equality as applied to such factors is simply nonsense.

As to integration, Appellate Judge Bazelon neglected to face up to the fact that the District enrollment is well over 90 percent black and growing blacker by the year. "Residential patterns and the heavy concentration of black children in the District public schools may defy the best efforts of the Board of Education to achieve racially balanced schools," he said. Thus, it appears that this was the purpose of this litigation from the beginning. But the jurist had no answer to the problem of complete or near-complete black resegregation, now in the offing. He did suggest, however, that the long-run solution might be to extend the District school district into the suburbs, which would presumably bring about a better racial mix.

If there is any lesson to be learned from all this, it is that no universal, enforced integration in the schools in Washington (or elsewhere, in my belief) will ever work, and that, ultimately, the nonbelievers will rouse themselves and militantly and effectively demand that the politicians and the judiciary quit tampering with the country's school districts and that the schools themselves be permitted to go back to old-fashioned, traditional concepts that have educated most of our leaders and in a sense helped mightily in making this country great. Education, if mixed up with or subordinated to social objectives, is bound to languish and perhaps perish entirely.

ALLEN C. PHELPS.

THE MAN IN THE "DIRTY" HOUSE VERSUS THE AUTO INSURANCE INDUSTRY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RODINO. Mr. Speaker, an article in today's Washington Post regarding one man's "filthy" house versus the National Emblem Insurance Co. of Virginia describes, I submit, an incredible example of the absurdities in which the automobile insurance system becomes embroiled. This is the kind of fantastic case that starkly points out how far afield from rational judgment and equity the present system has traveled. I place the article and a letter relative thereto in the RECORD at this point:

CAR INSURANCE DENIED—HOME LACKS TIDY TOUCH

(By Mary Ann Seawell)

A bewildered Kensington man has complained to Maryland officials that his automobile insurance was canceled because an investigator felt his house was filthy.

The man, Noel C. Thornton, a bachelor, admits, "I haven't got the woman's touch, but I keep the place neat." In addition, he fails to see the connection between the appearance of his house and his ability to drive.

Thornton, 39, who came to this country from Northern Ireland seven years ago, and now works at a service station, gives this account:

After buying a second-hand car from a friend late last year, he applied to Allstate Insurance Co. for insurance. He was given a policy with National Emblem Insurance Co. of Roanoke, a subsidiary of Allstate.

In January, a man who identified himself as an inspector for Allstate came to Thornton's 1½-story frame and brick house. Thornton says he was in the middle of a decorating project, that he had just taken up the dining room rug and was preparing to tile the dining room and kitchen.

"My settee needed recovering and I needed a rug in the living room . . . My two dogs were chewing bones on the floor," he says.

Ten days later Thornton received notice that his auto insurance was cancelled. No reason was given. Thornton wrote the company asking the reason and received, in part, the following reply:

"As you may know, many insurance companies, under certain circumstances, conduct routine investigations to assist them in selecting and retaining an average group of policyholders. In your case, it is alleged that your house is filthy. For this reason, it was determined that we could no longer carry your insurance."

Thornton, of 4204 Brookfield dr., complained to the office of Maryland Insurance Commissioner Newton Steers, who said the case is being investigated.

Spokesmen for Allstate and National Emblem could not comment on the case. James Kelly, regional underwriting manager for the firms, issued this statement:

"Under Maryland law, when an insurance company cancels a policy, the applicant has the right to ask the company for the reason for the cancellation. When the company gives that reason in writing, the law protects the company from any lawsuit that might allege that the reason was libelous.

"Our attorneys have advised me that in any further discussion of this matter or this type of matter the company has no protection of this sort. Therefore I can make no further comment."

Thornton says he was turned down by ten other automobile insurance companies after the cancellations but now has obtained a policy with another firm at a higher cost.

NATIONAL EMBLEM INSURANCE CO.
Roanoke, Va., January 29, 1969.

NOEL C. THORNTON,
Kensington, Md.

DEAR MR. THORNTON: Thank you for your letter requesting the specific reasons regarding the recent cancellation of your National Emblem Automobile Insurance Policy.

As you may know, many insurance companies, under certain circumstances conduct routine investigations to assist them in selecting and retaining an average group of policyholders. In your case, it is alleged that your house is filthy.

For this reason, it was determined that we could no longer continue to offer you coverage under this policy.

Under Maryland Law, an explanation furnished by National Emblem in answer to the named insured's request is privileged, and will not constitute grounds for any course of action against National Emblem or its representatives or any firm, person or corporation who in good faith furnish to National Emblem information upon which the reasons are based.

I sincerely regret that we cannot be of further service to you.

Sincerely yours,

———— ————,
Underwriting Department.

(NOTE.—Insurance firm in letter alleges client's home was filthy, canceled his policy.)

MAKING THE PUNISHMENT FIT THE CRIME

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. SPRINGER. Mr. Speaker, all of us, particularly those living in the Capital City area, are concerned with crime in the District of Columbia and have been shocked at published statistics showing the rapid increase in just the past 3 years in major crimes. David Brinkley of NBC News recently spoke eloquently on this problem. His idea is food for thought and I bring his comments to the attention of my colleagues:

In the last year armed robberies in the District of Columbia increased 107 per cent. In the last three years, they have increased 452 per cent. In December, 1965, there were 114 or about four armed robberies a day. In December, 1968, last month, there were 629—more than 20 a day. An armed robbery almost every hour, around the clock, seven days a week.

Other kinds of crime increased, too. And visitors are astonished to find that among the natives there is more talk about crime, and the fear of it, than there is about politics, money or even sex. And so it is a formidable public concern—and rightly so.

I have talked with a famous criminologist who is an expert in this field and his fear is that if it isn't stopped soon, somehow—in Washington and the other big cities—there will soon be an unhealthy and dangerous public reaction. What he fears is that there will appear a public cry to unleash the police, or some phrase like that—to forget all the Constitutional niceties and all the lawyers' courtroom technicalities—and to let the police do whatever they think needs to be done to make the cities safe to live in. It hasn't happened yet, but it is a danger.

Here is one reason why it's a danger. Some time ago, a woman in her sixties, a widow, was beaten and robbed in the street and left badly injured. The police caught two young punks and they were tried and convicted and they got 60 days in jail, which they served. But when they got out of jail, their victim was still in the hospital and she came out of it totally bankrupt, from hospital and doctors' bills which she had to pay herself at a time when she lost four months' income because she was unable to work. Her attackers, even though convicted, got off lighter than she did. The law was very solicitous about the rights of the robbers while paying absolutely no attention to her.

What I've thought for a long time is that a criminal, in a case like this, ought to get both criminal penalties and civil penalties. They ought to have to pay their victim for the damage done, the court to decide how much. Street bums generally have no money, of course. But if they were put to work in a prison factory or prison farm—at prison wages—until the victim's damages were paid for, there would be then some element of fairness in this sordid mess. Instead of 60 days, it might take them 10 years to earn enough money. If so, too bad.

In some ancient civilizations that was the law. We have learned other things from the ancients. We might do well to learn that. President Nixon announces a war on crime. There is an idea worth trying. He can have it.

THE CHEMICAL INDUSTRY AND INTERNATIONAL TRADE

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. HELSTOSKI. Mr. Speaker, of the most vital importance to the economy of the State of New Jersey is the chemical industry; and of vital concern to the chemical industry is its position in international trade.

This subject was the theme of a talk given by our colleague and the dean of the New Jersey delegation, Mr. PETER W. RODINO, JR., at a luncheon of the chemical industry association in January.

The talk is so clear, concise and to the point, that it has been received with enthusiasm by all—both inside and outside the industry.

Because this Congress will have to face the facts on the tariff agreements, I feel that this article should be carefully read by all the Members of this honorable body. Since it is on a topic of interest to the Congress, I would, Mr. Speaker, request that it be printed in full at this point of the RECORD.

The text of the speech follows:

TALK BY THE HONORABLE PETER W. RODINO, JR., U.S. CONGRESSMAN, 10TH DISTRICT, NEW JERSEY, DELIVERED AT THE LUNCHEON MEETING OF THE SYNTHETIC ORGANIC CHEMICAL MANUFACTURERS ASSOCIATION OF THE UNITED STATES, NEW YORK, N.Y., JANUARY 9, 1969

Thank you very much Mr. Turchan; my good friend Dr. Ernie May, distinguished officers of this very distinguished organization and its membership.

First of all, let me wish you all a very happy new year.

Bennett Cerf tells the story of a ladies' club over in New Jersey that invited a female book reviewer to speak at one of its monthly meetings. Her subject was a triple-A tear-jerker of a novel, and the speaker spared none of the heart-rending details of the plot. The entire assemblage broke into tears. All but one, that is. This one lady sat dry-eyed and unmoved through the entire recital.

After the lecture, the reviewer asked her why she hadn't cried. The lady's answer stopped her cold.

"Oh, I'm not a member," she explained.

Well, I am not a member of SOCMA, but neither am I as stoical as the dry-eyed lady of Bennett Cerf's anecdote. Member or not, I recognize a sad story when I hear it, and I do not sit through it unmoved.

I am, of course, deeply honored to take part in this luncheon meeting of your Association, and pleased to have this opportunity to share with you my views on a subject of vital concern to both of us: the chemical industry's position in international trade.

As most of you already know, my interest and concern for the health and well being of the chemical industry has spanned many years—two decades at least—for one cannot be an elected official in my New Jersey without being aware of the vital importance of chemicals to the economy of the state.

I must say, however, that earlier problems and concerns pale in contrast to the intense activity that has taken place since the inauguration of the historic Kennedy Round. In fact, so much ground has been covered during the decade of the sixties that the ancient historian's dictum "The Past is Prologue" seems particularly applicable to the tremendous growth and expansion of world trade that has taken place before our very eyes.

How easy it is to become overburdened by immediate challenges and daily emergencies in this overly competitive world, so that we forget and neglect to properly view the success of expansion that only yesterday was undreamed. Our current gross national product derived from foreign trade runs over 25 billion and is, of course, a much larger percentage than had been the case prior to World War II.

But, as you all know, growth never occurs evenly, and expansion, like the Malthusian population formula, seems to multiply problems geometrically rather than by simple addition.

Benzenoids, unfortunately, have been in that problem category of uneven growth. And New Jersey has been the leading state in the manufacture of benzenoids. Our chemical plants are major employers with Jolly-Green-Giant payrolls—and the continued growth and expansion of these plants are essential to the creation of new job opportunities.

But none of this vital expansion and growth can take place if these plants are thwarted in their capacity to sell their products at home and in the international market place.

I vividly recall the summer of 1966 when Dr. Ernie May brought to me the results of his analysis of the adverse effects of converting ASP. And I recall how we put the entire New Jersey Congressional Delegation on record supporting SOCMA in its drive to be heard, and listened to, in its support of the retention of ASP.

Much has happened since then—I can't even remember the number of times Special Representative Roth came to my office—ever polite, always urbane: but his follow-up was always something different. And I do remember, with dismay, reading the results of the Kennedy Round as it affected benzenoids.

But then I, and a number of my colleagues who have an understanding of what ASP means—especially in terms of our Constitutional prerogative to look after the "General Welfare" of the people of the United States—saw clearly that the "Separate Package" should not receive Congressional approval.

And the Administration, after taking a few soundings, wisely decided not to challenge us by immediately sending up implementing action.

What I have been describing here actually resulted in a situation where decisions have been purposely stalled until a time when the climate of opinion might be trusted to produce satisfactory results.

But I think that I as a Congressman who has dealt with this problem can safely predict that the 91st Congress will maintain a cool climate of opinion for negotiating away the protection of the American Selling Price. I think the members of the 91st Congress will be insistent on clear, straight answers to the nagging questions on ASP that remain unanswered to this very day. Indeed, Ambassador Roth has persisted in refusing to release the Tariff Commission's 1966 Report on the economic impact upon the benzenoid chemical industry that would occur if the ASP package is implemented.

But what does that mean for SOCMA, for the EEC, for Domestic Employment, and for the future of foreign trade. It means first of all that what the Europeans proudly proclaim as the largest industrial market of the world, the Common Market, must come to understand that a tariff adjusting mechanism such as ASP my have as useful a role as their own valuation practices.

For example, border taxes must be reinterpreted, stripped of their domestic justification, and become a valid issue of international negotiation. ASP, similarly, has already been on the negotiating block. But a rose by any other name is just as sweet. I mentioned "Congressional climate of opinion." Well, in order for it to change we must get away from the semantics of protective labels in order to honestly negotiate on the basis of the terms of trade.

We must look at our trading partners throughout the non-communist world not in the terms of World War II recovery, when paternalism meant survival, and the dollar sustained the life forces of shattered economies: rather, we must now adjust to more mature international economies, fully competitive and eager to penetrate the heartland of the dollar.

The United States took on the burden of being the world's banker in a fantastically short period of time. And just when we realized all the implications of that unreal situation, we began to act as if it would never change; while in fact, the world of international trade and finance had already entered a new epoch. The statisticians and the computers began telling us things that we were not ready to fully comprehend.

So now we find ourselves in a position where a minor percentage of the chemical trade between Europe and America became the cause celebre of the Kennedy Round.

Well, adjustment is painful, and if we have learned something from the ardour of international trade negotiations, I think that it can now be said that the Europeans may have to take another look at themselves.

For I believe that we may find the Common Marketeers, to coin a phrase, somewhat more flexible in their attitude toward "What's mine is mine and what's yours is negotiable."

For two years during the Geneva Negotiations, we heard a lot about *quid pro quo*. Clearly, the separate ASP package did not produce a *quid pro quo*. But the Common Market must become aware of the fact that a real *quid pro quo* can only be achieved by honest negotiations that lay on the table all questions of international trade restriction, including particular non-tariff barriers.

Last November, I had the pleasure of again representing the Congress at the North Atlantic Assembly. This body grew out of the NATO Alliance, and represents a yearly opportunity for legislators of the free world to come together and exchange views on the search for solutions to pressing problems.

Through the good officers of our Ambassador to the Common Market, I had the pleasure of meeting formally and informally with a number of Common Market commissioners. I welcomed the opportunity to give them a fresh slant on ASP; the human element that links the domestic situation in the United States with its benzenoid industry.

Instead of reciting facts and figures already familiar to them, I told them about the extremely tense and explosive social conditions in the major cities of New Jersey and across the land.

I told them about benzenoid workers, with years of seniority and excellent pay, who depended upon ASP and could not be expected to depend upon "adjustment assistance."

I told them about Newark's 9% unemployment rate when the national average had declined to under 4%.

I relayed to these gentlemen, who by the way are not without experience as politicians, the facts of life as lived by a U.S. Congressman. As the recent cliche goes: We got down to the nitty gritty.

I do think that a meaningful international discourse took place. I know they understood me, and they were receptive to the suggestion that an imaginative solution must be forthcoming to break what has become an indefensible deadlock.

In the meantime, I would hope that the new Administration will take to heart the lessons learned by the President's Special Representative for Trade, and take a long look at the "separate package," recognize its shortcomings, and formulate a new negotiating approach.

The easy way out, of course, is for the Congress to reject the "separate package."

However, the creative and responsible road toward an effective solution is for the U.S. and the E.E.C. to immediately sit down and start anew to work out, in an atmosphere of reciprocity, and in the spirit of genuine give-and-take, an equitable solution to border taxes, and all other existing obstacles to fairer world trade.

Thank you.

THREE MARYLANDERS DIE IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. LONG of Maryland. Mr. Speaker, Pfc. Glenn Karl Leino, Sp4c. Donald M. Jennings, and Pfc. Henry D. Custen, three fine young men from Maryland, were killed recently in Vietnam. I wish to commend their courage and honor their memory by including the following article in the RECORD:

THREE MARYLANDERS DIE IN VIETNAM: WHEATON MAN, TWO FROM CITY AREA REPORTED KILLED

The Defense Department announced yesterday the deaths of two Baltimore-area soldiers and a Wheaton marine, in Vietnam.

The dead were:

Pfc. Glenn Karl Leino, of the Army, the only son of Mr. and Mrs. Kaleva Leino, of 3419 Liberty Parkway, Dundalk, who was killed February 27, when a military vehicle ran into him as he was directing traffic at Long Binh, 20 miles from Saigon.

Spec. 4 Donald M. Jennings, of the Army, son of Mr. and Mrs. Clarence Jennings, 2226 North Calvert street, who was killed February 27, during a firefight.

Pfc. Henry D. Custen, (USMC), son of Mr. and Mrs. Lawrence Custen, of 35 Olympic street, Wheaton, Md., who was killed February 23 in hostile action.

Private Leino had been serving in Vietnam five months as an MP with the 615th Military Police Company, when the traffic accident at Long Binh took his life.

"BIT OF EVERYTHING"

A lifelong resident of Dundalk, the 21-year-old soldier was drafted into the Army last summer He received his basic training at Fort Bragg, N.C., and his MP training at Fort Gordon, Georgia.

Private Leino, of Finnish-American descent was "a little bit of everything," according to his father. "He was an all-around kid," said Mr. Leino, an electrical department supervisor at Bethlehem Steel Corporation's Sparrows Point plant.

Private Leino had worked as an apprentice electrician at Bethlehem Steel for a year, and was a 1965 graduate of Dundalk Senior High School.

The youth had a passion for automobiles, according to his father, and was saving up for one of his own when he was drafted. He also liked bowling.

In the Army, Private Leino was engaged most often in escort and guard positions. "He did it as a duty; he wasn't resentful," said Mr. Leino.

Besides his parents, he is survived by a sister, Karen Leino, 13.

Funeral arrangements are incomplete, but the parents said they are planning a full military burial.

Private Jennings, the youngest of seven children of Elmira and Clarence Jennings, enlisted last June, and was trained as an Army machine gunner at Fort Polk, La., before he was sent to Vietnam November 15.

He was born and reared in East Baltimore and attended Booker T. Washington High School before working for the Maryland Cup Company in Owings Mills and later a fishnet factory.

An athletic and "jolly" youth, according to his mother, Private Jennings liked playing football and basketball in his spare time.

"He liked to be social with his friends," his mother said. His father is a disabled steelworker.

In Vietnam, the soldier had a few days' reunion with his brother John, an Army sergeant, who was on his way home last June after a year of combat. John Jennings has re-enlisted for another tour in Vietnam.

Besides his parents, Private Jennings is survived by five brothers, Clarence Jennings, Jr., 32, Ruben Jennings, 30, Arthur Lee Jennings, 29, John, 27, and William Jennings, 21; a sister, Dorothy Jennings, 25, and his maternal grandmother, Mrs. Caroline Rogers.

A TRIBUTE TO DR. JAMES A. SHANNON

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. MILLER of California. Mr. Speaker, Dr. James A. Shannon, the retired Director of the National Institutes of Health, has made a great contribution to the people of the United States and to the world.

The January/February issue of Federation Proceedings, published by the Federation of American Societies for Experimental Biology, contains a tribute to Dr. Shannon which I am privileged to insert in the CONGRESSIONAL RECORD:

A TRIBUTE TO DR. JAMES A. SHANNON

In 1949 the late Dr. Cassius J. Van Slyke, then Director of the National Heart Institute at NIH, asked Dr. James A. Shannon to join the Institute as Associate Director (in charge of research). No intramural research function yet existed at the Heart Institute, which had recently been created by the enactment of Public Law 80–655. Dr. Shannon had been director of the Squibb Institute for Medical Research in New Brunswick, New Jersey, and was a newcomer to the Government scene.

National Institutes of Health was not a typical Federal agency and certainly Dr. Shannon was not a typical employee. His immediate task was to recruit able and well-trained scientists to head the laboratories and to conduct research on the various cardiovascular diseases.

With great care and deliberation, men such as Robert Berliner, Bernard Brodie, Sidney Udenfriend, Luther Terry, Chris Anfinsen, Evan Horning, Dan Steinberg, Robert Bowman, Earl Stadtman, and many others were recruited to carry out the intramural mission.

It soon became evident that the research efforts and contributions of this Institute under Dr. Shannon's able leadership were outstanding. Dr. Shannon's major task at the time was to draft an appropriate budget for the support of research functions and to provide interpretive language. Although he felt that such tasks tended to dissipate scientific manpower, his strenuous efforts paid off. His translation of scientific accomplishments and objectives into nontechnical language was so clear and concise that the administrators and the Congress had no difficulty in accepting the importance of the investment in research support.

In 1952 Dr. Shannon became Associate Director (in charge of intramural affairs) of NIH and assumed the overall responsibility for in-house research.

Since Dr. Shannon was never one to confine his interests to a limited sphere, this position as a member of the Director's staff of NIH enabled him to acquire a broad knowledge of the Department of Health, Education, and Welfare and the U.S. Public Health Service as well as the entire NIH operation.

Upon the retirement of Dr. Henry Sebrell as Director of NIH in 1955, Dr. Shannon became the logical successor. The new Director had learned to articulate the financial requirements of medical research to the appropriate bodies of Congress and to create a new atmosphere of understanding between the scientific community and the Federal Government.

As this new leadership emerged at NIH, significant scientific advances became the paramount element of the NIH achievement.

Congressional leadership under John Fogarty in the House of Representatives and Lister Hill in the Senate provided the financial tools to support biomedical research and training and enabled Dr. Shannon to build the Nation's greatest center for biomedical science. Since World War II the United States has become the undisputed leader in medical research, and NIH has earned a great international reputation.

As recently as this year, under Dr. Shannon's leadership, NIH established the John E. Fogarty International Center for Advanced Study in the Health Sciences. In addition, the 90th Congress passed Public Law 90–456 for the establishment of the Lister Hill National Center for Biomedical Communications at the National Library of Medicine. This Center will be dedicated to Senator Lister Hill who, like John Fogarty, supported Dr. Shannon's vision of United States leadership in the life sciences.

The growth of NIH under Dr. Shannon's direction is shown in the chart on page 3.

James Augustine Shannon was born in New York, N.Y., August 9, 1904. He received his undergraduate education at the College of the Holy Cross, his M.D. degree from New York University in 1929, and his Ph. D. degree from New York University in 1935.

Dr. Shannon's professional association, activities, honorary degrees, and awards are as follows:

SCIENTIFIC SOCIETIES

American Physiological Society.

American Public Health Association; Governing Council 1959–1962; Fellow 1956.

American Society for Pharmacology and Experimental Therapeutics.

American Society for Clinical Investigation.

Society for Experimental Biology and Medicine.

American Association for the Advancement of Science.

Association of American Physicians.

Washington Academy of Sciences.

Harvey Society.

Alpha Omega Alpha.

Sigma Xi.

American Academy of Arts and Sciences.

American Philosophical Society.

PROFESSIONAL ACTIVITIES

1951–1956 Member, Subcommittee on Malaria of the Committee on Medicine, National Research Council.

1952–1956 Member, Subcommittee on Shock of the Committee on Surgery, National Research Council.

1953–1956 Chairman, Malaria Panel, National Research Council.

1953–1954 Member, Panel on Allocation of Gamma Globulin, National Research Council.

1953– Member, Division of Medical Sciences, National Research Council.

1953–1960 Member, Executive Committee, Division of Medical Sciences, National Research Council.

1955– Public Health Service Representative, Division of Medical Sciences, National Research Council.

1955–1962 Member, United States National Committee for the International Union of Physiological Sciences.

1954– Member, Board of Directors, Gorgas Memorial Institute of Tropical and Preventive Medicine.

1956–1966 Member, Expert Advisory Panel on Malaria, World Health Organization.

1959–1963 Member, Advisory Committee on Medical Research, World Health Organization.

1959–1964 Member, Standing Committee, Federal Council for Science and Technology.

1959–1965 Consultant, President's Science Advisory Committee.

1962–1966 Member, Advisory Committee on Medical Research, Pan American Health Organization.

1963– Consultant to Advisory Committee on Research to the Agency for International Development.

1965– Department of Health, Education, and Welfare Alternate Representative to Federal Council for Science and Technology.

1965– U.S. Delegate to the United States-Japan Cooperative Medical Science Committee.

1967–1969 Member, President's Committee on the National Medal of Science.

1967–1968 Member, Board on Medicine, National Academy of Sciences.

HONORARY DEGREES

1952 Doctor of Science, College of the Holy Cross.

1957 Doctor of Laws, Notre Dame University.

1958 Doctor of Science, Duke University.

1958 Doctor of Science, Providence College.

1959 Doctor of Science, Loyola University, Chicago.

1960 Doctor of Science, Catholic University.

1960 Doctor of Science, University of West Virginia.

1962 Doctor of Humane Letters, Albert Einstein College of Medicine, Yeshiva University.

1964 Doctor of Medicine, Catholic University of Louvain, Belgium.

1964 Doctor of Medicine, Karolinska Institute, Stockholm, Sweden.

1965 Doctor of Science, University of Maryland.

1965 Doctor of Science, New York University.

1965 Doctor of Science, The Jefferson Medical College and Medical Center, Philadelphia.

1967 Doctor of Science, Columbia University College of Physicians and Surgeons.

1968 Doctor of Laws, University of California, Berkeley.

1968 Doctor of Humane Letters, College of Mount Saint Vincent.

1968 Doctor of Science, University of Kentucky.

1968 Doctor of Law, Yale University.

HONORS AND AWARDS

1945 Harvey Lecturer.

1956 John F. Anderson Lecturer.

1958 Scientific Award for Outstanding Achievements in the Field of Renal Physiology, Malaria Control, and National Administration of Medical Research, New York University.

1961 The Mendel Medal Award, Villanova University.

1962 Public Welfare Medal, National Academy of Sciences.

1964 Rockefeller Public Service Award.

1965 Election to Membership in the National Academy of Sciences.

1965 Honorary Fellowship in American Association of Hospital Administrators.

1966 Public Health Service Distinguished Service Medal.

1966 The Modern Medicine Award for Distinguished Achievement in Medicine.

1966 Presidential Distinguished Federal Civilian Service Award.

1966 Honorary Member, American Hospital Association.

1966 John M. Russell Award, Markle Foundation.

1966 Abraham Flexner Award, Association of American Medical College.

1966 Alan Gregg Lecturer.

1968 Hadassah's Myrtle Wreath.

1968 Jesse L. Rosenberger Medal, University of Chicago.

THE FLAG

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. GROSS. Mr. Speaker, I take this time to insert in the CONGRESSIONAL RECORD a timely and well-written article by Mrs. Frederick Becker, women's chairman, District 1 of the Iowa Farm Bureau Federation, which was published in the Iowa Farm Bureau Spokesman.

Of recent years, there has been far too much disrespect and even contempt for the U.S. flag. There has also been growing disrespect for our national anthem. A shocking demonstration of the latter was the closing of the inaugural ceremonies at the Capitol on January 20.

As the Star Spangled Banner was being played following the oath-taking ceremonies, hundreds of people, either caring not or oblivious to the music which was amplified throughout the grounds, paid no heed to their national anthem. Troops stood at attention and saluted, but only here and there on the Capitol Grounds did the great mass of onlookers pause to pay proper respect.

There must be a rebirth of respect for our flag and for the anthem in which we sing of our proudness in hailing that flag.

The article follows:

ABOUT THE U.S. FLAG AND WHAT IT STANDS FOR

(By Mrs. Frederick Becker)

What do you see as you stand and watch the flag raised in a touching, inspiring ceremony, or passing by in a parade?

Does it mean anything to you?

Yes, we can see many things. I see our United States and truly I mean our. That flag is you and me and many more things.

As we stand gazing at our flag, we see the blue field, blue for loyalty, devotion, friendship, justice and truth. (Reminds me also of the sky, oceans, lakes and flowers.)

Then our eyes go on to the red, red for courage, zeal and fervency. (I think of the blood shed by pioneers, soldiers, and sailors who fought for this land, as well as the red we see in many bright spots—rocks, soil, sumac or flowers.)

Our eyes travel to the pure white stripes, the purity we all strive for but never achieve, also for cleanness of life and rectitude. We see it in many other things, too—the tiny baby's christening dress, the white hair of those growing old, and in church spires, white sails, sand or snow.

Our 13 stripes, of course, remind us of the early history of our nation.

The stars are our states with points in all directions, to cities, towns or farms; to all directions, east, west, south or north; and to all people in the world.

The flag is the people over whom it waves—those who have gone on, those of today and those of tomorrow. Yes, you and I are flag makers and it is up to us to make our country a place where it can wave proudly.

At functions or parades we have people (adult and younger) who sit lazily on their chairs instead of standing in honor and respect as the flag is raised or passes by. What has happened to cause these actions? Are we too prone or indifferent to care? Has our respect been cast aside by too many other things?

How can we help it wave proudly?

By each home and business having a flag for its own use.

By encouraging our families, schools and businesses to display and respect it properly.

And most importantly—by being true "flag makers" ourselves.

How do you become a true "flag maker?" By being an interested, concerned citizen. And may I emphasize one of many ways.

In election years we find ourselves keyed to a high interest in politics and the individuals for public office. After election it is so easy to say, well, that's over for 2 years or 4 years.

Our Iowa State Legislature and U.S. Congress (people we elected) are now in session. Are you interested in what they are doing?

Your interest and concern, your letters, your personal contacts are important to each of these men as they make decisions. Let's remember they like both criticism and praise.

President Wilson once said, "This flag which we honor and under which we serve, is the emblem of our unity, our power, our thought and purpose as a nation. It has no other character than that which we give it from generation to generation. The choices are ours. It floats in majestic silence above the hosts that execute those choices, whether in peace or war."

Yes, let's remember we are flag makers each day in all we do or say. We do help make these choices. Are you doing your part?

Remember—"I am only one, but I am one. I cannot do everything, but I can do something, and what I should do and can do, by the grace of God I will do."

Long may our flag wave in freedom under God's watchful eye.

JAMES B. PERRY

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. MARSH. Mr. Speaker, James B. Perry has retired, as you know, as director of the House Recording Studios, and I am sure many Members of the House have appreciated his conscientious service in the administration of the fine facilities for television tape and film and radio tape—particularly his accommodation to the needs of individual Members, taking into consideration the limitations we have on time to make these recordings requested by stations in our districts.

I have had a special interest in James Perry, because he is a native of Winchester, Va., in my congressional district, and his family associations continue there. I might state that it was characteristic of James Perry that he always gave me most courteous consideration in any services of the House Recording Studios, but never contracted for any service over and above what he would give to any other Member. He was, therefore, a civil servant of competence in the highest tradition of the dedication which we have found in career people who have served this House.

Because of the recommendation of his

physicians, James Perry has thought it prudent to retire, but he has assured me that he will continue to have an active interest in the sight and sound services to communications media provided by the House Recording Studio and that in due course, he will engage himself in some new efforts in the field in which he has such extensive qualifications.

In this connection, I should like to include a copy of an article which appeared in the Northern Virginia Daily, published in my home community of Strasburg, Va., on February 17, 1969, together with a brief biographical sketch of James Perry, a valued friend and adviser to many Members of this House:

[From the Northern Virginia Daily, Feb. 17, 1969]

PERRY RETIRING FROM FEDERAL CIVILIAN SERVICE

James B. Perry, former Winchester resident, is retiring at the end of February after completing 28 years of federal civilian service. He entered the government in 1941 as an employee of the Department of the Army, at Fort Belvoir, Va.

He was assigned to the Combat Engineer Underwater and Beach Obstacles Demolition Group where he produced numerous training films and visual training aids depicting engineer beach assault tactics which aided and contributed to the successful breaching of German fortifications on the Normandy coast by American Combat forces in World War II.

Following the war, Perry was assigned to the Pentagon in Washington, D.C., where he served on the staff of the Army Signal Communications Agency as an administrative photo information specialist. He was responsible for procuring photography from the Army overseas commands for distribution to the various Army Research and Technical Services.

Perry joined the office of the clerk of the House of Representatives in 1955 and was given the responsibility to organize, staff, and equip the House Recording Studios, a TV-film, radio and videotape facility serving the members of the House of Representatives. He has worked in this capacity as the director of the studios for the past 14 years.

Perry is a native of Winchester, attended Handley school, and was formerly associated with the Barr Studio. He and his wife the former Marie Obaugh reside in Alexandria, Va.

JAMES B. PERRY

James B. Perry, born in Winchester, Va., February 3, 1910: son of James Oliver and Josephine Grimm Perry; educated in the public schools of Winchester, Va., attended American University, Maryland University, and the Department of Agriculture Graduate School. Completed Photo Journalism and Pictorial Communications Specialists courses. Married Lillian Marie Obaugh of Winchester, and have two children—James B. Perry Jr., and Mrs. Josephine Carlyon Grant. Entered the Federal civilian service in 1941 as an employee of the Department of the Army at Fort Belvoir, Va. Served with the Combat Engineer Underwater & Beach Obstacles Demolition Group, producing training films and visual training aids depicting Engineer Beach Assault tactics. Following WW II, transferred to the Department of Defense in the Pentagon, served on the staff of the Army Signal Photographic Agency as an Administrative Photo Information Specialist. Joined the office of the Clerk of the House of Representatives in 1956—organized, staffed, and equipped the House Recording Studios. Served as Technical Director from 1956 to 1962, and as Director of the Studios from 1962 to retirement. Past Deacon and Elder in the Presbyterian Church. Member of Lions International.

FRANK POMPI: A FINE PUBLIC SERVANT

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. DULSKI. Mr. Speaker, we have many loyal and dedicated employees in the Federal Government.

An outstanding example is Frank Pompi, immigation inspector-in-charge of the three international bridges in the Niagara Falls-Lewiston area, near my home city of Buffalo, N.Y.

Frank Pompi is dealing directly with the public in his inspection role, and over the years he has seen many millions of persons crossing the border from Canada.

He was singled out by the Niagara Falls, N.Y., Gazette in its February 23 edition for his "firm faith in human nature."

Frank Pompi is a credit to the Immigration and Naturalization Service, and merits the attention from his local newspaper in the following article:

IMMIGRATION INSPECTOR HAS FIRM FAITH IN HUMAN NATURE

(By Cecil Farrell)

Frank Pompi, who enjoys people, is the immigration inspector-in-charge of the three international bridges in the Niagara Falls-Lewiston area.

He also enjoys helping people and looks upon this job as a hobby as well as a means of earning a living.

Despite the fact that he is directly or indirectly responsible for some 15 million persons crossing into this country via the three bridges each year, he still has faith in human nature and is not disenchanted with people.

He started his career as a Border Patrol officer in Buffalo on May 1, 1931 after moving to Buffalo from Providence, R.I., where he was a stenographer with the U.S. Department of Engineers. He was a graduate of a business teachers college and intended to become a teacher but, as he said, "The depression caused a slight change in my plans. I took the job with the engineers, was transferred to Buffalo, met a girl, fell in love, and joined the Border Patrol all in the same year."

After serving with the Border Patrol in the Buffalo area for six years he was sent to Cleveland as a naturalization examiner with the U.S. Immigration Service. In 1942 he was transferred in the same capacity to Erie, Pa., and then to Buffalo in 1945.

In 1952 he was appointed special inquiry officer and in this capacity presided at deportation hearings in the Buffalo and Cleveland areas. During this time he was responsible for the deportation of some 2,000 undesirable aliens over a seven-year period.

During World War II he was engaged in the investigation of enemy alien agents and later was involved in proceedings against about 50 agents or subversives of various "iron curtain" countries.

He said he has processed some 10,000 naturalization papers for individuals who came to this country.

During the month of December last year, more than one million persons entered the U.S. across the Rainbow and Whirlpool Bridges. Of these, 1,466 were denied admittance. Mr. Pompi said, "This is a very difficult situation, it is never nice to interrupt a person's journey but we try and do it with tact and diplomacy so that no one is too upset. Most people are very understanding."

The highlight of his career of 38 years was in April 1959 when he was selected to star in a 15-minute television documentary called "Are You a Citizen." The film was made with John Charles Daly as narrator. Daly had misgivings about allowing a nonprofessional actor to play the role of Frank Pompi.

When the series was nearly completed and the final shots were being wrapped up, Daly ran to Pompi, threw his arms around him and said, "you're a real pro." Pompi received a special citation and an award of $300 from the immigration services for his portrayal and the film is still being shown throughout the country today.

He is justifiably proud of his two sons, Robert, an assistant professor at the State University of New York at Binghamton, and Kenneth, now preparing his doctoral thesis on bio-psychology at the University of Chicago. Kenneth is on a National Defense scholarship and Robert is the holder of a doctorate in physics.

Commenting on the "younger generation" he said, "I'm afraid they have left me behind." He drew attention to the rash of drug arrests on the Rainbow Bridge during the past year as an example of the unrest of today's youth and praised the U.S. customs and immigration officers for their diligence.

Married to the former Clementine Lombardo of Buffalo, they reside at 47 Danebrock Drive, in Eggertsville. Mr. Pompi said however, "I just love Niagara Falls, this has to be the most exciting location for any immigration officer in the country."

He added, "in fact, Niagara Falls is unique throughout the country. At the Rainbow Bridge we have what is known as a 're-entry guarantee slip' which is unusual as this is the only place in the country where such a system is used."

He said, "we have so many dignitaries and visitors from foreign countries who, by all normal regulations, would not be permitted to enter Canada or vice-versa, but they want to view the Falls from both sides that we devised this system in cooperation with Canadian Immigration authorities."

He also cited the growth of the Niagara Falls International Airport and said "Why, we used to handle only two or three charter flights a year and in January this year we have been called out for 23 of them." He added, "This area is in for the damnedest business and population explosion you will ever see."

A man of many talents he served for four years as a member of the faculty of the National Immigration School in Washington where immigration officers are trained. He is proud of the service he and his men offer to the public and when asked if he planned to retire in the near future he looked perplexed for a minute and then said, "Why, I love my job, why would I want to retire when the job is so exciting, you meet so many nice people and are able to help them. I never thought about it."

THE CAMPAIGN AGAINST THE NATIONAL LABOR RELATIONS BOARD

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. THOMPSON of New Jersey. Mr. Speaker, last October 7, I called the attention of my colleagues to a well-financed and distorted public relations campaign which was then being waged by certain business groups to promote public support for drastic and punitive amendments to the National Labor Relations Act. Since then this campaign to inflame public opinion has continued and intensified.

The public relations firm of Hill & Knowlton has been engaged to guide this campaign, euphemistically called an educational effort. One of this firm's principal efforts has been to plant stories and editorials with newspapers and magazines across the Nation. Hill & Knowlton recently admitted to a Los Angeles Times reporter in a published story that it has been conducting meetings with the editorial boards of magazines and newspapers and that it contributed "material" to an exceptionally gross and misleading article in the Reader's Digest last year.

The U.S. Chamber of Commerce and the National Association of Manufacturers, the leaders of this effort to weaken the fabric of labor laws, are also conducting conferences building up the labor law reform drive with various informational materials and speeches which I have examined and believe to be serious distortions.

It has also been reported in the public press that between $500,000 and $1,000,000 has already been raised to underwrite this educational effort.

The Special Subcommittee on Labor has recently issued a report, based on extensive hearings and study, in which the subcommittee characterized some of the proposals of this labor reform campaign as aimed at weakening, rather than strengthening, the rights of workers to self-organization.

Mr. Gerald A. Brown, a distinguished member of the National Labor Relations Board, recently delivered an address at the University of Arizona in which he responds to some of the more extreme distortions which the Hill & Knowlton-NAM-chamber of commerce campaign has circulated. The text of Mr. Brown's thoughtful speech follows:

Fables, Fancies, and Facts

(By Gerald A. Brown, member, National Labor Relations Board, before fifth annual Labor Management Conference on Collective Bargaining and Labor Law, the University of Arizona)

When I was here a few years ago I discussed with you collective bargaining as an institution. Today I would like to review some of the current comments about the role of the NLRB in that process. I'm sure that you are aware of a crescendo of criticism that has been aimed at the Board, having a primary theme that the Board is flouting the will of Congress and has "subordinated the public interest and the rights and freedom of employers and employees alike to the power-lusts of the big unions and their leaders, and to the political advantage of pro-union politicians."

Initially, I confess to some aversion to personal participation in public discussion of such charges. Both you and I must be aware of the propensity of every individual to view matters in a light most favorable to himself. Yet, if there is to be a dialogue in our society concerning the proper role of the Board or if it should have a role, I doubt that it can be complete without some word from Board members. If a labor representative charges the Board with operating a slave labor law, or a business spokesman contends that the Board is operating as a tool of the unions, replies from the opposing side tend to be discontinued as partisan responses. Recently before a Senate Committee we had a number of academic experts give the Board rather high marks for the performance of its duties in this controversial field. I think further analysis from non-partisan, academic sources would be enlightening. In the meantime, a few general reactions on my part may not be inappropriate.

Borrowing some recent words from Board Member Howard Jenkins:

"For openers, let me assure you that my colleagues and I are not insensitive to constructive criticism. We neither seek, nor do we expect public quiescence or immunity from fair comment about our stewardship. By the same standard and to the same extent we are not insensitive, institutionally or individually, to personalized attacks upon the honesty and integrity of our administrative and decisional processes."

I am even more concerned about what I consider to be the harmful effects of the existing well-financed propaganda campaign on the type of collective bargaining which has evolved in our democracy.

Of course, time and the nature of the campaign prevents a detailed analysis of these issues today, but I would like to express some general thoughts on the matter. The Los Angeles Times reported last year that the nation's major corporations had joined with the Chamber of Commerce, the National Association of Manufacturers and a number of other employer associations, had a fund of at least one million dollars and had hired Hill and Knowlton, one of the country's largest public relations firms to, in the words of a spokesman for the Chamber of Commerce, "help create an atmosphere of public opinion which would be conducive to changes in present labor laws." A prominent communications analyst has defined propaganda as "the deliberate attempt to influence the attitudes or behavior on controversial public issues," and has listed among the effective techniques the use of slanted or biased news, ridicule and belittlement, color words, fear technique, guilt by association, false conclusions from fallacious reasoning, and name calling. Examples of each technique can be quickly discerned in some recent diatribes against the Board. I hope I may be excused for not accepting the Chamber of Commerce or their associates as the chief spokesmen for the public interest or the rights of individual employees.

I have copies of three editorials appearing on April 27, 1968, in the Macomb, Michigan Daily, on April 29, 1968, in the Richmond, California Independent and in the Northern Virginia Sun on May 21, 1968. The first headline is "NLRB Leanings—Impartial or Not?" The second is "Impartiality of the NLRB is Investigated," and the third is "Impartial Labor Board." Each editorial appears to represent the independent view of the paper in which it appeared. Two of the editorials are identical. One of the editors must have been impressed with his English teacher in that he combined several one-sentence paragraphs and changed a date to "last month." Perhaps an age of extra-sensory perception is developing. A typical passage in all three editorials repeats allegations that the Board has "disregarded fraud and gross misrepresentations on the part of unions and rewarded strikers for flagrant misconduct by forcing employers to reinstate them with back pay." For some reason, we were not charged with beating our wives.

An editorial in the Wall Street Journal of December 2, 1968, referring to the Board's requirement that lists of employees' names and addresses be made available to parties in Board elections, implied that the unreasonable Board was forcing employers to help unions organize their employees, and said, in part:

"In this instance the Board didn't even find out what employers thought. The regulation was adopted without benefit of the sort of formal rule-making procedure where companies and unions could argue for or against it. The summary nature of this action led an appeals court to declare the rule invalid."

The fact is that on May 20, 1965, before the adoption of the rule on February 4, 1966, the Board not only heard oral argument by the parties to the several cases, but also upon the Board's invitation, heard oral argument and/or received written briefs from a number of other organizations which included the Chamber of Commerce of the United States and the National Association of Manufacturers. Another fact is that the rule has been approved by more than a dozen courts including the Second, Fourth, Fifth, Seventh and Ninth Circuits; and the First Circuit, while stating ". . . that the matter comes before us in connection with a rule to which we see little or no objection and for which there is much to be said," concluded that the Board should have followed the formal rule-making procedure since this rule was prospective in nature rather than applied in the pending case.[1] The Supreme Court has agreed to review this question.

Distorted accounts of the Board's activities have appeared recently in the Readers Digest and other publications. These descriptions carefully select a few cases, gloss over or misrepresent the facts, accuse the Board of bias and prejudice and conclude with emotional words predicting dire consequences for our system of free enterprise, consumers and the civil rights of all citizens. They do not mention that almost all of the cases cited have been approved by the courts after the judicial review provided in our system of government. The quoted authorities usually represented the losing side in the cases discussed, but this fact is nowhere mentioned. If a case is to be reargued before the public, both sides should be heard. It is true that the Board has sometimes been reversed by the courts.

Our critics ignore the fact that the reversals have been at the expense of unions as well as employers, and blame the Board whatever the results. In *Tree Fruits*[2] the Board found the union guilty of illegal secondary picketing, but the Supreme Court concluded that some consumer picketing at a secondary site was protected activity. In a *General Motors*[3] subcontracting case, the Board found that the company had met its bargaining obligations, but the D.C. Court of Appeals reversed. In the *Serpa*[4] case we found that an employer was not required to bargain under the circumstances despite a card majority, but the Ninth Circuit ruled otherwise. In *Colson and Stevens*[5] and several other cases the Board ruled that unions in the construction industry could not strike for a hot cargo clause in a contract, but the Third, Fifth, Ninth and D.C. courts of appeal ruled that we were interpreting the statute incorrectly. In the *Long Lake Lumber Company*[6] case the Board found that a company's unilateral change of schedules was insubstantial and a Board order was unnecessary. A court ordered the Board to provide a remedy. In the *H. K. Porter*[7] case the Board found that the company had failed to bargain in good faith about a checkoff clause, but directed additional bargaining without requiring that the company accept such a clause. On review, however, a court of appeals in effect directed the Board to prescribe a checkoff clause in that particular case. The final result in each and every one of these cases has been attributed to the Board's antiemployer bias, although each Board decision sustained the employer's position and was reversed by the courts.

The NLRB has no original jurisdiction and can be concerned only with the cases brought to us by the parties. We receive approximately 30,000 cases a year, and one sign of progress is that almost 95 percent of these cases are disposed of by agreement of the parties or without the necessity of formal litigation. While more charges are filed against employers, the Board each year finds

---

Footnotes at end of speech.

unions guilty of violating the law in almost exactly the same proportion of the cases involved as for employers. It has been true historically that approximately 95 percent of Board decisions have been unanimous regardless of the political affiliation of Board members and that a large majority of the cases subjected to the appellate process of review has been approved in whole or in part by the courts. That does not say that we are free from error, but it does suggest that a careful look should be taken at such generalized charges as that the Board "restructures the Federal Labor Law to coincide with the political and socio-economic predilections respecting industrial relations of those individual members who happen to constitute a majority of the Board at any particular time" or has undermined "the very foundation of the federal-state structure under our constitutional system."

Please let me note again that the Labor Board welcomes honest and informed criticism. That can help us perform our difficult tasks. I have been in this field long enough to become more or less resigned to irresponsible criticism and to the fact that when one side or the other loses a case it is less than enthusiastic about the tribunal making the decision. But I have a different reaction to an organized campaign which represents a disservice to employers, employees and the general public.

Board decisions state the facts relied upon and the reasoning underlying the application of the statute. These decisions are, of course, aided by briefs and arguments from both sides of the controversy, and are subject to review by the courts.

Court review of Board decisions involves a rational analysis after hearing from all sides. Year after year Board orders are enforced in full in approximately 57 percent of the cases, affirmed with some modification in approximately 20 percent, and reversed in less than 20 percent of the cases presented to the courts of appeal. The small percentage of cases remanded to the Board for further consideration would have to be included to total 100 percent. In the last 6 years the Supreme Court has upheld the position of the Board in 23 of 27 cases. A high-powered public relations campaign is more difficult to subject to objective reasoning. How do you argue with a soap commercial? How do you reply to a contention that Board losses in the courts are proof of the Board's errors, while victories won by the Board are proof of the courts' errors?

What concerns me much more is that a campaign admittedly designed to influence public attitudes and basic labor legislation, may have very serious effects on the practice and procedure of the collective bargaining which both management and labor accept as an essential part of economic democracy. My experience convinces me that progress is contingent upon cooperation. In the words of Alexander Meiklejohn, "Mutual confidence is the prerequisite of freedom. Unless men can trust each other, there is no hope of reasonableness between them."

There are many anomalies in labor relations in the United States. We have more controversy and emotional reactions to labor problems than any other country in the world. We have more law than almost any other country designed to encourage parties to engage in voluntary collective bargaining. In the past we have had more violence. In spite of all of this we have what probably is the most conservative labor movement in the world in the sense that there are few advocates of the Marxist class struggle and more acceptance of our type of free enterprise and our democratic political traditions. When I studied labor history as a college student, the accepted thesis was: "Labor unions which have to fight for their existence will be led by warriors; but with a full acceptance of their status, labor statesmen will emerge. When employers dissipate their energies and assets in an effort to destroy labor, they will reap the whirlwind. When each recognizes the rights of the other, cooperation will lead to industrial peace and freedom." The ensuing years have seen tremendous progress in all of those directions, and it might be fruitful to dwell upon our successes. Yet, there is much evidence that a substantial part of the business and labor community disregards fundamental rights of other parties. Thousands of cases coming to the NLRB indicate flagrant and repeated violations of the basic law of the land. Emotions still run high even in a discussion of a potential labor problem.

It is my opinion that the explanation of this curious persistence of controversy and emotional reactions to labor problems is to be found in our own history. Our strongest traditions still stem from our history of conquering a new continent. Our national attitudes and social institutions are, in large part, based upon concepts of individual initiative and self reliance developed from the frontier days which really lasted almost until the beginning of this century. Our log cabin to president concepts still play a dominant role in the political thinking and behavior of the nation. Every boy sometime wants to be Daniel Boone, and every business man sees himself as the self-contained master of his fate.

The availability of free land on the frontier was, on the one hand, a vast welfare program where return was based on individual efforts rather than need and, on the other hand, it delayed the consequences of an industrialized market economy on our national ethos. Only the advent of the "Great Depression" brought America into the 20th century in the fields of social legislation and made meaningful our constitutional approach to the general welfare. But nostalgia for the frontier or the good old days creeps into almost every philosophical discussion.

The great depression and the New Deal of Franklin D. Roosevelt brought substantial changes in our reaction to governmental protection of the public interest largely because all of us seemed to be threatened with catastrophe. In our affluent society of today our problems are more complex. Industry and the growing middle class are moving to the suburbs taking the jobs with them and the tax base for schools. This helps conceal and permits many to ignore the problems of the inner city. Seventy percent of our population live in metropolitan areas, the number of white collar workers exceeds the blue collar more and more every year, technology eliminates the need for more unskilled laborers and changes the needed skills, the Negro is more insistent on being accorded the rights of citizenship and we have at least 30 million Americans still living under conditions of poverty.

Recognizing that you are part of a society means that you may fight within that society, but you do not try to destroy it. A precondition for business and labor to try to do something about unemployment in the ghetto is prosperity and relatively full employment elsewhere, and in the 20th century we know that that requires joint cooperation of government, business and labor.

The old frontier is no longer with us. To those who question whether collective bargaining has become obsolete, I would answer that these changing conditions make even more imperative our democratic method of mutual cooperation if our free society is to survive.

Part of the problem is, as always, semantical. I can recall when I was in San Francisco where collective bargaining has been accepted somewhat longer than in most parts of the United States. Business men who came to my office with labor problems were most practical, rational and cooperative in achieving solutions under the law. These same men would appear at a public meeting the same week discussing such broad topics as free enterprise or prerogatives of management and would become emotionally upset. By contrast, lawyers representing those same business men would sometimes be very difficult in particular cases, but at dinner or over a cocktail discussing philosophy were the most broadminded and understanding persons you could meet. I think that as our approach to labor relations becomes more legalistic in some of its aspects, the art of advocacy sometimes overshadows the officer-of-the-court concept of justice under a rule of law.

The current campaign serves to aggravate hostilities and to open up old antagonisms. While these matters have always been subject to emotional controversy, the challenges of the present day would seem to require a more rational approach. When we can cooperate to send men to the moon in a trip which Colonel Borman said proved that men were "truly brothers" and "riders on the earth together", surely we can cooperate and "reason together" to make our system of ecnomic democracy more effective.

Loss of confidence in justice under law endangers the existence of the free society. When the problems of hot and cold war, suburb and ghetto, Blacks and Whites, crime in the streets and revolutions on college campuses polarize our society, it is time to assess the facts of life in an honest manner and to endeavor to build more bridges between the groups in our society. Division and dissension creates more problems. We must try to find ways to communicate the common purposes and the interest all groups of our society have in a rule of reason rather than the jungle of selfishness. When some of our protest groups announce that their demands are not negotiable, it is reminiscent of some of our good-faith bargaining cases. Collective bargaining as it has evolved in the United States has opened avenues of communication and has expanded the opportunity for more and more individuals to participate in the making of the decisions which affect their lives. That is the true essence of democracy, and I am proud of what the NLRB has done to help make that approach to problem-solving effective. I believe that some of the techniques developed and some lessons from this history may contribute to the solution of other domestic and foreign problems.

I would close with two quotations which I find meaningful. The first is from Archibald Cox:

". . . The future of collective bargaining—indeed of what we call civilization—depends more than anything else upon renewing a quality which in recent years has sometimes seemed almost to disappear—tolerance, faith in the powers of reason, recognition of the fallibility but belief in the essential rationality and perfectibility of man."

The second is from Robert Hutchins:

". . . It seems likely that this age will be one either of innovation or of extinction. Without innovation the human race may not be extinguished, though the technical means of achieving this result are now available. What will be extinguished, in the absence of innovation, is the free society, the political community. Only if we can tear ourselves loose from our prejudices, from our ideology, from slogans, only if we can take a fresh look at the world and exercise the same kind of intelligence, character, and inventiveness that the Founding Fathers showed can we hope to revive, reconstruct, and preserve the political community. . . ."

FOOTNOTES

[1] *Wyman-Gordon Company* v. *N.L.R.B.*, 397 F. 2d 394 (C.A. 1), cert. granted ——— U.S. ———, November 12, 1968.

Footnotes at end of speech.

[2] *N.L.R.B. (Tree Fruits Labor Relations Committee)* v. *Fruit & Vegetable Packers, Local 760*, 377 U.S. 58, reversing 132 NLRB 1172.

[3] *Automobile Workers* v. *N.L.R.B. (General Motors Corporation)*, 381 F. 2d 265 (C.A. D.C.), reversing 158 NLRB 229.

[4] *Retail Clerks Union, Local 1179* v. *N.L.R.B. (John P. Serpa, Inc.)*, 376 F. 2d 186 (C.A. 9), reversing 155 NLRB 99.

[5] *Construction, Production & Maintenance Union Local 383, AFL–CIO* v. *N.L.R.B. (Colson and Stevens Construction Co.)*, 323 F. 2d 422 (C.A. 9);, *Essex County and Vicinity District Council of Carpenters and Millrights, etc.* v. *N.L.R.B. (Associated Contractors of Essex County, Inc.)*, 332 F. 2d 636 (C.A. 3); *Orange Belt District Council of Painters No. 48, AFL–CIO* v. *N.L.R.B. (Calhoun Drywall Co.)*, 328 F. 2d 534 (C.A. D.C.); *Building and Construction Trades Council of San Bernardino and Riverside Counties* v. *N.L.R.B. (Gordon Fields)*, 328 F. 2d 540 (C.A. D.C.).

[6] *Woodworkers Local 3–10* v. *N.L.R.B. (Long Lake Lumber Company)*, 380 F. 2d 628 (C.A. D.C.), modifying 160 NLRB 1475.

[7] *Steelworkers* v. *N.L.R.B. (H. K. Porter Co.)*, 389 F. 2d 295 (C.A. D.C.), remanding 153 NLRB 1370.

MISSISSIPPI HAS LOWEST CRIME RATE IN NATION

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. GRIFFIN. Mr. Speaker, Mississippi had the lowest crime rate in the Nation in 1967, according to a revealing crime index report prepared by the Library of Congress, from the latest statistics available. The rate of serious offenses in Mississippi per 100,000 population was 574.9, or less than one-third the national average of 1,921.7. Furthermore, crime in Mississippi declined from the previous year by a greater percentage than in any other State.

These figures are of particular importance, in my opinion, because of the distorted accounts of conditions in Mississippi often conveyed to the rest of the Nation by the mass media, most of which is headquartered in Washington, D.C., and New York. These self-styled protectors of the public interest appear to take morbid delight in sensationalizing minor incidents in Mississippi which would not even have received passing mention had they occurred elsewhere. By encouraging irresponsible and biased reporting, the policymakers of the mass media have attempted to create a false impression of widespread lawlessness in my State. Accordingly, I invite their attention to the fact that Washington's crime rate exceeded that of Mississippi by 850 percent while New York State had over 500 percent more serious crimes than Mississippi during 1967.

Mr. Speaker, I take great pride in the enviable position Mississippi enjoys as the most law-abiding State in the Nation. This is a notable tribute to a people who place great emphasis on moral values and the rights of others.

I include at this point in the RECORD, portions of the Library of Congress index listing the five States with the lowest and highest crime rates in the Nation:

STATES WITH LOWEST CRIME RATES IN 1967

State	Rate per 100,000	Percent change in crime rate 1966-67
Mississippi	574.9	−2.1
North Dakota	596.1	+6.4
West Virginia	658.7	+11.4
New Hampshire	706.7	+3.9
Maine	798.9	+21.1

STATES WITH HIGHEST CRIME RATES

State	Rate per 100,000	Percent change in crime rate
District of Columbia	4,899.1	+33.5
California	3,207.5	+13.5
New York	2,908.0	+15.7
Nevada	2,763.1	+17.1
Maryland	2,661.2	+29.0

THE VIETNAM POLICY REVERSAL OF 1968

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RYAN. Mr. Speaker, in March of 1968 the Johnson administration, after General Westmoreland's request for 206,000 additional men for Vietnam had resulted in an indepth reappraisal of the policy in Vietnam, concluded that it should embark upon a new course. That course culminated in the cessation of the bombing of North Vietnam on November 1 and, a few weeks later, in the commencement of peace negotiations in Paris.

A detailed story on the reversal of Vietnam policy in March 1968, appeared in the New York Times of March 6, 1969. I urge my colleagues to carefully study the basis for the policy reversal which that article documents. One year has now passed since the United States changed course in Vietnam. Yet the war rages on in undiminished fury. Every effort must be bent toward bringing about an immediate settlement of that conflict. The longer negotiations drag on, the greater the danger becomes that the Nixon administration may tragically and ill-advisedly return to already repudiated strategies of retaliation and escalation. The American people through the primaries of last spring repudiated those strategies. It is time the Government of the United States recognized the mandate to bring this tragic war to an end.

The New York Times article follows:

THE VIETNAM POLICY REVERSAL OF 1968

(NOTE.—This is the first of two articles written by Hedrick Smith in collaboration with William Beecher, and incorporating reports by Peter Grose, John W. Finney, E. W. Kenworthy, Roy Reed, Benjamin Welles, Edwin L. Dale Jr. and Max Frankel.)

WASHINGTON, March 5.—On the cold and cheerless early morning of Feb. 28, 1968, the Chairman of the Joint Chiefs of Staff, Gen. Earle G. Wheeler, landed at Andrews Air Force Base after an urgent mission to Saigon. Pausing only to change into a fresh uniform, he hurried through the rain to the White House to deliver a report and make a request.

The report was designed to encourage an anxious President and his beleaguered advisers, but it served only to shock them into extended debate.

The request—for more troops—was designed to bring military victory at last in the eight-year American military effort, but it led instead to a fateful series of decisions that stand in retrospect as one of the most remarkable turnabouts in United States foreign policy.

The month of March, 1968, became a watershed for a nation and a Government in turmoil. The Johnson Administration, by pulling back from the brink of deeper commitments and moving toward disengagement, set a course that affects the daily decisions of the Nixon Administration.

Many of the ingredients of decision then—troop strength and what to do about bombing North Vietnam—are still live issues, and many of the principal actors involved a year ago are participants in yet another crucial policy debate on Vietnam.

On that day at the end of February President Johnson and his closest aides assembled for breakfast around the Chippendale table in the elegant family dining room on the second floor of the Executive Mansion. Before rising from the table, they had set in motion the most intensive policy review of the Johnson Presidency—and one of the most agonizing of any Presidency.

The wrenching debate began almost by accident and then gained a momentum all its own. One dramatic record of its progress appeared in the 12 versions of a Presidential speech that evolved during the month—the last draft pointing in the opposite direction from the first.

The entire episode also provided a remarkable demonstration of how foreign policy is battled out, inch by inch, by negotiation rather than decision. The turnabout emerged through sharp confrontations and subtle, even conspiratorial, maneuvering—with compromises struck for bureaucratic purposes and with opponents in agreement for contrary reasons.

At the time of that breakfast meeting, President Johnson had been thinking for about two months about not seeking re-election. His principal advisers had little inkling of his thoughts, and the President himself had no expectation that the tensions in the Government would shatter the consensus of his inner circle.

Clark M. Clifford, appointed but not yet sworn in as Secretary of Defense, was to play the pivotal role in the Vietnam reassessment, but it was not a one-man show.

Mr. Clifford had to be persuaded. He immediately came under pressure from a faction of civilian dissenters at the Pentagon who believed the war was deadlocked, questioned American objectives and felt that time to salvage American policy was fast running out.

When the debate was over, the President had set the Government on the path toward peace negotiations and disengagement from the war. He had imposed a limit on the military commitment to South Vietnam, ordered a reduction in the bombing of North Vietnam, and offered to negotiate with the Hanoi regime. And he had coupled the offer with the announcement of his withdrawal from the 1968 political campaign.

The replacement of the quest for military victory with the search for compromise might have been reversed by North Vietnam if it had not—to almost everyone's surprise—responded favorably to Mr. Johnson's offer. Furthermore, the hawkish faction in the White House inner circle sought to resist the new trend until the Johnson Administration left office in January.

THE TET DRIVE ASSESSED

The catalytic event in the policy reappraisal—and the centerpiece of General Wheeler's vivid report—as the enemy's Lunar

New Year offensive, which began January 30, 1968, and swelled into coordinated assaults on 36 South Vietnamese cities and included, in Saigon, a bold penetration of the United States Embassy compound.

Confident and secure one day, Gen. William C. Westmoreland, then the American commander in Saigon, found himself on the next dealing with a vast battle the length of South Vietnam.

The psychological impact on Washington nad outrun the event: The capital was stunned. But General Wheeler, with murals of the American Revolution behind him, offered a more reassuring picture to the White House breakfast on Feb. 28.

The Tet attacks had not caused a military defeat, he said. The enemy had been thrown back with heavy losses and had failed to spark a popular uprising against the South Vietnamese regime. Not only had the Government in Saigon and its army survived the hurricane, he continued, but the offensive has "scared the living daylights," out of non-Communists, and they were beginning to cooperate.

On the other hand, the general said that more—many more—American troops were needed because the allied forces were off balance and vulnerable to another offensive. General Westmoreland felt, General Wheeler reported, that massive reinforcements would guard against a quick repetition of the Tet offensive and would allow the allies to regain the initiative, to exploit the enemy's losses and to "speed the course of the war to our objectives."

General Wheeler gave the Westmoreland request his personal endorsement. It added up to 206,000 more men.

IT WAS ROUGH AS A COB

General Westmoreland, who did not actually use the figure, regarded the proposal as a planning paper. But President Johnson and other officials, knowing that, as a matter of administrative technique, no request became formal until the President had decided how many troops would be sent, treated the Westmoreland paper as a request. Even without a precise total they sensed how much was being sought. The "shopping list" outlined by General Wheeler called for three more combat divisions, with sizable air, naval and land support.

Once the plan was fed through the Pentagon computers the precise number emerged. It became so secret that to this day some officials will not utter it—a reminder of the President's wrath when it did leak to the press during the March debate.

The sheer size of the request—a 40 per cent increase in the 535,000-man force committed to Vietnam—stunned Mr. Johnson and the civilians around him, though the initial impulse was to see how the commander's needs might be filled.

"It was a hell of a serious breakfast," one participant recalled. "It was rough as a cob!"

Some of the participants believed that a substantial troop increase could well revive arguments for widening the war—for giving General Westmoreland permission to go after enemy sanctuaries on the ground in Cambodia and Laos, and perhaps even in North Vietnam.

The President was wary about a massive new commitment. Had he not gone to extraordinary lengths to send half a million men to Vietnam without calling up reserves or imposing economic controls? Every year the generals had come to him—sometimes more than once a year—with the plea for "a little bit more to get the job done." Now, with the nation sharply divided over the war, they were asking for mobilization.

They had confronted Mr. Johnson with a dilemma. The gist of the Wheeler-Westmoreland report, in the words of one breakfast guest, was blunt: "We've got to have a big infusion of troops or we can't achieve our objectives."

No one at the breakfast table that day advocated lowering objectives. It was a time, however, when many pressures for a change of course were converging on the White House.

SPREADING DOUBTS ABOUT WAR

The Tet offensive had punctured the heady optimism over the military progress reported to Congress by General Westmoreland and by Ellsworth Bunker, the Ambassador to South Vietnam, in November, 1967. Not only had the pool of disenchantment spread by late February to fence-sitters in Congress, to newspaper offices and to business organizations. It had also reached the upper echelons of the Government.

If tolerance of the war had worn thin, so had the nation's military resources—so thin, indeed, that there was almost nothing more to send to Vietnam without either mobilizing, enlarging draft calls, lengthening the 12-month combat tour or sending Vietnam veterans back for second tours of duty—all extremely unappealing.

Congress was in such ferment that the process of legislation was partly paralyzed. The dollar was being battered by the gold crisis in Europe and inflation at home.

More fundamentally, the nation was seriously divided. The fabric of public civility had begun to unravel as opinion on the war polarized.

RUSK BREAKS A PRECEDENT

President Johnson chose his long-time friend, Clark Clifford, to head a task force to advise him on the troop request. It quickly became a forum for debating the entire rationale for the war.

At 10:30 A.M. on Friday, March 1, in the East room of the White House, Mr. Clifford took the oath of office as the successor to Robert S. McNamara. Three hours later he gathered the task force around the oval oak table in the private Pentagon dining room of the Secretary of Defense.

Secretary of State Dean Rusk, for the first time in his seven years in office, went to the Defense Department for a formal meeting.

The others present were all, like Mr. Rusk, veterans of arguments on Vietnam policy—Walt W. Rostow, the President's assistant for national security affairs, Richard Helms, Director of Central Intelligence; General Wheeler, General Maxwell D. Taylor, former Chairman of the Joint Chiefs of Staff, former Ambassador to Saigon and a Presidential adviser on Vietnam; Paul H. Nitze, Deputy Secretary of Defense; Under Secretary of State Nicholas deB. Katzenbach; Paul C. Warnke, Assistant Secretary of Defense for International Security Affairs; Phil G. Goulding, Assistant Secretary of Defense for Public Affairs; William P. Bundy, Assistant Secretary of State for East Asian Affairs, and, for financial advice, the Secretary of the Treasury, Henry H. Fowler.

None of the civilians present advocated a flat commitment of 206,000 more men, nor did they want to reject the request out of hand. Several insiders later suggested that a smaller request, for 30,000 to 50,000 men, would probably have been granted and the Administration crisis would have been avoided, or at least delayed.

Instead there was an early collision in the task force over war strategy and the possibilities of victory. There were, of course, shadings of viewpoint on most questions, but two broad coalitions emerged:

One favored continuation of General Westmoreland's strategy of wearing down the enemy by intense military pounding. The argument's assumption was that the Tet situation was less a setback than an opportunity. By boldly seizing the initiative, according to this view, the allies could decimate and demoralize the enemy and open the way to a favorable settlement.

The other group challenged the very premises of the old strategy. Its members urged a less aggressive ground war, called for new efforts to open negotiations and, implicitly, laid the groundwork for political compromise.

FOUR EXPONENTS OF CONTINUITY

The exponents of continuity were Mr. Rusk and Mr. Rostow and Generals Wheeler and Taylor. Mr. Rusk, by then the stanchest defender of the war in public, patiently bore the heat of criticism. Tall, unbending, composed, he was, in his own words, "the iceman."

Mr. Rostow and General Taylor, who had gone to Vietnam early in 1961 as President Kennedy's personal envoys and who came back advocating intervention, were even more opposed to "letting up the pressure." Mr. Rostow, athletic and ebullient, funneled the news from Saigon to the President.

The advocates of change were Messrs. Nitze, Warnke, and Katzenbach, and later—most powerfully—Mr. Clifford. Mr. Helms, thoughtful and angular, was neutral on policy questions. The weight of his C.I.A. analysis called into question military judgments, past strategy and the quest for victory implicit in so many earlier decisions.

Although Mr. Clifford was never alone, his eventual role was remarkable because it was wholly unexpected.

He came into government with a reputation as a hawk, as a trusted, loyal "backroom" counselor to Mr. Johnson who had steadfastly supported Administration policy. In December, 1965, he had opposed the 36-day bombing pause then advocated by his predecessor. One man acquainted with the circumstances of the Clifford appointment said later:

"I am sure the President felt, 'Here is a good, strong, sturdy supporter of the war, and that's what I need.' Mr. McNamara was wobbling—particularly on the bombing issue. I think the President felt Clifford was strong and sturdy."

But Mr. Clifford had begun to have doubts during a trip in August, 1967, to Vietnam and allied countries contributing troops to the war. On his return he confided to the President that he was deeply uneasy at having discovered that the American view of the war was not fully shared by Australia, New Zealand, Thailand and the Philippines.

Disturbed he was, but he remained a supporter of Administration policy. He was encouraged by secret diplomatic efforts in August, 1967, and again in January, 1968, to get negotiations with Hanoi started on the basis of the so-called San Antonio formula.

That proposal, made public by President Johnson in a speech in the Texas city on September 30, 1967, offered to halt the bombing of North Vietnam provided it would lead promptly to productive talks and "assuming" that Hanoi would not take military advantage of the cessation.

At Mr. Clifford's Senate confirmation hearings on Jan. 25, 1968, he had added the important interpretation that this meant that the President would tolerate "normal" levels of infiltration from North to South Vietnam.

The president had not cleared Mr. Clifford's remarks in advance and, as a result according to one informed source, "all hell broke lose at the White House and the State Department."

Secretary Rusk was said to have argued for two days with President Johnson against giving Administration endorsement to the interpretation. He was overruled. On Jan. 29 the State Department said Mr. Clifford's remarks represented United States policy.

He plunged into the minutiae of Vietnam like a lawyer taking a new case. He had private talks with Mr. McNamara, whose own misgivings had sharpened in his final months at the Pentagon.

As a newcomer with limited knowledge, Mr. Clifford had to rely on civilian subordinates more than had his brilliant and experienced predecessor. The large faction of dissenters from Administration policy was quick to seize the opportunity to press its views. The Tet offensive, recalled one dissenter, "gave us something we could hang our arguments on, something to contradict the beguiling upward curve on the progress charts" from Saigon.

With the lid off, the new Secretary discovered a nest of "hidden doves" at the Pentagon, including his deputy, Mr. Nitze; Assistant Secretaries Warnke, Alain C. Enthoven, Goulding and Alfred B. Fitt; the Under Secretaries of the Army, Navy and Air Force—David E. McGiffert, Charles F. Baird and Townsend W. Hoopes; a few younger generals and colonels and a score of young civilians brought in by Mr. McNamara, principally Dr. Morton H. Halperin, Dr. Les Gelb and Richard C. Steadman.

The men who clearly had the greatest impact on the new Secretary's thinking were Messrs. Nitze, Warnke and Goulding—perhaps Mr. Warnke more than the others.

"Warnke was deeply upset about Vietnam and he was persuasive," a colleague said. "His style and Mr. Clifford's meshed." As a measure of their mutual confidence, Mr. Clifford chose Mr. Warnke as a law partner when both left the Government.

When the Clifford task force got under way, a number of officials took the troop request as evidence of panic on General Westmoreland's part. But ranking officers who were in Saigon headquarters during and after the Tet offensive assert that there was no thought of asking for many more troops until shortly before General Wheeler's visit late in February.

"The President asked General Wheeler to go out to Vietnam to find out what General Westmoreland thought he could use," a Pentagon official said. Civilian officials were irritated by this approach. "It was a mistake to ask a damned-fool question like that," a State Department official remarked.

The Joint Chiefs of Staff had their own reasons for favoring a massive increase and a reserve call-up. For months they had been deeply concerned that the strategic reserve had been dangerously depleted and they had been looking for a chance to reconstitute it by persuading the President to mobilize National Guard units.

Another view was held by Ambassador Bunker, who never fully endorsed the troop request and who wanted first priority for re-equipping and expanding the South Vietnamese Army—a suggestion endorsed by Pentagon civilians.

The Wheeler-Westmoreland plan presented to the task force called for 206,000 men by June 30, 1969—roughly 100,000 within a few months and two later increments of about 50,000 men each. The first segment was to come from available active-duty units in the United States; the rest were to come from the reserves.

In the view of the Joint Chiefs, only the full number would assure victory. The implication was that with 206,000 more men, the war would "not be terribly long," as one Pentagon civilian put it—but there was no precise forecast.

At this point Mr. Warnke, in his nasal Massachusetts accent, read a C.I.A. paper that challenged the military thesis head on. Hanoi, he said, would match American reinforcements as it had in the past, and the result would simply be escalation and "a lot more killing" on both sides.

Besides, the task force was told, the financial costs would be immense. The proposed scale of reinforcements would add nearly $10-billion to a war already costing $30-billion a year.

As an alternative, Mr. Warnke urged a turn toward deescalation—a pullback from General Westmoreland's aggressive search-and-destroy tactics and the abandonment of isolated outposts like the besieged Marine garrison at Khesanh. He said that American forces should be used as a mobile shield in and around population centers and that more should be demanded from the South Vietnamese Army.

The sheer complexity of the troop issue began to raise doubts in Mr. Clifford's mind.

QUESTIONS OTHERS AVOIDED

"Part of it was Clark's intelligent questioning and part of it was his naiveté," a colleague recalled. "He asked about things that others more familiar with the details would not have asked.

"He just couldn't get the figures straight on troops. He drove Bus Wheeler mad. He would say, 'Now I understand you wanted 22,000 men for such and such,' and Wheeler would point out this didn't include the support elements, and if you added them, it would be 35,000 in all."

"This happened again and again every time Clark wanted to get the numbers down as low as possible, and it had a psychological impact on him," the source added.

The first weekend in March was consumed by a study of the papers drafted for the task force and by questions. "It was meet all day, sandwiches in for lunch, sandwiches in for dinner," a participant recalled.

Word was passed to President Johnson that the review "wasn't going well" and had hit a "discordant note." But Mr. Cliffords doubts had not hardened into convictions by the time he handed the President his first report on March 5.

A short, unsigned, four-or-five-page memorandum, it recommended giving General Westmoreland 50,000 more troops in the next three months and set out a schedule for readying the rest of the 206,000 men for dispatch over the next 15 months.

FROM DIVERGENT POINTS OF VIEW

Characteristically, the President's advisers disagreed on the recommendation's significance. The Pentagon saw it as a move "to get the pipeline going"—general approval of the troop request; State Department officials viewed it as part of a process of "whittling down" the 206,000 figure.

Although Mr. Clifford had passed along the report, he was uneasy about it. He was worried that if the President approved the first batch of troops, that action would move him irrevocably toward the whole 206,000. But the Secretary did not challenge the report directly; he tried to stall, suggesting that the task force check General Westmoreland's reaction to be sure the "mix" of forces was right.

General Wheeler wanted to move ahead, but others, including Mr. Rusk and Mr. Rostow, were willing to have the issue studied further, so the task force carried on for several more days.

This seemed to suit Mr. Johnson's mood, too. His instinct, a White House aide explained later, was to delay implementing the plan. "He kept putting off making an initial decision," the aide said.

For the President had heard the grumbles in Congress over the danger to the dollar from the gold drain and from the rising costs of the war. Politicians were alarmed by the size of the troop request.

Old, trusted friends like Senator Richard B. Russell, the Georgia Democrat who headed the Armed Services Committee, were complaining tartly about General Westmoreland. Influential men like Senator John Stennis, the Mississippi Democrat, were privately warning the President to go slow on mobilizing reserves.

As the task force persisted, Secretary Clifford himself was putting more pointed questions. "What is our military plan for victory?" he asked. "How will we end the war?" He was not satisfied.

Then the bombing campaign came under his scrutiny. Mr. Hoopes wrote him a memorandum urging a halt, arguing that the bombing was not having significant results and that, because of Soviet and Chinese Communist aid, North Vietnam had become "on balance a stronger military power today than before the bombing began."

Mr. Hoopes contended that it was "a military fiction" that American combat casualties were halted. American losses, he said, were primarily a result of the aggressive ground strategy in the South.

Under the impact of such arguments, Mr. Clifford's doubts became convictions. He supported the President's previous restrictions on the war—no invasion of North Vietnam, no expansion of the ground war into Laos or Cambodia, no mining of the Haiphong harbor—and he became convinced that within those restrictions there was no military answer. He began the search for a path to disengagement.

The debate, by now in the White House, seesawed through the middle of March. At this time, Mr. Clifford began to state his case for a fundamental change in American policy: It was time to emphasize peace, not a larger war.

He now challenged the task-force recommendation for more troops. "This isn't the way to go at all," he told the President. "This is all wrong."

HIS WORDS CARRIED WEIGHT

With the nation bitterly divided over the war and in desperate need at home, he maintained, it would be immoral to consider enormous added investment in Vietnam—a "military sinkhole."

His outspoken challenge was deeply disturbing to President Johnson, who always preferred a consensus among his close advisers. Although he never turned his celebrated temper on Mr. Clifford, the argument chilled their personal relations and left the Defense Secretary, a friend for 30 years, feeling oddly frozen out of the White House at times.

Secretary Rusk apparently did not disagree with Mr. Clifford so sharply on troop numbers, but he was opposed to the long-run implications of Mr. Clifford's arguments—that in the end, the United States would have to settle for less. Mr. Rostow felt that the new Defense Secretary had fallen under the influence of "the professional pessimists" in the Defense Department.

At the Pentagon morale was rising among civilian advocates of a new policy. "We used to ask," a former Pentagon civilian said of the Secretary, "is he one of us? Well, there was 'one of us' at the White House." He was Harry McPherson, the President's speech drafter, who, unknown to the Pentagon or the State Department, was already at work on a major Vietnam speech. The final version was Mr. Johnson's address to the nation on Sunday, March 31.

FIRST A PLEA FOR A STIFFER STAND

The speech was originally conceived late in February on the basis of Mr. Rostow's analysis that the Tet offensive had not been a real setback and that the allies should pull up their socks and hang on until the enemy came to his senses. While discussions of troop strength were proceeding, Mr. McPherson was developing his draft.

Initially, it included an opened-ended commitment to the war—a willingness to carry on at whatever the cost. But as the internal debate over troop figures raged on and the numbers dwindled down to 50,000 and the tone softened. But the President would not commit himself to any draft or any figure.

Then came a series of signal events: Senator Eugene J. McCarthy scored a stunning upset in the New Hampshire Democratic primary on March 1. American dead and wounded in Vietnam reached 139,801—exceeding over-all Korean-war losses. American and Western European bankers held an emergency meeting in Washington to stem the run of gold as the price soared. Senator Robert F. Kennedy announced on March 16 that he would seek the Democratic Presidential nomination.

All this formed the backdrop for the most delicate argument of all—that about the bombing.

On March 15, Arthur J. Goldberg, the American representative at the United Nations, sent an eight-page memo to the President urging him to halt the bombing to get negotiations started.

Others in the Administration favored such a step—Mr. Katzenbach and Ambassador-at-Large W. Averell Harriman, among them—but it was Ambassador Goldberg, increasingly frustrated by his sense of powerlessness on the Vietnam issue, who dared brook the President's anger by raising the issue directly.

Few officials knew he had done so. He drafted the memo himself and sent it labeled "For the President's Eyes Only." Copies were given to Secretaries Rusk and Clifford, and Mr. Rostow, as the President's aide, saw it in due course, but Mr. Goldberg discussed it with none of them.

Still others, including Assistant Secretary of State Bundy, favored waiting for several weeks on the ground that another enemy offensive might be near.

A day after the Goldberg memo arrived, the subject came up in Mr. Johnson's inner circle. The President, his patience sorely tested, sat up in his chair and said:

"Let's get one thing clear! I'm telling you now I am not going to stop the bombing. Now I don't want to hear any more about it. Goldberg has written me about the whole thing, and I've heard every argument. I'm not going to stop it. Now is there anybody here who doesn't understand that?"

There was dead silence.

The bombing issue was dropped at that meeting, but it was not dead. Mr. Clifford, the lawyer, had noticed a loophole.

JOHNSON'S FOLLY, UTAH

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. BURTON of Utah. Mr. Speaker, on his last day in office, by the stroke of a pen, President Johnson expanded Capitol Reef and Arches National Monuments in Utah by 215,000 and 49,000 acres, respectively. This action was accomplished through issuance of two proclamations. It was done without prior consultation with Members of Congress from Utah, State officials, or people in the area who might be adversely affected by the monument extensions. This, in my judgment, was completely wrong. There should have been advance notice; there should have been public hearings; there should have been consultation. But, unfortunately, neither the President nor Secretary Udall considered this important.

I think it fundamental that the work of Government, particularly when it directly affects the economic livelihood of the people it governs, should not be conducted in secret except in those relatively rare cases where the security of the Nation is at stake. There was no justification for clandestine action in this case. What was done here should have been done in the light, not the dark. It frequently happens that when people act furtively, they do so because they expect their acts will not be favored by the public. This must have been the case in this instance. Certainly the "land grab" has not set well with the people who live in the area adjacent to the monuments.

The following article, which appeared in the February issue of the Utah Cattlemen, explains their point of view:

THE STORY OF BOULDER, UTAH: IT WAS A NICE LITTLE TOWN

Boulder, Utah, a town with a listed population of 108 people, is nestled in the border area of the Dixie National Forest of Garfield County, and used to be about 25 miles south of the Capitol Reef National Monument. That is correct, used to be. With the final decision of Lyndon B. Johnson, and his partner Udall, concerning this bit of beauty in Utah, the area was expanded by 255,000 acres, and they find themselves much closer to it.

In this community, as in others of the west, the main economic resource is cattle raising. Almost without exception, the welfare of everyone in the town depends on this industry. What has happened to them is without a doubt a real catastrophe. It is easy for newspaper editors to sit in an easy chair somewhere in the east, or at least east of Utah, and write glowing phrases about the glorious past of LBJ and Udall when it comes to conservation. They do not know the facts, and apparently don't wish to find them out. What they can't realize is a lot of difference between conservation and preservation reserves these acreages for a very small percentage of our population.

If this decision is allowed to stand it appears the cattle business will be extinct in this section of the country. Homes and buildings will go by the wayside. Huge investments will go the way of grazing permits. It is a sorry picture. Bankruptcy is something that has hung over the heads of many livestock operators for years, but bankruptcy by presidential decree is a bitter pill to swallow, and this is what has occurred.

In light of all this the Town Board of this community has signed a resolution and sent it to Secretary of State Clyde Miller, as follows:

"RESOLUTION MADE BY THE BOULDER TOWN BOARD ON JANUARY 21, 1969, AT BOULDER, UTAH

"Whereas the town of Boulder was established as a home site and farm area as an adjunct to livestock operations which are highly dependent upon Federal range. The last official act of President Johnson, withdrawing a principal part of the grazing land for the town of Boulder, has sounded the death knell for our community,

"Whereas our many visitors to the valley have been surprised and impressed with the emerald greenness of our Boulder Valley which suddenly appears to the visitor as a beautiful green oasis surrounded by sandstone hills. These visitors have accepted this greenness as a natural phenomenon of nature when, in fact, it is the result of large scale investment in time and money by the livestock operators of the valley. The "rule by decree" of President Johnson has destroyed the economic justification for our valley's farming operation since distance to markets and other economic factors rule out profitable farming except in support of livestock range operations,

"Whereas while the name of Boulder, Utah has a special meaning in the true western traditions of livestock operations we, the community members do not wish to see the death of our valley occur under the name of Boulder and therefore officially change the name of this town to a more appropriate one: Therefore, be it

"*Resolved*, That in commemoration of President Johnson's "parting gift to the American people" the new name for our valley will be *Johnson's Folly, Utah.*"

To these people we offer our congratulations, our sympathy, and our promise to do everything in our power to have this ruling reviewed, and if possible, rescinded.

Those who say it can't happen here, or it can't happen to me had better talk to some of those people in Boulder. They know!

BLACK SECESSIONIST UNIVERSITY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RARICK. Mr. Speaker, Congress last year appropriated the money to establish a new Federal City College in Washington, D.C., to provide quality education to our many youth who want to go to school in our Nation's Capital.

The university is halfway through its first year in existence and already we are told it is establishing a black studies program working toward an emerging and "wholly separate black nation."

This can be but the same black secessionist movement being promoted in absentia by Robert Williams of RAM, the Black Panthers, and the New Africa.

The people at the Federal City College must be naive if they feel the taxpayers of the United States are going to continue to fund a university specializing in teaching the catechism of revolution, confiscation of lands, and destruction of culture of the United States, and as a base of operation for a bunch of loudmouthed anarchists.

Mr. Speaker, the report from the college indicates it will ask for a $11.4 million appropriation this year. Until I have written assurance that the college is going to be used as an educational facility, I will never cast my people's vote for any such funding.

I include the column by Herbert H. Denton from the March 6 Washington Post:

BLACK STUDIES ISSUE SPLITS FEDERAL CITY COLLEGE

Federal City College, more than halfway through its first year, is bitterly divided over a black-studies program explicitly working toward an emerging—and wholly separate—"black nation."

The emergence of this political issue has raised serious questions about the future development of Washington's only public college.

The immediate issue is standards for hiring the 174 new faculty now being sought for next fall.

Separatists who have won ascendancy in the faculty hierarchy are pressing the college administration to discount traditional academic credentials, like doctoral degrees, and give weight to experience with black political and social action organizations.

Last year, black studies were planned as merely a group of courses in the humanities and social sciences divisions.

Next year, after a series of bruising internal political fights over recent months, black studies will be the second largest division of instruction at Federal City and will approach the status of being a separate college.

Courses will include not only black history and black English but also black physical education and black mathematics.

The proposed curriculum would devote the first two years to the "decolonization of the mind," described as the systematic eradication of "white values" held by entering students.

The latter two—"or three"—years will concentrate on training an elite for what is believed to be the coming "black nation," including Negroes world-wide.

But even before the program has got under way, its planners have attempted to export its message of "revolution" and "nation building."

James Garrett, head of the City College's black studies program, lectured students at the University of Oregon on techniques of making fire-bombs and hand grenades, on the anniversary of the assassination of Malcolm X this year. A busload of students from Federal City went to assist protesting students at Cheyney State College in Pennsylvania last fall.

RECRUITING CRITICIZED

The college has brought in many instructors of "dubious quality and competence" and is recruiting more, said Margaret Just Butcher, a former professor at Howard, and now professor at Federal City College.

"I'm a little tired of this nonsense of black, black, black," said Mrs. Butcher, a Negro.

Other faculty members expressed these views:

William Couch, chairman of the humanities division and also a Negro: "Isn't it conceivable that (activists) would have something to offer that Ph.D's would not?"

One senior professor who preferred to remain anonymous: The college is in danger of becoming a "glorified high school."

Joseph Brent, the faculty chairman who is white but sides with the separatists: The "genteel tradition of scholarship" might not be effective at predominantly black Federal City. "Street education has produced a very sophisticated individual even if he can't write well or add."

STUDENTS NOT CONCERNED

Separatism has been almost exclusively a faculty issue.

Surveys of the greater than 90 per cent black student body last fall revealed that most were interested in pursuing careers in business, teaching and science-related fields. Business and science courses are always the first to fill up a quarterly registrations.

But the black studies department will get 40 out of the 172 new faculty slots open for next year for a total of 54 teaching positions.

By contrast there will be 51 instructors in the natural sciences and only 41 in the professtional division, which includes teacher training, and business administration.

After a year of intramural battle within the college faculty, the separatist influence has prevailed in other divisions, humanities in particular. (The current ratio of white to black teachers is roughly 50-50).

Some young Negroes without doctorate degrees have been made department heads while senior, more traditional-minded, faculty have, in several instances, been relegated to positions of little influence or control.

Kenneth Lynn, former professor at Harvard and the college's most well-known academician has said he is "seriously considering" leaving.

It is also widely reported that both the college president and the provost, Frank Farner and David Dickson, are seeking positions elsewhere.

APPEAL TO FARNER

Some faculty members in the losing faction have appealed without success all school year to Farner, the president, and Charles Horsky, Washington lawyer and chairman of the board of trustees, to resolve the situation.

Farner, who is white, was visibly distressed last week by the developments at the college. He had not realized that the separatist impulse would be so strong and domineering, he said.

"I have not made any policy decisions on my own. That's probably the wrong style of administration for this situation," he said.

Horsky said that he had been aware all year that there was "argument, debate," but had not taken it as a "sign of anything going wrong."

"We assumed that was a part of a normal university atmosphere. I think we are beginning to be aware that there is a little bit more to it than that," he said.

But the issue soon will be out of the control of Farner and the trustees. This Spring it will come to the congressional appropriations committees, with highly inflammatory racial overtones.

MORE FUNDS SOUGHT

The college will ask for $11.4 million, about $7 million more than last year, to double its current enrollment of about 4000.

Problems at the college have been complicated by its hasty organization last year and the rapid growth planned. By 1975, the school plans to have in excess of 17,000 students.

The school still is finding it difficult just getting organized. Although negotiations are under way, no buildings have been acquired to accommodate the increased enrollment next school year. Fewer than 15 per cent of new faculty needed for the fall had been signed on at the end of last week.

The school library was one of the last facilities to be completed in the remodeling of the school's temporary building at 2d and D Streets NW.

A truck load of books arrives each day and the library still is not in full operation. For one reason or another, it is not widely used by students.

Of the 30,000 books in the library now, only about 60 to 75 circulate daily.

FACULTY ABSENTEEISM

And throughout this academic year there has been a problem of attendance at classes by teachers.

Joseph L. Brent, chairman of the faculty, said he was aware of the teacher problem but had not yet made an investigation to determine its extent.

But there are a "mixed-bag of non-attenders," he said. "Patterns appear to be individual rather than social," he added.

David Dickson, the college provost, said he knew that there were "goof-offs" on the faculty. "The students are very outraged. . . . They will be the lever to detect this sloppiness and also to cure it," he said.

Dickson, who is Negro, told a national convention of educators last fall that the college was wracked by "racial tensions . . . suspicions . . . and polarization."

A "well-disciplined and intense cadre of white radicals and black separatists (who) neglect academic principles for revolutionary ends" had almost taken over the 100-member faculty, he said then.

His assessment of the state of the college last week was, if anything, more dire. The college had become a "permissive democracy . . . exploited by the politically astute," he said.

HOPES FOR "SOBRIETY"

He held hope, nonetheless, that an element of "academic sobriety" might be brought to the black studies program with the addition of older academically qualified professors.

Recruitment for the black studies program, however, is almost completely in the hands of James Garrett, 26.

He received his bachelor's degree last spring from San Francisco State College and now is acting director of the Federal City College's black studies program. ("I'm director but the administration calls me acting director," Garrett puts it.)

When hired last year, "he (Garrett) was introduced to us as a teacher of creative writing," Dickson remarked, with a note of sarcasm.

SHUNS AFRICAN DRESS

Lean and soft-spoken in conversation, Garrett shuns the hair-do and native dress affected by many black militants.

"Blackness must change its emphasis from that which is seen, such as Afros and Dashikis, to that which is necessary, such as living and working with Black People to achieve our goal of liberation," states the position paper outlining his program.

At San Francisco State he is credited with organizing the Black Student Union—the key organization in the months of violent student protest there. Under his direction the Student Union also began a tutorial project in San Francisco high schools.

Last week Garrett said he had helped start Black Student Unions throughout the West Coast and has been a consultant to students and college administrations nation-wide on the development of black studies curricula.

"I get four offers a week for jobs; three offers a week for traveling," he said.

During the mid-60s he worked for the Student Non-Violent Coordinating Committee (SNCC) in its voter registration project in Mississippi.

He was accepted for a graduate program at Harvard last fall. But he declined the offer, in order to teach at Federal City.

One colleague at the college, skeptical of the black studies program, described Garrett nonetheless as "brilliant, shattering" and, coming down hard on each syllable, "politically astute."

PROGRAMS VARY WIDELY

Black studies had been the ever-recurring cry and demand of student protests across the country this school year. Colleges and universities in many cases have responded hastily with programs that differ sharply.

At Harvard, before any significant student demonstration, a scholarly program was planned bringing history, sociology, economics, and other disciplines to focus on the American Negro.

At the same time Harvard announced it would expand an existing African studies program. The two departments would not merge.

At San Francisco State College, a different kind of program was envisioned. African and Afro-American subjects would be in the same black studies department, but the courses themselves would be a supplement to regular study.

DRASTIC DEPARTURE

At Federal City College, the black studies program departs drastically from existing academic traditions.

Conventional college courses are imbued with white values, said Couch, head of the humanities division—the largest instructional segment in the school.

"The British Empire in rhetoric becomes an honorific term," he said. Actually, he said, it meant in large measure going into Africa and Asia and coercing people into slavery.

But the scope of the black studies program extends beyond historical perspective and is pointedly aimed at structuring attitudes and technical skills for the nascent "black nation."

A position paper prepared by the black studies program states:

"Whether the Nation is to be a collection of enclaves or a geographical location, existing within or without the United States, is a question we must ultimately answer as a people. Yet, the Black Education Program recognizes the necessity for Black People to be prepared to face and decide that question in the foreseeable future."

CURRICULUM SET

The first two years would be spent inculcating the revolutionary instinct and ideology, according to the curriculum. Courses in writing and composition would be stressed as well as a historical, social and cultural survey of Negroes in Africa, the Carribbean and the Americas.

The scientific segment of the curriculum would examine the principles of math, biological sciences and discuss their "practical application . . . to the social life of the black community."

Black physical education courses to "strengthen the body and discipline the mind" would include instruction in karate, stick fighting, riflery, gymnastics and the African hunt.

The curriculum described it as a "total immersion" program.

Students enrolled would be virtually unable to take other courses at Federal City. Correspondingly, students not enrolled could take only a few specially designated black studies courses.

Specific problem-study outlined for the final two years include "tropical disease in Africa"; the development of a math curriculum for African secondary schools; the development of an independence movement in Kenya, Mississippi or Washington; and, in the cultural area, the question, "who is our audience and how we reach them."

In the midst of confusion and clashing struggles among faculty and administrators most of the students at Federal City—whose ages average 21—have dug in to studies that they hope will earn a degree leading to a good job.

About 5000 applications have been filed for next year. There are still an additional 1500 applications remaining in the lottery from which students were selected this year.

Everett Watkins, a freshman, is taking one black studies and two science courses this quarter.

He said last week that he had found all of them interesting, but would ultimately major in engineering and not black studies.

The proposed engineering curriculum "looks kind of rugged," he said, and he doubted that he would have the time to take many more black studies courses.

COMMUNAL LIVING

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RARICK. Mr. Speaker, without financial assistance from without, every communal living attempt has failed.

Such has been the proven experience of man. Question it, deny it, but the truth haunts those who would hide it.

Socialistic living experiments were conducted in 1825–27 at New Harmony, Ind., and in 1841–46 at Brook Farm, West Roxbury, Mass.—both failed.

Man has not changed except for tax subsidies and tax-free grants. Some must work if there is to be production, and those who toil tire of sustaining those who refuse to produce.

Despite the planned contrivances of the parasitical classes of society to continue to undermine the initiatives of work, thrift, and morality, without these, all is threatened to fail.

Mr. Speaker, I include two recent reports on Socialist housing experiments so that our colleagues will document the failures of "communes," or whatever name:

[From the Washington (D.C.) Post, Feb. 13, 1969]

"Soul City" Backers Need $500,000

(By Jean M. White)

Backers of Soul City said yesterday they are confident that they will come up with $500,000 required to buy the land for the "new town" before the option runs out on Tuesday.

The principal sponsor, Negro Floyd B. McKissick, said he has "several sources" lined up during a press conference called to explain how Soul City planners hope to make a capitalist out of every one of the 18,000 residents.

The plan calls for a new town in the North Carolina "black belt," where McKissick said the residents not only will have a "chance to work but also a chance to own."

Yesterday, McKissick called on lawyer-economist Louis Orth Kelso to explain how Soul City would make "capital owners" of poor people without any capital.

KELSO'S EXPLANATION

Kelso delivered an explanation based on an ingenious financing technique—taking advantage of Federal corporate tax laws covering employee ownership of businesses.

In an oversimplified form, it would work out this way:

When a corporation decided to build a plant in Soul City, an employe trust would be set up. The employe trust would borrow the plant-building money from a bank and invest it in the corporation.

Then all profits would go back to the employe trust with the workers as shareholders. The big tax benefit is that the payments are deductible from corporate profits, thus escaping levies of about 55 per cent.

When one reporter referred to the section as a "tax loophole" and wondered whether Wilbur Mills, the No. 1 tax writer in Congress, had heard about it, Kelso bristled at the word "loophole."

"INDUSTRIAL HOMESTEAD" ACT

He said he preferred to call it a kind of "industrial homestead" act. As examples of such corporate set-ups, Kelso pointed to Peninsula News, a chain of newspapers, and First California Co., a brokerage investment firm. But he conceded these employe-ownership plans did not begin from scratch the way Soul City proposes.

Another reporter wanted to know just what attraction such a setup offered business—since it would forgo its 20 to 30 per cent return.

Kelso said businesses will have the advantage of building plants with "pre-tax" dollars.

McKissick cut in to answer the reporter: "Maybe you're right. Industry doesn't have a conscience. But we've had several companies show interest in this."

M'KISSICK HOLDS OPTION

His own private investment firm, McKissick Enterprises Inc., holds the option on 1810 acres of land in Warren County, N.C., near the Virginia border, where Soul City would be built—at a profit to McKissick's firm.

In response to a question from a reporter, the Negro leader—a former head of CORE—said yesterday that he had talked to President Nixon about Soul City, but "is unable to say exactly what the President's reaction will be."

The Soul City backers hope to get Federal grants for planning and aid under the New Communities Act of 1968.

[From the Washington (D.C.) Post, Feb. 21, 1969]

Adults Fail in Search for Utopia

(By Ken Reich)

ORACLE, ARIZ.—The attempt of Universtiy of Arizona instructors and Tucson professional people to form a Utopian community here has fallen into terrible, perhaps fatal, difficulty.

Ten months of communal living at Rancho Linda Vista have brought four divorces and searching personal re-evaluation among the 30 adult members of the community.

The fate of Rancho Linda Vista may be significant. Its members represent the strivings of many persons their age and younger for new social forms and institutions.

In recent months, experiments in communal living have cropped up in California, Arizona and New Mexico, particularly in the area around Taos, N.M. But the group from Tucson—whose adults are mainly in their late 20s and 30s—is generally older and better equipped financially for such an effort than the others.

Although Rancho Linda Vista was conceived as a far less radical experiment than the dozen or so "communes" now scattered across the Southwest, even the communal programs it did start out with have been abandoned or sharply curtailed.

MUCH GIVEN UP

The communal store, two communal telephones and communal livestock largely have been given up—the victims either of persistent cash deficits, or, in the case of the livestock, an unwillingness on the part of the urbanized community to do upkeep work.

Communal eating in a central lodge now is infrequent. Proposals for income pooling and inter-family communal living in the houses occasionally have been reviewed but not accepted.

Yet discussions go on about establishing a children's school or an adult art center at Rancho Linda Vista to attract outside students and draw the community members together by enabling them to quit their jobs in Tucson and work at home.

And efforts continue to build the utterly frank communications among the group that some members think have been a factor in the breakup of four marriages since the beginning of last summer. Of the five members of the original "management committee" at the ranch, four have been involved in these breakups.

The ranch itself remains as a major physical asset under common ownership. Eight members of the community originally contributed $1000 each to make a down payment on the $67,500 sale price. Rent from others is keeping up the mortgage payments.

LITTLE LIKE TREE

Charles Littler, the 40-year-old University of Arizona associate professor of art who more than anyone else put the community together and remains its nominal leader, reflected recently in an interview:

"We came up here as a large group. It was a little like transplanting a large tree . . . one of our problems was starting as a large group of heterogenous people.

"Marriages broke up, friendships were disrupted. There were quite a few casualties. I, as an originator, felt quite a burden.

"We failed in the store and in eating at the lodge," Littler said. "I felt these were failures at living together. People found it easier to go back into the old ways. I think we tried too hard to do too much in the beginning and our efforts in some instances collapsed on us."

As an example, Littler told about the effort at first to have women spend some of their time doing men's jobs, such as shoveling dirt, and men spend some of their time cooking and doing other kitchen work. Much of this experiment was later abandoned.

Littler, whose own marriage ended in the early months at the ranch, believes the community can be revitalized if a school is created and more is done to bring about "defenseless communication" among the group, "where you reveal your secrets."

But some members of the community doubt the school—probably a highly progressive institution for board-ins—will be formed. "There's a lot of talk about many things, but there are few things people really want to work on."

CHANGING ENVIRONMENT FOR COLLECTIVE BARGAINING

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. FRIEDEL. Mr. Speaker, it has been 21 years since the Congress created the Federal Mediation and Conciliation Service to help solve labor-management disputes by persuasive techniques in order to prevent or minimize interruptions of the free flow of commerce and to assist the disputant parties in industries affecting interstate commerce to settle such disputes through conciliation and mediation. It should be noted that the Service possesses no law enforcement authority, but it does aid and assist in settling labor controversies.

Unfortunately this system has not always worked and when we experience prolonged strikes our constituens usually let us, here in the Congress, know their feelings by urging enactment of stronger legislation.

At a seminar sponsored by this Service earlier this year a very interesting statement was made by Mr. Weldom Mathis, assistant to the president of the International Brotherhood of Teamsters on the question "Changing Environment for Collective Bargaining?" Believing this issue to be of interest to the general public as well as my colleagues, under unanimous consent I submit the material for inclusion in the CONGRESSIONAL RECORD, as follows:

CHANGING ENVIRONMENT FOR COLLECTIVE BARGAINING?

(Remarks by Weldon Mathis, assistant to the president, International Brotherhood of Teamsters)

(NOTE.—The following was prepared as a union view of the question of changing environment for collective bargaining, presented January 6, 1968, in Atlanta, Ga., at a seminar sponsored by the Federal Mediation and Conciliation Service.)

When I began to ponder the subject of this meeting—A Changing Environment for Collective Bargaining?—I was reminded of the packaging engineer who took a look at the egg and then set out to design a more perfect package.

If that packaging engineer were of the same caliber as the other members of this panel on collective bargaining, I surmised, the day would not be too far away when I would sit down to my breakfast of soft-boiled eggs, pull a cellophane tape which would perfectly open the egg shell. No longer would it be necessary for one to crack the egg with a piece of silverware to get to the fruit of the egg.

Or, more specifically, I dreamed of the day when we will have a perfect solution to the problems of collective bargaining, through some fool-proof formula by which "A" and "B" will be computed to give the answer to "X". And, in such a system, we could automatically come up wtih the answer to "X," making workers, management, politicians and the general public perfectly happy with the final product which we call the contract.

But, I had these thoughts at a time when America was living a long-sought dream—the trip to the moon and return by the astronauts—and I finally resolved that human problems are not as easily solved as mathematical equations fed to a computer which plots a course to the moon.

So, I returned to the world of reality and busied my thoughts with collective bargaining as it exists today, and with the trends and the proposals for a more perfect way in which workers and management will resolve the disputes which evolve on the job.

Of course, my experience has been in the Teamsters, and more specifically with negotiations in the field of freight.

I am sure that you are all familiar with the trends in collective bargaining in trucking. Not too many years ago, our local unions negotiated individually with truckers, whether that trucker was a local carrier or whether he had a multi-city operation. And, I am sure that you are all aware that the results were not too satisfactory to any of the parties involved—the union members, the carrier, or the general public. Labor peace was not one of the results of this type of bargaining.

Then, in the 1930's, the Teamsters through men like Jimmy Hoffa and Frank E. Fitzsimmons, formed the Central States Driver's Council, and a beginning was made toward area-wide bargaining. And the development of this type bargaining, finally, in 1964, was a National Master Freight Agreement.

The results of this type of bargaining, despite the headlines and the fear-mongers who warned the country of a nation-wide truck strike, have been quite satisfactory.

So satisfactory have they been that we have not had a major truck strike in this country since 1958 when the 11 Western states were shut down. And, union members have been satisfied, generally, with the elimination of discrepancies, and the carriers have publicly stated that they want no part of a return to bargaining individually with the local unions involved.

So successful have been the results of this type of bargaining that labor has all but been eliminated as a competitive factor between the carriers, and industry now competes on the basis of service to its customers and to the general public. But, you have read little about this result in the daily press, heard nothing from Huntley and Brinkley or Walter Cronkite on their television shows.

There is little emotion of sensationalism in the fact that there is labor peace in trucking, and, therefore, little news value by today's standards, so this trend in collective bargaining is a little-known fact to the general public.

But here today we concern ourselves with the changing environment for collective bargaining and the trends in the method by which labor and management resolves its differences. I suppose that the word "environment" is the key word to this discussion because it implies political and economic environment, both of which are subject to rather rapid change.

But as I thought about the subject and its ramifications, I could not help but conclude that the economic environment is the more important of the two. During the last 35 years, we have experienced all kinds of political conditions, and we enter 1969 with a new Administration in Washington, D.C., with a new political party occupying the White House.

I rather believe that what evolves during the next four or eight years in collective bargaining will result not from the political environment but from the economic environment. Labor and management will be in dispute over the amount of money in the total economic pie and how it will be distributed.

If we continue as we have over the past several years, there will be more and more economic growth and there will be more and more money in the economic pie. And labor and management will be at the bargaining table trying to decide just what part of that pie which will be labor's, will go to wages, what part will go to medical insurance plans which we call health and welfare, and what part will go into such deferred wages as pensions for the membership.

During a recent experience under our National Master Freight Agreement, a committee of union representatives had to sit down and decide whether an increase occasioned by a hike in the Consumer Price Index should go toward wages, or should it go to buy more medical insurance for the members and their dependents.

This trend is quite a departure from days gone by when we in the Teamsters were not concerned with where the money would go, but rather were initially concerned that we could commandeer a penny from the employer to begin a health and welfare plan.

And, of course, this all came about in an environment which realized that wages negotiated at the bargaining table can be deflated because of a rising cost of living, and from a willingness on the part of management to negotiate cost of living increases to give real meaning to the fruits of basic collective bargaining.

But I suspect that the political environment had little to do with what was accomplished. It could have not been accomplished if the economic environment had not been healthy enough to provide the money to pay the cost-of-living increase.

Of course, it is rather elementary now to consider the fact that automation and technological advances have changed the environment in which we practice our trade of collective bargaining.

But it was not too long ago that terms such as "vacation banks" for example, were unused in the trade. But, in the highly automated brewery industry, where we have members for example, members bank vacation credits against the day when automation wipes out a job, and it is necessary either to lay a production worker off, or spread the remaining work around a bit so that everyone will have a pay check coming in.

I think, too, that as the working people of the country become more and more health conscious, we see an environment in which more and more attention must be paid to providing union members with the wherewithal to participate in today's medical market place where the price tags lead all others in the increasing consumer price index.

We in labor have had to become more aware of these needs, both because of a moral obligation we have in this area, and also because of a growing demand from our membership for help in this regard.

An example of what has been needed here is among the cannery workers in California, a group of people who are on the bottom rung of the economic ladder and whom we found need medical care probably more than other groups.

So, through a trend in collective bargaining, our representatives on the West Coast negotiated a plan—paid for by the employers—whereby mobil medical clinics, fully staffed and equipped, moved to the gates of the canneries where our members work. Physical exams were given, even to the extent of the job steward pulling an unwilling member off the job and putting him through the clinic. The need here was more than revealed when we found—among adult people who had never been to a doctor—many critical illnesses and physical defects badly needing correction. This is a story in itself, but in the interest of brevity, I think that short description serves to illustrate my point.

There is another trend with which we in the Teamsters have had to deal recently and it involves a new feeling among the rank-

and-file which leads either to contract rejection, or more seriously, to wildcat strikes during the lifetime of the agreement. And, I think this did not characterize bargaining during the past 10 or 15 years. What I am saying here is that we are not having the good fortune which we enjoyed in past years at recommending a contract to the membership and having the members agree.

Our recent experience in the steelhaul industry is a case in point. I am sure that you are all familiar with the wildcat strike which recently occurred in this industry. The union found itself in the position of having to "sit it out" so to speak, if it was to honor its contract obligation with the industry. And certainly if we are to have a semblance of stability in collective bargaining, labor must take a stand against the membership when such an event occurs.

And, then more recently, the carriers in this industry were granted a tariff increase, part of which—under the terms of the agreement with the Teamsters—was to go to the drivers. Management either refused to pass the increase along to the drivers, or paid it under protest. Here the International Union took the position that the carriers would pay the increase, or face a strike.

This whole concept of rank-and-file rejection of recommended settlements and the trend toward wildcat strikes is creating a new environment in which a mutual problem is created for both the leadership of unions and for management.

What lies ahead, at least for union leadership, is the unpalatable prospect of that leadership being put on the side of management against the member, purely as a matter of sticking to the bargain made during negotiations.

In the steelhaul situation, the union has been on both sides of the question. On the one hand, insisting that the membership keep its bargain as spelled out in the agreement, and on the other hand, insisting that management keep its part of the bargain, again spelled out in the agreement.

In yet another area, we in the Teamsters are finding a changing environment in the carhauling industry. With the advent of the bi-level and the tri-level carhauling railroad car, we saw our membership in this industry dwindle from approximately 25,000 members to 15,000 members as the auto manufacturers made the switch to the railroads.

Now, this trend seems to be slowly reversing itself, with the car manufacturers switching back to shipping new autos by truck. They have found it in terms of service and damage, that the railroads may not be the answer they thought in the first instance.

And, this trend, has not been without its problems to the union. I ran across an instance the other day where a driver made $28,000 for a year's work hauling cars. And, this increase in income has changed the environment for the driver. He is demanding more and more time off to enjoy his new found affluence.

So, when a driver has a haul from point A to point B, he is reluctant to stop at point C on his return to pick up a load. And, here again, the union finds itself between its members and management. We cannot expect to get these high wages from management if we are inflexible in our attitude. We must allow him to carry a return load, and make the adjustments so that he does not deadhead his equipment home. And it is sometimes very difficult to get the member to understand this basic economic fact of life, when he has money in his pocket to spend.

In yet another industry, we see a union having difficulty in resolving the containerization trend. I am told that it takes about 32,000 man hours to empty the hold of an average ship. And, when the cargo is containerized, those man hours are reduced to something like 1,600.

The workers involved are insisting that each container be unpacked and repacked to protect their jobs. So, while unions generally and with rare exception have gone along with automation and technological advance, over the past several years, perhaps we are now operating in a new environment which is simply a moment of truth in the proposition of a worker displaced by new methods.

We may well have reached the point where unions must demand that the job of the worker be guaranteed, a point where attrition is not merely a consideration of new equipment and new methods.

The Auto Workers, for example, have reached the mecca of the guaranteed annual wage. Cannot we suspect that we have reached the point where we must negotiate something equivalent to a guaranteed "working-lifetime" wage?

In this regard, we find that more than half of our population in this country is 25 years of age or under. And, couple that fact with the growing spirit of revolutionary tendencies among people of that age group, I think you can see that they are forcing a trend upon collective bargaining.

It was your own William Simkin who pinpointed the effect of a younger membership. He declared that the explanation for the growing number of contract rejections—even those recommended by union leadership—stemmed from the revolutionary spirit of today's younger citizens.

He suggested that civil unrest had spilled over into the trade union movement, and good settlements were being rejected by members doing their thing in a 20th century beset with revolution.

But, those are some of the more obvious trends and changes in the environment in which collective bargaining must work. And I think that I would like to address myself here today to the less obvious trends and the less obvious forces which tug and warp the collective bargaining process.

And, I suppose that now I am dealing more with the political than the economic aspects of collective bargaining.

Too often, trends in collective bargaining are motivated by emotions and thrusts which have little regard for the years of experience which we have gained in this country in the field of collective bargaining. They are the unreal motivations which can only hurt collective bargaining which has worked so well for this country.

You all know the Congressman, from a rural area of America, who has gained super seniority and who owes his political longevity to an anti-labor image. He talks in terms of putting some checks on what he calls "big labor" with too much power. His ignorance, or disregard of the facts, is demonstrated when we realize that we will never have any semblance of labor stability in this country unless we do have so-called big labor to deal on an equal basis for big industry. And, yet, when the day's headlines are written, this type of political demagogue has a corner on the front page of the daily newspaper, or he commands several minutes on the evening news on television.

And, he creates an environment in which a collective bargaining system which has worked well for America comes under attack, an environment in which public confidence in the collective bargaining process is shaken unnecessarily, and the only thing which is served is the politician's own political welfare.

Of course, one of his most useful tools is a gullible public, sadly uninformed by the daily press and mass media. He tells the general public how badly it is inconvenienced by a strike—one which may be in effect, or one which the politician tells the public might happen.

I suppose there is a modicum of truth in the proposition that the general public is sometimes inconvenienced by a work stoppage. Yet, I have no sympathy for a public which even though temporarily inconvenienced by a strike—say in public transportation—is always ready to enjoy the benefits which finally evolve from collective bargaining.

Out of such a strike have come wages which make the wage earner a self-sustaining member of his community, paying taxes and contributing to the overall community good, instead of being a statistic in the welfare budget.

Of course, one of the real dangers to collective bargaining is the constant harangue by the press and the politicians which has the effect of demanding perfection from the collective bargaining process—not only from the process but the parties to collective bargaining—and it is a standard which we set for no other segment of our economy or society.

I think there is one trend which demonstrates more than anything else the proposition that those who would change the collective bargaining process propose not refinements in the process, but rather the seeds of total destruction.

And I am forever amazed that these proposals and the ones who propose them are really taken seriously in the first place.

I have in mind the proposal to abolish the National Labor Relations Board and replace it with labor courts. Those who even consider this assault on the collective bargaining process cannot have the welfare of the country at heart. They are willing to scrap 35 years of experience in collective bargaining and the mediation of disputes with a system which is doomed to failure before it begins.

I am told that there are currently pending in the federal courts some 97,000 cases—a backlog which requires approximately three years for a case to come to trial.

Can you imagine the industrial chaos which would result over a simple dispute like a discharge case, or a case of seniority, if the men involved had to wait three years for a determination.

I think too, there is a danger that we try to cope with new problems with old terms which do not apply. For example, we have all heard the old bugaboo that higher wages and the wage demands of unions are causing inflation.

I think that the simple economic definition of inflation is "an economic situation in which there is an abundance of money or credit, and a shortage of products in the consumer markets, with the result that consumers bid their excess money or purchasing power for the few products available."

We all know that that situation does not exist in the classic sense today. But, the economic advisers still refer to quite a different situation in terms which have not applied for many years.

And, as a result, the public is brainwashed by the news media with the false proposition that union demands are causing inflation.

Recent figures reveal that before tax book profits during the third quarter of 1968 rose to a seasonally adjusted annual rate of $92.25 billion, about $500 million higher than during the preceding quarter.

Dividends during the third quarter were at an annual rate of $25.2 billion, up $1.6 billion over the first quarter and $800,000,000 over the second quarter. The dividend rate for October was running at an annual rate of $25.3 billion.

It will be many years hence before the public will become aware of the facts as they are, and as they were recently described in the *Wall Street Journal* which declared that wage gains are not the cause of today's devalued dollar. But, as we refine and improve the collective bargaining process, we will be handicapped by the detractors who take advantage of old, disproven bromides still accepted as truth by a sadly uninformed public.

And, I think that brings me to another trend or a created environment in which collective bargaining must operate, and one which will cause problems ahead. And now I am talking about today's business conglomerates.

Conglomerates have been described in many ways, but I like the one which calls the conglomerate a bookkeeping blotter which swallows up one corporation after another, strictly and simply for the profit motive.

What will this mean to us who ply the trade of collective bargaining, or what will the emergence of conglomerates mean to us as consumers and the users of products which a unit of the conglomerate produces?

I think we can say that this absentee ownership will create all kinds of problems for unions representing their workers. Can we really expect some superbookkeeper hidden away in some financial district to understand the causes of job irritants, the causes of unrest on the job by the production workers?

We have had some experience in the Teamsters with this absentee relationship with job problems. For years, in California, our local unions dealt with local managers in negotiations for the members we represent in the grocery industry. There was a period of labor peace, and although I am sure our members and our union officials were never quite satisfied with each contract, there was a period of fruitful negotiations and real gains were made.

Then, lo and behold, one day when sessions began on a contract renewal, our negotiators sat down to the bargaining table, not across from the local managers, but across from a labor-management attorney whom they had never seen before.

Well, to shorten this story, a long strike ensued, the labor peace was upset, and the public was greatly inconvenienced because this gentleman representing management—who knew nothing of local problems, of local job irritants and problems—had all the answers worked up and packed in his brief case in New York days before he arrived on the scene of dispute.

If the present trend in conglomerates continues, I think we can expect real trouble in the area of labor-management relations, and as a side [e]ffect, I think we can also expect, as consumers, real problems with product quality and problems of who is really responsible to the consumer for product failure or shabbiness.

And I think I can predict with reasonable certainty that these conglomerates will be operated with little regard for the overall economy or the good and welfare of the country in general.

Many of you are familiar, I am sure, with the Labor Department's pamphlet called "Employment Outlook for Tomorrow's Jobs." It is "must" reading for today's youngsters who are choosing their life's careers.

First of all there are now some 80,000,000 Americans who work for a living, a little more than 50,000,000 men over 16 and 27,200,000 women. Of these, three-fourths work in private industry, about 13 percent work for government, 12 percent are self-employed and the rest are family workers.

That's the picture as it exists today, but when it comes to growth, the story is quite different.

On the whole there will be an increase of 20 percent in total employment over the next decade. But the growth in the various job segments of the economy will vary widely.

Biggest gainer—about 41 percent—will be the service industries. This will be especially true in the fields of education, manpower training, health and welfare. There will be a need for 650,000 more teachers over the next decade if the jobs for 1,800,000 teachers that the nation will need are to be filled. More doctors, more registered nurses, more medical technicians will be urgently needed. Sales jobs will increase by at least 20 percent with most of the openings in insurance and real estate.

Government jobs will constitute the second largest gainer, almost 40 percent, with the emphasis largely on state and local jobs where public services are rapidly increasing.

Contract construction will be another job gainer at more than 30 percent. Transportation and public utility jobs will increase somewhat more than 10 percent and manufacturing by just under 10 percent.

Although manufacturing will not grow as fast as the top job gainers it is expected that it will still be the largest employer.

In line with the changing nature of the American job requirements, has come new educational and training requirements. Professional services will require more and more schooling—up to 16.3 years—service and clerical jobs will require up to 12.5 years, skilled workers will need up to 11.7 years schooling: semi-skilled up to 10 years, nonfarm laborers up to 9.5 years and farmers 8.8 years. A high school education—now a standard requirement—will be more important than ever.

Jobs for skilled workers willl rise by nearly 25 percent, nearly one-half because of new growth and the rest from deaths and retirement.

The number of women in the job market which has been steadily growing, will further increase—36 percent of the job force as compared with 35 percent today.

All in all, the old haphazard days when a boy got out of school and took the first job that he could find in the help-wanted ads are over. Higher education, higher skills, more purposeful training will be needed than ever before. Tomorrow's jobs are being made right now; youngsters still in school must get ready for them.

And, this all means that collective bargaining will be conducted in an environment where workers represented will be much more highly educated than today's union member.

I can state, at least for the IBT, that regardless of the environment—be it political or economic—that we will follow the policy of working with management jointly to resolve the problems which arise in the industries where we represent members. That, I think, more than adequately describes collective bargaining over the past decades, and it describes the collective bargaining process for the future.

I think, regardless of the trends and the environments—real and contrives—that we will operate in the future much as we have in the past, with management and labor in give and take bargaining sessions, hopefully without outside interference.

Any deviation from the free collective bargaining process will also see deviation from the free economy and the free society we know today, and that deviation will not only affect organized labor but society as well.

There are some very real and meaningful trends in colllective bargaining, which will serve organized labor well and which will serve the country well. These develop everyday in our industry—trucking and warehousing—where the methods of distribution of the nation's products change every day.

We are continually dealing with change of operations innovated by the carriers with whom we deal, and we are working these out satisfactorily, giving the trucker the latitude he needs to compete successfully and to do the job of distributing the products from our mass production system. And we are working the problems and the changes out with as little inconvenience to our membership as possible in terms of disrupted domiciles, and in terms of maintaining standards of living which our members enjoy.

And we know that other unions are doing likewise. Sitting down with management to work out problems of automation and technological change to the mutual advantage of both labor and management. And it is all being done in an environment of free collective bargaining.

There are some very dangerous trends or threats to the present environment in which collective bargaining operates, stemming not from legitimate problems, but from the selfish and self-serving motives of those who have little regard or concern for a working collective bargaining process. And I have covered those in my previous remarks.

I am reminded in this regard of the December issue of "Nation's Business," that pitiful journalistic endeavor of the U.S. Chamber of Commerce.

That magazine carried an article called "Unions Are Raiding Your Rights." The first few paragraphs deal with a "mob of employees" who broke through a plant's gates, overpowered guards, overturned executives' desks and used rifles to demand the power to co-manage the company.

Then came the kicker—all this happened last spring, in France.

CONGRESS SHOULD INVESTIGATE CHEMICAL-BIOLOGICAL WARFARE

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RYAN. Mr. Speaker, on March 4 at the request of our colleague from New York (Mr. McCarthy), the Department of Defense gave a most informative briefing on the Pentagon's current chemical and biological warfare research. The surprise expressed at the extent of the Pentagon's chemical and biological warfare program, however, points out a very real deficiency in the working of Congress itself.

The fact that the Pentagon is spending between $300 and $350 million annually to develop and produce chemical and biological warfare weapons has been documented on a number of occasions by several investigators during the past 2 years.

Congressional ignorance of the chemical and biological warfare program is partly the result of the tightly enforced secrecy that has characterized the Pentagon's program. But it is also partly the fault of the Congress itself. In spite of the fact that almost 1 year ago, on March 27, 1968, I urged the Congress to investigate the ongoing development and production of chemical and biological warfare weapons, neither the House nor the Senate has shown any inclination to initiate a comprehensive review of this program. Indeed, there has been no careful hearing or inquiry into the chemical biological warfare program since then Senator Hubert Humphrey chaired the disarmament subcommittee of the Senate Foreign Relations Committee in 1960.

As evidence of the immediate relevance of this issue I would point out to my colleagues reports of the use of chemical and biological warfare weapons in Vietnam. I include in the RECORD today articles on this activity by former Associated Press Pentagon correspondent Seymour Hersh which appeared in the April 25, and May 9, 1968, issues of the New York Review of Books. I also insert another article by Mr. Hersh on this subject from the August 25, 1968, New York Times magazine. In addition, I call the attention of my colleagues to a two-part series by Elinor Langer which appeared in the January 13 and 20, 1967, issues of Science magazine. The fact that Miss Langer's articles were written over 2 years ago indicates the length of time the Pentagon's chemical and biological warfare program has been documented in the public record.

I call upon the Congress to initiate an immediate full-scale congressional probe into the Pentagon's development and production of chemical and biological warfare weapons. The dangers posed by the production and transfer of these weapons demand that the Congress respond to this problem by making a full investigation of this area of Pentagon research. Annual expressions of surprise and shock will not get to the root of the problem. I urge the Congress to initiate the full-scale inquiry I first advocated almost 1 year ago.

The articles follow:

[From the New York Review of Books, Apr. 25, 1968]

OUR CHEMICAL WAR

(By Seymour M. Hersh)

Late in 1961, a Defense Department official was making his first trip to South Vietnam. The defoliation program, aimed at destroying jungle used by the Viet Cong for cover, had begun in October and the official planned to take a firsthand look. He later gave a briefing to Premier Ngo Dinh Diem. Diem "pulled out a tremendous map and began to give me a briefing on how much land the Viet Cong controlled in the South," the official recalled. "I found out later it probably was a standard briefing he gave to all visiting officials."

Diem's point was that the use of defoliants to deny the enemy jungle cover was well and good, but to be really effective the chemicals had to be used against the Viet Cong's crops. "This wasn't what we wanted," the Pentagon official said, "but we started using the stuff for crop killing. At first I insisted a Vietnamese officer go along to identify the target as Viet Cong-controlled, but this eventually was prostituted." The whole incident left him disconcerned, the official said.

Early in February, 1962, the Soviet Union accused the United States of waging chemical warfare in South Vitnam. *Izvestia* reported that "the Pentagon has marked the beginning of the new year by an unprecedented action: the use of chemical weapons." It said US airplanes were defoliating jungles and added: "The Air Force even started to destroy by poisonous gas the crops on the peasants' fields in the regions where dissatisfaction is spreading." The article added that the important thing is not the extent of US use of gas warfare, "but the fact itself that an established principle has been violated." *The New York Times* subsequently reported that the United States had turned down a South Vietnamese request to starve out the Communist guerrillas by spraying defoliants and herbicides on food crops. The dispatch noted that "the reluctance to join the crop-killing program urged by the South Vietnamese is believed based on American sensitivity to the possibility that accusations would be made that Americans took part in chemical warfare."

The story was technically correct; US planes were not then directly involved in the specific spraying of food crops (although American defoliation missions against jungle growth along highways had begun). What the *Times* story did not say, however, is that by the end of November, 1961, according to *Newsweek* Magazine, American special warfare troops had begun teaching Vietnamese fliers how to spray "Communist-held areas with a chemical that turns the rice fields yellow, killing *any crop* being grown in rebel strongholds [my emphasis]." By early 1963, according to United Press International and the *Minneapolis Tribune*, the Vietnamese Air Force helicopters and planes were regularly using American defoliants and herbicides to destroy crops in Viet Cong territory.

Charles E. Smith, Saigon correspondent for UPI, wrote on March 16, 1963, that chemical defoliants and herbicides "are used in certain places in the central highlands were Viet Cong terrorists grow crops. In such cases the aim is to eliminate sources of food." On April 4, Jack Wilson of the *Minneapolis Tribune* wrote that "crop spraying has been limited to areas dominated by the Viet Cong" in the central highlands area dominated by the Montagnard tribesmen. Wilson said that "Defense Department officials who receive regular reports on the food spraying campaign feel that the Vietnam government is conducting it with proper regard for its touchy aspects."

The American defoliation program, ostensibly aimed solely at jungle growth, had begun modestly enough in late 1961. In November six C-123 transport planes, normally used for carrying troops, were flown to South Vietnam from Clark Field in the Philippines and outfitted with special tanks and high-pressure nozzles. Each was capable of carrying 10,000 pounds of defoliant, enough to spray more than 300 acres. Only 60 flights were flown that November and December and only 107 flights were made in all of 1962, when the program was still considered experimental. By 1967, however, the defoliation program was at least a $60-million-a-year operation involving 18 of the huge tankers. Early that year Air Force Chief of Staff John P. McConnell told Congress more than one million acres had been sprayed since the program began in 1962, including by Pentagon count, 150,000 acres of cropland out of a total of eight million food-producing acres in all of South Vietnam. As we shall see McConnell's statistics are suspect.

In February, 1968, the Pentagon made public a study on the effects of the defoliation program in Vietnam (to be discussed more fully later) which reported that enough herbicides and other chemicals were used in 1967 to treat 965,000 acres of land. Thus, according to the Pentagon, the total number of acres sprayed in 1967 roughly equaled the acres sprayed during the five previous years. The study added that many areas were treated more than once—and, therefore, the total number of sprayed acres "was significantly less." The report did not specify how many acres of crop-producing land were treated.

The antifood goal of the US defoliation program did not become clear to Americans until late in 1965: perhaps that explains why it escaped critical attention for so many years. By the end of 1966 protests against Chemical and Biological Warfare (CBW) also included the use of anticrop agents. When a group of American scientists presented President Johnson with a petition against CBW in September of that year, they argued that "a dangerous precedent is being set by the current large-scale use of riot gas and anticrop chemicals by U.S. forces in Vietnam."[1]

The use of defoliants to destroy even jungle is, by the military's own definition, an act of chemical warfare. Army Manual TM 3-216, *Military Biology and Biological Agents*, describes the chemicals as possessing "high offensive potential for destroying or for seriously limiting the production of crops and for defoliating vegetation." The manual continues: "There are no proven defensive measures against these compounds. By the time symptoms appear, nothing can be done to prevent damage. The compounds are detoxified in the soil after a period of several weeks to several months."

The United States was aware of its queasy moral position regarding the use of the chemicals. Roger Hilsman, State Department intelligence chief and later Assistant Secretary of State for Far Eastern Affairs during the Kennedy Administration, has written that "the military headquarters in Saigon thought that these defoliants would be ideal for clearing the underbush along the sides of roads where the Viet Cong laid their ambushes and for destroying crops in areas under Viet Cong domination. . . . The State Department view, on the other hand, was that political repercussions would outweigh any possible gains. Defoliation was just too reminiscent of gas warfare. It would cost us international political support, and the Viet Cong would use it to good propaganda advantage as an example of the Americans making war on the peasants."

The State Department, led by Roving Ambassador Averell W. Harriman, bitterly protested a subsequent Pentagon-approved plan to test the chemicals in other Southeast Asian nations. In a manner that was to become habitual, the Pentagon went ahead with a series of highly classified tests, despite the State Department warnings. One such program was known as the Oconus Defoliation Test and involved the aerial application of chemical anticrop agents in Thailand in 1964 and 1965. "Aerial, spray treatments were applied at a rate of ½ to 3 gallons per acre on two test sites representing tropical dry evergreen forest and secondary forest and shrub vegetables," one classified test summary reported a year later.

In mid-1967, another Pentagon official told me that three factors led to the decision to use defoliants in Vietnam:

1. The need to conduct defoliation experiments in heavy jungle areas.

2. The needs of the operation military personnel, who viewed defoliation as a means of avoiding or ending ambushes and perhaps starving out the Viet Cong.

---

[1] Twenty-two scientists and doctors, including seven Nobel Prize winners, wrote a public letter to Johnson urging him to order an end to the use of chemical agents in Vietnam. The document was then sent to universities and scientists around the nation; by February, 1967, more than 5,000 US scientists, now including 17 Nobel Prize winners and 129 members of the prestigious National Academy of Sciences, had signed. The collection was bound and sent to President Johnson on February 14 after a news conference that put the protest on the front pages of newspapers across the nation.

3. The Chemical Corps promoters who "were always overselling everything."[2]

Adding to the pressure to get on with it was the fact that the defoliation was the first field program of Project Agile, a high-priority Kennedy Administration attempt to speed up research on "counter-insurgency." More than $30 million a year was being spent on the research program by 1965. Designed to provide quick results for ending the war, it had been set up by McNamara in 1962.

Yet by the spring of 1965, the defoliation program for jungle clearing was still unpredictable and Congressmen were wondering just what its value was. "Since we have been in Vietnam," Representative Daniel J. Flood told a general during House Defense Subcommittee appropriation hearings, "we have been experimenting with defoliants . . . we have had all kinds of conflicting opinions and our chemical warfare people have been very unhappy for the last four or five years about the whole program . . . what about this?"

Lieutenant General William W. Dick, Jr., then chief of Army Research, provided a lukewarm endorsement. "Why this was decided to be essential, I do not know, Mr. Flood . . . it is certainly not the answer to all of the problems in Vietnam . . . I have not seen where it failed to defoliate. I have seen reports that it has not solved all the problems in a given area where it has taken the foliage off." A few moments later Dick added that "we still have requirements from the commanders in Vietnam for defoliating agents. They continue to ask for supplies of it. They continue to use it. I can only assume that they find it has an ability to perform a job they want done."

General Dick did not tell the Congressmen that the use of defoliants for clearing brush was, at best, of questionable value. Hilsman noted, after one on-the-spot inspection of a sprayed area during a field trip to Vietnam, that "the leaves were gone but the branches and trunks remained. Even if they had not, it was not leaves and trunks that guerrillas used for cover, but the curves in the road and the hills and valleys. Later, the senior Australian military representative in Saigon, Col. Serong, also pointed out that defoliation actually aided the ambushers—if the vegetation was close to the road those who were ambushed could take cover quickly; when it was removed the guerrillas had a better field of fire."

There is evidence that even during these years of experimentation the chief virtue of the defoliation program was its ability to kill enemy crops, and not its jungle-destroying powers. As early as March, 1963, US officials told Washington newsmen that a Communist campaign then being waged against the use of defoliants in South Vietnam showed that the program was interfering with the food supplies of the Viet Cong guerrillas. They added that the chemicals had been used in areas where the Viet Cong were known to be concentrated. It wasn't until December, 1965, however, that the American public first learned that US planes were deliberately using defoliants and herbicides to destroy rice and other crops in South Vietnam. A *New York Times* dispatch, which said the program "began last spring," reported that up to 75,000 crop-producing acres had been sprayed. "Crop destruction missions are aimed only at relatively small areas of major military importance where the guerrillas grow their own food or where the population is willingly committed to their cause." The dispatch said up to 60 to 90 percent of the crops, once sprayed, were destroyed.

The first official confirmation that the defoliation program was aimed, at least in part, at food-producing areas came in March, 1966, when the State Department announced that about 20,000 acres in South Vietnam, about one-third of 1 percent of the land under cultivation, had been destroyed. The statement was issued as a comment on the case of Robert B. Nichols, an architect who had written President Johnson asking why the United States would attempt to help South Vietnamese grow more food and at the same time attempt to destroy their crops. Nichols had gone on a hunger strike when he received what he considered a less than satisfactory response from the White House. As one critic said later, it took the potential starvation of an American citizen to evoke a clarifying statement from the Johnson Administration about its anticrop program.

A *New York Times* dispatch in July, 1966, noted that the spraying of enemy crops was being stepped up, and added: "The spraying, *begun in 1962* [my italics], has blighted about 130,000 acres of rice and other food plants." Another *Times* story, in September, 1966, quoted Washington officials as saying that there would be no relaxation of the crop-destruction program in South Vietnam despite a series of protests. The dispatch, however, reduced the number of acres treated, quoting Defense Department officials as disclosing that approximately 104,000 acres of food-producing land had been destroyed in South Vietnam, 26,000 less than had been reported ruined six months earlier in a stepped-up program. Also in September, the *Times* reported that the US military, "pleased with the effectiveness of chemical-defoliation and crop-destruction mission," was taking steps to triple the capability of those efforts.

There is evidence that the effectiveness of the defoliation program was still a moot question at that time, although anticrop techniques were highly successful. Early in 1967, Secretary of Defense McNamara told Congress that "defoliation is still a rather primitive technique. . . . It depends for its effectiveness on the time of the year, the type of foliage and on wind and other conditions in the area." What McNamara means was that, despite all the research, it still often took more than a month to strip foliage from trees in South Vietnam. Such problems didn't exist with the anticrop agents, which stimulated plants into frenzied growth and death, sometimes within an hour. Although similar chemicals were used for both missions, the gap in effectiveness between killing a food plant and causing a leaf to fall away had not been solved by mid-1967.

Whether or not the Pentagon initially planned to have its defoliation program lead into an anticrop project really doesn't matter; the facts is that by the end of 1966 more than half of the C–123 missions were admittedly directed at crops, and it is probable that any effort at a trebling of capability in 1967 was aimed not at the jungles of South Vietnam but at its arable crop land.

A 1967 Japanese study of US anticrop and defoliation methods, prepared by Yoichi Fukushima, head of the Agronomy Section of the Japanese Science Council, contradicts the statistics on crop damage issued by the Pentagon. The study claimed that US anticrop attacks have ruined more than 3.8 million acres of arable land in South Vietnam and resulted in the deaths of nearly 1,000 peasants and more than 13,000 livestock. Fukushima said one village was attacked more than thirty times by C–123 crop dusters spraying caustic defoliants and herbicides. The Japanese scientist concluded that "appalling inhumane acts are evident even within the limited admissions officially given out by US Government leaders. . . ." officials have made it plain they considered such claims to be propaganda.

In April, 1966, Joseph Mary Ho Hue Ba, Catholic representative of the National Liberation Front, charged that the US use of defoliants and herbicides was killing newborn babies. The charges were made in a North Vietnamese press agency broadcast monitored in Singapore by Reuters. Its subsequent dispatch quoted the broadcast as contending that hundreds of Catholics had been seriously poisoned by the chemical destruction of crops, which was also causing widespread starvation.

What, exactly, are the chemicals used in Vietnam? Military manuals list five or six potential herbicides, or plant killers, but the Associated Press reported in March, 1967, that three basic types of chemicals are now in use:

Agent Orange, a 50–50 mixture of two comonly used defoliants, 2,4-D (dichlorophenoxyacetic acid) and 2,4,5-T (trichlorophenoxyacetic acid). The mixture is used against heavy jungle and crops.

Agent Blue, a neutralized cacodylic acid sprayed over tall elephant grass and heavier crop concentrations.

Agent White, also known as Tordon 101, a weaker mixture of unknown chemicals used in areas of sizable population.

Many more lethal chemicals may be used in Vietnam, but the Pentagon has not released further data. The other chemicals listed in the manuals are backyard weed killers. When Dr. John Edsall, a Harvard professor, wrote Secretary McNamara early in 1966 to protest the use of anticrop agents, Major General Michael S. Davison, Deputy Assistant Chief of Staff for Force Development, responded. His letter said, in part, "the chemicals used, such as 2,4-D and 2,4,5-T, are those commonly used in agriculture to destroy weeds and other undesirable plants. They harm neither humans nor animals, and do no harm to the soil or water supplies in the concentrations used."

There is much evidence to the contrary. For one thing, cacodylic acid is an organic arsenical acid composed of 54.29 percent arsenic, according to the *Merck Index of Chemicals and Drugs*. Arthur W. Galston, a Yale biologist, has reported that its lethal dose in dogs is one gram per kilogram body weight, administered beneath the skin. "If the same toxicity held for man," Galston wrote in the August-September, 1967, issue of *Science and Citizen*, "then about seventy grams, or slightly over two ounces, would kill the average 150-pound man. . . ."

"The Chemistry and Mode of Action of Herbicides," a study written in 1961 by Alden S. Crafts, a University of California agronomist, notes that "cacodylic acid gives a very rapid top [plant] kill. . . ." Crafts said in a subsequent interview that cacodylic acid would be especially effective against newly sown rice, a main target of the US anticrop attacks; he said 2,4-D and 2,4,5-T have no effect on cereals such as corn, rice, wheat, or barley, but could be used against woody plants. One serious problem with the heavy use of cacodylic acid, Crafts added, is the good chance that it will accidentally spread onto vegetables and fruits in strong enough concentrations to give humans arsenical poisoning.

The cacodylic acid and the phenoxyacetic acids used in Vietnam are described in most reference works as nonselective herbicides, i.e., they kill all vegetation present. One study of anticrop chemicals in Vietnam notes that the weed control handbook issued in 1965 by the British Weed Control Council lists 2,4-D and 2,4,5-T as having relatively short persistence in the soil with relatively low levels of toxicity to man and animals. The handbook adds that "prolonged exposure, notably to oil solutions, may cause skin or eye irritation to some individuals. Plastic gloves and light goggles should be available for personnel mixing spray materials. Also, for some types of mist spraying, a face mask is desirable to avoid prolonged breathing in of oil droplets." It further notes that agents must be handled with caution because they "can cause serious damage if spray is allowed to drift onto nearby susceptible crops" or if liquids used for cleaning the spraying equipment are "allowed to flow into running ditches, streams or ponds." The *Merck Index of Chemicals and Drugs* reports further that 2,4-D can cause eye irritation and gastrointestinal upset.

---

[2] Oversell apparently is a constant problem with the CBW generals, who are avid boosters of their arsenal. One former Defense official told me he always had problems with the generals when he served in the Pentagon. He explained why: "The Chemical Corps is a cult. Those generals all have Billy Mitchell complexes to infinity. Ideas that the White House or McNamara emphasized when they boosted CBW spending would end up getting perverted by the generals." Billy Mitchell was the Army officer whose campaign for the airplanes led to his court-martial in the 1920s.

The Air Force's C-123's are designed to distribute their 1,000-gallon, 10,000-pound loads in four minutes over about 300 acres, a rate of roughly more than 3 gallons per acre, the maximum dosage recommended by Army manuals. The program is known as "Operation Ranch Hand." Its lumbering, low-flying planes are said to be the most shot-at in the war. "We are the most hated outfit in Vietnam," *Flying* magazine once quoted Air Force Major Ralph Dresser, head of "Ranch Hand," as saying. The group's slogan is "Only We Can Prevent Forests." A detailed newspaper account of Dresser's crew, the Aerial Spray Flight of the 309th Aerial Commando Squadron, noted that in an emergency the plane's high-pressure spray nozzles can eject the 1,000-gallon cargo in just thirty seconds. Emergencies apparently happen quite often: the newspaper account mentioned that four planes in the squadron took a total of 900 rifle and machine-gun hits during the previous eighteen months of operation. In such cases, the net result could be a huge overdose for the cropland below.

The going rate for a 1,000-gallon cargo of crop-killing chemicals is $5,000; in 1967 the Pentagon announced the purchase of nearly $60 million worth of defoliants and herbicides, enough for 12,000 plane rides over the countryside, each of which would theoretically blanket 300 acres of crop-land. If each mission was successful, 3.6 million acres, nearly half the arable land in South Vietnam, could be covered.[3]

In his letter to Dr. John Edsall, the protesting Harvard biologist, Major General Davison claimed that "great care has been taken to select [anticrop target] areas in which most harm would be done to the Viet Cong and the least harm to the local population. In some instances the local inhabitants, who have been forced to grow food for the Viet Cong, have requested that the herbicides be used. The Government of Vietnam has taken precautions to care for non-combatants whose food supplies have been affected . . . this is not chemical or biological warfare, nor is it a precedent for such. It is in actuality a relatively mild method of putting pressure on a ruthless enemy who has no compunctions about the murder of women and children, as well as men, and about the torture and mutilation of captives."

The Japanese study prepared by Fukushima painted a different picture of the American pressure. The report included testimony from Pham Duc Nam, a peasant and Cao Van Nguyen, a doctor. Pham Duc Nam told of a three-day chemical attack near Da Nang, from February 25 to 27, 1966. He said in part:

"Affected areas covered 120 kilometers east-west and 150 kilometers north-south. Five minutes was all that was needed to wither tapioca, sweet potato . . . and banana plants. Livestock suffered heavy injuries. Unlike men, who could keep clear of chemical-stricken things as food, animals had to eat just anything. Most of the river fish were found lying dead on the surface of mountain streams and brooks. The three days of chemical attack poisoned scores of people, took the lives of about 10 and inflicted a "natus" disease [with symptoms like a severe rash] upon 18,000 inhabitants."

Cao Van Nguyen's testimony included this description of a chemical attack near Saigon on October 3, 1964:

"A vast expanse of woods, approximately 1,000 hectares [nearly 2,500 acres] of crop-producing land, and more than 1,000 inhabitants were affected. A large number of livestock were also poisoned and some of them died. The majority of the poisoned people did not take any food from these crops, nor drink any of the water that had been covered or mixed with the sprinkled farm chemicals. They had only breathed in the polluted air or the poison had touched their skin. At first, they felt sick and had some diarrhea; then they began to feel it hard to breathe and they had low blood pressure; some serious cases had trouble with their optic nerves and went blind. Pregnant women gave birth to still-born or premature children. Most of the affected cattle died from serious diarrhea, and river fish floated on the surface of the water belly up, soon after the chemicals were spread."

No American reporter or witness has told of similar consequences from an anticrop attack,[4] but an American attached to the United States Operations Mission (USOM) agricultural team in the Bien Hoa area just northeast of Saigon issued a bitter private report to his superiors in April, 1965, noting that:

"I have repeatedly complained of the reckless use of defoliants in the Bien Hoa area. Last season drift over considerable areas of water spinach caused misshapen unmarketable stems. These stems were fed to pigs and several pigs were reported to have died . . . other plants were damaged. The peasants report it is affecting the health of the children . . . in Bien Hoa the military is engendering needless bitterness among the peasants and the government further loses the good will and support they rather desperately need. It seems to me this matter should be brought to the attention of the military liaison officer. . . ."

His complaints prompted USOM officials from Saigon and military advisers to inspect the Bien Hoa area. The visitors were optimistic in their May 4 report to Saigon, and their chief tended to downplay the report of heavy damage:

"The agricultural agents said that 500 complaints or requests for damages had been filed with hamlet chiefs for transmission to the province chief . . . I suspect this number is an inaccurate exaggeration and that of those claims actually submitted many were for damages not associated with defoliants."

The inspection team recommended that the farmers be educated "to enable them to identify damage due to defoliants and avoid confusing it with other troubles." The report concluded:

"If a continued coordinated effort is made by all parties it should be possible to assess the damage and settle the few legitimate claims in a fair manner. Thus there should be no grounds for a hostile reaction of the farmers toward the government."

The Saigon official also had a suggestion for the area around III Corps Headquarters in Bien Hoa, which had been heavily sprayed to prevent ambushes—with a considerable loss of trees and banana crops. "Since I assume that the area should remain clear for an indefinite period, the use of chemicals for soil application only may be worth considering," his report said. "These would have a more lasting effect and drift should not be a problem if hand sprayers are used." Soil sterilization has not been an announced part of the US defoliation program.[5]

According to newspaper reports, the defoliation missions are scheduled through what one called "a ticklish diplomatic business." Nominations of potential targets are made by either US or South Vietnamese Army commanders who then check with the province chief. The recommendation then goes to the Vietnamese Army's Headquarters in Saigon and, if approved, to the Intelligence Section of US Headquarters. From there, it must go to the US Embassy for final approval by the Ambassador. The setup is apparently only *pro forma*. Former officials have admitted that the system was quickly corrupted by both the Americans and the Vietnamese.

In September, 1966, *The New York Times* quoted some "American officials" as conceding that "occasionally some spray may drift from a target area, causing damage to rice crops or rubber trees. When claims are made, prompt action is taken to pay damages. . . . The current price for a mature rubber tree is $87." Other available USOM field reports, this time from the fertile Can Tho area of the Mekong Delta, indicate that accidental spraying occurs more than occasionally. One report noted that on December 13, 1965, three aircraft flew over Thoi An Dong village in nearby Phong Phu district "spraying defoliant extensively. As a result, maturing watermelons, rice, vegetables and fruits . . . were all damaged, thus inflicting serious losses to the farmers . . . Thoi An Dong village of Phong Phu district is located in a rather secure area but, according to the leaflet as dropped by the Government authority 24 hours before spraying this village was unbelievably categorized as an area supplying food to the Viet Cong, thus shaking the faith of the rural people in the measures taken by the Government."

---

[3] The heavy military purchases of commercial defoliants have vastly outstripped existing production capacity in the United States and a shortage of the chemicals is anticipated, *Business Week* magazine reported in April, 1967. The magazine said some industry sources believe the military demand for 2,4,5-T to be four times production capacity. In 1965 the chemical industry produced nearly seventy-seven million pounds of 2,4,5-T and 2,4-D. *Business Week* said the commercial shortage would hit ranchers, farmers, and utilities the hardest; it added that the Business and Defense Services Administration has been ordered to assure that military orders will be met in full.

[4] Reuters reported from Saigon early in 1967, however, that "Chemical sprays have played havoc with bird life, destroying vegetation and the insects on which birds feed. Monkey and deer have also been affected." No American news agency has said as much. The military seems to have developed an excellent gambit to combat such stories: both the *Christian Science Monitor* and *Flying* magazine have filed approving dispatches on the defoliation program telling how, at one point, an officer being interviewed suddenly reached out and dabbed some of the chemical on his tongue. The officer's point seems to be that the chemicals are not harmful to human life.

[5] Still, sterilization plays a big role in US planning. The anti-infiltration barrier between North and South Vietnam, announced by Defense Secretary McNamara on September 8, 1967 calls for the use of soil killers. "The soil poisoners are required," the Associated Press explained the next day, "because military commanders have found that thriving vegetation starts growing back almost as quickly as bulldozers clear a strip" in the Demilitarized Zone. Some soil killers, such as sodium arsenate, can leave the ground arid for up to ten years. When the American scientists presented their anti-CBW petition to the White House early in 1967, the Pentagon said there were no plans to use soil sterilants.

Two similar "accidental" sprayings of other hamlets were cited.

A field report dated January, 1966, also noted that crop damage due to the spraying ranged from 40 to 100 percent, "rendering the farmers unable to harvest their crops for profitable marketing during the lunar New Year season as otherwise expected. . . . The total area devastated by defoliation is believed to be much wider than those villages as mentioned, as the assumption is that quite a few farmers have not filed complaints with the local Government offices."

The field reports noted caustically that farmers were not getting their money because the reimbursements involved a seven-step process simply to get the damages certified by the Central Government and approved for local action by the province chiefs. The process broke down even further there, the report said, because many of the unscrupulous province chiefs were pocketing the damage payments.

When a Yale University biologist protested to President Johnson in September, 1966, about possible injury to civilians resulting from the attacks with anticrop chemicals, he received a reply from Dixon Donnelly, Assistant Secretary of State for Public Affairs, assuring him that "civilians or noncombatants are warned of such action in advance. They are asked to leave the area and are provided food and good treatment by the Government of Vietnam in their resettlement area."

The government's request to the peasants comes in the form of pamphlets that are rained down on the target area from airplanes. One such pamphlet reads as follows:

"The Government of the Republic of Vietnam has adopted the use of defoliants which will ruin your rice crop and other crop plants in the field. This has been necessary as your rice fields are located in areas supplying food to the Viet Cong. However, you should not be disappointed as the Government will compensate for all the damage done to your rice crop. Meanwhile the Government will at all times help evacuate you to other places with food, lodging and clothing provided until the next harvesting season, if you so desire."

In an excellent discussion of this sort of warfare in the June 29, 1966, issue of Christian Century two Harvard physicians, Dr. Jean Mayer, Professor of Nutrition, and Dr. Victor W. Sidel, noted that the stated aim of the U.S. program is to starve the Viet Cong by destroying its food rations:

> In essence, this aim is similar to that of every food blockade (such as the one imposed against the Central Powers in World War I). As a nutritionist who has seen famines on three continents, one of them Asia, and as a physician with a basic interest in preventive medicine, we can say flatly that there has never been a famine or a food shortage—whatever might have been its cause—which has not first and overwhelmingly affected the small children.

The process, the authors said, begins with the death from starvation of small children first, then older children, and then the elderly. Adolescents are likely to survive and adult men are far less affected. "Thus the bands of armed men who make up the Viet Cong are not likely to starve; being unhampered by family ties with people in the communities where they rove, they feel entirely justified in seizing any available food in order to have the strength to continue to fight." The point is "not that innocent bystanders will be hurt by such measures but that only innocent bystanders will be hurt."

The use of chemicals in unprecedented dosage also threatens the natural balance of the land itself, with devastating long-range results. Many scientists have argued that the defoliants and herbicides, besides causing immediate harm to the people and property in the sprayed area, will trigger changes in ecology that may permanently reduce once-fertile crop fields to dust bowls. The Pentagon, in an effort to counter this kind of criticism, released in February, 1968, a 369-page Advanced Research Projects Agency (ARPA) report entitled "Assessment of Ecological Effects of Extensive or Repeated Use of Herbicides." The report, prepared by the Midwest Research Institute of Kansas City, Missouri, optimistically concluded that there was no clear evidence that the chemical anticrop program would cause permanent damage to treated areas in South Vietnam. The report also concluded that the possibility of lethal toxicity to humans or animals by use of the herbicides "is highly unlikely and should not be a matter of deep concern." Similarly, the assessment said it "is impossible" to draw any conclusions about the effect of the chemicals on water quality in South Vietnam.[6]

The four-and-one-half-month study had some glaring loopholes. For one thing, critics noted, the report had been prepared solely on the basis of interviews and the researching of scientific literature. No on-the-spot investigations or field trips were made by personnel from the Kansas City research firm. The firm's final report noted early in the text that "the long-term ecological effects of the use of herbicides are difficult to predict." At a later point, the study said that "The use of herbicides in the Southeast Asia theatre represents the most widespread application of herbicides that has ever been undertaken in a brief time interval." The report also noted a lack of information concerning cacodylic acid, and suggested further investigation into its effect "would be advisable . . . before [its] use in a single area is continued for a prolonged period of time." The net result of the Pentagon report was, as one science writer said, "to leave up in the air the seriousness of effects from U.S. defoliation activities." There was nothing in the Pentagon study to seriously challenge Arthur W. Galston's conclusion in *Science and Citizen* that—

"We are ignorant of the interplay of forces in ecological problems to know how far-reaching and how lasting will be the changes in ecology brought about by the wide-spread spraying of herbicides in Vietnam. These changes may include immediate harm to people in the sprayed areas and may extend to serious and lasting damage to soil and agriculture, rendering more difficult South Vietnam's recovery from war, regardless of who is the 'victor.'"

Along with the chemical anticrop program, the United States and South Vietnamese troops have made it a deliberate policy to mutilate arable land suspected of being under Viet Cong control. Often Vietnamese farm laborers are taken from the fields and placed in refugee camps, leaving harvests to rot. Thousands of tons of harvested rice found in Viet Cong-dominated areas have been dumped into rivers, burned, scattered, smeared with repellent, etc. The military also has put into use a device known as the Rome plow, a sharpened 2,500-pound bulldozer blade that has been commercially used in the United States for ground-clearing operations. Army engineers have stripped hundreds of thousands of acres of jungle and brush in an attempt to locate Viet Cong food storage areas and prevent ambushes.

In some cases, herbicides are applied in cleared areas to prevent future growth. Between July 1 and December 3, 1967, according to *The New York Times*, Army crews in the III Corps (north-central) area of South Vietnam cleared 102,000 acres of all plant life. One plow is capable of clearing about 2,700 yards of trees, shrubs, etc., per hour. As a consequence of this and similar operations, South Vietnam, which exported forty-nine million metric tons of rice in 1964, may have to receive as much as 800,000 metric tons of US-supplied rice in 1968, according to a Department of Agriculture estimate.

A report on medical problems in South Vietnam, in January, 1967, by the Boston-based Physicians for Social Responsibility, noted that malnutrition, even before the use of anticrop chemicals, was a serious problem in the nation, with the average Vietnamese consuming about 20 percent of the food eaten daily by a North American. "Beriberi and night blindness are leading nutritional diseases among patients in many hospitals," the report said. "Anemia is widespread and there is a high incidence of infectious and inflammatory diseases of the mouth . . . one American physician observed that teeth are poor in all age groups and both baby and permanent teeth rot quickly. Endemic goiter is found in many parts of the country."

Military men maintain that the use of defoliants serves two functions: taking the enemy's food and conserving manpower. "What's the difference between denying the Viet Cong rice by destroying it from the air or by sending in large numbers of ground forces to prevent the enemy from getting it?" *The New York Times* quotes one officer as asking in 1966. "The end result's the same; only the first method takes far less men."

But by early 1967 Presidential advisers had a different reason for using herbicides, one that wasn't directly linked to cutting off Viet Cong food supplies. The rationale was presented to a group of scientists who met in February with Donald Hornig, President Johnson's chief scientific adviser, to protest the use of anticrop chemicals. According to one scientist who attended the session, Hornig explained that the anticrop program was aimed chiefly at moving the people. The source quoted Hornig as explaining that when the United States found a Viet Cong-supporting area, it was faced with the alternatives of either bombing, bulldozing, and attacking it or dropping leaflets telling the people to move because the herbicides were coming. As Hornig expressed it, "it's all geared to moving people."

---

[6] The study did caution, however, that the use of chemical anticrop agents may result in the conversion of the rich jungle soil in South Vietnam into rocky laterite, which is useless for agriculture. The process of conversion, known as laterization, occurs in tropical regions when the organic material and chemicals that normally enrich the soil are washed away because of lack of protective growth. The result is a reddish soil which bakes to a brick-like consistency upon exposure to sunlight. The process has begun in some areas of Vietnam where villages once existed, the study noted. The villagers cleared the jungle, cultivated the land, and exhausted its fertile soil before moving on. The Kansas City study stated: "We are not aware of any instance where this final and irreversible stage of the laterization process has occurred because of its acceleration by herbicidal destruction of vegetation." It warned, however, that "Although no related evidence for irreversible changes . . . exists, it is a point that deserves further consideration."

[From the New York Review of Books, May 9, 1968]

Poison Gas in Vietnam

(By Seymour M. Hersh)

Sometime early in 1964 the Pentagon asked the State Department to investigate and prepare a memo on the legality of the use of non-lethal gases in South Vietnam. The Pentagon's point of view already was known: Army Field Manual 27–10, *Law of Land Warfare,* says "the United States is not a party to any treaty now in force, that prohibits or restricts the use in warfare of toxic or non-toxic gases, or smoke or incendiary materials, or of bacteriological warfare."

The State Department has traditionally been skeptical about the use of CBW agents; the United States had been one of the principals of the 1925 Geneva Conference which outlawed the use of asphyxiating, poisonous, or other gases.[1] Nevertheless, the State Department eventually sent the Defense Department a memo agreeing that the non-lethal agents were legal. The State Department memo, however, contained a long list of stringent limitations on such use.

"State made a mistake," an official familiar with the situation told me three years later, "by saying it was okay—with limitations." So far as the men in the Pentagon were concerned, "It was either yes or no: they [the State Department] were just kidding themselves with the restrictions." The lesson of all this, the official said, "is that when the crunch comes, the Pentagon sets the requirements and State finds the reasons why it's legal."

The United States apparently began equipping the South Vietnamese Army with two of its three standard riot control, or non-lethal gases in 1962 under the existing Military Assistance Program (MAP). The agents were CN, the standard tear gas used to quell civil disorders, and CS, the newly developed super tear gas. The third riot control agent, DM (adamsite), a nausea-producing gas, apparently did not reach Vietnam until 1964.

The military's riot control gases are described by Army field manuals as agents that "produce temporary irritating or disabling physiological effects when in contact with the eyes or when inhaled. Riot control agents used in field concentration do not permanently injure personnel." The gases are actually solids that are disseminated as aerosols via grenades. Modern military chemical research has made little contribution to this aspect of the war arsenal; both CN and DM were invented in the latter days of World War I, and CS was reportedly developed by the British in the 1950s and adapted for United States use.

CN's chemical name is chloroacetrophenone and its formula usually is given as $C_6H_6COCCH_2Cl$. It has a deceptive, fragrant odor similar to that of apple blossoms. The gas is a fast-acting tear agent that is also an irritant to the upper respiratory passages. An Army manual, *Military Chemistry and Chemical Agents* (TM 3-215), makes these further points:

"In higher concentrations it is irritating to the skin and causes a burning and itching sensation, especially on moist parts of the body. High concentrations can cause blisters. The effects are similar to those of sunburn, are entirely harmless and disappear in a few hours. Certain individuals experience nausea following exposure to CN."

CS (the s stands for super) is chemically known as o-chlorobenzalmalononitrile. Its formula is $ClC_6H_4CHC(CN_3)$. TM 3–215 lists the following physiological effects:

"CS produces immediate effects even in low concentrations. . . . The onset for incapacitation is 20 to 60 seconds and the duration of effects is 5 to 10 minutes after the affected individual is removed to fresh air. During this time the affected individuals are incapable of effective concerted action. The physiological effects include extreme burning of the eyes accompanied by copious flow of tears, coughing, difficulty in breathing, and chest tightness, involuntary closing of the eyes, stinging sensations of moist skin, running nose, and dizziness or swimming of the head. Heavy concentrations will cause nausea and vomiting in addition to the above effects."

DM, or adamsite, initially developed by the Germans in World War I, is the most toxic of the riot control agents. Its chemical name is diphenylaminochloroarsine and its formula is $NH(C_6H_4)_2$ ASCl. The AS in the formula is arsenic. The pepper-like gas causes these symptoms in progressive order, according to TM 3–215: "Irritation of the eyes and mucous membranes, viscous discharge from the nose similar to that caused by a cold, sneezing and coughing, severe headache, acute pain and tightness in the chest and nausea and vomiting. . . . At higher concentrations, the effects may last up to three hours."

Army Field Manual 3–10, *Employment of Chemical and Biological Agents,* lists DM, CS and CN together as riot control agents, a somewhat misleading category. In *Chemicals in War*, a history of gas warfare written in 1937 by Brigadier General Augustin M. Prentiss of the Chemical Warfare Service, CN is listed as a simple tear gas agent and DM is listed separately as a respiratory irritant. Prentiss had this to say about DM's toxicity:

"One is not aware of breathing this gas until sufficient has been absorbed to produce its typical physiological effects. It irritates the nose and throat in concentrations as low as .00038 milligrams per liter and causes irritation of the lower respiratory tract at a concentration of .0005 mg. per liter. A concentration of .65 mg. per liter is lethal at 30 minutes' exposure while the lethal concentration for 10 minutes is 3 mg. per liter."

Put another way, Prentiss's statistics mean that DM is lethal upon 10 minutes' exposure to the gas in concentrations of 1/10,000 of an ounce per quart of air.

The Army has been combining DM and CN in a grenade for use in Vietnam. "Since DM requires several minutes to produce maximum effects, it may be combined with CN to produce effects more rapidly," explains FM 3–10. The manual adds this word of caution:

"DM alone is not approved for use in riot control dispersers in any operations where deaths are not acceptable. Excessive, and possibly lethal, or completely incapacitating dosages can be developed from its use. However, it may be used in military or paramilitary operations, on counterinsurgency operations, or in limited or general war where control of target personnel by the incapacitating effects is desired and where possible deaths are acceptable."

The South Vietnamese, acting on their own initiative, used CS and CN to break up a Buddhist riot in Saigon on November 2, 1964. By the next month the South Vietnamese Army, guided by US advisers, initiated the use of DM, CS, and CN in military operations against the Viet Cong. In missions carried out in strictest secrecy, the munitions were used on December 23 in Xuyen province, on December 25 in Tay Ninh province near Saigon, and on January 28, 1965, in Phu Yen province.

On March 22, 1965, Horst Faas, an Associated Press reporter tagging along on a combat mission near Saigon, learned that the operation plans called for the use of DM if the government forces were pinned down by the Viet Cong. He was told that the agent caused vomiting and diarrhea. No enemy contact was made during the mission and Faas returned to Saigon to report what he had heard and seen. The news service carried on its teletypes the next day a story revealing that the United States was "experimenting" with gas warfare. This was subsequently confirmed in Washington and Saigon.

What Faas saw set off a worldwide protest that apparently caught US policymakers by surprise. The White House, State Department, and Pentagon each responded to the controversy by arguing, in effect, that there was nothing unusual in the use of riot control gases. But US officials took unusually elaborate steps that March 23 to get their point across the press and public. McNamara quickly summoned Pentagon newsmen to his office, described the three gases in detail, and made it clear that the United States had no intention of stopping their use against Viet Cong guerrillas. He emphasized that the gases were similar to those used by police forces around the world to curb civil disturbances, and listed a number of such uses. McNamara did not mention that adamsite is rarely used by police anywhere.

Secretary of State Dean Rusk made an unusual appearance at the regular daily noon briefing at the State Department to deny that the United States was embarking on the use of gas warfare in Vietnam. "We are not talking about agents or weapons that are associated with gas warfare, the military arsenals of many countries [sic]," he told the reporters. "We are not talking about gas that is prohibited by the Geneva Convention of 1925, or any other understanding about the use of gas."

Rusk, too, emphasized that the agents used were gases available commercially, and said it was anticipated that "these weapons be used only in those situations involving riot control or situations analogous to riot control." He admitted that the United States may have committed a major propaganda blooper, not by using the gases, but by attempting to hold back public knowledge of the new step. "It may be that there was a failure in full explanation, in briefing or reporting from Saigon on this matter," Rusk allowed, adding that the initial AP story tended to stimulate problems "which were not present—for example the use of the word 'experimentation' suggested that something new and weird might be involved here. That is not the case."

At the White House, Press Secretary George Reedy went to elaborate steps to disassociate President Johnson from the use of nausea gas. He said the President had not been consulted about its use and described adamsite as a "rather standard-type riot-control agent." Reedy said full responsibility for its use depended on General William C. Westmoreland, commander of the US forces in Saigon.

The American use of gas was condemned throughout the world: a Frankfurt newspaper published a cartoon showing the Statue of Liberty wearing a gas mask; *Mainichi Shimbun,* one of Japan's largest newspapers, carried a cartoon of Adolf Hitler's ghost hovering over Vietnam with a bag labeled "Vietnam" in his right hand. In New York, the *Times*, in a sharply critical editorial, pointed out that "in Vietnam, gas was supplied and sanctioned by white men against Asians. This is something that no Asian, Communist or not, will forget. No other country has employed such a weapon in recent warfare."

---

[1] The US delegation signed the treaty but the Senate Foreign Relations Committee refused to ratify it in 1926 after a rare closed-door debate. Thirty-two nations eventually adhered to the Protocol which was violated only once before 1964, when Italy used mustard gas against Ethiopia in the Abyssinian Campaign of 1936. The United States has consistently expressed its support of the 1925 agreement, and his publicly acknowledged it considers itself bound in full by it. Moreover, the US and ninety-five other nations voted during a little-noticed UN General Assembly meeting in December, 1966, to reaffirm the principles of the Geneva Protocol. Most international lawyers argue that the United States, whether it agreed or not is bound by the Protocol simply because it has acted as if it had signed the agreement; this opinion is held by many in the State Department.

The Soviet Union took the issue to the United Nations, where it accused the United States of grossly violating "the accepted rules of international law and of the elementary principles of morality and humanity. The US Government is, of course, aware that the use of asphyxiating, poisonous or other gases has long since been prohibited and vigorously condemned by the peoples of the world." Similar Soviet charges were made in a note delivered to the US Embassy in Moscow. The United States replied, in a letter to the President of the UN Security Council, that the Soviet note had been rejected because it "was based on the completely false allegation that poisonous gases are being used in South Vietnam. . . ." The US note went on to describe the chemicals used in Vietnam as non-toxic and not prohibited by the 1925 Geneva Protocol as interpreted by the United States.

By this time, even the United States Information Agency had protested to the White House that the use of gas in Vietnam was resulting in a substantial loss of international prestige. But the Johnson Administration was determined not to back down. Asked about the issue at a press conference on April 2, the President criticized the initial AP dispatch which he said implied that "we were using poisonous gas—mustard gas or a war gas—to kill people. And it took the government two weeks to catch up with that story. . . ." The President then described the gases as products that could be purchased "by any individual from open stocks in this country just like you order something out of a Sears and Roebuck catalogue." He added that he had known nothing about the gas. "No one told me that the South Vietnamese Army were going to use any tear gas any more than they told me they were going to shoot that fellow that dropped the bomb, left the bomb in his car in front of our Embassy, but there's no reason why they should." (He was referring to a recent terrorist bombing of the US Embassy in Saigon.) "I just wish," the President concluded, "there was concern with our soldiers who are dying as they are [*sic*] with somebody's eyes who watered a little bit. . . ."

Thus, within two weeks of the initial press reports, all top-ranking US officials had faced press conferences at which they appeared surprised and almost baffled by the heated protests over the use of riot control agents. The substance of the official statements was that the United States did not accept any distinctions between tear gas and nausea gas, and that this country was not violating the Geneva Convention, a treaty it had not signed, by using such gases.

In fact, there is considerable evidence that American officials were well aware of the perils of the use of tear and other gases—from the White House down through other executive offices. The decision to approve the use of gas was apparently made on the highest levels of the Administration. A White House adviser told me in August, 1967, that the decision taken in 1964 had been a difficult one. "This was a problem," he acknowledged. "We're not overjoyed with the use of tear gas, but people have decided it represented a humane decision." He added: "When all of the factors were weighed, we decided to use it."

During a State Department briefing March 23, 1965, press officer Robert McCloskey was asked if State had given its approval for the use of gas in Vietnam. "Oh, I think I said pretty clearly," McCloskey answered, "that this was supplied by the U.S. Government and that would imply concurrence by all agencies and departments thereof." He added that the State Department had been specifically informed that the gases had been supplied to the Vietnamese but did not know whether our high officials had been warned before the gas was used.

The intense secrecy surrounding the initial use of tear and nausea gases in Vietnam can be viewed, therefore, as an outgrowth of the many meetings, memos, and discussions that went into the initial 1964 decision to use the new weapons. Some program had apparently been prepared to advise the American public gradually of the new element in the Vietnam war, but it was not used.

The result of the March, 1965 controversy was a slowing down in the promulgation of gas warfare in South Vietnam, although the Johnson Administration had carefully built a rationale for such use. Gases were not used during the next six months. In the interim, *The New York Times* reported that field commanders in Vietnam had been ordered to make no further use of any type of gas—the story was attributed to "informed sources in Washington." The newspaper later quoted an unnamed American official as saying, apparently while on an inspection trip to Saigon, that he would rather "lose the war" than authorize the field use of gas.

When gas warfare was again used in Vietnam, it was accompanied by a careful public relations program. On September 7, the US military command in Saigon announced that a Marine Battalion Commander, Lieutenant Colonel L. N. Utter, had been placed under investigation because he had authorized the use of eighteen canisters of tear gas during a small US field operation against the Viet Cong the week before. According to *The New York Times* version of the incident, "Colonel Utter was reported to have felt that tear gas was the most humane way to dislodge the Viet Cong suspects, who were using the women and children as a shield." The article noted that Utter "decided against using fragmentation grenades, flame throwers or automatic weapons."

U.S. officials told reporters that the colonel had acknowledged full responsibility for the use of the gas. The investigation was chiefly to determine whether Utter was aware of the reported ban on the use of gas: at the time, only General William C. Westmoreland had the authority to order the use of gas. Saigon officials told reporters that if Utter had asked Westmoreland for permission, "his request would have been denied." When a reporter asked why the Marines were still being issued tear gas, he was told that it was part of the "basic equipment" of all units and was needed for riot control and self-protection.

Utter's use of tear gas brought no significant public outcry, apparently because it was accompanied by a promised investigation. Some two weeks later, on September 22, Westmoreland asked the Pentagon for permission to use tear gas in cases in which, he said, its application would be more humane than conventional weapons. A front-page story in *The New York Times* noted that Westmoreland technically has such authority. "However," *The Times* added, "it is known that high Administration officials have pledged not to use such gases again except perhaps in ordinary riot situations."

At the same time, both United Press International and Associated Press sent almost identical news stories reporting that Westmoreland had asked Washington to "lift," "relax," or "re-examine" the ban. In response to these stories, the Pentagon announced that the United States had never foreclosed its right to use non-lethal gases. The Pentagon said:

"As previously stated, the commander of the United States military command in Vietnam has the authority to use tear gas under appropriate circumstances. The use of riot control agents has always been and still is considered to be left to the commander, under appropriate circumstances."

The public clearly was being cautiously readied for more frequent use of non-lethal tear gases. None of the September statements mentioned adamsite, the nausea gas that had provoked much of the criticism in March. One reporter commented later on the Utter incident that "officials now, as opposed to last winter, are quite willing to notice a distinction between tear gas and vomiting gas and are indicating that vomiting gas is unlikely to be used in the future . . . that officials now are conceding a distinction does not indicate they have just gotten around to noticing it; it merely means they now find it useful to publicly notice it."

On September 25, Westmoreland announced that no disciplinary action would be taken against Lieutenant Colonel Utter, and refused to say anything more about the case. US spokesmen, who earlier had told reporters that the investigation would attempt to determine whether Utter had known of the tear gas ban, also refused to reveal the results of the investigation.

The Utter case was apparently a sham, a carefully planned trial balloon designed to make tear gas operational once again in Vietnam without public outcry. In October, 1965, researchers for Travelers Research Center in Hartford, Connecticut, a subsidiary of the insurance company, completed a private study for the Pentagon of "US Governmental Policies on Chemical and Biological Weapons and Warfare." The unclassified document, known as "Project Puissance," quoted one source as saying that "neither the Pentagon nor the military in Saigon ever, repeat, ever issued orders that tear gas should not be used. A brisk correspondence between Marine Corps top brass and General Westmoreland has established beyond a shadow of a doubt that there was no such order." The study also said that General Wallace M. Greene, Commandant of the Marine Corps, confirmed in a private letter that "there never has been, nor is there now, any intention to court martial or take any other disciplinary action against Lieutenant Colonel Utter. The decisions he made was fully justified."

The Pentagon's handling of the tear gas incident won praise in the October 11, 1965, issue of the *Washington Daily News*. "Little if any public protest is being voiced over renewed use of tear gas and other non-lethal gases by US troops in Vietnam," the paper said in its lead editorial. "There is a lesson to be learned from the contrast between this quiet acceptance and the loud outcry which arose last March when it was first revealed the gases were being employed. At that time, public opinion here and abroad was totally unprepared." "Public opinion is often wrong, sometimes foolishly so," the editorial concluded. "But the US still has a lot to learn about what it is and how to make it work for us."

The Pentagon remained cautious. A month after the Utter incident, it used gas in a joint operation with Australian troops near Saigon. A major effort was made to soothe public opinion. A full twenty-four hours before the battle, officials advised a number of correspondents that gas would be used and bound them to stringent secrecy. According to a *Washington Post* dispatch on October 8, troops of the 173rd Airborne Brigade were rigidly drilled to speak of "tear gas" and not just "gas," in case reporters asked them questions.

As the operation was getting under way, Brigadier General Ellis Williamson, then Commander of the 173rd, assembled reporters and read out this portion of his orders for the morning:

"Tear gas may be used on this operation if the local unit commander feels that its employment will assist in accomplishing the operation requirement with fewer casualties to friend and foe. It is anticipated that the use of tear gas will be restricted to small areas where the enemy is holed up in bunkers or trenches."

The *Chicago Daily News* described the operation as a test of a new "departure in US policy in the laboratory of world opinion. [The soldiers] were armed with tear gas and they specifically were authorized to use it."

The reaction to the dispatches was positive, from the military point of view. *Navy* magazine reprinted an editorial in its October, 1965, issue which noted that "the reaction in the US press this time has been heavily favorable, indicating that there is now a much better understanding, at least among American editors, of the humaneness of gas compared to the deadly effects of napalm, automatic weapons fire and flame throwers."

The *Times* reported on October 6 that Westmoreland had received official permission to use tear gas in military operations when it would save lives: "there was no official confirmation of the permission from Washington because the Administration has taken the position that General Westmoreland never lost his authority to use tear gas." The *Times* report added that technically this was true, but in practice Westmoreland had been told not to use his authority without permission from the Administration. If President Johnson and other officials had been outflanked by Westmoreland during the Utter incident, Washington clearly had approved the well co-ordinated October tear gas attack by the 173rd Brigade.

Subsequently, the use of tear gas became more common in South Vietnam, although the gases were initially confined to tunnels in accordance with the official decision to permit their use in military operations only if it would save lives. In early 1966, the Army said it was using riot control agents in Vietnam "quite routinely and with great success." Military spokesmen made clear that discretion for such use was again left in the hands of the military commanders in the field.

On February 21, 1966, however, the Administration significantly changed the role of gases in Vietnam. Helicopters dropped hundreds of tear gas grenades on a small patch of jungle 265 miles northeast of Saigon, which was believed to be a Viet Cong stronghold. Shortly thereafter, huge B–52 bombers rolled over the jungle area and saturated about 85 percent of the jungle patch with bombs. According to official estimates, 400 guerrillas were trapped in the tiny area whose widest point was only about 400 yards. After the bombing raids, two battalions of airmobile troops, equipped with gas masks, were shuttled in to search for the enemy. *The New York Times* quoted Washington officials as explaining that the new tactic of the helicopter-borne tear gas attack "was designed to flush Viet Cong troops out of bunkers and tunnels before the attack by B–52 bombers." It was further explained that past B–52 bombing missions had done little or no damage to Viet Cong troops who were usually well-protected in tunnels or bunkers. "The purpose of the gas attack," *The Times* said, "was to force the Viet Cong troops to the surface where they would be vulnerable to the fragmentation effects of the bomb bursts."

It was this projected use of the non-lethal gases, apparently, that had led the Administration to rally so vigorously to the defense of gas warfare the previous March. Thorough newspaper accounts of the February attack brought little renewed criticism of the use of gases, a factor that apparently led the Administration to move into yet another phase.

On May 8, US planes dropped twelve tons of CS gas in a jungle near the Cambodian border, "to pave the way," according to United Press International, "for a ground assault by gas-masked US infantrymen." Other dispatches about the attacks indicated that nausea-producing DM had been used, but the Pentagon denied such reports and said they stemmed from the fact that the CS had been used in such heavy concentrations that it caused nausea. The UPI story described the attack as resulting in "one of the largest doses of gas Americans ever have spread over enemy territory."

Similar operations were carried out during the rest of 1966, although news accounts became more and more sketchy as the use of gases became more and more acceptable and, hence, less of a story.

The lack of further protest may have prompted the Administration again to escalate the gas war. In August, 1967, officials announced that nausea gas had been used in South Vietnam: there were no world-wide protests this time. Four paragraphs distributed by UPI were printed on page nine of the August 18 *Washington Post;* the incident took up one paragraph in an Associated Press dispatch the next afternoon. According to UPI, the nausea gas was used on a suspected North Vietnamese stronghold south of the Demilitarized Zone in the hope that it would flush out Communist troops, but none appeared. "US forces previously have used tear gas and nausea gas to drive Viet Cong guerrillas out of tunnels and bunkers," the UPI report continued, "but today's action marked the first extensive use of the gas above ground in several months." It also marked the first time the US military command in Vietnam had acknowledged nausea gases were again in use, although the January 31, 1966 issue of *U.S. News and World Report* acknowledged that DM had "been experimented with in Vietnam warfare in recent weeks." The gas was used in canisters along with CN.[2]

By September, 1967, the CBW promoters were back at work. Ray Cromley, a columnist for the Newspaper Enterprise Association and an Army Reserve Colonel, wrote a column praising the use of tear gas for saving lives in South Vietnam; he concluded:

"But there is a sad note to this story. V.C. tunnels frequently are so long and have so many curves and exits that the tear gas isn't effective . . . Other non-lethal gases are available—gases, for example, which make people laugh and not care what's going on. Some of these might be more suitable for Vietnam's tunnels. Thus far, the men who make the decisions have been afraid to use these other gases for fear of a renewed worldwide outcry."

What Cromley did not write is that the striking similarity of all the gas attacks between December, 1964 and August, 1967 is their military failure. None of the attacks met its objective to any degree.

The first attacks in 1964, the London *Observer* reported, were aimed at rescuing a group of American prisoners held by the Viet Cong in the Mekong Delta. In both instances, helicopters spread a cloud of gas over the targets. "The two attempts were futile. Both times the ground troops found no Viet Cong although there was evidence they had been there. If any prisoners had been held in those sites, the Viet Cong had led them away before the troops reached the area." An AP dispatch later told of one 1964 mission in which American helicopters laid down a gas cloud and South Vietnamese troops quickly moved into the area. Some firing came from the gassed area and, AP said, "the Vietnamese forces fled in disorder."

The carefully publicized use of gas on October 8, 1965, by the 173rd Airborne Brigade was also a flop. US troops dropped a grenade down a cave in a jungle area believed held by the Viet Cong. "As it turned out," *The New York Times* reported the next day, "there was apparently nobody in the cave in which the tear gas grenade was buried."

The AP produced a detailed account of the failure of a gas mission in January, 1967, aimed at flushing Viet Cong out of a vast tunnel complex about twenty-five miles northwest of Saigon. "The most recent attempt to use riot control gas on a major objective in the Vietnam war apparently has failed like most of the others," the AP story said. No Viet Cong had been flushed from the tunnels and no additional prisoners were taken, ". . . for the most part the use of gas in the Vietnam war has not been successful."

The military has responded to this fact in a characteristic fashion: by gradually escalating the amount, concentration, and toxicity of the gases used.

Tear gas and adamsite have been widely described by Washington and Saigon officials as non-lethal agents. But what does non-lethal mean? Two Harvard doctors, writing in a 1966 issue of the *New England Journal of Medicine,* noted that CS, CN, and DM "are incapacitating, but usually non-lethal, although they can kill under certain circumstances: extremely high concentration of agent or highly susceptible victim, such as the very young, the very old or the very sick." Such circumstances are inevitable in South Vietnam; it is virtually impossible to deliver chemical agents at uniform dose levels in the field.

Not only the young, old, or sick can be killed by riot control gases. A Reuters dispatch reprinted in *The New York Times* (Janaury 13, 1966) reported that non-lethal gases being used against Viet Cong guerrillas in tunnels northwest of Saigon killed one twenty-four-year-old Australian soldier and sent six others to the hospital. The dispatch said the soldier had died of "asphyxiation although he was wearing a gas mask." The Australians were taking part in a U.S. offensive.

More striking evidence of gas warfare's potential for death was provided in a letter from a Canadian physician in South Vietnam to Dr. E. W. Pfeiffer, a Professor of Zoology at the University of Montana who has been leading a fight to get some of his colleagues to investigate the use of CBW agents in the war. In the letter, Dr. Alje Vennema of Burlington, Ontario, told of his experiences with gas victims while serving in Quang Ngai Provincial Hospital. Dated November 23, 1967, his letter said in part:

"During the last three years, I have examined and treated a number of patients; men, women and children who have been exposed to a type of war gas the name of which I do not know. The type of gas used makes one quite sick when one touches the patient or inhales the breath from their lungs. After contact with them for more than three minutes, one has to leave the room in order not to get ill.

"The patient usually gives a history of having been hiding in a cave or tunnel or bunker or shelter into which a canister of gas was thrown in order to force them to leave their hiding place. Those patients that have come to my attention were very ill with signs and symptoms of gas poisoning similar to those that I have seen in veterans from the First World War treated at Queen Mary Veteran's Hospital in Montreal. The only difference between the cases was that these Vietnamese patients were more acutely ill. . . .

"Patients are feverish, semi-comotose, severely short of breath, vomit, are restless and irritable. Most of the physical signs are in the respiratory and circulatory systems . . . The mortality rate in adults is about 10 per cent while the mortality rate in children is about 90 per cent. I have kept accurate records of the number of such cases that I have seen only since June, 1967. Since then I have seen seven cases of which:

---

[2] Similarily adamsite was used during the Marine attack on the Citadel at Hue after the Viet Cong's successful Têt offensive in February, 1968. UPI correspondent Richard V. Oliver reported that US planes dropped the gas in enemy areas "to soften up the guerrillas for Marine ground attack." The Washington *Evening Star* carried the dispatoh on February 14 under the headline: "Use of Nausea Gas Reported in Attack To Soften Up Foe."

"There was one child of six years of age who died.

"There was one child of fifteen years of age who survived.

"There was one lady of approximately 40 years of age who died.

"There were four other adults who survived."

Dr. Vennema left the Quang Ngai Hospital shortly after writing his letter; the gas he was writing about apparently was adamsite (DM).

As I have noted, military manuals have careful restrictions on DM, warning that it should only be used were possible deaths are "acceptable." In Special Publication 2–31, published in 1960 by the Army's main chemical warfare center, the Edgewood, Md. Arsenal, a researcher named Bernard P. McNamara discussed the medical aspects of chemical warfare:

"Very severe exposures to tear gas or adamsite can produce damage to the respiratory tract. Adamsite is arsenical and, although remote, there is the possibility of systemical arsenical poisoning. This may be recognized and differentiated from effects of tear gas by marked nausea and vomiting which may persist for an hour or more after poisoning."

The failure, thus far, of riot control gases appreciably to affect enemy troops in Vietnam has apparently started some officers to think about a further escalation—this time to the incapacitants. During House appropriation hearings in March, 1967, General Betts, head of Army Research, was asked if the protests at the University of Pennsylvania against CBW research had hindered any of the Army's work. Betts replied: "I know of no impact that they have had on our efforts to date, other than harassment. I do feel that some of our policy concern with regard to pushing the use of incapacitating agents may be a reflection of these pressures. I just do not know."

Just what Betts was referring to isn't clear. On January 5, 1966, the *Wall Street Journal* reported that the Joint Chiefs of Staff were considering a proposal to "expand" the use of non-lethal chemicals in South Vietnam. The Chiefs "are expected to favor and forward the idea to President Johnson within the next few weeks," the *Journal* said. "The decision is up to him." As I have pointed out, by early 1966 the military was again given free rein to use riot control and nausea gases again in the war. If the Chiefs were urging approval of incapacitating agents which would have expanded the chemical arsenal, that proposal apparently was turned down.

BZ is currently the only incapacitating chemical agent in the military stockpile. Its use in Vietnam has been reported by Pierre Darcourt of *L'express*, who described in some detail an attack by the 1st Airmobile Division, involving BZ hand grenades, which took place in March, 1966. Darcourt said only 100 guerrillas of the 350- to 500-man Viet Cong force under attack escaped after exposure to the chemical. U.S. officials in Saigon and Washington have repeatedly denied that BZ has been used in Vietnam, although the agent is available in a field dispenser and a 750-pound bomb. It is not, however, available in hand grenades, according to *Chemical Reference Handbook* of the Department of the Army, published in January, 1967. Still, the record does not offer great hope of any permanent limitation on its use.

Some critics of the Vietnam war have charged that the United States is already waging a subtle form of germ warfare—simply by not doing everything possible to stem the increasing number of naturally occurring cases of bubonic plague. In 1961 eight cases of plague were reported in South Vietnam; by 1965 the number was estimated at 4,500. The London *Times* reported in late 1966 that "the increase [of plague] has been relentless. In 1961 only one province in the combat zone was affected. Today, 22 out of 29 provinces north of Saigon have been hit by the plague."[3] *Time* Magazine has reported that "plague has no significant effect on US troops, since every man received two shots before arriving in Vietnam and boosters every four months. For Vietnamese living under Government control, vaccine and treatment are almost always nearby. But for the enemy Viet Cong, North Vietnamese troops, and those living in VC-held areas, the plague may well become a more deadly killer than either side expected."

Peace News, a London anti-war weekly newspaper, noted in October, 1966, that the filth, garbage, and rubble that accompany war are natural breeding grounds for the rats and other animals that carry plague fleas. "Under modern hygiene, speedy diagnosis, and prompt treatment, plague can be isolated, contained, and eventually eradicated," the newspaper said. "But these conditions do not apply in Vietnam today." Further evidence of this came on January 29, 1968, when the World Health Organization reported that the plague had spread in South Vietnam in "epidemic proportions," accounting for 330 deaths and more than 5,000 illnesses in less than eleven months of 1967. The threat that the disease might begin spreading to other nations had aroused worldwide apprehension, WHO said.

The plague situation steadily worsened during the first three months of 1968, although that fact was not reported by most American newspapers. Only the London *Times*, revealed, on March 26, that Saigon itself was threatened by a major outbreak of plague in Tay Ninh Province, fifty miles to the north. The *Times* said that about 150 cases had been reported and the province placed in quarantine, with police supervising the vaccination of travelers at roadblocks. Moreover, cases had been reported from neighboring provinces closer to Saigon:

"The danger is that the disease may spread to Saigon, with its huge rat population and insanitary, crowded conditions, and be carried to other countries in merchant ships, or spread across the border from Tay Ninh into Cambodia."

The day after the *Times* report, US embassy officials in Saigon told Reuters that the outbreak of plague was far worse than anyone had admitted. South Vietnamese health officials had reported only eight deaths from plague in the first eleven weeks of 1968, but the US officials said the true figure was fifty-six deaths, with more than 700 suspected cases reported between January 1 and March 16. Moreover, according to Reuters, American and South Vietnamese Army doctors had averted what could have been a serious epidemic in mid-March in the Long Khanh Province forty miles northeast of Saigon by a huge program of inoculation of vaccines and antibiotics. These medical efforts, however, were not made until six civilians had died from the disease.

The plague traditionally in endemic to South Vietnam, but WHO officials told the *Manchester Guardian* (March 27) that, because of the war, conditions for the spread of the disease were ideal. The Viet Cong's successful Tet offensive and the savage US response, which included the bombing of widespread residential areas in Saigon's Cholon sector, has disrupted the WHO's effort to improve sanitary conditions and starve out the city rats. Ironically, the heavy American use of defoliants and herbicides in the Viet Cong-held areas near Saigon may have added to the rat population in Saigon: food now is much more plentiful in the city gutters than in some parts of the countryside.

The *Guardian* described South Vietnam as having "for some months been in the grip of an epidemic . . . [of plague]." If there was some urgency in the British reports on the situation, there was no sign of it in US newspapers or in Washington. Early in April I inquired at the Pentagon about the spread of plague, and found an air of mystification. There were no statistics available, no officers who knew anything about it, and no mention of the outbreak of the disease in the voluminous twice-daily press briefing reports that are filed to Washington from Saigon. It seems that, so far as the US military is concerned, plague in South Vietnam is not the white man's burden.

In These essays I have tried to show how the American military machine is making use of chemical warfare, with secrecy and in a war in an unsophisticated country 8,000 miles away—the kind of war that enables military men to talk about Vietnam as a playground for developing new war concepts and revitalizing the old. What about the future, now that the use of highly toxic chemicals and gases has become a standard fixture in the American arsenal? If adamsite can be used with impunity today and found wanting, what about nerve gas and biological warfare agents such as anthrax, tularemia, and brucellosis? The United States has violated a long-standing and respected Geneva agreement—which stood throughout World War II and the Korean War—by its use of chemicals and gases in South Vietnam. It has set a dangerous precedent, which was followed by Egypt when it used nerve gas against the Royalists in Yemen, early in 1967. Beyond that, the new American gas arsenal is being put to use as a riot control device almost every day in the United States, with the development of such chemicals as MACE. That America had so readily accepted the widespread use of gas and chemicals is ominous; it reflects the lack of information about gas and chemical warfare in Vietnam. For in Vietnam, as we have seen, when chemicals fail to meet their military objectives, new and more potent ones are used. Today we use chemicals to make both Vietnamese civilians and American protestors suffer with tears, nausea, and wracked lungs; tomorrow we may systematically start to give them the plague.

[From the New York Times Magazine, Aug. 25, 1968]

THE SECRET ARSENAL

(By Seymour M. Hersh, Washington-based freelance writer; wrote "Chemical and Biological Warfare: America's Hidden Arsenal")

WASHINGTON.—The Dugway Proving Grounds, main weapons-testing center for America's chemical and biological warfare (C.B.W.) research program, is a well-isolated military base; most of its one million acres are spread across the Great Salt Lake Desert in western Utah. The base's eastern edge—and the only access road to it—is about 80 mountainous miles west of Salt Lake City. In between are some small mountain ranges and sparsely inhabited valleys, where ranchers control vast acreage and thousands of sheep graze.

Until this spring, most Americans had

---

[3] The threat of plague has grown so intense that late in 1966 the US Public Health Service increased its surveillance of all cargo traffic from South Vietnam to the United States. More than 550 PHS workers were assigned to Vietnam; their job was to inspect each plane before it left, and again when it arrived in the United States to make sure no rats had climbed on board.

never heard of the proving grounds, although Dugway has been testing chemical and biological weapons since World War II. The base's obscurity ended in March.

At 5:30 P.M. on Wednesday, March 13, an Air Force jet flew swiftly over a barren target zone and sprayed 320 gallons of a highly persistent, lethal nerve agent known as VX during a test of two new high-pressure dispensers for the gas. The test site was about 30 miles west of Skull Valley and about 45 miles west of Rush Valley, two large sheep-grazing areas. The site also was about 35 miles south of U.S. 40, one of the nation's most heavily traveled highways and a main link between the Midwest and California.

The winds were blowing from the west that day, with gusts reaching 35 miles an hour. Testing in strong winds was nothing new to the Army researchers; since the early nineteen-fifties millions of dollars had been spent on meteorological equipment and gauges at Dugway, and the scientists had long been able to predict accurately the dispersal of the killer gases—or so they thought.

On Thursday the sheep began to die in Skull and Rush Valleys. By Sunday more than 6,000 sheep were dead, and the top command at Dugway was informed of the outbreak by the ranchers. Veterinarians began inoculating thousands of sheep that day, but found that none of several vaccines used had any effect.

A week after the secret test flight, the Salt Lake City newspapers published dispatches telling of the mysterious sheep deaths and linking them to "some kind of poison." A spokesman for Dugway told the newspapers that tests on the base "definitely are not responsible" for the deaths. "Since we first found out about it," the official said, "we checked and found we hadn't been running any tests that would cause this."

How long the Army would have gone without telling the ranchers of the nerve gas tests is problematical; when the facts became known, it was an accident. On Thursday, March 21, the Pentagon responded to a request for more information from Senator Frank E. Moss, Utah Democrat, by sending a fact sheet to his office marked "For Official Use Only," an informal security classification intended to prevent public release. A young press aide in Moss's office promptly made the fact sheet public; the Army's attempt hours later to retrieve the document was too late.

The military quickly canceled all aerial spray tests at Dugway and spent the next three weeks issuing denials that nerve gas from Dugway had anything to do with the death of the sheep—even in the face of medical reports directly linking them to organic phosphate compounds (nerve gas is one such). On April 18, the Army acknowledged that "evidence points to the Army's involvement in the death of the sheep." By this time, the case of the poisoned sheep received little attention in the press.

The military's performance in the Dugway affair was consistent with its long-standing avoidance of public discussion of the controversial chemical and biological warfare program. Yet C.B.W. is a major effort, as can be seen in this partial catalogue of America's arsenal.

CHEMICALS: Odorless, colorless nerve gases that paralyze the nervous system and kill in minutes . . . strong anesthetic or psychochemical gases that produce temporary paralysis, blindness or deafness and can cause maniacal behavior . . . tear gases, one of which has the scent of apple blossoms, that can incapacitate in 20 seconds and, in heavy concentration, cause nausea . . . improved versions of World War I gases like adamsite (headache, nausea, chest pains) and mustard gas (lung and eye burns, blisters) that can kill in heavy doses . . . defoliants (for trees) and herbicides (for food plants) that in low dosage are not toxic to man—though heavy concentrations cause illness and, in the case of those with an arsenic base, may cause arsenic poisoning.

BIOLOGICALS: Specific agents are unknown, but the military is known to have studied the following highly contagious diseases with C.B.W. intent—anthrax, fatal within 24 hours if it attacks the lungs . . . bubonic plague (the Black Death) and pneumonic plague . . . Q-fever, acute but rarely fatal, caused by an organism that can remain alive and infectious for years on end . . . encephalomyelitis, ranging from debilitating to fatal . . . brucellosis, also known as undulant fever. Using genetic knowledge and techniques developed within recent years, Army scientists have been able to devise subtle new strains of some of these diseases, changing their cellular make-up so that they become resistant to known antidotes.

When asked why the United States is developing its C.B.W. arsenal, military men at the Pentagon refer to a statement made by then Deputy Secretary of Defense Cyrus Vance during March, 1967, hearings before the Disarmament Subcommittee of the Senate Foreign Relations Committee.

After explaining that the United States seeks international agreements to curb the spread of C.B.W., Vance added: "As long as other nations, such as the Soviet Union, maintain large programs, we believe we must maintain our defensive and retaliatory capability. It is believed by many that President Roosevelt's statement in 1943, which promised 'to any perpetrators full and swift retaliation in kind,' played a significant role in preventing gas warfare in World War II. Until we achieve effective agreement to eliminate all stockpiles of these weapons, it may be necessary to be in a position to make such a statement again in the future."

The U.S. and the U.S.S.R., at any rate, are not alone in developing C.B.W. arsenals. Since World War II at least 13 other countries—Britain, Canada, Communist China, Nationalist China, France, West Germany, Poland, Sweden, Spain, Egypt, Cuba, Israel, and South Africa—have either publicly revealed that they are doing C.B.W. research, reluctantly confessed that they are doing "defensive" C.B.W. research, been accused of using such weapons or actually have initiated gas warfare in combat.

There have been, over the years, international efforts to curb chemical and biological arms production and use. A treaty prohibiting gas warfare was signed by Germany, France and other nations (not including Britain or the U.S.) at The Hague in 1899. It didn't stop gas warfare in World War I. Similar treaty negotiations failed in 1921, but four years later at the Geneva Conference a treaty was signed outlawing the "use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices." The U.S., Japan, Czechoslovakia, Argentina and Brazil did not sign. The United Nations passed a resolution in 1966 urging all countries to abide by international law affecting C.B.W. And just this month the British Government urged that a new international convention be drafted to update the Geneva ban. Meanwhile the weapon race has gone on.

American officials have made it plain that this nation consider itself bound by the Geneva treaty; they insist that the use of crop-killing chemicals and riot-control gases in Vietnam does not violate the treaty's ban. But critics here and abroad take strong issue with the U.S. interpretation of the treaty language—less than two weeks ago the Soviet Union charged that American use of chemicals in Vietnam violated international law. Critics also point out that American use of non-lethal gas in Vietnam has already escalated. Initially tear gas was used to control crowds or to clear bunkers—the intent being to prevent unnecessary loss of civilian and military lives. Now the South Vietnamese and American forces deploy nausea gas to clear out enemy bunkers—the intent being to set the enemy up for bombing missions. Fear of such escalation has historical precedent. As Elinor Langer noted in a series on C.B.W. in Science magazine last year, most of the World War I gas warfare deaths resulted from mustard gas, which was not introduced into combat until after both sides had tried tear gas.

The controversy over C.B.W. has elements in common with those that accompanied the development of nuclear weapons. Thus proponents warn that other nations are ahead of the U.S. and speak of a chemical-biological "gap." Opponents insist that the American program is fostering a proliferation of C.B.W. weapons. But the whole subject has overtones of horror and revulsion that far outstrip the world's fears of a nuclear holocaust.

During World War II, chemical and biological warfare was a top-secret area of research in America. The research was continued after the war, but on a reduced level—during much of the nineteen-fifties, at between $50-million and $75-million a year; enough only to sustain existing programs. But in the last years of the Eisenhower Administration, C.B.W. spending increased, and in the fiscal 1962 budget, the one inherited by President John F. Kennedy, nearly $100-million was recommended. Over the next three years, as the Kennedy Administration moved from an overreliance on nuclear weapons toward a more flexible defense posture—with an emphasis, for example, on counterinsurgency methods—C.B.W. spending climbed to nearly $300-million a year with as much as 30 per cent of its budget earmarked for the manufacture of delivery systems such as bombs, shells and spray devices.

The last C.B.W. budget made public, for fiscal 1964, included a total of $157.9-million for research into C.B.W. agents, most of it for the Army Chemical Corps, and $136.7-million for the procurement of delivery systems. It is not known if maintenance and construction costs and wages are included in these totals. Today procurement costs are still classified, but Pentagon officials say spending on research has dropped by 5 per cent each year since 1964. It seems clear, however, that the overall investment in the C.B.W. program has grown with the advent of the Vietnam war. More than $70-million will be spent in the fiscal year that began July 1 on the purchase of defoliants.

The Army is generally responsible for the nation's C.B.W. work. The Navy and Air Force both have rapidly expanding programs but must conduct much of their research at Army installations on a pay-as-you-go basis. The Army operates five high-security C.B.W. bases and has leased another to a private firm (see box, left); aaccording to statistics made available by the bases, more than 3,750 officers and men and 9,700 civilians are employed in the system. The total value of the bases is about $1-billion; all have ambitious building programs.

The huge increases in research spending in the early nineteen-sixties enabled the Pentagon to turn more and more to the aerospace corporations and the multi-universities for aid in solving the complex meteorological and biochemical problems involved in spreading germs and gases in air and/or water. By 1964 all of the military's C.B.W. research facilities were fully computerized, and expensive research into such fields as biomathematics was making it possible to know beforehand how the agents could be most effectively dispersed.

The result was inevitable: major advances along the entire spectrum of chemical and biological warfare. Scientists—working at military bases, at more than 70 universities around the world, at an even greater number of private and nonprofit corporations—have perfected a massive array of deadly agents. Complex delivery systems have been evolved: germs and gases have been successfully tested in guided missiles, hand grenades, bomb clusters, artillery shells and aerosol sprays. It is known that gas-carrying weapons have been distributed to U.S. forces throughout the world. There is no evidence of any similar distribution of germ-bearing weapons, but they are known to be stored in this country.

The military has consistently refused to make public many of the facts about C.B.W., including details about the Soviet program. When I asked one military man the reason for this policy, he said there is "very little one can say because it reveals our intelligence sources." Yet Pentagon officials have, on occasion, when seeking additional funds for C.B.W., talked on the record about the Russian effort.

In 1960 Lieut. Gen. A. G. Trudeau, then Chief of Army Research, told a House subcommittee on Defense appropriations that "we know that the Soviets are putting a high priority on development of lethal and nonlethal weapons, and that their weapons stockpile consists of about one-sixth chemical munitions. Russian leaders have boasted that they are fully prepared to use new chemical weapons of great significance, and we know Soviet forces are trained in their use."

The generals have consistently told Congress that Russia is ahead in C.B.W. development. Former Defense Secretary Robert McNamara testified at House hearings on the 1969 Department of Defense budget that America's C.B.W. position was "adequate at the present time." He added: "The Soviets probably continue to do more than we do in this field, however."

A 1960 Army report to Congress stated that the Russians had within each military division "a specific unit devoted to the field of chemical warfare" and that they had large stockpiles of nerve gas. The report added that "Soviet medical and technical reports . . . show that they are equally well versed in biological warfare." And a Soviet general was quoted as saying: "Many of our scientists . . . regard research on the actions of poisons and on the development of antidotes to be their patriotic duty." In this report and elsewhere, mention has been made of a nationwide C.B.W. civil defense program in Russia; yet the importance of protecting the public against C.B.W. has certainly not been a preoccupation in this country. Neither the Defense Department nor any civil defense agency has made any significant attempt to inform the American public about the possible threat of such an attack; few gas masks are available for civilians; government warehouses have only a limited supply of the antibiotics and other antidotes that would be needed.

The need for what defense officials call "retaliatory capability as a deterrent" is only one of the arguments the U.S. military presents for continuing or even expanding the C.B.W. program. Another, as expressed in an interview with a high-ranking Pentagon officer: "In order for us to develop defenses against the tactical use of C.B.W. weapons, it's necessary to know what their offensive capabilities are. We've got to push the offensive as much as possible." Masks and protective shelters, plus antidotes for germ agents, are the only defense mechanisms now available. Large-scale programs dating back to the early nineteen-fifties have sought to evolve an early-detection system, but no substantial progress has been reported.

For many military planners, the appeal of C.B.W. lies in what they term its "humaneness" and "efficiency." "It can be just as disagreeable as any of the other forms of destruction in vogue in the world," an Army presentation admits, "yet it also offers some rays of hope for a more sane approach to an activity which we wish could be classified as irrational." Thus C.B.W. can be practiced over "a whole gradated spectrum of degrees of severity, and at the milder end of the spectrum may represent a far lesser evil than many presently accepted forms of warfare." The report goes on to cite the taking of Iwo Jima in 1945, with the loss of 28,000 Japanese and American lives: "If the new incapacitating agents had been available, it is conceivable that neither side would have lost any appreciable number of men."

Air Force Col. Jesse Stay, deputy director of information at the Pentagon, told me bluntly: "We're using herbicides and riot control agents in Vietnam. Everybody knows we're using them. They're serving a good purpose. Nobody's hidding the fact that they're being used—and nobody's ashamed of that fact."

The use of riot-control gases and defoliants in Vietnam has, however, seemed inadequate to some military men. In October, 1966, two retired generals had their say on the subject. The director of chemical warfare research in the nineteen-fifties, Brig. Gen. J. H. Rothschild, called for the use of mustard gas in clearing land and rendering Vietcong bunkers useless; it would, he added, "save lives, not only of Americans and of our allies but also of the enemy." And Maj. Gen. John Bruce Medaris, former commander of the Army Ordnance Missile Command, advocated the use of nerve gas.

In a recent letter to The New York Times, General Rothschild summed up many of the arguments for the C.B.W. program:

". . . if the United States is forced into a large-scale war against superior manpower, e.g., a nation such as Communist China, we cannot afford to meet on a man-to-man basis, as we did in the Korean war, when we took large numbers of unnecessary casualties. . . . [We] will have to use weapons of advanced technology. These include the nuclear weapons, chemical weapons or biologicals. We don't want to use nuclear weapons certainly, because of the danger of worldwide involvement with the completely unacceptable physical damage which would result, the great loss of life and the possibility of genetic effects. The use of chemical weapons could eliminate all of these dangers but still give us the means of successfully combating the superior manpower. Furthermore, it could result in the saving of large numbers of civilian lives."

Criticism of America's C.B.W. program has come primarily from two groups—scientists, both within and outside the military and students. Criticism ranges from those who, as one top Pentagon planner expressed it, want "restraints" on the program and an emphasis on defensive techniques to those who call for a complete and total phasing-out of C.B.W. activities. In recent months the Federation of American Scientists has urged discontinuance of C.B.W., which it said is not in the nation's interest. Member protests have led the American Society of Microbiology to poll its membership on the question of continuing its long-standing agreement to serve Fort Detrick in an advisory capacity. In April at least 16 scientists refused to take part in a symposium on genetics at Fort Detrick. A two-year protest by students at the University of Pennsylvania led to the university's cancellation of two secret C.B.W. research projects, worth $845,000 a year, and similar protests are under way at dozens of other campuses.

Inevitably, the arguments against chemical and biological weapons have a strong emotional overtone; the subject is almost too horrible for rational debate. This distaste for C.B.W. even pervades parts of the Pentagon; some military men I spoke with conveyed the impression that the use of gases and biologicals isn't manly: it isn't the kind of warfare that cadets learn about at West Point; it's "sneaky."

But the criticism is by no means limited to emotional appeals. Some opponents, for example, are concerned that by advancing the C.B.W. state of the art the U.S. is handling small, possibly irresponsible nations a deadly weapon. Matthew Meselson, a prize-winning Harvard University biologist, last year told an interviewer for the Harvard Alumni Bulletin that the C.B.W. program places "a great premium on the sudden, unexpected, hopefully decisive blow, on the order of Pearl Harbor. So we have here weapons that could be very cheap, that could be particularly suitable for attacking large populations, and which place a premium on the sudden, surprise attack. . . . If you look at the engagements in which the United States has been involved in the past, or try to think of those in which we might in the future, it seems to us that these are just those characteristics which we should not want in weaponry—you could almost not ask for a better description of what the United States should not want to see happen to the art of war."

Other critics look upon the American use of C.B.W. weapons in Vietnam as a violation of the spirit, if not the letter, of the Geneva Convention—and most believe that the letter, too, has been violated. They listen to the arguments that the chemicals used in Vietnam are humane, and they ask questions such as those posed by Prof. William V. O'Brien, international law expert at Georgetown University, during a 1966 campus debate:

"Is it opening . . . Pandora's box? Is it getting into a category of things hitherto banned which, once opened, can go on and on and on? You say, well, it's not too bad to make people cry. Well, perhaps the next argument is it's not too bad to give them the three-days' flu. And then you work your way up from that to something else, and after a while you get into countermeasures and pretty soon the thing is really spiraling out of hand."

Of great concern to many scientists is another unanswered question of biological warfare: Can disease, once spread, be controlled? Dr. Theodor Rosebury, a Chicago bacteriologist who did biological warfare work during World War II, has written that "it is next to impossible to know beforehand what to expect from a strategic B.W. [biological warfare] attack; there is no satisfactory way of testing it in advance." Thus, some argue, to initiate the use of plague or anthrax, diseases that can kill more than 90 per cent of their victims, would be to set in motion a doomsday machine on the planet—striking down attacker and defender alike. The Pentagon consistently refuses to discuss such questions with newsmen, but it is well aware of the unpredictability of B.W. Writing in a medical school journal in 1964, Dr. Leroy D. Fothergill, former director of the laboratories at Fort Detrick, offered this assessment of the effects of a major B.W. attack:

"It is possible that many species would be exposed to an agent for the first time in their evolutionary history. We have no knowledge of the range of susceptibilities of these many species of wildlife to specific micro-organisms, particularly through the respiratory route. . . . What would be the consequences? Would new and unused zoonotic foci [animal transmitters] of endemic disease be established? Would it create the basis for possible genetic evolution of micro-organisms in new directions, with changes in virulence for some species? Would it create public health and environmental problems that are unique and beyond our present experience?"

These sorts of ecological and epidemiological problems are being studied intensely at Fort Detrick and the Dugway Proving Grounds. Scientists there believe that with enough study it will be possible to predict accurately the effects of a biological attack. Many knowledgeable C.B.W. critics have their doubts.

An indication of the complexity and importance of C.B.W. considerations is to be found in the varying views on the question of possible unilateral disarmament by the U.S. in the C.B.W. field. Critics of the program argue that nuclear weapons provide all the deterrent needed to forestall any enemy C.B.W. attack. Their opposite numbers in the military claim that reliance on nuclear retaliation alone would, in fact, seriously weaken the deterrent to biological attack. They point out that some of the possible biological warfare diseases have three- or four-day incubation periods before they break out. Would the United States be willing to unleash nuclear missiles, they ask, four days after a biological attack was confirmed, and tell the world it was "retaliating"? If not, it is argued, a policy resting only on a nuclear deterrent could encourage C.B.W. attack, rather than deter it.

Though the controversy over America's C.B.W. program is bitter, there is general agreement on at least two points: it is essential that the world never be exposed to the ravages of a chemical-biological war; a deescalation of the C.B.W. arms race, followed by international disarmament agreements, is a possible means to that end.

Once again the situation has elements in common with the nuclear arms race. If there is to be any meaningful international accord on C.B.W., many Administration experts feel, there must be some scientifically valid procedure for policing it. Studies of detection systems are being conducted by scientists, including some Americans, working with the Stockholm International Police Research Institute. But progress has been slow. Last year the Johnson Administration allotted the Federal Arms Control and Disarmament Agency only $100,000 for research into C.B.W. control and detection.

What is desperately needed, if the world is to move toward an answer to the C.B.W. problem, is an open, rational public debate of the political and military implications involved. The Vietnam war, the campus protests over military research contracts, the trouble at Dugway Proving Grounds, the disenchantment of large segments of the scientific community—all these have set the stage for such a debate in this country. But it cannot begin until more information is made available. The Pentagon should immediately re-evaluate its security restrictions about C.B.W. If Russia is indeed engaged in a major C.B.W. build-up, this information should be made known. The types of agents, their possible effects and the national policy surrounding actual deployment of chemicals and biologicals should be released for public evaluation.

Americans—and Russians—know a great deal about the horrible consequences of atomic attack; this knowledge is as significant a deterrent as the I.C.B.M. rockets shielded deep in their silos. If the world knew more about the potential horror of nerve gases and deadly biologicals, the drive for deescalation and disarmament would be increased. And the United States, as one of the leaders of C.B.W. research and development, would have an obligation to lead that drive.

[From the New York Times Magazine, Aug. 25, 1968]

CBW BASES AND WHAT THEY DO

Because of the secrecy surrounding the C.B.W. program, it is impossible to detail completely the functions of the military bases involved. What follows is necessarily a capsule summary.

Fort Detrick, Maryland: This base, about 50 miles northwest of Washington, D.C., serves as the headquarters for the nation's biological warfare research program. Detrick controls the procurement, testing, research and development of all biological munitions and products, including all defense approaches (such as masks and vaccines). The emphasis at Detrick, however, is on the offense. The fort was set up during World War II and has been one of the world's largest users of laboratory animals since—perhaps as many as 720,000 mice, rats, guinea pigs, hamsters, rabbits, monkeys and sheep a year. Most of the nation's military work on anticrop devices and defoliants is conducted in a corner of the base where, behind high wire fenses, scientists work in a cluster of greenhouses.

Pine Bluff, Arkansas: This arsenal usually is described in military organization charts as serving primarily as a chemical munitions base. Indeed, it was opened in 1942 as a chemical facility and still serves as an important packaging and production point for smoke bombs, incendiary munitions and riot-control agents (including CS, the potent tear gas used in Vietnam). But Pine Bluff does its most important work for the biological laboratories at Fort Detrick. It is the main center for the massive production and processing of biological agents. The germs are not only brewed in heavy concentration there but are also loaded into bombs, shells and other munitions, most of which are in cold storage depots, known as igloos.

Dugway Proving Grounds: This base tests biological as well as chemical agents and is also an important research center. Studies in ecology and epidemiology have been under way for years to determine just what happens to an area after many years of testing with highly infectious biologicals. (Similar test projects are sponsored by Dugway at other locations in the nation.) The problems are incredibly complex: more than 10,000 species of life are known to exist on the huge base.

Edgewood, Maryland, Arsenal: Edgewood is the oldest of the C.B.W. bases; it dates back to World War I, when it served as a manufacturing site for shells containing phosgene and other gases. It was the central plant for the production and filling of gas munitions until the end of World War II, when it was switched to research and development. Edgewood's first major job in this area was to study the nerve agents, produced by the Germans, that Allied intelligence had shipped home. A pilot plant to produce one such—Sarin, otherwise known as G.B.—was built and in operation on the base by the late 1940's. The arsenal is now the management and final inspection center for all chemicals and chemical weapons.

Much time and money are invested at Edgewood in the quest for the perfect incapacitating agent, presumably a psychochemical or anesthetic weapon. The only such agent known is BZ, and it has yet to see combat use. The chief problem with the incapacitating agents is the requirement for a uniform dosage level—that is, they must be capable of being spread evenly; otherwise, they might kill in areas of high concentration and have no effect at all in areas of lower concentration.

Rocky Mountain Arsenal: This 17,750-acre base is 10 miles northeast of Denver and served as the main production facility for the nerve gas Sarin after initial tests at Edgewood demonstrated its feasibility as a weapon. Production of the gas was halted in 1957 after three years of furious, around-the-clock activity (insecticides are now manufactured here) but the arsenal has remained busy filling rockets and bombs with it.

The Newport Chemical Plant: This installation in farm country on the western edge of Indiana, near Danville, Ill., is the Army's main production plant for VX, an improved nerve gas that did not enter the military's arsenal until the early 1960's. (VX, unlike Sarin, does not evaporate rapidly or freeze at normal temperatures. Its low volatility makes it effective for a longer period of time.) The plant was built by the Food Machinery and Chemical Corporation (F.M.C.) under a 1959 Army contract and has been operated ever since by that company. Newport produced VX nerve gas on a 24-hour schedule until late 1962, when production was slowed.—S. M. H.

[From Science, Jan. 13, 1967]

CHEMICAL AND BIOLOGICAL WARFARE (I): THE RESEARCH PROGRAM

(NOTE.—Biological warfare is the intentional use of living organisms or their toxic products to cause death, disability, or damage in man, animals, or plants. The target is man, either by causing his sickness or death, or through limitation of his food supplies or other agricultural resources. Man must wage a continuous fight to maintain and defend himself, his animals, and his plants in competition with insects and microorganisms. The object of BW is to overcome these efforts by deliberately distributing large numbers of organisms of native or foreign origin, or their toxic products, taking full advantage of the ability to utilize more effective methods of dissemination and unusual portals of entry. BW has been aptly described as public health in reverse.—"Effects of Biological Warfare Agents," pamphlet published by Department of Health, Education, and Welfare, July 1959.)

During the last 18 months, the University of Pennsylvania has from time to time been the unhappy object of national attention arising from dislosures that the university is conducting secret research for the Army and Air Force on chemical and biological weapons. In an interview with *Science* last fall, one troubled university official complained that Penn's participation in CBW was being unfairly singled out. "There are a lot of people in this game," he said. He was right.

The chemical and biological weapons program is one of the most secret of all U.S. military efforts—not because it is the most important of our military R&D activities, but because the Pentagon believes it is the most easily misunderstood and because it provokes the most emotional distress and moral turbulence. Official secrecy makes a complete portrait of the CBW program difficult to construct. Rumors fly freely around the security wall that separates the "ins" from the "outs." In some portions of the scientific community the Johnson administration's "credibility gap" has taken its toll and there is readiness to believe that, every time some one in Vietnam sneezes, it is because the United States is distributing the germs. In the defense establishment the CBW program is represented as being some kind of cross between defensive preparations, on the one hand, and peaseful by-products in preventive medicine, on the other.

Defensive preparations are only one part of the program, for the United States is engaged in a comprehensive and flourishing R&D effort in chemical and biological weapons. It involves non-military as well as military agencies, industry as well as the academic community, and it has received cooperation from some of the major scientific institutions of the United States. Stockpiles of chemical and biological weapons produced by this program provide a far-ranging offensive capability. Furthermore, U.S. policy concerning the use of chemical and biological weapons is ambiguous and contradictory, and is rendered even more so by the use of chemical weapons in Vietnam.

The current CBW program is the product of decisions made and steps taken during the late 1950's and early 1960's. Before that time the old-line Army Chemical Corps was regarded by the nuclear-age military establishment as custodian of a particularly controversial and probably useless emporium. The Chemical Corps had a message it had been repeating since World War I—that its wares were unusually humane—but no one was buying. The Corps existed on budgetary dregs, usually around $35 million a year. Its most active support came from the Armed Forces Chemical Association, a group of military and industrial executives supported by chemical companies and "dedicated to scientific and industrial preparedness for the common defense in the fields of chemical, biological, radiological and related technology commonly referrred to as chemicals." The Corps felt continually threatened with the possibility that it would be abolished.

In 1959 the Corps took matters into its own hands and went to the public with a full-scale publicity campaign known as "Operation blue skies." It was a period of fascination with the possibility of "incapacitating" weapons, particularly psychochemicals, and, putting aside its more lethal products, what the Chemical Corps advertised—in articles, speeches, lectures, symposia, and Congressional appearances—was "war without death." Within a short time the Corps' hopes for expansion had won endorsements from a variety of outsiders, from the American Chemical Society to the House Committee on Science and Astronautics.

At the same time, the Kennedy administration came into office, concerned about the military inflexibility imposed by over-reliance on nuclear weapons. New Frontiersmen were interested in acquiring a more versatile weapons "mix." And they were especially interested in systems that, like CBW, seemed to offer particular promise in fighting limited wars. In the nuclear stalemate between the great powers, there began to be a reorientation in conceptions of how the U.S. would conduct its war against smaller nations, and CBW was just one beneficiary of the reorientation. Fantasies about battles in which whole populations would fall asleep while being captured provided a comforting alternative to the known, stark destructiveness of nuclear weapons, and also helped to establish the appeal of CBW. The relative cheapness of CBW systems played a role as well.

By 1961 CBW had ceased to be scorned, and a comprehensive program for improving U.S. capabilities was underway. In fiscal year 1961 the R&D budget for CBW for all three military services was about $57 million. By 1964 is had risen to about $158 million, with the Army's share being about $115 million. It is now roughly at that level or slightly lower. In 1961 only the Army had money for procurement—about $46 million. In fiscal year 1964 the Army received a little more than $117 million for procurement related to CBW; the Navy, $11 million; and the Air Force, $8.7 million. Procurement figures for more recent years are classified. (These sums for procurement are additional to the amounts spent for research and development.)

In addition to these annual budgets, there is a large standing capital investment in CBW activities. Fort Detrick alone, the center of biological warfare research, occupies 1300 acres of land near Frederick, Maryland, and has a building complex valued at $75,000,000. According to an employee-recruitment brochure, it has "one of the world's largest animal farms" and its "facilities for conducting research with pathogenic organisms are among the most advanced in the world."

Were it not for two things, Detrick might pass as nothing more than the particularly well-endowed microbiological research center it advertises itself to be. Research on basic characteristics of microorganisms seeks the same knowledge and is carried on in the same fashion whether the agency paying the bills is Detrick or NIH. Some of the research undertaken has a defensive motivation—an effort to discover means of combatting biological weapons that might be used by an enemy. Some of the research is neutral—not susceptible to utilization by a weapons program at all. But much of the work inescapably has a special character, an inverted quality like that of medicine turned inside out. It consists in part, for example, of efforts to breed into pathogenic organisms precisely the characteristics—such as resistance to antibiotics—that medical researchers would like to see eradicated. In the context of biological warfare even life-saving techniques such as immunization take on a strange aspect: immunity among one's own population and troops is a prerequisite to the initiation of disease by our own forces, as well as a precaution against its initiation by others. Some diseases are currently excluded from active consideration as BW agents chiefly because no vaccines against them have yet been developed.

A second factor separating Detrick from other research centers is the restraint placed on its researchers. Detrick's scientific staff consists of 120 Ph.D.'s, 110 M.S.'s, 320 B.S.'s, 34 D.V.M.'s, and 14 M.D.'s. Only about 15 percent of their findings are published through conventional scientific channels; the rest become part of a secret literature managed by the Department of Defense and available to other government agencies and contractors on a "need to know" basis.

While nothing is published that would indicate the relative degree of military interest in, or effort on, a particular agent, Detrick scientists do report in open literature on subjects such as instances of laboratory-induced or accidentally acquired infection, immunization, therapy, routes of infection in man and animals, and various experimental techniques. From these papers and from other sources it is possible to surmise a good deal about the Detrick research program.

Diseases that are at least the objects of considerable research and that appear to be among those regarded as potential BW agents include: bacterial diseases—anthrax, dysentery, brucellosis, glanders, plague, and tularemia; rickettsial diseases—Q-fever and Rocky Mountain spotted fever; viral diseases—dengue fever, several types of encephalitis, psittacosis, and yellow fever; a fungal disease, coccidioidomycosis; and botulism toxin.

In recent years a good deal of attention has been focused on plant diseases also. Recently the Army's Distinguished Service Medal, the highest award the Army gives civilians, was awarded to a Detrick researcher for her contribution to development of a rice blast fungus, a disease that in its natural form has repeatedly damaged Asian rice crops.

To make the jump from naturally occurring organisms to usable weapons, biological agents must possess certain characteristics: they must be highly infectious; they must be able to maintain viability and virulence during production, storage, transportation and dissemination; they must be sturdy enough to withstand injury during dissemination and have a minimum decay rate; and they must be capable of being produced on a militarily significant scale. Judged from what has surfaced a substantial portion of fundamental research at Detrick has been devoted to development of these characteristics in the organisms producing the diseases listed (follows at end of article).

Detrick is also more or less the home of the science of aerobiology—the study of airborne infection—an area of much interest to researchers studying dissemination of disease, whether their interests are causative or curative. Aerobiology is of particular relevance to biological warfare, however, because the idea of disseminating infectious agents by aerosols—suspensions of small particles in the air—seems to be displacing earlier notions about how to transmit disease. Conventional images of biological warfare—the covert "man with the suitcase" or the poisoning of water supplies and ventilation systems—seems to have been discarded, partly because the number of people who could be subjected to infection at any one time is too small.

Two out of the three times Detrick has emerged to participate in a conventional way in the affairs of the scientific community, it has cosponsored conferences on airborne infection. (Its intellectual debut was a 1959 symposium on "Nonspecific resistance to infection," held in collaboration with the American Institute of Biological Sciences.) The first "Conference on airborne infection," held in Miami Beach in December 1960, was supported jointly by Detrick and the National Institute of Allergy and Infectious Diseases (NIAID), of the National Institutes of Health, and sponsored by the National Academy of Sciences. Detrick papers included "Viability and infectivity of microorganisms in experimental airborne infection." "Techniques of aerosol formation," and "Airborne Q fever."

Detrick's third meeting was the second International Conference on Aerobiology, held in Chicago last March and sponsored jointly with the Illinois Institute of Technology, a Detrick contractor. Papers by Detrick researchers included "Antibiotic prophylaxis and therapy of airborne tularemia;" "Physical and chemical stresses of aerosolization;" "Infection of pigeons by airborne Venezuelan equine encephalitis virus;" and "Attenuation of aerosolized yellow fever virus after passage in cell culture." Two papers reflected collaboration between Fort Detrick and NIAID: "Effect of route of inoculation on experimental respiratory viral disease and evidence for airborne transmission" and "Assessment of experimental and natural viral aerosols." A cooperative project between Detrick and the University of Maryland Medical School was a study of "Aerogenic immunization of man with live tularemia vaccine." A researcher at Ohio State University College of Medicine, supported by a Detrick grant, reported on "Aerosol infection of monkeys with *Rickettsia rickettsii*," the organism that causes Rocky Mountain spotted fever. Detrick, the University of Arizona, and the Public Health Service all cooperated in a study of "Experimental epidemiology of coccidioidomycosis," an infectious fungal disease.

PHS INVOLVEMENT

The Public Health Service has also cooperated with Detrick in other ways. In 1960, for example, the PHS received more than $380,000 in funds transferred from the Army Chemical Corps, and, according to a PHS spokesman, annual transfers of funds measure only a fraction of the real cooperation between the two agencies. The PHS says that it does not take Army money to conduct research that it would not otherwise undertake, but only to bolster ongoing projects in fields in which it has an independent interest. Its policy is that none of the research results obtained in collaborative projects may be classified. However, the subject matter of an Army–PHS transfer of funds cannot always be discussed because—even though it may concern an area in which the PHS is studying openly—the mere fact of military interest in it may be classified.

Apart from the transfer of funds there is active liaison between the two agencies—communication on several levels, and efforts on both sides to avoid duplication. And the PHS has also cooperated with Detrick by delaying required reporting to international health authorities of quarantinable diseases occurring at Fort Detrick. One such instance took place on 1 September 1959 when a 22-year-old enlisted technician named Ralph Powell became ill with pneumonic plague. The following day Detrick informed the Frederick County Health Officer, and on the second day it informed the Public Health Service. Its memo to the PHS, classified secret, stated that "no press release has been made or is contemplated by any DOD agency, unless death occurs. In such a case, the cause of death would not be announced." Powell recovered, the report was downgraded to "for official use only," and on 6 November the PHS reported the case. If the PHS is assured that no epidemic hazard exists, it allows the military's declaration of "national security" to take precedence over its international obligations.

Another source of advice for the biological warfare effort is the National Academy of Sciences. In addition to occasional formation of special groups to consider particular problems, the NAS has for several years sponsored a program of postdoctoral "Resident research associateships" designed in part to help bring talent into Detrick. The fellowships are supported by Detrick for research at the laboratories, but candidates are screened by the Academy. Appointees, who must be investigated and cleared, are subsequently permitted to describe themselves as having received an NAS–NRC fellowship.

Additional intellectual assistance for Detrick comes from the American Society for Microbiology, which maintains a permanent Detrick advisory committee. In 1966 the President of the ASM was Riley D. Housewright, scientific director of Fort Detrick. Detrick also uses the part-time consulting services of a number of individual researchers drawn largely from the academic community.

A MILLION DOLLAR SECRET

A number of universities and research institutes also have come into the CBW constellation. The terms of the research sponsored by Detrick or by its chemical-weapons counterpart, the research laboratories of Edgewood Arsenal, vary. Some of it is secret, some open. Some of it amounts to support for basic microbiological research in which Detrick and university-based investigators happen to have simultaneous interest; some is closer to a straight purchase of manpower for a particular task. The scale and magnitude of university-based CBW research is also variable, occasionally running—as at Penn—into large projects but most-often consisting of a few researchers together with perhaps a handful of graduate students.

Between 1955 and 1963, as an example of one end of the spectrum, John Hopkins received over $1 million for work described as "studies of actual or potential injuries or illnesses, studies on diseases of potential BW significance, and evaluation of certain clinical and immunological responses to certain toxoids and vaccines." Hopkins reports that its work, which is continuing at a reduced level, produced no results published in open literature. At the other end of the spectrum is the Duke University Medical Center, where researchers have been working since 1958 to develop a vaccine against Coccidioides immitis and have made several contributions to professional journals. Some of the CBW work, such as that performed in the late 1950's at Stanford University, is strictly classified; or, like that done at Brooklyn College, the New York Botanical Gardens, and the Midwest Research Institute, at least does not contribute to open literature. Most of the research seems to occupy an ambiguous middle ground where at least some fraction of the results may be publishable, but only with clearances, releases, and so forth from the Department of Defense. Among the institutions where researchers recently performed or are now performing work in this category are the Southern Research Institute, the University of Maryland, the Illinois Institute of Technology, and Hahnemann Medical College.

Another group of institutions has done or is doing research, supported by the CBW program, that is not classified; it includes the universities of Chicago, Minnesota, Michigan, and Texas, Ohio State University, and M.I.T.

Cooperation, including joint support of graduate students, seems particularly flourishing between Detrick and universities in the Washington area, such as the University of Maryland and George Washington University. GW had Detrick contracts totaling $1,202,000 in 1960, and from 1952 to 1959 it conducted a comprehensive research program relating to the "physical and biophysical factors incident to the explosive dissemination of biological aerosols." The annual report of the dean of sponsored research for 1959 reported "phenomenal success improving the efficiency of dissemination of liquids" and noted that, "While it is quite obvious that the end result . . . will be a new weapon," GW's role was limited to research and did not include development. GW maintained a special laboratory at Fort Detrick during that period. Similarly close relations appear to exist between the Dugway Proving Ground and academic institutions in its area. In 1960 the University of Utah had eight contracts with Dugway, totaling $1,570,000. Utah State University also has worked with Dugway.

Finally, it should be pointed out that many more institutions than those cited have contributed to the CBW program. While the Army has turned to academic organizations for basic research, especially on the biological side, industrial contributions to the chemical-weapons program have been substantial. At times nearly 65 percent of the military R&D money in CBW has gone to industry, which is reported to be the most productive source of new compounds. Arthur D. Little, Inc., and DuPont are among companies mentioned as prominent contributors to the CBW program. From outside the chemical industry, many aerospace companies now devote some fraction of their efforts to CBW.

BEYOND BASIC RESEARCH

During the past few years the Army and the Air Force together have moved into another area of CBW research. It goes by a lot of contemporary-sounding titles but boils down to evaluation of chemical and biological weapons and delivery systems. The controversial contracts at the University of Pennsylvania are of this type (see end of article). But, although Penn is a crucial cog in this phase of the CBW program, it is not the only one: New York University also is performing such studies, under an Air Force contract, and a Pentagon official recently stated that related studies are being conducted by, among other organizations, RAND, the Stanford Research Institute, and the Institute for Defense Analyses.

Research Analysis Corporation, a small firm located near Washington, in a brochure designed to reflect past support by government as well as to attract more, lists the following "research capabilities." Under the heading "Agricultural warfare" are "Study of biological and chemical attacks on crops and some analyses of effects on livestock," "Covert attack on a food crop," and "Impact of chemical attack on guerrilla food crops." Under "Guerrilla warfare and counter-insurgency" are "Evaluation of counter-insurgency requirements in Southeast Asia," and "Southeast Asia environmental-data collection." And under "CBR warfare" are "Military potential of GB" [a toxic nerve gas], "The feasibility of chemical warfare in defense of a perimeter in the Naktong Valley basin," and "The value of toxic chemicals in ground warfare."

Another leading entry in the field of CBW is the Travelers Research Center, an outgrowth of the Travelers Insurance Companies. Its most recent brochure reports studies of military operations that are "highly sensitive to the natural environment." Chief among these, the report continues, ". . . are chemical and biological weapons systems, which exhibit a high degree of dependence upon meteorological, terrain, and vegetative factors. The extensive experience of the TRC staff in research on turbulent diffusion and transport of atmospheric contaminants provides a firm base for TRC's participation in the nation's CB weapons analysis program. The Center's interest in this field stems not only from the importance of understanding the environmental phenomena involved, but also from our desire to support and assist the United States in acquiring effective, humane, incapacitating (non-lethal) systems for coping with proliferating limited war and counter-insurgency. One study was undertaken for the Army to identify the most effective approaches for contending with difficult military situations with a minimum loss of human life to both sides. Another study conducted for the Navy provided an updated review of the influence of micrometeorological factors on chemical warfare in the form of a technical manual to assist in the identification, observation, and prediction of relevant meteorological factor and processes. In another study for the Army, TRC began comprehensive research on dosage prediction techniques to provide up-to-date knowledge of dispersion processes in the lower atmosphere, and with a critical evaluation of present quantitative techniques for predicting the behavior of atmospheric contaminants. This study is similar in many respects to those being conducted on urban and regional air pollution."

Travelers has branched out in another new direction: "Because modern military planning must often consider technical and strategic goals in relation to their political, sociological and psychological implications, particularly with respect to limited war and counter-insurgency," the brochure states, "a study was undertaken for the Air Force to assess not only the military potential of non-lethal CB weaponry, but also the psycho-political reaction to its use."

This is the chain of research. The United States government is developing chemical and biological weapons. It is learning how to use them effectively. And, finally, it is inquiring into the public reaction to their use.

ELINOR LANGER.

THE DETRICK RESEARCH PROGRAM

(Excerpts from Opportunities for Fundamental Research, a Detrick publication issued in connection with the NAS–NRC Detrick fellowship program)

AEROBIOLOGY

Respiratory Infections: . . . The disease process in laboratory animals exposed to aerosols of microorganisms is studied and characterized. Fundamental research is needed in the pathogenesis of disease in relation to (1) the particle size of the aerosol, (2) temperature and other environmental conditions, and (3) the effects of immunization on respiratory infectivity.

Environmental Stress: Basic research is needed in relation to the responses of airborne microorganisms to environmental stresses such as temperature, relative humidity, drying, and solar radiations. Quantitative data on the effects of these stresses are limited. In addition very little is known of the fundamental mechanisms which determine the resistance or susceptibility of cells to their environment. Studies are contemplated in which microorganisms will be exposed to natural sunlight, temperature and humidity ranges, etc., and wherein the effects produced may be measured quantitatively.

BIOCHEMISTRY

Biochemistry: Various fundamental aspects of the biochemistry of microorganisms and bacterial products are being investigated. Some current problems are concerned with (1) the site and mode of action and the identification of the structure of an inhibitor of mammalian oxidation produced by various species of microorganisms, (2) the identifica-

tion of the structural features of bacterial toxins required for biological activity including a study of reactive groups and the composition of partially degraded fragments, and (3) the effect of microorganisms on the metabolism of lymph tissue in vitro.

IMMUNOLOGY

Medical Entomology: This field involves basic research on the biology and rearing of medically important insects, the factors affecting infection of various arthropods and factors affecting transmission of micoorganisms. Current problems consist of basic studies of effects of rearing procedures for various insects on longevity and fecundity; the effects of different environmental factors on infection of insects and on virulence of microorganisms.

PLANT SCIENCES

Pathology: A broad research program on several plant diseases is in progress. Some areas currently under investigation include: Factors of environment (host plant and pathogen) which affect spore germination, germ tube penetration, establishment of infection, disease symptom expression, sporulation, viability retention, resistance to infection. These and other problems of interest extend into fields of irradiation biology, physiology and genetics.

Physiology: Excellent opportunities exist for research on growth regulators, herbicides, defoliants, and problems of absorption of chemicals. Basic research is needed on the uptake, translocation, mode of action, structure versus activity relationships, and the function of surfactant compounds in herbicidal formulations.

University of Pennsylvania: It's Hard To Kick the Habit

The University of Pennsylvania is now in the second year of an increasingly bitter dispute over the presence of CBW research on its campus. The project at Penn involves applied research on weapons systems; it has been going on for about 10 years under various titles: most recently, "Summit" (an Army contract) and "Spicerack" (an Air Force project). The contracts total roughly $1 million a year.

The Summit contract calls for the researchers, among other things, to "prepare analyses and studies of the behavior, technical properties, and performance of particular agents, munitions, weapons components or subsystems of C&B weapons systems. The required analyses will be directed to include estimations of the human effects of particular C&B agents; characterization of the aerosol behavior of the specific agents in field clouds; appraisal of the performance of candidate munitions-agent combinations under environmental conditions; examination of various protective procedures in specific military situations; and the estimation of human factors and response to the C&B environment."

Penn subcontracted with the Cornell Aeronautical Laboratory for additional research on "targeting." Part of Cornell's job was to "conduct a detailed target analysis to determine anticipated target neutralization requirements. This analysis will consider (i) protective measures against which a weapon capability should be required; (ii) acceptable time to incapacitation requirements; and (iii) target sizes and content and minimum acceptable casualty infliction to achieve neutralization."

The relation between these projects and U.S. operations in Vietnam is a matter of some debate. University officials connected with the controversy have made many contradictory statements, sometimes conceding relevance to Vietnam, sometimes denying it. But the researchers have done a good deal of study of the application of CBW to a number of crops, including rice; of the effects of crop-destruction on the economies of underdeveloped countries and on the political and nonpolitical climate of Asia. In an interview with *Science* last fall, Knut Krieger, the chemistry professor who directs the research, said that he receives Army field reports from Vietnam and that he has evaluated tests on defoliants. Penn now has a capability with which the Pentagon, for immediate or long-range reasons, is reluctant to part. "We could get along without Penn," one official recently commented, "but we're not very anxious to try."

Summit and Spicerack carry with them some obvious liabilities. President Gaylord Harnwell says that Penn loses money on the contracts—about 5 percent of the cost of the projects or about $50,000 a year. The bookkeeping on such matters is extremely intricate, and on the basis of other universities' experiences it is safe to say that profit and loss can be calculated in a great many different ways. However, the university is plainly not reaping great financial rewards from CBW, and officials state there is no hidden funding from which they are benefiting. The CBW projects have given the university painfully bad publicity. And, finally, the controversy has aroused and divided faculty, students, administrators, and alumni.

The answer to the question why, in this troubled climate, the research has not simply been abolished has to do in part with internal politics of the university, in part with the fact that the controversy touches on some of the most sensitive issues in academia. Last year a small group of professors sought to have the CBW projects thrown out because they considered its subject matter immoral. A much larger number of faculty members were unwilling to set a precedent of vetoing the substance of a colleague's research; instead they took up the issue of publishability. The faculty passed a resolution reaffirming an old but, practically speaking, extinct university policy that called for accepting "contracts or grants only for research projects whose principal purpose is to produce results which will be freely available and freely publishable in the ordinary manner of open research in the relevant discipline." The faculty also set about devising a mechanism which would assure review by the faculty of contracts suspected of violating the criteria.

The publishability issue did not prove an effective vehicle for accomplishing the faculty's object of ending CBW. President Harnwell believed that, under a special dispensation negotiated into the Spicerack contract at renewal time last spring, Krieger was technically free to publish his findings and that the research therefore did not come under the terms of the faculty resolution. Accordingly, he renewed the contract. The difficulty is that Krieger does not want to publish. "My findings are not of general interest," he told *Science*, "they are highly specialized. And in the second place I don't think it's the kind of work that ought to be published. It's a matter of national security."

Harnwell adds another argument to Krieger's. "He's a tenured professor," the President remarked to *Science*. "How can we make him publish if he doesn't want to? It's really a question of academic freedom. If I told someone what research to do or not to do or what and when to publish, another portion of the faculty would be down here knocking at the doors."

Harnwell's attitude—that what is at stake is neither the substance of the research, nor its publishability, but academic freedom—has been echoed this year by a faculty group that was relatively silent earlier, a group centered in the engineering sectors of the university. This group, heavily involved in defense contracting, feels that the ban on classified research, endorsed by most of the faculty, would harm the engineering schools. University officials have also been hearing from alumni, some of whom are reportedly shocked that the propriety of the University's conducting research related to national defense should even be called into question.

At this point, the future of Spicerack and Summit is uncertain. President Harnwell recently indicated that he would like to get rid of the research because he is tired of the emotion-racked controversy. But the University cannot simply run out on the Pentagon, and one problem is where to ship the research. The University is contemplating, among other possibilities, transferring it to the University City Science Center, a new, nonprofit, R&D corporation in Philadelphia, owned by a consortium of Pennsylvania colleges and universities. The trouble is that the consortium includes Quaker colleges Haverford and Swarthmore; there have been reports that they don't want CBW either.

E.L.

[From Science, Jan. 20, 1967]

Chemical and Biological Warfare: The Weapons and the Policies—II

(By Elinor Langer)

"Until I retired . . . I was not able to speak of a chemical or biological weapon without prefacing my remarks with the statement that the enemy might use it. I was never able to speak of the offensive, only of the defensive."—Brig. Gen. J. H. Rothschild, USA (Ret.), former Commanding General, U.S. Army Chemical Corps Research and Development Command, *Tomorrow's Weapons*, (McGraw-Hill, New York, 1964).

The United States program in chemical and biological weapons does not stop in the laboratory. Weapons are accumulating and military manuals describe in detail a variety of circumstances and conditions in which they might be used.

It has to be remembered that, because of restrictions in the government's information policy, a great deal of data would probably be held just as secret if CBW production were floundering as if it were successful. Nevertheless, although the magnitude and precise ingredients of the CBW arsenal cannot be known by those outside the security establishment, the weapons-production program does support an apparatus of several thousand people.

Fort Detrick, in addition to its research activities, is involved in process development, small-scale production, and design and operation of pilot plants. Closely related to Detrick is the Dugway Proving Ground, which employs about 900 people and occupies an area in Utah larger than the state of Rhode Island. Dugway is the principal station for field assessment and testing of chemical and biological munitions.

According to Pentagon officials, there is no large-scale field testing of chemical and biological agents on human subjects. Limited testing is done on volunteers at Detrick—Seventh Day Adventists who serve in the Armed Forces only as noncombatants—and occasional experiments have been performed on prisoners. But the military logic of real testing is evidently outweighed by fear of injury and contamination and field trials are reportedly limited to animals or to nonpathogenic simulated agents. (During World War II the British conducted BW experiments with anthrax—spores of which remain in soil for a long time—on the small island of Gruinard, off the northwest coast of Scotland. According to a recent statement by G. E. Gordon Smith, director of Porton, the British equivalent of Detrick, when the island was recently revisited it was concluded that "it may remain infected for 100 years.")

Biological munitions are produced at Pine Bluff Arsenal, a 15,000-acre installation outside Pine Bluff, Arkansas, which employs about 1400 people. Pine Bluff also produces toxic-chemical munitions and riot-control munitions. Its job runs from manufacturing the agents to filling and assembling weapons. Research and development on chemical weapons, and some production and assembly of them, take place in a number of subunits of the Edgewood Arsenal, in Maryland. Various chemical munitions, reportedly including nerve gas, mustard gas, "incapacitants," and anticrop weapons, are produced at Rocky Mountain Arsenal in Denver. The U.S. also operates a major manufacturing plant—at an estimated annual cost of $3.5 million—in Newport, Indiana, where Sarin, a lethal nerve gas, is produced and loaded into rockets, land mines, and artillery shells. The plant is managed under contract by the Food Machinery Corporation, has 300 employees, and is reported to have been operating 24 hours daily since 1960. Additional chemicals were manufactured during the middle 1950's at another plant in Muscle Shoals, Alabama. A few years ago the Pentagon entered into contracts with about ten chemical companies for research and development on improved defoliants and dessicants; the chemical defoliants used in Vietnam are for the most part purchased commercially.

Chemical weapons are produced in forms designed to meet the requirements of all services. They are available in a variety of forms from regular artillery shells to the Sergeant missile (which has a range of 139 km), the Honest John and Little John rockets, and chemical land mines. They are also available as bombs for delivery by conventional military aircraft. Detailed information on delivery systems for biological agents is classified, but unclassified manuals suggest that biological weapons are available as warheads for missile systems (for large-area attacks), as cluster bombs, and as spray tanks and dispensers mounted on aircraft. (In his book promoting CBW, General Rothschild qualifies his discussion of the availability of chemical and biological weapons with these words: "Whether or not they have been procured in sufficient quantity for combat use is another matter. However, this information cannot be released to the public.")

Useful attributes of chemical and biological agents, from a military point of view, are that they can penetrate structures, cover large areas, and produce a range of effects for varying periods—severe illness for a brief time or less-severe illness for a long time, tears or hallucinations, paralysis or death. A useful quality of biological weapons, according to the unclassified military field manual FM 3–10, is their ability to "accomplish their effects . . . with little or no physical destruction. This constitutes an advantage both in combat operations . . . and—from a longer range viewpoint—in postwar rehabilitation, where overall rebuilding requirements would be reduced." The utility of chemical weapons is described in similar language. (The manual, entitled Employment of Chemical and Biological Agents, has classified counterparts.)

THE CHEMICAL ARSENAL

Components of the arsenal change from time to time, reflecting both technical progress and military judgment. The current manual lists seven chemical agents now standardized for use. They include two nerve agents, one blister agent, an incapacitant, a vomiting agent, and two riot-control agents.

The nerve gases were discovered in Germany in the course of research on insecticides. At the end of World War II the Russian captured a German plant that manufactured Tabun, a highly toxic chemical known by the military symbol GA. They moved the plant to Russia, and are said to have made Tabun their standard nerve agent. The United States adopted a related chemical, Sarin, known as GB, which is said to be four times as toxic as Tabun and 30 times as toxic as the previously favored lethal agent, phosgene. Sarin is colorless, odorless, and poisonous in minute quantities. According to the Army technical manual *TM 3–215, Military Chemistry and Chemical Agents*, its effects, in order of appearance, are: ". . . running nose; tightness of chest; dimness of vision and pinpointing of the eye pupils; difficulty in breathing; drooling and excessive sweating; nausea, vomiting, cramps, and involuntary defecation and urination; twitching, jerking and staggering; and headache, confusion, drowsiness, coma, and convulsion. These symptoms are followed by cessation of breathing and death. . . . Although skin absorption great enough to cause death may occur in 1 or 2 minutes, death may be delayed for 1 or 2 hours. Respiratory lethal doses kill in 1 to 10 minutes, and liquid in the eye kills nearly as rapidly."

The other standard nerve gas, VX, is of the same general type as GB and has similar effects, but it evaporates more slowly and therefore remains effective longer.

The blister agent available for use is distilled mustard, or HD, a purified version of the mustard gas used in World War I. Moderate concentrations of mustard burn the eyes and produce skin irritation that may include blistering and ulceration. High concentrations may have systemic effects—nausea, vomiting, cardiac arrythmia, and shock. Long-term effects may include aplasia of bone marrow, dissolution of lymphoid tissue, and ulceration of the gastrointestinal tract.

Both the nerve gases and distilled mustard are recommended for use to cause direct casualties, to harass the enemy by forcing troops to wear protective clothing ("thereby impairing his effectiveness as a result of fatigue, heat stress, discomfort, and decrease in perception"), and to hamper or restrict the use of terrain. They may also be used to complement other munitions, or for, among other purposes, "engaging numerous small, individual targets not militarily worth the use of a nuclear munition."

INCAPS

Research on incapacitating chemicals, known informally to some CBW researchers as "incaps," began in the middle 1950's, with emphasis on consciousness-altering drugs, or hallucinogens. In 1964, General Rothschild remained enthusiastic. "Think of the effects of using [LSD–25] covertly on a higher headquarters of a military unit or overtly on a large organization!" he says in *Tomorrow's Weapons*. "Some military leaders feel that we should not consider using these materials because we do not know exactly what will happen and no clear-cut results can be predicted. But imagine where science would be today if the reaction to trying anything new had been 'Let's not try it until we know what the results will be.' " However, fear of inducing irrational and unpredictable behavior in an enemy—especially one who controls nuclear weapons—evidently outran scientific curiosity. Reseach shifted to agents causing temporary physical disability such as discomfort, anesthesia, paralysis, or immobility. One compound reportedly regarded as promising produces temporary ascending paralysis. The victim first loses the ability to stand, then becomes unable to move his arms. He remains alive but cannot fire a weapon or otherwise function in a military capacity.

The incapacitant now standardized for use is known as BZ. It has both physical and mental effects, but its precise nature is not clear; unclassified information is notably less ample than for other chemical agents. The Army technical manual (*TM 3–215*) lists the following effects: interference with ordinary activity; dry, flushed skin; tachycardia; urinary retention; constipation; slowing of physical and mental activity; headache; giddiness; disorientation; hallucinations; drowsiness; maniacal behavior (sometimes); and increase in body temperature. The weapons-employment manual warns that there are "critical limitations to the use of BZ" but cites the usefulness of incapacitants against intermingled enemy and friendly military units and against mixed populations of friendly, enemy, and civilian personnel.

Projections of the military utility of chemical and biological weapons now in the arsenal are not based on experience. Chinese allegations that the United States used biological weapons in Korea were never substantiated. During the Korean war some U.S. commanders sought permission to use chemical agents; they were refused, and after the war did considerable public griping. Riot control agents were used against North Korean prisoners of war during outbreaks in POW camps, however, which may have been the source of stories that chemicals were employed in combat. In addition, American planes are reported to have dropped propaganda leaflets in converted gas cannisters that were left over from earlier wars.

The Italians used mustard gas against the Ethiopians in 1936, and the Japanese are believed to have used chemicals against the Chinese between 1937 and 1943. But apart from these cases there are no authenticated instances of intentionally lethal chemical gases being employed since World War I, and there are no authenticated instances of modern use of biological weapons.

The three remaining agents are sometimes placed together in the "riot control" category, although one—DM—is a vomiting agent. It causes sneezing and coughing, nausea, vomiting, severe headache, and acute pain and tightness in the chest; symptoms may last up to 3 hours. Another agent, CS, is one of the more recently developed agents of the general tear-gas type. It causes extreme burning and tearing of the eyes, difficulty in breathing, tightness of the chest, stinging of the skin, running nose, dizziness, and—in heavy concentrations—nausea and vomiting. The third, CN, has effects generally like those of CS, but it also causes burning, itching, and, occasionally, blisters. Effects of these two agents last for a few minutes.

The agent DM alone "is not approved for use in . . . any [riot-control] operation where deaths are not acceptable." However, the field manual reports that it may be used combined in munitions with CN and in "military or paramilitary operations, in counterinsurgency operations, or in limited or general war . . . where possible deaths are acceptable." Chemical agents CN and CS may be used to flush "unmasked enemy troops from concealed or protected positions, to reduce their ability to maneuver or use their weapons, and to facilitate their capture or their neutralization by other weapons." They are also regarded as useful "in the conduct of raids and ambushes against guerrilla forces and in defense against insurgent or guerrilla attacks and ambushes." All three, DM, CS, and CN, have been authorized for use—and used in many of these ways—in Vietnam.

BIOLOGICAL POSSIBILITIES

The identity of the biological agents standardized for use is classified, but unclassified references testify to their existence. Characteristics of the diseases that might be employed vary considerably. Brucellosis (undulant fever), for example, begins with aching, headache, loss of appetite, and stiffness, and produces constipation, loss of weight, and fever accompanied by severe sweating. It lasts for months and sometimes years, and may produce severe depression. Tularemia (rabbit fever) is characterized by sudden onset of chills, nausea, vomiting, fever, and prostration; it sometimes produces ulcerations and pneumonic complications, and may become a chronic condition. Mortality of untreated victims is as high as 30 percent.

Rocky Mountain spotted fever is an acute infectious disease producing fever, joint and muscular pains, aversion to light, and sometimes delirium, coma, convulsions, tremors, muscular rigidity, and jaundice. Persistent effects may include deafness, impaired vision, and anemia. Mortality in untreated cases averages about 20 percent but can run as high as 80 percent. Psittacosis, or parrot fever, causes acute pulmonary infection, chills, fever, sore throat, constipation, weakness, and, sometimes, delirium. Mortality in untreated cases is about 10 percent; death is more common among persons over 30. Coccidioidomycosis occurs as an acute, disabling disease resembling flu, and as a chronic malignant infection that may involve any or all organs—including skin and bones—and produces abscesses. From the second form, mortality is about 50 percent. Botulism poisoning produces vomiting, constipation, thirst, weakness, headache, fever, dizziness, double vision, and dilation of the pupils. In the United States, death occurs in about 65 percent of the cases.

Particular diseases are not recommended for particular uses in unclassified Army publications, but the anticivilian character of biological weaponry is suggested: "While these agents might be employed against selected individuals, their main value appears to lie in producing mass casualties over large areas with resultant physical and psychological effects that could weaken or destroy the target group's ability to wage war."

U.S. POLICIES

According to the unclassified field manual FM 3–10, "the decision to employ lethal or incapacitating chemical or biological agents is a matter of national policy." That policy is now in a somewhat unsettled state.

During the 1920's the United States took the lead in promoting international prohibitions of chemical and biological warfare. One effort, the 1922 Treaty of Washington outlawing "the use in war of asphyxiating, poisonous or other gases" was ratified by the U.S. Senate but rejected by France because of provisions, unrelated to chemical warfare, that placed strict limitations on submarines. The treaty never went into effect. In 1925 the United States tried again with the Geneva Protocol, which repeated the earlier ban on chemical weapons and added a prohibition of "bacteriological warfare." It was sent to the Senate in January 1926, where it met a returning wave of isolationism and a wall of opposition led by the American Legion and the American Chemical Society. A majority of the Senate became convinced of the need to keep the CBW option open and to avoid offending the treaty's enemies. The Geneva Protocol was returned to the Senate Foreign Relations Committee and never again emerged.

Since that time, American rejection of chemical and biological warfare has rested chiefly on a statement issued by President Roosevelt in 1943:

"From time to time since the present war began there have been reports that one or more of the Axis powers were seriously contemplating use of poisonous or noxious gases or other inhumane devices of warfare. I have been loath to believe that any nation, even our present enemies, could or would be willing to loose upon mankind such terrible and inhumane weapons. . . . Use of such weapons has been outlawed by the general opinion of civilized mankind. This country has not used them, and I hope that we will never be compelled to use them. I state sategorically that we shall under no circumstances resort to the use of such weapons unless they are first used by our enemies."

This policy was fortified by the universal abstention from CBW in World War II, and by U.S. restraint in Korea. Roosevelt's statement was reaffirmed in January 1960 by President Eisenhower, who said, in response to a question at a press conference, "so far as my own instinct is concerned, [it] is not to start such a thing as that first."

Even while Eisenhower was speaking, however, wheels were already turning in other directions. In September 1959 Representative Robert W. Kastenmeier (D-Wis.), alarmed by the Army's emerging CBW campaign, proposed that Congress adopt a resolution opposing first use of these weapons. The resolution, its language echoing Roosevelt's said:

"Congress hereby reaffirms the long-standing policy of the United States that in the event of a war the United States shall under no circumstances resort to the use of poisonous or obnoxious gases unless they are first used by our enemies."

Kastenmeier's resolution was opposed by the State and Defense departments in September 1960 in language that testified to the reevaluation that was under way, and on grounds remarkable for their avoidance of the "first use" issue. According to the State Department, in its official response to the resolution:

"As a member of the United Nations the United States . . . is committed to refrain from the use not only of biological and chemical weapons, but the use of force of any kind in a manner contrary to that Organization's Charter. Moreover, the United States is continuing its efforts to control weapons through enforceable international disarmament agreements. Of course, we must recognize our responsibilities toward our own and the Free World's security. These responsibilities involve, among other things, the maintenance of an adequate defensive posture across the entire weapons spectrum, which will allow us to defend against acts of aggression in such a manner as the President may direct. Accordingly, the Department believes that the resolution should not be adopted."

The Pentagon said:

"It must be considered that biological and chemical weapons might be used with great effect against the United States in a future conflict. Available evidence indicates that other countries, including Communist regimes, are actively pursuing programs in this field. Moreover, as research continues, there is increasing evidence that some forms of these weapons, differing from previous forms, could be effectively used for defensive purposes with minimum collateral consequences. These considerations argue strongly against the proposed resolution, which appears to introduce uncertainty into the necessary planning of the Department of Defense in preparing to meet possible hostile action of all kinds."

Most recent official statements on CBW have arisen in the context of Vietnam. In a news conference held in March 1965, Secretary of State Dean Rusk told reporters, "We are not engaged in gas warfare. It is against our policy to do so. . . ." At about the same time, Deputy Defense Secretary Cyrus Vance wrote to Representative Kastenmeier that "national policy does proscribe the first use of lethal gas." In addition, the United States last month went along with a move of the United Nations General Assembly, initiated by Hungary, and endorsed a resolution calling for strict observance by all states of the principles of the Geneva Protocol. (Hungary's original version, which also condemned "any actions aimed at the use of chemical and bacteriological weapons" and termed their use an "international crime," was opposed by the U.S. as "subject to contention, misinterpretation, and distortion.")

These statements by U.S. officials have had a common theme. The Johnson administration maintains that its operations in Vietnam do not involve the "asphyxiating, poisonous, or other gases" outlawed by the Geneva Protocol, and that they do not constitute "chemical and biological warfare." Whether they do or not is something that scholars of international law can perhaps argue in many ways. But it has to be faced that despite their civilian analogues—to which the administration repeatedly has called attention—the destruction of crops by chemical or biological means, and the use of nonlethal chemicals to achieve military objectives, fit in naturally with most descriptions of CBW written before current operations in Vietnam began.

According to the latest information supplied by the Pentagon on request from *Science*, more than 500,000 acres of jungle and brush and more than 150,000 acres of cropland have been, in DOD's language, "treated with herbicides." While the Pentagon points out that this area is a negligible fraction of Vietnam's arable land, the program is now tripling in capacity, to 18 planes. (Correspondents in Vietnam report that, lettered above a room in the headquarters of the men who fly the missions is a motto: *"Only We Can Prevent Forests."* In other operations, the use of what the Pentagon still terms "riot control agents," after a period of being closely monitored in Washington, has passed to the initiative of local commanders. The Pentagon told *Science* that it no longer knows how many times and for what purposes they have been employed.

Apart from Vietnam itself, and the issues, raised by many scientists, of the effects of these chemicals on Vietnamese civilians and on the countryside, there is another question: Will what we are doing there, however the government chooses to label it, lead to further CBW operations—by the U.S. or by others, during this war or the next—about whose character there could be no semantic quibble? Officials of the Pentagon and the State Department deny that we are setting a precedent or that there is a risk of escalation. On historical grounds alone, their position is weak. The first use of gas in World War I was not the German attack with chlorine in 1915 but a French attack in 1914—with tear gas. United States officials find the Vietnam war an especially bitter and frustrating one. There is constant search for a technological breakthrough—with some suggestions bordering on the bizarre—that will produce a political victory in the fight against elusive guerrillas. We appear headed for involvement in guerrilla warfare for a long time. Proposals to reach further into the waiting CBW arsenal provided by research have traveled high into the Pentagon. Until now they have been resisted. But, if the record of the Vietnam war demonstrates anything, it is that frustration and a sense of futility can make even desperate measures seem attractive. What is "unthinkable" at one moment may be policy the next.

[From Science, Jan. 20, 1967]

CBW, Vietnam Evoke Scientist's Concern

In recent months thousands of scientists have signed a petition to President Johnson urging an "end to the employment of antipersonnel and anti-crop chemical weapons in Vietnam." The petition was initiated last September by 22 leading scientists including John Edsall, Felix Bloch, Paul Doty, Robert Hofstadter, and E. L. Tatum (*Science*, 23 September 1966); it will probably be presented to the President shortly. Addressed chiefly to the risks of escalation, the petition states that—

"CB weapons have the potential of inflicting, especially on civilians, enormous devastation and death which may be unpredictable in scope and intensity; they could become far cheaper and easier to produce than nuclear weapons, thereby placing great mass destructive power within reach of nations not now possessing it; they lend themselves to use by leadership that may be desperate, irresponsible, or unscrupulous. . . . U.S. forces have begun the large-scale use of anticrop and "non-lethal" antipersonnel chemical weapons in Vietnam. We believe that this sets a dangerous precedent, with long-term hazards far outweighing any short term military advantage. The employment of any one CB weapon weakens the barriers to the use of others. No lasting distinction seems possible between incapacitating and lethal weapons or between chemical and biological warfare. The great variety of possible agents forms a continuous spectrum from the temporarily incapacitating to the highly lethal. If the restraints on the use of one kind of CB weapon are broken down, the use of others will be encouraged."

A number of scientific societies—including the American Anthropological Association, the American Association for the Advancement of Science, the Federation of American Scientists, and Physicians for Social Responsibility—have passed resolutions or taken other action expressing concern over or opposition to CBW. In addition, many individual protests have appeared in a variety of publications, and there have been series of private communications from distinguished scientists to the President and other government officials. In one such instance, 12 plant physiologists, arguing from the basis of "special knowledge of the effects of chemicals on plants," wrote to the President that the persistence of some defoliants is such "that productive agriculture may be prevented for some years," and that "massive use of chemical herbicides can upset the ecology of an entire region."

Most recently, distress about the effects of war—though not specifically about CBW—is evident in the formation of a new group known as the Committee of Responsibility to Save War-Burned and War-Injured Vietnamese Children.* The committee, whose sponsors include more than 60 well-known scientists and physicians as well as a number of clergymen and other public figures, plans to raise private funds to bring Vietnamese children injured in the war to the United States for medical treatment. Honorary chairmen include Bentley Glass, Albert Sabin, Benjamin Spock, and Helen Taussig. Other scientists associated with the effort include Edward Condon, Hudson Hoagland, Salavdor Luria, and Anatol Rapoport.

Finally, a group of scientists growing out of the Pugwash movement have recently begun investigation of the problems and possibilities of biological weapons disarmament. These efforts are on a modest scale, consisting chiefly of exploratory research into the matter of what questions regarding biological disarmament need to be studied. Financial assistance for an expanded research effort may be forthcoming from the Stockholm International Peace Research Institute, an organization established last year by a grant from the Swedish Parliament. SIPRI has already expressed considerable interest in such studies.—E.L.

LAND, WATER, AND PEOPLE

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RANDALL. Mr. Speaker, it was my privilege to be present at the annual meeting of the Cass County, Mo., Soil and Water Conservation District at Pleasant Hill, Mo., on Thursday evening, February 20.

At that time, John E. Fichter, Assistant State Resources Conservationist, from the State Office of the Soil Conservation District, U.S. Department of Agriculture, Columbia, Mo., made the principal address of the evening, entitled, "Land, Water, and People." After the meeting I requested a copy of his remarks in order that I might share his thoughts with the readers of the CONGRESSIONAL RECORD. He was good enough to mail a manuscript which I recently received.

The annual meeting at Pleasant Hill provided a pleasant and most interesting evening because it was the occasion of the annual poster contest. One hundred and forty-eight students, representing nine schools, each had a poster on display. These were judged by a committee headed by the superintendent of schools. The results were announced and the prizes awarded the winners. It was a thrill to see the expressions on the faces of the young people when their names were called as winners. Moreover, it was a refreshing experience to see how well these young people had done to demonstrate their understanding of resource use and development. The theme of the contest was "Conservation in Action."

It was an enjoyable evening, yet it was also a productive meeting because it provided the opportunity to review the activities and accomplishments of the soil conservation district for the past year. Mr. Fichter's remarks follow:

LAND, WATER, AND PEOPLE

(Address by John E. Fichter, Pleasant Hill, Mo., Feb. 20, 1969)

Mr. Chairman, distinguished guests, ladies, gentlemen and students, and especially you students.

I give you my compliments and congratulations; your 148 posters representing the nine schools in your Soil and Water Conservation District displayed here tonight makes a living testimony, demonstrating that true understanding of resource use, development and conservation does exist in Cass county, Missouri. To me this is truly "Conservation Education in Action."

All of you are having fun and enjoying yourselves tonight. It is good—good to have a time to review activities and accomplishments of the past year.

I assure you that the Soil Conservation Service considers this an important meeting. On that note, I bring you greetings from our State Conservationist, Mr. Howard C. Jackson, who tonight is at the Harrison County Soil and Water Conservation District annual meeting for their 25th anniversary. Harrison County was the first Soil and Water Conservation District organized in Missouri. Tomorrow night he will help the Daviess District folks celebrate their 25th anniversary.

Before this year is over, 12 more Missouri Conservation Districts will each celebrate a milestone observance of 25 years of service, protection and improvement in each of their communities.

SELF GOVERNMENT—MOVING AHEAD—USING POSITIVE ACTION

It is a real pleasure for me to be here with you this evening. I look forward to opportunities such as this to get better acquainted with the men and women who work on the front line using, securing and developing our land and water resources. You represent the real strength of the Conservation District movement.

What I have to say deals with the job that District folks work at day in and day out. The job of getting technology into action on your land, and in your community.

Our work with and through each individual Soil and Water Conservation District makes it essential that we do have a close working relationship.

There is a personal satisfaction in associating with you dedicated people who devote so much of your time and energy to District work. We have a big job ahead of us, to make our land and water resources support our fast growing nation and maintain our high standard of living. This is an enormous challenge.

HEAVY DEMAND ON RESOURCES

Our land and water resources are being leaned on very heavily today. What will the demand be next year and the year after that? We will have no more land or water than we have today. Next year the United States will have 2.6 million more people than today. That's six times the population of Vermont. By 1975 we can expect a population of 230 million. By the turn of the century we will have 340 million people, a 100 to 110 million increase, up 50% from today and that is only 31 years from now.

A tremendous job of resource conservation and development is being done, it is true. However, we continue to:

1. Lose the equivalent of 400,000 good acres of land each year from erosion and misuse.

2. Spend billions each year to repair flood damages—when many of them are preventable.

3. Put up with almost 80 million dollars of damage each year in upstream sediment damage, 70% of which is preventable if land treatment measures are installed everywhere they are needed.

GOOD OLD DAYS

I suppose there exists in all of us a bit of nostalgia for the "Good old days", but this has always been a relative thing. The "Good old days" of my grandfather, my father, myself and my son are separate and distinct eras. But they can serve a good purpose even today. The past can teach us a vital lesson.

THE BEGINNING

Five billion years ago the planet Earth was formed (through Divine Province) from a cloud of dust. Between then and now life took place. Our continent teemed with creatures now extinct or altered, giving position to the highly advanced man in the high order that we know today. This life of remote ages is written in fossil remains and imprints obscured by the sands of time.

The settlers were not the first to establish an advanced culture on Western land. In the year 1 A.D., Indians farmed the lands, now bounded by the State of Colorado. For 1,300 years, they enjoyed an advanced civilization. Their story is written in Mesa Verde National Park.

What interrupted this advanced Indian civilization? The answer is the failure to pay attention to the basics—land and water resources.

OTHER CIVILIZATIONS

Let's look elsewhere in the world. It is not by coincidence that man's first cities were built along the banks of the Tigris and Euphrates Rivers in Mesopotamia, and along the rich soil of the Nile.

Some 3,000 years ago, Babylon was a fertile, productive land. But the kings following Nebuchadnezzar let their soil and water resources be exploited and abused. Land once described as "flowing with milk and honey" became unable to support human life.

North Africa, once the granary of Rome, neglected its land, lost its water and became part of the desert. Its inhabitants in effect turning into ghosts of human history.

AMERICA

History does prove that any nation that neglects its soil and water resources will die. America, a comparatively young nation, is no exception. Many once fertile areas of the United States are so eroded that productivity is either gone or greatly reduced. A 10-year-old survey shows 500 million crop acres, 120 million acres almost useless.

---

*The committee's address is 777 United Nations Plaza, New York 10017.

CASS COUNTY, MO.

Let's look at conditions closer to home. From Cass County history we find that in the year 1827—142 years ago or about four generations ago—and 6 years after Missouri became a state on August 10, 1821, John Quincy Adams the sixth President of the United States, was in office.

David G. Butterfield, a pioneer who had worn out land in Southern Illinois, was bringing his family West to find "new land" to solve his problem. Tied to his covered wagon was the long, gently curved moldboard of the sod plow, the little empire-building, but also soil-destroying machine.

David G. Butterfield liked the rich black loam of the undulating high prairie country of Western Missouri and he settled on Big Creek just a few miles northwest of where we are tonight—and became Cass County's first resident. During the next few years, Butterfield was followed by many immigrants from Southern Illinois, Kentucky and Tennessee, all wanting to solve their problem, all fighting for survival and success.

Eight years later in 1835, Van Buren County was created and named after the eighth President, Martin Van Buren. Only 150 votes were cast to elect the first county judges, James W. McLellan and William Savage. That same year James Blythe, Jr., was born north of Harrisonville, the first white child of record born in the county.

In 1849, just 14 years later, exactly 120 years ago yesterday, February 19, Cass County was renamed for General Lewis Cass, Democratic candidate for President, defeated by Zachary Taylor, who became the twelfth President of the United States.

The next 50 years was a period of land settlement and population expansion. By 1900, Cass County had a population of over 23,000 people. They had 133 schools, 212 teachers, 7,827 students. It took ¾ of its almost ½ million acres under cultivation to support all of the families.

THE STORM

An event happened late in July of 1900 that I want to relate because I believe it is important to tonight's meeting.

High and Charlie Williamson, Dent Smart, George Clark, and George Crouch were stacking hay. The day was close and hot. The rick rose slowly, only shoulder high at noon. After dinner the heat was more oppressive. By mid-afternoon the air carried a vague feeling of change. At 4:00 p.m. Dent Smart, stacker, listened to hear distant thunder. As if by instinct the teams moved faster, the pitchforks pushed deeper and hay rose in bigger bunches. Charles Williamson's team at a trot brought the last rack of hay. George Clark pitched, Dent Smart topped out.

The team, now hitched to the wagon, carried the men down the rough road to the barn. The men, dusty and tired, looked back, they heard the roar of the rain coming, they saw the dust clouds rise at the rain's impact on the parched fields. Then it was beating on the barn roof, dropping like a gray curtain between then and their familiar world. But the rick of hay was finished and they were in the safety and shelter of the barn. They thought, let the rain come!

But down the road south of the barn, the now 65-year-old Mr. Blythe, which you may recall was the first white child born in Cass County, was in his buggy coming home from Harrisonville. He had gotten this far when the boiling black clouds and angry lightning spooked his buggy mare. To prevent a runaway, Mr. Blythe headed the mare into the fence away from the storm.

Rain poured from the black clouds, rain came across the cornfield like a roaring curtain, splashing loose wet soil with such force that it seemed to be unrolling a muddy carpet as thick as the corn was high. The wind-driven rain came like open jets of steam, tore away protective covering. It lashed the corn and split the leaves.

The storm then crossed the road and with muffled sound entered the bluestem prairie, washing dust from the green grass. There, it traveled like an Indian in Moccasins.

The storm finally passed. Floods of muddy water filled the ditch on the corn field side. Clear water trickled into the ditch on the prairie side.

THE NEXT DAY

The next day brought bright sun and clear morning air. Down the muddy road came Charles Williamson. What he saw on the west side of the road was: sick corn, with leaves blown down and torn, muddy water still standing in low places where the soil, already low in organic matter, was packed too tightly to absorb water soon to be needed by the corn. But on the east side of the road he saw the bluestem grass was clean with a few dewdrops glistening in the sun. There, a song sparrow sang to her brood of new life. To repeat the contrast, on one side a passerby could see hissing steam, muddy water, starving corn and a dead mouse.

On the other side was the more pleasant sight of green grass, clear water, flowers, new life and a peaceful song.

Sixty-five years of unwise cultivation of the cornfield may have built a factory somewhere but just in the lifetime of Jim Blythe, the first white child born in Cass County, the field could no longer support those who labored there.

In contrast, the prairie soil could still build factories. It would continue to support them in the future if properly cared for.

Here was a picture of the farm problem long before it was given that name. The condition of the land was a product of man's fight for survival. It was a successful fight until he, or later his son, lost the fight by trying to farm the land without protecting it and returning that which had been taken out.

PROGRESS

Our progress with that type of success is so great that we may be forgetting the difference between a standard of living and life itself, a difference the rain storm I described demonstrated long ago.

SOIL AND WATER CONSERVATION DISTRICTS

I compliment you—you have joined over 3,000 other Soil and Water Conservation Districts across the nation in your effort to protect and improve your basic resources. You have additional townships asking to join your district—this is good. The Soil and Water Conservation District program is broadening, reaching out beyond the individual farm.

MOVING AHEAD

Each pond may seem of little significance except to its owner. The treated acres may seem difficult for some to relate directly to the welfare of the community and so on with each practice. But together they are the foundation of the economy of this community and the other communities in rural America. Added to the resource activities of all the other over 3,000 Soil and Water Conservation Districts in 50 states, you and your counterparts have built a record you can be proud of.

You have shown that we can protect our land and make it more productive, protect our streams and reservoirs from silt, decrease the devastation of floods, provide water for farm and town. Also we can give our youth and adults a place to swim, fish, hunt and relax—and most important, provide our nation with a secure abundance.

We in the Soil Conservation Service are proud of Soil and Water Conservation Districts and of you District leaders. We are proud of the partnership that we have, which I know will continue to be strengthened. We look forward to the challenges and opportunities to move ahead. We look forward to sharing with you the great and exciting future. I have faith that together we can do what needs to be done. In closing, I give you the words of our Missouri State Motto: "Let the welfare of the people be the supreme law."

SEX, VD, AND DRUGS—THE SWEDISH SYNDROME

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RARICK. Mr. Speaker, the poor Swedes who have tolerated exploitation by the world intellectual aristocracy under the many psycho-political test programs of the Socialist pseudointellectuals now find themselves facing a national morality crisis.

Perhaps in their awakening their leaders realize that the living experiments in a permissive Swedish society was encouraged by their Bolshevik neighbors in the interest of peace and progress.

How is it the Russian says, "Just give us one generation"? Now we know who has been falsely heralding Sweden as some shining example of progressive Socialism.

In the hope that our colleagues may hate the correlation between Sweden's national problem and the trends in the United States of America. We do not want promoted licentiousness, sex, VD, and drugs to destroy "one generation" here. Perhaps this report will encourage educators to take a second sober look at Gunnar Myrdal's teachings, which are discredited.

I include a clipping from Reuters News Service for March 5, 1969:

ADVERTISING AIDS FIGHT AGAINST VD

(By Stephen Croall)

STOCHOLM, SWEDEN.—Swedes are getting shock treatment in advertising campaigns here designed to combat venereal disease and drug-taking.

Huge posters set up in the center of Stockholm and in Malmoe warned visitors that during one night 80 people would contract gonorrhea.

A recent anti-drug poster took the form of a giant "in memorium" notice, headed by a large black cross saying, "Kerstin . . . born 1951, died 1968. Drugs took her life."

The advertising campaigns are being carried out by private concerns which feel the authorities have not devoted sufficient publicity to problems they claim arise from Sweden's permissive society.

The gonorrhea poster was produced by the National Association for Sexual Information. It followed a disclosure that reported cases of gonorrhea doubled over the last 10 years and rose to a total of 30,000 in 1968.

Association secretary Kjell Hansson said the disease had the highest rate in the world among young Swedes.

"The cause can be directly traced to the lack of correct sexual teaching in schools, where teachers are often embarrassed or indifferent," he said.

Hansson said there was also a connection with Sweden's permissive society. It was established that young Swedes changed partners more often than before, he said.

Other experts blame the increasing popularity of the birth control pill.

A Swedish equivalent of the Kinsey Report published recently showed that 77 per cent of young men here use contraceptives. But experts say this figure is declining as more women have turned to the pill and men are therefore more vulnerable to infection.

Syphilis, a more dangerous venereal disease than gonorrhea, appears headed for extinction. There were only 268 cases last year against 485 in 1961, and the authorities are hoping to wipe the disease out completely by the early 1970s.

The campaign against drugs began at the year-end shortly after the government had announced police action to quell a rising wave of drug-taking and smuggling.

This was recently described at an international narcotics conference here as unparalleled anywhere in the world.

A Stockholm advertising firm, arguing that immediate preventive measures were needed more than curative ones, took the initiative in launching a nation-wide poster campaign aimed at shocking the public.

The firm says it is currently planning a second poster series aimed at "really waking up the government."

Meanwhile, a state-backed campaign to get Swedes off hard liquor seems to be meeting with success. It has just been announced that the domestic distillation of spirits may be cut drastically next year following a 10 per cent drop in consumption of alcohol in 1968.

969

ative
aign

ng a
king

o get
eting
that
y be
per
1968.